

Bill No. \_\_\_\_  
2013

By-law No. C.P-

A by-law to establish interim control provisions for the City of London to prohibit a change in use of lands in the Blackfriars area for an interim period of one year in order to allow the completion of a planning study on the potential regulations for changes in use.

WHEREAS subsection 38 of the *Planning Act*, R.S.O. 1990 c. P.13, as amended, permits the Council of a municipality to pass an interim control by-law where the Council has directed that a review or study be undertaken in respect of land use planning policies within the municipality or in any defined area or areas thereof;

AND WHEREAS Section 19.9.1 of the City of London Official Plan allows for the passing of an interim control by-law;

AND WHEREAS Council of the Corporation of the City of London deems it appropriate to enact such interim control by-law;

AND WHEREAS a land use study is necessary to determine the appropriate intensity and form of residential development within the area of the City as shown by the heavy black line and cross-hatching on Schedule "A" attached hereto;

AND WHEREAS the Council of the Corporation of the City of London deems it expedient and in the public interest to prohibit the change in use of lands, buildings and structures for such purposes, or except for such purposes, as described in this by-law in the area of the City shown by the heavy black line and cross-hatching on Schedule "A" attached hereto other than those uses lawfully being carried out on the date of the passage of this interim control by-law in order to allow the municipality to review and, if deemed appropriate, implement the findings of the said study;

AND WHEREAS the proposed interim control by-law conforms to the City of London Official Plan;

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

1. Notwithstanding the permitted uses and regulations of By-law Z-1, as amended, no person shall erect or use any building or structure or use any land or cause or permit any building or structure to be erected or used or cause or permit any land to be used within the area of the City shown by the heavy black line and cross-hatching on Schedule "A" attached hereto and forming part of this by-law for any purpose except :

- a. for the continued use of a building or structure lawfully existing on the date that this by-law is enacted, provided such use is a permitted use in that building or structure under By-law Z-1, as amended; or
- b. for a lawful non-conforming use in accordance with section 34(9) of the *Planning Act*, or
- c. as permitted in sections 2 and 3 of this by-law.

2. The repair or renovation of a building or structure zoned Residential R2 (R2-2) lawfully existing on the date that this by-law is passed is permitted within the area shown by the heavy black line and cross-hatching on Schedule "A" attached hereto and forming part of this by-law provided:

- a. such repair or renovation is in respect of building is for a use that is a permitted use of that building or structure under By-law Z-1 as amended and such use was in existence on the day of the passage of this by-law or a lawful non-conforming use in accordance with section 34(9) of the Planning Act; and
- b. such repair or renovation does not have the effect of changing the use or increasing the existing Gross Floor Area of the building by more than 10%, existing Gross Residential Floor Area of the building by more than 10%, or increasing the existing lot coverage of the building or structure by more than 10%.

3. The erection of building and the use of a building in conformity with the By-law Z.-1, as amended, is permitted within the area shown by the heavy black line and cross-hatching on Schedule "A" attached hereto and forming part of this by-law provided:

- a. such building is for a use that is a permitted use and in accordance with the regulations under By-law Z-1 as amended and such use was in existence on the day of the passage of this by-law or a lawful non-conforming use in accordance with section 34(9) of the Planning Act; and
- b. in addition to the regulations of Table 6.3, Residential R2 Zone Regulations for R2 Zone Variations, the following regulations shall apply:
  - i) Lot coverage: no greater than 110% of the lot coverage of any building or structure which previously existed on the lot;
  - ii) Gross Floor Area: no greater than 110% of the gross floor area of any building that previously existed on the lot; and
  - iii) Gross Residential Floor Area: no greater than 110% of any building that previously existed on the lot.

4. Unless otherwise provided, the definitions in Section 2 of By-Law Z-1 shall apply to any terms used in this by-law which are defined in Section 2 of By-law Z-1.

5. Where there is a conflict between the provisions of this by-law and any other By-law of The Corporation of the City of London the provisions of this by-law shall prevail.

6. This by-law shall be in force and effect for a period of one year from the date of passing of this by-law.

PASSED in Open Council on

Joe Fontana  
Mayor

Catharine Saunders  
City Clerk

First Reading –  
Second Reading –  
Third Reading –

