

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee
From: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Housing and Community Growth
Subject: Amendments to Additional Residential Unit Permissions
File Number: Z-25159, City-Wide
Public Participation Meeting
Date: February 18, 2026

Recommendation

That, further to the direction of Municipal Council, the following actions be taken with respect to the application by the City of London relating to additional residential unit permissions, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the at the Municipal Council meeting on March 3, 2026, to amend Zoning By-law No. Z.-1, in conformity with the Official Plan to:

- (a) Limit additional residential unit(s) to a maximum of two bedrooms;
- (b) Limit the total number of bedrooms to a maximum of three in all additional residential units located within or attached to the main building;
- (c) Limit the total number of bedrooms to a maximum of three in all additional residential units located within an accessory building; and,
- (d) Limit any additional residential unit to not exceed 80% of the gross floor area of the primary dwelling unit, excluding common or shared utility areas.

IT BEING NOTED, that the above noted amendments are being recommended for the following reasons:

- i) The recommended amendments would be consistent with the *Provincial Planning Statement, 2024*;
- ii) The recommended amendment conforms to the general intent of *The London Plan*, including but not limited to the Neighbourhoods Place Type, Policy 942;
- iii) The recommended amendment will allow for intensification in neighbourhoods, consistent with Council's commitment to increase housing supply and affordability.

Executive Summary

Summary of Request

On November 4, 2025, Municipal Council passed a resolution to direct Civic Administration to bring forward a by-law to amend the provisions related to Additional Residential Units (ARU) in the zoning by-law.

As part of this resolution, an Interim Control By-law (ICBL) was prepared and passed by Council that temporarily restricted new Additional Residential Units that exceed bedroom count or unit size limits in order to allow time for a study of these matters. Council also directed Civic Administration to undertake a land use study to determine appropriate permissions for bedroom count and maximum size of an additional residential unit. The land use study is targeted to be brought forward to Municipal Council in Q3 2026.

Purpose and the Effect of Recommended Action

The recommended action will fulfill Council's direction and amend the provisions for

additional residential units to a maximum of two bedrooms, a maximum of three bedrooms in all additional residential units located within or attached to the main building, limit the total number of bedrooms to a maximum of three in all additional residential units located within an accessory building, and limit the size of any additional residential unit to not exceed 80% of the gross floor area of the primary dwelling unit.

Rationale of Recommended Action

- The recommended amendment is consistent with the *Provincial Planning Statement, 2024 (PPS)*, which supports all types of residential intensification;
- The recommended amendment conforms to The London Plan, including, but not limited to the Neighbourhoods Place Type Policies; and,
- The recommended amendment will continue to facilitate infill and intensification.

Linkage to the Corporate Strategic Plan

This recommendation will contribute to the advancement of Municipal Council’s 2023-2027 Strategic Plan in the following ways:

- **Strategic Plan Area of Focus: Wellbeing and Safety**, by promoting neighbourhood planning and design that creates safe, accessible, diverse, walkable, healthy, and connected communities.
- **Strategic Plan Area of Focus: Housing and Homelessness**, by increasing access to a range of quality, affordable, and supportive housing options that meet the unique needs of Londoners.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

PEC Report – North London Residential Study Proposed Amendments to the Official Plan and Zoning By-Law – October 25, 2004

PEC Report – Near-Campus Neighbourhoods Planning Amendments – June 11, 2012

PEC Report – City-Wide Zoning By-Law Monitoring Amendments Pertaining the Near Campus Neighbourhood Amendments – September 6, 2013

PEC Report – Implementing Additional Residential Unit Requirements of the Planning Act (Bill 108) – November 30, 2020

PEC Report – Additional Residential Unit Amendments as a Result of More Homes Built Faster Act, 2022 (Bill 23) – May 23, 2023

PEC Report – Amendments to Increase Additional Residential Unit Permissions – October 3, 2023

PEC Report – City-Wide 5-Bedroom Limits and Increased Permissions for Additional Residential Units – January 30, 2024

1.2 Planning History

Bedroom Limits

On November 1, 2004, Municipal Council approved amendments to the Zoning By-law Z.-1 which established that a dwelling unit shall contain no more than five (5) bedrooms (OZ-6564, North London Residential Study: Proposed Amendments to the Official Plan and Zoning By-law). The by-law was appealed to the Ontario Municipal Board (OMB). The OMB upheld the amendment, finding it within Council’s authority and consistent with Section 34(1).4 of the Planning Act in relation to regulating the character and use of buildings (OMB Order PL041208, March 15, 2006).

Additional amendments were proposed to provide clearer direction for development in Near Campus Neighbourhoods (NCN) to address unsuitable intensification in low-density housing forms. On June 26, 2012, Municipal Council approved amendments to introduce a three-bedroom limit for dwelling units within semi-detached, duplex, triplex, stacked townhouse, street townhouse, apartment, and converted dwellings (OZ-7663, Near Campus Neighbourhoods Amendments). The amendments were appealed and considered through two separate OMB proceedings. Prior to the July 22 hearing, one appeal was withdrawn and two appeals were dismissed (OMB Order PL121033, July 22, 2013). A subsequent hearing allowed the remaining appeal in part, resulting in the by-law being modified to exclude the appellant's property from the NCN boundary (OMB Order PL121033, November 21, 2013). As a result, the City implemented a three-bedroom limit per unit in Near Campus Neighbourhoods, alongside a city-wide limit of five bedrooms per unit.

On October 17, 2023, Municipal Council passed a motion to remove the bedroom limit city-wide, except Near Campus Neighbourhoods, and report back on possible limits to Near Campus Neighbourhoods (NCN). The motion was in direct response to continued pressure related to the housing supply and affordability crisis.

On November 4, 2025, Municipal Council passed an Interim Control By-law to amend Additional Residential Unit (ARU) permissions. The Interim Control By-law made amendments to ARU bedroom permissions by limiting additional residential unit(s) to a maximum of two bedrooms, limiting the total number of bedrooms to a maximum of three in all additional residential units located within or attached to the main building, and limiting the total number of bedrooms to a maximum of three in all additional residential units located within an accessory building.

Additional Residential Units

In response to evolving housing needs and affordability pressures, provincial and municipal frameworks for additional residential units have been progressively updated to enable gentle residential intensification. The More Homes, More Choice Act, 2019 (Bill 108) introduced the term "Additional Residential Units" (ARUs), replacing the former "Secondary Dwelling Unit" concept. The legislation established permissions for up to three residential units as-of-right on lots containing single detached, semi-detached, or street townhouse dwellings, comprised of a maximum of one ARU within the primary dwelling and a maximum of one ARU within an accessory building. On December 8, 2020, Municipal Council approved Zoning By-law amendments to align with these legislative changes (OZ-9176, Additional Residential Unit Review).

The More Homes Built Faster Act, 2022 (Bill 23) revised requirements for ARUs related to maximum floor area, minimum unit size, and the number of units permitted within the main building. Bill 23 increased permissions within the primary dwelling to allow up to two ARUs, from one, while maintaining the existing permissions for accessory buildings. On June 6, 2023, Municipal Council approved additional amendments to conform with these changes (OZ-9581, Additional Residential Unit Amendments as a Result of the More Homes Built Faster Act, 2022).

On August 29, 2023, Municipal Council adopted a resolution in response to a request from the federal Minister of Housing, Infrastructure and Communities of Canada regarding expanded city-wide as-of-right permissions beyond the minimum requirements in the Planning Act. The resolution directed Civic Administration to prepare a zoning by-law amendment to permit up to four residential units as-of-right where zoning permits singles, semis, or street townhouses. The amendment was adopted by Municipal Council on October 17, 2023, increasing permissions to allow up to three ARUs per lot for the identified dwelling types (OZ-9651, Amendment to Increase Additional Residential Unit Permissions).

On February 13, 2024, Municipal Council passed a resolution to permit ARUs in duplex, triplex, and converted dwellings, allow up to two ARUs within an accessory building, and modify the wording related to accessory buildings containing ARUs. Subsequent

amendments introduced and defined “Detached Additional Residential Units,” permitted front yard parking where an attached garage is converted to an ARU, and established regulations applicable to detached ARUs (OZ-9661, City-Wide 5-Bedroom Limits and Increased Permissions for Additional Residential Units).

On November 4, 2025, Municipal Council passed an Interim Control By-law to amend Additional Residential Unit (ARU) permissions. The Interim Control By-law amended ARU permissions to limit the gross floor area of any additional residential unit to no more than 80% of the primary dwelling unit.

2.0 Discussion and Considerations

2.1 Proposed Amendment(s)

Council directed amendments to the Zoning By-law Z.-1 to modify ARU permissions. The following section summarizes the specific amendments being proposed. Appendix B contains the full tracked changes.

Provision	Existing	Proposed
4.37 5)	5) Number of Bedrooms Within Near Campus Neighbourhoods, as illustrated in Figure 4.36, the combined total number of bedrooms permitted for the primary dwelling unit(s) and additional residential unit(s) shall increase by one (1) following the creation of one (1) additional residential unit up to a total of three (3) additional bedrooms and three (3) additional residential units. (Z.-1-243187)	5) Number of Bedrooms Within Near Campus Neighbourhoods, as illustrated in Figure 4.36, the combined total number of bedrooms permitted for the primary dwelling unit(s) and additional residential unit(s) shall increase by one (1) following the creation of one (1) additional residential unit up to a total of three (3) additional bedrooms and three (3) additional residential units. (Z.-1-243187) <u>Outside of Near Campus Neighbourhoods, additional residential units are limited to a maximum of two (2) bedrooms per unit. A maximum of three (3) bedrooms is permitted across all additional residential units located within or attached to the main building, and a maximum of three (3) bedrooms is permitted across all additional residential units located within an accessory building.</u>
4.37 7)	-	<u>4.37 7) Gross Floor Area</u> <u>The gross floor area (GFA) of any ARU shall not exceed eighty percent (80 %) of the GFA of the primary dwelling unit, excluding common or shared utility areas.</u>

2.2 Internal and Agency Comments

The application and [associated materials](#) were circulated for internal comments and public agencies for review.

- Key issues identified by staff and agencies included:
- Impacts on existing stormwater management.

Detailed internal and agency comments are included in Appendix “C” of this report.

2.3 Public Engagement

On January 8, 2026, Notice of Application and Notice of Public Meeting was published on the City of London's planning applications webpage.

There were four (4) responses received during the public consultation period. Comments received were considered in the review of this application and are addressed in Section 4.0 of this report.

Concerns expressed by the public relate to:

- Gross floor area restrictions;
- Number of bedrooms restrictions; and,
- Maintaining existing provisions in Near Campus Neighbourhoods.

Detailed public comments are included in Appendix "D" of this report.

2.4 Policy Context

The Planning Act & Provincial Policy Statement, 2024

The Provincial planning policy framework is established through the *Planning Act* (Section 3) and the *Provincial Planning Statement, 2024 (PPS)*. The *Planning Act* requires that all municipal land use decisions affecting planning matters shall be consistent with the *PPS*.

Section 2 of the *Planning Act* outlines Municipal Council's responsibility related to "the adequate provision of a full range of housing, including affordable housing" (Subsection 2(j)). The recommended amendments would limit the creation of ARUs through more restrictive regulations aimed at decreasing feasibility for these units.

The *PPS* provides for and supports intensification under Section 2.2.1:

Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area.

Section 2.2.1 of the *PPS* also supports housing compatibility through effective land use:

Promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation.

Policies supporting additional residential units and intensification are included in Section 2.2 (Housing) of the *PPS*. The following policies state that significant supply and mix of housing types shall be accommodated and residential intensification (ARUs) shall be supported:

Planning authorities shall establish and implement minimum targets for the provision of housing that is affordable to low and moderate income households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including affordable housing needs (2.2.1 b) 1);

Planning authorities shall provide all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3 (2.2.1 b) 2).

The proposed amendments, as recommended, are still consistent with the *Planning Act* and the *PPS*, as they continue to facilitate additional housing, while ensuring compatibility within neighbourhoods.

The London Plan, 2016

The City of London Official Plan, *The London Plan*, is the main implementation tool of the Planning Act and the Provincial Planning Statement within the municipality and sets a framework for all planning decisions in the City of London. The London Plan sets out directions that support residential intensification through policies related to additional residential units.

Policies 937 and 939 provide a rationale for residential intensification throughout neighbourhoods and identify additional residential units as an important opportunity for intensification. Policy 937 outlines the benefits of intensification, noting that “Intensification within existing neighbourhoods will be encouraged to help realize our vision for aging in place, diversity of built form, affordability, vibrancy, and the effective use of land in neighbourhoods.”

The proposed amendments are consistent with Policy 939_1 which recognizes ARUs as a discreet form of intensification and important to realize the City’s goals of purposeful, sensitive, and compatible within our neighbourhoods. Policy 940 further emphasizes that neighbourhood compatibility should support all forms of intensification, while ensuring that they are appropriately located and fit well within their neighbourhood. In addition, the proposed amendments align with Policy 942, which sets out evaluation criteria related to built form and zoning considerations for additional residential units.

939 This Plan creates a variety of opportunities for intensification. The following list spans from a very “light” and discreet form of intensification to more visible and obvious forms. All are important to realize our goals of purposeful, sensitive, and compatible intensification within our neighbourhoods: 1. Additional Residential Units – self-contained residential units with kitchen and bathroom facilities within dwellings or within accessory structures as defined in the Additional Residential Unit section of this chapter.

The proposed zoning by-law amendments are consistent with *The London Plan* policies and support the Official Plan’s direction for compatible neighbourhood intensification.

3.0 Financial Impact/Considerations

None.

4.0 Key Issues and Considerations

4.1 Bedroom Limits

On October 17, 2023, Municipal Council resolved to remove bedroom limits city-wide, except within the Near Campus Neighbourhoods (NCN). Feedback received through public comments and engagement sessions following Council’s resolution supported this direction, with many submissions referencing the need for timely action in response to ongoing housing supply and affordability pressures.

Industry stakeholders also advised that the existing city-wide five-bedroom limit constrains ARU uptake and limits opportunities for intensification. Staff identified that bedroom maximums affect ARU feasibility in situations where a dwelling otherwise functions appropriately with a higher number of bedrooms. Staff determined that ARU adoption could be impacted by the bedroom limit where dwellings have appropriate use of the maximum number of bedrooms. Staff did not consider bedroom limits for ARUs, instead, a more permissive planning approach that relies on *Ontario Building Code* to regulate bedrooms was proposed in 2023.

Since the passing of the ICBL, City staff and Members of Council have received an

increase in correspondence from property owners regarding implementation impacts. Comments have included concerns from applicants who are currently in process and have been unable to proceed with three-bedroom basement units, three-bedroom detached ARUs, and two-bedroom ARUs within duplex dwellings.

The proposed amendment has the effect of limiting the total number of bedrooms achievable across all ARUs on a single property to five. This is illustrated in the table below:

Table 1.0 Maximum number of bedrooms permitted in ARUs under various development scenarios

Scenario	Main building – ARU 1	Main building – ARU 2	Accessory building – ARU 1	Accessory building – ARU 2	maximum bedrooms in all ARUs
1 ARU in main building	2	--	--	--	2
2 ARUs in main building	2	1	--	--	3
1 ARU in accessory building	--	--	2	--	2
2 ARUs in accessory building	--	--	2	1	3
1 ARU in main building, 1 ARU in accessory building	2	--	2	--	4
2 ARUs in main building, 1 ARU in accessory building	2	1	2	--	5
1 ARU in main building, 2 ARUs in accessory building	2	--	2	1	5

The proposed amendments to ARU permissions to the Zoning By-law present a more restrictive approach and might result in design changes to decrease the number of bedrooms proposed or in an increase in the number of proposals requiring minor variances and zoning by-law amendments. This would add procedural steps, extend review timelines, and delay the delivery of potential housing supply, which is not consistent with the City’s objective to streamline approvals and increase the supply of housing with a focus on achieving intensification targets.

4.2 Gross Floor Area

In response to Bill 108, the City completed a review of The London Plan and Zoning by-law Z.-1 regulations (OZ-9176/Additional Residential Unit Review-City of London) and on December 8, 2020, Council approved an amendment to cap the gross floor area of

all additional residential units to 40% of the size of the main dwelling unit.

On June 6, 2023, Council removed the cap on gross floor area of all additional residential units (OZ-9581/ Additional Residential Unit amendments as a result of More Homes Built Faster Act, 2022 (Bill 23)). Additional residential units were then required to comply with all regulations of the associated zone. The provision to cap gross floor area was removed due to the public comments received through the circulation process.

The proposed change to limit the gross floor area of ARUs is a return to the provision that was originally recommended to ensure the units of an ARU remain secondary in scale and compatible with surrounding low-rise neighbourhoods. While the cap was removed in 2023 to align with the broader zoning framework and respond to public feedback, reintroducing a cap provides greater predictability for building applications. The proposed limit of up to 80% gross floor area of the main dwelling represents an increase from the previous 40% cap.

4.3 Additional Residential Unit Building Permit Data

The following section provides a summary of ARU building permits over three months, from July 2025 to September 2025. Bedroom count and gross floor area (GFA) data were collected from building permits issued between July and September 2025 and summarized.

Council directed Civic Administration to undertake a land use study, targeted to be brought forward to Municipal Council in Q3 2026. The land use study will include a more comprehensive analysis of ARU building permit data.

Table 2.0 Bedroom Count for ARU Building Permits Issued Between July and September 2025

Bedroom Count	ARU Permits	Percentage of ARU Permits
Bachelor/One Bedroom	47	45%
Two Bedrooms	44	42%
Three Bedrooms	12	11%
Four Bedrooms	2	2%
Total	105	100%

The above table indicates that the majority of ARU's being constructed have two or less bedrooms.

ARU permit data from July to September 2025 also indicates that 21%, or 20 units have a GFA larger than 80% of the main unit. The average gross floor ratio was 52%, median ratio is 41%, with a minimum gross floor area of 15% and a maximum of 150%.

4.4 Additional Residential Units Enforcement and Compliance

The regulation of Additional Residential Units is supported by a coordinated enforcement and compliance framework that addresses land use permissions, construction standards, and, where applicable, rental operation. This framework is intended to ensure that ARUs are developed and operated in accordance with approved permissions while supporting neighbourhood compatibility and public safety.

4.4.1 Zoning Compliance

The Zoning By law establishes the permitted use, intensity, and scale of ARUs, including the number of units, bedroom limits, and gross floor area. Compliance with zoning requirements is assessed based on both approved permissions and actual use over time. Where an ARU is constructed or used in a manner that exceeds permitted bedroom counts or size limits, the City may address the matter through the zoning compliance processes which can include enforcement action by Municipal Law Enforcement Officers.

4.4.2 Building Code and Construction Compliance

Building permits and inspections ensure that ARUs comply with the Ontario Building Code, with a focus on life safety. Compliance activities address matters such as fire separations, exiting and egress, ceiling height, ventilation, and structural integrity. Building permit approval confirms that construction meets Code requirements and aligns with approved plans, but does not authorize a level of intensity that exceeds zoning permissions. Where alterations occur without required permits or where construction does not align with approved plans, enforcement action may be taken under the *Building Code Act*.

4.4.3 Rental Licensing Compliance

Where an ARU is operated as a rental unit, the Residential Rental Units Licensing By law provides an additional compliance mechanism. Licensing supports ongoing compliance by requiring rental units to meet applicable zoning, Building Code, Fire Code, and property standards requirements. Licensing inspections and conditions may be used to address non compliance related to unit operation.

Additional Residential Units that are occupied by family members and are not rented are not subject to the Residential Rental Units Licensing By-law. In these situations, compliance continues to be addressed through zoning, building, fire, and property standards authorities, as applicable.

4.4.4 Monitoring and Enforcement Triggers

Compliance matters related to ARUs may be identified through a range of mechanisms, including building and fire inspections, rental licensing reviews where applicable, property standards inspections, and public complaints. Where non compliance is identified, the City may issue orders or take enforcement action under the applicable legislation to achieve compliance. This may include requirements to modify use, remove non permitted elements, or bring the unit into conformity with approved permissions.

4.4.5 Compliance Approach

The City’s approach to ARU enforcement emphasizes clarity of permissions, consistency in application, and proportional response. The intent is to support compliance and resolve issues where they arise, while maintaining the integrity of the zoning framework and ensuring that ARUs function as a compatible form of residential intensification.

Through this enforcement and compliance framework, the City works to balance enabling additional housing supply with maintaining appropriate standards for safety, livability, and neighbourhood context.

Conclusion

On November 4, 2025, Municipal Council passed a resolution to direct Civic Administration to bring forward a by-law to amend the provisions related to Additional Residential Units (ARU) in the zoning by-law. The recommended action will amend the provisions for additional residential units a maximum of two bedrooms, a maximum of three bedrooms in all additional residential units located within or attached to the main building, limit the total number of bedrooms to a maximum of three in all additional residential units located within an accessory building, and limit the size of any additional residential unit to not exceed 80% of the gross floor area of the primary dwelling unit.

The recommended action is consistent with the PPS 2024, conforms to *The London Plan* and will fulfill Council’s direction to bring forward these Zoning By-law amendments.

Prepared by: Asrin Eiveri
Planner, Planning Policy (Research)

Reviewed by: Nancy Pasato, MCIP, RPP
Manager, Planning Policy (Research)

Recommended by: **Heather McNeely, MCIP, RPP**
 Director, Planning and Development

Submitted by: **Scott Mathers, MPA, P.Eng.**
 Deputy City Manager, Housing and Community Growth

Copy:

Alan Shaw, Director, Building and Chief Building Official
Adam Salton, Manager, Zoning & Property Compliance
Justin Adema, Manager, Long Range Planning

Appendix A – Zoning Bylaw Amendment

Bill No. (number to be inserted by Clerk's Office)
2026

By-law No. Z.-1-

A by-law to amend Section 4.37 of the Zoning By-law Z.-1 to limit bedroom counts and the gross floor area for additional residential units.

WHEREAS this amendment to the Zoning By-law Z.-1 conforms to the Official Plan;

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

- Section 4.37 5) is amended by adding the following:

4.37 5) Outside of Near Campus Neighbourhoods, additional residential units are limited to a maximum of two (2) bedrooms per unit. A maximum of three (3) bedrooms is permitted across all additional residential units located within or attached to the main building, and a maximum of three (3) bedrooms is permitted across all additional residential units located within an accessory building.

1. Section Number 4.37 is amended with the following new provision:

4.37 7) Gross Floor Area

The gross floor area (GFA) of any ARU shall not exceed eighty percent (80 %) of the GFA of the primary dwelling unit, excluding common or shared utility areas.

2. This Amendment shall come into effect 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 March 3, 2026, subject to the provisions of PART VI.1 of the *Municipal Act, 2001*.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – March 3, 2026
Second Reading – March 3, 2026
Third Reading – March 3, 2026

Appendix B – Zoning By-law Tracked Changes

Within this appendix, underlined text indicates new wording to be added, and strikethrough text indicates existing wording to be deleted. Bold text indicates an existing heading.

SECTION 4 – GENERAL PROVISIONS

4.37 ADDITIONAL RESIDENTIAL UNITS

5) Number of Bedrooms

Within Near Campus Neighbourhoods, as illustrated in Figure 4.36, the combined total number of bedrooms permitted for the primary dwelling unit(s) and additional residential unit(s) shall increase by one (1) following the creation of one (1) additional residential unit up to a total of three (3) additional bedrooms and three (3) additional residential units. (Z.-1-243187)

Outside of Near Campus Neighbourhoods, additional residential units are limited to a maximum of two (2) bedrooms per unit. A maximum of three (3) bedrooms is permitted across all additional residential units located within or attached to the main building, and a maximum of three (3) bedrooms is permitted across all additional residential units located within an accessory building.

7) Gross Floor Area

The gross floor area (GFA) of any ARU shall not exceed eighty percent (80 %) of the GFA of the primary dwelling unit, excluding common or shared utility areas.

Appendix C – Internal Comments

Stormwater Engineering

1. Setbacks

Explanation

Proposed setback reductions may impact existing stormwater management, as the proposed construction could encroach upon an established swale and/or existing drainage conveyance path.

Engineering Rationale

A minimum clearance of 0.6 m is required to protect the functionality of the swale. The swale is located approximately 0.3 m from the property line, calculated as follows: 0.3 m from the property line to the centreline of the swale, plus 0.3 m from the centreline of the swale to the proposed Accessory Residential Unit (ARU), resulting in a total required setback of 0.6 m from the property line.

Comments / Conditions

- i. A detailed lot grading and drainage plan shall be submitted and approved prior to acceptance of this variance. The plan shall identify existing and proposed elevations, overland flow directions, existing and proposed drainage paths, surface discharge locations for sump pumps, and existing and proposed downspout locations for all buildings on the lot.
- ii. The proposed development must demonstrate that lot drainage for neighbouring properties will not be adversely affected and that no additional stormwater flows will be directed onto adjacent lands.
- iii. The Owner shall ensure that the existing overland flow path is maintained free of obstructions and debris. No sheds or accessory structures shall be constructed in a manner that obstructs drainage from neighbouring properties or creates localized flooding conditions.

2. Increased C-Value (Stormwater Runoff)

Explanation

From a stormwater management perspective, the construction of an Accessory Residential Unit (ARU) and associated accessory structures will increase the level of site imperviousness, resulting in higher runoff volumes and peak flows compared to the original site design conditions.

Engineering Rationale An increase in post-development runoff has the potential to exceed the allowable capacity of the downstream storm sewer system. Where post-development peak flows surpass the approved design C-value of the receiving storm sewer, there is a risk of sewer surcharge and adverse impacts to the municipal drainage system. These include faster ponding in rear yards and in the municipal right of way. The increased ponding in rear yards will lead to a greater risk for basement flooding for residents.

Applicable Scenarios

This condition applies under either of the following circumstances:

1. A recent and approved drainage area plan exists for the subject site; or
2. No clearly defined or approved drainage area plan exists for the subject site.

In both cases, stormwater impacts must be appropriately addressed through site-specific mitigation measures.

Comments / Conditions

Scenario 1

Approved Drainage Area Plan Available Based on Drawing No.#####, the subject property is assigned a runoff coefficient (C-value) of 0.65 and is tributary to the existing #### mm diameter storm sewer located on name of road. The proposed ARU is anticipated to intensify site runoff beyond the capacity associated with the approved downstream storm sewer design C-value.

Any post-development peak flows exceeding the approved downstream C-value shall be controlled and mitigated through on-site stormwater management measures, which may include, but are not limited to, bioswales, infiltration galleries or systems, and calculated on-site storage volume provisions, to the satisfaction of the Municipality.

Scenario 2

No Approved Drainage Area Plan Available Based on a desktop-level assessment, the proposed ARU is anticipated to increase site runoff and may exceed the allowable capacity of the downstream storm sewer system. Any increase in peak flows from pre-development to post-development conditions shall be managed through on-site stormwater management controls, which may include, but are not limited to, bioswales, infiltration galleries or systems, and calculated on-site storage volume provisions, to the satisfaction of the Municipality.

General Conditions (Applicable to All Scenarios)

i. A detailed lot grading and drainage plan shall be submitted and approved prior to acceptance of this variance. The plan shall identify existing and proposed elevations, overland flow directions, existing and proposed drainage paths, surface discharge locations for sump pumps, and existing and proposed downspout locations for all buildings on the subject property.

ii. The proposed development shall not adversely affect drainage patterns on adjacent properties, nor shall it result in the diversion, concentration, or increased discharge of stormwater onto neighbouring lands.

iii. The Owner shall maintain the existing overland flow paths in an unobstructed condition at all times. No sheds, accessory structures, or other obstructions shall be constructed or placed in a manner that interferes with drainage from neighbouring properties or creates localized flooding conditions.

Examples from other Municipalities

These examples are from other municipalities that include more robust wording to protect stormwater features on residential properties. Stormwater Engineering would like to propose that the zoning bylaw be strengthened to include wording such as this.

County of Brant – Their zoning by-law clearly restricts development from encroaching into prescribed drainage features (e.g., swales/flow paths). This gives the municipality a solid basis to say no to ARUs or accessory structures where the proposed location would interfere with drainage.

Link: [County of Brant: Page 110, Section 4.34.4, point \(e\)](#)

Town of Carleton Place – A criteria-based approval approach (Development Permit System) is used where applicants must demonstrate no adverse impacts or provide mitigation, and the municipality can deny the application if criteria are not met. This provides strong authority where flooding or drainage concerns exist.

Link: [Township of Carletonplace: Page 15, Section 2.18, point \(3c\)](#)

Appendix D – Public Engagement

Public Comment – Wayne DeGroot

I'm a designer drafter in London Ontario for the last thirty years. I have a problem with an ADU (an additional dwelling unit) for [REDACTED]. I attached a plan to this email. We are on revision 26.

These plans have been in city hall for well over a year. And today, after all of the back and forth with heritage, which is not fun, I have been told that the square footage may not be allowed and in addition to that, I'm too close to the neighbor so I need to get a variance. If you look at the site plan, you will see, there is no neighbors on either side of the new proposed unit.

Tell me is there a plan to slow down any growth to house anyone in old south? I have four other jobs to do in old south and I'm going to tell all them that I'm not going to work for them because they are in old south. I just need some truth.

Look up all the spaceships that are on langarth and the spaceship that's actually on elmwood across the street from the old normal school, and I'm questioning, what are the regulations?

The sheer amount of hours I've been putting into this one project. And it is a rather simple plan.

Is mind numbing for something that used to take no more than two months.

I would like to know for my future projects in old south. I will need to tell my clients.

Public Comment – Dino Pelekanos

My wife and I own a rental property at [REDACTED]. We have spent the last year back and forth with the committee of adjustment on getting a permit to build an ADU within the by-laws. We have invested over \$28,000 on this ADU without a shovel in the ground. Our planning advisor just sent us an email indicating that the city is putting forth a restriction on limiting bedroom quantities in an ADU and our design includes a duplex ADU with 2 bedrooms each which was all in line with the by-laws. If this restriction goes through, we will need to start from the scratch on the project leaving us with \$28000 out of pocket and we are not property developers; we used our own funds we built over many years. I don't think it's fair to come in and propose such an aggressive plan without consideration of current projects. Could there be an exception for projects already begun?

Public Comment – Broughdale Neighbourhood Community Association

As a community association in one of the Near Campus Neighbourhoods, the Broughdale Community Association would like to support the views of those being sent in by the Orchard Park Sherwood Forest Association. The amendments strike us as being entirely reasonable, as long as they uphold the restrictions and protections already in place in the NCNs.

Orchard Park Sherwood Forest Community Association's comments are below

"Our association is supportive of the proposed amendments, provided that they are additive and do not supersede or remove the existing bedroom limit that exists in near-campus neighbourhoods. You will recall that the current bedroom cap in the near-campus neighbourhoods applies *per lot* (and ranges from 5 to 8 total bedrooms per lot, depending on the number of ARUs). This bedroom cap was the result of a considered and delicate compromise which ultimately earned the support of both near-campus

neighbourhood associations, city staff, and many developers. It was also the subject of an OLT appeal that was abandoned (with the city successfully retaining the cap).

In our view, this existing *per lot* cap reflects a good balance between allowing reasonable ARU development in NCNs and respecting longstanding resident concerns, and it must be maintained. This is consistent with the City's explanation in October of 2025, which was that the new amendments are *not* intended to impair the existing NCN cap. We anticipate that Council will honour that explanation."

We have their permission to use this quotation and heartily concur with their points.

Thanks so much for your attention.

All the best,

Susan Bentley

President: Broughdale Community Association

Public Comment – Orchard Park Sherwood Forest Neighbourhood Association

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