

The Corporation of the City of Clarence-Rockland

By-law 2024-XX

Being a By-law to amend Zoning By-law No. 2016-10.

Whereas Zoning By-Law no. 2016-10 regulates the use of land, and the use and erection of buildings and structures in the City of Clarence-Rockland; and

Whereas the Council of the Corporation of the City of Clarence-Rockland considers appropriate to amend Zoning By-Law No. 2016-10, as described;

Now therefore, the Council of the Corporation of the City of Clarence-Rockland enacts as follows:

1. Part 3: Definitions is hereby amended by removing the definition "*Parcel of Urban Residential Land*" and adding the following 3 definitions:

"Parcel with full municipal services: means land which is serviced by full municipal services (both municipal water and sewers).

"Parcel with partial municipal services: means land which is serviced by partial services (municipal water only).

"Parcel with private services: means land which is serviced by private individual services (well and septic)."

2. Repeal and replace Section 4.41 Additional Residential Unit to read as follows:

" 4.41 Additional Residential Unit (ARU)

a) An additional residential unit on a *Parcel with full municipal services* is permitted in a detached house, linked-detached, semi-detached house or townhouse on a parcel of land on which a residential use, other than ancillary residential use, is permitted and can take the form of:

- i. a second residential unit in a detached house, linked-detached, semi-detached house or townhouse on a parcel of land on which a residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the detached house, linked-attached, semi-detached house or townhouse cumulatively contain no more than one residential unit;
- ii. a third residential unit in a detached house, linked-detached, semi-detached house or townhouse on a parcel of land on which a residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the detached house, linked-detached house, semi-detached house or townhouse contains any residential units; or

- iii. one residential unit in a building or structure ancillary to a detached house, linked-detached, semi-detached house or townhouse on a parcel of urban residential land, if the detached house, linked-detached house, semi-detached house or townhouse contains no more than two residential units and no other building or structure ancillary to the detached house, linked-detached house, semi-detached house or townhouse contains any residential units.

b) An additional residential unit on a *Parcel with partial municipal services* is permitted in a detached house, linked-detached or semi-detached house on a parcel of land on which a residential use, other than ancillary residential use, and can take the form of:

- i. A second residential unit on a lot where the primary dwelling unit is a detached dwelling. The residential lot area must be a minimum of 2,500m² and a maximum of four (4) bedrooms combined (main dwelling and ARU).
- ii. A second residential unit on a lot where the primary dwelling unit is a linked-detached or semi-detached. The residential lot area must be a minimum of 1,250m² (per main unit) and a maximum of four (4) bedrooms combined (main unit and ARU).
- iii. A third residential unit in a detached dwelling, linked-detached or semi-detached if supported by a hydrogeological and terrain analysis considering the cumulative impacts to the City's satisfaction.

c) An additional residential unit on a *Parcel with private services* is permitted in a detached house on a parcel of land on which residential use, other than ancillary residential use, and can take the form of:

- i) A second residential unit on a lot where the primary dwelling unit is a detached dwelling in a rural or agricultural zone; the residential lot area must be a minimum of 4,000m² in addition to a maximum of four (4) bedrooms combined.

d) Notwithstanding subsections b) and c), additional residential units on smaller lot areas or additional bedrooms may be permitted for a property on partial municipal services or private services if supported by a hydrogeological and terrain analysis considering the cumulative impacts to the City's satisfaction.

e) An additional residential unit cannot be a stand-alone principal unit capable of being severed; and it must be located on the same lot as the primary dwelling unit.

f) An additional residential unit is not permitted within an ancillary structure within the agricultural zone.

g) Where an additional residential unit is in a structure ancillary to the primary dwelling, it is subject to the same zone provisions as the primary dwelling with the exception that the maximum permitted height is one storey or 4.0 metres and rear yard setback is 2.0 metres.

h) The creation of an additional residential unit must not eliminate the required parking space(s) for the principal residential unit.

i) Despite subsection h), a parking space for an additional residential unit may be in a driveway that passes through a front yard to a garage, carport or other parking space, and may be in tandem in the driveway.

j) Where a total of two additional residential units on a Parcel with full municipal services are located within the primary dwelling or ancillary structure, neither a garden suite, bed and breakfast, nor any lodging units are permitted on that lot.

k) Additional residential units must not be limited by, nor included in, any density control requirement, including for example, number of dwelling units and unit per hectare counts. However, if located in an ancillary structure will count towards total lot coverage.

l) An additional residential unit within an ancillary structure must comply with Minimum Distance Separation (MDS) requirements.

m) An additional residential unit is not permitted within an ancillary structure on a property subject to a mineral aggregate overlay unless a study has demonstrated that there will be no impacts to the mineral aggregate resource, to the City's satisfaction.

n) An additional residential unit is not permitted within an ancillary structure on a property subject to a natural heritage feature or within 120 metres of a natural heritage feature unless an environmental impact study has demonstrated no negative impacts to the City's satisfaction.

o) An additional residential unit is not permitted within an ancillary structure on a property subject to natural or human made hazards or within their influence area.

p) Additional residential units are not permitted on legal non-complying or legal non-conforming property unless permission is granted by the Committee of Adjustment.

Read, passed and adopted in open council this 8 day of May 2024.

Mario Zanth, Mayor

Monique Ouellet, Clerk

Explanatory Note

Purpose and Effects of this By-Law

The purpose of the current by-law is to recommend revisions to the newly approved Zoning By-law amendment 2023-94 regarding Additional residential units. The revisions are mainly regarding additional residential units in a partially serviced area.

For further information concerning the amendment to Zoning By-Law No. 2016-10, you may contact the Department of Community Development, at the Town Hall, 1560 Laurier Street or by telephone at (613) 446-6022.

Schedule A to By-law 2024-XX
Certificate of Authentication

No maps as this applies to the entire City of Clarence-Rockland.

Prepared by the City of Clarence-Rockland

1560, Laurier Street, Rockland, Ontario K4K 1P7

Mario Zanth, Mayor

Monique Ouellet, Clerk