

## THE CORPORATION OF THE COUNTY OF WELLINGTON

File No: OP-2020-03  
Municipality: County of Wellington  
Subject Lands: County of Wellington

Date of Adoption: November 26, 2020  
Date of Notice: December 9, 2020  
Last Date of Appeal: Not Applicable

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**NOTICE OF ADOPTION**  
**With Respect to an Official Plan Amendment**  
**to the County of Wellington Official Plan**  
**Section 22 of the Planning Act**  
**Re: OPA # 112**

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**Take Notice** that on the Corporation of the County of Wellington passed **By-law No. 5691-20** to adopt **Official Plan Amendment No. 112** to the County of Wellington Official Plan.

### **Purpose and Effect of the Official Plan Amendment**

The purpose and effect of the amendment is to update policies for Additional Residential Units, to comply with changes to the Planning Act under section 16(3) as a result of Bill 108 – More Homes, More Choice Act, 2019.

### **Public Input**

The County of Wellington received a written submission regarding the cultural heritage impact of additional residential units and Council has taken this submission into consideration when making its decision.

### **Approval**

The proposed Official Plan Amendment is exempt from approval by the Ministry of Municipal Affairs and Housing. The decision of County Council is final as section 17(24.1) of the Planning Act does not allow for the appeal of the additional residential unit policies of section 16(3).

### **Getting Additional Information:**

Additional information about the application is available for public inspection during regular office hours at the Corporation of the County of Wellington at the address noted below.

Clerk, County of Wellington  
Administration Centre  
74 Woolwich Street, Guelph ON N1H 3T9  
tel: (519) 837-2600                      fax: (519) 837-1901

AMENDMENT NUMBER 112  
TO THE OFFICIAL PLAN FOR THE  
COUNTY OF WELLINGTON

November 2020



THE CORPORATION OF THE COUNTY OF WELLINGTON

BY-LAW 5691-20

A By-law to adopt Amendment No. 112 (Additional Residential Units)  
to the Official Plan for the County of Wellington.

The Council of the Corporation of the County of Wellington, pursuant to the provisions  
of the Planning Act, R.S.O. 1990, as amended, does hereby enacts as follows:

1. **THAT** Amendment Number 112 (Additional Residential Units) to the Official Plan for the  
County of Wellington, consisting of the attached maps and explanatory text, is hereby  
adopted.
2. **THAT** this By-law shall come into force and take effect on the day of the final passing  
thereof.

**READ A FIRST, SECOND AND THIRD TIME AND PASSED NOVEMBER 26, 2020.**



  
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KELLY LINTON, WARDEN

  
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DONNA BRYCE, COUNTY CLERK

**AMENDMENT NUMBER 112  
TO THE  
COUNTY OF WELLINGTON OFFICIAL PLAN**

**INDEX**

**PART A - THE PREAMBLE**

The Preamble provides an explanation of the proposed amendment including the purpose, location, and background information, but does not form part of this amendment.

**PART B - THE AMENDMENT**

The Amendment describes the changes and/or modifications to the Wellington County Official Plan which constitute Official Plan Amendment Number 112.

**PART C - THE APPENDICES**

The Appendices, if included herein, provide information related to the Amendment, but do not constitute part of the Amendment.

## **PART A - THE PREAMBLE**

### **PURPOSE**

The purpose of the amendment is to update the County Official Plan policies on Additional Residential Units.

### **LOCATION**

The amendment applies to the entire County of Wellington.

### **BACKGROUND**

Currently, the County Official Plan has policies which authorize the use of second units and provides criteria to be considered in establishing second units. The current policies reflect *Planning Act* provisions that were based on previous legislative changes brought forward through the *Strong Communities through Affordable Housing Act, 2011*.

### **BASIS**

The *Planning Act* was recently amended through Bill 108 - *More Homes, More Choice Act, 2019* which amended the second unit framework in section 16(3) with new provisions for Additional Residential Units. Bill 108 received Royal Assent in the Ontario Legislature on June 6<sup>th</sup>, 2019 and the enabling regulations were proclaimed in to force on September 3, 2019.

The County Official Plan needs to be updated to address the new Additional Residential Unit requirements of the *Planning Act*.

### **IMPLEMENTATION AND INTERPRETATION**

The implementation and interpretation of this Amendment shall be in accordance with the relevant policies of the County of Wellington Official Plan.

## **PART B - THE AMENDMENT**

All of this part of the document entitled **Part B - The Amendment**, consisting of the following text constitutes Amendment No. 112 to the County of Wellington Official Plan.

### **DETAILS OF THE AMENDMENT**

The Official Plan of the County of Wellington is hereby amended as follows:

1. THAT the **TABLE OF CONTENTS** is amended by:
  - a) Deleting the phrase "Second Units" that follows heading **4.4.6** and replacing it with the phrase "Additional Residential Units".
  - b) Deleting the phrase "Second Units within a Main Residence" following heading **4.4.6.1** and replacing it with the phrase "Additional Residential Units within a Main Residence".
  - c) Deleting the phrase "Second Units within an Ancillary Building or Structure" following heading **4.4.6.2** and replacing it with the phrase "Additional Residential Units within an Ancillary Building or Structure".

2. THAT section **4.4 HOUSING** is amended by:
  - a) Deleting the phrase "second units" from section 4.4.5 Affordable Housing and replacing it with "Additional Residential Units" in the fourth and fifth paragraph.
  - b) Deleting sub-section **4.4.6 Second Units** and replacing it with the following:

#### **"4.4.6 Additional Residential Units**

Additional Residential Units, also known as accessory or basement apartments, secondary suites or in-law suites are self-contained residential units with separate kitchen, bathroom and sleeping facilities. These units are subordinate in scale and function to the main residence on the property.

Additional Residential Units are an effective form of intensification and increase the stock of affordable rental housing; provide home owners with additional sources of income; and offer alternative housing options in the community.

Garden suites are temporary dwellings and are not considered Additional Residential Units under this Plan.

It is the policy of this Plan to authorize:

- a) The use of two residential units in a single detached dwelling, semi-detached dwelling or rowhouse; and

- b) The use of a residential unit in a building or structure ancillary to a single detached dwelling, semi-detached dwelling or rowhouse.

For additional clarity the intent of this policy is to allow up to a total of three residential units, which includes the primary dwelling unit, on eligible properties.

An Additional Residential Unit within a main residence or within an ancillary building on a property will not be permitted within hazardous lands as defined and regulated by the Local Conservation Authority.

An Additional Residential Unit will be required to be serviced by appropriate water and wastewater services in a manner that is acceptable to the local municipality. Additional Residential Units located within vulnerable areas designated under the Clean Water Act may be permitted subject to the applicable Source Protection Plan policies and the policies in section 4.9.5 of this Plan.

#### **4.4.6.1 Additional Residential Units Within a Main Residence**

Local municipalities shall enact zoning provisions to allow one Additional Residential Unit within a single detached dwelling, semi-detached dwelling or rowhouse on a property.

In developing zoning provisions for Additional Residential Units within a main residence, local municipalities should consider the following:

- a) that safe road access can be provided;
- b) the establishment of an Additional Residential Unit does not require the creation of an additional driveway access;
- c) that adequate off-street parking can be provided on site for both the main residence and additional residential unit;
- d) that any exterior alterations to the main residence, necessary to accommodate the Additional Residential Unit, are minimized to reduce visual impacts on the streetscape;
- e) that adequate amenity areas are provided for the main residence and Additional Residential Unit;
- f) the Additional Residential Unit meets the applicable Building Code, Fire Code and local property regulations; and
- g) whether a garden suite and Additional Residential Units will be permitted on the same lot.

#### 4.4.6.2 Additional Residential Units Within an Ancillary Building or Structure

Local municipalities shall enact zoning provisions to allow one Additional Residential Unit within a building or structure that is ancillary to a single detached dwelling, semi-detached dwelling or rowhouse, provided that a residential unit does not already exist in an ancillary building on the property. For clarity, an Additional Residential Unit may be permitted as a separate standalone ancillary building or as part of an ancillary building. An Additional Residential Unit is prohibited from being severed from the property.

When developing zoning provisions to address Additional Residential Units in ancillary buildings local municipalities should give consideration to the items listed in section 4.4.6.1. and shall have zoning provisions to address the following:

- a) the Additional Residential Unit is located within the main building cluster on the property;
- b) the Additional Residential Unit will be clearly secondary to the main residence on the property; and
- c) Minimum Distance Separation formula is complied with, where applicable.

Local Municipalities may apply site plan control to Additional Residential Units in ancillary buildings."

3. THAT section **6.4 PRIME AGRICULTURAL AREA** is amended by:
  - a) By deleting the phrase "Second units" in bullet f) under section **6.4.3 Permitted Uses** and replacing it with the phrase "Additional Residential Units".
4. THAT section **6.9 COUNTRY RESIDENTIAL** is amended by:
  - a) Deleting the phrase "A second unit" in the last paragraph of section **6.9.2 Permitted Uses** and replacing it with the phrase "An Additional Residential Unit".
5. THAT section **7.4 Hamlets** is amended by:
  - a) Deleting the phrase "a second unit" in the first paragraph of section **7.4.1 Permitted Uses** and replacing it with the phrase "An Additional Residential Unit".
6. THAT section **7.5 URBAN CENTRES** is amended by:



- a) Deleting the phrase "A second unit" in the third paragraph of section **7.5.5 Residential Use** and replacing it with the phrase "An Additional Residential Unit".

7. THAT Section **8.3 RESIDENTIAL** is amended by:

- a) Deleting the phrase "A second unit" in the third paragraph of section **8.3.3 Permitted Uses** and replacing it with the phrase "An Additional Residential Unit".