

MUNICIPALITY OF CENTRAL ELGIN

BY-LAW NO. 2622

A By-law to amend Village of Port Stanley By-law No. 1507

THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF CENTRAL ELGIN ENACTS AS FOLLOWS:

1. Village of Port Stanley By-law No. 1507, as amended, is further amended by adding thereto, after subsection 7.28 and before subsection 8.1 the following new subsection:

“7.29 ADDITIONAL RESIDENTIAL UNITS

The provisions of this section shall apply to all additional residential units, unless specified by type directly herein.

- 7.29.1 Additional residential units shall be permitted within any zone in association with the following uses:

- (a) Single detached dwelling
- (b) Semi-detached dwelling
- (c) Townhouse dwelling

Single detached dwellings, semi-detached dwellings or townhouse dwellings containing an additional residential unit on the date of the passing of this by-law, may continue to be used for that purpose if a building permit has been issued under sections 8 or 10 of the Building Code Act, 1992, S.O. 1992, c.23 permitting the erection, alteration, occupancy or use for the additional residential unit, and if the additional residential unit complies with the regulations of the Fire Protection and Prevention Act, 1997, S.O. 1997, c.4.

- 7.29.2 No building or structure shall be erected or used for any purpose permitted by subsection 7.29 unless a municipal water supply system and a municipal sanitary supply system are available to service the use.

- 7.29.3 A maximum of two (2) additional residential units shall be permitted per lot; including a maximum of one (1) additional residential unit in the main dwelling and a maximum of one (1) additional residential unit in an accessory or ancillary structure.

- 7.29.4 (a) An additional residential unit shall not be permitted on a separate lot from the primary dwelling unit that it is accessory to.
- (b) An additional residential unit or part thereof shall not be permitted in a basement where the finished floor level of such basement is below the level of any sanitary sewer servicing the building or structure in which the basement is located.
- (c) An additional residential unit shall not be permitted within or upon hazardous lands that are subject to flooding, erosion and/or dynamic beach hazards as regulated by the associated Conservation Authority having jurisdiction for that area;
- (d) Despite policy 7.29.4 c) an additional residential unit may be permitted within the flood fringe portion of the flooding hazard where a two-zone concept for floodplains is applied and subject to appropriate floodproofing standards.

- 7.29.5 (a) An additional residential unit may be permitted in an accessory structure on the same lot as the primary dwelling.
- (b) An additional residential unit in an accessory structure shall be required to meet the regulations of the zone which apply to accessory structures, with exception to the following:
 - 1) Minimum Rear Yard Setback – 1.2 metres
 - 2) Minimum Side Yard Setback – 1.2. metres
 - 3) Maximum Height – 4 metres
- (c) An additional residential unit within an accessory structure may only be

permitted in the rear yard or interior side yard.

7.29.6 The floor area of additional residential unit(s) shall not be greater than 40% of the combined total floor area of the primary dwelling unit and the additional residential units. For the purposes of calculating gross floor area requirements for additional residential units the following shall not be included:

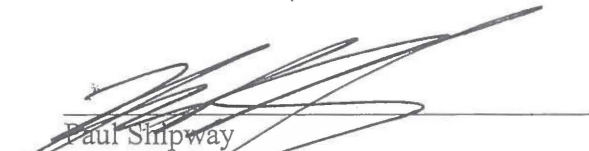
- (a) additions to dwelling units completed after the date of passage of this by-law; and,
- (b) the floor area of accessory structures, where an accessory structure does not include an additional residential unit.

7.29.7 Exterior alterations to provide for entrances to the additional residential unit within interior or rear yards of the primary dwelling unit may be permitted.

7.29.8 The minimum of 1 parking space is required for each additional residential unit. Notwithstanding the provisions of subsection 2.38, a parking space for an additional residential unit may be located in tandem with parking spaces provided for the main residential unit.


7.29.9 Additional Residential Units shall be required to conform to all Ontario Building Code and Ontario Fire Code regulations.”

READ THREE TIMES AND FINALLY PASSED, this 16th day of August, 2021.


Paul Shipway
CAO/Clerk


Sally Martyn
Mayor

Certified a True Copy


Charlene Wilson
Administrator/Clerk - Deputy
Municipality of Central Elgin