

Subject: Information Report for Bill 23 Zoning By-law Update - Additional Residential Units

Staff Report No. DS-010-24

Commission: Planning and Development Committee

Date: February 21, 2024

Recommendation:

- 1) **THAT** Council direct staff to proceed with a Non-Statutory Open House on March 4, 2024, to seek resident input on Additional Residential Units; and,
- 2) **THAT** Council direct staff to proceed with a Statutory Public Meeting to consider the associated Town wide Zoning By-law Amendment to implement Additional Residential Units.

This direction does not constitute or imply any form or degree of approval.

1. Purpose

The purpose of this report is to introduce and inform members of Council and the public of the changes to the *Planning Act*, 1990 as amended, related to Additional Residential Units and staff's initial findings on this matter. The report seeks Council direction to seek public input to inform necessary zoning by-law amendments required to permit and regulate Additional Residential Units on fully municipally serviced residential lots as required by Provincial Bill 23.

This is an information report only. Should Council direct staff to proceed with public consultation, Staff will prepare a Public Meeting Report providing details of the zoning amendments, at a future Council meeting to fulfill the Statutory Public Meeting obligations under the *Planning Act*.

2. Executive Summary

On November 28, 2022, Bill 23, the More Homes Built Faster Act, 2022 received Royal Assent. This Bill requires Ontario municipalities to amend local Official Plans and Zoning By-laws to allow up to Three (3) residential units in detached house, semi-detached house, townhouse unit on a parcel of land within fully serviced (water and sewer) settlement areas. Permitted configurations include:

- i. Two (2) residential units within the principal residential building and 1 in an ancillary building,

- ii. Three (3) residential units in the principal residential building provided there is no residential unit in an ancillary building.

Planning Staff will outline the steps being taken to implement changes locally to bring the Town's Comprehensive Zoning By-law 2010 into conformity with Bill 23.

This Report will:

- Provide an overview of applicable Federal and Provincial policy changes.
- Provide an overview of local policy.
- Provide an overview of Accessory Residential Units.
- Provide an overview of initial findings of zoning regulations on Accessory Residential Units in other Ontario municipalities.
- Provide initial zoning amendments and questions to initiate feedback from Council and public.
- Outline a work plan to seek feedback from residents, technical reviewers, and relevant stakeholders to inform Zoning By-law amendments.

3. Background

3.1. Federal and Provincial Policy

Provincial Bill 23, the More Homes Built Faster Act, 2022

On November 28, 2022, [Bill 23, the More Homes Built Faster Act, 2022](#) received Royal Assent. This bill is part of Ontario's Housing Supply Action Plan and aims to support the province's goal to add 1.5 million new homes in Ontario by 2031.

This Planning Act, as amended by Bill 23, requires Ontario municipalities to amend local Official Plans and Zoning By-laws to allow:

- Up to three (3) residential units permitted on a parcel of land within fully serviced (water and sewer) settlement areas:
 - Two (2) residential units within the principal building (detached house, semi-detached house, townhouse) and one (1) residential unit in an ancillary building; or
 - Three (3) residential units within the principal building (detached house, semi-detached house, townhouse) provided there is no residential unit in an ancillary building.

Through a local lens this policy can help to gently increase local residential density and increase the inventory of affordable rental units that are necessary to support housing needs based on different income levels and stages of life – young people, young families, caretakers, multi generation families, essential service workers and seniors. Additionally,

this change provides added flexibility for multi-generational living and co-housing building configurations.

Federal Housing Accelerator Fund

Further to this, in the spring of 2023 the federal government created the Housing Accelerator Fund (HAF). It provides incentive funding to local governments to encourage initiatives that will help increase housing supply. One of the common elements of Ontario municipalities with Housing action plans that have received funding agreements with the Federal government (HAF Funding) has been committing to zoning reform to permit up to four units [i.e., fourplexes on a single eligible lot (with varying criteria)]. Toronto, Mississauga, Hamilton, Vaughan, Richmond Hill, London, Brampton, Peterborough and Kitchener have made this commitment to receive the HAF funding. This is a measure Planning Staff will continue to evaluate and monitor concurrently to Bill 23 requirements in addition to 3 Units.

3.2. What is an Additional Residential Unit?

Additional Residential Units (ARUs) also commonly termed second suite, additional dwelling units, accessory apartments, and in-law suites. They are self-contained residential dwelling units, with their own cooking facility, sanitary facility and sleeping area. They can be located either within a single detached, semi-detached or townhouse dwelling. With Provincial passing of Bill 23, an ARU can now be built in an ancillary standalone building within a permitted residential yard (typically rear or interior side yard).

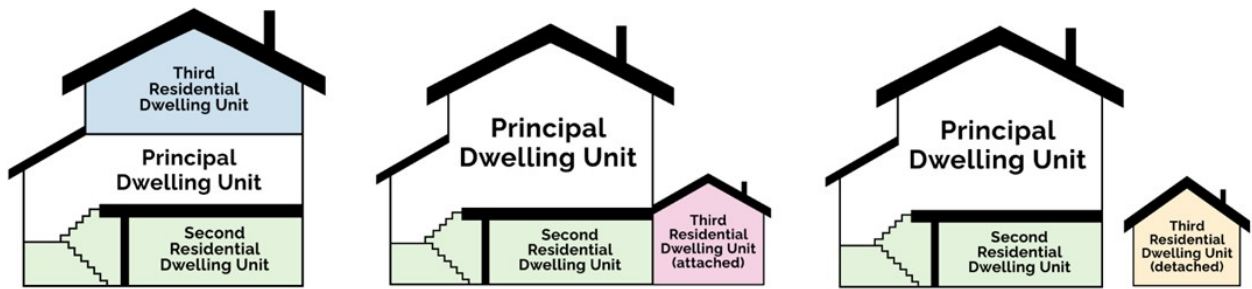
3.3. What types of Additional Residential Units are there?

For the purpose of clarity Staff are terming ARUs located with the principal residential building as **'integrated ARUs'** (also commonly termed second suite, additional dwelling units, accessory apartments, in-law suites). Municipally to date, they *had* been called Second Suites and most commonly constructed in the form of basement apartments.

With Provincial passing of Bill 23, an ARU can now be built in an ancillary standalone building within a permitted residential yard (typically rear or interior side yard). Staff will be terming these as **'ancillary ARUs'** (also commonly termed garden suites, coach houses, granny flats, and laneway houses). Over recent years the modular home, tiny home, park model trailer industry of pre-built homes has grown in response to Provincial objectives and citizens desire for affordable and alternative forms of housing.

The image below show a variety of some of the ARU forms that could be seen in other Ontario municipalities (See **Figure 1**). Integrated ARUs may include converting existing homes into duplexes and triplexes (in various combinations), basement conversions, attic conversion, and locating in newly constructed additions. Ancillary ARUs may include, detached buildings (i.e., tiny home, modular home, custom build), and converting existing detached accessory buildings. Other forms may include ARUs above attached and detached garages, laneway homes, and other new and innovative 3-dwelling unit on single lot housing forms enabled by new permissions (See **Figure 2**).

Figure 1



Typical examples of 3-ARU configurations.

Figure 2



Local example of innovative integrated three dwelling unit.

Bill 23 specifically identifies that residential units be permitted on residential lots that are located in fully municipally serviced (water and sewer) settlement areas (i.e., Stouffville Secondary Plan Settlement Area). Concurrently, Staff are examining opportunities as permitted by the *Planning Act* and applicable Provincial Plans opportunities to expand permissions and reduce red tape in privately serviced areas beyond the Stouffville Secondary Plan.

Staff caution, in both fully municipally serviced areas and privately serviced areas the ability to have ARUs will be subject to localized environmental/geographical constraints (i.e., existing construction and lot fabric limitations, flooding, erosion, natural features, conservation authority regulated areas) and infrastructure constraints (i.e., water, sewer,

electrical, etc.), as different neighborhoods have varying capacity and may require upgrades.

3.4. Additional Residential Unit - Project Scope

The primary purpose of this project is to update the Town's Zoning By-law to permit three ARUs on fully municipally serviced residential lots, within the Community of Stouffville Secondary Plan Area to bring the Zoning By-law in conformity with the *Planning Act*. It is the staff's intent to also examine zoning amendments for ARUs in areas outside of the Community of Stouffville Secondary Plan Area.

As an initial step Staff have surveyed and analyzed ARU regulations in other Ontario municipalities.

Next steps will include seeking input from residents, Council, Town Commissions, stakeholders, and experts to ensure regulations reflect best practices and that regulations are reflective of desires by the community.

Staff will outline initial findings and thoughts, and the fulsome consultation workplan in below sections. As discussed above Staff will concurrently evaluate and monitor opportunities with the Housing Accelerator Fund.

3.5. Town's Official Plan

The in-effect/current Official Plan permits one second suite apartment in a single detached, semi-detached or duplex dwelling in accordance with the regulations of the Zoning By-law (section 3.28 and other relevant sections) in all land use designations as per Section 12.7.2.

The Town's New Draft Official Plan (Town's Draft OP), which is pending Council Adoption, is in conformity with the Planning Act and the Provincial Policy documents. Section 3.2.2 of the Town's Draft OP permits up to a maximum of two additional residential units per lot (ARUs) in all land use designations where a single detached, semi-detached or townhouse dwelling is permitted, in addition to the principal residential dwelling.

Notwithstanding the above following exceptions have been identified:

- i. Within the Natural Core Area and Natural Linkage Area of the Oak Ridges Moraine Conservation Plan Area, and within the Natural Heritage System of the Greenbelt Plan Area, an additional residential unit is not permitted;
- ii. Within the Countryside Area of the Oak Ridges Moraine Conservation Plan Area, only one additional residential unit may be permitted within a single detached dwelling; and
- iii. Within the Protected Countryside Area, and outside the Natural Heritage System of the Greenbelt Plan Area, only one additional residential unit may be permitted

either within a permitted single detached dwelling or an existing accessory structure.

3.6. Existing Zoning

Section 3.28 of the Town's Zoning By-law outlines that one second suite is permitted in a single detached dwellings provided qualifying criteria is met.

This section of the Town's Zoning By-law will be replaced to conform with Bill 23 permissions as included in the Planning Act, modernize existing regulations and evaluate other necessary zoning changes to implement the ARUs in the Town.

4. Preliminary Review

4.1. Initial ARU Regulation Findings from Survey of Ontario, Commentary and Questions

Staff have reviewed the ARU regulations of 13 Ontario municipalities in order to determine baseline requirements, formulate draft zoning regulations for consultation feedback, and highlight questions and initiate discussion on the subject issue. The 13 reviewed municipalities that have ARU regulations in place included Barrie, Brampton, East Gwillimbury, Georgina, Innisfil, King, Kingston, Kitchener, Oshawa, Pickering, Richmond Hill, Scugog, and Toronto.

Some of the significant zoning regulations related to ARUs, also commonly found in other municipalities, are discussed in section 4.2 below.

4.2. Regulations and Questions/Discussion Points for Ancillary ARUs

4.2.1. Gross Floor Area and Maximum Lot Coverage for Ancillary ARU

Ancillary ARU gross floor area (GFA) amongst surveyed municipalities is typically governed by the lesser GFA:

- (1) The ancillary ARU's GFA must be smaller than the primary residential building by a certain ratio (i.e., no more than 50% the primary residential building's GFA),
- (2) All buildings on a lot must not exceed a maximum total lot coverage, and
- (3) Not exceed a maximum total gross floor area.

Surveyed municipalities greatly varied:

- (1) Ancillary ARUs have a maximum GFA of 40-150 square metres.
- (2) Ancillary ARUs be less than that of the Primary Residential Building ranging from 40-65%.
- (3) Maximum total lot coverage varied from 5-35%.

Staff suggest the following preliminary regulations:

Where an ARU is located within an accessory building the gross floor area of the ancillary ARU shall be determined by the lesser of the following regulations:

- (1) A maximum gross floor area of 100 square metres.
- (2) No more than 65% of the gross floor area of the Primary Residential Building.
- (3) Maximum lot coverage of all buildings on the lot shall be that of the parent zone.
For the purpose of this regulation, if no lot coverage is provided in the zone, the maximum lot coverage for all buildings will be 35%;

Preliminary Commentary and Considerations

Staff note in Traditional Residential zones the lot coverage is typically 42% for the first floor (below 5m) and 35% for second floor (above 5m). In the New Residential zone there are no lot coverages, but these typically smaller sized lots are governed by setbacks.

Staff want to provide flexibility and opportunity for larger and more desirable ancillary ARUs when lots can accommodate those, but note most urban residential lots have existing site constraints that will prevent a maximum 100 square metre ancillary ARUs.

Presently Staff have remained conservative and suggest a total lot coverage that is consistent with existing parent zone coverage requirements to ensure soft landscaping and rear yard amenity space is maintained and stormwater management is not negatively impacted.

Staff are in the process of reviewing and testing preliminary regulations against present urban lot fabric and will continue to do so, but initial reviews show a substantial amount of urban residential lots already meet their maximum lot coverages. To ensure that regulations are implementable and not too prohibitive, some relief may need to be considered.

Some Questions

- (1) Does the Town want to provide an exception to allow a small 30-50 square metre ancillary ARU on most lots provided certain criteria can be met (i.e., conform to setbacks)?
- (2) Should ancillary ARUs and attached ARUs in the forms of additions receive lot coverage relief?
- (3) What amount of reduction to soft landscaping, rear yard amenity space and stormwater drainage capacity is acceptable?
- (4)

4.2.2. Height for Ancillary ARU

In survey of municipalities, Ancillary ARU heights ranged from 4.2 metres to 7.5 metres in height. Generally, 4.5 metres to 4.6 metres is found as the typical height for smaller urban lots amongst surveyed municipalities (62%). Some municipalities permitted increased heights of 6.5 metres to 7.5 metres for larger lots.

Staff suggest the following preliminary regulations:

- (1) Ancillary ARUs on lots with an area of 2,000 square metres or less shall have a maximum height of 4.5 metres (maximum 1 storey).
- (2) Ancillary ARUs on lots with an area greater than 2,000 square metres shall have a maximum height of 6.5m (maximum 1 storey to 2 storeys for larger lots with appropriate setback allowances).

Preliminary Commentary and Considerations

For reference, the Town's Zoning By-law permits a maximum height of 4 metres for a residential accessory building (e.g. shed) in Residential Zones.

Typical concerns related to height include overlook/privacy and shadowing. Staff are mindful that ancillary ARUs will typically be adjacent to neighbour backyard amenity area and will consider mitigation measures to address potential conflicts/concerns particularly in urban settings.

Some Questions

- (1) In order to increase GFA and utility of Ancillary ARUs does the Town want to permit full or partial (i.e., to permit functional bedroom lofts/attics) second floors?
- (2) What is an appropriate and reasonable height for an Ancillary ARU?
- (3) Should a second floor be allowed on larger lots?

4.2.3. Front Yard Setback for Ancillary ARU

50% of surveyed municipalities typically do not permit ancillary ARUs in the front yard. In cases where ARUs are permitted in the front yard, those are required to follow the primary building setback requirements under the parent zone.

Staff suggest the following preliminary regulations:

- (1) Ancillary ARUs on lots with an area of 2,000 square metres or less are not permitted in the front yard setback.
- (2) Ancillary ARUs on lots with an area greater than 2,000 square metres must conform to parent zone front yard setback for the primary residential building.

- a. Note: Typical non-urban residential parent zone front yard setback requirement is between 10 metres to 12 metres.

Preliminary Commentary and Considerations

The Town's Zoning By-law, does not permit an accessory building or structure to be located closer to a street than the main building on a lot, to not detract from the cohesive character of the existing residential streetscape. Accessory buildings are typically located in rear and side yards. Staff believe ancillary ARUs should remain in rear and side yards on smaller lots, but spacing of larger lots can accommodate ancillary ARUs with the same front yard setback of the primary residential building without substantially impacting the character of the lot and neighbourhood.

Some Questions

- (1) Are there any situations in which an ancillary ARU would be acceptable in the front yard setback?

4.2.4. Exterior Side Yard Setback for Ancillary ARU

41% of surveyed municipalities typically do not permit ancillary ARUs in the exterior side yard. Another 41% of the time an ancillary ARU was permitted in the exterior side yard provided it followed the primary building setback requirements under the parent zone. In remaining situations, a 3 metre setback was required.

Staff suggest the following preliminary regulations:

Ancillary ARUs on lots with an area of 2,000 square metres or less must conform to parent zone exterior yard setback requirement for the primary residential building.

- a. Note: Typical urban residential parent zone exterior side yard setback is 3.0-4.5m.
- (2) Ancillary ARUs on lots with an area greater than 2,000 square metres must conform to parent zone exterior side yard setback requirements for the primary residential building.
 - a. Note: Typical non-urban residential parent zone exterior side yard setback requirement is between 4.5 metres to 12 metres.

Preliminary Commentary and Considerations

Staff note that corner lots typically have larger yards, more separation and as result a reduced impacts on neighbours. Their yards typically abut a neighbour on one side and the street on the other which is resilient to typical nuisance concerns.

Staff believe ARUs in exterior yards in an urban context are under utilized space that are particularly resilient to conflict, if adjacent to the street. Further, Staff believe permitting

Ancillary ARUs in exterior side yards, may enable creative designs and that interface with the additional street frontage and may contribute to more animated streetscapes. Staff may explore if further relief for corner lots is appropriate.

Some Questions

- (1) What would be an appropriate exterior side yard setback should an ancillary ARU be permitted in the exterior side yard?
- (2) Would ancillary ARUs located in the exterior side yard have an unacceptable impact on the character of the neighbourhood?

4.2.5. Interior Side Yard Setback for Ancillary ARU

Based on surveyed municipalities it was observed that the interior side yard setbacks ranged from 0.6 metres to 3.0 metres. 38% of municipalities required the interior side yard setback requirement in urban residential area follow the parent zone interior side yard setback for the primary residential building (in urban residential Stouffville approximately this ranges from 1.2 metres to 1.5 metres). According to the survey, the most common interior side yard setback requirement is 1.2m (31%), 15% of the municipalities had setbacks less than 1.2 metres and 15% of the municipalities had larger setback requirements. Toronto establishes interior side yard setback requirements for Ancillary ARUs based on 10% of the lot frontage which typically varies from 0.6 metres to 3.0 metres.

Staff suggest the following preliminary regulations:

- (1) Ancillary ARUs on lots with an area of 2,000 square metres or less must conform to parent zone front yard setback for the primary residential building.
 - a. Note: Typical urban residential parent zone interior side yard setback requirement is 1.2 metres to 1.5 metres.
- (2) Ancillary ARUs on lots with an area greater than 2,000 square metres must conform to parent zone interior side yard setback requirements for the primary residential building.
 - a. Note: Typical non-urban residential parent zone interior side yard setback requirement is 3.5 metres to 6.0 metres.

Preliminary Commentary and Considerations

Concerns related to interior side yard setbacks typically relate to noise/nuisance, separation, encroachment, privacy and ensuring sufficient space for stormwater/sheet drainage.

Placement of ancillary ARUs in a suburban context will require the community to revisit how rear yard amenity space can be efficiently utilized and how it may interact and

interface with existing neighboring properties. All parties will need to be creative, keep an open mind and above all else neighbours will need to show patience and respect for each other as proximity will be closer than what has been traditionally accepted.

Staff believe a fine balance is required, to ensure that a reasonable interior side yard setback could be established to enable the construction of an Ancillary ARU.

Some Questions

- (1) Should the minimum permitted interior side yard setback be smaller or larger than 1.2 metres to 1.5 metres on smaller urban lots?
- (2) Should the minimum permitted interior side yard setback be smaller or larger than 3.5 metres to 6 metres on larger lots?
- (3) Should openings (i.e., windows and doors) have increased setbacks or be regulated for number and size?

4.2.6. Rear Yard Setback for an Ancillary ARU

Based on surveyed municipalities it was observed that rear yard setbacks ranged from 0.6 metres to 7 metres. 31% of the surveyed municipalities require the interior side yard setback follow the parent zone for the primary residential building (in urban residential Stouffville rear yard setbacks range from 6 metres to 7.5 metres). 31% of municipalities required 1.2 meter rear yard setback. 31% of municipalities had a higher value than 1.2 metres, and 8% had a lower setbacks value than 1.2 metres.

Staff suggest the following preliminary regulations:

- (1) Ancillary ARUs on lots with an area of 2,000 square metres or less must have a minimum rear yard setback of 1.2 metres.
 - a. Note: Typical urban residential parent zone rear yard setback is 6 metres 7.5 metres.
- (2) Ancillary ARUs on lots with an area greater than 2,000 square metres must have a minimum rear yard setback of 6 metres.
 - a. Note: Typical non-urban residential parent zone rear yard setback requirement is 12 metres.

Preliminary Commentary and Considerations

For reference the Town generally requires a minimum rear yard setback for a residential accessory building (i.e., shed) to be 1.2 metres.

Commentary for interior side yard setback, as noted above, should also be considered in conjunction with the rear yard setback requirements.

Staff propose that the parent zone standards (6 metres to 7.5 metre rear yard setbacks) would be particularly prohibitive and limiting. Making construction of Ancillary ARUs an onerous and challenging process on most urban lots.

Some Questions

- (1) Should the minimum permitted rear yard setback be smaller or larger than 1.2 metres on small urban lots?
- (2) Should the minimum permitted rear yard setback be smaller or larger than 6.0 metres on larger lots?
- (3) Should openings (i.e., windows and doors) have increased setbacks or be regulated for number and size?

4.2.7. Other relevant regulations for Ancillary ARUs

Staff suggest the following preliminary regulations:

- (1) Balconies or rooftop patios are not permitted on Ancillary ARUs. At grade decks attached to Ancillary ARUs shall be oriented towards the Primary Residential Building.
 - a. Note: Potential mitigation measure to maintain privacy and nuisance concerns.
- (2) Where an Ancillary ARU is located in the rear yard or interior yard with a setback of less than 9 metres it must be screened with a board privacy fence with a minimum height of 1.8 metres along applicable lot line(s).
 - a. Note: Potential mitigation measure to ensure privacy fencing is in place for smaller lots to provide screening that will provide privacy and mitigate noise travel.
- (3) Regulations for an ARU above an attached or detached garage or carport, and laneway-based ARU.
 - a. Note: Regulations are required to accommodate various ARU forms.

4.3. Regulations and Questions/Discussion Points for Integrated ARUs (3 units)

The Ontario Building Code and Ontario Fire Code primarily govern the interior and exterior design of dwelling units. The Zoning By-law governs the lot coverage, building length, height, and setbacks of the primary residential dwelling.

It is staff's intent to provide flexibility and opportunity to build residential buildings that can appropriately accommodate attached ARU additions, three dwelling units, as well as innovative triplex designs. As part of next steps in the continued exercise staff will

examine what relief may be appropriate to respectfully accommodate the creation of integrated ARUs. Staff will identify the present zoning by-law and the regulations that will be reviewed as part of the next steps.

4.3.1. Lot Coverage, Building Length, and Yard Setbacks for an Integrated ARU

Lot Coverage: Staff note that in Traditional Residential zones the lot coverage is typically 42% for a one storey residential building (below 5 metres) and 35% for a two-storey residential building (above 5 metres). In the New Residential zone there are no lot coverage requirements, but these typically smaller sized lots are governed by front yard, interior side yard, exterior side yard and rear yard setbacks. Increased coverage often results in reduced rear yard amenity and landscaping which provides important environmental benefits, stormwater management and often defined separation and screening between properties. Based on initial testing against lot fabric in the Town, staff observe that a substantial amount of lots are built to their maximum lot coverage and would need relief to make an addition.

Building Length: The maximum permitted building length for detached dwellings, semi-detached dwellings, and duplex dwellings in the Traditional Residential zones generally ranges between 17 metres to 19 metres. Objective of building length is to ensure that neighbouring properties are similar in length in effort to avoid overlook or shading into abutting rear yard amenity spaces. With the Provincial requirement to permit Ancillary ARUs within the rear yard in closer proximity to neighbouring yard the objective of the length provision is compromised.

Setbacks: In the Traditional Residential zone, the two yards with more flexibility are exterior side yard (4 metres to 4.5 metres) and rear yard (6 metres to 7.5 metres). Staff opine that these setbacks could be examined to accommodate an addition including integrated ARU.

Staff are of the opinion that for integrated ARUs, additions to the rear of the buildings, may be a more viable option for smaller urban lots in comparison with Ancillary ARUs. Additions may be less constrained by setbacks, make more efficient use of space on the lot and allows for appropriate rear yard amenity space to be maintained.

Staff will examine increased lot coverage, building length and setback specifically to enable ARU additions and triplexes.

Some Questions

- (1) Should maximum lot coverage be increased to enable ARU additions or triplexes?
- (2) Should maximum building length be increased to enable ARU additions or triplexes?
- (3) Should maximum exterior and rear yard setbacks be reduced to enable ARU additions or triplexes?

- (4) Should rear yard ARU additions and triplexes that encroach into the rear yard be limited to one storey to limit overlook and shadowing?

4.3.2. Height for an Integrated ARU

The Town's Zoning By-law generally permits a maximum height of 10 metres to 11 metres for a single, duplex and a townhouse building in various zones. To permit above grade integrated ARU additions, such as a third floor, attic conversion, or above garage addition and new innovative triplex products additional height may be beneficial. A typical residential storey height is approximately 3 metres and three stories can be achieved within a height of 10 metres. Staff will consider exploring 11 metres height and various roof types, specifically as incentive for building ARUs and triplexes. Staff will need to consider the impact of shadowing and overlook but note that a 1 metres increase (3.2 feet) represents an incremental and minor change from what is generally permitted throughout Town.

Some Questions

- (1) Should an increased height be permitted as an incentive for integrated ARUs?

4.4. Other relevant Regulations and Questions for all ARUs (Ancillary and Integrated)

4.4.1. Parking Spaces and Landscaping Percentage for an ARU

Based on municipal survey completed, 60%+ municipalities typically require 1 parking space per ARU. Other municipalities provide various forms of parking relief, which include as follows:

- (1) Reducing parking requirements if in proximity to transit or downtown or qualifies as an affordable unit.
- (2) Require only 1 additional parking space for 2 ARUs.
 - a. For one ARU only, no additional parking space is required.
- (3) Provide bicycle parking instead of vehicle parking spaces.

Staff suggest the following preliminary regulations:

- (1) One parking space is required for each ARU in addition to parking requirements for the Primary Residential Building.
 - a. Note: Second Suites in the Towns Zoning By-law currently requires 1 parking space.

Preliminary Commentary and Considerations

The Town currently requires 1 parking space for a second suite. The initial conservative consideration is to maintain that value, but Staff will carefully evaluate the potential for additional relief. Staff believe a suite of initiatives will be necessary to accommodate parking and mobility needs. This may include but not limited to relief permissions to increase driveway widths, front yard setback requirements, front yard landscaping, parking reduction based on different criteria. Staff will complete a review of options as part of the next steps.

Some Questions

- (1) Should the Town provide parking relief similar to other surveyed municipalities?
- (2) If lesser parking supply is available will mobility behaviours of the community adapt and change?
 - a. If the Town reduces ARU parking requirements, will renters find alternative mobility options?
 - b. Alternatively, will tenants adjust their parking needs to accommodate the need of tenants?
 - c. Is there demand amongst renters for ARUs without parking spaces (different lifestyles that don't require a car)?
- (3) Should the Town permit wider driveways regulations to provide increased parking supply?
 - a. How wide is acceptable and how far setback should driveways be from neighbouring property lines?
 - b. Should the Town allow combined hardscaped walkway and driveways for increased flexibility?
 - c. Should the Town permit parking pads?
 - d. Is tandem parking acceptable?
- (4) Is it necessary to implement a minimum soft landscaped area percentage?
 - a. Would driveway widening changes need to be paired with a minimum soft landscaped area percentage to maintain the streetscape in neighbourhoods?
 - b. Would increased hardscaping/non-permeable space generate stormwater management and snow storage issues amongst neighbours and Town infrastructure?
 - c.

4.4.2. Other relevant regulations

Staff suggest the following preliminary regulations to be explored and for feedback:

- (1) All lots containing ARUs shall provide a minimum 1.2 metres wide path of travel from the entrance of each ARU to a public or private street. No encroachment is permitted to obstruct this path of travel. The path of travel may be shared and used jointly by more than one dwelling unit on the lot.
 - a. Note: This regulation is in place to ensure safe path of travel is available. Staff will work with Fire and Emergency Services to refine the value.
- (2) A home occupation is not permitted within an additional dwelling unit.
 - a. Note: This is a carryover from the Second Suite regulations under the Town's current Zoning By-law.

4.5 Work Plan and Next steps

Input from residents, Council, Town Commissions, stakeholders, and experts is necessary in order to ensure an effective and implementable ARU by-law is presented. The following steps are being put in place:

1. Staff have circulated Town Commissions Working Group for technical input and will continue to do so in future iterations of the draft Zoning By-Laws.
2. A dedicated project webpage is available at www.cometogetherws.ca. The website provides project background, a workplan, updates on the project, and will include information on how to provide feedback and participate (including a survey).
3. Staff will be hosting a Non-Statutory Public Open House on *Monday, March 4 from 5pm to 8pm* at the Whitchurch-Stouffville Public Library to seek feedback and input from members of the public on the proposed preliminary draft regulations. Concurrently to this an online survey will be made and advertised to seek stakeholder input. The public open house and survey will be advertised on in the OTR, through Town Social Media blasts, Town Website, circulation list of interested parties and other channels that become available.
4. Interview and continue to survey other municipalities that have implemented ARU regulations in order to learn from their successes and failures.
5. Interview stakeholders and industry experts to ensure regulations are efficient, synergistic and implementable.
6. Towards early Q2, and after the first round of input has been reviewed and the draft by-law further refined Development Planning will advertise and host a Statutory Public Meeting to formally introduce draft Zoning By-law amendments to implement the ARUs for further feedback.

7. Following the results and feedback received at and following the Statutory Public Meeting, Staff will determine whether additional public meeting/consultation and/or survey is desired or necessary to further refine the draft Zoning By-law Amendment.
8. End of Q2: Staff aims to bring forward a Recommendation Report for Council consideration.

5. Financial Implications

There are no financial implications identified at this time. Any implications identified through the processing of this application will be discussed within a future report.

6. Alignment with Strategic Plan

1. A Town that Grows
A Town that grows in support of complete communities
2. An Engaging Town
Increase Community Engagement & Outreach
3. Good Governance
Provide Good Governance

7. Attachments

1. None

8. Related Reports

None

Author: Brandon Slopack, Senior Planner - Development Planning
Hena Kabir, Manager - Development Planning

For further information on this report, please contact the Commission Head:
Dwayne Tapp, Commissioner of Development Services Commission at 905-640-1910
or 1-855-642-8697 ext. 2431 or via email at dwayne.tapp@townofws.ca