

**By-law No. Z.-1  
Office Consolidation  
October 2011**

**A By-law to establish Zoning Regulations in the City of London pursuant to the *Planning Act*. (Z.-1-94236)**

WHEREAS Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, provides that the governing body of a municipal corporation may pass by-laws to regulate the use of land and the character, location and use of buildings and structures; (Z.-1-94236)

AND WHEREAS it is expedient to rezone those portions of the City of London, more specifically shown on those parts of the Schedules, attached hereto and forming part of this By-Law;

BE IT THEREFORE ENACTED by the Municipal Council of The Corporation of the City of London, as follows:

**SECTION 1  
ADMINISTRATION/ENFORCEMENT AND INTERPRETATION**

**1.1 SHORT TITLE**

This By-Law may be cited as "**The City of London Zoning By-law**".

**1.2 COMPLIANCE WITH ZONING BY-LAW**

No person shall, within the lands to which this By-Law applies, use any land or erect or use any buildings or structures in whole or in part, except in conformity with the provisions of this By-Law.

**1.3 NON-CONFORMING USES**

- a) Nothing in this by-law applies to prevent the use of any land, building or structure for any purpose prohibited by the zoning by-law if such land, building or structure was lawfully used for such purposes on the day of the passing of this zoning by-law, so long as it continues to be used for that purpose; or
- b) Nothing in this by-law applies to prevent the erection or use for a purpose prohibited by the by-law of any building or structure for which a permit has been issued under subsection 8(1) of the Building Code Act, 1992, prior to the day of the passing of the by-law, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the permit has not been revoked under subsection 8(10) of the Building Code Act, 1992. (Z.-1-95377)(Z.-1-162522)  
(O.M.B. File #R910387 - Appeal #9003-7, 9006-2, 9007-10, 9009-22 (June 4, 1993))

**1.4 ENFORCEMENT**

- 1) Every person who owns or uses any lot, or erects, owns or uses any building or structure or any part of any lot, building or structure in a manner contrary to any requirement of this By-Law, or who causes or permits such use or erection, or who violates any provisions of this By-Law or causes or permits such a violation, shall be guilty of an offence, and upon conviction therefor, shall forfeit and pay a fine not exceeding Twenty-Five Thousand (\$25,000.00) Dollars on a first conviction and Ten Thousand (\$10,000.00) Dollars on a subsequent conviction for each day or part thereof upon which the contravention has continued after the day upon which there was a first conviction.  
(Z.-1-93220)
- 2) Where a corporation is convicted under this By-Law, the maximum penalty that may be imposed is Fifty Thousand (\$50,000.00) Dollars for

the first conviction and Twenty-Five Thousand (\$25,000.00) Dollars for each day or part thereof upon which the contravention has continued after the date on which the corporation is first convicted.

- 3) Any building or structure which contravenes any requirement of this By-Law may be removed or altered at the instance of the Corporation, pursuant to the provisions of the *Municipal Act*, R.S.O. 1980, Chapter 302, or the *Planning Act*, 1983, as amended from time to time.
- 4) Where a conviction is entered under paragraph 1) of this section, in addition to any other penalty provided by law, the court in which the conviction was entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted.

(Z.-1-93220)

## **1.5 COMPLIANCE WITH OTHER RESTRICTIONS**

This By-Law shall not be construed so as to reduce or mitigate any restrictions or regulations lawfully imposed by the Corporation or by any governmental authority having jurisdiction to make such restrictions or regulations.

## **1.6 SEVERABILITY PROVISIONS**

A decision of a Court that one or more of the provisions of this By-Law are invalid in whole or in part does not affect the validity, effectiveness or enforceability of the other provisions or parts of the provisions of this By-Law.

## **1.7 GENDER AND NUMBER**

In this By-Law, unless the contrary intention is indicated, words used in the singular shall include the plural and words used in the male gender shall include the female gender and vice versa.

## **1.8 USE AND OCCUPY**

In this By-Law, unless the context requires otherwise, the verb "use" shall include "design to be used", "arrange to be used", "intend to be used", and "permit to be used"; and the verb "occupy" shall include "design to be occupied", "arrange to be occupied", "intend to be occupied", and "permit to be occupied".

## **1.9 MEASUREMENTS**

All measurements of length or area used in this By-Law shall be subject to the normal rules of rounding numbers, within the degree of precision specified by the number of digits following the decimal point (if any), so that:

- 1) For a WHOLE NUMBER, measurements of LESS THAN 0.5 shall be rounded DOWNWARD to the next whole unit;
- 2) For a WHOLE NUMBER, measurements of 0.5 AND GREATER shall be rounded UPWARD to the next whole unit;
- 3) For a number having ONE DECIMAL PLACE, measurements of LESS THAN 0.05 shall be rounded DOWNWARD to the next one-tenth unit;
- 4) For a number having ONE DECIMAL PLACE, measurements of 0.05 AND GREATER shall be rounded UPWARD to the next one-tenth unit.

Ratios and percentage figures shall not be subject to rounding.

## **EXAMPLE APPLICATION OF SECTION 1.9 - MEASUREMENTS**

Where HEIGHT (Maximum) is stated as 8 metres, a building height of 8.49 metres (rounded downward to 8 metres) would comply with the By-Law.

Where HEIGHT (Maximum) is stated as 8.0 metres, a building height of 8.049 metres (rounded downward to 8.0) would comply with the By-Law.

Where FRONT YARD DEPTH (Minimum) is stated as 3.5 metres, a building having a front yard of 3.45 metres (rounded upward to 3.5 metres) would comply with the By-Law.

### **1.10 EXAMPLES AND ILLUSTRATIONS**

Examples and illustrations are for the purpose of clarification and convenience, and do not form part of this By-Law.

### **1.11 REPEAL OF EXISTING BY-LAWS**

The following By-Laws and all of the amendments to them are repealed:

C.P.-306(eg)-641

C.P.-952-41

C.P.-953-42

C.P.-954-43

C.P.-990-595

C.P.-991-596

C.P.-992-597

C.P.-993-598

C.P.-994-599

C.P.-1000-21

Township of London Restricted Area By-Law 5000 as it applies to lands within the City of London.

### **1.12 EFFECTIVE DATE**

- 1) Subject to part (2), this By-Law comes into force and takes effect on July 1, 1993.
- 2) A provision of this By-Law implementing a portion of the 1989 Official Plan for the City of London Planning Area that has not been approved either by the Minister of Municipal Affairs or the Ontario Municipal Board before July 1, 1993 does not come into force or take effect until the portion of the 1989 Official Plan is approved.
- 3) Notwithstanding part 2) a provision of this By-Law comes into force and takes effect on July 1, 1993 if it conforms with a provision of the 1971 Official Plan for the City of London Planning Area, as amended, having continuing force and effect until the portion of the 1989 Official Plan superseding the provision of the 1971 Official Plan is approved.  
(Z.-1-93146)