

Bill No. 275
2020

By-law No. Z.-1-20_____

A by-law to amend By-law No. Z.-1 to remove references to 1989 Official Plan and add references to *The London Plan*.

WHEREAS the February 7, 2020 decision of the Local Planning Appeal Tribunal has brought the majority of *The London Plan* policies into force and effect;

AND WHEREAS the City of London has applied to amend various sections of Zoning By-law Z.-1 to remove references to the 1989 Official Plan and add references to *The London Plan*;

AND WHEREAS this rezoning conforms to the London Plan;

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

1. Section 3.8.2, Holding “h” Zones, Holding Zone Provisions to By-law No. Z.-1 is amended by making changes as follows:

i. The h-2 section is deleted and replaced as follows:

h-2 Purpose: To determine the extent to which development will be permitted and ensure that development will not have a negative impact on relevant components of the Natural Heritage System of the Official Plan, an agreement shall be entered into specifying appropriate development conditions and boundaries, based on an Environmental Impact Study or Subject Lands Status Report that has been prepared in accordance with the provisions of the Official Plan and to the satisfaction of the City of London, prior to removal of the "h-2" symbol. (Z.-1-051390)

2. Section 3.8.2, Holding “h” Zones, Holding Zone Provisions to By-law No. Z.-1 is amended by making changes as follows:

i. The h-4 section is deleted and replaced as follows:

h-4 Purpose: To refine the One Hundred Year Erosion Limit of the Official Plan, assess the potential impacts of development and identify measures to avoid or address potential erosion/slope instability hazards, an agreement shall be entered into specifying appropriate development conditions and boundaries, based on a geotechnical study that has been prepared in accordance with the provisions of the Official Plan and to the satisfaction of the City of London, prior to removal of the "h-4" symbol. (Z.-1-051390)

3. Section 3.8.2, Holding “h” Zones, Holding Zone Provisions to By-law No. Z.-1 is amended by making changes as follows:

i. The h-14 section is deleted and replaced as follows:

h-14 Purpose: To ensure the orderly development of lands for access to an arterial road, the "h-14" symbol shall not be deleted until vehicle access is provided to an arterially designated road across lands planned for use as a regional facility.

4. Section 3.8.2, Holding “h” Zones, Holding Zone Provisions to By-law No. Z.-1 is amended by making changes as follows:

i. The h-66 section is deleted and replaced as follows:

h-66 Purpose: To encourage high quality urban design for new infill residential development, satisfactory compliance with Council approved site specific design guidelines, adopted under the Official Plan, will be

assessed during the site plan approval/review process. A site plan application; including the site plan, building elevations and landscaping plan; will be submitted in conformity with these site specific urban design guidelines and a development agreement drafted acceptable to the City of London prior to the removal of the "h-66" symbol. (Z.-1-061479)

5. Section 3.11 Map Details, to By-law Z.-1 is amended by making changes as follows:

i. The section is deleted and replaced as follows:

Any street or other names, property boundaries, municipal numbers or physical features on key map grid patterns shown on the maps are for reference purposes only. The shaded areas contained on the base maps of Schedule "A" Zone Maps are for reference purposes only, to assist property owners in knowing if their lands are affected by the Conservation Authorities Act or are identified as extractive industrial areas or aggregate resource areas. The lands in the Byron Gravel Pits area shaded on Key Maps 126 and 127 have been identified as areas containing aggregate resources that are presently licensed or that may be licensed for future aggregate extraction. Policies pertaining to the extraction of aggregate resources in the City of London are contained in the Natural Resources Chapter of the Official Plan. The lands so shaded on all other key maps lie within the flood fringe of the Thames River and at a minimum may require floodproofing and/or safe access before any development or redevelopment may occur. Approvals pursuant to the Conservation Authorities Act, will be required. (Z.-1-94236) (Z.-1-021019)

6. Section 4.8, Group Homes, to By-law Z.-1, is amended by making changes as follows:

i. The first paragraph is deleted and replaced as follows:

Notwithstanding any other provision of this By-law to the contrary, a Group Home Type 1 is permitted to occupy the whole of an individual dwelling unit, other than dwelling units located within farmland areas, including a single detached dwelling, a semi-detached dwelling, a duplex dwelling, and a triplex dwelling provided the total number of residents within the building structure does not exceed eight, The dwelling must have 20.0 square metres (216 sq. ft.) of gross floor area per person residing within the unit.

7. Section 5.1, General Purpose of the R1 Zone to By-law No. Z.-1 is amended by making changes to the second paragraph:

i. The second paragraph is deleted and replaced as follows:

The R1-14, R1-15 and R1-16 Zone variations are generally applied to existing residential lots on individual services in rural areas. The R1-17 Zone variation is typically applied to large existing lots in these rural areas. (O.M.B. File #R910387 - Appeal #9008 June 4, 1993) (Z.-1-00759) (Z.-1-051318) (Z.-1-051390)

8. Section 17.1, General Purpose of the OC Zone to By-law No. Z.-1 is amended by making changes to the second paragraph:

i. The second paragraph is deleted and replaced as follows:

The OC1, OC2 and OC3 Zones accommodate office conversions in the areas where the Official Plan policies require that a residential component be maintained in the structure by requiring the retention of at least one dwelling unit in the existing residential building. The OC4, OC5 and OC6 Zone variations provide for a choice of uses in existing buildings. The OC7 and OC8 zone variations permit an even broader range of uses in existing buildings and are restricted in their application to the Talbot Neighbourhood, as directed by the "Talbot Mixed-Use Area" policies in the Neighbourhoods policies of The London Plan.

9. Section 18.1, General Purpose of the RO Zone to By-law No. Z.-1 is amended by making changes as follows:

- i. The section is deleted and replaced as follows:

This Zone provides for and regulates new office uses outside of the Downtown area in small-scale office buildings. The range of office uses and secondary uses which are provided for in the Official Plan have been differentiated on the basis of function, intensity and potential impacts.

There are different RO Zone variations to accommodate a range of office uses. An expanded range of uses and/or more intensive use of a site may be permitted at appropriate locations through the use of zone variations. The RO3 Zone variation is limited in its application to the Talbot Neighbourhood, as directed by the "Talbot Mixed-Use Area" policies in the Neighbourhoods policies of The London Plan.

10. Section 19.1 General Purpose of the OF Zone to By-law No. Z.-1 is amended by making changes as follows:

- i. The first paragraph is deleted and replaced as follows:

This Zone provides for and regulates new office uses outside of the Downtown area in small to medium scale office buildings. The range of office uses and secondary uses which are provided for in the Official Plan have been differentiated on the basis of function, intensity and potential impacts.

11. Section 21.1, General Purpose of the Regional Shopping Area Zone to By-law No. Z.-1 is amended by making changes as follows:

- i. The section is deleted and replaced as follows:

The RSA Zone primarily recognizes lands planned for use as enclosed regional shopping centres. The RSA Zone provides for and regulates a wide range of regional-scale, specialized, comparison shopping retail and personal service uses, as well as some office, commercial recreation and community facilities uses, which are suited to a location within an enclosed shopping centre building. Limits are placed on the amount of office and entertainment space. Other shopping centre and stand-alone buildings are allowed on a limited basis normally near the perimeter of the property to satisfy urban design goals to create a street edge and screen large surface parking lots. The permitted uses are the same for all RSA Zone variations, however, variations of the zone occur based on maximum permitted gross leasable floor area.

12. Section 22.1, General Purpose of the CSA Zone to By-law No. Z.-1 is amended by making changes as follows:

- i. The first paragraph is deleted.
- ii. The second paragraph is deleted and replaced as follows:

The CSA zone is typically applied to community-scale commercial lands. CSA zone provides for and regulates a wide range of community-scale retail and personal service uses, as well as some office, commercial recreation, community facilities and commercial school uses, which serve the needs of the community or a number of neighbourhoods located within convenient walking and/or driving distance. Either enclosed or unenclosed shopping centres are the permitted form of development. Stand-alone buildings which are not part of a shopping centre may also be permitted at appropriate locations normally near the perimeter of the property to satisfy urban design goals to create a street edge and screen large surface parking lots. The CSA6 Zone variation is used for this purpose. The permitted uses are the same for all CSA Zone variations; however, variations of the zone are differentiated based on maximum permitted

gross leasable floor area. High density intensity residential uses may also be permitted by applying a Residential R8 or Residential R9 Zone.

13. Section 23.1, General Purpose of the NSA Zone to By-law No. Z.-1 is amended by making changes as follows:

- i. The first paragraph is deleted.
- ii. The second paragraph is deleted and replaced as follows:

The NSA Zone is typically applied to neighbourhood-scale commercial lands. The NSA zone provides for and regulates a range of neighbourhood-scale retail, personal service and office uses which are primarily intended to provide for the convenience shopping and service needs of nearby residents. Zone variations of the zone are differentiated based on uses and maximum permitted gross leasable floor area for certain defined uses. Shopping centres are the permitted form of development; however, stand-alone buildings may also be permitted at appropriate locations normally near the perimeter of the property to satisfy urban design goals to create a street edge and screen parking lots. The NSA5 Zone variation is used for this purpose. A limited range of automotive uses may be permitted by using the Automobile Service Station (SS) Zone. High density and medium density residential uses may also be permitted by applying the appropriate zone.

14. Section 24.1, General Purpose of the ASA Zone to By-law No. Z.-1 is amended by making changes as follows:

- i. The first paragraph is deleted.
- ii. A new final paragraph (second paragraph) is added as follows:

The variations generally group uses as follows: in the ASA1 (retail/convenience/personal service), ASA2 (retail/semi light industrial), ASA3 (offices), ASA4 (community facilities), ASA5 (automotive), ASA6 (large traffic generating uses), ASA7 (theatres) and ASA8 (large format retail) Zone variations.

15. Section 25.1, General Purpose of the BDC Zone to By-law No. Z.-1 is amended by making changes as follows:

- i. The first paragraph is deleted and replaced as follows:

The BDC Zone is typically applied to corridors with a main street character. This Zone provides for and regulates a mix of retail, restaurant, neighbourhood facility, office and residential uses located along pedestrian-oriented business districts in older parts of the City and in hamlets or small business areas in rural areas. Normally buildings are located near the street line with parking to the rear. The uses in this zone, which are intended to provide for the shopping needs of nearby residents, and cater to certain specialty shopping needs, have been differentiated on the basis of their function, intensity and potential impacts. (Z-1-051390)

16. Section 26.1, General Purpose of the AC Zone to By-law No. Z.-1 is amended by making changes as follows:

- i. The first sentence of the first paragraph is deleted, so that the first paragraph is as follows:

This Zone provides for and regulates a mix of small scale retail, office, personal service and automotive uses located along arterial roads which serve both vehicular and pedestrian trade. This zone tends to be applied in older areas of the City where auto-orientated uses have existed for some time and in areas along arterial roads that serve both a local and broad market area. The uses of this zone, which reflect the nature of existing development in an area, have been differentiated on the basis of their function, intensity and potential impacts.

17. Section 27.1, General Purpose of the HS Zone to By-law No. Z.-1 is amended by making changes as follows:

- i. The first sentence of the first paragraph is deleted, so that the first paragraph is as follows:

This Zone provides for and regulates a range of commercial and service uses which cater to the needs of the travelling public. They tend to be located on major arterial roads with high traffic volumes at major entrances to the City. Offices are not generally permitted.

18. Section 28.1, General Purpose of the RSC Zone to By-law No. Z.-1 is amended by making changes as follows:

- i. The first sentence of the first paragraph is deleted, so that the first paragraph is as follows:

This Zone provides for and regulates a range of moderate intensity commercial uses, and trade service uses, which may require significant amounts of land for outdoor storage or interior building space and a location on major streets.

19. Section 36.1, General Purpose of the OS Zone to By-law No. Z.-1 is amended by making changes as follows:

- i. The third paragraph is deleted and replaced as follows:

The OS5 Zone variation applies to important natural features and functions that have been recognized by Council as being of City-wide, regional, or provincial significance and identified as components of the Natural Heritage System of the Official Plan. In order to protect the identified features and functions, permitted activity is limited to a range of low-impact uses associated with passive recreation, conservation and ecosystem management. Development and site alteration is permitted only if it has been demonstrated through an appropriate study that there will be no negative impacts on the features and functions for which the area has been identified. (Z.-1-94236) (Z-1-051390)

20. Section 37.1, General Purpose of the ER Zone to By-law No. Z.-1 is amended by making changes as follows:

- i. The section is deleted and replaced as follows:

This Zone applies to Environmental Review areas of the Official Plan which are intended to remain in a natural condition until their significance is determined through the completion of more detailed environmental studies. In order to protect the potentially significant features and functions of Environmental Review areas of the Official Plan, permitted activity is limited to a range of uses associated with passive recreation, conservation and sustainable forest management. The ER Zone permits a range of low-impact uses that are similar to those permitted under the Open Space (OS5) Zone variation. In some instances Environmental Review lands of the Official Plan abut stream corridors for which floodplain mapping has not been completed. Much of this land is used for agricultural purposes and the Official Plan permits agriculture in Environmental Review lands. If necessary, existing uses and associated development regulations will be recognized on a site specific basis through the use of Special Provisions.

21. Section 40.1, General Purpose of the LI Zone to By-law No. Z.-1 is amended by making changes as follows:

- i. The section is deleted and replaced as follows:

This Zone provides for and regulates a range of industrial and associated secondary uses. In addition to the uses permitted in the LI1 Zone variation, an expanded range of industrial and complementary uses may be permitted, at appropriate locations, through other zone variations. A limited range of convenience, medical/dental and automotive uses may be

permitted in association with industrial uses or by compounding with the Convenience Commercial (CC) and/or Automotive Service Station (SS) Zones. The LI10 zone variation will be applied to permit Self-storage Establishments where an approved secondary plan of the City of London indicates that the Light Industrial area is intended to transition out of industrial use. (Z.-1-132230)

22. Section 45.1, General Purpose of the AG Zone to By-law No. Z.-1 is amended by making changes as follows:

- i. The first paragraph is deleted and replaced as follows:

The Agricultural Zone is intended to be applied to agricultural and farmland areas. The creation of properties less than 40 ha (98.8 ac) in size is not permitted. The AG1 Zone variation permits a wide range of non-intensive agricultural uses whereas the AG2 Zone variation permits intensive and non-intensive agricultural uses. The AG3 Zone variation is intended to be compounded with other AG Zone variations where appropriate to permit secondary farm occupations. The AG4 Zone variation recognizes existing single detached dwellings in the rural area which may or may not have agricultural uses associated with them. The intent is that no new AG4 Zone variations will be created. The AG5 Zone variation is intended to be compounded with other AG Zone variations where appropriate to permit secondary farm dwellings.

23. Section 47.1, General Purpose of the RRC Zone to By-law No. Z.-1 is amended by making changes as follows:

- i. The section is deleted and replaced as follows:

This zone provides for a limited range of commercial uses that serve the surrounding rural area. This zone can be combined with the Neighbourhood Facility (NF) Zone to also permit a limited range of small-scale facility uses. Lot area and lot frontage requirements are higher because in the short term no public services will be available and private sewer septic systems will be required. Yard requirements are also higher and combined with site plan control will minimize any impacts.

24. Section 48.1, General Purpose of the TGS Zone to By-law No. Z.-1 is amended by making changes as follows:

- i. The first paragraph and second paragraph are deleted and replaced as follows:

This zone provides for and regulates garden suites on a temporary basis in accordance with Section 39 (Temporary Use Provisions) of the Planning Act and the Official Plan. This zone permits garden suites for a specified period of time after which the Temporary Garden Suite (TGS) Zone symbol is removed and reverts back to the compound zone(s). This zone must be compounded with another zone. Extensions are provided for in the Planning Act.

Garden suites are subject to the regulations contained in Zoning By-law Section 45.3.3 (Secondary Farm Occupations) and require an agreement, through Section 207.2 of the Municipal Act, with the City dealing with such issues as number of residents, servicing details, removal of unit etc.

25. Section 50.1, General Purpose of the T Zone to By-law No. Z.-1 is amended by making changes as follows:

- i. The section is deleted and replaced as follows:

This zone provides for and regulates temporary uses in accordance with Section 39 of the Planning Act. This zone permits temporary uses for a specified period of time after which the Temporary (T-____) Zone symbol and text are removed and revert back to the main zone. It is not intended that a temporary zone will permanently establish a use on a property. The

establishment of a temporary use permanently on a property can only occur by way of a zoning by-law amendment under Section 34 of the Planning Act. In the event of a conflict between the provisions of this Section and the provisions of the main zone, the provisions of this Section shall apply. (Z.-1-93214)

26. Section 51.1, General Purpose of the WRM Zone to By-law No. Z.-1 is amended by making changes as follows:

i. The section is deleted and replaced as follows:

The Waste and Resource Management Zone is intended to be applied to lands within the rural area of the City of London, which are planned for use as waste management resource recovery area. This Zone provides for and regulates a range of waste management and resource recovery uses which shall be permitted by site specific zoning, subject to the criteria in the Plan. Farm dwellings and secondary farm dwellings shall not be permitted within this area.

27. 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 15, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 15, 2020
Second Reading – September 15, 2020
Third Reading – September 15, 2020