



# The Corporation of the Town of Milton

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Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: March 6, 2023

Report No: DS-011-23

Subject: Additional Residential Units - Policies and Regulations Update

**Recommendation:** THAT Report DS-011-23 providing background information for the additional residential units policies and regulations update be received for information;

AND THAT Council directs Staff to consult with the public and stakeholders regarding additional residential units policies and regulations;

AND THAT Council directs Staff to draft Official Plan policy and regulatory by-law updates for Council's consideration.

## EXECUTIVE SUMMARY

The Province of Ontario recently changed planning legislation to permit two additional residential units "as-of-right" on urban residential lots that have a detached house, semi-detached house or rowhouse. The Town needs to update its policies and regulations to implement provincial legislation and adequately regulate the mandated additional residential units.

This report provides background information about additional residential units, the existing policy framework and the Town's existing regulations. A discussion is provided for why this update is needed, as well as the considerations to take into account for additional residential unit policies and regulations.

Although the Province's "as-of-right" permissions for additional residential units only apply to the Town's Urban Area, the policies and regulations for the Town's Rural Area will also be reviewed. The provincial legislation does not require permissions for additional residential units in rural areas.

Should Council approve this report, Staff will proceed with next steps to conduct consultations with the public and stakeholders. Staff will also proceed to draft updates for the Town's Official Plan policies, Zoning By-law regulations and any other required regulatory by-laws. Staff plans to bring the draft additional residential units policy and

## **EXECUTIVE SUMMARY**

regulation updates to Council for consideration during a Public Meeting in May 2023 and the final recommendations for adoption in July 2023.

## **REPORT**

### **Background**

At the March 21, 2022 Council meeting, Staff provided [Report DS-017-22](#) summarizing the recommendations from the February 2022 Ontario Housing Affordability Task Force report. Based on the recommendations from the Task Force's report, the Ontario government has been making legislative changes in an effort to increase housing supply in the Province.

On October 25, 2022, the Ontario government introduced Bill 23, the More Homes Built Faster Act, which subsequently passed on November 28, 2022. Bill 23 included changes to the Planning Act that now provides "as-of-right" permissions for additional residential units on detached house, semi-detached house and rowhouse lots in urban areas across the Province.

### **What are Additional Residential Units (ARUs)?**

"Additional residential units" (ARUs) under the Planning Act refers to a second and a third residential unit in addition to a primary residential unit, for a total of three units, on a residential lot containing a detached house, semi-detached house or rowhouse.

All three units, including the primary residential unit and the two ARUs, may be located within the detached house, semi-detached house or rowhouse. Alternatively, one ARU may be located in an accessory building or structure on the lot, and the other ARU and the primary residential unit may be located in the primary house.

Please see Appendix A for illustrations of additional residential unit examples.

ARUs are also referred to as second units, secondary suites, accessory dwelling units, basement apartments, coach houses, laneway houses, garden suites, tiny homes, granny flats, in-law apartments or nanny suites.

To constitute a "residential unit", the unit needs to include a set of self-contained rooms containing kitchen and bathroom facilities intended for the exclusive use of the unit. The Planning Act does not include a definition for "rowhouse", however a rowhouse typically refers to a townhouse. Staff will consult with the Province regarding the definition of rowhouse as it applies to additional residential units.

### **Bill 23 Planning Act Provisions for ARUs**

With the passing of Bill 23, the Planning Act (the Act) now does not allow any municipal Official Plan policy or Zoning By-law regulations to prohibit additional residential units (ARUs) on a parcel of urban residential land. A "parcel of urban residential land" is

## Background

defined by the Act to mean a parcel of residential zoned land that has municipal drinking water and sewage servicing. As such, the Bill 23 “as-of-right” permissions for ARUs only apply to urban areas that have municipal drinking water and sewage servicing, such as the Town’s Urban Area.

The Act now also prohibits Official Plans and Zoning By-laws from requiring more than one parking space per unit for the three residential units (which includes the primary residential unit and the two ARUs) permitted per parcel/lot. Any policy or regulation regulating minimum floor area for any of the three units is also prohibited.

The Bill 23 Planning Act also includes the provision that any municipal Official Plan policy or Zoning By-law regulation contravening the prohibitions regarding ARUs described above no longer has any effect.

For a more detailed description of Planning Act provisions for ARUs and a summary of the provincial policy planning framework, please see the policy review in Appendix B.

### Town of Milton ARU Regulations

Within the Town’s Urban Area, the Urban Zoning By-law only permitted one additional residential unit (ARU) within a detached house or a semi-link house. No ARU was permitted in a semi-detached house or rowhouse/townhouse, or in an accessory building or structure.

The Planning Act (the Act) now “as-of-right” permits up to three residential units on an urban residential lot and this permission overrides any conflicting municipal Zoning By-law regulations. Property owners may now apply for building permits to add the two ARUs per lot permitted by the Act. However, any regulations in the Town’s Zoning By-law not contravening the Act still apply and proposed ARUs are still subject to those regulations.

Within the Town’s Rural Area, the Rural Zoning By-law only permits one ARU in a detached house if it is on full municipal water and sewage services. Since no lots in the Rural Area have full municipal water and sewage services, ARUs are in practice not currently permitted in the Rural Area. The new Planning Act ARU provisions do not apply to the Rural Area.

For a more detailed description of the Town’s Urban and Rural Zoning By-law regulations regarding ARUs, please see the policy review in Appendix B.

## Discussion

### Why Update the Town’s ARU Policies and Regulations for the Urban Area?

Municipal land use planning must be carried out in accordance with the Planning Act. The Town’s Official Plan policies and Urban Zoning By-law regulations do not conform to

## Discussion

the current Planning Act provisions regarding additional residential units (ARUs), and as such need to be updated.

The Town's current regulations in the Urban Zoning By-law are not designed with the consideration of permitting the ARUs described in the Planning Act. For example, since a residential unit was not permitted within an accessory building or structure by the Town, the Town's Zoning By-law does not include regulations in consideration of human habitation within an accessory building or structure.

The Town's Urban Zoning By-law regulations and Official Plan policies regarding ARUs need to be reviewed and updated in accordance with the Planning Act requirements, but also taking into consideration other provincial and municipal interests such as ensuring health and safety, enhancing sustainability, the efficient use of existing infrastructure and protecting community character.

In conjunction with Bill 23, the Ontario government has assigned the Town of Milton a housing target of 21,000 new homes by 2031. Enabling ARUs, in accordance with the updated provincial legislation, will facilitate housing creation and contribute to meeting the Province's housing target for the Town.

ARUs also contribute to the supply of rental housing options, support diverse demographic needs such as multi-generational living and aging-in-place, and support homeownership viability by allowing the potential for homeowners to earn extra income.

Updating the Town's ARU policies and regulations will implement the Province's directive to facilitate housing creation and also provide homeowners with clear criteria for adding additional residential units that ensures Milton's community goals are met.

### **ARU Policy and Regulation Considerations**

Staff reviewed the ARU policies and regulations of a number of municipalities in Ontario, through a 'municipal scan', to examine ARU concerns, considerations and best practices. Some of the issues, considerations and best practices for updating Milton's ARU policies and regulations is discussed below. For a more detailed discussion and summary of the municipal scan, please see Appendix C & D.

As part of the public consultation process, Staff will consult with the public, agencies and stakeholders regarding any additional concerns and considerations for ARUs. All concerns raised will be considered and addressed in the final recommendation to Council for policy and regulation updates.

### *Number of ARUs and Configuration*

Milton's additional residential units (ARU) policies and regulations will be updated in accordance with Planning Act (the Act) requirements. As such, within the Urban Area where municipal drinking water and sewage services are available, the Town's policies and regulations will be updated to permit two ARUs on a lot with a detached house,

## Discussion

semi-detached house or rowhouse. ARUs will be subject to the updated development standards that will be set out in the Urban Zoning By-law.

In accordance with the Act, the Town's policies and regulations will also be updated to permit both ARUs within a detached house, semi-detached house or rowhouse. Alternatively, one ARU may be located within a building or structure accessory to a detached house, semi-detached house or rowhouse and the other ARU within the primary house.

### *Parking*

Additionally, as mandated by the Act, the Town's regulations for ARUs may not result in more than one off-street parking space required for each of the three units per lot, including the primary residential unit and the two ARUs. Municipalities have the choice of establishing a lower parking rate per unit. Not enough off-street parking has the potential to exacerbate on-street parking issues. Through the municipal scan, almost all the municipalities reviewed that allow two ARUs per lot require a minimum of one off-street parking space per unit.

### *Minimum Floor Area*

Also as mandated by the Act, the Town's regulations will not include minimum floor area requirements for the primary residential unit and the two ARUs permitted. However, it should be noted that the Ontario Building Code has minimum size requirements for rooms within a unit, which still need to be met.

### *Increased Density and Population*

The Planning Act's requirement to permit ARUs will result in some increased density and population in low and medium density neighbourhoods. However, it should be noted that not every lot with a detached house, semi-detached house or rowhouse will necessarily be able to accommodate two ARUs.

As mentioned, proposed ARUs will be required to meet the development standards that will be set out in the Urban Zoning By-law, as implemented through this policies and regulations update. For example, smaller sized lots may not be able to meet the parking requirements for two ARUs or townhouse lots may not be able to add an ARU in the backyard due to fire access constraints.

Through the municipal scan, it is common among the municipalities reviewed to regulate the maximum size of ARUs. Limiting the size of ARUs generally have the effect of limiting the number of residents within a unit.

### *Infrastructure Servicing Capacity*

In the Urban Area, ARUs may be added on land served by municipal drinking water and sewage services. To assess infrastructure capacity, a forecasted number of units and population will be required. However, as has been the experience of other municipalities, it is difficult to forecast ARU supply. The extent homeowners will add ARUs will depend

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on personal, financial and market factors. Drinking water and sewage infrastructure is provided and managed by Halton Region. Staff will consult with Halton Region regarding servicing capacity for ARUs.

### *Stormwater Management*

Stormwater management in local neighbourhoods is the responsibility of the Town. Soft surfaces, such as grass, infiltrate rain and melted snow to reduce runoff. Hard surfaces, such as driveways and paved parking, do not infiltrate stormwater and can contribute to flooding. The Town maintains soft surfaces on residential lots by regulating maximum lot coverage and minimum landscaped open space. These regulations should be maintained for stormwater management purposes, but may be reviewed in consideration of ARUs.

Changing the grading on residential lots, for ARUs in an addition to the primary building or in an accessory building or structure, have the potential for flooding impacts on neighbouring properties. Staff will review existing and potential municipal processes that can ensure proper grading of residential lots.

### *Neighbourhood Character*

Milton's neighbourhoods, particularly the Mature Neighbourhood Areas as identified in the Official Plan, have an established sense of place and neighbourhood character. Through the municipal scan, other municipalities have also identified compatibility with the existing physical character of established neighbourhoods as a policy and regulation consideration for ARUs.

Examples of regulations from other municipalities to address compatibility with existing neighbourhood character include limiting the floor area of ARUs, not permitting an ARU within an accessory building to be located in the front yard and not permitting a separate entrance for an ARU on the front façade of a house to maintain the overall appearance from the street.

### *Impacts on Adjacent Properties*

The Town's Urban Zoning By-law includes regulations such as minimum setbacks from lot lines, minimum distance separation between building walls and maximum building heights to mitigate the impact of built forms on adjacent residential lots. For the forms of ARUs now permitted by the Planning Act, the Town's existing regulations will be reviewed to consider impacts on adjacent properties such as privacy and overlook, and sun and shadow impacts.

Regulations that other municipalities use to limit the impact of ARUs on adjacent lots include limiting the size of ARUs and/or establishing special setbacks for ARUs. For ARUs within an accessory building or structure, examples of regulations include height limits, decks and balconies restrictions, and angular plane regulations to control building massing.

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### *Health and Safety*

Health and safety for ARUs will continue to be ensured through the requirement of a building permit for the construction of an ARU. The building permit process includes review of plans to ensure an ARU meets the Ontario Building and Fire Codes, and inspection of the unit after construction completion by Town Building Staff to approve the unit for occupancy.

Access for fire and emergency services to ARUs is also an important consideration. The Ontario Building Code requires access for fire department equipment to each building from a street, private roadway or yard. Through the municipal scan, other municipalities typically require a minimum 1.2 metre wide unobstructed pedestrian path of travel from the street to the entrance of ARUs. Additionally, the travel distance between the street to the entrances of ARUs must not exceed the reach of firefighting equipment.

Staff, in consultation with Milton Fire and Rescue Services and Halton Region Emergency Medical Services, will review fire and emergency access requirements for ARUs.

### *Housing Policy*

While regulations for ARUs are needed to ensure health and safety, and manage other concerns such as compatibility with the existing neighbourhood, the role of ARUs in contributing to housing options should be considered as part of the Town's housing strategy. Facilitating ARUs will increase the supply of rental housing in the Town and provide housing options for aging-in-place and multi-generational living, which contributes to housing affordability. ARUs may also support the creation of affordable housing and contribute to the Town's affordable housing targets.

### **Review of Rural Area ARU Policies and Regulations**

Although the Bill 23 Planning Act "as-of-right" provisions for additional residential units (ARUs) do not apply to rural areas, Staff have received inquiries expressing interest for additional residential units in Milton's Rural Area. The majority of Milton's Rural Area consists of significant environmental lands and agricultural areas within the Greenbelt and the Niagara Escarpment. The Greenbelt Plan and the Niagara Escarpment Plan are provincial plans that govern land use within these areas, including policies regarding ARUs.

The majority of the Greenbelt within the Town is identified as part of the Greenbelt's Natural Heritage System. The Greenbelt Plan does not permit an ARU within its Natural Heritage System. Outside of the Natural Heritage System, within the Greenbelt, one ARU is permitted within a detached house or within an accessory structure that existed on July 1, 2017 on the same lot.

On Niagara Escarpment lands, the Niagara Escarpment Plan (NEP) permits one ARU within a detached house on lands designated Escarpment Rural Area and Escarpment Recreation Area, subject to the NEP's General Development Criteria. An ARU is not

## Discussion

permitted within an accessory building or structure, and not permitted on lands designated Escarpment Natural Area, Escarpment Protection Area and Mineral Resource Extraction Area.

The Town's policies and regulations are required to be in accordance with provincial plans and policies including the Greenbelt Plan and the Niagara Escarpment Plan. For areas where an ARU is not prohibited under a provincial plan, Staff will undertake a review to examine if the Town's ARU policies and regulations may be updated to better address the needs of the rural community. Factors such as private servicing and farm land protection will be taken into consideration.

As part of the public consultation process, Staff will consult with rural residents for a better understanding of the need and demand for ARUs in Milton's rural communities. Staff will also consult with the Province, Halton Region and other agencies regarding ARU policies and regulations in Milton's Rural Area.

For a more detailed summary of ARU policies within provincial policies and plans, including the Greenbelt Plan and the Niagara Escarpment Plan, please see the policy review in Appendix B. A map showing the Greenbelt, including the Natural Heritage System, and the Niagara Escarpment is included on the last page of Appendix B.

### **Next Steps, Consultation Strategy and Timeline**

Should Council approve the recommendations of this report, Staff will initiate consultations with the public and stakeholders, and draft updates for the Town's Official Plan policies, Zoning By-law regulations and any other required regulatory by-laws.

For consultation with the public, a webpage for this project will be set up on the "Let's Talk Milton" community engagement platform. This background report and additional information will be posted on the webpage to inform the public. An online survey will be conducted to better understand the public's views, opinions and concerns about additional residential units (ARUs). Additionally, Staff will hold a Public Information Centre to present information, answer questions and seek feedback. Throughout the consultation process, the public will be welcome to provide comments through the "Let's Talk Milton" website or by directly contacting Staff.

A Technical Advisory Committee has been formed consisting of various Town departments to discuss ARU policies and regulations. Agencies such as the Province, the Niagara Escarpment Commission, Halton Region, the Conservation Authorities, the School Boards, and the local building industry and land development association (BILD) will be consulted about proposed ARU policies and regulations.

Staff will draft policy and regulation updates, taking into consideration the feedback from consultations with the public and stakeholders. The draft of the policy and regulation updates will be presented to Council and the public for consideration during a Public Meeting. The draft policy and regulation updates may be revised in consideration of





### Discussion

comments received during the Public Meeting. A final draft of the policy and regulation updates will be recommended to Council for adoption.

The timeline for this project is planned as follows:

- Consultation Process: March to May 2023
- Public Information Centre: April 2023
- Public Meeting: May 2023
- Recommendation for Adoption: July 2023

### Financial Impact

ARU's were already largely exempt from development charges under the Development Charges Act, therefore any additional volume of new units created due to the newly allowed "as of right" residential units will result in additional exemption costs to the Town. The exemptions for secondary dwelling units were already a growing cost for the Town amounting to \$2.59 million of the \$3.26 million in total exemptions in 2021, as reported in CORS-030-22. In 2022 the cost for secondary unit exemptions amounted to \$2.24 million. As required by legislation, this cost must be funded from a source other than development charges, and as such the Town utilizes property taxes to fund exemptions.

Once created, the new additional dwelling units will potentially increase the value of the property and any such additional assessment value may translate to incremental property tax revenue for the Town. Town services will be required for the additional population growth that is provided for through the new units, and as such there will be a related incremental operating cost to the Town as well.

Respectfully submitted,

Jill Hogan  
Commissioner, Development Services

For questions, please contact:  
Wendy Chen, Policy Planner

Phone: Ext. 2296



## Attachments

Appendix A: Additional Residential Units - Illustrative Examples

Appendix B: Additional Residential Units - Policy Review

Appendix C: Additional Residential Units - Municipal Best Practices

Appendix D: Additional Residential Units - Municipal Scan Analysis Tables

Approved by CAO  
Andrew M. Siltala  
Chief Administrative Officer

## Recognition of Traditional Lands

The Town of Milton resides on the Treaty Lands and Territory of the Mississaugas of the Credit First Nation. We also recognize the traditional territory of the Huron-Wendat and Haudenosaunee people. The Town of Milton shares this land and the responsibility for the water, food and resources. We stand as allies with the First Nations as stewards of these lands.

## Additional Residential Units - Illustrative Examples

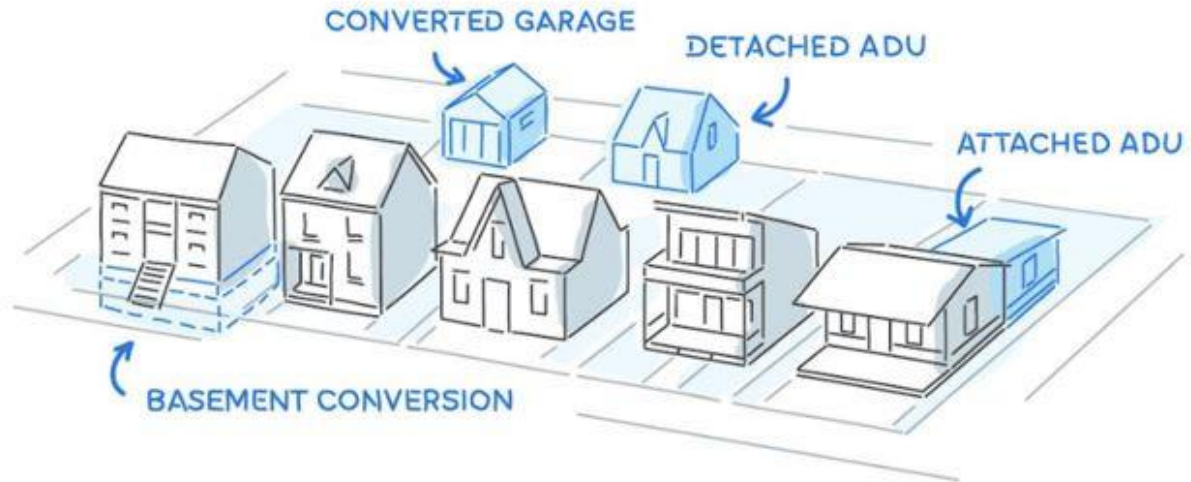


Image Source: City of Cambridge



*Over the Garage*



*Garage Conversion*



*Stand-Alone Unit*



*Basement or Attic Conversion*

Image Source: Township of Springwater

## Additional Residential Units - Policy Review

### Provincial Legislations and Policies

#### The Planning Act

The Planning Act (the Act) is the provincial legislation that sets out the framework and rules for land use planning in Ontario. It describes how land uses may be controlled, and who may control them.

In 1994, the provincial government at the time enacted Bill 120 which disallowed municipalities from prohibiting second residential units within detached houses, semi-detached houses and rowhouses. Shortly after in 1995, the incoming provincial government reversed those restrictions and gave municipalities the right to prohibit second units in zoning by-laws again. To address the legacy of Bill 120, Section 76 of the current Act and Ontario Regulation 384/94 provide provisions and regulations for houses with two residential units used or occupied by November 16, 1995 or had a building permit issued by May 22, 1996.

In 2011, through Bill 140, the Act was again revised to require municipalities to permit a second residential unit in a detached house, semi-detached house or rowhouse, or in an ancillary building or structure. In 2016, the Act was further amended to encourage the creation and legalization of second units. In 2019, through Bill 108, the Act was changed to require municipalities to authorize the use of two residential units in a detached house, semi-detached house or rowhouse and the use of a residential unit in an ancillary building or structure, for a total of three units per lot. The Act, as amended through Bill 108, did not distinguish between additional residential units on urban versus rural land. To support the implementation of additional residential units under the Act, Ontario Regulation 299/19 was established.

Most recently, on November 28, 2022, Bill 23, the More Homes Built Faster Act, was passed. Bill 23 further amended additional residential unit provisions in the Act. The Act now states:

- No official plan or zoning by-law may prohibit the use of:
  - a) three residential units in a detached house, semi-detached house or rowhouse, if no ancillary building or structure contains any residential units;
  - b) two residential units in a detached house, semi-detached house or rowhouse, if all ancillary buildings and structures cumulatively contain no more than one residential unit; or
  - c) one residential unit in an ancillary building or structure, if the detached house, semi-detached house or rowhouse contains no more than two residential units and no other ancillary building or structure contains any residential units.
- Additional residential units are only permitted as-of-right on a “parcel of urban residential land”, which is a parcel of land that is within an area of settlement

on which residential use, other than ancillary residential use, is permitted by by-law and that is served by publicly owned sewage works and a municipal drinking water system.

- No official plan or zoning by-law may require more than one parking space to be provided for each residential unit as described above, which includes the primary residential unit and the two additional residential units.
- A zoning by-law may not regulate the minimum floor area of a residential unit as described above, which includes the primary residential unit and the two additional residential units.
- Official plan policies and parts of by-laws authorizing the use of the additional residential units as described above cannot be appealed to the Ontario Land Tribunal.
- A by-law requiring the conveyance of land for park or other public recreational purposes does not apply to additional residential units.

The Planning Act defines “residential unit” to mean “a unit consisting of a self-contained set of rooms located in a building or structure that is used or intended for use as residential premises and contains kitchen and bathroom facilities that are intended for the use of the unit only.”

The Planning Act does not include a definition for “rowhouse”. The Statistics Canada Census definition for rowhouse is “one of three or more dwellings joined side by side (or occasionally side to back), such as a townhouse or garden home, but not having any other dwellings either above or below. Townhouses attached to a high-rise building are also classified as rowhouses.” Staff will consult with the Province regarding the definition of rowhouse as it applies to additional residential units. Ontario Regulation 299/19 regarding additional residential units, as updated on December 23, 2022, regulates that:

- Each additional residential unit shall have one parking space that is provided and maintained for the sole use of the occupant of the additional residential unit, subject to the following:
  - Where a zoning by-law does not require a parking space to be provided for the primary residential unit, a parking space is not required to be provided for either additional residential unit.
- A zoning by-law that requires no parking space be provided for one or both additional residential units prevails over the above regulations.
- A parking space that is provided for an additional residential unit may be a tandem parking space.
- An additional residential unit may be occupied by any person regardless of whether,
  - the person who occupies the additional residential unit is related to the person who occupies the primary residential unit, and
  - the person who occupies either the primary or additional residential unit is the owner of the lot.

- Where the use of additional residential units is authorized, an additional residential unit is permitted regardless of the date of construction of the primary residential unit.

Distinct from additional residential units, the Planning Act has provisions for garden suites. A “garden suite” is defined in the Act as a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable. Municipal council may pass a temporary use by-law authorizing the temporary use of a garden suite up to 20 years, after which extensions of not more than three years each may be further granted.

The Town’s Official Plan policies and Zoning By-law regulations regarding additional residential units will be amended in accordance with the Planning Act as amended by Bill 23. It should be noted that the Bill 23 Planning Act as-of-right permissions for additional residential units only apply to urban areas. The Planning Act does not require permissions for additional residential units in rural areas.

### **Provincial Policy Statement**

The Provincial Policy Statement (PPS, 2020) provides policy direction on matters of provincial interest related to land use planning and development.

The PPS provides the following policy direction regarding additional residential units to support building strong healthy communities and the provision of housing in the province:

- Healthy, liveable and safe communities are sustained by accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons)...
- Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by permitting and facilitating all types of residential intensification, including additional residential units, and redevelopment...

The PPS land use framework identifies functions for settlement areas and rural areas. Settlement areas, such as urban areas and rural settlement areas such as Hamlets, shall be the focus of growth and development. With the exception of rural settlement areas, where an appropriate range and mix of housing should be accommodated, rural areas shall leverage rural assets to support the economic success of the province and protect the environment as a foundation for a sustainable economy. An example of rural assets are lands protected for long-term agricultural use, known as Prime Agricultural Areas.

The PPS also states the importance of protecting public health and safety. Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.

The Planning Act requires that decisions affecting planning matters “shall be consistent with” the PPS.

## **Growth Plan for the Greater Golden Horseshoe**

The Growth Plan for the Greater Golden Horseshoe (the Growth Plan, August 2020 consolidation) builds on the Provincial Policy Statement (PPS) to establish a more detailed land use planning framework for the Greater Golden Horseshoe (GGH).

The Growth Plan provides policies to guide and direct the anticipated growth. Similar to the PPS, the Growth Plan directs municipalities to support housing choice, including additional residential units and affordable housing, to meet projected needs of current and future residents; accommodate people at all stages of life; and accommodate the needs of all household sizes and incomes. Additional residential units serve to support the growth management goals and the minimum intensification and density targets of the Growth Plan.

The Growth Plan provides more detailed policies regarding settlement areas and rural areas. Municipalities are required to designate Prime Agricultural Areas and Natural Heritage Systems in accordance with mapping identified by the Province and the policies of the Growth Plan.

As legislated by the Places to Growth Act, municipal official plans must conform to the Growth Plan.

As part of its housing-focused initiative, the Province has proposed to integrate the Growth Plan and the Provincial Policy Statement into a new province-wide planning policy instrument to create a streamlined land use planning policy framework. At the time of writing, no draft new Provincial policy document(s) have yet been released. Staff will continue to monitor Ontario's evolving planning framework.

## **Greenbelt Plan**

The Greenbelt Plan, together with the Oak Ridges Moraine Conservation Plan (ORMCP) and the Niagara Escarpment Plan (NEP), identifies lands where urbanization should not occur to provide permanent protection to the agricultural land base and the ecological and hydrological features, areas and functions occurring on this landscape. The Greenbelt Plan applies to extensive areas of the Town's rural and agricultural lands. The majority of the Greenbelt Area within the Town is identified as part of the Natural Heritage System.

The Greenbelt Plan was updated in 2017 to specify that one additional residential unit is permitted within a single dwelling or within an existing accessory structure on the same lot, provided that the land is located outside of the Natural Heritage System (NHS). Since the revised Greenbelt Plan came into effect on July 1, 2017, an additional dwelling unit is only permitted within an accessory building that existed on that date.

Provided that lands are outside of the NHS, Hamlets within the Greenbelt Area are not subject to specific policies for additional residential units. The Greenbelt Plan states that Hamlets are subject to the policies of the Growth Plan and local official plans; and limited growth is permitted through infill and intensification subject to appropriate water and sewage services.

As legislated by the Greenbelt Act, municipal official plans must conform to the Greenbelt Plan.

## Niagara Escarpment Plan

The Niagara Escarpment Plan (NEP) regulates land uses to protect the environmentally significant Niagara Escarpment landform feature. A section of land northwest of the Town's urban area is regulated under the NEP.

The NEP includes land use designations and development criteria that are applicable to the NEP regulated area of the Town. Secondary dwelling units are permitted on lands designated Escarpment Rural Area and Escarpment Recreation Area, subject to the NEP's General Development Criteria. On lands designated Minor Urban Centre, such as portions of Campbellville, the range of permitted uses are those in an approved official plan and/or secondary plan not in conflict with the NEP. Secondary dwelling units are not permitted on lands designated Escarpment Natural Area, Escarpment Protection Area and Mineral Resource Extraction Area.

The General Development Criteria for secondary dwelling units state:

- a single secondary dwelling unit may be permitted on an existing lot of record;
- notwithstanding the above, a secondary dwelling unit shall not be permitted on an existing lot of record where there is more than one single dwelling, including any dwelling approved under Part 2.2.7;
- the secondary dwelling unit shall be contained entirely within a single dwelling or in an addition to a single dwelling and shall not be permitted in a detached accessory facility;
- the floor area of a secondary dwelling unit shall be subordinate in size to the single dwelling;
- secondary dwelling units shall not be permitted in a group home or a single dwelling containing a bed and breakfast; and
- a home occupation or home industry shall not be permitted within a secondary dwelling unit.
- Part 2.2.7 provides provisions that allow the implementing authority (the Niagara Escarpment Commission) to approve a second single dwelling on each existing lot of record in the Escarpment Natural, Escarpment Protection and Escarpment Rural Area designations if a second single dwelling is the only viable way to conserve the heritage attributes of an existing single dwelling.

Mobile or portable dwelling unit(s) accessory to agricultural uses are permitted in the Escarpment Protection Area and Escarpment Rural Area in accordance with the appropriate development criteria.

The NEP permits municipal official plans and secondary plans to set policies that are more stringent than the requirements of the NEP unless doing so would conflict with the NEP. All lands identified by the NEP within Milton are within the NEP's area of development control. Within the development control areas, local zoning by-laws have



no effect and a development permit issued by the Niagara Escarpment Commission is required for any development.

### **Region of Halton Official Plan Policies**

Regional Official Plan Amendment 49 (ROPA 49), which was part of Halton Region's municipal comprehensive review to update the Regional Official Plan (ROP) to the 2051 planning horizon, was approved with modification by the Province on November 04, 2022. ROPA 49 included updates to policies regarding additional residential units to align with the 2019 Planning Act as amended through Bill 108.

ROPA 49 included the following policy updates regarding additional residential units:

- Require Local Official Plans and Zoning By-laws to permit additional residential units in new and existing residential development, provided that health, safety and other reasonable standards or criteria (e.g. the provision of parking or adequacy of services) are met, including:
  - a) the use of two residential units in a detached house, semi-detached house or rowhouse; and
  - b) the use of a residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse.
- Ensure that the standards or criteria identified in a Local Official Plan or Zoning By-law shall not preclude or prohibit the establishment of additional residential units as provided for in Provincial legislation, policy or plans.

The ROP has not been updated to reflect the latest changes to the Planning Act as amended through Bill 23. Bill 23 also included provisions in the Planning Act that removes planning responsibilities from the Regional Municipality of Halton, although those provisions are not yet in effect. If and when those provisions come into effect, the Region will no longer have an official plan.

### **Town of Milton Official Plan Policies**

#### **Housing and Residential Intensification**

The Housing section and Residential Intensification subsection of the Town's Official Plan (OP) directs present and future demand for housing in Milton be accommodated, in part, through intensification including modification of existing dwellings or construction of new dwellings to include a second residential unit subject to Section B.3.2.3.9 of the OP. The Residential Intensification policies apply in the Urban and Hamlet Areas.

#### **Urban Land Use**

Section B.3.2.3.9 permits second residential units within existing single-detached, semi-detached, row houses, and in accessory structures, as-of-right in the Residential Area designation (within the Urban Area), provided that all of the following criteria can be met:

- the use shall be located in an existing single-detached, semi-detached, row houses, and in accessory structures where adequate municipal piped water and wastewater services are available and connected;
- the site is accessible to public transit;
- there will be no significant changes to the external character of the building or property;
- all of the requirements of the Zoning By-law, including the provision of adequate parking, of the Ontario Building Code, of the Property Standards By-law and other relevant municipal and provincial regulations can be satisfied; and,
- the existing dwelling is not within the Regulatory Flood Plain.

Section B.3.2.3.10 provides that second residential units shall not be subject to the density provisions of the OP. As a condition of approval, the Town shall require that dwelling units containing a second residential unit be registered with the Town in accordance with the provisions of the Municipal Act.

### **Secondary Plans**

In addition to second residential units permitted under Section B.3.2.3.9 of the OP, the Bristol Survey, the Sherwood Survey, the Boyne Survey and the Milton Education Village (MEV) Secondary Plans also permit coach houses within Residential Areas. In Bristol and Sherwood, coach houses are permitted on hybrid roads for dwelling units which do not front on the hybrid road. In the MEV and in Boyne, coach houses are permitted on public lanes or service roads. Additionally in Boyne, they are also permitted on condominium lanes.

Coach houses are additional residential units located in a separate building on a lot, usually part of a garage. Hybrid roads are public roads which have dwellings fronting on one side and the rear yards of dwellings, including garages, on the other side.

The Trafalgar Secondary Plan and the draft Agerton and Britannia Secondary Plans do not include any additional or amending policies for additional residential units.

### **Hamlets**

Although the Residential Intensification policies of the OP apply to Hamlets, the second residential unit policies as set out in Section B.3.2.3.9 only applies to the Residential Area designation within the Urban Area. The land use policies for Hamlets do not provide permissions for second residential units. The Hamlet Residential Area permits single detached dwelling and existing semi-detached and duplex dwellings. The Hamlets are not served by municipal sewer and water infrastructure.

## **Rural Lands**

The majority of the areas regulated under the Niagara Escarpment Plan (NEP) within the Town is designated Regional Natural Heritage System in the Town's OP. Second dwelling units are not permitted in the Regional Natural Heritage System designation.

Outside of the lands designated Regional Natural Heritage System and Hamlet Area, the majority of the Town's remaining rural lands are designated Agricultural Area. Lands in the Agricultural Area should be used predominantly for agricultural purposes. One second dwelling accessory to an agricultural operation for the accommodation of full-time farm labour is permitted subject to an amendment to the Zoning By-law in accordance with Section 4.1.1.11 of the OP regarding Accessory Farm Dwelling.

## **Town of Milton Zoning By-law Regulations**

### **Urban Area - Zoning By-law 016-2014**

Within the Urban Area, an accessory dwelling unit is permitted in a single detached dwelling or a semi-link dwelling only, provided that:

- Only 1 accessory dwelling unit shall be permitted per lot and shall be located within the main dwelling unit;
- A minimum of 1 parking space per accessory dwelling unit is provided in addition to the required parking for the main dwelling unit;
- The dwelling must be on full municipal water and wastewater services; and,
- The accessory dwelling unit shall not exceed a maximum size of 85m<sup>2</sup>.

An accessory dwelling unit is defined as a separate and complete dwelling unit which is subordinate to, and incidental to, the principal dwelling unit. A semi-link dwelling means two detached dwellings which are only attached below grade, exclusive of any accessory dwelling unit.

For single detached and semi-link dwellings, a minimum of two parking spaces are required per unit.

In the Low Density zones, duplex dwellings in addition to detached and semi-detached dwellings are permitted. The Medium Density I (RMD1) zone permits a range of housing types including duplex and triplex dwellings. The RMD1 zone is the most common parent zoning in the residential areas within the Bristol, Sherwood and Boyne Secondary Plan Areas.

A duplex dwelling is defined as a building divided horizontally above grade into two dwelling units. A triplex dwelling is defined as a building divided horizontally into three dwelling units.

Although there are policies in the Bristol, the Sherwood, the Boyne and the MEV Secondary Plans permitting coach houses as an additional residential unit in a detached accessory building, there are no zoning by-laws that implement these policies.

## **Rural Area - Zoning By-law 144-2003**

The Zoning By-law applicable to the Town's rural areas permit an accessory apartment in a single detached dwelling only, provided that:

- Only 1 accessory apartment unit shall be permitted per lot and shall be located within the main dwelling unit;
- A minimum of 1 parking space per accessory apartment unit is provided;
- The dwelling must be on full municipal water and wastewater services; and,
- The accessory apartment shall not exceed a maximum size of the 65m<sup>2</sup>.

An accessory apartment is defined as a separate and complete dwelling unit that is located within a detached dwelling and which is subordinate or incidental to the principal dwelling.

**THIS IS SCHEDULE '1A' TO OFFICIAL PLAN AMENDMENT NO. 31**

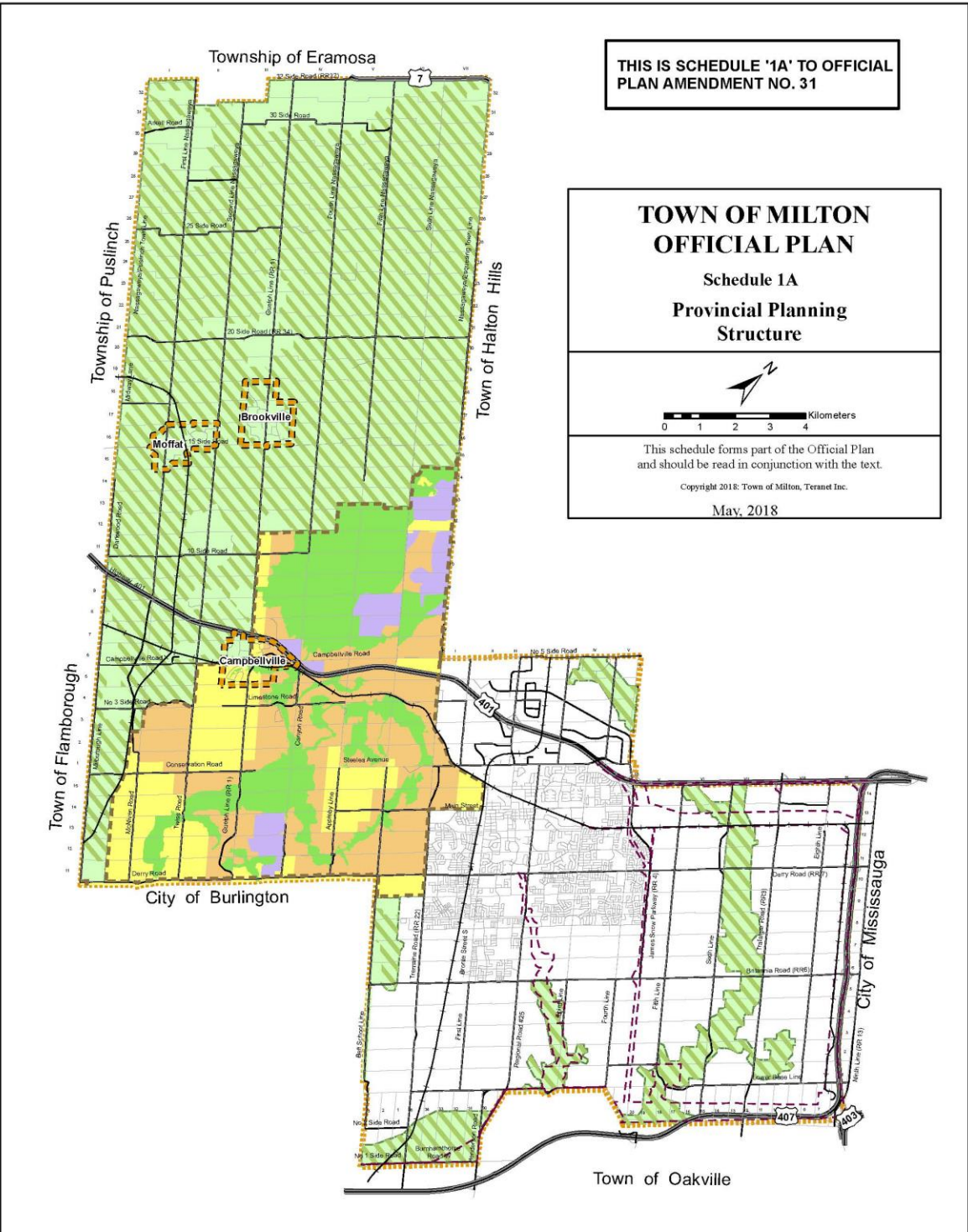
**TOWN OF MILTON  
OFFICIAL PLAN**

**Schedule 1A  
Provincial Planning  
Structure**



This schedule forms part of the Official Plan and should be read in conjunction with the text.

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May, 2018



-  Rail
-  Proposed Major Arterial
-  Highway
-  Major Road
-  Lot and Concession Line
-  Hamlet
-  Parkway Belt West Plan Boundary
-  Municipal Boundary
-  Niagara Escarpment Plan Boundary
-  Escarpment Natural Area
-  Escarpment Protection Area
-  Escarpment Rural Area
-  Escarpment Mineral Resource Extraction Area
-  Greenbelt Plan Natural Heritage System
-  Greenbelt Protected Countryside Area

## **Additional Residential Units - Municipal Best Practices**

The policies and regulations of other municipalities in Ontario were reviewed to examine best practices for regulating additional residential units (ARUs). A number of municipalities have updated their official plans and zoning by-laws in accordance with the Planning Act as amended through Bill 108 to permit two additional residential units (ARUs). Some of the municipalities were reviewed to examine their approach to permitting and regulating ARUs in rural areas.

### **Official Plan Policies**

The official plan policies of the municipalities reviewed commonly set out that Additional Residential Units (ARUs) support housing and planning objectives such as providing a range of housing choice, supporting housing affordability, increasing density through gentle intensification, increasing the supply of rental housing, providing for the needs of changing demographics and using existing infrastructure efficiently.

The official plan policies establish the fundamental permissions and criteria for ARUs such as the number of additional units permitted, permitted locations of units on a lot and within the municipality, and parking policies. The official plan policies also address safety and building standards such as requiring ARUs to comply with Ontario building and fire codes, water and wastewater servicing, and access requirements for emergency services.

Most of the municipalities reviewed have policies requiring ARUs be designed and located to be compatible with the character of the surrounding neighbourhood and streetscape, and ensure no negative impacts on adjacent properties. Some municipalities include policies to address sustainability considerations for ARUs such as requiring stormwater management, tree preservation and landscaping.

The City of Brampton encourages creation of ARUs through new construction and the subdivision approval process. The City of Toronto provides policies to guide the review of minor variance applications for proposed ARUs to support goals such as tree protection, accessibility and affordable housing. The City of Cambridge includes that no new separate access to a municipal road will be permitted in order to accommodate or provide access to a proposed ARU(s).

### **Terminology**

Most commonly, the municipalities reviewed use the Planning Act's term of Additional Residential Unit (ARU). A few municipalities use Additional Dwelling Unit instead. ARUs can be divided into two categories based on their location: either attached to the primary dwelling or detached in an accessory/ancillary building or structure. Most zoning by-laws reviewed include distinct regulations that pertain to attached ARUs and detached ARUs. Some municipalities use the terms Additional Residential Unit (Detached), Additional Dwelling Unit (Detached), Garden Suite, or Laneway Suite to specifically refer to detached types of ARUs. The Cities of Toronto and Brampton use the term Garden

Suite to refer to ARUs located in detached permanent ancillary buildings, which is different than the Planning Act definition that requires Garden Suites to be temporary and portable.

The majority of definitions for an additional residential unit note that it is a self-contained residential/dwelling unit. Some definitions specify that the unit provides food preparation and sanitary facilities, and sleep areas. A few definitions also include that the ARU is subordinate or accessory to the primary dwelling on the lot. Some zoning by-laws include the location of the ARU in the definition, such as specifying it is a unit located within a single-detached, semi-detached or rowhouse unit, or within an accessory building or structure on the same lot. One definition notes that an ARU does not include a Farm Labour Residence.

### **Number of Units & Location**

The municipalities that updated their policies and regulations, in accordance with the Bill 108 Planning Act, generally permit a maximum of two additional residential units. The City of Toronto permits more than two ARUs within the residential zone in the downtown area. The City of Cambridge permits two ARUs in some residential zones, but only one ARU in other residential zones. Most municipalities that permit ARUs in rural, agricultural, or greenbelt zones only permit one ARU per lot on these lands.

A number of municipalities include policies which do not permit ARUs within floodplain, hazard, natural heritage and/or environmental protection zones. Municipalities with lands within the Greenbelt implement the ARU regulations of the Greenbelt Plan or the Oakridge Moraine Plan through their zoning.

Also in accordance with the Bill 108 Planning Act, the municipalities that updated their zoning permit one ARU within a single-detached, semi-detached and townhouse dwelling and one ARU within a detached accessory building or structure. Where two ARUs are permitted, the City of Cambridge permits both ARUs to be located within the primary building, in which case no ARU would be permitted in a detached accessory building. Where only one ARU is permitted, it must be located within the primary building. Also, only one ARU is permitted in the basement. The City of Kitchener also permits two ARUs in the primary building, but only within existing single-detached dwellings and subject to minimum lot size and frontage requirements. The City of Kitchener is the only municipality that includes minimum lot size and frontage requirements for ARUs in urban areas. The City of Hamilton and County of Brant has minimum lot size requirements for an ARU in rural areas.

No municipality permits more than one detached ARU per lot. A few municipalities do not permit a detached ARU in rural zones. The City of Richmond Hill permits an ARU in an existing single detached dwelling or in an existing detached accessory structure that is accessory to the single detached dwelling in the Agricultural One zone. A couple of municipalities have regulations for ARUs located within or above a detached garage. Most municipalities only permit an ARU in a detached accessory building in the rear or interior side yard.

The number and location of ARUs are generally based on provincial legislations and policies.

## **Floor Area**

Most municipalities have regulations that limit the maximum floor area of ARU(s). No municipalities reviewed require a minimum floor area.

For ARUs attached to the primary dwelling, a number of municipalities reviewed specify that the floor area of the ARU(s) may not exceed a certain percentage of the floor area of the primary dwelling. The percentages specified are most commonly in the 40%-50% range. Some regulations apply the percentage limit to each ARU, while other regulations apply the percentage limit cumulatively to all ARUs within the dwelling. A couple of municipalities specify a maximum floor area, while a couple of others simply require that the floor area of the ARU(s) not exceed the floor area of the primary dwelling unit. A few municipalities allow an ARU to occupy the entire basement despite any other floor area regulations. There are also a few municipalities that do not have floor area regulations for attached ARU(s).

All municipalities that permit a detached accessory/ancillary building or structure limit its floor area. The majority of municipalities reviewed require a detached ARU not to exceed the lesser of a percentage of the floor area of the primary dwelling or of the lot area and a specified floor area. The floor area specified range from 35 to 140 square metres (376 to 1506 square feet). Urban zones tend to limit a detached ARU to around 80 square metres (861 square feet). Rural zones tend to permit a larger detached ARU. A couple of municipalities have specific floor area regulations for an ARU located within or above a detached garage.

The regulations limiting the floor area of ARU(s) serve the objective of establishing the ARU(s) as subordinate or accessory to the primary dwelling unit. Restricting the size of ARUs also serve to limit potential impacts on adjacent properties and maintain the character of existing low and medium density neighbourhoods.

## **Height**

No municipalities reviewed have special height regulations for ARU(s) attached to the primary dwelling. ARU(s) attached to the primary dwelling is subject to the height regulations for the primary dwelling.

Most municipalities specify a maximum height for an ARU in a detached accessory building. A number of municipalities specify different heights for different types of zones. In urban zones, the most commonly permitted heights are between 3.0 to 4.5 metres, which would result in one or one and a half storey accessory buildings. A couple of municipalities, such as the City of Toronto, allow 6.0 to 6.5 metres and a maximum of two storeys, subject to additional regulations. The City of Toronto only permits the two storeys if a greater distance separate between the primary residential building and the accessory building containing the ARU is provided. The City of Brampton limits height of



a detached ARU to the lesser of a specified height and the height of the primary building.

Typically, rural zones permit a taller detached ARU, between 6.5 to 7.5 metres. A couple of municipalities specify special heights for a detached garage with an ARU above, permitting 7.5 and 8.5 metres, respectively.

For an ARU in a detached accessory building located within the rear or interior side yard of a low or medium density residential lot, the limitations on height serve to establish the built form, mitigate privacy issues, limit impact on adjacent properties and maintain compatibility with the existing neighbourhood.

### **Setbacks**

No municipalities reviewed establish a specific front yard or exterior side yard setback for ARU(s) attached to the primary dwelling. If a building addition is added to a primary dwelling to accommodate an ARU, the minimum front yard and exterior side yard setback of the zoning for the primary dwelling would apply. An ARU in a detached accessory building is not permitted in front yards in all municipalities reviewed, while only one municipality permits a detached ARU in exterior side yards.

A number of municipalities establish specific minimum interior side yard and rear yard setbacks for an accessory building or structure containing an ARU. It is recognized that these accessory buildings are now occupied as a home, so interior side yard and rear yard setbacks for these buildings were reviewed and re-established by some municipalities to mitigate impact on adjacent properties. Although a number of municipalities also establish specific regulations to ensure access, interior side yard and rear yard setbacks also serve to ensure pedestrian access and access for fire and emergency services to the ARU from the street.

For primary residential buildings containing an ARU(s), a couple of municipalities establish specific minimum interior side yard and rear yard setbacks, although most municipalities just use their pre-existing setbacks for primary dwellings.

Required setbacks vary between the municipalities reviewed, although the most commonly required minimum interior side yard and rear yard setback is 1.2 metres.

A few municipalities also specify a minimum separation distance between the primary building and an accessory building or structure containing an ARU. The distance specified range from 3.0 metres to 7.5 metres. The City of Toronto requires a greater distance separation if the accessory building is over a certain height. Some municipalities do not specify a separation distance for an accessory building containing an ARU and the primary building, but a distance separation required between a primary building and an accessory building or structure may still apply.

### **Access**

As mentioned in the discussion about setbacks, some municipalities include specific policies to ensure there is pedestrian access for fire and emergency services from the street, lane or driveway to the entrance of ARUs. The pedestrian access would also serve residents of the ARUs. Most commonly, the municipalities reviewed require a minimum 1.2 metre wide unobstructed path of travel. The City of Hamilton requires a minimum 1.0 metre wide path with minimum 2.1 metre clearance in height.

Some municipalities also have regulations regarding entrance to ARU(s) within the primary building. Most commonly, a separate entrance for an ARU is not permitted on the front façade of the primary dwelling. A couple of municipalities except townhouse dwellings from this regulation. The purpose of this regulation is to maintain the overall appearance from the street and the general character of low density neighbourhoods.

## **Parking**

Generally, all the municipalities reviewed require one parking space for each ARU in addition to the parking space(s) required for the primary dwelling unit. A few municipalities include provisions that have the effect of only requiring one parking space for each of the three dwelling units permitted on a lot (one primary unit plus two ARUs), taking into consideration that two or more parking spaces are typically already provided for the primary dwelling unit.

The City of Kitchener does not require parking for ARUs where a lot is located within 800 metres of a light rail transit station. The City of Richmond Hill does not require parking for ARUs where parking is not required for the primary dwelling unit. The City of Toronto does not require car parking spaces for detached ARUs, but instead requires two bicycle parking spaces for each detached ARU.

## **Coverage**

Most of the municipalities reviewed do not have special lot coverage regulations for ARUs. The same lot coverage regulations would apply regardless of whether primary buildings and/or accessory buildings or structures contain ARUs. A couple of municipalities changed lot coverage regulations for lots containing a detached ARU in an accessory building or structure.

The City of Toronto removed accessory buildings containing a detached ARU from the calculation of overall lot coverage. Toronto also increased the lot coverage permitted for all ancillary buildings on a lot with a detached ARU. Whereas the Residential zone category require all accessory buildings on a lot to not exceed 10% lot coverage, lots containing a laneway suite may have a lot coverage for all accessory buildings not exceeding 30% and for garden suites not exceeding 20%.

The City of Hamilton specifies that a detached ARU shall not be considered as an accessory building. Hamilton also increased the lot coverage for all accessory buildings and a detached ARU to 25%, whereas lots without a detached ARU would be restricted to lesser of 45 square metres or 7.5% total lot coverage for all accessory buildings.

With the exception of a few, most municipalities also did not specify special minimum landscaped open space regulations for ARUs. The City of Toronto specified minimum percentages of landscaped open space in the rear yard for lots containing a detached ARU. The percentages specified was higher for lots with lot frontage greater than 6 metres. The City of Kitchener specified a minimum landscaped area of 20% for lots containing two attached ARUs within the primary dwelling. The City of Hamilton requires minimum 12 square metres of landscaped area to be provided in the rear yard for any lot with a detached ARU.

The lot coverage and landscaped open space requirements mainly serve to maintain permeable space needed to retain stormwater on site and preserve existing and potential trees on residential lots.

### **Servicing**

Some of the reviewed municipalities address water and sewage servicing for ARUs in their zoning by-laws and/or official plan. A number of municipalities require ARU(s) to connect to municipal services where available, such as in urban areas, but also permit ARU(s) to be serviced by adequate private well and septic facilities where municipal services are not available, such as in rural areas. The Town of Halton Hills amended its official plan and zoning by-law in 2019 to permit an ARU within a single detached, semi-detached, or townhouse dwelling in the Rural Area as long as there is adequate municipal water and wastewater or septic and well facilities. The City of Kitchener is the only municipality that requires ARUs only be connected to full municipal services, although there are not much rural lands or areas without full municipal servicing in Kitchener. The City of Richmond Hill specifies in their zoning by-law that ARUs are exempted from servicing allocation requirement. Some other municipalities do not address servicing in their zoning by-laws or official plan.

### **Other Regulations**

Some of the municipalities reviewed has other regulations that has not been discussed above pertaining to ARUs.

The City of Toronto has detailed design regulations for attached and detached ARUs. For accommodating attached ARUs within an existing building, Toronto has regulations for additions and exterior alternations to a front wall or roof that faces a street. As discussed, Toronto is one of the municipalities that permits a two-storey detached ARU. To mitigate privacy and shadow impacts on adjacent properties of a two-storey detached ARU, Toronto includes angular plane regulations for the accessory building above 4 metres in height. Angular planes can help mitigate the impact of building mass on adjacent properties as height increases by stepping it away from property lines. For detached ARUs, Toronto also has detailed regulations for decks, platforms and amenities, as well as permitted encroachments for platforms, canopies, awning, architectural features and equipment (vents, pipes, utility equipment, solar energy device, etc).

A couple of municipalities specifically do not permit a home occupation on the same lot as an ARU or within an ARU. There are also a couple of municipalities that specifically state a home occupation is permitted within an ARU, subject to certain regulations. Through a review of the home occupation regulations of the municipalities that do not specifically address home occupations in their ARU regulations, some municipalities restrict the types of home occupation uses permitted in ARUs and some municipalities do not permit home occupations in accessory buildings.

In addition to home occupations, some of the municipalities reviewed address other accessory uses in relation to ARUs on residential lots. The City of Toronto permits short-term rental in a detached ARU if the ARU is exclusively and separately occupied as a principle residence. The City of Brampton and Cambridge both do not permit an ARU on the same lot as a lodging house (including boarding or rooming house). The City of Brampton also do not permit an ARU on the same lot as supportive housing; while the City of Cambridge also do not permit an ARU on the same lot as a garden suite or bed and breakfast. The Township of King in their rural zoning by-law do not permit an ARU in the primary dwelling in conjunction with a bed and breakfast. A couple of other municipalities specify that an ARU is not a farm labour residence or a residence surplus to a farm operation.

A few of the municipalities reviewed require ARUs to be registered with the municipality. A number of municipalities also have regulation that prohibit the severance of a detached ARU in an accessory building or structure from the lot containing the primary dwelling. The County of Brant includes regulations for detached ARUs proposed on lands outside of a settlement area boundary to address the protection of farm operations. The City of Hamilton also has regulations for Converted Dwellings, which are existing single detached or duplex dwellings that may be converted to have two to four dwelling units.

## Additional Residential Units - Municipal Scan Analysis Tables

### Terminology

	Accessory Dwelling	Coach House	Secondary Suite/ Second Unit	Garden Suite (not portable or temporary)	Laneway Suite	Additional Residential Unit	Additional Dwelling Unit	Additional Dwelling Unit (Detached)	Converted Dwelling
Milton	X	X							
Halton Hills	X								
Toronto			X	X	X				
Brampton			X	X		X			
Richmond Hill						X			
Cambridge						X			
Kitchener							X	X	
Hamilton							X	X	X
Clarington							X		
Brant						X			
King (Rural)						X			

## Number of Units & Locations

	Maximum # of Additional Residential Units (ARUs)	Permitted within Detached, Semi-detached and Townhouse	Permitted within Detached Accessory Building or Structure	Permitted in Rural Zones
<b>Milton</b>	1	Only within Detached and Semi-link	No	No
<b>Halton Hills</b>	1	Yes	No	Yes
<b>Toronto</b>	2 (More than 2 in the R zone)	Yes (max 1 unit except in R zone, where more than 1 unit permitted)	Yes (max 1 unit)	N/A
<b>Brampton</b>	2	Yes (max 1 unit)	Yes (max 1 unit in the rear or interior side yard)	Yes
<b>Richmond Hill</b>	2 (1 in ORM and agricultural zone)	Yes (max 1 unit)	Yes (max 1 unit, only permitted above detached garage abutting lane)	Yes
<b>Cambridge</b>	2 (1 in some residential zones)	Yes (max 2 units, ARU in detached accessory structure not permitted if 2 ARUs in principal building; only 1 ARU permitted in basement)	Yes (max 1 unit in the rear, interior side, or exterior side yard, not permitted if only 1 ARU permitted on lot)	N/A
<b>Kitchener</b>	2	Yes (max 1 unit within semi and townhouse, max 2 units within single detached dwelling and only permitted in existing buildings on lots with minimum 395 sqm area and 13.1m frontage)	Yes (max 1 unit in the rear and interior side yard on lots with minimum 395 sqm area and 13.1m frontage)	N/A
<b>Hamilton</b>	2 (1 in rural area)	Yes (max 1 unit)	Yes (max 1 unit in the rear and interior side yard, not permitted in rural zones)	Yes
<b>Clarington</b>	2 (1 if in ORM)	Yes	Yes	Yes
<b>Brant</b>	1	Yes	Yes	Yes
<b>King (Rural)</b>	2 (1 if in ORM)	Only within single detached dwelling	Yes (max 1 unit in rear or interior side yard, not permitted in ORM Countryside zone)	Yes

## Floor Area

	ARU(s) within Detached, Semi-detached and Townhouse	ARU within Detached Accessory Building or Structure	ARU attached to Garage
<b>Milton</b>	<ul style="list-style-type: none"> <li>• Urban - 85m<sup>2</sup></li> <li>• Rural - 65m<sup>2</sup></li> </ul>	<ul style="list-style-type: none"> <li>• Not permitted</li> </ul>	<ul style="list-style-type: none"> <li>• Not specified</li> </ul>
<b>Halton Hills</b>	<ul style="list-style-type: none"> <li>• The lesser of 40% or 110 m<sup>2</sup> of floor area</li> <li>• Or the floor area of a basement within permitted dwelling types</li> </ul>	<ul style="list-style-type: none"> <li>• Not permitted</li> </ul>	<ul style="list-style-type: none"> <li>• Not specified</li> </ul>
<b>Toronto</b>	<ul style="list-style-type: none"> <li>• No more than 45% of the interior floor area of the primary dwelling unit for all secondary suites</li> <li>• May occupy the whole of the basement</li> </ul>	<ul style="list-style-type: none"> <li>• Laneway Suite - maximum length is 10m and width is 8m (80m<sup>2</sup>); Garden Suite - 60m<sup>2</sup> or 40% of rear yard</li> <li>• interior floor area must be less than the gross floor area of the residential building on a lot</li> </ul>	<ul style="list-style-type: none"> <li>• Not specified</li> </ul>
<b>Brampton</b>	<ul style="list-style-type: none"> <li>• GFA of second unit shall not exceed GFA of principal dwelling unit</li> </ul>	<ul style="list-style-type: none"> <li>• 80m<sup>2</sup> on a lot in a Residential Hamlet, Residential Estate or Agricultural zone</li> <li>• 35m<sup>2</sup> on a lot in all other Residential zones</li> </ul>	<ul style="list-style-type: none"> <li>• Lesser of 48 m<sup>2</sup> or the GFA of the detached garage; combined GFA of detached garage with garden suite above not exceed lesser of 96m<sup>2</sup> or twice the area of the garage</li> </ul>
<b>Richmond Hill</b>	<ul style="list-style-type: none"> <li>• Not exceed 40m<sup>2</sup> (430.57ft<sup>2</sup>)</li> </ul>	<ul style="list-style-type: none"> <li>• Not exceed 40m<sup>2</sup> (430.57ft<sup>2</sup>)</li> </ul>	<ul style="list-style-type: none"> <li>• ARU attached at grade level: ARU max 40m<sup>2</sup> and garage max 40m<sup>2</sup>; ARU above garage: detached garage max 55m<sup>2</sup> if enclosed stair access or 40m<sup>2</sup> if unenclosed</li> </ul>
<b>Cambridge</b>	<ul style="list-style-type: none"> <li>• Max GFA of the ARU(s) singularly or cumulatively not exceed 40% of GFA of the primary dwelling unit</li> <li>• May occupy entire basement</li> </ul>	<ul style="list-style-type: none"> <li>• Not exceed 40% of GFA of the primary dwelling unit but in no case may be larger than 80 m<sup>2</sup>; and not exceed 10% of the lot area</li> </ul>	<ul style="list-style-type: none"> <li>• Not Specified</li> </ul>
<b>Kitchener</b>	<ul style="list-style-type: none"> <li>• Not Specified</li> </ul>	<ul style="list-style-type: none"> <li>• Not exceed 50% of the building floor area of primary house on the same lot, or 80 m<sup>2</sup>, whichever is less</li> </ul>	<ul style="list-style-type: none"> <li>• Not Specified</li> </ul>
<b>Hamilton</b>	<ul style="list-style-type: none"> <li>• Not Specified.</li> </ul>	<ul style="list-style-type: none"> <li>• maximum GFA shall not exceed the lesser of 75 m<sup>2</sup> or the GFA of the principal dwelling; and not exceed 70% of GFA of the principal dwelling when the GFA of principal dwelling is 105m<sup>2</sup> or less</li> </ul>	<ul style="list-style-type: none"> <li>• Not Specified</li> </ul>

	<b>ARU(s) within Detached, Semi-detached and Townhouse</b>	<b>ARU within Detached Accessory Building or Structure</b>	<b>ARU attached to Garage</b>
<b>Clarington</b>	<ul style="list-style-type: none"> <li>• floor area of ADU must be less than floor area of principal dwelling unit</li> </ul>	<ul style="list-style-type: none"> <li>• floor area of ADU must be less than floor area of principal residential unit</li> </ul>	<ul style="list-style-type: none"> <li>• Not Specified</li> </ul>
<b>Brant</b>	<ul style="list-style-type: none"> <li>• Not Specified</li> </ul>	<ul style="list-style-type: none"> <li>• Lesser of 95m<sup>2</sup> or 15% of total lot area in Urban Residential zones</li> <li>• Lesser of 140m<sup>2</sup> or 15% of total lot area in all other Residential Zones</li> <li>• 5% of the total lot area in all other Zones</li> </ul>	<ul style="list-style-type: none"> <li>• Not Specified</li> </ul>
<b>King (Rural)</b>	<ul style="list-style-type: none"> <li>• not exceed 50% of the gross floor area of the principal dwelling</li> </ul>	<ul style="list-style-type: none"> <li>• GFA not exceed 50% of the gross floor area of the principal dwelling, or 85.0 m<sup>2</sup>, whichever is less</li> </ul>	<ul style="list-style-type: none"> <li>• Not Specified</li> </ul>

## Height

	<b>Maximum Height of Detached Accessory Building or Structure with an ARU</b>
<b>Milton</b>	<ul style="list-style-type: none"> <li>• ARU not permitted in accessory structures.</li> <li>• 3.0m for accessory buildings in RLD, RLD1-7, RMD1&amp;2 zones</li> <li>• 3.7m for accessory buildings in RE &amp; RV:</li> </ul>
<b>Halton Hills</b>	<ul style="list-style-type: none"> <li>• ARU not permitted in accessory structures.</li> <li>• 3.5m to highest point of roof in Urban residential zones for accessory buildings</li> </ul>
<b>Toronto</b>	<ul style="list-style-type: none"> <li>• 4m if located 5m to less than 7.5m from primary residential building</li> <li>• 6.3m for the laneway suite and 6.0m for the garden suite if located 7.5m or more from primary residential building:</li> <li>• 2 storeys maximum</li> </ul>
<b>Brampton</b>	<ul style="list-style-type: none"> <li>• Lesser of 7.5m or height of principal building in Residential Hamlet, Residential Estate or Agricultural zones.</li> <li>• Lesser of 4.5m or height of principal building in all other Residential zones.</li> <li>• Lesser of 7.5m or height of principal dwelling for a detached garage with a garden suite above.</li> </ul>
<b>Richmond Hill</b>	<ul style="list-style-type: none"> <li>• 4.2m (13.8 ft) maximum height of detached accessory structure</li> <li>• 8.5m (27.9 ft) maximum height of detached garage containing an ARU</li> <li>• 2 storeys maximum</li> </ul>
<b>Cambridge</b>	<ul style="list-style-type: none"> <li>• 4.5m maximum</li> </ul>
<b>Kitchener</b>	<ul style="list-style-type: none"> <li>• 4.5m maximum for structure with hip, gable, shed, mansard roofs</li> <li>• 3.0m for flat roof</li> </ul>
<b>Hamilton</b>	<ul style="list-style-type: none"> <li>• 6.0m maximum</li> </ul>
<b>Clarington</b>	<ul style="list-style-type: none"> <li>• 5.25m maximum in Urban Residential zones</li> </ul>



	<b>Maximum Height of Detached Accessory Building or Structure with an ARU</b>
	<ul style="list-style-type: none"> <li>• 6.5m maximum in Agricultural zones</li> </ul>
<b>Brant</b>	<ul style="list-style-type: none"> <li>• 4.5m maximum in Urban Residential zones</li> <li>• 5.0m maximum in all other Residential zones</li> <li>• 7.0m in all other zones</li> </ul>
<b>King (Rural)</b>	<ul style="list-style-type: none"> <li>• 4.5m maximum in any Commercial, Institutional, or Residential zone except the Rural Residential zone</li> <li>• 7.0m maximum in Rural Residential zone</li> <li>• 7.0m maximum in any other zone</li> </ul>

## Setbacks - For Buildings or Structures with ARU(s)

	Front Yard (minimum)	Interior Side Yards (minimum)	Rear Yard (minimum)	Exterior Side Yard (minimum)
<b>Milton</b>	<ul style="list-style-type: none"> <li>Regular setbacks for dwellings apply</li> </ul>	<ul style="list-style-type: none"> <li>Regular setbacks for dwellings apply</li> </ul>	<ul style="list-style-type: none"> <li>Regular setbacks for dwellings apply</li> </ul>	<ul style="list-style-type: none"> <li>Regular setbacks for dwellings apply</li> </ul>
<b>Halton Hills</b>	<ul style="list-style-type: none"> <li>Regular setbacks apply</li> </ul>	<ul style="list-style-type: none"> <li>Regular setbacks apply</li> </ul>	<ul style="list-style-type: none"> <li>Regular setbacks apply</li> </ul>	<ul style="list-style-type: none"> <li>Regular setbacks apply</li> </ul>
<b>Toronto</b>	<ul style="list-style-type: none"> <li>Regular setbacks for dwellings and accessory structures apply.</li> </ul>	<ul style="list-style-type: none"> <li>0m for laneway suite if rear lot line does not abut a street/lane and if no openings in rear main wall of ancillary building</li> <li>1.0m for laneway suite in all other cases</li> <li>Greater of 1.5m and 10% of lot frontage to a maximum of 3m for garden suite if side lot line does not abut a street and no openings in side main wall of ancillary building</li> </ul>	<ul style="list-style-type: none"> <li>0m for laneway suite if rear lot line does not abut a street or lane and there are no openings in rear main wall of ancillary building</li> <li>1.0m for laneway suite in all other cases</li> <li>Greater of 1.5m and half the height of the ancillary building for garden suite</li> <li>1.5m for garden suite in all other cases</li> </ul>	<ul style="list-style-type: none"> <li>Regular setbacks for dwellings and accessory structures apply.</li> </ul>
<b>Brampton</b>	<ul style="list-style-type: none"> <li>Regular setbacks apply</li> </ul>	<ul style="list-style-type: none"> <li>1.8m for garden suites</li> </ul>	<ul style="list-style-type: none"> <li>2.5 for garden suites</li> </ul>	<ul style="list-style-type: none"> <li>Regular setbacks apply</li> </ul>
<b>Richmond Hill</b>	<ul style="list-style-type: none"> <li>Regular setbacks apply</li> </ul>	<ul style="list-style-type: none"> <li>1.2m for at least one side yard</li> <li>1.2m for any side yard that has access door to attached or detached ARU</li> </ul>	<ul style="list-style-type: none"> <li>1.2m for any rear yard that has access door to detached ARU</li> </ul>	<ul style="list-style-type: none"> <li>Regular setbacks apply</li> </ul>
<b>Cambridge</b>	<ul style="list-style-type: none"> <li>Regular setbacks apply</li> </ul>	<ul style="list-style-type: none"> <li>Regular setbacks apply</li> </ul>	<ul style="list-style-type: none"> <li>1.2m</li> <li>3.0m if accessory building located on a through lot &amp; accessed by laneway</li> </ul>	<ul style="list-style-type: none"> <li>Regular setbacks apply</li> </ul>
<b>Kitchener</b>	<ul style="list-style-type: none"> <li>Regular setbacks apply</li> </ul>	<ul style="list-style-type: none"> <li>1.2m on each side for detached and duplex buildings on lots containing a detached ARU; 2.5m on one side for semi, semi duplex &amp; townhouses</li> <li>0.6m for a detached ARU</li> </ul>	<ul style="list-style-type: none"> <li>0.6m for a detached ARU</li> </ul>	<ul style="list-style-type: none"> <li>Regular setbacks apply</li> </ul>
<b>Hamilton</b>	<ul style="list-style-type: none"> <li>Regular setbacks apply</li> </ul>	<ul style="list-style-type: none"> <li>1.2m for detached ARU</li> </ul>	<ul style="list-style-type: none"> <li>1.2m for detached ARU</li> </ul>	<ul style="list-style-type: none"> <li>Not closer than principal dwelling</li> </ul>
<b>Clarington</b>	<ul style="list-style-type: none"> <li>Regular setbacks apply</li> </ul>	<ul style="list-style-type: none"> <li>1.8m for detached ARU</li> </ul>	<ul style="list-style-type: none"> <li>1.8m for detached ARU</li> </ul>	<ul style="list-style-type: none"> <li>Regular setbacks apply</li> </ul>
<b>Brant</b>	<ul style="list-style-type: none"> <li>Regular setbacks apply</li> </ul>	<ul style="list-style-type: none"> <li>Regular setbacks apply</li> </ul>	<ul style="list-style-type: none"> <li>Regular setbacks apply</li> </ul>	<ul style="list-style-type: none"> <li>Regular setbacks apply</li> </ul>

	Front Yard (minimum)	Interior Side Yards (minimum)	Rear Yard (minimum)	Exterior Side Yard (minimum)
King (Rural)	<ul style="list-style-type: none"> <li>• Detached ARU no closer to street line than main building</li> </ul>	<ul style="list-style-type: none"> <li>• 1.2m for detached ARU</li> </ul>	<ul style="list-style-type: none"> <li>• 1.2m for detached ARU</li> </ul>	<ul style="list-style-type: none"> <li>• Detached ARU no closer to street line than main building</li> </ul>

**Setbacks - Separation between Primary Building and Accessory Structure with an ARU**

	Minimum Separation between Primary Building and Accessory Structure with an ARU
Milton	<ul style="list-style-type: none"> <li>• N/A</li> </ul>
Halton Hills	<ul style="list-style-type: none"> <li>• N/A</li> </ul>
Toronto	<ul style="list-style-type: none"> <li>• 5.0m if the height of the ancillary building is no greater than 4.0 metres; and</li> <li>• 7.5m if the height of the ancillary building is greater than 4.0 metres.</li> </ul>
Brampton	<ul style="list-style-type: none"> <li>• 3.0m</li> </ul>
Richmond Hill	<ul style="list-style-type: none"> <li>• Regular setbacks apply, if any</li> </ul>
Cambridge	<ul style="list-style-type: none"> <li>• Regular setbacks apply: 1m</li> </ul>
Kitchener	<ul style="list-style-type: none"> <li>• Regular setbacks apply, if any</li> </ul>
Hamilton	<ul style="list-style-type: none"> <li>• 7.5m if detached ARU is in rear yard</li> <li>• 4.0m if detached ARU is in interior side yard</li> <li>• 5.0m from front façade of principal dwelling to detached ARU</li> </ul>
Clarington	<ul style="list-style-type: none"> <li>• Regular setbacks apply, if any</li> </ul>
Brant	<ul style="list-style-type: none"> <li>• Regular setbacks apply, if any</li> </ul>
King (Rural)	<ul style="list-style-type: none"> <li>• Regular setback apply: 1.8m</li> </ul>

## Access

	Access Regulations
<b>Milton</b>	<ul style="list-style-type: none"> <li>• None specified</li> </ul>
<b>Halton Hills</b>	<ul style="list-style-type: none"> <li>• None specified</li> </ul>
<b>Toronto</b>	<ul style="list-style-type: none"> <li>• A pedestrian entrance leading exclusively to a secondary suite is permitted in a front wall of a townhouse; and</li> <li>• not permitted in a front wall of a detached house or semi-detached house</li> </ul>
<b>Brampton</b>	<ul style="list-style-type: none"> <li>• Minimum 1.2m wide unobstructed pedestrian path of travel from door of ARU to front wall of the principle dwelling, the public street or private laneway at the rear of the property</li> </ul>
<b>Richmond Hill</b>	<ul style="list-style-type: none"> <li>• An ARU shall not be accessed from within a garage, whether attached to or detached from a primary dwelling unit</li> </ul>
<b>Cambridge</b>	<ul style="list-style-type: none"> <li>• ARU only be permitted on a lot fronting on an open and municipally maintained street or road</li> <li>• If direct access to ARU from interior side yard, entrance to ARU must be minimum 1.2m away from interior side lot line and no stairs permitted within the 1.2 metres</li> <li>• Minimum 1.2m wide clear and maintained pedestrian path from street line to entrance of detached ARU</li> </ul>
<b>Kitchener</b>	<ul style="list-style-type: none"> <li>• Maximum of one pedestrian entrance on each street line facade to the principal building</li> <li>• Minimum 1.1m wide unobstructed walkway from street or lane to detached ARU, walkway not located within required parking space</li> </ul>
<b>Hamilton</b>	<ul style="list-style-type: none"> <li>• No outside stairway above the first floor other than a required exterior exit</li> <li>• Maximum of one entrance permitted on the front façade of a dwelling containing an ARU (exceptions for some locations)</li> <li>• Minimum 1.0m wide and 2.1m clearance in height unobstructed path from street line to entrance of detached ARU</li> </ul>
<b>Clarington</b>	<ul style="list-style-type: none"> <li>• Entrances for an ARU within principal building may be through a common door in the front building façade</li> <li>• Separate entrances for ARU or the principal dwelling must be accessed via the rear or side yard</li> </ul>
<b>Brant</b>	<ul style="list-style-type: none"> <li>• ARU shall have unobstructed access from street or driveway, including obstructions posed by potential flooding and erosion hazard</li> </ul>
<b>King (Rural)</b>	<ul style="list-style-type: none"> <li>• For ARU in detached accessory building, 1.2m wide unobstructed pedestrian access to entrance of ARU unless access is provided directly from street or lane</li> <li>• Entrance to ARU within principal dwelling: <ul style="list-style-type: none"> <li>○ shall be separate from main entrance of principal dwelling, either as: separate exterior entrance located on side or rear wall of principal dwelling; via an attached garage; or from indoor common vestibule</li> <li>○ shall be accessible from minimum 1.2m wide unobstructed lard landscaped surface walkway or from a driveway</li> <li>○ a new entrance not permitted on same wall as main entrance to principal dwelling unit</li> </ul> </li> </ul>

## Parking

	Minimum Parking Required
<b>Milton</b>	<ul style="list-style-type: none"> <li>• 1 space per accessory dwelling unit in addition to required parking for main dwelling unit.</li> </ul>
<b>Halton Hills</b>	<ul style="list-style-type: none"> <li>• 1 space per dwelling unit in addition to the requirement for the detached, semi, or townhouse unit.</li> </ul>
<b>Toronto</b>	<ul style="list-style-type: none"> <li>• 1 space for each secondary suite in excess of one</li> <li>• If lot has laneway suite, no parking required for primary dwelling unit and any ARUs</li> <li>• No parking required for garden suite</li> <li>• 2 bicycle parking spaces for laneway suite or garden suite</li> </ul>
<b>Brampton</b>	<ul style="list-style-type: none"> <li>• 1 space if a lot contains both a second unit and a garden suite</li> <li>• No additional parking required when only one ARU is proposed</li> <li>• 2 spaces required for each single-detached, semi-detached, and street townhouse principal dwelling unit</li> </ul>
<b>Richmond Hill</b>	<ul style="list-style-type: none"> <li>• 1 space for each ARU</li> <li>• 1 space for the second ARU if the primary dwelling has 2 existing spaces</li> <li>• No space required for ARUs where parking not required for primary dwelling unit</li> </ul>
<b>Cambridge</b>	<ul style="list-style-type: none"> <li>• 1 space for each ARU</li> </ul>
<b>Kitchener</b>	<ul style="list-style-type: none"> <li>• 1 space for each detached ARU or 0 where lot is located within 800m of a LRT station</li> </ul>
<b>Hamilton</b>	<ul style="list-style-type: none"> <li>• 1 space for each ARU</li> </ul>
<b>Clarington</b>	<ul style="list-style-type: none"> <li>• 1 parking space for each additional dwelling unit or garden suite</li> </ul>
<b>Brant</b>	<ul style="list-style-type: none"> <li>• 1 additional parking space for an ARU</li> </ul>
<b>King (Rural)</b>	<ul style="list-style-type: none"> <li>• 1 space for each ARU in addition to minimum required for principal dwelling</li> </ul>

## Coverage

	Maximum Overall Lot Coverage	Maximum Coverage of Accessory Buildings & Structures	Minimum Landscaped Open Space
<b>Milton</b>	<ul style="list-style-type: none"> <li>• No special regulation for ARU</li> </ul>	<ul style="list-style-type: none"> <li>• Detached ARU not permitted</li> </ul>	<ul style="list-style-type: none"> <li>• No special regulation for ARU</li> </ul>
<b>Halton Hills</b>	<ul style="list-style-type: none"> <li>• No special regulation for ARU</li> </ul>	<ul style="list-style-type: none"> <li>• Detached ARU not permitted</li> </ul>	<ul style="list-style-type: none"> <li>• No special regulation for ARU</li> </ul>
<b>Toronto</b>	<ul style="list-style-type: none"> <li>• Ancillary building containing a laneway suite or garden suite is not included in the overall calculation of lot coverage</li> </ul>	<ul style="list-style-type: none"> <li>• 30% covered by all ancillary buildings including laneway suite</li> <li>• 20% covered by all ancillary buildings including garden suite</li> </ul>	<ul style="list-style-type: none"> <li>• 60% of area between rear main walls of residential building and front main wall of laneway suite for lot frontage 6.0m or less; 85% for lot frontage greater than 6.0m</li> <li>• 25% of area between rear main wall of residential building and rear lot line for frontage 6.0m or less; 50% for lot frontage greater than 6.0m</li> </ul>
<b>Brampton</b>	<ul style="list-style-type: none"> <li>• No special regulation for ARU</li> </ul>	<ul style="list-style-type: none"> <li>• No special regulation for ARU</li> </ul>	<ul style="list-style-type: none"> <li>• No special regulation for ARU</li> </ul>
<b>Richmond Hill</b>	<ul style="list-style-type: none"> <li>• No special regulation for ARU</li> </ul>	<ul style="list-style-type: none"> <li>• No special regulation for ARU</li> </ul>	<ul style="list-style-type: none"> <li>• No special regulation for ARU</li> </ul>
<b>Cambridge</b>	<ul style="list-style-type: none"> <li>• No special regulation for ARU</li> </ul>	<ul style="list-style-type: none"> <li>• No special regulation for ARU</li> </ul>	<ul style="list-style-type: none"> <li>• No special regulation for ARU</li> </ul>
<b>Kitchener</b>	<ul style="list-style-type: none"> <li>• No special regulation for ARU</li> </ul>	<ul style="list-style-type: none"> <li>• No special regulation for ARU</li> </ul>	<ul style="list-style-type: none"> <li>• 20% for two attached ADUs</li> </ul>
<b>Hamilton</b>	<ul style="list-style-type: none"> <li>• No special regulation for ARU</li> </ul>	<ul style="list-style-type: none"> <li>• 25% for all accessory buildings and ARU</li> </ul>	<ul style="list-style-type: none"> <li>• 12m<sup>2</sup> in rear yard</li> </ul>
<b>Clarington</b>	<ul style="list-style-type: none"> <li>• No special regulation for ARU</li> </ul>	<ul style="list-style-type: none"> <li>• Lesser of 10% coverage for the ARU or the zone regulation's lot coverage maximum</li> </ul>	<ul style="list-style-type: none"> <li>• No special regulation for ARU</li> </ul>
<b>Brant</b>	<ul style="list-style-type: none"> <li>• No special regulation for ARU</li> </ul>	<ul style="list-style-type: none"> <li>• No special regulation for ARU</li> </ul>	<ul style="list-style-type: none"> <li>• No special regulation for ARU</li> </ul>
<b>King (Rural)</b>	<ul style="list-style-type: none"> <li>• No special regulation for ARU</li> </ul>	<ul style="list-style-type: none"> <li>• No special regulation for ARU</li> </ul>	<ul style="list-style-type: none"> <li>• No special regulation for ARU</li> </ul>

## Servicing

	ARU(s) must be Connected to Municipal Servicing	Permit Private Servicing for ARU(s)	No Servicing Requirement Specified for ARU(s) within Official Plan or Zoning
Milton	X		
Halton Hills	X (in Urban Area)	X (in Rural Area)	
Toronto			X (except for severance of a lot containing an ARU into two lots)
Brampton	X	X	
Richmond Hill			X (zoning specifies that ARUs are exempted from servicing allocation requirement; official plan requires ARUs to meeting Provincial building code)
Cambridge	X (where available)	X	
Kitchener	X		
Hamilton		X	Zoning and official plan only address servicing for ARUs in rural area, but not urban area
Clarington			X
Brant	X (where available)	X	
King (Rural)			X

## Other Regulations for ARUs

	Home Occupation	Other Accessory Uses	Other Regulations
<b>Milton</b>	No restriction for home occupation in a dwelling with ARU or in ARU, but not permitted in accessory building	No regulations	The OP requires registration of ARU, but no requirement in zoning by-law
<b>Halton Hills</b>	No restriction for home occupation in a dwelling with ARU or in ARU, but not permitted in accessory building	No regulations	The OP requires registration of ARU, but no requirement in zoning by-law
<b>Toronto</b>	Permitted in detached ARU if it is exclusively and separately occupied as a principal residence; no restriction for home occupation in a dwelling with ARU or in an attached ARU	Permitted: Short-term rental in detached ARU if it is exclusively and separately occupied as a principal residence	Additions and exterior alterations; angular plane; decks, platform, and amenities; permitted encroachments; architectural feature; equipment; solar energy device
<b>Brampton</b>	Only permitted in single detached dwelling or in building or garage accessory to single detached dwelling, except office which can be in any dwelling unit	Not Permitted: ARU on same lot as lodging house or supporting housing	Not Permitted: Balconies and rooftop patios not permitted for detached ARU; Permitted: Detached ARU in converted shipping container ARUs shall be registered Detached ARU shall not be severed
<b>Richmond Hill</b>	Not Permitted: home occupations uses not permitted within ARUs		
<b>Cambridge</b>	Not Permitted: ARU not permitted on a lot containing home occupation	Not Permitted: ARU not permitted on a lot containing garden suite, bed and breakfast, or board, lodging or rooming house	Not Permitted: Basement or other habitable space below grade in detached ARU Comply with Ontario Building and Fire Code Detached ARU shall not be severed
<b>Kitchener</b>	Permitted, only a few home businesses permitted in a dwelling with an ARU or within an ARU as compared to single and semi-detached dwelling		Detached ARU shall not be severed
<b>Hamilton</b>	Permitted, only a few home businesses permitted in a dwelling with an ARU or within an ARU as compared to single and semi-detached dwelling		Converted Dwellings
<b>Clarington</b>	In Urban Zoning by-law: Permitted within an ARU subject to the home occupation (multi-residential) regulations In Oak Ridges Moraine Zoning By-law: Permitted, but restricted to business or admin office with no		ARU Must be registered Detached ARU shall not be severed. In no case shall an additional dwelling unit be considered a residence surplus to a farm operation



	<b>Home Occupation</b>	<b>Other Accessory Uses</b>	<b>Other Regulations</b>
	delivery of goods, no clients coming to dwelling, and no employees who reside on different lot		
<b>Brant</b>	No restriction for home occupation in a dwelling with ARU or in ARU, but home occupations not permitted in accessory buildings except in rural zones	Not Permitted: In official plan policy, ARU not permitted on lot with similar housing form, such as a garden suite or mobile home.	Comply with Ontario Building and Fire Code Regulations for detached ARU on lands outside settlement area boundary Detached ARU shall not be severed on a lot within Agricultural Designation
<b>King (Rural)</b>	Some zones permit both ARU and home occupation, but some do not. Home occupation not permitted in accessory building.	Not Permitted: ARU in principal dwelling in conjunction with bed and breakfast	Not Permitted: ARU within building used to keep livestock