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OZ-8373
Chuck Parker

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	CITY OF LONDON OFFICIAL PLAN AND ZONING BY-LAW REVIEW BLACKFRIARS/PETERSVILLE OFFICIAL PLAN/ZONING STUDY PUBLIC PARTICIPATION MEETING ON Tuesday, September 23, 2014

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the Official Plan and Zoning By-law review undertaken by the City of London relating to the Blackfriars/Petersville Neighbourhood, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on July 29, 2014 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject properties **FROM** Residential R2 (R2-2), Residential R2/Office Conversion (R2-2/OC4) and Residential R2/Office Conversion (R2-2/OC5) Zones **TO** Residential R2 Special Provision (R2-2()), Residential R2 Special Provision/Office Conversion (R2-2()/OC4) and Residential R2 Special Provision/Office Conversion (R2-2()/OC5) Zones.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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| 1. Tuesday, April 23, 2013 | Presentation to PEC |
| 2. Tuesday, May 7, 2013 | Planning Report to PEC on Options |
| 3. Tuesday, May 14, 2013 | Report to Special PEC Meeting |
| 4. Tuesday, August 20, 2013 | Notice of Appeal Report to PEC |
| 5. Tuesday, December 10, 2013 | Report on Potential HCD Boundary to PEC |
| 6. Tuesday, March 25, 2014 | Draft HCD Plan and Conservation Guidelines to PEC |
| 7. Tuesday, April 8, 2014 | Report to PEC on Various Zoning Options |
| 8. Tuesday, April 29, 2014 | Blackfriars/Petersville HCD Plan and Conservation Guidelines and Official Plan Amendments to PEC |

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The intent of the official plan/zoning review was to review the current Official Plan policies and the Residential R2 Zone applied to the Blackfriars/Petersville neighbourhood and determine whether any changes could be made given the overriding Provincial floodplain policies and regulations. The report provides recommended zoning by-law amendments to allow review of future changes within a Provincially regulated floodplain area.

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Aerial Photo Location Map

File No.: OZ-8373

CP

Date Prepared: 2014/06/19

CK

SCALE: 1:6,200



Prepared by: Graphics & Information Services, Planning Division, Corporation of the City of London
Photography based on April 2010 flight info.

Note: Parcel linework, when shown, is not for official or legal use.

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RATIONALE

1. The proposed amendment is consistent with the Provincial Policy Statement, 2014
2. The proposed amendment is consistent with the City's Official Plan.
3. The proposed amendment would permit an appropriate level of redevelopment within a regulated floodplain area, and not create a health and safety issue.

BACKGROUND

1) Why are we doing the Study?

This review was initiated in response to Council direction 14 (d) of May 14, 2013;

...d) *the Civic Administration **BE DIRECTED** to undertake a concurrent study to consider a City initiated Zoning By-law Amendment to rezone the subject area from a Residential R2 Zone to a Residential R1 Zone;*

it being noted that staff will report back regarding possible changes to the staff work plan that may be required to undertake the zoning study identified above;

Because of the range of options being considered (some would require an Official Plan amendment) and to deal with amendments comprehensively, Planning staff also decided to review the existing Official Plan policies which apply to the area as well.

This official plan and zoning study were initiated in response to residents' concerns about existing single family dwellings being converted to multi-unit residential conversions or being demolished and replaced by new multi-unit residential dwellings (which they felt were out of scale with the rest of the neighbourhood) without any public participation process. The same issue initiated the Beaufort/Irwin/Gunn/Saunby/Essex (BIGS) Neighbourhood Plan to the north and the broader Near Campus Neighbourhood Study which deals with the same issue in neighbourhoods around the campuses of Western University and Fanshawe College. The primary difference between those neighbourhoods and this one is that the Blackfriars/Petersville neighbourhood is below the Provincial regulatory floodline and all new development is regulated by the UTRCA (Upper Thames River Conservation Authority).

A group of residents brought their concerns to the attention of Council on April 30, 2013. A neighbourhood options report was reviewed by Planning and Environment (PEC) Committee on May 7, 2013 and on May 14, 2013 which resulted in the above resolution.

This official plan/zoning study implements clause (d) of the Council resolution.

2) Character of the Neighbourhood

Historically, the Blackfriars/Petersville neighbourhood has been characterized as a stable, low density residential area. For the most part this has occurred because there are limited redevelopment opportunities because the neighbourhood is located within a Provincially regulated floodplain. The area initially developed as a low density residential neighbourhood and has largely remained that way over time because of this constraint. Other neighbourhoods abutting the Downtown have seen more intensification than Blackfriars/Petersville.

There are approximately 1000 properties in the neighbourhood which are zoned Residential R2 (R2-2) as well as some commercially zoned properties and some residential properties which have been zoned through a zoning by-law amendment for more than two units and office conversions. Half of the properties were owner occupied in 2011 and in a single detached housing form. The population was approximately 2800 people in 2011 with a concentration of young adults and older adults.

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PLANNING HISTORY OF BLACKFRIARS/PETERSVILLE

In the past a number of studies have been completed on the Blackfriars/Petersville Neighbourhood. Each of these studies, which have been summarized below, has had an impact on the planning and development of the area. These include:

1) West London District Plan (Council approved Oct 18. 1976)

The District Plan included separate policies for Kensington (west of Wharncliffe) and Petersville (east of Wharncliffe). Both areas were considered stable residential neighbourhoods and conservation and rehabilitation were encouraged. Redevelopment was only permitted along the arterial roads. Family orientated single family, two family, rowhouse and apartment units could be permitted up to a maximum density of 25 units/ per hectare (10 units per acre). Office conversions were not permitted. The Plan policies are no longer applicable because they formed part of the 1971 Official Plan which was replaced by the 1989 Plan (current).

2) West London Area Improvement Plan (March 1993)

This plan concentrated on identifying priority infrastructure projects including parks, recreational facilities, sidewalks and curb and gutter projects. It also identified properties which had been rehabilitated under the various housing rehabilitation programs and provided a listing of buildings with the year built and architectural style specified. Building rehabilitation and tree planting were also encouraged. Over 200 buildings in the neighbourhood were rehabilitated under various Provincial programs through this Plan. About \$ 1.8 M was spent by the City between 1993 and 1997 in West London on infrastructure improvements.

3) Background Reports on the West London Special Policy Area (May 1997)

Following approval of the City's Official Plan by Council in 1989 a Special Policy Area Background Report (covering the four potential SPA's) were prepared and endorsed by Council and submitted to the Province for consideration. In 1997, two detailed reports were prepared (Technical Report and Background Report) and submitted to the Province as justification for any future Special Policy Area. The reports were very detailed and included land use, building, demographic and topographical information.

The Province never approved the Special Policy Area for West London and the area has been guided by "UTRCA Interim Policies for City of London Candidate Special Policy Areas" in place since 1991. Recently, UTRCA has approached the City about reapplying to the Province for special policy status for West London.

4) Residential Rental Units Licensing By-law (Council approved Sept 2009)

Council approved the By-law September 21, 2009 and it came into force and effect March 1, 2010. It was intended to protect the health and safety of residents living in rental housing and to protect the residential amenity, character and stability of residential areas. It requires rental properties of 4 units or less to be licensed.

5) Great Near Campus Neighbourhoods Study (2008-2012)

Due to its proximity to Western University, the Blackfriars/Petersville neighbourhood is included as one of the Near- Campus Neighbourhoods regulated by the recently approved Official Plan Amendment No. 535 (Council approved June 26-27, 2012). This amendment responds to residential intensification pressures that are common to the residential areas surrounding Western University or Fanshawe College. Taking a comprehensive approach, the amendment provides policies that apply to all Near-Campus Neighbourhoods in the City, including this neighbourhood. The policies outline a vision and provide land use planning goals for the Near-Campus Neighbourhoods as well as policies to encourage appropriate intensification and direct preferred intensification to appropriate locations.

In addition, By-law No. Z.-1-122125, a by-law to change various sections of the City's Zoning By-law to implement OPA No. 535, has also been approved. The zoning changes approved include:

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- Limiting the number of bedrooms to three bedrooms/unit for apartment buildings, converted dwellings, duplex dwellings, triplex dwellings, fourplex dwellings, semi-detached dwellings and all forms of townhouse dwellings;
- Removing the exceptions for minimum interior side yard setbacks in order to strengthen the criteria for the establishment of mutual driveways;
- Strengthening regulations for parking areas by revising the calculation of parking areas, providing an increase in parking area coverage regulations and establishing setback requirements for parking areas to the rear and side lot lines; and,
- Establishing minimum landscaped open space regulations.

These By-Law amendments help to reduce the negative impacts associated with residential intensification in Near- Campus Neighbourhoods. Any zoning changes recommended through this study should be consistent with the By-laws for the Near- Campus Neighbourhoods, implementing its goals by discouraging widespread intensification in the neighbourhood.

ANALYSIS

Current Regulatory Framework

1. Floodplain Regulations

It is important to note at the outset of this section that the entire Blackfriars/Petersville Neighbourhood lies within the flood plain of the Thames River. Therefore, all of the study area is subject to the limiting regulations imposed accordingly. The Upper Thames River Conservation Authority (UTRCA) is responsible, along with others, for implementing the *Flood Plain Planning Policy Statement* of the Province of Ontario. This Policy outlines the regulations for prohibiting or providing conditional approval for development proposed in the floodway or flood fringe respectively. Under the standard flood plain policies, development in the floodway is prohibited with the exception of buildings or structures associated with essential public infrastructure, flood and erosion control, bank stabilization and watershed management works.

Provincial policies and City of London Official Plan policies, however, permit the recognition of Special Policy Areas which are developed areas which preceded the establishment of floodplain policies. The purpose of Special Policy Areas is described in Section 15.6.4 i) of the Official Plan as follows;

“The purpose of Special Policy Area status is to provide for the maintenance and upgrading of existing development and to recognize and permit limited, additional development in built-up areas to retain the socio-economic viability and nature of the area, without adding undue risk to life and property.”

The City and the Conservation Authority pursued the approval of a Special Policy Area for regulating development in the candidate West London Area flood plain between 1989 and 1997 but no Provincial approval was ever given. Interim policy guidelines for reviewing development proposals are still being used for the area. Council has approved the Official Plan amendment which would recognize Blackfriars/Petersville as a Special Policy Area under Section 15.6.4 of the Official Plan; however, the Province has yet to approve that amendment.

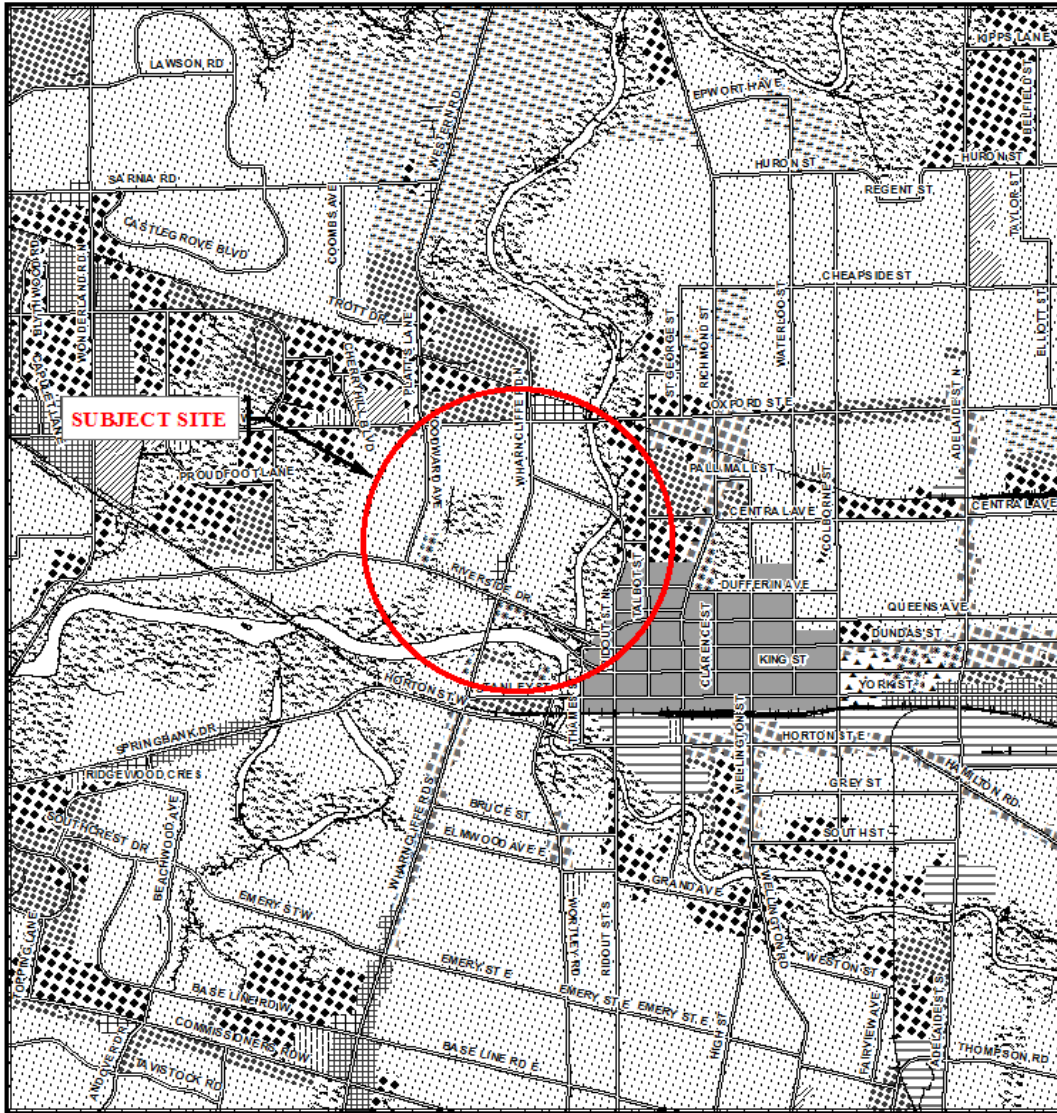
Both the UTRCA and City are exploring the possibility of re-initiating the Special Policy Area approvals for the area. UTRCA have requested that we consider special policies for the Blackfriars/Petersville area through the RETHINK LONDON process.

2. Official Plan

The Official Plan since the 1970’s has identified the Blackfriars/Petersville area as a low density, stable residential neighbourhood. The 1971 Plan designated the area Residential and the 1989 Plan designated the area Low Density Residential, both permitting the same range of uses at similar densities.

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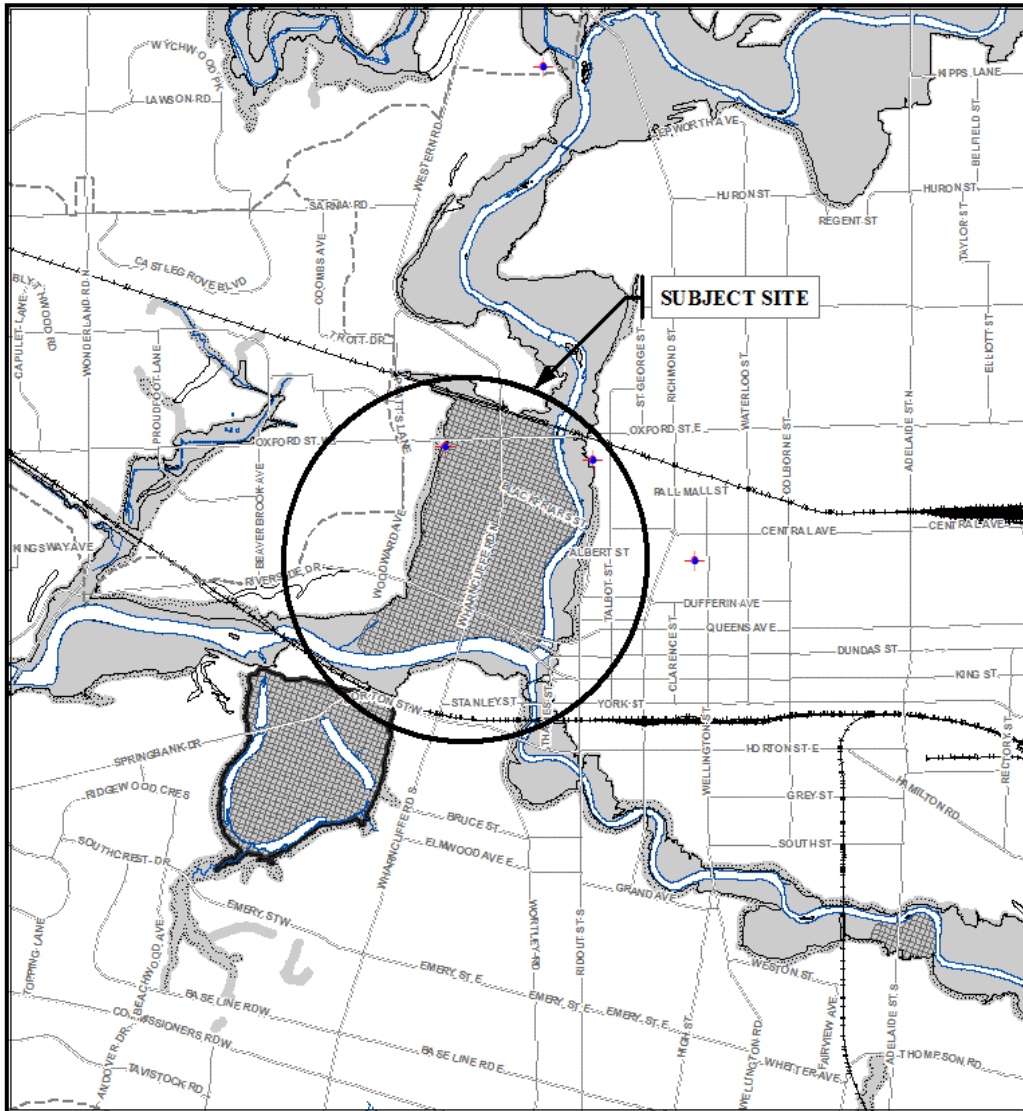
Legend	
	Downtown
	Enclosed Regional Commercial Node
	New Format Regional Commercial Node
	Community Commercial Node
	Neighbourhood Commercial Node
	Main Street Commercial Corridor
	Auto-Oriented Commercial Corridor
	Multi-Family, High Density Residential
	Multi-Family, Medium Density Residential
	Low Density Residential
	Office Area
	Office/Residential
	Office Business Park
	General Industrial
	Light Industrial
	Regional Facility
	Community Facility
	Open Space
	Urban Reserve - Community Growth
	Urban Reserve - Industrial Growth
	Rural Settlement
	Environmental Review
	Agriculture
	Urban Growth Boundary

<p>CITY OF LONDON Department of Planning and Development</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	 Scale 1:30,000 Meters	<p>FILE NUMBER: OZ-8373</p> <p>PLANNER: CP</p> <p>TECHNICIAN: CK</p> <p>DATE: 2014/06/19</p>
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NATURAL RESOURCES

- Aggregate Resource Areas
- Extractive Industrial
- Emergency Municipal Water Wells

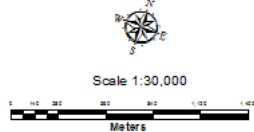
Base Map Features

- Railways
- Water Courses/Ponds
- Streets (refer to Schedule "C")
- Conservation Authority Boundary
- Subwatershed Boundary
- Potential Special Policy Areas
- Special Policy Area

NATURAL HAZARDS

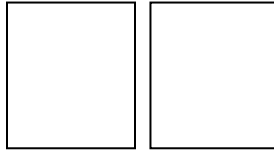
- Regulatory Flood Line
NOTE 1: Flood Lines shown on this map are approximate. The precise delineation of flood plain mapping is available from the Conservation Authority having jurisdiction.
NOTE 2: Flood Fringe mapping for certain areas of the city is available from the Upper Thames River Conservation Authority.
- Riverine Erosion Hazard Limit For Confined Systems
- Riverine Erosion Hazard Limit For Unconfined Systems
- Steep Slopes Outside of the Riverine Erosion Hazard Limit
- Abandoned Oil/Gas Wells
- Conservation Authority Regulation Limit

CITY OF LONDON
Department of
Planning and Development
OFFICIAL PLAN SCHEDULE B2
NATURAL RESOURCES
AND
NATURAL HAZARDS
PREPARED BY: Graphics and Information Services



FILE NUMBER: OZ-8373
PLANNER: CP
TECHNICIAN: CK
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Except for lands north of Oxford Street which are designated Neighbourhood Commercial Node and Multi-Family, Medium Density Residential, lands at the intersection of Riverside Drive and Wharnclyffe Road which are designated Neighbourhood Commercial Node and Office Area and lands along the Thames River corridor which are designated Open Space, the majority of lands within the study area are designated **Low Density Residential** on Schedule "A" which generally permits single detached, semi-detached, duplex, multiple-attached and converted dwellings up to a maximum density of 30 units per hectare. This designation is also consistent with the previous Residential designation in the West London District Plan (Council approved October 18, 1976) which permitted similar forms of housing at a maximum density of 25 units per hectare.

However, Schedule "B" of the Official Plan identifies this area as a **Potential Special Policy Area** within the Regulatory Floodline of the Thames River which restricts permitted uses and limits future development. As indicated above, the City and UTRCA have tried in the past to get Blackfriars/Petersville recognized as a special policy area under Section 15.6.4 of the Official Plan.

In the absence of special policy area status, the floodplain policies contained in Section 15.6 of the Official Plan apply. Section 15.6.2 (One-Zone Concept) specifically applies and subsection ii) states;

The zoning of flood plain lands will reflect the restricted use of these lands, and will prohibit any new development, with the exception of existing uses and minor additions and/or renovations to existing structures. A permit may be required from the appropriate Conservation Authority and flood proofing may be required....

Further, subsection iv) states that any changes within these areas also requires that;

- (b) All new development or structures within the flood plain will require the approval of the appropriate Conservation Authority.*
- (c) Minor renovations, alterations, or additions to existing buildings may be permitted subject to the approval of Council in co-operation with the appropriate Conservation Authority.*

These policies are consistent with the *UTRCA Interim Policies for the City of London Candidate Special Policy Areas (SPA's)*. Particularly relevant policies include;

1. *The following interim policy guidelines will continue for West London*

- iv) conversions to residential use will not be allowed.*
- v) permitted activities will include;*
 - additions less than 100% in size.*
 - Accessory buildings to existing uses.*
 - Conversions of existing structures to office or commercial.*
 - Infilling of existing land uses of one or two units.*

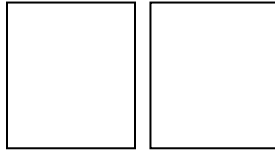
2. *Permits may be granted for such activity provided;*

- i) The proposed activity conforms to the existing municipal zoning (ie. No zoning amendments or variances required.*

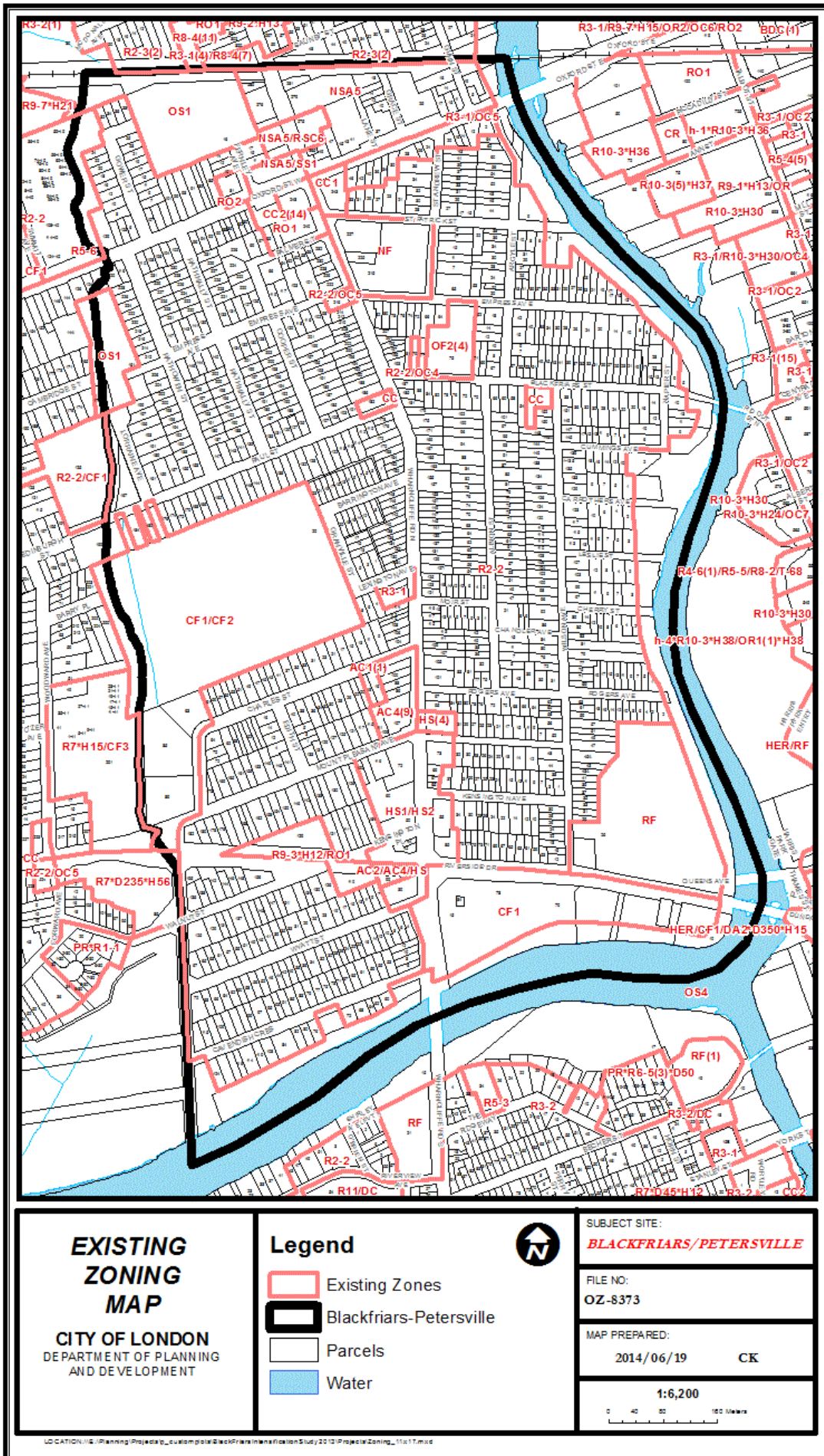
Without these interim policies, all new development in this neighbourhood would be prohibited in accordance with Provincial policy. As indicated above the Official Plan policies anticipate little change in this particular neighbourhood.

3. Zoning

The area has long been zoned for up to two family residential development. In By-law C.P. 953-42 (which was applied prior to 1991) most lands in the neighbourhood were zoned Two Family (2F) which permitted duplex, semi-detached and single family dwellings. Zoning By-law Z-1, which applies now, permits the same range of uses but added two unit converted dwellings. The



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zoning approach in this residential neighbourhood since the 1970's has been to permit a maximum of two unit residential dwellings.

How the Current Issue Arose

Although the entire neighbourhood (excluding the commercial, community facility and open space uses) is zoned for two family uses (maximum two units), Zoning By-law Z-1 at one time permitted 5 bedrooms per unit which potentially created the opportunity for a residential dwelling containing 10 bedrooms. In some neighbourhoods in the City, this resulted in levels of intensification greater than previously existed. For example, the recent development activity in the BIGS (Beaufort/Irwin/Gunn/Saunby/Essex) neighbourhood (north of this neighbourhood) resulted in the City reviewing the area to determine the appropriate levels of redevelopment. Recent zoning by-law amendments through the Great Near-Campus Neighbourhood Study have reduced the number of bedrooms permitted per unit in multiple unit structures to 3 bedrooms per unit (maximum 6 bedrooms in two family zoning).



New Building on Wharncliffe Road

In late 2012/early 2013 some residents of the Blackfriars/Petersville neighbourhood appeared before the Planning and Environment Committee and expressed concerns that the nature, scale and form of recent development was inappropriate for the neighbourhood. Examples of requests from the last few years include:

Table 1 – Recent Inquiries and Development Activity in Area

Street Address	What was Happening	Issue
129 Walnut Street	Inquiry for an R2 or R3 Zone to allow an existing house to be demolished and replaced with a fourplex	Density of 50 units/ha Not a typical dwelling in area Out of scale In floodplain-increasing number of residents
36 Argyle Street	Minor variance to retain existing converted dwelling with two units on reduced lot area and frontage.	REFUSED on the basis it didn't meet four tests Not consistent with UTRCA policies
29 Argyle Street	Single storey house demolished in 2007 and minor variance to build new 2 storey semi-detached	OMB refused in 2010. Intensification in the floodplain
186-188 Wharncliffe Road North	Single family dwellings replaced with duplex	One built, the other awaiting completion of study- site plan and building permit approval

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78 -80 Oxford Street West	Two demolition permits requested on properties damaged by fire	Both are Priority 2 on Inventory On hold because of Study Area Holding By-law
96 Albion Street	Wanted to replace stucco with vinyl siding on the exterior Previous request to demolish to build a larger duplex Site plan approval was required.	Replace stucco with stucco, insulate walls and repave driveway. Garage demolished Was to have 2 units with 5 bedrooms each with 4 parking spaces in rear
144 Paul Street	Wanted to build a second storey to create a duplex	
120 Oxford Street West	Site plan application for a two unit converted dwelling	
13 Blackfriars Street	Fire damaged building – illegal triplex	Wanted to demolish and rebuild- 2 units and a retail area
108 Wilson Avenue	Site Plan application – duplex replace a single family	Council directed a site plan public meeting be held and revoked delegated authority
89 Wilson Avenue	Resident installing a second floor dormer	
76 Blackfriars Street	Building permit app-Second Floor renovation	
116-118 Paul Street	Building permit app.-Demolish and rebuild	
12 Leslie Street	Single family dwelling replace with duplex with 5 bedrooms per unit and 2 rear yard parking spaces.	

Overall, between 2010 and 2013 there were 82 building permit applications and 18 minor variance/ consent applications in the neighbourhood.

The other issue was that these types of changes were taking place without any sort of public process. In some instances, no zoning by-law amendment and/or or public site plan approval application was required. Typically, only a building permit was required, which doesn't include a public review process. The City's Intensification and Infill policies require an administrative site plan review process where specific matters regarding the "fit" of the proposed new development is reviewed, however, unless an application under the *Planning Act* such as a zoning by-law amendment or minor variance application is required, no public consultation is required.

Liaison Responses

On April 8, 2014 a report was presented to Planning and Environment Committee (PEC) providing a series of options for Official Plan/Zoning By-law changes. As directed by Council on April 15, 2014 the report was circulated to the public, landowners for review and comment. No public comments were received and only the Upper Thames River Conservation Authority (UTRCA) responded with comments (attached to report). LACH comments are also attached.

Recommended Option

On April 8, 2014 a report was submitted to PEC outlining various Official Plan/Zoning Options for dealing with floodplain issues. Given the existing Low Density Residential land use designation and the Floodplain policies (including UTRCA Interim Policies) in the Official Plan, there is a basis to review the amount of new development that may be permitted within this neighbourhood. A number of options were explored.

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It is important to note that neither the Official Plan nor the Zoning By-law cannot regulate whether a property is rented or owner occupied or otherwise limit who may live there. The implementation tools described below focus on the intensity and form of development that might occur, not on who might occupy the units that either exist or that may be created through intensification or redevelopment.

Following circulation of that report to the public, agencies and other City Departments Planning staff are recommending;

Option 2: Apply a new Residential R2 Special Provision Zone

Nature of the Option

This option would recognize existing legal two-unit development and permit single detached dwellings and converted dwellings with a maximum of two units as-of-right. It would not permit the redevelopment of properties that do not currently contain two units to redevelop to new two unit structures. Any future requests to permit a two unit structure on those properties would require a zoning by-law amendment, which would include a public consultation process.

Because the Blackfriars/Petersville neighbourhood is located within a Provincially-regulated floodplain the issue is one of the health and safety of the population. The proposed amendment would accomplish this by limiting the opportunities for new, additional development. The proposed amendment would allow redevelopment to the same level that currently exists, thereby not creating new opportunities for residential development that would increase the total number of dwelling units than what currently exists.

A distinction is made by use of the terms “existing” and “legally established” because in these older areas of the City not all units have been “legally established” or are considered “existing”. Zoning By-law Z-1 currently defines “existing” as

"EXISTING" means legally existing on the effective date of this By-Law.

There is some confusion over the term “existing”; whether that means the use currently made of the property or the legal use on the property. Use of the term “legally established” makes that clearer.

The advantages of this option are 1) it recognizes existing legal uses; no existing development would be made non-conforming to the zoning by-law; and 2) would limit future intensification opportunities to existing two-unit properties.

The attached zoning by-law amendment implements this option.

Reasons for Not Selecting Other Options

Option 1: Status Quo/No Changes

The Official Plan land use designation would remain Low Density Residential and the Zoning By-law would still zone most of the area Residential R2 (R2-2), permitting two-unit development. Floodplain policies and heritage conservation district policies, once approved, would still apply. City would continue to rely on UTRCA and interim policies to review development proposals to address the issue of intensification within the floodplain.

The disadvantage is that there are no changes to the existing situation, whereby proposals that conform to the Zoning By-law would not involve a public consultation process. Neighbourhood issues of scale, height and character would still remain. Limitation on redevelopment would still be governed by application of current policies related to floodplain limitations and UTRCA review. UTRCA would like to minimize the burden and want some assistance from City staff in dealing with neighbourhood issues.

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Option 3: Change Zoning to a Residential R1 Zone

This option was the one included in the Council resolution of May 14, 2013, and would involve changing the zoning from a Residential R2 (R2-2) Zone to a Residential R1 Zone. The Official Plan land use designation would not need to be changed.

An amendment to the Zoning By-law to restrict permitted uses to just one single detached dwelling per lot would be an effective way of addressing issues of height and scale. The Zoning By-law currently permits: single detached dwellings; semi-detached dwellings; duplex dwellings; and converted dwellings (to a maximum of 2 dwelling units). An amendment to the Zoning By-law to permit only single detached dwellings would prohibit new semi-detached, duplex or two unit converted dwellings.

The disadvantages include the creation of multiple legal non-conforming land uses. Any legally constructed two-unit dwelling would be permitted to remain as a legal use, even if it no longer complies with the zoning by-law. In addition, The *Planning Act* and Official Plan provide for the extension or enlargement of legal non-conforming land uses, using criteria that evaluate a proposed enlargement on the basis of compatibility. These matters are considered by the Committee of Adjustment, and not by Council, although they do require public consultation.

Option 4: Other Zoning Changes

Another option presented would be to develop additional Zoning By-law regulations for this area. Unlike Option 2, this new set of regulations would address “lot” issues, and not “use” issues. For example, zoning regulations could be introduced to apply maximum floor areas; minimum rear yard depths, and alternative parking standards and floor area ratio regulations. This direction would also be like the regulations applied in other Near-Campus Neighbourhoods such as North London/Broughdale.

The Great Near-Campus Neighbourhoods review did result in changes to the zoning by-law which included:

- Limiting the number of bedrooms to three bedrooms/unit for apartment buildings, converted dwellings, duplex dwellings, triplex dwellings, fourplex dwellings, semi-detached dwellings and all forms of townhouse dwellings;
- Removing the exceptions for minimum interior side yard setbacks in order to strengthen the criteria for the establishment of mutual driveways;
- Strengthening regulations for parking areas by revising the calculation of parking areas, providing an increase in parking area coverage regulations and establishing setback requirements for parking areas to the rear and side lot lines; and,
- Establishing minimum landscaped open space regulations.

Additional regulations beyond those already in place would be considered. Within the Blackfriars/Petersville area, the small scale of the housing and the large areas of landscaping could provide a basis for more stringent regulations related to landscaped open space, lot coverage, height, etc. In addition, current restrictions on development through the interim special policy area policies prohibit basements in new developments. This could be added to the new zoning regulations.

Similar to the above option disadvantages, it could create non-conforming conditions for existing properties. This amendment would only make matters related to the lot regulations for current development on the lot non-conforming, and not the actual use of the property which is the neighbourhood issue

Option 5: Official Plan Amendment to Create a Special Policy for the Neighbourhood

Similar to the North London/Broughdale Neighbourhood special policy, an Official Plan special policy could have been adopted for the lands.

The disadvantage is that it would still require a zoning by-law amendment to implement any new policy direction that is not reflected in the current zoning by-law.

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Given the above, Option 2 is the best approach, dealing with future changes in an appropriate manner and addressing neighbourhood concerns.

Is there a Need to Reinitiate the Special Policy Area Process?

As described in the report, the City and UTRCA started the process of having West London identified as a Special Policy Area. Following approval of the City’s Official Plan by Council in 1989, a Special Policy Area Background Report (covering the four potential SPA’s) was prepared and endorsed by Council and submitted to the Province for consideration. In 1997, two detailed reports were prepared (Technical Report and Background Report) and submitted to the Province as justification for any future Special Policy Area. The reports were very detailed and included land use, building, demographic and topographical information.

To date, the Province has not approved the Special Policy Area for West London and the area has been guided by “*UTRCA Interim Policies for City of London Candidate Special Policy Areas*”, in place since 1991. Recently, UTRCA has approached the City about reapplying to the Province for special policy status for West London (see attached letter dated May 14, 2012).

Given the impending implementation of the 2014 Provincial Policy Statement (PPS), it is appropriate to initiate the process again. There have been some minor changes to Section 3.1 of the PPS, the Section which addresses special policy areas. A report recommending that the City re-initiate the Special Policy Area process will be presented to the Planning and Environment Committee for consideration.

CONCLUSION

It is recommended that the preferred option would be to pursue Option 2: Apply a New R2-2 Special Provision Zone, in concert with an amended application to the Province for Special Policy Area status for the Blackfriars/Petersville Neighbourhood.

PREPARED BY:	SUBMITTED BY:
W.J. CHARLES PARKER, M.A. SENIOR PLANNER URBAN REGENERATION SECTION	GREGG BARRETT, AICP MANAGER, LONG RANGE PLANNING AND RESEARCH
RECOMMENDED BY:	
JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER	

August 13, 2014

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OZ-8373
Chuck Parker

**Bibliography of Information and Materials
OZ-8373**

Reference Documents:

Ontario. Ministry of Municipal Affairs and Housing. *Planning Act, R.S.O. 1990, CHAPTER P.13*, as amended.

Ontario. Ministry of Municipal Affairs and Housing. *Provincial Policy Statement*, 2014.

Ontario Ministry of Natural Resources, *Procedures for the Approval of New Special Policy Areas (SPAS) and Modifications to Existing SPAS Under Provincial Policy Statement, 2005 (PPS, 2005), Policy 3.1.3 – Natural Hazards – Special Policy Areas, Technical Guide – River and Stream Systems: Flooding Hazard Limit*, January 2009.

City of London. *Official Plan*, June 19, 1989, as amended.

City of London. *Zoning By-law No. Z-1*, May 21, 1991, as amended.

Correspondence and Background Documents: (all located in City of London File No. OZ-8373 unless otherwise stated)

City of London –

West London District Plan (February 1987)

West London Area Improvement Plan (March 1993)

Great Near-Campus Neighbourhoods Strategy Study (2008-2012)

City of London Residential Rental Licenses By-law (2013)

Departments and Agencies -

Creighton C., UTRCA. See attached two letters

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**OZ-8373
Chuck Parker**

Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
2014

By-law No. Z.-1-14_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located within the Blackfriars/Petersville Neighbourhood.

WHEREAS the City of London initiated a zoning by-law review to rezone an area of land located within the Blackfriars/Petersville Neighbourhood, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands within the Blackfriars/Petersville Neighbourhood, as shown on the attached map comprising part of Key Map No. A107, from Residential R2 (R2-2), Residential R2/Office Conversion (R2-2/OC4) and Residential R2/Office Conversion (R2-2/OC5) Zones to Residential R2 Special Provision (R2-2()), Residential R2 Special Provision/Office Conversion (R2-2()/OC4) and Residential R2 Special Provision/Office Conversion (R2-2()/OC5) Zones.
- 2) Section Number 6.4 of the Residential R2 Zone is amended by adding the following Special Provision:
 -) R2-2 ()
 - a) Permitted Uses
 - i) Single detached dwellings;
 - ii) Existing legally established semi-detached dwellings;
 - iii) Existing legally established duplex dwellings;
 - iv) Converted dwellings (maximum 2 dwelling units).

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.

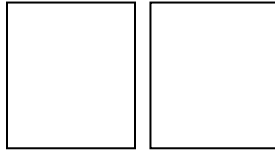
This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on September 30, 2014.

J. Baechler
Mayor

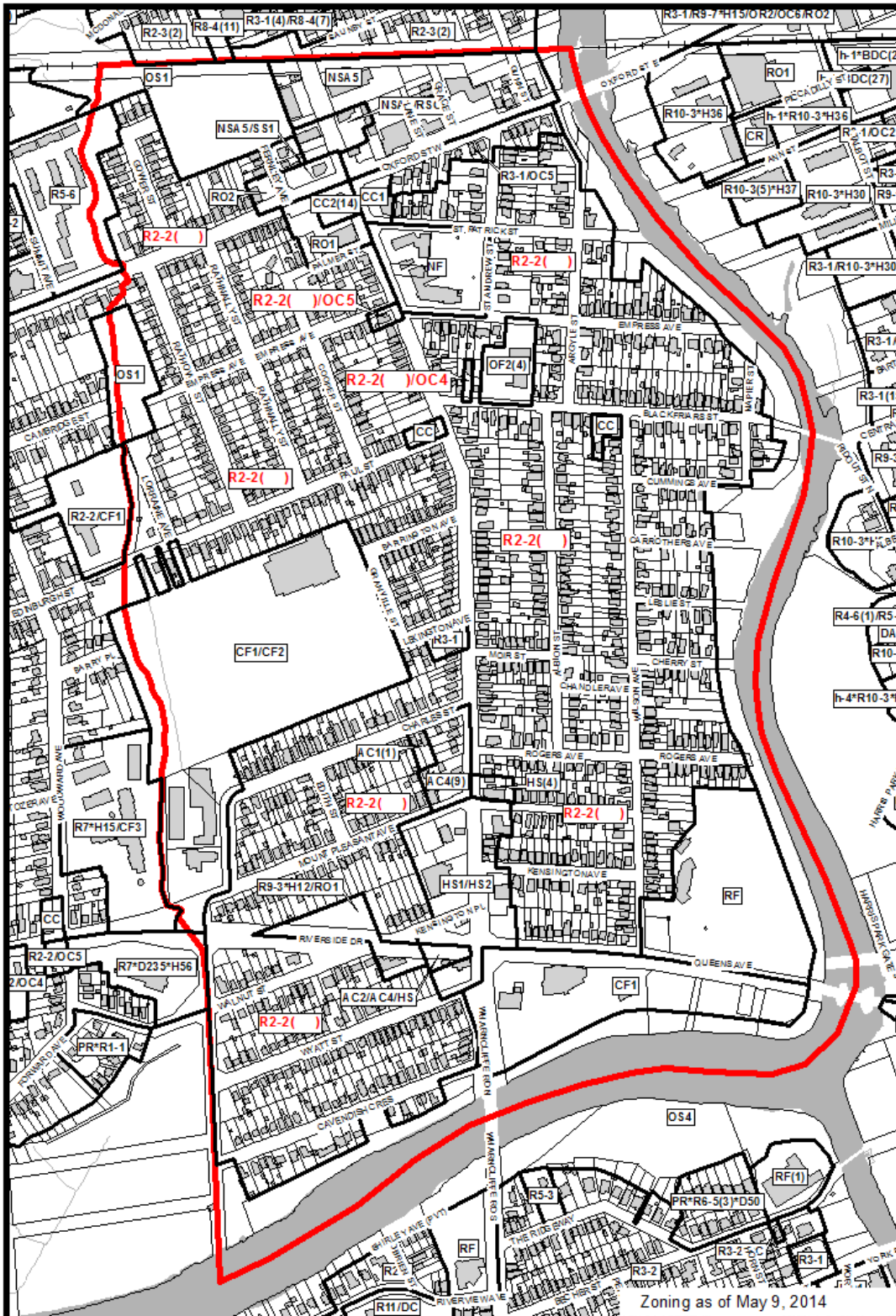
Catharine Saunders
City Clerk

First Reading - September 30, 2014
Second Reading – September 30, 2014
Third Reading - September 30, 2014




OZ-8373
Chuck Parker

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



Zoning as of May 9, 2014

File Number: OZ-8373
Planner: CP
Date Prepared: 2014/06/19
Technician: CK
By-Law No: Z.-1-

SUBJECT SITE 

1:6,200

