

DRAFT

OFFICIAL PLAN AMENDMENT NO. 3

MUNICIPALITY OF DYSART ET AL

**AMENDMENT NO. 3 TO THE OFFICIAL PLAN
OF THE MUNICIPALITY OF DYSART ET AL**

TABLE OF CONTENTS

	Page
<u>Statement of Components</u>	3
<u>Part A - The Preamble</u>	4
Purpose and Effect	4
Location and Description	5
Basis	5
<u>Part B - The Amendment</u>	8
Introductory Statement	8
Details of the Amendment	8
Implementation and Interpretation	8

STATEMENT OF COMPONENTS

Part A - The Preamble does not constitute part of this Amendment. It provides general introductory information on the purpose, location, and basis of the amendment.

Part B - The Amendment consisting of the following text, constitutes Amendment No. 3 to the Official Plan of the Municipality of Dysart et al.

PART A - THE PREAMBLE

1. Purpose and Effect

The purpose of this Amendment is to incorporate policies pertaining to additional dwelling units, the requirements for complete applications and the types of planning applications that require preconsultation with the municipality. The purpose of this application is to align and strengthen the policy in response to recent changes to the Planning Act, which are designed to provide a range and mix of housing options and densities while streamlining the application process.

2. Location and Description

This amendment to the Municipality of Dysart et al Official Plan will affect all lands within the Municipality.

3. Basis

The basis of Official Plan Amendment No. 3 is to support recent changes to Provincial Policy documents and update the Official Plan to increase housing supply options. Bill 108, the More Homes, More Choice Act received Royal Assent in 2019, implemented significant changes to the Planning Act including authorizing additional residential units in a house or building ancillary to a house. Additional changes to the Planning Act shortened the timelines for decision related to applications such as official plans, zoning by-laws and site plan control.

Bill 23, the More Homes Built Faster Act received Royal Assent in 2022 and implemented further changes to the Planning Act strengthening the additional residential unit framework to permit landowners to add up to three residential units “as of right” where municipal water and sewer services are available.

The proposed amendments recognize the servicing capabilities of the municipality and therefore intend to update and strengthen the existing language surrounding “secondary units”, to permit and provide a policy framework for additional dwelling units.

The proposed amendments further intend to update and strengthen the existing language for complete applications and clarify the types of applications that require pre-consultation.

An amendment to the Municipality’s Zoning By-law is also being contemplated to incorporate provision to regulate the use of additional dwelling units. The official plan amendment and zoning by-law amendment are being processed concurrently.

The proposed Amendment is prepared within the context of Provincial Policy and the Policies of the Official Plan of the County of Haliburton and Municipality of Dysart et al. Key policies, which provide direction, include:

PROVINCIAL POLICIES:

- Policy 1.0 Building Strong Communities
- Policy 1.1 Managing and Directing Land Use to Achieve Efficient and resilient Development and Land User Patterns
- Policy 1.1.3 Settlement Areas
- Policy 1.1.4 Rural Areas in Municipalities
- Policy 1.1.5 Rural Lands in Municipalities
- Policy 1.2 Coordination
- Policy 1.4 Housing
- Policy 1.6.6 Sewage, Water, Stormwater
- Policy 1.7 Long Term Economic Prosperity
- Policy 1.8 Energy Conservation, Air Quality and Climate Change
- Policy 2.1 Natural Heritage
- Policy 2.2 Water

COUNTY OF HALIBURTON OFFICIAL PLAN:

- Section 1.3 Land Use Objectives
- Section 2 Settlement Areas
- Section 4 Housing
- Section 4.4 Additional Residential Units (Second Units)

DYSART ET AL OFFICIAL PLAN:

Section 2.2.2	Promotion of a Strong Community
Section 2.1.7	Character of the Rural Lands
Section 3.1	General Principles for Efficient and Cost-Effective Development
Section 3.3	Water Supply and Sewage Services
Section 4.1	Settlement Pattern
Section 4.1.2	Growth and Development Strategy
Section 4.3	Housing
Section 4.3.4	Secondary Units
Section 4.7	Road Access
Section 4.1.6.1	Dwellings Per Lot
Section 6.5	Principal and Accessory Uses, Buildings and Structures
Section 7	Haliburton Village Urban Policy Area
Section 7.1	Residential Areas
Section 7.4	Mixed Use Areas
Section 8	Hamlet Areas
Section 14	Rural Areas
Section 17	Administration

PART B - THE AMENDMENT

1. **Introductory Statement**

All of this part of the document, entitled "Part B - The Amendment", consisting of the following text constitutes Amendment No. 3 to the Official Plan of the Municipality of Dysart et al.

2. **Details of the Amendment**

The Official Plan of the Municipality of Dysart et al is amended as follows:

1. Section 1.7 – Definitions is hereby amended by adding the following definition before the definition for Backlot:

“Additional Dwelling Unit: the definition of Additional Dwelling Unit is consistent with the definition in the implementing Zoning By-law.”

2. Section 4.1.1 – General Policy, the first bullet of the third paragraph is hereby amended by adding the words “including additional dwelling units” following the words “new units”, such that the first bullet of the third paragraph of Subsection 4.1.1 shall read as follows:
 - the creation of new units, including additional dwelling units, uses or lots on previously developed land;
3. Section 4.3.4 – Secondary Dwelling Units is hereby deleted in its entirety, to be replaced by Section 4.3.4 – Additional Dwelling Units.
4. Add a new Section as follows:

Section 4.3.4 ADDITIONAL DWELLING UNITS

Additional dwelling units provide needed housing opportunities; affordable housing options; opportunities to support family members and/or people with special needs; and a secondary income for homeowners. An additional dwelling unit is a separate dwelling unit, which is ancillary to the main residential use on the property. . An additional dwelling unit is not a garden suite.

Consistent with the water supply and sewage disposal policies of Section 3.3, the growth and development strategy outlined in Section 4.1.2 and the resource protection policies outlined in Section 5 of this Plan, a secondary dwelling unit is permitted in the following designations:

- In the *Haliburton Village Policy Area*, and inside the *Haliburton Village Service Area*, where municipal sewers are available to properly service the dwelling units, an additional dwelling unit may be constructed in a dwelling, a semi-detached dwelling, a duplex dwelling, or row house dwelling. Where there is no additional dwelling unit in the main residential use, an additional dwelling unit may be constructed in an ancillary building.

- In the *Haliburton Village Policy Area*, but outside the *Haliburton Village Service Area*, where lots are serviced with individual on-site sewage and water services, an additional dwelling unit may be constructed in a dwelling, a semi-detached dwelling, or a duplex dwelling. Where there is no additional dwelling unit in the main residential use, an additional dwelling unit may be constructed in an ancillary building.
- In the *Hamlet Areas*, where lots are serviced with individual on-site sewage and water services, an additional dwelling unit may be constructed in a dwelling, a semi-detached dwelling, or a duplex dwelling. Where there is no additional dwelling unit in the main residential use, an additional dwelling unit may be constructed in an ancillary building.
- In the *Rural Areas*, where lots are serviced with individual on-site sewage and water services, an additional dwelling unit may be constructed in a dwelling, a semi-detached dwelling, or a duplex dwelling, only where permanent residential use is permitted. This will ensure that lots with additional dwelling units are accessible via a public road and that additional dwelling unit policies do not conflict with the growth and development policies of Section 4.1.2 by encouraging further lot severances and/or scattered, isolated development in the *Rural Areas*. Where there is no additional dwelling unit in the main residential use, an additional dwelling unit may be constructed in an ancillary building.
- Additional dwelling units are not permitted in *Waterfront Areas* where most residential uses are intended to be of a seasonal nature and where increasing the number of dwellings units on a lot may impact the water quality of the lake.

The construction of an additional dwelling unit will require a building permit and will be subject to the following:

- the primary and additional dwelling unit will comply with all applicable permitted uses and zone provisions;
- adequate parking is available on the lot for the primary and additional dwelling units;
- the primary and additional dwelling unit will be properly serviced with waste disposal services. Where available, the additional dwelling unit must be connected to municipal sewers. On lots, serviced with an individual on-site waste disposal system, the system must be designed to meet the requirements for the Ontario Building Code and approved by the Municipality;
- the primary and additional dwelling unit will be properly serviced with water supply services. The owner must provide proof of potable water, which may include the completion of a hydrogeology study to demonstrate that there is sufficient quality and quantity of water to service the proposed development without impact to adjacent uses;
- the primary and the additional dwelling unit will comply with all requirements of the Ontario Building Code and the Ontario Fire Code;
- Additional dwelling units shall not be located within 300 metres of a Lake Trout Lake that is classified as “at capacity” for additional development as per Section 5.2.2;
- Additional dwelling units shall be located on lots having direct frontage on municipally/public maintained roads; and
- Additional dwelling units shall be designed and located in the interest of maintaining the character of the primary residential use and the view from the streetscape.

Where an additional dwelling unit is located in an ancillary building, there shall be no further division of the lot.

5. Section 4.16.1 – Dwellings Per Lot, the second bullet of the first paragraph is hereby amended by deleting the word “Secondary” and replacing it with the word “Additional” and adding the words “or an implementing zoning by-law” following the words “in this Plan”, such that the second bullet of the first paragraph of Subsection 4.16.1 shall read as follows:
 - Additional dwelling units as otherwise permitted in this Plan, or an implementing zoning by-law;

6. Section 7.1.1 – Urban Residential, the third bullet of the first paragraph is hereby amended by deleting the word “Secondary” and replacing it with the word “Additional”, such that the third bullet of the first paragraph of Subsection 7.1.1 shall read as follows:
 - Additional dwelling units;

7. Section 7.1.2 – Suburban Residential, the third bullet of the first paragraph is hereby amended by deleting the word “Secondary” and replacing it with the word “Additional”, such that , the third bullet of the first paragraph of Subsection 7.1.2 shall read as follows:
 - Additional dwelling units;

8. Section 8.2.1 – Permitted Uses is hereby amended by deleting the word “Secondary” and replacing it with the word “Additional”, such that Subsection 8.2.1 shall read as follows:
 - The following residential uses may be permitted: single-unit dwellings, two-unit dwellings, additional dwelling units and garden suites.

9. Section 14.4.1 – Permitted Uses, the second bullet of the first paragraph is hereby amended by deleting the word “Secondary” and replacing it with the word

“Additional”, such that , the second bullet of the first paragraph of Subsection 14.4.1 shall read as follows:

- Additional dwelling units;

10. Section 17.4.1 – General Policy, the first paragraph is hereby amended by deleting the word “and” and replacing it with the following “,” and adding the text , 41 and 45” following the words “Section 22, 34”, such that the first paragraph of Subsection 17.4.1 shall read as follows:

- Council will not accept or consider further, any development application made pursuant to Sections 22, 34, 41 and 45 of the *Planning Act*, until the Municipality has received all plans, studies and background information that are necessary to inform the public and provide Council with sufficient information to make a decision. As part of a complete application the Municipality may require additional information and/or studies to support a development proposal.

11. Section 17.4.1 – General Policy, the first bullet of the second paragraph is hereby amended by adding the words “a site plan approval application” following the words “a severance application”, such that the first bullet of the second paragraph of Subsection 17.4.1 shall read as follows:

- all applications to amend the Official Plan, unless the application is a condition of the Municipality's pre-consultation comments for a subdivision application, a severance application, a site plan approval application, or a zoning by-law amendment application.

12. Section 17.4.1 – General Policy, the second bullet of the second paragraph is hereby amended by deleting the words “for commercial or multiple residential development of greater than 3 units”, and adding the words “, a site plan approval application” following the words “a severance application”, such that the second bullet of the second paragraph of Subsection 17.4.1 shall read as follows:

- all zoning by-law amendment applications, unless the application is a condition of the Municipality's pre-consultation comments for a subdivision application, a severance application, a site plan approval application, or an official plan amendment application.

13. Section 17.4.1 – General Policy, the second paragraph is hereby amended by adding the a third bullet with the words “all site plan approval applications, unless the application is a condition of the Municipality's pre-consultation comments for a subdivision application, a severance application, an official plan amendment application or a zoning by-law amendment application.” and adding a fourth bullet with the words “all condominium or subdivision applications, unless the application is a condition of the Municipality's pre-consultation comments for an official plan amendment application, a zoning by-law amendment application, or a site plan approval application.”, such that the third and fourth bullets of the second paragraph of Subsection 17.4.1 shall read as follows:

- all site plan approval applications, unless the application is a condition of the Municipality's pre-consultation comments for a subdivision application, a severance application, an official plan amendment application or a zoning by-law amendment application.
- all condominium or subdivision applications, unless the application is a condition of the Municipality's pre-consultation comments for an official plan amendment application, a zoning by-law amendment application, or a site plan approval application.

14. Section 17.4.2 – Official Plan Amendment Applications, the seventh bullet of the first paragraph is hereby amended by adding the words “, including professional peer review comments for said reports and plans as” following the words “reports and plans”, and by adding the words “,where permitted” following the words “through pre-

consultation” such that the seventh bullet of the first paragraph of Subsection 17.4.2 shall read as follows:

- all studies, reports, and plans, including professional peer review comments for said reports and plans as identified through pre-consultation, where required.

15. Section 17.4.3 – Zoning By-law Amendment Applications, the seventh bullet of the first paragraph is hereby amended by adding the words “, including professional peer review comments for said reports and plans as” following the words “reports and plans”, such that the seventh bullet of the first paragraph of Subsection 17.4.3 shall read as follows:

- all studies, reports and plans, including professional peer review comments for said reports and plans as identified through pre-consultation, where required.

16. Section 17.4.4 – Supporting Information, the first paragraph is hereby amended by adding the words “, including professional peer review comments for each report” following the words “reports and information”, such that the first paragraph of Subsection 17.4.4 shall read as follows:

- The following supporting background reports and information, including professional peer review comments for each report may be required as part of a complete application, as determined through pre-consultation with the Municipality:

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17. Section 17.5.1 – General Policy, the first paragraph is hereby amended by adding the words “as part of a complete application, and” following the words “Council may, such that the first paragraph of Subsection 17.5.1 shall read as follows:

- Where this Plan requires that an applicant undertake a study or otherwise demonstrate that a policy of this Plan can be met to Council's

satisfaction as a condition of development application or approval, the study or demonstration will be conducted at the applicant's cost. Council may, as part of a complete application, and to assist it in its deliberations,

3. **Implementation and Interpretation**

This Amendment to the Official Plan will be implemented and interpreted in accordance with the respective policies of the Official Plan of the Municipality of Dysart et al.