The Corporation of The Township of Scugog

By-law Number 12-25

Being a by-law under the provisions of Section 34 of the Planning Act, R.S.O. 1990, to amend By-law No. 14-14, the Zoning By-law of the Township of Scugog.

Whereas the Council of the Corporation of the Township of Scugog deems it advisable to amend the provisions of Zoning By-law 14-14 to implement the policies for Additional Dwelling Units in conformity with the Official Plan policy amendments made through OPA No. 12 (By-law 2025-11);

And Whereas Council has conducted a public meeting as required by Section 34(12) of the *Planning Act*, R.S.O. 1990, as amended;

And Whereas the matters herein are in conformity with the policies and designations contained in the Official Plans of the Region of Durham and the Township of Scugog as are currently in force and effect;

And Whereas for existing provisions that are amended, new text is <u>underlined</u> and deleted text is shown with a ~~strikethrough~~; and

Now therefore, the Council of The Corporation of The Township of Scugog hereby enacts as follows:

1. That Part 3: Definitions be amended to add the following definition:

   "<u>Additional Dwelling Unit: An Additional Dwelling Unit is a self-contained residential unit which includes the following areas that are separate from the primary residential dwelling unit: a separate entrance, kitchen facilities, washroom facilities, and living space. An Additional Dwelling Unit shall be contained within a dwelling, or a building or structure accessory to a dwelling. Additional Dwelling Units are also referred to as secondary units, basement apartments, accessory dwelling units, granny flats, or in-law apartments.</u>"

   <u>"Dwelling, Primary Residential: A single detached, semi-detached, townhouse dwelling, or linked dwelling for the purpose of the definition of additional dwelling unit."</u>

2. That Part 3: Definitions be amended as follows:

   "Accessory Building or Structure: A detached Building or Structure, ~~that is not used for human habitation~~ the Use of which is customarily incidental and subordinate to a Principal Use, Building or Structure and located on the same Lot therewith."

~~"Dwelling Unit, Secondary: A Dwelling Unit which is part of and accessory to a permitted Residential Use that is occupied by the owner."~~

3. That Part 4: General Provisions be amended as follows:

"4.1 ACCESSORY BUILDINGS, STRUCTURES AND USES

a) **Permitted Uses**

Where this By-law provides that a Lot may be used or a Building or Structure may be Erected or used for a purpose, that purpose shall include any Accessory Building or Structure or Accessory Use, but shall not include the following:

1. Any occupation for gain or profit conducted within or accessory to a Dwelling Unit or on such Lot associated therewith, except as is specifically permitted in accordance with this By-law;
2. Any Building used for human habitation except for accessory structures or buildings that meet the definition of an Additional Dwelling Unit, in accordance with this By-law, and as is specifically permitted in accordance with this By-law.

Buildings used for Agricultural Uses shall be deemed as Principal Buildings."

"c) **Accessory Buildings in Oak Ridges Moraine (ORM) Zones**

Notwithstanding any of the provisions of this By-law to the contrary, within the Oak Ridges Moraine Conservation Plan Area, and where the Zone symbol is preceded by the letters "ORM", where an Accessory Building is permitted in conjunction with a Principal permitted Use, the Building shall not exceed 5% of the Lot Area and shall not exceed a Gross Floor Area of 56m^2. Additional Dwelling Units are not permitted within an Accessory Building or Structure within the Oak Ridges Moraine Conservation Plan area."

4. That a new Section 4.2 Additional Dwelling Units be added as follows, and renumber the balance of Section 4 accordingly:

"**4.2 Additional Dwelling Units**

Where this By-law permits an Additional Dwelling Unit, the following provisions shall apply:

a) A maximum of two Additional Dwelling Units are permitted within any legally permitted Dwelling, Single Detached; Dwelling, Semi-Detached; Dwelling, Townhouse; or Dwelling, Linked provided there are no Additional Dwelling Units contained within an Accessory Building on the same lot;

b) A maximum of one Additional Dwelling Unit is permitted within a detached Accessory Building where a maximum of one Additional Dwelling Unit exists within any legally permitted Dwelling, Single Detached; Dwelling, Semi-Detached; Dwelling, Townhouse, or Dwelling, Linked on the same lot;

c) Notwithstanding 4.2a) and b), an Additional Dwelling Unit shall not be permitted within any hazardous lands as determined by the applicable Conservation Authority;

d) The parking requirements for each Additional Dwelling Unit are satisfied;

e) All requirements of the Ontario Building Code and Ontario Fire Code are satisfied;

f) In AG, RR, ER, HR1, HR2, R1, R2, R3, RM1, RM2, RM3, RM4, C1 and C5 Zones, where an Additional Dwelling Unit is permitted within an Accessory Building in a Zone, the maximum allowable floor area of the Additional Dwelling Unit shall be determined by using the most restrictive of the following provisions:

   i. Maximum lot coverage of all buildings on the lot.

   ii. No more than 50% of the Gross Floor Area of the Dwelling, Single Detached; Dwelling, Semi-Detached; Dwelling, Townhouse or Dwelling, Linked on the same lot.

   iii. A maximum Gross Floor Area of 150 square metres.

g) Where an Accessory Building containing an Additional Dwelling Unit is permitted, the following additional provisions shall apply:

i. The Accessory Building shall have a maximum height of 7.0 metres, unless the permitted height for Accessory Buildings in the specific zone provisions is greater;

ii. The Accessory Building shall have a minimum required Exterior Side Yard Setback in accordance with the specific zone provisions;

iii. The Accessory Building shall be located a minimum of 3.0 metres from the Interior Side Lot line and a minimum of 3.0 metres from the Rear Lot line;

iv. The Accessory Building shall not be permitted in a required Front Yard Setback; and

v. Exterior access to an additional dwelling unit must be provided via a walkway with a minimum width of 1.2 metres that connects to a driveway or a public street that is protected from fire exposure from the building. Walkways shall not be obstructed by chimneys, gas meters, air conditioning units, heat pump, garbage receptacle, or any other permanent or non-permanent structures.

h) A Home Occupation shall be restricted to a business or administrative office which does not require the delivery or pick up of goods, does not have clients coming to the dwelling, and does not have employees that reside on a different lot;

i) Additional Dwelling Units shall comply with Provincial Minimum Distance Separation (MDS) formulae;

j) Additional Dwelling Units shall be located on a lot that fronts on and has access to an improved public street, maintained year round, outside of the Port Perry Urban Area; and

k) All other applicable zoning requirements are met."

5. That Section 4.4 DWELLING UNITS BELOW GRADE (now renumbered as Section 4.5) be amended as follows:

   No Dwelling Unit shall, in its entirety, be located in a Cellar. If any portion of a Dwelling Unit is located in a Cellar, such portion of the Dwelling Unit shall be used as a furnace room, laundry room, storage room, recreation room or for a similar Use only, but in not instance shall such a room be used to provide sleeping accommodation, unless the Dwelling Unit can be modified to satisfy the Ontario Building Code requirements in that regard.

6. That Part 4: General Provisions be amended to delete Section 4.28 SECONDARY DWELLING UNITS and that all subsequent sections be renumbered accordingly.

7. That Table 5.1 be amended as follows:

Type or Nature of Use	**Minimum Off-Street Parking Requirements**
Residential (e) Additional Dwelling Unit	1 Parking Space per Additional Dwelling Unit.

8. That Table 7.2 be amended as follows:

Use	**AG**	**EP**	**RE**	**ORM-AG**	**ORM-EP**
Additional Dwelling Unit	X(7)	X(8)		X(9)	
~~Secondary Dwelling Unit~~	~~X~~	~~X~~	~~X(2)~~	~~X~~	~~X~~

9. That the Additional Regulations following Table 7.2 be amended to add the following as it relates to Additional Dwelling Units:

"(7) Outside of the Natural Heritage System of the Greenbelt Plan, an Additional Dwelling Unit shall only be permitted within the existing footprint of the primary residential dwelling on existing lots of record, provided they were zoned for such use and legally existed as of July 1, 2017, or within the existing footprint of accessory structures on the same lot, that legally existed as of July 1, 2017.

(8) Outside of the Natural Heritage System of the Greenbelt Plan, a maximum of one Additional Dwelling Unit shall only be permitted within the existing footprint of a primary residential dwelling on existing lots of record, provided they were zoned for such use and legally existed as of July 1, 2017. An Additional Dwelling Unit in an accessory building or structure shall be prohibited.

(9) A maximum of one Additional Dwelling Unit is permitted only within the Countryside Area of the Oak Ridges Moraine Conservation Plan Area and shall be contained within the existing footprint of a primary residential dwelling on existing lots of record, provided they were zoned for such use and legally existed, as of November 15, 2001. An Additional Dwelling Unit in an accessory building or structure shall be prohibited."

10. That Table 8.2 be amended as follows:

Use	RR	ER	HR1	HR2	SR	ORM-SR	ORM-RR	ORM-ER
Additional Dwelling Unit	X(2)	X	X	X	X(3)(5)		X(4)	X(4)
~~Dwelling Unit, Secondary~~	~~X~~	~~X~~	~~X~~	~~X~~	~~X~~	~~X~~	~~X~~	

11. That the Additional Regulations following Table 8.2 be amended to add the following footnotes as it relates to Additional Dwelling Units:

"(2) Outside of the Natural Heritage System of the Greenbelt Plan, an Additional Dwelling Unit shall only be permitted within the existing footprint of the primary residential dwelling on existing lots of record, provided they were zoned for such use and legally existed as of July 1, 2017, or within the existing footprint of accessory structures on the same lot, that legally existed as of July 1, 2017.

(3) A maximum of one Additional Dwelling Unit shall only be permitted within the primary residential dwelling on the same lot. An Additional Dwelling Unit in an accessory building or structure shall be prohibited.

(4) A maximum of one Additional Dwelling Unit is permitted only within the Countryside Area of the Oak Ridges Moraine Area and shall be contained within the existing footprint of a primary residential dwelling on existing lots of record, provided they were zoned for such use and legally existed, as of November 15, 2001. An Additional Dwelling Unit in an accessory building or structure shall be prohibited.

(5) The minimum lot area for an Additional Dwelling Unit shall be 3000m^2."

12. That Table 9.2 be amended as follows:

Use	R1	R2	R3	RM1	RM2	RM3	RM4
Additional Dwelling Unit	X	X	X	X	X	X	X(1)
~~Dwelling Unit, Secondary~~	~~X~~	~~X~~	~~X~~				

13. That Additional Regulations following Table 9.2 be added as follows as it relates

to Additional Dwelling Units:

"(1) An Additional Dwelling Unit shall only be permitted in a Dwelling, Linked and a Dwelling, Townhouse and/or a detached accessory building in association with those dwelling unit types."

14. That Table 9.4 REGULATIONS FOR ALL URBAN RESIDENTIAL ZONES be amended as follows:

(a)	Maximum Lot Coverage of all Buildings except in the R3 Zone, where the Lot is serviced by private water and/or private waste disposal, and RM3 Zones	~~40%~~ 45%
(b)	Maximum Lot Coverage of all Buildings in the R3 Zone where the Lot is serviced by private water and/or private waste disposal	30%
(c)	Maximum Lot Coverage of all Buildings in the RM3 Zone: 1. One Storey Dwelling 2. More than one Storey Dwelling	 50% 45%
(d)	Maximum Building Height	10m

15. That Table 9.7.6 be amended as follows:

Urban Residential Multiple Type Three (RM3) Exception Number	**Permitted/Prohibited Uses**	**Zone Regulations**
RM3-6	Permitted uses are limited to: i. Single Detached Dwelling ii. ~~Secondary Dwelling Unit~~ Additional Dwelling Unit iii. Home Occupation iv. Private Home Daycare v. Public Utility	Minimum Front Yard: 4.0m to dwelling and 6.0m to attached garage
RM3-7	Permitted uses are limited to: i. Single Detached Dwelling ii. ~~Secondary Dwelling Unit~~ Additional Dwelling Unit iii. Home Occupation iv. Private Home Daycare v. Public Utility	Minimum Front Yard: 4.0m to dwelling and 6.0m to attached garage Minimum Rear Yard: 2.0m
RM3-8	Permitted uses are limited to: i. Single Detached Dwelling ii. ~~Secondary Dwelling Unit~~ Additional Dwelling Unit iii. Home Occupation	Minimum Front Yard: 4.0m to dwelling and 6.0m to attached garage Minimum Exterior Side Yard: 2.4m

	iv. Private Home Daycare v. Public Utility	
RM3-9	Permitted uses are limited to: i. Single Detached Dwelling ii. ~~Secondary Dwelling Unit~~ Additional Dwelling Unit iii. Home Occupation iv. Private Home Daycare v. Public Utility	Minimum Front Yard: 4.0m to dwelling and 6.0m to attached garage Minimum Rear Yard: 7.0m
RM3-10	Permitted uses are limited to: i. Single Detached Dwelling ii. ~~Secondary Dwelling Unit~~ Additional Dwelling Unit iii. Home Occupation iv. Private Home Daycare v. Public Utility	Minimum Front Yard: 4.0m to dwelling and 6.0m to attached garage Minimum Rear Yard: 7.0m Minimum Exterior Side Yard: 2.4m

16. That Table 10.2 be amended as follows:

Use	**C1**	**C5**
Additional Dwelling Unit	X	X

This By-Law shall become effective on the date it is passed by the Council of the Corporation of the Township of Scugog, subject to the applicable provisions of the *Planning Act*, R.S.O. 1990, as amended.

The Clerk is hereby authorized and directed to proceed with the giving of Notice under Section 34(18) of the *Planning Act*, R.S.O. 1990, as amended.

This By-law Read and Passed by Council on the 24th day of March, 2025.

/s/ Wilma Wotten

MAYOR, Wilma Wotten

/s/ Blair Labelle

CLERK, Blair Labelle

/s/ - Digitally Signed