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Planner: L. Maitland

neighbourhood character.

Policy Development Process

November, 2013 - An Official Plan and Zoning By-law amendment was presented for consideration by City Council that would have permitted secondary dwelling units in the City of London. The proposed policies included provisions that required the primary unit to be owner-occupied and limited secondary dwelling units to areas outside of Near-Campus Neighbourhoods. This report noted concerns raised by individuals on the London Housing Advisory 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). The concerns related to the exclusion of secondary dwelling units from the Near Campus Neighbourhoods, the imposition of fees through licensing, and opportunities for incentives to promote the establishment of secondary dwelling units, specifically tied to affordable housing.

February-May 2014 - Staff received advice from the London Housing Advisory Committee and the Town & Gown Committee regarding the draft secondary dwelling unit policies.

November-December, 2015 – An Official Plan and Zoning By-law amendment was presented for consideration by City Council that would permit secondary dwelling units in the City of London. The proposed policies included provisions that required the primary unit to be owner-occupied and limited secondary dwelling units to areas outside Near-Campus Neighbourhoods.

There was again concern regarding the geographic restriction on secondary dwelling units from the Near-Campus Neighbourhoods. At the same time, there was a review of the Near-Campus Neighbourhoods Strategy and policies being undertaken, and the secondary dwelling unit policies were referred back to be considered as part of that review.

June, 2016 – The London Plan was adopted by City Council. It included policies for Secondary Dwelling Units that would not permit secondary dwelling units in Near-Campus Neighbourhoods, required the primary unit to be owner-occupied, required one additional parking space for the secondary dwelling unit, and limited the number of bedrooms in the secondary dwelling unit. These same policies were adopted by Council for the current (1989) Official Plan.

July, 2016 – The Near-Campus Neighbourhoods Strategy review was completed and a report was presented to the Planning and Environment Committee. The staff recommendation, which was based on extensive community and stakeholder consultation, recommended that secondary dwelling units should be permitted within Near-Campus Neighbourhoods. This conclusion was based in part on the understanding by residents of Near-Campus Neighbourhoods that the primary unit would be required to be owner-occupied. City Council directed Civic Administration to prepare revised policies that permit secondary dwelling units in Near-Campus Neighbourhoods.

August, 2016 – Revised policies for secondary dwelling units were approved by City Council. These policies adopted the recommendations made through the Near-Campus Neighbourhood Strategy review. These policies made several changes to the policies adopted by Municipal Council contained in *The London Plan* submitted to the Minister in June, 2016. These changes were endorsed by Council, and forwarded to the Ministry of Municipal Affairs for consideration as *The London Plan* had been adopted by Council and was at the Ministry for approval. These revised policies were also approved by Council to amend the current (1989) Official Plan.

December, 2016 – The Minister approved *The London Plan* with modifications. The modifications included a combination of the policies as adopted by Council in June, 2016 and the amended policies endorsed by Council in August, 2016. The modifications included the removal of the policy that only permitted secondary dwelling units in owner

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occupied units. The June 2016 version of the policies, present within the council adopted London Plan, were not modified with regards to the exclusion on secondary dwelling units in the Near Campus Neighbourhood area.

February, 2017 – Council requested that civic administration report back at a future meeting with respect to the policy regulating Secondary Dwelling Units. This report follows those community and advisory committee meetings on the secondary dwelling unit policies and regulations that have been held since February.

Secondary Dwelling Units and *The London Plan*

On February 14, 2017, Municipal Council resolved that:

That the following actions be taken with respect to the Minister’s modifications to the London Plan as they relate to secondary dwelling units and specifically Policy 942:

a) *the report of the Managing Director, Planning and City Planner, dated February 6, 2017 and entitled “Minister’s Modifications to the London Plan Secondary Dwelling Units”, BE RECEIVED; and,*

b) *the Civic Administration BE DIRECTED to make the necessary arrangements to hold a Public Participation Meeting before the Planning and Environment Committee to receive input from the public with respect to the Minister’s modifications to the London Plan regarding secondary dwelling units;*

it being noted that the Planning and Environment Committee received a delegation and the ~~attached~~ communication from Mr. J. Schlemmer, Neighbourhood Legal Services with respect to this matter. (2017-D09)

The purpose of this report is to recommend new policies for Secondary Dwelling Units to the current (1989) Official Plan to be consistent with the Secondary Dwelling Unit policies of The London Plan, as modified by the Minister of Municipal Affairs, and to report back on the consultation undertaken to receive input from the public regarding the Minister’s modifications.

ANALYSIS

Minister’s Modifications to *The London Plan*

On December 28, 2016, The Ministry of Municipal Affairs issued a Notice of Decision to approve, with modifications, the new Official Plan for the City of London (*The London Plan*). The Minister made 29 modifications to the Plan as adopted by City Council on June 23, 2016. One of the modifications was to Policy 942, which relates to secondary dwelling units. This substantive change to *The London Plan* consists of several modifications to the secondary dwelling unit policies; as part of these modification, the Minister removed the requirement for the primary unit to be owner occupied; however, the Minister did not modify the Plan to reflect the change submitted in August 2016, which amended to policies to permit secondary dwelling units within Near-Campus Neighbourhoods.

As a result of these modifications, staff met with Ministry Staff to clarify the rationale behind these changes. The Ministry noted the following:

- Ministry staff had two primary goals in their review of *The London Plan* policies:
 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 permissive Official Plan policies that would avoid onerous conditions and restrictions on the