
Subject: Additional Residential Units and Other Matters in the Greenbelt and Oak Ridges Moraine Area

Staff Report No. DS-021-25

**Department/
Commission:** Development Services Commission

Date: June 4, 2025

Recommendation:

- 1) That Council endorse the following recommendations for the Province to consider permitting Additional Residential Units (ARUs) within the Oak Ridges Moraine Conservation Plan (ORMCP) and the Greenbelt Plan Area, as outlined in this Report:
 - a) Permit up to two ARUs in all of the ORMCP designations, including the Countryside Area, Natural Linkage Area, and Natural Core Area designations;
 - b) Permit up to two ARUs in all of the Greenbelt Plan designations, including the Protected Countryside and within the Natural Heritage System;
 - c) Permit up to two ARUs in the primary dwelling, or one ARU in the primary dwelling and/or one ARU in an existing or new accessory building/structure;
 - d) That the ARU development criteria outlined in Section 3.5 b) of this Report be considered to provide Provincial guidance in ensuring the responsible stewardship of the Greenbelt and Oak Ridges Moraine when evaluating the appropriateness of permitting ARUs, consistent with the Provincial Planning Statement, 2024; and
 - e) That the terminology and definitions within these Provincial Plans be updated to specifically reference ARUs and be consistent and align with the ARU permissions within prime agricultural areas under the Provincial Planning Statement, 2024.
- 2) That the Province expedite the amendments to the Provincial Plans at this time through Bill 17 (Protecting Ontario by Building Faster and Smarter Act, 2025), to implement updated permissions for ARUs which align with the Provincial Planning Statement, 2024, in order to facilitate the development of much needed housing.
- 3) That the Province expedite the review of the Provincial Plans at this time to consider addressing other matters to provide greater flexibility and guidance in implementation, as outlined in Section 3.6 of this Report, including:

- a) Expanded local decision-making powers and a process to implement minor amendments to the Oak Ridges Moraine Conservation Plan should be considered;
 - b) Process and guidance for the redesignation of prime agricultural areas to rural areas;
 - c) Broader permissions for small scale commercial, industrial and institutional uses in the Countryside Area, including both rural and prime agricultural lands, of the Oak Ridges Moraine Conservation Plan;
 - d) Broader permissions for public service facilities / parks in the Countryside Area, including both rural and prime agricultural lands, of the Oak Ridges Moraine Conservation Plan; and
 - e) Provincial guidance on settlement area expansions within the Countryside Area of the Oak Ridges Moraine Conservation Plan.
- 4) That Council direct staff to submit this Report to the Minister of Municipal Affairs and Housing, Minister of Agriculture, Food and Agribusiness, and the Minister of Red Tape Reduction for consideration.
- 5) That Council direct staff to submit this Report to the Clerks of all municipalities within the Oak Ridges Moraine Conservation Plan Area and the Greenbelt Plan Area for information.

Report Highlights

- Recent Provincial legislation and policies, including the new Provincial Planning Statement, October 2024, permit up to two Additional Residential Units (ARUs) within prime agricultural areas.
- Notwithstanding, the policies of the Oak Ridges Moraine Conservation Plan and Greenbelt Plan are more restrictive and take precedence.
- This Report summarizes the policy challenges to permit ARUs within these Provincial Plan Areas and provides recommendations to the Province to more broadly permit ARUs within the agricultural and rural areas of the Oak Ridges Moraine Conservation Plan and the Greenbelt Plan, along with additional recommendations related to the two Provincial Plans.

1. Purpose:

As per the Mayoral Directive to staff (MDI-2025-001), dated February 4, 2025 (see Attachment 1), staff is bringing this Report to Council to:

- outline the policy challenges with respect to permissions for Additional Residential Units (ARUs) within the Oak Ridges Moraine Plan Area and the Greenbelt Plan Area; and
- provide recommended changes to the Oak Ridges Moraine Conservation Plan (ORMCP) and the Greenbelt Plan for consideration by the Province.

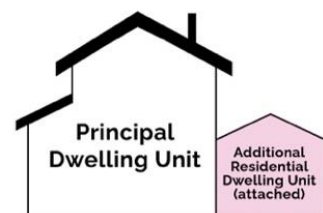
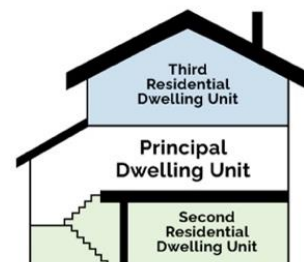
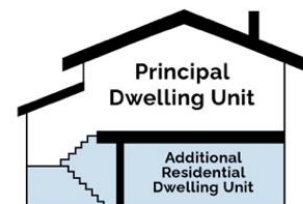
Staff is seeking Council endorsement of the recommended changes to the ORMCP and the Greenbelt Plan, and for Council to direct staff to submit comments to the Province for consideration, as outlined in this Report.

2. Background:

As per the Mayoral Directive to Staff (MDI-2025-001), dated February 4, 2025 (see Attachment 1), staff have prepared this Report to Council outlining the current permissions and policy challenges for permitting Additional Residential Units (ARUs) within the agricultural areas of the ORMCP and the Greenbelt Plan, and provide comments to the Province for consideration, as outlined in this Report. In the context of this Report, reference to the “Provincial Plans” is a reference to the Oak Ridges Moraine Conservation Plan and the Greenbelt Plan.

While the Planning Act does not explicitly define “Additional Residential Units” (ARUs), the legislation refers to ARUs as comprising a second and a third residential unit in addition to a primary residential unit, for a total of three units, on a residential lot containing a detached house, semi-detached house or townhouse. A “residential unit” includes self-contained rooms containing a kitchen, sleeping and bathroom facilities intended for the exclusive use of the unit. ARUs must also adhere to Ontario Building Code and Fire Code requirements.

ARUs are also commonly referred to as second units, secondary suites, accessory dwelling units, basement apartments, coach houses, laneway houses, garden suites, and tiny homes.



The Town's [New Adopted Official Plan, May 2024](#), outlines broad policies to permit ARUs throughout the Town, in conformity with Provincial legislation and Plans. Section 3.2.1 of the Official Plan outlines where ARUs may be permitted and the associated development policies. The Official Plan defers to the Town's Comprehensive Zoning By-law to establish specific regulations for the development of ARUs throughout the Town.

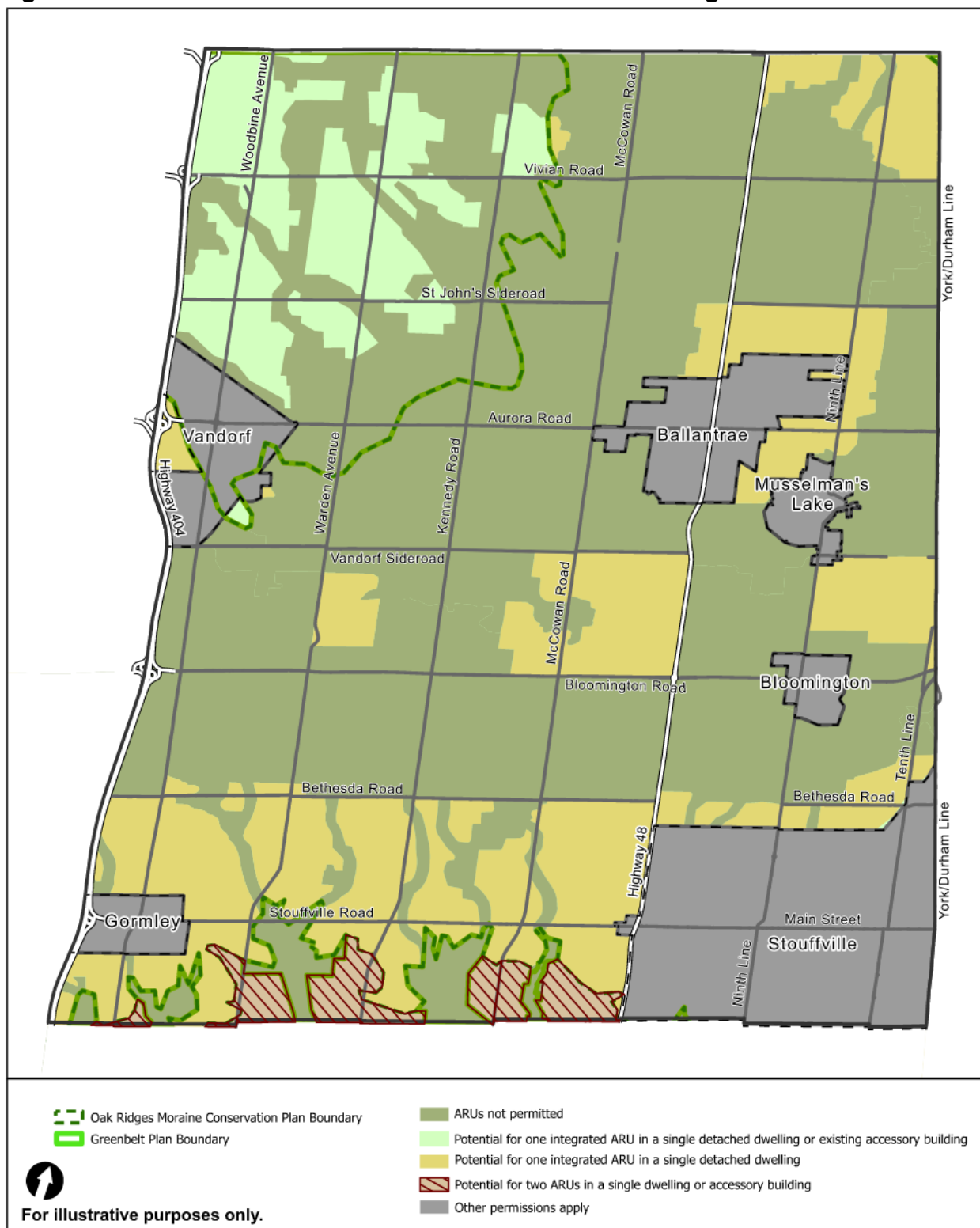
On June 19, 2024 Council approved [Zoning By-law Amendment 2024-078-ZO](#) to establish zoning regulations for permitting ARUs in conformity with the Planning Act and Provincial Plans.

As outlined in Section 3 of this Report, the new Provincial Planning Statement 2024 (PPS 2024), permits up to two ARUs within prime agricultural areas. Notwithstanding, the Provincial Plans (Oak Ridges Moraine Conservation Plan and the Greenbelt Plan) are more restrictive, and only permit one secondary dwelling unit within certain land use designations, while prohibiting ARUs in other designations. These Provincial Plans take precedence over the PPS 2024, and municipal planning instruments and decisions must conform to the Provincial Plans. In staff's view, the Province should consider permitting ARU's more broadly within the Oak Ridges Moraine and Greenbelt Area to align with recent Provincial legislation and the new PPS 2024, as outlined in this Report.

3. Analysis:

This section outlines the current Provincial legislation and policies which provide direction on the permissions for Additional Residential Units (ARUs) within the prime agricultural areas and rural areas of the Greenbelt Plan and Oak Ridges Moraine Conservation Plan (ORMCP).

Figure 1 provides a summary and illustration of where ARUs are currently permitted in the Town, as further described below.

Figure 1 – Additional Residential Unit Permissions in the Agricultural/Rural Area

3.1 Planning Act

On November 28, 2022, the Province updated the Planning Act to permit Additional Residential Units (ARUs) “as-of-right” in settlement areas that have municipal water and municipal sewage servicing. These changes were intended to increase housing supply in the Province. Notwithstanding, permissions for ARUs, particularly within the agricultural and rural areas that are governed by the ORMCP and the Greenbelt Plan, do not permit ARUs as-of-right, but are further restrictive in permitting ARUs in accordance with those Provincial Plans, as discussed below.

The Planning Act (S. 16(3) and 35.1) provides legislation that restricts municipal Official Plans and Zoning By-laws from prohibiting the use of ARUs on a “parcel of urban residential land”. The Planning Act defines a “parcel of urban residential land” to generally include land that is within a settlement area that permits a residential use in the zoning by-law, and that is serviced by a municipal sewage and drinking water system. Furthermore, the Planning Act restricts the appeal of Official Plan policies and zoning regulations that implement the permissions for ARUs.

Notwithstanding, ARUs may still be permitted elsewhere throughout the Town’s agricultural and rural areas and privately serviced settlement areas, in accordance with the Provincial Plans, and at the discretion of the municipality.

3.2 Provincial Planning Statement, 2024

The new Provincial Planning Statement (PPS, 2024) took effect in October 2024, replacing the Provincial Policy Statement, 2020, and largely revoking the Growth Plan for the Greater Golden Horseshoe, 2020. The PPS, 2024 provides broad policy guidance on matters of provincial interest relating to land use planning across the Province.

The PPS, 2024 permits up to two ARUs on a lot in prime agricultural areas (S. 4.3), in accordance with provincial guidance, and provided that, where two ARUs are proposed, at least one of these ARUs is located within or attached to the principal dwelling.

Furthermore, the PPS establishes general criteria for permitting ARUs, which include:

- a) comply with the minimum distance separation formulae;
- b) are compatible with, and would not hinder, surrounding agricultural operations;
- c) have appropriate sewage and water services;
- d) address any public health and safety concerns;
- e) are of limited scale and are located within, attached, or in close proximity to the principal dwelling or farm building cluster; and
- f) minimize land taken out of agricultural production.

Lots with ARUs are not permitted to be severed, as only one new residential lot, for a residence surplus to an agricultural operation as part of a farm consolidation, is permitted (S. 4.3.3.1.c)). Furthermore, ARUs that are permitted on a lot in a prime agricultural area, are in addition to farm worker housing which is permitted as an agricultural use (S. 4.3.2.6).

Notwithstanding the above, the ORMCP and Greenbelt Plan are more restrictive in permitting secondary units within the agricultural area. Municipal planning instruments and decisions are required to conform to the ORMCP and Greenbelt Plan, and therefore take precedence over the PPS, 2024, as outlined below. Furthermore, the Provincial Plans have not yet been updated to specifically address permissions for ARUs.

The PPS, 2024 ARU permissions would only be applicable to the lands within the Town that are located outside of the ORMCP and Greenbelt Plan Area, which includes the lands designated Agricultural Area in the southern portion of the Town, which have also been identified as New Urban Areas (i.e. settlement expansion areas) in the Town's New Adopted Official Plan.

3.3 Oak Ridges Moraine Conservation Plan, 2017

The ORMCP, 2017, does not specifically refer to ARUs, however, the Plan defines a "single dwelling" as: *"a building containing only one dwelling unit and, in any area other than an area within a Natural Core or Natural Linkage Area, includes a building containing one primary dwelling unit and no more than one secondary dwelling unit"*.

As such, only one secondary dwelling unit may be permitted within the primary dwelling within the Countryside Area designation of the ORMCP. The ORMCP does not permit secondary dwelling units within an accessory building or structure, nor are they permitted within the Natural Core Area and Natural Linkage Area designations which comprise a significant portion of the Town's agricultural areas. Furthermore, the ORMCP does not permit up to two secondary dwelling units on a lot in prime agricultural areas, which is more restrictive than the PPS.

3.4 Greenbelt Plan, 2017

The Greenbelt Plan, 2017, does not specifically refer to ARUs, however, the Plan permits secondary dwelling units within a single dwelling or within an existing accessory structure, provided the lot is not located within the Natural Heritage System of the Greenbelt Plan (S. 4.5.3).

As such, only one secondary dwelling unit may be permitted within a single dwelling or an existing accessory structure within the Protected Countryside Area, but outside of the Natural Heritage System of the Greenbelt Plan. The Greenbelt Plan does not permit a secondary dwelling unit within the Natural Heritage System, or within a new accessory structure. Furthermore, the Greenbelt Plan does not permit up to two secondary dwelling units on a lot in prime agricultural areas, which is more restrictive than the PPS.

3.5 Recommended Additional Residential Unit Permissions and Supporting Rationale

In staff's view, the Province should consider updating the ORMCP and Greenbelt Plan policies to specifically permit ARU's to align with recent Provincial legislation and the new

PPS, 2024. Staff recommends that the Province expedite the review of these Provincial Plans, as opposed to waiting until the mandated 10-year review (anticipated by 2027), to establish a consistent planning framework and ARU permissions across the Province and help facilitate the development of needed housing.

a) Additional Residential Unit Permissions:

It is recommended that the permissions for ARUs in the ORMCP and Greenbelt Plan Area be expanded to include:

- Permit up to two ARUs in all of the ORMCP designations, including the Countryside Area, Natural Linkage Area, and Natural Core Area designations;
- Permit up to two ARUs in all the Greenbelt Plan designations, including the Protected Countryside and within the Natural Heritage System; and
- Permit up to two ARUs in the primary dwelling, or one ARU in the primary dwelling and/or one ARU in an existing or new accessory building/structure.

Furthermore, the terminology and definitions within the Provincial Plans should be updated to specifically reference ARUs to be consistent and align with the ARU permissions within prime agricultural areas under the PPS, 2024.

b) Additional Residential Unit Development Criteria:

The Provincial Plans should also provide guidance to ensure responsible stewardship of the Greenbelt and ORMCP when evaluating the appropriateness of permitting ARUs within the Provincial Plan areas, consistent with Section 4.3.2.5 of the PPS, 2024, which include:

- a) comply with the minimum distance separation formulae;
- b) are compatible with, and would not hinder, surrounding agricultural operations;
- c) have appropriate sewage and water services;
- d) address any public health and safety concerns;
- e) are of limited scale and are located within, attached, or in close proximity to the principal dwelling or farm building cluster; and
- f) minimize land taken out of agricultural production.

Furthermore, the future potential severance of ARU's in the Provincial Plans should be restricted, consistent with the PPS, 2024.

Given the environmental sensitivity associated with lands within the Provincial Plan Areas, it may also be appropriate to include additional development criteria for permitting ARUs to ensure the objectives of the ORMCP and Greenbelt Plan are maintained, which may include or relate to:

- **Setbacks from key natural heritage features or hydrologic features** – As with all buildings or structures within the Provincial Plan Areas, development within the Area of Influence (i.e., within 120m) of a key natural heritage feature or hydrologic feature would require a Natural Heritage Evaluation and/or Hydrologic Evaluation to confirm the significance of the feature(s) and establish appropriate Minimum Vegetation Protection Zones (i.e. minimum of 30m), including appropriate buffers and recommended mitigation measures to demonstrate no adverse impacts and ensure the ecological integrity of the feature(s).
- **ARU and associated scale** – ARU additions and ARU's in an accessory building should be limited in size (i.e. gross floor area, lot coverage, etc.) to minimize potential impacts on natural features, and maintain the rural character of the area.
- **Location and limited development envelope** – ARUs should be located in close proximity to the existing dwelling or farm building cluster and existing infrastructure, including existing disturbed areas to limit the extent of land taken out of agricultural production.
- **Infrastructure** – ARUs should make efficient use of existing on-site infrastructure (i.e. wells, septic beds, etc.), when feasible. Required infrastructure should not have an adverse effect on natural and hydrological features.

c) **Supporting Rationale**

In staff's view, the potential impacts associated with expanded ARU permissions within the Provincial Plan Areas, are not inherently different from other permitted uses and buildings/structures, and it is not necessary to further restrict ARUs in the Provincial Plans. ARUs would be subject to the same or similar development criteria as other permitted uses to ensure no adverse impacts to the natural or hydrological features or the fragmentation of agricultural areas. For example, farm help dwellings, bed and breakfast establishments, home occupations, and other agricultural-related and on-farm diversified uses and buildings are permitted throughout the prime agricultural areas, subject to meeting the applicable development criteria, and as further established in the [OMAFRA Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas \(Publication 851\)](#).

Furthermore, expansions to existing single dwellings and the construction of new accessory structures may be permitted subject to a minor variance application supported by appropriate environmental studies and are routinely sought at the Committee of Adjustment. This has a comparable impact to ARUs and the evaluation process. Potential home expansions/retrofits or the construction of new accessory structures should also be able to accommodate an ARU, while minimizing any potential adverse environmental impacts.

The majority of the Town's agricultural lands are located within the Provincial Plan Areas, and more specifically, within the ORMCP Natural Core Area and Natural Linkage Area, and the Natural Heritage System of the Greenbelt Plan, which do not permit a secondary

dwelling. As such, the majority of the Town's rural residents are unable to utilize the Federal and Provincial incentives to build even a single ARU. Allowing for ARUs more broadly would accommodate multi-family residential units on the same lot, allowing older residents to stay in their homes longer, and allow younger families to live in their own units, and save money to afford their own home. ARUs can also provide a source of secondary income and contribute to the provision of more affordable housing options within the Town.

3.6 Other Matters to Address

In addition to the expanded ARU permissions, staff have identified the following additional matters for consideration in reviewing and updating the Provincial Plans, to provide greater flexibility and guidance in implementation:

- **Expanded local decision-making powers** – In staff's view the Provincial Plans are overly restrictive and do not provide flexibility to account for local circumstances and planning or economic development objectives. Updates to the Provincial Plans, certain delegated authorities to municipalities and/or a process to implement minor amendments to facilitate development in a less onerous and streamlined manner, should be considered. Furthermore, greater coordination and consistency between the Provincial Plan policies and technical study requirements is required to streamline the planning approvals process and facilitate development.
- **Process for the redesignation of prime agricultural areas** – Prior to the enactment of the new Provincial Planning Statement, October 2024, (and revoking of the Growth Plan), and the removal of York Region planning responsibilities on June 1, 2024, the redesignation of prime agricultural areas could only be considered through an upper-tier Municipal Comprehensive Review, which is no longer applicable.

While the existing OMAFRA Implementation Procedures for the Agricultural System provides guidance on how to implement the agricultural system, it is not clear what the process is to consider requests to redesignate prime agricultural areas to rural areas. Further guidance and flexibility is required to consider the redesignation of prime agricultural areas to rural areas. Staff understand that OMAFRA will be developing updated Implementation Procedures to implement and align with the new PPS, 2024.

- **Permissions for small scale commercial, industrial and institutional uses** – Small scale commercial, industrial and institutional uses are only permitted within rural areas of the Countryside Area designation of the ORMCP. However, there are instances where such uses may be appropriate in prime agricultural areas which have limited agricultural capacity. Greater flexibility is required to contemplate such uses, either through the redesignation of prime agricultural areas to rural areas or less restrictive Provincial Plan policies. Furthermore,

expanded use permissions for small scale commercial, industrial and institutional uses should be considered in both the Rural and Prime Agriculture designations, to allow for greater economic development opportunities.

- **Permissions for public service facilities / parks** – The Provincial Plans are overly restrictive with respect to permissions for public service facilities (such as fire halls, community centres, libraries, etc.) and serviced parks which are not permitted in prime agricultural areas of the Countryside Area. The Community of Stouffville is surrounded by the Countryside Area which comprises prime agricultural areas. Greater flexibility is required to consider such uses within these areas to support the development of complete communities and provide adequate space for community needs while accommodating housing growth within the settlement areas.
- **Provincial guidance on settlement area expansions** – The “Implementation” section of the ORMCP provides opportunities for settlement area expansions. The section refers to policies of the Growth Plan and provides the opportunity to expand the boundaries of settlement areas by upper tier municipalities as part of a municipal comprehensive review process, provided they are only within the Countryside Area designation. Notwithstanding, through the Minister’s approval of the York Region Official Plan, the Minister chose to modify the Official Plan to remove certain settlement area expansions that were adopted by York Region Council through the Region’s municipal comprehensive review. Since the removal of planning responsibilities from certain upper tier municipalities, and the enactment of the new PPS, 2024, further flexibility, clarification and guidance is required from the Province on permitting settlement area expansions in the Countryside Area designation of the ORMCP. The Town’s settlement areas are entirely surrounded by lands within the ORMCP, and greater flexibility is required to ensure the logical expansion of settlement areas while balancing the Provincial objectives of developing complete communities, utilizing existing infrastructure, and protecting the ecological functions of the moraine.

4. Options:

4.1 Option A (Recommended) – Submit Comments to Province

That Council direct staff to submit this Report to the Province for consideration in incorporating the Town’s recommended Additional Residential Unit permissions within the Oak Ridges Moraine Conservation Plan and the Greenbelt Plan Areas, and other matters for consideration. Furthermore, staff recommends that the Province expedite the review of the Provincial Plans (currently anticipated by 2027) to implement updated permissions for ARUs which align with the new PPS, to facilitate the development of much needed housing.

5. Financial Implications:

None.

6. Broader Intergovernmental Impacts and/or Considerations:

This Report recommends changes to the policies of the Provincial ORMCP and Greenbelt Plan to permit ARUs more broadly within the agricultural areas, among other matters, for consideration by the Province.

7. Communication:

As previously referenced, on June 19, 2024 Council approved Zoning By-law Amendment 2024-078-ZO to establish zoning regulations for permitting ARUs in conformity with the Planning Act and Provincial Plans. As part of that process the following public engagement took place.

1. On March 4, 2024 Town of Stouffville's Development Planning hosted a Drop-in Public Consultation Session to introduce the community to the project and seek feedback and answer questions.
2. Following this on May 1, 2024, a Statutory Public Meeting was held to introduce zoning by-law changes necessary to bring ARU permissions into conformity with the Planning Act.
3. On May 10, 2024 an online survey was released to receive further feedback from the public.

Through this consultation, and since then, Staff have routinely received development inquiries and requests to construct ARUs within the Greenbelt and ORMCP, and the desire for greater flexibility from the Provincial Plan requirements.

8. Alignment with Strategic Plan:

1. A Town that Grows
A Town that grows in support of complete communities
6. Good Governance
Provide Good Governance

9. Attachments:

Attachment No. 1 – Mayoral Directive to Staff MDI-2025-001, February 4, 2025

10. Related Reports:

[June 19, 2024 – DS-029-24 – Recommendation Report: Proposed Town-Wide Zoning Bylaw Amendments - Additional Residential Units \(File No. ZBA24.003\)](#)

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