

# THE CORPORATION OF THE CITY OF ELLIOT LAKE

## ***B***Y-LAW NO. 21-59

Being a By-law to Amend By-law No. 2018-36.

**WHEREAS** By-law No. 2018-36 regulates the use of land and the use and erection of buildings and structures within the City of Elliot Lake;

**AND WHEREAS** the Council of the Corporation of the City of Elliot Lake deems it advisable to amend By-law No. 2018-36 as hereinafter set forth;

**NOW THEREFORE** the Council of the Corporation of the City of Elliot Lake enacts as follows:

1. The area affected by this By-law includes all lands within the boundaries of the City of Elliot Lake.

2. By-law No. 2018-36 is hereby amended as follows:

(a) That Section 3 'Definitions' be amended by removing the definition for 'Secondary Dwelling Unit (Basement Apartment, or In-law Suite).

(b) That Section 3 'Definitions' be amended by inserting the following definition under the heading 'Dwelling Unit' immediately after 'Accessory dwelling unit':

Additional Residential Unit: means a separate dwelling unit which is either located in a single detached dwelling, semi-detached dwelling, rowhouse or an accessory building or structure.

(c) That Section 5 'General Regulations for All Zones' be amended by replacing Section 5.1.2 Secondary Dwelling Unit (Basement Apartment, or In-law Suite) with the following:

### 5.1.2 'Additional Residential Units'

Notwithstanding any provisions of this By-law of this By-law, Additional Residential Units may be permitted and shall comply to the following:

- i.
- ii. For any zone that permits a single detached dwelling, semi-detached dwelling, or row house dwelling, the following shall also be permitted:
  - a. One additional residential unit within a single detached dwelling, semi-detached dwelling or rowhouse dwelling; and
  - b. One additional residential unit in an accessory building or structure which is permitted and ancillary to the single detached dwelling, semi-detached dwelling or rowhouse dwelling
- iii. Notwithstanding Section 5.1.2 additional residential units are not permitted in the Shoreline Residential (RS) or Limited Service Residential (RL) Zones, except by site-specific zoning by-law amendment.
- iv. Additional Residential units shall be subject to the corresponding zone provisions if in the primary structure.
- v. For Additional Residential Units in an accessory structure, the general provisions for accessory uses shall apply, except a minimum interior side and rear yard setback of 3.0m is required, and the minimum exterior yard and front yard setback of the primary structure is required.

- vi. Additional Residential Units on a lot that is serviced by a private well requires confirmation by a qualified individual that the well has capacity for the proposed development if privately serviced.
- vii. Additional Residential Units on a lot serviced by a private sewage system requires confirmation by a qualified individual that demonstrates that the septic system has capability for servicing the proposed use or makes recommendations for appropriate alterations that will accompany the creation of the unit.
- viii. Additional Residential Units may not be severed from the lot containing the primary residential use.
- ix. Parking shall be provided in accordance with Section 6, and tandem parking in the existing driveway is permitted.
- x. Additional dwelling units shall be designed and located in such a manner to not have an impact on the streetscape or character of the surrounding neighbourhood.

(d) That Section 6 ‘Parking Provisions and Off-Street Loading Provisions for All Zones’ be amended by inserting the following into the Table provided immediately below the Group Home row:

Type of Use	Minimum Parking Spaces Required to be Provided
Additional Residential Unit	1 parking space per additional residential unit

(e) That Sections 7.1, 8.1, 9.1, 10.1, and 25.1 are amended to include “Additional Dwelling Units in accordance with Section 5.1.2” under Permitted Uses.

3. This By-law shall come into full force and effect in accordance with the *Planning Act*, R.S.O. 1990.

**PASSED** this 12<sup>th</sup> day of July, 2021.

MAYOR

CITY CLERK