



City of
Peterborough

To: Members of the Planning Advisory Committee

From: Jeffrey Humble, Director, Planning and Development Services

Meeting Date: April 24, 2018

Subject: Report PAC18-001
Official Plan Amendment O1801 and Zoning By-law
Amendment Z1804
Secondary Suites Policy Review

Purpose

A report to introduce a City-initiated proposal to amend the Official Plan and Zoning By-law to permit secondary suites throughout the City.

Recommendations

That the Planning Advisory Committee approve the recommendations outlined in Report PAC18-001 dated April 24, 2018, of the Director, Planning and Development Services, as follows:

- a) That Official Plan Amendment O1801 attached as Exhibit A to Report PAC18-018 to permit secondary suites throughout the City be endorsed; and
- b) That Zoning By-law Amendment Z1804 attached as Exhibit B to Report PAC18-018 to permit and regulate secondary suites be endorsed.

Budget and Financial Implications

While no immediate budget or financial implications will result from this report, enforcement of the City's Zoning By-law regulations and the administration of the proposed Registration By-law (to be considered by General Committee at a later date)

will require an increased time commitment by Staff. Building and Fire Department staff will be required to conduct inspections and enforce the **Ontario Building Code, Ontario Fire Code** and Zoning By-law where necessary.

Background

Secondary suites, which may also be known as in-law suites, granny suites, second units and accessory apartments, are self-contained residential units with a private kitchen, bathroom facilities and sleeping areas within dwellings or within structures ancillary to a dwelling.

In 2011, the Province passed the **Strong Communities through Affordable Housing Act** which amended the **Planning Act** to require municipalities to permit secondary suites in their official plans and zoning by-laws. Specifically, the Act requires the City to permit secondary suites in detached, semi-detached and row/townhouse dwellings and within buildings that are ancillary to these housing types if the main dwelling does not contain a secondary suite.

This legislative change was one of a number of action items contained in the Province's Long-Term Affordable Housing Strategy that was released in 2010 (and was subsequently updated in 2016). Section 2 of the **Planning Act** states that the adequate provision of a full range of housing, including affordable housing, is a matter of Provincial interest that municipalities must have regard to when carrying out responsibilities under the Act. Furthermore, the **Provincial Policy Statement, 2014**, indicates that the City shall permit and facilitate all forms of residential intensification, including second units, while the **Growth Plan for the Greater Golden Horseshoe, 2017**, requires municipalities develop a housing strategy that includes second units as a means of providing a diverse range and mix of housing options to meet the needs of current and future residents.

In broad terms, this promotion of secondary suites is intended to increase the supply and range of affordable rental accommodation and to benefit the wider community by:

- Allowing homeowners to earn additional income to help meet the cost of homeownership;
- Supporting changing demographics by providing more housing options for extended families or elderly parents, or for a live-in caregiver;
- Helping create mixed-income communities, which support local businesses and local labour markets;
- Making more efficient use of existing infrastructure, including public transit;

- Making more efficient use of the existing housing stock;
- Creating jobs in the construction/renovation industry; and,
- Assisting the City to meet goals regarding affordable housing, intensification and density targets, and climate change mitigation and greenhouse gas emissions reduction.

To ensure smooth implementation of secondary suites, the **Strong Communities through Affordable Housing Act** removed any public ability to appeal municipal official plan and zoning by-law amendment decisions that give effect to secondary suites.

Current City Planning Policy and Regulations

Generally, secondary suites are regulated through planning approvals (i.e. official plan policy and zoning by-law regulations) and building permit approvals (i.e. **Ontario Building Code** and other applicable law). The policy and regulatory changes that the City is required to make to support secondary suites are limited to planning approvals and do not affect the ongoing obligation to obtain building permits and comply with applicable law when creating secondary suites.

Presently, Section 4.2.3.9 of the Official Plan indicates that the City will encourage the creation of secondary suites in areas that will be identified in the Plan subject to regulations that will be added to the Zoning By-law. Similarly, Sections 10.8.2.12 and 10.9.3.3.3 encourage secondary suites within the Chemong and Lily Lake secondary plan areas respectively subject to implementation in the Zoning By-law.

To date, the Zoning By-law has not been comprehensively amended to allow secondary suites in response to these policies. Notwithstanding this, since 1992 Section 6.33 of the Zoning By-law has allowed an “additional dwelling unit” within any zoning district in the Central Business District (CBD). Based on building permit data, it appears that the City has seen little use of this zoning regulation. Since 2000, it is estimated that fewer than 10 units have been created using this provision.

Currently, outside of the CBD, secondary suites can only be added to dwellings on lots that are zoned and sized to allow for more than one unit (e.g. the R.2 zoning district). Typically, the vast majority of inquiries that the City receives regarding secondary suites are from property owners wanting to add a suite to a single detached dwelling on a lot that is zoned to allow only one unit (i.e. the R.1 zoning district). Accordingly, to add a secondary suite on such a lot, property owners must currently apply for a Zoning By-law amendment which is subject to Council approval, a full technical agency review, and public consultation.

In some instances, there are secondary suites in the City that are considered permitted units despite their zoning because of historic planning legislation. In 1994, the province passed the **Residents Rights Act** (Bill 120) which allowed secondary suites within detached, semi-detached and row/town houses located on properties that are residentially zoned and connected to municipal sanitary sewers despite any municipal Official Plan policies and Zoning By-law regulations that may restrict otherwise. This legislation was in effect only for a short period and was repealed in 1996 by the **Land Use Planning and Protection Act** (Bill 20).

Although Bill 120 is no longer in effect, its legacy carries on to this day. Any secondary suites that were in existence as of November 16, 1995 and meet the criteria of Bill 120 are considered permitted uses for zoning purposes. Furthermore, any secondary suites that were constructed pursuant to a building permit that was issued on or before May 22, 1996 (the period while Bill 120 was in effect) are also considered permitted uses for zoning purposes.

While the City has a record for any suite that was constructed with a building permit during this period, there are many suites that were in existence as of November 16, 1995 that had no previous documentation with the City. As a consequence, if a property owner can prove to the City that a secondary suite existed on November 16, 1995, and that suite meets the requirements of Bill 120 (including **Ontario Fire Code** and **Electrical Safety Code** compliance), the City is obligated to acknowledge the suite and to consider it a permitted use. Since 2000, approximately 350 such suites have been acknowledged in the City.

City Strategic Policy Direction

In November 2013 the City approved the Peterborough 10-year Housing and Homelessness Plan, 2014 - 2024 which contains 20 commitments for addressing provincial priorities in housing and homelessness. As a Service Manager for Housing and Social Services, the City is required to have a Housing and Homelessness Plan pursuant to the **Housing Services Act, 2011**.

One of the commitments made in that Plan is to support affordable housing in municipal planning documents by, among other things, establishing local guidelines for use by property owners to develop secondary suites in the City. To achieve this, the City committed to updating its Official Plan and Zoning By-law to support development of secondary suites.

As noted in the Plan, secondary suites can provide a private sector approach to helping housing affordability by creating new rental units which are typically less expensive than building a new rental building. Rental income generated by secondary/garden suites can also help home owners with their mortgage payments.

Between 2006 and 2017, the City's former Affordable Housing Action Committee produced an annual Housing is Fundamental newsletter describing the state of housing affordability in our community. The 2017 edition notes that Peterborough's rental vacancy rate is one of the lowest in the country at 1%. Additionally, with rents averaging at almost \$1,000 per month, almost half of all renter households in Peterborough (48.6%) are spending more than 30% of their household income on housing thus making them vulnerable to homelessness. As of December 2016, almost 1500 names were on a waiting list for social housing in the greater Peterborough area.

With such a need for affordable rental housing, increasing the supply of affordable housing is a priority of the Housing and Homelessness Plan. Affordable housing provides stability for people as they work, seek jobs and care for each other and helps people to live healthy, productive lives.

Factors to Consider when permitting Secondary Suites

When the City receives Zoning By-law Amendment applications from property owners seeking to add a secondary suite to their dwelling, staff often hears concerns from neighbouring residents regarding parking, health and safety for future occupants of the dwelling, erosion of neighbourhood character and property values, undesirable behaviour from tenants, and a deterioration of property maintenance.

An overarching concern for staff throughout the secondary suites policy review has been a desire to implement policy and regulations that support secondary suites while also minimizing the impact that secondary suites may have on the surrounding community.

Although the regulation of secondary suites in planning documents will be unique to each municipality, the Province has provided the following guidance on how to approach updating planning policies and regulations:

1. Official Plans should generally be permissive and Zoning By-laws should generally allow secondary suites as-of-right so that no development applications (e.g. an official plan or zoning by-law amendment, a minor variance or a site plan) are required prior to applying for a building permit.
2. Official Plans should allow secondary suites throughout the community in both existing and new dwellings unless there are other planning considerations such as flood risk or areas where emergency access may be limited.
3. Parking should be limited to one additional space for a secondary suite and tandem parking should be permitted to facilitate secondary suites; parking for secondary suites could be eliminated where transit is available.

4. Secondary suites should be permitted without a requirement to demonstrate servicing capacity unless there are previously documented servicing constraints; secondary suites in dwellings serviced by septic systems and private wells should be required to demonstrate servicing capacity.
5. The size of secondary suites and the number of bedrooms should generally be regulated by the **Ontario Building Code** rather than by municipal zoning by-laws however capping the size of a secondary suite to be less than or equal to the size of the principal dwelling would be acceptable.
6. Municipal by-laws should not include regulations related to access and egress for secondary suites as these standards are set by the **Ontario Building Code** and **Ontario Fire Code**.
7. Secondary suites should have limited impact on streetscape and architectural design however if municipalities establish design standards to address these matters, the standards should be clearly set out in the Zoning By-law.
8. The Planning Act does not allow zoning to distinguish individuals on the basis of relationship so zoning by-laws should permit occupancy of a principal dwelling unit or a secondary suite regardless of whether the homeowner is a resident of either unit.
9. Municipalities should have a means for tracking and monitoring secondary suites such as a registry that could assist in establishing inspection processes and alerting emergency services of the location of secondary suites.

The Peterborough Approach – Proposed Official Plan Amendment

Upon review of the applicable legislation, provincial guidelines, and approaches taken by other municipalities, the City is proposing to amend the Official Plan to permit secondary suites city-wide as follows:

- Secondary suites will be permitted in single detached, semi-detached and row/townhouse dwellings subject to regulations in the Zoning By-law;
- A secondary suite may be permitted in a building that is accessory to the main dwelling;
- Only one secondary suite will be permitted for each main dwelling;
- Severances to separate a secondary suite into separate ownership from the main dwelling will not be permitted;

- Secondary suites will not be permitted within floodplain; and
- Secondary suites must be developed with municipal services unless permission is explicitly granted otherwise in the Zoning By-law.

To implement this direction, Section 4.2.3.9 will be deleted in its entirety and replaced with a new secondary suites policy as detailed in Exhibit A. Additionally, Sections 10.8.2.12 and 10.9.3.3.3 will be deleted since they will be made redundant by the new secondary suites policy. In staff's opinion, the proposed Official Plan amendment implements both the spirit and intent of not only the applicable provincial legislation and policy, but also the City's 10-year Housing and Homelessness Plan.

The Peterborough Approach – Proposed Zoning By-law Amendment

To give effect to the proposed Official Plan direction, the City is proposing to amend the Zoning By-law as detailed in Exhibit B by deleting Section 6.33 which permits Additional Dwelling Units in the CBD and replacing it with a new regulation that would allow secondary suites city-wide as follows:

- A secondary suite would only be permitted where the principal dwelling is a permitted use within a residential zoning district;
- Secondary suites in accessory buildings would be subject to the existing regulations of Section 6.18 that pertain to residential accessory buildings with respect to building setbacks, size and height;
- Secondary suites would be limited to a maximum of two bedrooms and would require a minimum floor area of 28 square metres (301 square feet) and a maximum floor area that is less than the floor area of the principal dwelling;
- One additional parking space would be required for a secondary suite except in the downtown (Parking Area No. 1) where no additional parking would be required (tandem parking would be permitted); and,
- Section 6.25 – Units – Prohibited Locations which regulates ceiling height for dwelling units in basements relative to the outside ground elevation would be deleted.

Residential Zoning Districts

Presently, there are examples of dwellings located in non-residential zoning districts such as commercial districts, open space districts and development districts that are either considered legal non-conforming uses or are considered permitted uses but are restricted from changes in land use. Generally, it is expected that these dwellings will transition

over time to a land use that implements the zoning on the property. To prevent promoting the long-term use of these properties for residential purposes, the proposed zoning regulations limit secondary suites to residentially-zoned properties where the principal dwelling is a permitted use.

By deleting Section 6.33 of the Zoning By-law and replacing it with a new regulation that only allows secondary suites in residential zoning districts, the proposed zoning regulation would remove the ability for some residential buildings in the CBD to add an additional dwelling unit. For example, residential buildings in the CBD that exist on commercially zoned properties would no longer be eligible for an additional dwelling unit. Furthermore, residential buildings in the CBD that exist on residentially zoned properties but are not single detached, semi-detached or townhouse dwellings would also no longer be eligible for an additional dwelling unit.

In staff's opinion, this change will have a negligible impact on the CBD's ability to develop residential uses however because the commercial zoning throughout most of the CBD allows for intensified residential development and because the Zoning By-law provides parking incentives for developing residential uses on commercial properties in the CBD.

Accessory Buildings

Staff has proposed to regulate the location, height and coverage of secondary suites located in accessory buildings using existing Section 6.18 – Residential Accessory Buildings in addition applying the proposed secondary suites regulation. Utilizing Section 6.18 will ensure that detached suites are of a size, height, and location that is consistent with what could already be expected for an accessory building on a residentially zoned property. Furthermore, because Section 6.18 will be applied in conjunction with the proposed secondary suites regulation which includes a minimum unit size requirement, it is anticipated that detached secondary suites will typically only locate on larger lots that have the capability of meeting the two regulations.

Unit Size

Despite the guidance provided by the province, the proposed secondary suites regulation includes a provision for a minimum unit size of 28 square metres and a limit of two-bedrooms. The minimum unit size is consistent with existing regulation 6.34 which describes the size of a bachelor dwelling unit. Furthermore, the minimum unit size is generally consistent with Ontario Building Code requirements for minimum floor area.

Number of Bedrooms

The proposed Zoning By-law Amendment restricts secondary suites to a maximum of two bedrooms. In staff's opinion, it is necessary to limit the number of bedrooms in secondary suites in order to limit the potential impact that suites will have on a neighbourhood and to help maintain a distinction in the Zoning By-law between dwellings with secondary suites

and other types of two-unit dwellings such as duplexes. Housing Division staff has identified smaller apartments (i.e. bachelor, 1 bedroom and 2 bedroom) as being of the greatest need right now in the City. In staff's opinion, the proposed secondary suites regulation not only will help to fulfill this need, but also meets the intent of the provincial legislation and policy.

Parking

Schedules E (1) and E (2) of the Zoning By-law divide the City into three areas for regulating off-street parking: Area 1 encompasses the CBD; Area 2 covers the inner suburban portions of the city bounded by Parkhill Road, Park Street, Lansdowne Street, and the Otonabee River; and, Area 3 captures all other areas. Generally, more parking is required moving from one area to the next (i.e. from Area 1 through to 3).

Staff is proposing that no additional off-street parking be required for suites located in Area 1 while one additional off-street parking space be required for suites located in Areas 2 and 3. Furthermore, staff propose to allow tandem parking to facilitate secondary suites. These approaches are consistent with the provincial guidance.

Given the broad availability of transit in Area 1, the availability of long-term parking at parking facilities, and the availability of a broad range of shops, services and jobs within the CBD, it is staff's opinion that additional parking is not required for suites in Area 1. For suites located in Area 2, the requirement of one parking space per suite is generally consistent with current parking regulations for two-unit dwellings. In Area 3, a dwelling with 2 units would typically require a total of four off-street parking spaces (i.e. two per unit). Accordingly, as proposed, a house with a secondary suite would be required to provide a total of three off-street parking spaces (two for the principal dwelling, one for the suite) instead of four. In staff's opinion, limiting the number of bedrooms in a secondary suite will reduce the demand for parking.

Staff acknowledges that not all properties will be able to accommodate the required parking for both the principal dwelling and a secondary suite. In Area 3, for example, there are many lots in newer subdivisions where the lot width and dwelling placement eliminate the ability to accommodate a third parking space. In these cases, the lots would not be eligible for a secondary suite.

Building and Fire Code Applicability in Municipal By-laws

In their guidance to municipalities, the province noted that issues typically addressed in the **Ontario Building Code** and **Ontario Fire Code** should be excluded from municipal by-laws. Presently, Section 6.25 of the Zoning By-law prohibits a dwelling unit from having more than 50% of its floor area in a basement unless the ceiling of the basement is at least 1 metre above lot grade. Upon review with Building Division and Fire Services, it is staff's opinion that ceiling height, access and egress, and standards for window openings and natural light are regulated in the **Ontario Building Code** and/or the

Ontario Fire Code. Accordingly, staff is proposing that Section 6.25 be deleted in its entirety. Removing Section 6.25 will improve many dwellings' eligibility for having a secondary suite subject to complying with the applicable codes.

Servicing, Zoning Interpretation, and Definitions

Generally, secondary suites will be required to develop on municipal water and wastewater services. However, in instances where the Zoning By-law explicitly allows development on private septic systems and wells, secondary suites will be given flexibility to use private services provided the capacity of those services can comply with the **Ontario Building Code**.

The proposed by-law will also clarify that secondary suites are not to be counted as a dwelling unit when interpreting the various definitions and regulations in the Zoning By-law that relate to the number of dwelling units in a building or on a lot.

Finally, the proposed Zoning By-law amendment will add new definitions for Principal Dwelling Unit, Secondary Suite, and Semi-detached Dwelling to support the proposed secondary suites regulation, will delete the definition of Additional Dwelling Unit that is associated with former Section 6.33, and will add regulations to recognize suites that exist pursuant to **Ontario Regulation 384/94** (Apartments in Houses).

Proposed Secondary Suites Registry

Concurrent with the development of the proposed Official Plan and Zoning By-law amendments, staff is proposing to establish a publicly accessible registry that will keep track of all secondary suites that are created as a result of the proposed planning policy and regulation changes. Maintaining a registry of secondary suites is necessary for ensuring that all suites meet applicable law including, but not limited to, the Zoning By-law, the **Ontario Building Code**, and the **Ontario Fire Code**. A secondary suites registry will also enable emergency services and waste management services to know where suites are located and will allow the public to check whether a suite has met all municipal requirements.

Through the passing of a registration by-law, staff will require all secondary suites in the City to register and will create additional power for the City to inspect properties and enforce penalties on unregistered suites. Furthermore, the registry will compel existing undocumented suites to seek registration thus triggering a review the suite's compliance with the Zoning By-law, **Ontario Building Code**, the **Ontario Fire Code**, and other applicable law. For suites that have already been acknowledged by the City under **Ontario Regulation 384/94**, these suites will be automatically added to the registry.

Presently, the proposed Registration By-law is being finalized and will be brought forward to Council for consideration under a separate report in the next two or three months.

Next Steps

Should Council amend the Official Plan and Zoning By-law to permit secondary suites, staff will finalize the proposed Registration By-law for Council's consideration in the coming months.

Additionally, to support implementation of secondary suites, staff will work to conduct outreach and to produce materials to educate property owners on the City's secondary suites regulations. Throughout the secondary suites policy review process, staff has received many inquiries regarding the specific Ontario Building Code and Ontario Fire Code requirements for secondary suites. To help the public understand the requirements for creating a secondary suite in the City, staff will produce a guideline document that describes the process for creating, acknowledging, and registering secondary suites in the City along with the key elements of the Ontario Building Code and the Ontario Fire Code that apply to secondary suites.

Summary

The Planning Act requires the City to amend its Official Plan and Zoning By-law to permit secondary suites. Similarly, the City's 10-year Housing and Homelessness Plan commits the City to updating its Official Plan and Zoning By-law in support of secondary suites. The proposed Official Plan and Zoning By-law amendments attached hereto in Exhibits A and B are intended to fulfill these requirements.

Submitted by,

Jeffrey Humble
Director, Planning and Development Services

Contact Names:

Ken Hetherington
Manager, Planning Division
Phone: 705-742-7777, Ext. 1781
Toll Free: 1-855-738-3755
Fax: 705-742-5218
E-mail: khetherington@peterborough.ca

Brad Appleby
Planner, Subdivision Control & Special Projects
Phone: 705-742-7777, Extension 1886
Toll Free: 1-855-738-3755
Fax: 705-742-5218
E-mail: bappleby@peterborough.ca

Attachments:

Exhibit A – Draft Official Plan Amendment
Exhibit B – Draft Zoning By-law Amendment

Exhibit A – Draft Official Plan Amendment, Page 1 of 2



The Corporation of the City of Peterborough

By-Law Number 18-

Being a By-law to adopt Amendment No. 177 to the Official Plan of the City of Peterborough to Permit Secondary Suites

The Corporation of the City of Peterborough by the Council thereof hereby enacts as follows:

1. Section 4.2.3.9 is deleted and replaced as follows:

“4.2.3.9 The City will permit secondary suites subject to the following criteria and the regulations of the Zoning By-law:

- a) Only one secondary suite for each single detached, semi-detached, or row/townhouse dwelling unit will be permitted;
- b) A secondary suite may be contained within a primary residential dwelling or in a building accessory thereto, but not in both;
- c) Severances to subdivide a secondary suite from its primary residential dwelling will not be permitted;
- d) A secondary suite shall not be permitted within a floodplain; and,
- e) Secondary suites shall be developed with municipal water and wastewater services unless permission is granted otherwise in the Zoning By-law.

2. Sections 10.8.2.12 and 10.9.3.3.3 are hereby deleted.

Exhibit A – Draft Official Plan Amendment, Page 2 of 2

By-law read a first, second and third time this 22nd day of May, 2018.

Daryl Bennett, Mayor

John Kennedy, City Clerk

Exhibit B – Draft Zoning By-law Amendment, Page 1 of 3



The Corporation of the City of Peterborough

By-Law Number 18-

Being a By-law to Amend the Zoning By-law to Regulate and Permit Secondary Suites

The Corporation of the City of Peterborough by the Council thereof hereby enacts as follows:

1. Section 1 of By-Law 1997-123 is hereby amended as follows:
 - a) By adding the following thereto:

“Principal Dwelling Unit means a permitted Dwelling Unit on a Lot to which an Accessory Use can be established.

Secondary Suite means a Dwelling Unit, including a Bachelor Dwelling Unit, which may be self contained, created as an Accessory Use within a building used exclusively for residential purposes or within a building that is accessory thereto.

Semi-detached Dwelling means a Two Unit Dwelling consisting solely of two dwelling units separated by a vertical party wall.”
 - b) By deleting **“Additional Dwelling Unit”** in its entirety.
2. Section 4.2.A(i) is hereby deleted in its entirety and replaced with the following:

4.2.A (i) Notwithstanding the foregoing, nothing in this by-law shall require a house containing a Secondary Suite established pursuant to the Residents’ Rights Act, 1994 and in compliance with Ontario Regulation 384/94 (Apartments in Houses) made under the Planning Act, R.S.O. 1990, c.P13, to have more than two (2) parking spaces.
3. Section 6.25 Units – Prohibited Locations of By-law 1997-123 is hereby deleted.

Exhibit B – Draft Zoning By-law Amendment, Page 2 of 3

4. Section 6.33 Additional Dwelling Unit of By-law 1997-123 is hereby deleted and replaced with the following:

“Secondary Suite

6.33 Notwithstanding anything contained in this By-law, Secondary Suites shall be permitted subject to the following regulations:

- a) A maximum of one (1) Secondary Suite will be permitted within:
 - i. a single unit dwelling;
 - ii. a semi-detached dwelling unit;
 - iii. a row dwelling unit;
 - iv. or in a building accessory to a dwelling unit described in i, ii, and iii.
- b) A Secondary Suite will only be permitted where the dwelling unit identified in a) is a Principal Dwelling Unit within a Residential Zoning District.
- c) A Secondary Suite shall not be permitted within the floodway as defined by the Provincial Policy Statement, 2014, or any successor thereof and as may be prescribed by Ontario Regulation 167/06 and the Otonabee Region Conservation Authority.
- d) A Secondary Suite located in an accessory building shall comply with Section 6.18 (Residential Accessory Buildings) of this By-law and Section 3.2.5.5 - Location of Access Routes – of the Ontario Building Code, as amended, or any successor thereof.
- e) A Secondary Suite shall be serviced by public water distribution and wastewater collection facilities where such facilities are available to the lot. Where municipal water distribution and wastewater collection services are not required by this By-law, the use of private services to support a Secondary Suite will be subject to compliance with the Ontario Building Code and the approval of the authority having competent jurisdiction.
- f) Minimum floor area for a Secondary Suite: 28 square metres.
- g) Maximum floor area for a Secondary Suite: Less than the Floor Area of the Principal Dwelling Unit.
- h) Maximum Number of Bedrooms for a Secondary Suite: 2

Exhibit B – Draft Zoning By-law Amendment, Page 3 of 3

- i) Motor Vehicle Parking for a Secondary Suite shall be provided and maintained as follows:
 - a. The Principal Dwelling Unit shall comply with the regulations of Section 4 (Parking, Loading and Driveways);
 - b. No additional off-street parking shall be required for a Secondary Suite located in Area 1 as designated on Schedule E(1) to this By-law. One (1) off-street motor vehicle parking space, sized in accordance with Section 4.3.1, shall be required for a Secondary Suite located in Areas 2 and 3 as designated on Schedule E(1) to this By-law,
 - c. Tandem parking spaces to facilitate a Secondary Suite shall be permitted.
- j) A Secondary Suite shall not be counted as a Dwelling Unit when interpreting definitions and regulations in this By-law that pertain to the number of Dwelling Units in a Building or on a Lot.
- k) A Secondary Suite that existed on or before November 16, 1995 or was created between November 17, 1995 and May 22, 1996 is considered to be a permitted use and is exempt from regulations a) to k) subject to compliance with Ontario Regulation 384/94 (Apartments in Houses) made under the Planning Act, R.S.O. 1990, c.P13, Ontario Regulation 213/07 (Fire Code) made under the Fire protection and Prevention Act, 1997, and Section 4.2.A(i) of this By-law.”

By-law read a first, second and third time this 22nd day of May, 2018.

Daryl Bennett, Mayor

John Kennedy, City Clerk