

# DRAFT NEW ZONING BYLAW (EXCERPTS)

## Section 2: Definitions

**SECOND DWELLING** shall mean an accessory building which contains one or more habitable rooms designed and occupied as an independent dwelling in which living, kitchen and bathroom facilities are provided and which is located on the same lot as a single dwelling, semi-detached dwelling or townhouse dwelling, as defined herein.

**SECOND DWELLING UNIT** shall mean one or more habitable rooms designed and occupied as an independent dwelling in which living, kitchen, and bathroom facilities are provided and which is located entirely within a single dwelling, semi-detached dwelling or townhouse dwelling, as defined herein.

## Section 4: Specific Use Provisions

### 4.8 Additional Dwelling Units

Notwithstanding any provision of this By-law to the contrary, where a single dwelling a semi-detached dwelling or a townhouse dwelling is permitted as a principal use in a zone, or where an existing single dwelling, semi-detached dwelling or a townhouse dwelling is a legal non-conforming use as of the date of this By-law, a second dwelling unit and/or second dwelling, as defined herein, are permitted on the same lot in accordance with the following provisions.

#### 1. General

1. The second dwelling unit and/or second dwelling shall be located on a lot where the access is provided by an improved street.
2. The second dwelling unit and/or second dwelling shall comply with the provisions of the *Building Code Act*.
3. The second dwelling unit and/or second dwelling shall be connected to the same water supply and sewage disposal systems as the principal dwelling.
4. Prior to obtaining a building permit for a second dwelling unit and/or a second dwelling on a lot with a private sewage disposal system, the applicant shall obtain a septic system approval.
5. The maximum floor area of the second dwelling unit and/or second dwelling shall not exceed 50% of the floor area of the principal dwelling, to a maximum of 80 m<sup>2</sup> in the Residential Zone and 95 m<sup>2</sup> in the Rural and Agriculture Zones.
6. The second dwelling unit and/or second dwelling shall share the driveway entrance to the lot with the principal dwelling.
7. A minimum of one parking space shall be provided for the second dwelling unit and/or second dwelling, in addition to the minimum parking requirements for the principal dwelling.
8. The second dwelling unit and/or second dwelling shall be included in the calculation of lot coverage.

## **2. Additional Provisions for Second Dwelling Unit**

1. The second dwelling unit shall not occupy the whole of a storey.
2. The second dwelling unit shall share two of the following with the principal dwelling:
  - building entrance
  - parking area
  - outdoor amenity space
3. No enlargement or extension to the principal dwelling shall be permitted unless the enlargement or extension conforms to all other applicable provisions of this By-law.

## **3. Additional Provisions for Second Dwelling**

1. A second dwelling shall not be permitted in relation to a townhouse dwelling.
2. An existing accessory building may be partially or fully converted to a second dwelling, except that no habitable room window shall face an interior side lot line or a rear lot line unless the existing accessory building conforms to the minimum side lot line setback and rear lot line setback as is required for the principal dwelling, as the case may be.
3. A new accessory building may be constructed as a second dwelling provided that it conforms to all applicable provisions for the principal dwelling.
4. The maximum permitted height of a new second dwelling shall be 5 m.
5. A new accessory building which is constructed as a second dwelling shall be separated by less than 6 m from the principal dwelling on a lot zoned RU or A.