

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.

THE COUNTY OF OXFORD

BY-LAW NO. **6506-2023**

BEING a By-Law to adopt Amendment Number 285 to the County of Oxford Official Plan.

WHEREAS, the County of Oxford has held a public meeting, and has recommended Amendment Number 285 to the County of Oxford Official Plan for adoption, and,

NOW THEREFORE, the County of Oxford pursuant to the provisions of the Planning Act, R.S.O. 1990, as amended, enacts as follows:

1. That Amendment Number 285 to the County of Oxford Official Plan, being the attached explanatory text, is hereby adopted.
2. This By-Law shall come into force and take effect on the day of the final passing thereof.

READ a first and second time this 8th day of February, 2023.

READ a third time and finally passed this 8th day of February, 2023.

MARCUS RYAN, WARDEN

CHLOÉ J. SENIOR, CLERK

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 23, *More Homes Built Faster Act* received Royal Assent on November 28, 2022 and made various 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 with both municipal drinking water and wastewater disposal services and any policies that have the effect of prohibiting such units have no effect. The units may be in the form of three units within the principal single detached dwelling, semi-detached dwelling or street townhouse dwelling or two units within the principal single detached dwelling, semi-detached dwelling or street townhouse dwelling and one unit in an ancillary building.

The *Planning Act* does not direct municipalities to permit additional residential units in areas without municipal services. However, the *Planning Act* does authorize the Minister to issue regulations to establish requirements and standards for units and provide some protection from appeals for Official Plan policies and Zoning By-law provisions to permit such units in a principal dwelling, but not those to allow such units in an ancillary structure.

This Official Plan amendment introduces enabling policies that are intended to reflect and implement the current Provincial direction on Additional Residential Units (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.

Related 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 POLICIES, 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 POLICIES, 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 POLICIES, 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 POLICIES, 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*, two in a principle dwelling, or one in a principal 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 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 Area Municipal zoning by-law provisions may permit the entire basement of the principal dwelling to be used;
- *additional residential units* shall not generally be permitted where a lot or dwelling already contains other accessory residential dwellings and/or uses, including: a group home, boarding or lodging house; 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*, through a site specific zone change or minor variance, where the applicable 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 outdoor 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 exterior 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;
- land use compatibility concerns (e.g., due to proximity to industrial areas or *major facilities*) will not be created or intensified;
- the location of *additional residential units* and related services and outdoor 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.

ADDITIONAL
RESIDENTIAL
UNITS IN
ANCILLARY
STRUCTURES

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;
- 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.

ADDITIONAL
CRITERIA FOR
ADDITIONAL
RESIDENTIAL
UNITS IN AN
ANCILLARY
STRUCTURE ON AN
AGRICULTURAL
LOT

In addition to above policies, the following shall apply to the establishment of an *additional residential unit* in a detached ancillary structure on an agricultural lot:

- 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 (i.e. through the review and conditions of approval);

- the *additional residential unit* should share *individual on-site water supply and sewage services* and utility services with the principal dwelling, where possible;
- 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
- 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 related services and outdoor amenity areas shall minimize the loss of tillable agricultural land and potential impacts on the farm operation and adjacent farms.

ZONING

The zoning provisions for *additional residential units* will be implemented through a comprehensive, municipally initiated amendment to the Zoning By-law.

Site specific amendments to the Zoning By-law to permit the establishment of an *additional residential unit* shall not generally be permitted, except where the need for a site specific zone change or minor variance process is specifically identified by the policies of this Section or by the Area Municipal Zoning By-law provisions.

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.

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 *additional residential unit(s)* and related services shall be fully contained on the proposed lot with the surplus farm dwelling.

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, submission of site and grading plans, registration and/or licensing requirements, design guidelines, and 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, duplex and triplex 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, avoiding off-site impacts 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* may be permitted in a principal 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, *additional residential units* are permitted in a principal 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 Area Municipal zoning by-law provisions may permit the entire basement of the principal dwelling to be used;
- *additional residential units* are not permitted where a lot or dwelling already contains other accessory residential dwellings and/or uses, including: a group home, a boarding or lodging house; or a home occupation that is characterized by higher occupancy, such as a bed and breakfast or other similar use;
- an *additional residential unit* within the principal dwelling may be permitted on the same lot as a *garden suite*, through a site specific zone change or minor variance, where the applicable policies of this section are 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 exterior 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;
- 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 outdoor amenity areas 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.

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 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, and shall only be permitted where adequate capacity has been confirmed by the County and all applicable connection requirements 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, submission of site and grading plans, registration and/or licensing requirements, design guidelines, and property standards by-laws.

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 into more than three dwelling units in accordance with the following criteria:

CRITERIA MORE
THAN THREE 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 provide adequate off-street parking, landscaping, stormwater management, and outdoor amenity areas;
- 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.

- 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.

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 a maximum of 20 years. Extension(s) may be granted by the Area Municipality for up to three-years, subject to re-application and approval of an amendment to the Zoning By-law. The zoning amendment must satisfy 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.

County of Oxford Official Plan

Excerpt from Section 3.1 Agricultural Land Resource

3.1.4.4.5.3 Part Lot 21, Concession 5 (North Dorchester)
Township of Zorra (Banner)

LOCATION

The lands to which this subsection applies comprise approximately 20.5 ha (51.8 ac) with frontage on Road 60 and are described as Part Lot 21, Concession 5 (North Dorchester), Township of Zorra. The lands are located on the south side of Road 60, between 15th Line and 17th Line (Oxford Road 45), and are municipally known as 602814 Road 60.

POLICIES

Notwithstanding Section 3.1.4.4.1 or any other relevant policies of the Official Plan, approximately 20 ha (50.7 ac) of vacant agricultural land may be severed from the subject property by means of a consent approved by the County Land Division Committee provided that the lands are consolidated with the adjacent property to the immediate west. The Area Municipal Council may rezone the lot to be retained to recognize the lot as a non-farm rural residential parcel.”

AMENDMENT No. 247

3.1.4.5 Policies for Farm Residential Uses

OBJECTIVES

These policies apply to proposals for on-farm dwellings accessory to the farming operation.

To permit the *development* of on-farm dwellings required to support the farm activity.

To ensure that new dwellings will be established only for people associated with the farm activity.

To ensure that farm dwellings are not permitted to be severed from the *farm unit*, except through farm consolidation in accordance with the policies of Section 3.1.4.5.2.

POLICIES

RESIDENCES ONLY
ACCESSORY TO
THE FARM

Within the Agricultural Reserve designation, residential uses on the *farm unit* will be accessory to farming operations and shall be permitted only as part of the farm. Area Zoning By-Laws may prohibit the establishment of accessory residential uses to lots having frontage on a public road, maintained year round at a reasonable level of construction.

AMENDMENT No. 27

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](#).

County of Oxford Official Plan

CRITERIA FOR ADDITIONAL ON- FARM RESIDENCES

Additional dwelling units may be permitted on the *farm unit* in the form of temporary dwellings, such as mobile homes or modular dwellings, and permanent detached dwellings, including bunkhouses, ~~or converted dwellings~~ through a minor variance granted by the Area Committee of Adjustment, in accordance with the policies of this subsection. ~~A converted dwelling shall be a permitted use in the implementing zone category.~~ Preference will be given to temporary dwellings.

3.1.4.5.1 Development Criteria for Farm Residential Uses

Applications for additional dwelling units shall, in the opinion of the Area Council, satisfy the following criteria:

- the type of the farm warrants the need for an additional dwelling unit in terms of requiring close proximity for farm personnel for the farm operations;
- the size and scale of the *farm unit* in terms of land area and livestock or poultry currently warrants the need for an additional dwelling unit;
- the size of the farm parcel is in keeping with the policies of Section 3.1 of the Official Plan and the provisions of the Zoning By-Law of the Area Municipality; and
- the number of existing farm-related dwellings already on the *farm unit* cannot adequately serve the needs of the farm operation.
- the principal farm dwelling unit is occupied by the farmer, a retired farmer or hired help or family members directly involved with the farming activity;
- the additional dwelling unit is demonstrated to be necessary for hired help or family members directly involved with the farming activity or is required for farm retirees;
- an adequate supply of water and sanitary waste disposal system are provided to the satisfaction of the Oxford County Board of Health; and
- the location of the proposed additional farm dwelling is in conformity with the policies of Section 3.2, Environmental Resource Policies.

AMENDMENT No. 27

County of Oxford Official Plan

REQUIREMENTS FOR PERMANENT DWELLINGS

Where the proposed additional farm dwelling is intended to be a permanent dwelling unit, the new dwelling will generally be located in close proximity to the existing dwelling and farm buildings and will be encouraged to use the existing driveway for access except in instances where farm safety issues would be better addressed by a separate access. Permanent dwellings will satisfy the *Minimum Distance Separation Formula 1*.

REQUIREMENTS FOR TEMPORARY DWELLINGS

Where the proposed additional farm dwelling is intended to be a temporary dwelling such as a mobile dwelling unit or a modular dwelling unit, the Committee of Adjustment of the Area Municipality shall require the applicant to enter into an agreement with the municipality to address issues such as installation, maintenance, removal, period of occupancy and other matters deemed appropriate to ensure the dwelling is farming related and temporary in nature.

Temporary dwellings must satisfy the requirements of *Minimum Distance Separation Formula 1* (MDS 1) or not further reduce an existing insufficient setback relative to MDS 1.

3.1.4.5.2 Surplus Farm Residences

On-farm dwellings are to be considered as part of the *farm unit* and consent to sever any surplus farm dwellings will not be permitted by the Oxford County Land Division Committee, unless the proposal involves a farm consolidation in accordance with the policies of Section 3.1.4.4.1 and complies with the policies of Section 3.1.5.4.2.

EXCEPTION

Notwithstanding the above policy, a surplus second or additional farm dwelling may be severed from the farm where such dwelling is located within a designated *settlement* as shown on Schedule C-3, Settlement Strategy Plan, and satisfies the policies for residential *development* in the *settlement* area.

3.1.4.6 Agricultural Commercial and Agricultural Industrial Uses

OBJECTIVES

RELATED TO THE FARM OPERATION

To ensure that agricultural commercial or agricultural industrial uses are related to the farm operation and are required in close proximity to the farm operation.

MINIMIZE LAND AREA

To minimize the amount of prime agricultural land which is converted to agricultural commercial and agricultural industrial uses.

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Excerpt from Section 4.2 Growth Management Policies

4.2.2 Growth Strategy

INTRODUCTION

Lands which have been designated for *settlement* and employment purposes in accordance with the policies of this Chapter and Chapters 6 through 9, Land Use Policies, are anticipated to be adequate to meet growth expectations for the planning period and include a margin of surplus to provide for effective market operation and competition. In addition, lands have been designated to identify areas where long term urban level *development* is feasible.

The policies of this Plan have been structured to provide opportunities for environmentally responsible growth which protects and prevents conflicts with the County's natural resources in all Area Municipalities. Consequently, different levels of growth are planned for the following areas:

- Rural Clusters
- Villages without *centralized waste water and water supply facilities*
- Serviced Villages
- Large Urban Settlements
- Future Urban Growth Areas

Schedule C-3, Settlement Strategy Plan, identifies these areas.

4.2.2.1 Rural Area

Growth outside of the *Settlements* designated on Schedule C-3 will be in accordance with the following policies:

NON-FARM RELATED DEVELOPMENT

Residential and employment growth which is not related to agriculture is directed to established Rural Clusters and designated villages as set out on Schedule C-3, Settlement Strategy Plan. Non-farm uses proposed outside of these areas will comply with the policies of Section 3.1.5.4.

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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*, two in a principal dwelling, or one in a principal 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 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 Area Municipal zoning provisions may permit the entire basement of the principal dwelling to be used;
- *additional residential units* are not permitted where a lot or dwelling already contains other accessory residential dwellings and/or uses, including: a group home, a boarding or lodging house; 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 property as a *garden suite*, through a site specific zone change or minor variance, 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;

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- 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 outdoor 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 exterior 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 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;
- land use compatibility concerns (e.g., due to proximity to industrial areas or *major facilities*) will not be created or intensified;
- the location of *additional residential units* and related services and amenities 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; and,
- all other municipal requirements, such as servicing, stormwater management, waste management and emergency access, can be adequately addressed.

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ADDITIONAL RESIDENTIAL UNITS IN ANCILLARY STRUCTURES

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

- the minimum lot size is 0.6 ha (1.48 ac);
- on a rural residential lot, the ancillary structure must be located in a rear or interior side yard;
- 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 uses; and,
- an *additional residential unit* will satisfy *MDS I*, or not further reduce an existing insufficient *MDS I* setback.

ADDITIONAL CRITERIA FOR ADDITIONAL RESIDENTIAL UNITS IN AN ANCILLARY STRUCTURE ON AN AGRICULTURAL LOT

In addition to above policies, the following shall apply to the establishment of an *additional residential unit* in a detached ancillary structure on an agricultural lot:

- 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 (i.e., through the review and conditions of approval);
- the *additional residential unit* should share *individual on-site water supply and sewage services* and utility services with the principal dwelling, where possible;
- 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,
- 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 related services and outdoor amenity areas shall minimize the loss of tillable agricultural land and potential impacts on the farm operation and adjacent farms.

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ZONING

The zoning provisions for additional residential units will be implemented through a comprehensive, municipally initiated amendment to the Zoning By-law.

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.

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.

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 additional residential unit(s) and related services shall be fully contained on the proposed lot with the surplus farm 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 additional residential units including, but not limited to, submission of site and grading plans, registration and/or licensing requirements, design guidelines, property standards by-laws, etc.

RESIDENTIAL CONVERSIONS IN RURAL AREAS

~~Converted dwellings are permitted to a maximum of two units per dwelling on a farm unit or on a non-farm lot in the Agricultural Reserve, Open Space, and Future Urban Growth designations. The Area Council may zone an area or property to permit the conversion of dwellings for two dwelling units in accordance with the following criteria:~~

AMENDMENT No. 27

CRITERIA FOR 2 UNITS

- ~~private water and on-site sewage facilities are determined to be adequate in accordance with the requirements of the County and the Board of Health and the policies contained in Section 3.2, relating to water quality, as appropriate;~~
- ~~the proposal is compatible with surrounding land uses and is able to satisfy the Minimum Distance Separation Formula 1 from adjacent livestock operations;~~
- ~~the lot size is sufficient to accommodate the required off-street parking without detracting from the visual character of the area;~~

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- existing dwellings are generally of a size sufficient to accommodate the creation of an additional dwelling unit;
- the proposal complies with the policies of Section 3.2, Environmental Resource Policies of this Plan.

ZONING

The Zoning By-Law may 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.

GARDEN SUITES

Area Council may consider allowing one *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 in accordance with the policies of Section 10.3.9.

4.2.2.2 Rural Clusters

DESCRIPTION

For the purposes of this Plan a Rural Cluster is the existence of a compact grouping of non-farm related *development* which is of insufficient size to be considered a village. Rural Clusters are designated on Schedule C-3, Settlement Strategy Plan and shown on the Land Use Schedules for the rural municipalities.

In order to be considered a Rural Cluster there must be a grouping of at least ten non-farm residential lots with each lot separated from the adjoining lot by a distance of no more than 50 metres (164 feet) and servicing must be by an existing communal well or by private individual wells and private sewage treatment systems. Rural Clusters may include *development* on either side of a public road and/or around corners. A Rural Cluster designation is also contingent on the grouping of lots satisfying the following criteria:

- potential for infill *development* that would not result in the extensions in length or depth of existing *development*;
- no evidence of growth limitations due to known water supply or quality issues and/or soils not suitable for individual sewage disposal systems and/or where there is a high risk of groundwater contamination;
- minimal potential for conflicts with agricultural uses, environmental resources and mineral and petroleum resources;

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Excerpt from Section 6.2 Residential Uses in the Rural Settlements

COMPACT DEVELOPMENT AND INTENSIFICATION

Promote the concepts of compact urban form and residential infilling in all rural *settlement* areas where appropriate given the level of *infrastructure* available. Various forms of *residential intensification* shall be permitted in appropriate locations within the Serviced Villages, in accordance with the policies of the associated land use designations, and taking into consideration *public services, infrastructure*, environmental features and constraints and compatibility with existing or planned *development*. Residential growth in the Serviced Village designations will be encouraged to be accommodated through *intensification* in existing built up areas as a first priority.

6.2.2 Low Density Residential Areas

DESCRIPTION

Low Density Residential *development* is permitted in Rural Clusters and Villages. Low Density Residential Areas within the Serviced Village designations are identified on Schedules B-2, B-3, E-2, E-3, N-2, S-2, Z-2 and Z-3.

AMENDMENT No. 131

PERMITTED USES

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, duplexes and triplex dwellings, additional residential units, converted dwellings and street townhouses. Notwithstanding this policy, in the Rural Cluster and Village designations, multiple unit residential *development* involving more than two units is not permitted.

In newly developing Low Density Residential areas in the Serviced Villages, 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 required in every individual *development*. The Area Council may choose to restrict the range of uses permitted in a particular location through the zoning by-law.

MOBILE HOMES

Mobile home parks are permitted in the Low Density Residential areas of the Serviced Village designations, in accordance with the policies of Section 6.2.2.4.

SPECIAL NEEDS HOUSING

In the Low Density Residential areas of the Serviced Village designation, as well as in the Rural Cluster and Village designations, special needs housing such as group homes are permitted in accordance with the policies of Section 6.2.2.3.

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All uses permitted in Low Density Residential areas will comply with the Environmental Resource Protection policies and Environmental Constraints policies of Section 3.2.

DENSITY

Within the Serviced Village designation, the maximum *net residential density* for an individual *development* in a Low Density Residential area is 22 units per hectare (9 units per acre) and no building shall exceed three stories in height at grade.

Within areas of new Low Density Residential development in the Serviced Village designation, the minimum overall *net residential density* shall be 15 units per hectare (6 units per acre) throughout each of the Serviced Villages.

Within the Rural Cluster and Village designation, the density of *development* will be restricted by the land area required for the proper operation of individual private septic systems.

6.2.2.1 *Infill Housing*

For the purposes of this Plan, infill housing is defined as the placement of new residential *development* into established built-up areas on vacant or underutilized sites. In order to efficiently utilize designated residential land and any municipal servicing *infrastructure*, infill housing will be supported in Villages and in the Low Density Residential areas of Serviced Villages. Backyard infill and street oriented infill will be supported in Rural Clusters. The County Land Division Committee and Area Council will be guided by the following policies when considering proposals for infill *development* in Low Density Residential areas.

6.2.2.1.1 Street Oriented Infill

The introduction of new residential housing into an established streetscape pattern will only be permitted if the proposal is consistent with the characteristics of existing *development* in the immediate area. In order that the street oriented infill projects are sensitive to the continuity of the existing residential streetscape, the Area Council and the County Land Division Committee will ensure that:

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

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- for proposals involving more than two dwelling units in the Serviced Villages, the exterior design in terms of height, bulk, scale and layout of the proposed building is consistent with present land uses in the area.

Street-oriented infill proposals will comply with the requirements of Section 6.2.2.1.4.

6.2.2.1.2 Backyard Infill

~~Backyard infill development~~ may involve ~~the construction of a residential structure behind a building facing a street, the conversion of secondary structures for residential purposes,~~ new residential development behind an existing building facing a street, on a vacant or lots 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 ~~the development on~~ existing lots ~~of record, or the creation of new lots by consent or the development of a garden suite or granny flat.~~ Additional residential units and garden suites/granny flats may also be permitted as backyard infill development to the rear of an existing dwelling on a lot subject to the criteria of this Section in accordance with the policies of Section 6.2.2.2 and 10.3.9 respectively.

EVALUATION
CRITERIA

When considering proposals for backyard infilling, ~~the Area Council and the County Land Division Committee~~ and the Area Municipal Council will be guided by the following ~~criteria~~ 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.

~~Backyard infill proposals will comply with the requirements of Section 6.2.2.1.4.~~

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6.2.2.1.3 Infill Subdivisions

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.

~~Infill Subdivision proposals will comply with the requirements of Section 6.2.2.1.4.~~

6.2.2.1.4 All Infill Proposals

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

- stormwater run-off from the proposal will be adequately controlled and will not *negatively affect* adjacent properties;
- adequate off-street parking and outdoor amenity areas will be provided;
- the location of vehicular access points, the likely impact of traffic generated by the proposal on public streets and potential traffic impacts on pedestrian and vehicular safety and surrounding properties is acceptable;

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- existing municipal services or private services and community facilities will be adequate to accommodate the proposed infill project;
- the extent to which the proposed *development* provides for the retention of any desirable vegetation or natural resources that contribute to the visual character of the surrounding area;
- all infill proposals will be evaluated as to the environmental impacts and constraints associated with the proposed *development* in accordance with Section 3.2, as well as to the potential effect of the *development* on *heritage resources* (Section 3.2.7.5); [and](#),
- compliance of the proposed *development* with the provisions of the Zoning By-law of the Area Municipality and other municipal by-laws.

SITE PLAN CONTROL

Street oriented infill proposals and backyard infill proposals may be subject to site plan control.

6.2.2.2 [Additional Residential Units](#) and *Converted Dwellings*

[6.2.2.2.1 Additional Residential Units](#)

[ADDITIONAL RESIDENTIAL UNITS](#)

[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, avoiding off-site impacts, 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 principal 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, *additional residential units* are permitted in a principal 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.](#)

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POLICIES FOR ALL ADDITIONAL RESIDENTIAL UNITS

In Rural Cluster, Village and Serviced Village designations, Area Municipal Zoning By-laws shall identify 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 Area Municipal zoning by-law provisions may permit the entire basement of the principal dwelling to be used;
- *additional residential units* are not permitted where a lot or dwelling already contains other accessory residential dwellings and/or uses, including: a group home, a boarding or lodging house; or a home occupation that is characterized by higher occupancy, such as a bed and breakfast or other similar use;
- an *additional residential unit* within the principal dwelling may be permitted on the same property as a *garden suite* through a site specific zone change where all other policies of this section are 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 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 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 lot coverage 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 use the same driveway and parking area as the principal dwelling;

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- 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;
- any potential increase in on-street parking demand can be adequately accommodated and/or managed;
- land use compatibility concerns (i.e., 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 outdoor amenity areas 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.

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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 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, and shall only be permitted where adequate capacity has been confirmed by the County and all applicable connection requirements 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, submission of site and grading plans, registration and/or licensing requirements, design guidelines, and property standards by-laws.

6.2.2.2.2 Converted Dwellings

CONVERTED DWELLINGS RURAL CLUSTERS AND VILLAGES

Notwithstanding the maximum net residential density for an individual development in a Low Density Residential area within the Serviced Village designation, Converted dwellings are permitted to a maximum of two units per dwelling in the Rural Cluster and Village designations, with the exception of semi-detached and duplex dwellings where conversions are prohibited. The Area Council Municipality may zone an areas or property to permit the conversion of a principal dwellings for two into more than three -dwelling units in accordance with the following criteria:

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CRITERIA FOR MORE THAN TWO THREE UNITS

- the area is characterized by a mixture of residential dwelling types including detached, semi-detached, townhouse and existing converted dwellings;
- existing municipal services or private 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 provide adequate off-street parking, landscaping, stormwater management, and outdoor amenity areas;
- existing dwellings are generally of a size sufficient to accommodate the creation of an additional dwelling unit(s).

NO FURTHER CONVERSION

Where an additional residential unit(s) have 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 with more than two dwelling units may be subject to site plan control.

6.2.2.3 Special Needs Housing

It is a policy of County Council to permit housing for people with special needs to be located in the Low Density Residential area in the Serviced Village designation and in the Rural Cluster and Village designations. Accordingly, the Area Councils may implement through the Zoning By-Law, regulations permitting group homes, rooming, boarding and lodging houses and other similar forms of special needs housing in specific residential zones . Proposals to establish new special needs housing not permitted as of right, will require an amendment to the Zoning By-Law of the Area Municipality.

EVALUATION CRITERIA

When reviewing any proposal to rezone lands for the purposes of establishing, through new construction or conversion of existing structures, a group home, rooming, boarding and lodging house, hostel, temporary shelter, emergency shelter or other similar form of special needs housing, the Area Council shall be satisfied that:

6.3 Commercial Uses in the Rural Settlements

INTRODUCTION

In order to promote the designated rural *settlements* as service centres to the wider rural community, a hierarchy of commercial uses is established and lands are designated for a variety of commercial purposes. The Plan establishes criteria for the evaluation of commercial proposals in the Rural Cluster, Village and Serviced Village designations. Within the Serviced Villages, lands are designated as Village Core and Service Commercial Areas on Schedules B-2, B-3, E-2, E-3, N-2, S-2, Z-2, and Z-3.

AMENDMENT No. 131

6.3.1 Serviced Villages

6.3.1.1 Village Core

DESCRIPTION

The Village Core within the Serviced Village represents a relatively compact area of predominantly commercial uses which have historically functioned as a downtown pedestrian shopping district. It is intended that the Village Core will continue to be the most intensive and dominant business area within the *settlement* serving both village residents and those within the wider rural area.

PERMITTED USES

Within the Village Core, the full range of retail, office, administrative and public utility uses, cultural, entertainment, recreational and institutional uses are permitted. Cottage industry and associated retail may also be permitted.

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.

County of Oxford Official Plan
Excerpt from Section 10.3 Implementation Tools

10.3.9 Temporary Use

TEMPORARY USE
PROVISIONS

Notwithstanding the requirement for zoning by-laws to comply with the Official Plan, County Council recognizes that the Official Plan represents the long-term direction to the *development* of the municipality. As such, the Area Council may permit uses for specific temporary periods, up to a maximum of three years, as set out in the Planning Act, which would otherwise not conform to the Official Plan and/or the comprehensive zoning by-law, subject to re-application at 3-year intervals thereafter. ~~Garden suites may be permitted up to a maximum of ten years, subject to re-application at 3-year intervals thereafter.~~

Such uses may be permitted upon individual application and careful consideration by the Area Council of the need and appropriateness of a temporary use by-law and to ensure that the objectives and policy direction of the Official Plan are not adversely affected by the temporary use. The Area Council shall also take into consideration the following matters:

CRITERIA

- compatibility of the proposed use with surrounding land uses;
- any requirement for temporary buildings or structures in association with the proposed use;
- any requirement for temporary connection to municipal services and utilities;
- the potential impact of the proposed use on transportation facilities and traffic in the immediate area;
- access requirements for the proposed use; and
- parking required for the proposed use, and the ability to provide adequate parking on site.

EXTENSION

The Area Council may extend a temporary use by-law beyond the three year time period, as set out in the Planning Act, provided such extension does not exceed a three year time period and does not jeopardize the long-term *development* intentions for the subject lands as specified in the Official Plan.

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GARDEN SUITES

~~Additional residential units may be permitted on a lot in the form of a *garden suite* in rural or urban areas. 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 IN RURAL AND URBAN AREAS OCCUPANTS

~~Area Council may consider allowing one *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. A *garden suite* may be considered 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* are intended to provide temporary housing will be considered for specified occupant(s), which shall be limited to:~~

- ~~the retired parents or grandparents of a property owner or the property owner's their spouse, or the child or grandchild of a property owner, or,~~
- ~~a retiring property owner provided that the principal dwelling is occupied by the ir parents, grandparents, child or grandchild of the retiring property owner.~~

REZONING 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 will may remain in effect for a maximum of up to ten 20 years. Extension(s) may be granted, subject to renewal upon expiry by the Area Council ~~Municipality~~ for up to three years subject to re-application and approval of an amendment to the Zoning By-law, as required. The zoning change amendment will be subject to must 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 rezoning 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.

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In the rural areas, Rural Clusters and Villages, it must be demonstrated ~~that the *garden suite* can be accommodated using private service. On-site sewage and water facilities will satisfy the requirements of the Board of Health and/or the Province and will be consistent with the policies of Section 3.2, Environmental Resource Policies. *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.~~

COMPATIBILITY

The proposal is compatible with the surrounding area and, if applicable, be able to satisfy the *Minimum Distance Separation Formula 1* or not further reduce an existing insufficient setback relative to MDS I for adjacent livestock operations. Within the Serviced Village and Large Urban Centres, the proposal should be on a large lot greater than 929 sq. m. (10,000 sq. ft.) in area on full municipal services.

SUITABILITY

The lot is suitable for an additional temporary dwelling unit with respect to lot area, lot coverage, yard setbacks, and setback from a public road allowance.

BUFFERING

The implementing Zoning By-Law may contain additional measures to ensure minimal disruption to adjacent land uses, such as the provision of grass strips, the planting of trees and shrubs or the erection of a fence.

ACCESS

The proposed *garden suite* will generally use the existing access to a permanent public road of reasonable construction maintained year round.

LOCATION

Generally, the *garden suite* will not be located to the front of the principal dwelling on the lot, although Area Council may give consideration to such siting on a site specific basis.

AGREEMENT

The owner of the subject property shall be required to enter into an occupancy agreement with the Area Council, specifying the matters related to the temporary use of the *garden suite* as Area Council considers necessary, including, the installation, maintenance and removal of the *garden suite*; the period of occupancy of the *garden suite* by any of the persons named in the agreement; and the monetary or other form of security that Area Council may require for actual or potential costs to the municipality related to the *garden suite*.

NO SEVERANCE

Garden suites are intended to be temporary in nature and as such consent to sever a surplus *garden suite* will not be permitted by the Oxford County Land Division Committee.

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REMOVAL OF GARDEN SUITE

When the *garden suite* is no longer required for the original use intended, it shall be removed from the lot and the temporary use by-law shall be allowed to lapse.

10.3.10 Bonus Zoning

BONUS ZONING PROVISIONS

Under the provisions of the Planning Act, a municipality may include in its Zoning By-Law regulations that permit increases to the height and density limits applicable to a proposed *development* in return for the provision of such facilities, services, or matters as set out in the By-Law. This practice, commonly referred to as bonus zoning, is considered to be an appropriate means of assisting in the implementation of this Plan.

PRINCIPLE

The facilities, services or matters that would be provided in consideration of height or density bonus should be reasonable, in terms of the cost/benefit implications for both the municipality and the developer and must result in a benefit to the general public and/or an enhancement of the design or amenities of a *development* to the extent that a greater density or height is warranted. Also, the height and density bonuses received should not result in a *scale of development* that is incompatible with adjacent uses or exceeds the capacity of available municipal services.

CIRCUMSTANCES APPLICABLE

Bonus zoning is applied to encourage social amenities and design features resulting in a public benefit which cannot be obtained through the normal *development* process. Area Councils may pass by-laws providing for bonusing to achieve the following objectives:

- to support the provision of the *development* of affordable housing as provided for in this Plan;
- to encourage aesthetically attractive *development* through the provision of enhanced landscaped open space and architectural review relating to building design materials and colours;
- to support the provision of, and improved access to, public open space, supplementary to any parkland dedication requirements;
- to support the provision of day care facilities;
- to support the preservation of structures and/or districts identified as architecturally and/or historically significant by the municipality;