

BY-LAW No. 2018-017

OF THE

CORPORATION OF THE TOWN OF COLLINGWOOD



BEING A BY-LAW UNDER THE PROVISION OF SECTION 34 OF THE
PLANNING ACT, R.S.O. 1990, C. P.13, AS AMENDED

WHEREAS Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, permits a Council to pass a by-law prohibiting the use of land, buildings or structures within a defined area or areas;

AND WHEREAS Collingwood Zoning By-law No. 2010-040 is the governing By-law of the Corporation of the Town of Collingwood and such was finally passed by the Council of the Town of Collingwood on April 12th, 2010;

AND WHEREAS the Council of the Corporation of the Town of Collingwood has deemed it advisable to amend Collingwood Zoning By-law No. 2010-040, and thus implement the Official Plan of the Town of Collingwood, in particular as amended by Official Plan Amendment No. 33 which includes provisions permitting accessory apartments and second units;

AND WHEREAS Council deems that adequate public notice of the public meeting was provided and adequate information regarding this Amendment was presented at the public meeting held May 8th, 2017, and that a further public meeting is not considered necessary in order to proceed with this Amendment;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF COLLINGWOOD ENACTS AS FOLLOWS:

1. **THAT** Section 3.0 titled Definitions of the Collingwood Zoning By-law No. 2010-040, as amended, is hereby amended by adding the following terms and text, and replacing existing terms and text where appropriate, in proper alphabetical sequence as follows;

“Accessory apartment; an independent and accessory secondary dwelling unit that is located within a main dwelling unit.

Second Unit; an independent, self contained and accessory secondary dwelling unit that is located within a detached structure accessory to a single detached dwelling unit.

Coach House; a type of second unit, consisting of one storey, located either above or attached to a detached accessory garage.

Garden Suites; a type of second unit, consisting of one storey, located within, and occupying wholly, a detached accessory building.”

2. **THAT** Section 4.40 titled Accessory Apartments of the Collingwood Zoning By-law No. 2010-040, as amended, is hereby amended by deleting it in its entirety and replacing it with the wording below in proper sequence as follows;

“4.40 Accessory Apartments and Second Units

Accessory Apartments

4.40.1 An accessory apartment may be constructed on a lot in compliance with the following provisions.

- 4.40.2 An accessory dwelling unit shall only be constructed inside of a single detached or a semi-detached dwelling on a lot with a minimum lot frontage of 10.0 m on a public street.
- 4.40.3 The number of accessory apartments permitted inside of a single detached or semi-detached dwelling shall be a maximum of one (1).
- 4.40.4 An accessory apartment shall not be permitted where a second unit already exists on the lot.
- 4.40.5 The maximum floor area of an accessory apartment shall be 40% of the gross floor area of the single detached dwelling or semi-detached dwelling.
- 4.40.6 An accessory apartment shall have an independent and direct access to the exterior of the dwelling, but may have a shared hallway with the dwelling.
- 4.40.7 An accessory apartment shall only be permitted within a dwelling that is connected to both a municipal water supply and a municipal sanitary sewer.
- 4.40.8 An accessory apartment may be permitted within a dwelling where a municipal water supply system and/or a municipal sanitary sewer are unavailable, provided that it can be demonstrated to the satisfaction of the Town that the applicable provisions of the Ontario Building Code are met.
- 4.40.9 An accessory apartment shall not cause the total number of dwelling units built on a lot to exceed the density limits set out on Schedule "C" of the Town's Official Plan entitled Residential Density Plan, or as may be otherwise permitted.

Second Units

- 4.40.10 A second unit, such as a coach house or a garden suite, may be constructed on a lot in compliance with the following provisions.
- 4.40.11 A second unit shall only be constructed inside of a detached accessory building on a lot with a minimum lot frontage of 15.0 m on a public street and a minimum lot area of 550 m².
- 4.40.12 The number of second units permitted in association with a single detached dwelling shall be a maximum of one (1).
- 4.40.13 A second unit shall not be permitted where an accessory apartment already exists on the lot.
- 4.40.14 A second unit shall range in size from a minimum gross floor area of 35 m² to a maximum of 75 m², but shall not exceed 40% of the gross floor area of the single detached dwelling nor any other applicable lot coverage provisions for single detached dwellings and detached accessory buildings.
- 4.40.15 A second unit shall have an independent and direct access to the exterior of the accessory building, but may have a shared hallway with the accessory building.
- 4.40.16 The entrance for a second unit and any associated encroachments shall not be located adjacent to any yard that is less than 4.0 m.
- 4.40.17 A minimum 1.2 m unobstructed hard surfaced walkway shall be provided from required parking to the entrance to the second unit.

- 4.40.18 A second unit shall only be permitted where the associated dwelling is connected to both a municipal water supply and a municipal sanitary sewer.
- 4.40.19 A second unit may be permitted where a municipal water supply system and/or a municipal sanitary sewer are unavailable, provided that it can be demonstrated to the satisfaction of the Town that the applicable provisions of the Ontario Building Code are met.”
- 4.40.20 A second unit shall not cause the total number of dwelling units built on a lot to exceed the density limits set out on Schedule “C” of the Town’s Official Plan entitled Residential Density Plan, or as may be otherwise permitted.”

3. **THAT** Table 5.15.1.1 titled Required Parking Spaces, of the Collingwood Zoning By-law No. 2010-040, as amended, is hereby amended in part by deleting the reference to ‘Accessory Apartment’ from the Type of Use column and replacing it with the following text:

“Accessory apartment/second unit”

4. **THAT** Section 5.3.1 titled Residential Entrance Widths of the Collingwood Zoning By-law No. 2010-040, as amended, is hereby amended in part by adding to the existing provisions the wording below in proper sequence as follows;

“5.3.1.3 The entrance width for a residential unit containing an accessory apartment or accommodating a second unit on the lot shall not exceed a maximum width of 6.5 m or 56% of the lot frontage whichever is lesser.”

5. **THAT** Section 5.6 titled Residential Driveways of the Collingwood Zoning By-law No. 2010-040, as amended, is hereby amended in part by adding to the existing provisions the wording below in proper sequence as follows;

“5.6.3 For a dwelling with an accessory apartment a maximum of 56% of the front yard may be used for a driveway. The balance of the yard shall be used for landscaped open space and no more than an additional 14% shall be covered with any hard ground surfacing material.”

6. **THAT** Collingwood Zoning By-law No. 2010-040 is hereby amended to give effect to the foregoing, but that Collingwood Zoning By-law 2010-040 shall in all other respects remain in full force and effect.

7. **THAT** this By-law shall come into force and effect on the date it is enacted and passed by the Council of the Corporation of the Town of Collingwood, subject to notice hereof being circulated in accordance with the provisions of the *Planning Act* and Ontario Regulation 545/06, and if required as a result of such circulation the obtaining of the approval of the Ontario Municipal Board.

ENACTED AND PASSED this 26th day of March 2018.

MAYOR

CLERK