

The Corporation of the City of Kawartha Lakes

By-Law 2020-161

A By-Law To Amend The Oak Ridges Moraine Zoning By-Law No. 2005-133 To Rezone Land Within The City Of Kawartha Lakes

[File D00-99-032, Report PLAN2020-057, respecting Oak Ridges Moraine Area, former Township of Manvers, City of Kawartha Lakes]

Recitals:

1. Sections 16(3) and 35.1(1) of the Planning Act require that official plan policies and zoning by-laws authorize the use of additional residential units.
2. Section 34 of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to determine the appropriate zoning categories and provisions assigned to land.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to rezone the Property.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2020-161.

Section 1:00 Zoning Details

- 1.01 Property Affected:** The Property affected by this by-law is described as lands within the Oak Ridges Moraine Area in the former Township of Manvers, City of Kawartha Lakes.
- 1.02 Textual Amendment:** By-Law No. 2005-133 of the Oak Ridges Moraine is further amended by adding the following definitions in alphabetical order to Section 3 Definitions and by adding subsection 5.31 Additional Residential Dwelling Units to Section 5 General Provisions:

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.

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 an improved public street, maintained year round.
- 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 ORMCA Zone, ORMLA Zone, ORMEP Zone, 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.

Section 2:00 Effective Date

2.01 Effective Date: This By-law shall come into force and take effect on the date it is finally passed, subject to the provisions of Section 34 of the Planning Act R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this 15 day of December, 2020.



Andy Letham, Mayor



Cathie Ritchie, City Clerk