

TOWN OF  
**ERIN** Town of Erin  
**Corporate Report**

**Department:** Planning & Development  
**Business Unit:** Planning & Development  
**Presented/  
Prepared By:** Jasmine Malhi, Planning Technician

**Report Number:**  
PD2025-12  
**Meeting Date:**  
5/8/2025

## **Subject**

Statutory Public Meeting – Zoning By-Law Amendment (Z25-01), Eco-Architect Consulting on behalf of 15082315 Canada Inc., 4910 Tenth Line

## **Recommendation**

**That report number PD2025-12 “Statutory Public Meeting – Zoning By-Law Amendment (Z25-01), Eco-Architect Consulting on behalf of 15082315 Canada Inc., 4910 Tenth Line” be received for information.**

## **Background**

The purpose of this report is to provide information for a statutory public meeting presenting a Zoning By-Law Amendment Application submitted by Eco-Architect Consulting on behalf of 15082315 Canada Inc.

The Zoning By-law Amendment (ZBA) is required to permit a new primary single detached dwelling, while maintaining the existing dwelling as an additional residential dwelling unit, with site-specific provisions.

## **Discussion**

### **Proposal**

The subject property is located at 4910 Tenth Line, legally described as Part of Lot 1, Concession 10, Parts 3 & 4, Except Part 1, 61R4500, Parts 1 to 4 Incl, 61R10597, Town of Erin. The subject property has a total site area of 24.30 hectares (60.05 acres) with a frontage of approximately 616.14 metres (2,014.89 ft.) onto Tenth Line. The location of the subject property is shown on the map appended to this report (Appendix A).

The purpose of the Zoning By-law Amendment Application is to re-zone the subject property from an Agricultural (A) Zone and Rural Environmental Protection (EP2) Zone to an Agricultural Exception (A-XXX) Zone and Rural Environmental Protection (EP2) Zone to permit a new primary single detached dwelling, while maintaining the existing dwelling as an additional residential dwelling unit, with site-specific provisions. A Site Plan is attached to the report as Appendix B.

The Zoning By-law Amendment proposes to maintain the Agricultural zone while introducing an exception zone to recognize the existing dwelling as an Accessory

Residential Dwelling Unit (ADU). The following site-specific provisions are requested, and the Town's Zoning By-law requirements are listed below respectively:

- An additional residential dwelling unit to be located in the front yard.
  - Under the Zoning By-law, a detached additional residential dwelling unit is only permitted in the interior side yard, exterior yard or rear yard of the lot, provided the minimum required yard standards of the zone in which the unit is situated are able to be met.
- An additional residential dwelling unit to contain four bedrooms.
  - Under the Zoning By-law, an additional residential dwelling unit shall not contain more than two bedrooms.
- An additional residential dwelling unit with a maximum floor area of 367 square metres, representing 57 percent of the floor area of the primary residential unit.
  - Under the Zoning By-law, the maximum floor area shall not exceed 50 percent of the floor area of the primary residential unit up to a maximum of 130 square metres. The calculation of floor area shall include any finished room in a dwelling unit used or capable of being used by one or more persons for living, sleeping, eating, food preparation or sanitation.
- An additional residential dwelling unit to be located within 78 metres of the main building of the lot.
  - Under the Zoning By-law, an additional residential dwelling unit shall be located within 40 metres of the main building on the lot, but shall maintain a minimum separation distance of 3.0 metres from the main building on the lot.
- An additional residential dwelling unit (accessory building) to have a building height of 7.7 metres.
  - Under the Zoning By-law, the building height of an accessory building in the "A" zone shall not exceed 4.5 metres.

Further details are provided in the draft ZBA attached as Appendix C to this report.

The existing field entrance at the intersection of Tenth Line and County Road 42/Sideroad 32 will be removed as part of the proposed plan. Driveway access to both the new primary single detached dwelling and the existing dwelling (proposed ADU) will be limited to one access off of Tenth Line. The existing dwelling (proposed ADU) will also remain on the existing well and septic system, while a new well and septic system is proposed for the new primary single detached dwelling.

A Notice of Complete Application was issued by the Town of Erin for the Zoning By-law Amendment Application on March 26, 2025. The first submission of the application has been circulated for review to Town departments and commenting agencies.

The subject property currently contains a single detached dwelling (proposed ADU) fronting onto Tenth Line and a detached garage with driveway access from Tenth Line. The property contains a large woodlot and is part of a larger Provincially Significant Wetland (PSW) that extends along the Erin Branch of the Credit River and is within the Regulated Area of Credit Valley Conservation.

The area surrounding the subject property primarily includes agricultural and residential uses with natural features throughout. Land uses within the vicinity of the subject property are as follows:

North: Rural residential uses, agricultural uses and natural heritage features.

East: Rural residential uses, agricultural uses and natural heritage features.

South: Wellington County Rd 42/Sideroad 32, rural residential uses and agricultural uses.

West: Rural residential uses, agricultural uses and natural heritage features.

## **Policy Review**

This section of the report provides a high-level overview of the land use policy framework that applies to the subject property.

### Provincial Planning Statement (PPS) (2024)

The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning and development, and plays a key role in setting the policy foundation for regulating development and the use of land in Ontario.

The PPS speaks to general intensification and redevelopment which supports the achievement of complete communities by accommodating an appropriate range and mix of housing options and supports the creation of additional residential dwelling units (ADUs) in prime and secondary agricultural areas, specifically through Section 4.3.2.5, which permits up to two additional residential dwelling units (ARUs) on a lot where a residential dwelling is permitted. Where two additional residential units are proposed, at least one of these additional residential units is to be located within or attached to the principal dwelling, the other additional dwelling unit may be detached from the main residential dwelling.

### Greenbelt Plan (2017)

The subject property is designated Protected Countryside in the Greenbelt Plan. In accordance with the policies set out in the Greenbelt Plan, specifically section 4.5 Existing Uses, the following provisions apply to lands within the Protected Countryside:

1. All existing uses are permitted.
2. Single dwellings are permitted on existing lots of record, provided they were zoned for such as of the date the Greenbelt Plan came into force.
3. Outside of the Natural Heritage System, second dwelling units are permitted within single dwellings or within existing accessory structures on the same lot.

### County of Wellington Official Plan (Office Consolidation July 2024)

The subject property is designated as Secondary Agricultural Area, Core Greenlands, and Greenlands in accordance with Schedule B2 – Land Use in the County of Wellington Official Plan. As mentioned above, the subject lands are designated Protected Countryside in the Greenbelt Plan. The lands are also designated as Prime Agricultural on the Provincial Systems Mapping. Primary and Secondary Agricultural areas permit a wide range of uses, including but not limited to, Additional Dwelling Units as per section

6.4.3. All uses permitted by this section must be compatible with and not hinder surrounding agricultural uses.

In accordance with Section 4.4.6, Additional Residential Units (ARU), Additional Residential Units are an effective form of intensification and increase the stock of affordable rental housing; provide homeowners with additional sources of income; and offer alternative housing options in the community.

Section 4.4.6.2 of the County Official Plan requires that local municipalities establish zoning provisions to permit an Additional Residential Unit within or attached to a single detached dwelling, semi-detached dwelling, or rowhouse, and an Additional Residential Unit in an accessory structure detached from the main residential dwelling. Severance of the Additional Residential Unit from the primary property is not permitted.

When developing zoning provisions for an Additional Residential Unit in an accessory structure detached from the main residential dwelling, municipalities must ensure that:

- a) The Additional Residential Unit is located within the main building cluster on the property;
- b) The Additional Residential Unit remains clearly secondary to the primary residence; and
- c) Compliance with the Minimum Distance Separation (MDS) formulae is achieved, where applicable.

The existing dwelling (proposed ADU) is located outside of the Core Greenlands and Greenlands designated area, and therefore will have no negative impact on Natural Heritage Features.

#### Town of Erin Official Plan (Office Consolidation January 2023)

In accordance with Schedule A-1 of the Town of Erin's Official Plan, the subject property is primarily designated as Secondary Agricultural Areas, Core Greenlands and Greenlands. As mentioned above, the subject lands are designated Protected Countryside in the Greenbelt Plan. The lands are also designated as Prime Agricultural on the Provincial Systems Mapping

Section 4.2.3 of the Official Plan states that the use of land in Primary and Secondary Agricultural Area designations shall be guided by the policies of the County of Wellington Official Plan which has been discussed in the previous section.

#### Town of Erin Comprehensive Zoning By-law (No. 07-67, as amended)

The subject property is zoned Agricultural (A) and Rural Environmental Protection (EP2) in accordance with Schedule A of the Town of Erin's Zoning By-law 07-67 as amended.

The permitted uses of the Agricultural (A) Zone are listed in Section 5.1 of the By-law and include:

1. Single detached dwelling;
2. Accessory residential dwelling unit; and

3. Uses accessory to any permitted use.

Refer to Table 1 for a summary of the applicable zoning provisions listed in Section 4.1 and 4.2 of the ZBL relating to Accessory Residential Dwelling Units and for the proposed site-specific zone provisions.

**Table 1 – Additional Residential Dwelling Unit Zoning Provisions**

Accessory Dwelling Unit Provisions –Town of Erin Zoning By-Law, as amended 07-67	Proposed Site-Specific Zone Provisions
<b><u>Section 4.1.1.1</u></b>	
The additional residential dwelling unit shall not contain more than two bedrooms.	The additional residential dwelling unit shall not contain more than four bedrooms.
<b><u>Section 4.1.1.3</u></b>	
The maximum floor area shall not exceed 50 percent of the floor area of the primary residential unit up to a maximum of 130 m <sup>2</sup> . The calculation of floor area shall include any finished room in a dwelling unit used or capable of being used by one or more persons for living, sleeping, eating, food preparation or sanitation.	The maximum floor area shall not exceed 57% of the floor area of the primary residential unit up to a maximum of 367 square metres.
The detached additional residential dwelling unit may be located in the interior side yard, exterior yard or rear yard of the lot, provided the minimum required yard standards of the zone in which the unit is situated, are able to be met.	The additional residential dwelling unit within an accessory building or structure shall be located in the required front yard.
<b><u>Section 4.1.3.7</u></b>	
The detached additional residential dwelling unit shall be located within 40 m of the main building on the lot, but shall maintain a minimum separation distance of 3.0 m from the main building on the lot.	The additional residential dwelling unit shall be located within 78 metres of the main building of the lot.
<b><u>Section 4.2.3</u></b>	
The building height of an accessory building used for an agricultural use in an “A” zone shall not exceed 11.0 m. The building height of all other accessory buildings in the “A” zone shall not exceed 4.5 m. The building height of an accessory building in all other zones shall not exceed 4.5 m.	The building height of the additional residential dwelling unit shall be a maximum of 7.7 metres.

An amendment to the Town’s Comprehensive Zoning by-law 07-67 is required to permit the ADU with the above noted site-specific zoning provisions.

## **Planning Process and Next Steps**

The draft Zoning By-law Amendment and 1st submission materials are under review by Town staff and commenting agencies. Consideration for the review of this application includes, but is not limited to, the following:

- Consistency with the Provincial Planning Statement and Greenbelt Plan;
- Conformity with the County of Wellington Official Plan;
- Conformity with the Town of Erin Official Plan;
- Conformity with the Town of Erin Zoning By-law 07-67, as amended;
- Land use compatibility with surrounding land uses;
- Appropriateness of the proposed site-specific zoning provisions; and
- Comments received from Council, the public, Town staff and commenting agencies.

Following this statutory public meeting, Staff will review comments received at the public meeting and from the circulation of the application. During this stage of the process, Staff will work with the applicant to address agency comments received through the circulation of the planning application and public input prior to presenting a recommendation report at a future Council meeting.

## **Strategic Pillar**

Infrastructure and Finance

## **Financial Impact**

There is no financial impact associated with the proposal.

## **Conclusion**

A recommendation report will be presented to Council for consideration at a future meeting following the public meeting and resolution of any comments received through the circulation of the planning application and the input received from the public.

## **Attachments**

Appendix A – Location of Subject Property

Appendix B – Proposed Site Plan

Appendix C – Draft Zoning By-Law Amendment and Schedule A

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