

Version 1.2 (updated 15Apr24)

Zoning By-law 60-2009

Proposed changes to ARU/ADU provisions

Part 3.0 DEFINITIONS

Delete:

Accessory Apartment Dwelling Unit

New definitions:

ADDITIONAL RESIDENTIAL UNIT

Means a *dwelling unit* on a lot which already contains a *main dwelling unit*.

DWELLING, ADDITIONAL

Means a *dwelling unit* on a lot which already contains a *main dwelling unit* and means the same as *additional residential unit*.

DWELLING, MAIN

Means a *dwelling unit* which is the main *building* on a *lot* and may be a *single detached*, *semi-detached* or *townhouse dwelling*.

REVISED SECTIONS:

4.1.1.2 Timing of construction

No detached accessory building or structure shall be erected on a lot prior to the erection of the main building.

This shall not apply to prevent buildings or structures accessory to a conservation use, nor buildings or structures accessory to an agricultural use on a lot that is greater than 10ha in area.

This section also does not prevent a main dwelling from being converted to an additional residential unit to allow the construction of a new main dwelling.

4.2 Additional Residential Units and Apartment Units

These provisions apply only to additional residential units in residential zones and apartment dwelling units in commercial zones.

4.2.1 Additional Residential Units

The R1, R2, R3, R4, RT, R5, RM, CR, RR, SR, RLS, A, SA, RU, and D zones permit additional residential units, subject to the regulations in this section.

Apartment dwellings established in conjunction with a permitted non-residential use in the RT zone are subject to the provisions of 4.2.2.1.

4.2.1.1 Units within a Main Dwelling

A maximum of 2 additional residential units are permitted to be added a main residential use in either a single detached; semi-detached or duplex dwelling on a lot, provided that:

- a) The total number of dwellings on the lot is not greater than 3; and,
- b) Where the lot also contains a detached additional residential unit, only 1 additional residential unit is permitted in the main building.

4.2.1.2 Unit Within a Detached Structure (Urban; Serviced)

The R1, R2, R3, R4 and RT zones permit 1 detached additional dwelling unit subject to the following:

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| a) Maximum floor area | 90% gross floor area of the main dwelling unit
(excluding floor area where the distance between finished ceiling and finished floor is 1.2 meters or less) |
| b) Required side yards | As required for a main dwelling in the applicable zone |
| c) Required rear yard | 4 metres |
| d) Required front yard | Not permitted in a front yard |
| e) Maximum Height | 5.5 metres |
| f) Maximum Lot Coverage | As required by the main buildings in the applicable zone |
| g) Special Setbacks | As required by Section 4.23, if applicable. |
| h) Conversion of an existing accessory structure that is non-compliant with respect to height, required front yard or lot coverage, to a detached additional residential unit, provided all other requirements of this by-law applicable to such a unit are met. | |
| i) The main dwelling on the lot contains no more than 2 dwelling units. | |

4.2.1.3 Units Within a Detached Structure (Rural; Private Services)

The R5, CR, RR, SR, RLS, A, SA, RU, and D zones permit 1 detached additional residential unit, subject to the following regulations:

- | | |
|-----------------------|---|
| a) Minimum Lot Area | 0.8 ha |
| b) Maximum floor area | 90% gross floor area of the main dwelling unit

(excluding floor area where the distance between finished ceiling and finished floor is 1.2 meters or less) |
| c) Required Yards | As required for a main dwelling in the applicable zone |
| d) Maximum Height | 6 metres |

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| e) Maximum Lot Coverage | Same as the main buildings in the applicable zone |
| f) Maximum distance from the main dwelling | 50 metres |
| g) Special Setbacks | As required by Section 4.23, if applicable |
- h) This section shall not prevent the conversion, of an existing accessory structure that is non-compliant with respect to height or lot coverage, to an accessory apartment dwelling unit provided all other requirements of this by-law applicable to such a unit are met.
- i) The main dwelling on the lot contains no more than 2 dwelling units.
- j) Where on municipal water and sewer services, item a) above, shall not apply.

4.2.2 Apartment Dwelling Units in a Commercial Zone

4.2.2.1 Units in the Neighbourhood Commercial (C3) Zone

Notwithstanding any other provisions of this By-law, *apartment dwelling units* that are in the same or a separate *building* as a permitted commercial use on the same lot in the Neighbourhood Commercial (C3) Zone are permitted provided:

- a) The use of the *building* for residential uses is *accessory* to the commercial use;
- b) Where *apartment dwelling unit(s)* are located in a separate building from the commercial use on the lot, the combined floor area of the units does not exceed 50% of the gross floor area of the commercial use; and,
- c) The maximum number of bedrooms is 2 per unit.

4.2.2.2 Units in the Downtown Core Commercial (C1) Zone

Notwithstanding any other provisions of this By-law, *apartment dwelling units* that are in a separate, or the same building as a permitted commercial use on the same lot in the Downtown Commercial (C1) Zone are permitted, subject to the following provisions:

- a) *Apartment dwelling units* shall only be permitted in a separate building as a permitted commercial use on the same lot, provided:

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- i. The use of the building for residential uses is accessory to the commercial use and the combined floor area of the apartment dwelling units do not exceed an area equal to 50% of the gross floor area of the commercial use on-site;
 - ii. The maximum number of bedrooms is 3 per unit; and,
 - iii. For lots having frontage on Sykes Street, Nelson Street east of Sykes Street, or on Bayfield Street between Trowbridge and Parker Street, no apartment dwelling unit shall be permitted on the ground floor.
- b) *Apartment dwelling units* shall only be permitted in the same *building* as a permitted *commercial use*, provided:
 - i. For lots having frontage on Sykes Street, Nelson Street east of Sykes Street, or on Bayfield Street between Trowbridge and Parker Street, no apartment dwelling unit shall be permitted on the ground floor.
- c) Notwithstanding a (iii) and b (i), above, entrances and lobbies associated with *apartment dwelling units* may be located in this area provided that no more than 30% of the *main wall* facing the *street line* is occupied by entrances or lobbies.

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Table 6.1 – Residential Zone Use Permissions

	PERMITTED USE	R1	R2	R3	R4	R5	RM	RT	CR	RR	SR	RLS	MH
1	<i>Agricultural Use (including specialized)</i>									X(7) (9)			
2	<i>Art Gallery</i>							X(1)					
3	<i>Bed and Breakfast Establishment</i>	X	X	X	X	X		X	X	X	X	X	
4	<i>Business Office</i>							X(2)					
5	<i>Day Nursery</i>												
6	<i>Additional Residential Unit (6)</i>	X	X	X	X	X	X	X	X	X	X	X	
7	<i>Building, Apartment</i>						X						
8	<i>Dwelling, Single Detached</i>	X	X	X	X	X		X	X	X	X	X	
9	<i>Dwelling, Semi-Detached</i>	X	X	X	X			X					
10	<i>Dwelling, Duplex</i>	X	X	X	X			X					
11	<i>Dwelling, Multiple</i>						X						
12	<i>Dwelling, Townhouse</i>						X	X					
13	<i>Dwelling, Triplex</i>						X						
14	<i>Home Industry (4)</i>									X			
15	<i>Livestock, Accessory</i>									X(3)			
16	<i>Medical Office</i>							X(2)					
17	<i>Dwelling, Mobile Home</i>												X(5)
18	<i>Personal Service Shop</i>							X(2)					
19	<i>Private Home Daycare</i>	X	X	X	X	X	X	X	X	X	X	X	
20	<i>Residential Care Facility</i>	X	X	X	X	X (8)	X	X	X	X	X	X	
21	<i>Restaurant</i>							X(2)					
22	<i>Retail Store</i>							X(2)					
23	<i>Retirement Home</i>						X						

Special Provisions:

- (1) Maximum *gross floor area* – 100.0 square metres.
- (2) Maximum *gross floor area* – 50.0 square metres.
- (3) Subject to Section 4.31 of this By-law.
- (4) Subject to Section 4.10 of this By-law.
- (5) Permitted only within a mobile home park.
- (6) Subject to Sections 4.2.1 and 4.21 of this By-law.
- (7) Associated buildings or structures may not be erected prior to the main residential dwelling on the lot.
- (8) Residential Care Facilities in the Rural Settlement Area of Leith as identified by the Municipality of Meaford’s Official Plan, shall be serviced by municipal water service.
- (9) Buildings or structures housing *accessory livestock* are subject to 4.31.

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Table 8.1 – Agricultural, Rural, Recreational and Other Zone Use Permissions

	PERMITTED USE	A	SA	RU	D	EP	EP-W	UAW	I/UI	MAR	MR	OS
1	Agricultural Use, Intensive	X	X	X	X(6)	X(1)	X(1)			X		
2	Agricultural Use (including Specialized)	X	X	X	X	X(1)	X(1)			X		
3	Bed and Breakfast Establishment	X	X	X	X(2)	X(7)						
4	Campground										X	
5	Cannabis Production and Processing (13)	X	X	X								
6	Cemetery											
7	Community Centre											X
8	Conservation Use	X	X	X	X	X(5)	X(5)	X		X	X	X
9	Cross Country Ski Facility										X	
10	Dwelling, Single Detached	X	X	X	X(2)	X(8)					X	
11	Additional Residential Unit (11)	X	X	X	X							
12	Equestrian Facility	X	X	X								
13	Farm Produce Outlet	X	X	X								
14	Farm Winery (12)	X	X	X								
15	Forestry Use	X	X	X						X	X	X
16	Golf Course										X	
17	Golf Driving Range										X	
18	Home Industry (3)	X	X	X								
19	Hospital											
20	Library											
21	Long Term Care Facility											
22	Marina							X				
23	Mineral Aggregate Operation									X		
24	Museum											
25	Mountain Bike Facility										X	
26	Nursery	X	X	X						X		
27	Nursing Home											
28	Park, Private											X
29	Park, Public					X(5)	X(5)	X				X
30	Place of Worship											
31	Private Club			X								
32	Private Home Daycare	X	X	X	X(2)	X(7)						
33	Public Works Yard											
34	Recreational Equipment Sales and Service Establishment							X			X	
35	Residential Care Facility	X	X	X	X(2) (9)	X(7)						

	PERMITTED USE	A	SA	RU	D	EP	EP-W	UAW	I/UI	MAR	MR	OS
36	<i>Restaurant</i>							X				
37	<i>Retail Store</i>							X				
38	<i>Retirement Home</i>											
39	<i>Saw and/or Planing Mill</i>			X								
40	<i>School, Public, Private or Commercial</i>							X				
41	<i>Tourist Establishment</i>										X	
42	<i>Trailer Park</i>							X			X	
43	<i>Veterinary Clinic</i>			X								
44	<i>Woodchipping Establishment</i>			X								
45	Legally existing uses as of September 21, 2009				X			X	X (10)			

Special Provisions

- (1) *Uses* existing as of September 21, 2009. All *buildings* or *structures* are prohibited.
- (2) On an existing *lot* of record only, that was in existence on September 21, 2009.
- (3) Subject to Section 4.10 of this By-law.
- (4) Deleted.
- (5) All *buildings* and *structures* are prohibited and only *passive recreation* permitted.
- (6) No *livestock operation* shall be erected or enlarged after September 21, 2009.
- (7) Only permitted within a *single detached dwelling* that existed on September 21, 2009. No expansion of the *single detached dwelling* is permitted.
- (8) No new *dwelling units* are permitted. The expansion of the single detached dwelling and the siting or enlargement of accessory buildings or structures on the lot, shall not be permitted within the EP or EP-W zones.
- (9) On full municipal water and sewer services only.
- (10) A 'Day Nursery' shall be permitted as an accessory use to an existing or approved Institutional Use in the I or UI zones.
- (11) Subject to Section 4.2.1 and 4.21 of this by-law.
- (12) Subject to Section 4.10.3 of this By-law
- (13) Cannabis Production and Processing is subject to Section 4.33 of this By-law