

The Corporation of the Municipality of Arran-Elderslie

By-Law Number __-2025

Being a By-Law to Amend By-Law Number 36-09, as Amended, Being the Comprehensive Zoning By-Law for the Municipality of Arran-Elderslie

Whereas the Planning Act, RSO 1990 Section 34 provides for the passing of Zoning By-Laws;

And whereas in accordance with the Planning Act, an application has been received to change the zoning provisions for the lands within the Municipality of Arran-Elderslie.

Now therefore the Corporation of the Municipality of Arran-Elderslie enacts as follows:

1. **That** By-Law 36-09, as amended, being the Zoning By-Law for the Municipality of Arran-Elderslie, is further amended by adding Section 3.8.3 Additional Dwelling Units as follows:

Attached Additional Dwelling Unit (Attached ADU)

Notwithstanding any other provision of this by-law to the contrary, in any zone where a single detached, semi-detached, or street townhouse dwelling is a permitted use, an Attached ADU shall be permitted as defined herein, subject to the following:

- a) An Attached ADU:
 - i) shall have a separate private entrance;
 - ii) shall have one parking space that is provided and maintained for the sole use of the occupant of the Attached ADU;
 - iii) shall be connected to municipal services, if available.
- b) A Home occupation shall be permitted within an Attached ADU in accordance with Section 3.9.
- c) Where a principal dwelling is legal non-complying, a building addition for an Attached ADU is permitted, provided any new development associated with the Attached ADU complies with this By- law.

For Fully serviced lots the following applies:

- a) A maximum of two Attached ADU's may be located on a serviced lot in a single detached, semi-detached or street townhouse;
- b) The maximum number of units on any serviced residential lot shall be four.

For partially serviced or privately serviced lots the following applies:

- a) The minimum lot size for a privately serviced or partially serviced ADU is 0.4 ha.
- b) The minimum lot size for 2 ADU's on a privately serviced or partially serviced lot is 0.6 ha.
- c) An Attached ADU is not permitted on a lot that is legally non-conforming with respect to lot width or lot area.
- d) A maximum of one Attached ADU or one Detached ADU is permitted per lot;

Detached Additional Dwelling Unit (Detached ADU)

Notwithstanding any other provision of this by-law to the contrary, in any zone where a single detached, semi-detached or street townhouse dwelling is a permitted use, a Detached ADU shall be permitted as defined herein, subject to the following:

- a) A Detached ADU:
 - i) shall comply with the zone provisions that are specified in the zone that applies to the land except for that the minimum interior and/or rear yard setback is 1.5 m.
 - ii) shall be located no closer than 2.0 m to the principal dwelling on the lot.
 - iii) shall have one parking space that is provided and maintained for the sole use of the occupant of the Additional Dwelling Unit.
 - iv) shall be connected to municipal services, if available.
 - v) is not permitted where a garden suite has been established.
 - vi) is not permitted where a non-conforming single detached, semi-detached, or street townhouse dwelling has been established.
 - vii) shall not be severed from the lot containing the single detached dwelling, semi-detached dwelling, or street townhouse dwelling;
- b) A Home occupation shall be permitted within a Detached ADU in accordance with Section 3.9.
- c) Section 3.6.5 does not apply to a Detached ADU.
- d) A Detached ADU is not permitted in the R4 – Cottage Residential zone

For Fully serviced lots, the following applies:

- a) One Detached ADU may be located on the same, serviced, lot as a single detached dwelling, semi-detached dwelling unit, or street townhouse dwelling;
- b) The maximum number of units on a fully serviced lot is four.

For partially serviced or privately serviced lots, the following applies:

- a) The minimum lot size for a Detached ADU is 0.4 ha.
- b) One Detached ADU is permitted per lot.

- c) A Detached ADU is not permitted on a lot that is legally non-conforming with respect to lot width or lot area.

ADUs are not permitted in the Environmental Protection (EP) Zone.

Within the Agriculture (A1) zone, in most cases, the driveway will be shared with the existing residence. In extenuating circumstances, a new driveway may be permitted for the ADU.

The chart below provides a summary of the number and type of ADU permitted in each zone:

ZONE	R1, R2, R3 (serviced)	R4 (unserviced)	Hamlet Residential (HR) AND Unserviced R1 (unserviced)	Agriculture (A1) (unserviced)
Attached ADU	2	1	2	1
Detached ADU	1	0	1	1
Total Including Primary	4	When lot is greater than 0.4 ha = 2	Between 0.4ha and 0.6 ha = 2 Greater than 0.6 ha = 3	When lot is greater than 0.4 ha = 2

2. **That** By-Law 39-09, as amended, being the Zoning By-Law for the Municipality of Arran-Elderslie, is further amended by adding an Attached ADU and a Detached ADU as a permitted use in all zones that permit a single detached dwelling, a semi-detached dwelling, a duplex residential dwelling and a townhouse dwelling, except that a Detached ADU is not permitted in the R4 – Cottage Residential Zone.
3. **That** By-Law 36-09, as amended, being the Zoning By-Law for the Municipality of Arran-Elderslie, is further amended by adding the following definitions:

Attached Additional Dwelling Unit (Attached ADU) means the use of a single detached dwelling, semi-detached dwelling unit or street townhouse dwelling unit where a separate self-contained dwelling unit is located within or attached to the principal building.

Detached Additional Dwelling Unit (Detached ADU) means the use of a detached building where a separate self-contained dwelling unit is located on the same lot as an associated single detached dwelling, semi-detached dwelling unit, or street townhouse dwelling unit. For the purposes of this By-Law, existing garden suites shall be considered an additional dwelling unit (detached).

4. **That** By-Law 36-09, as amended, being the Zoning By-Law for the Municipality of Arran-Elderslie, is further amended by adding the following to Section 3.27.1 (Parking):

1. Additional Dwelling Unit (Attached)
2. Additional Dwelling Unit (Detached)

5. **That** By-Law 36-09, as amended, being the Zoning By-Law for the Municipality of Arran-Elderslie, is further amended by adding the following to Section 10.3 Zone Provisions – ‘R1’ and ‘R2’

Zone Provisions – For Lots Serviced By Municipal Water And Sewer					
		‘Dwelling, Single Detached’	‘Dwelling, Duplex’ & ‘Semi Detached’	‘Dwelling, Townhouse’ (R2 Zone)	
				Cluster (A)	Street
.1	Minimum Lot Area	465 M ² Or 1,500 M ² (C) 5,000 M ² (D)	465 M ² (b) 1,500 M ² (C) 5,000 M ² (D)	155 M ² (1668 Ft ²) Per Dwelling Unit	155 M ² (1668 Ft ²) Per Dwelling Unit
.2	Minimum Lot Frontage	15 Metres (50 Ft)	15 Metres (50 Ft) (b)	15 Metres (50 Ft)	15 Metres (50 Ft) (b)

- (b) Where a ‘Dwelling, Semi Detached’ or ‘Townhouse, Street’ has been equally divided to provide individual ownership to each dwelling unit, the minimum lot size may be reduced to 232.5 m², the minimum frontage may be reduced to 7.5 metres and, the common side yard may be reduced to zero (0) metres.

Read a first and second time this ____th day of _____, 2025.

Mayor

Clerk

Read a third time and finally passed this ____th day of _____, 2025.

Mayor

Clerk