

Bill No. 4
2021

By-law No. C.P.-1284()-_____

A by-law to amend the Official Plan for the City of London, 1989 relating to implementing of Bill 108 Additional Residential Unit Policies City-wide.

The Municipal Council of The Corporation of the City of London enacts as follows:

1. Amendment No. () to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on December 8, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 8, 2020
Second Reading – December 8, 2020
Third Reading – December 8, 2020

AMENDMENT NO.
to the
OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to update the City of London 1989 Official Plan additional residential unit (formerly secondary dwelling unit) policies to conform with changes to the *Planning Act* as made by *More Homes, More Choices Act, 2019*.

B. LOCATION OF THIS AMENDMENT

This Amendment is a text amendment, which applies to all lands within the City of London.

C. BASIS OF THE AMENDMENT

The amendments are consistent with changes made to the *Planning Act* under *More Homes, More Choices Act, 2019* with respect to additional residential units.

The amendments are consistent with the policies of the *Provincial Policy Statement, 2020*, and are consistent with the Low Density Residential designation in the 1989 Official Plan.

D. THE AMENDMENT

The Official Plan for the City of London is hereby amended as follows:

1. By deleting the existing subsection 3.2.1 ix) in its entirety and inserting the following policy as subsection 3.2.1 ix) of the Official Plan:

Additional Residential Units

A single detached dwelling, semi-detached dwelling or a street townhouse dwelling may be permitted to contain an additional residential unit in the main building and an additional residential unit in an accessory/ ancillary building in accordance with policy 3.2.3.9 Additional Residential Units of this Plan.

2. By deleting the existing subsection 3.2.3.9 in its entirety and inserting the following policy as subsection 3.2.3.9 of the Official Plan:

Additional Residential Units

Additional Residential Units are permitted as-of-right within single detached dwellings, semi-detached dwellings or street townhouse dwellings where all of the following criteria are met:

1. A maximum of two additional residential units are permitted, including a maximum of one additional unit in the main dwelling and a maximum of one additional unit in an accessory structure;
2. Additional residential units must be located on the same lot as the primary dwelling unit;
3. Additional residential units shall be required to be licensed pursuant to the *Residential Rental Unit Licensing By-law*;
4. The gross floor area of the additional residential units shall not be greater than 40% of the combined total gross floor area of both the primary dwelling unit and the additional residential units;
5. Additional residential units shall comply with all regulations of the associated zone;

6. Exterior alterations to the primary dwelling unit to provide for additional residential units in the front or exterior side yards should maintain the character of the primary dwelling unit. To protect neighbourhood character, access to the additional residential units should be through existing entrances or new entrances located in rear or side yards;
7. Any exterior alterations to accommodate an additional residential unit within a Heritage Conservation District must have consideration and regard for the policies of the Heritage Conservation District Plan and/or Guidelines. Heritage Alteration Permit approval may be required for alterations to designated properties, including properties located in a Heritage Conservation District.
8. 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 additional residential units, shall be discouraged. A new additional driveway is not permitted to provide for the additional residential units;
9. Minor variances to permit front yard parking shall not be supported where the proposed new development, expanded development, or modification to an existing development eliminates parking that is in a location that conforms to the Zoning By-law;
10. Additional residential units may be permitted within a legally established accessory structure that:
 - a. Is located on the same lot as the primary dwelling unit.
 - b. Is located in the rear yard.
 - c. Cannot be severed.
 - d. Is on full municipal services.
 - e. Maintains the neighbourhood character.
 - f. Meets the requirements of the zone which apply to accessory structures.
11. Additional residential units located within a primary dwelling unit shall not require Site Plan Approval. An additional residential unit within an accessory structure shall require site plan approval;
12. New additional residential units shall not be located in a flood plain as regulated by the conservation authority having jurisdiction for that area, unless permitted through a special policy area as described in the Natural and Human Made Hazards policies;