

## Report to Planning and Environment Committee

**To:** Chair and Members  
Planning & Environment Committee

**From:** George Kotsifas P. Eng.,  
Managing Director, Development & Compliance Services and  
Chief Building Official

**Subject:** Residential Boulevard Parking Application - Neil Shaw  
279 Regent Street

**Public Participation Meeting on:** March 9, 2020

## Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Neil Shaw (“the Applicant”) relating to the property located at 279 Regent Street:

- (a) the City Clerk’s Office **BE DIRECTED** to prepare a Residential Boulevard Parking Agreement to permit one (1) boulevard parking space; and,
- (b) the written objection submitted by the Applicant on January 9, 2020 from the decision of the London Boulevard Parking Committee dated January 6, 2020 refusing the Application for Residential Boulevard Parking **BE DISMISSED** for the following reasons:
  - i) The requested expansion of the existing parking area located in the City-owned boulevard does not conform to the general intent and purpose of the ’89 Official Plan and The London Plan with respect to minimizing impacts on the streetscape and minimizing the amount of parking so that the parking is adequate for the intended use of the property;
  - ii) The requested number of boulevard parking spaces is not consistent with Municipal Council’s Residential Front Yard and Boulevard Parking Policy that contemplates a maximum of one (1) boulevard parking space per legal dwelling unit; and,
  - iii) The requested expansion of the existing parking area located in the City-owned boulevard is not in keeping with the scale and form of parking on surrounding properties.

## Executive Summary

### Summary of Request

The Applicant has submitted an objection to the decision of the London Boulevard Parking Committee and is requesting that Municipal Council approve an Application for Residential Boulevard Parking to permit two (2) boulevard parking spaces to legalize the existing parking area within the City-owned boulevard and an expansion of the existing parking area proximate to the curb.

### Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to permit one (1) boulevard parking space, and dismiss the Applicant’s objection to the decision of the London Boulevard Parking Committee that refused the Application for Residential Boulevard Parking.

## Rationale of Recommended Action

1. The recommended number of boulevard parking space(s) conforms to the general intent and purpose of the '89 Official Plan and The London Plan with respect to minimizing impacts on the streetscape and minimizing the amount of parking so that the parking is adequate for the intended use of the property; and,
2. The recommended number of boulevard parking space(s) is consistent with Municipal Council's direction under the Residential Front Yard and Boulevard Parking Policy that contemplates a maximum of one (1) parking space per legal dwelling unit.

## Analysis

### 1.0 Site at a Glance

#### 1.1 Property Description

The subject lands known municipally as 279 Regent Street are located on the south side of Regent Street between Wellington Street and Waterloo Street in North London. The subject lands are occupied by a single detached dwelling and are located in an established neighbourhood characterized by single detached dwellings. A parking area associated with the subject lands and located in the City-owned boulevard is a long-standing condition that can be observed in aerial photography dating back to 1998. The existing parking area located in the City-owned boulevard can accommodate two (2) vehicles parked in tandem (i.e. one vehicle in front of another vehicle).

The subject lands are a listed heritage property in the City of London Register of Cultural Heritage Resources. The property dates from 1931 and reflects Tudor Revival styling.

#### 1.2 Current Planning Information (see more detail in Appendix D)

- Official Plan Designation – Low Density Residential
- The London Plan Place Type – Neighbourhoods
- Existing Zoning – Residential R1 Special Provision (R1-5(3)) Zone

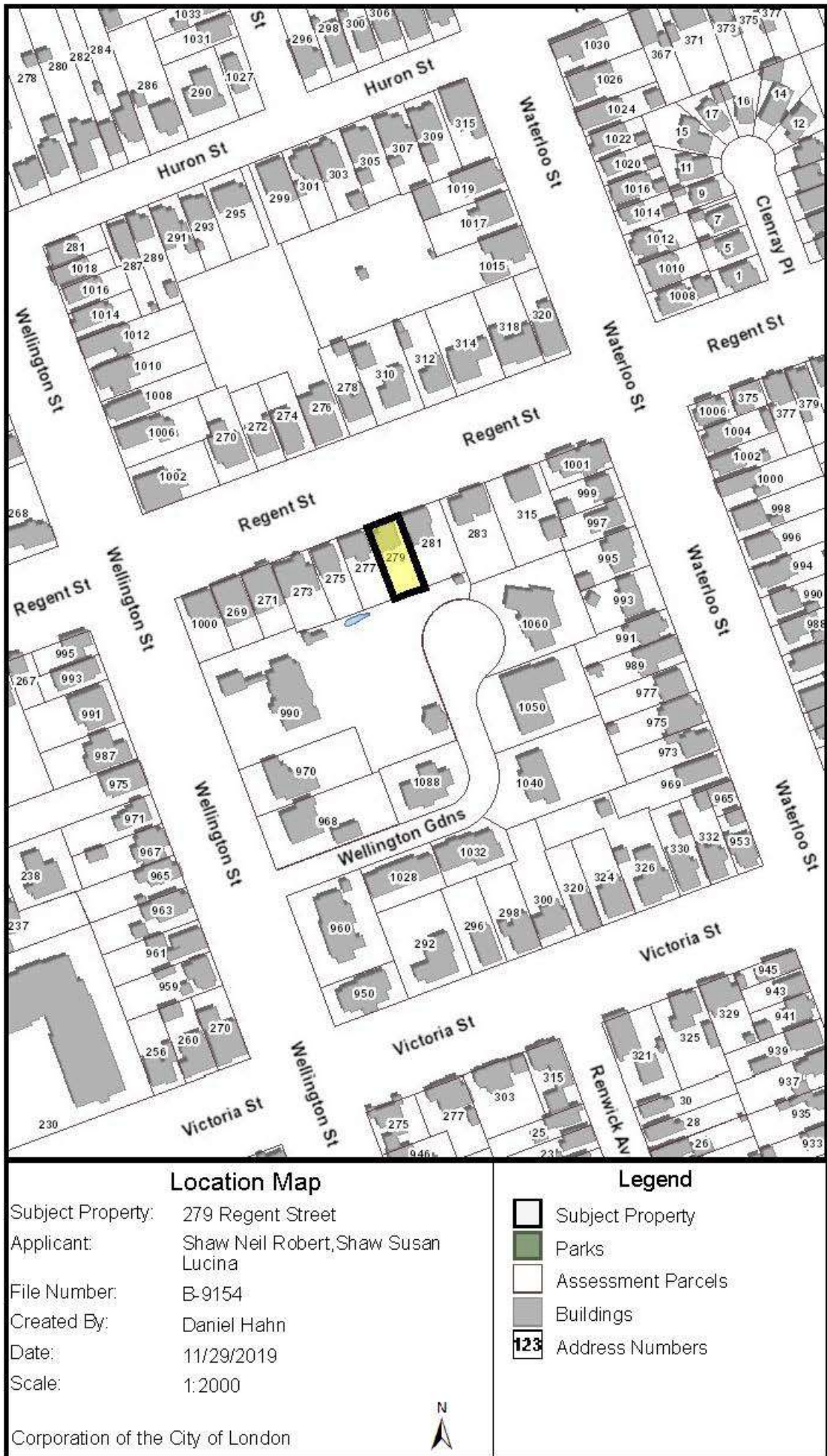
#### 1.3 Site Characteristics

- Current Land Use – Single detached dwelling
- Frontage – 13.7m (45ft)
- Shape – Rectangular

#### 1.4 Surrounding Land Uses

- North – Residential - (single detached dwellings)
- East – Residential - (single detached dwellings)
- South – Residential - (single detached dwellings)
- West – Residential - (single detached dwellings)

1.6 LOCATION MAP



## 2.0 Description of Proposal

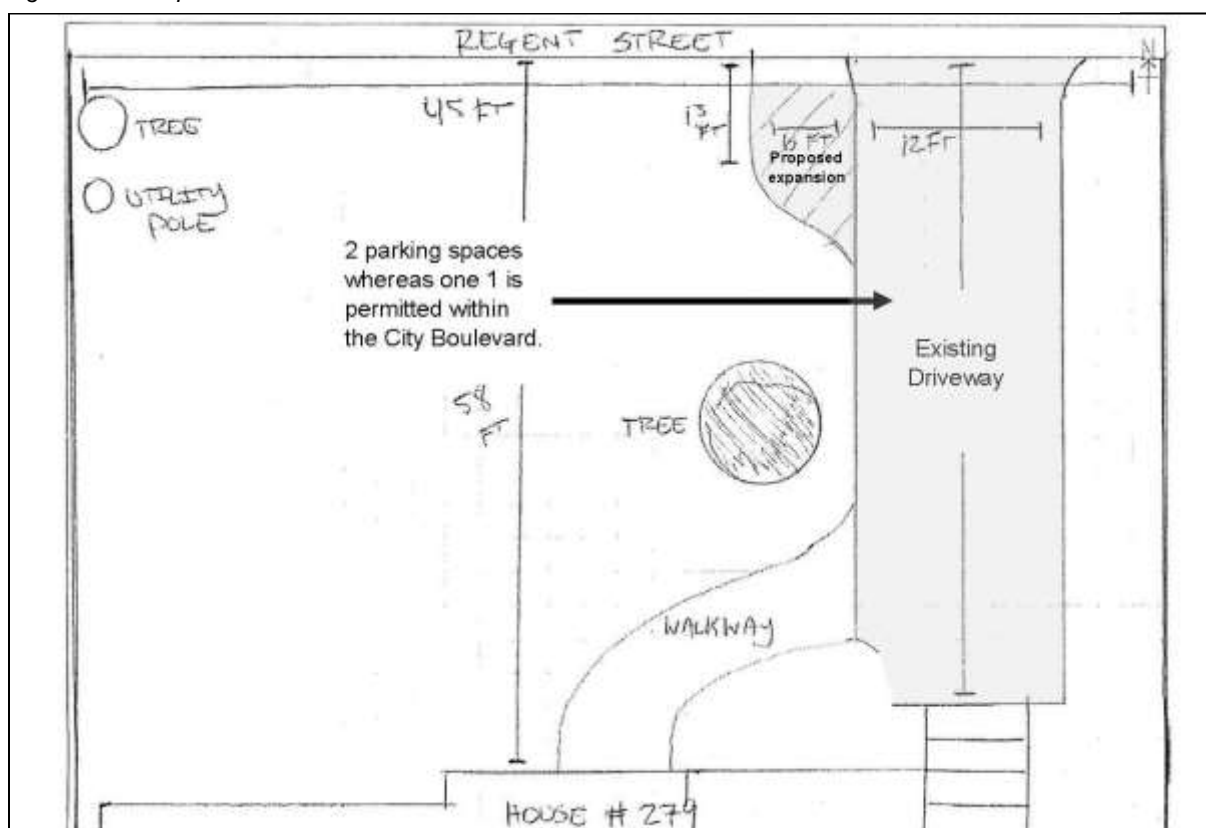
### 2.1 Development Proposal

The Applicant is requesting that Municipal Council approve an Application for Residential Boulevard Parking to permit two (2) boulevard parking spaces to legalize the existing parking area within the City-owned boulevard and an expansion of the existing parking area proximate to the curb (See Figure 1). The existing parking area located in the City-owned boulevard is approximately 3.5 metres (12ft) wide by 13.7 metres (45ft.) deep, and the requested expansion of the existing parking area is approximately 1.8 metres (6ft) wide by 4.0 metres (13ft) deep. The existing parking area and proposed expansion are wholly located in the City-owned boulevard.

Figure 1: Aerial Image of 279 Regent Street, with property lines bordered in yellow. The City of London boulevard portion is highlighted in green.



Figure 2: Conceptual Site Plan.



## 3.0 Relevant Background

### 3.1 Residential Boulevard Parking

Residential Boulevard Parking refers to a parking area that is located within the City-owned road allowance. The boulevard includes any portion of the road allowance that is not used as the travelled roadway.

Municipal Council established the Residential Front Yard and Boulevard Parking Policy to accommodate instances where private parking can only be facilitated in the front yard and/or within the adjoining boulevard part of the street. The Municipal Council policy created an approval process, minimum and maximum standards, a standard form agreement, and an enforcement process for the consideration of boulevard parking.

As a result of Municipal Council Resolution 67.5.4, dated October 3, 2000, Municipal Council delegated approval of residential boulevard parking to City staff. (The powers delegated to staff have been put into practice, although the Residential Front Yard and Boulevard Parking Policy was not subsequently amended to reflect the delegated approval authority). Prior to the delegated approval authority, applications to permit residential boulevard parking were submitted to the Planning Committee (the precursor Planning and Environment Committee ("PEC")) for approval by Municipal Council. The intent of Municipal Council Resolution 67.5.4 was to create an administrative committee (known as the London Boulevard Parking Committee) to streamline the approval process, reduce application fees, and reduce the amount of time that Municipal Council had to spend on these matters, while preserving the opportunity for public comment and appeal to Municipal Council.

The London Boulevard Parking Committee is mandated to review Applications for Residential Boulevard Parking, based on Municipal Council's established evaluative criteria for residential boulevard parking. Notice of Application is circulated to all property owners within 60 metres of the subject site and to neighbourhood or community associations if such associations exist, and departments internal to the City of London, and external agencies. Where a written objection to the decision of the London Boulevard Parking Committee is received within 20 days of the Notice of Decision, Development Services prepares a report to PEC for consideration at a Public Participation Meeting. PEC provides a recommendation to Municipal Council on the matter. Municipal Council's decision is final.

### 3.2 Application History

On September 18, 2019, the Applicant submitted a Curb Cut/Driveway Widening Request Record to the City of London related to the proposed expansion of the existing parking area located in the City-owned boulevard. The Curb Cut/Driveway Widening Request Record completed by City staff subsequently indicated the need for a Boulevard Parking Agreement to be obtained through an Application for Residential Boulevard Parking and a Work Approval Permit. At present, the existing parking area in the City-owned boulevard is only wide enough to facilitate vehicles parked in tandem (i.e. one vehicle in front of another vehicle).

The Applicant submitted an Application for Residential Boulevard Parking to Development Services on November 28, 2019. Notice of Application was circulated on December 12, 2019. Development Services solicited internal department comments and external public comments between December 12, 2019 and January 3, 2020. Development Services subsequently prepared a recommendation report to the London Boulevard Parking Committee (see Appendix D) dated January 3, 2020 for the Committee's consideration.

On January 6, 2020, the London Boulevard Parking Committee, comprised of City staff members from Transportation Planning and Design, Clerks, Urban Forestry, Development Services – Current Planning, and Development Services – Site Plan, met to consider the Application for Residential Boulevard Parking. The request for two (2) boulevard parking spaces and the expansion of the existing parking area located in the City-owned boulevard was refused. Notice of Decision was circulated on January 7,

2020. The Notice of Decision included the reasons for refusal of the application and instructions afforded to the Applicant.

On January 9, 2020, the Applicant submitted a written objection to the decision of the London Boulevard Parking Committee (see Appendix C). In the written objection, the Applicant provided the following justification for objection:

- *“The current parking available on the property at 279 Regent Street is inadequate for the intended use of the property as a multi-generational family home.*
- *The proximity of the house to the property line, as well as the existence of a large city tree on the property make it impractical to create additional parking in a location other than the one proposed.*
- *Street parking restrictions and the use of Regent Street for parking by students from nearby Kings College prohibit the use of street parking to accommodate long-term visitors.*
- *A single lane driveway results in the jockeying of vehicles which, considering the high volume of traffic and high rates of speed travelled on Regent Street, create a safety hazard for ours and other neighbourhood children.*
- *The small scale of the proposed driveway widening would have a negligible impact on the streetscape, and would not compromise the aesthetic appeal of the property.”*

### **3.3 Requested Action**

The Applicant has submitted an objection to the decision of the London Boulevard Parking Committee and is requesting that Municipal Council approve an application for Residential Boulevard Parking to permit two (2) boulevard parking spaces to legalize the existing parking area within the City-owned boulevard, and an expansion of the existing parking area. The requested expansion would be approximately 1.8 m (6ft) wide by 4.0 m (13ft) deep, proximate to the curb.

### **3.4 Community Engagement (see more detail in Appendix B)**

Notice of Application was sent to property owners in the surrounding area on December 12, 2020 and published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on the same date. The notice advised of a possible Residential Parking Agreement for two (2) parking spaces in the City-owned boulevard in association with the subject lands.

No comments were received from the public.

### **3.5 Policy Context (see more detail in Appendix C)**

The London Plan and the '89 Official Plan contain policies that guide the use and development of land within the City of London. The London Plan and the '89 Official Plan assigns Place Types and land use designations respectively to properties. The policies associated with those Place Types and land use designations provide for a general range of land uses, form and intensity of development that may be permitted. The London Plan and the '89 Official Plan also include general policy direction that is applied more broadly.

#### *3.5.1 The London Plan*

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority of which is in force and effect). The London Plan policies under appeal to the Local Planning Appeals Tribunal (Appeal PL170100) and not in force and effect are indicated with an asterisk throughout this report. The London Plan policies under appeal are included in this report for informative purposes indicating the intent of City Council, but are not determinative for the purposes of this planning application.

The subject lands are located within the Neighbourhoods Place Type on \*Map 1 – Place Types in The London Plan, with frontage on a Local Street (Regent Street). The London Plan contemplates a broad range of residential land uses for the subject lands including, but not limited to a single-detached dwelling (The London Plan, \*Table 10 - Range of Primary Permitted Uses in the Neighbourhoods Place Type). With respect to parking areas, \*Policy 272\_ of The London Plan directs that parking areas be strategically located to minimize associated impacts on the public realm, and that surface parking in particular should be located in the rear yard or interior side yard.

### *3.5.2 '89 Official Plan*

The subject lands are designated Low Density Residential (“LDR”) on Schedule “A” – Land Use in the ‘89 Official Plan. The LDR designation is intended for low-rise, low-density, housing forms including, but not limited to a single detached dwelling (‘89 Official Plan, Section 3.2.1). The transportation objectives in the ‘89 Official Plan indicate that motor vehicle and bicycle parking facilities are to be appropriately located, adequate for the uses they support, and compatible with adjacent land uses (‘89 Official Plan, Section 18.1 ix)).

### *3.5.3 Residential Front Yard and Boulevard Parking Policy*

The City of London’s Council Policy Manual is a compilation of policies adopted by Municipal Council over a number of years. Included in the Council Policy Manual is Municipal Council’s Residential Front Yard and Boulevard Parking Policy. This policy sets out Municipal Council’s position with respect to the creation of front yard and boulevard parking areas for residential purposes. Boulevard parking is allowed only on an *“exception basis”*. The Residential Front Yard and Boulevard Parking Policy outlines an evaluative criteria for considering such exceptions, as well as, standards relating to front yard and boulevard parking, and an approval process. The evaluative criteria are:

- a) No suitable parking area alternatives are available;
- b) The parking area exception conforms to the general intent and purpose of the Official Plan policies and Zoning By-law regulations;
- c) The parking area exception is generally in compliance with the purpose and intent of the Streets By-law;
- d) The change to the Zoning By-law regulations for the residential parking area is minor;
- e) The parking area is generally in keeping with the scale and form of parking on surrounding properties and will have minimal negative impact on existing vegetation and/or municipal services (Residential Front Yard and Boulevard Parking Policy, Section 4.2.).

Included in Municipal Council’s Residential Front Yard and Boulevard Parking Policy are parking standards for single detached, semi-detached, duplex, and converted two (2) unit dwellings. Among the various standards, the Municipal Council policy contemplates a maximum of one (1) boulevard parking space per legal dwelling unit (Residential Front yard and boulevard Parking Policy, Section 4.2.3. a)). City staff are directed to implement Municipal Council’s Residential Front Yard and Boulevard Parking Policy.

## **4.0 Key Issues and Considerations**

### **4.1 Consistency with Evaluative Criteria**

Municipal Council’s Residential Front Yard and Boulevard Parking Policy provides the evaluative criteria for considering Applications for Residential Boulevard Parking.

#### *4.1.1. Criteria A: No Suitable Alternative*

Municipal Council's policy regarding Residential Front Yard and Boulevard Parking directs that approval of front yard or boulevard parking will not be supported by Council where suitable alternatives exist to accommodate parking entirely on private property. Suitable alternatives as per Section 4.2.1. of Municipal Council's policy, may include tandem parking in a legal existing driveway, the use of a rear service lane to access parking areas located in rear yards, the removal of, alteration to, or relocation of accessory buildings or structures, fences and landscape that will result in parking areas located in interior side yards or rear yards, and/or parking areas located in interior side yards or rear yards.

There presently exists no circumstances through which the Applicant can accommodate parking entirely on private property. The east and west interior side yards are too narrow to accommodate a parking area, nor is there a service lane abutting the subject lands to provide access to a parking area in the rear yard. The existing parking area that can accommodate a vehicle is located wholly within the City-owned boulevard.

#### *4.1.2 Criteria B: Conforms to the General Intent and Purpose of the Official Plan and Zoning By-law*

With respect to parking areas, \*Policy 272\_ of The London Plan directs that parking areas be strategically located to minimize associated impacts on the public realm, and that surface parking in particular should be located in the rear yard or interior side yard. The transportation objectives identified in the 1989 Official Plan indicate that motor vehicle and bicycle parking facilities are to be appropriately located, adequate for the uses they support, and compatible with adjacent land uses (1989 Official Plan, Chapter 18(xi)).

The Subject Lands are zoned Residential R1 Special Provision (R1-5(3)) within the City of London Zoning By-law No. Z.-1. Zoning By-law No. Z.-1 regulates the location and number of parking spaces required for permitted uses. Section 4.19 4) a) permits required parking to be located in interior side yards or rear yards only in the Residential R1 Zones. Section 4.19 10) (b) requires a minimum of two (2) parking spaces per single detached dwelling in Parking Standard Area 3. For single detached dwellings required parking may be provided in tandem.

In arriving at their decision, the London Boulevard Parking Committee was of the opinion that the requested expansion of the existing parking area created a condition that deviated significantly from the character of the surrounding area. Driveways and boulevard parking areas within the surrounding area are predominately long and narrow, roughly the width of a single vehicle when parked perpendicular to the street-line. Conversely, the requested expansion of the existing parking area could accommodate two (2) compact vehicles parked side-by-side perpendicular to the street-line or one (1) vehicle parallel to the street line. As noted previously, the existing parking area located in the City-owned boulevard can accommodate two (2) vehicles parked in tandem (i.e. one vehicle in front of another vehicle). The requested expansion of the existing parking area may result in the ability to park three (3) vehicles in the City-owned boulevard.

The absence of parking on the subject lands was lawfully established according to the applicable zoning and/or building laws at the time the single detached dwelling was constructed and is allowed to continue with the use of the subject lands for a single detached dwelling notwithstanding the minimum parking requirements in the current Zoning By-law. The number of boulevard parking spaces requested by the Applicant is not required to comply with minimum parking requirements in the Zoning By-law. The Applicant has requested permission for two (2) boulevard parking spaces in order to legalize the existing parking area located within the City-owned boulevard, and an expansion of the existing parking area proximate to the curb to improve the functionality and capacity of the parking area for the residents of the subject lands.

Based on the above, the request for two (2) boulevard parking spaces and the



requested expansion to the existing parking area does not conform with the general intent and purpose of the Official Plan or the Zoning By-law with respect to minimizing the impacts of parking on the streetscape, and providing for adequate, but not excessive parking.

Conversely, the recommended action to permit one (1) boulevard parking space does conform with the general intent and purpose of the '89 Official Plan, The London Plan, and the Zoning By-law with respect to minimizing the impacts of parking on the streetscape, and providing for adequate, but not excessive parking. The recommendation to permit one (1) boulevard parking space is also consistent with Municipal Council's Residential Front Yard and Boulevard Parking Policy that contemplates a maximum of (1) boulevard parking space per legal dwelling unit in Section 4.2.3.(a). The intent of the Municipal Council policy is to protect the character and aesthetic of residential neighbourhoods from the visual impacts of surface parking.

#### *4.1.3 Criteria C: Compliance with the Purpose and Intent of the Streets By-law*

The existing parking area within the City-owned boulevard and the requested expansion of the existing parking area proximate to the curb does not infringe on adjacent infrastructure or sidewalks. Transportation Planning and Design has not indicated any concerns or negative impacts on infrastructure. London Hydro had no objection to the application (see Appendix A).

The requested expansion may result in construction impacts and a loss of permeable area that may affect the health of the near-by tree located on the City-owned boulevard. As per the Curb Cut/Driveway Widening Record, Urban Forestry has requested tree protection measures be installed prior to any work commencing in the City-owned boulevard.

Under the Streets By-law, a "private entrance" – commonly referred to as a "driveway" – can be maintained where it connects a portion of the street to a parking space established under a boulevard parking agreement (Streets By-law, Schedule "A" – Private Entrance Regulations, A.3(b)). The Streets By-law defines a "private entrance" as a "portion of a street which is improved to permit the passage of persons or vehicles from a roadway to the property" (Streets By-law, Part 1 – Definitions).

The existing parking area within the City-own boulevard could be interpreted under the Streets By-law as consisting of a driveway and one (1) boulevard parking space, although the Applicant had requested two (2) boulevard parking spaces be recognized legalize the existing parking area within the City-owned boulevard. The recommended action to permit one (1) boulevard parking space would be compliant with the Streets By-law.

#### *4.1.4 Criteria D: Minor in Nature*

The request for two (2) boulevard parking spaces and the expansion of the existing parking area that could accommodate parking for more vehicles goes beyond Municipal Council's established policy that contemplates a maximum of one (1) boulevard parking space per legal dwelling unit and cannot be considered minor in nature.

The recommended action to permit one (1) boulevard parking space is consistent with the Municipal Council policy, will not result in any physical change to the existing condition, and will result in no new impacts for the surrounding area. Therefore the recommended action is considered minor in nature.

#### *4.1.5 Criteria E: In Keeping with the Scale and Form of Parking on Surrounding Properties and Will Have Minimal negative Impacts*

The surrounding area is characterized by single detached dwellings on a tree-lined street. The two properties located immediately west of the subject lands have existing parking areas which are wholly within the City-owned boulevard and without Residential Boulevard Parking Agreements similar to the subject lands. All other properties on the

south side of Regent Street between Wellington Street and Waterloo Street have driveways in the City-owned boulevard leading to parking areas in a garage or interior side yards or rear yards on private property. The properties on the north side of Regent Street between Wellington Street and Waterloo Street have driveways in the City-owned boulevard that lead to parking areas in the interior side yards or rear yards. The driveways and parking areas in the City-owned boulevard are predominately long and narrow as previously noted due to the considerable width of the City-owned boulevard between the curb and the main building facades.

The boulevard parking conditions found on the south side of Regent Street reflect the issues affecting the subject lands. Multiple interior side yards on the south side Regent Street are insufficient to accommodate parking areas or driveways that lead to parking areas. The prevailing lot fabric of narrow and deep lots with large dwellings spaced tightly together can be attributed to the pattern and style at the time of development.

It is important to note that although the existing parking area in the City-owned boulevard and requested expansion would satisfy the parking standards for maximum parking area width and maximum parking area lot coverage in Section 4.2.3. of the Municipal Council policy, the standards do not reflect the prevailing character of the surrounding area. The London Boulevard Parking Committee in arriving at their decision on the application for Residential Boulevard Parking was of the opinion that the requested expansion to the existing parking area proximate to the curb created a condition that deviated significantly from the character of the surrounding area. Transportation Planning and Design staff also noted that the location of a parking space (i.e. the requested expansion of the parking area in the City-owned boulevard) in close proximity to Regent Street was undesirable.

The recommended action to permit one (1) boulevard parking space is not anticipated to adversely impact the immediate surrounding area, and is consistent with the Municipal Council policy.

More information and detail is available in Appendix A through D of this report.

## **5.0 Conclusion**

The Applicant has demonstrated that there is no suitable alternative to facilitate parking on the subject lands. However, the request for two (2) boulevard parking spaces and the requested expansion to the existing parking area does not conform with the general intent and purpose of the Official Plan or the Zoning By-law with respect to minimizing the impacts of parking on the streetscape, and providing for adequate, but not excessive parking. The request for two (2) boulevard parking spaces and the potential that the requested expansion to the existing parking area could accommodate additional vehicle parking, goes beyond Municipal Council's established policy that contemplates a maximum of one (1) boulevard parking space per legal dwelling unit. The requested expansion of the existing parking area is not in keeping with the scale and form of parking on surrounding properties.

In light of the above analysis, it is recommended that the Applicant's objection from the decision of the London Boulevard Parking Committee be dismissed, and that the City Clerk's Office be directed to prepare a Residential Boulevard Parking Agreement to permit one (1) boulevard parking space for 279 Regent Street to lawfully establish the existing parking area within the City-owned Boulevard. In accordance with the Streets By-law, the existing parking area could be interpreted as consisting of one (1) boulevard parking space and a driveway connecting to the street.

<b>Prepared by:</b>	<b>Daniel Hahn Planner I, Development Services</b>
<b>Recommended by:</b>	<b>Paul Yeoman, RPP, PLE Director, Development Services</b>
<b>Submitted by:</b>	<b>George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official</b>
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

March 2, 2020

cc: Melissa Campbell, MCIP, RPP, Manager, Development Planning (Current Planning)

## Appendix A – Public Engagement

### Community Engagement

**Public liaison:** On December 12, 2019, Notice of Application was sent to twenty-eight (28) property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on December 12, 2019.

0 replies were received

**Nature of Liaison:** The notice advised of a possible Residential Parking Agreement for two (2) parking spaces in the City-owned boulevard in association with the subject lands.

**Responses:** Development Services received no comments from surrounding property owners or members of the public.

### Agency/Departmental Comments

#### Development Services – Heritage Planner Comments:

Good Morning Daniel,

#### **B-9154 – 279 Regent Street**

##### residential boulevard parking agreement

*proposed 6 foot expansion of current driveway to existing break in curb; expanded drive would be finished in existing paving bricks*

This e-mail is to confirm that there are no heritage planning or archaeological issues related to this property and associated file.

Best,

Laura

#### Notes for File Planner:

Please be aware that the above property is LISTED (2007) on the City's *Register (Inventory of Heritage Resources)* as a property with potential heritage significance. Information provided to me indicates that the property dates from 1931 and reflects Tudor Revival styling. 279 Regent Street is also adjacent to 277 Regent Street, another LISTED (2007) property on the *Register*. 277 Regent Street dates from 1929 and is described as reflecting Classical Revival styling, noting features such as a steep hip roof, three gables and a central entrance with pilasters.

London Policy (586\_ ) states that no development or site alteration is permitted on properties LISTED on the *Register* "except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the heritage designated properties or properties listed on the Register will be conserved." Strict interpretation of this policy could require an HIA be completed as condition of the parking agreement (B-9154). Civic Administration (heritage staff) has not required an HIA and provides the following explanation:

- Works associated with the above application are limited to expansion of an existing driveway which will result in no impacts to the building on the property or building on the adjacent property. These properties are not designated and requirements for an HIA would necessitate an evaluation of both 277 and 279 Regent Street for cultural heritage value or interest and identification of heritage attributes. This scope of evaluation seems unreasonable given that no development is proposed and site alteration is restricted to a curb cut and expanded paving. There may be impacts to the streetscape (potentially resulting

in visually less 'green-frontage') particularly if multiple property owners on this portion of Regent Street expand their driveways. Limiting the potential for cumulative negative impacts over multiple properties is likely better addressed with district wide versus property-specific policies – for example those types of policy related requirements associated with a Heritage Conservation District.

**Laura E. Dent, M.Arch, PhD, MCIP, RPP**

Heritage Planner  
Development Services  
City of London

300 Dufferin Avenue, PO Box 5035, London, ON N6A 4L9  
P: 519.661.CITY (2489) x 0267  
ldent@london.ca | www.london.ca

### **London Hydro Comments:**

This site is presently serviced by London Hydro. Contact the Engineering Dept. if a new or service upgrade is required to facilitate these changes. Any new and/or relocation of existing infrastructure will be at the applicant's expense. Above-grade transformation is required. Note: Transformation lead times are minimum 16 weeks. Contact Engineering Dept. to confirm requirements & availability.

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

## Appendix B – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this requested land use change. The most relevant policies, by-laws, and legislation are identified as follows:

### Residential Front Yard and Boulevard Parking Policy:

**Policy Name:** Residential Front Yard and Boulevard Parking

**Legislative History:** Enacted September 19, 2017 (By-law No. CPOL.-223-475);  
Amended June 26, 2018 (By-law No. CPOL.-305-296)

**Last Review Date:** May 6, 2019

**Service Area Lead:** Director, Development Services

### 1. Policy Statement

The Residential Front Yard and Boulevard Parking Policy sets out Council's position with respect to the creation of Front Yard and Boulevard Parking in the City. These two types of parking are allowed by the City only on an "exception basis", and this policy includes criteria for consideration of such exceptions, standards relating to these types of parking, an approval process, a standard form agreement and an enforcement process.

#### Zoning or Minor Variance Exception

Front yard portions of private land may be used for parking areas according to the regulations and standards set out in the City of London Comprehensive Zoning Bylaw(s) or as a result of an approved minor variance.

#### Combined Zoning/Minor Variance and Boulevard Parking Agreement Exception

When a situation exists where the proposed parking area is partly on the owner's land and partly on the boulevard portion of the public highway, the owner must obtain both a minor variance and a boulevard parking agreement. In these cases if the Committee of Adjustment grants the minor variance it will contain a condition requiring the owner to enter into the boulevard parking agreement without a separate approval for it being required from the Council.

#### Boulevard Parking Agreement Exception

Boulevard portions of public highways may be used for parking areas with the approval of Council and in accordance with terms and conditions set out in an agreement that is entered into between the City and the owner of the property adjoining the boulevard part of the highway/street.

The Corporation of the City of London generally prohibits the use of the front yard or of the boulevard for the parking of motor vehicles in single detached, semi-detached, duplex, triplex or street townhouse residential areas. Exceptions to this policy may only be granted where the applicant has obtained approval for a minor variance from the Committee of Adjustment or for use of the boulevard from Council, and where such parking complies with the policies outlined herein.

### 2. Definitions

- 2.1. **Boulevard** - shall mean that portion of every road allowance within the limits of the City of London that is not used as a sidewalk, driveway, travelled roadway or shoulder.
- 2.2. **City** - shall mean the geographical area of the City of London.
- 2.3. **Corporation** - shall mean The Corporation of the City of London.

- 2.4. **Council** - shall mean the Municipal Council of the City of London.
- 2.5. **Driveway** - shall mean the physically designated area lying between the roadway and the lot line on the boulevard and between the lot line and the parking area on the lot used primarily for vehicular ingress from the roadway to the private property or for vehicular egress from the property to the roadway.
- 2.6. **Front Yard** - shall mean those lands extending across the full width of a lot between the front lot line and the nearest main wall of any building or structure on the lot.
- 2.7. **Owner** - shall mean any property owner or their authorized agent who applies to the Corporation for permission to park on a portion of the Corporation's boulevard.
- 2.8. **Parking Area** - shall mean that area which, in whole or part uses the front yard and/or boulevard for the temporary parking of motor vehicles accessory to a permitted use.
- 2.9. **Roadway** - shall mean the part of a highway that is improved, designated or ordinarily used for vehicular traffic, but does not include the shoulder, and where a highway includes two or more separate roadways, the term "Roadway" refers to any one road way separately and not to all the roadways collectively.

### 3. **Applicability**

This policy applies to Owners seeking an opportunity to park on a portion of the Corporation's Boulevard.

### 4. **The Policy**

#### 4.1. General

The following provides for the transitional provisions from the existing boulevard parking agreements to new ones where a "grandfathering" option is chosen by the property owners:

- a) property owners with residential boulevard parking agreements be required to pay any outstanding rental charges for existing residential boulevard parking up to December 31, 1995 on the understanding that rental charges remitted to the City by that date will make those owners eligible for the "grandfathering" of existing residential boulevard parking agreements; and
- b) eligible property owners with existing residential boulevard parking agreements wishing to "grandfather" such parking arrangements in order to allow them to be continued, be required to enter into a revised Standard Form Boulevard Parking Agreement on the understanding that the by-law authorizing the execution of these revised agreements will be registered by the City Clerk on the title of the abutting property at the expense of the owner involved as regards the payment of the \$50.00 registration fee.

#### 4.2. Criteria for Consideration of Exceptions

##### 4.2.1. Suitable Alternatives

The approval of front yard or boulevard parking will not be supported by Council where a suitable alternative exists for parking entirely on the owner's property, as described in one or more of the following situations:

- a) Tandem parking is available in a legal existing driveway when the land use is single detached dwellings;
- b) The use of rear service lanes is possible where such lanes are accessible and in use by more than one property owner;
- c) The removal of, alteration to or relocation of accessory buildings or structures, fences and landscaping will result in the accommodation of parking entirely on the owner's property; and/or
- d) The side and/or rear yard of the lot can be used for a parking area, provided such parking area does not occupy more than 25% of the total lot area.

#### 4.2.2. Criteria for Approval of an Exception

The approval of a front yard or boulevard parking exception may be supported by Council where the application for an exception meets the following criteria:

- a) None of the parking area alternatives described in Section 3.1 of this policy are available;
- b) The parking area exception conforms to the general intent and purpose of the Official Plan policies and Zoning By-law regulations;
- c) The parking area exception is generally in compliance with the purpose and intent of the Streets By-law;
- d) The change to the Zoning By-law regulations for the residential parking area is minor;
- e) The parking area is generally in keeping with the scale and form of parking on surrounding properties and will have minimal negative impact on existing vegetation and/or municipal services.

#### 4.2.3. Front Yard and Boulevard Parking Standards

The following minimum and maximum standards apply to parking area exceptions. They are intended to generally reflect the standards currently found in the Zoning By-law as they apply to parking areas for single, semi-detached, duplex, converted two (2) unit type dwellings.

No parking area will be approved which conflicts with any by-laws or regulations of the City of London.

- a) Number of Boulevard Parking Spaces (max.) - 1 per legal dwelling unit
- b) Parking Area size (min.) - 2.7 meters (8.8 feet) wide by 5.5 meters (18.0 feet) long.
- c) Parking Area and Driveway Width (max.) - maximum 6.0 m. (19.7 feet) or 40% of the front lot line whichever is less but in no case less than 2.7 meters (8.8 feet).
- d) Parking Area Lot Coverage (max.) - 40% of the land area between the front of the main building and the roadway.
- e) The Parking Area length shall not be permitted parallel to the street line.



- f) The Parking Area shall not be permitted closer than 1.0 m. (3.0 feet) from an existing or future public sidewalk.
- g) In the case of corner properties, where a driveway would be constructed within 10 meters (30 feet) from the intersecting road allowance, approval for permission will be at the discretion of the City Engineer subject to the provisions of the Streets By-law (By-law S-1).
- h) All parking areas and driveways shall be provided and maintained with a stable surface, treated to prevent the raising of dust or loose particles, such as any asphalt, concrete or other hard-surfaced material.
- i) The Corporation reserves the right to require landscaping, fencing and buffering on and around the parking area and/or to require the preparation by the owner of a site plan for the parking area.

#### 4.3. Exception Possibilities

- 4.3.1. Where the parking area is entirely in the front yard of private lands, an application to the Committee of Adjustment for a minor variance to the Zoning By-law is required. No Boulevard Parking Agreement is required for part of a driveway leading to a legal on-site parking space.
- 4.3.2. When any part of the parking area can be accommodated on private lands, this too requires an application to the Committee of Adjustment for a minor variance to the applicable Zoning By-law. In addition, as a condition of minor variance approval, the owner must enter into a Standard Form Boulevard Parking Agreement with the Corporation. The final approval of the minor variance will allow the City Clerk to prepare an agreement between the Corporation and the applicant without further approvals.
- 4.3.3. Where the parking area can only be accommodated entirely on the public boulevard, an application to the Planning and Environment Committee of the Council, through the City Clerk's Office for boulevard parking is required. Development Services will prepare and present a report to the Planning and Environment Committee at a public meeting. The Planning and Environment Committee will then recommend approval or refusal of the application to the Council, and the Council will make the final decision.

#### 4.4. Process for Consideration of Exceptions to Front Yard and Boulevard Parking

The decision to grant front yard and/or boulevard parking is based on a process which includes comments from the applicant, municipal staff, neighbouring property owners, and the public. This approach recognizes the standards set out in Section 2 of this policy and the possibility of unique neighbourhood expectations about the parking area.

- 4.4.1. The application fees for both a minor variance and a boulevard parking agreement are set in the Fees and Charges By-law, as amended from time to time. All application fees are non-refundable. Where the exception involves a boulevard parking agreement, the applicant must also provide the City Clerk with a cheque in the required amount made payable to the City Treasurer to cover the costs for the registration of the agreement on title through a by-law instrument.
- 4.4.2. Any application for front yard and boulevard parking must include a plan prepared to scale showing the location of the buildings, trees, public utilities, landscaping, adjoining properties and building locations where possible and the dimensions of the proposed parking area. This plan must be suitable for inclusion in the Standard Form Boulevard Parking

Agreement to be entered into between the owner and the Corporation. It is strongly recommended that the plan be based on a survey drawing of the property because it is the responsibility of the owner to ensure that there are no encroachments onto adjacent properties.

- 4.4.3. Applications that are going to the Committee of Adjustment because they require a minor variance will be circulated by the Secretary-Treasurer of the said Committee in accordance with the Regulations under the Planning Act (to various Civic Departments, outside agencies and to all property owners within 60 meters (200 feet) of the applicant's property). Applications that are going to a public participation meeting of the Planning and Environment Committee because a boulevard parking agreement is required will also be circulated to all property owners within 60 meters (200 feet) of the applicant's property and to the Environmental and Engineering Services, and Development Services.
- 4.4.4. A public meeting of either the Committee of Adjustment or of the Planning and Environment Committee is normally held within 30 days of the application being received, at which the applicant and any interested surrounding property owners would be invited to comment on the appropriateness and desirability of the front yard or boulevard parking application.
- 4.4.5. For minor variance exceptions to front yard parking, the decision of the Committee of Adjustment may be appealed to the Ontario Municipal Board. For boulevard parking exception applications, the decision of Council is final and binding.

#### 4.5. Boulevard Parking Agreement

- 4.5.1. The conditions of agreement will be those contained in the Standard Form Boulevard Parking Agreement adopted by City Council as amended from time to time.
- 4.5.2. When the Boulevard Parking Agreement has been fully executed by the applicant, the City Clerk will prepare and submit to the Council a standard form executory by-law to authorize the execution of the Boulevard Parking Agreement by the Corporation. Upon enactment of the by-law by the Council, the Corporation will sign the Agreement after which, and subject to
  - a) the receipt from the applicant by the City Clerk of the registration fee referred to in section 4.1 of this Policy; and
  - b) written advice from Development Services that it is appropriate to proceed

the City Clerk will register the Boulevard Parking By-law and Agreement on the title of the property. The City Clerk will provide the applicant with a copy of the registered by-law/agreement showing all the registration particulars.

- 4.5.3. Boulevard Parking Agreements will be without a term certain and will run with the land upon which they are registered provided the parties to the agreement are in accord, and all of the conditions of Corporation as set out in the agreement have been and are being complied with to the satisfaction of the City Engineer.

#### 4.6. Construction of the Parking Area

- 4.6.1. The removal of a City curb is to be done by City Forces at the owner's expense after a curb cut permit is obtained from the City Engineer.

Paving, removal of trees and relocation of utilities, or any other construction work is to be arranged by the owner through the affected City Department, utility or agency, at the owner's expense, on the understanding that the approval of the City Engineer must be obtained before commencement of any construction work that is required.

4.6.2. In the event that trees or utilities must be removed or relocated, written approval must be obtained by the owner from the appropriate authority before the application will be processed.

#### 4.7. Front Yard and Boulevard Parking Enforcement

4.7.1. Parking on the boulevard or in the front yard shall not begin:

- a) in the case of parking under a boulevard parking agreement, until the City Clerk has completed registration of the by-law/boulevard parking agreement instrument in the Registry Office, or
- b) in the case of parking under a minor variance, until the decision of the Committee of Adjustment (or of the Ontario Municipal Board where there is an appeal) is final.

4.7.2. Violations of any of the provisions in the Zoning By-law, the Traffic By-law or the Streets By-law with respect to front yard and boulevard parking shall be enforced at the discretion of the municipal enforcement agencies.

4.7.3. In situations where a decision is reached not to approve front yard or boulevard parking, the City Engineer may close illegal accesses with proper curbing and restore the appearance of the area as a proper boulevard at the expense of the offending property owner.

4.7.4. Where no boulevard parking agreement has been finalized on the basis outlined in paragraph 4.5.2 of this policy, the Corporation reserves the right to erect, temporarily, any obstacles necessary to prevent the use of the boulevard for parking, and, at the same time, the City Clerk may recommend to the Planning and Environment Committee that the original approval for such owner's agreement to park on the boulevard be rescinded.

#### **Council Resolution 67.5.4:**

October 3, 2000

V. A. Cote  
Commissioner of Planning and Development

I hereby certify that the Municipal Council, at its session held on October 2, 2000 resolved:

7. That, on the recommendation of the Commissioner of Planning and Development, the following Residential Front Yard and Boulevard Parking policies BE APPROVED in order to streamline the processing of applications for exceptions to residential front yard and boulevard parking restrictions in the Zoning By-law and the Streets By-law:

- (a) NO ACTION BE TAKEN to change the current practice of the Committee of Adjustment to accept and decide on minor variance applications to the Zoning By-law where all or part of the boulevard and front yard parking area is located on private residential lands;
- (b) the authority to grant boulevard parking approval with appropriate conditions BE DELEGATED to a municipal staff committee comprised of a representative of the Planning Division, the Transportation Division, the Urban Forestry Division, and the City Clerk's Office; it being noted that the mandate of this Committee is to review and approve applications for low density residential parking spaces located wholly on the municipal boulevard, and it further being noted that applications for such parking spaces will be circulated to all property owners within 60 metres (200 feet) of the subject site and to affected neighbourhood/community associations if such associations exist; and
- (c) where the application for boulevard parking is refused by the staff committee identified in part (b) above or where a written objection to the boulevard parking decision is received within 20 days of the mailing of such decision, a report shall BE PREPARED and forwarded to the Planning Committee (PC) for consideration at a public participation meeting prior to a recommendation being submitted by the PC to the Municipal Council; it being noted that the decision of the Municipal Council shall be final;

it being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter. (67.5.4.) (7/22/PC)

Cathie L. Best  
Deputy City Clerk  
/hal

cc: R. S. Petrie, Division Manager, Transportation, 8th Floor  
R. Panzer, Director of Planning, Room 609  
B. McGauley, Urban Forester, A. J. Tyler  
B. Page, Planner I, Room 609  
J. McIntosh, Secretary-Treasurer, Committee of Adjustment  
S. Manders, Documentation Clerk

### **The London Plan:**

#### **PARKING**

\*272\_ The impact of parking facilities on the public realm will be minimized by strategically locating and screening these parking areas. Surface parking should be located in the rear yard or interior side yard.

### **'89 Official Plan:**

#### **18.1. TRANSPORTATION OBJECTIVES**

ix) Provide for motor vehicle and bicycle parking facilities that are appropriately located, adequate for the uses that they support, and compatible with adjacent land uses.

## Appendix C – Relevant Background – Letter of Objection

**From:** Neil Shaw

**To:** Hahn, Daniel

**Subject:** [EXTERNAL] Re: Notice of Decision for a Residential Boulevard Parking Agreement - 279 Regent Street B-9154 - Neil Shaw (WARD 6) - Daniel Hahn

**Date:** Thursday, January 9, 2020 1:24:40 PM

**Attachments:** image001.png

Hi Daniel,

I am disappointed to receive this news. Through previous discussions with yourself and other stakeholders at city hall, I was led to believe I could almost certainly expect a different outcome.

Please consider this as my official notice of opposition to the Committee's decision based on the following grounds:

- The current parking available on the property at 279 Regent Street is **inadequate** for the intended use of the property as a multi-generational family home.
- The proximity of the house to the property line, as well as the existence of a large city tree on the property make it impractical to create additional parking in a location other than the one proposed.
- Street parking restrictions and the use of Regent Street for parking by students from nearby Kings College prohibit the use of street parking to accommodate long-term visitors.
- A single lane driveway results in the jockeying of vehicles which, considering the high volume of traffic and high rates of speed travelled on Regent Street, create a safety hazard for ours and other neighbourhood children.
- The small scale of the proposed driveway widening would have a negligible impact on the streetscape, and would not compromise the aesthetic appeal of the property from a neighbours perspective.

It is my hope that the Committee will consider and address each of these points in its review of my application for a Residential Boulevard Parking Agreement. As the proposed driveway expansion has been approved by all other city stakeholders, it is my expectation that you will work swiftly with the Committee in coming to a resolution.

I will look forward to a response from you no later than your proposed deadline of January 26th, 2020.

Sincerely,

Neil Shaw

## Appendix D – Relevant Background – Development Services Report to Residential Boulevard Parking Committee

Date: January 3, 2020

To: London Residential Boulevard Parking Committee

From: Development Services

Subject: Development Services  
Comments – Residential Boulevard Parking Application

**B-9154**      **279 Regent Street**  
                  **Neil Shaw**

### INTRODUCTION

The lands are located on the south side of Regent Street between Wellington Street and Waterloo Street in North London. The surrounding area is an established neighbourhood characterized by single detached dwellings. The property is a listed heritage property.



Figure 1. Aerial Image (City of London, 2019).

The City Boulevard includes additional lands that are not used as a public sidewalk, travelled roadway, or shoulder.



Figure 2. Aerial Image delineating the Subject Property and the City Boulevard (City of London, 2019).

The purpose and effect of this application is to permit two (2) parking spaces within the City Boulevard in front of the property, whereas Council's Residential Front Yard and Boulevard Parking Policy contemplates one (1) parking space.

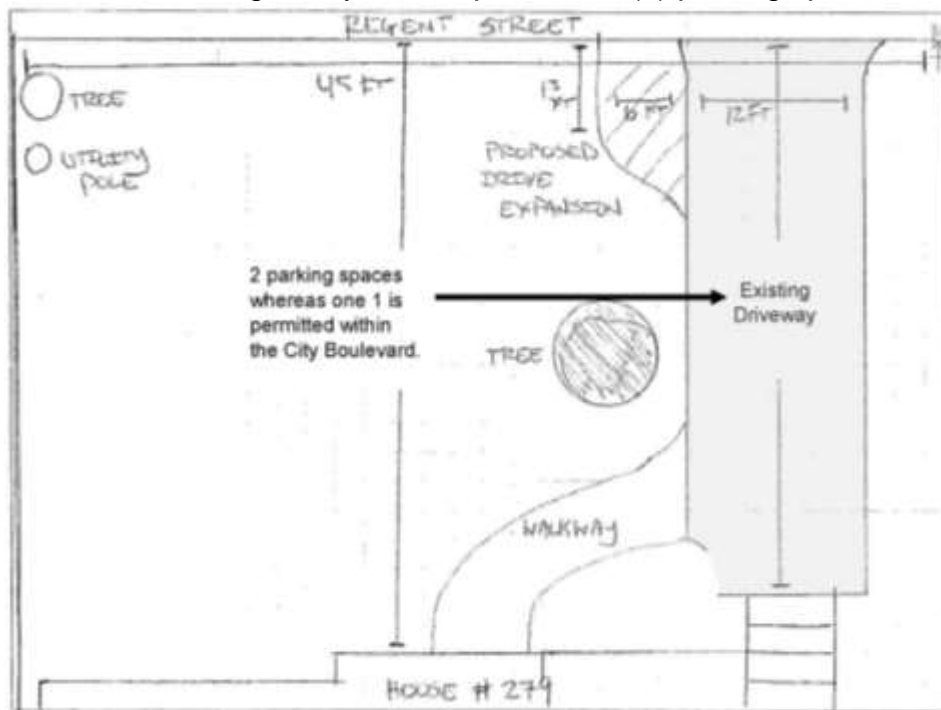


Figure 3. Conceptual Site Plan indicating the location of the driveway.

On December 12, 2019, surrounding property owners, departments internal to the City of London, and external agencies were notified of the application for residential boulevard parking. They were invited to comment on such matters as part of their response to the application.

Comments were received from Development Services' Heritage Planner and London Hydro. Respondents had no objection to the application.

## EVALUATIVE FRAMEWORK

London's Council Policy Manual is a compilation of policies that have been adopted by Municipal Council over a number of years. Included in the Council Policy Manual is Council's Residential Front Yard and Boulevard Parking Policy ("Policy"). The policy sets out Municipal Council's position with respect to the creation of front yard and boulevard parking for residential purposes. Boulevard parking is allowed only on an "exception basis" because the City of London Zoning By-law No. Z.-1 that permits required parking only in the interior side yard or rear yard for many residential zones. Section 4.2. of the Council policy outlines criteria for considering such exceptions, in addition to parking standards and an approval process. They include:

- No parking area alternatives are available;
- The parking area exception conforms to the general intent and purpose of the Official Plan policies and Zoning By-law regulations;
- The parking area exception is generally in compliance with the purpose and intent of the Streets By-law;
- The change to the Zoning By-law regulations for the residential parking area is minor;
- The parking area is generally in keeping with the scale and form of parking on surrounding properties and will have minimal negative impact on existing vegetation and/or municipal services.

## ANALYSIS

### Criteria A: No Suitable Alternative

A suitable alternative to parking within the City Boulevard, as per Section 4.2.1. of the Council Policy, may include tandem parking in a legal existing driveway, the use of a rear service lane, the removal of, alteration to or relocation of accessory buildings or structures, fences and landscape, and/or side or rear yard parking.

Aside from the existing driveway in the City Boulevard, there presently exists no circumstances through which the applicant can accommodate parking entirely on private property. The east and west interior side yards are too narrow to accommodate parking in the side yards. Accordingly, parking in the rear yard cannot be accessed from the side yards, nor is there a service lane abutting the subject lands to provide access to parking in the rear yard.

Criteria B: Conforms to the General Intent and Purpose of the Official Plan and Zoning By-law

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority of which is in force and effect). The London Plan policies under appeal to the Local Planning Appeals Tribunal (Appeal PL170100) and not in force and effect are indicated with an asterisk (\*) throughout this report. The London Plan policies under appeal are included in this report for informative purposes indicating the intent of City Council, but are not determinative for the purposes of this application.

The Subject Lands are located within the \*Neighbourhoods Place Type with frontage on a \*Neighbourhood Street (Regent Street) on \*Map 1 – Place Types in The London Plan. The Subject Lands are also located within the Low Density Residential designation on Schedule “A” – Land Use in the 1989 Official Plan. Both the \*Neighbourhoods Place Type and the Low Density Residential designation contemplate a range of low rise residential uses including, among others, single detached dwellings and accessory structures (The London Plan, \*Table 10; 1989 Official Plan Section 3.2.1.).

With respect to parking areas, \*Policy 272\_ of The London Plan directs that parking areas be strategically located to minimize associated impacts on the public realm, and that surface parking in particular should be located in the rear yard or interior side yard. The transportation objectives identified in the 1989 Official Plan indicate that motor vehicle and bicycle parking facilities are to be appropriately located, adequate for the uses they support, and compatible with adjacent land uses (1989 Official Plan, Chapter 18).

The Subject Lands are zoned Residential R1 Special Provision (R1-5(3)) within the City of London Zoning By-law No. Z.-1. The City of London Zoning By-law No. Z.-1 regulates the location and number of parking spaces required for any permitted uses. Section 4.19 4) a) permits required parking to be located in the front or interior side yard only in the Residential R1 Zones. Section 4.19 10)(b) requires a minimum of two (2) parking spaces per single detached dwelling in Parking Standard Area 3. Although the Zoning By-law requires a minimum of two (2) parking spaces per single detached dwelling in Parking Standard Area 3, the absence of parking on the subject lands is recognized as an existing site condition that is non-conforming to the Zoning By-law and allowed with the continued uses of the subject lands for a single-detached dwelling. The requested boulevard parking permit is not required to comply with the Zoning By-law.

The applicant has requested permission to legally establish two (2) parking spaces within the existing driveway located within the City Boulevard. Council’s Residential Front Yard and Boulevard Parking Policy contemplates only one (1) parking space per dwelling unit in Section 4.2.3. (a). The intent of the policy is to protect the character and aesthetic of residential neighbourhoods from the visual impacts of surface parking. Front yards and boulevard areas that are not utilized as roadways or sidewalks are intended to provide for landscaped open space and amenity features.

The requested number of parking spaces does not conform to the general intent and purpose of the Official Plan with respect to minimizing impacts on the streetscape and minimizing the amount of parking so that the parking is adequate for the intended use of



the property but not excessive. The requested number of parking spaces is also inconsistent with Council's direction under the Residential Front Yard and Boulevard Parking policy.

Criteria C: Compliance with the Purpose and Intent of the Streets By-law

The shape and size of the parking space is consistent with requirements of the Streets By-law. The parking space does not infringe on adjacent infrastructure or sidewalks. Transportation Planning and Design has not indicated any concerns or negative impacts on infrastructure. Additionally, permission to widen the driveway has been granted by Development and Compliance Services. London Hydro had no objection to the application.

Criteria D: Minor in Nature

The request for two (2) parking space goes beyond Council's established policy to permit a maximum of one (1) parking space per legal dwelling unit as an exception to the permitted location for required parking in the Zoning By-law. While Development Services would be in support of one (1) parking space within the boulevard, the request for two (2) is not considered minor in nature.

Criteria E: In Keeping with the Scale and Form of Parking on Surrounding Properties and Will Have Minimal Negative Impacts

The immediate neighbourhood is characterized by single detached dwellings on a tree-lined neighbourhood street. Long driveways are noticeable along Regent Street, as houses are located at a distance from the Regent Street centreline due to the width of the boulevard portion of Regent Street.

Parking conditions on the south side of Regent Street reflect the issues affecting the Subject Lands. Several properties with frontage on the south side Regent Street are insufficiently wide to accommodate a garage or side or rear yard parking. The prevailing lot fabric of narrow and deep lots with large dwellings spaced tightly together can be attributed to the pattern and style at the time of development.

Parking within the boulevard is in keeping with the scale and form of parking on surrounding properties. Moreover, the driveway is a long-existing feature of the Subject Lands. Establishing a legal parking space within the driveway is not anticipated to negatively impact neighbouring uses.

**CONCLUSION**

The applicant has demonstrated that there exists no suitable alternative available to facilitate parking on the subject lands and that parking within the boulevard is in keeping with the scale and form of the immediate neighbourhood. Furthermore, the request for a boulevard parking agreement is in compliance with the Streets By-law.

However, the request for two (2) parking spaces within the City Boulevard does not conform with the general intent and purpose of the Official Plan with respects to minimizing the impacts of parking on the streetscape, and providing for adequate, but not excessive parking; nor is it consistent with Council's direction under the Residential Front Yard and Boulevard Parking policy. The request for two (2) parking space goes beyond Council's established policy to contemplate one (1) parking space per legal dwelling unit as an exception to the permitted location for required parking in the Zoning By-law. Therefore, the request is not considered a minor change to the regulations for residential parking areas in the Zoning By-law. While Development Services would be in support of one (1) parking space within the City Boulevard, the request for two (2) parking spaces is not considered appropriate.

**REFERENCE DOCUMENTS**

City of London. The London Plan, December 2016.

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

City of London. Zoning By-law No. Z.-1, July 1, 1993, as amended.

City of London. By-law No. CPOL.-223-476 Residential Front Yard and Boulevard Parking, September 19, 2017, as amended.