

Bill No. 196  
2017

By-law No. Z.-1-17\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to add General Provisions related to low-rise residential development in the Primary Transit Area.

WHEREAS **The Corporation of the City of London** has applied to amend various sections of the Zoning By-law, pertaining to the area known as the Primary Transit Area, that is generally bounded by Fanshawe Park Road to the north, Highbury Avenue to the east, Bradley Avenue/Southdale Road to the south and Wonderland Road to the west, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

1. Section 4, General Provisions, to By-law No. Z.-1 is amended by adding the map entitled *Figure 4.23 Primary Transit Area* attached hereto as Schedule "A", before section 4.24 of the By-law.

2. Section 2.0, Definitions, to By-law No. Z.-1 is amended by adding the following definitions:

- a) "BUILDING FAÇADE" – means the front elevation of a main building including the entire width and height of all building parts within the first 6 metres of building depth; and may include multiple building wall surfaces, and excludes stoops, sun decks, porches, verandahs, balconies, exterior steps or architectural adornments.
- b) "BUILDING DEPTH" – means the horizontal distance between the front and rear building walls but where the front and rear building walls are not parallel, the building depth is the length of a line joining the midpoints of such walls, and excludes stoops, sun decks, porches, verandahs, balconies, exterior steps or architectural adornments.
- c) "PRIMARY TRANSIT AREA" – means the area generally bounded by the following streets: Fanshawe Park Road to the north; Wonderland Road to the west; Southdale Road (west of White Oak Road) and Bradley Avenue (east of White Oak Road) to the south; Highbury Avenue to the east; Properties on both sides of each boundary street are included within this Primary Transit Area.

3. Section 4.23, General Provisions, of By-law No. Z.-1 is amended by deleting Section 4.23 in its entirety and replacing Section Number 4.23 with the following:

"4.23 Regulations for Low-rise Residential Development in the Primary Transit Area

a) Area

These regulations apply to development and additions in R1, R2, and R3 Zone variations within the Primary Transit Area identified in *Figure 4.23 Primary Transit Area*".

The Primary Transit Area is generally bounded by the following streets: Fanshawe Park Road to the north; Wonderland Road to the west; Southdale Road (west of White Oak Road) and Bradley Avenue (east of White Oak Road) to the south; Highbury Avenue to the east; Properties on both sides of each boundary street are included within this Primary Transit Area.

4.23.1 Front and Exterior Side Yard Setback

a) The Maximum Front and Exterior Side Yard setbacks shall be established as follows:

- i. 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;
- ii. where the setbacks of the two (2) closest buildings to the subject site from (i) above differ by 5.0 metres or greater - the average of the four (4) closest residential buildings oriented to the same street, within the same block, on the same side of the street;
- iii. where the subject site is within a block with fewer than the required number of existing residential buildings from (i) or (ii) above, the average setback of all residential buildings oriented to the same street, within the same block, on the same side of the street;

- b) The Minimum Front and Exterior Side Yard setbacks shall be established as follows:
  - i. The smallest Main Building setback that exists from (i), (ii) or (iii);
  - ii. The minimum setback for a Private Garage shall be 6.0 metres, or the setback of the Main Building, whichever is greater.

#### 4.23.2 Interior Side Yard Setbacks

- a) 1.2 metres; for any portion of the side yard adjacent to a part of the building not exceeding two storeys in height, plus 0.6 metres for each storey or part thereof above two storeys; except that, where no private garage is attached to the dwelling, one side yard shall be 3.0 metres.
- b) Where parking is provided in the side or rear yard, the minimum setback of the opposite side yard may be reduced to a minimum of 0.6 metres for any portion of the side yard adjacent to a part of the building not exceeding two storeys in height, plus 0.6m for each storey or part thereof above two storeys.

#### 4.23.3 Building Depth

The maximum building depth shall not exceed 60% of the actual lot depth. Minimum rear yard setbacks outlined in Table 5.3, Table 6.3 and Table 7.3 still apply.

#### 4.23.4 Garage Width

The maximum residential garage width (interior walls) shall not exceed 50% of the building façade width.”

4. Section 5.3, Regulations, to Zoning By-law No. Z.-1 is amended by deleting clause 7) in its entirety and replacing clause 7) with the following:

#### “7) Regulations for Low-Rise Residential Development in the Primary Transit Area

Notwithstanding the provisions of Table 5.3, the front and exterior side yard setbacks, interior side yard setbacks, building depth and garage widths within the Primary Transit Area are specified in Section 4.23 of the General Provisions.”

5. Section 6.3, Regulations, to By-law No. Z.-1 is amended by adding the following:

#### “4) Regulations for Low-Rise Residential Development in the Primary Transit Area

Notwithstanding the provisions of Table 6.3, the front and exterior side yard setbacks, interior side yard setbacks, building depth and garage widths within the Primary Transit Area are specified in Section 4.23 of the General Provisions.”

6. Section Number 7.3, Regulations, to By-law No. Z.-1 is amended by adding the following:

#### “5) Regulations for Low-Rise Residential Development in the Primary Transit Area

Notwithstanding the provisions of Table 7.3, the front and exterior side yard setbacks, interior side yard setbacks, building depth and garage widths within the Primary Transit Area are specified in Section 4.23 of the General Provisions.”

7. 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 May 2, 2017.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – May 2, 2017  
Second Reading - May 2, 2017  
Third Reading - May 2, 2017

Schedule "A"  
Figure 4.23 Primary Transit Area

