

MUNICIPALITY OF TEMAGAMI	
Report Prepared For:	Tammy Lepage
Report Prepared By:	Jamie Robinson, MCIP, RPP
Subject:	Municipal Wide Official Plan Amendment regarding Secondary Suites
Report Date:	May 10, 2018

A. BACKGROUND

At a Special Meeting of Council held on March 13, 2018, Committee of the Whole passed a resolution regarding an Official Plan Amendment to implement policies regarding second units as follows:

WHEREAS PAC has requested that Council deal with the issues of second units by allowing them in all neighbourhoods therefore BE IT RESOLVED THAT that Council direct staff to begin the process of amending Temagami's Official Plan to allow second units in all neighbourhoods.

On March 13, 2018, an Information Report was prepared to provide background on second units (accessory apartments) and to provide an overview of Provincial policy framework that provides the basis for municipalities to include policies and regulations in their planning documents to permit second units. Provincial legislation is in place which promotes second units as a form of affordable housing. Such second units could be in the form of an accessory apartment (either in a dwelling or an accessory building), or the establishment of a "garden suite".

Following a review of the current policies regarding second units, it was recommended that the Municipality incorporate policies to only permit second units within the Urban and Rural areas, and not to permit second units within Shoreline areas. The recommendation was that Shoreline areas be reserved for seasonal and recreational uses, and not for second units.

Following the resolution from Council on March 13, 2018, a second Information Report was prepared on April 11, 2018, and was received by Council, which set out the process for amending the Official Plan.

A draft Official Plan Amendment has been prepared and is attached to this Report as Appendix 1. The purpose of this Report is to provide information relating to the draft Official Plan Amendment to permit second units (accessory apartments) in all neighbourhoods within the Municipality, and to make recommendations as to next steps in the process.

B. POLICY REVIEW

The Municipality of Temagami's Official Plan includes policies to promote affordable housing and to establish where accessory apartments are to be permitted within the Municipality. The current

policy framework only permits accessory apartments within the Urban area. Section 2.2.2 of the Official Plan includes policies regarding Housing, and includes the following regarding accessory apartments in the Urban area:

Accessory apartments may be permitted in single detached or semi-detached dwellings or rowhouses, or in a building or structure ancillary to a single detached or semi-detached dwelling or rowhouse provided that:

- *Not more than one accessory apartment unit is permitted in association with each principal dwelling on the same lot;*
- *All requirements of the Zoning By-law, including the provision of adequate parking, of the Building Code and other relevant municipal and provincial regulations can be satisfied;*
- *It has been determined that municipal services and community facilities are adequate to meet the anticipated demand for accessory apartments.*

The Official Plan also makes provision for the establishment of a “garden suite” through the use of temporary use by-laws.

Section 4.4.1.1 of the Official Plan speaks to Low Density Residential uses and states that such uses include single detached, semi-detached, duplex dwelling units, “garden suites” and accessory apartments, in accordance with Section 2.2.2 of the Plan.

It is noted that garden suites and apartments in houses are not permitted in the Rural area. The Housing policies of Section 2.2 for the Rural area state the following:

*Housing in the rural areas is currently limited to single detached dwelling units, in keeping with the existing character of the area and in recognition of the servicing constraints. The policies of this Plan contemplate the possible introduction of higher density residential uses in the form of condominium and similar developments, subject to the policies of this Plan. **Garden suites and apartments in houses are not permitted in the rural area.***

New residential development may occur in rural areas through limited severances on existing patented lots and by the creation of new lots from Crown land in a manner that allows for the conservation of wilderness and semi-wilderness values; and considers the impact of adjacent uses.

The Official Plan also identifies permitted accessory uses for various designations in Section 4.3.3, 5.3.3, 6.3.3, 7.3.3 and 8.3.3. Accessory Apartments are not identified as a permitted accessory use within these sections of the Official Plan.

The Official Plan also includes a Glossary of Terms at the end of the document. The glossary includes a definition for 'Apartments-in-House' which is defined as the following:

Apartments-in-House – These are second self-contained units in detached or semidetached houses in a residential zone serviced by a publicly owned or operated sewage system and which satisfy special provisions of the Ontario Building Code and the Fire Code.

C. PROPOSED OFFICIAL PLAN AMENDMENT

In order to implement the direction from Council, the Official Plan is proposed to be amended in order to permit garden suites and accessory apartments in all neighbourhoods. The following revisions are proposed to Section 2.2 of the Official Plan, for the Rural area:

Housing in the rural areas is currently limited to single detached dwelling units, in keeping with the existing character of the area and in recognition of the servicing constraints. The policies of this Plan contemplate the possible introduction of higher density residential uses in the form of condominium and similar developments, subject to the policies of this Plan. Garden suites and accessory apartments ~~in houses~~ are ~~not~~ permitted in the rural area.

Accessory apartments may be permitted in single detached dwellings or in a building or structure ancillary to a single detached dwelling within the rural area (including shoreline properties) provided that:

- Not more than one accessory apartment unit is permitted in association with each principal dwelling on the same lot;*
- All requirements of the Zoning By-law, including the provisions to govern compatibility with the principal dwelling and surrounding land uses, as well as the size of the accessory apartment and other standards including the Building Code and other relevant municipal and provincial regulations can be satisfied;*
- It has been determined that on-site servicing, including a septic system and private wells, have sufficient capacity for the accessory apartment.*
- An accessory apartment shall not be permitted in the front yard as defined by the Zoning By-law.*

The Zoning By-law shall contain provisions to regulate the establishment of accessory apartments.

New residential development may occur in rural areas through limited severances on existing patented lots and by the creation of new lots from Crown land in a manner that allows for the conservation of wilderness and semi-wilderness values; and considers the impact of adjacent uses.

Further to the revisions to Section 2.2.2 of the Official Plan noted above, it is also recommended that Sections 4.3.3, 5.3.3, 6.3.3, 7.3.3 and 8.3.3 be updated to include an accessory apartment as a permitted accessory use in each of these designations.

Lastly, a new definition is recommended to be added to the Glossary of Terms to replace the current definition of 'Apartments-in-House'. A new definition for an 'Accessory Apartment' will be added to the Official Plan that states:

Accessory Apartment - A self-contained dwelling unit created by either an interior renovation within an existing dwelling, or as an exterior addition, provided that one entire face of the addition is attached to the principal dwelling, and shall not be considered a second dwelling on the lot for the purposes of this By-law; or a self-contained dwelling unit located within an accessory building.

D. CONSIDERATION FOR ACCESSORY APARTMENT REGULATIONS

Accessory apartments are to be truly “accessory” to the main residential use of the property and it would be important to ensure that provisions were in place to maintain that appearance. It is also recognized that a goal of the Municipality is to maintain shorelines and the area between the shoreline and any buildings in their natural state and as a vegetative buffer, to protect the visual and environmental integrity of the lakes.

Following completion of the Official Plan Amendment, it is recommended that the Zoning By-law also be amended to include regulations and standards that would apply to accessory apartments. Separate regulations and standards could be implemented for both accessory apartments within dwellings, or within accessory buildings.

Examples of regulations and standards that could be implemented include the following:

- Ensuring adequate parking is provided for the principal and accessory units.
- Restrict the maximum size of the accessory apartment.
- Establish locations on a property where an accessory apartment would be permitted, or not permitted (ie. minimum distance from the shoreline, located within the front yard of a shoreline property).
- Minimum lot size to be eligible for a second unit.

E. SUMMARY AND NEXT STEPS

The Official Plan currently does not have policies in place to permit second units in the Rural and Shoreline Area. The revisions to Section 2.2.2 included in Section C of this Report provide the policy framework for second units to be permitted within the Rural area, including Shoreline properties.

Following completion of the Official Plan Amendment, it is recommended that the Zoning By-law also be amended to include provisions to limit the scale of accessory apartments and their location, especially within Shoreline areas.

In order to implement the direction of Council, it is recommended that Staff be directed to schedule a Public Meeting for the Official Plan Amendment to update the second unit (accessory apartment) policies to permit accessory apartments in all neighbourhoods.

Respectfully Submitted,

MHBC Planning

A handwritten signature in black ink, appearing to read 'J. Robinson', with a long horizontal flourish extending to the right.

Jamie Robinson, BES, MCIP, RPP
Partner

Official Plan Amendment No. 3

Municipality of Temagami

DRAFT

**Amendment No. 3 to the
Official Plan of the
Municipality of Temagami**

The attached explanatory text and constituting Amendment Number 3 to the Official Plan for the Municipality of Temagami, was prepared and adopted by the Council of the Corporation of the Municipality of Temagami, by By-law Number 2018- in accordance with the provisions of Sections 17 and 22 of the Planning Act, R.S.O. 1990, Chapter P.13, as amended.

Lorie Hunter, Mayor

Elaine Gunnell, Municipal Clerk

THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI

BY-LAW NO. 2018-____

**A By-law to adopt Amendment No. 3 to the
Official Plan for the Municipality of Temagami.**

WHEREAS The Corporation of the Municipality of Temagami is empowered to amend its Official Plan as required;

AND WHEREAS Sections 17 and 22 of the Planning Act, R.S.O. 1990, Chapter P. 13, as amended, provide Council such authority to amend its Official Plan;

AND WHEREAS the policies of the Official Plan of the Municipality of Temagami are approved and in force and effect at this time;

AND WHEREAS the Council of the Corporation of the Municipality of Temagami deems it necessary and desirable to adopt an amendment to the Official Plan of the Temagami;

NOW THEREFORE the Council of the Corporation of the Municipality of Temagami enacts as follows:

1. Amendment No. 3 to the Official Plan for the Municipality of Temagami, consisting of the explanatory text is hereby adopted.
2. That the Clerk of the Municipality of Temagami is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the by-law and schedule, after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.

This By-law will take effect on the date of its passage, subject to the provisions of Section 34(30) and (31) of the Planning Act, R.S.O. 1990, c.P.13.

READ A FIRST AND SECOND TIME on the _____ day of _____, 2018.

READ A THIRD TIME and finally passed this _____ day of _____, 2018.

Lorie Hunter, Mayor

Elaine Gunnell, Municipal Clerk

Certification

Certified that the above is a true copy of By-law No. 2018-____ as enacted and passed by Council of the Municipality of Temagami on the ____th day of _____, 2018.

Elaine Gunnel, Municipal Clerk

THE CONSTITUTIONAL STATEMENT

The following Amendment to the Official Plan for the Municipality of Temagami consists of three parts:

Part A – THE PREAMBLE does not constitute part of this Amendment.

Part B – THE AMENDMENT, consisting of the text of Amendment No. 3 to the Official Plan to the Municipality of Temagami. There is no map or schedule associated with the Amendment.

Part C – THE APPENDICES do not constitute part of this Amendment. The appendices contain the background material, planning considerations and public involvement associated with this Amendment.

Part A – Preamble

Purpose

The purpose of this amendment is to include policies in the Municipality of Temagami Official Plan to implement Provincial policies regarding second units, and to permit second units within all neighbourhoods in the Municipality following direction from Council.

This amendment implements the goals and objectives of the Official Plan by providing opportunities for a range of housing types and densities to accommodate a diversity of lifestyles, age groups, income levels and persons with special needs.

Location

Amendment No. 3 is a textual amendment and generally applies to all lands within the Municipality, therefore there is no schedule provided with the Amendment.

Basis

The Provincial Policy Statement (2014), the Strong Communities through Affordable Housing Act (2011), and the Promoting Affordable Housing Act (2016) provide direction to Municipalities to provide for opportunities for the development of affordable housing in the form of second units in their planning documents, Official Plans and Zoning By-laws.

In adopting this Official Plan Amendment, Council relies on the following basis:

- The Provincial Policy Statement (2014) which speaks to the accommodation of an appropriate range and mix of residential, including second units, affordable housing and housing for older persons;
- Bill 140, The Strong Communities through Affordable Housing Act, 2011 which came into effect on January 1, 2012. This Bill made changes to the Planning Act, expanding on the affordable housing options by requiring that municipalities set policies that would allow second units in new and existing developments provided that they are in appropriate areas;
- Bill 7, The Promoting Affordable Housing Act, 2016, and Ontario's Long Term Affordable Housing Strategy Update, which expanded and enhanced the range of land use planning and municipal finance tools that municipalities can use to build more affordable market housing; and
- The Municipality of Temagami's Official Plan which sets out policies to promote affordable housing.

The Provincial policy framework related to promoting affordable housing encourages and requires Municipalities to permit second units in some form, at the discretion of the Municipality within their planning documents. Council has provided direction to permit second units in the form of accessory apartment in all neighbourhoods of the Municipality, including shoreline properties.

Part B – The Amendment

1.0 Introductory Statement

Part B – The Amendment, consisting of the following text constitutes Amendment No. 3 to the Official Plan for the Municipality of Temagami.

2.0 Details of the Amendment

The Official Plan of the Municipality of Temagami is amended in accordance with the following:

A) Revision to text within Section 2.2.2 Housing as follows:

(red text represents additions or deletions)

Housing in the rural areas is currently limited to single detached dwelling units, in keeping with the existing character of the area and in recognition of the servicing constraints. The policies of this Plan contemplate the possible introduction of higher density residential uses in the form of condominium and similar developments, subject to the policies of this Plan. Garden suites and accessory apartments ~~in houses~~ are not permitted in the rural area.

Accessory apartments may be permitted in single detached dwellings or in a building or structure ancillary to a single detached dwelling within the rural area (including shoreline properties) provided that:

- Not more than one accessory apartment unit is permitted in association with each principal dwelling on the same lot;
- All requirements of the Zoning By-law, including the provisions to govern compatibility with the principal dwelling and surrounding land uses, as well as the size of the accessory apartment and other standards including the Building Code and other relevant municipal and provincial regulations can be satisfied;
- It has been determined that on-site servicing, including a septic system and private wells, have sufficient capacity for the accessory apartment.
- An accessory apartment shall not be permitted in the front yard as defined by the Zoning By-law.

The Zoning By-law shall contain provisions to regulate the establishment of accessory apartments.

New residential development may occur in rural areas through limited severances on existing patented lots and by the creation of new lots from Crown

land in a manner that allows for the conservation of wilderness and semi-wilderness values; and considers the impact of adjacent uses.

B) Include Accessory Apartment as a permitted use in various designations

Sections 4.3.3, 5.3.3, 6.3.3, 7.3.3 & 8.3.3 shall be amended by including “accessory apartment” as a permitted accessory use.

C) Delete definition of ‘Apartments-in-House’ from Appendix C

~~Apartments-in-House — These are second self-contained units in detached or semidetached houses in a residential zone serviced by a publicly owned or operated sewage system and which satisfy special provisions of the Ontario Building Code and the Fire Code.~~

D) Add new definition of ‘Accessory Apartment’ from Appendix C

Accessory Apartment - A self-contained dwelling unit created by either an interior renovation ~~within an existing dwelling~~, or as an exterior addition to a dwelling or accessory building.

All other policies of the Official Plan of the Municipality of Temagami shall apply.

3.0 Implementation and Interpretation

The provisions of the Official Plan regarding the implementation of that Plan shall also apply to this Amendment. In all other respects the provisions of the Municipality of Temagami Official Plan shall apply.

Upon approval of this Amendment, Council shall consider an implementing Zoning By-law.

The provisions of the Official Plan, as amended from time to time, shall apply in regard to the Amendment.

Part C – The Appendices

1. Planning Information Report, prepared by MHBC, March 13, 2018
2. Resolution of Committee of the Whole regarding Second Units, March 13, 2018.
3. Planning Information Report, prepared by MHBC, April 11, 2018
4. Planning Report regarding Second Units OPA, prepared by MHBC, May 10, 2018

MUNICIPALITY OF TEMAGAMI	
Report Prepared For:	Tammy Lepage
Report Prepared By:	Jamie Robinson, MCIP, RPP
Subject:	Information Report Municipal Wide Official Plan Amendment regarding Secondary Suites
Report Date:	March 13, 2018

A. BACKGROUND

At the regular Council meeting held on November 23, 2017, Council received Memo 2017-M-103 from the Planning Advisory Committee (PAC) and adopted the recommendation of the PAC. Council directed Staff to commence an Official Plan Amendment application pertaining to permissions for second units.

A second unit can be defined as a self-contained residential unit, with a private kitchen, bathroom facilities and sleeping areas, the dwelling or structure must be ancillary to the main dwelling. Some of these second units can be basement apartments, granny flats, in-law apartments. Second units are used to increase efforts in affordable rental accommodation and to help with ageing communities like Temagami.

The first task in the process is to review the applicable legislative and policy framework. This review is to provide the PAC with this information, so that direction can be provided regarding the scope of any Official Plan Amendment.

Provincial Policy Framework

2014 Provincial Policy Statement (PPS)

Section 1.1.1 of the 2014 Provincial Policy Statement (PPS) speaks to the accommodation of an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs.

Section 1.4.3 of the PPS goes on to state that planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents by permitting and facilitating all forms of residential intensification, including second units.

The Strong Communities through Affordable Housing Act, 2011

Bill 140, The Strong Communities through Affordable Housing Act, 2011 came into effect on January 1, 2012. The Strong Communities through the Affordable Housing Act amended various sections of the Planning Act to facilitate the creation of second units by:

- requiring municipalities to establish official plan policies and zoning by-law provisions allowing second units in detached, semi-detached and row houses, as well as in ancillary structures;
- removing the ability to appeal the establishment of these official plan policies and zoning by-law provisions except where such official plan policies are included in five- year updates of municipal official plans; and,
- providing authority for the Minister of Municipal Affairs and Housing to make regulations authorizing the use of, and prescribing standards for, second units.

Bill 140, made changes to the Planning Act including the expansion of affordable housing options by requiring that municipalities establish policies that would allow second units in new and existing developments provided that they are in appropriate areas. This Bill amended Section 16 of the Planning Act to require that municipalities include policies that allowed for second units by authorizing: a) the establishment of a secondary unit in an existing dwelling; or b) use of a residential unit in a building or structure accessory to an existing dwelling.

While providing for second units as one tool to promote affordable housing initiatives, the Province also recognized that there is a need for municipalities to assess several considerations in developing and implementing these types of official plan policies and zoning provisions. Provincial documentation (<http://www.mah.gov.on.ca/Page9575.aspx>) notes that:

- *Second units should be permitted in both existing residential communities and in newly developing areas. Newly developing areas offer the opportunity to plan proactively for second units. This includes the design of the actual houses and in the lot fabric or neighbourhood layout where ancillary structures like laneway garages could be integrally incorporated into the design. Municipalities and development proponents should specifically consider second units in the planning of new neighbourhoods.*
- *While the Act requires municipalities to permit second units, the government recognizes there may be inherent constraints within portions of a municipality or community which would make those areas inappropriate for second units (such as flood-prone areas or those with inadequate servicing). Municipalities should consider any such constraints in developing or reviewing second unit policies.*
- *While the Act requires municipalities to permit second units in detached, semi-detached and row housing, and in ancillary structures, the provisions permit one additional unit (i.e., a second unit) either in a house (e.g., basement) or in an ancillary structure (e.g., above laneway garage) on the*

same lot. Municipalities should assess where second units may be appropriate in the primary dwelling versus the ancillary structure. In some instances, municipalities may conclude it is appropriate to allow a second unit in both. However, in these situations, the sheltering of appeals does not extend to the third unit. Any party would be able to appeal the authorization of the third unit to the Ontario Municipal Board.

- *Municipalities that currently permit second units will need to review their official plans and zoning by-laws to assess whether they are permitted in the range of housing types listed in the Act.*
- *While the Act introduced a regulation-making ability for the Minister of Municipal Affairs and Housing to prescribe minimum standards for second units, a regulation has not been issued under this authority. As such, municipalities are responsible for determining what standards or zoning provisions should apply to second units in relation to matters such as minimum unit size or parking requirements. Standards should support the creation of second units.*

The Promoting Affordable Housing Act, 2016

Bill 7, The Promoting Affordable Housing Act, 2016, amends four Acts to help increase the supply of affordable housing and modernize social housing by:

- Giving municipalities the option to implement inclusionary zoning, which requires affordable housing units to be included in residential developments.
- Making secondary units such as above-garage apartments or basement units in new homes less costly to build, by exempting them from development charges. Secondary units are a potential source of affordable rental housing and allow homeowners to earn additional income.
- Giving local service managers more choice in how they deliver and administer social housing programs and services to reduce wait lists and make it easier for people in Ontario to access a range of housing options.
- Encouraging more inclusive communities and strengthening tenant rights by preventing unnecessary evictions from social housing and creating more mixed-income housing.
- Gathering data about homelessness in Ontario by requiring service managers to conduct local enumeration of those who are homeless in their communities, so that Ontario can continue to work towards its goal of ending chronic homelessness by 2025.

Municipality of Temagami Official Plan

Section 2.2.2 Housing of the Municipality of Temagami's Official Plan (OP) has set out policies to promote affordable housing. While promoting affordable housing within the community, the Municipality will also face challenges of lot sizes, severances and also availability of municipal

services. The long term goal of the Municipality is to ensure that municipal services such as: water and sewer are continued. It is also the goal of the municipality to encourage and provide facilities to meet the aging population growth within the community.

As it relates to second units, the current Official Plan includes policies regarding accessory apartments, including,

Accessory apartments may be permitted in single detached or semi-detached dwellings or rowhouses, or in a building or structure ancillary to a single detached or semi-detached dwelling or rowhouse provided that:

- *Not more than one accessory apartment unit is permitted in association with each principal dwelling on the same lot;*
- *All requirements of the Zoning By-law, including the provision of adequate parking, of the Building Code and other relevant municipal and provincial regulations can be satisfied;*
- *It has been determined that municipal services and community facilities are adequate to meet the anticipated demand for accessory apartments.*

The Official Plan also makes provision for the establishment of a “garden suite” through the use of temporary use by-laws.

Section 4.4.1.1 of the Official Plan speaks to Low Density Residential uses and states that such uses include single detached, semi-detached, duplex dwelling units, “garden suites” and accessory apartments, in accordance with Section 2.2.2 of the Plan.

It is noted that garden suites and apartments in houses are not permitted in the Rural area. The Housing policies of Section 2.2 state the following with respect to Rural Areas,

Housing in the rural areas is currently limited to single detached dwelling units, in keeping with the existing character of the area and in recognition of the servicing constraints. The policies of this Plan contemplate the possible introduction of higher density residential uses in the form of condominium and similar developments, subject to the policies of this Plan. Garden suites and apartments in houses are not permitted in the rural area. New residential development may occur in rural areas through limited severances on existing patented lots and by the creation of new lots from Crown land in a manner that allows for the conservation of wilderness and semi-wilderness values; and considers the impact of adjacent uses.

Municipality of Temagami Zoning By-law

Section 6 of the Municipality’s Zoning By-law relates to General Provisions for All Zones. Subsection 6.03 states,

An accessory apartment for the use of the owner or operator is permitted in certain commercial buildings, in accordance with the provisions of this By-law. Rental apartment units are permitted on the upper floor or floors of certain commercial buildings, in accordance with this By-law.

Apartments in houses shall be subject to the Ontario Regulation Number 384/94 of the Ontario Planning Act.

Subsection 6.19 relates to Garden Suites and states,

The gross floor area of the garden suite shall not exceed thirty percent (30%) of the existing living area of the primary residence or seventy one (71) square metres in gross floor area on a lot zoned residential, whichever is lesser. The units are portable so that when they are no longer required they may be removed and relocated to a new site. (By-law 13-1121).

Subsection 7.7 of the Zoning By-law pertains to Low Density Residential (RL) Zone. Subsection 7.7.3 outlines restrictions within the Low Density Residential Zone, as follows:

Only one accessory building is permitted on a divided semi-detached lot.

A garden suite is permitted on a single detached lot, subject to the passage of a temporary use by-law.

An accessory apartment in a single detached or semi-detached dwelling unit is permitted, subject to a rezoning.

A garden suite is not permitted in conjunction with a bed and breakfast establishment.

B. COMMENTS

Provincial legislation is in place which promotes second units as a form of affordable housing. Such second units could be in the form of an accessory apartment (either in a dwelling or an accessory building), or the establishment of a “garden suite”.

The Municipality's Official Plan and Zoning By-law provides policies and regulations that are appropriate for the establishment of garden suites through the application of a temporary use by-law. This is in-keeping with Provincial legislation.

The Municipality's Official Plan has taken steps towards facilitating the establishment of accessory apartments, however, the current policies may be seen as somewhat restrictive and perhaps not fully implementing Provincial policies. The Official Plan provides for accessory apartments in single detached or semi-detached dwellings or rowhouses, or in a building or structure ancillary to a single detached or semi-detached dwelling or rowhouse, however, this appears to be limited to those properties which are designated Low Density Residential.

Medium and High Density Residential Areas have specific permissions/provisions relating to multi-unit residential buildings which would be beyond what would fall within the category of an “accessory apartment”. The Municipality must ensure that such second units can be adequately serviced (water, sewer/septic, roads, parking, etc.).

As noted previously, the Province recognizes that there may be inherent constraints within portions of a municipality or community, which would make those areas inappropriate for second units; flood-prone areas, waterfront areas/developments on private roads that are not maintained and where emergency access may be limited, areas adjacent to lakes with limited lake capacity, areas of recreational dwelling where there may be a lack of year round roads and/or which lack other daily needs and services residents may require. It is possible, however, to extend permissions relating to accessory apartments beyond just lands designated Low Density Residential while still addressing such types of constraints in a reasonable manner. For example, an accessory apartment may be able to be accommodated within a single detached residential unit within the rural area; appropriately serviced via private well and septic and with access via a public road. Provisions would still be needed to ensure that such accessory apartments are limited in scale so as to maintain the residential character of the property.

Accessory apartments are to be truly “accessory” to the main residential use of the property and it would be important to ensure that provisions were in place to maintain that appearance.

Accessory apartments are to be a tool to assist municipalities in addressing the provision of affordable housing. It is not intended to extend to seasonal, recreation uses.

It is recognized that a goal of the Municipality is to maintain shorelines and the area between the shoreline and any buildings in their natural state and as a vegetative buffer, to protect the visual and environmental integrity of the lakes. The Official Plan speaks extensively about the importance of protecting the wilderness and semi-wilderness values of Lake Temagami. In-keeping with this, it would be recommended that permissions for secondary units not be extended to those lands along shoreline areas.

C. CONCLUSION AND RECOMMENDATION

Based on the research that has been completed, the Municipality of Temagami has policies in the Official Plan that permit accessory apartments (second units) to be developed within Urban Areas.

The Official Plan does not have policies in place to permit second units in Rural and Shoreline Area.

Based on the information contained in this Report, there does not appear to be support to permit second units on shoreline properties outside of the Urban Area as these properties are generally used for recreational purposes. The Municipality would be best served, to focus second units first

in the Urban Area and secondly in Rural Areas. There are two options to consider. They are as follows:

- 1) OPA - Undertake an OPA to update the Urban Accessory Apartment policies and establish Rural Area policies to permit accessory apartments.
- 2) Status quo – Do not undertake an OPA at this time, and continue to permit accessory apartments in Urban Areas.

It is recommended that Staff be directed to prepare an Official Plan Amendment to update the second unit (accessory apartment) policies of the Official Plan to permit accessory apartments in Rural Areas and to update the current policies pertaining to Urban areas.

Respectfully Submitted,

MHBC Planning

A handwritten signature in black ink, appearing to read 'J. Robinson', with a long horizontal flourish extending to the right.

Jamie Robinson, BES, MCIP, RPP
Partner



**THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI
Special Council- CoW**

Agenda Number: 17.4
Legislative Number: 18-081
Title: Second Units
Date: 03/13/2018

MOVED BY: R. Prefasi
SECONDED BY: D. Burrows

WHEREAS PAC has requested that Council deal with the issues of second units by allowing them in all neighbourhoods therefore BE IT RESOLVED THAT that Council direct staff to begin the process of amending Temagami's Official Plan to allow second units in all neighbourhoods

YES: 3

NO: 2

ABSTAIN: 0

ABSENT: 2

CARRIED

YES: 3

D. Burrows

J. Harding

R. Prefasi

NO: 2

L. Hunter

C. Lowery

ABSTAIN: 0

ABSENT: 2

B. Koski

D. O'Mara

Declaration of Conflict of Interest:

A true copy of the resolution by the Council of the Municipality of Temagami

MUNICIPALITY OF TEMAGAMI	
Report Prepared For:	Tammy Lepage
Report Prepared By:	Jamie Robinson, MCIP, RPP
Subject:	Second Unit Official Plan Amendment Update and Summary of Process
Report Date:	April 11, 2018

A. OVERVIEW

This Report has been prepared to provide details regarding the processing of a Municipally initiated Official Plan Amendment to include secondary unit policies in the Official Plan.

At a Special Meeting of Council held on March 13, 2018, Committee of the Whole passed a resolution regarding an Official Plan Amendment to implement policies regarding second units as follows:

WHEREAS PAC has requested that Council deal with the issues of second units by allowing them in all neighbourhoods therefore BE IT RESOLVED THAT that Council direct staff to begin the process of amending Temagami's Official Plan to allow second units in all neighbourhoods.

Following the resolution passed on March 13, 2018, we have commenced the drafting of Official Plan policies that will implement the inclusion and permissions for second suites on properties within the Municipality. A draft Official Plan Amendment is expected to be completed by the end of April. Once prepared, there will be opportunity for PAC, Council, Staff and members of the public to review the document and to provide comments.

B. APPLICATION PROCESS

Regulation 525/97 of the *Planning Act* includes municipalities that are exempt from approvals from the Ministry of Municipal Affairs for Official Plan Amendments. As of January 1, 2015, the Municipality of Temagami is considered to be exempt from approvals from the Ministry of Municipal Affairs for Official Plan Amendments, under Section 17 of the *Planning Act*.

The processing of the Official Plan Amendment Application requires that a Public Meeting be held.

Notice for a Public Meeting concerning an Official Plan Amendment is required to be issued 20 days prior to the Public Meeting.

As part of the circulation of the Notice, the Notice, along with a copy of the draft Official Plan Amendment, will be circulated to commenting agencies including the Ministry, Health Unit and MTO.

Following the Public Meeting, comments that have been provided will be reviewed and evaluated. The draft Official Plan Amendment will be revised as necessary prior to the final Official Plan Amendment and a recommendation report will be provided to Council for consideration.

C. SUMMARY

Following preparation of the draft Official Plan Amendment, which will include policies to be implemented into the Municipality's Official Plan to permit second units, the Municipality will schedule a Public Meeting as required under the *Planning Act*. It is anticipated that a Public Meeting would be able to be held at a Council Meeting in June of 2018.

Respectfully Submitted,

MHBC Planning

A handwritten signature in black ink, appearing to read 'J. Robinson', with a long horizontal flourish extending to the right.

Jamie Robinson, BES, MCIP, RPP
Partner