

To: Mayor and Members of South-West Oxford Council

From: Hannelore Yager, Policy Planner, Community Planning

Additional Residential Units (ARUs) – Zoning Review and Initiation of Zoning By-Law Amendments

REPORT HIGHLIGHTS

- A Zoning By-Law Amendment was adopted by South-West Oxford Council on July 11, 2023 that implemented the policies of Official Plan Amendment (OPA 285) with respect to Additional Residential Units (ARUs).
- The purpose of this report is to formally initiate a review and update of the provisions for ARUs in the Township Zoning By-Law. This update will be informed by a review of provincial policies and legislation, analysis of planning application data, and ongoing consultation with area municipal staff.
- This report summarizes general highlights of proposed changes to the Township Zoning By-law which would revise the provisions for ARUs and residential accessory structures, amend related definitions and general provisions associated with ARUs, address minor technical errors, and improve consistency between municipalities, where appropriate. This summary is intended to serve as the basis for obtaining initial feedback and direction to initiate a Zoning By-Law Amendment for formal public and agency consultation.

DISCUSSION

Background

On February 8, 2023, Official Plan policies regarding ARUs in the five Townships (Blandford-Blenheim, East Zorra-Tavistock, Norwich, South-West Oxford and Zorra) were adopted by County Council (OPA 285). Subsequently, the Township of South-West Oxford amended Zoning By-law No. 25-98 with respect to ARUs and the provisions came into force and effect on July 11, 2023.

As part of the approval of the by-law amendments, Township Council also passed a motion requesting that Planning staff report back to Council once the amended By-law provisions had been in effect for at least six months to identify any implementation or interpretation issues and the number and nature of minor variance applications submitted to facilitate ARUs.

The purpose of the current review is to fulfill the following objectives: ensure zoning provisions remain consistent with provincial policy and the County's Official Plan, improve the implementation and clarity of the Zoning By-Law, and inform Council on the number and nature of applications. If initiated by South-West Oxford Council, a draft By-law will be prepared and further circulated and consulted on as part of the amendment process.

Policy and Legislation Review

Planning Act

In recent years, ongoing changes to the Planning Act have facilitated the establishment of ARUs in Ontario.

On June 6, 2019, the Province passed Bill 108 (More Homes, More Choice Act), which directed municipalities to enact Official Plan policies and Zoning provisions to allow for up to two ARUs in a single detached, semi-detached or row house dwelling and/or within a building or structure ancillary to such dwellings. The authority to make regulations with respect to ARUs was provided by Bill 108 and Ontario Regulation (O. Reg) 299/19 came into force and effect on September 3, 2019. O. Reg 299/19 prescribes requirements and standards for ARUs where they are permitted by zoning. The regulation prevails over any existing Zoning By-Law in force and effect unless otherwise stated.

Bill 23 (More Homes Built Faster Act, 2022) received Royal Assent on November 28, 2022 and amended the Planning Act by explicitly requiring municipalities to permit up to two ARUs as-of-right in fully serviced settlement areas. Additional changes to the Planning Act prohibited municipalities from establishing minimum unit sizes or requiring more than one parking space per unit through their Official Plan and/or Zoning By-Law.

Further changes through Bill 185 (Cutting Red Tape to Build More Homes Act, 2024) and amendments to O. Reg 299/19 that came into force and effect on November 20, 2024. These changes affect a municipality's ability to regulate angular plane, floor space index, lot coverage and lot area; however, this only impacts zoning provisions for ARUs within the County's fully serviced settlement areas. More information on how Bill 185 was initially anticipated to affect ARUs can be found in the staff report [CP 2024-147](#). The currently proposed amendments to the Zoning By-Law with respect to lot coverage and lot area are intended to support consistency with the Act.

2024 Provincial Planning Statement (PPS)

The vision of the 2024 PPS includes increasing the supply and mix of housing to help meet Ontario's goal of 1.5 million homes built by 2031. Planning authorities are tasked with balancing this vision with the other stated goals of the PPS, such as directing growth to urban areas, protecting agriculture, and mitigating potential risks to human health and safety from natural and human-made hazards. It is noted that the PPS is intended to be read comprehensively and when multiple policies apply, all relevant policies are to be applied and considered.

The 2024 PPS came into force and effect on October 20, 2024 and now clarifies that in prime agricultural areas where a residential dwelling is permitted, up to two ARUs may be built, in addition to farm worker housing, subject to provincial guidance and additional criteria. Where surplus farm dwelling severances are permitted, new dwellings and ARUs must be prohibited on any remnant parcel of farmland created by the severance, and similarly, where a principal dwelling that has become surplus to a farm operation as a result of farm consolidation is being severed, any associated ARUs must remain with the principal dwelling. ARUs in prime agricultural areas must meet the following criteria:

- comply with the minimum distance separation (MDS) formulae;
- be compatible with and not hinder surrounding agricultural operations;
- have appropriate sewage and water services;

- address any public health and safety concerns;
- be of limited scale;
- be located within, attached, or in close proximity to the principal dwelling or farm building cluster; and,
- minimize land taken out of agricultural production.

To support PPS implementation the Province has indicated plans to release further guidance for ARUs in prime agricultural areas. Staff will continue to look for opportunities to provide input into the development of this guidance material based on Oxford's overall approach and considerable experience with ARUs to date.

Official Plan Amendment (OPA 285), which introduced the County's rural ARU policies, was adopted by County Council on February 8, 2023 and the policies have been in force and effect since March 2, 2023. Although these Official Plan policies were adopted prior to the PPS 2024 being in effect, the County's policies remain consistent with and significantly informed provincial policy.

The 2024 PPS policies provide the minimum standard for Official Plan policies and Zoning By-Law provisions and, as a result, municipal policies may exceed PPS requirements to reflect local interests. As such, the Official Plan policies have been developed to provide consistent municipal policy direction for all the rural areas in the County that reflects Oxford's unique rural context and will ensure local implementation is compliant with the PPS, while also providing flexibility for Area Municipalities to reflect local needs through their respective Zoning By-Laws.

Planning Application Data

Staff have reviewed planning application data to help inform recommendations for potential revisions to the respective zoning by-laws. A study period to review planning applications was established between the date OPA 285 was in force and effect (March 2, 2023) and November 6, 2024 during which a total of 51 planning applications related to ARUs were received. Preliminary building permit data (ranging from March 2, 2023 to December 30, 2024) was also reviewed to compare the planning applications with the overall number of ARUs and assess the broader demand for ARUs. This data is proposed to be reviewed further as a future part of this project.

Planning applications were analyzed to determine the typical form and location for ARUs, the type of relief from the by-law that is commonly sought, and any potential trends in decisions. This report also briefly discusses the implications for how planning requirements are being met and provides recommendations on how the By-Law provisions could be improved.

Overview

Across the five Townships, planning applications for ARUs predominantly occurred in the A1 and A2 Zones within the Agricultural Reserve, which accounted for 77% of all applications (see Figure 1, Plate 4). Blandford-Blenheim, Norwich, and Zorra have the highest share of total planning applications.

Almost all applications (94%) are for ARUs located within a detached accessory structure. This reflects the Official Plan requirement that an ARU in a detached structure on an agricultural lot shall be subject to approval by the Committee of Adjustment to ensure compliance with the locational and other criteria for ARUs on farms set out in the Official Plan. However, only one fifth (19.6%) of the applications needed approval to permit the use only (i.e. didn't require any other

relief from the Zoning By-law provisions), meaning most applications required additional relief from the provisions of the Zoning By-law.

The data (see Figure 2) suggests that for planning applications, maximum distance from the principal dwelling, maximum gross floor area for ARUs, and maximum lot coverage for accessory structures are the provisions for which relief is most commonly requested, whereas relief from MDS, minimum lot area, and proximity to hazard lands occurred less frequently.

Figure 2 – Most Prevalent Provisions in Planning Applications

Summary	Distance Between Dwellings (m)	Maximum Gross Floor Area for ARU (m² or %)	Maximum Lot Coverage for Accessory Buildings (m²)
Number of Minor Variance (MV) Applications	12	6	6
Total Number of MV	24		
Percentage of Total MV	50%	25%	25%
Number of Zoning By-Law Amendments (ZBAs)	9	10	4
Total Number of ZBAs	27		
Percentage of Total ZBAs	33%	37%	15%

Noticeable trends therefore include requests to: build larger detached ARUs; locate ARUs further from the principal dwelling; and, locate ARUs outside of the established residential area on an agricultural lot. This is of note given that these topics were all key areas of concern for the Province, municipalities and agricultural groups in terms of the potential for disregard and undermining of the policy intent when these PPS policies were first proposed. As such, it is essential any requested variances are carefully considered in relation to these standards to ensure they are not undermining the specific intent of the policies.

Key Findings from the Review of Planning Applications

In the majority of cases (i.e. approximately 75% of the time) both planning staff and decision maker (i.e. Council/Committee) supported the approval of the application. In the limited remaining instances where the planning report recommended refusal of the application, the most likely outcome is that the application was still either approved or deferred, with only approximately 2% of those applications ultimately not being approved. The complete data is available in Figure 3 of Plate 1.

For the reasons previously noted (i.e. importance of the size, locational and scale criteria in maintaining the intent of the PPS and OP policies and protecting agriculture for the long term) Planning staff are seeking to better understand, and hopefully address, some of the reasons for the variation between the staff recommendation and decision. Planning staff suspect that improving understanding of the rationale behind these planning policies and reasons for and importance of the various criteria could go a long way in assisting in this regard. Consistency between planning staff recommendations and decisions is generally the preferred outcome, as disagreement can result in delays, increased risk of and vulnerability to appeal, and most importantly create a precedent that could undermine the future implementation of the policy.

Proposals to substantially exceed the permitted size for ARUs is the most frequent reason for the variation between the planning staff recommendation and Council/Committee decision, with exceedance of the provisions for maximum gross floor area for all ARUs on a lot and the maximum lot coverage for accessory structures (see Figure 4 of Plate 1) being the most common issue.

This extent of relief being sought from the maximum size provisions was substantially higher in cases where planning staff recommended refusal. The results also appear to indicate that the size of the lot or principal dwelling is unlikely to be what limits the development of ARUs, as most applications that were recommended for refusal were requesting substantial relief from the absolute size limit as opposed to the relative limit (i.e. the percentage of the lot or the principal dwelling).

It remains the opinion of Planning staff that limiting the size of ARUs, together with their location, is essential for ensuring the establishment of such units is consistent with both Provincial and Official Plan policy direction and that individual farms, agricultural lands, and the broader prime agricultural area are protected for long term agriculture. Generally, these size, area, and locational restrictions for ARUs help to ensure such dwelling units remain subordinate to, and within or in close proximity to, the principal dwelling as required by PPS and OP policy. This also helps to achieve the following:

- Ensure the area utilized for residential use on the farm is the minimum necessary (i.e. max 1-2 acres) and is concentrated in one location to avoid creating new/additional potential points of conflict with agriculture (i.e. MDS II restrictions for new/expanded livestock facilities, complaints about noise, dust, odour, etc.);
- Ensure no additional agricultural land is removed from production simply for the purposes of establishing an ARU;
- Reduce/avoid expectations/pressure to sever such dwellings from the farm in the future;
- Reduce/avoid competition for farms from non-farmers seeking opportunities for estate residential and/or other non-agricultural uses (i.e. large shops, relocating/establishing a business, etc.);
- Ensure ARUs are appropriate for and limit demand on existing rural services (e.g. on-site water/septic, gravel roads, emergency services etc.) and remain affordable, particularly given that such units are exempt from Development Charges (i.e. are not required to contribute to the costs of public services like a principal dwelling).

The results also showed that exceptions to a number of other ARU requirements (e.g. related to safety, compatibility etc.) have been approved despite non-supportive planning staff recommendations. These have included relief from MDS I for an ARU in an accessory building and allowing for establishment of an ARU in a floodplain (see Figure 5 of Plate 1). Planning staff would note that variances to MDS I are generally only to be considered in very specific and limited circumstances, as they can result in significant constraints on the future ability of livestock operations on nearby farms to locate or expand. Although this is not necessarily something that is top of mind for decision makers or neighbouring farmers at the time an application for ARU is being considered it can, over time, significantly limit opportunities for new or expanded livestock agriculture in the County, so needs to be carefully considered. Permitting development in the floodplain can create health and safety risks to the occupants of the ARU and/or other land uses downstream and, as such, is not permitted by either PPS or OP policy.

Swapping the Use of the Principal Dwelling to an ARU

Staff reviewed the prevalence and potential impact of converting an existing principal dwelling to an ARU and constructing a new principal dwelling – in other words, when the use of each dwelling on a lot is ‘swapped’. Provincial policy permits ARUs in agricultural areas provided a primary residential use is already permitted, however, there is no explicit provincial policy or regulation that states once a principal dwelling is established it must remain the principal dwelling in perpetuity. This lack of explicit provincial policy direction has left municipalities to determine whether this is an appropriate method of establishing an ARU.

There are a range of reasons why dwelling swaps occur in the agricultural area. Some swap requests can occur when an applicant originally planned to replace an existing single detached dwelling with a larger dwelling, but later decides to cancel the demolition permit and request to change the use of the existing principal dwelling to an ARU. Unlike ARUs, principal dwellings do not have maximum size (i.e. gross floor area) requirements, so swaps can be a means of allowing for the construction of a new, larger dwelling than would otherwise be permitted in accordance with the ARU provisions. As shown in Figure 6 of Plate 1, results of the review show that almost 40% of all applications are involved a swap and they are more prevalent as zoning by-law amendments (48%) than minor variances (25%).

Results show (see Figure 7) that applications for a swap are more likely to also request relief from the ARU requirements for both maximum gross floor area and distance from the principal dwelling. The research conducted by staff (see Figure 8) also indicates that, on average, swaps in agricultural areas have resulted in substantially higher gross floor area being approved for the principal dwelling, the ARU and the cumulative total than is generally intended by the PPS and Official Plan policy framework.

Accordingly, although swaps support reuse of an existing structure, they do not generally appear to promote the appropriate development of ARUs in the agricultural area.

Figure 7 – Comparing the Amount of Relief Sought through Swaps

Zoning By-Law and Minor Variance Applications				
Summary	Maximum Gross Floor Area for ARU (m²)		Maximum Distance from Principal Dwelling	
	Swap	No Swap	Swap	No Swap
Count of Applications (n)	9	9	9	12
Total # of Yes / No Swap Applications (N)	19	32	19	32
% of Applications (n/N)	47%	28%	47%	38%

Similarly, on average, swaps resulted in a greater distance between the principal dwelling and ARU than non-swaps. As shown in Figure 9 on Plate 1, this effect is more pronounced in the A2 zone where the average relief sought for distance between dwellings increases from an additional 29 metres to 114 metres. Parcels in the A2 zone are intended to be larger to preserve the land needed for agricultural uses and support the wider agricultural industry. This indicates that land which is valuable from an agricultural perspective may become more vulnerable to the negative impacts of development outside of the established residential area on the agricultural lot over time if not protected. It should also be noted that even a new second permanent dwelling required for farm labour is required to be located in close proximity to the other dwelling, share same driveway, etc. so these requirements are consistent with expectations for adding housing onto agricultural lots for other purposes. Furthermore, the intent of the ARU policies was to provide additional dwelling units on a farm, without requiring the same level of justification as a second permanent standalone dwelling, which have long been restricted. However, using ARU policies to acquire permission for a second full sized dwelling without providing the necessary justification is potentially concerning.

While there is no inherent problem with changing the use of a former principal dwelling to an ARU, staff would recommend that, going forward, the Area Municipalities are careful to ensure such

swaps do not result in the approval of larger ARUs and/or distances between the ARU and principal dwelling than is permitted by the applicable Official Plan policies.

Where ARUs are proposed to be located far away from the principal dwelling and/or outside the established residential cluster they are more likely to be subject to expectation of/future pressure for severance, unlikely to share water and sewage services or a driveway/parking area, remove prime agricultural land from production and/or reduce the potential to be cultivated over the long-term, and/or create future MDS conflicts. Similarly, an ARU which considerably exceeds the maximum gross floor area (and/or lot coverage for ancillary structures) permissions can also be an inefficient use of prime agricultural land. Therefore, ARUs that significantly exceed these municipal requirements are generally inconsistent with the intent of the Official Plan and PPS requirements for ARUs in agricultural areas. In most cases with requests for significant exceedance of the requirements, it appears the applicable ARU policy requirements could be reasonably have been met, but is simply not what is desired by the applicant.

Proposed Zoning By-law Amendments

Enough time has passed since the approval of the by-law amendment to permit and regulate ARUs in the Township to understand whether there are any implementation or interpretation issues. There have also been legislative and regulation changes since the provisions were enacted which require amendments. Accordingly, Planning staff have identified some amendments for Council's consideration. The proposed changes are summarized below.

Regulating Size and Lot Coverage

The size and scale of an ARU is regulated by two provisions – gross floor area and lot coverage.

The Official Plan sets the maximum size for all ARUs on a property as 50% of the gross floor area of the principal dwelling to a maximum of 100 m² or 140 m², depending on whether the property is located within or outside of a settlement. Area municipalities may be more restrictive than this ceiling established by the Official Plan.

Gross floor area is used to regulate other land uses in the by-law (e.g. quantity of parking spaces or floor area limits for certain commercial uses in mixed-use buildings); however, consultation with staff suggests that using this variable creates implementation challenges with respect to regulating the size/scale of ARUs. Review of practices in other municipalities suggests that tying an ARU's size to the area of the principal dwelling that is considered habitable (i.e. dwelling unit area rather than gross floor area), may be easier to interpret and implement, and could be more permissive for some proposals, while also maintaining the intent of Official Plan requirements.

ARUs located within detached accessory structures are further affected by accessory structure lot coverage requirements. The calculation of lot coverage uses the gross floor area of all accessory buildings on a lot and municipalities typically limit lot coverage to a percentage of the lot area and also to a maximum gross floor area. The two issues that are associated with this current approach to lot coverage are:

1. Gross floor area includes all storeys of a building, and this has resulted in multi-storey buildings having a higher calculated gross floor area. The result is greater restrictions on the lot coverage for taller buildings which can be a disincentive to compact form and efficient use of land. Recognizing habitable floor area limitations, height and setback requirements still apply, planning staff propose using ground floor area as the approach to calculating lot coverage. This would focus controlling the footprint of a building or

structure and would be relevant to ARUs in ancillary structures. Certain exclusions would be permitted to recognize that certain portions of structures (such as balconies) are less likely to impact on-site storm water management and landscaped open space compared to others, such as garages and enclosed porches.

2. The current definition of lot coverage encompasses all buildings (with minor exclusions for mechanical equipment, flagpoles, etc.); however, consultation with Township staff has identified inconsistent interpretation across municipalities with respect to how the maximum lot coverage is calculated for ARUs, accessory structures, and the principal use. Planning staff propose the definition of lot coverage be amended to specify that lot coverage for accessory structures includes the ground floor area of an ARU located in a detached structure and to add a provision which clarifies that lot coverage for accessory structures shall count toward any total or cumulative lot coverage requirements for the lot.

Lastly, the recent amendment to O. Reg 299/19 has prescribed a change for lot coverage that affects lands located in settlement areas that are fully serviced by municipal water and wastewater. Accordingly, planning staff recommend amending the ARU provisions to state notwithstanding existing permissions, a maximum lot coverage of 45% for all buildings and structures is permitted on a lot when an ARU (either within the principal dwelling or within an accessory structure) is established in the R1, R2, R3, CC and V Zones in designated Serviced Villages. This would affect lots where the only land use is residential and the lot contains a single detached dwelling, semi-detached dwelling, or street fronting townhouse – in other words, parcels with a mix of commercial and residential uses would not have this permission. Additional language is also proposed to clarify lot coverage permissions for remaining zones unaffected by O. Reg 299/19.

Definitions

The following changes to definitions are proposed:

- **Distance From:** Currently, there is no definition for how the required setback between a detached ARU and the principal dwelling is calculated. The term 'setback' is defined and works in a similar way to establish a maximum or minimum distance between a building and a lot line; however, planning staff recommend adding a new definition that uses a similar structure to 'setback' to clarify with respect to ARUs. Specifically, it is proposed that the distance is measured from the nearest face or corner of a detached ARU to the nearest face or corner of the principal dwelling, which is the most permissive approach.
- **Detached Additional Residential Unit:** Currently, only 'additional residential unit' is defined. Defining 'detached additional residential unit' would add clarity to the nature of the land use – specifically, that it is an ARU located within a detached accessory building that is secondary and subordinate to the principal dwelling on the same lot.
- **Principal dwelling:** The existing definition replicates language from the Planning Act to state the type of dwellings (i.e. single, semi- and townhouse dwellings or detached accessory structures) that an ARU is permitted to be located within. Planning staff further propose adding language which clarifies that the addition of an ARU does not change the principal dwelling into any other type of dwelling. This clarification is intended to address 'swaps' as identified earlier in this report, where to the principal dwelling because the ARU and a new dwelling is constructed. This change is not intended to prohibit 'swaps', however, it will make the intent of proposals more explicit.

Driveways

To reflect existing Official Plan direction, planning staff recommend adding a provision which prohibits ARUs from being built without direct access to an existing, established driveway shared with the principal dwelling. This change is also proposed to address planning application data results, which suggest that, in the Agricultural Reserve, detached ARUs are increasingly being located a great distance from the principal dwelling. The intended effect of this change would be to help ensure detached ARUs are not located outside of the existing farm building cluster and/or the established residential area on a lot, as directed by PPS and Official Plan.

Detached Additional Residential Units: Process

Currently, an ARU in a detached accessory structure isn't a permitted use in the agricultural zones, but an ARU within the principal dwelling is a permitted use. Accordingly, a minor variance is required to permit an ARU within a detached accessory structure. However, there has been some confusion with the requirement not being stated in the general provisions. Staff propose clarifying these provisions for all municipalities. Further, staff recommend stating the maximum number of ARUs within detached accessory structures that are permitted in each zoning category. The proposed changes are intended to improve the By-Law's clarity with respect to land use permissions for all readers of the By-Law.

Detached Additional Residential Units - Minimum Lot Area in fully serviced settlement areas

O. Reg 299/19 now requires that a municipality may not require a more restrictive lot area for a lot containing an ARU that is located in a settlement area with both municipal water and wastewater services. Staff propose amending existing lot area requirements for the R1, R2, R3, CC and V Zones (as applicable) to reflect that when an ARU is on the lot the lot area must be in accordance with the applicable zone provisions for the principal dwelling.

Technical Changes to Add Clarity or Consistency

The preliminary review also identified some opportunities to improve clarity through minor and technical changes. Proposed changes would state existing Official Plan requirements with respect to garden suites, change undefined terms to defined terms where appropriate, remove duplication between the By-Law and Building Code, and re-establish any existing requirements affecting ARUs that were inadvertently removed through a housekeeping update for some municipalities. These changes are intended to improve clarity and implementation of the Zoning By-Law with respect to the development of ARUs.

NEXT STEPS

The proposed updates to the By-Law are intended to be technical in nature and as such are not anticipated to require extensive engagement with the public beyond statutory public meetings. Community Planning staff will work closely with area municipal staff throughout the process to ensure that the amendments can be implemented appropriately. The proposed approach for updating the zoning by-law is to include 5 main steps:

1. Early consultation on proposed approach for updating the Zoning By-Law (ongoing)
2. Project initiation (this report)
3. Release of a draft zoning by-law amendment
4. Statutory public meeting

5. Adoption of a recommended zoning by-law amendment

Area municipal staff will be engaged and have opportunities to provide input through the full process, with particular focus on preparing and reviewing the draft amendment. Updated zoning is intended to be in place by late 2025 to early 2026.

CONCLUSIONS

The proposed amendments to the Zoning By-Law are intended to be of a technical nature to improve implementation of existing Official Plan and the 2024 Provincial Planning Statement requirements. Both planning documents provide direction specific to ARUs in settlement areas and the rural area (i.e. within the Agriculture Reserve).

Initial consultation with Township staff and development planners and the completed analysis of planning application data suggests application outcomes are generally consistent with provincial and County policies. ARUs requiring a planning application predominantly occur in detached structures the Agricultural Reserve, and research demonstrates that provisions for dwelling size, lot coverage and distance from the principal dwelling are the provisions for which relief is most frequently requested. The proposed changes have been drafted to improve implementation and clarity for these provisions.

In limited instances when planners recommend refusal – such as applications affected by safety, compatibility, or significant relief from distance and size requirement considerations – research suggests the decisions may not have had appropriate regard to matters of provincial and municipal interest. While efforts will be made to make By-Law language clearer for certain requirements, planning staff are of the opinion that other requirements are sufficiently clear in municipal and/or provincial policy documents, but may benefit from further education as to their purpose and intent.

Planning staff are of the opinion that the proposed scope of revisions to the Zoning By-Law and described in this report are appropriate and will conform to Official Plan and Provincial Planning Statement policies. Further engagement with Area Municipal staff will provide an opportunity to collect feedback on a draft By-Law before it is presented to Township Council for consideration.

RECOMMENDATIONS

1. **That the Council of the Township of South-West Oxford receive report CP 2025-234 for information purposes; and,**
2. **That South-West Oxford Township Council direct staff to proceed with initiating amendments to the Township Zoning By-Law under S. 34 of the Planning Act, to support improving the implementation of the additional residential dwelling unit policies within the Oxford County Official Plan.**

SIGNATURES

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Attachments

Plate 1 – Planning Application Data Tables

Plate 1 – Planning Application Data Tables

Zone	Applications	% of Total
A1	12	24%
A2	27	53%
ME	1	2%
R1	4	8%
RE	6	12%
RR	1	2%
	51	100%

Figure 1 – Planning Application by Zone

Summary	Distance Between Dwellings (M)	Maximum Gross Floor Area for ARU (M ² or %)	Maximum Lot Coverage for Accessory Buildings (M ²)
Minor Variance Applications	12	6	6
Total MV	24		
Percentage of Total MV	50%	25%	25%
Zoning By-Law Amendments (ZBA)	9	10	4
Total ZBA	27		
Percentage of Total ZBA	33%	37%	15%

Figure 2 – Most Prevalent Provisions in Planning Applications

Application Type	Match - Approval	Percentage of Applications	Match - Refusal	Percentage of Applications	Mismatch - Planner Refuse, Council Approve or Defer	Percentage of Applications
Consolidated	39	76%	1	2%	11	22%

Figure 3 – Distribution of Outcome Match and Mismatch by Application Type

	All Applications			
Summary	Maximum Gross Floor Area for ARU (M2)		Maximum Lot Coverage for Accessory Buildings (M2)	
	Mismatch	Match	Mismatch	Match
Count of Applications (n)	4	7	4	6
Total # of Applications (N)	11	40	11	40
% of Applications (n/N)	36%	18%	36%	15%
Average Relief	35.9	22.2	214.5	62.7

Figure 4 – Potential Causes of Outcome Mismatch

Summary	Permitting ARU in Addition to Existing Garden Suite		Relief from MDS I		Permitting ARU in Floodplain	
	Mismatch	Match	Mismatch	Match	Mismatch	Match
Affected applications (n)	1	0	2	0	1	0
Total Applications (N)	11	40	11	40	11	40
% of Total Applications (n/N)	9%	0%	18%	0%	9%	0%

Figure 5 – Additional Causes of Outcome Mismatch

Application Type	No Swap	% of Applications	Swap	% of Applications	Grand Total
Total MV	18	75%	6	25%	24
Total ZBA	14	52%	13	48%	27
All Applications	32	63%	19	37%	51

Figure 6 - Comparing Prevalence of Swaps Across Application Type

Zoning By-Law and Minor Variance Applications				
Summary	Maximum Gross Floor Area for ARU (M2)		Maximum Distance from Principal Dwelling	
	Swap	No Swap	Swap	No Swap
Count of Applications (n)	9	9	9	12
Total # of Yes / No Swap Applications (N)	19	32	19	32
% of Applications (n/N)	47%	28%	47%	38%

Figure 7 – Comparing Impact of Swaps on Relief Sought for Distance and Gross Floor Area

	Average Cumulative GFA of Dwellings	Average ARU GFA (M2)	Average Principle Dwelling GFA (M2)
No Swap	369.5	115.7	253.0
Yes Swap	410.0	127.0	292.3

Figure 8 – Impact of Swaps on Dwelling Gross Floor Area (GFA) for first-built dwellings (in white), second-built dwellings (in grey) and all dwellings (in blue)

Zone	Average Relief ¹ from Maximum Distance Between Dwellings (m)	Number of Applications Requiring Relief from Distance
A1		
No Swap	15.8	6
Yes Swap	17.2	2
A2		
No Swap	29.1	6
Yes Swap	114.6	8

Figure 9 – Impact of Swaps on Relief for Distance from Principal Dwelling in A1 and A2 Zones

¹ Relief displayed is the amount either granted through decisions (as shown in By-Law) or sought (for cases of deferral) where applicable. The numerical amount displayed reflects what is *in addition to* the maximum 30 m. setback permitted by Zoning By-Law.