



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____ - 2022

To Adopt Amendment Number OP 2006-
to the Official Plan of the
City of Brampton Planning Area

The Council of The Corporation of the City of Brampton, in accordance with the provisions of the *Planning Act*, R.S.O. 1990, c.P. 13, hereby ENACTS as follows:

1. Amendment Number OP 2006 - _____ to the Official Plan of the City of Brampton Planning Area is hereby adopted and made part of this by-law.

ENACTED and PASSED this day of 2022.

Approved as to
form.

20__/month/day

[insert name]

Patrick Brown, Mayor

Approved as to
content.

20__/month/day

[insert name]

Peter Fay, City Clerk

AMENDMENT NUMBER OP 2006 -
to the Official Plan of the
City of Brampton Planning Area

AMENDMENT NUMBER OP 2006 -
TO THE OFFICIAL PLAN OF THE
CITY OF BRAMPTON PLANNING AREA

1.0 Purpose:

The purpose of this amendment is to implement policies in the Official Plan to permit additional residential units (ARUs), in conformity with changes to the *Planning Act* made by *Bill 108 More Homes, More Choice Act, 2019*. Bill 108 requires municipalities to permit residential units within accessory structures (to be identified as ‘garden suites’), in addition to the already permitted second units. The existing policies for Second Units will be moved to the Residential section of the Official Plan under a new heading for ARUs.

2.0 Location:

This amendment affects all lands within the City of Brampton.

3.0 Amendments and Policies Relative Thereto:

3.1 The document known as the Official Plan of the City of Brampton Planning Area is hereby amended:

(1) by deleting Subsection 3.2.8.2 Second Units in its entirety and renumbering the subsequent sections.

(2) by adding 4.2.5.6 Additional Residential Units (ARUs) as a subheading, and the following new policies:

“4.2.5.6 Additional Residential Units (ARUs)

The City supports the creation of affordable housing and creative housing solutions that broaden the range of housing typologies and provide gentle intensification in the Residential designation to better utilize infrastructure and services. Second units and garden suites, are a form of Additional Residential Units (ARUs), permitted City-wide subject to the provisions of this Plan, the Zoning By-law, and the Registration By-law.

ARUs aim to support the overall planning objectives of this Plan, including:

- Supporting modest population growth and densification;
- Providing a variety of housing choice;
- Supporting the supply and range of rental housing options across the City;
- Supporting changing demographics through opportunities for multi-generational living, aging in place and age friendly communities;

- Utilizing efficiencies in City and Regional infrastructure including roads, public transportation, water/wastewater and community services; and,
- Providing flexibility for homeowners to enhance the use of their property.

Additional Residential Units (ARUs), are self-contained residential dwelling units, with its own cooking facility, sanitary facility and sleeping area, and that are located either within the principal dwelling (second unit), or within an accessory building or structure (garden suite) on the same lot as a single detached, semi-detached, or townhouse dwelling. ARUs are also known as second(ary) units, garden suites, granny-flats, in-law suites, laneway suites, and/or coach houses.

- 4.2.5.6.1 Additional Residential Units (ARUs) shall only be permitted on properties where a single detached, semi-detached or townhouse dwelling is situated; and shall be subject to the following criteria:
- i. A maximum of two ARUs are permitted per residential lot, one located within the principal dwelling, known as a second unit, and one within an accessory structure or building, known as a garden suite;
 - ii. ARUs are intended to be accessory in scale and function to the principal dwelling;
 - iii. ARUs are to be located on full municipal services, unless it can be demonstrated to the satisfaction of the Chief Building Official that the sewage system on private sanitary servicing has been upgraded to meet the regulations of the Ontario Building Code (OBC) for an additional residential unit;
 - iv. ARUs must be in compliance with the Ontario Building Code and/or Fire Code, Registration By-law, Property Standards By-law, the applicable regulation approved under the Conservation Authorities Act, and other applicable approval requirements;
 - v. An ARU shall not be permitted within natural heritage or natural hazard areas regulated by the applicable Conservation Authority, or the Downtown Floodplain Special Policy Area;
 - vi. An ARU shall have no negative impact on stormwater management and site drainage;

- vii. The exterior design of a garden suite must be compatible with the character of the principal dwelling, in terms of design, style and materials; and,
- viii. Adequate on-site parking is to be provided in accordance with the requirements of the Zoning By-law.

4.2.5.6.2 The City encourages the creation of ARUs through new construction and the subdivision approval process, subject to the policies of this Plan.

4.2.5.6.3 Garden suites will be subject to a Custom Home review process, which includes a design and engineering review that may consider the following:

- i. Privacy and shadow impacts on adjacent properties
- ii. Building design, style and materiality
- iii. Accessible design features
- iv. Sustainable building materials and technologies
- v. Grading, servicing and site drainage
- vi. Preservation of trees and mature vegetation
- vii. Maintenance of an adequate open amenity space in the rear and side yards and maximizing contiguous soft landscaping.

4.2.5.6.4 A deviation from the prescriptive requirements for garden suites as set out in the Zoning By-law, may be considered subject to a minor variance application under Section 45 of the Planning Act, as amended, subject to the following:

- i. Meets the intent and purpose of policies of Section 4.2.5.6.1;
- ii. It is demonstrated that the privacy of the adjacent properties are maintained; and,
- iii. Meets the intent and purpose of the requirements and restrictions of the Zoning Bylaw.

4.2.5.6.5 The severance of a garden suite from the lot where the principal dwelling is located shall not be permitted.”