

The Corporation of the Township of Southgate
By-law Number 2025-009

Being a By-law to amend Zoning By-law No. 19-2002, of the Township of Southgate

Whereas the Council of the Corporation of the Township of Southgate deems it necessary to pass a by-law to amend Zoning By-law No. 19-2002; and

Whereas pursuant to the provisions of Section 34 of the Planning Act, R.S.O. 1990, as amended, by-laws may be amended by Councils of municipalities.

Now therefore be it resolved that the Council of the Corporation of the Township of Southgate enacts as follows:

1. That By-law No. 19-2002, as amended is hereby further amended as follows:

- a)** That the definition of "Additional Residential Unit" below be added in Section 3 of the Zoning By-law after the definition of "Accessory Use" and before the definition of "Agricultural Bulk Sales Establishment".

"Additional Residential Unit" shall mean a Dwelling Unit as defined in this By-law located on the same lot as an existing single detached, semi-detached or townhouse dwelling on its own lot, available only for long term rental by tenants where municipal water and sewer service is connected for use in the Dwelling Unit, or where private well and private sewage disposal services are provided to a single detached dwelling shall be a Dwelling Unit available only for long term rental purposes located on the same lot as a primary single detached dwelling."

- b)** That the following be added to the end of Section 5.1 of Zoning By-law:

"5.1.1 One Additional Residential Unit in a detached building shall be considered an Accessory Building as defined in this by-law provided maximum building height of the Additional Residential Unit shall be one storey, unless said Unit is located above the main floor of a detached garage where all floor area of the Additional Residential Unit shall be confined to the said second storey."

- c)** That Section 5.24 of the Zoning By-law entitled "Accessory Apartments" is repealed in its entirety and replaced with the following:

"5.24 Additional Dwelling Units in zones with Municipal Water and Sanitary Sewer

- (a) Notwithstanding any permitted use for an accessory apartment, up to two Additional Residential Units shall be permitted on the same lot as a single detached, semi-detached, or townhouse dwelling on its own lot, were permitted in the applicable zone subject to the following:
- i) The existing primary dwelling is functionally connected to municipal water and sanitary sewer, the Additional Residential Unit is also functionally connected to water and sanitary sewer, and all applicable permits are obtained as required by the Ontario Building Code Act.
 - ii) The required minimum side, rear and front yard, maximum lot coverage and maximum height requirements in the original zone of the primary dwelling shall apply to any Additional Residential Unit, except where said unit is located in a detached building required maximum lot coverage shall be increased by 10% maximum.
 - iii) One Additional Residential Unit within a detached building or structure or on the second floor above a detached garage or carport shall be considered and accessory use under the provisions of this by-law.

- iv) Subject to the requirements of the Ontario Building Code and any other applicable by-law or standard, Additional Residential Units may be established in a basement or cellar as defined in this bylaw.
- v) The required number of parking spaces for an Additional Residential Unit shall be one space per unit, which shall be otherwise in compliance with Section 5.7 of this bylaw except a required parking space for an Additional Residential Unit may be tandem (As mandated by Ontario Regulation 299/19).
- vi) A hard surfaced walkway minimum 1 metre wide shall be provided from the nearest entrance doorway to an Additional Residential Unit to the required parking area for said Additional Residential Units.
- vii) No Additional Residential Unit shall be occupied unless said unit is identified by one visible unlit sign displaying the unit number of the unit such sign to be between 0.2m minimum and 0.5m maximum in height and no larger than 0.2 square meters in area."

d) That the following be added after Section 5.24 of Zoning By-law:

"5.24.1 Additional Residential Units in Agricultural-1 Zones where private well and sewage disposal systems are provided.

- a) No Additional Residential Unit permitted in Section 6.1 (k) of this By-law shall be established or occupied except in compliance with the following:
 - i) The Additional Residential Unit is located within 50 meters maximum of the farm building cluster.
 - ii) Minimum front, rear and side yards, and maximum lot coverage shall comply with Section 6.2 of this By-law but in no case shall the minimum front yard or side yard abutting an improved street be less than the existing yard of the primary dwelling.
 - iii) Only one Additional Residential Unit may be attached to or within the existing primary single detached dwelling and the total floor area of said unit may be located in a basement or cellar as defined in this bylaw.
 - iv) Maximum height of a separate Additional Residential Unit in a detached structure is one storey unless located above a detached accessory garage in which case the entire floor area of the Additional Residential Unit shall be located maximum one storey above the said detached garage.
 - v) The total floor area of the Additional Residential Unit shall be less than the total floor area of the primary dwelling.
 - vi) One parking space per Additional Residential Unit is provided in compliance with Section 5.7 such parking spaces to be accessed from an existing driveway to the nearest Township roadway.
 - vii) All said Additional Residential Units shall comply with the Ontario Building Code and any other applicable by-law or standard and private well and septic systems are functionally connected to each said Unit and compliant with all applicable standards and codes.
 - viii) The Additional Residential Unit is identified by one visible unlit sign identifying the said Unit such sign to be between 0.2m minimum and 0.5m maximum in height and no larger than 0.2 square meters in area.

- ix) Any garden suite legally approved as a temporary use pursuant to previous zoning bylaw amendment may be retained permanently as an Additional Residential Unit provided the garden suite is relocated to comply applicable provisions in 5.24.1.”

e) That the following be added after Section 5.24.1 of Zoning By-law:

“5.24.2 Regulations for Additional Residential Units permitted on an Existing Lot having lot area less than Two Hectares under Section 6.12, or as a permitted use in Section 13.1 (a) for a Residential Type 6 (R6) Zone:

- a) No Additional Residential Unit shall be established on a lot having lot having less than Two Hectares under Section 6.12, or on the same lot as a use permitted in Section 13.1.(a) except in compliance with the following:
 - i) The provisions of Section 5.24.1 (a) iii through ix shall apply to maximum one Additional Residential Unit permitted on the same lot as a single detached dwelling.
 - ii) Notwithstanding provisions in 5.24.1 iv) maximum building height of any Additional Residential Unit constructed as a garden suite is one storey and maximum gross floor area is 75 square meters (805ft²)
 - iii) Any garden suite legally approved as a temporary use under a previous zoning bylaw amendment may be retained permanently on the same lot as and Additional Residential Unit provided the garden suite is relocated to comply applicable provisions in 5.24.2 (a).
 - iv) Notwithstanding the provisions of 5.24.2 of this By-law allowing One Additional Residential Unit on a property with less than Two Hectares lot area, if the lot area in the applicable zone exceeds two hectares, up to Two Additional Residential Units are permitted provided the provisions of Section 5.24.2 a) i) through iii) are met.

f) That the words “One secondary dwelling unit is” in section 6.1(k) be replaced with the words “Maximum two Additional Residential Units where a single detached dwelling is” so as to read

“(k) Maximum two Additional Residential Units where a single detached dwelling is permitted – see 6.13”

g) That Section 6.13 of Zoning By-law is repealed and replaced with the following:

“6.13 Regulations for Additional Residential Units

- (a) The regulations for Additional Residential Units shall be as set out in Section 5.24.1 or 5.24.2 as applicable.”

2. This by-law shall come into force and take effect upon being passed by Council subject to any approval necessary pursuant to the Planning Act R.S.O. 1990, as amended.

Read a first, second, and third time and finally passed this 5th day of February 2025.

Brian Milne – Mayor

Holly Malynyk – Deputy Clerk

Explanatory Note

The Province mandated [Additional Residential Units \(ARUs\)](#) in areas with municipal water and sewer in Bill 23, Bill 185 and others. Council directed Staff to engage the public on proposed amendments to the Zoning By-law to implement ARU changes, along with undertaking the normal agency circulation. A draft Zoning By-law Amendment was attached to [PL2024-065](#).

October 20, 2024, [Provincial Planning Statement 2024](#) replaced previous planning policy across Ontario with specific directions to increase housing supply.

[October 23, 2024](#) the public meeting held by Council, which included agency comments. No members of the public attended. Amendments proposed would allow

- Two ARUs in single, semi-detached and townhomes including one in a separate building where water and sewer is available (Provincial mandate).
- Two ARUs on and agricultural lot including one in a separate building within 60 metres of a farm cluster (allowed by Provincial Planning Policy).
- One ARU limited in size on rural residential lots in rear and side yards in Residential Type 6 Zone (R6 Zones).

On November 20, 2024, the Province passed [Ontario Regulation 299/19](#) mandating new parking and other rules for ARUs. To increase public outreach an open house was held by the Township November 28, 2024, with one-on-one meetings and written comments. An updated Planning Report amended the original proposals in response to public and agency feedback. By-law 2025-009 is recommended for approval to allow ARUs across the Township subject to certain regulations.