

THE CORPORATION OF THE COUNTY OF WELLINGTON

File No: OP-2015-02
Municipality: County of Wellington

Date of Decision: May 26, 2016
Date of Notice: June 8, 2016
Last Date of Appeal: June 28, 2016

**NOTICE OF DECISION
With Respect to an Official Plan Amendment
to the County of Wellington Official Plan
Section 22 (6.6) of the Planning Act
(Re: OPA 99 - County of Wellington)**

Take Notice that on **May 26, 2016** the Corporation of the County of Wellington passed **By-law No. 5478-16** to adopt **Official Plan Amendment No. 99** to the County of Wellington Official Plan.

Purpose and Effect of the Official Plan Amendment

The purpose of the proposed Official Plan Amendment is to:

- a) Amend the Wellington Growth Forecast by updating the population, household and employment forecasts to extend to 2036 and 2041, and revise related text;
- b) Update policies for second units, to comply with changes to the *Planning Act*.

Public Input

There were no written objections received at the time of the Public Meeting and one oral submission was made in support of the amendment at the Public Meeting. After the Public Meeting there was a written submission and delegation to County Council by a landowner in Erin opposed to the amendment and requesting that adoption be deferred until after the Town wastewater servicing environmental assessment is complete. County Council did not defer the amendment.

Exempt from Provincial Approval

The proposed Official Plan Amendment is exempt from approval by the Ministry of Municipal Affairs and Housing and the decision of County Council is final if a notice of appeal is not received before or on the last day for filing a notice of appeal as noted above.

When and How to file An Appeal

Any appeal to the Ontario Municipal Board must be filed with the Corporation of the County of Wellington no later than 20 days from the date of this notice, as shown above as the last date of appeal. The notice of appeal must be sent to the attention of the Clerk for the County of Wellington at the address shown below and it must:

- (1) set out the specific part of the proposed official plan amendment to which the appeal applies,
- (2) set out the reasons for the request for appeal, and
- (3) be accompanied by the fee prescribed under the Municipal Board Act in the amount of \$125.00 payable by certified cheque to the Minister of Finance, Province of Ontario.

Who Can File An Appeal

Only individuals, corporations or public bodies may appeal the decision of the Corporation of the County of Wellington to the Ontario Municipal Board. A notice of appeal may not be made by an unincorporated association or group. However, a notice of appeal may be made in the name of an individual who is a member of the association or the group on its behalf.

Getting Additional Information:

Additional information about the application is available for public inspection during regular office hours at the Corporation of the County of Wellington at the address noted below.

Mailing Address for Filing a Notice of Appeal:

Clerk, County of Wellington
Administration Centre
74 Woolwich Street, Guelph ON N1H 3T9
tel: (519) 837-2600 fax: (519) 837-1901

**AMENDMENT NUMBER 99
TO THE OFFICIAL PLAN FOR THE
COUNTY OF WELLINGTON**

**COUNTY OF WELLINGTON
GENERAL AMENDMENT
(Updated Growth Forecasts and Second Unit Policies)**



THE CORPORATION OF THE COUNTY OF WELLINGTON

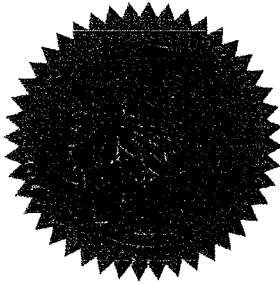
BY-LAW NUMBER 5478-16

A by-law to adopt Official Plan Amendment No. 99
(Growth Forecast and Second Unit Updates Policy)
to the Wellington County Official Plan.


WHEREAS The Council of The Corporation of the County of Wellington, pursuant to the provisions of the Planning Act, R.S.O., 1990, as amended, does hereby enact as follows:

1. **THAT** Amendment Number 99 to the Official Plan for the County of Wellington, consisting of the attached text and schedules is hereby adopted.
2. **THAT** this by-law shall come into force and take effect on the day of the final passing thereof, subject to the provisions of the Planning Act, R.S.O., 1990, as amended.

READ A FIRST, SECOND AND THIRD TIME AND PASSED MAY 26, 2016.




GEORGE BRIDGE, WARDEN


DONNA BRYCE, COUNTY CLERK

**AMENDMENT NUMBER 99
TO THE
COUNTY OF WELLINGTON OFFICIAL PLAN**

INDEX

PART A - THE PREAMBLE

The Preamble provides an explanation of the proposed amendment including the purpose, location, and background information, but does not form part of this amendment.

PART B - THE AMENDMENT

The Amendment describes the changes and/or modifications to the Wellington County Official Plan, which constitute Official Plan Amendment Number 99.

PART C - THE APPENDICES

The Appendices, if included herein, provide information related to the Amendment, but do not constitute part of the Amendment.

PART A – THE PREAMBLE

PURPOSE

The purpose of the proposed Official Plan Amendment is to:

- a) Amend the Wellington Growth Forecast by updating the population, household and employment forecasts to extend to 2036 and 2041, and revise related text;
- b) Update policies for second units, to comply with changes to the *Planning Act*.

LOCATION

The proposed amendment applies to the entire County of Wellington.

BACKGROUND

Growth Forecasts

The current County Official Plan forecasts were adopted in 2008 to conform with and allocate the forecasts which extended to 2031 in the Growth Plan for the Greater Golden Horseshoe (the Growth Plan). Since that time, the province approved an amendment to Schedule 3 of the Growth Plan that shows population and employment forecasts at 2031, 2036 and 2041. Municipalities are required to conform to the updated Places to Grow forecast by June 17, 2018.

Second Units

Bill 140 introduced changes to legislation, including the *Planning Act*. The changes to the *Planning Act* identified affordable housing as a matter of Provincial interest and require municipalities to amend their Official Plan documents to contain policies which authorize second units in single detached, semi-detached and rowhouse dwellings; as well as structures ancillary to these dwellings. Additional changes included extending the maximum time that a garden suite may be permitted from 10 years to 20 years. The intent of the *Planning Act* changes is to increase the affordability of housing and make more efficient use of land and infrastructure.

BASIS

Growth Forecasts

The province requires the Places to Grow population and employment forecasts for the County to be used for planning and managing growth. There is also a requirement that the County will, in consultation with the lower-tier municipalities, allocate the County growth forecasts to lower-tier municipalities.

The County retained Watson & Associates in 2014 to extend the County forecasts to 2036 and 2041, and allocate the updated forecast to local municipalities. The updated forecast was again further allocated to urban centres for residential. In May, 2015, County Council received the growth forecast update report from Watson & Associates, and directed staff to circulate the amendment to local municipalities for comment. A number of comments were received and accommodated in the draft that was formally circulated.

Second Units

The policies proposed in this amendment are a result of research and review of applicable Bill 140 legislation and second unit policies in other jurisdictions. A staff report which outlined the overall proposed policy direction was received by the County Planning Committee on November 12th, 2015 and circulated to local municipalities for comment. A number of comments were received and accommodated in the draft that was formally circulated.

PUBLIC AND AGENCY INPUT

A draft of OPA 99 was circulated for public and agency comments in March, 2016. In accordance with the Planning Act, a Public Meeting was held on April 21, 2016. No one spoke in opposition to the Amendment at the Public Meeting. Most of the written comments received in the circulation were supportive of the overall policy direction. Revisions to the Final Draft of the Amendment were made in response to comments from Conservation Authorities that second units should not be allowed in hazardous lands.

PART B – THE AMENDMENT

All of this part of the document entitled Part B – The Amendment, consisting of the following text and maps constitute Amendment No. 99 to the official Plan for the County of Wellington.

1. Tables 1 through 8 are deleted and replaced with the following:

Table 1
Wellington County
Projected Growth in Wellington County to 2041

	2016	2031	2036	2041
<i>Total Population¹</i>	95,805	122,000	132,000	140,000
<i>% of Population in Urban Centres</i>	51	59	61	62
<i>Households</i>	32,960	42,290	45,750	48,740
<i>Total Employment²</i>	40,070	54,000	57,000	61,000

Table 2
Township of Wellington North
Projected Growth in Wellington County to 2041

	2016	2036	2041
<i>Total Population¹</i>	12,490	17,085	17,685
<i>Households</i>	4,635	6,330	6,590
<i>Total Employment²</i>	7,070	9,320	9,440

	2016	2036	2041
ARTHUR			
<i>Total Population¹</i>	2,725	3,700	3,670
<i>Households</i>	1,005	1,370	1,370
MOUNT FOREST			
<i>Total Population¹</i>	5,190	8,550	9,230
<i>Households</i>	2,150	3,365	3,625
OUTSIDE URBAN CENTRES			
<i>Total Population¹</i>	4,575	4,835	4,785
<i>Households</i>	1,480	1,595	1,595

Table 3
Town of Minto
Projected Growth in Wellington County to 2041

	2016	2036	2041
<i>Total Population¹</i>	9,065	12,380	12,810
<i>Households</i>	3,280	4,435	4,610
<i>Total Employment²</i>	3,830	4,900	5,130

	2016	2036	2041
CLIFFORD			
<i>Total Population¹</i>	875	1,270	1,350
<i>Households</i>	355	490	520
HARRISTON			
<i>Total Population¹</i>	2,095	3,260	3,240
<i>Households</i>	795	1,195	1,195
PALMERSTON			
<i>Total Population¹</i>	2,875	4,310	4,660
<i>Households</i>	1,080	1,590	1,715
OUTSIDE URBAN CENTRES			
<i>Total Population¹</i>	3,220	3,530	3,560
<i>Households</i>	1,050	1,160	1,180

Table 4
Township of Mapleton
Projected Growth in Wellington County to 2041

	2016	2036	2041
<i>Total Population¹</i>	10,785	13,575	14,060
<i>Households</i>	3,065	4,050	4,235
<i>Total Employment²</i>	4,590	6,360	6,670

	2016	2036	2041
DRAYTON			
<i>Total Population¹</i>	2,285	3,650	3,990
<i>Households</i>	780	1,210	1,315
MOOREFIELD			
<i>Total Population¹</i>	440	1,730	1,970
<i>Households</i>	160	545	625
OUTSIDE URBAN CENTRES			
<i>Total Population¹</i>	8,060	8,195	8,100
<i>Households</i>	2,125	2,295	2,295

Table 5
Township of Centre Wellington
Projected Growth in Wellington County to 2041

	2016	2036	2041
<i>Total Population¹</i>	29,885	48,520	52,310
<i>Households</i>	10,785	17,245	18,690
<i>Total Employment²</i>	11,970	20,130	22,780

Urban Centres

	2016	2036	2041
<i>ELORA-SALEM</i>			
<i>Total Population¹</i>	7,565	12,080	13,060
<i>Households</i>	2,750	4,300	4,675
<i>FERGUS</i>			
<i>Total Population¹</i>	14,975	28,780	31,630
<i>Households</i>	5,605	10,365	11,415
<i>OUTSIDE URBAN CENTRES</i>			
<i>Total Population¹</i>	7,345	7,660	7,625
<i>Households</i>	2,430	2,575	2,585

Table 6
Township of Guelph-Eramosa
Projected Growth in Wellington County to 2041

	2016	2036	2041
<i>Total Population¹</i>	13,400	14,625	14,575
<i>Households</i>	4,395	4,915	4,940
<i>Total Employment²</i>	4,820	5,910	6,100

	2016	2036	2041
ROCKWOOD			
<i>Total Population¹</i>	5,000	6,125	6,075
<i>Households</i>	1,745	2,155	2,155
OUTSIDE URBAN CENTRES			
<i>Total Population¹</i>	8,400	8,500	8,500
<i>Households</i>	2,650	2,760	2,785

Table 7
Town of Erin
Projected Growth in Wellington County to 2041

	2016	2036	2041
<i>Total Population¹</i>	12,365	15,360	15,865
<i>Households</i>	4,115	5,185	5,385
<i>Total Employment²</i>	3,770	5,220	5,240

	2016	2036	2041
HILLSBURGH AND ERIN*			
<i>Total Population¹</i>	4,415	6,500	7,000
<i>Households</i>	1,530	2,235	2,420

OUTSIDE URBAN CENTRES			
<i>Total Population¹</i>	7,950	8,860	8,865
<i>Households</i>	2,585	2,950	2,965

* Erin Village and Hillsburgh are combined until the Town of Erin Council determines how much growth will go to each community and how much growth will be serviced by municipal water and wastewater and/or partial services.

Table 8
Township of Puslinch
Projected Growth in Wellington County to 2041

	2016	2036	2041
<i>Total Population¹</i>	7,815	9,565	9,655
<i>Households</i>	2,685	3,295	3,335
<i>Total Employment²</i>	4,020	5,160	5,630

	2016	2036	2041
ABERFOYLE			
<i>Total Population¹</i>	325	345	335
<i>Households</i>	120	130	130
MORRISTON			
<i>Total Population¹</i>	480	590	620
<i>Households</i>	185	225	235
OUTSIDE URBAN CENTRES			
<i>Total Population¹</i>	7,010	8,630	8,700
<i>Households</i>	2,380	2,940	2,970

^{1.} includes the net undercount adjustment which is estimated at approximately 4.1%

^{2.} includes 'no fixed place of work' employment.

2. Section **3.1 GENERAL STRATEGY** is amended by deleting the first paragraph and replacing it with the following:

“Wellington County will grow from approximately 96,000 people in 2016 to approximately 140,000 in 2041. Wellington will plan for new housing, commerce, employment and services for about 46,000 new residents.”

3. Section **3.5 ALLOCATING GROWTH** is amended by:

a) deleting the highlighted text and replacing it with the following:

“By the year 2041, Wellington will be a community of 140,000 people.”

4. Section **4.4 HOUSING** is amended by:

a) Deleting the phrase “accessory residences” from section **4.4.5 Affordable Housing** and replacing it with “second units” in the fourth and fifth paragraph.

b) Re-numbering sub-section **4.4.6 Special Needs and Seniors Housing** to Section **“4.4.8 Special Needs and Seniors Housing.”**

c) Adding the following new sub-sections after the last paragraph of Section **4.4.5 Affordable Housing**:

“4.4.6 Second Units

Second units, also known as accessory or basement apartments, secondary suites or in-law suites are self-contained residential units with separate kitchen, bathroom and sleeping facilities.

Second units increase the stock of affordable rental housing; provide home owners with additional incomes; and offer alternative housing options for elderly and young adult family members.

Second units are not the same as garden suites because garden suites are temporary residences. Garden suites are addressed in Section 4.4.7 of this Plan.

It is the policy of this Plan to authorize:

a) The use of two residential units in a detached house, semi-detached house or rowhouse if no building or structure ancillary to a detached house, semi-detached house or rowhouse contains a residential unit; and

b) The use of a residential unit in a building or structure ancillary to a detached house, if the detached house contains only one single residential unit,

subject to the provisions set out below.

4.4.6.1 Second Units Within a Main Residence

One second unit may be allowed in a single detached, semi-detached or rowhouse dwelling on a property, provided that a second unit does not already exist on the property.

Local Municipalities may enact zoning provisions to address the following matters:

- a) that safe road access can be provided;
- b) the establishment of a second unit does not require the creation of an additional driveway access;
- c) that adequate off-street parking can be provided on site for both the main residence and second unit without detracting from the visual character of the area;
- d) that any exterior alterations to the main residence, necessary to accommodate the second unit, are made in the side or rear yards;
- e) that adequate amenity areas are provided for the main residence and second unit;
- f) the second unit meets the applicable Building Code, Fire Code and local property regulations;
- g) that adequate water and sewage disposal services can be provided to the second unit; and,
- h) whether a garden suite and second unit will not be permitted on the same lot.

A second unit will not be allowed in a dwelling located in hazardous lands.

4.4.6.2 Second Units Within an Ancillary Building or Structure

One second unit may be allowed in a building or structure that is ancillary to a single detached dwelling, provided that a second unit does not already exist on the property. A second unit will be prohibited from being severed from the property.

In addition to those matters outlined in Section 4.4.6.1, Local Municipalities may enact zoning provisions to address the following:

- a) the second unit is located within the main building cluster on the property;
- b) the second unit will be clearly secondary to the primary dwelling unit on the property;
- c) Minimum Distance Separation formula is complied with, where applicable;
- d) that screening/buffering, where deemed necessary, is provided to minimize visual impacts to adjacent properties and frontages.

A second unit will not be allowed in an ancillary building or structure located in hazardous lands.

4.4.7 Garden Suites

Subject to Section 13.4 of this Plan a garden suite may be allowed provided it is established near the farm buildings and/or main residence on a property and adequate water supply and sewage disposal systems are available.

Local Municipalities may enact zoning provisions to address the following matters:

- a) the garden suite is located close to the existing residence on the property and is portable so that it can be easily removed when the need for the unit has discontinued;
- b) no additional access shall be provided to the lot from a public road;
- c) adequate screening/buffering, where deemed necessary, is provided to minimize the visual impact of the garden suite to adjacent properties;
- d) adequate amenity areas are provided for the existing dwelling and the second unit;
- e) the provision of a satisfactory site plan which illustrates how items a) to d) above, and any other matters deemed necessary by the municipality, have been addressed; and,
- f) the establishment of a development agreement between the owner and the municipality to address the installation and removal of the unit, site rehabilitation, listing the occupant(s) of the unit and the period of occupancy, and any other matter deemed necessary by the municipality.”

6. Section 6.4 PRIME AGRICULTURAL AREA is amended by:

- a) by deleting bullet “f) accessory residences” under section **6.4.3 Permitted uses**, inserting the following bullets, and re-numbering subsequent bullets:

- “f) second units subject to Sections 4.4.6
- g) garden suites subject to Section 4.4.7
- h) accessory residence”

- b) deleting sub-section **6.4.6 Accessory Residences** and replacing it with the following:

“6.4.6 Accessory Residence

An accessory residence needed for farm help may be allowed provided that it is established within the main building cluster on the property and adequate water supply and sewage disposal systems are available.”

- c) adding the following new paragraph at the end of section **6.9.2 Permitted Uses**:

“A second unit may be allowed subject to the provisions of Section 4.4.6 of this Plan. A garden suite may also be permitted subject to the requirements of Section 4.4.7 of this Plan and in accordance with the temporary use provisions of the Planning Act, as amended.”

7. Section **7.4 HAMLETS** is amended by:
- a) deleting the last sentence of the first paragraph of sub-section **7.4.1 Permitted Uses** and replacing it with the following:

"A second unit may be allowed subject to the provisions of Section 4.4.6 of this Plan. A garden suite may also be permitted subject to the requirements of Section 4.4.7 of this Plan and in accordance with the temporary use provisions of the Planning Act, as amended."
8. Section **7.5 URBAN CENTRES** is amended by:
- a) deleting the third paragraph of sub-section **7.5.5 Residential Uses** and replacing it with the following:

"A second unit may be allowed subject to the provisions of Section 4.4.6 of this Plan."
9. Section **8.3 RESIDENTIAL** is amended by:
- a) inserting the following after the second paragraph of sub-section **8.3.3 Permitted Uses**:

"A second unit may be allowed subject to the provisions of Section 4.4.6 of this Plan."
 - b) deleting the reference to Section 6.4.6 in the in the fourth paragraph of sub-section **8.3.3 Permitted Use** and replacing it with Section "4.4.7".
10. Section **8.5 RESIDENTIAL TRANSITION AREA** is amended by:
- a) deleting the phrase ". Accessory apartments may also be permitted in the RESIDENTIAL TRANSITION AREA" in the second paragraph of sub-section **8.5.3 Permitted Uses**.
11. Section **10.3 PRIME AGRICULTURAL LAND** is amended by:
- a) deleting the last sentence of section **10.3.5 Lot Line Adjustments** that reads:

"The creation of new lots for residences surplus to farm operations is not permitted."
12. Section **13.4 TEMPORARY USE BY-LAWS** is amended by:
- a) deleting the number "10" in the first sentence and replacing it with the number "20".
13. Section **15 DEFINITIONS** is amended by inserting the following new definition:
- "Ancillary:**
For the purposes of Section 4.4.6, ancillary means a shed, garage, carriage house or barn."