

Bill No. 17
2021

By-law No. Z.-1-21_____

A by-law to amend By-law No. Z.-1 to delete the existing secondary dwelling unit regulations and replace with new regulations for additional residential units.

WHEREAS the Corporation of the City of London has initiated a rezoning City-wide to revise the existing secondary dwelling unit regulations and introduce new additional residential unit regulations, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number () this rezoning will conform to the Official Plan

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

1. Section 2 (Definitions) in Zoning By-law Z-1 is amended by deleting the definition for a “Secondary Dwelling Unit” and replacing it with the below definition for an “Additional Residential Unit”

“ADDITIONAL RESIDENTIAL UNIT” means a dwelling unit ancillary and subordinate to a primary dwelling unit, in which food preparation, eating, living, sleeping and sanitary facilities are provided for the exclusive use of the occupants thereof.”

2. Section 4.6 2) b) (Dwelling Units Area Minimums) is amended by deleting the existing clause and replacing it with the following;

b) converted dwelling unit and additional residential unit - 25 square metres (269 square feet);

3. Section 4.10 (Home Occupation) is amended by adding the following as a new clause 18:

18) A home occupation shall not be permitted in association with an additional residential unit.

4. Section 4.37 (Secondary Dwelling Units) is amended by deleting the existing clause and replacing it with the following;

4.37 ADDITIONAL RESIDENTIAL UNITS

The provisions of this section shall apply to all additional residential units, unless specified by type directly herein.

1) Permitted Zones

Additional residential units shall be permitted within any zone in association with the following uses:

- a) Single detached dwellings
- b) Semi-detached dwellings
- c) Street townhouse dwellings

Single detached dwellings, semi-detached dwellings or street townhouse dwellings containing an additional residential 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 additional residential unit, and if the additional residential unit complies with the regulations of the *Fire Protection and Prevention Act, 1997, S.O. 1997, c.4.*

2) Number of Additional Residential Units per Lot

A maximum of two (2) additional residential units shall be permitted per lot; including a maximum of one (1) additional residential unit in the main dwelling and a maximum of one (1) additional residential unit in an accessory or ancillary structure

3) Location of Additional Residential Units

An additional residential unit shall not be permitted on a separate lot from the primary dwelling unit that it is accessory to.

An additional residential unit or part thereof shall not be permitted in a basement where the finished floor level of such basement is below the level of any sanitary sewer servicing the building or structure in which the basement is located.

An additional residential unit shall not be permitted in a flood plain as regulated by the Conservation Authority having jurisdiction for that area.

4) Location of Additional Residential Units within Accessory Structures

An additional residential unit may be permitted in an accessory structure on the same lot as the primary dwelling,

An additional residential unit in an accessory structure shall be required to meet the regulations of the zone which apply to accessory structures.

An additional residential unit within an accessory structure may only be permitted in the rear yard or interior side yard.

5) Floor Area Requirements

The gross floor area of additional residential unit(s) shall not be greater than 40% of the combined total gross floor area of the primary dwelling unit and the additional residential units. For the purposes of calculating gross floor area requirements for additional residential units the following shall not be included:

- a) additions to dwelling units completed after the date of passage of this by-law; and,
- b) the gross floor area of accessory structures, where an accessory structure does not include an additional residential unit.

6) Number of Bedrooms

The additional residential unit(s) and primary dwelling unit together shall not exceed the total number of bedrooms permitted for the primary dwelling unit when the total number of bedrooms in the primary and additional residential unit(s) are combined

7) Access to Additional Residential Units

Exterior alterations to provide for entrances to the additional residential unit within interior or rear yards of the primary dwelling unit may be permitted.

8) Parking

The minimum parking requirement shall be in accordance with the primary dwelling unit. No additional parking is required for additional residential units.

A new additional driveway in association with an additional residential unit is not permitted.

9) Code Requirements

Additional Residential Units shall be required to conform to all Ontario Building Code and Ontario Fire Code regulations.

5. The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

6. This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

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