

**TOWNSHIP OF SOUTH FRONTENAC  
BY-LAW 2023-74**

**BEING A TOWNSHIP-INITIATED BY-LAW TO AMEND BY-LAW 2003-75, AS AMENDED, TO PERMIT ADDITIONAL DWELLING UNITS AND TO EFFECT A CHANGE RELATED TO GARDEN SUITES**

---

**WHEREAS** pursuant to the provisions of Section 34 of the *Planning Act*, RSO 1990 as amended, the Council of a Municipality may enact by-laws regulating the use of land and the erection, location and use of buildings and structures thereon;

**AND WHEREAS** Zoning By-law No. 2003-75 regulates the use of land and the erection, location and use of buildings and structures within the Township of South Frontenac;

**AND WHEREAS** the Council of the Corporation of the Township of South Frontenac deems it expedient to amend By-law No. 2003-75 as amended, to undertake general amendments to add provisions relating to additional dwelling units, and relating to garden suites in the Rural zone;

**AND WHEREAS** the Council of the Corporation of the Township of South Frontenac considered all written and oral submissions received, the effect of which helped Council make an informed decision;

**AND** that there be no further notice pursuant to Section 34 (17) of the *Planning Act*;

**NOW THEREFORE**, the Council of the Corporation of the Township of South Frontenac, hereby enacts as follows:

1. THAT Schedule "I" Additional Dwelling Unit Holding Overlay – Water Supply/Water Quality is hereby added to Zoning By-law Number 2003-75 as amended for the lands shown on Schedule "1".
2. THAT Section 3 – Definitions is hereby amended by adding the following definitions:
  - a. Additional Dwelling Unit shall mean a dwelling unit, which is accessory to a principal dwelling, and is located on the same lot as the principal dwelling.
  - b. Second Dwelling Unit shall mean an additional dwelling unit, which is the first accessory dwelling unit in chronological order of development located on the same lot as the principal dwelling unit.
  - c. Third Dwelling Unit shall mean an additional dwelling unit, which is the second accessory dwelling unit in chronological order of development located on the same lot as the principal dwelling unit.
  - d. Townhouse shall mean a building divided vertically into three or more attached dwelling units, each of which has a separate entrance from an outside yard area.

The addition of an additional dwelling unit to a townhouse does not change a townhouse into any other type of residential building.

3. THAT Section 3 – Definitions is hereby amended by adding the following sentence to the end of the definition of Dwelling, Semi-detached:

“The addition of an additional dwelling unit to a semi-detached dwelling does not change a semi-detached dwelling into any other type of residential building.”

4. THAT Section 3 – Definitions is hereby amended by adding the following sentence to the end of the definition of Dwelling, Single detached:

“The addition of an additional dwelling unit to a single detached dwelling does not change a single detached dwelling into any other type of residential building.”

4. THAT Section 5 – General Provisions is hereby amended by adding the following provision to Section 5.30 Offstreet Parking Provision:

5.30.1.1 (a) one (1) space for each additional dwelling unit

5. THAT Section 5 – General Provisions is hereby amended by adding the following bolded text to 5.30.2.1:

5.30.2.1 Each parking space must have a width of not less than 2.7 metres (8.9 ft.) and a length of not less than 6 metres (19.7 ft.). **Each parking space** must be readily accessible at all times and arranged in such a manner to provide access and manoeuvring space for the parking and removal of a motor vehicle without the necessity of moving any other motor vehicle, except that this shall not apply in the case of a single detached dwelling, **a semi-detached dwelling, a townhouse or an additional dwelling unit.**

6. THAT Section 5 – General Provisions is hereby amended by adding new Section 5.49 Additional Dwelling Units as follows:

#### 5.49 ADDITIONAL DWELLING UNITS

5.49.1 Additional dwelling units must comply with this Subsection and all other applicable provisions of this By-law.

#### 5.49.2 Location of Additional Dwelling Units

Additional dwelling units are only permitted as an accessory use to the following principal buildings, if such building is listed as a permitted use in the applicable Zone:

- a. Single detached dwelling; or
- b. Semi-detached dwelling; or
- c. Townhouse.

5.49.3 Additional dwelling units are prohibited:

- a. On lands that are located in a floodplain;
- b. On lands within 90 metres of the highwater mark of a lake or river; and
- c. On lands within 300 metres of the highwater mark of a highly sensitive (at-capacity) lake trout lake.

5.49.4 In accordance with section 5.4, a Holding Overlay has been established in the area identified as “Additional Dwelling Unit Holding Overlay – Water Supply/Water Quality” on Schedule “I”. The Holding Overlay on Schedule “I” applies to the development of one or more additional dwelling units. Prior to the removal of any lot from a Holding Overlay and the issuance of a building permit for an additional dwelling unit, the conditions listed in this section must be satisfied for each additional dwelling unit proposed. For greater certainty, where a second dwelling unit is approved, the Holding Overlay still applies to the lot, and prior to the removal of the lot from the Holding Overlay to permit a third dwelling unit the conditions listed in this section must be satisfied. The conditions that must be satisfied for additional dwelling units include:

5.49.4.1 It shall be demonstrated to the satisfaction of the Municipality that the lot has an adequate supply of potable water in accordance with the Municipality’s Standard for Hydrogeological Assessment.

5.49.5 Additional dwelling units shall be connected to the municipal water service in Sydenham, where available.

5.49.6 General Provisions for Additional Dwelling Units

Where permitted in accordance with Sections 5.49.1. to 5.49.4., additional dwelling units must comply with the following provisions:

5.49.6.1 A maximum of three dwelling units are permitted per lot.

5.49.6.2 Where three dwelling units are located on one lot:

- a. a second dwelling unit and third dwelling unit may be attached to or located within the principal dwelling if no accessory building contains any additional dwelling units; or
- b. a second dwelling unit may be attached to or located within the principal dwelling provided all accessory buildings contain no more than one dwelling unit; or
- c. a maximum of one detached dwelling unit is permitted in an accessory building provided the principal dwelling contains no more than two dwelling units.

5.49.6.3 Where a garden suite exists on the same lot, a detached additional dwelling unit shall not be permitted.

- 5.49.6.4 Additional dwelling units must be connected to municipal or private water and sewage services to the satisfaction of the Township.
- 5.49.6.5 The maximum gross floor area of an additional dwelling unit shall be less than or equal to the gross floor area of the principal dwelling.
- 5.49.6.6 Where an additional dwelling unit is in a detached accessory building, the additional dwelling unit must be located within 40 metres of the principal dwelling.
- 5.49.6.7 The additional dwelling unit shall share the driveway entrance to the lot with the principal dwelling.
7. THAT "a garden suite in accordance with the provisions of Section 5.33 of this By-law" is hereby added to the list of Permitted Uses in Section 7 – RU – Rural Zone.
8. THIS BY-LAW shall come into force in accordance with Section 34 of the Planning Act, 1990, as amended, either upon the date of passage or as otherwise provided by said section 34.

**Dated at the Township of South Frontenac this 19<sup>th</sup> day of September, 2023.**

**Read a first and second time this 19<sup>th</sup> day of September, 2023.**

**Read a third time and finally passed this 19<sup>th</sup> day of September, 2023.**

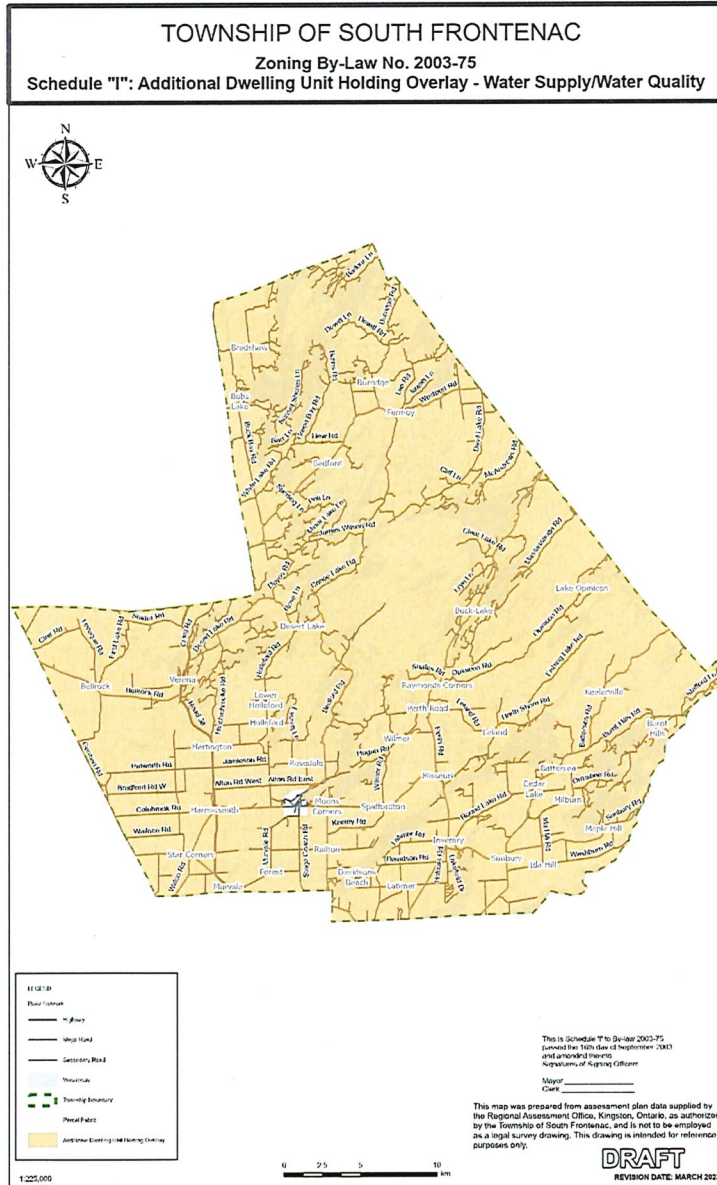
**THE CORPORATION OF THE  
TOWNSHIP OF SOUTH FRONTENAC**

  
\_\_\_\_\_  
Ron Vandewal, Mayor

  
\_\_\_\_\_  
James Thompson, Clerk

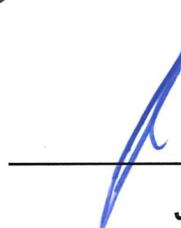
# Schedule 1

This is Schedule "1" to By-law No. 2023-74



Passed this 19<sup>th</sup> day of September, 2023

  
\_\_\_\_\_  
Ron Vandewal, Mayor

  
\_\_\_\_\_  
James Thompson, Clerk