



By-law Number 2021-XX

A by-law to adopt Amendment Number C-2021-015 to the County of Bruce Official Plan

Authority is provided in Sections 17 and 21 of the Planning Act, R.S.O. 1990, as amended.

The Council for the Corporation of the County of Bruce enacts By-law 2021-XX as follows:

1. Amendment Number C-2021-015 to the County of Bruce Official Plan attached and forming part of this by-law is approved.
2. That this By-law come into force and take effect on the day of the final passing thereof, subject to the provisions of the Planning Act, R.S.O. 1990, as amended.

Passed this ____ day of _____, 2021

Janice Jackson
Warden

Donna Van Wyck
Clerk

Part B – The Amendment

Introductory Statement

All of this part of the document entitled “Part B – The Amendment” and consisting of the following text, constitutes Amendment Number C-2021-015 to the Bruce County Official Plan.

The Official Plan Amendment is to revise existing policies and add new policies to permit Additional Residential Units in accordance with the direction outlined in Section 16 (3) of the Planning Act, having due regard for provincial planning direction and the planning context of Bruce County.

The Amendment

1. The Bruce County Official Plan is amended by replacing part ‘b’ and adding part ‘f’ to Section 4.4.4.1 General Housing Policies (x) as follows:
 - b) Garden Suites must be permitted within the Residential designation of local official plans and may be permitted in any designations where residential uses are permitted as a primary use or in the Agricultural designation, subject to the requirements of the Niagara Escarpment Plan, local Official Plan where one exists and the Comprehensive Zoning By-law, where the zoning by-law permits a detached, semi-detached, or rowhouse dwelling.
 - f) Garden suites may be converted to permanent additional residential units where they conform to the additional residential unit policies of the County Official Plan, Local Official Plan (where applicable) and zoning by-law.
2. The Bruce County Official Plan is amended by deleting Section 4.4.4.1 General Housing Policies (xi) and replacing it with the following:
 - a) The term Additional Residential Unit means a separate residential unit that is located within a detached house, semi-detached house, or row-house or within a building or structure that is ancillary to a detached house, semi-detached house, or rowhouse.
 - b) Additional residential units must be permitted within the Residential designation of local official plans and may be permitted in any designations where residential uses are permitted as a primary use or in the Agricultural designation, subject to the requirements of the Niagara Escarpment Plan, local Official Plan where one exists and the Comprehensive Zoning By-law, where the zoning by-law permits a detached, semi-detached, or rowhouse dwelling.
 - c) In the Rural Recreation Area **and Inland Lake Development** designation, **only one** Additional Residential Unit may be permitted, and only within a building containing a primary residential dwelling.
 - d) In the Agricultural designation, only one Additional Residential Unit is permitted whether in the building or containing the primary residential dwelling or in a detached building. Temporary Farm Accommodation, as a building or park model trailer used for seasonal accommodation of workers is also permitted.
 - e) The Comprehensive Zoning By-law may provide Additional Residential unit regulations which:
 - 1) Address compatibility with the main dwelling and surrounding land uses;

- 2) Regulate or prohibit business or commercial enterprises within the Primary or additional residential unit(s);
 - 3) Set out restrictions involving the unit size, alteration to the outside of the principal dwelling, parking requirements, and water and sewer/septic servicing requirements;
- f) An Additional Residential Unit is not permitted on a lot that is legally non-conforming with respect to lot width or lot area. An Additional Residential Unit proposed on a lot that is smaller than 0.4 hectares in size, or 2 additional residential units on a lot smaller than 0.6 hectares, **or on a lot that does not meet greater lot area requirements of the Rural Recreation or Inland Lake Development Designations** with private onsite sewage disposal must be supported by a Nitrate Study completed in accordance with Section 4.7.5.8.
 - g) The principal and Additional Residential Unit(s) must share the parking area and minimum setbacks for the principal dwelling unit, and no new driveway may be created;
 - h) The combined total of a Primary residential unit, additional residential unit(s) and a garden suite shall not exceed three units on a lot, or two units on a lot in the 'Rural Recreation' and 'Agriculture' designations.
 - i) Notwithstanding (h) above, a local Official Plan may include policies within settlement areas to permit more than two additional residential units on a property, and/or more than one additional residential unit in the primary building or ancillary buildings.**
3. The Bruce County Official Plan is amended by adding the text underlined below, and deleting the struck through (~~strikethrough~~) text below, from Section 4.4.4.1 General Housing Policies:
 - .2 Local Official Plans, where they exist, shall have regard to site specific characteristics for neighbourhood compatibility ~~in order~~ to address matters relating to the physical character of infill or redevelopment projects. Such matters as building height, lot coverage and parking, should be addressed in local Plans to guide the approval of zoning, site plans, and/or minor variances, which occur as a result of infill or intensification projects.
 - .3 Where local Official Plans do not exist, the County Official Plan shall have regard to the same site-specific characteristics for neighbourhood compatibility ~~in order~~ to address matters relating to the physical character of infill or redevelopment projects.

To this end, the County may adopt Guidelines for development including for additional residential units which address streetscape and neighbourhood compatibility
 4. The Bruce County Official Plan is amended by replacing 'may' with 'must' and 'accessory apartments' with 'additional residential units' in Section 4.4.4.2.5 (iii) (d) Affordable Housing Policies, to read:

“Local Official Plans must permit **additional residential units** in appropriate residential zones and/or neighbourhoods subject to appropriate standards of health and safety and the provision of municipal water and sanitary sewers;”
 5. The Bruce County Official Plan is amended by adding “additional residential units in accordance with Section 4.4.4.1” in Section 5.2.3.5 (i) (a) Residential [Secondary Urban Areas], to read:

“Single detached dwellings, additional residential units and garden suites in accordance with Section 4.4.4.1 and home occupations shall be the predominant form of housing. Where sanitary sewers are available and subject to site plan control, multiple-attached dwelling units may be considered provided provisions for open space and parking are made, and the servicing requirements of the appropriate approval authority or its agent are met. [...]”

6. The Bruce County Official Plan is amended by adding “additional residential units and garden suites in accordance with Section 4.4.4.1” as item (ii) in Section 5.2.4.3 Permitted Uses [Hamlet designation], and re-numbering the subsequent permitted uses accordingly.

7. The Bruce County Official Plan is amended by adding “and additional residential units at the end of item (i) in Section 5.2.2.4 [Local Official Plans], to read:

The local Official Plans for Primary Urban Communities shall contain, as a minimum, land use policies dealing with the following:

i) Residential, including low, medium and high density residential uses, affordable housing, special needs housing, infilling and intensification, **and additional residential units.”**

8. The Bruce County Official Plan is amended by adding “An Additional Residential Unit may be permitted within a building containing a residential dwelling in accordance with Section 4.4.4.1 (xi).” In Section 5.3.3 Permitted Uses – Rural Recreation designation, to read:

.1 “Permitted uses in the Rural Recreational Area shall include seasonal and permanent residential dwellings; public parks and open space uses; commercial uses in accordance with Section 5.3.7 [Commercial Policies (Rural Recreational Area)]; home occupations; home industry; and bed and breakfast establishments. Institutional uses shall also be permitted but shall be limited solely to places of worship. An Additional Residential Unit may be permitted within a building containing a residential dwelling in accordance with Section 4.4.4.1 (xi).”

9. The Bruce County Official Plan is amended by adding the text underlined below, and deleting the struck through text below, from Section 5.5.4 Permitted Uses – Agriculture Designation:

.2 Agricultural Areas shall permit agriculture, aquaculture, apiaries, agro-forestry, maple syrup production, home occupations, home industries, and farm-related uses including the use of lands, buildings or structures for the raising of animals, the growing of plants for food production and nurseries. Retail stands for the sale of agricultural products produced on the farm unit upon which the retail stand is to be located, and bed and breakfast establishments shall also be permitted within Agricultural Areas. Permitted uses also include the primary ~~and secondary~~ farm residence, Garden Suite and/or Additional Residential Unit on the same lot as part of the farm unit, forestry, public conservation, public open space, passive recreation, and temporary farm accommodation.

10. The Bruce County Official Plan is amended by deleting Section 5.5.12 – Secondary Farm Residence and replacing it with the text below:

5.5.12 Additional Residential Unit and Garden Suite and Temporary Farm Accommodation

.1 A Garden Suite and / or Additional Residential Unit, and/or Temporary Farm Accommodation may be permitted together with a primary farm residence on a farm lot. In addition to the Policies of Section 4.4.4.1, the garden suite and/or Additional Residential unit and/or Temporary Farm Accommodation:

- i) Must be located within the existing farm building cluster and in very close proximity to the existing primary farm residence; and
- ii) Shall not be considered for future severance from the farming operation.

.2 These uses shall be regulated through the Zoning By-Law and may include a semi-detached dwelling or duplex dwelling.

11. The Bruce County Official Plan is amended by adding “including Additional Residential Units in accordance with 4.4.4.1 (xi) and Section 5.5.12” to Section 5.6.4 (vii) and deleting “and” and making item 5.6.4 (viii) singular, to read:

“The Rural Area shall permit:

vii) Non-Farm Residential use, including Additional Residential Units in accordance with 4.4.4.1 (xi) and Section 5.5.12; [...]

viii) Seasonal Residential Use.”

12. The Bruce County Official Plan is amended by adding “including Additional Residential Units in accordance with 4.4.4.1 (xi) and Section 5.5.12” to Section 5.6.4 (vii) and deleting “and” and making item 5.6.4 (viii) singular, to read:

and additional residential units in accordance with Section 4.4.4.1 where supported by appropriate servicing

13. The Bruce County Official Plan is amended by adding and additional residential units in accordance with Section 4.4.4.1 where supported by appropriate servicing to section 5.7.2 Permitted Uses – Estate Residential, to read:

“5.7.2 Permitted Uses

The use of land designated Estate Residential shall be single family detached dwellings at a low density. Other permitted uses shall be limited to home occupations, open space and passive recreational uses and additional residential units in accordance with Section 4.4.4.1 where supported by appropriate servicing.”