

Bill No. 68  
2024

By-law No. Z.-1-24\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to modify  
Section 2 and Section 4

WHEREAS this application conforms to the Official Plan;

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

1. Section 2 is amended by adding the definition for “Obligated Organization”  
to include the following:

“OBLIGATED ORGANIZATION” means the Government of Ontario, the  
Legislative Assembly, a designated public sector organization, a large  
organization, and a small organization, as outlined in the Accessibility for  
Ontarians with Disabilities Act (AODA).

2. Section 2 is amended by adding the definition for “Major Street” to include  
the following:

“MAJOR STREET” means an Arterial Road, and a Rapid Transit Boulevard, Civic  
Boulevard, Urban Thoroughfare, or Main Street as identified in The London Plan.

3. Section 2 is amended by adding the definition for ‘Access Control  
Reserve’ to include the following:

“ACCESS CONTROL RESERVE” means a municipally-owned parcel of land  
used to control access to a right of way. For the purpose of this by-law an access  
control reserve shall not be considered as a lot.

4. Section 2 is amended by modifying part b) of the definition of ‘Lot’ and  
replacing it with the following:

b) fronts an open street and is a separate parcel of land without any adjoining  
lands being owned by the same owner or owners as at the date of the passing of  
this By-Law, but does not include an ACCESS CONTROL RESERVE; or

5. Section 2 is amended by modifying the definition of ‘Clinic’ to remove  
exclusions of overnight stays, replacing it with the following:

“CLINIC” means a building or part thereof, other than a hospital, used by medical  
doctors, dentists, optometrists, podiatrists, chiropractors and/or drugless  
practitioners, the practice of health discipline, radiological technicians, registered  
psychologists and their staff for the purpose of public or private medical, surgical,  
physiotherapeutic or human health and may include administrative offices,  
waiting rooms, treatment rooms, laboratories, ophthalmic dispensers,  
pharmacies, blood donor facilities, specimen collection centres and dispensaries  
directly associated with the facility, and does not include a CLINIC,  
METHADONE.”

6. Section 2 is amended by modifying the definition of ‘Clinic, Outpatient’ to  
remove exclusions of overnight stays, replacing it with the following:

“CLINIC, OUTPATIENT” means a clinic where day surgery and medical  
treatment is performed.

7. Section 2 is amended by modifying the definition of ‘Shipping Container’ to  
exclude shipping containers modified to be used as habitable space by replacing it with  
the following:

“SHIPPING CONTAINER” means a pre-manufactured (primarily of metal) box that is designed to facilitate the transportation of goods by one or more means of transportation and includes (but is not limited to) intermodal shipping containers and transport box trailers, and does not include containers that have been modified to be used as habitable space.

8. Section 2 is amended by modifying the definition of ‘Public Use’ to include municipally-established organizations in the list of bodies considered as public uses by replacing it with the following:

"PUBLIC USE", when used in reference to a building, structure, use or lot, means a building, structure, use or lot used by a public agency to provide a service to the public. Public agencies comprise:

- a) the Government of Canada, the Government of Ontario, or a municipal corporation;
- b) any ministry, department, commission, authority, board or agency established by the Government of Canada, or the Government of Ontario, or a municipality;
- c) any public utility, or (Z.-1-051390)

9. Section 4.1 is amended by modifying 4.1 2) to exclude a mention of main farm dwellings, replacing it with the following:

#### 2) LOT COVERAGE

The total lot coverage of all accessory buildings or structures on a lot shall not exceed 10 percent (10%) of the lot area of the said lot. In agricultural zones the size of accessory buildings is limited to 25% of the size of the dwelling excluding main farm buildings such as barns, greenhouses, stables and driving sheds. The percent coverage's of accessory buildings and structures are included in the percentage total coverage permitted on a lot.

10. Section 4.1 is amended by modifying 4.1 4) to clarify the required yards, replacing 4.1 4) a), b), and d) with the following:

#### 4) LOT REQUIREMENTS OR LOCATION

Accessory buildings or structures are permitted in the following locations: (Z.-1-051390)

- a) no accessory building or structure shall be permitted within a required front yard or the required exterior side yard;
- b) when such accessory building or structure is within a residential zone and is located in an interior side yard or a rear yard, it shall be no closer than 0.6 metres (2.0 feet) to the side lot line and rear lot line. Where the height exceeds 4.0 metres (13.1 feet) but in no case more than 6 metres (19.7 feet), the side and rear lot line setback shall be increased by the difference in the height above 4.0 metres (13.1 feet);
- d) when such accessory building or structure is wholly or partly located in an exterior side yard, or a rear yard abutting a street, the minimum setback shall not be less than the required exterior side yard setback for the zone in which the lot is located;

11. Section 4.9 is amended by modifying the current regulation to exclude outdoor rooftop amenity space, by replacing it with the following:

Any height limitations of this By-Law shall not apply to place of worship spires, belfries, cupolas, mechanical penthouses, outdoor rooftop amenity space and domes which are not used for human occupancy; nor to chimneys, ventilators, skylights, water tanks, solar collectors, windmills, bulkheads, hydro, radio,

television or microwave towers and antenna and similar features or necessary mechanical appurtenances or electrical supply facilities usually situated above the roof level; nor to any industrial apparatus such as silos, cracking towers, or conveyors; nor any main agricultural buildings or structures, such as barns, grain elevators and storage bins, grain dryers or windmills. Such features, however, shall be erected only to such height as is necessary to accomplish the purpose they are to serve.

12. Section 4.19 is amended by modifying 4.19 6) b) and replacing it with the following:

- b) For uses subject to site plan control, the driveway widths shall be determined in the site plan approval process and agreement. For uses other than those described in Subsection 4.19(6)(a) and not subject to site plan approval, parking aisles shall have a minimum unobstructed width of 6.5m, driveways shall have a minimum unobstructed width of 6.0 metres where two-way traffic is permitted and 3.0 metres (9.8 feet) where only one-way direction of traffic flow is permitted and is clearly indicated by signs, pavement markings or both but does not apply to stacked parking.

The minimum unobstructed width for driveways leading to a rear yard parking area for residential uses less than five (5) units is 3.0 metres, except where the property is accessed from an arterial road (major street), in which case a minimum driveway width of 6.0 metres is required.

13. Section 4.19 is amended by modifying two references in the table to "Mental / Dental" changing it to "Medical / Dental" 4.19 10) b).

14. Section 4.19 is amended by modifying 4.19 10) c) to include reference to obligated organizations under the AODA, replacing it with the following:

- c) Accessible parking spaces

Where parking spaces are provided, in any development owned and maintained by an obligated organization under the Accessibility for Ontarians with Disabilities Act, accessible parking spaces shall also be provided. Off street parking areas shall have a minimum number of accessible parking spaces as follows:

15. Section 4.19 is amended by modifying 4.19 14) a) i) to simplify bicycle parking requirements, replacing it with the following:

- a) Residential Development

- i) Apartment buildings and lodging houses with eleven or more residential units shall provide 0.9 long-term bicycle parking spaces per dwelling unit and 0.1 short-term bicycle spaces per unit.

16. Section 4.19 is amended by adding a new section on bicycle parking requirements for cluster dwellings, 4.19 14) a) iii), including the following:

- iii) Cluster single detached dwellings with eleven or more residential units, cluster townhouse dwellings with eleven or more residential units, and cluster stacked townhouse dwellings with eleven or more residential units, shall provide 0.1 short-term bicycle parking spaces per dwelling unit.

17. Section 4.19 is amended by modifying 4.19 14) b) i) to remove cluster and townhouse developments and simplify language, replacing it with the following:

- b) Residential Development Exemptions

- i) Notwithstanding clause 4.19.14.a) to the contrary, bicycle parking shall not be required for Conversions of existing space to

residential units, or where there are ten (10) or less residential units on a property.

18. Section 4.19 is amended by modifying two references in the table to “Mental / Dental” changing it to “Medical / Dental” 4.19 14) c).

19. Section 4.21 is amended by modifying the third column of the Street Classifications – Specific Roads Table to replace ‘Wager Road’ with ‘CN Rail Right of Way’, with the following:

<b>STREET</b>	<b>FROM</b>	<b>TO</b>	<b>STREET CLASSIFICATION</b>
Huron Street	Adelaide Street North	CN Rail Right of Way	Arterial

20. Section 4.23 is amended by deleting the existing text of 4.23.1. to reestablish minimum and maximum requirements for front and exterior side yard setbacks in the Primary Transit Area, replacing it with the following:

#### 4.23.1 Front and Exterior Side Yard Setback

- a) The Maximum Front and Exterior Side Yard setbacks shall be established as follows:
  - i. 6.0 metres; for front and/or exterior side yards adjacent to arterial roads (major streets);
  - ii. the average setback of the two (2) closest residential buildings to the subject site oriented to the same street, within the same block, on the same side of the street;
  - iii. 6.0 metres; where the subject site is within a block with fewer than two (2) existing residential buildings;
  - iv. notwithstanding 4.23.1(a)i.,ii. and iii., where an existing building has a front yard setback and/or exterior side yard setback that is greater than the adjacent buildings, the existing front and/or exterior side yard setback shall be regarded as the maximum setback that applies to the building.
- b) The Minimum Front and Exterior Side Yard setbacks shall be established as follows:
  - i. 3.0 metres; for front and/or exterior side yards adjacent to arterial roads (major streets);
  - ii. The smallest Main Building setback of the four (4) closest residential buildings to the subject site oriented to the same street, within the same block, on the same side of the street, but never less than 1.0 metre;
  - iii. The minimum setback for a Private Garage shall be 6.0 metres, or the setback of the Main Building, whichever is greater.
  - iv. Notwithstanding 4.23.1 (b)i. and ii., where an existing building has a front yard setback and/or exterior side yard setback that is less than the adjacent buildings, the existing front and/or exterior side yard setback shall be regarded as the minimum setback that applies to the building.

21. Section 4.23 is amended by deleting the existing text of 4.23.2. to reestablish setback requirements for interior side yard setbacks in the Primary Transit Area and replacing it with the following:

4.23.2 Interior Side Yard Setbacks

- a) 1.2 metres minimum; where a private garage is attached and accessed from the front yard.
- b) Where parking is provided in the interior side or rear yard, and accessed from a driveway to the interior side yard, the minimum setback of the opposite side yard may be reduced to a minimum of 0.6 metres.
- c) Where parking is provided in the interior side or rear yard and accessed by a rear laneway or from an exterior side yard in the case of a corner property, interior side yard setbacks can be a minimum of 0.6 metres.

22. Section 4.23 is amended by deleting 4.23.3 Building Depth and renumbering the remaining subsections, as identified below in 23) and 24).

23. Section 4.23 is amended by modifying 4.23.4, renumbering it and adding the term 'attached garage', replacing it by the following:

4.23.3 Garage Width

The maximum residential attached garage width (interior walls) shall not exceed 4.0 metres or 50% of the building façade width, whichever is greater.

24. Section 4.23 is amended by modifying 4.23.5, renumbering it and including garage width, replacing it by the following:

4.23.4 Notwithstanding 4.23.1 and 4.23.3, where buildings are constructed on lots fronting onto a new street, the minimum and maximum front yard setback, exterior side yard setback, and garage width will be established by the underlying zone regulations.

25. Section 4.23 is amended by renumbering 4.23.5 to 4.23.4.

26. Section 4.24 is amended to clarify sight triangles by adding the following paragraph at the end of the section:

Where land is, or has been, dedicated as a sight triangle, the resulting lot fabric shall not act as a lot line for the purpose of setbacks, and will be interpreted as the relevant front, rear or exterior side yard, as measured from the mid-point of the dedication.

27. Section 4.27 is amended by modifying row (5) of the table by removing 'not exceeding one storey in height', replacing it with the following:

	<b>Structure</b>	<b>Yards in Which Projection is Permitted</b>	<b>Maximum Projection Permitted into Required Yard Under Zone Regulations</b>
(5)	Open or covered but unenclosed decks or porches	All	3.0 metres (9.8 feet) provided projection is no closer than 1.2 metres (3.9 feet) to lot line, except that where the lot line abuts an OS4 or OS5 Zone the projection shall be no closer than 3.0 metres (9.8 feet) to the lot line.

28. 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.

29. 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 February 13, 2024, subject to the provisions of PART VI.1 of the *Municipal Act, 2001*.

Josh Morgan  
Mayor

Michael Schulthess  
City Clerk

First Reading – February 13, 2024  
Second Reading – February 13, 2024  
Third Reading – February 13, 2024