

BYLAW NUMBER 2019 - 002

**CORPORATION OF THE MUNICIPALITY OF HASTINGS HIGHLANDS
A Bylaw to Amend Comprehensive Zoning Bylaw No. 2004-035, As Amended**

WHEREAS Bylaw No. 2004-035, as amended, is the Comprehensive Zoning Bylaw governing the lands located within the Corporation of the Municipality of Hastings Highlands;

AND WHEREAS the Council of the Corporation of the Municipality of Hastings Highlands deems it appropriate to amend Bylaw No. 2004-035;

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 HASTINGS HIGHLANDS ENACTS AS FOLLOWS:

1. **THAT** Bylaw No. 2004-035, as amended, is hereby further amended by the addition of the following to Section 5 entitled "General Provisions" immediately after item 5.49 thereof:

"5.50 SECOND "DWELLING UNITS"

5.50.1 A second "*Dwelling Unit*" shall only be permitted:

- i) In the Marginal Agriculture (MA), Rural Residential (RR), Residential First Density (R1), Residential Second Density (R2), and Multiple Residential (MR) Zones;
- ii) Within a single detached dwelling, semi-detached dwelling, or rowhouse dwelling where such use is listed as a permitted use within the Zone; or
- iii) Within a building or structure accessory to a single detached dwelling, semi-detached dwelling, or rowhouse dwelling where such use is listed as a permitted use within the Zone and located on the same lot.
- iv) For clarity, where a second "*Dwelling Unit*" is permitted, the second "*Dwelling Unit*" may exist within the principal structure, or within an accessory structure, but not both.

5.50.2 A second "*Dwelling Unit*" shall not be located on a lot abutting any lake identified as "at-capacity".

5.50.3 The following provisions shall apply to regulate and govern the use of a second "*Dwelling Unit*":

- i) A second "*Dwelling Unit*" shall not be permitted upon an existing undersized lot or upon a lot with deficient frontage or upon a lot in the Waterfront Residential (WR) Zone;
- ii) A second "*Dwelling Unit*" shall only be permitted on a lot benefitting from frontage upon a "*Public Road*";
- iii) A second "*Dwelling Unit*" shall not be permitted within the regulated floodplain area;
- iv) Where a second "*Dwelling Unit*" is situated in an accessory structure, said structure shall comply with the requirements of a principal structure in the applicable zone;
- v) Notwithstanding subsection iv), above, where a second "*Dwelling Unit*" is situated in an accessory structure, the "*Maximum Lot Coverage*" of all "*Accessory Building(s)*" upon the lot shall be ten percent (10%);
- vi) A second "*Dwelling Unit*" shall not be permitted where two (2) or more "*Dwelling Unit(s)*" exist upon a lot;
- vii) A minimum of one (1) parking space shall be provided for the exclusive use of the occupier(s) of the second "*Dwelling Unit*";
- viii) All other provisions of this Bylaw shall apply."

2. **THAT** this Bylaw shall come into force and take effect pursuant to the provisions of and the regulations made under the Planning Act, R.S.O., 1990, c.P.13, as amended.

ENACTED AND PASSED IN COUNCIL THIS 20th day of February, 2019.

Vic A. Bodnar, Mayor

Pat Pilgrim, CAO/Clerk