

BY-LAW No. 2024-0XX

**THE CORPORATION OF THE
TOWNSHIP OF DRUMMOND/NORTH ELMSLEY**

**Additional Residential Units (ARUs)
Zoning By-Law General Amendment
Township of Drummond/North Elmsley**

Being a By-Law
to amend Comprehensive
Zoning By-law No. 2012-060
of the Township of Drummond/
North Elmsley

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**A BY-LAW TO AMEND ZONING BY-LAW NO. 2012-060, AS AMENDED TO ALLOW
ADDITIONAL RESIDENTIAL UNITS (ARUs)**

WHEREAS, the *Planning Act, R.S.O. 1990, Chapter P.13 Section 34 as amended*, provides that the Councils of local municipalities may enact by-laws regulating the use of land and the erection, location and use of buildings and structures within the municipality;

AND WHEREAS, By-Law No. 2012-060, as amended, regulates the use of land and the erection, location and use of buildings and structures within the Township of Drummond/North Elmsley;

AND WHEREAS, this By-Law implements the policies and intentions of the Official Plan for the Township of Township of Drummond/North Elmsley;

AND WHEREAS, the Council of the Corporation of the Township of Drummond/North Elmsley deems it advisable to amend Zoning By-law No. 2012-060, as amended, as hereinafter set forth;

NOW THEREFORE BE IT RESOLVED THAT, the Council of the Corporation of the Township of Drummond/North Elmsley enacts as follows:

1. GENERAL REGULATIONS

1.1 THAT, By-Law No. 2012-060, as amended, is hereby further amended by removing Section 4.1, Accessory Apartments.

1.2 THAT, By-Law No. 2012-060, as amended, is hereby further amended by adding a new Section 4.1, Additional Residential Units, which shall read as follows:

“4.1. Additional Residential Units (ARU)

Notwithstanding any provisions to the contrary, on lands where single detached, semi-detached, duplex, triplex, row or townhouse dwellings are permitted as a the principal use of the land and where the lands are located within the A, RU, R, and MR, zones, additional residential units shall be permitted, as an accessory use subject to the following provisions:

- a) ARUs shall not be permitted within lands identified as subject to flooding or natural hazards.
- b) ARUs shall not be permitted within lands identified as having Environmental Protection (EP) zoning.
- c) Each additional residential unit (ARU) shall require the establishment of 1 parking space per unit.

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- d) The subject property shall comply with the minimum lot area and minimum lot frontage requirements of the zone and shall have frontage on an opened and maintained year-round public road. For the sake of clarity, ARUs shall not be permitted on private roads.
- a) A maximum of three (3) additional residential units (ARUs) shall be permitted per property. Up to a maximum of two (2) ARUs may be permitted within an existing residential dwelling. One (1) ARU may be permitted within an accessory structure.
- b) The proposed ARU will be accessed using the existing driveway which accesses principal residential use.
- c) The gross floor area of an ARU shall not exceed the total gross floor area of the principal residential use.
- d) ARUs within an accessory structure shall be limited to a maximum height of 5 m.
- e) ARUs located within a principal dwelling shall be connected to the well and septic system that service the principal residential dwelling.
- f) Notwithstanding section 4.2.3, the maximum height of an accessory building with an ARU located on the second story of an accessory building shall be 7.5 m.
- g) A lot that is less than 1 ha and has frontage on a waterbody shall not be permitted an ARU in an accessory structure.

1.3 **THAT**, By-Law No. 2012-060, as amended, is hereby further amended by adding the following new definition to Section 3, Definitions:

“Additional Residential Unit shall mean an accessory use to the principal dwelling on the property, consisting of a self-contained residential unit with kitchen and bathroom facilities within a principal single detached, semi-detached or townhouse dwelling or within an accessory structure, where food preparation and sanitary facilities are provided, but shall not include a boarding house, hotel, motel, rental cottage or cabin or similar commercial use.”

1.4 **THAT**, By-Law No. 2012-060, as amended, is hereby further amended by amending Section 4.2.4.1, to exempt ARUs accessory building lot coverage provisions for lots less than four hectares. The amended Section 4.2.4.1 shall read as follows:

“In the case of buildings or structures which are accessory to a Residential Use, on lots that are equal to or less than 4 hectares in size, the lot coverage for all such buildings and structures shall not exceed 10% of the lot area or 140 m² in total, whichever is the lesser, and this area shall be included in the calculation of the total lot coverage permitted in the zone in which the residential use is located. Notwithstanding, the floor area of an accessory structure that is occupied by ARU shall be exempt and not included within the calculation of accessory building lot coverage, however it shall be included in the calculation of the total lot coverage permitted in the zone.

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1.5 AND THAT all applicable standards of By-Law No. 2012-060 shall apply.

1.6 AND FURTHER THAT, this By-Law shall come into force and effect with the passing thereof, in accordance with the *Planning Act*, R.S.O. 1990.

2. ULTRA VIRES

Should any sections of this by-law, including any section or part of any schedules attached hereto, be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

3. EFFECTIVE DATE

ENACTED AND PASSED this XX day of Month 2024.

By-Law read and passed this XX day of Month, 2024.

Steve Fournier, Reeve

Cathy Ryder, Clerk