

THE CORPORATION OF THE TOWNSHIP OF MELANCTHON

BY-LAW NO. _____

(Secondary Dwelling Units – February 28, 2020)

Being a By-law to amend By-law No. 12-79, as amended, the Zoning By-law for the Township of Melancthon.

WHEREAS the Council of the Corporation of the Township of Melancthon is empowered to pass By-laws to regulate the use of land pursuant to Section 34 of the Planning Act, 1990;

AND WHEREAS the Council of the Corporation of the Township of Melancthon deems it advisable to amend By-Law 12-79, as amended;

NOW THEREFORE the Council of the Corporation of the Township of Melancthon enacts as follows:

1. Zoning By-law No. 12-79 as amended, is further amended by adding the following new sub-sections after sub-section xxx):

1.0 Secondary Dwelling Unit Accessory to a Single Detached Dwelling

Notwithstanding any other provisions of this By-law, one secondary dwelling unit is permitted in a detached dwelling in the A1, A2, R1, ER1 or RR Zones provided:

- a) the lot and dwelling are compliant with the zone provisions of their appurtenant zone confirmed by a current plan of survey or real property report;
- b) the principle detached dwelling has a minimum ground floor area of 75 square metres and is otherwise compliant with the provisions of this By-law;
- c) the maximum floor area of the secondary dwelling unit is no greater than 50 square metres and the minimum floor area is no smaller than 30 square metres;
- d) a minimum of three parking spaces are provided on the lot;
- e) the resultant two-unit dwelling is compliant with the Ontario Building Code Act;
- f) both dwellings units are connected to the same septic system which is capable of sustaining both the principle dwelling and the secondary dwelling unit, confirmed by the issuance of a permit from the septic approval authority; and,
- g) where required, a window opening in the secondary dwelling unit having an area of 0.30 square metres is located above grade.

1.1 Secondary Dwelling Unit Accessory to a Detached Private Garage

Notwithstanding any other provisions of this By-law, one secondary dwelling unit is permitted in a detached garage accessory to a residential dwelling in the A1 or A2 Zones provided:

- a) the detached garage is otherwise compliant with the provisions of this By-law;
- b) the floor area of the secondary dwelling unit is no greater than 50% of the ground floor area of the detached garage to a maximum of 50 square metres and is located entirely above grade;
- c) the detached garage shall be designed for vehicle or equipment storage with a suitable entry for vehicles or equipment;
- d) the garage shall not be utilized for a home industry or on-farm diversified use;

- e) a minimum of three parking spaces are provided on the lot;
- f) the detached garage shall be located within 60 metres of the dwelling and shall utilize the same driveway as the dwelling;
- g) the resultant structure is compliant with the Ontario Building Code Act;
- h) both dwelling units are connected to the same septic system which is capable of sustaining both the principle dwelling and the secondary dwelling unit, confirmed by the issuance of a permit from the septic approval authority;
- i) the detached garage shall not have a basement; and,
- k) no accessory structures or uses shall be permitted in conjunction with the secondary dwelling unit.

2. In all other respects, the provisions of By-law 12-79, as amended shall apply.

This By-law shall come into effect upon the date of passage hereof, subject to the provisions of Section 34 (30) and (31) of the Planning Act (Ontario).

READ A FIRST AND SECOND TIME on the xx* day of xxx 2020.

READ A THIRD TIME and finally passed this xx* day of xxx 2020.

Mayor

Clerk