



## REPORT

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**TO:** Mayor Lawlor and Members of Council

**FROM:** Greg MacNaughtan, Director of Building Services and CBO

**DATE:** May 29, 2023

**REPORT NO.:** TPW-2023-016

**SUBJECT:** Additional Residential Unit (ARU) By-Law and Public Registry

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### RECOMMENDATION:

THAT Report No. TPW-2023-016, dated May 29, 2023 regarding Additional Residential Unit (ARU) By-Law and Public Registry, be received.

AND FURTHER THAT a By-law to provide for the Registration of an Additional Residential Unit (ARU) and Appointing a Registrar to Register an Additional Residential Unit (ARU) in a Public Registry be approved, and that By-law No. 2016-0005 be repealed.

### KEY POINTS:

The following are key points for consideration with respect to this report:

- The current “Two-Unit House” by-law and public registry have become obsolete due to changes made by Bill 23 - *More Homes Built Faster Act 2022*.
- Although a new Additional Residential Unit (ARU) By-law will replace the existing Two-Unit House by-law, no changes to the approval or registration process have been proposed.
- The changes are administrative in nature.

### BACKGROUND AND DISCUSSION:

Bill 23, the More Homes Built Faster Act, 2022 makes changes to the Planning Act to support gentle intensification in existing residential areas. The changes, which came into force upon Royal Assent on November 28, 2022, accelerate implementation of an

updated “additional residential unit” framework by allowing up to three units per lot in many existing residential areas.

The updated “additional residential unit” framework supersedes local official plans and zoning provincewide on any parcel of land where residential uses are permitted in settlement areas with full municipal water and sewage services (except for legal non-conforming uses such as existing houses on hazard lands).

Depending on the property in question, these three units could all be within the existing residential structure or could take the form of a residence with an in-law or basement suite and a laneway or garden home. These new units must be compliant with the Building Code and Fire Code.

“Additional Residential Unit (ARU)” means a self-contained residential dwelling unit, with its own cooking facility, sanitary facility, living and sleeping area, and that it is located either within the principal dwelling, or within an accessory building or structure on the same lot as the principal dwelling;

A maximum of two (2) ARUs may be located within a principal dwelling provided no building or structure ancillary to the principal dwelling contains any residential dwelling units; or,

A maximum of one (1) ARU may be located within a principal dwelling and one (1) ARU may be located within an accessory building or structure on the same property ancillary to the principal dwelling.

Currently the town’s “Two-Unit House” By-law 2016-0005, as amended permits only one (1) accessory dwelling unit within a single-family dwelling. The changes that were given royal ascent through Bill 23 - *More Homes Built Faster Act 2022* has made our current by-law and public registry obsolete.

The new Additional Residential Unit (ARU) By-law and Public Registry will allow our property owners to legally register their ARU(s) on the Town’s public registry. The registry allows the public to review the town addresses listed verifying that an ARU(s) has been approved, inspected and safe for occupancy.

This change in by-law and public registry definition is an early step towards the Town’s efforts in updating and revising current by-laws and our official plan that will support the Bill 23 - *More Homes Built Faster Act 2022*.

## **STRATEGIC PLAN ALIGNMENT:**

This report aligns to the Town’s Strategic plan recognizing the value to provide responsive, effective municipal government and strong leadership in the effective and efficient delivery of municipal services.

This report also identifies shaping growth as one of the Town’s Strategic priorities.

**RELATIONSHIP TO CLIMATE CHANGE:**

This report is administrative in nature and does not directly impact or address climate change and the Town's Net Zero target.

**PUBLIC ENGAGEMENT:**

Public Engagement was not needed as this report is administrative in nature.

**INTERNAL CONSULTATION:**

Consultation was made with the Planning Department to ensure that the Additional Residential Unit (ARU) definition will be consistent with future updates to the towns Zoning By-law and Official Plan.

**FINANCIAL IMPLICATIONS:**

This report is administrative in nature and does not have any financial implications.

Reviewed and approved by,

Maureen Van Ravens, Director of Transportation and Acting Commissioner of  
Transportation & Public Works

Chris Mills, Chief Administrative Officer