

APPENDIX D – EXISTING ZONING

SECTION 5 – DEFINITIONS

“SECONDARY 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, triplex or converted dwelling.

SECTION 8.16 SECONDARY DWELLING UNITS

- (1) For the purpose of this section, gross floor area means the total area of each floor whether located above, or at grade, measured from the interior of outside walls and including floor area occupied by interior walls but excluding:
 - (a) floor area occupied by mechanical, service and electrical equipment that serve the building; and
 - (b) accessory uses located below grade.
- (2) A secondary dwelling unit is permitted in any detached, semi-detached or duplex dwelling, in any zone within a settlement area that permits any one or more of these dwelling types provided:
 - (a) it does not change the streetscape character along the road on which it is located;
 - (b) it is not a standalone, principal unit capable of being severed;
 - (c) it must be located on the same lot as its principal dwelling unit; and
 - (d) it only exists along with, and must be contained within the same building as, its principal dwelling.
- (3) A secondary dwelling unit is not permitted on a lot that is legally non-complying with respect to lot width or lot area.
- (4) A maximum of one secondary dwelling unit is permitted per principal dwelling unit in the case of a detached and semi-detached dwelling, and a maximum of one secondary dwelling unit is permitted whole of a duplex dwelling.

- (5) If located at or above grade, the secondary dwelling unit must not be greater in size than an amount equal to 40% of the gross floor area of its principal dwelling unit. If located in a basement, it may occupy the whole of the basement.
- (6) Where located both at or above grade, and in the basement, the secondary dwelling unit must be greater in size than an amount equal to a total gross floor area of 40%, including the gross floor area of the basement [By-law #18-77].
- (7) Subsection (6) does not apply where the secondary dwelling unit is located entirely within the basement save and except for its entrance located on the ground floor as required by subsection (11).
- (8) Where an attached garage is converted to create the secondary dwelling unit or a portion of the secondary dwelling unit, such attached garage is included in the calculation of the gross floor area of the dwelling.
- (9) The creation of a secondary dwelling unit must not result in any new doorway entrance added to the front wall, whether before, during or after the creation of the secondary dwelling unit.
- (10) Subsection (9) does not:
 - (a) prohibit an internal lobby or vestibule with a common doorway entrance in the front wall; nor
 - (b) prohibit the creation of a secondary dwelling unit within a dwelling unit that already contains more than one doorway entrance in the front wall; nor
 - (c) require the removal of a doorway entrance to a house that already contains more than one doorway entrance in the front wall: nor
 - (d) prohibit the addition of one doorway entrance along the front wall of a dwelling unit on an exterior lot where there is no doorway entrance along that front wall, but where there is one along the exterior side wall of the dwelling unit.
- (11) The doorway entrance that leads to a secondary dwelling unit is limited to locations on the ground floor only, except where building and fire codes dictate otherwise.
- (12) The principal and secondary dwelling units must share the parking area and yards provided for the principal dwelling unit, and no new driveway may be created, except in the case of exterior lots.

- (13) Except in the case of a secondary dwelling unit within a duplex dwelling, no parking is required for a secondary dwelling unit, but where provided, parking must be in conformity with the parking provisions of the By-law, and must not be located in the front yard.
- (14) Despite subsection (13), a parking space for a secondary dwelling unit may be located 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.
- (15) The creation of the secondary dwelling unit must not eliminate a required parking space for the principal dwelling unit.
- (16) Where a secondary dwelling unit is located on a lot, neither a garden suite nor any rooming units are permitted on that lot.
- (17) Secondary dwelling 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.