

MAY 19, 2016

TO: PLANNING AND ENVIRONMENT COMMITTEE

Attn: Councillor P. Squire (Chair) and Councillors T. Park, J. Helmer, P. Hubert, S. Turner and H. Lysynski (Secretary).

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From: Ben Lansink
505 Colborne Street
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Re: **Bill 140**, The City of London has yet to comply with Provincial legislation:



Bill 140

*(Chapter 6
Statutes of Ontario, 2011)*

**An Act to enact the
Housing Services Act, 2011,
repeal the Social Housing Reform
Act, 2000 and make complementary
and other amendments to other Acts**

The Hon. R. Bartolucci
Minister of Municipal Affairs and Housing

Bill 140 received Royal Assent May 4, 2011.

I first attended a Planning & Environment meeting August 20, 2013 pertaining to Bill 140.

There has been a lot of communication between me and Eric Lalande, Heather McNeely, and by extension Gregg Barrett and John M. Fleming, and now Justin Adema.

It is now May 19, 2016 and it is more than **5 years** since Bill 140 became law.

The City of London has yet to comply with Provincial legislation:

Bill 140 simply says a municipality
*...SHALL... authorize the use of a secondary
dwelling unit within a detached house, semi-
detached house or rowhouse.*

As of May 19, 2016, the City of London has not implemented Bill 140.

Why?

SCHEDULE 2 AMENDMENTS TO PLANNING ACT

1. Clause 2 (j) of the *Planning Act* is repealed and the following substituted:

- (j) the adequate provision of a full range of housing, including affordable housing;

2. Section 16 of the Act is amended by adding the following subsection:

Second unit policies

(3) Without limiting what an official plan is required to or may contain under subsection (1) or (2), an official plan shall contain policies that authorize the use of a second residential unit by authorizing,

- (a) the use of two residential units in a detached house, semi-detached house or rowhouse if no building or structure ancillary to the detached house, semi-detached house or rowhouse contains a residential unit; and
- (b) the use of a residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse if the detached house, semi-detached house or rowhouse contains a single residential unit.

Note key word in (3) is "shall", not may.

3. (1) Subsection 17 (24.1) of the Act is repealed and the following substituted:

No appeal re second unit policies

(24.1) Despite subsection (24), there is no appeal in respect of the policies described in subsection 16 (3), including, for greater certainty, any requirements or standards that are part of such policies.

(2) Subsection 17 (36.1) of the Act is repealed and the following substituted:

No appeal re second unit policies

(36.1) Despite subsection (36), there is no appeal in respect of the policies described in subsection 16 (3), including, for greater certainty, any requirements or standards that are part of such policies.

4. Clause 22 (7.2) (c) of the Act is repealed and the following substituted:

(c) amend or revoke the policies described in subsection 16 (3), including, for greater certainty, any requirements or standards that are part of such policies.

5. Subsection 34 (19.1) of the Act is repealed and the following substituted:

No appeal re second unit policies

(19.1) Despite subsection (19), there is no appeal in respect of a by-law that gives effect to the policies described in subsection 16 (3), including, for greater certainty, no appeal in respect of any requirement or standard in such a by-law.

6. The Act is amended by adding the following section:

By-laws to give effect to second unit policies

35.1 (1) The council of each local municipality shall ensure that the by-laws passed under section 34 give effect to the policies described in subsection 16 (3).

Note key word in **35.1** (1) is "shall", not may.

Bill 140 received Royal Assent May 4, 2011.

As I understand, the city would not allow a second unit in the below example property situated on Colborne Street north of Oxford:



But the City would allow a second unit in the below example property located on Devonshire in South London:



If this information is correct, it is blatant discrimination.

Bill 140 simply says a municipality ...*SHALL... authorize the use of a secondary dwelling unit within a detached house, semi-detached house or rowhouse.*

Bill 140 does NOT state a home on Colborne cannot house a second dwelling unit while a home on Devonshire can.

I wish to continue to be recorded as a participant to the London Plan process.

I strongly object to approval of the proposed London Plan until the City of London has, for all of London, authorized the use of a secondary dwelling unit within a detached house, semi-detached house or rowhouse pursuant to the SHALL requirement of Bill 140.

It is not reasonable for the City of London to not have implemented Bill 140 given it has been more than 5 years since Bill 140 received royal assent.

A handwritten signature in black ink that reads "Ben Lansink". The signature is written in a cursive style with a small dot above the 'i' in "Lansink".