

The Corporation of the Municipality of Trent Hills

By-law No. 2022-120

A By-law to Amend By-law 2010-105, Being the Comprehensive Zoning By-law of The Municipality of Trent Hills

With respect to the Trent Hills Affordable Housing Strategy

Whereas the Municipality of Trent Hills Zoning By-law 2010-105, as amended, was passed under the authority of a predecessor of Section 34 of the Planning Act, R.S.O. 1990, Ch. P. 13 as amended;

And Whereas Council Motion THC-191119-5 re: Trent Hills Affordable Housing Strategy accepts the recommendations from the Affordable Housing Strategy;

And Whereas the by-law hereinafter set out is in conformity with the general intent of the approved Official Plan in effect in the Municipality of Trent Hills;

And Whereas the Council of the Corporation of the Municipality of Trent Hills conducted a public meeting on November 1, 2022 in regard to this application, as required by Section 34 (12) of the Planning Act, R.S.O. 1990, Ch. P. 13, as amended;

And Whereas the Council of the Corporation of the Municipality of Trent Hills deems it advisable to amend Zoning By-law 2010-105, as otherwise amended, with respect to the jurisdiction of the Municipality and under the provisions of the Planning Act has the authority to do so;

Now Therefore the Council of the Municipality of Trent Hills hereby enacts as follows:

1. That Section 4.0 Definitions of Comprehensive Zoning By-law 2010-105 be amended by deleting 4.237.1 "Second Units" and including a new definition, numbered:

"4.4.1 Additional Residential Unit

Shall mean a self-contained ancillary dwelling unit located within a single detached dwelling, a dwelling unit of a semi-detached dwelling or a dwelling unit of a townhouse, or is located in a building or structure that is located on the same lot and is accessory to the primary dwelling."

2. That Section 5.0 General Provisions of Comprehensive Zoning By-law 2010-105 be amended by including new Section 5.6 and Section 5.7, immediately following Section 5.5 Existing Buildings, Structures and Uses, and all proceeding items be numbered accordingly:

“5.6 Existing Undersized Lots

Where a lot having a lesser lot area and/or lot frontage than required by this By-law is held in distinct and separate ownership from abutting lots, at the date of passing of this By-law, or where such a lot is created as a result of an expropriation, such smaller lot may be used and a single detached dwelling may be erected, altered or used on such smaller lot provided that the lot area is not less than 1,400 square metres and the lot frontage is not less than 30 metres, and further provided that the proposed use is permitted in the zone which applies to the property and complies with all other requirements of the By-law.

Notwithstanding the above, within Campbellford, Hastings, Warkworth, Trent River, and Norham (identified within the Schedules on separate maps), where a lot having a lesser lot area and/or lot frontage than required by this By-law is held under distinct and separate ownership from abutting lots, at the date of passing of this By-law, or where such a lot is created as a result of an expropriation, such smaller lot may be used and a building or structure may be erected, altered or used on such smaller lot provided that all other requirements of this By-law are complied with.

In addition to the above, the use shall be permitted only if the lot can be provided with an adequate supply of potable water, and all relevant sewage disposal requirements under the Ontario Building Code are complied with.

5.7 Existing Undersized Registered Deposit (R.D.) Plan Lots

Notwithstanding the provisions of Section 5.6 hereof to the contrary, lots within Registered Deposit (R.D.) Plans shall only be used for a single detached dwelling in accordance with the following:

- a) The lot shall provide a minimum building area of 1,400 square metres outside of any lands zoned Environmental Protection (EP) on the lot;
- b) The lot shall have 30 metres of frontage upon an improved public street or road;
- c) Two or more R.D. lots may be merged into a single lot to achieve the above requirements as necessary; and
- d) Lots within the following RD Plans are not developable in accordance with the Trent Hills Official Plan; 5, 8, 14, 15, 16, 17, 24, 25, 26, 38, 39, 40, 41, 42, 43, 45, 46, 47, 48, 49, 50, 54, 55, 56, 68, 69, 70, 71, 72, 73, 74, 75, 76, 89, 91, 95, 103, 104, 106, 107, 108, 109, 499, 498, 38R-199”

3. That Section 5.24 Second Dwelling Units in Dwelling Houses be amended by deleting in its entirety and replacing with:

“5.24 Additional Residential Unit

An additional residential unit shall be permitted in a single detached dwelling, semi-detached dwelling, or a rowhouse dwelling and located within a separate building ancillary to a single detached dwelling, semi-detached dwelling or a rowhouse dwelling in accordance with the following provisions:

General Additional Residential Unit provisions:

- a) A maximum of two additional residential units are permitted per one primary dwelling unit on the property.
- b) An additional residential unit shall be ancillary to the primary dwelling unit on the property.
- c) In rural areas, an additional residential unit shall be permitted in a single detached and semi-detached dwelling subject to the provision of potable water and sewage septic systems to provide for the additional dwelling unit.
- d) An additional residential unit shall not be permitted a driveway for its sole use. A tandem parking space is permitted within the driveway serving the primary dwelling to meet the Section 5.19 Parking Regulations requirement for iv) Residential other than specified herein.
- e) Tandem parking space shall mean a parking space that is only accessed by passing through another parking space from a street, lane, drive aisle, or driveway.
- f) An additional residential unit shall not be permitted in land zoned Environmental Protection where there is an existing dwelling or any area subject to flooding as identified by a Conservation Authority, regardless of the non-complying status of the existing building.
- g) An additional residential unit shall not be permitted on private roads and rights-of-way where emergency access may be limited.
- h) An additional residential unit shall not be permitted in areas adjacent to lakes with limited lake capacity.
- i) An additional residential unit shall not be permitted on the same lot that a garden suite, Bunkie, or any other rooming units are located.
- j) A building permit shall be required for the establishment of an additional residential unit and all Building Code requirements and Fire Code requirements shall be adhered to.
- k) Where a ‘secondary dwelling unit’ is referenced in any special exception zone provisions of this by-law, the Section 5.24 Additional Residential Unit provisions will apply to such a unit.

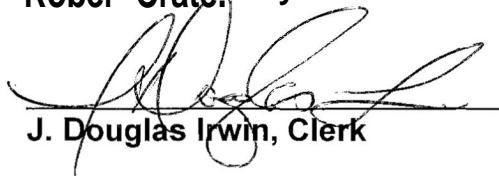
Detached Additional Residential Unit provisions:

- l) An additional residential unit within an accessory building or structure shall be subject to the lot coverage provisions of Section 5.1 d).
 - m) An additional residential unit located in an accessory building or structure shall meet the minimum yard provisions of Section 5.1 i).
 - n) Notwithstanding Section 5.1. d), the maximum height for an additional residential unit located in an accessory building or structure shall not exceed the maximum height of the primary dwelling on the property.
4. That Table 1 is hereby amended by the inclusion of 'Additional Residential Unit' within the list of 'Permitted Uses and Activities Residential', to be permitted within the RU, A, RR, SRR, SR, R1, R2, and R3 Zones.
 5. That Section 4.105 c) Group Homes for the Developmentally Challenged, within Section 4.105 Group Homes, be amended by deleting reference to the 'Homes for Retarded Persons Act, 1990', as amended, and replacing with the 'Developmental Services Act, 2001, as amended'.
 6. That Section 5.9 b) Group Homes – Developmentally and Mentally Handicapped, within Section 5.9 Group Homes, be amended by deleting reference to the 'Homes for Retarded Persons Act, 1990', as amended, and replacing with the 'Developmental Services Act, 2001, as amended'.
 7. This by-law shall come into force and take effect on the final passing thereof.

By-law read a first, second and third time, and passed this 13th day of December, 2022.



Robert A. Crate, Mayor



J. Douglas Irwin, Clerk