

AMENDMENT NUMBER 285
TO THE COUNTY OF OXFORD OFFICIAL PLAN

the following Plan attached hereto as explanatory text, constitutes
Amendment Number 285 to the County of Oxford Official Plan.

1.0 PURPOSE OF THE AMENDMENT

The purpose of this amendment is to update Sections 3.1 (Agricultural Area), 4.2.2.1 (Growth Management – Rural Area), 6.2 (Residential Uses in Rural Settlements), 6.3 (Commercial Uses in Rural Settlements) and 10.3.9 (Temporary Use), as contained in the County Official Plan, to implement policies regarding Additional Residential Units (ARUs) in the Rural Townships and update certain policies with respect to the garden suites.

2.0 LOCATION OF LANDS AFFECTED

The policy amendments regarding Additional Residential Units generally apply to all the lands within the County's five Townships, as shown on Schedules 'B-1', 'E-1', 'N-1', 'S-1', and 'Z-1' of the Official Plan, with the exception of the updates to Chapter 10 pertaining to temporary garden suites, which apply to all lands within the County.

3.0 BASIS FOR THE AMENDMENT

Bill 108, *More Homes, More Choices Act* and accompanying regulations came into effect in Ontario in September 2019, providing Provincial direction and implementing various measures to increase the availability and affordability of housing through amendments to the *Planning Act* and the *Development Charges Act*. The amendments to the *Planning Act* require that municipalities enact policies that authorize Additional Residential Units (ARUs) in low density housing types, specifically single and semi-detached dwellings and street townhouses.

This Official Plan amendment introduces enabling policies that are intended to reflect and implement the current Provincial direction on ARUs for the rural areas of the County (i.e. the five Townships), while also establishing comprehensive review criteria to inform and support the establishment of appropriate zoning provisions and, where deemed appropriate, other local implementation measures for such units in those areas. Council is satisfied that the policies contained in this amendment provide the necessary support and direction for each of the Townships to establish specific local direction with respect to where ARUs will be permitted, and what standards will apply, primarily by establishing appropriate zoning provisions for such units through a comprehensive, Township-initiated Zoning By-law amendment.

Updates to Chapter 10 comprise minor amendments to reflect amended Planning Act provisions with respect to garden suites. The amendments are to clarify wording and amend the amount of time that a temporary garden suite is permitted to remain from 10 years to 20 years. The amendments would enable area municipalities to amend their zoning provisions with respect to garden suites as deemed appropriate.

The policy amendments regarding ARUs generally apply to all the lands within the County's five Townships, as shown on Schedules 'B-1', 'E-1', 'N-1', 'S-1', and 'Z-1' of the Official Plan, with the exception of the updates to Chapter 10 pertaining to temporary garden suites, which apply to all lands within the County.

4.0 DETAILS OF THE AMENDMENT

4.1 That Chapter 3 – NATURAL AND CULTURAL RESOURCE MANAGEMENT POLICES, Section 3.1 – Agricultural Land Resource, as amended, is hereby amended by replacing all references to ‘converted dwelling’ in Section 3.1 with the term ‘additional residential unit’

4.2 That Chapter 3 – NATURAL AND CULTURAL RESOURCE MANAGEMENT POLICES, Section 3.1 – Agricultural Land Resource, as amended, is hereby amended by deleting the second paragraph corresponding with the side bar title POLICIES in subsection 3.1.4.5 Policies for Farm Residential Uses and replacing it with the following:

Notwithstanding this policy, *additional residential units* and *garden suites* are also permitted in the Agricultural Reserve designation subject to the policies of Sections 4.2.2.1 and 10.3.9 respectively.

4.3 That Chapter 3 – NATURAL AND CULTURAL RESOURCE MANAGEMENT POLICES, Section 3.1 – Agricultural Land Resource, as amended, is hereby amended by deleting the paragraph with the side bar title CRITERIA FOR ADDITIONAL ON-FARM RESIDENCES in subsection 3.1.4.5 Policies for Farm Residential Uses and replacing it with the following:

Additional dwelling units may be permitted on an agricultural lot in the form of temporary dwellings, such as mobile homes or modular dwellings, and permanent detached dwellings, including bunkhouses, through a minor variance granted by the Area Committee of Adjustment, in accordance with the policies of this Section. Preference will be given to temporary dwellings.

4.4 That Chapter 4 – GROWTH MANAGEMENT POLICES, Section 4.2 - Policies, as amended, is hereby amended by deleting the entirety of paragraphs starting at and including the side bar title RESIDENTIAL CONVERSIONS IN RURAL AREAS and ending before side bar title GARDEN SUITES in subsection 4.2.2.1 – Rural Area and replacing them with the following paragraphs and side bar titles:

ADDITIONAL
RESIDENTIAL
UNITS (ARUs)

In the Agricultural Reserve designation, *additional residential units* (ARUs) are permitted within a single detached dwelling and/or in a structure ancillary to such dwelling, provided that they are located on a lot zoned for agricultural or rural residential uses that permits a dwelling, and are in accordance with the policies of this subsection. Further, a maximum of two *additional residential units* shall be permitted per *farm unit*, one in a principle dwelling and/or one in a structure ancillary to that dwelling.

In the Open Space and Future Urban Growth designations *additional residential units* shall only be permitted within an existing single detached, semi-detached, or street townhouse dwelling and in accordance with the applicable policies of this subsection.

Policies for *additional residential units* in Rural Cluster, Village and Serviced Village designations are contained in Section 6.2.2.2.

POLICIES FOR ALL
ADDITIONAL
RESIDENTIAL
UNITS OUTSIDE OF
A SETTLEMENT

The Area Municipal Zoning By-law shall identify the areas and/or zones where *additional residential units* may be established and contain zoning provisions to regulate the establishment of such units, in accordance with the following policies:

- the *additional residential unit(s)* shall be clearly secondary and subordinate to the principal dwelling on the lot and have a cumulative gross floor area of no greater than 50% of the gross floor area of the principal dwelling, to a maximum of 140 m² (1506 ft²), except that the entire basement of the principal dwelling may be used;
- *additional residential units* shall not generally be permitted where a lot or dwelling already contains other accessory residential dwellings/uses, including: a boarding/lodging house or group home, or a home occupation that is characterized by higher occupancy, such as a bed and breakfast, a farm vacation rental, or other similar use;
- an *additional residential unit* within the principal dwelling may be permitted on the same lot as a *garden suite* where all other policies of this section are met;

- *individual on-site water supply and sewage services* are demonstrated to be adequate to serve the proposed use, in accordance with the applicable policies of Section 3.3, Water Quality and Quantity and 5.5, County Servicing Policy;
- the existing principal dwelling and the lot are of sufficient size to accommodate the creation of *additional residential unit(s)* and to provide adequate off-street parking, landscaping, stormwater management, and amenity areas;
- 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;
- the principal dwelling must have direct, individual vehicular access to a public street and all *additional residential units* shall use the same driveway as the principal dwelling;
- there is adequate access from the front lot line and 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;
- stormwater run-off will be adequately controlled;
- land use compatibility concerns (e.g., due to proximity to industrial areas or *major facilities*) will not be create or intensified;
- the location of *additional residential units* and related services and amenity areas shall comply with all other applicable policies of the Plan including, but not limited to: Section 3.2, Environmental Resource Policies and Section 3.3, Cultural Resource Policies; and,
- all other municipal requirements, such as servicing, stormwater management, waste management and emergency access, can be adequately addressed.

The following additional policies shall apply to the establishment of an *additional residential unit* in a detached ancillary structure:

- the lot must be a minimum of 0.6 ha (1.48 ac) in area;
- on a rural residential lot, the ancillary structure must be located in a rear or interior side yard;
- on an agricultural lot, an *additional residential unit* in an ancillary structure shall only be permitted through a minor variance granted by the Area Municipal Committee of Adjustment, to ensure all applicable policy criteria, zoning provisions and any local standards and requirements will be adequately addressed.

The ancillary structure must be located within the established residential area on the agricultural lot (i.e. the area comprising the principal dwelling and accessory residential structures, driveway, outdoor amenity areas and individual on-site services). An *additional residential unit* in a new ancillary building shall be located a maximum distance of 30 m (98 ft) from the principal dwelling and should share *individual on-site water supply and sewage services* and utility services with the principal dwelling, where possible.

The cumulative area of the lot utilized for residential purposes shall be minimized to the extent feasible to a maximum of 0.8 ha (2 ac) and the location of the *additional residential unit* and/or new services shall not result in the removal of agricultural land from production and/or create impediments to the function of the farm or an adjacent farm;

- the siting, design and orientation of the ancillary structure, 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,
- an *additional residential unit* will satisfy *MDS I*, or not further reduce an existing insufficient *MDS I* setback.

SITE PLAN CONTROL	All <i>additional residential units</i> , particularly those located in ancillary structures, may be subject to site plan control.
ZONING	<p>The zoning provisions for <i>additional residential units</i> will be implemented through a comprehensive, municipally initiated amendment to the Zoning By-law.</p> <p>Site specific amendments to the Zoning By-law to permit the establishment of an <i>additional residential unit</i> shall not generally be permitted except where a site specific zone change or minor variance process is specifically required by the policies of this Section or by the Area Municipal Zoning By-law provisions.</p>
NO NEW LOT CREATION	An <i>additional residential unit</i> shall not be severed from the lot containing the principal dwelling or converted into a separately transferrable unit through plan of condominium.
SURPLUS DWELLING SEVERANCES	Where a dwelling is proposed to be severed from an agricultural lot as a surplus farm dwelling, in accordance with the policies of 3.1.5.4.2, any associated <i>additional residential unit(s)</i> and related services shall be fully contained on the proposed lot (i.e. must remain with the principal dwelling).
OTHER TOOLS AND MEASURES	Where deemed necessary and/or appropriate, Area Municipalities may implement other supplementary tools and measures to assist with tracking and regulating <i>additional residential units</i> including, but not limited to, registration and/or licensing requirements, design guidelines, property standards by-laws, etc.

- 4.5 That Chapter 6 – RURAL SETTLEMENT LAND USE POLICIES, Section 6.2 – Residential Uses in the Rural Settlements, as amended, is hereby amended by deleting the entirety of the second paragraph in subsection 6.2.2. – *Low Density Residential Areas* with the side bar title Permitted Uses and replacing it with the following:

Low Density Residential areas are those lands that are primarily developed or planned for a variety of low-rise, low density housing forms consisting of single detached, semi-detached and duplex dwellings, *additional residential units*, converted dwellings, and street townhouses. Notwithstanding this policy, in the Rural Cluster and Village designations, residential *development* involving more than two units per lot is not permitted.

- 4.6 That Chapter 6 – RURAL SETTLEMENT LAND USE POLICIES, Section 6.2 – Residential Uses in the Rural Settlements, as amended, is hereby amended by deleting the word ‘consistent’ in the first bullet point of subsection 6.2.2.1.1 - Street Oriented Infill and replacing it with the word ‘compatible’, so that the first bullet of the subsection shall read as follows:

- the proposal is compatible with the street frontage, setbacks, lot area and spacing of existing *development* within the immediate residential area;

- 4.7 That Chapter 6 – RURAL SETTLEMENT LAND USE POLICIES, Section 6.2 – Residential Uses in the Rural Settlements, as amended, is hereby amended by deleting the entire subsection 6.2.2.1.2 - Backyard Infill, and replacing it with the following:

Backyard infill *development* may involve new residential *development* behind an existing building facing a street, on a vacant lot with minimal street frontage (e.g. flag shaped lots), or on small vacant remnant parcels of land which cannot be integrated into a plan of subdivision.

Backyard infill may involve *development* on 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 Sections 6.2.2.2 and 10.3.9, respectively.

When considering proposals for backyard infilling, the County Land Division Committee and the Area Municipal Council will be guided by the following policies, as well as the policies of Section 6.2.2.1.4:

- the siting of any buildings and parking areas in relation to the size, configuration and topography of the lot is such that impact on light, view and privacy of adjacent backyards is minimal;
- for proposals involving more than two dwelling units, the exterior design in terms of height, bulk, scale and layout of the proposed building is consistent with present land uses in the area; and,
- direct vehicular access to a public street will be required and driveways will have sufficient width to allow efficient vehicular use and turning of both private and emergency vehicles and to provide for snow storage.

- 4.8 That Chapter 6 – RURAL SETTLEMENT Land Use Policies, Section 6.2 – Residential Uses in the Rural Settlements, as amended, is hereby amended by deleting the entire subsection 6.2.2.1.3 – Infill Subdivisions, and replacing it with the following:

In addition to the policies of Section 6.2.2.1.4 and 10.3.3, where *infill development* is proposed on vacant or underutilized sites within established residential areas by plan of subdivision, the Area Council and County Council will ensure that:

- the nature of the proposed residential *development* will be evaluated having regard to the type of housing found in the surrounding residential neighbourhood;
- any new residential lots with direct exposure to an established residential street will be consistent with the size of lots within the immediate area and new residential *development* will maintain setbacks and spacing between dwellings consistent with the established built pattern;
- measures will be incorporated into the subdivision design to buffer and screen existing residential uses from the new *development*; and,
- stormwater run-off from the proposal will be adequately controlled in accordance with the stormwater management policies of Section 3.2.7.2.1 and will not *negatively affect* adjacent properties.

- 4.9 That Chapter 6 – RURAL SETTLEMENT LAND USE POLICIES, Section 6.2 – Residential Uses in the Rural Settlements, as amended, is hereby amended by deleting the introductory sentence before the bullet points of subsection 6.2.2.1.4 – All Infill Proposals, and replacing it with the following:

In addition to the specific infill policies of this Section, the following policies will apply to all infill proposals:

- 4.10 That Chapter 6 – RURAL SETTLEMENT LAND USE POLICIES, Section 6.2 – Residential Uses in the Rural Settlements, as amended, is hereby amended by deleting the entire existing Section 6.2.2.2 – Converted Dwellings, and replacing it with the following:

6.2.2.2 Additional Residential Units and Converted Dwellings

6.2.2.2.1 Additional Residential Units

ADDITIONAL RESIDENTIAL UNITS (ARUs)

The development of *additional residential units* (ARUs) within Rural Cluster, Village and Serviced Village designations shall be encouraged, where appropriate, with the objective of increasing the range and availability of *housing options* while maintaining the residential character of the settlement areas and ensuring that appropriate water and wastewater services are provided.

ADDITIONAL RESIDENTIAL UNITS IN RURAL CLUSTERS AND VILLAGES

In Rural Cluster and Village designations, an *additional residential unit* is permitted in a single detached, semi-detached, or street townhouse dwelling, or in a structure ancillary to such dwelling, to a maximum of two dwelling units per lot, in accordance with the policies of this subsection.

ADDITIONAL RESIDENTIAL UNITS IN SERVICED VILLAGES

In Serviced Village designations, an *additional residential unit* is permitted in a single detached, semi-detached, or street townhouse dwelling, and/or in a structure ancillary to such dwelling, to a maximum of three dwelling units per lot, where sufficient *centralized waste water and water supply* capacity exists and in accordance with the policies of this subsection.

POLICIES FOR ALL ADDITIONAL RESIDENTIAL UNITS

In Rural Cluster, Village and Serviced Village designations, Area Municipal Zoning By-laws shall identify the areas and/or zones where *additional residential units* may be established and contain zoning provisions to regulate the establishment of such units in accordance with the following policies:

- the *additional residential unit(s)* shall be clearly secondary and subordinate to the principal dwelling on the lot and have a cumulative gross floor area no greater than 50% of the gross floor area of the principal dwelling on the lot, to a maximum of 100 m² (1076 ft²), except that the entire basement of the principal dwelling may be used;
- *additional residential units* are not permitted where a lot or dwelling already contains other accessory residential dwellings/uses, including: a boarding/lodging house or group home, or a home occupation that is characterized by higher occupancy, such as a bed and breakfast or other similar use;
- an *additional residential unit* may be permitted on the same lot as a *garden suite* where all other policies of this section can be met;
- *centralized waste water and water supply and/or individual on-site water supply and sewage services* are demonstrated to be adequate to serve the proposed use, in accordance with the applicable policies of Section 3.3, Water Quality and 5.5, County Servicing Policy;
- the existing principal dwelling and lot are of sufficient size to accommodate the creation of *additional residential unit(s)* and to provide 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;
- there is adequate access from the front lot line and 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 to help maintain the character of the lot and area;
- stormwater run-off will be adequately controlled;
- any potential increase in on-street parking demand can be adequately accommodated and/or managed;
- land use compatibility concerns (e.g., due to proximity to industrial areas or on *major facilities*) will not be created or intensified;
- the location of the proposed *additional residential unit* and related services and amenities shall comply with all other applicable policies including: Section 3.2, Environmental Resource Policies and Section 3.3, Cultural Resource Policies; and,
- all other municipal requirements, such as servicing, stormwater management, waste management and emergency access, can be adequately addressed.

ADDITIONAL
RESIDENTIAL
UNITS IN
ANCILLARY
STRUCTURES

The following additional policies shall apply to the establishment of an *additional residential unit* in an detached ancillary structure:

- the minimum lot size for a lot with *individual on-site sewage services* is 0.6 ha (1.48 ac);
- the ancillary structure must be located in a rear or interior side yard; and,
- the siting, design and orientation of the ancillary structure, 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.

SITE PLAN
CONTROL

All *additional residential units*, particularly new dwelling units located in ancillary structures, may be subject to site plan control.

ZONING

The zoning provisions for *additional residential units* will be implemented through a comprehensive, municipally 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* shall not generally be permitted except where a site specific zone change or minor variance process is specifically required by the policies of this Section or by the Area Municipal Zoning By-law provisions.

AVAILABILITY OF MUNICIPAL SERVICES

Additional residential units within a settlement serviced by *centralized waste water and/or water supply* shall be required to connect to all available services, where adequate capacity exists and County connection standards can be met.

Area Municipal Zoning By-laws shall prohibit the development of *additional residential units* in settlements and/or areas where the County has determined that the existing and/or planned servicing capacity is not adequate to support such development.

NO NEW LOT CREATION

An *additional residential unit* shall not be severed from the lot containing the principal dwelling or converted into a separately transferrable unit through plan of condominium.

OTHER TOOLS AND MEASURES

Where deemed necessary and/or appropriate, Area Municipalities 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.

CONVERTED DWELLINGS

6.2.2.2.2 Converted Dwellings

Notwithstanding the maximum *net residential density* for an individual *development* in a Low Density Residential area within the Serviced Village designation, the Area Municipality may zone areas to permit the conversion of a principal dwelling for more than two dwelling units in accordance with the following criteria:

CRITERIA FOR MORE THAN TWO UNITS

- the area is characterized by a mixture of residential dwelling types including detached, semi-detached, townhouse and existing converted dwellings;

- existing municipal services will be adequate to accommodate the proposed conversion;
- lot sizes are 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 unit(s).

*NO FURTHER
CONVERSION*

Where an *additional residential unit* 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 PLAN
CONTROL*

Converted dwellings may be subject to site plan control.

- 4.11 That Chapter 6 – RURAL SETTLEMENT LAND USE POLICIES, Section 6.3 – Commercial Uses in the Rural Settlements, as amended, is hereby amended by adding the words ‘additional residential units’ in the third paragraph of subsection 6.3.1.1 – Village Core, so that the third paragraph of the subsection shall read as follows:

Residential dwelling units including Low and Medium Density residential *development*, accessory dwelling units within a non-residential use, bed and breakfast establishments, *additional residential units*, converted dwellings, social housing and special needs housing are also permitted in the Village Core where adequate servicing levels exist.

- 4.12 That Chapter 10 – IMPLEMENTATION MEASURES, Section 10.3 – Implementation Tools, as amended, is hereby amended by deleting the last sentence in the first paragraph of subsection 10.3.9 – Temporary use that reads “*Garden suites* may be permitted up to a maximum of ten years, subject to re-application at 3-year intervals thereafter”.
- 4.13 That Chapter 10 – IMPLEMENTATION MEASURES, Section 10.3 – Implementation Tools, as amended, is hereby amended by deleting the entirety of paragraphs starting at and including side bar title GARDEN SUITES and ending before side bar title COMPATIBILITY in subsection

10.3.9 – Temporary Use and replacing them with the following paragraphs and side bar titles:

GARDEN SUITES

Area Municipalities may permit a *garden suite* on a *farm unit* or on a non-farm rural residential lot in the Agricultural Reserve, Open Space or Future Urban Growth designations, on a residential lot in the Rural Cluster or Village designations, or in Low Density Residential designations in Serviced Villages and Large Urban Centres. *Garden suites* may be permitted remain on a lot up to a maximum of 20 years, subject to re-application and extension not to exceed three-years each occurrence.

OCCUPANTS

Garden Suites are intended to provide temporary housing for specified occupant(s), which shall be limited to:

- the parents or grandparents of a property owner or their spouse, or the child or grandchild of the property owner, or
- a property owner provided that the principal dwelling is occupied by their parents, grandparents, child or grandchild.

**ZONING AMENDMENT
REQUIRED**

Prior to permitting the construction of a *garden suite*, an amendment to the Zoning By-Law under Section 39 of the Planning Act, which relates to temporary use by-laws, will be required. The temporary use by-law may remain in effect for up to 20 years, subject to reapplication and approval by the Area Municipality for up to three-years. The zoning amendment will be subject to satisfying the following criteria:

SERVICING

The *garden suite* should generally use the existing sanitary sewage disposal, water supply and electrical services of the principal dwelling existing on the lot where the *garden suite* is proposed to be located. Prior to the zoning amendment, approvals shall be obtained from the authorities responsible for the various services to ensure that the existing servicing systems are adequate for shared use. In situations where the approval authority indicates that one or more of the services are not adequate for shared use, separate services will be required, provided these services can be accommodated on the subject property to the satisfaction of the approval authority.

In the rural areas, Rural Clusters and Villages, it must be demonstrated *individual on-site water supply and sewage services* are adequate to serve the proposed use, in accordance with the applicable policies of Section 3.3, Water Quality and Quantity and 5.5, County Servicing Policy;

5.0 IMPLEMENTATION

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

6.0 INTERPRETATION

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