

**Type:** Open Session

**Report To:** Planning and Development Standing Committee

**Meeting Date:** June 11, 2025

**Subject:** Information Report – Official Plan and Zoning By-law  
Amendment for Additional Residential Units

### **Recommendation**

1. That report PA-25-21, Information Report – Official Plan and Zoning By-law Amendment for Additional Residential Units, dated June 11, 2025 be received for information.

### **Executive Summary**

Since 2022, there have been many changes at the provincial level that have impacted the Town's policies and provisions regarding Additional Residential Units (ARUs), also known as "secondary suites". These changes were described in the introductory report for the proposed amendments, [PA-25-14](#).

If approved, the proposed draft amendments will update policies and provisions in the Grimsby Official Plan and Zoning By-law regarding Additional Residential Units to be reflective of current Provincial legislation and policy. This amendment aims to support the development of ARUs where they are permitted "as of right", or in conformity with Provincial Plans. Other minor fixes to the Zoning By-law and Official Plan will also be proposed as part of the amendment.

The proposed amendments act as a stepping stone between the current Official Plan and Zoning By-law, and the future updated Official Plan and Zoning By-law. By clarifying these permissions now, the Town can provide guidance through the development review process to support the development of additional housing opportunities in the Town in a responsive way.

### **Purpose**

The purpose of this report is to provide information about the proposed municipally led amendments to the Grimsby Official Plan and Zoning By-law to accommodate Additional Residential Units in the Town.

## Background

Additional Residential Units (ARUs) have been referred to by many names, including Additional Dwelling Units (ADUs) and secondary suites. They are self contained dwelling units that contain living space, kitchen, and bathroom facilities. ARUs are considered “additional” as they are located on the same lot as the primary residential dwelling, such as a single detached, semi-detached, or street town house dwelling, and are subject to further conditions delineated by the Province and Town.

The proposed amendments will impact both urban and non-urban areas of the Town. Other minor “housekeeping” changes are also included in this amendment to clarify the contents of the Zoning By-law and the Official Plan.

## Provincial Policy Impacts

The chart below outlines some of the changes that are proposed and the requirements that need to be addressed. To view the related policy excerpts, please see **Appendix C**.

Provincial Legislation, Regulation, Plan, and/or Policy	Policy Impact	Current Policy
Planning Act, Section 35.1	Requires the Zoning By-law to permit up to 3 dwelling units (1 primary dwelling unit and up to 2 ARUs) on municipally serviced lots within the Urban Settlement Boundary.	Currently, Zoning By-law only permits 1 ARU within a primary dwelling structure in some zones.
Planning Act, Section 16	Requires Official Plans to permit up to permit up to 3 dwelling units (1 primary dwelling unit and 2 ARUs) on municipally serviced lots within the Urban Settlement Boundary.	Currently, Grimsby’s Official Plan only permits ARUs in specific residential designations.
Ontario Regulation 299/19	Requires modifications to Zoning By-laws to municipally serviced lots within the Urban Settlement Boundary that contain an ARU: <ul style="list-style-type: none"> <li>To permit up to 45% lot coverage,</li> </ul>	Currently, Zoning By-law 14-45 includes: <ul style="list-style-type: none"> <li>Provisions for specific lot coverages for specific zones and uses, not including modifications for ARUs;</li> <li>Minimal angular plane requirements for</li> </ul>

	<ul style="list-style-type: none"> <li>To be exempted from any angular plane requirements; and,</li> <li>To permit tandem parking for ARUs.</li> </ul>	<p>development within the Downtown Area that are to be applied to all development forms</p> <ul style="list-style-type: none"> <li>No tandem parking permission for ARUs.</li> </ul>
2024 PPS, Sections 2.5(2) and 4.3.2(5), Greenbelt Plan, Section 4.5 (3), and Niagara Escarpment Plan, Section 1.5.3	<p>The 2024 PPS requires Municipalities to permit up to 2 ARUs, subject to certain conditions, on a lot in Prime Agricultural Areas and states that rural settlement areas (such as Hamlets), must be a focus of growth and development.</p> <p>The Greenbelt Plan and Niagara Escarpment Plan take precedence. Therefore, only 1 ARU can be permitted on a lot in the Prime Agricultural Areas, subject to certain conditions.</p>	Currently the Official Plan and Zoning By-law do not permit ARUs within any Hamlet designations or areas, or Rural or Agricultural designations or zones.

## Proposal

### Official Plan Amendment

Presently, the Official Plan provides limited guidance for ARUs in the Town of Grimsby. To ensure that the Official Plan is consistent with provincial legislation, plans, and provincial policy, the following changes have been included in the amendment:

- The creation of Section 3.3.1.11 to permit a maximum of 1 ARU the Agricultural and Rural Area on a lot where a single detached dwelling is permitted and subject to further criteria including but not limited to the location of the ARU on the lands, adequacy of private servicing, and parking requirements.
- The creation of Section 3.3.1.12 to clarify that ARUs within the Escarpment Rural Area are subject to the policies of the Niagara Escarpment Plan.
- The inclusion of ARUs as a permitted use in sections 3.3.2.1 (Specialty Crop Area), 3.3.3.1 (Agricultural Area), 3.3.4.1 (Rural Area), and 3.3.5.1 (Escarpment Rural Area).
- Removal and replacement of Section 3.4.1.10 (previously Secondary Suites) to update the relevant language and strengthen the OP to comply with provincial legislation, regulation and policies.

- The inclusion of ARUs as a permitted use in Sections 3.4.2.1 (Low Density Residential Area), 3.4.3.1 (Medium Density Residential Area), 3.4.4.1 (High Density Residential Area), 3.4.5.1 (Residential/ Mixed Use Area), and 3.5.4.1 (Downtown – Transition).
- The creation of Section 3.4.6.8 to permit 1 ARU within the Hamlet Residential Area on a lot where single detached dwellings are permitted and subject to further criteria including but not limited to the location of the ARU on the lands, adequacy of private servicing, and parking requirements.
- The inclusion of an ARU as a permitted use in Sections 3.4.6.1 (Hamlet Residential Area), 10.4.2 (Hamlet Residential Area), and 10.5.2 (Hamlet Mixed Use Area and Hamlet Residential/Potential Mixed-Use Area).
- Other minor fixes include updating the definition of “Dwelling Unit” to align with the more modern definition found in the Zoning By-law and clarifying Section 3.1.4.3 to remove an incorrectly referenced section of the Niagara Escarpment Plan.

To view the draft Official Plan amendment in detail please see **Appendix A**.

### **Zoning By-law Amendment**

Zoning By-law 14-45 contains limited guidance for ARUs at this time and also includes certain provisions that frequently hinder their development. To ensure that the Zoning By-law is in compliance with provincial policy, plans and the proposed amendments to the Official Plan, the following changes have been included within the amendment:

- The inclusion of an Addition Residential Unit definition that aligns more closely with the definition found in the Regional Official Plan and removal of the definition of “Secondary Suites” to further clarify the terminology found within the Zoning By-law.
- Changes and additions to the definitions for Duplex and Triplexes to reference Additional Residential Units instead of “Secondary Suites”.
- The removal of the definition for “Cellar”, which is an outdated building term. Aspects of a building that were previously referred to as a cellar will now be considered as part of the “basement”. The definition of basement will be clarified and to refer generally to the portion of a building located below the average finished grade.

- Revisions to definitions for Gross Floor Area and Ground Floor Area to remove the term “cellar”. It should be noted that this revision will not impact the intent of these definitions, as “basement” remains.
- Revisions have been made to Section 4.18 g) which currently prohibits human habitation in all accessory buildings. To comply with the changes to provincial legislation an exemption has been included to permit human habitation in an accessory building where an ARU is present.
- Section 4.19 (formerly Secondary Suites) has been replaced in its entirety. This section speaks specifically to Additional Residential Units and outlines the number of permitted ARUs within specified Urban Residential zones and Rural and Agricultural Zones. This section contains conditions that ensure an ARU can be supported on a parcel that are related to parking and servicing. Other additions to this section ensure that the ARU remains secondary to the primary dwelling and does not contain any further uses that are not supported on these sites such as bed and breakfasts, and home industries.
- Changes have been made to Table 3: Parking Requirements, replacing the term “secondary suite” with the updated language regarding “additional residential unit”. One parking space is required to be provided for each additional residential unit on the lot.
- An addition has been made to Section 5.4 (Tandem Parking) to permit tandem parking spaces to be provided for ARUs.
- A new row has been included in Table 6: Permitted Uses in the Rural and Agricultural Zones to permit ARUs as an accessory use in Agricultural, Specialty Crop, and Rural Zones.
- Removal and replacement of the row regarding “secondary suites” in Table 10 Permitted Uses in Residential Zones to permit ARUs in all zones where Single Detached, Semi-Detached and Street Town House dwellings are permitted. Table qualifier “Q6” has also been amended to clearly reflect this change and provide further clarity to the reader.
- A table qualifier has been added to the column regarding Lot Coverage in Table 11: Regulations Applying to Residential Zones and Table 14: Regulations Applying to Downtown Zones that permits lots with compliant ARUs to have a maximum of 45% total lot coverage.

- Removal and replacement of the row regarding “secondary suites” in Table 13: Permitted Uses in the Downtown Zones to permit ARUs in the Transitional Residential Multiple Zone. Table qualifier “Q6” has been added to clearly reflect this change and provide further clarity to the reader.
- An addition has been made to Table Qualifier “Q5” in Table 13: Permitted Uses in the Downtown Zones. This modifier only pertains to public parking lots in the Downtown Main Street (DMS) zones and prohibits them as the sole use on a lot along “Main Streets”. This change recognises the DMS zone along Winston Road and clarifies that “Main Streets” is inclusive of Winston Road.
- An addition has been made to Section 8.3.2.3, exempting buildings that contain an ARU from the angular plane requirements and clarifying that these structures are still subject to height and setback provisions.

To view the Draft Zoning By-law amendment in detail please see **Appendix B**.

## Received Comments

The draft Zoning By-law and Official Plan Amendments (Appendices A and B) were circulated to external agencies and internal departments for review and comment. All comments were due on June 4<sup>th</sup>, 2025. A summary of the comments received as of May 30<sup>th</sup>, 2025 have been compiled into **Table 1** below.

**Table 1.** Summary of Agency Comments.

Agency	Comments
<b>Niagara Peninsula Conservation Authority (NPCA)</b>	<ul style="list-style-type: none"> <li>• The Town should consider adding a clarifying policy that prohibits (new) ADUs in the Hazardous Lands overlay area. While it is clear that only “existing uses” are permitted, it is not clear that existing residential uses would preclude the creation of ADUs within an existing dwelling. A Town policy that prohibits additions or renovations that increase the number of dwelling units within an existing dwelling would align with NPCA’s policies that do not support ADUs in hazardous lands.</li> </ul>
<b>Enbridge</b>	<ul style="list-style-type: none"> <li>• Enbridge Gas does not object to the proposed application(s) however, we reserve the right to amend or remove development conditions. This response</li> </ul>

	does not signify an approval for the site/development.
--	--

## Strategic Priorities

- Priority: Responsible and Progressive Growth
- Direction: Develop a strong plan for how our community grows
- Action: Define how the community will grow, informed by significant input from residents and implemented through policy

## Financial Impact

There is no financial impact arising from this report.

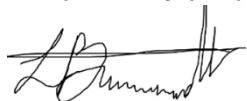
## Public Input

The proposed amendments impact properties across the Town. A notice was made available to the public on the Town website and through the newspaper on May 15, 2025. A supplementary, non-statutory sign was also posted in Town hall to bring further attention to the amendments.

## Conclusion

It is recommended that report PA25-21 is received for information. The proposed Official Plan and Zoning By-law amendments will make the process of assessing ARUs easier for staff to administer and clearer for potential applicants to understand and consider. Further comments will be considered as part of the upcoming Recommendation report.

Respectfully prepared by,



Lauren Burkhardt  
Policy Planner

Respectfully reviewed by,



Walter Basic  
Assistant Director of Planning

Respectfully submitted by,



Harold Madi  
Director of Planning

Respectfully approved by,



Sarah Kim  
Chief Administrative Officer

### **Attachments**

- **Appendix A** – Draft Official Plan Amendment
- **Appendix B** – Draft Zoning By-law Amendment
- **Appendix C** – Provincial Legislation, Regulation, Policy and Plan Excerpts
- **Appendix D** – Official Plan Excerpts
- **Appendix E** – Zoning By-law Excerpts