REPORT TO: Committee of the Whole
FROM: Amy Knapp, Planner
DATE: February 17, 2015
SUBJECT: Application ZB-2015-003
Suzanne McKee
4 Neretva Street

REPORT HIGHLIGHTS

• The applicant is applying to rezone the subject lands to permit a second kitchen in the basement of the existing single dwelling unit to permit an in-law suite.
• The proposed in-law suite will remain accessible to the remaining portion of the residence as this application is not intended to create a separate independent dwelling unit (apartment).
• Staff recommend that a public meeting be scheduled to obtain comments and/or concerns for further consideration.

RECOMMENDATION

THAT the report from the Planner regarding ZB-2015-003 (McKee) dated February 17, 2015, be received; and

THAT a public meeting be scheduled in accordance with the requirements set forth in the Planning Act R.S.O. 1990.

BACKGROUND

This report is being presented to schedule a public meeting and provide information regarding zoning by-law amendment application ZB-2015-003. The applicant is applying to rezone the property to permit a second kitchen in the basement of the house to provide for an in-law suite that remains accessible to the entire house so as not to permit a second dwelling unit within the house.

The subject lands are located at the south-west corner of Neretva Street.
and Idlewood Drive in the settlement area of Midhurst and contains approximately 1,393.5 square metres (15,000.00 square feet) of lot area and 259.4 metres (108.6 feet) of lot frontage. The property is located within an existing residential subdivision and is surrounded by residential lots similar in size and character.

**Proposed Draft By-law**

Draft wording being considered for this site specific zoning by-law is provided below:

“A second kitchen including a second stove plug is permitted to provide an in-law suite within the basement of the single detached dwelling with unobstructed access throughout the entire dwelling not resulting in an independent dwelling unit.”

**ANALYSIS**

Bill 140 was passed by the Province in May 4, 2011 under the Strong Communities through Affordable Housing Act. The purpose of Bill 140 is to provide for a range of affordable housing options, which includes housing or housing alternatives oriented to the aging public. As such, the Township’s Official Plan update will require a review to examine potential areas where second suites and housing options may exist to provide housing options to seniors among other considerations.

Until such time as the review is initiated, completed and the Official Plan is updated, site specific amendments to the zoning by-law are required in order to determine the appropriateness of proposals like the one considered within this report.

**Provincial Policy Statement (2014)**

One of the key objectives of the Provincial Policy Statement is to build strong and healthy communities by allowing for the accommodation of a variety of residential housing including affordable housing for seniors. More specifically, Section 1.1.1 f) advises that healthy, liveable and safe communities are sustained by improving accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers, which restrict their full participation in society.

The proposed Zoning By-law Amendment would meet this objective by allowing for the applicant’s parent(s) to reside with family while maintaining a sense of independence. The application also provides an alternative form of housing in-line with Age-Friendly Community Planning Guidelines.

**County of Simcoe Official Plan**

The County’s Official Plan also aims to promote a full range of affordable housing alternatives to achieve a ‘complete community’ and to allow for senior members of the community to age in place.
The proposed rezoning is generally consistent with County Official Plan as it provides an alternative form of living accommodation.

_Township of Springwater Official Plan & Comprehensive Zoning By-law 5000_

The subject lands are designated 'Urban Residential' in the Springwater Official Plan and zoned Residential (R1) in Comprehensive Zoning By-law 5000. Section 9.1.2.6 of the Official Plan allows for the consideration of residential conversations of single detached dwellings into multiple units provided that the appropriate municipal services are available, the nature and character of the surrounding existing residential development, the physical capability of the site and the availability and nature of domestic water supplies.

Further, housing policies within the Township Official Plan provide for the consideration of alternative forms of affordable housing such as garden suites, which are similar to that of an in-law suite. Generally speaking, the key difference between a garden suite and an in-law suite is that garden suites are a separate detached structure, which would look “out of place” within existing subdivisions.

The proposed in-law suite would be located within the basement of the existing house which is more suitable for the character of the neighbourhood than a separate detached structure. Further, the property contains a double wide driveway and an attached two car garage which can provide additional parking for the residing family members. Staff do not anticipate that the increase of water and septic use will require any upgrades to the existing services on site. Lastly, the property is a corner lot and abuts two residential properties with adequate buffering on both sides.

The proposed zoning by-law is not intended to provide for a separate independent dwelling unit and is meant to provide living accommodation for relatives maintaining access throughout the house, which is less obtrusive than a ‘Garden Suite’ because the accommodations are contained entirely within the existing house. In addition, it is clearly stated that the living accommodations are not to be separated from the rest office.

**BUDGET IMPLICATIONS**

There are no budget implications related to this file at this time.

**CONCLUSION**

THAT the report from the Planner regarding ZB-2015-003 (McKee) dated February 17, 2015, be received; and

THAT a public meeting be scheduled in accordance with the requirements set forth in the Planning Act R.S.O. 1990.
GUIDING PRINCIPLES

The above initiative supports Council’s guiding principle of:

1. Community Development
2. Growth Management

APPLICABLE MUNICIPAL POLICY OR LEGISLATION

- Planning Act, R.S.O. 1990
- Provincial Policy Statement
- Growth Management Plan for the Greater Golden Horseshoe: Places to Grow
- Simcoe County Official Plan
- Township of Springwater Official Plan
- Township of Springwater Zoning By-law 5000

APPROVALS

Submitted by: Amy Knapp, Planner
Reviewed by: Brent Spagnol MCIP, RPP, Manager of Planning
Budget Implications Reviewed by: Jeff Schmidt CPA, CGA, BAS, Director of Finance
Approved by: Robert Brindley, Chief Administrative Officer

Version code: D14 4/02/15 1711941