

Housekeeping Amendment to Sections 2 and 4 of Zoning Bylaw Z.-1

The following table outlines proposed amendments to the Zoning Bylaw. Text is bold for added text and strikethrough for deleted text. Rationale for each amendment is provided in the third column. The recommended by-law attached as Appendix A includes the final clean text recommended to be included in the Zoning Bylaw.

Section Number	Proposed Change	Rationale for Proposed Change
2	“OBLIGATED ORGANIZATION” means the Government of Ontario, the Legislative Assembly, a designated public sector organization, a large organization, and a small organization, as outlined in the Accessibility for Ontarians with Disabilities Act (AODA).	Add definition of “obligated authority” under the Accessibility for Ontarians with Disabilities Act (AODA) to clarify accessible parking requirements for smaller scale developments.
2	“MAJOR STREET” means an Arterial Road, and a Rapid Transit Boulevard, Civic Boulevard, Urban Thoroughfare, or Main Street as identified in The London Plan.	Add definition to assist in transitioning from old to new street classification system.
2	“ACCESS CONTROL RESERVE” means a municipally-owned parcel of land used to control access to a right of way. For the purpose of this by-law an access control reserve shall not be considered as a lot.	New definition to clarify where a one-foot reserve exists, the abutting lot should treat it as a right-of-way and not an intervening property (e.g., exterior side yard depths, not interior).
2	b) fronts an open street and is a separate parcel of land without any adjoining lands being owned by the same owner or owners as at the date of the passing of this By-Law, but does not include an ACCESS CONTROL RESERVE; or	Companion amendment to the new definition for 'Access Control Reserve'.
2	"CLINIC" means a building or part thereof, other than a hospital, used by medical doctors, dentists, optometrists, podiatrists, chiropractors and/or drugless practitioners, the practice of health discipline, radiological technicians, registered psychologists and their staff for the purpose of public or private medical, surgical, physiotherapeutic or human health and may include administrative offices, waiting rooms, treatment rooms, laboratories, ophthalmic dispensers, pharmacies, blood donor facilities, specimen collection centres and dispensaries directly associated with the facility, but does not include overnight accommodation or operating rooms and does not include a CLINIC, METHADONE." "CLINIC, OUTPATIENT" means a clinic where day surgery and medical treatment is performed; however, no overnight accommodation shall be provided.	Bill 60 introduced the <i>Integrated Community Health Services Centres Act, 2023</i> which, among other things, allows for an expanded range of surgeries to occur at clinics, outside of hospitals. This would in some cases include overnight stays while recovering.
2	“SHIPPING CONTAINER” means a pre-manufactured (primarily of metal) box that is designed to facilitate the transportation of goods by one or more means of transportation and includes (but is not limited to) intermodal shipping containers and transport box trailers, and does not include containers that have been modified to be used as habitable space.	Clarifies definition of shipping container to not include habitable space.

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2	<p>"PUBLIC USE", when used in reference to a building, structure, use or lot, means a building, structure, use or lot used by a public agency to provide a service to the public. Public agencies comprise:</p> <p>a) the Government of Canada, the Government of Ontario, or a municipal corporation;</p> <p>b) any ministry, department, commission, authority, board or agency established by the Government of Canada, or the Government of Ontario, or a municipality; or</p> <p>c) any public utility.</p>	Provides flexibility for interpreting public uses to include agencies, boards and commissions of the City, including for example, London Middlesex Community Housing.
4.1 2)	<p>LOT COVERAGE</p> <p>The total lot coverage of all accessory buildings or structures on a lot shall not exceed 10 percent (10%) of the lot area of the said lot. In agricultural zones the size of accessory buildings is limited to 25% of the size of the main farm dwelling excluding main farm buildings such as barns, greenhouses, stables and driving sheds. The percent coverage's of accessory buildings and structures are included in the percentage total coverage permitted on a lot.</p>	Remove 'main farm' for clarification and interpretation.
4.1 4) a)	a) no accessory building or structure shall be permitted within a required front yard or the required exterior side yard;	Clarification and interpretation.
4.1 4) b)	b) when such accessory building or structure is within a residential zone and is located in an interior side yard or a rear yard, it shall be no closer than 0.6 metres (2.0 feet) to the side lot line and rear lot line. Where the height exceeds 4.0 metres (13.1 feet) but in no case more than 6 metres (19.7 feet), the side and rear lot line setback shall be increased by the difference in the height above 4.0 metres (13.1 feet);	Added: "within a residential zone and is" to clarify confusion, because the following policy 4.1 4) c) says "...within a non-residential zone and is..." which makes this policy only applicable to residential sites. However, if someone read this policy in isolation, they may miss this discrepancy.
4.1 4) d)	d) when such accessory building or structure is wholly or partly located in an exterior side yard, or a rear yard abutting a street, the minimum setback shall not be less than the required front exterior side yard setback for the zone in which the lot is located;	Clarification and interpretation.
4.9	Any height limitations of this By-Law shall not apply to place of worship spires, belfries, cupolas, mechanical penthouses, outdoor rooftop amenity space and domes which are not used for human occupancy; nor to chimneys, ventilators, skylights, water tanks, solar collectors, windmills, bulkheads, hydro, radio, television or microwave towers and antenna and similar features or necessary mechanical appurtenances or electrical supply facilities usually situated above the roof level; nor to any industrial apparatus such as silos, cracking towers, or conveyors; nor any main agricultural buildings or structures, such as barns, grain elevators and storage bins, grain dryers or windmills. Such features, however, shall be erected only to such height as is necessary to accomplish the purpose they are to serve	Exempts outdoor rooftop amenity space from being included in 'height'
4.19 6) b)	b) For uses subject to site plan control, the driveway widths shall be determined in the site	Reduction to permit minimum (6.5m) parking

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	<p>plan approval process and agreement. For uses other than those described in Subsection 4.19(6)(a) and not subject to site plan approval, parking aisles shall have a minimum unobstructed width of 6.5m, driveways and parking aisles shall have a minimum unobstructed width of 6.0 metres where two-way traffic is permitted and 3.0 metres (9.8 feet) where only one-way direction of traffic flow is permitted and is clearly indicated by signs, pavement markings or both but does not apply to stacked parking.</p> <p>The minimum unobstructed width for driveways leading to a rear yard parking area for residential uses less than five (5) units is 3.0 metres, except where the property is accessed from an arterial road (major street), in which case a minimum driveway width of 6.0 metres is required.</p>	<p>aisle width consistent with transportation guidelines.</p> <p>Reduction to permitted minimum (6.0m) driveway where site plan is no longer required, consistent with transportation guidelines.</p> <p>Introduce flexibility for new or expanded multi-unit residential development up to four units to not require a two-way driveway and to avoid variances for driveway width where site plan is no longer required.</p> <p>New regulation excludes development on arterial roads where reversing onto the street is unsafe in the event of an ingress/egress conflict.</p>
4.19 10) b)	Mental Medical/Dental	Replaces typological error within table 2 times - pg 103.
4.19 10) c)	Where parking spaces are provided, in any development owned and maintained by an obligated organization under the Accessibility for Ontarians with Disabilities Act , accessible parking spaces shall also be provided. Off street parking areas shall have a minimum number of accessible parking spaces as follows:	<p>Amend for clarification to reflect requirements of <i>Accessibility for Ontarians with Disabilities Act (AODA)</i>. Accessible parking space minimums apply only to developments owned and maintained by obligated organizations and not to all development. Clarifies that small-scale developments owned by an individual versus being owned and maintained by a company do not require Type A accessible spaces.</p> <p>Definition of 'Obligated Organization' also added with reference to AOD Act, in the event this definition changes.</p>
4.19. 14) a) i)	Apartment buildings and lodging houses (with five eleven or more residential units) shall provide 1.0 bicycle parking space per residential unit, allocated as 0.9 long-term bicycle parking spaces per dwelling unit and 0.1 short-term bicycle parking spaces per unit.	<p>Revise to require bicycle parking spaces where site plan is required for eleven or more units, consistent with the intent of Bill 23.</p> <p>Revise wording for clarity between long-term spaces and short-term spaces whereas the current wording makes the allotment unclear whether to round or not.</p>
4.19. 14) a) iii)	iii) Cluster single detached dwellings with eleven or more residential units, cluster townhouse dwellings with eleven or more	Add short-term bicycle parking requirement for cluster single-detached

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	<p>residential units and cluster stacked townhouse dwellings with eleven or more residential units, shall provide 0.1 short-term bicycle parking spaces per dwelling unit.</p>	<p>and cluster townhouse developments with eleven or more units.</p> <p>Short term bicycle parking required only, the expectation is that long-term would be located within individual units and/or garages.</p>
4.19. 14) b)	<p>Residential Development Exemptions:</p> <p>Notwithstanding clause 4.19.14.a) to the contrary, bicycle parking shall not be required for Conversions of existing space to residential units, or where there are ten (10) or less residential units on a property. Single detached dwellings; semi-detached dwellings; duplex dwellings; triplex dwellings; fourplex dwellings; townhouse dwellings; stacked townhouse dwellings; street townhouses; cluster townhouses; farm dwellings.</p>	<p>Exemption for bicycle parking requirements for all developments not subject to site plan approval for consistency and to remove cluster singles and townhouses.</p>
4.19 14) c)	<p>Mental Medical/Dental</p>	<p>Replaces typological error within table 2 times</p>
4.21	<p>Wager Road CN Rail Right of Way</p>	<p>Replace Wager Road with CN Rail Right of Way in third column of table (page 121). Wager Road does not exist.</p>
4.23 1. a)	<p>a) The Maximum Front and Exterior Side Yard setbacks shall be established as follows:</p> <p>i. 6.0 metres; for front and/or exterior side yards adjacent to arterial roads (major streets);</p> <p>ii. the average setback of the two (2) closest residential buildings to the subject site oriented to the same street, within the same block, on the same side of the street;</p> <p>ii. where the setbacks of the two (2) closest buildings to the subject site from (i) above differ by 5.0 metres or greater the average of the four (4) closest residential buildings oriented to the same street, within the same block, on the same side of the street;</p> <p>iii. 6.0m where the subject site is within a block with fewer than two the required number of existing residential buildings; from (i) or (ii) above, the average setback of all residential buildings oriented to the same street, within the same block, on the same side of the street;</p> <p>iv. Subsection 4.23.1(a) i, ii and iii shall not apply to additions to existing buildings. Notwithstanding 4.23.1(a) i., ii., iii., where an existing building has a front yard setback and/or exterior side yard setback that is greater than the adjacent buildings, the existing front and/or exterior side yard setback shall be regarded as the maximum setback that applies to the building;</p>	<p>Add a 6.0m requirement specific to properties on arterial roads to set the future context for redevelopment and consistency.</p> <p>Delete the second step in establishing maximum setback to avoid onerous calculations where no consistent setback exists.</p> <p>Add a 6.0m requirement where there is only one or no existing buildings for consistency.</p> <p>Clarify wording for existing buildings to avoid unnecessary variances when constructing additions.</p> <p>Adjust number for all subsections.</p>
4.23 1. b)	<p>The Minimum Front and Exterior Side Yard setbacks shall be established as follows:</p>	<p>Adds standard setback for arterials in PTA - 3.0m to avoid averaging, which is</p>

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	<p>i. The smallest Main Building setback that exists from (i), (ii) or (iii);</p> <p>i. 3.0 metres; for front and/or exterior side yards adjacent to arterial roads (major streets).</p> <p>ii. The smallest Main Building setback of the four (4) closest residential buildings to the subject site oriented to the same street, within the same block, on the same side of the street, but never less than 1.0 metre.</p> <p>iii. The minimum setback for a Private Garage shall be 6.0 metres, or the setback of the Main Building, whichever is greater.</p> <p>ivii. Notwithstanding 4.23.1(b) i. and ii., where an existing building has a front yard setback and/or exterior side yard setback that is less than the adjacent buildings, the existing front and/or exterior side yard setback shall be regarded as the minimum setback that applies to the building.</p>	<p>not the context we want to provide in these instances.</p> <p>Add flexibility by measuring the minimum setback from the (up to) 4 closest buildings, while protecting for encroachments with a minimum of 1.0m.</p> <p>Renumber renaming regulations.</p>
4.23.2	<p>a) 1.2 metres; for any portion of the side yard adjacent to a part of the building not exceeding two storeys in height, plus 0.6 metres for each storey or part thereof above two storeys; except that, where no private garage is attached to the dwelling, one side yard shall be 3.0 metres.</p> <p>b) Where parking is provided in the side or rear yard, the minimum setback of the opposite side yard may be reduced to a minimum of 0.6 metres for any portion of the side yard adjacent to a part of the building not exceeding two storeys in height, plus 0.6m for each storey or part thereof above two storeys.</p> <p>a) 1.2 metres minimum; where a private garage is attached and accessed from the front yard.</p> <p>b) Where parking is provided in the interior side or rear yard, and accessed from a driveway to the interior side yard, the minimum setback of the opposite side yard may be reduced to a minimum of 0.6 metres.</p> <p>c) Where parking is provided in the interior side or rear yard and accessed by a rear laneway or from an exterior side yard in the case of a corner property, interior side yard setbacks can be a minimum of 0.6 metres.</p>	<p>Clarify for different setbacks based on garage/parking location – attached, interior side yard driveway, or rear yard access.</p> <p>Excludes corner lots / lots accessing parking from side/rear/alley.</p>
4.23.3	<p>The maximum building depth shall not exceed 60% of the actual lot depth. Minimum rear yard setbacks outlined in Table 5.3, Table 6.3 and Table 7.3 still apply.</p>	<p>Very few variances. Rear yard setback and coverage control most aspects of depth.</p>
4.23.4	<p>The maximum residential attached garage width (interior walls) shall not exceed 4.0 metres or 50% of the building façade width, whichever is greater.</p>	<p>Only applies regulation to attached garages.</p> <p>Flexibility for narrow lots to include single car garage</p>
4.23.5	<p>Notwithstanding 4.23.1, where buildings are constructed on lots fronting onto a new street, the minimum and maximum front yard setback, and exterior side yard setback, and garage width will be established by the underlying zone regulations.</p>	<p>Avoid variances where existing new lot widths cause an issue with providing garages.</p>
4.24	<p>Where land is, or has been, dedicated as a sight triangle, the resulting lot fabric shall not</p>	<p>Added as new paragraph at the end of section 4.24</p>

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	<p>act as a lot line for the purpose of setbacks, and will be interpreted as the relevant front, rear or exterior side yard, as measured from the mid-point of the dedication.</p>	<p>Clarifies that there do not need to be additional setbacks specific to the sight triangle lot fabric.</p> <p>Also ensures that the sight triangle lot line is not interpreted to be a regular lot line or it could create confusion, for example as the front yard as it would be the shortest lot line abutting a right of way.</p>
4.27 (5)	<p>Open or covered but unenclosed decks or porches not exceeding one storey in height</p>	<p>Removes 'not exceeding one storey' to recognize new building design with supported second and third storey decks/balconies.</p>