

CITY OF TORONTO

BY-LAW No. 493-2000(OMB)

To enact zoning by-law amendments respecting second suites.

WHEREAS the Ontario Municipal Board, having held a hearing on the matter has issued an Order dated July 6, 2000, OMB Case No. PL990850, respecting zoning by-law amendments for second suites;

THEREFORE:

1. Zoning By-law No. 1916 of the former Town of Leaside, as amended, is further amended by:

(1) deleting Section 6.1.2 and replacing it with a new Section 6.1.2 as follows:

“6.1.2 SECOND SUITES

Notwithstanding any other provision of this By-law, where this By-law permits a Dwelling Detached One-Family, one additional Dwelling Unit may be permitted within each Dwelling Detached One-Family, subject to the following:

- (a) all other provisions of this By-law are met;
- (b) none of the Dwelling Units contain roomers or boarders;
- (c) the whole of the Dwelling Detached One-Family, prior to the introduction of the additional Dwelling Unit, is more than five (5) years old;
- (d) the Gross Floor Area of the additional Dwelling Unit including any area below Grade, is less than the Gross Floor Area of the remaining Dwelling; and
- (e) there is no addition to, nor substantial alteration to, the exterior appearance of the front of the Dwelling Detached One-Family and, in the case of a corner lot, on the side of the Dwelling Detached One-Family facing a street, as a result of the introduction of a second suite, including but not limited to, a new private entrance in any street façade.

In all other respects, any Dwelling Detached One-Family containing a second Dwelling Unit shall be subject to all of the other provisions of this By-law applicable to a Dwelling Detached One-Family, including the schedule of Residential Zone Requirements of Section 6.9 applicable thereto.

Notwithstanding any other provision of this By-law, where this By-law permits a Dwelling Semi-Detached, one additional Dwelling Unit may be permitted within each half of a Dwelling Semi-Detached, subject to the following:

- (a) all other provisions of this By-law are met;
- (b) none of the Dwelling Units contain roomers or boarders;
- (c) the whole of the Dwelling Semi-Detached, prior to the introduction of the additional Dwelling Unit, is more than five (5) years old;
- (d) the Gross Floor Area of the additional Dwelling Unit including any area below Grade, is less than the Gross Floor Area of the remaining Dwelling; and
- (e) there is no addition to, nor substantial alteration to, the exterior appearance of the front of the Dwelling Semi-Detached and, in the case of a corner lot, on the side of the Dwelling Semi-Detached facing a street, as a result of the introduction of a second suite, including but not limited to, a new private entrance in any street façade.

In all other respects, any Dwelling Semi-Detached containing a second Dwelling Unit shall be subject to all other provisions of this By-law applicable to a Dwelling Semi-Detached, including the Schedule of Residential Zone Requirements of Section 6.9 applicable thereto”.

- (2) deleting the title “TANDEM PARKING - ACCESSORY APARTMENTS” from Section 5.32 and replacing it with the title “TANDEM PARKING - SECOND SUITES”; and
- (3) deleting Sections 5.20 and 5.33 in their entirety.

2. Zoning By-law No. 6752 of the former Township of East York, as amended, is further amended by:

- (1) deleting Section 7.1.3 and replacing it with a new Section 7.1.3 as follows:

“7.1.3 SECOND SUITES

Notwithstanding any other provision of this By-law, where this By-law permits a One-Family Detached Dwelling, one additional Dwelling Unit may be permitted within each One-Family Detached Dwelling, subject to the following:

- (a) all other provisions of this By-law are met;
- (b) none of the Dwelling Units contain roomers or boarders;
- (c) the whole of the One-Family Detached Dwelling, prior to the introduction of the additional Dwelling Unit, is more than five (5) years old;
- (d) the Gross Floor Area of the additional Dwelling Unit including any area below Grade, is less than the Gross Floor Area of the remaining Dwelling; and
- (e) there is no addition to, nor substantial alteration to, the exterior appearance of the front of the One-Family Detached Dwelling and, in the case of a corner lot, on the side of the One-Family Detached Dwelling facing a street, as a result of the introduction of a second suite, including but not limited to, a new private entrance in any street façade.

In all other respects, any One-Family Detached Dwelling containing a second Dwelling Unit shall be subject to all of the other provisions of this By-law applicable to a One-Family Detached Dwelling, including the schedule of Residential Zone Requirements of Section 7.8 applicable thereto.

Notwithstanding any other provision of this By-law, where this By-law permits a Semi-Detached Dwelling, one additional Dwelling Unit may be permitted within each half of a Semi-Detached Dwelling, subject to the following:

- (a) all other provisions of this By-law are met;
- (b) none of the Dwelling Units contain roomers or boarders;
- (c) the whole of the Semi-Detached Dwelling, prior to the introduction of the additional Dwelling Unit, is more than five (5) years old; except that this restriction shall not apply to Semi-Detached Dwellings permitted in the R2A.35 Site Specific Zone in Section 7.5.4.35.2 of this By-law;
- (d) the Gross Floor Area of the additional Dwelling Unit including any area below Grade, is less than the Gross Floor Area of the remaining Dwelling; and

- (e) there is no addition to, nor substantial alteration to, the exterior appearance of the front of the Semi-Detached Dwelling and, in the case of a corner lot, on the side of the Semi-Detached Dwelling facing a street, as a result of the introduction of a second suite, including but not limited to, a new private entrance in any street façade.

In all other respects, any Semi-Detached Dwelling containing a second Dwelling Unit shall be subject to all of the other provisions of this By-law applicable to a Semi-Detached Dwelling, including the schedule of Residential Zone Requirements of Section 7.8 applicable thereto.”

- (2) deleting the title “TANDEM PARKING - ACCESSORY APARTMENTS” from Section 5.24 and replacing it with the title “TANDEM PARKING - SECOND SUITES”;
- (3) deleting the word and numbers “Section 6.1.2” from Section 5.24 and substituting the word and numbers “Section 7.1.3”; and
- (4) deleting Section 5.25 in its entirety and replacing it with a new Section 5.25 as follows:
- “5.25 A Dwelling permitted in the R2A.35 Site Specific Zone in Section 7.5.4.35.2 of this By-law shall be subject to the restrictions set out in Section 7.1.3.e) of this By-law.”

3. The former City of Etobicoke Zoning Code Chapters 304, 330, 340 and 350 are amended as follows:

- (1) Section 304-3 is amended by adding the following definition of a Second Suite:
- “Second Suite is a lawful, second dwelling unit located within a single-detached or semi-detached dwelling.”
- (2) Chapter 304, Article IV Supplementary Regulations, is amended by adding the following subsection:
- “Supplementary Regulations for Second Suites
- A Second Suite shall be permitted as a secondary use within all single-detached and semi-detached dwellings the whole of which, prior to the introduction of the Second Suite, is more than five (5) years old, subject to the following provisions:
- A. Any additions or expansions in relation to the introduction of a Second Suite must comply with the Zoning requirements specified for single-detached or semi-detached dwellings.

- B. The below-grade portion of the floor area attributed to the Second Suite, shall not be included in the calculation of Gross Floor Area for the single-detached or semi-detached dwelling in which it is located.
- C. Notwithstanding subsection B above, the Gross Floor Area attributed to the Second Suite, including any below-grade portions thereof, shall not exceed the Gross Floor Area of the remaining single-detached and semi-detached dwelling.
- D. One on-site parking space shall be provided for the Second Suite. Parking for the Second Suite may be located at-grade, in front of the required parking space for the dwelling, at a length of not less than 6.0 m.
- E. There shall be no addition to nor substantial alteration to the exterior appearance of the front of the dwelling and, in the case of a corner lot, to the side of the dwelling facing a street, as a result of the introduction of a second suite, such as but not limited to, a new private entrance in any street façade”.

(3) Sections 330-8, 340-14 and 350-19 are deleted.

4. By-law No. 7625 of the former City of North York, as amended, is further amended as follows:

(1) Section 2 is amended by adding the following new definition:

“2.72.7 **Second Suite** means a self-contained space or enclosure within a dwelling unit designed for habitation by a separate family or household, and which shall contain at least one room, a kitchen and sanitary conveniences designated for the exclusive use of its occupants”.

(2) Section 6(2) is amended by adding the following new subsection:

“(1) **Second Suites**

One Second Suite shall be permitted in any One-Family Detached Dwelling or Single Family Dwelling the whole of which, prior to the introduction of the second suite, is more than five (5) years old, and one second suite shall be permitted in any Semi-Detached Dwelling Unit the whole of which, prior to the introduction of the second suite, is more than five (5) years old, in accordance with the following provisions:

- (i) for the purposes of all zone regulations, unless the contrary intention is indicated, a second suite is part of the dwelling unit it is located in;
- (ii) the gross floor area of a second suite shall be less than the gross floor area of the rest of the dwelling unit it is located in;

-
- (iii) a second suite shall be divided horizontally, only, from the rest of the dwelling unit it is located in except as provided in (iv);
 - (iv) a second suite may occupy the whole or part of a storey or cellar;
 - (v) a second suite may have a private entrance from outside or from a common hallway or stairway inside the dwelling unit it is located in;
 - (vi) despite(v), there shall be no addition to nor substantial alteration to the exterior appearance of the dwelling unit on the front of the dwelling and, in the case of a corner lot, on the side of the dwelling facing a street, as a result of the introduction of a second suite, such as but not limited to a new private entrance for the second suite leading directly from a front yard or a side yard that abuts a street; and
 - (vii) a second suite shall not be located in an accessory building”.
- (3) Section 6(23)(b) is amended by adding the following phrase at the end of the section, after the words “as if they were one building” and before the period:
- “, except that a second suite shall not be located in the accessory building”.
- (4) Section 6A(2) is amended in the minimum parking requirement “(b)” for the use “one-family detached dwelling” by changing the words “second dwelling unit” to “second suite”, so that the requirement reads as follows:
- | | | |
|-------------------------------|-----|---|
| “one-family detached dwelling | (a) | 2 spaces per dwelling unit; |
| | (b) | for a one-family detached dwelling with a second suite where permitted, a total of 2 spaces”. |
- (5) Section 6A(2) is amended in the minimum parking requirement “(b)” for the use “semi-detached dwelling” by changing the words “second dwelling unit” to “second suite”, so that the requirement reads as follows:
- | | | |
|-------------------------|-----|--|
| “semi-detached dwelling | (a) | 2 spaces per dwelling unit; |
| | (b) | for a semi-detached dwelling unit with a second suite where permitted, a total of 2 spaces”. |
- 5.** General Zoning By-law No. 438-86 of the former City of Toronto, as amended, is further amended by:
- (1) amending the definition of “*residential gross floor area*” in section 2(1), by:

- (i) deleting the word “and” at the end of clause (v) in paragraph (ii);
 - (ii) inserting the word “and” at the end of clause (vi) in paragraph (ii); and
 - (iii) inserting a new clause (vii) in paragraph (ii) as follows:
 - (vii) a part of the building or structure that is used for a *dwelling unit* or a portion of a *dwelling unit* in a *converted house* containing not more than two *dwelling units*, provided the floor level is at least 0.9 metres below *grade*.”;
- (2) amending section 6(1)(f)(a)(i) by inserting the letter and number “q1” under the columns titled R1 and R1S, opposite the expression “*converted house*”;
- (3) amending qualification 1 in section 6(2) by:
- (i) inserting a new subparagraph (i) as follows:
 - “(i) in an R1 or R1S district, the maximum number of *dwelling units* permitted is two; and
 - (ii) deleting the word “and” at the end of subparagraph (iv);
 - (iii) replacing the period at the end of subparagraph (v) with a semi-colon and the word “and”; and
 - (iv) inserting a new subparagraph (vi) as follows:
 - “(vi) where the *converted house* contains two *dwelling units*, the *residential gross floor area* of the *dwelling unit* to be created, including any floor area below *grade*, is less than the *residential gross floor area* of the remaining *dwelling unit*.”;
- (4) amending qualification 3 in section 6(2) by deleting the word “two” and substituting the word “three”;
- (5) amending section 12(1)68(c) by deleting the word “two” and substituting the word “three”;
- (6) amending section 12(1)230 by:
- (i) deleting the word “two” and substituting the word “three”; and
 - (ii) deleting from subparagraph (ii) the words, “of both or all”;
- (7) amending section 12(1)242 by deleting the word “two” and substituting the word “three”;

- (8) amending section 12(1)332 by deleting the word “two” and substituting the word “three”;
- (9) amending the table contained in section 4(4)(b) by deleting the minimum required *parking spaces* for a *converted house* and substituting the following:

Purpose of Building or Structure	Minimum Required Parking Spaces
<i>a converted house (other than alternative housing):</i>	<p><i>one parking space for the first dwelling unit therein where the parking space existed before the conversion;</i></p> <p><i>plus one parking space for each additional dwelling unit in any R1, R1S district</i></p> <p><i>plus one parking space for each dwelling unit in excess of the first two dwelling units in any other district</i></p>

- (10) adding paragraph (f) to section 6 PART IV 1 as follows:

“(f) Notwithstanding paragraph (e), a *parking space* required by this By-law for the addition of a second *dwelling unit* in an R1 or R1S district through the conversion of an existing residential building to a *converted house*, may be provided on an existing driveway in front of the main front wall of the residential building. If a boulevard licence is issued for this *parking space*, the *parking space* may be located partially on the boulevard, but within the existing driveway.”.

6. By-laws of the former City of Scarborough as hereinafter set out are amended as hereinafter set out:

Agincourt Community, By-law Number 10076;
 Agincourt North Community, By-law Number 12797;
 Bendale Community, By-law Number 9350;
 Birchcliff Community, By-law Number 8786;
 Birchmount Community, By-law Number 9174;
 Centennial Community, By-law Number 12077;
 Clairlea Community, By-law Number 8978;
 Cliffcrest Community, By-law Number 9396;
 Cliffside Community, By-law Number 9364;
 Dorset Park Community, By-law Number 9508;
 Eglinton Community, By-law Number 10048;
 Guildwood Community, By-law Number 9676;
 Highland Creek Community, By-law Number 10827;
 Ionview Community, By-law Number 9089;

Kennedy Park Community, By-law Number 9276;
 L'Amoreaux Community, By-law Number 12466;
 Malvern Community, By-law Number 14402;
 Malvern West Community, By-law Number 12181;
 Maryvale Community, By-law Number 9366;
 Milliken Community, By-law Number 17677;
 Morningside Community, By-law Number 11883;
 Oakridge Community, By-law Number 9812;
 Rouge Community, By-law Number 15907;
 Scarborough Village Community, By-law Number 10010;
 Steeles Community, By-law Number 16762;
 Sullivan Community, By-law Number 10717;
 Tam O'Shanter Community, By-law Number 12360;
 West Hill Community, By-law Number 10327;
 Wexford Community, By-law Number 9511;
 Woburn Community, By-law Number 9510; and,

Employment Districts, By-law Number 24982; and,

City of Scarborough By-law Number 5952; and,

Township of Pickering, By-law Number 1978; and,

Agricultural Holding By-law Number 10217; and,

Township of Pickering By-law Number 3036,

- (1) Sub-Clause (f) **Definitions** of **CLAUSE V - INTERPRETATION**, in the Agincourt Community, By-law Number 10076; the Agincourt North Community, By-law Number 12797; Bendale Community, By-law Number 9350; Birchmount Community, By-law Number 9174; Centennial Community, By-law Number 12077; Cliffcrest Community, By-law Number 9396; Cliffside Community, By-law Number 9364; Dorset Park Community, By-law Number 9508; Eglinton Community, By-law Number 10048; Guildwood Community, By-law Number 9676; Highland Creek Community, By-law Number 10827; Ionview Community, By-law Number 9089; Kennedy Park Community, By-law Number 9276; L'Amoreaux Community, By-law Number 12466; Malvern Community, By-law Number 14402; Malvern West Community, By-law Number 12181; Maryvale Community, By-law Number 9366; Morningside Community, By-law Number 11883; Oakridge Community, By-law Number 9812; Scarborough Village Community, By-law Number 10010; Sullivan Community, By-law Number 10717; Tam O'Shanter Community, By-law Number 12360; West Hill Community, By-law Number 10327; Wexford Community, By-law Number 9511; and Woburn Community, By-law Number 9510; and,

CLAUSE II - DEFINITIONS, in the Milliken Community, By-law Number 17677; Rouge Community, By-law Number 15907; and Steeles Community, By-law Number 16762;

are amended by:

- 1.1 adding the following definition:

Second Suite

shall mean a separate, self-contained residential accommodation located in a detached **single-family dwelling**, the whole of which prior to the introduction of the **second suite** is at least 5 years old, and a **semi-detached/two family dwelling**, the whole of which prior to the introduction of the **second suite** is at least 5 years old, which shall be smaller than the remaining portion of the **Dwelling Unit or Dwelling** excluding garages and accessory buildings, and which shall contain at least one room, a kitchen and separate sanitary conveniences;

- 1.2 deleting the sentence commencing with “The floor of any **dwelling unit** shall not be more than 0.8 m below the finished grade level...” from the definition of a **Dwelling Unit or Dwelling** and adding a separate paragraph, as follows:

“In addition, it may include a **second suite** where there is no addition to nor substantial alteration to the exterior appearance of the front or side of the **dwelling unit** facing a street as a result of the introduction of the **second suite**, such as but not limited to, a new private entrance for the **second suite** in any **main walls** facing a **street yard**.”; and,

- 1.3 adding “may include one **second suite**,” after the words “motor vehicles/cars,” in the definition of a **Single-Family Dwelling**.

- (2) Sub-Clause (f) **Definitions** of **CLAUSE V - INTERPRETATION**, in the Birchcliff Community, By-law Number 8786; and Clairlea Community, By-law Number 8978, is amended by:

- 2.1 adding the following definition:

Second Suite

shall mean a separate, self-contained residential accommodation located in a detached **single-family dwelling**, the whole of which prior to the introduction of the **second suite** is at least 5 years old, and a **semi-detached/two family dwelling**, the whole of which prior to the introduction of the **second suite** is at least 5 years old, which shall be smaller than the remaining portion of the **dwelling unit** excluding garages and accessory buildings, and which shall contain at least one room, a kitchen and separate sanitary conveniences; and,

- 2.2 adding a separate paragraph to the definition of a **Single-Family Dwelling**, as follows:

“In addition, it may include a **second suite** where there is no addition to nor substantial alteration to the exterior appearance of the front or side of the **dwelling unit** facing a street as a result of the introduction of the **second suite**, such as but not limited to, a new private entrance for the **second suite** in any **main walls** facing a **street yard**.”

- (3) Section 1.1, Table of Required Parking Rates of **CLAUSE VII - GENERAL PARKING REGULATIONS FOR ALL ZONES** in the Agincourt Community, By-law Number 10076; the Agincourt North Community, By-law Number 12797; Bendale Community, By-law Number 9350; Birchcliff Community, By-law Number 8786; Birchmount Community, By-law Number 9174; Centennial Community, By-law Number 12077; Clairlea Community, By-law Number 8978; Cliffcrest Community, By-law Number 9396; Cliffside Community, By-law Number 9364; Dorset Park Community, By-law Number 9508; Eglinton Community, By-law Number 10048; Guildwood Community, By-law Number 9676; Highland Creek Community, By-law Number 10827; Ionview Community, By-law Number 9089; Kennedy Park Community, By-law Number 9276; L’Amoreaux Community, By-law Number 12466; Malvern Community, By-law Number 14402; Malvern West Community, By-law Number 12181; Maryvale Community, By-law Number 9366; Milliken Community, By-law Number 17677; Morningside Community, By-law Number 11883; Oakridge Community, By-law Number 9812; Rouge Community, By-law Number 15907; Scarborough Village Community, By-law Number 10010; Steeles Community, By-law Number 16762; Sullivan Community, By-law Number 10717; Tam O’Shanter Community, By-law Number 12360; West Hill Community, By-law Number 10327; Wexford Community, By-law Number 9511; and Woburn Community, By-law Number 9510;

is amended by:

- 3.1 Adding “(excluding **second suites**)” following “**dwelling unit**” under the heading Minimum Rate of **Parking Space** Supply Required; and,
- 3.2 Adding “**Second Suites**” under heading Use, and “1 space per **second suite**” under the heading Minimum Rate of **Parking Space** Supply Required.
- (4) Sub-Section 2.2.1, Street Yard Exceptions of **CLAUSE VII - GENERAL PARKING REGULATIONS FOR ALL ZONES** in the Agincourt Community, By-law Number 10076; the Agincourt North Community, By-law Number 12797; Bendale Community, By-law Number 9350; Birchcliff Community, By-law Number 8786; Birchmount Community, By-law Number 9174; Centennial Community, By-law Number 12077; Clairlea Community, By-law number 8978; Cliffcrest Community, By-law Number 9396; Cliffside Community, By-law Number 9364; Dorset Park Community, By-law Number 9508; Eglinton Community, By-law Number 10048; Guildwood Community, By-law Number 9676; Highland Creek Community, By-law Number 10827; Ionview Community, By-law Number 9089; Kennedy Park Community, By-law Number 9276; L’Amoreaux Community, By-law

Number 12466; Malvern Community, By-law Number 14402; Malvern West Community, By-law Number 12181; Maryvale Community, By-law Number 9366; Milliken Community, By-law Number 17677; Morningside Community, By-law Number 11883; Oakridge Community, By-law Number 9812; Rouge Community, By-law Number 15907; Scarborough Village Community, By-law Number 10010; Steeles Community, By-law Number 16762; Sullivan Community, By-law Number 10717; Tam O'Shanter Community, By-law Number 12360; West Hill Community, By-law Number 10327; Wexford Community, By-law Number 9511; Woburn Community, By-law Number 9510; is amended by adding the following Sub-Section:

2.2.1.3 Notwithstanding paragraphs 2.1.1 and 2.2.1.1, the **parking space** required for a **second suite** may be located in a **street yard**, only in tandem on the **driveway** leading to the **parking space** required for a dwelling unit.

(5) **CLAUSE IV - DEFINITIONS** in the Employment Districts Zoning By-law Number 24982 is amended by:

5.1 adding the following definition:

Second Suite

shall mean a separate, self-contained residential accommodation located in a detached **single-family dwelling**, the whole of which prior to the introduction of a **second suite** is at least 5 years old, which shall be smaller than the remaining portion of the **Dwelling Unit** excluding garages and accessory buildings, and which shall contain at least one room, a kitchen and separate sanitary conveniences;

5.2 deleting “, and the floor of which shall not be more than 0.8 m below the finished grade level at the building.” from the definition of **Dwelling Unit** and adding a separate paragraph, as follows:

“In addition, it may include a **second suite** where there is no addition to nor substantial alteration to the exterior appearance of the front or side of the **dwelling unit** facing a street as a result of the introduction of the **second suite**, such as but not limited to, a new private entrance for the **second suite** in any **main walls** facing a **street yard**.”; and,

5.3 adding “, may include one **second suite**,” after the words “motor cars” in the definition of a **Single-Family Dwelling**.

(6) Section 7.2, Table of Required Parking Rates of **CLAUSE V - GENERAL PROVISIONS** in the Employment Districts Zoning By-law Number 24982 is amended by:

- 6.1 adding “(excluding **second suites**)” following “**dwelling unit**” under the heading **Minimum Rate of Parking Space Supply Required**; and,
- 6.2 adding “**Second Suites**” under heading Use, and “1 space per **second suite**” under heading **Minimum Rate of Parking Space Supply Required**.
- (7) Sub-Section 7.8.1.2, Street Yard Exceptions of **CLAUSE V - GENERAL PROVISIONS** in the Employment Districts Zoning By-law Number 24982 is amended by adding the following Sub-Section:
- 7.8.1.4 Notwithstanding paragraphs 7.7.1 and 7.8.1.2, the **parking space** required for a **second suite** may be located in a **street yard**, only in tandem on the **driveway** leading to the **parking space** required for a **dwelling unit**.
- (8) Clause 3. - Definitions in the City of Scarborough By-law Number 5952 is amended by:
- 8.1 adding the following definition:
- Second Suite**
- shall mean a separate, self-contained residential accommodation located in a detached **single-family dwelling**, the whole of which prior to the introduction of the **second suite** is at least 5 years old, and a **semi-detached/two family dwelling**, the whole of which prior to the introduction of the **second suite** is at least 5 years old, which shall be smaller than the remaining portion of the **Dwelling** excluding garages and accessory buildings, and which shall contain at least one room, a kitchen and separate sanitary conveniences; and,
- 8.2 adding a separate paragraph to the definition of a **Dwelling**, as follows:
- “In addition, it may include a **second suite** where there is no addition to nor substantial alteration to the exterior appearance of the front or side of the **dwelling** facing a street as a result of the introduction of the **second suite**, such as but not limited to, a new private entrance for the **second suite** in any **main walls** facing a **street yard**.”
- (9) Section 18.1.1 Table of Required Parking Rates of **CLAUSE 18 - Parking Regulations** in the City of Scarborough By-law Number 5952 is amended by:
- 9.1 adding “(excluding **second suites**)” following “**dwelling unit**” under the heading **Minimum Rate of Parking Space Supply Required**; and
- 9.2 adding “**Second Suites**” under heading Use, and “1 space per **second suite**” under heading **Minimum Rate of Parking Space Required**.

- (10) Sub-Section 18.2.2.1, **Street Yard Exceptions** of **CLAUSE 18 - Parking Regulations** in the City of Scarborough By-law Number 5952 is amended by adding the following Sub-Section 18.2.2.1.3:
- 18.2.2.1.3 Notwithstanding paragraph 1. of 18.2.1, and paragraph 18.2.2.1.1, the **parking space** required for a **second suite** may be located in a **street yard**, only in tandem on the **driveway** leading to the **parking space** required for a **dwelling unit**.
- (11) **SECTION 5 - DEFINITIONS** in the Township of Pickering By-law Number 1978 is amended by:
- 11.1 adding the following definition:
- Second Suite**
- shall mean a separate, self-contained residential accommodation located in a detached **single-family dwelling**, the whole of which prior to the introduction of the **second suite** is at least 5 years old and a **semi-detached/two family dwelling**, the whole of which prior to the introduction of the **second suite** is at least 5 years old, which shall be smaller than the remaining portion of the **Dwelling** excluding garages and accessory buildings, and which shall contain at least one room, a kitchen and separate sanitary conveniences; and,
- 11.2 adding “and may include one **second suite** where there is no addition to nor substantial alteration to the exterior appearance of the front or side of the **dwelling** facing a street as a result of the introduction of the **second suite**, such as but not limited to, a new private entrance for the **second suite** in any **main walls** facing a **street yard**.”; after the word “occupancy” in the definition of a **Dwelling**.
- (12) Section 9.10.1 **Table of Required Parking Rates** of **SECTION 9-GENERAL PROVISIONS** in the Township of Pickering By-law Number 1978 is amended by:
- 12.1 adding “(excluding **second suites**)” following “**dwelling unit**” under the heading **Minimum Rate of Parking Space Supply Required**; and,
- 12.2 adding “**Second Suites**” under heading **Use**, and “1 space per **second suite**” under the heading **Minimum Rate of Parking Space Required**.
- (13) Sub-Section 6.1.13.2.1, **Street Yard Exceptions** of **SECTION 6- RESIDENTIAL ZONES** in the Township of Pickering By-law Number 1978 is amended by adding the following Sub-Section:

6.1.13.2.1.2.4 Notwithstanding paragraphs 6.1.13.1.1 and 6.1.13.2.1.1, the **parking space** required for a **second suite** may be located in a **street yard**, only in tandem on the driveway leading to the **parking space** required for a **dwelling** unit.

(14) **SECTION 2 - DEFINITIONS** in the Township of Pickering By-law Number 3036 is amended by:

14.1 adding the following definition:

Second Suite

shall mean a separate, self-contained residential accommodation located in a **Dwelling, One-Family Detached**, the whole of which prior to the introduction of a **second suite** is at least 5 years old, and a **Dwelling, Semi-Detached**, the whole of which prior to the introduction of a **second suite** is at least 5 years old, which shall be smaller than the remaining portion of the **Dwelling Unit or Dwelling** excluding garages and accessory buildings, and which shall contain at least one room, a kitchen and separate sanitary conveniences;

14.2 adding “, and may include one **second suite** where there is no addition to nor substantial alteration to the exterior appearance of the front or side of the **dwelling** facing a street as a result of the introduction of the **second suite**, such as but not limited to, a new private entrance for the **second suite** in any main walls facing a **yard** separating the **dwelling** from a **street line**”; after the word “persons” in the definition of a **Dwelling**;

14.3 adding “, and may include one **second suite** where there is no addition to nor substantial alteration to the exterior appearance of the front or side of the **dwelling** facing a street as a result of the introduction of the **second suite**, such as but not limited to, a new private entrance for the **second suite** in any main walls facing a **yard** separating the **dwelling** from a **street line**.”; after the word “inside” in the definition of a **Dwelling Unit**; and,

14.4 adding “, and may include one **second suite** where there is no addition to nor substantial alteration to the exterior appearance of the front or side of the **dwelling** facing a street as a result of the introduction of the **second suite**, such as but not limited to, a new private entrance for the **second suite** in any main walls facing a **yard** separating the **dwelling** from a **street line**.”; after the words “side yards” in the definition of **Dwelling, One-Family-Detached**.

(15) Sub-Section 5.19.1, Table of Required Parking Rates of **SECTION 5 - GENERAL PROVISIONS FOR ALL ZONES** in the Township of Pickering By-law Number 3036 is amended by:

- 15.1 adding “(excluding **second suites**)” following “a **dwelling unit**” under the heading Minimum Rate of Parking Space Supply Required; and,
- 15.2 adding “**Second Suites**” under heading Use, and “1 space per **second suite**” under heading Minimum Rate of Parking Space Required.
- (16) Section 12. Definitions of **CLAUSE II - GENERAL PROVISIONS** in the Agricultural Holding By-law Number 10217 is amended by adding the following definition:

Second Suite

shall mean a separate, self-contained residential accommodation located in a detached single-family dwelling, the whole of which prior to the introduction of the **second suite** is at least 5 years old, and a semi-detached/two-family dwelling, the whole of which prior to the introduction of the **second suite** is at least 5 years old, which shall be smaller than the remaining portion of the dwelling unit or dwelling excluding garages and accessory buildings, and which shall contain at least one room, a kitchen and separate sanitary conveniences.

- (17) Section 2, Residential Uses (R) of **CLAUSE IV - ZONE PROVISIONS** in the Agricultural Holding By-law Number 10217 is amended by:
- 17.1 adding “may include one second suite,” after the words “a private garage or carport” in the first paragraph; and,
- 17.2 adding “A second suite may be included where there is no addition to nor substantial alteration to the exterior appearance of the front or side of the dwelling unit facing a street as a result of the introduction of the second suite, such as but not limited to, a new private entrance for the second suite in any main wall facing a yard separating the dwelling unit from a street.” as a new sub-clause.
- (18) **CLAUSE II -GENERAL PROVISIONS**, in the Agincourt Community, By-law Number 10076; the Agincourt North Community, By-law Number 12797; Bendale Community, By-law Number 9350; Birchcliff Community, By-law Number 8786; Birchmount Community, By-law Number 9174; Centennial Community, By-law Number 12077; Clairlea Community By-law Number 8978; Cliffcrest Community, By-law Number 9396; Cliffside Community, By-law Number 9364; Dorset Park Community, By-law Number 9508; Eglinton Community, By-law Number 10048; Guildwood Community, By-law Number 9676; Highland Creek Community, By-law Number 10827; Ionview Community, By-law Number 9089; Kennedy Park Community, By-law Number 9276; L’Amoreaux Community, By-law Number 12466; Malvern Community, By-law Number 14402; Malvern West Community, By-law Number 12181; Maryvale Community, By-law Number 9366; Morningside Community, By-law Number 11883; Oakridge Community, By-law Number 9812; Sullivan Community, By-law Number 10717; Tam O’Shanter Community, By-law

Number 12360; West Hill Community, By-law Number 10327; Wexford Community, By-law Number 9511; and Woburn Community, By-law Number 9510;

is amended by adding the following Section 5:

5. **Second Suite Permission when the Existing Use is Legal Non-Conforming**

When the existing use is legal non-conforming, a **second suite** may be provided in the existing detached **single-family dwellings** and existing **semi-detached/two family dwellings**, notwithstanding Section 3. **Expansion of Non-Conforming Buildings and Structures** of **CLAUSE II - GENERAL PROVISIONS**. A **parking space** required for the **second suite** shall be provided.

- (19) Section A, **For All Zones** of **CLAUSE VI -GENERAL PROVISIONS**, in the Milliken Community, By-law Number 17677 is amended by adding the following Sub-Section (1.5):

(1.5) **Second Suite Permission when the Existing Use is Legal Non-Conforming**

When the existing use is legal non-conforming, a **second suite** may be provided in the existing detached **single-family dwellings** and existing **semi-detached/two family dwellings**, notwithstanding Sub-Section (1.3) **Expansion of Non-Conforming Buildings and Structures** of **CLAUSE VI - GENERAL PROVISIONS**. A **parking space** required for the **second suite** shall be provided.

- (20) Section 1. **FOR ALL ZONES** of **CLAUSE VI -GENERAL PROVISIONS**, in the Rouge Community, By-law Number 15907; and the Steeles Community, By-law Number 16762 is amended by adding the following Sub-Section 1.5:

1.5 **Second Suite Permission when the Existing Use is Legal Non-Conforming**

When the existing use is legal non-conforming, a **second suite** may be provided in the existing detached **single-family dwellings** and existing **semi-detached/two family dwellings**, notwithstanding Sub-Section 1.3 **Expansion of Non-Conforming Buildings and Structures** of **CLAUSE VI - GENERAL PROVISIONS**. A **parking space** required for the **second suite** shall be provided.

- (21) **CLAUSE II - GENERAL PROVISIONS** in the Scarborough Village Community, By-law Number 10010, is amended by adding the following Section 6:

6. **Second Suite Permission when the Existing Use is Legal Non-Conforming**

When the existing use is legal non-conforming, a **second suite** may be provided in the existing detached **single-family dwellings** and existing **semi-detached/two family dwellings**, notwithstanding Section 3. **Expansion of Non-Conforming Buildings and Structures** of **CLAUSE II - GENERAL PROVISIONS**. A **parking space** required for the **second suite** shall be provided.

- (22) **CLAUSE V -GENERAL PROVISIONS**, in the Employment Districts Zoning By-law Number 24982 is amended by adding the following Section 1.7:

1.7 **Second Suite Permission when the Existing Use is Legal Non-Conforming**

When the existing use is legal non-conforming, a **second suite** may be provided in the existing detached **single-family dwellings** and existing **semi-detached/two family dwellings**, notwithstanding Section 1.5 **Expansion of Non-Conforming Buildings and Structures** of **CLAUSE V - GENERAL PROVISIONS**. A **parking space** required for the **second suite** shall be provided.

- (23) **CLAUSE 2.1 - LEGAL NON-CONFORMING BUILDINGS OR STRUCTURES**, in the City of Scarborough Zoning By-law Number 5952 is amended by adding the following Section 2.4:

2.4 **Second Suite Permission when the Existing Use is Legal Non-Conforming**

When the existing use is legal non-conforming, a **second suite** may be provided in the existing detached **single-family dwellings** and existing **semi-detached/two family dwellings**, notwithstanding Section 2.2 **Expansion of Non-Conforming Buildings and Structures** of **CLAUSE 2.1 - LEGAL NON-CONFORMING BUILDINGS OR STRUCTURES**. A **parking space** required for the **second suite** shall be provided.

- (24) **SECTION 4 -GENERAL PROVISIONS**, in the Township of Pickering Zoning By-law Number 1978 is amended by adding the following Sub-Section 4.5:

4.5 **Second Suite Permission when the Existing Use is Legal Non-Conforming**

When the existing use is legal non-conforming, a **second suite** may be provided in the existing detached **single-family dwellings** and existing **semi-detached/two family dwellings**, notwithstanding Sub-Section 4.3 **Expansion of Non-Conforming Buildings and Structures** of **SECTION 4 - GENERAL PROVISIONS**. A **parking space** required for the **second suite** shall be provided.

- (25) **SECTION 5 -GENERAL PROVISIONS FOR ALL ZONES**, in the Township of Pickering Zoning By-law Number 3036 is amended by adding the following Sub-Section 5.30:

5.30 **Second Suite Permission when the Existing Use is Legal Non-Conforming**

When the existing use is legal non-conforming, a **second suite** may be provided in the existing detached **single-family dwellings** and **existing semi-detached/two family dwellings**, notwithstanding Sub-Section 5.3 **Expansion of Non-Conforming Buildings and Structures** of **SECTION 5 - GENERAL PROVISIONS FOR ALL ZONES**. A **parking space** required for the **second suite** shall be provided.

- (26) **CLAUSE II -GENERAL PROVISIONS**, in the Agricultural Holding Zoning By-law Number 10217 is amended by adding the following Section 2.5:

2.5 **Second Suite Permission when the Existing Use is Legal Non-Conforming**

When the existing use is legal non-conforming, a **second suite** may be provided in the existing detached **single-family dwellings** and existing **semi-detached/two family dwellings**, notwithstanding Sub-Section 2.3 **Expansion of Non-Conforming Buildings and Structures** of **CLAUSE II - GENERAL PROVISIONS**. A **parking space** required for the **second suite** shall be provided.

7. General Zoning By-law Number 1-83 of the former City of York, as amended, is further amended as follows:

- (1) Section 2 Definitions

That any reference in the former City of York General Zoning By-law Number 1-83, as amended, to “APARTMENT-IN-HOUSE” is amended to read “SECOND SUITE”.

- (2) Section 3 General Provisions

That Section 3 is amended as follows:

- A. By deleting therefrom Subsection 3.4.1 and replacing it with:

3.4.1 Second Suites

Notwithstanding Subsections 2(35.a.1) and 2(91.1) one second suite is permitted in a detached or semi-detached house, the whole of which, prior to the introduction of the second suite, has been erected for a period of not less than five (5) years provided that the following regulations are complied with.

- (1) Notwithstanding Subsection 2(56) in the case of a detached or semi-detached dwelling house gross floor area shall exclude space used for second suites in a basement or cellar and the gross floor area of the second site, including any below grade portions, shall not exceed the gross floor area of the remaining dwelling.
 - (i) Notwithstanding Subsection 2(73) a parking space for a second suite may be located partially or entirely in front of or behind another parking space, or on a driveway providing access to a parking space. If a boulevard licence is issued for one such space, it may be located partially on the boulevard abutting the driveway.
 - (ii) Where a parking space required for a second suite cannot be provided under sub-paragraph 3.4.1(1)(i) above, the parking space may be provided for the second suite as a front yard parking space which is not wholly on the lot, provided the parking space meets the front yard parking regulations in Section 4 of the By-law.
- (2) There shall be no addition to nor substantial alteration to the exterior appearance of the front of the dwelling and, in the case of a corner lot, to the side of the dwelling facing a street, as a result of the introduction of a second suite, such as but not limited to, a new private entrance in any street façade.
- (3) By deleting therefrom Subparagraphs 3.4.6 (a) to (f) inclusive and (h), and renumbering (g) as (a).

8. By-law No. 447-1999, “To enact zoning by-law amendments respecting second suites.” is hereby repealed

PURSUANT TO THE DECISIONS OF THE ONTARIO MUNICIPAL BOARD ISSUED APRIL 7, 2000 AND THE ORDER OF THE ONTARIO MUNICIPAL BOARD ISSUED ON JULY 6, 2000, IN BOARD FILE NO. PL. 990850.