

AMENDMENT NUMBER 311
TO THE COUNTY OF OXFORD OFFICIAL PLAN

The following text attached hereto constitutes
Amendment Number 311 to the County of Oxford Official Plan.

1.0 PURPOSE OF THE AMENDMENT

The purpose of this amendment is to amend the policies of Section 8.2.4 of the Official Plan respecting Low Density Residential Districts and Section 8.3.2.3.2 respecting Entrepreneurial Districts to reflect legislative changes made to the Planning Act to permit Additional Residential Units broadly throughout residential areas of serviced settlements.

2.0 LOCATION OF LANDS AFFECTED

This amendment will generally apply to all lands within the Town of Tillsonburg.

3.0 BASIS FOR THE AMENDMENT

Bill 23, *More Homes Built Faster Act* received Royal Assent on November 28, 2022 and made a number of amendments to the *Planning Act* and the *Development Charges Act* intended to increase the availability and affordability of housing. One of the amendments to the *Planning Act* requires municipal Official Plans to contain policies that permit the use of up to three residential units on a residential lot within a settlement serviced by both municipal drinking water and wastewater disposal services, and any policies that have the effect of prohibiting such units will have no effect. The additional units may be in the form of two units within (and in addition to) the principal single detached dwelling, semi-detached dwelling or street townhouse dwelling or one additional unit within the principal single detached dwelling, semi-detached dwelling or street townhouse dwelling and one additional unit in an ancillary building.

This Official Plan amendment amends the policies for the Town of Tillsonburg respecting Additional Residential Units. The policy amendments regarding ARUs generally apply to all the lands within the Town of Tillsonburg as shown on Schedule T-1 of the Official Plan.

It is the opinion of Staff that the proposed Official Plan Amendment is consistent with the Provincial Policy Statement and implements the legislative changes enacted by the Province regarding Additional Residential Units, and that the amendment supports the objectives and strategic initiatives of the Official Plan.

4.0 DETAILS OF THE AMENDMENT

4.1 That Chapter 8 – TOWN OF TILLSONBURG LAND USE POLICIES, Section 8.2.4 - Low Density Residential Areas, as amended, is hereby amended by adding the term 'additional residential units' so that the subsection titled DESCRIPTION shall read as follows:

DESCRIPTION	Low Density Residential areas are those lands that are primarily developed or planned for a variety of low-rise, low-density housing forms including single detached, semi-detached, duplex, <i>additional residential units</i> , converted dwellings, quadraplexes, townhouses, and low-density cluster <i>development</i> .
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In these areas, it is intended that there will be a mixing and integration of different forms of housing to achieve a low overall density of use. It is not intended, however, that the full range of housing will be permitted in every individual neighbourhood or *development* and Town Council may choose to restrict the range of uses permitted in a particular location through the Zoning By-law. Low Density Residential areas are identified on Schedule T-2.

- 4.2 That Chapter 8 – TOWN OF TILLSONBURG LAND USE POLICIES, Section 8.2.4 - Low Density Residential Areas, as amended, is hereby amended by deleting the final paragraph of the subsection titled CRITERIA FOR MULTIPLE UNITS and replacing it with the following paragraph:

Notwithstanding the above criteria, street-oriented multiples such as street townhouses, quadraplexes and converted dwellings may be permitted on local streets.

- 4.3 That Chapter 8 – TOWN OF TILLSONBURG LAND USE POLICIES, Section 8.2.4.1.1, Street Oriented Infill, as amended, is hereby amended by deleting the word “consistent” from the first bullet and replacing it with the word “compatible” so that the said bullet shall read as follows:

- the proposal is compatible with street frontage, setbacks and spacing of existing *development* within a two-block area on the same street;

- 4.4 That Chapter 8 – TOWN OF TILLSONBURG LAND USE POLICIES, Section 8.2.4.1.2, Backyard Infill, as amended, is hereby amended by deleting the first two paragraphs of the section and replacing them with the following:

In Low Density Residential areas, backyard infill *development* may involve new residential *development* on lots with minimal street frontage (e.g. flag shaped lots), on small vacant remnant parcels of land which cannot be integrated into a plan of subdivision, or on under-utilized or obsolete industrial, commercial, or institutional sites.

Backyard infill may involve the *development* of existing lots or the creation of new lots by consent. *Additional residential units* and *garden suites* may also be permitted to the rear of an existing dwelling on a lot in accordance with the policies of Section 8.2.4.3 and Section 10.3.9, respectively.

- 4.5 That Chapter 8 – TOWN OF TILLSONBURG LAND USE POLICIES, Section 8.2.4.3, Converted Dwellings, as amended, is hereby amended by deleting the entire section and replacing it with the following section:

8.2.4.3 Additional Residential Units (ARUs) and Converted Dwellings

DEFINITION Additional Residential Unit (ARU) means a separate, self-contained dwelling unit located within a single detached, semi-detached dwelling or street townhouse dwelling, or within a detached building ancillary to such dwelling, and which is located on the same lot as, and is clearly subordinate to the principal dwelling.

ADDITIONAL
RESIDENTIAL
UNITS

The development of *additional residential units* within the Low Density Residential Districts and Entrepreneurial Districts, shall be encouraged, where appropriate, with the objective of increasing the range and availability of *housing options* while maintaining the low density residential character of the housing and neighbourhoods comprising such districts.

The general intent is to allow for the establishment of such units in existing and newly developing residential areas, subject to complying with applicable zone provisions and development standards, where the Town has deemed it to be appropriate based on such considerations as the location, existing level of services and presence of natural hazards and/or other constraints.

To this end, Town Council shall establish the appropriate zones and zoning provisions to permit the establishment of *additional residential unit(s)* within a single detached, semi-detached, or street fronting townhouse dwelling, and/or in a structure ancillary to such a dwelling where they are satisfied that the following criteria can be addressed:

- a maximum of two *additional residential units* are permitted on a lot, consisting of up to two in the principal dwelling and/or one in a structure ancillary to the principal dwelling;
- *additional residential unit(s)* shall generally not be permitted on a lot that contains a boarding/lodging house, garden suite, converted dwelling unit, group home, mobile home/park model trailer, bed and breakfast establishment, or other similar use;
- the *additional residential unit(s)* shall be clearly secondary and subordinate to the principal dwelling, and, have a cumulative gross floor area of no greater than 50% of the gross floor area of the principal dwelling. The Town may establish lower maximum floor area limits and/or floor area caps in zoning, if deemed appropriate;
- the principal dwelling and lot are of sufficient size to accommodate the creation of *additional residential unit(s)* and to provide for adequate off-street parking, landscaping, stormwater management, and outdoor amenity areas without detracting from the visual character of the lot or area.
- any new or expanded structures and/or exterior alterations (e.g. new parking areas, doors, windows, stairways, decks) to accommodate an *additional residential unit* will maintain the general built form and architectural character of the principal dwelling and the surrounding area;
- the principal dwelling must have direct, individual vehicular access to a public street and all *additional residential units* shall generally use the same driveway and parking area as the principal dwelling; new additional driveways will generally not be permitted;
- there is adequate access from the front lot line or parking area to each *additional residential unit* for both occupant use and emergency response;
- to the extent feasible, existing trees and other desirable

- vegetation are preserved;
- the existing *infrastructure* and *public service facilities* serving the area are adequate to accommodate the establishment of *additional residential units*;
- stormwater run-off will be adequately controlled and will not negatively affect adjacent properties;
- any potential increase in on-street parking demand can be adequately accommodated and/or managed;
- land use compatibility concerns will not be created or intensified (e.g. due to proximity to industrial areas or *major facilities*);
- the location of the proposed *additional residential unit* and related services and outdoor amenity areas shall comply with all other applicable policies including but not limited to: Section 3.2, Environmental Resource Policies, and, Section 3.3, Cultural Resource Policies;
- all other municipal requirements such as servicing, stormwater management, waste management, and emergency access can be adequately addressed.

ADDITIONAL
RESIDENTIAL
UNITS IN AN
ANCILLARY
BUILDING

The following additional criteria shall apply to the establishment of an *additional residential unit* in a structure ancillary to a single detached, semi-detached, or street fronting townhouse dwelling:

- the ancillary structure must be located in a rear or interior side yard;
- the siting, design and orientation of the ancillary structure/dwelling unit, parking area, and outdoor amenity area will allow for privacy for the occupants of the *additional residential unit*, principal dwelling, and abutting residential properties and minimize potential visual and shadowing impacts on adjacent residential properties; and,
- all other municipal requirements (e.g. servicing, emergency access, by-laws, standards, etc.) can be adequately addressed.

SEVERANCE

Additional residential units must be located on the same lot as the principal dwelling and shall not be severed from such lot or converted into a separately transferable unit through a plan of condominium.

ZONING

The Town's Zoning By-law shall establish the specific zoning provisions that must be met for an additional residential unit to be established on a lot. These zoning provisions will address the policy requirements of this subsection and any other matters deemed necessary by the Town including but not limited to lot frontage and area, type of unit permitted, unit size and location, building height, location and setbacks, landscaping and amenity areas, parking and access.

To assist in maintain the built form character of the principal dwelling and surrounding residential area, and minimizing potential impacts on abutting residential properties, the Zoning By-law may also limit the location and extent of structural additions, alterations and/or features that are permitted (e.g. building additions, doorways, windows, stairways, decks).

The zoning provisions for *additional residential units* will be implemented through a comprehensive, Town-initiated amendment to the Zoning By-law, or through the proposed zoning for new residential subdivisions. Site-specific amendments to the zoning By-law to permit the establishment of an *additional residential unit(s)* will not generally be permitted.

OTHER
TOOLS AND
MEASURES

Where deemed necessary and/or appropriate, the Town may implement other supplementary tools and measures to assist with tracking and regulating *additional residential units* including, but not limited to, registration and/or licensing requirements, design guidelines, property standards by-laws, etc.

In addition, Town Council may zone areas within the Town to permit the conversion of a principal dwelling for more than three dwelling units in accordance with the following criteria:

- the area is characterized by a mixture of residential dwelling types including detached, semi-detached, townhouse and existing converted dwellings;
- lot sizes are generally sufficient to accommodate the required off-street parking without detracting from the visual character of the area;
- existing dwellings are generally of a size sufficient to accommodate the creation of additional dwelling units.

NO FURTHER
CONVERSION

Where an *additional residential unit(s)* has been established within a principal dwelling, the conversion of the principal dwelling to include additional units will generally not be permitted.

ZONING

The Zoning By-law may limit the number of units that may be contained in a converted dwelling and specify minimum lot or dwelling size requirements for conversion. To maintain the external character of the dwelling the Zoning By-law may also limit the extent of structural additions or changes that would be permitted.

SITE DESIGN
POLICIES

When considering a specific proposal for multiple unit *development* in the Low Density Residential area, Town Council will be satisfied that the policies of Section 8.2.7 are adequately addressed.

4.6 That Chapter 8 – TOWN OF TILLSONBURG LAND USE POLICIES, Section 8.3.2.3.2, Entrepreneurial District, as amended, is hereby amended by adding the term '*additional residential units*' to the first bullet of the subsection titled PERMITTED USES IN EXISTING BUILDINGS so that it shall read as follows:

- residential uses including *additional residential units*, single-detached dwellings, semi-detached dwellings, converted dwellings, and bed and breakfast establishments;

5.0 IMPLEMENTATION

This Official Plan Amendment shall be implemented in accordance with the implementation policies of the Official Plan.

6.0 INTERPRETATION

This Official Plan Amendment shall be interpreted in accordance with the interpretation policies of the Official Plan.