

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: Gregg Barrett
Director, City Planning and City Planner
Subject: Removing References to 1989 Official Plan from Zoning By-law Z.-1

Public Participation Meeting on: September 8, 2020

Recommendation

That, on the recommendation of the Director, City Planning and City Planner, the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on September 15, 2020 to amend Zoning By-law No. Z.-1 by deleting certain references to policy sections, land use designations, and map schedules of the 1989 Official Plan and by adding references to policies of the London Plan as required.

Executive Summary

Decisions of the Local Planning Appeal Tribunal (LPAT) regarding the City of London's new official plan (the *London Plan*) have now brought the majority of the *London Plan* policies into force and effect. Decisions of the LPAT continue to scope the matters under appeal and resolve site-specific appeals. Certain London Plan maps and policies remain under appeal.

The role of a Zoning By-law is to implement a municipality's official plan. Certain references to the 1989 Official Plan found in the Zoning By-law are recommended to be deleted in order to provide flexibility, improve clarity, and allow for development opportunities during the transitional period where the City has two different official plans with different policy frameworks for land use, growth and development.

This recommended amendment was presented to the Planning and Environment Committee on August 10, 2020, where concerns were identified by representatives from the development industry. Consideration of the amendment was postponed to allow City Planning staff to meet with interested parties to see if the concerns could be resolved. Since then Staff have met with the London Development Institute, and it is our understanding that there are no remaining concerns with the recommended amendment.

This recommended amendment to the Zoning By-law is an interim measure until the comprehensive review and update of the Zoning By-law is completed through the "ReThink Zoning" initiative.

Report

1.0 Update from August 10, 2020 PEC

This Zoning By-law Amendment was previously presented at a Public Participation Meeting of the Planning and Environment Committee on August 10, 2020. At that meeting, concerns were raised with regards to the proposed zoning changes, and that insufficient time had been provided to review the report and the recommended amendments.

Because the recommended amendment was presented so recently this report does not repeat the full analysis in support of the zoning changes. The previous report (August 10, 2020) is attached for information as Appendix D.

As a result of these comments, consideration of the recommended amendments was postponed until the September 8, 2020 Planning and Environment Committee meeting.

To address the concerns regarding insufficient review time, Staff reached out to several London Plan appellants and met to discuss the recommended changes. Following the August 10th Planning and Environment Committee, a copy of the report was also electronically circulated to London Plan appellants.

Through subsequent consultation Staff received the following feedback:

- Zoning By-law Z.-1 sections 17.1 and 18.1 refers to an amendment that included the term “Neighbourhoods Place Type”. Certain Neighbourhoods Place Type policies are in effect, but Map 1 and the mapping of the Neighbourhoods Place Type is under appeal. It is therefore suggested to update the amended wording in sections 17.1 and 18.1 from “Neighbourhoods Place Type” to “Neighbourhoods policies”.
- The amended wording of section 4.8 changes the term “Agriculture” designation to “Farmland”. Similar to the comment above, it is recognized that the majority of the London Plan Farmland Place Type policies are in effect; however the Farmland mapping remains under appeal. Therefore to facilitate the transition but to also recognize the appeal, the term “Farmland” is suggested to be updated to “farmland” with a lower case letter ‘f’.
- In certain sections the deletions included deletion of the words “official plan”. It is suggested that the references to the official plan (but not the specific map or policy number) be added back to ensure the connection between the Zoning By-law and the Plans being implemented.

Staff are in agreement that the changes above provide additional flexibility, while allowing for development opportunities during the transitional period of two Plans. These changes are reflected in the By-law attached to this report (Appendix B), and in the Table of deletions and additions (Appendix A).

The categories of changes to the Zoning By-law remain unchanged from the August 10, 2020 report, and are as follows:

- Removal of references to the 1989 Official Plan “Land Use Designation” that is implemented by the Zone, or related references to other Zones that may implement that Land Use Designation of the 1989 Official Plan.
- Removal of references to specific 1989 Official Plan policy sections and numbers where the 1989 policy has been replaced by a London Plan policy.
- Removal of references to 1989 Official Plan Map Schedules and/or map features, where the purpose of the reference in the Zoning By-law is to indicate which map illustrates which land uses or features. The London Plan Maps are still under appeal; however, removal of certain 1989 OP map references will ease the transition to implementing the new London Plan maps once appeals are resolved. Each Plan also includes policies identifying which map depicts which land use features and/or designations or Place Types.

3.0 Public Liaison

Notice of this city-wide amendment was advertised in the Londoner newspaper as well as on the City’s website through the “Current Planning and Development Applications” webpage. Updated Notice of the September 8, 2020 Public Participation Meeting was published in the Londoner, advertised on the City’s website, and circulated to appellants of the London Plan. Through the Agency circulation, Staff received one letter of “no objection” from London Hydro. Section 2 of this report (above) includes the comments received to date by appellants of the London Plan. See Appendix C for comments.

4.0 Conclusion

The purpose of the recommended changes to the Zoning By-law are to help facilitate development during the transitional period while the City has two official plans. As was noted in the previous report to Planning and Environment Committee, Zoning By-laws are a restrictive tool, and therefore these changes are meant to provide flexibility to allow developments to occur which align with the policies and directions of the London Plan, while also recognizing that the City has two official plans while certain London Plan policies and maps remain under appeal at the LPAT.

Staff are of the opinion that the recommended changes presented in Appendix B to this report do not affect the appeals of the London Plan. Staff also continue to work with the appellants to resolve appeals.

This amendment is an interim measure until the city-wide comprehensive review and update to Zoning By-law Z.-1 is completed through the ReThink London initiative.

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Recommended by:	Gregg Barrett, AICP Director, City Planning and City Planner

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 Planning Services

August 26, 2020
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Appendix A – Table of Deleted and Added Text

Table of Deletions and Additions to Zoning By-law Z.-1

Note: Deleted text shown in 'Strikethrough' and Added text shown in 'Underline'.

Zoning By-law Z.-1 Section	Text Changes	Summary of Change
3.8.2 (h-2)	<p>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 (identified on Schedule "B" 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)</p>	<p>Both the 1989 Official Plan and the London Plan identify in policy text the map that depicts the known Natural Heritage features.</p> <p>The component features of the Natural Heritage System are listed and described in Chapter 15 of the 1989 Official Plan and in the Environmental Policies part of the London Plan.</p> <p>Removal of the Map reference allows for transition to London Plan Map 5.</p>
3.8.2 (h-4)	<p>h-4 Purpose: To refine the One Hundred Year Erosion Limit (identified on Schedule "B" 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)</p>	<p>The One Hundred Year Erosion Limit is described in the "Riverine Erosion and Wetland Hazards" section of the Environmental Policies part of the London Plan, and in section 15.7 of the 1989 Official Plan.</p> <p>Both Plans include policies indicating the map that delineates this hazard feature.</p> <p>Removal of Map reference allows for transition to London Plan Map 6.</p>
3.8.2 (h-14)	<p>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 designated Regional Facility <u>lands planned for use as a regional facility.</u></p>	<p>The term "lands designated" is replaced with "lands planned for use" to recognize that Regional Facility is not a Place Type in the London Plan.</p>
3.8.2 (h-66)	<p>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 Section 19.2.2. (Guideline Documents) of the Official Plan, will</p>	<p>The Guideline Documents policies in the Our Tools part of the London Plan (policies 1712 to 1722) are in effect.</p>

Zoning By-law Z.-1 Section	Text Changes	Summary of Change
	<p>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)</p>	
3.11	<p>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. "Extractive Industrial" or "Aggregate Resource Areas" on Schedule "B", Flood Plain and Environmental Features to the Official Plan for the City of London. 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 <u>the Natural Resources Chapter of Section 15.4</u> 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)</p>	<p>Extractive industrial and aggregate resource areas are delineated on map Schedule B of the 1989 Official Plan and on Map 6 of the London Plan.</p> <p>The removal of the reference to Schedule B is to facilitate the transition to the London Plan map once appeals are resolved.</p> <p>The removal of the reference to 1989 Official Plan Section 15.4 is because London Plan policies for extractive industrial areas and aggregate resources (contained in the Natural Resources policies of the London Plan) are in effect.</p>
4.8	<p>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 designated as Agriculture in the</p>	<p>"Agriculture" is not a Place Type in the London Plan. It is replaced by Farmland.</p> <p>A lower case "f" is used to recognize that mapping of the Farmland Place Type is</p>

Zoning By-law Z.-1 Section	Text Changes	Summary of Change
	<p>Official Plan, 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.</p> <p>[...]</p>	<p>currently under appeal at the LPAT.</p>
5.1	<p>[Second paragraph] The R1-14, R1-15 and R1-16 Zone variations are generally applied to existing residential lots on individual services in rural areas, typically on lands designated Low Density Residential and Rural Settlement in the Official Plan. 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)</p>	<p>Removal of reference to land use designation.</p>
17.1	<p>[Second paragraph] 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 <u>Official Plan policy 3.5.1. the “Talbot Mixed-Use Area” policies in the Neighbourhoods policies of The London Plan.</u></p>	<p>Reference to 1989 Official Plan policy section 3.5.1 is removed and replaced with a reference to the “Talbot Mixed-Use Area” in the Neighbourhoods Place Type.</p> <p>The term “Neighbourhoods policies” is applied to recognize that mapping of the Neighbourhoods Place Type is currently under appeal at the LPAT.</p>
18.1	<p>This Zone provides for and regulates new office uses outside of the Downtown area in small-scale office buildings primarily in areas designated Multi-Family Medium Density or High Density Residential. The range of office uses and secondary uses which are provided for in the Official Plan have been differentiated on the basis of</p>	<p>Removal of reference to the “land use designation”.</p> <p>Reference to 1989 Official Plan policy section 3.5.1 is removed and replaced with a reference to the “Talbot Mixed-Use Area” in the Neighbourhoods Place Type.</p>

Zoning By-law Z.-1 Section	Text Changes	Summary of Change
	<p>function, intensity and potential impacts.</p> <p>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 Official Plan policy 3.5.1. the “Talbot Mixed-Use Area” policies in the Neighbourhoods policies of The London Plan.</p>	<p>The term “Neighbourhoods policies” is applied to recognize that mapping of the Neighbourhoods Place Type is currently under appeal at the LPAT.</p>
19.1	<p>This Zone provides for and regulates new office uses outside of the Downtown area in small to medium scale office buildings primarily in areas designated Office Area in the Official Plan. 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.</p> <p>[...]</p>	<p>Removal of the reference to the “Office Area” land use designation, which is not a Place Type.</p>
21.1	<p>This Zone is primarily intended to implement the Enclosed Regional Commercial Node designation in Section 4.3.5 of the Official Plan. The Associated Shopping Area Commercial (ASA) Zone may also be used to zone commercial areas adjacent to the shopping centre node and also implement the Enclosed Regional Commercial Node designation. 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</p>	<p>Removal of the references to the ‘Enclosed Regional Commercial Node’ land use designation and the other Zones that implement that 1989 Official Plan designation.</p> <p>The added wording changes the emphasis from the policy “designation” to the “use” of the lands primarily as a shopping centre. This Zoning is found on lands that are in the Transit Village, Urban Corridor, and Shopping Area Place Types of the London Plan. These Place Types may permit mixed-use as well as regional-scale shopping areas.</p>

Zoning By-law Z.-1 Section	Text Changes	Summary of Change
	<p>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.</p>	
22.1	<p>This Zone is primarily intended to implement the Community Commercial Node designation in Section 4.3.7. of the Official Plan. The Associated Shopping Area Commercial (ASA) Zone may also be used to zone commercial areas adjacent to the shopping centre node and implement the Community Commercial Node designation.</p> <p><u>The CSA Zone is typically applied to community-scale commercial lands.</u> The 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 <u>be</u> permitted by applying a Residential R8 or Residential R9 Zone.</p>	<p>Removal of reference to the land use designation and other Zones that implement the designation.</p> <p>Added wording is to identify where this Zone is typically applied rather than the 1989 policy designation.</p>
23.1	<p>This Zone is normally intended to implement the Neighbourhood</p>	<p>Removal of reference to the land use designation and other</p>

Zoning By-law Z.-1 Section	Text Changes	Summary of Change
	<p>Commercial Node designation in Section 4.3.8 of the Official Plan. The Associated Shopping Area Commercial (ASA), Highway Service Commercial (HS) and Restricted Service Commercial (RSC) may also be used in special circumstances to implement the Neighbourhood Commercial Node designation.</p> <p><u>The NSA Zone is typically applied to neighbourhood-scale commercial lands.</u> 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.</p>	<p>Zones that implement the designation.</p> <p>Added wording is to identify where this Zone is typically applied rather than the 1989 policy designation.</p>
24.1	<p>This Zone is normally intended to implement the Auto-Orientated Commercial Corridor designation in Section 4.4.2 and the New Format Regional Commercial Node designation in Section 4.3.6 but also for development at the periphery of the Enclosed Regional Commercial Node designation in Section 4.3.5, the Community Commercial Node designation in Section 4.3.7 and the Neighbourhood Commercial Node designation in Section 4.3.8 of the Official Plan depending on the scale and location of the use. The ASA1 to ASA7 Zone variations are</p>	<p>Removal of reference to the land use designation and other Zones that implement the designation.</p> <p>Added wording is to show how Zone variations are typically applied. Policy is reordered so that the explanation of Zone variations comes after the general purpose of the Zone.</p>

Zoning By-law Z.-1 Section	Text Changes	Summary of Change
	<p>intended to implement the Auto-Orientated Commercial Corridor designation land uses and the ASA8 Zone variation the New Format Regional Commercial Node designation. The variations generally group uses 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.</p> <p>The ASA Zone provides for and regulates a wide range of retail, personal service, community facility, automotive and office uses. Uses permitted in the ASA Zone are differentiated through the use of zone variations on the basis of their function, intensity, customer draw, proximity to residential uses and potential impacts.</p> <p><u>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.</u></p>	
25.1	<p>This Zone is normally intended to implement the Main Street Commercial Corridor designation in Section 4.4.1 of the Official Plan. The BDC Zone is typically applied to corridors with a main street character. The 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</p>	<p>Removal of reference to the land use designation.</p> <p>Wording is changed to identify the character of where the Zone is typically applied rather than the 1989 policy designation.</p>

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	<p>specialty shopping needs, have been differentiated on the basis of their function, intensity and potential impacts. (Z-1-051390)</p> <p>[...]</p>	
26.1	<p>This Zone is normally intended to implement the Auto-Oriented Commercial Corridor designation in Section 4.4.2 of the Official Plan. The zone <u>This Zone</u> 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.</p> <p>[...]</p>	Removal of reference to the land use designation.
27.1	<p>This Zone is normally intended to implement the Auto-Oriented Commercial Corridor designation in Section 4.4.2 of the Official Plan. The <u>This</u> 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.</p> <p>[...]</p>	Removal of reference to the land use designation.
28.1	<p>This Zone is normally intended to implement the Auto-Oriented Commercial Corridor designation in Section 4.4.2 of the Official Plan. The <u>This</u> 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.</p>	Removal of reference to the land use designation.

Zoning By-law Z.-1 Section	Text Changes	Summary of Change
	[...]	
36.1	<p>[Third Paragraph]</p> <p>The OS5 Zone variation applies to important natural features and functions that have been recognized by Council as being of City-wide, or regional, <u>or provincial</u> significance and identified as components of the Natural Heritage System <u>of the Official Plan.</u> on Schedule "B" of the Official Plan and regulated by policies in Section 15.3 of the Official Plan. These include Environmentally Significant Areas; Significant Woodlands; Locally Significant Wetlands; Significant Wildlife Habitat; Habitat of Vulnerable Species; River, Stream and Ravine corridors; Upland Corridors; and Fish Habitat and Naturalization Areas. 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)</p>	<p>Both the 1989 Official Plan and the London Plan identify in policy text the map that depicts the known Natural Heritage features.</p> <p>The component features of the Natural Heritage System are listed and described in Chapter 15 of the 1989 Official Plan and in the Environmental Policies part of the London Plan.</p> <p>Removal of the Map reference allows for transition to London Plan Map 5. Removal of the reference to Section 15.3 and list of NHS component features is to allow for the transition to the Natural Heritage System policies in the Environmental Policies part of the London Plan.</p>
37.1	<p>This Zone applies to areas designated Environmental Review <u>areas of the Official Plan</u> on Schedule "A" 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 <u>of the Official Plan</u>, 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 lands designated Environmental Review <u>lands of the</u></p>	<p>Removal of references to Schedule "A" (Land Use) of the 1989 Official Plan and the reference to land use designation.</p> <p>The General Purpose and intent of the Environmental Review Zone is maintained. Removal of the specific references allows for the transition to London Plan Map 1 (Place Types) upon resolution of appeals.</p>

Zoning By-law Z.-1 Section	Text Changes	Summary of Change
	<p>Official Plan on Schedule A, Land Use, 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 lands designated Environmental Review <u>lands</u>. If necessary, existing uses and associated development regulations will be recognized on a site specific basis through the use of Special Provisions.</p>	
40.1	<p>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 area currently designated Light Industrial <u>area</u> is intended to transition out of industrial use. (Z.-1-132230)</p>	<p>Removal of reference to land use designation.</p>
45.1	<p>The Agricultural Zone is intended to be applied to <u>agricultural and farmland areas</u>, lands which are designated Agriculture in the Official Plan. The creation of properties less than 40 ha (98.8 ac) in size is <u>not permitted, discouraged by the Official Plan policies</u>. 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</p>	<p>Removal of reference to the "Agriculture" land use designation, which is not a Place Type.</p> <p>A lower case "f" is used to recognize that mapping of the Farmland Place Type is currently under appeal at the LPAT.</p> <p>Removal of discouragement of parcels less than 40 hectares and replacement with the minimum parcel size requirement of 40 hectares. This is in accordance with London Plan policy 1215_2.</p>

Zoning By-law Z.-1 Section	Text Changes	Summary of Change
	<p>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.</p> <p>[...]</p>	
47.1	<p>This zone provides for a limited range of commercial uses <u>that serve the surrounding rural area. Rural Settlement designations in conformity with Official Plan policies in Section 9.3.2 and 9.3.3. Most of the uses in a Rural Settlement designation are residential uses, specifically single detached dwellings, and the intent for the commercial uses is to serve the Rural Settlement community and surrounding rural area.</u> 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.</p>	<p>Removal of references to the land use designation, its policy number in the 1989 Official Plan, and the general purpose of the designation.</p> <p>Replaced with reference to where this Rural Settlement Commercial Uses Zone applies.</p>
48.1	<p>This zone provides for and regulates garden suites on a temporary basis in accordance with Section 39 <u>(Temporary Use Provisions)</u> of the <i>Planning Act</i> and <u>the Section 9.2.7 and 9.3.1 of the City's</u> 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 <i>Planning Act</i>.</p> <p>Garden suites are subject to the regulations contained in Section 45.3.3 <u>(Secondary Farm Occupations)</u> and require an agreement, through Section 207.2 of the Municipal Act, with the City dealing with such issues as number of</p>	<p>Removal of reference to the specific policy number of the 1989 Official Plan.</p> <p>For clarity, titles of the Zoning By-law sections have been added to assist with explaining those section numbers' subject matter.</p>

Zoning By-law Z.-1 Section	Text Changes	Summary of Change
	<p>residents, servicing details, removal of unit etc.</p> <p>[...]</p>	
50.1	<p>This zone provides for and regulates temporary uses in accordance with Section 39 of the <i>Planning Act</i>. and Section 19 of the City's Official Plan. 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 <i>Planning Act</i>. 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)</p>	<p>Removal of reference to the specific section of the 1989 Official Plan that is implemented through this Zone.</p> <p>The 'Temporary Use Provisions' policies of the London Plan are in effect, replacing the Section 19 policies of the 1989 Official Plan.</p>
51.1	<p>The Waste and Resource Management Zone is intended to be applied to lands within the rural area of the City of London, which are identified planned for use as waste management resource recovery area. in Section 9.2.15.1 of the Official Plan, consisting of lands identified as Waste Management and Resource Recovery Area within the Council adopted W12A Landfill Area Plan. 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 listed in section 9.2.15, 17.4 and 17.5 of the Plan. Farm dwellings and secondary farm dwellings shall not be permitted within this area.</p>	<p>Removal of references to specific policy section numbers of the 1989 Official Plan.</p> <p>The Waste Management Resource Recovery Area policy section of the London Plan is in effect, replacing Section 9 policies of the 1989 Official Plan.</p> <p>Through London Plan policies the W12A Landfill Area and surroundings are identified. London Plan Map 1 (Place Types) also delineates the Waste Management Resource Recovery Area. Removal of references to the 1989 OP will assist with transition to the London Plan policy and mapping.</p>

Appendix B – By-law

Bill No.(number to be inserted by Clerk's Office)
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.

- 1) 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.

- 2) 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.

- 3) 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.

- 4) 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.

- 5) 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)

- 6) 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.

- 7) 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.

- 8) 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.

- 9) 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)

- 10) 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.

11) 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)

12) 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.

13) 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.

14) 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.

15) 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)

16) 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.

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

Appendix C – Comments Received

From: Wallace, Mike
Sent: Monday, August 24, 2020 4:11pm
To: Macbeth, Travis; Adema, Justin; Barrett, Gregg
Subject: Suggested wording to Removing References to 89 OP Appendix A

Hello Gentlemen

As promised, below are the recommended changes to the clauses in Appendix A

Thanks again for the time to review this. Our first position is that this ZBA is premature as the London Plan, including all of its maps, is still under appeal. As a result, there are NO Place Types in the London Plan that are in force and effect. We believe that an amendment like this should be introduced during the RETHINK Zoning process and that the actual report has a number of assumptions that are open to interpretation.

That being said, we can generally accept this technical update, with our minor additions, to add flexibility to the current zoning by-law.

I am only highlighting the clauses that we are recommending word changes. If the clause is not on this list we are not recommending any changes.

Here are the changes we are recommending:

Section 3.8.2 (h-2) and Section 3.8.c (h-4) : Add back “in the Official Plan” after “Natural Heritage System” this would just eliminate the words “identified on Schedule “B”.
3.8.2(h-66) does maintain the words “the Official Plan” after the deleted portion.

Section 4.8: “Farmland” should be in lower case “farmland” as it is not defined in the By-Law

Section 17.1: Replace “Neighbourhoods Place Type” with Neighbourhoods policies” as there are no Neighbourhoods Place Types in force as a result of the on-going appeals.

Section 36.1: Add back “in the Official Plan” after “Natural Heritage System”

Section 37.1: Add back the “lands in the Official Plan” after the words “Environmental Review” in all three spots within the clause as Environmental Review is a common designation / Place Type in both the 1989 Plan and the London Plan.

If you have any feedback on our suggestions it would be appreciated.

Thanks Mike

Mike Wallace, Executive Director
London Development Institute
562 Wellington Street, Suite 203, London, Ontario N6A 3R5

London Hydro – August 21, 2020

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 D – August 10, 2020 Report to PEC

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: Gregg Barrett
Director, City Planning and City Planner

Subject: Removing References to 1989 Official Plan from Zoning By-law Z.-1

Public Participation Meeting on: August 10, 2020

That, on the recommendation of the Director, City Planning and City Planner, the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on August 25, 2020 to amend Zoning By-law No. Z.-1 by deleting certain references to policy sections, land use designations, and map schedules of the 1989 Official Plan and adding references to The London Plan.

Decisions of the Local Planning Appeal Tribunal (LPAT) regarding the City of London's new official plan (the *London Plan*) have now brought the majority of the *London Plan* policies into force and effect. Decisions of the LPAT continue to scope the matters under appeal and resolve site-specific appeals. At the time of writing this report, the first phase of *London Plan* appeal hearings are expected to proceed in September 2020.

In order to transition to the new policy framework of The London Plan, changes are required to the implementing zoning by-law, Zoning By-law Z.-1. A municipality's zoning by-law implements the policies of its official plan. The purpose and effect of the proposed by-law is to remove references to the old Official Plan (1989) and its policy sections and "land use designations".

The recommended amendments to the Zoning By-law to introduce these changes are an interim measure and do not negate the need for a comprehensive review and update to the Zoning By-law. Such a comprehensive review to implement the policy framework of the *London Plan* is currently underway through the "ReThink Zoning" initiative.

1.0 Background

The London Plan: OMB/LPAT Appeals

The City of London's new official plan, *the London Plan*, was adopted by City Council on June 23, 2016. It was approved by the Ontario Ministry of Municipal Affairs and the Ministry of Housing on December 28, 2016. *The London Plan* was then appealed to the Ontario Municipal Board (OMB) in January 2017. As a result of changes to Provincial legislation, the OMB has changed to a tribunal called the Local Planning Appeal Tribunal (LPAT). The LPAT will proceed using the rules that were in effect for the OMB at the time the appeals were made.

Staff have been working with the appellants to scope the policies, maps, and matters that are under appeal. Scoping has been on-going, including a number of meetings of experts and "round-table" meetings for issues with multiple appellants. Pre-hearing conferences of the LPAT have been held to continue to work toward appeal resolutions.

The LPAT has issued several decisions that have brought London Plan policies into effect. The most recent decision by the LPAT was made on February 7, 2020, and this decision brought the total number of policies in effect to 85% of the London Plan (1,582 policies), notwithstanding certain site-specific appeals.

LPAT decisions have brought into force and effect policies where: (1) appeals are withdrawn by the appellants; (2) changes to policy wording and mapping have been approved by City Council and agreed to by the appellants; (3) appeals are to the site-specific application of a policy to a property (or properties in an area), so that the policy is in force and effect city-wide except for those specific properties where further discussion or a hearing will be required for resolution; and (4) where site-specific appeals have been resolved.

Settlement discussions with appellants are continuing. The first phase of hearings before the LPAT was scheduled to begin in April 2020. As a result of the COVID-19 pandemic and the Province of Ontario's declaration of a State of Emergency, the first phase of hearings has been postponed and is currently expected to proceed in September 2020.

2.0 Proposed Changes

2.1 Nature of the Amendment

The majority of *London Plan* policies are now in force and effect as the new official plan for the City of London. In accordance with section 24(1) of the *Planning Act*, no by-law, including a Zoning By-law, shall be passed by Council for any purpose unless it conforms to the *London Plan*. Per section 34 of the *Planning Act*, a Zoning By-law is a restrictive tool. The purpose of Zoning is to:

- Restrict the use of land to uses defined in the zoning by-law, including lands used for operating pits and quarries;
- Restrict the erecting, locating, or using of buildings or structures except as set out in the by-law;
- Prohibit buildings or structures on lands subject to hazards such as flooding or steep slopes;
- Prohibiting the use of lands that are contaminated, contain sensitive groundwater or surface water features, or that are identified as a vulnerable area in a drinking water source protection plan;
- Prohibiting uses of lands in areas of natural heritage features or functions;
- Prohibiting the use of land on sites of significant archaeological resources;
- Regulating types of construction including height, bulk, location, size, floor area, spacing, character and use of buildings, as well as minimum and maximum density.
- Regulating parcel sizes, including area, depth, and frontage, and the proportion of that area covered by any building or structure; and
- Regulating elevators and parking facilities.

A Zoning By-law is a tool to implement the policies of a city's official plan through regulations. The current City of London Zoning By-law Z.-1 was written following the approval of the 1989 Official Plan with the intent of implementing its vision for growth in London. Zoning By-law Z.-1 currently includes references to the 1989 Official Plan and its "land use designations" that are implemented by the Zones. Such references are found in explanatory "General Purpose" sections at the beginning of many Zones, as well as in specific references to implementing certain land use designations. The 1989

Official Plan term “land use designation” is now called “Place Type” in the *London Plan*. The change to “Place Types” is intended to identify a policy framework that recognizes built form and intensity of development as well as the land use (e.g. Residential or Industrial zone variations).

Upon the conclusion of the *London Plan* hearings process the 1989 Official Plan will be repealed. In preparation for this, and given that the majority of the *London Plan* is in effect, references to land use “designations” of the 1989 Official Plan are recommended to be removed from Zoning By-law Z.-1 in order to assist with the transition to the new policy framework of the new Plan. There are also certain references to 1989 Official Plan policies and maps which can be removed from Zoning By-law Z.-1 to facilitate the transition to this new policy framework.

This technical amendment will serve as an interim measure until the city-wide comprehensive Zoning By-law review is completed through the ReThink Zoning initiative. The city-wide update will more fully evaluate the Zoning approach to regulate development in a way that implements the policies of *The London Plan*.

2.2 Categories of Change and Example

The categories of changes are summarized as follows:

- Removal of references to the 1989 Official Plan “Land Use Designation” that is implemented by the Zone, or related references to other Zones that may implement that Land Use Designation of the 1989 Official Plan. The purpose of this change is to remove references to the “land use designations” that were the policy structure for development and growth under the previous Official Plan, but which have now been replaced by the London Plan (with 85% of London Plan policies now in effect), or to ease the transition to the London Plan.
- Removal of references to 1989 Official Plan policy sections and numbers where the 1989 policy has been replaced by a London Plan policy. The purpose of this change is to remove references to specific policy sections of the 1989 Official Plan, where those 1989 policies and chapters have now been replaced by approved London Plan policies.
- Removal of references to 1989 Official Plan Map Schedules and/or map features, where the purpose of the reference in the Zoning By-law is to indicate which map illustrates which land uses or features. The London Plan Maps are still under appeal; however, removal of certain 1989 OP map references will ease the transition to implementing the new London Plan maps once appeals are resolved. Certain references to the 1989 Map Schedules are also not required in Zoning because those features are listed and described separately in policies of the plan. Additionally, such policies also indicate which Map Schedule delineates the features.

2.2.1 Example of 1989 Official Plan Reference

In many chapters of Zoning By-law Z.-1 the first section is a “General Purpose” subsection. As part of the description that the General Purpose subsection provides, some chapters include descriptions of which “land use designation” of the 1989 Official Plan the Zone is implementing. For example, Zoning By-law section 5.1 includes the following statement (with bold emphasis added):

“The R1-14, R1-15 and R1-16 Zone variations are generally applied to existing residential lots on individual services in rural areas, **typically on lands designated Low Density Residential and Rural Settlement in the Official Plan.**”

As a result of the changes to the city’s growth frameworks and the City Structure Plan of *The London Plan*, various mixed-use forms of development are permitted in many of the Place Types. This results in many of the London Plan Place Types being implemented

through multiple Zone variations, rather than the 1989 Official Plan where a number of zones were intended to only implement a particular land use designation. This combined with certain *London Plan* policies and certain maps still being under appeal means that certain deletions of the references to the 1989 Official Plan are not coupled with replacement *London Plan* references.

The deletions and additions to Zoning By-law Z.-1 are shown in a table in Appendix “A”, attached to this report. In Appendix “A” the underlined text denotes additions and strikethrough denotes deletions of existing text. All changed text is shown in bold font.

3.0 Public Liaison

Notice of this city-wide amendment was advertised in the *Londoner* newspaper as well as on the City’s website through the “Current Planning and Development Applications” webpage. No public comments were received.

4.0 Conclusion

The February 7, 2020, decision of the Local Planning Appeal Tribunal (LPAT), has brought the majority of *London Plan* policies into effect. As a result of this and previous LPAT decisions, and to assist with the transition to this new policy framework, references to the land use “designations”, policy numbers, maps, and terminology of the 1989 Official Plan are removed and changed in Zoning By-law Z.-1.

A Zoning By-law implements the policies of a city’s official plan, therefore references to the 1989 Official Plan must be removed and, where appropriate, replaced with references using terminology of *The London Plan* in order to implement the new policy framework.

This amendment is an interim measure until the city-wide comprehensive review and update to Zoning By-law Z.-1 is completed through the ReThink London initiative.

Prepared by:	Travis Macbeth, MCIP, RPP Planning Policy
Submitted by:	Justin Adema, MCIP, RPP Manager, Planning Policy
Recommended by:	Gregg Barrett, AICP Director, City Planning and City Planner

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 Planning Services

July 24, 2020
TM/tm

Appendix A – Table of Deleted and Added Text

Table of Deletions and Additions to Zoning By-law Z.-1

Note: Deleted text shown in 'Strikethrough' and Added text shown in 'Underline'.

Zoning By-law Z.-1 Section	Text Changes	Summary of Change
3.8.2 (h-2)	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 (identified on Schedule "B" 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)	<p>Both the 1989 Official Plan and the London Plan identify in policy text the map that depicts the known Natural Heritage features.</p> <p>The component features of the Natural Heritage System are listed and described in Chapter 15 of the 1989 Official Plan and in the Environmental Policies part of the London Plan.</p> <p>Removal of the Map reference allows for transition to London Plan Map 5.</p>
3.8.2 (h-4)	h-4 Purpose: To refine the One Hundred Year Erosion Limit (identified on Schedule "B" 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)	<p>The One Hundred Year Erosion Limit is described in the "Riverine Erosion and Wetland Hazards" section of the Environmental Policies part of the London Plan, and in section 15.7 of the 1989 Official Plan.</p> <p>Both Plans include policies indicating the map that delineates this hazard feature.</p> <p>Removal of Map reference allows for transition to London Plan Map 6.</p>
3.8.2 (h-14)	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 designated Regional Facility <u>lands planned for use as a regional facility.</u>	<p>The term "lands designated" is replaced with "lands planned for use" to recognize that Regional Facility is not a Place Type in the London Plan.</p>
3.8.2 (h-66)	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 Section 19.2.2. (Guideline	<p>The Guideline Documents policies in the Our Tools part of the London Plan (policies 1712 to 1722) are in effect.</p>

Zoning By-law Z.-1 Section	Text Changes	Summary of Change
	<p>Documents) of 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)</p>	
3.11	<p>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. "Extractive Industrial" or "Aggregate Resource Areas" on Schedule "B", Flood Plain and Environmental Features to the Official Plan for the City of London. 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 Section 15.4 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)</p>	<p>Extractive industrial and aggregate resource areas are delineated on map Schedule B of the 1989 Official Plan and on Map 6 of the London Plan.</p> <p>The removal of the reference to Schedule B is to facilitate the transition to the London Plan map once appeals are resolved.</p> <p>The removal of the reference to 1989 Official Plan Section 15.4 is because London Plan policies for extractive industrial areas and aggregate resources (contained in the Natural Resources policies of the London Plan) are in effect.</p>
4.8	<p>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</p>	<p>"Agriculture" is not a Place Type in the London Plan. It is replaced by Farmland.</p>

Zoning By-law Z.-1 Section	Text Changes	Summary of Change
	<p>designated as Agriculture in the Official Plan, 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.</p> <p>[...]</p>	
5.1	<p>[Second paragraph] The R1-14, R1-15 and R1-16 Zone variations are generally applied to existing residential lots on individual services in rural areas, typically on lands designated Low Density Residential and Rural Settlement in the Official Plan. 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)</p>	Removal of reference to land use designation.
17.1	<p>[Second paragraph] 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 Official Plan policy 3.5.1. the “Talbot Mixed-Use Area” policies in the Neighbourhoods Place Type of The London Plan.</p>	Reference to 1989 Official Plan policy section 3.5.1 is removed and replaced with a reference to the “Talbot Mixed-Use Area” in the Neighbourhoods Place Type.
18.1	<p>This Zone provides for and regulates new office uses outside of the Downtown area in small-scale office buildings primarily in areas designated Multi-Family Medium Density or High Density Residential. The range of office uses and secondary uses which are provided for in the Official Plan have been differentiated on the basis of</p>	<p>Removal of reference to the “land use designation”.</p> <p>Reference to 1989 Official Plan policy section 3.5.1 is removed and replaced with a reference to the “Talbot Mixed-Use Area” in the Neighbourhoods Place Type.</p>

Zoning By-law Z.-1 Section	Text Changes	Summary of Change
	<p>function, intensity and potential impacts.</p> <p>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 Official Plan policy 3.5.1. the “Talbot Mixed-Use Area” policies in the Neighbourhoods Place Type of The London Plan.</p>	
19.1	<p>This Zone provides for and regulates new office uses outside of the Downtown area in small to medium scale office buildings primarily in areas designated Office Area in the Official Plan. 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.</p> <p>[...]</p>	<p>Removal of the reference to the “Office Area” land use designation, which is not a Place Type.</p>
21.1	<p>This Zone is primarily intended to implement the Enclosed Regional Commercial Node designation in Section 4.3.5 of the Official Plan. The Associated Shopping Area Commercial (ASA) Zone may also be used to zone commercial areas adjacent to the shopping centre node and also implement the Enclosed Regional Commercial Node designation. 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</p>	<p>Removal of the references to the ‘Enclosed Regional Commercial Node’ land use designation and the other Zones that implement that 1989 Official Plan designation.</p> <p>The added wording changes the emphasis from the policy “designation” to the “use” of the lands primarily as a shopping centre. This Zoning is found on lands that are in the Transit Village, Urban Corridor, and Shopping Area Place Types of the London Plan. These Place Types may permit mixed-use as well as regional-scale shopping areas.</p>

Zoning By-law Z.-1 Section	Text Changes	Summary of Change
	<p>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.</p>	
22.1	<p>This Zone is primarily intended to implement the Community Commercial Node designation in Section 4.3.7. of the Official Plan. The Associated Shopping Area Commercial (ASA) Zone may also be used to zone commercial areas adjacent to the shopping centre node and implement the Community Commercial Node designation.</p> <p><u>The CSA Zone is typically applied to community-scale commercial lands.</u> The 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.</p>	<p>Removal of reference to the land use designation and other Zones that implement the designation.</p> <p>Added wording is to identify where this Zone is typically applied rather than the 1989 policy designation.</p>
23.1	<p>This Zone is normally intended to implement the Neighbourhood</p>	<p>Removal of reference to the land use designation and other</p>

Zoning By-law Z.-1 Section	Text Changes	Summary of Change
	<p>Commercial Node designation in Section 4.3.8 of the Official Plan. The Associated Shopping Area Commercial (ASA), Highway Service Commercial (HS) and Restricted Service Commercial (RSC) may also be used in special circumstances to implement the Neighbourhood Commercial Node designation.</p> <p><u>The NSA Zone is typically applied to neighbourhood-scale commercial lands.</u> 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.</p>	<p>Zones that implement the designation.</p> <p>Added wording is to identify where this Zone is typically applied rather than the 1989 policy designation.</p>
24.1	<p>This Zone is normally intended to implement the Auto-Orientated Commercial Corridor designation in Section 4.4.2 and the New Format Regional Commercial Node designation in Section 4.3.6 but also for development at the periphery of the Enclosed Regional Commercial Node designation in Section 4.3.5, the Community Commercial Node designation in Section 4.3.7 and the Neighbourhood Commercial Node designation in Section 4.3.8 of the Official Plan depending on the scale and location of the use. The ASA1 to ASA7 Zone variations are</p>	<p>Removal of reference to the land use designation and other Zones that implement the designation.</p> <p>Added wording is to show how Zone variations are typically applied. Policy is reordered so that the explanation of Zone variations comes after the general purpose of the Zone.</p>

Zoning By-law Z.-1 Section	Text Changes	Summary of Change
	<p>intended to implement the Auto-Orientated Commercial Corridor designation land uses and the ASA8 Zone variation the New Format Regional Commercial Node designation. The variations generally group uses 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.</p> <p>The ASA Zone provides for and regulates a wide range of retail, personal service, community facility, automotive and office uses. Uses permitted in the ASA Zone are differentiated through the use of zone variations on the basis of their function, intensity, customer draw, proximity to residential uses and potential impacts.</p> <p><u>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.</u></p>	
25.1	<p>This Zone is normally intended to implement the Main Street Commercial Corridor designation in Section 4.4.1 of the Official Plan. The BDC Zone is typically applied to corridors with a main street character. The 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</p>	<p>Removal of reference to the land use designation.</p> <p>Wording is changed to identify the character of where the Zone is typically applied rather than the 1989 policy designation.</p>

Zoning By-law Z.-1 Section	Text Changes	Summary of Change
	<p>specialty shopping needs, have been differentiated on the basis of their function, intensity and potential impacts. (Z-1-051390)</p> <p>[...]</p>	
26.1	<p>This Zone is normally intended to implement the Auto-Oriented Commercial Corridor designation in Section 4.4.2 of the Official Plan. The zone <u>This Zone</u> 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.</p> <p>[...]</p>	Removal of reference to the land use designation.
27.1	<p>This Zone is normally intended to implement the Auto-Oriented Commercial Corridor designation in Section 4.4.2 of the Official Plan. The <u>This</u> 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.</p> <p>[...]</p>	Removal of reference to the land use designation.
28.1	<p>This Zone is normally intended to implement the Auto-Oriented Commercial Corridor designation in Section 4.4.2 of the Official Plan. The <u>This</u> 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.</p>	Removal of reference to the land use designation.

Zoning By-law Z.-1 Section	Text Changes	Summary of Change
	[...]	
36.1	<p>[Third Paragraph]</p> <p>The OS5 Zone variation applies to important natural features and functions that have been recognized by Council as being of City-wide, or regional, or provincial significance and identified as components of the Natural Heritage System on Schedule "B" of the Official Plan and regulated by policies in Section 15.3 of the Official Plan. These include Environmentally Significant Areas; Significant Woodlands; Locally Significant Wetlands; Significant Wildlife Habitat; Habitat of Vulnerable Species; River, Stream and Ravine corridors; Upland Corridors; and Fish Habitat and Naturalization Areas. 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)</p>	<p>Both the 1989 Official Plan and the London Plan identify in policy text the map that depicts the known Natural Heritage features.</p> <p>The component features of the Natural Heritage System are listed and described in Chapter 15 of the 1989 Official Plan and in the Environmental Policies part of the London Plan.</p> <p>Removal of the Map reference allows for transition to London Plan Map 5. Removal of the reference to Section 15.3 and list of NHS component features is to allow for the transition to the Natural Heritage System policies in the Environmental Policies part of the London Plan.</p>
37.1	<p>This Zone applies to areas designated Environmental Review on Schedule "A" 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, 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 lands designated Environmental Review lands on Schedule A, Land Use, of the</p>	<p>Removal of references to Schedule "A" (Land Use) of the 1989 Official Plan and the reference to land use designation.</p> <p>The General Purpose and intent of the Environmental Review Zone is maintained. Removal of the specific references allows for the transition to London Plan Map 1 (Place Types) upon resolution of appeals.</p>

Zoning By-law Z.-1 Section	Text Changes	Summary of Change
	<p>Official Plan about 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 lands designated Environmental Review <u>lands</u>. If necessary, existing uses and associated development regulations will be recognized on a site specific basis through the use of Special Provisions.</p>	
40.1	<p>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 area currently designated Light Industrial <u>area</u> is intended to transition out of industrial use. (Z.-1-132230)</p>	Removal of reference to land use designation.
45.1	<p>The Agricultural Zone is intended to be applied to <u>agricultural and farmland areas. lands which are designated Agriculture in the Official Plan.</u> The creation of properties less than 40 ha (98.8 ac) in size is <u>not permitted. discouraged by the Official Plan policies.</u> 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</p>	<p>Removal of reference to the "Agriculture" land use designation, which is not a Place Type.</p> <p>Removal of discouragement of parcels less than 40 hectares and replacement with the minimum parcel size requirement of 40 hectares. This is in accordance with London Plan policy 1215_2.</p>

Zoning By-law Z.-1 Section	Text Changes	Summary of Change
	<p>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.</p> <p>[...]</p>	
47.1	<p>This zone provides for a limited range of commercial uses that serve the surrounding rural area. Rural Settlement designations in conformity with Official Plan policies in Section 9.3.2 and 9.3.3. Most of the uses in a Rural Settlement designation are residential uses, specifically single detached dwellings, and the intent for the commercial uses is to serve the Rural Settlement community and 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.</p>	<p>Removal of references to the land use designation, its policy number in the 1989 Official Plan, and the general purpose of the designation.</p> <p>Replaced with reference to where this Rural Settlement Commercial Uses Zone applies.</p>
48.1	<p>This zone provides for and regulates garden suites on a temporary basis in accordance with Section 39 (Temporary Use Provisions) of the <i>Planning Act</i> and the Section 9.2.7 and 9.3.1 of the City's 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 <i>Planning Act</i>.</p> <p>Garden suites are subject to the regulations contained in 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.</p>	<p>Removal of reference to the specific policy number of the 1989 Official Plan.</p> <p>For clarity, titles of the Zoning By-law sections have been added to assist with explaining those section numbers' subject matter.</p>

Zoning By-law Z.-1 Section	Text Changes	Summary of Change
	[...]	
50.1	<p>This zone provides for and regulates temporary uses in accordance with Section 39 of the <i>Planning Act</i>. and Section 19 of the City's Official Plan. 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 <i>Planning Act</i>. 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)</p>	<p>Removal of reference to the specific section of the 1989 Official Plan that is implemented through this Zone.</p> <p>The 'Temporary Use Provisions' policies of the London Plan are in effect, replacing the Section 19 policies of the 1989 Official Plan.</p>
51.1	<p>The Waste and Resource Management Zone is intended to be applied to lands within the rural area of the City of London, which are identified planned for use as waste management resource recovery area. in Section 9.2.15.1 of the Official Plan, consisting of lands identified as Waste Management and Resource Recovery Area within the Council adopted W12A Landfill Area Plan. 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 listed in section 9.2.15, 17.4 and 17.5 of the Plan. Farm dwellings and secondary farm dwellings shall not be permitted within this area.</p>	<p>Removal of references to specific policy section numbers of the 1989 Official Plan.</p> <p>The Waste Management Resource Recovery Area policy section of the London Plan is in effect, replacing Section 9 policies of the 1989 Official Plan.</p> <p>Through London Plan policies the W12A Landfill Area and surroundings are identified. London Plan Map 1 (Place Types) also delineates the Waste Management Resource Recovery Area. Removal of references to the 1989 OP will assist with transition to the London Plan policy and mapping.</p>

Appendix B – By-law

Bill No.(number to be inserted by Clerk's Office)
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:

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

ii. 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, 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)

12)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, 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)

13)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.

14)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)

- 15) 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)

- 16) 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.

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

- ii. 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)

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

- ii. 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 Place Type of The London Plan.

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

ii. 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 Place Type of The London Plan.

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

ii. 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.

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

ii. 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.

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

iii. The first paragraph is deleted.

iv. 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.

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

- iii. The first paragraph is deleted.
- iv. 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.

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

- iii. The first paragraph is deleted.
- iv. 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.

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

- ii. 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)

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

- ii. 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.

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

- ii. 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.

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

- ii. 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.

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

- ii. 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. 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)

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

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

This Zone applies to areas 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, 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 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.

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

- ii. 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)

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

- ii. 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.

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

- ii. 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.

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

- ii. 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.

31) 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)

32) 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.

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 August 25, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 25, 2020
Second Reading – August 25, 2020
Third Reading – August 25, 2020