TOWN OF
HALTON HILLS
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BY-LAW NO. 2019-0048

A By-law to adopt Amendment No. 38 to the Official Plan of the
Town of Halton Hills -
Accessory Apartments (Accessory Dwelling Units)

WHEREAS the Council of the Corporation of the Town of Halton Hills is empowered to enact this By-law by virtue of the provisions of the Planning Act, 1990, R.S.O., c.p. 13, as amended;

AND WHEREAS the Regional Municipality of Halton, as the approval authority, has exempted this Official Plan Amendment from their approval;

AND WHEREAS on September 9th, 2019, Council for the Town of Halton Hills approved Report No. PLS-2019-0059, dated July 29th, 2019, in which certain recommendations were made relating to Accessory Dwelling Units.

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF HALTON HILLS ENACTS AS FOLLOWS:

1. That Amendment No. 38 to the Official Plan of the Town of Halton Hills, being the attached text and schedules is hereby approved;

2. That the Town Clerk is hereby authorized to circulate the Official Plan Amendment as provided for by the Planning Act regulating the appeal process.

BY-LAW read and passed by the Council for the Town of Halton Hills this 9th day of September, 2019.

MAYOR – RICK BONNETTE

CLERK – SUZANNE JONES

OFFICIAL PLAN AMENDMENT No. 38

TO THE OFFICIAL PLAN FOR THE TOWN OF HALTON HILLS

PART A: THE PREAMBLE does not constitute part of this Amendment

PART B: THE AMENDMENT consisting of the following Schedule and Text constitutes Amendment No. 38 to the Official Plan for the Town of Halton Hills.

AMENDMENT NO. 38 TO THE OFFICIAL PLAN
OF THE TOWN OF HALTON HILLS

The attached text and schedules constitute Amendment No. 38 to the Official Plan of the Town of Halton Hills, which was adopted by the Council of the Town of Halton Hills by By-law 2019-0048 in accordance with the provisions of the Planning Act, 1990. R.S.O., c.p. 13, as amended;

THE CORPORATION OF THE TOWN OF HALTON HILLS

MAYOR – Rick Bonnette

TOWN CLERK – Suzanne Jones

PART A – THE PREAMBLE

PURPOSE OF THE AMENDMENT

The main purpose of this amendment is to permit accessory apartments under Official Plan designations wherever single detached dwellings are already permitted in the broader Agricultural/Rural Area. The Amendment also introduces criteria for permitting accessory apartments in the broader Agricultural/Rural Area in a similar manner to what is already required for these units in the Urban Area.

LOCATION

The amendment applies to the Halton Hills broader Agricultural/Rural Area (excluding the Niagara Escarpment Plan Area), specifically to lands where designations permit single detached dwellings. Within the Niagara Escarpment Plan Area, the amendment would seek to permit accessory apartments in the *Escarpment Rural Area* designation, subject to policies of the Niagara Escarpment Plan.

BASIS FOR THE AMENDMENT

The Strong Communities through Affordable Housing Act, 2011, amended the Planning Act to require that municipalities authorize second units (or accessory apartments) in their Official Plans and Zoning Bylaws. As a result, Section 16(3) of the Planning Act requires municipal Official Plans to authorize second units in detached, semi-detached and row houses (or townhouses).

Currently the Halton Hills Official Plan permits single detached dwellings under multiple designations in the Agricultural, Rural, and Escarpment Plan Areas; as well as within the Secondary Plans for Glen Williams and Norval. In order to conform to the Planning Act it is necessary at this time to introduce accessory apartments into these areas and regulate them.

Under the current Official Plan an Accessory Apartment is defined as a "self-contained apartment within a single detached, semi-detached, or townhouse dwelling unit." The use is currently permitted in the Low Density Residential Areas and Medium Density Residential Areas, subject to regulations of the Zoning By-law and criteria listed in Section D1.3.1.6:

- The accessory apartment shall comply with the Ontario Building and Fire Codes;
- Adequate parking is available on the lot for both dwelling units and minimizes the loss of outdoor amenity areas or landscaping;
- The accessory apartment is designed and located in such a manner to not have a negative impact on the character of the surrounding neighbourhood and to that end, any building addition shall be compatible with the massing, height, and setbacks of adjacent dwelling units; and,
- Municipal water and wastewater facilities are adequate and available.

In the broader Agricultural/Rural Area, a similar approach is proposed whereby criteria shall be laid out for all accessory apartments (excluding those permitted in the Escarpment Plan Area).

PART B – THE AMENDMENT

All of this part of the document consisting of the following Schedule and Text constitutes Amendment No. 38 of the Official Plan for the Town of Halton Hills.

DETAILS OF THE AMENDMENT

The Official Plan for the Town of Halton Hills is amended as follows:

1. That Section E1.4 Land Use Policies (Agricultural Area) is amended by adding the following subsection:

   E1.4.10 Accessory Apartments
   An accessory apartment is permitted on existing lots subject to the regulations of the Zoning By-law and the following criteria:
   a) the accessory apartment shall comply with the Ontario Building and Fire Codes;
   b) adequate parking is available on the lot for both dwelling units and minimizes the loss of outdoor amenity areas or landscaping;
   c) the accessory apartment is designed and located in such a manner to not have a negative impact on the character of the surrounding residential uses and to that end any building addition shall be compatible with the massing, height, and setbacks of adjacent dwelling units; and,
   d) municipal water and wastewater or septic and well facilities are adequate and available to accommodate an additional dwelling unit.

2. That Section E1.3 Permitted Uses (Agricultural Area) is amended by adding a new subsection as follows:

   p) accessory apartments in single detached dwellings subject to Section E1.4.10.

3. That Section E2.3 Permitted Uses (Protected Countryside Area) is amended by adding a new subsection as follows:

   w) accessory apartments in single detached dwellings subject to Section E1.4.10.

4. That Section E3.4.1 Hamlet Residential Area is amended by adding a new subsection as follows:

   e) accessory apartments in single detached dwellings subject to Section E1.4.10.

5. That Section E3.4.2 Hamlet Community Core Area is amended by adding a new subsection as follows:

   j) accessory apartments in single detached dwellings subject to Section E1.4.10.

6. That Section E4.3 Permitted Uses (Rural Cluster Area) is amended by adding a new subsection as follows:

   j) accessory apartments in single detached dwellings subject to Section E1.4.10.

7. That Section E5.3 Permitted Uses (Country Residential Area) is amended by adding a new subsection as follows:

   f) accessory apartments in single detached dwellings subject to Section E1.4.10.

Norval Secondary Plan

8. That Section H2.4.2 Permitted Uses (Hamlet Community Core Area) is amended by adding a new subsection as follows:

   cc) accessory apartments in single detached dwellings subject to Section E1.4.10.

9. That Section H2.5.2 Permitted Uses (Hamlet Commercial Area) is amended by adding a new subsection as follows:

l) accessory apartments in single detached dwellings subject to Section E1.4.10.

10. That Section H2.7.2 Permitted Uses (Hamlet Residential Area) is amended by adding a new subsection as follows:

    l) accessory apartments in single detached dwellings subject to Section E1.4.10.

11. That Section H2.8.2 Permitted Uses (Hamlet Residential/Office Area) is amended by adding a new subsection as follows:

    f) accessory apartments in single detached dwellings subject to Section E1.4.10.

Glen Williams Secondary Plan

12. That Section H4.4.2 Permitted Uses (Hamlet Community Core Area) is amended by adding a new subsection as follows:

    o) accessory apartments in single detached dwellings subject to Section E1.4.10.

13. That Section H4.5.2 Permitted Uses (Hamlet Residential Area) is amended by adding a new subsection as follows:

    d) accessory apartments in single detached dwellings subject to Section E1.4.10.

14. That Section H4.6.2 Permitted Uses (Hamlet Estate Residential Area) is amended by adding a new subsection as follows:

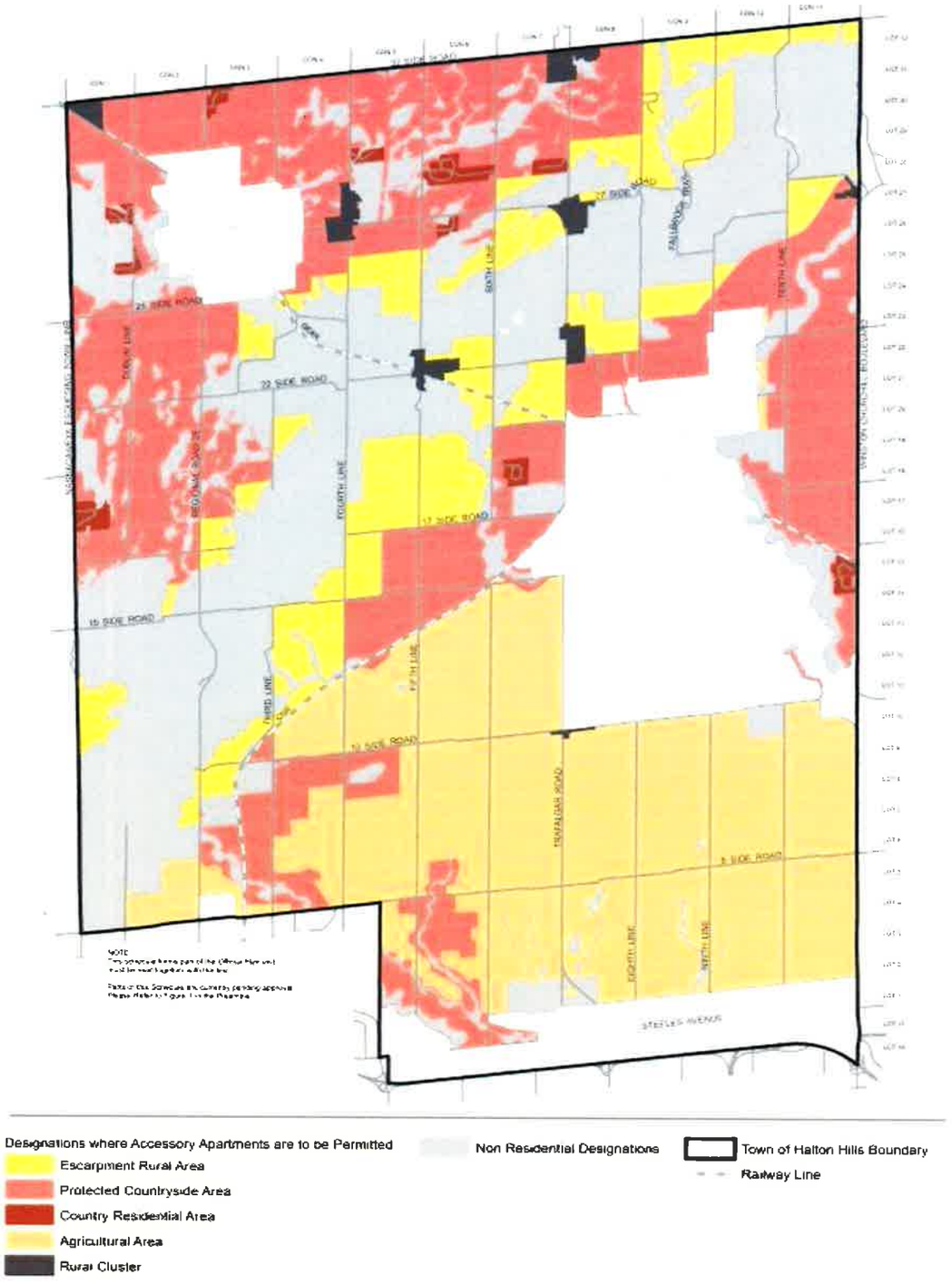
    c) accessory apartments in single detached dwellings subject to Section E1.4.10.

Escarpment Plan Area

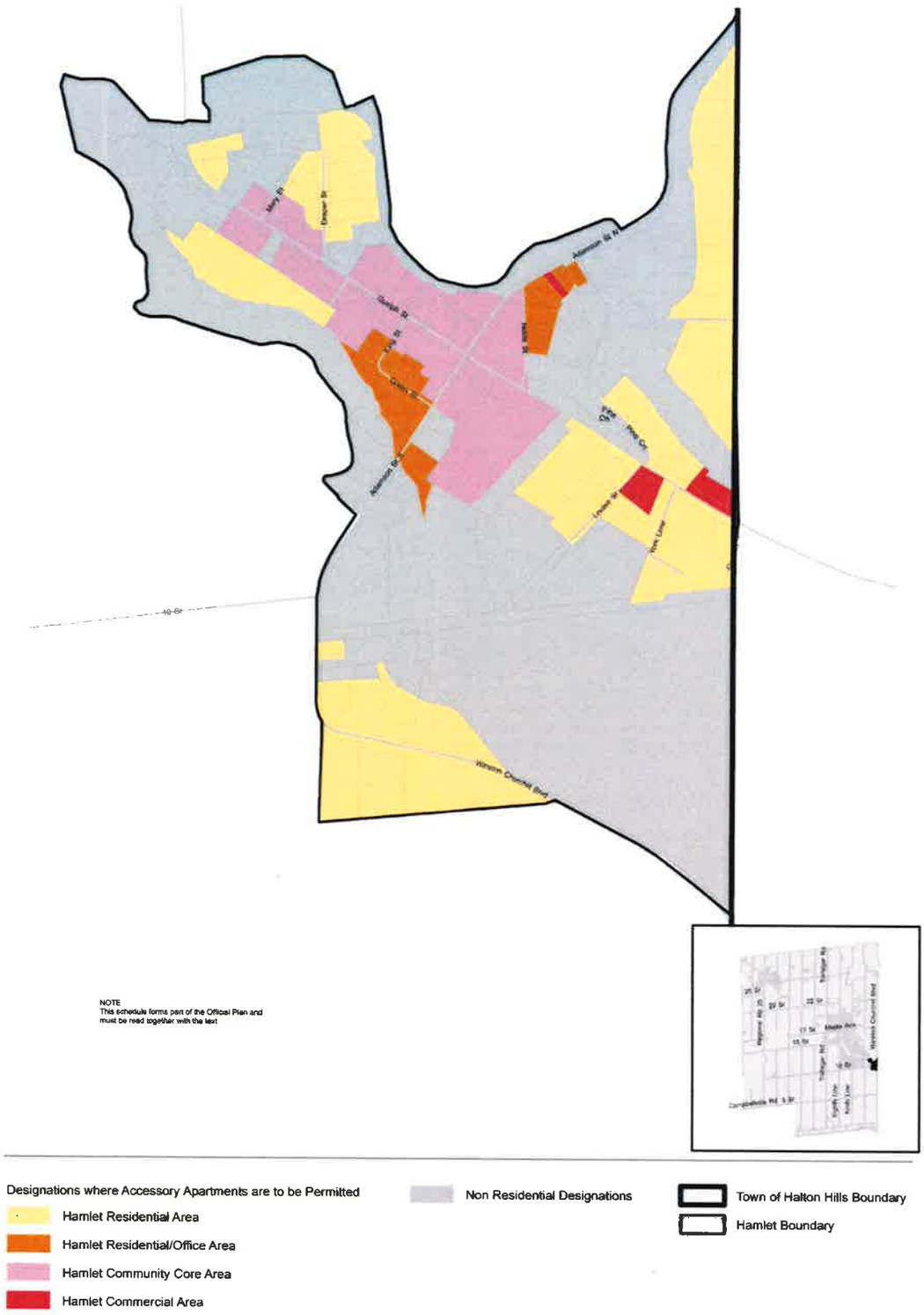
15. That Section B4.2.3.3 Permitted Uses (Escarpment Rural Area) is amended by adding a new subsection as follows:

    w) accessory apartments in single detached dwellings subject to Section 2.2 (11) of the Niagara Escarpment Plan.

Schedule 1
Map 1 – Halton Hills



Map 2 – Norval Secondary Plan Area



Map 3 – Glen Williams Secondary Plan Area

