

From: McClure, Kevin (MMA/MHO)
Sent: February-03-17 4:10 PM
To: Jeffrey Schlemmer (NLSLM)
Cc: JmFlemin@london.ca
Subject: RE: Misunderstanding resulting in serious error in new London Plan

Dear Mr. Schlemmer,

Thank you for your most recent e-mail, and for forwarding us a copy of the City's Staff Report.

Our review of the secondary dwelling unit policies of the London Plan is set out in our previous email to you. **At no time did this office recommend a ban of second units in the near campus neighbourhood area.** [emphasis added]

We thank you for bringing your concerns to our attention and we urge you to continue your discussions with the City of London regarding local solutions related to these concerns. As such, we have copied John Fleming on this reply so that you may continue your discussion with his office.

Regards,

Kevin McClure MCIP, RPP
Planner
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Ministry of Housing
659 Exeter Rd., 2nd Floor
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From: McClure, Kevin (MMA/MHO)
Sent: January-27-17 4:15 PM
To: Jeffrey Schlemmer (NLSLM)
Subject: RE: Misunderstanding resulting in serious error in new London Plan

Dear Mr. Schlemmer,

Thank you for your email. I provide you with the following with respect to the policies within the City of London's approved Official Plan (London Plan) that pertain to second units and the near-campus neighbourhoods (NCN).

The London Plan (June 23, 2016) contained a number of policies related to secondary dwelling units and to the NCN designation. In August of 2016, a subsequent Official Plan amendment was passed to the City's previous Official Plan relating to these policies, and this new policy direction was forwarded to our office for consideration in the ministry's review of the adopted Plan.

In our initial review of the London Plan as adopted by Council, we identified a number of policies related to second dwelling units that appeared to be restrictive in nature, including a restriction on second units in the NCN and a requirement for owner occupancy.

By way of background, the provincial approach to second units is to require official plan policies allowing second units in detached, semi-detached and row houses, as well as in ancillary structures throughout a municipality. The government recognizes that there may be areas within a municipality or community which would make these areas inappropriate for second units. Municipalities may consider these constraints in establishing their second unit policies. However, in order to allow for greater opportunities to create affordable housing, permissive policies are encouraged.

As you note, considerable discussion has occurred over some time about housing in the NCN area in the City. It is our understanding that the City's approach to second units in the NCN was based on the fact that the area already contains a large supply and wide mix of housing forms and affordable housing options. On this basis, second units were not permitted in the NCN under Policy 941 in the London Plan adopted by Council. The adopted plan also included a broad restriction on owner occupancy, which was seen as a way to provide control for second units in the City.

While the policy direction set out in the August 2016 resolution from Council removed the restriction on second units in the NCN from the secondary dwelling unit policy section of the new Plan, the broad restriction on owner occupancy remained.

In our review of the London Plan, the limitations on second units which were of greatest concern to this office were the ones which applied broadly across the City. On this basis, the requirement for owner occupancy was removed by Minister's modification, as well the requirement for the second unit to be ancillary and the limitation of one bedroom in the second unit. These modifications have resulted in a more permissive policy intended to encourage affordable housing in London. **The restriction on second units in the NCN was a policy that was included in the document adopted by Council, and it was not dealt with by the modifications.** [Emphasis added]

Should it be the desire of Council to remove the restriction on second units in the NCN, even in light of the removal of the broad restriction requiring owner

occupancy, this could be considered by Council through a subsequent amendment to the London Plan. This office would view such an amendment as permissive. As London is exempt from ministry approval of official plan amendments, this amendment would proceed in accordance with the more streamlined provisions of the *Planning Act* that apply in the case of exempt official plan amendments.

Regards,

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