

## 5 Provisions for Infill Residential Housing

### 5.1 Accessory Dwelling Units

An accessory dwelling unit (ADU) is a second dwelling unit created on a lot with a single-detached dwelling. The second unit is created auxiliary to, and is smaller than, the main dwelling. ADUs can be created in a variety of ways, including conversion of a portion of an existing single-detached dwelling, addition to an existing single-detached dwelling, conversion of a portion of an existing garage, conversion of an existing garage or the construction of an entirely new detached accessory building

#### 5.1.1 Requirements for All Accessory Dwelling Units

- (1) All accessory dwelling units must meet the following:
  - a. Location of entrances. Only one entrance may be located on the façade of the single-detached dwelling facing the fronting public road, unless the single-detached dwelling contained additional entrances before the accessory dwelling unit was created. An exception to this regulation is entrances that do not have access from the ground such as entrances from balconies or decks; and entrances that face a side public road on a corner lot. Detached accessory dwelling units are exempt from this standard.
  - b. Parking. No additional parking spaces are required for the accessory dwelling unit. Existing required parking for the single-detached dwelling must be maintained or replaced on-site.
  - c. The minimum livable floor area for a Secondary Suite shall not be less than 320 square feet.
  - d. Only one of a Secondary Suite, a Garage Suite or Garden Suite may be developed in conjunction with a principal dwelling.
  - e. Shall not be subject to separation from the principal dwelling through a condominium conversion or subdivision.
- (2) Accessory dwelling units shall not be included in the calculation of densities in this By-law.

#### 5.1.2 Secondary Suites

An accessory dwelling unit may be constructed within and accessory to a **Single Detached Dwelling**, including an attached garage, subject to the following standards:

- (1) The maximum livable floor area of the Secondary Suite shall be as follows:
- (2) Where a Secondary Suite is located completely below the first storey of a Single Detached Dwelling (other than stairways or a common landing), the below grade floor area (excluding the area covered by stairways) shall not exceed the ground floor area of the associated principal dwelling.
- (3) Where a Secondary Suite is developed completely or partially above grade, the livable floor area (excluding the area covered by stairways) shall not exceed 40% of the gross floor area of the

building containing the associated principal Dwelling, nor 800 square feet whichever is the lesser.

- (4) Must have an entrance separate from the entrance to the principal dwelling, either from a common indoor landing, or directly from the side or rear of the structure.

### 5.1.3 Garage Suites

- (1) An accessory dwelling unit may be constructed above a detached Garage (above grade); or a single-storey attached to the side or rear of, a detached Garage (at-grade) that is accessory to a **Single Detached Dwelling**, subject to the following Standards:
- (2) The maximum livable floor area of the Garage Suites shall be as follows:
- (3) Where above a detached Garage, the livable floor area (excluding the area covered by stairways) shall not exceed 640 square feet.
- (4) Where attached to the side or rear of a detached Garage, the livable floor area (excluding the area covered by stairways) shall not exceed 530 square feet.
- (5) Must be located behind the rear wall of the principal building. For the purpose of this regulation, the rear wall of the principal building is the wall furthest from the wall with the facade facing the fronting public road
- (6) Detached accessory buildings with Garage Units must meet the development standards for detached accessory structures in this By-law, except the above grade Garage Suites may be in an accessory building with a maximum height of 22 feet
- (7) Roof top decks and balconies shall be allowed as part of a Garage Suite developed above a detached Garage only where the deck or balcony faces a lane or a flanking public road.
- (8) Windows contained within the Garage Suite portion of the detached Garage shall be placed and sized such that they minimize overlook into yards and windows of abutting properties through one or more of the following:
- (9) Off-setting window placement to limit direct views of abutting rear or side yard amenity spaces, or direct view into a Garage Suite window on an abutting site;
- (10) Strategic placement of windows in conjunction with landscaping or the placement of other accessory buildings; and
- (11) Placing larger windows such as living room windows, to face a lane, a flanking public road, or the larger of any side yard abutting another property.
- (12) Must have an entrance separate from the motor vehicle entrance to the detached garage, either from a common indoor landing or directly from the exterior of the structure.
- (13) Site Plan Approval shall be required by the Development Officer and Council, prior to the issuance of any building or development permits, for the on-site locations and designs of accessory parking areas, private approaches, garbage areas, fencing, landscaping, signage, and exterior finishing materials for the construction of principal buildings and detached accessory buildings and structures, all of which shall be maintained to the satisfaction of the Development Officer.

### 5.1.4 Garden Suites

An accessory dwelling unit may be located in a detached accessory structure to a **Single Detached Dwelling**, subject to the following standards:

- (1) The maximum livable floor area of the Garden Suite shall be 530 square feet.
- (2) Must be located behind the rear wall of the principal building. For the purpose of this regulation, the rear wall of the principal building is the wall furthest from the wall with the facade facing the fronting public road.
- (3) Detached accessory buildings with Garden Suites must meet the development standards for detached accessory structures in this By-law.
- (4) Windows contained within the Garden Suite shall be placed and sized such that they minimize overlook into yards and windows of abutting properties through one or more of the following:
- (5) Off-setting window placement to limit direct views of abutting rear or side yard amenity spaces, or direct view into a Garden Suite window on an abutting site;
- (6) Strategic placement of windows in conjunction with landscaping or the placement of other accessory buildings; and
- (7) Placing larger windows such as living room windows, to face a lane, a flanking public road, or the larger of any side yard abutting another property.
- (8) Site Plan Approval shall be required by the Development Officer and Council, prior to the issuance of any building or development permits, for the on-site locations and designs of accessory parking areas, private approaches, garbage areas, fencing, landscaping, signage, and exterior finishing materials for the construction of principal buildings and detached accessory buildings and structures, all of which shall be maintained to the satisfaction of the Development Officer.

## 5.2 Conversion of Residential Buildings

- (1) Converted dwellings may be created from a single detached dwelling in the RS zone into Duplex Dwellings, and Triplex dwellings; or in the RC zone into Duplex Dwellings, Triplex dwellings, Multi-Family Dwellings, Rooming and Boarding Houses, or Community Care Facilities subject to the following:
- (2) The Single Detached Dwelling shall have existed prior to the passing of this By-law;
- (3) Shall be subject to the provisions of the bulk standards of the underlying zoning district for dwelling types and the parking requirements;
- (4) Shall only be located on a corner lot with direct access to a rear public lane for parking subject to the requirements of the section on **Dwellings on Corner Lots**; and
- (5) Site Plan Approval shall be required by the Development Officer and Council, prior to the issuance of any building or development permits, for the on-site locations and designs of accessory parking areas, private approaches, garbage areas, fencing, landscaping, signage, and exterior finishing materials for the construction of principal buildings and detached accessory buildings and structures, all of which shall be maintained to the satisfaction of the Development Officer.

### 5.3 Dwellings on Corner Lots

- (1) **Duplex Dwellings**, and **Triplex Dwellings** may be allowed in RS on corner lots subject to the following:
- (2) Corner lots should have, where possible, two active frontages that provide opportunities to have entrances on both sides;
- (3) Each dwelling unit shall have a minimum livable floor area of at least 800 square feet;
- (4) The building's parking area should have direct access to a rear public lane from which parking stalls can be directly accessed;
- (5) The parking area shall have a minimum interior side yard of 2 feet, and a minimum exterior side yard of 4 feet that shall provide screening such as a fence or hedge a minimum of 3 feet in height; and
- (6) Site Plan Approval shall be required by the Development Officer and Council, prior to the issuance of any building or development permits, for the on-site locations and designs of accessory parking areas, private approaches, garbage areas, fencing, landscaping, signage, and exterior finishing materials for the construction of principal buildings and detached accessory buildings and structures, all of which shall be maintained to the satisfaction of the Development Officer.
- (7) Duplex Dwellings, Triplex Dwellings, Multi-Family Dwellings, Rooming and Boarding Houses, and Community Care Facilities may be allowed in RC zones on corner lots subject to the following:
- (8) Corner lots should have, where possible, two active frontages that provide opportunities to have entrances on both sides;
- (9) Each dwelling unit shall have a minimum livable floor area of at least 800 square feet;
- (10) The building's parking area should have direct access to a rear public lane from which parking stalls can be directly accessed;
- (11) The parking area shall have a minimum interior side yard of 2 feet, and a minimum exterior side yard of 4 feet that shall provide screening such as a fence or hedge a minimum of 3 feet in height; and
- (12) Site Plan Approval shall be required by the Development Officer and Council, prior to the issuance of any building or development permits, for the on-site locations and designs of accessory parking areas, private approaches, garbage areas, fencing, landscaping, signage, and exterior finishing materials for the construction of principal buildings and detached accessory buildings and structures, all of which shall be maintained to the satisfaction of the Development Officer.

### 5.4 Rooming and Boarding Houses

**Rooming and Boarding Houses** shall comply with the following regulations:

- (1) The maximum occupancy shall be 4 residents.
- (2) Shall be developed as either a purpose-built freestanding structure, part of an **Apartment Dwelling** development, or **Single Detached Dwelling** converted for this purpose subject to the provisions of the **Conversion of Residential Buildings**.
- (3) Shall only be located in a Zone where **Rooming and Boarding Houses** are allowed,
- (4) Shall require all units operated by a single provider when a **Duplex Dwelling** or **Triplex Dwelling** is converted for the purpose of **Rooming and Boarding Houses**.

- (5) Sleeping Units shall be limited in food preparation facilities to bar fridge, mini-sink, and microwave.
- (6) No **Home Enterprises, Secondary Suite, or Garage Suite** shall be permitted as part of a **Rooming and Boarding Houses** development or on the site of such development.
- (7) Where a **Rooming and Boarding Houses** is designed as a freestanding structure it shall be of a size, scale, and outward appearance that is typical of surrounding area subject to:
- (8) Site Plan Approval shall be required by the Development Officer and Council, prior to the issuance of any building or development permits, for the on-site locations and designs of accessory parking areas, private approaches, garbage areas, fencing, landscaping, signage, and exterior finishing materials for the construction of principal buildings and detached accessory buildings and structures, all of which shall be maintained to the satisfaction of the Development Office

## 5.5 Community Care Facilities

**Community Care Facilities** in RC zones shall comply with the following regulations:

- (1) The maximum occupancy shall be 4 residents in the RC Zone for **Community Care Facilities**.
- (2) Shall be developed as either a purpose-built freestanding structure or a **Single Detached Dwelling** converted for this purpose subject to the provisions of the **Conversion of Residential Buildings**.
- (3) No **Home Enterprises, Secondary Suite, or Garage Suite** shall be permitted as part of the development or on the Site of such development.
- (4) Where designed as a freestanding structure, it shall be of a size, scale, and outward appearance that is typical of surrounding area subject to;
- (5) Site Plan Approval shall be required by the Development Officer and Council, prior to the issuance of any building or development permits, for the on-site locations and designs of accessory parking areas, private approaches, garbage areas, fencing, landscaping, signage, and exterior finishing materials for the construction of principal buildings and detached accessory buildings and structures, all of which shall be maintained to the satisfaction of the Development Officer.

## 5.6 Flag Lots

- (1) The creation of new flag lots is prohibited unless:
- (2) The lands proposed for flag lot access are located in a residential standard zoning district;
- (3) The proposed flag lot has access to a navigable waterway or a public right-of-way; or
- (4) The Development Officer determines that there is no feasible alternative way to provide access to such lands for the following instances:
  - i. when reasonably necessary to eliminate access onto thoroughfares;
  - ii. when necessary to make reasonable use of parcels with severe topography or other physical constraints;
  - iii. when a flag lot would provide greater protection of natural resources areas (e.g. streams); or

- iv. when necessary to accommodate the function of hiding or concealing utility buildings/substation, or radio, television or communication towers.
- (5) Approved flag lots are subject to the following requirements:
- (6) The flagpole portion that is the access corridor of the lot shall not be built upon with a structure, or used to calculate lot area, lot width, lot depth, lot coverage or building setbacks, and the flagpole portion may not be used to provide off-street parking;
- (7) The minimum width of the strip of land used to provide the access corridor to the buildable portion of the flag lot shall be 20 feet with a minimum of 3 feet of landscaping on either side of a driveway that is a minimum of 10 feet in width;
- (8) The access corridor to the buildable portion of the flag lot shall not exceed 300 feet in length;
- (9) A common driveway for all dwelling units shall be encouraged with the preferred location for the driveway on the flagpole portion of the flag lot, with the interior lot granted a cross access easement over the flagpole;
- (10) The flagpole must be part of the flag lot, connect to a public road and be under the same ownership as the flag portion of the lot. Access easements to allow for use of the pole by another lot may be required;
- (11) Adequate vehicle turn-around space on the flag portion of the lot shall be provided to discourage vehicles from backing out from the site; and
- (12) Within the access corridor on the pole portion of the lot, the owner must erect and maintain a property address sign for the dwelling on the flag portion of the lot, said address sign meeting the standards of this By-law for building addresses.

## **5.7 Splitting Attached Dwellings on to Separate Lots**

- (1) The owner of a lot that has a semi-detached dwelling or a multiple attached dwelling may split the lot to allow each dwelling unit on its own lot provided that:
- (2) The new lot line must be a straight line between the front and rear lot lines, located in such a manner that the party wall of the semi-detached dwellings and any applicable accessory structure must form part of the new lot line, and where the new lot line is unable to form a straight line due to the irregular shape of the lot or the structure, the location of that new lot line must be determined by the conditions of any subdivision approval issued;
- (3) Each of the lots created must have frontage on a public road;
- (4) The permitted use of each lot created must be for a semi-detached dwelling unit and permitted accessory uses and structures only;
- (5) Each lot created must provide one parking space with access to this required parking space being directly from either a public lane or a public road; however, the parking space must not be in the front yard leading to the front of the principal structure;
- (6) Any parking in a side yard shall be accommodated in side yard with a minimum width of 10 feet; and
- (7) Each lot created must provide the required side yard setbacks for the underlying zoning district minimum setback requirements; except that the minimum side yard setback along the new lot line that falls along the party wall may be zero feet.

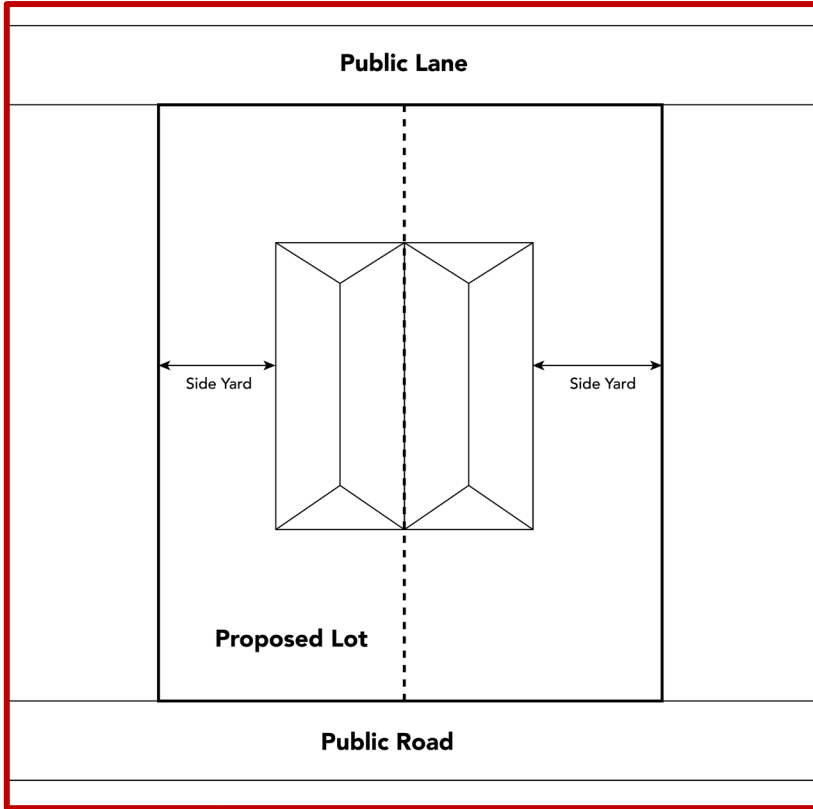


Figure 9: Splitting Semi-Detached Dwellings On Two Separate Lots

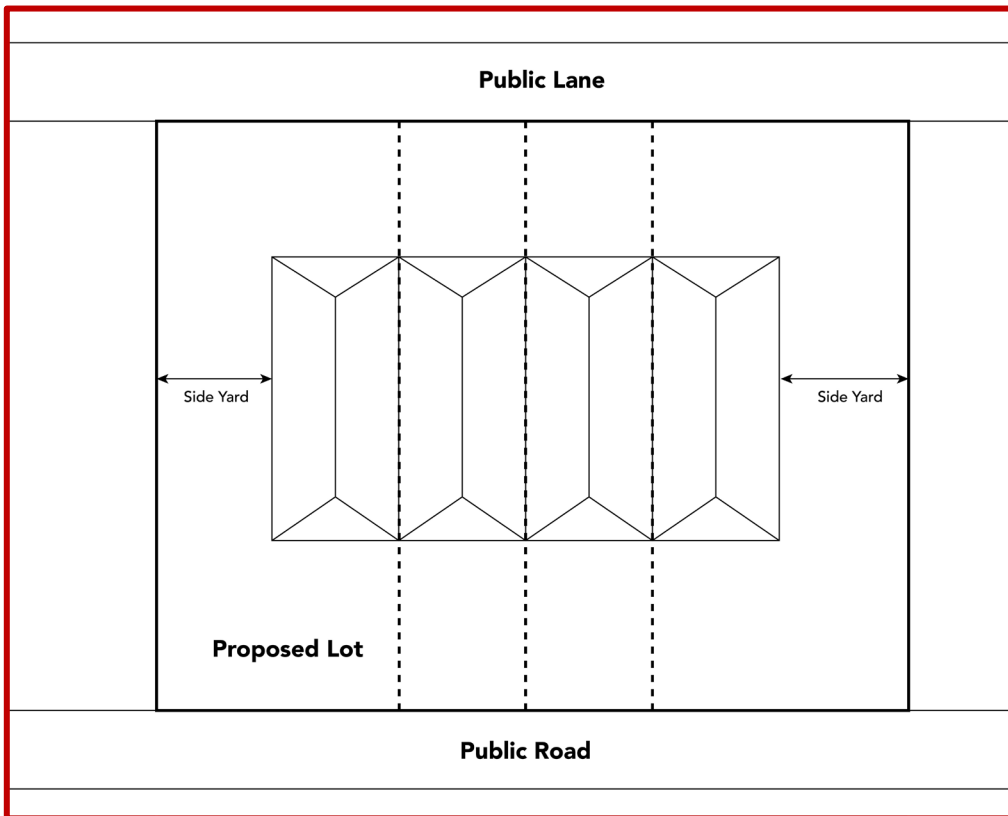


Figure 10: Splitting Semi-Detached Dwellings On Two Separate Lots

## 5.8 Bungalow Clusters

- (1) May include Single Detached Dwellings, Duplex Dwellings (Horizontal), Townhouses, Mobile Homes, and Mobile Units organized around a private green open space on lands zoned RMU.
- (2) The minimum spatial separation between detached dwellings as measured from building face to building face shall be 4 feet, unless the detached dwellings are semi-detached and sharing a common party wall.
- (3) The minimum spatial separation between the front wall of the detached dwellings and the common area that contains the open green space shall be 3 feet.
- (4) The minimum width of the common area open green space shall be 15 feet.
- (5) Zoning provisions for building setbacks to lot lines shall apply only to the external lot lines of the overall plan of condominium, not to internal lot lines resulting from the registration of any phase of a Planned Unit Development.
- (6) Proposed Bungalow Cluster developments are subject to Minimum Parking Requirements as defined in Table 4 under Section 3.1.

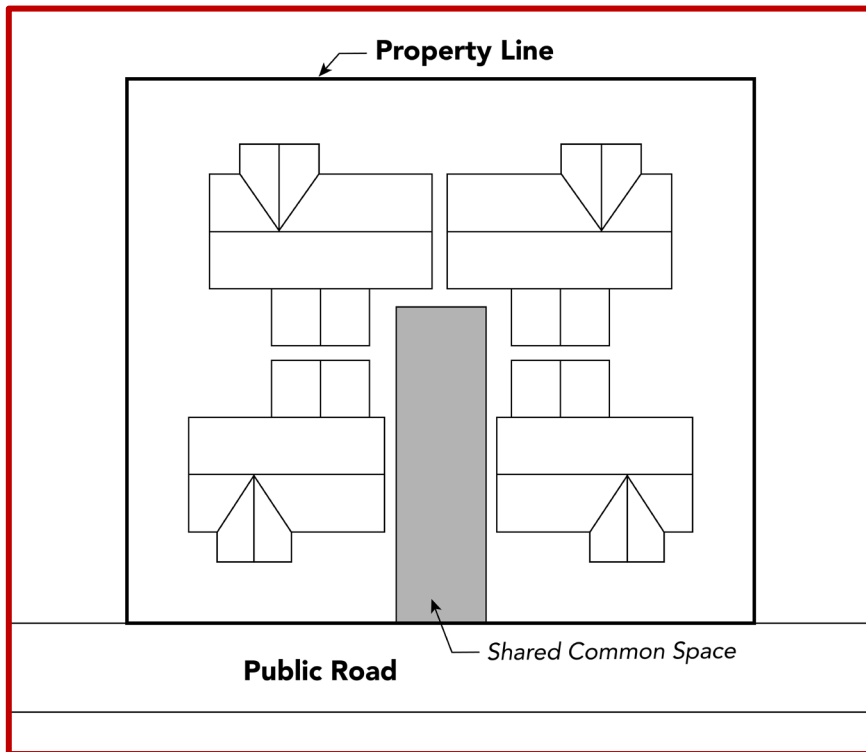


Figure 11: Bungalow Cluster

## 5.9 Bungalow Courts

- (1) May include Single Detached Dwellings, Duplex Dwellings (Horizontal), Townhouses, Mobile Homes, and Mobile Units organized around a private green open space on lands zoned RMU.
- (2) The roadway surface of the private lane must be hard surfaced with concrete, asphalt, or paving stone, or a combination of those materials.
- (3) The design of the private lane, loop street, and/or frontage street shall be subject to review and approval by the municipal engineer.



- (4) The roadway surface of the private lane must be at least 20 feet wide for two-way traffic and 15 feet for one-way traffic.
- (5) The common area surrounded by the roadway surface must be at least 5 feet wide on each side.
- (6) Individual driveways leading from a shared private lane to each dwelling unit must be at least 20 feet long, as measured between the front of the garage or carport and the closest pavement edge of the shared private lane.
- (7) The design of the private lane must permit a passenger motor vehicle to back out of an individual driveway and turn 90 degrees.
- (8) The minimum spatial separation between detached dwellings as measured from building face to building face shall be 6 feet, unless the detached dwellings are semi-detached and sharing a common party wall.
- (9) The minimum spatial separation between the front wall of the buildings and the common area that contains the roadway shall be 5 feet.
- (10) Zoning provisions for building setbacks to lot lines shall apply only to the external lot lines of the overall plan of condominium, not to internal lot lines resulting from the registration of any phase of a plan of condominium.
- (11) The two (2) approaches of a loop lane connecting to the public road shall be a minimum of 18.2 m (60 ft) apart.
- (12) Proposed Bungalow Court developments are subject to Minimum Parking Requirements as defined in Table 4 under Section 3.1.

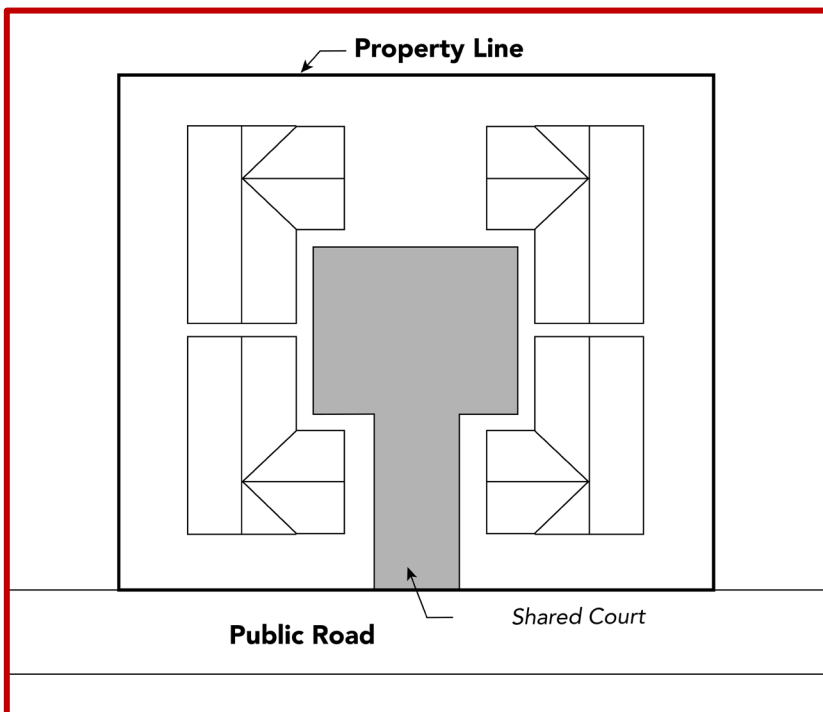


Figure 12: Bungalow Court

### 5.10 Dwelling Unit, Live-Work

- (1) The Dwelling and work components of the Live-Work Unit shall not be legally separated through a subdivision or condominium conversion.
- (2) The Dwelling associated with a Live-Work Unit shall not contain a Home Enterprise.
- (3) There may be internal access between the Dwelling and the work components of the Live-Work Unit.
- (4) For Live Work Units located at Grade, the Live-Work Unit shall contribute to the pedestrian-oriented character of the street or immediate area with an **active frontage**.
- (5) Neither the Dwelling nor the work component of the Live-Work Unit shall be less than 25% of the total floor space of the Live-Work Unit

### 5.11 Dwelling Units, Commercial Zones

- (1) Residential dwelling units are permitted in all **Commercial Zones** with the following provisions:
- (2) Dwelling units shall only be located above or to the rear, but within the same building, of one or more permitted commercial uses that occupy the first floor of the principal building.
- (3) Shall have bathroom and kitchen facilities that are separate from the non-residential use.
- (4) Shall have a building entrance that is separate from the non-residential use unless a Live Work Unit.
- (5) In one-storey buildings, residential dwelling units are permitted, provided that:
  - i. Commercial uses occupy the front of the building;
  - ii. Each permitted dwelling unit shall have a minimum livable floor area of 400 square feet; and
  - iii. Livable floor areas comprise no more than 40% of the gross floor area of the building
- (6) Shall contribute to the pedestrian-oriented character of the street, the immediate area, or the high visibility of the highway with an **active frontage**.
- (7) Site Plan Approval shall be required by the Development Officer and Council, prior to the issuance of any building or development permits, for the on-site locations and designs of accessory parking areas, private approaches, garbage areas, fencing, landscaping, signage, and exterior finishing materials for the construction of principal buildings and detached accessory buildings and structures, all of which shall be maintained to the satisfaction of the Development Officer

### 5.12 Dwelling Units, Industrial and Institutional Zones

- (1) A maximum of one dwelling unit shall be permitted all **Industrial and Institutional Zones** as an accessory use to any permitted use with the following provisions:
- (2) The dwelling unit must be occupied by on-site workers, the business owner, caretaker, security guard or similar employee(s).
- (3) Shall have bathroom and kitchen facilities that are separate from the non-residential use.
- (4) Shall have a building entrance that is separate from the non-residential use unless a Live Work Unit.
- (5) May be detached from the principal building such as mobile home or mobile unit.

- (6) Site Plan Approval shall be required by the Development Officer and Council, prior to the issuance of any building or development permits, for the on-site locations and designs of accessory parking areas, private approaches, garbage areas, fencing, landscaping, signage, and exterior finishing materials for the construction of principal buildings and detached accessory buildings and structures, all of which shall be maintained to the satisfaction of the Development Officer.

### 5.13 Mobile Homes and Mobile Units

- (1) No person shall use lands zoned land RS or RC for the purpose of permanently erecting or placing thereon a mobile unit or mobile home: a portable dwelling unit that is designed or used for residential occupancy, built upon or having a frame or chassis to which wheels may be attached for transportation purposes, whether or not such structure actually has at any time such wheels, or is jacked up or skirted.
- (2) **Mobile homes** may be allowed as dwelling units and a principal structure on lands zoned RMU in Bungalow Clusters and Bungalow Courts; and as dwelling units as an Accessory Dwelling in lands zoned M. The overall character of areas containing mobile homes must remain consistent, to the satisfaction of the Development Officer.
- (3) A **mobile home park** must meet the following standards:
  - a. more than one mobile home may be permitted on an approved mobile home park site
  - b. a mobile home park must provide a roadway with a driving surface a minimum of [five] meters ([16.5] feet) wide with an all-weather surface that serves all dwellings [that meets the municipal roadway lighting and surface water drainage standards]
  - c. a mobile home park must provide clear identification of each dwelling space and its boundaries
  - d. a mobile home park may provide a centrally located common park space or recreation area equivalent to a minimum area of [40] square meters (430 square feet) per dwelling space
  - e. shall require site plan approval by the Development Officer and Council for the on-site location of the site boundaries; foundations, pads, or mobile home sites; accessory buildings; internal roads; sidewalks and active transportation paths; vehicle parking; and systems supplying electrical power, water and sewage disposal. All of which shall be maintained to the satisfaction of the Development Officer.
- (4) **Mobile homes** or **mobile home parks** require a development permit. No mobile home located in the in the Village shall receive a development permit unless it complies with the following regulations:
  - a. all mobile homes, even those constructed outside the municipality, must meet the structural standards in The Buildings and Mobile Homes Act.
  - b. a mobile home, when located permanently on a site, shall:
    - i. be connected to municipal sewer services and private drinking water system when such services are available on the site
    - ii. be placed and anchored on a permanent foundation
    - iii. have skirting that screens the view of the foundation supports or wheels

- c. shall require site plan approval by the Development Officer and Council for the on-site locations and designs of accessory parking areas, private approaches, garbage areas, fencing, landscaping, signage, and exterior finishing materials for the construction of principal buildings and detached accessory buildings and structures, all of which shall be maintained to the satisfaction of the Development Officer.

#### **5.14 Not Considered Dwelling Unit**

- (1) No truck, bus, shipping container, coach or other vehicle, whether or not the same is maintained on wheels, shall not be used for habitation as a dwelling unit either as an accessory dwelling unit or a principal dwelling unit on residentially zoned lands.