

**THE CORPORATION OF THE
TOWNSHIP OF HORTON**

BY-LAW NUMBER 2022-53

A By-law to amend By-law Number 2010-14 of the Corporation of the Township of Horton, as amended.

PURSUANT TO SECTION 34 OF THE PLANNING ACT, R.S.O., 1990, c.P. 13, THE TOWNSHIP OF HORTON HEREBY ENACTS AS FOLLOWS:

1. THAT By-law Number 2010-14, as amended, be and the same is hereby further amended as follows:

(a) By adding the following definitions for Dwelling Unit, Secondary and Dwelling Unit, Coach House, immediately following subsection 2.72 and renumbering the following subsection definitions accordingly:

“2.73 Dwelling Unit, Secondary

Means a second self-contained residential dwelling unit, subordinate to a primary dwelling unit, in which food preparation, eating, living, sleeping and sanitary facilities are provided for the exclusive use of the occupants thereof, and which may also be located within structures accessory to a dwelling such as a garage or other detached structures but does not include a garden suite or an accessory dwelling unit as defined in the By-law.”

“2.74 Dwelling Unit, Coach House means a type of secondary dwelling unit that is in a standalone structure, separated from the primary dwelling unit.”

(b) By adding the following new subsection “3.35 Secondary Dwelling Units” to the general provisions of the by-law:

3.35 Secondary Dwelling Units

Notwithstanding Section 3.7 of this by-law to the contrary, a Secondary Dwelling Unit shall be permitted in all zones that permit a single detached dwelling, semi-detached dwelling, or townhouse dwelling unless specifically prohibited elsewhere in this By-law, and shall be subject to the following criteria:

(a) A Secondary Dwelling Unit shall only be permitted where adequate servicing is or can be made available to accommodate the secondary dwelling unit, including, but not limited to water, waste water, stormwater and electricity.

(b) A minimum lot area of 0.8 Ha shall be required for secondary dwelling units on lots with private services (well and/or septic). For properties that have a lot area of 2 Ha and less, the secondary dwelling unit is required to share the same water and/or septic services as the primary dwelling. (See County of Renfrew Official Plan policy 2.2(24)(3) - For lots on private services that are greater than 0.4 Ha but less than 0.8 Ha, a secondary dwelling may be considered through the submission and approval of a minor variance. The proponent of the application is required to submit a study addressing matters outlined in the Official Plan policy.)

(c) The gross floor area of the secondary dwelling unit must be less than the gross floor area of the primary dwelling unit and where a Secondary Unit is a Coach House the footprint must not be greater in size than the footprint of the Primary Unit on the lot.

- (d) That a Secondary Dwelling Unit which is a Coach House or is located in an accessory building to the Primary Dwelling Unit shall be subject to the following provisions:
 - a. The minimum side yard width and rear yard depth applicable to the Primary Dwelling Unit shall also apply to the Coach House.
 - b. The Coach House shall not be located within a minimum front yard setback in a Rural (RU) or Agriculture (A) zone or within a front yard in all other zones.
 - c. For Townhouse and Semi-detached dwellings, a Coach House shall only be permitted where the Primary Dwelling Unit is a freehold unit located on a separate lot from the other townhouse dwelling units or semi-detached dwelling unit in the same building.
 - d. The maximum height shall be the permitted height of an accessory building.
- (e) A Secondary Dwelling Unit, not including a Coach House, shall be permitted in all types of townhouse dwelling units or semi-detached dwelling units whether or not the Primary Dwelling Unit is a freehold unit located on a separate lot from the other townhouse dwelling units or semi-detached dwelling unit, or is located on the same lot, provided that lot is serviced by both municipal sewer and water services.
- (f) A minimum of one (1) parking space, which may be a tandem parking space, is required for a Secondary Dwelling Unit. Where a Secondary Dwelling Unit is located within a detached garage, the parking space provided by the detached garage must be retained either within the detached garage or elsewhere on the lot in conformity with the applicable provisions of this By-law.
- (g) A maximum of one Secondary Dwelling Unit is permitted per Primary Dwelling Unit.
- (h) A Secondary Dwelling Unit shall not be permitted on lands within a floodway or on lands in an Environmental Protection (EP) zone or within 30 metres of the high water mark of a waterbody.
- (i) A Secondary Dwelling Unit shall be permitted in a Primary Dwelling Unit that has inadequate yard size provided the addition of the Secondary Dwelling Unit does not increase the degree of non-compliance.
- (j) A Secondary Dwelling Unit shall not be permitted on a lot where the Primary Dwelling Unit is a legal non-conforming use.
- (k) A Secondary Dwelling Unit shall not be permitted on an existing undersized lot where the area is less than required by the provisions of the respective zone.
- (l) Secondary Dwelling Units on waterfront lots:
 - a. Secondary dwellings shall not be permitted on lots within 300 metres of a lake identified as "At Capacity";
 - b. For lots with water frontage on a waterbody that is not identified as "At Capacity", secondary dwellings shall not be permitted. (See County of Renfrew Official Plan policy 2.2(24)(7) – A secondary dwelling may be considered through the submission and approval of a minor variance application. The proponent of the application is required to submit a study addressing matters outlined in the Official Plan policy.)

2. THAT save as aforesaid all other provisions of By-law 2010-14, as amended, shall be complied with.
3. This by-law shall come into force and take effect on the day of final passing thereof.

This By-law given its FIRST and SECOND reading this 18th day of October, 2022.

This By-law read a THIRD time and finally passed this 18th day of October, 2022.

MAYOR David M. Bennett

CAO/CLERK Hope Dillabough