
Notice of the Passing of a By-law to Amend Zoning By-law 5000, as Amended

ZB-2020-006 – Additional Residential Units

Take notice that the Council of The Corporation of the Township of Springwater passed By-law 5000-329 on the 21st day of April 2021, under Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended.

Purpose and Effect

The purpose of the zoning by-law amendment is to align the Township of Springwater Zoning By-law policies with provincial policy regarding additional residential units.

The effect of the proposed zoning by-law amendment is to permit the use of additional residential units on properties that are zoned to permit a single detached, semi-detached and townhouse dwellings.

And take notice as per Section 34 (19.1) of the Planning Act, RSO 1990, c.P. 13 does not allow for the appeal of zoning by-law policies adopted to authorize and regulate the use of additional residential units. For this reason, the decision of the Township of Springwater is final and shall come into effect immediately.

The Complete By-law is available for inspection on the Township's website or can be mailed or emailed upon request.

Dated at the Township of Springwater on the 28th day of April 2021.

Planning Department
Springwater Administration Centre
2231 Nursery Road
Minesing, Ontario L9X 1A8
Telephone: (705) 728-4784 x 2019
e-mail: planning@springwater.ca
website: www.springwater.ca

The Corporation of the Township of Springwater

By-law 5000-329

Being a By-law to amend Zoning By-law 5000 as amended, with respect to Additional Residential Units within the Township of Springwater

(ZB-2020-006 – Additional Residential Units)

Whereas By-law 5000, as amended, is the main Comprehensive Zoning By-Law of the Township of Springwater;

And Whereas authority is granted under Section 34 and 35 of the Planning Act, R.S.O. 1990, c.P.13 as amended, to enact such amendments;

And Whereas the proposed amendment is in conformity with the Township of Springwater Official Plan;

Now Therefore the Council of the Corporation of the Township of Springwater enacts as follows:

1. That By-law 5000 as amended, is hereby further amended by adding the following to Section 3 to read as follows:

3.48 Additional Residential Units

3.48.1 Any Additional Residential Unit shall be developed in accordance with the following provisions:

- a. Additional Residential Units shall be permitted on lands zoned to permit a single detached, semi-detached, townhouse dwelling or located within a detached accessory building on the same lot as the Primary Dwelling.
- b. A maximum of two Additional Residential Units shall be permitted on a lot, one within the same Building as the Primary Dwelling and one located in a detached accessory building to the Primary Dwelling.
- c. In accordance with the Off-Street Parking Requirements for a residential use, two (2) parking spaces per Additional Residential Unit is required to be provided and maintained on site for the sole use of the occupant of an additional residential unit and may include tandem parking spaces.
- d. Additional Residential Units shall be appropriately serviced and shall comply with all applicable health and safety standards, including but not limited to those set out in the Ontario Building Code and the Ontario Fire Code.

- e. Additional Residential Units shall not be permitted on a lot that is used for a Bed and Breakfast or Group Home.
- f. Additional Residential Units shall not be permitted within the Residential Seasonal (RS) Zone.
- g. A separate entrance shall be required for the Additional Residential Unit and shall be located on the rear or side of the Primary Dwelling; this does not limit the ability to utilize existing entrances on the front main wall of the Primary Dwelling.
- h. A home occupation shall not be permitted within an Additional Residential Units.

3.48.2 Additional Residential Unit within a Primary Dwelling:

- a. The Additional Residential Unit within a Primary Dwelling shall not exceed 40% of the Gross Floor Area of the Primary Dwelling.
- b. Notwithstanding the above provision, if the proposed Additional Residential Unit is to be located in the lower half (basement) of the Primary Dwelling, the unit shall not exceed 50% of the Gross Floor Area of the Primary Dwelling.
- c. A separate entrance shall be required for the Additional Residential Unit and shall be located on the rear or side of the Primary Dwelling; this does not limit the ability to utilize existing entrances on the front main wall of the Primary Dwelling.
- d. All other provisions of the respective zones are complied with.

3.48.3 Additional Residential Unit within an Accessory Building:

- a. The Additional Residential Unit within a Detached Accessory Building shall not exceed 40% of the Total Gross Floor Area of the Primary Dwelling to a maximum of the permitted accessory building floor area for the applicable zone or a maximum 115 m² (1,238 ft²), whichever is the lesser.
- b. The floor area calculation will include the Gross Floor Area of the Detached Accessory Building when utilized for an Additional Residential Units and will include any parking areas.
- c. The maximum Building Height of an Additional Residential Unit contained within a Detached Accessory Building is two (2) storeys, and shall not exceed the height of the Primary Dwelling.

- d. The applicable setbacks for the Primary Dwelling within the applicable zone applies to an Additional Residential Unit contained within a Detached Accessory Building on a residential lot.
 - e. An Additional Residential Unit in a Detached Accessory Building may occupy a Yard other than a Front Yard or required Exterior Side Yard.
 - f. Notwithstanding the above provision, In the Agricultural (A), Residential Conversion (RC) Zones, an Additional Residential Unit contained within a Detached Accessory Building may be located in Front Yard of the Primary Dwelling and the unit shall comply with the applicable Front Yard setback requirements for the Primary Dwelling.
 - g. A minimum of 1.5 metres shall be provided between the Additional Residential Dwelling Unit in a Detached Accessory Building on the same lot and any other structures permitted on the lot.
 - h. Crawlspace foundations are permitted in Additional Residential Units to be located in Detached Accessory Building for the purposes of containing mechanical/utility equipment (heating, cooling, plumbing, electrical), provided the same does not allow for human habitation and that same foundation does not exceed 1.8 metres in total height. Crawlspace foundations are not included in the floor area of the Additional Residential Unit.
 - i. All other provisions of the respective zones are complied with.
2. That By-law 5000 as amended, is hereby further amended by adding the following definitions to Section 35:
- “Additional Residential Unit” shall mean a separate and self-contained dwelling unit that is subordinate to the Primary Dwelling and located within the same building or within a detached accessory building on the same lot as the Primary Dwelling.
- “Primary Dwelling” shall mean the main dwelling unit to which additional residential units may be subordinate.
3. That this By-law shall take effect and come into force pursuant to the provisions of and regulations made under the Planning Act, R.S.O. 1990, c.P.13, as amended.

Read a First, Second and Third Time and Finally Passed this 21st day of April, 2021.

[Original Signed By]

Don Allen, Mayor

[Original Signed By]

Renée Ainsworth, Clerk