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**From:** Catherine Rose  
Chief Planner

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**Subject:** City Initiated Official Plan Amendment 49  
Changes to additional dwelling unit policies and regulations in response to Bill 108, the *More Homes, More Choice Act, 2019*: Ontario's Housing Supply Action Plan, and Bill 23, *More Homes Built Faster Act, 2022*  
Files: OPA 23-002/P and A 04/23

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## 1. Purpose of this Report

The purpose of this report is to provide preliminary information regarding City initiated applications for proposed changes to Official Plan policy and Zoning By-law regulations for additional dwelling units. This report contains general information on the applicable Official Plan and other related policies and identifies matters raised to date.

This report is intended to assist members of the public and other interested stakeholders to understand the proposal. The Planning & Development Committee will hear public delegations on the applications, ask questions of clarification and identify any planning issues. This report is for information and no decision is being made at this time. Staff will bring forward a recommendation report for consideration by the Planning & Development Committee upon completion of a comprehensive evaluation of the proposal.

## 2. Background

### 2.1 Provincial Legislation

In 2019, the Province introduced More Homes, More Choice: Ontario's Housing Supply Action Plan through Bill 108, which included changes to the *Planning Act* to further support the construction of additional dwelling units (ADUs). Some of the changes introduced included:

- allowing municipalities to permit one ADU in detached, semi-detached, and row houses, and one ADU within an accessory buildings, effectively allowing up to three residential units on a single lot;
- prohibiting municipalities from applying a development charge for ADUs (subject to restrictions);
- prohibiting municipalities from setting a minimum floor area for ADUs; and
- prohibiting municipalities from requiring more than one additional parking space for each ADU.

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In October 2022, the Province introduced Bill 23, the *More Homes Built Faster Act*, which extended the permissions provided by Bill 108. Where Bill 108 **allowed** municipalities to permit up to two ADUs on a lot, Bill 23 now **requires** municipalities to permit up to two ADUs on a lot. In addition, those two ADUs may now both be located within a detached, semi-detached, and row house.

## **2.2 Provincial Policy Statement**

The priorities of the Provincial Policy Statement (PPS) include efficient land use patterns that support sustainability, and accommodate appropriate forms of affordable housing. Municipalities are to permit a broad range of housing options, including ADUs. Constructing ADUs within existing neighbourhoods (also known as gentle density) provides cost-effective development that maximizes existing municipal servicing. While new residential development is largely directed to settlement areas, the PPS also encourages the redevelopment of existing housing stock in the rural area.

## **2.3 A Place to Grow: Growth Plan for the Greater Golden Horseshoe**

The policies of the A Place to Grow plan promote a range and mix of housing options, including ADUs, and affordable housing, to serve all household incomes and ages. While the A Place to Grow plan's primary goal is to direct residential development to settlement areas, it recognizes the benefit of limited rural development so long as it is compatible with the rural landscape, is supported by existing services, and will not adversely affect agricultural and aggregate operations.

## **2.4 Greenbelt Plan**

Within the Greenbelt Plan, outside of Villages and Hamlets, ADUs are permitted in detached dwellings, or existing accessory buildings, on the same lot, so long as they are not within the Greenbelt Natural Heritage System (NHS).

Within Villages or Hamlets, ADUs are not permitted in the NHS. Otherwise, subject to servicing capacity, there is the potential for two ADUs on a lot. These permissions apply to the Hamlets of Greenwood, Balsam, and portions of Claremont that are within the Greenbelt Plan Area. The portions of Claremont within the Oak Ridges Moraine (ORM) are subject to more restrictive policies.

## **2.5 Oak Ridges Moraine Conservation Plan**

Within the Oak Ridges Moraine Conservation Plan, (ORMCP), the definition of "single dwelling" contains policy direction on where ADUs can be permitted within the ORM. For lands within the ORM, only one ADU is permitted on a lot, and it must be within a detached dwelling and only within the Countryside Area (which includes Rural Settlement Areas). This means that ADUs are not permitted in Natural Core or Natural Linkage areas, nor are they permitted in accessory buildings anywhere within the ORM.

## **2.6 Minister's Zoning Orders**

There are two Minister's Zoning Orders that regulate land use in the north part of Pickering. Lots within these areas will not be permitted to have ADUs unless first being granted an amendment to the Zoning Order from the Ministry of Municipal Affairs and Housing.

## **3. Additional Dwelling Units (ADUs)**

### **3.1 What is an ADU?**

An ADU is a self-contained unit in a house, or building accessory to a principal dwelling, that consists of one or more rooms that are designed, occupied or intended for residential use, including occupancy, by one or more persons, as an independent and separate residence in which cooking facilities, sleeping facilities and sanitary facilities are provided for the exclusive use of such person or persons.

ADUs may either be located within a house, or within an accessory building. They are often referred to as basement apartments, coach houses, garden suites, granny flats, in-law apartments, or nanny suites.

ADUs provide an alternative housing option for extended families, elderly parents, or live-in caregivers. They help create mixed-income communities and gently densify existing neighbourhoods, by making efficient use of existing municipal services.

### **3.2 What is NOT an ADU?**

ADUs are not rooming or boarding houses, which are homes containing individual rooms for rent that provide communal facilities, such as washrooms and cooking facilities.

Historically, duplexes and triplexes resulted in a built form that is often identical to what is now permitted for ADUs (two and three dwelling units on the same lot).

### **3.3 Experience of ADUs in Pickering**

ADUs, in the form of in-house apartments, have been permitted in Pickering for many years. Pickering first passed a two-unit registration by-law in 2004. Since that time, over 850 ADUs have been constructed and registered in Pickering. Over the last five years, almost 50 new ADUs have registered on an annual basis. It is assumed that a number of unregistered ADUs also exist within Pickering.

## **4. New regulations for ADUs**

### **4.1 Authority for ADU Regulation**

Over and above the requirements for ADUs provided in the *Planning Act*, municipalities have the authority to regulate various aspects of ADUs to help them fit into the context of their communities.

The following table lists a variety of regulations that can apply to ADUs, and identifies which approval authority is responsible for each regulation.

**Table 1: Authority for ADU Regulations**

	Province of Ontario	City of Pickering
Number of ADUs on a lot	Yes	No
Minimum floor area	Yes	No
Maximum floor area	No	Yes
Minimum parking spaces	No	Yes
Maximum parking spaces	Yes	No
Height	No	Yes
Setbacks	No	Yes
Landscaped Open Space in Front Yard	No	Yes
Access width to ADU	No	Yes
Other (if applicable)	No	Yes

## 4.2 Pickering Official Plan Policies

The Official Plan contains only general policies that promote ADUs (secondary suites) as one part of an overall affordable housing strategy.

The policies in the Official Plan will need to be revised to more explicitly permit ADUs, as directed by Provincial legislation. This includes creating a new policy section for ADUs in the Housing Chapter, clarifying where ADUs are permitted, and amending the definition. A copy of the proposed official plan amendment is provided in Appendix I to this Report.

## 4.3 Zoning Regulations

The zoning regulations for ADUs in the City's six current zoning by-laws do not conform with changes to the *Planning Act*, and therefore, need to be updated. The number and type of changes that need to be made are beyond the scope of the consolidated zoning by-law project. However, all changes approved through this amendment will be incorporated into the final draft of the consolidated zoning by-law. A copy of the proposed zoning by-law amendments are provided in Appendices II to VII.

### 4.3.1 Proposed Requirements for ADUs in Accessory Buildings – Maximum size

The proposed zoning regulations for accessory buildings that contain an ADU are meant to facilitate an appropriate sized ADU, while also ensuring that these buildings respect the character of the neighbourhoods where they will be built.

The size, (net floor area), of accessory buildings with an ADU is proposed to be regulated using the lesser of the following three criteria:

- the existing lot coverage;
- 50% of the net floor area of the house on the lot; and
- a maximum net floor area of 150 square metres (1,614 square feet).

Whichever limit is reached first will determine the maximum net floor area of the ADU.

**Table 2: Maximum ADU Size Example**

<b>Existing Conditions</b>		
Lot area	464 square metres	5,000 square feet
Lot coverage maximum	33% (153 square metres)	33% (1,646 square feet)
Net floor area of the house • Bungalow = 100 square metres • Finished basement = 85 square metres	185 square metres	2,000 square feet
Lot coverage of bungalow	21.5% (100 square metres)	21.5% (1,076 square feet)
<b>ADU Size Limits</b>		
Remaining lot coverage for ADU in an accessory building	<b>53 square metres (11.5%)</b>	<b>570 square feet</b>
50% of the net floor area of the house	92.5 square metres	995 square feet
Maximum net floor area	150 square metres	1,614 square feet

On most urban lots, it is expected that the existing lot coverage will limit the size of ADUs in accessory buildings. On larger lots, it is expected that the size of the existing house will determine the maximum size of ADUs in accessory buildings. On estate and rural lots with very large houses, the maximum net floor area requirement will limit the size of ADUs in accessory buildings.

**4.3.2 Proposed requirements for ADUs in Accessory Buildings – Maximum height**

If renovations are made to the principal dwelling or attached garage to construct an ADU, the height limits for the principal dwelling apply. If an ADU is constructed in an accessory building, either on its own, or in combination with another use, such as a coach house overtop of a garage, then the height limits for an ADU will apply.

In the case of ADUs within accessory buildings, the proposed height and setback requirements are shown in Table 3.

**Table 3: Maximum Height of an ADU in an Accessory Building**

	<b>Lots with area of 2,000 sq.m. or less</b>	<b>Lots with area greater than 2,000 sq.m.</b>	
Height max. (metres)	4.5	Up to 4.5	Greater than 4.5 up to 6.5
Front Yard Setback min. (metres)	Zone requirement	Zone requirement	Zone requirement
Exterior Side Yard Setback min. (metres)	Zone requirement	Zone requirement	Zone requirement
Interior Side Yard Setback min. (metres)	1.2	1.2	2.4
Rear Yard Setback min. (metres)	1.2	1.2	2.4

Based on the proposed requirements listed in Table 3, the maximum height of a detached ADU would be determined by the size of the lot. Larger lots (greater than 2,000 square metres in area) would be permitted to have ADUs to a maximum height of 6.5 metres. All other lots would only be permitted to have ADUs with a maximum height of 4.5 metres. This may restrict the construction of ADUs above detached garages on lots of 2,000 square metres or less.

These height limitations are intended to keep ADUs in character with their neighbourhood context. Larger properties have greater room to locate taller accessory buildings than properties provided in compact urban neighbourhoods.

It is also proposed that the height of the ADU correspond with the setbacks from the rear and interior side lot lines. ADUs within taller accessory buildings would be required to locate further from the property line. These setbacks are also intended to provide appropriate room within the lot for maintenance of the ADU and any property fence, while also providing room for effective stormwater drainage.

Ontario Building Code requirements will determine the of amount of window space that may be permitted along any wall that faces a neighbouring lot.

**4.3.3 Proposed Requirements for ADUs in Accessory Buildings – Setbacks from lot lines**

In addition to the setbacks to rear and interior side lot lines referenced above, it is also proposed that ADUs be subject to the front and exterior side yard setbacks that apply to the principal dwelling. In rare cases, where the principal dwelling is located far back on the lot and away from the street, it is possible that an ADU could be located between the principal dwelling and the street without the need of a minor variance.

**4.3.4 Proposed Requirements for all ADUs – Access to the public street**

Whether an ADU is constructed within the principal dwelling, or within an accessory building on the lot, one of the primary concerns is to ensure that there is safe access to and from the unit for emergency personnel. The proposed zoning amendment includes a requirement that the access to all ADUs include a 1.2 metre unobstructed path of travel to the public street. This ensures that emergency personnel are not blocked from providing aid and assistance to the residents of the ADU (i.e., bringing out an ill resident on a stretcher).

**4.3.5 Proposed Requirements for all ADUs – Parking**

The *Planning Act* prohibits municipalities from requiring more than one parking space for each ADU. However, municipalities may also choose to reduce parking requirements where it is found to be appropriate. The current ADU regulations in Pickering require an ADU to provide one parking space. The draft zoning regulations propose to maintain the current parking requirement of one parking space for each ADU for the majority of the City.

However, providing one parking space for each ADU may not always be necessary in areas that are served by higher-order transit. In general, reducing parking requirements supports public transit initiatives; sustainable and multi-modal travel choices; pedestrian oriented spaces; and compact urban form appropriate to optimize land and municipal infrastructure. Therefore, the draft zoning regulations propose to reduce the parking requirements for ADUs in the following circumstances:

**Table 4: Proposed Parking Exemptions for ADUs**

	<b>First Additional Dwelling Unit</b>	<b>Second Additional Dwelling Unit</b>
Lot within the City Centre	0 parking spaces	0 parking spaces
Lot within a 500 metres walking distance of Kingston Road or within 500 metres walking distance of the Pickering GO Station	1 parking space	0 parking spaces

Parking for the existing house and the ADUs must be provided within the private property. This may include within the garage (if the garage is sized appropriately to qualify as a parking space) and on the driveway. Parking spaces for different dwelling units may be provided in tandem on the property. It will be up to the owner and tenants on the property to coordinate their access into and out of the driveway with one another.

**4.3.6 Proposed Requirements for all ADUs – Landscape area / maximum driveway width**

The ability to provide off-street parking is expected to be a constraint in some neighbourhoods, where smaller lots cannot accommodate additional cars on the lot. One response to that property owners may take is to widen their driveways to make room for more cars. In some instances, driveway widenings may be appropriate. However, it is not

the intent of these provisions that the yards between the house and the street be fully converted into parking areas. As a result, the proposed zoning regulations include a provision that a minimum of 30% of the front yard (and exterior side yard in the case of corner lots) must be maintained as landscaped area, and not be used for parking. This will help to preserve the residential-look of the lot from the street, prevent the creation of excessive stormwater drainage from the lot onto the street, and allow for landscaping and tree planting.

This requirement will only apply to applications for new ADUs. It will not be retroactive to lots containing existing, registered ADUs.

#### **4.3.7 Proposed Requirements for all ADUs – Home-based businesses**

Currently, home-based businesses are prohibited in either dwelling unit of a dwelling containing an accessory dwelling unit. It is proposed that this restriction be lifted.

#### **4.3.8 Requirements for all ADUs – Ontario Building Code compliance and registration**

All ADUs, regardless if they are in the principal dwelling or in an accessory building, must comply with the Ontario Building Code and Ontario Fire Code. In addition, all ADUs will still be required to be registered with the City to help ensure conformity to zoning and other regulations.

#### **4.4 Infill and Replacement Housing in Established Neighbourhoods**

In October 2021, Council passed Official Plan and zoning amendments to implement the recommendations of the Infill and Replacement Housing in Established Neighbourhoods study (Infill Study). This study gave direction on how to facilitate a sensitive transition between existing houses and new construction occurring in identified established neighbourhood precincts of the City. These amendments were subsequently appealed to the Ontario Land Tribunal. This appeal is still ongoing.

The proposed amendments for ADUs would apply to all residential lots in the City that meet the established criteria, including lots located within the identified established neighbourhood precincts.

#### **4.5 Servicing connections**

ADUs will be permitted on both urban properties, with full municipal services (water and sewer), and on rural properties, with private well and septic services. All ADUs, regardless of their size, will be required to comply with all requirements of the Ontario Building Code for servicing.

In the case of ADUs on urban properties, all residential uses within a site are required to be serviced through **one** water main from the street to the Regional water metre installed in principal dwelling unit. New water connections can be made from that point to serve the additional dwelling units. Similarly, only **one** sanitary sewer connection will be permitted from the street to the principal dwelling. This will ensure that all water use is tracked under a single water bill.



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## 5. ADU Registration By-law

In addition to revising the Official Plan policies and zoning regulations for ADUs, the City will also need to replace its Registration By-law to conform to the new permissions granted by the *Planning Act*. A draft of the new ADU By-law is attached as Appendix VIII. The draft ADU By-law has been reviewed by staff from the City Development (Building Division) and Corporate Services (Municipal Law Enforcement Services).

## 6. Public Notice and Engagement

### 6.1 Public Notice

In accordance with the *Planning Act*, notice was given in the Pickering News Advertiser at least 20 days prior to the Statutory Public Meeting on April 6, 2023 and April 20, 2023.

### 6.2 ADU Open House

A drop-in style open house was held on April 4, 2023, to provide the opportunity for the public to learn and ask questions about the *Planning Act* changes for ADUs, and to provide comments on how those changes are proposed to be implemented in Pickering (see Open House Slides, Attachment #1).

This event was advertised in the Pickering News Advertiser on March 23, 2023 and March 30, 2023. It was also featured on the front page of the City's website, and was promoted through the City's social media channels, and digital signage in the community. In addition, a project web page was created ([www.pickering.ca/ADU](http://www.pickering.ca/ADU)) where residents can learn about the proposed changes as well as the process for constructing and registering an ADU.

### 6.3 Public Comments

Due to the broad media coverage that was given to Bill 23 in the Fall of 2022, staff have received several inquiries over the last several months from the public asking when ADU requirements would be updated in Pickering to accommodate the new provisions in the *Planning Act*.

60 people attended the Open House for ADUs held on April 4, 2023. Of those who attended, at least 10 indicated on survey forms that they were interested in constructing ADUs in the future.

During the Open House, staff had the opportunity to hear a variety of comments and questions from the public. Many people wanted to understand how the proposed requirements would apply to their specific property. A few of the common questions received included:

- How big can an ADU be within an accessory building? (see 4.3.1)
- Can ADUs be located in the front yard if the existing house is set far back from the street? (see 4.3.3)
- Can driveways be widened to accommodate additional parking for ADUs? (see 4.3.6)

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The majority of the Open House participants indicated that they would support ADUs in their neighbourhood provided that:

- On-street parking is not impacted;
- They are energy efficient and constructed to meet Ontario Building Code;
- They are not too tall / an eye sore;
- They are not used for short-term rentals; and
- No change in property values.

Some participants indicated that they still have concerns about ADUs because of:

- Impacts to stormwater from widened driveways; and
- Adding density to areas that cannot support it.

Aside from costs, participants identified that the greatest barriers to constructing ADUs were:

- Navigating the permit process;
- Connections to municipal or private services; and
- Increased property taxes.

Since the Notice of the Public Meeting was advertised in the newspaper on April 6, 2023. As of the writing of this report, staff have received no further comments from the public.

## **7. Procedural Information**

### **7.1 General**

- written comments regarding this proposal should be directed to the City Development Department;
- oral comments may be made at the Hybrid Statutory Public Meeting;
- all comments received will be noted and used as input to a Recommendation Report prepared by the City Development Department for a subsequent meeting of Council or a Committee of Council;
- any member of the public who wishes to reserve the option to appeal Council's decision must provide comments to the City before Council adopts any by-law for this proposal; and
- any member of the public who wishes to be notified of Council's decision regarding this proposal must request such in writing to the City Clerk.

### **7.2 Official Plan Amendment Approval Authority**

The Region of Durham may exempt certain local official plan amendments from Regional approval if such applications are determined to be locally significant, and do not exhibit matters of Regional and/or Provincial interest. At this time, the Region has not yet determined whether this official plan amendment application is exempt from Regional Approval.

**Appendices:**

- Appendix I Draft Official Plan Amendment
  - Appendix II Draft Amendment to Zoning By-law 2511
  - Appendix III Draft Amendment to Zoning By-law 2520
  - Appendix IV Draft Amendment to Zoning By-law 3036
  - Appendix V Draft Amendment to Zoning By-law 3037
  - Appendix VI Draft Amendment to Zoning By-law 7364/14
  - Appendix VII Draft Amendment to Zoning By-law 7553/17
  - Appendix VIII Draft Additional Dwelling Unit By-law
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**Attachment:**

1. ADU Open House Display Panels
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**Prepared By:**

**Approved/Endorsed By:**

Original Signed By

Original Signed By

Paul Wirch, RPP  
Principal Planner, Policy

Catherine Rose, MCIP, RPP  
Chief Planner

Original Signed By

Déan Jacobs, MCIP, RPP  
Manager, Policy & Geomatics

PW:ld

Date of Report: April 17, 2023

**Proposed Amendment 49  
to the City of Pickering Official Plan**

## Proposed Amendment 49 to the Pickering Official Plan

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**Purpose:** The purpose of Amendment 49 is to bring the Pickering Official Plan into conformity with the *Planning Act, R.S.O. 1990, c. P.13.* for policies that permit additional dwelling units.

**Location:** The Amendment contains policies that apply city-wide including urban and rural areas.

**Basis:** Bill 108, More Homes, More Choice: Ontario's Housing Supply Action Plan, included changes to the *Planning Act* to support the construction of additional dwelling units (ADUs).

These changes included:

- allowing municipalities to permit one ADU in detached, semi-detached, and row houses and one ADU within an accessory buildings, effectively allowing up to three residential units on a single lot;
- prohibiting municipalities from applying a development charge for ADUs (subject to restrictions);
- prohibiting municipalities from setting a minimum floor area for ADUs; and
- prohibiting municipalities from requiring more than one additional parking space for each ADU.

Bill 23, More Homes Built Faster, extended the permissions provided by Bill 108. Where Bill 108 allowed municipalities to permit up to two ADUs on a lot, Bill 23 now requires municipalities to permit up to two ADUs on a lot. In addition, those two ADUs may now both be located within a detached dwelling, semi-detached dwelling, block townhouse and street townhouse.

### Actual

**Amendment:** The City of Pickering Official Plan is hereby amended by:

(New text is shown as underlined text, deleted text is shown as strikethrough text, and retained text is shown as unchanged text.)

1. Revising City Policy 3.4, Land Use Definitions, in Chapter 3 – Land Use, as follows:

#### **3.4 For the purpose of this Plan, City Council shall define:**

- (a) “net residential density” as the total number of dwellings per hectare of net residential site area, and shall not consider accessory additional dwelling units as dwelling units for the purpose of calculating density;

2. Revising City Policy 3.9, Urban Residential Areas, in Chapter 3 – Land Use, by adding new subsection (f) as follows:

**(f) Shall not count additional dwelling units towards the density calculations contained in Table 9.**

3. Revising City Policy 6.3, Housing Mix and Supply, in Chapter 6 – Housing, by adding new subsection (e) as follows:

**(e) Permitting additional dwelling units on any property that contains a single detached, semi-detached or townhouse dwelling, in conformity with Provincial policy and any other applicable legislation.**

4. Adding new City Policy 6.7 to Chapter 6 – Housing, as follows:

**6.7 Additional Dwelling Units**  
**City Council shall:**

- (a) permit one additional dwelling unit in a detached dwelling, semi-detached dwelling, block townhouse or street townhouse and one additional dwelling unit within a building accessory to a detached dwelling, semi-detached dwelling, block townhouse or street townhouse on the same lot.**
- (b) permit two additional dwelling units in a detached dwelling, semi-detached dwelling, block townhouse or street townhouse provided that no additional dwelling unit exists within a building accessory to a detached dwelling, semi-detached dwelling, block townhouse or street townhouse on the same lot.**
- (c) notwithstanding Sections 6.7 (a) and 6.7 (b), within the Oak Ridges Moraine, as shown on Map A of this Plan:**
- (i) permit a maximum of one additional dwelling unit within the Prime Agricultural Area, Rural, and Hamlet designations on a lot within a single detached dwelling; and**
- (ii) not permit additional dwelling units within the Natural Core Area and Natural Linkage Area designations.**
- (d) notwithstanding 6.7 (b), within the Protected Countryside of the Greenbelt Plan, an additional dwelling unit is permitted within an existing accessory building that was constructed on or before (or where building permits were issued prior to) July 1, 2017, provided that this building is located outside of Key Natural Heritage Features and/or Key Hydrological Features.**
- (e) require all additional dwelling units to be registered with the City.**

- (f) not permit an accessory building containing an additional dwelling unit to be severed from the lot accommodating the principal dwelling. In no case shall an additional dwelling unit be considered a residence surplus to a farm operation.**
5. Revising City Policy 6.4 (e), Affordable and Special Needs Housing, in Chapter 6 – Housing, as follows:
- (e) zone to permit ~~accessory apartments, garden suites, additional dwelling units in all residential areas,~~ and rooming homes where appropriate; and**
6. Revising City Policy 8.2, Cultural Heritage Objectives, in Chapter 8 – Cultural Heritage, by adding new subsection (g) as follows:
- (e) where possible, ensure development, infrastructure, capital works and other private and public projects conserve, protect and enhance important cultural heritage resources; and**
- (f) involve the public, business-people, landowners, local heritage experts, heritage committees, relevant public agencies, and other interested groups and individuals in cultural heritage decisions affecting the City; and**
- (g) not limit the creation of additional dwelling units, within a building and/or property containing or adjacent to cultural heritage resources.**
7. Revising City Policy 11.48, Affordable Housing Strategy, in Chapter 11 – Seaton Urban Area, as follows:
- 11.48 City Council shall require the Seaton Urban Area be planned to achieve 25 percent of new residential units in housing forms considered affordable to low and moderate-income households based on the definition in the Provincial Policy Statement. This target shall be achieved primarily through home ownership in multiple unit, ground related housing and in small apartment units. Rental housing will be provided through the rental of condominium apartment units, ~~secondary suites~~ **additional dwelling units** and purpose-built rental housing. It is anticipated that the majority of this affordable housing will be developed in the Medium Density and Mixed Corridor designations.**
8. Revising City Policy 11.49 (e), Affordable Strategies for Lower Income Tenants and Owners, in Chapter 11 – Seaton Urban Area, as follows:
- (e) encouraging builders to construct single ~~detached~~ and, semi-detached and townhouse units that containing ~~accessory~~ additional dwelling units within the principal building and/or on the property;**

9. Revising City Policy 15.15, Glossary, in Chapter 15 – Implementation, by adding a new definition as follows:

**Additional Dwelling Unit means a self-contained unit in a detached dwelling, semi-detached dwelling, block townhouse, street townhouse, or within a building accessory to a detached dwelling, semi-detached dwelling, block townhouse, or street townhouse on the same lot. The additional dwelling unit shall consist of one or more rooms that are designed, occupied or intended for residential use, including occupancy, by one or more persons as an independent and separate residence in which cooking facilities, sleeping facilities and sanitary facilities are provided for the exclusive use of such person or persons.**



**Recommended Zoning By-law Provisions  
for Zoning By-law Amendment A 04/23**

**Draft**

By-law No. XXXX/23

Being a by-law to amend Restricted Area (Zoning) By-law 2511, as amended, to implement the Official Plan of the City of Pickering, Region of Durham

Whereas the Province of Ontario has amended the *Planning Act*, R.S.O. 1990, c. P.13, to expand the permissions for additional residential units (additional dwelling units);

And whereas an amendment to Zoning By-law 2511, as amended, is required to expand the permissions for additional dwelling units;

Now therefore the Council of The Corporation of the City of Pickering hereby enacts as follows:

1. **Section 2 Definitions**

- a. 2.1.1 ACCESSORY DWELLING UNIT is hereby deleted and replaced with:

~~2.1.1 ACCESSORY DWELLING UNIT~~

~~Accessory Dwelling Unit shall mean one self contained dwelling unit contained within a permitted detached dwelling or semi-detached dwelling~~

2.1.1 ADDITIONAL DWELLING UNIT

Additional Dwelling Unit shall mean a self-contained unit in a detached dwelling, semi-detached dwelling, block townhouse, street townhouse, or in a building accessory to a detached dwelling, semi-detached dwelling, and block townhouse, street townhouse on the same lot. The additional dwelling unit shall consist of one or more rooms that are designed, occupied or intended for residential use, including occupancy, by one or more persons as an independent and separate residence in which cooking facilities, sleeping facilities and sanitary facilities are provided for the exclusive use of such person or persons.

2. **Section 5 – General Provisions For All Zones**

- a. 5.19 (f) is hereby amended as follows.

**5.19 ACCESSORY BUILDINGS AND USES**

- (f) Human habitation is not permitted in an accessory structure, except for accessory structures that meet the definition of an additional dwelling unit.

- b. 5.21.1 is hereby amended by adding:

**5.21.1 MINIMUM OFF-STREET PARKING REQUIREMENTS**

<b>USE OF BUILDING OR SITE</b>	<b>MINIMUM # OF PARKING SPACES</b>
<b>1. Residential</b>	
detached dwelling	1 space per dwelling unit
<u>additional dwelling unit</u>	<u>1 space per dwelling unit</u>
<u>additional dwelling unit in the City Centre Neighbourhood</u>	<u>0 spaces</u>
<u>additional dwelling on a lot within a 500 metres walking distance of Kingston Road, or on a lot within 500 metres walking distance of the Pickering GO Station</u>	<u>1 space for the first additional dwelling unit and 0 spaces for the second additional dwelling unit</u>

- c. 5.33 is hereby deleted and replaced with:

**~~5.33 ACCESSORY DWELLING UNIT~~**

~~Despite any provision in this By-law to the contrary in any zone that permits a detached dwelling or a semi-detached dwelling an accessory dwelling unit is permitted within the detached dwelling or semi-detached dwelling provided:~~

- ~~(a) a total of three (3) parking spaces are provided on the property where the accessory dwelling unit is located;~~
- ~~(b) the maximum floor area of an accessory dwelling unit shall be one hundred (100) square metres;~~
- ~~(c) a home-based business is prohibited in either dwelling unit of a dwelling containing an accessory dwelling unit.~~

**5.33 ADDITIONAL DWELLING UNIT**

Notwithstanding the provisions of 5.19, the following provisions shall apply to any accessory building containing an additional dwelling unit.

- (a) A maximum of one additional dwelling unit is permitted within any legally permitted detached dwelling, semi-detached dwelling, block townhouse, or street townhouse and a maximum of one additional unit is permitted within an accessory building on the same lot.

- (b) A maximum of two additional dwelling units are permitted within any legally permitted detached dwelling, semi-detached dwelling, block townhouse, or street townhouse provided there are no additional dwelling units contained within an accessory building on the same lot.
- (c) Notwithstanding 5.33 (a) and (b), additional dwelling units are not permitted within Key Natural Heritage Features and/or Key Hydrological Features nor within the minimum vegetated protection zone as described in the Pickering Official Plan.
- (d) Where an additional dwelling unit is located within an accessory building the net floor area of the additional dwelling unit shall be determined by the most restrictive of the following regulations:
- a. Maximum lot coverage of all buildings on the lot;
  - b. No more than 50% of the net floor area of the detached dwelling, semi-detached dwelling, block townhouse, or street townhouse on the same lot; and
  - c. A maximum net floor area of 150 square metres.
- (e) An accessory building containing an additional dwelling unit shall conform with the height and setback requirements of Table 1.

**Table 1 – Height and Setback Requirements**

	Lots with area of 2,000 sq.m. or less	Lots with area greater than 2,000 sq.m.	
<u>Height max. (metres)</u>	<u>4.5</u>	<u>Up to 4.5</u>	<u>Greater than 4.5 up to and including 6.5</u>
<u>Front Yard Setback min. (metres)</u>	<u>Zone Regulation</u>	<u>Zone Regulation</u>	<u>Zone Regulation</u>
<u>Exterior Side Yard Setback min. (metres)</u>	<u>Zone Regulation</u>	<u>Zone Regulation</u>	<u>Zone Regulation</u>
<u>Interior Side Yard Setback min. (metres)</u>	<u>1.2</u>	<u>1.2</u>	<u>2.4</u>
<u>Rear Yard Setback min. (metres)</u>	<u>1.2</u>	<u>1.2</u>	<u>2.4</u>

- (f) Notwithstanding Section 5.8, all lots containing additional dwelling units shall provide a minimum 1.2 metres wide path of travel from the entrance of each additional dwelling unit to a public street. No encroachment is permitted to obstruct this path of travel.

- (g) **A home-based business is permitted within an additional dwelling unit.**
- (h) **The provision of on-site parking shall not reduce the landscaped area in the corresponding yard below 30%.**

3. **By-law 2511**

By-law 2511, as amended, is hereby further amended only to the extent necessary to give effect to the provisions of this By-law. Definitions and subject matters not specifically dealt with in this By-law shall be governed by relevant provisions of By-law 2511, as amended.

4. **Effective Date**

This By-law shall come into force in accordance with the provisions of the *Planning Act*.

By-law passed this XX<sup>th</sup> day of XXXX, 2023.

**Draft**

\_\_\_\_\_  
Kevin Ashe, Mayor

**Draft**

\_\_\_\_\_  
Susan Cassel, City Clerk

**Recommended Zoning By-law Provisions  
for Zoning By-law Amendment A 04/23**

**Draft**

By-law No. XXXX/23

Being a by-law to amend Restricted Area (Zoning) By-law 2520, as amended, to implement the Official Plan of the City of Pickering, Region of Durham

Whereas the Province of Ontario has amended the *Planning Act*, R.S.O. 1990, c. P.13, to expand the permissions for additional residential units (additional dwelling units);

And whereas an amendment to Zoning By-law 2520, as amended, is required to expand the permissions for additional dwelling units;

Now therefore the Council of The Corporation of the City of Pickering hereby enacts as follows:

1. **Section 2 Definitions**

- a. 2.1.1 ACCESSORY DWELLING UNIT is hereby deleted and replaced with:

~~2.1.1 ACCESSORY DWELLING UNIT~~

~~“Accessory Dwelling Unit” shall mean one self contained dwelling unit contained within a permitted detached dwelling or semi-detached dwelling~~

**2.1.1 ADDITIONAL DWELLING UNIT**

**Additional Dwelling Unit shall mean a self-contained unit in a detached dwelling, semi-detached dwelling, block townhouse, street townhouse, or in a building accessory to a detached dwelling, semi-detached dwelling, and block townhouse, street townhouse on the same lot. The additional dwelling unit shall consist of one or more rooms that are designed, occupied or intended for residential use, including occupancy, by one or more persons as an independent and separate residence in which cooking facilities, sleeping facilities and sanitary facilities are provided for the exclusive use of such person or persons.**

2. **Section 5 – General Provisions For All Zones**

- a. 5.19 (f) is hereby amended as follows.

**5.19 ACCESSORY BUILDINGS AND USES**

- (f) **Human habitation is not permitted in an accessory structure, except for accessory structures that meet the definition of an additional dwelling unit.**

- b. 5.21.1 is hereby amended by adding:

**5.21.1 MINIMUM OFF-STREET PARKING REQUIREMENTS**

<b>USE OF BUILDING OR SITE</b>	<b>MINIMUM # OF PARKING SPACES</b>
<b>1. Residential</b>	
detached dwelling accessory dwelling	1 space per dwelling unit
<u>additional dwelling unit</u>	<u>1 space per dwelling unit</u>
<u>additional dwelling unit in the City Centre Neighbourhood</u>	<u>0 spaces</u>
<u>additional dwelling on a lot within a 500 metres walking distance of Kingston Road, or on a lot within 500 metres walking distance of the Pickering GO Station</u>	<u>1 space for the first additional dwelling unit and 0 spaces for the second additional dwelling unit</u>

- c. 5.33 is hereby deleted and replaced with:

**~~5.33 ACCESSORY DWELLING UNIT~~**

~~Despite any provision in this By-law to the contrary in any zone that permits a detached dwelling or a semi-detached dwelling an accessory dwelling unit is permitted within the detached dwelling or semi-detached dwelling provided:~~

- ~~(a) a total of three (3) parking spaces are provided on the property where the accessory dwelling unit is located;~~
- ~~(b) the maximum floor area of an accessory dwelling unit shall be one hundred (100) square metres;~~
- ~~(c) a home-based business is prohibited in either dwelling unit of a dwelling containing an accessory dwelling unit.~~

**5.33 ADDITIONAL DWELLING UNIT**

Notwithstanding the provisions of 5.19, the following provisions shall apply to any accessory building containing an additional dwelling unit.

- (a) A maximum of one additional dwelling unit is permitted within any legally permitted detached dwelling, semi-detached dwelling, block townhouse, or street townhouse and a maximum of one additional unit is permitted within an accessory building on the same lot.



- (b) A maximum of two additional dwelling units are permitted within any legally permitted detached dwelling, semi-detached dwelling, block townhouse, or street townhouse provided there are no additional dwelling units contained within an accessory building on the same lot.
- (c) Notwithstanding 5.33 (a) and (b), additional dwelling units are not permitted within Key Natural Heritage Features and/or Key Hydrological Features nor within the minimum vegetated protection zone as described in the Pickering Official Plan.
- (d) Where an additional dwelling unit is located within an accessory building the gross floor area of the additional dwelling unit shall be determined by the most restrictive of the following regulations:
- a. Maximum lot coverage of all buildings on the lot;
  - b. No more than 50% of the net floor area of the detached dwelling, semi-detached dwelling, block townhouse, or street townhouse on the same lot; and
  - c. A maximum net floor area of 150 square metres.
- (e) An accessory building containing an additional dwelling unit shall conform with the height and setback requirements of Table 1.

**Table 1 – Height and Setback Requirements**

	<u>Lots with area of 2,000 sq. m. or less</u>	<u>Lots with area greater than 2,000 sq. m.</u>	
<u>Height max. (metres)</u>	<u>4.5</u>	<u>Up to 4.5</u>	<u>Greater than 4.5 up to and including 6.5</u>
<u>Front Yard Setback min. (metres)</u>	<u>Zone Regulation</u>	<u>Zone Regulation</u>	<u>Zone Regulation</u>
<u>Exterior Side Yard Setback min. (metres)</u>	<u>Zone Regulation</u>	<u>Zone Regulation</u>	<u>Zone Regulation</u>
<u>Interior Side Yard Setback min. (metres)</u>	<u>1.2</u>	<u>1.2</u>	<u>2.4</u>
<u>Rear Yard Setback min. (metres)</u>	<u>1.2</u>	<u>1.2</u>	<u>2.4</u>

- (f) Notwithstanding Section 5.8, all lots containing additional dwelling units shall provide a minimum 1.2 metres wide path of travel from the entrance of each additional dwelling unit to a public street. No encroachment is permitted to obstruct this path of travel.

- (g) **A home-based business is permitted within an additional dwelling unit.**
- (h) **The provision of on-site parking shall not reduce the landscaped area in the corresponding yard below 30%.**

3. **By-law 2520**

By-law 2520, as amended, is hereby further amended only to the extent necessary to give effect to the provisions of this By-law. Definitions and subject matters not specifically dealt with in this By-law shall be governed by relevant provisions of By-law 2520, as amended.

4. **Effective Date**

This By-law shall come into force in accordance with the provisions of the *Planning Act*.

By-law passed this XX<sup>th</sup> day of XXXX, 2023.

**Draft**

\_\_\_\_\_  
Kevin Ashe, Mayor

**Draft**

\_\_\_\_\_  
Susan Cassel, City Clerk

**Recommended Zoning By-law Provisions  
for Zoning By-law Amendment A 04/23**

**Draft**

By-law No. XXXX/23

Being a by-law to amend Restricted Area (Zoning) By-law 3036, as amended, to implement the Official Plan of the City of Pickering, Region of Durham

Whereas the Province of Ontario has amended the *Planning Act*, R.S.O. 1990, c. P.13, to expand the permissions for additional residential units (additional dwelling units);

And whereas an amendment to Zoning By-law 3036, as amended, is required to expand the permissions for additional dwelling units;

Now therefore the Council of The Corporation of the City of Pickering hereby enacts as follows:

1. **Section 2 Definitions**

- a. 2.1.1 ACCESSORY DWELLING UNIT is hereby deleted and replaced with:

~~2.1.1 ACCESSORY DWELLING UNIT~~

~~“Accessory Dwelling Unit” shall mean one self contained dwelling unit contained within a permitted detached dwelling or semi-detached dwelling~~

2.1.1 ADDITIONAL DWELLING UNIT

Additional Dwelling Unit shall mean a self-contained unit in a detached dwelling, semi-detached dwelling, block townhouse, street townhouse, or in a building accessory to a detached dwelling, semi-detached dwelling, and block townhouse, street townhouse on the same lot. The additional dwelling unit shall consist of one or more rooms that are designed, occupied or intended for residential use, including occupancy, by one or more persons as an independent and separate residence in which cooking facilities, sleeping facilities and sanitary facilities are provided for the exclusive use of such person or persons.

2. **Section 5 – General Provisions For All Zones**

- a. 5.18 (f) is hereby amended as follows:

**5.18 ACCESSORY BUILDINGS AND USES**

- (f) Human habitation is not permitted in an accessory structure, except for accessory structures that meet the definition of an additional dwelling unit.

- b. 5.21.1 is hereby amended:

### **5.21.1 MINIMUM OFF-STREET PARKING REQUIREMENTS**

<b>USE OF BUILDING OR SITE</b>	<b>MINIMUM # OF PARKING SPACES</b>
<b>1. Residential</b>	
detached dwelling accessory dwelling	1 space per dwelling unit
<u>additional dwelling unit</u>	<u>1 space per dwelling unit</u>
<u>additional dwelling unit in the City Centre Neighbourhood</u>	<u>0 spaces</u>
<u>additional dwelling unit on a lot within a 500 metres walking distance of Kingston Road, or on a lot within 500 metres walking distance of the Pickering GO Station</u>	<u>1 space for the first additional dwelling unit and 0 spaces for the second additional dwelling unit</u>

- c. 5.28 is hereby amended:

### **5.28 TRUCK, BUS AND COACH BODIES**

No truck, bus, coach or streetcar body, or structure of any kind, other than a dwelling unit or an ~~accessory dwelling unit~~ additional dwelling unit, erected and used in accordance with this and all other By-laws of the Town, shall be used as a dwelling unit within the area affected by this By-law, whether or not the same is mounted on wheels.

- d. 5.32 is hereby deleted and replaced with:

### **~~5.32 ACCESSORY DWELLING UNIT~~**

~~Despite any provision in this By-law to the contrary in any zone that permits a detached dwelling or a semi-detached dwelling an accessory dwelling unit is permitted within the detached dwelling or semi-detached dwelling provided:~~

- ~~(a) a total of three (3) parking spaces are provided on the property where the accessory dwelling unit is located;~~
- ~~(b) the maximum floor area of an accessory dwelling unit shall be one hundred (100) square metres;~~
- ~~(c) a home-based business is prohibited in either dwelling unit of a dwelling containing an accessory dwelling unit.~~
- ~~(d) an accessory dwelling unit is not permitted within an accessory dwelling that is permitted in Rural Agricultural Zone.~~

**5.32 ADDITIONAL DWELLING UNIT**

**Notwithstanding the provisions of 5.18, the following provisions shall apply to any accessory building containing an additional dwelling unit.**

- (a) **A maximum of one additional dwelling unit is permitted within any legally permitted single detached, semi-detached, block townhouse, or street townhouse and a maximum of one additional unit is permitted within an accessory building on the same lot.**
- (b) **A maximum of two additional dwelling units are permitted within any legally permitted detached dwelling, semi-detached dwelling, block townhouse, or street townhouse provided there are no additional dwelling units contained within an accessory building on the same lot.**
- (c) **Notwithstanding 5.33 (a) and (b), additional dwelling units are not permitted within Key Natural Heritage Features and/or Key Hydrological Features nor within the minimum vegetated protection zone as described in the Pickering Official Plan.**
- (d) **Where an additional dwelling unit is located within an accessory building the gross floor area of the additional dwelling unit shall be determined by the most restrictive of the following regulations:**
- a. **Maximum lot coverage of all buildings on the lot;**
  - b. **No more than 50% of the net floor area of the detached dwelling, semi-detached dwelling, block townhouse, or street townhouse on the same lot; and**
  - c. **A maximum net floor area of 150 square metres.**
- (e) **An accessory building containing an additional dwelling unit shall conform with the height and setback requirements of Table 1.**

**Table 1 – Height and Setback Requirements**

	<b><u>Lots with area of 2,000 sq.m. or less</u></b>	<b><u>Lots with area greater than 2,000 sq.m.</u></b>	
<b><u>Height max. (metres)</u></b>	<b><u>4.5</u></b>	<b><u>Up to 4.5</u></b>	<b><u>Greater than 4.5 up to and including 6.5</u></b>
<b><u>Front Yard Setback min. (metres)</u></b>	<b><u>Zone Regulation</u></b>	<b><u>Zone Regulation</u></b>	<b><u>Zone Regulation</u></b>
<b><u>Exterior Side Yard Setback min. (metres)</u></b>	<b><u>Zone Regulation</u></b>	<b><u>Zone Regulation</u></b>	<b><u>Zone Regulation</u></b>

	<u>Lots with area of 2,000 sq.m. or less</u>	<u>Lots with area greater than 2,000 sq.m.</u>	
<u>Interior Side Yard Setback min. (metres)</u>	<u>1.2</u>	<u>1.2</u>	<u>2.4</u>
<u>Rear Yard Setback min. (metres)</u>	<u>1.2</u>	<u>1.2</u>	<u>2.4</u>

- (f) Notwithstanding Section 5.7, all lots containing additional dwelling units shall provide a minimum 1.2 metres wide path of travel from the entrance of each additional dwelling unit to a public street. No encroachment is permitted to obstruct this path of travel.
- (g) A home-based business is permitted within an additional dwelling unit.
- (h) The provision of on-site parking shall not reduce the landscaped area in the corresponding yard below 30%.

3. **By-law 3036**

By-law 3036, as amended, is hereby further amended only to the extent necessary to give effect to the provisions of this By-law. Definitions and subject matters not specifically dealt with in this By-law shall be governed by relevant provisions of By-law 3036, as amended.

4. **Effective Date**

This By-law shall come into force in accordance with the provisions of the *Planning Act*.

By-law passed this XX<sup>th</sup> day of XXXX, 2023.

**Draft**

\_\_\_\_\_  
Kevin Ashe, Mayor

**Draft**

\_\_\_\_\_  
Susan Cassel, City Clerk

**Recommended Zoning By-law Provisions  
for Zoning By-law Amendment A 04/23**



**Draft**

By-law No. XXXX/23

Being a by-law to amend Restricted Area (Zoning) By-law 3037, as amended, to implement the Official Plan of the City of Pickering, Region of Durham

Whereas the Province of Ontario has amended the *Planning Act*, R.S.O. 1990, c. P.13, to expand the permissions for additional residential units (additional dwelling units);

And whereas an amendment to Zoning By-law 3037, as amended, is required to expand the permissions for additional dwelling units;

Now therefore the Council of The Corporation of the City of Pickering hereby enacts as follows:

1. **Section 2 Definitions**

- a. 2.2 ACCESSORY DWELLING UNIT is hereby deleted and replaced with:

~~2.2 ACCESSORY DWELLING UNIT~~

~~Accessory Dwelling Unit shall mean one self contained dwelling unit contained within a permitted detached dwelling or semi-detached dwelling.~~

2.2 ADDITIONAL DWELLING UNIT

Additional Dwelling Unit shall mean a self-contained unit in a detached dwelling, semi-detached dwelling, block townhouse, street townhouse, or in a building accessory to a detached dwelling, semi-detached dwelling, and block townhouse, street townhouse on the same lot. The additional dwelling unit shall consist of one or more rooms that are designed, occupied or intended for residential use, including occupancy, by one or more persons as an independent and separate residence in which cooking facilities, sleeping facilities and sanitary facilities are provided for the exclusive use of such person or persons.

2. **Section 5 – General Provisions For All Zones**

- a. 5.18 (f) is hereby amended as follows.

**5.18 ACCESSORY BUILDINGS AND USES**

- (f) Human habitation is not permitted in an accessory structure, except for accessory structures that meet the definition of an additional dwelling unit.

- b. 5.19.1 is hereby amended by adding:

### **5.19.1 MINIMUM OFF STREET PARKING REQUIREMENTS**

<b>USE OF BUILDING OR SITE</b>	<b>MINIMUM # OF PARKING SPACES</b>
<b>1. Residential</b>	
detached dwelling accessory dwelling	1 space per dwelling unit
<u>additional dwelling unit</u>	<u>1 space per dwelling unit</u>
<u>additional dwelling unit in the City Centre Neighbourhood</u>	<u>0 spaces</u>
<u>additional dwelling on a lot within a 500 metres walking distance of Kingston Road, or on a lot within 500 metres walking distance of the Pickering GO Station</u>	<u>1 space for the first additional dwelling unit and 0 spaces for the second additional dwelling unit</u>

- c. 5.19.2 is hereby revised:

### **5.19.2 SUPPLEMENTARY PARKING REGULATION**

These principles apply to parking for all zones except in the case of detached, semi-detached, additional dwelling units, and accessory dwellings.

- d. 5.31 is hereby deleted and replaced with:

### **~~5.31 ACCESSORY DWELLING UNIT~~**

~~Despite any provision in this By-law to the contrary, in any zone that permits a detached dwelling or a semi-detached dwelling an accessory dwelling unit is permitted within the detached dwelling or semi-detached dwelling provided:~~

- ~~(a) a total of three (3) parking spaces are provided on the property where the accessory dwelling unit is located;~~
- ~~(b) the maximum floor area of an accessory dwelling unit shall be one hundred (100) square metres;~~
- ~~(c) a home-based business is prohibited in either dwelling unit of a dwelling containing an accessory dwelling unit;~~
- ~~(d) an accessory dwelling unit is not permitted within an accessory dwelling unit that is permitted in Rural Agricultural Zone.~~

**5.31 ADDITIONAL DWELLING UNIT**

**Notwithstanding the provisions of 5.18, the following provisions shall apply to any accessory building containing an additional dwelling unit.**

- (a) **A maximum of one additional dwelling unit is permitted within any legally permitted detached dwelling, semi-detached dwelling, block townhouse, or street townhouse and a maximum of one additional unit is permitted within an accessory building on the same lot.**
- (b) **A maximum of two additional dwelling units are permitted within any legally permitted detached dwelling, semi-detached dwelling, block townhouse, or street townhouse provided there are no additional dwelling units contained within an accessory building on the same lot.**
- (c) **Notwithstanding 5.31 (a) and (b), additional dwelling units are not permitted within Key Natural Heritage Features and/or Key Hydrological Features nor within the minimum vegetated protection zone as described in the Pickering Official Plan.**
- (d) **Notwithstanding 5.31 (a) and (b), additional dwelling units are only permitted in the following locations.**
  - a. **For lands within the Protected Countryside of the Greenbelt Plan:**
    - i. **Within a detached dwelling, semi-detached dwelling, block townhouse, street townhouse; and/or**
    - ii. **Within an existing accessory building that was constructed on or before (or where building permits were issued prior to) July 1, 2017, provided that these buildings are located outside of Key Natural Heritage Features and/or Key Hydrological Features.**
  - b. **For lands within the Oak Ridges Moraine:**
    - i. **Only one additional dwelling unit is permitted within a detached dwelling.**
- (e) **Where an additional dwelling unit is located within an accessory building the net floor area of the additional dwelling unit shall be determined by the most restrictive of the following regulations:**
  - a. **Maximum lot coverage of all buildings on the lot;**
  - b. **No more than 50% of the net floor area of the detached dwelling, semi-detached dwelling, block townhouse, or street townhouse on the same lot; and**

- c. A maximum net floor area of 150 square metres.
- (f) An accessory building containing an additional dwelling unit shall conform with the height and setback requirements of Table 2.

**Table 2 – Height and Setback Requirements**

	Lots with area of 2,000 sq.m. or less	Lots with area greater than 2,000 sq.m.	
		Up to 4.5	Greater than 4.5 up to and including 6.5
<u>Height max. (metres)</u>	<u>4.5</u>		
<u>Front Yard Setback min. (metres)</u>	<u>Zone regulation</u>	<u>Zone regulation</u>	<u>Zone regulation</u>
<u>Exterior Side Yard Setback min. (metres)</u>	<u>Zone regulation</u>	<u>Zone regulation</u>	<u>Zone regulation</u>
<u>Interior Side Yard Setback min. (metres)</u>	<u>1.2</u>	<u>1.2</u>	<u>2.4</u>
<u>Rear Yard Setback min. (metres)</u>	<u>1.2</u>	<u>1.2</u>	<u>2.4</u>

- (g) Notwithstanding Section 5.7, all lots containing additional dwelling units shall provide a minimum 1.2 metres wide path of travel from the entrance of each additional dwelling unit to a public street. No encroachment is permitted to obstruct this path of travel.
- (h) A home-based business is permitted within an additional dwelling unit.
- (i) The provision of on-site parking for additional dwelling units shall not reduce the landscaped area in the corresponding yard below 30 percent.

3. **Section 6 – Rural Agricultural Zone**

- a. 6.1.2.1 is hereby deleted.

**~~6.1.2.1 ACCESSORY AGRICULTURAL RESIDENTIAL~~**

~~Notwithstanding the provisions of Section 6.2.2 hereof, a bona-fide agricultural user may be permitted to establish an accessory dwelling for the uses permitted under Section 6.1.2, only in accordance with the provisions of section 6.2.3.~~

- b. 6.2.3 is hereby deleted.

~~6.2.3 ACCESSORY DWELLING AS PERMITTED UNDER SECTION 6.1.2.1:~~

<del>Front Yard</del>	<del>Minimum</del>	<del>15 metres</del>
<del>Rear Yard</del>	<del>Minimum</del>	<del>15 metres</del>
<del>Side Yard</del>	<del>Minimum</del>	<del>6 metres</del>
<del>Floor Area</del>	<del>Minimum</del>	<del>110 square metres</del>
<del>Accessory Dwellings</del>		
<del>Per Lot</del>	<del>Maximum</del>	<del>1 only</del>

~~No accessory dwelling shall be located in the front yard of an existing dwelling, or closer than 15 metres from any building, other than a garage.~~

4. **Section 8.6 – OAK RIDGES MORAINÉ - HAMLET RESIDENTIAL SIX (ORM-R6) ZONE**

- a. 8.6.3.6 is hereby amended as follows:

**8.6.3.6 ORM-R6-6**

- (a) Despite Section 5.18 and Section 5.31 of By-law 3037, where a detached dwelling exists on a lot, a maximum of one accessory additional dwelling unit may be permitted on the second floor of a detached garage located in any side or rear yard of any lot on the lands zoned “ORM-R6-6” in accordance with the following:
- (i) a detached garage, and any associated uncovered steps and platforms, may be erected in any side or rear yard, a minimum of 5.0 metres from any lot line;
  - (ii) the maximum residential floor area of the accessory additional dwelling unit shall be 90 square metres;
  - (iii) the maximum height of the detached garage shall be 9.0 metres;
  - (iv) a minimum of one parking space shall be provided and maintained on the lot to serve the accessory additional dwelling unit.

5. **Section 9.3 – OAK RIDGES MORAINÉ - GENERAL COMMERCIAL (ORM-C2) ZONE**

- a. 9.3.1 is hereby amended as follows:

**9.3.1 PERMITTED USES**

- (i) ~~accessory dwelling unit~~

- b. 9.3.2 is hereby amended as follows:

### **9.3.2 REGULATIONS FOR PERMITTED USES**

#### ~~(vii) Accessory Dwelling Unit Regulations~~

- ~~(a) A maximum of one accessory dwelling unit shall be permitted within a building or structure containing the principle use;~~
- ~~(b) An accessory dwelling unit shall not be permitted within a building or structure containing an automobile service station use;~~
- ~~(c) The maximum floor area of an accessory dwelling unit shall be 100 square metres.~~

- c. 9.3.3.2 (c) is hereby amended as follows.

#### **9.3.3.2 ORM-C2-2**

- ~~(c) Despite Section 9.3.1 (i), an accessory dwelling unit shall not be permitted on lands zoned “ORM-C2-2”.~~

## **6. By-law 3037**

By-law 3037, as amended, is hereby further amended only to the extent necessary to give effect to the provisions of this By-law. Definitions and subject matters not specifically dealt with in this By-law shall be governed by relevant provisions of By-law 3037, as amended.

## **7. Effective Date**

This By-law shall come into force in accordance with the provisions of the *Planning Act*.

By-law passed this XX<sup>th</sup> day of XXXX, 2023.

**Draft**

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Kevin Ashe, Mayor

**Draft**

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Susan Cassel, City Clerk

**Recommended Zoning By-law Provisions  
for Zoning By-law Amendment A 04/23**

**Draft**

By-law No. XXXX/23

Being a by-law to amend Restricted Area (Zoning) By-law 7364/14, as amended, to implement the Official Plan of the City of Pickering, Region of Durham

Whereas the Province of Ontario has amended the *Planning Act*, R.S.O. 1990, c. P.13, to expand the permissions for additional residential units (additional dwelling units);

And whereas an amendment to Zoning By-law 7364, as amended, is required to expand the permissions for additional dwelling units;

Now therefore the Council of The Corporation of the City of Pickering hereby enacts as follows:

1. **Table of Contents**

- a. 2.13 Accessory Dwelling Unit is hereby amended:

**2.13 Accessory Dwelling Unit**~~Accessory Dwelling Unit~~ **Additional Dwelling Unit**

2. **Section 2 General Regulation**

- a. 2.13 Accessory Dwelling Unit is hereby deleted and replaced with:

~~2.13 Accessory Dwelling Unit~~

- ~~a) Despite any provision in this By-law to the contrary, in any zone that permits a detached dwelling, semi-detached dwelling or a townhouse dwelling, an accessory dwelling unit is permitted within the detached dwelling, semi-detached dwelling or townhouse dwelling provided:~~
- ~~i) a total of three (3) parking spaces are provided on the property where the accessory dwelling unit is located;~~
- ~~ii) the maximum floor area of an accessory dwelling unit shall be one hundred (100) square metres; and~~
- ~~iii) a home-based business is prohibited in either dwelling unit of a dwelling containing an accessory dwelling unit.~~
- ~~b) An accessory dwelling unit may be permitted within a coach house on a lot containing a detached dwelling, semi-detached dwelling or a street townhouse dwelling provided there is only one accessory dwelling unit on the lot and the requirements of Section 2.13 a) are met.~~



**2.13 Accessory Dwelling Unit**

**Notwithstanding the provisions of 2.15, the following provisions shall apply to any accessory building containing an additional dwelling unit.**

- (a) **A maximum of one additional dwelling unit is permitted within any legally permitted detached dwelling, semi-detached dwelling, block townhouse, or street townhouse and a maximum of one additional unit is permitted within an accessory building on the same lot.**
- (b) **A maximum of two additional dwelling units are permitted within any legally permitted detached dwelling, semi-detached dwelling, block townhouse, or street townhouse provided there are no additional dwelling units contained within an accessory building on the same lot.**
- (c) **Notwithstanding 5.33 (a) and (b), additional dwelling units are not permitted within Key Natural Heritage Features and/or Key Hydrological Features nor within the minimum vegetated protection zone as described in the Pickering Official Plan.**
- (d) **Where an additional dwelling unit is located within an accessory building the gross floor area of the additional dwelling unit shall be determined by the most restrictive of the following regulations:**
- a. **Maximum lot coverage of all buildings on the lot;**
  - b. **No more than 50% of the net floor area of the detached dwelling, semi-detached dwelling, block townhouse, or street townhouse on the same lot; and**
  - c. **A maximum net floor area of 150 square metres.**
- (e) **An accessory building containing an additional dwelling unit shall conform with the height and setback requirements of Table 32.**

**Table 32 – Height and Setback Requirements**

	<b><u>Lots with area of 2,000 sq.m. or less</u></b>	<b><u>Lots with area greater than 2,000 sq.m.</u></b>	
<b><u>Height max. (metres)</u></b>	<b><u>4.5</u></b>	<b><u>Up to 4.5</u></b>	<b><u>Greater than 4.5 to up to and including 6.5</u></b>
<b><u>Front Yard Setback min. (metres)</u></b>	<b><u>Zone Regulation</u></b>	<b><u>Zone Regulation</u></b>	<b><u>Zone Regulation</u></b>
<b><u>Exterior Side Yard Setback min. (metres)</u></b>	<b><u>Zone Regulation</u></b>	<b><u>Zone Regulation</u></b>	<b><u>Zone Regulation</u></b>

	<u>Lots with area of 2,000 sq.m. or less</u>	<u>Lots with area greater than 2,000 sq.m.</u>	
<u>Interior Side Yard Setback min. (metres)</u>	<u>1.2</u>	<u>1.2</u>	<u>2.4</u>
<u>Rear Yard Setback min. (metres)</u>	<u>1.2</u>	<u>1.2</u>	<u>2.4</u>

- (f) Notwithstanding Section 2.6 and 2.10, all lots containing additional dwelling units shall provide a minimum 1.2 metres wide path of travel from the entrance of each additional dwelling unit to a public street. No encroachment is permitted to obstruct this path of travel.
- (g) A home-based business is permitted within an additional dwelling unit.
- (h) The provision of on-site parking shall not reduce the landscaped open space in the corresponding yard below 30%.

b. 22.15 (g) is hereby amended as follows:

#### **2.15 ACCESSORY BUILDINGS AND USES**

- (g) Human habitation is not permitted in an accessory building or accessory structure except for a coach house and accessory structures that meet the definition of an additional dwelling unit.

c. 2.20 is hereby deleted:

#### **~~2.20 Coach Houses~~**

~~A coach house shall be permitted on a corner lot with a lot frontage of 10.0 metres or greater where the corner lot has access to a rear lane or on a through lot with a lot frontage of 10.0 metres or greater provided there is not an accessory dwelling unit in the detached, semi-detached or street townhouse dwelling and provided the coach house:~~

- ~~a) is located a minimum distance of 0.6 metres from the rear lot line;~~  
~~b) is located a minimum of 1.2 metres from the interior side lot line;~~  
~~c) is setback a minimum of 5.0 metres from the main building on the lot. The parking of motor vehicles is not permitted in the setback area; and~~  
~~d) has a maximum height of 8.0 metres.~~

3. **Section 3 Parking Regulations**

- a. Section 3.1 is hereby amended as follows:

**3.1 Parking Space Requirements**

**Table 1: Minimum Parking Requirements**

**~~Accessory Dwelling Unit~~ Additional Dwelling Unit**

4. **Section 4 Permitted Uses and Zone Regulations**

- a. Section 4.1 is hereby amended as follows:

**4.1 Uses Permitted**

**Table 2: Permitted Uses in Residential Zones**

**~~Accessory Dwelling Unit~~ Additional Dwelling Unit**

5. **Section 5 Mixed Use Zone Regulation**

- a. Section 5.1 is hereby deleted and replaced with:

**5.1 Uses Permitted**

**~~Accessory Dwelling Unit~~**

**Additional Dwelling Unit**

6. **Section 10 Definitions**

- a. Section 10 is hereby amended as follows:

**~~“Accessory Dwelling Unit” means one self-contained dwelling unit contained within a permitted detached dwelling, semi-detached dwelling, townhouse dwelling or coach house.~~**

**“Additional Dwelling Unit” means a self-contained unit in a detached dwelling, semi-detached dwelling, block townhouse, street townhouse, or in a building accessory to a detached dwelling, semi-detached dwelling, and block townhouse, street townhouse on the same lot. The additional dwelling unit shall consist of one or more rooms that are designed, occupied or intended for residential use, including occupancy, by one or more persons as an independent and separate residence in which cooking facilities, sleeping facilities and sanitary facilities are provided for the exclusive use of such person or persons.**

**“Coach House” means a detached building containing a private garage on the ground floor and an ~~accessory dwelling unit~~additional dwelling unit on the second floor.**

**“Dwelling, Detached or Detached Dwelling” means a building containing only one primary dwelling unit but may also include ~~an accessory dwelling unit~~ additional dwelling units.**

6. **By-law 7364/14**

By-law 7364/14, as amended, is hereby further amended only to the extent necessary to give effect to the provisions of this By-law. Definitions and subject matters not specifically dealt with in this By-law shall be governed by relevant provisions of By-law 7364/14, as amended.

7. **Effective Date**

This By-law shall come into force in accordance with the provisions of the *Planning Act*.

By-law passed this XX<sup>th</sup> day of XXXX, 2023.

**Draft**

\_\_\_\_\_  
Kevin Ashe, Mayor

**Draft**

\_\_\_\_\_  
Susan Cassel, City Clerk

**Recommended Zoning By-law Provisions  
for Zoning By-law Amendment A 04/23**

# Draft

By-law No. XXXX/23

Being a by-law to amend Restricted Area (Zoning) By-law 7553/17, as amended, to implement the Official Plan of the City of Pickering, Region of Durham

Whereas the Province of Ontario has amended the *Planning Act*, R.S.O. 1990, c. P.13, to expand the permissions for additional residential units (additional dwelling units);

And whereas an amendment to Zoning By-law 7553, as amended, is required to expand the permissions for additional dwelling units;

Now therefore the Council of The Corporation of the City of Pickering hereby enacts as follows:

## 1. Table of Contents

- a. 2.7 Accessory Dwelling Unit is hereby amended as follows:

~~2.7 Accessory Dwelling Unit~~

2.7 Additional Dwelling Unit

## 2. How to Read and Use This By-law

- a. Introductory text to Zoning By-law 7553, “How to Read and Use this By-law”, is hereby amended as follows:

**Section 2 sets out a number of general regulations, which apply to development in all zones. These general provisions address such matters as public uses, permitted encroachments, legal non-conforming uses, ~~accessory~~ additional dwelling units, home-based business, accessory buildings and structures, live work dwellings, patios and temporary sales offices among others.**

## 3. Section 2 – General Regulations

- a. 2.7 Accessory Dwelling Unit is hereby deleted and replaced with:

~~2.7 Accessory Dwelling Unit~~

**~~Despite any provision in this By-law to the contrary, in any zone that permits a detached dwelling, semi-detached dwelling or a street townhouse dwelling, an accessory dwelling unit is permitted within the detached dwelling, semi-detached dwelling or street townhouse dwelling provided:~~**

- ~~a) a total of three (3) parking spaces are provided on the property where the accessory dwelling unit is located~~
- ~~b) the maximum floor area of an accessory dwelling unit shall be 100 square metres~~
- ~~c) a home-based business is prohibited in either dwelling unit or a dwelling containing an accessory dwelling unit~~

## 2.7 Additional Dwelling Unit

Notwithstanding the provisions of 2.9, the following provisions shall apply to any accessory building containing an additional dwelling unit.

- (a) A maximum of one additional dwelling unit is permitted within any legally permitted detached dwelling, semi-detached dwelling, block townhouse, or street townhouse and a maximum of one additional unit is permitted within an accessory building on the same lot.
- (b) A maximum of two additional dwelling units are permitted within any legally permitted detached dwelling, semi-detached dwelling, block townhouse, or street townhouse provided there are no additional dwelling units contained within an accessory building on the same lot.
- (c) Notwithstanding (section number above), additional dwelling units are not permitted within Key Natural Heritage Features and/or Key Hydrological Features nor within the minimum vegetated protection zone as described in the Pickering Official Plan.
- (d) Where an additional dwelling unit is located within an accessory building the gross floor area of the additional dwelling unit shall be determined by the most restrictive of the following regulations:
  - a. Maximum lot coverage of all buildings on the lot;
  - b. No more than 50% of the net floor area of the detached dwelling, semi-detached dwelling, block townhouse, or street townhouse on the same lot; and
  - c. A maximum net floor area of 150 square metres.
- (e) An accessory building containing an additional dwelling unit shall conform with the height and setback requirements of Table 5.

**Table 5 – Height and Setback Requirements**

	<u>Lots with area of 2,000 sq.m. or less</u>	<u>Lots with area greater than 2,000 sq.m.</u>	
<u>Height max. (metres)</u>	<u>4.5</u>	<u>Up to 4.5</u>	<u>Greater than 4.5 up to and including 6.5</u>
<u>Front Yard Setback min. (metres)</u>	<u>Zone Regulation</u>	<u>Zone Regulation</u>	<u>Zone Regulation</u>
<u>Exterior Side Yard Setback min. (metres)</u>	<u>Zone Regulation</u>	<u>Zone Regulation</u>	<u>Zone Regulation</u>
<u>Interior Side Yard Setback min. (metres)</u>	<u>1.2</u>	<u>1.2</u>	<u>2.4</u>
<u>Rear Yard Setback min. (metres)</u>	<u>1.2</u>	<u>1.2</u>	<u>2.4</u>

- (f) Notwithstanding Section 2.4, all lots containing additional dwelling units shall provide a minimum 1.2 metres wide path of travel from the entrance of each additional dwelling unit to a public street. No encroachment is permitted to obstruct this path of travel.
- (g) A home-based business is permitted within an additional dwelling unit.
- (h) The provision of on-site parking shall not reduce the landscaped area in the corresponding yard below 30%.

b. Section 2.9 (f) is hereby amended as follows:

**2.9 Accessory Buildings and Structures**

- f) Human habitation is not permitted in an accessory building or structure, except for accessory structures that meet the definition of an additional dwelling unit.

**4. Section 3 – Parking Regulations**

a. Section 3.1, Table 1 – Minimum Parking Requirements, is hereby amended as follows:

**Table 1 – Minimum Parking Requirements**

**Residential Uses**

Accessory-Additional dwelling unit in the City    0 spaces  
Centre Neighbourhood



**Residential Uses**

Additional dwelling unit on a lot within a 500 metres walking distance of Kingston Road, or on a lot within 500 metres walking distance of the Pickering GO Station

1 space for the first additional dwelling unit and 0 spaces for the second additional dwelling unit

5. **Section 4 – Permitted Uses and Zone Regulations**

- a. Section 4.1 is hereby amended as follows:

**4.1 Permitted Uses**

**~~Accessory~~ Additional Dwelling Unit**

6. **Section 5 – Definitions**

- a. Section 5 is hereby amended as follows:

“Dwelling” includes:

- a) ~~“Accessory Dwelling Unit” means a separate dwelling unit subsidiary to and located in the same building as an associated principal dwelling unit; and its creation does not result in the creation of a semi-detached dwelling, duplex dwelling, three-unit dwelling or converted dwelling.~~

Additional Dwelling Unit shall mean a self-contained unit in a detached dwelling, semi-detached dwelling, block townhouse, street townhouse, or in a building accessory to a detached dwelling, semi-detached dwelling, and block townhouse, street townhouse on the same lot. The additional dwelling unit shall consist of one or more rooms that are designed, occupied or intended for residential use, including occupancy, by one or more persons as an independent and separate residence in which cooking facilities, sleeping facilities and sanitary facilities are provided for the exclusive use of such person or persons.

7. **Section 6 Exceptions**

- a. Section 6.5.1 is hereby amended as follows:

**6.5.1 Additional Permitted Uses**

- b) ~~Accessory~~ Additional Dwelling Unit is permitted within an existing detached dwelling in accordance with Section 2.7 of this By-law

6. **By-law 7553/17**

By-law 7553/17, as amended, is hereby further amended only to the extent necessary to give effect to the provisions of this By-law. Definitions and subject matters not specifically dealt with in this By-law shall be governed by relevant provisions of By-law 7553/17, as amended.

7. **Effective Date**

This By-law shall come into force in accordance with the provisions of the *Planning Act*.

By-law passed this XX<sup>th</sup> day of XXXX, 2023.

**Draft**

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Kevin Ashe, Mayor

**Draft**

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Susan Cassel, City Clerk

**Draft Additional Dwelling Unit By-law**

The Corporation of the City of Pickering

**Draft** By-law No. XXXX/23

Being a by-law to provide for the registration of additional dwelling units in the City of Pickering.

Whereas Section 16(3) of the *Planning Act, S.O., 1990, c. P.13*, as amended, requires municipal official plans to not prohibit the use of up to two additional dwelling units on a lot;

And whereas Section 35.1(1) of the *Planning Act, S.O., 1990, c. P.13*, as amended, requires that no by-laws passed under section 34 may prohibit the erection or location of up to two additional dwelling units on a lot;

And whereas Section 8(1) of the *Municipal Act, S.O. 2001, c. 25*, as amended, (*Municipal Act, 2001*) provides that the powers of a municipality under any Act shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate, and to enhance their ability to respond to municipal issues;

And whereas Section 11(2) (6) and (8) of the *Municipal Act, 2001*, authorizes municipalities to pass by-laws respecting the health, safety and well-being of persons and the protection of persons and property;

And whereas the Council of the Corporation of the City of Pickering considers it important to enact a by-law to require the registration of additional dwelling units in the City of Pickering in order to protect persons, property and the health, safety and well-being of Pickering residents;

Now therefore the Council of The Corporation of the City of Pickering hereby enacts as follows:

1. **Definitions**

In this By-law,

- (1) "Accessory" means a use or building naturally or normally incidental to, subordinate to or exclusively devoted to a principal use or building and located on the same lot as the principal use or building;
- (2) "Additional Dwelling Unit" means a self-contained unit in a detached dwelling, semi-detached dwelling, block townhouse, street townhouse, or in a building accessory to a detached dwelling, semi-detached dwelling, and block townhouse, street townhouse on the same lot. The additional dwelling unit shall consist of one or more rooms that are designed, occupied or intended for residential use, including occupancy, by one or more persons as an independent and separate residence in which cooking facilities, sleeping facilities and sanitary facilities are provided for the exclusive use of such person or persons.
- (3) "Applicant" means a person who applies for registration of an additional dwelling unit and includes any person authorized in writing by an owner to apply for a two-dwelling unit property registration certificate on the owner's behalf;

- (4) “Building” means a structure occupying an area greater than 10.0 square metres and consisting of any combination of walls, roof and floor but shall not include a mobile home;
- (5) “City” means The Corporation of the City of Pickering or the geographical area, whatever the context requires;
- (6) “Inspector” means a Building Inspector, Municipal Law Enforcement Officer or Fire Inspector employed by the City of Pickering;
- (7) “Owner” means the registered owner of the land on which the additional dwelling unit(s) is (are) situated;
- (8) “Registrar” means the Chief Building Official of the City of Pickering or their designate;

## 2. **Prohibition**

No person shall occupy or permit the occupancy of an additional dwelling unit unless the owner registers the property as required by this By-law.

## 3. **Registration Applications**

- (1) To obtain registration, the owner or their applicant shall:
  - (a) submit a completed application on a form provided by the City;
  - (b) pay the prescribed fee in the amount as set out in Schedule “A” to this By-law, or as amended by the approved Summary of Fees and Charges By-law;
  - (c) arrange for an inspection of the additional dwelling unit by an Inspector, and demonstrate compliance with all relevant standards set out in the *Building Code Act*, Ontario Building Code, *Fire Protection and Prevention Act*, Ontario Fire Code, as amended from time to time; and
  - (d) provide bona-fide evidence that the use of the property for the purposes of more than one dwelling unit meets the applicable zoning provisions, or are exempt from such provisions under the terms of the *Planning Act, 1990*;
  - (e) mount the address of the additional dwelling unit on the wall of the building that faces a public street. The address numbers should measure no less than 150mm in height. The mounted address should also identify the location of the door to the additional dwelling unit.
- (2) A property which has received approval for an additional dwelling unit through the issuance of a building permit or change of use permit under the *Building Code Act* and Ontario Building Code, is exempt from the requirements of (1)(c) and (d) of this section where such permit explicitly authorized such use and satisfactory final inspections have been completed.

- (3) The issuance of a building permit for structural or material alterations in accordance with the *Fire Protection and Prevention Act* and Ontario Fire Code, is applicable to the requirements of (1)(c) and (d) of this section.
- (4) The Registrar shall issue a registration certificate for an additional dwelling unit except where the additional dwelling unit proposed for registration does not comply with the requirements of 5(1) of this by-law or any other applicable law, as determined by the Registrar.

#### 4. Register

- (1) The Registrar shall maintain a written or electronic record respecting each additional dwelling unit for which a registration certificate has been issued. Each record shall include, at a minimum, the following particulars:
  - (a) the municipal address of the additional dwelling unit;
  - (b) the location of the additional dwelling unit on the lot (i.e. in the principal dwelling or within an accessory building); and
  - (c) the registration date of the additional dwelling unit.

#### 5. Refusal and Revocation of Registration

- (1) The Registrar may refuse to register an additional dwelling unit unless the Registrar is satisfied that the following conditions have been met:
  - (a) the application for registration has been prepared and submitted, including payment of registration fees;
  - (b) the additional dwelling unit complies with all standards applicable at the time of registration, and which may be prescribed by any of the following:
    - the City's Zoning By-law;
    - the City's Property Standards By-law;
    - the *Building Code Act, 1992, SO 1992, c 23*;
    - the Ontario Building Code, O Reg. 332/12;
    - the *Fire Protection and Prevention Act, 1997, SO 1997, c 4*; and
    - the Ontario Fire Code, O Reg. 213/07:
- (2) The Registrar may revoke the registration of an additional dwelling unit which, at any time after registration, ceases to meet the requirements set out in this By-law or other applicable law, or where the Registrar determines that the registration certificate was issued based on false or misleading information.
- (3) Where the Registrar refuses or revokes the registration of an additional dwelling unit, notice stating the reason for the refusal or revocation shall be given to the owner of the property by regular mail.

#### 6. Administration of this By-law

The Registrar may designate such persons as are necessary to administer this By-law.

**7. Offences and Penalties**

- (1) Any person, other than a corporation, who contravenes the provisions of this By-law is guilty of an offence, and upon conviction, is liable:
  - (a) on a first conviction, to a fine of not more than \$10,000.00; and
  - (b) on any subsequent conviction, to a fine of not more than \$25,000.00.
- (2) A corporation that contravenes any provision of this By-law, is guilty of an offence, and upon conviction, is liable:
  - (a) on a first conviction, to a fine of not more than \$25,000.00; and
  - (b) on any subsequent conviction, to a fine of not more than \$50,000.00.

**8. Repeal**

- (1) By-law 7579/17, as amended, is repealed.

By-law passed this XX<sup>th</sup> day of XXXX, 2023.

**Draft**

\_\_\_\_\_  
Kevin Ashe, Mayor

**Draft**

\_\_\_\_\_  
Susan Cassel, City Clerk

**Schedule "A" to  
By-law XXXX/23**

Registration Fee of a Two-Dwelling Unit Property:

\$500.00



# Additional Dwelling Units

Open House

April 4, 2023, 6-8 p.m.



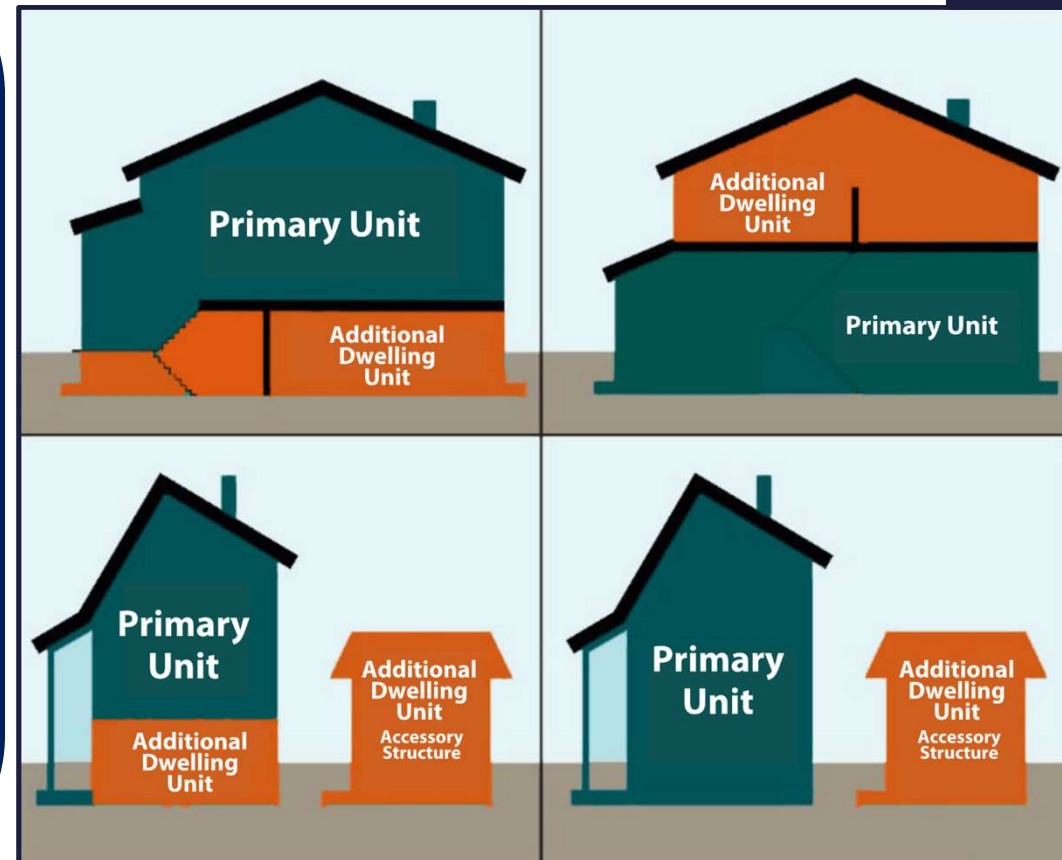
# Provincial Legislation

The *Planning Act* was amended to increase the supply of housing options (Bill 108 and Bill 23).

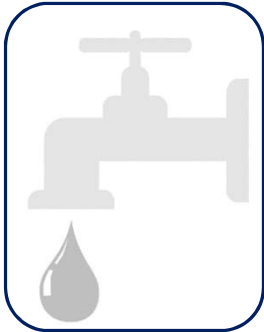
All municipalities must permit a maximum of two ADUs on a property. This means that each property can have up to **three dwelling units**:

In addition to the main dwelling, homeowners can also have:

1. One ADU within the house; OR
2. Two ADUs within the house; OR
3. One detached ADU in the yard; OR
4. One ADU within the house and one detached ADU in the yard.



# Provincial Legislation



The following properties are permitted to have up to two ADUs:

- Properties containing
  - A detached house,
  - A semi-detached house, or
  - A townhouse.

AND

- Properties that are serviced with
  - municipal water, and
  - municipal sewers.

# ADUs in Rural Areas

## Rural Area

Subject to  
Minister's Zoning Orders

Permits up to two ADUs

ADUs permitted within  
the house and within  
an accessory building

## Within the Greenbelt

Subject to  
Minister's Zoning Orders

Permits up to two ADUs

ADUs permitted within  
the house and within an  
**EXISTING** accessory building

## Within the Oak Ridges Moraine

Subject to  
Minister's Zoning Orders

**ONE** ADU permitted  
within the house

# What are Additional Dwelling Units?

- Small residences that are constructed inside a house, in the yard or over a garage.
- An independent living space with its own kitchen, bathroom and sleeping area.
- Cannot be severed off to be sold separately.



# In-house Apartment



# Accessory Building



# New Regulations for ADUs

## PROVINCIAL REGULATIONS

- Where ADUs can locate
- No minimum size
- Maximum number of parking spaces (no more than one parking space per ADU)

Already decided

Yet to be decided

## MUNICIPAL REGULATIONS

- Maximum size
- Maximum height
- Minimum distance to property line
- Minimum number of parking spaces

# Regulations for **all ADUs** Parking Spaces

Existing house

= Current zoning requirement

ADU

= Maximum 1 space per ADU



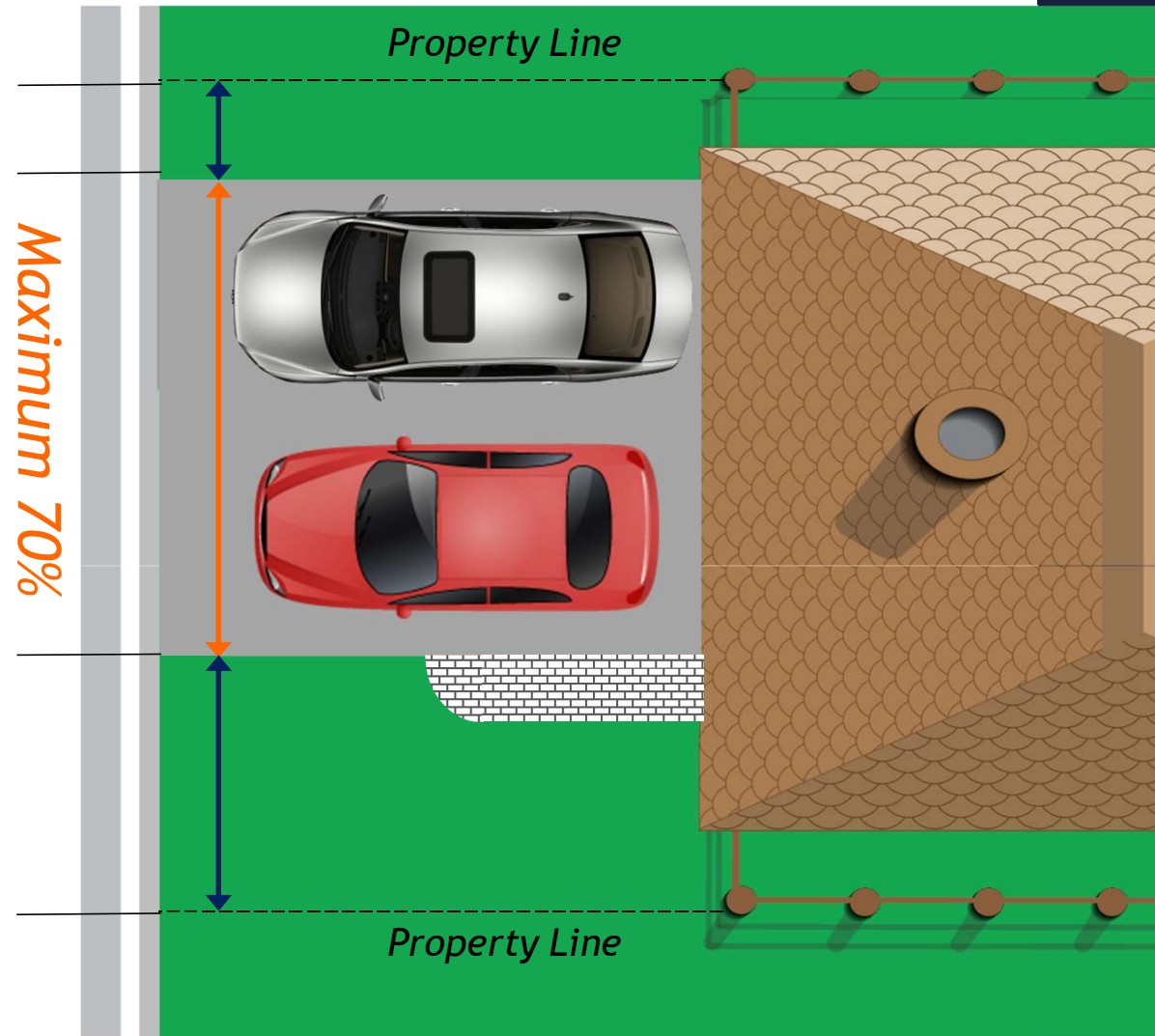


# Regulations for all ADUs

## Driveway Area

Driveway area  
= Max. 70% of front yard

Landscaped area  
= Min. 30% of front yard



# Regulations for detached ADUs

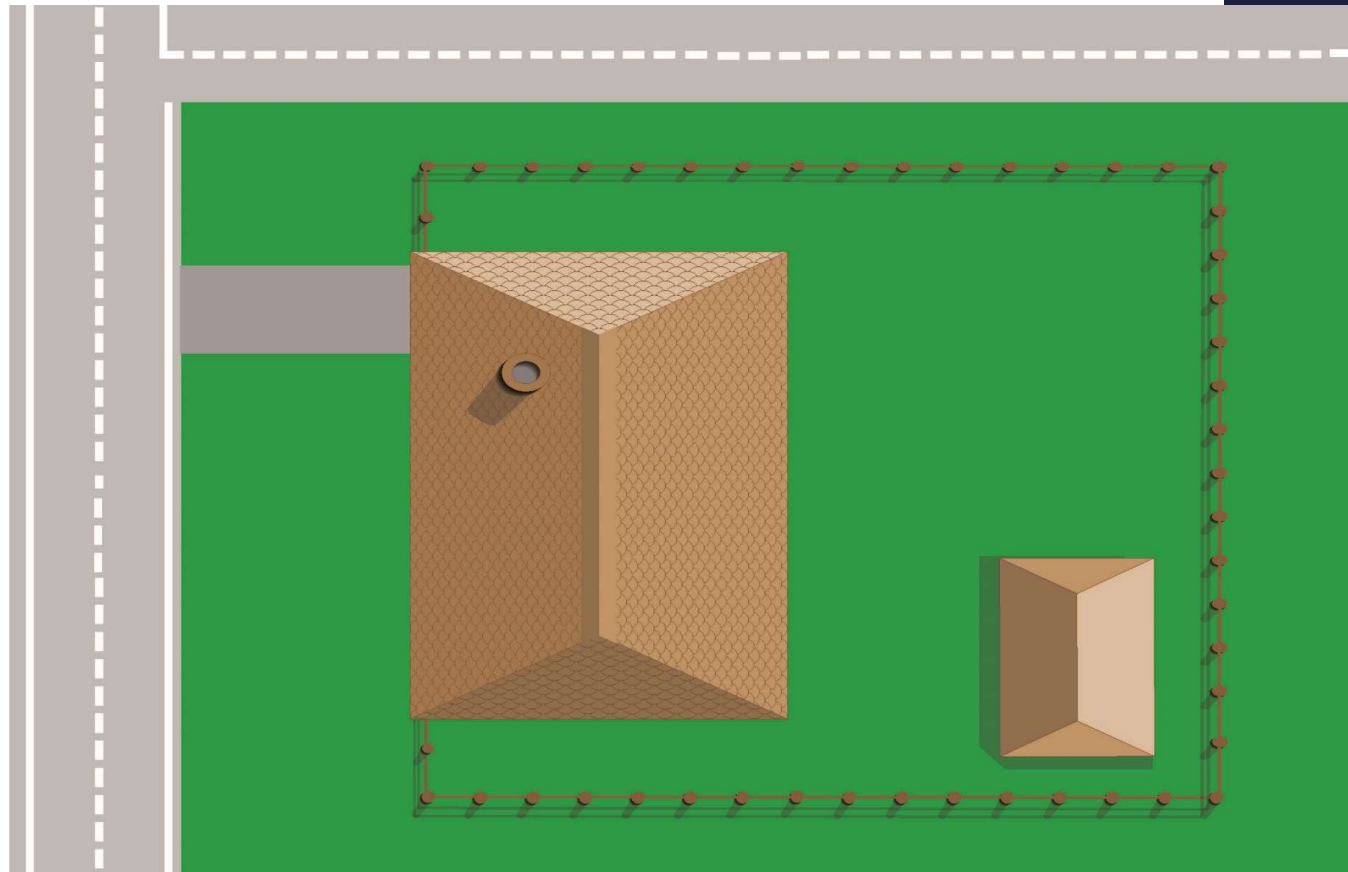
## Maximum Size

The lesser of...

Max. Lot Coverage

50% of Principal Building

Max. Floor Area



# Regulations for detached ADUs

## Maximum Size

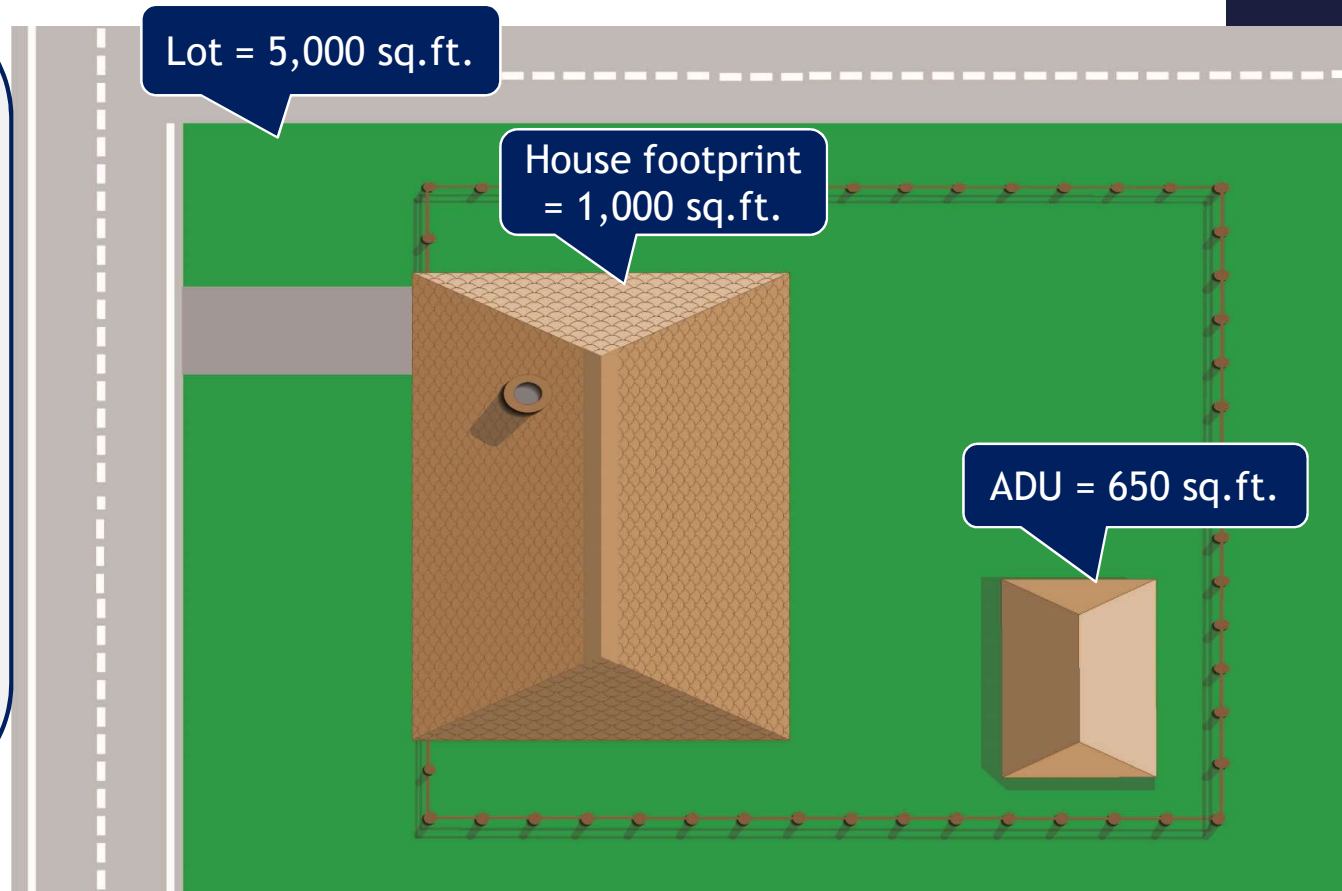
### Max. Lot Coverage

Percentage of buildings covering the lot

Example

- Lot = 5,000 sq.ft.
- Lot coverage = 33%\* (1,650 sq.ft.)
- House footprint = 1,000 sq.ft.
- Max. detached ADU = **650 sq.ft.**

*\* Lot coverage will differ by neighbourhood*



# Regulations for detached ADUs

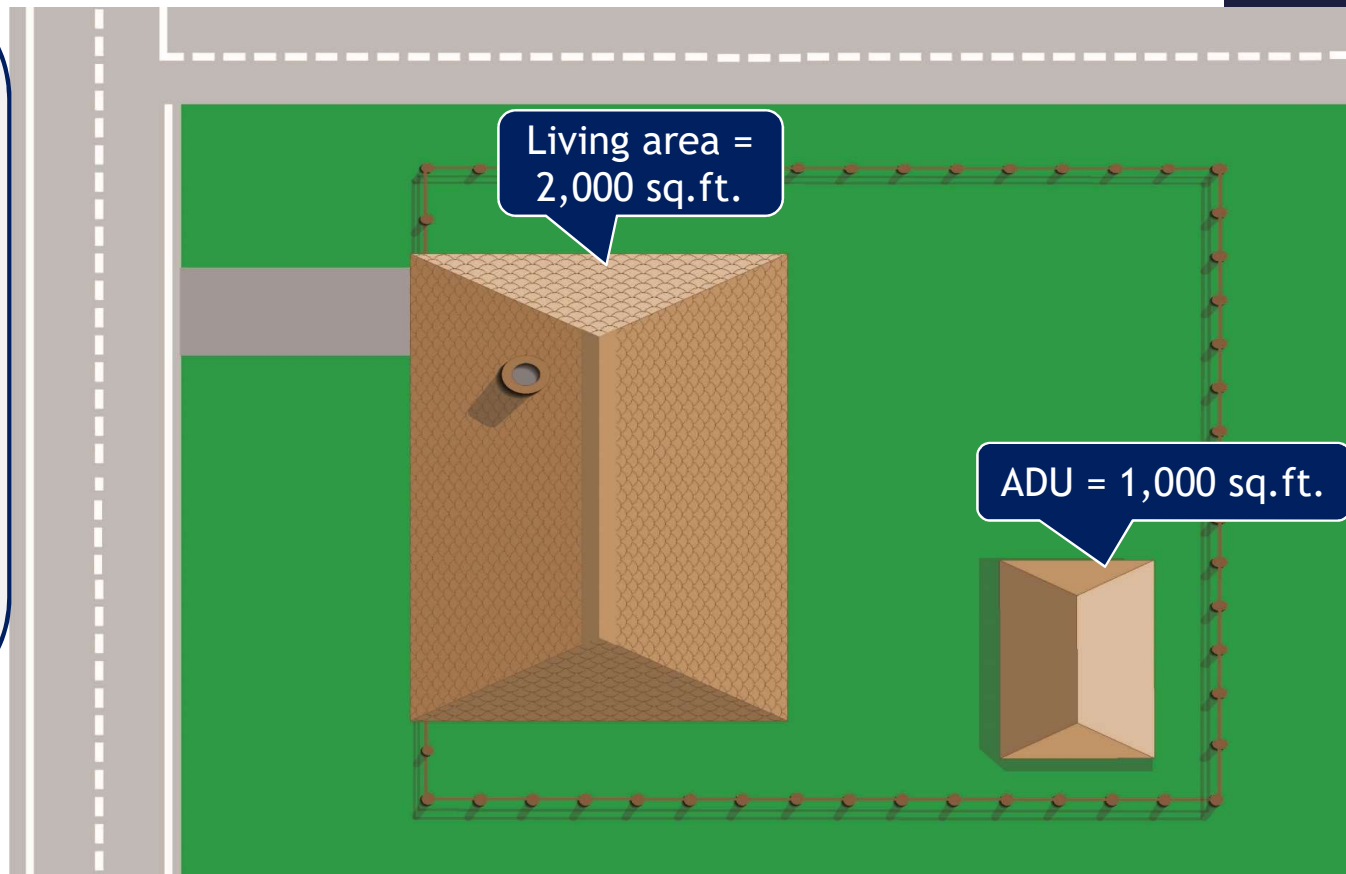
## Maximum Size

### Size of Principal Building

- No more than 50% of the living area of the house

#### Example

- House living area = 2,000 sq.ft.
- Max. detached ADU = 1,000 sq.ft.

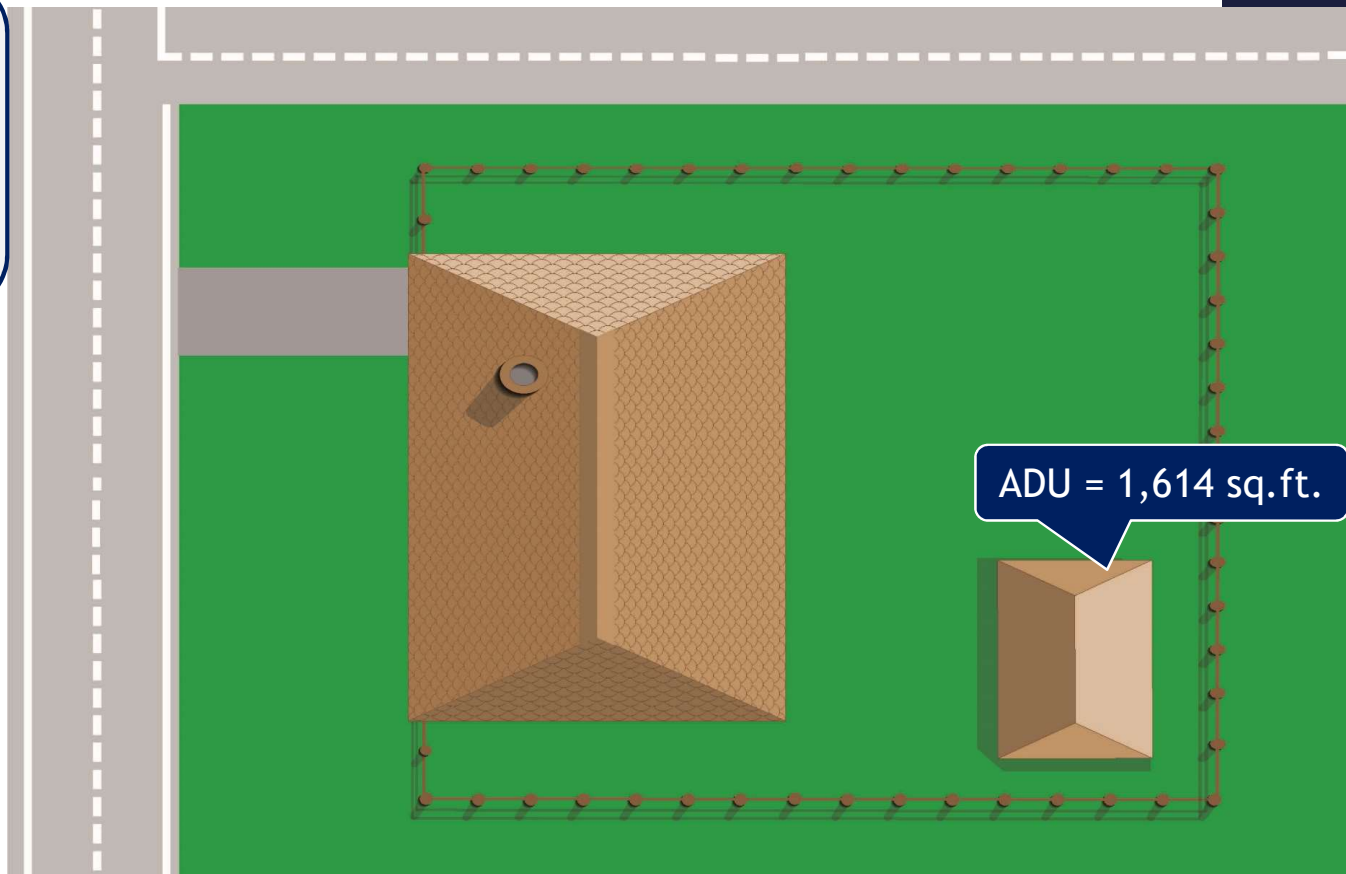


# Regulations for detached ADUs

## Maximum Size

### Max Floor Area

- Not to exceed 150 sq.m. (1,614 sq.ft.)

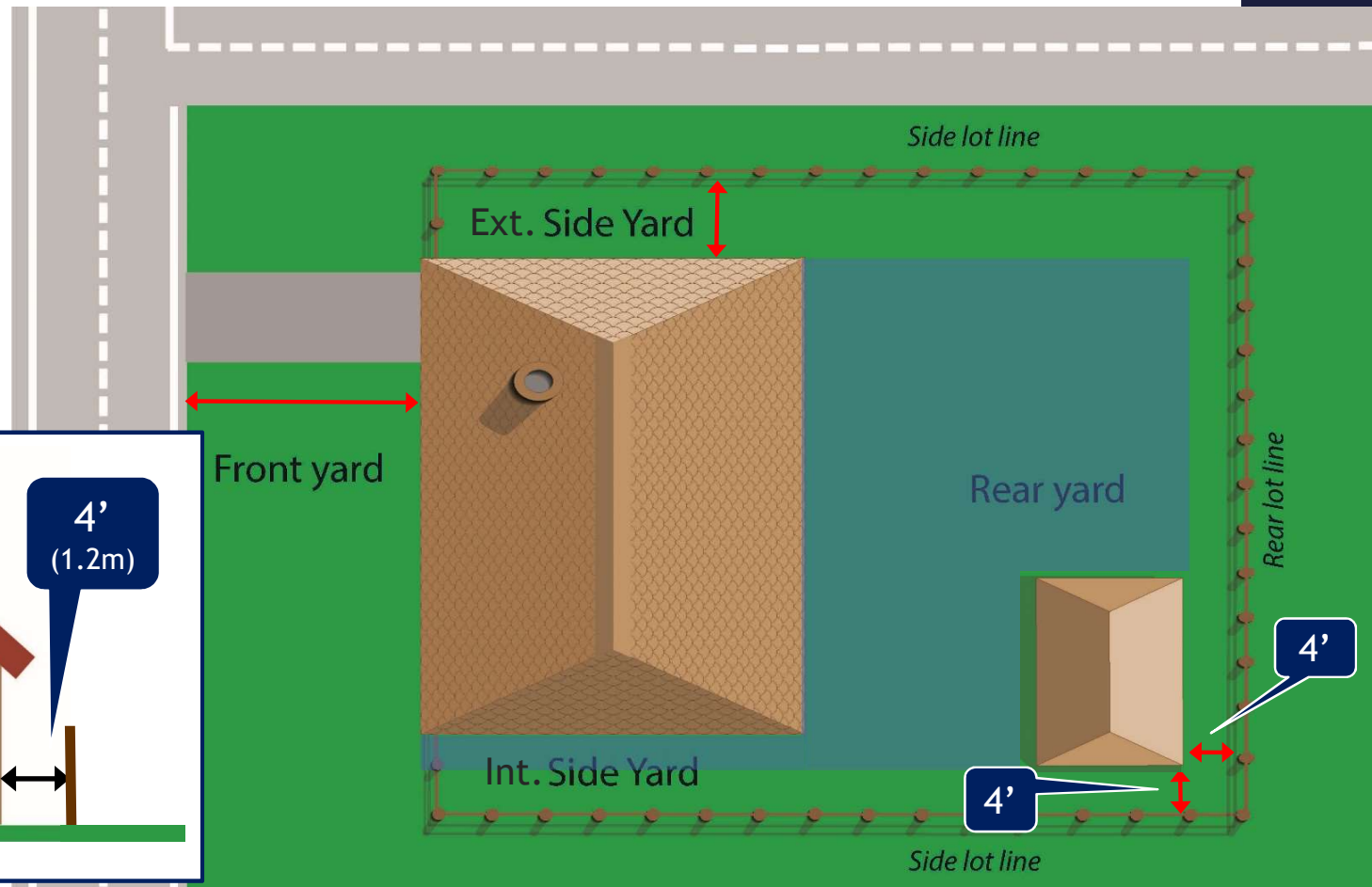
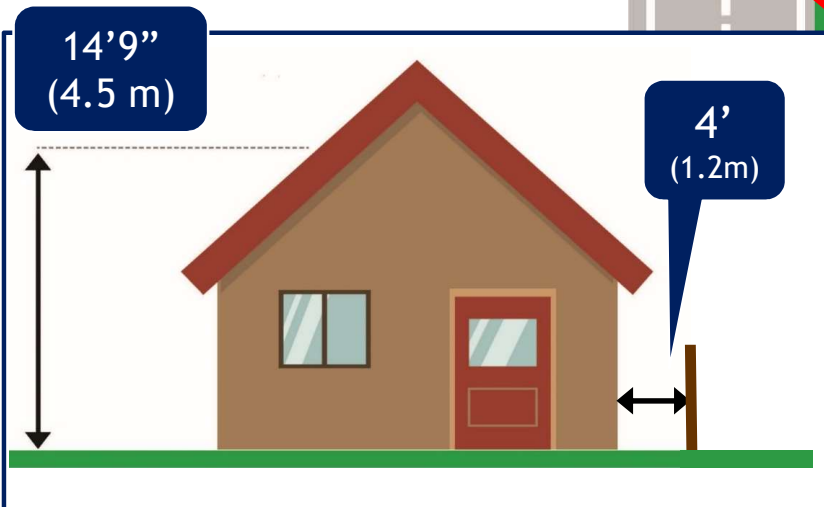


# Regulations for One-storey ADUs

## Location and Height on the property

Permitted within:

- rear yard
- interior side yard

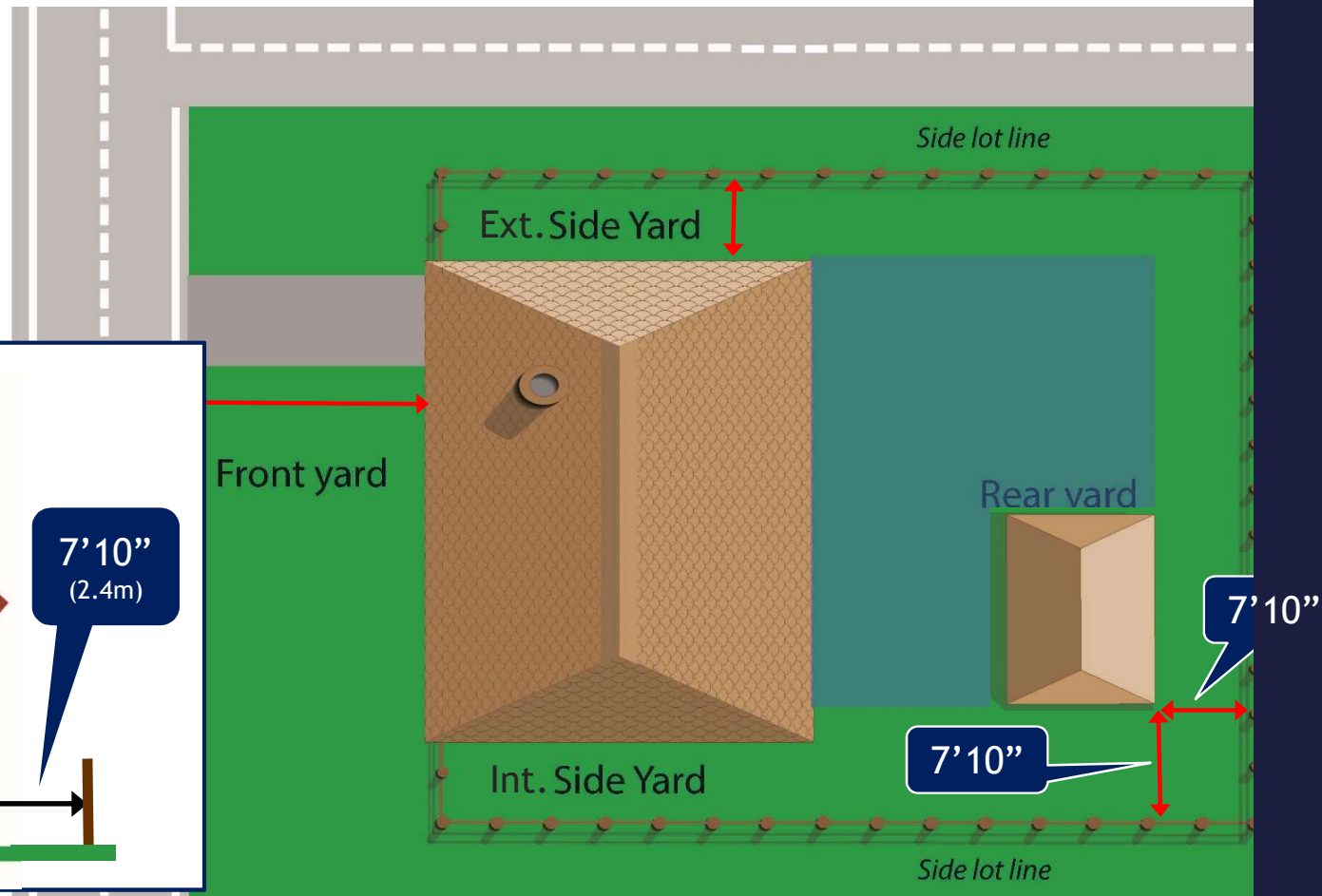
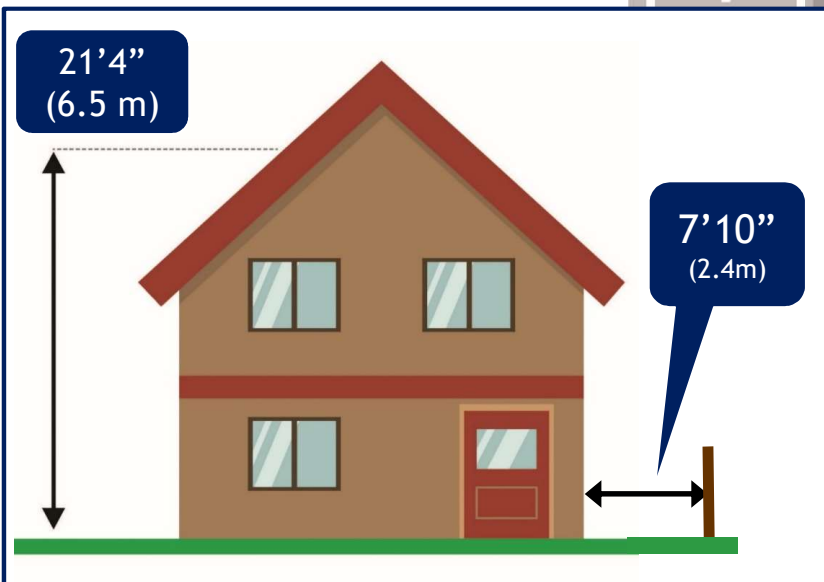


# Regulations for Two-storey ADUs

## Location and Height on the property

Permitted within:

- rear yard
- interior side yard



# Process to construct an ADU



## Building Permit

- COST = Varies



## Construction

- COST = Varies (\$50-\$300 sq.ft.)



## Registration

- COST = \$500