

**CITY OF KAWARTHA LAKES**  
**ZONING BY-LAW AMENDMENT NO. 2020-XX**  
**ADDITIONAL RESIDENTIAL UNITS**

**November 2, 2020 DRAFT**



# **The Corporation of the City of Kawartha Lakes**

## **By-Law 2020-XX**

### **A By-law to repeal and replace By-law 2014-283 and amend multiple Zoning By-laws in accordance with Additional Residential Units Official Plan Amendment No. 39**

#### **Affected By-laws:**

Township of Bexley Zoning By-law 93-09  
Village of Bobcaygeon Zoning By-law 16-78  
Township of Carden Zoning By-law 79-2  
Township of Dalton Zoning By-law 10-77  
Township of Eldon Zoning By-law 94-14  
Township of Eldon Zoning By-law 1996-30  
Village of Fenelon Falls Zoning By-law 89-25  
Township of Fenelon Zoning By-law 12-95  
United Townships of Laxton, Digby and Longford Zoning By-law 32-83  
Town of Lindsay Zoning By-law 2000-75  
Township of Manvers Zoning By-law 87-06  
Township of Mariposa Zoning By-law 94-07  
Village of Omemee Zoning By-law 1993-15  
Township of Ops Zoning By-law 93-30  
Oak Ridges Moraine Zoning By-law 2005-133  
Township of Somerville Zoning By-law 78-45  
Village of Sturgeon Point Zoning By-law 339  
Township of Verulam Zoning By-law 6-87  
Village of Woodville Zoning By-law 1993-9

This By-law enacts new Definitions and General Provisions in accordance with Section 34 and Section 35.1(1) of the Planning Act.

#### **DEFINITIONS:**

**DWELLING UNIT, ADDITIONAL RESIDENTIAL** shall mean 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 dwelling unit. The additional residential unit includes a separate entrance, kitchen facilities, washroom facilities, and living space from the primary residential dwelling unit.

**DWELLING UNIT, PRIMARY RESIDENTIAL** shall mean a single detached, semi detached, row or townhouse dwelling unit for the purpose of the definition of additional residential dwelling unit.

**ACCESSORY BUILDING OR STRUCTURE** in conjunction with 'Dwelling Unit, Additional Residential' means a use, building or structure that may be used for human habitation and is customarily incidental, subordinate and exclusively devoted to the principal use or main building, and located on the same lot therein.

## **GENERAL PROVISIONS:**

### **Additional Residential Dwelling Units**

1.1. Notwithstanding the permitted uses, maximum densities and minimum gross floor areas listed elsewhere in this By-law, additional residential dwelling units are permitted in all zones that permit single detached, semi-detached, row or townhouse dwelling units, subject to the following provisions:

- i. One (1) primary residential dwelling unit per lot. In the case of a 'Semi-detached dwelling', 'Row dwelling' or 'Townhouse dwelling' that each primary residential dwelling unit is located on a separate lot.
- ii. A maximum of two (2) additional residential dwelling units per lot, one (1) within the same building as the primary residential dwelling unit and one (1) within an accessory building or structure to the primary residential dwelling unit.
- iii. Notwithstanding seasonal farm residential uses, a lot may have an additional residential dwelling unit in addition to a garden suite, approved through a Temporary Use By-law, or a second dwelling use in accordance with the applicable zoning provisions for a maximum of three (3) units on a lot.
- iv. Unless otherwise stated, all zone provisions continue to apply to an additional residential dwelling unit.
- v. An additional residential dwelling unit located in an accessory building or structure shall be in accordance with the Accessory Buildings, Structures and Uses provisions of this Zoning By-law. An accessory building or structure containing an accessory residential dwelling unit located on an upper storey shall have a maximum height of 10 m and minimum yard setback of 1.2 m.
- vi. A lot has frontage on a public street.
- vii. A minimum lot area of 0.4 ha (4000 sq. m.) on private services.
- viii. The floor area of the additional residential dwelling unit is equal to, or less than, the gross floor area, excluding attached garage floor area of the primary residential dwelling unit without any modification to the building's bulk or massing.
- ix. Where applicable an additional residential dwelling unit shall not be permitted on a lot which contains a bed and breakfast establishment.
- x. At a minimum, on-site parking shall be provided in accordance with the requirements for the primary residential dwelling unit. Where there is a home occupation in an additional residential dwelling unit, parking shall be in accordance with the Zoning By-law requirements for a home occupation use.

- xi. An additional residential dwelling unit shall be accessed from the street via a walkway or driveway.
- xii. An additional residential dwelling unit or part thereof shall not be within the EP Zone, floodplain or water setback.
- xiii. Compliance with the provisions of the Ontario Building Code, Fire Code and all other relevant municipal and provincial standards.
- xiv. Registration of the additional residential dwelling unit in accordance with the City's Additional Residential Unit Registration By-law.

## **Oak Ridges Moraine Zoning By-law 2005-133**

### **Section 3 Definitions:**

**DWELLING UNIT, ADDITIONAL RESIDENTIAL** shall mean a residential dwelling unit that is self-contained, subordinate to and located within the same building as the primary residential dwelling unit. The additional residential unit includes a separate entrance, kitchen facilities, washroom facilities, and living space from the primary residential dwelling unit.

**DWELLING UNIT, PRIMARY RESIDENTIAL** shall mean a single dwelling unit for the purpose of the definition of additional residential dwelling unit.

### **Section 5 General Provisions:**

#### **5.31 Additional Residential Dwelling Units**

Notwithstanding the permitted uses, maximum densities and minimum floor areas listed elsewhere in this By-law, additional residential dwelling units are permitted subject to the following provisions:

- i. A maximum of one (1) additional residential dwelling unit within the same building as the primary residential dwelling unit.
- ii. Unless otherwise stated, all zone provisions continue to apply to an additional residential dwelling unit.
- iii. A lot has frontage on a public street.
- iv. A minimum lot area of 0.4 ha (4000 sq. m.) on private services.
- v. The floor area of the additional residential dwelling unit is equal to, or less than, the gross floor area, excluding attached garage floor area of the primary residential dwelling unit without any modification to the building's bulk or massing.
- vi. An additional residential dwelling unit shall not be permitted on a lot which contains a bed and breakfast establishment.

- vii. At a minimum, on-site parking shall be provided in accordance with the requirements for the primary residential dwelling unit. Where there is a home business in an additional residential dwelling unit, parking shall be in accordance with section 5.12 Parking Requirements.
- viii. An additional residential dwelling unit shall be accessed from the street via a walkway or driveway.
- ix. An additional residential dwelling unit or part thereof shall not be within the the ORMCA Zone, ORMLA Zone, ORMEP Zones, floodplain or water setback.
- x. Compliance with the provisions of the Ontario Building Code, Fire Code and all other relevant municipal and provincial standards.
- xi. Registration of the additional residential dwelling unit in accordance with the City's Additional Residential Unit Registration By-law.

By-law read a first, second and third time, and finally passed, this \_\_\_\_ day of \_\_\_\_\_, 2020.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk