The Corporation of the City of Peterborough

By-Law Number 18-048

Being a By-law to amend the Zoning By-law to regulate and permit Secondary Suites

The Corporation of the City of Peterborough by the Council thereof hereby enacts as follows:

1. Section 1 of By-Law 97-123 is hereby amended by adding the following thereto:

   “Principal Dwelling Unit means a Dwelling Unit identified as a permitted use in a Residential District.

   Secondary Suite means a Dwelling Unit, including a Bachelor Dwelling Unit, which is self contained, accessory to, and situated within a Principal Dwelling Unit or within a residential Accessory Building.

   Semi-detached Dwelling means a Two Unit Dwelling consisting solely of two Dwelling Units separated by a vertical party wall.”

2. Section 4.2.A (i) is hereby deleted in its entirety and replaced with the following:

   “4.2.A (i) Notwithstanding the foregoing, nothing in this by-law shall require a house containing an accessory apartment (Second Residential Unit) established pursuant to the Residents’ Rights Act, 1994 and in compliance with Ontario Regulation 384/94 (Apartments in Houses) made under the Planning Act, R.S.O. 1990, c.P13, to have more than two (2) parking spaces.”

3. Section 6.25 Units – Prohibited Locations of By-law 97-123 is hereby deleted.

4. Section 6.33 Additional Dwelling Unit of By-law 97-123 is hereby amended as follows:

   a) By renumbering Section 6.33 as 6.33.1;

   b) By changing the heading of the section from “Additional Dwelling Unit” to “Additional Dwelling Unit and Secondary Suite”;

   c) By replacing the word “district” with:

   “Building used exclusively for residential purposes”;

   d) By adding the following after “C.B.D.”:

   “except for a Principal Dwelling Unit that is a Single Unit Dwelling, Semi-detached Dwelling, or a Row Dwelling,”;

   e) By adding the following thereto:

   “6.33.2 In the C.B.D., an Additional Dwelling Unit within a Single Unit Dwelling, Semi-detached Dwelling or Row Dwelling shall be considered a Secondary Suite and shall be subject to the regulations of Section 6.33.3.”
6.33.3 Notwithstanding anything contained in this By-law, Secondary Suites shall be permitted subject to the following regulations:

a) A maximum of one (1) Secondary Suite will be permitted within the following types of Principal Dwelling Units or within a residential Accessory Building associated therewith:

i. a Single Unit Dwelling;
ii. a Semi-Detached Dwelling Unit; or,
iii. a Row Dwelling Unit.

b) Secondary suites shall not be permitted within a floodway as defined in the Provincial Policy Statement, 2014, or any successor thereof.

c) A Secondary Suite located in an accessory building shall comply with Section 6.18 (Residential Accessory Buildings).

d) An access route for firefighting shall be provided so that:

i. A fire department pumper vehicle can be located so that the length of the access route from a hydrant to the vehicle plus the unobstructed path of travel for the firefighter from the vehicle to the primary entrance to the Secondary Suite shall not exceed 90 metres, and the unobstructed path of travel for the firefighter from the vehicle to the primary entrance to the Secondary Suite shall not exceed 45 metres, or

ii. An alternative is proposed that is acceptable to the Peterborough Fire Services and the City of Peterborough, Building Services Division.

e) A Secondary Suite shall be serviced by public water distribution and wastewater collection facilities. Where municipal water distribution and wastewater collection services are not otherwise required by this By-law for a Principal Dwelling Unit, the use of private services to support a Secondary Suite will be permitted.


g) Maximum floor area for a Secondary Suite: Less than the Floor Area of the Principal Dwelling Unit.

h) Maximum Number of Bedrooms for a Secondary Suite: 2

i) Motor Vehicle Parking for a Secondary Suite shall be provided and maintained as follows:

i. The Principal Dwelling Unit shall comply with the regulations of Section 4 (Parking, Loading and Driveways);
ii. No additional off-street parking shall be required for a Secondary Suite located in Area 1 as designated on Schedule E(1) to this By-law. One (1) off-street motor vehicle parking space, sized in accordance with Section 4.3.1, shall be required for a Secondary Suite located in Areas 2 and 3 as designated on Schedule E(1) to this By-law;

iii. Notwithstanding the provisions of Section 4 to the contrary, tandem parking spaces to facilitate a Secondary Suite shall be permitted.

j) A Secondary Suite shall not be counted as a Dwelling Unit when interpreting Lot Grade or regulations in this By-law that pertain to the number of Dwelling Units in a Building or on a Lot.

k) An accessory apartment (Second Residential Unit) that existed on or before November 16, 1995 or was created between November 17, 1995 and May 22, 1996 is considered to be a permitted use and is exempt from regulations a) to h) subject to compliance with Ontario Regulation 384/94 (Apartments in Houses) made under the Planning Act, R.S.O. 1990, c.P13, Ontario Regulation 213/07 (Fire Code) made under the Fire protection and Prevention Act, 1997, and Section 4.2.A(i) of this By-law.”

By-law read a first, second and third time this 22nd day of May, 2018.

(Sgd.) Daryl Bennett, Mayor

(Sgd.) John Kennedy, City Clerk