

THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF ARMOUR

BY-LAW #5-2013

Being a by-law to adopt Amendment No. 1
to the Official Plan of the Township of Armour

WHEREAS the Council of the Corporation of the Township of Armour held a public meeting on the 11th day of December, 2012 respecting Council's intent to amend the text of the Township of Armour Official Plan;

AND WHEREAS Council has given serious consideration for the need to adopt an amendment to the Official Plan of the Township of Armour;

AND WHEREAS Council has determined that the proposed Official Plan Amendment is appropriate and desirable for the development of the municipality in general;

NOW THEREFORE the Council of the Corporation of the Township of Armour, in accordance with the provisions of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, hereby enacts as follows:

1. That Amendment No. 1 to the Official Plan of the Township of Armour, being the attached text is hereby adopted; and
2. That the Clerk-Administrator is hereby authorized and directed to make application to the Ministry of Municipal Affairs and Housing for approval of the aforementioned Amendment No. 1 to the Official Plan of the Township of Armour; and
3. That this By-law shall come into force and take effect on the day of final passing thereof.

Read a first, second, and third time,
signed and the seal of the
Corporation affixed thereto and
finally passed in open Council this
8th day of January, 2013.

REEVE

CLERK-ADMINISTRATOR

**AMENDMENT NO. 1
TO THE ARMOUR TOWNSHIP OFFICIAL PLAN
(Secondary Dwelling Unit/Apartment Policy Update)**

PART A – THE PREAMBLE

Purpose

The purpose of this Amendment is to update the secondary dwelling unit/apartment policies in the Armour Township Official Plan to comply with changes to the Planning Act as amended by the Strong Communities through Affordable Housing Act, 2011.

Location

This Official Plan Amendment affects the entire Rural Community area of the Township of Armour as shown on Official Plan Schedule “A” Land Use Plan. To be clear, this Amendment excludes any areas designated Waterfront Community, Flood Plan Areas or Wetlands on Official Plan Schedule “A” Land Use Plan.

Basis

On May 4, 2001, Bill 140, the Strong Communities Through Affordable Housing Act, was given Royal Assent. The Act is the foundation of Ontario’s long-term commitment to affordable housing. It includes amendments to the Planning Act which provide municipalities with enhanced land use planning tools to support the creation of secondary dwelling or apartment units.

The changes to the Planning Act came into effect on January 1, 2012 and require municipalities to establish Official Plan policies that allow secondary dwelling units or apartments in single detached, semi-detached and township dwellings or within ancillary structures such as a garage.

PART B – THE AMENDMENT

1. Introduction

Armour Township’s Official Plan was updated in 2009 under the 2005 Provincial Policy Statement and Bill 51, 2005 An Act to amend the Planning Act and the Conservation Land Act and to make related amendments to other Acts.

The updated Armour Township Official Plan already contains policies allowing secondary dwelling units by rezoning. Bill 140, however, requires more details in both the Official Plan and the Zoning By-law and does away with the requirement to rezone to permit these units.

A review of the existing secondary dwelling unit/apartment policies in the Armour Township Official Plan indicated that some minor revisions would be required to comply with the changes to the Planning Act, in particular to permit accessory secondary dwelling units and apartments within a range of dwelling types and ancillary structures.

Once adopted, no part of this Amendment may be appealed to the Ontario Municipal Board.

All of this part of this document entitled Part B – The Amendment consisting of the following text constitutes Amendment No. 1 to the Official Plan of the Township of Armour.

2. Details

The following changes are hereby made to the Official Plan of the Township of Armour:

Section 2.1.3(a)(ii)(i) is hereby deleted in its entirety and replaced with the following bullet clause:

- Secondary Dwelling Unit/Apartment

In the interests of creating affordable housing units within the existing housing stock, one secondary dwelling unit/apartment may be permitted, in addition to the principal dwelling unit, in single detached, semi-detached, townhouse dwellings and ancillary structures where they are a permitted use in the Zoning By-law. The following criteria shall be considered when evaluating proposals for the creation of secondary dwelling units/apartments:

- a) The floor area of the secondary dwelling unit/apartment shall be equal to, or less than, the ground floor area of the principal unit without any modification to the building's bulk or massing; and
- b) The secondary dwelling unit/apartment may be located in an attached or detached garage which meets the occupancy requirement of the Ontario Building Code; and
- c) One on-site parking space shall be provided exclusively for the secondary dwelling unit/apartment; and
- d) The yards shall be adequate for the amenity and leisure needs of all occupants; and
- e) The secondary dwelling unit/apartment shall meet the requirements of the Zoning By-law, the Ontario Building Code, Ontario Fire Code and Ontario Electrical Code; and
- f) A lot shall not have both a secondary dwelling unit/apartment and a garden suite.

3. Implementation and Interpretation

Implementation and interpretation of this Amendment shall be in accordance with the policies of the Township of Armour Official Plan (2009).