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**OZ-7663**

<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING &amp; ENVIRONMENT COMMITTEE</b>
<b>FROM:</b>	<b>JOHN M. FLEMING DIRECTOR, LAND USE PLANNING AND CITY PLANNER</b>
<b>SUBJECT:</b>	<b>NEAR-CAMPUS NEIGHBOURHOODS PLANNING AMENDMENTS PUBLIC PARTICIPATION MEETING ON MONDAY, JUNE 18, 2012</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken with respect to the application of The City of London relating to the area of land generally bounded by Fanshawe Park Road/Thames River (North Branch)/Kilally Road to the north, Aldersbrook Road/Wonderland Road to the west, the Thames River (South Branch)/Dundas Street to the South, and Clark Road to the east:

- (a) the proposed by-law attached hereto as Appendix “A” **BE INTRODUCED** at the Municipal Council meeting on June 26, 2012 to amend the Official Plan by adding a new special policy to Chapter 3 – Residential Land Use Designations – to designate the lands that will be identified as the Near-Campus Neighbourhoods Area and adopt the vision, goals, and policies to guide land use development in this area;
- (b) the proposed by-law attached hereto as Appendix “B” **BE INTRODUCED** at the Municipal Council meeting on June 26, 2012 to amend Zoning By-law No. Z.-1 (in conformity with the Official Plan, as amended in part (a) above) to modify or add various zoning definitions, modify the general provisions, and modify the zoning regulations for lands zoned Residential R1, Residential R2, and Residential R3 Zone; and,
- (c) the Administrations of Fanshawe College and Western University of Canada and Municipal Staff **BE REQUESTED** to meet with representatives from the Province to discuss the potential for legislative changes to assist with planning in near-campus neighbourhoods.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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December 2007 – Report to Town and Gown Committee – Town and Gown Initiatives. This report identified efforts that have already been made in London by the University, Colleges, Student Councils, Neighbourhood Groups, London Police, London Fire, By-law Enforcement, and Planning and Development to address Town and Gown issues.

February 2008 – Report to Planning Committee – Closing the Gap: New Partnerships for Great Neighbourhoods Surrounding our University and Colleges – This report to Planning Committee proposed 10 strategic initiatives designed to collectively achieve the common vision for the Near-Campus Neighbourhoods.

November 2008 – Report to Planning Committee – Great Near-Campus Neighbourhoods Strategy Implementation Plan – This report to Planning Committee re-branded the “Closing the Gap” initiative to “Great Near-Campus Neighbourhoods Strategy” and recommended that the proposed Plan to implement the Great Near-Campus Neighbourhoods Strategy be adopted.

September 2009 – Report to Planning Committee –Near-Campus Neighbourhoods Planning Amendments – This report to Planning Committee recommended that the draft Official Plan and Zoning By-law amendments be circulated for public and agency review and that public meetings be held with local stakeholders to review the draft amendments. Based on the feedback, Planning Staff forward a report to Planning Committee for further consideration and approval.

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<b>PURPOSE AND EFFECT OF RECOMMENDED ACTIONS</b>
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The proposed amendments are to provide clearer guidance for the development of lands in near-campus neighbourhoods located in proximity to the University of Western Ontario and Fanshawe College described above.

<b>RATIONALE</b>
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1. The recommended amendments are consistent with the policies of the *Provincial Policy Statement, 2005*.
2. The recommended amendments are consistent with the policies of Chapter 2 (Planning Framework), Chapter 3 (Residential Land Use Designations), and Chapter 19 (Implementation) of the Official Plan.
3. The recommended amendments are consistent with, and assist with the implementation of, several area studies that have been undertaken in the near-campus neighbourhoods which are intended to preserve neighbourhood stability in these areas.
4. The recommended amendments have been proposed after significant public consultation with the local institutions, landowners, and interest groups to find a balance between encouraging residential intensification while preserving the existing residential amenity

<b>HISTORY OF NEAR-CAMPUS NEIGHBOURHOOD PLANNING IN LONDON</b>
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There is a long history of planning initiatives for the planning of Near-Campus Neighbourhoods in London. Early planning initiatives primarily focused on providing guidance for intensification pressures within specific areas near the University of Western Ontario. It began in 1985, when Council approved the *St. George/Grosvenor Neighbourhood Study* and subsequently amended the Official Plan to implement the Study's recommendations. This initiative was closely followed by the *Task Force on Student Housing* in 1988. Since that time there have been several more policy amendments applied on an incremental basis in response to the land use conflicts as they emerged in specific neighbourhoods.

The following initiatives were undertaken by London City Council to continue to allow for limited intensification, in appropriate locations and in appropriate built form which contribute to sustainable communities.

St. George/Grosvenor Neighbourhood Study & Official Plan Amendment (1985)  
Special policies in the City's Official Plan were adopted for this residential neighbourhood which evolved from the 1985 St. George/Grosvenor Area Study. The policies were later updated in 2004 as described below.

Task Force on Student Housing (1988)  
The Task Force issued a report and 18 recommendations to address issues of student housing and impacts on low density residential neighbourhoods. Recommendations included improved municipal by-law enforcement; promotional activities to educate students on parking, noise, and property standards by-laws; undertake regular surveys on adequacy and availability of student housing; and establish a Student Housing Advisory Committee. One of the most successful outcomes of this task force was the establishment of a cost shared Housing Mediation Service office for Western and Fanshawe which remains in place today.

Residential Intensification in the Essex Street Area Planning Study (1995)  
This study of intensification activity, mostly in the form of dwelling conversions and development of fourplexes and low rise apartments, near the intersection of Essex Street, Wharncliffe Road North, and Western Road, resulted in special zoning to allow for intensification and infill of an appropriate scale and intensity. Floor area ratios and parking requirements were established. The underlying purpose of the study was to

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identify areas where redevelopment should be encouraged and where conservation of the existing housing stock should be maintained. Given its proximity to the University of Western Ontario, this is a neighbourhood which experiences great demand for low rent, short term housing accommodation.

Intensification and Bill 120 – Impact on the North London and Broughdale Communities - Planning Study and Official Plan Amendment (1995)

A special policy in the Official Plan was adopted based on a comprehensive planning study of the impacts of residential intensification in the Broughdale Neighbourhood of Old North London. In addition to the special policy, zone regulations specific to this area were introduced to control the scale and bulk of intensification and infill projects including: maximum floor area ratios and maximum dwelling size regulations; minimum yard setbacks to preserve private amenity space; and, new parking requirements.

Intensification and Bill 120 – Impact on the North London and Broughdale Communities - Expanded Area (1996)

The special policies and zone regulations established in 1995 were later expanded to a wider area of the community experiencing similar issues and impacts including The Parkway, Sherwood Ave, and Victoria Street.

Richmond Street/University Gates Corridor Review - Report and Official Plan Amendment (2001)

As a result of several applications for multi-unit residential development, a report was prepared recommending that a special Official Plan policy be adopted for the Richmond Street frontage across from the University Gates between Broughdale Ave and Epworth Ave to permit residential redevelopment up to a fourplex with a specific floor area ratio (FAR), maximum building size, parking regulations, and a requirement for public site plan review of any future redevelopment proposals.

North London Residential Study and Amendments to the Official Plan and Zoning By-law (2004)

This study included a review of the existing Official Plan policies and zoning regulations in the Broughdale neighbourhood in order to determine if the same planning tools should be extended to other North London neighbourhoods. The study considered by-law enforcement and health and safety issues; as well as residential intensification, lodging house regulations, floor area ratios, parking, and number of bedrooms in dwelling units. Council approved the extension of special zone regulations to a much wider area of North London. Along Richmond Street the zoning was also amended by allowing dwelling conversions up to four units and removing triplexes and fourplexes as permitted uses.

5 Bedroom Limit - By-law No. Z.-1-041300 (2004)

This was a City-wide amendment to the Zoning By-law to change the definition of “Dwelling Unit” to introduce a limit on the number of bedrooms to five (5) maximum. While there were appeals, the Ontario Municipal Board decision upheld the by-law.

Central Avenue/West Woodfield Area Zoning Review (2006)

This study took in part of the Woodfield Neighbourhood in the City’s core area experiencing similar kinds of problems to North London. The Official Plan and Zoning By-law were reviewed and amendments were made to reflect Council’s intent to protect the residential amenity of this historic neighbourhood and ensure that its scale, intensity, and character are preserved. To implement the policy, area-specific zoning amendments were adopted which did not change the permitted uses, but which did apply through special zone provisions a number of new regulations including floor area ratios, maximum floor areas, minimum rear yard depth, minimum number of parking spaces, and yards where parking may be permitted.

Beaufort Street, Irwin Street, Gunn Street, and Saunby Street Neighbourhood Planning Options (2011)

As a result of several recent intensification projects in the interior of the BIGS Neighbourhood (Beaufort, Irwin, Gunn and Saunby Streets), whereby single detached

dwellings were being demolished and replaced by duplex dwellings, Council directed Planning Staff to, among other matters, retain a Planning Consultant to prepare a planning study for the BIGS area to consolidate the recommendations of the Essex Street Study prepared in March 1995, where appropriate, include a master plan and policies to direct future development within the context of the Great Near-Campus Neighbourhoods Strategy.

- There is an extended history of efforts designed to control residential intensification within the near-campus neighbourhoods near the University of Western Ontario.
- These efforts were designed to establish parameters for appropriate locations and forms of intensification.
- The planning approach to strike the right balance of intensification within near-campus neighbourhoods has been evolutionary.
- There are a number of areas where specific Official Plan policies have been applied relating to the same near-campus issues, including North London, St. George/Grosvenor, Broughdale, and Central London.
- There is a need to address near-campus neighbourhoods more comprehensively, including a more complete geographic area, and with a better articulated vision of Council's intent for these communities.

While the above specific policy amendments were successful in alleviating some of the local negative impacts where the policies were applied, they also resulted in the migration of these land use conflicts to neighbourhoods where specific policies were not applied. Additionally, these initiatives have had limited success in providing for appropriate intensification. For example, within near-campus neighbourhoods:

- These ongoing concerns have created the need to establish a comprehensive strategy within the near-campus neighbourhood areas.

The City of London also hosted a Town and Gown Association of Ontario Symposium in London to discuss near-campus neighbourhood issues, new strategies being employed, and best practices in Ontario, Canada, the US and the UK. Staff later visited various municipalities and spoke extensively to municipal representatives to gain greater understanding and further researched best practices and policies within literature and on web sites devoted to the subject of town and gown planning.

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The research continued with extensive consultation in the community. This included two broadly attended public meetings that incorporated break-out sessions for developing a community vision (inclusive of residents, developers, landlords, etc.), issue identification and brainstorming around problem solving.

Separate focus group meetings were held with Student Council representatives from both the University and College, Administration and Faculty from the University and College, neighbourhood association leaders, developers and landlords, politicians representing near-campus wards, emergency services, affordable housing groups, and municipal Staff.

Based on this extensive consultation and research, Staff prepared and presented a report to Council on March 3, 2008. Council asked that the report be circulated to various stakeholders and interested parties for review. This report presented a consolidated vision for near-campus neighbourhoods, based on the extensive feedback received through the research and consultation process and identified obstacles to achieving the vision. Finally, 10 strategies were identified for overcoming these obstacles and achieving the vision.

Following the circulation of the report, Staff from the Department of Planning and Development held public information sessions for students, neighbours, landlords, school administration, and others to present these 10 strategies and to solicit their feedback.

The public information sessions were held at Fanshawe College, the University of Western Ontario (Main Campus), King's College, and City Hall in an effort to reach as many interested stakeholders as possible. The information sessions included a Staff presentation followed by an open discussion where the audience was invited to make comments, ask questions, and provide feedback. Planning Staff were also invited to present to the London Housing Advisory Committee for comment and feedback.

In order to evaluate whether the proposed strategies are relevant and comprehensive, the audience was invited to discuss: a) whether all their concerns have been identified in the list of strategies; and/or b) whether one or more of their concerns remains absent from the list of strategies. In others words, Staff asked, "have we hit the right notes?" and "have we missed anything?"

While the research and consultation process was underway, a new Town and Gown Committee was established by Municipal Council. Chaired by then-Mayor Anne Marie DeCicco-Best, the Town and Gown Committee also included representatives from a very broad range of stakeholders, including, but not limited to: Municipal Council, UWO Administration, UWO Student Council, Kings College Student Council, Fanshawe College Administration, Fanshawe College Student Council, Student Housing Mediation Services, London City Police Department, London Fire Department, and neighbourhood associations. By-law Enforcement, Legal, and Planning Division Staff act as resources for the Committee. The work relating to the Great Near-Campus Neighbourhoods Strategy was vetted through the Town and Gown Committee throughout the process and valuable feedback was received.

In November 2008, Staff reported back to Planning Committee to present the results of the public consultation sessions. As part of this report, Staff rebranded the *Closing the Gap* strategy to the *Great Near-Campus Neighbourhoods Strategy* and introduced an implementation plan which outlined "how" and "when" the 10 strategies will be implemented and by "whom". On November 17, 2008 Council adopted the 10 strategies outlined in the *Great Near-Campus Neighbourhoods Strategy* and accompanying Implementation Plan.

Upon adoption, Planning Staff began to draft Official Plan and Zoning By-law amendments consistent with several of the initiatives identified in the Implementation Plan adopted by Council. Specifically, the Implementation Plan included such initiatives as:

- Modify Zoning By-law to regulate the number of bedrooms by dwelling type
- Establish regulations to ensure that parking is not accessed via front yard and parking on narrow driveways must be in tandem
- Explore requirement for rear yard amenity area
- Establish policy framework for revised Zoning Regulations
- Revised Zoning Regulations to include driveway surface in parking area calculation

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- Reduce maximum height in all R1 through R3 zones
- Review culmination of regulations to establish appropriate combination
- Explore Floor Area Ratio (FAR) for all zones
- Include Official Plan policies that provide clearer guidance for evaluation of Minor Variances
- Amend Official Plan policies to clarify that the existence of illegal units or bedrooms does not constitute a basis of support to legalize
- Establish new Official Plan policies which describe the vision for each near campus neighbourhood and provide a context for planning applications

A draft set of Official Plan, Zoning By-law, and Site Plan By-law amendments were presented at a meeting of the Planning Committee on September 28, 2009 with a recommendation that the proposed amendments be circulated to:

- the Town and Gown Committee
- the London Housing Advisory Committee
- the Urban League of London
- the London Developers Institute
- the London Home Builders Association, and
- the London Area Planning Consultants

In addition to the above recommendations, on October 5, 2009 Council also resolved that the draft near-campus neighbourhoods planning amendments be circulated to various stakeholders and interested parties for comments and feedback prior to presenting the proposed amendments to Council for adoption. As a result of the recommendation to circulate the proposed policies, Planning Staff held several more information sessions and presented to various community associations to provide information and solicit feedback.

Public consultation sessions were held at King's College, Fanshawe College, and Council Chambers in November 2009 and another public information session in Council Chambers in March 2010. Planning Staff also attended local community association meetings upon request and presented at a meeting of the London Property Management Association (LPMA) in May 2010 to provide information and solicit feedback. The proposed amendments were also circulated to internal and external agencies for comment. These comments and feedback are summarized below.

<b>SIGNIFICANT DEPARTMENT/AGENCY COMMENTS</b>
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**London Transit Commission**

*London Transit has reviewed the proposed policy amendments pertaining to the Great Near-Campus Neighbourhood Strategy and submits the following comments:*

*Overall, London Transit is in agreement that inappropriate forms of residential intensification do not contribute to the quality of life of neighbourhoods and could lead to conflicts between groups, particularly between students and long-term local residents. However, low population densities and a lack of housing diversity can also contribute to conflicts between residents, particularly in areas where the demand for transit generated by students may not be supported by the permanent residential population.*

***Great Near-Campus Neighbourhoods – Implementation Plan***

*At its November 2008 meeting, the Commission received a copy of the Municipal Council's November 17, 2008 resolution requesting that the London Transit Commission initiate a series of strategies relating to public transit. The Commission's resolution on the requested actions is outlined in the February 25, 2009 staff report.*

***Policy Initiatives Allowing for Intensification in Near-Campus Neighbourhoods***

*Recent amendments to the Official Plan (OPA No. 438) support intensification along major transit nodes and corridors, inclusive of UWO and Fanshawe College. These amendments to Chapter 18 and other sections of the Official Plan should be referred to in the discussion of existing policies that encourage intensification.*

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**Proposed Transit Policies**

*The implementation of Bus Rapid Transit corridors linking the University of Western Ontario and Fanshawe College campuses to the community, as outlined in the Long-Term Transit Growth Strategy will assist achieving a high level of service, including service frequency and travel speed, to both campuses. Other specific service-related requests should be referred to the LTC's Annual Service Plan process in which all requests are collectively assessed and prioritized based on funding, demand, and expected return on investment from fare revenues.*

*In light of the service planning process described above, the draft Official Plan policy 3.5.1.14 "strategic transit planning will be undertaken to consider options and implement transit initiatives that will contribute to the Near-Campus Vision" should be revised to: "planning for new student housing will consider the areas with strong transit connections to the University of Western Ontario and Fanshawe College"*

**Ministry of Municipal Affairs and Housing (MAH)**

*MAH Staff appreciate the opportunity to review and comment on the above-noted matter.*

*It is understood that the purpose of the proposed amendments are to:*

- *Formally define the location of Near-Campus Neighbourhoods within the City of London*
- *Establish a vision for Near-Campus Neighbourhoods which will clarify Council's long term intent for these Neighbourhoods*
- *Establish land use planning goals for Near-Campus Neighbourhoods*
- *Provide guidance for appropriate locations, forms and concentrations of intensification in Near-Campus Neighbourhoods*
- *Provide policies and planning tools that will be used in the review of planning applications for land within Near-Campus Neighbourhoods*

*The policies of the 2005 Provincial Policy Statement (PPS) apply to the above-noted matter. Section 3(5) of the Planning Act requires land use decisions to be consistent with the Provincial Policy Statement and conform with provincial plans.*

*It is understood that there has been a long history of planning initiatives regarding near-campus neighbourhoods within the City of London. Further, it is understood that the City recognizes the important asset these near-campus neighbourhoods can provide to the community. However, it is recognized that the City is concerned with the amount and form of intensification occurring in these areas.*

*We understand the city is specifically concerned about: the potential loss of balance and mix of housing opportunities within these areas; the built heritage preservations; the potential health and safety matters associated with the type of intensification currently occurring in these areas; and the housing affordability within these areas.*

*In is noted that the Planning Report has identified and considered the policies of the PPS which they feel are applicable to this matter and have incorporated the intent of these policies into the proposed vision, goals and area specific policies for the proposed amendments.*

*It would appear the City recognizes and is attempting to incorporate the direction the PPS provides on housing supply, affordable housing, health and safety and intensification in relation to this important local issue.*

*On behalf of our Ministry, thank you for the opportunity to review and provide comments on this matter.*

**London Hydro**

*No objection.*

**Wastewater & Drainage Engineering Division (WADE)**

*For infill lot intensification in existing neighbourhoods outlined on the location map; sanitary capacity constraints may require holding provisions if existing properties are rezoned to a more*

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intense use not anticipated in the original sanitary sewer design for the developed area in question, especially along Arterial roads.

**Stormwater Management Unit (SWM)**

Any development/drainage proposed within the identified area are expected to be in accordance with the following:

- Stoney Creek Flood Control Study Class EA
- EA, Schedule B for Storm Drainage and SWM Servicing works for the Stoney Creek Undeveloped Lands
- Stoney Creek Subwatershed Study
- Sunningdale Area Storm Drainage and SWM Servicing works for Undeveloped Lands
- Sunningdale Storm Drainage and SWM Facility 7
- Medway Creek Subwatershed Study
- Central Thames Subwatershed requirements
- The City Design Requirements for Permanent Private Stormwater Systems were approved by City Council and is effective as of January 01, 2012. The stormwater requirements for PPS for all medium/high density residential, institutional, commercial and industrial development sites are in this document, which may include but not be limited to quantity/quality control, erosion, stream morphology, etc.

**Upper Thames River Conservation Authority (UTRCA)**

No objection.

RESPONSE FROM PUBLIC CONSULTATION

The following table is a list of comments received in chronological order as a result of public consultation. The comments are summarized to succinctly articulate the concerns and may therefore not appear verbatim to the comments that were submitted. Where comments and opinions of several parties were similar they have been consolidated. It should also be noted that in addition to the comments below, comments were also received for matters that the municipality has no authority to implement by way of policy or by-law. As a result, these comments were noted and filed but are not summarized below given that they are not directly related to the proposed amendments.

The following table is organized to highlight the summarized comments and opinions in the left hand column; followed by the middle column containing a Staff analysis summary of the comments indicating how and why the comments will be, will not be, or have already been incorporated in the proposed amendments; and, the right hand column outlining any changes to the proposed amendments as a result of the comments received.

Summary of Comments	Analysis of Comments	Modification to Proposed Policies
If the draft policies & regulations are beneficial for the Near-Campus Neighbourhoods, should they not be applied City-wide so that all may benefit	As a result of the public consultation, the draft policies & regulations have been revisited to determine how they may be applied on a City-wide basis	All of the proposed Zoning By-law amendments, with the exception of the reduction in the number of bedrooms per dwelling type, are intended to be applied City-wide
Can the proposed “Outdoor Living Area” requirement still result in a patchwork of open space areas on a lot?	The addition of setback regulations for rear yard parking areas will result in viable opportunities for sufficient landscaped open space areas	Modify the draft Zoning By-law to remove the requirement for an Outdoor Living Area, introduce regulations for landscaped open space coverage and a minimum setback of 3.0m between rear yard parking areas and abutting lot lines



Summary of Comments	Analysis of Comments	Modification to Proposed Policies
Should “bedrooms” be defined in the Zoning By-law and include minimum/maximum requirements?	Bedrooms are regulated under the <i>Ontario Building Code</i> and new building proposals are evaluated on these requirements	No modifications to the proposed policies or regulations recommended
Can something be done to regulate the height of basements given that they appear to be constructed higher above the ground?	The current Zoning By-law defines <i>Basement</i> as, “a storey or storeys of a building located below the first storey and having its ceiling 1.8 m (5.9 ft.) or less above grade.” Therefore, basement heights are regulated. However, as part of the proposed amendment, it is intended that the maximum heights of several dwelling types be reduced	Amend the current Zoning By-law regulations for the R1 zone variation (with the exception of the R1-14-R1-17 zone variations), all of the R2, and all of the R3 zone variations to reduce the maximum height of buildings <b>FROM</b> a maximum of 10.5m and 12.0m <b>TO</b> 9.0m.
Can access to a dwelling be limited to 1 right-of-way (ROW) to prevent dual accesses for properties that have frontage on an assumed public street as well as a public laneway/ROW?	The proposed regulations to limit the proportion of the surface area of the lot that is devoted to vehicular parking will indirectly address this concern. Property owners will have to carefully reconcile any additional driveway length required to accommodate dual access points with the maximum parking area coverage regulation	No modifications to the proposed policies or regulations recommended
Can the Sign By-law be amended to prevent rental signs from being posted on higher profile properties in an attempt to advertise for properties located elsewhere?	As part of a future review of the Sign By-law, a review of the application of rental signs can be considered at that time. The proposed Official Plan and Zoning By-law amendments are not suited to implement this request	No modifications to the proposed policies or regulations recommended
Parking in the rear-yard is not conducive to protecting the residential amenity of an area and parking should be required to be located in the front-yard to protect the rear-yard amenity space of the abutting properties	Subsection 4.19.4) of the Zoning By-law states that, “No person shall use any land or cause or permit the use of any land situated in any zone for the purpose of parking or storage of a vehicle in any front yard or exterior side yard”. The draft policies and regulations do not propose to modify the current Zoning regulations pertaining to the location of parking areas and, as a result, parking will continue to be encouraged to be located in the interior side yards and rear-yards	The draft zoning regulations are proposed to be modified to include a regulation requiring that rear yard parking areas provide 3.0 meter setbacks from the side and rear lot lines to provide opportunities for landscaped open space and opportunities for buffering the rear yard parking areas from the neighbouring properties

Summary of Comments	Analysis of Comments	Modification to Proposed Policies
The Fence By-law should be revisited to reflect the realities of living in areas that are densely populated to protect the rear-yard amenity area of surrounding properties	As part of a future review of the Fence By-law, a review of the maximum height of fences can be considered at that time. The proposed Official Plan and Zoning By-law amendments are not suited to implement this request	No modifications to the proposed policies or regulations recommended
A maximum bedroom regulation should be carefully considered prior to adoption to ensure that this regulation is not prohibitive to families	The proposed Zoning By-law amendments are intended to articulate the as-of-right requirements of a subject property within near-campus neighbourhoods. Any regulation of the Zoning By-law can be varied to grant a property owner relief from the requirements of the By-law. These requests will be measured against the requirements of the proposed new policies	Modify the draft Zoning By-law amendments such that the reduction in the maximum number of bedrooms per dwelling unit is applied in near-campus neighbourhood areas only given the on-going pressures for residential intensification and increased residential intensity unique to those areas
5-day garbage cycle reinstituted	This concept has been identified in the Implementation Plan approved by Council and is one that EESD is evaluating	No modifications to the proposed policies or regulations recommended
The opening paragraph in the proposed policy 3.5.19.5 where it states that, “...inappropriate and unsustainable forms of intensification will be defined as those which combine some, or all of the following attributes” should be amended to read “one or more of the following attributes” should be considered inappropriate and unsustainable	Staff agree with this proposed modification to the draft policies	The last sentence of proposed policy 3.5.19.5 is modified to read, “For the purposes of these policies, appropriate forms of intensification will be defined as those which are <u>not</u> comprised of one or more of the following attributes:”
The municipality now has the authority to set up an appeals board to hear appeals for Minor Variance and Consent applications, instead of the OMB. The proposed amendments should recommend that an appeal body be established.	Staff have been asked by Municipal Council to report back with more information regarding the establishment of a Local Appeal Body	No modifications to the proposed policies or regulations recommended. A separate report will be presented with information specific to this matter.

Summary of Comments	Analysis of Comments	Modification to Proposed Policies
There should be a statement to the effect that, in neighbourhoods that have a variety of lot frontages, that a variety of lots shall be maintained	Such a policy may be used to justify inappropriate and unsustainable forms of intensification and may undermine the intent of the Zoning By-law where Council has applied a zone that is intended to establish a new standard for lot sizes in the neighbourhood	No modifications to the proposed policies or regulations recommended
The issue of mutual driveways is closely tied to the issue of lot severances. There should be additional conditions requiring the ability for new lots created by severance to be able to function independently of other lots	Often in near-campus neighbourhoods, applications for consents to create multiple under-sized parcels have resulted in the necessity for mutual driveways to allow the new lots to function thereby creating a situation whereby two lots are interdependent with each other	The draft Official Plan amendments are modified by adding a policy requiring the severed and retained parcels to function independently without the use of easements or shared facilities. The draft zoning regulations are to be modified to increase the criterion for side yard setbacks to require a minimum of 3.0 metres where there is no attached garage for all lands within the residential R1 zone variation
There should be new requirements that any new mutual driveways have a minimum width	The current Zoning By-law regulations require that the minimum driveway width be 2.7 metres for each lot. This width is sufficient to allow for the ingress and egress of vehicles. The intent of the proposed amendments to the current zoning regulations is to strengthen the criteria for the actual creation of mutual driveways (see above comment), but Staff find no benefit in requiring that wider driveways be created if/when a mutual driveway is deemed to be appropriate	No modifications to the proposed policies or regulations recommended
Give consideration to the creation of a minimum setback requirement between the dwelling and the driveway	There are many examples in near-campus neighbourhoods where driveways located in the side-yard directly abut a dwelling. A set-back requirement such as this could reallocate some of the proposed requirements for landscaped open space toward this suggested setback area instead of the rear-yard where it would be better utilized to achieving the vision for residential amenity.	No modifications to the proposed policies or regulations recommended

Summary of Comments	Analysis of Comments	Modification to Proposed Policies
The proposed urban design policies for near-campus neighbourhoods should include a subsection for driveways	This can be evaluated as part of the Neighbourhood Character Statement and Compatibility report required as part of an application for residential intensification	No modifications to the proposed policies or regulations recommended
The current Official Plan defines <i>infill</i> as “new residential development within an established neighbourhood, on vacant or under-utilized sites.” In most near-campus neighbourhoods there are no “vacant” sites and, as a result, infill is permitted when a site is “under-utilized”.	As part of the comprehensive 5-year review of the Official Plan, significant modifications have been approved to the infill housing policies. The new policies define the term <i>under-utilized</i> and include within the definition a criterion which evaluates the neighbourhood context in addition to other new criteria	(See section of report entitled “Modifications to Draft Policies and Regulations”)
The proposed policies state that, “ <i>Where a conflict occurs between these Near-Campus Neighbourhoods policies and the more general policies of this Plan, these Near-Campus Neighbourhoods Policies will have precedent.</i> ” The requirement of a “conflict” should be removed and the policies be modified to just simply state that, “The Near-Campus Neighbourhood Policies override the more general policies of the Plan”	The term “conflict” is widely accepted and appropriate to implement these proposed policies where there are several special policy areas within this larger special policy area. The general policies of the Official Plan are intended to govern in near-campus neighbourhoods unless the more specific area policies provide an alternative requirement. It is in the event of this “conflict” that the latter policies will govern.	No modifications to the proposed policies or regulations recommended
There are two stated problems which are contradictory to one another – these being that Near-Campus Neighbourhoods have inadequate parking areas resulting in situations where vehicles are parked parallel on driveways or there is too much parking exemplified by entire rear-yards being paved over. How these two problems will be resolved needs to be clarified.	It should be noted that these are two distinct issues: One relates to the appropriate location, form, and access to parking areas and the other relates to the supply of parking. These two issues are proposed to be regulated by two separate by-laws. In response to the first issue, Council has adopted, “ <i>A by-law to regulate off-street parking of motor vehicles in residential areas</i> ” which requires that parking in residential areas shall only be accessed via a driveway (i.e. cannot be accessed by driving across the front lawn) and the Zoning By-law is proposed to be amended by introducing new Maximum Parking Area regulations for the R1, R2 and R3 zones to address supply of parking.	Modify the proposed Zoning By-law amendments by introducing new Maximum Parking Area regulations for the R1, R2 and R3 zones to address supply of parking

Summary of Comments	Analysis of Comments	Modification to Proposed Policies
<p>The proposed policies state that <i>“intensification in the form of medium and large scale apartment buildings, at appropriate locations...is preferred...rather than further intensification in Low Density Residential designations.”</i> This language should be modified to articulate a more definite requirement.</p>	<p>The proposed policies must allow for some flexibility in their application. However, the proposed policies include a variety of criteria to which new development proposals will be evaluated</p>	<p>No modifications to the proposed policies or regulations recommended</p>
<p>The proposed policies state that proposals for intensification will be approached in a coordinated and comprehensive fashion rather than on a site-specific basis. This may lead one to believe that an area study is required for each new development proposal leading to accusations that the policies are too excessive. This process should be clarified.</p>	<p>It is not envisioned that an area plan be required for all proposals for intensification. The Council-approved Great Near-Campus Neighbourhoods Strategy Implementation Plan directs Planning Staff to <i>“identify opportunities for medium and high density development at strategic locations”</i> enabling Planning Staff to undertake a comprehensive study, in consultation with the community, to identify opportunities for higher density development. The reason that the proposed policies speak to the <i>“coordinated and comprehensive fashion”</i> is to remain consistent with the Council-approved Implementation Plan. Furthermore, area plans are not typically undertaken for site-specific applications</p>	<p>No modifications to the proposed policies or regulations recommended</p>
<p>The proposed policies which seek to reduce the total number of bedrooms for duplex dwellings, triplex dwellings, etc. may inadvertently create more applications for severances given that a large lot which is severed to create two 5-bedroom single detached dwellings will yield more bedrooms than one duplex with a total of 6-bedrooms</p>	<p>The proposed policy amendments are intended to address all forms of inappropriate intensification – regardless of whether they are consent applications, rezoning applications, or other. Therefore, whether or not the demand for severance applications increases is immaterial because the corresponding policies apply in evaluating the appropriateness of all planning applications</p>	<p>No modifications to the proposed policies or regulations recommended</p>

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Summary of Comments	Analysis of Comments	Modification to Proposed Policies
<p>The current North/London Broughdale Neighbourhood special policies promote the creation of semi-detached and converted dwellings in the interior of the neighbourhoods to a maximum of two units</p>	<p>These policies were adopted by Council after an extensive area planning process. Large areas of the North London/ Broughdale Neighbourhood are pre-zoned Residential R2 where this policy is consistent with the Zoning By-law. However, the proposed policies do not support new amendments to the Zoning By-law to intensify in low density forms of housing</p>	<p>Policy 3.5.19.10 is modified by adding a paragraph which discourages site-specific amendment for a lot(s) that is not unique within its context and does not have any special attributes which would warrant a site-specific amendment to prevent spot zoning in areas zoned to permit single detached dwellings</p>
<p>The academic institutions should enter into partnerships with developers of private off-campus residences both from a business point of view and by ensuring that behavioural issues can also be addressed through the code of conduct with the same repercussions as those that would be incurred if when incidents happen on school property</p>	<p>Staff believe that this is an excellent idea however, it is not one that can be implemented through Official Plan policy or Zoning</p>	<p>No modifications to the proposed policies or regulations recommended</p>
<p>The addition of a walkway in the front yard of a home has been used to expand the surface parking area because these walkways often have vehicles parked on them and this practice must be stopped</p>	<p>Parking on a walkway is not permitted under the current zoning regulations. The walkway is regarded as Landscaped Open Space and not a parking area for vehicles. However, the proposed Zoning By-law amendments are intended to clarify this discrepancy by instituting minimum requirements for Landscaped Open Space and redefining the Parking Area Coverage</p>	<p>Modify proposed Zoning By-law to clarify this discrepancy by instituting minimum requirements for Landscaped Open Space and redefining the Parking Area Coverage</p>
<p>The notification radius related to applications for building permits and demolition permits needs to be widened regardless of the Planning Act minimum requirements</p>	<p>The Planning Act legislates the minimum notification requirement for Zoning By-law, Official Plan, and minor variance applications. For amendments to the Zoning By-law or Official Plan, the City uses a wide range of media to notify neighbours including notices in the London Free Press, posting a “Possible Land Use Change” sign on the subject property, posting information on the City’s website, in addition to mailing neighbours within a 120m of the site.</p>	<p>No modifications to the proposed policies or regulations recommended</p>

Summary of Comments	Analysis of Comments	Modification to Proposed Policies
	There are no requirements under the Planning Act to notify neighbours of demolition applications and building permit applications when the proposed use is permitted as-of-right under the current zone.	
Affordable housing is needed in these neighbourhoods to accommodate people who will be living in the area on a permanent basis	Part of the Great Near-Campus Neighbourhoods Strategy envisioned that affordable housing would be provided in near-campus neighbourhoods. While Staff agree that this issue is important, the issue of affordability cannot be adequately addressed through the Zoning By-law or Official Plan policy. However, Zoning and Official Plan policy can be used to facilitate the types of uses that have traditionally been more affordable such as multi-unit residential developments. These policies encourage this form of housing in the appropriate locations within the near-campus neighbourhoods area	No modifications to the proposed policies or regulations recommended. However this issue can be studied further as part of future area planning applications
One way in which affordability may be addressed is though property tax reductions for properties that are re-converted back to single detached dwellings	Part of the Council adopted Great Near-Campus Neighbourhoods Strategy was the possibility of a Community Improvement Plan (CIP) which may provide incentives to property owners who rehabilitate homes back to their purpose-designed specifications. However, any CIP is a separate undertaking and is not recommended as part of this set of amendments	No modifications to the proposed policies or regulations recommended
The tree canopy that is important to London's appearance should be protected from new developments	Staff agree with the protection of vegetation and mature trees. The new Official Plan requirements – adopted as part of the 5-year review of the Official Plan – require that infill development be subject to Site Plan control. Through Site Plan control, Staff can require that tree preservation studies be provided and important trees retained	No modifications to the proposed policies or regulations recommended

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<b>ADDITIONS, DELETIONS AND MODIFICATIONS TO THE DRAFT POLICIES AND REGULATIONS (circulated in October 2009)</b>
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In addition to the above noted modifications that were prompted as part of the public consultation sessions, a series of additional modifications to the draft policies and zoning regulations are also proposed as a result of further Staff review and additional internal consultation.

This section outlines these additional modifications to the draft policies, zoning regulations, and other by-laws. Where the following section references changes to the **draft** policies or Zoning By-law amendments, this refers to the draft policies or Zoning By-law amendments presented to Council October 5<sup>th</sup>, 2009 and circulated to various stakeholders. Where the following section references changes to the **proposed** policies or Zoning By-law amendments, this refers to the policies or Zoning By-law amendments attached to this report.

**MODIFICATIONS TO THE SEPTEMBER 2009 DRAFT OFFICIAL PLAN POLICIES**

**New proposed definition of “Residential Intensity”**

Many of the negative land use impacts within near-campus neighbourhoods have not been attributed to an increase in the number of *new* dwelling units within low density residential areas but are attributed to an increase in the occupancy of *existing* dwelling units by way of building additions or by converting basements and other common rooms into additional bedroom space.

While, the definition of “Residential Intensification” and the associated policies regulate the creation of *new* dwelling units, there is no companion definition pertaining to the increase in useability of *existing* sites or buildings. Therefore, it is proposed that a new definition be added to the Near-Campus Neighbourhoods Policies that define “Residential Intensity” from which subsequent policies can be adopted that provide guidance to its effect. The new definition is proposed as follows:

<b>3.5.19.7 Definition of Residential Intensity</b>	Residential Intensity refers to the increase in the usability of an existing dwelling, building, or site to accommodate additional occupancy including, but not limited to, building construction or additions, increasing the number of bedrooms, and expanding parking areas, but does not include the development of a property, site or area at a higher density than currently exists.
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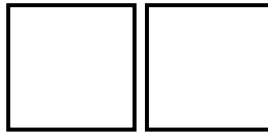
**Official Plan Amendment No. 438 (OPA 438)**

On December 17<sup>th</sup>, 2009, the Ministry of Municipal Affairs and Housing approved Official Plan Amendment No. 438 (OPA 438) which implemented the regulatory 5-year review of the Official Plan. As part of OPA 438, the Residential Land Use policies were amended to strengthen the residential intensification criteria and, as a result, some of the amendments proposed in the September 2009 Near Campus Neighbourhoods Planning Amendments report duplicated the policies of OPA 438.

During the preparation of the draft policies for the near-campus neighbourhood areas, Staff were aware of the potential duplication of the policies of OPA 438. At that time, the status and timing of OPA 438 was uncertain and, as a result, Staff proposed similar intensification policies for the near-campus neighbourhood areas in the event that the policies of OPA 438 were refused, appealed, or delayed.

However, now that OPA 438 has been approved by the Ministry of Municipal Affairs and there have been no appeals submitted in opposition to the amended residential intensification policies, some of the draft policies for near-campus neighbourhoods are now redundant. Therefore, the following modifications have been made to the proposed near-campus neighbourhoods policies in an effort to avoid duplication with OPA 438:





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*Draft Policy 3.5.1.8 – Site Plan Requirement for all Infill Development*

The September 2009 draft Official Plan policies for near-campus neighbourhoods included a requirement for Site Plan approval for all new infill development projects. Through OPA 438, new intensification policies were adopted which require public site plan review for all residential intensification proposals with the exception of permitted single detached dwelling conversions to add one additional residential dwelling. As a result of this amendment, the proposed Near-Campus Neighbourhoods policies are modified by removing the following draft policy:

**3.5.1.8.**                      ~~Within the Near-Campus Neighbourhoods Area as shown in Figure 3-1 of this Plan, the scope of the City's Site Plan Control By-law will be extended to include single detached dwellings, semi-detached dwellings, duplex dwellings, and additions or renovations thereto which add one or more additional units and/or bedrooms.~~

**Site Plan Requirement for all Infill Development**

*Draft Policy 3.5.1.9 – Urban Design Policies for Near-Campus Neighbourhoods*

As part of residential intensification policies adopted through OPA 438, a greater emphasis on urban design has been incorporated for all residential intensification proposals. Policy 3.2.3 of the Official Plan now requires that, "*Residential intensification proposals shall use innovative and creative urban design techniques to ensure that character and compatibility with the surrounding neighbourhood are maintained as outlined in policy 3.2.3.3. and 3.2.3.4.*" Policies 3.2.3.3 and 3.2.3.4 subsequently require residential intensification proposals to undertake a *Neighbourhood Character Statement* and a statement of *Compatibility of Proposed Residential Intensification Development*, respectively.

As a result of the adoption of these new residential intensification policies, the following draft policy is no longer required. The proposed near-campus neighbourhoods Policies are modified by removing the following draft policy:

- i) ~~New single detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings, or fourplex dwellings should respect existing patterns and details such as:~~
  - a) ~~Height;~~
  - b) ~~rhythm of buildings on street;~~
  - c) ~~roof slopes and shapes;~~
  - d) ~~rhythm and proportions of building openings;~~
  - e) ~~scale;~~
  - f) ~~massing;~~
  - g) ~~fenestration;~~
  - h) ~~building materials;~~
  - i) ~~architectural styles;~~
  - j) ~~orientation;~~
  - k) ~~architectural features such as porches and chimneys, etc.; and,~~
  - l) ~~architectural details such as cornices, railings, lintels, arches, ironwork, etc.~~

Notwithstanding the deletion of the above draft policies, paragraph 3.5.1.9.ii) of the draft policies for near-campus neighbourhoods also included draft urban design policies for building *additions* (as opposed to *new* buildings) that are intended to add one or more dwelling units. Given that the creation of new dwelling units is regulated under the Residential Intensification policies, it is proposed that the draft policies related to the construction of building *additions* be retained and applied to proposals for new buildings or building additions that facilitate "Residential Intensity" (as defined above) since there are examples of new buildings and building additions in near-campus neighbourhoods which increased the occupancy of the site or dwelling without

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increasing the number of dwelling units. These cases are not subject to the Residential Intensification policies since the number of dwelling units was not increased.

**New proposed policies for Multi-Family, Medium Density Residential and Multi-Family, High Density Residential Designations**

The draft policies included goals, visions, evaluation criteria for new forms of development, and guidance for specific types of planning applications such as consents and minor variances. However, the draft policies did not include policies which provide direction in the Low-, Medium-, and High-Density Residential designations that are applied in near-campus neighbourhoods.

Therefore, the proposed policies are modified by adding new policies which encourage residential intensification in those areas which are designated Multi-Family, Medium and Multi-Family, High Density Residential and are located along arterial roads. The policies also provide additional guidance for Residential Intensification proposals on lands designated Multi-Family, Medium and Multi-Family, High Density Residential that area located within the interior of neighbourhoods to ensure that negative impacts are mitigated.

The proposed policies have also been modified to add new policies which provide guidance for proposals for new residential intensification and residential intensity in Low Density Residential areas. These policies specify that proposals for new residential intensification and residential intensity are to be consistent with all residential intensification policies of the Official Plan; that the proposal does not represent “spot zoning”; that the site can accommodate the proposed use; that potential negative impacts are mitigated; and, that it represents a positive precedent within the neighbourhood.

**MODIFICATIONS TO THE DRAFT ZONING BY-LAW REGULATIONS**

**Draft Zoning By-law amendment – Definition of “Parking Area”**

The draft amendment to the Zoning By-law included an amendment to the definition of “Parking Area” such that for residential uses, the calculation of Parking Area Coverage will include: Access Driveways, Aisles, Driveways, Garages, and Parking Spaces. However, while a Garage is regarded as a Parking Space under the Zoning By-law, it also regarded as a Building and, as such, is already calculated as part of the Lot Coverage calculation. Therefore, the draft Zoning By-law amendments are modified by removing the word “Garage” from proposed calculation of parking area coverage to avoid duplication.

**Draft Zoning By-law amendment – Definitions of “Converted Dwelling”, “Duplex Dwelling”, “Triplex Dwelling”, “Fourplex Dwelling”, and “Semi-Detached Dwelling”**

The draft amendment to the Zoning By-law included modifications to the definitions of: “Converted Dwelling”, “Duplex Dwelling”, “Triplex Dwelling”, “Fourplex Dwelling”, and “Semi-Detached Dwelling” stating that dwelling units contain no more than 3 bedrooms. These were intended to be a city-wide amendment.

However, the residential intensification pressures faced in near-campus neighbourhoods are disproportionate to those in areas outside of the near-campus neighbourhoods. As a result, it is intended that the proposed zoning regulations to reduce the maximum number of bedrooms per dwelling unit from 5 to 3 for Converted, Duplex, Triplex, Fourplex, and Semi-detached dwellings apply within the near-campus neighbourhood areas only. Therefore, the draft Zoning By-law amendments are modified by adding the phrase, “*Within Near-Campus Neighbourhoods identified in Figure 4.36...*” to draft amended definitions such that the modified proposed definitions shall read:

*“Within Near-Campus Neighbourhoods identified in Figure 4.36, a dwelling unit within a Converted Dwelling shall contain no more than three bedrooms”*

This amendment shall be repeated in the definitions of Duplex Dwelling, Triplex Dwelling, Fourplex Dwelling, and Semi-detached Dwelling.



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### **Draft Zoning By-law amendment – Definition of “Apartment Building”**

In reviewing the draft Zoning By-law amendments intended to reduce the maximum number of bedrooms for Duplex Dwellings, Triplex Dwelling, Fourplex Dwelling, and Converted Dwellings, it had become apparent that an important omission was dwelling units within an apartment building.

While the term “Apartment Building” conjures up an image of a multi-storey, high-rise development, an apartment building is defined in the Zoning By-law as, “*a building or existing non-residential building that is divided horizontally and/or vertically into five or more separate dwelling units...*” Given this definition, an apartment building may also be created as a result of a large addition to an existing building where five or more dwelling units are established or a purpose-built 5-unit building resembling a low density form of housing.

This may have significant implications in the near-campus neighbourhood areas, and specifically in Central London, where large buildings and additions on large lots have been constructed to accommodate five or more dwelling units and where additional lands have the potential to accommodate more residential intensity in the interior of the residential neighbourhoods contrary to Council’s vision. Therefore, the draft Zoning By-law amendments are modified by adding the following sentence to the definition of “Apartment Building”:

*“Within the Near-Campus Neighbourhoods Area identified in Figure 4.36, a dwelling unit within an Apartment Building shall contain no more than three bedrooms.”*

It should be noted that the development of multi-unit apartment buildings that are appropriately located and professionally managed are the preferred forms of development in near-campus neighbourhoods. While this maximum bedroom regulation identifies the as-of-right maximum, minor variances or Zoning By-law amendments to increase the number of bedrooms per dwelling unit may be supported where a development proposal is consistent with the proposed near-campus neighbourhood policies.

### **Draft Zoning By-law amendment – Definitions of “Stacked Townhouse”, “Street Townhouse”, and “Townhouse”**

The draft amendments to the Zoning By-law did not include modifications to the definitions of “Stacked Townhouse”, “Street Townhouse”, or “Townhouse”. Planning applications have been received for Official Plan and Zoning By-law amendments to permit the development of townhouses within near-campus neighbourhoods. Failing to reduce the maximum number of bedrooms in townhouse dwellings may inadvertently encourage the development of more townhouses, in an effort to maximize the residential intensity of sites and buildings, contrary to the vision and goals of near-campus neighbourhoods. Therefore, the draft Zoning By-law amendments are modified by reducing the number of bedrooms per dwelling unit in the following townhouse dwellings from 5 to 3:

*“Within the Near-Campus Neighbourhoods Area identified in Figure 4.36, a dwelling unit within a Stacked Townhouse shall contain no more than three bedrooms.”*

*“Within the Near-Campus Neighbourhoods Area identified in Figure 4.36, a dwelling unit within a Street Townhouse shall contain no more than three bedrooms.”*

*“Within the Near-Campus Neighbourhoods Area identified in Figure 4.36, a dwelling unit within a Townhouse shall contain no more than three bedrooms.”*

### **Draft Zoning By-law amendment – Definition of “Semi-Detached Dwelling”**

The draft amendments to the Zoning By-law included modifications to the definition of a semi-detached dwelling. This amendment proposed to add a sentence to the existing definition confirming that a semi-detached dwelling shall have no more than 5 bedrooms. Since the existing definition of “*Dwelling Unit*” maximizes the number of bedrooms at 5, this draft amendment did not introduce any new regulations but was proposed to maintain consistency

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with the format of the draft definitions for converted, duplex, triplex, fourplex, and single detached dwellings.

However, the fact that large areas of near-campus neighbourhoods are zoned R2 which permits: single detached, semi-detached, duplex, and converted dwellings (maximum of 2 dwelling units), the proposed regulation to reduce the number of bedrooms per dwelling unit in duplexes and converted dwellings from 5 to 3 may encourage the development of 5-bedroom semi-detached dwellings within the same zone variation. Therefore, the draft Zoning By-law amendments are modified by reducing the number of bedrooms per dwelling unit in semi-detached dwellings from 5 to 3:

*“Within the Near-Campus Neighbourhoods Area identified in Figure 4.36, a dwelling unit within a Semi-Detached Dwelling shall contain no more than three bedrooms.”*

**Draft Zoning By-law amendment – Definition of “Single Detached Dwelling”**

The draft amendment to the Zoning By-law included modifications to the definition of a single detached dwelling. This amendment proposed to add a sentence to the existing definition confirming that a single detached dwelling shall have no more than 5 bedrooms. Since the existing definition of “*Dwelling Unit*” maximizes the number of bedrooms at 5, this draft amendment did not introduce any new regulations. However, this draft amendment was included to maintain consistency with the format of the draft definitions for converted, duplex, triplex, fourplex, and semi-detached dwellings. Given that the existing definition of “*Dwelling Unit*” currently limits the number of bedrooms to no more than 5, the draft Zoning By-law amendment for single detached dwelling is redundant. Therefore, the draft Zoning By-law amendments are modified by deleting the draft amendment to the definition of single detached dwelling”

~~*Section 2.0, Definitions, to By-law No. Z-1 is amended by amending the definition of “Dwelling” by adding the following sentence after the last sentence of the definition of “Single Detached Dwelling”:*~~

~~*“A Single Detached Dwelling unit shall contain no more than five bedrooms”*~~

**Draft Zoning By-law amendment – Definition of “Outdoor Living Area”**

The draft amendment to the Zoning By-law included the addition of a new definition called “*Outdoor Living Area*” which was intended to provide for the quiet enjoyment of the outdoor environment. However, with the proposed amendments to the Parking Area Coverage calculation, resulting in fewer portions of the site allocated to hard surface parking, as well as new minimum Landscaped Open Space requirements, together with setback requirements for rear yard parking areas from the side yard and rear yard lot lines (see below), the inclusion of an *Outdoor Living Area* becomes redundant. As a result, the draft Zoning By-law amendments are modified by removing the following draft definition:

~~*Section 2.0, Definitions, to By-law No. Z-1 is amended by adding the following new definition:*~~

~~*“OUTDOOR LIVING AREA” means the part of a yard easily accessible from the building and designed for the quiet enjoyment of the outdoor environment which is protected from impacts from noise and having no dimension less than 3.0 metres (9.8 ft.).*~~

**Draft Zoning By-law amendment – Subsection 4.12(3) Location of Parking Areas**

The draft amendment to the Zoning By-law included changes to the General Provisions regulating landscaped open space that were intended to prevent vehicles from traversing landscaped open spaces.

As a result of internal Staff discussions, it had been determined that the intent of this regulation would be better implemented by way of a separate by-law, rather than as part of the Zoning By-law, to increase the ability of Enforcement Staff to enforce the proposed requirement. As a



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result, the draft Zoning By-law amendments are modified by removing the following draft regulation:

~~9) Subsection 4.12(3), Landscaped Open Space, to By-law No. Z-1 is amended by adding the following sentence after the last sentence:~~

~~“However, where a permitted driveway is not provided, vehicles are prohibited from traversing the landscaped open space.”~~

In an effort to implement the above modification, By-law Enforcement Staff recommended in July 2010 that a new by-law be adopted to achieve the same result (see “A by-law to regulate off-street parking of motor vehicles in residential areas” section below).

#### **Draft Zoning By-law amendment – Subsection 4.19(6)(i) Access and Driveways**

As a complement to the above prohibition on vehicular travel over landscaped open space, it was intended that a companion regulation be added to the Zoning By-law which prohibited the parking of a motor vehicle parallel to the street.

Parallel parking on driveways is commonly done in near-campus neighbourhoods when dwellings do not have sufficient parking area to accommodate the level of residential intensity. When dimensions of the driveway permit, the rectangular shape of the driveway has the ability to accommodate more vehicles parallel to the street than when they are parked perpendicular. For example, given the minimum dimensions of a parking space (2.7m x 5.5m), a driveway width of 6.0 metres and a length of 8.0 metres would be able to accommodate two vehicles perpendicular to the road but virtually three vehicles parallel to the road.

Since typically the only means by which vehicles would be able to park parallel to the street would be by driving across a front yard, the “By-law to regulate off-street parking of motor vehicles in residential areas” approved by Council in July 2010 (see “A by-law to regulate off-street parking of motor vehicles in residential areas” section below) was seen to be an effective way to mitigate parallel parking to the street without evoking such nuances that materialize when parking on an “L” or “U” shaped driveway or when a driveway is situated at a bend in the road.

Therefore, the draft amendment to the Zoning By-law, which included a change to the General Provisions by adding a clause to the “Access and Driveways to Parking Areas and Spaces” section, to prevent vehicles from parking parallel to the street on residential driveways in the low density residential zones is no longer required. As a result, the draft Zoning By-law amendments are modified by removing the following draft regulation

~~10) Subsection 4.19(6), Access and Driveways to Parking Areas and Space, is amended by adding the following clause:~~

~~i) Parking on Residential Driveways Perpendicular to the Street – R1, R2, and R3 zones~~

~~— For single detached, semi-detached, duplex, or converted two unit dwellings, the parking of vehicles on driveways shall be perpendicular to the street.~~

Similarly to the previous section regarding the Location of Parking Areas, the *By-law to regulate off-street parking of motor vehicles in residential areas* has been adopted to address concerns related parallel parking on driveways when access is via a landscaped front yard.

#### **Draft Zoning By-law amendment – Subsection 5.3(4), Regulations**

Currently the Zoning By-law requires that one side yard be a minimum of 3.0 metres where no private garage is attached to a Single Detached Dwelling within R1-6 to R1-11 and R1-14 to R1-16 zone variations. The draft amendment to the Zoning By-law included an amendment to expand this Interior Side Yard requirement for Single Detached Dwellings within the R1-4 and R1-5 variations as well.

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Given that any single detached dwelling in a Residential R1 zone which does not have an attached garage would be required to provide parking in the interior side yard or rear yard, it was determined that this 3.0 metre requirement should be broadened further to include all dwellings in the R1 zone variation to require an appropriate side yard width to facilitate vehicular access.

Therefore, Section 5.3(4) of the draft Zoning By-law is modified such that all Residential R1 zone variations will require that one interior side yard be a minimum of 3.0 metres in width where there is no attached garage.

**Draft Zoning By-law amendment – Table 5.3, Regulations**

In addition to the aforementioned modification to Subsection 5.3(4), the proposed amendment to the Zoning By-law will also include a modification to Line 12 of Table 5.3 which directs readers of the By-law to Subsection 5.3(4) (as modified above). Line 12 of Table 5.3 currently reads as follows:

Column	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
2	Zones	R1-1	R1-2	R1-3	R1-4	R1-5	R1-6	R1-7	R1-8	R1-9	R1-10	R1-11	R1-12	R1-13	R1-14
12	Interior Side Yard Depth (m) Minimum	1.2					See Section 5.3(4)						1.2	1.2	See section 5.3(4)

The proposed modifications are intended to amend this regulation as follows:

Column	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
2	Zones	R1-1	R1-2	R1-3	R1-4	R1-5	R1-6	R1-7	R1-8	R1-9	R1-10	R1-11	R1-12	R1-13	R1-14
12	Interior Side Yard Depth (m) Minimum	See Section 5.3(4)													

These modifications are intended to work in tandem to implement the Regulations of subsection 5.3(4) (above).

**Setback requirements for Parking Areas to the Rear and Side Lot Lines**

Notwithstanding the draft Zoning By-law amendments to add new Landscaped Open Space requirements for one and two-unit dwellings within the Residential R1, R2, and R3 zones, as well as the modified parking area coverage calculations, the results of the public consultation sessions have indicated a desire to ensure that a viable private rear yard outdoor amenity areas is maintained, thereby preventing the complete paving over of rear yards for parking, and allowing for rear yard parking areas to be buffered from abutting properties.

Therefore, it is proposed that section 4.19.4)c)(a) of the Zoning By-law be amended to require that no part of any rear yard parking area be located closer than 3.0 metres (9.8 feet) from the rear lot line and 3.0 metres (9.8 feet) from any one side lot line except where access to a rear yard parking area is obtained by a lane in which case no part of any rear yard parking area is located closer than 3.0 metres (9.8 feet) from each side lot line. This is to ensure that the landscaped open spaces are of sufficient length and width to be used for outdoor enjoyment and that abutting properties are buffered from the noise and lights of automobiles.

**Maximum Floor Area Ratio**

In certain areas of the near-campus neighbourhood areas, the use of maximum floor area ratios has been very effective in regulating the size of dwellings and dwelling additions by ensuring that the total floor area is proportional to the size of the lot. While the expanded use of this tool had been considered as a method of regulating all single detached dwellings in the near-campus neighbourhood areas this strategy was reconsidered for several reasons:

- Given that the intent of these proposed policies is to regulate inappropriate forms of residential intensity and residential intensification in the near-campus neighbourhoods, the use of floor area ratios may inadvertently prohibit building improvements and renovations to single detached dwellings by restricting property owners from increasing the liveability of their properties (such as basement renovations or building expansions) although the residential intensity may remain the same

- A wider application of floor area ratio regulations may have significant impacts for the development industry who have invested in building models that may no longer comply to the zoning regulations and would need to apply for minor variances or amendments to the Zoning By-law to continue to build those models in existing subdivisions
- Such a regulation may also result in the creation of untold numbers of legal non-conforming situations for those homeowners who have previously constructed building additions or increased the liveability of their homes by renovating their basements or attic spaces

Therefore, these draft regulations have been deleted from the proposed Zoning By-law amendments attached hereto. However, the policies have been strengthened to discourage the creation of inappropriate forms of residential intensity and residential intensification and the proposed zoning regulations have been strengthened to reduce the maximum height of most buildings in the Residential R1, Residential R2, and Residential R3 zone variations.

Maximum Height Regulations

Generally, the gross floor area is the combination of the allowable building coverage combined with the maximum building height. Consider that the larger the allowable building coverage, the greater the amount of lot area that can be used to create floor area. Similarly, the larger the allowable building height, the greater the number of storeys that may be utilized to create additional floor area. Therefore, while the draft maximum floor area ratio regulations have been removed from the proposed near-campus neighbourhoods amendments, it is proposed that the maximum height regulation be reduced for most dwellings in the Residential R1, R2 and R3 zone variations which will ensure that new buildings are consistent with the surrounding neighbourhood and will also assist to regulate floor area ratio since additional gross floor area will no longer be able to be added by increasing the number of storeys within buildings.

SUMMARY OF PROPOSED POLICIES FOR NEAR-CAMPUS NEIGHBOURHOODS

This section summarizes the intent of the proposed amendments to the Official Plan which implement the results of significant research and consultation with the community and other stakeholders to provide guidance for future planning applications.

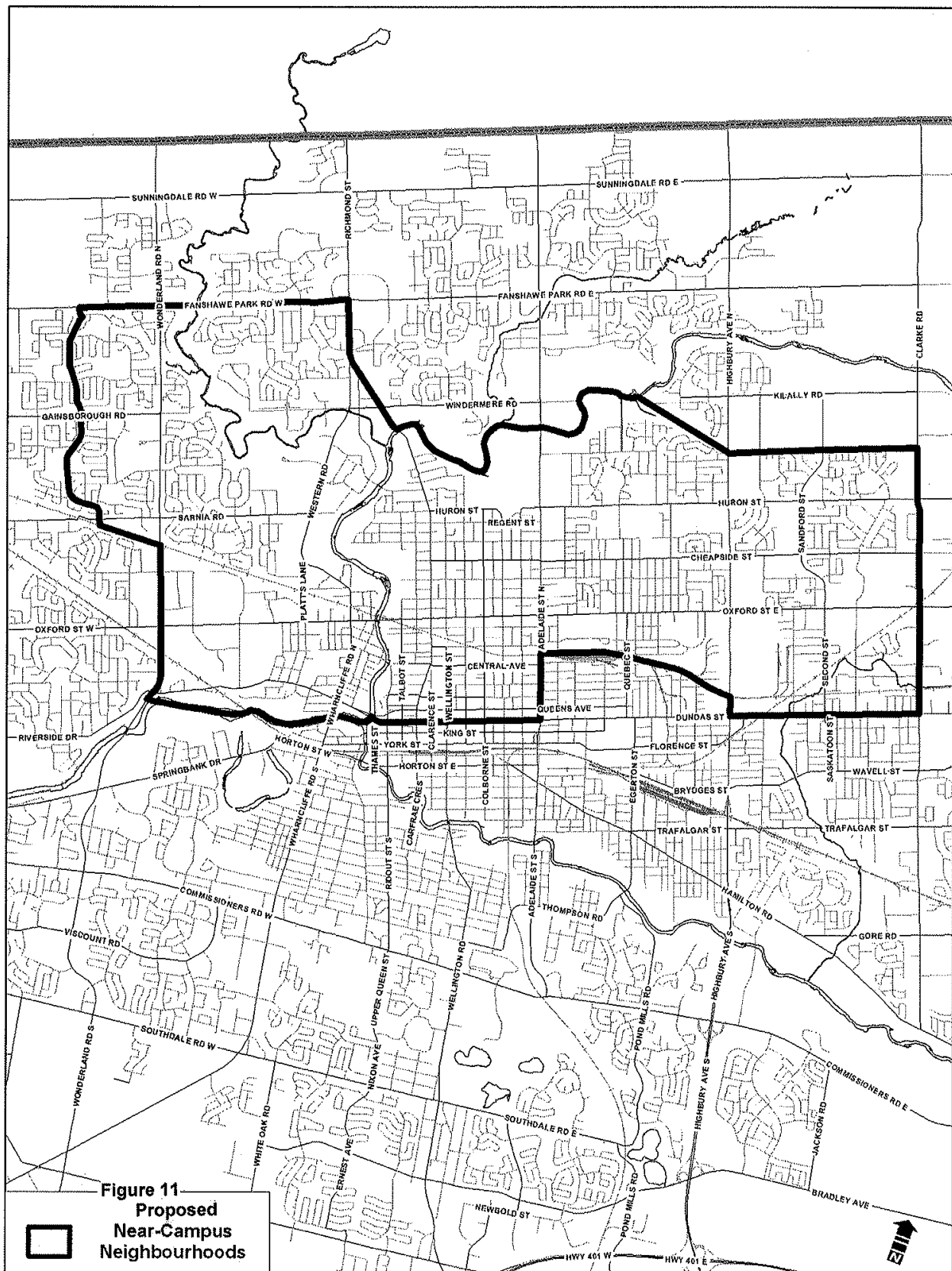
While the proposed policies are briefly summarized below they may be read in their entirety in Appendix “A” of this report.

Defining Near Campus Neighbourhoods

The area proposed as the defined Near-Campus Neighbourhoods Area, identified in Figure 11 (below), consists of a variety of building forms and lot sizes that were developed over various decades resulting in different opportunities and potential for intensification and redevelopment. While the vision for near-campus neighbourhoods is applicable to both the Fanshawe College and Western University of Canada neighbourhoods, these two areas are different in character, built form, land use regulations and the degree to which they currently are consistent with the vision.

Defining this broad area of near-campus neighbourhoods is intended to consider these neighbourhoods more holistically and avoid the incremental approach of addressing specific areas in an ad-hoc way over time. As a result, the application of the policies for near-campus neighbourhoods will be implemented in accordance with the neighbourhood context. The policies will provide a framework for the review of planning applications and will also provide tools that can be applied, where appropriate, within these different neighbourhoods.

Recognizing this, the near-campus neighbourhoods can be defined more generally with implementation measures (e.g. zoning and site plan review) being applied more deliberately to specific neighbourhood areas.



In general terms, near-campus neighbourhoods are defined as neighbourhoods whose proximity to the Western University of Canada (and its affiliated colleges) and Fanshawe College has had an influence, or has the potential to influence, the neighbourhoods' planned function. Planning Staff have identified the areas that they assess to represent Near-Campus Neighbourhoods most clearly. A response from the broader community has identified that the proposed boundary is adequate. Figure 11 illustrates the proposed area that is to be defined as Near-Campus Neighbourhoods.



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### **Vision for Near-Campus Neighbourhoods**

The Great Near-Campus Neighbourhoods Strategy process allowed for the development of a shared vision with input from a broad variety of stakeholders. Regardless of the age of a neighbourhood, its mix of housing types, or the varying pressures facing its planned function, the vision which they aspire to achieve is consistent. This vision for near-campus neighbourhoods is generally: comprised of a diverse mix of people; are vibrant while respecting the residential amenity; are unique and exude a sense of identity; are safe; are comprised of a variety of lot sizes and housing opportunities; and, overall are healthy, liveable and safe communities.

### **Land Use Planning Goals for Near-Campus Neighbourhoods**

While the vision for near-campus neighbourhoods explains the “inspiration” for the policies for near-campus neighbourhoods, there is a need to provide greater clarity relating to land use planning objectives for these areas.

The proposed policies articulate the land use planning and urban design goals that will be pursued in near-campus neighbourhoods in an effort to support the vision. The goals are intended to convey how residential intensification and residential intensity proposals should aspire to achieve consistency with the vision. Where proposals for intensification and increased intensity may undermine long-term stability of a neighbourhood, contrary to the vision, such proposals will be discouraged.

Proposals for intensification and increased intensity are consistent with the vision for near-campus neighbourhoods when they incorporate the following qualities (among others): are comprised of a balanced mix of structure types; are purpose-built to support the anticipated level of intensity (i.e. form follows function); are located along significant transportation corridors away from the interior of low density residential neighbourhoods; and, incorporate high quality urban design features that enhance the neighbourhood as a result. All planning applications will be reviewed to evaluate the degree to which they meet these goals.

### **Encouraging Appropriate Intensification**

It must be emphasized that the proposed policies for near-campus neighbourhoods are not intended to prevent additional residential intensification from occurring within these neighbourhoods. The proposed policies are intended to provide guidance to encourage additional residential intensification proposals that are located in the appropriate areas and are constructed in purpose-built, higher density building forms which are designed accommodate the anticipated level of intensity and are professionally managed to mitigate concerns related to property maintenance, noise, garbage, and parking, among others.

The Provincial Policy Statement, 2005 (PPS) articulates the *Vision for Ontario’s Land Use Planning System*. The PPS vision recognizes that some areas in Ontario face challenges related to accommodating and managing the development and population growth which is occurring. And as a result the PPS also recognizes that the wise management of development may involve directing, promoting or sustaining growth. The PPS states that, “*Land use must be carefully managed to accommodate **appropriate** development to meet the full range of current and future needs, while achieving efficient development patterns.*” [emphasis added]

In order to manage the development that is occurring in near-campus neighbourhoods, the parameters around what forms of intensification are considered “*appropriate*” are explained in the proposed policies. This will allow developers, property owners, community members, planners, and Council to be “on the same page” in their understanding of what forms of intensification will be promoted and encouraged in these neighbourhoods to assist with the implementation of the PPS vision.

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### **Directing Preferred Forms of Intensification to Appropriate Locations**

The proposed policies specify that the preferred forms of residential intensification in near-campus neighbourhoods are medium and large scale apartment buildings that are professionally managed and situated at appropriate locations. Appropriate locations are those areas within near-campus neighbourhoods that are designated Multi-Family, Medium Density Residential and Multi-Family, High Density Residential that are located along arterial roads and serviced by public transit.

However, these proposed policies are flexible in allowing additional areas be considered where they are approached in a coordinated and comprehensive fashion, rather than on a site-specific basis, to determine if they have the potential to comprise part of a coordinated and comprehensive intensification strategy or whether they represent a stand-alone project creating an undesirable anomaly within the neighbourhood.

### **Zoning Tools to Implement the Policies for Near-Campus Neighbourhoods**

In order to effectively apply the vision and goals for the near-campus neighbourhoods, the Zoning By-law must be utilized to implement appropriate forms of intensification. As a result, the proposed policies enable a range of zoning regulations to be applied to regulate intensification in low density residential neighbourhoods. These include the use of floor area ratios, maximum gross floor area regulations, maximum numbers of bedrooms, minimum lot sizes per gross floor area, maximum parking requirements, and maximum parking area coverage.

### **Low-, Medium-, and High-Density Residential Policies**

These proposed policies are intended to provide guidance for development projects and planning applications within the specific residential land use designations emphasizing that these projects and applications are expected to locate in appropriate areas where their negative impacts many be mitigated and articulating how they may positively integrate within their context. Development projects and planning applications that are not appropriately located or are not compatible with the surrounding context will not be supported.

### **Special Consent Policies**

One of the methods used to facilitate residential intensification in the interior of low density residential areas has been the creation of new lots through consent. As previously mentioned, ad-hoc residential intensification of the near-campus neighbourhoods within low density residential areas, including additional lot creation, is not a preferred form of development. As a result, special policies are proposed which provide guidance for applications requesting consents to sever to articulate how such applications will be evaluated.

These policies require that: the proposed size and shape of the parcels will be appropriate for the intended use; the proposal will not undermine the intent of the Zoning By-law; the proposed parcels are able to function independently and do not require the use of easements or shared facilities (such as mutual driveways); and, the proposal will conform to the vision and goals.

### **Special Minor Variance Policies**

Minor variances have also been used to facilitate residential intensity in the interior of low density residential areas by increasing the usability of existing dwellings to accommodate additional occupancy by such means as building additions, increasing the floor area ratio, and expanding of parking areas or have facilitated proposals for consents to sever by granting property owners relief from the requirements of the Zoning By-law. In these cases, multiple variances were granted to permit building construction or facilitated the creation of undersized lots in areas where Council has applied a zone which established additional regulations. As a result, the proposed policies include criteria that will be used to consider the appropriateness of minor variance applications in near-campus neighbourhoods.

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The proposed policies specify that applications for minor variances which do not facilitate appropriate forms of intensification (as described above); accommodate a proposed severance that has the potential to set precedence for other inappropriate severances; facilitate a development proposal that has the ability to be reconfigured in order to meet the requirements of the Zoning By-law; permit front-yard parking; and, site-specific variances to accommodate an increase in residential intensity on a site that is similar to the surrounding lot fabric will not be supported.

**Heritage Preservation**

The proposed policies recognize that portions of the near-campus neighbourhoods contain significant built heritage. This built heritage is an asset to the host neighbourhood, the academic institution, and the City as a whole. It is a goal of these policies to preserve this built heritage wherever possible through rehabilitation and conservation.

**Campus Lands – Goals for Intermingling and Interaction**

One of the stated visions for near-campus neighbourhoods is the ability to allow residents to enjoy the unique culture, entertainment and recreation opportunities transpiring at the local academic institutions. However, one of the disadvantages of the campus-style configuration of these institutions is the perception that they are closed off and separate from the abutting neighbourhoods. Therefore, these proposed policies encourage the development of land which integrate the campuses and abutting neighbourhoods where members of the community and the educational institutions can congregate and interact.

**Public Projects**

The recent improvements to Western Road provide an excellent example of the important role that municipal projects may play in implementing the vision for near-campus neighbourhoods.

Therefore, the proposed policies also encourage municipal projects, including those involving infrastructure works, road improvements, street lighting, tree planting, park development, and other initiatives involving the public realm will be undertaken to proactively enhance and strengthen near-campus neighbourhoods.

**Urban Design**

The importance of urban design cannot be understated when new development or expanded development is proposed within established neighbourhoods. The general Official Plan Residential Intensification policies include urban design criteria for *new* development proposals which increase the number of dwelling units in established residential areas. However, similar policies do not exist for projects that are intended to increase the usability of *existing* dwellings or sites to accommodate additional occupancy by such means as new building construction (which replace existing dwelling units) and building additions.

Therefore, as previously mentioned, the proposed policies for near-campus neighbourhoods also include urban design policies related to new buildings and building additions that are intended to facilitate an increase in residential intensity since there are examples of new buildings and building additions in near-campus neighbourhoods which were intended to increase the occupancy of the dwelling without having increased the number of dwelling units.

These policies are intended to ensure that any new buildings or building additions be sympathetic to the scale and appearance of the existing neighbourhood including matters related to height, massing, orientation, building materials, and architectural style.

SUMMARY OF PROPOSED ZONING CHANGES

Through the course of stakeholder consultation, it has become clear that certain changes to the general provisions of the Z.-1 Zoning By-law would provide greater clarity and reduce negative impacts in near-campus neighbourhoods as well as other areas of the City. These include:

strengthening the regulations which currently facilitate the creation of mutual driveways; reducing the maximum number of bedrooms per unit for various dwelling types; strengthening the requirements for the calculation of parking area coverage; and, introducing minimum landscaped open space requirements for low density residential developments, among others. The proposed amendments to the Zoning By-law are briefly summarized below and may be read in their entirety in Appendix “B” of this report.

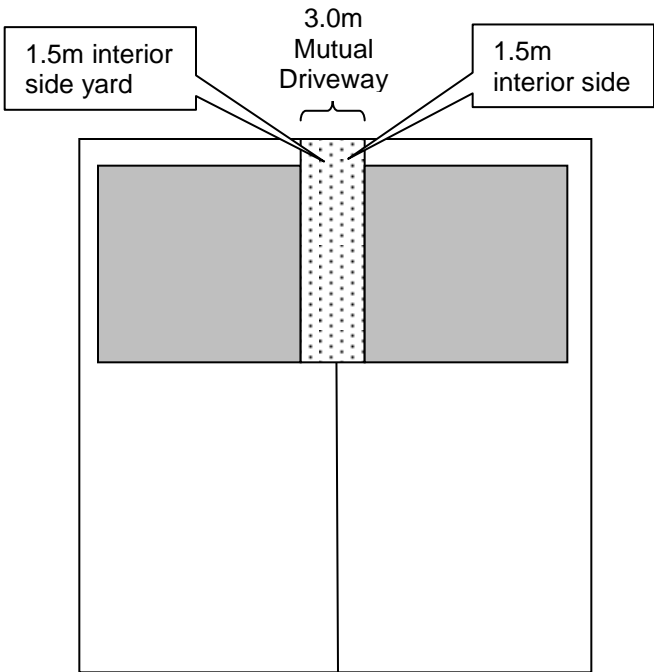
**Removing the exception for Minimum Interior Side-Yard Setbacks for R1-1 to R1-5 Zone Variations and R1-12 to R1-13 Zone Variations**

The current Zoning By-law regulations require that the minimum interior side yard setback of single detached dwellings in the Residential R1 zone be 1.2 metres and incrementally increasing thereafter as the height of the building increases. Additional specific regulations apply to the R1-1, R1-2, and R1-3 zone variations – which are zone variations typically applied to narrow lots with 9.0-10.0 metre frontages – allowing one side of the building to be constructed up to the property line while requiring the other interior side yard depth to be 3.2 metres where no attached garage is provided.

Similarly, the current Zoning By-law also outlines specific regulations for the zone variations ranging between R1-6 to R1-11 and R1-14 to R1-16 requiring that one side yard depth be 3.0 metres when no attached garage is provided.

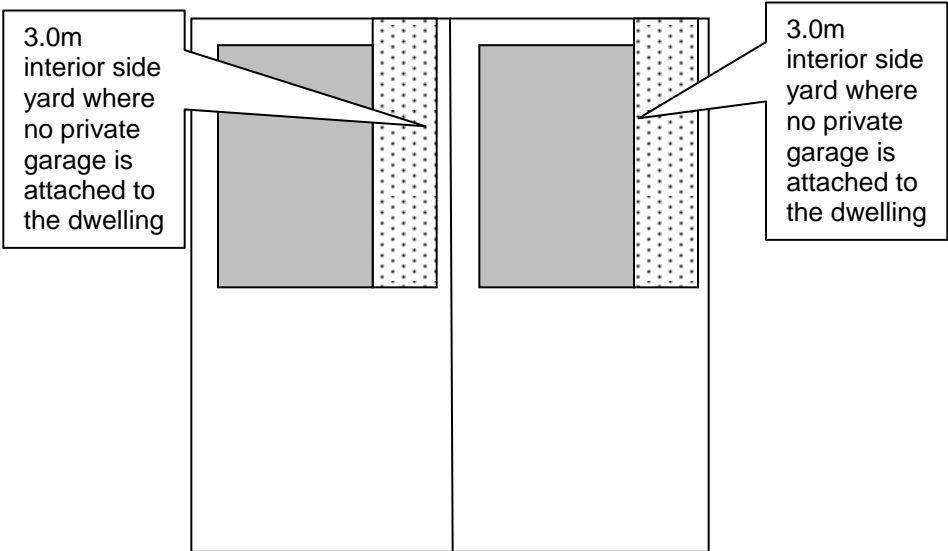
However, the R1-1 to R1-5, R1-12 and R1-13 zone variations, some of which are common within areas of near-campus neighbourhoods, are not subject to this 3.0 metre regulation (in the case of the R1-1 to R1-3 zone variations, the regulations requiring a 3.2 metre side yard depth are silent for dwellings that are *not* constructed up to the property line). Currently, these zone variations similarly require a minimum interior side yard depth of 1.2 metres. This regulation has inadvertently helped to facilitate the establishment of mutual driveways in near-campus neighbourhoods when two deficient lots are created by way of consent because no minor variances are required when two such abutting properties each contribute 1.5 metre of an interior side yard depth to create a 3.0 metre mutual driveway. Had these properties required a 3.0 metre side yard depth where no private garage is attached, each of these properties would have required minor variances to permit an interior side yard of 1.5 metre whereas the Zoning By-law requires 3.0 metres. Such lots are typically dependent upon the other to share one driveway to provide access to parking in the rear.

The intent of these regulations is to facilitate the Zoning By-law regulation which requires vehicular parking areas to be located in the rear yard, interior side yard, or a driveway in the front yard or exterior side yard that leads to a legal parking space (including a garage). Where no private garage is attached, the only remaining legal parking areas are the interior side yard, rear yard, or a driveway leading to the interior side yard or rear yard. And in order for a vehicle to be able to pass through the interior side yard to gain access to the rear yard, one side yard must have a minimum width of 3.0 metres.



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As a result, the general regulations of the R1 zone are proposed to be amended such that the R1-1 to R1-5, R1-12 and R1-13 zone variations will also be required to ensure that one side yard depth is 3.0 metres when no attached garage is provided. This is consistent with the regulations currently applied to the R1-6 to R1-11 and R1-14 to R1-16 zone variations. While the proposed amendments do not eliminate the possibility of mutual driveways, the Zoning Regulations have been amended to strengthen the criteria for the establishment of a mutual driveway.



**Variable Regulations for Maximum Bedrooms per Unit**

As previously mentioned, the proposed policy amendments identify the types of appropriate forms of intensification that will be supported. One of the characteristics of forms of intensification that are *not* considered to be appropriate in near-campus neighbourhoods includes, *“Inappropriately large numbers of bedrooms within a single dwelling unit, particularly within multi-unit buildings.”*

In order to effectively implement this policy it is proposed that the number of bedrooms per dwelling unit be reduced for semi-detached dwellings, duplex dwellings, triplex dwellings, fourplex dwellings, converted dwellings, dwelling units within apartment buildings, and all forms townhouse dwellings from the current maximum of 5-bedrooms to a maximum of 3-bedrooms per dwelling unit in near-campus neighbourhood areas.

The rationale behind this proposed change is that in some cases the current zoning regulations effectively permit the equivalent level of intensity of several single detached dwellings on a lot size comparable to that of just one single detached dwelling without a proportional increase in the lot requirements. In fact, some of the requirements that are indicative of the ability of the lot to accommodate a certain level of intensity – such as the minimum number of required parking spaces – are reduced for multi-unit buildings although they may be expected to accommodate a similar amount of intensity as a single detached dwelling.

In most areas of the City, the impacts of inappropriate intensification are not as evident because the incidence of multi-unit buildings with 4 or 5 bedrooms per unit is not common. The incidence of multi-unit buildings containing 4 and 5 bedrooms in the near-campus neighbourhood areas is disproportionate to the rest of the City of London. Therefore, a reduction in the maximum number of bedrooms for multi-unit dwellings from 5 to 3 in near-campus neighbourhoods would reduce the disparity between these neighbourhoods and the rest of the City and allow the proposed zoning regulations to be more effective in controlling residential intensity. As illustrated in Table 1 below, the vast majority of 2- to 5-unit buildings in the City of London are comprised of three or fewer bedrooms per dwelling unit which conform to the proposed zoning amendments.

In 2005, the report which established a 5-bedroom limit reviewed different bedroom thresholds and determined that 5 percent or fewer single detached dwellings in London have 6 or more

bedrooms. Thus, it was determined that a 5-bedroom limit was reasonable. Table 1 below illustrates these findings.

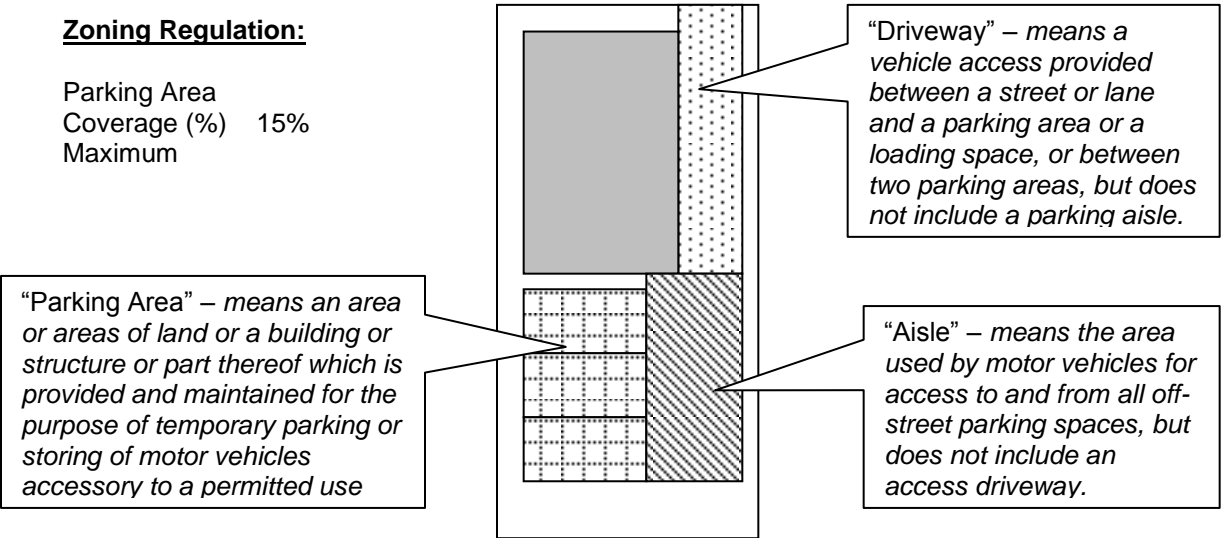
Similarly, Table 1 illustrates that approximately 95 percent or more duplex, triplex, fourplex, and converted, and fiveplex dwellings accommodate an average of 3-bedrooms or less per dwelling unit and would conform to the proposed amendment. Therefore, it is suggested that a regulation for a maximum of 3-bedrooms per dwelling unit is a reasonable level of intensity for a multi-unit residential uses in near-campus neighbourhoods. Where an applicant wishes to seek out permissions for additional bedrooms per unit, a minor variance may be sought. Such a variance would be measured against the proposed near-campus neighbourhood policies to assess its appropriateness and conformity to the policies.

#Bedrooms	Single		Duplex		Triplex		Fourplex		Fiveplex	
1	334	0.4%	300	10.4%	60	43.5%	120	32.6%	49	58.3%
		0.4%		10.4%		43.5%		32.6%		58.3%
2	8190	10.8%	1778	61.9%	66	47.8%	202	54.9%	28	33.3%
		11.2%		72.3%		91.3%		87.5%		91.7%
3	42075	55.2%	664	23.1%	8	5.8%	41	11.1%	4	4.8%
		66.4%		95.4%		97.1%		98.6%		96.4%
4	20340	26.7%	102	3.5%	2	1.4%	2	0.5%	1	1.2%
		93.1%		99.0%		98.6%		99.2%		97.6%
5	2621	3.4%	22	0.8%	2	1.4%	2	0.5%	1	1.2%
		96.6%		99.7%		100.0%		99.7%		98.8%
6+	2621	3.4%	8	0.3%	0	0.0%	1	0.3%	1	1.2%
		100.0%		100.0%		100.0%		100.0%		100.0%
Totals	76181		2874		138		368		84	

Table 1 illustrating the number of dwelling types by number of bedrooms and a proportional distribution of dwelling types by number of bedrooms

Calculation of Parking Areas

The existing zoning definition for *Parking Area*, means, “an area or areas of land or a building or structure or part thereof which is provided and maintained for the purpose of temporary parking or storing of motor vehicles accessory to a permitted use”. However, this definition has been interpreted to *exclude* the other hard surface areas such as driveways and aisles, which are an indivisible component of a lot’s parking system, because they are separately defined in the City’s Zoning By-law. As a result, these hard surface areas have been permitted to be constructed in excess of the maximum parking area coverage in conformity with the zoning regulations. The result is a “Parking Area” (as defined above) comprised of 15% of lot coverage *plus* a driveway *plus* a parking aisle which collectively occupy a large portion of the lot.



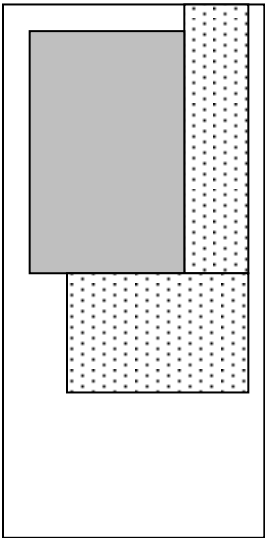
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Therefore, it is proposed that the existing definition of *Parking Area* be modified to clarify that *access driveways, aisles, driveways, and parking spaces* are to be included in maximum parking area coverage calculations to create a clearer level of expectation with regard to the maximum amount of hard surfacing area will be permitted for vehicular movement.

**Increase in Parking Area Coverage Regulation**

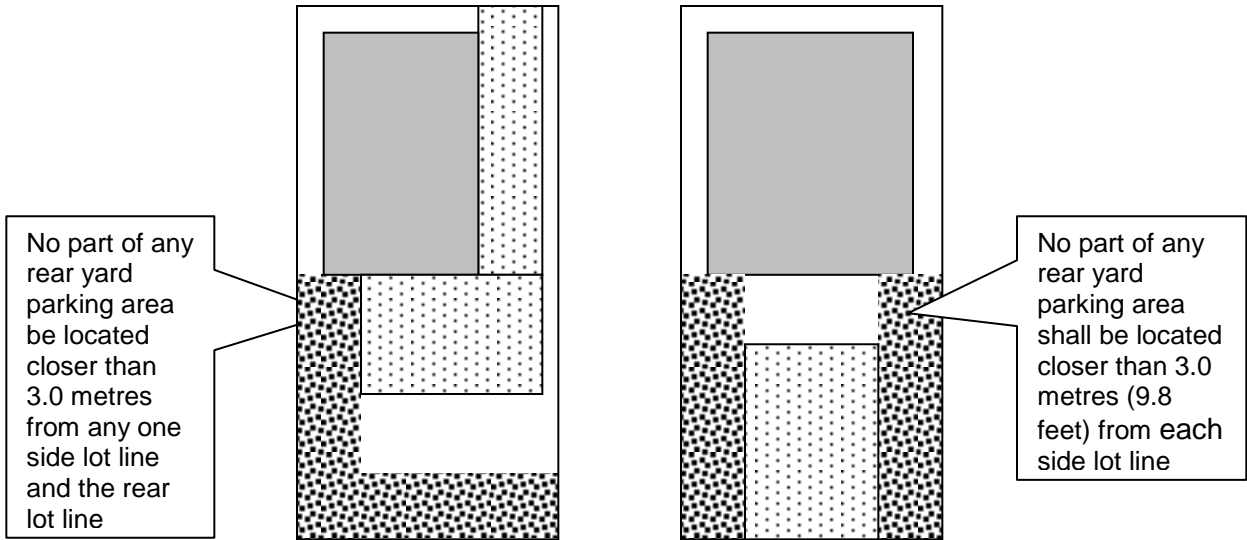
Given that prior to these proposed amendments, the parking area coverage calculation included only the combined surface area of the actual parking spaces, the proposed expansion to the components that now comprise the parking area calculation (such as access driveways, aisles, and driveways) warrants a modest increase in the parking area coverage regulation to ensure that residential parking areas are still able to be accommodated in the interior side yard and rear yard. Therefore, it is proposed that an additional 10% parking area coverage be added to the Residential R1, Residential R2, and Residential R3 zones.

**Zoning Regulation:**  
  
Parking Area  
Coverage (%)    25%  
Maximum



**Setback requirements for Parking Areas to the Rear and Side Lot Lines**

As previously mentioned, it is proposed that the Zoning By-law be amended to require that no part of any rear yard parking area accessed from a public street be located closer than 3.0 metres (9.8 feet) from the rear lot line and 3.0 metres (9.8 feet) from any one side lot line. And where access to a rear yard parking area is obtained by a lane, no part of any rear yard parking area shall be located closer than 3.0 metres (9.8 feet) from each side lot line. This is to ensure that the landscaped open spaces are of sufficient length and width to be used for outdoor enjoyment and that abutting properties are buffered from the noise and lights of automobiles.

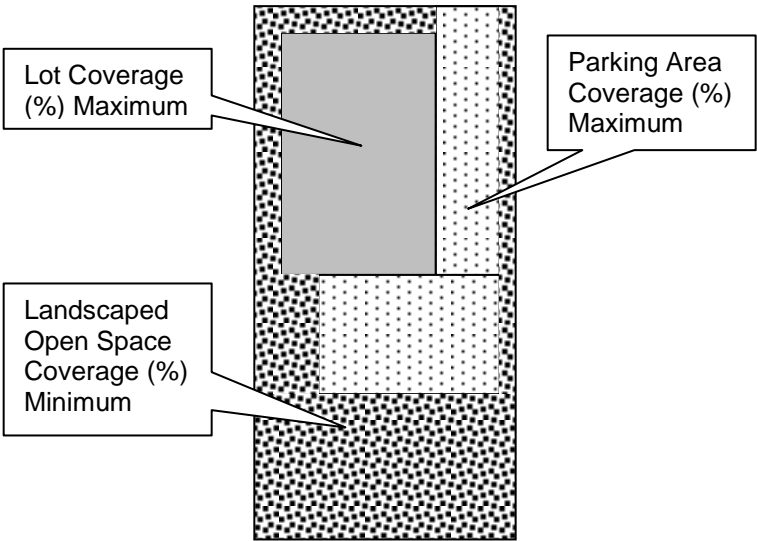


Minimum Landscaped Open Space Regulations

As a supplement to the aforementioned maximum parking area ratio calculation, it is proposed that the regulations for the R1, R2, and R3 zones be amended to also include a requirement for a minimum landscaped open space coverage. The Zoning By-law defines *Landscaped Open Space* as:

the open space which is used for the growth and maintenance of grass, flowers, shrubbery and other landscaping and includes any surfaced walk, patio, swimming pool or similar area, but does not include any access driveway or ramp, parking area, bus parking area, roof-top area or any open space beneath or within any building or structure.

The current zoning regulations do not include a minimum landscaped open space coverage for 1- and 2-unit dwellings within the Residential R1, R2, and R3 zone variations. The lack of a requirement for landscaped open space has facilitated the enlargement of rear yard parking areas for lands in these zone variations. Therefore, the proposed minimum landscaped open space coverage regulation will work in tandem with the current maximum lot coverage and the redefined maximum parking area coverage regulations to apportion residential lots into defined areas that are: i) permitted to accommodate vehicles; ii) permitted to accommodate buildings; and, iii) to be maintained for landscaping.



Reduction in Maximum Height

In recognizing the need for a land use tool that will assist with maintaining the character of the surrounding buildings, as well as to assist with the regulation of gross floor area, it is proposed that the maximum height of all buildings in the Residential R1, Residential R2, and Residential R3 zone variations be established at a maximum of 9.0 metres with the exception of single detached dwellings in the Residential R1-14 to R1-17 zone variations. The reason for this exception is that these zone variations are not located within the near-campus neighbourhood areas and are commonly found on large estate lots at the periphery of the Urban Growth Boundary or Rural Settlement areas where custom homes may be purpose-built with some flexibility in the design and construction and where the existing character of the area is varied. As a “rule-of-thumb” a 9.0 metre maximum height will result in a maximum height of 3-storeys.

These proposed height regulations, in combination with the proposed amendments regulating the parking coverage and landscaped open space coverage, tightens the envelope in which a proposed building can expand outward and upward thereby applying some measure of control over the floor area ratio without broadly applying a floor area ratio regulation across the entire near-campus neighbourhoods area.

However, it should be noted that this does not preclude the continued adoption of area specific floor area ratio regulations within areas of near-campus neighbourhoods should the need for more stringent regulations arise to effectively implement the proposed policies.



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OTHER BY-LAWS TO IMPLEMENT THE VISION AND GOALS FOR NEAR-CAMPUS  
NEIGHBOURHOODS

In addition to the above proposed Official Plan and Zoning By-law amendments, the following initiatives are also being considered or have been approved by Council in an effort to implement the vision and goals for near-campus neighbourhoods.

**A by-law to regulate off-street parking of motor vehicles in residential areas**

In areas of near campus neighbourhoods, where the increased level of residential intensity has resulted in greater competition for parking spaces, attempts to find creative solutions to reconcile the insufficient number of parking spaces has resulted in residents parking parallel to the street. Even more disconcerting is the route driven in order to be physically able to park parallel to the street. Given the lot frontages and driveway widths of a typical single detached dwelling in the near-campus neighbourhoods, it is virtually impossible to parallel park a vehicle on a driveway without travelling over a portion of the landscaped open space (i.e. the front lawn).



A dwelling in the Near-Campus Neighbourhoods where the increased level of residential intensity has resulted in greater competition for parking spaces

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Photo illustrating the property damage caused when vehicles traverse the landscaped open space in an effort to park vehicles parallel to the street

Parking in this manner destroys grassed boulevard areas, leads to damages to utility boxes, light standards, street trees, and other boulevard infrastructure, causes damage to public and private landscaped open space areas, and undermines the residential amenity of an area.

Although the City of London currently has an Unauthorized Parking Area By-law which restricts persons from parking vehicles in front yards and boulevards where parking is not normally allowed, it does not address the issue of travelling over front yards to access a parking space in the driveway or parking area. As a result, in July 2010 Council adopted “*A by-law to regulate off-street parking of motor vehicles in residential areas*” to regulate how motor vehicles may be parked while in outdoor residential parking spaces that are authorized under the Zoning By-law, such as driveways.

The regulations of this by-law require that:

- a parking space shall only be accessed directly via a driveway located on the same lot, or directly via a street or lane;
- a parking space shall not include any part of a City sidewalk;
- a parking space shall be comprised of a stable surface that does not produce dust or loose particles
- where a parking space is located on a front yard or boulevard, it shall comply with the City’s residential front yard and boulevard policy, and
- a parking space shall conform to the requirements contained in any applicable City by-law including, but not limited to, the Zoning By-law.

The first provision addresses the issue of accessing parking spaces either through the subject property’s front yard and/or via the neighbouring property’s front yard. These provisions mirror some of the parking requirements found in the Zoning By-law and are intended to work in tandem with the proposed amendments which better define the parking area and require a landscaped open space for single detached and two-unit dwellings.

### **Local Appeal Body**

On January 1, 2007 the *Planning Act* amendments which allow a municipality to appoint one Local Appeal Body to hear appeals for minor variance and consent applications came into force

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and effect. This legislation has been provided to municipalities in an effort to enhance municipal autonomy in local decision making.

Many of the recent planning decisions which facilitated the development of residential intensification and increased residential intensity in low density residential forms of housing within the Near-Campus Neighbourhoods have not been approved at the local level. These planning decisions were approved by the Ontario Municipal Board (OMB) upon appeal from the decision of the local planning authority.

A review of recent planning decisions issued by the OMB reveals a wide ranging interpretation and application of the current policy framework. Generally, the OMB has upheld the decisions of Council pertaining to Zoning By-law amendments but appeals from the decisions of the London Consent Authority and/or the Committee of Adjustment have been varied. A strengthening of the policies and by-laws is one way to improve Staff's position at the OMB to ensure that Council's goals and objectives for near-campus neighbourhoods are upheld.

However, there are also local sensitivities which differentiate the requests for residential intensification in the near-campus neighbourhoods from other neighbourhoods. Whereas a request for consent and accompanying minor variances in another area of London could result in a singular development proposal with no negative impacts to the planned function of the area, within the near-campus neighbourhoods, these seemingly minor applications have resulted in a steady pattern of ad-hoc intensification which have collectively altered the character of this area and have set precedence for further incremental development applications.

A Local Appeal Body may have the potential to better implement the proposed policies by combining the regulatory tools with the local understanding of the negative impacts that some forms of residential intensification have had in near-campus neighbourhoods. Given the complexities of establishing a Local Appeal Body, a recommendation to its effect will be addressed in a separate report to Council by Legal and Planning Staff.

<b>SUPPORTING PROVINCIAL AND MUNICIPAL POLICY</b>
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In developing the proposed amendments, Staff reviewed provincial legislation and policy in addition to the City's Official Plan to ensure consistency with the existing planning framework.

**Provincial Policy Statement**

The *Provincial Policy Statement, 2005* (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS is more than a set of individual policies. It is intended to be read in its entirety and the relevant policies are to be applied to each situation. The PPS provides some direction to this matter.

As previously mentioned, the PPS vision recognizes that some areas in Ontario face challenges related to accommodating and managing the development and population growth which is occurring. As a result the PPS also recognizes that the wise management of development may involve directing, promoting or sustaining growth. Although this vision does not comprise part of the policy framework, it provides the inspiration for the policies and describes the Province's desire to facilitate long-term prosperity and social well-being of Ontarians by maintaining strong communities, a clean and healthy environment and a strong economy.

The policies of the PPS promote healthy, liveable and safe communities by: encouraging efficient development and land use patterns which sustain the financial well-being of the municipality; accommodating an appropriate range and mix of land uses; and, promoting cost-effective development standards to minimize land consumption and servicing costs. However, requested amendments to intensify low density forms of housing in near-campus neighbourhoods have not promoted healthy, liveable, and safe communities. Residential intensification and increasing residential intensity within existing low density residential forms of housing in the near-campus neighbourhoods have resulted in significant soft costs being borne by the Municipality.

The Municipality allocates resources toward pro-active By-law Enforcement patrols specifically within these neighbourhoods. There are increased demands for garbage removal, and the

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London Police Services undertakes Project LEARN at the start and conclusion of the school year in the near-campus neighbourhoods. With a cost of approximately \$500,000 annually, Project LEARN is the most expensive initiative in the annual London Police Services budget. More recently, in addition to the biannual Project LEARN initiative, the London Police Services and the municipality have incurred significant costs during Halloween and St. Patrick's Day related to enforcement and repair of public property. The services of the police, by-law enforcement and garbage collection Staff are typically required in near-campus neighbourhood areas where residential intensity in low density forms of housing have been maximized. Higher density forms of housing, such as mid- and high-rise apartment buildings, have not commanded the same municipal resources.

As noted in the Staff report presented to the Planning Committee on February 25<sup>th</sup>, 2008 pertaining to the *Rental Residential Business Licensing Program*, annual property standards complaints increased from 222 to 459 (an increase of 107%) between 2002 and 2007. Further analysis of the complaints received during this time period indicated that of all property related by-law complaints received, approximately 85% were attributed to issues with single detached dwellings whereas only 5% related to buildings with more than 4 units (i.e. apartment buildings). The latter structure types are typically constructed as per approved building permits with little opportunity to increase the residential intensity through internal/external building conversions. These structure types also have local property maintenance staff available should building issues arise and adequate facilities for parking and garbage. As a result of the large incidence of compliance among apartment buildings, it was recommended that the focus of the rental residential licensing program be narrowed to buildings with 4 or less dwelling units. The incidence of property standard complaints in low density forms of housing results in a situation which requires on-going by-law enforcement at a cost to the municipality. Therefore, a continued trend toward residential intensification in low density forms of housing in near-campus neighbourhoods is not consistent with the PPS given that this form of intensification does not sustain the financial well-being of the municipality.

The policies of the PPS require municipalities to identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs. It is important to note that this policy allows municipalities to use their own discretion to "identify and promote" the areas where intensification is to be directed.

Within the near-campus neighbourhoods, the City of London has fulfilled this PPS requirement by adopting special Official Plan policies which identify and promote opportunities for intensification along the Richmond, Oxford, and Adelaide Street corridors and away from the low-rise, low density interior of the neighbourhoods. In addition to these existing policies, the proposed policies attached hereto have been written to identify and promote additional opportunities for residential intensification proposals by providing clarity regarding the types of intensification that are deemed to be appropriate as well as by providing clarity regarding the preferred forms of intensification that will be supported in these neighbourhoods.

The first of these two policies (Encourage Appropriate Forms of Intensification in Appropriate Locations) clearly states that a goal of the Official Plan is to promote appropriate forms of intensification in appropriate locations within near-campus neighbourhoods. The policy then articulates what forms of intensification are deemed to not be appropriate such as, among others: projects with an intensity of use that is too great for the proposed structure type; projects which require multiple minor variances that are not in keeping with the intent of the zoning; and, built forms which are out-of-keeping with the surrounding residential context.

The second of these two policies (Preferred Forms of Intensification in Near Campus Neighbourhoods) identifies the preferred forms of intensification as being medium and large scale apartment buildings that are professionally managed and situated at locations that have been designated for intensification rather than the continued intensification of low density residential areas. The policy further states that additional areas may be identified for higher density forms of housing through an Official Plan and Zoning By-law amendment process where these proposals are approached in a coordinated and comprehensive fashion, rather than on a site-specific basis. The proposed near-campus neighbourhood policies conform to the

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requirements of the PPS given that they are intended to identify and promote opportunities for intensification and redevelopment where this can be appropriately accommodated and promote cost effective development standards.

The objective of the proposed policy and by-law amendments is to restore balance and promote sustainable communities within near-campus neighbourhoods and create a more liveable environment to a variety of residents. In promoting further residential intensification in a form that is purpose-built to accommodate the anticipated level of intensity and in a location that creates symbiotic support for the City’s infrastructure, the proposed amendments achieve efficient development and land use patterns which sustain healthy, liveable and safe communities in conformity with the policies of the PPS.

Official Plan Policy

Chapter 2 of the Official Plan – Planning Framework – contains the underlying vision, goals, principles, assumptions and strategies that provide the basis for the policies contained in the Plan. Staff reviewed the Planning Framework policies to ensure that the proposed near-campus neighbourhood policies and Zoning By-law amendments are consistent with the Planning Framework and, more so, that the proposed amendments effectively implement the Planning Framework policies.

The following is an excerpt from the existing policies of Chapter 2 in which the text is bolded where it supports the proposed Near-Campus Neighbourhood policy amendments:

2.2.1 Official Plan Vision Statement	<p>The following Vision Statement is an expression of City Council's intent for the long term planning and management of land use and growth in the City of London:</p> <p>The City of London Official Plan will provide guidance for the physical development of a healthy community that will contribute to the well-being of all Londoners and that is sustainable for the benefit of future generations. Through the implementation of the Plan, City Council will:</p> <ul style="list-style-type: none"><li>i) <b>manage growth and change so that efforts to</b> foster economic development; protect and enhance nature within the City; provide for the efficient movement of people and goods; and <b>promote attractive, cohesive neighbourhoods, are in balance and supportive of each other;</b></li><li>v) promote an urban form that features a strengthened and revitalized Downtown serving as the commercial, cultural and administrative centre for the City and region. <b>The more intensive forms of residential and commercial development outside of the Downtown will continue to be focused along sections of major transportation corridors and in designated nodes to facilitate public transit.</b> An expanded and enhanced system of parklands, natural areas and trails along the valleys and ravines of the Thames River and Kettle Creek watersheds will provide continuous corridors for recreation, wildlife habitat and refuge from urban life</li><li>vi) <b>apply urban design objectives and guidelines to assist in the protection and enhancement of neighbourhood and streetscape character, promote the retention and re-use of heritage buildings, provide for the blending of infill and redevelopment projects with their surroundings</b> and support the City's transportation planning objectives; and</li><li>vii) <b>utilize planning processes that are responsive to neighbourhood and community needs,</b> provide meaningful opportunities for public participation and recognize that neighbourhoods are the strength of the community and the foundation for achieving London's vision of the future.</li></ul>
2.3.1 Planning Principles	<p>The following planning principles are reflected in the objectives and policies contained in this Plan. It is intended that they shall continue to be applicable to any future amendments to the Plan</p> <ul style="list-style-type: none"><li>i) An Official Plan <b>should be responsive to community values and</b></li></ul>



	<b>changing socio-economic conditions</b> , and should provide direction for evaluating and implementing proposals for change.
ii)	<b>Land use planning should promote compatibility among land uses in terms of scale, intensity of use and potentially related impacts.</b>
v)	<b>Planning for urban growth should encourage a compact urban form which is conducive to the maintenance and efficient use of services and facilities and which minimizes the loss of productive agricultural land.</b>
vi)	<b>An Official Plan should enhance the character of residential areas and direct redevelopment and intensification activities to locations where existing land uses are not adversely affected.</b>
vii)	<b>Land use planning should promote attractive and functional site and building design which is sensitive to the scale and character of surrounding uses.</b>
viii)	<b>Land use planning should be closely coordinated with the planning and implementation of infrastructure and transit improvements, to enhance the efficiency of all modes of travel in the transportation network</b> , and to provide for a level of accessibility that is appropriate for the type and intensity of development.
2.4.1 City Structure Policies	The following polices provide the strategic basis for the formulation of more specific land use, servicing and development control policies contained in this Plan:
Neighbourhood Protection	ix) While it is recognized that there may be redevelopment, infill, and intensification in some established residential neighbourhoods, <b>higher intensity land uses will be directed to locations where the character of the residential area is enhanced and existing land uses are not adversely affected.</b>
2.13.2 Housing and Community Development Strategies	Council will consider the following strategies in the pursuit of the Housing and Community Development Goal: i) <b>Land use intensification within existing communities will be controlled</b> so that it contributes to the efficient use of existing services and infrastructure <b>while maintaining compatibility with streetscapes and other aspects of neighbourhood character;</b>
2.14.1 Heritage Goal	It is a goal of this Plan <b>to promote the conservation of the City's historical, architectural, archaeological, cultural and natural heritage resources</b> and to enhance the contribution of these resources to the form and character of the City.
2.14.2 Urban Design Goal	It is a goal of this Plan to promote, <b>a high standard of architectural, landscape and community design that is sensitive to the character of the surrounding uses and streetscapes</b> , conducive to pedestrian accessibility, safety, circulation and use, and that provides for the protection of significant natural features.

Chapter 3 of the Official Plan – Residential Land Use Designations – provides for housing and other land uses that are integral to, and supportive of, a residential environment. These policies provide opportunities for the development of a broad range of residential uses that will satisfy housing requirements, and to provide for compatibility issues to be suitably addressed. Staff reviewed the Residential Land Use Policies to ensure that the proposed Near-Campus Neighbourhood Policies and Zoning By-law amendments are consistent with the current policy framework and that they effectively implement the spirit and intent of the Residential Land Use designations.

The following is an excerpt from the existing policies of Chapter 3 in which the text is bolded where it supports the proposed near-campus neighbourhood policy amendments:

3.1 Objectives for Residential Land Use Designations	It is intended that the development and use of areas designated Low Density Residential; Multi-Family, Medium Density Residential; and, Multi-Family, High Density Residential shall be directed towards the following objectives:
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3.1.1 General Objectives for all Residential Designations	<div>ii) Support the provision of a <b>choice of dwelling types according to location, size, affordability, tenure, design, and accessibility</b> so that a broad range of housing requirements are satisfied.</div> <div>vi) <b>Encourage infill residential development in residential areas where existing land uses are not adversely affected</b> and where development can efficiently utilize existing municipal services and facilities.</div> <div>vii) <b>Minimize the potential for land use compatibility problems which may result from an inappropriate mix of: low, medium and high density housing; higher intensity residential uses with other residential housing;</b> or residential and non-residential uses.</div>
3.1.2	<div>Low Density Residential Objectives</div> <div>i) Enhance the character and amenities of residential areas by <b>directing higher intensity uses to locations where existing land uses are not adversely affected</b></div>
3.1.3	<div>Multi-Family, Medium Density Residential Objectives</div> <div>i) <b>Support the development of multi-family, medium density residential uses at locations which enhance the character and amenity of a residential area, and where there is safe and convenient access to public transit,</b> shopping, public open space, recreation facilities and other urban amenities</div>
3.1.4	<div>Multi-Family, High Density Residential Objectives</div> <div>i) <b>Support the development of multi-family, high density residential uses at locations which enhance the character and amenity of a residential area and where arterial streets, public transit,</b> shopping facilities, public open space, and recreational facilities <b>are easily accessible;</b> and where there are adequate municipal services to accommodate the development</div> <div>iii) <b>Promote, in the design of multi-family, high density residential developments, sensitivity to the scale and character of adjacent land uses</b> and to desirable natural features on, or in close proximity to, the site</div>
3.2.3.2 Density and Form	<div>Areas within the Low Density Residential designation may be zoned to permit the conversion of single detached dwellings to add one or more dwelling units. <b>Site specific amendments to the Zoning By-law to allow dwelling conversions within primarily single detached residential neighbourhoods shall be discouraged</b></div>
3.5.3 St. George/ Grosvenor Neighbourhood	<div>While there are portions of this neighbourhood that are appropriate for redevelopment or conversion, <b>there also exists a viable low density, low-rise residential neighbourhood. The Plan does not anticipate significant land use changes in these areas, and any proposals for development shall not adversely impact the amenities and character of the surrounding area. Area-specific zoning regulations such as floor area ratio, maximum dwelling size and on-site parking limitations will be applied in parts of the neighbourhood that may be affected by residential intensification and infill to ensure that future development is not out of scale and character with the existing residential community.</b> Based on the St. George/Grosvenor Secondary Plan, suitable areas for office conversions and medium and high density residential land uses have been identified in this Plan. It is intended that additional areas will not be designated for these uses without a re-evaluation of the Secondary Plan and a subsequent decision by Council to amend the Official Plan</div>
3.5.9 North London/ Broughdale Neighbourhood	<div>It is anticipated that there will be demand for residential intensification and infill development within portions of the North London/Broughdale Neighbourhood during the planning period. <b>Area-specific guidelines are required which will direct future residential development to suitable locations, and protect the character of the existing low-rise, low density residential community.</b></div>

Chapter 19 of the Official Plan – Implementation – outlines the means through which the objectives and policies of the Plan will be implemented. Implementation occurs through the use of area studies, guideline documents, zoning, subdivision control, site plan control, demolition control, the co-ordination of affected agencies and groups, and other means available to Council through the authority given to it by the Planning Act, the Municipal Act, and other statutes. Staff reviewed the Implementation policies to ensure that the proposed Near-Campus Neighbourhood Policies and Zoning By-law amendments are consistent with the Implementation Policies.

The following is an excerpt from the existing policies of Chapter 19 in which the text is bolded where it supports the proposed near-campus neighbourhood policy amendments:

- 19.4.1  
Zoning  
Regulations

The Zoning By-law shall contain regulations to control the amount or type of development with respect to matters such as the following:

i) Permitted uses

ii) Location of uses

iii) Minimum lot areas and dimensions

iv) Minimum and maximum floor areas

v) Siting of development on a parcel of land in terms of minimum setbacks from property lines

vi) Maximum lot coverage, or that portion of a site occupied by a building or structure

vii) Minimum and maximum density of residential land use measured as ratios of dwelling units per hectare

viii) Minimum and maximum density of commercial and other land uses measured as floor area ratios, for example, the gross floor area divided by the lot area

ix) Minimum and maximum height of a building or structure

x) Minimum requirements for parking and loading areas

xi) Minimum requirements for landscaped open space
- 19.7.1  
Development  
Consent  
Criteria

i) When reviewing an application for consent to create a lot(s) for development, the Consent Authority shall also consider the following criteria:

(a) that any lot(s) to be created would conform to the provisions of the Official Plan, Zoning By-law, and any applicable area study or guideline document

(c) that the size and shape of any lot(s) to be created would be appropriate for the intended use, and would generally conform to adjacent development and to any development agreements registered against the title of the subject land
- 19.8.1  
Criteria for  
Reviewing  
Applications

i) When reviewing an application for minor variance, the Committee of Adjustment shall also consider the following criteria:

(b) that the application deals with circumstances not common to the area and would not create a precedent for similar requests from other property owners

(c) that the variance would not cause substantial detriment, hazard or annoyance that would detract from the character or amenity of nearby properties, and would not adversely affect the traffic and parking conditions in the area

CONCLUSION




The near-campus neighbourhood areas face significant pressures to accommodate residential intensification in the form of additional dwelling units as well as pressures related to increasing the residential intensity of existing sites or dwelling units.



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As a result of extensive consultation and research, the following policies and Zoning By-law amendments are being proposed to promote additional residential intensification opportunities in near-campus neighbourhoods to ease the demand pressures while directing residential intensification toward appropriate forms of development and locations in the City. At the same time, these amendments are also intended to promote neighbourhood stability and preserve neighbourhood character to ensure that the existing residential amenity of these areas is maintained and enhanced.

The proposed amendments encourage residential intensification in the form of medium- and high-density apartment buildings which are professionally managed and located along arterial roads where they are serviced by transit while simultaneously discouraging the continuation of ad-hoc residential intensification in low density forms of housing in the interior of low density residential neighbourhoods.

PREPARED BY:	SUBMITTED BY:
	
MICHAEL TOMAZINCIC, MCIP, RPP PLANNER II, COMMUNITY PLANNING AND URBAN DESIGN SECTION	JIM YANCHULA, MCIP, RPP MANAGER OF COMMUNITY PLANNING AND URBAN DESIGN SECTION
RECOMMENDED BY:	
	
JOHN M. FLEMING, MCIP, RPP DIRECTOR, LAND USE PLANNING AND CITY PLANNER	

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Appendix "A"

Bill No. (number to be inserted by Clerk's Office)  
2012

By-law No. C.P.-1284-\_\_\_\_\_

A by-law to amend the Official Plan for the City of London, 1989 relating to the Near-Campus Neighbourhoods Area.

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

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990*, c.P.13.

PASSED in Open Council on June 26, 2012.

Joe Fontana  
Mayor

Catharine Saunders  
City Clerk

First Reading – June 26, 2012  
Second Reading – June 26, 2012  
Third Reading – June 26, 2012

AMENDMENT NO.

to the

OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of these amendments is to establish and implement the vision for near-campus neighbourhoods to clarify Council's long-term intent for these neighbourhoods. These policies will establish land use planning goals for near-campus neighbourhoods; provide guidance for appropriate locations, forms, and concentrations of intensification in near-campus neighbourhoods; and, provide policies and planning tools that will be used in the review of planning applications for lands within near-campus neighbourhoods.

B. LOCATION OF THIS AMENDMENT

These amendments will be applied to the lands generally bounded by Fanshawe Park Road/Thames River (North Branch)/Kilally Road to the north, Aldersbrook Road/Wonderland Road to the west, the Thames River (South Branch)/Dundas Street to the South, and Clark Road to the east, as identified in "Figure 3-1 Near-Campus Neighbourhoods Area" in Figure 1, attached hereto.

C. BASIS OF THE AMENDMENT

Based on extensive public consultation and research, a collective vision and implementation strategy was adopted by Council for the City's Near-Campus Neighbourhoods. The amendment is intended to implement this collective vision and strategy.

D. THE AMENDMENT

The Official Plan for the City of London is hereby amended as follows:

1. By inserting the following policies as 3.5.19 of the Official Plan:

<b>3.5.19</b>	<b><u>POLICIES FOR NEAR-CAMPUS NEIGHBOURHOODS</u></b>
<b>3.5.19.1</b> <b>Defined Near-Campus Neighbourhoods</b>	<p>The following policies apply to the identified Near-Campus Neighbourhoods in proximity to the University of Western Ontario or Fanshawe College.</p> <p>These areas are defined more specifically in Figure 3-1 "Near-Campus Neighbourhoods Area" of this Plan.</p> <p>It is recognized that these areas are made up of neighbourhoods that differ from one another in many ways, including built form, land use mix, demographic and socio-economic structure, heritage resources, community layout, and distance from campus. Furthermore, it is recognized that neighbourhoods within these areas differ in the degree to which they have been affected by near-campus neighbourhood issues. However, these areas share a common characteristic in that they are relatively close to higher education institutions and they are a component of near-campus areas that this Plan seeks to protect and enhance.</p>
<b>3.5.19.2</b> <b>Review of Planning Applications within Near-Campus Neighbourhoods</b>	<p>Understanding that the Neighbourhoods within near-campus areas are not homogeneous, the planning approach and tools used to implement these policies will vary from neighbourhood to neighbourhood.</p> <p>All planning applications, including minor variances, consents to sever, Official Plan amendments, Zoning By-law amendments, site plan approval, subdivisions, condominiums, area plans, secondary plans and</p>



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**3.5.19.3  
Vision for Near-  
Campus  
Neighbourhoods**

precinct plans, will be reviewed based on the relevant policies of this Plan in addition to the following near-campus neighbourhood policies.

Near-campus neighbourhoods provide an extremely valuable asset to the City of London. They are important attributes in the City of London to attract and retain the brightest and best faculty and students. They are desirable and unique neighbourhoods, some of which offer an outstanding stock of heritage buildings and streetscapes. In addition, they provide close proximity to employment, culture and entertainment resources that their neighbouring educational institutions offer.

Through the policies of this Plan and projects and programs undertaken by the municipality, the following vision for near-campus neighbourhoods shall be pursued. Near-campus neighbourhoods will:

- i) be diverse and inclusive from many different perspectives;
- ii) be occupied by a balanced mix of long-term and short-term residents;
- iii) provide for a strong sense of social connectedness amongst neighbours;
- iv) exude vibrancy, culture, creativity, interest and dynamism;
- v) be planned to protect residential amenity and character;
- vi) offer a strong sense of identity;
- vii) engender respect for the neighbourhood and all those that live in it;
- viii) provide for reasonable quiet enjoyment of private property;
- ix) provide for reasonable entertainment, expression and diverse activities on private property;
- x) cherish, conserve and protect heritage resources;
- xi) provide for safe, varied, and affordable housing opportunities;
- xii) help to recruit the best and brightest students, staff and faculty;
- xiii) allow residents to enjoy unique culture, entertainment and recreation opportunities relating to higher education institutions.

**3.5.19.4  
Land Use  
Planning Goals  
for Near-  
Campus  
Neighbourhoods**

The following land use planning and urban design goals will be pursued in near-campus neighbourhoods in an effort to support the vision expressed in Policy 3.5.19.3. All planning and site plan applications will be reviewed to evaluate the degree to which they meet these goals:

- i) Encourage appropriate intensification (as characterized in Policy 3.5.19.5) that support the vision for near-campus neighbourhoods and discourage inappropriate forms of intensification that may undermine the long-term stability and established vision for near-campus neighbourhoods;
- ii) In pursuit of balanced neighbourhoods, recognize areas that have already absorbed significant amounts of Residential Intensification and Residential Intensity and direct additional proposals to the preferred locations and in the preferred forms;
- iii) Encourage a balanced mix of residential structure types at the appropriate locations while preserving stable homogenous areas;
- iv) Direct Residential Intensification to higher density forms of housing, including mid-rise and high-rise apartment buildings and discourage a concentration of Residential Intensification and Residential Intensity in low density forms of housing;
- v) Direct Residential Intensification to significant transportation nodes and corridors and away from the interior of low density residential neighbourhoods;

- vi) Utilize a variety of planning implementation tools to allow for Residential Intensification and Residential Intensity which is appropriate in form, size, scale, mass, density, and/or intensity;
- vii) Identify where incremental changes in use, density, intensity, and lot size, as a result of zoning amendments, minor variances and consents to sever are collectively leading to undesirable changes in the character and amenity of streetscapes and neighbourhoods and avoid the continuation of such trends;
- viii) Identify strategic locations where Residential Intensification is appropriate and zone for these opportunities accordingly and utilize strong transit connections to link these Residential Intensification opportunities to campuses;
- ix) Plan for Residential Intensification in a proactive, coordinated and comprehensive fashion, utilizing area plans, master plans, and precinct plans;
- x) Ensure that Residential Intensification projects incorporate urban design qualities that enhance streetscapes, complement adjacent properties, and contribute to the functional and aesthetic quality of the neighbourhood;
- xi) Preserve heritage resources which contribute to the identity of streetscapes and neighbourhoods;
- xii) Provide for affordable housing opportunities and appropriate locations.

3.5.19.5

Encourage

Appropriate

Intensification

- Within near-campus neighbourhoods, it is a goal of this Plan to encourage appropriate forms of intensification. Planning applications, including minor variances, consents to sever, Official Plan amendments, Zoning By-law amendments, site plan approval, subdivisions, condominiums, area plans, secondary plans, or precinct plans which represent appropriate intensification, will be encouraged. For the purposes of these policies, appropriate intensification will be characterized as those which are not comprised of one or more of the following attributes:
- i) Developments within low density residential neighbourhoods that have already absorbed significant amounts of Residential Intensification and/or Residential Intensity and are experiencing cumulative impacts that undermine the vision for near-campus neighbourhoods;
  - ii) Developments proposed along streetscapes and within neighbourhoods that are becoming unsustainable due to a lack of balance in the mix of short- and long-term residents;
  - iii) Residential Intensity that is too great for the structure type that is proposed;
  - iv) Inadequately sized lots that do not reasonably accommodate the density and intensity of the proposed use;
  - v) Proposed lots and buildings requiring multiple variances that, cumulatively, are not in keeping with the spirit and intent of the zoning that has been applied;
  - vi) A lack of on-site amenity area;
  - vii) Inadequate parking areas to accommodate expected level of Residential Intensity;
  - viii) Excessive proportions of the site devoted to parking areas and driveways;
  - ix) Built forms or building additions which are not consistent in scale and character with the neighbourhood, streetscape and surrounding buildings;
  - x) Developments which continue an ad-hoc and incremental trend towards Residential Intensification within a given street, block, or neighbourhood, rather than a proactive, coordinated, and planned

approach toward Residential Intensification.

3.5.19.6  
Directing  
Preferred Forms  
of Intensification  
to Appropriate  
Locations

Near-campus neighbourhoods have been planned with substantial opportunities for intensification through the provision of medium- and high-density residential designations, the application of higher density zones within areas designated Low Density Residential, and special policies that allow for intensification in a variety of ways.

Many of these near-campus neighbourhoods have already experienced a significant amount of Residential Intensification (as defined in Policy 3.2.3.1 of this Plan) and an increase in Residential Intensity (as defined in policy 3.5.19.7 of this Plan).

In general, Residential Intensification in the form of medium and large scale apartment buildings situated at appropriate locations in the Multi-Family, Medium Density Residential and Multi-Family, High Density Residential designations are preferred in near-campus neighbourhoods rather additional Residential Intensification in Low Density Residential designations. This is particularly important in neighbourhoods where there has been a substantial amount of Residential Intensification or Residential Intensity within the Low Density Residential designation.

Appropriate locations are those areas within near-campus neighbourhoods that are designated Multi-Family, Medium Density Residential and Multi-Family, High Density Residential that are located along arterial roads and serviced by public transit. Additional areas may be identified for higher density forms of housing through an Official Plan and Zoning By-law amendment process. These proposals will be approached in a coordinated and comprehensive fashion, rather than on a site-specific basis.

3.5.19.7  
Definition of  
Residential  
Intensity

Residential Intensity refers to the increase in the usability of an existing dwelling, building, or site to accommodate additional occupancy including, but not limited to, building construction or additions, increasing the number of bedrooms, and expanding parking areas, but does not include the development of a property, site or area at a higher density than currently exists.

3.5.19.8  
Zoning  
Regulations for  
Near-Campus  
Neighbourhoods

Where appropriate, area specific zoning regulations will be utilized in near-campus neighbourhoods to encourage appropriate Residential Intensification and Residential Intensity. These potential regulations include, but are not limited to:

- i) Floor Area Ratio regulations – to control building scale relative to the size of the associated lot;
- ii) Gross Floor Area maximums – to control scale relative to the character of the built form existing in the area;
- iii) Maximum numbers of bedrooms per unit, by structure type – to manage the intensity of use within multiple unit buildings;
- iv) Minimum parking requirements per gross floor area of building – to ensure that lots are adequately sized to accommodate required on-site parking;
- v) Maximum parking area coverage – to ensure that parking areas do not cover excessively large portions of residential lots;
- vi) Minimum landscaped open space requirements – to ensure that usable outdoor amenity areas are preserved

3.5.19.9  
Multi-Family,  
Medium Density  
Residential and  
Multi-Family,  
High Density

Within the near-campus neighbourhoods area in areas designated Multi-Family, Medium Density Residential and Multi-Family, High Density Residential, planning applications to allow for Residential Intensification or Residential Intensity shall be directed to those areas located along arterial roads which are designated accordingly.

Residential Designations

In areas designated Multi-Family, Medium Density Residential and Multi-Family, High Density Residential located within the interior of residential neighbourhoods, planning applications to allow for Residential Intensification shall only be permitted if the following criteria are met:

- i) The proposal conforms to the Residential Intensification policies of this Plan;
- ii) The proposal conforms to the Policies for Specific Residential Areas of this Plan;
- iii) Mitigation measures are incorporated into the proposed building(s) and site design which ensure that the amenity of the adjacent Low Density Residential areas are not negatively impacted;
- iv) The proposal evaluates the existing and planned context of the surrounding neighbourhood and is designed in a manner that is appropriately integrated within this context;
- v) The proposal establishes a positive and appropriate precedent for similar development proposals at similar locations within the near-campus neighbourhood areas;
- vi) The proposal provides for an adequate amenity area that is appropriately shaped, configured, and located to provide respite for the occupants; and,
- vii) The proposal demonstrates that all heritage attributes and resources of the subject site or adjacent sites are conserved.

3.5.19.10 Low Density Residential Designations

Within the near-campus neighbourhoods in areas designated Low Density Residential, planning applications to allow for Residential Intensification and Residential Intensity shall only be supported if the following criteria are met:

- i) The proposal conforms to all of the Residential Intensification policies of this Plan;
- ii) The proposal conforms to all of the Policies for Specific Residential Areas of this Plan;
- iii) The proposal does not represent a site-specific amendment for a lot(s) that is not unique within its context and does not have any special attributes which would warrant a site-specific amendment;
- iv) The proposal is appropriate in size and scale and does not represent an over-intensification of the site;
- v) The proposal provides for an adequate amenity area that is appropriately shaped, configured, and located to provide respite for the occupants;
- vi) Mitigation measures are incorporated into the proposed building(s) and site design which ensure that the amenity of surrounding residential land uses is not negatively impacted;
- vii) The proposal demonstrates that all heritage attributes and resources of the subject site or adjacent sites are conserved; and,
- viii) The proposal establishes a positive and appropriate precedent for similar development proposals at similar locations within the near-campus neighbourhood areas.

3.5.19.11 Consents to Sever in Near-Campus Neighbourhoods

In the review of applications for consents to sever, it will be recognized that in some areas of near-campus neighbourhoods, Council has established specific zoning regulations that are not intended to support a continuation of the prevailing lot fabric that has been established over time. In these cases, Council has recognized that the area has already absorbed significant Residential Intensification or Residential Intensity and has established a zone that is intended to curtail lot creation below an estimated minimum lot size. This minimum lot size may be larger than the prevailing lot fabric in the area. In near-campus neighbourhoods, applications for consents to sever shall be evaluated based on the following:



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- i) the consent shall not undermine the intent of the Zoning By-law where Council has applied a zone that is intended to establish a new standard for lot sizes in the neighbourhood, which may be larger than the prevailing lot fabric that has been established over time in that neighbourhood;
- ii) the conveyed and retained parcels shall be required to function independently without the use of easements or shared facilities such as, but not limited to, mutual driveways or parking areas;
- iii) the consent shall be consistent with, or assist with the implementation of, the vision and land use planning goals for near-campus neighbourhoods.

**3.5.19.12**  
**Minor Variances**  
**in Near-Campus**  
**Neighbourhoods**

The *Planning Act* identifies four tests when determining the appropriateness of a request for a minor variance. One of these four tests is whether the general intent and purpose of the Official Plan is maintained. The following policies are intended to provide guidance for minor variance applications in near-campus neighbourhoods as part of the consideration of this test.

The following criteria will be considered for minor variance applications in near-campus neighbourhoods:

- i) the requested variance(s) shall not undermine the intent of the Zoning By-law where Council has applied a zone that established additional regulations in the neighbourhood;
- ii) the requested variance(s) shall not lead to inappropriate forms of intensification, as characterized in Policy 3.5.19.5 of this Plan;
- iii) the requested variance(s) shall not be supported to approve an increase in Residential Intensity where the proposed new development, expanded development, or modified development can be accommodated through a reconfiguration of the development proposal;
- iv) where a street, block, or neighbourhood has already absorbed substantial Residential Intensification in the Low Density Residential designation, a minor variance to accommodate a proposed consent to sever shall not be supported;
- v) site-specific minor variance applications to accommodate an increase in Residential Intensity on lands that are not unique within their context and do not have any special attributes which would warrant a site-specific minor variance shall not be supported;
- vi) minor variances to permit front yard parking shall not be supported where the proposed new development, expanded development, or modification to an existing development eliminates existing parking that is in a location which conforms to the Zoning By-law.

**3.5.19.13**  
**Urban Design**  
**Policies for Near**  
**Campus**  
**Neighbourhoods**

Urban design guidelines may be prepared for near-campus neighbourhoods. In addition, the following urban design criteria will be applied in the review of all planning applications in near-campus neighbourhoods for new buildings or additions to buildings or structures to facilitate Residential Intensity to evaluate consistency with existing neighbourhood built form patterns and ensure that the following architectural attributes are respected:

- i) height;
- ii) roof slopes and shapes;
- iii) scale;
- iv) massing;
- v) fenestration;
- vi) building materials;



- vii) building orientation;
- viii) architectural style; and
- ix) architectural features.

3.5.19.14  
Heritage  
Preservation

The heritage building stock within Near-Campus Neighbourhoods is a significant asset to these neighbourhoods, the adjacent educational institutions, and the City of London. It is a goal of these policies to preserve this heritage building stock wherever possible through rehabilitation and conservation.

The heritage building stock includes properties listed in the *City of London Inventory of Heritage Resources* as well as those properties designated under Part IV or Part V of the *Ontario Heritage Act*.

3.5.19.15  
Campus Lands  
Adjacent to the  
Community

At appropriate locations on the periphery of campus lands, where these lands are adjacent to Near-Campus Neighbourhoods, the University and Colleges will be encouraged to develop parks, parkettes, plazas, squares, and other gathering areas where members of the community and the educational institutions can congregate and interact. Where appropriate, limited amounts of small scale commercial uses that serve both the community and the educational institutions are encouraged.

3.5.19.16  
Transit

Strategic transit planning will be undertaken to consider options and implement transit initiatives that will contribute to the Near-Campus Neighbourhoods Vision. Near-Campus Neighbourhoods have absorbed significant amounts of Residential Intensification and Residential Intensity and a heightened level of transit can serve to support medium- and large-scale residential development projects which are located more distant from campus such that these residential projects are attractive for faculty and students.

3.5.19.17  
Public Projects

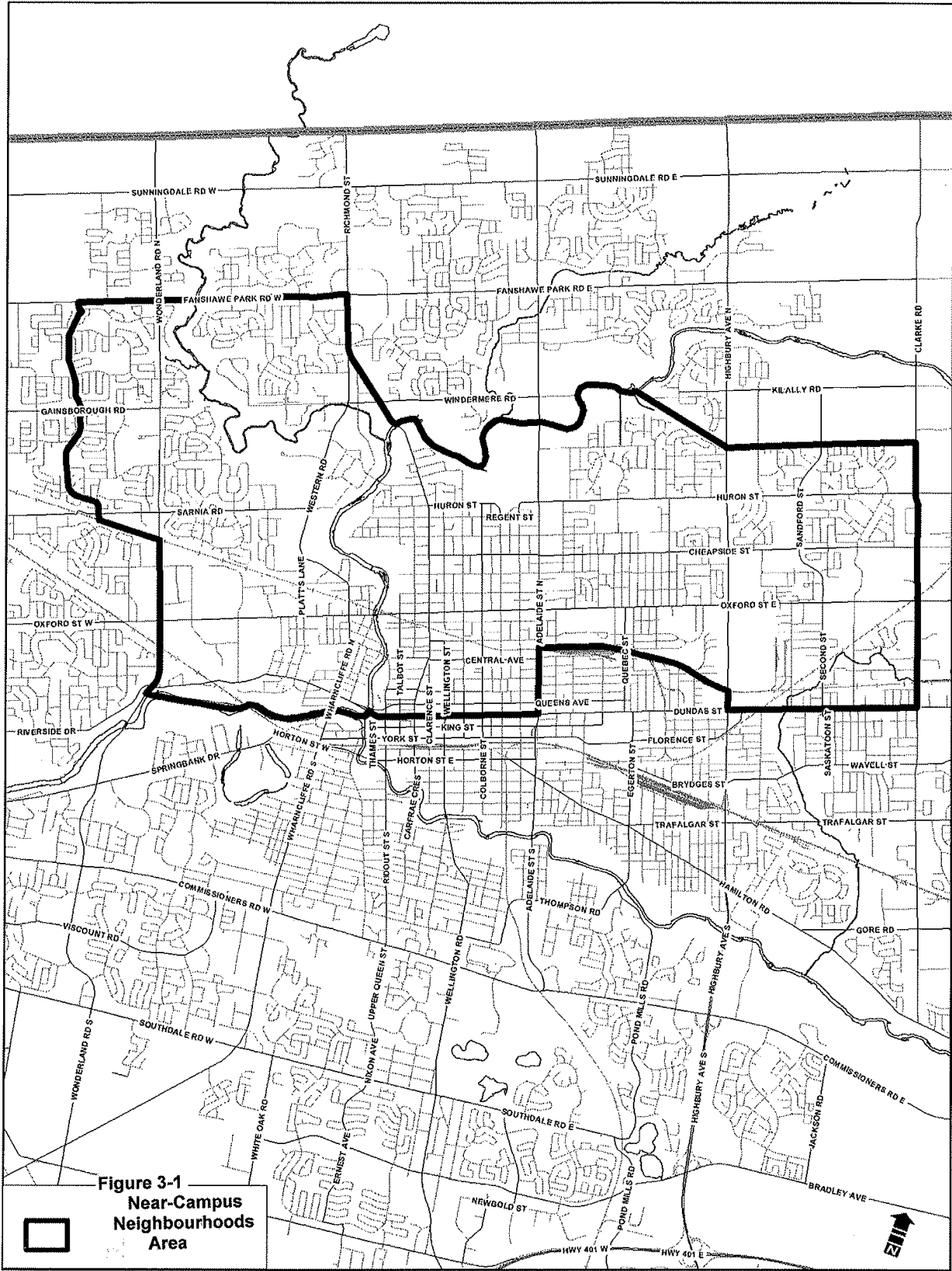
Municipal projects including those involving infrastructure works, road improvements, street lighting, tree planning, park development, and other initiatives involving the public realm will be encouraged to proactively enhance and strengthen Near-Campus Neighbourhoods.

3.5.19.18  
Conflicts

- i) Where there is a conflict between the Policies for Near-Campus Neighbourhoods, as outlined in Section 3.5.19 of this Plan:
  - a) and the more general policies of this Plan, the Policies for Near-Campus Neighbourhood shall take precedence;
  - b) and the more specific *Policies for Specific Residential Areas*, as outlined elsewhere in section 3.5 of this Plan, the more specific *Policies for Specific Residential Areas* shall apply;
  - c) and approved Secondary Plans, the policies of the Secondary Plan shall apply.
- ii) Where any or all of the requirements of the Policies for Near-Campus Neighbourhoods are not in conflict with or are not specifically addressed in the General Policies, the more specific *Policies for Specific Areas*, or Secondary Plans, the Policies for Near-Campus Neighbourhoods shall apply.

- 2. By adding the map entitled *Figure 3-1 Near-Campus Neighbourhoods Area* in Figure 1, attached hereto, to Chapter 3 of the Official Plan.

Figure 1



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Appendix "B"

Bill No. (number to be inserted by Clerk's Office)  
2012

By-law No. Z.-1-12\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to change various sections of the Zoning By-law pertaining to the area known as the Near-Campus Neighbourhoods Area.

WHEREAS The Corporation of the City of London has applied to amend various sections of the Z.-1 Zoning By-law, pertaining to the area known as the Near-Campus Neighbourhoods Area that is generally bounded by Fanshawe Park Road/Thames River (North Branch)/Kilally Road to the north, Aldersbrook Road/Wonderland Road to the west, the Thames River (South Branch)/Dundas Street to the South, and Clark Road to the east, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to the Official Plan;

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

- 1) Section 2.0, Definitions, to By-law No. Z.-1 is amended by amending the definition of "Parking Area" by adding the following sentence after the last sentence of the definition:  
  
"For the purposes of this By-law, for residential uses the calculation of Parking Area Coverage will include all the areas used for Access Driveways, Aisles, Driveways, and Parking Spaces."
- 2) Section 2.0, Definitions, to By-law No. Z.-1 is amended by amending the definition of "Dwelling" by adding the following sentence after the last sentence of the definition of "Apartment Building":  
  
"Within Near-Campus Neighbourhoods, as illustrated in Figure 4.36, a dwelling unit within an Apartment Building shall contain no more than three bedrooms."
- 3) Section 2.0, Definitions, to By-law No. Z.-1 is amended by amending the definition of "Dwelling" by adding the following sentence after the last sentence of the definition of "Converted Dwelling":  
  
"Within Near-Campus Neighbourhoods, as illustrated in Figure 4.36, a dwelling unit within a Converted Dwelling shall contain no more than three bedrooms."
- 4) Section 2.0, Definitions, to By-law No. Z.-1 is amended by amending the definition of "Dwelling" by adding the following sentence after the last sentence of the definition of "Duplex Dwelling":  
  
"Within Near-Campus Neighbourhoods, as illustrated in Figure 4.36, a dwelling unit within a Duplex Dwelling shall contain no more than three bedrooms."
- 5) Section 2.0, Definitions, to By-law No. Z.-1 is amended by amending the definition of "Dwelling" by adding the following sentence after the last sentence of the definition of "Fourplex Dwelling":  
  
"Within Near-Campus Neighbourhoods, as illustrated in Figure 4.36, a dwelling unit within a Fourplex Dwelling shall contain no more than three bedrooms."
- 6) Section 2.0, Definitions, to By-law No. Z.-1 is amended by amending the definition of

“Dwelling” by adding the following sentence after the last sentence of the definition of “Semi-Detached Dwelling”:

“Within Near-Campus Neighbourhoods, as illustrated in Figure 4.36, a dwelling unit within a Semi-Detached Dwelling shall contain no more than three bedrooms.”

- 7)
- Section 2.0, Definitions, to By-law No. Z.-1 is amended by amending the definition of “Dwelling” by adding the following sentence after the last sentence of the definition of “Stacked Townhouse”:

“Within Near-Campus Neighbourhoods, as illustrated in Figure 4.36, a dwelling unit within a Stacked Townhouse shall contain no more than three bedrooms.”

- 8)
- Section 2.0, Definitions, to By-law No. Z.-1 is amended by amending the definition of “Dwelling” by adding the following sentence after the last sentence of the definition of “Street Townhouse”:

“Within Near-Campus Neighbourhoods, as illustrated in Figure 4.36, a dwelling unit within a Street Townhouse shall contain no more than three bedrooms.”

- 9)
- Section 2.0, Definitions, to By-law No. Z.-1 is amended by amending the definition of “Dwelling” by adding the following sentence after the last sentence of the definition of “Townhouse”:

“Within Near-Campus Neighbourhoods, as illustrated in Figure 4.36, a dwelling unit within a Townhouse shall contain no more than three bedrooms.”

- 10)
- Section 2.0, Definitions, to By-law No. Z.-1 is amended by amending the definition of “Dwelling” by adding the following sentence after the last sentence of the definition of “Triplex Dwelling”:

“Within Near-Campus Neighbourhoods, as illustrated in Figure 4.36, a dwelling unit within a Triplex Dwelling shall contain no more than three bedrooms.”

- 11)
- Section 5.3(4), Regulations, to By-law No. Z.-1 is amended by replacing “R1-6” with “R1-1” after “Interior Side Yard –“ in the first line.

- 12)
- Table 5.3, Residential R1 Zone Regulations for R1 Zone Variations, to By-law No. Z.-1 is amended by deleting the Minimum Interior Side Yard Depth (Line 12) regulation and replacing it with the following new Minimum Interior Side Yard Depth regulation:

Column	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
12	INTERIOR SIDE YARD DEPTH (m) MINIMUM	See Section 5.3(4)													

Column	A	P	Q	R
12	INTERIOR SIDE YARD DEPTH (m) MINIMUM	See Section 5.3(4)		

- 13)
- Table 5.3, Residential R1 Zone Regulations for R1 Zone Variations, to By-law No. Z.-1 is amended by adding the following new Minimum Landscaped Open Space regulation as Line 13 to Table 5.3 and subsequently renumbering lines 13, 14, 15, 16, and 17 accordingly:

Column A		B	C	D	E	F	G	H	I	J	K	L	M	N	O
13	LANDSCAPED OPEN SPACE (%) MINIMUM	30		35				40				45	30		50

Column	A	P	Q	R
13	LANDSCAPED OPEN SPACE (%) MINIMUM	55	65	65

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- 14) Table 5.3, Residential R1 Zone Regulations for R1 Zone Variations, to By-law No. Z.-1 is amended by deleting the Maximum Parking Area Coverage regulation and replacing it with the following new Maximum Parking Area Coverage regulation:

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
PARKING AREA COVERAGE (%) MAXIMUM	25													

A	P	Q	R
PARKING AREA COVERAGE (%) MAXIMUM	20	15	15*****

- 15) Table 6.3, Residential R2 Zone Regulations for R2 Zone Variations, to By-law No. Z.-1 is amended by adding a new Minimum Landscaped Open Space regulation as Line 13 to Table 6.3 and subsequently renumbering lines 13, 14, 15, and 16 accordingly.

Column	A	B	C	D	E	F	G	H	I	J
13	LANDSCAPED OPEN SPACE (%) MINIMUM	30			35	25	30			35

Column		K	L	M	N	O	P	Q	R	S	T
13	LANDSCAPED OPEN SPACE (%) MINIMUM	20	25	30	20		30	30	25	30	

- 16) Table 6.3, Residential R2 Zone Regulations for R2 Zone Variations, to By-law No. Z.-1 is amended by deleting the Maximum Parking Area Coverage regulation and replacing it with the following new Maximum Parking Area Coverage regulation:

A	B	C	D	E	F	G	H	I	J
PARKING AREA COVERAGE (%) MAXIMUM	25				30				

A	K	L	M	N	O	P	Q	R	S	T
PARKING AREA COVERAGE (%) MAXIMUM	35						25	30		
							See Section 6.3.3.(c)			

- 17) Table 7.3, Residential R3 Zone Regulations for R3 Zone Variations, to By-law No. Z.-1 is amended by deleting the Minimum Landscaped Open Space regulations and replacing it with the following new Minimum Landscaped Open Space regulations:

A	B	C	D	E	F	G	H	I	J
LANDSCAPED OPEN SPACE (%) MINIMUM	30		35	25	30	35	20	25	30

A	K	L	M	N	O	P	Q	R	S	T	U
LANDSCAPED OPEN SPACE (%) MINIMUM	20	30	30	20	30	30	30				

- 18) Table 7.3, Residential R3 Zone Regulations for R3 Zone Variations, to By-law No. Z.-1 is amended by deleting the Maximum Parking Area Coverage regulation and replacing it with the following new Maximum Parking Area Coverage regulation:

A	B	C	D	E	F	G	H	I	J
PARKING AREA COVERAGE (%) MAXIMUM	25			30			35		

A	K	L	M	N	O	P	Q	R	S	T	U
PARKING AREA COVERAGE (%) MAXIMUM	35			35	30	35	25	25	30	30	30
							See Section 7.3.4.(d)				See Section 7.3.4.(d)

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- 19) Section 4.19, Parking, to By-law No. Z.-1 is amended by adding the following sentence after words “road allowance” of paragraph 4.19.4)c)(a):

“and provided that no part of any rear yard parking area shall be located closer than 3.0 metres (9.8 feet) from the rear lot line and 3.0 metres (9.8 feet) from any one side lot line except where access to a rear yard parking area is obtained by a lane in which case no part of any rear yard parking area shall be located closer than 3.0 metres (9.8 feet) from each side lot line”

- 20) Table 5.3, Residential R1 Zone Regulations for R1 Zone Variations, to By-law No. Z.-1 is amended by deleting the Maximum Height regulation and replacing it with the following new Maximum Height regulation:

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
HEIGHT (m) MAXIMUM	9.0													12.0

A	P	Q	R
HEIGHT (m) MAXIMUM	12.0	12.0	12.0*****

- 21) Table 6.3, Residential R2 Zone Regulations for R2 Zone Variations, to By-law No. Z.-1 is amended by deleting the Maximum Height regulation and replacing it with the following new Maximum Height regulation:

A	B	C	D	E	F	G	H	I	J
HEIGHT (m) MAXIMUM	9.0								

A	K	L	M	N	O	P	Q	R	S	T
HEIGHT (m) MAXIMUM	9.0									

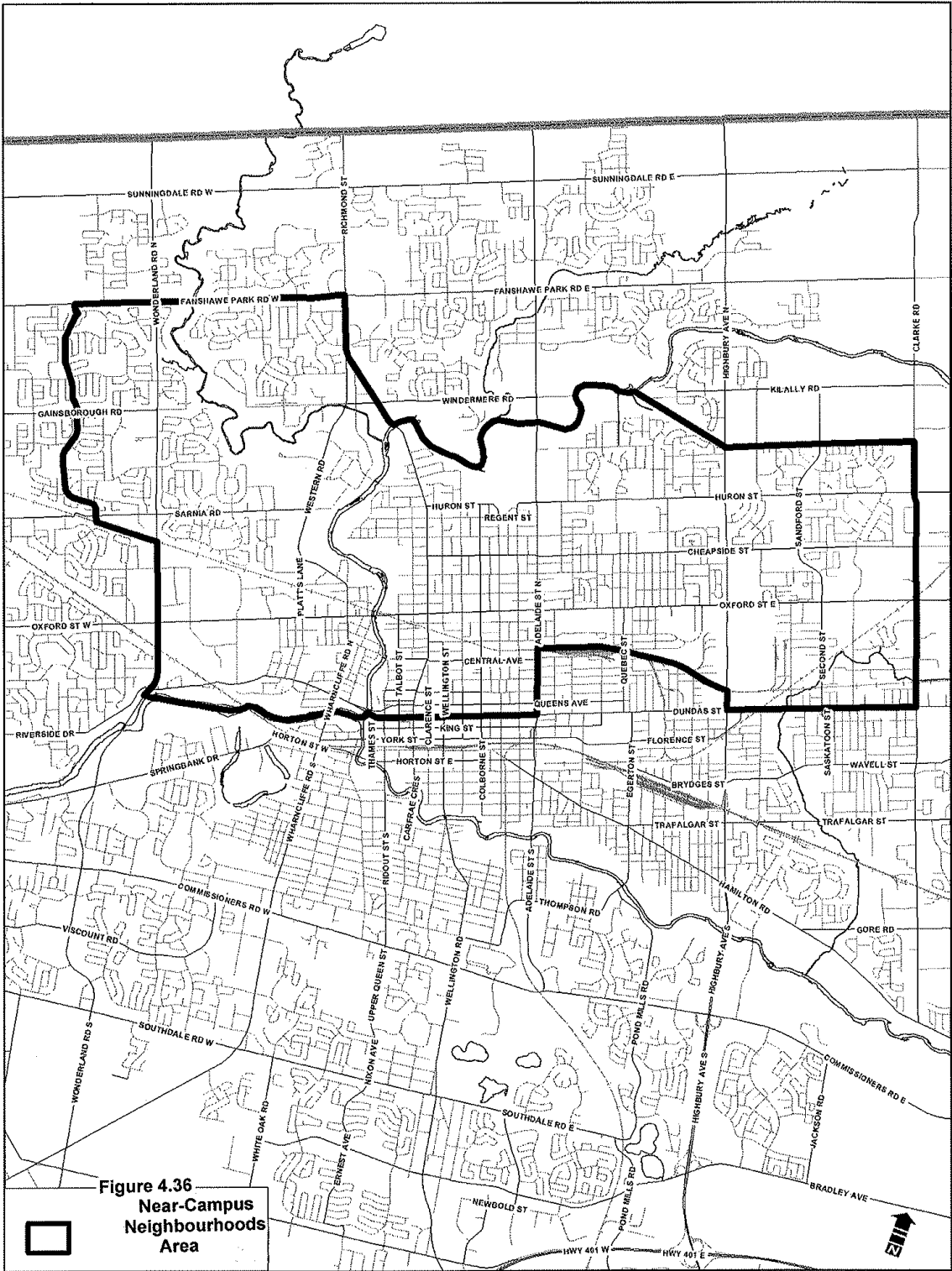
- 22) Table 7.3, Residential R3 Zone Regulations for R3 Zone Variations, to By-law No. Z.-1 is amended by deleting the Maximum Height regulation and replacing it with the following new Maximum Height regulation:

A	B	C	D	E	F	G	H	I	J
HEIGHT (m) MAXIMUM	9.0								

A	K	L	M	N	O	P	Q	R	S	T	U
HEIGHT (m) MAXIMUM	9.0										

- 23) Section 4, General Provisions, to By-law No. Z.-1 is amended by adding the map entitled *Figure 4.36 – Near Campus Neighbourhoods Area*, attached hereto, as Section 4.36:

4.36 – NEAR CAMPUS NEIGHBOURHOODS AREA



The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

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. P.13, either upon the date of the passage of this by-law or as otherwise provided by the said Section.

PASSED in Open Council on June 26, 2012.

Agenda Item #	Page #

M. Tomazincic  
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Joe Fontana  
Mayor

Catharine Saunders  
City Clerk

First Reading – June 26, 2012  
Second Reading – June 26, 2012  
Third Reading – June 26, 2012