

**THE CORPORATION OF THE TOWNSHIP OF LEEDS AND THE
THOUSAND ISLANDS**

BY-LAW NO. 20-0XX

**BEING A BY-LAW TO AMEND ZONING BY-LAW NO. 07-079, AS
AMENDED**

General Amendment to Zoning By-law No. 07-079

WHEREAS Zoning By-Law No. 07-079, as amended, was passed under the authority of Section 34 of the *Planning Act*, R.S.O. 1990, as amended, and regulates the use of land and the use and erection of buildings and structures within the Township of Leeds and the Thousand Islands;

AND WHEREAS Section 34 of the *Planning Act*, R.S.O. 1990, as amended, permits Council to pass an amending by-law, and the Council of the Township of Leeds and the Thousand Islands deems it advisable to amend Zoning By-Law No. 07-079 with respect to the provisions described in this By-Law;

AND WHEREAS the matters herein are in conformity with the provisions of the Official Plan for the Township of Leeds and the Thousand Islands, the Provincial Policy Statement and the Planning Act;

NOW THEREFORE the Council for the Corporation of the Township of Leeds and the Thousand Islands ENACTS AS FOLLOWS:

1. That Section 2 – Definitions is hereby amended by adding the following, Subsection 2.56(l) "ADDITIONAL RESIDENTIAL UNIT":

"ADDITIONAL RESIDENTIAL UNIT" shall mean one or more habitable rooms designed and occupied as an independent dwelling unit in which living, kitchen, and bathroom facilities are provided and which is located entirely within a Single Detached Dwelling, Semi-Detached Dwelling or Row House Dwelling, as defined herein, or within an accessory building that is accessory to a Single Detached Dwelling, Semi-Detached Dwelling or Row House Dwelling.

2. That Section 2 – Definitions is hereby amended by adding the following sentence to the definitions for Section 2.56(h) Single Detached Dwellings, Section 2.56(g) Semi-Detached Dwellings, and Section 2.56 (e) Row House Dwellings:

The addition of an additional residential unit to a Single Detached/Semi-Detached/Row House dwelling house does not change a Single Detached/Semi-Detached/Row House dwelling into any other type of residential building.

3. That Section 3 – General Provisions is hereby amended by adding the following new, Subsection 3.29 *Additional residential units* and renumbering the provisions of Section 3 accordingly:

3.29 Additional residential units

- (a) Where a Single Detached Dwelling, Semi-Detached Dwelling or Row House Dwelling, as defined herein, is permitted as a main

use in a zone, an Additional Residential Unit is permitted on the same lot in accordance with the following provisions:

- (i) The additional residential unit shall be located on a lot that abuts an improved street or private road
- (ii) The lot meets the minimum lot area and lot frontage requirements of the zone.
- (iii) The building in which the additional residential unit is located complies with all applicable provisions of this By-law.
- (iv) Where a detached building contains an additional residential unit it shall comply with the setback requirements, maximum height and lot coverage requirements for a primary dwelling that is located on the same lot.
- (v) The maximum Floor Area of the additional residential unit shall be equal to or less than the Floor Area of the primary dwelling.
- (vi) A maximum of one additional residential unit is permitted on a lot.
- (vii) An additional residential unit is not permitted on a lot containing two or more dwelling units, a garden suite, or a boarding house.
- (viii) The establishment of an additional residential unit shall not be limited by any zone provisions that establish a maximum number of dwelling units.
- (ix) Prior to obtaining a building permit for an additional residential unit, the applicant shall obtain septic system approval.
- (x) The additional residential unit shall share the driveway entrance to the lot with the primary dwelling.
- (xi) Where an additional residential unit is attached to or located within the primary dwelling, the additional residential unit must have a separate exterior entrance located at the side, rear or front of the primary dwelling. A separate entrance may also be provided through a joint entrance vestibule within the principal dwelling unit.
- (xii) The exterior entrance to an additional residential unit that is within a principal dwelling (i.e. not a detached additional residential unit) and is located at the side or rear of the principal dwelling, shall be accessed by a minimum 1.2 metre wide unobstructed pathway provided from the front of the principal dwelling unit building or the front lot line. For the purposes of this Section, a pathway is defined as a hard surface treated pathway that is separately delineated from the driveway and provides pedestrian access. Unobstructed means no obstructions to a height of up to 2.3 metres. This provision shall not prevent the establishment of a gate to access the rear yard.
- (xiii) An additional residential unit shall not be permitted on an island or island lot;

(xiv) An additional residential unit shall not be permitted on lands within 300 metres of Highly Sensitive Lake Trout Lakes.

(xv) An additional residential unit shall not be permitted on a lot located in the Hamlet Residential (RH) zone or in the First Density Residential (R1) zone.

4. That Section 2.56(i) *Tiny Dwelling* is repealed and replaced with the following definition:

Tiny Dwelling shall mean a dwelling designed for permanent occupancy, year-round use, built to meet the requirements of the Ontario Building Code or premanufactured and certified by CSA to meet CSA A277.

5. That Section 3.36 Temporary Uses is hereby amended by adding the following new, Subsection 3.36(b):

In any zone, a recreational vehicle occupied on a temporary basis during the course of construction of a dwelling on the same lot, shall be permitted provided that:

- An appropriate sewage handling system is provided;
- A building permit for a dwelling has been issued and remains in force or the previous dwelling was damaged as a result of a natural occurrence/disaster and a building permit is obtained for the reconstruction of the dwelling within 6 months;
- The recreational vehicle is located in accordance with the required yards and setbacks applicable to a dwelling;
- In no event shall the recreational vehicle be located on the lot for a period exceeding two years from the date of issuance of the building permit.

6. That the second paragraph of Section 3.17(a)(i) Marine Facilities is hereby amended by adding the bolded text to the end of the paragraph:

For Islands and lots on islands having an area between 1 ha (2.47 ac.) and 0.1 ha (0.25 ac.), the area of marine facilities shall not exceed 3% or a maximum of 150 square metres (1614.59), whichever is less, of the total area of the island or lot, **and the maximum perimeter will be 120.0 metres (400.0 ft).**

That this By-Law shall come into effect and force on the date of passing thereof, subject to the appeal provisions of the *Planning Act*.

READ A FIRST AND SECOND TIME THIS ____ DAY OF _____ 2020.

READ A THIRD TIME AND FINALLY PASSED THIS ____ DAY OF _____ 2020.

Corinna Smith-Gatcke, Mayor

Vanessa Latimer, Clerk