



Notice of Complete Application and Public Meeting

Application for Zoning Bylaw Amendment

Property Location: Town-wide

The application was deemed **Complete** as of February 15, 2024.

A Public Meeting to consider this application has been scheduled for March 12, 2024 at 9:30 am, Hybrid Format (In-person AND Virtual/Online)

Location: Council Chambers, Town Hall
32 Mill Street, Thornbury, ON N0H 2P0
OR Virtual - Online format using Microsoft Teams

What is being proposed?

The proposal is seeking an amendment to Zoning By-law 2018-65 to update the “accessory apartment” provisions of Section 4.1 and associated definitions. For the purposes of this application, “accessory apartments” will be referred to as additional residential units (ARUs). The purpose of the proposed amendments is to:

1. **Ensure conformity with the Planning Act.** Recent changes to the Planning Act through Bill 23 permit up to three residential units on properties serviced by municipal water and sanitary sewer. The changes also exempt residential developments of 10 units or less from Site Plan Control.
2. **Encourage the construction of ARUs by allowing greater flexibility through zoning.** ARUs are often the subject of minor variance applications submitted to the Town as the existing provisions for ARUs can be restrictive, especially as they relate to building height, lot coverage, floor area, and setbacks.
3. **Provide clarity around what constitutes an ARU.** The amendment seeks to align language used to define ARUs with County and Provincial policy and to better distinguish this use from other types of dwelling units.

A copy of the full text of proposed definitions and provisions is included on the reverse side of this notice. A copy of the existing definitions and provisions is provided on the project page. The proposed definitions and provisions are in draft form and are subject to change following public consultation and a decision of Council.

A Note about information you may submit to the Town or County:

Under the authority of the Municipal Act, 2001 and in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), all information provided for, or at a Public Meeting, Public Consultation, or other Public Process are considered part of the public record, including resident deputations. This information may be posted on the Town's website, and/or made available to the public upon request. This document can be made available in other accessible formats as soon as practicable upon request.

Where do I find more information?

Our website contains background studies, reports, plans and drawings. They are available for viewing or download at <http://www.thebluemountains.ca/ARUZBA> or by scanning the QR code below.



Or come visit us in Planning Services, Town Hall during regular office hours Monday to Friday 8:30 a.m. to 4:30 p.m. or contact the planner for this file.

What happens at the Public Meeting?

The public meeting is your chance to hear more about the proposal and make your views about it known. You may also speak at the meeting or submit written comments. Information from the public will help Council in their decision-making process, so make sure to have your say!

Any person or agency may attend the Public Meeting and/or make verbal or written comments either in support or in opposition to the proposed amendments.

Where do I submit my comments?

Your written comments may be sent to the Town Clerk, Corrina Giles:

By Mail or in Person:

32 Mill St. Box 310, Thornbury ON, N0H 2P0
Fax: (519) 599-7723
Email: townclerk@thebluemountains.ca

When will a decision be made?

A decision on this proposal has NOT been made at this point and will NOT be made at the Public Meeting. After reviewing the application and any comments received, Town staff will bring recommendations on this project to a future council meetings.

Want to be notified of a decision?

You must make a request in writing if you wish to receive a notice of any decision of Town Council on this proposal.

Questions? Want more information?

Carter Triana, Intermediate Planner
Phone: (519) 599-3131 ext. 262 or
Toll Free (888) 258-6867
Email: planning@thebluemountains.ca

ADDITIONAL RESIDENTIAL UNIT (ARU)

Means a legally constructed permanent or semi-permanent *dwelling unit* that can safely accommodate residents on a year-round basis. *ARUs* are generally contained within a *main building* (including a *single detached*, *semi-detached* or *rowhouse dwelling*), or within a *residential accessory building* (such as above a *private garage*). An *ARU* shall contain cooking, eating, living, sleeping, and sanitary facilities, be connected to adequate water and sanitary servicing, and meet all requirements of the Ontario Building Code. An *ARU* may also be known as an “additional dwelling unit”, “accessory dwelling unit”, “ADU”, “accessory apartment”, or “secondary dwelling unit”. An *ARU* may be considered as a *garden suite* where an approved temporary land-use by-law is in effect, but shall not mean or include a *bunkie*, a *recreational trailer or vehicle*, or a *short-term accommodation*.

PRIMARY RESIDENTIAL UNIT

Means the primary *dwelling unit* in a *single detached*, *semi-detached* or *rowhouse dwelling* referred to in subsections 16(3.1) and 35.1(1.1) of the Planning Act. A *primary residential unit* shall not mean or include an *additional residential unit* or a *bunkie*.

BUNKIE

Means a small, *residential accessory structure* where the primary function is to provide additional, seasonal living space to human occupants, which relies on water and sewage services provided to the main dwelling, and which contains no more than two of the following three features: cooking, sleeping, or sanitary facilities. A *bunkie* shall not mean or include a *recreational trailer or vehicle*, *short-term accommodation*, or an *additional residential unit*.

4.1 ADDITIONAL RESIDENTIAL UNITS (ARUs)

4.1.1 Number of ARUs

A maximum of two *ARUs* may be permitted within a *main building* or in an *accessory building* on lots containing a *single-detached*, *semi-detached*, or *rowhouse dwelling*, in accordance with the following provisions:

- a) For lots connected to both municipal water and sanitary sewer services, a maximum of two *ARUs* are permitted.
- b) For lots connected to partial municipal services (either water or sanitary sewer) or that are serviced privately:
 - i. On lots greater than 0.4 hectares but less than 0.8 hectares in size, one *ARU* is permitted.
 - ii. On lots greater than 0.8 hectares in size, two *ARUs* are permitted.
- c) Notwithstanding the above provisions, on lots designated under the Niagara Escarpment Plan, one *ARU* is permitted and shall be located within the *main building*.

4.1.2 ARUs In Single Detached, Semi-Detached, or Rowhouse Dwellings

ARUs located within a *single detached*, *semi-detached*, or *rowhouse dwellings* are subject to the following provisions:

- a) The maximum *gross floor area* of an *ARU* shall not exceed 100 square metres.
 - i. In addition, on lots designated under the Niagara Escarpment Plan, the maximum *gross floor area* shall be less than that of the *primary dwelling unit*.
- b) *ARUs* shall share the same driveway entrance as the *primary dwelling unit*.

4.1.3 ARUs in Detached Buildings

ARUs located in a detached accessory building shall be subject to the provisions of Section 4.1.2 and the following:

- a) The minimum *rear yard* shall be 1.2 metres. All other *setbacks* shall be in accordance with those applicable to the *primary dwelling unit*.
- b) The maximum *height* shall be 5 metres, except where the unit is located above a detached *private garage*, in which case the maximum *height* shall be 8 metres.
- c) The maximum *lot coverage* shall be permitted to exceed that applicable to *accessory buildings and structures* by 5%.
- d) For lots in the RU, A, or SA zones, *ARUs* shall be located within 50m of the *main building*.
- e) *ARUs* shall comply with *Minimum Distance Separation* requirements.

Your rights to appeal a decision:

- 1. Any persons may attend the public meeting and/or make written or verbal representation either in support of or in opposition to the proposed Zoning By-law Amendment.
- 2. If a person or public body would otherwise have an ability to appeal the decisions of the Town of The Blue Mountains to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to Town of The Blue Mountains before the Zoning By-law Amendment is approved or refused, the person or public body is not entitled to appeal the decisions.
- 3. If a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of The Blue Mountains before the Zoning By-law Amendment is approved or refused, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.
- 4. If you wish to be notified of the decision by the Town of The Blue Mountains in respect to the approval or refusal of the Zoning By-law Amendment, you must make a written request to the Town at the addresses noted on the previous page. Please note the file numbers noted above when directing correspondence to the Town.