



# The Corporation of the Town of Milton

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Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: June 23, 2025

Report No: DS-036-25

Subject: Public Meeting Report - Additional Residential Units in the Rural Area Official Plan and Zoning By-law Amendments (LOPA-01/25 & Z-04/25)

**Recommendation:** THAT Report DS-036-25, with respect to Town initiated draft Official Plan and Zoning By-law amendments regarding additional residential units in the Town's Rural Area, be received for information.

## EXECUTIVE SUMMARY

Draft Official Plan and Zoning By-law amendments, attached as Appendix A, B and C, are being proposed to permit additional residential units (ARUs) within the Town's Rural Area, where permitted by provincial policies.

In accordance with the provincial policies of the Niagara Escarpment Plan (NEP), the Greenbelt Plan, and the Provincial Planning Statement (PPS):

- Within the parts of the Hamlet of Campbellville located within the NEP Area, one (1) ARU per lot, which can be located within or attached to a single detached dwelling, is being proposed to be permitted on lands within the Escarpment Rural Area designation of the NEP;
- Within the Greenbelt Plan Area, but not including Hamlet Areas and outside of the Greenbelt Natural Heritage System, one (1) ARU per lot is being proposed to be permitted within a single detached dwelling or within an existing accessory building (that existed on July 1, 2017) on the same lot;
- Within the Hamlets of Brookville, Moffat, and the portion of Campbellville not located within the NEP, one (1) ARU per lot is being proposed to be permitted either within a single detached dwelling or within an accessory building on the same lot; and
- Within prime agricultural areas outside of the Greenbelt Plan Area and the NEP Area, up to two (2) ARUs per lot are being proposed to be permitted where only one of these ARUs may be located within an accessory building on the lot.

The draft OPA also proposes policies that aim to maintain public health and safety, minimize the impacts of private sewage systems, and protect agricultural land and operations. The draft ZBA implements the policies of the Official Plan and includes provisions such as

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minimum lot size, maximum ARU size, minimum setbacks, maximum height, parking requirements, and emergency service access.

## REPORT

### Background

An additional residential unit (ARU) is a self-contained dwelling unit with its own kitchen, bathroom and sleeping facilities, located within a single detached, semi-detached or townhouse dwelling, or within a detached accessory building on the same lot as the foregoing.

In accordance with the Planning Act, Council approved changes on June 3rd, 2024 (through report [DS-047-24](#)) to the Town's Official Plan and Urban Zoning By-law to permit ARUs on lots with municipal water and sewage servicing.

The Planning Act does not require municipalities to permit ARUs on lots without municipal water and sewage servicing. However, considering the points raised by the public in support of rural ARUs, Council directed Staff (through report [DS-030-24](#)) to draft amendments to the Official Plan and Rural Zoning By-law to allow ARUs within the Town's Rural Area, where permitted by provincial policies.

### Discussion

#### Draft Official Plan and Zoning By-law Amendments

Draft Official Plan and Zoning By-law amendments, attached as Appendix A, B and C, are being proposed to permit additional residential units (ARUs) within the Town's Rural Area, where permitted by provincial policies.

Please note that two Official Plan Amendment (OPA) versions have been drafted and included in this report. The Town is currently undertaking an Official Plan review. In March 2025, Council approved a comprehensive amendment (OPA 92) to the first part of the Official Plan. OPA 92 is currently being reviewed by the Province for Minister's approval. Due to uncertainty in the timing of when OPA 92 would be approved and come into effect, two versions of the OPA for ARUs have been drafted. Should OPA 92 not be in effect when Council considers the OPA for ARUs, then the version of the OPA attached as Appendix A will be considered for approval. If OPA 92 come into effect before the OPA for ARUs is considered by Council, then Council will consider the version attached as Appendix B for approval.

The draft Zoning Bylaw Amendment (ZBA) is attached as Appendix C.

## Discussion

### The Rural Area

The Town's Rural Area consists of all lands outside of the Urban Area, as shown on Figure 1, and includes lands within the former townships of Nassagaweya, Nelson, Trafalgar, Esquesing, as well as the Hamlets of Campbellville, Brookville, and Moffat. While there are some limited areas, such as in Campbellville, that are on municipal water services, all lots in the Rural Area are served by private sewage servicing (i.e., septic systems).

The majority of the Rural Area is located within either the provincial Niagara Escarpment Plan Area or the Greenbelt Plan Area. The policies of these provincial plans apply respectively to these areas. The Town's Official Plan policies and Zoning By-law regulations must be in conformity with these provincial plans, as well as being consistent with the Provincial Planning Statement.

### Niagara Escarpment Plan Area

The Niagara Escarpment Plan (NEP) Area is located immediately northwest of the Urban Area, as shown on Figure 1, and includes a portion of the Hamlet of Campbellville. The majority of the NEP Area is regulated by the Niagara Escarpment Commission (NEC). The Town's zoning by-laws do not apply within the NEC Development Control area. The exceptions are the parts of Campbellville located within the NEP Area, but are not located within the NEC's Development Control Area, which are instead regulated by the Town's Rural Zoning By-law (By-law 144-2003). Although not located within the NEC's Development Control Area, the Town's policies and zoning regulations for these parts of Campbellville must still be consistent with the NEP.

The NEP does not permit ARUs within its Escarpment Natural Area and Escarpment Protection Area designations. Within its Escarpment Rural Area, one (1) ARU is permitted within a single detached dwelling, or within an addition to a single detached dwelling, but not permitted within a detached accessory building. The draft Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) implements these policies of the NEP pertaining to ARUs. To identify which lands within Campbellville are located within the NEP Area and their designations under the NEP, a new schedule (Schedule F) is proposed to be added to Zoning By-law 144-2003 as part of the ZBA attached as Appendix C.

### Greenbelt Plan Area

The remainder of the Rural Area north of the NEP Area and small portions of the Rural Area south of the Urban Area are located within the Greenbelt Plan Area. The Greenbelt Plan does not permit additional residential units (ARUs) within the Greenbelt's Natural Heritage System (NHS). Outside of the Greenbelt NHS, excluding Hamlet Areas which are subject to different policies, one (1) ARU is permitted per lot within a single detached dwelling or within



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an existing accessory building on the same lot. The accessory building must have existed on July 1<sup>st</sup>, 2017, which is the date when this policy of the Greenbelt Plan came into effect.

The draft OPA and ZBA implements the policies of the Greenbelt Plan pertaining to ARUs. To identify which lands are located outside of the Greenbelt's NHS, a new schedule (Schedule G) is proposed to be added to Zoning By-law 144-2003 as part of the ZBA attached as Appendix C.

The policies of the Greenbelt Plan pertaining to ARUs do not apply within the Hamlet Areas. The Hamlet Areas, except for the parts of Campbellville that are located within the NEP Area, are permitted under the Greenbelt Plan policies to have limited growth through infill and intensification subject to appropriate water and sewage services. The draft OPA and ZBA is proposing to permit one (1) ARU, which can be located within a single detached dwelling or within an accessory building on the same lot, within the Hamlets of Brookville, Moffat and the portion of Campbellville not located within the NEP Area.

## Provincial Planning Statement

A new Provincial Planning Statement (PPS) came into effect on October 20, 2024. The PPS permits up to two ARUs on lands in a prime agricultural area. Where two ARUs are proposed, only one ARU can be located within a detached accessory building. Any ARUs in a prime agricultural area must comply with the minimum distance separation formulae (for calculating setback of dwelling units from livestock barns, manure storages or anaerobic digesters); be compatible with, and not hinder surrounding agricultural operations; have appropriate sewage and water services; address any public health and safety concerns; are of limited scale and are located within, attached, or in close proximity to the principal dwelling or farm building cluster; and minimize land taken out of agricultural production. The two ARUs permitted on a lot in a prime agricultural area are in addition to any farm worker housing.

While there are prime agricultural areas located within the Greenbelt Plan Area and the NEP Area, the Greenbelt Plan and NEP policies take precedence over the policies of the PPS to the extent of any conflict. As such, the PPS policies regarding ARUs in prime agricultural areas only apply to the prime agricultural areas outside of the Greenbelt Plan Area and the NEP Area, which are the parts of the Rural Area located south of the Urban Area.

The draft OPA and ZBA implements the policies of the PPS regarding ARUs in prime agricultural areas that are located outside of the Greenbelt Plan and the NEP by permitting up to two (2) ARUs. The PPS policies regarding not hindering surrounding agricultural operations, sewage and water services, public health, protection of agricultural land, etc. are included in the draft OPA.

## Private Servicing and Minimum Lot Size

All lots in the Town's Rural Area are served by private sewage servicing (i.e., septic systems). For conventional Class 4 sewage systems with a septic tank and leaching bed, sewage treated by the septic tanks drains from the leaching bed, before eventually reaching the water

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table. A sewage leachate plume is formed that travels in the direction of ground water flow, which can travel 10's of metres or more, potentially impacting the water quality of private wells within the plume.

To avoid the potential impacts of sewage leachate plumes on public health and the environment, the draft ZBA proposes minimum lot sizes for accommodating ARUs served by private on-site servicing. For a lot with one (1) ARU, a minimum lot size of 0.625 hectares (1.544 acres) is being proposed. For a lot with two (2) ARUs, a minimum lot size of 0.875 hectares (2.162 acres) is being proposed. These minimum lot sizes are based on technical advice from a professional hydrogeologist and expert in well water and groundwater supply protection, who was retained to provide support for this rural ARU OPA and ZBA.

## Other Policies and Regulations

The draft OPA attached as Appendix A and B builds upon and amend the ARU policies that were established through the Urban Area ARUs amendment. The provincial policies that apply to ARUs in the Rural Area are implemented in the draft OPA. The policy changes being proposed in the draft OPA would also permit ARUs on lots in the Urban Area that are served by private on-site water and/or sewage servicing. A Zoning By-law Amendment for ARUs in the Urban Area is also being proposed to implement this policy change. Please see public meeting report DS-037-25 regarding the draft ZBA for ARUs in the Urban Area.

To implement the policies of the Official Plan and adequately regulate ARUs that may be permitted in the Rural Area, new zoning regulations are being proposed as part of the ZBA attached as Appendix C. ARUs are proposed to be permitted in the Rural Estate (RE), Rural Village (RV), Agricultural 1 (A1) and Agricultural 2 (A2) zones, subject to the applicable provincial policies. In all the aforementioned zones, the maximum size of an ARU is proposed to be 110 m<sup>2</sup> (1184 ft<sup>2</sup>), including any basement space not used for storage. Other zoning provisions include provisions such as minimum setbacks, maximum height, maximum building footprint, minimum parking, emergency access, etc.

## Consultations

Two public information sessions were held on May 29, 2025 and June 03, 2025 to explain the proposed changes in the draft OPA and ZBA to residents, and to obtain feedback and answer questions. Staff will consider any feedback received from the public information sessions, this public meeting, and any other feedback received before bringing the Official Plan and Zoning By-law amendments back to Council for consideration of adoption.

The draft OPAs and ZBA attached to this report have also been circulated to relevant Town departments and external agencies for review and comment. Any comments received will be considered before bringing the amendments back to Council for consideration of adoption.



## Financial Impact

This review, including the drafting of the official plan and zoning by-law amendments as well as the information sessions, has been undertaken with resources provided for in the approved budget.

ARUs are exempt from the payment of development charges (DC), as well as for the conveyance of parkland, under a combination of Provincial legislation and the Town's related by-laws.

Respectfully submitted,

Jill Hogan  
Commissioner, Development Services

For questions, please contact: Wendy Chen  
Senior Planner, Policy

Phone: Ext. 2296

## Attachments

Figure 1 - Map of the Rural Area

Appendix A - Draft Official Plan Amendment (Current Official Plan)

Appendix B - Draft Official Plan Amendment (New Official Plan)

Appendix C - Draft Zoning By-law Amendment

Approved by CAO  
Andrew M. Siltala  
Chief Administrative Officer

## Recognition of Traditional Lands

The Town of Milton resides on the Treaty Lands and Territory of the Mississaugas of the Credit First Nation. We also recognize the traditional territory of the Huron-Wendat and Haudenosaunee people. The Town of Milton shares this land and the responsibility for the water, food and resources. We stand as allies with the First Nations as stewards of these lands.