

The Corporation of the Town of Essex

By-Law Number 2013

Being a By-Law to Amend

The Official Plan for the Town of Essex

Whereas the Official Plan sets policies and guidelines for the use of lands and the character, location and use of buildings and structures within the Town of Essex;

And whereas the Council of the Corporation of the Town of Essex deems it expedient and in the best interest of proper planning to amend the Official Plan to permit the option of constructing a second dwelling unit in an **accessory building on lands designated “Residential” and “Agricultural”**;

Now therefore the Corporation of the Town of Essex enacts as follows:

1. That Official Plan Amendment 8 to the Town of Essex Official Plan, attached as Schedule **“1” to this by-law**, is hereby adopted.

This By-law shall come into force and take effect upon approval of Official Plan Amendment 8 by the Manager of Planning Services for the County of Essex.

Read a first, second and third time and finally adopted on April 19, 2021.

Mayor

Clerk

Schedule "1" to By-law 2013

DETAILS OF THE AMENDMENT

The Official Plan of the Town of Essex is amended as follows:

1. **That, in subsection 4.22, "Residential Intensification and Affordability, Second Dwelling Units", the first and second paragraphs, beginning with the word "In" and ending with the word "By-law" are hereby deleted and the following substituted therefor:**

In accordance with the mandates of the Planning Act and the objectives of the *More Homes, More Choice Act* (2019), the Town supports the opportunity for its residents to create second dwelling units. Second dwelling units will help to provide affordable rental housing, accessibility to municipal and support services and job opportunities and accommodation for the elderly and other persons wanting independent living in a secure residential environment. One second dwelling unit will be permitted in a single-detached dwelling, semi-detached and townhome dwelling unit, and, in a building accessory to them, at general locations and in such manner, as specifically set out in the land use designations of this Plan and the Zoning By-law.

2. **That, in subsection 4.22, "Residential Intensification and Affordability, Second Dwelling Units", the fifth, sixth and seventh paragraphs, beginning with the word "According" and ending with the word "suite" are hereby deleted and the following substituted therefor:**

"Lands subject to restrictive zoning, servicing limitations or such other limitations identified in the Provincial Policy Statement will not be deemed to be appropriate for second dwelling units."

3. **That, in subsection 5.7, "Lands Designated Residential", provision G be deleted;**
4. **That subsection 5.4, Lands Designated "Agricultural", Policies, Permitted Uses, is hereby amended by deleting clause f (ii) (3) and by adding to clause f (iii), the following:**
"and in an accessory building to a main dwelling;"

5. That in subsection 6.5, Consents in Areas Designated "Agricultural", Divisions of Farm Land, the following clause be added:

"d) A second dwelling, created under subsection 5.4 of this Plan, cannot be severed from the lands on which the main and second dwellings are located by means of an application for consent before the Town of Essex Committee of **Adjustment.**"

IMPLEMENTATION AND INTERPRETATION

The provisions of Official Plan Amendment 8 will be implemented by enacting appropriate amendments to the General Zoning By-law of the Town of Essex, By-law 1037.