



P.O. Box 5035
300 Dufferin Avenue
London, ON
N6A 4L9

RECEIVED BY
NLS

DEC 17 2015

December 9, 2015

J.M. Fleming
Managing Director, Planning and City Planner

I hereby certify that the Municipal Council, at its meeting held on December 8, 2015 resolved:

4. That clause 4 of the 26th Report of the Planning and Environment Committee (PEC) regarding secondary dwelling units **BE REFERRED** back to the Civic Administration to be considered and reported back on as part of the Great-Near Campus Neighbourhoods Strategy Review currently being undertaken; it being noted that the Civic Administration should include in the Review, consideration of issues related to secondary dwelling units and the potential "grandfathering" of existing units that may have been created without a building permit, but could meet the zoning, building and fire code regulations being proposed for the secondary dwelling units. (AS AMENDED) (4/26/PEC)

C. Saunders
City Clerk
/jb

cc: B. Lansink, 505 Colborne Street, London, ON N6B 2T6
D. Hirschberger, 430 Lawson Road, London, ON N6G 1X8
K. Hale, Advocacy Centre for Tenants Ontario, 425 Adelaide Street West, 5th Floor,
Toronto, ON M5V 3C1
J. Schlemmer, Neighbourhood Legal Services, 507-151 Dundas Street, London, ON
N6A 5R7
B. Sexsmith, 120-1231 Sandford Street, London, ON N5V 2J8
K. Greenway-Courey, 857 Princess Avenue, London, ON N5W 3M5
S. Levin, 59 Longbow Road, London, ON N6G 1Y5
S.T. Merritt, Old East Village Business Improvement Area, 316 Rectory Street, P.O. Box
7550, London, ON N5Y 5P8
P. Beechey, 1033 Waterloo Street, London, ON N6A 3X8
J. Hoffer, Cohen Highley, One London Place, 255 Queens Avenue, 11th Floor, London,
ON N6A 5R8
G. Barrett, Manager, Long Range Planning and Research
L. Maitland, Planner I
K. Butts, Executive Assistant, Planning
J. Nethercott, Documentation Services Representative

Agenda Item #	Page #

OZ-8053
Planner: L. Maitland

Committee (the comments were not the official position of the committee as the committee did not meet quorum during the review) and Neighbourhood Legal Services (London & Middlesex) Inc. The concerns related to: the exclusion of secondary dwelling units from the Great-Near Campus Neighbourhood; the implementation of additional fees through licensing the possibilities of opportunities for incentives to promote the establishment of secondary dwelling units – tied specifically to affordable housing; and the possibility of incentivizing and educating 'existing' secondary dwelling unit owners to legalize and register their units.

The result of the November 2013 PEC meeting was direction from Council to staff to: *to provide further clarification; to receive advice from the London Housing Advisory Committee; and, to receive advice from the Town & Gown Committee.* Both committees addressed the proposed amendments over the course of 2014.

The London Housing Advisory Committee at its February 11, 2014 session requested that staff consider:

- removal of the Near Campus Neighbourhood restriction based on the criteria regarding owner occupancy is maintained (it being noted that submission from both Western University and Fanshawe College had been received by the Planning Department indicating that they were not opposed to the removal of this restriction, it being further noted that the Near-Campus Neighbourhood area is a significant area of the city);
- secondary units established between 1995 and 2014 and meeting all current building and safety codes be exempt from any new, more restrictive policies and/or by-law limitations; and,
- the removal of the additional parking space requirement.

The Town & Gown Committee at its May 8, 2014 Meeting received the report from Planning regarding Secondary Dwelling Units. They further resolved that the communication they received be referred to civic administration, including:

- a letter of support for the Near-Campus Neighbourhood restriction on secondary dwelling units from S. Levin of the Orchard Park Sherwood Forest Ratepayers;
- a presentation from P. Beechey of the London Neighbourhood Community Association opposing lodging houses in R1 zones;
- a letter from E. Simms of the London Property Management Association opposing the London Neighbourhood Community Association and offering support for existing City of London policy; and,
- a letter and package from J. Schlemmer of Neighbourhood Legal Services suggesting that those "granny flats" built between 1995 and 2014 be "grandfathered", so as to be considered legal where such units meet health and safety regulations.

In November 2015, the revised policies were brought in front of the PEC. The result of the PEC meeting in November 2015 was a referral from Council to review two issues: the inclusion of secondary dwelling units in the near campus neighbourhoods and the "grandfathering" of existing units. The grandfathering issue (discussed in more detail below) can be addressed by the proposed regulatory framework. With regards to the possible inclusion of secondary dwelling units within near campus neighbourhoods, the direction received specifically noted that this issue should be addressed through the ongoing Great-Near Campus Neighbourhoods Strategy Review.

- NO MENTION THAT COUNCIL HAD JUST PASSED A BAN IN NCN
IN POLICY 942 IN LONDON PLAN. PASSED JUNE 23, 2016

**2ND REPORT OF THE
TOWN AND GOWN COMMITTEE**

Meeting held on May 4, 2016, commencing at 1:00 PM, in Committee Room #1, Second Floor, London City Hall.

PRESENT: Councillor T. Park (Chair), Deputy Mayor M. Cassidy, Councillors M. Salih and P. Squire; P. Beechey, A. Bushell, C. Forsythe, T. Frost, S. Grindrod, J-M. Metrailler and K. Seanor and H. Lysynski (Secretary).

ABSENT: Councillor J. Zaifman; J. Goodwin, P. Masse, L. Perkins and N. Sussman.

ALSO PRESENT: J. Adema, G. Barrett, W. Cowdrey, Sergeant D. Ellyatt, O. Katolyk, G. Matthews and E. Sims.

I. CALL TO ORDER

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

II. SCHEDULED ITEMS

None.

III. CONSENT ITEMS

2. 1st Report of the Town and Gown Committee

That it BE NOTED that the 1st Report of the Town and Gown Committee from its meeting held on January 26, 2016, was received.

3. 1st Report of the Town and Gown Committee – Municipal Council Resolution

That it BE NOTED that the Municipal Council resolution adopted at its meeting held on March 1, 2016 with respect to the actions taken relating to the 1st Report of the Town and Gown Committee, was received.

IV. SUB-COMMITTEES & WORKING GROUPS

4. Secondary Dwelling Units

That the Municipal Council BE REQUESTED to approve Official Plan and Zoning By-law amendments to permit Secondary Dwelling Units in London's near-campus neighbourhoods, subject to the following criteria being met:

- a) Secondary Dwelling Units in near-campus neighbourhoods be subject to the minimum conditions and restrictions currently proposed by the Civic Administration for Secondary Dwelling Units elsewhere in London; and,
- b) the Municipal Council be satisfied that existing and planned enforcement mechanisms will ensure the primary dwelling unit is, at all times, owner-occupied;

it being noted that the Town and Gown Committee reviewed and received the recommendations of the Secondary Dwelling Units Working Group with respect to this matter.

Agenda Item #	Page #

OZ-8053
Planner: L. Maitland

Great-Near Campus Neighbourhoods Strategy Review Outcome

The Great-Near Campus Neighbourhoods Strategy Review process has held a number of public meetings. The April 6, 2016 community meeting to discuss possible changes to planning and by-law enforcement policies and procedures in near campus neighbourhoods included specific discussion on the inclusion of secondary dwelling units in near campus neighbourhoods. The result of the April 2016 community meeting was a report to PEC outlining changes to the strategy and a finalized position on secondary dwelling units.

The Great-Near Campus Neighbourhoods Strategy Review has taken into consideration public feedback and concluded, in conjunction with the majority of public feedback received, that the inclusion of secondary dwelling units would be appropriate in near-campus neighbourhoods and help to meet the goals set out through the Great-Near Campus Neighbourhood Strategy.

Through the review it was identified that the cost of housing is a primary obstacle for those desiring to move into a near-campus neighbourhood. Permitting a secondary dwelling unit has the potential to offset housing costs, bringing houses in near campus neighbourhoods within the affordable range for a greater number of people. Simultaneously for those unable or not wishing to purchase homes, secondary dwelling units can have the added benefit of increasing the availability of affordable rental housing in London.

"Grandfathering" Existing Units

Amongst the concerns raised through the development of secondary dwelling unit policy is the method whereby secondary dwelling units built prior to the adoption of the attached policies and regulations could become legal, while ensuring that any secondary dwelling unit meets both fire and building code regulations.

The Ministry of Municipal Affairs has noted specifically that the Bill 140 "changes do not grandfather" any existing second units that do not meet applicable laws." As such, secondary dwelling units built prior the adoption of the attached policies and regulations will not be exempted from meeting the policies and regulations. These "existing" secondary dwelling units must provide evidence that the units were built in accordance with the policies and regulations to be acknowledged as legal secondary dwelling units and able to apply for a rental unit licenses. If the "existing" secondary dwelling unit does not meet the policies and regulations proposed, particularly Fire Code and Building Code regulations, the unit will be required to be brought into compliance prior to a rental unit license being issued.

It should be noted that those units built prior to the adoption of the attached policies and regulations may be able to avail of the minor variance process. Secondary dwelling units that do not meet the proposed zoning requirements, including parking or the location of their entrance to the secondary dwelling unit could receive variances to recognize the units should the Committee of Adjustment deem it appropriate. This allows the possibility of recognizing secondary dwelling units which fail to meet the complete requirements of the zoning by-law. This also ensures that all secondary dwelling units are in accordance with current Building Code and Fire Code requirements and subject to the same planning policy framework.

O-7938/G. BARRETT/S. GALLOWAY/H. MCNEELY/J. ADEMA

OTHER MATTERS TO BE ADDRESSED

A number of planning processes and studies as well as decisions from the Ontario Municipal Board (OMB) are outstanding as of the preparation of the final recommended version of *The London Plan*. Depending on the outcomes of these processes and studies and their respective decision dates, *The London Plan* may be further modified either through a Minister's modification to *The London Plan* while the Plan is with the Province for approval, or as an amendment to *The London Plan* following approval by the Province. The following is a summary of the outstanding matters of which the recommendations or decisions will be incorporated into *The London Plan* at a future date:

- **Shift Rapid Transit Environmental Assessment (EA)** – The EA for Shift Rapid Transit is a public process providing Londoners with an opportunity to have input in the planning and design of a rapid transit network including the routes, stations and type of rapid transit technology. While the Environmental Assessment (EA) for the Rapid Transit route is not completed, the alignment shown in *The London Plan* is based on the recommendations of the EA completed as of the date of this report. Any updates to the transit route will be reflected in the Road Classifications on Map 3 and Place Type of adjacent properties on Map 1.
- **360 Crumlin Sideroad and 3301 & 3345 Gore Road OMB Hearing** – The purpose and effect of the Official Plan amendment and zoning change for the identified lands is to facilitate the severance into four large residential lots and one remnant agricultural parcel which will be able to accommodate a single detached dwelling. A portion of the lands zoned as Open Space zone is intended to be dedicated to the City of London for parkland dedication. The appeal to the Board was initiated by an adjacent landowner. The Hearing, held on June 25, 2015, was adjourned to allow the property owner and appellant an opportunity to resolve their issues. As of the date of this report a new Hearing date has not been set.
- **Dingman/White Oak Road OMB Hearing (OPAs 606 & 607)** – The purpose and effect of the Official Plan amendment is to remove the industrial designation for the majority of the lands delineated as south of Exeter Road, north of Dingman Drive, east of White Oak Road and west of the Marr Drain; to re-designate portions of these lands for a variety of different non-industrial uses; to establish new policies relating to transitional industrial and commercial industrial uses; and to amend the Southwest Area Secondary Plan. *The London Plan* Map 1 – Place Types shows Council's intended land use designations approved on the identified lands. There were multiple appellants at this Hearing. This Hearing was completed on June 1, 2016.
- **Secondary Dwelling Units** – The Planning and Environment Committee received a report on November 26, 2015 that included Official Plan and Zoning By-law Amendments to permit Secondary Dwelling Units in London. **The amendments included that Secondary Dwelling Units would not be permitted within the Near-Campus Neighbourhoods area. To allow for the issue to be reviewed in the context of the ongoing Great Near-Campus Neighbourhoods Strategy review, the amendments were deferred to a future meeting. After a decision has been made** *-proposed*

O-7938/G. BARRETT/S. GALLOWAY/H. MCNEELY/J. ADEMA

with regards to the policies for Secondary Dwelling Units these will be incorporated into *The London Plan*.

- ***Policies for Near-Campus Neighbourhoods*** – In February, 2015 Council directed staff to undertake a review of the Great Near-Campus Neighbourhoods Strategy. This strategy includes specific policies in the Official Plan, some of which are proposed to be amended as a result of this review. In preparing *The London Plan* some other changes to the Near-Campus Neighbourhoods Policies were also considered to fit within the new policy framework of *The London Plan*. These changes will be presented to the Planning and Environment Committee for consideration, and once approved the updated policies will replace the existing policies for Near-Campus Neighbourhoods in *The London Plan*.
- ***Mud Creek Environmental Assessment (EA)*** – An environmental assessment is currently underway for the Mud Creek. The results of the EA may result in changes to Map 1 – Place Types, Map 5 – Natural Heritage, and Map 6 – Hazards and Natural Resources as a result of the approved EA. These changes will be presented to the Planning and Environment Committee for consideration, and once approved the updated policies and maps will replace the existing policies and maps in *The London Plan*. This includes, but is not limited to, the lands located at 323 Oxford Street West and 92 Proudfoot Lane within the draft approved plan of subdivision 39T-99502.



938_ Residential intensification means the development of a property, site, or area at a higher residential density than currently exists. Intensification adds one or more residential units to a site, or creates one or more additional lots from an existing lot. The following policies relate to intensification on those lands that are within the Neighbourhoods Place Type.

939_ This Plan creates a variety of opportunities for intensification. The following list spans from a very "light" and discreet form of intensification to more visible and obvious forms. All are important to realize our goals of purposeful, sensitive, and compatible intensification within our neighbourhoods:

1. Secondary Dwelling Units – self-contained residential units with kitchen and bathroom facilities within dwellings or within accessory structures as defined in the Secondary Dwelling Unit section of this chapter.
2. Converted dwellings – the conversion of an existing residential dwelling to accommodate two or more dwelling units, without making substantive changes to the exterior of the building.
3. Adaptive re-use of non-residential buildings, to accommodate new residential dwelling units.
4. Lot creation – severing one lot into two or more lots.
5. Infill development – developing one or more new residential units on vacant lots.
6. Redevelopment – the removal of existing buildings in favour of one or more new buildings that house a greater number of dwelling units than what currently exists.

940_ It is an important strategy of this Plan to support all of these forms of intensification, while ensuring that they are appropriately located and fit well within their neighbourhood.

dwelling units are defined as a dwelling unit ancillary and subordinate to the primary dwelling unit, in which food preparation, eating, living, sleeping and sanitary facilities are provided for the exclusive use of the occupants thereof.

942_ Secondary dwelling units are permitted as-of-right within single detached dwellings, semi-detached dwellings or a street townhouse dwelling where all of the following criteria are met:

1. The secondary dwelling unit must be clearly ancillary and subordinate to the primary residential use.
2. A maximum of one secondary dwelling unit per primary dwelling unit is permitted, and must be located on the same lot as the primary dwelling unit.
3. Secondary dwelling units will not be permitted within the Near-Campus Neighbourhood area as defined in the Specific Policies in this chapter.
4. A secondary dwelling unit will be limited to a maximum of one bedroom, and the total number of bedrooms in the primary dwelling unit and secondary dwelling unit combined will not be greater than five.
5. Secondary dwelling units will be required to be licensed pursuant to the *Residential Rental Unit Licensing By-law*.
6. The gross floor area of a secondary dwelling unit will not be greater than 40% of the combined total gross floor area of both the primary dwelling unit and the secondary dwelling unit.
7. A secondary dwelling unit will comply with all regulations of the associated zone.

for front or e
to secondar
through exi:
entrances lc

9. In addition 1
for the prim
additional p
and mainta
Zoning By-l
permitted.
10. Secondary
permitted v
accessory s
primary dw
a secondar
secondary
 - a. Is loca
prima
 - b. Is loca
 - c. Meet
zone.
11. New or ex
that are pr
dwelling u
approval.
12. A second
located w
dwelling l
regulated
having ju
13. A second
permitter
owner oc

22. City Wide Official Plan and Zoning By-law Amendments - Secondary Dwelling Units (OZ-8053)

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of the City of London, relating to an Official Plan Amendment to introduce new city-wide policies related to secondary dwelling units and for a Zoning By-law Amendment to introduce regulations related to secondary dwelling units, the following actions be taken:

- a) the proposed by-law appended to the staff report dated August 22, 2016 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on August 30, 2016 to, amend the City of London Official Plan to update secondary dwelling unit polices, to address such matters as location, scale, and accessory structures, in accordance with changes to the *Planning Act*;
- b) the proposed by-law appended to the staff report dated August 22, 2016 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on August 30, 2016 to amend the City of London Zoning By-law Z.-1, (in conformity with the Official Plan, as amended in part a) above), to provide secondary dwelling unit regulations to address such matters as location, scale, and accessory structures, in accordance with changes to the *Planning Act*; it being noted that staff will undertake a review and bring forward changes to the Residential Rental Unit Licensing By-law to address the requirements associated with secondary dwelling units;
- c) the amended policies for Secondary Dwelling Units in The London Plan, appended to the staff report dated August 22, 2016 as Appendix 'C,' BE ENDORSED by the Municipal Council and BE FORWARDED to the Minister of Municipal Affairs with the recommendation that these policies be incorporated through a modification to The London Plan; it being noted that changes to the Plan include policy 942 being deleted and being replaced with the revised policies appended to the staff report dated August 22, 2016; and,
- d) the Civic Administration BE DIRECTED to report back in one year after the proposed amendments have been made to the Residential Licensing By-law;

it being noted that the Planning and Environment Committee reviewed and received a communication dated August 18, 2016, from M.W. Melchers, Associate Lawyer, Cohen Highley Lawyers, with respect to this matter;

it being pointed out that at the public participation meeting associated with this matter, the individuals indicated on the attached public participation meeting record made oral submissions regarding this matter;



P.O. Box 5035
300 Dufferin Avenue
London, ON
N6A 4L9

RECEIVED BY
NLS

SEP 14 2016

August 31, 2016

J.M. Fleming
Managing Director, Planning and City Planner

I hereby certify that the Municipal Council, at its meeting held on August 30, 2016 resolved:

22. That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of the City of London, relating to an Official Plan Amendment to introduce new city-wide policies related to secondary dwelling units and for a Zoning By-law Amendment to introduce regulations related to secondary dwelling units, the following actions be taken:

- a) the proposed by-law appended to the staff report dated August 22, 2016 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on August 30, 2016 to amend the City of London Official Plan to update secondary dwelling unit policies, to address such matters as location, scale, and accessory structures, in accordance with changes to the Planning Act;
- b) the proposed by-law appended to the staff report dated August 22, 2016 as Appendix "B" to amend the City of London Zoning By-law Z.-1, (in conformity with the Official Plan, as amended in part a) above), to provide secondary dwelling unit regulations to address such matters as location, scale, and accessory structures, in accordance with changes to the Planning Act; BE INTRODUCED at a future meeting of the Municipal Council concurrent with the consideration of amendments to the Residential Rental Licensing By-law to address the requirements associated with the secondary dwelling units;
- c) the amended policies for Secondary Dwelling Units in The London Plan, appended to the staff report dated August 22, 2016 as Appendix 'C,' BE ENDORSED by the Municipal Council and BE FORWARDED to the Minister of Municipal Affairs with the recommendation that these policies be incorporated through a modification to The London Plan; it being noted that changes to the Plan include policy 942 being deleted and being replaced with the revised policies appended to the staff report dated August 22, 2016; and,
- d) the Civic Administration BE DIRECTED to report back in one year after the proposed amendments have been made to the Residential Licensing By-law;

it being noted that the Planning and Environment Committee reviewed and received a communication dated August 18, 2016, from M.W. Melchers, Associate Lawyer, Cohen Highley Lawyers, with respect to this matter;

it being pointed out that at the public participation meeting associated with this matter, the individuals indicated on the attached public participation meeting record made oral submissions regarding this matter;

PART "B" PASSED
BY COUNCIL
DECEMBER 19, 2016

Agenda Item # Page #

--	--

File No. O-7938
 Planner: G. Barrett/S.Galloway

Chapter 'lan	Policy No.	Council Adopted Policy	Minister's Modification	How the policy reads, as modified
		<p>is permitted, and must be located on the same lot as the primary dwelling unit.</p> <p>3. Secondary dwelling units will not be permitted within the Near-Campus Neighbourhood area as defined in the Specific Policies in this chapter.</p> <p>4. A secondary dwelling unit will be limited to a maximum of one bedroom, and the total number of bedrooms in the primary dwelling unit and secondary dwelling unit combined will not be greater than five.</p> <p>5. Secondary dwelling units will be required to be licensed pursuant to the Residential Rental Unit Licensing By-law.</p> <p>6. The gross floor area of a secondary dwelling unit will not be greater than 40% of the combined total gross floor</p>	<p>not be permitted for front or exterior side yards" and replace it with the phrase "in the front or exterior side yards should maintain the character of the primary dwelling unit". Delete the word "Access" and replace it with the phrase "To protect neighborhood character, access";</p> <p>vi) bullet 9 is deleted and replaced with the following, "Any zoning amendments or variances to provide for parking in excess of the minimum parking required for the primary dwelling unit, including any request for boulevard parking, front yard parking, or changes to landscaped open space regulations to support parking for a secondary unit, shall be discouraged. A new additional driveway is not permitted to provide for the secondary</p>	<p>is permitted, and must be located on the same lot as the primary dwelling unit.</p> <p>3. 2. Secondary dwelling units will not be permitted within the Near-Campus Neighbourhood area as defined in the Specific Policies in this chapter.</p> <p>4. A secondary dwelling unit will be limited to a maximum of one bedroom, and the total number of bedrooms in the primary dwelling unit and secondary dwelling unit combined will not be greater than five.</p> <p>5. 3. Secondary dwelling units will shall be required to be licensed pursuant to the Residential Rental Unit Licensing By-law.</p> <p>6. 4. The gross floor area of a secondary dwelling unit will shall not be greater than 40% of the combined</p>



Environmental Registry
Registre environnemental



Ontario

[Government of Ontario](#)

[Site Map](#)

[Français](#)

[FAQs](#)

[Links](#)

[Contact Us](#)

[Home](#)

[About the Registry](#)

[Search](#)

[How do I ...?](#)

[MyEBR](#)

Regulation Proposal Notice:

Title:

Proposed Regulation for the establishment of requirements and standards with respect to secondary residential units: Parking requirements for second residential units; Occupancy requirements for the primary unit or second residential unit; and Authorizing second residential units in all dwellings regardless of date of construction

EBR Registry Number:
 012-9694

Ministry:

Ministry of Municipal Affairs and Housing

Date Proposal loaded to the Registry:

March 07, 2017

Keyword(s): Land use planning

Comment Period: 90 days: submissions may be made between March 07, 2017 and June 05, 2017.

Description of Regulation:

The Strong Communities through Affordable Housing Act, 2011 (Bill 140), received Royal Assent on May 04, 2011, and amended various sections of the Planning Act to facilitate the creation of second residential units. The changes to the Planning Act for second residential units came into effect on January 1, 2012. Authority was provided for the Minister of Housing to make regulations authorizing the use of and prescribing requirements and standards with respect to second residential units.

Proposed Content:

It is proposed that a regulation under s. 35.1(2)(b) of the Planning Act could, if made, set out requirements and standards with respect to second residential units referred to in s. 16 (3) of the Planning Act as follows:

- A maximum of one parking space would be required for a second residential unit, where second residential units are permitted, which includes "tandem parking", which would be defined as a parking space that is only accessed by passing through another parking space from a street, lane or driveway;
- A second residential unit, where permitted in the zoning by-law, may be occupied by any person in accordance with s. 35(2) of the Planning Act, and, for greater clarity, regardless of whether the primary unit is occupied by the owner of the property; and
- A second residential unit, where permitted in the zoning by-law, would be permitted without regard to the date of construction of the primary building.

The regulation purpose is to facilitate implementation and creation of second units.

Purpose of Regulation:

The purposes of this Notice are:

Contact:

All comments on this proposal must be directed to:

Victor Doyle
 Manager
 Ministry of Municipal Affairs and Housing
 Local Government and Planning Policy Division
 Provincial Planning Policy Branch
 777 Bay Street
 Floor 13
 Toronto ON
 M5G 2E5
 Phone: (416) 585-6014

To submit a comment online, click the submit button below:

(opens in new window)

Additional Information:

The following government offices have additional information regarding this

Through their December 2016 approval of the London Plan, with modifications, the Minister made several modifications to The London Plan's policies relating to secondary dwelling units. Over the past week, Planning Staff have had conversations with Ministry Staff to understand the thinking behind these changes. At the core are the following:

- Ministry staff indicate they had two primary goals:
 1. Respect the decisions of London City Council in their consideration of secondary dwelling units.
 2. Consistent with the Minister's direction noted above, ensure a permissive Official Plan policy that avoids onerous conditions and restrictions.
- The Ministry used the June, 2016 policies included in The London Plan as the basis for their approval.
- They also reviewed the revised policies sent by Council in August of 2016 and integrated some of these policies into their modification of the June, 2016 policies.
- In doing so, the Ministry made the following changes to the June 2016 policies that removed restrictions for secondary dwelling units:
 - Removed reference to the secondary dwelling unit being clearly ancillary and subordinate to the primary residential unit.
 - Removed policies that place bedroom limitations on the secondary dwelling unit and the total number of bedrooms for the secondary and primary dwelling unit (Ministry Staff have indicated that the regulations of the applicable zone can address the issue of total number of bedroom units).
 - Removed the requirement that the primary unit be owner occupied.
 - Removed the prohibition of exterior alterations in the front or exterior side yards and replaced it with language that ensures such alterations should maintain the character of the primary dwelling unit and protect neighbourhood character.
 - Removed the requirement for a parking space to accommodate a secondary dwelling unit.
 - Other minor changes of a more technical nature.

The June, 2016 secondary dwelling unit policies included a restriction that did not permit such units within the Near Campus Neighbourhood Area. The Ministry did not eliminate this restriction, despite the fact that Council had done so in their August, 2016 policy revisions forwarded to the province. Ministry Staff indicated that they believed that this

File No. O-7938
Planner: J. Adema

was reasonable, recognizing the modifications they made to eliminate several other restrictions from the June, 2016 policies. Ministry Staff have made it clear that the Ministry would have no concerns with Council removing this restriction relating to the Near Campus Neighbourhood should they wish to do so.

NEXT STEPS

The Minister has the authority to modify the policies of a new Official Plan, through its provincial approval process for that Plan. In accordance with this authority, the Ministry modified Council's policies relating to secondary dwelling units. Primarily, these modifications served to eliminate a number of restrictions on secondary dwelling units that were included in Council's policy framework. The Ministry did not, however, remove the restriction on secondary dwelling units within the Near Campus Neighbourhood Area.

Planning Staff have spoken with Ministry Staff and have ascertained that the Ministry would have no concern if London City Council made an amendment to the secondary dwelling unit policies to remove the restriction within the Near Campus Neighbourhood Area. To do so, Council could instruct Staff to initiate an amendment to The London Plan secondary dwelling unit policies in order to eliminate the restriction within those policies that does not allow for secondary dwelling units within the Near Campus Neighbourhood. It is noteworthy that any such amendment would not be subject to provincial review and would also not be appealable as per Section of the Planning Act.

Should Council wish to eliminate the current restriction on secondary dwelling units being allowed within the Near Campus Neighbourhood, they should direct Municipal Staff to initiate an Official Plan amendment process to do so.

PREPARED BY:	SUBMITTED BY:
JUSTIN ADEMA, MCIP, RPP PLANNER II, CURRENT PLANNING	GREGG BARRETT, AICP MANAGER, LONG RANGE PLANNING AND RESEARCH
RECOMMENDED BY:	
JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER	