TOWN OF HALTON HILLS
Working Together Working for You!

REPORT

REPORT TO: Chair and Members of the Planning, Public Works and Transportation Committee

REPORT FROM: Keith Hamilton, Planner - Policy

DATE: January 21, 2019

REPORT NO.: PLS-2019-0007

RE: Accessory Dwelling Units

RECOMMENDATION:

THAT REPORT NO. PLS-2019-0007 dated January 21, 2019 regarding accessory dwelling units in Halton Hills, be received;

AND FURTHER THAT staff prepare for agency and public review Official Plan and Zoning By-law Amendments that provide enhanced permissions for accessory dwelling units in keeping with the content of this report.

BACKGROUND:

The purpose of this report is to:

- Inform Committee on the current policy and regulatory framework related to accessory dwelling units;
- Identify amendments to Zoning By-law 2010-0050 required to bring it into conformity with the Official Plan and Planning Act; and,
- Identify amendments required to the Official Plan and Zoning By-law 2010-0050 in order to permit accessory dwelling units in the Town's broader Agricultural/Rural Area, including Hamlets and Rural Clusters.

Policy Framework

It should be noted that in this section accessory dwelling units are also referred to as second units (Planning Act) and accessory apartments (Halton Hills Official Plan).

Provincial Policy Context

The Strong Communities through Affordable Housing Act, 2011, amended the Planning Act to require that municipalities authorize second units (or accessory units) 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). Second units may also be approved in ancillary buildings provided no other second units exist on the property. Additionally, Section 35.1 of the Planning Act requires municipalities to update their Zoning By-laws to conform with second unit policies made in accordance with Section 16(3). Local amendments that bring Zoning By-laws into conformity with Section 16(3) cannot be appealed as stated under Section 34(19.1) of the Planning Act.

The Provincial Policy Statement (PPS) indicates that municipalities are to provide an appropriate range and mix of housing and to facilitate all forms of residential intensification including second units. The Growth Plan for the Greater Golden Horseshoe includes second units as part of its 'Guiding Principles' for a greater range and mix of housing options. Additionally the Plan states municipalities should provide policy supporting second units to support 'complete communities' (Section 2.2.1) while accommodating for households of all sizes.

In 2018, the Ontario Building Code (OBC) was updated to include a definition for 'house'. The OBC defines house as "a detached house, semi-detached house or row house containing not more than two dwelling units". This helps differentiate 'house' from 'dwelling unit' while also being consistent with Section 16(3) of the Planning Act.

Halton Region

Halton Region addresses accessory dwelling units in Part III of their Official Plan under Housing. Section 86(10) requires local municipalities permit, through their Official Plans and Zoning By-laws, units within existing dwellings in residential neighbourhoods as of right. The policy does require that parking provisions are met and adequate services (water and wastewater) are available.

Additionally, Section 86(10.1) requires that local Official Plans and Zoning By-laws do not include criteria or standards that would prohibit the establishment of second units in accordance with provincial policies.

Halton Hills (Official Plan)

The Town's Official Plan currently defines an Accessory Apartment as "a self-contained apartment within a single detached, semi-detached, or townhouse dwelling unit." The inclusion of townhouses in this definition was brought into the Official Plan in 2017 with the Region's approval of OPA 10, one of the Town's Growth Plan conformity

amendments. The Plan also includes criteria for the approval of accessory apartments in Section D1.3.1.6, stating:
An accessory apartment is permitted 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 neighbourhood 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 facilities are adequate and available.

Additionally, Section D1.3.1.6 states accessory apartments are not subject to density requirements in the plan; however each unit must be registered in accordance with the Municipal Act.

The Official Plan currently permits accessory apartments in Low and Medium Density Residential Areas (subject to Section D1.3.1.6). This permission was introduced through OPA 10. While single detached dwellings are currently permitted under multiple designations in the broader Agricultural/Rural area, including Hamlets and Rural Clusters, the Official Plan is currently silent on accessory apartments.

Halton Hills (Zoning By-law 2010-0050)

Comprehensive Zoning By-law 2010-0050 was passed on July 19, 2010 and predates the Strong Communities through Affordable Housing Act and the Region's Approval of OPA 10. The Town's Zoning By-law currently defines an accessory dwelling as a "unit that is located within a single detached dwelling unit or in a non-residential building." Under Part 6, accessory dwellings are permitted in Low Density Residential One (LDR1), Residential/Commercial (RCO) and Urban Residential (UR) zones with provisions that:

- They are only permitted within single detached units;
- They occupy a maximum of $70m^2$ of floor area; and,
- The lot has a frontage of at least 11m.

Accessory dwellings are also permitted in the Downtown Commercial One and Two zones, provided they are in single detached homes and have a maximum floor area of $70m^2$. Currently the Zoning By-law is silent on accessory dwelling units in non-urban zones (i.e. rural area).

All accessory dwellings are required to have one parking space in addition to the two spaces required for the primary dwelling. In addition, a minimum of 40% soft landscaping is required on the yard in which the driveway is located.

COMMENTS:

The Town's Official Plan currently allows for accessory dwelling units in detached, semi-detached and townhouse dwellings, subject to criteria listed in the Background section. This aligns with current provincial legislation under the Planning Act by including these three housing forms. The Zoning By-law only permits accessory dwellings in single detached dwellings, which does not currently align with the Town's Official Plan, and by extension, the Planning Act.

When the Current Zoning By-law was adopted in 2010, accessory dwelling units were only permitted in single detached dwellings that met certain minimum lot frontage thresholds and parking requirements, while maintaining soft landscaping in the front yard. It has since been recognized that some semi-detached and townhouse dwellings in the urban areas have the potential to accommodate accessory dwelling units and meet the criteria set out in the Official Plan and Zoning By-law.

Both the Official Plan and Zoning By-law do not permit accessory dwelling units outside the urban area. Currently Section 16(3) of the Planning Act does not distinguish between urban and rural areas in its requirement for second units. As such, it would be appropriate at this time for accessory dwelling units to be permitted in the broader Agricultural/Rural Area of Halton Hills where residential uses are already permitted under the Official Plan and Zoning By-law. This would also include permitting these units in designations in the Norval and Glen Williams Secondary Plans where single detached dwellings are already permitted.

Proposed Official Plan and Zoning By-law Changes

i) Definition for Accessory Dwelling Unit

The definition in Part 3 of Zoning By-law 2010-0050 will require the inclusion of semi-detached and townhouse dwellings to be consistent with the Official Plan and Planning Act. A new proposed definition can be found in SCHEDULE 1 to this report.

ii) Minimum Required Lot Frontage

Under Part 6, 6.2 of the Zoning By-law, Special Provision 1 requires accessory dwelling units to be on a lot with a minimum frontage of 11m. It is Town staff's opinion that parking and soft landscaping requirements discussed in the Background section are sufficient for the purpose of regulating accessory dwelling units in light of changes to Provincial legislation. Therefore it is recommended the lot frontage requirement be deleted from this Special Provision. A revised Special Provision has been included in SCHEDULE 1 to this report.

iii) Permitting Units in the Agricultural/Rural Area

Permitting and regulating accessory dwelling units in the broader Agricultural/Rural Area would require changes to both the Official Plan and Zoning By-law. Under the Official Plan a new land use policy would be required under Section E1.4 to define criteria for accessory apartments. This would be similar to what exists for such uses in the Urban Area under Section D1.3.1.6. Additionally, accessory dwelling units would have to be added to the list of permitted uses for designations where single detached homes are already listed. More details for these proposed changes can be found in SCHEDULE 1 to this report.

Under Zoning By-law 2010-0050 Part 9, 'Accessory Dwelling Units' would have to be added as a use in Table 9.1. The use would then be permitted in zones where Single Detached Dwellings are already permitted. More details for these proposed changes can be found in SCHEDULE 1 to this report.

iv) Increasing the Maximum Floor Area for an Accessory Dwelling

Currently under the Town's Zoning By-law 2010-0050, the maximum floor area for an accessory dwelling unit is $70m^2$ (or $753.5ft^2$). A policy scan completed for this report (see SCHEDULE 2) revealed many municipalities use a percentage of total floor area requirement (40% or greater), or a maximum floor area greater than $70m^2$. Increasing the maximum for accessory dwelling units may also provide more flexibility to accommodate larger households. Based on the foregoing, a larger maximum floor area of $95m^2$ ($1,022.6ft^2$) is being proposed for review and consideration.

Implications on Housing in Halton Hills

The Amendment to Zoning By-law 2010-005, if passed, would authorize accessory dwelling units in semi and townhouse dwellings in addition to the existing permission for single detached dwellings. It should be noted that for each unit type, a minimum of 3 parking spaces would be required to permit an accessory dwelling (2 per principal dwelling, 1 per accessory unit). This would restrict most townhouse units, as well as small lot single/semi-detached units with limited driveway space from creating accessory units. It should be noted that the soft landscaping requirement (40% of front or exterior side yard), which is important from an urban design and streetscape perspective, reduces the potential for landowners to widen their driveways to accommodate extra parking.

Other initiatives that are currently under way or will be commencing this year that relate to this issue and parking in particular include an Affordable Housing Task Force and a review of the Uniform Traffic Control By-law 84-1. The recommendations flowing from these initiatives may have further ramifications for parking requirements which could be considered through subsequent amendments to the zoning by-law.

Next Steps

The changes proposed to Town policy on accessory dwelling units in this report would require Amendments to the Official Plan and Zoning By-law 2010-0050. Requirements for completing this work are as follows:

- Circulation of this report to Zoning and Building staff, as well as Halton Region, Credit Valley Conservation, Conservation Halton, Grand River Conservation Authority, and Niagara Escarpment Commission for comment;
- An Open House no later than 7 days prior to the Statutory Public Meeting;
- Statutory Public Meeting on draft Zoning By-law Amendments; and,
- A Final Recommendation Report to Council.

RELATIONSHIP TO STRATEGIC PLAN:

The final Recommendation Report will address the relationship between the proposed development and the Town's Strategic Plan.

FINANCIAL IMPACT:

There is no financial impact associated with this particular report.

CONSULTATION:

In preparing this report multiple staff in Planning and Zoning were consulted. Additionally Planning Staff from the Region of Halton and Niagara Escarpment Commission were consulted.

PUBLIC ENGAGEMENT:

Where Zoning By-law and Official Plan Amendments are required to update current policy on accessory dwelling units in the Town of Halton Hills, a Statutory Public Meeting will be required. Additionally, an Open House will be required for this project in accordance with the Planning Act under Sections 26(9) and 34(14.4). The purpose of this Open House is to provide the public an opportunity to review the proposed changes and ask questions.

SUSTAINABILITY IMPLICATIONS:

The final Recommendation Report will address the relationship between the proposed development and any sustainability implications.

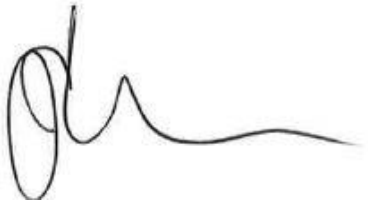
COMMUNICATIONS:

There is no communications impact associated with this particular report.

CONCLUSION:

This report provides an overview of Provincial, Regional and Town policy on accessory dwelling units. Where current Town policy on these units is not consistent with the Planning Act, municipally-initiated Official Plan and Zoning By-law Amendments are required to achieve conformity. To that end, it is recommended that staff prepare for agency and public review of Official Plan and Zoning By-law Amendments that provide for enhanced permissions for accessory dwelling units in keeping with the content of this report.

Reviewed and Approved by,



John Linhardt, Commissioner of Planning and Sustainability



Brent Marshall, Chief Administrative Officer

SCHEDULE 1 TO PLS-2019-0007

Proposed Changes to Zoning By-law 2010-0050

In PART 3 – DEFINITIONS

Dwelling, Accessory means:

An *accessory dwelling unit* that is located within a single detached, semi-detached, or townhouse dwelling unit or in a non-residential building.

In PART 6 – URBAN RESIDENTIAL ZONES

Under SPECIAL PROVISIONS for Table 6.1
1. Permitted only within single detached, semi-detached, or townhouse dwellings and provided the accessory dwelling unit occupies no more than 95.0 square metres of floor area.

In PART 7 – URBAN COMMERCIAL ZONES

Under SPECIAL PROVISIONS for Tables 7.1 and 7.2
13. Permitted only within single detached, semi-detached, or townhouse dwellings and provided the accessory dwelling unit occupies no more than 95.0 square metres of floor area.

In PART 9 – NON-URBAN ZONES

Table 9.1 – Permitted Uses (Non-Urban Zones)

Use	A	PC	HR1 HR2	HCC HC	HI	HRO	RCR1 RCR2	RCC	RCI	CR	MAR	RU-EMP
Accessory Dwelling Units	X(19)	X(19)	X(19)	X(19)		X(19)	X(19)	X(19)		X(19)	X(19)	

Under SPECIAL PROVISIONS for Table 9.1, add:
19. Permitted only within single detached, semi-detached, or townhouse dwellings provided the accessory dwelling unit occupies no more than 95.0 square metres of floor area.

Proposed Changes to the Town of Halton Hills Official Plan

Under Section E1.4 Land Use Policies

E1.4 Accessory Apartments

An accessory apartment is permitted 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.

Under Section E1.3 Permitted Uses (Agricultural Area)
Add:
p) accessory apartments in single detached dwellings subject to Section E1.4.10.

Under Section E2.3 Permitted Uses (Protected Countryside Area)
Add:
w) accessory apartments in single detached dwellings subject to Section E1.4.10.

Under Section E3.4.1 Hamlet Residential Area
Add:
e) accessory apartments in single detached dwellings subject to Section E1.4.10.

Under Section E3.4.2 Hamlet Community Core Area
Add:
j) accessory apartments in single detached dwellings subject to Section E1.4.10.

Under Section E4.3 Permitted Uses (Rural Cluster Area)
Add:
j) accessory apartments in single detached dwellings subject to Section E1.4.10.

Under Section E5.3 Permitted Uses (Country Residential Area)
Add:

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

Norval Secondary Plan

Under Section H2.4.2 Permitted Uses (Hamlet Community Core Area)
Add:
cc) accessory apartments in single detached dwellings subject to Section E1.4.10.

Under Section H2.5.2 Permitted Uses (Hamlet Commercial Area)
Add:
l) accessory apartments in single detached dwellings subject to Section E1.4.10.

Under Section H2.7.2 Permitted Uses (Hamlet Residential Area)
Add:
l) accessory apartments in single detached dwellings subject to Section E1.4.10.

Under Section H2.8.2 Permitted Uses (Hamlet Residential/Office Area)
Add:
f) accessory apartments in single detached dwellings subject to Section E1.4.10.

Glen Williams Secondary Plan

Under Section H4.4.2 Permitted Uses (Hamlet Community Core Area)
Add:
o) accessory apartments in single detached dwellings subject to Section E1.4.10.

Under Section H4.5.2 Permitted Uses (Hamlet Residential Area)
Add:
d) accessory apartments in single detached dwellings subject to Section E1.4.10.

Under Section H4.6.2 Permitted Uses (Hamlet Estate Residential Area)
Add:
c) accessory apartments in single detached dwellings subject to Section E1.4.10.

Municipality	Official Plan	Zoning By-law
Halton Hills	**Accessory Apartment (subject to OPA 10)** Means a self-contained apartment within a single detached, semi-detached, or townhouse dwelling unit. **D1.3.1.6 Accessory Apartments** An accessory apartment is permitted 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 neighbourhood 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 facilities are adequate and available. Accessory apartments shall not be subject to the density provisions of this Plan. As a condition of approval, the Town shall require that dwelling units containing an accessory apartment be registered in accordance with the provisions of the Municipal Act. **D1.3.2.3 Complementary Uses** Complementary uses that are permitted subject to certain criteria in the Medium Density Residential Area designation include: a) home occupations subject to Section D1.3.1.4 of this Plan; b) local parkland subject to Section F7.3.4 of this Plan; and, c) accessory apartments in townhouse dwellings subject to Section D1.3.1.6 of this Plan.	**Dwelling, Accessory** means: An accessory dwelling unit that is located within a single detached dwelling unit or in a non-residential building. Table 5.2 – 1 parking space required for an accessory unit Table 6.1 – Accessory units permitted in LDR1, RCO and UR zones with Provision: Permitted only within single detached dwellings and provided the accessory dwelling unit occupies no more than 70.0 square metres of floor area and provided the lot has a lot frontage of 11.0 metres or greater. Table 7.1 - Accessory units permitted in DC1 and DC2 zones with Provision: In a single detached dwelling, one accessory dwelling unit is permitted provided the dwelling has a floor area of no more than 70.0 square metres. Section 5.2.14 states the maximum width for a ground oriented dwelling unit is 7m, provided the yard on which the driveway is located (front or exterior side) has a minimum of 40% soft landscaping.

Cambridge	Section 2.8.2.8 Secondary Residential Unit 8. The City will permit the establishment of a secondary residential unit within or attached to the existing residential buildings in all zones where residential uses are permitted without an amendment to the City's Zoning By-law. Secondary residential units must be established in accordance with the following criteria: a) appropriate parking arrangements can be accommodated on the property; b) no separate access to a municipal road is required; c) the secondary residential unit is compatible with neighbouring residential properties and the surrounding residential neighbourhood; d) adequate potable water and wastewater treatment is available to accommodate the secondary residential unit; e) the secondary residential unit is subordinate in scale and function to the main dwelling unit; and f) compliance with the City's minimum standards of maintenance and occupancy, and any other applicable legislation.	Zoning By-law Amendment 108-18 does the following: Creates definition - Secondary Dwelling Unit, also known as a secondary suite or secondary residential unit: a separate dwelling unit containing bathroom and kitchen facilities that is subordinate to a legally existing residential structure. Establishes parking requirements – 1 spot for a 1-bedroom unit and 2 spots for a 2-bedroom unit in addition to prescribed parking requirements. Permits the use in 15 of 16 Residential zones. Specifications include: • 11m lot frontage (15m for corner lots) • 450m^2 minimum lot area • Floor area maximum of 40% of dwelling including basement • Direct or shared entrance permitted • No separate access to municipal roads (second driveway) • Must be connected to municipal water and sewer or have proof private services can accommodate the unit • 2 bedroom maximum • Min. distance from interior lot line to unit entrance 1.2m • Min. distance from exterior lot line entrance to unit 6m • Parking for accessory unit permitted between regulatory building line and street line

Markham	Under 4.1.1 – General Policies: 4.1.2.6 To support further diversification of the housing stock tenure by: a) encouraging the construction of rental and shared housing with a full mix and range of unit types and sizes; and b) providing for the establishment of secondary suites within existing and new permitted dwelling types in accordance with Section 3.5.22 of the Regional Official Plan and subject to appropriate zoning, development criteria and standards. Under 8.2 – Residential: 8.2.1.2 In addition to the uses listed in Section 8.1.1, the following uses may be provided for in all 'Residential' designations: vi. secondary suite in accordance with Section 8.13.8. 8.2.2.1 On lands designated 'Residential Estate' to: d) provide opportunities for one secondary suite per lot on condition that landscape characteristics are protected and that parking and servicing requirements are met. 8.2.2.2 That notwithstanding the policy of Section 8.2.1.2: b) a secondary suite, in accordance with Section 8.13.8, may be permitted on each lot provided that water and wastewater are adequate to meet demand and requirements regarding parking are met. 8.3.1.2 To provide for the following uses, in addition to the uses listed in Section 8.1.1, in all 'Mixed Use' designations: k) secondary suite in accordance with Section 8.13.8; 8.6.1.2 To provide for the following uses on lands designated 'Greenway': (under appeal) d) secondary suite in accordance with Section 8.13.8; 8.8.1.2 To provide for the following uses on lands designated 'Countryside': b) secondary suite in accordance with Section 8.13.8;	***OP policies on Secondary Suites not brought into ZBL 177-96 as of now***

	8.13.8 Secondary Suite It is the policy of Council: 8.13.8.1 That in considering an application to amend the zoning by-law to permit the establishment of a secondary suite where provided for in this Plan, Council shall be satisfied that an appropriate set of development standards are provided for in the zoning by-law including: a) the building type in which the secondary suite is contained; b) the percentage of the floor area of the building type devoted to the secondary suite; c) the number of dwelling units permitted on the same lot; d) the size of the secondary suite; e) the applicable parking standards; and f) the external appearance of the main dwelling	
Guelph	34. In addition to the requirements of policy 4.4.1.33, the following policies apply to the renovation of, intensification of, conversion to, development and redevelopment of residential uses. 2. Residential intensification, comprising the building of a new single/semi/duplex on an existing vacant lot, or adding an accessory apartment to an existing single/semi/duplex building or the creation of a new lot by consent for a single/semi/duplex dwelling, may be permitted provided that the new building or structure is floodproofed to an elevation no lower than one metre below the regulatory flood level; and: i) the habitable floor space is constructed to an elevation equal to, or greater than the ground floor elevation of adjacent buildings, but in no case lower than one metre below the regulatory flood level; ii) mechanical, electrical and heating equipment will be located no lower than one metre below the regulatory flood level; iii) basements will only be permitted in instances where	"Accessory Apartment" means a Dwelling Unit located within and subordinate to an existing Single Detached Dwelling, Semi-Detached Dwelling or a Link Dwelling; Parking Requirements: Semi or Single detached with an Accessory Apartment: 3 Any Accessory Apartment shall be developed in accordance with the following provisions: 4.15.1.1 The external appearance of all Building facades and outdoor Amenity Areas shall be preserved except dual service meters are permitted. 4.15.1.2 An Accessory Apartment shall only be permitted within a Single Detached Dwelling or Semi-Detached Dwelling. 4.15.1.3 A maximum of one Accessory Apartment shall be permitted in a Single-Detached Dwelling or in each half of a Semi-Detached Dwelling, provided that the Single-detached Dwelling or Semidetached Dwelling is a conforming Use in the Zone in which it is located. 4.15.1.4 Parking for the Accessory Apartment shall be developed in

	the elevation of the basement floor is greater than the elevation of one metre below the regulatory flood level. In instances where this basement floor level elevation cannot be achieved, a crawl space of a maximum height of 1.2 metres may be permitted to facilitate servicing; and iv) access is available to the site at an elevation no lower than one metre below the safe access level. 7.2 Affordable Housing The City recognizes the importance of housing, including affordable housing, inmeeting the needs of the city's existing and future residents. Objectives d) To recognize the role of existing housing and accessory apartments in providing choices for a full range of housing, including affordable housing. 7.2.1 Affordable Housing Targets 4. While not part of the annual affordable housing target, the creation of approximately 90 accessory apartment units annually will be encouraged. 9.2.3 Accessory Apartments 1. The City shall provide for the creation of accessory apartments in low density residential designations. 2. The Zoning By-law will provide specific regulations for accessory apartments. Accessory Apartment means: a dwelling unit located within and subordinate to an existing single detached dwelling or semi-detached dwelling. Accessory Apartments also included in definition of Residential Intensification.	accordance with Section 4.13. 4.15.1.4.1 Notwithstanding Sections 4.13.2.1 and 4.13.3.1 the required off-street Parking Space for an Accessory Apartment may be stacked behind the required off-street Parking Space of the host Dwelling in the driveway. A maximum of 2 Parking Spaces are permitted in a stacked arrangement. 4.15.1.5 The Accessory Apartment shall not exceed 45% of the total Floor Area of the Building and shall not exceed a maximum of 80 square metres in Floor Area, whichever is lesser. 4.15.1.6 Interior access is required between floor levels and between the Accessory Apartment and the host Dwelling Unit. 4.15.1.7 The Accessory Apartment shall not contain more than two bedrooms. Table 4.25 – Lodging House Type cannot contain an AD. Under Section 5, ADs permitted in: R.1A, R.1B, R.1C, and R.1D; and R.2 zones
Brampton	**3.2.8.2 Second Units** a) Second units shall be permitted within single detached dwellings, semidetached dwellings and townhouses that are on full municipal services provided they are in accordance with	Aligns with Brampton's OP: Second Units permitted where single detached, semis and townhouses are permitted.

	the Zoning By-Law and subject to the following criteria: i) A maximum of one second unit is permitted per dwelling, and which is accessory to the main dwelling; ii) A second unit must be in compliance with the Ontario Building Code and/or Fire Code and Property Standards By-Law and other applicable approval requirements; iii) Alterations to the exterior building design of the principal dwelling must be consistent with its existing design, style and materials; iv) A second unit shall not be permitted in a residential dwelling situated within a floodplain; v) A second unit shall have no negative impact on stormwater management and site drainage; and, vi) Adequate on-site parking is provided in accordance with the requirements of the Zoning By-law. b) The Chief Building Official may consider an application for the registration of a second unit in a detached, semi-detached or townhouse dwelling on private sanitary servicing where the sewage system has been upgraded to meet the regulations of the Ontario Building Code, and shall be subject to the criteria established in Section 3.2.8.2a) of this Plan. c) Zoning By-Law regulations shall be established and all second units shall be in accordance with the Zoning By-Law. Zoning regulations for second units may include, but are not limited to: i) Dwelling types; ii) Parking and yard requirements; iii) Maximum floor areas; iv) Landscaped open space or amenity area requirements. d) Where an application for a second unit fails to conform to any of the requirements of the implementing zoning by law, a zoning by-law amendment shall be required.	

Oakville	Nothing to date.	**4.1 Accessory Dwelling Units** **4.1.1 Residential Zones** Where an accessory dwelling is permitted in a Residential Zone, the following regulations apply: a) A maximum of one accessory dwelling is permitted on a lot. b) An accessory dwelling is only permitted within a detached dwelling and semi-detached dwelling. c) Notwithstanding subsection (b) above, an accessory dwelling is permitted within an accessory building on a corner lot in the Residential Uptown Core (RUC) Zone. d) An accessory dwelling shall have a maximum floor area of the lesser of 40% of the residential floor area of the detached dwelling or semi-detached dwelling or 75.0 square metres. For the purposes of this subsection, residential floor area shall include all area within a basement. (2016-023) e) Any separate entrance and exit to the accessory dwelling shall be oriented toward the flankage lot line, interior side lot line, or rear lot line. Subsections (b) and (d) above do not apply to an accessory dwelling that legally existed on or before November 16, 1995. **4.1.2 Commercial Zones** Where an accessory dwelling is permitted in a Commercial Zone, the following regulations apply: a) An accessory dwelling is only permitted within the same building as a permitted retail, service commercial, or office use. b) An accessory dwelling is not permitted on a first storey unless it legally existed on the effective date of this By-law. Notwithstanding this, ancillary residential uses are permitted on the first storey. **Accessory dwellings permitted in all RL zoned and Residential Uptown Core zone (RUC), with one parking space per unit required. Also permitted in Central Business District (CBD), Greenbelt (GB) and Parkway Belt Complementary Use (PB2) zones

Burlington	Accessory Dwelling Unit in OP only referred to as a whole unit accessory to farm operations or places of worship. Current OP review is looking to permit them in rural areas.	**Accessory Dwelling Unit** One self-contained dwelling unit created through converting part of, or adding on to, one existing detached dwelling unit. R Zone Permitted Uses (Low Density): Footnote to Table 2.3.1: a) Permitted in all R1 zones, all R2 zones, and in R3.1 and R3.2 zones only, subject to the following regulations: Permitted in a detached dwelling only Lot Width: 15 m Notwithstanding the above, an accessory dwelling unit is permitted within a detached dwelling that existed on the date of enactment of this by-law that is situated on a lot with a width of less than 15 metres, only provided that as of the date of enactment of By-law 2020.244 (April 28, 2008), the dwelling contained an existing garage with a minimum width of 6 m. Floor Area of accessory dwelling unit: 42 m^2 minimum; 100 m^2 maximum. Floor Area of the accessory dwelling unit shall not be in excess of 40% of the total floor area of the residential building. For purposes of this footnote, a finished basement forming part of a dwelling unit is defined as floor area. Total Rear Yard Amenity Area for the principal dwelling unit and accessory dwelling unit: 135 m^2 minimum The accessory dwelling unit shall have its own exterior entrance separate from the exterior entrance to the principal dwelling unit. The separate entrance to the accessory dwelling unit shall not be located on any elevation of the building facing a street. Access to a principal and accessory unit through a common vestibule is permitted. Refer to Part 1, Section 2.24 for driveway widths on a lot containing an accessory dwelling unit. Driveway Width on a lot containing an accessory dwelling unit: 6 m minimum; 7.35 m maximum.

		On lots containing an accessory dwelling unit, a maximum of 50% of the lot area between a street line and the building elevation facing the street may be used for driveways, walkways and patios, the remaining 50% shall be landscaped open area. Parking: One space per accessory dwelling unit; tandem parking for the one additional space to serve the principal dwelling unit and the space to serve the accessory dwelling unit is not permitted. Parking for the principal dwelling and the accessory dwelling unit shall not be permitted in that portion of the rear yard defined as the area between the extension of the two lines projected backward from the two side walls of the dwelling. Notwithstanding the above parking provisions: where a lot containing an accessory dwelling unit fronts on a Major Arterial, Arterial Road or Collector Road as shown on Schedule B of Part 1, General Conditions and Provisions, (unless lay-by parking exists on the street in front of the lot); or where a lot containing an accessory dwelling unit is a parcel of tied land fronting on a common element road; or where a lot containing an accessory dwelling unit fronts on any one of the streets listed in Table 2.3.1.1; Two parking spaces per accessory dwelling unit are required. Tandem parking for the second parking space to serve the accessory dwelling unit is permitted.

Milton	Under Permitted Uses in Residential Area (Section C6.5.1.2): c) Coach houses, deemed to be an accessory dwelling, shall be permitted on hybrid roads for dwelling units which do not front on the hybrid road.	**4.10 ACCESSORY DWELLING UNITS (113-2017)** An accessory dwelling unit is permitted in a single detached dwelling or a semi-link dwelling only, provided that: i) Only 1 accessory dwelling unit shall be permitted per lot and shall be located within the main dwelling unit; ii) A minimum of 1 parking space per accessory dwelling unit is provided in addition to the required parking for the main dwelling unit; iii) The dwelling must be on full municipal water and wastewater services; and, iv) The accessory dwelling unit shall not exceed a maximum size of 85m2. Note: Accessory Dwellings not defined in Milton rural area ZBL
Centre Wellington	OP (Elora and Fergus only) only states Accessory Apartments are permitted in the Residential Transition Area. Under Wellington County OP: **4.4.6 Second Units** Second 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. Second units increase the stock of affordable rental housing; provide home owners with additional incomes; and offer alternative housing options for elderly and young adult family members. Second units are not the same as garden suites because garden suites are temporary residences. Garden suites are addressed in Section 4.4.7 of this Plan. It is the policy of this Plan to authorize: a) The use of two residential units in a detached house, semi-detached house or rowhouse if no building or structure ancillary to a detached house, semi-detached house or rowhouse contains a residential unit; and	**Accessory Apartment** shall mean a dwelling unit which is subordinate to an existing single-detached or a semi-detached dwelling. 4.1 ACCESSORY APARTMENTS Wherever an accessory apartment is permitted by this bylaw, such an accessory apartment shall only be constructed or used in accordance with the following: For dwellings with Municipal Sewer and Water Services: Min Lot Area of 325m^2 and min frontage of 11m. For dwellings with Municipal Sewer only: Min lot area of 743m^2 and min frontage of 20m. Private services: Min lot area of 1858m^2 and no min frontage. **Max floor area of an Accessory Apartment:** 45% of the Floor Area of the Principal Dwelling But No More Than 100 m^2 (1,076 ft^2). In this context “Floor Area” means the total Floor Area of the Building measured from the exterior face of outside walls, or centre line of common walls, including Cellars and Basements with a floor to ceiling height of at least 1.95 m (6.4 ft) Floor Area does not include stairs, landings, cold cellars, garages and carports. **Max number of bedrooms:** 2

	b) The use of a residential unit in a building or structure ancillary to a detached house, if the detached house contains only one single residential unit, subject to the provisions set out below. **4.4.6.1 Second Units Within a Main Residence** One second unit may be allowed in a single detached, semi-detached or rowhouse dwelling on a property, provided that a second unit does not already exist on the property. Local Municipalities may enact zoning provisions to address the following matters: a) that safe road access can be provided; b) the establishment of a second 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 second unit without detracting from the visual character of the area; d) that any exterior alterations to the main residence, necessary to accommodate the second unit, are made in the side or rear yards; e) that adequate amenity areas are provided for the main residence and second unit; f) the second unit meets the applicable Building Code, Fire Code and local property regulations; g) that adequate water and sewage disposal services can be provided to the second unit; and, h) whether a garden suite and second unit will not be permitted on the same lot. A second unit will not be allowed in a dwelling located in hazardous lands.	**Front yard parking:** In no case shall parking areas occupy more than 50% of the width of the front yard, or more than 50% of the total area of the front yard. **Permitted alterations and additions:** a) Additions to accommodate the installation of an accessory apartment are permitted but shall not project closer to a front lot line or an exterior side lot line than the existing dwelling. b) Exterior staircases shall be located in a rear yard and shall not be visible from the street. **Accessory buildings:** Accessory apartments are not permitted as of right in a detached building, but may be considered through application to the Committee of Adjustment. 1 parking space required for Accessory Apartment units Permitted in Residential and Agricultural zones