

TO: Housing Advisory Committee

FROM: Manager of Planning Policy

DATE: November 20, 2017

SUBJECT: November 21 HAC Agenda Item 4.6 – Draft Policies for Second Units/Secondary Suites

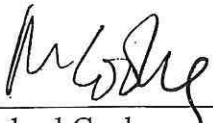
As reported to the Housing Advisory Committee at meetings held earlier this year, the Planning Department has been conducting research and drafting policies that will ultimately allow for second units to be created in many areas of the City without the need for site specific planning approvals such as Zoning By-law or Official Plan amendments. Staff are on record as being committed to circulating draft policies to HAC and we are pleased to provide the attached draft Official Plan policies at this time.

Additionally, Council Report **C 169/2016: Residential Rental Licensing** and Council Report **C 28/2017: Residential Rental Enforcement and Future Zoning** are on the Council Agenda for the meeting of November 20, 2017. These reports include an extensive background about the history of issues associated with increased intensity of residential uses from a variety of perspectives in our community.

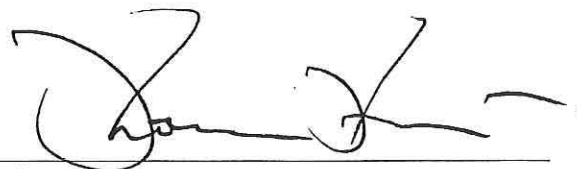
As noted in the Conclusion section of Council Report **C 28/2017**, future Official Plan changes that facilitate the creation of second units (secondary suites) as required by *The Strong Communities through Affordable Housing Act, 2011* are dependent on Council's recommendation about the establishment of a new zoning by-law regulation that would limit the number of bedrooms as a function of floor area of a dwelling (bedrooms to floor area ratio) and related Official Plan changes that would address the issue of proper densities on local streets and in neighbourhoods.

Current policies in the Official Plan are in place to facilitate the creation all forms of new residential units to areas that can support increased densities such as within Nodes, Growth/Activity Centres and along Corridors as identified in the City's Urban Structure Plan.

The information in this memorandum is intended to provide HAC with a brief overview of the draft policies for second units and other related administrative initiatives that have been directed by Council. Administration welcomes any comments on the attached draft policies. HAC can expect to be kept advised on the progress of these draft policies as they are finalized before being circulated to the public and the Planning Heritage and Economic Development Standing Committee and City Council.



Michael Cooke
Manager of Planning Policy



Thom Hunt
City Planner / Executive Director
Planning & Building

MC/CA

SECOND UNIT DEFINITION 6.4.2.22 A second unit is a separate residential dwelling unit within or on property containing a single detached, semi-detached, or rowhouse building, created after January 1, 2012, consisting of a separate access, kitchen, washroom, and living space; that is accessory to a primary residential dwelling unit located on the same property.

LOCATION OF SECOND UNITS 6.4.2.23 A second unit:
a) may be located on lands designated for residential use on Schedules D and E;
b) shall not be located within the regulatory floodplain; and
c) shall not be located within any part of a basement (i.e. below ground level) within the flood prone or frequently flooded areas identified on Schedule C-3.

SECOND UNITS WITHIN PRIMARY DWELLINGS 6.4.2.24 A second unit may be permitted within a detached, semi-detached or rowhouse subject to the following criteria:
a) The proposed second unit conforms with the definition and location requirements set out in 6.4.2.22 and 6.4.2.23;
b) No additional dwelling units are present in the primary dwelling or buildings ancillary to primary dwelling;
c) The second unit must be subordinate in scale and function to the primary unit and the Zoning By-law may set forth a maximum size;
d) Appropriate parking arrangement can be provided;
e) The subject lot legally complies with all Zoning By-law provisions and regulations;
f) Any infrastructure, safety, and public health concerns have been addressed;
g) The combination of the primary and second dwelling unit does not result in the creation of a lodging house; and
h) Where located on a property identified on the Municipal Heritage Register or within a Heritage Area identified on Schedule G the second unit must not alter the exterior of the primary or ancillary building.

SECOND UNIT 6.4.2.25
IN AN
ANCILLARY
BUILDING

A second unit within a building that is ancillary to a single-detached, semi-detached, or a rowhouse building is permitted subject to the following criteria:

- b) The proposed second unit meets the criteria set out in Sections 6.4.2.22 - 6.4.2.24;
- c) Where proposed within or on a property containing a rowhouse the property must have direct frontage on two public streets, or on a public street and a travelled public lane;
- d) The second unit shall provide one of the following means for servicing:
 - i. Full municipal services; or
 - ii. Where a lot is 0.8ha or greater in size:
 - (a) The primary dwelling is serviced by a private water and wastewater system and the external second unit will share either the water or wastewater system with the primary dwelling; or
 - (b) The primary dwelling is serviced by one public or communal service (water or wastewater) and one private service, and the second unit will share the public or communal service with the main dwelling; and
- e) A second unit serviced in accordance with d) ii. (b). will be subject to site plan control;

- f) The Zoning By-law may limit the external second unit. An application to allow a height of up to 8m through a minor variance may be considered where the external second unit is proposed to contain all of its habitable space above a garage;
- g) Applications for minor variances with respect to the second unit shall have regard for all applicable policies of this Plan, as well as the following considerations:
 - i. The height of the second unit does not exceed the height of the primary dwelling;
 - ii. Significant trees and plantings are preserved on the subject property; and
 - iii. Any impacts to the streetscape or abutting properties are addressed through the second unit design and siting;
- h) The second unit may not be severed from the lot accommodating the primary dwelling.

*MINOR
VARIANCE
FOR SECOND
UNIT*

6.4.2.26

A second unit located below ground level in [flood frequent areas] designated on Schedule C-3 may be permitted through a minor variance application subject to the following criteria, which may be imposed through conditions of approval:

- a) Installation of backflow valve and sump pump;
- b) Installation of Sewage ejection pumps;
- c) Disconnection of downspouts from weeping tiles; and
- d) Proof of flood insurance.