



Advocacy Centre for Tenants Ontario
Centre ontarien de défense des droits des locataires

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November 25, 2013

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Chair and Members,
Planning and Environment Committee
City of London, P.O. Box 5035
London, Ontario N6A 4L9

Attention: Heather Lysynski, Committee Secretary

Dear Sirs/Mesdames:

Re: Official Plan and Zoning By-law Amendments – Secondary Dwelling Units

The Advocacy Centre for Tenants Ontario is a community legal clinic funded by Legal Aid Ontario, mandated to improve the housing rights of low-income Ontarians, including security of tenure, affordability, and adequacy. We worked extensively with community partners in all areas of the Province to support the adoption and implementation of a long-term affordable housing strategy by the Province of Ontario.

Ensuring that there is an adequate supply of housing that is affordable to low-income people is key to ensuring that these rights can be enforced. The primary means envisioned by Ontario's housing strategy to provide for an increased supply of such housing is facilitating the creation and maintenance of secondary suites in existing homes. This policy was implemented by amendments to the *Planning Act* requiring municipalities to amend their Official Plans to authorize the use of second residential units and to restrict the ability of parties to frustrate municipalities' efforts to carry out this direction through Ontario Municipal Board appeals.

We have reviewed the recommendations of the Managing Director, Planning and City Planner dated October 31, 2013 and we strongly disagree with his opinion that these recommendations "align the City's policies and land use regulations with the revisions to the *Planning Act*". In reality, these recommendations are directly contrary to the policy direction set out in that *Act* which includes regard for the provincial interest in the adequate provision of affordable housing. The unreasonable restrictions proposed on the permissible locations for secondary suites is inconsistent with the housing policies contained in the Provincial Policy Statement 2005 and thus contrary to the City's obligations under the *Act*. We refer in particular to the prohibitions of such units in buildings not occupied by their owner and in buildings within the "Great Near-Campus Neighbourhood Area" as well as the prohibition of units containing more than one bedroom. When taken together, and in view of other proposed restrictions on the

location of these units, it is clear that the intention of the recommendation is not to authorize the use of second residential units but to outlaw them.

We ask that the Committee reject these proposals and direct the Managing Director, City Planning and Chief Planner to prepare recommendations that would conform with the City's *Planning Act* obligations and your obligation to address the critical need for affordable housing in the City. We would suggest that these recommendations could best be developed through further consultation with the public and with relevant City bodies including the London Housing Advisory Committee.

We thank you for your attention to our concerns and we look forward to further discussion with you on this vitally important issue.

Yours very truly,

Advocacy Centre for Tenants Ontario

per:

Kenneth Hale
Director of Advocacy and Legal Services