

General Committee

May 14, 2018



Report IPSPD18-017

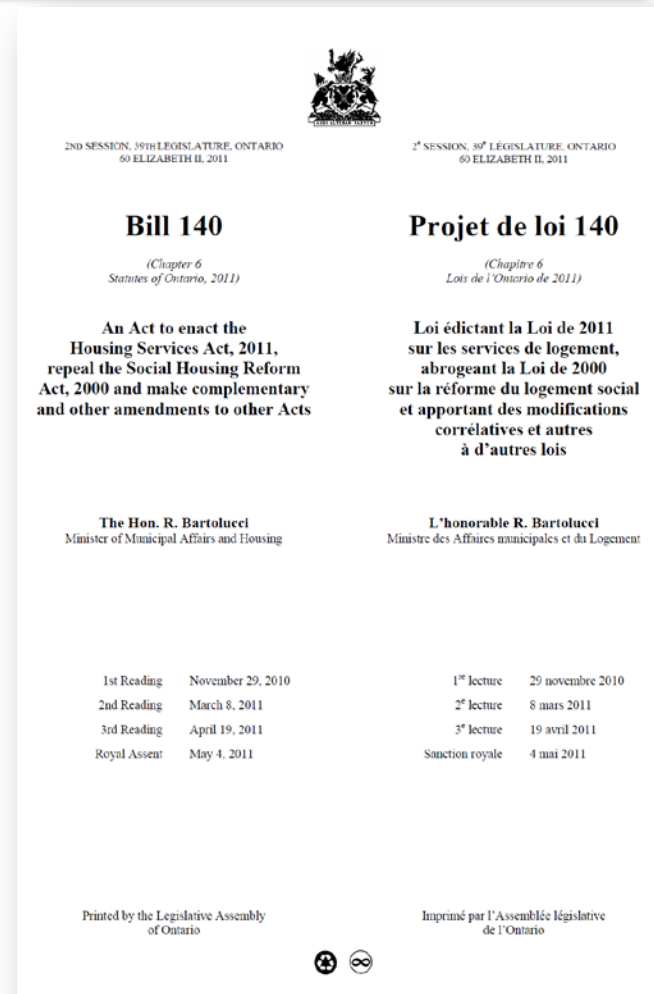
SECONDARY SUITES POLICY REVIEW

**OFFICIAL PLAN AMENDMENT 01801
ZONING BY-LAW AMENDMENT Z1804**



Background

- Planning Act amended in 2011 (Bill 140)
- Promote housing affordability
- Municipalities are required to establish official plan policies and zoning by-law regulations to allow second units in...



Background

- Single Detached Houses



Background

- Semi-detached Houses



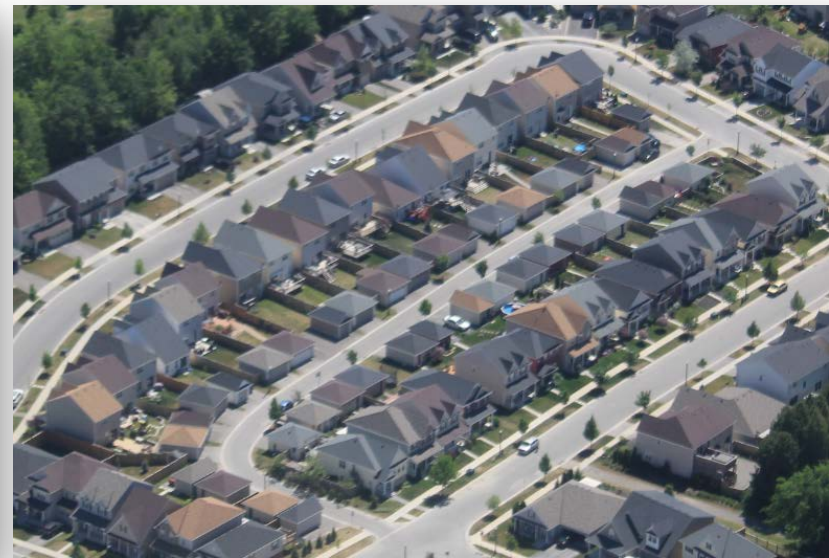
Background

- Row or Town Houses



Background

- Accessory Buildings

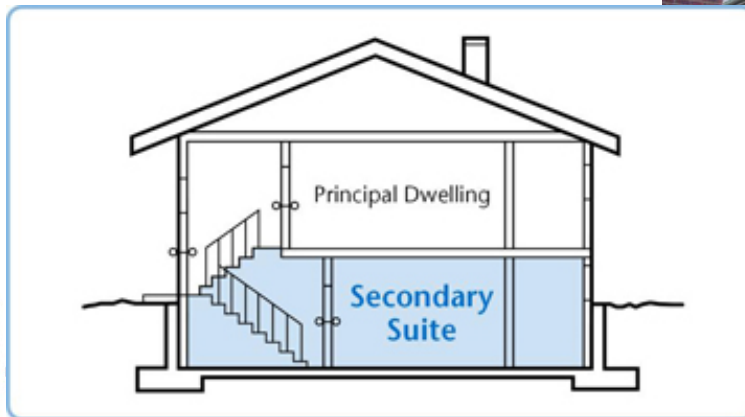
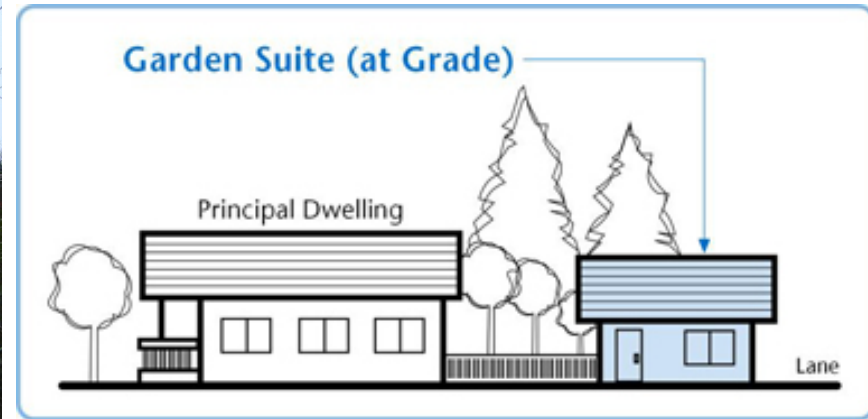


Background

- What is a Secondary Suite?
 - Self contained residential units with a private kitchen, bathroom facilities and sleeping areas within dwellings or within structures ancillary to dwellings
 - Entrance is gained either through a separate entrance or through a common area



Background



Background: How Are Secondary Suites Currently Regulated?

- Planning Approvals
 - Planning Act, Official Plan, Zoning By-law
- Building Approvals
 - Ontario Building Code, Fire Code, Electrical Safety Code, Municipal By-laws
 - All Secondary Suites built after November 16, 1995 require a Building Permit



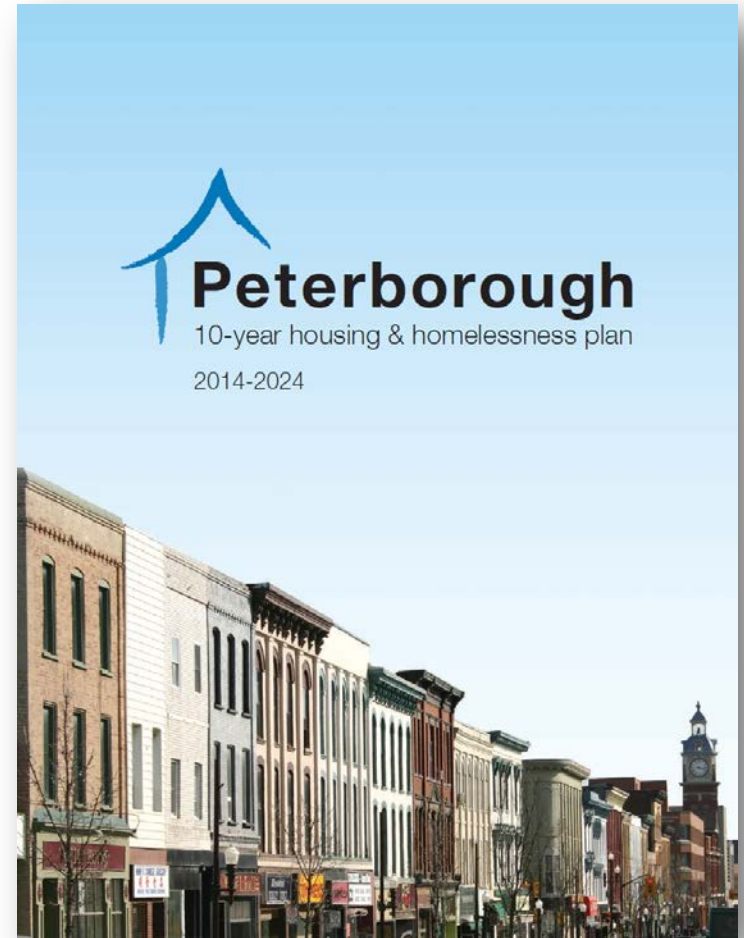
Provincial Considerations

- Permit in both existing neighbourhoods and in newly developing areas
- Consider constraints (e.g. flood plain, servicing availability)
- Allow provincial statutes (e.g. Building Code, Fire Code) to take precedent
- Ensure suites meet applicable law



Current Situation – Peterborough Policy

- Peterborough 10-year Housing and Homelessness Plan
 - City will establish local guidelines for developing secondary suites



Current Situation – Peterborough Policy

- Official Plan:
 - The City will encourage secondary suites
 - The Zoning Bylaw will be amended to facilitate secondary suites

**THE OFFICIAL PLAN
OF THE
CITY OF PETERBOROUGH**



Disclaimer

This document comprises an Office Consolidation as amended up to and including December 31, 2016. This edition is prepared for purposes of convenience only, and for accurate reference recourse should be had to the official volumes. Since this Official Plan has not been certified, the City does not warrant the accuracy of the information in it, nor does it warrant that the same accurately depicts the text of the amendment. Users should not rely on the information enclosed herein to their detriment. Certified copies of the appropriate amendment should be obtained from the City Clerk's Office.



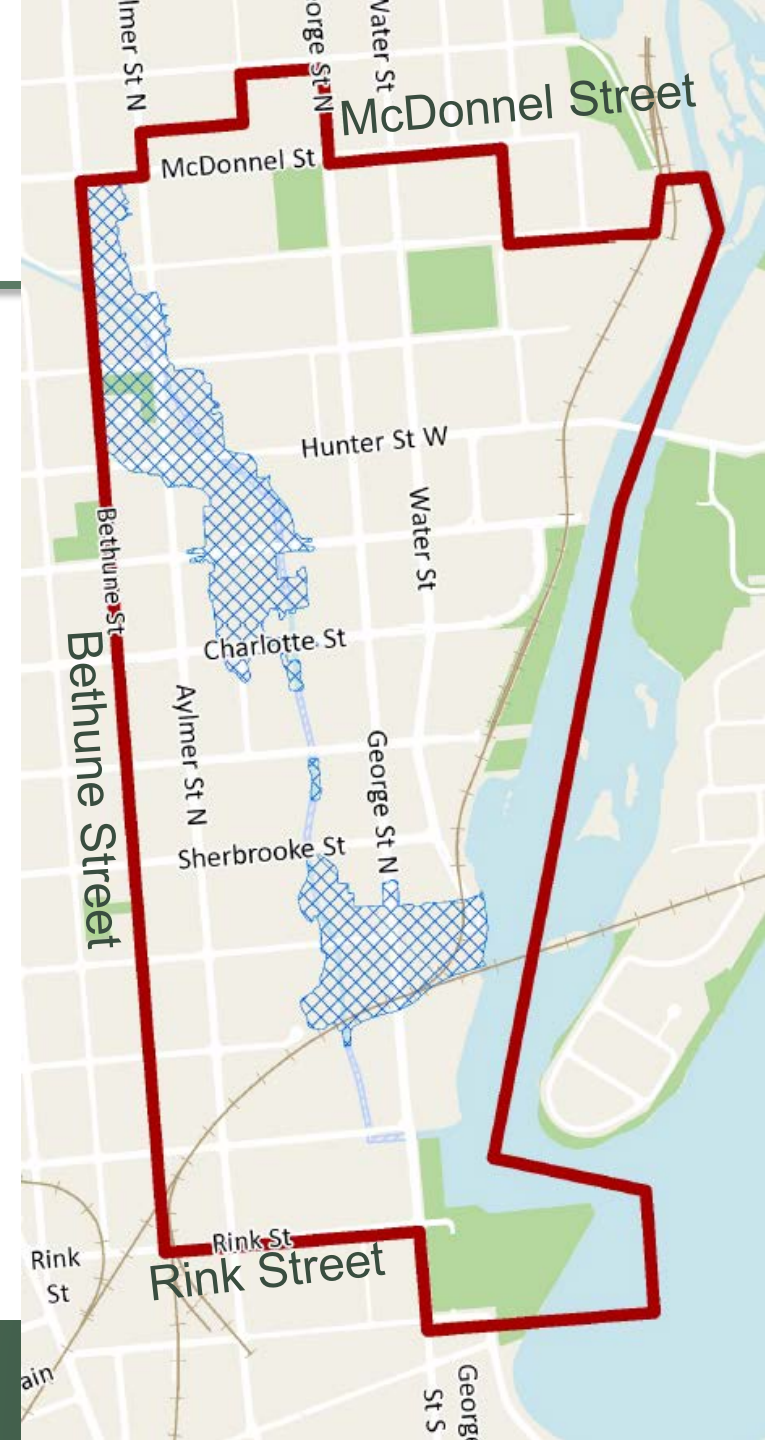
Current Situation – Peterborough Policy

- No zoning implementation to date
 - In most cases, Secondary Suites currently require re-zoning on a case by case basis, require larger lot sizes, more parking, larger minimum unit size



Current Situation – Peterborough Policy

- “Additional Dwelling Units” permitted as of right in the Central Business District subject to regulations in the Zoning By-law



Current Situation – 1994 Residents Rights Act (Bill 120)

- Houses with 2 units used or occupied on November 16, 1995 may be grandfathered from zoning pursuant to the Apartments in Houses legislation from the mid-1990s



Current Situation – 1994 Residents Rights Act (Bill 120)

- Secondary suites that created with a building permit between November 16, 1995 and May 22, 1996 are grandfathered from zoning as a permitted land use



Peterborough's Proposal



Official Plan Amendment

- Delete obsolete policies and create a new policy to permit secondary suites in singles, semis, and row/towns
 - 1 suite per principal dwelling
 - Allow detached suites
 - Prohibit severances
 - Prohibit suites in floodplain; discourage in proximity to erosion hazards
 - Require municipal services unless zoning permits otherwise



Zoning By-law Amendment

- Amend existing downtown zoning regulation to include new city-wide regulations
 - Downtown regulations would remain but would not apply secondary suites in certain singles, semis or row/townhouses



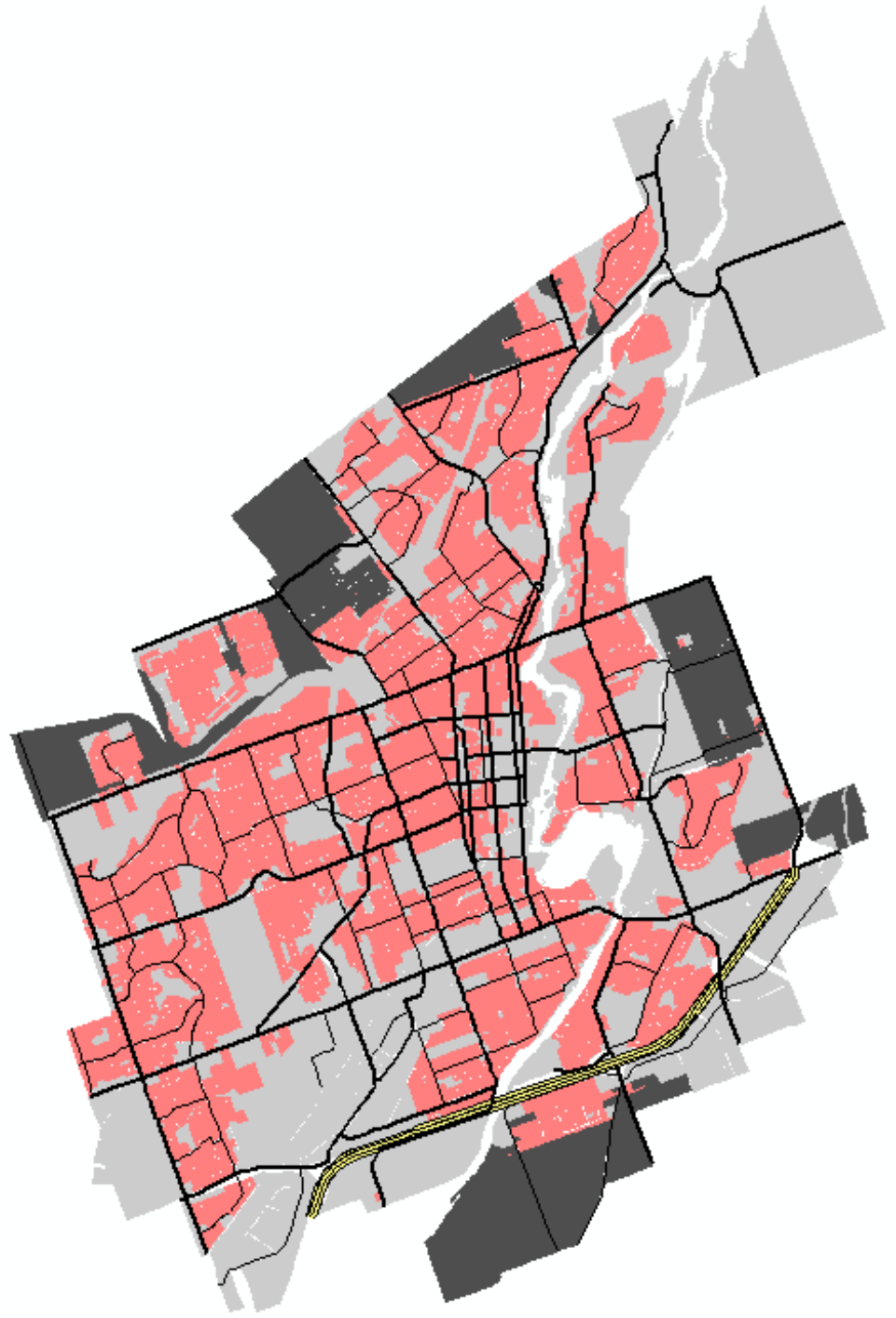
Zoning By-law Amendment

- Allow Secondary Suites throughout the City in single-detached, semi-detached and townhouse dwellings and in accessory buildings
 - Principal dwelling must be a permitted use in a residential zoning district
 - Limit 1 suite per principal dwelling
 - Does not apply to annexed areas under Township Zoning By-laws



Zoning By-law Amendment

- Applicable Areas
- Residential – Pink
- Former Township Zoning – Dark Grey
- Other Zones – Light Grey



Zoning By-law Amendment

- Unit size:
 - Minimum: 28m² (300 sf)
 - Maximum: less than the floor area of the principal dwelling
 - Maximum Number of Bedrooms: 2



Zoning By-law Amendment

- Remove basement ceiling height restrictions from Zoning By-law



Zoning By-law Amendment

- Secondary Suite located in an accessory building:
 - Subject to the same regulations as all other accessory buildings (Section 6.18 of the Zoning By-law)



Peterborough's Zoning By-law Proposal

■ Accessory buildings

Number of Principal Dwelling Units on Lot	Minimum Distance to Rear of Principal Dwelling	Minimum Distance from Side or Rear Lot Line	Maximum Height	Maximum combined coverage of Lot for all accessory buildings
1 or 2	1.2 metres (3.9 ft)	0.6 metres (2 ft)	4.3 metres (14.1 ft)	10%
3 to 15	2.4 metres (7.9 ft)	2.4 metres (7.9 ft)	4.3 metres (14.1 ft)	10%
Cumulative lot coverage of all accessory buildings plus coverage of the principal dwelling must comply with the overall lot coverage regulation of the applicable Residential Zoning District.				



Zoning By-law Amendment

- Fire Department Access from street:
 - 90 metre distance between fire hydrant and main entrance to suite; or,
 - Alternative fire access/suppression system approved by Fire Dept. and Building Division



Zoning By-law Amendment: Parking

- Area 1: No additional parking required
- Areas 2 and 3: 1 additional off-street space
- Tandem Parking permitted



Zoning By-law Amendment

- Municipal servicing required
- Private servicing permitted where allowed by zoning and approved by Health Unit (Ontario Building Code compliance)
- Secondary Suites prohibited in flood plain areas



Next Steps: Proposed Registry

- Registry
 - All secondary suites to be considered illegal unless registered
 - Power to inspect properties, prosecute violations, and impose fines
 - To be brought forward in the coming months
- Outreach and Education



Consultation

- 3 open houses (December 2017, March 2018)
- Public Meeting Notice and Agency Circulation
 - Newspaper, Mail, Email – April 16, 2018
- Planning Advisory Committee – April 24, 2018



Appeal Rights

- Minister of Municipal Affairs and Housing may appeal
- No public appeal



Summary

- Implements provincial legislation
- Consistent with provincial policy
- Implements City strategic policy
- Addresses a community need for housing

