

CORPORATION OF THE MUNICIPALITY OF TWEED

BY-LAW NO. 2018-15

Being a By-law to Amend Comprehensive Zoning By-law No. 2012-30 of the Corporation of the Municipality of Tweed, as amended.

WHEREAS By-law No. 2012-30, as amended, is the Comprehensive Zoning By-law governing the lands located within the Corporation of the Municipality of Tweed;

AND WHEREAS the Council of the Corporation of the Municipality of Tweed, having given due consideration to the need to proceed with such changes, considers it reasonable to amend By-law 2012-30;

AND WHEREAS authority is granted under Section 34 of the Planning Act, R.S.O. 1990, c.P.13 as amended;

NOW THEREFORE the Council of the Corporation of the Municipality of Tweed enacts as follows:

1. That Comprehensive Zoning By-law No. 2012-30, as amended, is hereby further amended by the addition of the following to Section 3 entitled "Definitions" immediately after item 3.95 thereof.

3.95.1 DWELLING UNIT, SECOND

"Dwelling Unit, Second" shall mean a dwelling unit that is also known as an accessory unit, a basement apartment, a secondary suite or in-law suite. Such units are self-contained residential units with kitchen, bathroom and sleeping facilities, and include units within coach houses and within ancillary building.

2. That By-law No. 2012-30, as amended, is hereby further amended by the addition of the following to Section 5 entitled "General Provisions" immediately after item 5.48 thereof:

5.49 SECOND DWELLING UNITS

- a) A second dwelling unit shall only be permitted within the RU, RR, WR, R1, R2, MR and PA Zones.
 - i. In addition, within the RU, RR, WR, R1, R2, MR and PA Zones, a secondary unit may be created provided the following provisions are met:
 - 1) the secondary unit is directly serviced by a year-round maintained road;
 - 2) a minimum of one (1) parking space shall be provided for each secondary unit. The required parking for the secondary unit and primary unit is permitted in a tandem arrangement;
 - 3) a secondary unit shall only be permitted if it can be demonstrated that there is an adequate supply of potable water, and adequate capacity for the disposal of waste within the subsurface sewage disposal system as per Comprehensive Zoning By-law 2012-30, subsection 4.3.1.
 - 4) a secondary unit shall be located outside of areas subject to natural hazards, such as flooding or erosion;

- 5) a secondary unit shall not be permitted upon an existing undersized lot or upon a lot with deficient frontage;
 - 6) a secondary unit is not permitted within a boathouse;
 - 7) the secondary unit is located within a single detached dwelling house, semi-detached dwelling house, row dwelling house or in an ancillary building or structure on the same lot as a single detached dwelling house, semi-detached dwelling house, or row dwelling house;
 - 8) a maximum of one secondary unit per lot is permitted. For clarity, where a second "Dwelling Unit" is permitted, the second "Dwelling Unit" may exist within the principal structure, or within an ancillary structure, but not both;
 - 9) where a secondary unit is proposed as part of an ancillary building or structure, such building or structure shall comply with the same provisions for location on the lot as the principal residential building;
 - 10) notwithstanding subsection 3) above, where a second dwelling is situated in an ancillary structure, the Maximum Lot Coverage of all Accessory Building(s) upon the lot shall be ten percent (10%);
 - 11) the secondary unit has a gross floor area not exceeding 45% of the dwelling unit or 100 square metres, whichever is less;
 - 12) where a secondary unit is within the principal dwelling, access for the secondary unit shall be provided by an independent entrance or through a common vestibule entrance shared with the principal dwelling unit. If the access is provided at the side or rear of the building, a minimum 1.2-metre-wide walkway shall be provided from the front (street-facing façade) of the building to the side or rear entrance;
 - 13) the secondary unit within the Prime Agriculture (PA) Zone meets any applicable Minimum Distance Separation setbacks.
2. That this By-law shall come into force and take effect on its date of passing, subject to the provisions and subsections 34(30) and (31) of the Planning Act, R.S.O 1990, c.P.13, as amended, in the event a notice of appeal of this By-law is filed in accordance with subsection 34(19) of the Act.

Read a first and second time this 27th day of March, 2018.

Read a third and final time, passed, signed and sealed in open Council this 27th day of March, 2018.


MAYOR


CLERK