

Regulations for Second Dwelling Units

The following sections identify proposed regulations for each typology of Second Dwelling Units. This chart does not include regulations that have been added to the By-laws for technical areas, particularly for interpretation reasons.

1.0 GENERAL REGULATIONS FOR SDUS - SINGLE DETACHED, SEMI-DETACHED, AND TOWNHOUSE DWELLING UNITS/LOTS

REGULATIONS	REQUIREMENT
Definitions	<p>Secondary Dwelling Unit means a separate and self-contained Dwelling Unit that is accessory to and located within the principal dwelling and shall not include a Farm Labour Residence.</p> <p>Secondary Dwelling Unit – Detached means a separate and self-contained detached Dwelling Unit that is accessory to and located on the same lot as the principal dwelling but shall not include a Farm Labour Residence</p> <p>Swale means a graded or engineered landscape feature appearing as a linear, shallow, open channel to provide for water drainage</p> <p>Ditch means a small to moderate excavation created to channel water</p>
Number of Units permitted	<p>Lots within a Residential, Rural, Institutional or Downtown Zone that permit and contain a single detached dwelling, semi-detached dwelling, street townhouse, and block townhouse dwelling shall be permitted a maximum of:</p> <p>1 SDU in the principle dwelling; and, 1 detached SDU.</p>
Citywide parking standard	<p>1 parking space for each SDU in addition to parking requirements of the principal dwelling.</p>
Area of the City where parking space not required	<p>Parking is not required on lots containing a legally established dwelling unit in parts of the lower City roughly bounded by Highway 403 in the west, south of the industrial area to the north, the Niagara Escarpment to the south, and Ottawa Street to the east. (see Appendix “M-2” to Report PED20093(a)).</p>

REGULATIONS	REQUIREMENT
Landscaping requirements in front yard for parking	50% of the front yard has to be landscaped. Landscaping does not include concrete, asphalt, gravel, pavers, or other similar material. Encroachments into the front yard is permitted such as bay windows, gutters, front steps, unenclosed porches in accordance with the General Provisions of each Zoning By-law.
Landscaped Area Requirement for each dwelling unit	8 m ² for dwelling units less than 50 m ² 12 m ² for dwelling units 50 m ² or larger
Multiple Driveways per Lot	A maximum of one driveway for an interior lot, and a maximum of one driveway for each street frontage for a corner lot.
Parking Area	Permeable pavers are permitted.

2.0 REGULATIONS FOR SECOND DWELLING UNITS LOCATED INTERNAL TO THE PRINCIPAL OR MAIN DWELLING UNIT

REGULATIONS	REQUIREMENT
Additions - Setback and Height for principle dwelling	Governed by Zoning regulations for the lot.
Additional Entrance	Permitted on the side and rear of the building, except in parts of the lower City roughly bounded by Highway 403 in the west, south of the industrial area to the north, the Niagara Escarpment to the south, and Ottawa Street to the east. (see Appendix "M-2" to Report PED20093(a)).
Exterior Staircase above the first floor	Not permitted unless it is an emergency exit.
Maximum/Minimum Unit Size	None required.

3.0 PROPOSED REGULATIONS FOR NEWLY CONSTRUCTED DETACHED SECOND DWELLING UNITS

REGULATIONS	REQUIREMENT
Side yard Setback:	1.2 metres
Interior Flankage Yard	Governed by Zoning regulations for the lot.

REGULATIONS	REQUIREMENT
	Side yards shall be unobstructed and shall not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod.
Front Yard Setback	Not Permitted in the Front Yard
Rear Yard Setback	1.2 metres Side yards shall be unobstructed and shall not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod.
Locational Requirements	Allowed in rear or interior side yard.
Minimum Distance from Rear Façade of the Principal Dwelling	7.5 metres of the required Rear Yard
Maximum Gross Floor Area of the detached SDU	75.0 square metres, but not larger than the principal dwelling.
Maximum Lot Coverage	Governed by existing Maximum Lot Coverage requirement for the lot. For Zoning By-laws that do not have Maximum Lot Coverage requirements, 25% of the lot for all accessory buildings including the detached SDU but not including the principal dwelling.
Maximum Building Height	6.0 metres
Locational Requirement for detached Secondary Dwelling Unit located in the interior side yard	Setback a minimum of 5.0 metres from the front façade of the principal dwelling.
Maximum linear distance from the Front or Flankage Lot Line to the entrance of the detached Secondary Dwelling Unit	40.0 metres
Minimum distance between the principal Dwelling and the detached secondary dwelling in the interior side yard	3.0 metres

REGULATIONS	REQUIREMENT
Unobstructed path between the street and the entrance to the detached Secondary Dwelling Unit	An unobstructed path from the front lot line to the entrance of the detached Secondary Dwelling Unit with a minimum 1.0 metre width and minimum 2.1 metres height clearance shall be provided.
Landscaped Area Screening	A 0.3 m to 1.0 m in height visual barrier.
Balconies and rooftop patios	Prohibited above the first floor.
Second Floor Windows	Permitted where the building façade is a minimum 1.2 metres from the property line.

4.0 PROPOSED REGULATIONS FOR CONVERTED DETACHED SECOND DWELLING UNITS

REGULATIONS	REQUIREMENT
Vacuum Clause	A legally established accessory building existing as the date of the passing of the SFDU by-law that is converted an SDU and shall be deemed to comply with the regulations for any required side, rear, and flankage yard setbacks, height, locational requirements, lot coverage, and minimum distance from rear and interior side yards of principal dwelling.
Additions to Existing Building	Additions to converted detached Secondary Dwelling Units, greater than 10%, shall be in accordance with regulations for newly constructed detached SDU (see Section 3.0)
Parking requirements for the principal dwelling must be maintain.	The number of required parking spaces for the principal dwelling shall be maintained on the lot in accordance with the applicable parking standards of the Zoning By-law.

5.0 PROPOSED REGULATIONS FOR SECOND DWELLING UNITS SPECIFIC TO THE RURAL AREA

REGULATIONS	REQUIREMENT
Number of Units permitted	1 SDU internal to the principle dwelling
Minimum Lot Area	0.6 hectares
Entrance	Side or Rear of the building
Waste Disposal and Water Supply Systems	Approved waste disposal and water supply systems to sustain the use of land for buildings shall be provided and maintained to the satisfaction of the Chief Building Official; and,

REGULATIONS	REQUIREMENT
	All regulatory approvals have been received to the satisfaction of the General Manager of the Planning and Economic Development Department and/or his or her designate.