

THE CORPORATION OF THE
TOWN OF TILLSONBURG
BY-LAW NUMBER XXXX

A By-Law to amend Zoning By-Law Number 3295, as amended.

WHEREAS the Municipal Council of the Corporation of the Town of Tillsonburg deems it advisable to amend By-Law Number 3295, as amended.

THEREFORE, the Municipal Council of the Corporation of the Town of Tillsonburg, enacts as follows:

1. That Section 4.0 to By-law Number 3295, as amended, is hereby further amended by adding the following definition after the definition of 'ACCESSORY':

"ADDITIONAL RESIDENTIAL UNIT means a self-contained living accommodation for an additional *person* or *persons* living together as a separate, single housekeeping unit, in which both food preparation and sanitary facilities are provided for the exclusive use of the occupants of the suite, located within the principal *dwelling* on the *lot* or in a detached *accessory structure* on the *lot*."

2. That Section 4.0 to By-law Number 3295, as amended, is hereby further amended by deleting the definition of 'CONVERTED DWELLING' and replacing it with the following definition:

"CONVERTED DWELLING means a *dwelling* which has been *altered* or converted to provide three or more *dwelling units*."

3. That Section 5.1 to By-law Number 3295, as amended, is hereby further amended by adding the following subsection at the end thereof:

"5.1.4 ADDITIONAL RESIDENTIAL UNITS

Notwithstanding any other provisions of this By-law to the contrary, the following provisions contained in Table 5.1.4 shall apply so as to permit the construction of an *additional residential unit* as an *accessory use* to a *single-detached, semi-detached dwelling, or street-fronting townhouse dwelling* where *permitted*.

TABLE 5.1.4 – REGULATIONS FOR ADDITIONAL RESIDENTIAL UNITS (ARUs)

	Provision
Number of ARUs per lot	i) Maximum of 2 ARUs per lot. The principal dwelling must be a legally permitted use on the lot. Where 2 ARUs are located on a lot, 1 ARU is required to be located within the principal dwelling.
Permitted dwelling types	i) An ARU may be contained within the principal dwelling or in an accessory structure on the lot associated with a single-detached dwelling, semi-detached dwelling, or street-fronting townhouse dwelling.
ARU Unit Size	i) No greater than 40% of the gross floor area of the principal dwelling on the lot, to a maximum of 112 m ² .
Parking (per unit)	<p>i) In addition to the parking requirements for the principal dwelling in accordance with the provisions of Section 5.24, the required additional parking spaces for an ARU shall be located on the same lot, in accordance with the following:</p> <ul style="list-style-type: none"> - a minimum of 1 additional parking space shall be provided; and - the required ARU parking space may be a tandem parking space <p>ii) A minimum of 50% of the front yard of a lot used for ARU purposes shall be provided and maintained as landscaped open space and such space shall not be utilized for parking space or parking aisle purposes.</p>
Entrances (per unit)	<p>i) Must be separate and distinct from the entrance provided for the principal dwelling.</p> <p>ii) For an ARU that is contained within or attached to the principal dwelling, the separate and distinct entrance may be accessed:</p> <ul style="list-style-type: none"> a) from the outside of the building; or b) from a common hallway or stairway from inside the building. An additional, separate pedestrian access facing a street shall not be permitted for an ARU. <p>iii) Where the only entrance to an ARU is provided from the rear yard or side yard, the entrance shall be accessed by a continuous, unobstructed walkway of at least 1.2 m between the main wall of the building and the side lot line.</p> <p>iv) Where only one entrance to an ARU is provided, such access shall not be permitted by a deck located above the first storey of the principal dwelling and no stairs, stairwells or retaining walls to facilitate an entrance below grade at any point shall be permitted in a front yard or exterior side yard.</p>
ARUs in Detached Accessory Structures	i) ARUs within a building or structure accessory to a residential use shall comply with the zone provisions and general provisions of the applicable zone category as the principal residential use on the lot.

	ii) An <i>ARU</i> in a building or structure <i>accessory</i> to a residential use shall only be <i>permitted</i> on a <i>lot</i> that has a minimum <i>lot area</i> of 1000 m ² .
Restricted Areas	<p><i>ARUs</i> and associated parking areas shall <u>not</u> be permitted:</p> <ul style="list-style-type: none"> i) within areas identified as the Long Point Region Conservation Authority Regulation Limit on Schedule 'A' unless approved by the Conservation Authority; ii) on any lot that does not have frontage on an <i>improved street</i> in accordance with Section 5.19 of this By-law; iii) on any lot that is not connected to municipal services in accordance with Section 5.19 of this By-law; or iv) on any lot containing a <i>boarding or lodging house</i>, a <i>group home</i>, a <i>garden suite</i>, a <i>converted dwelling</i>, a <i>duplex dwelling</i>, a <i>mobile home</i>, or a <i>bed and breakfast establishment</i>.

4. That Section 6.1 to By-law Number 3295, as amended, is hereby amended by deleting Table 6.1: Uses Permitted and replacing it with the following :

TABLE 6.1: USES PERMITTED
<ul style="list-style-type: none"> • An <i>additional residential unit</i>, in accordance with the provisions of Section 5.1.4 of this By-Law;
<ul style="list-style-type: none"> • a <i>group home</i>, in accordance with the provisions of Section 5.12 of this By-Law;
<ul style="list-style-type: none"> • a <i>home occupation</i>, in accordance with the provisions of Section 5.13 of this By-Law;
<ul style="list-style-type: none"> • a public <i>use</i> in accordance with the provisions of Section 5.27 of this By-Law;
<ul style="list-style-type: none"> • a <i>single detached dwelling</i>

5. That Section 7.1 to By-law Number 3295, as amended, is hereby amended by deleting Table 7.1: Uses Permitted and replacing it with the following:

TABLE 7.1: USES PERMITTED
<ul style="list-style-type: none"> • An <i>additional residential unit</i>, in accordance with the provisions of Section 5.1.4 of this By-Law;
<ul style="list-style-type: none"> • a <i>duplex dwelling</i>;
<ul style="list-style-type: none"> • a <i>group home</i>, in accordance with the provisions of Section 5.12 of this By-Law;
<ul style="list-style-type: none"> • a <i>home occupation</i>, in accordance with the provisions of Section 5.13 of this By-Law;
<ul style="list-style-type: none"> • a public <i>use</i> in accordance with the provisions of Section 5.27 of this By-Law;

TABLE 7.1: USES PERMITTED
<ul style="list-style-type: none">• a <i>semi-detached dwelling</i>;
<ul style="list-style-type: none">• a <i>single detached dwelling</i>.

6. That Section 8.1 to By-law Number 3295, as amended, is hereby amended by deleting Table 8.1: Uses Permitted and replacing it with the following:

TABLE 8.1: USES PERMITTED
<ul style="list-style-type: none">• An <i>additional residential unit</i>, in accordance with the provisions of Section 5.1.4 of this By-Law;
<ul style="list-style-type: none">• a <i>converted dwelling</i>, containing not more than 4 <i>dwelling units</i>.
<ul style="list-style-type: none">• a <i>single detached dwelling</i>, <i>converted dwelling</i>, <i>duplex dwelling</i> or <i>semi-detached dwelling</i> existing on the date of passing of this By-Law, in accordance with the provisions contained in Section 7.2.
<ul style="list-style-type: none">• a <i>group home</i>, in accordance with the provisions of Section 5.12 of this By-Law;
<ul style="list-style-type: none">• a <i>home occupation</i>, in accordance with the provisions of Section 5.13 of this By-Law;
<ul style="list-style-type: none">• a <i>public use</i> in accordance with the provisions of Section 5.27 of this By-Law;
<ul style="list-style-type: none">• a <i>multiple unit dwelling</i>, containing not more than 4 <i>dwelling units</i>;
<ul style="list-style-type: none">• a <i>street fronting townhouse dwelling</i>.

7. This By-Law comes into force in accordance with Sections 34(21) and (30) of the Planning Act, R.S.O. 1990, as amended.

READ a first and second time this XXth day of XX, 2022.

READ a third time and finally passed this XXth day of XX, 2022.

Mayor

Clerk