

August 22, 2016

Chair & Members
Planning Committee of London City Council
300 Dufferin Avenue
London, ON N6A 4L9

Dear Sirs & Mesdames,

Re: “Grandfathering” “Granny Flats”

We have reviewed the latest draft proposals for secondary dwelling units and are pleased that the Planning Department addressed your direction to review the issue of inclusion of units in the near campus neighbourhood.

Unfortunately they did not address the second issue which you had asked that they review - the “grandfathering” of existing units.

As you may recall, units in existence as of November 16, 1995 are already grandfathered. The question is whether units built since that time should be similarly treated. If they are not grandfathered, then they are not in compliance with the City’s Zoning By-law and must ultimately be shut down and their residents evicted.

It is our understanding that the Department’s position is not for any policy reason, but is rather based upon its belief that the Ontario government intends that only units built before November 16, 1995 or after 2016 are permitted. Safe, affordable units built in between must be shut down. Needless to say, this is not our view of the letter and intent of Bill 140. The government intends that affordable housing be increased, not decreased.

If Council shares the concern of the Planning Department, we would strongly recommend that it consult with the Ministry of Municipal Affairs and Housing about whether it is actually the Ontario government’s position that units built between November 17, 1995 and the present cannot be grandfathered (like pre- November 1995 units are).

It will be extremely unfortunate if low-income Londoners are forced out of their safe, affordable housing due to a misconceived interpretation of Bill 140.

Yours truly,



Jeff Schlemmer

Market Tower, Suite 507 - 151 Dundas St., London, ON N6A 5R7 (519) 438.2890 Fax (519) 438.3145 nlsim.com

From page 16:

4. **Secondary Dwelling Units**

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Single detached dwellings, semi-detached dwellings or street townhouse dwellings containing a secondary dwelling unit on the date of the passing of this by-law, may continue to be used for that purpose if ~~a building permit has been issued under sections 8 or 10 of the Building Code Act, 1992, S.O. 1992, c.23 permitting the erection, alteration, occupancy or use for the secondary dwelling unit,~~ and if the secondary dwelling unit complies with both the regulations of the Fire Protection and Prevention Act, 1997, S.O. 1997, c.4 and of the Ontario Building Code Act, 1992, S.O. 1992, c.23.