

Township-wide Zoning Bylaw Amendment: Additional Residential Units

Prepared by the County of Wellington Planning
and Development Department in our capacity as
planning consultants for the Township

April 12th, 2022



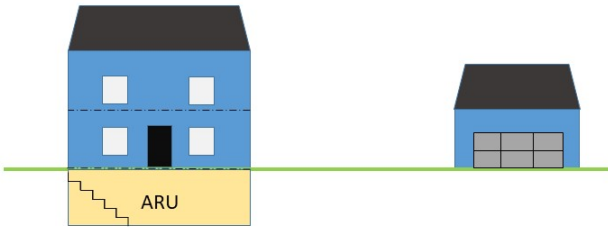
Background:

- Bill 108, More Homes, More Choice Act, 2019, altered the *Planning Act* requiring municipalities to authorize the use of Additional Residential Units within their Official Plans
- County Official Plan Amendment #112 was adopted in 2020 to implement the *Planning Act* changes
- The Official Plan provides direction for local municipalities when updating their Zoning By-laws and provides items that must be updated and other items the municipality should consider
- The Official Plan directs that one (1) ARU is permitted within the primary dwelling and one (1) ARU is permitted within a detached structure

What is an Additional Residential Unit?

Additional Residential Unit (ARU) Within a Principal Building

Example 1. Additional Residential Unit within a Basement



Example 2. Additional Residential Unit within an Addition

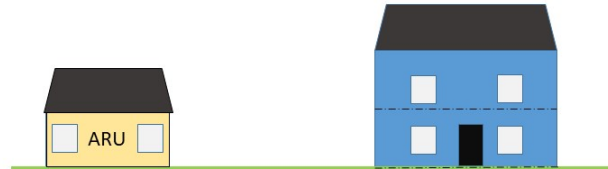


Example 3. Additional Residential Unit in Second Level



Additional Residential Unit (ARU) Within an Ancillary Building

Example 1. Additional Residential Unit occupying entire ancillary building



Example 2a) Additional Residential Unit within an ancillary building



Example 2b) Additional Residential Unit within an ancillary building



- Self-contained residential unit with a separate kitchen, bathroom and sleeping facilities
- Subordinate in scale and function from the main residence
- The County Official Plan allows:
 - One ARU in a single detached dwelling, semi-detached dwelling or rowhouse; and
 - One ARU in a building or structure ancillary to a single detached dwelling, semi-detached dwelling or rowhouse.

Current Zoning Regulations:

4.2 ACCESSORY APARTMENTS

- a. Where permitted by this By-law, a maximum of one accessory apartment shall be permitted per single detached, semi-detached, or townhouse dwelling, provided that:
 - i. the maximum floor area shall not exceed 40 percent of the floor area of the principal dwelling unit to a maximum of 130 m²; and
 - ii. individual on-site sewage and water services are approved for the lot and have adequate capacity for the accessory apartment and any other uses on the lot.
- b. In the Agricultural Zone, an accessory apartment may be permitted in a detached dwelling or within a detached building, subject to the following provisions:
 - i. The building is located within 15 metres of the single detached dwelling on the lot;
 - ii. The building does not exceed eight (8) metres in height;
 - iii. The building complies with the minimum interior side, exterior side, and rear yard requirements for a single detached dwelling in the Agricultural (A) Zone; and
 - iv. A maximum of one accessory apartment is provided on the lot.
 - v. The maximum floor area shall not exceed 40 percent of the floor area of the principal dwelling unit to a maximum of 130 m²; and
 - vi. Individual on-site sewage and water services are approved for the lot and have adequate capacity for the accessory apartment and any other uses on the lot.

Changes Being Proposed:

- Replace the definition of ‘Accessory Apartment’ with ‘Additional Residential Unit (Attached)’ and ‘Additional Residential Unit (Detached)’
 - **Additional Residential Unit (Attached):** a self-contained **dwelling unit** with a private kitchen, bathroom facilities and sleeping areas, which is within a **single detached, semi-detached, or townhouse dwelling** and is clearly secondary and subordinate to the principal dwelling.
 - **Additional Residential Unit (Detached):** a self-contained **dwelling unit** with a private kitchen, bathroom facilities and sleeping areas, which is within part of or whole of a building **ancillary** to a **single detached, semi-detached, or townhouse dwelling** and is clearly secondary and subordinate to the principal dwelling.

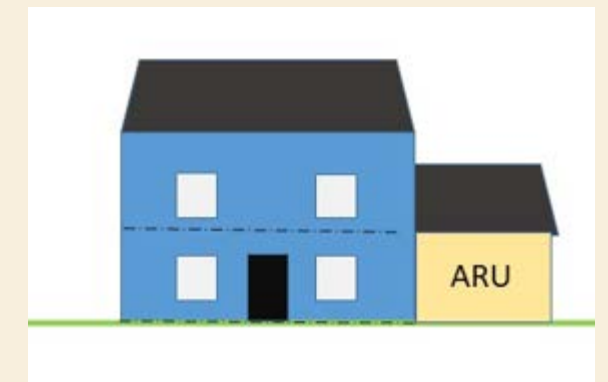
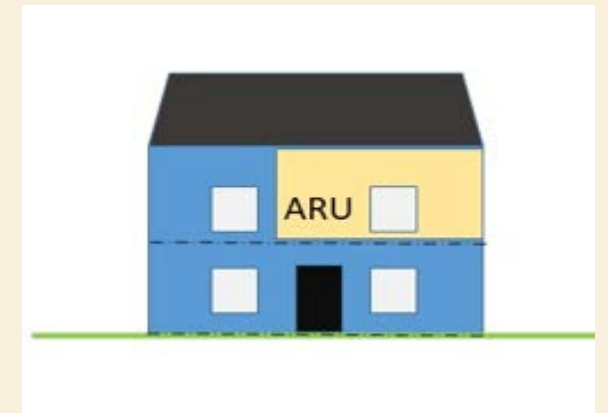
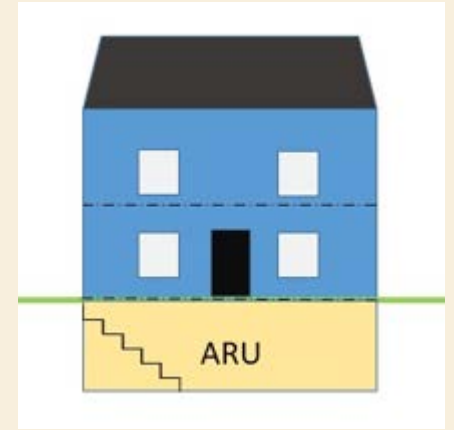
For the purpose of this use, ancillary means a shed, **private garage**, carriage house or barn.
- **Adjust other sections of the By-law that use the term “accessory apartment”**
 - Short term accommodations section
 - All the zones where the use is a listed permitted use

Changes Being Proposed (Continued):

- Deleting Section 4.2 Accessory Apartments in its entirety and replacing it with the following:
 - General Provisions
 - That two ARU's are permitted per lot which is allowed to have a single, semi and townhouse dwelling;
 - Size cap per ARU is 40% of the principal dwelling, up to 130 m²
 - Height shall not exceed that of the principal dwelling
 - Limits on driveway access so it is shared
 - Servicing requirement
 - Provisions related to meeting the Ontario Building Code & Ontario Fire Code regulations; Minimum Distance Separation (MDS); and prohibition on hazardous lands and within a bed and breakfast.

Changes Being Proposed (Continued):

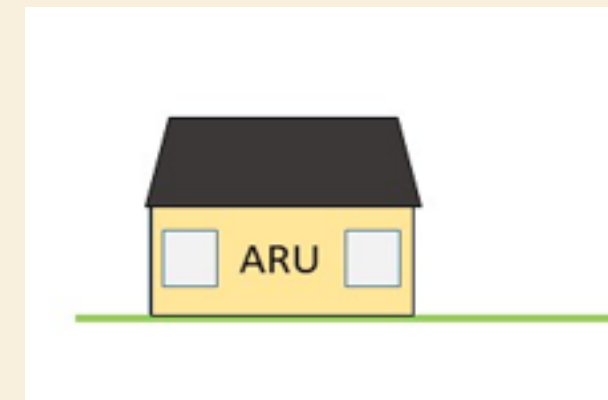
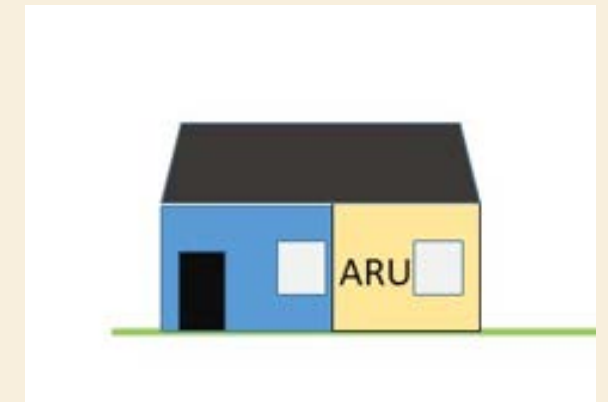
- Provisions specific to an Additional Residential Unit that is “Attached”
 - This includes: (i) within the principal single detached, semi-detached or townhouse dwelling or (ii) attached to a single detached dwelling;
 - If proposing an addition – the addition can be to the side or behind the principal dwelling and will need to meet the setbacks applicable in the Zone the use is located;
 - Requirement for separate, private entrances; and
 - Allow an ARU to form the entirety of a basement if it is within a principal dwelling



Changes Being Proposed (Continued):

- Provisions specific to an Additional Residential Unit that is “Detached”

- This includes a unit within an ancillary building or is the entirety of an ancillary building (i.e. tiny home);
- The unit has to be on the same lot as the principal dwelling;
- The unit cannot be severed from the principal dwelling;
- Setbacks required are identified in the Zone the use is located;
- Requirement to be in the building cluster and within 40 metres of the principal dwelling;
- Additional height restrictions:
 - Tiny homes can only be 5 metres in height
 - A unit on the second storey of an ancillary building shall be up to 8 m
- All other provisions applicable to accessory buildings and structures apply; and
- Prohibit a garden suite on the same lot



Questions?