

**CITY OF KAWARTHA LAKES**

**OFFICIAL PLAN AMENDMENT NO. 39**

**ADDITIONAL RESIDENTIAL UNITS**

**November 2, 2020 DRAFT**



## **Introduction**

The City of Kawartha Lakes Official Plan, 2012 is proposed to be amended as follows:

1. By adding new policies to Section 5 Housing Goal;
2. By adding new definitions to Section 30 Definitions.

## **Background**

Bill 108, More Homes More Choice Act, 2019 amended the Planning Act to require Additional Residential Units, supplemented by policy direction introduced in the new A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 and Provincial Policy Statement, 2020.

OPA 39 is intended as a part of a provincial policy conformity exercise.

## Details of the Amendment

The City of Kawartha Lakes Official Plan, 2012 is hereby amended as follows:

### 1. Section 30 Definitions is amended by adding the following;

**Additional Residential Unit:** means a residential dwelling unit that is self-contained, subordinate to and located within the same building or on the same lot as the primary residential unit. The additional residential unit shall include the following areas that are separate from the primary residential unit: a separate entrance, kitchen facilities, washroom facilities, and living space.

**Primary Residential Unit:** means a single detached, semi-detached, row house, or townhouse dwelling for the purpose of the definition of Additional Residential Unit.

### 2. Section 5 Housing Goal is amended by adding the following:

#### 5.7 ADDITIONAL RESIDENTIAL UNITS

- 5.7.1 This Plan will support flexible zoning provisions to permit a broad range of housing forms, including additional residential units.
- 5.7.2 Additional residential units are permitted as of right, in addition to the primary residential unit, in single detached, semi-detached, row house, or townhouse dwellings as well as in accessory buildings or structures on lots associated with these dwelling types, provided they are in accordance with this policy and the applicable zoning by-law provisions.

The following criteria shall be considered when evaluating proposals for the creation of additional residential units.

- a) A maximum of two additional residential units are permitted, where one additional residential unit is in the same building as the primary dwelling unit and one additional residential unit is in an accessory building or structure. For the purposes of this policy, each primary residential unit is located on a separate lot.
- b) A lot containing a garden suite, in accordance with the policies in Section 5.4. Garden Suites, may also have an additional residential unit, up to a maximum of three units on the lot.
- c) Lots outside of designated settlement areas shall have a minimum lot area of 0.4 hectares to be eligible for an additional residential unit. This requirement may be reduced where it is demonstrated through a hydrogeological and site servicing study that the lot can be adequately serviced.

- d) Additional residential units shall only be permitted on lots having adequate sewage and water supply. Additional residential units being developed on private services are encouraged to utilize the existing private sewage disposal systems and wells.
- e) The floor area of the additional residential unit shall be equal to or smaller in size compared to the gross floor area, excluding attached garage area, of the primary residential unit without any substantial modification to the building's bulk or massing.
- f) The Zoning By-law shall contain appropriate performance standards for the creation of an additional residential unit, including lot area and frontage, yard setbacks, coverage, height, and landscaping to reflect the character of the neighbourhood. Additional residential units are not subject to density control requirements as defined in the applicable Zoning By-law.
- g) On-site parking is provided in accordance with the Zoning By-law.
- h) Additional residential units shall only be permitted on lots having frontage and access to a year-round municipally maintained road.
- i) Additional residential units shall not be permitted within buildings or structures that are located within the Environmental Protection designation, floodplain areas, water setback or other hazardous lands.
- j) Where applicable, additional residential units located in accessory buildings or structures shall comply with the Minimum Distance Separation formulae.
- k) An additional residential unit within an accessory structure shall not be severed from the lot accommodating the primary residential unit.
- l) Additional residential units shall comply with the provisions of the Ontario Building Code, Fire Code, Zoning By-law and all other relevant municipal and provincial standards.
- m) All additional residential units shall be registered in accordance with the City's Additional Residential Unit Registration By-law.
- n) Notwithstanding Section 5.7.2, within the Oak Ridges Moraine Conservation Plan (2017) area a maximum of one additional residential unit shall only be permitted within a single dwelling provided the single dwelling is located with the Settlement, Rural Settlement or Countryside land use designations; additional residential units are not permitted within the Natural Core Area or Natural Linkage Area designations.

5.7.3 Innovative building design is encouraged to facilitate subsequent opportunities to create additional residential units.