

Planning and Environment Committee

Report

12th Meeting of the Planning and Environment Committee
June 20, 2022

PRESENT: Councillors A. Hopkins (Chair), S. Lewis, S. Lehman, S. Turner, S. Hillier, Mayor E. Holder

ALSO PRESENT: PRESENT: H. Lysynski and J.W. Taylor
REMOTE ATTENDANCE: Councillors M. van Holst, M. Hamou and J. Fyfe-Millar; L. Livingstone, I. Abushehada, J. Adema, G. Barrett, J. Bunn, M. Campbell, B. Card, M. Corby, A. Curtis, L. Dent, K. Edwards, M. Feldberg, B. House, J. Kelemen, P. Kokkoros, J. Lee, T. Macbeth, D. MacRae, S. Meksula, H. McNeely, B. Page, A. Pascual, M. Pease, A. Riley, M. Schulthess, G. Smith and S. Wise
The meeting was called to order at 4:02 PM, with Councillor A. Hopkins in the Chair, Councillors S. Lewis and S. Lehman present and all other members participating by remote attendance.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

Moved by: S. Hillier
Seconded by: E. Holder

That Items 2.1 to 2.7, inclusive, BE APPROVED.

Yeas: (6): A. Hopkins, S. Lewis, S. Lehman, S. Turner, S. Hillier, and E. Holder

Motion Passed (6 to 0)

2.1 ReThink Zoning Update and Discussion Papers

Moved by: S. Hillier
Seconded by: E. Holder

That, the staff report dated June 20, 2022 entitled "ReThink Zoning Update and Discussion Papers", with respect to introducing the seven discussion papers that have been prepared, providing an update on the work completed to date and the next steps in the process, BE RECEIVED for information. (2022-D14)

Motion Passed

2.2 1284 and 1388 Sunningdale Road West (H-9506)

Moved by: S. Hillier
Seconded by: E. Holder

That, on the recommendation of the Director, Planning and Development, based on the application by Foxhollow North Kent Developments Inc., relating to a portion of lands located at 1284 and 1388 Sunningdale Road West, the proposed by-law appended to the staff report dated June 20, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting

to be held on July 5, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R1 (h•h-100•R1-3) Zone, a Holding Residential R1 (h•h-100•R1-5) and an Open Space (OS1) Zone TO a Residential R1 (R1-3) Zone, Residential R1 (R1-5) and an Open Space (OS1) Zone to remove the h and h-100 holding provisions. (2022-D09)

Motion Passed

2.3 London Plan Approval - Update on Ontario Land Tribunal Decision and Status of London Plan

Moved by: S. Hillier
Seconded by: E. Holder

That, the staff report dated June 20, 2022 entitled "London Plan Approval - Update on Ontario Land Tribunal Decision and Status of London Plan" with respect to the approval of The London Plan as the Official Plan, BE RECEIVED for information. (2022-D22)

Motion Passed

2.4 Bill 109 - More Homes for Everyone Act, 2022 - Information Report

Moved by: S. Hillier
Seconded by: E. Holder

That, the staff report dated June 20, 2022 entitled "*Bill 109, More Homes for Everyone Act, 2022, Information Report*", with respect to amendments to the *Planning Act* and other statutes, BE RECEIVED for information. (2022-S11)

Motion Passed

2.5 6092 Pack Road - Designation under Section 29 of the Ontario Heritage Act

Moved by: S. Hillier
Seconded by: E. Holder

That, on the recommendation of the Director, Planning and Development, with the advice of the Heritage Planner, relating to the designation of the property located at 6092 Pack Road, the following actions be taken:

a) Notice BE GIVEN under the provisions of Section 29(3) of the *Ontario Heritage Act, R.S.O. 1990, c. O. 18*, of Municipal Council's intention to designate the property to be of cultural heritage value or interest for the reasons outlined in Appendix E of the staff report dated June 20, 2022; and,

b) should no objections to Municipal Council's notice of intention to designate be received, a by-law to designate the property located at 6092 Pack Road to be of cultural heritage value or interest for the reasons outlined in Appendix D of the staff report dated June 20, 2022 BE INTRODUCED at a future meeting of Municipal Council within 90 days of the end of the objection period;

it being noted that should an objection to Municipal Council's notice of intention to designate be received, a subsequent staff report will be prepared;

it being further noted that should an appeal to the passage of the by-law be received, the City Clerk will refer the appeal to the Ontario Land Tribunal. (2022-R01)

Motion Passed

2.6 Single Source Procurement - Planning Application Signs

Moved by: S. Hillier
Seconded by: E. Holder

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to Signature Graphics:

- a) Signature Graphics BE APPROVED as the single source provider of Planning Application signs and related activities for a period of one year with the option for an additional four (4), one (1) year renewals, with an estimated annual expenditure based on demand for services, of between \$75,000.00 and \$100,000.00 (HST excluded), in accordance with Sections 14.4 (d) and (e) of the Procurement of Goods and Services Policy;
- b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this purchase;
- c) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract and service agreement for this purchase; and,
- d) the Mayor and City Clerk BE AUTHORIZED to execute any contract, service agreement or other documents, if required, to give effect to these recommendations. (2022-F17)

Motion Passed

2.7 Building Division Monthly Report - April, 2022

Moved by: S. Hillier
Seconded by: E. Holder

That the Building Division Monthly report for April, 2022 BE RECEIVED for information. (2022-A23)

Motion Passed

3. Scheduled Items

3.1 911 and 945 Kleinburg Drive (Formerly 660 Sunningdale Road East) (Z-9321)

Moved by: S. Turner
Seconded by: S. Lewis

That, on the recommendation of the Director, Planning and Development, based on the application by Applewood Market Place Inc., relating to portions of the lands located at 911 and 945 Kleinburg Drive (formerly 660 Sunningdale Road East), the proposed by-law appended to the Added Agenda as Appendix 'A' BE INTRODUCED at the Municipal Council meeting to be held on July 5, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Business District Commercial Special Provision h, h-100, h-173, BDC2(10)*H18 Zone and a Holding Residential R5/R6

Special Provision (h*h-100*h-173*R5-6(9)/R6-5(38)/R8-4(27)) Zone TO a Business District Commercial Special Provision BDC2(__)*H23 Zone, which permits a range of commercial uses on the first floor with residential uses above, to a maximum height of 23m;

it being pointed out that the following individual made a verbal presentation at the public participation meeting held in conjunction with this matter:

- J. Jones, applicant;

it being further noted that the Municipal Council approves this application for the following reasons:

- the recommended amendment is consistent with, and will serve to implement the policies of the Provincial Policy Statement, 2020 which encourage infill and intensification and the provision of a range of housing types, and efficient use of existing infrastructure;
- the proposed and recommended amendments conform to the in-force policies of The London Plan, including but not limited to Our Strategy, Our City and the Key Directions, as well as conforming to the policies of the Neighbourhoods Place Type;
- the proposed and recommended amendments conform to the policies of the (1989) Official Plan, specifically Low Density Residential and Multi-Family, Medium Density Residential;
- the policies of the Main Street Commercial (Official Plan) and Main Street (London Plan) permit residential units on the ground floor to the rear of commercial/store fronts. The addition of residential to the rear meets the policies of the Official Plan and the London Plan and will help support the construction of the main street as envisioned by the plan;
- the zoning reflects the optimum building type that would be contemplated (apartment buildings) and defines the type of dwelling units that can be located to the rear of commercial for this site; and,
- the conditions for removing the ((h*h-100*h-173) holding provisions have been met and the recommended amendment will allow the construction of commercial/residential mixed-use buildings in compliance with the Zoning By-law. (2022-D12/D14)

Yeas: (6): A. Hopkins , S. Lewis, S. Lehman, S. Turner, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Additional Votes:

Moved by: S. Lewis

Seconded by: S. Hillier

Motion to open the public participation meeting.

Yeas: (6): A. Hopkins , S. Lewis, S. Lehman, S. Turner, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Moved by: S. Turner

Seconded by: S. Hillier

Motion to close the public participation meeting.

Yeas: (6): A. Hopkins , S. Lewis, S. Lehman, S. Turner, S. Hillier, and E. Holder

Motion Passed (6 to 0)

3.2 Housekeeping Amendment to Southwest Area Secondary Plan

Moved by: S. Hillier
Seconded by: E. Holder

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to housekeeping amendment to the Southwest Area Secondary Plan, the proposed by-law appended to the staff report dated June 20, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on July 5, 2022 to AMEND the Southwest Area Secondary Plan by DELETING references to the 1989 Official Plan and ADDING references to The London Plan;

it being noted that a comprehensive review and possible amendments to the Southwest Area Secondary Plan will be subject to a separate review and amendment;

it being pointed out that the following individual made a verbal presentation at the public participation meeting held in conjunction with this matter:

- T. Brydges, Zelinka Priamo Ltd., on behalf of the landowners at 4425 Wellington Road South;

it being further noted that the Municipal Council approves this application for the following reason:

- the purpose and effect of the recommended action is to update the SWAP to reflect the transition from the 1989 Official Plan to The London Plan. The recommended action will assist in the interpretation and implementation of the SWAP in conjunction with The London Plan and to improve clarity and consistency of policies and maps in the Plan. (2022-S11)

Yeas: (6): A. Hopkins , S. Lewis, S. Lehman, S. Turner, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Additional Votes:

Moved by: S. Lewis
Seconded by: S. Lehman

Motion to open the public participation meeting.

Yeas: (6): A. Hopkins , S. Lewis, S. Lehman, S. Turner, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Moved by: S. Lewis
Seconded by: E. Holder

Motion to close the public participation meeting.

Yeas: (6): A. Hopkins , S. Lewis, S. Lehman, S. Turner, S. Hillier, and E. Holder

Motion Passed (6 to 0)

3.3 Delegated Authority (Bill 13) and Alternative Notice Measures for Minor Amendments (O-9492)

Moved by: S. Lewis

Seconded by: E. Holder

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to *Bill 13, Supporting People and Businesses Act, 2021*:

- a) the proposed by-law appended to the staff report dated June 20, 2022 as Appendix “A” BE INTRODUCED at the Municipal Council meeting to be held on July 5, 2022 to AMEND the London Plan by adding new policies with respect to delegated approval authority for minor zoning by-law amendments and alternative consultation measures for minor London Plan amendments and zoning by-law amendments, and amending existing policies for consistency with the new policies; and,
- b) the proposed by-law appended to the staff report dated June 20, 2022 as Appendix “B” BE INTRODUCED at the Municipal Council meeting to be held on July 5, 2022 to pass a new by-law “Minor Zoning By-law Amendments Delegation and Approval By-law” to authorize Council to delegate approval authority with respect to minor zoning by-law amendments;

it being pointed out that the following individual made a verbal presentation at the public participation meeting held in conjunction with this matter:

- M. Wallace, LDI;

it being further noted that the Municipal Council approves this application for the following reasons:

- the recommended amendments to the London Plan are consistent with the *Planning Act* which provides a new discretionary authority that allows municipal councils to delegate decision-making authority under Section 34 that are of a minor nature and permits alternative measures for public notice and consultation;
- the recommended amendments support one of Council’s goals in the 2019-2023 Strategic Plan, which improve the delivery of service through streamlined Council’s decision-making process;
- the recommended amendments to the London Plan establish a policy framework for delegated authority approval with respect to minor zoning by-law amendments and alternative consultation measures for minor London Plan amendments and zoning by-law amendments; and,
- the recommended amendments establish a new Council Policy that authorizes the new authority in accordance with The London Plan as amended pursuant to the *Planning Act*. (2022-D14)

Yeas: (6): A. Hopkins , S. Lewis, S. Lehman, S. Turner, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Additional Votes:

Moved by: S. Lehman

Seconded by: S. Lewis

Motion to open the public participation meeting.

Yeas: (6): A. Hopkins , S. Lewis, S. Lehman, S. Turner, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Moved by: S. Turner
Seconded by: S. Lewis

Motion to close the public participation meeting.

Yeas: (6): A. Hopkins , S. Lewis, S. Lehman, S. Turner, S. Hillier, and E. Holder

Motion Passed (6 to 0)

3.4 991 Sunningdale Road West (Z-9472)

Moved by: S. Lehman
Seconded by: S. Lewis

That, on the recommendation of the Director, Planning and Development, based on the application by Nasser and Suzan Aljarousha, relating to the property located at 991 Sunningdale Road West, the proposed by-law appended to the staff report dated June 20, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on July 5, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM an Agricultural AG1 Zone TO a Holding Agricultural AG1 Special Provision (h-18*AG1(_)) Zone;

it being noted that no individuals spoke at the public participation meeting associated with this matter;

it being further noted that the Municipal Council approves this application for the following reasons:

- the recommended amendment is consistent with the Provincial Policy Statement, 2020;
- the recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Farmland Place Type, Our Strategy, our Tools, and other applicable London Plan policies;
- the recommended amendment conforms to the in-force of the 1989 Official Plan, including but not limited to the Agricultural designation; and,
- the recommended amendment facilitates the development of a single detached non-agricultural dwelling which is appropriate and compatible with existing and future land uses in the surrounding area. (2022-D09)

Yeas: (6): A. Hopkins , S. Lewis, S. Lehman, S. Turner, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Additional Votes:

Moved by: S. Turner
Seconded by: S. Hillier

Motion to open the public participation meeting.

Yeas: (6): A. Hopkins , S. Lewis, S. Lehman, S. Turner, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Moved by: S. Lewis
Seconded by: S. Lehman

Motion to close the public participation meeting.

Yeas: (6): A. Hopkins , S. Lewis, S. Lehman, S. Turner, S. Hillier, and E. Holder

Motion Passed (6 to 0)

3.5 84-86 St. George Street and 175-197 Ann Street (OZ-9127)

Moved by: S. Lewis
Seconded by: E. Holder

That, the following actions be taken with respect to the application by St. George and Ann Block Limited, relating to the property located at 84-86 St. George Street and 175-197 Ann Street:

- a) the proposed, attached, by-law (Appendix A) BE INTRODUCED at the Municipal Council meeting to be held on July 5, 2022 to CHANGE the Specific Area Policy in the Neighbourhoods Place Type applicable to the subject lands to permit a maximum building height of 23 storeys, and to permit a maximum overall floor area of 500 square metres for retail, service and office uses within the podium base;
- b) the proposed, revised, attached, by-law (Appendix B) BE INTRODUCED at the Municipal Council meeting to be held on July 5, 2022 to amend Zoning By-law No. Z.-1, to change the zoning of the subject property FROM a Residential R9 (R9-3*H12) Zone TO a holding Residential R10/Convenience Commercial Special Provision Bonus (h*h-41*h-183*h-__*R10-5/CC4(_)*B-(_)) Zone;

it being noted that the Planning and Environment Committee received the following communications with respect to these matters:

- a communication from AM. Valastro;
- a communication dated June 9, 2022, from S. Rans;
- a communication from J. Helen, 732 Princess Avenue;
- a communication dated June 9, 2022, from C. Gelinis;
- a communication dated June 9, 2022, from L. White, 132 Central Avenue;
- a communication dated June 10, 2022, from S. Regier;
- a communication dated June 8, 2022, from T. Mitchell;
- a communication dated June 16, 2022, from W. Kinghorn, President, Architectural Conservancy Ontario – London Region;
- a communication dated June 17, 2022, from M. Tovey; and,
- a communication dated June 17, 2022, from A. Soufan, President, York Developments;

it being pointed out that the following individuals made verbal presentations at the public participation meeting held in conjunction with this matter:

- A. Soufan, York Developments;
- E. Mitchell, 695 Richmond Street;
- AM. Valastro; and,
- M. Whalley, North Centre Road. (2022-D04)

Yeas: (4): S. Lewis, S. Lehman, S. Hillier, and E. Holder

Nays: (2): A. Hopkins , and S. Turner

Motion Passed (4 to 2)

Additional Votes:

Moved by: S. Turner

Seconded by: A. Hopkins

Motion to amend the motion to replace the by-law reference in part b) to introduce the draft by-law appended as Appendix B to the staff report, the alternative by-law from Planning and Development

Yeas: (2): A. Hopkins , and S. Turner

Nays: (4): S. Lewis, S. Lehman, S. Hillier, and E. Holder

Motion Failed (2 to 4)

Moved by: S. Turner

Seconded by: S. Hillier

Motion to open the public participation meeting.

Yeas: (6): A. Hopkins , S. Lewis, S. Lehman, S. Turner, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Moved by: S. Lewis

Seconded by: S. Turner

Motion to close the public participation meeting.

Yeas: (6): A. Hopkins , S. Lewis, S. Lehman, S. Turner, S. Hillier, and E. Holder

Motion Passed (6 to 0)

3.6 689 Oxford Street West (Z-9199 & O-9206)

Moved by: S. Lehman

Seconded by: S. Lewis

That, the application by 2399731 Ontario Ltd, c/o Westdell Development Corporation BE REFERRED back to the Civic Administration to work with the developer to improve the proposed transition from high density towers to the existing low density abutting residential neighbourhoods with specific attention to addressing shadowing and traffic management at Wonderland and Beaverbrook;

it being noted that the Planning and Environment Committee received the following communications with respect to these matters:

- a communication dated June 9, 2022 from L. Bowman; and,
- the staff presentation;

it being pointed out that the following individuals made verbal presentations at the public participation meeting held in conjunction with this matter:

- L. Kirkness, SBM Limited Planning;
- R. Coates, 43 Capulet Walk;
- B. Waddick;
- R. Chapin, President, Dementia Care London Inc., 35 and 41 Capulet Walk;
- T. Timbrell, Inverness Avenue;
- G. Stark, 837 Silversmith Street;
- AM Valastro;
- S. Johnstone, Silversmith Street;
- K. Cates, 30 Laurel Street;
- L. Bowman, Oakridge Glen, 43 Capulet Walk;
- L. Smyth, Silversmith Street;
- J. Cheese, 22 Laurel Street;
- A. Quance, 43 Capulet Walk; and,
- K. Slivinski, 46 Laurel Street. (2022-D09)

Yeas: (4): S. Lewis, S. Lehman, S. Hillier, and E. Holder

Nays: (2): A. Hopkins , and S. Turner

Motion Passed (4 to 2)

Additional Votes:

Moved by: S. Lewis

Seconded by: S. Lehman

Motion to open the public participation meeting.

Yeas: (6): A. Hopkins , S. Lewis, S. Lehman, S. Turner, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Moved by: S. Turner

Seconded by: S. Lewis

Motion to close the public participation meeting.

Yeas: (6): A. Hopkins , S. Lewis, S. Lehman, S. Turner, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Moved by: S. Turner

Seconded by: S. Hillier

That Mr. L. Kirkness's delegation BE EXTENDED beyond five minutes.

Yeas: (5): A. Hopkins , S. Lewis, S. Turner, S. Hillier, and E. Holder

Nays: (1): S. Lehman

Motion Passed (5 to 1)

Shall the ruling of the Chair BE SUSTAINED.

Yeas: (2): A. Hopkins , and S. Turner

Nays: (4): S. Lewis, S. Lehman, S. Hillier, and E. Holder

Motion Failed (2 to 4)

It being noted that a Point of Order was raised.

3.7 599-601 Richmond Street (Z-9367)

Moved by: S. Turner

Seconded by: S. Lewis

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Westell Development Corp., relating to the property located at 599-601 Richmond Street:

a) the proposed by-law appended to the staff report dated June 20, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on July 5, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Business District Commercial Special Provision (BDC(1)) Zone TO a Business District Commercial Special Provision Bonus (BDC(1))*B-() Zone;

the Bonus Zone shall be enabled through one or more agreements to facilitate the development of a high-quality mixed-use building, with a maximum height of eight (8) storeys, 57 dwelling units and a maximum density of 519 units per hectare, which substantively implements the Site Plan and Elevations appended to the staff report dated June 20, 2022 as Schedule "1" to the amending by-law in return for the following facilities, services and matters:

1. Exceptional Building Design

- i) a built form located along Central Ave that establishes a built edge with primary building entrance, street-oriented units and active uses along this frontage;
- ii) treatment of the first two-storeys of the proposed building contrasts with the remainder of the building above to clearly delineate the attractive, pedestrian-oriented area within the public realm;
- iii) a contemporary flat roof, with modern cornice lines and canopies for the balconies along the north side of the building, effectively announce the top of the building and help distinguish the building along the corridor;
- iv) a variety of materials, colours and textures break up the massing of the building into smaller sections, both vertically and horizontally, to appropriately frame the street and enhance the streetscape; and

2. Provision of Affordable Housing

- i) a total of two, 1-bedroom residential units and two, 2-bedroom residential units will be provided for affordable housing;
- ii) rents not exceeding 85% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
- iii) the duration of affordability set at 50 years from the point of initial

occupancy;

- iv) the proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations;
- v) these conditions to be secured through an agreement registered on title with associated compliance requirements and remedies.

it being noted that the following site plan and heritage matters were raised during the application review process:

i) removal of the layaway to maintain the City Boulevard as a green boulevard;

ii) include a minimum of 0.5 to 1m setback from the Central Avenue frontage in order to avoid the requirement for encroachment agreements for building elements such as canopies, balconies, opening of doors, etc.;

A) the main entrance setback from the property line is acknowledged; and,

B) the commercial unit doors need to be recessed (a minimum of 0.5m or as required) to be within the property line; the canopies proposed above the commercial units shall also be within the property line or included in an encroachment agreement; and,

iii) to ensure proper measures are in place during construction, the recommendation of Section 7 in the Heritage Impact Assessment including a temporary protection plan is recommended to be addressed through site plan approval to mitigate impacts on adjacent heritage properties;

it being noted that the Planning and Environment Committee received the following communications with respect to these matters:

- a communication dated June 17, 2022 from AM. Valastro; and,
- the staff presentation;

it being pointed out that the following individuals made verbal presentations at the public participation meeting held in conjunction with this matter:

- L. Kirkness; and,
- AM. Valastro;

it being further noted that the Municipal Council approves this application for the following reasons:

- the recommended amendment is consistent with the Provincial Policy Statement, 2020, which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents, present and future;
- the recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Rapid Transit Corridor Place Type and Key Directions;
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Main Street Commercial Corridor designation;
- the recommended amendment conforms to the Near Campus Neighbourhood Policies that direct more intense development to corridors;
- the recommended amendment facilitates the development of affordable housing units that will help in addressing the growing need for affordable housing in London. The recommended amendment is in

alignment with the Housing Stability Action Plan 2019-2024 and Strategic Area of Focus 2: Create More Housing Stock; and,

- the recommended bonus zone for the subject site will provide public benefits that include affordable housing units, barrier-free and accessible design, transit supportive development, and a quality design standard to be implemented through a subsequent site plan application. (2022-D09)

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Turner, and S. Hillier

Absent: (1): E. Holder

Motion Passed (5 to 0)

Additional Votes:

Moved by: S. Lewis
Seconded by: S. Hillier

Motion to open the public participation meeting.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Turner, and S. Hillier

Absent: (1): E. Holder

Motion Passed (5 to 0)

Moved by: S. Hillier
Seconded by: S. Lehman

Motion to close the public participation meeting.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Turner, and S. Hillier

Absent: (1): E. Holder

Motion Passed (5 to 0)

3.8 801 Sarnia Road (O-9475 & Z-9476)

Moved by: S. Turner
Seconded by: S. Lehman

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by 2425293 Ontario Inc., relating to the property located at 801 Sarnia Road:

- a) the proposed, attached, revised by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on July 5, 2022, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Residential R8 Bonus (R8-4*B40) Zone and Rail Transportation Zone TO a Holding Residential R8 Special Provision Bonus (h*R8-4()*B()) Zone and Open Space (OS1) Zone;

the Bonus Zone shall be implemented through one or more agreements to facilitate the development of a high-quality apartment building with a maximum height of 20 meters, and a maximum density of 124 units per hectare (100 units), which substantively implements the Site Plan, Renderings, Elevations and Views attached in Schedule "1". The development shall specifically incorporate the following services, facilities, and matters:

1. Provision of Affordable Housing

- i) a total of 4 one-bedroom residential units will be provided for affordable housing;
- ii) rents not exceeding 80% of the Average Market Rents (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
- iii) the duration of affordability set at 50 years from the point of initial occupancy;
- iv) the proponent shall enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations; and,
- v) these conditions to be secured through an agreement registered on title with associated compliance requirements and remedies;

2. Design Principles

- i) a mid-rise (6 storey) built form located along the Sarnia Road that establishes a built edge with primary building entrance, street oriented residential units and active uses along these frontages;
- ii) direct walkway connections from primary building entrance and ground floor residential unit entrances to the City sidewalk along Sarnia Road;
- iii) articulated facades including recesses, projections, balconies, and terraces to provide depth and variation in the built form to enhance the pedestrian environment;
- iv) a variety of materials, textures, and articulation along building façade(s) to highlight different architectural elements and provide interest and human-scale rhythm along the street frontages;
- v) common outdoor amenity space at ground level along with the entrance to future City Pathway.
- vi) locates majority of the parking behind the building and away from the street while screening the exposed parking with a combination of landscape and masonry walls;

notwithstanding anything in the By-law to the contrary, the following regulations shall apply:

- | | |
|--|--|
| i) Front Yard Depth to Arterial Road (minimum) | 4.0 meters (13.1) feet |
| ii) Rear Yard Setback to Open Space (minimum) | 13 meters (42.6 feet) |
| iii) Height (maximum) | 20 meters (65.6 feet) |
| iv) Parking (minimum) | 1 space per unit |
| v) Parking for Affordable Units (minimum) | 0.33 space per unit |
| vi) Density (maximum) | 124 units per hectare (100 dwelling units) |

b) Section 4.3 iv) - Site Specific Bonus Provisions is amended by deleting the current bonus zone (B-40) and replacing it with the new Bonus Zone outlined above in recommendation a); and,

c) pursuant to Section 34(17) of the *Planning Act*, as determined by the Municipal Council, no further notice BE GIVEN in respect of the proposed

by-law as the change in parking is minor in nature, the existing conditions plan circulated in the Notice of Application and Notice of Revised Application and Notice of Public Meeting accurately reflect the existing condition of the site, and no development or site alteration is proposed;

it being pointed out that the following individual made a verbal presentation at the public participation meeting held in conjunction with this matter:

- J. McGuffin, Monteith Brown Planning Consultants;

it being further noted that the Municipal Council approves this application for the following reasons:

- the recommended Zoning By-law Amendment is consistent with the Provincial Policy Statement, 2020, which encourages development to occur within settlement areas and land use patterns that provide for a range of uses and opportunities that will meet the needs of current and future residents;
- the recommended zoning conforms to the in-force policies of The London Plan, including, but not limited to, the Neighbourhood Place Type, City Building and Design, Our Tools, and all other applicable London Plan policies; and,
- the recommended amendment secures units for affordable housing through the Bonus Zone. (2022-D09/D14)

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Turner, and S. Hillier

Absent: (1): E. Holder

Motion Passed (5 to 0)

Additional Votes:

Moved by: S. Turner

Seconded by: S. Lewis

Motion to open the public participation meeting.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Turner, and S. Hillier

Absent: (1): E. Holder

Motion Passed (5 to 0)

Moved by: S. Turner

Seconded by: S. Lewis

Motion to close the public participation meeting.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Turner, and S. Hillier

Absent: (1): E. Holder

Motion Passed (5 to 0)

4. Items for Direction

None.

5. Deferred Matters/Additional Business

5.1 (ADDED) 2nd Report of the Community Advisory Committee on Planning

Moved by: S. Turner

Seconded by: S. Lewis

That, the following actions be taken with respect to the 2nd Report of the Community Advisory Committee on Planning, from its meeting held on June 15, 2021:

a) the Planning and Environment Committee BE ADVISED of the following with respect to the Public Meeting and Revised Application Notice, dated June 1, 2022, from S. Wise, Senior Planner for Revised Official Plan and Zoning By-law Amendments, related to the properties located at 84-86 St. George Street and 175-197 Ann Street:

- i) the revised application does not address the outstanding heritage concerns about the site; and,
- ii) the Community Advisory Committee on Planning continues to support the previous recommendation to designate the properties located at 84-86 St. George Street and 175-197 Ann Street as heritage resources under the *Ontario Heritage Act*;

b) the Planning and Environment Committee BE ADVISED that the London Community Advisory Committee on Planning (CACP) received a staff report, dated June 15, 2022, with respect to the Designation of 6092 Pack Road under Section 29 of the Ontario Heritage Act and the CACP supports the staff recommendation to designate the above-noted property to be of cultural heritage value or interest; and,

c) clauses 1.1, 3.1, 3.3, 4.1, 5.2 and 65.1 BE RECEIVED for information.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Turner, and S. Hillier

Absent: (1): E. Holder

Motion Passed (5 to 0)

6. Adjournment

The meeting adjourned at 9:15 PM.

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee
From: Scott Mathers MPA, P. Eng.,
Deputy City Manager, Planning and Economic Development
Subject: ReThink Zoning Update & Discussion Papers
Date: June 20, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, the following report **BE RECEIVED** for information.

Executive Summary

ReThink Zoning is the process of delivering a new comprehensive zoning by-law that will implement *The London Plan* and replace the current *Zoning By-law No. Z.-1*. The purpose of this report is to introduce the seven (7) discussion papers that have been prepared and to provide an update on work completed to date and the next steps in ReThink Zoning.

Linkage to the Corporate Strategic Plan

The preparation of the new comprehensive zoning by-law will contribute to the advancement of Municipal Council's 2019-2023 Strategic Plan in several ways:

- "Building a Sustainable City" is supported by the preparation of a new comprehensive zoning by-law that ensures growth and development in the City is well planned and sustainable over the long-term.
- "Strengthening Our Community" is supported by the preparation of a new comprehensive zoning by-law that ensures new development fits and enhances the surrounding context and considers innovative regulatory approaches to achieve municipal commitments to affordable housing and to reduce and mitigate climate change.
- "Growing Our Economy" is supported by the preparation of a new comprehensive zoning by-law that delivers certainty and flexibility in creating a supportive environment where businesses and development can thrive.
- "Leading in Public Service" is supported by opportunities for public and stakeholder engagement and participation in the preparation of the new comprehensive zoning by-law and in local government decision-making.

Climate Emergency

On April 23, 2019, Municipal Council declared a Climate Emergency. Through this declaration the Corporation of the City of London (the City) is committed to reducing and mitigating climate change by encouraging sustainable development and directing intensification and growth to appropriate locations. This includes the efficient use of existing urban lands and infrastructure, aligning land use planning with transportation planning to facilitate transit-supportive developments that encourage active transportation. Development shall also be directed away from natural hazards to minimize and mitigate flooding potential.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

Planning and Environment Committee, RFP21-57 ReThink Zoning Consulting Services Contract Award, November 1, 2021. This report recommended Municipal Council appoint of Sajecki Planning Inc. (“Sajecki”) as project consultants to prepare the new comprehensive zoning by-law and that the financing for consulting services be approved. In accordance with the City’s *Procurement of Goods and Services Policy*, Sajecki was qualified to provide consulting services through a Request for Qualification (RFQUAL) and had the highest scoring submission through the subsequent Request for Proposal (RFP).

Planning and Environment Committee, ReThink Zoning Phase One Update and Background Papers, June 21, 2021. This report introduced for information purposes a series of Background Papers. The first Background Paper provided an overview of the relevance and role of zoning and the importance of engagement in the ReThink Zoning project. The second, third and fourth Background Papers addressed the role of use, intensity, and form in zoning respectively to achieve the city building objectives described in *The London Plan*. The fifth Background Paper undertook a review of zoning by-laws for several populous municipalities in Ontario to identify best practices and capture innovative approaches to zoning. This report also provided an update on the next steps for ReThink Zoning.

Planning and Environment Committee, ReThink Zoning Phase One Update, November 30, 2020. This report introduced for information purposes, areas of focus for future public and stakeholder engagement. Areas of focus including education about how zoning works, and conversations about the types of uses and buildings that should be permitted (use), how much activity or building should be permitted (intensity), and where and how buildings should be situated or designed (form). The above noted areas of focus were discussed in the context *The London Plan’s* policy direction and place types, and how *The London Plan’s* vision can be implemented through zoning. The report was initially scheduled for June 2020 and was postponed and adapted to address limitations with public and stakeholder engagement as influenced by COVID-19.

Planning and Environment Committee, ReThink Zoning Terms of Reference, May 13, 2019. Based on public and stakeholder comments on the draft Terms of Reference (TOR), this report introduced for approval an updated TOR for ReThink Zoning. The updated TOR included a detailed overview of the project goals, work plan and deliverables, and identified opportunities for meaningful public and industry stakeholder engagement.

Planning and Environment Committee, ReThink Zoning Terms of Reference, August 13, 2018. This report introduced for information purposes a draft TOR for ReThink Zoning and directed that the draft be circulated for comments.

2.0 Discussion Papers

Seven (7) discussion papers have been prepared for ReThink Zoning and are included in Appendix A to this report. The discussion papers explore opportunities and challenges that London’s new zoning by-law should seek to address. Possible zoning approaches that will be considered for the new zoning by-law are identified.

2.1 Discussion Paper #1 – Preface: An Introduction to ReThink Zoning

This paper provides an overview of the function and role of a zoning by-law. A municipality's official plan establishes the policies for the use and development of land, and a zoning by-law is one of the key tools a municipality has to implement those policies. The City of London's new official plan, called *The London Plan*, plans for the types of places that are envisioned for the city, such as Downtown, Shopping Area, Neighborhoods, and Farmlands, to name a few. What *The London Plan* calls "Place Types". The policy goals and objectives for place types in *The London Plan* will guide decisions about zoning. Following the approval of *The London Plan*, Municipal Council decided that a new zoning by-law would be prepared to implement the new official plan.

This paper highlights that zoning is an important tool that allows municipalities to set rules for development on individual properties, to direct what types of buildings and activities are permitted (use), how much building or activity is permitted (intensity), and where and how those building should be situated or designed (form).

2.2 Discussion Paper #2 – Zoning in on Intensification

This paper explores the relationship between zoning and intensification. Intensification is identified in this paper as the measure of two main elements – intensity and form. Intensity is described as how large a building is, or the scale of activity taking place on a property; and form is described as the way a building is shaped or "sculpted", and how it is located and oriented on property.

The London Plan calls for a city structure that directs intensification "inward and upward" to manage growth and support compact, transit supportive development. To achieve the envisioned city structure, zoning regulations can be used to effectively control and direct intensity and can be used to encourage the desired form that intensity takes. This paper explores the following guiding questions:

- *"What level of intensity should be permitted by the zoning by-law?"*
- *What zoning regulations would be most effective in achieving the "right" level of intensity within each Place Type?*
- *To what degree should form consideration be a part of the zoning by-law?*
- *To what degree should form considerations be based on the surrounding context?*
- *To what degree should form consideration be a site plan control matter?*
- *What zoning regulations would be most effective in achieving the "right" form of development within each Place Type?*
- *How can an appropriate form be ensured when increases in intensity are permitted?"*

This paper recommends that the conventional zoning tools referenced in *The London Plan* for each place type be included as regulations for each place type's corresponding zone in the new zoning by-law. These conventional tools are height, gross floor area, floor plate area, floor area ratio, density and coverage to name a few. This paper further acknowledges that form-based zoning, a non-conventional zoning tool, can be used effectively alongside conventional tools. Form-based zoning tools considered for inclusion in the new zoning by-law by this paper are build-to lines; setbacks; angular planes, solid to void ratios, vehicle access and parking locations; and garage setbacks/garage widths, to name a few. This paper concludes that these zoning approaches require consideration on a place-by-place basis.

2.3 Discussion Paper #3 – Zoning in on Existing Uses

This paper introduces the expected shift away from conventional zoning to better complement *The London Plan*. In conventional zoning by-laws, how land is to be used is the primary consideration and organizing structure. *The London Plan* presents a more balanced and complete view of development, considering intensity and form as equally important to use. Building on the ReThink Zoning work completed in 2021 that explored different approaches to zoning, this paper recommends that a hybrid approach guide the development of the new zoning by-law and combine aspects of conventional zoning and aspects of form-based zoning that shifts the focus of zoning from land use to form-based outcomes. The benefit being a new zoning by-law that is context-specific and balances use, intensity, and form.

In addition, this paper assesses the functionality and efficacy of existing land uses and definitions in the current *Zoning By-law No. Z.-1*. The recommendations proposed in this paper are based on the following guiding principles:

- *“Establish a shorter, broader, and less prescriptive list of permitted uses.*
- *Determine what definitions are needed and ensuring they are consistent, clear, concise, and written in plain language.*
- *Provide clarity about the role of land use regulations, performance standards, and definitions, without overlap on how each tool functions.*
- *Shift thinking about the role of land use regulations in London’s new zoning by-law.”*

This paper provides preliminary list of simplified land uses terms to guide the development the new zoning by-law. The preliminary list is intended to be informative, rather than an exhaustive list of simplified land uses for a new zoning by-law.

2.4 Discussion Paper #4 – Zoning in on Housing Affordability

This paper focuses on the relationship between zoning and affordable housing. As zoning determines where housing can be built, how much housing can be built, and what form housing can take, zoning can be used to diversify and increase the City’s supply of housing so that it is more affordable.

This paper acknowledges that Development Charges and Inclusionary Zoning are specific tools available to municipalities to require the provision of affordable units or funds to build them, but those tools are not the focus of this report. Those tools are subject to other ongoing studies by the City. This paper instead focuses on how zoning can impact housing affordability more generally by regulating where housing can be built, how much housing can be built, and what form housing can take.

This paper explores the possibility of reducing minimum lot sizes; increasing density permissions; providing a spectrum of housing types; flexible regulations for mixed-use areas and buildings, adaptable buildings, and for additional residential units; and reducing the cost of development associated with out-dated parking requirements to guide the development the new zoning by-law to do more to respond to the housing crisis.

2.5 Discussion Paper #5 – Zoning in on the Climate Emergency

This paper considers the relationship between zoning and climate change and focuses on how the new zoning by-law can help the city achieve a more resilient future. This paper explores the following guiding questions:

- *“What are some of the climate related challenges London is facing?*
- *How does The London Plan address climate change? and*

- *How can zoning reduced the impacts of climate change?”*

Using an organizing tool called a transect, to divide place types comprising the city into subgroups in an orderly progression from the most rural to the most urban, this paper proposes specific climate-focused zoning interventions by subgroups. For example the Suburban Transect is proposed to include some Neighbourhoods and Shopping Area Place Types and the climate-focused zoning interventions are:

- *“Allow for smaller scale wind and solar energy systems integrated within the building*
- *Create policies for open public space to support urban community gardens and require public amenity/ open space as part of development*
- *Encourage a variety of housing types and forms in neighbourhoods that increase gentle density and infill.*
- *Permit stormwater management infrastructure such as rain gardens, bioswales, and green roofs, where appropriate.*
- *Reduce or eliminate parking standards in appropriate areas.*
- *Provide opportunities for ground-sourced thermal energy use.*
- *Consider requirements for on-site transportation infrastructure, including electric vehicles, bicycles, and other alternatives. Create policies for open public space to support urban community gardens and require public amenity/ open space as part of development.”*

The draft transect is shown in Figure 1 below and an example of the climate-focused recommendations for the Suburban Transect is shown in Figure 2.

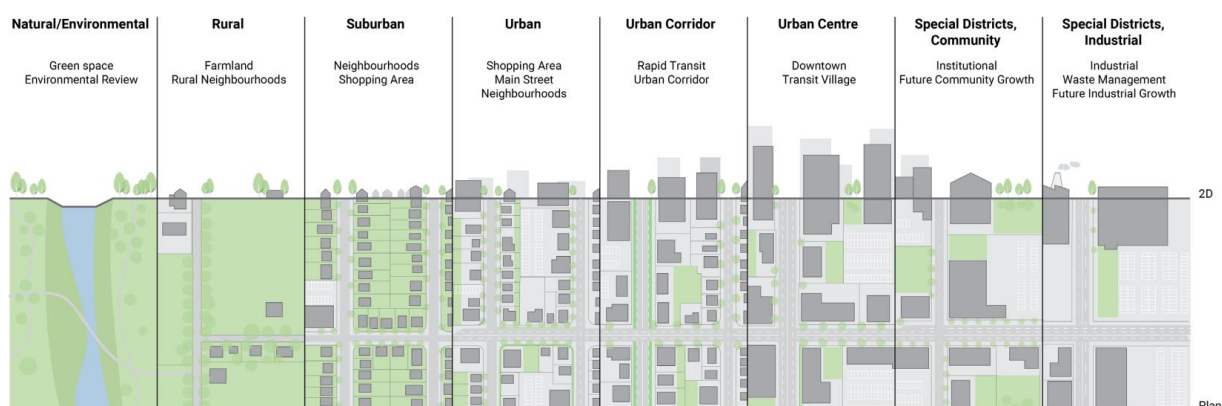


Figure 1: Transect Application to London's Place Types (Draft). Source: Discussion Paper #2 – Zoning in on Intensification.

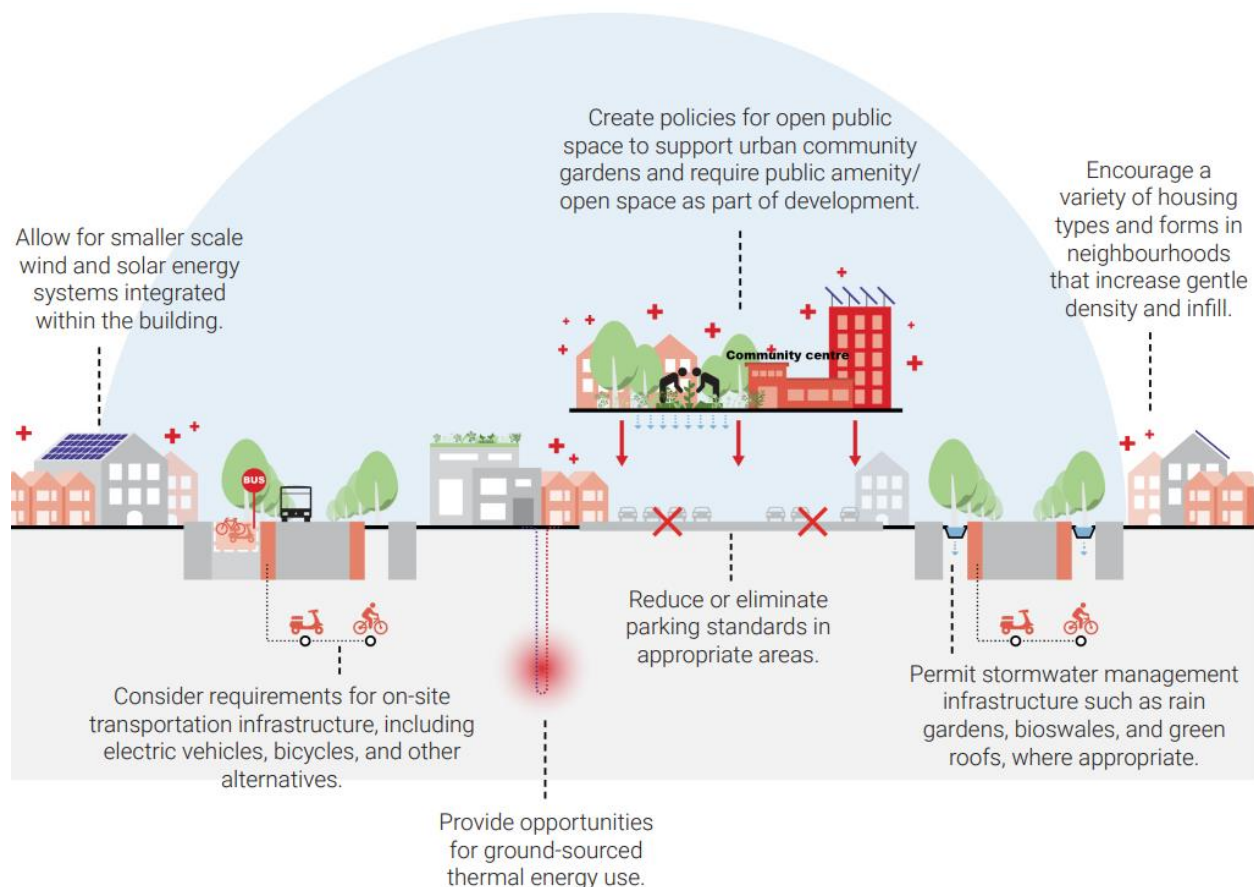


Figure 2: Climate-focused Recommendations for the Suburban Transect. Source: Discussion Paper #2 – Zoning in on Intensification.

2.6 Discussion Paper #6 – Zoning in on Place Types

This discussion paper builds on *The London Plan*, which introduced place types as a way of organizing and describing the nature of the different geographic locations that together make up the city. For example, Downtown, Main Streets, Shopping Areas, Neighbourhoods, Green Spaces, Farmlands etc. For each of the 15 place types, this paper describes the policies in *The London Plan* and identifies zoning considerations that could be applied to achieve the policy goals and objectives for each place type. For example, *The London Plan* policy directs that the Downtown Place Type will be the economic hub for the region (LP 795), and an exceptional neighbourhood that provides a range of housing, services, and amenities for a wide spectrum of lifestyles (LP 796) and a well-developed and maintained public realm (LP 799_8, 11) as the city’s highest-order mixed-use centre (LP 798). The corresponding zoning consideration is to support a large residential and employment populations and may translate into zoning regulations that permit taller buildings and require a minimum density for residential and non-residential buildings.

This paper also sets out a preliminary approach to the zone classes that will implement each place type, and the coded naming conventions for the zone classes that are a short combination of letters. For example, the Downtown zone class would be identified (“coded”) in the zoning by-law as Downtown (D).

2.7 Discussion Paper #7 – Implementing the new Zoning By-law

This discussion paper explores how the new zoning by-law can be implemented to improve administration, how content is presented, and how easy it is to read and understand the document so that it is accessible to more people. This paper explores the following guiding questions:

- “How can the structure, format, key maps, and schedules of Z.-1 be updated to improve the administration, presentation, and clarity of London’s new zoning by-law?”

- *How may technology be leveraged to improve the experience of finding and accessing information contained within the new zoning by-law?*
- *What can we learn from other municipal zoning by-laws within Ontario and Canada?”*

This paper is organized into two parts, exploring first structure and format, followed by mapping. For each part, a best practice review of zoning by-laws from small- to mid-size cities identifies successes (and weaknesses) to inform recommendations pertaining to the presentation of a new zoning by-law. This paper recommends a new way of structuring and formatting the new zoning by-law including:

- *“Definitions should be universal across municipal documents to ensure clarity and avoid repetition.*
- *Site-specific zoning regulations should list only those regulations that differ from the base zoning, thereby avoiding potentially unnecessary text.*
- *The zoning by-law should be structured and numbered in a way that allows for easy future amendments to maintain the document’s structure and coherence.*
- *The inclusion of illustrations and sidebars within a zoning by-law are a relatively new approach to improve the readability and clarity of documents for use by the general public. Although these additions are not regulations in themselves, they can help illustrate the intent of regulations as visual aids or examples.”*

The recommendations for mapping are numerous and predominately relate to the design of the map covering such topics as symbology, map elements (scale, units, orientation, colour scheme) and for online mapping interactive tools. With respect to how mapping conveys information, it is recommended that heat mapping to communicate the magnitude of a phenomenon (eg. height or density) through variations in colour hue and intensity is well suited to showcasing numerical information with a set range. For key maps and schedules, it is recommended that zone classes and regulations be represented on separate maps to ensure legibility. For example, permitted form, intensity, and uses assigned to the various zone areas may be provided on three or more separate maps or map layers.

Feedback on the discussion papers can be provided through the *ReThink Zoning Key Priorities Survey* that will be available on the ReThink Zoning GetInvolved webpage along with the discussion papers. Separate, future public and industry working group meetings will provide additional opportunity for feedback. The feedback received on the discussion paper will inform future stages of work.

3.0 Project Status

3.1. Work Completed to Date

3.1.1 Statement of Work

ReThink Zoning is a multi-year, multi-phased project for the delivery of a new comprehensive zoning by-law. Following appointment as the project consultant in November 2021, Sajecki began work on a Statement of Work. The Statement of Work provides an outline of the path forward from project initiation to completion in approximately two years (Q4 2023). The Statement of Work divides ReThink Zoning into five (5) key stages, identifies, and describes key deliverables and associated timelines and the roles and responsibilities of the consulting team and City staff. The Statement of Work and the Public Engagement Plan discussed in the next subsection of this report comprise Stage 1- Project Initiation. The key stages and associated timelines are shown in Figure 3 below:

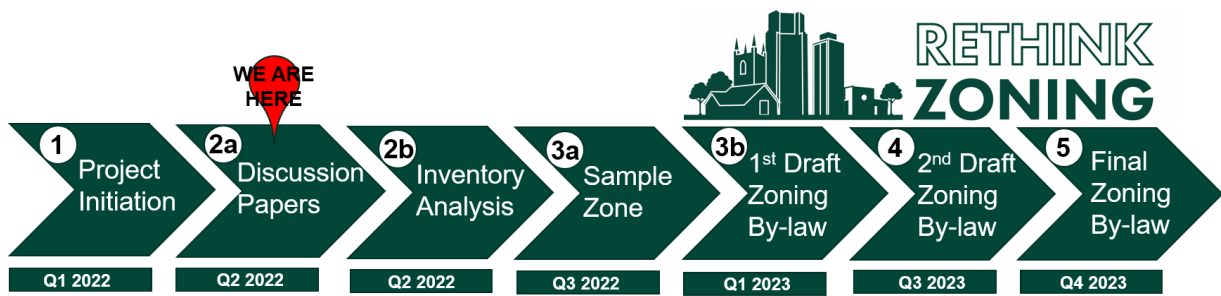


Figure 3: ReThink Zoning Key Stages

3.1.2 Public Engagement Plan

Concurrently with the Statement of Work, Sajecki (and subconsultants LURA Consulting) began working on a Public Engagement Plan for ReThink Zoning. The Public Engagement Plan considers the complete project and includes ongoing support for all five stages. The Public Engagement Plan exceeds the minimum Planning Act requirements for public participation to maintain the high expectations for public engagement set by ReThink London that was the engagement program for *The London Plan* and a benchmark for public engagement. Of particular importance for ReThink Zoning is improving representation and participation by equity-deserving groups that have traditionally been underrepresented in planning and decision-making.

The desired outcomes for the Public Engagement Program are the following:

- That Londoners be aware of ReThink Zoning;
- The stakeholder be provided with relevant and meaningful opportunities to shape the new zoning by-law;
- That public engagement foster a greater public understanding of zoning and lay the groundwork for continued participation in civic discourse related to land use and development; and
- That Londoners contribute to city-building through ReThink Zoning and that the new zoning by-law implements the long-term vision (in *The London Plan*) for growth and development.

At the beginning of each stage of ReThink Zoning, the consulting team will work with Planning and Development Staff to shape the messaging for the stage. In this way the Public Engagement Plan is a living document and Planning and Development and Corporate Communications staff continue to work with the project consultants to refine the Public Engagement Plan.

Engagement on ReThink Zoning with neighbouring indigenous communities will be parallel engagement process with its own specific objectives, engagement principles, audiences, opportunities for collaboration, and communication protocols. The preparation of the Indigenous Engagement Strategy is in progress.

3.1.3 Background Research and Discussion Papers

In January 2022, the project consultant initiated an extensive background review and analysis of City documents. Documents reviewed included the 2019-2023 Strategic Plan, *The London Plan*, including all Secondary Plans and city design guideline documents identified in the Plan, The City of London Zoning By-law No. Z.-1, Housing Stability for All Plan, Climate Emergency Action Plan, and Parking Standards Background Study to name a few. The project consultant also participated in a virtual and in-person tour of recent or notable developments to understand the opportunities and challenges and development patterns being experienced in London. The background research provided a foundation to begin preparing the discussion papers identified and summarized in Section 2.0 of this report. Seven (7) discussion papers

have been prepared and completed by the project consultant between January 2022 and May 2022. The background research and discussion papers comprise Stage 2a – Discussion Papers of ReThink Zoning.

3.1.4 Community Pop-ups

As a first step to put the Public Engagement Plan into action, Planning and Development Staff initiated community pop-ups starting in June 2022. The community pop-ups are to be held in locations where the public gathers in their daily lives and at special events held in the community. The goals and objectives of the community pop-ups are:

- To introduce and raise awareness about ReThink Zoning in less formal settings, and in an active and engaging format that will generate excitement about Rethink Zoning;
- Encourage pop-up participants to visit the project webpage to find more project information and register for project updates; and
- Gather initial feedback on participants' familiarity with zoning and what about zoning interests them.

Planning and Development Staff also gave a brief presentation to the London Area Planning Consultants and the Development Charges External Stakeholder Committee in April 2022 about ReThink Zoning, project timelines and the discussion papers. Planning and Development Staff asked for feedback on what type or form of consultation and how much consultation the industry stakeholders would like to receive on the discussion papers to assist in the preparation of future industry working group meetings.

3.2. Next Steps

Ongoing work on the Public Engagement Program and Indigenous Engagement Strategy will continue, and into the summer months Planning and Development Staff will continue to hold community pop-ups as a first step to gather initial feedback on participants' familiarity with zoning and what about zoning interests them.

As part of the next two stages of ReThink Zoning, between June 2022 and September 2022 the project consultant will prepare an inventory and analysis of development patterns (Stage 2b) and sample zones (Stage 3a).

The inventory and analysis of development patterns will be prepared that identifies where existing patterns do not conform to London Plan policies, and where there have been applications recently approved that affected zoning and any trends in those applications. This quantitative and qualitative review will include both tabular information and visual materials such as heat maps.

Sample zone(s) will be created that most closely follow the policy priorities for the place types established in *The London Plan*. These zones may be assessed against both current zoning and existing development patterns to identify possible conflicts that could impact the implementation of the new zoning by-law. Separate industry stakeholder and public stakeholder engagement will be developed around the sample zones and would be anticipated to occur August 2022/September 2022.

Stage 3b, Stage 4 and Stage 5 will follow that are the preparation of the 1st draft, 2nd draft and final zoning by-law respectively. A public meeting before the Planning and Environment Committee would be held for each draft and the final zoning by-law (including the statutory public participation meeting for the final zoning by-law) for Municipal Council to receive comments.

Conclusion

The discussion papers are informed by the background research that has been completed to date and form an important basis for the ReThink Zoning conversation. The discussion papers explore possible zoning approaches for topics such as housing affordability and climate change that zoning can indirectly impact. The discussion papers also explore possible zoning approaches for use and intensification (intensity and form) in general and summarize the policy priorities in *The London Plan* and translates those policy priorities into zoning considerations for each place type.

The discussion papers are important step to the ReThink Zoning process showing the transition between policy and regulations. Feedback received on the discussion paper will inform future stages of work.

Prepared by: **Melissa Campbell, MCIP, RPP**
Senior Planner, Long Range Planning & Research

Reviewed by: **Justin Adema, MCIP, RPP**
Manager, Long Range Planning & Research

Recommended by: **Gregg Barrett, AICP**
Director, Planning & Development

Submitted by: **Scott Mathers, MPA, P. Eng.**
**Deputy City Manager, Planning & Economic
Development**



The London Plan (2016) presents a clear vision for the future of the city's growth and development. Now it's time to make the vision a reality: it's time to ReThink Zoning.

Introduction: Why ReThink Zoning?

London Council approved a new official plan, called [The London Plan](#), in 2016. The City involved thousands of Londoners in the process of creating the plan's vision and objectives, and the policies that will make the city more sustainable – financially, environmentally, and socially – over the course of 20 years.

The City of London decided that a new zoning by-law would be prepared to implement *The London Plan* and inform day-to-day planning decisions on what type of development can take place, where it can be located, and how it can be used. The new zoning by-law will replace Zoning By-Law Z.-1 (1993), which enabled the City to implement the policies in its prior 1989 Official Plan. In 2019, the City launched a comprehensive review of Zoning By-law Z.-1 and published a series of ReThink Zoning Background Papers (2021) that identified the scope of the task ahead, relevant legislation and policy requirements, and best practices.

Now it [the City] is embarking on the next chapter of ReThink Zoning, building on the background work completed to date, to prepare the new zoning by-law that will implement the policies in *The London Plan*.

A New Approach: “Inward and Upward”

The London Plan's policies direct growth and development inward and upward. It introduces a new way of designating land – one that is based on the physical form of a place (e.g., Downtown, Shopping Area, Neighbourhoods, Farmland). By replacing traditional land use designations with a “place types” approach, *The London Plan* presents a more complete view of how the city is changing – one that recognizes the influence of a building's intensity and form, as well as its use, to manage growth and development. The new zoning by-law will provide the legal basis for achieving the plan's vision for the future that is streamlined, defensible, accessible, and easy to use.

An [official plan](#) provides direction on how a city should grow and develop and is used to meet the needs of the existing and future community.

The zoning by-law is a legal document that must meet all legislative requirements under Ontario's *Planning Act*, 1990. It is a municipal tool to regulate land use and achieve the City's objectives, as presented in *The London Plan*, by enacting and implementing its policies. It is instrumental in directing the incremental changes that will together achieve London's long-range vision for the future.

To learn more about how London plans on addressing new challenges in the future, visit the [“Our Challenge”](#) section in *The London Plan*.

What can zoning do? It creates rules for three main characteristics:

Intensity	Form	Use
<p>means how much of a building (or activity) is permitted</p> <p><i>e.g., height, gross floor area, number of bedrooms, coverage, parking +</i></p>	<p>means where and how a building can be situated or designed</p> <p><i>e.g., Site layout (e.g., parking, landscaping +);</i></p> <p><i>Building (e.g., massing, step-backs +)</i></p>	<p>means the types of buildings or activities that are permitted</p> <p><i>e.g., Residential, office, commercial, industrial +</i></p>

Discussion Papers

The City has prepared a series of seven (7) discussion papers to inform the development of London’s new zoning by-law. The papers explore key topics and issues identified in *The London Plan* policy. The papers present preliminary data, analysis, and findings that will inform and shape the new zoning by-law alongside input from London residents and other partners.

The discussion papers address the following ReThink Zoning topics:

- **Part 1: Introduction**
 - Discussion Paper #1. Preface: An Introduction to ReThink Zoning
- **Part 2: Priority Topics**
 - Discussion Paper #2. Zoning in on Intensification
 - Discussion Paper #3. Zoning in on Existing Uses
 - Discussion Paper #4: Zoning in on Housing Affordability
 - Discussion Paper #5: Zoning in on the Climate Emergency
- **Part 3: New Ways of Making Zoning Happen**
 - Discussion Paper #6. Zoning in on Place Types
 - Discussion Paper #7. Implementing the New Zoning By-law

Achieving an Exciting, Exceptional, and Connected City

Looking ahead to 2035, *The London Plan* highlights that for London to thrive as a prosperous, connected, and culturally rich city, the city needs to “represent a mosaic of outstanding places”. ReThink Zoning offers an opportunity to make the vision a reality – incrementally, intentionally, and sustainably.

ReThink Zoning offers you the opportunity to participate in the process for developing the new zoning by-law. Please visit [Get Involved](#) to stay informed on updates and to find out how to participate in the process.

Overview of Schedule

1	2	3	4	5
Project Relaunch and Discussion Papers	Zoning By-Law Outline and Sample Zones	First Draft Zoning By-Law	Second Draft Zoning By-Law	Final Draft Zoning By-Law
Summer 2022	Summer / Fall 2022	Summer 2022 - Winter 2023	2023	2023

WE ARE HERE



RETHINK ZONING

DISCUSSION PAPERS

2 ZONING IN ON INTENSIFICATION

JUNE 2022

Sajecki →
Planning

**R.E. MILLWARD +
ASSOCIATES LTD**
planning and development services

FUSL
FRESHMAN URBAN SOLUTIONS LTD.

POSAD MAXWAN
strategy x design

Scribe
TECHNICAL PARTNERS & EXPERTS



Land Acknowledgment

The City of London is situated on the traditional lands of the Anishinaabek (AUh-nish-in-ah-bek), Haudenosaunee (Ho-den-no-show-nee), Lūnaapéewak (Len-ah-pay-wuk) and Attawandaron (Add-a-won-da-run).

We acknowledge all the treaties that are specific to this area: the Two Row Wampum Belt Treaty of the Haudenosaunee Confederacy/Silver Covenant Chain; the Beaver Hunting Grounds of the Haudenosaunee NANFAN Treaty of 1701; the McKee Treaty of 1790, the London Township Treaty of 1796, the Huron Tract Treaty of 1827, with the Anishinaabeg, and the Dish with One Spoon Covenant Wampum of the Anishnaabek and Haudenosaunee.

This land continues to be home to diverse Indigenous peoples (First Nations, Métis and Inuit) whom we recognize as contemporary stewards of the land and vital contributors to society. We hold all that is in the natural world in our highest esteem and give honor to the wonderment of all things within Creation. We bring our minds together as one to share good words, thoughts, feelings and sincerely send them out to each other and to all parts of creation. We are grateful for the natural gifts in our world, and we encourage everyone to be faithful to the natural laws of Creation.

The three Indigenous Nations that are neighbours to London are the Chippewas of the Thames First Nation; Oneida Nation of the Thames; and the Munsee-Delaware Nation who all continue to live as sovereign Nations with individual and unique languages, cultures and customs.

This Land Acknowledgement is a first step towards reconciliation. It is the work of all citizens to take steps towards decolonizing practices and bringing our awareness into action. We encourage everyone to be informed about the traditional lands, Treaties, history, and cultures of the Indigenous people local to their region.





Executive Summary

This paper explores how the City of London can manage intensification in a way that enables it to achieve the goals of its official plan, *The London Plan* (the Plan). In planning terms, intensification deals both with the intensity of new development (i.e., its size and scale, measured in height and density) relative to existing development, as well as its form (i.e., its shape, massing, location, and orientation on a site).

The London Plan acknowledges that growth and development need to be carefully managed to ensure the city remains a great place to live, work, and play. To that end, the Plan directs intensification “inward and upward” to support a compact, transit supportive form of development that is concentrated within the city’s built up area. To ensure the right forms of intensification occur in the right places, all lands have been assigned a “Place Type”, each with unique policies to regulate permitted uses and the intensity and form of development to ensure that new, more intense development fits with the surrounding context.

To support the implementation of the Plan’s Place Type policies, the City of London is updating its zoning by-law through the ReThink Zoning project. London’s new zoning by-law will move away from a more traditional approach to zoning (based on controlling and separating land uses) and adapt a more proactive approach focused on place-making, built form, and how London looks and feels. This discussion paper explores how the City can manage intensification in a way that enables it to achieve the goals of its official plan, while ensuring the intensity and form of new development is context appropriate, and potential negative impacts are minimized.

Zoning by-laws that focus on intensity and built form (rather than use) are often referred to as “form-based by-laws”. An organizing tool or structure that they often use is known as a “Transect”, which categorizes development in a municipality into a few Transect Zones. These are arranged from most rural, through to suburban, to most urban, with special district categories that capture unique uses (e.g. industrial).

This discussion paper begins with a thorough investigation of the positive outcomes and aspirations associated with growth and intensification in London. It carefully considers how new development is managed to foster a well-designed built form that will be compatible with its surrounding context and supportive of a pedestrian environment, with high-quality public spaces that are safe, accessible, attractive, and vibrant. It also considers how all types of active mobility are to be supported, how neighbourhoods are to be universally accessible, and how buildings are to be designed to have a “sense of place” and distinct character that is consistent with *The London Plan’s* vision for each Place Type.

Critical to the successful implementation of the Plan's Place Type policies is minimizing the potential negative impacts of new development, particularly where larger, more intense buildings are introduced into, or adjacent to, areas of lower intensity. In these areas, various impacts must be considered and mitigated (e.g., shadowing; loss of privacy, trees, and canopy cover; visual impact; traffic and parking; and noise). This discussion paper examines a number of form-based zoning tools and solutions to ensure that new development reinforces the existing and/or planned character of the Place Types while also mitigating the potential negative impacts of growth and intensification. These tools and solutions will be re-examined, refined, and calibrated for each of London's 15 Place Types. Determining which tool is most appropriate for each Place Type to achieve the specific outcomes articulated in the Plan requires additional study and fine-tuning (see *Discussion Paper #6: Zoning in on Place Types*).

To successfully achieve the aspirations of *The London Plan* and goals of the new zoning by-law, regulations that effectively control and direct intensity will need to be provided. There are several key questions pertaining to intensity that must be considered, including:

- What level of intensity, in terms of height and density, should be permitted as-of-right by the zoning by-law?
- What zoning regulations would be most effective in achieving the "right" level of intensity within each Place Type and in mitigating any potential negative impacts of growth and intensification?

Zoning tools may be used to control several aspects of a building's form, including the way its shaped and sculpted and how it is located and oriented on a site. To achieve the goals of the Plan, the new zoning by-law will need to provide regulations that effectively control the form of new development. Key considerations pertaining to form include:

- To what degree should form considerations be a part of zoning considerations?
- To what degree should form considerations be based on the surrounding context?
- How much should "built form" be a site plan control matter?
- What zoning regulations are effective in ensuring the right form of development is achieved within each Place Type?
- How can an appropriate form be ensured when increases in intensity, specifically height or density, are permitted?

Zoning tools may be used to address intensity and form-related considerations including density, floor area ratio (FAR), gross floor area (GFA), lot coverage, building height, number of bedrooms, parking controls, site plan approval, holding provisions, and design guidelines. This discussion paper explores these zoning tools in addition to those that direct site design and layout, including but not limited to setbacks and build-to lines, building location and orientation, lot coverage, landscaping, open space and buffering requirements, and vehicular access and parking restrictions. It also examines how zoning tools may address how buildings relate to their surrounding context, including: height, density, FAR, stepbacks, angular planes, tower floorplate sizes and shapes, roof pitch designs, and parking garage controls.

Non-zoning tools are also explored in this discussion paper, including but not limited to: site plan control, design guidelines, urban design peer review panels, urban design awards, design competitions, charrettes, and streetscape engineering standards.

As the City of London continues to grow over the next several decades, ensuring that new development fits appropriately into the existing and planned context will require a careful balancing of intensity and form. To achieve the right balance among these elements in London's new zoning by-law, the next step for the Consultant Team will be to gather feedback from the public on the discussion papers and further study each Place Type to test how the various proposed zoning tools, outlined in this discussion paper, can best be used and calibrated to help create the places that are envisioned in *The London Plan*. The Transect approach will help to organize the testing and calibration of the zoning tools and support the fine-tuning of each tool to meet the specific needs of each Place Type.



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This discussion paper frequently refers to specific paragraphs of *The London Plan* as “(LP ###)” to indicate to readers where precise information can be found.

ZONING IN ON INTENSIFICATION





1.0 INTRODUCTION

1.1 Purpose

The London Plan (2016) (the Plan) places a great deal of emphasis on intensification; growing “inward and upward” to achieve a compact form of development that fits within and reinforces the character of the surrounding context. The Plan promotes intensification in appropriate locations in a way that is sensitive to existing neighbourhoods. To ensure the right forms of intensification occur in the right places, all lands within London have been assigned a Place Type. Each Place Type has unique policies to regulate permitted uses and the intensity and form of development. This is a very different approach than what was used in the prior official plan and Zoning By-law Z.-1 (see [Appendix A1. Existing Conditions](#)). To implement *The London Plan* and its Place Types policies, London City Council decided to prepare a new zoning by-law.

As zoning by-laws outline the provisions and regulations that apply for all types of development on individual properties, they are the primary tool that municipalities have to implement the policies of an official plan and to direct growth. London’s new zoning by-law is moving away from a traditional approach to zoning (based on controlling and separating land uses) and adopting a more proactive approach focused on placemaking, built form, and how London looks and feels. Zoning by-laws that focus on built form and intensity (rather than use) are often referred to as “form-based by-laws”.

The purpose of this paper is to examine the relationship between zoning and intensification. Intensification is a measure of two main elements:

- **Intensity:** or how large a building is, and its scale of activity (often measured in height – storeys or metres) and density (units per hectare, people and jobs per hectare, floor area ratio (FAR), or gross floor area (GFA)), and
- **Form:** or the way a building is shaped and “sculpted”, and how it is located and oriented on a site.

The objectives of this discussion paper are to define what intensity is in planning and urban design, identify different tools and approaches for managing intensity, and explore how intensity may be applied to each Place Type in a new comprehensive zoning by-law for London. In regard to form, this paper examines how new development may be located and oriented, its overall massing and three-dimensional shape, and how it may relate to neighbouring properties and the public realm. Further, this paper identifies zoning tools that may be used to ensure London intensifies in accordance with the policies of *The London Plan* while achieving a form that is context-appropriate.

This paper is organized into three main sections following this Introduction and an examination of Aspirations and Issues: Part I – Zoning and Intensity, Part II – Zoning and Form, and Part III – The New Zoning By-law.

1.2 Use, Intensity, and Form

While this paper focuses on intensification (i.e., intensity and form) it is important to keep in mind that *The London Plan* includes three broad categories of measures that may be used to implement the Place Type policies: use, intensity, and form.

As illustrated in Figure 1, an examination of intensity includes a number of elements such as height, density, and coverage. An examination of form includes both site layout (i.e., elements such as building location on a site, setbacks, orientation, and landscaping) and building form (i.e., how a building can be sculpted through the use of stepbacks, angular planes, fenestration, and limits on blank walls).

Use	Intensity	Form	
<ul style="list-style-type: none"> • Residential • Office • Commercial • Industrial • Institutional 	<ul style="list-style-type: none"> • Height • Gross floor area • Coverage • Floor plate area • Density in units/ha • Number of bedrooms • Parking • Floor Area Ratio 	Site Layout: <ul style="list-style-type: none"> • Parking • Landscaping • Vehicular access • Orientation • Setbacks • Building location on site 	Building: <ul style="list-style-type: none"> • Massing • Step-backs • Materials • Architecture

Figure 1. Measures that may be used to implement Place Type policies (Source: *The London Plan*, 2016)

1.3 Why Intensity Matters

Per *The London Plan*, intensification means the development of a property, site, or area at a higher density than currently exists. When higher intensity buildings are located adjacent to areas of lower intensity there can be negative impacts such as overlook, shadowing, noise, and parking. As the City of London grows and intensifies it is crucial to ensure that new, more intense development fits within its context and that its potential negative impacts are minimized.

1.3.1 Activity Intensity and Building Intensity

It is important to recognize that in planning there are two different types of intensity: activity intensity and building intensity. Each has a unique impact on the urban realm.

Activity intensity is related to the concentration of activities taking place at a site. The intensity of activities may vary across a geographic area and/or period of time. For example, in a mixed-use neighbourhood with a residential area, a mall, and an office building, increased levels of activity are likely to be observed in the morning and late afternoon near the office as workers arrive and depart from work. Similarly, increased activity levels may be observed at the mall in the late afternoon and evening as residents visit this destination after school or work. The residential area of the neighbourhood is likely to experience comparatively lower levels of activity intensity throughout the day. The impacts of increased activity intensity include, but are not limited to, higher than normal levels of traffic, congestion, and noise in the area.

Building intensity relates to factors such as the size and scale of a building. Shadowing and incompatibility with the existing neighbourhood's character are examples of the potential impacts of building intensity.

1.4 Why Form Matters

The earliest zoning by-laws were enacted primarily as a means of separating incompatible uses, such as making sure noxious uses like factories and heavy industries were not located next to residences. Over time, zoning by-laws introduced more use categories and became very good at ensuring that almost all uses were separated from one another. Consequently, mixed-use neighbourhoods all but disappeared as they were zoned out of existence in many municipalities. As this approach to zoning was applied while communities continued to grow, it became evident that cities were increasingly difficult to navigate (except by car) and lacking character and a "sense of place". As a result, although this approach to zoning demonstrated that it is a powerful tool for prohibiting negative outcomes, such as incompatible uses, it did not contribute to contemporary expectations of a desirable built form.

Over the last several decades, communities have been placing a greater emphasis on their neighbourhood's character and built form. As a result, zoning tools have been re-examined and re-purposed to place a greater emphasis on achieving positive built-form outcomes. New zoning by-laws are, in general, placing less emphasis on land use and concentrating on creating livable, mixed-use "places", wherein people can live, work, and play and move around using a variety of transportation modes including walking, cycling, and transit. These built form outcomes echo those sought by *The London Plan*. A number of zoning tools that can be used to achieve such positive outcomes are discussed in Sections 3, 4, and 5..

1.5 Methodology

In creating this discussion paper, the Consultant Team undertook several activities (see [Appendix B1. Methodology](#)).



2.0 **ASPIRATIONS AND ISSUES**

2.1 Overview

Between 2015 and 2035, the City of London is forecasted to grow by over 77,000 people and to add 43,000 new jobs to the economy (LP 6). To support this population and economic growth, the City of London will be required to support new development. Much of this development will be concentrated within the city's built up area boundary and materialize through intensification strategies. *The London Plan* reflects on the positive aspirations of growth and intensification while cautioning against its potential negative impacts.

With respect to aspirations, *The London Plan* states that future development in the city is to foster a well-designed built form that will be compatible within its context. New development is to support a positive pedestrian environment with high-quality public spaces that are safe, accessible, attractive, and vibrant. All types of active mobility are to be supported and neighbourhoods are to be universally accessible. Buildings are to be designed to have a "sense of place" and distinct character that is consistent with *The London Plan's* vision for each Place Type.

Critical to the successful implementation of the Plan's Place Type policies is minimizing the potential negative impacts of new development, particularly where larger, more intense buildings are introduced into, or adjacent to, areas of lower intensity. In these areas, various impacts must be considered and mitigated (e.g., shadowing; loss of privacy, trees, and canopy cover; visual impact; traffic and parking; and noise).

2.2 Aspirations: Encouraging Positive Outcomes

The London Plan places a lot of emphasis on growing “inward and upward” to achieve a compact form of development that will fit in with and reinforce the character of the surrounding context. While the Plan still permits limited new development on previously undeveloped land in some locations, it actively encourages and supports higher intensity forms of development within the existing built-up areas of the city. The Plan also promotes intensification in appropriate locations in a way that is sensitive to existing neighbourhoods and represents a good fit. This section provides more details on *The London Plan*’s policy guidance for what constitutes appropriate forms of intensification that are context sensitive and a “good fit”.

To manage intensification in a manner that will achieve *The London Plan*’s vision, the City’s past planning successes must be blended with a new approach (LP 54). This new approach is defined in the key directions of the Our Strategy section of the Plan, wherein planning strategies that serve as a foundation to the policies of the Plan are presented. As these strategies will guide London’s development to 2035, it is critical that they encourage positive outcomes while mitigating the potential adverse effects of growth and intensification.

The London Plan’s Key Direction #5 directs that the City “build a mixed-use compact city” (LP 59). Inherent to this direction are policies pertaining to the intensity and form of development across London, including the following:

1. *Implement a city structure plan that focuses high-intensity, mixed-use development to strategic locations – along Rapid Transit Corridors and within the Primary Transit Area;*
2. *Plan to achieve a compact, contiguous pattern of growth – looking “inward and upward”;*
3. *Sustain, enhance, and revitalize [the] Downtown, Main Streets, and Urban Neighborhoods; and*
4. *Plan for infill and intensification of various types and forms, to take advantage of existing services and facilities and to reduce [the] need to grow outward.*

The following reviews tools that can be employed to encourage the city to grow in alignment with these policies.

2.2.1 Residential Intensification

The London Plan supports intensification in residential areas in the following forms:

- The introduction of additional dwelling units;
- The expansion of existing buildings;
- The adaptive re-use of existing, non-residential buildings, for residential use;
- Infill development of vacant and underutilized lots;
- The creation of new lots through the severance of existing lots; and
- Redevelopment on developed lands at a higher than existing density (LP 80).

Residential intensification is fundamentally important to achieving the vision and key directions of *The London Plan* (LP 937). Intensification within existing neighbourhoods is encouraged to help realize the City's vision for aging in place, diversity of built form, affordability, vibrancy, and the effective use of land in neighbourhoods. Such intensification is intended to add value to neighbourhoods by adding to their planned and existing character, quality, and sustainability.

An important consideration is the size of lots created through the intensification process. When lots are too small, additional servicing challenges arise. For instance, challenges are met in meeting the required minimum separation distances between services and locating utilities and other infrastructure, such as streetlights, hydro transformers, and fire hydrants. Further, lot drainage challenges emerge as more land is covered by impervious building footprints. This in turn may require the introduction of additional stormwater management interventions.

2.2.2 Non-Residential Intensification

In non-residential areas, a greater intensity of use is encouraged, where appropriate, within mixed-use, commercial, industrial, and institutional areas (LP 85). Place Type policies encourage intensification and the more efficient use of land and resources through various strategies, including:

- The elimination of minimum parking requirements;
- The establishment of minimum density targets;
- The encouragement of lot assembly to create comprehensive developments that reduce vehicular accesses to the street and allow for coordinated parking facilities (LP 840);
- The re-purposing and reformatting of existing, non-residential buildings;
- Infill development and intensification of existing, non-residential buildings; and
- Redevelopment on developed lands at a higher than existing density.

See [Appendix A2. Non-Residential Intensification Strategies](#).

2.2.3 Intensification Balanced by Public Benefits

Since the adoption of *The London Plan*, Section 37 of the *Planning Act* has been altered to provide a new tool: community benefits charges (CBC). Municipalities will need to develop a CBC strategy and by-law to outline the details of how CBCs will be implemented; however, it will no longer tie public benefits to additional height and density. The intention of CBCs is to provide a method for municipalities to obtain capital costs for facilities, services, and matters incurred from development and population growth, capped at 4% of the land value. Although the mechanism for providing public benefits will change, the intent of *The London Plan* is clear: greater intensity should be balanced by community benefits.



2.2.4 Further Goals for Place Types

In addition to the above, zoning regulations may support the achievement of other Place Type-specific intensification policies, as detailed in [Appendix B2](#), [Appendix C1](#) and [Appendix C2](#). Each Place Type has a unique role in the city's structure and distinct range of permitted uses, intensity of development, and envisioned built form (LP 748 and LP 749). Zoning regulations can advance the implementation of such policies.

2.2.5 Implementing the Vision and Key Directions

In controlling how growth is managed by regulating the intensity and form of development, zoning by-laws implement the vision, values, key directions, and policies of official plans. The potential positive outcomes of intensification that may be achieved through effective zoning regulations include:

- A more compact, mixed-use form of development that improves London's accessibility and walkability and encourages pedestrian activity;
- An increase in the number of jobs provided per hectare;
- An increase in the range and mix of housing options provided in the city, which in turn can improve housing affordability and support the City in meeting its housing needs;
- A shift in mobility toward more sustainable modes of travel, such as walking, cycling, and public transit;
- Reduced energy consumption and greenhouse gas and pollution emissions;
- Reduced costs associated with infrastructure, operating costs, and vehicular congestion; and
- Preservation of prime agricultural lands and natural resources.

See [Appendix C3. How the New Zoning By-law Can Support *The London Plan*](#).

2.2.6 The Importance of City Design

The London Plan outlines several city building policies that establish a framework for how the city will grow, and the shape, character, and form that new development will take over the next couple of decades. The first set of policies in the City Building section of the Plan deal with city design. Within this section of the Plan, it is stated that the design of the city is shaped by both its natural setting and its built form, including the city's streets, streetscapes, public spaces, landscapes, and buildings. The intention of city design is to support the creation of a built form that fosters positive relationships amongst these elements and the development of pedestrian and transit-oriented environments, which in turn support the integration of mobility and land use (LP 189).

Further, the Plan states that the planning and development the City of London manages over the coming decades will foster, amongst other things:

- A well-designed built form throughout the city;
- Development that is designed to be a good fit and compatible within its context;
- A high-quality, distinctive, and memorable city image;
- Development that supports a positive pedestrian environment;
- A built form that is supportive of all types of active mobility and universal accessibility; and
- High-quality public spaces that are safe, accessible, attractive, and vibrant (LP 193).

To achieve the City's design objectives, *The London Plan* requires that all planning and development applications, public projects, and all relevant by-laws shall conform with the City's design policies relating to:

- Character;
- Street Network;
- Streetscapes;
- Public Space;
- Site Layout; and
- Buildings (LP 194).

As zoning only deals directly with individual properties, not the public realm, the headings relevant to this discussion paper are limited to character, site layout, and buildings. See [Appendix C4. *The London Plan and Character*](#).

2.2.7 Contextual Fit

The London Plan emphasizes the importance of new development fitting into and supporting the character of the surrounding context. This aspiration is stated clearly in the Our Tools chapter of the Plan, under the subheading Evaluation Criteria for Planning and Development Applications (LP 1578). See [Appendix C5. Evaluation Criteria for Planning and Development Applications](#).

Many elements listed in LP 1578 are within the purview of a zoning by-law, including: street wall; height; density; massing; scale; placement of building; setback and step back; relationship to adjacent buildings; and, coordination of access points and connections. Zoning tools can play an important role in ensuring contextual fit, particularly with respect to building form, as outlined later in this paper.

2.2.8 Transitions

The term “transition” is often used to describe how a proposed building that is typically more intense and different in form than the buildings around it, relates to its neighbours. A building that transitions well to its neighbours usually employs several different design strategies that help to manage contrasts in intensity (i.e., height and density) and form (i.e., massing, bulk, location, and orientation on the site) to allow the building to fit more comfortably, and relate more harmoniously, to its surroundings.

The London Plan requires appropriate transitions between buildings and areas of different intensity. It states that design measures relating to building height, scale, and massing should be used to provide a transition between development of significantly different intensities, while considering the existing and planned context (LP 293). For example, an intensification area abutting an established neighbourhood may be required to concentrate density away from the established neighbourhood and ensure an appropriate transition down in scale in the direction of the lower scale area.

The new London zoning by-law can include regulations to ensure the intensity of development is appropriate for an individual site, and a desirable built form that is compatible with the scale of the neighbourhood is achieved. Appropriate transitions can be accommodated by managing both building intensity and building form. Intensity related zoning tools that can be used to provide appropriate transition between different Place Types and uses include:

- Height;
- Lot coverage;
- FAR;
- Units per hectare;
- Setbacks and stepbacks;
- Separation distances;
- Angular planes; and
- Landscape buffering.

2.3 Issues: Minimizing Negative Impacts

There are a variety of negative issues and impacts that are often associated with intensification and growth. As larger, more intense buildings, clusters of buildings, and new neighbourhoods are introduced into, or adjacent to, areas of lower intensity there are bound to be issues associated with the new development and how it “fits” into the surrounding context. London’s new zoning by-law will play a crucial role in establishing rules for each Place Type that will shape new development to be contextually appropriate and minimize potential negative impacts. Before examining how zoning can be best used to achieve this goal it is important to understand and define these potential issues and impacts.

With respect to impacts, the Our Tools chapter of *The London Plan* emphasizes that identifying and managing the potential impacts of new buildings is a crucial part of the development application and review process. The Plan states (LP 1578):

All planning and development applications will be evaluated with consideration of the use, intensity, and form that is being proposed. The following criteria will be used to evaluate all planning and development applications:

... 6. Potential impacts on adjacent and nearby properties in the area and the degree to which such impacts can be managed and mitigated. Considering the type of application under review, and its context, an analysis of potential impacts on nearby properties may include such things as:

- 1. Privacy;*
- 2. Shadowing;*
- 3. Visual Impact (neighbourhood character);*
- 4. Trees and Canopy Cover;*
- 5. Traffic and Access Management;*
- 6. Parking; and*
- 7. Noise, Emissions, Lighting, and Garbage.*

Additional relevant issues and impacts related to intensity and built form that are not specifically itemized in *The London Plan* include:

- Impacts on servicing, infrastructure and community facilities;
- Land needs management;
- Loss of light (ambient and direct);
- Safety (“eyes on the street”);
- Blocked views and skyviews; and
- Wind.

See [Appendix A3. Issues and Impacts Associated with the Form of New Development](#). Zoning tools that can be used to address these issues and lessen or eliminate their impacts are presented in Sections 3, 4, and 5.

2.4 Form-Based Codes and the Transect

To ensure that the right forms of intensification occur in the right places, all lands within the City have been assigned a Place Type. Each has corresponding policies that regulate the development that is permitted. With an emphasis on Place Types and development that will fit within and reinforce the character of the surrounding context, *The London Plan* promotes the creation of a form-based zoning by-law (or form-based code (FBC) as it is referred to in the United States). The Form-Based Code Institute defines a FBC as: “...a land development regulation that fosters predictable built results and a high-quality public realm by using physical form (rather than separation of uses) as the organizing principle for the code”.

Conventional Zoning

Density use, FAR (floor area ratio), setbacks, parking requirements, maximum building heights specified



Zoning Design Guidelines

Conventional zoning requirements, plus frequency of openings and surface articulation specified



Form-Based Codes

Street and building types (or mix of types), build-to lines, number of floors, and percentage of built site frontage specified.

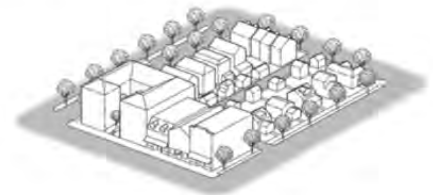


Figure 2. Comparison of Zoning Approaches (Source: Form-Based Code Institute, 2022)

Many form-based zoning by-laws are organized using a “transect” approach. This approach is similar to what naturalists use to describe the natural environment and the transition from one ecosystem to another. A rural-to-urban transect (see Figure 3) is an ordering system that places all of the elements of the built environment in an easy-to-understand hierarchy that progresses from the most rural areas through to the most urban areas. Typical rural-to-urban transects are divided into six zones:

- Natural (T1);
- Rural (T2);
- Sub-urban (T3);
- General urban (T4);
- Centre (T5); and
- Core (T6).

Special Districts are used to capture parts of the built environment that do not fit within the traditional zones, such as industrial areas.

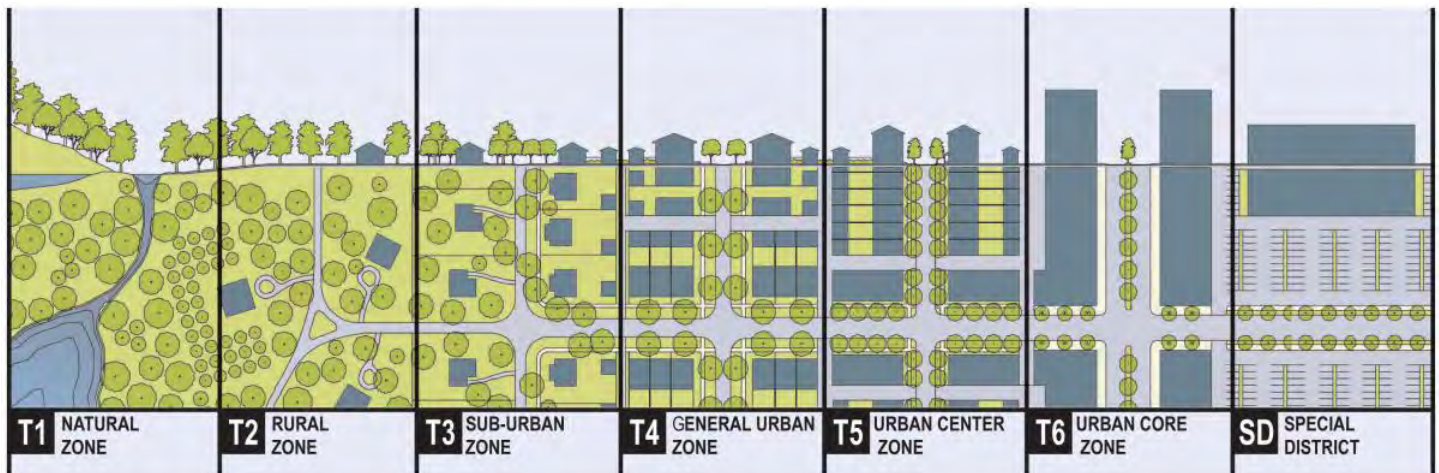


Figure 3. A Version of the Original Transect Diagram with Six Successional Zones (Source: DPZ Partners, 2022)



Source: The London Plan

PART I – ZONING AND INTENSITY

3.0

POTENTIAL ZONING FOR INTENSITY SOLUTIONS

This section considers the specific zoning tools and approaches that can be used to support the City of London in achieving its intensity goals and aspirations while minimizing the potential negative impacts of growth and development. This section builds on the work completed in the ReThink Zoning Background Papers (2021).

3.1 Key Questions

The London Plan calls for a compact, contiguous pattern of growth, looking “inward and upward”. The amount and location of intensity will be a key tool in achieving a wide variety of goals related to sustainability, neighbourhood character, and the economy. To achieve the goals of *The London Plan*, the new zoning by-law will need to provide regulations that effectively control and direct intensity. Key questions related to how to zone for intensity include:

- What level of intensity, in terms of height and density, should be permitted as-of-right by the zoning by-law?
- What zoning regulations would be most effective in achieving the “right” level of intensity within each Place Type and mitigating the potential negative impacts of growth and intensification?

3.2 Conventional Zoning Tools

The following conventional zoning tools, as detailed in Table 1 below, regulate intensity in Ontario:

Table 1. Conventional Zoning Tools

Conventional Zoning Tools		
Tool	Description	Use
Units Per Hectare/Jobs Per Hectare	<ul style="list-style-type: none"> Means the ratio between the number of dwelling units or jobs located on a lot to one (1) hectare of lot area. It is calculated by dividing the number of units by the area of the lot in hectares. Units per hectare is a measure of density based on the potential number of units that a specific lot can accommodate. It can be used to limit activity intensity and building intensity by controlling the number of people occupying a building and the size of the building. Similarly, jobs per hectare is a measure of the employment density for a specific lot. 	<ul style="list-style-type: none"> Key tool in achieving residential and non-residential intensification goals. Influences the type of development in a given area (i.e., compact or mixed-use). Provides sufficient intensity to encourage multiple modes of transportation (i.e., ridership for transit and active transportation). Different levels of density support different levels of transit service. <i>The London Plan</i> identifies residential density targets for different types of Protected Major Transit Station Areas (PMTSAs) through units per hectare. Form will be a primary driver of intensity, however, the zoning by-law will need to implement the minimum density targets of <i>The London Plan</i>.
Floor Area Ratio (FAR)	<ul style="list-style-type: none"> Means the ratio of a building's total floor area to the size of the piece of land on which it is built. It is calculated by dividing the GFA in square metres by the area of the lot in square metres. FAR is a measure of building intensity used to limit the size of a building based on the area of a lot. 	<ul style="list-style-type: none"> Appropriate for regulating higher intensity development, particularly mixed-use and commercial uses. Mitigates potential negative impacts on servicing; infrastructure and community facilities; access and traffic management; visual impact; and other issues resulting from excessive building intensity and the corresponding activity intensity.

<p>Gross Floor Area (GFA)</p>	<ul style="list-style-type: none"> Means the sum of the total floor area of each storey of a building or buildings on a lot, measured from the exterior faces of the exterior walls or from the centerline of the common wall separating two buildings. GFA is a measure of building intensity which can be used to limit urban density. It is used to calculate the FAR. 	<ul style="list-style-type: none"> Used in a similar context as FAR. However, as GFA regulates floor area unrelated to the area of the lot, it is more effective at regulating activity intensity in areas with minimal site constraints (i.e., mixed-use and commercial uses in low density areas with large lots). Can be used to regulate the activity intensity of specific uses in higher intensity mixed-use contexts.
<p>Lot Coverage</p>	<ul style="list-style-type: none"> Means the percentage of a lot covered by the first storey of all buildings and structures on the lot. Lot coverage can control both building intensity and activity intensity by limiting the amount of the lot that is occupied by buildings and the uses contained within them. 	<ul style="list-style-type: none"> Most effective in regulating ground-related residential uses in neighbourhoods. In other contexts, lot coverage can limit activity and building intensity to mitigate potential issues related to the functionality of the site. The amount of impervious area on a site impacts stormwater runoff. Lands with increased lot coverage may require additional stormwater management strategies.
<p>Building Height</p>	<ul style="list-style-type: none"> Means the height of a building measured in either storeys or metres. Height controls both activity and building intensity by limiting the number of floors that can be used for a specific use or uses. 	<ul style="list-style-type: none"> Primary tool for regulating intensity in <i>The London Plan</i>. Building height will play a key role in regulating intensity in the zoning by-law by directing greater or lesser intensity to specific areas to achieve the goals for each Place Type. In lower intensity areas, regulating building height will assist in preventing potential negative outcomes.
<p>Number of Bedrooms</p>	<ul style="list-style-type: none"> Means the number of bedrooms contained in a specific building type. 	<ul style="list-style-type: none"> Used to control activity intensity in neighbourhoods by limiting the number of potential permanent occupants of residential buildings. Not considered a primary tool in regulating density; however, it is included in specific areas within <i>The London Plan</i>, such as Near Campus Neighbourhoods (LP 970).
<p>Parking</p>	<ul style="list-style-type: none"> The intensity of use on the site impacts necessary parking which, depending on the form it takes, can represent a physical constraint on the intensity that can feasibly be supported on the site. 	<ul style="list-style-type: none"> Not considered effective as a primary tool in regulating intensity. However, the impact of parking on intensity should be considered in all Place Types.

These tools can be used in combination to limit activity and building intensity where needed. Many of the tools have been effectively used in London's Zoning By-law Z.-1 and may be appropriate to continue using in the new zoning by-law.

3.3 Other Tools

There are several other tools that may be used in combination with or in place of the conventional zoning tools outlined in the previous section. These tools include:

- Site plan approval;
- Holding provisions;
- Form-based zoning; and
- Design guidelines.

See [Appendix D1. Other Tools to Regulate Intensity](#).

3.4 Approaches

3.4.1 Levels of Regulation

Approaches to implementing zoning regulations related to intensity fall within a spectrum. Some approaches are more stringent than others.

Stringent Approach

One approach to zoning for intensity is to create a by-law with lower as-of-right permissions that require a zoning by-law amendment (ZBA) to achieve the upper limit of the land's development potential.

This approach mitigates potential negative impacts of intensity through the development approvals process and a thorough review of supporting studies by City staff. In some instances, tools unrelated to intensity could be the limiting factor on the intensity of the development, such as zoning tools primarily used to control the form of a building.

Low as-of-right intensity permissions throughout a city can have unintended consequences. Limiting as-of-right intensity can:

- Discourage redevelopment in areas where intensity is desired,
- Create uncertainty in what will be permitted, and
- Erode a planning framework if numerous amendments and appeals become the way in which intensity is created.

However, used sparingly in specific areas especially prone to adverse impacts, it can be an effective method of ensuring a thorough review and requirement to meet higher level planning policies.

Allowing Greater Intensity Where Regulations are Met

Another approach to answering the question of what level of intensity should be permitted as-of-right is allowing greater intensity where specific criteria are met.

For instance, the new zoning by-law could set a lower as-of-right height than currently permitted and specify requirements to reach a higher as-of-right height limit without the need for a ZBA. This option can direct higher intensity to specific areas to achieve the goals of *The London Plan* and create certainty by defining expectations for applicants and the community.

There are several potential issues with tying greater height and density to community services and facilities or other public benefits, including the following:

- Linking additional height and density with objectives that are not design-related can increase the risk that additional height and density results in a building that is no longer appropriate in terms of intensity and form.
- Multiple intensity limits for a specific site or area can be difficult to justify. If an upper height is permitted through provisions unrelated to building design, it undermines the rationale for why a similar site could not exceed the lower height limit. In this case, there is limited planning justification to distinguish the two permissions. Intensity regulations are less effective if another height has already been deemed an appropriate level of intensity.
- A critical element of the success of this approach is the base density permitted prior to additional height or density being considered. If the base density is too high, there may not be enough incentive to provide community facilities or services. Conversely, there is a risk that the achievement of public benefits in return for density might drive up density beyond what would normally be supported or considered appropriate.

The following tools can be deployed to ensure intensity is contextually appropriate and results in sufficient public benefits:

- A robust zoning by-law will provide intensity, use, and form regulations to encourage positive outcomes and avoid potential negative impacts.
- A CBC strategy and by-law, alongside development charges and parkland dedication, can ensure appropriate funding for community services and facilities.
- Non-zoning tools such as site plan approval, holding provisions, and design guidelines can be employed to achieve desired goals for new developments.

The upper height limits specified as achievable in *The London Plan* have been deemed appropriate in specific instances where there are sufficient community services and facilities to support the proposed intensity. Alongside other tools, it may not be necessary or appropriate to link intensity regulations with public benefits.

Pre-Zoning

Pre-zoning, as it pertains to intensity, is the application of zoning regulations that mirror the permissions of the corresponding official plan. In the context of *The London Plan*, pre-zoning could permit the maximum possible height achievable within a Place Type, requiring only site plan approval for developments that comply with the Plan's intensity limits.

Many municipalities in Ontario have pre-zoned specific areas to facilitate and direct intensity to those areas. For example, the Cities of Markham, Mississauga, and Vaughan have used pre-zoning to encourage development in designated downtown areas and along avenues connecting with the City of Toronto to ensure that serviced sites are available for development in response to increased market demand. By permitting higher densities as-of-right, developers and residents are more likely to build in and move to those areas offering more certainty and faster approvals through the development approvals process.

Similar to the City of Vaughan's pre-zoning of the Vaughan Metropolitan Centre to align with the City's Secondary Plan, the City of London could pre-zone areas consistent with *The London Plan*. Pre-zoning areas such as the Downtown, Transit Villages, and Rapid Transit Corridors can be utilized to encourage and direct intensity to achieve city building policies. *The London Plan* applies an as-of-right height and a height achievable through the Type 2 Bonus Zoning, as detailed in the Our Tools policies of the Plan. Pre-zoning could apply the upper limit to permit intensity where it is appropriate and desired alongside other tools to achieve the facilities, services, or other matters detailed under the Type 2 Bonus Zoning policies (LP 1652).

However, there are potential risks involved with pre-zoning. Building permits can be issued based on compliance with "applicable law", which includes zoning by-laws but not official plans. If a building permit is issued absent of a ZBA, it removes the opportunity for policy-driven review and public engagement. If land is pre-zoned for intensity, it is critical that there are robust provisions regulating form, or design guidelines that can be enforced through site plan approval.

A potential solution to the risks associated with pre-zoning is pre-zoning with a holding (H) symbol. Under the *Planning Act*, holding symbols may be applied to lands to prohibit development in the underlying zone until such time as certain conditions are met. Conditions attached to a holding symbol could prevent the potential negative impacts of intensity by requiring supporting studies, such as traffic impact studies or servicing studies.

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3.4.2 Intensity Controls

Within the broader strategies for regulating intensity, zoning tools can be employed to control activity and building intensity in specific contexts.

Activity Intensity Through Performance Standards

Zoning tools specific to intensity can be used alongside use regulations to regulate activity intensity. Although a specific use may be appropriate within a given Place Type or zone, the intensity of the activity may cause negative impacts.

For example, although office space may be permitted in a Rapid Transit Corridor, if activity intensity is not regulated, it may be desirable for companies to move out of Downtown to locations where they can occupy land with fewer area limitations. This could result in a negative outcome for the City as it may weaken the demand for office space Downtown. Similar issues could arise for different uses such as retail, where unlimited activity intensity has a range of potentially adverse outcomes. These adverse outcomes may include elevated levels of noise and/or traffic in areas with high activity intensity.

A solution to this potential issue, first identified in the ReThink Zoning Background Paper (2021) and mentioned in *Discussion Paper #3: Zoning in on Existing Uses*, is limiting the activity intensity of specific uses in different zones through zoning tools such as GFA, FAR, or lot coverage. By limiting the maximum floor area of a land use within a specific zone, increased or decreased activity intensity can be directed to particular areas of the city or within neighbourhoods to encourage positive outcomes.

There are instances of these regulations built into *The London Plan* that should be carried over to the new zoning by-law. Additional opportunities to use this approach will be explored through *Discussion Paper #6: Zoning in on Place Types*. However, caution should be taken regarding the quantity of performance standards to avoid an overly complicated zoning by-law. In some instances, non-zoning performance standards, such as demonstrating satisfactory shadow, traffic, or servicing impacts, can be used to mitigate potential adverse impacts through site plan approval or holding provisions.

Intensity Variations

Intensity variations within zones can be utilized to encourage positive outcomes and avoid potential negative impacts. Intensity variation creates subsets within each zone, each with its own intensity regulations. The level of desirable intensity within a zone varies depending on its location, such as proximity to infrastructure and services or other zones.

Examples of where intensity variations could be used are the Transit Village and Rapid Transit Corridor Place Types. These Place Types and their corresponding zones are centred around the provision of transit and will form Protected Major Transit Station Areas (PMTSAs). The PMTSAs could be broken down based on intensity, with the core of the PMTSA zoned to allow for the greatest level of intensity and the outer area zoned for lower intensity. This approach would achieve the goal of providing

appropriate transitions in scale from higher density areas to lower density neighbourhoods.

Form-Based Zoning

Form-based zoning, as discussed above, is an alternative to traditional zoning that focuses on achieving a certain built form that addresses the relationship of buildings to the street and adjacent uses. Form-based codes are discussed in more detail in Part II – Zoning and Form. It is mentioned briefly in this context as a method of regulating intensity where there is heightened concern related to contextual fit or community character.

By focusing on the specific form a building takes, form-based zoning inherently includes restrictions on building intensity. Part II – Zoning and Form provides the example of Neighbourhoods as areas where form-based zoning would be effective at regulating intensity. *The London Plan* encourages contextually appropriate intensification in all Urban Place Types, which can be accomplished through a variety of building forms. However, there is often concern related to intensification and its potential to adversely impact established neighbourhoods. In this instance, form-based zoning is an effective approach to regulating intensity. Activity and building intensity are regulated and limited by the form in which it is introduced, thereby addressing potential negative outcomes.

3.5 Recommended Tools

The desired positive outcomes of growth and intensification outlined in Section 2 can be achieved by utilizing a combination of conventional and non-conventional zoning tools. Likewise, specific tools can be employed where needed to avoid potential undesired outcomes.

The London Plan contemplates that conventional zoning tools such as height, GFA, floor plate area, and density may be used to implement Place Type policies. It is recommended that the conventional zoning tools referenced in *The London Plan* for each Place Type be included as regulations for each Place Type's corresponding zone in the new zoning by-law. Further, it is recommended that other conventional zoning tools such as FAR and coverage be introduced where appropriate.

Form-based zoning is an example of a non-conventional zoning tool that can be used effectively alongside conventional tools (see Part II – Zoning and Form).

The approaches discussed herein require consideration on a place-by-place basis. For example, pre-zoning could be implemented to encourage investment in areas where challenges exist that may dissuade development activity, and form-based zoning can be utilized where the character of a community is of particular importance.

Depending on the level of regulation decided upon for the new zoning by-law, other types of non-zoning tools can be used to achieve positive outcomes. Site plan approval, design guidelines, and holding provisions can be used in combination with traditional zoning tools to achieve the positive outcomes of

growth and intensification.

3.6 Tools and Place Types

Each Place Type and the uses found within them have specific goals and potential challenges that will require tailored approaches. Therefore, zoning tools should be customized and adapted for use in each Place Type. *Discussion Paper #6: Zoning in on Place Types* and *Discussion Paper #7: Implementing the New Zoning By-law* explore the most appropriate zoning approach to respond to each Place Type's specific challenges.



PART II – ZONING AND FORM

4.0

POTENTIAL FORM- BASED ZONING SOLUTIONS

This section considers the specific zoning tools and approaches that can be used to assist the City of London in achieving its form-based goals and aspirations, while minimizing the potential negative impacts of growth and development. This section builds on the work completed in the ReThink Zoning Background Papers (2021).

4.1 Key Questions

The London Plan calls for a compact, contiguous pattern of growth, looking “inward and upward”. Zoning is a key tool that may be used to control the built form and siting of new buildings to achieve the goals of *The London Plan*. The new zoning by-law will need to provide regulations that effectively control and direct building form. Key questions related to how to zone for form include:

- To what degree should form considerations be a part of zoning considerations?
- To what degree should form considerations be based on the surrounding context?
- How much should “built form” be a site plan control matter?
- What zoning regulations are effective in ensuring the right form of development is achieved within each Place Type?
- How can an appropriate form be ensured when increases in intensity, specifically height or density, are permitted?

4.2 Zoning for Form (Building and Site Layout)

Zoning tools can be used to ensure that new development fits appropriately within and reinforces the existing and/or planned context of an area or neighbourhood, while minimizing the potential negative impacts of new development on nearby properties, buildings, and the public realm.

An important preliminary question is how prescriptive built form zoning provisions should be in order to effectively implement *The London Plan's* policies. The greater the number of built form type provisions within the new zoning by-law, the greater the ability of the by-law to precisely shape a building's massing and control the location and orientation of it on a site. However, if there are too many form-based provisions, or if provisions are too prescriptive, it can potentially hamper or stifle design creativity and lead to an increased number of zoning by-law amendment applications. It is important to strike the right balance.

Set out below are a series of form-based zoning tools or provisions that may be considered by the Consultant Team for inclusion in the new London zoning by-law. These tools will be re-examined and refined within the forthcoming *Discussion Paper #6: Zoning in on Place Types*.

4.3 Zoning Tools and Site Layout

The following zoning tools may be used to control site design and the location of buildings on a site.

4.3.1 Setbacks and Build-To Lines

Setbacks require that the face of a building must be located no closer to a property line than the minimum distance specified (see Figure 4). Typically, the bigger the contrast in built form and intensity, the greater the setback that is required. Setbacks on either side of a mutual property line ensure proper building spacing distances between neighbouring sites. Building spacing will vary among Place Types, with smaller separation distances being appropriate in the more intense Place Types such as the Downtown, Transit Villages, and along Rapid Transit Corridors.

Setbacks are an extremely effective tool for limiting the location of a building on a site and for ensuring that buildings maintain minimum separation distances from neighbouring properties and the public realm, which helps to mitigate light, view, and privacy issues. Setbacks can also maintain standard yard sizes and shapes, which in many residential areas can be particularly important for maintaining neighbourhood character and providing adequate space for the conveyance of rainwater surface runoff.

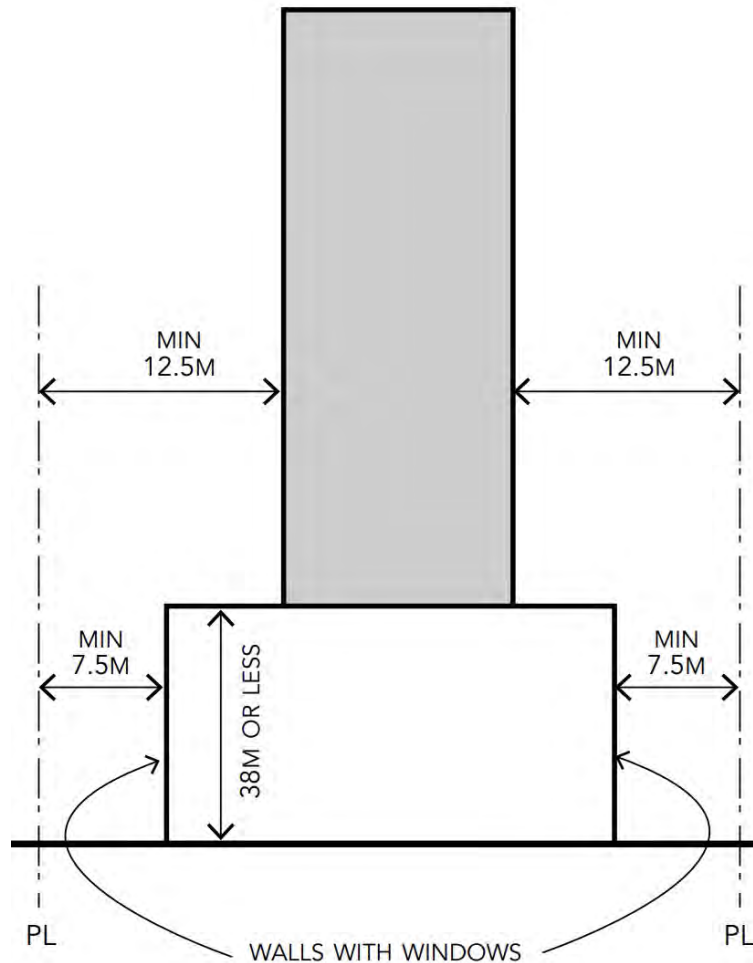


Figure 4. Setback Diagram 1 (Source: Newmarket Zoning By-law 2019-06, 2019)

Using Setbacks to Discourage Towers on Small Sites

Establishing minimum tower setbacks is one of the most effective tools for controlling tall buildings on small sites. For example, many Ontario municipalities have created guidelines or zoning by-laws that recommend or require the tower portion of a tall building to be setback 12.5 m from side and rear property lines (or the midpoint of a rear lane), and 3 m from the front property line (see Figure 5). The setbacks are used to determine the resultant tower floorplate. At a certain point, adhering to the minimum setbacks will result in a tower floorplate that is too small to be viable (typically below 400 m² to 450 m²), as the ratio of saleable or rentable space to circulation space becomes too small.

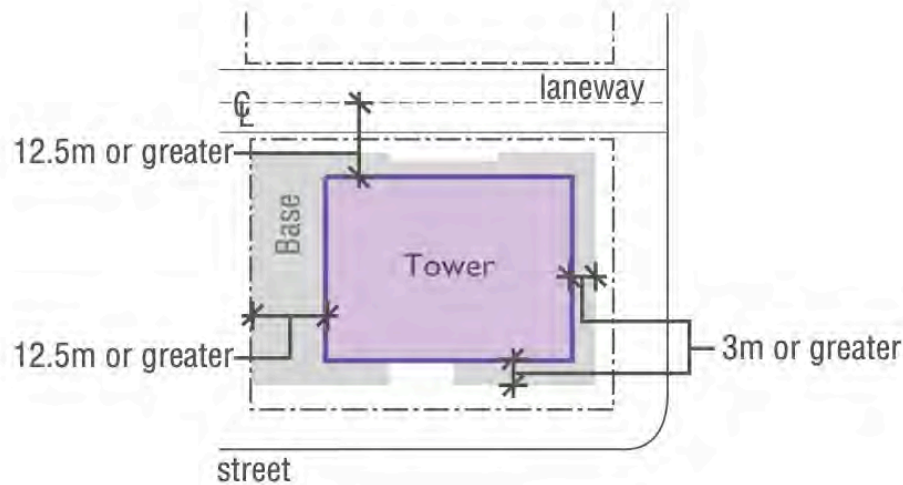


Figure 5. Setback Diagram 2 (Source: City of Toronto Tall Building Design Guidelines, 2013)

Build-To Lines

Minimum setbacks are sometimes replaced by “build-to lines”, which require that the façade or a certain percentage of a façade must be built either at the property line or a specified distance from the property line. This is common on residential streets that have a consistent street wall and front-yard area. It is also common on retail Main Streets where a consistent street wall provides a strong sense of place, and the building walls work together to frame the street.

4.3.2 Orientation

Another important tool to help ensure good contextual fit is building orientation. Zoning tools that can be used to control orientation include:

- Build-to lines, which state that a certain percentage of the façade must be built on or at a specified distance from the property line;
- Rules which require the long or short axis of a building to be oriented adjacent or parallel to the front property line; and
- Rules which require only a certain percentage of the façade be located at the build-to line.

See [Appendix B3. Building Orientation](#).

4.3.3 Landscaping, Open Space, and Buffering Tools

Another very important way to help new development fit into the surrounding context is to ensure that the amount of space on a site that is devoted to landscaping and open space is consistent with the prevailing patterns in the area, or the patterns that are being encouraged in a particular Place Type. See [Appendix B4. Landscaping, Open Space, and Buffering Tools](#) for additional information on how landscaping, open space, and buffering tools may be used to help control site design and the location of buildings on a site.

4.3.4 Vehicular Access and Parking Location Tools

How vehicles are permitted to access a site can have a significant impact on a new development's contextual fit. See [Appendix B5. Vehicular Access and Parking Location Tools](#) for additional information on potential zoning tools and how they may be used to control vehicle access and parking location and size on a site.

4.4 Zoning Tools and Building Form

As discussed, zoning for form considers both site layout and building form, which are the focus of this section. When zoning for building form, it is important to understand that many zoning tools often work together to regulate the final form of a building. As a result, it may not be possible for a building's form, as envisioned by a developer, to comply with every zoning tool's set minimum and/or maximum provisions. For instance, in a specified area zoning regulations may establish a maximum height of 20 storeys, FAR of 7, and floorplate size of 750 m², with a requirement for interior setbacks to be 12.5 m. While designing a tall building that complies with these regulations, it may be realized that the maximum floorplate size and FAR are achieved at a height of 15 storeys. If the developer wishes to pursue the maximum building height allowed by the zoning by-law on-site (20 storeys), they may need to reduce the floorplate size to ensure they meet the maximum FAR zoning provision.

The following section examines zoning tools used to control building form.

4.4.1 Height

While height on its own is a measure of a building's intensity, using height restrictions in combination with other zoning tools can control the built form and contextual fit of a development. For example, in low-rise residential areas height restrictions can provide a good degree of control over a building's envelope and overall massing when combined with setbacks, maximum GFA, building width and depth, and first floor height above ground provisions. This in turn regulates a structure, regardless of the type of building it is, to fit within the surrounding neighbourhood's context.

4.4.2 Density

When density is combined with other zoning tools like setbacks, stepbacks, and floorplate limits, it can effectively shape and sculpt a building's form. Often, density provisions are perceived as regulating the amount of "clay" that can be molded into various forms through the use of other zoning tools. Further, density provisions can provide important insights to a development's overall building mass that other zoning tools alone cannot achieve.

In areas of the city where large mid-rise or high-rise buildings are permitted on relatively small sites, such as the Downtown, Transit Villages, and Rapid Transit Corridors, density (in the form of FAR) can provide a high degree of control over the "bulkiness" of a proposed building when combined with other zoning tools. As FAR can be used to override other built form-related zoning tools, establishing realistic FAR maximums based on the specific attributes of a neighbourhood is critical.

4.4.3 Stepbacks

Stepbacks are one of the simplest and most effective tools that can be used to shape the overall form of a building. A stepback describes the distance a portion of a building is to "stepback" from the edge of a lower level of the building. In part, stepback provisions are utilized to ensure larger buildings stepdown in scale as they approach lower scale buildings in order to avoid abrupt changes in built form and massing. Further, stepbacks help to establish greater distances between buildings of different scales to reduce shadowing and overlook. See [Appendix B6. Stepbacks and Building Scales](#).

4.4.4 Angular Planes

An angular plane is a theoretical "height ceiling" extending from a lot line or a specific distance from a lot line. The plane is projected over a lot at a specified angle, measured up from the horizontal, through which no part of a structure on the lot may penetrate. Angular planes typically have their highest point in the middle of the site then slope downwards toward a lot's property lines. This forces a building's scale and massing to transition down as they approach the edge of a lot, thus ensuring neighbouring properties reflect a similar built form. Figures 6, 7, and 8 illustrate angular planes. In certain locations, such as along Main Streets or where mid-rise buildings are permitted adjacent to low-rise residential areas, angular planes may be used to establish performance standards related to light and shadowing.

Adherence to angular plane provisions is sometimes achieved by using sloped building surfaces. However, more commonly these provisions are met through a stepped back building design. In recent years, design and development communities have pushed back against the requirement for angular planes, expressing that the stepped back design reflects a “wedding cake” form that is expensive to build and difficult to maintain, insulate, and make water-tight. To mitigate the impacts of a “wedding cake” form, the number of steps a building may include before reaching its maximum height can be regulated by the provisions of a zoning by-law.

It is important to reinforce that angular planes are a zoning tool that may help to ensure appropriate transitions in the scale and massing of buildings on neighbouring properties. Angular planes are not height provisions.

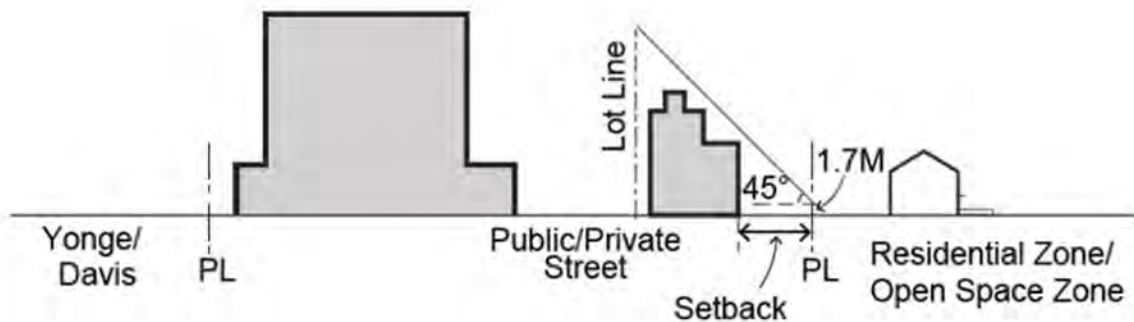


Figure 6. Angular Plane Diagram 1 (Source: Newmarket Zoning By-law 2019-06, 2019)

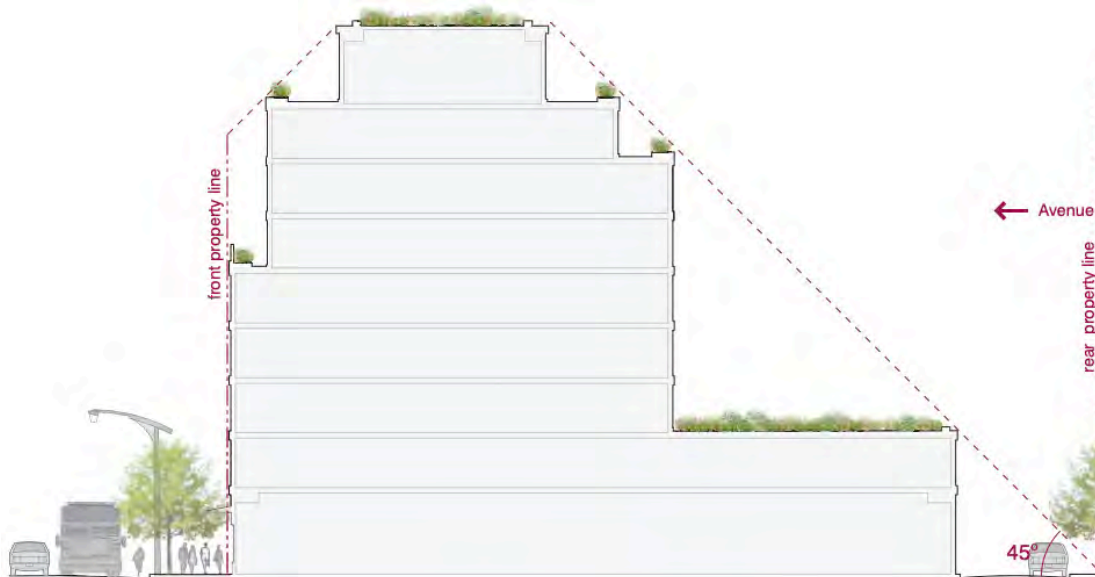


Figure 7. Angular Plane Diagram 2 (Source: City of Toronto Performance Standards for Mid-Rise Buildings, 2010)

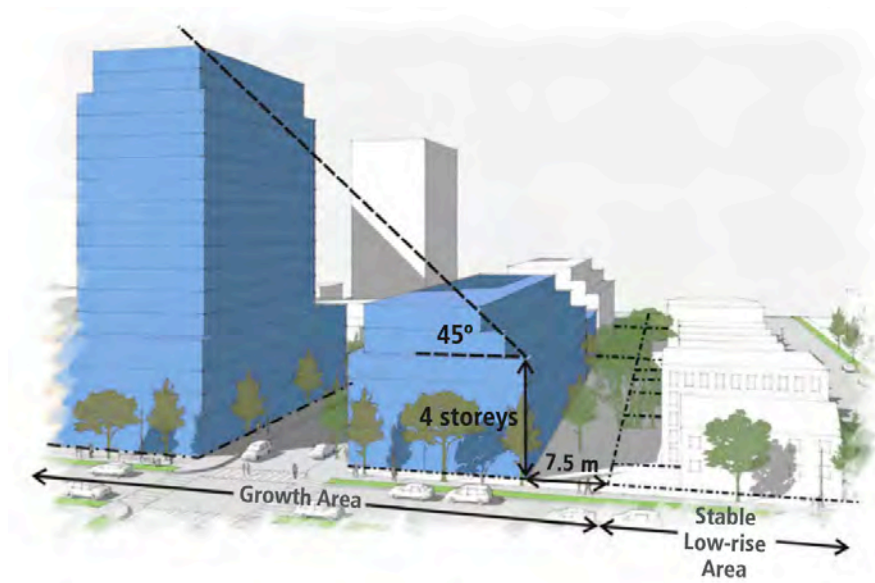


Figure 8. Angular Plane Diagram 3 (Source: City of Ottawa Urban Design Guidelines for High-Rise Buildings, 2018)

4.4.5 Floorplate Size and Shape

In recent years, one of the most effective means of controlling the form of buildings is to specify a maximum floorplate size in square metres (m²). The objective of this provision is to encourage a “point-tower” form, which is often square in shape and/or designed in such a way that the building’s depth is no more than twice its width. This form reduces shadow impacts on neighbouring properties as slender towers create thinner shadows that move more quickly over an area as the sun angle changes throughout the day. “Slab-form” buildings cast wider shadows than “point-tower” buildings, resulting in greater shadowing impacts.

Moreover, zoning by-laws can specify maximum wall dimensions, or a maximum floorplate radius for circular buildings, to control a floorplate’s shape. As the primary objective of regulating floorplates is to mitigate potential shadowing impacts resulting from a building’s massing, the most effective means to measure floorplate size is by gross construction area (i.e., outside wall to outside wall, with no deductions or exclusions for elements such as balconies). Gross construction area provisions may be provided by a zoning by-law. Other potential zoning tools that can be used to control the size and shapes of floorplates include:

- Specifying a maximum floorplate size (e.g., 750 m²) or using a “floorplate circle” of a specified diameter within which a floorplate must fit (see Figure 9),
- Establishing a tower width to depth ratio (e.g., 2:1), and
- Establishing rules regarding the projection of balconies, especially wraparound balconies, which contribute to the perceived bulk of a building.

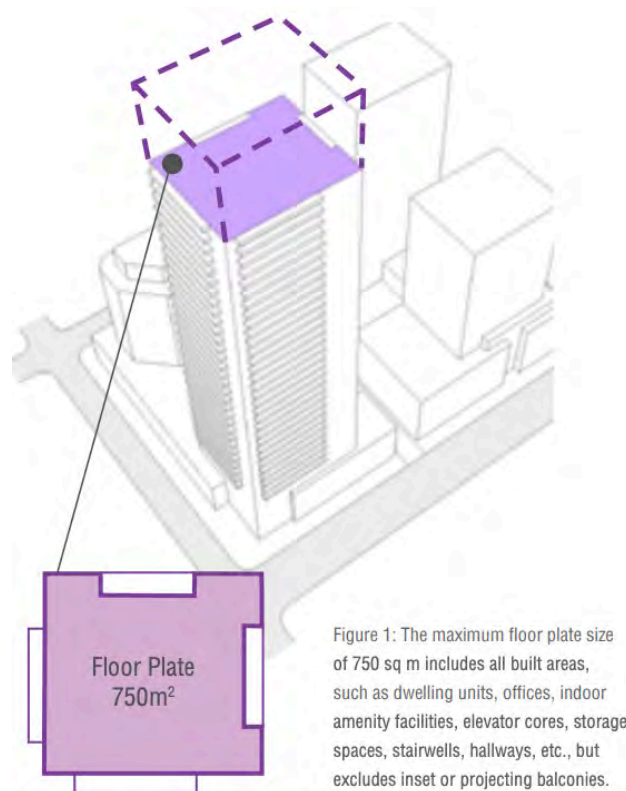


Figure 9. Floor Plate Size and Shape Diagram (Source: City of Toronto Tall Building Design Guidelines, 2013)

4.4.6 Roof Pitch and Design

For low-rise areas, roof pitch and design can play an important role in contextual fit. *The London Plan* makes it clear that contextual fit does not require new buildings to mimic or copy the design or architectural style of existing buildings, including the pitch and design of the roof. Nonetheless, there are several elements of roof design that can help ensure different roof forms and pitches work together to create a consistent neighbourhood character or sense of place. These elements include the height of eaves, the overall height of the roof (and where overall height is measured from), and the location and size of dormers or windows located above the eaves. Some zoning by-laws utilize complicated formulas to define regulations pertaining to roof pitch and design. However, these formulas are often misused and result in the creation of awkward roof forms that do not reinforce the character of an area. As such, it is recommended that these formulas be avoided in the new zoning by-law.

See [Appendix B7. Roof Pitch and Design](#).

4.4.7 Parking Garages

Zoning by-law provisions that control parking garages and structures can be used in several different ways to influence building form and ensure new buildings fit into the surrounding context. Several zoning tools may be used to control parking including establishing minimum garage setbacks and/or maximum garage and garage door widths, eliminating the requirement for garages, allowing on-street, permitted parking, and requiring mid-rise and high-rise buildings with above grade parking to screen the parking with commercial, residential, or institutional uses (see Figure 10). See [Appendix B8. Parking Garages](#).

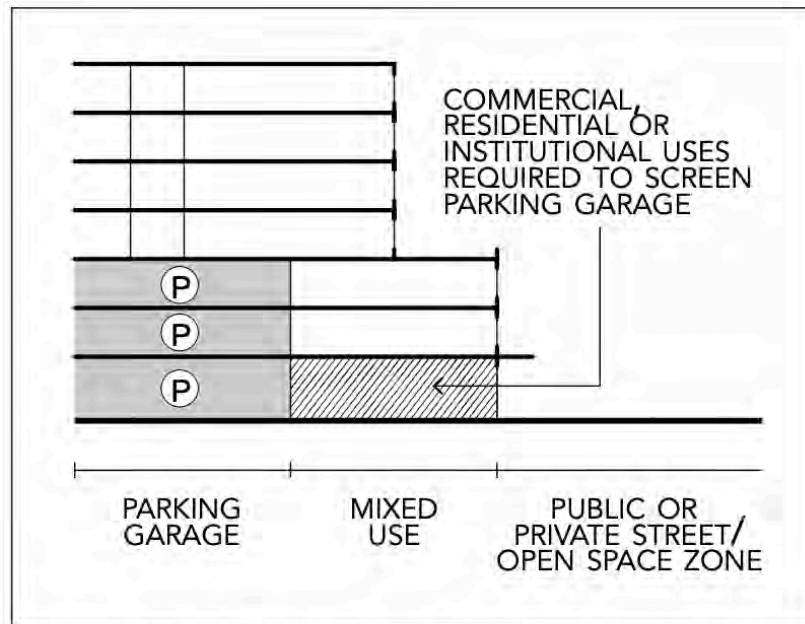


Illustration 6-1. Above Grade Parking Garage

Figure 10. Parking Garage Diagram (Source: Newmarket Urban Centres Zoning By-law 2018-48, 2018)

4.4.8 Building Frontage

The most important way a building engages with its surroundings and contributes to an existing neighbourhood's character and public realm is through its level of transparency at-grade. In particular, the number of doors and windows a building has facing the street influences how the surrounding pedestrian-environment is perceived. The use of glass and other transparent materials at-grade help to create a more pedestrian-oriented environment by increasing opportunities for casual surveillance ("eyes on the street") (see Figure 11 and Figure 12). This in turn increases perceptions of safety, thus making the public realm feel more welcoming.

While traditional zoning by-laws did not typically control aspects like a building's glazing or fenestration, newer form-based zoning by-laws utilize a number of tools to ensure a desirable built form is achieved. For instance the following zoning tools have been employed in form-based by-laws:

For Retail and Commercial Place Types:

- Requiring a certain percentage of the ground floor of a building that fronts a street to be composed of transparent glazing and feature active uses and living spaces at grade,
- Establishing a minimum solid to void ratio for front façades or any façade visible from the street, and
- Prohibiting street-facing blank walls.

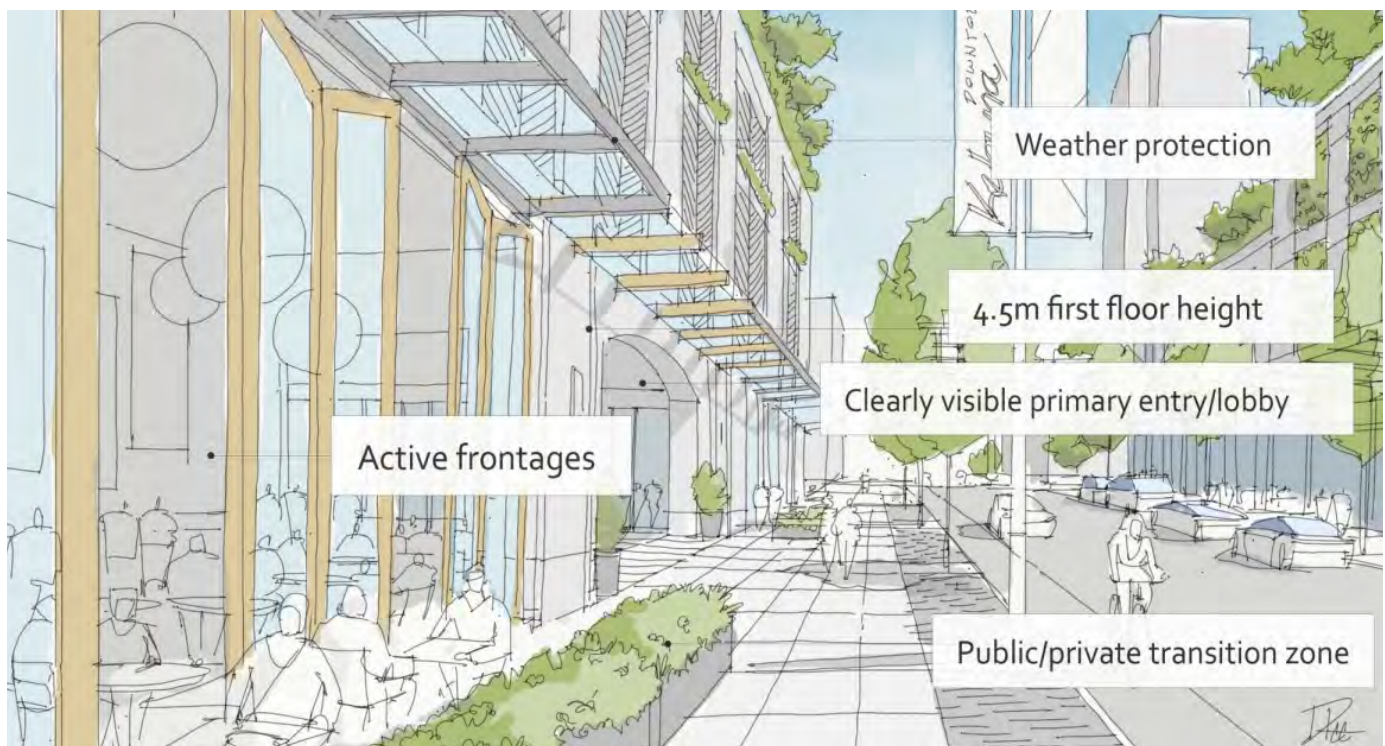


Figure 11. Relationship to the Street Diagram (Source: City of Kelowna 2040 Official Community Plan, 2021)

For Neighbourhood Place Types:

- Requiring a certain percentage of the ground floor of a building that fronts a street to be composed of transparent glazing and feature active uses and living spaces at grade, and,
- Requiring ground floor garages to occupy less than a certain percentage of a building's façade (e.g., 50%).



Figure 1: Treatment of the transition space between the public sidewalk and building interior reflects the differing needs for access and privacy between residential and commercial frontages.

Figure 12. Private-Public Transition Diagram (Source: City of Toronto Tall Building Design Guidelines 2013)

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PART III

5.0

THE NEW ZONING BY-LAW

The London Plan focuses on creating and reinforcing Place Types and on growing “inward and upward” to achieve a compact form of development. London’s new zoning by-law is moving towards a new structure that places more emphasis on building form and contextual fit than building use. This form-based zoning approach will ensure zoning tools are utilized to create desirable public spaces, a high-quality public realm, and predictable buildings that shape and reinforce *The London Plan’s* vision for each Place Type.

5.1 Form-Based Zoning

The London Plan supports the creation of a zoning by-law that uses physical form as the main organizing principle. The new London zoning by-law will therefore be conceived as a method for regulating development in a manner that achieves a specific urban form, based on the policies and aspirations of *The London Plan*.

The Consultant Team is recommending the use of a rural-to-urban transect to organize the new London zoning by-law (see Figure 13). A rural-to-urban transect is an ordering system that places all of the elements of the built environment in an easy-to-understand hierarchy that progresses from the most rural areas through to the most urban areas. Special Districts are used to capture parts of the built environment that do not fit within the traditional zones, such as industrial areas.

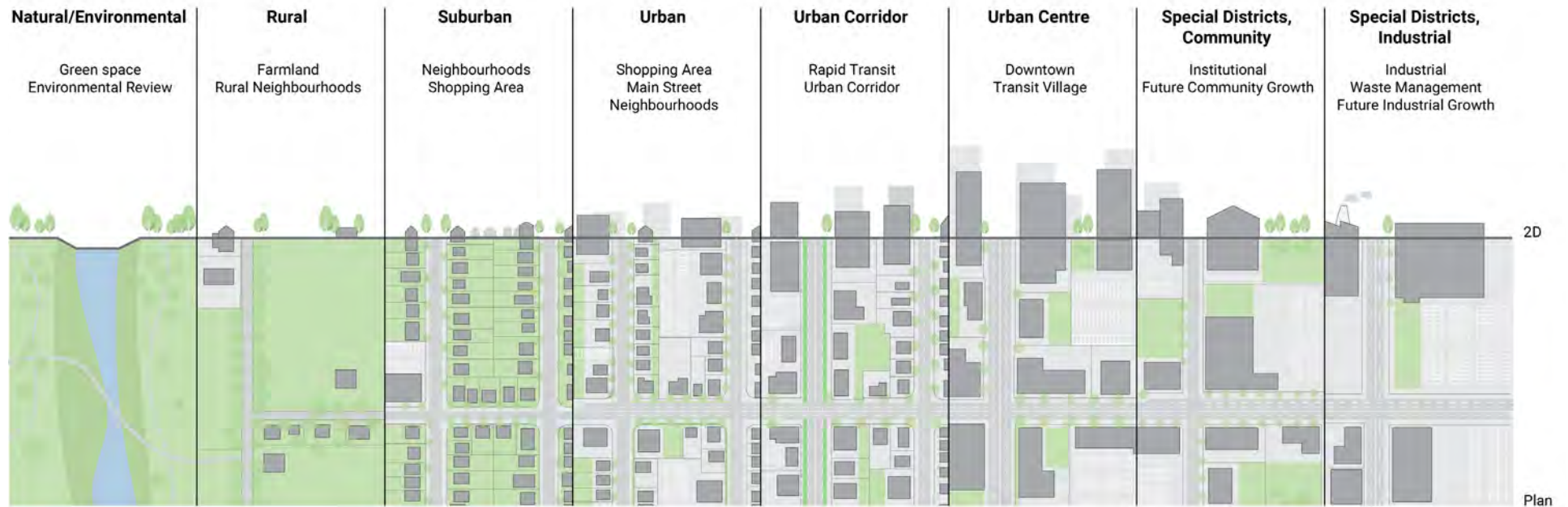


Figure 13. Transect Application to London's Place Types (Draft)

5.2 Zoning Tools and Place Types

Within this paper, an array of potential zoning tools that can be used to control the form of new development have been discussed. Other non-zoning tools to consider are detailed in [Appendix D2](#) and other form-related tools are provided in [Appendix D3](#). The majority of the zoning tools that were explored in this paper can be customized to shape new developments in any of London's 15 Place Types. However, identifying the most appropriate zoning tools to achieve each Place Type's specific intensity and form-related results requires additional study and fine-tuning. *Discussion Paper #6: Zoning in on Place Types* explores the most appropriate zoning approach to respond to each Place Type's specific challenges.

5.3 Building Types and Place Types

Permitted building types for each Place Type, independent of the uses within them, will need to be identified and prioritized. Following this, zoning provisions and tools will then be applied to each building type to ensure they are fine-tuned to reflect *The London Plan's* built form vision for each Place Type area.

This approach differs from a traditional zoning by-law where, for example, there might be a dozen or more distinct and separate residential use areas (i.e., R1, R2, R3). Herein, each residential use area may support a particular building type. In contrast, in a form-based by-law most transects permit a mix of uses and building types within a specified area. For instance, in a form-based by-law a permitted use may be defined as a "residential dwelling unit". As the form of a "residential dwelling unit" can vary, diverse building types may manifest within a designated area to support this use, including single detached, semi-detached, duplex, townhouse, stacked townhouse, fourplex, low-rise apartment, and mixed-use buildings. To ensure buildings fit within the context of the surrounding area, each building's appearance is regulated by the zoning by-law through intensity and form provisions.

At this stage of the ReThink Zoning project, it is important to begin to consider broad building type categories and how they relate to each Place Type. Amongst other elements, within many form-based codes the following are defined per building type:

- Lot size (i.e., minimum lot width and depth);
- Pedestrian access (i.e., where and how pedestrians exit and enter the building);
- Frontage;
- Vehicle access and parking;
- Intensity; and
- Form.

See [Appendix E1. Building Types and Place Types](#).

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6.0 **NEXT STEPS**

As the City of London continues to grow over the next several decades, ensuring that new development fits appropriately into the existing and planned context will require a careful balancing of three development-related elements: use, intensity, and form. *Discussion Paper #3: Zoning in on Existing Uses* examines use, and this discussion paper, *Zoning in on Intensification* has explored the relationships between zoning, intensity, and form.

In order to achieve the right balance among these elements, the next step for the Consultant Team is to gather feedback from the public on the discussion papers and further study each Place Type to test how various zoning tools can be used and calibrated to help create the places that are envisioned in *The London Plan*. The Transect approach will help to organize the testing and calibration, and will allow for fine-tuning of each tool to suit the specific needs of each Place Type.

Within the forthcoming *Discussion Paper #6: Zoning in on Place Types*, a specific approach to linking density permissions to community benefits will be identified, and the most appropriate approach to zoning for intensity in each Place Type will be determined. Further, following a comprehensive analysis, recommendations pertaining to which zoning tools should be adopted in each Place Type will be provided.

APPENDICES

Appendix A. Current State: Existing Conditions, Issues, and Strategies

Appendix A1. Existing Conditions

London's 1989 Official Plan applies intensity measures to land uses in defined geographic areas; it directs higher levels of intensity to the Downtown and areas designated as Multi-Family High Density Residential areas. Greater intensity is considered to be appropriate when specific criteria are met, such as frontage on a major road, proximity to major shopping areas, or institutional uses.

The 1989 Official Plan also addresses the issue of appropriate transitions by encouraging a "continuity and harmony with adjacent uses that are distinct and attractive". In higher density residential areas, applicants are required to "take into account surrounding land uses in terms of height, scale, and setback" and provide adequate buffering to protect lower density residential uses. Transitions in scale are encouraged, including decreases in intensity further from an activity node.

The City's Zoning By-law No. Z.-1 implements the policies of the 1989 Official Plan through site-specific zoning regulations. Intensity is primarily regulated through density (units per hectare) and building height (metres or storeys). The zoning by-law also utilizes lot coverage and gross floor area in certain base zones and often applies these policies to specific uses.

The 1989 Official Plan contemplates bonus zoning. However, due to recent changes to Ontario's *Planning Act*, this approach should be reassessed and reconsidered in the development of the new zoning by-law.

Appendix A2. Non-Residential Intensification Strategies

Reducing parking requirements can lead to a more efficient use of land and an improved urban landscape. For example, within London's Downtown, which is envisioned to have the tallest buildings and highest densities in the city, there are no minimum parking requirements for residential developments (LP 802). London's Zoning By-law Z.-1 does not require parking for existing and new residential developments in the Downtown, and this zoning tool may be appropriate to continue using in the new, comprehensive zoning by-law to encourage a compact, highly urban environment. As a result, land that may have been utilized for a surface parking lot or parking garage may be developed to include additional residential units, which has direct implications on the City's housing stock and housing affordability.

Density targets, which refers to either the minimum number of residents and jobs combined per hectare, units per hectare for residential uses, or a floor area ratio (FAR) for non-residential uses, encourage the more efficient use of land, resources, and infrastructure in new developments. By requiring a minimum level of intensity, a more compact form of growth is fostered. This in turn has the potential to help preserve more prime agricultural lands and reduce energy consumption, emissions, and other costs traditionally associated with sprawling development patterns.

For example, within the City of London, density targets have been established for Protected Major Transit Station Areas (PMTSAs). These areas are either serviced or planned to be serviced in the future by high quality and frequent transit that can provide convenient transportation to a large number of residents. For PMTSAs that are located in Transit Villages (which are planned to be developed as mixed-use neighbourhoods that support a healthy lifestyle and encourage the use of public transit), a minimum of 150 residents and jobs combined per hectare (LP 815B) and 45 units per hectare for residential uses, or a FAR of 0.5 for non-residential uses (LP 815D), is to be achieved. Due to the Transit Village's planned higher development intensity, residents can potentially live, work, and play in close proximity, reducing the need for travel by private car and reducing transportation-related emissions and congestion. Similarly, to ensure land is utilized efficiently within Industrial Place Types, high employment densities may be sought (LP 1124).

Regeneration strategies that encourage the re-purposing, reformatting, infill, and intensification of existing, non-residential buildings, in addition to the redevelopment of land at a higher than existing density, have many benefits. In *The London Plan*, the City recognizes the significant supply of sites that can accommodate commercial uses. To support a more efficient use of these lands, the Plan encourages Shopping Areas to be intensified through redevelopment, expansion, and/or the introduction of residential development (LP 876 and LP 878). In addition to seeking the benefits that come with intensification, the Plan encourages mid-rise residential development in Shopping Areas to promote activity outside of shopping hours and strengthen the Shopping Area's role as a neighbourhood centre (LP 876).

Appendix A3. Issues and Impacts Associated with the Form of New Development

Privacy

When larger, more intense forms of development are located next to smaller-scale buildings and properties, there is the potential that the larger building, because of its height, depth, location, and design features, will provide opportunities for overlook into neighbouring properties and have a negative impact on privacy.

The extent of this issue depends on the context and expectations. That is, in an area of detached, low-rise houses – outside of the Built Area Boundary – there is a higher expectation of privacy than there is within or close to the Downtown or a Transit Village where a detached house may be located adjacent to a site that is zoned for a higher intensity building.

Shadowing

The potential negative impact of larger developments casting shadows on adjacent properties is often separated into two categories: the shadowing of public spaces (such as parks and schoolyards) and the shadowing of private properties. Since shadows can be measured using computer modelling, they may be controlled using zoning tools such as maximum heights, stepbacks, and angular planes.

The London Plan does not include extensive policies dealing with shadows, but it does require high-rise buildings to be designed to minimize shadowing (LP 293): *High-rise buildings should be designed to minimize massing, shadowing, visual impact, and the obstruction of views from the street, public spaces, and neighbouring properties. To achieve these objectives, high-rise buildings should take the form of slender towers. High-rise buildings should not be designed with long axes where they create an overwhelming building mass.*

Visual Impact (Neighbourhood Character)

Visual impact can be a difficult concept to define, but it is typically used to describe a negative impact associated with a new building that does not visually fit in with, or reinforce, the character of the surrounding buildings. It is very closely related to the issue of “neighbourhood character” and contextual fit. If a new development is contextually appropriate, it can also be said that it does not have a negative visual impact on the area.

In relation to intensity, negative visual impact can result when building intensity is excessive, meaning the height, width, or scale is too large relative to the surrounding buildings. Excessive building intensity can result in a loss of human scale and cause buildings to be overwhelming when experienced at pedestrian level or from adjacent uses. With respect to built form, new buildings that have a different massing, roof-type, or relationship to the street can also have a negative impact on the surrounding context even if they are not substantially different from the surrounding buildings in terms of density or height.

With respect to the goal of having new development fit within the prevailing neighbourhood character, *The London Plan* emphasizes that new development does not have to mimic or be the same as development in the surrounding context. Rather, the intent is for the new development to be sensitive to, and compatible with, its context. It should be recognized that the context consists of existing development as well as the planning policy goals for the site and surrounding area (LP 1578).

The London Plan also states that built form will be designed to have a “sense of place” and “character consistent with the planned vision of the Place Type”, and that all proposals for new neighbourhoods will be required to establish a vision to guide planning for their character and sense of place. With respect to individual development proposals – both within existing and new neighbourhoods – the Plan requires that they articulate the neighbourhood’s character and demonstrate how the proposal has been designed to fit within that context.

Trees and Canopy Cover

As areas of the city intensify, new, larger buildings tend to occupy more of a development site, which in turn reduces the area of the site that is suitable for trees and landscaping. While zoning does not deal directly with trees, zoning tools can be used indirectly to help ensure that there is appropriate room on a development site to accommodate trees (including for example, appropriate soil depth over an underground parking garage).

Traffic and Access Management

Another set of potential intensification-related issues and impacts have to do with increased traffic and congestion, and the danger (or perception of danger) to pedestrians caused by increased traffic volumes. Of particular concern are increased numbers of vehicles crossing the public sidewalk to access parking and loading and garbage areas. Limiting the maximum gross floor area (GFA) for a specific development can limit activity intensity for a given use, and in turn, limit the traffic generated by the use. Reduced parking ratios or maximum parking provisions can limit the potential for traffic and access management issues by encouraging different modes of transportation and discouraging excess vehicles in and around a site.

Parking

The negative impacts associated with parking can be categorized under several different headings, including visual impacts of surface parking lots and driveways, safety impacts associated with both mid-rise and tall buildings that include above-grade parking with blank walls facing the public realm (no casual surveillance), and traffic impacts caused by overflow street-parking when on-site parking is not meeting the parking needs of the development.

In low-rise residential neighbourhoods, the main parking-related issues and impacts are often associated with the location and size of the parking garage in relation to the size of the lot and the house. Many older, established neighbourhoods have wider lots (35-50 ft or 10.7-15.2 m) and garages

were often located as detached structures to the side or the rear of the house, accessed either from a driveway along the side of the house or from a rear lane. With this pattern, parking was tucked away, out of site from the street, and therefore had minimal negative impacts. When larger lots are subdivided into two or more narrower lots for houses or townhouses, a number of parking-related issues arise that must be carefully controlled in order to meet landscape objectives and to ensure that new houses are not dominated by garage doors, which eliminate casual surveillance and “eyes on the street.” Allowing shared driveways between two abutting lots and/or mandating side-yard driveways (with appropriate setbacks) have the potential to prevent driveways and garages from dominating the front lawns and façades of low-rise neighbourhoods.

For larger townhouse and mid-rise developments, there is often a desire (for cost reasons) to locate parking at grade. Surface parking lots, according to *The London Plan*, should be located behind buildings and either not visible or screened from view from the street. For parking that is included within townhouse structures, a site layout issue occurs when parking is accessed via separate driveways for each unit. For narrow townhouses this can result in the front yards being devoted almost entirely to driveways, with little or no room for landscaping or trees.

With mid-rise and high-rise buildings, negative impacts can occur when London’s high water table makes the cost of underground parking prohibitive and all or some of the parking is therefore proposed to be located within a building, above grade. *The London Plan* requires above-grade parking to be screened from public view.

In Commercial and Industrial Place Types, zoning can be used to control the location of parking areas by, for example, requiring it to be located to the rear or side of buildings and to requiring setbacks to be met to ensure there is adequate room for landscaping and buffering where needed.

In summary, zoning deals with parking-related issues by establishing vehicle parking space provisions, including the number, type, and dimensions of spaces, the location of parking areas on the site or within a building, and how parking areas and garages are accessed. Controlling parking through zoning can effectively manage and shape site layout and building form to mitigate a number of intensification-related issues and impacts.

Noise, Emissions, Lighting, and Garbage

Industrial and commercial uses are often associated with heavy vehicles, waste generation, and other operational factors that cause excessive noise, odour, and garbage. Similarly, in dense, residential areas, these same issues may materialize due to a high population concentration. While zoning cannot directly regulate noise, emissions, lighting, and/or garage, there are several tools that can be used to mitigate their potential impacts, including setbacks (to provide separation distance), and landscaped open space, buffering, and fencing requirements. In addition, by regulating activity intensity through zoning tools like gross floor area (GFA) and floor area ratio (FAR), the adverse impacts of heavy operations can be further mitigated.

Impact on Servicing, Infrastructure, and Community Facilities

High levels of activity and building intensity may put pressure on the existing services, infrastructure, and community facilities of an area. This is especially true as the City of London intensifies “inward and upward” in support of the goals and aspirations of *The London Plan*.

Prior to approving new development, the City must be certain infrastructure and servicing have the capacity to cope with higher levels of intensification or that funds are available to undertake the necessary growth work. Additionally, sufficient community facilities such as recreation areas, schools, and health services need to be available for use by both new and existing residents. Both activity and building intensity can be managed through zoning tools to ensure adequate servicing and facilities are available. These zoning tools include: units per hectare, gross floor area (GFA), and floor area ratio (FAR). Non-zoning tools, such as site plan approval and holding provisions, can be utilized alongside the aforementioned zoning tools to ensure the population’s needs are met prior to final approvals.

Lands Needs Management

Intensity levels can influence where and how a city grows. Encouraging intensity at strategic locations within the existing built-up area, such as within Transit Village Place Types and along Rapid Transit Corridors, can limit the need for horizontal expansion, decreasing pressure on a city to expand its urban boundaries. Zoning tools, such as units per hectare, height, and FAR can be employed to direct intensity to specific places, per *The London Plan*, to avoid the potential undesirable expansion of the urban boundary in the future.

Accommodating additional intensity in strategic locations will also assist in managing issues related to housing affordability. Housing affordability issues can arise where there is a limited supply of new housing, often resulting from a lack of intensity (see *Discussion Paper #4: Zoning in on Housing Affordability*).

Loss of Light (ambient and direct)

In areas of the city that are intensifying, there is an increased chance that a proposed, more intense development may reduce the amount of light reaching the windows and entering the interior of adjacent and nearby buildings. This is not just a shadow-related issue dealing with direct access to sunlight, but also an ambient light issue.

More intense Place Types, which anticipate larger mid-rise and high-rise buildings in close proximity to one another, are more likely to experience access to light issues. While many municipalities include access to light as a policy objective of their official plan, very few have attempted to measure and quantify exactly what light levels are acceptable and how they should be measured. Modelling tools are now being developed to measure the ambient light impacts of new development on adjacent buildings. Access to these types of studies, and their associated parameters, is expected to increase in the near future.

Safety (“Eyes on the Street”)

The London Plan states that all new development will support pedestrian activity and safety by, for example, prohibiting large expanses of blank walls along the street edge, achieving human-scale relationships that are comfortable for pedestrians, and having active frontages (LP 284-300). Intensification, however, can sometimes result in new development that creates unsafe conditions due to a lack of casual surveillance opportunities. For example, when houses or townhouses are permitted on narrow lots with front-facing garages, the garage may occupy most of the front façade of the home that faces the street. As a result, visibility of the street from the home is limited, thereby preventing casual surveillance (i.e., “eyes on the street”).

Blocked Views and Skyviews

It is generally accepted that residents have no right to a view from a private building or structure unless a municipality’s official plan specifically identifies a protected view corridor. Although *The London Plan* does not establish protected view corridors, it does indicate that preserving certain views should be considered, such as those of natural features and/or landmarks (LP 204 and 257) and those of a designated heritage attribute (LP 559). Although private views cannot be explicitly protected by the zoning by-law, zoning tools can be used to ensure adequate building separation as a means of preserving access to what is often referred to as “skyview” (the ability to see views of the sky between buildings).

Wind

High-rise towers, depending on their location, height, and orientation, have the potential to “catch” strong wind gusts and redirect them down the face of the building. This in turn impacts pedestrian comfort at street level. Wind impacts may be tested through physical context models in a wind tunnel or through computer modeling. The form of a building can influence wind conditions in its immediate area and thus it is important that zoning tools be used to mitigate negative wind impacts. Tools such as building setbacks can prevent wind from travelling straight down a building face, while landscaping and tree requirements can help weaken wind gusts at-grade.

Appendix B. Methodology and the Role of Zoning in Intensification

Appendix B1. Methodology

In creating this discussion paper, the Consultant Team undertook the following steps:

- Participated in virtual and in-person tours of London to gain a deeper understanding of the city's layout, existing built form and intensity of development, and *The London Plan's* Place Types;
- Reviewed *The London Plan's* intensification and form-related policies;
- Identified and defined the main intensification-related issues and impacts affecting development in London;
- Reviewed recent developments and development applications, with an awareness of The London Plan's Place Type boundaries, to get a sense of contextual fit and transition, and to assess what is working and what is not;
- Reviewed the zoning tools used by the City of London to control intensification and built form to assess which tools are effective and which are not;
- Analyzed zoning tools that are being used in other jurisdictions in Ontario to regulate intensification;
- Reviewed traditional and non-traditional zoning concepts and tools that may be used in London;
- Identified the most effective zoning tools that the City of London can use to achieve a contextual fit for built form in all Place Types;
- Identified other potential tools (e.g., severances, plans of subdivision) that facilitate increased intensity and tools (e.g., policies, guidelines, programs) that can be used to help ensure a contextual fit for built form where zoning tools are not feasible or appropriate; and
- Explored ways to fine-tune zoning tools so they can be used in an effective and efficient manner to achieve the goals for the Place Types in *The London Plan*.

Appendix B2. Understanding the Role of Zoning in Intensification

The London Plan provides several planning measures to help implement its Place Type policies. Intensity measures, which include height, gross floor area (GFA), coverage, floor plate area, density in units per hectare, number of bedrooms, parking, and floor area ratio (FAR) (LP 753), shape development (to manage growth) in pursuit of fulfilling the City of London's vision and key directions (LP 789).

Minimum heights are identified in *The London Plan* for reasons of function and form as follows:

1. Function, to ensure that development is of an intensity that will support *The London Plan's* goals, including rapid transit, efficient use of land, infrastructure, and services, and promoting a mixed-use form of development, and
2. Form, to create an urban form that is supportive of each Place Type's vision and to set the physical context for more intense forms of development. The street edge of the highest-order streets are to be prioritized for height (LP 792).

Permitted Intensity

- Among the Urban Place Types defined in *The London Plan*, the tallest buildings and highest densities are permitted first in the Downtown, followed by Transit Villages (which include PMTSAs with minimum residential and non-residential density targets).
-
- Rapid Transit Corridors, which connect the Downtown and Transit Villages, and the Institutional Place Type, which encompasses major institutions (i.e., universities, colleges, hospitals, and research centres), support moderate intensity.
-
- Urban Corridors, Shopping Areas, and Main Streets, which often act as neighbourhood hubs and contain a mix of residential and commercial uses, permit less intensity.
-
- Among all of the Place Types, the Industrial Place Type is planned to have the lowest intensity of development.
-
- For Neighbourhoods and the High Density residential overlay, the permitted intensity varies, dependent upon the street classification that the property fronts onto, as well as other factors (LP 789).

To support *The London Plan's* target of achieving a minimum of 45% of all new residential development within the city's Built-Area Boundary (LP 81), intensification is permitted in all Place Types that allow for residential uses (LP 84). To ensure intensification is facilitated in a manner that implements the key directions of *The London Plan* while maximizing positive outcomes, intensification is promoted in appropriate locations and in a way that is sensitive to existing neighbourhoods and represents a "good fit" (LP 83).

The London Plan allows for intensification through:

- Additional residential units;
- Building expansion (i.e., accommodating greater residential intensity);
- Adaptive re-use (i.e., converting existing non-residential buildings for residential use);
- Infill development (i.e., building new development on vacant and underutilized lots);
- Severance (i.e., subdividing existing lots); and,
- Higher density redevelopment (i.e., building new development at a higher than existing density on developed lands).

Informed by the Place Types chapter of *The London Plan* (and particularly Tables 8, 11, and 12), permitted height and intensity policies for each Urban Place Type are summarized in [Appendix C1](#), with the exception of the Neighbourhoods Place Type, which is provided in [Appendix C2](#). Please note that several of *The London Plan's* policies are currently under appeal and subject to change (Local Planning Appeal Tribunal (now the Ontario Land Tribunal), Appeal PL170100).

Appendix B3. Building Orientation

In low-rise areas, building orientation primarily concerns how buildings address the street. For instance, front façades may be arranged parallel to the street and front property line or at a specific angle. In low-rise residential neighbourhoods, requiring new buildings to maintain the prevailing building orientation is important for establishing good contextual fit. For mid-rise buildings, and the base of high-rise buildings, building orientation also considers whether the longer façade is arranged parallel or perpendicular to the front property line. For high-rise buildings, tower orientation is another important consideration. As a rule of thumb, reinforcing the prevailing building orientation pattern in an area helps with contextual fit, while introducing a new orientation typically only works for landmark buildings, which are intended to stand out from the prevailing pattern.

Appendix B4. Landscaping, Open Space, and Buffering Tools

In low-rise residential areas, the lawns and gardens surrounding individual houses often work together to create a “neighbourhood landscape”. To control the amount of landscaped area on a lot, a combination of zoning tools may be used including setback, coverage, and minimum landscape requirements. Other zoning tools can also be used to reserve areas of a site for landscaping and to restrict the total area of a site that can be paved (e.g., for driveways, walkways, and hard-surface patios). In doing so, proper drainage and groundwater infiltration on-site can be secured to meet flood protection and/or wet weather flow standards.

In mid-rise and high-rise areas, depending on the Place Type and the level of intensity that is permitted, the amount of required landscaping and open space can vary widely. In areas that are intensifying and where buildings are permitted to occupy a large percentage of the site, it is extremely important to make a distinction between “softscaped” areas, which support plantings (e.g., grass, flowers, shrubs, and trees), and “hardscaped” open space areas, which are reserved for patios and courtyards. Amongst other things, zoning tools can be used to set soil depth and volume requirements, and regulate the percentage of a site that cannot be paved or the area of a site that must be landscaped. Often, minimum required landscape area provisions for a site are of a size that supports buffer landscaping like canopy trees and shrubs; in supporting plantings of this size, issues pertaining to privacy and overlook may be easily mitigated through natural interventions.

It should be noted that within older neighbourhoods, buildings and their associated parking and loading areas often occupy a large percentage of their site. As a result, little room is reserved for landscaping and open space, resulting in drainage challenges. Green roof regulations may be established by a municipality to help combat these challenges; however, these types of regulations are not typically a component of a zoning by-law. Nonetheless, they can aid the City in meeting environmental and sustainability objectives, such as lowering the heat island effect.

All in all, there are several zoning tools that may be used to control landscaping and open space allocations on a site including:

- Setbacks and build-to lines that require a certain percentage of a building’s façade to be built on, or a specified distance from, property lines;
- Building coverage maximums;
- Landscaping or open space minimums (i.e., as a percentage of lot size);
- Established tree planting areas with minimum soil volumes;
- Perimeter landscape buffering requirements; and,
- Setting maximum driveway dimensions (i.e., maximum width limit of a paved area as a percentage of lot size).

Appendix B5. Vehicular Access and Parking Location Tools

In low-rise residential neighbourhoods, the location of garages and driveways, as well as driveway width and length, have an impact on the look and feel of the site and the surrounding area. As sites become narrower, garages and driveways tend to dominate the front yards and the front façades of houses, which in turn negatively impacts neighbourhood character. In some areas of London, garage access is via a rear laneway. This can solve many parking-related issues; however, London does not have an extensive rear laneway network. Additionally, in many cases the laneways are unassumed and consequently not maintained or plowed in the winter. Encouraging rear lanes as part of new neighbourhood developments and improving existing laneway networks can help reduce parking and access challenges in low-rise neighbourhoods.

In mid-rise and high-rise areas, the location and size of driveways that provide access to parking, pick-up, drop-off, and loading areas impact the look and feel of a development. *The London Plan* speaks to creating a sense of place and reinforcing neighbourhood character in part by requiring vehicles to access a site from less busy streets (e.g., from a local street rather than an arterial roadway). Using zoning tools, the widths of parking entrances and garage door heights can be regulated, and limitations on the types of loading spaces and way in which garbage is stored on-site can be established to better control parking and vehicle access. Additionally, with the growth of the online economy and ecommerce resulting in more home deliveries, on-site solutions to increase short-term parking provisions are important. For instance, temporary parking spaces for delivery vehicles and ride-hail services may be set by the zoning by-law.

Potential zoning tools that can be used to control vehicle access include:

- Restrictions on the number of permitted curb cuts;
- Restrictions on driveway width and location;
- Restrictions on underground garage parking openings;
- Clear rules about the type of loading spaces required and how large they can be;
- Pick-up and drop-off area requirements;
- Bicycle access regulations; and,
- Requiring lots with rear lanes to provide parking access from the rear lane.

Potential zoning tools that can be used to control parking location and size on a site include:

- Requiring minimum setbacks for parking areas to ensure parking is located behind or beside buildings;
- Requiring a minimum percentage of the lot to be landscaped open space;
- Requiring landscape buffering and screening around parking areas;
- Requiring new developments to provide parking access from a centralized driveway;
- Limiting the number of curb cuts and access points; and,
- Establishing maximum building coverage provisions.

Appendix B6. Stepbacks and Building Scales

Stepbacks can be employed effectively at all building scales. In low-rise residential neighbourhoods that are intensifying and beginning to permit more intense housing types, stepbacks may be used to ensure appropriate transitions between higher and lower intensity areas. This results in the scale of new development reflecting that of existing development on the other side of a shared property line. In turn, this reduces the potential shadowing and overlook impacts of the new development.

For mid-rise buildings, stepbacks can be employed along front property lines, especially along commercial streets, to assist with meeting performance measures such as those that ensure sunlight touches the sidewalk on the opposite side of the street for a specified period of time during a day (e.g., between 11 a.m. and 3 p.m. from March 1st to June 21st). Further, as with low-rise residential neighbourhoods, along side and rear property lines stepbacks can be used to ensure the scale of buildings on adjacent properties are similar to reduce shadowing and overlook impacts.

High-rise buildings may use stepbacks at their base in the same way stepbacks are used by mid-rise buildings. The tower portion of a high-rise building may be required to have large stepbacks from the walls of the tower's base that abut lower intensity developments. In doing so, a good transition in built form can be achieved and a tall building's "hover factor" can be reduced (i.e., by increasing the separation distance between a lower intensity development and a tower, the tower will have less perceived presence and subsequently not appear to "hover" over an existing development).

In regard to tower-podium tall buildings, many municipalities require the tower portion of the building to stepback from the front property line and rear or side property line at a minimum of 1.5 m to 5 m and 10 m to 20 m, respectively, adjacent to low-rise residential areas. Specific setback distances are calibrated to suit the site's context. Generally, the greater the difference in building intensity and massing on either side of a property line, the greater the stepback required to achieve a good transition in built form.

Appendix B7. Roof Pitch and Design

For low-rise areas, the most important aspect of roof design is the massing of the area between the eaves line and the top of the roof. It is possible for flat roof buildings to be located harmoniously next to pitched roof buildings, so long as the eaves lines and top of roof height closely match, and the livable area above the eaves line is setback the same distance from the property lines. For example, it is possible for a 2½-storey pitched roof house with dormer windows to be compatible with a 3-storey flat roof house where the livable area above the eaves line stepsback and occupies the same area as the top story of the pitched roof house. In this example the roof design differs, but the overall bulk, massing, and height of the two structures are very similar.

To allow for different roof designs that can fit harmoniously together, it is important to establish the following using a variety of zoning tools:

- An overall building height limit that is measured to the top of the eaves line, not the top of the roof;
- A required stepback and floorplate size, based on a percentage of the floor below (e.g., 50%), where partial storeys are permitted above the eaves line;
- A clear rule pertaining to where height is measured from (e.g., average grade at the midpoint of the front property line) to prevent developers from manipulating the grading of a site to secure additional building height; and,
- Setbacks for dormers or walls above the eaves line.

Appendix B8. Parking Garages

As areas intensify, lots and buildings tend to become narrower. Due to space restrictions, on narrower lots, garages become a part of the main structure of a building. As a result, large portions of the main floor of a building may be occupied by a garage, which then forces active living spaces to higher levels. Zoning tools may be used to regulate parking garage design to ensure new buildings reflect the existing context. These tools include, but are not limited to:

- Establishing minimum garage setbacks (e.g., expressed as a minimum number in metres behind the front façade of a house);
- Establishing maximum garage and garage door widths (e.g., expressed as a maximum number in metres or as a percentage of the front façade);
- Establishing a maximum percentage of the ground floor that can be occupied by a garage;
- Ensuring garage areas are included as part of a building's GFA;
- Eliminating the requirement for garages (i.e., remove parking requirements);
- Allow on-street, permitted parking, combined with a no on-site parking requirement;
- Require parking to be accessed from a rear lane when one exists;
- Require above-grade parking within a building to be lined with active uses where it is visible from the public realm; and,
- Ensuring above-grade parking is included within a building's envelope and included as part of the building's GFA.

Appendix C. *The London Plan* and Zoning

Appendix C1. Permitted Height and Density within each Urban Place Type.

This appendix presents the permitted heights and densities for each Urban Place Type in *The London Plan*. The Urban Place Types include the Downtown, Transit Village, Rapid Transit Corridor, Urban Corridor, Shopping Area, Main Street, High Density Residential Overlay, Institutional, and Industrial Place Types. Table C1 presents the minimum height (in storeys and/or metres); the standard minimum height (in storeys); any height conditions; minimum density policies for Protected Major Transit Station Areas (PMTSAs); and the general intensity-related policies for each Urban Place Type.

Table C1. Permitted Height and Density within each Urban Place Type

Permitted Height and Density within each Urban Place Type					
Place Type	Min. Height	Standard Min. Height	Height Conditions	PMTSA Min. Density	Intensity Policies in <i>The London Plan</i>
Downtown	3 storeys or 9 m	20 storeys		280 residents and jobs combined per hectare. 60 units per hectare for residential uses or a FAR of 0.6 for non-residential uses.	LP 802: The Downtown will permit the tallest buildings and the highest densities in the city. The following intensity policies apply within the Downtown Place Type: <ol style="list-style-type: none"> 1. Buildings within the Downtown Place Type will be a minimum of either three storeys or nine metres in height and will not exceed 20 storeys in height. 2. Tall buildings will be permitted only where they achieve a high level of design excellence in conformity with the City Design policies and in accordance with associated guidelines of this Plan. 3. The evaluation of height and built form will consider access to sunlight by adjacent properties, wind impacts, view corridors, visual impacts on the Thames Valley Corridor, and potential impacts on public spaces and heritage properties located in close proximity to proposed development. 4. There will be no minimum parking required for Downtown residential development. 5. The Zoning By-law will include regulations to ensure that the intensity of development is appropriate for individual sites. 6. The full extent of intensity described above will not necessarily be permitted on all sites within the Downtown Place Type.

<p>Transit Village</p>	<p>2 storeys or 8 m</p>	<p>15 storeys</p>		<p>150 residents and jobs combined per hectare.</p> <p>45 units per hectare for residential uses or a FAR of 0.5 for non-residential uses.</p>	<p>LP 810*: The following intensity policies apply within the Transit Village Place Type:</p> <ol style="list-style-type: none"> 1. Buildings within the Transit Village Place Type will be a minimum of either two storeys or eight metres in height and will not exceed 15 storeys in height. 2. Planning and development applications within the Transit Village Place Type will be evaluated to ensure that they provide for an adequate level of intensity to support the goals of the Place Type, including supporting rapid transit, efficiently utilizing infrastructure and services, ensuring that the limited amount of land within this Place Type is fully utilized, and promoting mixed-use forms of development. 3. Permitted building heights will step down from the core of the Transit Village to any adjacent Neighbourhoods Place Types. 4. For larger scale projects on deep lots, a grid-based internal road network should be established to facilitate further development/redevelopment over time. 5. In aggregate, no more than 20,000 m² of office space will be permitted within any Transit Village Place Type. Individual buildings will not contain more than 5,000 m² of office space. 6. The Zoning By-law will include regulations to ensure that the intensity of development is appropriate for individual sites. 7. The full extent of intensity described above will not necessarily be permitted on all sites within the Transit Village Place Type. <p>*Policy subject to LPAT Appeal PL170100.</p>
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Rapid Transit Corridor	2 storeys or 8 m	8 storeys	Properties located on a Rapid Transit Corridor.		<p>LP 840*: The following intensity policies apply within the Rapid Transit and Urban Corridor Place Types unless otherwise identified:</p> <ol style="list-style-type: none"> 1. Development within Corridors will be sensitive to adjacent land uses and employ such methods as transitioning building heights or providing sufficient buffers to ensure compatibility. 2. Commercial buildings should not exceed 6,000 m² in size within Corridors. 3. Lot assembly is encouraged within the Corridor Place Types to create comprehensive developments that reduce vehicular accesses to the street and to allow for coordinated parking facilities. 4. Lots will be of sufficient size and configuration to accommodate the proposed development and to help mitigate planning impacts on adjacent uses. 5. Individual buildings will not contain more than 2,000 m² of office space, except within 100 metres of rapid transit stations where buildings may contain up to 5,000 m² of office space. An aggregate total of no more than 5,000 m² will be allowed within 100 metres of a rapid transit station. 6. As shown on Table 9, greater residential intensity may be permitted within the Rapid Transit Corridor Place Type on sites that are located within 100 metres of a rapid transit station. 7. The Zoning By-law will include regulations to ensure that the intensity of development is appropriate for individual sites. 8. The full extent of intensity described above will not necessarily be permitted on all sites within the Rapid Transit and Urban Corridor Place Types. <p>*Policy subject to LPAT Appeal PL170100.</p> <p>Note that intensity policies differ for Main Street, Preservation, and Transitional Urban Corridors, as outlined in <i>The London Plan</i>.</p>
	2 storeys or 8 m	12 storeys	Properties located on a Rapid Transit Corridor within 100 m of rapid transit stations or properties at the intersection of the Rapid Transit Corridor and Civic Boulevard or Urban Thoroughfare.	<p>120 residents and jobs combined per hectare.</p> <p>45 units per hectare for residential uses or a FAR of 0.5 for non-residential uses.</p>	
Urban Corridor	2 storeys or 8 m	6 storeys			

Shopping Area	1 storey	4 storeys			<p>LP 878: The following intensity policies apply within the Shopping Area Place Type:</p> <ol style="list-style-type: none"> 1. It is the intent of this Plan to allow for the more intense and efficient use of Shopping Area sites through redevelopment, expansion, and the introduction of residential development. 2. Buildings within the Shopping Area Place Type will not exceed four storeys in height. 3. Adequate off-street parking will be provided to ensure there are no negative impacts on adjacent streets. Underground parking will be encouraged. 4. Development within the Shopping Area Place Type will be sensitive to adjacent land uses and employ such methods as transitioning building heights and providing sufficient buffers to ensure compatibility. 5. Lots will be of sufficient size and configuration to accommodate the proposed development and to help mitigate planning impacts on adjacent uses. 6. Total aggregate office uses will not exceed 2,000 m² within a Shopping Area Place Type. 7. The Zoning By-law will include regulations to ensure that the intensity of development is appropriate for individual sites. 8. The full extent of intensity described above will not necessarily be permitted on all sites within the Shopping Area Place Type.
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Main Street	2 storeys or 8 m	4 storeys			<p>LP 910: The following intensity policies will apply within the Main Street Place Type:</p> <ol style="list-style-type: none"> 1. Buildings in Main Street Place Types will be designed to fit in scale and character with the surrounding streetscape, while allowing for appropriate infill and redevelopment. 2. Buildings in the Main Street Place Types that are in new neighbourhoods will fit in with the planned vision, scale, and character of the area. 3. Large floor plate commercial buildings will not be permitted. 4. Buildings will be a minimum of either two storeys or eight metres in height and will not exceed four storeys in height. 5. Individual buildings will not contain any more than 2,000 m² of office space. 6. The Zoning By-law will include regulations to ensure that the intensity of development is appropriate for individual sites. 7. The full extent of intensity described above will not necessarily be permitted on all sites within the Main Street Place Type.
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Neighbourhood	See Appendix F			<p>LP 935: The following intensity policies will apply within the Neighbourhoods Place Type:</p> <ol style="list-style-type: none"> 1. Table 11 – Range of Permitted Heights in Neighbourhoods Place Type, provides the range of permitted heights in the Neighbourhoods Place Type, based on street classification. 2. Floor area limits for retail, services, and offices uses are shown on Table 12 -Retail, Service, and Office Floor Area Permitted in Neighbourhoods Place Type. 3. Zoning will be applied to ensure an intensity of development that is appropriate to the neighbourhood context, utilizing regulations for such things as height, density, GFA, coverage, frontage, minimum parking, setback, and landscaped open space. 4. The full extent of intensity described above and shown on Table 11 will not necessarily be permitted on all sites within the Neighbourhoods Place Type. 5. Specific Policies for the Neighbourhoods Place Type, at the end of this chapter, may not permit the full range of intensity.
High Density Residential Overlay (from 1989 Official Plan)	2 storeys	12 storeys	See High Density Residential Overlay (from 1989 Official Plan) policies for greater detail.	<p>LP 958*: Notwithstanding the height and intensity policies of the underlying Place Type, the following overlay policies may be applied:</p> <ol style="list-style-type: none"> 1. Inside the Primary Transit Area, residential development may be permitted up to 12 storeys in height within the High Density Residential Overlay (from 1989 Official Plan). 2. Outside the Primary Transit Area residential development may be permitted up to 12 storeys in height and at a density of up to 150 units per

				<ol style="list-style-type: none"> 3. On large sites or areas within the High Density Residential Overlay (from 1989 Official Plan), capable of accommodating multiple buildings, a diversity of housing forms such as mid-rise and low-rise apartments and multiple attached dwellings will be required. 4. Zoning may not allow for the full range of height and density identified in these policies. 5. Where Specific Policies are established for lands within the High Density Residential Overlay (from 1989 Official Plan), and there is a conflict between those policies and the parent High Density Residential Overlay (from 1989 Official Plan) policies, the Specific Policies shall prevail. 6. New or expanded High Density Residential Overlay (from 1989 Official Plan) designations will not be permitted. <p>*Policy subject to LPAT Appeal PL170100.</p>
Institutional	2 storeys or 8 m	12 storeys		<p>LP 1086: The following intensity policies will apply within the Institutional Place Type:</p> <ol style="list-style-type: none"> 1. Buildings within the Institutional Place Type will be a minimum of either two storeys or eight metres in height and will not exceed 12 storeys in height. 2. The Zoning By-law will include regulations to ensure that the intensity of development is appropriate for individual sites. 3. The full extent of intensity described above will not necessarily be permitted on all sites within the Institutional Place Type.

Industrial	1 storey	2 storeys	Commercial Industrial Place Type only.		<p>LP 1124: The following intensity policies apply within all Industrial Place Types:</p> <ol style="list-style-type: none"> 1. Industrial uses will be encouraged to utilize land efficiently. High building coverage ratios and high employment densities will be sought wherever possible. 2. The intensity of industrial uses may be moderated by zoning regulations, where appropriate, to limit the extent of their noise, vibration, dust, and odour emissions. 3. Height within the Commercial Industrial Place Type will not exceed two storeys. 4. Accessory office uses will not be limited in size provided they meet the definition of accessory office. 5. Service offices will be no larger than 2,000 m². 6. The Zoning By-law will include regulations to ensure that the intensity of development is appropriate for individual sites. 7. The full extent of intensity described above will not necessarily be permitted on all sites within the applicable Industrial Place Type.
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Notes:

- Primarily informed by Table 8 of *The London Plan*.
- The heights and intensity measures shown in the above table will not necessarily be permitted on all sites within the relevant Place Type as site-specific policies may be in-force.
- Where more specific policies exist in *The London Plan* relating to height or intensity for an area or specific site, the more specific policies prevail.

Appendix C2. Permitted Intensity for the Neighbourhood Place Type

This appendix presents a summary of the intensity that is permitted in the Neighbourhoods Place Type. Table C2 presents the range of permitted heights and retail, service, and office floor area permissions for a property, conditional upon the classification of the street the property has frontage on, the classification of the intersecting street, and whether the property fronts onto a park.

Table C2. Permitted Intensity for the Neighbourhood Place Type

Permitted Intensity for the Neighbourhood Place Type							
	Street onto which Property has Frontage	Minimum and Maximum Height (storeys) that may be permitted along this Classification of Street (base condition)	Minimum and Maximum Height (storeys) that may be permitted conditional upon Classification of Intersecting Street				Minimum and Maximum Height (storeys) that may be permitted conditional upon Fronting onto Park
			Neighbourhood Street	Neighbourhood Connector	Civic Boulevard	Urban Throughfare	Fronting onto Park
Range of Permitted Heights	Neighbourhood Street	Min. 1 Max. 2.5	Same as base				
	Neighbourhood Connector	Min. 1 Max. 2.5	Same as base		Min. 2 Max. 3		
	Civic Boulevard	Min. 2 Max. 4	Same as base				
	Urban Throughfare	Min. 2 Max. 4	Same as base				

Permitted Intensity for the Neighbourhood Place Type							
	Street onto which Property has Frontage	Maximum Floor Area that may be permitted along this Classification of Street	Maximum Floor Space Area that may be permitted conditional upon Classification of Intersecting Street				Maximum Floor Area that may be permitted conditional upon Fronting onto Park
			Neighbourhood Street	Neighbourhood Connector	Civic Boulevard	Urban Throughfare	Fronting onto Park
Retail, Service, and Office Floor Area Permissions	Neighbourhood Street	N/A	N/A				
	Neighbourhood Connector	N/A	N/A	Total at intersection: 200 m ²		200 m ²	
	Civic Boulevard	N/A	N/A	Total at intersection: 200 m ²	Total at intersection: 2000 m ²	N/A	
	Urban Throughfare	N/A	N/A	Total at intersection: 200 m ²	Total at intersection: 2000 m ²	N/A	

Notes:

- Reproduction of Table 11 and Table 12 from *The London Plan*, currently under appeal.
- The heights and intensity measures shown in the above table will not necessarily be permitted on all sites within the relevant Place Type, as site-specific policies may be in-force.
- Where more specific policies exist in *The London Plan* relating to height or intensity for an area or a specific site, the more specific policies prevail.

Appendix C3. How the New Zoning By-law Can Support *The London Plan*

As per *The London Plan*, the City's new zoning by-law may be used to regulate the type of construction and the height, bulk, location, size, floor area, spacing, character and use of buildings or structures to be erected, the minimum frontage and depth of the parcel of land, and the proportion of the area thereof that any building or structure may occupy (LP 1635.7). It may also regulate the minimum area of the parcel of land, the minimum and maximum density, and the minimum and maximum height of development (LP 1635.10). Amendments to the zoning by-law may be made, such as in the case that it is determined that the assumptions and conditions on which the regulations are based have changed to the extent that regulations are no longer appropriate, or existing regulations need to be refined as a result of further study (LP 1636).

Critical to the success of the London zoning by-law's regulations is their ability to encourage the positive outcomes associated with growth and development. The intensification policies of *The London Plan* direct the City to achieve a compact, contiguous pattern of growth that looks inward and upward (LP 59.2) to:

- Foster the development of vibrant, connected, and walkable neighbourhoods that are designed to support healthy lifestyles;
- Revitalize existing urban neighbourhoods and business areas;
- Protect prime agricultural lands; and
- Increase accessibility to mobility alternatives and affordable housing.

Further, a very compact form of growth has the potential to reduce infrastructure and annual operating costs, and lower greenhouse gas emissions and energy consumption. This is achieved through a development approach that plans for infill and intensification of various types and forms to efficiently use existing land, services, and facilities, and reduce the need to grow outward (LP 59.4). Importantly, to enhance the walkability of a neighbourhood and generate pedestrian activity, a mix of uses in close proximity to one another should be supported (LP 59.6) and a range of housing types should be provided (LP 59.5).

In concentrating high-intensity, mixed-use development in strategic locations that are well-served and supported by higher-order transit, such as Transit Villages and along Rapid Transit Corridors, dependence on private automobile use is decreased. This in turn encourages the use of alternative forms of transportation, such as public transit, walking, and cycling. In reducing automobile dependence, and consequently use, significant economic, health, and environmental benefits are gained by individuals and the region as a whole. Lower vehicular congestion and pollution emissions improve the health and well-being of the community and reduce costs associated with energy and fuel use and consumption. Further, in neighbourhoods where automobiles are not the dominant form of transport, space that is traditionally reserved for auto-oriented infrastructure, such as parking lots or additional

lanes of traffic, may be reallocated to the public realm and/or other uses. As a result, establishing density targets and reduced minimum parking requirements supports the achievement of the City's intensification goals.

Moreover, buildings with a more compact shape and massing than other built forms have the potential to reduce energy loads. Consequently, the range of proportions for high-rise buildings is an important consideration for the City's new zoning by-law from an environmental design and climate mitigation and adaptation perspective.

Appendix C4. *The London Plan* and Character

The London Plan states that buildings will be designed to have a sense of place and character consistent with the planned vision of the Place Type (LP 197). The Plan goes on to state that all planning and development proposals within existing and new neighbourhoods will be required to articulate the neighbourhood's character and demonstrate how the proposal has been designed to fit within that context (LP 199).

In terms of site layout aspirations that can be controlled either directly or indirectly using a variety of zoning tools, *The London Plan* promotes sites that are designed to, amongst other things:

- Respond to the context of the existing and planned character of the surrounding area;
- Minimize and mitigate impacts on adjacent properties;
- Locate and configure parking areas to support the planned vision of the Place Type and enhance the experience of pedestrians, transit-users, cyclists, and drivers (LP 270-283); and
- Locate buildings to:
 - Maintain and reinforce the prevailing street wall or street line of existing buildings,
 - Provide minimal setbacks from public streets and public spaces to create an inviting, active, and comfortable pedestrian environment, and
 - Minimize the visual exposure of parking areas to the street (LP 252-269).

In terms of building design and built form issues that can be controlled either directly or indirectly using a variety of zoning tools, *The London Plan* promotes buildings that are designed to, amongst other things:

- Support the planned vision of the Place Type and establish character and a sense of place for the surrounding area;
- Support pedestrian activity and safety (e.g., prohibiting large expanses of blank wall along the street edge);
- Achieve human-scale relationships that are comfortable for pedestrians;
- Have heights that have a proportional relationship to the width of the abutting public right-of-way to achieve a sense of enclosure;
- Establish an edge, definition, and a sense of enclosure to public spaces;
- For mid-rise and high-rise buildings, express three defined components: a base, middle, and top;
- Incorporate a podium at the building base of high-rise buildings to reduce the apparent height and mass of the building on the pedestrian environment;
- Have slender towers to minimize massing, shadowing, visual impact, and the obstruction of views from the street, public spaces, and neighbouring properties;
- Have active frontages;
- Minimize the impact of parking facilities on the public realm; and,
- Incorporate design measures relating to building height, scale, and massing to provide a transition between development of significantly different intensities while considering the existing and planned context (LP 284-300).

Appendix C5. Evaluation Criteria for Planning and Development Applications

The London Plan provides evaluation criteria for planning and development applications (LP 1578), as follows:

All planning and development applications will be evaluated with consideration of the use, intensity, and form that is being proposed. The following criteria will be used to evaluate all planning and development applications:

... 7. The degree to which the proposal fits within its context. It must be clear that this is not intended to mean that a proposal must be the same as development in the surrounding context. Rather, it will need to be shown that the proposal is sensitive to, and compatible with, its context. It should be recognized that the context consists of existing development as well as the planning policy goals for the site and surrounding area. Considering the type of application under review, and its context, an analysis of fit may include such things as:

- a. Policy goals and objectives for the Place Type;*
- b. Policy goals and objectives expressed in the City Design chapter of the Plan;*
- c. Neighbourhood character;*
- d. Streetscape character;*
- e. Street wall;*
- f. Height;*
- g. Density;*
- h. Massing;*
- i. Scale;*
- j. Placement of building;*
- k. Setback and stepback;*
- l. Relationship to adjacent buildings;*
- m. Proposed architectural attributes such as windows, doors, and rooflines;*
- n. Materials;*
- o. Relationship to cultural heritage resources on the site and adjacent to it;*
- p. Landscaping and trees;*
- q. Coordination of access points and connections; and*
- r. Other relevant matters related to use, intensity, and form.*

Appendix D. Zoning and Non-Zoning Tools

Appendix D1. Other Tools to Regulate Intensity

The following tools can be used in combination or in place of conventional zoning tools:

- **Site plan approval** is a planning approval process that reviews the location and design of buildings and structures and determines their compliance with urban and landscape design guidelines and sustainable design standards. Site plan approval may be used in addition to a zoning by-law amendment to ensure certain standards are met. Through the site plan approval process, the City can request reports and studies to determine whether a level of intensity or building form is appropriate within a given context. Studies on shadows, traffic impacts, or servicing can alert the City to potential issues associated with excessive building intensity.
- **Holding provisions** are a tool used by municipalities to ensure additional requirements are met before a final approval for a development is provided. Holding provisions may be applied to ensure adequate infrastructure, services, and community services and facilities are or will be available, and the measures to mitigate negative impacts or satisfy policies of an official plan are adopted.
- **Form-based zoning** is a form of zoning that is primarily focused on the relationship between a building and the street or its adjacent uses. Although form-based zoning is primarily focused on building form, it inherently regulates intensity by regulating the size and shape of a development (see Part II – Zoning and Form).
- **Design guidelines** act as a guide for desirable built form that can be used to achieve specific design outcomes and implement policies contained in an official plan. Design guidelines generally do not have statutory power but can be used in combination with site plan approval to achieve positive design outcomes. In the event that a proposal exceeds intensity regulations, urban design can be the limiting factor for a proposed development; where a building does not satisfy the design guidelines it may limit achievable intensity.

Appendix D2. Other Non-Zoning Tools to Consider

This discussion paper has explored a series of zoning tools that can be used to ensure the form of new development will be context appropriate and the potential negative impacts of intensification will be minimized. It is important to note, however, that not all of the built form aspirations outlined in *The London Plan* can be implemented using zoning tools. Zoning can be very effective in establishing the building envelope, its basic shape and form, as well as the location and orientation of the building on a site. However, when striving to ensure that new development fits into the surrounding context, there are some aspects of built form that are beyond the purview of zoning. To deal with these built form issues it is necessary to turn to other kinds of tools, including site plan controls, design guidelines, and urban design peer review panels, awards and competitions, and public realm standards.

Site Plan Control

Site plan control is an optional tool under Section 41 of the *Planning Act* that allows a municipality to evaluate certain site elements of a proposed development, such as access for pedestrians and vehicles, walkways, lighting, waste facilities, landscaping, and exterior design. This control over site-specific matters is meant to ensure that a development proposal is well-designed, fits in with surrounding uses, and minimizes potential negative impacts of new development. Through the site plan process, applicants are required to submit plans and drawings displaying detailed building matters, such as the location of structures, landscaping, traffic and pedestrian access, and exterior design.

With respect to design controls, site plan control can influence building design details that are beyond the reach of zoning tools; however, the *Planning Act* limits a municipality's site plan approval power to the "exterior design" of a building, which may include "character, scale, appearance, and the design features of buildings". Site plan control can be used to regulate the look and character of a building, but it cannot be used to establish requirements for the physical construction or materials of a building. For example, to maintain the exterior architectural character of an area, a municipality may, through site plan control, require the colours of a new building to be consistent with that of the brick on buildings in the surrounding area. However, the municipality cannot require that the new building be constructed of bricks.

Design Guidelines

Urban design guidelines are a series of statements and diagrams that establish and communicate the desired design and qualities of new developments. Urban design guidelines are holistic in their approach and address elements beyond the scope of zoning tools. The guidelines represent built environment design best practices and use language that is free of command verbs. For instance, guidelines use words like "recommend" and "suggest" in place of "shall" or "must", which are traditionally found in a municipality's official plan and zoning by-law. While compliance with the guidelines is not required and the guidelines do not hold the same weight as an official plan or zoning by-law at the Ontario Land Tribunal, they influence building design by illustrating in great detail, through the use of drawings, diagrams, and photos, how a municipality's official plan built form policies are to be interpreted.

Municipalities often create area specific design guidelines in addition to city-wide design guidelines to illustrate the desirable form of particular building types, such as low-rise buildings (up to 4 storeys), mid-rise buildings (4 to 8 storeys), and high-rise buildings (9 or more storeys). In relation to London, area specific design guidelines could be developed for each Place Type or neighbourhood.

Urban Design Peer Review Panels

Like many municipalities across Ontario, the City of London has an Urban Design Peer Review Panel (UDPRP). The UDPRP is an additional tool that may be used by the City to ensure new development fits within the existing and planned context of an area. As per LP 306:

City Council may appoint an Urban Design Peer Review Panel, made up of urban design experts, who will provide advice to development applicants, Planning Staff, and Council through the evaluation of planning and development applications. Such evaluation will be based upon the policies of this Plan and any relevant guideline documents that have been adopted by Council.

The UDPRP's scope of work is outlined in the City's Terms of Reference (February 2020):

The UDPRP provides advice to City staff on applicable planning applications, including Official Plan Amendments, Zoning By-law Amendments, Subdivision Applications, and Site Plan Applications pertaining to urban design, as well as advice on urban designed-focused policy amendments and other initiatives. The advice of the UDPRP will be included in the applicable staff reports to the appropriate Committee of Council and/or to the applicable Approval Authority.

The UDPRP will evaluate applications related to their potential role in fostering:

- *A well-designed built form;*
- *Development that is compatible and a good fit within its context;*
- *A high-quality, distinctive and memorable city image;*
- *Development that supports a positive pedestrian environment;*
- *All types of active mobility and universal accessibility;*
- *High-quality public spaces that are safe, accessible, attractive and vibrant;*
- *A mix of housing types;*
- *Sustainability; and,*
- *A sense of place and character through healthy, diverse, and vibrant neighbourhoods.*

As previously discussed, zoning provisions that require exact compliance are not always the most appropriate for guiding the built form of new development as design is a creative field that thrives in an environment where alternative designs can be considered. In situations where design leeway is appropriate, the application of broad polices and urban design guidelines, as defined by the UDPRP in their review of proposals, can result in a built form that supports the aspirations of *The London Plan* while enhancing the public realm and providing a new, distinct sense of place.

Urban Design Award Programs and Competitions

Another tool for promoting built form design excellence is a City-sponsored urban design awards program. In 2018, the City of London created an awards program with the following mandate:

The City of London Urban Design Awards Program is intended to recognize, celebrate, and inspire design excellence in the City of London. Awards will be granted for exceptional projects that represent visionary thinking and “raise the bar” for design excellence in London. Urban Design Awards will be granted once every two years. City Planning will be responsible for administering this program in accordance with the Terms of Reference.

Many categories in the awards program reinforce the built form goals and aspirations of *The London Plan*. Several categories are detailed below:

- **Buildings:** an individual building, or a composition of buildings, which achieves urban design excellence through its relationship to the public realm, its massing, detailing, and pedestrian amenities;
- **Buildings (Small Scale Residential):** a residential building, which achieves urban design excellence through its relationship to the surrounding neighbourhood, its massing, siting, and detailing;
- **Large Places and Neighbourhoods:** new or renovated large-scale areas of the city; and,
- **Restoration, Rehabilitation and Adaptive Reuse:** renovated, restored, and adaptively reused buildings and groups of buildings.

Celebrating and awarding new and rehabilitated buildings that meet *The London Plan*'s objective of promoting urban design excellence is an effective tool the City should continue to use to ensure existing and new development fits within the context of its surrounding area. Given the importance and varying effects of different building forms on perspectives of the built environment, it may be worth considering adding separate categories for mid-rise and high-rise buildings to the urban design awards program. In doing so, the best examples of each building type category will have a fair opportunity to receive an award and model London's vision of a desirable built form.

Public Realm Standards

As the character of parks, plazas, open spaces, and streets have a profound impact on the look and feel of a community, Form-Based Codes often include zoning provisions that regulate the public realm. In regard to streets, the City of London has already created a series of standards (see the [*Complete Streets Design Manual*](#)). While this document is not considered part of the current zoning by-law, the standards work with the policies of *The London Plan* to ensure the design of public streets reinforce the characteristics of each Place Type and the built form aspirations of the Plan. The new zoning by-law would provide further support for these standards.

Appendix D3. Other Form-Related Tools to Consider

Design Competitions

The objective of a design competition is to deliver a high standard of architectural, urban, and landscape design, generally above and beyond that which is expected of a traditional development proposal. Design competitions seek to push the envelop of urban design and foster development that improves urban spaces by positively contributing to the public domain in a new and creative way.

Design Charrettes

For key development sites where there is a willing landowner, or on City-owned lands, organizing a design charrette can be a great way to ensure the City achieves its desired Place Type built form objectives. A design charrette typically involves bringing all parties whom will be affected by a new development together, on or near the development site, to work collaboratively on a design proposal. As a successful design charrette process requires the cooperation of the applicant as well as the willingness of surrounding landowners and area residents, it is not feasible for every development site. However, where it is feasible the design charrette can be one of the most powerful and effective tools for achieving context appropriate development that is supported by the community. Since all stakeholders are brought together and able to communicate feedback to one another directly, a successful design charette process has the potential to speed up the development review process as well.

Enhanced Budgets for Streetscaping Initiatives

As many of *The London Plan's* Place Type policies are tied to specific street types, the intensity and form of new developments are heavily influenced by the design, look, and feel of abutting street corridors. For example, within Urban Corridor Place Types the width of the right-of-way is often planned with future road widenings in mind. As a result, there are large swaths of public land on both sides of the road as new development is required to be built at or close to the front property line, which is significantly setback from the existing street. In these areas, to better fulfill the design objectives of *The London Plan*, the public lands can receive enhanced landscaping and/or improved streetscaping, including new street furniture and amenities. Alternatively, public lands may be reallocated for other temporary uses, such as sidewalk cafes or galleries, to activate the street and support a more vibrant and engaging public realm. The City of London could support such initiatives by establishing a budget for public realm improvements within specific Place Types.

Appendix E. Other Considerations for the New Zoning By-Law

Appendix E1. Building Types and Place Types

Low-Rise Building Types

As *The London Plan* emphasizes the importance of regulating form and contextual fit over use, a great variety of low-rise building types (1 to 3 storeys) are permitted to locate in close proximity to one another within certain Place Types - as long as each building type's form-based provisions are followed. To ensure different building types fit harmoniously with one another and reinforce the existing neighbourhood's character, a series of design goals are outlined in *The London Plan*. These goals include, amongst other things, the realization of:

- Appropriate transitions between different building heights;
- Clearly visible front entrances;
- Consistent setbacks;
- Consistent eaves lines, first floor elevation heights, and floor to floor heights;
- Appropriate relationships between a building's front façade and/or frontage and the street;
- Active living spaces at-grade to facilitate casual surveillance of the street; and,
- Reserved space in the front yard for landscaping.

To illustrate how form-based zoning provisions may help ensure various low-rise building types co-exist harmoniously, picture a residential street on which there are single detached houses, townhouses, and a fourplex building. All these building types are comprised of the same use – residential dwelling units – but each takes a different form. The single detached houses may have side driveways and garages located at the rear of the property, while the townhouses may have separate, street-facing garages and individual amenity areas. The fourplex may have a central driveway that leads to a parking garage at the rear of the building, and a shared amenity area that is used by all residents. If each of these three building types meet the design goals of *The London Plan* such that they are all oriented to the street and have identifiable front entrances, and consistent setbacks, floor to floor heights, and eaves line heights, then there is a very good chance that these buildings can exist in harmony and reinforce their neighbourhood's character – despite being of different building types.

Mid-Rise Building Types

Mid-rise buildings are 4 to 8 storeys (approximately 15 m to 28 m) in height. These buildings often take the form of stacked townhouses, stacked back-to-back townhouses, mansion apartments, garden apartments, Main Street mixed-use buildings, and Corridor mixed-use buildings. *The London Plan* states that mid-rise buildings should be designed to have three components: a base, middle, and top (LP 288).

The most important design goals for mid-rise buildings include achieving:

- Appropriate transitions, setbacks, and facing distances between buildings of different heights and densities on adjacent properties;
- Clearly visible front entrances;
- Consistent setbacks and build-to lines;
- Appropriate relationships between a building's front façade and/or frontage and the street;

- Active spaces at-grade on retail streets to facilitate casual surveillance of the street;
- Appropriate landscaping and buffering at-grade;
- Parking and loading access from side streets and/or rear lanes; and,
- Locating parking garages underground or when located above ground, ensuring parking areas are lined with active uses where they may be visible from the public realm.

High-Rise Building Types

High-rise buildings are taller than 8 storeys (approximately 28 m) and/or taller than the street right-of-way on which they are located. Like mid-rise buildings, *The London Plan* states that high-rise buildings should be designed to express three defined components, a base, middle, and top, but adds that alternative design solutions that address the following intentions of *The London Plan* may also be permitted (LP 289):

1. *The base should establish a human-scale façade with active frontages including, where appropriate, windows with transparent glass, forecourts, patios, awnings, lighting, and the use of materials that reinforce a human scale.*
2. *The middle (i.e., the tower) should be visually cohesive with, but distinct from, the base and top.*
3. *The top should provide a finishing treatment, such as a roof or a cornice treatment, to hide and integrate mechanical penthouses into the overall building design.*

High-rise developments are supported in Place Types with higher levels of intensification, such as Transit Villages and in the Downtown. Where high-rise developments are permitted, several design goals are intended to be achieved through the use of zoning tools. Zoning tools may be uniquely applied to the base, middle, and top of a high-rise development, as outlined below.

Base (Podium):

- Clearly visible, at-grade front entrances and active uses on retail streets;
- Comfortable street proportions that create a human scale;
- Consistent setbacks and build-to lines on retail streets;
- An appropriate frontage to street relationship, with clearly identifiable street-oriented entrances and setbacks for landscaping and buffering where residential uses are permitted and planned at grade; and,
- At-grade parking hidden from view by linear uses.

Middle (Tower):

- Appropriate transitions between different building heights and intensities, particularly across interior property lines abutted by mid-rise and low-rise developments (e.g., a minimum 15 m setback from a mid-rise tower face to a low-rise residential property line);
- Minimum tower-facing distances;
- Minimum tower stepback requirements from the street (or streets on corner lots) and/or public spaces to ensure the tower does not overwhelm the public realm; and,
- Maximum tower floorplate sizes (e.g., 750 m²).

Top:

- Establishing reasonable height exemptions for elements such as mechanical penthouses, elevator overruns, and stair access enclosures so they stepback from the edge of the tower (e.g., by 3 or 5 m) to reduce their visibility from the public realm.

Utility Building Types

Utility buildings are typically stand-alone, simple structures that can accommodate a mix of uses or exclusively commercial, retail, institutional, or industrial uses. Like the building types outlined above, utility buildings may be grouped by intensity. When located along Corridors, utility building types may become more visible than when they are located within Heavy Industrial, Light Industrial, or Commercial Industrial Place Type areas. In the next phase of the ReThink Zoning project, utility building types will be more thoroughly explored and articulated.

Other Considerations

As per *The London Plan*, buildings located within Rapid Transit Corridors, Urban Corridors, and Shopping Area Place Types are required to orient towards the street. In instances where these buildings are located on large plaza sites that feature interior parking areas, the layout of the buildings should be designed so the front entrances and windows of establishments face the street, rather than the interior parking area. Appropriate zoning tools must be incorporated into the new zoning by-law to support policies such as these, as outlined in *The London Plan*.



RETHINK ZONING DISCUSSION PAPERS

3 ZONING IN ON EXISTING USES

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Land Acknowledgement

The City of London is situated on the traditional lands of the Anishinaabek (AUh-nish-in-ah-bek), Haudenosaunee (Ho-den-no-show-nee), Lūnaapéewak (Len-ah-pay-wuk) and Attawandaron (Add-a-won-da-run).

We acknowledge all the treaties that are specific to this area: the Two Row Wampum Belt Treaty of the Haudenosaunee Confederacy/Silver Covenant Chain; the Beaver Hunting Grounds of the Haudenosaunee NANFAN Treaty of 1701; the McKee Treaty of 1790, the London Township Treaty of 1796, the Huron Tract Treaty of 1827, with the Anishinaabeg, and the Dish with One Spoon Covenant Wampum of the Anishnaabek and Haudenosaunee.

This land continues to be home to diverse Indigenous peoples (First Nations, Métis and Inuit) whom we recognize as contemporary stewards of the land and vital contributors to society. We hold all that is in the natural world in our highest esteem and give honor to the wonderment of all things within Creation. We bring our minds together as one to share good words, thoughts, feelings and sincerely send them out to each other and to all parts of creation. We are grateful for the natural gifts in our world, and we encourage everyone to be faithful to the natural laws of Creation.

The three Indigenous Nations that are neighbours to London are the Chippewas of the Thames First Nation; Oneida Nation of the Thames; and the Munsee-Delaware Nation who all continue to live as sovereign Nations with individual and unique languages, cultures and customs.

This Land Acknowledgement is a first step towards reconciliation. It is the work of all citizens to take steps towards decolonizing practices and bringing our awareness into action. We encourage everyone to be informed about the traditional lands, Treaties, history, and cultures of the Indigenous people local to their region.





Executive Summary

This paper introduces the modern concept of considering land use, intensity, and form in the new zoning by-law for London. This approach can help London achieve its goal of growing “inward and upward” over the long-term.

Conventional zoning by-laws, or Euclidean zoning, are the most common form of zoning and regulate land based on how it is to be used. In recent years, municipalities have introduced alternative zoning systems including “form-based zoning” which can support the implementation of *The London Plan* by placing a balanced emphasis on form, intensity, and use. This paper will assess the functionality and efficacy of existing land uses and definitions in the existing Zoning By-law (Z.-1), analyze minor variance data, and build on the completed ReThink Zoning Background Papers (2021) by examining approaches to zoning by-law regulations across Ontario.

Z.-1 has 46 land use zones that are further subdivided into more than 169 zone variations. Each zone has a section that identifies permitted uses, variations (where applicable), regulations, and special provisions. Within the zone variations, there are nearly 300 discrete land uses. The greatest challenges to Z.-1 pertaining to land uses include the substantial number of zones and zone variations; multiple sections in the Zoning By-law that contain direction on land use; duplication between permitted uses in zone variations; permitted uses that include regulations; land uses that function as discrete zones; and overall inconsistency in formatting of zone labels.

Section 2 (Definitions) of Z.-1 presents a catalogue of more than 540 terms that are defined, or partially defined, of which three-quarters are land use definitions and the remaining terms are general definitions that do not relate to land uses. 38 defined uses have definitions that point to yet other definitions. The biggest challenges of the existing Zoning By-law pertaining to definitions include missing definitions; overly prescriptive definitions; inconsistent terminology for permitted use definitions in zone variations; overly complex cross-referencing of several definitions; defined terms that are not differentiated from undefined terms; several definitions that include regulations; and special provisions that include definitions.

The majority of minor variances over the last 10 years occurred in the residential sub-type, with the most common variance categories being “yard setbacks”, followed by “lot and yard requirements”. This data will inform the regulations of the new zoning by-law in a future phase of the project.

The analysis set out in this paper distilled the lengthy and complex list of existing uses into a simplified list of 35 land uses. These uses serve as a guide between the transect model, Place Types, and the specific uses to be identified in the new zoning by-law. The general land use categories can be aligned with Place Type policies to guide the appropriate deployment of permitted uses in zones to implement *The London Plan*. Appropriate definitions will be used to ensure consistency and clarity in interpreting uses in the new zoning by-law. Defined land use terms and general definitions will be established in future steps of the project as the zoning by-law develops.

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1.0 INTRODUCTION

In a conventional zoning by-law, land use is the fundamental driver that establishes zoning districts and associated regulations to guide permissible and desirable development within a municipality. In other words, conventional zoning, also known as Euclidean zoning, regulates land based on how it is to be used. Common land use-based zoning districts or categories employed in a Euclidean zoning system include residential, office, commercial, industrial, and institutional zones.

Euclidean zoning systems have been used in land use planning for nearly a century and are arguably the most common approach to implementing planning policy in North America. In recent years, however, municipalities have introduced several alternative zoning systems, including “form-based zoning” and “SmartCodes”. Form-based zoning considers many forms of regulation and moves away from placing an emphasis on land uses; it is principally concerned with the role that built form regulations and performance standards play in establishing a zoning framework with predictable outcomes. The New Urbanist planning model known as “SmartCode” also moves away from land use as the primary regulation tool; it is focused on “place-making”, the relationship between built and natural environments, and the desirable physical form, placement, and scale of buildings within each environment.

This shift away from conventional zoning complements the intent of *The London Plan (2016)* and introduces a London-specific rethinking of the approach and tools that are used to regulate planning permissions in the city. For example, *The London Plan* (the Plan) places a balanced emphasis on form, intensity, and use-based policies. A form-based zoning approach would align with and support implementation of the Plan’s policies.

This paper focuses on how the City of London’s new zoning by-law can achieve desirable outcomes, the lessons that can be learned from the existing Zoning By-law (Z.-1), and the zoning tools that can be

used to implement the new zoning by-law. Fundamentally, this paper introduces the modern concept of considering land use, intensity, and form in the new zoning by-law for London. This approach can help London achieve its goal of growing “inward and upward” over the long-term.

1.1 Purpose

The term “land use” encompasses the full range of activities that are permitted to occur within each zone in London (see the ReThink Zoning Background Papers (2021)). Although the new zoning by-law’s approach will place more emphasis than Z.-1 currently does on regulating form, in addition to intensity and use, land use permissions can assist in addressing the City’s fundamental planning objectives, based on the Plan’s principles, for achieving desired built form outcomes over the coming decades. As such, regulations for land use will continue to be an important consideration in planning for the “highly-functional, connected, and desirable places” envisioned by the Plan, consistent with *The London Plan’s* goals of “creating complete communities” and “setting the stage for a vibrancy that comes with variety and diversity” (LP 748-749).

This paper builds on the findings of the ReThink Zoning Background Papers (2021), which explored land use regulations and approaches of zoning by-laws across Ontario. Further, this paper will assess the functionality and efficacy of existing land uses and definitions in Z.-1. This evaluation will recommend a potential approach to zoning for use that will inform the development of the new zoning by-law based on *The London Plan*, which will be flexible, predictable, and context-specific to the City of London.

It is important to understand that the role of land use regulations may differ by Place Type. In some cases, regulating land use will continue to be instrumental in mitigating or reducing conflicts between Place Types (e. g., Industrial and Neighbourhoods). Throughout the development of the new zoning by-law, these roles will be comprehensively examined and careful direction will be provided for transition areas between Place Types. This approach will ensure the successful implementation of the governing policies of *The London Plan* and support the creation of a “mosaic of outstanding places” needed for London to be “exciting, exceptional, and connected” in 2035 (LP 746).

1.2 Guiding Principles

Recommendations proposed in this discussion paper are based on a series of guiding principles developed by the Consultant Team in consultation with the City of London and the City's preliminary work on ReThink Zoning. The guiding principles are as follows:

1. Establish a shorter, broader, and less prescriptive list of permitted uses.
2. Determine what definitions are needed and ensuring they are consistent, clear, concise, and written in plain language.
3. Provide clarity about the role of land use regulations, performance standards, and definitions, without overlap on how each tool functions.
4. Shift thinking about the role of land use regulations in London's new zoning by-law.

The methodology for this approach is provided in [Appendix A](#).

2.0 **EXAMINATION OF CURRENT APPROACH**

This paper is comprised of two sections: Uses and Definitions. Each section provides a summary of the Consultant Team’s review of the approach used in the existing Zoning By-law (Z.-1) and of the issues identified and analyzed. The results of the review and analysis inform this paper’s preliminary recommendations.

This analysis considered land uses and definitions together for the purpose of this paper, as they are interrelated and share many similarities in terms of current challenges, opportunities, and intended outcomes, to increase the usability and clarity of the new zoning by-law.

2.1 Uses

To understand the nature of each zone variation and the permitted uses in each, the Consultant Team conducted an examination of uses listed in Z.-1. The function and appropriateness of each were assessed in the context of the current planning regime, with the goal of curating a refined and simplified list of permitted uses to ensure ease and consistency in interpretation. From this analysis, a master table of all permitted uses for each zone variation was prepared and issues or challenges were identified, providing an overview of undesirable outcomes related to land use.

Current Approach to Uses

Z.-1 has 46 land use zones that are further subdivided into 169 zone variations¹, excluding the residential zone variations found in the “Special Provisions” sections. Each zone has a section that identifies permitted uses, variations (where applicable), regulations, and special provisions. Within all of the 169 zone variations, there are 294 discrete land uses² identified as being permitted uses, such as “cinemas”, “hospitals”, and “dwelling units”. The list of permitted uses differs between most zone variations.

In a conventional zoning by-law, zones can be classified into general groupings (e.g., Residential, Office, Commercial). Table 1 presents how Z.-1’s zones and zone variations are categorized. While London’s new zoning by-law is expected to move away from zoning that is based fundamentally on land uses, these categories assist in understanding the interpretation, intention, and function of each zone and zone variation. This is a necessary step in refining the new zoning by-law’s approach to use and developing more streamlined categories of uses (as proposed for the new zoning by-law in Section 3). Note that some of the zones and zone variations in Z.-1 can be classified in more than one category. For this exercise, where overlap exists, the zone’s list of permitted uses was examined to assess the intent and purpose of each zone or zone variation to determine the best classification, as presented in Table 1.



Figure 1. Mid-Rise Office Development in London



Figure 2. Sample Residential Neighbourhood with Varying Dwelling Forms and Intensities

1 Note RSA and CSA zones were listed as “RSA1-4” and CSA1-8” in Z.-1. The zone variations are subject to the same use permission but counted individually for consistency in this report.
 2 Excluding any discrete uses that appear in the residential zone variations.

Table 1. Z.-1 Zone and Zone Variations Classification*

Z.-1 Zone and Zone Variations Classification*									
Categories**	Residential ³	Office	Mixed-Use	Commercial	Institutional	Industrial	Transport/Utility	Open Space	Agricultural/ Rural
Zones	R1 R2 R3 R4 R5 R6 R7 R8 R9 R10 R11 TGS	RO OF OB	OR OC DA BDC	RSA CSA NSA ASA AC HS RSC CC CR AGC RRC	RF CF NF DC	LI GI HI EX WRM	SS RT	OS ER	AG UR
Number of Zone Variations	R1 – (17) R2 – (6) R3 – (4) R4 – (6) R5 – (7) R6 – (5) R7 – (1) R8 – (4) R9 – (7) R10 – (5) R11 – (1)	RO – (4) OF – (9) OB – (4)	OR – (6) OC – (8) DA – (2) BDC – (3)	RSA – (4) CSA – (8) NSA – (5) ASA – (8) AC – (6) HS – (5) RSC – (6) CC – (7) CR – (2) AGC – (2) RRC – (4)	RF – (3) CF – (6) NF – (3)	LI – (10) GI – (3) HI – (4) EX – (3) WRM – (1)	SS – (5)	OS – (5)	AG – (6) UR – (6)

* Bolded text indicates zone is subject to zone variations.

** For simplicity, the zone label is abbreviated as provided in Z.-1. See [Appendix B](#) for the look-up key for each.

Issues and Challenges

In Z.-1, land use regulations are provided in multiple sections, making it difficult for the user to navigate and fully understand what is permitted. For example, each zone is presented in its own unique section, but the user is often required to also reference Section 2 (Definitions), Section 3 (Zones and Symbols), and Section 4 (General Provisions) to fully access and understand the requirements.

Further complexity arises from Z.-1’s zone variations being primarily differentiated by use. In all, 294

³ Although the zone variations in the Residential Zones appear in the “Special Provisions” section which was not reviewed as part of this exercise, they have been included for completeness. The contents of the zone variations will be reviewed and analyzed at a later stage.

discrete land uses are identified, and there is considerable duplication among them. For example, in many instances, two zone variations have an identical list of permitted uses, such as with residential R9 and R10, office OF2 and OF3, and urban reserve UR5 and UR6. Despite having different zone labels, the list of permitted uses in each of these groupings is the same. There are also some zone variations that are grouped together in the permitted uses section of Z.-1 despite different zone labels, such as commercial zones RSA1-4.

A significant contributing factor to the substantial number of uses in the Z.-1 is the presence of regulations within the land use permissions that differentiate uses which are otherwise the same. Many are differentiated as discrete uses based solely on specific performance standards that control the location, form, or intensity of development. For example, food-related retail stores, which include “supermarkets”, “food stores”, and “grocery stores”, are differentiated by scale rather than activity or primary function.

Another example is “livestock facilities”, which are considered a separate use from “livestock facilities that must be located more than a certain distance from the Urban Growth Boundary or in accordance with Minimum Distance Separation regulations”. There is no distinction between these uses from a land use perspective. The locational requirement for these uses could be addressed through provisions or associated regulations pertaining to separation distance, rather than the introduction of a new land use.

Further, many distinct dwelling types are identified, including single detached, semi-detached, duplex, triplex, and fourplex, among others. The new zoning by-law is intended to distinguish form and use. As such, there is an opportunity to simplify the terminology found in the use regulations (e.g., permitted uses may use “dwelling units” rather than “dwelling types”) and allow form-based regulations to determine appropriate built form outcomes for the various Place Types. This approach is explored in *Discussion Paper #2 Zoning in on Intensification*.

In addition to the large number of zone variations, there are several land uses that function as a zone in Z.-1. Examples of this include the Day Care Zone and the Temporary Garden Suites Zone, each of which permit a single use in the zone. However, it is redundant to provide individual zones that permit a single use. These uses are more appropriately classified as a land use within a zone, rather than as a zone in and of themselves.

Moreover, there is little consistency in the formatting of zone variations, their labels, and how permitted uses are articulated in the text of Z.-1. For example, some zone variations begin with the abbreviated zone label, while others begin with the abbreviated zone label and a number (e.g., RO, RO1, RO2 but also OC1, OC2, OC3).

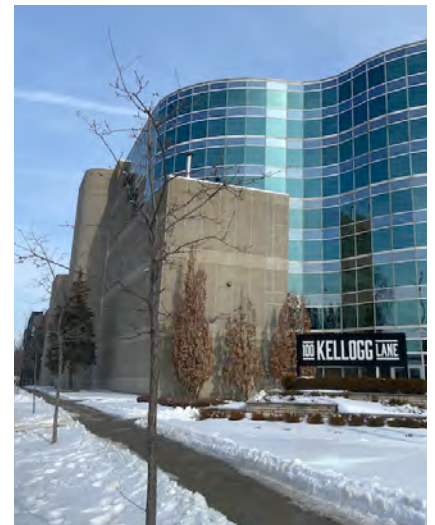


Figure 3. Former Industrial Building in Transition

See **Appendix B** for the full list of zones and their associated zone variations. These formatting and structural considerations are further addressed in *Discussion Paper #6, Implementing the New Zoning By-law*.

As mentioned, each zone variation has a set of “Special Provisions” that allow for more finite and site-specific permissions. These were not reviewed as part of this exercise, and will be explored further through the development of the new zoning by-law. The residential zone variations have not been examined and are included in Table 1 for completeness only.

In summary, the greatest challenges to the Z.-1 as they pertain to uses include:

- A substantial number of zones and zone variations;
- A structure that presents the provisions that control land use are separated across sections;
- Several zone variations contain an identical list of permitted uses;
- Regulations are built into the permitted use section;
- Instances where land uses function as discrete zones; and
- The inconsistent formatting of zone labels.

2.2 Definitions

London’s new zoning by-law will include a series of new and/or revised definitions to ensure consistency, clarity, and simplicity in its terminology and interpretation. This section examines the current approach to defined and undefined terms and assess the issues and challenges to inform the approach in the new zoning by-law. Among other elements, this approach will recommend excluding performance standards from the Definitions.

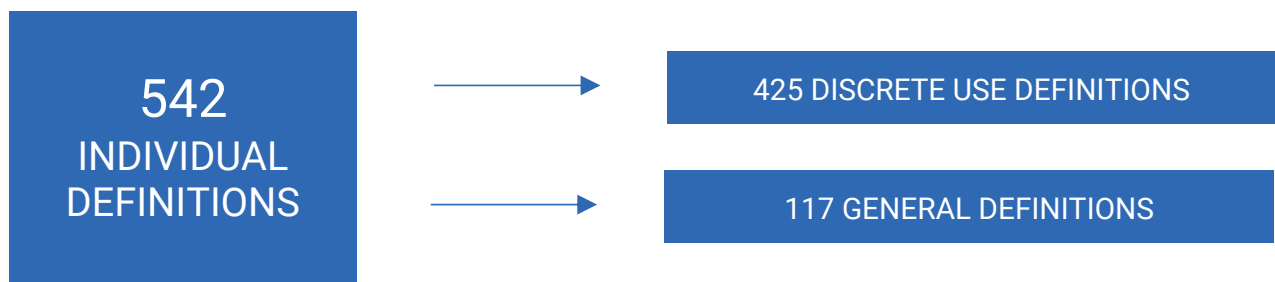


Figure 4. Definitions in the existing Zoning By-law Z.-1

Current Approach to Definitions

Section 2 (Definitions) of Z.-1 presents a catalogue of 542 terms⁴ that are defined, or partially defined, of which 425 are land use definitions and the remaining 117 are general definitions that do not relate

⁴ Excluding any discrete definitions that appear in the “Special Provisions” section for each zone.

to land uses (e.g., “lot area”, “access driveway”). Among them, there are 38 overlapping definitions. Several definitions have also been deleted from Z.-1 through amendments and were not included in this analysis but remain in the Definitions section of Z.-1.

Issues and Challenges

Overly prescriptive definitions pose a challenge to Z.-1’s interpretation and application. For example, a residential building intended exclusively for the habitation of senior citizens may be a “senior citizen’s apartment building”, “continuum-of-care facility”, “rest home”, “retirement lodge”, “retirement home”, or “nursing home”. There is little differentiation between these terms in regard to land use permissions within Z.-1. Each of the terms provide a list of permitted uses within their formal definitions that overlap or cross-reference to other provided examples. For instance, a continuum-of-care facility “means a facility which may include a Senior Citizens Apartment Building, a Nursing Home, and/or a Retirement Lodge”.

This is further complicated by the lack of consistency in the terminology used throughout Z.-1. For example, “rest home” is identified as a permitted use in specific zone variations. However, the definition of “rest home” in the Definitions defers to yet another definition: “Home for the Aged, Rest Home”. This complexity is also found for several residential and institutional uses. For example, the definition for “community college” defers to “school”. The effect is to make Z.-1 less efficient, and more challenging to interpret. The new zoning by-law would benefit from a consolidation of separate uses under a single term, providing identical definitions.

The level of specificity and overly prescriptive land uses identified in Z.-1 contribute to a substantial number of discrete uses that complicate the Zoning By-law’s interpretation. For example, the “residential” use category includes nearly 40 uses, many with identical characteristics from a land use perspective. For instance, “stacked townhouse dwellings” and “stacked townhousing” are identified as separate uses in different zones but “stacked townhouse dwelling” is formally defined and “stacked townhousing” is not formally defined in Z.-1 and therefore cannot be concretely differentiated from one another. In addition, 38 defined uses have definitions that point to yet other definitions, meaning the remaining 502 definitions are individually identified in the Zoning By-law.

Of the 294 land uses identified in the Z.-1, all but 40 terms are defined in the Definitions⁵. There are an additional 171 “uses” that are

Example: “Convenience store: means a retail store having a gross floor area of 300 square metres (3,229 square feet) or less, or as determined by the zone standards, where a variety of both household and grocery items are offered for sale primarily to serve the daily needs of people and may include the rental of videos, an automated banking machine, and/or depots for such items as film, laundry or dry cleaning and an area devoted to food preparation for consumption on or off the premises, provided the gross floor area for the sale of prepared food does not exceed 10% of the gross floor area, to a maximum of 30 square metres (323 square feet).”

⁵ It should be noted that six of the 40 land uses that are not defined are identical in nature to

defined in but not listed in any zone or zone variation's permitted use regulations. Further, there is no way to confidently identify what terms within a zone variation's regulations have definitions, as all terms have the same formatting. There are also several definitions that contain regulations.

Z.-1 provisions pertaining to scale and intensity would be better provided within the regulations, such as within the general provisions or zone provisions sections, rather than the Definitions section. Of the 425 land use definitions in the Z.-1, 58 terms contain regulations or directions to permit or restrict accessory uses. Another consideration is how commercial zones and zone variations identify each individual use as permitted only "without drive-through facilities". As *The London Plan's* policies do not support the use of drive-through facilities within certain Place Types, differentiating uses based on permissions for a drive-through facility is not required as part of the formal definition.

Special provisions will be considered through the development of the new zoning by-law. However, it should be noted that there are definitions contained within the special provisions section of Z.-1 to establish the meaning of a use, outside of the Definitions section. This approach creates inconsistency in the meaning and interpretation of a use on a specific site and should not be carried forward into the new zoning by-law.

In summary, the biggest challenges of the existing Zoning By-law as they pertain to definitions include the following:

- Missing definitions;
- Overly prescriptive definitions of land uses;
- Inconsistent terminology for permitted use definitions and zone variations;
- Overly complex cross-referencing of several definitions;
- Defined terms that are not differentiated from undefined terms;
- Several definitions that include regulations; and
- Special provisions that include definitions.

other terms that appear in the Definitions. However, they are considered as separate uses by the existing Zoning By-law.

2.3 Minor Variances

The City of London has processed an average of 170 minor variance applications each year over the last 10 years (as shown in Figure 1).

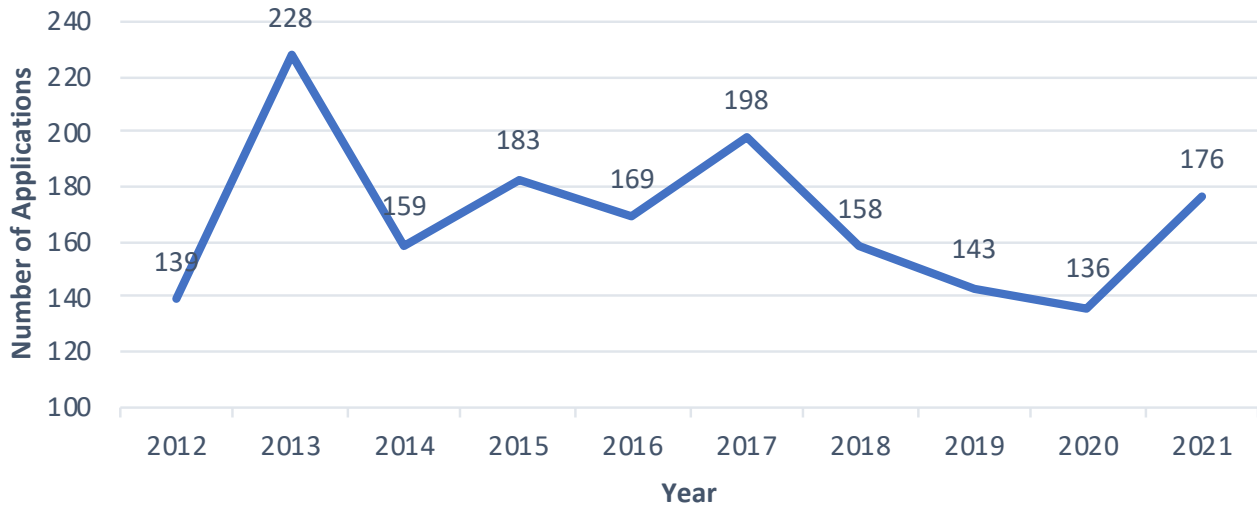


Figure 5. Fluctuating Trends in the Volume of Minor Variance Applications (Data Source: City of London, 2021)

There has not been a steady increase in the number of applications processed each year. A spike in applications was observed in 2013, and again in 2017, to a lesser extent. Unsurprisingly, the fewest number of applications was seen in 2020, which likely has a correlation to delayed development applications at the start of the COVID-19 pandemic.

An overview of the “variances categories” or types (i.e., accessory structures, legal non-conforming uses, lot/yard requirement, yard setback, and parking), land use “sub-types” (i.e., commercial, residential, institutional, industrial, and agricultural), and general trends associated with each is provided below.

The residential sub-type experienced a significantly higher proportion of minor variance application compared to any other (see Table 2). On average, the fewest number of variances was found in the institutional and agricultural sub-types (see [Appendix C](#) for a series of individual tables that present the number of variances in each sub-type by variance category, for each year).

Table 2. Z-1 Minor Variations Between 2012-2021 by Variance Category and Sub-Type

Minor Variations Between 2012-2021 by Variance Category and Sub-Type

Variance Categories	Commercial	Residential	Institutional	Industrial	Agricultural	Total
Accessory Structure	5	259	1	6	13	284
Legal Non-Conforming Uses	19	100	1	11	4	135
Lot and Yard Requirements	172	411	6	31	11	631
Yard Setbacks	41	493	7	9	7	557
Parking	43	33	4	1	0	81
Total	280	1,296	19	58	35	

Minor variances for accessory structures typically were requested for decks, patios, swimming pools, and air conditioning units. Over the last 10 years, there were 284 variances related to accessory structures, 91% of which were in the Residential land use sub-type.

Legal non-conforming use variances typically were requested for the recognition of uses, and in many cases an alteration or expansion to an existing legal non-confirming use. These use variances were much less common than other types (135 over the last 10 years). Most of these variances were found across residential, commercial, and industrial land use sub-types.

Variances to lot/yard requirements and yard setback were the most common variances requested in London over the last decade, with a combined total of 631 and 557 requested variances for all land use sub-types, respectively. Lot/yard requirement variances include a broader group of density variances (both in terms of units and gross floor area), reductions to minimum lot dimensions resulting from severances, and relief from maximum lot coverage and building height. Yard setback variances refer specifically to requests for variations to (and relief from) the minimum required front, rear, and side yard setbacks for buildings or structures. Both variance categories saw a substantial number of variances in the residential land use sub-type. A proportionally significant number of variances to lot/yard requirements was also found in the commercial sub-type, with just under 30% of the total variances being in this sub-type.

Parking variances requested relief from the minimum parking requirements for uses providing less parking than required. Parking variances were most common in the commercial sub-type. Of all variance categories, parking variances have seen the most substantial increase over the last 10 years, with a higher volume in more recent years.

A more detailed analysis of the variances requested in each sub-type will be explored and used to inform the development of appropriate regulations in the new zoning by-law.

3.0

OPTIONS FOR A NEW ZONING BY-LAW

The ReThink Zoning Background Papers (2021) considered four different conventional and unconventional zoning tools that could be used to develop a new zoning by-law. The Consultant Team’s assessment of these tools is examined in more detail below.

3.1 Conventional Zoning Tools on Use

Official plans provide direction for land use permissions at a broader and more general level than the implementing zoning by-law. Uses in Z.-1 can be classified into general land use categories, as shown in Table 1.

A conventional zoning approach considered in the ReThink Zoning Background Papers (2021) builds on these approaches, and groups uses based on “use families” or “use categories”. While use families or categories can vary between municipalities, they often include residential and non-residential, mixed use, institutional, industrial/employment, and open space classifications. This is perhaps the most common approach to a conventional zoning by-law and is used by numerous municipalities across Ontario, including the [Town of Newmarket Urban Centres Zoning By-law](#) and the [City of Vaughan Zoning By-law](#). However, it is unlikely that this approach alone will achieve the desired outcomes of *The London Plan*, given the limitations in respect to advancing a balanced approach between use, intensity, and form as outlined in the guiding principles for the new zoning by-law.

Another conventional approach proposes using fewer and more broadly defined uses to reduce the overall quantity of uses included in the new zoning by-law. This has shown to be effective in several municipalities, including the Town of Newmarket’s Urban Centres Zoning By-law and in the Town of Oakville’s Zoning By-law 2014-014. For example, the 24 retail uses that are itemized individually in Z.-1 could be collapsed into a single new retail category to improve the simplicity, efficiency, and

interpretability of the new zoning by-law (see Table 3).

The same approach could be applied to the Definitions section. For instance, to make the section more succinct, definitions should only be provided for land use terms that are not self-evident or easily understood by the general public. This will contribute to reducing susceptibility to overly prescriptive and/or non-discrete uses.

Table 3. Examples of Defined Retail Uses (Source: City of London, 2021)

Examples of Defined Retail Uses		
Existing London Zoning By-law		New Zoning By-law
<ul style="list-style-type: none"> • Convenience Store • Bake Shop • Boutique • Antique Store • Home Decorating Store • Pet Shop • Home Appliance Store • Florist Shop • Gift Shop • Duplicating Shop 	<ul style="list-style-type: none"> • Home Improvement Store • Convenience Service Establishment • Home Furnishing Store • Home and Auto Supply Store • Convenience Business Service Establishment • Video Rental Establishment • Catalogue Store • Home Improvement • Furnishing Store • Bulk Beverage Store • Pharmacy • Retail Store 	<ul style="list-style-type: none"> • Retail Store

Another conventional zoning approach seeks to integrate performance standards with permitted uses. This approach often works well when an additional layer of specificity is included in a zoning by-law to ensure its proper implementation, such as a performance standard to limit the size of an outdoor patio that abuts a residential use. While this can be useful in certain contexts, caution should be taken when determining the number of performance standards to be included in the new zoning by-law. Including too many performance standards with permitted uses can make a zoning by-law overly complicated.

It is also worth noting that the new zoning by-law will consider integrating a general provisions section, which establishes land use permissions for all zones, with each individual zone at a city-wide level. This approach reduces the number of discrete uses and regulations listed within the zone chapters of the new zoning by-law.

3.2 Unconventional Zoning Tools on Use

Another zoning approach considered in the ReThink Zoning Background Papers (2021) places a greater emphasis on zoning for built form outcomes than on land uses. Form-based zoning codes (discussed in greater detail in *Discussion Paper #6, Implementing the New Zoning By-law*), shift the primary focus of the zoning by-law from land use to physical built form outcomes. This approach encourages a zoning by-law to be context-specific and grounded in a framework that balances form, intensity, and land use.

A hybrid approach that considers these approaches will guide the development of the new zoning by-law. As discussed in the previous section, using fewer and more broadly defined uses can achieve the goal of creating a concise and consistent list of land uses that are not overly prescriptive. Form-based zoning can help to achieve the objectives of *The London Plan* and encourage the development of transit-supportive and walkable communities, with higher affordable housing provisions. Performance standards can benefit areas where an additional layer of regulation is needed to ensure consistency in the interpretation and implementation of the new zoning by-law.

Each of these approaches will be examined in greater detail in the development of the new zoning by-law.

A 'hybrid' approach combines some aspects of a traditional Euclidean zoning by-law (fundamentally use-based regulations) with form-based zoning controls (fundamentally zoning for form-based outcomes) to identify desirable elements in new development. As form-based codes often include architectural and landscaping standards that require significant expertise and public consultation, hybrid codes are increasingly being used to achieve a similar outcome.

4.0 **RECOMMENDATIONS**

4.1 Refining Land Uses and Definitions

The Consultant Team undertook a complete review of all land uses in the existing Zoning By-law (Z.-1), aligned with the ReThink Zoning guiding principles (Section 1.2) and the review of the zoning approaches (Section 3.1). As part of this exercise, a comprehensive, preliminary list of simplified land use terms recommended to guide the new zoning by-law has been developed (see Table 4). Fundamental to the exercise of creating the list of uses is balancing the objectives of providing clarity, certainty, and flexibility.

The comprehensive list of permitted uses will be presented at a more finite level for each of the individual Place Types. A similar exercise will be conducted for definitions as they relate to the comprehensive list of permitted uses.

4.1.1 Jurisdictional Scan of Uses in Comparable Form-Based Zoning By-Laws

In preparation for the exercise of synthesizing the lengthy list of permitted uses in Z.-1 to develop a refined and simplified list of uses for the new zoning by-law, a review of other zoning by-laws in comparable municipalities was undertaken. The municipalities were selected based on form-based or hybrid zoning by-laws, population, locations, and cross-sectional environments that are comparable to those found in the City of London.

This analysis provides a basis for the types of uses that are often found in form-based and hybrid zoning by-laws, and the role that land use regulations play in these zoning by-laws. In this section, zoning by-laws that will inform the discussion include Canadian case studies of the cities of Ottawa (ON), Edmonton (AB), Vaughan (ON), and the Town of High River (AB), as well as the American example of Denver (CO). Use categories and permitted uses from the case study jurisdictions that are relevant to the intent to refine uses are outlined in [Appendix D](#).

4.1.2 Refined London Zoning By-law Uses

For the purpose of developing recommendations, the Consultant Team undertook an analysis of the existing uses in Z.-1 and how they were aligned and could be simplified (see Table 4). The general land use categories and simplified land uses were informed, in part, by the Glossary of Terms in *The London Plan* and will be aligned with the Place Type land use permissions through the development of the new zoning by-law.

To understand the alignment of uses in Z.-1 and the simplified uses listed below (Table 4), an analysis was undertaken (see [Appendix E](#)).

Table 4. Simplified Land Use Terms (Preliminary)

Simplified Land Use Terms (Preliminary)	
General Land Use Categories	Simplified Land Uses
Residential	Residential Uses Accessory to Primary Residential Uses Residential Care Facilities Residential Mixed-Uses
Lodging	Short Term Accommodation Hotels / Motels
Office	Offices Medical Offices
Retail and Service	Eating and Drinking Establishments Retail Stores Personal and Business Services
Entertainment and Recreational	Arts and Culture Outdoor Recreations Places of Amusement Places of Assembly Sports and Recreational Facilities

Civic, Public, and Institutional	Community/Civic Services Educational Uses Government/Public Services Hospitals
Agricultural and Rural	Agricultural, General Agricultural, Intensive Agricultural Sales and Services
Open Space	Protected Natural Areas Parks and Open Spaces
Auto-Oriented and Transportation	Transportation Uses Vehicular Sales and Services Vehicular Repair
Industrial	General Industrial Uses Manufacturing, Processing and Production Wholesale, Storage, Warehouse and Distribution Research and Development Heavy Industrial Uses Mining and Extraction and Energy Producing Systems Waste-Related Services

Source: R.E. Millward and Associates, 2022.

4.2 Determining Appropriate Land Use by Transect

The new zoning by-law’s approach to regulating land use will be informed by a hybrid form-based zoning system. This system seeks to delineate transects rather than zones or zone categories. Common transects observable in the City of London include natural/environmental, rural/agricultural, suburban, urban, transit corridor, urban centre, and special districts which may include industrial, public, civic, and/or cultural Place Types.

In form-based zoning codes, transects are typically delineated based on intensity, from least to most intense, and form, rather than use. Figure 6 demonstrates the methodology that will be used as a starting point for aligning *The London Plan’s* Place Types with the transects of a form-based zoning approach.

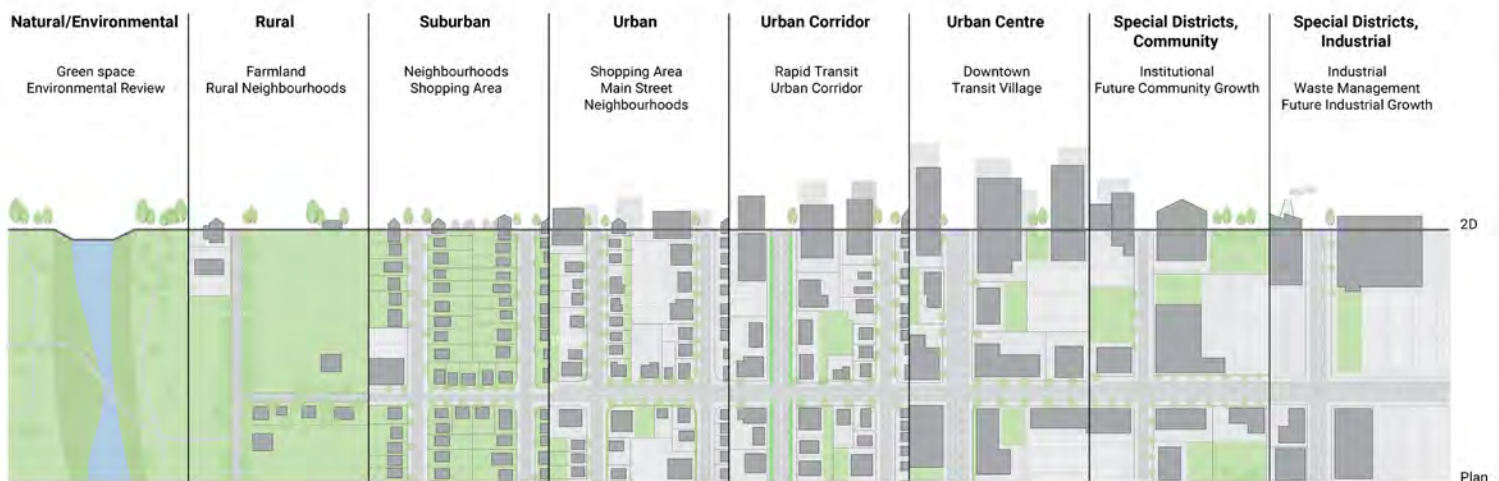


Figure 6: Transect Application to London’s Place Types (Draft)

4.3 Recommended Land Uses by Place Type

Various combinations of the simplified land uses identified in Table 5 may be appropriate for different Place Types. An analysis on the individual Place Types will be conducted at a later stage to explore the implications of the recommended land uses.

Of note, *The London Plan* has several general uses envisioned for each Place Type. These uses serve as a guide between the transects and the specific uses to be identified in the new zoning by-law. Each Place Type may implement permitted land uses differently to prevent land use conflicts. For example, in the Neighbourhoods Place Type, the list of permitted uses may be short and flexible, but regulations pertaining to form and intensity may be more stringent. Comparatively, an Industrial Place Type may require a more granular approach to regulating permitted uses, to allow for a transition between heavier industry and more noxious uses and lighter manufacturing and service-related employment uses that may be located on the periphery. Similarly, a more finite degree of regulation may be needed for institutional and civic uses, which often have a high degree of variation (i.e., from sensitive uses, such as schools and municipally owned libraries, to uses that may produce noise or odours, such as emergency services).

Where specific uses are legal, desirable, and necessary but are not discussed directly in the Place Type policies, the new zoning by-law will identify the specific locations where the use may be permitted within the appropriate Place Types. This will be done by establishing conditional use permissions, which will outline the parameters that must be satisfied in order for the use to be permitted (i.e., lot size or restricting certain uses only to corner lots). As a zoning by-law cannot prohibit legal uses, conditional use permissions may address potential land use conflicts by controlling location, quantity, and other factors more specifically than the base zoning regulations.

Additionally, uses that require special parameters to avoid adverse external impacts in some Place Types, such as commercial vehicular uses, can be addressed through a special section that may be separate from the zone regulations. A separate chapter of the new zoning by-law can be used to establish city-wide regulations for certain legal uses with additional requirements around the use, site, and context to prevent or mitigate land use conflicts and ultimately achieve the vision of *The London Plan*. If the intent of *The London Plan* is to phase out certain antiquated or undesirable uses, the new zoning by-law can remain silent, which effectively causes the use to become “legal non-conforming” under the *Planning Act*. This would allow the use to continue to exist and expand, until such time that the use no longer continues on the site. Utilizing both the conditional use permissions and legal non-conforming tools will allow the new zoning by-law to streamline the number of uses and zones based on the most important zoning parameters in individual Place Types.

4.4 Recommended Definitions

A master definitions list will be developed to offer simplicity, clarity, and certainty in the interpretation of the new zoning by-law. Definitions will be standalone and will not defer to other definitions as the existing Zoning By-law does. It will include both general definitions that are necessary for interpreting the regulations of the new zoning by-law and formal definitions for land uses. Where certainty around a use is required, a clear definition will be provided in plain language. This will likely also include uses that are permitted subject to conditions, as discussed in the previous section.

Definitions will be important to establish certainty and consistency in the interpretation and implementation of the new zoning by-law. Appropriate definitions will be developed in consultation with the City of London.

Consideration will also be given to the use of illustrations within the new Definitions section of the zoning by-law, to provide complementary visual depictions of complex terms and concepts, in alignment with the general principles of the review.



5.0 **CONCLUSIONS**

The new London zoning by-law will implement the Place Type policies of *The London Plan* using an approach that considers form, intensity, and land use. It is recommended that the new zoning by-law rethink the conventional zoning approach of land use-based zoning by-laws, where use is the primary focus of regulations.

Following an analysis of Z.-1 and the issues and challenges (which may create undesirable built form outcomes in the new zoning by-law), and an examination of conventional and unconventional zoning tools that may be used to address the role land use can play in a zoning by-law, this paper has arrived at several preliminary recommendations for consideration. These recommendations support the use of simplified and more concise land uses to be included under each of *The London Plan's* Place Types, which will be discussed in greater detail in future steps of the zoning by-law's development.

The conclusions of this discussion paper include several recommendations related to the existing Zoning By-law's uses and definitions. As a next step for this analysis, a more granular approach to deploying use permissions may be identified to create permissions for uses in certain Place Types, subject to special conditions depending on a site's relationship to the surrounding land uses and Place Types. An assessment of planning issues and/or conflicts that exist, or might exist, between uses has been initiated, with a particular focus on use and the transition between different Place Types that may produce external and quantifiable adverse impacts. Lastly, how zoning can control and mitigate potential conflicts between uses is also being considered.

The recommendations of this paper and the feedback received from stakeholders and the general public will inform the new, comprehensive zoning by-law's land uses and definitions. Specific uses will be developed for and implemented to reflect the unique conditions of each Place Type.

APPENDICES

Appendix A. Methodology

In creating this discussion paper, the Consultant Team undertook the following steps:

- Conducted virtual and in-person site visit tours to gain an understanding of the city layout, the distribution of land uses and interface between uses across various Place Types per *The London Plan*;
- Reviewed *The London Plan* use-related policies;
- Reviewed the City's background documents, with analysis of trends;
- Analyzed minor variance applications over the last 10 years in the city (see below for assumptions and methodology);
- Identified and defined the main land use-related issues and impacts affecting development in London through a workshop with City staff; and
- Reviewed traditional and non-traditional zoning concepts and tools that may be effectively used in London.

Minor variance application data was provided by the City of London for the last 10 years (2012-2021 inclusive). Each year was organized using breakdowns for "variances categories" or types (i.e., accessory structures, legal non-conforming uses, lot/yard requirement, yard setback, and parking) and land use "sub-types" (i.e., commercial, residential, institutional, industrial, and agricultural).

Starting from 2018 onwards, identification of the variance categories use a numerical identification (categories 1, 2, 3, and 4) rather than a type (as set out above). For these applications, an analysis was undertaken to classify each variance into the most appropriate variance category of the five used prior to 2017. In most cases, the alignments were not always accurate. For instance, an application described as "Category 2" may have been a request to permit an "Accessory Structure".

The typical alignments between category numbers of types are as follows:

- Category 1 aligned with Accessory Structures;
- Category 2 aligned with Yard Setbacks;
- Category 3 was often Legal Non-Conforming Uses; and
- Category 4 was a combination of Lot/Yard Requirements (which is a more general, catch-all grouping) as well as Parking.

Appendix B. Existing Zoning By-law Zone Abbreviations

Count	Zone	Zone Name	Zone Variations
1	R1	Residential R1 Zone	R1-1 - R1-17
2	R2	Residential R2 Zone	R2-1 - R2-6
3	R3	Residential R3 Zone	R3-1 - R3-4
4	R4	Residential R4 Zone	R4-1 - R4-6
5	R5	Residential R5 Zone	R5-1 - R5-7
6	R6	Residential R6 Zone	R6-1 - R6-5
7	R7	Residential R7 Zone	R7 (R7(1) - R7 (29))
8	R8	Residential R8 Zone	R8-1 - R8-4
9	R9	Residential R9 Zone	R9-1 - R9-7
10	R10	Residential R10 Zone	R10-1 - R10-5
11	R11	Residential R11 Zone	R11 (R11(1))
44	TGS	Temporary Garden Suites (TGS) Zone	-
14	RO	Restricted Office (RO) Zone	RO - RO3
15	OF	Office (OF) Zone	OF - OF8
39	OB	Office Business Park (OB) Zone	OB1 - OB4
12	OR	Office Residential (OR) Zone	OR - OR5
13	OC	Office Conversion (OC) Zone	OC1 - OC8
16	DA	Downtown Area (DA) Zone	DA1 - DA2
21	BDC	Business District Commercial (BDC) Zone	BDC - BDC2
17	RSA	Regional Shopping Area (RSA) Zone	RSA1 - RSA4
18	CSA	Community Shopping Area (CSA) Zone	CSA1 - CSA8
19	NSA	Neighbourhood Shopping Area (NSA) Zone	NSA1 - NSA5
20	ASA	Associated Shopping Area (ASA) Zone	ASA1 - ASA8
22	AC	Arterial Commercial (AC) Zone	AC - AC5
23	HS	Highway Service Commercial (HS) Zone	HS - HS4
24	RSC	Restricted Service Commercial (RSC) Zone	RSC1 - RSC6
25	CC	Convenience Commercial (CC) Zone	CC - CC6

43	RRC	Rural Settlement Commercial Uses (RRC) Zone	RRC1 – RRC4
34	CR	Commercial Recreation (CR) Zone	CR – CR1
42	AGC	Agricultural Commercial (AGC) Zone	AGC1 – AGC2
27	RF	Regional Facility (RF) Zone	RF – RF2
28	CF	Community Facility (CF) Zone	CF1 – CF6
29	NF	Neighbourhood Facility (NF) Zone	NF – NF2
31	DC	Day Care (DC) Zone	-
36	LI	Light Industrial (LI) Zone	LI1 – LI10
37	GI	General Industrial (GI) Zone	GI1 – GI3
38	HI	Heavy Industrial (HI) Zone	HI1 – HI4
39	EX	Resource Extraction (EX) Zone	EX – EX2
47	WRM	Waste and Resource Management (WRM) Zone	WRM1
26	SS	Automobile Service Station (SS) Zone	SS – SS4
40	RT	Rail Transportation (RT) Zone	-
32	OS	Open Space (OS) Zone	OS1 – OS5

Appendix C. Minor Variance Analysis by Variance Category

Accessory Structure						
	Commercial	Residential	Institutional	Industrial	Agricultural	Total
2012	0	21	0	1	0	22
2013	0	24	0	1	0	25
2014	0	23	1	2	1	27
2015	1	31	0	0	4	36
2016	2	22	0	2	5	31
2017	0	29	0	0	2	31
2018	0	34	0	0	0	34
2019	0	20	0	0	1	21
2020	0	20	0	0	0	20
2021	2	35	0	0	0	37
	5	259	1	6	13	284

Legal Non-Conforming Uses						
	Commercial	Residential	Institutional	Industrial	Agricultural	Total
2012	2	3	0	1	0	6
2013	3	17	0	4	0	24
2014	3	23	0	1	2	29
2015	0	19	0	1	0	20
2016	1	14	1	2	1	19
2017	0	6	0	1	0	7
2018	3	10	0	1	0	14
2019	2	2	0	0	1	5
2020	2	3	0	0	0	5
2021	3	3	0	0	0	6
	19	100	1	11	4	135

Parking						
	Commercial	Residential	Institutional	Industrial	Agricultural	Total
2012	0	0	0	0	0	0
2013	0	0	0	0	0	0
2014	0	0	0	0	0	0
2015	0	0	0	0	0	0
2016	1	1	0	0	0	2
2017	0	0	0	0	0	0
2018	3	4	2	1	0	10
2019	13	9	0	0	0	22
2020	12	10	2	0	0	24
2021	14	9	0	0	0	23
	43	33	4	1	0	81

Lot/Yard Requirements						
	Commercial	Residential	Institutional	Industrial	Agricultural	Total
2012	25	32	0	2	0	59
2013	15	31	0	3	0	49
2014	11	42	2	3	2	60
2015	27	50	0	3	2	82
2016	18	42	0	6	1	67
2017	33	62	2	4	3	104
2018	16	41	1	3	1	62
2019	11	31	0	1	1	44
2020	7	30	0	4	0	41
2021	9	50	1	2	1	63
	172	411	6	31	11	631

Yard Setbacks						
	Commercial	Residential	Institutional	Industrial	Agricultural	Total
2012	10	43	0	0	0	53
2013	5	123	0	2	0	130
2014	2	37	0	3	0	42
2015	7	36	1	1	1	46
2016	4	40	2	2	4	52
2017	5	49	2	0	0	56
2018	1	36	0	0	0	37
2019	6	41	1	1	1	50
2020	0	44	1	0	0	45
2021	1	44	0	0	1	46
	41	493	7	9	7	557

Appendix D. Use Categories and Permitted Uses*

In a traditional Euclidean zoning by-law, permitted land uses typically appear in a list form at the start of each zone section, and in some cases are also found in a general provisions section and site-specific exceptions or special provisions. In a form-based zoning code or a hybrid approach, land use regulation is not the driving factor for establishing zoning by-law regulations, with less emphasis placed on land use compared to other controlling factors such as built form and intensity.

Ottawa, which is in the process of developing a new form-based zoning by-law, has started with outlining the primary goals and objectives of the official plan and established tools that can be implemented through zoning. For example, to determine appropriate uses in the residential designation of “Neighbourhoods”, the City has identified the goal of establishing a zoning framework that provides permissions for residential-supportive and compatible uses.

Edmonton is also in the process of developing a new zoning by-law. Available Background Papers have identified use lists by zone districts.

Across the other case study jurisdictions, zoning retains an element of land use permissions, but is no longer used as the foundation for establishing the zone regulations.

Vaughan and High River both continue to include land use permissions at the outset of the zoning district section, using tables to communicate permitted uses by zone type in a legible format. Vaughan employs use categories and provides a list of uses that is quite prescriptive (although not as detailed as London’s current Zoning By-law).

High River, which uses a transect model to delineate six “Land Use Districts” for the various environments in the Town (see Table 4), includes “use categories” (accompanied by descriptions of the intent for each), and identifies more specific “permitted uses” (see [Appendix 4](#)). Even the specific permitted uses are not as detailed as the uses contained in the current London Zoning By-law. A land use overlay map is also included in the High River Zoning By-law.

In Denver, the permitted use matrix falls at the end of each “zone district” section. Each zone district includes three layers of land use classifications that start with a short list of “primary use classifications” (which are comparable to the “use categories” found in the High River Zoning By-law), followed by a table that outlines “use categories” which are slightly more specific, and finally “specific use types” which become much more precise for the purposes of establishing parking standards (and are comparable to the level of specificity found in Z.-1). The third classification of “specific use types” are too prescriptive for the purpose of the new zoning by-law for London, but the first two classifications may be an appropriate level of detail.

Use Category	Permitted Uses	Reference Zoning By-law
Residential	<ul style="list-style-type: none"> • Dwelling Unit(s) • Additional Dwelling Unit(s) 	High River
	<ul style="list-style-type: none"> • Household Living • Residential Care • Congregate Living • Accessory to Primary Residential Uses 	Denver
	<ul style="list-style-type: none"> • Residential 	Edmonton
Lodging	<ul style="list-style-type: none"> • Bed and Breakfast • Short Term Rental • Hotel/Motel 	High River
	<ul style="list-style-type: none"> • Lodging Accommodations 	Denver
Office	<ul style="list-style-type: none"> • Major Home Occupation • Professional Office 	High River
	<ul style="list-style-type: none"> • Office • Home Occupations 	Denver
	<ul style="list-style-type: none"> • Home Based Business 	Edmonton
Retail and Entertainment	<ul style="list-style-type: none"> • Amusement Facility • Café • Drinking Establishment • Restaurant • Retail and Service, General • Retail and Service, Heavy 	High River
	<ul style="list-style-type: none"> • Adult Business • Arts, Recreation, and Entertainment • Non-Residential Uses in Existing Business Structures in Residential Zones • Eating and Drinking Establishments • Retail Sales, Service and Repair (not Including Vehicle or Equipment Sales, Service and Repair) • Vehicle/Equipment Sales, Rentals, Service and Repair 	Denver
	<ul style="list-style-type: none"> • Indoor Sales and Services • Outdoor Sales and Services • Food, Cultural, and Entertainment • Recreation 	Edmonton
Industrial, Manufacturing, and Wholesaling	<ul style="list-style-type: none"> • Light Industrial • Repair • Outdoor Storage 	High River
	<ul style="list-style-type: none"> • Communications and Information • Industrial Services 	Denver

	<ul style="list-style-type: none"> • Manufacturing And Production • Mining and Extraction, and Energy Producing Systems • Transportation Facilities • Waste-Related Services • Wholesale, Storage, Warehouse and Distribution 	
	<ul style="list-style-type: none"> • Minor Industrial • Major Industrial 	Edmonton
Civic, Public, and Institutional	<ul style="list-style-type: none"> • Active Recreation • After Life Care • Arts and Culture • Education • Government • Hospital • Human Services • Passive Recreation 	High River
	<ul style="list-style-type: none"> • Basic Utilities • Community/Public Service • Cultural • Special Purpose • Public Parks and Open Space • Education • Public and Religious Assembly 	Denver
	<ul style="list-style-type: none"> • Civic Services • Public Utility 	Edmonton
Agriculture	<ul style="list-style-type: none"> • Urban Agriculture • Rural, Intensive Agriculture • Rural, Non-Intensive Agriculture 	High River
	<ul style="list-style-type: none"> • Agriculture 	Denver
	<ul style="list-style-type: none"> • Agriculture 	Edmonton
Natural Areas	<ul style="list-style-type: none"> • Protected Natural Area 	Edmonton
Other	<ul style="list-style-type: none"> • Essential Public Utilities • Signs (associated with an approved use on the site) • Pageantry Features (in association with approved development) 	High River

*Identified in jurisdictional scan of form-based zoning by-laws.

Appendix E. Master List of Existing Land Uses Aligned with Simplified List of Uses

	Permitted Use (options for new Zoning By-law)	Associated Use (As Identified in Existing London Zoning By-law)	Typical Zones***	Planning Justification
Land Use Category: Residential				
1	Residential Uses	<ul style="list-style-type: none"> • Apartment Building* • Cluster Stacked Townhouse Dwelling** • Cluster Townhouse* • Converted Dwelling* • Duplex Dwelling* • Dwelling Unit* • Existing Dwelling* • Farm Dwelling* • Fourplex Dwelling* • Retirement Lodge* • Semi-Detached Dwelling* • Senior Citizens Apartment Buildings* • Single Detached Dwelling* • Stacked Townhouse Dwelling* • Street Townhouse Dwelling* • Townhouse Dwelling* • Triplex Dwelling* 	<ul style="list-style-type: none"> • Residential • Office Residential • Business District Commercial • Downtown Area 	Includes all uses where human habitation is accommodated. All uses in this group will be considered sensitive uses.
2	Accessory to Primary Residential Uses	<ul style="list-style-type: none"> • Accessory Dwelling Unit • Ancillary Residential and/or Hostels and Accommodations, Together with Permitted Uses in the Zone** • Garden Suite* • Secondary Farm Dwelling* 	<ul style="list-style-type: none"> • Residential • Temporary Garden Suite 	A distinct residential use to recognize permissions for additional residential uses that may be appropriate in some, but not all, residentially-zoned areas.
3	Residential Care Facility	<ul style="list-style-type: none"> • Continuum-Of-Care Facility* • Continuum-Of-Care Facility for Seniors** • Emergency Care Establishment* • Group Home Type 2* • Handicapped Persons Apartment Building** • Nursing Home* • Rest Homes* • Supervised Residence* 	<ul style="list-style-type: none"> • Residential • Regional Facility • Community Facility 	Places where human habitation is accommodated, but that may require part-time or full-time staff to assist residents. May be distinct from other residential uses in terms of applicable zoning regulations including parking, site configuration, and density.
4	Residential Mixed-Use	<ul style="list-style-type: none"> • Apartment Hotels* • Office-Apartment Buildings* 	<ul style="list-style-type: none"> • Office Residential • Downtown Area 	Sensitive in nature, involving a substantial residential component. Are likely to be in the Downtown and between residential/office areas.

Land Use Category: <i>Lodging</i>				
5	Short Term Rental	<ul style="list-style-type: none"> • Bed And Breakfast Establishment* • Hostels* • Lodging House, Class 2* 	<ul style="list-style-type: none"> • Office Residential • Business District Commercial • Downtown Area • Regional Facility 	Most likely to be found in neighbourhoods and may 'fit' with the house form.
6	Hotel/Motel	<ul style="list-style-type: none"> • Hotels* • Motels* 	<ul style="list-style-type: none"> • Office Business Park • Downtown Area 	Most likely to be found in the Downtown, near the airport, and in business areas. These are also likely to be subject to different regulations regarding scale.
Land Use Category: <i>Office</i>				
7	Office	<ul style="list-style-type: none"> • Office, Business* / Business Office* • Office* • Office, Professional* • Office, Service* • Office, Store and Business Electronic Products Industry* • Offices, Support* / Support Offices • Studio* 	<ul style="list-style-type: none"> • Office • Office Business Park • Office Residential • Office Conversion • Business District Commercial • Downtown Area 	All are variations of office uses. There is no planning issue that differentiates between these use types.
8	Medical Office	<ul style="list-style-type: none"> • Clinic, Outpatient* • Clinics* • Medical/Dental Laboratories • Medical/Dental Office* • Patient Testing Centre Laboratories* 	<ul style="list-style-type: none"> • Restricted Office • Office • Business District Commercial • Neighbourhood Shopping Area 	Likely subject to different zoning regulations than an "office" including parking. May also be required in different zones compared to "office".

Land Use Category: Retail and Service				
9	Eating and Drinking Establishments	<ul style="list-style-type: none"> • Eat-In Restaurants* / Restaurant, Eat-In* • Restaurant* • Restaurant, Outdoor Patio* • Tavern* 	<ul style="list-style-type: none"> • Business District Commercial • Downtown Area • Community Shopping Area 	Captures all uses where patrons would be served food and/or drinks.
10	Retail Store	<ul style="list-style-type: none"> • Antique Store* • Auction Establishment* • Bake Shops* • Bulk Beverage Store* • Catalogue Stores* • Convenience Stores* • Florist Shop* • Food Store* • Garden Store* • Gift Shops* • Grocery Store* • Home And Auto Supply Store* • Home Improvement and Furnishing Store* • Liquor, Beer, and Wine Store* • Retail Store* • Shopping Centres* • Supermarket* • Video Rental Establishment* 	<ul style="list-style-type: none"> • Business District Commercial • Downtown Area • Neighbourhood Shopping Area • Convenience Commercial 	Defined by their commercial nature. Support the day-to-day needs of residents and could be located in commercially-zoned areas and/or in/abutting neighbourhoods.
11	Personal and Business Service	<ul style="list-style-type: none"> • Animal Clinic* • Animal Hospital* • Business Service Establishments* • Convenience Business Service Establishment* • Duplicating Shop* • Financial Institution* • Funeral Homes* • Laundromats* • Personal Service Establishment* • Pharmacies* • Printing Establishment* 	<ul style="list-style-type: none"> • Business District Commercial • Neighbourhood Shopping Area • Highway Service Commercial • Convenience Commercial • Restricted Service Commercial 	Support the daily needs of residents but are focused on providing a service rather than a commercial function.

Land Use Category: Entertainment and Recreational Uses				
12	Arts and Culture	<ul style="list-style-type: none"> • Art Galleries • Cinemas* • Museums • Theatres* 	<ul style="list-style-type: none"> • Business District Commercial • Downtown Area 	Likely to be attractions to visitors and residents, offering culturally-enriching experiences.
13	Outdoor Recreation	<ul style="list-style-type: none"> • Campground* • Commercial Outdoor Recreation Facility* • Golf Course* • Golf Course, Recreational* / Recreational Golf Course • Golf Driving Range* • Hiking Trails* • Multi-Use Pathways* • Private Outdoor Recreation Club* 	<ul style="list-style-type: none"> • Commercial Recreation • Open Space 	Defined by their principal function occurring fully or primarily outdoors (although they may have associated buildings or structures). Often require large amounts of space and offer active or passive recreational opportunities.
14	Place of Amusement	<ul style="list-style-type: none"> • Amusement Game Establishment • Amusement Park • Entertainment Complexes • Place Of Entertainment* • Go Kart Track • Miniature Golf Course* 	<ul style="list-style-type: none"> • Downtown Area • Commercial Recreation 	Includes those uses geared toward commercial entertainment. Not recreational in nature.
15	Place of Assembly	<ul style="list-style-type: none"> • Assembly Halls • Private Club* • Stadia [Stadiums] • Places Of Worship 	<ul style="list-style-type: none"> • Business District Commercial • Downtown Area • Commercial Recreation 	Defined by their primary function as attracting and hosting members of the public, sometimes in large groups.
16	Sports and Recreation Facility	<ul style="list-style-type: none"> • Batting Cages • Passive Recreational Uses* • Public Recreational Buildings • Public Swimming Pools • Recreational Building (Indoor Sports) * • Recreational Buildings Associated with Conservation Lands and Public Parks** • Recreational Building • Riding Stable* • Sports Fields • Tennis Court 	<ul style="list-style-type: none"> • Commercial Recreation • Open Space • Urban Reserve 	All are dedicated facilities in which sports and recreational uses will be housed (may be indoors, outdoors, or a combination). Likely to be publicly-owned and/or funded and will occur in more structured forms and environments that outdoor recreational areas.

Land Use Category: Civic, Public, Institutional				
17	Community and Civic Services	<ul style="list-style-type: none"> • Community Centres* • Day Care Centres* • Institutions* • Library* • Post Offices 	<ul style="list-style-type: none"> • Office • Office Residential • Downtown Area • Neighbourhood Shopping Area 	All are intended to support residential uses and may be found along major roads/at key intersections abutting neighbourhoods.
18	Educational Uses	<ul style="list-style-type: none"> • Adult Secondary School* • Elementary School* • Private School* • School* • Secondary School* • University School* / Universities 	<ul style="list-style-type: none"> • Community Shopping Area • Regional Facility • Community Facility • Neighbourhood Facility 	A suite of educational uses that are not differentiated from a use perspective.
19	Government/Public Services	<ul style="list-style-type: none"> • Correctional And Detention Centre* • Fire Stations / Fire Halls • Police Stations 	<ul style="list-style-type: none"> • Regional Facility • Community Facility • Neighbourhood Facility 	Not designed to be destinations that are frequently visited by the public. May be located throughout the city.
20	Hospital	<ul style="list-style-type: none"> • Hospitals* 	<ul style="list-style-type: none"> • Regional Facility 	Large institutional health care centres with specific locational needs and requirements.

Land Use Category: <i>Agricultural/Rural</i>				
21	Agriculture, General	<ul style="list-style-type: none"> • Agricultural Research Station • Agricultural Uses* • Aquaculture* • Cultivation Of Land for Agricultural/Horticultural Purposes • Farms, Except For Livestock Facilities** • Forestry Use* • Greenhouse Farm* • Commercial Greenhouses* / Greenhouse, Commercial* • Nursery* 	<ul style="list-style-type: none"> • Open Space • Environmental Review • Resource Extraction • Agricultural • Urban Reserve 	Likely to be located in rural environments but may also serve as retail locations for members of the public seeking local agricultural produce. May be found closer to urban areas as they are less impactful in nature than intensive agricultural uses that are likely to emit odours and noise.
22	Agriculture, Intensive	<ul style="list-style-type: none"> • Agriculturally-Related Industrial Uses • Commercial Grain Drying, Handling, And Storage • Farm Chemical and Fertilizer Storage** • Farm Livestock Hospital** • Livestock Facilities* • Manure Storage Facilities* • Mushroom Farms* • Transfer Station for Dead Farm Livestock** 	<ul style="list-style-type: none"> • Agricultural • Agricultural Commercial 	Are expected to be more noxious in nature and likely to emit odours and noise that would be incompatible with urban uses and populated residential areas. May require more land area and be subject to specific regulations including Minimum Distance Separation requirements.
23	Agricultural Sales and Service	<ul style="list-style-type: none"> • Agricultural Service Establishment* • Agricultural Supply Establishment* • Farm Equipment Sales and Service Establishment** • Farm Gate Sales* • Farm Market* • Farm Supply** • Livestock Sales** • Retail Store Selling Agriculturally-Related Products** 	<ul style="list-style-type: none"> • Agricultural • Agricultural Commercial 	Specifically designed as commercial uses that support agricultural activities. Not designed as retail uses for the general public.
Land Use Category: <i>Natural Areas/Open Space</i>				
24	Protected Natural Area	<ul style="list-style-type: none"> • Conservation Lands* • Conservation Works* • Forest • Managed Woodlot* 	<ul style="list-style-type: none"> • Open Space • Agricultural • Urban Reserve 	Intended to be protected and conserved. Not intended for development and will likely be in significant environmental areas and rural/agricultural settings.
25	Parks and Open Space	<ul style="list-style-type: none"> • Cemeteries* • Playground • Private Park* • Public Park* 	<ul style="list-style-type: none"> • Commercial Recreation • Open Space 	Occur in open spaces and may have associated structures. Most likely to occur in urban environments.

Land Use Category: Auto-Oriented/Transportation Uses				
26	Transportation Uses	<ul style="list-style-type: none"> • RAILWAY LINES And Accessory USES** • TAXI ESTABLISHMENT* • TERMINAL CENTRE* • TRANSPORT TERMINAL* 	<ul style="list-style-type: none"> • Business District Commercial • Downtown Area, Regional Facility, Regional Shopping Area 	Defined by their primary function as a transportation use or to directly support a transportation function.
27	Vehicular Sales and Service	<ul style="list-style-type: none"> • Automobile Rental Establishment* • Automobile Sales and Service Establishment* • Automobile Sales and Service Establishment with Automobile Body Shops* • Automobile Service Station* • Automobile Supply Store* • Automotive Use, Restricted* • Gas Bar* • Sales Of Vehicles Reconditioned** • Truck Sales and Service Establishment* 	<ul style="list-style-type: none"> • Restricted Service Commercial • Automobile Service Station • Light Industrial • General Industrial 	Support the general public and provide both commercial and services uses that almost always occur together. May be associated with outdoor storage of vehicles.
28	Vehicular Repair	<ul style="list-style-type: none"> • Automobile Body Shops* • Automobile Repair Garages* • Impounding Yard* • Salvage Yard* 	<ul style="list-style-type: none"> • Restricted Service Commercial • Automobile Service Station • Light Industrial • General Industrial • Heavy Industrial 	Differentiated from sales and service as they are more noxious and require more specific geographic permissions. May be associated with outdoor storage of vehicle scarp parts.

Land Use Category: <i>Industrial</i>				
29	General Industrial Uses	<ul style="list-style-type: none"> Existing Defined Industrial Use* Existing Industrial Uses Industrial Mall* Repair And Rental Establishment* Service And Repair Establishment* Service Trade* 	<ul style="list-style-type: none"> Business District Commercial Downtown Area Neighbourhood Shopping Area Restricted Service Commercial Light Industrial General Industrial 	<p>A broad array of industrial uses that may not be classified as either "Manufacturing, Processing and Production" or "Wholesale, Storage, Warehouse and Distribution" (may include a combination or both, or may not include either uses).</p> <p>Uses are less noxious or intense and could be located at the periphery of an employment area.</p>
30	Manufacturing, Processing, and Production	<ul style="list-style-type: none"> Artisan Workshop* Bakeries* Brewing On Premises Establishment* Building Or Contracting Establishment* Craft Brewery* Custom Workshop* Dry Cleaning and Laundry Depot* Dry Cleaning and Laundry Plant* Electrical And Electronic Products Industries* Film Processing Depot* Food, Tobacco, and Beverage Processing Industries Excluding Meat Packaging** Manufacturing And Assembly Industries* Manufacturing And Assembly Industries with Related Sales** Paper And Allied Products Industries Excluding Pulp and Paper and Asphalt Roofing Industries** Pharmaceutical And Medical Products Industry* Printing, Reproduction and Data Processing Industries* Processed Goods Industry* Raw Materials Processing Industry* Textile Processing Industry* 	<ul style="list-style-type: none"> Office Business Park Light Industrial General Industrial 	<p>Includes uses that actively manufacture and produce an end product in a facility. Not geared to the general public but will attract employees on a regular basis.</p>
31	Wholesale, Storage, Warehouse and Distribution	<ul style="list-style-type: none"> Bulk Sales Establishment* Building Supply Outlet* 	<ul style="list-style-type: none"> Restricted Service Commercial Light Industrial 	<p>Involve indoor storage of goods and materials.</p>

		<ul style="list-style-type: none"> Existing Self-Storage Establishments Kennels* Post Office Depots Self-Storage Establishment* Storage Depot* Warehouse Establishment* Wholesale Establishment* 	<ul style="list-style-type: none"> General Industrial 	<p>May serve the general public more than "Manufacturing, Processing and Production" uses and are likely to be located on the periphery of an employment area.</p>
32	Research and Development	<ul style="list-style-type: none"> Laboratory* Research And Development Establishment* 	<ul style="list-style-type: none"> Office Business Park Light Industrial Agricultural 	<p>Large scale testing, research, and development that are likely to occur in large format and within or abutting employment areas.</p>
33	Heavy Industrial Uses	<ul style="list-style-type: none"> Abattoir* Leather And Fur Processing Industry, Excluding Tanning** 	<ul style="list-style-type: none"> Heavy Industrial Agricultural Commercial 	<p>Include the most noxious industrial uses. May require substantial buffering from adjacent uses and should be concentrated in certain locations within an employment area.</p>
34	Mining and Extraction, and Energy Producing Systems	<ul style="list-style-type: none"> Material Recovery Facility* Resource Excavation* Resource Extraction Operations, Including Accessory Aggregate Reprocessing, Asphalt Batching Plants, And Concrete Batching Plants** Resource Extraction Operations, Including Accessory Aggregate Reprocessing** Small Wind Energy Conversion System* Wayside Pit* 	<ul style="list-style-type: none"> Resource Extraction Agricultural Urban Reserve 	<p>Include disturbing the ground for the purposes of resource extraction relating to mining or energy. Will be noxious and are likely to be located away from urban areas.</p>
35	Waste-Related Services	<ul style="list-style-type: none"> Channel Composting Facility* Community Recycling and Drop-Off Depot* Compost Facility Construction Demolition Recycling Facility* In-Vessel Composting Facility* Leachate Pre-Treatment / Hauled Liquid Waste Facility* Municipal Waste Disposal Facility* Public Drop-Off for Municipal Hazardous or Special Waste* Specialized Recycling Facility* Waste Treatment Facility* Windrow Composting Facility* Yard Waste Composting Facility* 	<ul style="list-style-type: none"> Heavy Industrial Waste and Resource Management 	<p>Waste-related processing and recycling facilities that will likely be outdoor uses and that are likely to have noxious odours and noise emissions. Are incompatible with urban areas.</p>

* Land uses indicated with an asterisk are defined in the existing Zoning By-law Z.-1.

** Land uses indicated with a double asterisk are partially defined in the existing Zoning By-law Z.-1 (the entire land use term as captured in this table does not appear in the Definitions Section).

*** Sample zones where clustering of permissions occurs, not exclusive or comprehensive list.



RETHINK ZONING

DISCUSSION PAPERS

4

ZONING IN ON HOUSING AFFORDABILITY

JUNE 2022

Sajecki →
Planning

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Land Acknowledgment

The City of London is situated on the traditional lands of the Anishinaabek (AUh-nish-in-ah-bek), Haudenosaunee (Ho-den-no-show-nee), Lūnaapéewak (Len-ah-pay-wuk) and Attawandaron (Add-a-won-da-run).

We acknowledge all the treaties that are specific to this area: the Two Row Wampum Belt Treaty of the Haudenosaunee Confederacy/Silver Covenant Chain; the Beaver Hunting Grounds of the Haudenosaunee NANFAN Treaty of 1701; the McKee Treaty of 1790, the London Township Treaty of 1796, the Huron Tract Treaty of 1827, with the Anishinaabeg, and the Dish with One Spoon Covenant Wampum of the Anishnaabek and Haudenosaunee.

This land continues to be home to diverse Indigenous peoples (First Nations, Métis and Inuit) whom we recognize as contemporary stewards of the land and vital contributors to society. We hold all that is in the natural world in our highest esteem and give honor to the wonderment of all things within Creation. We bring our minds together as one to share good words, thoughts, feelings and sincerely send them out to each other and to all parts of creation. We are grateful for the natural gifts in our world, and we encourage everyone to be faithful to the natural laws of Creation.

The three Indigenous Nations that are neighbours to London are the Chippewas of the Thames First Nation; Oneida Nation of the Thames; and the Munsee-Delaware Nation who all continue to live as sovereign Nations with individual and unique languages, cultures and customs.

This Land Acknowledgement is a first step towards reconciliation. It is the work of all citizens to take steps towards decolonizing practices and bringing our awareness into action. We encourage everyone to be informed about the traditional lands, Treaties, history, and cultures of the Indigenous people local to their region.



Source: The London Plan

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Executive Summary

This paper focuses on the relationship between zoning and affordable housing, as zoning determines where housing can be located, the types that can be built, and how it can be constructed. It is intended to help the City of London introduce measures to diversify and increase the City's supply of affordable housing.

Housing affordability is increasingly a challenge facing municipalities across Ontario and Canada, including in London. As the City of London (the City) is currently working on a new zoning by-law to implement *The London Plan*, which speaks to the importance of providing more, and a greater diversity of, housing options for the city's growing population, this discussion paper looks at the relationship between zoning and housing affordability.

Inclusionary zoning is a new tool available to Ontario municipalities, where developers may be required to provide affordable housing units in new developments. *The London Plan* defines affordable housing units as those that do not exceed 30% of gross annual household income for low- and moderate-income households. The City is currently working on preparing an Inclusionary Zoning By-law that will set out regulations on the type, size, tenure, and definition of affordability. Indirectly, however, zoning regulations can impact the affordability of housing by limiting where housing can be constructed (e.g., single-use zones, like "residential", further differentiated by the scale of housing that is permitted), what form housing can take (e.g., narrowly defined uses and limited use permissions), how much housing can be built (e.g., arbitrarily low density restrictions), and how much housing costs to build (e.g., parking and engineering requirements, municipal charges, and lengthy development processes).

The City's new comprehensive zoning by-law could help to diversify and increase the supply of affordable housing in London by:

- Reducing minimum lot sizes;
- Increasing density permissions;
- Permitting and ensuring flexible regulations for additional residential units in existing neighbourhoods;
- Permitting residential uses in commercial and institutional areas;
- Encouraging the development of flexible use buildings; and
- Reducing costs of development associated with out-dated parking requirements.

The new zoning by-law could also incentivize the provision of affordable housing units or cheaper housing in the form of smaller units through additional density permissions or relaxed parking, open space, or setback requirements where certain conditions are met.



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Source: The London Plan

1.0 INTRODUCTION

1.1 Purpose

Housing affordability has historically been seen as a challenge faced by large municipalities. Smaller municipalities, however, are some of the fastest growing communities in Canada and are now increasingly feeling the pressure to create more housing options for residents. According to Statistics Canada, the City of London's population increased 10% between 2016 and 2021, from 383,822 people to 422,324. *The London Plan*, the city's new plan for development and city-building to 2035, recognizes the importance of providing a more diversified housing stock and more affordable housing options.

The London Plan outlines 15 Place Types that together make up the City of London. This list is broken up into ten urban (Downtown, Transit Village, Rapid Transit Corridor, Urban Corridor, Shopping Area, Main Street, Neighbourhoods, Institutional, Industrial, Future Growth), three rural (Farmland, Rural Neighbourhoods, Waste Management Resource Recovery Area), and two city-wide Place Types (Green Space, Environmental Review), each with their own opportunities and constraints as they relate to the construction of affordable housing. The purpose of this discussion paper is to look at the relationship between zoning and affordable housing. Section 2.2 outlines at a high-level how zoning regulations can influence housing affordability; Section 2.3 and 2.4 speak to the London policy and regulatory context; while Section 3 identifies specific opportunities for the City of London's new zoning by-law, which will implement *The London Plan's* concept of Place Types, to address the supply and diversity of affordable housing through regulation. [Appendix A](#) describes the methodology used by the Consultant Team to develop this discussion paper, while [Appendix B](#) provides an example of incentive zoning from Pierce County, Washington for the development of affordable housing.

Affordable housing is a complex issue that involves many programs, services, funding, and partners that are beyond the scope of a zoning by-law and London's ReThink Zoning initiative, in particular. Many of these are identified in [Appendix C](#), for reference.

2.0 **BACKGROUND**

2.1 Housing Affordability in the City of London

Housing affordability has become a widespread challenge across Ontario as the cost of housing continues to rise at an exponential rate. The City of London is no exception to this trend. In order to discuss how zoning can contribute to housing affordability, we need to understand what we mean by affordable.

Defining Affordable Housing

The range of housing types available in a community is usually depicted as a continuum, one segment of which is affordable housing (see Figure 1). There are several definitions of affordable housing that are used by various governments and agencies in Canada. They can generally be broken down into income-based and market-based.



Figure 1. The Housing Continuum (Source: CMHC)



Residential Development in London's Downtown

- **Income-based:** affordable housing that costs less than 30% of pre-tax income for low-to-moderate income households. This definition is used by the Canada Mortgage and Housing Corporation (CMHC).
- **Market-based:** housing that costs less than or equal to the 'average market rent' or 'average market price' of a city. This definition is used by London's Housing Development Corporation (HDC).¹

The London Plan, which is consistent with the approach required by Ontario's *Provincial Policy Statement (PPS)*, uses the income-based approach further defining "affordable housing" relative to ownership and rental tenure:

- Affordable ownership housing is housing that does not exceed 30% of gross annual household income for LMI households, or for which the purchase price is at least 10% below the average purchase price of a comparable resale unit in the City of London.
- Affordable rental housing is defined as a unit for which the rent does not exceed 30% of gross annual household income for LMI households or is at or below the average market rent in London.

Issued under Section 3 of the *Planning Act*, the *PPS* provides policy direction for land use planning in Ontario. As required by the *Planning Act*, all decisions affecting planning matters "shall be consistent" with the *PPS*, which came into effect on May 1, 2020, and defines 'affordable' as:

- In the case of ownership housing, the least expensive of:
 - i. Housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or
 - ii. Housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area;
- In the case of rental housing, the least expensive of:
 - i. A unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or
 - ii. A unit for which the rent is at or below the average market rent of a unit in the regional market area.

1. As this second definition includes municipally-run community housing that have income-related eligibility requirements, the City of London's *Affordable Housing Community Improvement Plan (CIP)* identifies a third definition of affordable housing that gets at the 'affordability gap' between those who earn too much to qualify for income security programs and those who do not earn enough to be able to pay market rates without paying more than 30% of their pre-tax income. The *Affordable Housing CIP*, which is discussed in Section 3.3, outlines programs aimed at supporting the development of affordable housing within this range.

The Core Housing Need

In the City of London, a household is considered to be ‘core housing need’ if its housing situation does not meet one or more of the following three standards:

- **Adequate** housing that is not in need of repairs,
- **Affordable** housing that is less than 30% of the household’s pre-tax income, and
- **Suitable** housing for the size and composition of the household.

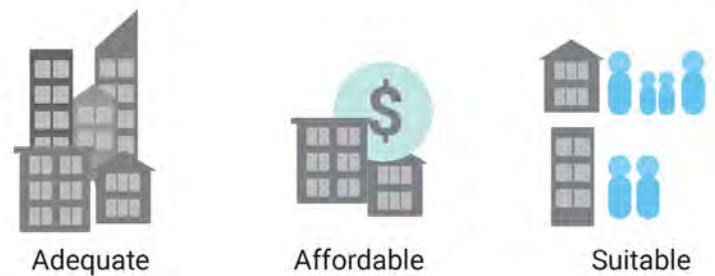


Figure 2. Three Standards of Housing Affordability

Housing affordability and the “core housing need” in London is assessed by weighing household incomes against the costs and supply of housing that can meet these households’ needs.

While the cost of ownership has been increasing year-over-year (especially in relation to single detached housing), the rental population has seen substantially worsening housing affordability conditions. The affordability gap increases with unit type as the cost of affordable monthly rent outpaces income (see Figure 3). Today, according to London’s *Housing Affordability CIP*:

- Over **40%** of renter households in bachelor/studio apartments spend more than 30% on shelter costs.
- Over **50%** of renter households in one-bedroom units and over **60%** of renters in two-bedroom units spend more than 30% on shelter costs.

This trend is most significant in three- and four-bedroom units, with over **80%** of renter households in these rental unit configurations spending more than 30% of income on rent. This is significant when considering families, the shift to working from home, and other household compositions that require additional space, or a larger unit type.

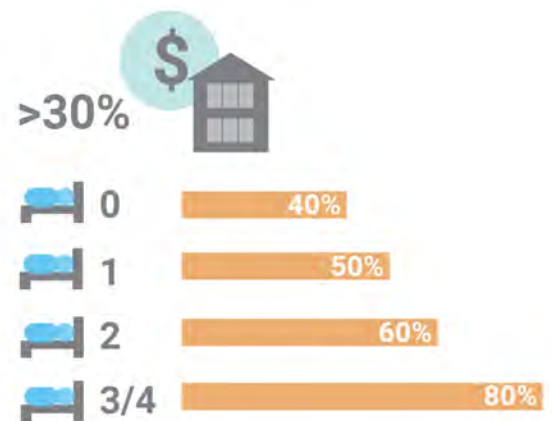


Figure 3. The Affordability Gap

According to the City of London’s *Affordable Housing Community Improvement Plan (CIP)*, the core housing need in London is highest in renter households (29.7%) compared to owner households (5.1%) and one-person households (23.8%) compared to households of two or more persons (9.6%).

For the purposes of London's new zoning by-law, this discussion paper considers affordable housing in two ways:

- The provision of 'affordable housing units' that meet the definition for affordable housing as outlined in *The London Plan* (to be refined in the City's forthcoming Inclusionary Zoning By-law [see Section 2.2]), and
- The construction of less expensive housing, whether due to smaller dwelling sizes or reduced construction costs.

2.2 Role of Zoning in Housing Affordability

Municipalities have several tools available to them to address the supply and diversity of affordable housing.

Development Charges: Based on recent legislative changes to services eligible to be covered by development charges, the City of London's 2025 development charges study will consider housing services (including affordable housing) for potential development charge recovery to encourage housing affordability in London. Regulated under the *Development Charges Act*, development charges are fees collected from developers at the time of development to help pay for the cost of providing municipal services to new development. Development charges are implemented through a development charges by-law and must be based on the findings of a development charges background study, which identifies the services to which the by-law would apply as well as the long-term capital and operating costs of each.

Inclusionary Zoning: Another tool is inclusionary zoning, which allows municipalities to require affordable housing units to be provided in new development. Inclusionary zoning was enacted through Ontario's Bill 7 as part of the *Planning Act* in 2016. Municipalities have the ability to specify requirements and standards for affordable housing units including types and sizes, affordability depth, tenure, and financial measures and incentives in the official plan and zoning by-laws. The *Planning Act* limits the implementation of inclusionary zoning to Council-approved Protected Major Transit Station Areas (PMTSAs). The City of London is in the process of developing an Inclusionary Zoning By-Law that will set out the regulations for the requirement of affordable housing units in new developments. Other initiatives that will accompany the implementation of affordable housing mandates through the Inclusionary Zoning By-Law include the Homelessness Prevention and Housing policies of *The London Plan*, an Affordable Housing Development Toolkit, and the *Housing Stability for All: The Housing Stability Action Plan for the City of London 2019-2024* (December 2019). These tools can be used collectively to regulate and encourage housing affordability in London for decades to come.

Although not directly related to the provision of affordable housing units, zoning by-laws play a

significant role in housing affordability by impacting (1) the supply of housing and (2) the cost of housing, through development regulations and associated approval processes.

2.2.1 Zoning Regulations that Limit Supply

Housing affordability is partly determined by the supply of housing in a municipality. If housing completions do not keep pace with population growth, increased demand drives up housing costs. In many ways, traditional land use zoning can limit the amount of land available for the development of housing, which has an impact on the affordability of housing.

As-of-Right Density Permissions: Many traditional zoning by-laws relegate specific forms of residential dwellings to different land use zones, limiting development in these areas to single detached, semi-detached, or multi-unit or apartment residential buildings. This serves to limit higher-density residential development to apartment neighbourhoods and mixed-use areas. Single detached dwellings, however, constitute the predominant housing form in many Canadian cities. By restricting large areas to only single detached dwellings, the housing form with the lowest residential density per lot, a significant amount of land is closed to other forms of residential development. That single detached dwellings are the most expensive form of housing has had the additional effect of excluding certain groups from living in these communities. Low as-of-right density permissions, both within established residential neighbourhoods and in areas around transit stations (i.e., areas that are often best equipped for accommodating greater residential density), result in limitations on the number of units that can be built in any given area, thereby restricting housing supply in a municipality, including affordable housing.

Location of Residential Uses: Traditional use-based zoning has historically separated residential uses from other land uses as a means of protecting residents from negative impacts of other uses (often industrial). Today, the nature of industry and work has changed, and yet residential uses remain limited to purely residential zones. Zoning regulations that do not permit residential uses in commercial or institutional areas limit the land available to residential development as part of mixed-use developments, particularly along transit corridors and on underutilized commercial plaza sites, as well as the adaptive reuse of existing non-residential buildings for residential uses.

Alternative Forms of Housing: The character of housing is not static. New technological and social innovations have resulted in increasingly economical and high-quality residential arrangements that can contribute to a broader range of housing, including modular housing and tiny homes. By limiting zoning permissions to a narrow range of housing types (most often consisting of single detached, semi-detached, rowhouse/townhouse, and multi-unit/apartment buildings), smaller, less expensive forms of housing that can provide a wider range of housing opportunities experience prohibitive barriers to construction (e.g., in the form of delays and additional costs due to additional planning approvals). Many municipalities are increasingly recognizing the benefits of permitting additional residential units as forms of gentle density in stable residential neighbourhoods. Examples include, but are not limited to, units located within same building as the main dwelling unit and in accessory buildings on the same

lot (i.e., laneway, garage, or garden suites) (see Figure 4). The additional residential units may provide housing for family members in the same household or for separate households. Other alternative forms of housing include rooming or single-occupancy housing, worker housing, and live-work units.

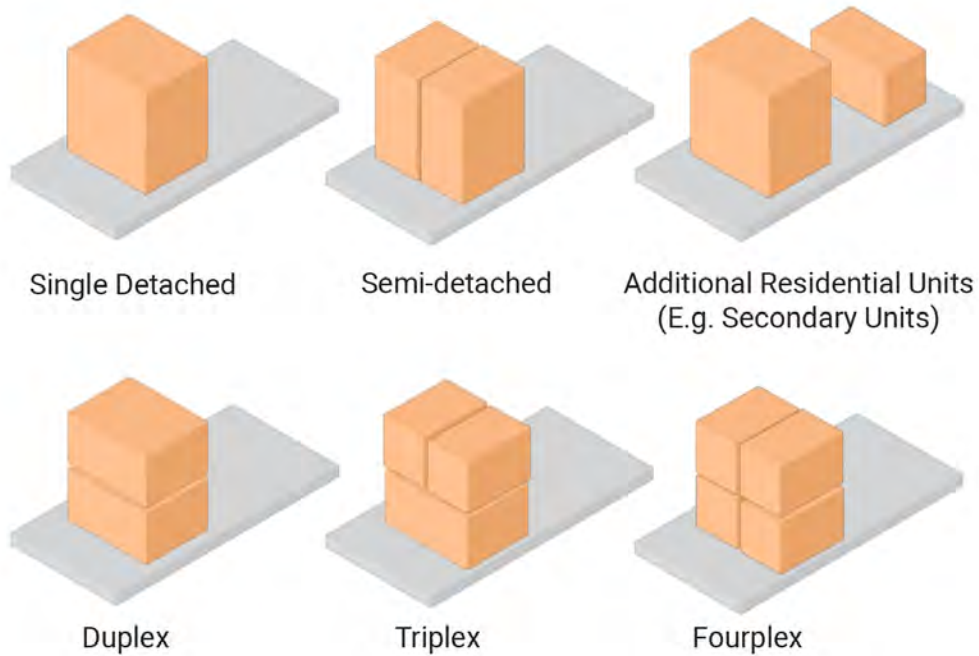


Figure 4. Different Types of Residential Development

Neighbourhood Character Policies: Many municipalities have policies and plans to protect neighbourhood character. These policies can have the unintended consequence of classifying and entrenching expectations for specific forms of housing in a given area. For example, minimum lot size and maximum lot coverage, maximum gross floor area, and maximum number of units may result in areas characterized by larger lots and fewer number of residential units.

Although *The London Plan* identifies retaining neighbourhood character as a principal tenet (e.g., including that new development should fit within the prevailing neighbourhood character of an area, *The London Plan* also emphasizes that new development does not have to mimic or be the same as development in the surrounding context to be sensitive to, and compatible with, existing built form. Permitting the conversion of single detached dwellings into multiple dwelling units, for example, is one way to provide a variety of housing choices at different price points while maintaining neighbourhood character in stable residential neighbourhoods.

2.2.2 Zoning Regulations and Factors that Increase Costs

As the costs of constructing housing are often passed onto the consumer, there are a number of municipal zoning requirements that influence the affordability of new housing.

Parking Requirements: Traditional zoning by-laws outline minimum requirements for both car and bicycle parking as part of new development. Many use-based car parking rates were developed in the late-1900s specifically to accommodate peak demand meaning they may not reflect current market factors, including increased investment in public transit. The costs of constructing and maintaining underground parking garages are significant, particularly in areas with high water tables, which are found throughout London. Moreover, as not everyone owns a vehicle, an equity issue arises as these residents are subsidizing the cost of parking for those who do. Similarly, requirements for long-term bicycle parking that must be secure and located within multi-unit residential buildings, can add additional cost to development where rates are outdated or do not reflect demand.

The City of London has initiated an Off-Street Parking Standards Review, which is exploring the possibility of reducing minimum parking standards and an open parking option whereby there is no parking standards in some Urban Place Types to allow for a more flexible and market-based approach to parking.

Engineering Standards: Municipalities have basic requirements for sanitary sewer systems, stormwater management, grading, road design, and the placement of utilities to ensure all municipal and private development projects are designed and constructed to a minimum level of performance and quality control. As the complexity of infrastructure increases, however, the design and construction costs, which are often paid for by developers, increase as well. In this way, more stringent engineering standards can increase the cost of development in the short-term (even as it decreases maintenance costs in the long-term), particularly in rural areas where existing municipal servicing is more limited.

Lengthy Development Processes: Generally speaking, the longer the municipal development approval process is, the more expensive the final development becomes due to the costs of retaining consultants. Lengthy development processes can stem from:

- Unclear expectations for the submission and review of a development application,
- A complex regulatory framework requiring additional approvals, and



Above-Grade Parking Structure in Residential Development

- Inefficiencies in the review process itself, causing delays.

While necessary, extended public consultation can create additional costs; and community opposition that leverages heritage conservation and appeal processes can also cause delays in the development review process and the construction of new housing.

Municipal Charges: Similar to development processes, municipal charges can increase the cost of development. These costs are often passed on to the consumer, thereby influencing the affordability of the resulting units. Municipal charges to developers include fees necessary for obtaining planning approvals, development charges, and parkland levies.

2.3 London Plan Policies on Affordable Housing

The housing affordability challenge in London is contextualized at the outset of *The London Plan*, with an acknowledgement that while London is one of Canada’s most affordable mid-sized cities, the steep increase in housing prices is outpacing the provision of affordable housing (LP 16).

The London Plan’s City Building policies relating to Homelessness Prevention and Housing outlines four strategic areas to meet the City’s housing goals:

- Community housing strategy;
- Creating housing opportunities;
- Affordable housing; and
- Homelessness prevention.

Policies 517-521 outline targets for the provision of affordable housing in new developments with specific reference to affordable housing to meet the housing requirements for those who need it most, and policies 505-510 speak to the importance of planning for a range of housing types and densities through infill and intensification, new neighbourhoods, the purchase of surplus lands, and brownfield rehabilitation and redevelopment. *The London Plan’s* City Building policies also stress the importance of services and other supports for those experiencing or at risk of homelessness (LP 499-501 and 524). These strategic areas will form the basis for the discussion below.

Brownfield site: Undeveloped or previously developed properties that may be contaminated. Usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict, or vacant.

The London Plan establishes guidance in support of a diverse housing landscape in London, with policies that address the need for a range of housing locations, type, size, tenure, accessibility, and density (LP 495, 505) as well as a variety of residential built form options (LP 506). Providing a diversity



Figure 5. The Spectrum of Housing Types

of housing options across the city is a fundamental objective of *The London Plan* to meet the projected requirements of current and future residents (see Figure 5).

Building on the intent of policies 505-510, further policy provides direction for affordable housing provision through new residential structures, infill, and redevelopment (LP 519). Notably, *The London Plan* establishes guidance for affordable housing provision, with the target of 25% of new housing to be affordable to low- and moderate-income households (LP 517), as defined by the PPS. It directs that this should be provided as a mix of housing types and sizes, with at least half of the affordable housing units being created for the lowest 30th percentile of household incomes in the City of London (LP 517-519). It also specifies that affordable housing should include both ownership and rental forms of housing, with a target of 50% of the rental units being available for low-income households whose annual shelter cost exceeds 50% of gross household income (LP 520). Affordable housing units may additionally be achieved through partnerships with private and/or public sector housing providers. Of note, 220 affordable housing units have been secured since 2018 through bonus zoning (a system providing additional density and height permissions in exchange for community benefits) implemented under London's 1989 Official Plan.

Furthermore, there are several opportunities identified in *The London Plan* policies as being relevant to housing affordability including: lot splitting, access to transit, conversions, revitalization, and infill development. Each is discussed below in the context of *The London Plan*.

Lot Splitting: Lot splitting, also known as a consent to sever, involves sub-dividing an existing parcel of land into multiple smaller parcels. While *The London Plan* does encourage a range and diversity of lot sizes in neighbourhoods to support housing choices, mixed uses, and accommodating a variety of ages and abilities (LP 220), it also recognizes the importance of character. Consents to sever are not permitted where they would result in undesirable changes in character and amenity of streetscapes and neighbourhoods (LP 965).

Transit Access: Because public transit is less expensive than vehicle ownership, investing in a dependable and expansive transit network of transit can help reduce housing cost burdens by reducing non-shelter costs (i.e., transportation costs). This is reinforced by the inclusionary zoning framework associated with certain higher-order transit nodes, or PMTSAs, as discussed in Section 2.2. There are opportunities created by policy and requirements from regulations for co-locating affordable housing units within and along major transit nodes and corridors.

Conversions: *The London Plan* permits the conversion of non-residential buildings to a residential use within the Neighbourhoods Place Type, in appropriate locations (LP 946). Capitalizing on underutilized buildings is a significant growth opportunity for affordable housing in London, with consideration for the intention of the Plan and the applicable zoning regulations.

Revitalization: *The London Plan* also identifies to opportunities to invest and promote affordable housing either through the redevelopment of existing public housing projects (LP 162) or revitalization efforts in neighbourhoods (LP 13). One tool that is often associated with revitalization is the Community Improvement Plan (CIP), which a municipality may introduce to identify programs and funding that will encourage improvements of the existing housing stock and the development of new housing. The City of London's *Affordable Housing CIP* is discussed in Section 3.3 of this report.

Infill Developments: Infill and intensification policies have been identified for various Place Types in *The London Plan*, including Main Streets and Neighbourhoods, as “residential intensification means the development of a property, site, or area at a higher residential density than currently exists” (LP 938). Infill and intensification limits sprawl (i.e., outward growth) while making efficient use of existing services and facilities (LP 59, 876). Various forms of intensification identified in *The London Plan* (ranging from discreet to more visibly obvious forms) include:

- Additional residential units,
- Converted dwellings,
- Adaptive re-use of non-residential buildings for new dwelling units,
- Lot creation through consent to sever (i.e., lot splitting),
- Infill, and Redevelopment (LP 939).



Residential Intensification in London

The London Plan also speaks to allowing infill development where appropriate in Rural Neighbourhood Place Types, although the extension of Rural Neighbourhood areas for residential purposes is not permitted (LP 1241).

In this way, *The London Plan* establishes a series of policies to support the provision of affordable housing and identifies a number of opportunities that may allow for increased affordable housing supply in the city over the next 20 years.

2.4 Existing Zoning Related to Affordable Housing

Although a comprehensive zoning by-law is being written to implement *The London Plan*, a number of opportunities exist in retaining or modifying features of the current London Zoning By-law (Z.-1) to support housing affordability.

Secondary dwelling units are currently permitted in a number of residential zones across the city in the form of “Accessory Dwelling Units” and “Secondary Farm Dwellings.”

Additionally, there is a discrete land use zone dedicated specifically to permit temporary and portable “Garden Suites” (the “Temporary Garden Suite Zone”). It is often understood that additional residential units, secondary suites, and garden suites are opportunities to increase housing affordability by presenting options for rental income or multi-family living arrangements that can offset the annual cost of the primary dwelling. However, permissions for these uses are currently limited across the city. Consideration for expanding zoning permissions for additional residential units, where appropriate, will be fundamental to the development of the new zoning by-law.

Z.-1 is unique in that it contains uses that recognize conversion from one use to another and a flexibility in combining discrete land uses. This is not often seen in zoning by-laws in Ontario. Alternative options to traditional dwelling units have the potential to support housing affordability in London. For example,

- “Apartment Hotels,” permitted in the Downtown Area 2 (“DA2”) zone variation, allows up to 50% of a hotel’s living accommodation to be dwelling units.
- “Converted Dwellings,” provide as-of-right permissions for an existing residential building to increase the number of dwelling units within the existing structure.

However, their applicability is limited to only a few zones across the city, and as a result, the Z.-1 permissions do not go far enough to significantly impact housing affordability. Expanding their applicability is one way London’s new zoning by-law can support housing affordability through new regulation. However, there are other factors, including provincial policy and local housing market conditions, that can promote or limit the development of affordable housing. As such, zoning must be implemented in tandem with complementary tools and initiatives (see examples in Appendix C).



Mixed Residential Density in Low-rise Form



Apartment Building near Western University Campus

3.0 **PRELIMINARY RECOMMENDATIONS**

3.1 Preliminary Directions

In February 2022, the provincial government released the report of the Ontario Housing Affordability Task Force, which aims to close the housing supply gap and improve housing affordability through a series of 55 recommendations, such as increasing density and supporting necessary infrastructure investments. Soon after, on March 30th, the provincial government introduced Bill 109, the *More Homes for Everyone Act, 2022*, which aims to reduce red tape, accelerating the development application review timelines and streamlining the approvals process. Bill 109 received Royal Assent on April 14, 2022.

Other strategies were also analyzed by the Consultant Team for how they may apply to the development of affordable housing in London, including:

Permit Smaller Development: The new zoning by-law should consider supporting smaller-scale development through possible reductions in minimum lot sizes where appropriate. This will serve to increase the number of units possible per area over the long-term by permitting the splitting of existing lots and allowing for small-lot subdivisions. Smaller lots are also more appropriate for alternative forms of housing, such as modular housing and tiny homes, which can serve to increase the diversity of housing possible in the City of London. It is recognized that an absolute minimum lot frontage exists to ensure sufficient access for servicing connections, including water, sanitary, stormwater, hydro, and gas. This and other technical design considerations, including driveway separation and on-street parking, will need to be considered when reviewing possible changes to minimum lot sizes.

Permit Greater Density Development: The new zoning by-law should permit, where possible, greater height and density permissions to increase opportunities for the provision of affordable housing. *The London Plan* creates a variety of opportunities for intensification particularly as the policies relate to the Downtown, Transit Village and Rapid Transit Corridor Place Types and Protected Major Transit

Areas. In these areas, by softening angular plane and floorspace area ratio regulations, additional units can be accommodated in areas of planned intensity. Additional opportunities for intensification also exist in stable neighbourhoods, which currently only permit single detached dwellings, by permitting a more diverse range of building types that provide for additional dwelling units on a single residential lot. As increasing residential density permissions in existing residential zones would effectively multiply occupancy in these areas, a review of the municipal servicing available in the area would be necessary to ensure sufficient infrastructure to support this level of residential intensification outside of the Downtown, Transit Villages, and at station locations along the Rapid Transit Corridors.

Allow Flexible Use of the Existing Building Stock: Regulations in the new zoning by-law should encourage the construction of additional residential units and accessory suites as a means of providing gentle density and broadening the range of housing options available to London's residents. The conversion of existing non-residential buildings to residential uses provides an additional source of housing through adaptive re-use of the existing building stock. Regulations relating to conversions should be relaxed to avoid introducing barriers to redevelopment. In the past, minimum parking requirements, which varied significantly between uses, limited the feasibility of reusing existing buildings. As the City of London looks to eliminate minimum parking standards, other zoning barriers to conversions should be considered and addressed in the new zoning by-law. In general, providing additional zoning permissions or relaxation of more restrictive regulations can encourage the revitalization of the existing housing stock, whether through the conversion of use or redevelopment of London and Middlesex Community Housing's portfolio.

Introduce More Land for Residential Development: A number of areas in the City of London are currently closed to residential development. By introducing residential permissions in commercial areas, including along arterial roads, in shopping plazas, and other greyfield sites, additional land is made available for new housing, while also encouraging the redevelopment of underutilized land with new residential mixed-use developments. Introducing residential uses on publicly owned lands, especially properties with existing community-based facilities such as schools, libraries, and community centres, could represent an immediate opportunity to co-locate new affordable housing units with community services.

As some forms of residential uses are limited to discreet parts of the city, the City could better meet the housing needs of its population by expanding the range of permitted housing forms throughout the city to include:

- Additional residential units;
- Pre-fabricated housing;
- Single-occupancy housing;
- Worker housing; and
- Live-work units.

Greyfield site: Previously developed lands that do not have any known environmental contaminants but may not be economically viable in their current state, such as declining retail plazas. This is not the same as a “brownfield site”, which has known environmental contamination that must be remediated prior to any redevelopment.

Encourage the Development of Flexible Housing: Flexible housing allows homeowners to reconfigure their house as their lifestyle changes, involving minimal modifications and expenditures (e.g., rooms could change in size, or a complete floor could change in function) (see Figure 6). Flexibility in building design can similarly facilitate the conversion between residential and non-residential uses as the nature of markets change over time. Where the market does not currently exist to require non-residential uses at-grade in higher-density developments, providing a minimum ground floor height would allow for the possibility of future conversion. Similarly, designing integrated and underground parking facilities with flat roofs, removable spiral ramps, and minimum ceiling heights could support conversion to residential or other non-residential uses in the future as travel behaviours and technological advancements reduce dependence on single passenger automobiles. The design of flexible buildings, however, will need to take into consideration servicing needs that may differ between residential and non-residential uses.

Introduce Alternative Engineering Standards: Evolving engineering standards should be taken into consideration in the drafting of a new zoning by-law to ensure outdated lot size requirements are not brought forward. Although outside the scope of a new zoning by-law, alternative development standards, or the relaxing of conventional engineering standards relating to roadway design (narrower right-of-way widths) and stormwater management (including encouraging green infrastructure), particularly in rural areas, can additionally serve to decrease development costs for projects that meet certain requirements (e.g., affordability criteria).

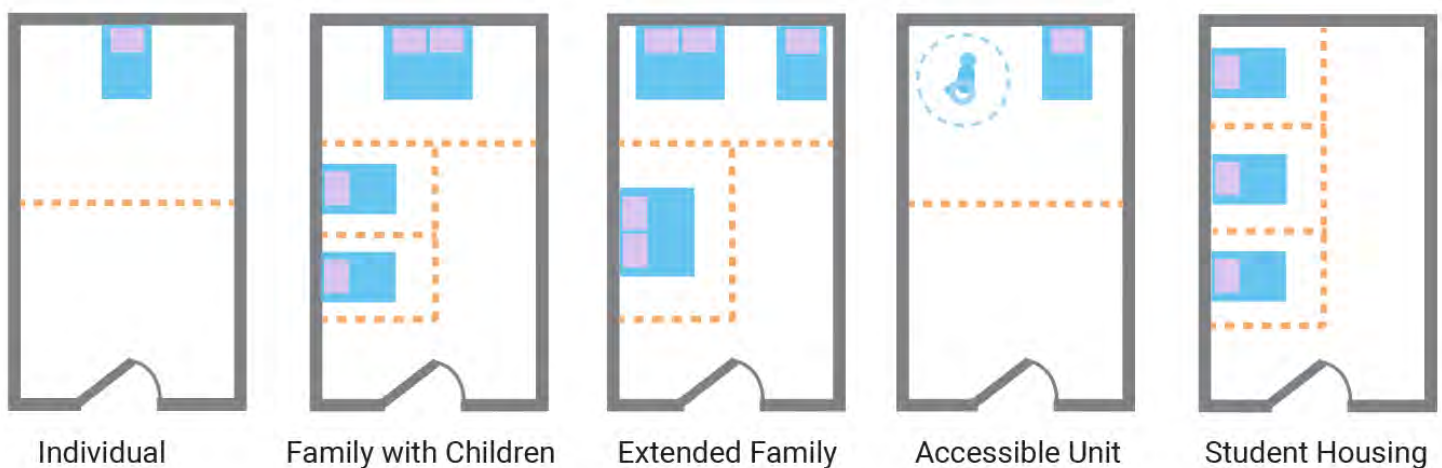


Figure 6. Flexible Housing

Reduce Costs of Development and Streamline Lengthy Development Processes: Reducing some of the more costly requirements for housing developments could encourage those who would want to develop housing in London. Reducing vehicular and long-term bicycle parking requirements, which can be costly to developers and potentially underutilized by residents, is one example of a zoning measure that could facilitate less expensive residential development.

Although outside the scope of a zoning by-law, reductions in municipal charges for projects with affordable housing components and exemptions from site plan control approvals for infill projects below a certain number of units could additionally reduce cost and time barriers to the provision of housing thereby increasing affordable housing units and housing affordability more generally in the long-run. Prioritizing the review of development applications with affordable housing components can further facilitate their construction.

3.2 Key Recommendations

The recommendations in this report are not intended to prioritize the construction of housing over other planning priorities. Nor is it the intention for all of London to become a dense urban core in the name of housing affordability. *The London Plan* already identifies where residential and employment intensification should occur; the zoning considerations explored here represent a lens through which the new zoning by-law can address housing affordability depending on the specific development challenges and opportunities of the various Place Types. The nature of regulations will depend on the vision for each Place Type and whether a certain form of development is to be encouraged (through more permissive regulations) or managed (through more stringent regulations).

Some recommendations could be applied across the City of London. The challenge will be to identify where opportunities within specific Place Types exist as they relate to permitting a greater range of residential uses in smaller development, at higher densities, and in more areas of the city. Although an in-depth analysis into each Place Type will occur at a later stage, Section 3.2.1 below describes how high-level housing related regulations could be implemented in the City's new zoning by-law.

3.2.1 Housing Affordability by Transect

As described in more detail in *Discussion Paper #7: Implementing the Zone*, the new zoning by-law's approach to balancing the regulation of use with form and intensity will be informed by a hybrid form-based zoning system. Form-based codes tend to delineate transects, or cross-sections of a municipality, illustrating the gradual change in intensity (from least to most intense) and form (also see *Discussion Paper #2: Zoning in on Intensification*) as you move from the periphery in towards the urban core. However, the transect approach can also illustrate the range and diversity of planning challenges across a municipality depending on the nature of intended development. Table 1 illustrates how the preliminary directions in Section 3.1 could be applied to groups of Place Types.

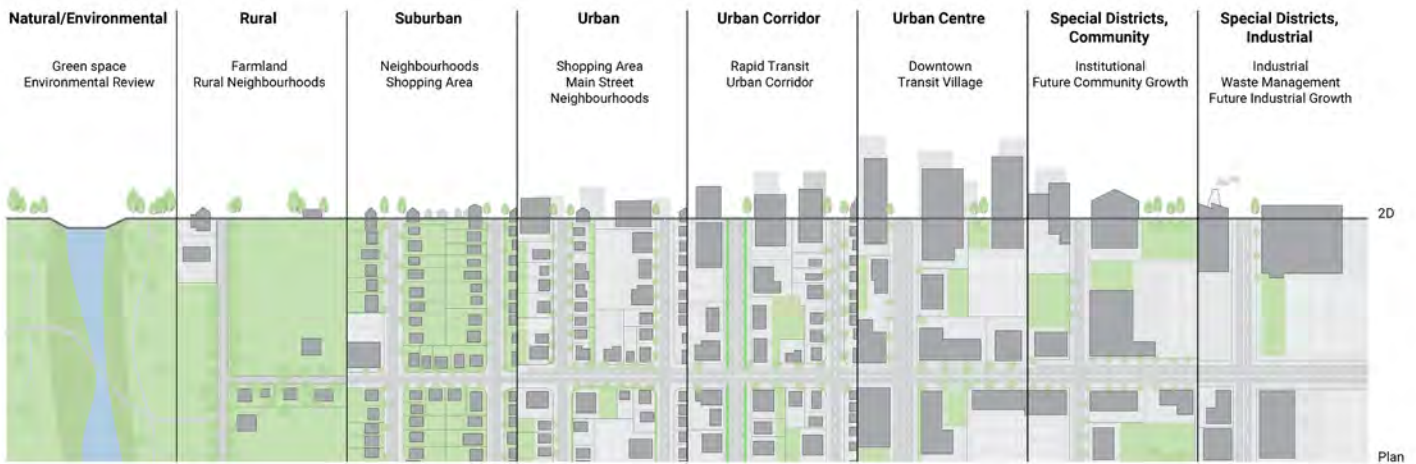


Figure 7: Transect Application to London's Place Types

3.2.2 Incentivize Affordable Housing

In years past, municipalities had the option of density bonusing under Section 37 of the *Planning Act*, where municipalities could request community benefits when a development application requires a zoning by-law amendment (i.e. is requesting additional density or height above what is permitted in the zoning by-law). Although the threshold that would trigger Section 37 provisions as well as typical benefits (including the provision of affordable housing units in the new development), are outlined in official plan policies, this process typically took the form of a negotiation with the local councillor in order to determine the magnitude and nature of the requested benefits.

Table 1. Transect Application to London's Place Types

Transect Application to London's Place Types		
Sample Transect (Place Type Districts)	London Plan Place Types	Housing Affordability Recommendations
Natural/Environmental	Green Space	N/A
	Environmental Review	
Rural	Farmland	<ul style="list-style-type: none"> • Explore alternative engineering standards • Permit a wider range of housing forms
	Rural Neighbourhoods	
Suburban	Neighbourhoods	<ul style="list-style-type: none"> • Reduce minimum lot sizes • Permit a wider range of housing forms

Urban	Shopping Area	<ul style="list-style-type: none"> • Reduce minimum lot sizes • Permit a wider range of housing forms • Permit residential uses in commercial areas • Increase density permissions • Support adaptive re-use through flexible design
	Main Street	
	Urban Corridors	
Transit Corridor	Rapid Transit Corridors	<ul style="list-style-type: none"> • Require minimum densities • Support adaptive re-use through flexible design
	Transit Village	
Urban Centre	Downtown	<ul style="list-style-type: none"> • Requirement minimum densities • Support adaptive re-use through flexible design
Special Districts, Community	Institutional	<ul style="list-style-type: none"> • Permit a range of housing forms
	Future Community Growth	
Special Districts, Industrial	Industrial	N/A
	Waste Management Resource Recovery Area	
	Future Industrial Growth	

Recent changes to provincial legislation has meant that municipalities in Ontario will no longer have this tool at their disposal as of September 18, 2022. As these changes are relatively recent (Bill 108, which introduced changes to Section 37 of the *Planning Act*, received Royal Assent on June 6, 2019), municipalities are still in the process of exploring alternatives to what remains an important revenue tool. Incentive zoning, is something that has been practiced in the United States for several decades now and could represent an opportunity to incentivize and encourage development that provides affordable housing units or less expensive forms of housing.

Typically, American municipalities use a combination of financial incentives such as fee waivers, expedited reviews, and funding programs where a certain number of affordable housing units are provided in new development. Although additional height or density permissions are the most common regulatory incentive, some municipalities offer reduced parking, open space, setback, and minimum lot area/width requirements where certain affordability conditions are met. Pierce County in Washington, for example, offers a rate of additional market rate housing units per low-income rental or owner-occupied unit provided in addition to reduced height standards, off-street parking requirements, and on-site active recreation areas depending on the percentage of affordable housing units (see Appendix B). Some of these reduced standards have locational criteria, so that they only apply in certain zone classifications or within a certain distance of a transit stop (in the case of parking) or a public park (in the case of open space). All of these measures are intended to encourage rather than require the construction of new affordable housing.

Although incentives can be used to compensate or offset the costs of mandatory affordable housing

contributions (in systems similar to the new inclusionary zoning system in Ontario), they can similarly be used as part of voluntary systems to encourage and reward developments that choose to provide them. These mechanisms, however, require clear definitions of 'affordability' (i.e., affordable for whom?) and the expected duration of affordability.

Similar performance standards can be used to incentivize the development of smaller units through the identification of a benchmark unit size, below which the difference in square footage could be provided as additional gross floor area that can then be used to construct larger units. This is different from imposing a maximum unit size, which may serve to restrict development rather than encourage a particular form of development depending on the financial feasibility of the project. The challenge with incentive zoning is identifying measures that provide sufficient incentive to developers while not undervaluing the public benefit being requested in exchange. Any performance standards introduced in London's new zoning by-law will be subject to Section 34 of the *Planning Act*, which outlines what can and cannot be regulated by a zoning by-law.

3.2.3 Balancing Housing Affordability with Other Planning Priorities

There are significant questions about trade-offs between planning (or zoning) for housing affordability and other priorities, such as urban sustainability, heritage preservation, and quality of the public realm (see Figure 8). As outlined in Section 2.3, opportunities for increasing housing supply are related to maximizing the number of units that can be constructed on a given site. However, by maximizing coverage on a residential lot, landscaping opportunities are lost, impacting the character of mature residential neighbourhoods as well as urban sustainability through reduced stormwater infiltration and fewer trees providing cooling and shading services. Reducing minimum lot sizes can have a comparable effect to increasing maximum coverage in addition to introducing design challenges as lot sizes decrease. Similarly, eliminating or scaling back regulations intended to minimize the impacts of higher-density development on surrounding lower-density areas, such as floor plate restrictions, could result in increased shadowing.

This balancing act extends to development application review processes and engineering standards. Reducing



Figure 8. Balance between Housing Affordability and Other Priorities

timelines may compromise the ability of staff to fully review individual and potentially cumulative impacts of development applications, while engineering standards exist to ensure safe and high quality servicing is provided in a fiscally responsible manner. As such, the feasibility of the recommendations made in this report will depend not only on the reconciliation of competing policy priorities but consideration for implementation and enforcement of new regulations and standards.

3.3 Additional Resources and Tools

The increased provision of affordable housing is supported by the City of London's Housing Access Centre, Housing Development Corporation, various other City departments and agencies, and City Council.

Council's Strategic Plan identifies the need to increase affordable and quality housing options and, to realize that goal, proposes to utilize innovative tools such as zoning and investments to facilitate affordable housing development. In addition to zoning, there are several resources and tools that the City has in place to accomplish this vision, including the *Affordable Housing Community Improvement Plan (CIP)*, *Housing Stability for All (2019-2024)*, and an Affordable Housing Development Toolkit.

A CIP is a tool under Section 28 of the *Planning Act* that allows municipalities to support improvements or development in a specific project area. London's *Affordable Housing CIP* includes a review of land use planning policies, zoning, and practices, analyzed housing data in London, and conducted consultation to establish a framework that would support the development of affordable housing units to meet the identified needs. The *CIP* is applied city-wide and offers financial incentives for affordable housing developments. They include an Affordable Housing Development Loan program and an Additional Residential Unit Loan program, intended to offset the costs of building affordable housing or additional residential units.

The City's *Housing Stability for All* was originally published in December 2019 with a 2020 Update and Priorities for 2021 released a year later. The plan aims to address homelessness through four strategic actions:

1. Respond to the homelessness crisis;
2. Create more housing stock;
3. Provide housing supports; and
4. Transform the service system.

Table 2, outlines the strategic focus areas that may be relevant to the new zoning by-law and commentary on the applicability to City Planning.

The City of London maintains a registry of affordable housing buildings and developments that are

Table 2. *Housing Stability for All* - Actions for City Planning

Housing Stability for All - Actions for City Planning		
Program or Service	Description	Applicability to City Planning
Respond to the Homelessness Crisis		
Implement unique opportunities to support rapid rehousing options.	Transitional supportive housing program aimed at continuing service provision for individuals from the temporary winter resting space location by supporting them to achieve housing stability and permanent housing.	Consider integrating permissions in the new zoning by-law for temporary uses and supportive housing in strategic locations.
Create More Housing Stock		
Develop publicly owned and available lands for affordable housing.	City of London and Housing Development Corporation announced a partnership with Ontario Aboriginal Housing Services for 42 affordable multi-residential units. Five new sites are under development or in the pre-development stage for new affordable housing.	Consider future partnerships and opportunities to fast-track rezoning approvals for affordable housing projects.
Implement tools, policies, and programs (the municipal housing toolbox) to create new affordable housing through a <i>CIP</i> , zoning by-law update, inclusionary zoning, bonusing, secondary units, or others	Approval of affordable housing through bonus zoning and legal agreements, with no additional cost to the municipality. A total of 220 bonus units have been negotiated and approved through Council since 2018.	The 2025 development charges study will explore development charge recovery for housing services, including affordable housing.
Provide Housing Supports		
Support movement and choice within a range of housing options and services based on the needs and interests of individuals and families.	Work with individuals and families to determine their support needs and expand programs that assist them in moving towards their housing goals.	Ensure zoning is permissive and allows for a range of housing options.
Assist individuals and families to move towards community integration and belonging.	Connect residents with community-supportive services and resources in their community. Increase employment opportunities for families and individuals.	Consider in zoning the proximity of residential areas to community services and facilities, as well as employment opportunities.
Transform the Service System		
Articulate a clear vision for the delivery of <i>Housing Stability for All</i> .	A regular quarterly housing report will provide Council and the community with frequent proactive updates on all housing initiatives across various City service areas. The Housing Stability Action Plan Implementation Team created a webpage that will be updated quarterly to provide the most up-to-date information.	Planning and Development (zoning team) should participate and stay updated on implementation of housing initiatives through the Housing Stability Action Plan.

<p>Ensure Council has strong information from committees and community networks and other mechanisms to support housing stability.</p>	<p>There are eight municipal teams that meet regularly to advance urgent housing, provide latest statistics on housing, advance funding opportunities, and ensure common understanding of housing related strategies.</p>	<p>Engage in regular meetings on urgent housing needs and support Council in understanding affordable housing initiatives.</p>
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going through the planning approval process. This registry provides a resource for residents looking for information on affordable housing. These developments are funded in partnership with the Government of Canada, the Province of Ontario, and the City of London.

Finally, the Investment in Affordable Housing program is an example of a federal-provincial-municipal collaboration in support of the development of affordable housing. Under the program, new homes are being created in the City of London (and the broader Middlesex County) in which rents are to be set at or below average market rent for the London Census Metropolitan Area as determined by the CMHC.

There are a number of other programs and services available in London to reduce homelessness and support affordable housing (see Appendix C). Achieving housing affordability will require a coordinated effort with input and cooperation from all City Divisions and stakeholders.

3.4 Next Steps

The review presented in this discussion paper represents high-level zoning considerations that will be explored in more detail with an in-depth review of each Place Type. The transect model (see Section 3.2.2) will provide the organizing framework for determining zoning approaches by Place Type Districts, which will be refined to provide specific regulations for each Place Type and, where appropriate, sub-types. Public feedback on this and other discussion papers will feed into the process as the ReThink Zoning project progresses.



Figure 9. Affordable Housing Development at 1045 Dundas Street in London (Source: The Housing Development Corporation, 2018)



Source: The London Plan

APPENDICES

Appendix A. Methodology

In developing this discussion paper, the Consultant Team undertook the following steps:

- **Site visits:** On February 9, 2022, the Consultant Team visited multiple sites in the City of London. Notable housing sites included:
 - 380 Princess Avenue: a 4-storey apartment building in the West Woodfield Heritage Conservation District.
 - 32, 36, and 40 York Street: a 24-storey mixed-use apartment building in the Downtown Heritage Conservation District.
 - 162 Wortley Road: a 3-storey mixed-use apartment building.
 - 152 Elmwood Avenue East: a 3-storey infill development duplex.
- **Review of *The London Plan* policies and other strategies:** A review of relevant policies related to affordable housing, infill development, lot splitting, municipal infrastructure, neighbourhood character, and additional residential units was conducted to better understand the current policy context.
- **Demographic analysis:** This involved identifying who is being impacted (e.g., low- and middle-income households), the ages of these populations, and the jobs that these populations hold.
- **Literature review:** A literature review was conducted to explore the role of zoning and its impact on housing affordability, with particular emphasis on the broader Ontario experience, innovative approaches to housing provision, and considerations for rural development.

Appendix B. Incentive Zoning in Pierce County, Washington

As described in Section 3.2, incentive zoning is a prevalent practice in the United States, whereby alternative development standards or regulations apply for applications that include affordable housing units. Pierce County’s County Code in Washington provides one example of how regulatory incentives can encourage (rather than require) the development of affordable housing. Tables B1 and B2 summarize the bonus housing unit rates and alternative development standards. Not included here are financial incentives also outlined in the County Code.

Table B1. Summary of Bonus Housing Unit Rates

Bonus Housing Unit Rates			
Tenure of Low-Income Unit	Bonus Unit Rate	Density Limitation	
		Single-Family Residential Zones	Multi-Family/ Mixed Use Zones
Rental	1.5 bonus market rate units for each low-income affordable housing unit	133% maximum density	120% maximum density
Owner-Occupied	1.0 bonus market rate units for each low-income affordable housing unit		

Table B2. Summary of Alternative Development Standards

Alternative Development Standards		
Development Standard	Location Criteria	Reduced Rate
At least 10% of the housing units within the project are affordable units for low-income households		
Height Standard	Project located within a Town Center or Urban Corridor zone classification	May be increased up to 10 ft
Parks and Open Space Requirement	Project located within a ½ mile walking distance to an existing recreation space, such as a public park, university, or public school property (free and accessible to the general public after school hours)	Ratio of on-site active recreation area may be reduced to 1:1 for active recreation area provided off-site
Minimum Lot Area/Width	-	May be reduced by 20%
At least 20% of the housing units within the project are affordable units for low-income households		
Maximum Height	Project located within a Town Center or Urban Corridor zone classification	May be increased up to 20 ft
Off-Street Parking Requirement	-	Not required to be located adjacent to the housing unit it serves (may be provided within a parking court within 660 ft of the housing unit)
Applicable only to the Affordable Low-Income Units within a project		
Off-Street Parking Requirement	-	Multi-family projects that maintain the standard may increase the number of compact stalls to 75% of total parking stalls
	Project located within a safe ½ mile walking distance of a scheduled transit stop	1 space per multi-family dwelling unit

Appendix C. Complementary Resources and Tools (outside City Planning)

As described in Section 3.3, there is a variety of services and programs provided by municipal, provincial, and federal governments, supported by a network of community service providers, that would complement the new zoning by-law. Table C1 provides a summary of many of the options that are available to the City to help it meet its affordable housing policy goals as provided in *The London Plan*.

Table C1. Summary of Complementary Resources and Tools

Complementary Resources and Tools	
Program or Service	Description
Supportive housing	Residents receive formal support from a local social service agency to maintain their tenancy and live independently in the community.
Social housing	Government-assisted housing that provided rent-geared-to-income and affordable rental units to households with low-to-moderate incomes. Social housing can include: public housing, not-for-profit, and co-operative housing.
Coordinated Access	A service approach that helps to prevent and divert households from experiencing homelessness by assessing their situation and connecting them to financial, social services, and natural supports in a coordinated manner.
Canada-Ontario Housing Benefit	A monthly portable housing benefit program that assists eligible households with their housing costs. A financial subsidy is paid directly to households or landlords to support housing affordability and stability within the private rental market. The COHB pays the difference between 30% of the household's income and the average market rent in the area. For recipients of social assistance, the COHB will pay the difference between the shelter allowance and the household's rent and utilities costs.
Ontario Renovates Program	A federal-provincial funding program that offers financial assistance to low- and moderate-income households for seniors 60 years or older and persons with disabilities. The program is administered by the City of London, Housing Division, and includes limited funding to homeowner(s) and landlord/tenant rental units.
Capital Repair and Improvement Funding – Social Housing Providers	The capital funding program administered by the City of London is meant to bridge some of the funding gaps to help stabilize and grow the social housing sector. This program is made possible by funding by all three levels of government.
Student Housing Mediation Services	The Mediation Service is a free confidential resource which seeks to assist in the speedy resolution of problems among students or between landlords and students or London residents and students.

Coordinated Informed Response	This trained, highly engaged team consists of City of London employees, London Police Services, and community outreach agency, London CARES, offer support and services to Londoners living unsheltered. This team also works side-by-side with London businesses to help address issues and challenges.
Shelters and Drop-in Centres	London has 12 emergency shelters and drop-in centres that provide shelter and services to those in need.
Mental Health and Addiction Services Resources	London has five support services for mental health.
Community Resource Guide	The Help Yourself Through Hard Times guide provides a listing of services to help London residents navigate the challenges of financial hardships.
The Street Level Women at Risk Collaborative	A service to assist women who are experiencing homelessness to secure permanent housing with supports.
Strategic Actions of London's Housing Stability for All	
Respond to the Homelessness Crisis	
Develop a Coordinated Access system that addresses the immediate needs of individuals and families.	The Positive Pathways Initiative supports individuals connected to the criminal justice system to connect with housing services.
Provide the right level of support at the right time to decrease the use of emergency services.	My Sisters Place (Canadian Mental Health Association) launched an overnight Resting Space program for women. The program serves up to ten women nightly and provides female-identified individuals a space to rest, meet their basic needs, and access supports.
Provide financial supports to assist individuals to secure housing.	The Housing Stability Bank supports households with utility and rental support. Between January and July 2021, more than 800 households were assisted.
Engage partners in the Coordinated Informed Response team, including those with lived and/or living experience. Work with London Police Service and Emergency Medical Services to establish an engagement protocol to support individuals experiencing unsheltered homelessness.	The Core Area Prolific Offenders Diversion Project is a pilot partnership between London Police Service and the City of London aimed at reducing interactions with the justice system for a list of prolific offenders through housing stability. The City of London Housing Stability Services provides a peer support outreach team to this program and the City of London Life Stabilization provides client support.
Improve diversion practices to better assist individuals and families to secure housing.	London's Coordinated Access team increased staffing to better respond to individuals and families experiencing homelessness. Client Service Representatives respond to inquiries from the general public looking to access services.

Create More Housing Stock	
Explore opportunities to stimulate new affordable housing through government legislation.	CMHC has announced that London will receive \$10.8 million through the federal Rapid Housing Initiative. A City partnership with Habitat for Humanity has assisted in funding 20 units of affordable home ownership. CMHC has also announced co-investment funding for two affordable housing projects.
Provide Housing Supports	
Work with individuals and families to determine their support needs and expand programs that assist them in moving toward their housing goals.	There were 29 new Canada-Ontario Housing Benefit participants for a combined total of 406 from the last report with the expectation of supporting an expected additional 11 households. In addition, six new Community Housing Bridge allowances were approved, providing ongoing housing allowances to eligible applicants (52 to date); 25 new rent supplements were provided to federal co-op providers with expired operating agreements; and 21 new housing allowances were funded as part of the provincial Anti-Human Trafficking program initiative.
Provide education and supports for landlords and tenants to improve housing stability.	Support funding for “Dealing with Difficult People” workshop training was provided and attended by 11 co-op property managers.
Develop and implement an eviction prevention strategy to support housing stability.	The Housing Stability Table’s eviction prevention program helped 42 households retain their housing.
Transform the Service System	
Maximize provincial and federal funding to meet agreement requirements and to enhance housing stability.	100% of federal and provincial funding is planned to be secured.



RETHINK ZONING

DISCUSSION PAPERS

5

ZONING IN ON THE CLIMATE EMERGENCY

JUNE 2022



London
CANADA

Land Acknowledgement

The City of London is situated on the traditional lands of the Anishinaabek (AUh-nish-in-ah-bek), Haudenosaunee (Ho-den-no-show-nee), Lūnaapéewak (Len-ah-pay-wuk) and Attawandaron (Add-a-won-da-run).

We acknowledge all the treaties that are specific to this area: the Two Row Wampum Belt Treaty of the Haudenosaunee Confederacy/Silver Covenant Chain; the Beaver Hunting Grounds of the Haudenosaunee NANFAN Treaty of 1701; the McKee Treaty of 1790, the London Township Treaty of 1796, the Huron Tract Treaty of 1827, with the Anishinaabeg, and the Dish with One Spoon Covenant Wampum of the Anishnaabek and Haudenosaunee.

This land continues to be home to diverse Indigenous peoples (First Nations, Métis and Inuit) whom we recognize as contemporary stewards of the land and vital contributors to society. We hold all that is in the natural world in our highest esteem and give honor to the wonderment of all things within Creation. We bring our minds together as one to share good words, thoughts, feelings and sincerely send them out to each other and to all parts of creation. We are grateful for the natural gifts in our world, and we encourage everyone to be faithful to the natural laws of Creation.

The three Indigenous Nations that are neighbours to London are the Chippewas of the Thames First Nation; Oneida Nation of the Thames; and the Munsee-Delaware Nation who all continue to live as sovereign Nations with individual and unique languages, cultures and customs.

This Land Acknowledgement is a first step towards reconciliation. It is the work of all citizens to take steps towards decolonizing practices and bringing our awareness into action. We encourage everyone to be informed about the traditional lands, Treaties, history, and cultures of the Indigenous people local to their region.





Source: The London Plan

Executive Summary

This paper considers the relationship between zoning and climate change, focusing on recommendations related to how the new zoning by-law can help London achieve a more resilient future. It describes how the City can minimize climate-related damage and risk, and how to encourage sustainable infrastructure and design via zoning regulations.

The increasing frequency, impact, and scale of extreme weather conditions poses significant risks to the environment, economy, and public health. The City of London recently declared a climate change emergency, to strengthen its commitment to protecting London's economy, ecosystems, and community from the impacts of climate change. Prior to this, the City developed policies in *The London Plan* to support sustainability, including the direction to "become one of the greenest cities in Canada."

The London Plan emphasizes that climate change is a challenge and introduces policies to deal with the impacts of climate change. The new zoning bylaw will implement the policies of *The London Plan*. Drawing on research and examples from other municipalities, this paper explores how sustainable policies in *The London Plan* can be implemented through a new, comprehensive zoning by-law, and provides recommendations to consider for the specific Place Types identified in *The London Plan*.

To actively respond to the climate emergency, the new zoning by-law must consider risks associated with climate change, and apply a climate-focused lens in developing zoning regulations that mitigate climate change impacts and promote sustainable development. The new zoning by-law can assist the City of London in promoting sustainability, resiliency, and environmental stewardship. Some preliminary recommendations for the new, comprehensive zoning by-law include:

- Applying a holistic and integrated approach to addressing climate change that includes economic and social well-being;
- Protecting areas that are vulnerable to source water contamination, flooding, erosion, and other natural hazards;
- Concentrating development in appropriate areas and away from environmentally sensitive lands by permitting higher intensification and density in urban areas and encouraging a mix of housing forms and infill in residential neighbourhoods;
- Promoting transit-oriented and transit-supportive development through compact, mixed-use, street-oriented development, and requiring infrastructure requirements that support public transit and active transportation modes;
- Requiring open space, landscaping, and greening of impermeable surfaces to manage stormwater;
- Considering and including uses for the production, conservation, and management of systems, such as district energy systems, solar fields, and wind farms, where appropriate.
- Utilizing performance standards for Low Impact Development features and energy-efficient building design.



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Source: The London Plan

1.0 INTRODUCTION

1.1 Purpose

The climate emergency is intrinsically related to environmental, social, and economic well-being. This discussion paper explores the role of zoning as an implementation tool to help address the climate emergency and support the City of London’s sustainability, resiliency, and environmental stewardship goals. This discussion paper should be considered as one in the series of discussion papers prepared for the ReThink Zoning initiative.

The new, comprehensive zoning by-law will support a coordinated approach for community sustainability by developing regulations that are aligned with the vision, objectives, and policy direction of *The London Plan* (2016), as well as the City’s *Draft Climate Emergency Action Plan*, conservation authority regulations, and other municipal plans and strategies. The methodology used for this paper is provided in [Appendix A](#).

Guiding Questions

This discussion paper was developed to address three guiding questions:

1. What are some of the greatest climate-related challenges London is facing?
2. How does *The London Plan* address climate change?
3. How can zoning help mitigate and adapt to the impacts of climate change?


2.0 **BACKGROUND**




2.1 What is the Climate Emergency?

The Canadian Context

The Oxford Dictionary defines the climate emergency as “a situation in which immediate action is needed to reduce or stop climate change and prevent serious and permanent damage to the environment”. The climate emergency is likely to result in an increase in frequency, impact, and scale of extreme weather conditions, including significant flooding, heavy precipitation, drought, extreme heat, poor air quality, and associated public health risks. Climate change impacts are experienced by cities at a variety of scales and intensities. The Canadian Institute of Planners’ (CIP) *Model Standard of Practice for Climate Change Planning* notes that Canadian communities may be impacted by the following core climate challenges:

Table 1. Climate Challenges for Canadian Communities.

Climate Challenges for Canadian Municipalities	
 Rising temperatures	Average temperatures in most Canadian communities are expected to rise between 1 to 2°C by 2020, 2 to 4°C by 2050, and 5 to 10°C by 2090. This can result in a greater frequency of extreme heat events and degraded air quality due to the urban heat island effect and air pollution. Although the shift in temperature can benefit agriculture and forestry by lengthening the growing season, it can also increase pests and the potential for the spread of diseases.

 <p>Changes in patterns and levels of precipitation</p>	<p>Climate change may increase the level and intensity of precipitation (e.g. rain, hail, snow etc.) and increase heavy precipitation events. Higher temperatures, however, may result in frequent drought and wildfires in some areas, impacting water levels in rivers and lakes.</p>
 <p>Extreme weather events</p>	<p>Extreme weather events, such as flooding and weather-related damage to communities, are expected at a greater frequency, particularly in coastal regions.</p>
 <p>Rising sea levels</p>	<p>Rising sea levels will lead to increased coastal erosion and vulnerability to flooding. This may also result in salination of water supplies due to higher concentrations of salt in the water table.</p>

London has been dealing with the impacts of a changing climate, and is expected to experience more frequent snow squalls, more extreme flooding events, high winds, and extreme summer temperatures. Major floods in the Upper Thames watershed have occurred between January and April, although flooding is possible at any time of the year. Over the past half century, London has been impacted by a number of major flood events, with the most recent flood occurring in 2018. The City has also acknowledged that other climate-related challenges may impact London, including greater cost and reduced availability of food, increased property insurance costs, and loss of biodiversity (2019).

London recently joined a growing list of cities that have declared a climate change emergency, which has included a call to consider the environmental impact of key City decisions. The declaration defines an emergency as “an often dangerous situation requiring immediate action”. The purpose of the declaration is to strengthen the City’s commitment to protecting London’s economy, ecosystems, and community from the impacts of climate change.

Although developed prior to London Council’s *Declaration of Climate Emergency*, the policies in *The London Plan* support sustainability, including the direction to “become one of the greenest cities in Canada.” The role that urban planning and zoning play in how cities mitigate and adapt to climate change impacts is discussed in Section 2.2 and [Appendix B](#).

“... Therefore, a climate emergency be declared by the City of London for the purposes of naming, framing, and deepening our commitment to protecting our economy, our ecosystems, and our community from climate change.”
 – Declaration of Climate Emergency (approved by City Council, April 23, 2019).

Further to *The London Plan*, any lands that are within the jurisdiction of a conservation authority must adhere to applicable regulations that aim to protect environmentally significant lands. The City of London is within the jurisdiction of the following three conservation authorities:

- The Upper Thames River Conservation Authority (UTRCA),
- Kettle Creek Conservation Authority (KCCA), and
- Lower Thames Valley Conservation Authority (LTVCA).

2.2 Climate Change and *The London Plan*

The City of London identifies mitigation and adaptation among its responses to climate change impacts:

1. **Mitigation**, to avoid and reduce impacts of climate change by reducing greenhouse gas emissions (primarily those that are as a result of the use of fossil fuels), and
2. **Adaptation**, to adjust responses to climate change impacts, such as how infrastructure and buildings are built (e.g., to withstand severe weather events).

Policies related to climate change are included in *The London Plan*, such as the need to protect farmland and the need for transportation infrastructure that reduces car dependence.

As almost 80% of the land outside London's growth boundary is classified as prime agricultural land, it is critical for the City to protect its agricultural resources and enhance its strengths in agriculture to plan for long-term food sustainability (LP 17). *The London Plan* takes a comprehensive approach to food system planning and sets policies to preserve and protect agricultural land and promote agricultural industries (LP 683). *The London Plan* also emphasizes the protection of the Natural Heritage System (LP 695).



Source: The London Plan

The London Plan includes policies that encourage the use of incentives to achieve sustainable forms of development, including infill and context-appropriate intensification, retrofits to improve environmental performance standards, adaptive reuse, and brownfield remediation of existing buildings. Green technologies and construction methods are encouraged in *The London Plan* to reduce environmental impact and adapt to climate change (LP 469). *The London Plan* also outlines policies to address increasing transportation demand by creating opportunities for alternative modes of transportation that provide a viable, cost-efficient, and attractive option (LP 12). From a climate change perspective, alternative modes of transportation can help to reduce automobile dependency and mitigate impacts of greenhouse gas emissions.

Sustainability is a key theme of *The London Plan*, in which policies seek to protect environmentally significant areas and form a foundation for land use and development that reduces impacts on the environment. Policies in *The London Plan* related to sustainable growth and associated opportunities for the zoning by-law are presented in [Appendix C](#).

2.2.1 Complementary Zoning and *The London Plan*

The “Our Tools” section of *The London Plan* identifies tools that can be used to implement its policies, including through its new zoning by-law. The zoning by-law that implements the Plan may be used to:

- prohibit development on unstable, hazardous lands that are subject to natural or human-made hazards (e.g., flooding and erosion);
- prohibit development that would negatively impact areas that are environmentally significant (i.e., wetlands, shorelines, or significant natural corridors); or
- prohibit development on contaminated land or land that contains sensitive groundwater or surface water features.

It may also be used to regulate land use compatibility, height, and density to encourage compact, mixed-use, and transit-supportive forms of development that can help to reduce greenhouse gas emissions. Further, it can support the implementation of sustainable energy systems, such as large-scale wind turbines and solar facilities in the Farmland Place Type, or smaller scale, roof-mounted and building-integrated wind and solar energy systems in more urbanized areas.

Different zoning approaches (or systems) can be applied in the development of a zoning by-law. More information on two of these approaches, Euclidean (or traditional/conventional) zoning and form-based codes are further explained in [Appendix D](#) of this paper. For more information on a full range of approaches, please see *Discussion Paper #7. Implementing the New Zoning By-Law*.

To support the implementation of *The London Plan* through a new zoning by-law, additional policies, plans, strategies, and guidelines at the provincial, regional, and municipal levels of government play a crucial role (as discussed in [Appendix E](#)). The implementation of *The London Plan* can support the City in achieving the objectives of its climate emergency declaration and its target of net-zero greenhouse gas emissions by the year 2050.



3.0

MUNICIPAL AND INTERNATIONAL APPROACHES

Six, contemporary zoning by-laws in Ontario were reviewed to identify success factors in setting regulations that help to develop sustainable communities and protect environmentally sensitive areas, particularly those that support climate change mitigation and adaptation. The success factors included:

- **Parking standards and mobility:** the location and requirement of parking in specific areas, and regulations that encourage alternative modes of transportation other than automobiles.
- **Gentle density and sustainable development:** regulations that support small-scale development and context-appropriate intensification in established areas, and sustainable design.
- **Protection of environmentally significant areas:** regulations that protect environmentally significant areas from development that may interfere with the environmental function of the land.

For more information on the review and analysis, please see [Appendix E](#).

In addition, examples from The Netherlands, an international leader in combating climate change, are provided in [Appendix G](#). These examples provide additional options for broader policy and strategic planning that can build climate change resiliency.

One such example is the *Integrated Neighbourhood Approach* is a planning and design approach to climate adaptation, energy-efficient design, mobility, nature-inclusiveness and socio-economic relationships within a built-up area at the neighbourhood level (see Figure 1). This example applies a holistic approach to sustainable urban development that requires cooperation at various public and private sector levels. This integrated approach to neighbourhood design helps realize national goals while being efficient with resources. At the neighbourhood level, this approach explores the implementation of policy and emphasizes collaboration between the municipality, residents, utility companies, housing associations, and other stakeholders as essential to achieving desired outcomes. From a socioeconomic perspective, the *Integrated Neighbourhood Approach* focuses on a better quality

of life, safety, health, social cohesion, equality and prosperity (see Figure 2). Recommendations include:

- Renew public spaces in central areas to improve social cohesion and to encourage public control.
- Utilize public streets for public use.
- Optimize use of larger green spaces to improve the quality of life and health of a neighbourhood.
- Use large-scale intervention to make homes suitable for people at all ages and centralize healthcare facilities.
- Encourage people to walk and cycle more and provide affordable public transportation rolled out at the neighbourhood level.
- Use a centralized approach and joint purchasing to reduce energy costs.
- Expand employment opportunities by improving accessibility for space to buy and sell within the public realm and establishing local neighbourhood businesses.

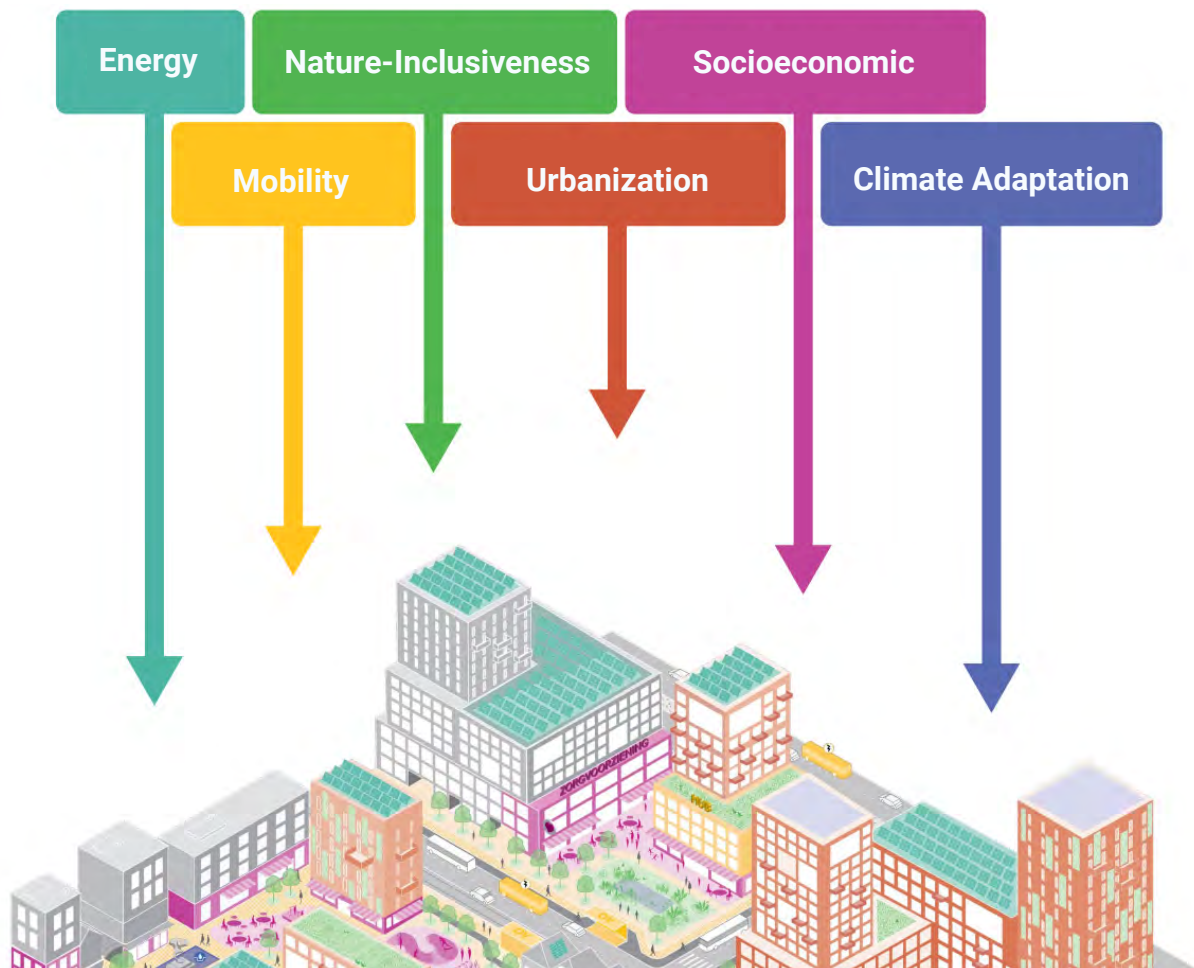


Figure 1. Key components of the Integrated Neighbourhood Approach - energy, nature-inclusiveness, socioeconomic, mobility, urbanization and climate adaptation (English translation). Source: TNO and PosadMaxwan.

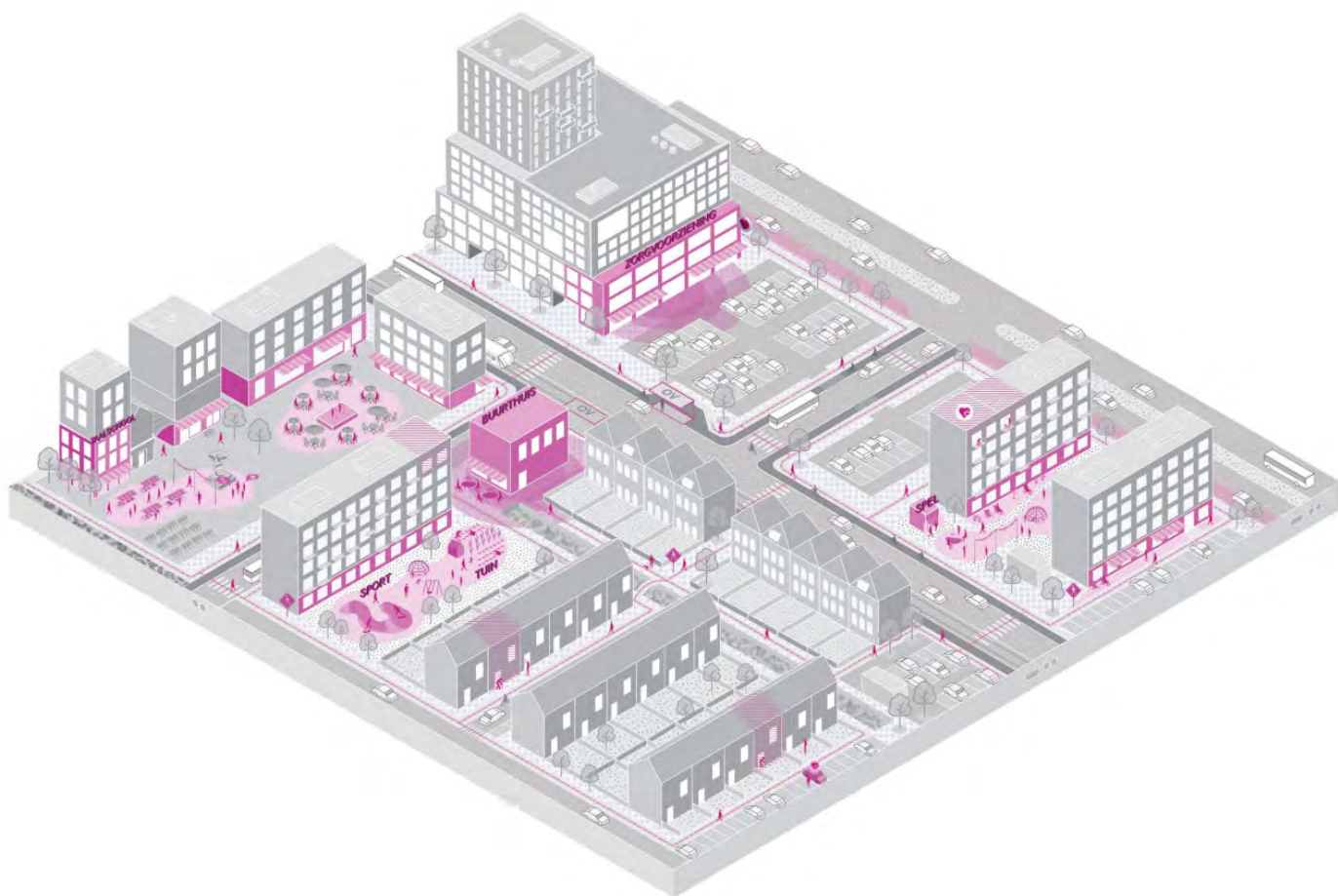


Figure 2. Socioeconomic interventions at the neighbourhood level. Source: TNO and PosadMaxwan.




4.0


RECOMMENDATIONS

4.1 Preliminary Recommendations

Regulations in London’s new zoning by-law will need to be developed through a climate-focused lens and provide a framework for a more resilient future. This includes measures to ensure that damage and risks, such as flooding, drought, and heat island effects, are minimized. To align with *The London Plan*, the new zoning by-law must include regulations that work toward mitigating climate change impacts and promoting sustainable infrastructure and building design. Some preliminary recommendations for the new, comprehensive zoning by-law are listed below.

Table 2. Preliminary Climate-Focused Recommendations for the Zoning By-law.

Preliminary Climate-Focused Recommendations for the Zoning By-law.	
	<p>Apply a holistic and integrated approach to addressing climate change that includes economic and social well-being.</p>
	<p>Develop an overlay zone for protecting areas that are vulnerable to source water contamination, flooding, erosion, and other natural hazards.</p>
	<p>Protect and enhance Farmlands and Natural Heritage Systems for their respective purposes.</p>

	<p>Concentrate development in appropriate areas and away from environmentally sensitive lands by permitting higher intensification and density in urban areas and encouraging a mix of housing forms and infill in residential neighbourhoods.</p>
	<p>Promote transit-oriented and transit-supportive development through compact, mixed-use, street-oriented development, and requiring infrastructure requirements that support public transit and active transportation modes.</p>
	<p>Reduce parking space requirements, in appropriate areas, to minimize environmental impacts of surface parking lots and create walkable communities.</p>
	<p>Require open space, landscaping, and greening of impermeable surfaces and low impact development features to manage stormwater in Urban and Rural Place Types.</p>
	<p>Protect tree coverage and native tree species, where feasible, and encourage development (such as surface parking lots) to include sustainable tree canopies through the use of a tree conservation by-law, design standards and guidelines, or site plan agreements.</p>
	<p>Consider and include uses for the production, conservation, and management of systems, such as stormwater management facilities, district energy systems, solar fields, and wind farms, where appropriate.</p>
	<p>Utilize performance standards for Low Impact Development features and energy-efficient building design.</p>
	<p>Update definitions to align with recent trends in agriculture, using clear and simple terminology that is also reasonably flexible (for implementation). The Farmland Place Type and related policies of <i>The London Plan</i> permit uses such as agricultural-related commercial and industrial uses and on-farm diversified uses (LP 1178).</p>

Sustainable development can contribute to lower greenhouse gas emissions by providing proximate, contextually-appropriate intensification, and a shift toward a multi-modal transportation system that minimizes automobile use. The approach to resiliency will differ for each of the city-wide Urban and Rural Place Types.

These preliminary recommendations are discussed further in 4.1.1, and in [Appendix H](#), which introduces the concept of transects. The transect approach is further discussed in *Discussion Paper #2. Zoning in on Intensification* and in [Appendix I](#).

4.1.1 Specific Interventions by Transect

This section outlines specific interventions for each transect to help the City mitigate and adapt to climate change challenges. The interventions are based on a review of provincial and municipal policies and of approaches undertaken by other municipalities.

TRANSECT RURAL

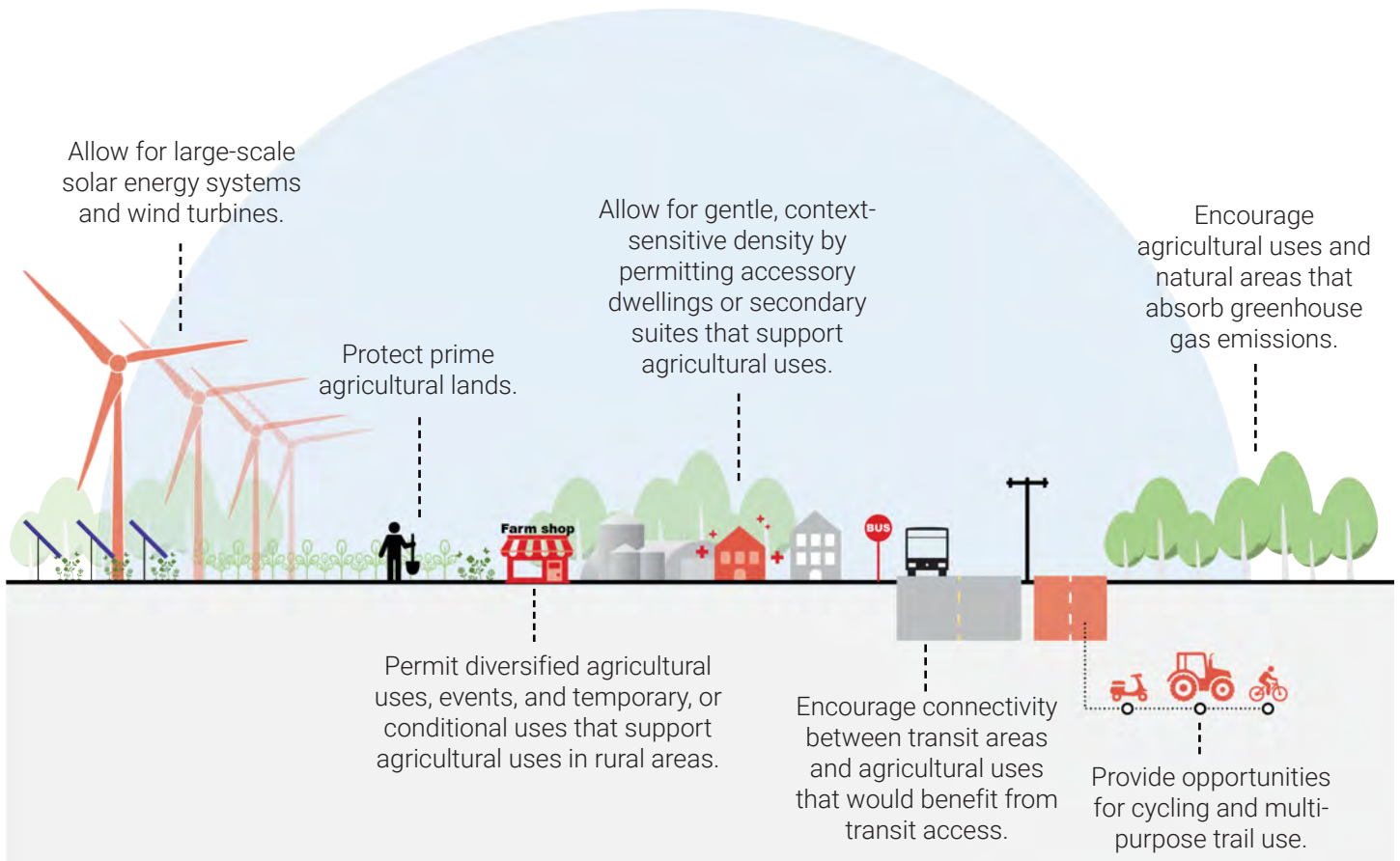


Figure 3. Climate-Focused Recommendations for the Rural Transect.

Note: these images are for illustrative purposes only and do not represent the form or intensity of the uses.

TRANSECT SUBURBAN

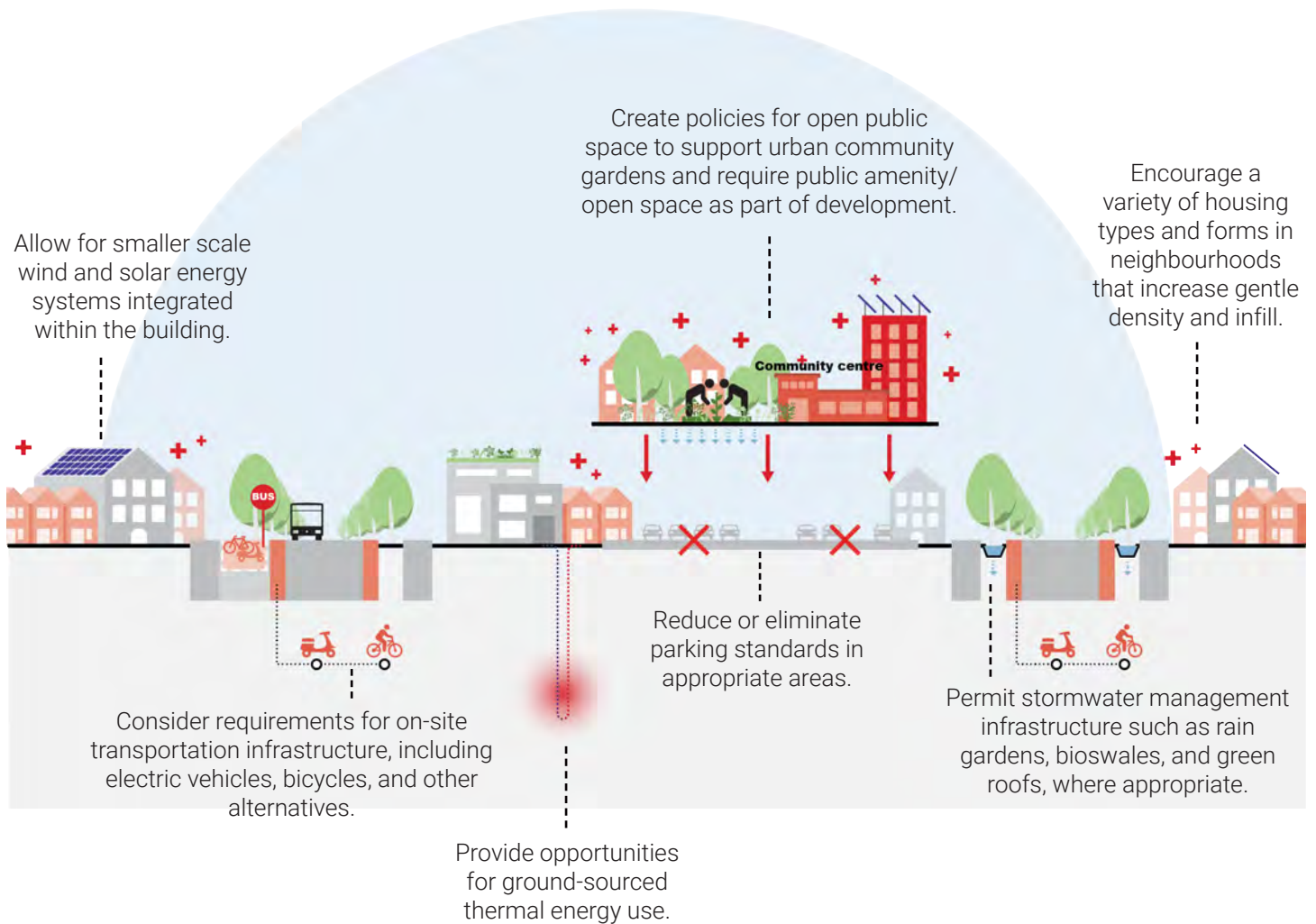


Figure 4. Climate-Focused Recommendations for the Suburban Transect.

TRANSECT URBAN CENTRE

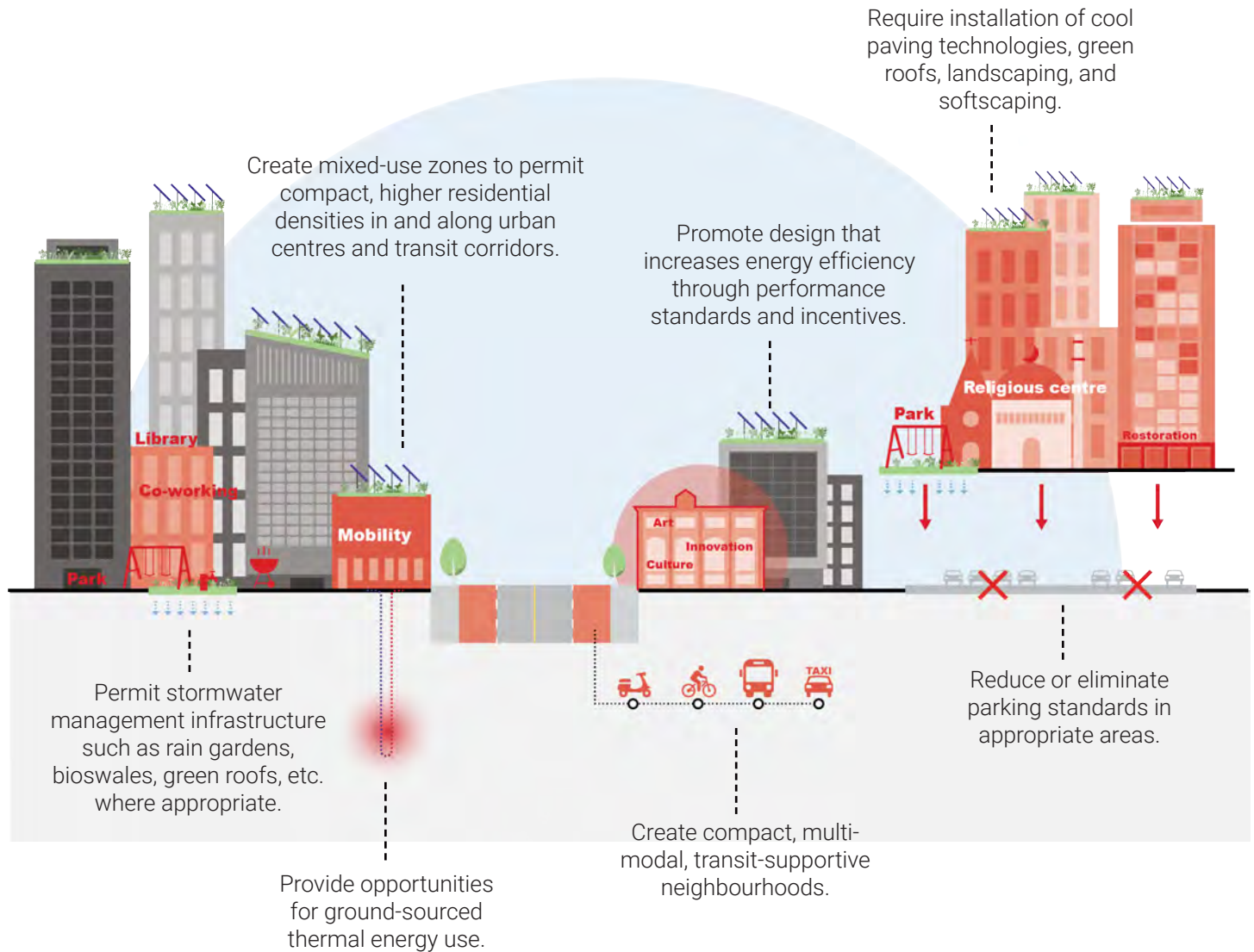


Figure 5. Climate-Focused Recommendations for the Urban Centre Transect.



Source: Tourism London

TRANSECT URBAN CORRIDOR

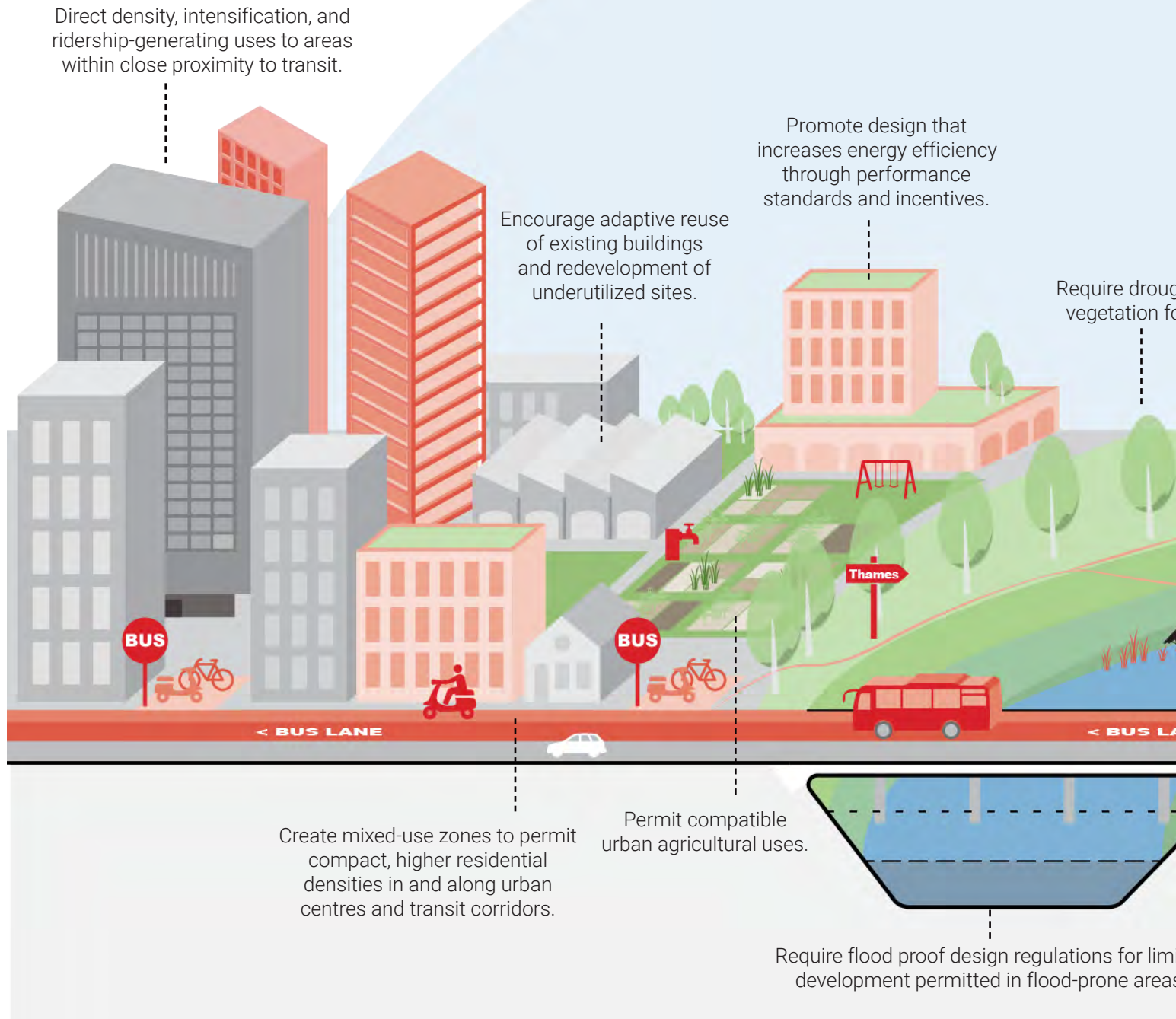


Figure 6. Climate-Focused Recommendations for the Urban Corridor Transect.

ght/flood tolerant
or development.

Preserve native tree species and tree
coverage through implementation
of a tree conservation by-law, design
standards and guidelines, or site plan
agreements.

Require installation of cool
paving technologies, green
roofs, landscaping, and
softscaping.



Create compact, transit-
supportive neighbourhoods.

ited
s.

TRANSECT SPECIAL DISTRICTS (COMMUNITY AND INDUSTRIAL)

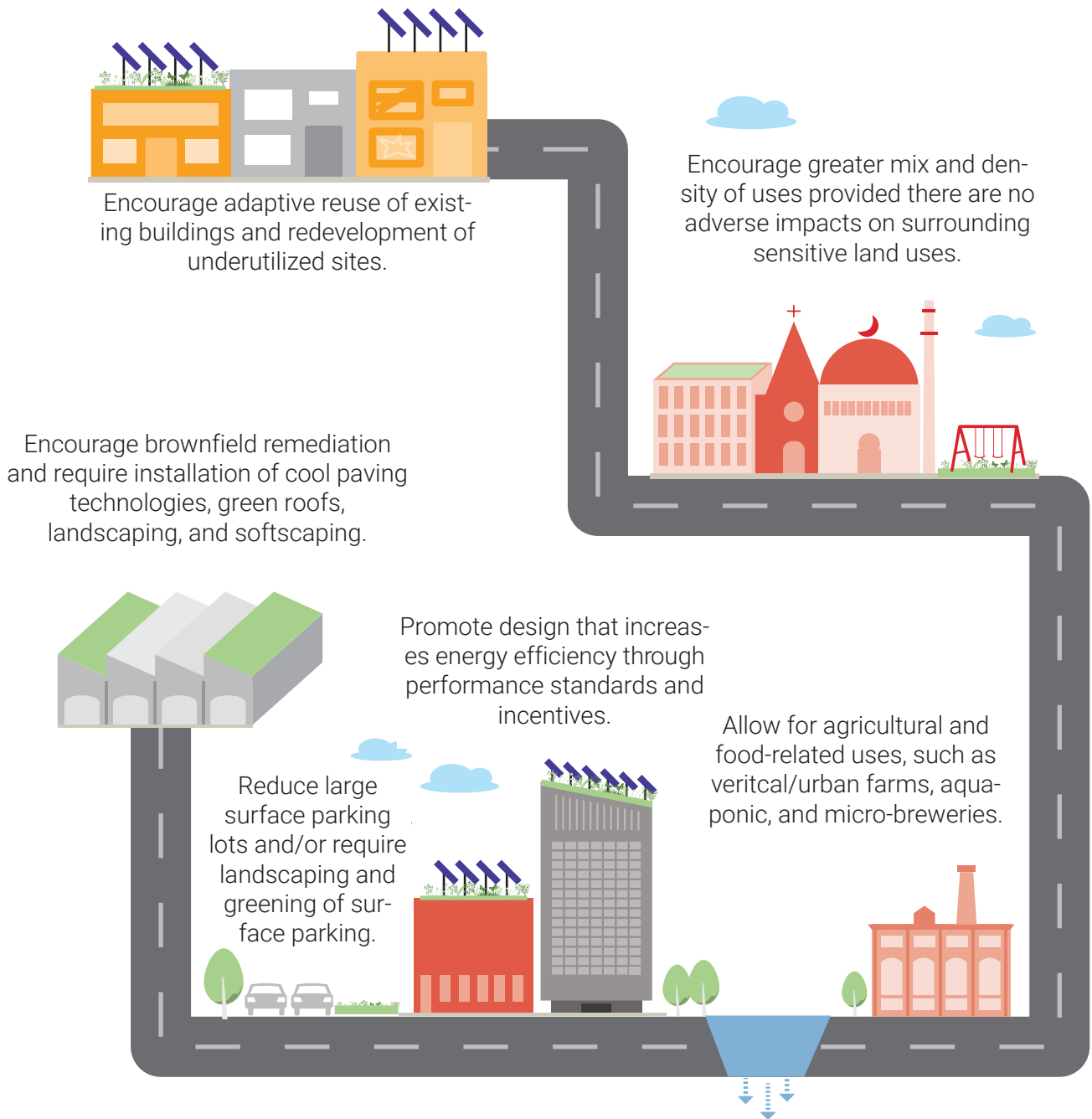


Figure 7. Climate-Focused Recommendations for the Special District Transects.

4.2 Additional Planning and Municipal Tools for Implementation

Zoning by-laws specify how land may be used, as well as the location of buildings and other structures, building types, lot sizes and dimensions, parking requirements, building heights and densities, and setbacks from the street.

However, many actions required for sustainable development must be managed at more of a micro-level than through a zoning by-law. The zoning by-law is limited in terms of specifying features such as standards of quality, appearance, and exterior design.

Additional planning tools can work in conjunction with a zoning by-law to support sustainability. Some land use planning tools for climate change adaptation include design guidelines, plans of subdivision, environmental reviews and assessments, covenants and easements, and development agreements. Municipalities can also apply holding provisions to specific sites or adopt green/LEED standards to ensure development meets or exceeds local environmental needs and priorities. In addition, technical studies or community energy plans can be used to develop sustainable approaches to municipal infrastructure and resource management. For more information on these tools, please see [Appendix J](#).

4.3 Next Steps

The recommendations in this paper and the feedback received from partners, stakeholders, and the general public will inform the climate-focused components of London's new, comprehensive zoning by-law. Specific directions will be developed for each Place Type as they relate to regulations dealing with the impacts of the climate emergency.

APPENDICES

Appendix A. Methodology

In developing this discussion paper, the Consultant Team undertook the following steps:

- **Conducted background research**, to explore what “the climate emergency” is, and the role planning plays in the mitigation and adaptation to climate change and in supporting sustainable growth.
- **Reviewed the policy and legislative context**, to conduct a high-level examination of environmental and sustainable growth-focused policies and directions at the provincial level and municipal levels of government.
- **Identified potential impacts of climate change**, to focus on the key climate-related challenges and impacts of climate change facing London, as presented in the City’s *Declaration of Climate Emergency* and *The London Plan*.
- **Reviewed zoning approaches and practices in other jurisdictions**, to examine potential approaches for climate mitigation and/or adaptation within a zoning by-law, as well as other possible non-zoning tools for implementation from select Ontario municipalities; and to examine international best practices (from a Dutch perspective) for using zoning as a potential tool for climate change resiliency.
- **Provided analysis and synthesized practices**, to develop preliminary recommendations to guide the development of proactive and responsive approaches for London’s new, comprehensive zoning by-law, and to identify potential gaps and barriers to implementation, possible solutions (i.e., other municipal tools), and next steps for consideration.

Appendix B. Addressing Climate Change through Local Planning

This section provides an overview of the role that urban planning and zoning play in addressing climate change. It also takes a closer look at environmental and sustainable growth policies in *The London Plan* that will need to be reviewed and considered in the new, comprehensive zoning by-law.

The Role of Planning in the Climate Emergency

The *CIP Model* and provincial and municipal plans point to several planning approaches that can be used by the City to mitigate and adapt to climate change. Some of these include:

1. Growth Management

Increased intensification and density in central areas, compact development patterns, and concentration of mixed uses can draw and focus development away from environmentally sensitive and agricultural lands that need to be protected. This form of development is now generally recognized as making efficient use of infrastructure and resources, and preventing sprawl and fragmentation of natural ecosystems, including in *The London Plan*. Green Development policies in *The London Plan* emphasize using an ecosystems/watershed approach to planning and development (LP 726) and encourage growth and development to be compact, mixed-use, and transit-supportive (LP 727).

Car-oriented development and sprawl are associated with larger, low-density dwellings that require more climate-control and result in higher energy consumption and costs for households. Large footprints of commercial and industrial buildings with low heights also require more energy to function. Between the single detached housing on the outskirts of cities like London and the towered buildings in the centre, there is a “missing middle”, and a great need to support more multi-unit, low- to mid-rise housing as a more sustainable building form. In low-density and single-use zones where transit and infrastructure are underdeveloped and underused, low-rise, multi-unit buildings are generally better suited to adapting and diversifying the area and represent a gentle form of density. This can be seen in the City of Guelph where the *Official Plan* provides for various opportunities for gentle intensification throughout the built-up area that are outside of designated nodes, corridors, and the downtown through redevelopment and infill.

Policies and regulations to permit accessory dwelling units, secondary suites, and laneway housing in appropriate areas can help implement gentle density that concentrates development in urban areas with existing infrastructure and away from environmentally sensitive areas. Further, introducing public spaces, particularly in dense urban areas, can benefit residents’ health and well-being while managing stormwater runoff and reducing urban heat island effects. This can be seen in the City of Vaughan, which encourages green roofs on all building types in its *draft City-wide Urban Design Guidelines*.

Green roofs in Vaughan may be combined with accessible amenity spaces, and rooftops may also be used for food production. This guideline is connected to Vaughan's performance standard for micro-climate and sky view aimed at improving natural ventilation, energy efficiency, and passive heating and cooling. Policies and regulations that encourage the use of land for public green space activities (such as community gardening with composting facilities) can serve as a solution for organic waste management.

2. Enhanced Mobility

Active modes of transportation (e.g., walking and cycling), and more sustainable modes (e.g., transit use and carpooling) can help reduce automobile dependency and the associated greenhouse gas emissions, and promote transit-oriented, walkable communities. Developing compact and mixed-use communities, particularly in areas close to transit networks, can help increase transit ridership and promote modes of active transportation. Provincial policy in the *Growth Plan for the Greater Golden Horseshoe* emphasizes increasing the modal share for transit and active transportation, and minimizing land consumption through compact built form, to support climate change mitigation (Section 2.1). Providing infrastructure to encourage sustainable modes of transportation such as bicycle lanes, carpool spaces, car-share spaces, shared parking, and electric vehicles can further reduce greenhouse gas emissions from individual automobile use. Pedestrian activity can be increased by introducing or enhancing features such as sidewalks, trails, landscaping, inviting building façades, smaller setbacks from the street, and minimal parking lot areas. Focusing on sustainable mobility can also help minimize negative environmental impacts associated with large surface parking lots that increase storm water runoff and the urban heat island effect.

3. Compact and Energy-Efficient Built Form

Zoning by-law regulations can also contribute to climate change solutions by creating by encouraging concentrated and compact development in urban areas. Encouraging infill development and shared walls can reduce the need for water and heating infrastructure and energy consumption. Neighbourhood-scale infrastructure, such as streetlights, traffic signals, and water and wastewater pumps, can also be designed to reduce energy consumption. For example, district heating and cooling systems have been shown to improve energy efficiency compared to building-based infrastructure. Using on-site power generation instead of utility-supplied electricity is another strategy to reduce consumption and costs.

Further, solar orientation of buildings can reduce energy consumption by reducing the need for heating or cooling energy. Other low impact development features such as green roofs, vegetated walls, solar panels, and thermal energy systems can reduce energy consumption while creating greener spaces to reduce the urban heat island effect.

4. Protection of Water Resources

Development should be designed to minimize impacts to water sources and natural water systems. This can be achieved through strategies to control, manage, treat, and reuse stormwater runoff, and by prohibiting or limiting development within areas prone to flooding and source water contamination.

5. Protection of Natural Heritage and Natural Hazard Areas

It is imperative to protect areas that are vulnerable to natural hazards for public safety and the protection of ecosystems and environmentally vulnerable areas. Efforts to preserve existing natural heritage areas can be combined with creating opportunities for compact forms of development to help offset development impacts. Preserving existing green space and trees can reduce stormwater runoff, mitigate the urban heat island effect, and reduce energy consumption and landscaping costs (U.S. Green Building Council, 2014). Trees and native vegetation can also help filter air, protect ecosystems, and create walkable environments.

6. Protection of Agriculture

Protection of prime agricultural land can help to maintain and increase the long-term economic viability of agricultural uses. Agriculture can also support climate change mitigation efforts. Healthy soils or crops such as perennial tallgrass can absorb and store greenhouse gas emissions. Similarly, natural features such as wetlands, woodlots, pastures, and buffers can also absorb emissions from the atmosphere. Opportunities for on-farm green energy generation (e.g., biogas) can further minimize climate change impacts.

Some small-scale and compatible agricultural uses may be accommodated in urban areas to help reduce the physical distance between food production and food consumption, thus reducing the environmental impact of transporting food.

The London Plan aims to mitigate the impacts of climate change and adapt to extreme weather conditions. It sets out an approach for planning that emphasizes inward and upward growth to reduce growth-related costs, create walkable communities, revitalize urban areas, protect farmlands, and reduce greenhouse gases and energy consumption. The plan also provides policies to protect the city's environmentally significant areas, natural heritage features, hazard lands, and natural resources. (See Section 6 – Environmental Policies)

Appendix C. Summary of Climate Change-Related Policies in *The London Plan*

The London Plan emphasizes the need to address challenges associated with climate change by introducing policies to protect farmland and other environmentally significant areas, reduce automobile dependence, encourage compact, mixed-use development, and reduce greenhouse gas emissions.

Supportive Policies in *The London Plan*

The City Building policies of *The London Plan* support the development of a green and healthy cities strategy (GHCS) and provide extensive direction on how London can become one of the greenest cities in Canada. Some of the ways that the Plan aims to achieve these goals include supporting:

1. Attractive active mobility and public transit choices;
2. Vibrant, diverse, connected, and safe neighbourhoods that are designed to support active mobility;
3. Abundant high-quality parks, trails, cycling infrastructure, and recreational facilities;
4. Safe places and spaces;
5. A healthy urban forest;
6. Cleaner and more sustainable forms of energy;
7. Reduced air emissions;
8. Clean and sustainable infrastructure, including the safe delivery of drinking water, solid waste diversion, and sanitary sewage treatment;
9. A wide range of housing choice and affordable housing opportunities;
10. Abundant and accessible health care services;
11. Reliable and sustainable emergency services;
12. Safe places and spaces;
13. Regenerated urban neighbourhoods; and
14. Redeveloped brownfield sites (LP 697).

The London Plan policies for establishing its GHCS focus on the following:

- green jobs,
- mobility,
- development,
- infrastructure,
- energy and clean air,
- a healthy watershed,
- clean water, and
- waste management.

Policies also emphasize establishing a city structure that is supportive of rapid transit, transit-oriented design, active mobility, transportation demand management, intensification, and cycling infrastructure

(LP 724). Its green development policies promote the use of an ecosystems/watershed approach to planning and development (LP 726) and encourage compact, mixed-use, transit-supportive development and growth (LP 727). The zoning by-law may establish lower parking requirements in areas that have high accessibility to transit (LP 271). Surface parking lots are also encouraged to be designed to include a sustainable tree canopy (LP 277). Green development standards for neighbourhoods and individual buildings, including low impact development standards for municipal infrastructure are encouraged (LP 728). London Plan policies direct development away from areas prone to hazards (LP 703) and directs infill, intensification, growth and development to the Downtown, Main Street, Transit Village, and Rapid Transit and Urban Corridor Place Types and the Primary Transit Area (LP 453). *The London Plan* supports infill and intensification through a variety of forms, including secondary dwelling units (LP 506), and its policies encourage Low Impact Development source controls in institutional, commercial, industrial, and higher density residential developments (LP 475). *The London Plan* provides policies to protect farmland for agricultural uses (LP 1178). Green energy projects such as wind farms and solar fields are permitted on agricultural lands that have the lowest agricultural land capability (LP 1211).

The London Plan also contains Environmental Policies that aim to protect and enhance the city’s Natural Heritage System, minimize risks associated with natural and human-made hazards, and identify and conserve natural resources. Policies to protect the Natural Heritage System permit measures such as Open Space zoning, tree preservation plans, public land acquisition, site alteration and tree conservation by-laws, conservation easements, and private stewardship initiatives (LP 1314).

The table below identifies opportunities to address climate change identified by each section of *The London Plan*.

Opportunities to Address Climate Change in <i>The London Plan</i>		
London Plan Components	Climate and Environmental Policies	Opportunities to Address Climate Change
Our Challenge	<ul style="list-style-type: none"> Managing the cost of growth¹ The critical importance of transportation² New demands for urban living³ Infrastructure gap⁴ Protecting our farmland⁵ Climate change⁶ 	<ul style="list-style-type: none"> Increase density and intensity, where appropriate (i.e., transit supported, within the urban boundary). Prevent loss of farmland and support long-term agricultural resources. Promote compact mixed-use communities. Protect areas of environmental significance. Treat contaminated sites for redevelopment.

1 LP Policy 7
 2 LP Policy 11
 3 LP Policy 12
 4 LP Policy 15
 5 LP Policy 17
 6 LP Policy 18

<p>Our Strategy</p>	<ul style="list-style-type: none"> • Direction #4: Become one of the greenest cities in Canada⁷ • Direction #5: Build a mixed-use compact city⁸ • Direction #6: Place a new emphasis on creating attractive mobility choices⁹ 	<ul style="list-style-type: none"> • Use an ecosystems/watershed approach in planning. • Protect and enhance our Thames Valley corridor and its ecosystem. • Protect and enhance the Natural Heritage System. • Manage growth in ways that support green and active forms of mobility. • Reduce our human impact on the environment – reduce carbon footprint as a city. • Practice and promote sustainable forms of development. • Promote green development standards, such as the <i>LEED Neighbourhood</i>, <i>LEED Building Design and Construction Standards</i>. • Implement a city structure plan that focuses high-intensity, mixed-use development to strategic locations – along Rapid Transit Corridors and within the Primary Transit Area. • Plan to achieve a compact, contiguous pattern of growth – looking “inward and upward”. • Plan for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward. • Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place. • Mix stores, restaurants, clean industry, live-work arrangements, and services in ways that respect the character of neighbourhoods, while enhancing walkability, and generating pedestrian activity. • Build quality public spaces and pedestrian environments that support walking.
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7 LP Policy 58
8 LP Policy 59
9 LP Policy 60

Our City	<p>The Growth Framework¹⁰ The Mobility Framework¹¹ The Green Framework¹²</p> <ul style="list-style-type: none"> • Subwatershed Planning¹³ • Role of Thames Valley Corridor¹⁴ • Park System¹⁵ 	<ul style="list-style-type: none"> • Concentrate intensification and density in central urban and transit areas. • Encourage use of public transit and active transportation modes. • Undertake subwatershed planning and environmental conservation and protection through policies and mapping in <i>The London Plan</i>. • Protect and enhance the Thames Valley Corridor and its surrounding ecosystems. • Connect Thames Valley Corridor and parks to create active and passive recreational opportunities.
City Building Policies	<p>City Design¹⁶ Forest City¹⁷ Food System¹⁸ Green and Healthy City¹⁹</p>	<ul style="list-style-type: none"> • Preserve and enhance tree coverage. • Permit uses that enhance the food system in urban and rural areas. • Provide opportunities for rooftop and community gardens.
<p>Place Type Policies:</p> <p>City-wide Place Types</p>	<p>1. Green Space 2. Environmental Review</p>	<ul style="list-style-type: none"> • Create new green linkages throughout the city (following the Thames River and tributaries). • Increase tree cover. • Provide accessible public green space. • Protect ecological functions and significant natural areas and natural heritage features.

10 LP Policy 71
 11 LP Policy 100
 12 LP Policy 113
 13 LP Policy 115
 14 LP Policy 123
 15 LP Policy 124
 16 LP Policy 193
 17 LP Policy 389
 18 LP Policy 653
 19 LP Policy 697

Place Type Policies: Urban Place Types	<ol style="list-style-type: none"> 1. Downtown 2. Transit Village 3. Rapid Transit Corridors 4. Urban Corridors 5. Shopping Area 6. Main Street 7. Neighbourhoods 8. Institutional 9. Industrial 10. Future Growth 	<ul style="list-style-type: none"> • Create new green linkages throughout the city (following the Thames River and tributaries). • Increase tree cover. • Accessible public green space. • Protect ecological functions and significant natural areas and natural heritage features.
Rural Place Types	<ol style="list-style-type: none"> 1. Farmland 2. Rural Neighbourhoods 3. Waste Management Resource Recovery Area 	<ul style="list-style-type: none"> • Protect prime agricultural lands and farming uses.
Environmental Polices	Provide direction for long-term protection and conservation of London's Natural Heritage System and Natural Resources and ensure that development is directed away from Natural and Human-made Hazards ²⁰	<ul style="list-style-type: none"> • Preserve and protect natural areas and resources. • Develop mitigation/adaptation strategies for natural and human-made hazards.
Secondary Plans	Relationship to municipal class environmental assessment process ²¹	<ul style="list-style-type: none"> • Require development to fulfill requirements of the <i>Environmental Assessment Act</i>.

20 LP Section 6: Environmental Policies

21 LP Policy 1563

<p>Our Tools</p>	<ul style="list-style-type: none"> • Planning and development controls: <ul style="list-style-type: none"> • Zoning by-law²² • Bonus zoning²³ • Holding provision by-law²⁴ • Temporary use provisions²⁵ • Site plan control²⁶ • Subdivision of land²⁷ • Natural Heritage System guidelines²⁸ • Parks, Recreation and Open Space guidelines²⁹ • Community improvement plans³⁰ • Municipal by-laws: Tree conservation by-law to regulate the injury or destruction of trees³¹ 	<ul style="list-style-type: none"> • Zoning by-law <ul style="list-style-type: none"> • Prohibit development in unstable, hazardous land subject to natural or human-made hazards (e.g., flooding). • Prohibit development that would negatively impact areas that are environmentally significant (e.g., wetlands, shorelines, and significant natural corridors). • Prohibit development on contaminated land or land that contains sensitive groundwater or surface water features. • Regulate land use compatibility, height, and density. • Bonus Zoning
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22 LP Policies 1635 to 1637
 23 LP Policies 1638 to 1655
 24 LP Policies 1656 to 1661
 25 LP Policies 1671 to 1673A
 26 LP Policies 1674 to 1683
 27 LP Policies 1685 to 1695
 28 LP Policy 1719
 29 LP Policy 1720
 30 LP Policies 1723 to 1728
 31 LP Policy 1738 #11

	<ul style="list-style-type: none"> • Parkland acquisition and dedication³² 	<ul style="list-style-type: none"> • Incentivize sustainable forms of development in pursuit of the Green and Healthy City policies of <i>The London Plan</i>, such as: <ul style="list-style-type: none"> • Require car parking, car sharing, and bicycle sharing facilities accessible to the public. • Tree planting in exceptional quantities, or the planting of rare tree species, as appropriate. • Measures to enhance the Natural Heritage System, such as renaturalization, buffers from natural heritage features, or restoration of natural heritage features and functions. • Site Plan Control <ul style="list-style-type: none"> • Manage stormwater and drainage. • Locate wastewater and water servicing. • Determine location and type of trees to be retained and planted.
Appendix 1 – Maps	<ul style="list-style-type: none"> • Map 1 – Place Types • Map 4 – Active Mobility Network • Map 5 – Natural Heritage • Map 6 – Hazards and Natural Resources • Map 8 – Community Improvement Project Areas 	<ul style="list-style-type: none"> • Link maps to the Natural Heritage System to provide a holistic view of development, address competing priorities, and combine actions for overlapping priorities.

32 LP Policies 1753 to 1765

Appendix D. Traditional Zoning and Form-Based Codes

London's current *Zoning By-law (No. Z.-1)* is traditional, placing an emphasis on permitted land uses rather than the form and appearance of the built environment (see *Discussion Paper #2: Zoning in on Intensification* for more information on traditional zoning by-laws). With the introduction of the new London Plan in 2016, the City has decided to create a new, comprehensive zoning by-law to implement its vision, goals, and policies.

Reducing barriers to building form and land use can encourage more complete and walkable communities, and serve as a critical tool in reducing carbon emissions. For example, permitting a mix of residential and employment uses on a lot can reduce the need for residents to drive to conveniently access work, home, and critical amenities, supporting the use of more sustainable modes. Alternatively, the more spread out and separated that uses are, the less convenient it will be for residents to access necessities, increasing the need for private automobile use. The combined household and transportation energy consumption of an energy-efficient green suburban home is 10%, 20%, and 30% higher than that of a comparable-sized home in a mixed-use urban neighbourhood, an urban green home, and a multi-family urban green home, respectively³³. Supporting appropriate intensification and density in compact urban areas can significantly reduce energy consumption when compared to low-density suburban sprawl.

An alternative to conventional zoning is the form-based code approach, which can specify permitted land uses, but emphasizes the physical character of development and its relationship to the public realm (see *Discussion Paper #2: Zoning in on Intensification*). Form-based zoning focuses on what is happening around the built form (e.g., the space between buildings) and is often linked to notions of retrofit, infill, intensification, and the efficient use of resources and infrastructure.

Form-based zoning can provide opportunities to actively respond, mitigate, and adapt to climate change and resiliency. Form-based zoning can increase walkability and reduce forms of development that result in automobile reliance. It can also be used to implement regulations to control issues such as stormwater drainage and infiltration, development on slopes, tree protection, and solar access. Applying a form-based approach to zoning can also provide greater control over the physical aspects of development and can often help to reduce greenhouse gas emissions by supporting the creation of compact, transit- and pedestrian-oriented neighbourhoods. For example, zoning for built forms that generate significant transit ridership near existing or planned transit systems can encourage sustainable modes of transportation while providing context-appropriate density.

Through the ReThink Zoning process there is an opportunity to update, streamline, and modernize provisions and standards through a new, comprehensive zoning by-law that align with the vision and

33 Source: <https://www.azuremagazine.com/article/zoning-key-combatting-climate-change/>

goals of *The London Plan*. It presents an opportunity to explore alternatives to traditional zoning as a responsive tool that can contribute to the long-term environmental and economic viability of each Place Type in *The London Plan*.

Appendix E. Policy and Legislative Context

The Provincial Policy Statement

Under the *Planning Act*, the *Provincial Policy Statement, 2020 (PPS)* is issued by the Ministry of Municipal Affairs and Housing (MMAH) establishing the ground rules for land use planning in Ontario. As part of its vision, the *PPS* supports strong, liveable, and healthy communities that are environmentally sound and are resilient to climate change. The *PPS* emphasizes the importance of efficient development patterns to permit better adaptation and response to impacts of a changing climate (which vary region to region).

Municipalities play a key role in the implementation of *PPS* objectives and policies through official plans (and related documents), which must be consistent with the *PPS*.

The Growth Plan for the Greater Golden Horseshoe

The Greater Golden Horseshoe (GGH) contains many provincially significant natural environments and scenic landscapes that support biodiversity, provide drinking water, sustain resource-based industries, support recreational activities, and help manage the impacts of climate change. The region is also home to some of Canada's most valuable farmland. The *Growth Plan for the GGH (Growth Plan)* emphasizes protecting valuable water resources and natural areas, adapting communities and infrastructure to be more resilient, and reducing greenhouse gas emissions. The *Growth Plan* also provides direction on planning for compact development patterns in urban centres that support climate change mitigation and adaptation.

Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas

The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) has developed *Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas* to assist with interpreting and implementing policies in the *PPS*. It describes permitted uses in prime agricultural areas and provide guidance on:

- Agricultural, agriculture-related, and on-farm diversified uses³⁴ ;
- Removal of agricultural land for new and expanding settlement areas³⁵ and limited non-agricultural uses in prime agricultural areas³⁶ ; and,
- Mitigation of impacts from new or expanding non-agricultural uses³⁷.

The guidelines recommend that municipalities regulate setbacks through zoning by-laws for some agricultural uses to protect prime agricultural areas from drinking water contamination, fire, odour, noise, or dust impacts, and to implement Conservation Authority (CA) regulations. The guidelines

34 PPS Policy 2.3.3
 35 PPS Policy 2.3.5
 36 PPS Policy 2.3.6
 37 PPS Policy 2.3.6.2

also recommend that municipalities adopt as-of-right zoning for agricultural uses and other uses compatible with permitted agricultural uses, such as home offices and small produce stands, allowing any of these uses to be established within specified areas given they comply with the applicable by-law requirements. Temporary use zoning by-laws can be used to permit event-type uses in agricultural areas, such as concerts and farm shows, where such uses cannot be accommodated in existing facilities.

Conservation Authorities

The City of London is within the jurisdiction of the following three conservation authorities:

- The Upper Thames River Conservation Authority (UTRCA),
- Kettle Creek Conservation Authority (KCCA), and
- Lower Thames Valley Conservation Authority (LTVCA).

Conservation authority (CA) jurisdictional limits are provided in Map 6 – Hazards and Natural Resources of *The London Plan*. The Regulatory Flood Standard for the UTRCA and LTVCA is based on a 1937 observed Flood Event, and the Regulatory Flood Standard for the KCCA is based on the Hurricane Hazel storm (1954).

Any lands within the City of London that fall within CA jurisdiction must adhere to applicable regulations. Regulations ensure that development has consideration for areas affected by flood hazards, erosion hazards, wetlands, and the area of interference surrounding wetlands. Relevant sections of implementing regulations of each CA are further outlined below.

1. Upper Thames River Conservation Authority

The *UTRCA Regulation*, created under “Section 28” of the *Conservation Authorities Act*, was approved by the Ontario Minister of Natural Resources and Forestry on May 4, 2006. The regulation ensures that development has consideration for areas affected by flood hazards, erosion hazards, wetlands, and the area of interference surrounding wetlands. UTRCA develops hazard mapping that identifies the location of hazard areas to support implementation of the regulation. Development in flood plains must adhere to UTRCA regulations that are based on flood standards set by the Province.

Section 2 of the *UTRCA Implementing Regulation* prohibits development within river or stream valleys that have depressional features, hazardous lands, wetlands, or other areas where development could interfere with the hydrologic function of a wetland. This includes areas within 120 metres of all provincially significant wetlands and wetlands greater than two hectares in size, and areas within 30 metres of all other wetlands.

Section 12 of the *UTRCA Implementing Regulation* outlines areas included in the UTRCA Regulation Limit, which includes hazardous lands, wetlands, shorelines, and areas susceptible to flooding and associated allowances within the watersheds in the UTRCA area of jurisdiction.

Relevant maps from UTRCA pertaining to protection of significant environmental areas and features include the following:

- Regulated Area Screening Map,
- Dingman Subwatershed Screening Area Map, and
- Thames-Sydenham Source Protection Region Map.

2. Kettle Creek Conservation Authority

Under *Ontario's Generic Regulation*³⁸, KCCA regulates natural features and activities, including development and activities in river or stream valleys, Great Lakes, and large inland lakes' shorelines, hazardous lands, and wetlands. Permission may be required from KCCA if any proposed development within its jurisdiction may impact the control of flooding, erosion, dynamic beaches, pollution, or the conservation of land. KCCA further regulates changing or interfering in any way with existing river channels, creeks, streams, watercourses, or wetlands. KCCA's *Generic Regulation (Ontario Regulation 181/06) Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*, was approved on May 4, 2006. The purpose of the regulation is to ensure public safety with regards to natural hazards.

3. Lower Thames Valley Conservation Authority

LTVCA, created under *Ontario Regulation 152/06*, sets policies for development within the LTVCA jurisdiction area. Areas that are included in the LTVCA Regulation Limit include hazardous lands, wetlands, shorelines, and areas susceptible to flooding, and associated allowances within the watersheds in the area of jurisdiction as shown on Maps 1 to 128, dated May 2006. The LTCVA may grant permission for development within its jurisdiction if it determines that the development will not result in flooding, erosion, dynamic beaches, pollution, or the conservation of land.

4. Thames, Sydenham and Region Source Protection Plan and Policies

Ontario's *Clean Water Act (2006)* ensures that valuable drinking water sources are protected through watershed-based plans, known as source protection plans. These locally-driven plans help to protect drinking water sources by determining areas that are vulnerable to contamination, identifying potential threats to drinking water, and developing plans to deal with the identified threats.

The *Source Protection Plan* for the Thames-Sydenham and Region affects the City of London. The Thames-Sydenham and Region is made up of the watersheds of the Upper Thames River CA, Lower Thames Valley CA, and the St. Clair Region CA. These CAs partner together to coordinate the development of source protection plans for the area's watersheds, providing direction to the City of London on planning requirements for land use and activities that must conform to the *Clean Water Act* and protect sources of water linked to watersheds.

³⁸ Ontario Regulation 97/04: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses. <https://www.ontario.ca/laws/regulation/040097>

General policies in *Volume III* of the *Source Protection Plan* provide direction on land use planning (Policy 1.06) requiring land uses and activities to conform with “Section 57” of the *Clean Water Act (Act)* and *Source Protection Plan* policies. Other relevant policies include the following:

- Policy 1.07 requires that areas where “Sections 57” or “Section 58” of the *Act* applies, all land uses identified within the official plan and/or zoning by-laws, with the exception of residential uses, are designated for the purposes of “Section 59” (Restricted Land Uses) of the *Act*.
- Policy 1.08 provides direction for restricted land uses for event-based modelled threats and requires a notice from the Risk Management Official in accordance with “Section 59(2)” of the *Act* prior to approval of any Planning Act or building permit application for any commercial, agricultural, and industrial land uses, identified within municipal official plans and/or zoning by-laws, and located in areas where event-based modelling has identified activities as significant drinking water threats.
- Policy 1.09 requires updates to zoning by-laws be initiated as soon as possible after the effective date of the *Source Protection Plan* and be adopted within three years of the effective date of the *Source Protection Plan*.
- Policy 1.10 provides transitional provisions for development proposed through a site-specific amendment to a zoning by-law under “Subsection 34(10)” of the *Planning Act*.

Moderate and Low Threat Policies, under “Section 3.3” in *Volume II* of the *Source Protection Plan*, aim to reduce the risk to municipal drinking water source from new activities by directing the Province to prescribe terms and conditions to manage the activity such that it does not become a Significant Drinking Water Threat (OC-3.02).

Policies OC-1.10 and OC-1.11 in *Volume II* of the *Source Protection Plan* relate to provincial and municipal signage and require that signage be designed according to appropriate provincial standards to identify Wellhead Protection Areas (WHPAs) and Intake Protection Zones (IPZ), and that municipalities consider placing Source Protection advisory signage where municipal arterial roads are located within WHPAs with a vulnerability score of 10, within IPZs with a vulnerability score of 8 or higher, or within an IPZ-3 (event-based areas).

All of the groundwater wells at Fanshawe (six) and Hyde Park (one) were formerly emergency back-up wells and all have been decommissioned. These wells are no longer identified as WHPAs and are not vulnerable areas.

City of London Plans and Guidelines

The London Plan

The City of London’s Official Plan, *The London Plan*, was approved by the Province in December 2016 and remains partially under appeal at the Ontario Land Tribunal. The *1989 Official Plan* was adopted by City Council on June 19, 1989 (to replace the *1971 Official Plan*).

In reviewing the vision of *The London Plan* against the vision in the *1989 Official Plan*, using an

environmental and sustainability lens, several differences are apparent:

- The vision of the *1989 Official Plan* notes that actions will be socially, environmentally, and fiscally responsible. Meanwhile, *The London Plan* vision introduces the notion of “thinking sustainably” – specifically that environmental sustainability is one of the underlying considerations in all planning decisions.
- The *1989 Official Plan* plans until the year 2016, with an anticipated population of 385,300 people. *The London Plan* plans until the year 2035, with an anticipated population of 458,000 people and 241,000 jobs.
- In the *1989 Official Plan*, “Environmental Leadership” and “Managed and Balanced Growth” are identified as two of the strategic priorities to help achieve the vision. These strategic priorities have high-level goals aimed at encouraging an environmentally sensitive city. *The London Plan* includes key directions to give focus and provide a clear path to achieve the vision. Direction #4, “Become one of the greenest cities in Canada” includes 17 planning strategies related to this direction to serve as a foundation to related policies of *The London Plan*.

From a sustainable growth standpoint, several major shifts in official plan vision statements and policy goals are noted:

- A shift to a more holistic approach to sustainability in *The London Plan*. Climate change is specifically identified as a challenge, with an aim to shift to a heavier reliance on active transportation and transit and a reduction in greenhouse gas emissions.
- *The London Plan* notes the number of people and jobs planned for a 20-year horizon, emphasizing the need to have a Plan that responds to London’s new and changing context (including changing preferences and growing diversity).
- *The London Plan* includes specific, action-oriented items focused on climate change mitigation and adaptation. This includes reference to sustainable/green development standards and tools (such as LEED).
- The ReThink London process, a widespread community engagement initiative, helped to inform *The London Plan* by asking, What kind of city do we want to live in 20 years from now?. As part of this process, residents emphasized the importance of a healthy natural environment and ecosystem, remediation of contaminated sites, and clean air quality in shaping the healthy city they aspire to live in (LP 23).

The City of London also has several sustainable growth and development plans and guidelines. The *2019-2023 Strategic Plan* includes over 30 strategies and actions to support climate change mitigation and adaptation. The plan outlines objectives for building a sustainable city, including the following:

- London’s infrastructure is built, maintained, and operated to meet the long-term needs of our community.
- London’s growth and development is well planned and sustainable over the long-term.
- London has a strong and healthy environment.
- Londoners can move around the city safely and easily in a manner that meets their needs.

The Natural Heritage System Guidelines refer to 14 documents that provide guidance on various aspects of the Natural Heritage System, including but not limited to:

- *Guidelines for Determining Setbacks and Ecological Buffers.*
- *Guidelines for the Preparation and Review of Environmental Impact Studies.*
- *Planning and Design Standards for Trails in Environmentally Significant Areas.*

The Parks, Recreation, and Open Space Guidelines refer to five documents that provide guidance on various aspects of parks, recreation, and open space, including:

- *Guidelines for the Development of Parks and Open Space.*
- *Parks and Recreation Master Plan.*
- *Thames River Valley Corridor Plan.*
- *Tree Planting and Protection Guidelines.*
- *Urban Forestry Strategy.*

In addition, the *Brownfields Incentives Community Improvement Plan (Brownfields Plan)* aims to remove or reduce barriers to remediation and redevelopment of brownfield sites in London. The redevelopment of brownfield sites can result in efficient use of infrastructure, improvements to the environment, and vibrant communities. The *Brownfields Plan* uses financial incentives to evaluate contaminated sites and encourages private sector investment in remediation and redevelopment efforts.

Finally, the *Draft Climate Emergency Action Plan* includes 10 Areas of Focus and implementation workplans focusing on mitigation and adaptation efforts to reduce the impacts of fossil fuel use and to build resiliency to climate change impacts in London. The three main goals of the *Draft Climate Emergency Action Plan* are the following:

1. Net-zero community greenhouse gas emissions by 2050.
2. Improved resilience to climate change impacts (particularly for buildings and transportation).
3. Bring everyone along (e.g., individuals, households, businesses, and neighbourhoods).

Appendix F. Municipal Scan

The purpose of this section is to explore recent municipal zoning by-laws in Ontario and identify success factors in setting regulations that help to develop sustainable communities and protect environmentally sensitive areas, particularly those that support climate change mitigation and adaptation. The Consultant Team reviewed zoning by-laws from six Ontario municipalities, including the Town of Newmarket, the City of Vaughan, the Town of Oakville, the City of Markham, the City of Toronto, and the City of Guelph.

The municipalities were selected based on the following criteria:

- Have a mix of municipal types in terms of urbanization/density (3 large urban, 2 medium urban, 1 medium urban-rural);
- Have a recently approved or updated official plan, at least partly in force;
- Have a single municipal-wide zoning by-law (with varying original dates; note the Cities of Markham and Guelph are undergoing comprehensive zoning by-law reviews, expected to be completed by Q1 and Q3 of 2022, respectively); and
- Be within the jurisdiction of a conservation authority (i.e., the Toronto and Region Conservation Authority, Grand River Conservation Authority, Lake Simcoe Region Conservation Authority, and Conservation Halton).

1. **Municipality:** Town of Newmarket
By-law: *Zoning By-law 2010-40* (By-law)
Status: In force

Key Takeaways:

Parking

- The Newmarket *Zoning By-law* requires a landscaped buffer area for parking lots designed to accommodate five or more parking spaces within any Downtown, Urban Centre, Employment, Commercial, Institutional, Open Space or Residential Four (R4) or Residential Five (R5) Zone.
- The By-law permits reduced parking standards for some residential and non-residential uses in areas within close proximity to transit in urban centres (“Section 5.3.3.3”). The parking standards may be reduced by 30% if the site is within a walking distance of 500 metres of the GO train station or GO bus terminal properties.
- Carpool parking spaces are required for some non-residential uses, such as financial institution, hospital, library, medical clinic, medical office building, medical and dental laboratories, office, elementary school, secondary school, or post-secondary school uses in Urban Centres (“Section 5.3.3.4”). The lesser of 5% of the total required parking supply for the specified non-residential uses, or 2.0 parking spaces are required to be carpool parking spaces.
- Car-share parking spaces for some residential uses in Urban Centres are also required (“Section 5.3.3.5”). Minimum parking space requirements may be reduced for any mixed-use building or

apartment building that provides car-share parking and does not include any financially-assisted dwelling units. Minimum required parking spaces may be reduced by up to three parking spaces for each dedicated car-share parking space.

- Required parking spaces in Newmarket's Downtown (UC-D1) Zone shall not exceed the minimum requirements ("Section 5.3.4"). Additional parking is not required for a change from one permitted use to another within any existing building in the UC-D1 Zone. The Newmarket By-law permits that existing on-site parking currently for commercial purposes be used for new dwelling units and cash-in-lieu of parking for reduction of parking for commercial purposes.
- The By-law permits using the shared parking formula for the calculation of required parking for mixed-use developments ("Section 5.3.5").

Overlays and Protection Zones

- The Newmarket *By-law* protects areas prone to flooding or other natural hazards such as erosion, steep slopes and unstable soils ("Section 7.1") by limiting development within the Floodplain and Other Natural Hazards Zone.
- Protection zones, such as the Open Space One (OS-1), Open Space Two (OS-2), and Environmental Protection (OS-EP) Zones also limit development and permit only a few uses such as accessory buildings and structures, conservation use, and recreational trails. The OS-1 and OS-2 Zones permit some additional uses such as parks and outdoor recreation facilities.

Other

- The Newmarket *By-law* ("Section 4.5") permits one accessory dwelling unit per lot in a single detached, or semi-detached dwelling.
- The definition for "Residential Structure – Accessory" includes standalone solar panels.

2. Municipality: City of Vaughan

By-law: *City-Wide Comprehensive Zoning By-law (CZBL)*

Status: In force

Key Takeaways:

Secondary Suites

- Secondary suites are permitted in all Residential zones, city-wide.
- CZBL ("Section 5.2") permits a maximum of one secondary suite per lot within a principal dwelling.

Parking

- The CZBL uses context-specific parking rates. Minimum and maximum parking rates for different areas of the City are based on land uses. No change has been made to parking requirements in established residential and employment areas, but surface parking has been minimized in Main Street and Intensification areas.
- A progressive approach to minimizing surface parking and establishment of minimum and

maximum parking rates are utilized for mixed-use development areas, main street development areas, and the Vaughan Metropolitan Centre.

Amenity Areas

- The CZBL establishes amenity area requirements that represent the minimum amenity area necessary to support more dense forms of development that the City is transitioning toward. This includes recognition of private balconies, rooftop spaces, and other common area amenities, while ensuring balanced continuous outdoor amenity space.
- In many residential zones, any portion of a yard greater than 135.0 m² requires a minimum 60% soft landscape (Section 4.19).

Agriculture

- Existing agricultural uses are permitted in the Environmental Protection (EP) Zone to mitigate risk of creating a legally non-conforming agricultural use. The EP Zone includes open space, conservation, or agricultural zones. It also protects Vaughan’s open space systems and Natural Heritage Network.

Stormwater

- In all zones, the CZBL permits “landform features to mitigate erosion or manage stormwater runoff, such as bioswales, permeable surfaces, rain gardens, infiltration trenches, or other similar low impact development features” (Section 4.15.2, No. 3). These features are not subject to the requirements of the CZBL.

Overlays and Protection Areas

- Vaughan does not have a single zone targeted to the Natural Heritage System.
- Similar to the official plan, the by-law does not identify flood vulnerable areas.
- Most hazardous lands are zoned Open Space Conservation. Hazardous lands in the *Oak Ridges Moraine Conservation Plan* and *Parkway Belt West Plan* areas are generally zoned Open Space Environmental Protection and Parkway Belt Open Space, respectively.
- The Open Space Conservation zone permits limited uses, including driving ranges, golf courses, publicly accessible recreational uses, and conservation and forestry projects (“Sections 7.1.2 and 7.2”). Only structures conservation or flood control (Section 7.2.1) are permitted.
- Permissions for the Open Space Environmental Protection zone are fairly similar (“Section 7.4b”). Permissions for the Parkway Belt Open Space zone within the flood plain are the same as for the Open Space Conservation zone (“Section 7.5.2”).

3. **Municipality:** Town of Oakville
By-law: *By-law 2014-014* (By-law)
Status: In force

Key Takeaways:

Secondary Suites

- Permitted in all Residential zones city-wide.
- The By-law also contains provisions for accessory units in Commercial zones.

Parking

- No minimum parking space requirements for home occupation (i.e., accessory residential use), private home daycare, public works yard, emergency service facility, post-secondary school, agriculture, cemetery, conservation use, or public and private parks.
- No minimum requirements for permitted non-residential uses (other than hotels and public halls) in a mixed-use zone in Downtown Oakville.
- In key Growth Areas, the minimum number of parking spaces required in Mixed-Use Zones are reduced to support the strategic and policy objectives related to transit, growth management, and design (“Section 5.2.2”).
- Cash-in-lieu of some or all parking spaces and bicycle parking spaces required for non-residential uses in some areas of the Mixed-Use Zone may be made if the Town enters into an agreement with the landowner (“Section 5.1.6”).

Agriculture

- Height provisions do not apply to buildings and structures used for agriculture.

4. **Municipality:** City of Markham
By-law: *Comprehensive Zoning By-law Review Project*
Status: In progress

Key Takeaways:

Secondary Suites

- Permitted in all zones, city-wide, according to official plan policies.
- The *Markham Official Plan* establishes that, at a minimum, all areas in the city designated as Residential, Mixed-Use, and Countryside should provide for secondary suites.

Parking

- The draft *Markham Parking Strategy* draws attention to two key features regarding parking standards within the scope of the Comprehensive Zoning By-law Review Project:
 - Applying adjustment factors to parking ratios, and
 - Parking Ratios in the context of a parking management strategy.

- Markham's existing Urban Area By-law (By-law 177-96) states that no parking spaces are required for any non-residential use within retail and mixed-use zones.

5. **Municipality:** City of Toronto

By-law: *Zoning By-law 569-2013*

Status: In force

Key Takeaways:

Secondary Suites

- Permitted city-wide in all Residential, Commercial, and Institutional zones (*Amendment to By-law 569-2013*).

Parking

- Initiates a new set of parking ratios that vary across the planning policy districts identified in the official plan, with an approach that utilizes minimum parking requirements inversely with the level of transit service in specified policy areas.
- Maximum parking ratios are applied to four Parking Policy Areas that have the highest level of transit service in the city.

Overlays and Protection Zones

- The City of Toronto has no flood vulnerable areas. In the official plan, hazardous lands are generally within the Natural Heritage System, which is an overlay designation. Undeveloped hazardous lands are zoned Open Space Natural. Recreational lands are zoned Open Space Recreation and Open Space Golf. Much of the City's hazardous lands are developed for other purposes and zoned accordingly. The Open Space Natural zone is the only zone in Toronto specifically relating to the Natural Heritage System and is generally only applied to undeveloped lands. The Open Space Natural zone permits some existing uses as well as cogeneration energy or renewable energy production, and retail stores (not fully enclosed in a building) associated with an agricultural use.

Other Actions

- *Toronto Green Standard*

The *Toronto Green Standard* presents Toronto's sustainable design and performance requirements for new developments that works toward mitigating and adapting to climate change impacts. The Standard consists of tiers of performance, with Tier 1 being mandatory and applied through the planning approval process.

- *Design Guidelines for Greening Surface Parking Lots*

Design guidelines that aim to develop efficient, safe, attractive, and environmentally-responsible surface parking lots.

6. Municipality: City of Guelph

By-law: *Zoning By-law (1995)-14864*

Status: In force

Key Takeaways:

Overlays and Protection Zones

- Guelph has a two-zone (Floodway or Wetland zone) flood plain concept in some areas. The Wetland zone permits a wetland, flood control facility, recreation trail approved by Grand River Conservation Authority (GRCA), or wildlife management area (“Section 13.2.1”). The Floodway zone additionally permits only conservation areas, municipal services and public utilities, outdoor sportsfield facilities approved GRCA, picnic areas, and recreation trails (“Section 12.2.1”). Any new structures are prohibited in the Wetland zone (“Section 13.2.2”). New structures are also prohibited in the Floodway zone, except structures associated with flood and erosion control or sewage treatment facilities (“Sections 12.2.2.1 and 12.2.2.1.1”).
- Guelph has an overlay of a Special Policy Area in downtown in which all development is prohibited in the “hydraulic floodway” (“Section 12.4.1.1”). Uses relating to production of hazardous materials or potential contamination are also prohibited (“Section 12.4.1.3”). New structures are required to be flood proof (“Sections 12.4.2.1-12.4.4”).
- In the official plan, hazardous lands outside of special policy areas are within Significant Natural Areas and Natural Areas base designation or the Open Space base designation. There is no single zone specifically targeted to the Natural Heritage System. Most of the system is zoned Floodway or Wetland, or Conservation Land, which is one of several park zones.

Draft Comprehensive Zoning By-law

Guelph’s draft *Comprehensive Zoning By-law* (Part B, Section 3) provides new definitions for agricultural uses that are differentiated in terms of function and permitted in more urban settings, including:

- Agricultural produce market: “... a premises where agricultural products are displayed for sale or sold.” This use is permitted in Downtown Zones and within areas defined in the site-specific High Density Residential 7 Zones.
- Agricultural research institution: “... a premises where agricultural products and practices are researched or developed.” This use is permitted in the site-specific Institutional Research Park Zones.

Key takeaways from the municipal scan in terms of parking standards and mobility, gentle density and sustainable development, and protection of environmentally significant areas are summarized below.

Parking Standards and Mobility

Newmarket, Vaughan, Oakville, Markham, and Toronto all use varying parking standards in an effort to reduce reliance on private vehicles and encourage increased use of public transportation.

- In Newmarket parking standards may be reduced by 30% if a site is within a walking distance of 500 m of the GO rail station or bus terminal. Newmarket includes regulations for carpool parking spaces, car-share parking spaces, shared parking formulas, and cash-in-lieu of parking. The City has also taken steps to minimize surface parking in Main Street and Intensification areas.
- Vaughan uses a progressive approach to minimizing surface parking and established minimum and maximum parking rates for mixed-use development areas, main street development areas, and the Vaughan Metropolitan Centre.
- Town of Oakville, which eliminated minimum parking requirements for several land uses, including for permitted non-residential uses in the Downtown Oakville Mixed-Use zone. The by-law permits cash-in-lieu of some or all parking spaces and bicycle parking spaces required for non-residential uses in some areas of the Mixed-Use Zone through a development agreement with the Town.

Gentle Density and Sustainable Development

Low impact development can be promoted through zoning by-laws. Vaughan, Oakville, Markham, and Toronto allow for accessory dwelling units or secondary suites, with the Cities of Markham and Toronto permitting secondary suites in all zones, city-wide. The City of Vaughan permits “landform features to mitigate erosion or manage stormwater runoff, such as bioswales, permeable surfaces, rain gardens, infiltration trenches, or other similar low impact development features”³⁹ in all zones. These features are not subject to the requirements of the zoning by-law.

Outside of the scope of its zoning by-law, the City of Toronto has developed the *Toronto Green Standard* that implements sustainable design and performance requirements for new developments that works toward mitigating and adapting to climate change impacts. The City has also developed *Design Guidelines for Greening Surface Parking Lots* that aim to develop efficient, safe, attractive, and environmentally-responsible surface parking lots.

The City of Vaughan has established amenity area requirements that represent the minimum amenity area necessary to support more dense forms of development that the City is transitioning toward.

Protection of Environmentally Significant Areas

The City of Toronto permits a wide range of educational, institutional, public service, and recreational facilities and structures within its flood plain policies. The Cities of Guelph and Vaughan, on the other hand, prohibit all structures except those related to flood control, conservation (Vaughan), or sewage treatment (Guelph). Guelph entirely prohibits structures in its Wetland zone. Guelph also has Vegetation

³⁹ City of Vaughan Zoning By-Law 1-88, Section 4.15.2, #3

Protection zones concurrent with adjacent development.

Some best practices related to agriculture include:

- The elimination of height provisions to buildings and structures used for agriculture in the Town of Oakville.
- Guelph's draft *Comprehensive Zoning By-law* provides new definitions for agricultural uses that are differentiated in terms of function and permitted in more urban settings.
- Vaughan permits existing agricultural uses in an Environmental Protection (EP) Zone to mitigate risk of creating legally non-conforming agricultural uses. The EP Zone includes open space, conservation, or agricultural zones. It also protects Vaughan's open space systems and Natural Heritage Network.

These practices work toward setting environmentally-responsive regulations in zoning by-laws by making the tool more permissive toward sustainable development, including promotion of compact, transit-oriented forms of development, protection of natural areas, and diversification of agricultural uses.

Appendix G. International Examples

Nationale Omgevingsvisie (National Environmental Vision)

NOVI is a new Dutch planning law that mandates the creation of environmental visions at different levels of governance – national, provincial, regional, and municipal. Its goal is to bundle different spatial tasks siloed across sectors into coherent and integrated approaches. These spatial tasks include: climate adaptation (energy transition, biodiversity, flood protection); urban development (infrastructure, housing, and work); and agriculture. As these challenges require space and development visions across sectors that are often in conflict with each other, tackling them at once into a strategic environmental vision helps address potential conflicts before they arise. See: <https://denationaleomgevingsvisie.nl/>.

Ruimte voor de rivieren (Room for the Rivers)

The Room for the Rivers project introduced measures to manage river flooding by creating a series of floodable landscapes. While flood protection through expansion of the riverbed and creating flood plains was the main goal, the planning process highlighted the multifunctionality of the new landscapes. As a result, several interventions were designed in collaboration with local governments and residents to ensure multiple stakeholder goals were met, in addition to flood defence, such as recreational opportunities and farming, were achieved.

Vlaams Bouwmeester Scan (Flemish Architect Scan)

The Vlaams Bouwmeester Scan analyzed several Flemish municipalities to highlight policy strengths and weaknesses in the field of spatial planning. Its goal is to achieve a more sustainable, healthier, and adaptable living environment. Spatial guidelines are developed for each municipality, analyzed, and compiled in a report, available on the Bouwmeester Scan website. See: <https://www.vlaamsbouwmeester.be/nl/subsite/bouwmeester-scan>.

Ontwikkelperspectief 2040 Centrum Eindhoven (Development Perspective for Eindhoven Centre)

To improve the quality of the city, seven city projects dealing with slow mobility and green infrastructure were identified. In addition, land use requirements for private developers were set where they must provide a minimum 8 m² of green space per housing unit, and a minimum of two bike parking spots per household. Alternatively, developers can contribute to collective green and parking solutions in the city projects.

Integrale Wijkaanpak (Integrated Neighbourhood Approach)

The Integrated Neighbourhood Approach is a planning and design approach developed by TNO and PosadMaxwan. In line with the *NOVI* approach, it proposes a method to deal with spatial transitions

at a neighbourhood level. The approach consists of: itemization of the spatial challenges of a given area both in space and time (where and when); identification of synergies, conflicts, and leading versus following transitions (i.e., ones with most traction versus the ones with less); elaboration of a few development packages that link different transitions together; and proceeding with the most effective and desired package. See <https://www.citydealopenbareruimte.nl/kennisdeling/publicaties/1949755.aspx?t=Integrale-Wijkaanpak>.



Integrated Neighbourhood Approach - Nature inclusiveness tactics at the neighbourhood level



Integrated Neighbourhood Approach - Climate adaptation tactics at the neighbourhood level

Appendix H. Specific Interventions by Transect

	Policy Goal	Transect					
		Natural/ Environmental	Rural	Suburban	Urban Corridor	Urban Centre	Special Districts Community
Climate Actions	Growth Management	<ul style="list-style-type: none"> Preserve natural heritage and natural hazard areas through an overlay. Limit development in natural heritage and hazard areas. 	<ul style="list-style-type: none"> Allow for gentle, context-sensitive density by permitting accessory dwellings or secondary suites that support agricultural uses. 	<ul style="list-style-type: none"> Permit housing forms in neighbourhoods that increase gentle density and infill (i.e., accessory dwelling units, secondary suites, laneway housing) in a sensitive manner. Encourage a variety of housing types 	<ul style="list-style-type: none"> Create mixed-use zones to permit compact, higher residential densities in and along urban centres and transit corridors. 	<ul style="list-style-type: none"> Encourage brownfield remediation. Encourage greater mix and density of uses provided there are no adverse impacts on surrounding sensitive land uses. 	<ul style="list-style-type: none"> Encourage adaptive reuse of existing buildings and redevelopment of underutilized sites.
	Mobility	<ul style="list-style-type: none"> Ensure development of trails in natural areas does not result in adverse impacts. Connect trails and parks to encourage active transportation 	<ul style="list-style-type: none"> Provide opportunities for cycling and multi-purpose trail use. Encourage connectivity between transit areas and agricultural uses that would benefit from transit access. 	<ul style="list-style-type: none"> Consider requirements for on-site Electric Vehicle, bicycle and alternative transportation infrastructure (e.g., carpool parking spaces, shared parking). Reduce or eliminate parking standards in appropriate areas. Reduce large surface parking lots and/or require landscaping and greening of surface parking. Create compact, transit-supportive neighbourhoods. Direct density, intensification, and ridership-generating uses to areas within close proximity to transit. 			
	Energy	<ul style="list-style-type: none"> Permit Low Impact Development features Develop permissive policies for solar energy infrastructure. 	<ul style="list-style-type: none"> Allow for large-scale solar energy systems and wind turbines. 	<ul style="list-style-type: none"> Allow for district energy systems, and smaller scale wind and solar energy systems integrated within the building. Require layout of development and subdivision lots to optimize sun exposure for energy efficiency. Require installation of cool paving technologies, green roofs, landscaping, and softscaping. Promote design that increases energy efficiency through performance standards and incentives. Provide opportunities for ground-sourced thermal energy use. 			

	Policy Goal	Transect							
		Natural/ Environmental	Rural	Suburban	Urban	Urban Corridor	Urban Centre	Special Districts Community	Special Districts Industrial
Climate Actions	Water	<ul style="list-style-type: none"> Protect water sources and utilize subwatershed planning for development. 	<ul style="list-style-type: none"> Require permeable surfaces where possible including soft landscaping. Permit stormwater management infrastructure such as rain garden, bioswales, green roofs, etc. where appropriate. 						
	Natural Hazards and Natural Heritage	<ul style="list-style-type: none"> Protect natural hazard and heritage areas. Protect Fanshawe and Hyde Park areas, identified as vulnerable in the Thames- Sydenham and Region Source Protection Plan. 	<ul style="list-style-type: none"> Require flood proof design regulations for limited development permitted in flood-prone areas. Preserve native tree species and tree coverage through implementation of a tree conservation by-law, design standards and guidelines or site plan agreements. Require public amenity/open space as part of development. Require drought/flood tolerant vegetation for development. 						
	Agriculture	N/A	<ul style="list-style-type: none"> Protect prime agricultural lands. Permit diversified agricultural uses. Permit event-type and temporary or conditional uses that support agricultural uses in rural areas. Encourage agricultural uses and natural areas that absorb greenhouse gas emissions. 	<ul style="list-style-type: none"> Permit compatible urban agricultural uses. Create policies for open public space to support urban community gardens. 			<ul style="list-style-type: none"> Allow for agricultural and food-related uses such as vertical/ urban farms, aquaponics, and micro-breweries. 		

Appendix I. Transect Application to London’s Place Types

The Consultant Team recommends organizing the new London zoning by-law using a rural-to-urban transect that places all of the elements of the built environment in an orderly progression from the most rural to the most urban. This approach is introduced in the *Discussion Paper #2. Zoning in on Intensification* and is identified in the table below.

Transect Application to London’s Place Types		
Sample Transect (Place Type Districts)	London Plan Place Types	Categorization in London Plan
Natural/Environmental	Green Space	City-wide
	Environmental Review	City-wide
Rural	Farmland	Rural Place Types
	Rural Neighbourhoods	Rural Place Types
Suburban	Neighbourhoods	Urban Place Type
	Shopping Area	
Urban	Shopping Area	Urban Place Type
	Main Street	Urban Place Type
	Neighbourhoods	Urban Place Type
Urban Corridor	Rapid Transit	Urban Place Type
	Urban Corridor	Urban Place Type
Urban Centre	Downtown	Urban Place Type
	Transit Village	
Special Districts, Community	Institutional	Urban Place Type
	Future Community Growth	Urban Place Type
Special Districts, Industrial	Industrial	Urban Place Type
	Waste Management Resource Recovery Area	Rural Place Types
	Future Industrial Growth	Urban Place Type

Appendix J. Planning and Municipal Tools for Climate Change Adaptation

According to the Government of Canada (2012), additional land use planning tools for local adaptation to climate change include:

- **Design Guidelines:** Design guidelines can support municipal goals such as greater environmental performance, reduction in infrastructure costs, compact development, and pedestrian-oriented streets. For example, design features can be utilized to reduce impacts of the urban heat island effect by preventing the development of large surface parking lots, enhancing pedestrian-friendly streetscapes, and protecting public open space.
- **Plan of Subdivision:** Subdivision plans can be required to demonstrate efficient neighbourhood-scale transportation infrastructure, landscaped open space, efficient utility services, and address concerns about environmental impacts. Additional zoning permissions to allow for denser development through plans of subdivision can allow for energy-efficient development, such as the implementation of district energy systems.
- **Covenants and Easements:** Covenants and easements can be used to prevent development in environmentally sensitive areas.
- **Environmental Reviews and Assessments:** Reviews and assessments of environmental consequences of development can include recommendations to mitigate potential impacts.
- **Development Agreements:** Development agreements can be used to apply controls or conditions on development.

Other municipal tools that can be explored to address climate change impacts include:

- **Holding Provisions:** Holding provisions apply conditions to prevent the development of a site until it is demonstrated that a proposal meets local needs and does not impact municipal priorities, such as environmental protection.
- **Green/LEED Standards:** Green development standards can promote sustainable design features of a building such as efficient energy, wastewater, and stormwater systems. LEED standards provide a framework for developing healthy, efficient, carbon, and cost-saving green buildings, and encourage sustainable development through tools such as performance measurement criteria.
- **Technical Studies:** Technical studies help to evaluate and identify sustainable practices in areas such as stormwater management and transportation (e.g., to develop strategies that promote active transportation modes).
- **Community Energy Plan:** These plans use an integrated approach by aligning components such as energy, infrastructure, and land use planning to support municipal management of energy needs.



RETHINK ZONING

DISCUSSION PAPERS

6

ZONING IN ON PLACE TYPES

JUNE 2022

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Land Acknowledgment

The City of London is situated on the traditional lands of the Anishinaabek (AUh-nish-inah-bek), Haudenosaunee (Ho-den-no-show-nee), Lūnaapéewak (Len-ah-pay-wuk) and Attawandaron (Add-a-won-da-run).

We acknowledge all the treaties that are specific to this area: the Two Row Wampum Belt Treaty of the Haudenosaunee Confederacy/Silver Covenant Chain; the Beaver Hunting Grounds of the Haudenosaunee NANFAN Treaty of 1701; the McKee Treaty of 1790, the London Township Treaty of 1796, the Huron Tract Treaty of 1827, with the Anishinaabeg, and the Dish with One Spoon Covenant Wampum of the Anishnaabek and Haudenosaunee.

This land continues to be home to diverse Indigenous peoples (First Nations, Métis and Inuit) whom we recognize as contemporary stewards of the land and vital contributors to society. We hold all that is in the natural world in our highest esteem and give honor to the wonderment of all things within Creation. We bring our minds together as one to share good words, thoughts, feelings and sincerely send them out to each other and to all parts of creation. We are grateful for the natural gifts in our world, and we encourage everyone to be faithful to the natural laws of Creation.

The three Indigenous Nations that are neighbours to London are the Chippewas of the Thames First Nation; Oneida Nation of the Thames; and the Munsee-Delaware Nation who all continue to live as sovereign Nations with individual and unique languages, cultures and customs.

This Land Acknowledgement is a first step towards reconciliation. It is the work of all citizens to take steps towards decolonizing practices and bringing our awareness into action. We encourage everyone to be informed about the traditional lands, Treaties, history, and cultures of the Indigenous people local to their region.



Source: The London Plan



Source: The London Plan

Executive Summary

This paper builds on The London Plan, which introduced Place Types as a way of organizing and describing the nature of the different geographic locations that together make up the city. This fresh approach will also be used to develop a new zoning by-law that implements The London Plan's vision for the future: a city of highly functional, connected, and desirable places, supported by a modern regulatory framework.

*The London Plan moves away from a traditional approach to planning, replacing land use designations with Place Types, each with their own function, structure, and feel. This approach highlights the importance of form and intensity, not just use, on the experience of a city. As a new comprehensive zoning by-law is needed to implement *The London Plan* policies, an equally innovative approach to zoning is necessary.*

As part of the first phase of the ReThink Zoning project, a series of seven discussion papers has been prepared to explore the challenges and opportunities of zoning for use, intensity, and form; the relationship between zoning and the climate emergency, and zoning and housing affordability; and on implementation. This discussion paper delves into *The London Plan's* policies to determine specific zoning issues for the 15 Place Types that together make up the City of London.

This discussion paper involves an exercise in translating policies into desired and undesired outcomes which can then be encouraged or discouraged through a precise use of zoning regulations. For each of the 15 Place Types, the vision and zoning considerations are outlined along with a preliminary approach to zone codes and classes to implement the Place Type. In doing so, this paper, along with the others, sets the conceptual foundation for drafting London's new comprehensive zoning by-law. The next stages will include analyses of existing conditions in the context of the existing regulatory framework and of active and closed development applications, to ground zoning concepts within the London experience as we move towards a new zoning by-law for the City.



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Primarily
Paper

Fine Paper
Stationery
Invitations
Scrapbooking

Home of
A LITTLE
BIT OF PIXIE DUST

Source: The London Plan

1.0 INTRODUCTION

Adopted in 2016, *The London Plan* established a new approach to planning. Moving away from a more traditional approach of identifying parts of the city and regulating development by land use, the Plan assigns a Place Type to all lands in the City of London, each with its own function, structure, and feel. The policies associated with each Place Type provide for a general range of uses, form, and intensity of development that may be contemplated with the overall intent of creating a system of highly-functional, connected, and desirable places characterized by variety and diversity. The new, comprehensive London zoning by-law will implement the policies of *The London Plan*, aligned with all *Planning Act* requirements, and promote innovation and improved accessibility. Most importantly, it will balance land use with intensity and form to achieve the “mosaic of outstanding places” envisioned by *The London Plan*.

Among the 15 Place Types identified in *The London Plan*, two are City-Wide, ten are Urban, and three are Rural. Each has its own unique implications for zoning. Although the overall intent is to balance use, intensity, and form more equally in the new zoning by-law, some Place Types will be defined more by one characteristic than another. The challenge will be to understand the specific policy goals for each Place Type and to identify the zoning tools and regulations best equipped to encourage desirable outcomes or prevent undesirable outcomes.

Use: The types of activities permitted on a property; examples include residential, office, commercial, industrial, and institutional.

Intensity: How much of an activity is permitted on a property; could be measured in terms of the size of a building (height) or the scale/density of the activity itself (gross floor area, units per hectare).

Form: The shape and siting of a building on a property.

1.1 Purpose

This discussion paper is one of seven prepared by the Consultant Team to present preliminary research and options for London’s new comprehensive zoning by-law. Several discussion papers provide high-level overviews of zoning for use, intensity, form, the climate emergency, and housing affordability, contextualizing these discussions within a transect model in which *The London Plan’s* 15 Place Types were collapsed into eight Transect Zones (see Figure 1).

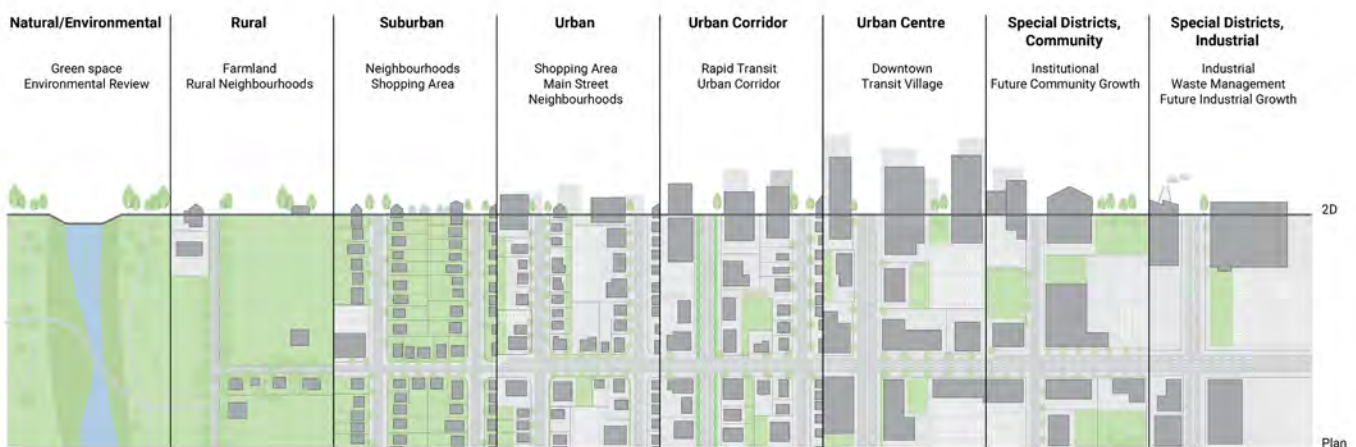


Figure 1: Transect Application to London’s Place Types (Draft)

Typically, transect models represent a cross-section of a municipality, illustrating the gradual change in intensity, or building density, from natural areas on the outskirts of a city to the denser urban core, with a separate “special districts” grouping for areas that do not fit particularly well within the gradient, such as industrial areas. Beyond intensity, however, this transect concept can also serve to frame the discussion of form and use, and zoning for the climate emergency and housing affordability, based on the unique constraints associated with the development pattern that characterizes each Transect Zone. Although differences exist among the Place Types within a Transect Zone, each Zone reflects similar considerations on the relative importance of regulating use, intensity, and form as the organizing principle in achieving the specific vision of each Place Type as outlined in *The London Plan* (see Figure 2). In this way, the specific transect model outlined for the City of London in Figure 1 provides a more London-specific understanding of the zoning challenges to be considered as part of the ReThink Zoning process.

This discussion paper takes a closer look at *The London Plan* to see how policy goals vary among the 15 Place Types and the zoning opportunities and challenges associated with each.

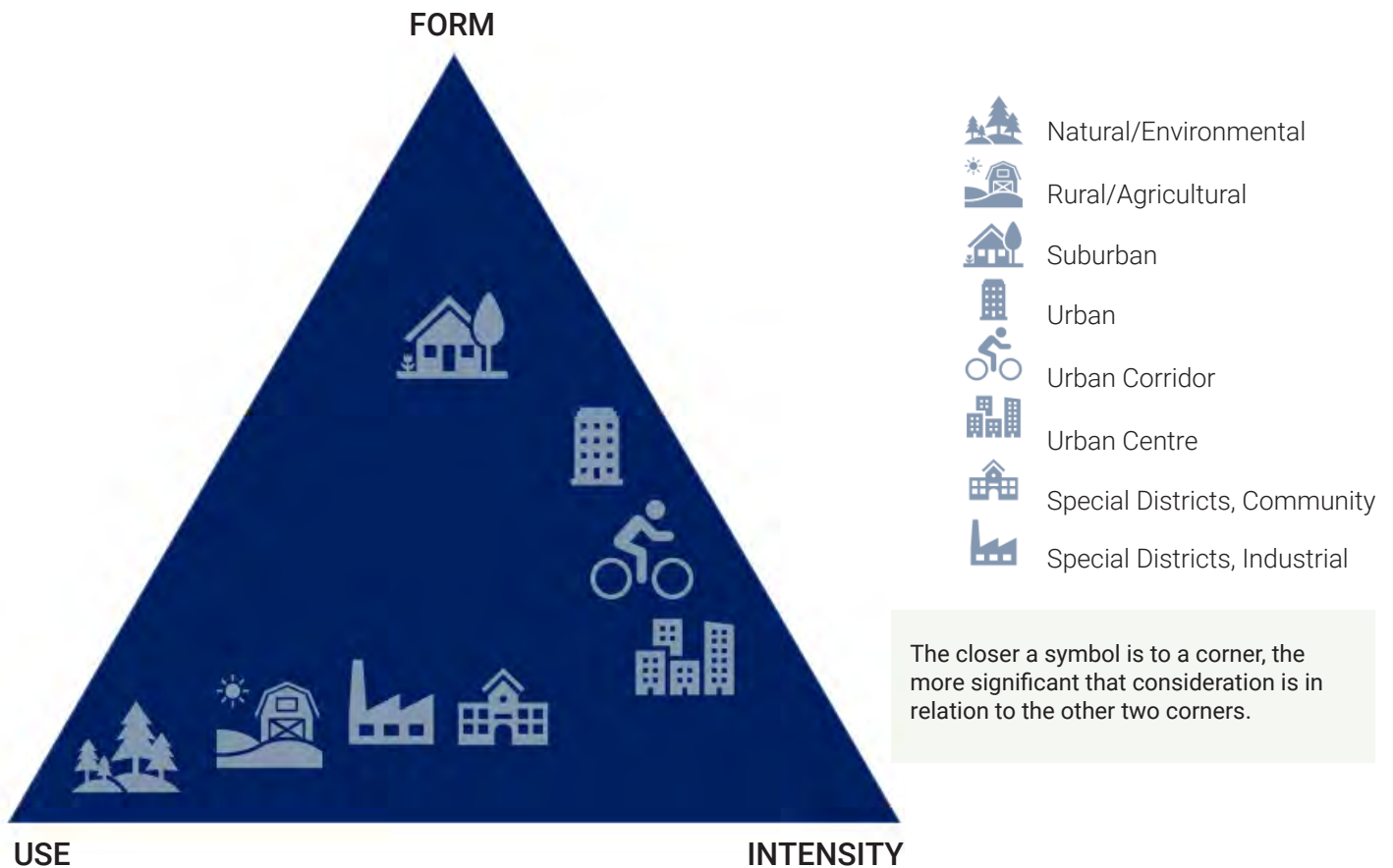


Figure 2: Relative weighting of use, intensity, and form considerations for the eight Transect Zones, based on *The London Plan's* Place Type policies.

For each Place Type, this paper identifies:

- The vision for the Place Type, as identified in *The London Plan*,
- Considerations in the development of Place Type-specific regulations; and
- Potential zone classes within the Place Type (including the criteria that may differentiate one zone class from another, as appropriate).

The final section identifies next steps in taking this information and developing the specific zone and zone class boundaries, and the associated mapping, as well as the drafting itself of the regulations of London's new zoning by-law.

1.2 Guiding Principles

This discussion paper was prepared based on a number of guiding principles:

- **Quality (over quantity) of metrics:** Zoning by-laws can be unnecessarily cumbersome. In order to simplify the interpretation and implementation of the new zoning by-law, it should seek to achieve the most benefit with the least number of regulations. In other words, only those uses (or use groups) with unique impacts should be defined and regulated, while density and form metrics should be limited to those that are most effective at defining the kind of built form we want to see.
- **Context-specific permissions:** Not all built form regulations and use permissions make sense on all sites, whether it is due to the site's size and/or orientation or its proximity to other uses or Place Types. The new zoning by-law will take these limitations (and opportunities) into account in defining the permissions on a given site and will present them in a clear and intuitive way, whether in the form of conditions on permitted uses or providing additional permissions where certain locational criteria are met.
- **Incentive zoning:** Zoning by-laws are limited by Section 34 of Ontario's *Planning Act* as to what they can regulate, specifically the use of land and the erection, location, and use of buildings or structures. As a result, there are certain elements that, although desirable from the City of London's perspective such as the provision of affordable housing units and sustainable energy systems, cannot be required in new development. Zoning by-laws, however, can provide regulatory incentives where elements such as the above are provided voluntarily, such as additional density/height permissions or relaxation of other more restrictive rules.
- **Interacting policy tools:** In addition to the 15 Place Types, *The London Plan* identifies a number of other policy tools to guide development, including Protected Major Transit Station Areas, the High-Density Residential Overlay (a holdover from the 1989 Official Plan), as well as Near-Campus Neighbourhood policies. Although some of these are limited to specific Place Types, a comprehensive regulatory system will need to encompass all of these tools beyond Place Type-specific considerations which are the focus of this paper.



2.0

**PLACE TYPES AND
IMPLICATIONS FOR
ZONING**

Each of the 15 Place Types in *The London Plan* has a specific function and, as such, has unique implications for the development of the City's new comprehensive zoning by-law. Section 2, which represents the bulk of this discussion paper, provides an overview of:

- The City's vision for each Place Type, as provided in *The London Plan*,
- Policy priorities for each Place Type and the types of regulations that would implement them, and
- Potential zone classes for each Place Type, which proposes how *The London Plan's* policies could be reflected in the City's new zoning by-law.

Each Place Type is additionally given a zone code, a one or two letter identifier that will be used to differentiate Place Types in the new zoning by-law and the sections that apply to each. These are listed in brackets next to the Place Type name. Note, although Industrial is discussed in a single subsection of this paper, in practice, it consists of three distinct Place Types, each with its own Place Type boundaries and associated use, intensity, and form policies. This distinction is reflected in their own zone codes.

More detailed summary tables of *The London Plan* policies and associated zoning considerations, taking into consideration regulations for use, intensity, form, climate emergency, and housing affordability (as appropriate to the Place Type), are provided in Appendix A.

Place Types are discussed in the same order they are presented in *The London Plan*, starting with the two City-Wide Place Types, followed by the ten Urban Place Types and the three Rural Place Types. Urban Place Types are those located within London's Urban Growth Boundary, while Rural Place Types are those located outside the Urban Growth Boundary. City-Wide Place Types exist within both Urban and Rural London.

Urban Growth Boundary: The general boundary between Urban and Rural London shown on Map 1 of *The London Plan*. Beyond this line, urban uses are not permitted.

2.1 City-Wide Place Types

2.1.1 Green Space (GS)

Vision

The City’s Green Space Place Type consists of natural heritage features and areas, natural and human-made hazards, natural resources, public parkland, and private lands relating to cemeteries, outdoor recreational centres, and golf courses (LP 760), comprising the natural heritage and recreational spine of the city (LP 757). As these areas serve important ecological and recreational functions, the Green Space Place Type is intended to protect and conserve these natural areas and direct development away from hazard lands, while offering opportunities for active and passive recreation in accessible parks throughout the city (LP 759).

Zoning Considerations

Provide access to outdoor recreational opportunities	→	Permit a range of active and passive outdoor recreation uses
Protect environmentally significant lands	→	Limit development to uses that would not diminish ecological functioning
Protect people and property from natural hazards	→	Limit development within a certain distance of flood plains

Approach to Zone Classes

The Green Space Place Type is predominantly defined in terms of use, i.e., what uses are desired (outdoor recreation uses such as hiking trails, golf courses, and outdoor sports fields) and which ones are not (most other development). As such, this Place Type could be implemented through five zone classes, differentiated by the type of activities permitted in each: Cemetery, Golf Course, Active Park, Passive Park, and Environmentally Sensitive Area. Since natural hazards typically follow the boundaries of natural features rather than individual properties, a Hazard Land overlay could apply to all Place Type zones and limit development within a certain distance of identified natural and human-made hazards, consistent with regulations set out by local conservation authorities.

Active vs. Passive Recreation: Active and passive parks differ in the kinds of activities envisioned for each. Active parks generally include sports fields or facilities for use by organized sports groups. Passive parks generally support unstructured and informal activities such as hiking, which do not require dedicated facilities.

Overlay: A regulatory tool that creates special zoning districts identifying provisions in addition to those in the underlying base zone. Overlays act as an additional 'layer' of regulation 'overtop' of base zoning provisions.



Source: The London Plan

2.2.2 Environmental Review (ER)

Vision

The City's Environmental Review Place Type consists of unevaluated vegetation patches, unevaluated wetlands, valleylands, and potential environmentally significant areas (LP 783). As not all of London's natural heritage features and areas have been fully studied to determine their ecological significance, the Environmental Review Place Type is intended to protect these areas until environmental studies have been completed, reviewed, and accepted by the City (LP 780). Environmental Review Place Type lands determined to satisfy the criteria for significance will be redesignated to the Green Space Place Type, where protection policies and regulations apply. Other Environmental Review Place Type lands will be redesignated to another appropriate Place Type (LP 782).

Zoning Considerations

Protect potentially environmentally significant lands



Limit development to uses that would not diminish ecological functioning

Approach to Zone Classes

As the purpose of the Environmental Review Place Type is to protect areas that may contain significant natural features and areas and important ecological functions until environmental studies have been completed, reviewed, and accepted by the City of London, this Place Type could be implemented through a single zone class. Uses would be restricted to those that already exist and a limited range of agricultural, conservation, and recreational uses that would not impact the ecological function of the system.

2.2 Urban Place Types

2.2.1 Downtown (D)

Vision

London's Downtown Place Type consists of a unique, geographically distinct area. This Place Type is intended to make the Downtown a destination for Londoners, residents from the wider region, and tourists (LP 793); and a unique place in the city (LP 798) with a sense of place and identity connected with its natural and cultural heritage (LP 794). *The London Plan* envisions the Downtown will be the economic hub for the region (LP 795), and an exceptional neighbourhood that provides a range of housing, services, and amenities for a wide spectrum of lifestyles (LP 796) and a well-developed and maintained public realm (LP 799_8, 11) as the city's highest-order mixed-use centre (LP 798). The City is also committed to prioritizing development that complements the existing character of the Downtown, as presented in the *Downtown Heritage Conservation District Plan*, even as it regenerates and intensifies over time (LP 803_2).

Zoning Considerations

Support a large residential and employment population



Permit taller buildings; require a minimum density for residential or non-residential uses

Ensure access to housing, employment, community services, and green space



Permit a wide range of uses, including residential, retail, office, institutional, and recreational uses in stand-alone and mixed-use buildings

Create a vibrant and inviting pedestrian experience



Require buildings to be located at a consistent distance from the front property line and oriented towards the street

Require podiums to stepback above a certain height to create a pedestrian-scaled environment

Encourage retail stores and services at street-level with permissions for weather-protecting elements such as canopies and awnings

Prohibit new surface parking lots; limit where other car-related uses are permitted and how they are designed

Ensure adequate sunlight on sidewalks and public parks	→	Require tower setbacks and stepbacks from streets and public parks; require minimum distances between towers; limit how wide towers can be
Encourage alternative modes of transportation	→	Encourage carsharing; require bicycle parking and facilities; require electric-vehicle compatible parking spaces
Encourage affordable housing	→	Support the provision of smaller units and affordable housing units through regulatory incentives

Podium: The base of a tall building. As the base of the building is what most people see and experience from street-level, there are usually different regulations for podiums and tower portions of tall buildings (where the architecture differentiates between the two).

Setback: A minimum (or maximum) distance a building can be located from something. Typically, setbacks refer to the distance a building must be from the front, side, and/or rear property lines.

Stepback: A minimum distance a portion of a building is required to step back from the edge of the building. Stepbacks are typically used to reduce the visual impact of taller buildings.

Approach to Zone Classes

Because it is a geographically limited and unique destination in the City of London, the Downtown Place Type could be implemented by a single zone class with similar use, intensity, and form regulations applicable throughout. Although *The London Plan* envisions consistent height permissions throughout the Downtown Place Type, a stepping down of height permissions from the Downtown core to the periphery may be appropriate to provide a transition from the dense urban core to surrounding, lower-density Place Types. This could be achieved either through the delineation of Core and Peripheral zone classes (based on a certain distance from the boundary of the Downtown Place Type) or through the use of a Height Overlay Map.



Source: The London Plan

2.2.2 Transit Village (TV)

Vision

The London Plan identifies four Transit Villages connected to the Downtown by Rapid Transit Corridors (LP 807). Each Transit Village Place Type is intended to become a mixed-use complete community (LP 806) developed at transit-supportive densities and in forms that are pedestrian-oriented and cycling-supportive (LP 808). Second only to the Downtown Place Type in terms of the mix of uses and intensity of development permitted (LP 807), Transit Villages will support a more compact built form and more efficient use of land through infill and development (LP 809).

Zoning Considerations

Support a large residential and (to a lesser extent) employment population	→	Permit tall buildings; require a minimum density for residential or non-residential uses
Ensure access to housing, employment, community services, and green space	→	Permit a wide range of uses, including residential, retail, office, institutional, and recreational uses in stand-alone and mixed-use buildings
Direct large-scale employment uses to the Downtown	→	Limit office density permissions
Ensure an appropriate transition to surrounding Neighbourhood areas	→	Limit buildings heights on the periphery
Create a vibrant and inviting pedestrian experience	→	Require buildings to be located at a consistent distance from the front property line and oriented towards the street
		Require podiums to stepback above a certain height to create a pedestrian-scaled environment
		Encourage retail stores and services at street-level with permissions for weather-protecting elements such as canopies and awnings
		Limit where car-related uses are permitted and how they are designed
		Locate surface parking lots away from major streets with minimum landscaping requirements as a visual barrier

Ensure adequate sunlight on sidewalks and public parks



Require tower setbacks and stepbacks from streets and public parks; require minimum distances between towers; limit how wide towers can be

Encourage alternative modes of transportation



Encourage carsharing; require bicycle parking and facilities; require electric-vehicle compatible parking spaces

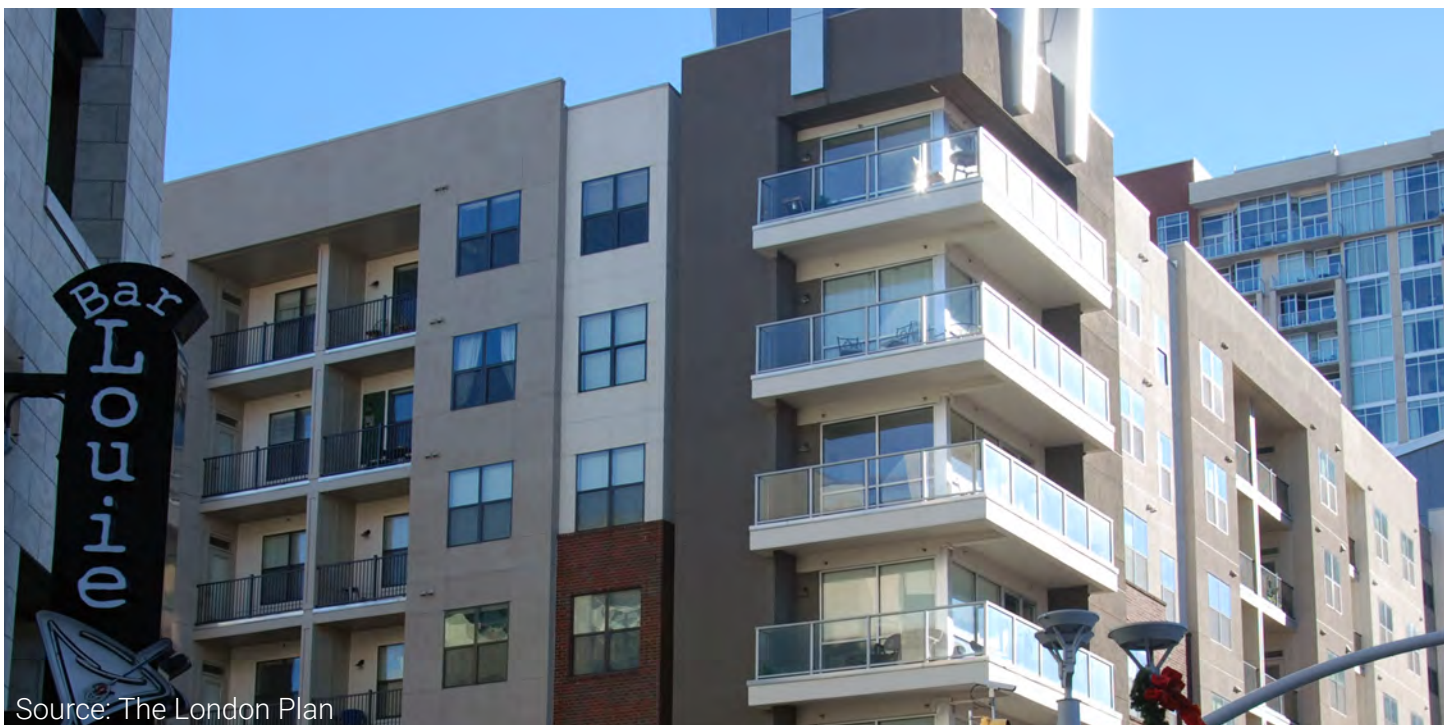
Encourage affordable housing



Support the provision of smaller units and affordable housing units through regulatory incentives

Approach to Zone Classes

The Transit Village Place Type is similar to the Downtown in terms of intended uses and form but differs in the anticipated density and the need for transitions in intensity to surrounding lower-scale Place Types. This Place Type could be implemented by a single zone class for all four Transit Villages or a series of zone classes from Core to Peripheral to reflect differences in height and built form permissions based on distance from the Place Type boundary. As they are largely in transition away from their current form, a single series of zone classes applicable to all four Transit Villages would be most appropriate rather than zone classes unique to each.



Source: The London Plan

2.2.3 Rapid Transit and Urban Corridors (RT, UC)

Vision

The London Plan identifies Rapid Transit and Urban Corridor Place Types. Rapid Transit Corridors and Urban Corridors are to become vibrant mixed-use mid-rise communities (LP 826) along major roads connecting the Downtown to Transit Village (LP 827) Place Types. Capitalizing on existing and future transit investments, these Place Types will be pedestrian- and transit-oriented, intensified at transit-supportive densities with greater intensity and height permissions immediately around rapid transit stations on Rapid Transit Corridors (LP 827).

Although Urban Corridors are envisioned for a slightly lower intensity than Rapid Transit Corridors, both Corridor Place Types have segment-specific use, intensity, and form considerations depending on the immediate context (LP 826).

Main Street segments have historically been pedestrian-oriented shopping or commercial areas, providing local shopping and commercial needs for the surrounding neighbourhoods (LP 845). New development in these areas will support intensification that is consistent with this built form and development pattern.

Preservation segments have significant heritage properties to be protected and conserved (LP 849). Development will generally take the form of repurposing of the existing building stock and some small-scale new development where appropriate.

Transitional segments have current development patterns that differ from the vision for Rapid Transit and Urban Corridor Place Types, being characterized by large-scale retail and services uses on large lots with large areas of surface parking (LP 854). As such, the priority in these areas is to allow these areas to remain as they are on a transitional basis while supporting intensification.

Zoning Considerations

Provide for residential and employment populations at transit-supportive densities



Permit mid-rise buildings with additional density permissions immediately around transit stops

Ensure access to housing, employment, community services, and green space



Permit a range of uses, including residential, retail, office, institutional, and recreational uses in stand-alone and mixed-use buildings

Direct large-scale employment uses to the Downtown



Limit office density permissions

Ensure an appropriate transition to surrounding Neighbourhood areas	→	Require minimum distances from adjacent lower-density residential areas to ensure privacy
Create a vibrant and inviting pedestrian experience	→	Require buildings to be located at a consistent distance from the front property line and oriented towards the street; encourage a continuous streetwall to help frame the street
		Require buildings to stepback above a certain height to create a pedestrian-scaled environment
		Encourage retail stores and services at street-level with permissions for weather-protecting elements such as canopies and awnings
		Limit driveway access points from the main street to create longer stretches of uninterrupted sidewalk; locate surface parking lots away from major streets with minimum landscaping requirements as a visual barrier
Encourage alternative modes of transportation	→	Encourage carsharing; require bicycle parking and facilities, and electric-vehicle compatible parking spaces
Support urban ecological functioning	→	Require minimum landscaping for tree planting or to help absorb stormwater
		Support the inclusion of low-impact development features through regulatory incentives
Encourage affordable housing	→	Support the provision of smaller units and affordable housing units through regulatory incentives

Low-impact development: Landscape features that mimic the flow of water through a natural system. Landscape features can be designed to infiltrate, filter, retain, and slow down stormwater runoff with a number of environmental and economic benefits.

Zone Classes

The Corridor Place Type could be implemented by creating at least three zone classes for Main Street, Preservation, and Transitional segments differentiating the form and intensity of new development envisioned for each. Additional zone classes could be created where there is a secondary (or other) plan that identifies a unique character and vision for a Corridor segment. Height variations between Urban Corridors, Rapid Transit Corridors, and areas within 100 metres of rapid transit stations (along Rapid Transit Corridors) could be implemented through the use of a Height Overlay Map.

2.2.4 Shopping Area (SA)

Vision

The Shopping Area Place Type consists of commercial centres of a variety of sizes and functions, ranging from those that serve the local community to large centres attracting residents from across the city (LP 872). *The London Plan* envisions that these existing commercial centres are to be reformatted to become mixed-use areas, supporting a wide range of uses within walking distance of surrounding neighbourhoods (LP 871). Commercial centres are not expected to be completely replaced, but the Shopping Area Place Type presents an opportunity for intensification through reformatting, redevelopment, and expansion (LP 875) to create pedestrian, cycling, and transit-oriented hubs for commerce and neighbourhood services (LP 872).

Zoning Considerations

- | | | |
|--|---|---|
| Provide access to housing, employment, community services, and green space | → | Permit a range of uses, including residential, retail, office, institutional, and recreational uses in stand-alone and mixed-use buildings |
| Encourage a diversity of existing and new built forms | → | Permit mid-rise buildings and low-rise building forms; encourage the conversion or repurposing of existing buildings |
| Ensure an appropriate transition to surrounding Neighbourhood areas | → | Require minimum distances between mid-rise buildings and adjacent lower-density residential areas to ensure privacy |
| Support street-oriented development | → | Require buildings to be located at a consistent distance from the front property line and oriented towards the street; encourage a continuous streetwall to help frame the street |
| | | Require buildings to stepback above a certain height to create a pedestrian-scaled environment |
| | | Encourage retail stores and services at street-level with permissions for weather-protecting elements such as canopies and awnings |
| | | Limit driveway access points from the main street to create longer stretches of uninterrupted sidewalk; limit the size and location of surface parking lots (away from major streets) |

Encourage alternative modes of transportation	→	Encourage carsharing; require bicycle parking and facilities, and electric-vehicle compatible parking spaces
Support urban ecological functioning	→	Require minimum landscaping for tree planting or to help absorb stormwater
		Support the inclusion of low-impact development features through regulatory incentives
Encourage affordable housing	→	Permit stand-alone and mixed-use residential buildings
		Support the provision of smaller units and affordable housing units through regulatory incentives

Approach to Zone Classes

The Shopping Area Place Type could be implemented by creating two or three zone classes that reflect the changing intensity and form of these places in relation to surrounding Place Types. The use, intensity, and form of each Shopping Area will depend on its size and the area it serves, as this influences the amount of intensity possible in a given area while still providing sufficient transitioning to surrounding lower-density areas. In addition, as residential uses are not currently permitted in these commercial areas under zoning by-law No. Z-1, it may be appropriate to create zones that reflect the mixed-use intent for the Shopping Area Place Type but institute a maximum density of “0” floor area ratio for residential uses. By permitting residential uses on a site but limiting the permitted residential density to 0, the intention for residential development is signalled while also requiring such development to pursue a zoning by-law amendment (ZBA) to determine in consultation with City staff what an appropriate scale of residential development might be in a particular Shopping Area.

2.2.5 Main Street (MS)

Vision

The Main Street Place Type consists of London’s historical business areas, providing a mix of residential and commercial uses to surrounding neighbourhoods (LP 903). Main Streets contribute to the identity of the city through the cultural heritage they represent (LP 904).

The intent of the Main Street Place Type is to:

- i. Support the regeneration of historic Main Streets through sensitive repurposing, intensification, and infill; and
- ii. Facilitate the creation of new Main Streets (LP 905).

The London Plan identifies seven Main Streets: Applewood, Byron, Hamilton Road, Hyde Park, Lambeth, Upper Richmond Village, and Wortley Village (LP 906_2).

Zoning Considerations

Provide access to housing and neighbourhood-scale employment, community services, and green space



Permit a range of uses, including residential, retail, office, and institutional uses in stand-alone and mixed-use buildings; limit non-residential density permissions

Allow for a diversity of existing and new built forms



Permit mid-rise buildings and low-rise building forms; support the conversion or repurposing of existing buildings

Support street-oriented development



Require buildings to be located at a consistent distance from the front property line and oriented towards the street; encourage a continuous streetwall to help frame the street

Require buildings to stepback above a certain height to create a pedestrian-scaled environment

Encourage retail stores and services at street-level with permissions for weather-protecting elements such as canopies and awnings

Limit driveway access points from the main street to create longer stretches of uninterrupted sidewalk; locate surface parking lots away from major streets

Encourage alternative modes of transportation	→	Encourage carsharing; require bicycle parking and facilities; require electric-vehicle compatible parking spaces
Support urban ecological functioning	→	Require minimum landscaping for tree planting or to help absorb stormwater
Encourage affordable housing	→	Permit stand-alone and mixed-use residential buildings Support the provision of smaller units and affordable housing units through regulatory incentives

Zone Classes

Main Street zone classes will largely vary in terms of form. The number of zone classes needed to implement the Main Street Place Type will depend on the existing character or visions for the seven Main Streets identified in *The London Plan*. Where a secondary (or other) plan does identify a unique character and vision for a Main Street, a new zone class could be created. Where a plan is not in place, a standard approach to Main Street development could be introduced to avoid unnecessary regulatory differentiations across the city of London. Reducing the regulatory complexity of the new zoning by-law will improve ease of interpretation and implementation, thereby streamlining the development application review process and reducing variances to the by-law that may result in distinct zones with similar regulations.

2.2.6 Neighbourhoods (N)

Vision

The majority of London's land area consists of Neighbourhoods (LP 917). Historically, Neighbourhoods have been limited to a single form of residential development, which has had an impact on housing affordability and access to services in the city. The intent for the Neighbourhoods Place Type is to provide for a wider range of uses, intensities, and forms to create communities that provide for a diversity of housing options (in both form and affordability) but also easy access to daily goods and services, employment and recreational opportunities, and mobility options (LP 916) while still respecting the different neighbourhood characters found throughout the city (LP 917).

The London Plan also identifies four street classifications that are typically found within the Neighbourhoods Place Type: Neighbourhood Street, Neighbourhood Connector, Civic Boulevard, and Urban Thoroughfare.

Zoning Considerations

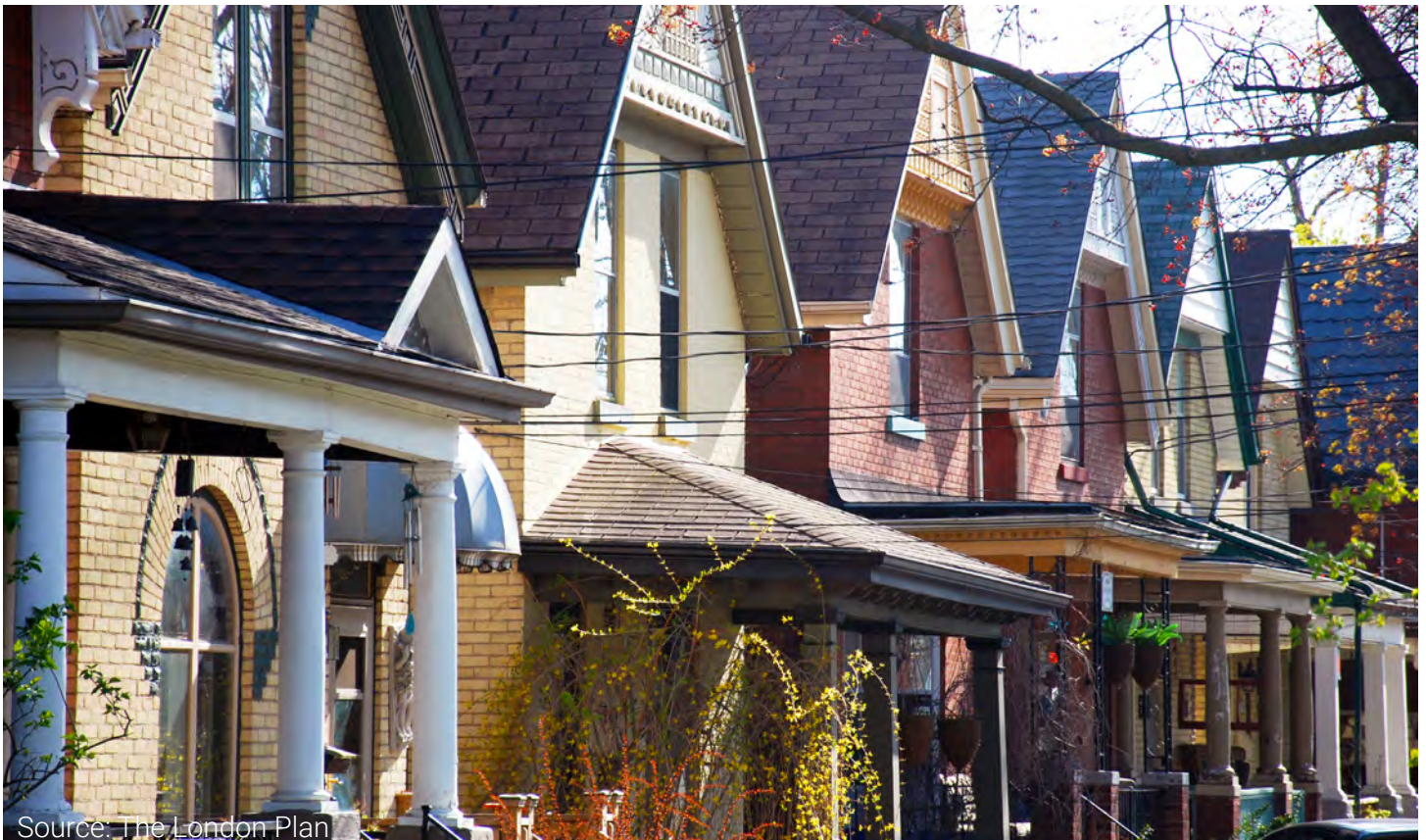
Provide a range of housing options	→	Permit a diversity of housing forms (avoid limiting areas to a single form of housing, such as single detached dwellings); permit alternative housing forms such as additional dwelling units
Provide access to everyday needs including neighbourhood-scale community services	→	Permit a range of retail, office, and institutional uses in stand-alone and mixed-use buildings on larger streets and on smaller neighbourhood streets at intersections with larger streets; limit non-residential density permissions
Maintain building porosity	→	Limit building coverage; require minimum yard setbacks
Support urban ecological functioning	→	Support the inclusion of low-impact development features through regulatory incentives
Encourage affordable housing	→	Increase residential density and height permissions Reduce minimum lot sizes where appropriate

Porosity: The amount of open space between buildings. Porosity is important in providing access to sunlight and views as well as space for tree planting.

Approach to Zone Classes

The London Plan connects use, intensify, and form permissions in the Neighbourhoods Place Type to street classification, with taller buildings, a wider range of housing forms, and small-scale non-residential uses permitted on properties fronting on larger streets. As such, zone classes could be introduced for the Neighbourhoods Place Type based on the four street classifications commonly abutting Neighbourhoods, including Neighbourhood Street, Neighbourhood Connector, Civic Boulevard, and Urban Thoroughfare.

Since *The London Plan* contemplates additional permissions at the intersection of residential streets (depending again on the street classification), locational criteria could be introduced on top of the above-mentioned zones to outline alternative use, intensity, and form permissions where certain criteria are met. Additional zone classes may be needed to reflect the unique character of individual neighbourhoods found in the City of London. What differentiates neighbourhoods from one another may be a single lot feature, such as lot frontage, or a combination of metrics, such as coverage and setbacks. The intent, however, is to identify the fewest number of metrics that distinguish one neighbourhood from another to avoid an unwieldy number of zone sub-classes that are only minutely different from one another.



Source: The London Plan

2.2.7 Institutional (I)

Vision

The Institutional Place Type consists of London’s major education facilities (Western University, its affiliated colleges, and Fanshawe College), health care centres and research institutes (St. Joseph’s Health Care, London Health Sciences Centre) and other large areas that serve an institutional purpose (LP 1078). As the nature of educational and health care institutions change over time, it is important for Institutional Place Type regulations to be flexible, anticipating and facilitating future change and evolution (LP 1084_1).

Zoning Considerations

Support a range of activities compatible with institutional uses	→	Permit a wide range of institutional uses and related accessory uses including dormitories and residences, residential uses, retail, services, offices, and some forms of light industrial in stand-alone and mixed-use buildings
Minimize the visual impacts of parking	→	Limit the location and design of surface parking lots, with minimum landscaping requirements as a visual barrier
Support urban ecological functioning	→	Support the inclusion of low-impact development features through regulatory incentives

Approach to Zone Classes

Given the unique nature of universities, hospitals, and other institutional uses, the Institutional Place Type could be implemented through four zone classes: Educational, Hospital, Western Fairgrounds and General Institutional, with differences in permitted uses and conditions of use. Each would involve specific challenges in terms of parking and landscaping that can be more easily addressed through distinct zone classes.

2.2.8 Industrial (IH, IL, CI)

Vision

London’s Industrial lands contribute significantly to the city’s total employment (LP 1104), consisting of opportunities for manufacturing, processing, assembly, logistics, construction, research, and other industrial uses (LP 1105). The intent is for the city’s industrial sector to grow and evolve, capitalizing on its strong regional connections and the changing nature of technology and innovation in the sector (LP 1106). Although the location and operation of industrial uses are largely governed by provincial legislation and guidelines (including the Ontario Ministry of the Environment’s D-Series Guidelines for land use planning), zoning can provide the necessary opportunities for industrial development to be controlled by provincial regulations.

The London Plan establishes three Industrial Place Types based on the type of uses permitted in each (LP 1108):

The **Heavy Industrial Place Type (IH)** is for those industries that generate significant planning impacts, such as noise, vibration, air emissions, hazardous materials, and unsightly outdoor storage, physically separated from adjacent uses to limit land use conflicts (LP 1109).

The **Light Industrial Place Type (IL)** is for industries generating minimal planning impacts (LP 1110) as well as Innovation Parks that focus on the clustering of light manufacturing, research and development, and the integration of knowledge-based functions with industrial production (LP 1111).

The **Commercial Industrial Place Type (CI)** is for commercial uses that do not fit well in commercial and mixed-use Place Types due to the planning impacts they may generate (LP 1112). These uses tend to be quasi-industrial in character, with large outdoor storage areas, impound areas with large fences, heavy equipment on-site, or large warehouse components that do not integrate well into streetscapes and neighbourhoods (LP 1118).

Zoning Considerations

Limit land use conflicts between industrial and sensitive uses



Separate industrial uses based on the magnitude of anticipated impacts on noise, vibration, and air quality

Limit sensitive uses in industrial areas

Encourage the development of innovation parks



Permit the clustering of compatible research and industrial uses

Encourage efficient use of land	→	Require minimum lot coverage
Minimize the visual impacts of parking	→	Limit the location and design of surface parking lots, with minimum landscaping requirements as a visual barrier
Support urban ecological functioning	→	Support the inclusion of low-impact development features through regulatory incentives

Approach to Zone Classes

As each Industrial Place Type is characterized by its own boundaries in Map 1 – Place Types in *The London Plan* (and so would require an official plan amendment to move between them), Heavy Industrial, Light Industrial, and Commercial Industrial will be treated as independent zone categories, differentiated by the types of uses permitted in each.

2.2.9 Future Growth (FG)

Vision

The Future Growth Place Type provides guidance for areas that have been identified for future development but lack a comprehensive plan for this build out (LP 1153). Development is not intended to occur in these areas until the necessary studies have been completed and a comprehensive plan prepared (LP 1153). There are two types of Future Growth areas depending on the anticipated future use: Industrial and Community Growth (LP 1155-1158).

Zoning Considerations

Protect undeveloped lands from premature subdivision prior to the preparation of a comprehensive plan



Limit permissions to existing uses

Approach to Zone Classes

The Future Growth Place Type could be implemented through a single zone with a limited list of permitted uses.



Source: The London Plan

2.3 Rural Place Types

2.3.1 Farmland (F)

Vision

The *Provincial Policy Statement* requires prime agricultural areas to be protected for long-term agricultural use and for planning authorities to designate these areas. The Farmland Place Type represents the prime agricultural area of London (LP 1179) and has historically been and will continue to be an area of intense production and vibrant economic activity, consisting of agricultural fields and operations of all types, sizes, and intensities and supported by compatible agricultural-related uses and on-farm diversified uses (LP 1178). As a key component of the city's economic base and cultural heritage, the Farmland Place Type will protect and maintain London's prime agricultural area to produce food, fuel, and fibre now and into the future (LP 1181_2). Nothing in *The London Plan* is intended or may be applied to restrict a normal farm practice carried on as part of an agricultural operation (LP 1184), but London's productive lands need not be in conflict with the Natural Heritage System (LP 1181_5), with sustainable farm practices encouraged (LP 1180).

Zoning Considerations

Protect the City's prime agricultural areas for long-term agricultural use



Differentiate between agricultural uses, secondary farm occupations (associated with a primary farm operation), and agricultural-related commercial and industrial uses

Require zoning by-law amendments for new secondary farm occupations, agricultural-related commercial and industrial uses, and new residential dwellings

Prohibit new residential dwellings on remnant pieces of farmland created through lot division

Minimize potential land use conflicts between residential uses, farm operations, and agriculture-related commercial and industrial uses



Require minimum separation distances between uses (based on provincial guidelines)

Limit the scale of operations

Require minimum setbacks and landscaping to act as physical buffers

Promote sustainable farm practices



Permit renewable energy systems with conditions

Approach to Zone Classes

The Farmland Place Type could be implemented through two zone classes differentiated based on the types of use permitted in each: Agriculture and Agriculture-Related. An additional zone class may be required to implement the prohibition of dwellings on remnant parcels of farmland created by a severance.



Source: The London Plan

2.3.2 Rural Neighbourhoods (RN)

Vision

The Rural Neighbourhoods Place Type consists of residential settlements located outside the Urban Growth Boundary (LP 1241) and existing centres of non-agricultural activity (LP 1239). The intent is for this Place Type is to remain largely unchanged, with development limited to residential and small-scale commercial, industrial, and institutional infill opportunities that can be supported by on-site wastewater treatment systems and private wells (LP 1240).

Zoning Considerations

Maintain the extent and density of existing rural neighbourhoods



Limit development to small-scale infill that can be accommodated through on-site servicing

Limit the impact of livestock facilities on residential uses



Require minimum separation distances

Approach to Zone Classes

The Rural Neighbourhoods Place Type could be implemented through a single zone class. However, additional classes could be introduced where the existing conditions reflect unique neighbourhood characters across the City of London that should be preserved.



Source: The London Plan

2.3.3 Waste Management Resource Recovery Area (WM)

Vision

The Waste Management Resource Recovery Area Place Type provides for the existing and potential expansion of the W12A Landfill as an important component of London's infrastructure and waste management system (LP 1255). Regulated by a variety of legislation, *The London Plan* states that landfills will be designed to have minimal impact on sensitive uses, with special considerations for the transition of existing landfills out of productive use (LP 1256_2).

Zoning Considerations

Limit the impacts of existing (and potential expansions of) landfills on surrounding sensitive uses



Require a zoning by-law amendment to permit resource recovery and eco-industrial park uses

Require minimum separation distances from adjacent lands

Limit residential development within 1,500 m

Approach to Zone Classes

As the Waste Management Resource Recovery Area Place Type is limited to a single, geographically limited landfill operation, only one zone class will be required to implement *The London Plan* policies. However, consideration will need to be made on the impact of W12A Landfill on the feasibility and desirability of residential development in surrounding Place Types located within a radius of 1,500 metres of the Waste Management Resource Recover Area Place Type.



Source: The London Plan

3.0 **NEXT STEPS**

Each of London's 15 Place Types has a unique character, structure, and function that needs to be reflected in the mapping and regulation components of the City's new comprehensive zoning by-law. Although *The London Plan* emphasizes the balancing of use, intensity, and form, Section 2 highlights how some Place Types may be more significantly defined by one or two of these considerations (see Figure 2), influencing the zoning tools to be used both in and across Place Types.

As *The London Plan* policies only apply to new development (and existing uses are permitted to persist), the Consultant Team will continue to work with City of London staff to identify the best regulatory strategy to facilitate the transition from current conditions to the kinds of Places envisioned in the Plan.

This discussion paper outlines policy directions, associated zoning considerations, and potential classes of zones for each of *The London Plan's* 15 Place Types. The specific implementation of the policies and zoning considerations identified here will be informed by the next phase of the ReThink Zoning project where we will examine:

1. existing conditions on the ground,
2. current zoning regulations that apply to these areas, and
3. recent development applications

to understand the limitations of the existing regulatory framework and to identify opportunities and constraints where current conditions do not meet the intent of *The London Plan*.

Insights that result from these investigations will be used to develop first a draft by-law outline and preliminary mapping before moving on to the regulations themselves. The draft by-law outline, preliminary zone mapping, and draft regulations will all be the subject of future public and stakeholder engagement as we work through a first, second, and final draft of the City of London's new comprehensive zoning by-law.

APPENDIX

Appendix. Planning Priorities and Zoning Considerations by Place Type

The following tables summarize the planning priorities presented in *The London Plan* policies for each of the 15 Place Types and the key considerations of each for the new comprehensive zoning by-law.

Table 1: Planning Priorities and Zoning Consideration, Green Space (GS)

Green Space (GS)		
	Planning Priorities	Zoning Considerations
Use	Protect natural heritage and provide opportunities for outdoor recreation (LP 761)	<ul style="list-style-type: none"> Limit permitted uses to existing uses, limited recreational uses, parks, and conservation works
	Reduce negative impacts of hazard lands (LP 761)	<ul style="list-style-type: none"> Limit development within an appropriate distance from hazard lands

Table 2: Planning Priorities and Zoning Consideration, Environmental Review (ER)

Environmental Review (ER)		
	Planning Priorities	Zoning Considerations
Use	Protect areas that may contain significant natural heritage features from activities that would diminish their functions (LP 780)	<ul style="list-style-type: none"> Limit permitted uses to existing uses and uses such as certain forms of agriculture, woodlot management, horticulture, conservation, and recreational uses with conditions

Table 3: Planning Priorities and Zoning Consideration, Downtown (D)

Downtown (D)		
	Planning Priorities	Zoning Considerations
Use	Provide for a broad range of uses (LP 800_1)	<ul style="list-style-type: none"> Permit a wide range of residential, retail, service, office, cultural, institutional, hospitality, entertainment, and recreational uses
	Encourage mixed-use buildings with active uses at-grade (LP 800_2, 3)	<ul style="list-style-type: none"> Permit mixed-use buildings Greater density permissions for mixed-use buildings compared to purely residential or non-residential buildings Limit the location of non-residential uses to below residential uses in mixed-use buildings Minimum ground floor height to support conversion of residential uses to future commercial uses at-grade

	Limit auto-centric uses (LP 800_4, 801)	<ul style="list-style-type: none"> Do not permit new surface accessory parking lots, surface commercial parking lots Permit new drive-through facilities with conditions
Intensity	High-density (LP 802_2, 3)	<ul style="list-style-type: none"> Minimum height in metres Maximum height in metres Minimum units per hectare for residential uses Minimum floor area ratio for non-residential uses
	Direct large-scale office development toward the Downtown (LP 799_14)	<ul style="list-style-type: none"> No density restrictions on office uses
Form	Mitigate the impacts of tall buildings (LP 802_2)	<ul style="list-style-type: none"> Tower setbacks from residential property lines Tower setbacks from the street and parks Tower separation distances Maximum tower floor plate Height exemptions, regulations for rooftop mechanical equipment
	Prioritize pedestrian experience (LP 803_3)	<ul style="list-style-type: none"> Maximum podium heights in relation to right-of-way width Stepback above a defined streetwall height Build-to lines Setback and height exemptions for awnings, canopies Primary entrances to be oriented toward the street Minimum solid to void ratios for facades within a certain distance from the street Minimum glazing requirements on ground floors facing the street within a certain distance of the street
Parking	Reduce oversupply of parking (LP 271, LP 802_4)	<ul style="list-style-type: none"> Eliminate parking requirements
	Minimize visual impact of parking (LP 269)	<ul style="list-style-type: none"> Permit underground and integrated parking Minimum wrapping of integrated parking with active uses at-grade Limit the location and size of pick-up/drop-off areas and vehicular access points Limit size of garage door openings Setbacks for garage door openings so that they are located behind the building face
Climate Emergency	Protect and enhance natural systems and processes	<ul style="list-style-type: none"> Regulatory incentives for voluntary provision of a low-impact development features Minimum percentage shade cover for surface parking lots
	Encourage alternative modes of transportation	<ul style="list-style-type: none"> Permit shared car and bicycle parking facilities Minimum bicycle parking and facility requirements Minimum requirements for the provision of electric vehicle compatible parking spaces
	Support sustainable energy and food systems	<ul style="list-style-type: none"> Permit renewable energy systems with conditions Permit urban agriculture with conditions

Housing Affordability	Provide housing opportunities to a wide spectrum of lifestyles (including families, seniors, and young adults) (LP 796)	<ul style="list-style-type: none"> • Minimum residential density requirements • Regulatory incentives for voluntary provision of affordable housing units or units below a threshold unit size
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Table 4: Planning Priorities and Zoning Consideration, Transit Village (TV)

Transit Village (TV)		
	Planning Priorities	Zoning Considerations
Use	Broad range of uses (LP 811_1)	<ul style="list-style-type: none"> • Permit a wide range of residential, retail, service, office, cultural, institutional, hospitality, entertainment, and recreational uses
	Encourage mixed-use buildings (LP 811_2)	<ul style="list-style-type: none"> • Permit mixed-use buildings • Greater density permissions for mixed-use buildings compared to purely residential or non-residential buildings • Limit the location of non-residential uses to below residential uses in mixed-use buildings • Minimum ground floor height to support conversion of residential uses to future commercial uses at-grade
	Limit auto-centric uses (LP 812)	<ul style="list-style-type: none"> • Permit new drive-through facilities with conditions
Intensity	High-density (LP 810, 813_1, 2, 815C, 815D)	<ul style="list-style-type: none"> • Permit new drive-through facilities with conditions
	Transition between transit stations and surrounding areas (LP810_3, 813_3)	<ul style="list-style-type: none"> • Setback from property lines abutting different zones
	Limit large-scale office development (LP 813_5)	<ul style="list-style-type: none"> • Maximum office gross floor area per building • Maximum office gross floor area per Transit Village
Form	Mitigate the impacts of tall buildings (LP 813_1)	<ul style="list-style-type: none"> • Tower setbacks from residential property lines • Tower setbacks from the street and parks • Stepback above a defined streetwall height • Tower separation distances • Maximum tower floor plate • Height exemptions, regulations for rooftop mechanical equipment
	Prioritize pedestrian experience (LP 814_3, 7)	<ul style="list-style-type: none"> • Minimum ground floor height to support conversion of residential uses to future commercial uses at-grade • Build-to lines • Primary entrances to be oriented toward the street • Minimum solid to void ratios for facades within a certain distance from the street • Minimum glazing requirements on ground floors facing the street within a certain distance of the street

Parking	Minimize visual impact of parking (LP 269, 814_11)	<ul style="list-style-type: none"> • Permit underground and integrated parking • Minimum wrapping of integrated parking with active uses at-grade • Prohibit surface parking lots in front of buildings • Parking lots to account for a maximum percentage of front and exterior lot lines • Limit the location and size of pick-up/drop-off areas and vehicular access points • Limit size of garage door openings • Setbacks for garage door openings so that they are located behind the building face • Minimum landscaping requirements between surface parking lots and streets
Climate Emergency	Protect and enhance natural systems and processes	<ul style="list-style-type: none"> • Regulatory incentives for voluntary provision of a low-impact development features • Minimum percentage shade cover for surface parking lots
	Encourage alternative modes of transportation	<ul style="list-style-type: none"> • Permit shared car and bicycle parking facilities • Minimum bicycle parking and facility requirements • Minimum requirements for the provision of electric vehicle compatible parking spaces
	Support sustainable energy and food systems	<ul style="list-style-type: none"> • Permit renewable energy systems with conditions • Permit urban agriculture with conditions
Housing Affordability	Increase opportunities for residential development	<ul style="list-style-type: none"> • Minimum residential density requirements • Permit stand-alone and mixed-use residential buildings
	Reduce costs of housing development	<ul style="list-style-type: none"> • Eliminate parking requirements • Regulatory incentives for voluntary provision of affordable housing units or units below a threshold unit size

Table 5: Planning Priorities and Zoning Consideration, Rapid Transit and Urban Corridors (RT, UC)

Rapid Transit and Urban Corridors (RT, UC)		
	Planning Priorities	Zoning Considerations
Use	Mix of uses (LP 830_4, 837)	<ul style="list-style-type: none"> • Permit a wide range of residential, retail, service, office, cultural, institutional, and recreational uses
	Encourage mixed-use buildings (LP 837_2)	<ul style="list-style-type: none"> • Permit mixed-use buildings • Greater density permissions for mixed-use buildings compared to purely residential or non-residential buildings • Limit the location of non-residential uses to below residential uses in mixed-use buildings • Minimum ground floor height to support conversion of residential uses to future commercial uses at-grade
	Limit auto-centric uses (LP 812)	<ul style="list-style-type: none"> • Permit new drive-through facilities with conditions

Intensity	Medium density (LP 839)	<ul style="list-style-type: none"> • Minimum height in metres • Maximum height in metres
	Limit large floor plate, single use buildings (LP 837_3, LP 840_2)	<ul style="list-style-type: none"> • Maximum commercial gross floor area • Maximum office gross floor area per building • Maximum office gross floor area within 100 m of a rapid transit station
Form	Mid-rise (LP 839)	<ul style="list-style-type: none"> • Minimum ground floor height to support conversion of residential uses to future commercial uses at-grade • Build-to lines • Stepback above a defined streetwall height • Primary entrances to be oriented toward the street • Side lot setbacks and facing distances • Front yard landscape buffer or change in grade requirements where residential uses are permitted at-grade to ensure privacy • Minimum solid to void ratios for facades within a certain distance from the street • Minimum glazing requirements on ground floors facing the street within a certain distance of the street
	Manage interface with adjacent, lower-intensity residential areas (LP 830_5, LP 832, LP 840)	<ul style="list-style-type: none"> • Setback from property lines abutting different zones
Parking	Minimize visual impact of parking (LP 841_12)	<ul style="list-style-type: none"> • Minimum wrapping of integrated parking with active uses • Prohibit surface parking lots in front of buildings • Parking lots to account for a maximum percentage of front and exterior lot lines • Minimum landscaping requirements between surface parking lots and streets • Maximum driveway dimensions (percentage of front lot line) • Limit the location and size of pick-up/drop-off areas
Climate Emergency	Protect and enhance natural systems and processes	<ul style="list-style-type: none"> • Maximum percentage of hardscaping • Minimum areas and soil volumes for softscaping • Minimum percentage shade cover for surface parking lots • Regulatory incentives for voluntary provision of a low-impact development features
	Encourage alternative modes of transportation	<ul style="list-style-type: none"> • Permit shared car and bicycle parking facilities • Minimum bicycle parking and facility requirements • Minimum requirements for the provision of electric vehicle compatible parking spaces
	Support sustainable energy and food systems	<ul style="list-style-type: none"> • Permit renewable energy systems with conditions • Permit urban agriculture with conditions
Housing Affordability	Increase opportunities for housing development	<ul style="list-style-type: none"> • Minimum residential density requirements • Permit stand-alone and mixed-use residential buildings

	Reduce costs of housing development	<ul style="list-style-type: none"> • Eliminate parking requirements • Regulatory incentives for voluntary provision of affordable housing units or units below a threshold unit size
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Table 6: Planning Priorities and Zoning Consideration, Shopping Area (SA)

Shopping Area (SA)		
	Planning Priorities	Zoning Considerations
<i>Use</i>	Broad range of uses (LP 877_1)	<ul style="list-style-type: none"> • Permit a range of retail, service, office, entertainment, recreational, educational, institutional, and residential uses
	Encourage mixed-use buildings (LP 877_1)	<ul style="list-style-type: none"> • Permit mixed-use buildings • Greater density permissions for mixed-use buildings compared to purely residential or non-residential buildings • Limit the location of non-residential uses to below residential uses in mixed-use buildings • Minimum ground floor height to support conversion of residential uses to future commercial uses at-grade
	Residential-compatible uses (LP 877_3)	<ul style="list-style-type: none"> • Do not permit uses with larges amounts of outdoor storage, large warehouse components, storage of heavy vehicles, and/or emitting noise, vibration, or dust
	Encourage repurposing and reformatting of existing centres (LP 876_4)	<ul style="list-style-type: none"> • Regulatory incentives for the repurpose or reformat of existing structures
	Limit auto-centric uses (LP 879_6)	<ul style="list-style-type: none"> • Permit car washes, service stations, gas bars with conditions
<i>Intensity</i>	Medium density (LP 878_2)	<ul style="list-style-type: none"> • Minimum lot size • Maximum height in metres
	Sensitive to adjacent land uses (LP 878_4)	<ul style="list-style-type: none"> • Setback from property lines abutting different zones
	Limit large-scale office uses (LP 878_6)	<ul style="list-style-type: none"> • Maximum office gross floor area
<i>Form</i>	Mid-rise (LP 878_2)	<ul style="list-style-type: none"> • Primary entrances to be oriented toward the street • Stepback above a defined streetwall height • Minimum ground floor height to support conversion of residential uses to future commercial uses at-grade • Build-to lines • Front yard landscape buffer or change in grade requirements where residential uses are permitted at-grade to ensure privacy • Side lot setbacks and facing distances • Minimum solid to void ratios for facades within a certain distance from the street • Minimum glazing requirements on ground floors facing the street within a certain distance of the street

	Positive interface between commercial and residential uses (LP 877_4)	<ul style="list-style-type: none"> Setback from property lines abutting different zones
	Street-oriented development (LP 879_3)	<ul style="list-style-type: none"> Limit the location of primary entrances Maximum front and exterior side yard setbacks Buildings to cover a minimum percentage of front and exterior lot lines
Parking	Minimize visual impact of parking (LP 841_12)	<ul style="list-style-type: none"> Minimum wrapping of integrated parking with active uses Prohibit surface parking lots between buildings Parking lots to account for a maximum percentage of front and exterior lot lines Surface parking lots to account for a maximum percentage of lot area Minimum landscaping requirements between surface parking lots and streets
Climate Emergency	Protect and enhance natural systems and processes	<ul style="list-style-type: none"> Maximum percentage of hardscaping Minimum areas and soil volumes for softscaping Minimum percentage shade cover for surface parking lots Regulatory incentives for voluntary provision of a low-impact development features
	Encourage alternative modes of transportation	<ul style="list-style-type: none"> Permit shared car and bicycle parking facilities Minimum bicycle parking and facility requirements Minimum requirements for the provision of electric vehicle compatible parking spaces
	Support sustainable energy and food systems	<ul style="list-style-type: none"> Permit renewable energy systems with conditions Permit urban agriculture with conditions
Housing Affordability	Increase opportunities for housing development	<ul style="list-style-type: none"> Permit residential and mixed-use residential buildings Minimum residential density requirements
	Reduce costs of housing development	<ul style="list-style-type: none"> Eliminate parking requirements Regulatory incentives for voluntary provision of affordable housing units or units below a threshold unit size

Table 7: Planning Priorities and Zoning Consideration, Main Street (MS)

Main Street (MS)		
	Planning Priorities	Zoning Considerations
Use	Broad range of uses (LP 908_1)	<ul style="list-style-type: none"> Permit a range of residential, retail, service, office, and institutional uses
	Encourage mixed-use buildings (LP 908_2)	<ul style="list-style-type: none"> Permit mixed-use buildings Greater density permissions for mixed-use buildings compared to purely residential or non-residential buildings Limit the location of non-residential uses to below residential uses in mixed-use buildings Minimum ground floor height to support conversion of residential uses to future commercial uses at-grade

	Sensitive repurposing of existing buildings (LP 905)	<ul style="list-style-type: none"> • Permit converted buildings • Regulatory incentives for the repurpose or reformat of existing structures
	Limit auto-centric uses (LP 909)	<ul style="list-style-type: none"> • Permit new drive-through facilities with conditions
Intensity	Low-density (LP 910_4)	<ul style="list-style-type: none"> • Minimum height in metres • Maximum height in metres
	Limit large-scale commercial and office uses (LP 910_3, 5)	<ul style="list-style-type: none"> • Maximum commercial gross floor area • Maximum office gross floor area
Form	Mid-rise (LP 910_4)	<ul style="list-style-type: none"> • Setback from property lines abutting different zones • Primary entrances to be oriented toward the street • Build-to lines • Stepback above a defined streetwall height • Front yard landscape buffer or change in grade requirements where residential uses are permitted at-grade to ensure privacy • Minimum solid to void ratios for facades within a certain distance from the street • Minimum glazing requirements on ground floors facing the street within a certain distance of the street
Parking	Minimize visual impact of parking (LP 911_9)	<ul style="list-style-type: none"> • Prohibit surface parking lots between buildings • Parking lots to account for a maximum percentage of front and exterior lot lines • Surface parking lots to account for a maximum percentage of lot area • Minimum landscaping requirements between surface parking lots and streets • Limit the location and size of pick-up/drop-off areas and vehicular access points
Climate Emergency	Protect and enhance natural systems and processes	<ul style="list-style-type: none"> • Maximum percentage of hardscaping • Minimum areas and soil volumes for softscaping • Regulatory incentives for voluntary provision of a low-impact development features
	Encourage alternative modes of transportation	<ul style="list-style-type: none"> • Permit shared car and bicycle parking facilities • Minimum bicycle parking and facility requirements • Minimum requirements for the provision of electric vehicle compatible parking spaces
	Support sustainable energy and food systems	<ul style="list-style-type: none"> • Permit renewable energy systems with conditions • Permit urban agriculture with conditions
Housing Affordability	Increase opportunities for housing development	<ul style="list-style-type: none"> • Minimum residential density requirements • Permit stand-alone and mixed-use residential buildings
	Reduce costs of housing development	<ul style="list-style-type: none"> • Eliminate parking requirements • Regulatory incentives for voluntary provision of affordable housing units or units below a threshold unit size

Table 8: Planning Priorities and Zoning Consideration, Neighbourhoods (N)

Neighbourhoods (N)		
	Planning Priorities	Zoning Considerations
Use	Range of uses with appropriately sized non-residential uses on the ground floor (LP 925, 927, 928)	<ul style="list-style-type: none"> Permit a range of residential, retail, service, office, community facilities, and residential mixed-use uses based on street classification Permit bed and breakfasts, group homes, supervised correctional residences, home occupations, and drive-through facilities with conditions
	Residential intensification (LP 939_1, 2)	<ul style="list-style-type: none"> Permit additional residential units, converted dwellings, live-work with conditions
	Adaptive re-use of non-residential buildings (LP 939_3)	<ul style="list-style-type: none"> Regulatory incentives for the repurpose or reformat of existing structures
Intensity	Intensification that respects existing neighbourhood character (LP 918_13)	<ul style="list-style-type: none"> Maximum height in metres (to be measured from the eave line) Maximum first floor elevation heights, floor-to-floor heights Stepbacks for half-storeys, with a limit on floorplate size to a percentage of the floor below Maximum coverage
Form	Low-rise (LP 935)	<ul style="list-style-type: none"> Entrances to be oriented toward the street Minimum front yard, side yard, and/or rear yard setbacks Minimum glazing requirement on ground floor facing the street
Parking	Reduce oversupply of parking	<ul style="list-style-type: none"> Limit on-site parking requirements
	Minimize visual impact of parking	<ul style="list-style-type: none"> Setback for garage from front façade Maximum percentage of façade width taken up by a garage Limit driveway locations and access
Climate Emergency	Protect and enhance natural systems and processes	<ul style="list-style-type: none"> Maximum percentage of hardscaping Minimum areas and soil volumes for softscaping Regulatory incentives for voluntary provision of a low-impact development features
	Support sustainable energy and food systems	<ul style="list-style-type: none"> Permit renewable energy systems with conditions Permit urban agriculture with conditions
Housing Affordability	Provide for a range of housing options	<ul style="list-style-type: none"> Permit alternative housing forms
	Increase opportunities for housing development	<ul style="list-style-type: none"> Permit residential mixed-use buildings Increase residential density permissions Reduce minimum lot sizes
	Reduce costs of housing development	<ul style="list-style-type: none"> Reduce parking requirements Regulatory incentives for building conversions and the voluntary provision of affordable housing units or units below a threshold unit size

Table 9: Planning Priorities and Zoning Consideration, Institutional (I)

Institutional (I)		
	Planning Priorities	Zoning Considerations
<i>Use</i>	Wide range of uses to allow for evolution over time (LP 1084_1)	<ul style="list-style-type: none"> Permit a range of institutional uses, limited amount of retail space, and mixed-use buildings Permit a wide range of accessory uses, including dormitories and residences, residential uses, offices, laboratories, services, and, where appropriate, and light industrial uses
<i>Intensity</i>	Medium density (LP 1086_1)	<ul style="list-style-type: none"> Minimum height in metres Maximum height in metres Maximum commercial gross floor area Maximum office gross floor area
<i>Form</i>	Mid-rise (LP 1086_1)	<ul style="list-style-type: none"> Primary entrances to be oriented toward the street Build-to lines Side lot setbacks and facing distances Minimum solid to void ratios for facades within a certain distance from the street Minimum glazing requirements on ground floors facing the street within a certain distance of the street
<i>Parking</i>	Reduce oversupply of parking	<ul style="list-style-type: none"> Limit on-site parking requirements
	Minimize visual impact of parking	<ul style="list-style-type: none"> Prohibit parking lots between buildings Parking lots to account for a maximum percentage of front and exterior lot lines Surface parking lots to account for a maximum percentage of lot area Minimum landscaping requirements between surface parking lots and streets
<i>Climate Emergency</i>	Protect and enhance natural systems and processes	<ul style="list-style-type: none"> Maximum percentage of hardscaping Minimum soil volumes for softscaping Regulatory incentives for voluntary provision of a low-impact development features
	Support sustainable energy and food systems	<ul style="list-style-type: none"> Permit renewable energy systems with conditions Permit urban agriculture with conditions
<i>Housing Affordability</i>	Increase opportunities for housing development	<ul style="list-style-type: none"> Permit residential uses in stand-alone and mixed-use buildings
	Reduce costs of housing development	<ul style="list-style-type: none"> Reduce parking requirements Regulatory incentives for the voluntary provision of affordable housing units or units below a threshold unit size

Table 10: Planning Priorities and Zoning Consideration, Industrial (IH, IL, CI)

Industrial (IH, IL, CI)		
	Planning Priorities	Zoning Considerations
<i>Use</i>	Separate uses based on planning impacts (LP 1109-1111)	<ul style="list-style-type: none"> Identify permitted uses in Heavy, Light, and Commercial Industrial Place Types based on Ontario's D-series Guidelines Limit the range and number of sensitive uses permitted
	Support the development of Innovation Parks (LP 1111)	<ul style="list-style-type: none"> Define Innovation Park Permit the clustering of certain uses
<i>Intensity</i>	Low-rise (LP 1124_3)	<ul style="list-style-type: none"> Minimum lot size Maximum height in storeys (in the Commercial Industrial Place Type)
	Support office uses without undermining the Downtown office market (LP 1113_13)	<ul style="list-style-type: none"> Maximum office gross floor area Maximum office gross floor area within Innovation Parks
	Efficient use of land (LP 1124_1)	<ul style="list-style-type: none"> Minimum lot coverage
<i>Form</i>	High quality of design along Highway 401/402 and the Veterans Memorial Parkway (LP 1125_2, 4)	<ul style="list-style-type: none"> Minimum landscaping requirements along highways
	Limit the visual impact of industrial uses (LP 1125_5)	<ul style="list-style-type: none"> Screening requirements for large open storage areas Limit the location, size, and access of loading facilities Maximum front and exterior side yards for office uses
<i>Parking</i>	Reduce oversupply of parking	<ul style="list-style-type: none"> Limit on-site parking requirements
	Minimize visual impact of parking	<ul style="list-style-type: none"> Parking lots to account for a maximum percentage of front and exterior lot lines Surface parking lots to account for a maximum percentage of lot area Minimum landscaping requirements between surface parking lots and streets
<i>Climate Emergency</i>	Support green industrial development (LP 1126)	<ul style="list-style-type: none"> Regulatory incentives for voluntary provision of a low-impact development features

Table 11: Planning Priorities and Zoning Consideration, Future Growth (FG)

Future Growth (FG)		
	Planning Priorities	Zoning Considerations
<i>Use</i>	Limit permitted uses (LP 1163)	<ul style="list-style-type: none"> Limit permitted uses to existing and similar uses

Table 12: Planning Priorities and Zoning Consideration, Farmland (F)

Farmland (F)		
	Planning Priorities	Zoning Considerations
<i>Use</i>	Protect and maintain the City's prime agricultural areas for agriculture (LP 1179)	<ul style="list-style-type: none"> Define agricultural use, secondary farm occupation/on-farm diversified uses, farm unit, and agricultural-related commercial and industrial uses Permit agricultural uses including associated on-farm buildings and structures Require zoning by-law amendments to consider new secondary farm occupations and agricultural-related commercial and industrial uses
	Discourage the creation of non-farm residential lots in the agricultural area (LP 1180)	<ul style="list-style-type: none"> Require zoning bylaw amendments to consider new residential dwellings on existing lots with conditions (cannot be located on a remnant parcel of farmland created by severance)
<i>Intensity</i>	Minimize the potential for land use conflicts between residential uses and farm operations (LP 1181_10) and between farm operations and agricultural-related commercial and industrial uses (LP 1205_3)	<ul style="list-style-type: none"> Require compliance with Minimum Distance Separation formulae Maximum (combined) lot coverage Maximum (combined) gross floor area Minimum front, side, year setbacks Minimum landscaping and/or screening requirements
	Support a pattern of agricultural holdings that increases the viability of farm operations and avoids the fragmentation of land ownership (LP 1181_8)	<ul style="list-style-type: none"> Minimum farm parcel size of 40 ha Minimum lot frontage
<i>Form</i>	Street-oriented development (LP 1216_2)	<ul style="list-style-type: none"> Orientation of development in relation to the street Limit location and design of vehicular access
<i>Climate Emergency</i>	Promote sustainable farm practices (LP 1180, LP 1181_3)	<ul style="list-style-type: none"> Include hedgerows and woodlands in the definition of farm unit Permit renewable energy systems with conditions Regulatory incentives for voluntary provision of a low-impact development features

Table 13: Planning Priorities and Zoning Consideration, Rural Neighbourhoods (RN)

Rural Neighbourhoods (RN)		
	Planning Priorities	Zoning Considerations
<i>Use</i>	Limit infill to uses that can be accommodated on individual on-site services (LP 1242, LP 1243)	<ul style="list-style-type: none"> Permit a narrow range of residential, institutional, recreational, commercial, and industrial uses with conditions

Intensity	Limit infill to small-scale development intended to meet local needs (LP 1248_2)	<ul style="list-style-type: none"> • Maximum gross floor area
	Minimize the potential for land use conflicts between residential uses and livestock facilities (LP 1241_4)	<ul style="list-style-type: none"> • Limit size and location of outdoor storage • Setbacks from residential properties • Minimum separation distance and landscaping buffer requirements between incompatible uses
Form	Encourage street-oriented development (LP 1250_1)	<ul style="list-style-type: none"> • Primary entrances oriented to the street
Climate Emergency	Protect and enhance natural systems and processes	<ul style="list-style-type: none"> • Maximum percentage of hardscaping • Permit renewable energy systems with conditions • Regulatory incentives for voluntary provision of a low-impact development features
Housing Affordability	Provide a diversity of housing options	<ul style="list-style-type: none"> • Permit additional units with conditions

Table 14: Planning Priorities and Zoning Consideration, Waste Management Resource Recovery Area (WM)

Waste Management Resource Recovery Area (WM)		
	Planning Priorities	Zoning Considerations
Use	Support existing, and potential expansion of landfills (LP 1258)	<ul style="list-style-type: none"> • Permit landfills and related uses as well as Eco-Industrial Parks with conditions
	Ensure minimal impacts on sensitive uses (LP 1255)	<ul style="list-style-type: none"> • Require zoning by-law amendments to permit more impactful uses • Do not permit farm dwellings, secondary farm dwellings, and other sensitive uses
Form	Limit impacts on surrounding uses (LP 1264)	<ul style="list-style-type: none"> • Setback and landscaping buffer requirements from property lines • Limit the number and location of vehicular access points



RETHINK ZONING

DISCUSSION PAPERS

7

IMPLEMENTING THE NEW ZONING BY-LAW

JUNE 2022

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Planning

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Land Acknowledgment

The City of London is situated on the traditional lands of the Anishinaabek (AUh-nish-in-ah-bek), Haudenosaunee (Ho-den-no-show-nee), Lūnaapéewak (Len-ah-pay-wuk) and Attawandaron (Add-a-won-da-run).

We acknowledge all the treaties that are specific to this area: the Two Row Wampum Belt Treaty of the Haudenosaunee Confederacy/Silver Covenant Chain; the Beaver Hunting Grounds of the Haudenosaunee NANFAN Treaty of 1701; the McKee Treaty of 1790, the London Township Treaty of 1796, the Huron Tract Treaty of 1827, with the Anishinaabeg, and the Dish with One Spoon Covenant Wampum of the Anishnaabek and Haudenosaunee.

This land continues to be home to diverse Indigenous peoples (First Nations, Métis and Inuit) whom we recognize as contemporary stewards of the land and vital contributors to society. We hold all that is in the natural world in our highest esteem and give honor to the wonderment of all things within Creation. We bring our minds together as one to share good words, thoughts, feelings and sincerely send them out to each other and to all parts of creation. We are grateful for the natural gifts in our world, and we encourage everyone to be faithful to the natural laws of Creation.

The three Indigenous Nations that are neighbours to London are the Chippewas of the Thames First Nation; Oneida Nation of the Thames; and the Munsee-Delaware Nation who all continue to live as sovereign Nations with individual and unique languages, cultures and customs.

This Land Acknowledgement is a first step towards reconciliation. It is the work of all citizens to take steps towards decolonizing practices and bringing our awareness into action. We encourage everyone to be informed about the traditional lands, Treaties, history, and cultures of the Indigenous people local to their region.





Source: The London Plan

Executive Summary

This paper introduces how the City of London's new, comprehensive zoning by-law can be developed and implemented as an innovative tool that improves the administration, presentation, ease of interpretation, and accessibility of land use regulations.

The London Plan (2016) introduced a place-based approach to planning; a new way of designating land that replaces traditional land use designations. The new zoning by-law will implement *The London Plan* and help to achieve its vision for London as an increasingly sustainable city over the long term. It will present highly technical information in a simplified, modernized layout, be accessible, and communicate using an internationally-recognized "plain language" approach. Another key consideration of the new zoning by-law is how information will be communicated in both print and digital formats, and how the City can leverage an online, interactive platform to geospatially represent zoning specifications. As the zoning by-law will serve as a publicly accessible, city-wide document, it is critical that it appeal to a wide range of users of different ages, abilities, and backgrounds.

This paper is organized into two parts: (1) Structure and Format, and (2) Mapping. For each part, the results of a best practices review of zoning by-laws from small- to mid-sized Ontario cities and out-of-province municipalities are presented to explore potential solutions to current challenges with aging zoning by-laws.

Through ReThink Zoning, there is a unique opportunity to develop and implement a new zoning by-law that achieves the long-term goals and objectives identified in *The London Plan* through a fresh lens. It will need to:

- balance flexibility with certainty, ensuring that all legal requirements are met while also promoting placemaking,
- prioritize accessibility, meeting legislative requirements while integrating new features into its structure and format,
- include inputs from different stakeholders, such as City staff who apply the zoning by-law on a frequent basis and to members of the public using it occasionally,
- leverage technology to present zoning regulations in a comprehensive and compelling manner and provide an opportunity to visualize and interact with technical information in new ways, and
- apply a user-focused approach to ensure the new zoning by-law considers the diversity of users and uses to 2035 and beyond.



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This discussion paper frequently refers to specific paragraphs of *The London Plan* as “(LP ###)” to indicate to readers where precise information can be found.



1.0 INTRODUCTION

1.1 Purpose

A key priority of the ReThink Zoning process is to promote a new and innovative approach to zoning that will implement *The London Plan (2016)*. Alternative approaches to developing traditional zoning by-laws support the use of clear and concise language, and provide easily navigable rules that appeal to a wide range of uses. The purpose of this discussion paper is to review how the regulations within London's existing Zoning By-Law No. Z.-1 are communicated, and to identify opportunities for applying new approaches and implementation strategies to improve the zoning by-law's administration, presentation, ease of interpretation, and accessibility. This paper will analyze best practices for zoning by-laws employed by other municipalities to inform recommendations for the structure and format (including key maps, schedules, and online web applications) of London's new zoning by-law. Critical to the success of the zoning by-law will be clear communication, particularly as it relates to the ease with which Londoners can find, access, and understand zoning regulations applicable to a site or area of interest.

Key Questions

This paper was developed to address the following guiding questions:

- *How can the structure, format, key maps, and schedules of Z.-1 be updated to improve the administration, presentation, and clarity of London's new zoning by-law?*
- *How may technology be leveraged to improve the experience of finding and accessing information contained within the new zoning by-law?*
- *What can we learn from other municipal zoning by-laws within Ontario and Canada?*

1.2 Methodology and Approach

This discussion paper features two parts:

1. **Structure and Format:** A review of the structure and format of zoning by-laws in other jurisdictions, and
2. **Mapping:** A review of mapping as a tool used in other zoning by-laws.

For each part, a best practices review was undertaken to identify potential solutions to the challenges regarding the administration, presentation, and accessibility of London’s existing zoning by-law (Z.-1). As part of this analysis, the structure, format, key maps, schedules, and online interactive applications of zoning by-laws for small- to mid-size municipalities were examined. To ensure the analysis comprehensively reviewed a diverse range of zoning approaches (e.g., Euclidean, form-based, and hybrid), the zoning by-laws of four Ontario municipalities, and two out-of-province municipalities were considered (see **Table 1**).

Table 1. Best Practices Review - Sample Municipalities.

Best Practices Review - Sample Municipalities	
Ontario Municipalities	Out-of-Province Municipalities
<ul style="list-style-type: none"> • Town of Newmarket • Town of Oakville • City of Vaughan • City of Markham 	<ul style="list-style-type: none"> • City of Halifax, Nova Scotia • City of Laval, Quebec

London has a population of 422,324 (2021 Census). The comparable municipalities each have a population greater than 200,000 and less than 600,000, except for the Town of Newmarket which was included to provide particular insight into modern approaches and implementation strategies for zoning in urban areas.

A Plain Language Approach

Zoning by-laws are generally regarded as highly technical legal documents that are inaccessible to most readers. Today, best practices are moving in favour of documents that are easier to read, understand, and use. As such, contemporary zoning by-laws feature intuitive layouts that communicate information using plain language to help the reader identify and correctly interpret the information they require.

The London Plan was written in a **plain language** and readable style. **Plain language** is an internationally-recognized best practice that focuses on writing that is understandable and approachable for the intended reader. It ensures clarity and engages a wide range of users that may have varying levels of planning and/or development knowledge. It allows the reader to quickly find what they need, understand it, and use it after reading it once.

The purpose is to introduce a new and strategic approach that presents highly technical legal information in a simplified and user-friendly zoning by-law that reinforces London's values and goals for the city's future and its people.

Accessibility for Ontarians with Disabilities Act (AODA)

Zoning by-laws contain specific requirements that are accessed and interpreted by a range of users. London's zoning by-law must meet the requirements of *Accessibility for Ontarians with Disabilities Act* (AODA) (2005) legislation. All deliverables informing the development of the zoning by-law must be submitted as AODA compliant formats that are compatible with London's programs, systems, and software.

City of London Corporate Identity Guidelines

The City of London Corporate Identity Guidelines provide direction for the use of the City logo and accompanying design features to ensure consistency among the City's documents and other materials. The Guidelines provide templates and elements for reference and use by a variety of stakeholder groups including City Staff, Designers, City Partners, and Design Agencies. Deviations from the Guidelines must be developed in consultation with the City of London's Communications Division.

The Guidelines provide several key directions to be considered in the development of London's new zoning by-Law, including:

- Logo use and placement on documents;
- Consistent fonts (including sizes and colour);
- Formatting features; and
- Alternative formats for accessibility purposes.

Overall, the Guidelines serve as a helpful resource that will be reviewed and considered throughout the ReThink Zoning process. In addition, the Consultant Team refers to a Style Guide prepared for the ReThink Zoning discussion papers that draws from the Guidelines and plain language best practices to support consistent writing and formatting.

Alignment with *The London Plan*

The zoning by-law is a tool utilized by the City of London to control the use and development of land to achieve the vision, values, key directions, and policies of *The London Plan* (LP 1634). As per the "Our Tools" chapter, the zoning by-law may be used to prohibit the use of land and the erecting, locating, or use of buildings or structures, for, or except for, such purposes as set out in the zoning by-law (LP 1635). Further, the zoning by-law may direct development to specific areas to protect archaeological resources, vulnerable areas (e.g., where land is contaminated or contains sensitive groundwater or a surface water feature), significant wildlife habitat, wetland, woodland, ravine, or valley, and/or areas of natural and scientific interest (LP 1635). The type of construction and the height, density, location, size, floor area, spacing, character, and use of buildings or structures to be erected, as well as the minimum frontage and depth of a parcel of land and the proportion and area that a building or structure

occupies may also be regulated by the zoning by-law (LP 1635). Furthermore, City Council may initiate amendments to the zoning by-law where they are necessary to implement changes to provincial legislation and statutes, or to implement the results of an official plan comprehensive review, in accordance with the provisions of the *Planning Act* (LP 1636-1637).

In short, London's new zoning by-law will place *The London Plan* into effect and provide for its day-to-day administration by regulating the use of land, buildings, and structures. As the regulations contained within the zoning by-law are legally enforceable, communicating these regulations in a clear and accessible manner is of critical importance.

Traditionally, zoning by-laws were made available in print format at the City's municipal offices. With the prominence of the internet, digital versions of zoning by-laws were uploaded to municipal web pages to improve the zoning by-law's accessibility. Today, digital versions of zoning by-laws are often complemented by interactive web-based mapping applications that visually communicate spatial information, including key maps and schedules illustrating the extent of zones, property boundaries, streets, and topographic features. Interactive web applications have improved the experience of finding and accessing zoning by-law regulations. There exist additional opportunities to leverage technology to improve the presentation, administration, and accessibility of the zoning by-law, as explored throughout this discussion paper.

Key Considerations

As we explore opportunities to apply new approaches and implementation strategies for improving Z.1's structure and format, key maps and schedules, and online interface, key objectives include:

1. Ensure that the zoning by-law conforms to *The London Plan* and achieves each Place Type's vision, goals, and policy directions.
2. Develop a modern and highly accessible zoning by-law that presents technical legal information in a simplified layout and communicates using plain language.
3. Develop an innovative and illustrative zoning by-law that:
 - Communicates information in a variety of formats (e.g., print and digital) to improve communication and accessibility;
 - Supplements the textual, technical regulations with diagrammatic illustrations to improve clarity and visually demonstrate the intention of such regulations; and
 - Uses an online, interactive web application to effectively communicate all geospatial regulations, including zone boundaries, holding provisions, density, height, and bonusing specifications.

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2.0

APPROACHES TO ZONING

2.1 Background

Zoning by-laws are legal documents that are prescriptive in nature. They implement the objectives and policies of official plans through rules known as regulations and standards. Existing zoning systems (described below) consider form, intensity, and use in various ways, in turn resulting in different planning outcomes.

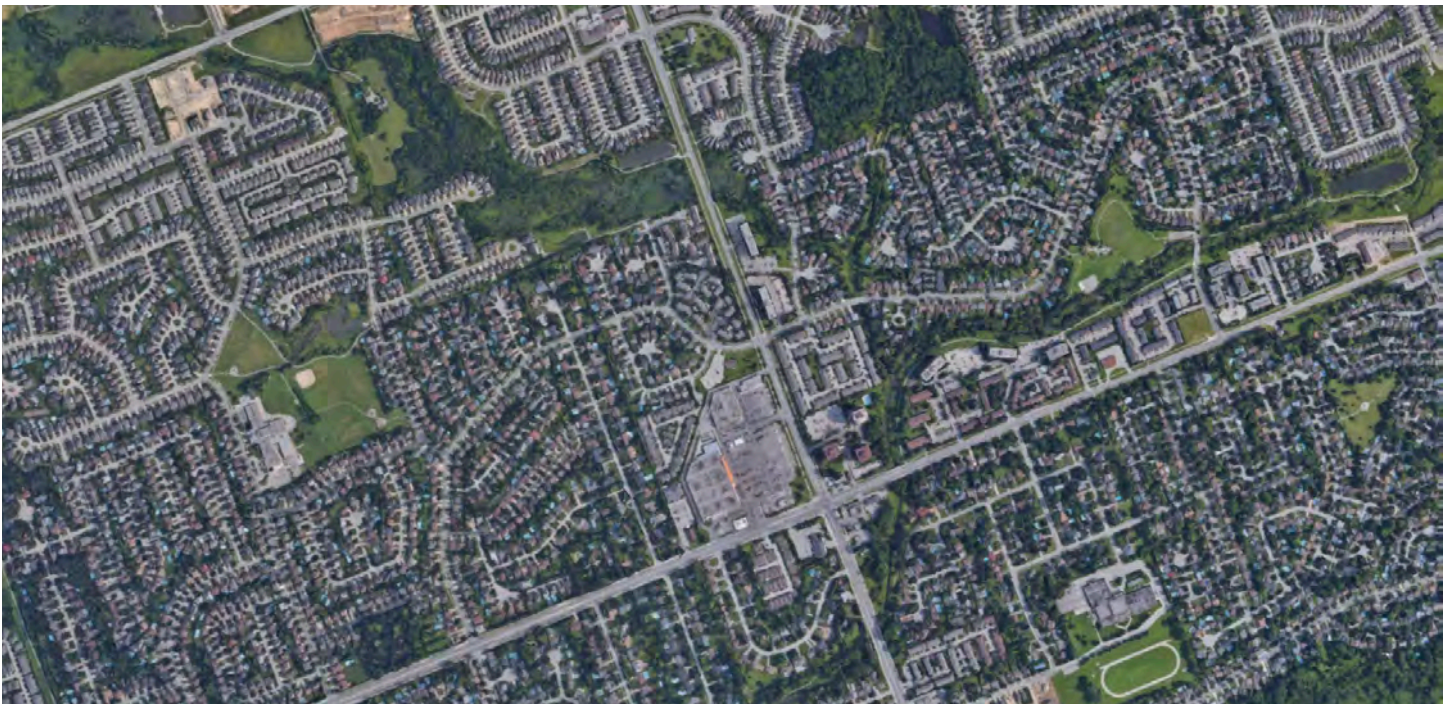


Figure 1. Aerial Image of Suburban Landscape (Source: Google)

Euclidean zoning (or traditional/conventional zoning) is the most prevalent zoning system in Canada. The system emerged in the early 20th century out of the need to protect public health, safety, and welfare by separating incompatible land uses. It permits, restricts, and prohibits uses that are deemed appropriate or inappropriate for a property, per its applicable zone and associated regulations. It regulates standards such as building heights, setbacks, and densities. Use-based zoning by-laws can be supplemented with non-statutory design guidelines to serve as an alternative zoning approach.

Form-based code (FBC) emerged as an alternative to traditional zoning in the late 20th century. During this time, the New Urbanist movement emerged as a planning approach that emphasized the design of human-scale neighbourhoods. As per the [Form-Based Codes Institute](#), FBC uses physical form as the organizing principle in a zoning by-law and encourages a mix of land uses. It focuses on the relationship between buildings and streetscapes, and the shared public realm. Regulations are concerned with context, site layout, building placement, and the scale and massing of buildings within their environments.

Ultimately, a FBC can be used as a tool to achieve a community vision resulting from a public design process. The development outcomes depend on the objectives of the community plan implemented by a code.

Many form-based codes are organized using the concept of a rural-to-urban “transect,” in which zones are primarily classified by the physical intensity of the built form, the relationship between nature and the built environment, and the complexity of uses within the zone. “SmartCode” – a form-based code template – allows for a gradual transition between different areas of a community that responds to local conditions. **Figure 2** demonstrates how different development density classifications for land use can be organized through a transect-based approach.



Figure 2. Transect Example from City of Laval Zoning By-Law (Transect des types de milieux)

Hybrid code is an approach that combines form-based zoning districts and other form-based standards with a conventional zoning approach. This approach seeks to integrate and balance development standards for use and form, while focusing on more predictable outcomes. A hybrid code can take the form of a chapter within the code, similar to a special district or overlay, and can be crossreferenced to other sections of the pre-existing code for selected development standards (e.g., parking dimensions or landscaping standards). For areas that fall within these regulatory area boundaries, development must abide by the new regulations for the form-based zones.

Performance-based zoning (or incentive zoning) is focused on impacts of a use or activity and where certain performance standards intended to minimize and mitigate impacts (e.g., site layout or operational requirement etc.) can be met and/or where a use can be permitted. This revenue-generating, market-based tool is commonly known as density bonusing and is leveraged by the development industry to increase heights or densities on a given site. Performance-based zoning can also serve as a tool for strategic growth or reinvestment initiatives.

It is important to note that zoning by-laws are context-specific and grounded in a framework that balances form, intensity, and use across different built and natural environments. *The London Plan* serves as the City’s roadmap to planning for change in the city over the long-term. It identifies several city-wide challenges – from the need for more compact growth and increased affordability to reducing or mitigating the effects of climate change. All lands within *The London Plan* fall within a Place Type and are subject to a range of policies that regulate permitted development (LP 47.5).

Adopting a place-based approach provides new opportunities for contemplating form, intensity, and use. The ReThink Zoning process will explore how a FBC could support the policy objectives of *The London Plan* and realize the vision for each Place Type. There is an opportunity for FBC principles to be applied to new development, urban infill and revitalization, and preservation.

Intensity:	<ol style="list-style-type: none">1. The magnitude of a quantity.2. The concentration of development and uses on a site. Intensity measures include height, gross floor area, floor area ratio, and density (e.g., the number of persons and jobs per hectare and the number of residential units per hectare).
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PART I

3.0 **STRUCTURE AND FORMAT**

3.1 Current Zoning By-Law

The City of London's current Zoning By-Law No. Z.-1 was prepared to implement the objectives of the 1989 *London Official Plan*. With a primary emphasis placed on land use, official plan designations are specifically referenced in its zone categories, which contain eight zone classes and 47 zone variations that implement the Plan's designations and policies. There is a total of 51 sections and two key map schedules ("A" for zoning designations and "B" for parking). Each zone forms its own section of the zoning by-law.

An overview of Z.-1's sections is provided in **Table 2**. A full table of contents is provided in [Appendix A](#).

Table 2. Overview of Zoning By-Law No. Z.-1 Sections

Overview of Zoning By-Law No. Z.-1 Sections	
Section(s)	Purpose
Disclaimer	<ul style="list-style-type: none"> • Outlines the purpose and intent of zoning by-laws and maps; • Content accessed through the electronic version of Z.-1 is not necessarily up to date; • Official versions of Z.-1 may be obtained by contacting City's Zoning Division; and • Official print publications take precedence (where text or maps differ online).
Section 1 – Administration/ Enforcement and Interpretation	<ul style="list-style-type: none"> • Administration, enforcement, and interpretation of Z.-1; <ul style="list-style-type: none"> • Example of Section 1.9 – Measurements provided (subject to the normal rules of rounding numbers). • Examples and illustrations do not form part of the Z.-1; and • Effective date of Z.-1.
Section 2 – Definitions	<ul style="list-style-type: none"> • 40 pages of terms and definitions, listed in alphabetical order, and • Seven pages of examples and illustrations (represented as figures) at the end of the section.
Section 3 – Zones and Symbols	<ul style="list-style-type: none"> • Establishment of zones, which may be referred to by class, symbol, or name (Note: A full list of classes, symbols, and zones is provided in Appendix B); • Zone symbols and provisions (density, private road, height, bonusing, holding zones, compound zones, and multiple zones); and • Interpretation of zone boundaries, map details, and uses.
Section 4 – General Provisions	<ul style="list-style-type: none"> • Application of general provisions (relating to any zone within the City of London for lands affected by Z.-1); • Conformity with the regulations specified by the applicable general provisions described in subsections of Section 4 (37 subsections in total); • Provisions vary for different uses, standards (such as Accessory Uses, Yard Requirements, Parking Standards, and Secondary Dwelling Uses), and sensitive uses; and <ul style="list-style-type: none"> • Road allowance requirements for specific roads provided. • Includes special provisions for bonus zones.

<p>Sections 5 through 51 – Zones (Residential, Office, Commercial, Institutional Facilities, Open Space and Recreation, Industrial, Agricultural, Miscellaneous)</p>	<ul style="list-style-type: none"> • Eight zone categories (with individual symbols and names); <ul style="list-style-type: none"> • Includes seven zone categories for specific uses (such as “Residential” and “Miscellaneous”). • Each zone contains a section on the zone’s general purpose; • Outlines permitted uses, regulations, and special provisions included for each zone; and • When applicable, table(s) for zone variations are included at the end of each section.
<p>Metric Conversion Table – Schedule A (Key Maps for Zoning Designations) and Schedule B (Key Maps for Parking)</p>	<p><u>Schedule A</u></p> <ul style="list-style-type: none"> • Maps for zoning designations, and • Index map and 20 key maps (A100-A120) provided. <p><u>Schedule B</u></p> <ul style="list-style-type: none"> • One map that identifies Parking Areas (three types).

3.1.1 Format

Z.-1 takes a traditional approach to formatting. The document is in black and white, applies Arial font throughout (except for page numbers which are in Times New Roman), and is maintained in Microsoft Word.

The online version of the document is divided into 51 distinct sections. Convenience features such as hyperlinks are not utilized except for the Urban Reserve Zone (although the link appears to be broken – page not found). Text within the document can be searched using the Control+F keyboard shortcut.

While some tables are included at the end of specific sections to summarize regulations and standards, the document’s use of tables and charts is minimal (see **Figure 3**). Lists are used throughout the document to organize information such as Road Allowance Requirements for Specific Roads (Z.-1, Section 4.21).

TABLE 45.3
REGULATIONS FOR THE
AGRICULTURAL (AG) ZONE VARIATIONS

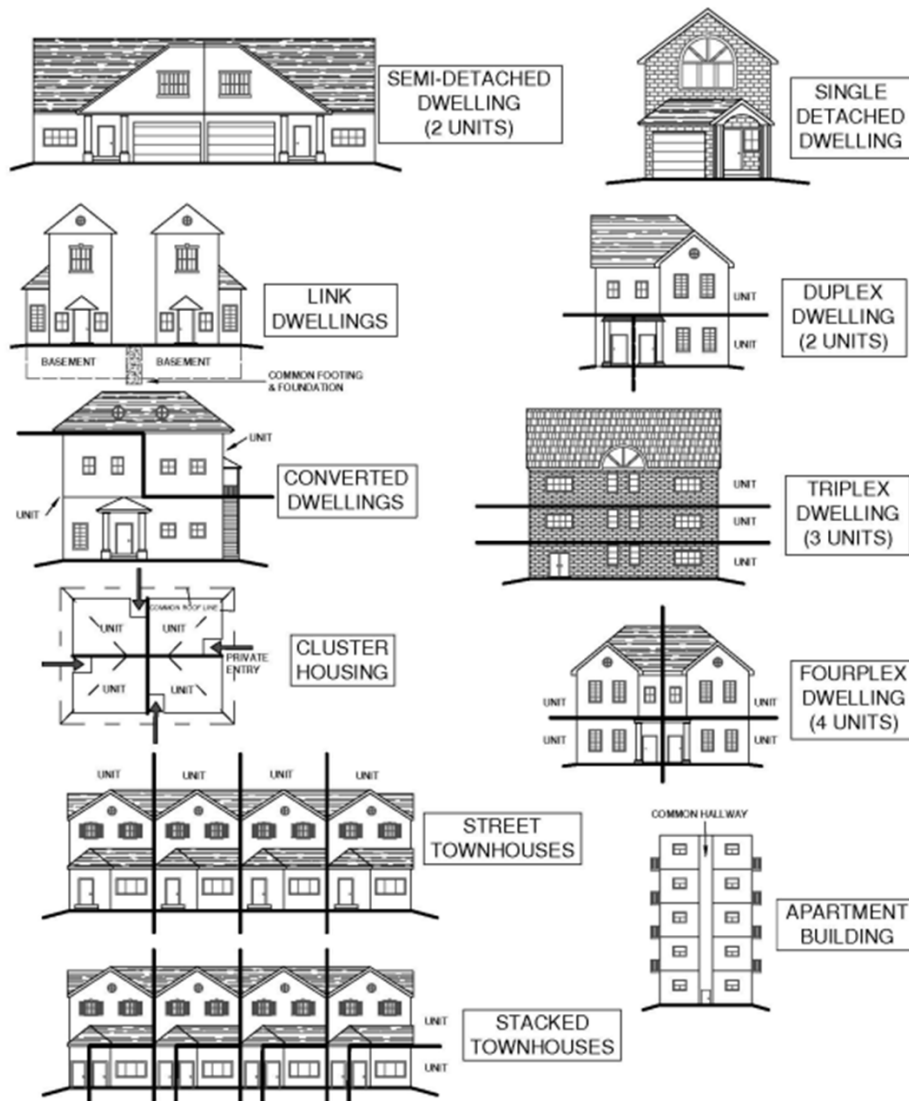
ZONES	AG1*	AG2	AG3	AG4	AG5
	*Approved by OMB R050168 February 20, 2008 Z.-1-051390				
PERMITTED USES	See Section 45.2				
LOT AREA (ha) (minimum)	40	40	40	As existing on the date of the passing of the by-law	40
LOT FRONTAGE (m) (minimum)	200	300	200		200
FRONT & EXTERIOR SIDE YARD DEPTH (m) (minimum)	15	30	15		15
REAR YARD DEPTH (m) (minimum)	15	30	15		15
INTERIOR SIDE YARD DEPTH (m) (minimum)	15	30	15		15
RESIDENTIAL HEIGHT (m) (maximum)	12	12	12		12
ALL OTHER BUILDING HEIGHT (m) (maximum)	15	15	15		15
COVERAGE (%) (maximum)	20	10	20		20

Figure 3: Excerpt from Zoning By-law No. Z.-1, Section 45: Agricultural Zone, Table 45.3

The use of illustrations at the end of Section 2: Definitions, are provided for clarification and convenience only, and do not form part of Z.-1 (see Figure 4).

FIGURE 1

ILLUSTRATION OF DWELLING TYPES



NOTE:
 THE ABOVE ILLUSTRATIONS ARE FOR CLARIFICATION AND CONVENIENCE ONLY AND DO NOT FORM PART OF THIS BY-LAW.
 PLEASE ALSO REFER TO THE DEFINITIONS AND THE GENERAL PROVISIONS OF THIS BY-LAW.

Figure 4: Excerpt from Zoning By-Law No. Z.-1, Section 2: Definitions

3.2 Best Practices

3.2.1 Analysis

A best practices review was undertaken to review the structure and format features of different municipal zoning by-laws. **Table 3** provides an overview of features and key takeaways. A comprehensive review of each zoning by-law is provided in **Appendix C**. Note that mapping features are explored in a separate section of this paper ([Section 4](#)).

Table 3. Zoning By-Law Structure and Format – Key Takeaways

Zoning By-Law Structure and Format – Key Takeaways			
Municipality	Zoning By-Law / Status / Purpose	Structure	Format
Ontario Municipalities			
Town of Newmarket	<p>Urban Centres Zoning By-Law 2019-06</p> <p>Status: Approved in June 2019 (by LPAT).</p> <p>Purpose: Implements the Town’s Urban Centres Secondary Plan through an area-specific zoning by-law.</p>	<ul style="list-style-type: none"> • Non-statutory preamble to assist the reader; • Minimal sections (9 total); • Separate sections for General Provisions, Parking, Loading, Queuing, Zone Provisions (Mixed Use, Institutional, and Open Space), Site-Specific Provisions; and • Minimal zoning categories (3). 	<ul style="list-style-type: none"> • Convenience features (hyperlinked table of contents, tables and charts to organize provisions, standards, etc.), and • Graphically oriented (use of 2D and 3D illustrations/diagrams and mapping overlays for site specific provisions, holding provisions, temporary use zones, interim control zones, etc.).
Town of Oakville	<p>Zoning By-Law 2014-014 (south of Dundas Street and north of Highway 407)</p> <p>Status: Passed by Council in February 2014, partially in-force February 2015 (by OMB), certain sections not yet in-force.</p> <p>Purpose: Replaces 1984 zoning by-law (zone categories removed and consolidated into a user-friendly document).</p>	<ul style="list-style-type: none"> • Non-statutory User Guide to assist the reader; • Separate sections for General Provisions, Parking, Loading, and Stacking Lane Provisions, Special Provisions, and Holding Provisions, etc.; • Individual parts and complete text available online; and • Minimal zoning categories (9). 	<ul style="list-style-type: none"> • Definition index provided for quick reference, followed by definitions; • Graphically oriented (use of 2D and 3D illustrations and diagrams); • Good use of charts and matrices to allow for cross-referencing and organization of definitions, regulations, standards, permitted uses, etc.; and • Use of colour in the User Guide mapping (described in Section 4 of this paper).

<p>City of Vaughan</p>	<p>By-Law No. 001-2021</p> <p>Status: Enacted by City Council on October 20, 2021.</p> <p>Purpose: Replaced the 1988 zoning by-law.</p>	<ul style="list-style-type: none"> • Separate sections for General Provisions, Specific Use Provisions, Parking, and Stacking and Loading Requirements; • A description of site-specific zoning exceptions is provided on the project webpage (in the zoning by-law and additional schedules); • Site-specific zoning exceptions schedules: <ul style="list-style-type: none"> • D-Schedule – mandatory part of the exception; • E-Schedule – map showing the site-specific exemption area/lands; and • T-Schedule – additional applicable zoning standards. • Minimal zoning categories (7). 	<ul style="list-style-type: none"> • Definition index provided for quick reference, followed by definitions; • Graphically oriented (use of 2D and 3D illustrations and diagrams); • Use of charts and matrices to allow for cross-referencing and organization of definitions, regulations, standards, permitted uses, etc.; • Use of colour for different zone categories; • Use of colour in illustrations (non-statutory); and • Bold visual contrast in tables. <p><i>Other Observations:</i></p> <ul style="list-style-type: none"> • No hyperlinked table of contents.
<p>City of Markham</p>	<p>Comprehensive Zoning By-Law Review (June 2021 DRAFT)</p> <p>Status: Final draft zoning by-law available for review.</p> <p>Purpose: Streamline and consolidate 46 parent by-laws enacted between 1954 and 2004.</p>	<ul style="list-style-type: none"> • Organized by parts (13); • Separate sections for General Provisions, Parking and Loading Standards, and Exceptions; • Short in length (draft is 202 pages); and • Minimal zoning categories (7). 	<ul style="list-style-type: none"> • Use of charts and diagrams to organize definitions, regulations and standards, permitted uses, etc.; • Hyperlinks to the <i>Planning Act</i>; • Use of coloured text (blue and green) in “Part” headings and subheadings; and • Use of photos (e.g., examples of different building types for each zone). <p><i>Other Observations:</i></p> <ul style="list-style-type: none"> • Uses excessive white margins, and • Small text in charts.

Out-of-Province Municipalities			
<p>City of Halifax, Nova Scotia</p>	<p>Regional Centre Land Use By-law</p> <p>Status: In effect as of November 2021.</p> <p>Purpose: Implements the Regional Centre Secondary Municipal Planning Strategy.</p>	<ul style="list-style-type: none"> • Sections on design and form (Built Form and Siting Requirements, General Design Requirements, and Landscaping); • Incentive/Bonus Zoning Section; • General requirements for view planes, sight lines, and waterfront view corridors; • Numbered definitions (287) included near the end of document; • Schedules (51); and • Many schedules listed separately online. 	<ul style="list-style-type: none"> • Convenience features (hyperlinked table of contents); • Tables and charts to organize definitions, standards, permitted uses, special provisions, etc.; • Use of colour in illustrations (non-statutory); and • Maps listed separately online (can be viewed individually). <p><i>Other Observations:</i></p> <ul style="list-style-type: none"> • Use of roman numerals impractical for user-friendliness (high number of parts), and • Subsections not numbered.
<p>Ville de Laval (City of Laval), Quebec</p>	<p>Projet de règlement CDU-1</p> <p>Status: Draft zoning by-law available for review (April 2021).</p> <p>Purpose: To replace the former by-law adopted in 1970 (modified 3,760 times, 3,500 zones).</p> <p>Note: Comprehensive Plan (no Official Plan), zoning by-law is in French.</p>	<ul style="list-style-type: none"> • Organized by Titles (10) (include Chapters and Sections); • Separate sections for General Development Provisions, Land uses, Transect Zones, and Special Areas; • Organizes the City using transects (landscapes and types of living environments); • Administration and procedures included near the end of document; and • Maps listed separately online (viewed individually). 	<ul style="list-style-type: none"> • Convenience features (hyperlinked table of contents, new webpage appears when clicking on main page hyperlinks); • Graphically oriented (use of 2D and 3D illustrations, diagrams, and colours for each zone category); • Tables and charts to organize definitions, standards, permitted uses, special provisions, etc.; • Use of colour in diagrams; • Use of colour (dark blue) in tables and section headers; • Use of colour in illustrations (non-statutory); and • Some use of columns.

3.3 Recommendations

Z.-1 was created with an emphasis on land use, with some consideration for intensity, and minimal attention directed to built form. Based on the review of Z.-1's structure and format, several challenges include:

- **Content heavy:** Numerous sections (51) with many different zone variations (47), and a long list of definitions;
- **Difficult to navigate:** Navigational challenges in the absence of formatting and convenience features (e.g., page numbers);
- **Lacking in design elements and document organization:** While some charts and illustrations are included in Z.-1, the document could benefit from enhanced, updated graphics in addition to the introduction of coloured or high-contrast elements to make the document more user-friendly; and
- **Online structure:** Due to the large volume of sections and page numbers, Z.-1's sections are uploaded individually to the City's webpage. Opportunities to consolidate and streamline the document should be considered.

ReThink Zoning presents an opportunity to introduce a new way of structuring and formatting the zoning by-law without compromising the regulatory nature of the document, and in a way that complements *The London Plan*. Preliminary recommendations are as follows:

- Definitions should be universal across municipal documents to ensure clarity and avoid repetition.
- Site-specific zoning regulations should list only those regulations that differ from the base zoning, thereby avoiding potentially unnecessary text.
- The zoning by-law should be structured and numbered in a way that allows for easy future amendments to maintain the document's structure and coherence.
- The inclusion of illustrations and sidebars within a zoning by-law are a relatively new approach to improve the readability and clarity of documents for use by the general public. Although these additions are not regulations in themselves, they can help illustrate the intent of regulations as visual aids or examples.

The best practices review revealed several key takeaways for London's new zoning by-law. All zoning by-laws explored in the Ontario context adopted a hybrid code approach to zoning that leveraged graphical elements (e.g., such as diagrams and illustrations) to help communicate building standards and to provide contextual examples for readers. While also considered a hybrid code approach, Halifax's zoning by-law leaned more toward form-based code requirements such as built form and siting. It also used an incentive-based, bonusing zoning approach in certain areas of the city. Laval's

zoning by-law is the only one reviewed that used the SmartCode transect approach. While all reviewed zoning by-laws made use of charts and tables to organize requirements, graphic design and formatting play a key role in their successful application. Colour can also improve navigation, as demonstrated in the City of Vaughan's zoning by-law. The use of small font with excessively wide margins should be avoided.

In summary, the following elements should inform the development of London's new zoning by-law:

- Clear and consistent templates for each regulation;
- Provision of links for easy cross-referencing of regulations and policies;
- Integrated text-based content and visuals (graphics, illustrations, charts, etc.);
- User-focused design tailored to the needs of its users;
- Plain language principles (including the use of accessible and inclusive language);
- Minimal jargon and repetition;
- Inclusion of a mini-glossary of defined terms with each regulation; and
- Ability to be routinely updated, as required.

As the world becomes increasingly digital, opportunities have emerged to use technology to access and interact with documents, such as a zoning by-law. Many municipalities are providing an interactive version of their zoning by-law online. Although online, interactive versions of zoning by-laws are typically non-official companions to traditional zoning by-law documents. It will be important to consider how zoning regulations will be presented (and kept up to date) in digital formats to ensure coherence between public information sources and better communicate the zoning by-law in a more engaging format.

PART II

4.0 **MAPPING**

4.1 Current Zoning By-Law

4.1.1 Key Maps and Schedules

The maps of Z.-1 may be accessed via the City of London’s [website](#) or viewed in print at the City’s municipal offices. The Z.-1 webpage includes contact information, should an individual have questions pertaining to the zoning by-law, and a disclaimer that states, “in any situation where the official printed publications of the City of London differ from the text or maps presented on this website, the official print publications take precedence.”

The maps of Z.-1 are presented online in two schedules: Schedule “A” – Key Maps (Zoning Designations) (see **Figure 5** and **Figure 6**) and Schedule “B” – Key Maps (Parking) (see **Figure 7**). These schedules delineate zoned areas and provide other elements for reference, including a scale and compass, property boundaries, streets, and topographic features such as waterbodies. The shaded areas identify lands that are extractive industrial areas, aggregate resource areas, or lands affected by the *Conservation Authorities Act*, which would require approval from the Conservation Authority before any development or redevelopment may occur. Conservation Authorities with jurisdiction in the City of London include:

- The Upper Thames River Conservation Authority,
- Kettle Creek Conservation Authority, and
- Lower Thames Valley Conservation Authority.

Topographic Features:	The physical features of an area on the surface of the Earth, including but not limited to: reliefs (e.g., mountains, valleys, slopes), hydrography (e.g., lakes, rivers, streams), vegetation (e.g., wooded areas), transportation (e.g., roads, trails, railways, bridges), culture (e.g., building footprints, urban areas), and boundaries (e.g., municipal, provincial, international).
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The first page of Schedule “A” is an index map. Using thick, solid black lines to identify boundaries, the index map divides the City of London into smaller areas. Each area is numbered sequentially from A101 to A120. This number identifies the area’s associated key map, which is included as part of Schedule “A.” There are a total of 20 key maps, each of which provides the zone code for properties within its area. All key maps include a small image of the index map set in the bottom-right corner of the page for reference. Schedule “B” is comprised of a map of London’s downtown upon which parking standard areas are identified by bolded, italicized, capitalized text (e.g., **AREA 1**).

Overall, Schedule “A” and Schedule “B” are intuitive to navigate; however there are several opportunities to improve their interpretability, presentation, and effectiveness.

Firstly, all maps are scanned images, provided in black and white. The use of a limited colour scheme makes it challenging to distinguish between features and read text, which is often “fuzzy” and at times illegible due to the quality of the scan. Although individuals may view higher resolution maps in print at the City’s municipal offices, requiring travel to view maps is a barrier to accessibility.

Secondly, although street names are provided on the index map of Schedule “A” to aid orientation, they are not provided on the key maps of Schedule “A”, nor are they legible on the parking standard areas map of Schedule “B.” This inconsistency makes the maps challenging to understand and navigate. For Schedule “B,” challenges are further exasperated by the absence of an inset or locator map that identifies where the Downtown Area is located within the city.

Thirdly, although the key maps of Schedule “A” have similar layouts, several differences exist between the maps including different scales, scale bars, and orientations. For example, when the key map is presented in landscape orientation not all textual information is rotated to the same degree, which impacts the map’s legibility.

Fourthly, the maps included in Schedule “A” and Schedule “B” do not have a strong visual hierarchy. In introducing a stronger hierarchy of symbology for lettering, line weights, and shading, while more important features are larger and bolded, visual contrast, and overall legibility may be improved.

[Section 4.2](#) provides an analysis of key maps and schedules in other municipalities. Recommendations based on this analysis discuss how to maximize the legibility, presentation, and effectiveness of London’s zoning by-law maps and schedules.

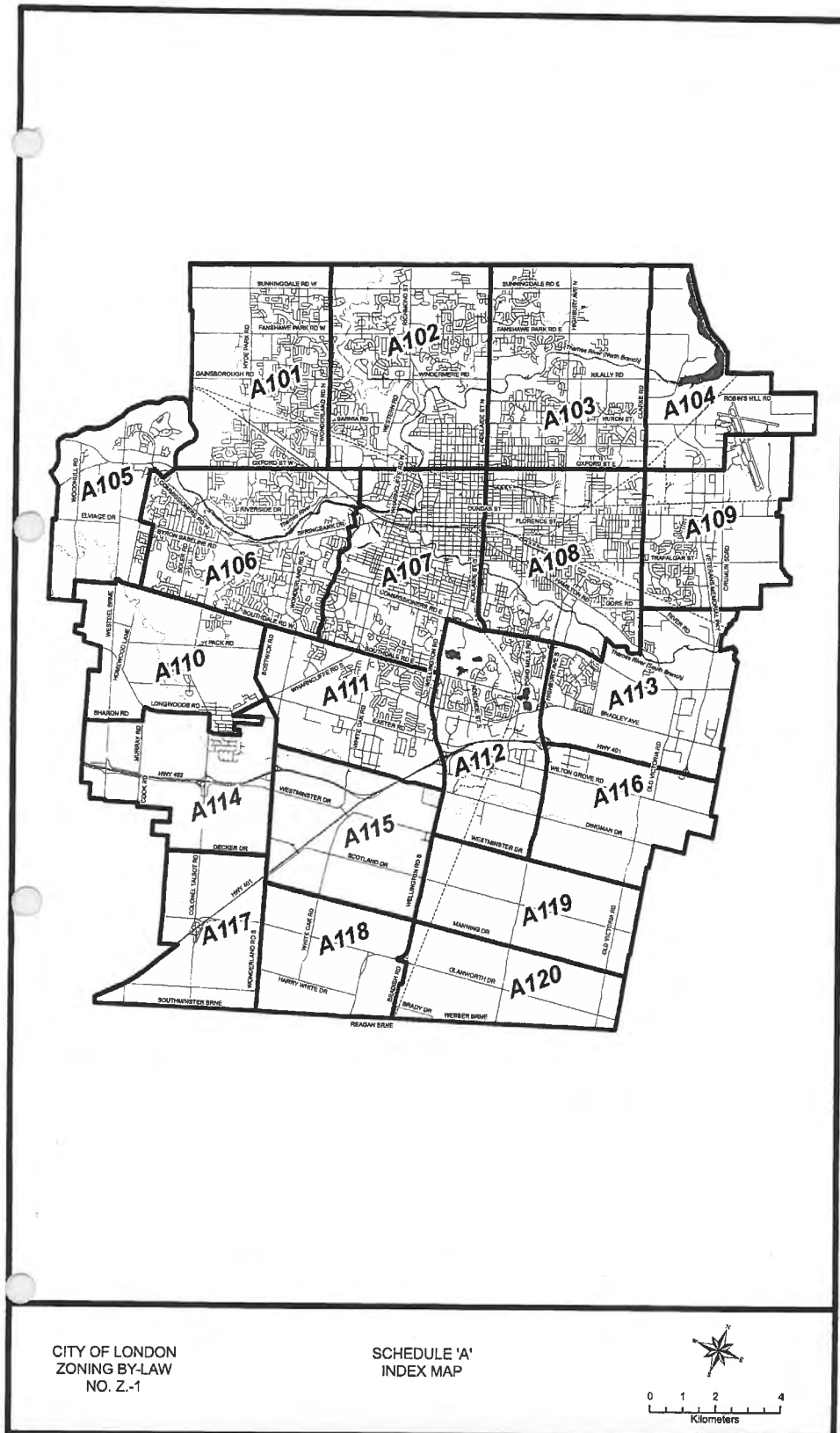


Figure 5: City of London Zoning By-Law No. Z.-1 Schedule "A" – Index Map

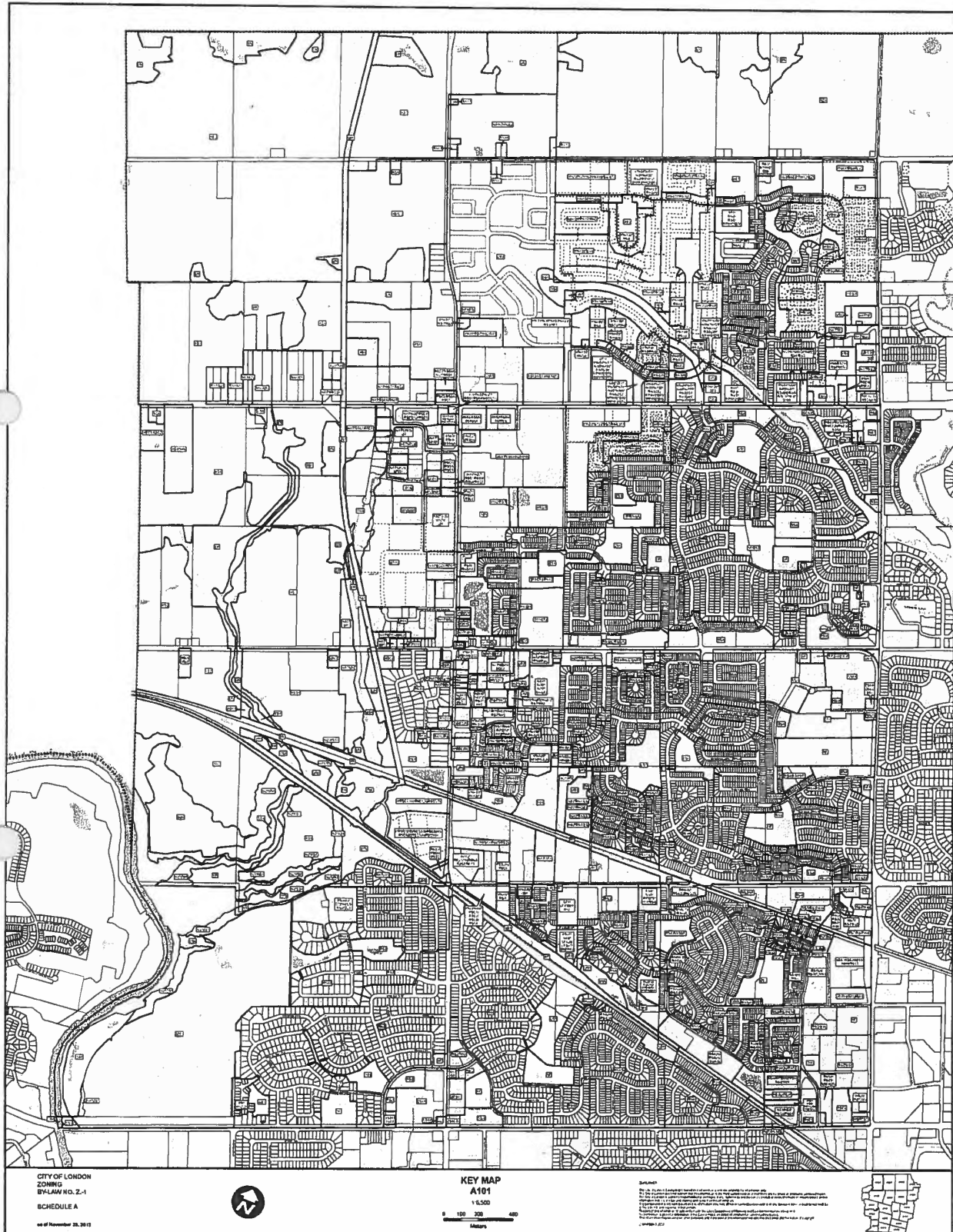


Figure 6: City of London Zoning By-Law No. Z-1 Schedule "A" – Key Map A101

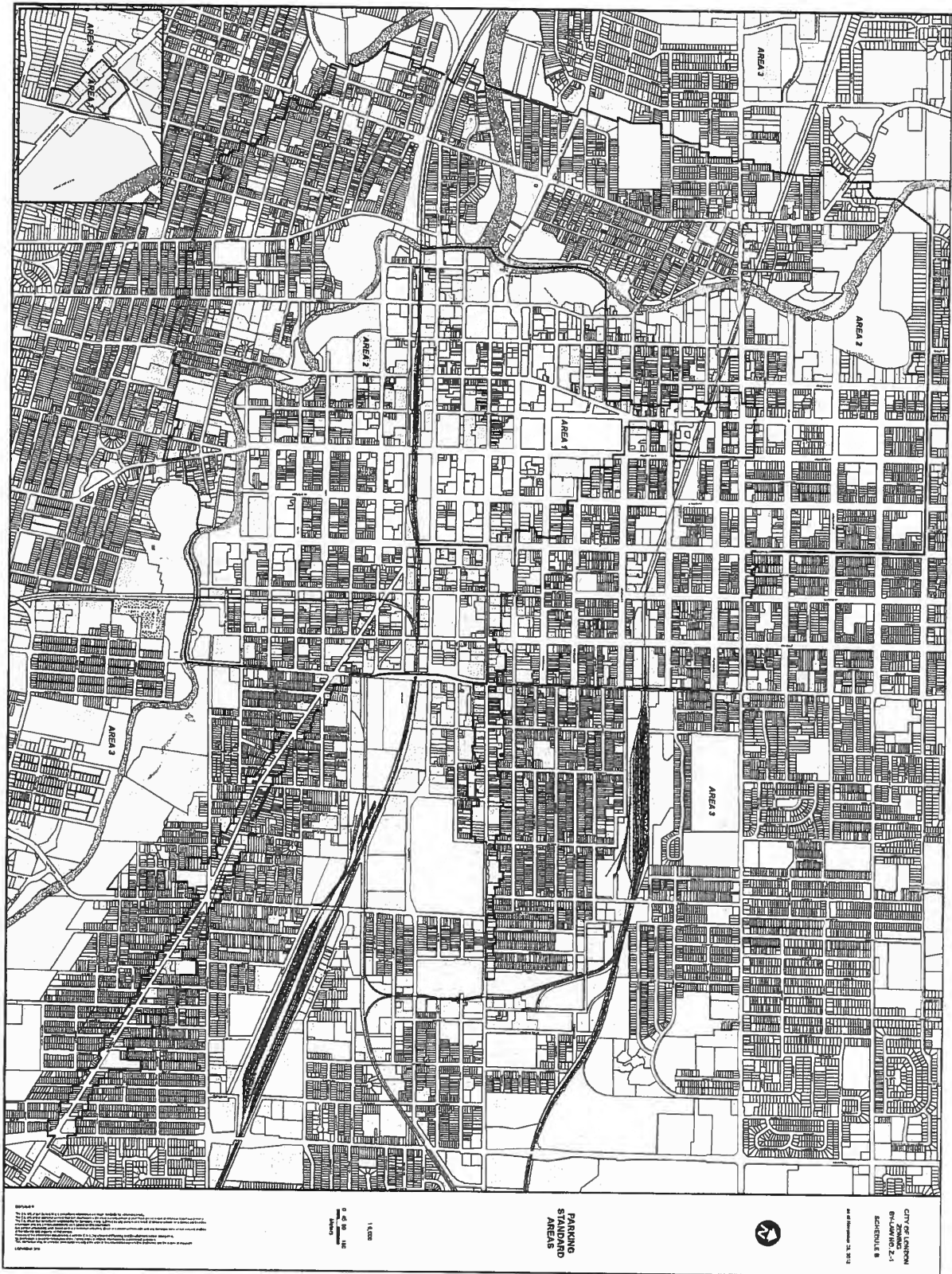


Figure 7: City of London Zoning By-Law No. Z-1 Schedule "B" – Parking Standard Areas

4.1.2 Interactive Zoning City Map

On the Z.-1 [webpage](#), the City recommends that individuals view the [Zoning City Map](#) (see **Figure 8**) to determine the correct zoning for an area or specific business. Although a link to this application is provided on the webpage, the link does not work. Updating this link is an important step to ensuring that the new zoning by-law can be easily accessed by all. Alternatively, the Zoning City Map can be accessed through the City’s Zoning [webpage](#). This webpage includes a brief description of what zoning is and how it works, a link to the Zoning City Map, as well as instructions on how to use the interactive Zoning City Map.

The Zoning City Map is an interactive online application that utilizes a geographic information system to enable users to review the zoning of an area. Upon opening the Zoning City Map, a disclaimer notes that content accessed through the Zoning City Map may not be an exact and/or current reproduction of official documents. This disclaimer informs the user that revisions to the zoning by-law may be in progress and that official printed publications take precedence over the available digital information. The disclaimer also provides contact information should a user have any questions pertaining to the Zoning City Map, outlines the terms and conditions, and includes a note on the reproduction or distribution of the zoning maps. Users must check a box stating, “I agree to the above terms and conditions,” as detailed in the disclaimer, prior to accessing the zoning information.

Geographic Information System:	A computer system that creates, manages, analyzes, and displays geographically referenced information. Location data and descriptive information are integrated within the system to enable users to identify spatial patterns and relationships.
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Geospatial:	Derived from or relating to data associated with a geographic location.
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Once the Zoning City Map is launched, users may see the following:

- Parcel boundaries;
- Building footprints;
- Greenspaces;
- Address labels;
- Street names; and
- Other features such as waterbodies and railways.

Users may use the search bar located in the top-left corner of the application to search for a property by address, street name, or intersection (i.e., Street A & Street B). Alternatively, users may move their cursor to navigate the map. The application’s navigational aids located in the top-left corner next to the search bar may also be used. Amongst other features, these aids include zoom-in and out buttons and a “My Location” feature which uses IP geolocation to identify a user’s current location on the map. Users may also use the scroll wheel of their mouse to zoom-in and out. The map’s scale is provided in the bottom-left corner.

The bottom-left corner of the application includes the “Basemap Gallery” icon, which allows users to alter the basemap of the Zoning City Map between orthoimagery and the default more simplified basemap. Streets and places of interest such as parks and community centres are labelled on all basemaps. Adjacent to the basemap gallery is the “Print” icon. Upon selecting this icon, users may select a map layout prior to exporting and/or printing. The map scale may be preserved or altered, labels and the legend may be toggled on or off, and the scale bar’s units as well as the map’s print quality may be set. Additionally, the map’s spatial reference may be viewed (e.g., NAD 1982 UTM Zone 17N).

Basemap:	A reference map on which other data layers are overlaid to visualize geographic information. Basemaps provide contextual information and often include topographic features.
Orthoimagery:	Aerial photography or satellite imagery that has been adjusted and geometrically corrected for topographic relief, lens distortion, and camera tilt to have a uniform scale.
Spatial Reference:	The coordinate system used to locate and measure entities on the surface of the earth.

The “Measurement” and “Draw” tools are located next to the “Print” icon. The first allows users to click on the map to measure the distance between two points or calculate the area of a defined region. Using the “Measurement” tool, a user may determine the longitude and latitude of a point on the map. Using the “Draw” tool, a user may place symbols on the map and/or draw shapes such as lines, triangles, squares, circles, and polygons. Moreover, this tool enables users to gather length or perimeter measurements for the shapes they draw and/or add text to the map.

The “About” icon is located in the top-right corner of the map. This icon provides a quick tip for using the Zoning City Map. The “Legend” icon is adjacent, followed by the “Layer List” icon. The components of the legend will reflect the features that are selected under the Layer List. Once layers are selected, a user may be required to zoom-in to view them on the map. The Layer List includes basemap information and nine layers:

- Conservation Authority Regulated Areas;
- Near Campus Neighborhoods Area;
- Regulatory Flood Line;
- Residential Rental Licenses;
- Parking Standards, Primary Transit Area;
- Tree Protection Area; and
- Zoning – As of April 29, 2022.

IMPLEMENTING THE NEW ZONING BY-LAW

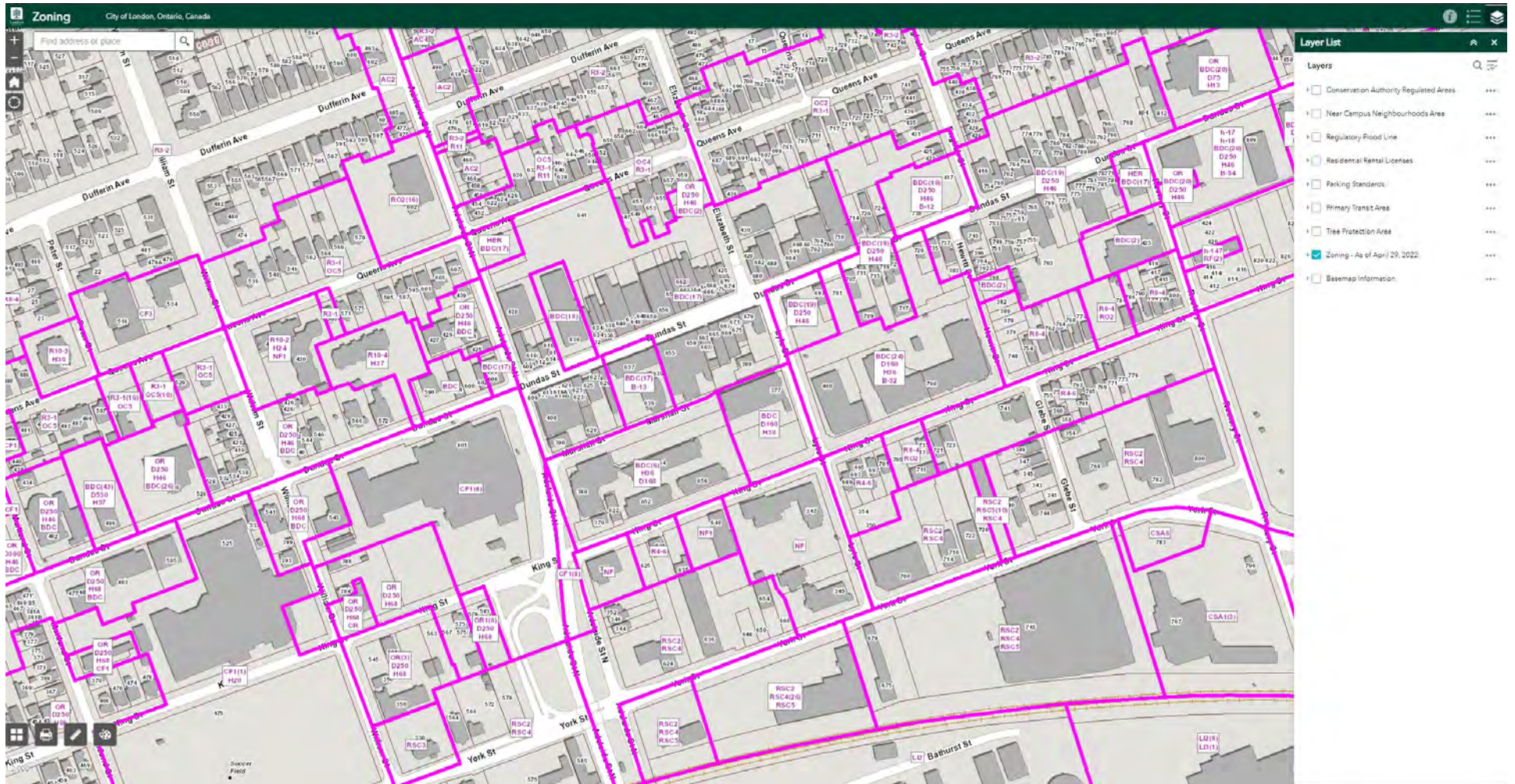


Figure 8. City of London Zoning Map

Layer:	The visual representation of a geographic dataset in a digital format. A layer may be comprised of point, line, and/or polygon features that represent real-world areas. A layer is often equivalent to data represented in the legend of a paper map.
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When selecting the “Zoning – As of April 29, 2022” layer from the “Layer List,” users may view the zoning of any property or area within the City of London. Within the Zoning City Map, each Z.-1 zone is delineated by a pink line. Zoning regulations applicable to a zone are presented in a superimposed text box. To obtain information about the zone of a property, users may select the specific property on the map and a text box will appear with the zone code and a link to the applicable zoning by-law regulation(s).

Using the “Basemap Information” layer, users may review property information. The pop-up that appears upon selecting a site allows the user to select the “Next feature” icon to view this information. The user may click on the assessment parcel number, which provides them with additional information pertaining to the parcel, including the parcel’s roll number, legal description, electoral ward, and municipal address.

Overall, the current presentation of zoning information within the Zoning City Map reveals several challenges, specifically in regard to clarity. As the map utilizes a single pink outline for all zone boundaries and relies on a text box to communicate zoning regulations, it is difficult to determine the zoning of an area at a quick glance. Other challenges include the fact that the text box may exceed the extent of the area in question, and that all text within the box is formatted with capitalized and bolded pink text, despite pertaining to different zoning provisions.

For example, a property’s text box may read, “**DA2(5) D250 H25 B-3.**” For users unfamiliar with the zoning by-law, the meaning of these characters and numbers are unclear. If each zone’s class, symbol, density, height, and bonusing provisions were presented using separate layers which could be toggled on or off, technical regulations would be easier to understand. Zone classes, for example, may be differentiated by colour, while density provisions may be distinguished by the intensity of a hue or pattern to produce a more compelling, intuitive map that clearly communicates the aforementioned zoning information in an engaging way.

In [Section 4.2](#) of this paper, the online interactive applications of several zoning by-laws are analyzed to inform recommendations on how to address the challenges of Z.-1’s online application and improve how its geospatial components are communicated while enhancing accessibility.

4.2 Best Practices

The purpose of the best practices review is to identify potential solutions to the administration, presentation, and accessibility of Z.-1. Several elements from zoning by-laws in other municipalities were considered, including:

- Structure;
- Layout;
- Tools (if applicable);
- Major Features and Symbology;
- Map Elements;
- Scale;
- Units;
- Orientation; and
- Colour Scheme.

It is important to note that each online interactive application reviewed as part of the best practices analysis is analogous to London's Zoning City Map. All applications similarly:

- Require a connection to the internet;
- Require the use of a computer mouse to enable a user to zoom, pan, and interact with the map; and
- Provide additional information pertaining to a site presented via pop-up text when a specific parcel is selected.

That being said, each online interactive application provides various layers. To ensure consistency, only the "Major Features and Symbology" of zoning-related layers were reviewed for each zoning by-law's online interactive application.

See [Appendix D](#) for the key maps and schedules analysis, and [Appendix E](#) for the online interactive applications analysis.

4.3 Recommendations

A picture is worth a thousand words. By employing clear and intuitive spatial features, symbols, colours, and patterns, the new zoning by-law can transition from a primarily text-based document to a highly illustrative document that better captures the story of London's planned urban environment.

As visual representations of the zoning by-law, each map layer will play a critical role in public engagement and in the presentation and communication of ReThink Zoning. When these layers are superimposed in an online interactive application, spatial trends and relationships will emerge and provide valuable insights into London's planned regulatory framework.

The general findings from the best practices review are summarized in [Appendix E](#). These findings inform recommendations pertaining to the presentation of the new zoning by-law's key maps and schedules, as well as the online interactive application.

4.3.1 Key Maps and Schedules Recommendations

To ensure the new zoning by-law's key maps and schedules are accessible, visually compelling, legible, and easy to interpret and understand, the following approaches and implementation strategies are recommended. These approaches and implementation strategies are informed by the best practices analysis and will ensure the key maps and schedules provide comprehensive information in an engaging and clear format. Online interactive map application recommendations are provided in [Section 4.3.2](#).

Access

To increase the accessibility of the new zoning by-law, it is recommended that it be provided in both print and digital formats. Print versions may be accessed at the City of London's Municipal Offices and online versions may be hosted on the City's website. It is recommended that a link to the zoning by-law's online interactive application be provided on the same webpage as the online version of the zoning by-law.

Structure

An Index Map and Key Map structure is recommended to ensure that maps do not become cluttered with indistinguishable features. Further, index maps should designate key map boundaries along street lines, rather than by an arbitrary grid (see [Figure 9](#) and [Figure 10](#)). To increase map legibility, zoning provisions should be presented across several maps. For example, zone codes or classes should be presented on one map while height provisions be provided on another.

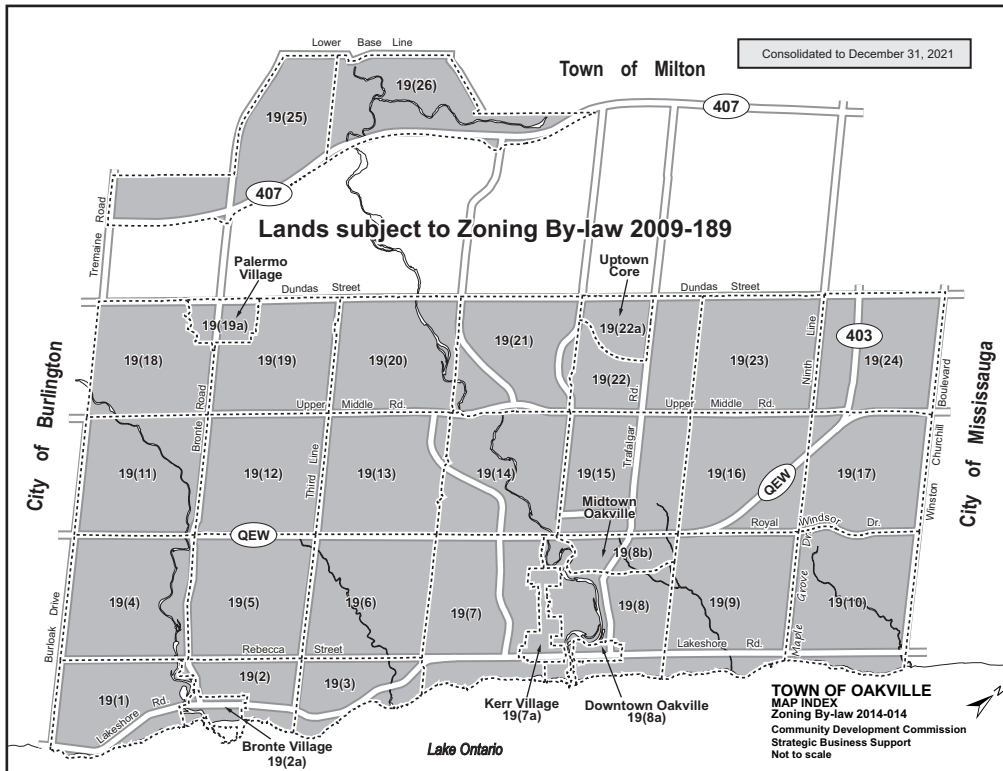


Figure 9. Town of Oakville Zoning By-Law 2014-014 Map Index

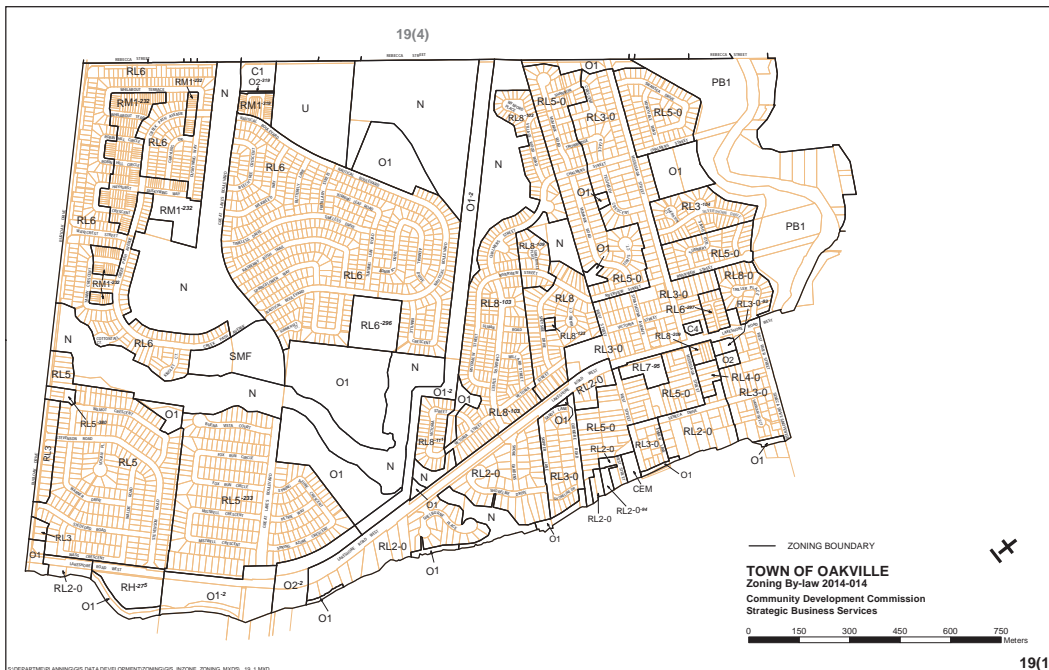


Figure 10. Town of Oakville Zoning By-Law 2014-014 Map 19(1)

Layout and Tools

To improve map content clarity, it is recommended that map elements, including the title, scale bar, legend, and orientation indicator be provided outside the mapping area and grouped in one location. Grouping map elements together (particularly in the bottom corner of the page) will assist users in locating map elements in one convenient location.

A **locator map** can be used to identify the location of a geographic region within its larger context. A **coordinate system** is the spatial reference system that measures and illustrates features on the Earth's surface. The integration of a locator map or coordinate system is recommended as it provides further context and improves the map's overall interpretability.

Major Features and Symbology

Employing a variety of typologies, colours, patterns, and symbols to create compelling structured layers that communicate zoning information in a visually appealing and intuitive manner is critical to the success of the new zoning by-law.

Reference features should include places of interest, waterbodies, major and minor streets, parcel boundaries, and building footprints to improve the map's readability. Intuitive symbology should be used for these features. For example, waterbodies may be identified by blue polygons, whereas building footprints may appear as grey polygons.

A strong visual hierarchy is recommended for the symbology of major and minor streets and parcel boundaries. The most important features should be darker and larger than less important features, such as using different line weights and colour intensities to differentiate between street types. It is recommended that the line weight and intensity of colour for streets be organized hierarchically, from highways to arterial roads, to minor roads and local streets. Parcel boundaries, which are plentiful and highly concentrated in particular areas of the city, should feature light symbols such as a light grey line, in order to not detract from other major features of the map. A similar approach to symbology and the use of visual hierarchy is recommended for boundary lines.

It is recommended that transparent, patterned polygon overlays be used to identify special site-specific zoning regulations, including zoning by-law appeal areas and exemption sites. In doing so, the underlying area's zone class may still be viewed.

For zoning provisions, the use of text annotations is recommended to identify zone codes or classes. Placing the annotations in the centre of a zone area (delineated by a black or dark grey, medium weight line), will ensure that users can easily identify the applicable zone code or class for an area or property. For legibility, it is recommended that capitalized, bolded black text with white outlines be used for the annotation.

It is recommended that zone classes be presented as coloured polygons with varying hue intensities that speak to the relationships between classes (see **Figure 11** and **Figure 12**). The latter will ensure that zones are easily distinguishable from one another while providing insight into the city's development patterns.

Traditionally, zoning regulations pertaining to intensity measures are provided as textual elements on maps. However, this approach is not user-friendly. It is recommended that a new and modern approach to mapping be implemented wherein zoning regulations related to intensity measures be provided as heat maps. Heat maps communicate the magnitude of a phenomenon through variations in colour hue and intensity, and so are well suited to showcasing numerical information with a set range. Building heights can be effectively illustrated through this approach. In associating greater heights with increased colour intensities, the user receives visual cues about how a phenomenon varies over space. For example, the tallest buildings may be identified by a navy blue coloured polygon while the shortest buildings are identified by a very light sky blue coloured polygon. As building heights increase, the colours intensify.

For the key maps and schedules, it is recommended that zone classes and zoning regulations be provided on separate maps to ensure legibility. For the online interactive application, it is recommended that separate map layers be used to communicate zoning regulations. For example, permitted form, intensity, and uses assigned to the various zone areas may be provided on three or more separate maps or map layers.

Map Elements

It is recommended that the following elements be provided: title, scale bar or ratio scale, north arrow, and legend.

Scale

A graphic scale bar is recommended for its clarity and user-friendliness (compared to a ratio scale).

Units

The standard unit of measurement is metres (m). Kilometres (km) may be utilized on city-wide maps.

Orientation

Key maps and schedules should be oriented in a manner that is best suited to the municipality's or exhibited area's geographic shape. It is important that all map elements be rotated to the same degree for consistency (see **Figures 9 to 12**).

Colour Scheme

To ensure that the key maps and schedules are visually appealing, legible, and engaging, a full colour scheme is recommended (rather than the existing greyscale colour scheme). A full colour scheme enables greater variability in the symbology of major features, allowing for clear and concise communication (see **Figure 12**).

Other

To improve interpretability, it is recommended that the map include the zoning by-law's enactment and approval date.

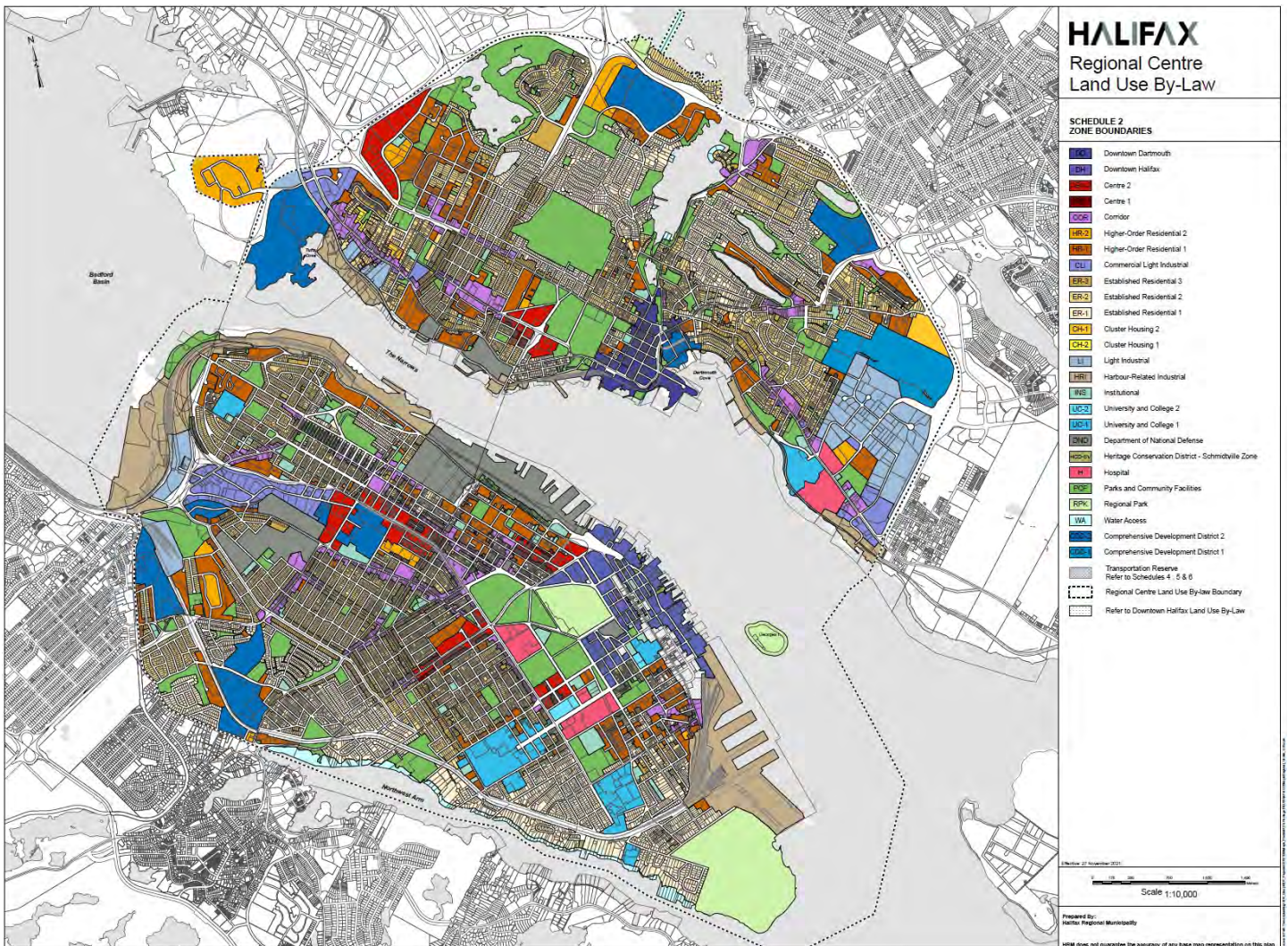


Figure 11. City of Halifax Regional Centre Land Use By-Law Schedule 2 - Zone Boundaries

Zoning By-law 001- 2021

Schedule A | Map 16

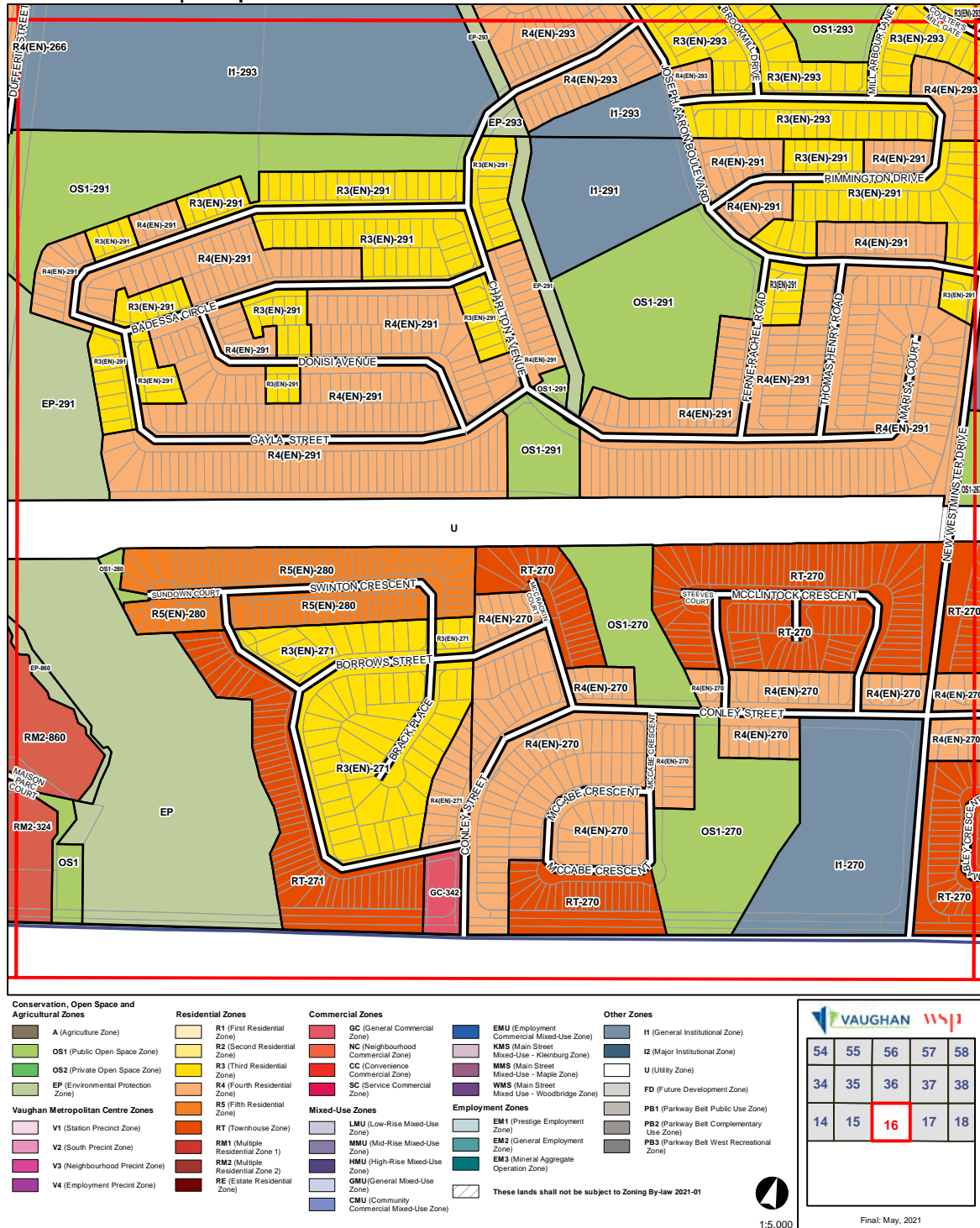


Figure 12. City of Vaughan Zoning By-Law 001-2021 Schedule A - Map 16

4.3.2 Online Interactive Map Recommendations

Various innovative approaches may be pursued to improve the zoning by-law's geospatial components and the user-friendliness of the online portal. Such approaches seek to enhance data and information accessibility and increase public engagement in planning matters. Further, the proposed approaches offer the opportunity to present all rules for development in an engaging way, in one convenient location. To ensure that the zoning by-law's online interactive application is accessible, visually compelling, and easy to interpret, the following approaches and implementation strategies are recommended.

Access

It is recommended that the new zoning by-law's online interactive application be accessed through the City of London's website, from the same webpage as the online version of the current zoning by-law.

Structure

Instructions on how to use the zoning by-law's online interactive application should be provided, either within the application itself or on the webpage (e.g., via a hyperlink to the application). Alternatively, instructions may be provided in the form of a tutorial video or "Take A Tour" feature. The purpose of the instructions is to demonstrate how to use the different functionalities of the interactive application and how to get the most out of the data. This will aid in making the zoning by-law more accessible, particularly for those who may be uncomfortable navigating new technology.

It is also recommended that a disclaimer or terms of use agreement be provided prior to launching the online interactive application. For liability purposes, it is recommended that users of the application be required to acknowledge the disclaimer and agree to the application's terms of use prior to accessing it.

Layout and Tools

Providing the title of the map at the top of the page and scale bar or ratio scale in the bottom-left corner is standard practice for online interactive mapping applications. This approach is recommended for the new zoning by-law. It is recommended that the legend be placed along the left or right edge of the page. (see **Figure 13**)

It is recommended that the following interactive tools be supported by the application:

- Zoom-In/Zoom-Out;
- Search;
- Identify;
- Help/About;
- My Location;
- Basemap Gallery;
- Layers/Layer List;
- Legend;
- Measurement; and
- Print.

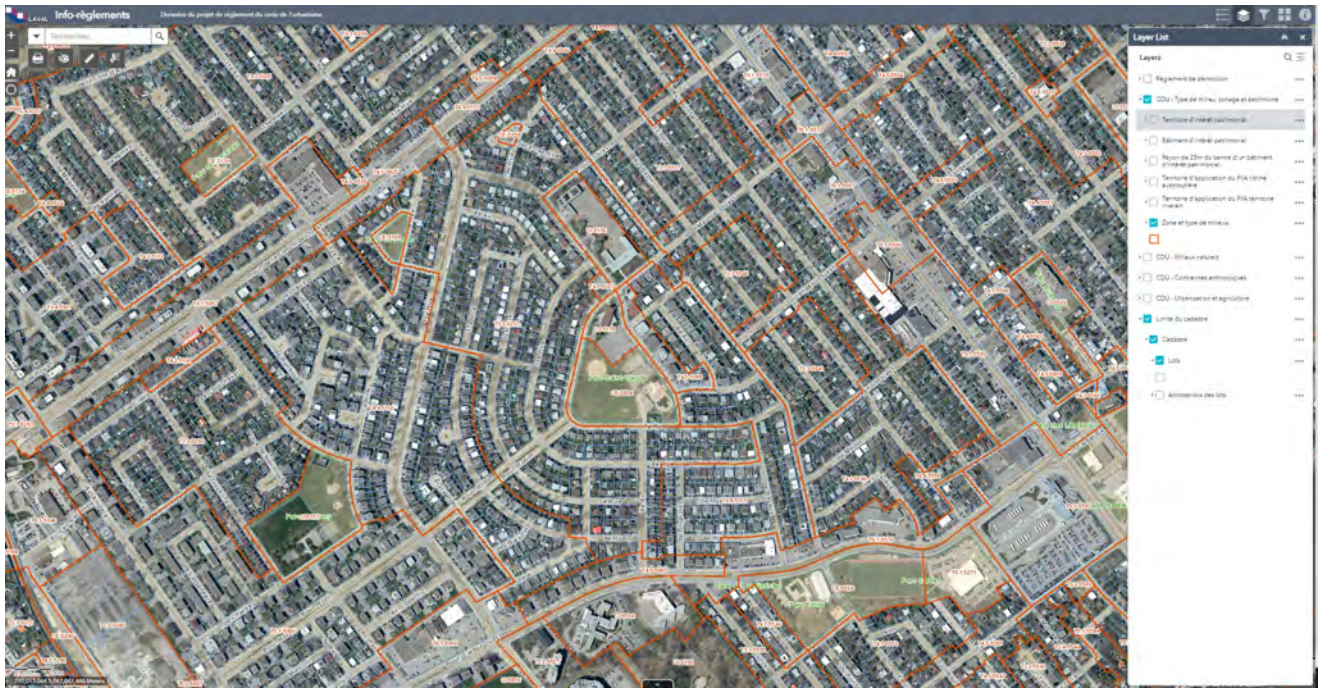


Figure 13. City of Laval Online, Interactive Application

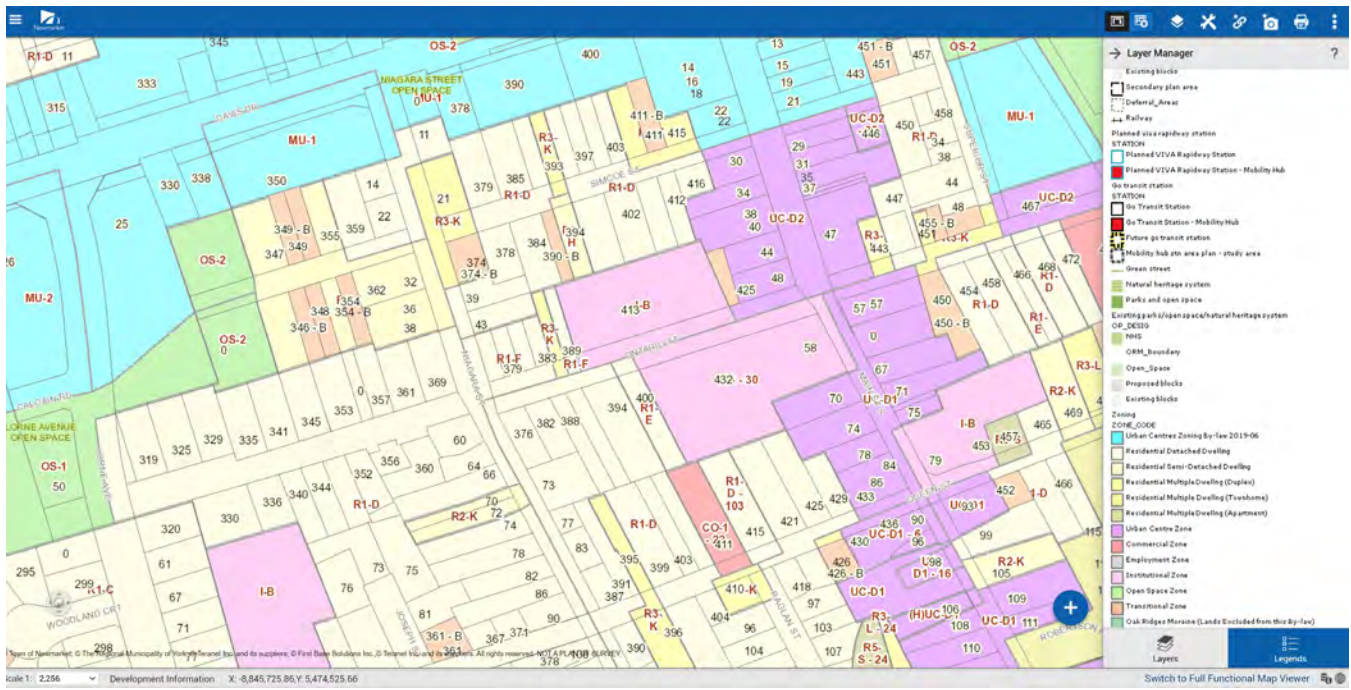


Figure 14. Town of Newmarket Online, Interactive Application

For ease of access, it is recommended that the tools be clustered together, either in the top-left or top-right corner of the application.

Major Features and Symbology

See the recommendations for key maps and schedules pertaining to the symbology of major features ([Section 4.3.1](#)).

Ensuring that a user can toggle on and off each layer within the online, interactive application improves the application's effectiveness at communicating geospatial information. This feature permits users to control which information is displayed on the map at a given time, enabling better legibility. This provides a degree of customization to the online interactive application experience, which in turn makes the application more engaging. Further, this capability would provide users with an opportunity to investigate relationships between features with the click of a button (rather than looking back and forth between two printed maps).

Map Elements

It is recommended that the following elements be provided: title, scale bar or ratio scale, north arrow, and legend.

Scale

A graphic scale bar is recommended as this is more readily understood and conceptualized than a ratio scale.

Units

The standard unit of measurement is metres (m). It is recommended that this measure be used on the online interactive application.

Colour Scheme

To make the online interactive application as visually appealing and engaging as possible, the use of a full colour scheme is recommended. A full colour scheme enables greater variability in the symbology of major features, allowing for clear and concise communication (see **Figure 14** and **Figure 15**).

Other

To improve the map's effectiveness and interpretability, it is recommended that the zoning by-law's enactment and approval date be provided within the online interactive application. This information should be included within the disclaimer.

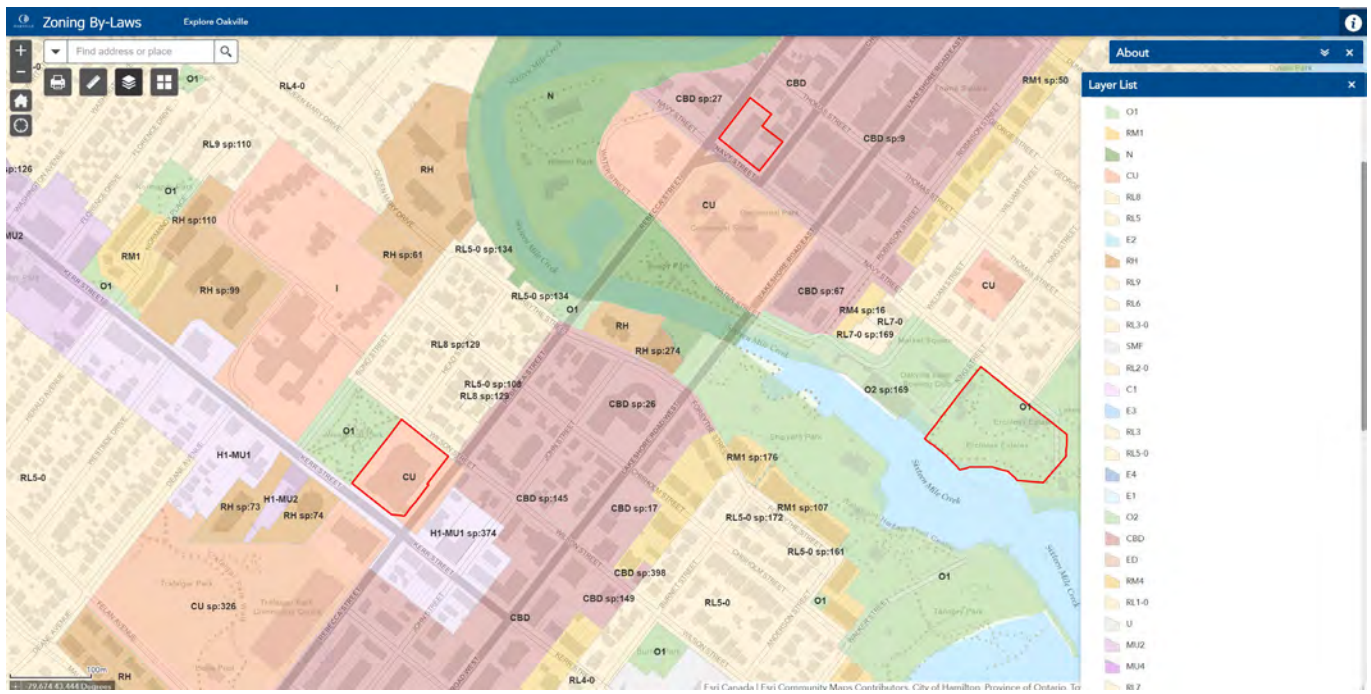


Figure 15. Town of Oakville Online, Interactive Application

5.0 CONCLUSION AND NEXT STEPS

The new zoning by-law will implement *The London Plan*, which provides the policy framework for how the City will manage growth and change over a 20-year horizon. This framework provides direction for how London will develop different geographic areas throughout the city (LP 747). The City of London takes a different approach by planning for a specific type of place, known as a Place Type, which seeks to plan highly functional, connected, and desirable places (LP 748). The new zoning by-law can support the realization of this vision by considering policies that establish the uses, intensities, and forms intended within each Place Type.

ReThink Zoning provides an opportunity to revisit traditional zoning approaches with a new lens – one that critically addresses London’s challenges for building more connected, complete communities. By conducting a review of contemporary zoning by-laws in the Ontario and Canadian context, we can better understand the best practices available to London for the development and implementation of its new zoning by-law.

The following summary identifies key findings and recommendations regarding next steps for implementation.

A zoning by-law that balances flexibility with certainty: The new zoning by-law must meet all requirements of the *Planning Act* and implement the directions of *The London Plan*. Euclidean or traditional zoning systems are typically effective in preventing unwanted development but do not always do a great job of promoting the most desirable form of development. The new zoning by-law will transition to a more form-based approach in order to implement *The London Plan*’s Place Type policies. There is an opportunity to place more emphasis on placemaking, as physical form emerges as a prominent principle in the zoning by-law. Ongoing discussions with City Staff from the Legal Department and Clerks Office will be critical to ensuring that legal requirements are considered throughout all stages of the ReThink Zoning process.

Ease and convenience: Integrated features such as a clear and consistent template to convenience features will allow for easy cross-referencing throughout the zoning by-law. By striking the “right” balance between text-based content and visual components, the new zoning by-law will make it easier for users to interpret its purpose, rules, and intended outcomes.

AODA compliant: The new zoning by-law will meet the requirements of the Accessibility for Ontarians with Disabilities Act (AODA). All deliverables informing the zoning by-law must be submitted in AODA compliant formats that are compatible with municipal programs, systems, and software. The Consultant Team will work closely with City Staff to ensure that municipal accessibility standards are met.

Simplifying and streamlining: Most contemporary zoning by-laws are shifting towards a streamlined approach that leverages structural features, formatting, and visual elements to communicate information in a clear manner. Other key trends include reducing the number of zoning classes and categories, and adopting a plain language approach.

Technology as a tool: The new zoning by-law will leverage modern geospatial technology to ensure that the zoning by-law’s key maps and schedules and online interactive application effectively communicate zoning regulations in a comprehensive, intuitive, and compelling way. Technology provides an opportunity for users to engage with the zoning by-law and visualize technical regulations and provisions. Moving forward, technology will play a key role in ReThink Zoning’s inventory and analysis of approved developments. Existing land uses, intensities, and forms will be reviewed, and development patterns that do not conform to *The London Plan* will be identified using geospatial technology. Findings from the development inventory and best practices review, in addition to ongoing discussions with City of London Geomatics Staff, will inform the preparation of the new zoning by-law’s key maps and schedules (including layers for the online interactive application).

A user-focused approach: Stakeholder engagement will play a critical role in consulting with different user groups (e.g., staff, industry, community stakeholders, and the general public). A virtual project re-launch and public event will inform the general public on the purpose and scope of a zoning by-law. It will also communicate how zoning by-laws can influence issues such as housing affordability, climate change, and intensification. Two working groups (industry and community stakeholders) will also be established to serve as sounding boards and allow for ongoing engagement during key milestones throughout the ReThink Zoning process. Part of this engagement will be to understand challenges that the planning and development community encounter with Z.-1, and to identify opportunities for improvement. Throughout all stages of the project, the Consultant Team will leverage different methods and tactics for engagement (digital and in-person), while providing clear and transparent communication (e.g., on feedback received and next steps).

Providing staff with the necessary tools: The ReThink Zoning Consultant Team will develop Staff Guidelines to support the transition and implementation of the new zoning by-law. The Staff Guidelines will outline the purpose of the Guidelines and how to use them, including key provisions, a glossary of terms, maps, and graphics. The Guidelines are intended to make it easier for staff to interpret and implement the zoning by-law and to advise users on its use and interpretation.



Source: The London Plan

6.0 REFERENCES

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APPENDICES

**Appendix A. Zoning By-Law No. Z.-1,
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Metric Conversion Table:

Schedule “A” – Key Maps (Zoning Designations)

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Appendix B. Zone Class, Symbol, and Name

Table B1. Zoning By-Law No. Z.-1 – Zone Class, Symbol, and Name

Zoning By-Law No. Z.-1 – Zone Class, Symbol, and Name		
Class	Symbol	Name
RESIDENTIAL	R1	Residential R1 Zone
	R2	Residential R2 Zone
	R3	Residential R3 Zone
	R4	Residential R4 Zone
	R5	Residential R5 Zone
	R6	Residential R6 Zone
	R7	Residential R7 Zone
	R8	Residential R8 Zone
	R9	Residential R9 Zone
	R10	Residential R10 Zone
	R11	Residential R11 Zone
OFFICE	OR	Office Residential Zone
	OC	Office Conversion Zone
	RO	Restricted Office Zone
	OF	Office Zone
COMMERCIAL	DA	Downtown Area Zone
	RSA	Regional Shopping Area Zone
	CSA	Community Shopping Area Zone
	NSA	Neighbourhood Shopping Area Zone
	ASA	Associated Shopping Area Commercial Zone
	BDC	Business District Commercial Zone
	AC	Arterial Commercial Zone
	HS	Highway Service Commercial Zone
	RSC	Restricted Service Commercial Zone
	CC	Convenience Commercial Zone
	SS	Automobile Service Station Zone
INSTITUTIONAL FACILITIES	RF	Regional Facility Zone
	CF	Community Facility Zone
	NF	Neighbourhood Facility Zone
	HER	Heritage Zone
	DC	Day Care Zone
OPEN SPACE AND RECREATION	OS	Open Space Zone
	ER	Environmental Review Zone (Z.-1-051390)
	CR	Commercial Recreation Zone

Table B1. Zoning By-Law No. Z.-1 – Zone Class, Symbol, and Name (cont'd)

INDUSTRIAL	OB LI GI HI EX RT	Office Business Park Zone Light Industrial Zone General Industrial Zone Heavy Industrial Zone Resource Extraction Zone Rail Transportation Zone (Z.1-051390)
AGRICULTURAL (Z.1-051390)	AG AGC RRC TGS	Agricultural Zone (Z.1-051390) Agricultural Commercial Zone (Z.1-051390) Rural Settlement Commercial Zone (Z.1-051390) TGS Temporary Garden Suite Zone (Z.1-051390)
MISCELLANEOUS	UR T	Urban Reserve Zone Temporary Zone

Appendix C. Summary of Best Practices Review – Structure and Format Features

Table C1. Summary of Best Practices Review – Structure and Format Features

Summary of Best Practices Review – Structure and Format Features			
Municipality / Zoning By-Law	Structure	Format	Summary
Ontario Municipalities			
<p>Town of Newmarket <i>Urban Centres Zoning By-Law 2019-06</i></p> <p>Status: Approved in June 2019 (LPAT)</p>	<ul style="list-style-type: none"> • Preamble (non-statutory); • Organized by Sections (9); • Includes Schedules (6) and Mapping; • Separate sections for General Provisions, Parking, Loading, Queuing, Zone Provisions (3 zones: Mixed Use, Institutional, and Open Space), Site-Specific Provisions, etc.; and • Total of 144 pages. 	<ul style="list-style-type: none"> • Convenience features (hyperlinked table of contents); • Illustrations and diagrams used in Section 3 (Definitions) and Section 6 (Zone Provisions); • Tables and charts used throughout to organize provisions, standards, etc.; and • Use of Overlay Zones (for site specific provisions, holding provisions, temporary use zones, and interim control zones). 	<ul style="list-style-type: none"> • Zoning by-law implements the Town’s Urban Centres Secondary Plan through an area-specific zoning by-law; • Minimal zoning categories; and • Graphically oriented zoning by-law (use of illustrations and mapping overlays).
<p>Town of Oakville <i>Zoning By-Law 2014-014 (south of Dundas Street and north of Highway 407)</i></p> <p>Status: Passed by Council in February 2014, partially deemed in-force February 2015 (OMB), certain sections not yet in-force</p>	<ul style="list-style-type: none"> • Disclaimer included; • User Guide (non-statutory); • Organized by Parts (20) (including maps); • Includes Appendices (3); • Separate sections for General Provisions, Parking, Loading, Stacking Lane Provisions, Special Provisions, Holding Provisions, etc.; • Zoning categories (9 total); and • Total of 640 pages. 	<ul style="list-style-type: none"> • Individual parts and complete text available online; • User Guide intended to make the zoning by-law easier to understand and reference, and outlines how to use the by-law to find basic zoning information; • Use of colour in the User Guide mapping (described in Section 4 of this paper); and • Tables and charts to organize definitions, standards, permitted uses, special provisions, etc. 	<ul style="list-style-type: none"> • Zoning by-law replaced previous 1984 zoning by-law (zone categories removed and consolidated to create a more streamlined and user-friendly document); • Minimal zoning categories; • Graphically oriented (use of 2D and 3D illustrations and diagrams); • Good use of charts and matrices to allow for cross-referencing and organization of regulations and standards; and • Definition index provided for quick reference, followed by a list of definitions.

Table C1. Summary of Best Practices Review – Structure and Format Features (cont'd)

<p>City of Vaughan <i>By-law No. 001-2021</i></p> <p>Enacted by City Council on October 20, 2021</p>	<ul style="list-style-type: none"> Organized by Sections (15); Separate sections for General Provisions, Specific Use Provisions, Parking, and Stacking and Loading Requirements; Zoning categories (7 total); Site-specific zoning exceptions are made up of various schedules in the by-law: <ul style="list-style-type: none"> D-Schedule – mandatory part of the exception. E-Schedule – map showing the lands where the site-specific exemption applies to. T-Schedule – additional zoning standards that apply to the lands. Total of 151 pages. 	<ul style="list-style-type: none"> Tables and charts used to organize definitions, standards, permitted uses, special provisions, etc.; Use of colour for different zone categories; Use of colour in illustrations (non-statutory); and No hyperlinked table of contents. 	<ul style="list-style-type: none"> Replaced the previous 1988 zoning by-law; Minimal zoning categories; Graphically oriented zoning by-law (use of 2D and 3D illustrations, diagrams, and colours for each zone category); Good use of charts and matrices to allow for cross-referencing and organization of regulations and standards; Definition index provided for quick reference, followed by a list of definitions; Bold visual contrast in tables; and A description of site-specific zoning exceptions is provided on the project webpage (in zoning by-law and additional schedules).
<p>City of Markham</p> <p>Comprehensive Zoning By-Law Review – June 2021 DRAFT</p>	<ul style="list-style-type: none"> Final draft of the zoning by-law; Organized by Parts (13); Separate sections for General Provisions, Parking and Loading Standards, and Exceptions; Zone categories (7 total); and Total of 202 pages. 	<ul style="list-style-type: none"> Use of coloured text (blue and green) in Part headings and subheadings; Use of coloured mapping (Part 1); Uses wide white margins; Hyperlinks to the <i>Planning Act</i>; Tables and charts to organize definitions, standards, permitted uses, special provisions, etc.; and Use of photos for different building types for each zone (Permitted Uses and Zone Standards). 	<ul style="list-style-type: none"> Streamlining and consolidation of 46 parent by-laws enacted between 1954 and 2004; Minimal zoning categories; and Good use of charts and diagrams to organize regulations and standards.

Table C1. Summary of Best Practices Review – Structure and Format Features (cont'd)

Out-of-Province Municipalities			
<p>City of Halifax, Nova Scotia</p> <p><i>Regional Centre Land Use By-law</i></p>	<ul style="list-style-type: none"> Organized by Parts (17) with individual chapters; Appendices (4) and Schedules included; Includes sections on design and form (such as Built Form and Siting Requirements (for different zones), General Design Requirements, and Landscaping); Includes a section on Incentive, or Bonus Zoning; Definitions included near the end of the zoning by-law (vs. upfront) (numbered, 287 total); Includes Schedules (51); and Total of 352 pages. 	<ul style="list-style-type: none"> Convenience features (hyperlinked table of contents); Tables and charts to organize definitions, standards, permitted uses, special provisions, etc.; Use of colour in illustrations (non-statutory); and Maps for the zoning by-law are listed separately online (and can be viewed individually). 	<ul style="list-style-type: none"> Includes general requirements for view planes, sight lines, and waterfront view corridors; and Includes many specific maps (schedules). Critiques: Use of roman numerals impractical from a user-friendly standpoint (due to high number of parts), subsections not numbered (may pose difficulties referencing sections).
<p>Ville de Laval / City of Laval Quebec</p> <p><i>Projet de règlement CDU- 1</i></p>	<ul style="list-style-type: none"> Organized by Titles (10) (under each Title are Chapters and Sections); Separate sections for General Development Provisions, Land uses, Transect Zones, and Special Areas; Administration and procedures included near the end of the zoning by-law; and Maps for the zoning by-law listed separately online (viewed individually). 	<ul style="list-style-type: none"> Convenience features included (hyperlinked table of contents); Tables and charts to organize definitions, standards, permitted uses, special provisions, etc.; Use of colour in illustrations (non-statutory); and Maps listed separately online (and can be viewed individually). 	<ul style="list-style-type: none"> Comprehensive Plan (no Official Plan) – Replaces former L-2000 by-law adopted in 1970, modified 3,760 times, 3,500 zones; and Inspired by a form-based code approach based on ideology of new urbanism, while taking to account the development issues specific to Laval.

Appendix D. Best Practices Review – Key Maps and Schedules

Table D1. Best Practices Review – Key Maps and Schedules

Best Practices Review – Key Maps and Schedules		
	Town of Newmarket, Ontario Urban Centres Zoning By-Law 2019-06 Enacted by Council on September 24, 2018 Approved by LPAT on June 10, 2019 (PL180854)	City of Vaughan, Ontario Zoning By-Law 001-2021 Enacted by Council on October 20, 2021
Zoning By-Law Type	Traditional	Traditional
Location and Access	Included as part of the zoning by-law, which may be viewed in print or accessed online through the Town of Newmarket's website .	Included as part of the zoning by-law, which may be viewed in print or accessed online through the City of Vaughan's website .
Structure	<ul style="list-style-type: none"> • Schedule "A" (Maps 1 – 6)*: Zoning; • Schedule "B" (Maps 7 – 12)*: Heights; • Schedule "C" (Maps 13 – 18)*: Holding Zones; • Schedule "D": Priority Commercial Areas; • Schedule "E": Floodplain and Other Natural Hazards; and • Schedule "F": Parking Reduction Areas. <p><i>*The first page of Schedules "A," "B," and "C" is an index map, which uses a thick, solid black line to delineate the boundaries of each subsequent key map included within the schedule.</i></p>	<ul style="list-style-type: none"> • Schedule A: Zoning; • Schedule B-1: Vaughan Metropolitan Centre – Special Provisions; • Schedule B-2: Wellhead Protection Areas; • Schedule B-3: Woodbridge Special Policy Areas; • Schedule B-4: Lands Subject to Minister Zoning Orders; • Schedule B-5: TransCanada Pipeline and Facilities; and • Schedule B-6: Oak Ridges Moraine Land Use. <p><i>*The first page of Schedules A is an index map, which uses a solid red line to delineate the boundaries of each subsequent key map included within the schedule.</i></p>
Layout and Tools (if applicable)	Title located in the top-left corner; north arrow in the bottom-left corner; scale bar in the bottom-right corner. All maps have a portrait orientation.	Title located in the top-left corner; legend in the bottom-left corner; north arrow, scale bar, and locator map (if present) in the bottom-right corner. Maps are in portrait or landscape orientation.

Table D1. Best Practices Review – Key Maps and Schedules (cont'd)

<p>Major Features and Symbology</p>	<p>Reference Features (included on all maps):</p> <ul style="list-style-type: none"> • Major Streets: medium grey text annotations; • Parcel Boundaries: light grey lines; • Key Map Boundaries: thick, solid black lines. <i>*Note: this feature is not included on Schedule “F.”; and</i> • Lands in Secondary Plan Area (Subject to By-Law 2010-40): grey and white diagonal hatched pattern. <i>*Note: this feature does not appear on several key maps due to their limited geographic extent.</i> <p>Schedule “A” (Maps 1 – 6): Zoning</p> <ul style="list-style-type: none"> • Zone Boundaries: solid black lines that overlay all other features of the map; and • Zone Codes: towards the centre of each zone area, black capitalized text is present. <p>Schedule “B” (Maps 7 – 12): Heights</p> <ul style="list-style-type: none"> • Height Provision Area Boundaries: solid black lines that overlay all other features of the map; and • Height Provisions: towards the centre of each height provision area, bold black text identifies the minimum and maximum height regulations for the area. <p>Schedule “C” (Maps 13 – 18): Holding Zones</p> <ul style="list-style-type: none"> • Holding Zone Boundaries: thick grey lines that overlay all other features of the map; • Proposed Roads: medium grey hashed line; and • Proposed Parks and Open Spaces: grey dotted pattern on a white background. <p>Schedule “D”: Priority Commercial Areas</p> <ul style="list-style-type: none"> • Priority Commercial Property Frontages: medium, solid black line that overlays all other features of the map except for the key map boundaries. <p>Schedule “E”: Floodplain and Other Natural Hazards</p> <ul style="list-style-type: none"> • Floodplain and Other Natural Hazards: grey dotted pattern on a white background. <p>Schedule “F”: Parking Reduction Areas</p> <ul style="list-style-type: none"> • Parking Reduction Areas: solid grey polygons. 	<p>Reference Features (included on the zone maps):</p> <ul style="list-style-type: none"> • Highways and Major Streets: thick, white lines with black text annotations; • Parcel Boundaries: light grey lines; and • Key Map Boundaries: solid red lines. <p>Schedule A: Zoning</p> <p>Each of the City of Vaughan’s 40 zone codes have a unique symbology, comprised of a coloured polygon with a black outline. Varying hue intensities are used to symbolize zone codes within the same class (i.e., employment zone areas are varying intensities of turquoise, mixed-use zone areas are varying intensities and shades of purple, residential zone areas are varying intensities and shades of yellow and orange...).</p> <ul style="list-style-type: none"> • Zone Boundaries: solid black lines that overlay all other features of the map; • Zone Codes: towards the centre of each zone area, black capitalized text is present; and • Lands Not Subject to Zoning By-Law 2021-01: white polygon with light grey hash marks and a black border. <p>Schedule B-1: Vaughan Metropolitan Centre – Special Provisions</p> <ul style="list-style-type: none"> • Highways: thick, yellow lines with a light grey outline and black text annotations; • Major Streets: thick, yellow lines with a light grey outline and black text annotations; • Minor Streets: thick, medium grey lines with black text annotations; • Parcel Boundaries: light grey lines; and • Office Uses Required: orange polygons with a grey outline;
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Table D1. Best Practices Review – Key Maps and Schedules (cont'd)

<p>Major Features and Symbology (cont'd)</p>		<p>(Schedule B-1: Vaughan Metropolitan Centre – Special Provisions)</p> <ul style="list-style-type: none"> • Office Uses Permitted in the VMC Neighbourhood (V3) Zone: yellow polygons with a grey outline; • Active Use Frontage (Convertible): thick, medium blue line; and • Active Use Frontage (Required): thick, dark blue line. <p>Schedule B-2: Wellhead Protection Areas</p> <ul style="list-style-type: none"> • Highways: thick, yellow lines with a light grey outline and black text annotations; • Major Streets: black lines with black text annotations; • Minor Streets: light grey lines; and • Wellhead Protection Areas: Active Wellhead 100 m Radius (black polygon), Area 1 (orange polygon), Area 2 (magenta polygon), Area 3 (plum polygon). <p>Schedule B-3: Woodbridge Special Policy Areas</p> <ul style="list-style-type: none"> • Highways: thick, yellow lines with a light grey outline and black text annotations; • Major Streets: black lines with black text annotations; • Minor Streets: light grey lines; and • Woodbridge Special Policy Area: red polygon with a black outline. <p>Schedule B-4: Lands Subject to Minister Zoning Orders</p> <ul style="list-style-type: none"> • Highways: thick, yellow lines with a light grey outline and black text annotations; • Major Streets: dark green lines with black text annotations; • Minor Streets: light grey lines; • Minister’s Zoning Order: dark grey, black, and white hashed polygon with a thick, black border; • Minister’s Order: grey, black, and white hashed polygon with a thick, grey border; and • Lands Subject to Stayed Appeals by the Minister of Urban Affairs and Housing: white polygon with cross-hatched black line pattern and a thin, black border.
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Table D1. Best Practices Review – Key Maps and Schedules (cont'd)

<p>Major Features and Symbology (cont'd)</p>		<p>Schedule B-5: TransCanada Pipeline and Facilities</p> <ul style="list-style-type: none"> • Highways: thick, yellow lines with a light grey outline and black text annotations; • Major Streets: thick, yellow lines with a light grey outline and black text annotations; • Minor Streets: thin, black lines; and • TransCanada Pipeline and Facilities: thick, red line. <p>Schedule B-6: Oak Ridges Moraine Land Use</p> <ul style="list-style-type: none"> • Highways: thick, yellow lines with a light grey outline and black text annotations; • Major Streets: dark green lines with black text annotations; • Minor Streets: light grey lines; • Oak Ridges Moraine Settlement Area: turquoise polygons; • Oak Ridges Moraine Natural Core Area: olive green polygons; • Oak Ridges Moraine Natural Linkage Area: light green polygons; and • Oak Ridges Moraine Countryside: yellow polygons.
<p>Map Elements</p>	<p>Title, North Arrow, and Scale Bar.</p> <p>Legends are provided for the maps of Schedules “C,” “D,” “E,” and “F.”</p>	<p>Title, North Arrow, Ratio Scale or Scale Bar, and Legend.</p>
<p>Scale</p>	<p>Graphic Scale Bar.</p>	<p>Graphic Scale Bar or Ratio Scale (Zoning Maps).</p>
<p>Units</p>	<p>Metres.</p>	<p>Metres.</p>
<p>Orientation</p>	<p>Portrait.</p>	<p>Varied (Portrait and Landscape).</p>
<p>Colour Scheme</p>	<p>Greyscale.</p>	<p>Full Colour.</p>
<p>Other Considerations</p>	<p>Descriptive text is used in place of a legend on several index and key maps. The following text is included beneath each map: <i>“Hatched areas indicate lands in Secondary Plan area subject to By-law 2010-40.”</i></p>	<p>Locator maps are provided on several schedules for reference.</p>

Table D1. Best Practices Review – Key Maps and Schedules (cont'd)

<p>Other Considerations (cont'd)</p>	<p>All index maps display the same geographic extent.</p> <p>In some instances, black text is placed over the black outline, affecting the map's legibility.</p> <p>Text annotations vary in size despite maps having the same scale.</p>	
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Table D1. Best Practices Review – Key Maps and Schedules (cont'd)

	<p>Town of Oakville, Ontario Zoning By-Law 2014-014</p> <p><i>There are currently three comprehensive zoning by-laws in effect in the Town of Oakville. For the purposes of the best practices analysis, the key maps and schedules of Zoning By-Law 2014-014, the Town's most recently enacted zoning by-law, are reviewed.</i></p>	<p>City of Markham, Ontario Zoning By-Law 12345</p> <p><i>The City of Markham is currently undertaking a comprehensive review of its zoning by-laws and existing zoning framework. Although draft zoning by-law policies of Comprehensive Zoning By-Law 12345 have been published online, draft keys maps and schedules have yet to be released. At this time, the City of Markham directs individuals with interest in the forthcoming key maps and schedules to review draft mapping via an online, interactive application. For the purposes of the best practices analysis, the draft mapping is reviewed.</i></p>
<p>Zoning By-Law Type</p>	<p>Hybrid</p>	<p>Hybrid</p>
<p>Location and Access</p>	<p>Included as part of the zoning by-law, which may be viewed in print or accessed online through the Town of Oakville's website.</p>	<p>Draft mapping may be accessed online through the City of Markham's website.</p>
<p>Structure</p>	<ul style="list-style-type: none"> • Index Map; and • Key Maps (Maps 19(1) – 19(26)) <p><i>*The Index Map uses a thick, solid black line to delineate the boundaries of each subsequent key map included within the schedule.</i></p>	<p>To be determined. Currently, draft mapping can only be accessed online.</p>
<p>Layout and Tools (if applicable)</p>	<p>Title, north arrow, scale bar (if present), legend, and map information located in the bottom-right corner. Maps are in portrait or landscape orientation.</p>	<p>Title, Search, Zoom-In, Zoom-Out, Measurement, Bookmark, Layers, Change Basemap tools and Legend located in the top-left corner; location coordinates in the bottom-left corner.</p>

Table D1. Best Practices Review – Key Maps and Schedules (cont'd)

<p>Major Features and Symbology</p>	<p>Reference Features (included on all maps):</p> <ul style="list-style-type: none"> • Major Streets: black text annotations; • Parcel Boundaries: light orange lines; and • Key Map Boundaries: solid black lines. <p>Key Maps (Maps 19(1) – 19(26))</p> <ul style="list-style-type: none"> • Zone Boundaries: solid black lines that overlay all other features of the map; and • Zone Codes: towards the centre of each zone area, black capitalized text is present. <p>Site Specific Appeal to Zoning By-Law 2014-014 (By-Law Not in Effect): steel blue polygon.</p> <p><i>*Note: this feature does not appear on several key maps due to their limited geographic extent.</i></p>	<p>Draft Zoning</p> <ul style="list-style-type: none"> • Zone Boundaries: solid lime green lines that overlay all other features of the map. <p>Towards the centre of each zone area, the zone code is provided as a bolded, capitalized, white text annotation with a green outline.</p>
<p>Map Elements</p>	<p>Title, North Arrow, Scale Bar, and Legend.</p>	<p>Title, Scale, and Legend.</p>
<p>Scale</p>	<p>Graphic Scale Bar.</p>	<p>Graphic Scale Bar.</p>
<p>Units</p>	<p>Metres.</p>	<p>Metres by default but may be changed to feet, kilometres, miles, yards, or nautical miles.</p>
<p>Orientation</p>	<p>Varied (Portrait and Landscape).</p>	<p>Not Applicable.</p>
<p>Colour Scheme</p>	<p>Limited (Black, White, Orange, and Blue).</p>	<p>Full Colour.</p>
<p>Other Considerations</p>	<p>In some instances, black text is placed over the black outline, impacting the map's legibility.</p>	<p>No disclaimer pertaining to the accuracy of the information presented in the online, interactive application.</p> <p>No instructions (or a virtual tour) pertaining to how to use the online, interactive application are provided on the application's webpage.</p>

Table D1. Best Practices Review – Key Maps and Schedules (cont'd)

	City of Laval, Quebec Code de l'urbanisme (Urban Planning Code) Projet de règlement CDU-1 (Draft By-Law CDU-1)	City of Halifax, Nova Scotia Regional Centre Land Use By-Law Enacted by Council on October 26, 2021 Approved by the Minister of Municipal Affairs on November 27, 2021
Zoning By-Law Type	Form-Based	Form-Based
Location and Access	Included in Annexe A – Feuilles Cartographiques (Appendix A – Map Sheets) of Draft By-Law CDU-1, which may be viewed online through the City of Laval's website .	Included as part of the zoning by-law, which may be viewed in print or accessed online through the City of Halifax's website .
Structure	<ul style="list-style-type: none"> • Feuille 1 – Plan de Zonage (Map 1 – Zoning Plan); • Feuille 2 – Territoire du PIIA – Centre-ville (Map 2 – PIIA Territory – Downtown); • Feuille 3 – Territoire du PIIA – Grandes Artères (Map 3 – PIIA Territory – Major Arteries); • Feuille 4 – Territoires d'Intérêt Patrimonial (Map 4 – Territories of Heritage Interest); • Feuille 5 – Bâtiments et autres Constructions d'intérêt Patrimonial (Map 5 – Buildings and Other Structures of Heritage Interest); • Feuille 6 – Territoire du PIIA – Ensembles bâtis d'Intérêt (Map 6 – PIIA Territory – Built Areas of Interest); • Feuille 7 – Territoire du PIIA – Vitrine Autoroutière (Map 7 – PIIA Territory – Protected Motorway Area); • Feuille 8 – Territoire du PIIA – Territoire Riverain (Map 8 – PIIA Territory – Riparian Territory); • Feuille 9 – Territoire du PIIA – ZAEP – Secteurs de Développement (Map 9 – PIIA Territory – Special Ecological Zones – Development Sectors); • Feuille 10 – Milieux Naturels d'Intérêt (Map 10 – Natural Areas of Interest); 	<ul style="list-style-type: none"> • Schedule 1: Regional Centre Land Use By-law Boundary; • Schedule 2: Zone Boundaries; • Schedule 3A: Downtown Dartmouth Special Areas; • Schedule 3B: Downtown Halifax Special Areas; • Schedule 3C: Established Residential Special Areas and Sub-Areas; • Schedule 3D: University and College Special Areas; • Schedule 3E: Watercourse Special Areas; • Schedule 3F: Other Special Areas; • Schedule 4: Dundas Street Extension Transportation Reserve; • Schedule 5: Proctor Street Transportation Reserve; • Schedule 6: Robie Street Transportation Reserve; • Schedule 7: Pedestrian-Oriented Commercial Streets; • Schedule 8: Publicly Sponsored Convention Centre; • Schedule 9: Landmark Buildings; • Schedule 10: Lands Designated Halifax Harbour; • Schedule 11: Wetlands; • Schedule 12: Reference Line – Northwest Arm; • Schedule 13: Reference Line – Lake Banook; • Schedule 14: Reference Line – Lake Micmac;

Table D1. Best Practices Review – Key Maps and Schedules (cont'd)

<p>Structure (cont'd)</p>	<ul style="list-style-type: none"> • Feuille 11 – Contraintes Anthropiques (Map 11 – Anthropogenic Constraints); • Feuille 12 – Zonage de Production Agricole (Map 12 – Agricultural Production Zoning); and • Feuille 13 – Territoire du Périmètre d’Urbanisation (Map 13 – Urban Area Boundary). <p><i>To ensure a concise best practices analysis, only the “Major Features and Symbology” findings of Feuille 1 – Plan de Zonage (Map 1 – Zoning Plan) are detailed below. This schedule is most relevant to matters to be considered by the City of London’s ReThink Zoning project.</i></p>	<ul style="list-style-type: none"> • Schedule 15: Maximum Building Height Precincts; • Schedule 16: Average Finished Grade for Building Height Calculation – Scotia Square Complex (SSC) Special Area; • Schedule 17: Maximum Floor Area Ratio Precincts; • Schedule 18: Minimum Front and Flanking Setbacks; • Schedule 19: Maximum Front and Flanking Setbacks; • Schedule 20: Maximum Streetwall Heights – Downtown Halifax Zone; • Schedule 21: Harbour Orientation Lines; • Schedule 22: Heritage Conservation Districts; • Schedule 23: Schmidtville Heritage Buildings; • Schedule 24: Permitted Rear Additions to Schmidtville Heritage Buildings; • Schedule 25: View Terminus Sites; • Schedule 26: Halifax Citadel View Planes; • Schedule 27A: Halifax Citadel Rampart Sight Lines; • Schedule 27B: Halifax Citadel Cavalier Building Coordinates; • Schedule 27C: Halifax Citadel Cavalier Building Coordinates 2; • Schedule 28: Dartmouth View Planes; • Schedule 29: Morris Street Waterfront View Corridor; • Schedule 30: Bishop Street Waterfront View Corridor; • Schedule 31: Salter Street Waterfront View Corridor; • Schedule 32: Sackville Street Waterfront View Corridor; • Schedule 33: Prince Street Waterfront View Corridor; • Schedule 34: George Street Waterfront View Corridor; • Schedule 35: Best Street Waterfront View Corridor; • Schedule 36: Mott Street Waterfront View Corridor; • Schedule 37: Church Street Waterfront View Corridor; • Schedule 38: North Street Waterfront View Corridor;
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Table D1. Best Practices Review – Key Maps and Schedules (cont'd)

<p>Structure (cont'd)</p>		<ul style="list-style-type: none"> • Schedule 39: Ochterloney Street Waterfront View Corridor; • Schedule 40: Queen Street Waterfront View Corridor; • Schedule 41: Portland Street Waterfront View Corridor; • Schedule 42: Prince Street Waterfront View Corridor; • Schedule 43: Kings Wharf Place Waterfront View Corridor; • Schedule 44: Canal Street Waterfront View Corridor; • Schedule 45: Maitland Street Waterfront View Corridor; • Schedule 46: Old Ferry Road Waterfront View Corridor; • Schedule 47: Parker Street Waterfront View Corridor; • Schedule 48: Wind Energy Overlay Zone Boundaries; • Schedule 49: Accessory Parking Prohibition – Downtown Halifax Zone; • Schedule 50: Incentive or Bonus Zoning Rate Districts; and • Schedule 51: Shadow Impact Assessment Protocol – Identified Areas. <p><i>As over 50 schedules are included within the City of Halifax's Regional Centre Land Use By-Law, to ensure a concise best practices analysis, only the "Major Features and Symbology" findings of the schedules in bold above are detailed below. These schedules are most relevant to matters to be considered by the City of London's ReThink Zoning project.</i></p>
<p>Layout and Tools (if applicable)</p>	<p>Title and North Arrow are in the top-right corner; graphic scale bar, ratio scale, and map information are located in the bottom-right corner.</p> <p>All maps have a landscape orientation and map elements are located within the right margin of the page.</p>	<p>North Arrow located in the top-left corner; title and legend in the top-right corner; scale bar and ratio scale in the bottom-right corner.</p> <p>Maps are in portrait or landscape orientation.</p>

Table D1. Best Practices Review – Key Maps and Schedules (cont'd)

<p>Major Features and Symbology</p>	<p>Feuillet 1 – Plan de Zonage (Map 1 – Zoning Plan) Each of the City of Laval’s 34 zone codes have a unique symbology, comprised of a coloured polygon with a black outline. Varying hue intensities are used to symbolize zone codes within the same class (i.e., residential areas are varying intensities of yellow, commercial and mixed-use areas are varying intensities and shades of red and orange, parks and open spaces, as well as agricultural lands, are varying shades of green...).</p> <ul style="list-style-type: none"> • Highway: thick, dark grey line with dark grey text annotations; • Major and Local Streets: medium grey line with medium grey text annotations. Note annotations are only present for Major Streets; • Parcel Boundaries: thin, black lines; and • Zone Boundaries: thick, black lines that overlay all other features of the map, with the exception of zone code labels. <p>Zone Codes: towards the centre of each zone area, black capitalized text is present. The text has a white outline.</p>	<p>Reference Features (included on all maps):</p> <ul style="list-style-type: none"> • Major Streets: black text annotations; • Parcel Boundaries: thin, black lines; • Regional Centre Land Use By-Law Boundary: thick, black and white dotted line; and • Refer to Downtown Halifax Land Use By-Law: white polygon with small black dot pattern. <p>Schedule 2: Zone Boundaries Each of the City of Halifax’s 26 zone codes have a unique symbology, comprised of a coloured polygon with a black outline. Varying hue intensities are used to symbolize zone codes within the same class (i.e., institutional zones are varying shades of light blue, residential zone areas are varying intensities and shades of orange and yellow...).</p> <ul style="list-style-type: none"> • Zone Boundaries: solid black lines that overlay all other features of the map; and • Zone Codes: towards the centre of each zone area, black capitalized text with a white outline is present. <p>Schedule 15: Maximum Building Height Precincts</p> <ul style="list-style-type: none"> • Maximum Height Precinct (Metres): white polygon with a thin black border and black text annotation (within the polygon) that identifies the precinct number; • Maximum Height Precinct of 90 Metres, subject to Schedule 17 – Maximum Floor Area Ratios: dark grey polygon with a black border; and • Rampart Maximum Height: white polygon with a thin black line hatch pattern. <p>Schedule 17: Maximum Floor Area Ratio Precincts</p> <ul style="list-style-type: none"> • Maximum Floor Area Ratio (FAR) Precinct: white polygon with a thin black border and black text annotation (within the polygon) that identifies the precinct number.
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Table D1. Best Practices Review – Key Maps and Schedules (cont'd)

Major Features and Symbology (cont'd)		Schedule 49: Accessory Parking Prohibition – Downtown Halifax Zone <ul style="list-style-type: none"> • Areas where Accessory Surface Parking Lots are Prohibited: dark grey polygons.
Map Elements	Title, North Arrow, Ratio Scale and Graphic Scale Bar, Legend, and Coordinate System.	Title, North Arrow, Graphic Scale Bar, and Legend.
Scale	Graphic Scale Bar and Ratio Scale.	Graphic Scale Bar and Ratio Scale.
Units	Metres.	Metres.
Orientation	Landscape.	Varied (Portrait and Landscape).
Colour Scheme	Full Colour.	Limited (most schedules are in greyscale, and a few, including Schedule 2: Zone Boundaries, are in full colour)
Other Considerations	In some instances, black text is placed over the black outline, impacting the map's legibility.	In some instances, black text is placed over the black outline, impacting the map's legibility.

Appendix E. Best Practices Review – Online, Interactive Applications

Table E1. Best Practices Review – Online, Interactive Applications

Best Practices Review – Online, Interactive Applications		
	Town of Newmarket, Ontario Urban Centres Zoning By-Law 2019-06 Enacted by Council on September 24, 2018 Approved by LPAT on June 10, 2019 (PL180854)	City of Vaughan, Ontario Zoning By-Law 001-2021 Enacted by Council on October 20, 2021
Zoning By-Law Type	Traditional	Traditional
Location and Access	Included as part of the zoning by-law, which may be viewed in print or accessed online through the Town of Newmarket's website .	Included as part of the zoning by-law, which may be viewed in print or accessed online through the City of Vaughan's website .
Structure	<ul style="list-style-type: none"> • Instructions on Launch Page; • Terms of Use; and • Online, Interactive Application. 	<ul style="list-style-type: none"> • Disclaimer; and • Online, Interactive Application.
Layout and Tools (if applicable)	Search, Disclaimer, Help tools (in the top-left corner); title and scale (in the bottom-left corner); Metadata and Coordinate System Information, Zoom-In, Zoom-Out, Drag Pan, and Identify tools (in the bottom-right corner); Map Content and Legend (Layer Manager), More Tools (Selection, Markup, Measure, Metadata, Active Layer, Search by Coordinates, Document Viewer, Coordinate Transformer), Share URL, Map Snapshot, and Print tools (in the top-right corner), in addition to the Base Map selection panel.	Legend, Layers List, Zoom-In, Zoom-Out, My Location tools (in the top-left corner), and Search and Print tool (in the top-right corner).
Major Features and Symbology	Zoning <ul style="list-style-type: none"> • Urban Centres Zoning By-Law 2019-06: solid, cyan polygon with a medium grey border; • Residential Detached Dwelling: ivory polygon with a medium grey border; • Residential Semi-Detached Dwelling: light yellow polygon with a medium grey border; • Residential Multiple Dwelling (Duplex): medium yellow polygon with a medium grey border; 	Zoning <ul style="list-style-type: none"> • Oak Ridges Moraine Area: white polygon with light blue hash marks and a medium grey border; • Greenbelt Area: white polygon with light green hash marks and a medium grey border; • Agricultural: olive green polygon with a medium grey border; • Commercial: red polygon with a medium grey border; • Commercial/Residential: cyan polygon with a medium grey border;

Table E1. Best Practices Review – Online, Interactive Applications (cont’d)

<p>Major Features and Symbology (cont’d)</p>	<ul style="list-style-type: none"> • Residential Multiple Dwelling (Townhome): deep yellow polygon with a medium grey border; • Residential Multiple Dwelling (Apartment): yellow-green polygon with a medium grey border; • Urban Centre Zone: purple polygon with a medium grey border; • Commercial Zone: red polygon with a medium grey border; • Employment Zone: grey polygon with a medium grey border; • Institutional Zone: pink polygon with a medium grey border; • Open Space Zone: light green polygon with a medium grey border; • Transitional Zone: orange polygon with a medium grey border; • Oak Ridges Moraine (Lands Excluded from the By-Law): olive green polygon with a medium blue border; and • Lands Excluded from the By-Law: solid, white polygon with a grey hatching and a medium grey border. <p><i>Varying hue intensities are used to symbolize zones within the same class (i.e., residential zones are varying intensities of yellow).</i></p>	<ul style="list-style-type: none"> • Employment: blue polygon with a medium grey border; • Industrial: purple polygon with a medium grey border; • Open Space: orange polygon with a medium grey border; • Parkway Belt: lime green polygon with a medium grey border; • Residential: yellow polygon with a medium grey border; • Shopping Centre District: pink polygon with a medium grey border; and • Oak Ridges Moraine: beige polygon with a medium blue border. <p><i>Towards the centre of each zone area the zone code is provided with a bolded, capitalized, dark grey text annotation.</i></p>
<p>Map Elements</p>	<p>Title, Scale, and Legend.</p>	<p>Title and Legend.</p>
<p>Scale</p>	<p>Ratio Scale.</p>	<p>Not Provided.</p>
<p>Units</p>	<p>Metres by default but may be changed to feet, kilometres, miles, or yards.</p>	<p>Not Provided.</p>
<p>Orientation</p>	<p>Not Applicable.</p>	<p>Not Applicable.</p>
<p>Colour Scheme</p>	<p>Full Colour.</p>	<p>Full Colour.</p>
<p>Other Considerations</p>	<p>Upon opening the online, interactive application a pop-up window appears inquiring if the user would like to “take a tour” of the application.</p>	<p>Only the more general zone classes are symbolized.</p>

Table E1. Best Practices Review – Online, Interactive Applications (cont'd)

	<p style="text-align: center;">Town of Oakville, Ontario Zoning By-Law 2014-014</p> <p style="text-align: center;"><i>There are currently three comprehensive zoning by-laws in effect in the Town of Oakville. For the purposes of the best practices analysis, the key maps and schedules of Zoning By-Law 2014-014, the Town's most recently enacted zoning by-law, are reviewed.</i></p>	<p style="text-align: center;">City of Markham, Ontario Zoning By-Law 12345</p> <p style="text-align: center;"><i>The City of Markham is currently undertaking a comprehensive review of its zoning by-laws and existing zoning framework. Although draft zoning by-law policies of Comprehensive Zoning By-Law 12345 have been published online, draft keys maps and schedules have yet to be released. At this time, the City of Markham directs individuals with interest in the forthcoming key maps and schedules to review draft mapping via an online, interactive application. For the purposes of the best practices analysis, the draft mapping is reviewed.</i></p>
Zoning By-Law Type	Hybrid	Hybrid
Location and Access	Accessed online through the Town of Oakville's website .	Accessed online through the City of Markham's website .
Structure	<ul style="list-style-type: none"> • Online, Interactive Application. 	<ul style="list-style-type: none"> • Disclaimer; and • Online, Interactive Application.
Layout and Tools (if applicable)	Search, Zoom-In, Zoom-Out, My Location, Print, Measurement, Basemap Gallery, and Layer List tools (in the top-left corner); Graphic scale bar and location coordinates (in the bottom-left corner); and About tool (in the top-right corner).	Application Information and Search (in the top-left corner, via the "I want to..." button); Scale (in the bottom-left corner); Initial View, Print, and Export tools (in the top-right corner, via the "Tools" button).
Major Features and Symbology	<p>Zoning Each of the Town of Oakville's 51 zone codes have a unique symbology, comprised of a coloured polygon with a light grey outline. Varying hue intensities are used to symbolize zone codes within the same class (i.e., employment zone areas are varying intensities of light blue, residential zone areas are varying intensities of yellow).</p> <p><i>Towards the centre of each zone area the zone code is provided with a bolded, black text annotation.</i></p>	<p>Zoning</p> <ul style="list-style-type: none"> • Zone Boundaries: solid dark purple lines that overlay all other features of the map. <p><i>Towards the centre of each zone area the zone code is provided with a bolded, capitalized, purple text annotation.</i></p>

Table E1. Best Practices Review – Online, Interactive Applications (cont'd)

Map Elements	Title, Scale, and Legend.	Scale Bar.
Scale	Graphic Scale Bar.	Graphic Scale Bar and Ratio Scale.
Units	Metres by default but may be changed to feet, kilometres, miles, yards, or nautical miles.	Metres.
Orientation	Not Applicable.	Not Applicable.
Colour Scheme	Full Colour.	Full Colour.
Other Considerations	<p>No disclaimer pertaining to the accuracy of the information presented in the online, interactive application.</p> <p>No instructions (or a virtual tour) pertaining to how to use the online, interactive application are provided on the application's webpage.</p>	<p>No disclaimer pertaining to the accuracy of the information presented in the online, interactive application.</p> <p>No instructions (or a virtual tour) pertaining to how to use the online, interactive application are provided on the application's webpage.</p>

Table E1. Best Practices Review – Online, Interactive Applications (cont'd)

	City of Laval, Quebec Code de l'urbanisme (Urban Planning Code) Projet de règlement CDU-1 (Draft By-Law CDU-1)	City of Halifax, Nova Scotia Regional Centre Land Use By-Law Enacted by Council on October 26, 2021 Approved by the Minister of Municipal Affairs on November 27, 2021
Zoning By-Law Type	Form-Based	Form-Based
Location and Access	Accessed online through the City of Laval's website .	Accessed online through the City of Halifax's website .
Structure	<ul style="list-style-type: none"> • Disclaimer (indicating that Public Consultation for Draft By-Law CDU-1 is currently underway, and that the By-Law is not currently in-force); and • Online, Interactive Application. 	<ul style="list-style-type: none"> • Instructions; • Disclaimer; and • Online, Interactive Application.

Table E1. Best Practices Review – Online, Interactive Applications (cont'd)

<p>Layout and Tools (if applicable)</p>	<p>Title, Search, Zoom-In, Zoom-Out, My Location, Search, Print, Draw, Measurement, and Select tools (in the top-left corner); Legend, Layer List, Filter, Basemap Gallery, and About tools (in the top-right corner); and Graphic Scale Bar (in the bottom-left corner).</p>	<p>Search, Zoom-In, Zoom-Out, Legend, Introduction Panel tools (in the top-left corner).</p>
<p>Major Features and Symbology</p>	<p>Zoning</p> <ul style="list-style-type: none"> • Zone Boundaries: solid red lines that overlay all other features of the map. <p><i>Towards the centre of each zone area the zone code is provided with a bolded, capitalized, red text annotation with a white border.</i></p>	<p>Zoning</p> <ul style="list-style-type: none"> • Comprehensive Development District 1: dark pink polygon; • Comprehensive Development District 2: navy blue polygon; • Centre 1: burgundy polygon; • Centre 2: red polygon; • Cluster Housing 1: yellow polygon; • Cluster Housing 2: light yellow polygon; • Commercial Light Industrial: lavender polygon; • Corridor: magenta polygon; • Downtown Dartmouth: medium purple polygon; • Downtown Halifax: dark pink polygon; • Department of National Defence: dark grey polygon; • Established Residential 1: light beige polygon; • Established Residential 2: medium beige polygon; • Established Residential 3: dark beige polygon; • Hospital: pink polygon; • Heritage Conservation District – Schmidville: brown polygon; • Higher-Order Residential 1: dark orange polygon; • Higher-Order Residential 2: orange polygon; • Harbour Related Industry: light purple polygon; • Institutional: turquoise polygon; • Light Industrial: medium blue polygon; • Park and Community Facility: lime green polygon; • Regional Park: light green polygon; • University and College 1: capri blue polygon;

Table E1. Best Practices Review – Online, Interactive Applications (cont'd)

<p>Major Features and Symbology (cont'd)</p>		<ul style="list-style-type: none"> • University and College 2: aquamarine blue polygon; and • Water Access: light blue polygon. <p><i>Varying hue intensities are used to symbolize zones within the same class (i.e., residential zones are varying intensities of orange and yellow).</i></p> <p><i>Towards the centre of each zone area the zone code is provided with a capitalized, black text annotation.</i></p>
<p>Map Elements</p>	<p>Title, Graphic Scale Bar, and Legend.</p>	<p>Title and Legend.</p>
<p>Scale</p>	<p>Graphic Scale Bar.</p>	<p>Not Provided.</p>
<p>Units</p>	<p>Metres by default but may be changed to feet, kilometres, yards, miles, or nautical miles.</p>	<p>Not Provided.</p>
<p>Orientation</p>	<p>Not Applicable.</p>	<p>Not Applicable.</p>
<p>Colour Scheme</p>	<p>Full Colour.</p>	<p>Full Colour.</p>
<p>Other Considerations</p>	<p>The About tool provides information pertaining to how to use the online, interactive application and its tools.</p> <p>In addition to the zoning layer, information contained in other draft By-Law CDU-1 schedules is provided, including but not limited to: the location of properties of heritage interest, protected motorway areas, riparian areas, natural areas of interest, anthropogenic constraints, and agricultural production zones. All these layers may be toggled on or off.</p>	<p>When a property is selected, additional zoning information beyond the zone code and class is provided, including but not limited to front and flanking yard, maximum building height, and bonus zoning rate provisions, in addition to whether or not the site is in a shadow impact assessment area, special area, or active or proposed heritage conservation district, if applicable.</p>

Appendix F. Mapping Best Practices Review – General Findings

Table F1. Mapping Best Practices Review – General Findings

Mapping Best Practices Review – General Findings		
	Key Maps and Schedules	Online, Interactive Application
Location and Access	Included within the zoning by-law, which may be viewed in print at a municipality’s Municipal Offices or accessed online through a municipality’s website. Often, key maps and schedules are attached to the zoning by-law as an Appendix item.	Accessed online through the municipality’s website, often from the same page where the online version of the zoning by-law may be viewed. An internet connection is required to access this resource.
Structure	<p>Most zoning by-laws utilize Index Maps and Key Maps, which are numbered sequentially, to communicate zoning information.</p> <p>Zoning information, including an area’s designated zone class or code or site-specific height and/ or density requirements, is typically provided by way of a text annotation located within a distinguished area. The zoning maps of the City of Vaughan and City of Markham are an example of this approach.</p> <p>However, to increase map legibility, zoning provisions may be presented across several maps. For instance, the zone code applicable to a site may be provided on one map, while a holding zone or intensity provisions, such as required minimum and maximum heights or floor area ratios, are provided on another. The Town of Newmarket and City of Halifax utilize this approach.</p>	<p>If instructions on how to utilize the online, interactive application are provided, they may be included on the webpage with the link to the application. Alternatively, instructions may be provided within the application itself under the “Info” tool or as a “Take A Tour” feature.</p> <p>Like the instructions on how to use the online, interactive application, a disclaimer may be provided on the webpage with the link to the application or within the application itself. If provided within the application itself, the disclaimer often appears in the middle of the screen upon the application’s launch. Terms of Use, if provided, are typically found in the same location as the disclaimer. A user may need to agree to the Terms of Use prior to accessing the online, interactive application.</p>

Table F1. Mapping Best Practices Review – General Findings (cont’d)

<p>Layout and Tools</p>	<p>The layout of zoning maps varies but can be summarized under three approaches.</p> <ol style="list-style-type: none"> 1. As utilized by the Town of Newmarket and City of Vaughan, the title of the map is at the top of the page, while all other map elements, including the scale bar or ratio scale and/or legend, are provided along the bottom of the page. 2. As demonstrated by the Town of Oakville, all map elements are placed adjacent to one another, typically near the bottom-right corner of the page. 3. As adopted by the City of Halifax and City of Laval, the map elements are in a column format, on the right side of the page. <p>For the second and third approach, there is a clear effort to avoid overlaying the title, scale bar, legend, and other elements on the map itself.</p> <p>Several key maps and schedules have locator maps and indicate the projection or coordinate system used to create the map. This information can provide further context and improve the map’s overall interpretability.</p>	<p>Most frequently, the online, interactive application’s title is provided at the top of the page. A scale bar or ratio scale is often found in the bottom-left corner and the default location of the legend is along either the left or right edge of the page.</p> <p>Interactive tools are usually clustered together in the top-left or top-right corners of the application. The most common tools supported by the application include:</p> <ul style="list-style-type: none"> • Zoom-In/Zoom-Out; • Search; • Identify; • Help/About; • My Location; • Basemap Gallery; • Layers/Layers List; • Legend; • Measurement; and • Print.
<p>Major Features and Symbolology</p>	<p>Reference features often include places of interest, such as parks and open spaces, community centres, and major landmarks; waterbodies; major and minor streets; parcel boundaries; and building footprints, which may be visualized as solid grey/black polygons or as white polygons with black outlines.</p>	<p>The symbology of major features in the online, interactive application closely reflects that of the key maps and schedules. However, a more varied colour scheme is often utilized by the online application.</p>

Table F1. Mapping Best Practices Review – General Findings (cont'd)

<p>Major Features and Symbology (cont'd)</p>	<p>With regards to major and minor streets and parcel boundaries, a visual hierarchy is achieved through the use of varying line weights and colour intensities. For instance, the weight of the line used to symbolize streets decreases from highways to arterial roadways to minor roads and local roads. Further, the intensity of the line's hue often decreases as well. In short, more important features are darker and larger than background information. Parcel boundaries, which are plentiful and highly concentrated, are often symbolized with thin, light grey lines to avoid overcrowding the map.</p> <p>Similar to the symbology used for different street features, boundary lines often have a strong visual hierarchy. If the municipal boundary is provided, it is usually a dark colour and of a heavy line weight. Boundary lines for other areas, such as zoning areas, are much lighter in comparison, both in terms of line weight and colour.</p> <p>Special policy areas, site specific appeals, and lands not subject to the zoning by-law are typically identified by lightly coloured polygons or with a patterned overlap. Most commonly, a hatched patterned overlay is used.</p> <p>Zoning provisions are provided by text annotations that are located toward the centre of a zone area, which is delineated by a black or dark grey, medium weight line.</p>	<p>A unique feature of the online, interactive application is the ability to toggle on and off different layers. This enables a user to define which features and information are displayed on the map at a given time. As such, a user can directly control a map's visual display and influence its legibility. Generally, the more layers activated, the more cluttered a map becomes, which detracts from its interpretability.</p>
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Table F1. Mapping Best Practices Review – General Findings (cont'd)

<p>Major Features and Symbology (cont'd)</p>	<p>Capitalized, bold black text is often used for the annotation. To further improve legibility, the text may have a white outline (see the City of Vaughan’s Zoning By-Law 001-2021 Schedule A – Map 16 as an example).</p> <p>In addition to the delineated zone areas with text annotations identifying zone provisions, several municipalities present zone classes as coloured polygons with varying hue intensities to identify zones of a similar class. This is illustrated by the key maps and schedules of the City of Halifax’s and the City of Vaughan’s zoning by-laws. Interestingly, similar colours are used across the zoning by-laws of several municipalities for the same zoning classes. For instance, residential zone areas are often symbolized with yellow or orange polygons while mixed-use zones utilize purple or pink polygons.</p> <p>If intensity provisions such as height or density measures are visualized on a separate map from the zoning classes or codes, they are often visualized with a white polygon that includes a text annotation providing the provisions details, such as the minimum or maximum required height. The Town of Newmarket and City of Halifax both adopt this approach.</p>	
<p>Map Elements</p>	<p>Title, North Arrow, Scale Bar or Ratio Scale, and Legend.</p>	<p>Title, Scale Bar or Ratio Scale, and Legend. North Arrows are often absent as the default orientation of the online, interactive application sets the top of the page as the north direction.</p>

Table F1. Mapping Best Practices Review – General Findings (cont'd)

Scale	Graphic Scale Bar and/or Ratio Scale.	If a scale is provided, the Graphic Scale Bar is more common.
Units	Kilometres on city-wide maps and metres on all other maps.	Metres. However, the Measurement Tool allows other measures to be selected such as kilometres, feet, and miles.
Orientation	Dependent on the municipality's or exhibited area's geographic shape. To preserve map legibility, all elements should be rotated to the same degree.	Not Applicable.
Colour Scheme	Varied. Newer zoning by-laws often utilize a full colour scheme to provide zoning information. This approach is the most visually compelling and has a higher degree of map legibility than limited colour schemes or greyscale maps.	Full Colour.
Other Considerations	<p>Index maps that designate key map boundaries along street lines, such as the Town of Oakville, rather than by an arbitrary grid, as is the case for the City of Vaughan, are more easily interpretable and convenient. For instance, if street lines are used to establish key map boundaries, parcels that fall within a zone area are unlikely to be severed, which would then require the review of two key maps to identify the parcel's zoning.</p> <p>Important map information, including the zoning by-law's enactment or approval date, is beneficial to include as it improves the map's interpretability.</p> <p>When the same symbology is used for different features, a map's legibility and effectiveness is negatively impacted.</p>	<p>A special benefit of the online, interactive application is the ability for a user to review the zone provisions of a site then access the applicable regulations of the zoning by-law through a hyperlink that is provided in a text box when a user selects a parcel in the application. This is a convenient feature as the user does not have to view the zoning schedule then flip back through the zoning by-law to read the applicable regulations. Instead, in just a single click the user is directed to the correct section, chapter, or page.</p> <p>When the same symbology is used for different features, a map's legibility and effectiveness is negatively impacted.</p>

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic Development

Subject: Application by Foxhollow North Kent Developments Inc.
1284 and 1388 Sunningdale Road West
Foxhollow North Kent Subdivision - Phase 4
Removal of Holding Provisions

Date: June 20, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, based on the application by Foxhollow North Kent Developments Inc., relating to portion of lands located at 1284 and 1388 Sunningdale Road West, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting to be held on July 5, 2022 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands **FROM** a Holding Residential R1 (h•h-100•R1-3) Zone, a Holding Residential R1 (h•h-100•R1-5) and an Open Space (OS1) Zone **TO** a Residential R1 (R1-3) Zone, Residential R1 (R1-5) and an Open Space (OS1) Zone to remove the h and h-100 holding provisions.

Executive Summary

Purpose and the Effect of Recommended Action

The purpose and effect of this zoning change is to remove the h and h-100 holding symbols to permit the development of 93 single detached lots within a residential plan of subdivision (Foxhollow North Kent – Phase 4).

Rationale of Recommended Action

1. The conditions for removing the holding (h & h-100) provisions have been met and the recommended amendment will allow development of single detached dwellings in compliance with the Zoning By-law.
2. Subdivision security has been posted with the City in accordance with City policy, and the Subdivision Agreement for Phase 4 has been executed by the applicant and the City.
3. Provision has been made for a looped watermain system to ensure adequate water service, as well as provision for a second public road access to the satisfaction of the City.

Linkage to the Corporate Strategic Plan

Building a Sustainable City – London's growth and development is well planned and sustainable over the long term.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

February 1999 - Report to Planning Committee to recommend approval of Foxhollow Community Plan (O-5604)

December 2008 - Report to Planning Committee to recommend approval of the draft plan

of subdivision and associated zoning by-law amendments (39T-04510 / Z-6824)

July 20, 2009 - Report to Planning Committee to recommend a revised draft plan of subdivision and associated zoning by-law amendments (39T-04510 / Z-6824)

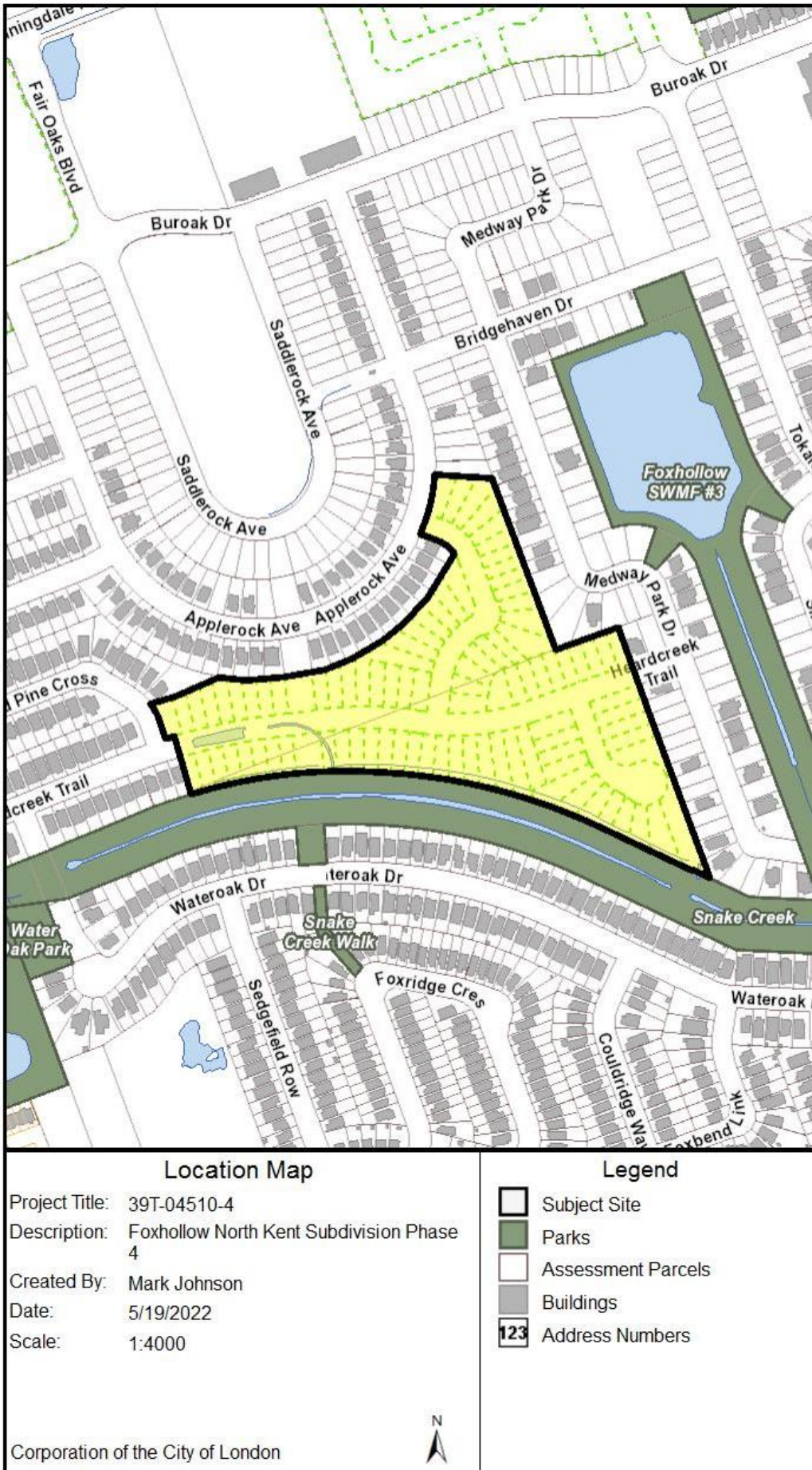
February 19, 2019 - Report to Planning and Environment Committee to recommend a 3 year extension of draft plan approval until April 21, 2022 (39T-04510)

November 30, 2020 - Report to Planning and Environment Committee to revise Draft Plan of Subdivision and zoning by-law amendments to permit additional uses, including street townhouse dwellings on the lands fronting the south side of Buroak Drive (39T-04510 / Z-9216)

August 30, 2021 – Report to Planning and Environment Committee to request for extension of draft plan approval (39T-04510)

2.0 Discussion and Considerations

2.1 Location Map



2.2 Description of Proposal

This proposal is for consideration of a request to remove the holding provision from lots 1 to 93 within the Foxhollow North Kent Subdivision (Phase 4) to permit development of single detached dwellings.

2.3 Planning History

The plan of subdivision was draft approved in 2009 and since that time the applicant has requested several draft approval extensions. The Phases 1 & 2 of this subdivision have been registered (33M-703). The third phase was broken into three subphases and Phase 3A was registered on June 2, 2020 as 33M-784 and Phase 3B was registered on December 17, 2020 as 33M-793 and Phase 3C was registered on August 18, 2021 as 33M-804. The owner requested a 3 year extension of draft approval in 2021. At its' meeting on September 14, 2021, City Council requested that the Approval Authority approve the three year extension. The new draft approval expiry date is September 14, 2024.

The holding (h & h-100) provisions were applied in 2009 at the time the Draft Plan of Subdivision was approved.

2.4 Community Engagement (see more detail in Appendix B)

There were no responses received to the Notice of Application.

3.0 Financial Impact/Considerations

Through the completion of the works associated with this application fees, development charges and taxes will be collected. There are no direct financial expenditures associated with this application.

4.0 Key Issues and Considerations

4.1 Have the conditions for removal of the holding (h) provision been met?

Section 36(1) of the Planning Act allows municipalities to place holding provisions on properties to ensure that certain requirements have been addressed to the satisfaction of Council, prior to development. Through the Zoning By-law amendment and Draft Plan of Subdivision application process, two holding provisions were added to the subject site to ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development, and to ensure that there is adequate water service and appropriate access. The holding provisions, and confirmation as to how each requirement has been satisfied, are noted below:

The purpose of the holding ("h") provision in the zoning by-law is as follows:

"Purpose: To ensure the orderly development of lands and the adequate provision of municipal services, the "h" symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of the approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development."

Permitted Interim Uses: Model homes are permitted in accordance with Section 4.5(2) of the By-law.

A Subdivision Agreement has been executed between Foxhollow North Kent Developments Inc. and the City of London. Foxhollow North Kent Developments Inc. has also posted security as required by City policy and the Subdivision Agreement. Therefore, the condition has been met for removal of the h provision.

The purpose of the holding (“h-100”) provision in the Zoning By-law is as follows:

Purpose: To ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available to the satisfaction of the City Engineer, prior to the removal of the h-100 symbol.

Permitted Interim Uses: A maximum of 80 residential units.

The subdivision servicing drawings have been accepted by the City, and Foxhollow North Kent Developments Inc. has commenced with the installation of services, including the watermains and water looping of the subdivision with connections to the existing 200 mm diameter watermain on Heardcreek Trail to the east and west, and existing 200 mm diameter watermain on Applerock Avenue. Public road accesses are also provided to the subdivision street network with connections to Heardcreek Trail and Applerock Avenue. Therefore, the condition has been satisfied for removal of the h-100 provision.

Conclusion

The requirements for holding provision on the subject lands have been addressed which will allow the issuance of residential building permits for 93 single detached lots in Phase 4. In the opinion of Staff, the holding zone requirements have been satisfied and it is appropriate to proceed to lift the holding symbol from the zoning map.

Prepared by: Mark Johnson, MCIP, RPP
Senior Planner, Planning and Development

Reviewed by: Bruce Page
Manager, Planning and Development

Recommended by: Gregg Barrett, AICP
Director, Planning and Development

Submitted by: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic
Development

Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.

CC: Matt Feldberg, Manager, Subdivisions and Development Inspections

Appendix A

Bill No. (Number to be inserted by
Clerk's Office)
2022

By-law No. Z.-1- _____

A by-law to amend By-law No. Z.-1 to
remove holding provisions from the
zoning for a portion of the lands located
at 1284 and 1388 Sunningdale Road
West.

WHEREAS Foxhollow North Kent Developments Inc. has applied to
remove the holding provisions from the zoning for a portion of the lands located at 1284
and 1388 Sunningdale Road West, as shown on the map attached to this by-law, as set
out below;

AND WHEREAS it is deemed appropriate to remove the holding
provisions from the zoning of the said lands;

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning
applicable to a portion of the lands located at 1284 and 1388 Sunningdale Road West,
as shown on the attached map, to remove the h and h-100 holding provision so that the
zoning of the lands as a Residential R1 (R1-3) Zone, Residential R1 (R1-5) and an
Open Space (OS1) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

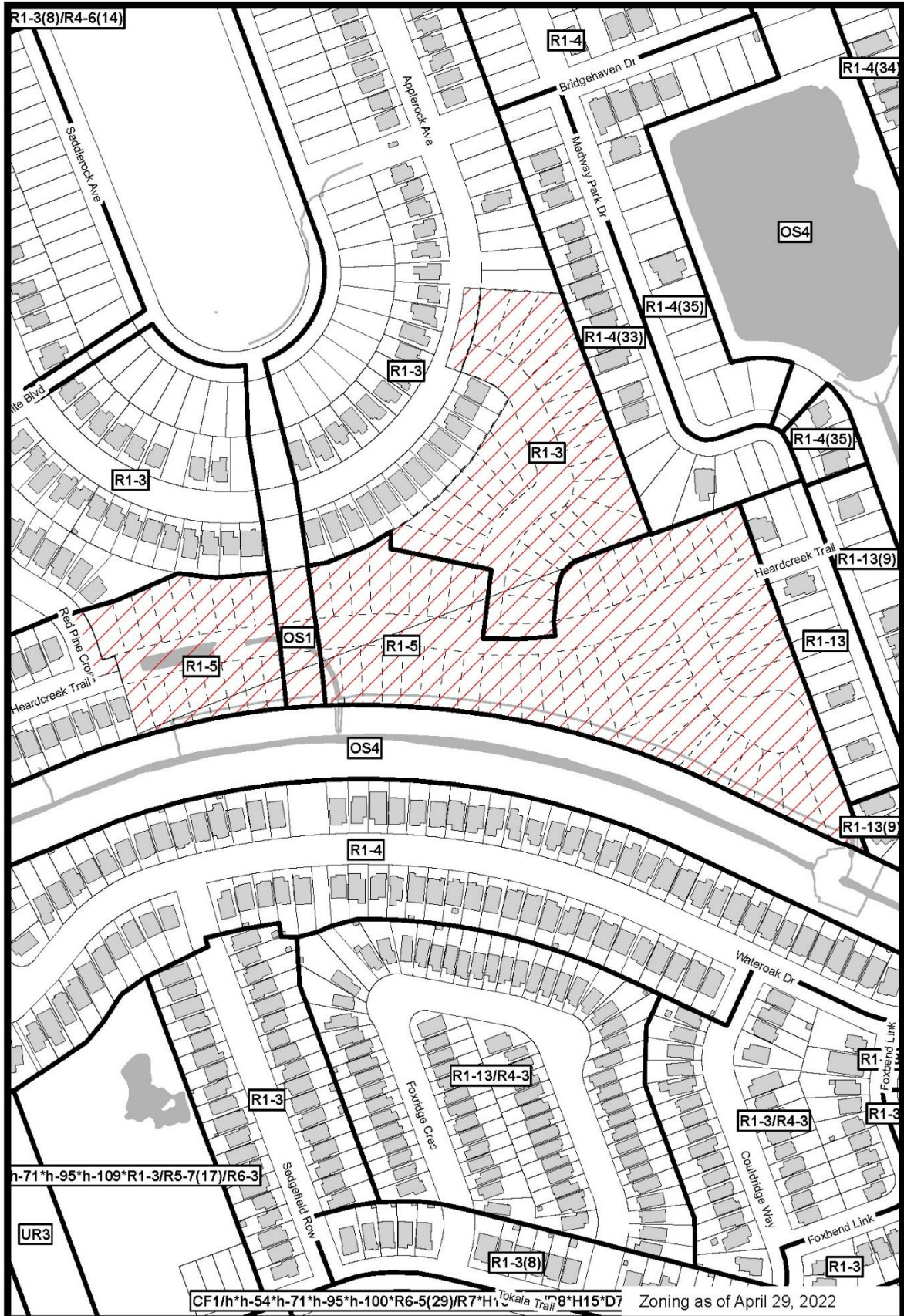
PASSED in Open Council on July 5, 2022.

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – July 5, 2022
Second Reading – July 5, 2022
Third Reading – July 5, 2022

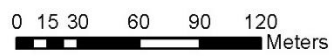
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: Z-9506
 Planner: MJ
 Date Prepared: 2022/05/26
 Technician: rc
 By-Law No: Z.-1-

SUBJECT SITE 

1:3,000



Appendix B – Public Engagement

Community Engagement

Public liaison: Notice of the application was published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on May 19, 2021.

Responses: No replies

Nature of Liaison: 1284 and 1388 Sunningdale Road West; located on the south side of Sunningdale Road West, between Wonderland Road North and Hyde Park Road, and on the north side of the Heard Drain – City Council intends to consider removing the Holding (“h” and “h-100”) Provisions from the zoning of the subject lands to allow development of a residential plan of subdivision. The purpose of the “h” provision is to ensure the orderly development of lands and the adequate provision of municipal services. The “h” symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development. The purpose of the h-100 symbol is to ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available to the satisfaction of the City Engineer. Interim uses may be permitted up to 80 units maximum. Council will consider removing the holding provision as it applies to these lands no earlier than **June 20, 2022**.

Response to Notice of Application and Publication in “The Londoner”

Telephone:
None

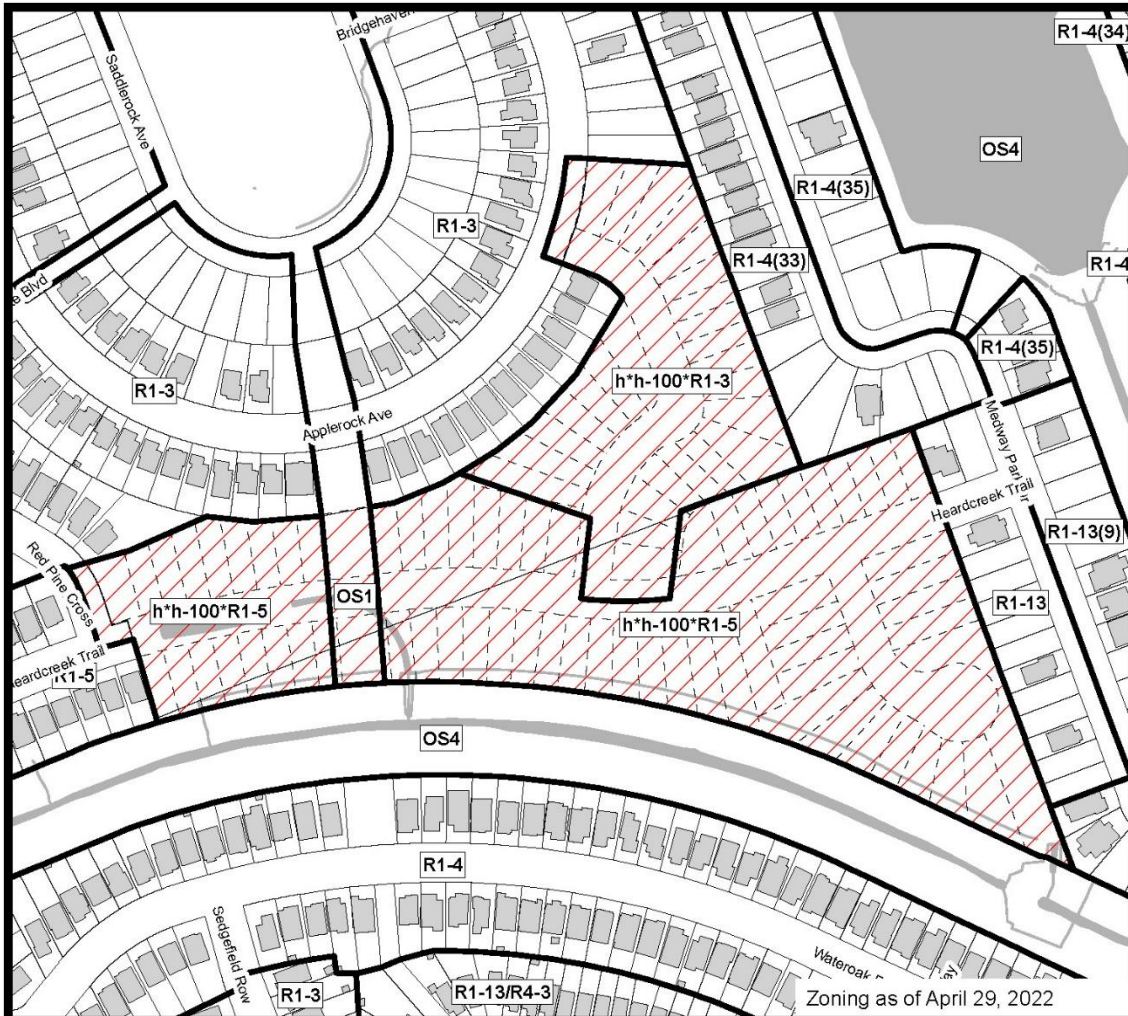
Written:
None

Significant Agency/Departmental Comments:

None

Appendix C – Relevant Background

Existing Zoning Map Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) LEGEND FOR ZONING BY-LAW Z-1

- | | |
|--|---|
| <ul style="list-style-type: none"> R1 - SINGLE DETACHED DWELLINGS R2 - SINGLE AND TWO UNIT DWELLINGS R3 - SINGLE TO FOUR UNIT DWELLINGS R4 - STREET TOWNHOUSE R5 - CLUSTER TOWNHOUSE R6 - CLUSTER HOUSING ALL FORMS R7 - SENIOR'S HOUSING R8 - MEDIUM DENSITY/LOW RISE APTS. R9 - MEDIUM TO HIGH DENSITY APTS. R10 - HIGH DENSITY APARTMENTS R11 - LODGING HOUSE
 DA - DOWNTOWN AREA RSA - REGIONAL SHOPPING AREA CSA - COMMUNITY SHOPPING AREA NSA - NEIGHBOURHOOD SHOPPING AREA BDC - BUSINESS DISTRICT COMMERCIAL AC - ARTERIAL COMMERCIAL HS - HIGHWAY SERVICE COMMERCIAL RSC - RESTRICTED SERVICE COMMERCIAL CC - CONVENIENCE COMMERCIAL SS - AUTOMOBILE SERVICE STATION ASA - ASSOCIATED SHOPPING AREA COMMERCIAL
 OR - OFFICE/RESIDENTIAL OC - OFFICE CONVERSION RO - RESTRICTED OFFICE OF - OFFICE | <ul style="list-style-type: none"> RF - REGIONAL FACILITY CF - COMMUNITY FACILITY NF - NEIGHBOURHOOD FACILITY HER - HERITAGE DC - DAY CARE
 OS - OPEN SPACE CR - COMMERCIAL RECREATION ER - ENVIRONMENTAL REVIEW
 OB - OFFICE BUSINESS PARK LI - LIGHT INDUSTRIAL GI - GENERAL INDUSTRIAL HI - HEAVY INDUSTRIAL EX - RESOURCE EXTRACTIVE UR - URBAN RESERVE
 AG - AGRICULTURAL AGC - AGRICULTURAL COMMERCIAL RRC - RURAL SETTLEMENT COMMERCIAL TGS - TEMPORARY GARDEN SUITE RT - RAIL TRANSPORTATION
 "h" - HOLDING SYMBOL "D" - DENSITY SYMBOL "H" - HEIGHT SYMBOL "B" - BONUS SYMBOL "T" - TEMPORARY USE SYMBOL |
|--|---|

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

ZONING BY-LAW NO. Z-1 SCHEDULE A



FILE NO:

Z-9506

MJ

MAP PREPARED:

2022/05/26

RC

1:3,000

0 15 30 60 90 120

Meters

THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee

From: Scott Mathers, MPA, P.Eng.,
Deputy City Manager, Planning and Economic Development

Subject: London Plan Approval – Update on Ontario Land Tribunal
Decision and Status of London Plan

Date: June 20, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, the following report **BE RECEIVED** for information.

Executive Summary

The London Plan was adopted by Municipal Council on June 23, 2016 and was approved by the Province on December 28, 2016. The Plan was appealed to the Ontario Municipal Board (“OMB”), now named the Ontario Land Tribunal (“OLT”). The Tribunal ordered the issues of the city-wide policy appeals be heard in four (4) phases of hearings.

A Case Management Conference (CMC) was held on May 2, 2022, at which a motion was brought that would have the effect of resolving the final phase of city-wide policy appeals. The Tribunal issued a decision regarding the CMC on May 25, 2022 that resolves all remaining policy appeals of the City of London. A few site-specific appeals remain, but these site-specific appeals do not affect the implementation of the London Plan across the City.

As a result of the May 25, 2022 OLT Order, the London Plan is now fully in force and effect as the only official plan for the City of London. The 1989 Official Plan has been repealed and has no status as an official plan. Any new applications made under the *Planning Act* that are received by the City after the OLT decision date will be evaluated for conformity with the London Plan only.

London Plan Appeals Update

This report is consistent with the Strategic Plan, including the Strategic Area of Focus of “Building a Sustainable City”. Building a Sustainable City requires that “London’s growth and development is well planned and sustainable over the long term”, and that the City improves its resiliency to respond to potential future challenges, as well as directs future growth and intensification to strategic locations.

London Plan Appeals Update

1.0 Background Information

1.1 Previous phases of appeal hearings

As noted in the May 10, 2021 report to Planning and Environment Committee, the city-wide policy appeals of the London Plan were scoped into four phases based upon the category of appeal issues. Additionally, there were a number of site-specific appeals with regards to how policies or mapping was applied to a specific property or area. The hearing of issues was phased as follows:

- Phase 1A: Growth Management and Implementation;
- Phase 1B: Intensity, Bonusing, and High Density Residential Overlay;
- Phase 2: Natural Heritage; and

- Phase 3: Design and Mobility.

Phase 1 hearings occurred from September 23 to October 8, 2020. That hearing dealt with all of Phase 1A and approximately half of Phase 1B matters. On April 15, 2021 a Case Management Conference (CMC) hearing was held. The April 15, 2021 CMC resulted in the complete resolution of Phase 2 and Phase 3 matters on a city-wide basis.

Following the April 15, 2021 CMC, the matters that remained under appeal were:

- Maps 1, 2 and 7;
- Certain Place Types Use, Height and/or Intensity policies (and associated Heights Tables);
- Bonus Zoning policies; and
- High Density Residential (HDR) Overlay (from the 1989 Official Plan).

2.0 Final Phase of City-wide Appeals: May 2, 2022 CMC

2.1 Resolution Meetings

Following the resolution of Phase 2 and Phase 3 city-wide appeals, City Staff and appellants undertook an extensive resolution exercise for the remaining appealed matters of Phase 1B. This involved exchange of proposed alternative language and written positions, alternative mapping proposals, and responses to the written and map proposals.

A week of full-day meetings between City staff and appellants' counsel and professional planners were also held to discuss potential resolutions based on the policy and map proposals received.

The alternative policy language and mapping were prepared in anticipation of hearing dates scheduled for September 2022.

In March 2022, instructions and directions from City Council were received regarding the alternative policies and mapping from the resolution exercise.

The result of the resolution exercise was a motion made by the City to the OLT that all the remaining Phase 1B city-wide appeals be resolved, based on certain alternative language and mapping, and other appeals being withdrawn by the appellants. The motion was on the consent of all parties.

2.2 May 2, 2022 Case Management Conference

Following the Case Management Conference, the OLT issued a written decision on May 25, 2022 approving the modifications and otherwise disposing of all remaining City-wide appeals. In addition, several site-specific appeals were resolved.

Appendix "A" to this report is the May 25, 2022 OLT Order. The Order shows all policy and map changes resulting from this final phase of hearing.

The nature of the changes to the London Plan resulting from the May 25, 2022 OLT decision are summarized below.

2.2.1 Removal of References to "Bonus Zoning"

The Our Tools chapter of the London Plan includes a series of policies that operationalize "Bonus Zoning" and how applications for Bonus Zoning would be assessed (policies 1638 to 1655). The intended purpose of Type 1 Bonusing was to address site plan matters and "lock in" the design of development where buildings were at or near the "Standard Maximum Height" of their respective Place Type. Type 2

Bonusing, as proposed, was similar to the Bonus Zoning framework of the 1989 Official Plan, where the provision of public benefits was evaluated in exchange for additional density proposed. These public benefits are called “facilities, services, and matters” in the *Planning Act*. The public benefits may have included matters such as affordable housing, underground parking, public art, enhanced urban design, or enhanced environmental features.

The Type 2 Bonusing that was proposed in the London Plan was based upon Section 37 of the *Planning Act*. However, a change in Provincial legislation has repealed Section 37 of the *Planning Act* and therefore City Council will no longer be able to approve Section 37 Bonus Zones after September 18, 2022.

Through the May 25, 2022 OLT decision, the “Bonus Zoning” policies were removed from the London Plan. References to “Type 2 Bonus” heights are replaced with “Upper Maximum Height”. The framework of heights by Place Type is maintained. A site-specific Zoning Amendment application is required for development of heights greater than the “Standard Maximum Height” and up to the “Upper Maximum Height” of the respective place type. However, the Zoning By-law Amendment applications will no longer be governed by “bonusing” policies in the London Plan nor by Section 37 of the *Planning Act*.

2.2.2 High Density Residential (HDR) Overlay Revisions

The HDR Overlay is identified on Map 2 of the London Plan. Map 2 identifies properties that were designated Multi-Family, High Density Residential (MFHDR) in the 1989 Official Plan, but which are in London Plan Place Types that do not permit high density. Primarily these sites are designated as Neighbourhoods Place Type in the London Plan. Additional HDR Overlay sites were added through the OLT decision. The HDR Overlay recognizes certain lands that were designated MFHDR in the 1989 Official Plan, including vacant sites, existing built-high rises, and certain context-specific considerations, such as redevelopment opportunity sites.

Map 2 is brought in to force and effect by the OLT decision.

2.2.3 Heights Policies and Tables

The OLT Order contains minor modifications to the adopted building height framework found in Tables 8, 9 and 11 and the individual Place Type Intensity policies. The London Plan also establishes a hierarchy of heights, with the Downtown and Transit Villages being the most intense, and Neighbourhoods Place Type being the least intense. Within Neighbourhoods there is also a hierarchy of heights based on street typology and the classification of street upon which a property has frontage. The modifications to the heights tables maintain the Plan’s hierarchy and consistent with the intent for each of the Urban Place Types.

The modified heights in policies and tables are shown in Appendix A, attached to this report.

2.2.4 Other policies and maps

In addition to Bonus Zoning, HDR Overlay, and Heights framework, the OLT decision includes several site-specific resolutions, and the upholding of Ministry-adopted language for certain other appealed policies.

Map 1 – Place Types is also brought into force in its entirety through the OLT decision.

Additionally, the OLT decision adds several properties and areas to Map 7 – Specific Policy Areas, in association with resolution of site-specific appeals.

3.0 Status of the London Plan and 1989 Official Plan

Council adopted the London Plan on June 23, 2016. The by-law to adopt the London Plan also directed the repeal of the 1989 Official Plan once the London Plan came into force and effect.

The London Plan is now in force and effect through the resolution of all City-wide appeals.

The London Plan is now the only official plan for the City of London. The 1989 Official Plan is repealed in accordance with the June 23, 2016 resolution of Council and no further action is required regarding the 1989 Official Plan.

The OLT Order also notes that notwithstanding the repeal of the 1989 Official Plan, bonus zoning applications that were made prior to the May 25, 2022 OLT Order date may continue to proceed until the Bonusing legislation changes on September 18, 2022.

Conclusion

The May 2, 2022 Case Management Conference hearing of the Ontario Land Tribunal addressed the final phase of London Plan policy appeals. The OLT issued its written decision on May 25, 2022.

This OLT decision dealt with all remaining city-wide appeals, including those related to Bonus Zoning, the High Density Residential (HDR) Overlay, and certain permitted heights, permitted uses, and intensity policies. Many site-specific appeals were also withdrawn or resolved through this decision.

As a result of the May 25, 2022 OLT order, all maps of the London Plan are now in force, including Map 1 (Place Types), Map 2 (HDR Overlay), and Map 7 (Specific Area Policies).

The only remaining appeals are site-specific appeals, which will be addressed through future Case Management Conferences or hearings of the OLT.

The London Plan is now in effect as the only official plan for the City of London. The 1989 Official Plan is repealed and has no legal status as an official plan. For any new applications under the *Planning Act* that are received by the City after May 25, 2022, the determinative analysis will be entirely based on the London Plan and evaluations will be for conformity with policies of the London Plan only.

Staff are preparing a consolidated version of the London Plan. This updated version of the London Plan will be published on the City's website shortly.

Prepared by:	Travis Macbeth, MCIP, RPP Senior Planner, Long Range Planning & Research
Reviewed by:	Justin Adema, MCIP, RPP Manager, Long Range Planning & Research
Recommended by:	Gregg Barrett, AICP Director, Planning & Development
Concurred by:	Aynsley Anderson Solicitor II, City Solicitor's Office
Submitted by:	Scott Mathers, MPA, P.Eng. Deputy City Manager, Planning and Economic Development

Appendix A – OLT Order, May 25, 2022

[See attached for Appendix A]

Appendix B – Relevant Background

Additional Reports

October 9, 2018 “London Plan Status Update,” Planning and Environment Committee.

November 30, 2020 “London Plan – Appeals and LPAT Hearing Update,” Planning and Environment Committee.

May 10, 2021 “London Plan Appeals Update – Results of April 15, 2021 Local Planning Appeal Tribunal (LPAT) Decision

Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: May 25, 2022

CASE NO(S): OLT-22-002286
(Formerly) PL170100

PROCEEDING COMMENCED UNDER subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant: 1390226 Ontario Inc.
Appellant: 1610341 Ontario Inc.
Appellant: 1705823 Ontario Ltd. (C/O York
Developments)
Appellant: 1739626 Ontario Ltd. (c/o York
Developments); and others
Subject: The London Plan
Municipality: City of London
OLT Case No.: OLT-22-002286
Legacy Case No.: PL170100
OLT Lead Case No.: OLT-22-002286
Legacy Lead Case No.: PL170100
OLT Case Name: Lansink v. London (City)

Heard: May 2, 2022 by video hearing

APPEARANCES:

Parties

City of London

Ministry of Municipal Affairs and
Housing

All Remaining Appellants as listed in
Attachment 1

Counsel

A. Anderson
C. McCreery (student-at-law)

A. Beamish

A. Baroudi, P. Lombardi, A. Skinner,
J. Cheng and V. Sharma (*in absentia*)

DECISION DELIVERED BY S. TOUSAW AND ORDER OF THE TRIBUNAL

Introduction

[1] This Case Management Conference (“CMC”) addressed various remaining appeals to the City of London’s (“City”) new Official Plan, known as the “London Plan.”

[2] The City’s Motion Record was marked as Exhibit 1. The City presented its Motion, with the consent of all Parties, and for which no Responses were filed. The Parties seek the Tribunal’s approval of modifications to the London Plan on the settlement of all remaining City-wide appeals and the settlement of three site-specific appeals.

[3] With the Tribunal’s acceptance of the Motion, hearings scheduled to begin on June 6, 2022 and September 26, 2022 are now cancelled, and the next CMC is scheduled for **September 26, 2022** as set out below.

Participants

[4] Annamaria Valastro, Participant to Appeal 37 only, had filed an update with the Tribunal advising that her statement will be filed when the issues are identified by the Parties.

Motion

[5] The Tribunal approves the City’s Motion, with consent of all Parties, that results in a modified and fully in-force London Plan, without prejudice to the remaining site-specific appeals. The effect of this Decision is to replace the 1989 Official Plan (“1989 OP”) with the new London Plan, again except as relates to the remaining site-specific appeals.

[6] The Tribunal accepts the affidavit evidence of City staff member Justin Adema, Registered Professional Planner, whom the Tribunal affirmed and qualified previously in these proceedings. The Tribunal summarizes Mr. Adema's planning evidence as follows.

[7] The London Plan, as adopted, included provisions for potential building height increases utilizing the bonusing provisions of the *Planning Act* ("Act") then in force. With the Act now amended to remove a municipality's use of bonusing effective September 18, 2022, the London Plan will now utilize a zoning by-law amendment process to consider site-specific height increases with public consultation and based on specified limits, a site's context, potential impacts, and mitigation measures.

[8] To recognize certain sites that were identified in the 1989 OP for additional height and density in the residential designation, the London Plan will contain a modified overlay with associated policies. This approach respects previous permissions for appropriate residential intensification and needed housing without compromising the London Plan's approach to the provision of housing and compatible neighbourhoods.

[9] Also related to building heights, the London Plan will continue with its hierarchy of heights for various neighbourhoods, locations, higher order streets, and transit areas, but with modest height increases to enable suitable intensification and redevelopment.

[10] With the foregoing modifications, all City-wide appeals are addressed and have or will be withdrawn.

[11] The modifications also address three site-specific appeals affecting: 3924 Colonel Talbot Road, 845-875 Commissioners Road East, and 135 Villagewalk/Upper Richmond Village. Appropriate policies and mapping are included to address site-specific development areas and requirements including road alignments, natural heritage, and area plans.

[12] On the uncontested evidence of Mr. Adema, the Tribunal finds that the requested modifications have suitable regard for the provincial interests of s. 2 of the Act, are consistent with the Provincial Policy Statement, and constitute good planning in the public interest. The Tribunal has considered the decisions of the City and the consent of the Appellants in arriving at acceptable policy and mapping modifications to resolve all City-wide appeals to the London Plan. In the Order below, paragraphs [21] through [24] reflect the specific wording requested by the Parties.

[13] The Tribunal congratulates the Parties on their success in resolving appeals while achieving good planning in the public interest. Such resolution resulted from a collaborative approach through extensive discussions and further study culminating in a suitable London Plan for all.

Case Management Conference

[14] With only site-specific appeals remaining, the Parties requested a further CMC to hear Settlement Motion(s) or to finalize Procedural Order(s) for necessary hearings on the merits.

[15] The next **CMC** will be held by video hearing at **10 a.m.** on **Monday, September 26, 2022**. No further Notice will be given.

GoTo Meeting: <https://global.gotomeeting.com/join/501975085>
Audio-only telephone line: +1 (647) 497-9373 or (Toll-Free) 1 (888) 299-1889
Access code: 501-975-085

[16] Statutory Parties and anyone seeking Party or Participant status are asked to log into the video hearing at least **15 minutes** before the start of the event to test their video and audio connections.

[17] Parties and Participants are asked to access and set up the application well in advance of the event to avoid unnecessary delay. The desktop application can be downloaded at [GoToMeeting](https://app.gotomeeting.com/home.html) or a web application is available:

<https://app.gotomeeting.com/home.html>

[18] Persons who experience technical difficulties accessing the GoToMeeting application or who only wish to listen to the event can connect to the event by calling into an audio-only telephone line with the access code provided.

[19] Individuals are directed to connect to the event on the assigned date at the correct time. It is the responsibility of the persons participating in the CMC hearing by video to ensure that they are properly connected to the event at the correct time. Questions prior to the hearing events may be directed to the Tribunal's Case Coordinator having carriage of this case.

ORDER

[20] The Tribunal Orders its directions and rulings set out in this Decision pertaining to the cancellation of hearings and scheduling the next Case Management Conference.

[21] The Tribunal Orders that, in accordance with subsection 20(2) of Ontario Regulation 174/16 and subsection 17(50) of the *Planning Act* as it read on April 2, 2018:

- (a) those policies within the London Plan identified in Exhibit 1, Schedule A (as corrected and refiled on May 17, 2022) are modified and approved as modified;
- (b) Map 1 is modified and approved as modified in accordance with Exhibit 1, Schedule B;
- (c) Map 2 is modified and approved as modified in accordance with Exhibit 1, Schedule C;

- (d) Map 5 is modified and approved as modified in accordance with Exhibit 1, Schedule D;
- (e) Map 7 is modified and approved as modified in accordance with Exhibit 1, Schedule E;
- (f) all policies as modified and approved are in effect as of the date of issuance of this Decision.

[22] The Tribunal further Orders that the approval of the Plan shall be strictly without prejudice to, and shall not have the effect of limiting:

- (a) The right of Appellants to continue site-specific appeals;
- (b) The jurisdiction of the Tribunal to consider and approve modifications, deletions or additions to the unapproved policies, schedules, maps, figures, definitions, tables and associated text in the London Plan on a site-specific basis, as the case may be, provided that the parties shall be bound by the commitments made by them to scope their issues to a site-specific or area-specific basis as identified in this proceeding.

[23] The Tribunal further Orders that notwithstanding the repeal of the 1989 Official Plan, any *Planning Act* application made prior to the date of this Order, can continue to be processed in accordance with the policies that were in force prior to this Decision, including but not limited to the bonusing policies.

[24] The Tribunal further Orders that this concludes the appeal of policies that apply on a City-wide basis, and that only site-specific appeals as indicated in Exhibit 1, Schedule F are continued, and that the 1989 Official Plan shall not be repealed as it applies to those properties only.

[25] This Member is not seized but is available through the Case Coordinator for case management purposes.

“S. Tousaw”

S. TOUSAW
MEMBER

Ontario Land Tribunal

Website: www.olt.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal (“Tribunal”). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal.

OLT-22-002286 – Attachment 1**All Remaining Appellants**

Appeal No.	Counsel	Address	Appellant Name	Status as of October 7, 2021 CMC
17	Lombardi	4545 Scotland	Farhi	Has been withdrawn.
20	Vikas Sharma	1957 Sunningdale	John Ross	Adjourned to May 2, 2022 CMC to address new owner's intentions and potential status request.
22	Lombardi	Victoria/ Wilton Grove	London Dairy	Adjourned to May 2, 2022 CMC to either resolve or file PO and Issues List and set hearing date.
24	Lombardi	Commissioners	Margaret Ross	2-day hearing scheduled for June 13-14, 2022.
4	Baroudi	1885 Fanshawe E	Auburn	1-day hearing scheduled as part of 5-day block June 6-10, 2022.
4	Baroudi	1284&1338 Sunningdale	Auburn	1-day hearing scheduled as part of 5-day block June 6-10, 2022.
4	Baroudi	2065 Kilally	Auburn	1-day hearing scheduled as part of 5-day block June 6-10, 2022.
4	Baroudi	108 Exeter Rd	Auburn	1-day hearing scheduled as part of 5-day block June 6-10, 2022.
4	Baroudi	3924 Colonel Talbot	Auburn	1-day hearing scheduled as part of 5-day block June 6-10, 2022.
4	Baroudi	1924 Adelaide St N	Auburn	Hold pending disposition of Phase 4.
8	Baroudi	186&188 Huron	KAP	Hold pending disposition of Phase 4.
12	Baroudi	240 Waterloo	1610341 Ontario Inc.	No instructions

18	Baroudi	Grosvenor/ St. George./ St. James	Grosvenor Development Corp.	Hold pending disposition of Phase 4.
29	Baroudi	Richmond/ Windermere	Richmond North MCC675	Hold pending disposition of Phase 4.
1	Duffy/ Cheng	560-562 Wellington	Auburn	Hold pending disposition of development application currently in process.
15	Duffy/ Cheng	193-199 College Ave	York	Hold pending disposition of Phase 4.
19	Duffy/ Cheng	1192 Highbury Ave N	York	Hold pending disposition of Phase 4.
36	Duffy/ Cheng	175-199 Ann St	York	Hold pending disposition of Phase 4.
37	Duffy/ Cheng	550 Ridout St N	York	Hold pending disposition of Phase 4.
41	Duffy/ Cheng	3080 Bostwick	York	Hold pending disposition of Phase 4.
27	Duffy/ Cheng	1299 Oxford St E	Westdell	Hold pending disposition of Phase 4.
4	Duffy/ Cheng	135 Villagewalk/ Upper Richmond Village	Auburn / York	Hold pending disposition of Phase 4.

OLT-22-002286 – Schedule A

POLICY	ORIGINAL LONDON PLAN	TRIBUNAL APPROVED MODIFICATION
813	<p>The following intensity policies apply within the Transit Village Place Type:</p> <ol style="list-style-type: none"> 1. Buildings within the Transit Village Place Type will be a minimum of either two storeys or eight metres in height and will not exceed 15 storeys in height. Type 2 Bonus Zoning beyond this limit, up to 22 storeys, may be permitted in conformity with the Our Tools policies of this Plan. 2. Planning and development applications within the Transit Village Place Type will be evaluated to ensure that they provide for an adequate level of intensity to support the goals of the Place Type, including supporting rapid transit, efficiently utilizing infrastructure and services, ensuring that the limited amount of land within this place type is fully utilized, and promoting mixed-use forms of development. 3. Permitted building heights will step down from the core of the Transit Village to any adjacent Neighbourhoods Place Types. 4. For larger-scale projects on deep lots, a grid-based internal road network should be established to facilitate further development/ 	<p>[Policy unchanged except (1)]:</p> <ol style="list-style-type: none"> 1. Buildings within the Transit Village Place Type will be a minimum of either two storeys or eight metres in height and will not exceed 15 storeys in height. High-rise buildings up to 22 storeys may be permitted in conformity with the Our Tools policies of this Plan.

	<p>redevelopment over time.</p> <p>5. In aggregate, no more than 20,000m² of office space will be permitted within any Transit Village Place Type. Individual buildings will not contain more than 5,000m² of office space.</p> <p>6. The Zoning By-law will include regulations to ensure that the intensity of development is appropriate for individual sites.</p> <p>The full extent of intensity described above will not necessarily be permitted on all sites within the Transit Village Place Type.</p>	
<p>828</p>	<p>Our Urban Corridors will support a form of development that is very similar to our Rapid Transit Corridors, but at a slightly lower intensity. They will be places that encourage intensification over the life of this Plan so that they can mature to support higher-order transit at some point in the future beyond 2035. These corridors will generally support mid-rise residential and mixed use development. Like the Rapid Transit Corridors, different segments of these Urban Corridors may vary in use, character and intensity.</p>	<p>Our Urban Corridors will support a form of development that is very similar to our Rapid Transit Corridors, but at a slightly lower intensity. They will be places that encourage intensification over the life of this Plan so that they can mature to support higher-order transit at some point in the future beyond 2035. These corridors will support residential and mixed use development. Like the Rapid Transit Corridors, different segments of these Urban Corridors may vary in use, character and intensity.</p>
<p>829</p>	<p>Rapid Transit Corridors are the connectors between our Downtown and our Transit Villages. They offer great opportunities for people to live and work close to high-order transit to give them attractive mobility choices. These corridors will vary from segment to segment, depending upon their context, the degree to which they are transitioning from one form to</p>	<p>Rapid Transit Corridors are the connectors between our Downtown and our Transit Villages. They offer great opportunities for people to live and work close to high-order transit to give them attractive mobility choices. These corridors will vary from segment to segment, depending upon their context, the degree to which they are transitioning from one form to another and City Council's goals for their future development. The Urban Corridors are mixed-use areas that may develop into good candidates for future rapid transit corridors beyond the life of this Plan.</p>

	<p>another and City Council's goals for their future development. The Urban Corridors are also mid-rise, mixed-use areas that may develop into good candidates for future rapid transit corridors beyond the life of this Plan.</p>	
837	<p>The following uses may be permitted within the Rapid Transit Corridor and Urban Corridor Place Types, unless otherwise identified by the Specific-Segment policies in this chapter:</p> <ol style="list-style-type: none"> 1. A range of residential, retail, service, office, cultural, recreational, and institutional uses may be permitted within the Corridor Place Type. 2. Mixed-use buildings will be encouraged. 3. Large floor plate, single use buildings will be discouraged in Corridors. <p>Where there is a mix of uses within an individual building, retail and service uses will be encouraged to front the street at grade.</p>	<p>[Policy unchanged except (3)]:</p> <ol style="list-style-type: none"> 3. Large floor plate, single use non-residential buildings will be discouraged in Corridors.
839	<p>Table 9 shows the minimum height, maximum height, and maximum height with bonusing zoning that may be permitted in the Rapid Transit and Urban Corridor Place Types.</p>	<p>Table 9 shows the minimum height, standard maximum height, and upper maximum height that may be permitted in the Rapid Transit and Urban Corridor Place Types.</p>
840	<p>The following intensity policies apply within the Rapid Transit and Urban Corridor Place Types unless otherwise identified:</p> <ol style="list-style-type: none"> 1. Development within Corridors will be sensitive to adjacent land uses and employ such methods as transitioning building heights or providing sufficient buffers to ensure compatibility. 	<p>[Policy unchanged except (7)]:</p> <ol style="list-style-type: none"> 7. High-rise buildings up to the limits set out in Table 9, may be permitted in conformity with the Our Tools policies of this Plan.

	<ol style="list-style-type: none"> 2. Commercial buildings should not exceed 6,000m² in size within Corridors. 3. Lot assembly is encouraged within the Corridor Place Types to create comprehensive developments that reduce vehicular accesses to the street and to allow for coordinated parking facilities. 4. Lots will be of sufficient size and configuration to accommodate the proposed development and to help mitigate planning impacts on adjacent uses. 5. Individual buildings will not contain more than 2,000m² of office space, except within 100metres of rapid transit stations where buildings may contain up to 5,000m² of office space. An aggregate total of no more than 5,000m² will be allowed within 100 metres of a rapid transit station. 6. As shown on Table 9, greater residential intensity may be permitted within the Rapid Transit Corridor Place Type on sites that are located within 100 metres of a rapid transit station. 7. Type 2 Bonus Zoning up to the limits set out in Table 9, may be permitted in conformity with the Our Tools policies of this Plan. 8. The Zoning By-law will include regulations to ensure that the intensity of 	
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	<p>development is appropriate for individual sites.</p> <p>9. The full extent of intensity described above will not necessarily be permitted on all sites within the Rapid Transit and Urban Corridor Place Types.</p>	
<p>920</p>	<p>Tables 10 to 12 give important guidance to the permitted uses, intensity, and form of development that may be permitted on lands within the Neighbourhoods Place Type. The following policies provide direction for the interpretation of these tables:</p> <ol style="list-style-type: none"> 1. For the purposes of Tables 10 to 12 of this Plan, frontage will be defined as the lot line that abuts a street. 2. Tables 10 to 12 specify the broadest range of uses and greatest intensity that may be permitted within the Neighbourhoods Place Type. It must be clear that zoning on individual sites may not allow for the full range of uses or intensity shown in these Tables. Zoning by-law amendment applications will be evaluated based on the Planning and Development Application policies in the Our Tools part of this Plan to ensure that the permitted range of uses and intensity of development is appropriate within the context of the neighbourhood. 3. Where more specific policies exist relating 	<p>[Policy unchanged except (8)]:</p> <p>8. For the purposes of Tables 10 to 12, frontage onto park space will be interpreted as follows:</p> <ol style="list-style-type: none"> a. All of the park classifications identified in the Parks and Recreation chapter of this Plan are considered to be parks. However, linear pathways, trails and narrow access points to parks will not qualify as parks for the purposes of Tables 10 to 12. b. Lots located across the street will be considered fronting onto the park if a minimum of 50% of the lot's frontage is directly across from the park. If this criterion is met, Tables 10 to 12 will be applied as though the entire property fronts onto a park. c. Lots located on the same side of the street will be considered fronting onto the park if they abut the park at the street and can be designed to activate and create positive interaction with the space.

	<p>to permitted uses and intensity of development for an area or specific site, those more specific policies shall prevail.</p> <p>4. Where development is being considered at the intersection of two streets of different classifications:</p> <ol style="list-style-type: none"> a. The higher-order street onto which the property has frontage, will be used to establish the permitted uses and intensity of development on Tables 10 to 12. b. The development will be oriented toward the higher-order street. c. The development will be permitted only if it can be demonstrated, in conformity with the policies of this Plan, that it will be a good fit and will not undermine the character of the lower-order street. <p>5. Where an intersection exists, the permitted uses and intensity of development on Tables 10 to 12 shall apply only to those properties that have lot lines directly abutting both intersecting streets. With the exception of Neighbourhood Streets, this policy may also be applied where a single street turns at, or close to, right angles. In this case, the single street will be considered as two separate intersecting</p>	
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	<p>streets for the purposes of this policy.</p> <p>6. Where development is being considered on a lot that has frontage on two or more streets of different classifications but is not located at an intersection, such as in existing rear-lotted neighbourhoods:</p> <ul style="list-style-type: none">a. The lower-order street will generally be used to establish the permitted uses and intensity of development on Tables 10 to 12.b. Where land assembly has occurred and the development fulfills all of the development criteria of the Planning and Development Applications section in the Our Tools part of this Plan, the higher-order street may be used to establish the permitted uses and intensity of development on Tables 10 to 12.c. When the higher-order street has been used to establish the permitted uses and intensity of development on Tables 10 to 12, the development will be required to complement the existing or planned character of each street onto which it has frontage.	
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	<p>7. A window street is a neighbourhood street or neighbourhood connector that abuts, and is parallel to, a higher-order street such as a Civic Boulevard or Urban Thoroughfare. For the purposes of Tables 10 to 12, where a property fronts onto a window street and is directly across from a higher-order street, it will be considered to have frontage onto the higher-order street. This will apply only to development that is front-oriented to the higher-order street. Where development fronts onto a window street, the higher-order street will be used to determine frontage.</p> <p>8. For the purposes of Tables 10 to 12, frontage onto park space will be interpreted as follows:</p> <ol style="list-style-type: none"> a. All of the park classifications identified in the Parks and Recreation chapter of this Plan are considered to be parks. However, linear pathways, trails and narrow access points to parks will not qualify as parks for the purposes of Tables 10 to 12. b. A minimum of 50% of a lot's frontage must be directly across the street from the park. If this criterion is met, Tables 10 to 12 will be applied 	
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	as though the entire property fronts onto a park.	
955	While recognizing this strategy moving forward, The London Plan also recognizes the High Density Residential areas that were designated in the previous Official Plan, even where they are not within the targeted place types. Map 2 identifies these lands as High Density Residential Overlay (from the 1989 Official Plan). It is important to recognize that Map 2 is an overlay on top of the Urban Place Types identified in Map 1. For these lands, the Place Type represents the long-term vision for each of these areas to the year 2035.	While recognizing this strategy moving forward, The London Plan also recognizes High Density Residential areas that were designated in the previous Official Plan. Map 2 identifies these lands as High Density Residential Overlay (from the 1989 Official Plan). Map 2 is an overlay that permits high-rise buildings, in addition to the policies of the underlying Urban Place Types identified in Map 1.
956	Not all High Density Residential designations from the 1989 Official Plan have been carried over as shown on Map 2 of this Plan. Those High Density Residential designations that have not been carried over include: <ol style="list-style-type: none"> 1. Lands that are located within a place type in the London Plan that allows for higher intensity residential buildings. Lands that have been developed for residential buildings of six storeys or less and are best reflected by the Neighbourhoods Place Type.	Policy Deleted
957	Planning and development applications conforming with the underlying place type shown on Map 1 will be encouraged.	Policy Deleted
958	Notwithstanding the height and intensity policies of the underlying place type, the following overlay policies may be applied: <ol style="list-style-type: none"> 1. Inside the Primary Transit Area, residential 	[Policy unchanged except (1), (3), (4), (5)]: <ol style="list-style-type: none"> 1. Inside the Primary Transit Area, residential development may be permitted up to 14 storeys in height within the High Density Residential Overlay (from 1989 Official Plan). 1. Outside the Primary Transit Area residential development may be permitted up to 12 storeys in height and at a density of up to 150 units per hectare

	<p>development may be permitted up to 12 storeys in height within the High Density Residential Overlay (from 1989 Official Plan).</p> <ol style="list-style-type: none"> 2. Outside the Primary Transit Area residential development may be permitted up to 12 storeys in height and at a density of up to 150 units per hectare on lands within the High Density Residential Overlay (from the 1989 Official Plan). 3. On large sites or areas within the High Density Residential Overlay (from 1989 Official Plan), capable of accommodating multiple buildings, a diversity of housing forms such as mid-rise and low-rise apartments and multiple attached dwellings will be required. 4. Type 2 Bonus Zoning, as described in the Bonus Zoning policies in the Our Tools part of this Plan, will be discouraged for development that exceeds the permitted standard height for the place type shown on Map 1. 5. Zoning may not allow for the full range of height and density identified in these policies. 6. Where Specific Policies are established for lands within the High Density Residential Overlay (from 1989 Official 	<p>on lands within the High Density Residential Overlay (from the 1989 Official Plan).</p> <ol style="list-style-type: none"> 2. Large areas within the High Density Residential Overlay (from 1989 Official Plan), capable of accommodating multiple buildings, should include a diversity of housing forms such as mid-rise and low-rise apartments and multiple attached dwellings. 3. [Policy Deleted] 5. Zoning may not allow for the full range of height and density identified in these policies. Existing buildings with heights and/or densities exceeding the heights and/or densities permitted in this policy may continue to be permitted.
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	<p>Plan), and there is a conflict between those policies and the parent High Density Residential Overlay (from 1989 Official Plan) policies, the Specific Policies shall prevail.</p> <p>7. New or expanded High Density Residential Overlay (from 1989 Official Plan) designations will not be permitted.</p>	
959	Development within the High Density Residential Overlay (from 1989 Official Plan) will be monitored.	Policy Deleted
1033	The Woodfield Neighbourhood, which is approximately bounded by Richmond Street on the west, Dufferin Avenue and Queens Avenue on the south, Adelaide Street North on the east and the CPR tracks on the north, is characterized by predominantly low-rise residential development, with a mix of higher density uses and office conversions. Parts of this neighbourhood are within both the East and West Woodfield Heritage Conservation Districts to which the conservation guidelines apply.	The Woodfield Neighbourhood, which is approximately bounded by Richmond Street on the west, Dufferin Avenue and Queens Avenue on the south, Adelaide Street North on the east and the CPR tracks on the north, is characterized by predominantly low-rise residential development, with a mix of higher density uses and office conversions. Parts of this neighbourhood are within both the East and West Woodfield Heritage Conservation Districts to which the conservation guidelines apply. It is a policy of this Plan to maintain these general characteristics of the Woodfield Neighbourhood.
1034	<p>It is a policy of this Plan to maintain the Woodfield Neighbourhood as a low-rise residential area. In keeping with this policy new office conversions will not be permitted except in the Rapid Transit Corridor and Urban Corridor Place Types along Richmond Street, Adelaide Street North, in the Downtown, and in the following areas:</p> <ol style="list-style-type: none"> 1. Central Avenue – north side between Richmond Street and Waterloo Street; south side between Wellington Street and Waterloo Street. 	<p>New office conversions will not be permitted except in the Rapid Transit Corridor and Urban Corridor Place Types along Richmond Street, Adelaide Street North, in the Downtown, and in the following areas:</p> <ol style="list-style-type: none"> 1. Central Avenue – north side between Richmond Street and Waterloo Street; south side between Wellington Street and Waterloo Street. 2. Dufferin Avenue – south side between Waterloo Street and Colborne Street. 3. Princess Avenue – north side between Centennial Lane and Waterloo Street; south side 371 Princess Avenue only/ 4. Queens Avenue – north side between Waterloo Street and Adelaide Street North; south side between Waterloo Street and Adelaide Street North. 5. Waterloo Street – both sides between Pall Mall Street and Princess Avenue.

	<p>Wellington Street and Waterloo Street.</p> <ol style="list-style-type: none"> 2. Dufferin Avenue – south side between Waterloo Street and Colborne Street. 3. Princess Avenue – north side between Centennial Lane and Waterloo Street; south side 371 Princess Avenue only/ 4. Queens Avenue – north side between Waterloo Street and Adelaide Street North; south side between Waterloo Street and Adelaide Street North. 5. Waterloo Street – both sides between Pall Mall Street and Princess Avenue. 6. Wellington Street – west side, between the CPT tracks and Central Avenue; east side, between the CPR tracks and Wolfe Street. 	<ol style="list-style-type: none"> 6. Wellington Street – west side, between the CPT tracks and Central Avenue; east side, between the CPR tracks and Wolfe Street.
<p>1638</p>	<p>BONUS ZONING City Council may pass a by-law, known as a bonus zone, to authorize increases in the height and density of development beyond what is otherwise permitted by the Zoning By-law, in return for the provision of such facilities, services, or matters as are set out in the bonus zone.</p>	<p>ZONING TO THE UPPER MAXIMUM HEIGHT The maximum height in the applicable Place Type may include a standard maximum and upper maximum height. Zoning on individual sites may be permitted up to the standard maximum height. Applications to exceed the standard maximum height will be reviewed on a site-specific basis and will not require an amendment to this Plan. Heights exceeding the upper maximum will require an amendment to this Plan.</p>
<p>1639</p>	<p>Where an owner of land elects to provide facilities, services, or matters in return for an increase in the height or density of development, the municipality will require the owner to enter into one or more agreements with the City dealing with the facilities, services, or matters. This agreement may include such things as drawings, elevations, and site plans. The agreement may be registered against the</p>	<p>Policy Deleted</p>

	land to which it applies and the City will be entitled to enforce the agreement against the owner, and, subject to the provisions of the Registry Act and the Land Titles Act, against any and all subsequent owners of the land.	
1640	Each proposal for bonus zoning will be considered on its own merits. The allowance for greater height and density on one site in return for certain facilities, services, and matters will not be considered to establish a precedent for similar height and density on any other site.	Policy Deleted
1641	The facilities, services and matters to be provided in return for greater height or density do not necessarily have to be provided on the same site as the proposed development. City Council may want to have such benefits directed to a property in the applicable neighbourhood or to lands within the wider city.	Policy Deleted
1642	Where an application has been made for a Type 1 or Type 2 Bonus Zone, the applicant shall submit a Justification Report that identifies the facilities, services or matters that are to be provided and how their public benefit is commensurate with the extent of the greater height and density that is being requested.	Policy Deleted
1643	Bonus zoning may be utilized to achieve any of the policy objectives of the London Plan. Consistent with the Planning Act, the London Plan establishes the following two separate classifications of Bonus Zoning: <ol style="list-style-type: none"> 1. Type 1 Bonus Zoning – where the proposed bonus zone allows for a height or density that is within the standard maximum height or 	Policy Deleted

	<p>density limit allowed in the applicable place type.</p> <p>2. Type 2 Bonus Zoning – where the proposed bonus zone allows for a height or density that exceeds the standard maximum height or density limit allowed in the applicable place type.</p>	
1644	A framework of heights, permitted under Type 1 and Type 2 Bonus Zoning, is shown on Table 8 at the beginning of the Urban Place Type policies.	<p>[Renumber as 1639]</p> <p>A framework of heights that includes standard maximum and upper maximum heights, is shown on Table 8 at the beginning of the Urban Place Type policies.</p>
1645	In order to provide certainty and to ensure that the features required to mitigate the impacts of the additional height and densities are provided, Type 1 Bonus Zoning may be applied, within the standard maximum height or density limit for a place type, where the requested height or density would not be appropriate unless significant measures are put in place to support or mitigate this additional height or density. Through the bonus zone, the community, City Council and other stakeholders can be assured that such measures will be implemented in return for additional height or density as a development agreement must be entered into that fulfills the bonus provisions before this additional height or density is allowed. In this way, the bonus zone serves to lock in the important mitigating measures that ensure the development represents good planning.	<p>[Renumber as 1640]</p> <p>In order to provide certainty and to ensure that the features required to mitigate the impacts of the additional height and densities are provided, a site-specific zoning by-law amendment will be required to exceed the standard maximum height. Through the amendment process the community, City Council and other stakeholders can be assured that measures will be implemented to mitigate any impacts of additional height or density.</p>
1646	While City Council may invoke Type 1 Bonus Zoning under a wide variety of circumstances, it is primarily intended to be used under one or more of the following circumstances:	Policy Deleted

	<ol style="list-style-type: none"> 1. When the proposed development is at the upper threshold of the standard maximum height limit. 2. When there is a significant difference between the proposed development and the surrounding existing uses in terms of height, intensity, or form. 3. Where there are significant compatibility and/or fit issues that rely heavily upon mitigating measures for the proposed development to represent good planning. 	
1647	The standard maximum height and intensity limits of the place type will not be exceeded through Type 1 Bonus Zoning.	Policy Deleted
1648	Heritage conservation requirements may be addressed through Type 1 Bonus Zoning.	Policy Deleted
1649	Type 2 Bonus Zoning may allow for a height or density that exceeds the standard height or density limited otherwise permitted by the applicable place type. Table 8 can be consulted for easy reference to standard heights as well as the height limits under Type 2 Bonus Zoning.	Policy Deleted
1650	Type 2 Bonus Zoning may permit greater height or density in favour of a range of facilities, services or matters that provide significant public benefit in pursuit of the City Building goals of this Plan. However, an applicant must demonstrate that this greater height or density represents good planning.	Policy Deleted
1651	In all cases, proposals for Type 2 Bonus Zoning shall meet the requirements of Type 1 Bonus Zoning.	Policy Deleted

1652	<p>Under Type 2 Bonus Zoning, additional height or density may be permitted in favour of facilities, services, or matters such as:</p> <ol style="list-style-type: none"> 1. Exceptional site and building design. 2. Cultural heritage resources designation and conservation. 3. Dedication of public open space. 4. Provision of off-site community amenities, such as parks, plazas, civic spaces, or community facilities. 5. Community garden facilities that are available to the broader neighbourhood. 6. Public art. 7. Cultural facilities accessible to the public. 8. Sustainable forms of development in pursuit of the Green and Healthy City policies of this Plan. 9. Contribution to the development of transit amenities, features, and facilities. 10. Large quantities of secure bicycle parking, and cycling infrastructure such as lockers and change rooms accessible to the general public. 11. The provision of commuter parking facilities on site, available to the general public. 12. Affordable housing. 13. Day care facilities, including child care facilities and family centres within nearby schools. 14. Car parking, car sharing and bicycle 	Policy Deleted
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	<p>sharing facilities all accessibly to the general public.</p> <p>15. Extraordinary tree planting, which may include large caliper tree stock, a greater number of trees planted than required, or the planting of rare species as appropriate.</p> <p>16. Measure that enhance the Natural Heritage System, such as renaturalization, buffers from natural heritage features that are substantively greater than required, or restoration of natural heritage features and functions.</p> <p>17. Other facilities, services or matters that provide substantive public benefit.</p>	
1653	Type 2 Bonus Zoning will only be permitted where it is demonstrated that the resulting intensity and form of the proposed development represents good planning within its context.	[Renumber as 1641] Increases in building height above the Standard Maximum may be permitted where the resulting intensity and form of the proposed development represents good planning within its context.
1654	Greater height or density offered through Type 2 Bonus Zoning will be commensurate with the public value of the facility, service or matter that is provided.	Policy Deleted
1655	Where cash is received by the municipality in favour of the greater height or density through bonus zoning, all money received shall be paid into a special account and spent only for the facilities, services or matters specified in the implementing by-law.	Policy Deleted
1780	This map shows lands that were designated Multi-Family High Density Residential in the 1989 Official Plan that	This map shows lands that are included in the High Density Residential Overlay (from 1989 Official Plan).

<p>preceded the London Plan. It should be recognized that this is an “overlay” map, and the long-term vision for all lands is shown in the Place Type Map. High Density Residential lands which have been developed for lower intensity uses and are within an underlying place type consistent with this lower intensity of development are not included on this map. Furthermore, lands that have been assigned an underlying place type that would support high-rise residential development have not been included on this map.</p>	
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Place type	Minimum height (storeys or m)	Standard Maximum height (storeys)	Upper Maximum Height With Type-2 Bonus (storeys)	Condition
Downtown	3 storeys or 9m	20	35	
Transit Village	2 storeys or 8m	15	22	
Rapid Transit Corridor	2 storeys or 8m	8 10	12	Properties located on a Rapid Transit Corridor
	2 storeys or 8m	12	16	Properties located on a Rapid Transit Corridor within 100m of rapid transit stations or properties at the intersection of the Rapid Transit Corridor and a Civic Boulevard or Urban Thoroughfare
Urban Corridor	2 storeys or 8m	6 8	8 10	
Shopping Area	1 storey	4	6	
Main Street	2 storeys or 8m	4	6	
Neighbourhood	See Neighbourhood policies and tables			
High Density Residential	2 storeys	12 (outside of the Primary)	n/a	See High Density Residential

Overlay (from 1989 OP)		<u>Transit Area) or 14 (inside the Primary Transit Area)</u>		Overlay (from 1989 Official Plan) policies for greater detail
Institutional	2 storeys or 8m	12	15	
Industrial	1 storey	2	n/a	Commercial Industrial Place Type only

Note 1 – The heights shown in this table will not necessarily be permitted on all sites within the relevant place type.

Note 2 – Where more specific policies exist in this Plan relating to height for an area or specific site, these more specific policies shall prevail. Readers should consult all the policies of the relevant place type chapter, Map 7 which shows specific policy areas, and the Secondary Plans part of this Plan to identify all applicable specific policies.

Note 3 – ~~Type 1 Bonus Zoning may be permitted up to the standard maximum height~~ Zoning may be applied up to the Standard Maximum Height; increases in height may be considered up to the Upper Maximum Height in accordance with the Our Tools part of the Plan.

Place Type	Minimum height (storeys or m)	Standard Maximum Height (storeys)	<u>Upper Maximum Height with Type 2 Bonus</u> (storeys)	Condition
Rapid Transit Corridor	2 storeys or 8m	8-10	12	Properties located on a Rapid Transit Corridor
	2 storeys or 8m	12	16	Properties located on a Rapid Transit Corridor within 100m of rapid transit stations or properties at the intersection of a Rapid Transit Corridor and a Civic Boulevard or Urban Thoroughfare
Urban Corridor	2 storeys or 8m	6-8	8-10	

Note 1 – the heights shown in this table will not necessarily be permitted on all sites within the Rapid Transit and Urban Corridor Place Types.

Note 2 – Where more specific policies exist in this Plan relating to height for an area or specific site, these more specific policies shall prevail. Readers should consult all the policies of this chapter, Map 8Z which show specific policy areas and the Secondary Plans part of this Plan to identify applicable specific policies.

Note 3 – ~~Type 1 Bonus Zoning may be permitted up to the standard maximum height~~ Zoning may be applied up to the Standard Maximum Height; increases in height may be considered up to the Upper Maximum Height in accordance with the Our Tools part of the Plan.

Table 11- range of permitted heights in neighbourhoods place type						
Street onto which property has frontage	Minimum and maximum height (storeys) that may be permitted along this classification of street (Base condition)	Minimum and maximum height (storeys) that may be permitted conditional upon classification of intersecting street				Minimum and maximum height (storeys) that may be permitted condition upon fronting onto park
		Neighbourhood Street	Neighbourhood Connector	Civic Boulevard	Urban Thoroughfare	
Neighbourhood Street	Min 1 Max <u>2.5-3</u>	Same as base	Same as base	Same as base	Same as base	Same as base
Neighbourhood Connector	Min 1 <u>Standard</u> Max <u>2.5-3</u> Bonus up to <u>Upper Max 4</u> in Central London	Same as base	Min 2 <u>Standard</u> Max 3 Bonus up to <u>Upper Max 4</u> Bonus up to <u>Upper Max 6</u> in Central London	Min 2 <u>Standard</u> Max <u>3</u> <u>4</u> Bonus up to <u>Upper Max 4-6</u> Bonus up to <u>Upper Max 6-8</u> in Central London	Min 2 <u>Standard</u> Max <u>3</u> <u>4</u> Bonus up to <u>Upper Max 4-6</u> Bonus up to <u>Upper Max 6-8</u> in Central London	Min 2 <u>Standard</u> Max 3 Bonus up to <u>Upper Max 4</u>
Civic Boulevard	Min 2 <u>Standard</u> Max 4 <u>Upper Max 6</u> Bonus up to <u>6</u> <u>Upper Max 8</u> in Central London	Same as base	Same as base	Same as base	Same as base	Same as base
Urban Thoroughfare	Min 2 <u>Standard</u> Max 4 Bonus up to <u>Upper Max 6</u>	Same as base	Same as base	Same as base	Same as base	Same as base

	<u>Upper Max 8 in Central London</u>					
<p>Note 1 – The heights shown in this table will not necessarily be permitted on all sites within the Neighbourhoods Place Type.</p> <p>Note 2 – Where more specific policies exist in this Plan relating to height for an area or specific site, these more specific policies shall prevail. Readers should consult all the policies of this chapter, Map 7 which shows specific policy areas, and the Secondary Plans part of this Plan to identify applicable specific policies.</p> <p>Note 3 – <u>Zoning may be applied up to the Standard Maximum Height; increases in height may be considered up to the Upper Maximum Height in accordance with the Our Tools part of the Plan.</u></p>						

Site-Specific Policies to be Added to Plan

1. Sifton’s properties are captured in the HDR policy below, with the exception of Logan’s Run which should be placed with the West 5 Site Specific Policy.

Add new policy 898A:

898A_ Within the High Density Residential Overlay (from 1989 Official Plan), for the lands at 1970 Logans Run, a maximum density of 250 units per hectare and maximum height of 18 storeys will be permitted on this site.

2. Add new heading after policy 1077B, “Site Specific Policies in the HDR Overlay”.

Add new policy 1077C:

1077C_ Within the High Density Residential Overlay (from 1989 Official Plan) the following Specific Policies apply. These site specific special policies are not intended to restrict the ability of these properties to develop in accordance with the general policies applicable to the Overlay:

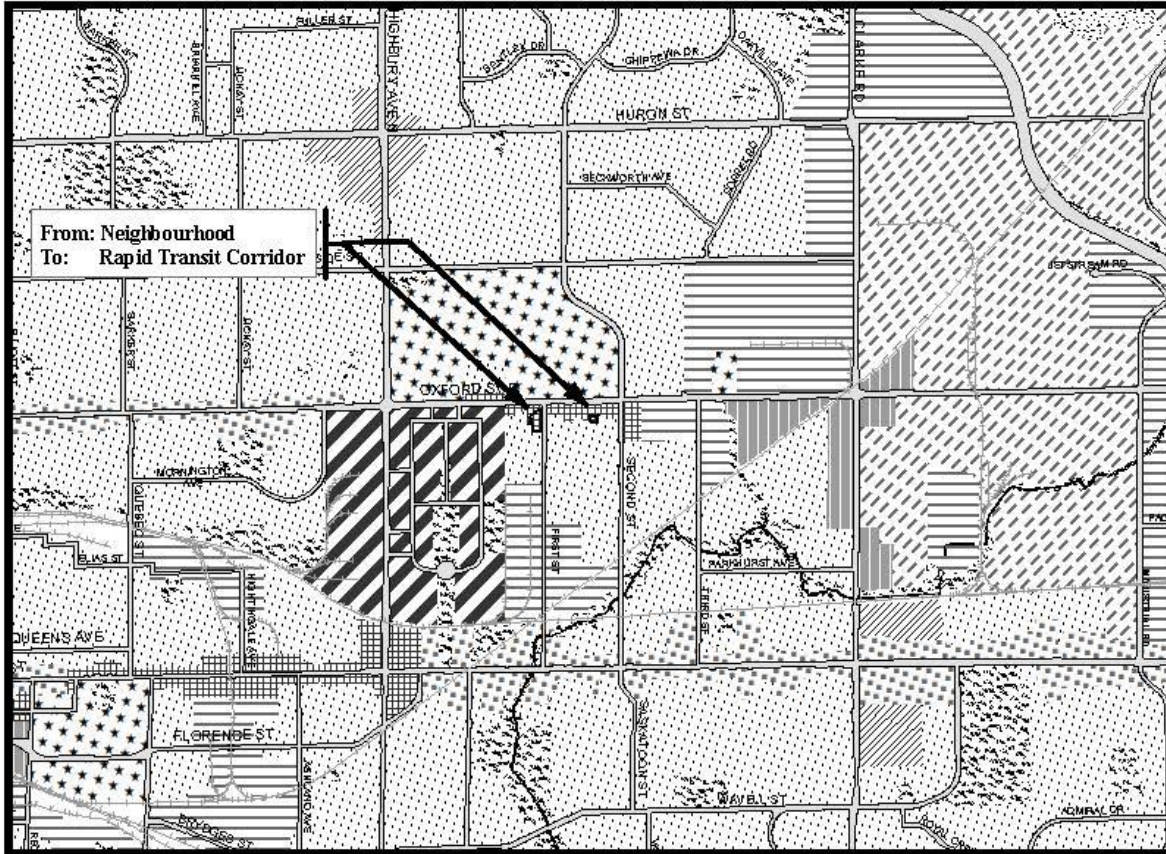
1. For the lands located at 101 Base Line Road West, a maximum height of 11 storeys and a maximum density of 150 units per hectare will be permitted.
2. For the lands located at 129-139 Base Line Road West, a maximum height of 11 storeys and a maximum density of 150 units per hectare will be permitted.

3. For the lands located at 955 Commissioners Road East, a maximum height of 14 storeys and a maximum density of 150 units per hectare will be permitted.
4. For the lands located at 978 Gainsborough, a maximum density of 150 units per hectare and a maximum height of 17 storeys will be permitted
5. For the lands located at 129-139 Pond Mills Road, a maximum height of 13 storeys and a maximum density of 150 units per hectare will be permitted
6. For the lands located at 1175 Riverbend Road, a maximum height of 16 storeys will be permitted.
7. For the lands located at 1266 Riverside Drive, a maximum height of 12 storeys and a maximum density of 268 units per will be permitted
8. For the lands located at 2525 Sheffield Boulevard, a maximum height of 14 storeys and a maximum density of 150 units per hectare will be permitted
9. For the lands located at 309 Southdale Road West, a maximum height of 14 storeys and a maximum density of 150 units per hectare will be permitted.
10. For the lands located at 329 Southdale Road West, a maximum height of 14 storeys and a maximum density of 150 units per hectare will be permitted.
11. For the lands located at 301 St. George Street, a maximum height of 15 storeys and a maximum density of 150 units per hectare will be permitted.
12. For the lands located at 2975 Tokala Trail, a maximum of 325 units and a maximum height of 15 storeys will be permitted.
13. For the lands located at 1095 Upperpoint Avenue, a maximum density of 250 units per hectare and a maximum height of 13 storeys will be permitted.
14. For the lands located at 160 Edgevalley Road, a maximum height of 12 storeys and a maximum density of 150 units per hectare will be permitted.

Policy	Adopted language	Tribunal approved modification
899	The following policy applies to lands within the Shopping Area Place Type and, where explicitly stated, lands within the adjacent Main Street Place Type, located on the northwest corner of Richmond Street and Sunningdale Road West. These policies are to be read in conjunction with the Urban Design Guidelines for Upper Richmond Village in Sunningdale North under the Our Tools part of this Plan.	The following policy applies to lands within the Shopping Area Place Type and, where explicitly stated, lands within the adjacent Main Street Place Type, located on the northwest corner of Richmond Street and Sunningdale Road West. These policies are to be read in conjunction with the Urban Design Guidelines for Upper Richmond Village in Sunningdale North under the Our Tools part of this Plan.
900	Retail uses will not exceed 16,000m ² and individual office uses will be 5,000m ² or less and will not exceed 10,000m ² in total floor space for the entire land area within the Shopping Area Place Type and the adjacent Main Street Place Type.	Within the Shopping Area Place Type and the adjacent Main Street Place Type bounded by Richmond Street, Sunningdale Road West, and Villagewalk Boulevard, a maximum height of up to ten storeys may be permitted. Within this area, retail uses will not exceed 16,000m ² and individual office uses will be 5,000m ² or less and will not exceed 10,000m ² in total floor space for the entire land area.
900A	[doesn't exist – new policy being proposed]	Within the Main Street Place Type applied to the lands bounded by Villagewalk Boulevard, Richmond Street, and Sunningdale Road West, a large floor plate commercial building may be permitted.
900B	[doesn't exist – new policy being proposed]	Within the Main Street Place Type and High Density Residential Overlay (from 1989 Official Plan) applied to the lands at 30 Villagewalk Boulevard and 100 Villagewalk Boulevard, a maximum building height of 12 storeys and maximum density of up to 300 units per hectare is permitted.

OLT-22-002286 – Schedule B

AMENDMENT NO:



From: Neighbourhood
To: Rapid Transit Corridor

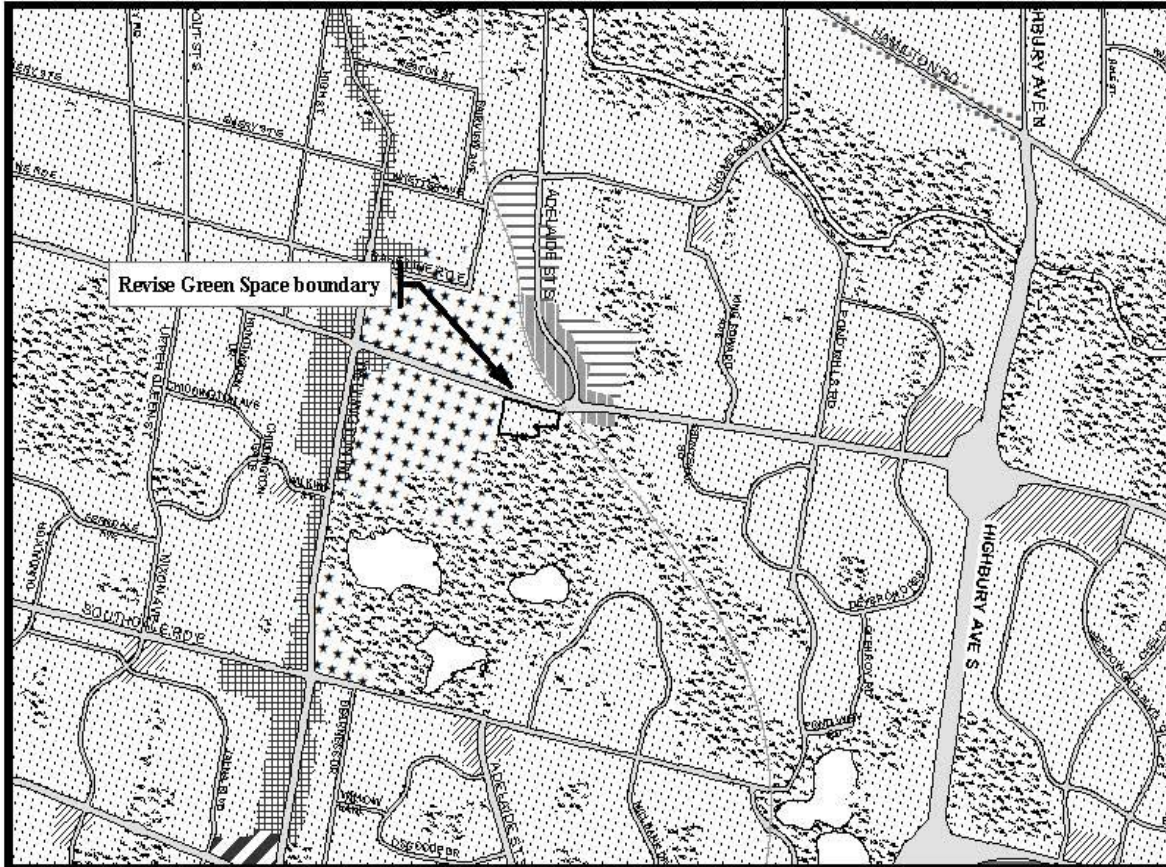
Legend

- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor | Commercial Industrial | Urban Growth Boundary |
| Main Street | Institutional | |
| Neighbourhood | Green Space | |

This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

<p>SCHEDULE # TO THE LONDON PLAN</p> <p>AMENDMENT NO. _____</p> <p>PREPARED BY: Planning Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER:</p> <p>PLANNER: TM</p> <p>TECHNICIAN: MB</p> <p>DATE: 3/10/2022</p>
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AMENDMENT NO:



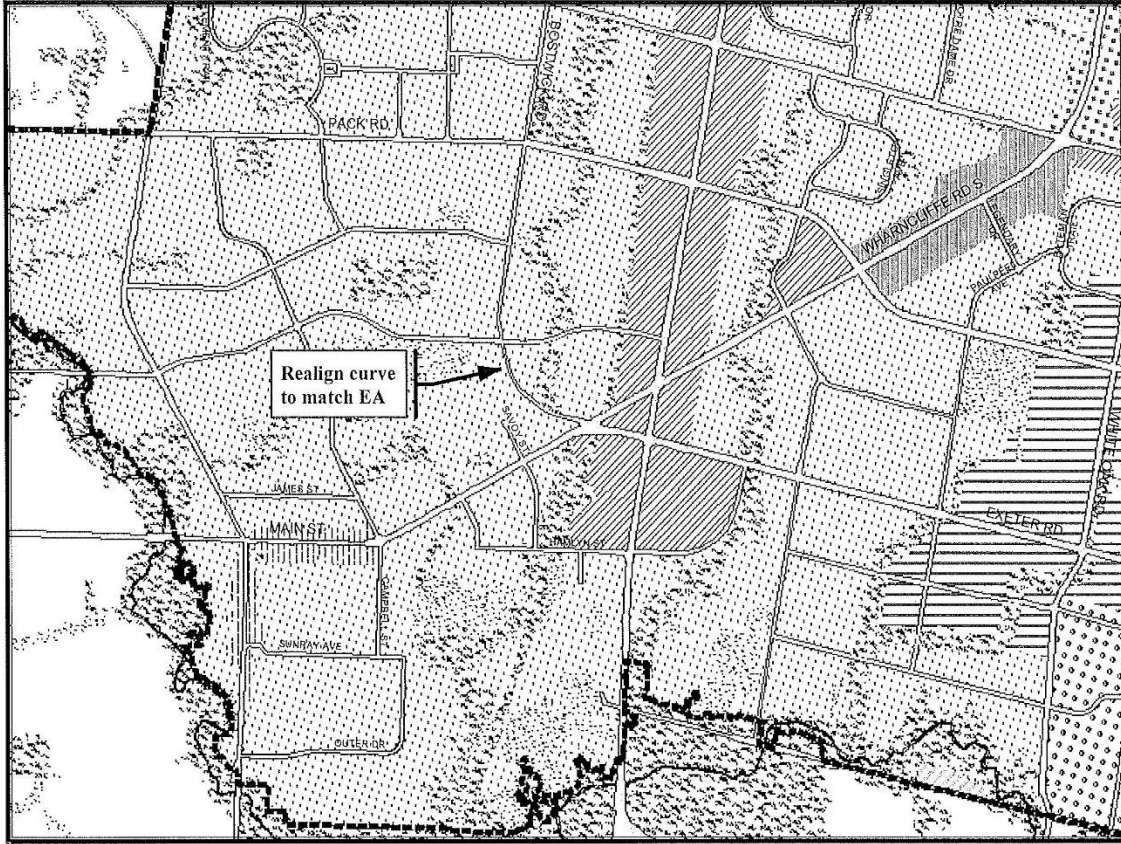
Legend

- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor | Commercial Industrial | Urban Growth Boundary |
| Main Street | Institutional | |
| Neighbourhood | Green Space | |

This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

<p style="text-align: center;">SCHEDULE # TO THE LONDON PLAN</p> <p>AMENDMENT NO. _____</p> <p><small>PREPARED BY: Planning Services</small></p>	<p>Scale 1: 30,000</p> <p>Meters</p>	<p>FILE NUMBER:</p> <p>PLANNER: TM</p> <p>TECHNICIAN: MB</p> <p>DATE: 3/14/2022</p>
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AMENDMENT NO:



Legend

- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor | Commercial Industrial | Urban Growth Boundary |
| Main Street | Institutional | |
| Neighbourhood | Green Space | |

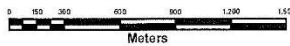
This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

**SCHEDULE #
TO
THE LONDON PLAN**
AMENDMENT NO. _____

PREPARED BY: Planning Services



Scale 1:30,000



FILE NUMBER:

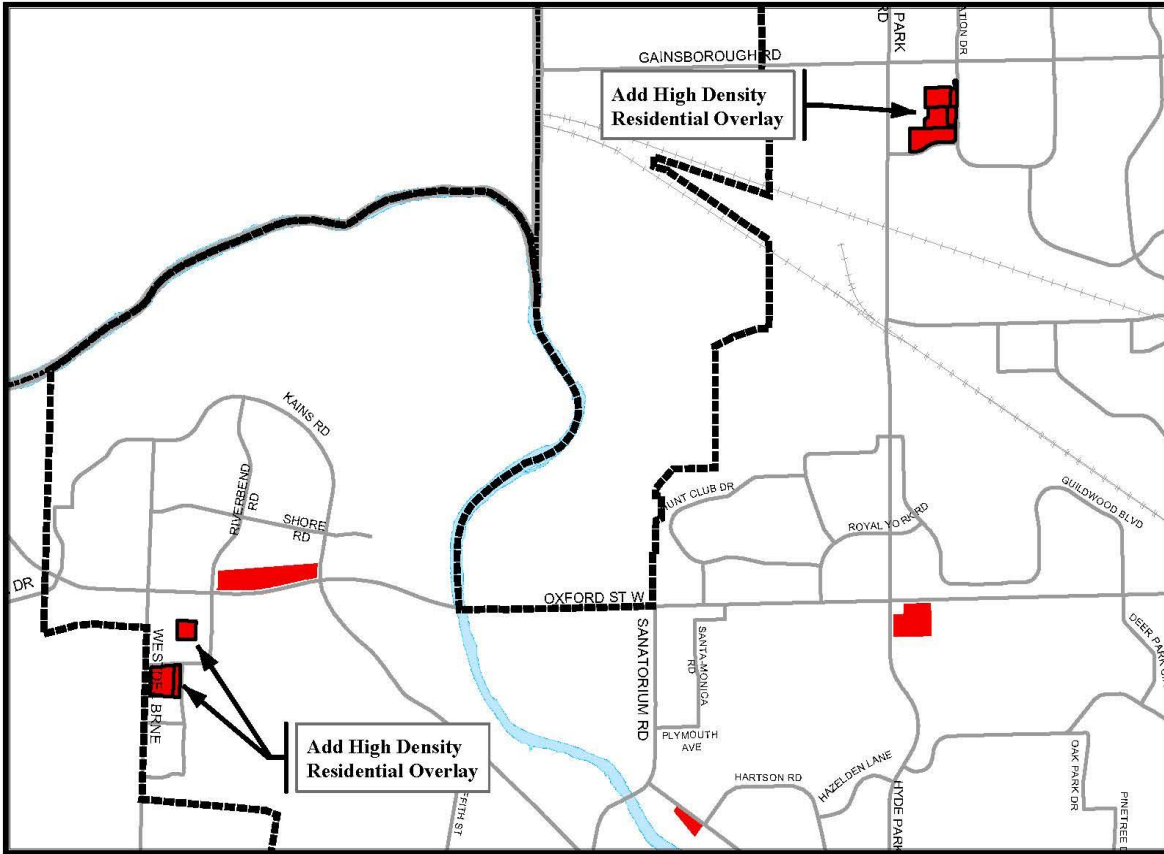
PLANNER: TM

TECHNICIAN: MB


DATE: 4/13/2022

OLT-22-002286 – Schedule C





AMENDMENT NO:



Legend

 High Density Residential Overlay (from 1989 Official Plan)

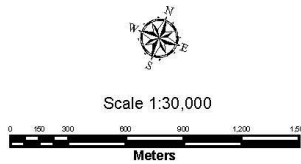
Base Map Features

-  Streets (See Map 3)
-  Railways
-  Urban Growth Boundary
-  Water Courses/Ponds

This is an excerpt from the Planning Division's working consolidation of Map 2 - HDR Overlay of the London Plan, with added notations.

SCHEDULE #
TO
THE LONDON PLAN
 AMENDMENT NO. _____

PREPARED BY: Planning Services




FILE NUMBER:
 PLANNER: TM
 TECHNICIAN: MB
 DATE: 3/11/2022





AMENDMENT NO:



Legend

 High Density Residential Overlay (from 1989 Official Plan)

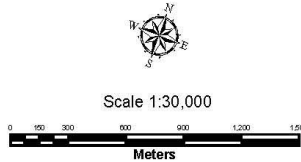
Base Map Features

-  Streets (See Map 3)
-  Railways
-  Urban Growth Boundary
-  Water Courses/Ponds

This is an excerpt from the Planning Division's working consolidation of Map 2 - HDR Overlay of the London Plan, with added notations.

**SCHEDULE #
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AMENDMENT NO. _____

PREPARED BY: Planning Services



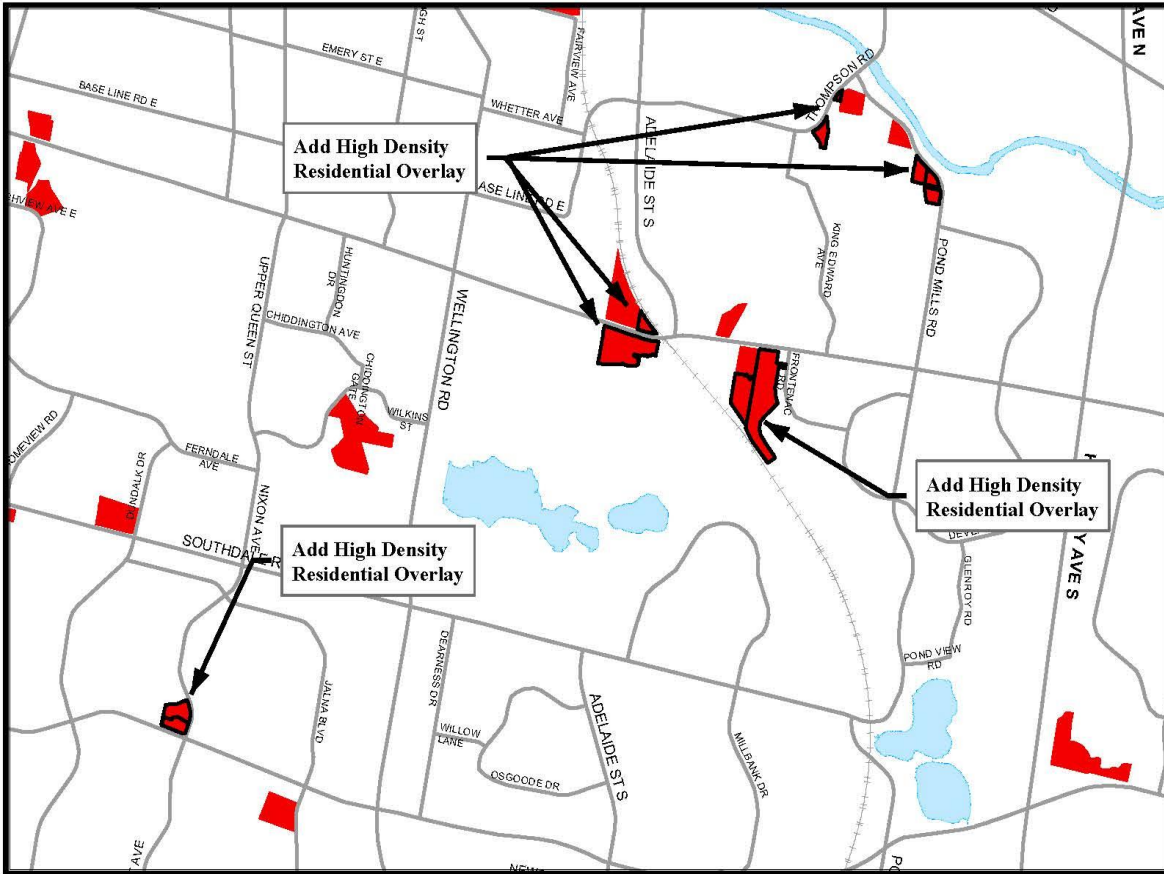
FILE NUMBER:

PLANNER: TM


TECHNICIAN: MB

DATE: 3/11/2022





AMENDMENT NO:



Legend

 High Density Residential Overlay (from 1989 Official Plan)

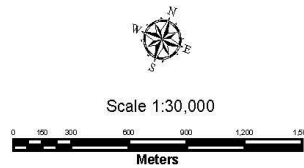
Base Map Features

-  Streets (See Map 3)
-  Railways
-  Urban Growth Boundary
-  Water Courses/Ponds

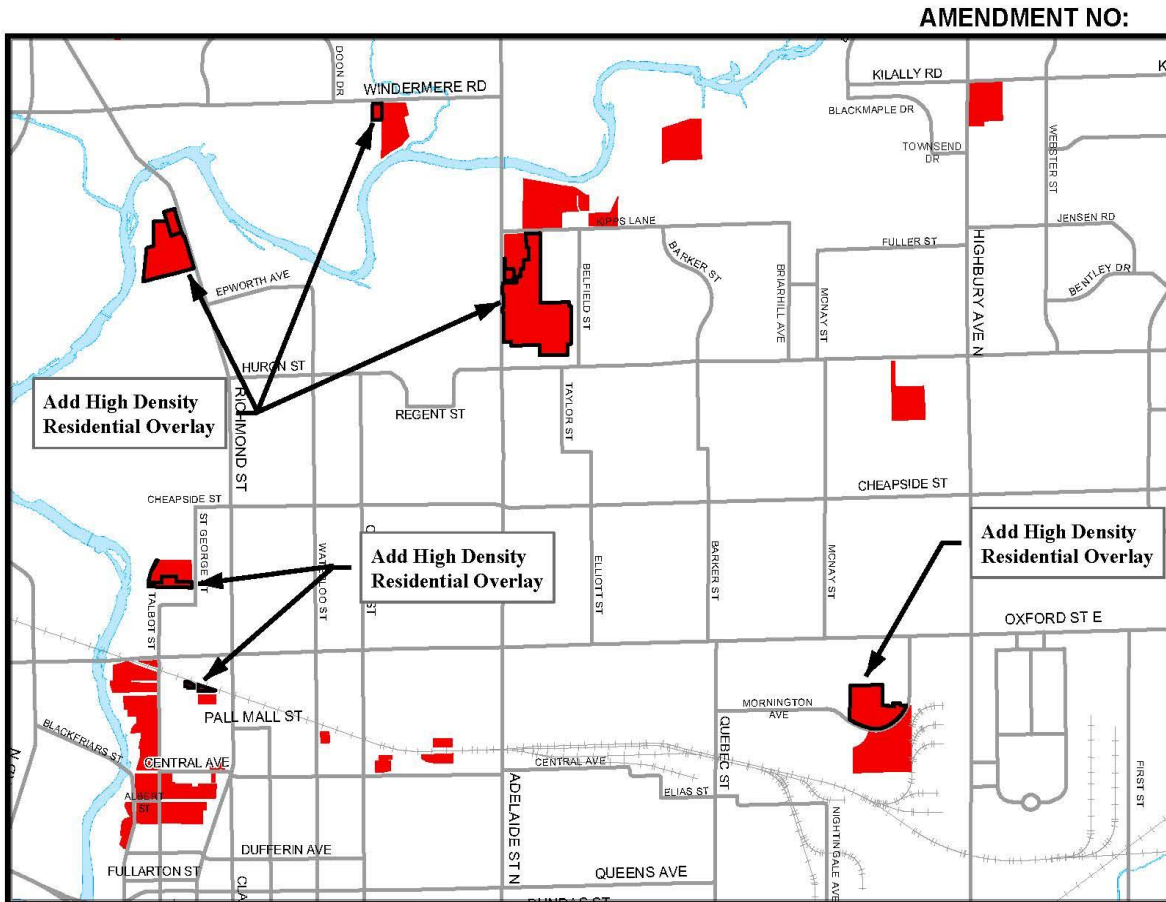
This is an excerpt from the Planning Division's working consolidation of Map 2 - HDR Overlay of the London Plan, with added notations.

**SCHEDULE #
TO
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AMENDMENT NO. _____

PREPARED BY: Planning Services



FILE NUMBER:
PLANNER: TM
TECHNICIAN: MB
DATE: 3/14/2022



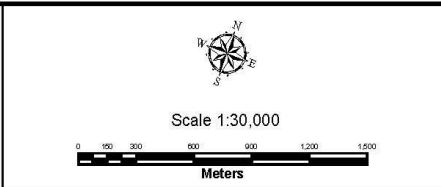
<p>Legend</p> <p> High Density Residential Overlay (from 1989 Official Plan)</p>	<p>Base Map Features</p> <p>— Streets (See Map 3)</p> <p>—+—+— Railways</p> <p>--- Urban Growth Boundary</p> <p>Water Courses/Ponds</p>
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This is an excerpt from the Planning Division's working consolidation of Map 2 - HDR Overlay of the London Plan, with added notations.

**SCHEDULE #
TO
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AMENDMENT NO. _____

PREPARED BY: Planning Services



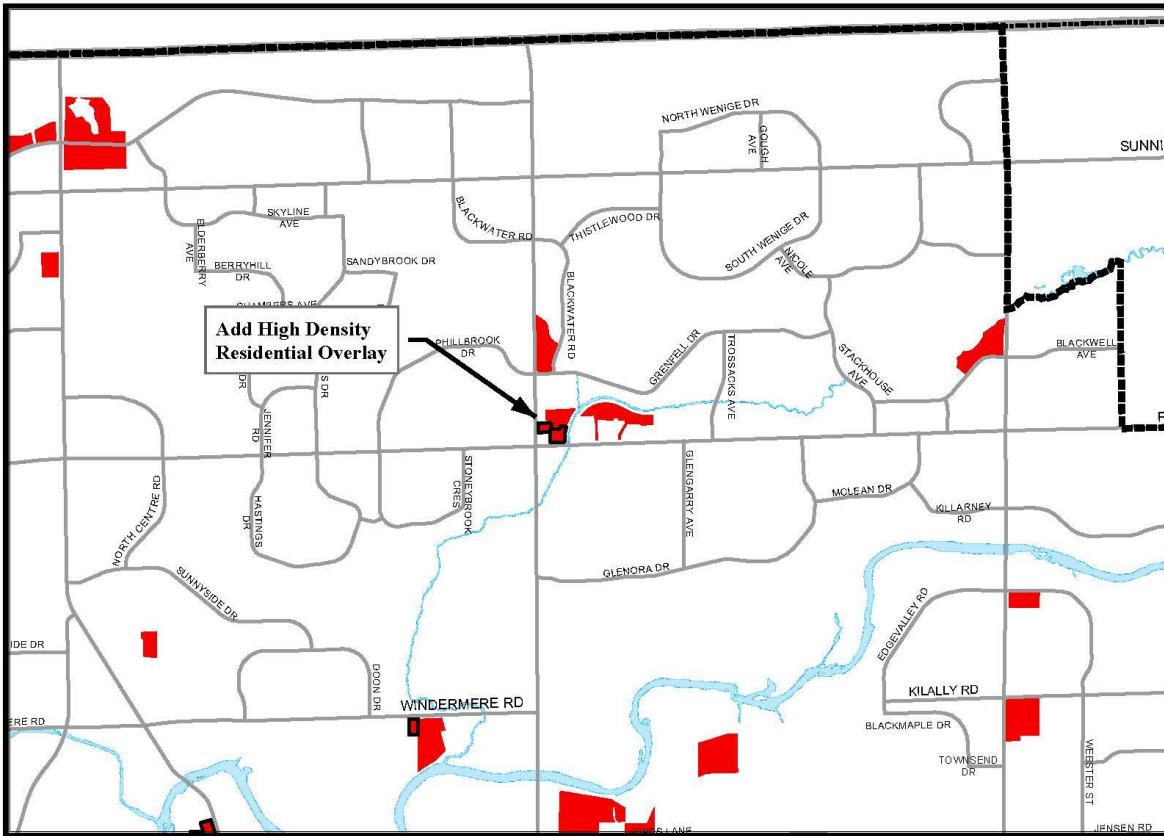
FILE NUMBER:

PLANNER: TM


TECHNICIAN: MB

DATE: 3/10/2022





AMENDMENT NO:



Legend

 High Density Residential Overlay (from 1989 Official Plan)

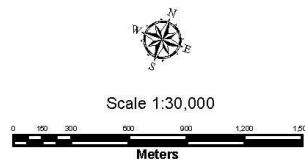
Base Map Features

-  Streets (See Map 3)
-  Railways
-  Urban Growth Boundary
-  Water Courses/Ponds

This is an excerpt from the Planning Division's working consolidation of Map 2 - HDR Overlay of the London Plan, with added notations.

**SCHEDULE #
TO
THE LONDON PLAN**
AMENDMENT NO. _____

PREPARED BY: Planning Services



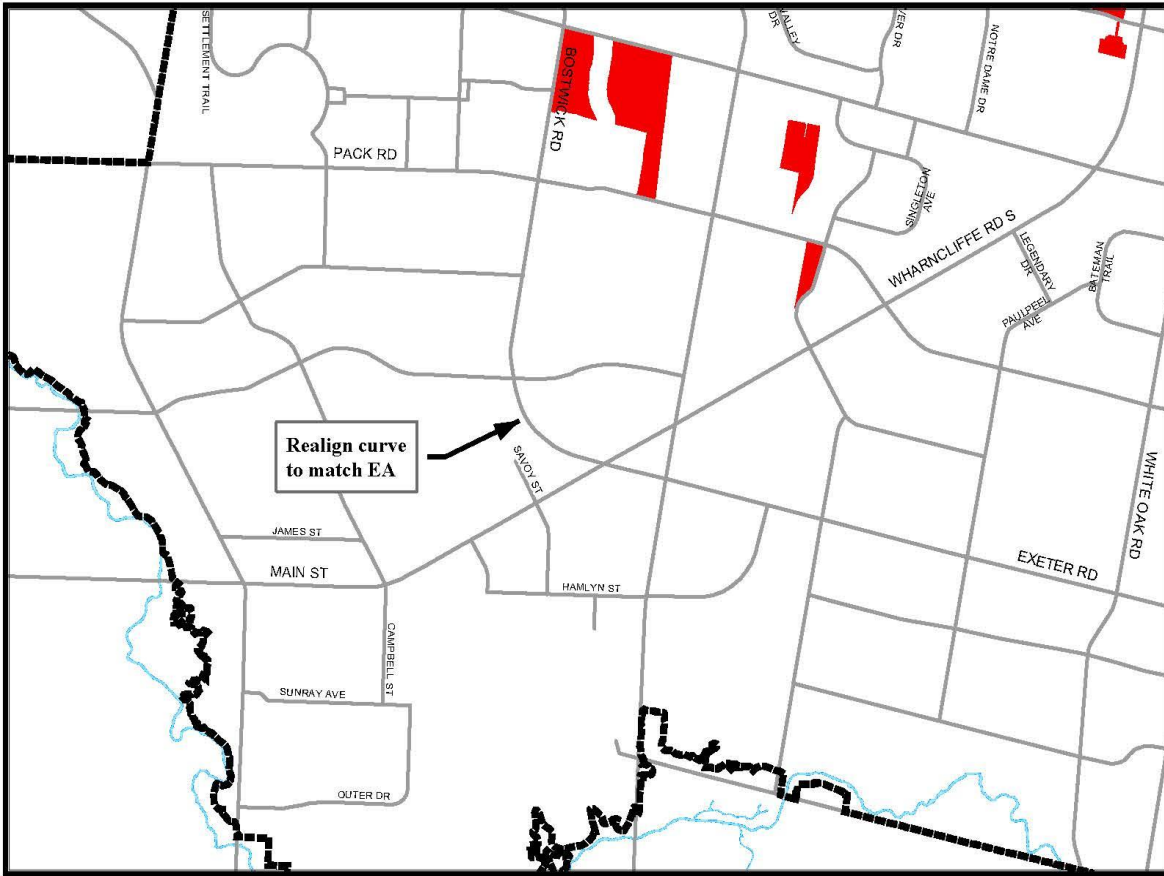
FILE NUMBER:

PLANNER: TM


TECHNICIAN: MB

DATE: 3/10/2022





AMENDMENT NO:



Legend

 High Density Residential Overlay (from 1989 Official Plan)

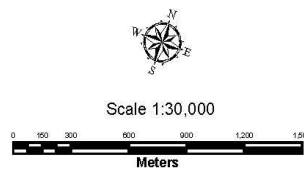
Base Map Features

-  Streets (See Map 3)
-  Railways
-  Urban Growth Boundary
-  Water Courses/Ponds

This is an excerpt from the Planning Division's working consolidation of Map 2 - HDR Overlay of the London Plan, with added notations.

**SCHEDULE #
TO
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AMENDMENT NO. _____

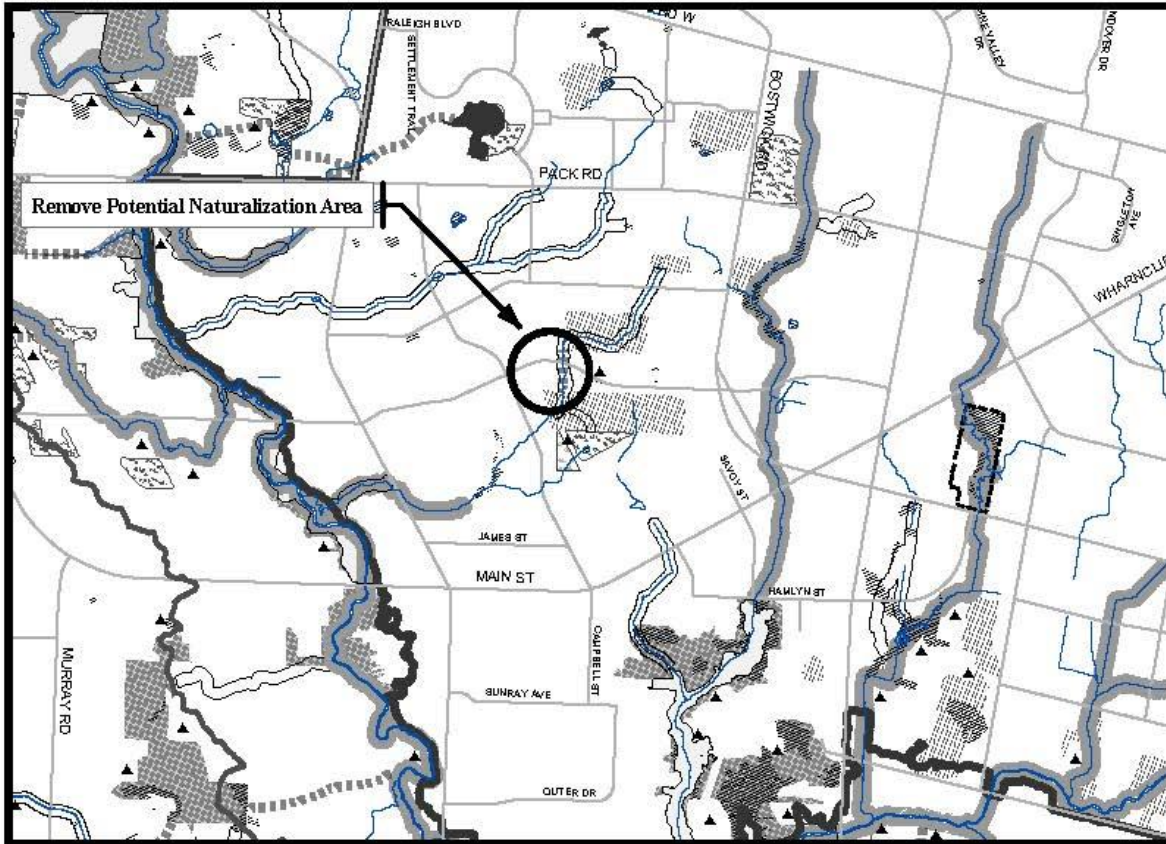
PREPARED BY: Planning Services



FILE NUMBER:
PLANNER: TM
TECHNICIAN: MB
DATE: 4/13/2022

OLT-22-002286 – Schedule D

AMENDMENT NO:



NATURAL HERITAGE SYSTEM

- Provincially Significant Wetlands
- Wetlands
- Unevaluated Wetlands
- Significant Woodlands
- Woodlands
- Significant Valley Lands
- Valley Lands

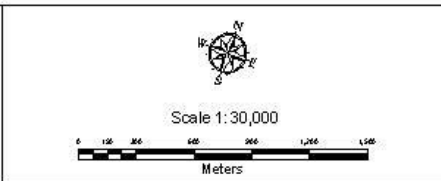
- Areas of Natural and Scientific Interest
- Environmentally Significant Areas (ESA)
- Potential ESAs
- Upland Corridors
- Potential Naturalization Areas
- Unevaluated Vegetation Patches

Base Map Features

- Railways
- Water Courses/Ponds
- Streets (see Map 3)
- Conservation Authority Boundary
- Subwatershed Boundary
- Subject to Site Specific Appeals (LPAT Appeal PL170100)

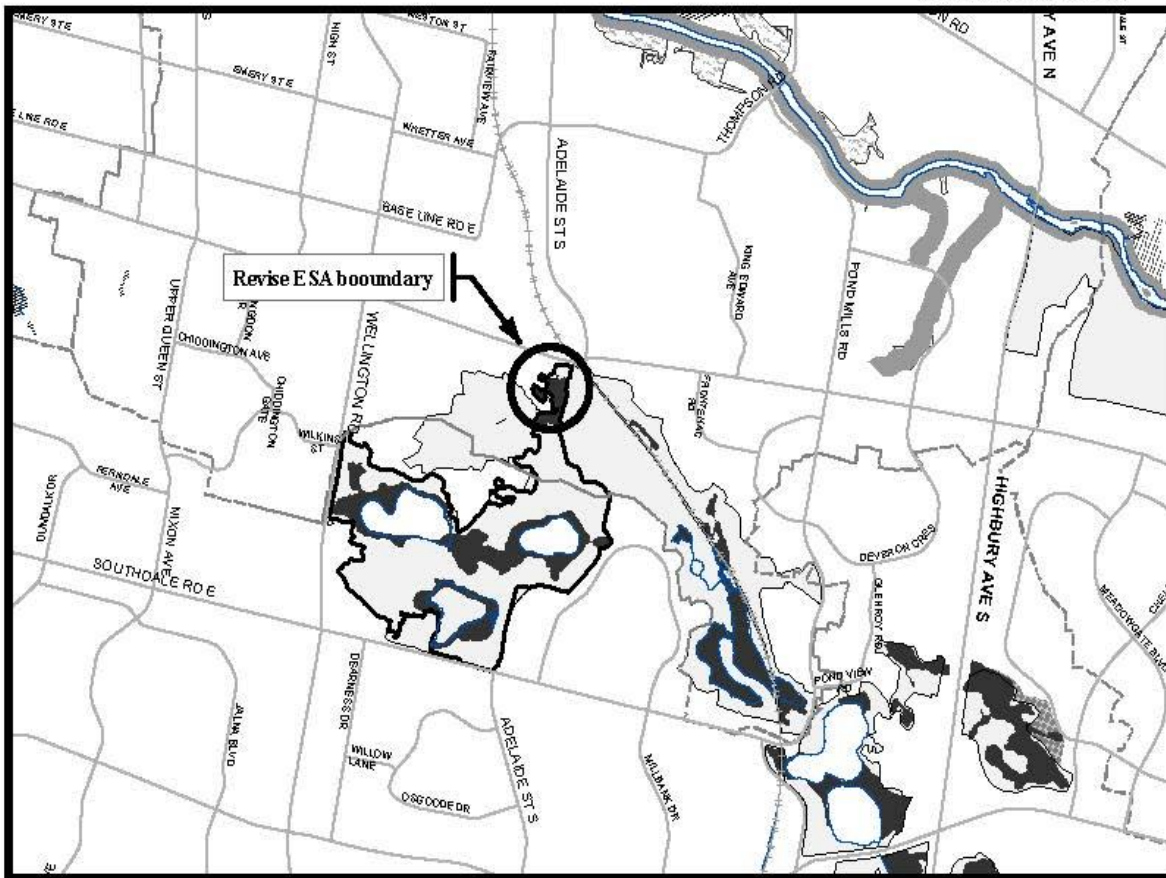
This is an excerpt from the Planning Division's working consolidation of Map 5 - Natural Heritage of the London Plan, with a dotted notations.

SCHEDULE #
TO
THE LONDON PLAN
AMENDMENT NO. _____
 PREPARED BY: Planning Services



FILE NUMBER:
PLANNER: TM
TECHNICIAN: MB
DATE: 3/11/2022

AMENDMENT NO: _____



NATURAL HERITAGE SYSTEM

- Provincially Significant Wetlands
- Wetlands
- Unevaluated Wetlands
- Significant Woodlands
- Woodlands
- Significant Valley Lands
- Valley Lands

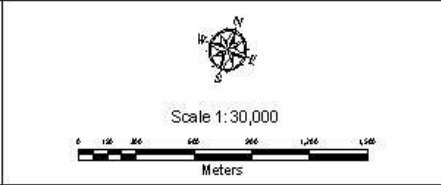
- Areas of Natural and Scientific Interest
- Environmentally Significant Areas (ESA)
- Potential ESAs
- Upland Corridors
- Potential Naturalization Areas
- Unevaluated Vegetation Patches

Base Map Features

- Railways
- Water Courses/Ponds
- Streets (see Map 3)
- Conservation Authority Boundary
- Subwatershed Boundary
- Subject to Site Specific Appeals (LPAT Appeal PL170100)

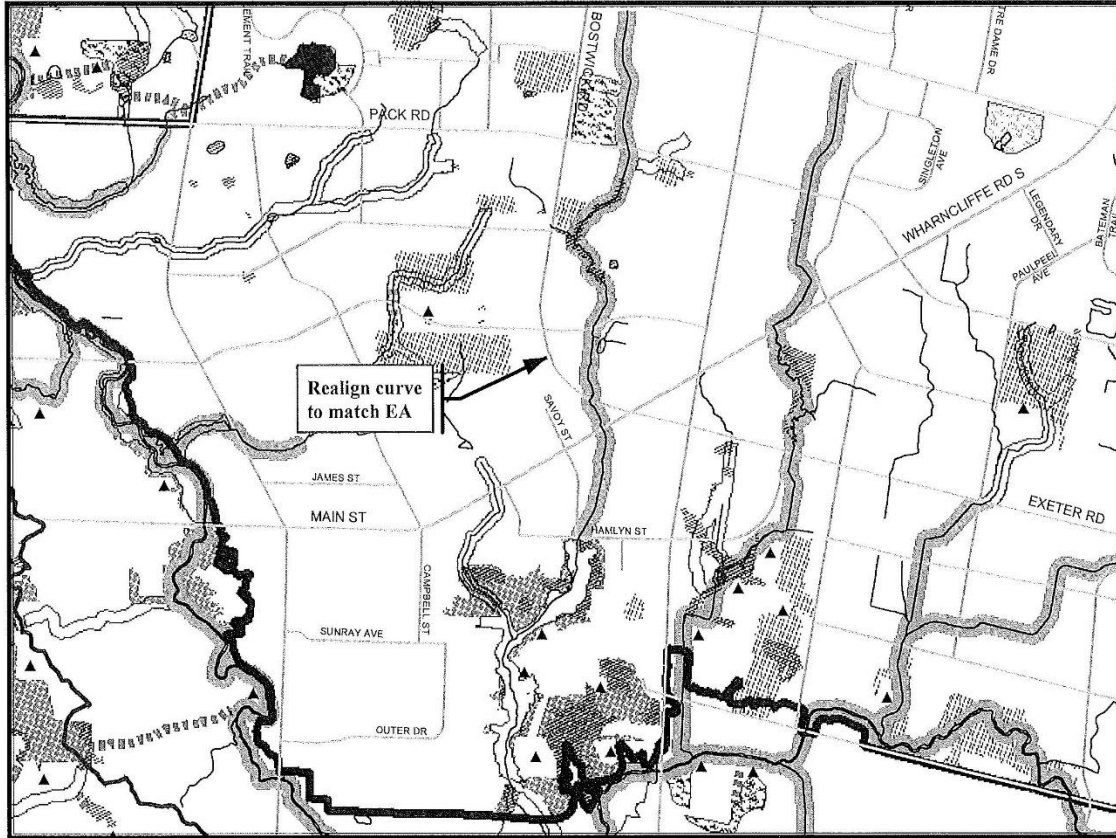
This is an excerpt from the Planning Division's working consolidation of Map 5 - Natural Heritage of the London Plan, with added notations.

SCHEDULE #
TO
THE LONDON PLAN
AMENDMENT NO. _____
 PREPARED BY: Planning Services



FILE NUMBER:
PLANNER: TM
TECHNICIAN: MB
DATE: 3/14/2022

AMENDMENT NO:



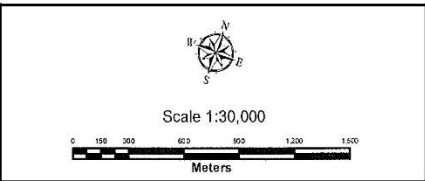
NATURAL HERITAGE SYSTEM		Base Map Features
Provincially Significant Wetlands	Areas of Natural and Scientific Interest	Railways
Wetlands	Environmentally Significant Areas (ESA)	Water Courses/Ponds
Unevaluated Wetlands	Potential ESAs	Streets (see Map 3)
Significant Woodlands	Upland Corridors	Conservation Authority Boundary
Woodlands	Potential Naturalization Areas	Subwatershed Boundary
Significant Valley Lands	Unevaluated Vegetation Patches	Subject to Site Specific Appeals (LPAT Appeal PL170100)
Valley Lands		

This is an excerpt from the Planning Division's working consolidation of Map 5 - Natural Heritage of the London Plan, with added notations.

**SCHEDULE #
TO
THE LONDON PLAN**

AMENDMENT NO. _____

PREPARED BY: Planning Services



FILE NUMBER:

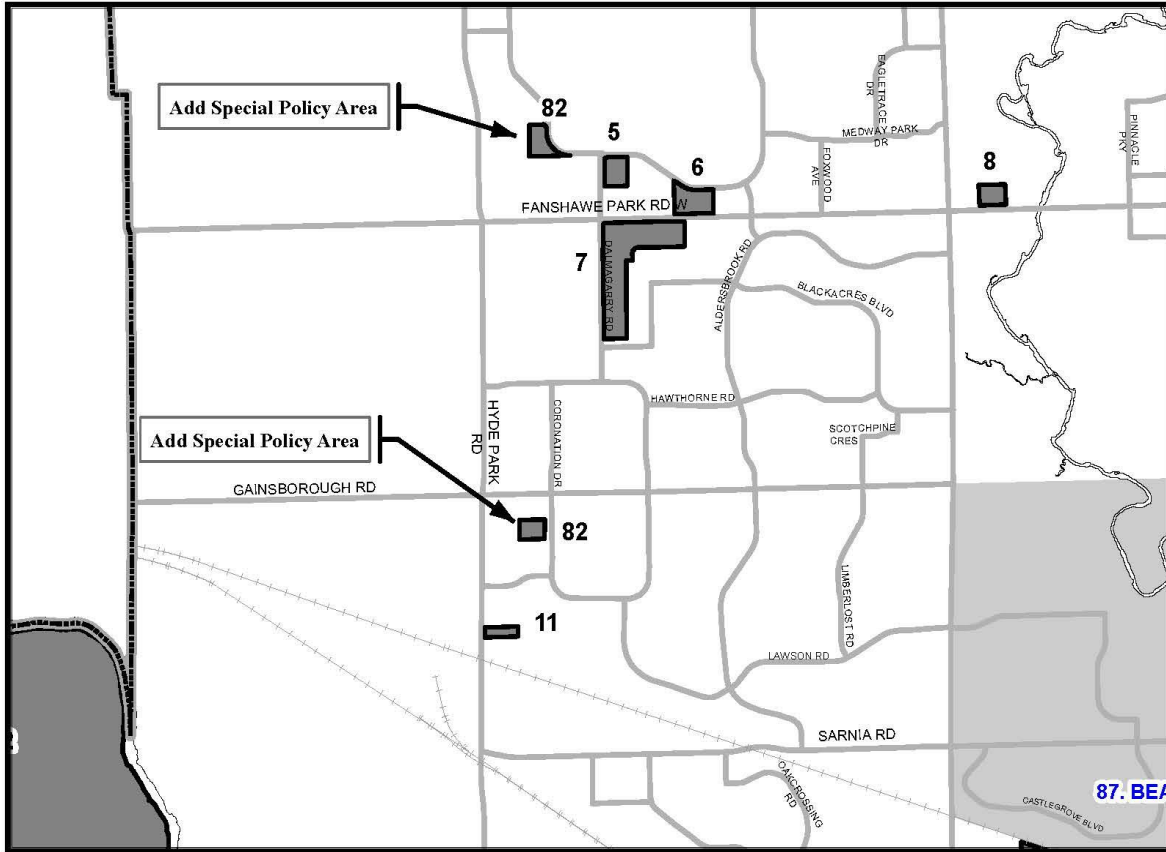
PLANNER: TM

TECHNICIAN: MB





DATE: 4/13/2022

OLT-22-002286 – Schedule E





AMENDMENT NO:



LEGEND

-  Specific Policies
-  Rapid Transit and Urban Corridor Specific-Segment Policies
-  Near Campus Neighbourhood
-  Secondary Plans

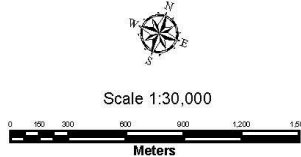
BASE MAP FEATURES

-  Streets (See Map 3)
-  Railways
-  Urban Growth Boundary
-  Water Courses/Ponds

This is an excerpt from the Planning Division's working consolidation of Map 7 - Special Policy Areas of the London Plan, with added notations.

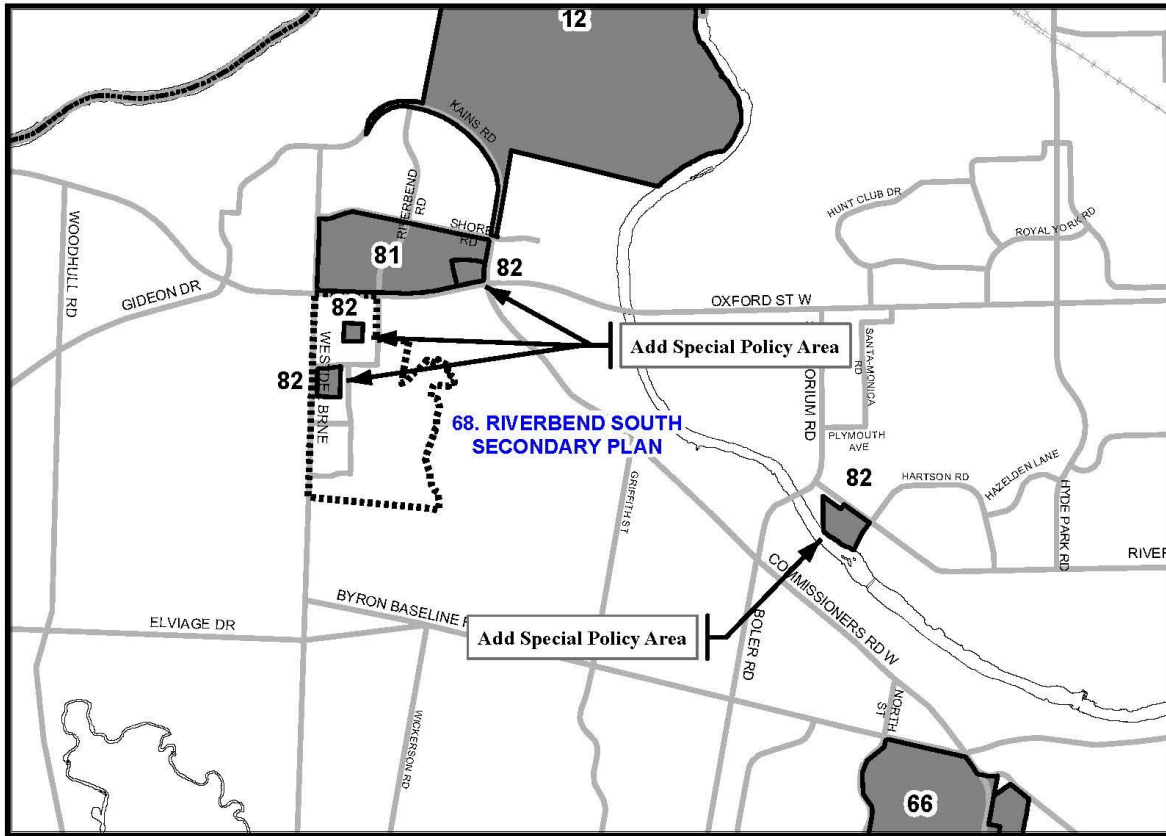
**SCHEDULE #
TO
THE LONDON PLAN**
AMENDMENT NO. _____

PREPARED BY: Planning Services



FILE NUMBER:
PLANNER: TM
TECHNICIAN: MB
DATE: 3/10/2022

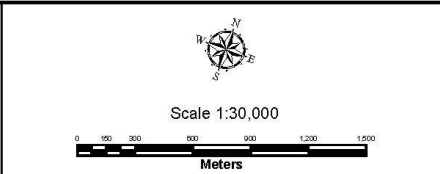
AMENDMENT NO:



LEGEND	BASE MAP FEATURES
Specific Policies	Streets (See Map 3)
Rapid Transit and Urban Corridor Specific-Segment Policies	Railways
Near Campus Neighbourhood	Urban Growth Boundary
Secondary Plans	Water Courses/Ponds

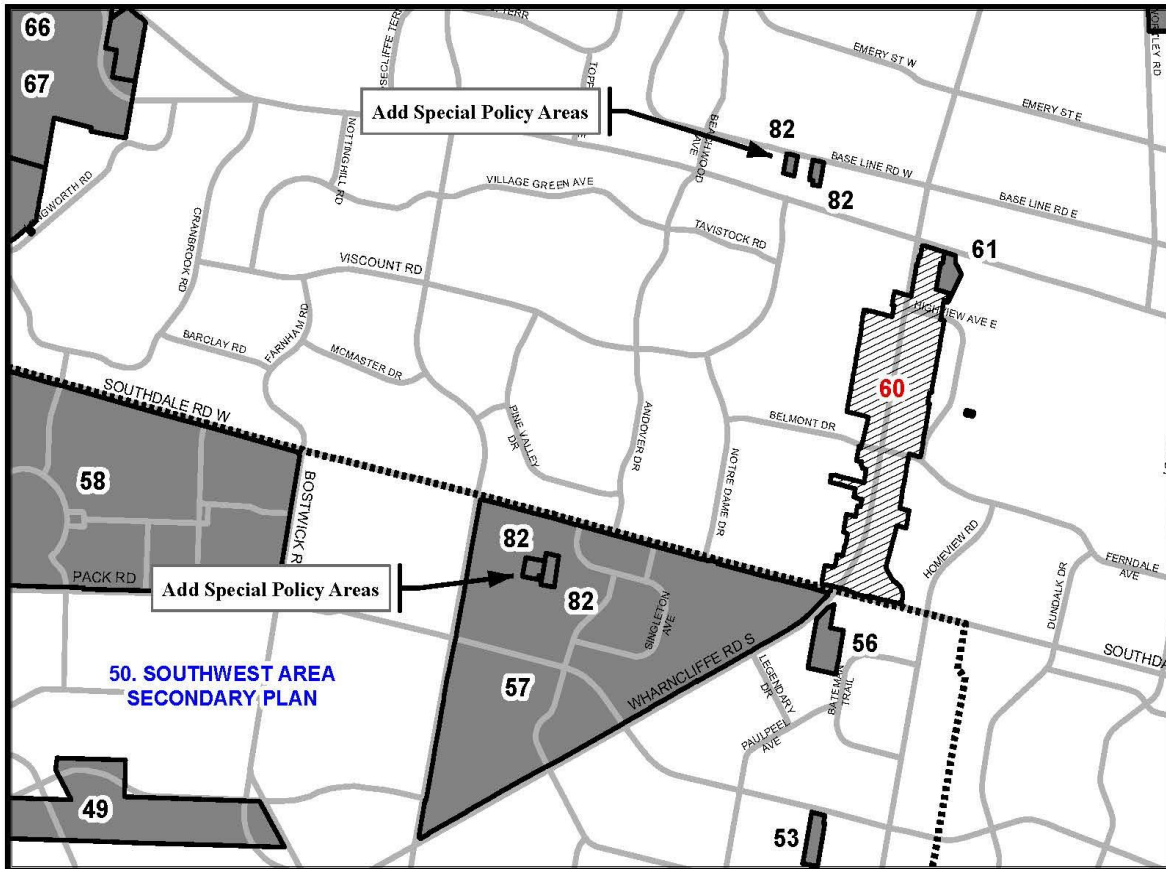
This is an excerpt from the Planning Division's working consolidation of Map 7 - Special Policy Areas of the London Plan, with added notations.

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FILE NUMBER:
PLANNER: TM
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DATE: 3/10/2022

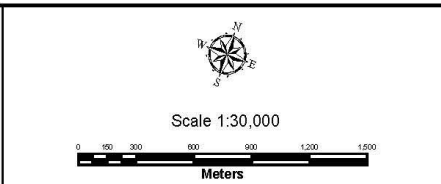
AMENDMENT NO:



LEGEND	BASE MAP FEATURES
Specific Policies	Streets (See Map 3)
Rapid Transit and Urban Corridor Specific-Segment Policies	Railways
Near Campus Neighbourhood	Urban Growth Boundary
Secondary Plans	Water Courses/Ponds

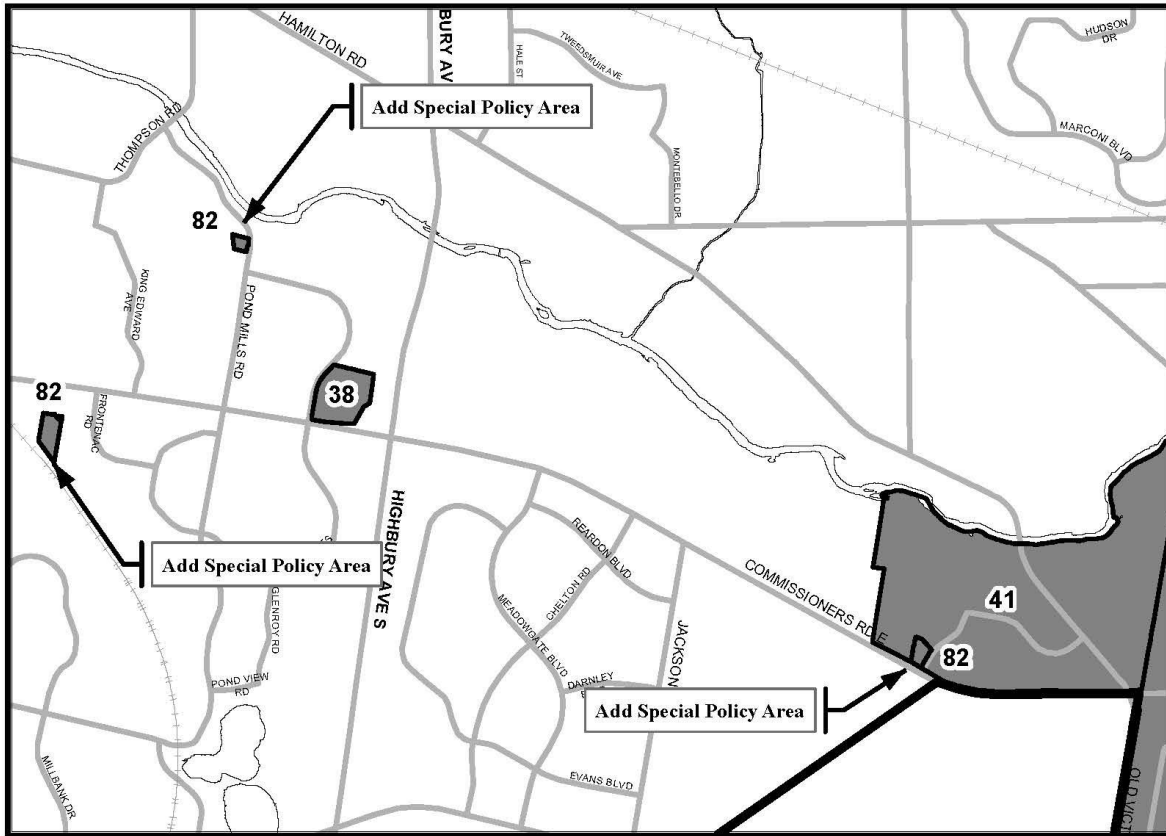
This is an excerpt from the Planning Division's working consolidation of Map 7 - Special Policy Areas of the London Plan, with added notations.

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FILE NUMBER:
 PLANNER: TM
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 DATE: 3/10/2022

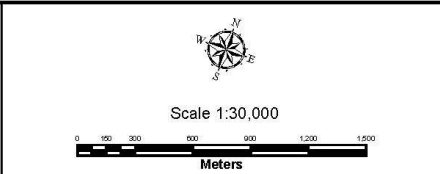
AMENDMENT NO:



LEGEND	BASE MAP FEATURES
Specific Policies	Streets (See Map 3)
Rapid Transit and Urban Corridor Specific-Segment Policies	Railways
Near Campus Neighbourhood	Urban Growth Boundary
Secondary Plans	Water Courses/Ponds

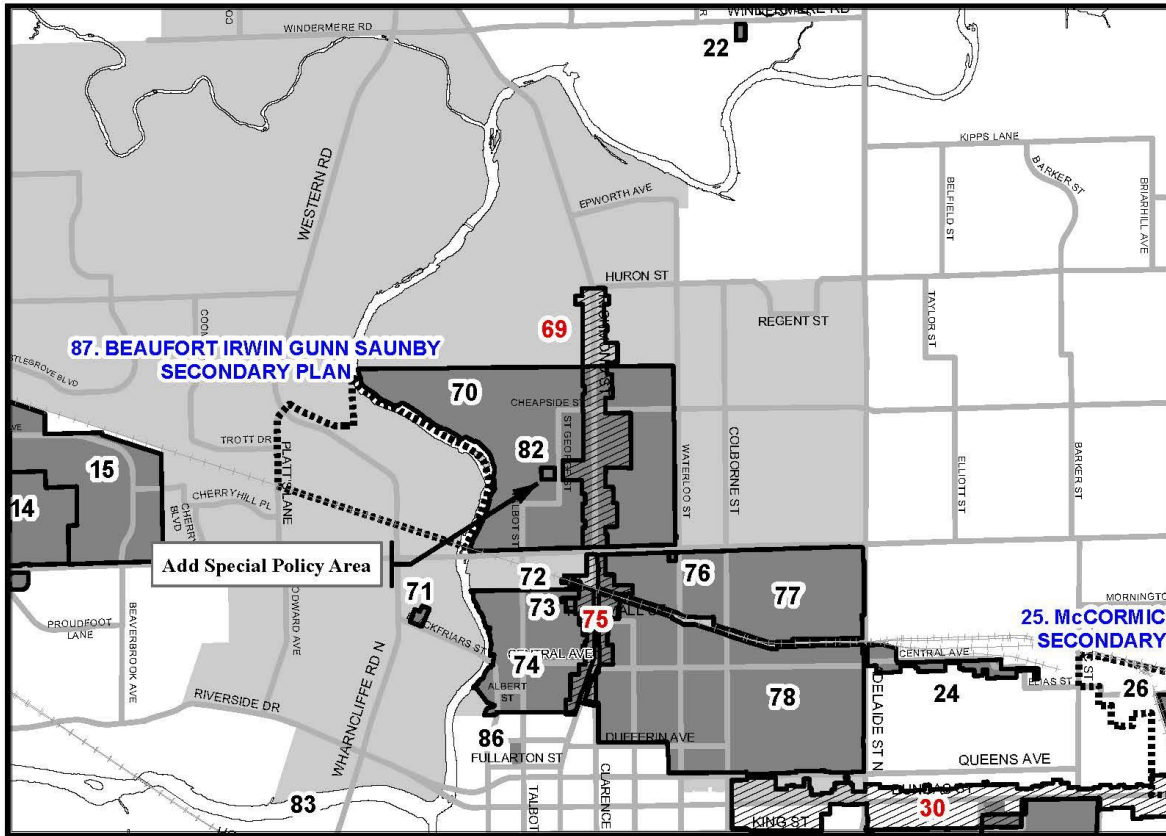
This is an excerpt from the Planning Division's working consolidation of Map 7 - Special Policy Areas of the London Plan, with added notations.

SCHEDULE #
TO
THE LONDON PLAN
AMENDMENT NO. _____
 PREPARED BY: Planning Services



FILE NUMBER:
PLANNER: TM
TECHNICIAN: MB
DATE: 3/10/2022





AMENDMENT NO:



LEGEND

-  Specific Policies
-  Rapid Transit and Urban Corridor Specific-Segment Policies
-  Near Campus Neighbourhood
-  Secondary Plans

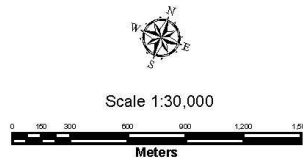
BASE MAP FEATURES

-  Streets (See Map 3)
-  Railways
-  Urban Growth Boundary
-  Water Courses/Ponds

This is an excerpt from the Planning Division's working consolidation of Map 7 - Special Policy Areas of the London Plan, with added notations.

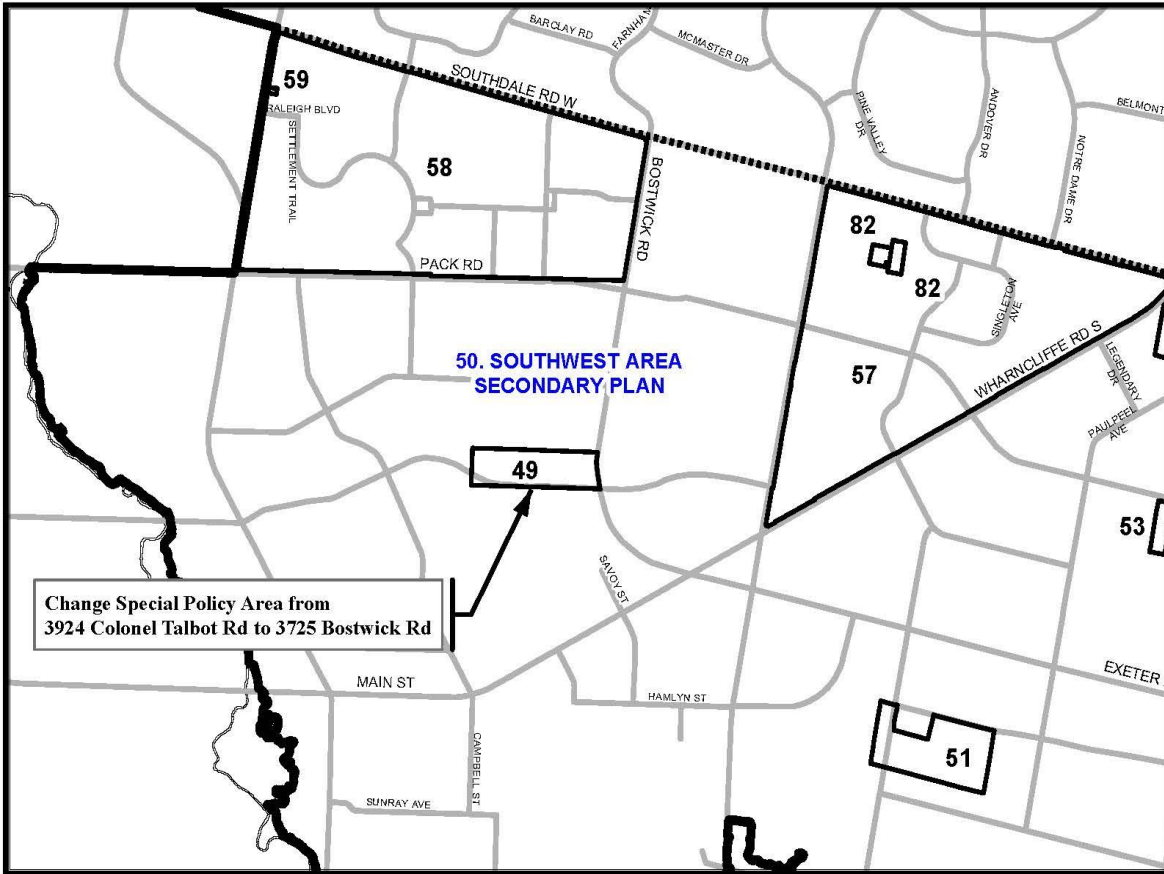
SCHEDULE #
TO
THE LONDON PLAN
AMENDMENT NO. _____

PREPARED BY: Planning Services







FILE NUMBER:
PLANNER: TM
TECHNICIAN: MB
DATE: 3/10/2022





AMENDMENT NO:



LEGEND

-  Specific Policies
-  Rapid Transit and Urban Corridor Specific-Segment Policies
-  Near Campus Neighbourhood
-  Secondary Plans

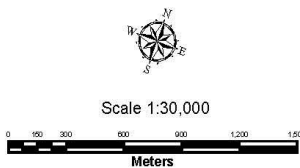
BASE MAP FEATURES

-  Streets (See Map 3)
-  Railways
-  Urban Growth Boundary
-  Water Courses/Ponds

This is an excerpt from the Planning Division's working consolidation of Map 7 - Special Policy Areas of the London Plan, with added notations.

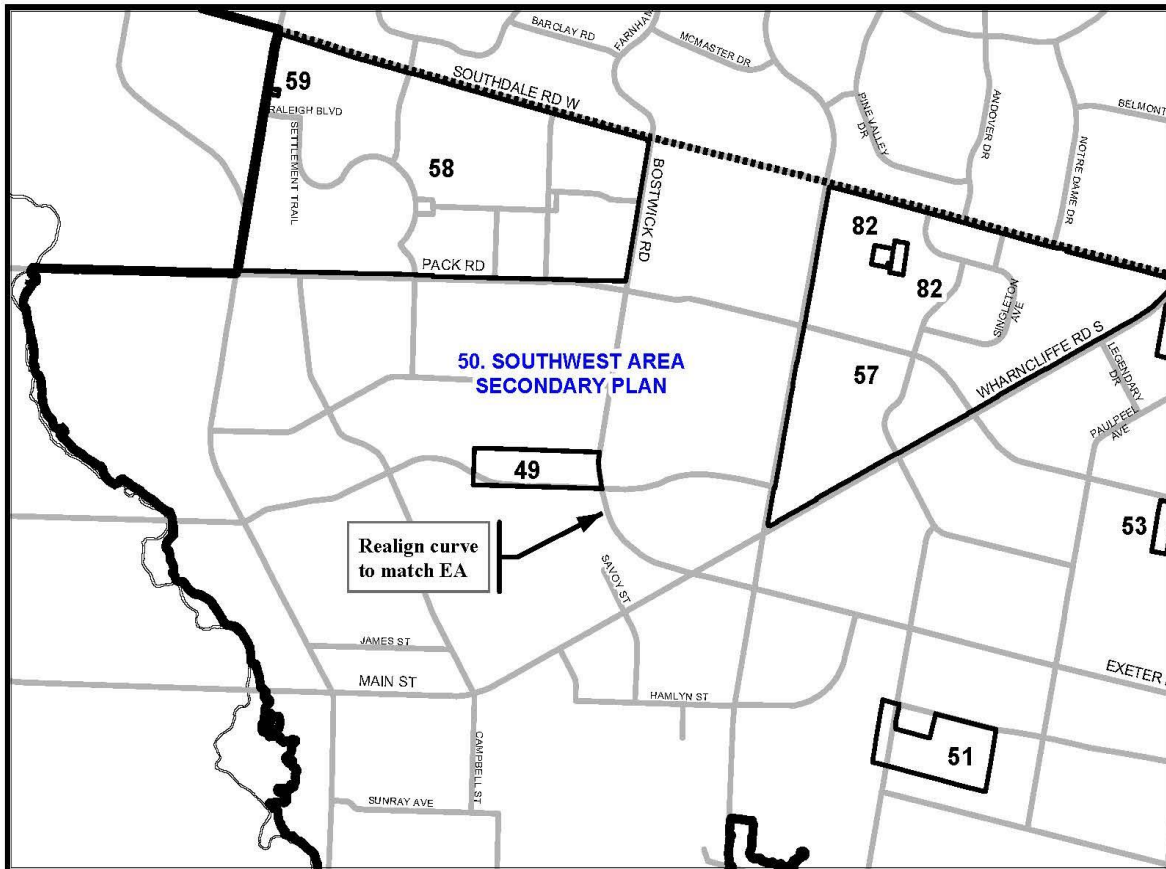
**SCHEDULE #
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FILE NUMBER:
PLANNER: TM
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DATE: 3/11/2022

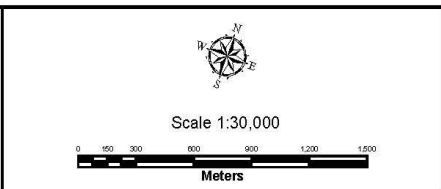
AMENDMENT NO:



LEGEND	BASE MAP FEATURES
Specific Policies	Streets (See Map 3)
Rapid Transit and Urban Corridor Specific-Segment Policies	Railways
Near Campus Neighbourhood	Urban Growth Boundary
Secondary Plans	Water Courses/Ponds

This is an excerpt from the Planning Division's working consolidation of Map 7 - Special Policy Areas of the London Plan, with added notations.

SCHEDULE #
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 AMENDMENT NO. _____
 PREPARED BY: Planning Services



FILE NUMBER:
 PLANNER: TM
 TECHNICIAN: MB
 DATE: 4/13/2022

OLT-22-002286 – Schedule F

Appeal No.	Counsel	Address	Appellant Name	Status as of May 2, 2022
20	Vikas Sharma	1957 Sunningdale	John Ross	Adjourned to CMC on September 26, 2022 for the purpose of resolution or setting a hearing date.
22	Lombardi	Victoria/ Wilton Grove	London Dairy	Adjourned to CMC on September 26, 2022 for the purpose of resolution or setting a hearing date.
4	Baroudi	108 Exeter Rd	Auburn	Adjourned to CMC on September 26, 2022 for the purpose of resolution or setting a hearing date.
4	Baroudi	1924 Adelaide St N	Auburn	Adjourned to CMC on September 26, 2022 for the purpose of resolution or setting a hearing date.
8	Baroudi	186&188 Huron	KAP	Adjourned to CMC on September 26, 2022 for the purpose of resolution or setting a hearing date.
12	Baroudi	240 Waterloo	1610341 Ontario Inc.	Adjourned to CMC on September 26, 2022 for the purpose of resolution or setting a hearing date.
18	Baroudi	Grosvenor/ St. George./ St. James	Grosvenor Development Corp.	Adjourned to CMC on September 26, 2022 for the purpose of resolution or setting a hearing date.
29	Baroudi	Richmond/ Windermere	Richmond North MCC675	Adjourned to CMC on September 26, 2022 for the purpose of resolution or setting a hearing date.
1	Duffy/ Cheng	560-562 Wellington	Auburn	Hold pending disposition of development application currently in process.
15	Duffy/ Cheng	193-199 College Ave	York	Adjourned to CMC on September 26, 2022 for the purpose of resolution or setting a hearing date.

19	Duffy/ Cheng	1192 Highbury Ave N	York	Adjourned to CMC on September 26, 2022 for the purpose of resolution or setting a hearing date.
36	Duffy/ Cheng	175-199 Ann St	York	Adjourned to CMC on September 26, 2022 for the purpose of resolution or setting a hearing date.
37	Duffy/ Cheng	550 Ridout St N	York	Adjourned to CMC on September 26, 2022 for the purpose of resolution or setting a hearing date.
41	Duffy/ Cheng	3080 Bostwick	York	Adjourned to CMC on September 26, 2022 for the purpose of resolution or setting a hearing date.
27	Duffy/ Cheng	1299 Oxford St E	Westdell	Adjourned to CMC on September 26, 2022 for the purpose of resolution or setting a hearing date.

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee

From: Scott Mathers, MPA, P. Eng.
Deputy City Manager, Planning and Economic Development

Subject: Bill 109, *More Homes for Everyone Act, 2022*, Information Report

Date: June 20, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, this report with respect to Bill 109, the *More Homes for Everyone Act, 2022*, **BE RECEIVED** for information.

Executive Summary

On March 30, 2022, the Province introduced Bill 109, the *More Homes for Everyone Act, 2022* which proposes changes to the *Planning Act* and other statutes. The intent of these changes is to implement some of recommendations in the Ontario's Housing Affordability Task Force Report released on February 8, 2022 in order to help address the housing affordability crisis in Ontario.

The Province posted these changes on the Environmental Registry of Ontario (ERO) for public consultation and included a commenting deadline of April 29, 2022. On April 14, 2022, the Bill received Royal Assent in advance of the deadline and therefore did not consider input from the City of London or others.

Although the Bill had already passed, City staff made a submission to the Province indicating concerns with some of the changes. The submission focuses on two areas of concern including the refund of application fees and the removal of local decision-making authority.

This report provides an overview of changes to the *Planning Act* and identifies some possible updates to the City's planning processes required as a result of Bill 109.

Changes to multiple sections of the *Planning Act*, including the new Community Infrastructure Housing Accelerator (CIHA) tool, reflect a focus on municipal approval processes with respect to certain *Planning Act* applications and shift of local decision-making powers to the Ontario Land Tribunal and the Minister of Municipal Affairs and Housing. Changes to the *Planning Act* through Bill 109 that are significant to London include:

- Statutory application processing timeline for Site Plan applications is changed from 30 days to 60 days, and mandates municipal councils to delegate authority for site plan applications made on or after July 1, 2022 to municipal staff.
- Beginning January 1, 2023, municipalities will be required to refund applications fees for Zoning By-law amendments and Site Plan approval as a result of a failure to make a decision on a *Planning Act* application within the statutory timeline.
- The Bill establishes the Community Infrastructure Housing Accelerator (CIHA), which is a new tool similar to Minister's Zoning Orders and enables municipalities to submit a request to the Minister of Municipal Affairs and Housing to expedite approvals.
- Additional powers are given to the Ontario Lands Tribunal and the Minister to prescribe regulations or make decisions with respect to official plans or official plan amendments.

- Municipalities are given a one-time discretionary authority to reinstate subdivision plans that have lapsed within five years.

Analysis

1.0 Background Information

1.1 Ontario Housing Affordability Task Force and Bill 109

The Ontario Housing Affordability Task Force was appointed by the Province on December 6, 2021, to identify and implement solutions to address housing affordability by increasing the supply of market housing, reducing red tape, and supporting economic recovery and incentives. On February 8, 2022, the Task Force released a report that provides 55 recommendations aimed at supporting housing affordability.

On March 30, 2022, the Province introduced Bill 109, *More Homes for Everyone Act, 2022*. The Bill proposed changes to the *Planning Act* and other statutes to implement some of the recommendations in the Task Force report. The Province also posted Bill 109's proposed changes on the Environmental Registry of Ontario (ERO) for public input with a commenting deadline of April 29, 2022.

On April 14, 2022, the Province gave third reading and Royal Assent to the Bill bringing many of the changes into force and effect, which was part way through the commenting period. Staff submitted a letter to the Province indicating significant concerns on some of the changes. The letter is focused on two areas of concern that include refund of application fees and the removal of local decision-making authority as attached in Appendix A to this report.

This report provides an overview of changes to the *Planning Act* and identifies some possible updates to the City's planning processes required as a result of the Bill.

2.0 Bill 109's Amendments

2.1 Refund of Application Fees

Bill 109 adds financial penalties in the form of application fee refunds with respect to rezoning or site plan applications (Sections 34(10.12) and 41(11.1)). Municipalities must gradually refund application fees if an application is received on or after January 1, 2023 and no decision is made on the application within the statutory timeline.

The table below summarizes refund requirements based on the number of days before a decision is made.

Type of Application	No Refund	50% Refund	75% Refund	100% Refund
ZBA	90 days	91 to 149 days	150 to 209 days	210 days or after
Combined ZBA and OPA	120 days	121 to 179 days	180 to 239 days	240 days or after
Site plan	60 days	61 to 89 days	90 to 119 days	120 days or after

As noted in the City's letter in Appendix A, this would increase financial and administrative pressure to meet the statutory timelines. The refund requirements do not take into account delays that are a result of time spent revising an application or supporting materials. Delays in application processing are often a result of revisions being required to address issues and/or conform with applicable policies. In 2021, 58% of Zoning By-law Amendments were approved within 90 days and 24% of Official Plan Amendment and Zoning By-law Amendments within 120 days.

These changes will limit the opportunity for the timelines to be extended to reflect the normal planning review processes, and could lead to an increase in recommendations

for refusal. This could ultimately result in more steps in the planning process, including an increase in the number of appeals to the Ontario Land Tribunal (OLT), which could in fact extend the timelines to a final decision on an application. Further, mandatory refunds could lead to changes in municipal processes, where more information may be required at the pre-application consultation stage so that issues can be resolved prior to an application being submitted. Any applications that are referred back to staff by City Council for further discussion would lead to longer review timelines and almost certainly require a refund of fees.

Application fees are an important element of the planning and development process and are based on a 30% cost recovery target. Planning application fees were last reviewed in 2018, and an information report summarizing the rationale for the updated fees was presented to the Planning and Environment Committee on August 13, 2018. In that report, a number of factors were considered when determining an appropriate fee, including the principle that growth should pay for growth while balancing that with the need to provide a competitive rate and recognize the public benefit new development provides. Allowing application fees to be refunded would undermine this intent and shift the balance toward the tax levy covering a disproportionate share of the cost of development.

One possible outcome of this change is that is more time being directed to pre-application consultation and completeness reviews, rather than on the actual application. There will not be time to make significant to changes to applications without triggering a refund, so in some cases the only option will be to recommend refusal or for the applicant to withdraw the application.

Staff will review the current application review processes to identify an appropriate approach to address potential budgetary and administrative pressure while ensuring applications continue to be reviewed and considered in a timely manner.

2.2 Community Infrastructure and Housing Accelerator (CIHA)

Bill 109 introduces the Community Infrastructure and Housing Accelerator (CIHA), which is a new tool that would enable municipalities to request a Minister's Zoning Order. Municipalities may request the Minister of Municipal Affairs and Housing to issue a Minister's Zoning Order without public notice or consultation to streamline the approval process.

Guidelines for the CIHA tool are still in draft form, but if approved they would allow a municipal council to pass a resolution requesting the Minister to exercise its zoning powers. The CIHA may be used to accelerate the approval of licences or permits (e.g. a Conservation Authority Section 28 permit), and provides an exemption for other approvals from municipal or provincial plans and the Provincial Policy Statement. The Minister may impose conditions on the issuance on a CIHA order that must be addressed before the order comes into force. according to the draft guidelines, when the CIHA is used the municipality is responsible for public notice, consultation, and ensuring the order is available to the public. The draft guidelines are attached as Appendix B of this report.

This tool could eliminate significant aspects of the review process, including Conservation Authority permissions, and override locally significant concerns that municipalities are better informed to consider and address. Staff are uncertain how and where this tool may be used to ensure that public interest is achieved. Once the guidelines have been finalized, staff will review the guidelines to determine how the CIHA tool would apply to the City.

2.3 Ministerial Approval of Official Plans or Official Plan Amendments

The Minister of Municipal Affairs and Housing now has new discretionary authorities with respect to an official plan approval or amendment where the Minister is the approval authority.

The Minister may suspend the 120-day time period for making a decision on official plans and official plan amendments. For an official plan approval or amendment forwarded to the Minister on or before March 30, 2022, the Minister may retroactively suspend the time period, which would prevent municipalities from filing a non-decision appeal. Delays in Minister's approval would result in further delays in municipal approval processes.

The Minister may also refer all or parts of new official plans or official plan amendments to the Ontario Land Tribunal (OLT) to make either a recommendation or a decision on whether the official plan or official plan amendment should be approved, approved with modification, or refused. The OLT may hold a hearing or other form of proceeding before making its recommendation or rendering its decision. There is no appeal right with respect to the Minister's referrals.

2.4 Amendments to Site Plan Control

Previously, the *Planning Act* allowed for discretionary delegation of authority for site plan control decisions from municipal councils to staff. As of July 1, 2022, municipal councils are required to delegate approval authority with respect to site plan control applications, as recommended in the Housing Task Force Report. The City has implemented the delegation with respect to site plan applications to appointed officers under the Site Plan Control By-law, but Council retains the ability to take back approval authority. As a result of the mandatory delegation, Council will no longer be the approval authority.

Municipalities are now able to pass a by-law to require a pre-consultation before the submission of a site plan application. Currently the City has the Planning Pre-Consultation By-law and Site Plan Control By-law, which require an applicant to consult with staff prior to all site plan application.

Municipalities also have new regulation-making authority to prescribe complete application requirements for site plan applications. Municipalities must notify of the completeness of the application within 30 days of the payment of the application fee. A failure to notify allows the applicant to bring a motion to the OLT that may determine whether all required information and materials have been provided. This is similar to the complete application processes that currently apply to official plan amendment or zoning by-law amendment applications.

As noted in Section 2.1, the approval timeline for site plan applications is extended from 30 days to 60 days, which will alleviate some pressure on meeting the statutory timeline. 62% of Site Plan applications considered in 2021 were approved within 30 days and 85% within 35 days. However, staff is monitoring the site plan application packages and process to implement these changes. Possible changes to the City's current Site Plan Control By-law may be required to make sure that the consultation is part of complete application requirements and identify possible requirements for the completeness of the application.

2.5 Amendments to Subdivision Control

Municipalities, at their discretion, may reinstate draft plans of subdivision that have lapsed within the past five years without a new application. Council or its delegated approval authority has the authority to choose whether or not to reinstate recently lapsed draft plans of subdivisions.

The Minister has new regulation-making authority to prescribe matters that are not permitted to be imposed as conditions of subdivision approval. While these matters have not yet been released, the changes would limit the City's ability to impose conditions that would address site-specific concerns. It is unclear if and where this may apply locally and how this will have much impact to the City's subdivision approval process.

Staff will continue to monitor further details to consider and identify possible updates to the subdivision approval process.

2.6 Minister's regulation-making authority

The Minister of Municipal Affairs and Housing has additional authority to make regulations through the changes made by Bill 109 to implement some of the recommendations in the Housing Task Force report.

A recommendation in the Task Force report includes improved municipal reporting on development applications and approvals. The Minister may prescribe reporting requirements for municipalities with respect to planning matters, including what must be included in reports, who the reports are to be provided to, and the frequency and format of the reports. This could allow for opportunities to improve the City's development application and approval processes.

The Task Force report also recommended that municipalities must provide surety bonds as financial security, rather than exclusively requiring letters of credit from chartered bank. In response, Bill 109 grants the Minister new power to make regulations prescribing and defining surety bonds and other instruments. The Regulation, once in force, will authorize landowners and applicants to stipulate the type of surety bonds and other prescribed instruments to secure municipal requirements as part of planning approvals. This will come into force upon proclamation.

2.7 Changes with respect to Community Benefit Charges and Development Charges

The changes to reporting with respect to community benefit charges and development charges are intended to increase transparency for these tools.

If a municipality has a community benefit charge (CBC) by-law in effect, the municipality must publicly consult and review the by-law and pass a resolution indicating whether a revision to the by-law is needed. If the municipality does not pass the resolution within five years of the by-law first being passed or every five years thereafter, the community benefit charge by-law will be deemed to expire. The City of London does not have a CBC by-law and therefore no immediate implications resulting from the change.

Schedule 2 of Bill 109 has made changes to the *Development Charges Act* that require municipalities to provide treasurers' annual financial statements for development charges and reserve funds. The statements must be made available to public online or in a municipality's office. The City makes annual statements available to the public on the City's website.

Next Steps and Conclusion

Bill 109 has made significant changes to the *Planning Act*, focusing on the planning application review and approval process. While the intent is to incent quick decision making by municipalities, the changes could possibly lead to more refusals of applications, more time required on pre-application consultation, and more appeals to the OLT. All of this could lead to delays in the planning process and less opportunity for public consultation.

There are no immediate changes required to the City's planning policy documents, including the London Plan or the Zoning By-law, however staff will review and update the application review process ahead of the mandatory application fee refunds on January 1, 2023. This may include updates to the approval process and by-laws related to certain *Planning Act* applications. Staff will continue to monitor possible changes to the current process and bring additional updates at a later date.

Prepared by: Joanne Lee
Planner I, Long Range Planning and Research

Reviewed by: Justin Adema, MICP, RPP
Manager, Long Range Planning and Research

Recommended by: Gregg Barrett, AICP
Director, Planning and Development

Submitted by: Scott Mathers, MPA, P. Eng.
Deputy City Manager, Planning and Economic
Development

Appendix A – The City's letter to the Province



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P.O. Box 5035
London, ON
N6A 4L9

London
CANADA

April 29, 2022

Ministry of Municipal Affairs and Housing
13th Floor, 77 Bay Street
Toronto, ON M5G 2E5

Sent by Email

**Re: City of London comments on Planning Act Changes – The More
Homes for Everyone Act, 2022
ERO number: 019-5284**

The City of London appreciates the opportunity to comment on the changes made by Bill 109 to the *Planning Act*. However, given that the More Homes for Everyone Act has already received Royal Assent it is unclear what effect these and other comments submitted to the ERO posting can have on the legislation. In the future a more transparent process that allows for comments to be considered in new legislation is encouraged.

The City of London supports the Province's commitment and efforts to address the housing affordability crisis in Ontario, however, has significant concerns on some of the *Planning Act* changes made through Bill 109. This Letter is focused on two such areas of concern that include refunding of application fees and limiting local decision-making authority.

Refunding Planning Application Fees

The City does not support the mandatory refund of fees for applications submitted under section 34 (zoning by-law amendments) or section 41 (site plan control) when a decision is not made within the specified timeframe. These financial penalties will force municipalities to bring applications to a decision, which may include refusal, whereas there may be issues that could be resolved through dialogue with the applicant.

The intent of planning application fees is to cover a portion of the costs for staff to review and make recommendations on those applications. Losing that revenue is not an option as it would either reduce the City's capacity to process applications

and thereby exacerbate existing resource issues, or shift the costs of development to existing taxpayers, which is unfair.

Issues are often identified through the review of materials submitted as part of a planning application, which can often be resolved through revisions to the application. Delays in application processing are often a result of revisions being required to conform with applicable policies, so if the City does not have the flexibility to extend the review period the only option is refusal of the application.

The outcome of this *Planning Act* change could be an increase in recommendations for refusal and more steps in the planning process, including an increase in the number of appeals to the Ontario Land Tribunal. Further, refunds could lead to changes in municipal processes, where more information may be required in order to deem an application to be complete in the first place. This could also result in valuable review time being directed to completeness reviews, rather than application reviews.

Overall, the City is concerned that mandatory refunds will end up worsening affordability through unintended longer timelines and delays.

For site plan control applications, the City is supportive of extended review period to 60 days and authority to prescribe complete application requirements that will alleviate some pressure on meeting the statutory timeline.

Recommendation: Delete sections 34(10.12) and 41(11.1) of the *Planning Act* to remove mandatory refund of planning application fees.

Local Decision-Making

Many of the changes, including the new Community Infrastructure Housing Accelerator (CIHA) tool, shift local decision-making powers to the Ontario Land Tribunal and the Minister. The CIHA tool will accelerate required approvals and permissions while overriding locally significant concerns that municipalities are better informed to consider and address. The City recommends that the tool be limited to specific circumstances where public interest is achieved. A better process would be to allow municipalities to make decisions but eliminate appeal rights for the types of applications captured by the CIHA tool.

Ministerial authority to refer an official plan approval or amendment to the Ontario Land Tribunal for either a recommendation or decision, if acted on, will lead to additional backlog at the Tribunal and time and costs required for hearings to review municipal official plans. The City has significant concerns that this could override municipal policies that were developed in the public interest without due consideration of all of the impacts. While building more homes is a key strategic priority in London to address rising costs, decisions on residential development proposals must also consider other policy objectives.

Additional regulation-making authority for the Minister to prescribe matters that are prohibited to imposed as conditions to subdivision approval is of concern. While what these matters are have not yet been disclosed, the City is concerned that the authority could limit the City's ability to impose conditions.

Recommendation: Rather than by-passing public processes and a municipal council's ability to make decisions, allow for speedy implementation of decisions by limiting the appeal to the approval of planning applications that would add residential units.

Conclusion

These changes to the *Planning Act* focus on a very limited factor (the planning application review and approval process) affecting the housing affordability crisis in Ontario, and do not acknowledge the many opportunities that exist in municipalities such as London to develop housing that do not require a complicated planning application process or approval. The changes could lead to significant delays in the planning approval process, with less public consultation and less consideration of the public interest, including the protection of the natural environment and possible impacts to public health and safety.

Further, there will be significant budgetary pressure on the City as the refund of fees will be for work that has been done on an application. This will shift the cost of application review to the taxpayer, and not the applicant. These changes could result in applications being recommended for refusal if insufficient information is made available for Council to make a decision within the legislated timeline, as the mandatory refund of fees does not provide the opportunity for the timelines to be extended to reflect the normal planning review processes.

The City of London wishes to work together with the Province to address the housing affordability crisis in Ontario. The City requests that all comments received from local municipalities be considered and implemented through further changes.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gregg Barrett", is written over a horizontal line.

Gregg Barrett, AICP
Director, Planning and Development
City of London

cc. Erick Boyd, MMAH, Municipal Services Office – Western
Justin Adema, City of London

Appendix B – Draft Guidelines for Community Infrastructure and Housing Accelerator Tool

Community Infrastructure and Housing Accelerator – Proposed Guideline

Proposal Overview:

Bill 109, the More Homes for Everyone Act, 2022 was introduced in the Legislature on March 30, 2022. If passed, section 5 of Schedule 5 to the Bill would amend the Planning Act to establish a new “community infrastructure and housing accelerator” tool. The Minister of Municipal Affairs and Housing would have the power to make orders to respond to municipal council resolutions requesting expedited zoning outside of the Greenbelt Area.

Subsection 34.1 (25) of the Planning Act would require the Minister to establish guidelines governing how community infrastructure and housing accelerator orders may be made. The guidelines may, among other matters, restrict orders to certain geographic areas or types of development. The guidelines would have to be in place before a community infrastructure and housing accelerator order could be issued and would need to be published on a website of the Government of Ontario.

The draft guidelines outlined below have been prepared for consultation purposes. This consultation draft of proposed guidelines is intended to facilitate dialogue and stimulate feedback. The comments received during consultation will be considered during the final preparation of the guidelines.

Caution: The content, structure, form and wording of the consultation draft are subject to change.

Draft Guidelines: Minister’s Orders at Request of Municipalities (Community Infrastructure and Housing Accelerator Tool)

Where the tool may be used

Subsection 34.1 (11) of the Planning Act provides that a community infrastructure and housing accelerator order cannot be made in the Greenbelt Area (as defined in [Ontario Regulation 59/05 “Designation of Greenbelt Area”](#)) which includes specified lands within:

- the Oak Ridges Moraine Area
- the Niagara Escarpment Plan Area
- the Protected Countryside plan areas

- the Glenorchy Addition plan area
- the 2017 Urban River Valley Area Additions plan area
- Any additional Urban River Valley Areas that may be added through the current [Growing the Greenbelt phase II consultation](#)

Local municipalities (lower and single tier only) may request a community infrastructure and housing accelerator order relating to lands within their geographic boundaries.

Community infrastructure and housing accelerator orders

The Minister will consider making a community infrastructure and housing accelerator order on the request of the council of a local municipality (lower or single tier) where the Minister believes it is in the public interest to do so.

A community infrastructure and housing accelerator order can be used to regulate the use of land and the location, use, height, size and spacing of buildings and structures to permit certain types of development.

The requesting municipality is responsible for providing public notice, undertaking consultation and ensuring the order, once made, is made available to the public.

In issuing an order, the Minister is able to:

- provide an exemption for other necessary planning-related approvals from provincial plans, the Provincial Policy Statement and municipal official plans, but only if this is specifically requested by the municipality, and
- impose conditions on the municipality and/or the proponent.

Types of development

The Minister may make a community infrastructure and housing accelerator order to expedite the following types of priority developments:

- community infrastructure that is subject to Planning Act approval including: lands, buildings, and structures that support the quality of life for people and communities by providing public services for matters such as health, long-term care, education, recreation, socio-cultural activities, and security and safety
- any type of housing, including community housing, affordable housing and market-based housing
- buildings that would facilitate employment and economic development, and
- mixed-use developments.

For greater clarity, a community infrastructure and housing accelerator order will address zoning matters and will not address environmental assessment matters related to infrastructure.

Subsequent approvals

When making a community infrastructure and housing accelerator order, subsection 34.1 (15) of the Planning Act would allow the Minister, upon request of a local municipality, to provide that specific subsequent approvals are not subject to provincial plans, the Provincial Policy Statement and municipal official plans. Subsequent approvals are licences, permits, approvals, permissions or other matters that are required before a use permitted by a community infrastructure and housing accelerator order could be established, such as plans of subdivision and site plan control.

The Minister will only consider an exemption from provincial policy requirements if the subsequent approval is needed to facilitate the proposed project, and the municipality provides a plan that would, in the opinion of the Minister, adequately mitigate any potential impacts that could arise from the exemption. This includes, but is not limited to, matters dealing with:

- Community engagement
- Indigenous engagement
- Environmental protection/mitigation

Conditions

The Minister may impose conditions on the approval of a community infrastructure and housing accelerator order. Conditions could be imposed to ensure that certain studies, assessments, consultations and other necessary due diligence associated with any proposed development that would be subject to the community infrastructure and housing accelerator order would be adequately addressed before construction or site alteration can begin. The lifting of a Minister's condition is at the sole discretion of the Minister.

Existing Aboriginal or treaty rights

This guideline shall be implemented in a manner that is consistent with the recognition and affirmation of existing Aboriginal and treaty rights in section 35 of the Constitution Act, 1982.

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee

From: Scott Mathers, MPA, P. Eng.,
Deputy City Manager, Planning and Economic Development

Subject: Designation of 6092 Pack Road under Section 29 of the
Ontario Heritage Act

Date: June 20, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, with the advice of the Heritage Planner, with respect to the designation of the property at 6092 Pack Road, that the following actions **BE TAKEN**:

- a) Notice **BE GIVEN** under the provisions of Section 29(3) of the *Ontario Heritage Act*, R.S.O. 1990, c. O. 18, of Municipal Council's intention to designate the property to be of cultural heritage value or interest for the reasons outlined in Appendix E of this report; and,
- b) Should no objections to Municipal Council's notice of intention to designate be received, a by-law to designate the property at 6092 Pack Road to be of cultural heritage value or interest for the reasons outlined in Appendix D of this report **BE INTRODUCED** at a future meeting of Municipal Council within 90 days of the end of the objection period.

IT BEING NOTED that should an objection to Municipal Council's notice of intention to designate be received, a subsequent staff report will be prepared.

IT BEING FURTHER NOTED that should an appeal to the passage of the by-law be received, the City Clerk will refer the appeal to the Ontario Land Tribunal.

Executive Summary

The property at 6092 Pack Road is currently a LISTED property on the City's *Register of Cultural Heritage Resources*. A development is proposed on the property which includes a mix of housing forms with retention of an existing 20th-century farmhouse on the property (Z-9493); long term conservation of the farmhouse is being sought. As a component of a complete zoning application, per *The London Plan* policy 565, a heritage impact assessment was prepared by the applicant's representative and a cultural heritage evaluation was completed using the criteria of O. Reg 9/06. The evaluation determined that the property is a significant cultural heritage resource that merits designation pursuant to Section 29 of the *Ontario Heritage Act*.

Linkage to the Corporate Strategic Plan

This recommendation supports the following 2019-2023 Strategic Plan area of focus:

- Strengthening Our Community:
 - Continuing to conserve London's heritage properties and archaeological resources.

Analysis

1.0 Background Information

1.1 Property Location

The subject property at 6092 Pack Road is located on the north side of Pack Road, between Regiment Road and Bostwick Road (Appendix A). Historically, the property is part of the South Half of Lot 76, in the former Westminster Township.

1.2 Cultural Heritage Status

The property at 6092 Pack Road is a heritage listed property, included on the *Register of Cultural Heritage Resources*. The property is considered to be of potential cultural heritage value. The listing of the property on the *Register of Cultural Heritage Resources* came into force and effect on March 26, 2007.

1.3 Description

The property at 6092 Pack Road is approximately 1 hectare (2.5 acres), with a gated entrance along Pack Road and a windbreak of spruce trees along the western edge of the property (Appendix A; Appendix B). The house on the property faces Pack Road and is accessed through the set of gates and entrance drive on the east. In addition to the house on the property, there is a contemporary garage addition at the rear, north-west corner, along with a small added rear entrance.

Several outbuildings are located on the property. There is a pool and cabana located not far from the house to the north of the property. At the north end of the property there is a metal storage/shipping container, and an outbuilding measuring (7.5m x 10m) set on concrete footings and clad in timber siding. Located southeast of the outbuilding are the ruins of a barn. The area around the former barn contains various debris and is overgrown with vegetation.

The house at 6092 Pack Road was likely built between 1900-1910 and is a two-and-a-half-storey, buff brick vernacular farmhouse exhibiting Queen Anne design elements. The footprint measures approximately 10m x 15m (33ft x 49ft). The roof is a cross-hipped roof, clad in asphalt, with a medium pitched, and with a gabled dormer on the main (south) elevation.

The house has a simple compound plan and contains a projecting bay on the east elevation. The foundation of the residence is rusticated concrete block. The main (south) elevation has a front gabled dormer, framed with bargeboard, containing fish scale shingling, and a small one pane window with a wood surround with decorative pilasters on each side. A front porch, with a rusticated concrete block surround, wraps around and returns on the east elevation. The porch is supported by classically inspired wood columns. The underside of the porch roof is finished in tongue and groove wood slats.

The main entrance to the house is located off the porch, tucked around onto the projecting east bay, and consists of a modern door with an original stained-glass transom. Near the entrance, on the east elevation, is an oval shaped stained-glass window with a buff brick window surround. Most windows openings throughout are segmental arch windows openings, with buff brick voussoirs and concrete sills. Most windows frames and doors are contemporary replacements with the exception of the decorative oval-shaped window and stained-glass transoms (all with a similar motif) located at the following: (2) on the front porch, south facing windows on the 1st floor; (1) east facing window on the 1st floor, nearest to the porch; and the entrance door transom. The basement window openings are visible on the east and west elevation and are topped with buff brick voussoirs and contain cotemporary replacement windows.

Based on the architectural style of the residence and the use of rusticated concrete block as a foundation material, the residence was likely built between 1900 and 1910 (Stantec, 2022 p30).

1.4 Property History¹

The property at 6092 Pack Road is located on part Lot 76, East of Talbot Road which was granted by the Crown to Peter Swartz in 1835 (see Stantec, 2022; ONLand 2021a). Soon after Swartz obtained patent to the lot, he began to subdivide the property. In 1836, he sold 25 acres of the northwest part of the lot to Jesse Cornell, 50 acres of the northeast quarter to James Upgrove, and 50 acres of the southeast quarter – containing the current address at 6092 Pack Road – to William Adair (see Stantec, 2002; ONLand 2021a). In 1842, Adair and his wife sold the southeast quarter – containing the current address at 6092 Pack Road – to David Dale. In 1845, Upgrove sold the northeast

¹ This section is excerpted from Stantec, 2022 (p15-16).

quarter to David Dale, resulting in Dale owning the entire east half of Lot 76, East of Talbot Road (see Stantec 2022; ONLand 2021a).

David Dale was a son of Jacob Dale, an immigrant from Pennsylvania who moved to Upper Canada in 1811. The Dale family were prominent early settlers in Westminster Township and became extensive landowners. From the mid-1800s to the 1970s, the Dale family and decedents have owned property at 6092 Pack Road and the surrounding land parcels. Several Dale family members are also buried at Brick Street Cemetery on Commissioners Road (see Stantec 2002; Find-A-Grave 2021a, 2021b). Part of the township at the intersection of present-day Southdale Road and Wharncliffe Road is known as Dale's Corners (present-day Glendale) (see Stantec, 2022; WTHS 2006b:144).

2.0 Discussion and Considerations

2.1 Legislative and Policy Framework

Cultural heritage resources are recognized for the value and contributions that they make to our quality of life, sense of place, and tangible link to our shared past. Cultural heritage resources are to be conserved as per the fundamental policies in the *Provincial Policy Statement (2020)*, the *Ontario Heritage Act*, *The London Plan*. It is important to recognize, protect, and celebrate our cultural heritage resources for future generations.

2.1.1 Provincial Policy Statement

Heritage conservation is a matter of provincial interest (Section 2.d, *Planning Act*). The *Provincial Policy Statement (2020)* promotes the wise use and management of cultural heritage resources and directs that "significant built heritage resources and significant cultural heritage landscapes shall be conserved" (Policy 2.6.1).

"Significant" is defined in the *Provincial Policy Statement (2020)* as, "resources that have been determined to have cultural heritage value or interest." Further, "processes and criteria for determine cultural heritage value or interest are established by the Province under the authority of the Ontario Heritage Act."

Additionally, "conserved" means, "the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained."

2.1.2 Ontario Heritage Act

Section 29 of the *Ontario Heritage Act* enables municipalities to designate properties to be of cultural heritage value or interest. Section 29 of the *Ontario Heritage Act* also establishes consultation, notification, and process requirements, as well as a process to object to a Notice of Intention to Designate (NOID) and to appeal the passing of a by-law to designate a property pursuant to Section 29 of the *Ontario Heritage Act*. Objections to a Notice of Intention to Designate are referred back to Municipal Council. Appeals to the passing of a by-law to designate a property pursuant to the *Ontario Heritage Act* are referred to the Ontario Land Tribunal (OLT).

To determine eligibility for designation under Section 29 of the *Ontario Heritage Act*, properties are evaluated using the mandated criteria of Ontario Regulation 9/06.

2.1.2.1 Ontario Regulation 9/06

The criteria of *Ontario Heritage Act* Regulation 9/06 establish criteria for determining the cultural heritage value or interest of individual properties. These criteria are reinforced by Policy 573_ of *The London Plan*. These criteria are:

1. Physical or design value:
 - i. Is a rare, unique, representative or early example of a style, type, expression, material or construction method;
 - ii. Displays a high degree of craftsmanship or artistic merit; or,
 - iii. Demonstrates a high degree of technical or scientific achievement.
2. Historical or associative value:
 - i. Has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community;

- ii. Yields, or has the potential to yield, information that contributes to an understanding of a community or culture; or,
 - iii. Demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
3. Contextual value:
- i. Is important in defining, maintaining or supporting the character of an area;
 - ii. Is physically, functionally, visually or historically linked to its surroundings; or,
 - iii. Is a landmark.

A property is required to meet one or more of the abovementioned criteria to merit protection under Section 29 of the *Ontario Heritage Act*.

2.1.2.2 Ontario Regulation 385/21

Ontario Regulation 385/21 was proclaimed on July 1, 2021. This regulation prescribes certain requirements for a heritage designating by-law. The following information is a prescribed requirement of a heritage designating by-law, per Section 3(1), O. Reg. 385/21:

1. The by-law must identify the property by,
 - i. The municipal address of the property, if it exists;
 - ii. The legal description of the property, including the property identifier number that relates to the property; and,
 - iii. A general description of where the property is located within the municipality, for example, the name of the neighbourhood in which the property is located and the nearest major intersection to the property.
2. The by-law must contain one or more of the following that identifies each area of the property that has cultural heritage value or interest:
 - i. A site plan.
 - ii. A scale drawing.
 - iii. A description in writing.
3. The statement explaining the cultural heritage value or interest of the property must identify which of the criteria set out in subsection 1(2) of Ontario Regulation 9/06 (Criteria for Determining Cultural Heritage Value or Interest) made under the Act are met and must explain how each criterion is met.
4. The description of the heritage attributes of the property must explain how each heritage attribute contributes to the cultural heritage value or interest of the property.

2.2 The London Plan

The Cultural Heritage chapter of *The London Plan* recognizes that our cultural heritage resources define our City's unique identity and contribute to its continuing prosperity. It notes, "The quality and diversity of these resources are important in distinguishing London from other cities and make London a place that is more attractive for people to visit, live or invest in." Policies 572_ and 573_ of *The London Plan* enable the designation of individual properties under Section 29 of the *Ontario Heritage Act*, as well as the criteria by which individual properties will be evaluated.

3.0 Financial Impact/Considerations

None

4.0 Key Issues and Considerations

4.1 Current Proposal and Cultural Heritage Evaluation

A development is proposed on the property at 6092 Pack Road which includes a mix of housing forms with retention of an existing 20th-century farmhouse on the property; long term conservation of the farmhouse is being sought (Appendix C). Notices of Application were circulated April 20, 2022, and May 6, 2022. As a component of a complete zoning application (Z-9493), per *The London Plan* policy 565, a heritage impact assessment was prepared by the applicant's representative and a cultural heritage evaluation was completed using the criteria of O. Reg 9/06 (Appendix E).

These criteria are:

- i. Physical or design value;
- ii. Historical or associative value; and,
- iii. Contextual value (see Section 2.1.2.1)

A property is required to meet one or more of the abovementioned criteria to merit protection under Section 29 of the *Ontario Heritage Act*. A summary of the evaluation of the property at 6092 Pack Road is highlighted in the table below:

Criteria of O. Reg. 9/06		Yes/ No
Physical/ Design	Is a rare, unique, representative or early example of a style, type, expression, material or construction method	YES
	Displays a high degree of craftsmanship or artistic merit	no
	Demonstrates a high degree of technical or scientific achievement	no
Historical/ Associative	Has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community	YES
	Yields, or has the potential to yield, information that contributes to an understanding of a community or culture	YES
	Demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community	no
Contextual	Is important in defining, maintaining or supporting the character of an area	no
	Is physically, functionally, visually or historically linked to its surroundings	no
	Is a landmark	no

Table 1: Summary of the evaluation of the property at 6092 Pack Road using the criteria of Ontario Regulation 9/06

The Heritage Planner concurs with the evaluation of the property at 6092 Pack Road by Stantec Consulting Ltd. as being a significant cultural heritage resource (Appendix E). As the property at 6092 Pack Road has met the criteria for designation, a Statement of Cultural Heritage Value or Interest and heritage attributes have been identified (Appendix D).

4.1.1 Physical or Design Values

The house at 6092 Pack Road has design value as a representative example of an early 20th- century Ontario vernacular farmhouse with the use with Queen Anne design elements that were popular in the late 19th and early 20th-centuries. Vernacular elements include the use of buff brick and rusticated concrete block for the foundation and porch surround. Design elements specific to the Queen Anne style found on the farmhouse include: a 2 ½ -story structure with compound plan, hip roof, front facing gable, wrap around porch, and use of details such as voussoirs, bargeboard, fish scale shingling, stained-glass, and unique shaped window openings (i.e. oval shaped window near main entrance).

As a vernacular structure, the building materials, construction methods, and quality of craftsmanship were typical of the time. By its very nature, the house does not demonstrate a high degree of craftsmanship or a high degree of technical or scientific achievement. As well, the house is not known to demonstrate or reflect the work or ideas of an architect, artist, builder, designer, or theorist who is significant to a community.

4.1.2 Historical or Associate Values

The property at 6092 Pack Road is directly associated with the Dale family and was occupied by members of the Dale family from 1842 until at least the early 1970s. The Dale family in the former Westminster Township traces its origins to Jacob Dale, an early settler to Westminster Township originally from Pennsylvania. Dale and descedents became extensive landholders in Westminster Township, particularly around the intersection of present-day Southdale Road and Wharncliffe Road. The Dale

family, through their extensive landholdings have made a notable contribution to the pattern of settlement of the former Westminster Township. This area is still referred to as Glendale in recognition of the family.

The property at 6092 Pack Road is not known to demonstrate or reflect the work or ideas of an architect, artist, builder, designer, or theorist who is significant to a community.

4.1.3 Contextual Values

The property at 6092 Pack Road is set in a landscape that remains largely rural and agricultural but is in the process of transitioning to a suburban landscape. The property consists of a house and outbuildings set on a large lot that has been severed from agricultural fields; little tangible signs remain of the former agricultural use of the property. The property at 6092 Pack Road is one of many rural properties located on the southern outskirts of London. It is not believed to be a landmark in the community.

4.2 Comparative Analysis

The house at 6092 Pack Road is an Ontario vernacular farmhouse which exhibits Queen Anne design elements. A comparative analysis of other properties LISTED on the City's *Register of Cultural Heritage Resources*, based on form and style, found many properties identified as "vernacular" (n=470; 7½ %) or having "Queen Anne" (n=538; 9%) styling. Although not conclusive, the house shouldn't be considered rare or unique as many examples of Ontario vernacular farmhouses and Queen Anne houses remain in the City of London and were a common design style throughout Ontario in the late 19th to early 20th centuries.

4.3. Integrity

Integrity is not a measure of originality, but a measure of whether the surviving physical features (heritage attributes) continue to represent or support the cultural heritage value or interest of the property. Likewise, the physical condition of a cultural heritage resource is not a measure of its cultural heritage value. Cultural heritage resources can be found in a deteriorated state but may still maintain all or part of their cultural heritage value or interest (Ministry of Culture, 2006).

The house at 6092 Pack Road demonstrates a high degree of integrity. Many of the original physical features representative of the Queen Anne style have been retained. This can be found in the retention of the wrap-around porch, exterior woodworking details on the front facing gable, and countless stained-glass transoms exhibiting a similar motif. Aside from the replacement of windows and the addition of an attached garage, the house remains relatively unmodified.

4.4 Consultation

In compliance with Section 29(2) of the *Ontario Heritage Act*, consultation with the Community Advisory Committee on Planning (CACP) is required before Municipal Council may issue its notice of intent to designate the property at 6092 Pack Road pursuant to the *Ontario Heritage Act*. The CACP was consulted at its meeting on June 15, 2022.

Conclusion

The evaluation of the property at 6092 Pack Road found that the property met the criteria for designation under Section 29 the *Ontario Heritage Act*. The house at 6092 Pack Road is a significant cultural heritage resource that is valued for its physical or design values and its historical or associative values. The property at 6092 Pack Road should be designated pursuant to Section 29 of the *Ontario Heritage Act* to protect and conserve its cultural heritage value for future generations.

Prepared by: Laura E. Dent, M.Arch, PhD, MCIP, RPP
Heritage Planner

Reviewed by: Jana Kelemen, M.Sc.Arch., MUDS, MCIP RPP
Manager, Urban Design, and Heritage

Recommended by: Gregg Barrett, AICP
Director, Planning and Development

Submitted by: Scott Mathers, MPA, P. Eng.
Deputy City Manager, Planning and Economic
Development

Appendices

Appendix A Property Location
Appendix B Images
Appendix C Proposal Rendering
Appendix D Statement of Cultural Heritage Value or Interest – 6092 Pack Road
Appendix E Heritage Impact Assessment 6092 Pack Road, London, ON
(Stantec, February 17, 2022)

Sources

2022, May 6 – Notice of Planning Application, Zoning By-Law Amendment – 6092 Pack Road (Z-9493). London, ON: Corporation of the City of London.

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Appendix A – Property Location

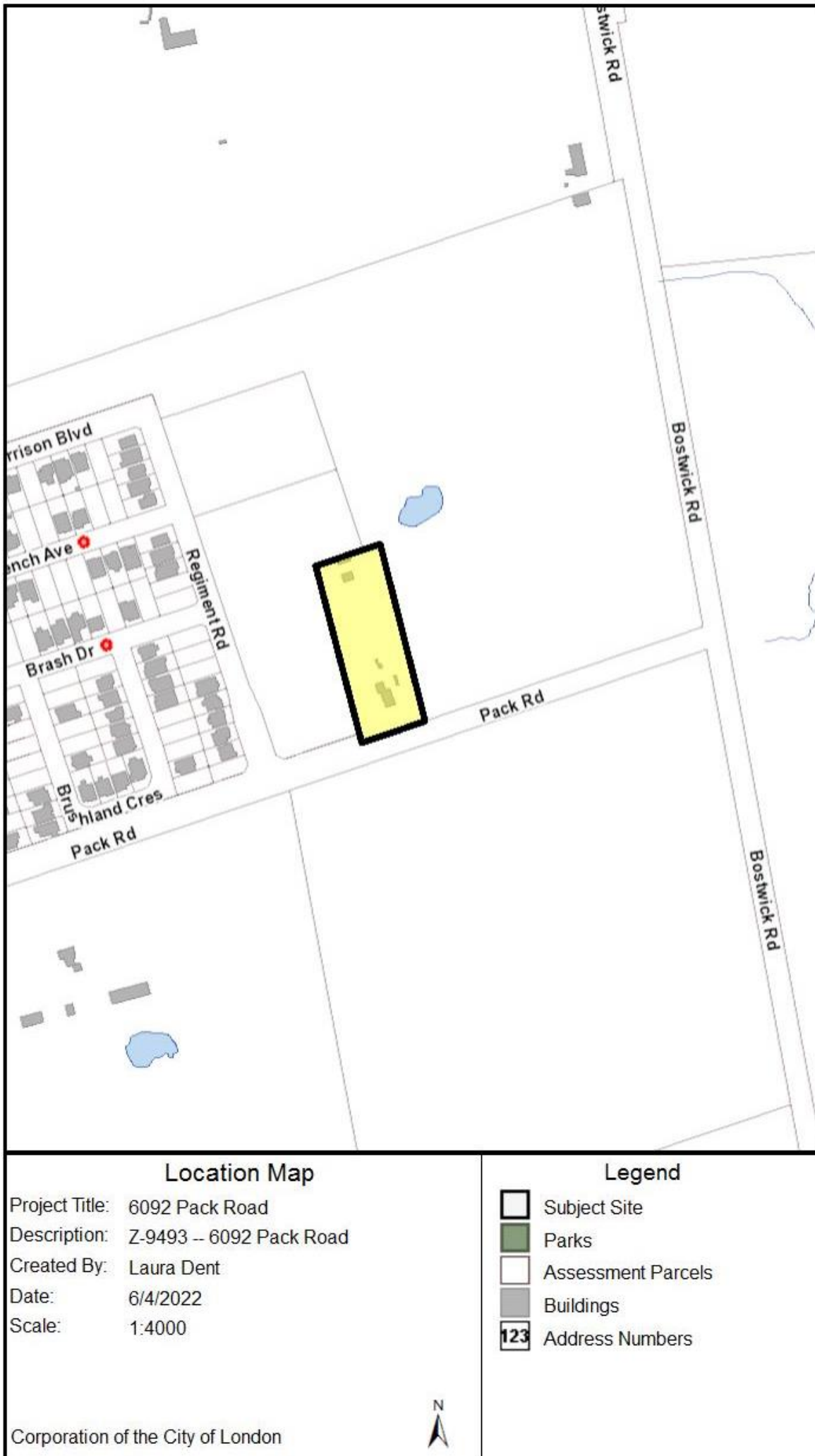
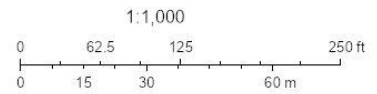


Figure 1: Property Location for 6092 Pack Rd

Corporate City Map



6/5/2022, 3:06:45 PM



Corporation of the City of London | Produced For: Environmental & Engineering Services – Transportation Planning & Design | Produced by: Environmental & Engineering Services - Geomatics | Corporation of the City of London

Figure 2: Aerial view of property showing outbuildings

Appendix B – Images



Image 1: Street view of property at 6092 Pack Road, as seen from Pack Road looking northeast



Image 2: South-east elevations of house on property showing wrap-around veranda and hip roof



Image 3: Front, south elevation of house with hip roof and front facing gable with decorative bargeboard



Image 4: West, side elevation of house on property



Image 5: North-west elevations of house on property showing contemporary garage addition



Image 6: Rear, north elevation of house on property showing contemporary garage additions and added rear entrance



Image 7: North-east elevations of house on property showing rear entrance addition



Image 8: East, side elevation of house on property showing wrap-around veranda



Image 9: Stained glass transom located above first storey window on east elevation



Image 10: Oval shaped stained-glass window on east elevation



Image 11: Stained glass transom located above entrance door off veranda



Image 12: Stained glass transom located above first storey window on south elevation



Image 13: Stained glass transom located above first storey window on south elevation

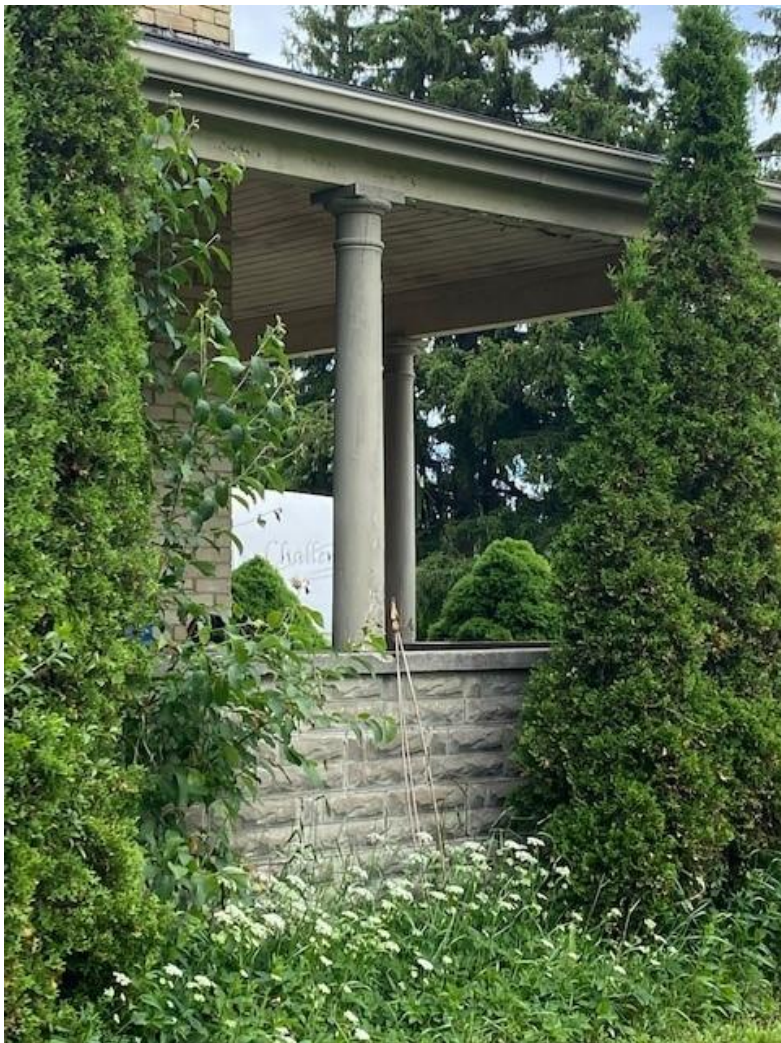


Image 14: Porch details showing wood columns with concrete block surround



Image 15: Row of spruce trees along western edge of property



Image 16: Outbuildings at rear of property – metal shed, barn, and storage container



Image 17: Outbuilding at rear of property – storage container



Image 18: View of rear of property pool and cabana

Appendix C – Proposal Rendering



Appendix D – Statement of Cultural Heritage Value or Interest – 6092 Pack Road

Legal Description

PART LOT 76 ETR WESTMINSTER, PART 1 33R19090

PIN

08209-0008

Description of Property

The property at 6092 Pack Road is located in the City of London on the north side of Pack Road, approximately 280 metres west of the intersection of Bostwick Road and Pack Road. Historically, the property is part of the South Half of Lot 76, in the former Westminster Township. The property contains a house, spruce windbreak, pool with cabana, outbuilding, storage container and barn ruins. The house at 6092 Pack Road was likely built between 1900-1910 and is a two-and-a-half-storey, buff brick vernacular farmhouse exhibiting Queen Anne design elements.

Statement of Cultural Heritage Value or Interest

The property at 6092 Pack Road is of significant cultural heritage value or interest because of its physical or design values and its historical or associative values.

The house at 6092 Pack Road has design value as a representative example of an early 20th century Ontario vernacular farmhouse with the use with Queen Anne design elements that were popular in the late 19th and early 20th-centuries. Vernacular elements include the use of buff brick and rusticated concrete block for the foundation and porch surround. Design elements specific to the Queen Anne style found on the farmhouse include: a 2 ½ -story structure with compound plan, hip roof, front facing gable, wrap around porch, and use of details such as voussoirs, bargeboard, fish scale shingling, stained-glass, and unique shaped window openings (i.e. oval shaped window near main entrance).

The property at 6092 Pack Road is directly associated with the Dale family and was occupied by members of the Dale family from 1842 until at least the early 1970s. The Dale family in the former Westminster Township traces its origins to Jacob Dale, an early settler to Westminster Township originally from Pennsylvania. Dale and decedents became extensive landholders in Westminster Township, particularly around the intersection of present-day Southdale Road and Wharncliffe Road. The Dale family, through their extensive landholdings have made a notable contribution to the pattern of settlement of the former Westminster Township. This area is still referred to as Glendale in recognition of the family.

Heritage Attributes

Heritage attributes which support and contribute to the cultural heritage value or interest of this property include:

- Representative example of an early 20th century Ontario vernacular farmhouse with Queen Anne design elements, including:
 - Two- and one-half storey structure with compound plan
 - Hip roof with brick chimney and gable dormer containing bargeboard and fish scales
 - Buff brick exterior
 - Segmental arch window openings with buff brick voussoirs and concrete sills
 - Stained glass transoms located above main entrance and first storey windows on the south and east elevations
 - Wrap around rusticated concrete block porch with classically inspired wood columns
 - Oval shaped stained-glass window on east elevation
 - Rusticated concrete block foundation

The contemporary garage and entrance addition at the rear, north elevation are not considered to be heritage attributes.

The outbuildings at the north, rear of portion of the property (including a metal shed, barn, and storage container) are not considered to be heritage attributes.

**Appendix E – Heritage Impact Assessment – 6092 Pack Road,
London, ON (Stantec, February 17, 2022)**

Attached separately.



**Heritage Impact Assessment
6092 Pack Road, London,
Ontario**

FINAL REPORT

February 17, 2022

Prepared for:

2847011 Ontario Inc.
509 Commissioners Road West
Suite 425
London, Ontario N6J 1Y5

Prepared by:

Stantec Consulting Ltd.
600-171 Queens Avenue
London, Ontario N6A 5J7

Project Number: 160940814

Executive Summary

2847011 Ontario Inc. retained Stantec Consulting Ltd. (Stantec) to prepare a Heritage Impact Assessment (HIA) for the property located at 6092 Pack Road in the City of London, Ontario. In accordance with Section 27(1) of the *Ontario Heritage Act* (OHA), the City of London (the City) maintains a register of properties that are of cultural heritage value or interest (CHVI). The property at 6092 Pack Road is a listed resource and is described as a Vernacular structure built in 1900. The property was added to the register on March 26, 2007. 2847011 Ontario Inc. is proposing to redevelop the property to include 40 new units consisting of cluster townhouse units, back-to-back townhouses, and the retention of the existing residence.

The residence at 6092 Pack Road was determined to demonstrate design/physical value and historic/associative value. The residence at 6092 Pack Road has design value as a representative example of an early 20th century Ontario vernacular structure with Queen Anne design elements. The property at 6092 Pack Road is directly associated with the Dale family and was occupied by members of the Dale family from 1842 until at least the early 1970s. The Dale family were prominent early settlers in the Township of Westminster.

The proposed undertaking will conserve the built heritage resource at 6092 Pack Road. The proposed undertaking would not result in direct impacts to the property at 6092 Pack Road. The existing residence will be retained *in situ* and no heritage attributes will be altered as part of the proposed undertaking. While the existing shed roof addition and hip roof addition of the residence will be removed, both do not contain heritage attributes. No indirect impacts are anticipated from shadows, isolation, or obstruction. There may be potential for indirect impacts related to land disturbance during the construction phase that could result in vibrations that are damaging to the structure. While a change in land use is anticipated to allow for higher residential density than is currently permitted, the property will remain residential in nature and the proposed changes are not anticipated to impact the heritage attributes or heritage value of the property.

An assessment of impacts resulting from the proposed undertaking at 6092 Pack Road has determined the undertaking may possibly result in indirect impacts from land disturbance. On site construction activity could result in vibrations that have potential to affect historic foundations. Based on the impacts identified to the cultural heritage resource and the proposed undertaking, the following mitigation measure is recommended:



**Heritage Impact Assessment
6092 Pack Road, London, Ontario**

- Retain a qualified person(s) to complete a pre-construction vibration assessment to determine acceptable levels of vibration given the site-specific conditions (including soil conditions, equipment proposed to be used, and building characteristics)
- Should the residence be determined to be within the zone of influence, additional steps should be taken to secure the building from experiencing negative vibration effects (i.e., adjustment of machinery or establishment of buffer zones)

The Executive Summary highlights key points from the report only; for complete information and findings, the reader should examine the complete report.



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- Appendix A: Concept Plan
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Independent Reviewer:	Tracie Carmichael, BA, B.Ed. (R140)



Abbreviations

BLA	Bachelor of Landscape Architecture
CAHP	Canadian Association of Heritage Professionals
CHVI	Cultural Heritage Value or Interest
CSLA	Canadian Society of Landscape Architects
HIA	Heritage Impact Assessment
MA	Master of Arts
MHSTCI	Ministry of Heritage, Sport, Tourism and Culture Industries
OALA	Ontario Association of Landscape Architects
OHA	Ontario Heritage Act
O. Reg.	Ontario Regulation
PPS	Provincial Policy Statement
RPA	Registered Professional Archaeologist



Heritage Impact Assessment 6092 Pack Road, London, Ontario

Introduction
February 17, 2022

1.0 Introduction

2847011 Ontario Inc. retained Stantec Consulting Ltd. (Stantec) to prepare a Heritage Impact Assessment (HIA) for the property located at 6092 Pack Road in the City of London, Ontario (Figure 1 and Figure 2). In accordance with Section 27(1) of the *Ontario Heritage Act* (OHA), the City of London (the City) maintains a register of properties that are of cultural heritage value or interest (CHVI). The property at 6092 Pack Road is a listed resource and is described as a Vernacular structure built in 1900. The property was added to the register on March 26, 2007. 2847011 Ontario Inc. is proposing to redevelop the property to include 40 new units consisting of cluster townhouse units, back-to back townhouses, and the retention of the existing residence.

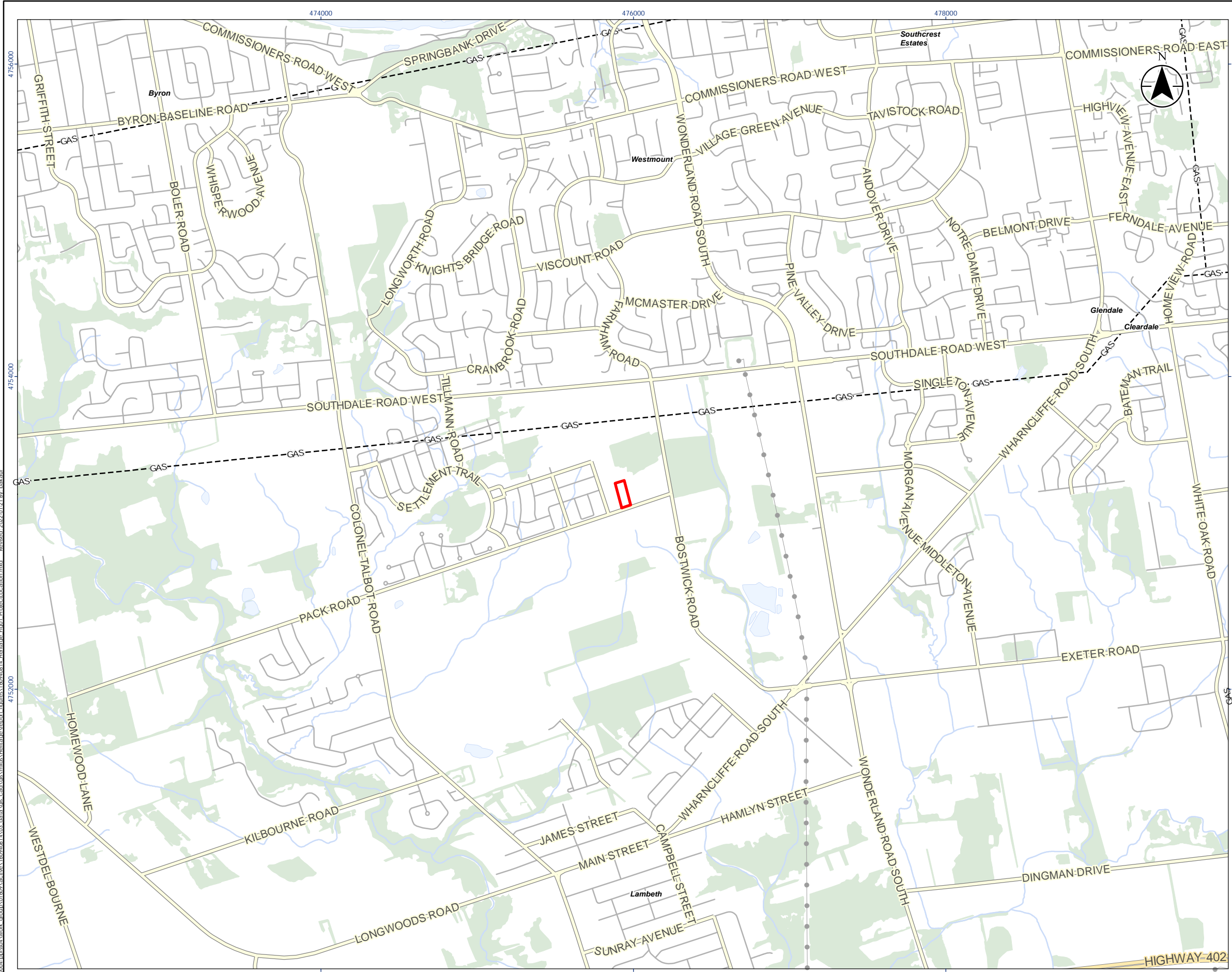
The purpose of the HIA is to respond to policy requirements regarding the conservation of cultural heritage resources in the land use planning process. Where a change is proposed within or adjacent to a protected heritage property, consideration must be given to the conservation of cultural heritage resources. The objectives of the report are as follows:

- Identify and evaluate the CHVI of the Study Area
- Identify potential direct and indirect impacts to cultural heritage resources
- Identify mitigation measures where impacts to cultural heritage resources are anticipated to address the conservation of heritage resources, where applicable

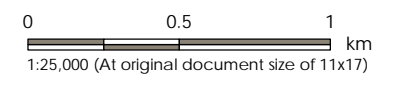
To meet these objectives, this HIA contains the following content:

- Summary of project methodology
- Review of background history of the Study Area and historical context
- Evaluation of CHVI
- Description of the proposed site alteration
- Assessment of impacts of the proposed site alterations on cultural heritage resources
- Review of development alternatives or mitigation measures where impacts are anticipated
- Recommendations for the preferred mitigation measures

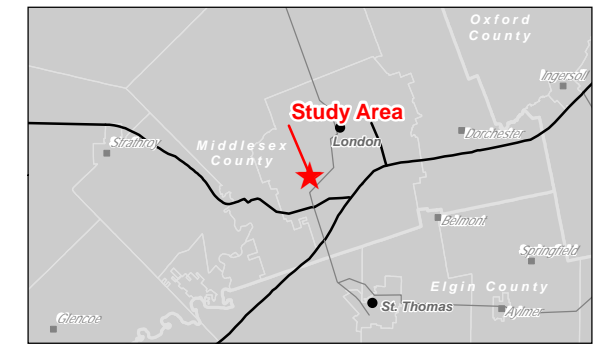




- Legend**
- Study Area
 - GAS- Gas Pipeline
 - Highway
 - Major Road
 - Minor Road
 - Hydro Line
 - Watercourse
 - Waterbody
 - Wooded Area



- Notes**
1. Coordinate System: NAD 1983 UTM Zone 17N
 2. Base features produced under license with the Ontario Ministry of Natural Resources and Forestry © Queen's Printer for Ontario, 2022.



Project Location: City of London
 Prepared by KB on 2022-01-21
 Technical Review by DH on 2022-01-21

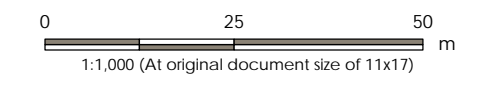
Client/Project: MAGNIFICENT HOMES
 6092 PACK ROAD, LONDON, ONTARIO
 HERITAGE IMPACT ASSESSMENT

Figure No.: 1
 Title:

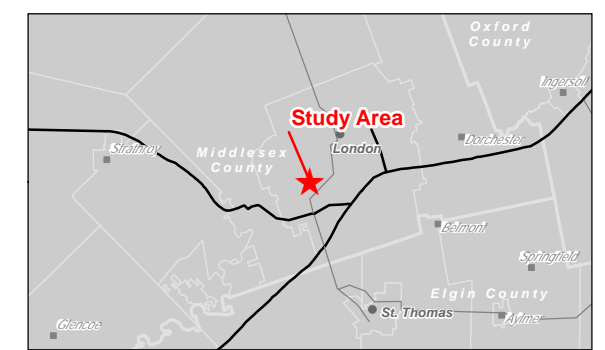
Location of Study Area



Legend
 Study Area



Notes
 1. Coordinate System: NAD 1983 UTM Zone 17N
 2. Base features produced under license with the Ontario Ministry of Natural Resources and Forestry © Queen's Printer for Ontario, 2022.
 3. Orthoimagery © First Base Solutions, 2021. Imagery Date, 2020.



Project Location: City of London
 Prepared by SW on 2022-01-21
 Technical Review by DH on 2022-01-21

Client/Project: MAGNIFICENT HOMES
 6092 PACK ROAD, LONDON, ONTARIO

Figure No.: 2
 Title: Study Area

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2.0 Methodology

2.1 Policy Framework

2.1.1 Planning Act

The *Planning Act* provides a framework for land use planning in Ontario, integrating matters of provincial interest in municipal and planning decisions. Part I of the *Planning Act* identifies that the Minister, municipal councils, local boards, planning boards, and the Municipal Board shall have regard for provincial interests, including:

(d) The conservation of features of significant architectural, cultural, historical or scientific interest

(Government of Ontario 1990)

2.1.2 The 2020 Provincial Policy Statement

The Provincial Policy Statement (PPS) was updated in 2020 and is intended to provide policy direction for land use planning and development regarding matters of provincial interest. Cultural heritage is one of many interests contained within the PPS. Section 2.6.1 of the PPS states that, “significant built heritage resources and cultural heritage landscapes shall be conserved”.

(Government of Ontario 2020)

Under the PPS definition, conserved means:

The identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted, or adopted by the relevant planning authority and/or decision maker. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.

Under the PPS definition, significant means:

In regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the Ontario Heritage Act.



Heritage Impact Assessment 6092 Pack Road, London, Ontario

Methodology
February 17, 2022

Under the PPS, “protected heritage property” is defined as follows:

property designated under Parts IV, V or VI of the Ontario Heritage Act; property subject to a heritage conservation easement under Parts II or IV of the Ontario Heritage Act; property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Sites.

(Government of Ontario 2020)

2.1.3 City of London Official Plan

The City of London’s Official Plan, *The London Plan*, contains the following policy regarding development within or adjacent to designated and listed heritage properties:

586_ The City shall not permit development and site alteration on adjacent lands to heritage designated properties or properties listed on the Register except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the heritage designated properties or properties listed on the Register will be conserved.

The London Plan also contains the following general objectives regarding cultural heritage resources:

- 1. Promote, celebrate, and raise awareness and appreciation of London’s cultural heritage resources.*
- 2. Conserve London’s cultural heritage resources so they can be passed on to our future generations.*
- 3. Ensure that new development and public works are undertaken to enhance and be sensitive to our cultural heritage resources.*

(City of London 2016)

2.2 Background History

To understand the historical context of the property, resources such as primary sources, secondary sources, archival resources, digital databases, and land registry records were consulted. Research was also undertaken at the London Public Library. To familiarize the study team with the Study Area, historical mapping from 1862, 1878, and 1913 was reviewed.



2.3 Field Program

A site assessment was undertaken on July 19, 2021, by Frank Smith, Cultural Heritage Specialist and Lashia Jones, Heritage Consultant. The weather conditions were seasonably warm and clear. The site visit consisted of a pedestrian survey of the property. Interior access was not granted.

2.4 Evaluation of Cultural Heritage Value or Interest

2.4.1 Ontario Regulation 9/06

The criteria for determining CHVI is defined by *Ontario Regulation (O. Reg.) 9/06*. In order to identify CHVI at least one of the following criteria must be met:

1. *The property has design value or physical value because it:*
 - a. *is a rare, unique, representative or early example of a style, type, expression, material or construction method*
 - b. *displays a high degree of craftsmanship or artistic merit*
 - c. *demonstrates a high degree of technical or scientific achievement*
2. *The property has historical value or associative value because it:*
 - a. *has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community*
 - b. *yields, or has the potential to yield, information that contributes to an understanding of a community or culture*
 - c. *demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community*
3. *The property has contextual value because it:*
 - a. *is important in defining, maintaining or supporting the character of an area*
 - b. *is physically, functionally, visually or historically linked to its surroundings*
 - c. *is a landmark*

(Government of Ontario 2006a)



2.5 Assessment of Impacts

The assessment of impacts is based on the impacts defined in the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) *Infosheet #5 Heritage Impact Assessments and Conservation Plans* (Infosheet #5). Impacts to heritage resources may be direct or indirect.

Direct impacts include:

- *Destruction of any, or part of any, significant heritage attributes or features*
- *Alteration that is not sympathetic, or is incompatible, with the historic fabric and appearance*

Indirect impacts do not result in the direct destruction or alteration of the feature or its heritage attributes, but may indirectly affect the CHVI of a property by creating:

- *Shadows that alter the appearance of a heritage attribute or change the viability of a natural feature or plantings, such as a garden*
- *Isolation of a heritage attribute from its surrounding environment, context or a significant relationship*
- *Direct or indirect obstruction of significant views or vistas within, from, or of built and natural features*
- *A change in land use such as rezoning a battlefield from open space to residential use, allowing new development or site alteration to fill in the formerly open spaces*
- *Land disturbances such as a change in grade that alters soil, and drainage patterns that adversely affect an archaeological resource*

(Government of Ontario 2006b)

In addition to direct impacts related to destruction, this HIA also evaluated the potential for indirect impacts resulting from the vibrations of construction and the transportation of project components and personnel. This was categorized together with land disturbance. Although the effect of traffic and construction vibrations on historic period structures is not fully understood, vibrations may be perceptible in buildings with a setback of less than 40 metres from the curbside (Crispino and D'Apuzzo 2001; Ellis 1987; Rainer 1982; Wiss 1981). For the purposes of this study, a 50-metre buffer is used to represent a conservative approach to delineate potential effects related to vibration. The proximity of the proposed development to heritage resources was considered in this assessment.



2.6 Mitigation Options

In addition to providing a framework to assess the impacts of a proposed undertaking, the MHSTCI Infosheet #5 also provide methods to minimize or avoid impacts on cultural heritage resources. These include, but are not limited to:

- *Alternative development approaches*
- *Isolating development and site alteration from significant built and natural features and vistas*
- *Design guidelines that harmonize mass, setback, setting, and materials*
- *Limiting height and density*
- *Allowing only compatible infill and additions*
- *Reversible alterations*
- *Buffer zones, site plan control, and other planning mechanisms*

(Government of Ontario 2006b)



3.0 Historical Overview

3.1 Introduction

The Study Area is located at 6092 Pack Road, between the intersections of Regiment Road and Bostwick Road. The legal description of the property is 'CON ETR PT LOT 76 REG 2.46 AC 200.00FR 536.26D.' Historically, the Study Area is located on part of Lot 76, East of Talbot Road in the former Township of Westminster. The following sections outline the historical development of the Study Area from the period of colonial settlement to the present-day.

To understand the historical context of the property, resources such as primary sources, secondary sources, archival resources, digital databases, and land registry records were consulted. Due to COVID-19 pandemic restrictions, access to some sources was limited or unavailable.

3.2 Physiography

The Study Area is situated within the "Mount Elgin Ridges" physiographic region (Chapman and Putnam 1984: 144-146). The region is located between the Thames Valley and Norfolk Sand Plain and consists of a succession of ridges and vales. The southern portions of the region drain to Lake Erie via Kettle, Catfish, and Otter Creeks. Northerly parts of the region drain to the Thames River. The two landforms of the region contain contrasting soils. The ridges contain well drained soil while the hollows contain poor drainage. In general, low-lying land in this region is used for pasture while the rolling hills are cultivated. Corn is the most important crop grown in the region and other crops include wheat, grain, and oats. The Mount Elgin Ridges is also considered one of the most prosperous dairy and livestock regions in Ontario (Chapman and Putnam 1984: 145).

3.3 Township of Westminster

3.3.1 Survey and Settlement

The former Township of Westminster and City of London is located on the traditional territory of the Attawandaron, Anishinaabeg, Haudenosaunee, and Lunaapeewak Indigenous peoples (City of London 2021). From the 17th century until 1763, southwestern Ontario was part of the sprawling colony of New France. The French colony was ceded to the British and Spanish following their victory in the Seven Years War in 1763. Much of this new British territory was administered as the Province of Quebec. In 1783, Great Britain recognized the independence of the United States and



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about 50,000 Loyalists left the fledgling republic for British lands, including Canada (Craig 1963: 3). To accommodate the Loyalists, the British parliament passed the *Constitutional Act of 1791*, which divided Quebec into Upper and Lower Canada. The division was both geographic and cultural: French laws would be preserved in Lower Canada, while the British constitution and laws would be implemented in Upper Canada (Craig 1963: 17).

John Graves Simcoe was selected as Lieutenant Governor of the newly created province. Simcoe was a veteran of the American Revolution, having served in the Queens Rangers, and eagerly planned to build a model British society in Upper Canada. He desired to “inculcate British customs, manners, and principles in the most trivial as well as serious matters” in the new colony (Craig 1963: 20-21). Simcoe intended to populate the new colony with Loyalists and new immigrants from the United States (Taylor 2007: 4-5).

The survey of the Township of Westminster began in 1810 under the direction Deputy Surveyor Simon Zelotes Watson. He began a preliminary survey of the township on May 27, 1810, and the following day started the survey in the northeast corner of the township south of the Thames River. The first line across the township that Watson surveyed was referred to as the baseline and roughly follows the present-day alignment of Baseline Road East (Baker and Neary 2003: 12). Watson was authorized to place settlers along the road and recruited about 300 Americans for settlement. However, Watson’s plans were blocked by Colonel Thomas Talbot, causing considerable acrimony between the two men (Paddon 1976: 45).

The overall settlement of Westminster Township during much of the first half of the 19th century was under the superintendence of Colonel Thomas Talbot. He was responsible for the settlement of 26 townships in southwestern Ontario. Talbot had the reputation as a strict superintendent and vigorously enforced the requirement which stipulated that all settlers clear and open at least half of the roadway along their lot. Settlers who ignored the requirement often had their right to settle on their land revoked (Westminster Township Historical Society (WTHS) 2006: 395).

In 1811, Provincial Land Surveyor Mahlon Burwell, a close associate of Colonel Talbot, began to survey additional sections of Westminster Township. He laid out the north branch of Talbot Road (present-day Colonel Talbot Road) to just north of present-day Lambeth, south of the Study Area. Shortly before the war of War of 1812, the former Indigenous trail now called Commissioner’s Road, located about 2.4 kilometres north of the Study Area, was widened and improved. Burwell’s survey of the remainder of Westminster Township was put on hold during the War of 1812 (Baker and Neary 2003: 28).



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The War of 1812 caused considerable disruption to the settlement of southwestern Ontario and Westminster Township. Until the War of 1812, the majority of immigrants to Upper Canada, including Westminster Township, were from the United States. Many of these immigrants arrived from New England and New York. Other early settlers to Westminster Township included Scottish immigrants (Miller 1992: 5). Some colonial officials expressed their wariness towards American settlers, with Colonel Talbot writing in 1800 that American immigrants were largely “enticed by a gratuitous offer of land, without any predilection on their part, to the British constitution” (Taylor 2007: 28). During the War of 1812, American settlers were perceived by Loyalists and the British military as disloyal or apathetic towards the war effort. There was some truth to this perception in Westminster Township, and several prominent settlers defected to American forces, including Simon Zelotes Watson (Hamil 1955: 76). After the war, the policy of encouraging immigration from the United States was largely abandoned and British administrators clamped down on granting land to American settlers (Taylor 2007: 31).



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The survey of Westminster Township resumed in August 1816 with Burwell laying out a northern extension of the Talbot Road between Lots 42 and 43, Concession 1. The Talbot Road served as a direct link between the Township of Westminster and the main Talbot Road to the south. The last portion of the survey, Concessions 3 to 9, was completed between 1819 and 1821 by Deputy Land Surveyor John Bostwick (St. Denis 1985: 19-20). The township was surveyed using the double-front system, with most lots being 200 acres in size (Plate 1). Properties north of Baseline Road on the Broken Front concession were irregularly sized due to the meandering path of the Thames River. The Township was named in for the City of Westminster, the site of the British Parliament. The name was likely chosen because the township was bordered on the north by London Township (Gardiner 1899: 314).

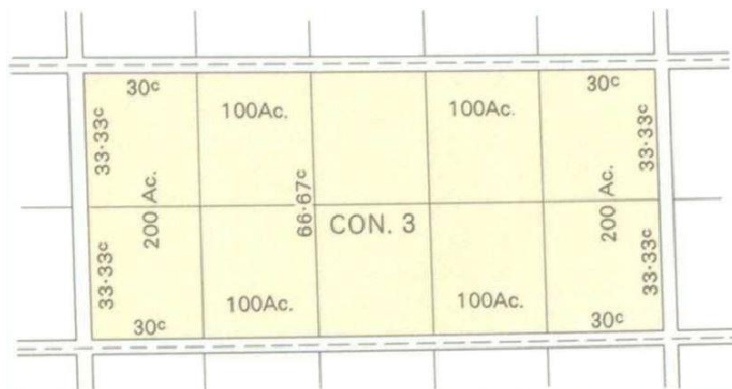


Plate 1: Double Front Survey System (Dean 1969)

3.3.2 19th Century Development

The first administrative meeting for the United Townships of Westminster, Delaware, and Dorchester was held on March 4, 1817, in Archibald McMillan's tavern. In 1817, the township had a population of 428 people in 107 houses. The township had two schools and two mills. The average price of land in 1817 was 20 shillings per acre (Brock and Moon 1972:568). An article published in the Montreal Gazette in June 1831 described the first concession of the Township of Westminster as being settled primarily by Americans and that "many of the farms are extensive and tolerably well cultivated, having good framed barns, fine promising young orchards, and comfortable dwellings" (Brock 1975: 65).

The first post offices were established in Westminster Township in 1840. One was located in present-day Lambeth and another in present-day Byron (WTHS 2006:393). The fertile soil of the township made it agriculturally very productive. In 1849, the township's farmers produced 57,600 bushels of wheat, 54,000 bushels of oats, 12,000 bushels of peas, 22,000 pounds of wool, and 36,000 pounds of butter (WTHS 2006a: 69). The value of cleared land in the township had increased to 60 shillings an acre.



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Many farmers in the township also produced maple syrup if the wood lots on their farm had maple trees (WTHS 2006a:114). Between 1851 and 1861 the population of Westminster Township increased from 5,069 to 6,285. By this time the population of the township consisted primarily of native-born Canadians, British immigrants, and a small but notable American population (Board of Registrations and Statistics 1853; Board of Registration and Statistics 1863). Railway service entered the township in 1853 when the London and Port Stanley Railway was constructed through the township. The railway linked to the Great Western Railway in London (Port Stanley Terminal Rail 2021).

Hamlets developed throughout the township including Hall's Mills (later Byron), Lambeth, Belmont, Nilestown, Ponds Mills, and Glanworth. Lambeth, located just south of the Study Area, became a major village in Westminster Township (WTHS 2006a: 88-89). Lambeth developed at the intersection of Colonel Talbot and Longwoods Road (WTHS 2006a: 143-144). By the 1880s, Lambeth had several stores, taverns, and a steam spoke factory and had a population of about 200 (Page 1878: vi).

To the north of Westminster Township, the City of London was incorporated in 1855, with a population of 10,000 (Armstrong 1986:68). The development of London and Westminster Township would become increasingly intertwined during the late 19th century as suburban development and the City's infrastructure began to encroach upon Westminster Township. The City constructed a waterworks in the township in 1878, which eventually became part of the popular Springbank Park (McTaggart and Merrifield 2010:17-18). Suburban development also began in an area known as London South, which was eventually annexed by the City in 1890 (Flanders 1977:3). As a result of the annexation, the population of Westminster Township decreased from 7,892 in 1881 to 6,335 in 1891 (Dominion Bureau of Statistics 1953).

3.3.3 20th Century Development

Westminster Township remained predominantly agricultural during the first half of the 20th century and the community of Lambeth remained clustered along the intersection of Colonel Talbot Road and Longwoods Road. In 1920, Colonel Talbot Road was incorporated into King's Highway 4. This north-south road ran through much of Southwestern Ontario and was eventually expanded to run from Elgin County to Bruce County (Bever 2021a). The population of Westminster Township in 1921 was 5,687, an increase of 668 people since 1911 (Dominion Bureau of Statistics 1953). In 1921, a total of 31,254 acres of land were under cultivation in the township, the second highest total in Middlesex County (Dominion Bureau of Statistics 1925 :408).



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While the First World War and Great Depression curtailed major growth of the City of London, the postwar building boom led to the suburbanization of swaths of Westminster Township during the 1950s. Between 1951 and 1956, the population of Westminster Township increased 45%. In 1951, 1954, and 1959, the township allowed several parts of the township east of the Study Area to be annexed into the City to improve municipal services to the newly suburbanized areas (Meligrana 2000:14; Miller 1992: 212-213).

However, the City soon proposed a more ambitious annexation that would more than double the size of the City by incorporating additional lands from Westminster and London Townships. The townships opposed this plan and the Township of Westminster argued that much of the proposed land to be annexed was rural. Representatives of Westminster Township explained they had amicably agreed with the City about ceding suburbanized lands but expressed the belief that rural land did not belong in a City (Meligrana 2000:14). In May 1960, the Ontario Municipal Board ruled in favour of the City and, in 1961, portions of Westminster Township and London Township were annexed. The Study Area remained outside the newly annexed lands.

Another major postwar development in the township was the construction of King's Highway 401 and King's Highway 402. Highway 401, which runs from Windsor to the Quebec/Ontario border was constructed in phases through Southwestern Ontario in the 1960s (Bever 2021b). Highway 402, which runs from Sarnia to London, was constructed in phases during the 1970s and early 1980s. In 1981, the final stretch of Highway 402 was completed and Highways 401 and 402 merged in Westminster Township (Bever 2021c).

By the early 1980s, the City of London required more land for future industrial development. The City of London wanted to annex the Highway 401/402 corridor in the Township of Westminster, ideally located for industrial development and just outside of city limits. In 1988, Westminster Township was incorporated as the Town of Westminster, partially in response to London's annexation attempts (WTHS 2006a: 73). Despite the incorporation of the Town of Westminster, in 1992 the province approved an annexation that saw the City of London triple in size (Sancton 1994: 28-29). Effective January 1, 1993 the entire Town of Westminster, including the Study Area, was annexed into the City of London. Also included in the 1993 annexation were portions of London, Delaware, North Dorchester, and West Nissouri Townships (Middlesex County 2016). The population of London in 2016 was 383,822, an increase of 4.8% since 2011 (Statistics Canada 2019).



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3.4 Property History

Lot 76, East of Talbot Road was granted by the Crown to Peter Swartz (also spelled Swarts) in 1835 (ONLand 2021a). Peter was the son of Henry Swartz, a United Empire Loyalist who initially settled in Thorold Township in Niagara and later relocated to Westminster Township. As the son of a Loyalist, Peter was entitled to his own land grant upon reaching the age of maturity (United Empire Loyalists' Association of Canada 2021; Library and Archives Canada 1830). He likely settled on the lot around 1830 and fulfilled the settlement obligations to obtain patent to the lot in 1835. Settlement obligations typically included clearing a specified amount of land and building a house. Upon completion of these duties, a settler received a patent (Archives of Ontario 2020).

Soon after he obtained patent to the lot, Swartz began to subdivide the property. In 1836, he sold 25 acres of the northwest part of the lot to Jesse Cornell, 50 acres of the northeast quarter to James Upgrove, and 50 acres of the southeast quarter, containing the Study Area, to William Adair (ONLand 2021a). William Adair resided on Gore Road and likely held the southeast quarter of the lot in speculation. He was born in 1796 in Grimsby and later moved to Westminster Township (WTHS 2006b: 4). In 1842, Adair and his wife sold the southeast quarter, containing the Study Area, to David Dale. In 1845, Upgrove sold the northeast quarter to David Dale, resulting in Dale owning the entire east half of Lot 76, East of Talbot Road (ONLand 2021a). David Dale was a son of Jacob Dale, an immigrant from Pennsylvania who moved to Upper Canada in 1811. The Dale family were prominent early settlers in Westminster Township and became extensive landowners, resulting in a part of the township at the intersection of present-day Southdale Road and Wharncliffe Road becoming known as Dale's Corners (present-day Glendale) (WTHS 2006b: 144).

The Census of 1851 lists David Dale as a 40-year-old farmer born in Canada. He lived with his wife Eliza, age 28; son John, age 11; son Caleb, age 9; daughter Anne, age 7; daughter Elizabeth, age 5; daughter Eliza, age 4; and daughter Mary, age 2. The Agricultural Census of 1851 lists David Dale as owning land in Lot 35, Concession 1 and Lot 76, East of Talbot Road. He owned a total of 190 acres of land and had 90 acres under cultivation. The acres under cultivation included 72 acres of crops, 15 acres of pasture, and three acres of gardens or orchards (Library and Archives Canada 1851). The Census of 1861 lists the Dale family as residing in a one- and one-half storey brick house. It is likely Dale and his family resided on Lot 35, Concession 1 as the agricultural return for the Census of 1861 lists Dale with other residents along Concession 1 (Library and Archives Canada 1861). However, historical mapping from 1862 does not show a structure on either of the lots owned by David Dale (Figure 3). David Dale died in 1878 and is buried at Brick Street Cemetery on Commissioners Road (Find-A-Grave 2021a).



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Following David's death, the Study Area was conveyed via probate to John Dale, the eldest son (ONLand 2021b). Historical mapping from 1878 depicts John Dale as the owner of the property and shows a residence and orchard at the approximate location of present-day 6092 Pack Road (Figure 4). The Census of 1891 lists John Dale as a 49-year-old farmer born in Ontario. He lived with his wife Delaney, age 41; son Robert, age 18; and son John H., age 16 (Library and Archives Canada 1891). Topographic mapping depicts the present-day residence at 6092 Pack Road and depicts the surrounding area as rural (Figure 5). John Dale died in 1927 and is also buried at Brick Street Cemetery (Find-A-Grave 2021b). Following his death, the property was sold to John Henry Dale (ONLand 2021b).

John Henry Dale and his wife Mary (née Grive) lived on Lot 76, East Talbot Road (Plate 2). In 1934 he leased part of his property to the Hydro Electric Power Commission of Ontario for the erection of transmission lines and in 1939 he leased the oil and gas rights of the property to Luke Smith (ONLand 2021b). Aerial photography from 1942 shows the present-day residence and a barn located at the northeast corner of the property (Figure 6). John H. Dale died around 1962 and Mary Dale died around 1966. Their son Norman took up residence on the property after their deaths. Norman married Marilyn (née Wild) and together they had James Robert, Caroline Susan, Mary Angela, and Lori-Anne (WTHS 2006b: 146-147). Norman Dale and his wife continued to reside on the east half of the Study Area into the 1970s (ONLand 2021b). Lot 76, East of Talbot Road, including the Study Area, remained rural and agricultural into the early 21st century. According to aerial photography, suburban development on the lot began around 2006 near Colonel Talbot Road.

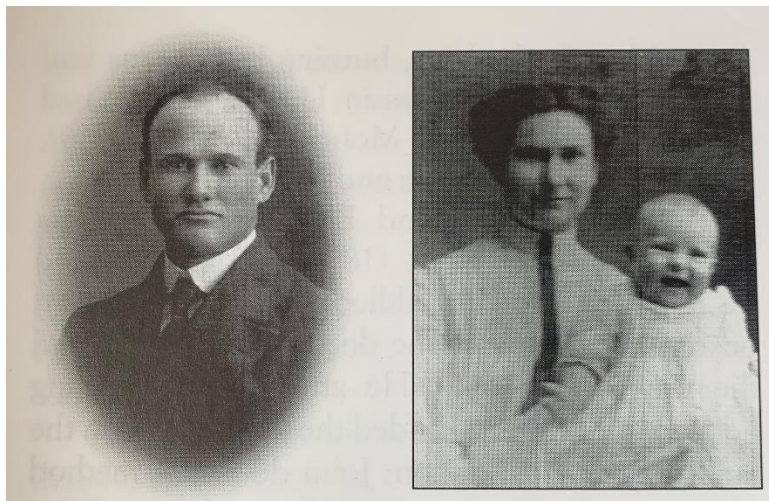


Plate 2: John Henry Dale and Mary Dale (WTHS 2006b: 146)





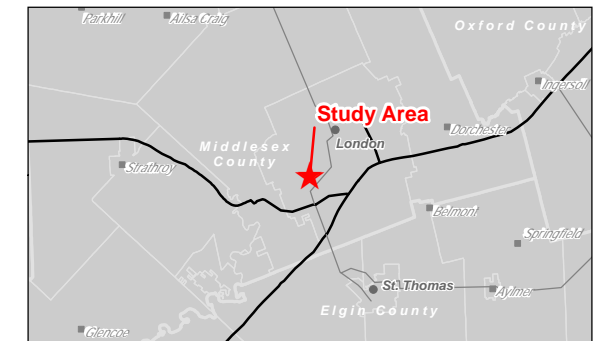
Legend

Study Area (approximate)



Figure Not to Scale

Notes
 1. Source: Tremaine, George R. 1862. Tremaine's Map of the County of Middlesex, Canada West. Toronto: George R. & G.M. Tremaine.



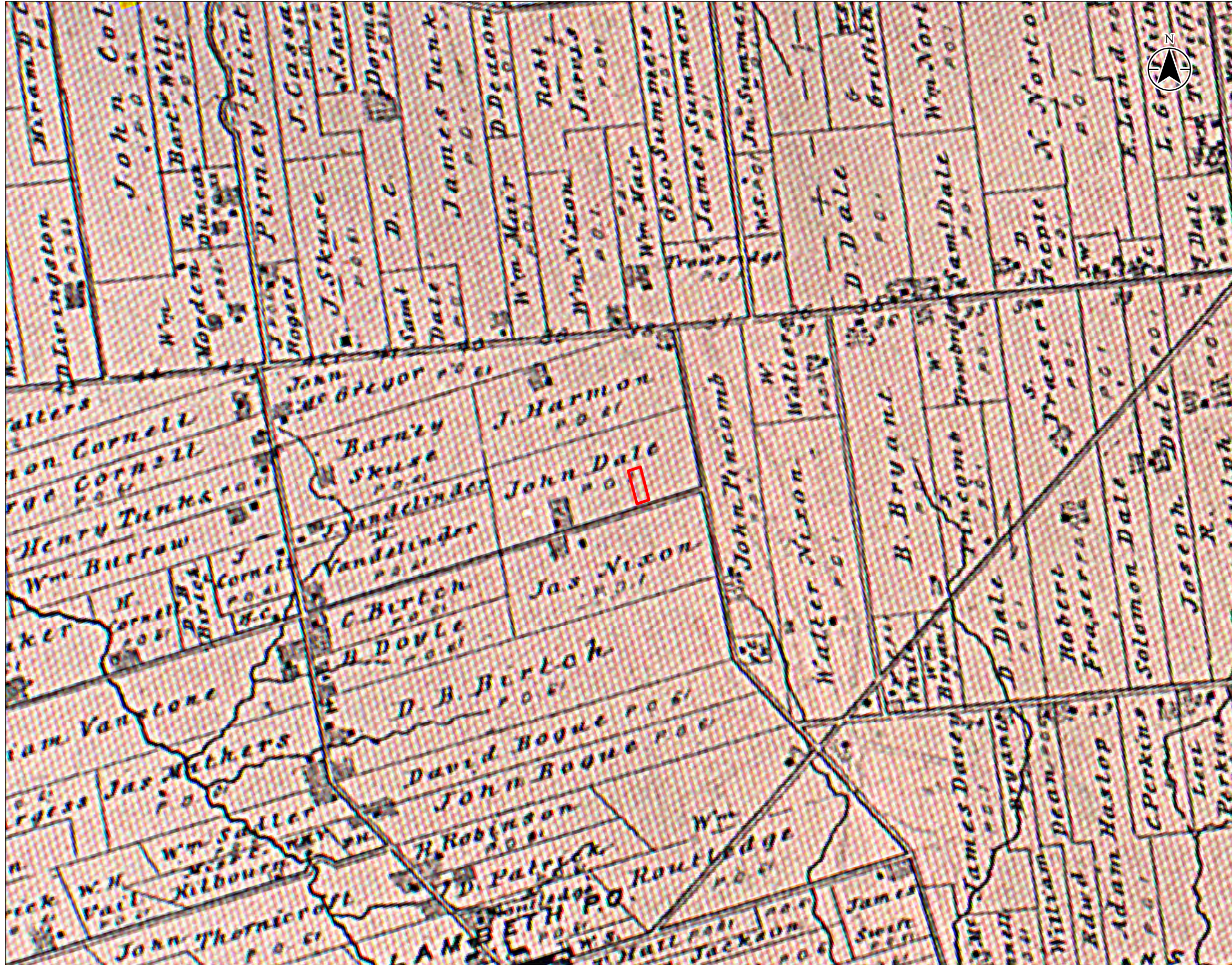
Project Location: Ottawa Division
 160940814 REVA
 Prepared by KB on 2022-01-21
 Technical Review by DH on 2022-01-21

Client/Project
 MAGNIFICENT HOMES
 6092 PACK ROAD, LONDON, ONTARIO
 HERITAGE IMPACT ASSESSMENT

Figure No.
 3

Title
 Historical Mapping, 1862

\\ca0004-redacted\work_group\01_609_active\160940814_03_data\del_cad\del_msh\Heritage\Report_Figures\160940814_Heritage_Fig03_1862Historic.mxd Revised: 2022-01-21 By: bobaxr

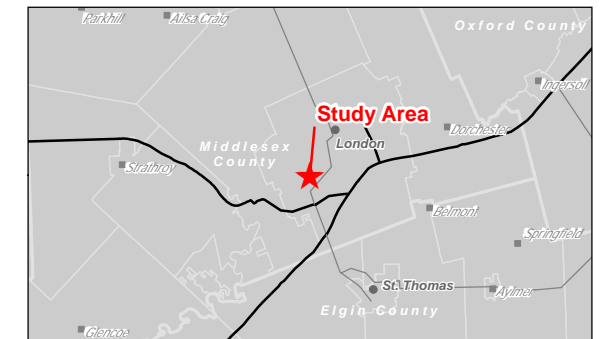


Legend

Study Area (approximate)

Figure Not to Scale

Notes
 1. Source: Page, H.R. 1878. Illustrated Historical Atlas of the County of Middlesex, ONT. Toronto: H.R. Page & Co.

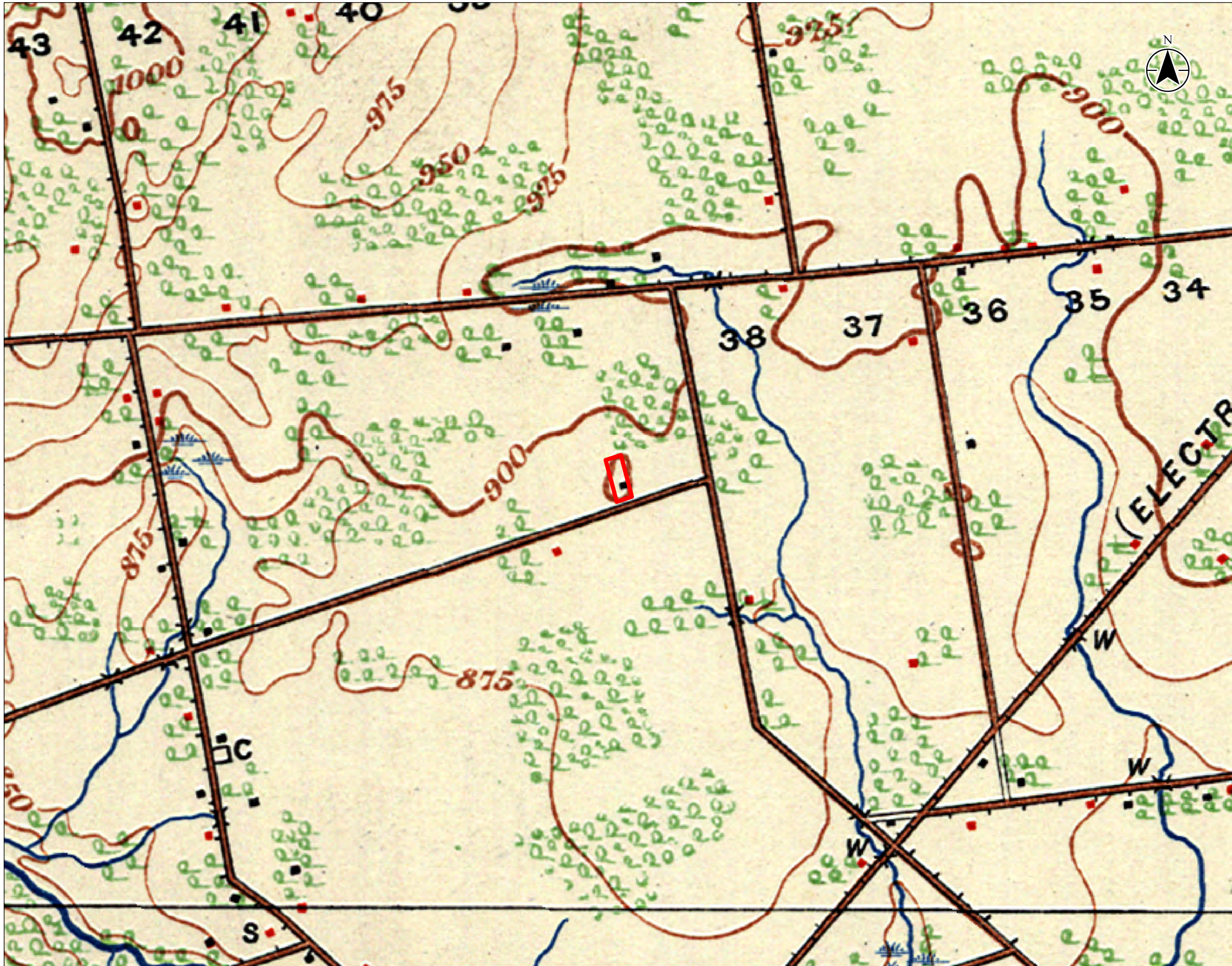


Project Location: City of London
 160840814 REVA
 Prepared by KB on 2022-01-21
 Technical Review by DH on 2022-01-21

Client/Project
 MAGNIFICENT HOMES
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Figure No.
 4

Title
 Historical Mapping, 1878

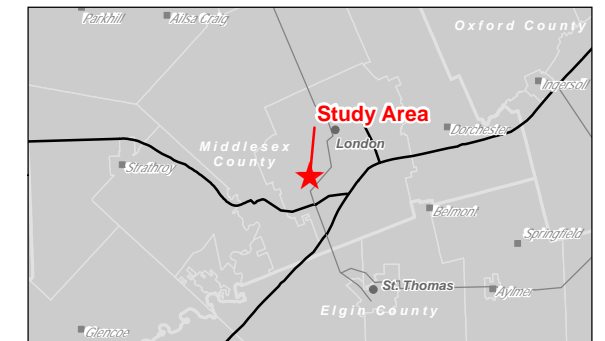


Legend
 Study Area (approximate)



Figure Not to Scale

- Notes
 1. Source: Department of Militia and Defence. 1913. St. Thomas, Ontario.



Project Location: City of London
 160940814 REVA
 Prepared by KB on 2022-01-21
 Technical Review by DH on 2021-01-21

Client/Project
MAGNIFICENT HOMES
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Figure No.
 5

Title
 Topographic Mapping, 1913

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4.0 Site Description

4.1 Introduction

As outlined in Section 2.3, a site visit was undertaken on July 19, 2021 by Lashia Jones and Frank Smith, both Cultural Heritage Specialists with Stantec. The weather conditions were sunny and seasonably warm. The site visit consisted of a pedestrian survey of the property. Interior access was not granted. Photographs were taken on Nikon D5300 at a resolution of 300 dots per inch and 6000 by 4000 pixels.

4.2 Landscape Setting

The Study Area is located on the north side of Pack Road, approximately 280 metres west of the intersection of Bostwick Road and Pack Road. Pack Road is a two-lane asphalt paved roadway with narrow gravel shoulders. The roadway contains no sidewalks and utility poles run along the north side of the road. West of the Study Area, the south side of the roadway is lined with municipal streetlighting affixed to wooden poles (Plate 3). The Study Area is set is transitioning from a rural and agricultural streetscape to a suburban streetscape. The south side of Pack Road and immediately east of the Study Area remain a rural and agricultural landscape (Plate 4 and Plate 5). West of the Study Area, new detached residences are being constructed adjacent to an existing residential subdivision (Plate 6).

The property at 6092 Pack Road is accessed via two gated entrances located off Pack Road. The primary entrance contains a gravel driveway connected to Pack Road while a secondary entrance is surrounded by lawn (Plate 7 and Plate 8). The property boundary is delineated by post and wire fencing and sections of timber rail fencing (Plate 9). The south border of the property is landscaped with a row of small and intermediate sized cedar hedges while the east and west borders are landscaped with windbreaks of mature Norway spruce trees (Plate 10 to Plate 12). The property is landscaped with a lawn and landscaping along the residence includes cedar bushes, a small Japanese maple tree, and various ornamental perennial plantings (Plate 13). Located to the north of the residence is a deck and pool (Plate 14).



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Plate 3: Looking west on Pack Road showing roadway, shoulders, and utility poles



Plate 4: Looking south on Pack Road



Plate 5: Looking east on Pack Road towards Bostwick Road



Plate 6: Looking west at new residential construction



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Plate 7: Main entrance, looking southeast



Plate 8: Secondary entrance, looking north



Plate 9: Looking north at section of post and wire and split rail fencing



Plate 10: Cedar hedge, looking south



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Plate 11: East and west windbreaks, looking south



Plate 12: Details of west windbreak, looking northwest



Plate 13: Lawn, shrubs, and perennials, looking north



Plate 14: Deck and pool, looking northeast

4.3 Residence

The residence at 6092 Pack Road is a two- and one-half storey structure with a medium pitched cross hip roof with a gable dormer on the main (south) elevation. The roof is clad in asphalt shingles and contains a brick chimney. The residence has a simple compound plan and contains a projecting bay on the east elevation (Plate 15). The exterior of the residence is buff brick with a Flemish bond pattern (Plate 16). The foundation of the residence is rusticated concrete block (Plate 17).

The main (south) elevation contains a gable dormer with bargeboard, fish scales, and a small one pane window with a wood surround. The second storey contains two modern



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1/1 windows with segmental arch window openings, buff brick voussoirs, and concrete sills (Plate 18). The first storey contains a rusticated concrete block front porch which wraps around to part of the east elevation. The porch is supported by classically inspired wood columns. The first storey contains a modern horizontal sliding window with a segmental arch window opening, buff brick voussoir, concrete sill, and stained-glass transom (Plate 19). Just east of this window is a modern 1/1 window with a segmental arch window opening, buff brick voussoir, concrete sill, and stained-glass transom (Plate 20). The main entrance is located on projecting bay and consists of a modern door with a stained-glass transom and buff brick voussoir (Plate 21).

The second storey of the east elevation contains two modern 1/1 windows with segmental arch window openings, buff brick voussoirs, and concrete sills. The northeast corner of the second storey contains a modern commercial light fixture. Utility conduits run between the windows of the second and first storeys. The first storey contains two modern windows with segmental arch openings, buff brick voussoirs, concrete sills, and stained-glass transoms. To the north of these windows is a modern entrance door with a buff brick voussoir and small light fixture (Plate 22). Located to the south of these windows is a oval shaped stained-glass window with a buff brick window surround (Plate 23). The basement contains two modern horizontal sliding windows with buff brick voussoirs.

The north elevation contains one modern 1/1 window with a segmental arch opening, buff brick voussoir, and concrete sill in the second storey near the northwest corner and one modern 1/1 window with a segmental arch opening, buff brick voussoir, and concrete sill near the northeast corner. A utility conduit is located just east of the first storey window (Plate 24). A shed roof addition leading to a hip roof garage is attached to the north elevation. The addition and garage are clad in shingle siding and contains a metal roof. The garage doors are composite wood (Plate 25).

The second storey of the west elevation contains a modern door that does not lead to a porch or staircase. Above the door is a buff brick voussoir. To the south of this door is a modern 1/1 window with a buff brick voussoir and concrete sill and a commercial light fixture. The first storey contains three modern 1/1 windows with buff brick voussoirs and concrete sills. The basement contains three horizontal sliding windows with buff brick voussoirs (Plate 26).



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Plate 15: Looking north showing two and one half storey structure, hip roof, brick chimney, gable dormer, and projecting east bay



Plate 16: Flemish brick bond pattern



Plate 17: Looking west at foundation



Plate 18: Looking north at gable dormer and second storey windows



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Plate 19: Looking north at first storey



Plate 20: Stained glass transom, looking north

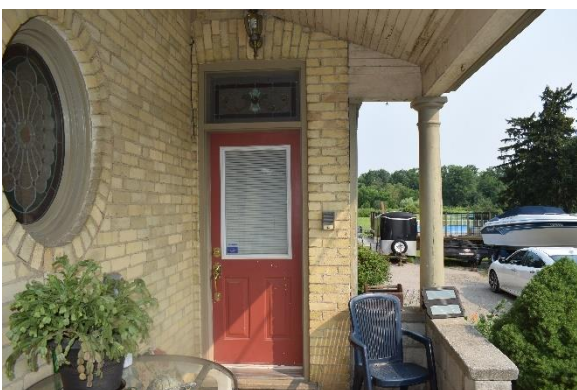


Plate 21: Main entrance, looking north



Plate 22: East elevation, looking west



Plate 23: Oval window, looking west



Plate 24: North elevation, looking south



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Plate 25: Additions, looking south



Plate 26: West elevation, looking east

4.4 Outbuildings

An outbuilding approximately 10 metres in length is located at the north end of the property. The outbuilding is a gable roof structure with metal roof cladding (Plate 27). The outbuilding is clad in timber siding and rests on concrete footings (Plate 28). The main (east) elevation contains a modern garage door and modern metal door. The north, south, and west elevations contain no entrances or windows.

Located southeast of the outbuilding are the ruins of a barn. Based on a review of aerial photography, the barn collapsed or was demolished between 1968 and 2006. The area around the former barn contains various debris and is overgrown with vegetation (Plate 29). However, sections of concrete and stone foundations are visible (Plate 30).



Plate 27: Gable roof outbuilding, east elevation looking west



Plate 28: Concrete footing, looking south



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Plate 29: Barn ruins area, looking northeast



Plate 30: Remaining stone foundation, looking southwest



5.0 Comparative Analysis

The property at 6092 Pack Road is listed on the City's Register as a "vernacular" building constructed in 1900. It was added to the Register on March 26, 2007. The City of London defines vernacular architecture as "a term which relies on the common architectural influences of a building's period of construction; exhibiting local design characteristics and uses easily available building materials. May be influenced by, but not necessarily defined by, a particular architectural style. A building considered to be reflective of its time" (City of London 2019). The property at 6092 Pack Road is one of 469 properties in the City classified as vernacular on the Register. The Register contains 5,948 properties and vernacular structures account for 7.8% of all listed and designated properties.

Based on historical research and the site investigation, the residence at 6092 Pack Road is an Ontario vernacular structure which exhibits Queen Anne design elements. Vernacular design elements of 6092 Pack Road include the use of buff brick, rusticated concrete block, and its incorporation of Queen Anne design elements, which was a popular design style in the late 19th and early 20th centuries.

Within southwestern Ontario, buff brick was one of the most readily available building materials in the 19th and early 20th centuries. Buff brick is comprised of Erie Clay, which gives the bricks their distinctive buff colouring. Due to the high costs associated with transporting such a heavy material, buff brick was prevalent in southwestern Ontario due to its local availability (Tausky and DiStefano 1986: 1986: 90). Rusticated concrete block, also called rock faced concrete block, was developed during the 1890s and popularized in 1900 when Harmon S. Palmer received a United States patent for a machine that produced hollow concrete blocks. Rusticated concrete block quickly became a popular and low-cost building material and was most prevalently used between 1905 and 1930 (Simpson 1989:108-109). In London, cement blocks became widespread in the first decade of the 20th century, and the first blocks were manufactured in London starting in 1907 (Tausky and DiStefano 1986:97).

Queen Anne design elements of 6092 Pack Road include the use of bargeboard and fish scales in the gable dormer, the use of stained glass, including the oval window, and the compound plan. The Queen Anne design style was popular in Ontario from about 1880 to 1910 (Blumenson 1990: 102-103). Based on the architectural style of the residence and the use of rusticated concrete block as a foundation material, the residence was likely built between approximately 1900 and 1910. It likely replaced an earlier residence on the site built in the 1870s. The residence retains a high degree of integrity and aside from the replacement of windows and the addition of an attached garage, remains relatively unmodified.



6.0 Evaluation of Cultural Heritage Value or Interest

6.1 Introduction

The criteria for determining CHVI is defined by O. Reg. 9/06. If a property meets one or more of the criteria it is determined to contain, or represent, a cultural heritage resource. A summary statement of cultural heritage value will be prepared, and a list of heritage attributes which define the CHVI identified. The evaluation of 6092 Pack Road according to O. Reg. 9/06 is provided in subsequent sections below.

6.2 Design or Physical Value

The residence at 6092 Pack Road has design value as a representative example of an early 20th century Ontario vernacular structure with Queen Anne design elements. Vernacular design elements of 6092 Pack Road include the use of buff brick, rusticated concrete block, and its incorporation of Queen Anne design elements, which was a popular design style in the late 19th and early 20th centuries. The Queen Anne design elements of 6092 Pack Road include the use of bargeboard, fish scales, stained glass, an oval shaped window, and the compound plan of the residence. The residence retains a high degree of integrity and aside from the replacement of windows and the addition of an attached garage, remains relatively unmodified. The residence cannot be considered rare or unique as many examples of Ontario vernacular structures and Queen Anne structures remain in the City of London and were a common design style throughout Ontario in the late 19th to early 20th centuries. As a vernacular structure, the building materials, construction methods, and quality of craftsmanship were typical and industry standard at the time of the construction of the residence. Therefore, the residence does not demonstrate a high degree of craftsmanship or a high degree of technical or scientific achievement.

The outbuildings do not demonstrate physical or design value. The gable roof outbuilding has been modified with modern doors, including a garage door. Its current configuration reflects a modern garage, not an outbuilding associated with agricultural activity. The barn has collapsed or was demolished, and little tangible signs remain visible aside from small sections of foundation.



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6.3 Historic or Associative Value

The property at 6092 Pack Road is directly associated with the Dale family and was occupied by members of the Dale family from 1842 until at least the early 1970s. The Dale family in the former Westminster Township traces its origins to Jacob Dale, an early settler to Westminster Township from Pennsylvania. Dale and his children became extensive landholders in Westminster Township, particularly around the intersection of present-day Southdale Road and Wharncliffe Road. This area is still referred to as Glendale in recognition of the family. The Study Area was occupied by four generations of the Dale family, including David Dale (a son of Jacob Dale), John Dale, John Henry Dale, and Norman Dale. The Dale family, through their extensive landholdings have made a notable contribution to the pattern of settlement of the former Westminster Township, most notably demonstrated by the continued use of the name Glendale within London.

The property contains a residence, outbuilding, Norway spruce windbreaks, and the ruins of a barn. These property components do not offer or potentially offer new knowledge that can contribute to a greater understanding of the former Township of Westminster or City of London. The architect or designer of the residence at 6092 Pack Road is unknown.

6.4 Contextual Value

The property is set in a landscape that remains largely rural and agricultural but is in the process of transitioning to a suburban landscape. The property consists of a residence and small outbuilding and while set on a large lot, has been severed from agricultural fields and little tangible signs remain of the former agricultural use of the property. Therefore, 6092 Pack Road does not contribute to the agricultural character of the area. While it is a rural property, suburban subdevelopment is encroaching upon this character from the west, giving Pack Road an increasingly mixed streetscape. The property is set in the broader context of an area transitioning from a rural to a suburban landscape. The property is no longer used for agricultural purposes and no physical, functional, or visual link to its past agricultural use exists on the property or within the broader context of the area.

The property at 6092 Pack Road is one of many rural properties located on the southern outskirts of London. The property is not located on a main road and is not particularly memorable or easily discernible from a wayfinding perspective. Therefore, the property is not considered to be a landmark.



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6.5 Summary of Evaluation

Table 1 provides a summary of the findings of CHVI based on an evaluation according to O. Reg. 9/06.

Table 1 Evaluation of 6092 Pack Road according to O. Reg. 9/06

	Criteria of O. Reg. 9/06	Yes/No	Comments
Design or Physical Value	Is a rare, unique, representative, or early example of a style, type, expression, material, or construction method	Yes	The residence at 6092 Pack Road has design value as a representative example of an early 20 th century Ontario vernacular structure with Queen Anne design elements. Vernacular design elements of 6092 Pack Road include the use of buff brick, rusticated concrete block, and its incorporation of Queen Anne design elements, which was a popular design style in the late 19 th and early 20 th centuries. The Queen Anne design elements of 6092 Pack Road include the use of bargeboard, fish scales, stained glass, an oval shaped window, and the compound plan of the residence.
	Displays a high degree of craftsmanship or artistic merit	No	The craftsmanship and artistic merit of the property is typical and industry standard for the early 20 th century.
	Demonstrates a high degree of technical or scientific achievement	No	As a vernacular structure, the building materials, construction methods, and quality of craftsmanship were typical and industry standard at the time of the construction of the residence.



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	Criteria of O. Reg. 9/06	Yes/No	Comments
Historic or Associative Value	Has direct associations with a theme, event, belief, person, activity, organization, or institution that is significant to a community	Yes	The property at 6092 Pack Road is directly associated with the Dale family and was occupied by members of the Dale family from 1842 until at least the early 1970s. The Dale family in the former Westminster Township traces its origins to Jacob Dale, an early settler to Westminster Township from Pennsylvania. Dale and his children became extensive landholders in Westminster Township, particularly around the intersection of present-day Southdale Road and Wharncliffe Road. This area is still referred to as Glendale in recognition of the family.
	Yields, or has the potential to yield, information that contributes to an understanding of a community or culture	No	The property contains a residence, outbuilding, Norway spruce windbreaks, and the ruins of a barn. These property components do not offer or potentially offer new knowledge that can contribute to a greater understanding of the former Township of Westminster or City of London.
	Demonstrates or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to a community	No	The architect or builder is unknown.
Contextual Value	Is important in defining, maintaining, or supporting the character of an area	No	The property is set in a landscape that remains largely rural and agricultural but is in the process of transitioning to a suburban landscape, resulting in Pack Road having an increasingly mixed streetscape.
	Is physically, functionally, visually, or historically linked to its surroundings	No	The property is set in the broader context of an area transitioning from a rural to a suburban landscape. The property is no longer used for agricultural purposes and no physical, functional, or visual link to its past agricultural use exists on the property or within the broader context of the area.



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	Criteria of O. Reg. 9/06	Yes/No	Comments
	Is a landmark	No	The property at 6092 Pack Road is one of many rural properties located on the southern outskirts of London. The property is not located on a main road and is not particularly memorable or easily discernible from a wayfinding perspective.

6.6 Statement of Cultural Heritage Value

6.6.1 Description of Property

The property at 6092 Pack Road is located in the City of London on the north side of Pack Road, approximately 280 metres west of the intersection of Bostwick Road and Pack Road. The property contains a residence, Norway spruce windbreak, outbuilding, and barn ruins. The residence was built between approximately 1900 and 1910 and is an example of an Ontario vernacular structure with Queen Anne design elements.

6.6.2 Cultural Heritage Value

The residence at 6092 Pack Road has design value as a representative example of an early 20th century Ontario vernacular structure with Queen Anne design elements. Vernacular design elements of 6092 Pack Road include the use of buff brick, rusticated concrete block, and its incorporation of Queen Anne design elements, which was a popular design style in the late 19th and early 20th centuries. The Queen Anne design elements of 6092 Pack Road include the use of bargeboard, fish scales, stained glass, an oval shaped window, and the compound plan of the residence.

The property demonstrates historical and associative value through its four-generation connection to the Dale family. The Dale family in the former Westminster Township traces its origins to Jacob Dale, an early settler to Westminster Township from Pennsylvania. Dale and his children became extensive landholders in Westminster Township, particularly around the intersection of present-day Southdale Road and Wharncliffe Road. This area is still referred to as Glendale in recognition of the family. The property at 6092 Pack Road was occupied by David Dale, John Dale, John Henry Dale, and Norman Dale. The Dale family, through their extensive landholdings have made a notable contribution to the pattern of settlement of the former Westminster Township, most notably demonstrated by the continued use of the name Glendale within London.



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6.6.3 Heritage Attributes

- Representative example of an early 20th century Ontario vernacular structure with Queen Anne design elements, including:
 - Two- and one-half storey structure with compound plan
 - Hip roof with brick chimney and gable dormer containing bargeboard and fish scales
 - Buff brick exterior
 - Segmental arch window openings with buff brick voussoirs and concrete sills
 - Stained glass transoms located above main entrance and first storey windows on the south and east elevations
 - Wrap around rusticated concrete block porch with classically inspired wood columns
 - Oval shaped stained-glass window on east elevation
 - Rusticated concrete block foundation



7.0 Impact Assessment

7.1 Description of Proposed Undertaking

2847011 Ontario Inc. is proposing to redevelop the property at 6092 Pack Road. The concept plan envisions the development of a mix of housing forms on the site including 33 two and one half storey cluster townhouse units, six three and one half storey back-to-back townhouse units, and the retention of the original part of the existing early 20th century residence. The proposed undertaking includes the removal of the shed roof and hip roof additions on the north elevation of the residence. Each townhouse unit and the existing residence will contain two parking spots. A vision brief of the proposed redevelopment is contained in Appendix A. The six three and one half storey back-to-back townhouse units will be located just west of the existing early 20th century residence. Renderings of the proposed back-to-back townhouse units are contained in Appendix B.

7.2 Assessment of Impacts

The residence at 6092 Pack Road has CHVI since it meets two criteria for determining CHVI in O. Reg 9/06. Accordingly, an assessment of potential impacts is limited to the heritage attributes of 6092 Pack Road (see Section 6.6.3). Impacts are defined by Info Sheet #5 (Section 2.5). Table 2 and Table 3 contains an assessment of impacts.

Table 2: Evaluation of Potential Direct Impacts

Direct Impact	Impact Anticipated	Relevance to 745 Waterloo Street
Destruction of any, or part of any, <i>significant heritage attributes</i> or features.	No	The proposed undertaking would not result in the demolition of any heritage attributes at 6092 Pack Road. Therefore, no mitigation measures are required.
Alteration that is not sympathetic, or is incompatible, with the historic fabric and appearance.	No	The proposed undertaking would not result in alteration that is unsympathetic or incompatible with the historic fabric and appearance of 6092 Pack Road. While the rear shed roof and hip roof additions will be removed, these additions contain no heritage attributes and include a modern garage clad in shingles. Therefore, no mitigation measures are required.



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Table 3: Evaluation of Potential Indirect Impacts

Indirect Impact	Impact Anticipated	Relevance to 745 Waterloo Street
Shadows created that alter the appearance of a <i>heritage attribute</i> or change the viability of a natural feature or plantings, such as a garden	No	No natural features were identified as heritage attributes at 6092 Pack Road. Therefore, no mitigation measures are required.
Isolation of a <i>heritage attribute</i> from its surrounding environment, context, or a <i>significant</i> relationship	No	No contextual relationships were identified as heritage attributes at 6092 Pack Road. Therefore, no mitigation measures are required.
Direct or indirect obstruction of <i>significant</i> views or vistas within, from, or of built and natural features	No	Views at the Study Area or the surrounding streetscape were not identified as heritage attributes. As such, significant views will not be obstructed by the proposed undertaking. Therefore, no mitigation measures are required.
A change in land use such as rezoning a battlefield from open space to residential use, allowing new <i>development</i> or <i>site alteration</i> to fill in the formerly open spaces	No	The property is currently zoned as Urban Reserve, which provides for and regulates existing uses on lands which are primarily undeveloped for urban uses. Permitted uses for Urban Reserve zoned lands includes the use of existing dwellings. The proposed undertaking will result in a rezoning to allow for medium density residential development. Development on the site will continue to be residential in nature, and while density on the site will increase, it will not result in a change in land use that impacts the heritage attributes of the property. Therefore, no mitigation measures are required.
Land disturbances such as a change in grade that alters soil, and drainage patterns that adversely affect an <i>archaeological resource</i>	Possible	Typically, indirect impacts resulting from land disturbances apply to archaeological resources, which are beyond the scope of this report. No further consideration to archaeological resources is provided in this report. However, land disturbance from construction (e.g., site grading and related construction activities) may also have the potential to impact built heritage resources through temporary vibrations during the construction period that may cause shifts in foundations or masonry structures that can



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Indirect Impact	Impact Anticipated	Relevance to 745 Waterloo Street
		impact the heritage resource. Therefore, mitigation measures are required.

7.3 Discussion of Impacts

The proposed undertaking would not result in direct impacts to the property at 6092 Pack Road. The existing residence will be retained *in situ* and no heritage attributes will be altered as part of the proposed undertaking. While the existing shed roof addition and hip roof addition of the residence will be removed, both do not contain heritage attributes.

No indirect impacts are anticipated from shadows, isolation, or obstruction. There may be potential for indirect impacts related to land disturbance during the construction phase that could result in vibrations that are damaging to the structure. While a change in land use is anticipated to allow for higher density than is currently permitted, the property will remain residential in nature and the proposed changes are not anticipated to impact the heritage attributes or heritage value of the property.

While impacts of vibration on heritage buildings are not well understood, studies have shown that impacts may be perceptible in buildings 40 metres from the curbside when heavy traffic is present (Ellis 1987). Construction of the proposed undertaking may involve heavy vehicles on site to grade, excavate, or pour foundations, which may result in vibrations that have potential to affect the historic foundations of 6092 Pack Road. If left unaddressed, these could result in longer-term issues for the maintenance, continued use, and conservation of the building.



8.0 Mitigation

The property at 6092 Pack Road was determined to contain CHVI as it meets two criteria of O. Reg 9/06. As identified in Table 2 and Table 3, the proposed undertaking has the potential to result in an indirect impact to 6092 Pack Road as on site construction activity could result in vibrations that have potential to affect historic foundations. Accordingly, the mitigation options identified in InfoSheet #5 Mitigation Options (see Section **Error! Reference source not found.**) have been explored below.

8.1 InfoSheet #5 Mitigation Options

Alternative development approaches: The proposed development will retain the existing residence and its heritage attributes *in situ*. Alternative development approaches to isolate the residence from land disturbance is not feasible given the size of the property and the proposed residential intensification. Therefore, to retain the residence *in situ*, construction activity will be required within 50 metres of the property and this mitigation measure is not feasible.

Isolating development and site alteration from significant built and natural features and vistas: The proposed development has isolated new structures from the existing residence and its heritage attributes. The existing residence will be retained *in situ* and all heritage attributes will remain visible. As such, this mitigation measure has already been implemented in the proposed development.

Design guidelines that harmonize, mass, setback, setting, and materials: The proposed undertaking includes design guidelines that harmonize mass, setback, setting and materials. The six townhomes proposed just west of the existing residence contain a massing, setback, setting, and materials that is sympathetic to the existing residence. The massing of these six townhomes are similar to the existing two and one half storey residence. In addition, the main elevation of the six townhomes contains projecting gable bays complimentary to the massing and form of the existing residence. The setback and setting of the six new townhomes has been designed to be in-line with the existing residence, and current concept plans indicate that the setback difference between the new townhomes and existing residence will be 2.1 metres (6 feet 8 inches). Materials selected for the six new townhomes are sympathetic to the existing residence and include the use of buff brick. As such, this mitigation measure has already been implemented in the proposed development.

Limiting height and density: The height and density of the proposed development has been designed to not overshadow the existing residence and to provide open common amenity areas near the existing residence. Therefore, the proposed undertaking contains considerations to limit height and density in relation to the existing residence.



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Allowing only compatible infill: Redevelopment at the property is to be residential in nature and retain the existing residence *in situ*. The six townhomes proposed just west of the existing residence contain a massing, setback, setting, and materials that is sympathetic to the existing residence. The townhomes to be located north of the existing residence will be two and one half storeys, a height compatible with the massing of the existing residence. Therefore, this mitigation measure has been implemented in the proposed development.

Reversible alterations: Given that the proposed development retains the residence *in situ* and does not directly impact the heritage attributes, reversible alterations are not required.

Buffer zones, site plan control, and other planning mechanisms: The proposed development may result in the potential for land disturbance during the construction phase of the project. As such, planning mechanisms and site plan controls may be considered at this phase of study to avoid impacts to the built heritage resource. Site plan controls and planning mechanisms may be used to identify appropriate thresholds for vibration or zones of influence related to construction activity. Construction activity should be planned to minimize vibrations on built heritage resources. Therefore, this mitigation measure is appropriate for the proposed development.

8.2 Mitigation Discussion

Based on the discussion of Mitigation Options in Section 8.1, it has been determined that planning mechanisms and site plan controls are appropriate mitigation measures. These measures are intended to lessen the impact on identified heritage attributes resulting from the potential for land disturbance due to temporary vibrations during the construction phase of the project..

A typical approach to mitigating the potential for vibration effects is twofold. First, a pre-construction vibration assessment can be completed to determine acceptable levels of vibration given the site-specific conditions (including soil conditions, equipment proposed to be used, and building characteristics). Second, depending on the outcome of the assessment, further action may be required in the form of site plan controls, site activity monitoring, or avoidance. This should be considered prior to the commencement of any construction activities onsite.



9.0 Recommendations

The proposed undertaking will conserve the built heritage resource at 6092 Pack Road. An assessment of impacts resulting from the proposed undertaking at 6092 Pack Road has determined no direct impacts are anticipated and the undertaking may possibly result in indirect impacts from land disturbance due to temporary vibrations during the construction phase of the project. Based on the impacts identified to the cultural heritage resource and the proposed undertaking, the following mitigation measure is recommended:

- Retain a qualified person(s) to complete a pre-construction vibration assessment to determine acceptable levels of vibration given the site-specific conditions (including soil conditions, equipment proposed to be used, and building characteristics)
- Should the residence be determined to be within the zone of influence, additional steps should be taken to secure the building from experiencing negative vibration effects (i.e., adjustment of machinery or establishment of buffer zones)

9.1 Deposit Copies

To assist in the retention of historic information, copies of this report should be deposited with local repositories of historic material as well as with municipal and regional planning staff. Therefore, it is recommended that this report be deposited at the following location:

London Public Library
251 Dundas Street
London, ON N6A 6H9



Closure
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10.0 Closure

This report has been prepared for the sole benefit of 2847011 Ontario Inc. and may not be used by any third party without the express written consent of Stantec Consulting Ltd. Any use which a third party makes of this report is the responsibility of such third party.

We trust this report meets your current requirements. Please do not hesitate to contact us should you require further information or have additional questions about any facet of this report.

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Heritage Impact Assessment
6092 Pack Road, London, Ontario

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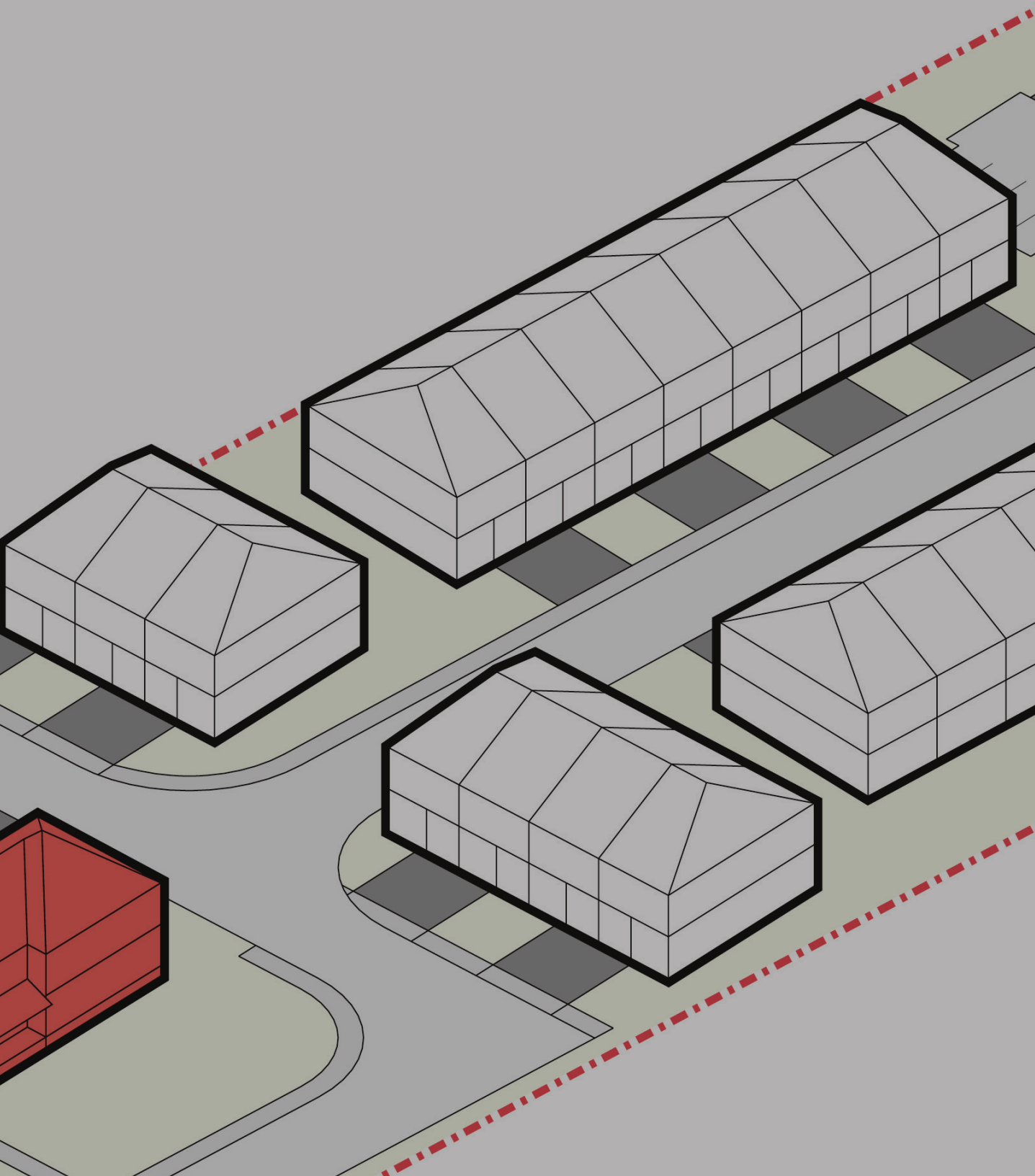
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Appendix A

Concept Plan





VISION BRIEF

Client

2847011 Ontario Inc. 6092 Pack Road /
London / ON.

Project Site

Description

Background Info and Summary of
Development Vision

09.21.2021

Contact

Jerzy Smolarek
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ABOUT THIS REPORT

This brief has been prepared by Siv-ik Planning and Design Inc. for 2847011 Ontario Inc. as part of Phase 2 of our **EXPLORE** process. The brief contains background information about the project site, an overview of the key design considerations, a description of our preliminary design principles and highlights of the preliminary development concept. The brief is meant to articulate our understanding of, and vision for, the site in a manner that supports preliminary stakeholder consultation for the proposed development of 6092 Pack Road.

Siv-ik's focus on research allows us to see innovative solutions and strategies where others can't. From concept to reality, our commitment to explore drives success.

www.siv-ik.ca

PREPARED BY

Siv-ik Planning and Design Inc.

PREPARED FOR

2847011 Ontario Inc.

VERSION 1.0

ISSUED

09.21.2021

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S1: BACKGROUND

S1.1 Introduction

6092 Pack Road (the project site) is a remnant “rural residential” parcel located in the southwest quadrant of London, on the north side of Pack Road and approximately 275 metres (~2.5 minute walk) west of Bostwick Road. The project site is located in the North Talbot Community which encompasses the area generally bounded by Southdale Road to the north, Bostwick Road to the east, Pack Road to the south and Colonel Talbot Road to the west. The site contains an existing 20th-Century Farm Dwelling with an added attached garage and an outbuilding in the rear yard. None of the land is actively farmed and it is of sufficient size and shape to accommodate urban residential development. With the site being located in proximity to municipal services and the planned urbanization of the broader area, 2847011 Ontario Inc. is exploring a residential development project to implement the planned intent of the North Talbot Community Plan.

S1.2 Project Site

At-A-Glance

SITE AREA	FRONTAGE	DEPTH	EXISTING USE
.996 Hectares	60.9 Metres	163.45 Metres	Residential 20th-Century Farm Dwelling

SERVICING
Municipal Services
Available Nearby



Fig 1. The Project Site

S1.3 Neighbourhood Spatial Analysis

Figure 2 shows the physical and spatial characteristics of the lands surrounding the project site. The lands on the west side of Regiment Road form part of an actively developing residential subdivision (see City of London Staff Report 39T-14506/Z-8436 for further details). The lands are comprised primarily of 2.5-storey single detached dwellings. The dwellings sited along Regiment Road face directly onto Regiment Road with individual driveway accesses to the street. For the dwellings sited along Pack Road, the subdivision pattern is varied including a mix of “side-lotting” conditions onto Pack Road as well as intervening “window-streets” which allow for the dwellings to face Pack Road without having individual driveway accesses connecting them to Pack Road.

Immediately west of the subject site is a planned school site. The school block was planned and zoned through the subdivision planning process for the lands to the west. The size and shape of the school block was confirmed through the same process. A detailed site design for the adjacent school site is not currently available, however, it is anticipated that the school building and corresponding vehicular access would be oriented towards Regiment Road, with the project site being in the “rear yard” of the school.

Lands to the east of the site are designated for a mix of residential uses with medium density residential uses in proximity to Pack Road and Bostwick Road and low density residential uses in interior portions of that future subdivision. Lands to the south will be comprised of a similar mix of residential uses, with medium density residential uses also focused along Pack Road.



Fig 2. Neighbourhood Spatial Context (400m)

S2: PLANNING INTELLIGENCE

S2.1 City Planning Policy

Figure 3 provides visual context for the site's positioning relative to London's city-structure. Of note, the site is located within a planned *Neighbourhood* area. Also highlighted in Figure 3 is London's network of major streets. The project site contains direct frontage on Pack Road, identified as a *Civic Boulevard* by the London Plan.

The site is located within an actively developing residential area outside of the *Primary Transit Area*. It's relationship to the overall structure of London, as laid out in the London Plan, provides a framework for how development policies are to be viewed and applied in relation to this site. The following key characteristics of the site provide context for how the site is to be considered from a London Plan perspective:

- » Neighbourhoods Place Type
- » Outside of Primary Transit Area
- » Frontage on Civic Boulevard

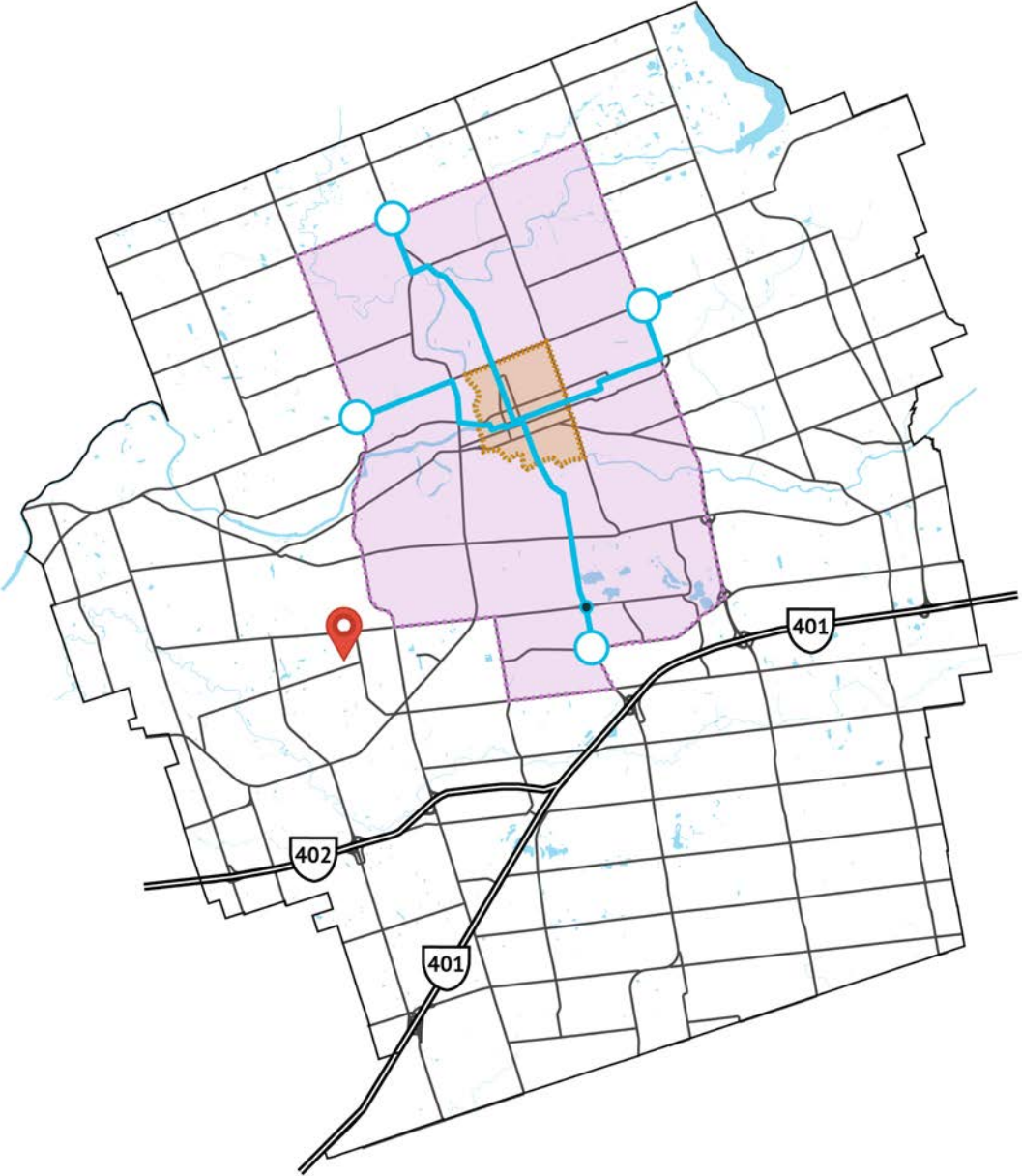
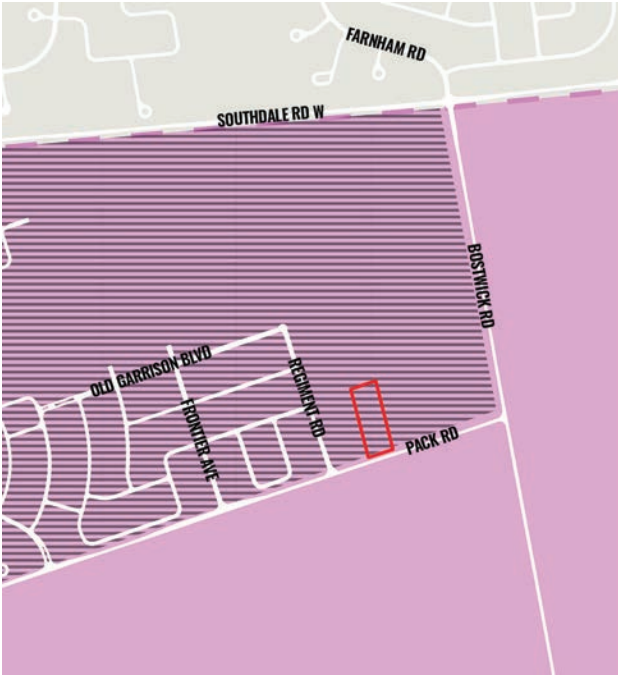


Fig 3. City-Wide Context

1 Southwest Area Sec. Plan

The project site is within the boundaries of the Southwest Area Secondary Plan (SWAP). Section 20.5.1.5 of the SWAP explains that some areas of the plan are also subject to pre-existing "Area Plans". Where conflicts arise between the general policies of the SWAP and the approved Area Plan policies, the Area Plan prevails. In this case, the lands are subject to the North Talbot Community Area Plan. Relevant policy direction is contained in Section 3.5.11 of the 1989 Official Plan.



- Subject to SWAP
- Not Subject to SWAP
- North Talbot Community

2 1989 Official Plan

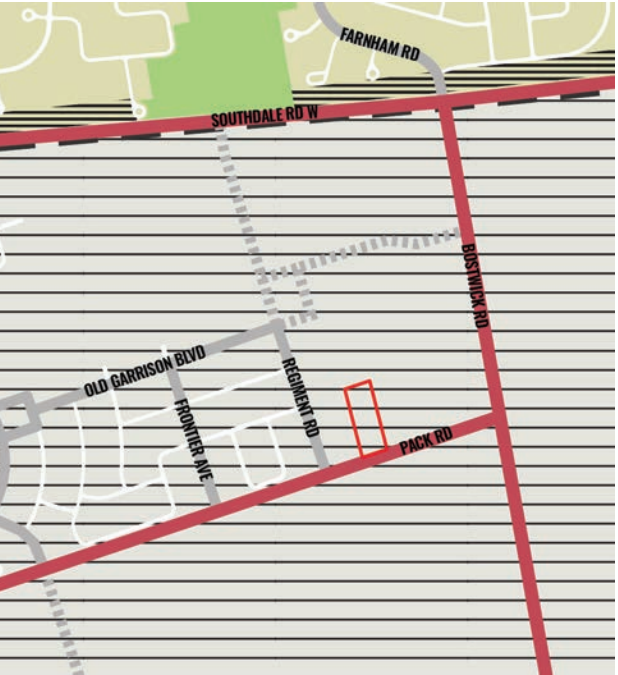
The project site is designated Multi-Family, Medium Density Residential and Low Density Residential in accordance with the 1989 City of London Official Plan. The MFMDR designation permits multiple-unit residential developments having a low-rise profile, with a maximum density of 75 units per hectare (uph). Permitted uses include multiple-attached dwellings, such as apartments, row houses or cluster houses. These areas may include single-detached, semi-detached and duplex dwellings. The site is also subject to Section 3.5.11 which provides specific policies for the North Talbot Community.



- Open Space
- Low Density Res.
- Medium Density Res.
- High Density Res.

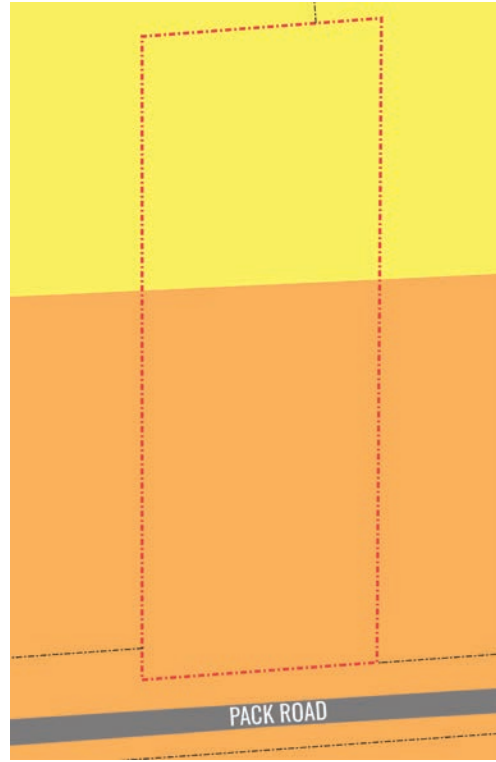
3 The London Plan

Map 7 - Policies for Specific Areas - of the London Plan identifies the project site as being within a Secondary Plan Area (SWAP) and the North Talbot Community Plan Area. Much of the land north of the project site are within the Neighbourhoods Place Type in accordance with Map 1. Pack Road is identified as a Civic Boulevard on Map 3 of the London Plan while Regiment Road is identified as a Neighborhood Connector Street. Policies 994-999 of the London Plan provide specific guidance that carry through the objectives of the Area Plan.



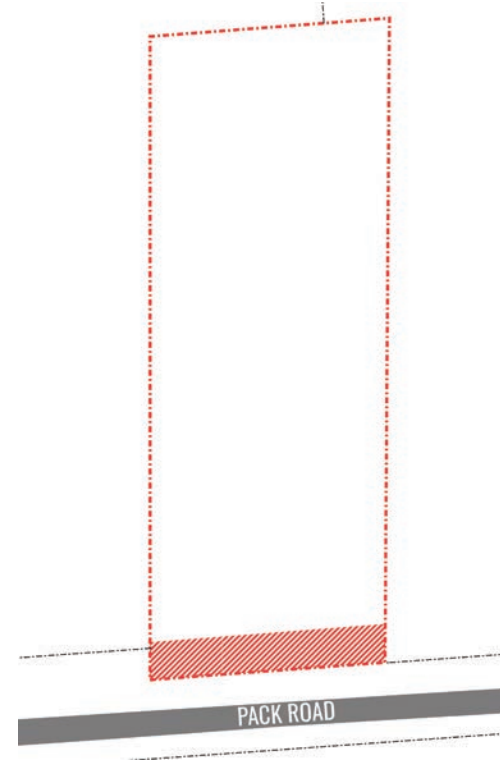
- Open Space
- Neighbourhoods
- Specific Area Policy
- Civic Boulevard
- Neighbourhood Connector
- Special Permissions

S3: DESIGN CONSIDERATIONS



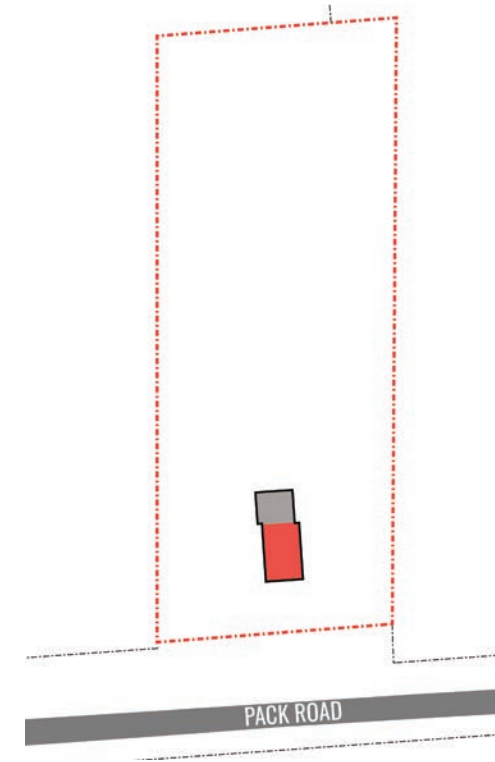
1 Official Plan Interpretation

The project site is identified on Schedule A - Land Use of the Official Plan as being within both the Medium Density Residential and Low Density Residential designations. Section 19.1.1 of the Official Plan explains that the boundaries of the designations are not meant to be rigid except in cases where they align with distinct physical features. In this case, given that the site bounds a school site and future development lands to the east, and can be developed on its own, it is reasonable to interpret the entire parcel as being within the Medium Density Residential Designation.



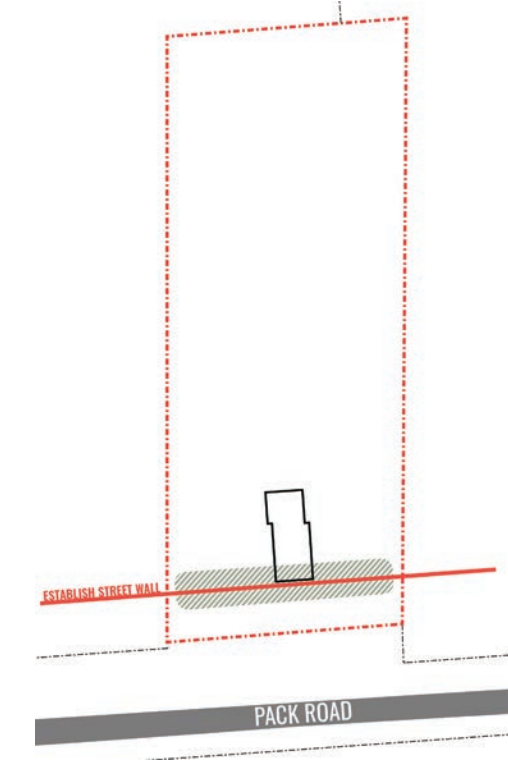
2 Road Widening

A road widening dedication of 8.0 metres from the existing front lot line along the Pack Road right-of-way is anticipated. This portion of the site will need to be left free and clear of new built form. Pack Road is currently not developed to an urban cross-section but will be urbanized and widened to a 4-lane cross section with an anticipated 36.0 metre ROW through the Bradley Avenue Extension project. Timing for the improvements is currently unknown.



3 Built Heritage

6092 Pack Road is listed on the City of London's register of properties that are of cultural heritage value or interest (CHVI). Demolition is generally not supported by the City and heritage resources/attributes are encouraged to be incorporated into new development. In this regard, the project will seek to retain the existing 20th-Century Farmhouse. It is assumed that the attached garage, which formed an addition to the dwelling at some point in time, does not possess cultural heritage value and may be removed as part of the site's redevelopment.



4 Edge Conditions

All new buildings on the site in proximity in Pack Road should be oriented such that the primary building frontages face Pack Road. Further, the existing heritage building on the site establishes the "streetwall". In this regard, new buildings should generally be setback from Pack Road in-line with the front face of the existing heritage building. Edge conditions to the west, north and east are currently undefined as there are no specific plans available for the development of the adjacent sites. However, some measure of sensitivity should be paid so as to not hinder future development of those sites.

S4: DESIGN PRINCIPLES

S4.1 Key Design Principles

The applicable policies of the SWAP, 1989 Official Plan and the London Plan allow for and encourage a mix of residential dwelling types to be developed at 6092 Pack Road. The form-based policies for new development in this area requires a detailed understanding of the context of the site with regard for issues such as fit and compatibility. It is expected that new development will have regard for and respond to it's context. The detailed urban design analysis that follows interprets the form-based policies of the applicable policy framework in a tangible way to shape a realistic design outcome that could be implemented through a rezoning application. The following urban design principles are critical in the context of 6092 Pack Road and should be maintained in any specific development concept contemplated for the project site:

- 1 **Mixed Housing Development:** the MFMDR policies allow for a range of housing forms including multiple-attached dwellings, such as apartments, row houses or cluster houses. These areas also allow for single-detached, semi-detached and duplex dwellings. Building heights are generally limited to 4-storeys and densities of up to 75 units per hectare are allowable.
- 2 **Account for the Road Widening:** An approximately 8.0 metre road right-of-way widening will be required to be dedicated to the City of London along the frontage of the project site. This reduction in land area must be accounted for in the development design.
- 3 **Retain the Heritage:** An important principle of new development on the site is to ensure retention of any significant cultural heritage resources. This goal will be achieved through full retention of the original volume of the 20th-Century Farmhouse. The concept plan involves removal of some minor, more recent, building additions but retains the full volume of the original building. The proposed new building forms do not alter the appearance, proportions or heritage attributes of the heritage structure from the street.
- 4 **Plan for Access:** New development will require a new 6.5 metres access/driveway from Pack Road. In order to allow for the preservation of the heritage farmhouse and visual exposure of the wraparound porch, the new site access should occur on the east side of the site.
- 5 **Shape Massing to Respect Context:** The orientation, setbacks and massing of new buildings should have regard for neighbouring uses. In this regard, the side and rear yard setbacks should vary based on building orientation to accommodate appropriate facing distances based on the type of orientation (e.g., side-to-rear, front-to-rear) and the design features (e.g., windows or no windows). The front yard setback should recognize the setback of the heritage farmhouse and generally be in-line with that building to preserve it's contextual relevance along Pack Road.
- 6 **Animate Pack Road:** New buildings adjacent to Pack Road should be oriented such that primary building frontage faces towards Pack Road with principal unit entrances and walkways directly to the City sidewalk and no parking located between the building nearest to the street and the street itself.

S4.2 Shaping the Zoning Box

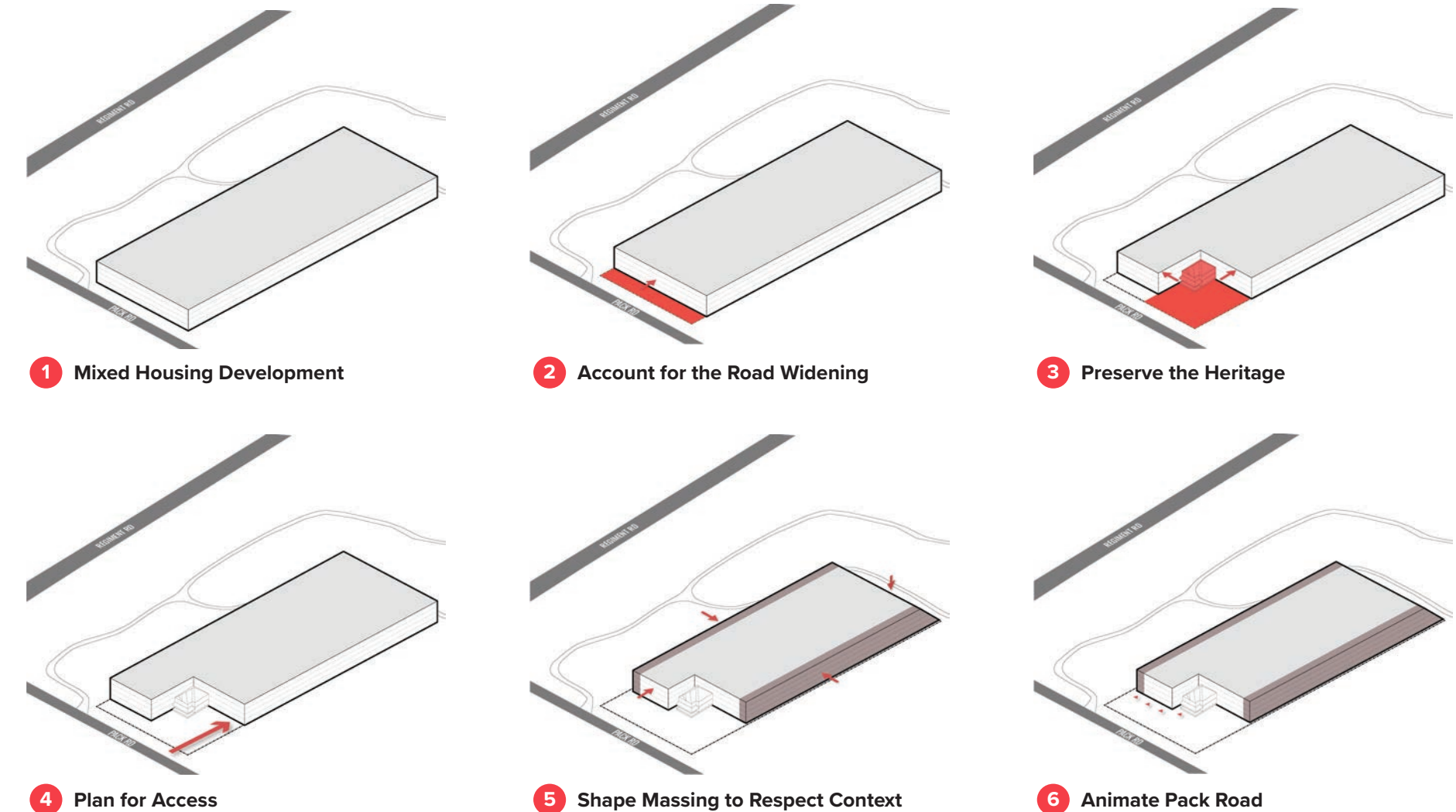


Fig 4. Visualizing the Design Principles

S5: ZONING APPROACH

S5.1 Proposed Zoning By-law Amendment

To support the development vision for 6092 Pack Road and implement the applicable planning policies, we propose to rezone the site from the Urban Reserve (UR3) Zone to a Residential R6 Special Provision (R6-5(_)) Zone. The proposed zone will provide a framework for medium density residential development in various housing forms of cluster housing from single detached dwellings to townhouses and stacked townhouses up to a maximum of 12.0 metres in height (4-storeys). The proposed zone includes special regulations to account for the unique context of the project site and implement applicable form-based policy directions of the Official Plan and North Talbot Community Plan. The proposed zone and special regulations are structured to facilitate a range of desirable site design outcomes and are not tied to a specific development design.

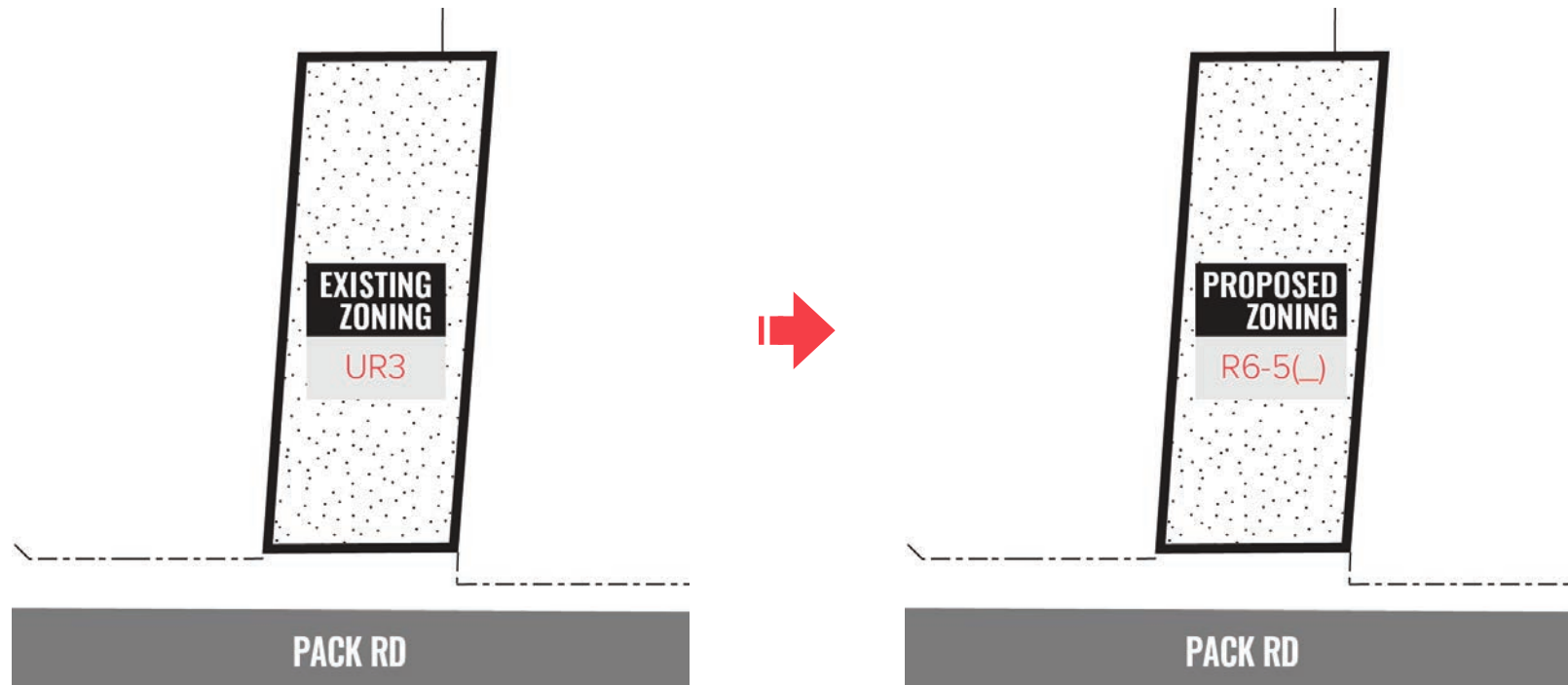


Fig 5. Proposed Rezoning

S5.2 Proposed Special Regulations

6092 Pack Road Zoning			
Regulation		R6-5	Proposed R6-5(_)
Permitted Uses		Section 10.2	Notwithstanding Section 10.2, Apartment Buildings shall not be permitted.
Lot Area (min.)		850m ²	-
Lot Frontage (min.)		10.0m	-
Front and Exterior Side Yard Depth (min.)	Arterial	8.0m	10.0m
Interior and Rear Yard Depth (min.)		0.4 metres (1.3 feet) per 1 metre (3.28 feet) of main building height or fraction thereof, but in no case less than 3 metres (9.8 feet) when the end wall of a unit contains no windows to habitable rooms, or 6.0 metres (19.7ft.) when the wall of a unit contains windows to habitable rooms.	1.8 metres (5.9 feet) when the end wall of a unit contains no windows to habitable rooms, or 6.0 metres (19.7ft.) when the wall of a unit contains windows to habitable rooms.
Landscaped Open Space (min.)		30%	-
Lot Coverage (max.)		45%	-
Height (max.)		12.0m	-
Density (max.)		35uph	45uph
Parking		1.5/unit	-
Orientation		n/a	The front face and primary entrance of all dwellings units located in new buildings adjacent to Pack Road shall be oriented to Pack Road.

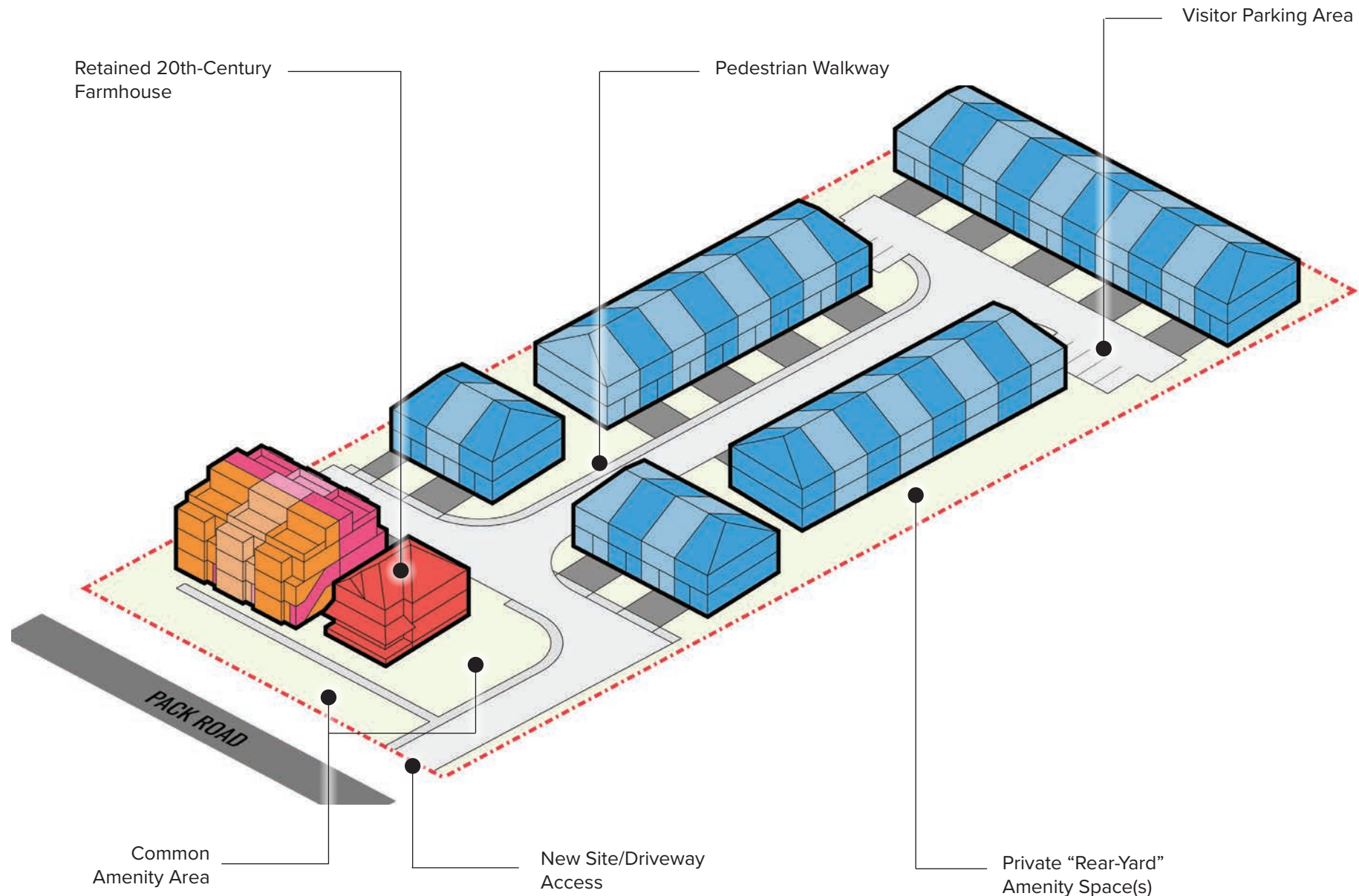
Fig 6. Special Regulations Overview

- : No change

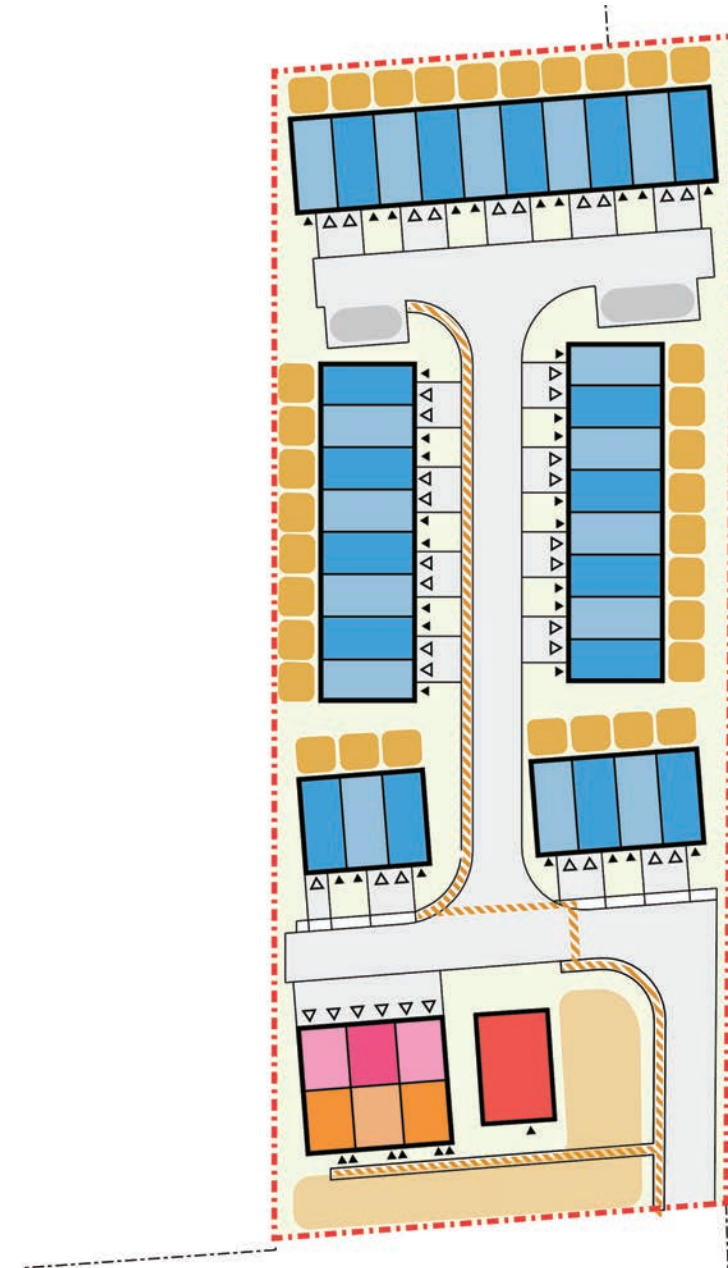
S6: PRELIMINARY DEVELOPMENT CONCEPT

/ Mixed Towns + Heritage Farmhouse

The preliminary concept plan illustrated on page 15-16 of this brief envisions the development of a mix of housing forms on the site including thirty-three (33) 2.5-storey cluster townhouse units, six (6) 3.5-storey back-to-back townhouse units and the retention of the existing 20th-Century Farmhouse as a single detached unit. In total, the proposed development includes 40 residential units. The proposed building heights and densities are within the standard limits for site's in the MFMDR designation. All of the required vehicular parking will be provided in surface form with this concept, within integrated/attached garages and individual driveways. The conceptual site design allows for the creation of 9 visitor parking stalls in addition to the resident parking. The preliminary concept plan represents a desirable implementation of the proposed Zoning By-law Amendment outlined in Section 5 of this Vision Brief.



Perspective 1: View looking northwest



Conceptual Site Plan

HIGHLIGHTS

Performance Metrics

Units	Towns	33
	Back-to-Back	6
	Heritage Dwelling	1
	Total	40
Density	40.2 uph	
Building Height	7.5-12.0m	
Parking	Towns	2/unit
	Back-to-Back	2unit
	Heritage Dwelling	2/unit
	Visitor	9
Yard Depth	Front	10.9m
	East	1.9m-8.7m
	West	1.9m-6.0m
	North	6.0m
LOS	43.5%	
Lot Coverage	30.6%	

LEGEND

- Back-to-Backs (rear)
- Back-to-Backs (front)
- Towns
- Heritage Dwelling
- Parking Area
- Shared Amenity Space
- Private Amenity Space (at-grade)
- ▨ Landscaped Area
- ▨ Pedestrian Walkway
- △ Garage Entrances
- ▲ Principal Entrances

S7: PLANNING ISSUES

S7.1 Applications Required

It is anticipated that the following *Planning Act* applications will be required in order to implement the planned vision for the project site:

1. **Zoning By-law Amendment:** To rezone the site from Urban Reserve (UR3) Zone to a Residential R6 Special Provision R6-5() Zone, with special provisions to address the site context and applicable policy framework.
2. **Site Plan Control:** To implement the specific development design envisioned in the preliminary development concept illustrations.
3. **Draft Plan of Condominium (Optional):** To establish tenure for the proposed residential units and common ownership for various physical elements of the site (e.g., common amenity space, surface parking areas, etc.).

S7.2 Issues for Clarification

From the proponent's perspective, the following attributes are critical to the success of the development vision. As such, the project team would appreciate any specific insights that City Staff are able to offer on the following:

1. The City's desired route/process for implementing the proposed heritage retention (e.g., Planning Act, Ontario Heritage Act, etc.).
2. Exploration of access opportunities and/or limitations along Pack Road (e.g., left turn lane warrant, RIRO access, etc.).
3. Staff's perspective on the proposed interpretation of the MFMDR designation applying across the entire parcel.



REFERENCES

1. City of London, Southwest Area Secondary Plan (2014)
2. 1989 City of London Official Plan
3. The London Plan
4. City of London Comprehensive Zoning By-law Z.-1.
5. H-8968 City of London Staff Report, dated November 12, 2018.
6. 39T-14506/Z-8436 City of London Staff Report, dated May 19, 2015.
7. City of London, London CityMap (Last updated October 1, 2020).

Appendix B

Renderings





Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic Development
Subject: Single Source Procurement – Planning Application Signs –
Signature Graphics
Date: June 20, 2022

Recommendation

1. That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to Signature Graphics:
 - (a) Signature Graphics **BE APPROVED** as the single source provider of Planning Application signs and related activities for a period of one year with the option for an additional four (4), one (1) year renewals, with an estimated annual expenditure based on demand for services, of between \$75,000.00 and \$100,000.00 (HST excluded), in accordance with Sections 14.4 (d) and (e) of the Procurement of Goods and Services Policy;
 - (b) The Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this purchase;
 - (c) The approvals given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract and service agreement for this purchase; and,
 - (d) The Mayor and City Clerk **BE AUTHORIZED** to execute any contract, service agreement or other documents, if required, to give effect to these recommendations.

Executive Summary

The City's contract with Signature Graphics for the provision of Planning Application signs and related services has expired. The Administration is seeking approval of the single source process under Sections 14.4 (d) and (e) of the Procurement of Goods and Services Policy to enter into a new one (1) year contract with Signature Graphics with the option for an additional four (4), one (1) year renewals. Signature Graphics has been operating within the original price schedule since February 14, 2018 and have requested price increases for some of the provided services, commensurate with increasing material and operating costs.

Linkage to the Corporate Strategic Plan

Strengthening our Community – Londoners are engaged and have a sense of belonging in their neighbourhoods and community.

Building a Sustainable City – London has a strong and healthy environment.

Leading in Public Service – The City of London is trusted, open and accountable in service of our community.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

March 23, 2015 – Improvements to Public Engagement in the Planning Process

December 12, 2016 – Improvements to Public Engagement in the Planning Process

June 19, 2017 – Improvements to Public Engagement in the Planning Process

2.0 Discussion and Considerations

2.1 Contract History and Status

The City and Signature Graphics entered into the original contract for the provision of Planning Application signs and related services on February 14, 2018 following a rigorous Request for Proposal process. The contract was for a one (1) year period with options to renew which have now been exhausted. Signature Graphics did not request price schedule increases at the time of renewal and has been operating within the original price-per-service schedule since that time. The Administration is seeking the authority to enter into a new contract with Signature Graphics using the single source process provided for in Section 14.4 of the Procurement of Goods and Services Policy, based on a new fee schedule reflective of Signature Graphics increased costs including, but not limited to, required materials, labour and fuel. Based on application trends in the years prior to 2018, the annual cost for sign provision services was estimated to be between \$62,000 and \$92,000. Services required for each sign include obtaining utility locates from Ontario One Call, sign production and installation, and removal. Annual sign costs can fluctuate significantly depending on the number and type of applications the City receives, and the need for additional price-per-service activities completed upon request as needed by the City, including sign maintenance, modification, and relocation.

3.0 Financial Impact/Considerations

3.1 Historic and Anticipated Costs

The annual costs for Planning Application Sign services in the years 2019 through 2021 were \$72,399.34, \$46,362.81, and \$56,229.55, respectively. Based on the trends leading to these figures and the price adjustments Signature Graphics has requested, it is expected the one-year cost for service in 2022/2023 will range between \$75,000.00 and \$80,000.00.

4.0 Key Issues and Considerations

4.1 Public Value of Robust and Informative On-site Signs for Planning Applications

The current sign standard is one result of a multi-faceted 2015 City Council initiative to improve public engagement in the Planning Process by providing visible and informative signs on Planning Application sites and linking them to additional information available in mailed notices and application-specific pages on the City's website. The signs consist of custom artwork provided by the planning applicants and City staff, applied to various sizes of generic base signs that include standard information. These replaced the previous generic signs that simply indicated there was a planning application and provided a City phone number. The new signs have been in use for four years and enable members of the public to be better informed early in the planning process, to quickly decide whether/how they wish to seek additional information, and to identify key issues and ask more targeted questions when communicating with city staff.

4.2 Procurement of Goods and Services Policy

Section 14 of the City's Procurement of Goods and Services indicates that "the procurement may be conducted using a Single Source process if the goods and/or services are available from more than one source, but there are valid and sufficient reasons for selecting one supplier in particular". In this case, the following criteria for Single Source process apply:

- 1) There is a need for compatibility with goods and/or services previously acquired or the required goods and/or services will be additional to similar

goods and/or services being supplied under an existing contract (i.e. contract extension or renewal) (s. 14.4d); and,

- 2) The service requires special knowledge, skills, expertise or experience (s. 14.4 e).

The single source proposal meets these criteria in the following ways:

- Signature Graphics has developed the familiarity, special knowledge, skills expertise and experience to meet the complex and prescriptive requirements of the City with a high quality product and efficient service such as:
 - Providing sign production and installation services within short time frames and in all seasons of the year;
 - Co-ordinating and overseeing obtaining utility locates from Ontario One Call, keeping City staff advised of locate status/impacts and seeking alternative solutions when necessary;
 - selecting the correct sign bases for each custom sign;
 - maintaining high quality standards for colour matching and the application of vinyl decals to the base signs with a low tolerance for error both in the shop and on individual sites;
 - co-ordinating between City staff and landowners for non-standard sign production and installation where the established standards are not appropriate – this is becoming more common with infill or redevelopment applications in highly urbanized areas where there is no space for a ground sign or where built heritage resources may be otherwise damaged;
 - working with multiple City staff members, as each Planner manages the sign requests for their own applications.
- The methodologies developed specifically by Signature Graphics incorporate the re-use of durable base materials printed with durable eco-friendly inks as well as the lumber supports and hardware, while still delivering a high-quality application-specific sign for each application site. This results in cost savings since the generic Alu panel base signs can be re-used many times before they are too worn or damaged to be used for signs, at which point the material is sustainably repurposed or recycled. Signature Graphics indicates they have only needed to remove a few base signs from the rotation due to wear and damage since they began providing their services in 2018.
- Signature Graphics has produced an existing stock of base signs on an as-needed basis that are either currently in use on planning application sites or in their storage facility awaiting re-use. The ability to re-use the existing sign bases is a cost saving measure that is also environmentally responsible. A single source process continuing the services of Signature Graphics will allow the City to continue to practice fiscal and environmental responsibility through the re-use of the many sign bases in which the City has already invested, and which are compatible with the sign artwork standards adhered to by planning applicants and monitored by City staff.

Conclusion

The Planning Application signs have proven to provide additional transparency in the planning process and increased the public's access to information with respect to planning applications. The methodologies developed by Signature Graphics meet the complex needs of Planning and Development staff and the use of a single source process for a new contract with Signature Graphics will provide the required knowledge, skills, expertise and experience to continue to meet those needs, and provide continuity of service and fiscally and environmentally responsible re-use of existing product inventory.

Prepared by:

**Barb Debbert
Senior Planner, Planning Implementation**

**Lisa Christensen
Co-ordinator, Planning and Economic Development**

Reviewed by:

**Bruce Page,
Manager, Development Implementation**

Recommended by:

**Gregg Barrett, AICP
Director, Planning and Development**

Submitted by:

**Scott Mathers, MPA, P.Eng
Deputy City Manager, Planning and Economic
Development**

Report to Planning & Environment Committee

To: Chair and Members
Planning & Environment Committee

From: Peter Kokkoros, P.Eng., B.A. (Econ)
Director Building & Chief Building Official

Subject: Building Division Monthly Report
April 2022

Date: June 20, 2022

Recommendation

That the report dated April 2022 entitled “Building Division Monthly Report April 2022”, **BE RECEIVED** for information.

Executive Summary

The Building Division is responsible for the administration and enforcement of the *Ontario Building Code Act* and the *Ontario Building Code*. Related activities undertaken by the Building Division include the processing of building permit applications and inspections of associated construction work. The Building Division also issues sign and pool fence permits. The purpose of this report is to provide Municipal Council with information related to permit issuance and inspection activities for the month of April 2022.

Linkage to the Corporate Strategic Plan

Growing our Economy

- London is a leader in Ontario for attracting new jobs and investments.

Leading in Public Service

- The City of London is trusted, open, and accountable in service of our community.
- Improve public accountability and transparency in decision making.

Analysis

1.0 Background Information

This report provides information on permit and associated inspection activities for the month of April 2022. Attached as Appendix “A” to this report is a “Summary Listing of Building Construction Activity for the Month of April 2022”, as well as respective “Principle Permits Reports”.

2.0 Discussion and Considerations

2.1 Building permit data and associated inspection activities – April 2022

Permits Issued to the end of the month

As of April 2022, a total of 1,235 permits were issued, with a construction value of \$471.6 million, representing 707 new dwelling units. Compared to the same period in 2021, this represents a 19% decrease in the number of building permits, with a 20.5% decrease in construction value and an 58% decrease in the number of dwelling units constructed.

Total permits to construct New Single and Semi-Dwelling Units

As of the end of April 2022, the number of building permits issued for the construction of single and semi-detached dwellings was 246, representing an 42.5% decrease over the same period in 2021.

Number of Applications in Process

As of the end of April 2022, 1,400 applications are in process, representing approximately \$1.5 billion in construction value and an additional 2,961 dwelling units compared with 1,083 applications, with a construction value of \$709 million and an additional 1,478 dwelling units in the same period in 2021.

Rate of Application Submission

Applications received in April 2022 averaged to 26.2 applications per business day, for a total of 524 applications. Of the applications submitted 70 were for the construction of single detached dwellings and 120 townhouse units.

Permits issued for the month

In April 2022, 341 permits were issued for 230 new dwelling units, totaling a construction value of \$187.8 million.

Inspections – Building

A total of 2,701 inspection requests were received with 2,367 inspections being conducted.

In addition, 1 inspections were completed related to complaints, business licenses, orders and miscellaneous inspections.

Of the 2,701 inspections requested, 95% were conducted within the provincially mandated 48 hour period.

Inspections - Code Compliance

A total of 639 inspection requests were received, with 456 inspections being conducted.

An additional 105 inspections were completed relating to complaints, business licences, orders and miscellaneous inspections.

Of the 639 inspections requested, 95% were conducted within the provincially mandated 48 hour period.

Inspections - Plumbing

A total of 1,194 inspection requests were received with 1,389 inspections being conducted related to building permit activity.

An additional 12 inspections were completed related to complaints, business licenses, orders and miscellaneous inspections.

Of the 1,194 inspections requested, 100% were conducted within the provincially mandated 48 hour period.

2020 Permit Data

To the end of April , a total of 950 permits were issued, with a construction value of \$178 Million, representing 322 new dwelling units. The number of single/semi detached dwelling units was 197.

Conclusion

The purpose of this report is to provide Municipal Council with information regarding the building permit issuance and building & plumbing inspection activities for the month of April 2022. Attached as Appendix "A" to this report is a "Summary Listing of Building Construction Activity" for the month of April 2022 as well as "Principle Permits Reports".

Prepared by: Peter Kokkoros, P.Eng.
Director, Building and Chief Building Official
Planning and Economic Development

Submitted by: Scott Mathers, MPA, P.Eng.
Deputy City Manager
Planning and Economic Development

Recommended by: Scott Mathers, MPA, P.Eng.
Deputy City Manager
Planning and Economic Development

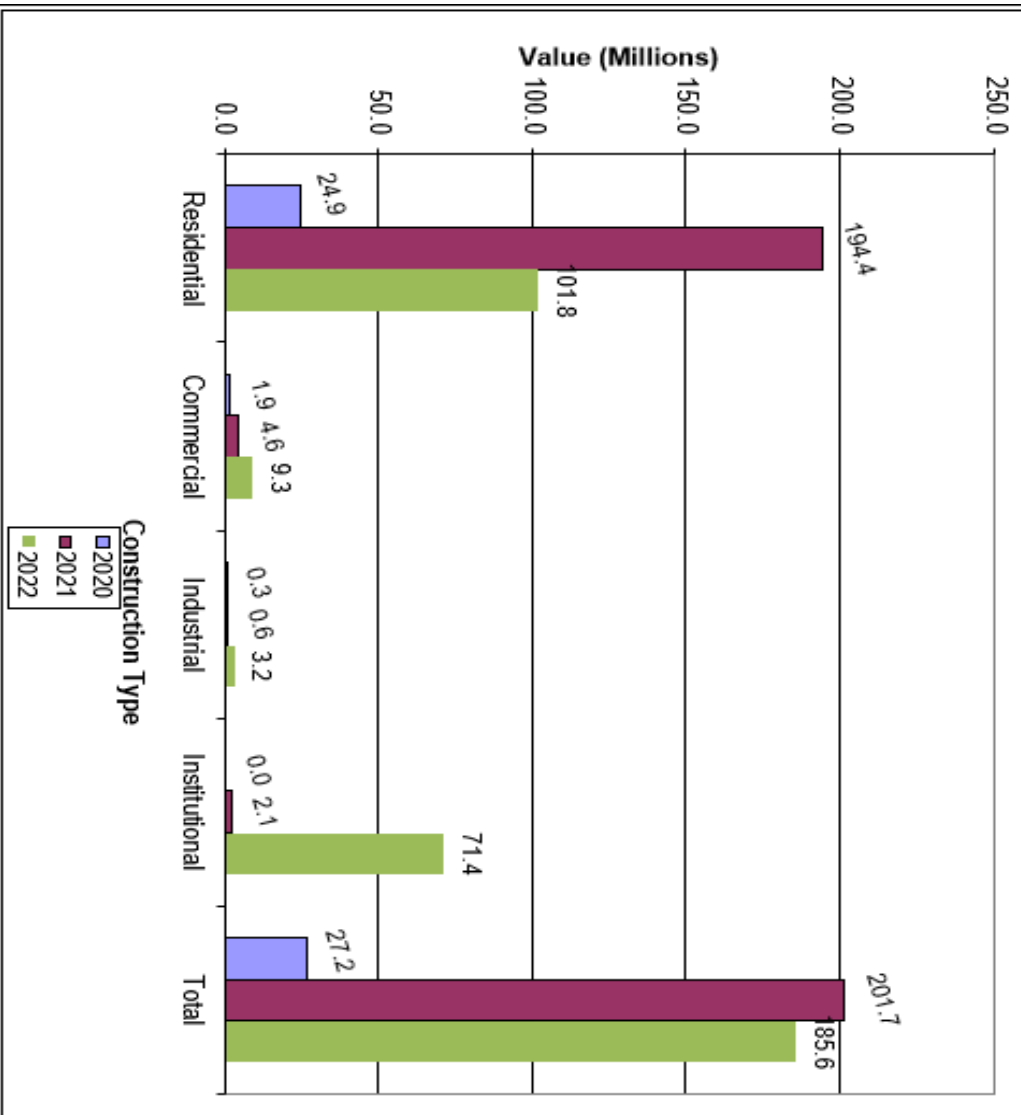
CITY OF LONDON

SUMMARY LISTING OF BUILDING CONSTRUCTION ACTIVITY FOR THE MONTH OF April 2022

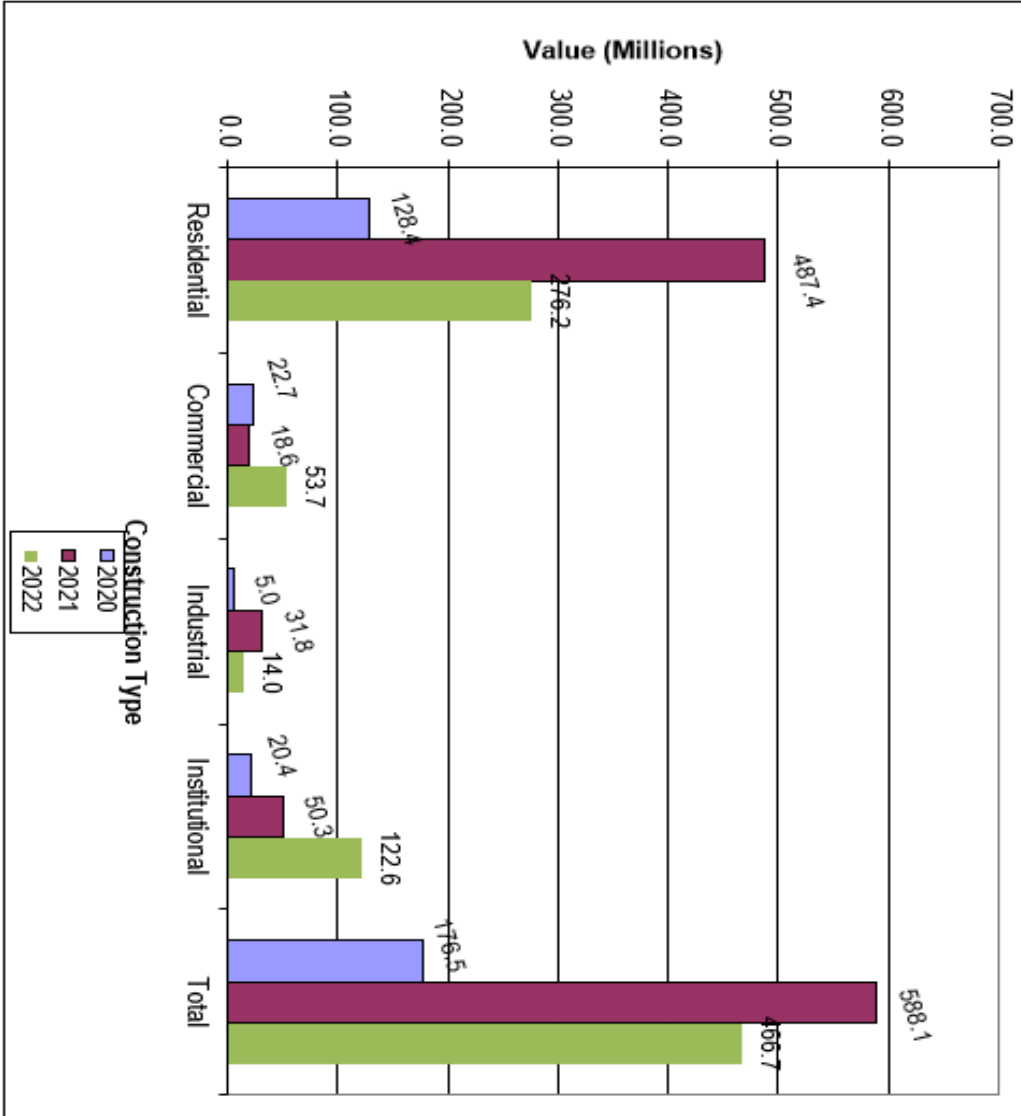
CLASSIFICATION	April 2022				to the end of April 2022				April 2021				to the end of April 2021				April 2020				to the end of April 2020			
	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	PERMITS	CONSTRUCTION VALUE	NO. OF UNITS			
SINGLE DETACHED DWELLINGS	61	36,338,553	61	246	120,943,640	246	107	49,894,500	107	427	191,810,000	427	24	10,482,560	24	197	85,943,390	197						
SEMI DETACHED DWELLINGS	0	0	0	0	0	0	0	0	0	1	223,500	1	0	0	0	0	0	0						
TOWNHOUSES	10	9,327,026	28	45	45,342,017	170	20	20,051,500	85	66	57,935,700	220	14	11,482,385	55	36	24,416,285	96						
DUPLEX, TRIPLEX, QUAD, APT BLDG	2	49,385,348	129	5	78,895,538	232	2	118,250,000	698	6	208,250,000	993	0	0	0	0	0	0						
RE-SALTER & ADDITIONS	127	6,778,160	12	531	31,286,842	59	161	6,163,550	11	533	28,152,271	44	73	2,977,415	1	360	18,076,423	15						
COMMERCIAL -ERECT	1	3,500,000	0	5	34,650,000	0	5	335,000	0	14	3,528,500	0	1	370,500	0	2	1,310,500	0						
COMMERCIAL - ADDITION	0	0	0	2	950,000	0	2	190,000	0	3	310,000	0	0	0	0	2	2,001,800	0						
COMMERCIAL - OTHER	34	5,785,055	0	94	18,141,996	0	38	4,084,240	0	114	14,761,254	0	11	1,581,400	0	107	19,357,305	0						
INDUSTRIAL - ERECT	0	0	0	0	0	0	0	0	0	3	15,792,500	0	0	0	0	2	3,436,700	0						
INDUSTRIAL - ADDITION	2	3,022,320	0	3	13,322,320	0	1	526,560	0	2	806,560	0	1	300,000	0	2	418,800	0						
INDUSTRIAL - OTHER	3	156,000	0	9	727,300	0	1	50,000	0	10	15,244,800	0	1	5,000	0	15	1,118,837	0						
INSTITUTIONAL - ERECT	1	62,000,000	0	2	98,000,000	0	0	0	0	1	12,000,000	0	0	0	0	1	575,000	0						
INSTITUTIONAL - ADDITION	0	0	0	0	0	0	0	1,992,500	0	3	1,963,386	0	0	0	0	1	2,000,000	0						
INSTITUTIONAL - OTHER	6	9,359,000	0	22	24,613,237	0	8	150,000	0	28	36,298,450	0	0	0	0	36	17,831,200	0						
AGRICULTURE	1	40,000	0	2	290,000	0	1	1,779,536	0	1	150,000	0	0	0	0	1	100,000	0						
SWIMMING POOL FENCES	53	2,041,879	0	102	3,914,862	0	72	62,000	0	161	4,594,530	0	16	529,966	0	41	1,332,706	0						
ADMINISTRATIVE	12	135,000	0	33	704,000	0	9	0	0	25	192,000	0	3	27,000	0	12	52,000	0						
DEMOLITION	11	0	8	30	0	24	9	0	4	27	0	19	0	0	0	19	0	14						
SIGN/CANOPY - CITY PROPERTY	0	0	0	1	0	0	0	0	0	4	0	0	0	0	0	1	0	0						
SIGN/CANOPY - PRIVATE PROPERTY	17	0	0	103	0	0	22	0	0	95	0	0	30	0	0	115	0	0						
TOTALS	341	187,848,141	230	1,235	471,561,752	707	458	203,529,386	901	1,524	593,023,451	1,685	174	27,736,226	80	950	177,970,917	322						

Note: 1) Administrative permits include Tents, Change of Use and Transfer of Ownership, Partial Occupancy,
 2) Mobile Signs are no longer reported.
 3) Construction Values have been rounded up.

Construction Value of Building Permits April



Construction Value of Building Permits January to April



City of London - Building Division

Principal Permits Issued from April 1, 2022 to April 30, 2022

Owner	Project Location	Proposed Work	No. of Units	Construction Value
1 ADELAIDE HOLDINGS LIMITED C/O BRIARLANE RENTAL PROPERTY MANAGEMENT 1 ADELAIDE HOLDINGS LIMITED C/O BRIARLANE RENTAL PROPERTY MANAGEMENT	1 Adelaide St N	Alter Offices Interior alter to create new office space	0	200,000
FIRST LONDON INVESTMENTS LIMITED FIRST LONDON INVESTMENTS LIMITED	1060 Wellington Rd	Alter Community College Interior alter for classrooms and games room	0	375,000
REMBRANDT HOMES REMBRANDT HOMES	1061 Eagletrace Dr 1	Erect-Townhouse - Cluster SDD ERECT CLUSTER SDD, 2 STOREY, 2 CAR GARAGE, 4 BEDROOM, FINISHED BASEMENT, COVERED DECK, A/C, ENERGY STAR, M/LCP 958 LEVEL 1 UNIT 23; SOILS REPORT REQUIRED, HRV & DWHR REQUIRED	1	525,462
SIFTON LIMITED SIFTON PROPERTIES LIMITED	1080 Upperpoint Ave F	Erect-Townhouse - Condo ERECT 4 UNIT TOWNHOUSE BLOCK F - 1 STOREY, 2 CAR, 2 BED(3UNIT), 3 BED(1UNIT) UNFINISHED BASEMENT, W/ DECK, SB12 PERFORMANCE HOT2000 DPNS 23, 25, 27, 29	4	704,400
SIFTON LIMITED SIFTON PROPERTIES LIMITED	1080 Upperpoint Ave G	Erect-Townhouse - Condo ERECT NEW TOWNHOUSE CONDO BLDG G 6 UNIT, 1 STOREY, 2 CAR GARAGE, 2 BED, UNFINISHED BASEMENT, W/ DECK, W/ A/C, SB12 A4, SOILS REQUIRED, HRV AND DWHR REQUIRED, UNITS 11, 13, 151 17, 19, 21	6	1,760,044
CORPORATION OF THE CITY OF LONDON CORPORATION OF THE CITY OF LONDON	109 GreenSIDE Ave	Install-Water Filtration INSTALL - REMOVE 2 RDT UNITS FROM MEZZANINE IN RDT BUILDING. REPLACE WITH 1 RDT UNIT AND PATCH IN MEZZANINE.		150,000
2355907 Ontario Inc	1235 Richmond St	Alter Restaurant <= 30 People PROPOSED NEW INTERIOR ALTERATION OF MAIN FLOOR OF APARTMENT BUILDING INCLUDING NEW STARBUCKS	0	110,000
THOR RICHARDSON CALLOWAY REAL ESTATE INVESTMENT TRUST INC.	1268 Wayne Rd	Alter Restaurant INTERIOR ALTERATIONS AND PATIO EXTENSION	0	140,421
London Hunt & Country Club	1431 Oxford St W	Install-Clubs, Non Residential Install awning structure over existing rear patio		375,000
CF REALTY HLDG INC., FAIRVIEW CORP CF REALTY HLDG INC., C/O CADILLAC FAIRVIEW CORP	1600 Culver Dr 76 1680 Richmond St	Alter Townhouse - Condo ALTER FOR FIRE REPAIR Alter Shopping Centre CM - INTERIOR FIT-UP FOR NEW RETAIL STORE.	0 0	130,000 280,000

City of London - Building Division
Principal Permits Issued from April 1, 2022 to April 30, 2022

Owner	Project Location	Proposed Work	No. of Units	Construction Value
The Ridge At Byron Inc	1710 Ironwood Rd 15	Erect-Townhouse - Cluster SDD ERECT CLUSTER SDD, 1 STOREY, 2 CAR GARAGE, 4 BEDROOM, FINISHED BASEMENT, COVERED DECK, NO A/C, SB-12 A5, MWLCP 903 LEVEL 1 UNIT 8, HRV & DWHR REQUIRED	1	468,553
The Ridge At Byron Inc	1710 Ironwood Rd 17	Erect-Townhouse - Cluster SDD ERECT CLUSTER SDD, 1 STOREY, 2 CAR GARAGE, FINISHED BASEMENT, 4 BEDROOMS, W/ COVERED DECK, NO A/C, SB-12 A5, MWLCP 903 Level 1 Unit 9, HRV & DWHR REQUIRED	1	548,058
SIFTON LIMITED SIFTON PROPERTIES LIMITED	1965 Upperpoint Gate M	Erect-Townhouse - Condo ERECT TOWNHOUSE BLOCK M, 4 UNITS, DPN's 42, 44, 46, 48	4	1,316,051
GRANT CASTLE CORPORATION	250 Southdale Rd E	Erect-Carwash Erect carwash	0	3,500,000
STATION PARK (LONDON) INC C/O DAVPART INC	252 Pall Mall St	Alter Offices Interior alteration of existing office suite	0	194,500
WESTHAVEN HOMES (2008) INC. WESTHAVEN HOMES (2008) INC.	2835 Sheffield Pl 11	Erect-Townhouse - Cluster SDD ERECT CLUSTER SDD, 2 STOREY, 2 CAR GARAGE, UNFINISHED BASEMENT, NO DECK, NO A/C, SB-12 A1, MWLCP LEVEL 1 UNIT 29, HRV & DWHR REQUIRED	1	535,158
WESTHAVEN HOMES (2008) INC. WESTHAVEN HOMES (2008) INC.	2835 Sheffield Pl 13	Erect-Townhouse - Cluster SDD ERECT CLUSTER SDD, 2 STOREY, 2 CAR GARAGE, UNFINISHED BASEMENT, NO DECK, NO A/C, SB-12 A1, MWLCP LEVEL 1 UNIT 30, HRV & DWHR REQUIRED	1	530,584
SCHLEGEL VILLAGES INC. SCHLEGEL VILLAGES INC.	3030 Singleton Ave	Erect-Care Facility ERECT 8 STOREY CARE FACILITY WITH 1 STOREY OF UNDERGROUND PARKING	0	62,000,000
DREWLO HOLDINGS INC DREWLO HOLDINGS INC	316 Oxford St W	Alter Apartment Building ALTER FACADE FOR BRICK REPAIRS AND INSTALLATION OF NON-COMBUSTIBLE EIFS	0	700,000
PULSE COMMUNITIES (RHYTHM 1) INC. PULSE COMMUNITIES (RHYTHM 1) INC.	3575 Southbridge Ave B	Erect-Townhouse - Condo ERECT 5 UNIT TOWNHOUSE BLOCK B - 2 STOREY, 1 CAR, 3 BED, UNFINISHED BASEMENT, W/ COVERED PORCH, SB12 PERFORMANCE HOT2000 DPNs 8, 10, 12, 14, 16 **Ensure DC interest charge is calculated prior to issuance**	5	1,636,602
PULSE COMMUNITIES (RHYTHM 1) INC. PULSE COMMUNITIES (RHYTHM 1) INC.	3575 Southbridge Ave E	Erect-Townhouse - Condo ERECT NEW 4 UNIT TOWNHOUSE BLOCK E - 2 STOREY, 1 CAR, 3 BED, UNFINISHED BASEMENT, W/ DECK, SB12 PERFORMANCE HOT2000, HRV AND DWHR REQUIRED, DPNs 7, 5, 3, 1	4	1,302,114
BLUESTONE PROPERTIES INC.	4056 Meadowbrook Dr	Alter Offices INTERIOR OFFICE RENOVATION FOR UNIT 145	0	217,000
METROPOLITAN UNITED CHURCH	468 Wellington St	Alter Churches Renovation of existing Sanctuary and washrooms	0	400,000

City of London - Building Division
Principal Permits Issued from April 1, 2022 to April 30, 2022

Owner	Project Location	Proposed Work	No. of	Construction
			Units	Value
Vintage Investment Properties Limited	578 Richmond St	Alter Offices ALTER INTERIOR FOR LIBRO CREDIT UNION OFFICE.	0	151,500
ALL SOUFAN 2560533 Ontario Inc.	630 Dundas St	Alter Retail Store INTERIOR ALTERATION FOR BAKE SHOP	0	250,000
CAPRETT APARTMENTS INC CAPRETT APARTMENTS INC	85 Fiddlers Green Rd	Alter Apartment Building Alter for Parking Garage and Exterior wall repairs.	0	327,350
LONDON CITY	869 Commissioners Rd W	Alter Municipal Buildings Structural rehabilitation to the interior of the reservoir including the double T roof and walls. Replacement of the roofing membrane with a concrete waterproof membrane.	0	8,500,000
Total Permits 29			Units 28	Value 87,627,797

** Includes all permits over \$100,000, except for single and semi-detached dwellings.*

Commercial building permits issued - subject to Development Charges under By-law C.P. -1551-227

OWNER
SQUARE INC HYDE PARK
HYDE PARK SQUARE INC
GRANT CASTLE CORPORATION
LIMITED 5001740 5001740
ONTARIO LIMITED

Commercial Permits regardless of construction value

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: Scott Mathers, MPA, P.Eng.,
Deputy City Manager, Planning and Economic Development

Subject: Applewood Subdivision
911 and 945 Kleinburg Drive (formerly 660 Sunningdale Road East)
Application for Zoning By-law Amendment

Public Participation Meeting on: June 20, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Applewood Market Place Inc. to portions of the lands located at 911 and 945 Kleinburg Drive (formerly 660 Sunningdale Road East), the proposed by-law attached hereto as Appendix 'A' **BE INTRODUCED** at the Municipal Council meeting to be held on August 10, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands **FROM** a Holding Business District Commercial Special Provision h, h-100, h-173, BDC2(10)*H18 Zone and a Holding Residential R5/R6 Special Provision (h*h-100*h-173*R5-6(9)/R6-5(38)/R8-4(27)) Zone **TO** a Business District Commercial Special Provision BDC2(__)*H23 Zone, which permits a range of commercial uses on the first floor with residential uses above, to a maximum height of 23m.

Executive Summary

Summary of Request

The requested change refers to (Block 4 and Part of Block 5) whereby staff have included provisions in the Business District Commercial Zoning (BDC2(__)) to permit ground floor residential to the rear of commercial/office uses along Appletree Gate, within an apartment building as defined in the revised by-law.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended is to amend the Zoning that applies to Block 4 and Part of Block 5 by adding additional special provisions that permit apartment buildings within a mixed use building restricted to the rear portion of the ground floor or above with any or all of the permitted uses in the front portion of the ground floor. The zoning amendments will provide residential and commercial uses on the site in the form of a mixed-use development while providing a gateway design envisioned for the Applewood subdivision byway of Appletree Gate.

The conditions for removing the holding provisions have been met, as the required security has been submitted and the subdivision and development agreement has been signed, water looping has been installed and a secondary access provided, and the urban design guidelines have been implemented through the subdivision agreement. All issues have been resolved and the holding provisions are no longer required.

Rationale of Recommended Action

1. The recommended amendment is consistent with, and will serve to implement the policies of the Provincial Policy Statement, 2020 which encourage infill and intensification and the provision of a range of housing types, and efficient use of existing infrastructure;
2. The proposed and recommended amendments conform to the in-force policies of The London Plan, including but not limited to Our Strategy, Our City and the Key Directions, as well as conforming to the policies of the Neighbourhoods Place

Type.

3. The proposed and recommended amendments conform to the policies of the (1989) Official Plan, specifically Low Density Residential and Multi-Family, Medium Density Residential.
4. The policies of the Main Street Commercial (Official Plan) and Main Street (London Plan) permit residential units on the ground floor to the rear of commercial/store fronts. The addition of residential to the rear meets the policies of the Official Plan and the London Plan and will help support the construction of the main street as envisioned by the plan.
5. The zoning reflects the optimum building type that would be contemplated (apartment buildings) and defines the type of dwelling units that can be located to the rear of commercial for this site.
6. The conditions for removing the ((h*h-100*h-173) holding provisions have been met and the recommended amendment will allow the construction of commercial/residential mixed-use buildings in compliance with the Zoning By-law.

Linkage to the Corporate Strategic Plan

Building a Sustainable City - London's growth and development is well planned and sustainable over the long term.

Analysis\

1.0 Background Information

1.1 Previous Reports Related to this Matter

March 2, 1999 - Municipal Council resolved that the lands be excluded from the Uplands Community Plan and be added to the Stoney Creek Community Plan be refused.

May 12, 1999 - 6th Report of the LACH, Report of the Stewardship Sub-Committee of the LACH, re: discussion of 660 Sunningdale barns.

January 30, 2002 - Report of the Stewardship Sub-Committee of the LACH, re: Uplands North Area Plan.

February 27, 2002 - Report of the Stewardship Sub-Committee of the LACH, re: Uplands North Area Plan.

June 12, 2002 - Monthly Report of the Heritage Planner to LACH Members, re: 660 Sunningdale Road East.

April 30, 2003 - Report of the Stewardship Sub-Committee of the LACH, re: Uplands North Area Plan.

May 7, 2003 - Memorandum from the Stewardship Sub-Committee of the LACH, re: Uplands North Area Plan.

June 9, 2003 - Report to the Planning Committee recommending adoption of the Uplands North Area Plan.

August 7, 2007 - Report to Planning Committee regarding 660 Sunningdale Road East (39T-99513/Z-5723).

March 11, 2009 - 4th Report of the LACH. Re: Notice, 660 Sunningdale Road East.

May 6, 2009 - Report to the Planning Committee regarding tree cutting on the property.

June 22, 2009 - Report to the Planning Committee regarding the status of the subdivision/file.

October 10, 2010 - 3rd Report of the LACH. Re: Notice, 660 Sunningdale Road East.

October 8, 2013 - Report to the PEC. 39T-09501/OZ-7683.

March 12, 2014 - 4th Report of the LACH. Re: Notice, 660 Sunningdale Road East.

April 9, 2014 - 5th Report of the LACH. Re: Notice, 660 Sunningdale Road East.

July 28, 2014 - Report to the PEC. 39T-09501/OZ-7638.

July 12, 2017 - Report to the LACH. Request for Demolition of Heritage Listed Property at 660 Sunningdale Road East by: Peter Sergautis.

July 17, 2017 - Report to the PEC. Request for Demolition of Heritage Listed Property at 660 Sunningdale Road East by: Peter Sergautis.

January 22, 2018 - Report to the PEC: Application by Extra Realty Limited, 660 Sunningdale Road East, Applewood Subdivision, Public Participation Meeting.

April 11, 2018 - Report to the LACH: Demolition Request of Heritage Designated Property at 660 Sunningdale Road East by: Peter Sergautis.

April 16, 2018 - Report to the PEC: Demolition Request of Heritage Designated Property at 660 Sunningdale Road East by: Peter Sergautis.

April 30, 2018 - Report to the PEC: Application by Extra Realty Limited, 660 Sunningdale Road East, Applewood Subdivision Phase 1 – Special Provisions.

September 10, 2018 - Report to the PEC. Passage of Heritage Designating By-law for 660 Sunningdale Road East.

October 29, 2018 - Report to the PEC. 660 Sunningdale Road East, Stormwater Management (SWM) Facility Land Acquisition Agreement.

December 14, 2020 - Report to the PEC. 660 Sunningdale Road East, Zoning By-law Amendment, Request for Revisions to Draft Plan of Subdivision.

1.2 Planning History

The proposed redline-revisions apply to the Applewood Subdivision which was originally accepted on January 27, 2009. After the submission and review of a number of modified versions of the Plan, the Approval Authority granted draft approval on September 9, 2014. The owner requested a three (3) year extension of draft approval in April of 2017. Draft approval was extended to February 21, 2021.

On January 30, 2018 City Council requested that the Approval Authority approve the request for revision and a three-year extension of the draft plan of subdivision approval for this subdivision subject to the revised conditions of draft approval. On February 21, 2021, this draft plan was approved by the Approval Authority.

Phase 1A was registered on August 17, 2018 as 33M-749. It consisted of which eight (8) single detached lots, one (1) multi-family residential block, and one 0.3 m reserve, all served by the extension of Kleinburg Drive. Phase 1B consists of one (1) commercial/mixed use block, served by the extension of Blackwater Road.

Phase 1B was registered on June 20, 2019 as 33M-764. It consisted of one (1) commercial/mixed use block, served by the extension of Blackwater Road.

Phase 2A was registered on September 14, 2020 as 33M-787. It consisted of one (1) commercial block, two (2) commercial mixed use residential blocks, two (2) multi-family residential blocks, one (1) open space block, four 0.3 m reserves served by the extensions of Blackwater Road and Kleinburg Drive.

1.1 Property Description

The subject lands are located in the northeast quadrant of the City and are included in the Uplands North Area Plan. The proposed amendments apply to Block 4, and portions Blocks 5, south of Kleinburg Drive and East of Appletree Gate. These locations have been highlighted in the location map in Section 2.1 below.

1.2 Current Planning Information (see more detail in Appendix D)

- The London Plan Place Type – “Main Street and Neighbourhoods”
- Official Plan Designation – “Main Street Commercial Corridor and Multi-Family, Medium Density Residential”
- Existing Zoning – Holding Business District Commercial Special Provision h*h-100*h-173BDC2(10)*H18 Zone and a Holding Residential R5/R6 Special Provision h*h-100*h-173*R5-6(9)/R6-5(38)/R8-4(27) Zone

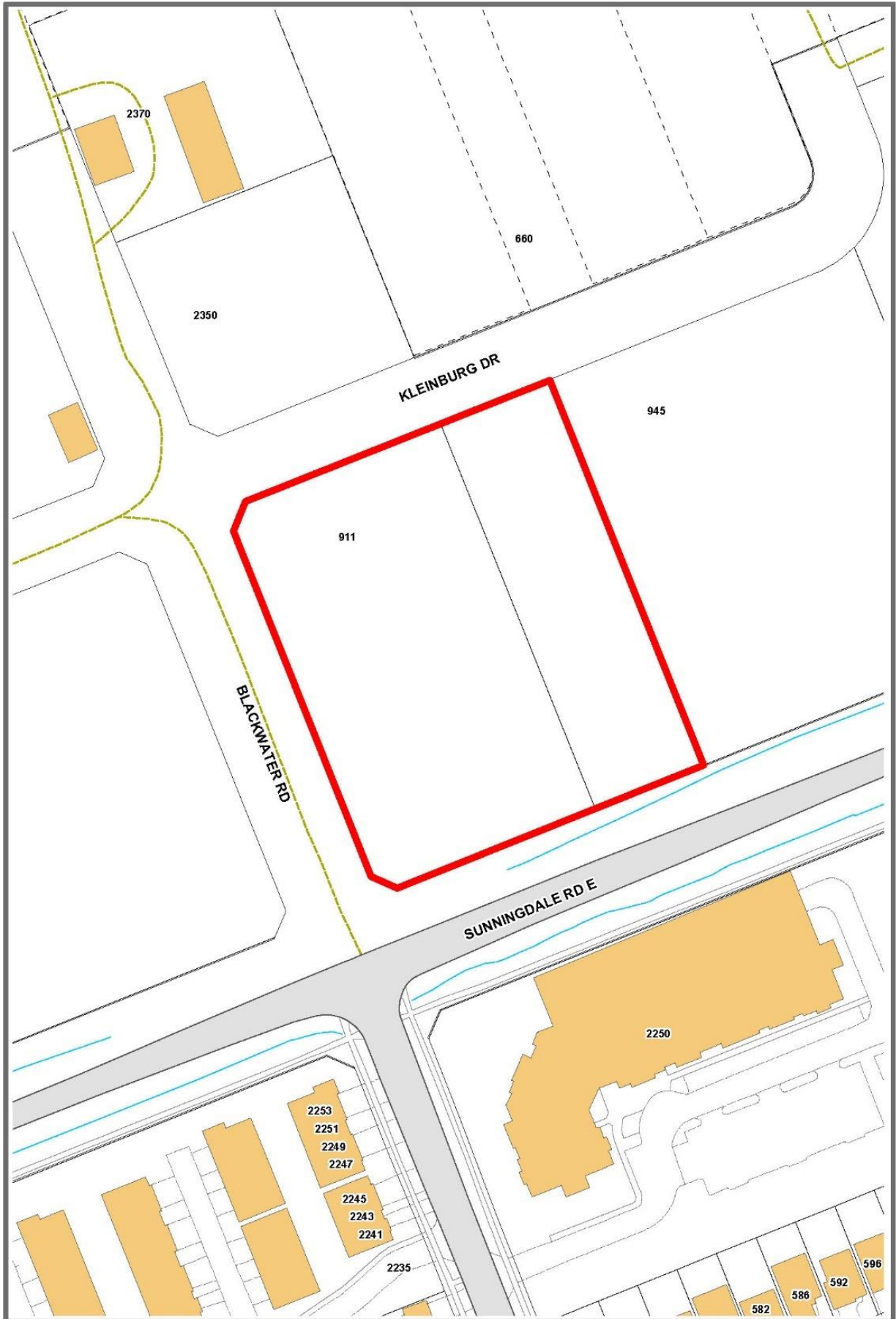
1.3 Site Characteristics

- Current Land Use – vacant/undeveloped
- Frontage – 117.193 metres
- Depth – 116.68 metres
- Area – 1.14 hectares
- Shape – rectangular

1.4 Surrounding Land Uses

- North – Future Residential
- East – Future Residential
- South – Residential
- West – Residential

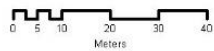
1.5 Location Map



LOCATION MAP

Subject Site: 911 Kleinburg Drive
 File Number: H-9320
 Planner: Sean Meksula
 Date: 15/03/2021

Corporation of the City of London
 Prepared By: Planning and Development



Scale 1:1250



Legend

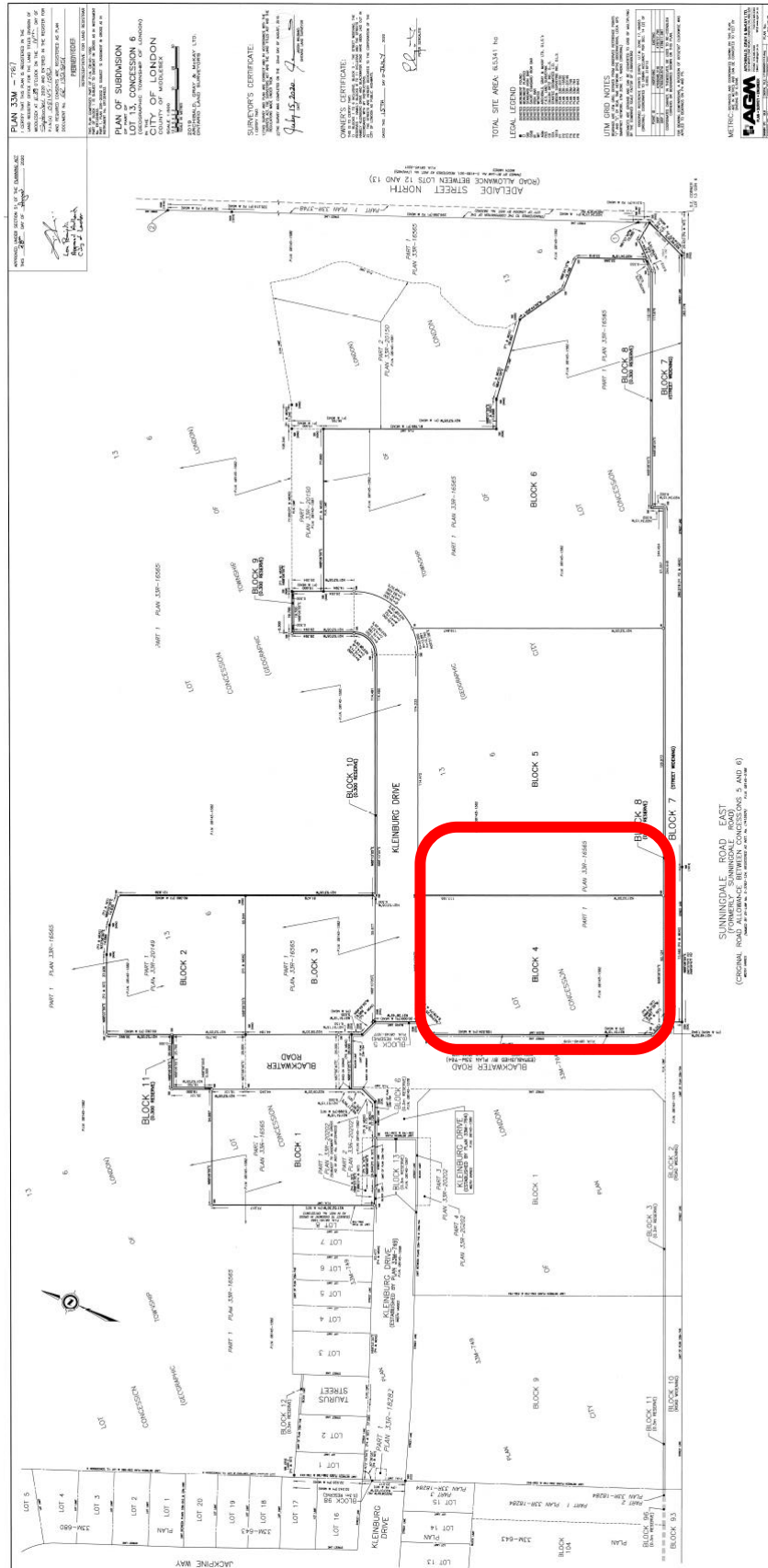
- Buildings
- Parks
- Submitted Under Review Subdivisions
- Driveways/ParkingLots

2.0 Discussion and Considerations

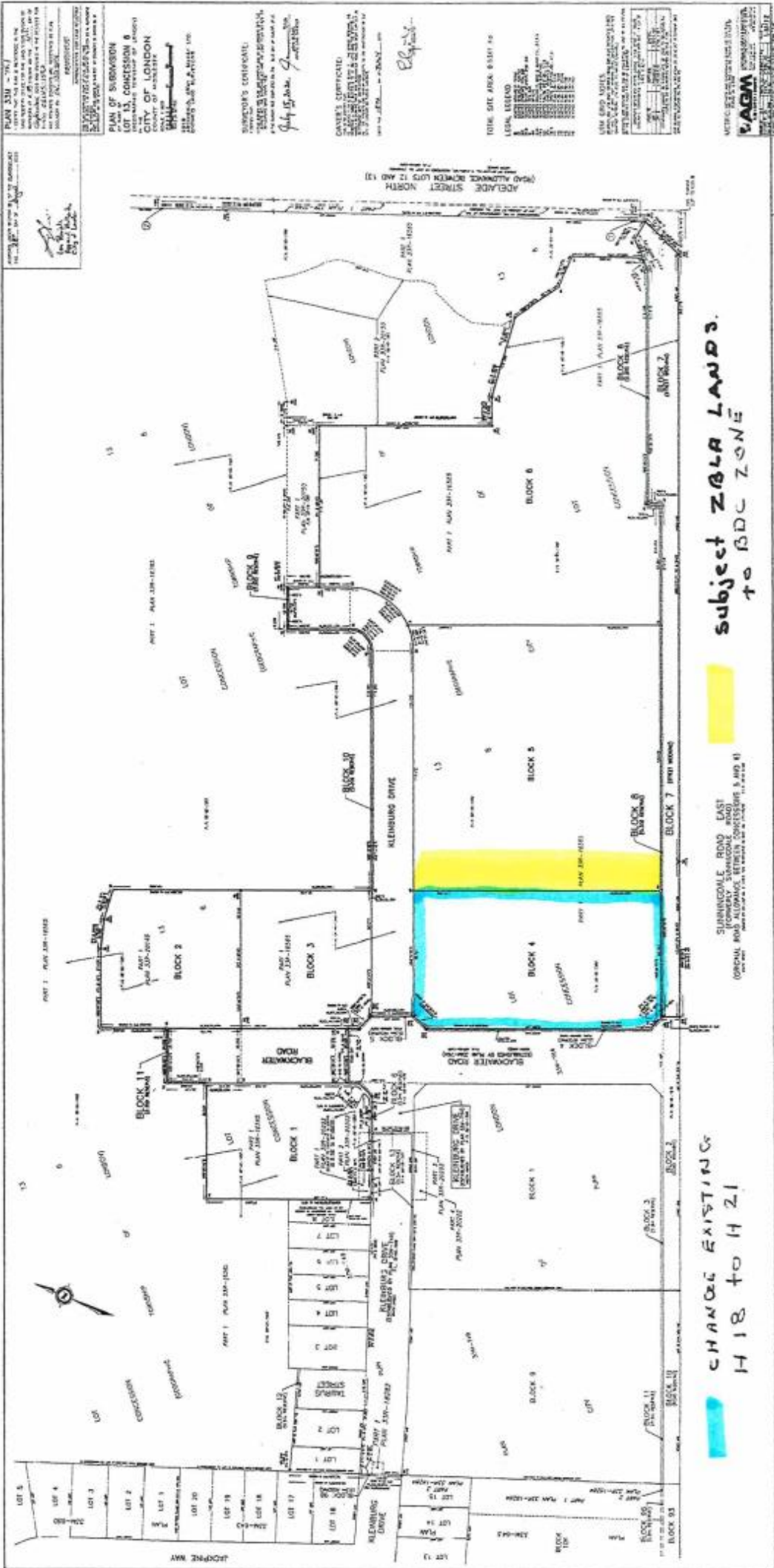
2.1 Development Proposal

The applicant is proposing to make minor adjustments to Blocks 4 and Part of Block 5, Registered Plan 33M-787 by severing a portion of Block 5 and conveying it to Block 4. The intent is to sever and rezone approximately 33m of land from the west portion of Block 5 and merge this parcel with Block 4. By doing so, the owner will be able to mirror a development currently under construction (BDC mixed-use in Phase IB - Block 1 33M-764) on the west side of Blackwater Road. The additional land is required to accommodate the development. This would then provide the gateway design envisioned for the Applewood subdivision as Blackwater Road is the main entry access to the development.

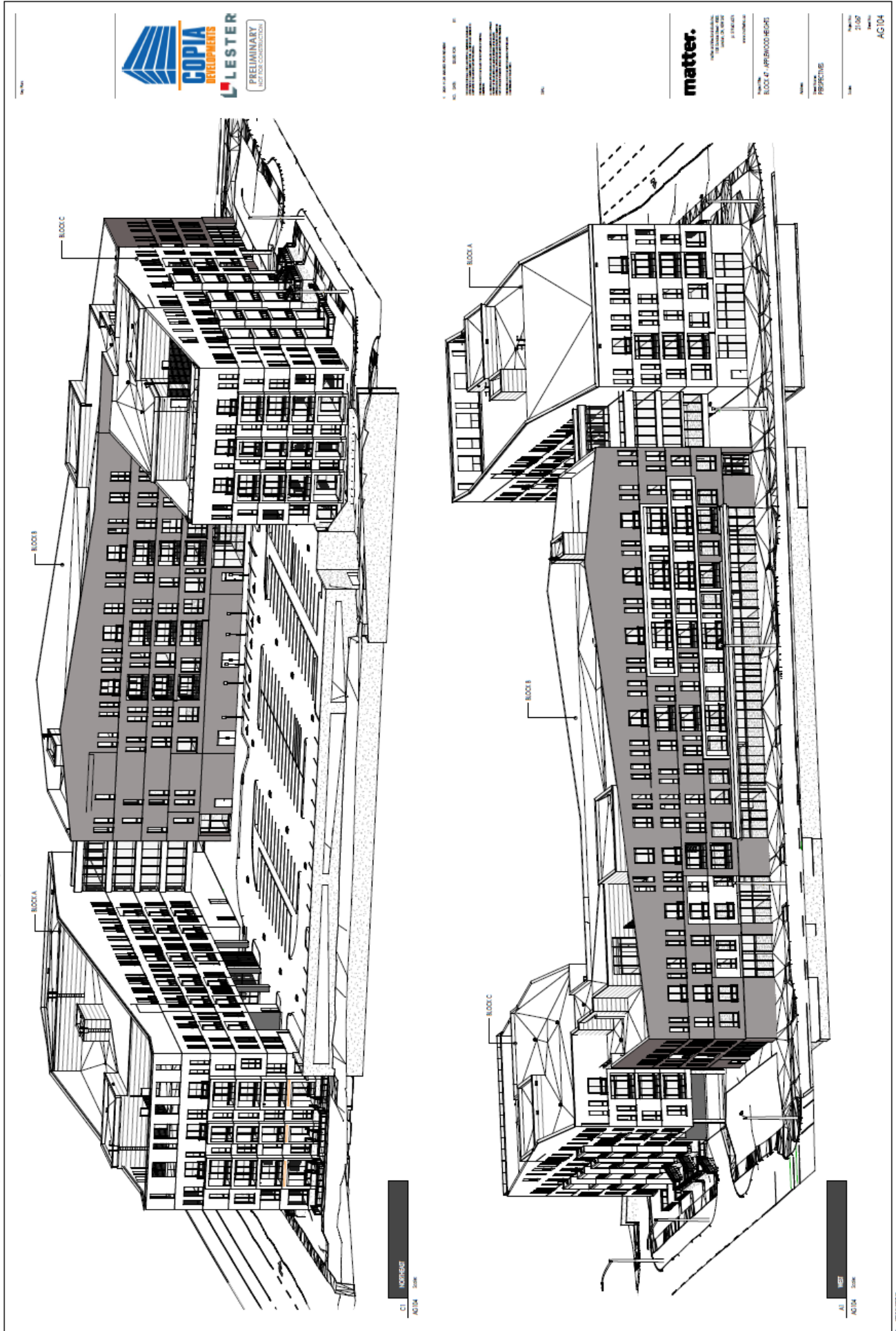
2.2 Current Draft-Approved Plan



2.3 Proposed Zoning Amendment



2.5 Proposed Concept Plan



3.0 Financial Impact/Considerations

Through the completion of the works associated with this application fees, development charges and taxes will be collected. There are no direct financial expenditures associated with this application.

4.0 Key Issues and Considerations

4.1 Requested Amendment

The commercial lands are intended to provide for commercial uses geared towards the larger neighbourhood/area needs. The Applicant has requested additional height (23m) through this application to facilitate mixed use multi-level development. Special provisions have been requested for the commercial lands to accommodate the proposed development, such as a Gross Leasable Floor Area (GLFA) of 1022m², whereas 1000m² is currently permitted, a total of 260 parking spaces whereas 274 are required, and remove the word "primary entrance" from the existing zone 25.4(b)(iii) and replace with "provide direct walkway access from commercial ground floor units to the public sidewalk along Appletree Gate frontage" to ensure that the development creates a strong street wall and is pedestrian oriented as required through the plan of subdivision.

The Applicant has requested a zoning by-law amendment to rezone the lands to a Business District Commercial Special Provision BDC2(10)*H23 Zone to the subject site in the form of a mixed-use development. The requested zone is the same zone that has been used within the Applewood draft plan of subdivision (39T-09501). This Zone permits a range of commercial uses on the first floor with residential uses above, to a maximum height of 23m. The Applicant has also applied for consent, to sever the portion of lands from Block 5, which will then be added Block 4 for the proposed development.

4.2 Community Engagement (see more detail in Appendix B)

The requested amendment was circulated to the public on March 31, 2021 and advertised in the Londoner on April 1, 2021. A revised noticed was circulated to the public on April 13, 2022 and advertised in the Londoner on April 14, 2022. At the time of preparation of this report no responses were received from the public in response to the Notice of Application and The Londoner Notice.

There were no significant comments in response to the Departmental/Agency circulation of the Notice of Application.

4.4 Policy Context Summary (A more detailed policy analysis is provided in Appendix C).

Provincial Policy Statement, 2020

The proposal must be consistent with the Provincial Policy Statement (PPS) policies and objectives aimed at:

1. Building Strong Healthy Communities;
2. Wise Use and Management of Resources; and,
3. Protecting Public Health and Safety.

The Provincial Policy Statement (PPS) 2020, provides policy direction on matters of provincial interest related to land use planning and development. The proposed development meets objectives of creating healthy, liveable, safe, and sustainable communities by promoting efficient and resilient development patterns and accommodating an appropriate range and mix of low and medium density residential uses to meet long-term needs. These lands are adjacent to existing built-up areas to the south and west and located within the City's Urban Growth Boundary. Development will efficiently utilize full municipal services which are currently available, under construction, or will be available through future extension.

The London Plan

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority of which is in force and effect). The London Plan policies under appeal to the *Local Planning Appeals Tribunal* (Appeal PL170100) and not in force and effect are indicated with an asterisk throughout this report. The London Plan policies under appeal are included in this report for informative purposes indicating the intent of City Council, but are not determinative for the purposes of this planning application.

The subject lands are located within the Neighbourhoods Place Type in The London Plan. The Neighbourhoods Place Type (Table 10)* permits a range of uses, such as single detached, semi-detached, duplex, triplex, and fourplex dwellings; townhouses; low-rise apartments; small-scale community facilities; and emergency care establishments. An excerpt from The London Plan Map 1 – Place Types* is found at Appendix D.

The subject site is also located within the Main Street Place Type in The London Plan. The London Plan envisions both the creation of new Main Streets and the regeneration of historic Main Streets throughout the City (Policy 905). The Main Street Place Type allows for appropriate forms of intensification at suitable locations to support the sustainability of Main Streets (Policy 907). The Main Street Place Type permits a broad range of residential, retail, service, and office uses (Policy 908).

1989 Official Plan

These lands are designated “Multi-family, Medium Density Residential” on Schedule ‘A’ of the 1989 Official Plan. This designation permits multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; and small-scale nursing homes, rest homes, and homes for the aged. These areas may also be developed for single detached, semi-detached and duplex dwellings.

The subject site are also located within the “Main Street Commercial Corridor” land use designation in the Official Plan. Main Street Commercial Corridors take the form of either long-established, pedestrian-oriented business districts or newer mixed-use areas. Uses are encouraged that provide for and enhance the pedestrian nature of the Main Street Commercial Corridor (Policy 4.4.1.2). Main Street Commercial Corridors are intended to provide for the redevelopment of vacant, underutilized or dilapidated properties within Main Street Commercial Corridors with one or more of a broad range of permitted uses at a scale which is compatible with adjacent development (Policy 4.4.1.1).

Permitted uses in Main Street Commercial Corridors include small-scale retail uses; service and repair establishments, food stores; convenience commercial uses; personal and business services; pharmacies; restaurants; financial institutions; small-scale offices; small-scale entertainment uses; galleries; studios; community facilities such as libraries and day care centres, correctional and supervised residences; residential uses (including secondary uses) and units created through the conversion of existing buildings, or through the development of mixed-use buildings (Policy 4.4.1.4). An excerpt from Land Use Schedule ‘A’ is found at Appendix D.

Zoning By-law No.Z.-1

The proposed Business District Commercial Special Provision BDC2(10) Zone for Block 4 and the proposed severed portion of Block 5, known as Phase 2a, was registered on August 28, 2020 in the Applewood subdivision. The Business District Commercial (BDC) Zone is normally applied to implement the Main Street Commercial Corridor designation. While the BDC Zone provides for and regulates a mix of retail, restaurant, neighbourhood facility, office and residential uses located along pedestrian-oriented business districts in older parts of the City.

Through the zoning by-law amendment request, the applicant has requested an increase in height for these lands to 23.0 m. These lands are zoned BDC2(10), which provides for a wide range of commercial and office type uses. The BDC2(10) zone variations with the

exception of Dwelling Units restricted to the rear portion of the ground floor or on the second floor or above with any or all of the other permitted uses in the front portion of the ground floor. Apartment Buildings, within a mixed-use building restricted to the rear portion of the ground floor or on the second floor or above with any or all of the other permitted uses in the front portion of the ground floor fronting on the primary collector.

Although a height of 23.0m is not encouraged through the London Plan policies, the current Official Plan has no such restriction on heights related to the Main Street Commercial designation. The Applicant had indicated through discussions that they may wish to optimize the “residential” component of the BDC Zone and build minimal commercial/office uses on the ground floor.

The policies of the Main Street Commercial (Official Plan) and Main Street (London Plan) permit residential units on the ground floor to the rear of commercial/store fronts. The addition of residential to the rear meets the policies of the Official Plan and the London Plan and will help support the construction of the main street as envisioned by the plan. The zoning reflects the optimum building type that would be contemplated (apartment buildings) and defines the type of dwelling unit that can be located to the rear of commercial. Since the site is limited in size, and no additions will be permitted, any use(s) are limited in Gross Leasable Floor Area (GLFA) of 1022m², so no potential impact on traffic and adjacent development is anticipated. Adequate on-site parking can be accommodated on the lands.

The BDC2(10) for this block encourages street-oriented development with special provisions for the primary entrance for individual tenants to be oriented toward the primary collector. By removing the term "primary entrance" from the existing zone and replacing it with "provide direct walkway access from commercial ground floor units to the public sidewalk along Appletree Gate frontage, allows for multiple entrances and facilitates units flanking Appletree Gate opportunities for the commercial uses to interact (through the use of outdoor seating, pedestrian walkways, patios fronting, etc.). Staff therefore recommend proposed amendment. All other special provisions in the zone remain unchanged.

The Applicant requested an increase in height from 18.0 m to a maximum height of 23.0 m for this site. The BDC2(10) Zone, provides for a wide range of commercial and office type uses. In order to help facilitate mixed use buildings and a gateway design for the subdivision at this location, an increase in building height is supported and would be consistent with the adjacent lands within the Applewoods Subdivision. The Main Street is intended to provide larger scale commercial uses to serve the immediate area and the broader public, and to provide commercial uses within true mixed-use buildings which is supported by the change to 23.0m in height, not to provide mostly residential uses on the ground floor with minimal commercial uses. Encouraging mixed use buildings is a key tenant of the Main Street policies of the London Plan.

4.5 What is the purpose of the “h” holding provision and is appropriate to consider its removal?

The “h” holding provision states:

“To ensure the orderly development of lands and the adequate provision of municipal services, the “h” symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of the approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development.

Permitted Interim Uses: Model homes are permitted in accordance with Section 4.5(2) of the By-law.”

The Applicant has provided the necessary security and has entered into a subdivision agreement with the City. As well, the Applicant has now entered into a development agreement for the proposed development, and has provided the necessary security for the site. This satisfies the requirement for the removal of the “h” holding provision.

4.6 What is the purpose of the “h-100” holding provision and is appropriate to consider its removal?

The purpose of the holding (“h-100”) provision in the Zoning By-law is as follows:

Purpose: To ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available to the satisfaction of the City Engineer, prior to the removal of the h-100 symbol.

Permitted Interim Uses: A maximum of 80 residential units.

The Applicant has recently installed the watermain looping which connects to Sunningdale Road via Blackwater Road. The Applicant has also constructed Appletree Gate to Kleinburg Drive, which ensures a secondary access. These works have been inspected by the City and conditional approval has been granted. The holding “h-100” provision in this instance have been met.

4.7 What is the purpose of the “h-173” holding provision and is it appropriate to consider its removal?

The “h-173” holding provision states that:

“Purpose: To ensure that development is consistent with the City of London Urban Design Principles and Placemaking Guidelines, the h-173 shall not be deleted until urban design guidelines have been prepared and implemented through the subdivision agreement, to the satisfaction of the City of London.

Permitted Interim Uses: Existing Uses.”

The Owner has entered into a subdivision agreement, and the urban design guidelines for this phase were implemented through the subdivision agreement. This satisfies the requirement for the removal of the “h-173” holding provision.

4.8 Amendments to the Zoning By-law

Any applications for amendments to the City of London Zoning By-law shall be subject to the applicable policies of the City of London Official Plan. Consideration of other land uses through a Zoning By-law amendment shall be subject to a Planning Impact Analysis as described in the applicable designation of the Official Plan. Further to this, The London Plan requires amendments to consider the Use, Intensity and Form for any new development.

Although the policies of the Main Street Commercial (Official Plan) and Main Street (London Plan) permit residential units on the ground floor to the rear of commercial/store fronts, This Main Street is intended to provided larger scale commercial uses to serve the immediate area and the broader public, and to provide commercial uses within true mixed-use buildings (supported by the change to 23.0m in height), by the restriction to prohibit any residential uses on the ground floor of this BDC(10) Zone variation for this development. The site plan for these blocks do not create viable opportunities for residential uses on the ground floor of a mixed-use building and are not consistent with the intent and overall vision of this development. The regulations in this BDC Zone will restrict residential units above the first floor and permit access from commercial ground floor units to the public sidewalk along Appletree Gate frontage for the mixed-use building in this development. This ensures there are no “ambiguities” in the zoning to permit forms of residential uses that are not compatible with development objectives for this subdivision as well as multiple commercial unit entrances along Appletree Gate. Encouraging mixed use buildings is a key occupier of the new Main Street policies of the London Plan.

Staff is recommending approval of this height increase, Gross Leasable Floor Area (GLFA), reduction in parking and commercial unit access to Appletree Gate as they are in similar to or greater than the existing permissions on the neighboring lands to the west and will not result in any land use conflicts in the area. The amendment will create the visioned gateway entrance into the Applewood Subdivision via Appletree Gate.

Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2020, the Official Plan, and is in keeping with the London Plan. The proposed modifications of the Business District Commercial Special Provision BDC2(10) Zone will implement an appropriate commercial and mix-use form consistent with 1989 Official Plan and The London Plan policies. The subject lands are of a suitable size and shape to accommodate the development as proposed through the concurrent consent application.

Prepared by: Sean Meksula, MCIP, RPP
Senior Planner, Subdivision Planning

Reviewed by: Bruce Page
Manager, Subdivision Planning

Recommended by: Gregg Barrett, AICP
Director, Planning and Development

Submitted by: Scott Mathers, MPA, P. Eng.
Deputy City Manager,
Planning and Economic Development

cc: Matt Feldberg, Manager, Subdivisions and Development Inspections

cc: Bruce Page, Manager, Subdivisions

cc: Michael Pease, Manager, Site Plan

cc: Matt Davenport, Manager, Subdivisions

SM/

Appendix A

Bill No. (number to be inserted by Clerk's Office)
2022

By-law No. Z.-1-22_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 660 Sunningdale Road East.

WHEREAS Applewood Market Place Inc. has applied to rezone an area of land located at 660 Sunningdale Road East, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to portions of the lands located at 660 Sunningdale Road East, as shown on the attached map comprising part of Key Map No. A.102, from a Holding Business District Commercial Special Provision h, h-100, h-173, BDC2(10)*H18 Zone and a Holding Residential R5/R6 Special Provision (h*h-100*h-173*R5-6(9)/R6-5(38)/R8-4(27)) Zone to a Business District Commercial Special Provision, BDC2(10)*H23 Zone.

2) Section Number 25.4 of the Business District Commercial (BDC) Zone is amended by deleting the current special provision BDC2(10) and replacing it with the following new special provision:

10) BDC2 (10)

- (a) Prohibited Uses

- i) Dwelling Units on the ground floor, only for the building fronting Appletree Gate.

- (b) Regulations

- i) Front & Exterior Side Yard Setback
(Minimum) 2 metres (6.6 feet)
(Maximum) 4 metres (13.1 feet)

- ii) Gross Leasable Floor Area
(Maximum) 1022 m² (11,000 ft²)

- ii) Parking for all uses
(Maximum) 274 Spaces

- i) The primary entrances for the majority of the individual commercial/retail/office tenants shall be oriented to the primary collector road and provide direct walkway access from commercial ground floor units to the public sidewalk along Appletree Gate frontage. and a range of commercial uses on the first floor with residential use above, will only be required for the buildings fronting Appletree Gate.

- iv) Notwithstanding the provisions of Section 2 "LOT LINE, FRONT", the frontage for this lot will be deemed to be along the primary collector.

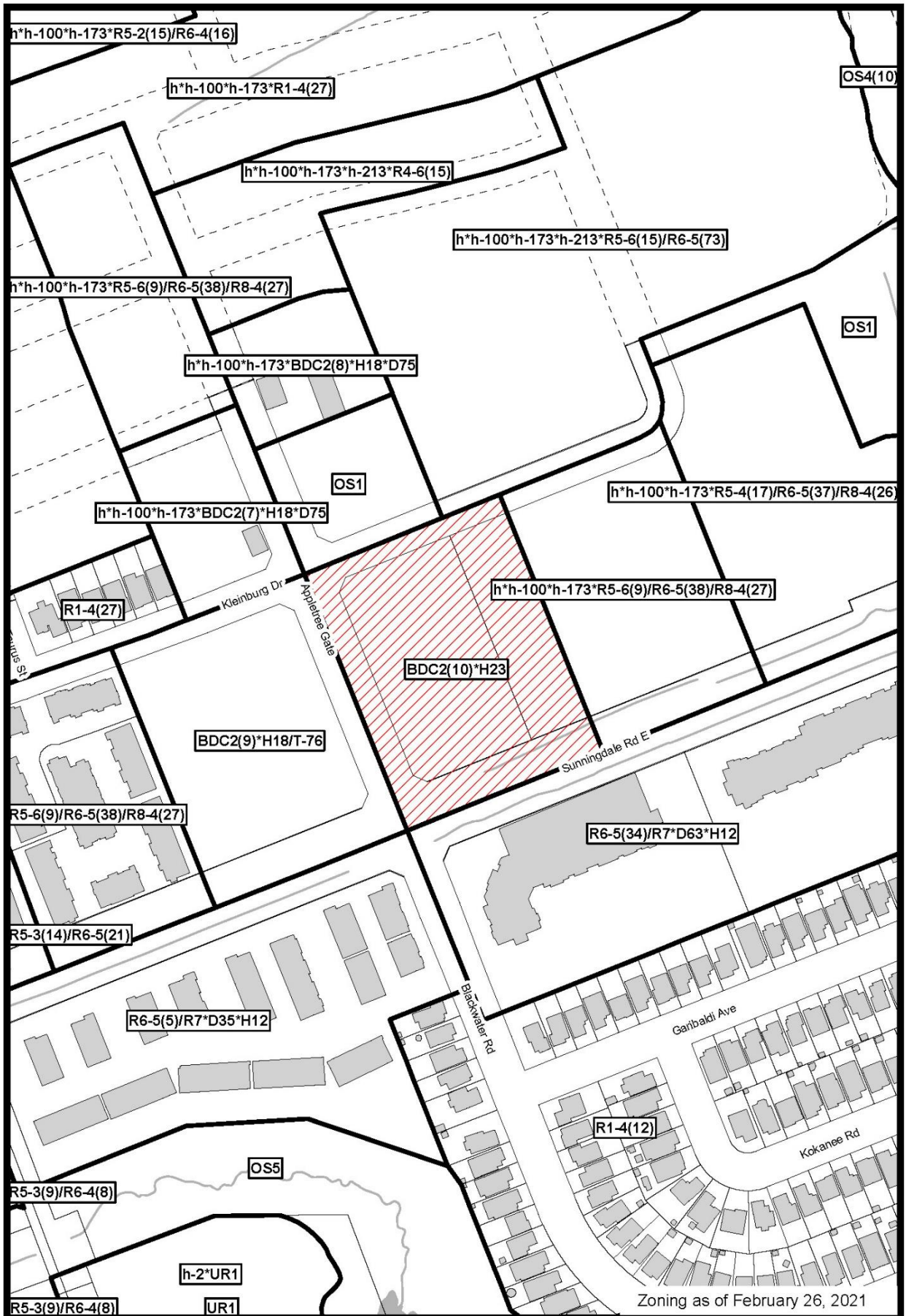
PASSED in Open Council on August 10, 2022

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – July 5, 2022
Second Reading – July 5, 2022
Third Reading – July 5, 2022

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)

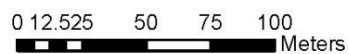


Zoning as of February 26, 2021

File Number: Z-9321
 Planner: SM
 Date Prepared: 2021/05/06
 Technician: rc
 By-Law No: Z.-1-

SUBJECT SITE 

1:2,500



Appendix B – Public Engagement

Community Engagement

Notice of Application (March 24, 2021):

Public liaison: On March 24, 2021, Notice of Application was sent to 52 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on March 25, 2021.

Responses: No responses were received.

Nature of Liaison: Possible change to Zoning By-law Z.-1 **FROM** Holding Business District Commercial Special Provision h, h-100, h-173, BDC2(10)*H18 Zone and a Holding Residential R5/R6 Special Provision (h*h-100*h-173*R5-6(9)/R6-5(38)/R8-4(27)) Zone **TO** a Holding Business District Commercial Special Provision h, h-100, h-173, BDC2(10)*H21 Zone, which permits a range of commercial uses on the first floor with residential uses above, to a maximum height of 21m.

Notice of Revised Application (April 13, 2022):

Public liaison: On April 13, 2021, Notice of Application was sent to 52 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on April 14, 2021.

Responses: No responses were received.

Nature of Liaison: Possible change to Zoning By-law Z.-1 **FROM** a Holding Business District Commercial Special Provision h, h-100, h-173, BDC2(10)*H18 Zone and a Holding Residential R5/R6 Special Provision (h*h-100*h-173*R5-6(9)/R6-5(38)/R8-4(27)) Zone **TO** a Business District Commercial Special Provision BDC2(__)*H23 Zone, which permits a range of commercial uses on the first floor with residential uses above, to a maximum height of 23m.

Agency/Departmental Comments:

London Hydro – April 16, 2021 and April 13, 2022

Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant's expense, maintaining safe clearances from L.H. infrastructure is mandatory. A blanket easement will be required. Note: Transformation lead times are minimum 16 weeks. Contact Engineering Dept. to confirm requirements & availability.

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. However, London Hydro will require a blanket easement.

Canadian National Railroad – March 26, 2021

Thank you for circulating CN the proposed project mentioned in subject. This is to confirm that we have reviewed the information and site location. CN Rail does not have any comments or objections to this application.

Development Engineering – April 12th, 2021

Development Services - Engineering has completed its review of the first submission of engineering drawings prepared by Stantec Consulting and submitted as part of the above noted site plan application. Items to be addressed are outlined below and identified on the attached red-lined drawings.

Technical Comments for the Applicant

General

1. Kleinburg Road from Blackwater to the SWM Pond, shall be constructed, conditionally approved by the City and fully operational in order to provide OLF conveyance to the SWM Pond. This shall be completed prior to final site plan approval.
2. Blackwater Road shall be conditionally approved by the City and fully operational in order to provide a secondary access to the site. This shall be completed prior to final site plan approval.
3. All the municipal outlets for the site (storm/sanitary) and the watermain shall be conditionally approved by the City and deemed operational prior to final site plan approval.
4. Subdivision Drawings are to be updated to reflect the changes (Drainage area plans, design sheet and profiles, etc.) to the Applewood Phase 2. Please submit the drawings through the DS Subdivision group and this shall be done prior to SPA.

Servicing/Grading

5. Ensure adequate fire protection is provided per part 3.25.16 in the building code.
6. Ex Hydrant on Kleinburg to have 3.0m of clear space
7. Proposed water service to comply with W-CS-31 (valve not required at PL).

SED

8. The Applewood Subdivision Phase 2A drawings shall be superseded per comment #4 in conjunction with this application as submissions at assumption or as-constructed stage is too late. This is to assist track the over 30 ha of area remaining which will follow with future phases and applications directed at the same outlet.
9. Please provide a breakdown of the 155 Residential units into the high density (1.6ppl/unit) for the apartment and medium density (2.4ppl/unit) for the townhomes. Revise the total population accordingly.
10. Please provide design flows for the commercial space based on the proposed commercial floor area, equivalent bedroom count or fixture count to reflect the actual proposed population for accuracy. The proposed floor plans will assist in verifying the information provided.
11. The City does not support designing to make use 100% of the sewer capacity as is for MH108-110. Further to the above, please ensure there is surplus available for site design flexibility and future undeveloped external areas (future applewood subdivision and comfort land) that directs flow to the same outlet.

SWM

12. The proposed development suggests revisions to the lotting fabric of the subdivision, comp c values, etc... The consultant is to ensure any impacted subdivision drawings are superseded to reflect the proposed revisions.
13. An Operations and Maintenance manual should be provided as a separate report/manual identifying any implemented/constructed stormwater management controls i.e. OGS.
14. An erosion and sediment control plan that effectively conveys a control strategy for the construction activities related to the proposed site should be provided. The E&SC Plan shall identify all erosion and sediment control measures for the subject site and will be in accordance with City of London and MECP standards and requirements. This plan is to include measures to be used during all phases of construction. These measures shall be identified in the drawings and Storm/Drainage Servicing Report. Please see Section 10 of the Design Specifications & Requirements Guideline and the 2019 TRCA ESC Guide for Urban Construction for further detail.

When all comments as set-out above and on the red lined mark-up have been addressed in their entirety the drawings could be resubmitted for our review.

Bell – April 13, 2022

Thank you for your circulation on Z-9321 Notice of REVISED Planning Application - 911 and 945 Kleinburg Drive - Clawson Group (WARD 5) - Planner: Sean Meksula. Your email has been received and relayed to Bell staff for review. The information that municipalities provide to Bell Canada is instrumental to the provisioning of telecommunications

infrastructure. Bell Canada also appreciates the opportunity to be proactively engaged in development applications and infrastructure and policy initiatives.

Bell Canada will provide a response should any comments/input be required on the information included in the circulation. Bell Canada kindly requests to always be circulated on any future materials related to this development project or infrastructure/policy initiative. Please note that Bell Canada does not generally comment on the following development applications - official plan and zoning by-law amendments, part lot control, temporary use and interim control by-laws. However, Bell Canada does generally comment on site plan approval, draft plans of subdivision and draft plan of condominium applications.

If you have any questions, please contact planninganddevelopment@bell.ca directly. *Please note that this circulations email account is managed by WSP on behalf of Bell Canada. All reviews and responses are always undertaken by Bell Canada.*

Ecology – April 25, 2022

Major issues identified

- No Natural Heritage Features on, or adjacent to the site have been identified on Map 5 of the London Plan or based on current aerial photo interpretation.

Ecology – complete application requirements

- None.

UTRCA – April 26, 2022

Please be advised that the subject lands **are not** affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the *Conservation Authorities Act*.

Accordingly, the UTRCA has no objections to this application and a Section 28 permit application is not required.

Parks – April 29, 2022

- Parkland dedication has been satisfied through Subdivision 33M-787.

Appendix C – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this proposal. The most relevant policies, by-laws, and legislation are identified as follows:

Provincial Policy Statement, 2020

The proposal must be consistent with Provincial Policy Statement (PPS) policies and objectives aimed at:

1. Building Strong Healthy Communities;
 2. Wise Use and Management of Resources; and,
 3. Protecting Public Health and Safety.
- Section 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns
 - 1.1.3 Settlement Areas
 - 1.1.3.2
 - 1.1.3.6
 - 1.4 Housing
 - 2.0, 2.1.1, 2.1.8, 2.1.4, 2.1.5, 2.1.6
 - 3.0

In accordance with section 3 of the Planning Act, all planning decisions 'shall be consistent with' the PPS

Z.-1 Zoning By-law

Site Plan Control Area By-law

The London Plan

The Our Strategy, City Building and Design, Neighbourhoods Place Type, and Our Tools policies in the London Plan have been reviewed and consideration given to how the proposed zoning by-law amendment and red-line revisions contributes to achieving those policy objectives, including the following specific policies:

59_, 61_, 62_, 172_, *921_, *935_, *936_, *937_, *1688

Our Strategy

Key Direction #5 – Build a mixed-use compact city

2. *Plan to achieve a compact, contiguous pattern of growth – looking “inward and upward”.*
4. *Plan for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward.*
5. *Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place.*

Key Direction #6 – Place a new emphasis on creating attractive mobility choices

1. *Create active mobility choices such as walking, cycling, and transit to support safe, affordable, and healthy communities.*
7. *Utilize a grid, or modified grid, system of streets in neighbourhoods to maximize connectivity and ease of mobility.*

Key Direction #7 – Build strong, healthy and attractive neighbourhoods for everyone

- 1. Plan for healthy neighbourhoods that promote active living, provide healthy housing options, offer social connectedness, afford safe environments, and supply well distributed health services.*
- 2. Design complete neighbourhoods by meeting the needs of people of all ages, incomes and abilities, allowing for aging in place and accessibility to amenities, facilities and services.*
- 3. Implement “placemaking” by promoting neighbourhood design that creates safe, diverse, walkable, healthy, and connected communities, creating a sense of place and character.*

City Building and Design Policies

*197_ The built form will be designed to have a sense of place and character consistent with the planned vision of the place type, by using such things as topography, street patterns, lotting patterns, streetscapes, public spaces, landscapes, site layout, buildings, materials and cultural heritage. **

The proposed zoning will continue to permit a both single detached residential dwellings and street townhouses which are compatible with adjacent residential development, in keeping with the character of the neighbourhood, and consistent with the planned vision of the Neighbourhood Place Type. The proposed residential blocks will maintain a consistent lot pattern and continuity of the streetscape along Moon Street and Kleinburg Drive.

*212_ The configuration of streets planned for new neighbourhoods will be of a grid, or modified grid, pattern. Cul-de-sacs, deadends, and other street patterns which inhibit such street networks will be minimized. New neighbourhood street networks will be designed to have multiple direct connections to existing and future neighbourhoods. **

The street configuration represents a grid pattern that includes a street facing townhouses along Moon Street and Kleingburg Drive, with multiple direct connections to the existing neighbourhood to the west and south as well as the future developemtn to the north..

*216_ Street networks, block orientation, lot sizes, and building orientation should be designed to take advantage of passive solar energy while ensuring that active mobility and other design criteria of this chapter are satisfied. **

The street network in this subdivision plan does a reasonably effective job at maintaining a north-south orientation and exposure to passive solar energy for the majority of lots and street townhouse blocks which front along Moon Street and Kleingburg Drive. The street network will be required to incorporate sidewalks and sidewalk links, which helps to promote active mobility in the neighbourhood.

Neighbourhoods Place Type

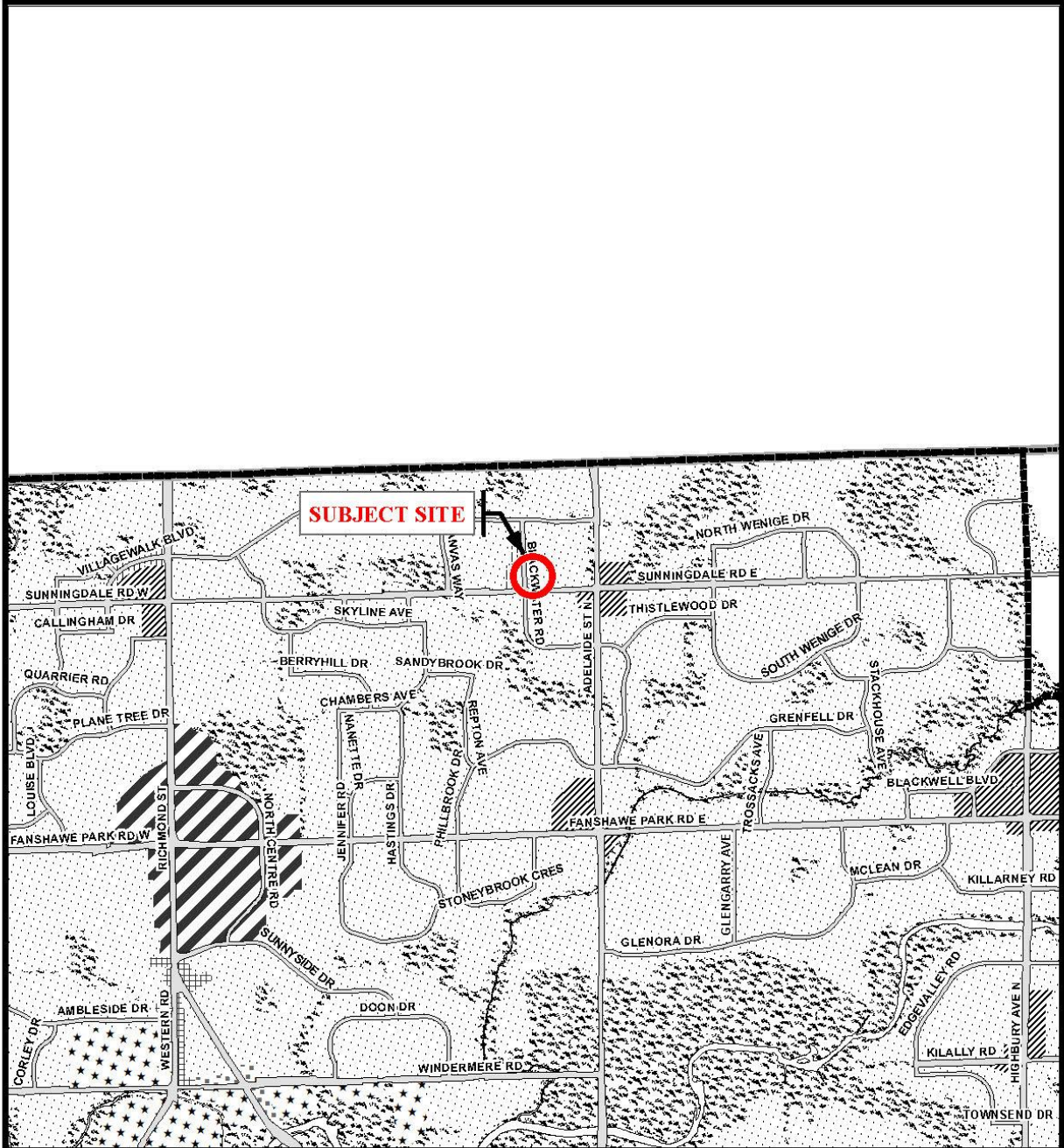
The subject lands are located within the Neighbourhoods Place Type in The London Plan, and are situated at the intersection of a Neighbourhood Connector. The range of primary permitted uses include single detached, semi-detached, duplex, triplex, townhouses, stacked townhouses, low-rise apartments, secondary suites, home occupations, group homes, and small-scale community facilities. Secondary permitted uses include mixed-use buildings. The proposed development of street townhouses and cluster townhouses are, anticipated to be a minimum 2 and 2.5 storeys in height conforms with the use, intensity and form policies of the Neighbourhoods Place Type.

1989 Official Plan

These lands are designated as Multi-family, Medium Density Residential under Section 3.3 which permits primarily multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding and houses; emergency care facilities; and small-scale nursing homes, rest homes, and homes for the aged, as the main uses. These areas may also be developed for single detached, semi-detached, and duplex dwellings. The recommended zone variations are consistent with the Official Plan designation and range of permitted uses.

Appendix D – Relevant Background

London Plan Map Excerpt



Legend

Downtown	Future Community Growth	Environmental Review
Transit Village	Heavy Industrial	Farmland
Shopping Area	Light Industrial	Rural Neighbourhood
Rapid Transit Corridor	Future Industrial Growth	Waste Management Resource Recovery Area
Urban Corridor	Commercial Industrial	Urban Growth Boundary
Main Street	Institutional	
Neighbourhood	Green Space	

This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

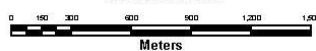
Planning Services /
Development Services

LONDON PLAN MAP 1 - PLACE TYPES -

PREPARED BY: Planning Services



Scale 1:30,000



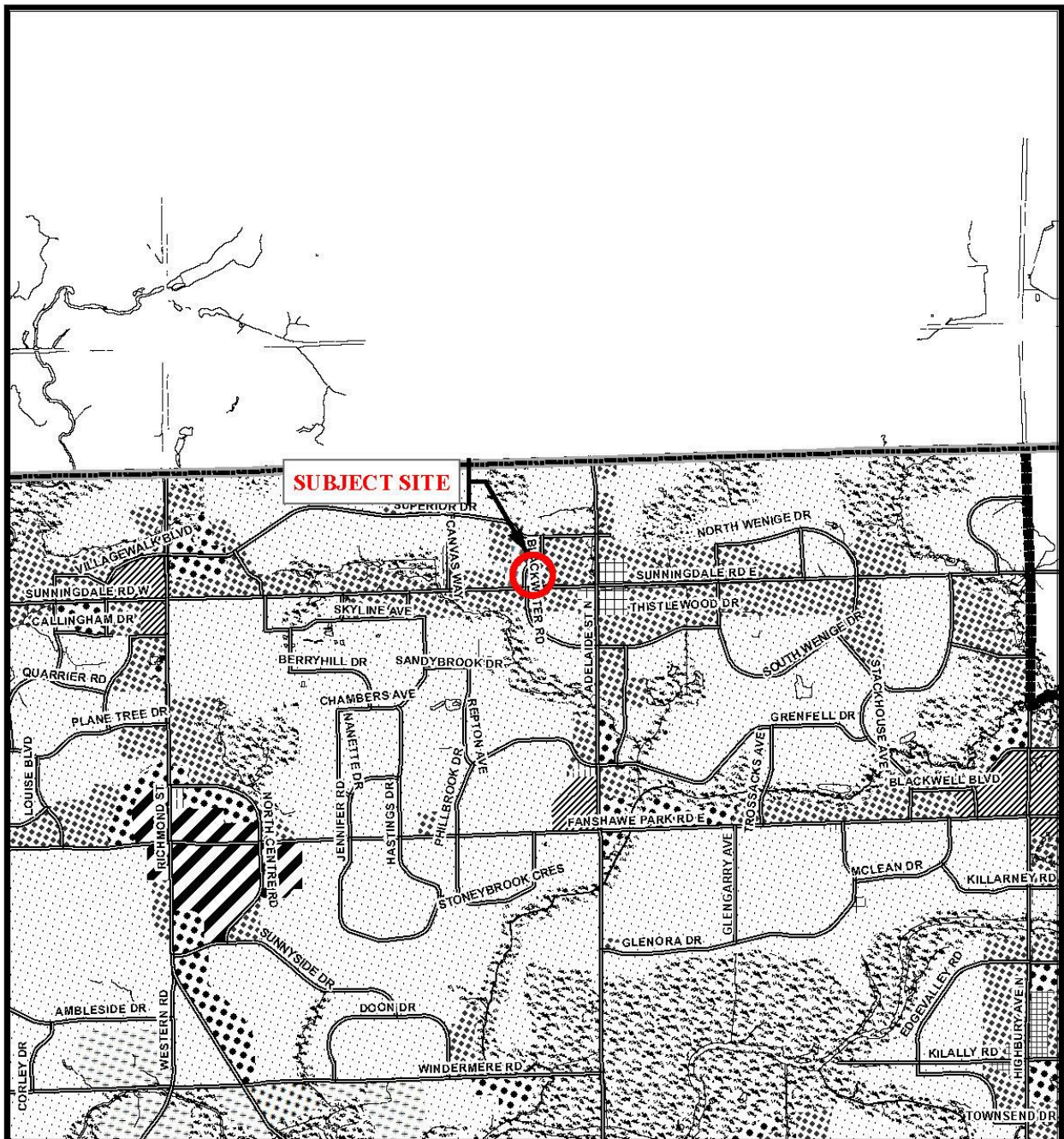
File Number: Z-9321

Planner: SM

Technician: RC

Date: March 15, 2021

Official Plan Map Excerpt



Legend

- | | |
|--|-----------------------------------|
| Downtown | Office Business Park |
| Enclosed Regional Commercial Node | General Industrial |
| New Format Regional Commercial Node | Light Industrial |
| Community Commercial Node | Regional Facility |
| Neighbourhood Commercial Node | Community Facility |
| Main Street Commercial Corridor | Open Space |
| Auto-Oriented Commercial Corridor | Urban Reserve - Community Growth |
| Multi-Family, High Density Residential | Urban Reserve - Industrial Growth |
| Multi-Family, Medium Density Residential | Rural Settlement |
| Low Density Residential | Environmental Review |
| Office Area | Agriculture |
| Office/Residential | Urban Growth Boundary |
| | Enterprise |

CITY OF LONDON
 Department of
Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -

PREPARED BY: Graphics and Information Services



Scale 1:30,000



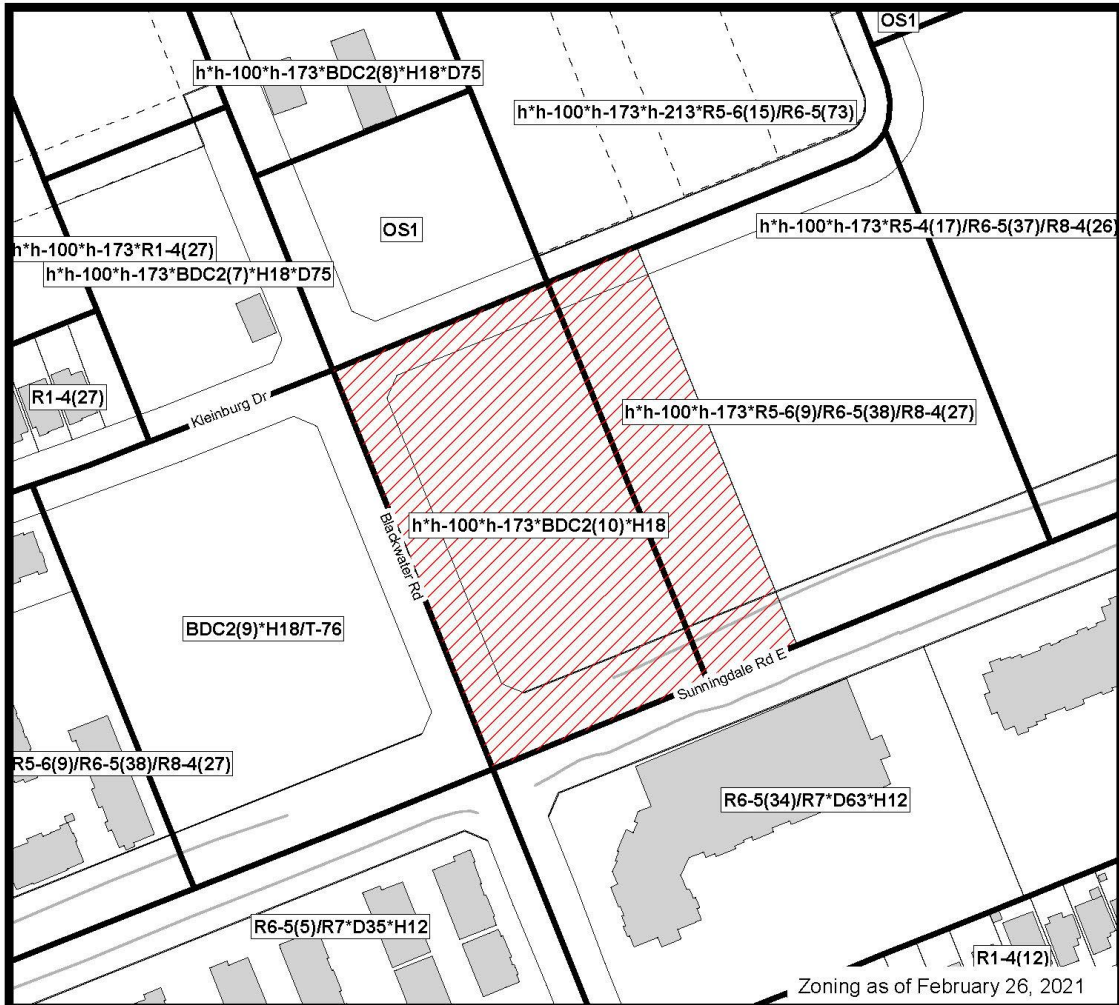
FILE NUMBER: Z-9321

PLANNER: SM

TECHNICIAN: RC

DATE: 2021/03/15

Zoning By-law Map Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) LEGEND FOR ZONING BY-LAW Z-1

- | | |
|--|---|
| <ul style="list-style-type: none"> R1 - SINGLE DETACHED DWELLINGS R2 - SINGLE AND TWO UNIT DWELLINGS R3 - SINGLE TO FOUR UNIT DWELLINGS R4 - STREET TOWNHOUSE R5 - CLUSTER TOWNHOUSE R6 - CLUSTER HOUSING ALL FORMS R7 - SENIOR'S HOUSING R8 - MEDIUM DENSITY/LOW RISE APTS. R9 - MEDIUM TO HIGH DENSITY APTS. R10 - HIGH DENSITY APARTMENTS R11 - LODGING HOUSE
 DA - DOWNTOWN AREA RSA - REGIONAL SHOPPING AREA CSA - COMMUNITY SHOPPING AREA NSA - NEIGHBOURHOOD SHOPPING AREA BDC - BUSINESS DISTRICT COMMERCIAL AC - ARTERIAL COMMERCIAL HS - HIGHWAY SERVICE COMMERCIAL RSC - RESTRICTED SERVICE COMMERCIAL CC - CONVENIENCE COMMERCIAL SS - AUTOMOBILE SERVICE STATION ASA - ASSOCIATED SHOPPING AREA COMMERCIAL
 OR - OFFICE/RESIDENTIAL OC - OFFICE CONVERSION RO - RESTRICTED OFFICE OF - OFFICE | <ul style="list-style-type: none"> RF - REGIONAL FACILITY CF - COMMUNITY FACILITY NF - NEIGHBOURHOOD FACILITY HER - HERITAGE DC - DAY CARE
 OS - OPEN SPACE CR - COMMERCIAL RECREATION ER - ENVIRONMENTAL REVIEW
 OB - OFFICE BUSINESS PARK LI - LIGHT INDUSTRIAL GI - GENERAL INDUSTRIAL HI - HEAVY INDUSTRIAL EX - RESOURCE EXTRACTIVE UR - URBAN RESERVE
 AG - AGRICULTURAL AGC - AGRICULTURAL COMMERCIAL RRC - RURAL SETTLEMENT COMMERCIAL TGS - TEMPORARY GARDEN SUITE RT - RAIL TRANSPORTATION
 "h" - HOLDING SYMBOL "D" - DENSITY SYMBOL "H" - HEIGHT SYMBOL "B" - BONUS SYMBOL "T" - TEMPORARY USE SYMBOL |
|--|---|

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

ZONING BY-LAW NO. Z.-1 SCHEDULE A



THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

FILE NO:

Z-9321

SM

MAP PREPARED:

2021/03/15

RC

1:2,000

0 10 20 40 60 80

Meters

Bill No.
2022

By-law No. Z.-1

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 660 Sunningdale Road East.

WHEREAS Applewood Market Place Inc. has applied to rezone an area of land located at 660 Sunningdale Road East, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to portions of the lands located at 660 Sunningdale Road East, as shown on the attached map comprising part of Key Map No. A.102, from a Holding Business District Commercial Special Provision h, h-100, h-173, BDC2(10)*H18 Zone and a Holding Residential R5/R6 Special Provision (h*h-100*h-173*R5-6(9)/R6-5(38)/R8-4(27)) Zone to a Business District Commercial Special Provision, BDC2(10)*H23 Zone.
- 2) Section Number 25.4 of the Business District Commercial (BDC) Zone is amended by deleting the current special provision BDC2(10) and replacing it with the following new special provision:

BDC2(10)

a) Prohibited Uses

- i) Dwelling Units on the ground floor, only for the building fronting Appletree Gate.

b) Regulations

- i) Front & Exterior Side Yard Setback
(Minimum) 2 metres (6.6 feet)
(Maximum) 4 metres (13.1 feet)
- ii) Gross Leasable Floor Area
(Maximum) 1022 m² (11,000 ft²)
- iii) Parking for all uses
(Maximum) 274 Spaces
- iv) The direct walkway entrances for the individual commercial/retail/office tenants shall be oriented to the primary collector road and provide direct walkway access from commercial ground floor units to the public sidewalk along Appletree Gate frontage. and a range of commercial uses on the first floor with residential use above, will only be required for the buildings fronting Appletree Gate.
- v) Notwithstanding the provisions of Section 2 "LOT LINE, FRONT", the frontage for this lot will be deemed to be along the primary collector.

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. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

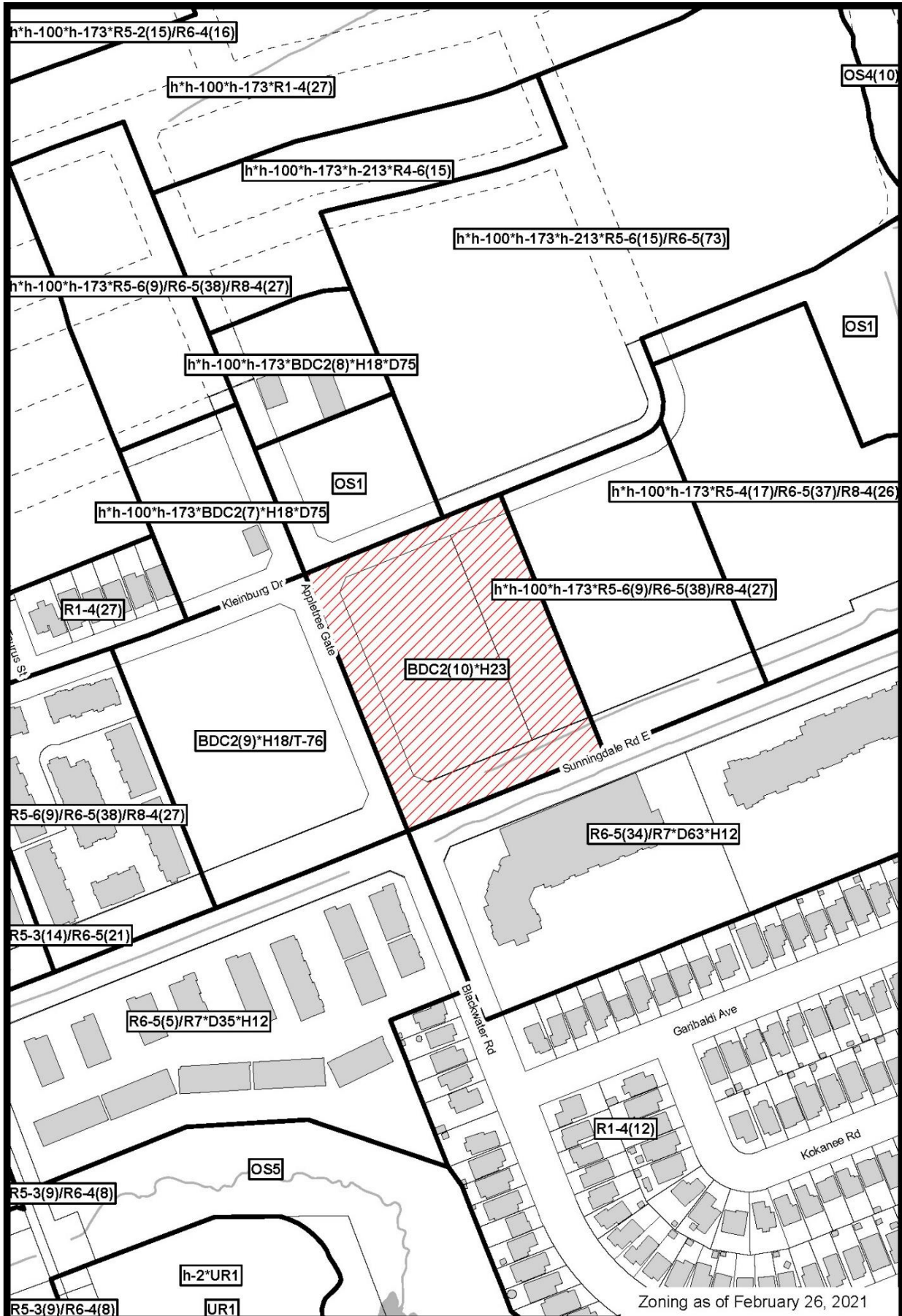
PASSED in Open Council on July 5, 2022

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – July 5, 2022
Second Reading – July 5, 2022
Third Reading – July 5, 2022

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



Zoning as of February 26, 2021

File Number: Z-9321
 Planner: SM
 Date Prepared: 2021/05/06
 Technician: rc
 By-Law No: Z.-1-

SUBJECT SITE 

1:2,500

0 12.525 50 75 100 Meters



Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee

From: Scott Mathers, MPA, P. Eng.
Deputy City Manager, Planning & Economic Development

Subject: Housekeeping Amendment to the Southwest Area Secondary Plan (SWAP)

Public Participation Meeting Date: June 20, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to housekeeping amendment to the Southwest Area Secondary Plan:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on July 5, 2022 to **AMEND** the Southwest Area Secondary Plan, by **DELETING** references to the 1989 Official Plan and **ADDING** references to The London Plan.

It **BEING NOTED** that a comprehensive review and possible amendments to the Southwest Area Secondary Plan will be subject to a separate review and amendment.

Executive Summary

Summary of Request

The recommended amendment to the Southwest Area Secondary Plan (SWAP) is of a housekeeping nature. The amendment will remove references to the 1989 Official Plan and add references to The London Plan. The amendment also includes changes to correct errors and omissions, such as typographical, grammatical and formatting errors.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to update the SWAP to reflect the transition from the 1989 Official Plan to The London Plan. The recommended action will assist in the interpretation and implementation of the SWAP in conjunction with The London Plan and to improve clarity and consistency of policies and maps in the Plan.

Linkage to the Corporate Strategic Plan

The Southwest Area Secondary Plan supports the Strategic Plan and contribute to the following strategic areas of focus through multiple principles identified in the Secondary Plan:

- Strengthening Our Community
 - Increase affordable and quality housing options.
 - Improve the health and well-being of Londoners.
 - Increase the number of meaningful opportunities for residents to be connected in their neighbourhood and community.
 - Ensure that new development fits within and enhances its surrounding community.
 - Continue to conserve London's heritage properties and archaeological resources.
- Building A Sustainable City
 - Build infrastructure to support future development and protect the environment.
 - Direct growth and intensification to strategic locations.
 - Increase access to transportation options.

- Improve the quality of pedestrian environments to support healthy and active lifestyles.
- Growing Our Economy
 - Increase public and private investment in strategic locations.
 - Increase access to supports for entrepreneurs and small businesses, and community economic development.

Analysis

1.0 Background Information

The Southwest Area Secondary Plan (SWAP) forms part of The London Plan and provides more detailed policy guidance for the Secondary Plan Area than the general London Plan policies.

The SWAP was adopted prior to the approval of The London Plan, and as a result includes references to the 1989 Official Plan. The London Plan was adopted by City Council on June 23, 2016 and approved by the Province on December 28, 2016. The majority of London Plan policies were appealed to the Ontario Land Tribunal (formerly Local Planning Appeal Tribunal), however, the most recent decision made by the Tribunal on May 25, 2022, brought London Plan policies fully into force and effect.

The Tribunal's decision also approved removal of "bonus zoning" policies from the London Plan. These policies authorize an increase in height or density in return for facilities, services or matters identified in the London Plan, pursuant to Section 37 of the *Planning Act*. Section 37 was repealed and the City will not be able to approve bonusing by-laws as of September 18, 2022. Applications are not being received for bonus zones as there is insufficient time to complete the review and bring a report to Council before the deadline. As a result, the London Plan no longer has a section describing what types of facilities, services or matters can be offered in return for increased height and density. The SWAP has references to bonus zoning that should be removed to be consistent with the London Plan approach.

Minor errors throughout the SWAP have also been identified, including typographical, grammatical, formatting and mapping errors. Further, where inconsistencies of policy terms and formatting between the SWAP and other Secondary Plans have been identified, they are addressed through the housekeeping amendment.

1.1 Draft Changes

On October 18, 2021, an information report with draft housekeeping changes to six Council-adopted Secondary Plans was presented to the Planning and Environment Committee which recommended the changes be circulated for public input. Council adopted the recommendations on October 26, 2021. These Secondary Plans include:

- McCormick Area Secondary Plan;
- Old Victoria Hospital Lands Secondary Plan
- Riverbend South Secondary Plan;
- Old East Village Dundas Street Corridor Secondary Plan;
- Beaufort/Irwin/Gunn/Saunby (BIGS) Neighbourhood Secondary Plan; and
- Southwest Area Secondary Plan.

The draft changes consist of:

- Removal of references to the 1989 Official Plan policies, land use designations, road classifications, and map schedules;
- Addition of references to the London Plan policies, place types, street

classifications, and maps;

- Correction of errors, omissions and inconsistencies;
- Update of formatting approach; and
- Other housekeeping changes to keep the Secondary Plans up to date.

Following the Council adoption, the information report was circulated to stakeholders and community associations that are active in the areas of the Secondary Plans. Several comments were received since the circulation of the report with respect to consistency in terms of formatting and wording that apply to all Secondary Plans. For the SWAP, there were no concerns identified while a comment received from the public requested clarification.

1.2 Recommendations to the SWAP

The SWAP was prepared prior to the London Plan and incorporates some of the ideas and planning approach that would become key principles in the London Plan, but not all.

Staff identified some inconsistencies with the policy direction and approach of The London Plan. As a result, a more in-depth review of the SWAP is warranted to consider broader changes. The review will evaluate the SWAP's suitability for the area and appropriateness of London Plan policies to be applied to area. In response to the review, possible changes include updating the SWAP to align with the London Plan approach, or repealing the SWAP and adding new special policy areas to the London Plan. It will require its own separate review and amendment process and is not of a housekeeping nature.

Given these possible changes, housekeeping changes to the SWAP were not presented at the Planning and Environment Committee public participation meeting on January 31, 2022. Rather, the recommendations include that:

the Civic Administration **BE DIRECTED** to report back at a future meeting of the Planning and Environment Committee with an in-depth review of the Southwest Area Secondary Plan to consider the potential for broader changes.

A comment received from Miami Developments at the meeting indicated that they fully support the recommendation for an in-depth review and look to fully participate in the review.

Council adopted this recommendation on February 15, 2022. It is expected that an in-depth review of the SWAP will be initiated in the fall, and a report with respect to the SWAP will be brought forward to the Planning and Environment Committee at a later date.

As the 1989 Official Plan will be repealed as a result of the OLT's decision, the housekeeping changes should be made throughout the SWAP to facilitate the transition to the London Plan through the recommended amendment.

2.0 Community Engagement

Through the public circulation process two responses were received from one member of the public. These include a request seeking a copy of the draft changes for review and an inquiry about an approach to address height and density bonus. Further information of the public engagement is found in Appendix B of this report.

3.0 Recommended Housekeeping Changes

The recommended changes remain very similar to the draft changes presented at the October 18, 2021 Planning and Environment Committee meeting, with only minor changes. These minor changes include removal of policies related to bonus zoning. The revised changes are attached in Appendix C to this report.

3.1 Removal of 1989 Official Plan references

The SWAP constitutes Section 20 of the 1989 Official Plan. Policies and schedules of the SWAP constitute Section 20.5, and the policies are numbered according to the Section. The London Plan identifies that Secondary Plans form part of the London Plan but does not provide a policy numbering system. The policy numbering system (S. 20.5), which is based on the 1989 Official Plan, should be replaced with a new numbering system. In addition to references to Section 20, the SWAP includes references to 1989 Official Plan policy sections and numbers. These references are recommended to be removed and replaced with applicable London Plan policy chapters or numbers to ease the transition to the London Plan.

The residential density and height table in the SWAP also includes references to 1989 Official Plan policies related to height and density requirements. The table is amended to remove these references without any changes to height and density requirements.

The SWAP also includes references to land use designations and road classifications based on 1989 Official Plan. The 1989 Official Plan term “land use designation” has been replaced with “Place Type” in the London Plan, while the London Plan includes its street classifications different from streets classified in the 1989 Official Plan. Removal of these references will bring the SWAP into better alignment with the London Plan.

The SWAP includes references to 1989 Official Plan map schedules to indicate which map illustrates which land uses. The SWAP also includes a chapter containing extracts of 1989 Official Plan map schedules which are to be read in conjunction with the Official Plan. The references and extracts should be removed to transition to London Plan maps. Removal of the extracts will assist in using and reading the SWAP in conjunction with The London Plan.

3.2 Removal of references to Bonus Zoning and bonusing

The London Plan had a series of policies for bonusing (Policies 1638-1655) to authorize an increase in height or density in return for facilities, services or matters identified in the Plan pursuant to Section 37 of the *Planning Act*. Section 37, however, was repealed and therefore the City will lose its ability to approve bonusing by-laws as of September 18, 2022. As a result, these policies no longer exist in the London Plan as per the OLT’s decision on May 25, 2022. Instead, new policies were added that allow for the upper maximum heights of the Plan to be achieved through site specific zoning.

As the SWAP includes references to Bonus Zoning and bonusing these references should be removed to be consistent with the new London Plan approach. The removal of the references is not intended to change the intensity of development that can be achieved.

3.3 Correction of errors, omissions and inconsistencies

This amendment will address typographical, grammatical, punctuation, and formatting errors throughout the SWAP to improve clarity and consistency of policies.

3.4 Consistency of formatting approach

The formatting of the SWAP is inconsistent with other Secondary Plans as a result of when each Secondary Plan was approved, and should be updated to match the current Secondary Plan template which has been used in more recent secondary plans (e.g. the Old East Village Dundas Street Corridor Secondary Plan).

This amendment includes updates of the table of contents and the multilevel list of policies throughout the SWAP for better consistency of formatting and easier reference to policies. In the list, the first level uses Roman numerals (i, ii, iii, ...), the second level uses lower-case letters (a, b, c, ...), the third level uses numbers (1, 2, 3, ...), and the fourth level uses bullets (•).

3.5 Other housekeeping changes

This amendment includes removal of references to old names of provincial ministries throughout the SWAP. While the Plans generally refer to the Ministry of the Environment and Climate Change, the Ministry’s name was changed to the Ministry of

the Environment, Conservation and Parks on June 29, 2018. In addition, the Ministry of Natural Resources and Forestry merged with the Ministry of Northern Development and Mines to form the Ministry of Northern Development, Mines, Natural Resources and Forestry in June 2021. The purpose of the changes is to keep the SWAP up to date and refine wording.

Another housekeeping change is the addition of a site-specific policy to the North Lambeth, Central Longwoods and South Longwoods Residential Neighbourhood chapter in the SWAP as required in London Plan Amendment (LPA) 4 and Official Plan Amendment (OPA) 697. These amendments were adopted by Council to add a site-specific policy to Section 20.5.10.1 iii). The policy, however, should be moved to a new section (Section 10.4) to improve formatting consistency given separate sections for site specific policies in other Neighbourhood chapters. The policy also includes a reference to 1989 Official Plan policy section and typographical error which should be removed.

Conclusion

The recommended housekeeping amendment will facilitate the transition to the new official plan, the London Plan, and assist in the interpretation and implementation of the SWAP in conjunction with the London Plan. In addition, this amendment will refine wording, formatting and mapping throughout the SWAP thereby improving clarity and consistency of policies.

Staff will be initiating an in-depth review and possible broader changes to the SWAP through a separate amendment process upon the completion of all London Plan hearings. A future report including the review and draft changes will be brought forward to the Planning and Environment Committee.

Prepared by: Joanne Lee
Planner I, Long Range Planning and Research

Reviewed by: Justin Adema, MCIP, RPP
Manager, Long Range Planning and Research

Recommended by: Gregg Barret, AICP
Director, Planning and Development

Submitted by: Scott Mathers, MPA, P. Eng.
Deputy City Manager, Planning and Economic
Development

June 13, 2022
JL/jl

Y:\Shared\Planning APPLICATIONS\Applications\City Planning - City Initiated Files\2022\O-9505 - Housekeeping changes to Southwest Area Secondary Plan\Report\O-9505 Recommendation Report.docx

Appendix A – By-law to Southwest Area Secondary Plan

Bill No. (number to be inserted by Clerk's Office)
2022

By-law No. C.P.-XXXX-____

A by-law to amend The London Plan for the City of London, 2016 relating to the Southwest Area Secondary Plan.

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 London Plan for the City of London Planning Area – 2016, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This Amendment shall come into effect in accordance with subsection 17(27) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on July 5, 2022.

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – July 5, 2022
Second Reading – July 5, 2022
Third Reading – July 5, 2022

**AMENDMENT NO.
to the
THE LONDON PLAN FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

- i) To delete references to 1989 Official Plan policy sections and numbers, land use designations, road classifications, and map schedules throughout the Southwest Area Secondary Plan.
- ii) To add references to The London Plan policy chapters and numbers, place types, street classifications, and maps throughout the Southwest Area Secondary Plan.
- iii) To correct errors and omissions identified throughout the Southwest Area Secondary Plan.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands generally bounded by Southdale Road West, White Oak Road, Exeter Road, Wellington Road South, Green Valley Road and the Urban Growth Boundary.

C. BASIS OF THE AMENDMENT

This housekeeping amendment will facilitate the transition to The London Plan and refine wording, formatting and mapping in the Southwest Area Secondary Plan.

D. THE AMENDMENT

The Southwest Area Secondary Plan for the City of London is hereby amended as follows:

1. The Southwest Area Secondary Plan for the City of London is amended by renumbering all Sections (20.5.X.X) in the Table of Contents and headings throughout the Secondary Plan to appropriate numbers, as follows:

1.0 Introduction

- 1.1 Purpose and Use of the Plan
- 1.2 Vision
- 1.3 Principles of the Secondary Plan
- 1.4 Specific Policy Areas

2.0 Community Structure Plan

3.0 General Policies

- 3.1 Housing
- 3.2 Sustainable/Green Development
- 3.3 Neighbourhood Central Activity Nodes
- 3.4 Community Parkland and Trail Network
- 3.5 Parkland Dedication
- 3.6 Natural Heritage
- 3.7 Community Facilities
- 3.8 Transportation
- 3.9 Urban Design

4.0 General Land Use Policies

- 4.1 Residential
- 4.2 Institutional
- 4.3 Open Space

5.0 Neighbourhoods and Land Use

6.0 Wonderland Boulevard Neighbourhood

- 6.1 Wonderland Road Community Enterprise Corridor
- 6.2 Low Density Residential
- 6.3 Medium Density Residential
- 6.4 High Density Residential for Lands North of Exeter Road
- 6.5 17 and 31 Exeter Road

7.0 Lambeth Neighbourhood

- 7.1 Low Density Residential
- 7.2 Medium Density Residential
- 7.3 Commercial

8.0 Lambeth Village Core Neighbourhood

- 8.1 Main Street Lambeth North
- 8.2 Main Street Lambeth South

9.0 Bostwick Residential Neighbourhood

- 9.1 Low and Medium Density Residential
- 9.2 High Density Residential
- 9.3 1875 Wharncliffe Road South

10.0 North Lambeth, Central Longwoods and South Longwoods Residential Neighbourhoods

- 10.1 Low and Medium Density Residential
- 10.2 High Density Residential
- 10.3 Transitional Industrial
- 10.4 3493 Colonel Talbot Road

11.0 North Talbot and North Longwoods Neighbourhoods

- 11.1 Low and Medium Density Residential
- 11.2 High Density Residential

12.0 Brockley Rural Neighbourhood

- 12.1 Rural Neighbourhood

13.0 Dingman Industrial Neighbourhood

- 13.1 Industrial
- 13.2 Transitional Industrial
- 13.3 Commercial Industrial
- 13.4 Future Community Growth

14.0 Brockley Industrial Neighbourhood

- 14.1 Industrial

15.0 Wellington Road/Highway 401 Neighbourhood

16.0 Implementation

- 16.1 Implementation of the Plan
- 16.2 Municipal Works
- 16.3 Official Plan Amendments
- 16.4 Zoning
- 16.5 Plans of Subdivision/Plans of Condominium/Consents to Sever
- 16.6 Site Plan Approval
- 16.7 Fair Distribution of Responsibilities and Resources
- 16.8 Achieving Minimum Residential Density
- 16.9 Proposed Future Road Corridors
- 16.10 Complete Applications
- 16.11 Urban Design Policies

16.12 Guidelines Documents

16.13 Interpretation

17.0 Appendices – Supplementary Information

2. The Southwest Area Secondary Plan for the City of London is amended by organizing a multilevel list, where the first level uses Roman numerals (i, ii, iii, ...), the second level uses lower-case letters (a, b, c, ...), the third level uses numbers (1, 2, 3, ...), and the fourth level uses bullets (•); renumbering the existing bullets (•) to numbers (1, 2, 3, ...) with the exception of the bullets in Section 20.5.1.3; and replacing the existing sub-bullets (-) with bullets (•).

3. Section 20.5.1.1 of the Southwest Area Secondary Plan for the City of London is amended by deleting the heading “20.5.1.1 Introduction”, and deleting “Schedule “A” of the Official Plan” and replacing it with “Map 1 of *The London Plan*”.

4. Section 20.5.1.2 of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

1.1 Purpose and Use of the Plan

The purpose of the Secondary Plan is to establish a vision, principles and policies for the development of the Southwest Planning Area as a vibrant community in the city which incorporates a significant gateway into the city, elements of mixed-use development, an increased range and density of residential built form, sustainability, preservation of significant cultural heritage resources, walkability and high-quality urban design.

This Secondary Plan provides a greater level of detail than the general policies in *The London Plan*, the City of London Official Plan. The Southwest Area Secondary Plan is organized around identified Neighbourhoods. In addition to general and implementation policies related to future development, specific Southwest Planning Area-based land use designations and policies are defined for each Neighbourhood in Parts 6.0 through 15.0. The Secondary Plan serves as a basis for the review of planning and development applications which will be used in conjunction with the other policies of *The London Plan*. While this Plan contains cross-references to other part of the Plan for convenience purposes, the Plan is to be read and applied in its entirety.

The goals, objectives, policies and maps of *The London Plan* shall apply to all lands within the study area, except in instances where more detailed or alternative direction is provided in the Secondary Plan, in which case the Secondary Plan shall prevail unless otherwise specified in Section 1.4 of this Plan.

All of the text and schedules of the Southwest Area Secondary Plan constitute part of *The London Plan*. The Schedules form part of the Secondary Plan and have policy status, whereas other maps, tables, illustrations and photographs included in this Secondary Plan or its appendices are provided for graphic reference, illustration and information. For ease of reference, a projected population and employment growth table and a residential density and height table are included as appendices to this Plan.

5. Section 20.5.1.3 of the Southwest Area Secondary Plan for the City of London is amended by deleting the heading “20.5.1.3 Vision” and replacing it with “1.2 Vision”, and deleting the fifth, sixth and final paragraph in its entirety and replacing them with the following:

[Fifth paragraph]

This Plan recognizes the unique rural settlement of Brockley, located along Dingman Drive west of Wellington Road. The proposed policies of this Plan serve to protect the rural nature of the Brockley community by removing it from the Urban Growth Boundary and designating the lands as “Rural Neighbourhood”. Protective design and landscape enhancement measures have been incorporated in the Brockley

Rural Neighbourhood to mitigate the impact of new industrial development on the existing residential neighbourhood, as well as establishing a minimum 40 metre setback requirement from the settlement boundary for the location of any new industrial buildings and structures.

[Sixth paragraph]

The existing industrial areas along Exeter Road are identified in this Secondary Plan as “Transitional Industrial”. The intent is to build in the flexibility as part of this Plan that will allow for the shift in market demand from industrial to residential uses over the long term, yet still allow the existing industrial uses and properties in the identified areas to continue to develop as light industrial uses over the short term.

[Final paragraph]

An approach to servicing and phasing for the southwest is proposed which recognizes growth already planned for urban uses within the North Talbot Community Area and the Bostwick East Area. Servicing for the southwest will be consistent with the servicing strategy for the city as a whole. The staging of development will be determined through the City’s review of the Growth Management Implementation Strategy (GMIS). The objective is to ensure that planned infrastructure is effectively utilized.

6. Section 20.5.1.4 i) through v) of the Southwest Area Secondary Plan for the City of London is amended by deleting the heading “20.5.1.4 Principles of the Secondary Plan” and replacing it with “1.3 Principles of the Secondary Plan”, adding “Principle”, an appropriate number and a colon (:) at the beginning of each heading, and adding the words “to achieve this principle are” between the word “Objectives” and the colon (:) in the sub-heading.

7. Section 20.5.1.5 of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

1.4 Specific Policy Areas

Some areas of this Secondary Plan are also subject to Specific Policy Areas in *The London Plan*. If a conflict arises between the Secondary Plan policies and the site-specific policies of *The London Plan*, the specific policies shall prevail.

8. Section 20.5.2 of the Southwest Area Secondary Plan for the City of London is amended by deleting the heading “20.5.2 Community Structure Plan” and deleting iv) and vii) in its entirety and replacing them with the following:

- iv) Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards, and Main Streets shall serve as key organizing elements and shall generally experience a higher intensity of development than the interior portions of the Planning Area;
- vii) the function and feel of Main Street Lambeth as a pedestrian-oriented mixed-use village shall be maintained and enhanced as a focal area for the Community; and

9. Section 20.5.3.1 i) a) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety.

10. Section 20.5.3.1 ii) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

ii) Seniors and Special Populations Housing

The City may pre-zone specific areas of the Medium Density Residential designation to permit small-scale nursing homes, homes for the aged, rest homes, and continuum-of-care facilities. These zones should be located within, or in close proximity, to the Wonderland Boulevard Neighbourhood or the areas of intensive residential development set out in policy 4.1 iv) of this Plan. Permitted uses in such areas may be restricted to ensure the development of such facilities within the Southwest Planning Area.

11. Section 20.5.3.2 ii) a) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

- a) in new buildings and in draft plans of subdivision, green technologies to address the criteria for sustainable development set out in policy 3.2 i);

12. Section 20.5.3.3 iii) a) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

A limited number of activity nodes will be permitted throughout the Secondary Planning area. Central Activity Nodes shall be located as shown on the Neighbourhood Land Use Schedule for the respective residential neighbourhood, or alternatively, generally located at the intersection of two Neighbourhood Connectors internal to the residential neighbourhood.

In the South Longwoods Neighbourhood, the Central Activity Node is located mid-block with the intent to incorporate access to the open space network as a key component and provide a relatively central and accessible location. The Central Activity Node in this Neighbourhood may be located at the intersection of a Neighbourhood Connector and a Neighbourhood Street.

13. Section 20.5.3.4 of the McCormick Area Secondary Plan for the City of London is amended by deleting the first and second paragraphs in its entirety and replacing them with the following:

The development of the Southwest Planning area as a sustainable community that provides for enhanced open space, encourages recreation and the use of alternative modes of transportation is largely dependent on the provision, development and incorporation of different types of parkland and open space connections into newly developing and redeveloping areas. Four distinct types of open space described in Section 4.3 of this Plan will encompass or contribute to the provision of such uses as sports fields, playgrounds and other active recreational amenities, pathways and trails, and gathering and resting places. Schedule 2 of this Plan identifies the general locations of a combination of existing and new Neighbourhood and District Parks, and proposed pedestrian and bicycle pathways.

The Parks and Recreation chapter of *The London Plan* contains the policies and provisions for parkland and recreational services in the City of London. Specifically, they identify the park hierarchy system and the various attributes of each park type. In addition to the Parks and Recreation chapter, the following policies apply:

14. Section 20.5.3.4 i) e) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

- e) The alignment of pathways and trails within Environmentally Significant Areas shall be consistent with the City's *Planning and Design Standards for Trails in Environmentally Significant Areas*.

15. Section 20.5.3.4 ii) d) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety.

16. Section 20.5.3.5 of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replacing it with the following:

3.5 Parkland Dedication

In addition to the Parkland Conveyance & Levy By-law, the Parkland Acquisition and Dedication section in Our Tools part of *The London Plan* shall apply together with the following policies:

i) Conveyance of Parkland

The public components of the Community Parkland identified in Section 3.4, and/or shown as Open Space on Schedules 5 through 17 of this Secondary Plan, may be dedicated to the City for public park purposes pursuant to the Methods of Acquisition prescribed in the Parkland Acquisition and Dedication section in the Our Tools part of *The London Plan*. Some components of the natural heritage/environmental

features, pedestrian pathways/trails, and stormwater management systems may serve other public uses, in which case the land may be conveyed to the City for public use by other authorized means.

ii) Property Management

To address the ongoing property management of the parkland components listed in Section 3.4, an analysis of funding sources shall be undertaken by Council to identify such measures as condominium 'common element' fees, and other suitable mechanisms to ensure a viable and sustainable source of funding.

17. Section 20.5.3.6 of the Southwest Area Secondary Plan for the City of London is amended by deleting the heading and the first and second paragraphs in its entirety and replacing them with the following:

3.6 Natural Heritage

A Draft Comprehensive Natural Heritage Study was completed as part of the Secondary Plan process. The natural heritage system components of the Draft Natural Heritage Study have been incorporated into Maps 1 and 5 of *The London Plan* and are also incorporated into the Schedules of the Southwest Area Plan.

In addition to the Environmental Policies part of *The London Plan*, the following policies apply:

18. Section 20.5.3.6 i) b), c), d) and e) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

b) Width of the Dingman Creek Corridor

The protection, maintenance, enhancement and rehabilitation of the corridor are integral to the sustainability of this unique natural heritage feature and its ecological functions. An ecological buffer will be established along each side of Dingman Creek based upon the recommendations of an approved Environmental Impact Study (EIS) in accordance with the Environmental Policies part of *The London Plan*.

c) Other Natural Heritage Features

Natural Heritage Features other than the Dingman Creek, which are identified on Map 5 of *The London Plan* will be confirmed and/or delineated through the recommendations of an approved Environmental Impact Study in accordance with the Environmental Policies part of *The London Plan*.

Ecological buffers will be established for Natural Heritage Features based upon the recommendations of an approved Environmental Impact Study (EIS) in accordance with the Environmental Policies part of *The London Plan*.

d) Development Limit

Where development occurs within distances adjacent to natural heritage features that trigger the need for an Environmental Impact Study (EIS) as set out in Table 13 of *The London Plan*, an EIS will be scoped to confirm and delineate the natural feature, to determine the appropriate ecological buffer and to provide details on the Open Space system and naturalization opportunities to integrate the system with the adjacent features to be protected.

Where different natural heritage system components overlap, the limit of development will be established as the maximum corridor or ecological buffer width as determined by application of these policies.

Where the limits of Natural Hazards shown on Map 6 of *The London Plan* exceed the identified corridor or buffer widths for natural heritage features, the development limit shall be established at the hazard limit.

e) Implementation/Acquisition of Ecological Buffers

Lands delineated as ecological buffers pursuant to policy 3.6 i) b) and c) may be acquired by the City pursuant to the Parks and Recreation chapter of *The London*

Plan.

19. Section 20.5.3.6 iii) b) and e) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

- b) Wherever possible, enhanced tree planting will be encouraged in exterior side yards along neighbourhood streets.
- e) Encourage the use of large stock tree-planting for development adjacent to Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards, and Main Streets. The use of planting technologies and standards to provide for long term and sustainable growth is encouraged.

20. Section 20.5.3.6 iv) a) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

- a) Recommendations arising out of a Municipal Environmental Assessment Study for lands within the Secondary Plan shall be incorporated into development plans, and will be subject to more detailed review in compliance with the Environmental Policies part of *The London Plan* if the facilities are proposed to be located within or adjacent to components of the natural heritage system. Development of the SWAP lands shall also be consistent with the Storm Drainage And Stormwater Management policies in the Civic Infrastructure chapter of *The London Plan*. The following site-specific policies shall also apply for on-site design:
 - 1. To reduce the extent of impervious cover, storm drainage and stormwater management techniques such as alternative roadside drainage techniques, pervious paving, enhanced use of vegetation cover, and/or the adoption of other practices to decrease the extent of impervious cover will be encouraged, wherever feasible and appropriate; and
 - 2. Any proposed channel or watercourse restoration, rehabilitation or enhancement work within the defined Dingman Creek corridor will be subject to the Environmental Policies part of *The London Plan* to demonstrate no negative impact on ecosystem features and ecological functions, and for management and rehabilitation priorities to achieve an environmental benefit, and the regulations of the Conservation Authority.

21. Section 20.5.3.7 of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

3.7 Community Facilities

Community facilities, such as schools and places of worship, will be encouraged to be located in Neighbourhood Central Activity Nodes, and to serve as a focal point of the neighbourhood. Cooperation and negotiation will be required between affected land owners, the City of London, and the applicable School Board to facilitate the allocation, and possible integration, of lands proposed for school, park and community facility uses.

One school board, the Conseil Scolaire Viamonde, has identified a possible need for a school site within the planning area, specifically in the Bostwick, North Longwoods, or Central Longwoods Neighbourhood. This Board has identified a need to acquire a site with an area of two (2) hectares (5 acres), at the intersection of two Neighbourhood Connectors, or at the intersection of a Neighbourhood Connector and an Urban Thoroughfare, Civic Boulevard or Main Street. In conjunction with the subdivision and/or site plan approval application review process, the applicant shall contact each of the school boards concerning the proposed residential application, and provide to the City a communication confirming either that the Board does not have a need for a school site within the development plan, or indicating a specific need for a possible school site within the development area with as much information supporting that need as reasonably possible.

Places of worship and other small-scale community facilities are a permitted use

within the residential land use designations.

22. Section 20.5.3.8 of the Southwest Area Secondary Plan for the City of London is amended by deleting the heading and the first paragraph in its entirety and replacing it with the following:

3.8 Transportation

The transportation network within this Plan consists of Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards, Main Streets, and Neighbourhood Connectors. Neighbourhood Streets may connect to appropriately designed Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards, and Main Streets to provide new connections to the community neighbourhoods. The neighbourhood street pattern will provide an organizing structure for each of the Neighbourhood areas. In addition to the City Design chapter of *The London Plan*, the Transportation policies specific to the Neighbourhood areas, and the applicable urban design policies in Section 3.9 of this Plan, the following policies shall apply:

23. Sections 20.5.3.8 i) of the Southwest Area Secondary Plan for the City of London are amended by deleting e), f) and the final paragraph in its entirety and replacing them with the following:

- e) Special design treatments shall be implemented in appropriate locations, on Neighbourhood Connectors and Neighbourhood Streets, to slow or restrict traffic movements and place a priority on pedestrian movements.
- f) At the subdivision and/or site plan application stage, where applicable, the owner shall convey and construct the Neighbourhood Connectors, identified on Map 3 of *The London Plan*, to ensure future opportunities for connectivity between neighbourhoods.

[Final paragraph]

The City may enter into an encroachment agreement with the property owner for the use of a neighbourhood street right-of-way in advance of its development as a neighbourhood street. The property owner may enter an agreement with the City to convey a future neighbourhood street right-of-way when it is required for road development.

24. Section 20.5.3.8 ii) a) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

- a) Public road access to Bradley Avenue and Pack Road shall be restricted to one road connection approximately mid-block between each set of intersecting Urban Thoroughfares and Civic Boulevards, provided a minimum separation distance between intersections of 200 metres can be reasonably achieved. Access to Neighbourhood Streets or Neighbourhood Connectors at these locations shall have restricted turning movements.

25. Section 20.5.3.8 iv) a) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

a) Intent

As the primary gateway to Central London from the 400 series Highways, Wonderland Road South will be developed to fulfill the two functions of this major transportation corridor: an Urban Thoroughfare designed to carry high volumes of traffic in a safe and efficient manner, and as a major gateway and arrival corridor into the city. Wonderland Road South will serve as the spine of the Southwest Area, and will link both the existing and newly developing neighbourhoods within the area to one another and to the rest of the city. For these reasons, a high design standard, including landscaping, medians, opportunities for on-street parking and bicycle lanes, and local street connections may be provided within a widened road allowance. A Municipal Class Environmental Assessment shall be conducted to determine the Urban Thoroughfare cross section for the Wonderland Road South corridor. Recommendations and design requirements arising out of the Municipal

Class Environmental Assessment will be incorporated into road development. Building setbacks and design elements, as set out in Section 3.9 of this Plan, may relate to this design to provide an effective interface between the public and private realms.

26. Section 20.5.3.9 of the Southwest Area Secondary Plan for the City of London is amended by deleting “the” before “402” in the first paragraph and replacing it with “Highways”.

27. Section 20.5.3.9 i) a) of the Southwest Area Secondary Plan for the City of London is amended by adding hyphens between “pedestrian” and “oriented”, and between “transit” and “friendly”.

28. Section 20.5.3.9 ii) of the Southwest Area Secondary Plan for the City of London is amended by deleting “20.5.3.8” in the first paragraph and replacing it with “3.8”.

29. Section 20.5.3.9 ii) a) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

- a) Four street typologies exist within the plan (exclusive of Highway 401). The following urban design policies will establish the general design intent of these typologies. Variations may be considered by the City of London based on circumstances such as topography, the proposed abutting land use(s), relationship to the Open Space System and achievement of other design objectives.

1. Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards and Main Streets

Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards, and Main Streets are high-capacity roads which serve as both a major entry way into the Planning area and the city as a whole, along with being a route through the Planning Area to other parts of the city. A balance must be achieved between their transportation function, including accommodation for transit, and their ability to provide access to adjacent land uses, and to act as socially vibrant public space. To assist in achieving this balance, these streets will have the highest form of design treatment, including wide sidewalks, special tree and feature planting, paving, lighting and signage design.

2. Neighbourhood Connectors

The Neighbourhood Connectors connect neighbourhoods together, along with connecting these neighbourhoods to Wonderland Boulevard, the Lambeth Village Core, Neighbourhood Central Activity Nodes and other major focal points of the community. These Neighbourhood Connectors will have a higher level of design than Neighbourhood Streets through the extended use of tree and feature planting, paving, lighting and signage design. The design will complement the planned adjacent land uses. For example, where these streets provide access to street related retail and mixed-use development, in the Neighbourhood Centre Activity Nodes, their design shall include on-street parking, wider sidewalks, and street furniture such as benches.

3. Neighbourhood Streets

Neighbourhood Streets play a dual role as neighbourhood socialization spaces, as well as supporting transportation needs. The design requirements, while less substantial than for Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards, Main Streets and Neighbourhood Connectors, must support the dual role of Neighbourhood Streets.

4. Lanes/Window Streets

Where direct driveway access from a roadway is not appropriate or in response to special design features such as development fronting directly onto open space, lanes shall be utilized, and in limited circumstances, “window” streets. The design requirements for these lanes and window streets will establish certain minimum

standards to address issues such as pavement width and relationship to parking areas. Where such roads are to be public roads, they shall be designed:

- To provide access for public maintenance vehicles, including snow plows and garbage trucks, as well as emergency vehicles, where deemed necessary by the City;
- To maximize safety and security; and,
- Where the City's policies for urban design are such that the use of lanes is required, the lanes may be in public ownership.

30. Section 20.5.3.9 ii) b) and e) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

- b) Sidewalks shall generally be required on both sides of all streets with the exception of:
 1. Residential streets with less than then dwelling units or cul-de-sacs, where sidewalks shall be required on only one side of the street; and,
 2. Lanes, where no sidewalks shall be required.
- e) Rear lotting is not permitted along Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards, and Main Streets in the Southwest Area Plan. In instances where the City is satisfied that there is no other alternative due to topographic or other site constraints, a range of alternatives such as lanes, service roads, and "window" streets will be used to ensure a high quality of streetscape design. If there is no alternative to rear lotting, landscaping, as well as site and building design, will be used to mitigate the impact on the streetscape.

31. Section 20.5.3.9 iii) c), g), h) and j) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

- c) Buildings on corner lots at the intersections of Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards, Main Streets, and Neighbourhood Connectors shall be sited and massed toward the intersection.
- g) [only 7th bullet]
 7. provision of pedestrian walkways adjacent to stores, between building clusters, and to provide pedestrian access to transit stops, public sidewalks and adjacent developments. These walkways may need to cross parking lots to provide the required access; and,
- h) All commercial and office development proposals shall demonstrate safe, effective and accessible pedestrian-, bicycle- and transit-oriented transportation linkages from residential areas, and between and within these developments.
- j) Where industrial development is permitted it shall contribute to the public realm in the following ways:
 1. Development is to be integrated in the streetscape utilizing quality and varied built forms and by minimizing parking facilities and other hardstand areas along the street frontage.
 2. Parking within the front yard is discouraged. Preferably, parking should be located behind and/or at the side of the building.
 3. Garbage holding areas, and loading and servicing areas shall be designed as an integral part of the development on each site. It is preferred that loading bays be entirely contained within buildings. Where it is not possible to internalize loading and servicing areas, external loading and servicing areas will be fully screened from view. The garbage holding area facility is to be fully screened from public view and is to be located clear of all landscaped areas, driveways, turning areas, truck standing areas and car parking spaces.
 4. The siting of buildings is to spatially define the street, provide high quality active frontages and provide opportunities for landscape planting in order to improve the visual quality of the streetscape.
 5. All major rooftop or exposed structures including lift motor rooms, plant rooms, etc., together with air conditioning, satellite dishes, ventilation and exhaust systems, should be suitably screened and integrated with the building. Parapets can help in screening such services.
 6. Building facades are to be of a simple modern architectural style and include

a variety of material types that reflect the industrial character of the street.

7. Where large areas of car parking are proposed (in excess of 20 spaces) at the side or rear of the building, 'garden bays' comprising vegetated landscaped areas and/or landscape trees with grass areas, are encouraged at regular intervals in order to soften the appearance of these areas and to provide shade during summer.

32. Section 20.5.4.1 i) of the Southwest Area Secondary Plan for the City of London is amended by deleting "20.5.16.4 (v)" and replacing it with "16.4 v)".

33. Section 20.5.4.1 ii) of the Southwest Area Secondary Plan for the City of London is amended by deleting "arterial road" and replacing it with "Urban Thoroughfare, Civic Boulevard, Rapid Transit Boulevard, and Main Street".

34. Section 20.5.4.1 iii) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

iii) All Residential Designations in all Neighbourhoods

a) Access to Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards and Main Streets

The primary transit network is expected to be provided on Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards, and Main Streets. For all Draft Plan of Subdivision, Consent and Site Plan applications that include land within 400 metres of an Urban Thoroughfare, Civic Boulevard, Rapid Transit Boulevard or Main Street, the requirements for a complete application shall include the submission of a plan that demonstrates the provision of viable, safe and effective pedestrian linkages to the Urban Thoroughfare, Civic Boulevard, Rapid Transit Boulevard or Main Street, to provide pedestrian access to potential future transit services. Public streets are preferred, however, pathway connections may be considered on a case-specific basis.

b) Access to Bradley Avenue

Public road, private vehicular, and pedestrian access to Bradley Avenue shall be in accordance with the Transportation policies in policy 3.8 ii) of this Plan.

c) Mix of Residential Forms

Plans of subdivision shall accommodate a diversity of building types. Semi-detached, duplex and cluster dwellings are encouraged. Along all Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards, Main Streets and Neighbourhood Connectors, a variety of townhouse forms is encouraged, including 2-storey townhouses, 3-storey townhouses and stacked townhouses.

35. Section 20.5.4.1 iv) of the Southwest Area Secondary Plan for the City of London is amended by deleting "Arterial Roads" in the heading and replacing it with "Urban Thoroughfares, Civic Boulevards, Rapid transit Boulevards and Main Streets".

36. Section 20.5.4.1 iv) a) of the Southwest Area Secondary Plan for the City of London is amended by deleting the first and final paragraphs in its entirety and replacing them with the following:

[First paragraph]

It is intended that Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards, and Main Streets can serve as significant routes for public transit services. Specific policies apply along portions of the Urban Thoroughfare, Civic Boulevard, Rapid Transit Boulevard, and Main Street network that are intended to focus intense, medium density housing forms along transit-oriented corridors, consistent with the Province of Ontario *Transit Supportive Guidelines*. This would also support alternative modes of transportation, such as walking and bicycling.

[Final paragraph]

It is important that residential development along Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards, and Main Streets provides opportunities that

are designed to create linkages between the Community's interior and the Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards, and Main Streets to provide access to the major transportation corridors and to be active, attractive and safe for pedestrian users. Rear lotting of free-hold lots, and building orientation within multi-family blocks that presents the backs of buildings to the Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards, and Main Streets shall be avoided along Urban Thoroughfare, Civic Boulevard, Rapid Transit Boulevard, and Main Street streetscape. High quality landscaping in combination with street-oriented built form, are the key elements required to ensure functionality and appearance of Urban Thoroughfare, Civic Boulevard, Rapid Transit Boulevard, and Main Street streetscapes as pedestrian-friendly transit-oriented corridors.

37. Section 20.5.4.1 iv) b) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

b) Character

Development along Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards, and Main Streets will include street-oriented and higher intensity housing forms such as stacked townhouses and low-rise apartment buildings. However, to encourage a diverse and interesting streetscape, built forms that are traditionally less intensive may also be permitted, provided minimum density targets are met. Urban Thoroughfare, Civic Boulevard, Rapid Transit Boulevard, and Main Street boulevards will provide opportunities for landscaping, street trees and furniture, to create a vibrant urban context.

38. Section 20.5.4.1 iv) c) of the Southwest Area Secondary Plan for the City of London is amended by deleting "arterial road" and replacing it with "Urban Thoroughfare, Civic Boulevard, Rapid Transit Boulevard, and Main Street".

39. Section 20.5.4.1 iv) e) of the Southwest Area Secondary Plan for the City of London is amended by deleting the second bullet in its entirety and replacing it with the following:

2. A residential density exceeding 100 units per hectare (up to 120 units per hectare) may be permitted through a site-specific zoning by-law amendment, site plan application, and associated urban design review.
 - Conformity with the City Design chapter of *The London Plan* and this Secondary Plan shall be demonstrated through the preparation of a concept plan of the site that exceeds the prevailing densities for the planning area.
 - Parking facilities shall be designed to minimize the visual impact from adjacent properties and the public realm and provide for enhanced amenity and recreation areas for the residents of the development.
 - Buildings shall be located close to the street and designed to be street-oriented such that the functional front and main entrances to the building face the street.
 - Subdivisions and site plans shall provide for safe and accessible pedestrian connections for the public between the Urban Thoroughfare, Civic Boulevard, Rapid Transit Boulevard or Main Street and the interior of the adjacent neighbourhoods, which are integrated into the design and function of the site.
 - Subdivisions and site plans shall provide for an enhanced pedestrian environment adjacent to the Urban Thoroughfare, Civic Boulevard, Rapid Transit Boulevard or Main Street.

40. Section 20.5.4.1 v) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

v) Applications To Expand or Add

Applications to expand the Medium Density Residential designation applicable to portions of the Urban Thoroughfare, Civic Boulevard, Rapid Transit Boulevard, and Main Street network will be evaluated using all of the policies of this Secondary Plan. It is not intended that this policy will be applied within the internal portions of the Neighbourhoods, and any expansions or additions to the areas affected by this policy shall be adjacent to, and have exposure to, an Urban Thoroughfare, Civic Boulevard, Rapid Transit Boulevard or Main Street on which transit service is to be provided.

41. Section 20.5.4.2 of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

4.2 Institutional

The Institutional Place Type policies of *The London Plan* shall apply to all Institutional designations.

42. Section 20.5.4.3 ii) d) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

Stormwater Management – Subject to the Infrastructure policies in the Natural Heritage chapter and the Storm Drainage and Stormwater Management policies in the Civic Infrastructure chapter of *The London Plan*, stormwater management facilities may be located adjacent to, or within the natural heritage system and shall be integrated into their environment. Stormwater management facilities may also form part of an integrated trail system.

43. Section 20.5.5 of the Southwest Area Secondary Plan for the City of London is amended by deleting the heading “20.5.5 Neighbourhoods and Land Use”, and deleting “20.5.6”, “20.5.15” and “the City of London Official Plan” in the first paragraph, and replacing them with “6.0”, “15.0” and “*The London Plan*”, respectively.

44. Section 20.5.5 x) of the Southwest Area Secondary Plan for the City of London is amended by deleting “Settlement”.

45. Section 20.5.6 of the Southwest Area Secondary Plan for the City of London is amended by deleting the heading “20.5.6 Wonderland Boulevard Neighbourhood”.

46. Section 20.5.6 i) of the Southwest Area Secondary Plan for the City of London is amended by deleting “arterial” in the first paragraph.

47. Section 20.5.6 ii) of the Southwest Area Secondary Plan for the City of London is amended by adding a hyphen between “street” and “oriented” in the second paragraph.

48. Section 20.5.6.1 i) of the Southwest Area Secondary Plan for the City of London is amended by adding a hyphen between “mixed” and “use” in the final paragraph.

49. Section 20.5.6.1 ii) of the Southwest Area Secondary Plan for the City of London is amended by deleting the second paragraph in its entirety and replacing it with the following:

Office uses within the Wonderland Road Community Enterprise Corridor are not intended to compete with the Downtown; therefore, office uses that do not require access to the provincial highway system for work-related activities shall be encouraged to locate in the Downtown. In addition to offices uses permitted in the Shopping Area Place Type, research, development and information processing establishments and businesses with a mobile sales-based workforce requiring access to the provincial highway system shall be permitted. Uses as accessory to offices, including eat-in restaurants, financial institutions, personal services, day care centres, pharmacies, laboratories and clinics shall not be permitted.

50. Section 20.5.6.1 iii) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

iii) Development Pattern/Neighbourhood Street Connections

In order to establish an organizing structure for the present and future development for lands within the “Wonderland Road Community Enterprise Corridor” policy 3.8 i) j) shall apply.

Neighbourhood Street rights-of-way may be dedicated for any development or redevelopment within the Wonderland Road Community Enterprise Corridor. The dedication shall occur as a condition of a plan of subdivision or consent. Where the development or redevelopment of the site is subject to site plan control, land area

dedicated to the city for right-of-way will be included in the lot area calculation permitted density, coverage and floor area.

Internal access and shared internal driveways across adjacent lands may be required.

51. Section 20.5.6.1 v) b), c) and d) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

- b) Standard maximum heights shall not exceed four storeys. Upper maximum height of six storeys may be permitted through a site-specific zoning by-law amendment.
- c) Residential development shall occur at a minimum density of 30 units per hectare and a maximum density of 75 units per hectare. A residential density exceeding 75 units per hectare (up to 100 units per hectare) may be permitted through a site-specific zoning by-law amendment.
- d) Office development for the entire Wonderland Road Community Enterprise Corridor shall not exceed 20,000m², excluding small-scale service offices and medical/dental offices, and each building shall not exceed a maximum gross floor area of 2,000m².

52. Section 20.5.6.1 vi) a), c) and d) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

- a) Built form may be of low to mid-rise height, however minimum height and setbacks may be established in the Zoning By-law to ensure that development will result in a strong, street-related built edge and achieve other design objectives for this area. In particular, development will be encouraged in a “main street” format where buildings are oriented to a public street. Permitted uses are encouraged in mixed-use developments or buildings.
- c) Development shall be designated to be pedestrian and transit friendly from the outset. In particular, development shall be generally oriented to the street where possible and designed to promote a vital and safe street life and to support early provision of transit. However, where large-scale stores are permitted, given that they are often not conducive to a pedestrian-oriented street setting, design alternatives to address this issue will be utilized. These may include locating these stores in the interior of a commercial or mixed-use development block with small-scale stores and other buildings oriented to the surrounding major roads to create a strong street presence. Alternatively, the frontage of the building facing a major road could be lined with small-scale stores and/or have multiple entrances.
- d) The Urban Design policies of Section 3.9 of this Plan shall apply.

53. Section 20.5.6.2 iii) c) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

The Urban Design policies of Section 3.9, and the General Residential policies of Section 4.1 of this Plan shall apply.

54. Section 20.5.6.3 ii) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

ii) Permitted Uses

Permitted uses in the Medium Density Residential designation include multiple-attached dwellings, such as townhouses or cluster houses, low-rise apartment buildings, rooming and boarding houses, emergency care facilities, converted dwellings, small-scale nursing homes, rest homes, homes for the aged, and triplex and fourplex dwellings. Single detached, duplex and semi-detached dwellings will not be permitted.

Convenience commercial uses, group homes, home occupations, community facilities, funeral homes, commercial recreation facilities, small-scale office developments, and office conversions shall not be permitted within these areas.

55. Section 20.5.6.3 iii) c) and d) of the Southwest Area Secondary Plan for the City of

London is deleted in its entirety and replaced with the following:

- c) The Urban Design policies of Section 3.9 and the General Residential policies of Section 4.1 of this Plan shall apply.
- d) A residential density exceeding 75 units per hectare (up to 100 units per hectare) may be permitted through a site-specific zoning by-law amendment and site plan application. Urban design review shall be required. A request for an increase in density shall also be subject to the following criteria:
 - 1. The development is to be designed and occupied for seniors housing, or shall include provision for unique attributes and/or amenities that may not normally be provided for in medium density projects having a public benefit, such as, but not limited to, enhanced open space and recreational facilities, innovative forms of housing and architectural design features;
 - 2. Parking facilities shall be designed to minimize the visual impact off-site and provide for enhanced amenity and recreation areas for the residents of the development;
 - 3. Conformity with the City Design chapter of *The London Plan* and this Plan shall be demonstrated through the preparation of a concept plan of the site that is consistent with the standards for the planning area; and,
 - 4. The final approval of zoning shall be withheld pending a public participation meeting on the site plan and the enactment of a satisfactory agreement with the City.

56. Section 20.5.6.4 i) of the Southwest Area Secondary Plan for the City of London is amended by adding a hyphen between “mixed” and “use”.

57. Section 20.5.6.4 ii) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

ii) Permitted Uses

Permitted uses in the High Density Residential designation shall include mid-rise to high-rise apartment buildings, apartment hotels, nursing homes, rest homes, and homes for the aged. Convenience commercial uses, group homes, home occupations, community facilities, funeral homes, commercial recreation facilities, small-scale office developments, and office conversions shall not be permitted within these areas.

58. Section 20.5.6.4 iii) b) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

The Urban Design policies of Section 3.9 and the General Residential policies of Section 4.1 of this Plan shall apply.

59. Section 20.5.6.5 of the Southwest Area Secondary Plan for the City of London is amended by deleting “Schedule 6A” in the first paragraph and replacing it with “Schedule 5A”; and adding Schedule 5A at the end of Section 20.5.6.5 v), as indicated on “Schedule 1” attached hereto.

60. Section 20.5.6.5 ii) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

ii) Function and Purpose

The property known as 17 and 31 Exeter Road is located at the southwest corner of a Civic Boulevard (Exeter Road) and an Urban Thoroughfare (Wonderland Road) within the Southwest Area Plan. The intersection of Exeter Road and Wonderland Road is identified as a Focal Node in the Southwest Area Plan. The land uses on these properties will contribute to the function of the Focal Node as a gateway to the Southwest Area of London and the Wonderland Road Community Enterprise Corridor, as well as provide a transition from other areas, such as the Lambeth Community, to the uses located within the Wonderland Road Community Enterprise Corridor while supporting the Wonderland Road Community Enterprise Corridor uses.

The lands will develop as a mixed-use area through a comprehensive planned approach. Development on the lands may include a range of land uses including mixed-use buildings with ground floor retail commercial, free-standing high density residential buildings, free-standing office buildings, free-standing institutional buildings and some smaller scale free-standing commercial buildings including automobile-oriented commercial buildings.

Buildings are to be focused to the street with parking areas to be located predominantly in side or rear yards and/or within structured parking facilities. New internal public and/or private streets may be created with a view to limiting direct access to Urban Thoroughfares and Civic Boulevards. Emphasis shall be placed on architectural quality and urban design to create an urban main street character.

61. Section 20.5.6.5 iii) of the Southwest Area Secondary Plan for the City of London is amended by adding a hyphen between “street” and “oriented”.

62. Section 20.5.6.5 iv) of the Southwest Area Secondary Plan for the City of London is amended by adding a hyphen between “automobile” and “oriented” in clause a), and adding a hyphen between “Mixed” and “Use” in clause d).

63. Section 20.5.6.5 v) b) of the Southwest Area Secondary Plan for the City of London is amended by adding a hyphen between “Mixed” and “use”.

64. Section 20.5.6.7 of the Southwest Area Secondary Plan for the City of London is amended by the heading “20.5.7 Lambeth Neighbourhood”.

65. Section 20.5.7 i) of the Southwest Area Secondary Plan for the City of London is amended by deleting the final paragraph in its entirety and replacing it with the following:

Where/if the subject lands are within the boundaries of a Specific Policy Area, the policies of Section 1.4 of the Plan shall also apply.

66. Section 20.5.7 ii) of the Southwest Area Secondary Plan for the City of London is amended by adding a hyphen between “street” and “oriented” in the final paragraph.

67. Section 20.5.7.1 ii) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

ii) Permitted Uses

Permitted uses in the Low Density Residential designation include single-detached, semi-detached and duplex dwellings. Multiple-attached dwellings, such as townhouses or cluster houses may be permitted provided that they do not exceed the maximum density of development permitted in policy 7.1 iii) a). New convenience commercial uses, group homes, home occupations, community facilities, funeral homes, and office conversions shall not be permitted.

68. Section 20.5.7.1 iii) c) and d) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

c) As part of a complete application, the owner shall clearly demonstrate that the proposed development is sensitive to, compatible with, and a good fit within, the existing surrounding neighbourhood based on, but not limited to, a review of both the existing and proposed built form, building height, massing and architectural treatments.

d) The Urban Design policies of Section 3.9 of this Plan shall apply.

69. Section 20.5.7.2 i) of the Southwest Area Secondary Plan for the City of London is amended by adding a hyphen between “service” and “oriented” in the first paragraph.

70. Section 20.5.7.2 ii) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

ii) Permitted Uses

With the exception of the lands northwest of Wharncliffe Road South between Campbell Street North and Savoy Street, the primary permitted uses in the Medium Density Residential designation include multiple-attached dwellings, such as townhouses or cluster houses, low-rise apartment buildings, rooming and boarding houses, emergency care facilities, small-scale nursing homes, rest homes, homes for the aged, low density forms such as semi-detached and duplex dwellings, triplexes and fourplexes, and the conversion of existing single detached homes. Single detached dwellings shall not be permitted within plans of subdivision or cluster development. New convenience commercial uses, group homes, home occupations, community facilities, funeral homes, commercial recreation facilities, small-scale office developments, and office conversions shall not be permitted.

On the lands on the northwest side of Wharncliffe Road South between Campbell Street North and Savoy Street, permitted uses in the Medium Density Residential designation include townhouses, stacked townhouses, low-rise apartments, emergency care facilities, low density forms such as single detached, semi-detached and duplex dwellings, triplexes and fourplexes, and the conversion of existing single detached homes. Development of mixed-use forms with small-scale commercial or retail uses on the main floor and residential development above, is encouraged. Such uses may include, but shall not be limited to: convenience commercial uses, eat-in restaurants, day care centres, financial institutions, professional and service offices, medical and dental offices and clinics, personal services, pharmacies, a limited amount and range of retail uses, studios and galleries, specialty food stores, and fitness and wellness establishments.

The conversion of existing dwellings for offices is permitted subject to Policy 931 of *The London Plan*.

The conversion of existing dwellings for retail uses is permitted subject to policy 7.2 iii) d) of this Plan.

71. Section 20.5.7.2 iii) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

iii) Built Form and Intensity

- a) Development shall occur at a minimum density of 30 units per hectare and a maximum density of 75 units per hectare. Building heights shall not exceed four storeys and shall be sensitive to the scale of development in the surrounding neighbourhood.
- b) A residential density exceeding 75 units per hectare (up to 100 units per hectare) may be permitted through a site-specific zoning by-law amendment.
- c) New residential development along the north side of Wharncliffe Road South, between Campbell Street North and the Wonderland Boulevard neighbourhood:
 1. is encouraged to have building floorplates that are designed and constructed in a manner that ensures flexibility and adaptability for potential office or commercial use at grade with residential uses located at, or above, grade. Purpose designed residential buildings will be permitted to have at-grade commercial or retail uses;
 2. shall have a built form with a low-rise height, and with a setback and roof line consistent with or complementary to the “village” streetscape character of the Lambeth Village Core; and,
 3. consistent with the relevant policies of *The London Plan* and policy 7.2 ii) of this Plan, office and retail conversions may involve minor additions to the existing building where these facilitate the use of the building for office or retail purposes. Retention of the general form and character of converted buildings will be required.
- d) The conversion of existing dwellings for retail uses along the north-west side of Wharncliffe Road South, between Campbell Street North and 3967 Savoy Street:
 1. shall be defined as the total or partial conversion of a residential building for retail use. Retail conversions may involve minor additions to the existing building where these facilitate the use of the building for retail uses. Retention of the general form and character of the buildings converted for retail use will

- be required.
2. will require site plan approval which will be evaluated on the basis of the following criteria:
 - provisions have been made for landscaping, privacy, screening or any other appropriate measures necessary to protect the amenity of adjacent residential properties;
 - the residential appearance of the existing building is maintained and external evidence of the retail use is minimized. Minor additions that are compatible with the external design and appearance of the existing building may be permitted, where necessary, to facilitate the use of the building for retail purposes;
 - the use of common driveways and parking areas to serve adjacent office or retail conversions shall be encouraged. Where access is proposed to be provided through a side yard to a local street, an assessment will be made on the possible negative impacts on adjacent residential uses, and whether access would be more appropriately directed to the main street;
 - provision is made for the on-site manoeuvrability of vehicles so that egress from the site does not require vehicle reversals onto the street; and,
 - conformity with all other applicable provisions of the City's Site Plan Control By-law.
 3. permission for retail use shall be retained only as long as the life of the building, and shall not be used as the basis for a redesignation or rezoning of the property for retail use.
- e) The Urban Design policies of Section 3.9 and the General Residential policies of Section 4.1 of this Plan shall apply.

72. Section 20.5.7.3 ii) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

ii) Permitted Uses

The permitted uses include commercial uses that cater to the commercial needs of the traveling public. These uses include hotels, motels, automotive uses and services, commercial recreation establishments, restaurants, sale of seasonal produce, building supply outlets and hardware stores, furniture and home furnishings stores, warehouse and wholesale outlets, self-storage outlets, nursery and garden stores, animal hospitals or boarding kennels, and other types of commercial uses that offer a service to the travelling public. Small-scale commercial and office uses are preferred, including convenience commercial uses, eat-in restaurants, day care centres, financial institutions, professional and service offices, medical and dental offices and clinics, personal services, pharmacies, a limited amount and range of retail uses, studios and galleries, specialty food stores, and fitness and wellness establishments.

73. Section 20.5.7.3 iii) d) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

The Urban Design Policies of Section 3.9 of this Plan shall apply.

74. Section 20.5.8 of the Southwest Area Secondary Plan for the City of London is amended by deleting the heading "20.5.8 Lambeth Village Core Neighbourhood".

75. Section 20.5.8 ii) of the Southwest Area Secondary Plan for the City of London is amended by adding a hyphen between "street" and "oriented".

76. Section 20.5.8 iii) d) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

The Evaluation Criteria for Planning and Development Applications policies in the Our Tools part of *The London Plan* shall apply.

77. Section 20.5.8.1 ii) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

ii) Permitted Uses

Permitted uses within the Main Street Lambeth North designation, shall permit those uses in the Main Street Place Type of *The London Plan*. Single-detached, semi-detached and duplex dwellings shall not be permitted. Non-residential uses to be established on previously undeveloped sites shall be restricted to the ground floor of a residential mixed-use building. Stand-alone non-residential uses shall not be permitted on previously undeveloped lands. Stand-alone residential uses will be permitted.

78. Section 20.5.8.1 iv) Built Form and Intensity and v) Transportation of the Southwest Area Secondary Plan for the City of London is amended by renumbering iv) and v) in the heading as iii) and iv).

79. Section 20.5.8.2 ii) of the Southwest Area Secondary Plan for the City of London is amended by deleting the first and second paragraphs in its entirety and replacing them with the following:

Permitted uses in the Main Street Lambeth South designation on the west side of Colonel Talbot Road shall include primarily multiple-attached dwellings, such as townhouses or cluster houses, low-rise apartment buildings, rooming and boarding houses, emergency care facilities, converted dwellings, small-scale nursing homes, rest homes and homes for the aged. A range of small-scale commercial uses and conversion of existing buildings for non-residential small-scale uses is also permitted.

Permitted uses in the Main Street Lambeth South designation on the east side of Colonel Talbot Road, shall include permitted uses in the Main Street Place Type of *The London Plan*, but shall develop at a smaller scale than the uses in the Main Street Lambeth North designation. The portion of the remnant school block located adjacent to Colonel Talbot Road, may redevelop with non-residential uses. The east (rear) portion of the remnant school block shall redevelop with residential uses and develop at a scale and height that is compatible with the existing residential uses located to the east of the remnant school site.

80. Section 20.5.9 of the Southwest Area Secondary Plan for the City of London is amended by deleting the heading “20.5.9 Bostwick Residential Neighbourhood”.

81. Section 20.5.9 i) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

i) Function and Purpose

The Bostwick Neighbourhood will provide for residential development with the highest intensity of all the Residential Neighbourhood Areas in the Southwest Planning Area, to support activities in the Wonderland Boulevard Neighbourhood. The focus for new development is to be on a mix of low to mid-rise housing forms, ranging from single detached dwellings to low rise apartment buildings within individual subdivisions and throughout the neighbourhood. It is intended that the Neighbourhood Connector and Neighbourhood Street network will provide access across the Open Space corridor and the Hydro corridor to create safe and convenient linkages to the Wonderland Corridor for a variety of transportation modes.

Higher intensity mid-rise, transit-oriented development is encouraged along portions of the Urban Thoroughfare, Civic Boulevard, Rapid Transit Boulevard, and Main Street network to support the provision of transit services as detailed in policy 4.1 iv) of the General Residential policies.

Where/if the subject lands are within the boundaries of a Specific Policy Area, the policies of Section 1.4 of the Plan shall also apply.

82. Section 20.5.9 ii) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

ii) Character

The residential areas will develop as traditional suburban neighbourhoods, with

characteristics similar to those found in the older areas of the city, reflecting a compact development, a diversity of building types, and walkable amenities to enhance the day to day living experience. Access to Medium Density Residential areas between the Open Space and Hydro corridors and the Wonderland Boulevard Neighbourhood area will be via local road connections to Wonderland Road South, or from new Neighbourhood Connectors and Neighbourhood Streets to be developed within the Bostwick Neighbourhood.

83. Section 20.5.9.1 ii) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

ii) Permitted Uses

Low density forms such as single detached, semi-detached and duplex dwellings, triplexes and fourplexes, townhouses or cluster houses, low-rise apartment buildings, rooming and boarding houses, emergency care facilities, converted dwellings, small-scale nursing homes, rest homes and homes for the aged will be permitted in the Low and Medium Density Residential designations. In addition to residential development, a limited range of convenience and personal service commercial uses, small-scale eat-in restaurants, civic and institutional uses, such as parks, schools and places of worship, and live-work uses may be permitted within the Medium Density Residential Designation.

84. Section 20.5.9.1 iii) c), d), e) and f) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

- c) A residential density exceeding 75 units per hectare (up to 100 units per hectare) may be permitted up to 100 units per hectare through a site-specific zoning by-law amendment.
- d) Policy 4.1 iv) of this Plan shall apply to development adjacent to portions of the Civic Boulevard network within this Neighbourhood.
- e) To support a mixed-use community centre facility, the Medium Density Residential Designation will allow for increased residential density and a high-rise height without an Official Plan Amendment provided that the building allows for a mix of residential and limited retail uses integrated with the development of a public community facility, and shall be located at the intersection of two Civic Boulevards. High quality design, including setbacks, building orientation, landscaping, and pedestrian scale and orientation shall also be required.
- f) The Urban Design policies of Section 3.9 of this Plan shall apply.

85. Section 20.5.9.2 i) of the Southwest Area Secondary Plan for the City of London is amended by adding a hyphen between “mixed” and “use”.

86. Section 20.5.9.2 ii) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

ii) Permitted Uses

Permitted uses in the High Density Residential designation shall include mid-rise to high-rise apartment buildings, apartment hotels, nursing homes, rest homes, and homes for the aged. Convenience commercial uses, community facilities, group homes, home occupations, funeral homes, commercial recreation facilities, small-scale office developments and office conversions may be permitted within these areas.

87. Section 20.5.9.2 iii) b) and c) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

- b) The Urban Design policies of Section 3.9 and the General Residential policies of Section 4.1 of this Plan shall apply.
- c) Notwithstanding policy 9.2 iii) a), higher densities or heights may be permitted through a site-specific zoning by-law amendment.

88. Section 20.5.10 of the Southwest Area Secondary Plan for the City of London is

amended by deleting the heading “20.5.10 North Lambeth, Central Longwoods and South Longwoods Residential Neighbourhoods”.

89. Section 20.5.10 i) of the Southwest Area Secondary Plan for the City of London is amended by deleting the second and final paragraphs and replacing them with the following:

[Second paragraph]

Higher intensity mid-rise, transit-oriented development is along portions of the Urban Thoroughfare, Civic Boulevard, Rapid Transit Boulevard and Main Street network within these Neighbourhoods to support the provision of transit services as detailed in policy 4.1 iv) of the General Residential policies.

[Final paragraph]

Where/if the subject lands are within the boundaries of a Specific Policy Area, the policies of Section 1.4 of the Plan shall also apply.

90. Section 20.5.10.1 ii) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

ii) Permitted Uses

Uses that are generally permitted within Medium Density Residential areas will be permitted in both the Low and Medium Density Residential designations. Permitted uses include single detached, semi-detached and duplex dwellings, triplexes, fourplexes, townhouses or cluster houses, low-rise apartment buildings, rooming and boarding houses, emergency care facilities, converted dwellings, small-scale nursing homes, rest homes and homes for the aged. In addition to residential development, a limited range of convenience and personal service commercial uses, small-scale eat-in restaurants, civic and institutional uses, such as parks, schools and places of worship, and live-work uses may be permitted within the Medium Density Residential Designation.

91. Section 20.5.10.1 iii) c), d) and e) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

- c) Policy 4.1 iv) of this Plan shall apply to development adjacent to portions of the Urban Thoroughfare, Civic Boulevard, Rapid Transit Boulevard and Main Street network within these Neighbourhoods.
- d) To support a mixed-use community centre facility, the Medium Density Residential Designation will allow for increased residential density and a high-rise height without an Official Plan Amendment provided that the building allows for a mix of residential and limited retail uses integrated with the development of a public community facility, and shall be located at the intersection of streets classified as either Civic Boulevard(s) and/or Urban Thoroughfare(s). High quality design, including setbacks, building orientation, landscaping, and pedestrian scale and orientation shall also be required.
- e) The Urban Design policies of Section 3.9 of this Plan shall apply.

92. Section 20.5.10.2 of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

10.2 High Density Residential

Permitted uses in the High Density Residential designation shall include low-rise and high-rise apartment buildings, apartment hotels, multiple-attached dwellings, rooming and boarding houses, emergency care facilities, nursing homes, rest homes, and homes for the aged. Development shall have a maximum density of 150 units per hectare.

93. Section 20.5.10.3 i) of the Southwest Area Secondary Plan for the City of London is amended by deleting the final paragraph in its entirety and replacing it with the following:

The longer-term intent would be to achieve a mix of residential uses as described in

policy 10.1 i), above.

94. Section 2.5.10.3 ii) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

ii) Permitted Uses

- a) The primary permitted uses in the Light Industrial Place Type of *The London Plan* shall be limited to light industrial uses that are located within enclosed buildings, require no outdoor storage; and are unlikely to cause adverse effects with respect to such matters as air, odour or water pollution, dust, or excessive vibration and noise levels. These include such uses as warehousing, research and communication facilities; laboratories; printing and publishing establishments; warehouse and wholesale outlets; technical, professional and business services such as architectural, engineering, survey or business machine companies; commercial recreation establishments; private clubs; private parks; restaurants; hotels and motels; service trades; and contractor's shops that do not involve open storage. Office uses and retail outlets subject to policy 1140 of *The London Plan*, which are ancillary to any of the above uses, are also permitted.
- b) All uses adding, emitting, or discharging a contaminant into the natural environment that are required to obtain a Certificate of Approval from the Ministry of the Environment, Conservation and Parks as required by the Environmental Protection Act and associated Regulations are discouraged. Uses permitted in this category will also be required to comply with additional requirements as set out in this Section of the Plan and in the City of London's Waste Discharge By-law.
- c) Applications for new industrial development will be evaluated on the basis of the potential for an increase in any adverse impacts on adjacent and nearby sensitive land uses, and the Planning and Development Applications policies in the Our Tools part of *The London Plan*.
- d) Where lands are transitioning from industrial to residential use, the permitted uses in the Medium Density Residential designation, as set out in Section 10.1, are permitted.

95. Section 20.5.10.3 iii) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

iii) Built Form and Intensity

- a) The built form and intensity policies of Section 10.1 shall apply to residential development.
- b) The following policies shall apply to industrial development:
 1. the Urban Design Policies of Section 3.9 of this Plan shall apply; and,
 2. setback and mitigation measures as per the Ministry of the Environment, Conservation and Parks' *Compatibility Between Industrial Facilities and Sensitive Land Uses* (D-Series Guidelines) shall apply.

96. The Southwest Area Secondary Plan for the City of London is amended by adding new Section 10.4 as follows:

10.4 3493 Colonel Talbot Road

For not for than 30% of the single detached dwellings lots within the Silverleaf Subdivision Phase 2 and registered plan 33M-742, notwithstanding policy 3.9 iii) e), for courtyard dwellings, garages may project beyond the façade of the dwelling, or the façade (front face) of any porch, where the interior garage façade that includes the garage door(s) is located at no more than 90 degrees to the main building and principal entrance.

97. Section 20.5.11 of the Southwest Area Secondary Plan for the City of London is amended by deleting the heading "20.5.11 North Talbot and North Longwoods Neighbourhoods".

98. Section 20.5.11 ii) of the Southwest Area Secondary Plan for the City of London is amended by adding a hyphen between "street" and "oriented".

99. Section 20.5.11.1 i) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

i) Intent

The Low and Medium Density Residential designations apply to most of the existing and planned neighbourhoods of North Talbot and North Longwoods, reflecting land uses established through Specific Policy Areas and site-specific applications. Where/if the subject lands are within the boundaries of a Specific Policy Area, the policies of Section 1.4 of the Plan shall also apply.

Higher intensity mid-rise, transit-oriented development is encouraged along portions of the Urban Thoroughfare, Civic Boulevard, Rapid Transit Boulevard, and Main Street network within these neighbourhoods to support the provision of transit services as detailed in policy 4.1 iv) of the General Residential policies.

100. Section 20.5.11.1 ii) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

ii) Permitted Uses

- a) Permitted uses in the Low Density Residential designation include single detached, semi-detached and duplex dwellings.
- b) Permitted uses in the Medium Density Residential designation include multiple-attached dwellings, low-rise apartment buildings, rooming and boarding houses, emergency care facilities, converted dwellings, small-scale nursing homes, rest homes, and homes for the aged.

101. Section 20.5.11.1 iii) a), c), d) and e) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

- a) Within the Low Density Residential designation, new development shall have a maximum density of 30 units per hectare. Within the Medium Density Residential designation, new development shall have a maximum density of 75 units per hectare and building height shall not exceed four storeys. In some instances, building density may be increased up to 100 units per hectare in the Medium Density Residential designation through a site-specific zoning by-law amendment.
- c) Policy 4.1 iv) of the Plan shall apply to development adjacent to portions of the Urban Thoroughfare, Civic Boulevard, Rapid Transit Boulevard, and Main Street network in these neighbourhoods.
- d) To support a mixed-use community centre facility, the Medium Density Residential Designation will allow for increased residential density without an Official Plan Amendment provided that the building allows for a mix of residential and limited retail uses integrated with the development of a public community facility, and shall be located at the intersection of two streets classified as either Urban Thoroughfare(s), Civic Boulevard(s), Rapid Transit Boulevard(s) and/or Main Street(s). High quality design, including setbacks, building orientation, landscaping, and pedestrian scale and orientation shall also be required.
- e) The Urban Design Policies of Section 3.9 of this Plan shall apply.

102. Section 20.5.11.2 i) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

i) Intent

The High Density Residential designation applies to two properties along Southdale Road West, reflecting land uses permitted through previous planning processes. Where/if the subject lands are within the boundaries of a Specific Policy Area, the policies of Section 1.4 of the Plan shall also apply.

103. Section 20.5.11.2 ii) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

ii) Permitted Uses

Permitted uses shall include low-rise and high-rise apartment buildings, apartment

hotels, multiple-attached dwellings, rooming and boarding houses, emergency care facilities, nursing homes, rest homes, and homes for the aged. Group homes, home occupations, community facilities, funeral homes, commercial recreation facilities, small-scale office developments, and office conversions may be permitted.

104. Section 20.5.11.2 iii) a), c) and d) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

- a) New development within the High Density Residential designation shall have a maximum density of 150 units per hectare.
- c) The Urban Design Policies of Section 3.9 of this Plan shall apply.
- d) Where/if the subject lands are within the boundaries of a Specific Policy Area, the policies of Section 1.4 of the Plan shall also apply.

105. Section 20.5.12 of the Southwest Area Secondary Plan for the City of London is amended by deleting the heading “20.5.12 Brockley Rural Settlement Neighbourhood”.

106. Section 20.5.12 i) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

12.1 Rural Neighbourhood

i) Intent

The Rural Neighbourhood designation will provide for low-intensity residential uses consistent with the existing neighbourhood of Brockley and the policies of the Rural Neighbourhoods Place Type of *The London Plan*.

107. Section 20.5.12 ii) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

ii) Permitted Uses

The primary permitted uses in the Rural Neighbourhoods Place Type of *The London Plan* will be permitted, although the primary uses shall be residential.

108. Section 20.5.12 iii) a) and c) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

- a) New development shall be consistent with the Intensity policies in the Rural Neighbourhoods Place Type chapter of *The London Plan*.
- c) For non-residential development, the owner shall demonstrate that the proposed project is sensitive to, compatible with, and a good fit within, the existing surrounding neighbourhood based on, but not limited to, a review of both the existing and proposed built form, building height, massing and architectural treatments.

109. Section 20.5.13 of the Southwest Area Secondary Plan for the City of London is amended by deleting the heading “20.5.13 Dingman Industrial Neighbourhood”.

110. Section 20.5.13.1 i) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

i) Permitted Uses

The permitted uses in the Light Industrial Place Type of *The London Plan* will be permitted. Existing Industrial uses are recognized as permitted uses within the Industrial designation of this Secondary Plan and may be recognized as permitted uses in the Zoning By-law. Proposals for the expansion of Industrial uses that are not permitted in the Light Industrial Place Type, shall require an amendment to *The London Plan* to redesignate the lands on Map 1 of *The London Plan* to a Heavy Industrial Place Type. Such applications will be evaluated on the basis of the potential for an increase in any adverse impacts on adjacent and nearby sensitive land uses, and the Planning and Development Applications policies in the Our Tools part in *The London Plan*.

The permitted uses of the Heavy Industrial Place Type of *The London Plan* will

continue to apply to lands located on the north side of Dingman Drive, west of Highway 401.

All uses adding, emitting, or discharging a contaminant into the natural environment must obtain a Certificate of Approval from the Ministry of the Environment, Conservation and Parks as required by the Environmental Protection Act and associated Regulations. Uses permitted in this category will also be required to comply with additional requirements as set out in this Section of the Plan and in the City of London's Waste Discharge By-law.

111. Section 20.5.13.1 ii) a) and c) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

- a) The Urban Design Policies of Section 3.9 of this Plan shall apply.
- c) Setback and mitigation measures as per the Ministry of the Environment, Conservation and Parks' *Compatibility Between Industrial Facilities and Sensitive Land Uses* (D-Series Guidelines) shall apply.

112. Section 20.5.13.2 ii) Permitted Uses of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

ii) Permitted Uses

- a) In addition to existing industrial uses, the permitted uses in the Light Industrial Place Type of *The London Plan* shall be limited to light industrial uses that are located within enclosed buildings, require no outdoor storage; and are unlikely to cause adverse effects with respect to such matters as air, odour or water pollution, dust, or excessive vibration and noise levels. These include such uses as warehousing, research and communication facilities; laboratories; printing and publishing establishments; warehouse and wholesale outlets; technical, professional and business services such as architectural, engineering, survey or business machine companies; commercial recreation establishments; private clubs; private parks; restaurants; hotels and motels; service trades; and contractor's shops that do not involve open storage.
- b) All uses adding, emitting, or discharging a contaminant into the natural environment that are required to obtain a Certificate of Approval from the Ministry of the Environment, Conservation and Parks as required by the Environmental Protection Act and associated Regulations are discouraged. Uses permitted in this category will also be required to comply with additional requirements as set out in this Section of the Plan and in the City of London's Waste Discharge By-law.
- c) New industrial uses should be compatible with future non-industrial uses. Applications for new industrial development will be evaluated on the basis of the potential for an increase in any adverse impacts on adjacent and nearby sensitive land uses, and the Planning and Development Applications policies in the Our Tools part of *The London Plan*.

113. Section 20.5.13.2 ii) Built Form and Intensity of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

iii) Built Form and Intensity

The following policies shall apply to industrial development:

- a) The Urban Design Policies of Section 3.9 of this Plan shall apply.
- b) Setback and mitigation measures as per the Ministry of the Environment, Conservation and Parks' *Compatibility Between Industrial Facilities and Sensitive Land Uses* (D-Series Guidelines) shall apply.

114. Section 20.5.13.3 ii) e), f) and g) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

- e) A very limited amount of small-scale retail and service uses may be permitted in these areas to serve those that work in this designation or surrounding employment areas. Such uses will be located on the periphery of the designation,

adjacent to a Civic Boulevard.

- f) A limited range of light industrial uses may be permitted that are compatible with the commercial uses permitted in this designation. Applications for new industrial development will be evaluated on the basis of the potential for an increase in any adverse impacts on adjacent and nearby sensitive land uses, and the Planning and Development Applications policies in the Our Tools part of *The London Plan*.
- g) All uses adding, emitting, or discharging a contaminant into the natural environment that are required to obtain a Certificate of Approval from the Ministry of the Environment, Conservation and Parks as required by the Environmental Protection Act and associated Regulations are discouraged. Uses permitted in this category will also be required to comply with additional requirements as set out in this Section of the Plan and in the City of London's Waste Discharge By-law.

115. Section 20.5.13.3 iii) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

iii) Built Form and Intensity

The following policies shall apply to industrial development:

- a) The Urban Design Policies of Section 3.9 of this Plan shall apply.
- b) Setback and mitigation measures as per the Ministry of the Environment, Conservation and Parks' Compatibility Between Industrial Facilities and Sensitive Land Uses (D-Series Guidelines) shall apply.

116. Section 20.5.13.4 i) Intent of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

i) Intent

The Future Community Growth designation establishes Council's intent for future urban development on the lands to which it is applied. The Future Community Growth designation will be applied where there is an expectation that non-industrial Place Types will be established. While this will likely include the Neighbourhoods Place Type, it may also support the application of many other Place Types such as Urban Corridor, Shopping Area, Institutional, and Green Space. The designation establishes this intent, while ensuring that development does not occur until such time as the necessary background studies are completed and a Secondary Plan is prepared to address all lands within this designation comprehensively.

117. Section 20.5.13.4 i) Permitted Uses of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

ii) Permitted Uses

Because of concerns regarding premature development, Future Community Growth areas will be zoned to allow for a very limited range of uses. Uses that exist at the time of the adoption of this Plan may be permitted to continue. Subject to all the policies in this section, a very limited range of new uses that are similar to existing uses and would not have an impact on the future comprehensive planning and development of these lands may be permitted.

118. Section 20.5.14 of the Southwest Area Secondary Plan for the City of London is amended by deleting the heading "20.5.14 Brockley Industrial Neighbourhood".

119. Section 20.5.14 i) of the Southwest Area Secondary Plan for the City of London is amended by deleting the final paragraph in its entirety and replacing it with the following:

The east portion of the Brockley Industrial Neighbourhood is directly adjacent to the residential development in the Brockley Rural Neighbourhood. To minimize the impacts of the expansion of existing, or development of new industrial uses on the Brockley Rural Neighbourhood, specific land use, mitigation and design policies apply in this area. The Brockley Industrial Neighbourhood will accommodate a reduced range of light industrial uses with a focus on logistics type of industrial uses that involve the movement and transfer of goods.

120. Section 20.5.14.1 i) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

i) Permitted Uses

On lands west of Wellington Road, the permitted uses in the Light Industrial Place Type of *The London Plan* will be permitted. Existing Industrial uses are recognized as permitted uses within the Industrial designation of this Secondary Plan and may be recognized as permitted uses in the Zoning By-law. Proposals for the expansion of Industrial uses that are not permitted in the Light Industrial Place Type shall require an amendment to *The London Plan* to redesignate the lands on Map 1 of *The London Plan* to a Heavy Industrial Place Type. Such applications will be evaluated on the basis of the potential for an increase in any adverse impacts on adjacent and nearby sensitive land uses, and the Planning and Development Applications policies in the Our Tools part of *The London Plan*.

On lands east of Wellington Road, light industrial uses that are located within enclosed buildings, require no outdoor storage; and are unlikely to cause adverse effects with respect to such matters as air, odour or water pollution, dust, or excessive vibration and noise levels may be permitted. These include such uses as warehousing, research and communication facilities; laboratories; printing and publishing establishments; warehouses and wholesale outlets; technical, professional and business services such as architectural, engineering, survey or business machine companies; commercial recreation establishments; private clubs; private parks; restaurants; hotels and motels; service trades; and contractor's shops that do not involve open storage. Office uses and retail outlets subject to policy 1140 of *The London Plan*, which are ancillary to any of the above uses, are also permitted.

All uses adding, emitting, or discharging a contaminant into the natural environment must obtain a Certificate of Approval from the Ministry of the Environment, Conservation and Parks as required by the *Environmental Protection Act* and associated Regulations are discouraged. Uses permitted in this category will also be required to comply with additional requirements as set out in this Section of the Plan and in the City of London's Waste Discharge By-law.

121. Section 20.5.14.1 ii) a), c), e) and g) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

- a) The Zoning, Site Plan, and Sign Control By-laws may specify higher standards for setbacks, the location of parking and loading areas, landscaping, lighting, and signage for industries adjacent to the Brockley Rural Neighbourhood area.
- c) Regulations in the Zoning By-law shall include provisions requiring buildings and structures to be located a minimum of 40 metres from the Brockley Rural Neighbourhood boundary.
- e) Setback and mitigation measures as per the Ministry of the Environment, Conservation and Parks' *Compatibility Between Industrial Facilities and Sensitive Land Uses* (D-Series Guidelines) may apply.
- g) The Urban Design Policies of Section 3.9 of this Plan shall apply.

122. Section 20.5.15 of the Southwest Area Secondary Plan for the City of London is amended by deleting the heading "20.5.15 Wellington Road/Highway 401 Neighbourhood".

123. Section 20.5.15 iii) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

iii) Permitted Uses

The permitted uses in the applicable Place Type of *The London Plan* will be permitted.

124. Section 20.5.15 iv) of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

iv) Built Form and Intensity

The City Design chapter and Form and Intensity policies of the relevant Place Type of *The London Plan* shall apply.

125. Section 20.5.16 of the Southwest Area Secondary Plan for the City of London is amended by deleting the heading “20.5.16 Implementation”.

126. Section 20.5.16.3 of the Southwest Area Secondary Plan for the City of London is deleted in its entirety.

127. Section 20.5.16.4 of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

16.3 Official Plan Amendments

- i) Any amendment to the text or Schedules of this Secondary Plan represents an Official Plan amendment. Furthermore, amendments to the Schedules of this Plan may require amendments to the associated maps of *The London Plan*.
- ii) Where lands are designated “Environmental Review” on Map 1 – Place Types of *The London Plan*, Map 1 shall prevail over the Open Space designation on Schedule 4 of the Southwest Area Land Use Designations of the Secondary Plan. Once an Environmental Impact Study (EIS) has been completed, amendments to *The London Plan* Map 1 – Place Types, Map 5 – Natural Heritage and the Secondary Plan Schedule will be required, as applicable.
- iii) Any applications to amend this Secondary Plan shall be subject to all of the applicable policies of this Secondary Plan, as well as all of the applicable policies of *The London Plan*.
- iv) Updates to this Secondary Plan are to reflect applicable changes to *The London Plan*, Provincial Policy Statement, Planning Act and Regulations, as required.
- v) Where the minimum density described for a neighbourhood is not able to be achieved on an individual application, the City may consider a lower minimum density without amendment to this Plan. The consideration of a lower density than the minimum density described for a neighbourhood shall include the following matters:
 - a) the size of the parcel.
 - b) the amount of land not designated for low density residential development that could develop to meet the overall intensity of development contemplated for the neighbourhood.
 - c) the pattern of development, including roads and parks.
 - d) opportunities to provide a range and mix of housing types and/or a range and mix of lot sizes that meet the intent of the neighbourhood housing mix.

128. Section 20.5.16.5 of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

16.4 Zoning

- i) Any applications for amendment to the City of London Zoning By-law shall be subject to the policies of this Secondary Plan and applicable policies of *The London Plan*.
- ii) Consideration of other land uses through a Zoning By-law amendment shall be subject to the Planning and Development Applications policies as described in the applicable place type of *The London Plan*.

129. Section 20.5.16.6 of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

16.5 Plans of Subdivision/Plans of Condominium/Consents to Sever

Any applications for subdivision, condominium, or consent to sever shall be subject to the policies of this Secondary Plan and applicable policies of *The London Plan*.

130. Section 20.5.16.7 of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

16.6 Site Plan Approval

Any applications for site plan approval shall be subject to the policies of this Secondary Plan and applicable policies of *The London Plan*.

131. Section 20.5.16.8 of the Southwest Area Secondary Plan for the City of London is amended by deleting “20.5.16.8” in the heading and replacing it with “16.7”.

132. Section 20.5.16.9 of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

16.8 Achieving Minimum Residential Density

Minimum residential density shall be calculated on the basis of Section 16.7, above, and as the total area of the land designated and proposed for residential development, including of lands dedicated for the purpose of widening existing roads, less any parcels of land to be used for non-residential uses.

133. Section 20.5.16.10 of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

16.9 Proposed Future Road Corridors

Alignment of proposed future road corridors identified on Map 3 of *The London Plan* shall be determined by one of the following:

- a) Completion of a Municipal Class Environmental Assessment.
- b) A corridor study or functional transportation planning study as described in the Protection and Acquisition of Lands for Mobility Infrastructure policies in the Mobility chapter of *The London Plan*.
- c) Consideration of a draft plan of subdivision. Map 3 may be amended to reflect the determined alignment of a proposed future road corridor without the need for an Official Plan amendment.

134. Section 20.5.16.11 of the Southwest Area Secondary Plan for the City of London is amended by deleting “20.5.16.11” in the heading and replacing it with “16.10”, deleting clauses i) f) and ii) in its entirety and replacing them with the following:

- i) f) Transportation Design Concept Plan, including pedestrian linkages to Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards, and Main Streets.
- ii) Other reports and studies may be required in accordance with the Complete Application and Pre-Application Consultation Requirements section in the Our Tools part of *The London Plan*.

135. Section 20.5.16.12 of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

16.11 Urban Design Policies

All development within the Southwest Area Secondary Plan boundaries shall be subject to the urban design policies contained in this Plan, in addition to applicable policies in *The London Plan*.

136. Section 20.5.16.13 of the Southwest Area Secondary Plan for the City of London is amended by deleting “20.5.16.13” in the heading and replacing it with “16.12”.

137. Section 20.5.16.14 of the Southwest Area Secondary Plan for the City of London is deleted in its entirety and replaced with the following:

16.13 Interpretation

The How To Use The London Plan section in the Our Challenge part of *The London Plan* shall apply to this Secondary Plan.

138. Section 20.5.17 of the Southwest Area Secondary Plan for the City of London is amended by deleting Appendix 1 Official Plan Extracts in its entirety, and deleting the list of appendices and replacing it with the following:

Appendix 1 Growth Estimate

Appendix 2 Residential Density and Height Table

139. Section 20.5.17 Appendix 2 Growth Estimate of the Southwest Area Secondary Plan for the City of London is amended by renumbering the appendix number to 1.

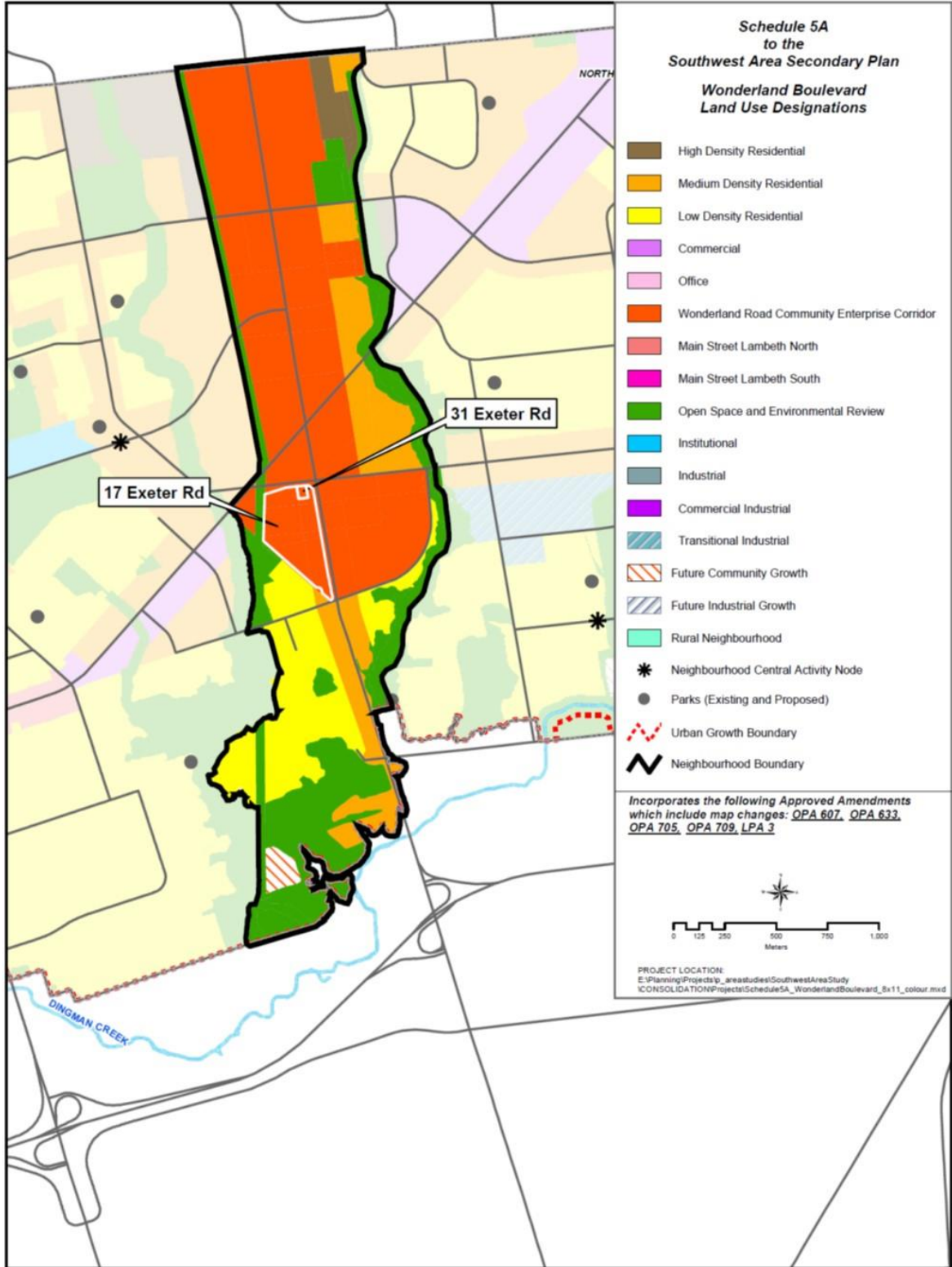
140. Section 20.5.17 Appendix 3 Residential Density and Height Table of the Southwest Area Secondary Plan for the City of London is amended by renumbering the appendix number to 2, and deleting the existing table in its entirety and replacing it with a new table, as indicated on “Schedule 2” attached hereto.

141. Schedule 3 of the Southwest Area Secondary Plan for the City of London is amended by deleting “Brockley Rural Settlement” and replacing it with “Brockley Rural”, as indicated on “Schedule 3” attached hereto.

142. Schedule 4 through 17 of the Southwest Area Secondary Plan for the City of London is amended by deleting “Urban Reserve” and “Rural Settlement” in the legend and replacing them with “Future” and “Rural Neighbourhood”, respectively, as indicated on “Schedule 4” through “Schedule 17” attached hereto.

143. Schedule 14 of the Southwest Area Secondary Plan for the City of London is amended by deleting “Rural Settlement” in the title and replacing it with “Rural Neighbourhood”, as indicated on “Schedule 14”.

Schedule 1



Schedule 2

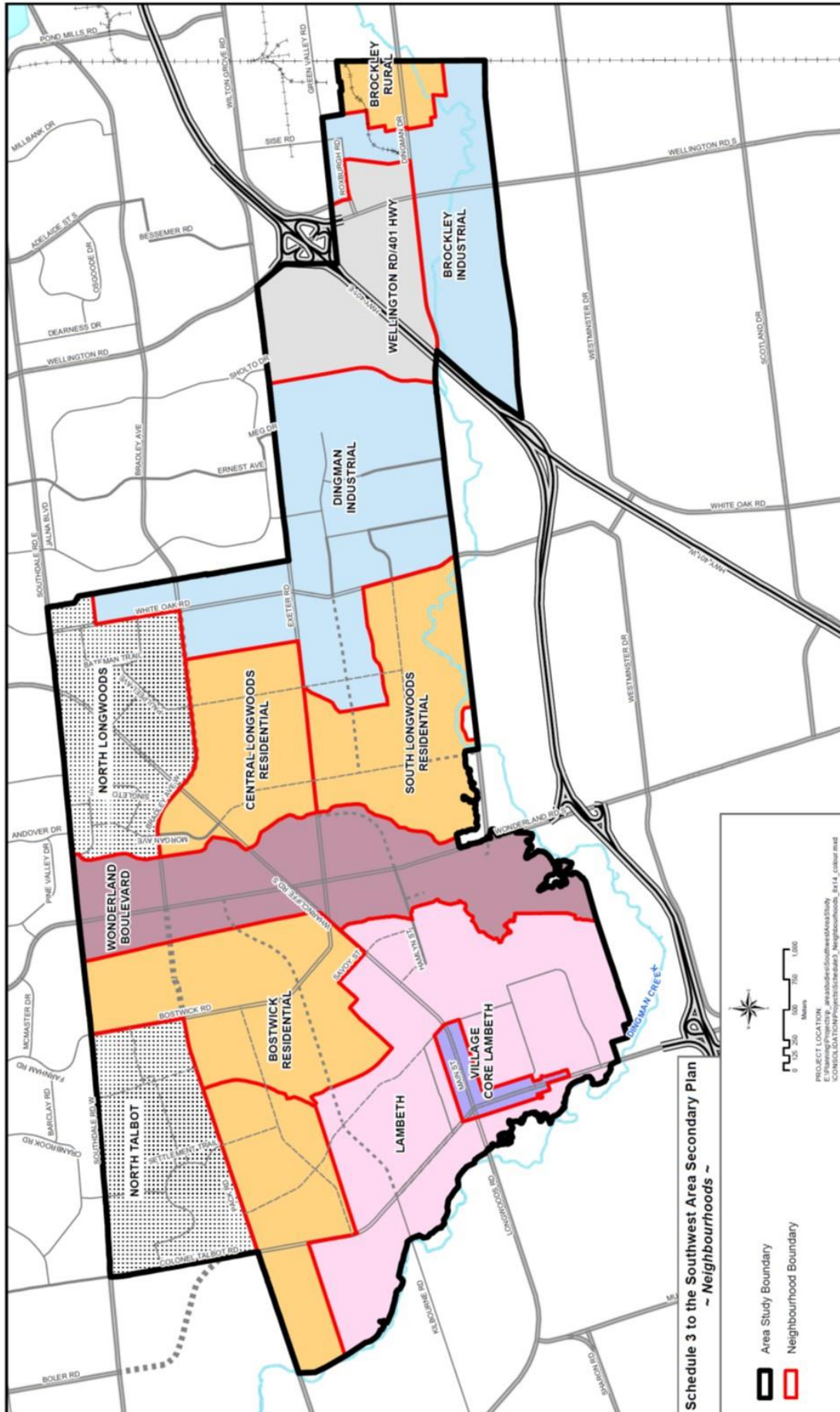
Neighbourhood	Low Density Residential Designation			Medium Density Residential Designation			High Density Residential Designation		
	Min/Max Density (uph)	Increase Permitted?	Min/Max Height (storeys)	Min/Max Density (uph)	Increase Permitted?	Min/Max Height (storeys)	Min/Max Density (uph)	Increase Permitted?	Min/Max Height (storeys)
Wonderland Boulevard North of Exeter and South of Hamlyn*	n/a	n/a	n/a	35/75	Yes – to 100 uph	-/6	-/150	Yes	Per S. 6.4 iii)
Wonderland Boulevard South of Exeter	15/30	Per S. 6.2 iii) a)	-/4	75/150	No	-/10	n/a	n/a	n/a
Lambeth	15/30	No	-/4	30/75	Yes – to 100 uph	-/4	n/a	n/a	n/a
Lambeth Village Core**	Per the requirements of the adjacent Neighbourhood			Per the requirements of the adjacent Neighbourhood			n/a	n/a	n/a
Botswick	25/40	No	-/4	35/75	Yes – to 100 uph	-/6	-/150	Yes	-/12
North Lambeth, Central and South Longwoods	18/35	No	-/4	30/75	No	-/4	-/150	No	Per The London Plan
North Talbot, North Longwoods	-/30	n/a	n/a	-/75	Yes – to 100 uph	-/4	150	No	Per The London Plan
Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards, Main Streets (selected) in the Medium Density Residential Designation	n/a	n/a	n/a	30/100	Yes – to 120 uph subject to criteria	2/9	n/a	n/a	n/a

*In the Wonderland Road Community Enterprise Corridor designation, high density residential development shall have a minimum density of 30 units per hectare, a maximum density of 75 units per hectare or up to 100 units per hectare through a site-specific zoning by-law amendment, and a standard maximum height of 4 storeys or up to an upper maximum of 6 storeys through a site-specific zoning by-law amendment.

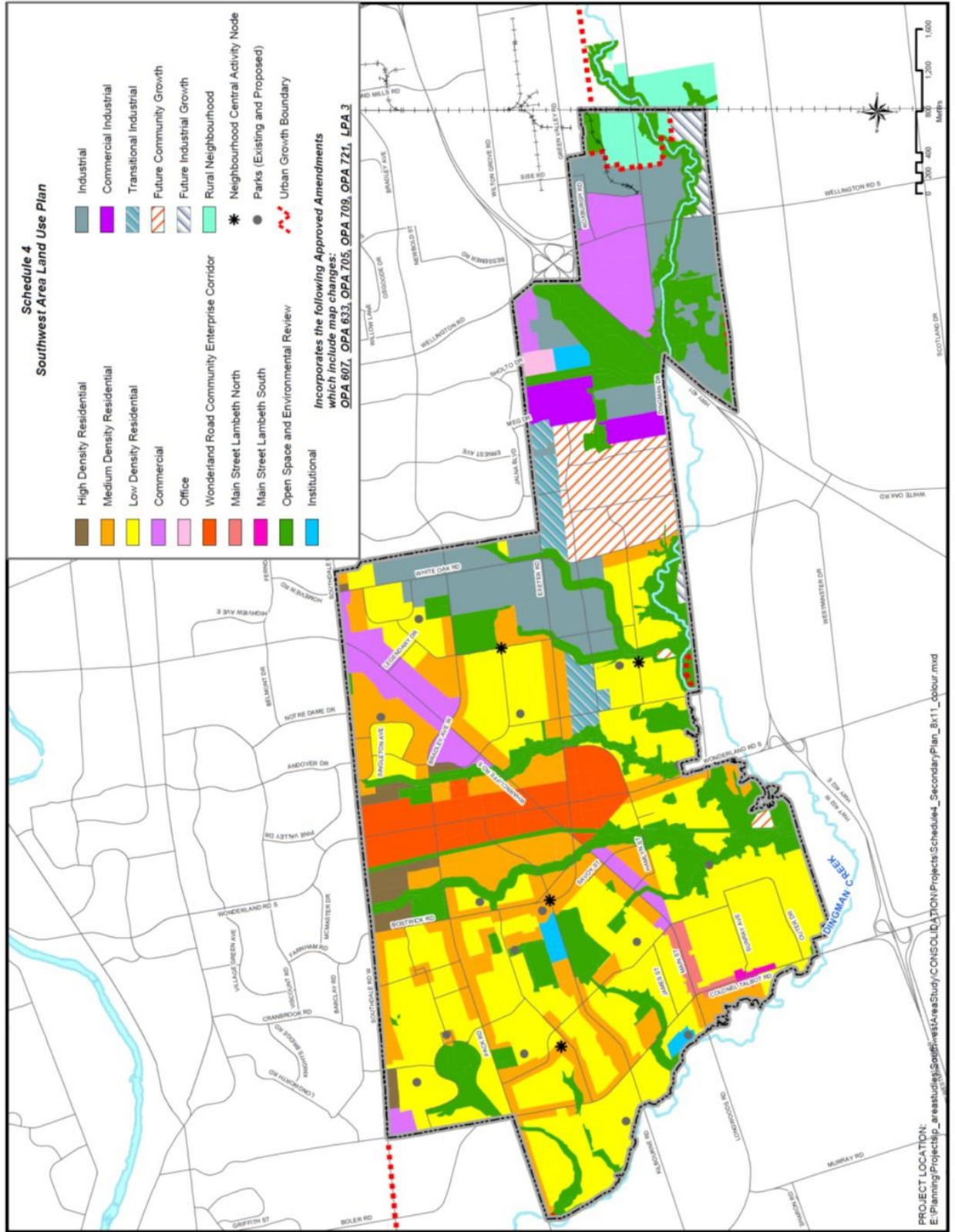
**In the Main Street Lambeth North and Main Street Lambeth South designations, residential densities shall not exceed 75 uph and heights shall not exceed 3 storeys.

This table is provided for convenience only. If there is a discrepancy between this table and Parts 5 through 15 of the Secondary Plan, Parts 5 through 15 shall prevail.

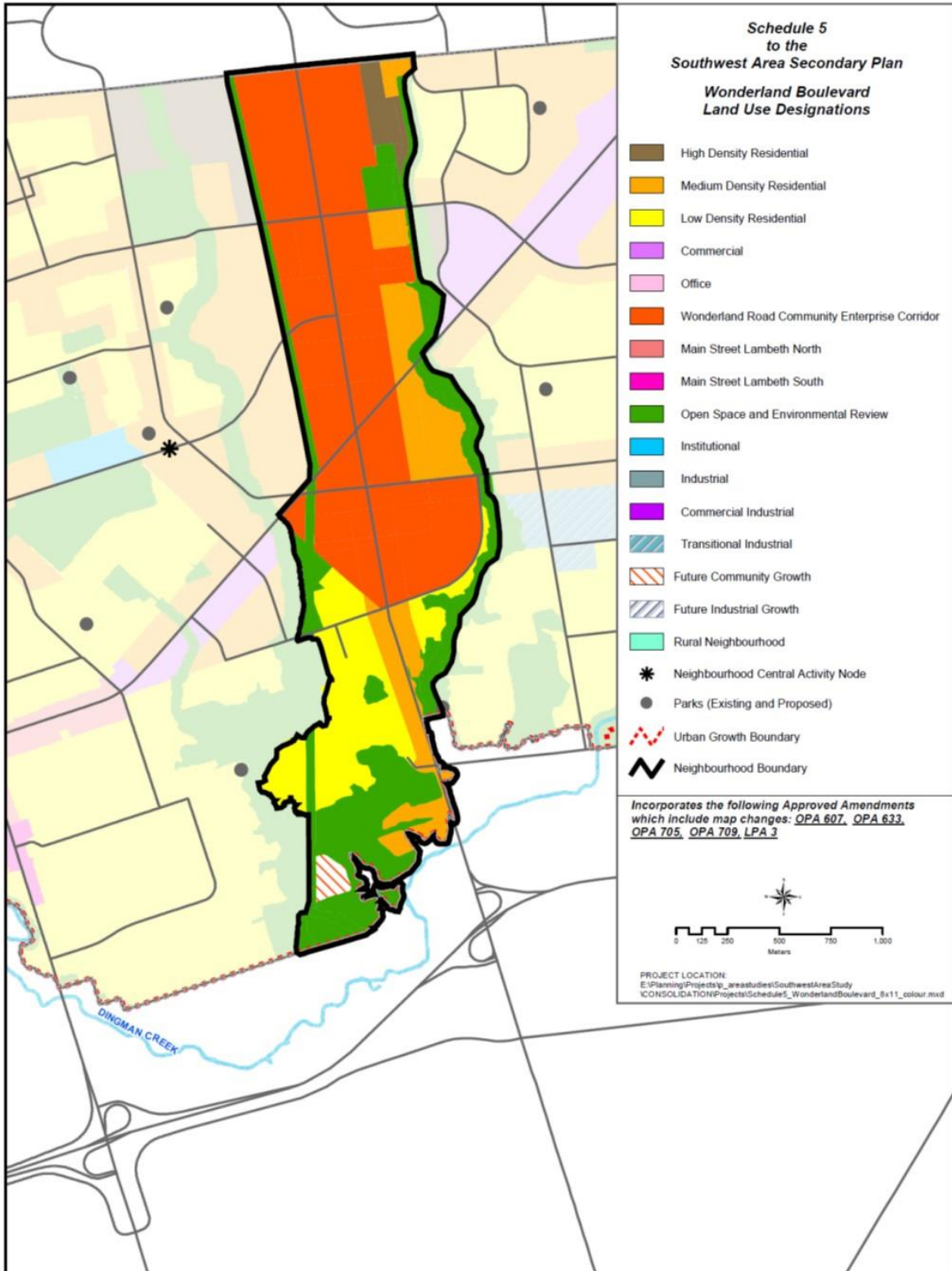
Schedule 3



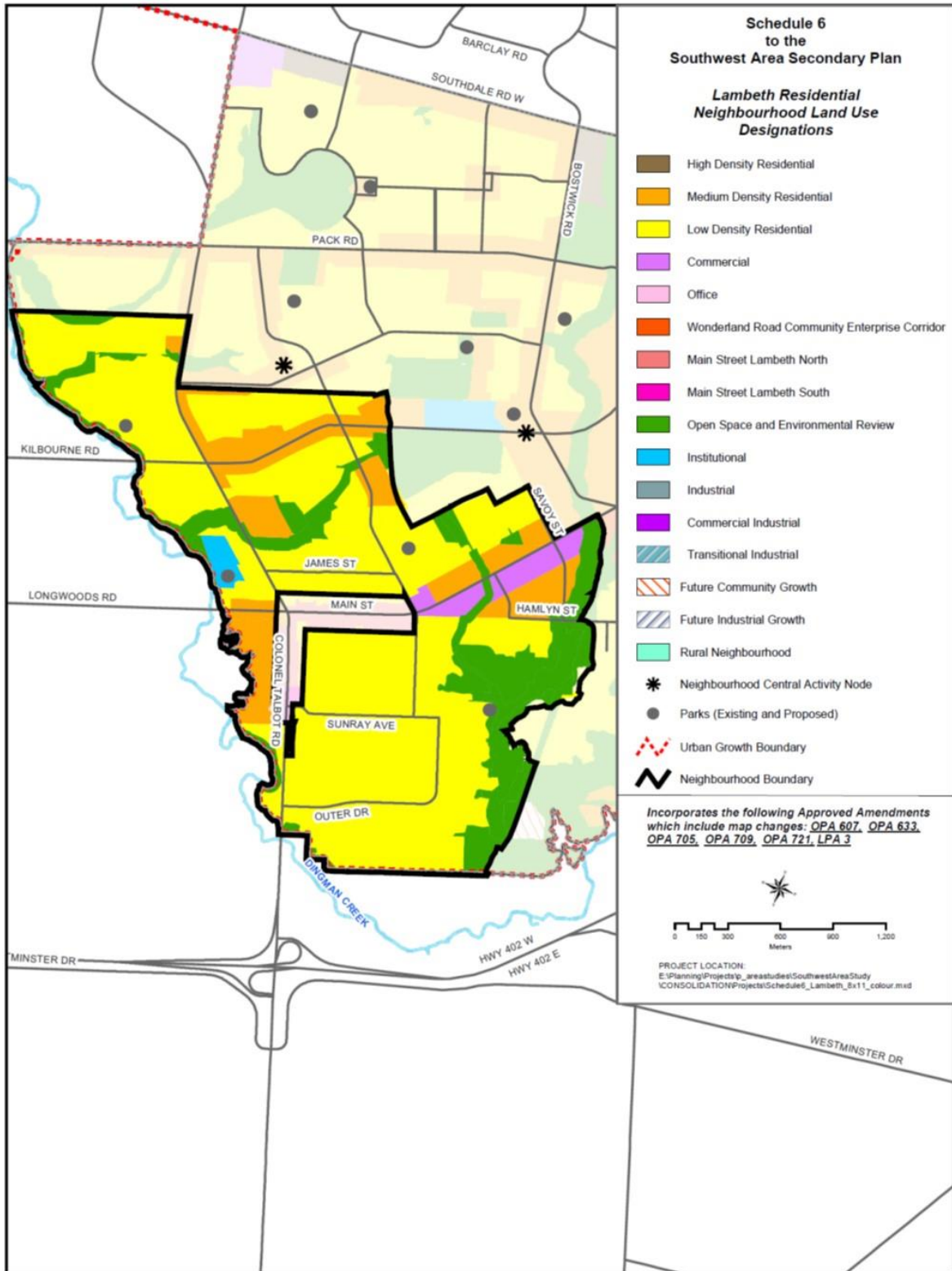
Schedule 4



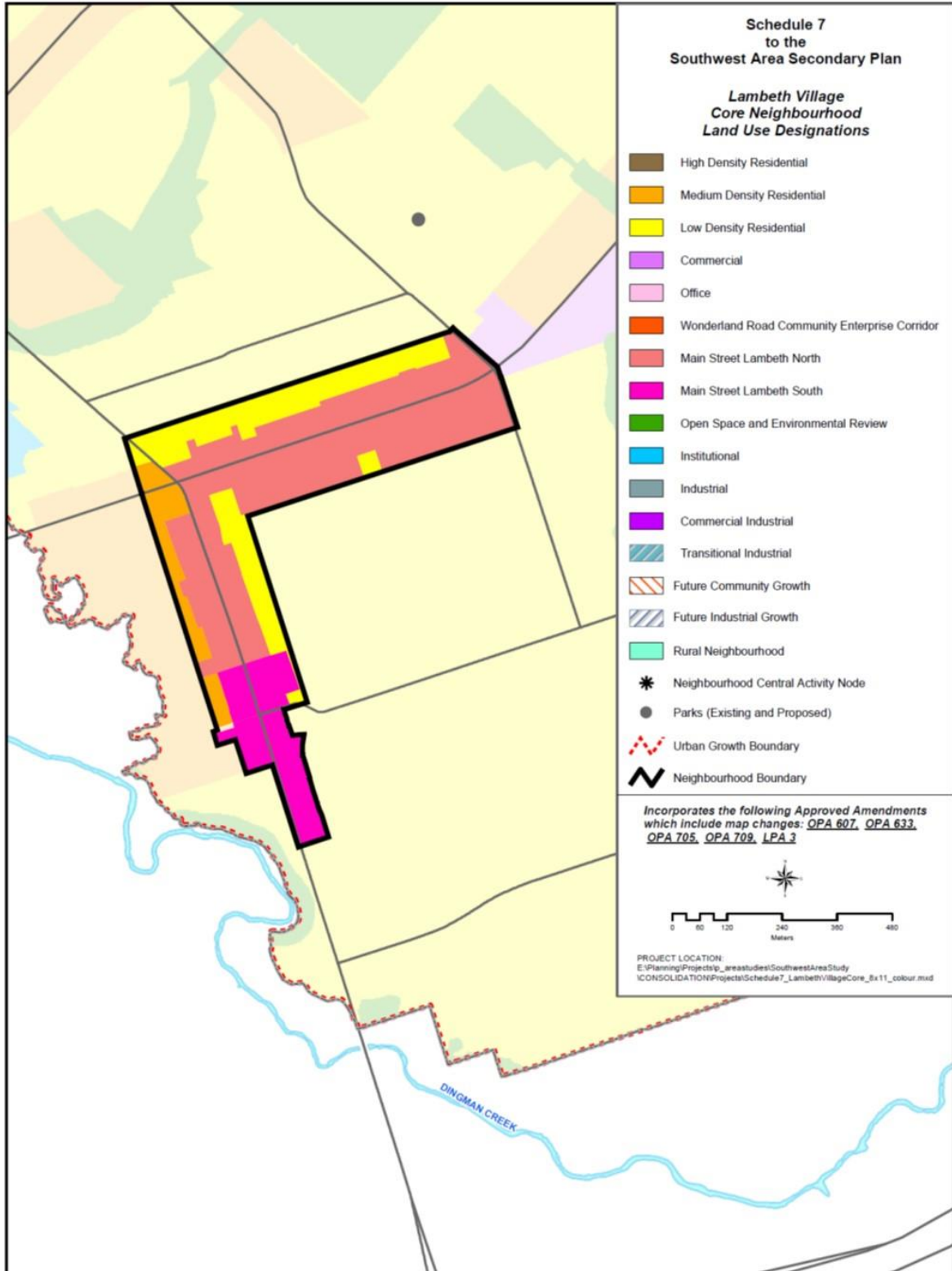
Schedule 5



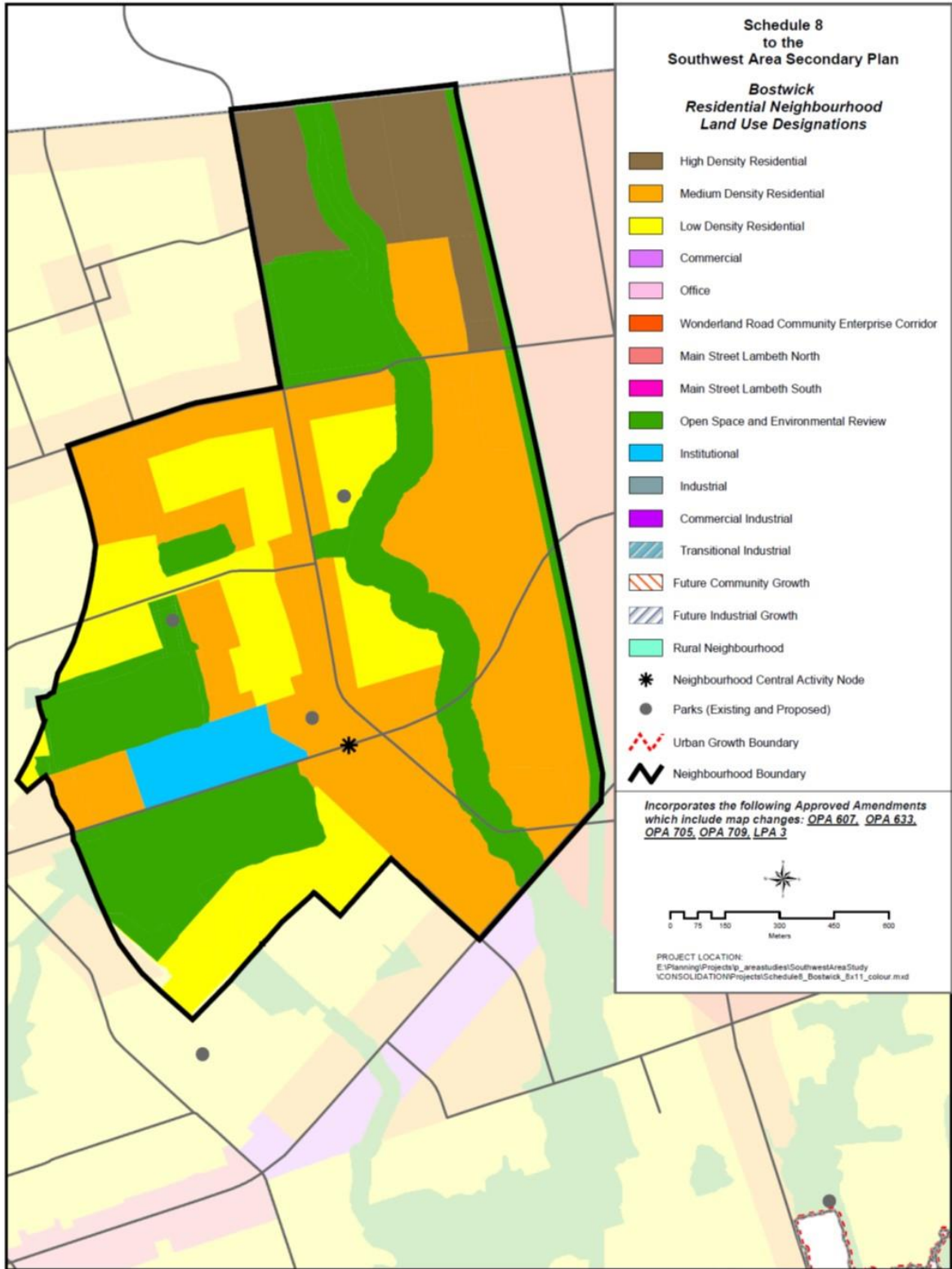
Schedule 6



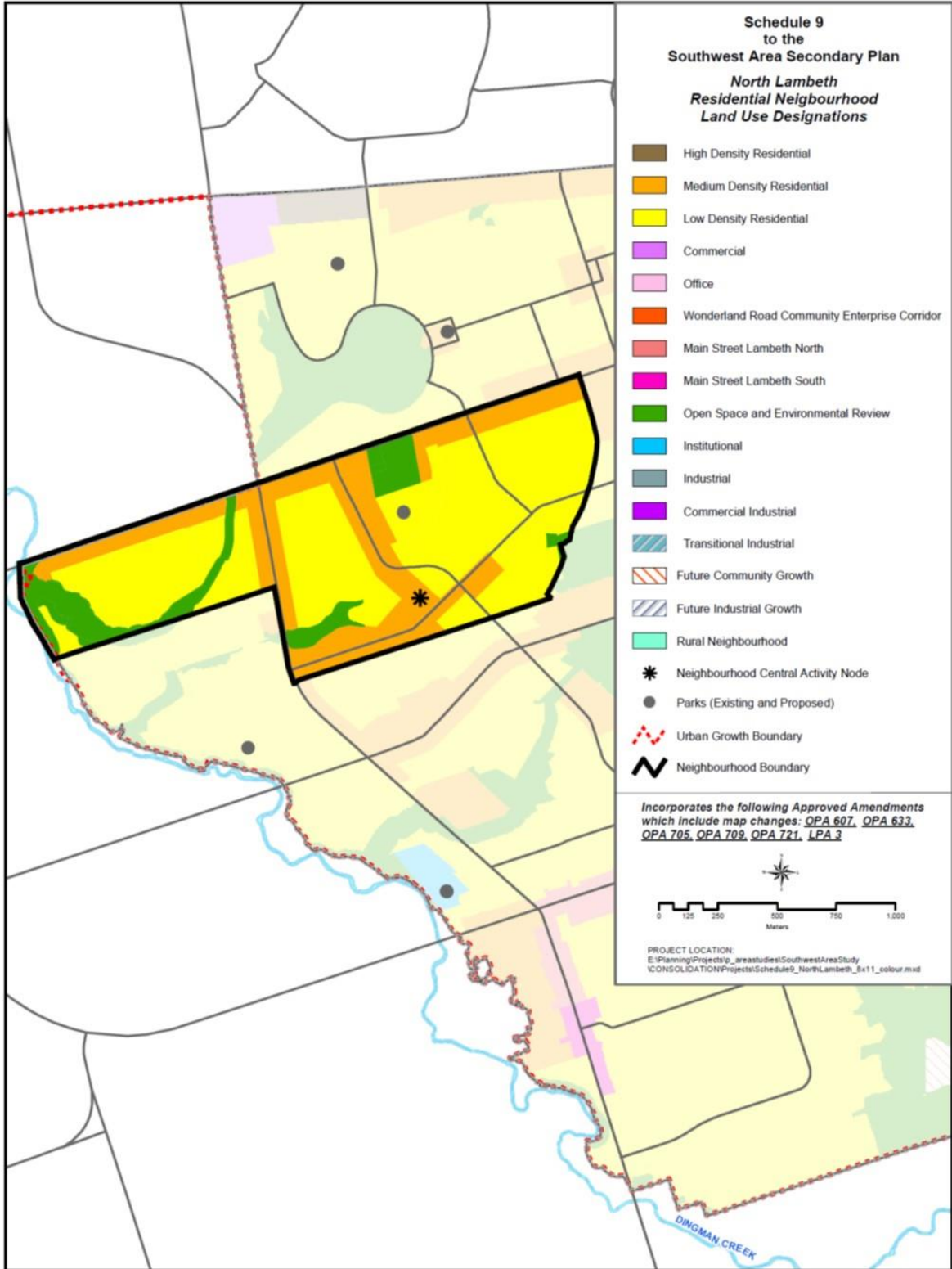
Schedule 7



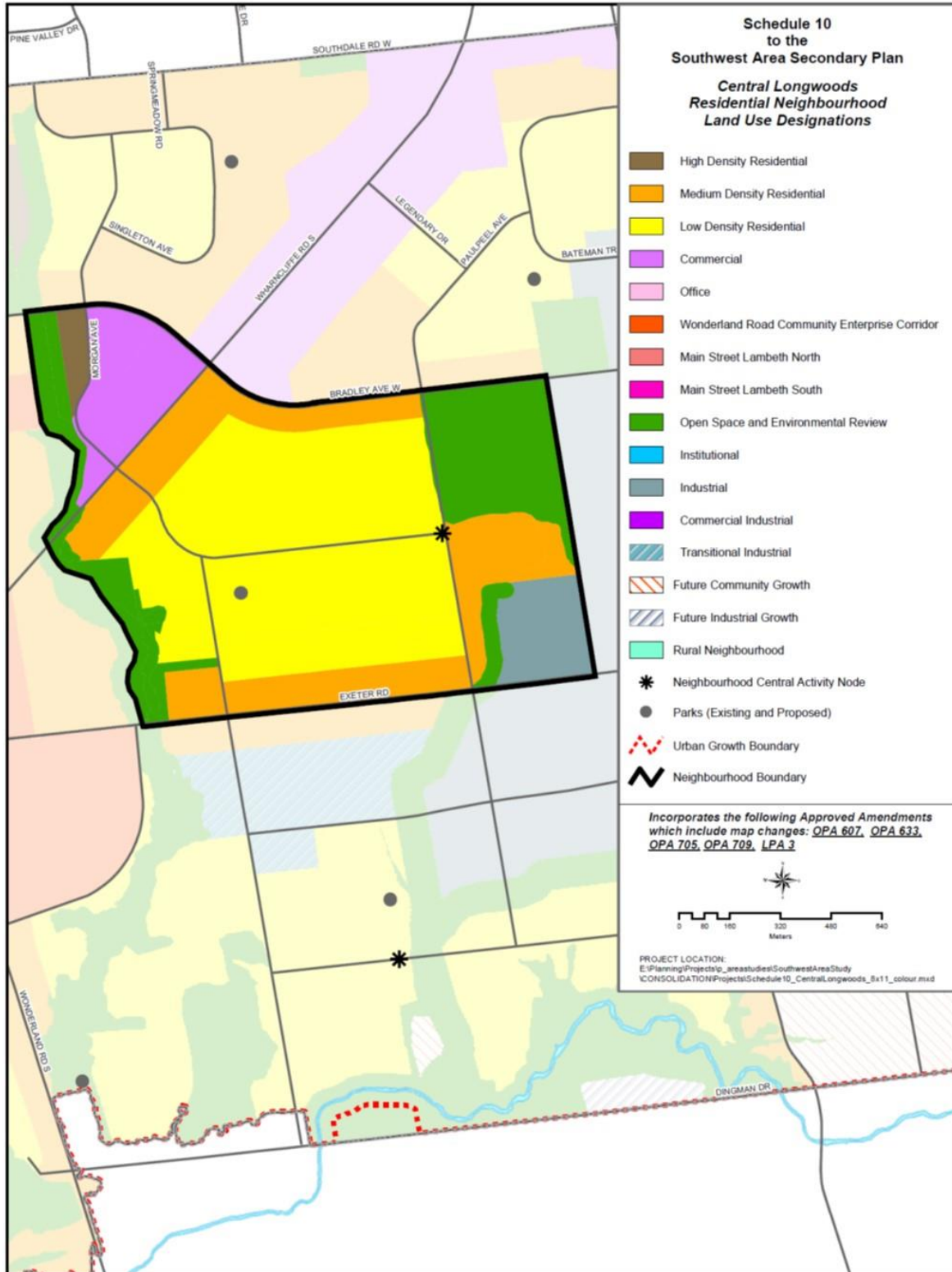
Schedule 8



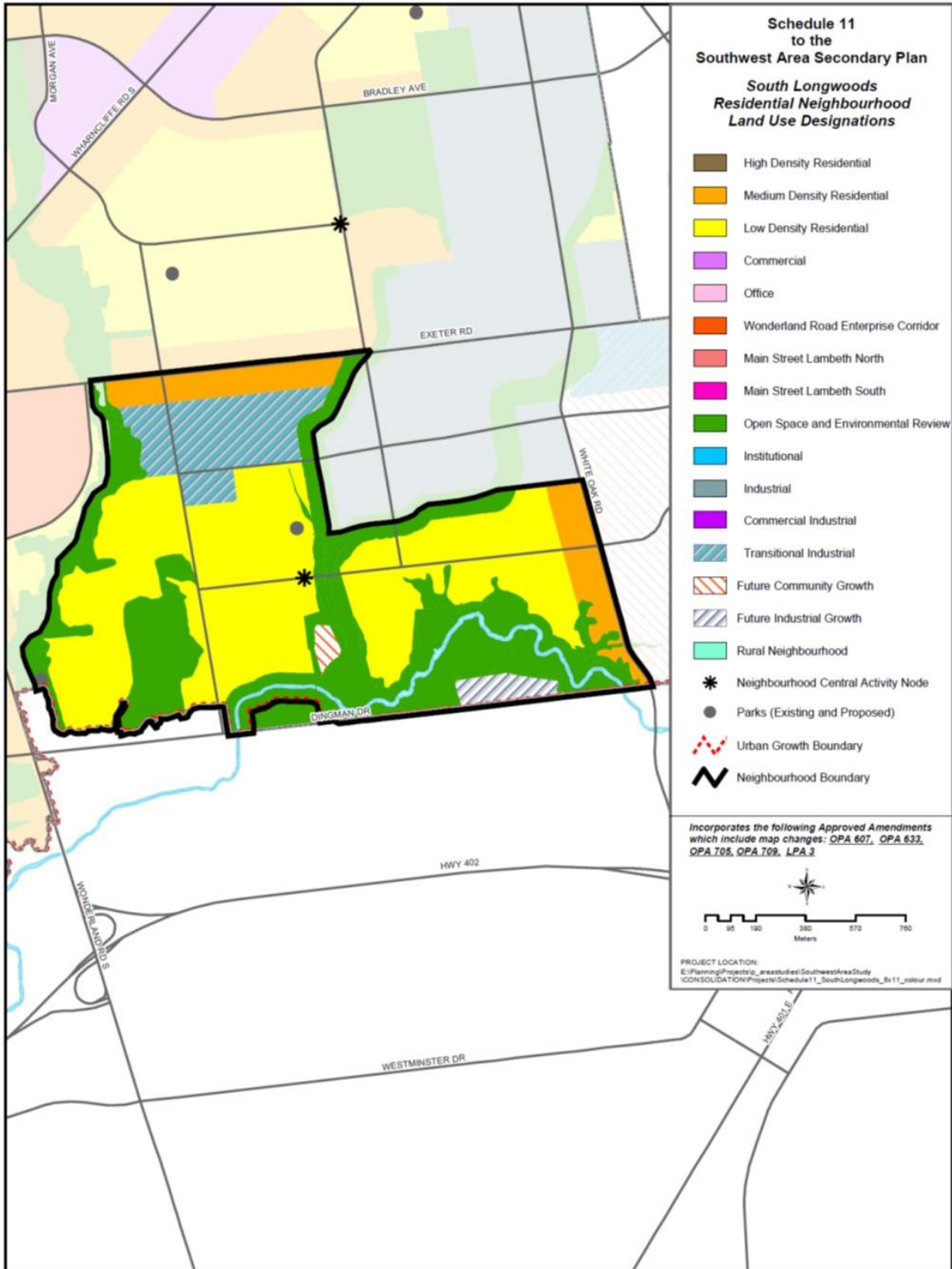
Schedule 9



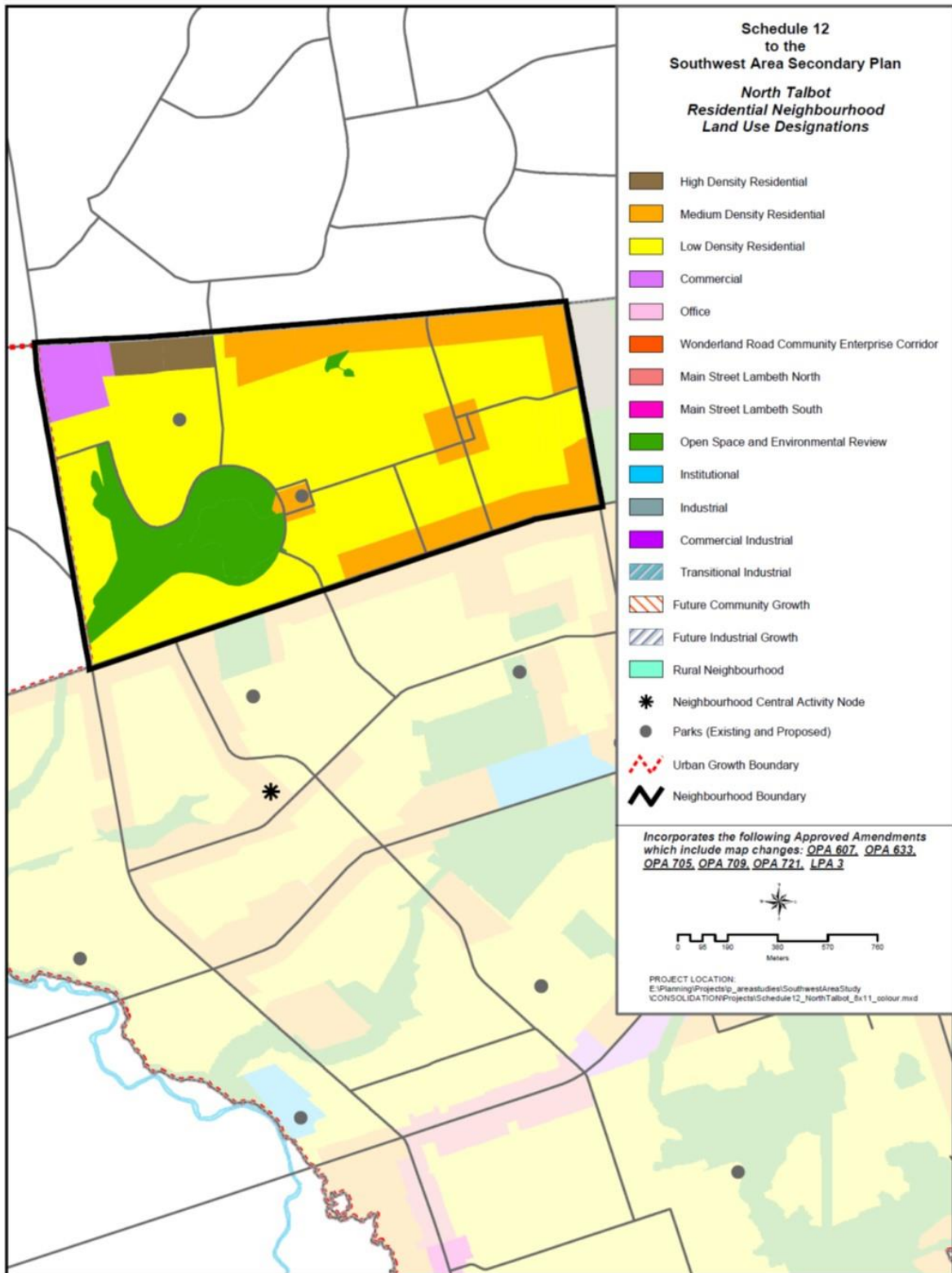
Schedule 10



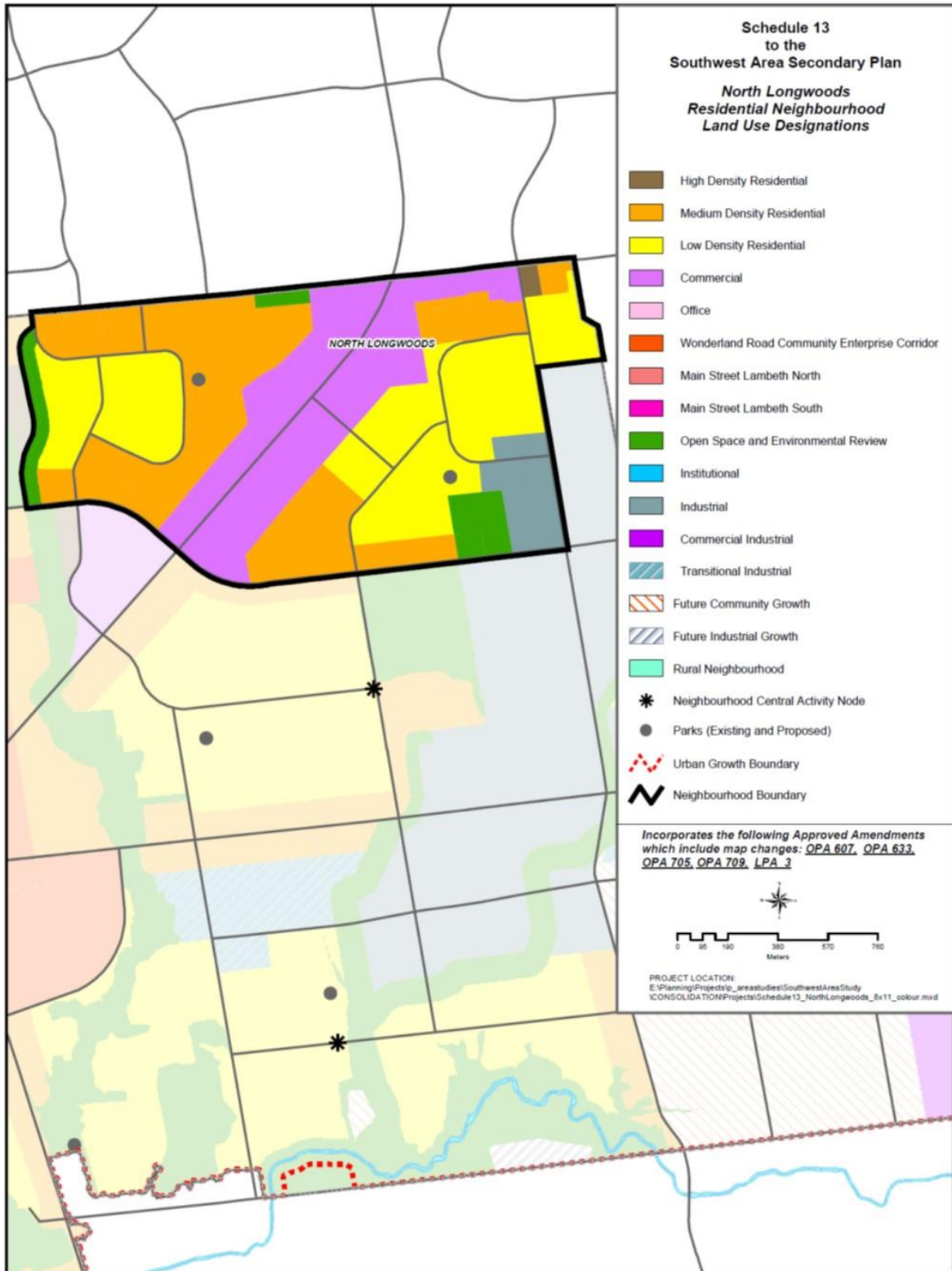
Schedule 11



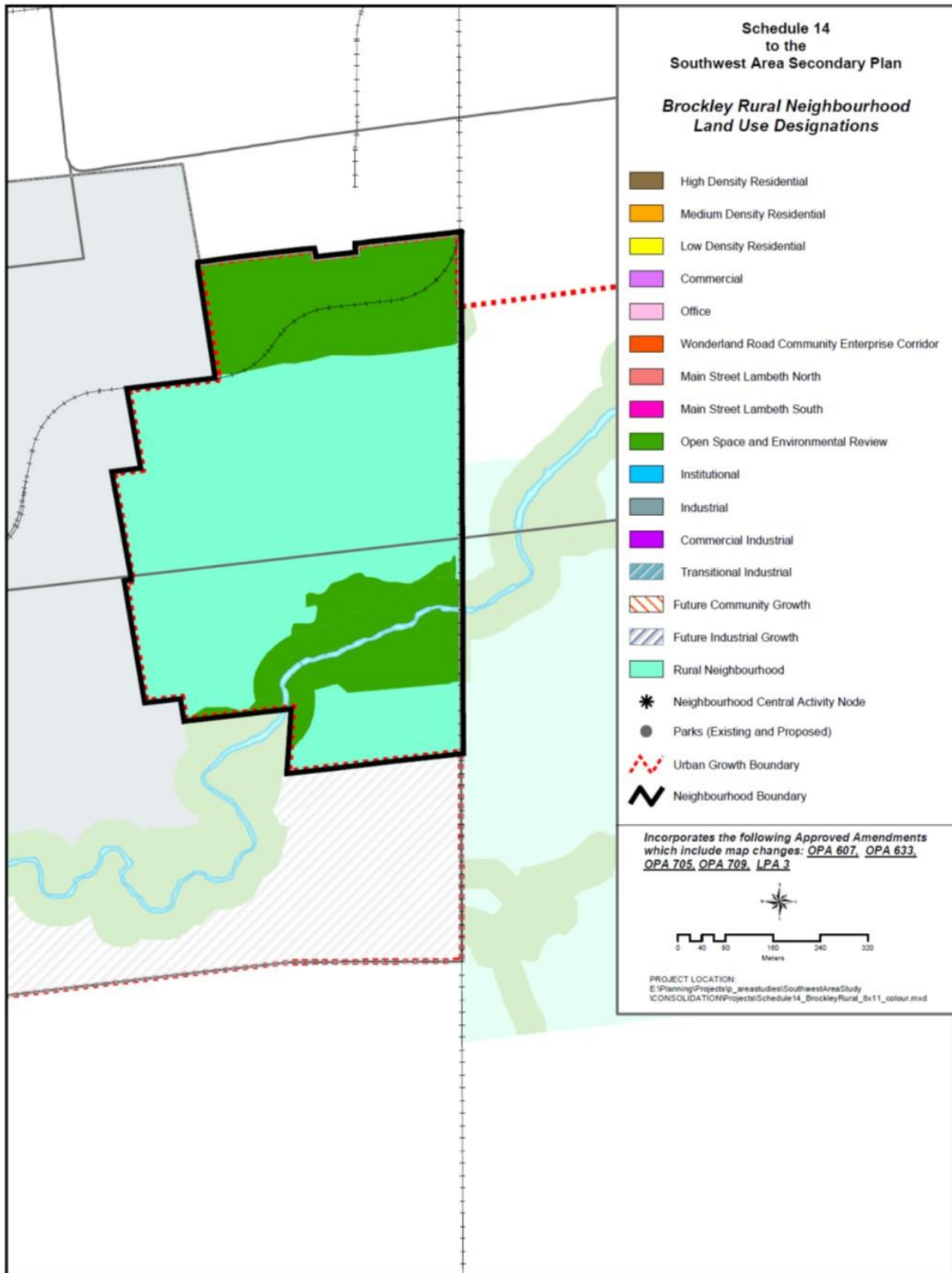
Schedule 12



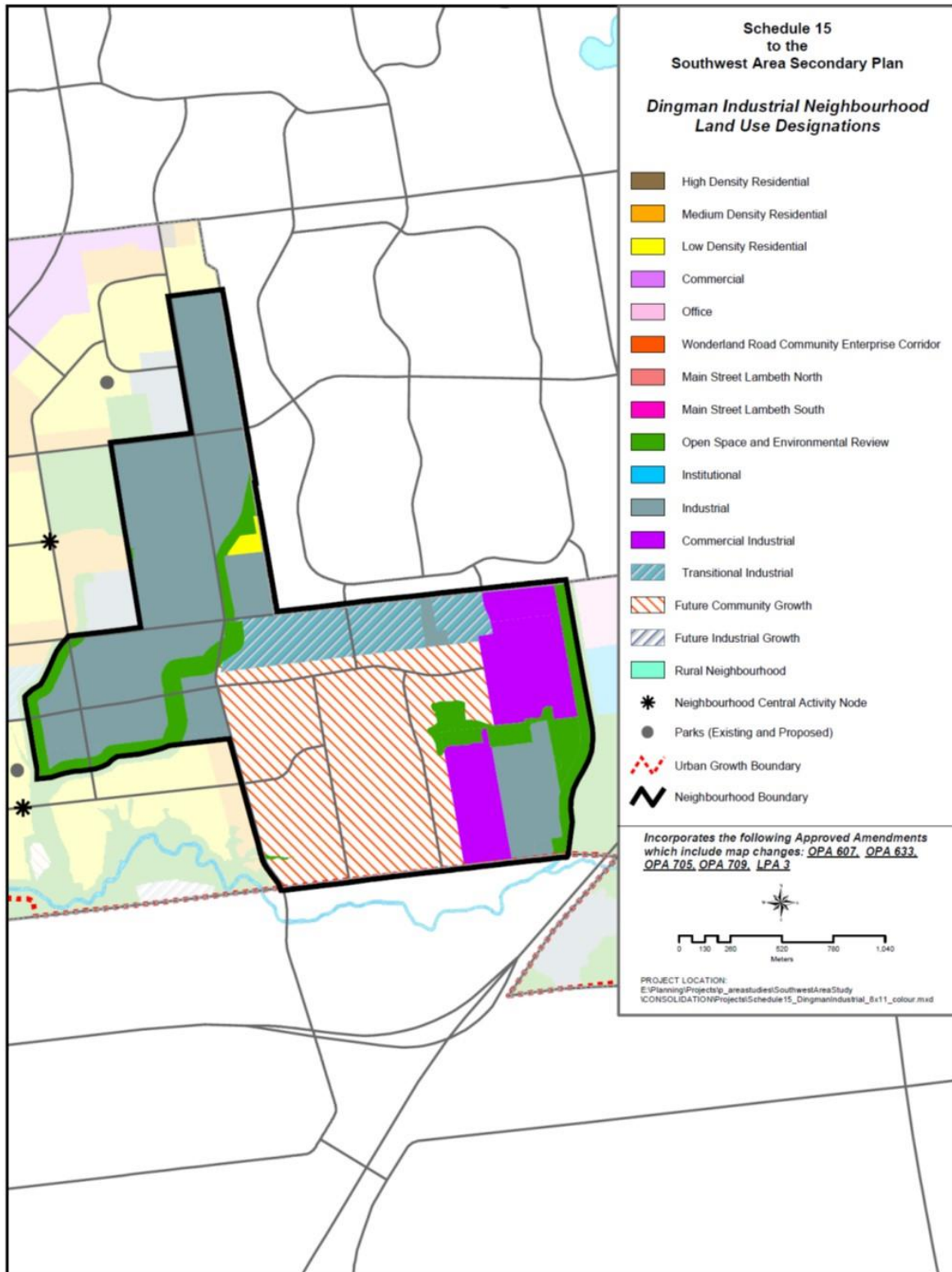
Schedule 13



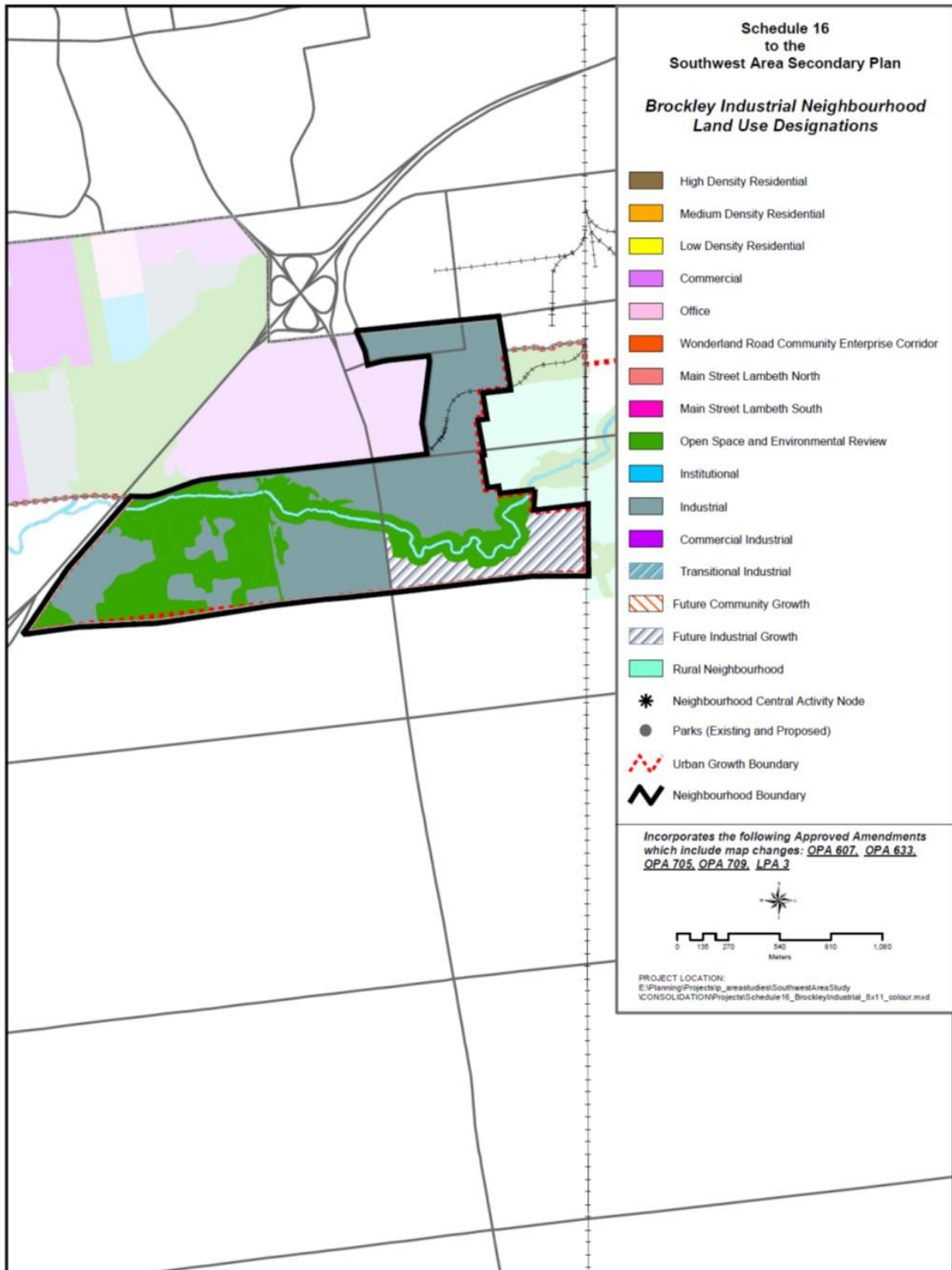
Schedule 14



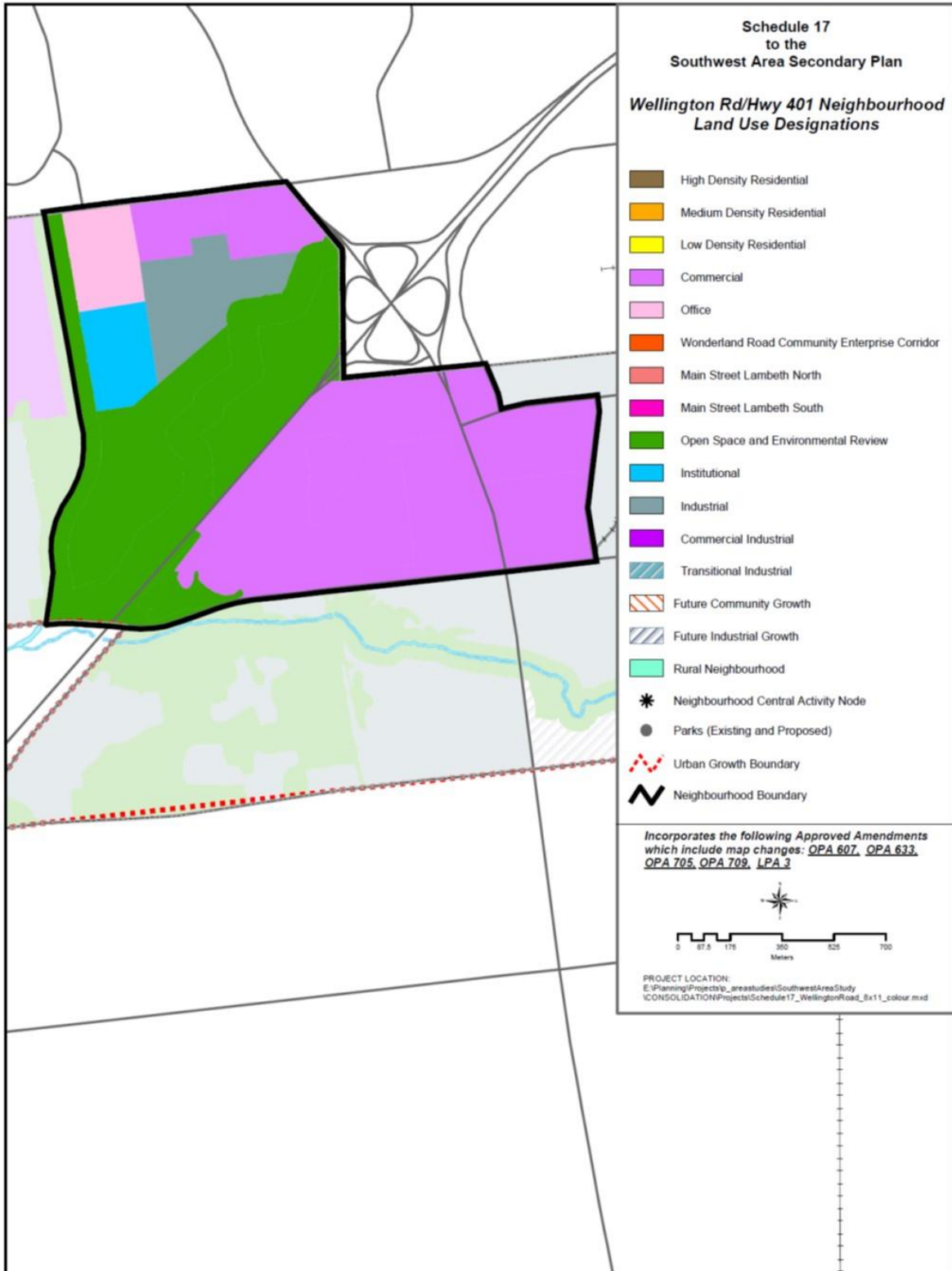
Schedule 15



Schedule 16



Schedule 17



Appendix B – Community Engagement

Public liaison: On May 18, 2022, Notice of Application was circulated to City Planning's official circulation list, including prescribed agencies, as well as advisory committees. On May 19, 2022, Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner*.

Nature of Liaison:

The purpose and effect of this amendment to the London Plan is to amend the Southwest Area Secondary Plan to reflect the transition from the 1989 Official Plan to The London Plan. This amendment includes changes to delete references to 1989 Official Plan policies, land use designations, road classifications and map schedules; and to add references to the London Plan policies, place types, street classifications and maps. This amendment also includes changes to fix errors and omissions, including typographical, grammatical and formatting errors throughout the Secondary Plan. This amendment is of a housekeeping nature.

Responses: 2 replies were received

From: Scott Allen

Sent: Friday, May 20, 2022

To: Lee, Joanne <jolee@london.ca>

Subject: [EXTERNAL] O-9505 - SWAP Housekeeping Amendment

Hi Joanne,

When you have a moment, please forward me a copy of the draft amendment for review (on behalf of several property owners in the Southwest Planning Area).

Thanks,

SCOTT ALLEN, MA, RPP | Partner
MHBC Planning, Urban Design & Landscape Architecture

From: Scott Allen

Sent: Wednesday, June 1, 2022

To: Lee, Joanne <jolee@london.ca>

Subject: [EXTERNAL] RE: O-9505 - SWAP Housekeeping Amendment

Good Morning, Joanne,

Firstly, if I forgot to thank you for your email below, my apologies. Secondly, in reviewing the Jan. 31/22 staff report, in relation to the SWAP, by our reading the proposed amendments largely reflect those set out in the Oct. 18/21 staff report. Assuming this is correct, from our perspective, the only major item requiring clarification is bonus zoning. In light of the recent amendments to The London Plan and the impending removal of bonusing from the Planning Act, please advise if an approach is being advanced to address height/density bonusing permissions via this housekeeping amendment. Presumably, the bonusing permissions of the SWAP and the other Secondary Plans would be revised, where practical, to reflect the new Standard and Upper maximum height structure of TLP. However, in instances like the one identified in Capture 1 and Capture 3, please advise on how City staff are proposing to address density bonusing permissions where an upper limit is not defined in Secondary Plan policy.

Thanks, and feel free to call me to discuss.

SCOTT ALLEN, MA, RPP | Partner
MHBC Planning, Urban Design & Landscape Architecture

Agency/Departmental Comments

Upper Thames River Conservation Authority (UTRCA) – May 18, 2022

While the Southwest Area includes lands which are regulated (Ontario Regulation (157/06) made pursuant to Section 28 of the *Conservation Authorities Act*, given that this is a Housekeeping Amendment, the UTRCA has no objections to the application.

London Hydro – May 30, 2022

London hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

Appendix C – Summary table of proposed changes

Underlined text indicates text additions and strikethrough text denotes text deletions.

Chapter Reference	Section	Text Changes	Summary of Changes
Cover page	20.5	20.5	Removal of reference to Section 20 of the 1989 Official Plan
Table of Contents		<p>20.5.1 <u>1.0</u> Introduction Introduction</p> <p><u>1.1</u> Purpose and Use of the Plan</p> <p><u>1.2</u> Vision</p> <p><u>1.3</u> Principles of the Secondary Plan</p> <p><u>1.4</u> Existing Approved Area Plans <u>Specific Policy Areas</u></p> <p>20.5.2 <u>2.0</u> Community Structure Plan</p> <p>20.5.3 <u>3.0</u> General Policies</p> <p><u>3.1</u> Housing</p> <p><u>3.2</u> Sustainable/Green Development</p> <p><u>3.3</u> Neighbourhood Central Activity Nodes</p> <p><u>3.4</u> Community Parkland and Trail Network</p> <p><u>3.5</u> Parkland Dedication</p> <p><u>3.6</u> Natural Heritage</p> <p><u>3.7</u> Community Facilities</p> <p><u>3.8</u> Transportation</p> <p><u>3.9</u> Urban Design</p> <p>20.5.4 <u>4.0</u> General Land Use Policies</p> <p><u>4.1</u> Residential</p> <p><u>4.2</u> Institutional</p> <p><u>4.3</u> Open Space</p> <p>20.5.5 <u>5.0</u> Neighbourhoods and Land Use</p> <p>20.5.6 <u>6.0</u> Wonderland Boulevard Neighbourhood</p> <p><u>6.1</u> <u>Wonderland Road Community Enterprise Corridor</u></p> <p><u>6.2</u> <u>Low Density Residential</u></p> <p><u>6.3</u> <u>Medium Density Residential</u></p> <p><u>6.4</u> <u>High Density Residential for Lands North of Exeter Road</u></p> <p><u>6.5</u> <u>17 and 31 Exeter Road</u></p> <p>20.5.7 <u>7.0</u> Lambeth Neighbourhood</p> <p><u>7.1</u> <u>Low Density Residential</u></p>	<p>All sections are renumbered to appropriate numbers, while removing the S.20.5 references.</p> <p>Subsections are added to be consistent with the formatting of recent secondary plans.</p>

		<p><u>7.2 Medium Density Residential</u> <u>7.3 Commercial</u></p> <p>20.5.8 8.0 Lambeth Village Core Neighbourhood <u>8.1 Main Street Lambeth North</u> <u>8.2 Main Street Lambeth South</u></p> <p>20.5.9 9.0 Bostwick Residential Neighbourhood <u>9.1 Low and Medium Density Residential</u> <u>9.2 High Density Residential</u> <u>9.3 1875 Wharnclyffe Road South</u></p> <p>20.5.10 10.0 North Lambeth, Central Longwoods and South Longwoods Residential Neighbourhoods <u>10.1 Low and Medium Density Residential</u> <u>10.2 High Density Residential</u> <u>10.3 Transitional Industrial</u> <u>10.4 3493 Colonel Talbot Road</u></p> <p>20.5.11 11.0 North Talbot and North Longwoods Neighbourhoods <u>11.1 Low and Medium Density Residential</u> <u>11.2 High Density Residential</u></p> <p>20.5.12 12.0 Brockley Rural Settlement Neighbourhood <u>12.1 Rural Neighbourhood</u></p> <p>20.5.13 13.0 Dingman Industrial Neighbourhoods <u>13.1 Industrial</u> <u>13.2 Transitional Industrial</u> <u>13.3 Commercial Industrial</u> <u>13.4 Future Community Growth</u></p> <p>20.5.14 14.0 Brockley Industrial Neighbourhoods <u>14.1 Industrial</u></p> <p>20.5.15 15.0 Wellington Road/ Highway 401 Neighbourhood</p> <p>20.5.16 16.0 Implementation <u>16.1 Implementation of the Plan</u> <u>16.2 Municipal Works</u> <u>16.3 Official Plan Amendments</u></p>	
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	All chapters	<p>Throughout this Plan, a multilevel list is organized as follows:</p> <p>i)</p> <p>a)</p> <p>1.</p> <p>•</p> <p>Bullets (•) are replaced with numbers (1, 2, 3,...) and sub-bullets (-) are replaced with bullets (•) to facilitate easier references to the policies and reflect the formatting approach of more recent secondary plans and the London Plan.</p> <p>Exception: bullets in S.20.5.1.3</p>	Reorganizing the multilevel list of policies
Introduction	20.5.1	20.5.1 <u>1.0</u>	S.20.5.1 on the top is renumbered to S. 1.0.
Introduction	20.5.1	<p>20.5.1.1 Introduction</p> <p>20.5.1.2 <u>1.1</u> Purpose and Use of the Plan</p> <p>20.5.1.3 <u>1.2</u> Vision</p> <p>20.5.1.4 <u>1.3</u> Principles of the Secondary Plan</p> <p>20.5.1.5 <u>1.4</u> Existing Approved Area Plans Specific Policy Areas</p>	S.20.5.1.1 and its heading are deleted to prevent the overlapping headings. All sections under this section are renumbered to appropriate numbers.
Introduction	20.5.1.1	The Southwest Area Secondary Plan applies to lands in the southwest part of the City of London, generally bounded by Southdale Road West, White Oak Road, Exeter Road, Wellington Road South, Green Valley Road and the Urban Growth Boundary identified on <u>Schedule “A” of the Official Plan Map 1 of The London Plan.</u>	Removal of reference to the 1989 Official Plan map schedule

Introduction	20.5.1.2	<p>[First paragraph] The purpose of the Secondary Plan is to establish a vision, principles and policies for the development of the Southwest Planning Area as a vibrant community in the city which incorporates a significant gateway into the city, elements of mixed-use development, an increased <u>increased</u> range and density of residential built form, sustainability, preservation of significant cultural heritage resources, walkability and high-quality urban design.</p>	<p>The typological error (“increased”) is fixed.</p> <p>Addition of a hyphen</p>
Introduction	20.5.1.2	<p>[Secondary paragraph] This Secondary Plan provides a greater level of detail than the general policies in <u>The London Plan</u>, the City of London Official Plan. The Southwest Area Secondary Plan is organized around identified Neighbourhoods. In addition to general and implementation policies related to future development, specific Southwest Planning Area-based land use designations and policies are defined for each Neighbourhood in Parts 20.5.6 <u>6.0</u> through 20.5.15 <u>15.0</u>. The Secondary Plan serves as a basis for <u>basis</u> for the review of planning <u>and development</u> applications which will be used in conjunction with the other policies of the Official Plan <u>The London Plan</u>.</p>	<p>Removal of references to the 1989 Official Plan and its Section 20</p> <p>The grammatical error (two “basis for”) is fixed.</p>
Introduction	20.5.1.2	<p>[Third paragraph] The goals, objectives, policies and schedules of the City’s Official Plan <u>maps of The London Plan</u> shall apply to all lands within the study area, except in instances where more detailed or alternative direction is provided in the Secondary Plan, in which case the Secondary Plan shall prevail unless otherwise specified in Section 20.5.1.5 <u>1.4</u> of this Plan.</p>	<p>Removal of references to the 1989 Official Plan Section 20 and map schedule</p>
Introduction	20.5.1.2	<p>[Final paragraph] All of the text and schedules of the Southwest Area Secondary Plan constitute Section 20.5 of the City of London Official Plan <u>part of The London Plan</u>. The Schedules form part of the Secondary Plan and have policy status, whereas other maps,</p>	<p>Removal of references to the 1989 Official Plan Section 20 and map schedules</p> <p>Removal of references to Appendices</p>

		tables, illustrations and photographs included in this Secondary Plan or its appendices are provided for graphic reference, illustration and information. For ease of reference, the revised Official Plan Schedules A, B-1, and C, Projected Population Growth map and table, Woodlot Evaluation table and patch evaluations, a <u>projected population and employment growth table</u> and a residential density and height table are included as appendices to this Plan.	attached in S. 20.5.17 (which is renumbered to S.17.0)
Introduction	20.5.1.3	[Fifth paragraph] This Plan recognizes the unique rural settlement of Brockley, located along Dingman Drive west of Wellington Road. The proposed policies of this Plan serve to protect the rural nature of the Brockley community by removing it from the Urban Growth Boundary and designating the lands as “ Rural Settlement <u>Rural Settlement-Neighbourhood</u> ”. Protective design and landscape enhancement measures have been incorporated in the Brockley Rural Settlement-Neighbourhood to mitigate the impact of new industrial development on the existing residential neighbourhood, as well as establishing a minimum 40 metre setback requirement from the settlement boundary for the location of any new industrial buildings and structures.	Removal of reference to the 1989 Official Plan land use designation (“Rural Settlement”)
Introduction	20.5.1.3	[Sixth paragraph] The existing industrial areas along Wonderland Road South and Exeter Road are identified in this Secondary Plan as “Transitional Industrial”.	There are no industrial areas along Wonderland Road South. This paragraph is amended by deleting this street.
Introduction	20.5.1.3	[Final paragraph] An approach to servicing and phasing for the southwest is proposed which recognises <u>recognizes</u> growth already planned for urban uses within currently approved Area Plans <u>the North Talbot Community Area and the Bostwick East Area</u> . Servicing for the southwest will be consistent with the servicing strategy for the city as a whole.	The typological error (“recognises”) is fixed. Removal of references to the 1989 Official Plan Area Plans Removal of reference to the

		The review of servicing will be completed as part of the 2014 Development Charges Study , and staging of development will be determined through the City's review of the Growth Management Implementation Strategy (GMIS).	2014 Development Charges Study as that work has been done and has been incorporated into the master plans and Development Charges
Introduction	20.5.1.4 i)	<u>Principle 1: Creation of a Diverse and Connected Community</u> Create inclusive, diverse and unique neighbourhoods that have a mix of uses and have a high level of connectivity for multi-modal transportation opportunities. <u>Objectives to achieve this principle are:</u>	The formatting approach for principles are amended to reflect more recent secondary plans' formatting.
Introduction	20.5.1.4 ii)	<u>Principle 2: A range of Housing Choices</u> Provide for a mix of housing types, densities and designs throughout each neighbourhood. <u>Objectives to achieve this principle are:</u>	The formatting approach for principles are amended to reflect more recent secondary plans' formatting.
Introduction	20.5.1.4 iii)	<u>Principle 3: A Competitive Place to Work and Invest</u> Provide for the growth of employment lands opportunities. <u>Objectives to achieve this principle are:</u>	The formatting approach for principles are amended to reflect more recent secondary plans' formatting.
Introduction	20.5.1.4 iv)	<u>Principle 4: A Green and Attractive Environment</u> Integrate the natural and built setting to distinguish the Southwest Planning Area as a high quality, master planned and protected environment. Achieve ecological sustainability in new development and re-development, with built forms having a minimal impact on the features and systems of the natural environment. <u>Objectives to achieve this principle are:</u>	The formatting approach for principles are amended to reflect more recent secondary plans' formatting.
Introduction	20.5.1.4 v)	<u>Principle 5: A Model of Sustainable Growth Management</u> Build sustainability into all aspects of the Southwest Planning Area's growth in an efficient and financially responsible manner. <u>Objectives to achieve this principle are:</u>	The formatting approach for principles are amended to reflect more recent secondary plans' formatting.

Introduction	20.5.1.5	Some areas of this Secondary Plan are also subject to existing Area Plans <u>Specific Policy Areas in <i>The London Plan</i></u> . If a conflict arises between the Secondary Plan policies and the existing Area Plan <u>site-specific policies of <i>The London Plan</i></u> , the Area Plan <u>specific policies of the Official Plan</u> shall prevail. This policy applies to those lands that were included in the North Talbot Community (Section 3.5.11), the Bostwick East Area Plan (Sections 3.5.17 and 10.1.3 cxix), and the North Longwoods Community (Section 10.1.3 ci).	Removal of reference to the Area Plans of the 1989 Official Plan and related Sections Addition of the reference to Specific Policy Areas
Community Structure Plan	20.5.2	20.5.2 <u>2.0</u>	S.20.5.2 on the top is renumbered to S. 2.0.
Community Structure Plan	20.5.2	20.5.2 Community Structure Plan	S. 20.5.2 and its heading are deleted to avoid repeated section and heading.
Community Structure Plan	20.5.2 iv)	the arterial roads <u>Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards, and Main Streets</u> shall serve as key organizing elements and shall generally experience a higher intensity of development than the interior portions of the Planning Area;	Removal of reference to the 1989 Official Plan road classification
Community Structure Plan	20.5.2 vii)	the function and feel of Main Street Lambeth as a pedestrian-oriented mixed-use village shall be maintained and enhanced as a focal area for the Community; and	Addition of a hyphen
General Policies	20.5.3	20.5.3.0 <u>3.0</u> 20.5.3.1 <u>3.1</u> Housing 20.5.3.2 <u>3.2</u> Sustainable/Green Development 20.5.3.3 <u>3.3</u> Neighbourhood Central Activity Nodes 20.5.3.4 <u>3.4</u> Community Parkland and Trail Network 20.5.3.5 <u>3.5</u> Parkland Dedication 20.5.3.6 <u>3.6</u> Natural Heritage 20.5.3.7 <u>3.7</u> Community Facilities 20.5.3.8 <u>3.8</u> Transportation 20.5.3.9 <u>3.9</u> Urban Design	S. 20.5.3 on the top is renumbered to S. 3.0. All sections under this section are renumbered to appropriate numbers.
General Policies	20.5.3.1 i) a)	where appropriate, density bonusing will be considered for proposals that have an affordable housing component above 25% of the total dwelling count in any one development;	Removal of reference to density bonusing

General Policies	20.5.3.1 ii)	The City may pre-zone specific areas of the Multi-Family , Medium Density Residential designation to permit small-scale nursing homes, homes for the aged, rest homes, and continuum-of-care facilities. These zones should be located within, or in close proximity, to the Wonderland Boulevard Neighbourhood or the areas of intensive residential development set out in Section 20.5.4.1 iv) <u>policy 4.1 iv)</u> of this Plan. Permitted uses in such areas may be restricted to ensure the development of such facilities within the Southwest Planning Area.	Removal of references to the 1989 Official Plan land use designation and Section 20
General Policies	20.5.3.2 ii) a)	in new buildings and in draft plans of subdivision, green technologies to address the criteria for sustainable development set out in Section 20.5.3.2 i) <u>policy 3.2 i)</u> ;	Removal of reference to Section 20 of the 1989 Official Plan
General Policies	20.5.3.3 iii) a) to iii)	[First paragraph] Central Activity Nodes shall be located as shown on the Neighbourhood Land Use Schedule for the respective residential neighbourhood, or alternatively, generally located at the intersection of two collector roads <u>Neighbourhood Connectors</u> internal to the residential neighbourhood.	Removal of reference to the 1989 Official Plan road classification There is only one clause (a) which should be removed.
General Policies	20.5.3.3 iii) a) to iii)	[Second paragraph] The Central Activity Node in this Neighbourhood may be located at the intersection of a secondary collector road and a local road <u>Neighbourhood Connector and a Neighbourhood Street</u> .	Removal of references to the 1989 Official Plan road classifications
General Policies	20.5.3.4	[First paragraph] Four distinct types of open space described in Section 20.5.4.3 <u>4.3</u> of this Plan will encompass or contribute to the provision of such uses as sports fields, playgrounds and other active recreational amenities, pathways and trails, and gathering and resting places.	Removal of reference to Section 20 of the 1989 Official Plan
General Policies	20.5.3.4	[Second paragraph] Section 16 of the Official Plan <u>The Parks and Recreation chapter of <i>The London Plan</i></u> contains the policies and provisions for parkland and recreational services in the City of London. Specifically, they identify the park hierarchy system and the various attributes of each park type. In addition to Section 16 <u>the</u>	Removal of reference to 1989 Official Plan Section 16

		<u>Parks and Recreation chapter, the following policies apply:</u>	
General Policies	20.5.3.4 i) e)	The alignment of pathways and trails within Environmentally Significant Areas shall be consistent with the <i>Trails in ESAs Design Standards – City of London City’s Planning and Design Standards for Trails in Environmentally Significant Areas.</i>	Consistency with reference to the standards referenced in the London Plan
General Policies	20.5.3.4 ii) d)	In accordance with the <i>City of London Parks and Recreation Master Plan</i>, a future community centre will be located within the boundaries of the Southwest Planning Area. The community centre will also serve a neighbourhood function in one of the neighbourhoods west of Wonderland Road South. Council will undertake a separate site selection process to determine the appropriate location for the facility.	The City opened the Bostwick Community Centre, YMCA and Library in 2018 (located west of Wonderland Rd South). No new community centre is expected according to the Master Plan.
General Policies	20.5.3.5	In addition to the Parkland Conveyance & Levy By-law, the parkland dedication policies of Section 16.3.2. of the Official Plan <u>Parkland Acquisition and Dedication section in Our Tools part of <i>The London Plan</i></u> shall apply together with the following policies:	Removal of reference to 1989 Official Plan Section 16.3.2
General Policies	20.5.3.5 i)	The public components of the Community Parkland identified in Section 20.5.3.4 3.4 , and/or shown as Open Space on Schedules 5 through 17 of this Secondary Plan, may be dedicated to the City for public park purposes pursuant to the <u>Methods of Acquisition</u> prescribed in Chapter 16 of the Official Plan <u>the Parkland Acquisition and Dedication section in the Our Tools part of <i>The London Plan</i>.</u>	The typological error (“Aquisition”) is fixed. Removal of references to 1989 Official Plan Section 20 and Chapter 16
General Policies	20.5.3.5 ii)	To address the ongoing property management of the parkland components listed in Section 20.5.3.4 3.4 , an analysis of funding sources shall be undertaken by Council to identify such measures as condominium ‘common element’ fees, and other suitable mechanisms to ensure a viable and sustainable source of funding.	Removal of reference to Section 20 of the 1989 Official Plan
General Policies	20.5.3.6	[First paragraph]	Removal of references to the

		A Draft eComprehensive Natural Heritage Study was completed as part of the Secondary Plan process. The natural heritage system components of the Draft Natural Heritage Study have been incorporated into the Official Plan Schedules A and B-1 Maps 1 and 5 of <i>The London Plan</i> and are also incorporated into the Schedules of the Southwest Area Plan.	1989 Official Plan map schedules
General Policies	20.5.3.6	[Second paragraph] In addition to the policies of Section 15 of the Official Plan the <u>Environmental Policies part of <i>The London Plan</i></u> , the following policies apply:	Removal of reference to 1989 Official Plan Section 15
General Policies	20.5.3.6 i) b)	An ecological buffer will be established along each side of Dingham <u>Dingman</u> Creek based upon the recommendations of an approved Environmental Impact Study (EIS) in accordance with Section 15 of the Official Plan the <u>Environmental Policies part of <i>The London Plan</i></u> .	The typological error (“Dingham”) is fixed. Removal of reference to 1989 Official Plan Section 15
General Policies	20.5.3.6 i) c)	[First paragraph] Natural Heritage Features other than the Dingman Creek, which are identified on Schedule B-1 of the Official Plan <u>Map 5 of <i>The London Plan</i></u> will be confirmed and/or delineated through the recommendations of an approved Environmental Impact Study in accordance with Section 15 of the Official Plan the <u>Environmental Policies part of <i>The London Plan</i></u> .	Removal of references to the 1989 Official Plan map schedules and Section 15
General Policies	20.5.3.6 i) c)	[Second paragraph] Ecological buffers will be established for Natural Heritage Features based upon the recommendations of an approved Environmental Impact Study (EIS) in accordance with section 15 of the Official Plan the <u>Environmental Policies part of <i>The London Plan</i></u> .	Removal of reference to 1989 Official Plan Section 15 Addition of a period
General Policies	20.5.3.6 i) d)	[First paragraph] Where development occurs within distances adjacent to natural heritage features that trigger the need for an Environmental Impact Study (EIS) as set out in Table 15-1 of the Official Plan <u>Table 13 of <i>The London Plan</i></u> , an EIS will be scoped to confirm and delineate the natural feature, to determine the appropriate ecological buffer and to provide	Removal of reference to 1989 Official Plan Table 15-1

		details on the Open Space system and naturalization opportunities to integrate the system with the adjacent features to be protected.	
General Policies	20.5.3.6 i) d)	[Final paragraph] Where the limits of Natural Hazards shown on Schedule B-2 <u>Map 6 of <i>The London Plan</i></u> exceed the identified corridor or buffer widths for natural heritage features, the development limit shall be established at the hazard limit.	Removal of reference to the 1989 Official Plan map schedule
General Policies	20.5.3.6 i) e)	Lands delineated as ecological buffers pursuant to Subsection 20.5.3.6 i) b) <u>policy 3.6 i) b)</u> and c) may be acquired by the City pursuant to Section 16 of the Official Plan <u>the Parks and Recreation chapter of <i>The London Plan</i></u> .	Removal of references to 1989 Official Plan Sections 16 and 20
General Policies	20.5.3.6 iii) b)	Wherever possible, enhanced tree planting will be encouraged in exterior side yards along local streets <u>neighbourhood streets</u> .	Removal of reference to the 1989 Official Plan road classification
General Policies	20.5.3.6 iii) e)	Encourage the use of large stock tree-planting for development adjacent to arterial roads <u>Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards, and Main Streets</u> . The use of planting technologies and standards to provide for long term and sustainable growth is encouraged.	Removal of reference to the 1989 Official Plan road classification The grammatical error is fixed by adding "of".
General Policies	20.5.3.6 iv) a)	Recommendations arising out of a Municipal Environmental Assessment Study for lands within the Secondary Plan shall be incorporated into development plans, and will be subject to more detailed review in compliance with the policies of Chapter 15 of the Official Plan <u>the Environmental Policies part of <i>The London Plan</i></u> if the facilities are proposed to be located within or adjacent to components of the natural heritage system. Development of the SWAP lands shall also be consistent with the policies of Section 17.6 of the Official Plan <u>the Storm Drainage And Stormwater Management policies in the Civic Infrastructure chapter of <i>The London Plan</i></u> . The following site-specific policies shall also apply for on-site design:	Removal of references to 1989 Official Plan Sections 15 and 17.6 Addition of a hyphen
General Policies	20.5.3.6 iv) a)	[First bullet]	Capitalization of the first letter for

		<p>1. ¶ To reduce the extent of impervious cover, storm drainage and stormwater management techniques such as alternative roadside drainage techniques, pervious paving, enhanced use of vegetation cover, and/or the adoption of other practices to decrease the extent of impervious cover will be encouraged, wherever feasible and appropriate; and</p>	<p>consistency with the other bullet</p> <p>The bullet is related with an appropriate number.</p>
General Policies	20.5.3.6 iv) a)	<p>[Final bullet]</p> <p>2. Any proposed channel or watercourse restoration, rehabilitation or enhancement work within the defined Dingman Creek corridor will be subject to Section 15.1 of the Official Plan <u>the Environmental Policies part of <i>The London Plan</i></u> to demonstrate no negative impact on ecosystem features and ecological functions, Sections 15.4.6 iii) and 15.3.7 (d) <u>and</u> for management and rehabilitation priorities to achieve an environmental benefit, and the regulations of the Conservation Authority.</p>	<p>Removal of references to 1989 Official Plan Section 15</p> <p>The bullet is related with an appropriate number.</p>
General Policies	20.5.3.7	<p>[First paragraph]</p> <p>Community F facilities, such as schools and churches <u>places of worship</u>, will be encouraged to be located in Neighbourhood Central Activity Nodes, and to serve as a focal point of the neighbourhood.</p>	<p>Un-capitalization of the first letter of “facilities”</p> <p>Addition of a more inclusive term “places of worship” to avoid “churches” which is not inclusive of other religions</p>
General Policies	20.5.3.7	<p>[Secondary paragraph]</p> <p>One school board, the Conseil Scolaire Viamonde, has identified a possible need for a school site within the planning area, specifically in the Bostwick, North Longwoods, or Central Longwoods Neighbourhood. This Board has identified a need to acquire a site with an area of two (2) hectares (5 acres), at the intersection of two collector roads <u>Neighbourhood Connectors</u>, or at the intersection of an arterial road and collector road <u>a Neighbourhood Connector and an Urban Thoroughfare, Civic Boulevard or Main Street</u>.</p>	<p>Removal of references to the 1989 Official Plan road classifications</p>
General Policies	20.5.3.7	<p>[Final paragraph]</p> <p>Churches <u>Places of worship</u> and other institutional <u>small-scale</u></p>	<p>Clarification Limited institutional uses</p>

		community facilities are a permitted use within the residential land use designations.	(community facilities) are permitted within the Neighbourhoods Place Type. Addition of a more inclusive term “places of worship” rather than “churches”
General Policies	20.5.3.8	The transportation network within this Plan consists of Arterial, Primary and Secondary Collector roads <u>Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards, Main Streets, and Neighbourhood Connectors.</u> Local Streets <u>Neighbourhood Streets</u> may connect to appropriately designed arterial roads <u>Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards, and Main Streets</u> to provide new connections to the community neighbourhoods. The local <u>neighbourhood</u> street pattern will provide an organizing structure for each of the Neighbourhood areas. In addition to Section 11 of the Official Plan <u>the City Design chapter of <i>The London Plan</i></u> , the Transportation policies specific to the Neighbourhood areas, and the applicable urban design policies in Section 20.5.3.9 <u>3.9</u> of this Plan, the following policies shall apply:	Removal of references to the 1989 Official Plan road classifications and Sections 11 and 20
General Policies	20.5.3.8 i) e)	Special design treatments shall be implemented in appropriate locations, on local and secondary collector streets <u>Neighbourhood Connectors and Neighbourhood Streets</u> , to slow or restrict traffic movements and place a priority on pedestrian movements.	Removal of references to the 1989 Official Plan road classifications
General Policies	20.5.3.8 i) f)	At the subdivision and/or site plan application stage, where applicable, the Owner shall convey and construct the Primary and/or Secondary Collector roads <u>Neighbourhood Connectors</u> , identified on Schedule C of the Official Plan <u>Map 3 of <i>The London Plan</i></u> , to ensure future opportunities for connectivity between neighbourhoods.	Removal of references to the 1989 Official Plan road classifications and map schedule
General Policies	20.5.3.8 i)	[Final paragraph]	Removal of reference to the

		The City may enter into an encroachment agreement with the property owner for the use of a local <u>neighbourhood street</u> right-of-way in advance of its development as a local-street <u>neighbourhood street</u> . The property owner may enter an agreement with the City to convey a future local-street <u>neighbourhood street</u> right-of-way when it is required for road development.	1989 Official Plan road classification
General Policies	20.5.3.8 ii) a)	Public road access to Bradley Avenue and Pack Road shall be restricted to one road connection approximately mid-block between each set of intersecting arterial roads <u>Urban Thoroughfares and Civic Boulevards</u> , provided a minimum separation distance between intersections of 200 metres can be reasonably achieved. Access to local or collector roads <u>Neighbourhood Streets or Neighbourhood Connectors</u> at these locations shall have restricted turning movements.	Removal of references to the 1989 Official Plan road classifications
General Policies	20.5.3.8 iv) a)	As the primary gateway to Central London from the 400 series Highways, Wonderland Road South will be developed to fulfill the two functions of this major transportation corridor: a major arterial <u>an Urban Thoroughfare</u> designed to carry high volumes of traffic in a safe and efficient manner, and as a major gateway and arrival corridor into the city. Wonderland Road South will serve as the spine of the Southwest Area, and will link both the existing and newly developing neighbourhoods within the area to one another and to the rest of the city. For these reasons, a high design standard, including landscaping, medians, opportunities for on-street parking and bicycle lanes, and local street connections may be provided within a widened road allowance. A Municipal Class Environmental Assessment shall be conducted to determine the arterial road <u>Urban Thoroughfare</u> cross section for the Wonderland Road South corridor. Recommendations and design requirements arising out of the	Removal of references to the 1989 Official Plan road classifications and Section 20

		Municipal Class Environmental Assessment will be incorporated into road development. Building setbacks and design elements, as set out in Section 20.5.3.9 <u>3.9</u> of this Plan, may relate to this design to provide an effective interface between the public and private realms.	
General Policies	20.5.3.9	This area is also the first contact that visitors from the <u>Highways</u> 402 and 401 will have with the City of London.	The word "Highway" replaces "the" for clarification.
General Policies	20.5.3.9 i) a)	All development, particularly in the Wonderland Boulevard, Lambeth Village Core, Neighbourhood Central Activity Nodes and residential areas, shall be designed in a form that is to be compact, pedestrian-oriented and transit-friendly. Mixed-use development will be encouraged in the areas of Wonderland Boulevard, Lambeth Village Core and the Neighbourhood Central Activity Nodes.	Addition of hyphens
General Policies	20.5.3.9 ii)	Section 20.5.3.8 <u>3.8</u> of this Plan provides detailed direction with respect to the design of typical streets, while Urban Design Guidelines may be prepared to give direction for public frontages and other design treatments.	Removal of reference to Section 20 of the 1989 Official Plan
General Policies	20.5.3.9 ii) a) New 3.9 ii) a) 1	[First bullet] 1. Arterial Roads Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards and Main Streets <u>Arterial/Transit Corridors Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards, and Main Streets</u> are high-capacity roads which serve as both a major entry way into the Planning area and the city as a whole, along with being a route through the Planning Area to other parts of the city.	Removal of reference to the 1989 Official Plan road classification Addition of a hyphen The bullet is relaced with an appropriate number.
General Policies	20.5.3.9 ii) a) New 3.9 ii) a) 2	[Second bullet] 2. Primary and Secondary Collector Roads <u>Neighbourhood Connectors</u> The collector roads <u>Neighbourhood Connectors</u> connect neighbourhoods together, along with connecting these neighbourhoods to Wonderland Boulevard, the Lambeth Village Core, Neighbourhood Central Activity Nodes and other major focal	Removal of reference to the 1989 Official Plan road classifications The bullet is replaced with an appropriate number.

		points of the community. These roads <u>Neighbourhood Connectors</u> will have a higher level of design than <u>Local Streets</u> <u>Neighbourhood Streets</u> through the extended use of tree and feature planting, paving, lighting and signage design.	
General Policies	20.5.3.9 ii) a) New 3.9 ii) a) 3	[Third bullet] •3. Local Streets <u>Neighbourhood Streets</u> Local streets <u>Neighbourhood Streets</u> play a dual role as neighbourhood socialization spaces, as well as supporting transportation needs. The design requirements, while less substantial than for arterial and collector streets <u>Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards, Main Streets and Neighbourhood Connectors</u> , must support the dual role of local streets <u>Neighbourhood Streets</u> .	Removal of references to the 1989 Official Plan road classifications The bullet is replaced with an appropriate number.
General Policies	20.5.3.9 ii) a) New 3.9 ii) a) 4	[Fourth bullet] •4. Lanes/Window Streets [Second sub-bullet] • To maximize safety and security; <u>and</u> .	Addition of “and,” The bullet is replaced with an appropriate number.
General Policies	20.5.3.9 ii) b)	•1. Residential streets with less than ten dwelling units or cul-de-sacs, where sidewalks shall be required on only one side of the street; <u>and</u> , •2. Lanes, where no sidewalks shall be required; <u>and</u> .	Bullets (•) are replaced with numbers to reflect the formatting approach of more recent secondary plans and the London Plan and facilitate easier references to these policies. Punctuation errors
General Policies	20.5.3.9 ii) e)	Rear lotting is not permitted along the arterial roads <u>Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards, and Main Streets</u> in the Southwest Area Plan.	Removal of reference to the 1989 Official Plan road classification
General Policies	20.5.3.9 iii) c)	Buildings on corner lots at the intersections of arterial and collector roads <u>Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards, Main Streets, and Neighbourhood Connectors</u> shall be sited and massed toward the intersection.	Removal of references to the 1989 Official Plan road classifications
General Policies	20.5.3.9 iii) g)	[Seventh bullet] •7. provision of pedestrian walkways adjacent to stores,	Addition of “and”

		between building clusters, and to provide pedestrian access to transit stops, public sidewalks and adjacent developments. These walkways may need to cross parking lots to provide the required access; <u>and,</u>	
General Policies	20.5.3.9 iii) h)	All commercial and office development proposals shall demonstrate safe, effective and accessible pedestrian, and bicycle, and transit-oriented transportation linkages from residential areas, and between and within these developments.	Addition of hyphens
General Policies	20.5.3.9 iii) j)	[First bullet through final bullet] 1. <u>D</u> evelopment is to be integrated in the streetscape utilizing quality and varied built forms and by minimizing parking facilities and other hardstand areas along the street frontage; 2. <u>P</u> arking within the front yard is discouraged. Preferably, parking should be located behind and/or at the side of the building. 3. <u>G</u> arbage holding areas, and loading and servicing areas shall be designed as an integral part of the development on each site. It is preferred that loading bays be entirely contained within buildings. Where it is not possible to internalize loading and servicing areas, external loading and servicing areas will be fully screened from view. The garbage holding area facility is to be fully screened from public view and is to be located clear of all landscaped areas, driveways, turning areas, truck standing areas and car parking spaces. 4. <u>T</u> he siting of buildings is to spatially define the street, provide high quality active frontages and provide opportunities for landscape planting in order to improve the visual quality of the streetscape; 5. <u>A</u> ll major rooftop or exposed structures including lift motor rooms, plant rooms, etc., together with air conditioning, satellite dishes, ventilation and exhaust systems, should be suitably screened and integrated with the building. Parapets can help in screening such services; 6. <u>B</u> uilding facades are to be of a simple modern architectural	Capitalization of the first letter of the word at the beginning of each clause Punctuation (removal of the semicolons, addition of periods, a comma before “etc.”, and “and.”)

		style and include a variety of material types that reflect the industrial character of the street; 7. w Where large areas of car parking are proposed (in excess of 20 spaces) at the side or rear of the building, 'garden bays' comprising vegetated landscaped areas and/or landscape trees with grass areas, are encouraged at regular intervals in order to soften the appearance of these areas and to provide shade during summer.	
General Land Use Policies	20.5.4	20.5.4 <u>4.0</u> 20.5.4.1 <u>4.1</u> Residential 20.5.4.2 <u>4.2</u> Institutional 20.5.4.3 <u>4.3</u> Open Space	S. 20.5.4 is renumbered to S. 4.0. All sections under this section are renumbered to appropriate numbers.
General Land Use Policies	20.5.4.1 i)	Planning applications to reduce the specified minimum residential density of these areas may be considered in accordance with policy 20.5.16.4 (v) <u>16.4 v</u> .	Removal of reference to 1989 Official Plan S. 20. S.20.5.16.4 is renumbered to 16.3. (See changes to S. 20.5.16.3 below)
General Land Use Policies	20.5.4.1 ii)	Medium Density Residential designations and Transitional Industrial designations along parts of the arterial road <u>Urban Thoroughfare, Civic Boulevard, Rapid Transit Boulevard, and Main Street</u> network, and the Residential designation within the Wonderland Boulevard Neighbourhood, will provide for higher than the traditional densities found in traditional suburban neighbourhoods.	Removal of reference to the 1989 Official Plan road classification
General Land Use Policies	20.5.4.1 iii) a)	<u>Access to Arterial Roads Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards and Main Streets</u> The primary transit network is expected to be provided on the arterial roads <u>Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards, and Main Streets</u> . For all Draft Plan of Subdivision, Consent and Site Plan applications that include land within 400 metres of an arterial road <u>Urban Thoroughfare, Civic Boulevard, Rapid Transit Boulevard or Main Street</u> , the requirements for a complete	Removal of references the 1989 Official Plan road classification

		application shall include the submission of a plan that demonstrates the provision of viable, safe and effective pedestrian linkages to the arterial road <u>Urban Thoroughfare, Civic Boulevard, Rapid Transit Boulevard or Main Street</u> , to provide pedestrian access to potential future transit services. Public streets are preferred, however, pathway connections may be considered on a case-specific basis.	
General Land Use Policies	20.5.4.1 iii) b)	Public road, private vehicular, and pedestrian access to Bradley Avenue shall be in accordance with the Transportation policies in Section 20.5.3.8 ii) <u>policy 3.8 ii)</u> of this Plan.	Removal of reference to 1989 Official Plan Section 20
General Land Use Policies	20.5.4.1 iii) c)	Along all arterial, primary and secondary collector roads <u>Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards, Main Streets and Neighbourhood Connectors</u> , a variety of townhouse forms is encouraged, including 2-storey townhouses, 3-storey townhouses and stacked townhouses.	Removal of references to the 1989 Official Plan road classifications Addition of hyphens
General Land Use Policies	20.5.4.1 iv)	Residential Development Intensity Adjacent to Arterial Roads <u>Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards and Main Streets</u>	Removal of reference to the 1989 Official Plan road classification in the heading
General Land Use Policies	20.5.4.1 iv) a)	[First paragraph] It is intended that arterial roads <u>Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards, and Main Streets</u> can serve as significant routes for public transit services. Specific policies apply along portions of the arterial <u>Urban Thoroughfare, Civic Boulevard, Rapid Transit Boulevard, and Main Street</u> network that are intended to focus intense, medium density housing forms along transit-oriented corridors, consistent with the Province of Ontario <i>Transit Supportive Guidelines</i> .	Removal of references to the 1989 Official Plan road classification
General Land Use Policies	20.5.4.1 iv) a)	[Final paragraph] It is important that residential development along arterial road corridors <u>Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards, and Main Streets</u> provides opportunities that are designed to create linkages between the Community's interior	Removal of references to the 1989 Official Plan road classification

		<p>and the arterial roads <u>Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards, and Main Streets</u> to provide access to the major transportation corridors and to be active, attractive and safe for pedestrian users. Rear lotting of free-hold lots, and building orientation within multi-family blocks that presents the backs of buildings to the arterial roads <u>Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards, and Main Streets</u> shall be avoided along arterial road <u>Urban Thoroughfare, Civic Boulevard, Rapid Transit Boulevard, and Main Street</u> streetscape. High quality landscaping in combination with street-oriented built form, are the key elements required to ensure functionality and appearance of arterial road <u>Urban Thoroughfare, Civic Boulevard, Rapid Transit Boulevard, and Main Street</u> streetscapes as pedestrian-friendly transit-oriented corridors.</p>	
General Land Use Policies	20.5.4.1 iv) b)	<p>Development along the arterial road corridors <u>Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards, and Main Streets</u> will include street-oriented and higher intensity housing forms such as stacked townhouses and low-rise apartment buildings. However, to encourage a diverse and interesting streetscape, built forms that are traditionally less intensive may also be permitted, provided minimum density targets are met. Arterial road <u>Urban Thoroughfare, Civic Boulevard, Rapid Transit Boulevard, and Main Street</u> boulevards will provide opportunities for landscaping, street trees and furniture, to create a vibrant urban context.</p>	Removal of references to the 1989 Official Plan road classification
General Land Use Policies	20.5.4.1 iv) c)	<p>This policy area is intended to provide for transit-oriented, low-rise to mid-rise residential development at a slightly higher intensity than is typical for medium density development, providing for development at suitable densities to support transit along the arterial road <u>Urban Thoroughfare, Civic Boulevard, Rapid Transit</u></p>	Removal of reference to the 1989 Official Plan road classification

		<u>Boulevard, and Main Street network.</u>	
General Land Use Policies	20.5.4.1 iv) e)	<p>[Second bullet] A residential density exceeding 100 units per hectare (up to 120 units per hectare) may be permitted through a site-specific zoning by-law amendment, site plan application, and associated urban design review.</p> <ul style="list-style-type: none"> • e <u>C</u>onformity with the policies of Section 11.1 of the Official Plan the City Design chapter of <i>The London Plan</i> and this Secondary Plan shall be demonstrated through the preparation of a concept plan of the site that exceeds the prevailing densities for the planning area; • p <u>P</u>arking facilities shall be designed to minimize the visual impact from adjacent properties and the public realm and provide for enhanced amenity and recreation areas for the residents of the development; • b <u>B</u>uildings shall be located close to the street and designed to be street-oriented such that the functional front and main entrances to the building face the street; • s <u>S</u>ubdivisions and site plans shall provide for safe and accessible pedestrian connections for the public between the arterial road <u>Urban Thoroughfare, Civic Boulevard, Rapid Transit Boulevard or Main Street</u> and the interior of the adjacent neighbourhoods, which are integrated into the design and function of the site; and; • s <u>S</u>ubdivisions and site plans shall provide for an enhanced pedestrian environment adjacent to the arterial road <u>Urban Thoroughfare, Civic Boulevard, Rapid Transit Boulevard or Main Street</u>. 	<p>Removal of references to the 1989 Official Plan Section 11 and road classifications</p> <p>Addition of hyphens in the 1st paragraph and the 3rd sub-bullet</p> <p>Capitalization of the first letter of the word at the beginning of each sub-bullet</p> <p>Removal of semicolons and addition of periods</p>
General Land Use Policies	20.5.4.1 v)	<p>Applications to expand the Medium Density Residential designation applicable to portions of the arterial road <u>Urban Thoroughfare, Civic Boulevard, Rapid Transit Boulevard, and Main Street</u> network will be evaluated using all of the policies of this Secondary Plan. It is not intended that this policy will be applied within the internal</p>	<p>Removal of references to the 1989 Official Plan road classification</p>

		portions of the Neighbourhoods, and any expansions or additions to the areas affected by this policy shall be adjacent to, and have exposure to, an arterial road <u>Urban Thoroughfare, Civic Boulevard, Rapid Transit Boulevard or Main Street</u> on which transit service is to be provided.	
General Land Use Policies	20.5.4.2	The <u>Institutional Place Type</u> policies of the Official Plan <u>The London Plan</u> shall apply to all Institutional designations.	Removal of reference to the 1989 Official Plan
General Land Use Policies	20.5.4.3 ii) d)	Stormwater Management – Subject to Sections 15.3.3 and 17.6 of the Official Plan <u>the Infrastructure policies in the Natural Heritage chapter and the Storm Drainage and Stormwater Management policies in the Civic Infrastructure chapter of The London Plan</u> , stormwater management facilities may be located adjacent to, or within the natural heritage system and shall be integrated into their environment.	Removal of references to the 1989 Official Plan Sections 15.3.3 and 17.6
Neighbourhoods	20.5.5	20.5.5 <u>5.0 Neighbourhoods and Land Uses</u>	S. 20.5.5 on the top is renumbered to S. 5.0.
Neighbourhoods	20.5.5	20.5.5 Neighbourhoods and Land Uses	S. 20.5.5 and its heading are deleted to avoid repeated section and heading.
Neighbourhoods	20.5.5	[First paragraph] Parts 20.5.6 <u>6.0</u> through 20.5.15 <u>15.0</u> of this Plan contain Schedules showing the Secondary Plan Land Use Designations for the applicable Neighbourhoods, along with special policies pertaining specifically to the Land Use Designations within that Neighbourhood. Neighbourhoods that are similar in nature and have similar special policies, have been grouped together in one Part. These Parts are to be read in conjunction with the remainder of this Secondary Plan and with the relevant policies of the City of London Official Plan <u>The London Plan</u> .	Removal of references to the 1989 Official Plan and its Section 20
Neighbourhoods	20.5.5 x)	Brockley Rural Settlement	Removal of reference to the 1989 Official Plan land use designation

Wonderland Boulevard Neighbourhood	20.5.6	20.5.6 <u>6.0</u>	S. 20.5.6 on the top is renumbered to S. 6.0.
Wonderland Boulevard Neighbourhood	20.5.6	20.5.6 Wonderland Boulevard Neighbourhood 20.5.6.1 <u>6.1</u> Wonderland Road Community Enterprise Corridor 20.5.6.2 <u>6.2</u> Low Density Residential 20.5.6.3 <u>6.3</u> Medium Density Residential 20.5.6.4 <u>6.4</u> High Density Residential for Lands North of Exeter Road 20.5.3.5 <u>6.5</u> 17 and 31 Exeter Road	S. 20.5.6 and its heading are deleted to avoid repeated section and heading. All sections under this section are renumbered to appropriate numbers.
Wonderland Boulevard Neighbourhood	20.5.6 i)	[First paragraph] The centrepiece of the Wonderland Boulevard Neighbourhood is Wonderland Road South, which is the primary north/south arterial corridor functioning as a gateway into the city from Highways 401 and 402, and as a focal area which will create the identity for the broader Southwest Secondary Planning Area.	Removal of reference to the 1989 Official Plan road classification
Wonderland Boulevard Neighbourhood	20.5.6 ii)	[Second paragraph] The corridor design provides opportunities for pedestrian-scale, street-oriented land use development along a suburban transit corridor.	Addition of a hyphen
Wonderland Boulevard Neighbourhood	20.5.6.1 i)	[Final paragraph] It is not intended that the specific location of commercial uses be identified within this designation, however, such uses shall be encouraged to locate in mixed-use developments over time with the opportunity to incorporate office and/or residential uses.	Addition of a hyphen
Wonderland Boulevard Neighbourhood	20.5.6.1 ii)	[Second paragraph] In addition to the office uses that are permitted in accordance with the “Office Area” policies of the Official Plan <u>offices uses permitted in the Shopping Area Place Type</u> , research, development and information processing establishments and businesses with a mobile sales-based workforce requiring access to the provincial highway system shall be permitted. Secondary uses permitted in Office Areas <u>Uses as accessory to offices, including eat-in restaurants, financial institutions, personal</u>	Removal of reference to the 1989 Official Plan land use designation

		<u>services, day care centres, pharmacies, laboratories and clinics shall not be permitted.</u>	
Wonderland Boulevard Neighbourhood	20.5.6.1 iii)	iii) Development Pattern/Local Street Neighbourhood Street Connections In order to establish an organizing structure for the present and future development for lands within the "Wonderland Road Community Enterprise Corridor" the policies in 20.5.3.8 i) j) <u>policy 3.8 i) j)</u> shall apply.	Removal of references to the 1989 Official Plan road classification and Section 20
Wonderland Boulevard Neighbourhood	20.5.6.1 iii)	[Secondary paragraph] Local street Neighbourhood Street rights-of-way may be dedicated for any development or redevelopment within the Wonderland Road Community Enterprise Corridor.	Removal of reference to the 1989 Official Plan road classification
Wonderland Boulevard Neighbourhood	20.5.6.1 v) b)	Standard m Maximum heights shall not exceed four storeys. Bonus Zoning beyond this limit, up to <u>Upper maximum height of six storeys may be permitted through a site-specific zoning by-law amendment.</u>	Removal of reference to Bonus Zoning
Wonderland Boulevard Neighbourhood	20.5.6.1 v) c)	Residential development shall occur at a minimum density of 30 units per hectare and a maximum density of 75 units per hectare. Bonus Zoning beyond this limit, up to 100 units per hectare, may be permitted. <u>A residential density exceeding 75 units per hectare (up to 100 units per hectare) may be permitted through a site-specific zoning by-law amendment.</u>	Removal of reference to Bonus Zoning
Wonderland Boulevard Neighbourhood	20.5.6.1 v) d)	Office development for the entire Wonderland Road Community Enterprise Corridor shall not exceed 20,000m ² , excluding S small-scale S service O offices and M medical/ D dental O offices, and each building shall not exceed a maximum gross floor area of 2,000m ² .	Un-capitalization of the first letter of each capitalized word Addition of a hyphen
Wonderland Boulevard Neighbourhood	20.5.6.1 vi) a)	Permitted uses are encouraged in mixed-use developments or buildings.	Addition of a hyphen
Wonderland Boulevard Neighbourhood	20.5.6.1 vi) c)	However, where large-scale stores are permitted, given that they are often not conducive to a pedestrian-oriented street setting, design alternatives to address this issue will be utilized. These may include locating these stores in the interior of a commercial or mixed-use development block with small-scale stores and other	Addition of hyphens

		buildings oriented to the surrounding major roads to create a strong street presence.	
Wonderland Boulevard Neighbourhood	20.5.6.1 vi) d)	The Urban Design policies of Section 20.5.3.9 <u>3.9</u> of this Plan shall apply.	Removal of reference to S. 20 of the 1989 Official Plan
Wonderland Boulevard Neighbourhood	20.5.6.2 iii) c)	The Urban Design policies of Section 20.5.3.9 <u>3.9</u> , and the General Residential policies of Section 20.5.4.1 <u>4.1</u> of this Plan shall apply.	Removal of references to S. 20 of the 1989 Official Plan
Wonderland Boulevard Neighbourhood	20.5.6.3 ii)	The primary p Permitted uses in the Multi-family, Medium Density Residential designation of the Official Plan will be permitted, <u>including include multiple-attached dwellings, such as townhouses or cluster houses, low-rise apartment buildings, rooming and boarding houses, emergency care facilities, converted dwellings, small-scale nursing homes, rest homes, homes for the aged, and triplex and fourplex dwellings,</u> and with the exception of s Single detached, duplex and semi-detached dwellings <u>will not be permitted.</u> Convenience commercial uses, and secondary permitted uses allowed in the Multi-family, Medium Density Residential designation of the Official Plan <u>group homes, home occupations, community facilities, funeral homes, commercial recreation facilities, small-scale office developments, and office conversions</u> shall not be permitted within these areas.	Removal of reference to the 1989 Official Plan land use designation
Wonderland Boulevard Neighbourhood	20.5.6.3 iii) c)	The Urban Design policies of Section 20.5.3.9 <u>3.9</u> and the General Residential policies of Section 20.5.4.1 <u>4.1</u> of this Plan shall apply.	Removal of references to S. 20 of the 1989 Official Plan
Wonderland Boulevard Neighbourhood	20.5.6.3 iii) d)	A residential density exceeding 75 units per hectare (up to 100 units per hectare) may be permitted through a site-specific zoning by-law amendment and site plan application. Urban design review shall be required. A request for an increase in density shall also be subject to the following criteria: [First and third bullet] 1. <u>1.</u> † The development is to be designed and occupied for seniors housing, or shall include provision for unique attributes	Addition of a hyphen Remove of reference to 1989 Official Plan Section 11.1 Capitalization of the first letter of the word at the beginning of the 1 st bullet

		and/or amenities that may not normally be provided for in medium density projects having a public benefit, such as, but not limited to, enhanced open space and recreational facilities, innovative forms of housing and architectural design features; 3. Conformity with the policies of Section 11.1 of the Official Plan the City Design chapter of <i>The London Plan</i> and this Plan shall be demonstrated through the preparation of a concept plan of the site that is consistent with the standards for the planning area; and,	
Wonderland Boulevard Neighbourhood	20.5.6.4 i)	The High Density Residential designation provides for transit-oriented, mid-to high-rise, residential development that is not mixed-use in nature.	Addition of a hyphen
Wonderland Boulevard Neighbourhood	20.5.6.4 ii)	Convenience commercial uses, and secondary permitted uses allowed in the High Density Residential designation of the Official Plan <u>group homes, home occupations, community facilities, funeral homes, commercial recreation facilities, small-scale office developments, and office conversions</u> shall not be permitted within these areas.	Removal of reference to the 1989 Official Plan land use designation
Wonderland Boulevard Neighbourhood	20.5.6.4 iii) b)	The Urban Design policies of Section 20.5.3.9 <u>3.9</u> and the General Residential policies of Section 20.5.4.1 <u>4.1</u> of this Plan shall apply.	Removal of references to S. 20 of the 1989 Official Plan
Wonderland Boulevard Neighbourhood	20.5.6.5	Schedule 6A is added to this Plan to indicate the lands at 17 and 31 Exeter Road. A draft Schedule 5A is attached at the end of this table.	Addition of Schedule 6A which is missing in this plan – should be added as Schedule 5A.
Wonderland Boulevard Neighbourhood	20.5.6.5	[First paragraph] The following policies will apply to the lands identified in Land Use Schedule 6A <u>5A</u> and municipally known as 17 and 31 Exeter Road.	Schedule 6A is renamed as Schedule 5A as this Neighbourhood has Schedule 5.
Wonderland Boulevard Neighbourhood	20.5.6.5 ii)	[First paragraph] The property known as 17 and 31 Exeter Road is located at the southwest corner of two major arterial roads <u>a Civic Boulevard (Exeter Road) and an Urban Thoroughfare (Wonderland Road)</u> within the Southwest Area Plan.	Removal of reference to the 1989 Official Plan road classification
Wonderland Boulevard Neighbourhood	20.5.6.5 ii)	[Second paragraph] The lands will develop as a mixed-use area through a	Addition of hyphens

		comprehensive planned approach. Development on the lands may include a range of land uses including mixed-use buildings with ground floor retail commercial, free-standing high density residential buildings, free-standing office buildings, free-standing institutional buildings and some smaller scale free-standing commercial buildings including automobile-oriented commercial buildings.	
Wonderland Boulevard Neighbourhood	20.5.6.5 ii)	[Final paragraph] New internal public and/or private streets may be created with a view to limiting direct access to arterial roads <u>Urban Thoroughfares and Civic Boulevards</u> .	Removal of reference to the 1989 Official Plan road classification
Wonderland Boulevard Neighbourhood	20.5.6.5 iii)	Buildings along Exeter and Wonderland Road should be street-oriented, with the public right-of-way designed to support pedestrian activity and street-oriented retail or other active uses.	Addition of hyphens
Wonderland Boulevard Neighbourhood	20.5.6.5 iv) a)	Commercial/institutional land uses including but not limited to retail commercial uses; service and repair establishments, food stores; convenience commercial uses; personal and business services; pharmacies; restaurants; financial institutions; professional and personal service offices; entertainment uses; galleries; studios; automobile-oriented commercial uses; community facilities such as libraries and day care centres.	Addition of a hyphen
Wonderland Boulevard Neighbourhood	20.5.6.5 iv) d)	Mixed-Use Buildings that include two or more of the following uses: Office Uses, Residential Uses, Commercial Uses, Institutional Uses	Addition of a hyphen
Wonderland Boulevard Neighbourhood	20.5.6.5 v) b)	Mixed-use commercial/office/residential buildings shall not exceed 75 residential units per hectare and a maximum height of 4 storeys.	Addition of a hyphen
Lambeth Neighbourhood	20.5.7	20.5.7 <u>7.0</u>	S. 20.5.7 on the top is renumbered to S. 7.0.
Lambeth Neighbourhood	20.5.7	20.5.7 Lambeth Neighbourhood 20.5.7.1 <u>7.1</u> Low Density Residential 20.5.7.2 <u>7.2</u> Medium Density Residential 20.5.7.3 <u>7.3</u> Commercial	S. 20.5.7 and its heading are deleted to avoid repeated section and heading. All sections under this section are

			renumbered to appropriate numbers.
Lambeth Neighbourhood	20.5.7 i)	[Final paragraph] Where/if the subject lands are within the boundaries of a previously approved Area Plan Specific Policy Area , the policies of Section 20.5.1.5 <u>1.4</u> of the Plan shall also apply.	Removal of references to 1989 Official Plan Area Plan and Section 20
Lambeth Neighbourhood	20.5.7 ii)	[Final paragraph] The built form of all development will be primarily street-oriented on all public rights-of-way.	Addition of a hyphen
Lambeth Neighbourhood	20.5.7.1 ii)	The primary p Permitted uses in the Low Density Residential designation of the Official Plan shall apply <u>include single-detached, semi-detached and duplex dwellings. Multiple-attached dwellings, such as townhouses or cluster houses may be permitted provided that they do not exceed the maximum density of development permitted in policy 7.1 iii) a).</u> New convenience commercial uses, and secondary uses <u>group homes, home occupations, community facilities, funeral homes, and office conversions</u> shall not be permitted.	Removal of reference to the 1989 Official Plan land use designation
Lambeth Neighbourhood	20.5.7.1 iii) c)	As part of a complete application, the O owner shall clearly demonstrate that the proposed development is sensitive to, compatible with, and a good fit within, the existing surrounding neighbourhood based on, but not limited to, a review of both the existing and proposed built form, building height, massing and architectural treatments.	Un-capitalization of the first letter of "owner"
Lambeth Neighbourhood	20.5.7.1 iii) d)	The Urban Design policies of Section 20.5.3.9 <u>3.9</u> of this Plan shall apply.	Removal of reference to S. 20 of the 1989 Official Plan
Lambeth Neighbourhood	20.5.7.2 i)	[First paragraph] Medium Density Residential development within the Lambeth Neighbourhood is intended to provide for medium intensity residential uses that are consistent with existing and planned development, and complement and support the commercial and service-oriented uses of the Lambeth Village Core Neighbourhood.	Addition of a hyphen
Lambeth Neighbourhood	20.5.7.2 ii)	[First paragraph]	Removal of reference to the

		<p>With the exception of the lands north-west <u>northwest</u> of Wharncliffe Road South between Campbell Street North and Savoy Street, the primary permitted uses in the Multi-family, Medium Density Residential designation of the Official Plan shall apply, including <u>include multiple-attached dwellings, such as townhouses or cluster houses, low-rise apartment buildings, rooming and boarding houses, emergency care facilities, small-scale nursing homes, rest homes, homes for the aged,</u> low density forms such as semi-detached and duplex dwellings, triplexes and fourplexes, and the conversion of existing single detached homes. Single detached dwellings shall not be permitted within plans of subdivision or cluster development. New convenience commercial uses, and secondary permitted uses allowed in the Multi-family, Medium Density Residential designation of the Official Plan <u>group homes, home occupations, community facilities, funeral homes, commercial recreation facilities, small-scale office developments, and office conversions</u> shall not be permitted.</p>	<p>1989 Official Plan land use designation</p> <p>Deletion of the hyphens between “north” and “west”</p>
<p>Lambeth Neighbourhood</p>	<p>20.5.7.2 ii)</p>	<p>[Second paragraph] On the lands on the north-west <u>northwest</u> side of Wharncliffe Road South between Campbell Street North and Savoy Street, south-west of 3967 Savoy Street, the primary permitted uses in the Multi-family, Medium Density Residential designation of the Official Plan shall apply, including <u>include townhouses, stacked townhouses, low-rise apartments, emergency care facilities,</u> low density forms such as single detached, semi-detached and duplex dwellings, triplexes and fourplexes, and the conversion of existing single detached homes.</p>	<p>Deletion of the hyphens between “north” and “west”</p> <p>The typological error (“Whancliffe”) is fixed.</p> <p>Deletion of “south-west of 3967 Savoy Street” which is included in these lands northwest of Wharncliffe Rd S between Campbell St and Savoy St</p> <p>Removal of reference to the 1989 Official Plan land use designation</p>

Lambeth Neighbourhood	20.5.7.2 ii)	[Third paragraph] The conversion of existing dwellings for offices is permitted subject to the policies of Section 3.6.9 i), iv) and vi) of the Official Plan <u>Policy 931 of <i>The London Plan</i>.</u>	Removal of reference to 1989 Official Plan Section 3.6.9
Lambeth Neighbourhood	20.5.7.2 ii)	[Final paragraph] The conversion of existing dwellings for retail uses is permitted subject to the policies of Section 20.5.7.2 iii) d) policy 7.2 iii) d) <u>policy 7.2 iii) d)</u> of this Plan.	Removal of reference to S. 20 of the 1989 Official Plan
Lambeth Neighbourhood	20.5.7.2 iii) a)	Development shall occur at a minimum density of 30 units per hectare and a maximum density of 75-units per hectare. Building heights shall be in accordance with Section 3.3.3 i) of the Official Plan <u>not exceed four storeys and shall be sensitive to the scale of development in the surrounding neighbourhood.</u>	Removal of reference to 1989 Official Plan Section 3.3.3
Lambeth Neighbourhood	20.5.7.2 iii) b)	A residential density exceeding 75 units per hectare (up to 100 units per hectare) may be considered in accordance with Section 3.3.3 ii) of the Official Plan <u>permitted through a site-specific zoning by-law amendment.</u>	Removal of reference to 1989 Official Plan Section 3.3.3 which includes bonus zoning
Lambeth Neighbourhood	20.5.7.2 iii) c)	[First and final bullet] 1. <u>1.</u> is encouraged to have building floorplates that are designed and constructed in a manner that ensures flexibility and adaptability <u>adaptability</u> for potential office or commercial use at grade with residential uses located at, or above, grade. Purpose designed residential buildings will be permitted to have at-grade commercial or retail uses; 2. <u>2.</u> shall have a built form with a low-rise height, and with a setback and roof line consistent with or complementary to the “village” streetscape character of the Lambeth Village Core; <u>and,</u> 3. <u>3.</u> consistent with the relevant Official Plan policies in Sections 3.6.9 and 20.5.7.2 ii) <u>policies of <i>The London Plan</i> and policy 7.2 ii) of this Plan,</u> office and retail conversions may involve minor additions to the existing building where these facilitate the use of the building for office or retail purposes. Retention of the general form and character of	The typological error (“adaptability”) is fixed. Addition of “and,” Removal of references to the 1989 Official Plan Sections 3.6.9 and 20

		converted buildings will be required.	
Lambeth Neighbourhood	20.5.7.2 iii) d)	The conversion of existing dwellings for retail uses along the north-west side of Wharncliffe Road South, between Campbell Street North and 3967 Savory <u>Savoy Street</u> :	The typological error (“Savory”) is fixed.
Lambeth Neighbourhood	20.5.7.2 iii) e)	The Urban Design policies of Section 20.5.3.9 <u>3.9</u> and the General Residential policies of Section 20.5.4.1 <u>4.1</u> of this Plan shall apply.	Removal of references to 1989 Official Plan Section 20
Lambeth Neighbourhood	20.5.7.3 ii)	The permitted uses include the primary permitted uses in the Auto-Oriented Commercial Corridor designation of the Official Plan, with the exception of light industrial uses <u>commercial uses that cater to the commercial needs of the traveling public. These uses include hotels, motels, automotive uses and services, commercial recreation establishments, restaurants, sale of seasonal produce, building supply outlets and hardware stores, furniture and home furnishings stores, warehouse and wholesale outlets, self-storage outlets, nursery and garden stores, animal hospitals or boarding kennels, and other types of commercial uses that offer a service to the travelling public.</u>	Removal of reference to the 1989 Official Plan land use designation
Lambeth Neighbourhood	20.5.7.3 iii) d)	The Urban Design Policies of Section 20.5.3.9 <u>3.9</u> of this Plan shall apply.	Removal of reference to 1989 Official Plan S. 20
Lambeth Village Core Neighbourhood	20.5.8	20.5.8 <u>8.0</u>	S. 20.5.8 on the top is renumbered to S. 8.0.
Lambeth Village Core Neighbourhood	20.5.8	20.5.8 Lambeth Village Core Neighbourhood 20.5.8.1 <u>8.1</u> Main Street Lambeth North 20.5.8.2 <u>8.2</u> Main Street Lambeth South	S. 20.5.8 and its heading are deleted to avoid repeated section and heading. All sections under this section are renumbered to appropriate numbers.
Lambeth Village Core Neighbourhood	20.5.8 ii)	Structures along Main Street and Colonel Talbot Road will be street-oriented and of a low to mid-rise height. Public rights-of-way in the Village Core Area will be of a traditional village character, primarily designed to support walking and street-oriented retail.	Addition of hyphens

Lambeth Village Core Neighbourhood	20.5.8 iii) d)	Where applicable, Planning Impact Analysis Policies in Section 4.5 of the Official Plan <u>The Evaluation Criteria for Planning and Development Applications policies in the Our Tools part of <i>The London Plan</i> shall apply.</u>	Removal of reference to 1989 Official Plan Section 4.5
Lambeth Village Core Neighbourhood	20.5.8.1 ii)	Permitted uses within the Main Street Lambeth North designation, shall permit those uses in the Main Street Commercial Corridor designation of the Official Plan <u>Main Street Place Type of <i>The London Plan</i></u> ; and the residential uses permitted in the Multi-Family, Medium Density Residential designation of the Official Plan , with the exception of s Single-detached, semi-detached and duplex dwellings shall not be permitted.	Removal of reference to the 1989 Official Plan land use designation facilitates the transition to the Main Street Place Type of the London Plan.
Lambeth Village Core Neighbourhood	20.5.8.1 iv), v)	iv) iii) Built Form and Intensity v) iv) Transportation	Clause iii) is missing. Clauses iv) and v) are renumbered to iii) and iv).
Lambeth Village Core Neighbourhood	20.5.8.2 ii)	[First paragraph] Permitted uses in the Main Street Lambeth South designation on the west side of Colonel Talbot Road shall include primarily those residential uses permitted in the Multi-Family, Medium Density Residential designation of the Official Plan <u>multiple-attached dwellings, such as townhouses or cluster houses, low-rise apartment buildings, rooming and boarding houses, emergency care facilities, converted dwellings, small-scale nursing homes, rest homes and homes for the aged.</u>	Removal of reference to the 1989 Official Plan land use designation
Lambeth Village Core Neighbourhood	20.5.8.2 ii)	[Second paragraph] Permitted uses in the Main Street Lambeth South designation on the east side of Colonel Talbot Road, shall include permitted uses in the Main Street Commercial Corridor designation of the Official Plan <u>Main Street Place Type of <i>The London Plan</i></u> , but shall develop at a smaller scale than the uses in the Main Street Lambeth North designation. The portion of the remnant school block located adjacent to Colonel Talbot Road, may redevelop with non-residential uses. The east (rear)	Removal of references to the 1989 Official Plan land use designations

		portion of the remnant school block shall redevelop with residential uses as permitted in the “ Low Density Residential ” designation of the Official Plan and develop at a scale and height that is compatible with the existing residential uses located to the east of the remnant school site.	
Bostwick Residential Neighbourhood	20.5.9	20.5.9 <u>9.0</u>	S. 20.5.9 on the top is renumbered to S. 9.0.
Bostwick Residential Neighbourhood	20.5.9	20.5.9 Bostwick Residential Neighbourhood 20.5.9.1 <u>9.1</u> Low and Medium Density Residential 20.5.9.2 <u>9.2</u> High Density Residential 20.5.9.3 <u>9.3</u> 1875 Wharnccliffe Road South	S. 20.5.9 and its heading are deleted to avoid repeated section and heading. All sections under this section are renumbered to appropriate numbers.
Bostwick Residential Neighbourhood	20.5.9 i)	[First paragraph] It is intended that the collector and local road <u>Neighbourhood Connector and Neighbourhood Street</u> network will provide access across the Open Space corridor and the Hydro corridor to create safe and convenient linkages to the Wonderland Corridor for a variety of transportation modes.	Removal of reference to the 1989 Official Plan road classifications
Bostwick Residential Neighbourhood	20.5.9 i)	[Second paragraph] Higher intensity mid-rise, transit-oriented development is encouraged along portions of the arterial road <u>Urban Thoroughfare, Civic Boulevard, Rapid Transit Boulevard, and Main Street</u> network to support the provision of transit services as detailed in Section 20.5.4.1 iv) <u>policy 4.1 iv)</u> of the General Residential policies.	Removal of references to the 1989 Official Plan road classification and Section 20
Bostwick Residential Neighbourhood	20.5.9 i)	[Final paragraph] Where/if the subject lands are within the boundaries of a previously approved Area Plan <u>Specific Policy Area</u> , the policies of Section 20.5.1.5-1.4 of the Plan shall also apply.	Removal of references to 1989 Official Plan Area Plan and Section 20
Bostwick Residential Neighbourhood	20.5.9 ii)	Access to Medium Density Residential areas between the Open Space and Hydro corridors and the Wonderland Boulevard Neighbourhood area will be via local road connections to Wonderland Road South, or from new collector and local roads <u>Neighbourhood Connectors and</u>	Removal of reference to the 1989 Official Plan road classifications

		<u>Neighbourhood Streets</u> to be developed within the Bostwick Neighbourhood.	
Bostwick Residential Neighbourhood	20.5.9.1 ii)	The primary permitted uses in the Multi-family, Medium Density Residential designation of the Official Plan <u>Low density forms such as single detached, semi-detached and duplex dwellings, triplexes and fourplexes, townhouses or cluster houses, low-rise apartment buildings, rooming and boarding houses, emergency care facilities, converted dwellings, small-scale nursing homes, rest homes and homes for the aged</u> will be permitted in the Low and Medium Density Residential designations, including low density forms such as single detached, semi-detached and duplex dwellings, triplexes and fourplexes. In addition to residential development, a limited range of convenience and personal service commercial uses, small-scale eat-in restaurants, civic and institutional uses, such as parks, schools and churches <u>places of worship</u> , and live-work uses may be permitted within the Medium Density Residential Designation.	Removal of reference the 1989 Official Plan land use designation Addition of a more inclusive term “places of worship” rather than “churches”
Bostwick Residential Neighbourhood	20.5.9.1 iii) c)	A residential density exceeding 75 units per hectare (up to a maximum of 100 units per hectare) may be considered in accordance with Section 3.3.3 ii) of the Official Plan <u>permitted through a site-specific zoning by-law amendment.</u>	Removal of reference to 1989 Official Plan Section 3.3.3 which includes bonus zoning
Bostwick Residential Neighbourhood	20.5.9.1 iii) d)	The policies of Section 20.5.4.1 iv) Policy 4.1 iv) of this Plan shall apply to development adjacent to portions of the arterial-road <u>Civic Boulevard</u> network within this Neighbourhood.	Removal of references to 1989 Official Plan S. 20 and road classification. There are only Civic Boulevards which reflect the 1989 Official Plan arterial roads within this neighbourhood.
Bostwick Residential Neighbourhood	20.5.9.1 iii) e)	To support a mixed-use community centre facility, the Medium Density Residential Designation will allow for increased residential density and a high-rise height without an Official Plan Amendment provided that the building allows	Removal of reference to the 1989 Official Plan road classification

		for a mix of residential and limited retail uses integrated with the development of a public community facility, and shall be located at the intersection of two arterial roads Civic Boulevards.	
Bostwick Residential Neighbourhood	20.5.9.1 iii) f)	The Urban Design policies of Section 20.5.3.9 <u>3.9</u> of this Plan shall apply.	Removal of reference to 1989 Official Plan S. 20
Bostwick Residential Neighbourhood	20.5.9.2 i)	The High Density Residential designation provides for transit-oriented, mid-to high-rise, residential development that may be mixed-use in nature.	Addition of a hyphen
Bostwick Residential Neighbourhood	20.5.9.2 ii)	Convenience commercial uses, and secondary permitted uses, including community centres, allowed in the High Density Residential designation of the Official Plan <u>community facilities, group homes, home occupations, funeral homes, commercial recreation facilities, small-scale office developments and office conversions</u> may be permitted within these areas.	Removal of reference to the 1989 Official Plan land use designation
Bostwick Residential Neighbourhood	20.5.9.2 iii) b), c)	b) The Urban Design policies of Section 20.5.3.9 <u>3.9</u> and the General Residential policies of Section 20.5.4.1 <u>4.1</u> of this Plan shall apply. c) Notwithstanding Section 20.5.9.2(iii)(a), Section 3.4.3(ii) and (iv) of the Official Plan shall apply: <u>policy 9.2 iii) a), higher densities or heights may be permitted through a site-specific zoning by-law amendment.</u>	Removal of references to 1989 Official Plan Sections 3.4.3 and 20 Section 3.4.3 of the 1989 Official Plan provides bonus zoning.
North Lambeth, Central Longwoods and South Longwoods Residential Neighbourhood	20.5.10	20.5.10 <u>10.0</u>	S. 20.5.10 on the top is renumbered to S. 10.0.
North Lambeth, Central Longwoods and South Longwoods Residential Neighbourhoods	20.5.10	20.5.10 North Lambeth, Central Longwoods and South Longwoods Residential Neighbourhoods 20.5.10.1 <u>10.1</u> Low and Medium Density Residential 20.5.10.2 <u>10.2</u> High Density Residential 20.5.10.3 <u>10.3</u> Transitional Industrial	S. 20.5.10 and its heading are deleted to avoid repeated section and heading. All sections under this section are renumbered to appropriate numbers.
North Lambeth, Central Longwoods and South Longwoods	20.5.10 i)	[Second paragraph] Higher intensity mid-rise, transit-oriented development is along portions of the arterial road <u>Urban Thoroughfare, Civic Boulevard,</u>	Removal of references to the 1989 Official Plan road classification and Section 20

Residential Neighbourhoods		<u>Rapid Transit Boulevard and Main Street</u> network within these Neighbourhoods to support the provision of transit services as detailed in Section 20.5.4.1 iv) <u>policy 4.1 iv)</u> of the General Residential policies.	
North Lambeth, Central Longwoods and South Longwoods Residential Neighbourhoods	20.5.10 i)	[Final paragraph] Where/if the subject lands are within the boundaries of a previously approved Area Plan Specific Policy Area , the policies of Section 20.5.1.5 1.4 of the Plan shall also apply.	Removal of references to 1989 Official Plan Area Plan and Section 20
North Lambeth, Central Longwoods and South Longwoods Residential Neighbourhoods	20.5.10.1 ii)	The primary permitted uses in the Multi-family, Medium Density Residential designation <u>Uses that are generally permitted within Medium Density Residential areas will be permitted in both the Low and Medium Density Residential designations. Permitted uses include single detached, semi-detached and duplex dwellings, triplexes, fourplexes, townhouses or cluster houses, low-rise apartment buildings, rooming and boarding houses, emergency care facilities, converted dwellings, small-scale nursing homes, rest homes and homes for the aged.</u> will be permitted in the Low and Medium Density Residential designations, including low density forms such as single detached, semi-detached and duplex dwellings, triplexes and fourplexes. In addition to residential development, a limited range of convenience and personal service commercial uses, small-scale eat-in restaurants, civic and institutional uses, such as parks, schools and churches <u>places of worship</u> , and live-work uses may be permitted within the Medium Density Residential Designation.	Removal of reference to the 1989 Official Plan land use designation Addition of a more inclusive term “places of worship” rather than “churches”
North Lambeth, Central Longwoods and South Longwoods Residential Neighbourhoods	20.5.10.1 iii) c), d), e)	c) The policies of Section 20.5.4.1 iv) <u>Policy 4.1 iv)</u> of this Plan shall apply to development adjacent to portions of the arterial road <u>Urban Thoroughfare, Civic Boulevard, Rapid Transit Boulevard and Main Street</u> network within these Neighbourhoods. d) To support a mixed-use community centre facility, the Medium Density Residential Designation will allow for increased residential density and	Removal of references to 1989 Official Plan Section 20 and road classifications

		<p>a high-rise height without an Official Plan Amendment provided that the building allows for a mix of residential and limited retail uses integrated with the development of a public community facility, and shall be located at the intersection of two <u>arterial roads streets classified as either Civic Boulevard(s) and/or Urban Thoroughfare(s)</u>. High quality design, including setbacks, building orientation, landscaping, and pedestrian scale and orientation shall also be required.</p> <p>e) The Urban Design policies of Section 20.5.3.9 <u>3.9</u> of this Plan shall apply.</p>	
North Lambeth, Central Longwoods and South Longwoods Residential Neighbourhoods	20.5.10.2	<p>The policies of Section 3.4 of the Official Plan shall apply. <u>Permitted uses in the High Density Residential designation shall include low-rise and high-rise apartment buildings, apartment hotels, multiple-attached dwellings, rooming and boarding houses, emergency care facilities, nursing homes, rest homes, and homes for the aged. Development shall have a maximum density of 150 units per hectare.</u></p>	Removal of reference to 1989 Official Plan Section 3.4
North Lambeth, Central Longwoods and South Longwoods Residential Neighbourhoods	20.5.10.3 i)	<p>[Final paragraph] The longer-term intent would be to achieve a mix of residential uses as described in Section 20.5.10.1 i) <u>policy 10.1 i)</u>, above.</p>	<p>Addition of a hyphen</p> <p>Removal of the S. 20.5 reference</p>
North Lambeth, Central Longwoods and South Longwoods Residential Neighbourhoods	20.5.10.3 ii) a), b), c), d)	<p>a) The primary permitted uses in the “Light Industrial” designation of the Official Plan <u>Light Industrial Place Type of <i>The London Plan</i></u> shall be limited to light industrial uses that are located within enclosed buildings, require no outdoor storage; and are unlikely to cause adverse effects with respect to such matters as air, odour or water pollution, dust, or excessive vibration and noise levels. These include such uses as warehousing, research and communication facilities; laboratories; printing and publishing establishments; warehouse and wholesale outlets; technical, professional and business services such as architectural, engineering, survey</p>	<p>Removal of references to 1989 Official Plan Sections 7.6 and 20, policy 7.5.3, and land use designation</p> <p>Addition of reference to the Ministry of the Environment, Conservation and Parks</p>

		<p>or business machine companies; commercial recreation establishments; private clubs; private parks; restaurants; hotels and motels; service trades; and contractor's shops that do not involve open storage. Office uses and retail outlets subject to policy 7.5.3 of the Official Plan <u>policy 1140 of <i>The London Plan</i></u>, which are ancillary to any of the above uses, are also permitted.</p> <p>b) All uses adding, emitting, or discharging a contaminant into the natural environment that are required to obtain a Certificate of Approval from the Ministry of the Environment, <u>Conservation and Parks</u> as required by the Environmental Protection Act and associated Regulations are discouraged. Uses permitted in this category will also be required to comply with additional requirements as set out in this Section of the Plan and in the City of London's Waste Discharge By-law.</p> <p>c) Applications for new industrial development will be evaluated on the basis of the potential for an increase in any adverse impacts on adjacent and nearby sensitive land uses, and the policies of Section 7.6 – Planning Impact Analysis, of the Official Plan <u>Planning and Development Applications policies in the Our Tools part of <i>The London Plan</i></u>.</p> <p>d) Where lands are transitioning from industrial to residential use, the permitted uses in the Medium Density Residential designation, as set out in Section 20.5.10.4 <u>10.1</u>, are permitted.</p>	
<p>North Lambeth, Central Longwoods and South Longwoods Residential Neighbourhoods</p>	<p>20.5.10.3 iii) a), b)</p>	<p>a) The built form and intensity policies of Section 20.5.10.4 <u>10.1</u> shall apply to residential development.</p> <p>b) The following policies shall apply to industrial development: 1. the Urban Design Policies of Section 20.5.3.9 <u>3.9</u> of this Plan shall apply; and, 2. setback and mitigation measures as per the Ministry of the Environment's, <u>Conservation and Parks' <i>Compatibility Between Industrial Facilities and Sensitive Land Uses</i></u> (D-Series Guidelines) shall apply.</p>	<p>Removal of references to 1989 Official Plan S. 20</p> <p>Bullets (•) under this clause are replaced with numbers (1, 2) to facilitate easier references to the policies.</p> <p>Addition of a hyphen</p>

North Lambeth, Central Longwoods and South Longwoods Residential Neighbourhoods	10.4 (new)	<p><u>3493 Colonel Talbot Road</u> <u>For not for than 30% of the single detached dwellings lots within the Silverleaf Subdivision Phase 2 and registered plan 33M-742, notwithstanding policy 20.5.3.9.iii.e) 3.9 iii) e), for courtyard dwellings, garages may project beyond the façade of the dwelling, or the façade (front face) of any porch, where the interior garage façade that includes the garage door(s) is located at no more than 90 degrees to the main building and principle principal entrance.</u></p>	<p>LPA 4 (OPA 697) includes a new provision that should be added to S. 20.5.10.1 iii). This provision is amended to remove the reference to Section 20.5, and is moved to a new Section (Section 10.4) which is for specific policies applied to these neighbourhoods, like a separate section for specific policies in the Wonderland Boulevard Neighbourhood section (S.20.5.6.5).</p> <p>Typological error (“principle”)</p>
North Talbot and North Longwoods Neighbourhoods	20.5.11	20.5.11 <u>11.0</u>	S. 20.5.11 on the top is renumbered to S. 11.0.
North Talbot and North Longwoods Neighbourhoods	20.5.11	<p>20.5.11 North Talbot and North Longwoods Neighbourhoods 20.5.11.1 11.1 Low and Medium Density Residential 20.5.11.2 11.2 High Density Residential</p>	S. 20.5.11 and its heading are deleted to avoid repeated section and heading. All sections under this section are renumbered to appropriate numbers.
North Talbot and North Longwoods Neighbourhoods	20.5.11 ii)	The built form will be primarily street_ oriented on all public rights-of-way.	Addition of a hyphen
North Talbot and North Longwoods Neighbourhoods	20.5.11.1 i)	<p>[First paragraph] The Low and Medium Density Residential designations apply to most of the existing and planned neighbourhoods of North Talbot and North Longwoods, reflecting land uses established through previous Area Plans <u>Specific Policy Areas</u> and site-specific applications. Where/if the subject lands are within the boundaries of a previously approved Area Plan <u>Specific Policy Area</u>, the policies of Section 20.5.1.5 <u>1.4</u> of the Plan shall also apply.</p>	<p>Removal of references to 1989 Official Plan Section 20 and Area Plan</p> <p>Addition of a hyphen</p>

North Talbot and North Longwoods Neighbourhoods	20.5.11.1 i)	[Final paragraph] Higher intensity mid-rise, transit-oriented development is encouraged along portions of the <u>arterial road Urban Thoroughfare, Civic Boulevard, Rapid Transit Boulevard, and Main Street</u> network within these neighbourhoods to support the provision of transit services as detailed in Section 20.5.4.1 iv) <u>policy 4.1 iv)</u> of the General Residential policies.	Removal of references to 1989 Official Plan Section 20 and road classification
North Talbot and North Longwoods Neighbourhoods	20.5.11.1 ii)	The primary permitted uses in the Low Density and Multi-family, Medium Density Residential designations of the Official Plan, respectively, shall be permitted. New convenience commercial uses and secondary permitted uses allowed in these designations shall not be permitted within these areas. <u>a) Permitted uses in the Low Density Residential designation include single detached, semi-detached and duplex dwellings.</u> <u>b) Permitted uses in the Medium Density Residential designation include multiple-attached dwellings, low-rise apartment buildings, rooming and boarding houses, emergency care facilities, converted dwellings, small-scale nursing homes, rest homes, and homes for the aged.</u>	This policy is revised to clarify the permitted uses within the Low Density and Medium Density Residential designations, respectively. Removal of references to the 1989 Official Plan land use designations
North Talbot and North Longwoods Neighbourhoods	20.5.11.1 iii) a), c), d), e)	a) New development shall be consistent with the density requirements of the Low Density and Multi-family, Medium Density Residential designations, respectively, of the Official Plan, as set out in Sections 3.2.2, 3.2.3 and 3.3.3. Within the Low Density Residential designation, new development shall have a maximum density of 30 units per hectare. Within the Medium Density Residential designation, new development shall have a maximum density of 75 units per hectare and building height shall not exceed four storeys. In some instances, building density may be increased up to 100 units per hectare in the Medium Density Residential designation through a	Removal of references to 1989 Official Plan Sections 3.2.2, 3.2.3, 3.3.3, and 20, land use designations, and road classifications. Section 3.3.3 allows for increased densities/heights through bonus zoning.

		<p><u>site-specific zoning by-law amendment.</u></p> <p>c) The policies of Section 20.5.4.1 iv) Policy 4.1 iv) of the pPlan shall apply to development adjacent to portions of the arterial road<u>Urban Thoroughfare, Civic Boulevard, Rapid Transit Boulevard, and Main Street</u> network in these neighbourhoods.</p> <p>d) To support a mixed-use community centre facility, the Medium Density Residential Designation will allow for increased residential density and a high-rise height without an Official Plan Amendment provided that the building allows for a mix of residential and limited retail uses integrated with the development of a public community facility, and shall be located at the intersection of two arterial roads<u>streets classified as either Urban Thoroughfare(s), Civic Boulevard(s), Rapid Transit Boulevard(s) and/or Main Street(s).</u> High quality design, including setbacks, building orientation, landscaping, and pedestrian scale and orientation shall also be required.</p> <p>e) The Urban Design Policies of Section 20.5.3.9 <u>3.9</u> of this Plan shall apply.</p>	
North Talbot and North Longwoods Neighbourhoods	20.5.11.2 i)	Where/if the subject lands are within the boundaries of a previously approved Area Plan Specific Policy Area , the policies of Section 20.5.1.5 <u>1.4</u> of the Plan shall also apply.	Removal of reference to 1989 Official Plan S. 20 and Area Plan.
North Talbot and North Longwoods Neighbourhoods	20.5.11.2 ii)	Permitted uses shall be in accordance with Section 3.4.1 of the Official Plan <u>include low-rise and high-rise apartment buildings, apartment hotels, multiple-attached dwellings, rooming and boarding houses, emergency care facilities, nursing homes, rest homes, and homes for the aged. Group homes, home occupations, community facilities, funeral homes, commercial recreation facilities, small-scale office developments, and office conversions may be permitted.</u>	Removal of reference to 1989 Official Plan Section 3.4.1
North Talbot and North Longwoods Neighbourhoods	20.5.11.2 iii) a), c), d)	a) New development shall be consistent with the density requirements of the Multi-family, within the High Density Residential designation, <u>shall</u>	Removal of references to 1989 Official Plan Sections 3.4 and 20, land use

		<p>have a maximum density of 150 units per hectare as set out in Section 3.4 of the Official Plan.</p> <p>c) The Urban Design Policies of Section 20.5.3.9 <u>3.9</u> of this Plan shall apply.</p> <p>d) Where/if the subject lands are within the boundaries of a previously approved Area Plan Specific Policy Area, the policies of Section 20.5.4.5 <u>1.4</u> of the Plan shall also apply.</p>	<p>designation, and Area Plan</p>
Brockley Rural Settlement Neighbourhood	20.5.12	20.5.12 12.0 Brockley Rural Settlement Neighbourhood	S. 20.5.12 is on the top renumbered to S. 12.0.
Brockley Rural Settlement Neighbourhood	20.5.12	20.5.12 Brockley Rural Settlement Neighbourhood	S. 20.5.12 and its heading are deleted to avoid repeated section and heading.
Brockley Rural Settlement Neighbourhood	20.5.12 i) a) 12.1 (new)	<p>i) <u>12.1 Rural Settlement Neighbourhood</u></p> <p>a) i) Intent</p> <p>The Rural Settlement <u>Neighbourhood</u> designation will provide for low-intensity residential uses consistent with the existing neighbourhood of Brockley and the policies of Section 9.3 of the Official Plan <u>the Rural Neighbourhoods Place Type of <i>The London Plan</i></u>.</p>	<p>Removal of reference to 1989 Official Plan Section 9</p> <p>i) and a) in the headings are renumbered to 12.1 and i), respectively.</p>
Brockley Rural Settlement Neighbourhood	20.5.12 ii)	The primary permitted uses in the Rural Settlement designation of the Official Plan <u>Rural Neighbourhoods Place Type of <i>The London Plan</i></u> will <u>be</u> permitted, although the primary uses shall be residential.	<p>Removal of reference to the 1989 Official Plan land use designation</p> <p>Addition of “be” to fix the grammatical error</p>
Brockley Rural Settlement Neighbourhood	20.5.12 iii) a), c)	<p>a) New development shall be consistent with the density requirements of the Rural Settlement designation of the Official Plan <u>Intensity policies in the Rural Neighbourhoods Place Type chapter of <i>The London Plan</i></u>.</p> <p>c) For non-residential development, the Owner shall demonstrate that the proposed project is sensitive to, compatible with, and a good fit within, the existing surrounding neighbourhood based on, but not limited to, a review of both the existing and proposed built form, building height, massing and architectural treatments.</p>	<p>Removal of references to the 1989 Official Plan land use designation</p> <p>Un-capitalization of the first letter of “Owner”</p>

Dingman Industrial Neighbourhood	20.5.13	20.5.13 <u>13.0</u>	S. 20.5.13 on the top is renumbered to S. 13.0.
Dingman Industrial Neighbourhood	20.5.13	20.5.13 Dingman Industrial Neighbourhood 20.5.13.1 <u>13.1</u> Industrial 20.5.13.2 <u>13.2</u> Transitional Industrial 20.5.13.3 <u>13.3</u> Commercial Industrial 20.5.13.4 <u>13.4</u> Urban Reserve Future Community Growth	S. 20.5.13 and its heading are deleted to avoid repeated section and heading. All sections under this section are renumbered to appropriate numbers.
Dingman Industrial Neighbourhood	20.5.13.1 i)	[First paragraph] The main permitted uses in the Light Industrial designation of the Official Plan <u>Place Type of <i>The London Plan</i></u> will be permitted. Existing Industrial uses are recognized as permitted uses within the Industrial designation of this Secondary Plan and may be recognized as permitted uses in the Zoning By-law. Proposals for the expansion of Industrial uses that are not permitted in the Light Industrial designation <u>Place Type</u> , shall require an amendment to the Official Plan <u><i>The London Plan</i></u> to redesignate the lands on <u>Schedule A Map 1 of <i>The London Plan</i></u> to a <u>General Industrial designation</u> <u>Heavy Industrial Place Type</u> . Such applications will be evaluated on the basis of the potential for an increase in any adverse impacts on adjacent and nearby sensitive land uses, and the policies of Section 7.6— <u>Planning Impact Analysis, of the Official Plan</u> <u>Planning and Development Applications policies in the Our Tools part in <i>The London Plan</i>.</u>	Removal of references to 1989 Official Plan Section 7.6, land use designations, and map schedule
Dingman Industrial Neighbourhood	20.5.13.1 i)	[Second paragraph] The primary permitted uses of the “ General Industrial ” designation of the Official Plan <u>Heavy Industrial Place Type of <i>The London Plan</i></u> will continue to apply to lands designated General Industrial on Schedule ‘A’ of the Official Plan, <u>generally located on the north side of Dingman Drive, west of Highway 401.</u>	Removal of references to the 1989 Official Plan land use designation and map schedule
Dingman Industrial Neighbourhood	20.5.13.1 i)	[Final paragraph] All uses adding, emitting, or discharging a contaminant into the natural environment must obtain a Certificate of Approval from the Ministry of the	Housekeeping change to reflect the transition to the Ministry of the Environment,

		Environment, <u>Conservation and Parks</u> as required by the Environmental Protection Act and associated Regulations. Uses permitted in this category will also be required to comply with additional requirements as set out in this Section of the Plan and in the City of London's Waste Discharge By-law.	Conservation and Parks
Dingman Industrial Neighbourhood	20.5.13.1 ii) a), c)	a) The Urban Design Policies of Section 20.5.3.9 <u>3.9</u> of this Plan shall apply. c) Setback and mitigation measures as per the Ministry of the Environment's, <u>Conservation and Parks</u> ' <i>Compatibility Between Industrial Facilities and Sensitive Land Uses</i> (D-Series Guidelines) shall apply.	Removal of reference to 1989 Official Plan S. 20 Revision of the Ministry of the Environment Addition of a hyphen
Dingman Industrial Neighbourhood	20.5.13.2 ii) a), b), c)	a) In addition to existing industrial uses, the primary permitted uses in the " Light Industrial " designation of the Official Plan <u>Light Industrial Place Type of <i>The London Plan</i></u> shall be limited to light industrial uses that are located within enclosed buildings, require no outdoor storage; and are unlikely to cause adverse effects with respect to such matters as air, odour or water pollution, dust, or excessive vibration and noise levels. These include such uses as warehousing, research and communication facilities; laboratories; printing and publishing establishments; warehouse and wholesale outlets; technical, professional and business services such as architectural, engineering, survey or business machine companies; commercial recreation establishments; private clubs; private parks; restaurants; hotels and motels; service trades; and contractor's shops that do not involve open storage. b) All uses adding, emitting, or discharging a contaminant into the natural environment that are required to obtain a Certificate of Approval from the Ministry of the Environment, <u>Conservation and Parks</u> as required by the Environmental Protection Act and associated Regulations are discouraged. Uses permitted in this category will also be required	Removal of references to 1989 Official Plan Section 7.7 and land use designation Housekeeping change to reflect the transition to the Ministry of the Environment, Conservation and Parks

		<p>to comply with additional requirements as set out in this Section of the Plan and in the City of London's Waste Discharge By-law.</p> <p>c) New industrial uses should be compatible with future non-industrial uses. Applications for new industrial development will be evaluated on the basis of the potential for an increase in any adverse impacts on adjacent and nearby sensitive land uses, and the policies of Section 7.7—Planning Impact Analysis, of the Official Plan <u>Planning and Development Applications</u> policies in the Our Tools part of <u>The London Plan</u>.</p>	
Dingman Industrial Neighbourhood	20.5.13.2 ii) (another)	ii) iii) Built Form and Intensity	This clause is renumbered to fix the overlapping clauses ii).
Dingman Industrial Neighbourhood	20.5.13.2 ii) (another)	<p>a) The Urban Design Policies of Section 20.5.3.9 3.9 of this Plan shall apply; and,</p> <p>b) Setback and mitigation measures as per the Ministry of the Environment's, <u>Conservation and Parks</u>' Compatibility Between Industrial Facilities and Sensitive Land Uses (D-Series Guidelines) shall apply.</p>	<p>Removal of reference to 1989 Official Plan S. 20</p> <p>Bullets (•) are replaced with letters (a, b).</p> <p>Housekeeping change to reflect the transition to the Ministry of the Environment, Conservation and Parks</p> <p>Addition of a hyphen</p>
Dingman Industrial Neighbourhood	20.5.13.3 ii) e), f), g)	<p>e) A very limited amount of small-scale retail and service uses may be permitted in these areas to serve those that work in this designation or surrounding employment areas. Such uses will be located on the periphery of the designation, adjacent to an arterial road <u>a Civic Boulevard</u>.</p> <p>f) A limited range of light industrial uses may be permitted that are compatible with the commercial uses permitted in this designation. Applications for new industrial development will be evaluated on the basis of the potential for an increase in any adverse impacts on adjacent and nearby sensitive land uses, and the policies of Section 7.7—</p>	<p>Removal of references to 1989 Official Plan Section 7.7 and road classification</p> <p>Housekeeping change to reflect the transition to the Ministry of the Environment, Conservation and Parks</p>

		<p>Planning Impact Analysis, of the Official Plan <u>Planning and Development Applications</u> policies in the Our Tools part of <u>The London Plan</u>.</p> <p>g) All uses adding, emitting, or discharging a contaminant into the natural environment that are required to obtain a Certificate of Approval from the Ministry of the Environment, <u>Conservation and Parks</u> as required by the Environmental Protection Act and associated Regulations are discouraged. Uses permitted in this category will also be required to comply with additional requirements as set out in this Section of the Plan and in the City of London's Waste Discharge By-law.</p>	
Dingman Industrial Neighbourhood	20.5.13.3 iii)	<p>a) ¶ <u>The Urban Design Policies of Section 20.5.3.9 3.9</u> of this Plan shall apply; and,</p> <p>b) s <u>Setback and mitigation measures as per the Ministry of the Environment's, <u>Conservation and Parks</u>' Compatibility Between Industrial Facilities and Sensitive Land Uses (D-Series Guidelines) shall apply.</u></p>	<p>Removal of reference to 1989 Official Plan S. 20</p> <p>Bullets (•) are replaced with letters (a, b).</p> <p>Housekeeping change to reflect the transition to the Ministry of the Environment, Conservation and Parks</p> <p>Addition of a hyphen</p>
Dingman Industrial Neighbourhood	20.5.13.4 i)	<p>The <u>Urban Reserve Future</u> Community Growth designation establishes Council's intent for future urban development on the lands to which it is applied. The <u>Urban Reserve Future</u> Community Growth designation will be applied where there is an expectation that non-industrial designations <u>Place Types</u> will be established. While this will likely include <u>Residential designations the Neighbourhoods Place Type</u>, it may also support the application of many other designations <u>Place Types</u> such as <u>Commercial, Office, Institutional and Open Space Urban Corridor, Shopping Area, Institutional, and Green Space</u>. The designation establishes this intent, while ensuring that</p>	<p>Removal of references to the 1989 Official Plan land use designations</p>

		development does not occur until such time as the necessary background studies are completed and a Secondary Plan is prepared to address all lands within this designation comprehensively.	
Dingman Industrial Neighbourhood	20.5.13.4 i) (another)	ii) Permitted Uses	This clause is renumbered to fix the overlapping clauses i).
Dingman Industrial Neighbourhood	20.5.13.4 i) (another)	Because of concerns regarding premature development, Urban Reserve Future Community Growth areas will be zoned to allow for a very limited range of uses. Uses that exist at the time of the adoption of this Plan may be permitted to continue.	Removal of reference to the 1989 Official Plan land use designation
Brockley Industrial Neighbourhood	20.5.14	20.5.14 14.0	S. 20.5.14 on the top is renumbered to S. 14.0.
Brockley Industrial Neighbourhood	20.5.14	20.5.14 Brockley Industrial Neighbourhood 20.5.14.1 14.1 Industrial	S. 20.5.14 and its heading are deleted to avoid repeated section and heading. All sections under this section are renumbered to appropriate numbers.
Brockley Industrial Neighbourhood	20.5.14 i)	[Final paragraph] The east portion of the Brockley Industrial Neighbourhood is directly adjacent to the residential development in the Brockley Rural Settlement Neighbourhood. To minimize the impacts of the expansion of existing, or development of new industrial uses on the Brockley Rural Settlement Neighbourhood, specific land use, mitigation and design policies apply in this area. The Brockley Industrial Neighbourhood will accommodate a reduced range of light industrial uses with a focus on logistics type of industrial uses that involve the movement and transfer of goods. Secondary uses permitted in the Light Industrial land use designation are encouraged.	Removal of reference to the 1989 Official Plan land use designation (Rural Settlement) The last sentence in this paragraph is deleted given no provisions regarding the secondary uses in The London Plan.
Brockley Industrial Neighbourhood	20.5.14.1 i)	[First paragraph] On lands west of Wellington Road, the primary permitted uses in the " Light Industrial " designation of the Official Plan Light Industrial Place Type of <i>The London Plan</i> will be permitted.	Removal of references to the Official Plan Section 7.6, land use designations, and map schedule

		Existing Industrial uses are recognized as permitted uses within the Industrial designation of this Secondary Plan and may be recognized as permitted uses in the Zoning By-law. Proposals for the expansion of Industrial uses that are not permitted in the Light Industrial designation <u>Place Type</u> shall require an amendment to the Official Plan <u>The London Plan</u> to redesignate the lands on Schedule A Map 1 of The London Plan to a <u>General Industrial designation Heavy Industrial Place Type</u> . Such applications will be evaluated on the basis of the potential for an increase in any adverse impacts on adjacent and nearby sensitive land uses, and the policies of Section 7.6 – Planning Impact Analysis, of the Official Plan <u>Planning and Development Applications policies in the Our Tools part of The London Plan.</u>	
Brockley Industrial Neighbourhood	20.5.14.1 i)	[Second paragraph] Office uses and retail outlets subject to policy 7.5.3 of the Official Plan <u>policy 1140 of The London Plan</u> , which are ancillary to any of the above uses, are also permitted.	Removal of reference to 1989 Official Plan Section 7.5.3
Brockley Industrial Neighbourhood	20.5.14.1 i)	[Final paragraph] All uses adding, emitting, or discharging a contaminant into the natural environment must obtain a Certificate of Approval from the Ministry of the Environment, <u>Conservation and Parks</u> as required by the <u>Environmental Protection Act</u> and associated Regulations are discouraged.	Housekeeping change to reflect the up-to-date reference to the Ministry of Environment
Brockley Industrial Neighbourhood	20.5.14.1 ii) a), c), e), g)	a) The Zoning, Site Plan, and Sign Control By-laws may specify higher standards for setbacks, the location of parking and loading areas, landscaping, lighting, and signage for industries adjacent to the Brockley Rural Settlement <u>Neighbourhood</u> area. c) Regulations in the Zoning By-law shall include provisions requiring buildings and structures to be located a minimum of 40 metres from the Brockley Rural Settlement <u>Neighbourhood</u> boundary. e) Setback and mitigation measures as per the Ministry of	Removal of references to 1989 Official Plan Section 20 and land use designation Housekeeping change to reflect the transition to the Ministry of the Environment, Conservation and Parks Addition of a hyphen

		the Environment's, <u>Conservation and Parks' Compatibility Between Industrial Facilities and Sensitive Land Uses</u> (D-Series Guidelines) may apply. g) The Urban Design Policies of Section 20.5.3.9 <u>3.9</u> of this Plan shall apply.	
Wellington Road/Highway 401 Neighbourhood	20.5.15	20.5.15 <u>15.0</u>	S. 20.5.15 on the top is renumbered to S.15.0.
Wellington Road/Highway 401 Neighbourhood	20.5.15	20.5.15 Wellington Road / Highway 401 Neighbourhood	S. 20.5.15 and its heading are deleted to avoid repeated section and heading.
Wellington Road/Highway 401 Neighbourhood	20.5.15 iii)	The primary permitted uses in the New Format Regional Commercial Node, Auto-oriented Commercial Corridor, Office Area, Regional Facility, and Light Industrial designations of the Official Plan <u>applicable Place Type of <i>The London Plan</i></u> will be permitted.	Removal of references to the 1989 Official Plan land use designations
Wellington Road/Highway 401 Neighbourhood	20.5.15 iv)	The Urban Design objectives of the relevant Land Use designation in the Official Plan <u>City Design chapter and Form and Intensity policies of the relevant Place Type of <i>The London Plan</i></u> shall apply.	Removal of reference to the 1989 Official Plan land use designation and policy
Implementation	20.5.16	20.5.16 <u>16.0</u>	S. 20.5.16 on the top is renumbered to S. 16.0.
Implementation	20.5.16	20.5.16 Implementation 20.5.16.1 <u>16.1</u> Implementation of the Plan 20.5.16.2 <u>16.2</u> Municipal Works 20.5.16.3 <u>16.3</u> Development Phasing and Servicing 20.5.16.4 <u>16.3</u> Official Plan Amendments 20.5.16.5 <u>16.4</u> Zoning 20.5.16.6 <u>16.5</u> Plans of Subdivision/ Plans of Condominium/ Consents to Sever 20.5.16.7 <u>16.6</u> Site Plan Approval 20.5.16.8 <u>16.7</u> Fair Distribution of Responsibilities and Resources 20.5.16.9 <u>16.8</u> Achieving Minimum Residential Density	S. 20.5.16 and its heading are deleted to avoid repeated section and heading. All sections under this section are renumbered to appropriate numbers. S. 20.5.16.3 is deleted in its entirety as this section outlines steps for servicing, and all the steps have been completed and integrated.

		<p>20.5.16.10 <u>16.9</u> Proposed Future Road Corridors</p> <p>20.5.16.11 <u>16.10</u> Complete Applications</p> <p>20.5.16.12 <u>16.11</u> Urban Design Policies</p> <p>20.5.16.13 <u>16.12</u> Guideline Documents</p> <p>20.5.16.14 <u>16.13</u> Interpretation</p>	
Implementation	20.5.16.3	This section is deleted in its entirety as all steps required to facilitate the servicing strategy for the Southwest Planning Area have been completed and integrated.	Deletion of S. 20.5.16.3 in its entirety
Implementation	20.5.16.4 i)	Furthermore, amendments to the Schedules of this Plan may require amendments to the associated schedules of the Official Plan – Schedules ‘A’- Land Use, ‘B1’ – Natural Heritage Features, ‘B2’ – Natural Resources and Natural Hazards, ‘C’ – Transportation Corridors and ‘D’ – Planning Areas maps of <u>The London Plan.</u>	Removal of references to the 1989 Official Plan map schedules
Implementation	20.5.16.4 ii)	Where lands are designated “Environmental Review” on Schedule “A” – Land Use <u>Map 1 – Place Types of The London Plan,</u> Schedule “A” <u>Map 1</u> shall prevail over the Open Space designation on Schedule 4 of the Southwest Area Land Use Designations of the Secondary Plan. Once an Environmental Impact Study (EIS) has been completed, amendments to Schedule “A” – Land Use, Schedule “B-1” – Natural Heritage Features <u>The London Plan Map 1 – Place Types, Map 5 – Natural Heritage</u> and the Secondary Plan Schedule will be required, as applicable.	Removal of references to the 1989 Official Plan map schedules
Implementation	20.5.16.4 iii)	Any applications to amend this Secondary Plan shall be subject to all of the applicable policies of this Secondary Plan, as well as all of the applicable policies of the City of London Official Plan <u>The London Plan.</u>	Removal of reference to the 1989 Official Plan
Implementation	20.5.16.4 iv)	Updates to this Secondary Plan are to reflect applicable changes to the City of London Official Plan <u>The London Plan,</u> Provincial Policy Statement, Planning Act and Regulations, as required.	Removal of reference to the 1989 Official Plan

Implementation	20.5.16.5 i)	Any applications for amendment to the City of London Zoning By-law shall be subject to the policies of this Secondary Plan and applicable policies of the City of London Official Plan <u>The London Plan</u> .	Removal of reference to the 1989 Official Plan
Implementation	20.5.16.5 ii)	Consideration of other land uses through a Zoning By-law amendment shall be subject to a Planning Impact Analysis <u>the Planning and Development Applications policies</u> as described in the applicable designation of the Official Plan <u>place type of The London Plan</u> .	Removal of references to "Planning Impact Analysis" of the 1989 Official Plan and land use designation
Implementation	20.5.16.6	Any applications for subdivision, condominium, or consent to sever shall be subject to the policies of this Secondary Plan and applicable policies of the City of London Official Plan <u>The London Plan</u> .	Removal of reference to the 1989 Official Plan
Implementation	20.5.16.7	Any applications for site plan approval shall be subject to the policies of this Secondary Plan and applicable policies of the City of London Official Plan <u>The London Plan</u> .	Removal of reference to the 1989 Official Plan
Implementation	20.5.16.9	Minimum residential density shall be calculated on the basis of Section 20.5.16.8 <u>16.7</u> , above, and "net density" as defined in the Official Plan <u>as the total area of the land designated and proposed for residential development, including of lands dedicated for the purpose of widening existing roads, less any parcels of land to be used for non-residential uses.</u>	Removal of references to 1989 Official Plan S. 20 and definition of "net density"
Implementation	20.5.16.10	Alignment of proposed future road corridors identified on Schedule "C" of the Official Plan <u>Map 3 of The London Plan</u> shall be determined by one of the following: (1) a) e <u>Completion of a Municipal Class Environmental Assessment;</u> (2) b) a <u>A corridor study or functional transportation planning study as described in Section 18.2.2(v) of the Official Plan</u> <u>the Protection and Acquisition of Lands for Mobility Infrastructure policies in the Mobility chapter of The London Plan;</u> or. (3) c) e <u>Consideration of a draft plan of subdivision. Schedule "C" Map 3 may be amended to reflect</u>	Removal of references to 1989 Official Plan Section 18.2.2 and map schedule Capitalization of the first letter of each clause

		the determined alignment of a proposed future road corridor without the need for an Official Plan amendment.	
Implementation	20.5.16.11 i) f)	Transportation Design Concept Plan, including pedestrian linkages to arterial roads <u>Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards, and Main Streets.</u>	Removal of reference to the 1989 Official Plan road classification
Implementation	20.5.16.11 ii)	Other reports and studies may be required in accordance with Section 19.16 of the Official Plan <u>the Complete Application and Pre-Application Consultation Requirements section in the Our Tools part of <i>The London Plan</i>.</u>	Removal of reference to 1989 Official Plan Section 19.16
Implementation	20.5.16.12	All development within the Southwest Area Secondary Plan boundaries shall be subject to the urban design policies contained in this Plan, in addition to applicable policies in the Official Plan <u><i>The London Plan</i>.</u>	Removal of reference to the 1989 Official Plan
Implementation	20.5.16.14	Section 19.1 of the Official Plan <u>The How To Use The London Plan section in the Our Challenge part of <i>The London Plan</i> shall apply to this Secondary Plan.</u>	Removal of reference to 1989 Official Plan Section 19.1
Appendices – Supplementary Information	20.5.17	20.5.17 17.0 Appendix 1 – Official Plan Extracts Appendix 2 1 Woodland Table Growth Estimate Appendix 3 2 Growth Estimate Residential Density and Height Table Appendix 4 – Summary Table of Residential Density and Height	Section 20.5.17 on the top is renumbered to S.17.0. Appendix 1 is deleted in its entirety. There is no appendix for “Woodland Table”. Appendices 3-4 are renumbered to appendices 1-2.
Appendices – Supplementary Information	20.5.17	Appendix 1 is deleted in its entirety as this appendix indicates schedules of the 1989 Official Plans.	Deletion of Appendix 1
Appendices – Supplementary Information	20.5.17	Appendix 3 is amended by removing references to 1989 Official Plan policies, land use designations and road classifications. (attached below)	Removal of references to 1989 Official Plan policies, land use designations and road classifications
Schedule 3		Remove “Settlement” from “Brockley Rural Settlement” A draft revision of Schedule 3 is attached below.	Removal of reference to 1989 Official Plan land use designation
Schedules 4 through 17		In the legend, “Urban Reserve” is deleted and replaced with	Removal of reference to the

		“Future” and “Rural Settlement” is deleted and replaced with “Rural Neighbourhood” (See below)	1989 Official Plan land use designation
Schedule 14		In the title, “Rural Settlement” is deleted and replaced with “Rural Neighbourhood” (See below)	Removal of reference to the 1989 Official Plan land use designation

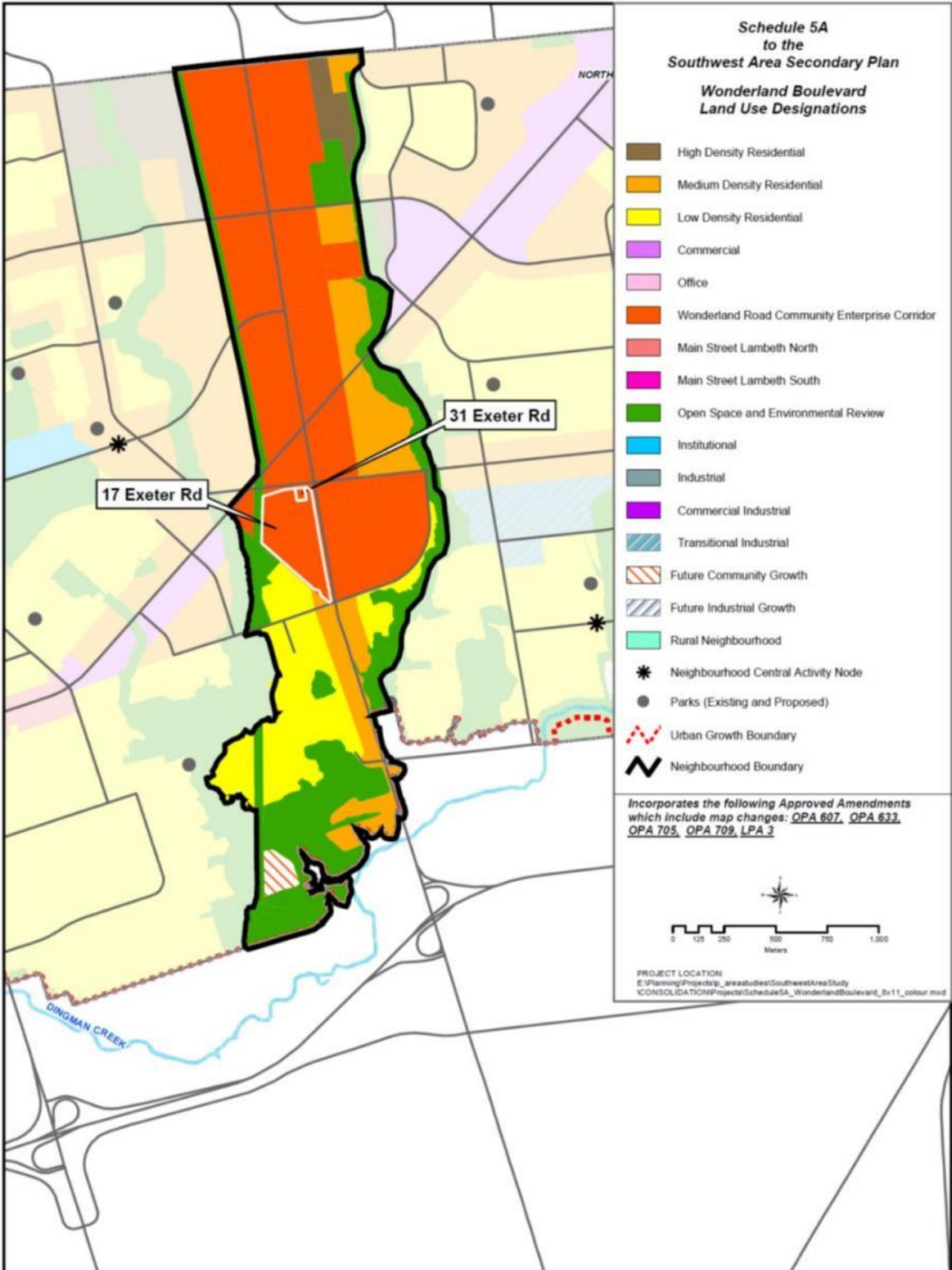
Appendix 3

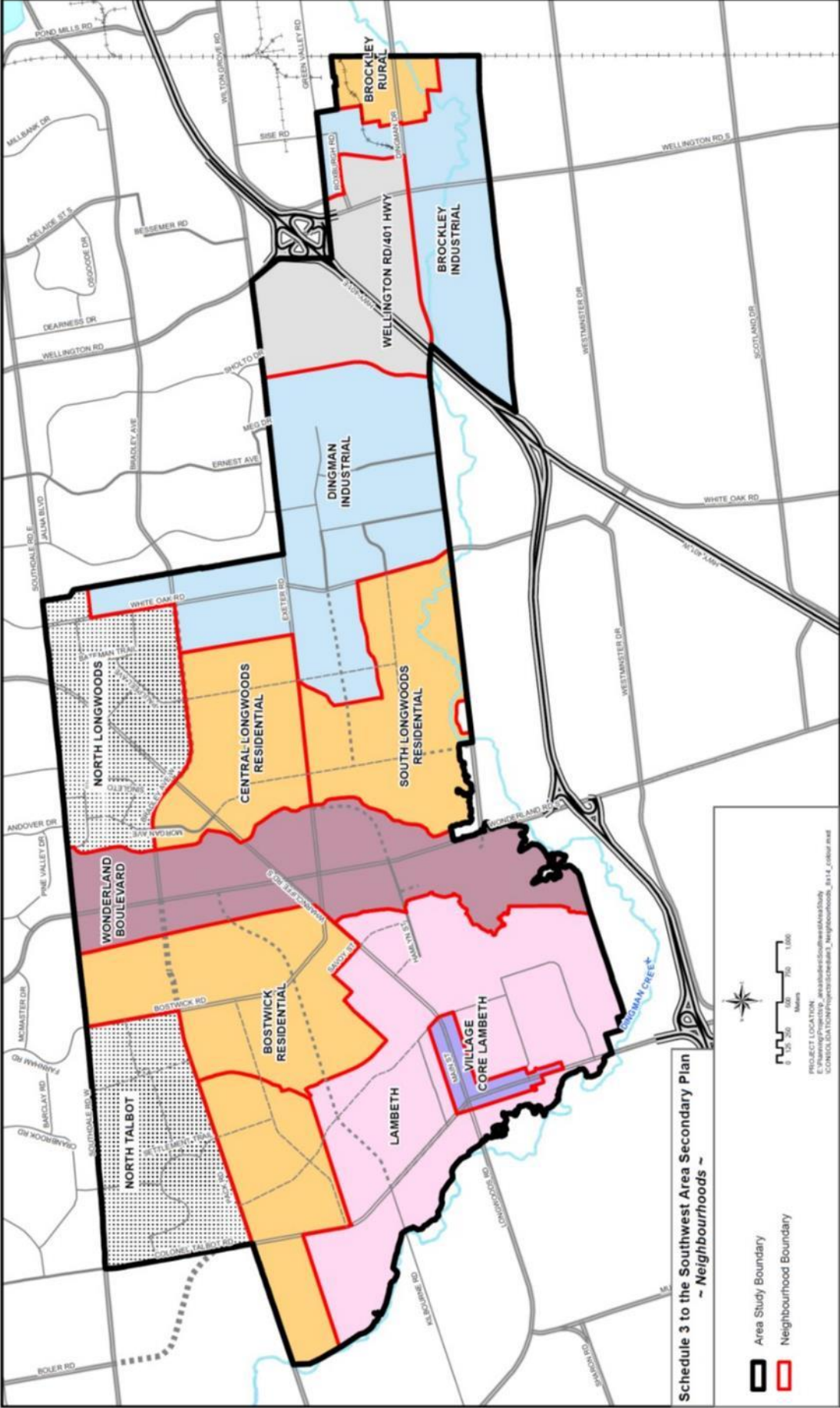
Neighbourhood	Low Density Residential Designation			Medium Density Residential Designation			High Density Residential Designation		
	Min/Max Density (uph)	Increase Permitted?	Min/Max Height (storeys)	Min/Max Density (uph)	Increase Permitted?	Min/Max Height (storeys)	Min/Max Density (uph)	Increase Permitted?	Min/Max Height (storeys)
Wonderland Boulevard North of Exeter and South of Hamlyn*	n/a	n/a	n/a	35/75	Yes – per OP Section 3.3.3-ii) to 100 uph	-/6	Per OP Section 3.4		
							-/150	Yes	Per S. 6.4 iii)
Wonderland Boulevard South of Exeter	20 15 /35 30	No Per S. 6.2 iii) a)	-/4	75/150	No	-/10	n/a	n/a	n/a
Lambeth	15/30	No	-/4	30/75	Yes – Per OP Section 3.3.3-ii) to 100 uph	Per OP Section 3.3.3-ii) -/4	n/a	n/a	n/a
Lambeth Village Core**	Per the requirements of the adjacent Neighbourhood			Per the requirements of the adjacent Neighbourhood			n/a	n/a	n/a
Bostwick	25/40	No	-/4	35/75	Yes – Per OP Section 3.3.3-ii) to 100 uph	-/6	n/a -/150	n/a Yes	n/a -/12
North Lambeth, Central and South Longw. Longwoods	20 18/35	No	-/4	30/75	No	Per OP Section 3.3.3 -/4	Per OP Section 3.4		
							-/150	No	Per The London Plan
North Talbot, North Longwoods	Per OP Section 3.2.2 and 3.2.3			Per OP Section 3.3.3			75 - /per OP Section 3.4 150	Per OP Section 3.4	
	-/30	n/a	n/a	-/75	Yes – to 100 uph	-/4		No	Per The London Plan
Arterial-Urban Thoroughfares, Civic Boulevards, Rapid Transit Boulevards, Main Street (selected) in the Medium Density Residential Designation	n/a	n/a	n/a	30/100	Yes – to 120 uph subject to criteria	2/9	n/a	n/a	n/a

*In the Wonderland Road Community Enterprise Corridor designation, high density residential development shall have a minimum density of 450 30 units per hectare, a maximum density of 475 75 units per hectare or up to 100 units per hectare through a site-specific zoning by-law amendment, a minimum height of 6 storeys and a standard maximum height of 44 4 storeys or up to an upper maximum of 6 storeys through a site-specific zoning by-law amendment.

**In the Main Street Lambeth North and Main Street Lambeth South designations, residential densities shall not exceed 75 uph and heights shall not exceed 3 storeys.

This table is provided for convenience only. If there is a discrepancy between this table and Parts 5 through 15 of the Secondary Plan, Parts 5 through 15 shall prevail.

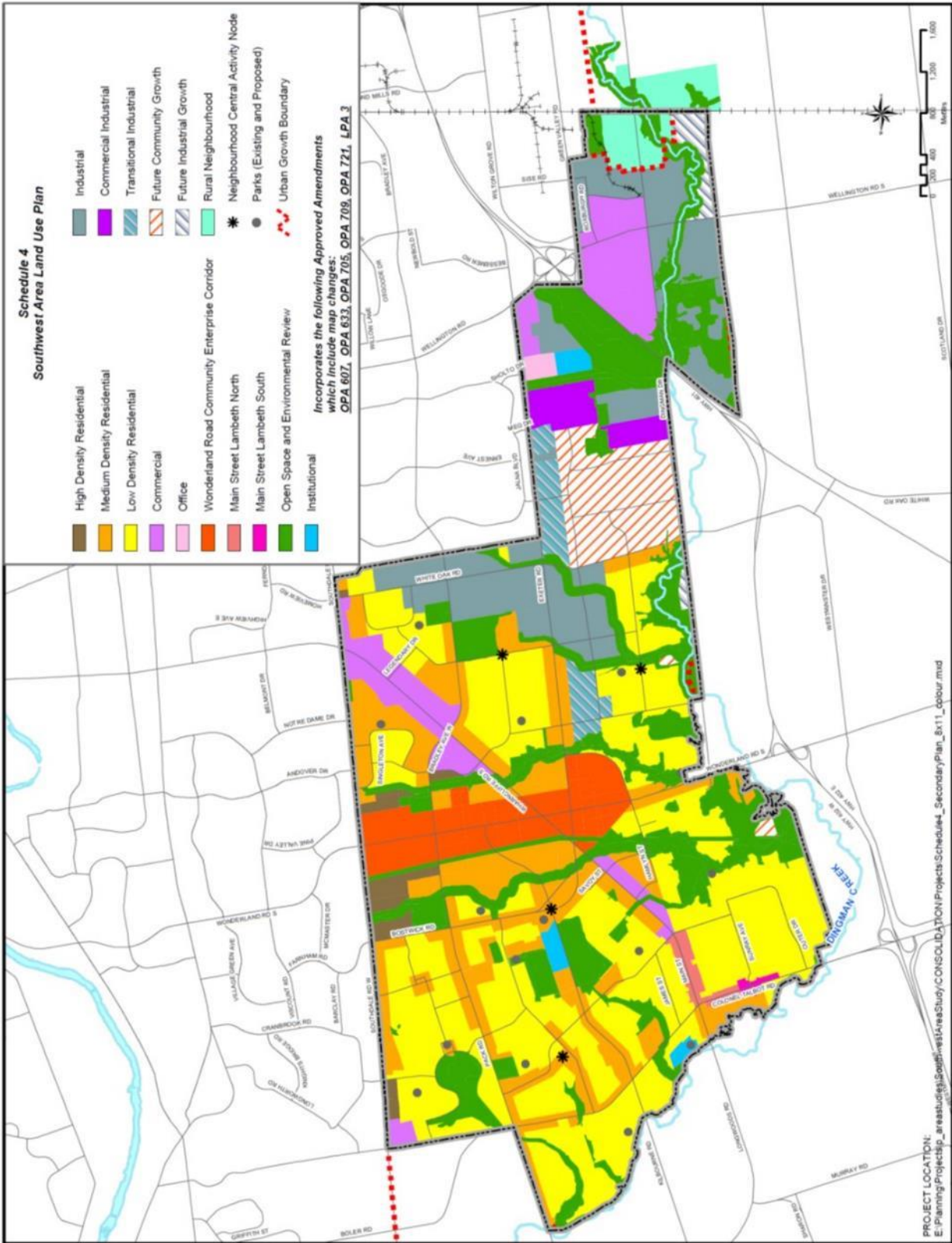




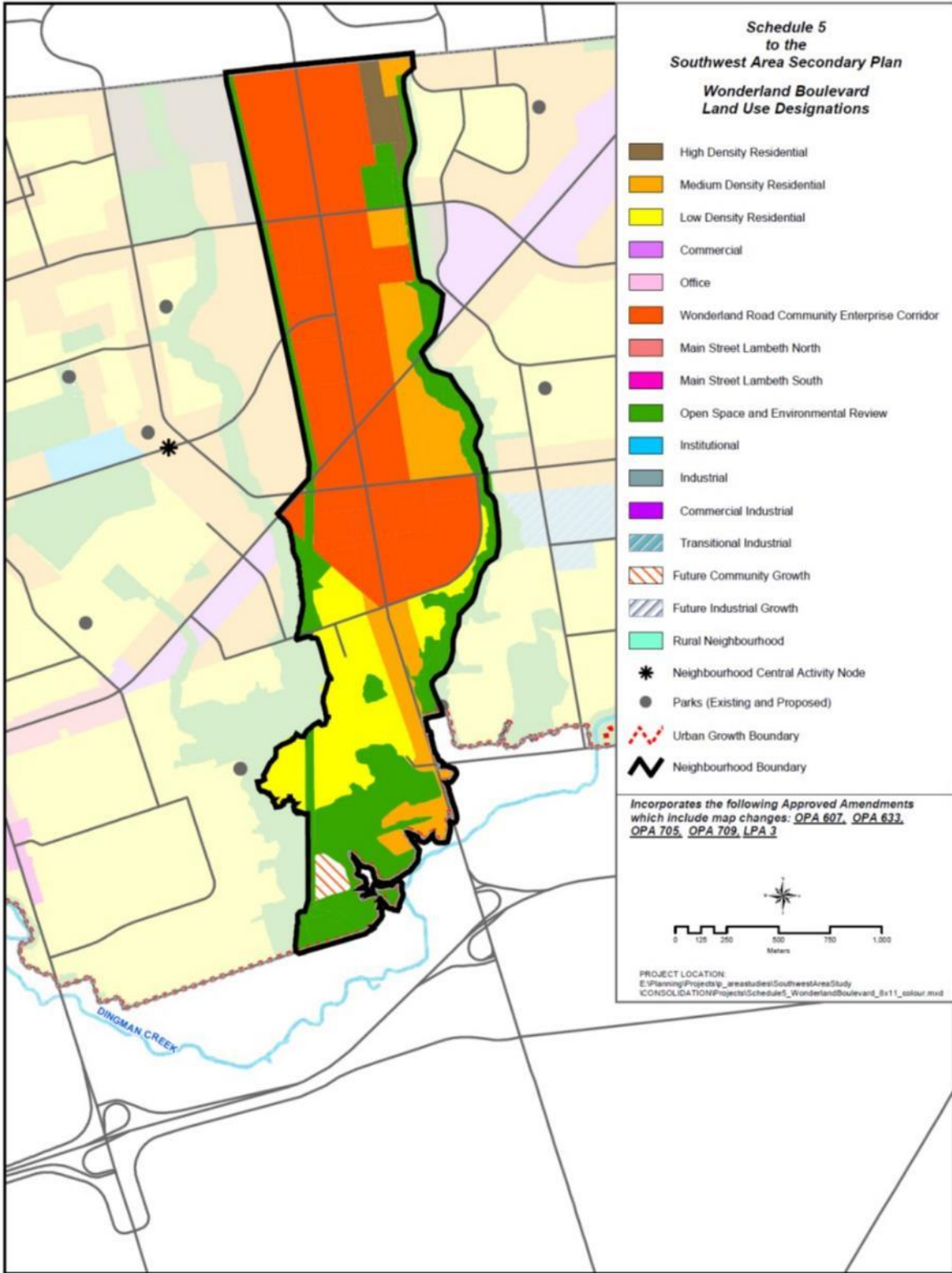
**Schedule 4
Southwest Area Land Use Plan**

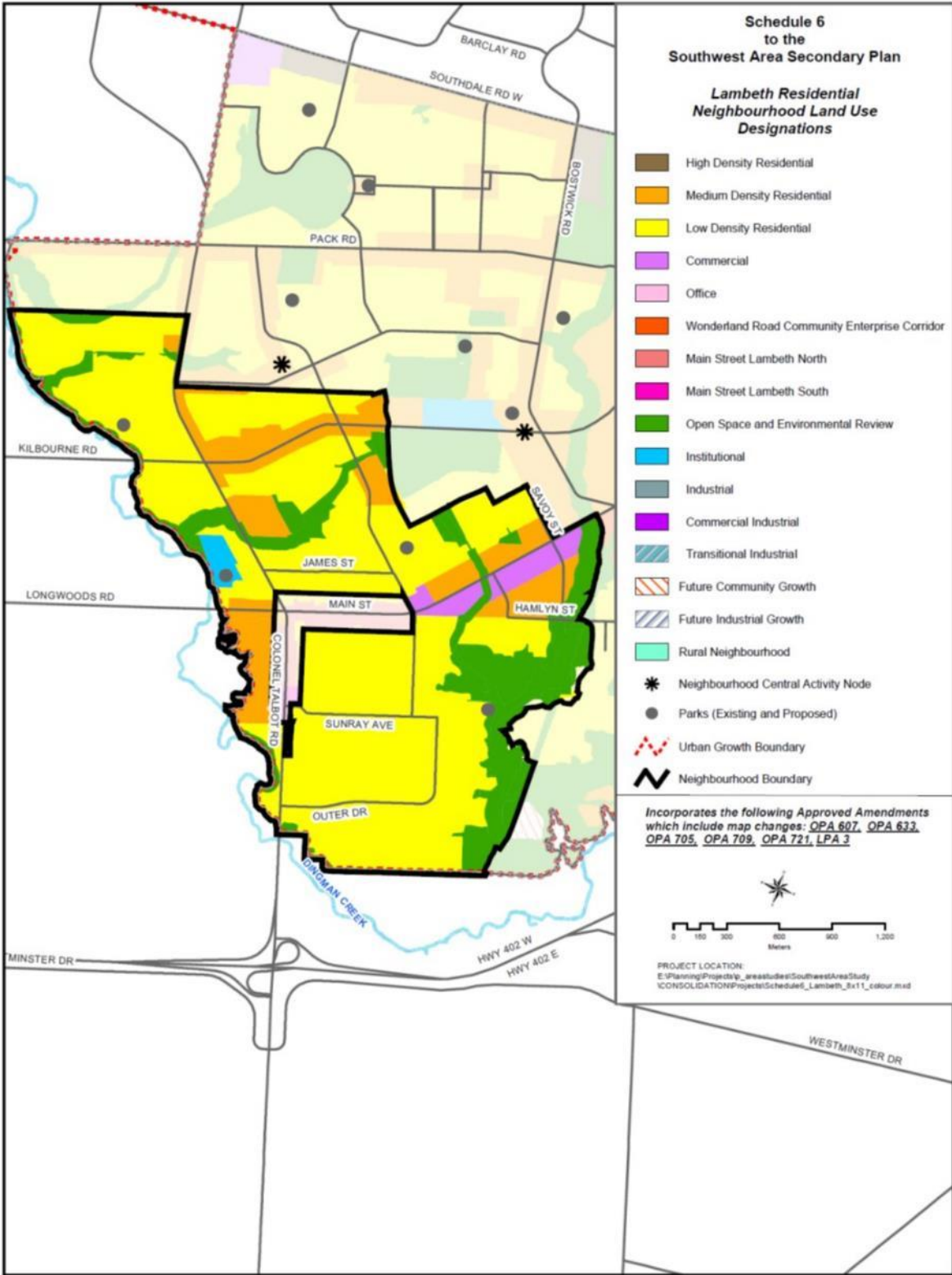
- High Density Residential
- Medium Density Residential
- Low Density Residential
- Commercial
- Office
- Wonderland Road Community Enterprise Corridor
- Main Street Lambeth North
- Main Street Lambeth South
- Open Space and Environmental Review
- Institutional
- Industrial
- Commercial Industrial
- Transitional Industrial
- Future Community Growth
- Future Industrial Growth
- Rural Neighbourhood
- Neighbourhood Central Activity Node
- Parks (Existing and Proposed)
- Urban Growth Boundary

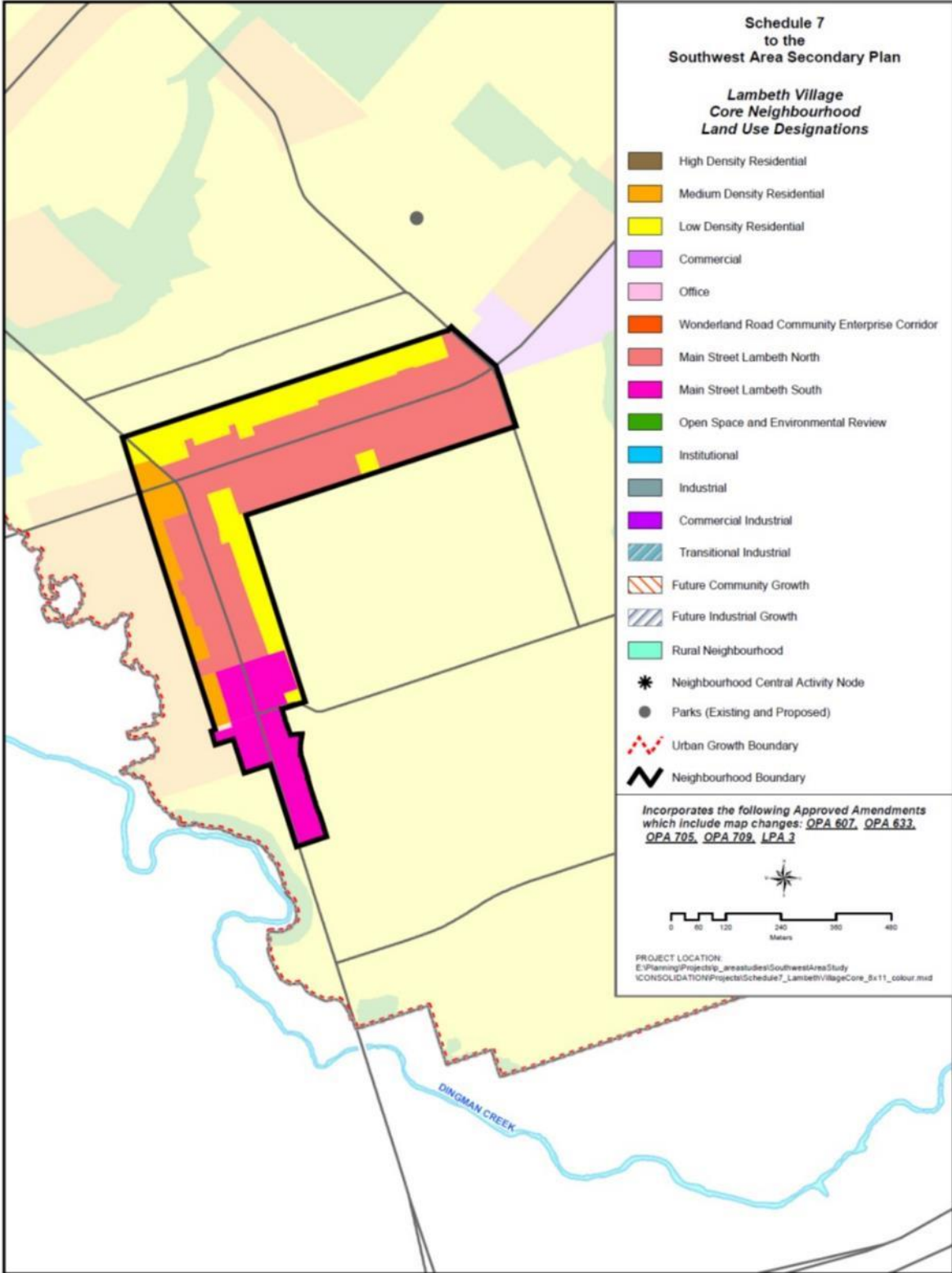
Incorporates the following Approved Amendments which include map changes:
OPA 607, OPA 633, OPA 705, OPA 709, OPA 721, LPA 3

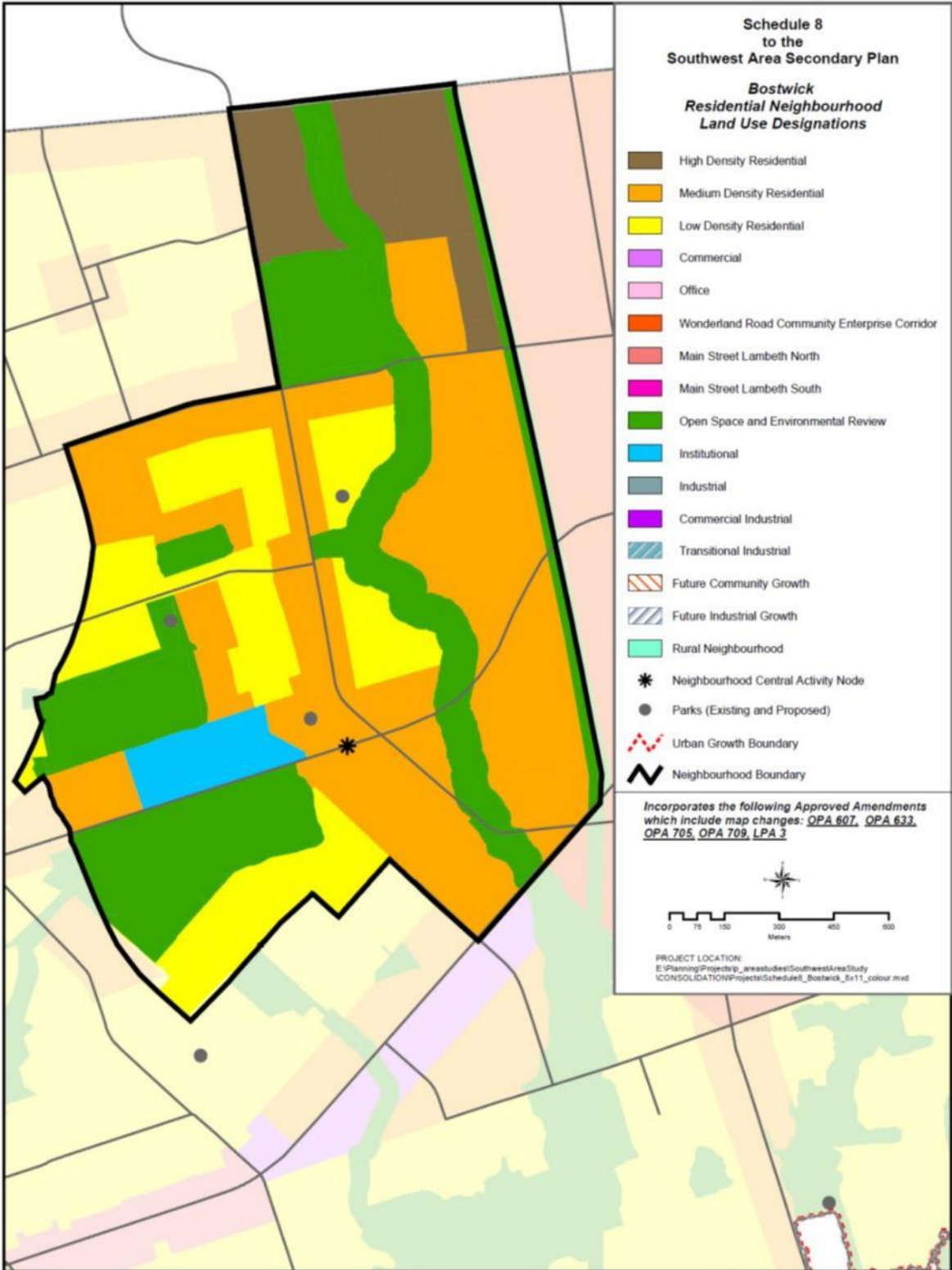


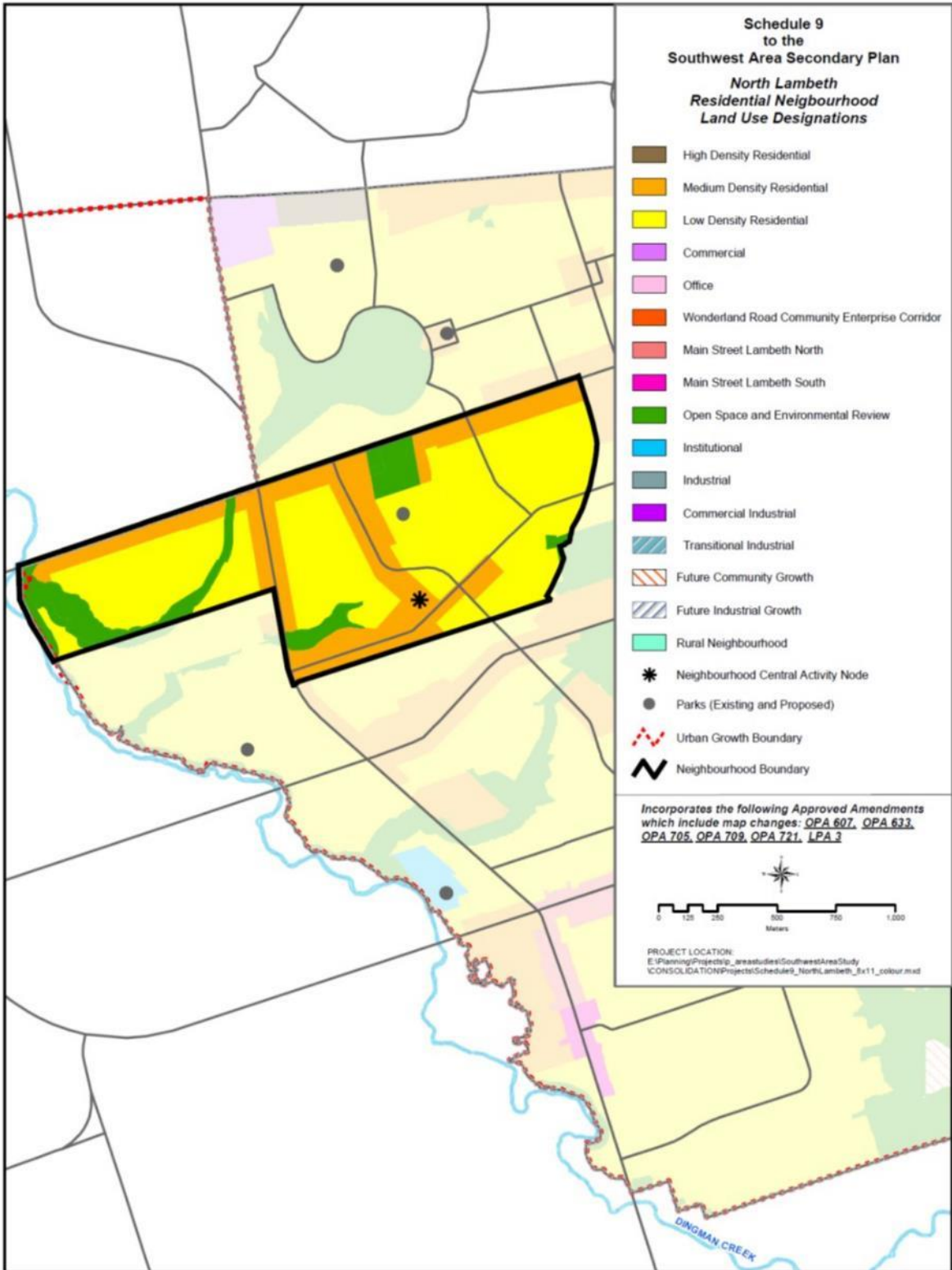
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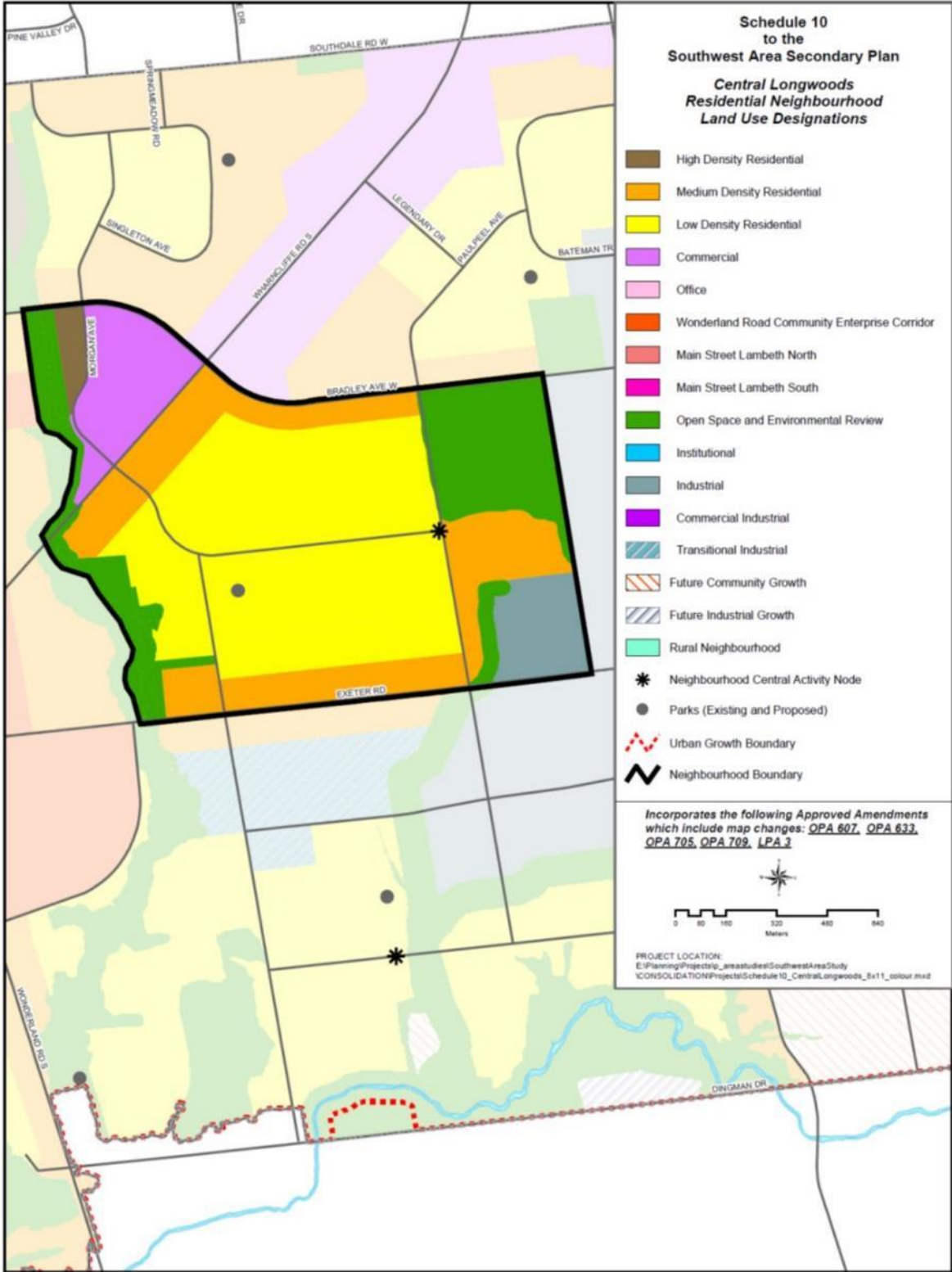


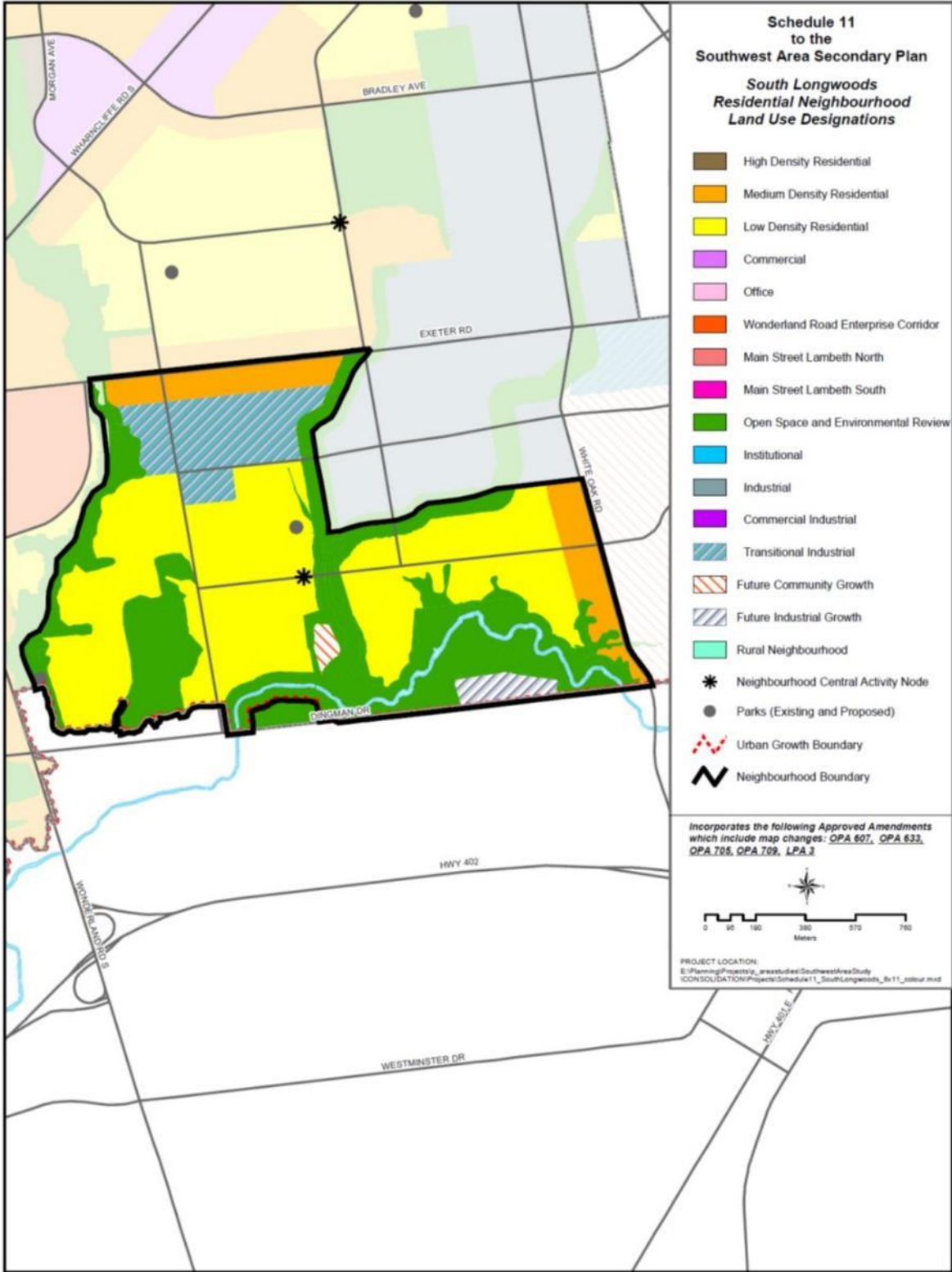




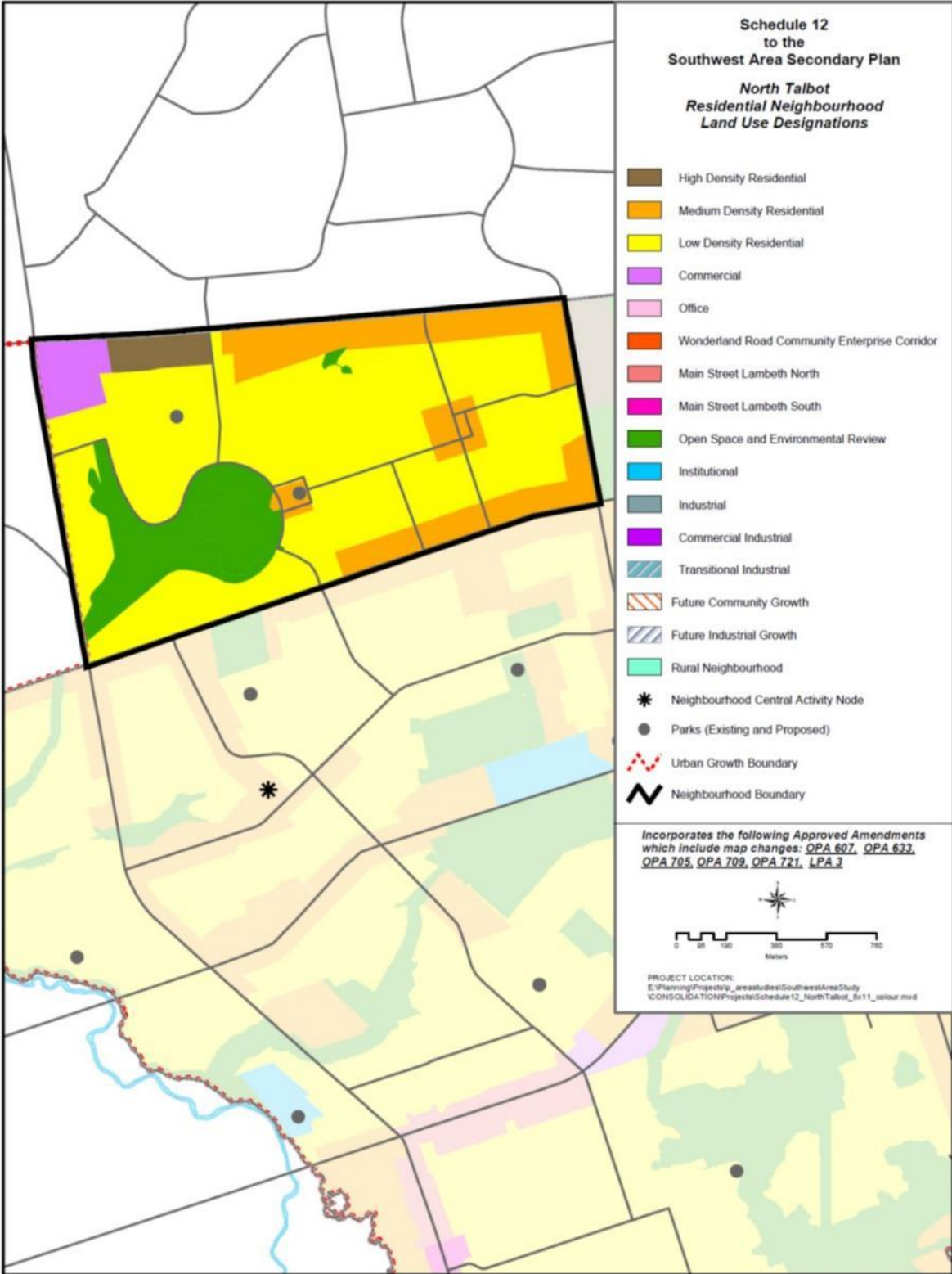


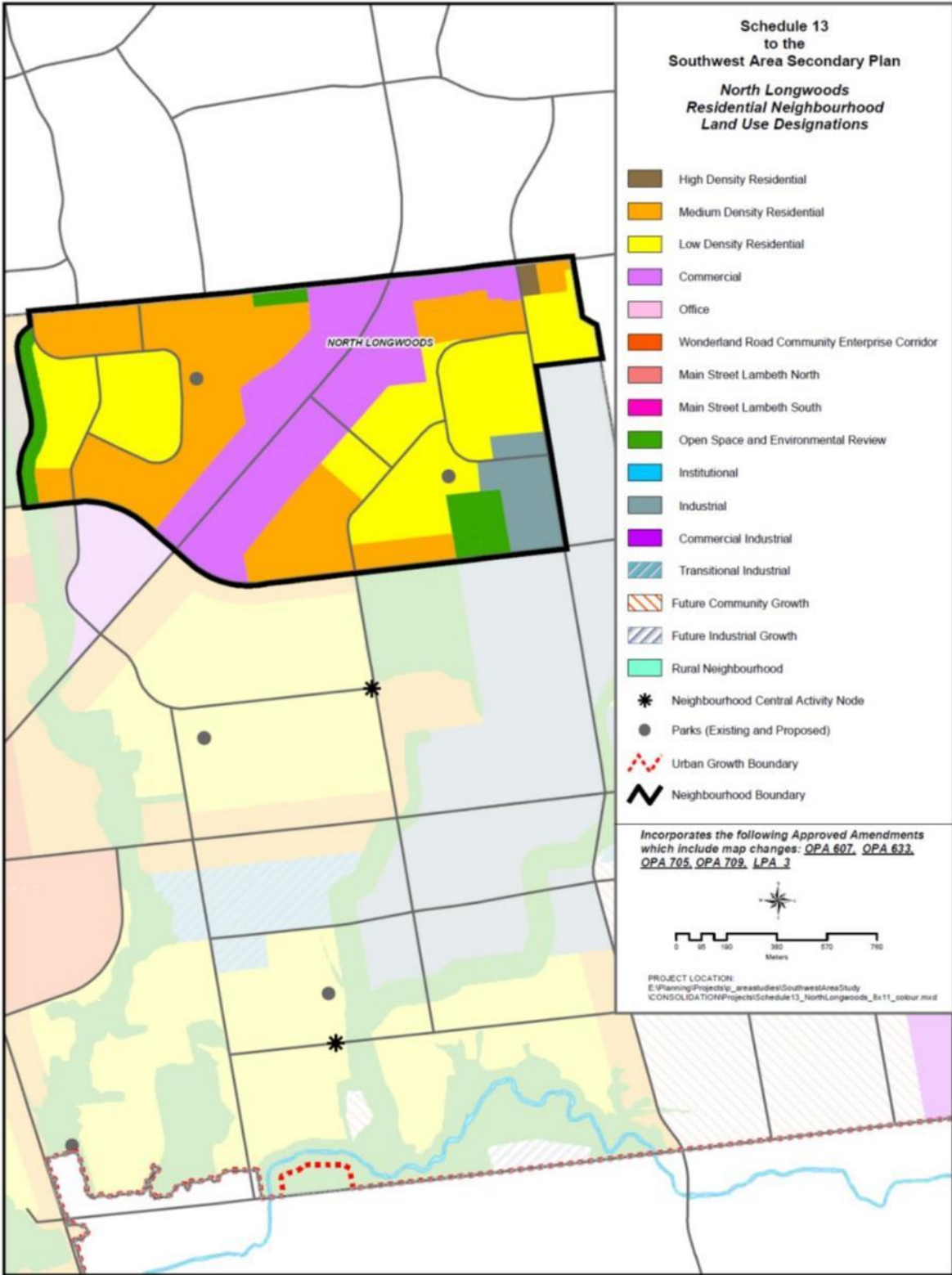


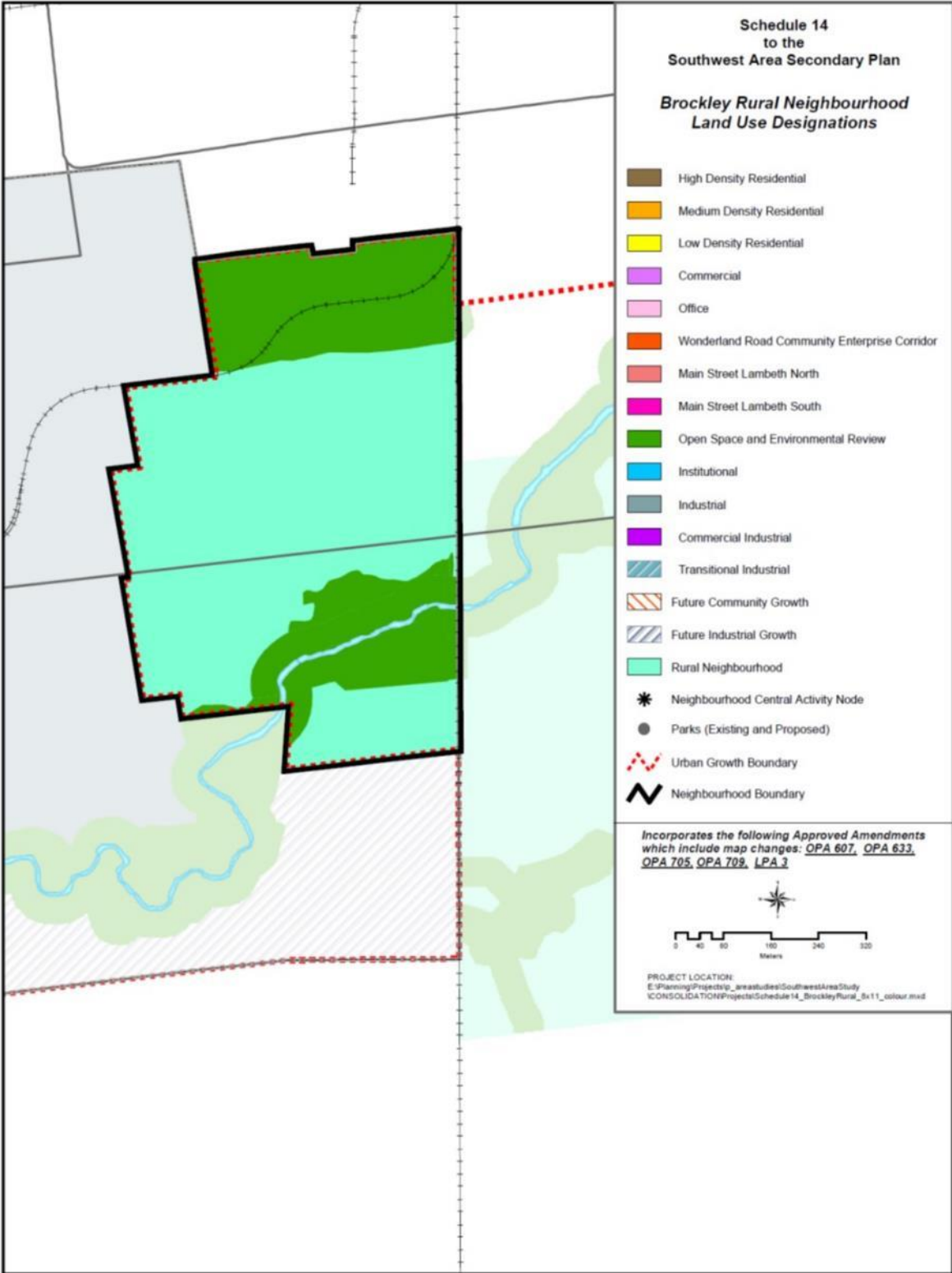




**Schedule 12
to the
Southwest Area Secondary Plan
North Talbot
Residential Neighbourhood
Land Use Designations**

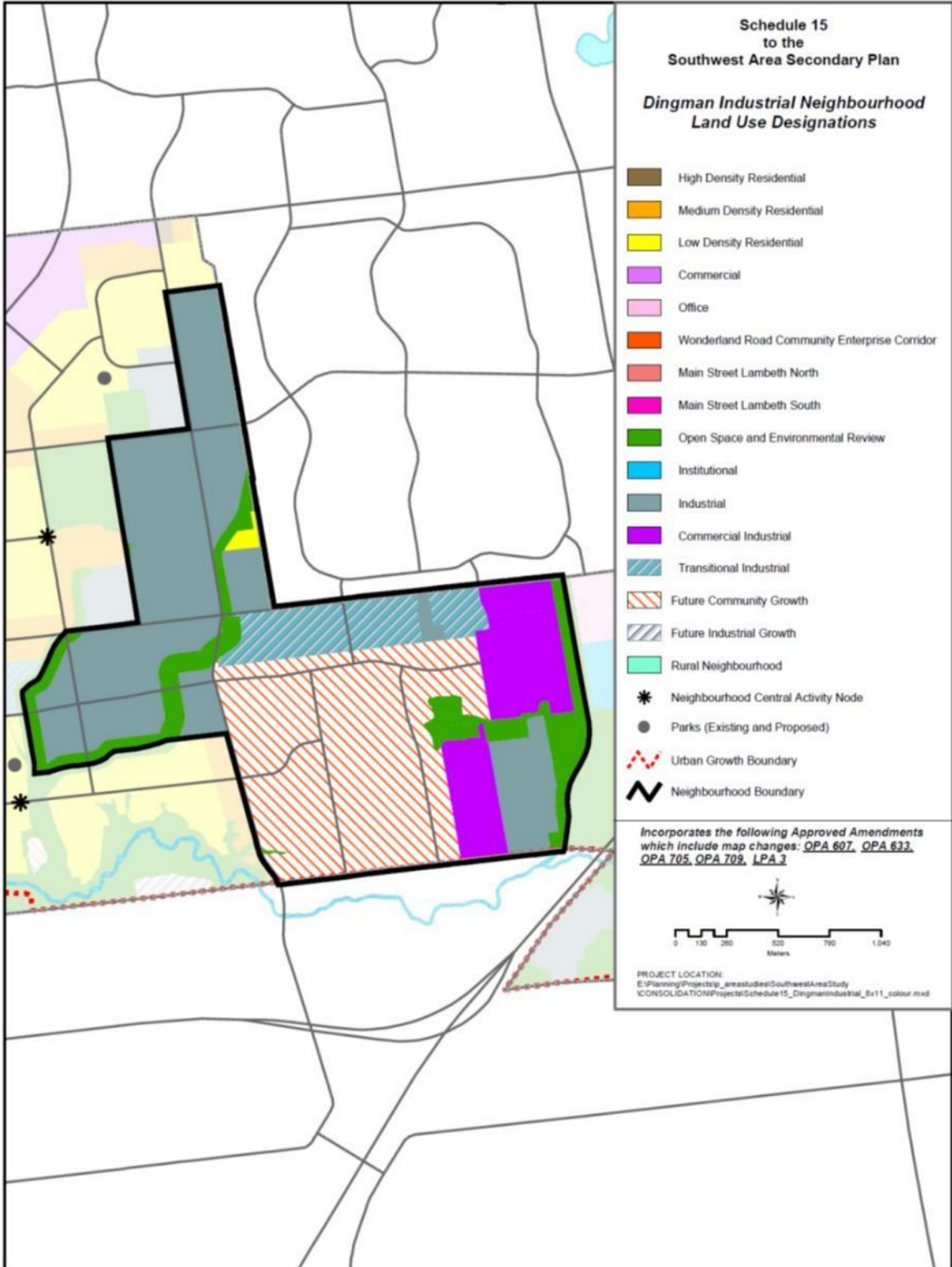






Schedule 15
to the
Southwest Area Secondary Plan

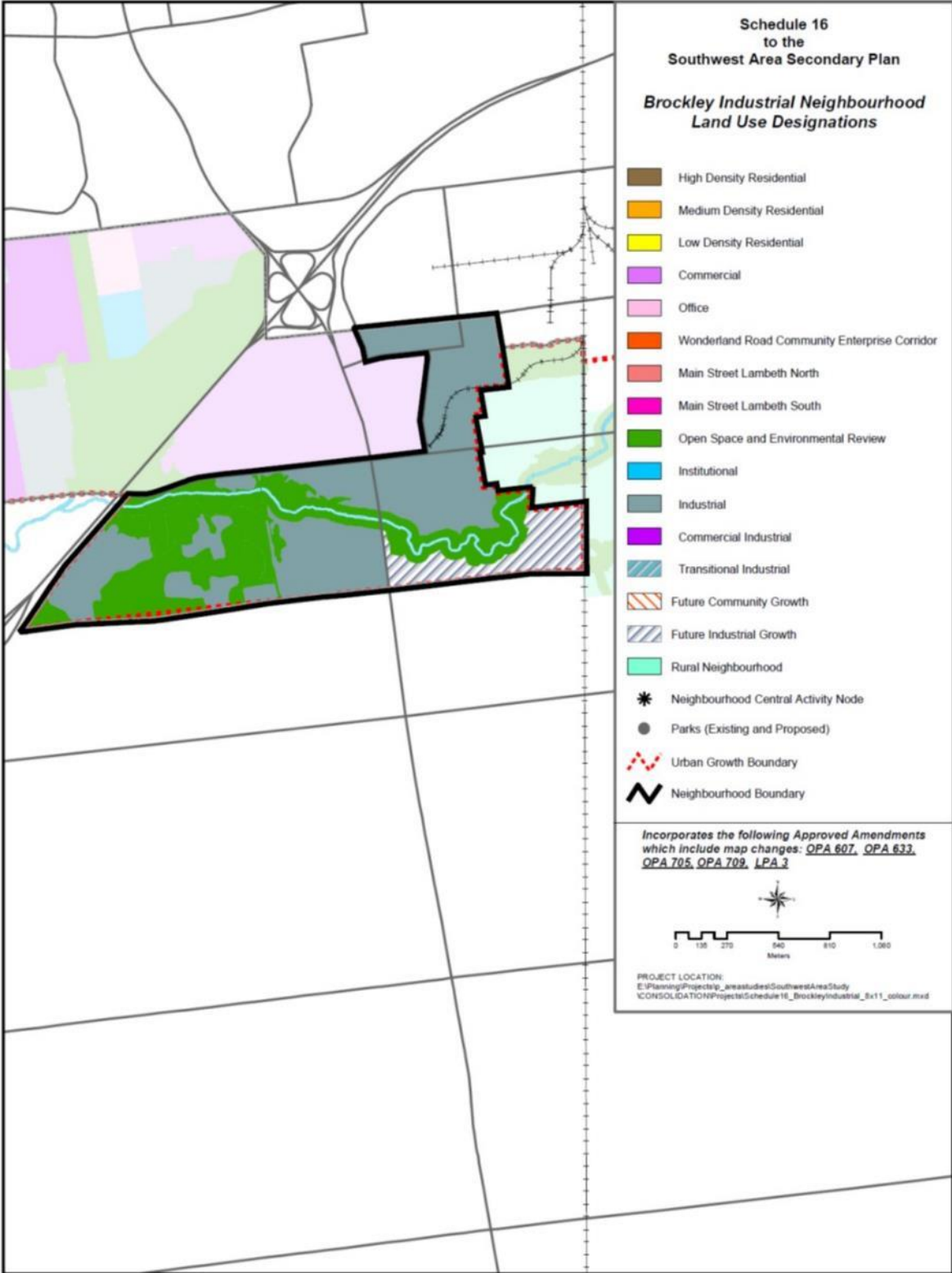
**Dingman Industrial Neighbourhood
Land Use Designations**

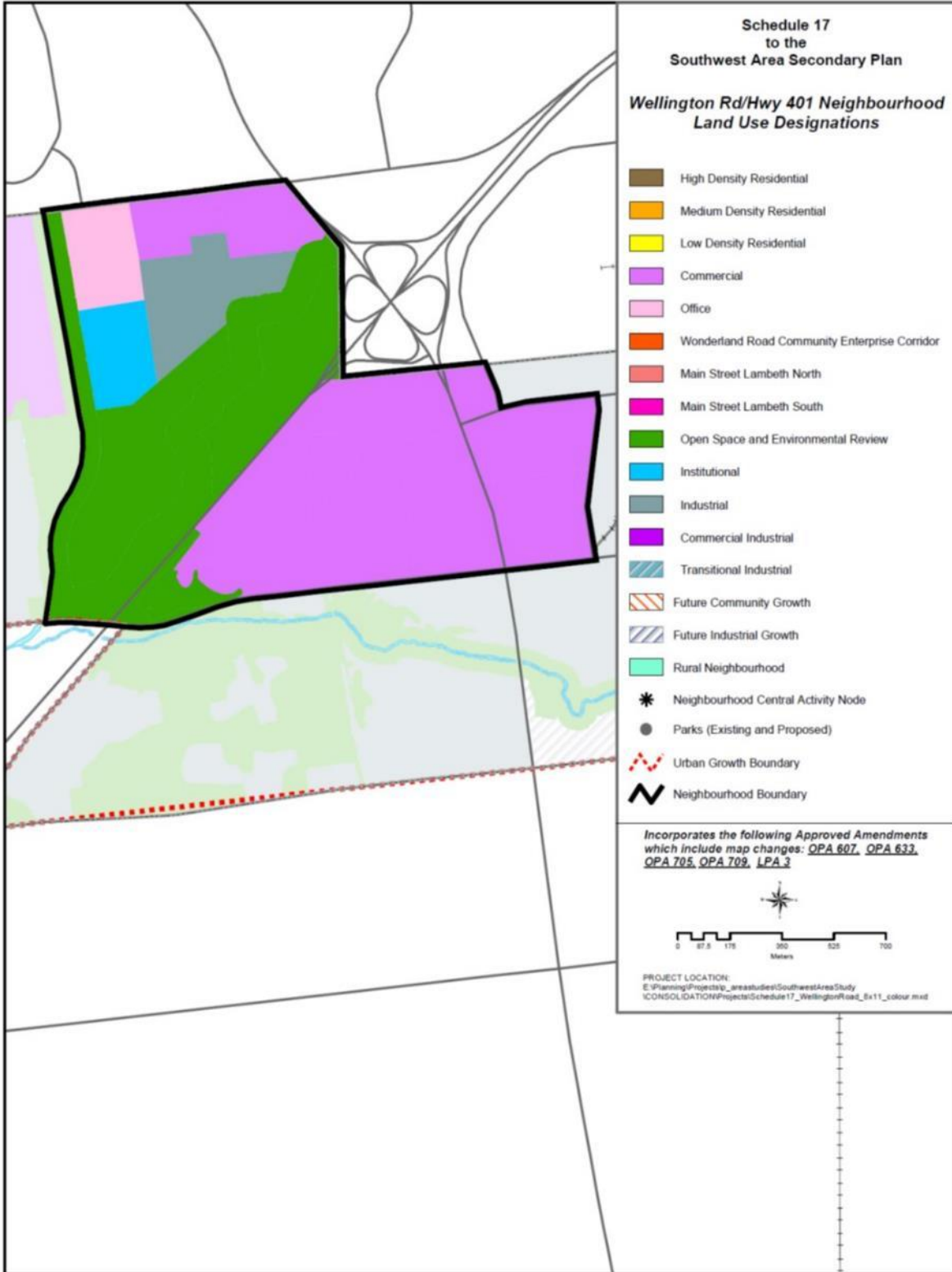


Incorporates the following Approved Amendments
which include map changes: OPA 607, OPA 633,
OPA 705, OPA 709, LPA 3



PROJECT LOCATION:
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CONSOLIDATION\Projects\Schedule15_DingmanIndustrial_8x11_colour.mxd





Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: Scott Mathers, MPA, P. Eng.
Deputy City Manager, Planning and Economic Development

Subject: Delegated Authority for Minor Zoning By-law Amendments
(Bill 13) and Alternative Notice Measures for Minor Zoning By-law and Official Plan Amendments

Date: June 20, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to Bill 13, *Supporting People and Businesses Act, 2021*:

- (a) the proposed by-law attached hereto as Appendix “A” **BE INTRODUCED** at the Municipal Council meeting on July 5, 2022 to **AMEND** the London Plan by adding new policies with respect to delegated approval authority for minor zoning by-law amendments and alternative consultation measures for minor London Plan amendments and zoning by-law amendments, and amending existing policies for consistency with the new policies.
- (b) the proposed by-law attached here to as Appendix “B” **BE INTRODUCED** at the Municipal Council meeting on July 5, 2022 to pass a new by-law “Minor Zoning By-law Amendments Delegation and Approval By-law” to authorize Council to delegate approval authority with respect to minor zoning by-law amendments.

Executive Summary

Summary of Request

The recommended amendment to the London Plan is to delegate approval authority for minor zoning by-law amendments and establish alternative consultation measures for minor London Plan amendments and zoning by-law amendments.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to implement some of changes to the *Planning Act* made through Bill 13, *Supporting People and Businesses Act, 2021*, which allows Council to delegate approval authority under Section 34 (Zoning By-laws) that are of a minor nature to staff. The authority will include delegating decisions for removal of holding symbols and other minor zoning by-law amendments. The recommended action will also permit alternative consultation measures for minor London Plan amendments and zoning by-law amendments.

Rationale of Recommended Action

1. The recommended amendments to the London Plan are consistent with the *Planning Act* which provides a new discretionary authority that allows municipal councils to delegate decision-making authority under Section 34 that are of a minor nature and permits alternative measures for public notice and consultation.
2. The recommended amendments support one of Council’s goals in the 2019-2023 Strategic Plan, which improve the delivery of service through streamlined Council’s decision-making process.
3. The recommended amendments to the London Plan establish a policy framework for delegated authority approval with respect to minor zoning by-law

amendments and alternative consultation measures for minor London Plan amendments and zoning by-law amendments.

4. The recommended amendments establish a new Council Policy that authorizes the new authority in accordance with The London Plan as amended pursuant to the *Planning Act*.

Linkage to the Corporate Strategic Plan

The recommended amendments implement the following strategic area of focus of the 2019-2023 Strategic Plan:

- Leading in Public Service – Increase efficiency and effectiveness of service delivery.

Analysis

1.0 Background Information

1.1 Bill 13 – The *Supporting People and Businesses Act, 2021*

On October 7, 2021, Bill 13, *Supporting People and Businesses Act, 2021*, was introduced to make changes to a variety of statutes, including the *Planning Act*. Schedule 19 of the Bill proposed changes to the *Planning Act* which provide a new discretionary authority (new Section 39.2) that the council of a local municipality may delegate decision-making authority under Section 34 (Zoning By-law) of the *Planning Act* for the approval of zoning by-law amendments that are of a minor nature to a municipal committee, officer, employee or agent. The Schedule also proposed consequential amendments to the *Municipal Act, 2011* and *City of Toronto Act, 2006* to implement these changes. On December 2, 2021, the changes came into force.

With these changes, the *Planning Act* allows the council to delegate authority to pass by-laws under section 34 that are of a minor nature including but are not limited to: holding provision by-laws to remove a holding symbol; and temporary use by-laws to authorize the temporary use of land, buildings or structures.

In order to delegate the new authority, the official plan must contain provisions that specify the types of by-laws which may be subject to delegation. This delegation may also be subject to conditions established by the council and would have the notice, public meeting and appeal requirements that apply to Section 34 applications.

Bill 13 does not change notice or public meeting requirements, however, the *Planning Act* currently permits alternative measures for informing and obtaining the views of the public for official plan amendments and zoning by-law amendments through official plan policies. A public meeting is required for an official plan amendment or zoning by-law amendment under the *Planning Act*. An alternative consultation procedure is necessary to delegate approval authority for minor zoning by-law amendment.

Staff are supportive of the changes made by Bill 13 that will streamline the planning process for certain types of Section 34 applications and have drafted changes to the London Plan with respect to the delegation and alternative consultation measures for minor zoning by-law amendments and London Plan amendments.

1.2 Information report and draft changes

On April 19, 2022, an information report with draft changes to the London Plan was presented to the Planning and Environment Committee (PEC) which recommended the report be received for information and be circulated for public input. On May 3, 2022, Council resolved that:

[the] report and draft London Plan amendments to implement changes made by Bill 13, Supporting People and Business Act, 2021, to the Planning Act BE

The draft changes include new policies with respect to new delegated approval authority for minor zoning by-law amendments and alternative measures for public notice with respect to minor London Plan amendments and zoning by-law amendments, and minor changes to existing policies for consistency with the new policies. The draft policies are attached in Appendix F of this report.

Following the Council's resolution, the information report was circulated to interested parties. Since the circulation of the report, one comment from the London Development Institute (LDI) was received. The LDI has expressed their support for the proposed changes with a minor suggestion indicating minor corrections relating to property mergers may be included in new policies. Staff are of the opinion that these corrections resulting from merged properties are not minor and are outside of the scope of the delegation of authority under Bill 13. One reply was also received from the public requesting clarification with respect to the right to participation. Further information of the public engagement is found in Appendix C.

1.3 Delegation of Council's authority

Staff have identified several advantages to delegating authority with respect to certain types of zoning by-law amendments that are considered minor from Council to staff. The delegation includes the lifting of holding provisions and housekeeping changes. Delegating the authority for these will streamline the decision-making process, reduce unnecessary delays on planning applications, and improve delivery of service.

1.3.1 Delegation of holding provision removal

Section 36 of the *Planning Act* authorizes municipalities to apply a holding provision to a zoning by-law that would restrict the development of the site until specific conditions are met. These conditions may include adequate provision of infrastructure and community services, approval of subdivision plans, site plans, or any supporting studies, and the execution of agreements. When the conditions of the holding provision have been met, the "h" holding symbol can be removed through the approval of an amending by-law by the municipal council.

Between 2017 and 2021, City Council considered an average of 35 applications per year to remove holding symbol(s). The most common conditions of these holding symbols were to ensure adequate provision of municipal services, including water, to ensure the execution of legal agreements, and to implement all noise attenuation measures. In 2021, Council considered 35 applications for removal of holding symbols, 32 (91%) of which had no comments received in response to the Notice of Application.

The *Planning Act* requires notice of Council's intent to remove a holding symbol, while no public meeting is required to be held. The City circulates the notice of intent in the same manner as a regular zoning by-law amendment, most of which did not require a public meeting. Five (5) applications included the removal of the "h-5" holding provision which requires a public site plan review, including a public meeting held at the PEC. A public site plan review process was conducted for each to address planning matters prior to Council approval. There are other holding provisions that require a public meeting. These provisions can be found in Section 2.3 of this report. It is not recommended that these matters be delegated to Staff.

The lifting of a holding symbol does not require a public participation meeting, although these applications sometimes result in questions at PEC, however, the process to lift a holding provision is administrative in nature, and if the condition has been satisfied, the removal is procedural and not subject to debate. It is recommended that staff be delegated the approval authority to remove a holding provision. Delegating this authority to staff will decrease timelines and workload associated with the approval process and will reduce the number of items on Council's agenda for consideration. This will provide for more expeditious and efficient delivery of service.

1.3.2 Delegation of minor errors and housekeeping updates

There have been some Council-adopted amendments to the Zoning By-law and the London Plan that are of a housekeeping nature. These housekeeping amendments include changes to fix typographical, grammatical and formatting errors, and reflect name changes of provincial ministries.

A housekeeping amendment to the London Plan was presented to a Planning and Environment Committee on July 15, 2020 to correct errors and omissions and make updates to reflect council-approved amendments to the 1989 Official Plan since the London Plan's approval in 2016. Comments were primarily received from applicants or agents in association with these 1989 Official Plan amendments who were seeking to ensure that the intent of their amendments would be captured in the London Plan. All concerns identified through the public circulation of the amendment were resolved through discussions with the applicants.

Two housekeeping amendments have also been considered to reflect the transition from the 1989 Official Plan to the London Plan. An amendment to Council-adopted secondary plans was submitted to the January 31, 2022 PEC meeting, which updated the secondary plans by removing references to the 1989 Official Plan, correcting errors and omissions, and changing the names of provincial ministries.

Future housekeeping changes to the London Plan and Zoning By-law will be brought forward to the PEC to refine wording or reflect changes to references to external agencies, policy documents or legislation. These changes are intended to keep the London Plan and the Zoning By-law up to date, while improving clarity and consistency in policies and mapping. Given the nature of changes, it is not expected that any concerns would be identified.

Staff are of the opinion that most housekeeping zoning by-law amendments are minor and straightforward, and do not affect the outcomes of the by-law. It is recommended that these amendments be delegated to staff. This delegation would also free up Council time to consider other planning applications.

1.4 Review of Temporary Zoning applications

The draft changes proposed that temporary zoning by-laws, with the exception of temporary surface commercial parking lots in the Downtown, be included in the new delegated authority. However, comments received at the April 19, 2022 PEC meeting suggested that the extension of temporary zones often result in questions or concerns from Council or the public, and that these matters should continue to be directed to Council for a decision, rather than being decided administratively.

Staff reviewed past temporary zoning applications considered from 2015 to 2021, and these are summarized in the table below. There were a total of 17 temporary zoning applications, nine of which were for extension of temporary surface commercial parking lots in the Downtown. Several applications resulted in concerns being raised by the public and agencies, including matters such as that the extension of the temporary parking lot would jeopardize existing heritage buildings, have negative impacts on the pedestrian environment, or create unsafe conditions. Given these findings, it is now recommended that any application to extend a temporary zone should continue to require a public meeting and Council's decision, and not be included in matters to be delegated.

Year	Temporary Zoning applications outside Downtown	Temporary Zoning applications for surface parking lots in Downtown	Total
2015	2	0	2
2016	1	1	2
2017	1	3	4
2018	1	1	2
2019	2	1	3
2020	1	1	2

2021	0	2	2
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A number of applications outside the Downtown included unique or sensitive circumstances. For example, an application was considered to facilitate the construction of a single detached dwelling prior to the demolition of the existing single detached dwelling. Another application was to permit a permanent building instead of repeated extensions of the existing temporary trailer for automobile dealership, which would trigger the site plan control process.

Staff are of the opinion that temporary zoning applications include matters that should be addressed on a case-by-case basis, and therefore, it is difficult to establish objective criteria to determine what would constitute a “minor” a temporary zoning application. Also, given the low volumes of these types of applications, moving them from consideration by Council to consideration administratively would not result in significant efficiency or timing savings.

It is recommended that temporary zoning by-laws continue to be forwarded to the PEC for consideration and remain subject to Council’s decision. The recommended amendment does not include temporary zoning applications as part of minor zoning by-law amendments.

2.0 Policy Framework

Policies that have been reviewed provide overall policy direction with respect to delegation of approval authority with respect to zoning by-law amendments that are of a minor nature and alternative measures for notice and public meeting requirements.

2.1 *Planning Act*

Through the changes made by Bill 13, the *Planning Act* allows municipal councils to delegate authority at its discretion to pass by-laws under Section 34 that is of a minor nature (Section 39.2(1)). Section 39.2(3) does not provide a complete list of such by-laws subject to delegation and give the council the flexibility to specify types of these by-laws. These by-laws may include:

- Holding provision by-laws to remove a holding symbol; and
- Temporary use by-laws to authorize the temporary use of land, buildings or structures.

Section 39.2(2) requires that the official plan contains provisions that specify the types of by-laws which may be subject to delegation. This delegation may also be subject to conditions established by the council (S. 39.2(4)).

The *Planning Act* requires notice and public meetings for zoning by-law amendments. All public meeting, notice and appeal requirements that apply to Section 34 applications would apply to the delegation.

The *Planning Act* provides that if an official plan sets out alternative measures for informing and obtaining the views of the public in respect of official plan amendments and zoning by-law amendments, the notice and public meeting requirements do not apply to such amendments (S. 17(19.3), 34(14.3)). Section 22(1) further provides that for an official plan amendment, Council must hold a public meeting pursuant to the public consultation requirements or comply with alternative measures set out in the official plan.

2.2 **The London Plan**

The London Plan includes a number of policies regarding Council’s delegated approval authorities for various planning applications under the *Planning Act*.

The Our Tools part of the Plan provides that the Council and its delegated approval authorities consider planning applications including amendments to the London Plan, the Zoning By-law, site plan approval, consents to sever, and approvals of plans of

subdivision, including condominium, based on all relevant and required information (Policy 1580). The Plan also establishes a policy framework for the considerations of holding provision by-laws (Policy 1656 to 1661) and temporary use by-laws (Policy 1671 to 1673A) in order to ensure that the general intent and purpose of the Plan is maintained.

The holding provision by-law policies provides that City Council determines that the requirements for removal of a holding symbol have been met (1658), which reflects that City Council is solely the approval authority. A change to this policy is needed to clarify that removal of holding symbols may be delegated by Municipal Council.

The London Plan includes the Public Engagement and Notice section (policy 1615-1633) in the Our Tools part that provides public notice and meeting requirements pursuant to the *Planning Act*. Policy 1632 states that City Council may forego public notification and public meetings and may adopt changes in instances to correct a minor technical error or omission contained in an amendment which has undergone full public review, to change punctuation or format, alter language, or correct clerical, grammatical, or typographical errors, and to insert footnotes or similar annotations to indicate the origin and approval of each provision.

The Public Meetings and Notices policies do not apply to the removal of the holding symbol under Policy 1660. This policy also provides that a notice of Council's intent to remove the holding symbol shall be given in accordance with the requirements of the *Planning Act* and associated regulations.

2.3 Zoning By-law Z.-1

Zoning By-law Z.-1 includes provisions for holding symbols pursuant to the Section 36 of the *Planning Act* (Holding Provision By-laws). Council may add a holding symbol as a prefix to a zone to specify the future uses of lands, buildings or structures. the zone must not be developed or used until conditions for removing the holding symbol are met and the holding symbol is removed. Meanwhile, the Zoning by-law may permit an interim use. The interim use may include an existing use or another use which would be compatible with the ultimate use of the land.

A public meeting is not held for an application to remove a holding provision unless the holding provision refers specifically to the holding of a public meeting. The Zoning By-law Z-1 includes some of holding provisions that require a public meeting prior to their removals. Each of these holding provisions applies for a specific reason:

*h-5 Purpose: To ensure that development takes a form compatible with adjacent land uses, agreements shall be entered into following public site plan review specifying the issues allowed for under Section 41 of the Planning Act, R.S.O. 1990, c. P.13, prior to the removal of the "h-5" symbol.
Permitted Interim Uses: Existing uses.*

h-106 Purpose: To mitigate potential conflicts between industrial uses and adjacent residential land uses the h-106 symbol shall not be deleted and existing and or future buildings shall not be expanded until public site plan approval is received which will address, among other items, issues of access, on-site parking, outdoor storage, buffering and screening.

h-133 Purpose: To ensure the orderly redevelopment of the site, the "h" symbol shall not be deleted and no development can occur beyond 47,120 square metres gross floor area until a comprehensive (re)development concept site plan and urban design brief are completed at the time of site plan review and a public site plan meeting is held.

Permitted Interim Uses: Permitted uses in stand-alone buildings, enclosed shopping centre format and/or non-enclosed shopping centre format totalling 47,120 square metres.

h-217 Purpose: To ensure that residential development takes a form compatible with adjacent land uses, agreements shall be entered into following public site plan review specifying the issues allowed for under Section 41 of the Planning Act, R.S.O. 1990, c. P.13, prior to the removal of the "h-217" symbol.

These holding provisions are intended to ensure that there is a public site plan review/approval process prior to development and will still be subject to a public meeting and Council's input. The recommended amendment will not change this requirement for a public meeting where there is such a requirement in the holding provision.

3.0 Recommended amendments to the London Plan

The recommended policies remain very similar to the draft policies presented at the April 19, 2022 PEC meeting, with some minor changes required in response to feedback received. The recommended policies consist of the addition of new policies and changes to existing policies in the Our Tools part of the London Plan, as attached in their entirety to Appendix E.

3.1 New policies to include new delegation

The amendments include the addition of three new policies to the Public Engagement and Notice section in the Our Tools part of the Plan. These policies provide new directions on what zoning by-law amendments will be considered minor and alternative measures for public engagement. The first policy includes:

DELEGATED AUTHORITY AND ALTERNATIVE ENGAGEMENT TECHNIQUES FOR MINOR AMENDMENTS

1633A_ City Council may delegate approval authority for minor amendments to the *Zoning By-law*. Such minor zoning by-law amendments are:

1. Removing a holding symbol where the requirements of the holding provision have been met.
2. Correcting of minor errors and omissions to the zoning by-law.
3. Housekeeping updates to reflect changes including but not limited to job titles, City departments, external agencies and organizations, or other policy documents, by-laws, and legislation.

Policy 1633A introduces new delegated authority for minor zoning by-law amendments to remove a holding symbol, correct errors and omissions, and make housekeeping changes to the zoning by-law.

A zoning by-law amendment to address minor errors and omissions that may include typographical, grammatical and formatting errors or to reflect housekeeping changes would also be considered as minor amendments, and would be delegated to staff as a result of this policy.

As noted in Section 1.4 of this report, the consideration of the extension of a temporary use is not considered as a minor amendment to the zoning by-law, and is not therefore recommended to be delegated.

3.2 New policies to permit alternative measures for public consultation

The second and third policies establish alternative measures for public consultation for minor zoning by-law amendments and London Plan amendments.

1633B_ A public meeting is not required for a minor zoning by-law amendment application described above unless concerns have been identified by written submission received during the commenting period identified in the Notice of Application.

1633C_ A public meeting is not required for minor amendments to this Plan unless concerns have been identified by written submission received during the

commenting period identified in the Notice of Application. Such minor London Plan amendments are:

1. Correcting minor errors and omissions.
2. Housekeeping updates to reflect changes including but not limited to job titles, City departments, external agencies and organizations, or other policy documents, by-laws, and legislation.

Policy 1633B sets out an alternative measure for public consultation on a zoning by-law amendment. The policy provides that a public meeting could be waived for a minor zoning by-law amendment if no comments are received by the deadline established in the Notice. There are some exceptions to holding provisions. As noted in Section 2.3, certain holding provisions (e.g. “h-5” and “h-106”) require that a public meeting be held. These holding provisions will still be subject to a public meeting and a decision of Council prior to their removal.

Policy 1633C identifies minor London Plan amendments and establishes an alternative consultation measure for these amendments. Similar to minor zoning by-law amendments, a minor London Plan amendment would include correction of errors and omissions and housekeeping changes to improve clarities and consistencies of London Plan policies. The policy will also allow Council to forego a public meeting for a minor London Plan amendment that has no concerns identified. The London Plan amendment would still be subject to Council approval, however, could be submitted as a consent report to the PEC.

These policies above are consistent with the *Planning Act* that allows for alternative measures for notice and public consultation with respect to official plan amendments and zoning by-law amendments. The alternative measures will be more efficient than the prescribed requirements under the *Planning Act* in notifying and engaging while reducing the time and costs associated with public meetings.

3.3 Changes to Existing Policy

A minor change to existing Policy 1658 in the Holding Provision By-law section in the Our Tools part improves consistency with the new policies by adding new words as underlined in the following:

1658_ *The Zoning By-law* will be amended by application to remove the holding symbol when City Council or its delegated approval authority determines that the requirements relating to the appropriate purpose as set out in the by-law have been met.

The change clarifies that the new delegation of approval authority would include decisions for the lifting of holding provisions.

4.0 New by-law for delegation

Section of 39.2(1) of the *Planning Act* provides that Council may, by by-law, delegate the authority to pass by-laws under Section 34 that are minor in nature. Currently, the City has a by-law with respect to delegation of Council’s powers and duties. The Delegation of Powers and Duties Policy (By-law No. A.-6151(w)-421) delegates Council’s decision-making powers to City staff under Section 23.1 of the *Municipal Act, 2001*. Further, Section 23.3(1) of the *Municipal Act* authorizes municipalities to delegate powers and duties to pass zoning by-laws provided under Section 39.2 of the *Planning Act*.

Section 4.3 of the Delegation of Powers and Duties Policy states that any delegation of a power or duty be by by-law. As such, in order to make the delegation for minor zoning by-law amendments, staff recommend that a new by-law be passed, as attached to Appendix B. The enactment of the by-law will authorize Council to delegate approval authority to staff for minor zoning by-law amendments pursuant to Section 39.2 of the *Planning Act* and the London Plan.

Conclusion

The recommended amendment will delegate the approval authority with respect to minor zoning by-law amendments and establish alternative measures for minor zoning by-law amendments and London Plan amendments pursuant to the *Planning Act*. The new by-law will authorize Council to delegate the new authority in accordance with the London Plan.

Delegation with respect to applications to remove a holding symbol or correct errors and omissions will streamline the procedures and administration, alleviate some of the volume of applications on Council's agenda and thereby provide for more efficient delivery of service.

Prepared by: Joanne Lee
Planner I, Long Range Planning and Research

Reviewed by: Justin Adema, MCIP, RPP
Manager, Long Range Planning and Research

Recommended by: Gregg Barrett, AICP
Director, Planning and Development

Submitted By: Scott Mathers, MPA, P. Eng.
Deputy City Manager, Planning and Economic
Development

cc: Kevin Edwards, Manager, Long Range Planning, Research and Ecology

June 13, 2022
JL/jl

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to\Applications\Bill 13 - Delegation Authority - O-9492 (JL)\08-PEC\Report\Bill 13 Information Report.docx

Appendix A – London Plan Amendment

Bill No. (number to be inserted by Clerk's Office)
2022

By-law No. C.P.-XXXX-____

A by-law to amend The London Plan for the City of London, 2016 relating to new delegation and alternative measures for public consultation pursuant Bill 13.

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 London Plan for the City of London Planning Area – 2016, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This Amendment shall come into effect in accordance with subsection 17(27) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on July 5, 2022.

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – July 5, 2022
Second Reading – July 5, 2022
Third Reading – July 5, 2022

**AMENDMENT NO.
to the
THE LONDON PLAN FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To add a new section in the Our Tools part of The London Plan for the City of London to delegate approval authority with respect to minor zoning by-law amendments and permit alternative measures for public consultation with respect to minor London Plan amendments and zoning by-law amendments.
2. To change existing policies in the Our Tools part of The London Plan for the City of London to improve consistency with the new policies.

B. LOCATION OF THIS AMENDMENT

This Amendment is a text amendment, which applies to all lands within the City of London.

C. BASIS OF THE AMENDMENT

1. This amendment is consistent with the *Planning Act*, with respect to delegation of decisions under Section 34 that are of a minor nature (Bill 13) and alternative measures for notice and public meeting requirements for minor official plan amendments and zoning by-law amendments.

D. THE AMENDMENT

The London Plan is hereby amended as follows:

1. The Our Tools part of The London Plan for the City of London Planning Area is amended by adding new policies after Policy 1633 as follows:

**DELEGATED AUTHORITY AND ALTERNATIVE ENGAGEMENT TECHNIQUES
FOR MINOR AMENDEMENTS**

1633A_ City Council may delegate approval authority for minor amendments to the *Zoning By-law*. Such minor zoning by-law amendments are:

1. Removing a holding symbol where the requirements of the holding provision have been met.
2. Correcting of minor errors and omissions to the zoning by-law.
3. Housekeeping updates to reflect changes including but not limited to job titles, City departments, external agencies and organizations, or other policy documents, by-laws, and legislation.

1633B_ A public meeting is not required for a minor zoning by-law amendment application described above unless concerns have been identified by written submission received during the commenting period identified in the Notice of Application.

1633C_ A public meeting is not required for minor amendments to this Plan unless concerns have been identified by written submission received during the commenting period identified in the Notice of Application. Such minor London Plan amendments are:

1. Correcting minor errors and omissions.
2. Housekeeping updates to reflect changes including but not limited to job

titles, City departments, external agencies and organizations, or other policy documents, by-laws, and legislation.

2. Policy 1658 of The London Plan for the City of London is amended by adding “or its delegated approval authority” after “City Council”.

Appendix B – By-law

Bill No. (number to be inserted by Clerk's Office)
2022

By-law No.

A by-law to delegate Council's authority with respect to approvals for zoning by-law amendments that are of a minor nature under Section 39.2 of the *Planning Act*, R.S.O. 1990, c.P.13.

WHEREAS subsection 39.2(1) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, permits Municipal Council by by-law to delegate to an appointed officer identified in the by-law either by name or position occupied, the authority to approve zoning by-law amendments under Section 34 of the said Act that are of a minor nature provided that an official plan specifies the types of by-laws which may be subject to delegation;

AND WHEREAS the City of London Official Plan contains provisions that specify the types of minor zoning by-law amendments subject to delegation pursuant to section 39.2(2) of the *Planning Act*.

AND WHEREAS section 23.1 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that Municipal Council is authorized to delegate its powers and duties under this or any other Act to a person or body subject to any restrictions set out;

AND WHEREAS section 23.3(1)(5) of the *Municipal Act, 2001* authorizes Municipal Council to delegate its powers and duties to pass by-laws provided under section 39.2 of the *Planning Act*.

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

SHORT TITLE

Minor Zoning By-law Amendments Delegation and Approval By-law

Part 1

DEFINITIONS

1.1 In this by-law,

"Act" shall mean the *Planning Act*, R.S.O. 1990, c.P.13, as amended.

"Approval Authority" shall mean the appointed officer of officer delegated by by-law passed by Municipal Council from time to time.

"Council" shall mean the Municipal Council of the Corporation of the City of London.

"Director, Planning and Development" shall mean the person who holds the position of Director, Planning and Development for the Corporation of the City of London.

"Holding" or "Holding Provision" means a by-law subject to the provisions of section 36 of the Act.

"Official Plan" shall mean the Official Plan for the City of London Planning Areas as

amended from time to time.

“Manager, Current Planning” shall mean the person who holds the position of Manager, Current Planning for the Corporation of the City of London.

“Manager, Subdivisions and Development Inspections” shall mean the person who holds the position of Manager, Subdivisions and Development Inspections.

“Minor Amendment” shall mean the types of zoning by-law amendments described in Part 2.

Part 2

MINOR ZONING BY-LAW AMENDMENTS SUBJECT TO DELEGATION

2.1 Types of Minor Zoning By-law Amendments

Applications to amend the City of London Zoning By-law, Z.-1 that are of a minor nature, as specified in the Official Plan pursuant to section 39.2(2) of the Act, to which the herein delegation applies are:

- (a) removing a Holding Provision where the requirements of the Holding Provision have been met pursuant to section 36 of the Act;
- (b) correcting minor errors and omissions; and
- (c) housekeeping updates to reflect changes including but not limited to job titles, City departments, external agencies and organizations, or other policy documents, by-laws, and legislation.

Part 3

DELEGATION OF APPROVAL AUTHORITY

3.1 Delegation of Approval Authority – Director, Planning and Development – General Powers

The Director, Planning and Development, in lieu of the Council, has all powers and rights in respect of the authority delegated by this by-law, and the Director, Planning and Development shall be responsible for all matters pertaining thereto, subject to the terms and limitations of this by-law and in exercising such authority may affix their signature as required to all documents arising from or connected with the operation of this by-law.

3.2 Approval Authority – Director, Planning and Development

The Council hereby delegates to the Director, Planning and Development, the authority to pass a by-law with respect to a Minor Amendment application, including the authority:

- (a) to determine whether or not an application made in respect of a Minor Amendment is complete; and if determined to be incomplete, to refuse to accept it and return it to the applicant, detailing the outstanding information required;
- (b) to determine whether or not the requirements of a Holding Provision have been met at the time of considering a zoning by-law amendment to remove the Holding Provision.
- (c) to determine whether or not an application for a Minor Amendment is required to be referred to Council for the purpose of holding a public meeting, in accordance with the following considerations, and notwithstanding that London Plan policy

1633B does not require that a public meeting be held for Minor Amendments:

- a. Certain holding symbols require a site plan public meeting as part of conditions for their removal. In these cases, the Approval Authority will request that the Planning and Environment Committee convene a public meeting on behalf of the Approval Authority to obtain input from the public and receive advice from Council and subsequently report to the Approval Authority the results of the public meeting and any comments of Council without further notice or by adding a direction for staff to hold a public meeting at Planning and Environment Committee.
- b. If written comments are received from the public within the prescribed time period following the mailing of notice of application, a public meeting will be required.

3.3 Approval Authority – Director, Planning and Development – Limitation of Powers

If the Approval Authority has determined that the Minor Amendment application is not consistent with the Provincial Policy Statement, 2020, and does not conform with Official Plan policy, a public meeting shall be held in accordance with the requirements of section 34 of the Act, and it shall be referred to Council for decision and the delegated authority with respect to that particular application is hereby revoked.

Part 4

DELEGATION OF APPROVAL AUTHORITY IN DIRECTOR, PLANNING AND DEVELOPMENT'S ABSENCE

4.1 Approval Authority – Director, Planning and Development – Absence

When the Director, Planning and Development is absent or their office is vacant, the Manager, Subdivisions and Development Inspections or the Manager, Current Development shall act in the place and stead of the Director, Planning and Development, under this by-law and while so acting, the Manager, Subdivisions and Development Inspections or the Manager, Current Development has and may exercise all the rights, powers, and authority of the Director, Planning and Development as delegated by this by-law subject to the same responsibilities and limitations as set out in this by-law.

Part 5

ENACTMENT

5.1 Effective Date

This by-law comes into force on the day it is passed.

PASSED in Open Council on July 5, 2022.

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – July 5, 2022
Second Reading – July 5, 2022
Third Reading – July 5, 2022

Appendix C – Public Engagement

Public liaison: On June 1, 2022, combined Notice of Application and Public Participation Meeting (PPM) was circulated to City Planning's official circulation list, including prescribed agencies, as well as advisory committees. Combined Notice of Application and PPM was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on June 2, 2022.

An information report, including draft changes to the London Plan, was presented as a consent report to the Planning and Environment Committee on April 19, 2022 which recommended the report be circulated for public input on the draft changes. Following Council's resolution on May 3, 2022, the report was circulated to interested parties for review and input and was included in combined Notice of Application and PPM for reference.

Nature of Liaison: The purpose and effect of this amendment is to implement changes to the *Planning Act* made through Bill 13, *Supporting People and Businesses Act, 2021*. This amendment will introduce delegation for minor zoning by-law amendments and establish alternative measures for public consultation with respect to London Plan amendments and zoning by-law amendments that are of a minor nature.

Responses: 1 reply was received

From: Unknown name
Sent: Wednesday, June 1, 2022 9:47 PM
To: Lee, Joanne <jolee@london.ca>
Subject: [EXTERNAL] Bill 13

Hello Ms. Lee,

Can you please tell me whether these changes take away a resident's right to participation in minor variances and zoning changes?

Thanks
[Unknown name]

Agency/Departmental Comments:

London Development Institute (LDI) – May 24, 2022



LONDON DEVELOPMENT INSTITUTE

May 20, 2022

Joanne Lee
Planner 1, Long Range Planning & Research
Planning & Development
City of London

Dear Ms. Lee

Thank you for the opportunity to comment on the proposed London Plan amendments to implement changes made by Bill 13, *Supporting People and Business Act, 2021*.

First, we would like to thank you for the very well written Information report regarding delegated decision-making authority opportunities for an improved development application process as per Bill 13, *Supporting People and Business Act, 2021* presented to Planning and Environment Committee on April 19, 2022.

I would like to confirm LDI's support of the Draft London Plan Amendment as stated in Appendix A of the aforementioned staff report.

We believe the use of delegated authority for minor amendments as outlined in the proposed 1658 and 1633A, B, and C clauses will have a significant impact on improving the development application process. This small change will improve the approval process by eliminating the months of delays the current system adds by requiring Council approval. A process, as outlined in the staff report, does not add value to any stakeholder including Council.

The only suggestion is the consideration of adding "minor zoning corrections relating to property mergers" as an addition, as part of the new 1633A, to the list of delegated approval authority changes. Minor incongruities that sometime occur through property mergers could be fixed through delegated authority. This may be covered under the "correcting errors and omissions" point in clause 1633A, but we wanted to bring it to your attention.

We would be happy to discuss our position further if needed. I will be attending the public meeting regarding the OPA to add the above clauses.

Thank you for your time.

Sincerely,

Mike Wallace
Executive Director

562 Wellington St., Suite 203, London, Ontario, N6A 3R5

tel. (519) 642-4331

www.londondev.ca

londondev@rogers.com

From: Carrie O'Brien
Sent: Wednesday, May 25, 2022
To: Lee, Joanne <jolee@londn.ca>
Cc: Mike Wallace <londondev@rogers.com>
Subject: FW: [EXTERNAL] LDI letter regarding delegated Authority OPA- Bill 13

Hi Joanne,

Wanted to follow up on Mike's inquiry with some specific examples Drewlo has recently encountered. We have discussed both of these with Planning & Economic development and they did not feel that either option would be eligible for delegated authority (theoretically). Obviously I disagree. Mergers can be cumbersome; any opportunity to simplify the process through delegated authority would be appreciated.

I think I could understand having to address on a case-by-case basis; although, maybe staff could establish criteria that those requests could be measured by?? Happy to discuss in further detail.

[examples not included for confidentiality]

Thanks,
Carrie O'Brien
Drewlo Holdings Inc.

Appendix D – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this requested amendment. The most relevant policies, by-laws, and legislation are identified as follows:

Planning Act

- 17(15) to (19.2) – Notice and public meeting requirements for official plan amendments
- 17(19.3) – Alternative measures for notice and public meeting requirements regarding official plan amendments
- 34 – Zoning by-laws
- 34(12) to (14.2) – Notice and public meeting requirements for zoning by-law amendments
- 34(14.3) Alternative measures for notice and public meeting requirements regarding zoning by-law amendments
- 36 – Holding provision by-law
- 39 – Temporary use provisions
- 39.2 – Minor by-laws – delegation

The London Plan

- 1615 to 1633 – Public engagement and notice
- 1656 to 1661 – Holding provision by-law
- 1671 to 1673A – Temporary use provisions

Zoning By-law Z.-1

- 3.8 – Holding “h” zones
- 50 – Temporary (T) Zone

Municipal Act

- 23.1 – General power to delegate
- 23.3 – Powers that cannot be delegated

City of London Delegation of Powers and Duties Policy (By-law No. A.-6151(w)-421)

- 4.1 – Applicable legislation
- 4.2 – Powers that may be delegated
- 4.3 – Process for delegation

Appendix E – Revised London Plan Amendment

Add New Section:

DELEGATED AUTHORITY AND ALTERNATIVE ENGAGEMENT TECHNIQUES FOR MINOR AMENDMENTS

1633A_ City Council may delegate approval authority for minor amendments to the *Zoning By-law*. Such minor zoning by-law amendments are:

1. Removing a holding symbol where the requirements of the holding provision has been met.
2. Correcting of minor errors and omissions to the zoning by-law.
3. Housekeeping updates to reflect changes including but not limited to job titles, City departments, external agencies and organizations, or other policy documents, by-laws, and legislation.

1633B_ A public meeting is not required for a minor zoning by-law amendment application described above unless concerns have been identified by written submission during the commenting period identified in the Notice of Application.

1633C_ A public meeting is not required for minor amendments to this Plan unless concerns have been identified by written submission during the commenting period identified in the Notice of Application. Such minor London Plan amendments are:

1. Correcting minor errors and omissions.
2. Housekeeping updates to reflect changes including but not limited to job titles, City departments, external agencies and organizations, or other policy documents, by-laws, and legislation.

Amend the Following Policies:

Underlined text indicates text additions.

1658_ The *Zoning By-law* will be amended by application to remove the holding symbol when City Council or its delegated approval authority determines that the requirements relating to the appropriate purpose as set out in the by-law have been met.

Appendix F – Draft London Plan Amendment

Add New Section:

DELEGATED AUTHORITY AND ALTERNATIVE ENGAGEMENT TECHNIQUES FOR MINOR AMENDMENTS

1633A_ City Council may delegate approval authority for minor amendments to the Zoning By-law. Such minor Zoning By-law amendments may include:

1. Removing a holding symbol where the provision has been met
2. Renewal of an existing temporary use provision, except where the temporary use includes a surface commercial parking lot in the Downtown Place Type.
3. Correcting of minor errors and omissions
4. Housekeeping updates to reflect changes to job titles, City departments, external agencies and organizations, or other policy documents and legislation.

1633B_ A public meeting is not required for a minor Zoning By-law Amendment application described above unless concerns have been identified by written submission during the commenting period identified in the Notice of Application, if required.

1633C_ A public meeting may not be required for minor amendments to this Plan unless concerns have been identified by written submission during the commenting period identified in the Notice of Application. Such minor London Plan amendments may include:

1. Correcting of minor errors and omissions
2. Housekeeping updates to reflect changes to job titles, City departments, external agencies and organizations, or other policy documents and legislation.

Amend the Following Policies:

1658_ The Zoning By-law will be amended by application to remove the holding symbol when City Council or its delegated approval authority determines that the requirements relating to the appropriate purpose as set out in the by-law have been met.

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: Scott Mathers, MPA, P. Eng.
Deputy City Manager, Planning and Economic Development
Subject: 991 Sunningdale Road West
Public Participation Meeting Date: June 20, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, with respect to the application of Nasser and Suzan Aljarousha relating to the property located at 991 Sunningdale Road West, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal council meeting to be held on July 5, 2022 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan, to change the zoning of the subject lands **FROM** an Agricultural AG1 Zone **TO** a Holding Agricultural AG1 Special Provision (h-18*AG1()) Zone.

Executive Summary

Summary of Request

The request is for approval of a zone change from an Agricultural (AG1) Zone to an Agricultural AG1 Special Provision (AG1()) Zone to facilitate the development of a single detached dwelling. A holding provision is recommended to ensure that any archaeological matters have been addressed in advance of development or site alteration.

Purpose and Effect of Recommended Action

The purpose and effect of this zoning change is to permit a single detached non-agricultural dwelling as an additional permitted use. This amendment includes special provisions to recognize a lot area of 2,103m² (whereas 40 hectares is required) and a lot frontage of 45.8m (whereas a minimum of 200m is required); to permit an east and west interior side yard depth of 10.6m and 13.8m, respectively, and a rear yard depth of 14.5m (whereas a minimum of 15m is required); and permit a front setback of 7.2m from the ultimate road allowance (whereas a minimum of 15m is required).

Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020.
2. The recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Farmland Place Type, Our Strategy, our Tools, and other applicable London Plan policies.
3. The recommended amendment conforms to the in-force of the 1989 Official Plan, including but not limited to the Agricultural designation.
4. The recommended amendment facilitates the development of a single detached non-agricultural dwelling which is appropriate and compatible with existing and future land uses in the surrounding area.

Linkage to the Corporate Strategic Plan

Building a Sustainable City – London's growth and development is well planned and sustainable over the long term.

Analysis

1.0 Background Information

1.1 Property Description

The subject lands are located outside of the Urban Growth Boundary on the north side of Sunningdale Road West, approximately 500m east of Wonderland Road North in the Fox Hollow Planning District.

The subject lands were previously occupied by a single detached dwelling which was recently demolished for the development of a new single detached dwelling. Surrounding land uses include single detached dwellings to the east and west, townhouses to the south, and agricultural lands to the north.

The subject lands have an area of 2,103m² and frontage of 45.8m along Sunningdale Road West. The subject lands are generally flat in topography and contains multiple mature trees along the west interior and rear property lines.



Figure 1. Google street view of the subject lands and previously existing single detached dwelling (demolished), facing north from Sunningdale Road West (June, 2021)



Figure 2. View of the subject lands, facing north from Sunningdale Road West (May, 2022)



Figure 3. View of the subject lands, facing northeast from Sunningdale Road West (May, 2022)

1.2 Current Planning Information

- The London Plan Place Type – Farmland
- Official Plan Designation – Agricultural
- Existing Zoning – Agricultural (AG1) Zone

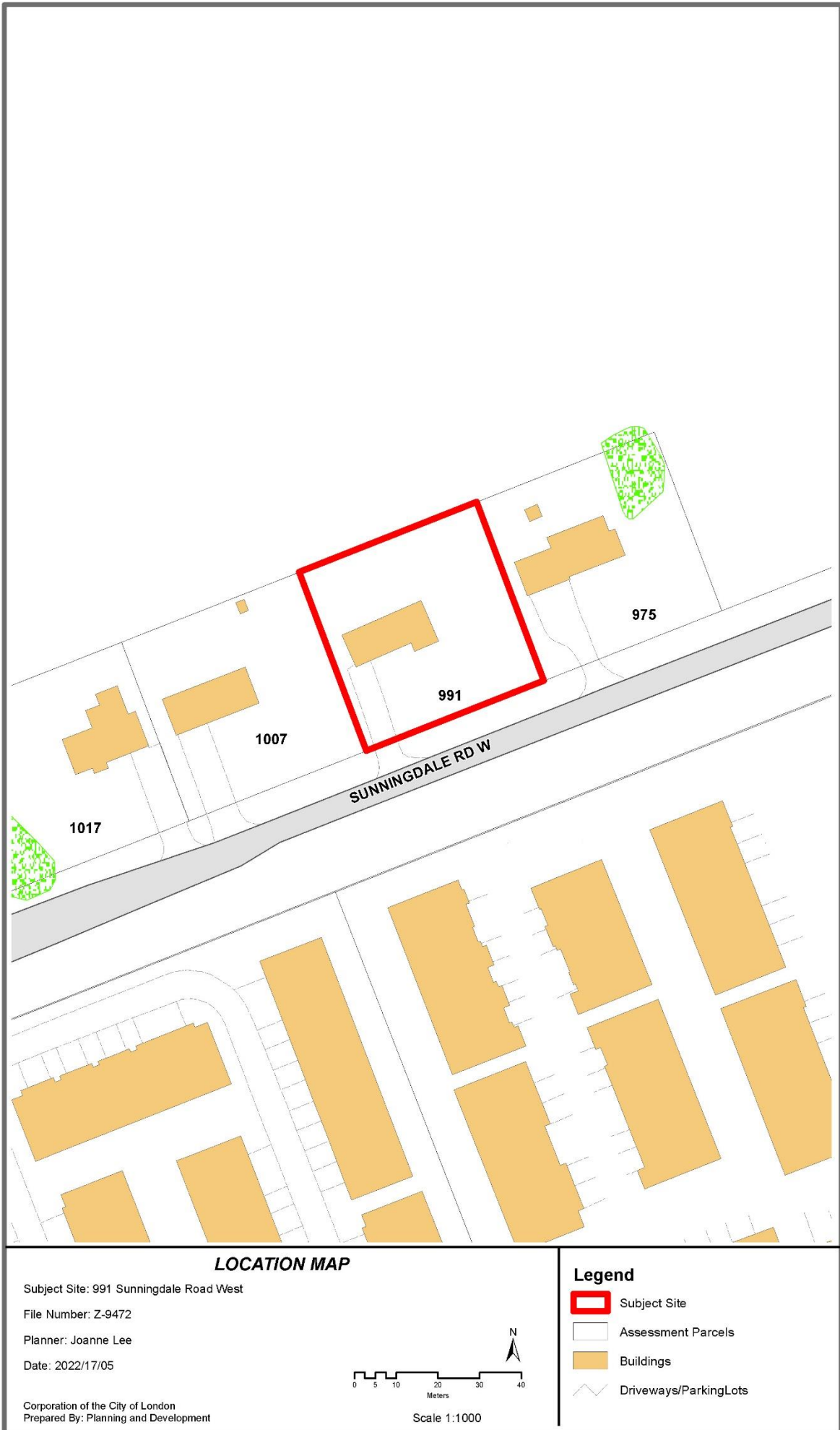
1.3 Site Characteristics

- Current Land Use – Vacant (previously non-conforming use)
- Frontage – 45.8m
- Depth – 45.8m
- Area – 2,103m²
- Shape – square

1.4 Surrounding Land Uses

- North – Agricultural
- East – Single detached dwellings
- South – Townhouse dwellings
- West – Single detached dwelling

1.5 Location Map



2.0 Discussion and Considerations

2.1 Development Proposal

The owner has requested to rezone the subject lands to facilitate the development of a single detached non-agricultural dwelling. The proposed development will retain the existing boundary trees located along the west and north property lines.

The subject lands were previously occupied by the existing single detached dwelling that had existed since 1970s. The existing dwelling was treated as legal non-conforming, however, was demolished which leads to the removal of the existing foundation and therefore loses its legal non-conforming status. To facilitate the development of a new single detached dwelling on a new foundation, a zoning by-law amendment is required.

2.2 Requested Amendment

The recommended amendment is to rezone the subject lands to an Agricultural AG1 Special Provision (AG1(_)) which will add a single detached non-agricultural dwelling as an additional permitted use and allow special provisions, including:

- A lot area of 2,103 square metres whereas a lot area of 40 hectares is required.
- A lot frontage of 45.8 metres whereas a lot frontage of 200 metres is required.
- An east and west interior side yard depth of 10.6 metres and 13.8 metres, respectively, a minimum interior side yard depth of 15 metres is required.
- A rear yard depth of 14.5 metres whereas a minimum rear yard depth of 15 metres is required.
- A front setback of 7.2 metres from the ultimate road allowance whereas a minimum of 15 metres is required.

2.3 Community Engagement (see more detail in Appendix B)

No responses were received from the public.

2.4 Policy Context

Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS), 2020 provides policy direction on matters of provincial interest related to land use planning and development. In accordance with Section 3 of the Planning Act, all planning decisions “shall be consistent with” the PPS.

Section 1.1.4.1 of the PPS encourages healthy, integrated and viable rural areas to be supported by promoting regeneration and encouraging the conservation and redevelopment of existing rural housing stock on rural lands. Rural areas may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and resource areas (1.1.4).

The subject lands are located within prime agricultural area of London. The PPS requires the protection of prime agricultural areas for long-term agricultural use and permits agricultural uses, agriculture-related uses, and on-farm diversified uses in prime agricultural areas (2.3.1, 2.3.3.1).

The London Plan

At the time the application was submitted The *London Plan* was Council adopted and approved by the Ministry with modifications with the majority of which was in force and effect. The *London Plan* policies under appeal at the time of the application which were considered in force and effect for the review of this application are indicated with an asterisk (*) throughout this report.

The London Plan provides Key Directions (54_) that must be considered to help the City effectively achieve its vision. These directions give focus and a clear path that will lead to the transformation of London that has been collectively envisioned for 2035. Under each key direction, a list of planning strategies is presented. These strategies serve as a foundation to the policies of the plan and will guide planning and development over the next 20 years.

Given the nature of the proposed development outside of the Urban Growth Boundary, Key Direction #8 Make Wise Planning Decision provides the most applicable direction in this context and includes:

1. Ensure that all planning decisions and municipal projects conform with *The London Plan* and are consistent with the *Provincial Policy Statement*.
2. Plan for sustainability – balance economic environmental, and social considerations in all planning decisions.
3. Think “big picture” and long-term when making planning decisions – consider the implications of a short-term and/or site-specific planning decision within the context of this broader view.
8. Avoid current and future land use conflicts – mitigate conflicts where they cannot be avoided.
9. Ensure new development is a good fit within the context of an existing neighbourhood.

The subject lands are located within the Farmland Place Type with frontage on a Civic Boulevard as identified on Map 1 – Place Types* and Map 3 – Street Classifications. An excerpt from The London Plan Map 1 – Place Types* is found at Appendix D. The Farmland Place Type is the prime agricultural area of London and is intended to protect and maintain farm practices to support a healthy, productive and innovative agricultural industry (1179).

1989 Official Plan

The subject lands are designated Agricultural in accordance with Schedule ‘A’ of the 1989 Official Plan, where agriculture and farm-related activities are the predominant land use. An excerpt from Land Use Schedule ‘A’ is found at Appendix D. The Agricultural designation recognizes the need for a long-term commitment and is intended to minimize the loss of prime agricultural land to non-farm development and prohibit the introduction of land uses that are incompatible with or may potentially constrain farm operations.

Zoning By-law Z.-1

The subject lands are zoned Agricultural (AG1). The Agricultural Zone is applied to agricultural and farmland areas. The AG1 Zone variation permits a wide range of non-intensive agricultural uses (45.1). A zoning map excerpt from the Zoning By-law Z.-1 is found at Appendix D.

3.0 Key Issues and Considerations

3.1 Issue and consideration #1: Use

Provincial Policy Statement

While agricultural uses, agriculture-related uses and on-farm diversified uses are permitted in prime agricultural areas, the PPS encourages non-agricultural uses provided impacts from these uses on surrounding agricultural operations and lands are mitigated to the extent feasible (2.3.3.1, 2.3.6.2).

The London Plan and 1989 Official Plan

The subject lands are located within the Farmland Place Type in The London Plan and are designated Agricultural in the 1989 Official Plan. Both the Farmland Place Type and Agricultural designation apply to lands outside the Urban Growth Boundary and permit a broad range of agricultural uses, including the principal farm residence and secondary farm dwelling units that may be required for the farm operation (The London Plan, 1182; 1989 Official Plan, 9.2.1, 9.2.2).

The creation of non-farm residential lots in the agricultural area are discouraged, while single detached dwellings on existing lots of record are permitted (The London Plan, 1180, 1182_2; 1989 Official Plan, 9.1.1, 9.2.9). The London Plan may permit residential uses on existing lot of record subject to a zoning by-law amendment, provided it does not create conflicts with farming operations or adjacent natural heritage features (1190).

Consistent with the PPS, both the London Plan and the 1989 Official Plan permits any new non-agricultural uses provided their impacts on surrounding agricultural operations and lands are mitigated (The London Plan, 1180; 1989 Official Plan, 9.1.1).

Based on a review of the surrounding land uses Staff have identified that the abutting agricultural lots are of similar size and shape and are occupied by single detached non-agricultural dwellings and while south of the subject lands are townhouses. The subject lands have also accommodated an existing single detached dwelling for more than 40 years. The proposed single detached dwelling on the existing lot of record conforms to the London Plan and 1989 Official Plan as the proposed use will have no new impacts on the surrounding agricultural lands and can be considered more compatible use with adjacent residential (legal conforming) uses than the currently permitted agricultural uses.

Zoning By-law No. Z.-1

The AG1 Zone variation permits a wide range of non-intensive agricultural uses, including agricultural uses, farm dwelling, and kennels (45.1, 45.2.1). Residential dwellings are not permitted in the AG1 Zone, unless they are existing residential dwellings on a lot of record (45.3.2). As a result of the demolition of the existing single detached dwelling, the residential use is no longer recognized as legal conforming as per Section 45.3.2. As such, a special provision is required to permit a single detached dwelling as an additional permitted use.

3.2 Issue and consideration #2: Minimum Distance Separation (MDS) Setbacks

Provincial Policy Statement

The PPS requires that new land uses in prime agricultural areas shall comply with the minimum distance separation formulae (2.3.3.3). The provincial Minimum Distance Separation (MDS) Implementation Guidelines and Formulae is intended to minimize land use conflicts and nuisance complaints related to odour from livestock facilities.

The London Plan and 1989 Official Plan

Consistent with the PPS, the London Plan requires any development on lands outside of the Urban Growth Boundary meet the required odour setbacks in accordance with the provincial MDS Implementation Guidelines and Formulae (1773). Further, all types of development on all existing lots of record are required to comply with the MDS I requirements (The London Plan, 1775_4; 1989 Official Plan, 9.2.10). Residential uses on existing lots of record are subject to MDS I setback at a time of a zoning by-law amendment and prior to the issuance of a building permit (The London Plan, 1191).

Zoning By-law Z.-1

For the Agricultural Zone, all new agricultural and non-agricultural uses require compliance with the appropriate MDS formula as determined by the Ministry of Agriculture, Food and rural Affairs guidelines (45.3.8)

The MDS Implementation Guidelines and Formulae provides that all existing livestock facility within a 750 distance of a proposed Type A land use and a 1,500m distance of a proposed Type B land use shall be investigated to undertake MDS I setback calculations where warranted (#6). Type A land uses are characterized by a lower density of human occupancy, habitation or activity, including dwellings on existing lots outside a settlement area (#33).

An MDS I setback also applies to all building permit applications for dwellings on existing lots and all proposed amendments to rezone land to permit development in prime agricultural areas and rural lands zoned for agricultural use (#7, #10). This also includes those to allow site-specific exceptions which add non-agricultural uses or residential uses to the list of agricultural uses already permitted on a lot.

The proposed single detached dwelling is classified as a Type A land use. No existing livestock facilities are located within 750m of the proposed single detached dwelling. Accordingly, there are no issues with respect to the proposed non-agricultural use and the Minimum Distance Separation Formula.

3.3 Issue and consideration #3: Intensity and Form

The London Plan

Within the Farmland Place Type, residential uses are required to be limited to existing lots of record and encouraged to locate in the urban portion of the city to prevent establishment of estate lots (1213_3). These uses are also to be grouped to minimize points of access to the street (1213_2, 1216_3).

The proposed single detached dwelling is grouped with the abutting existing single detached dwellings on Sunningdale Road West and will not result in any transportation conflict on the street. The proposed development will result in a single detached dwelling that is a good fit within the existing and planned context of the surrounding area.

3.4 Issue and consideration #4: Reduced lot area and lot frontage

The London Plan and 1989 Official Plan

The minimum farm parcel size of 40 hectares is established through the Zoning By-law to encourage the retention or consolidation of farm parcels so that farms are of a sufficient size to promote efficient operations and responsible environment management and to maintain long term viability and flexibility. It is recognized that there are existing properties in the Agricultural designation that do not meet the minimum farm parcel size (The London Plan, 1215; 1989 Official Plan, 9.2.9). The 1989 Official Plan provides further direction which allows for single detached dwellings on undersized lots within the Agricultural designation. Single detached dwellings are subject to:

- i) *An adequate and potable water supply is available or can be made available on the site subject to the approval of the authority having jurisdiction.*
- ii) *The lot size is sufficient and the soil are suitable to support an individual on-site waste disposal system subject to the approval of the authority having jurisdiction.*

The subject lands have been proven to accommodate all on-site servicing and to be of sufficient size and configuration to accommodate a single detached dwelling. The subject lands are serviced by municipal water and private on-site services. No additional services are required for the proposed single detached dwelling. The subject lands have a frontage which is very similar to those of the neighbouring single detached dwellings.

While the reduced lot size of 2,103m² satisfies the criteria above for single detached dwellings, the lot must satisfy all regulations for the Agricultural AG1 zone variation as a result of the loss of legal non-conforming status. Special provisions are required to recognize the reduced lot area, whereas a minimum of 40 ha is required, and a lot frontage of 45.8m, whereas a minimum of 200m is required.

3.5 Issue and consideration #5: Reduced yard depths

In order to facilitate the development of a new single detached dwelling, additional special provisions are required to permit a reduced east and west interior side yard depth of 10.6 metres and 13.8 metres, respectively, and a rear yard depth of 14.5 metres whereas a minimum yard depth of 15 metre is required for the Agricultural AG1 Zone variation. The special provisions also include a reduced setback of 7.2 metres from the ultimate road allowance whereas a minimum of 15 metres is required.

West interior side yard depth

The applicant is proposing to locate the single detached dwelling to the centre of lot providing an adequate setback to the west. The previous single detached dwelling was located closer to the abutting single detached dwelling to the west.

Additionally, a number of mature trees are lined along the west property line. These trees will be retained based on the proposed setback and will help screen the abutting single detached dwelling to the west. Staff are of the opinion that a reduced west interior side yard depth is appropriate.

East interior side yard depth

Currently, there are an existing board-on-board fence and small trees located along the east property line, as shown in Figure 4 below. To further mitigate potential privacy impacts, the applicant is proposing to locate a garage to the east limiting any privacy concerns and potential oversight into the rear yard of the abutting property. Staff are of the opinion that a reduced east interior side yard depth will not result in significant impacts on the abutting single detached dwelling to the east.



Figure 4. View of subject lands and east abutting single detached dwelling, facing east from Sunningdale Road West.

Rear yard depth

To the north, there are agricultural lands. The existing trees are currently lined along the rear property line and will be retained. The reduced rear yard depth is not expected to introduce any potential land use conflicts between the proposed single detached dwelling and the surrounding uses.

Front setback from ultimate road allowance

The Zoning By-law provides yard requirements adjacent to the Arterial and Collector roads measured from the limit of the required or the existing road allowance, whichever is the greater (4.21). The intent of the regulation ensures that adequate distance is provided in the event of future road widening.

Sunningdale Road West is an arterial road and has an ultimate road allowance requirement of 18m from the centre line. In the AG1 Zone variation, a minimum front yard depth of 15m is required from the ultimate road allowance. The applicant has requested a reduced front yard setback of 7.2m from the ultimate road allowance.

Through the application review process, Urban Design staff has indicated that there is no formal streetwall established on the north side of Sunningdale Road West, and therefore have no concern over the reduced setback. The reduced front setback is not expected to have any significant impacts on the character of the streetscape along Sunningdale Road West and detract from the overall character of the agricultural area. The proposed single detached dwelling will not result in potential encroachment into the ultimate road allowance of Sunningdale Road West and an appropriate setback will be maintained.

3.6 Issue and consideration #6: Archaeological Potential

The subject lands are identified as having archaeological potential. Archaeological staff has indicated that the proposed scope of work will result in soil disturbance due to the construction of a single detached dwelling on the lands. As a result, an archaeological assessment is required for the entire property in accordance with the Provincial Policy Statement and the London Plan. A Stage 1-2 Archaeological Assessment is recommended.

The Provincial Policy Statement

Section 2.6.2. of the Provincial Policy Statement requires the completion of an archaeological assessment prior to development or site alteration in areas of archaeological potential.

The London Plan

The London Plan requires an archaeological assessment where a proposal involves development or site alteration, and if it is determined through the application of the Archaeological Management Plan model that any part of a subject area possesses archaeological resource potential or known archaeological resources (616).

The requested zoning includes the h-18 holding provision to require an archaeological assessment completed and accepted by the Ministry of Heritage, Sport, Tourism and Culture Industries prior to any development on site. The holding provision will ensure that the subject lands are assessed for the presence of archaeological resources to the satisfaction of the City. The h-18 holding provision states:

The proponent shall retain a consultant archaeologist, licensed by the Ministry of Heritage, Sport, Tourism and Culture industries (MHSTCI) under the provisions of the Ontario Heritage Act (R.S.O. 1990 as amended) to carry out a Stage 1 (or Stage 1-2) archaeological assessment of the entire property. Development or property alteration shall only be permitted on the subject property containing archaeological resources or areas of archaeological potential if the archaeological resources have been conserved by removal and documentation, or by site preservation (Stages 3 and 4). The archaeological assessment must be completed in accordance with the most current Standards and Guidelines for Consulting Archaeologists. Engagement with the appropriate First Nations shall be completed consistent with the policies of the London Plan.

All archaeological assessment reports, in both hard copy format and digitally in Portable Document Format (PDF), will be submitted to the City of London once MTCS has accepted them into the Public Registry.

Significant archaeological resources will be incorporated into the proposed development through either in situ preservation or interpretation where feasible, or may be commemorated and interpreted on site.

No demolition, new exterior construction, grading, or any other activity where soil disturbance will occur or might be reasonably anticipated shall take place on the subject property prior to the City of London receiving the MHSTCI compliance letter indicating that all archaeological licensing and reporting requirements have been satisfied. (Z.-1-192784)

Conclusion

The recommended zoning amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the in-force policies of The London Plan and 1989 Official Plan. The recommended amendment would facilitate the development of a single detached non-agricultural dwelling that is considered more appropriate and compatible with existing and future land uses in the surrounding area.

The recommended holding provision will ensure that an archaeological assessment is undertaken to assess the subject lands and mitigate adverse impacts to any archaeological resources found before development or site alteration can occur on the lands.

Prepared by: Joanne Lee
Planner I, Long Range Planning and Research

Reviewed by: Mike Corby, MCIP, RPP
Manager, Planning Implementation

Recommended by: Gregg Barrett, AICP
Director, Planning and Development

Submitted By: Scott Mathers, MPA, P. Eng.
Deputy City Manager, Planning and Economic
Development

June 13, 2022
JL/jl

Z:\DEVELOPMENT SERVICES\11 - Current Planning\DEVELOPMENT APPS\2022 Applications 9472 to Applications\Sunningdale Road West 991 (MW) Z-9472\08-PEC\Report\Z-9472 report.docx

Appendix A

Bill No. (number to be inserted by Clerk's Office)
2022

By-law No. Z.-1-22_____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 991
Sunningdale Road West

WHEREAS Nasser and Suzan Aljarousha have applied to rezone an area of land located at 991 Sunningdale Road West, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 991 Sunningdale Road West, as shown on the attached map comprising part of Key Map No. A101, from an Agricultural AG1 Zone to a Holding Agricultural AG1 Special Provision (h-18*AG1()) Zone.
- 2) Section 45.4 a) of the Agricultural AG1 Zone is amended by adding the following Special Provision:

)	AG1()	991 Sunningdale Road West	
	a)	Additional Permitted Use:	
		i) Single detached dwelling	
	b)	Regulation[s]	
		i) Lot area (Minimum)	0.21 hectares (2,103m ²)
		ii) Lot Frontage (Minimum)	45.8 metres (150.2 feet)
		iii) Interior Side Yard Depth (west)	13.8 metres (45.2 feet)
		iv) Interior Side Yard Depth (east)	10.6 metres (34.7 feet)
		v) Rear Yard Depth	14.5 metres (47.5 feet)
		vi) Front Setback from ultimate road allowance	7.2 metres (23.6 feet)

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. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

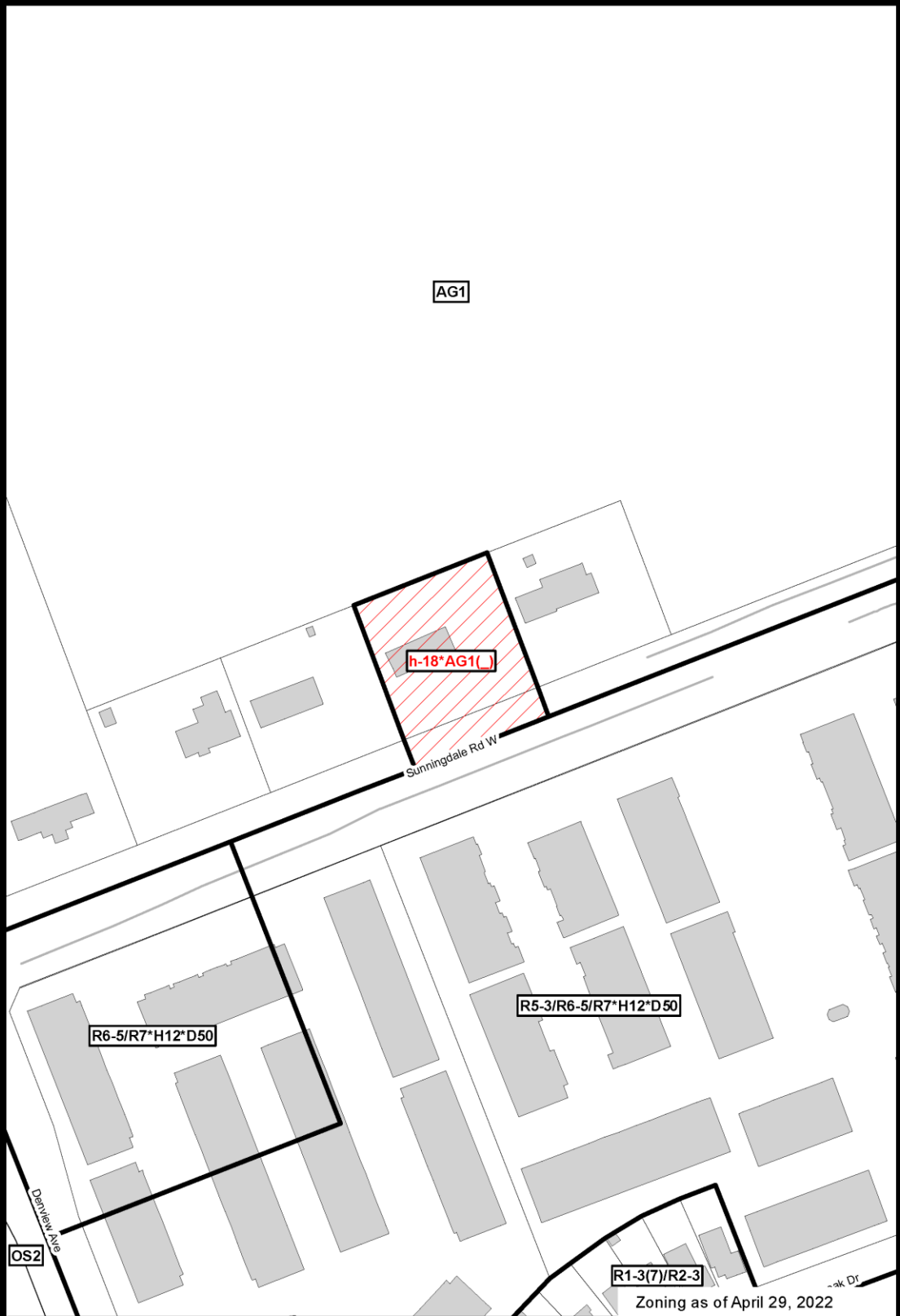
PASSED in Open Council on July 5, 2022.

Ed Holder
Mayor


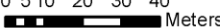

Michael Schulthess
City Clerk

First Reading – July 5, 2022
Second Reading – July 5, 2022
Third Reading – July 5, 2022

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



Zoning as of April 29, 2022

<p>File Number: Z-9472 Planner: JL Date Prepared: 2022/05/17 Technician: rc By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:1,500</p> <p>0 5 10 20 30 40 Meters </p> <p></p>
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Appendix B – Community Engagement

Community Engagement

Public Liaison: On February 23, 2022, Notice of Application was sent to 136 property owners in the surrounding area. A Planning application sign was also posted on site. Notice of Application was published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on February 24, 2022. A Notice of Public Meeting was published in *The Londoner* on June 2, 2022.

Responses: no responses received

Nature of Liaison: Application to change the zoning from an Agricultural (AG1) Zone to an Agricultural Special Provision (AG1(_)) Zone to permit a single detached non-agricultural dwelling as an additional permitted use; to recognize a lot area of 2,103m² whereas a minimum of 4,000m² is required; to recognize a lot frontage of 45.8m whereas a minimum of 200m is required; to permit an east and west interior side yard depth of 10.6m and 13.8m, respectively, and a rear yard depth of 14.5m whereas a minimum yard depth of 15m is required; and to permit a setback of 7.2m from the ultimate road allowance whereas a minimum of 20m is required.

Agency or Departmental Comments

Archaeological, March 9, 2022

Z-9472 – 991 Sunningdale Road West

infill/intensification; new single family detached dwelling

Major issues identified

Archaeological potential at 991 Sunningdale Road W is identified on the City's Archaeological Mapping. The proposed scope of work will result in soil disturbance due to the construction of single detached dwelling on the property.

Related policy

Per Policy 616 of *The London Plan*, “[a]n archaeological assessment is required where a proposal involves development or site alteration, and if it is determined through the application of the Archaeological Management Plan model that any part of a subject area possesses archaeological resource potential or known archaeological resources.”

Conditions of ZBA approval – heritage planning

- Archaeological Assessment Stage 1-2 – entire property

If an archaeological assessment has already been completed and received a compliance letter from the Ministry, the compliance letter along with the assessment report may be submitted for review to ensure they meet municipal requirements.

Notes:

- The proponent shall retain a consultant archaeologist, licensed by the Ministry of Heritage, Sport, Tourism, and Culture Industries under the provisions of the *Ontario Heritage Act* (R.S.O. 1990 as amended) to carry out a minimum of a Stage 1-2 archaeological assessment and follow through on recommendations to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found (Stages 3-4).
- The archaeological assessment must be completed in accordance with the most current Standards and Guidelines for Consulting Archaeologists, Ministry of Tourism, Culture and Sport.
- All archaeological assessment reports will to be submitted to the City of London once the Ministry of Heritage, Sport, Tourism and Culture Industries has accepted them into the Public Registry; both a hard copy and PDF format of archaeological reports should be submitted to Current Development.

- No soil disturbance arising from demolition, construction, or any other activity shall take place on the property prior to Current Development receiving the Ministry of Heritage, Sport, Tourism, and Culture Industries compliance letter indicating that all archaeological licensing and technical review requirements have been satisfied.
- It is an offence under Section 48 and 69 of the *Ontario Heritage Act* for any party other than a consultant archaeologist to make alterations to a known archaeological site or to remove any artifact or other physical evidence of past human use or activity from an archaeological site.
- Should previously undocumented (i.e. unknown or deeply buried) archaeological resources be discovered, they may be a new archaeological site and therefore be subject to Section 48(1) of the *Ontario Heritage Act*. The proponent or person discovering the archaeological resources must cease alteration of the site immediately and engage a consultant archaeologist to carry out archaeological fieldwork, in compliance with Section 48(1) of the *Ontario Heritage Act*. Archaeological sites recommended for further archaeological fieldwork or protection remain subject to Section 48(1) of the *Ontario Heritage Act* and may not be altered, or have artifacts removed from them, except by a person holding an archaeological license.
- If human remains/or a grave site is discovered, the proponent or person discovering the human remains and/or grave site must cease alteration of the site immediately. The *Funerals, Burials and Cremation Services Act* requires that any person discovering human remains must immediately notify the police or coroner and the Registrar of Burial Sites, War Graves, Abandoned Cemeteries and Cemetery Closures, Ontario Ministry of Government and Consumer Services.

Transportation, March 9, 2022

Transportation has no comments to provide at this time.

Urban Design, April 14, 2022

- As there is no formal streetwall established on the side of Sunningdale Road West, there is no UD comment or concern over the new proposed setback in question.
- Attached garages shall not contain garage doors that occupy more than 50% of the unit width AND shall not project beyond the façade of the dwelling or the façade of any porch.

Appendix C – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this proposal. The most relevant policies, by-laws, and legislation are identified as follows:

Provincial Policy Statement, 2020

- 1.1.4 – Rural Areas in Municipalities
 - 1.1.4.1 – Healthy, integrated and viable rural areas
- 2.3.1 – Prime agricultural areas
 - 2.3.3.1 – Permitted uses in prime agricultural areas
 - 2.3.3.3 – new land uses in prime agricultural areas subject to minimum distance separation
 - 2.3.6.1 – non-agricultural uses in prime agricultural areas
 - 2.3.6.2 – impacts of non-agricultural uses
- 2.6.2 – archaeology
- 2.6.4 – archaeological management plans
- 2.6.5 – indigenous communities interests

The London Plan

- 615 – First Nations monitors for Stage 2 and 3 archaeological assessments
- 616 – archaeological assessment required for development and site alteration
- 1179 – Farmland Place Type and prime agricultural area
- 1180 – Functions of Farmland Place Type
- 1181 – Vision of Farmland Place Type
- 1182 – Permitted uses in Farmland Place Type
- 1190 – Residential dwellings on existing lots of record
- 1191 – Compliance with minimum distance separation
- 1213 – Intensity of development in Farmland Place Type
- 1215 – Existing farmland lots
- 1216 – Form of development in Farmland Place Type
- 1773 – Minimum distance separation
- 1775 – Minimum distance separation I setback requirements

1989 Official Plan

- 9.1.1 – Objectives for Agricultural designation
- 9.2.1 – Primary permitted uses in Agricultural designation
- 9.2.2 – Secondary permitted uses in Agricultural designation
- 9.2.9 – Existing agricultural lots
- 9.2.10 – Minimum distance separation requirements

Zoning By-law Z.-1

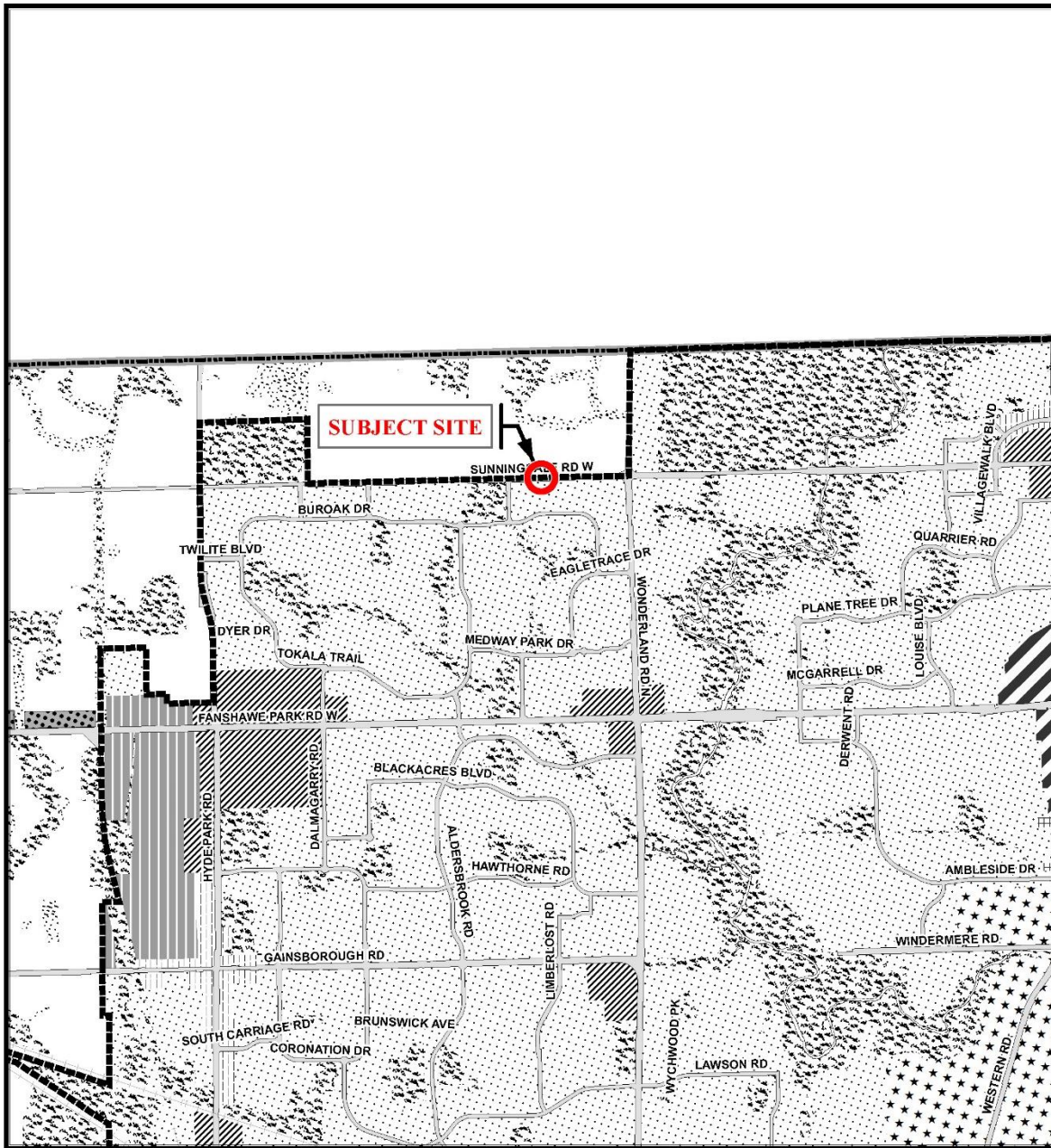
- 4.21 – Road allowance requirements
- 45.1 – General purpose of Agricultural Zone
 - 45.2.1 – Permitted uses in AG1 Zone
 - 45.3.1 – Existing agricultural lots
 - 45.3.2 – Existing single detached non-agricultural dwellings
 - 45.3.8 – Minimum distance separation

Minimum Distance Separation (MDS) Implementation Guidelines and Formulae

- #6 – Required investigation distances for MDS
- #7 – MDS I setbacks for building permits on existing lots
- #10 – MDS I setbacks for zoning by-law amendments
- #11 – MDS setbacks for reconstruction
- #33 – Type A land uses (less sensitive)
- #40 – Measurement of MDS setbacks for development and dwellings

Appendix D – Relevant Background

The London Plan – Map 1 – Place Types



Legend

- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor | Commercial Industrial | Urban Growth Boundary |
| Main Street | Institutional | |
| Neighbourhood | Green Space | |

This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

Planning Services /
Development Services

LONDON PLAN MAP 1 - PLACE TYPES -

PREPARED BY: Planning Services



Scale 1:30,000



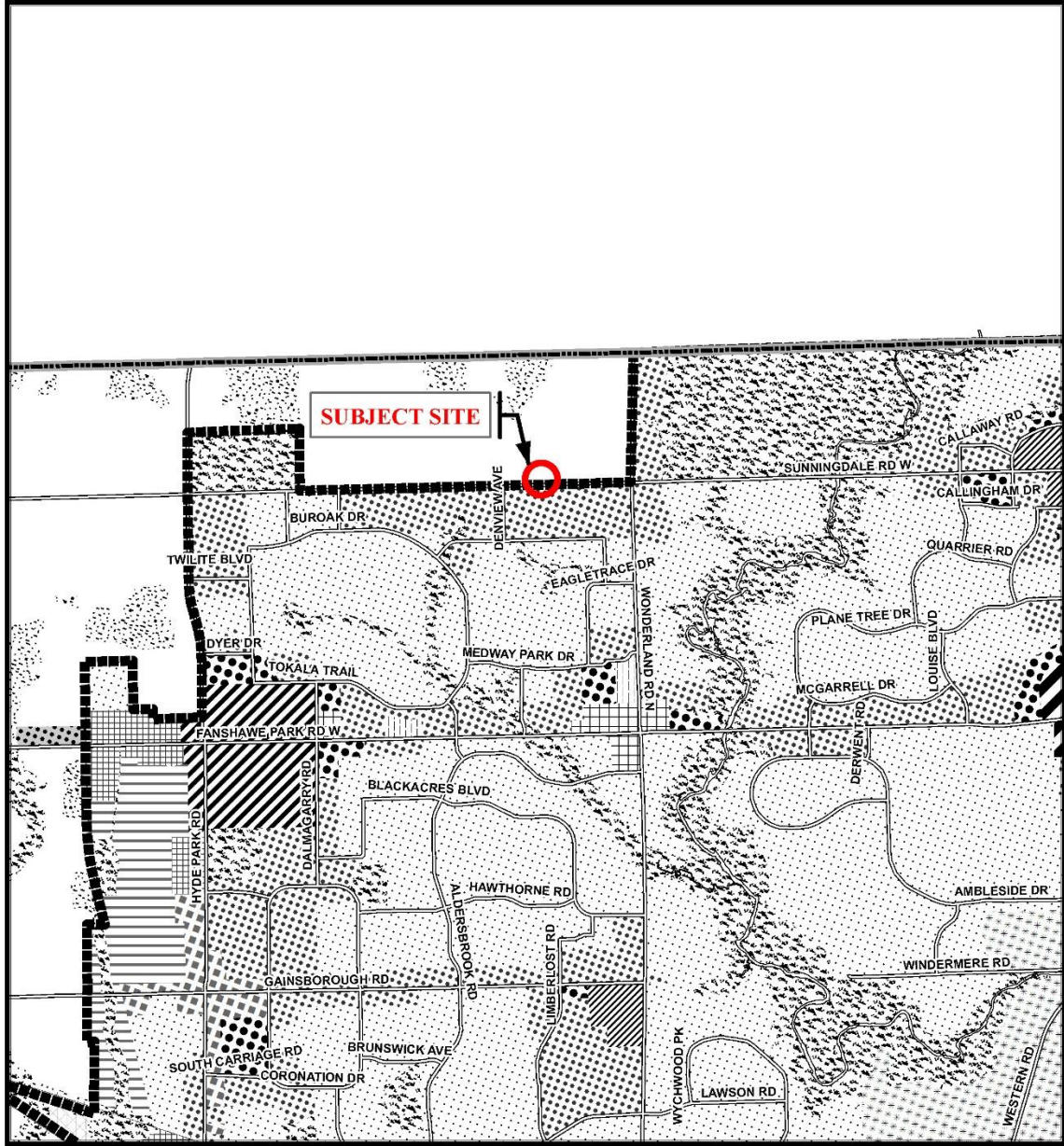
File Number: Z-9472

Planner: JL

Technician: RC

Date: May 17, 2022

1989 Official Plan – Schedule A – Land Use



Legend					
	Downtown		Multi-Family, Medium Density Residential		Office Business Park
	Wonderland Road Community Enterprise Corridor		Low Density Residential		General Industrial
	Enclosed Regional Commercial Node		Office Area		Light Industrial
	New Format Regional Commercial Node		Office/Residential		Commercial Industrial
	Community Commercial Node		Regional Facility		Transitional Industrial
	Neighbourhood Commercial Node		Community Facility		Rural Settlement
	Main Street Commercial Corridor		Open Space		Environmental Review
	Auto-Oriented Commercial Corridor		Urban Reserve - Community Growth		Agriculture
	Multi-Family, High Density Residential		Urban Reserve - Industrial Growth		Urban Growth Boundary

<p>CITY OF LONDON Planning Services / Development Services OFFICIAL PLAN SCHEDULE A - LAND USE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>0 150 310 620 930 1,240 1,550</p> <p>Meters</p>	<p>FILE NUMBER: Z-9472</p> <p>PLANNER: JL</p> <p>TECHNICIAN: RC</p> <p>DATE: 2022/05/17</p>
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Zoning By-law Z.-1 – Zoning excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) **LEGEND FOR ZONING BY-LAW Z-1**

- | | |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS | RF - REGIONAL FACILITY |
| R2 - SINGLE AND TWO UNIT DWELLINGS | CF - COMMUNITY FACILITY |
| R3 - SINGLE TO FOUR UNIT DWELLINGS | NF - NEIGHBOURHOOD FACILITY |
| R4 - STREET TOWNHOUSE | HER - HERITAGE |
| R5 - CLUSTER TOWNHOUSE | DC - DAY CARE |
| R6 - CLUSTER HOUSING ALL FORMS | OS - OPEN SPACE |
| R7 - SENIOR'S HOUSING | CR - COMMERCIAL RECREATION |
| R8 - MEDIUM DENSITY/LOW RISE APTS. | ER - ENVIRONMENTAL REVIEW |
| R9 - MEDIUM TO HIGH DENSITY APTS. | |
| R10 - HIGH DENSITY APARTMENTS | OB - OFFICE BUSINESS PARK |
| R11 - LODGING HOUSE | LI - LIGHT INDUSTRIAL |
| DA - DOWNTOWN AREA | GI - GENERAL INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | HI - HEAVY INDUSTRIAL |
| CSA - COMMUNITY SHOPPING AREA | EX - RESOURCE EXTRACTIVE |
| NSA - NEIGHBOURHOOD SHOPPING AREA | UR - URBAN RESERVE |
| BDC - BUSINESS DISTRICT COMMERCIAL | |
| AC - ARTERIAL COMMERCIAL | AG - AGRICULTURAL |
| HS - HIGHWAY SERVICE COMMERCIAL | AGC - AGRICULTURAL COMMERCIAL |
| RSC - RESTRICTED SERVICE COMMERCIAL | RRC - RURAL SETTLEMENT COMMERCIAL |
| CC - CONVENIENCE COMMERCIAL | TGS - TEMPORARY GARDEN SUITE |
| SS - AUTOMOBILE SERVICE STATION | RT - RAIL TRANSPORTATION |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | |
| OR - OFFICE/RESIDENTIAL | "h" - HOLDING SYMBOL |
| OC - OFFICE CONVERSION | "D" - DENSITY SYMBOL |
| RO - RESTRICTED OFFICE | "H" - HEIGHT SYMBOL |
| OF - OFFICE | "B" - BONUS SYMBOL |
| | "T" - TEMPORARY USE SYMBOL |

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

**ZONING
BY-LAW NO. Z.-1
SCHEDULE A**



THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

FILE NO:

Z-9472

JL

MAP PREPARED:

2022/05/17

RC

1:1,500

0 5 10 20 30 40
Meters

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee

From: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic Development

Subject: St. George and Ann Block Limited
84-86 St. George Street and 175-197 Ann Street
Public Participation Meeting

Date: June 20, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of St. George and Ann Block Limited relating to the property located at 84-86 St. George Street and 175-197 Ann Street:

- (a) the request to amend *The London Plan* to **CHANGE** the Specific Area Policy in the Neighbourhoods Place Type applicable to the subject lands to permit a maximum building height of 23 storeys, and to permit a maximum overall floor area of 500 square metres for retail, service and office uses within the podium base **BE REFUSED** for the following reasons:
- i) It is not consistent with the Provincial Policy Statement, 2020 (PPS) as the level of intensification proposed on the subject site does not result in a sense of place by promoting well-designed built form and cultural planning by conserving heritage features that help define the character of the area.
 - ii) It does not conform to the policies of *The London Plan*, including but not limited to:
 - i. The Key Directions relating to the protection of built and cultural heritage, building a mixed-use compact city, and ensuring new development that is a good fit within existing neighbourhoods.
 - ii. The design criteria contained in the City Design chapter for site layout and high-rise buildings.
 - iii. The Talbot Mixed-Use policies for lands fronting on St. George Street and the south side of Ann Street.
 - iv. The site-specific policy for 84-86 St. George Street and 175-197 Ann Street.
 - v. The Evaluation Criteria for Planning and Development Applications in the Our Tools chapter of *The London Plan*.
 - vi. The Bonusing policies.
 - vii. The Near-Campus Neighbourhoods policies.
 - viii. The Neighbourhoods Place Type policies for the location and gross floor area of commercial uses.
- (b) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** a Residential R9 (R9-3*H12) Zone **TO** a holding Residential R10/Convenience Commercial Special Provision Bonus (h*R10-5/CC4()*B-) Zone, **BE REFUSED** for the following reasons:
- i) The reasons noted in Clause a) above.
 - ii) A rezoning to permit the requested site-specific uses, residential density and height does not conform to the policies of *The London Plan*.
 - iii) A rezoning to permit convenience commercial and additional non-residential uses within the proposed apartment building does not conform

to the location policies of *The London Plan* that contemplate commercial uses.

- iv) The requested amendment does not establish a well-designed built form that would warrant consideration for height and density bonusing.
- v) Insufficient development regulations are provided for in the requested Residential R10 (R10-5) Zone to control the form of development with respect to: a transition of building height from lower heights along the St. George Street frontage to taller heights at the east property boundary; podium heights and stepping back provisions; and, general building configuration and the floor plate area of tower components to minimize shadowing and loss of sunlight.

Executive Summary

Summary of Request

The applicant proposes to construct a high-rise apartment building with a maximum of 216 residential units. The building is generally configured in an “H” shape, consisting of massing with 23 storeys at the east end of the property, 19 storeys in the centre, and 6 storeys along St. George Street. The proposal includes a variety of indoor and outdoor amenity areas intended to serve residents of the building. The proposed outdoor amenity areas are located on the rooftops of the first storey, 6th storey, and 19th storeys. The proposal also includes a range of convenience commercial uses with the additional uses of craft brewery and restaurant with a total gross floor area of 500 square metres on the ground floor. Parking is proposed to be provided in a multi-level parking structure with a request to provide 180 parking spaces for all uses, with bicycle storage and internal driveways accessed from St. George Street.

Municipal Council Direction

A public participation meeting was held at the Planning and Environment Committee on April 25, 2022 for the proposed development. At the following Municipal Council meeting on May 3, 2022, the application was referred back to civic administration to be brought to the June meeting of the Planning and Environment Committee with an aim that staff and the applicant could address certain outstanding issues.

Following the Municipal Council meeting, planning and design staff have met with the applicant with an aim to resolve the various issues identified in the resolution. Several positive steps towards achieving a better design outcome have occurred, though it is staff's opinion that further refinement is required for the built form to achieve the intent of the City Design and *The London Plan* policies to be supported.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended refusal is to maintain the existing specific policy within *The London Plan* and the existing Residential R9 (R9-3*H12) Zone on the property. The existing permissions allow apartment buildings, lodging house class 2, senior citizens apartment buildings, handicapped persons apartment buildings and continuum-of-care facilities with a maximum density of 100 units per hectare and a maximum height of 12 metres (3 – 4 storeys).

Rationale of Recommended Action

It is recommended that this application be refused for the following reasons:

1. The proposed development is not consistent with the Provincial Policy Statement, 2020, which promotes intensification and redevelopment in appropriate locations, while conserving significant heritage resources.
2. The proposed development does not conform to *The London Plan* policies as it does not meet the intent of the site-specific policy to provide a significant building step-back along St. George Street, does not conform to the policies of the Talbot

Mixed-Use Area, the Near Campus Neighbourhood Area, and the Evaluation Criteria for Planning and Development Applications; and

3. The proposed development does not conserve significant cultural heritage resources.

Linkage to the Corporate Strategic Plan

The Strategic Plan provides direction for development through Building a Sustainable City and Strengthening Our Community. Building a Sustainable City includes growth and development that is well planned and directed to strategic locations. The subject site is within a location that contemplates growth and intensification, but that requires thoughtful design and a compatible built form. Strengthening our Community in the Strategic Plan includes achieving a strong character and sense of place by ensuring that new development fits within and enhances its surrounding community, and that London's heritage properties continue to be conserved.

Climate Emergency

On April 23, 2019, Council declared a Climate Emergency. Through this declaration, the City is committed to reducing and mitigating climate change by encouraging intensification and growth at appropriate locations. This includes intensification and efficient use of existing urban lands and infrastructure within strategic locations such as the downtown, transit villages and corridors. The site is centrally located and has proximity to transit services, and high-rise development on this site would support the response to the Climate Emergency.

Analysis

1.0 Items from Municipal Council Direction

Following the Planning and Environment Committee meeting on April 25, 2022, Municipal Council referred the proposed Official Plan and Zoning By-law amendment application back to staff, through the following resolution:

That, the following actions be taken with respect to the application by St. George and Ann Block Limited, relating to the property located at 84-86 St. George Street and 175-197 Ann Street:

a) the application BE REFERRED back to the Civic Administration in order to meet with the Applicant/Agent with an aim to address potential rail safety concerns and opportunities for traffic mitigation measures and buffering, and to resolve outstanding issues regarding intensity, form and required background studies, and to allow for the Civic Administration to report back at the June 20, 2022 Planning and Environment Committee meeting; and,

b) the Civic Administration BE REQUESTED, in the report back, to include a bonus zone that provides for the following:

- *a minimum of thirteen (13) affordable residential rental units, including one (1) studio unit, one (1) one-bedroom unit, five (5) two-bedroom units, and six (6) three-bedroom units (reflective of the unit mix proposed in the building);*
- *rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;*
- *the duration of affordability shall be set at 50 years from the point of initial occupancy of all affordable units; and,*
- *alignment of the bonus to a defined municipal priority – the owner shall be required to enter into a Tenant Placement Agreement with the City;*

Following the Municipal Council meeting, Planning and Design staff met with the applicant with an aim to resolve the various issues identified in the resolution. Although some positive steps towards achieving a better design outcome have occurred, it is staff's opinion that further refinement is required for the built form to achieve the intent of the City Design and *The London Plan* policies to be supported. This report has been structured to respond to the items raised by Municipal Council, and identifies options that could be considered to align with Council's direction.

1.1 April 2022 Proposed Development – Superseded Version

At the time of the April 25, 2022 Planning and Environment Committee, the proposed development was for a mixed-use, high-rise building of 22 storeys with 214 residential units and a maximum density of 585uph. The building was generally in the configuration of an 'H' shape and comprised of a 22 storey component along the east boundary, which steps down to a 19 storey portion parallel to Ann Street, and then a 9 storey and 4 storey portion along St. George Street. This version of the development was revised from the initial proposal for 28 storeys.



Figure 1: Northwest Rendering of April, 2022 Proposal (left) and May, 2022 (right)

1.2 May 2022 Proposed Development – Current (Revised) Version

Following the Municipal Council meeting and resolution for referral back, the proposed development was revised for a mixed-use, high-rise building of 23 storeys with 216 residential units and a maximum density of 603uph. The building is also in the configuration of an 'H' shape and comprised of a 23 storey component along the east boundary, which steps down to a 19 storey portion parallel to Ann Street, and then a 6 storey portion along St. George Street. There is 500sqm of convenience commercial uses proposed in the base, and a total of 180 parking spaces for all uses.



Figure 2: Proposed West (left) and North (right) Elevations



Figure 3: Proposed South (left) and East (right) Elevations

2.0 Issue Analysis

2.1 Built Form, Buffering and Intensity

Issue Summary: The proposed development in both the April 2022 version and the revised May 2022 version have some significant deficiencies with regards to meeting the City Design policies in *The London Plan*. *The London Plan* requires that high-rise buildings have a podium at the building base to reduce the apparent height and mass of the building on the pedestrian environment and mitigate sunlight and wind impacts. High-rise buildings are also intended to be in the form of slender towers and not be designed with long axes where they create an overwhelming building mass. The proposed built form has retained its overall design and building configuration with two notable changes where the 9 storey portion along St. George Street has been reduced to 6 storeys, and the 22 storey portion along the east has increased to 23 storeys. The proposed built form does not minimize the massing as it presents two long axes of building that are not in a point tower or slender tower form which results in greater impacts on shadowing and access to sunlight. Additionally, the lack of a podium at the base does not provide a human-scale environment at street level. The built form evaluation on the detailed design issues is still relevant and available in Appendix E, section 4.1 of the appended April 25, 2022 planning report.

In addition to the City Design policies in *The London Plan*, there is also a site-specific policy that identifies the need for the provision of a “significant setback” along the St. George Street frontage to provide a low-rise character that is consistent with the streetscape. The revised version of the proposed development reduced the built form along St. George Street from 9 storeys to 6 storeys. In both the April and May designs, the intent to provide a low-rise character along St. George Street is not met as both a 6 storey form and 9 storey form are reflective of a mid-rise form. Heights up to four (4) storeys could be considered as low-rise.

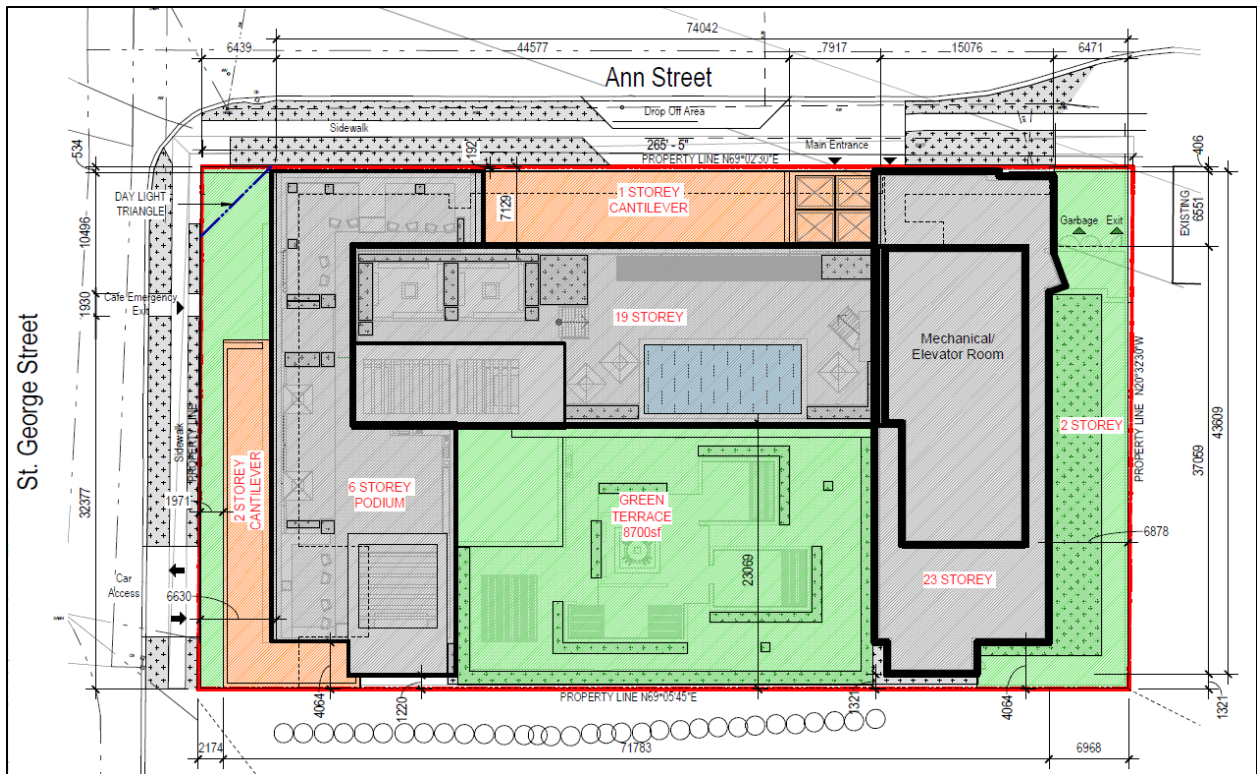


Figure 4: Proposed Site Concept Plan – May 2022

A good example of what is intended by this policy is found on the property to the south where there is a high-rise form at 180 Mill Street that transitions to a low-rise, elevated 2 storey townhouses along the St. George Street frontage. The combination of built forms provides effective transitioning to minimize the high-rise massing and present a compatible form of development to the existing residential neighbourhood. The specific policy requirement to provide a ‘significant setback’ along St. George Street provides flexibility, which could be either as a separate built form (like the Mill Street townhouses), or as a component of an integrated development, like a low-rise podium along the street edge with the mid/high rise portions of the building provided at a generous distance back to achieve the same outcome. The revised building design provides a two-storey architectural feature along a portion of the St. George Street frontage which does not act like a podium and does not achieve the intent of the policy to present a low-rise residential character along the street edge.



Figure 5: Built Form Transition at 180 Mill Street

The issue with intensity relates to the overall built form and how the total number of units (density) and height are manifested on site. Changes to the built form could have impacts on the overall intensity, though it is possible to maintain the total number of units in a different built form that achieves the design objectives set out in the City Building policies. Incorporating building setbacks along the base will increase landscaped open space and decrease lot coverage. The setbacks at grade will also shift the entire building back, and combined with building setbacks, can provide better separation to the high-rise developments to the south and east to improve privacy and minimize shadowing. It is Staff’s opinion that these changes will help distribute the

intensity of the development in a more appropriate and compatible form than currently proposed.

Outcome: This issue is on-going and unresolved. Further refinement is required of the proposed design to better manage massing, provide a pedestrian-scale environment at street level, and achieve the intent of providing a low-rise character along the St. George Street frontage

Mitigation: Should Council choose to proceed with the proposed development, incorporating the following zoning regulations can achieve a positive design outcome and mitigate the impacts of the built form:

- 1) A minimum building setback of 3m for the front yard, exterior side yard, interior side yard and rear yard to provide the minimum required space for landscaping and buffering, and to contain functional elements such as door swings and canopies within the subject site and not as encroachments on the municipal boulevard. The setback at street level also provides some building setback from the existing high-rise residential uses to provide more separation distance to minimize shadows, provide access to sunlight and enhance privacy.
- 2) Provision of a building setback of a minimum of 5m along the St. George Street frontage for the mid/high-rise portion(s) of the building beyond the podium (third storey). The setback regulation along St. George Street shifts the mid/high-rise portion(s) of the building away from the base which minimizes the building massing and retains a low-rise character of at the street edge.
- 3) Provision of a maximum tower floorplate for the high-rise (tower portion) above the mid-rise portion of 1,000sqm. The maximum tower floorplate will mitigate the impacts associated with the building massing, as well as shadow impacts.
- 4) Provision of a maximum tower ratio for the high-rise (tower portion) above the mid-rise portion which will ensure that the tower form is expressed as a point tower rather than a slab style building that will minimize the massing of the building and mitigate shadow impacts.

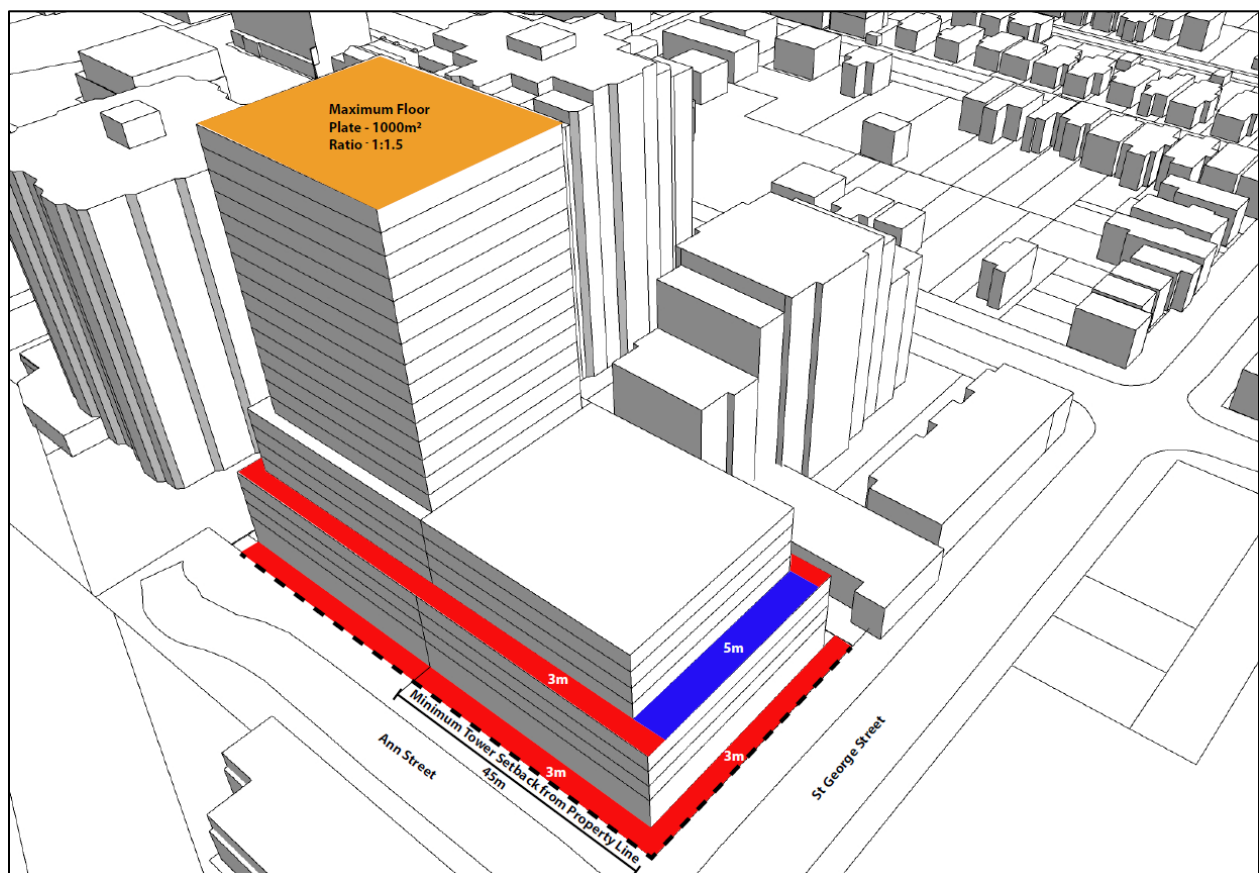


Figure 6: Graphic Illustration of alternative by-law zoning regulations and built form

2.2 Rail Safety

Issue Summary: The site has proximity to the CP rail corridor to the north which requires mitigation measures to be implemented to protect against possible train derailment. Typically for a property within 30m of a rail corridor, mitigation is comprised of a combination of an earthen berm and separation distance. In this case of the subject site, a crash wall would need to be integrated into the design, as well as a separation distance measured horizontally and vertically from sensitive uses.

The applicant has proposed a portion of the building to be reinforced with a crash wall at the northeast corner. The crash wall is a height of 7m from the ground with low occupancy uses located behind. At this time the crash wall details are conceptual and are required to be stamped and sealed by a professional engineer to be acceptable. If the proposal were to proceed a holding provision should be applied to ensure the crash wall and associated impacts on building design are managed appropriately. The location of the crash wall is also where the existing heritage building of 197 Ann Street is located.

Outcome: Progress has been made with regards to a concept and some modelling for the development of a crash wall to mitigate impacts of a possible train derailment. Further work is required to ensure the design along Ann Street is acceptable, that impacts to heritage buildings have been evaluated, and that the crash wall itself can be stamped and sealed by a professional engineer.

Mitigation: Should Council choose to proceed with the proposed development, the incorporation of a holding provision is recommended to ensure the crash wall is appropriately developed and there are no adverse impacts on the building design and heritage conservation.

2.3 Heritage Designation

Issue Summary: The buildings located at 183 and 197 Ann Street were assessed for heritage significance and Municipal Council resolved to designate the built resources at its meeting on May 3, 2022. The heritage designation facilitates more consideration for the retention and/or integration of the built resources into the proposed development and allows Council to attach conditions through the Heritage Alteration Permit process.

The proposed development will result in the demolition of the built heritage resources and the intent is to reuse reclaimed materials in a portion of the new building at the base associated with the craft brewery use. A formal request for demolition has not been received by the City, and Council approval through a Heritage Alteration Permit would be required to demolish a heritage designated building. The applicant was previously considering relocating the buildings to an off-site location, though is no longer pursuing that outcome.

There are a number of acceptable options to conserve the built heritage resources which can include relocating the buildings elsewhere on-site. One positive outcome would be to relocate the designated buildings along the St. George Street frontage which would provide a low-rise character along the street edge; either as a podium with the buildings integrated into the new development, or as stand-alone buildings that allow for the rear portion of the site to develop.

If Municipal Council wishes to approve the development, a holding provision to address the heritage significance of the buildings should be included to ensure their conservation. The h-41 can be used for this purpose:

h-41 Purpose: To ensure that buildings and structures that have been identified by the City as historically significant and that are being actively pursued for a designation under the Ontario Heritage Act are not negatively impacted by development or redevelopment of the site or buildings, and to ensure that the development or redevelopment is in a form compatible with the heritage buildings, the following conditions must be satisfied prior to the removal of the holding provision:

a) *The site and/or building and/or portions thereof must be designated under the Ontario Heritage Act by the City of London; and*

b) *The affected lands will be subject to Site Plan Control under Section 41 of the Planning Act, R.S.O. 1990 c. P.13, and a development agreement must be entered into by the owner of the subject lands and the City of London.*

Permitted Interim Uses: Only within existing buildings.

Outcome: This issue is on-going and unresolved. Further refinement is required of the proposed design to conserve the heritage significant designated buildings.

Mitigation: Should Council choose to proceed with the proposed development, the incorporation of a holding provision is recommended to ensure the heritage designated buildings can be conserved.

2.4 Traffic Mitigation

Issue Summary: Impacts on the transportation and traffic in the area were identified as a concern during the discussion at the Planning and Environment Committee. A Transportation Impact Assessment was submitted to evaluate the impacts of the development on the mobility network based on the initial design which had more units (274 units), height (28 storeys) and vehicle movements (209 parking spaces). Transportation staff have reviewed and accepted the TIA, and the revised proposal and have confirmed there wouldn't be any traffic issues.

Outcome: Issue resolved

Mitigation: None required

2.5 Impacts on Groundwater

Issue Summary: Through the public consultation process, there were concerns about the interruption to ground water levels as some nearby properties rely on the ground water for heating and cooling purposes. A Geotechnical Assessment was completed by EXP on March 4, 2022 regarding the proposed development and the impacts on groundwater. It was noted that a standard geotechnical investigation will not determine all the groundwater parameters, and that a detailed hydrogeological assessment may be required to estimate the quantity of water to be removed.

Supplemental information was provided on May 25, 2022 through a memo from Exp Services Inc. The memo described that the temporary construction dewatering would have minimal impact on the neighbouring geothermal open loop systems, and that no significant long term impact is anticipated. While a hydrogeological study was not identified as required at the time of the Official Plan/Zoning By-law Amendment stage, a detailed groundwater study will be recommended for the construction dewatering process. A holding provision should be applied to ensure that the hydrogeological assessment is carried out prior to Site Plan Approval.

Outcome: A detailed groundwater (hydrogeological) study will be required.

Mitigation: Should Council choose to proceed with the proposed development, the incorporation of a holding provision is recommended to ensure staff have the chance to review the hydrogeological study.

2.6 Convenience Commercial Uses

Issue Summary: The requested convenience commercial uses are not in a location that contemplates commercial uses in *The London Plan*. Within the Neighbourhoods Place Type, a limited amount of secondary uses are contemplated at locations which are at the intersection of higher order roads to ensure the interior residential character is not disturbed. For sites at the intersection of two Neighbourhood Connectors a total of 200sqm of gross floor area may be permitted, and at the intersection of two Civic

Boulevards or Urban Thoroughfares a total of 2,000sqm of gross floor area may be permitted. The site has frontage on two Neighbourhood Streets which do not contemplate any commercial uses.

The Talbot Mixed-Use Area policies do contemplate a limited range of office and small-scale commercial and convenience uses, though they are restricted to the adaptive reuse within existing buildings to preserve the low-rise character of the area while providing options for reuse. In keeping with the spirit and intent of the Talbot Mixed-Use Area policies, a limited range of convenience commercial uses could be contemplated for the interior of the existing buildings with heritage significance to provide more flexibility and viability for their reuse.

Outcome: This issue is on-going and unresolved. Convenience commercial uses are not permitted uses in this location.

Mitigation: Should Council choose to proceed with the proposed development, the convenience commercial uses could be permitted within existing buildings to allow for the adaptive reuse and continued viability of the heritage designated buildings.

2.7 Bonus Zone

Issue Summary: The initial bonusing package proposed was for a maximum building height of 22 storeys with 214 residential units and a maximum density of 585 units per hectare, and included a number of provisions that were ineligible, unachievable or a lower priority for the public benefit. As part of the Council resolution, civic administration was requested to include a bonus zone for affordable housing in the report back that provides for the following:

- a minimum of thirteen (13) affordable residential rental units, including one (1) studio unit, one (1) one-bedroom unit, five (5) two-bedroom units, and six (6) three-bedroom units (reflective of the unit mix proposed in the building);
- rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
- the duration of affordability shall be set at 50 years from the point of initial occupancy of all affordable units; and,
- alignment of the bonus to a defined municipal priority – the owner shall be required to enter into a Tenant Placement Agreement with the City.

The consideration for additional height and density for all bonus zones begins with an appropriate built form. Staff are of the opinion that further refinement is required to the built form to align with policy before bonusing can be considered. The proposed development has had moderate revisions which now includes a maximum height of 23 storeys with 216 residential units and a maximum density of 603 units per hectare. If Council wishes to approve the development, an alternative by-law has been prepared that mitigates the impacts and improves the built form. The associated and implementing official plan amendment to *The London Plan* has also been prepared. The alternative bonus zone by-law prepared includes regulations that result in enhancements to the built form through the following:

- a) Building setbacks: a minimum of 3m is required from the building to the municipal boulevard to allow a minimum amount of space for landscaping and tree planting (this will have to be applied to the underground parking as well)
- b) Building setbacks: along the St George Street frontage and Ann Street, minimum building setbacks are required to shift the massing of the mid and high-rise portions from the street edge to mitigate the impacts from the building massing and provide a human-scale environment at the street edge
- c) Maximum tower floor plate: A maximum tower floor plate ensures a slender tower that minimizes massing, shadowing, visual impact and the obstruction of views.

- d) Tower ratio: To minimize the impact and extent of the high-rise component, a maximum tower ratio is proposed to create a slender tower that does not result in a long axes(es) that creates an overwhelming building mass.

The additional regulations will result in a built form that is more sensitive to the existing neighbourhood, minimizes the massing of the tower, and better achieves the intent of the City Design policies. The proposed regulations will require modification to the design of the built form which is preferred over 'locking in' the proposed design which has been the common practice and approach associated with bonusing.

2.8 1989 Official Plan Status

On May 25, 2022, the Ontario Land Tribunal ordered that the 1989 Official Plan be repealed in its entirety. At the time the application was made, there were amendments requested and considered to the 1989 Official Plan designation and special policy, which are no longer required. Any Official Plan amendments required will be exclusively to the City's Official Plan which is now *The London Plan*.

Conclusion

The proposed development is within a central part of the City and has a policy framework that contemplates development at a greater height and intensity than currently exists. While it is acknowledged that efforts have been made to refine the built form and design from the initial proposal, and April 2022 version, the proposed development in its current form is not appropriate, nor compatible with the context of the existing neighbourhood. In order to achieve greater heights contemplated, an appropriately designed building and site that is sensitive and compatible with the surrounding area is required.

The proposed development is not consistent with the Provincial Policy Statement, 2020, which promotes intensification and redevelopment in appropriate locations and retention of cultural heritage resources. The proposed development does not conform to *The London Plan*, including, but not limited to, the Key Directions, City Design, the Near Campus Neighbourhoods policies, the HDR overlay policies, the Talbot Mixed-Use Area policies, the Evaluation Criteria for Planning Applications and the site-specific policy 1038C for the site. If Council wishes to approve the development, an alternative by-law has been prepared to mitigate the impacts and improve the built form. While not recommended by staff, a proposed amendment to *The London Plan* has been prepared that would be required to facilitate a Zoning By-law Amendment and the development of the lands.

Prepared by: Sonia Wise, MCIP, RPP
Senior Planner, Site Plans

Reviewed by: Michael Corby, MCIP, RPP
Manager, Planning Implementation

Recommended by: Gregg Barrett, AICP
Director, Planning and Development

Submitted by: Scott Mathers, MPA, P.Eng
Deputy City Manager, Planning and Economic
Development

Appendix A – Required Amendment to The London Plan

Bill No. (number to be inserted by Clerk's Office)
2022

By-law No. C.P.-XXXX-____

A by-law to amend *The London Plan* for the City of London, 2016 relating to 84-86 St. George and 175-197 Ann Street.

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 London Plan* for the City of London Planning Area – 2016, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This Amendment shall come into effect in accordance with subsection 17(27) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on July 5, 2022.

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – July 5, 2022
Second Reading – July 5, 2022
Third Reading – July 5, 2022

**AMENDMENT NO.
to the
THE LONDON PLAN FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to change the existing Specific Policy within the Neighbourhoods Place Type and add the subject lands to Map 7 – Specific Policy Areas – of the City of London to permit a mixed-use development with a maximum building height of 23 storeys with a maximum floor area of 500 square metres for retail, service and office uses within the podium base.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 84-86 St. George and 175-197 Ann Street in the City of London.

C. BASIS OF THE AMENDMENT

The amendment to the Official Plan will allow for a mixed-use development within a central area that will provide local convenience commercial uses at a neighbourhood scale.

D. THE AMENDMENT

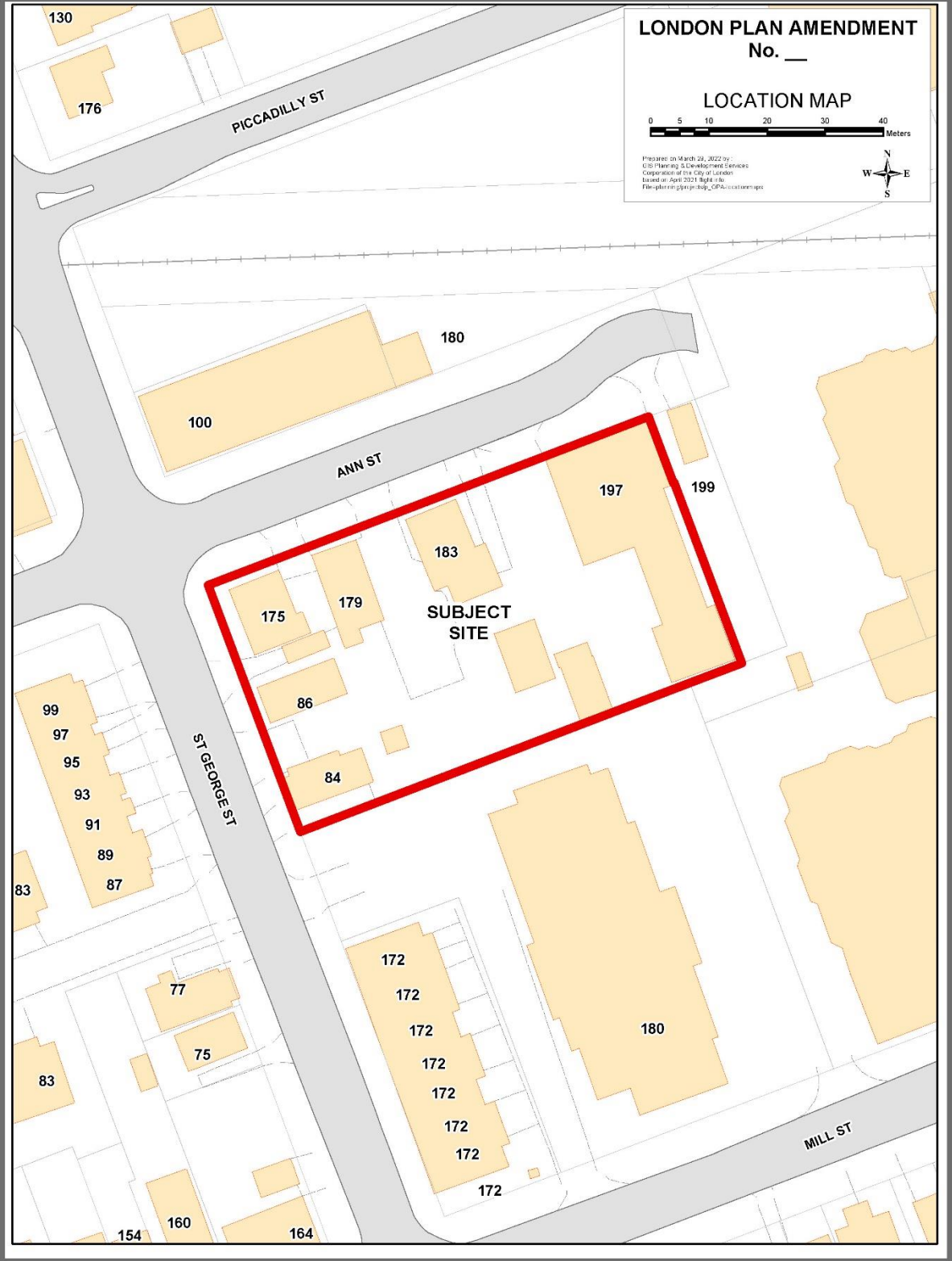
The London Plan for the City of London is hereby amended as follows:

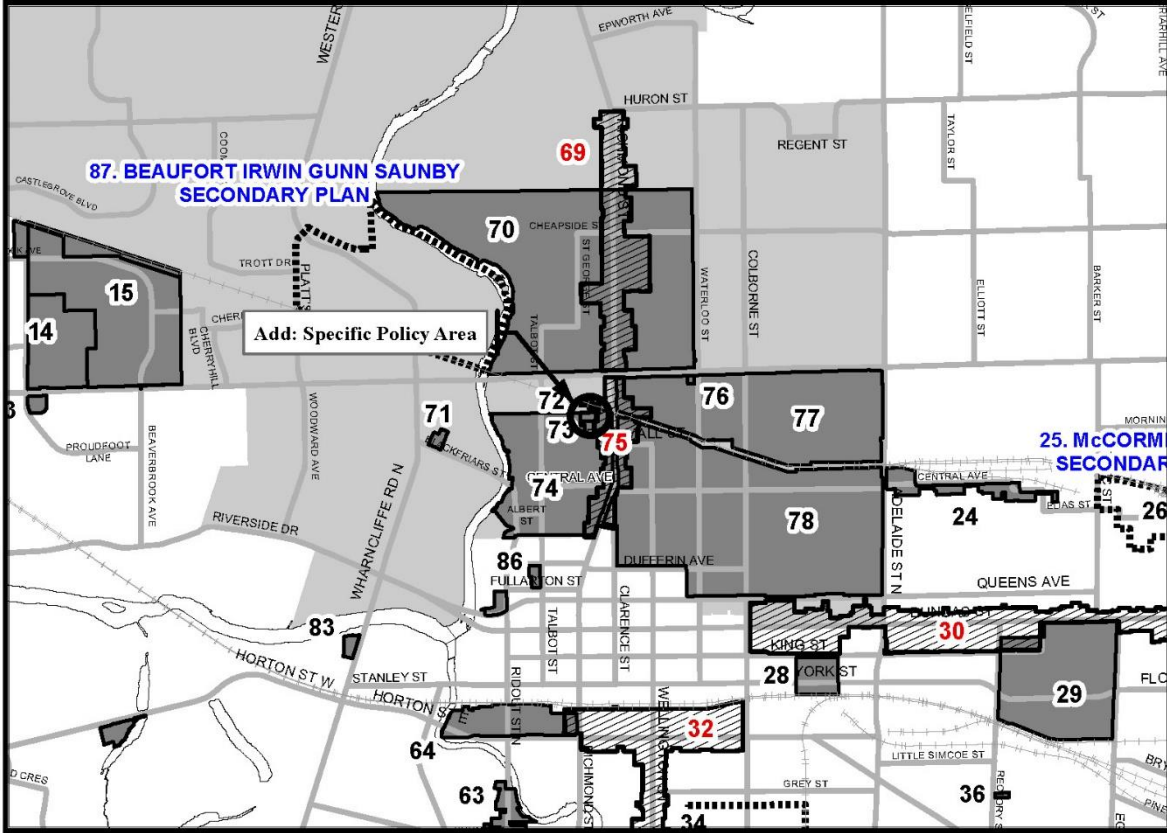
1. Specific Policies for the Neighbourhoods Place Type of *The London Plan* for the City of London is amended by deleting and replacing policy 1038C with the following:

84-86 St. George and 175-197 Ann Street in the City of London

In the Neighbourhoods Place Type at 175-197 Ann Street and 84-86 St. George Street, a mixed-use development with a maximum height of 23 storeys may be permitted, and a maximum floor area of 500 square metres may be permitted for retail, service, and office uses within the podium base.

2. Map 7 – Specific Policy Areas, to *The London Plan* for the City of London Planning Area is amended by adding a Specific Policy Area for the lands located at 84-86 St. George and 175-197 Ann Street in the City of London, as indicated on “Schedule 1” attached hereto.





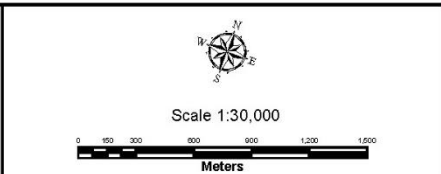
LEGEND	BASE MAP FEATURES
Specific Policies	Streets (See Map 3)
Rapid Transit and Urban Corridor Specific-Segment Policies	Railways
Near Campus Neighbourhood	Urban Growth Boundary
Secondary Plans	Water Courses/Ponds

This is an excerpt from the Planning Division's working consolidation of Map 7 - Special Policy Areas of the London Plan, with added notations.

**SCHEDULE 1
TO
THE LONDON PLAN**

AMENDMENT NO. _____

PREPARED BY: Planning Services



FILE NUMBER: OZ-9127

PLANNER: SW

TECHNICIAN: RC

DATE: 3/29/2022

Appendix B – Alternative By-law from Planning and Development

Bill No. (number to be inserted by Clerk's Office)
2022

By-law No. Z.-1-22_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 84-86 St. George and 175-197 Ann Street.

WHEREAS St. George and Ann Block Limited has applied to rezone an area of land located at 84-86 St. George and 175-197 Ann Street, 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) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 84-86 St. George and 175-197 Ann Street, as shown on the attached map comprising part of Key Map No. A107, from a Residential R9 (R9-3*H12) Zone to a holding Residential R9/Convenience Commercial Special Provision Bonus (h-41*h-183*h-___*R9-3/CC4(____)*H12*B-(____)) Zone.
- 2) Section Number 3.8 2) (Holding "h" Zones/Holding Zone Provisions) is amended by adding the following new holding zone:

h-(____) Purpose: To ensure there are no land use conflicts between the Canadian Pacific Rail corridor and the proposed residential and/or sensitive uses, mitigation measures for safety from possible derailments are required, that effectively integrate into the urban design and heritage resources, as acceptable to the City of London.

Permitted Interim Uses: Existing uses within existing buildings

- 3) Section Number 4.3 of the General Provisions is amended by adding the following Special Provision:

4.3.4 (____) B-(____) 84-86 St. George and 175-197 Ann Street

The Bonus Zone shall be implemented through one or more agreements to facilitate a high-quality development comprised of a mixed-use apartment building with a maximum height of 23 storeys (84m), and a maximum density of 603 units per hectare that incorporates affordable housing.

- i) The provision of affordable housing shall consist of:
 - A total of thirteen (13) affordable residential rental units, including one (1) studio unit, one (1) one-bedroom unit, five (5) two-bedroom units, and six (6) three-bedroom units.
 - Rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
 - The duration of affordability shall be set at 50 years from the point of initial occupancy of all affordable units.
 - Alignment of the bonus to a defined municipal priority – the owner shall be required to enter into a Tenant Placement Agreement with the City.

The following special regulations apply within the bonus zone:

a)	Regulations	
i)	Front and Exterior Side Yard Depth (Minimum)	3m (9.8 ft)
ii)	Rear and Interior Side Yard Depth (Minimum)	3m (9.8 ft)
iii)	Building setback above 4 th storey (or 15m whichever is less) for west façade along St. George Street frontage (Minimum)	5m (16.4 ft)
iv)	Building setback above 4 th storey (or 15m whichever is less) for north façade along Ann Street frontage (Minimum)	3m (9.8 ft)
v)	Height within 30m of St. George Street frontage (Maximum)	8 storeys (or 27m (89ft) whichever is less)
vi)	Tower setback above 8 th storey from St. George Street frontage (Minimum)	45m (147ft)
vii)	Height (Maximum)	23 storeys (or 84m (276ft) whichever is less)
viii)	Tower length to width ratio above the 8 th storey (Maximum)	1.5 : 1
ix)	Tower floor plate above the 8 th storey (Maximum)	1,000m ² (10,764 sq ft)
x)	Landscape Open Space (Minimum)	10%
xi)	Lot Coverage (Maximum)	90%
xii)	Density (Maximum)	603 Units Per Hectare
xiii)	Parking Spaces for all uses (Minimum)	180

3) Section Number 29.4 of the Convenience Commercial (CC) Zone is amended by adding the following Special Provision:

CC4() 84-86 St. George and 175-197 Ann Street

a) Additional Permitted Uses

- i) Craft brewery
- ii) Restaurant

b) Regulations:

i) All permitted uses within existing buildings

ii) Gross Floor Area
for any permitted use
(maximum) 500 m² (5,381sq ft)

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. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

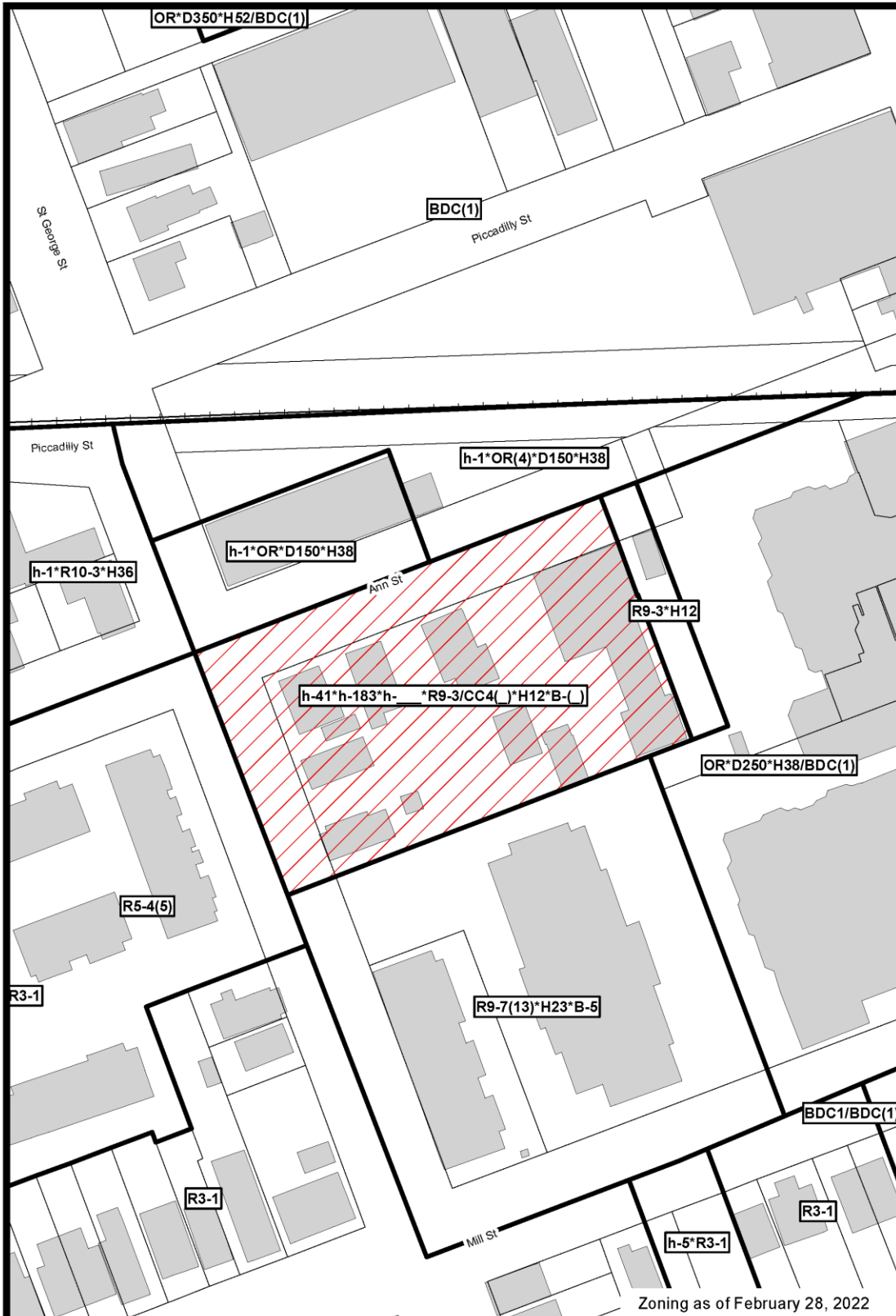
PASSED in Open Council on July 5, 2022.

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – July 5, 2022
Second Reading – July 5, 2022
Third Reading – July 5, 2022

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)

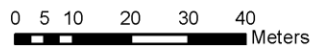


Zoning as of February 28, 2022

File Number: OZ-9127
 Planner: SW
 Date Prepared: 2022/03/29
 Technician: rc
 By-Law No: Z.-1-

SUBJECT SITE 

1:1,000



Appendix C – By-law as Requested by Applicant

Bill No. (number to be inserted by Clerk's Office)
2022

By-law No. Z.-1-22_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 84-86 St. George and 175-197 Ann Street.

WHEREAS St. George and Ann Block Limited has applied to rezone an area of land located at 84-86 St. George and 175-197 Ann Street, 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:

- 4) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 84-86 St. George and 175-197 Ann Street, as shown on the attached map comprising part of Key Map No. A107, from a Residential R9 (R9-3*H12) Zone to a holding Residential R10/Convenience Commercial Special Provision Bonus (h*R10-5/CC4()*B()) Zone.
- 5) Section Number 4.3 of the General Provisions is amended by adding the following Special Provision:

4.3.4 () B() 84-86 St. George and 175-197 Ann Street

The Bonus Zone shall be implemented through one or more agreements to facilitate a high-quality development comprised of a mixed-use apartment building with a maximum height of 23 storeys (84m), and a maximum density of 603 units per hectare, which generally implements the Site Plan and Elevations attached as Schedule "1" to the amending by-law and provides for affordable housing.

- i) The provision of affordable housing shall consist of:
 - A total of thirteen (13) affordable residential rental units, including one (1) studio unit, one (1) one-bedroom unit, five (5) two-bedroom units, and six (6) three-bedroom units.
 - Rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
 - The duration of affordability shall be set at 50 years from the point of initial occupancy of all affordable units.
 - Alignment of the bonus to a defined municipal priority – the owner shall be required to enter into a Tenant Placement Agreement with the City.

The following special regulations apply within the bonus zone:

b)	Regulations	
i)	Front and Exterior Side Yard Depth (Minimum)	0m (0 ft)
ii)	Rear and Interior Side Yard Depth (Minimum)	0m (0 ft)
iii)	Landscape Open Space (Minimum)	0%

iv)	Lot Coverage (Maximum)	97%
v)	Height (Maximum)	23 storeys or 84m (275ft) whichever is less
vi)	Density (Maximum)	603 Units Per Hectare
vii)	Parking Spaces for all uses (Minimum)	180

- 4) Section Number 29.4 of the Convenience Commercial (CC) Zone is amended by adding the following Special Provision:

CC4(_)	84-86 St. George and 175-197 Ann Street	
c)	Additional Permitted Uses	
	i)	Craft brewery
	ii)	Restaurant
d)	Regulations:	
	i)	Gross Floor Area for any permitted use (maximum)
		500 m ² (5,381sq ft)

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. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

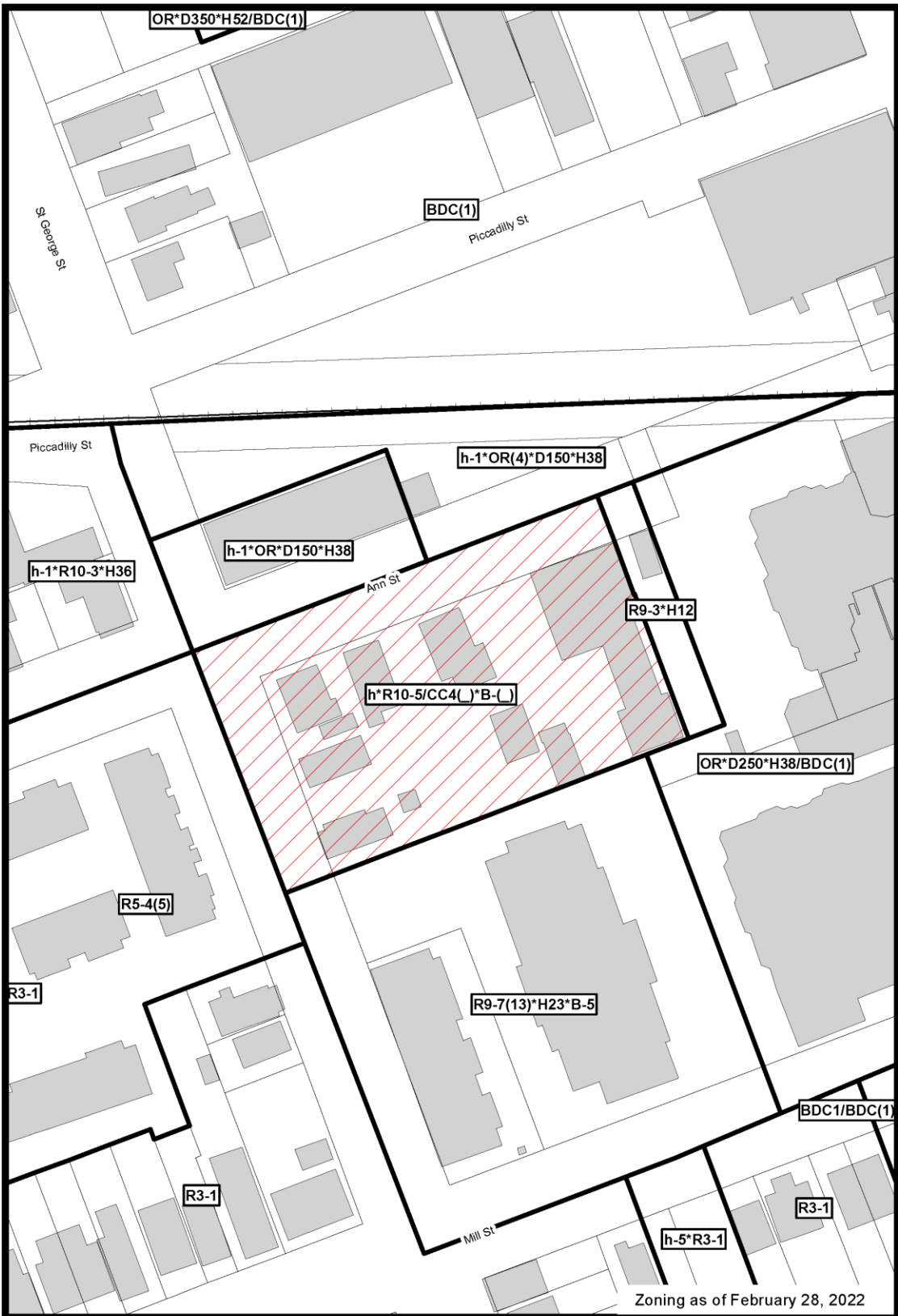
PASSED in Open Council on July 5, 2022.

Ed Holder
Mayor


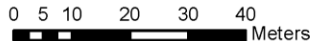

Michael Schulthess
City Clerk

First Reading – July 5, 2022
Second Reading – July 5, 2022
Third Reading – July 5, 2022

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)

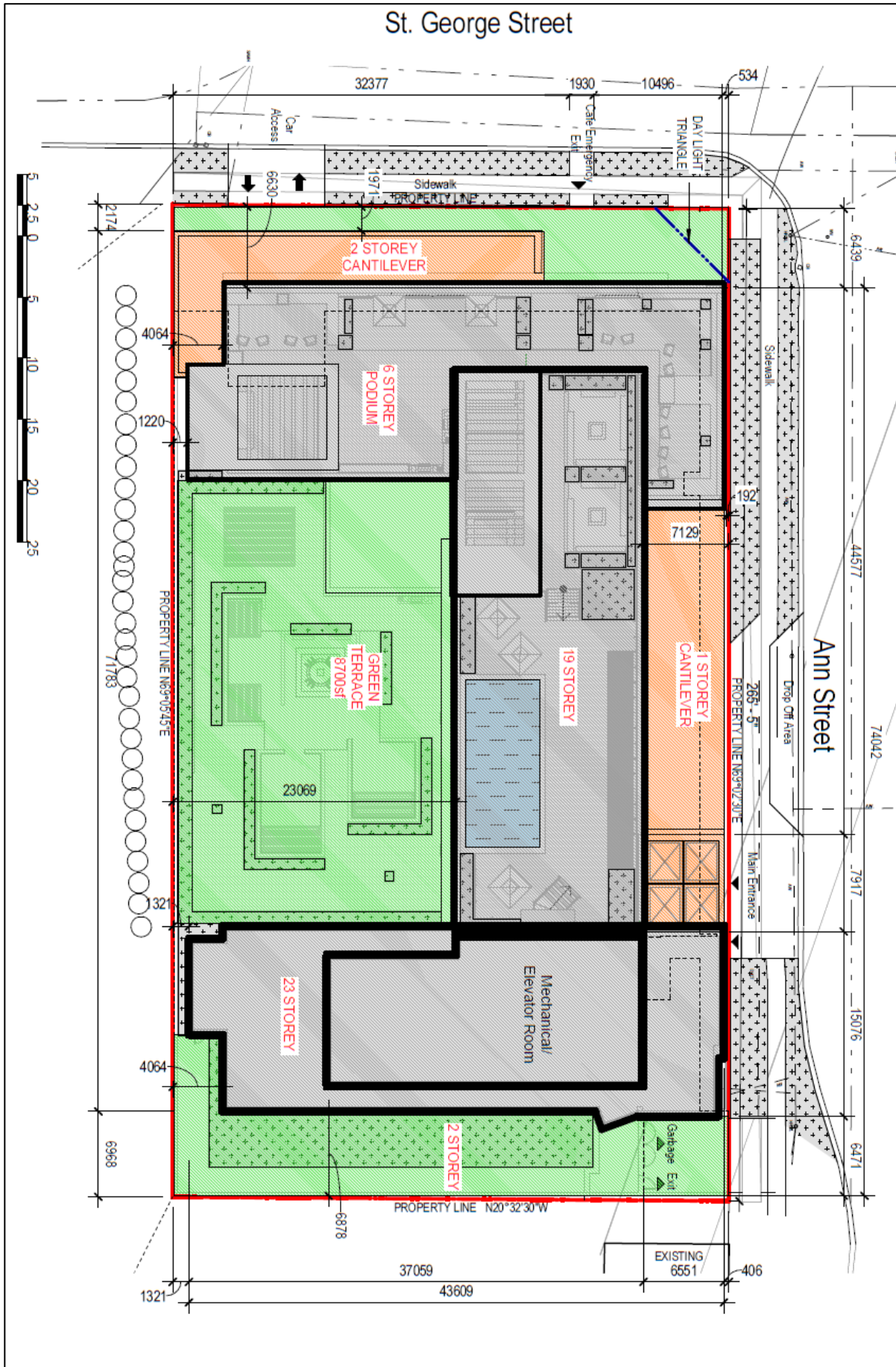


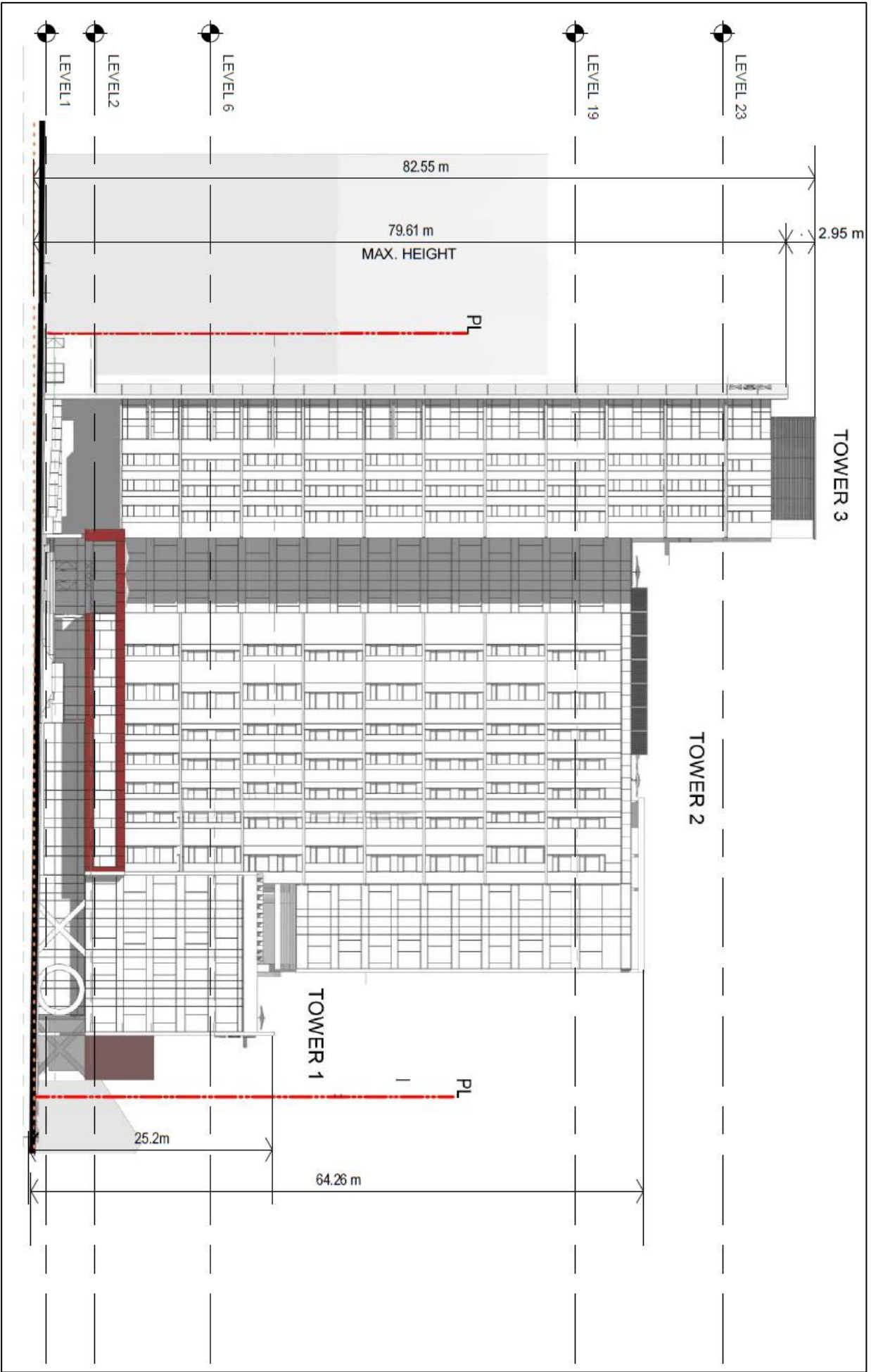
Zoning as of February 28, 2022

<p>File Number: OZ-9127 Planner: SW Date Prepared: 2022/03/29 Technician: rc By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:1,000</p> <p>0 5 10 20 30 40 Meters </p> <p></p>
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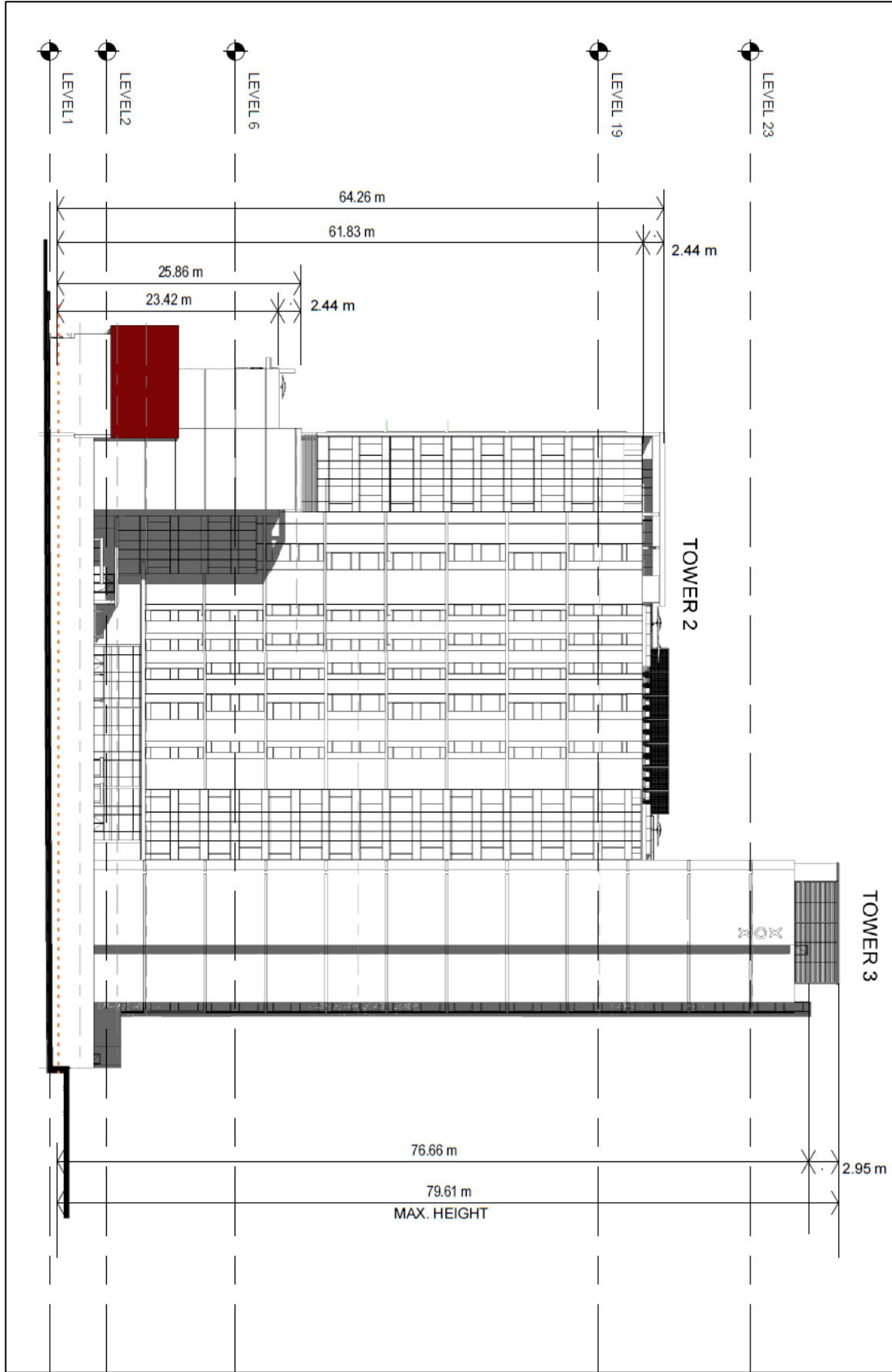
Schedule 1

Site Plan

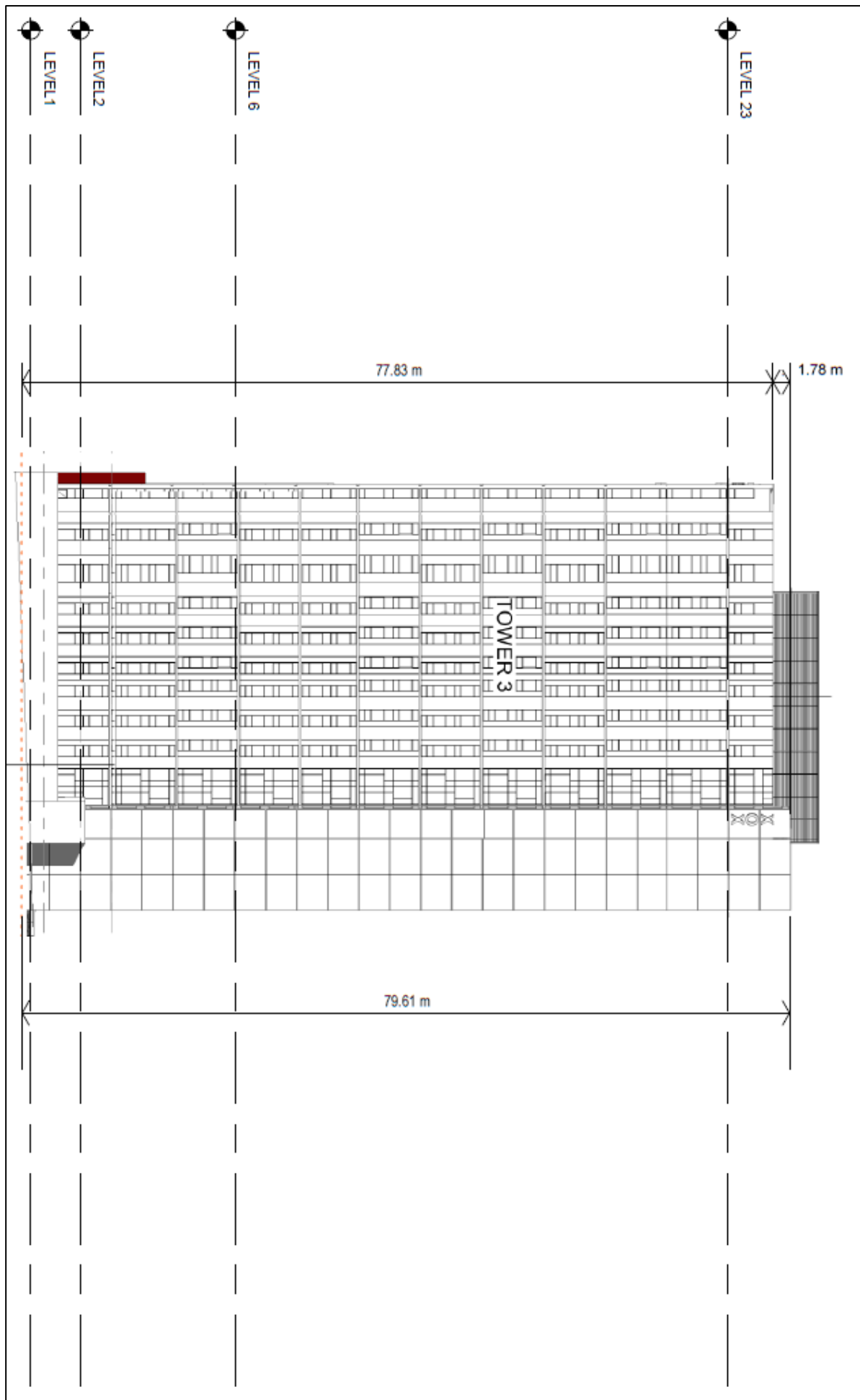




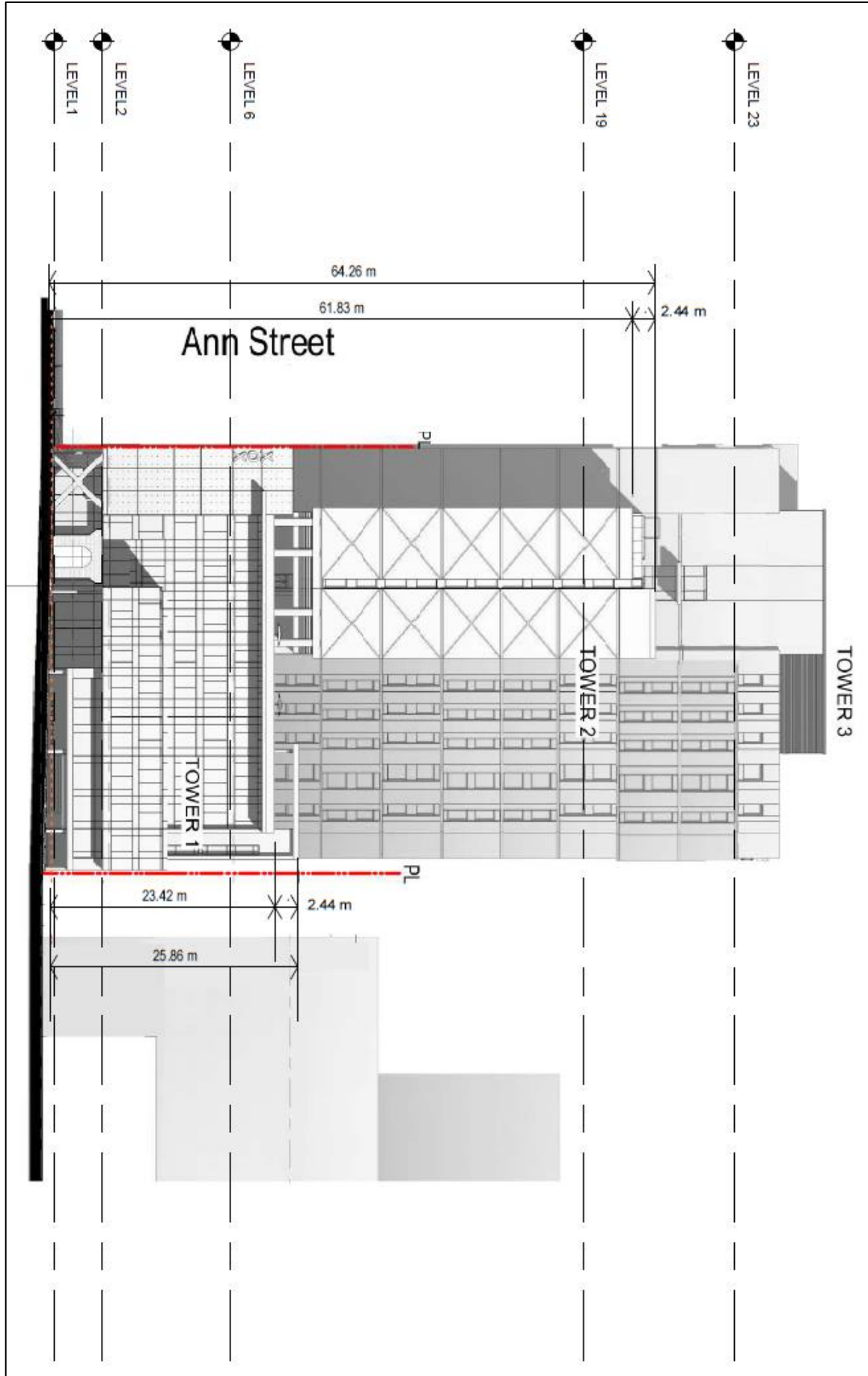
South Elevation



East Elevation



West Elevation



Appendix D

Additional Community Comments

Written AnnaMaria Valastro North Talbot Community Association 133 John Street Unit 1 London ON N6A 1N7	Written Louise White 133 Central Ave London, On N6A 1M6
Ted Mitchell	Catherine Gelin
Sara Rans	Shawn Wilton
Jennifer Helen 732 Princess Ave. London, ON. N5W 3M3	Tyrrel de Langley 601 Talbot Street London, ON, N6A-2T2

From: Tyrrel de Langley < >
Sent: Friday, June 10, 2022 6:02 PM
To: PEC <pec@london.ca>; Wise, Sonia <swise@london.ca>
Cc: Fyfe-Millar, John <jfmillar@london.ca>
Subject: [EXTERNAL] revised application OZ-9127 - Ann Street and St George Street Block - York Development Proposal.

Dear Members of the Planning and Environment Committee,

Please accept my comments in support of the revised application OZ-9127 - Ann Street and St George Street Block - York Development Proposal.

As a resident of North Talbot and Ward 13, I am passionate about the revitalization of our neighbourhood. There cannot be revitalization without investment and the reality is that by far the most significant investment and development comes from developers such as York, Old Oak, Drulo, etc. - and not from individuals such as me committed to renovating their single family homes. Ultimately what reignites a devitalized neighbourhood is people moving in and living their lives with their families here. While it is a wonderful dream, it is wishful thinking to expect a significant uptick in owner-driven renovations of homes and return of student boarding houses and frats to single family homes. The spark that can ignite this is, in my opinion, more people living in Ward 13, achieving a critical mass of residents out and about in the neighbourhood, which in turn drives the demand for more of everything: cafes, shops, grocery, restaurants, etc. And the reality is that only the developers can, through their investments in building in our Ward, create sufficient new living spaces that lead to that critical mass necessary to generate that spark.

As a City, and specifically in this instance as a neighbourhood that has deteriorated significantly during my time living in it, we are best served by engaging positively with these developers and negotiating the best possible outcomes - negotiate for mixed living - *not just students* and even novel strategies such as are common in Scandinavia <<https://scandinaviantraveler.com/en/lifestyle/living-in-the-future>>, negotiate for parks, green space, children's play areas, and off leash dog park, negotiate to maximize visual aesthetics and curb appeal and include physical heritage components into their new construction, and in the case of the Kent Brewery site something that commemorates the history of the brewery (as opposed to the dilapidated auto body shop currently there), negotiate for development of low density dwellings on other properties they may hold in the neighbourhood - single family homes or condominiums.

This is an opportunity to engage with York, we know what they want and we need to convey what we want - and negotiate a win-win solution. I am in support of this proposal with the hope that the City will negotiate in the best interests of the residents.

Sincerely

Tyrrel de Langley
DVM, MRCVS, CIM, PMgr, CMgr
601 Talbot Street
London, ON, N6A-2T2

From: Jennifer Helen < >
Sent: Thursday, June 9, 2022 12:22 PM
To: Wise, Sonia <swise@london.ca>
Subject: [EXTERNAL]

Dear Members of the Planning and Environment Committee,

I do not support the demolition of the Kent Brewery or the homes of the Hamilton Family for the proposed York development. I think any development that occurs on this site needs to respect London's history by preserving these historical buildings as they are and find a creative architectural approach to respectfully incorporate them in any new development.

Many of us travel to places to explore the cultural histories of other cities/countries. I would appreciate the opportunity to explore our history right here in London.

Thank You
Jennifer
Name /Address
Jennifer Helen
732 Princess Ave.
London, ON.
N5W 3M3

From: Shawn Wilton < >
Sent: Thursday, June 9, 2022 11:46 AM
To: Wise, Sonia <swise@london.ca>; Fyfe-Millar, John <jfmillar@london.ca>
Subject: [EXTERNAL] QZ-9127 | St. George and Ann Block Limited (23 storey apartment)

Good morning,

I moved into a unit at 695 Richmond in July, looking for a little more sunlight to brighten up my home office and my living space. I've just received notice that a building may potentially be built right outside my window, blocking out the sun entirely.

Is this a meeting to inform us of the build, or to provide an avenue to appeal? I am wholeheartedly against the construction of a condo that will block 90% of my view. COVID pushed my company to permanent work from home, and because of this I rarely leave the house. This build will severely impact my physical and mental health..

What action can I take to voice my opinion, and is there any shred of hope that the tenants of the surrounding buildings can stop this from happening? If there's no hope, are steps or programs going to be put in place to assist those of us who wish to move instead of deal with months of construction, theft of privacy, and lack of sunlight?

Thanks,

Shawn

From: Sara Rans < >
Sent: Thursday, June 9, 2022 11:07 AM
To: PEC <pec@london.ca>; Wise, Sonia <swise@london.ca>; Fyfe-Millar, John <jfmillar@london.ca>
Subject: [EXTERNAL] Ann Street and St. George Block - York Development Proposal

These are my comments regarding the revised application OZ-9127 - Ann Street and St George Street Block - York Development Proposal

I do not support this proposal.

At the last Planning and Environment Committee meeting, Council arbitrarily decided that the approval of this development is dependent on a minimum of thirteen (13) affordable

residential rental units, including one (1) studio unit, one (1) one-bedroom unit, five (5) two-bedroom units, and six (6) three-bedroom units (reflective of the unit mix proposed in the building).

This approach to housing affordability will not replace the affordability of the currently existing units on site. What are your plans there?

Council will be evicting individuals that currently have housing they can afford. Many working individuals and families cannot afford new housing because they cannot afford the first and last month's rent. They may have to live in shelters, sometimes with their families separated until they have accumulated enough wealth to secure housing. This approach evicts people from their homes, without properly considering what those people's fate will be.

For onlookers, Council seems to be acting in self-interest without really understanding if these actions are hurting people or making the problem worse.

It will be no surprise to anyone that forcing an unrealistic deadline of June 20th to resolve serious flaws in this development seems never to have intended to achieve a different outcome. Council was simply sending a message that the 13 affordable units were enough to win Council support.

This is the same approach used to approve the development at 560-562 Wellington Street, which also broke good planning principles, had little public support and resulted in an Appeal. I guess this will happen again, with legal costs that no doubt further delay the development of affordable housing in the core and beyond.

So this letter contains a complaint that should be considered and a question that needs answering. I expect more than a response of receipt.

From: Catherine Paula Gelinis <>

Sent: Thursday, June 9, 2022 9:00 AM

To: PEC <pec@london.ca>; Wise, Sonia <swise@london.ca>

Subject: [EXTERNAL] Revised application OZ-9127 - Ann Street and St George Street Block - York Development Proposal

To: Members of the Planning and Environment Committee,

This note is in regards to the revised application OZ-9127 - Ann Street and St George Street Block - York Development Proposal.

York Development is clear and concise that this development would be exclusive student housing. The development was rejected, in part, by city planners because it did not comply with the intent of the NCNS. The affected community has also stated that temporary housing (i.e student rentals) is over represented in the neighbourhood and is seeking relief from the negative consequences of having rows of empty houses and streets for almost half a year, each year. The neighbourhood is losing diversity in housing and people, and this is not healthy or safe for any community.

The purpose-built housing by the private sector is considered illegal in Ontario unless it is supportive housing such as retirement homes or homes for individuals with physical challenges.

In the North Talbot Neighbourhood, landlords, before showing an apartment to a prospective tenant, ask first and foremost whether the person is a student. If the answer is no, they are turned away and are not shown the apartment. Students, as a group, are not a protected code in Ontario. Even though the developer has informed Council that the housing will be exclusive and planning staff have raised this issue in their report, Council has refused to acknowledge it and therefore appear to be 'people zoning' by intent and design.

The complaint also raises the 'right of an individual to the peaceful enjoyment of their property' which is embedded in Ontario's Human Rights Code. Neighbourhoods dominated by temporary student rentals tend to be overwhelmed by student behaviour that is oblivious to the remaining community because they are present for only a short time. The NCNS is intended to balance diversity in housing and people to achieve a full spectrum of

residents. It is not intended to be exclusionary but inclusive. The NCNS also states that development is to respect the quality and character of these neighbourhoods.

--

Catherine Gelin
B.A. (Hons), [M.H.R.Sc.](#)

From: < >

Sent: Thursday, June 9, 2022 8:29 AM

To: PEC <pec@london.ca>; Wise, Sonia <swise@london.ca>

Subject: [EXTERNAL] OZ-9127 - 84-86 St. George Street and 175-197 Ann Street

Dear Members of the Planning and Environment Committee,

I do not support the demolition of the Kent Brewery or the homes of the Hamilton Family for the proposed York development. I think any development that occurs on this site needs to respect London's history by preserving these historical buildings as they are and find a creative architectural approach to respectfully incorporate them in any new development.

Many of us travel to explore the cultural histories of other cities/countries. I would appreciate the opportunity to explore our history right here in London.

Sincerely
Louise White
133 Central Ave
London, On
N6A 1M6

June 8, 2022

Planning and Development, City of London
300 Dufferin Avenue, 6th Floor
London, ON PO Box 5035 N6A 4L9
File OZ-9127

Attention: Sonia Wise

**Re: 84-86 St. George Street and 175-197 Ann Street
St. George and Ann Block Limited
York Development Proposal**

Dear Ms. Wise:

Please accept my comments re: the revised application OZ-9127.

First, I am concerned at the rush to approve this application.

I received this notice on June 6, 2022 with a meeting June 20, 2022 leaving little time to prepare any response.

This is the third notice I have received:

March 9, 2020: 28-storey apartment building, 274 units, underground parking, with attached 26-storey and 12-storey buildings, etc.

April 5, 2022: 22-storey building with 214 units and 180 parking spaces with attached 19 and 12 storey buildings, etc.

June 6, 2022: 23-storey building with 216 units and 180 parking spaces with an attached 19 storey building, etc.

I have a number of concerns as follows:

- 1) There is a current complaint (accepted by the Ontario Human Rights Tribunal) in process against the City of London for failing to implement the Near Campus Neighbourhood Strategy which seeks to balance long and short-term housing, particularly student rentals through planning and zoning.

I understand that York Development has informed Council that this development would be exclusive student housing.

Student leases are 12-month leases but are only occupied 6-8 months of the year with non-student rentals discouraged.

This area is already overwhelmed with students with the attendant noise, aggressive confrontations and carousing that lessens the enjoyment of long-term residents.

This development would over-intensify the area leading to wind tunnels, traffic and parking concerns and ultimately urban decay.

- 2) I understand that there are also building safety concerns with CP railway demanding that a “crash wall” be built because the site is too close to the rail line.

In addition, the Ministry of the Environment and Climate Change will not issue “water taking” permits for this development if it interferes with the geothermal heating and cooling system of neighbouring buildings (including my building).

The site also sits on a high-water table and may not be stable, which I understand is why an underpass could not be built on Richmond Street to accommodate a rapid transit line.

- 3) I am also concerned that Mayor Holder and Councillor John Fyfe-Millar have received campaign dollars from donors with interests in seeing this development go forward; if correct, they both should recuse themselves from voting thereto.

For all the above reasons, please accept the staff recommendations for refusal of this application on all points.

Sincerely,

Ted Mitchell

North Talbot Resident

From: < >

Sent: Wednesday, June 8, 2022 9:36 AM

To: Wise, Sonia <swise@london.ca>

Subject: [EXTERNAL] Comments Re: OZ-9127 - 84-86 St. George Street and 175-197 Ann Street- St. George and Ann Block Limited

Dear Ms. Wise,

Please accept my comments re: the revised application OZ-9127

Re: Ann Street and St George Street Block - York Development Proposal

At the last Planning and Environment Committee meeting, Council arbitrarily decided that the approval of this development is dependent on a minimum of thirteen (13) affordable residential rental units, including one (1) studio unit, one (1) one-bedroom unit, five (5) two-bedroom units, and six (6) three bedroom units (reflective of the unit mix proposed in the building).

This is a whimsical approach to housing affordability and will not replace the affordability of the current existing units on site.

Council will be evicting individuals that currently have housing they can afford. Many working individuals and families cannot afford new housing because they cannot afford first and last month's rent. They may have to live in shelters, sometimes with their families separated until they have accumulated enough wealth to secure housing. This approach evicts people from their homes, without properly considering what those people's fate will be.

For onlookers, Council seems to be acting in self interest without really understanding if these actions are hurting people or making the problem worse.

It will be no surprise to anyone that forcing an unrealistic deadline of June 20th to resolve serious flaws in this development was never intended to achieve a different outcome. Council was simply sending a message that the 13 affordable units was enough to win Council support. This is the same approach used to approve the development at 560-562 Wellington Street, which also broke good planning principles, had little public support and resulted in an Appeal. In that case, Councillor Josh Morgan went on a local newscast and made a proclamation about needing affordable housing for approval.

Councillor Lewis then approached Auburn Development and the 'usual suspects' approved the development. This approach is not respected.

Last year, The Ontario Human Rights Tribunal received a complaint against the City of London for failing to implement the Near Campus Neighbourhood Strategy (NCNS) - which aims to balance long and short term housing (i.e. student rentals) through planning and zoning. It also claims that the City of London ignores discriminatory housing practices.

The Ontario Human Rights Tribunal has accepted the complaint and it is moving through the process.

For example:

York Development had explicitly informed Council that this development would be exclusive student housing. The development was rejected, in part, by city planners because it did not comply with the intent of the NCNS. The affected community has also stated that temporary housing (i.e student rentals) is over represented in the neighbourhood and is seeking relief from the negative consequences of having rows of empty houses and streets for almost half a year, each year. The neighbourhood is losing diversity in housing and people, and this is not healthy or safe for any community.

Council should know that purpose-built housing by the private sector is illegal in Ontario unless it is supportive housing such as retirement homes or homes for individuals with physical challenges.

In the North Talbot Neighbourhood, landlords, before showing an apartment to a prospective tenant, ask first and foremost whether the person is a student. If the answer is no, they are turned away and are not shown the apartment. Students, as a group, are not a protected code in Ontario. Even though the developer has informed Council that the housing will be exclusive and planning staff have raised this issue in their report, Council has refused to acknowledge it and therefore appear to be 'people zoning' by intent and design.

By not acknowledging your own policy, and by not resisting a housing practice that is potentially discriminatory, you appear complicit.

The complaint also raises the 'right of an individual to the peaceful enjoyment of their property' which is embedded in Ontario's Human Rights Code. Neighbourhoods dominated by temporary student rentals tend to be overwhelmed by student behaviour that is oblivious to the remaining community because they are present for only a short time. The NCNS is intended to balance diversity in housing and people to achieve a full spectrum of residents. It is not intended to be exclusionary but inclusive. The NCNS also states that development is to respect the quality and character of these neighbourhoods.

This development does not contribute to this approach in any way.

The spirit of the Ontario Heritage Act is to designate properties of historical significance for the purpose of protecting our history in its physical built form, and its location is part of that history. The legislation is for the purpose of preserving built heritage for future generations, not only until you decide to demolish it.

This development could be completely different. It could intensify the site and preserve the historical buildings on site. It could be something really great, but instead we have an aggressive developer, not interested in community, and Councillors that want to 'save the world' through eviction notices and approving buildings but not by building communities.

Sincerely

AnnaMaria Valastro

North Talbot Resident



MEMO

To: Sonia Wise, Senior Planner

From: Laura E. Dent, Heritage Planner

Date: May 27, 2022

Re: **OZ-9127 – 197 Ann Street (revised building design and supplemental comments)**

Sonia,

I have reviewed the memo submitted by MHBC (dated May 24, 2022, from Scott Allen) on behalf of York Developments and note the following paragraphs related to heritage matters on the subject lands:

As discussed in our previous memorandum, York Developments intends to implement key recommendations of the MHBC Heritage Impact Assessment (HIA) by developing a Document Report, Salvage Plan and Interpretation Plan. These plans will establish a detailed process to guide the removal of the building complex associated with the former Kent Brewery and the removal of 175, 179 and 183 Ann Street and 84 and 86 St. George Street. In particular, the Interpretation Plan will explore the incorporation of tangible cultural heritage elements (i.e. salvaged material) and intangible elements (i.e. stories, practices, rituals such as the tradition of brewing and industrial, working-class lifestyle) into the proposed tower.

Following further evaluation and with consideration for comments received through the application review process, York Developments is no longer proposing to relocate 183 and 197 Ann Street and will not be seeking a holding provision for that purpose. Rather, heritage conservation efforts will focus on effectively implementing the mitigation measures set out in the HIA.

Heritage staff offers the following comments in response:

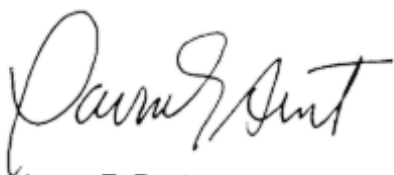
- City Council has affirmed the significance of the built resources at 183 and 197 Ann Street with its resolution (4.2/9/PEC) to issue its Notification of Intent to Designate.
- A Notice of Intent to Designate was issued on May 16, 2022 and appeared in *The Londoner* on May 19, 2022.
- The property is now treated as if it is designated, and heritage alteration permit approval is required for alterations that impact attributes identified in the Statements of Cultural Heritage Value or Interest (CHVI) for 183 and 197 Ann Street.

- Mitigation recommendations outline in the November 9, 2021, revised heritage impact assessment (MHBC, 2021) do not conserve the heritage attributes identified in the statements of CHVI, and ultimately proposed mitigation measures cannot reconcile with the action that Council has now taken to designate 183 and 197 Ann Street.
- The dismantling and re-use of salvaged materials from the heritage resources at 183 and 197 Ann Street into a brewery function on the subject lands does not conserve attributes identified in the statements of CHVI. Further “use” cannot be designated or protected as a heritage attribute under the *Ontario Heritage Act*. Stipulating the reuse of a salvaged resource under these circumstances (specifically into a brewery function) cannot be assured now and into the future; it is a mitigation measure that really cannot be fully explored.
- The incorporation of a new brewery on the site of the existing Kent Brewery is a novel and potentially an exciting concept which ties into the historical narrative of the subject lands. However, conservation under the *Ontario Heritage Act* and policies in the *PPS* pertain to built resources not past stories or functions associated with a site; a new brewery on the site is not a sufficient mitigation measure in and of itself.

Finally, it is important to remember that designation is not an end outcome – it is not fixed. Designation is a tool; it ensures that the cultural heritage value of the built resources at 183 and 197 Ann Street are conserved as part of future decision making through processes to manage change outlined in policies in the *Ontario Heritage Act* (i.e., heritage alteration permit approval). Both resources at 183 and 197 Ann Street are really a testament to how adaptable and resilient heritage building can remain. They are already exemplar examples of adaptive reuse; there are many possibilities for retention and integration of both heritage resources in the proposed development. Heritage and Planning Staff are looking forward to exploring ways in which these heritage resources can be conserved and contribute to a unique development on this site.

Please advise if you have any questions.

Sincerely,



Laura E. Dent
Heritage Planner, M.Arch, PhD, MCIP, RPP

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee
From: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic Development
Subject: St. George and Ann Block Limited
84-86 St. George Street and 175-197 Ann Street
Public Participation Meeting
Date: April 25, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of St. George and Ann Block Limited relating to the property located at 84-86 St. George Street and 175-197 Ann Street:

- (d) the request to amend the *Official Plan (1989)* to change the designation of the western part of the subject lands **FROM** a Multi-Family, Medium Density Residential designation, **TO** a Multi-Family, High Density Residential designation, to identify the subject lands as a permitted location for convenience commercial uses, and to **ADD** a specific policy to allow for the proposed uses **BE REFUSED** for the following reasons:
- i) It is not consistent with the Provincial Policy Statement, 2020 (PPS) as it does not conserve significant built heritage resources;
 - ii) it is not consistent with the Provincial Policy Statement, 2020 (PPS) as the level of intensification proposed on the subject site does not provide for development at an appropriate density, and does not result in a sense of place by promoting well-designed built form and cultural planning by conserving features that help define the character of the area;
 - iii) it does not conform to the in force policies of the *Official Plan (1989)*, including but not limited to:
 - i. the Multi-Family, Medium Density Residential policies for lands fronting St. George Street;
 - ii. the evaluation criteria for consideration of the *Official Plan (1989)* and Zoning By-law amendments to permit the Multi-Family, High Density Residential designation;
 - iii. the density bonusing policies;
 - iv. the Planning Impact Analysis provisions regarding intensity and form of development;
 - v. the Urban Design policies;
 - vi. the Near-Campus Neighbourhoods policies;
 - vii. The locational and scale criteria for convenience commercial uses in neighbourhoods.
- (e) the request to amend *The London Plan* to **CHANGE** the Special Area Policy in the Neighbourhoods Place Type applicable to the subject lands to permit a maximum building height of 22 storeys, and to permit a maximum overall floor area of 500 square metres for retail, service and office uses within the podium base **BE REFUSED** for the following reasons:
- i) It is not consistent with the Provincial Policy Statement, 2020 (PPS) as it does not conserve significant built heritage resources;

- ii) it is not consistent with the Provincial Policy Statement, 2020 (PPS) as the level of intensification proposed on the subject site does not provide for development at an appropriate density, and does not result in a sense of place by promoting well-designed built form and cultural planning, and does not conserve features that help define the character of the area;
- iii) it does not conform to the in-force policies of *The London Plan*, including but not limited to:
 - i. the Key Directions relating to the protection of built and cultural heritage, building a mixed-use compact city, and ensuring new development that is a good fit within existing neighbourhoods;
 - ii. the design criteria contained in the City Design chapter;
 - iii. the Talbot Mixed-Use policies for lands fronting on St. George Street and the south side of Ann Street;
 - iv. the site specific special policy for 84-86 St. George Street and 175-197 Ann Street;
 - v. the Evaluation Criteria for Planning and Development Applications in the Our Tools chapter of *The London Plan*;
 - vi. the Bonusing policies;
 - vii. the Near-Campus Neighbourhoods policies;
 - viii. the Neighbourhoods Place Type policies for the location and gross floor area of commercial uses;
- (f) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** a Residential R9 (R9-3*H12) Zone **TO** a Residential R10 Special Provision/Convenience Commercial Special Provision Bonus (R10-5()/CC4()*B-___) Zone, **BE REFUSED** for the following reasons:
 - i) the reasons noted in Clauses a) and b) above;
 - ii) a rezoning to permit the requested site-specific residential density and height does not conform to the in-force policies of the *Official Plan (1989)*;
 - iii) a rezoning to permit the requested site-specific residential density and height does not conform to the in-force policies of *The London Plan*;
 - iv) the use of the standard Residential R10 (R10-5) Zone variation does not conform to the in-force policies of the *Official Plan (1989)* as it would allow for a maximum density of 350 units per hectare, in excess of the maximum 250 units per hectare permitted by the existing Multi-Family, High Density Residential designation on the east part of the property, and in excess of the maximum 75 units per hectare permitted by the existing Multi-Family, Medium Density Residential designation on the west part of the property;
 - v) the requested amendment does not establish a well-designed built form that would warrant consideration for height and density bonusing;
 - vi) Insufficient development regulations are provided for in the requested Residential R10 (R10-5) Zone to control the form of development with respect to: a transition of building height from lower heights along the St. George Street frontage to taller heights at the east property boundary; podium heights and stepping back provisions; and, general building configuration and the floor plate area of tower components to minimize shadowing and loss of sunlight.
 - vii) A rezoning to permit convenience commercial and additional non-residential uses within the proposed apartment building does not conform to the in-force policies of the *Official Plan (1989)*; and,
 - viii) A rezoning to permit convenience commercial and additional non-residential uses within the proposed apartment building does not conform to the in-force policies of *The London Plan*.

Executive Summary

Summary of Request

The applicant proposes to construct a high-rise apartment building with a maximum of 214 residential units. The building is generally configured in an “H” shape, consisting of massing with 22 storeys at the east end of the property, 19 storeys in the centre, and 9 storeys along St. George Street. The proposal includes a variety of indoor and outdoor amenity areas intended to serve residents of the building. The proposed outdoor amenity areas are located on the rooftops of the first storey, 9th storey, and 19th storeys. The proposal also includes a range of convenience commercial uses with an additional use of craft brewery with a total gross floor area of 500 square metres on the ground floor. Parking is proposed to be provided in a multi-level parking structure with a request to provide 180 parking spaces for all uses, with bicycle storage and internal loading areas accessed from St. George Street.

The removal of structures that are on a listed property in the City’s heritage inventory would be required to allow the building to be constructed as proposed.

The applicant requested an amendment to the *Official Plan (1989)* to change the designation of the western part of the property from Multi-Family, Medium Density Residential to Multi-Family, High Density Residential, and to identify the site as a permitted location for convenience commercial uses.

The applicant requested an amendment to *The London Plan* to add a Specific Area Policy in the Neighbourhoods Place Type for this site to permit a maximum building height of 22 storeys, to permit a maximum overall floor area of 500 square metres for retail, service and office uses within the podium base.

The applicant also requested an amendment to Zoning By-law Z.-1 to change the zoning from a Residential R9 (R9-3*H12) Zone to a Residential R10 Special Provision/Convenience Commercial Special Provision Bonus (R10-5()/CC4()*B-____) Zone to permit apartment buildings, lodging house class 2, senior citizens apartment buildings, handicapped apartment buildings, and continuum-of-care facilities, as well as convenience service establishments, convenience stores, financial institutions, personal service establishments, and craft breweries, all without drive through facilities, and restricted to a location within an apartment building. The requested special provisions were to permit a maximum height of 75 metres (22 storeys), a maximum density of 585 units per hectare, reduced 0 metre yard depths to all property lines, reduced minimum landscaped open space of 0 percent where 20 percent is required, increased maximum lot coverage of 97 percent where 50 percent is permitted, and reduced parking of 180 spaces where 225 spaces are required. Commercial special provisions were requested allowing one commercial use to be limited to a maximum commercial gross floor area of 500 square metres.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended refusal is to maintain the existing *Official Plan (1989)* designation, *The London Plan* Specific Policy, and the existing Residential R9 (R9-3*H12) Zone on the property. The existing permissions allow apartment buildings, lodging house class 2, senior citizens apartment buildings, handicapped persons apartment buildings and continuum-of-care facilities with a maximum density of 100 units per hectare and a maximum height of 12 metres (3 – 4 storeys).

Rationale of Recommended Action

It is recommended that this application be refused for the following reasons:

4. The proposed development is not consistent with the Provincial Policy Statement, 2020, which promotes intensification and redevelopment in appropriate locations, while conserving significant heritage resources.

5. The proposed development does not conform to the *Official Plan (1989)* as it does not meet the criteria to establish new lands as Multi-Family, High Density Residential designation and as a location for Convenience Commercial uses, does not conform to the policies of the Talbot Mixed Use Specific Residential Area, and does not conform to the Near Campus Neighbourhood Area policies.
6. The proposed development represents an over-intensification of the site and does not pass all of the criteria of the Planning Impact Analysis.
7. The proposed development does not conform to *The London Plan* policies as it does not meet the intent of the site specific policy to provide a significant building step-back along St. George Street, does not conform to the policies of the Talbot Mixed Use Specific Residential Area, and the Near Campus Neighbourhood Area;
8. The proposed development does not retain significant cultural heritage resources; and
9. The proposed development is located in proximity to a rail corridor and has not identified mitigative measures to protect against possible train derailment.

Linkage to the Corporate Strategic Plan

The Strategic Plan provides direction for development through Building a Sustainable City and Strengthening Our Community. Building a Sustainable City includes growth and development that is well planned and directed to strategic locations. The subject site is within a location that contemplates growth and intensification, but that requires thoughtful design and a compatible built form. Strengthening our Community in the Strategic Plan includes achieving a strong character and sense of place by ensuring that new development fits within and enhances its surrounding community, and that London's heritage properties continue to be conserved.

Climate Emergency

On April 23, 2019, Council declared a Climate Emergency. Through this declaration, the City is committed to reducing and mitigating climate change by encouraging intensification and growth at appropriate locations. This includes intensification and efficient use of existing urban lands and infrastructure within strategic locations such as the downtown, transit villages and corridors. The site is centrally located and has proximity to transit services, and high-rise development on this site would support the response to the Climate Emergency.

Analysis

1.0 Site at a Glance

3 Property Description

The subject site consists of one consolidated property located at the south-east corner of St. George Street and Ann Street. There are five existing single detached dwellings housing a number of residential rental units, and one industrial/service commercial building operating as both an autobody shop and a residential rental residential unit. The property addressed as 197 Ann Street, located at the east end of the property, is listed in the City's Register of Cultural Heritage Resources, and known historically as the Old Kent Brewery. Both Ann and St. George Streets are classified as local streets. The Ann Street road allowance terminates just east of the subject lands ending in surface parking areas servicing the surrounding land uses.



Figure 1: Northwest view of property – intersection of Ann Street and St. George St

The adjacent land uses include: on the west side of St. George Street, street-oriented three-storey condominium townhouses; to the south, street-oriented two storey condominium townhouses atop a parking structure and a 12 storey condominium apartment building; to the south-east, a 17 storey condominium apartment building with commercial uses in the main floor podium; to the east, a hydro substation and an 18 storey condominium apartment building; and on the north side of Ann Street, a multi-unit industrial building. The Principal Main Line for Canadian Pacific Railway runs diagonally just north of termination of Ann Street and behind the industrial building on the north site of Ann Street.

The broader surrounding neighbourhood to the north, west and south of the subject property is characterized by a variety of land uses including a mix of low-rise housing forms ranging from single detached dwellings, semi-detached dwellings and converted dwellings, up to mid-rise apartment buildings, storage facilities, retail, service and office uses. The Richmond Street commercial area lies half a block to the east of the subject property.



Figure 2: 197 Ann Street (left) and 183 Ann Street (right)

- 4 Current Planning Information (see more detail in Appendix E)**
- *The London Plan* Place Type – Neighbourhoods Place Type: Talbot Mixed Use Area Specific Policy, and Specific Area Policy for 175-199 Ann Street and 84-86 St. George Street

- *Official Plan (1989)* – Multi-Family, High Density Residential, and Multi-Family, Medium Density Residential
- Existing Zoning – Residential R9 (R9-13*H12) Zone

5 Site Characteristics

- Current Land Use – Mixed residential and auto body shop
- Frontage – 45.3m (148.6 ft) along St. George Street
- Depth – 81.0m
- Area – 0.367ha (0.9ac)
- Shape – rectangular

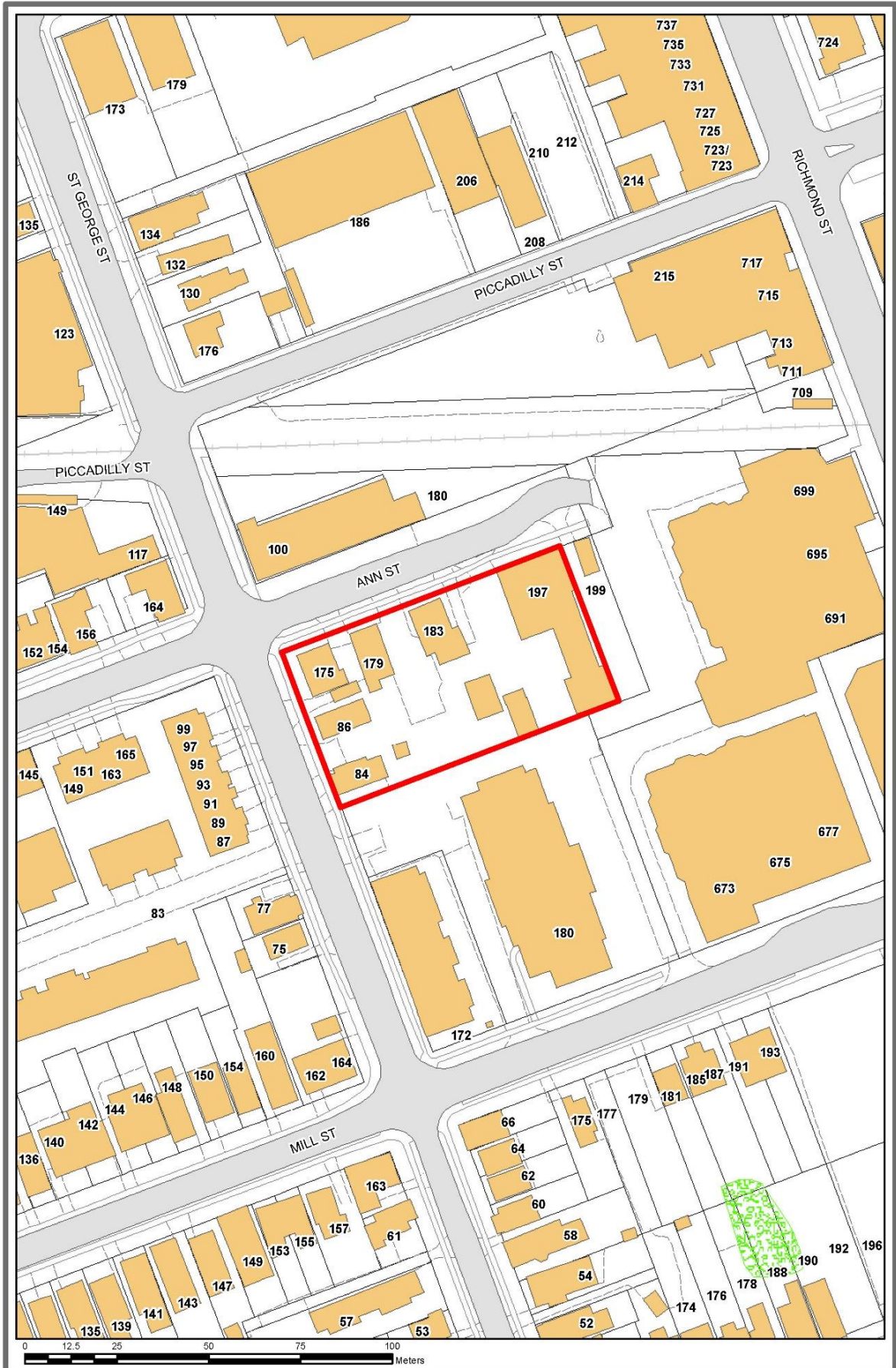
6 Surrounding Land Uses

- North – industrial and rail corridor
- East – high-rise residential and commercial
- South – low and high-rise residential
- West – low-rise and mid-rise residential

1.6 Intensification

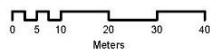
- 214 proposed residential units represents intensification within the Built-area Boundary and Primary Transit Area

7 Location Map



LOCATION MAP

Subject Site: 84 - 86 St. George Street and 175 - 197 Ann Street
 File Number: OZ-9127
 Planner: Barb Debbert
 Created By: RC
 Date: 10/02/2020



Corporation of the City of London
 Prepared By: Planning and Development

Scale 1:1000

Legend

- Subject Site
- Buildings
- Driveways/Parking Lots
- Parking Lot Edges
- Draft Approved Subdivisions

2.0 Discussion and Considerations

2.1 Development Proposal

The request is to amend the Official Plan and zoning for the site to permit a mixed-use, high-rise building of 22 storeys with 214 residential units and a maximum density of 585uph. The building is generally in the configuration of an 'H' shape and comprised of a 22 storey component along the east boundary, which steps down to a 19 storey portion parallel to Ann Street, and then a 9 storey and 4 storey portion along St. George Street.



Figure 3: Northwest Rendering of Proposed Development – 22 storeys

There are three levels of underground parking with some at grade parking within the building for a total of 180 spaces, all accessed from St. George Street. A limited range of convenience commercial uses are proposed on the ground floor including a craft brewery.

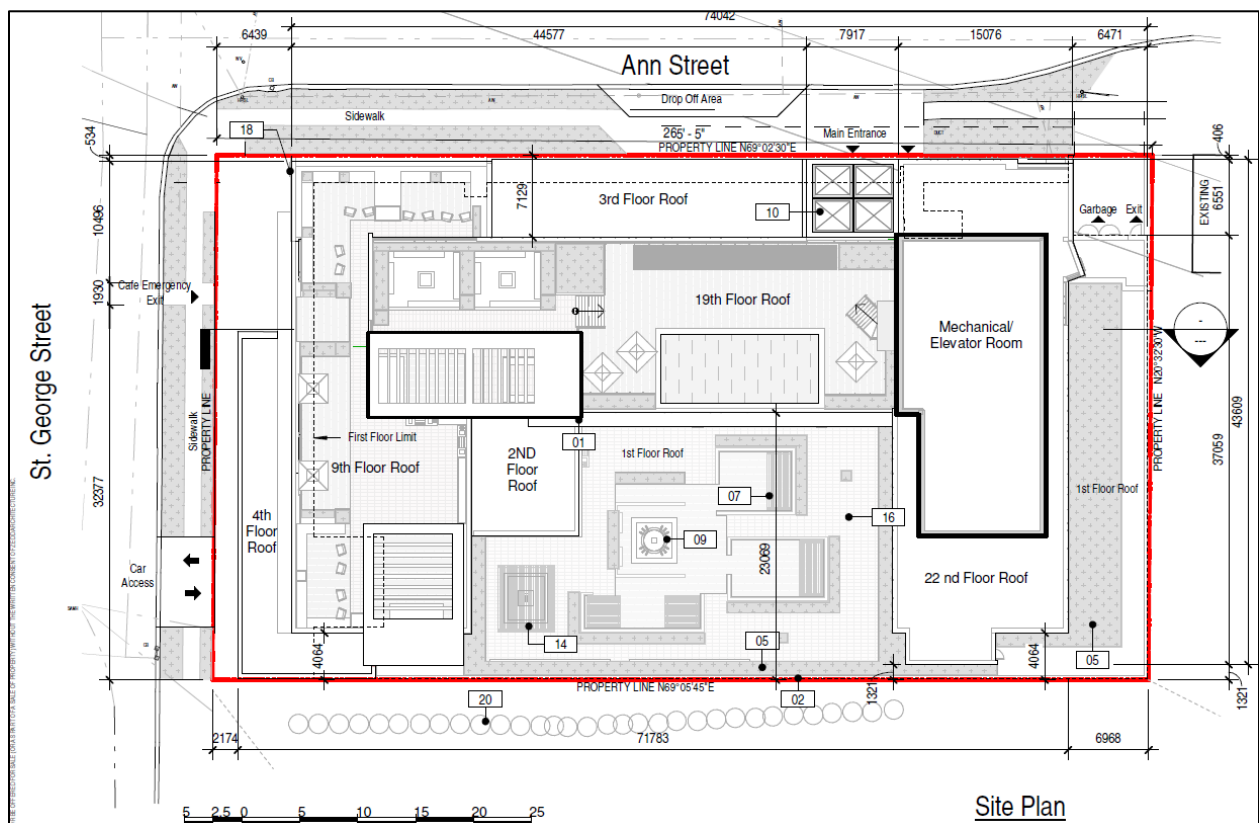


Figure 4: Site Concept Plan

2.2 Requested Amendment

An amendment to the *Official Plan (1989)* is requested to change the existing designation on the western portion of the site from a Multi-Family, Medium Density Residential designation to a Multi-Family, High Density Residential designation, and to permit convenience commercial uses on site. An amendment to *The London Plan* is requested to amend the existing specific policy to allow for the total height of 22 storeys and permit a range of local retail, commercial and office uses.

The requested Residential R10 (R10-5) Zone permits apartment buildings, lodging house class 2, senior citizens apartment buildings, handicapped apartment buildings, and continuum-of-care facilities. The requested bonus (B-____) zone permits a maximum height of 75 metres (22 storeys) where the height is to be determined on the zone map by way of a zoning review process, a maximum density of 585 units per hectare in place of 250 units per hectare, and the relief required from the regulations including: reduced yard depths of 0 metre for all property lines, reduced minimum landscaped open space of 0 percent where 20 percent is required, increased maximum lot coverage of 97 percent where 50 percent is permitted, and reduced parking of 180 spaces where 225 spaces are required.

The requested Convenience Commercial (CC4) Zone permits convenience service establishments, convenience stores, financial institutions and personal service establishments, all without drive through facilities, and restricted to a location within an apartment building. The requested special provisions were to add the craft brewery use without drive-through facilities, restricted to a location within an apartment building, as well as allowing one commercial use to occupy a maximum commercial gross floor area of 500 square metres.

2.3 Initial Proposal

The initial proposed development was for a high-rise apartment building with a maximum of 274 residential units, generally configured in an “H” shape and consisting of a building massing of 28 storeys at the east end of the property, 26 storeys in the centre, and 12 storeys along St. George Street. A range of convenience commercial uses were requested up to 1,000 square metres of gross floor area on the ground floor. The application was amended in 2020 to the 22 storey form that removed the convenience commercial uses requested.



Figure 5: Northwest Rendering of Initial Proposal

2.4 Community Engagement (see more detail in Appendix A)

Members of the public were given an opportunity to provide comments on this application in response to the notice of application given on October 10, 2019. Written and verbal replies were received from 21 individuals, with the majority opposed to the proposal.

Concern for:

- Heritage
 - Opposed to the demolition of heritage buildings
 - The whole block should be saved
- Retail/Commercial Use not appropriate for the location
- Intensity
 - Traffic volumes, noise and safety issues
 - Inadequate parking provided
 - Bonusing features are not beneficial
 - Increased number of pedestrians cutting through the area
- Form
 - Ignores the low-rise townhouse and single-family home characteristics of the neighbourhood
 - Inadequate on-site landscaped open space and inadequate parkland provision in the area – object to the use of cash-in-lieu of parkland
 - Inadequate provision of trees and boulevard space
 - Loss of sunlight, privacy and views
- Student Housing
 - Contributes to a pre-existing imbalance of student to non-student population in the neighbourhood
 - Does not meet the near campus neighbourhood policies
 - Neighbourhood is underpopulated in the summer which isolates long-term residents, creates social problems such as squatters, criminal activity, and hurts local businesses
 - Purpose-designed student housing is not diverting students from single family homes as intended
 - Allowing construction and marketing of housing geared to students is contrary to the Human Rights Code because it discriminates against protected groups
- Possible impacts on groundwater-based HVAC systems in surrounding buildings
- Possible impact on adjacent hydro transformer substation.
- Loss of property value

3.0 Relevant Background

3.1 Planning History

The property was the subject of a site-specific appeal to *The London Plan* which, in a broad sense, sought to recognize pre-existing permissions of the Multi-Family, High Density Residential (MFHDR) designation of the *Official Plan (1989)*. The MFHDR designation applies to the majority of the site with the exception of the St. George Street frontage where the designation is the Multi-Family, Medium Density Residential (MFMDR).

As a result of settlement discussions for appeals against *The London Plan*, the Local Planning Appeals Tribunal (LPAT) approved a new Special Area Policy within the Neighbourhoods Place Type for the subject site on August 27, 2018. The new policy permits heights in excess of 12 storeys through a bonus zone, where the Evaluation Criteria for Planning and Development Applications and the Bonus Zoning policies of this Plan can be met. The policies require development along the St. George Street frontage to include a significant step-back to provide a low-rise character that is

consistent with the streetscape.

The applicant requested an amendment to *The London Plan* to change the Special Area Policy in the Neighbourhoods Place Type for this site to permit the proposed development and effectively replace the Special Area Policy approved in 2018 by the LPAT.

3.2 Application History

A brief timeline for some of the key dates of the Official Plan and Zoning By-law Amendment includes the following:

- Sept 20, 2019: Application deemed complete and file opened
- October 10, 2019: A notice of application was circulated for the 28 storey form with ground floor commercial uses
- March 9, 2020: A public participation meeting and information report was submitted to PEC to receive feedback. Council directed that the heritage and planning matters should be heard together at a future meeting.
- October 7, 2020: A revised notice of application was circulated for the 22 storey form with no commercial uses proposed
- October 27, 2020: The addresses on the parcel were added to the Register of Cultural Heritage Resources, (in addition to 197 Ann Street) through the North Talbot Cultural Heritage Inventory report prepared by Timmins Martelle Heritage Consultants
- November 4, 2021: A revised Heritage Impact Assessment was submitted
- April 1, 2022: A public participation meeting notice and revised notice of application was circulated for the 22 storey form with ground floor convenience commercial uses proposed.
- March 9, 2022: LACH reviewed the revised Heritage Impact Assessment
- April 13, 2022: LACH reviewed the Intent to Designate

3.2 Policy Framework

Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) 2020, provides policy direction on matters of provincial interest related to land use planning and development. The PPS encourages settlement areas (1.1.3) to be the main focus of growth and development. Appropriate land use patterns within settlement areas are established by the Official Plan policies that designate areas of growth and development, and areas of preservation like the subject site. The PPS encourages healthy, livable and safe communities which are sustained by promoting efficient development and land use patterns (1.1.1.a.). The proposed development represents a high-rise and built form intensity that is inconsistent with the established land use pattern and nearby low-rise residential land use pattern.

The policies of the PPS also direct planning authorities to identify appropriate locations and promote opportunities for residential intensification and redevelopment (1.1.3.2.b) and 1.1.3.3) where this can be accommodated, while promoting appropriate development standards which facilitate intensification, redevelopment and compact form (Policy 1.1.3.4). The proposed development is located in a central area near the downtown and commercial corridor of Richmond Row, and is within an area that contemplates intensification. The proposed scale of development and commercial uses however, are directed towards and would be most beneficial along the corridor to enhance the vitality of the main street.

The PPS states that long-term economic prosperity should be supported by encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources (1.7.1.e). The built form requires further revision and refinement to result in a well-designed built form, and requires the demolition of a built heritage resource to facilitate the development.

Further, the PPS identifies that significant built heritage resources “shall be conserved” (2.6.1). The site is a heritage listed property which is being proposed to be a designated property. The proposed development would result in the demolition of the proposed designated structure, which the PPS directs to be conserved and retained, instead of removed.

The London Plan

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority of which is in force and effect). *The London Plan* policies under appeal to the *Local Planning Appeals Tribunal* (Appeal PL170100) and not in force and effect are indicated with an asterisk (*) throughout this report. *The London Plan* policies under appeal are included in this report for informative purposes indicating the intent of City Council, but are not determinative for the purposes of this planning application.

Key Directions

The London Plan provides Key Directions (54_) that must be considered to help the City effectively achieve its vision. These directions give focus and a clear path that will lead to the transformation of London that has been collectively envisioned for 2035. Under each key direction, a list of planning strategies is presented. These strategies serve as a foundation to the policies of the plan and will guide planning and development over the next 20 years. Relevant Key Directions are outlined below:

In order to achieve the vision of an ‘exciting, exceptional and connected’ city, the following include the relevant key directions:

- Direction #3 – Celebrate and support London as a culturally rich, creative and diverse City
- Direction #5 – Build a mixed-use compact city
- Direction #7 – Build strong, healthy and attractive neighbourhoods for everyone
- Direction #8 – Make wise planning decisions

The London Plan direction to celebrate and support London as a culturally rich, creative, and diverse city by:

- Protecting our built and cultural heritage to promote our unique identity... (Direction #3, 57_7);

The London Plan provides direction to build a mixed-use compact city by:

- Planning to achieve a compact, contiguous pattern of growth – looking “inward and upward”;
- Sustaining, enhancing and revitalizing our downtown, main streets, and urban neighbourhoods;
- Planning for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward;
- Mixing stores, restaurants, clean industry, live-work arrangements and services in ways that respect the character of neighbourhoods, while enhancing walkability and generating pedestrian activity (Direction #5, 59_2, 3, 4 and 6);

The London Plan direction to build strong, healthy and attractive neighbourhoods for everyone by:

- Implementing “placemaking” by promoting neighbourhood design that creates safe, diverse, walkable, healthy and connected communities, creating a sense of place and character;
- Protect what we cherish by recognizing and enhancing our cultural identity, cultural heritage resources, and neighbourhood character... (Direction #7, 61_3, 5)

The London Plan direction to make wise planning decisions by:

- Ensuring new development is a good fit within the context of an existing neighbourhood (Key Direction #8, 62_9).

City Structure Plan

The growth framework of the City Structure Plan establishes a clear hierarchy for development intensity inside the Urban Growth Boundary. It places a high level of importance on growing “inward and upward” (Policy 79_), while directing the most intensive forms of development to the Downtown, Transit Villages and at station locations along the Rapid Transit Corridors (Policy 86_*). Intensification is to occur in appropriate locations and in a way that is sensitive to existing neighbourhoods and represents a good fit (Policy 83_*).

Neighbourhoods Place Type

The subject site is located in the Neighbourhoods Place Type on *Map 1 – Place Types in *The London Plan*. Neighbourhoods are envisioned to be vibrant, exciting places to live, that include a diversity of housing choices and easy access to daily goods, services and employment opportunities within walking distance (Policy 916_*). Residential uses including single detached, duplex, townhouse and apartment dwellings are permitted in the Neighbourhoods Place Type, generally up to a maximum of 4-6 storeys in select locations with bonusing. Mixed-use developments, and a limited range of stand-alone retail, service and offices uses are permitted as secondary uses at intersections of main roads (*Table 10 and 11).

High Density Residential Overlay (From 1989 Official Plan)

The London Plan directs high rise apartments to the Downtown, Transit Villages, and Rapid Transit Corridors to link land use and mobility planning. The plan also recognizes some High Density Residential areas that were designated in the previous Official Plan for greater development potential where not include in a targeted place type. Development consistent with the underlying place type is encouraged, however the height and intensity policies contemplating up to 12 storeys may be permitted in the overlay within the Primary Transit Area.

Near Campus Neighbourhoods Areas

The site is located within the Near-Campus Neighbourhoods Specific Area Policy which provides a policy context for development in neighbourhoods that are in proximity to Western University and Fanshawe College (Policy 962_*). Near-Campus Neighbourhoods will be planned to enhance their livability, diversity, vibrancy, culture, sense of place, and quality of housing options for all residents (Policy 964_*).

Talbot Mixed-Use Area Specific Policy Area

The site is within the Talbot Mixed-Use Area Specific Policy Area which is bounded by the Richmond Row commercial district to the east, the Downtown to the south, the Thames River to the west and Ann Street to the north. The policy anticipates proposals for conversion and redevelopment of lands for multi-family residential uses, commercial and office uses. It acknowledges that portions of this area are appropriate for conversion or redevelopment, though the scale and form of any change or redevelopment should not adversely impact the amenities and character of the surrounding area (1025).

The Talbot Mixed-Use Area policies recognize the High Density Residential Overlay, which may be considered for high and medium forms of development as determined through the zoning by-law amendment process, for sites that involve substantial land assembly and provide a high standard of site and building design (1027). The site is an amalgamation of individually held properties that could warrant greater development potential.

Mill, Hyman, John, Ann and Talbot Streets

Within the Talbot Mixed-Use Area, there is a sub-precinct which includes the subject site, where lands fronting onto “St. George Street and the south side of Ann Street shall retain their predominantly low-rise residential character” (1031). Additional permissions for these streets contemplate the creation of offices and a broader range of home occupations in existing buildings with at least one residential unit and minimal alteration to the external residential character.

1038C - 175-199 Ann Street and 84-86 St. George Street

In the Neighbourhoods Place Type at 175-199 Ann Street and 84-86 St. George Street, the lands located within the High Density Residential Overlay (from the 1989 Official Plan) are appropriate for a greater intensity of development. Heights in excess of 12 storeys may be permitted on these lands through a bonus zone, where the Evaluation Criteria for Planning and Development Applications and the Bonus Zoning policies of this Plan can be met. Development along the St. George Street frontage will include a significant step-back to provide a low-rise character that is consistent with the streetscape (1038C_).

Official Plan (1989)

Multi-Family, High Density Residential Designation

The Multi-Family, High Density Residential (MFHDR) designation permits a variety of residential housing forms, including low and high rise apartment buildings, as the main uses. The preferred locations for the Multi-Family, High Density Residential designation includes areas near the periphery of the Downtown that are appropriate for redevelopment, and lands abutting or having easy access to an arterial or primary collector road.

The subject site is located in Central London (the area bounded by Oxford Street on the north, the Thames River on the south and west, and Adelaide Street on the east. Excluding provisions for density bonusing (Section 3.4.3 iv), net residential densities in the Multi-Family, High Density Residential designation will normally be less than 250 units per hectare in Central London (Section 3.4.3). In addition to the ability to bonus to provide facilities, services and matters in return for greater height or density, the *Official Plan (1989)* contains criteria for increasing density on Multi-Family, High Density Residential lands, provided all of a series of criteria are met (Section 3.4.3 ii). The determination of appropriate height and density limitations for individual sites may be based on a concept plan showing how the area will be developed and integrated with surrounding land uses.

Multi-Family, Medium Density Residential Designation

Most of the subject site is within the Multi-Family, High Density Residential (MFHDR) designation, with the exception of the portion of the site fronting on and adjacent to St. George Street, which is in the Multi-Family, Medium Density Residential (MFMDR) designation. The Multi-Family, Medium Density Residential designation adjacent to St. George Street permits a variety of housing forms, including low-rise apartment buildings as the main uses, and may serve as a suitable transition between Low Density Residential areas and more intense forms of land use (Sections 3.3 and 3.3.1.).

Near Campus Neighbourhoods Areas

The site is located within the Near-Campus Neighbourhoods Specific Area Policy which provides a policy context for development in neighbourhoods that are in proximity to Western University and Fanshawe College (3.5.19.1). Near-Campus Neighbourhoods will be planned to enhance their livability, diversity, vibrancy, culture, sense of place, and quality of housing options for all residents (Policy 3.5.19.2).

Talbot Mixed-Use Area

The subject site is located within the Talbot Mixed-Use Area which encompasses lands bounded by the Richmond Row Commercial District on the east, the Downtown on the south, the Thames River on the west and Ann Street on the north. The policies recognize that there will be proposals for the conversion of existing dwellings to commercial and office use and for the redevelopment of lands for multi-family residential uses. The scale and form of any redevelopment or change in land use shall not adversely impact the amenities and character of the surrounding area. Proposals for the rezoning and/or redesignation of lands to permit a change in use shall be evaluated on the basis of a Planning Impact Analysis in addition to specific criteria based on the land use designation and/or geographic areas or street frontages.

Mill, Hyman, John, Ann and Talbot Streets

Within the Talbot Mixed-Use Area, there is a sub-precinct which includes the subject site, where lands in the Multi-Family, Medium Density Residential lands fronting onto “St. George Street and the south side of Ann Street...shall retain their predominantly low-rise residential character” (3.5.1.v). Additional permissions for these streets contemplate the creation of offices and a broader range of home occupations in existing buildings with at least one residential unit and minimal alteration to the external residential character.

4.0 Key Issues and Considerations

The proposed development is within a central part of the City, and has a policy framework that contemplates development at a greater height and intensity than currently exists. In order to achieve the greater heights contemplated, an appropriately designed building and site that is sensitive and compatible with the surrounding area is required. There are a number of deficiencies and departures from the planning policies that do not support the proposed development in its current form, including:

- 1) Built Form
- 2) Intensity and Bonusing
- 3) Convenience Commercial Uses
- 4) Heritage
- 5) Proximity to Rail Corridor

This report will focus on these main issues which form the basis for the recommendation of refusal.

4.1. Key Issue and Consideration #1 – Built Form

The PPS is supportive of development standards which facilitate intensification, redevelopment and compact form (Policy 1.1.3.4). The PPS also identifies that long term economic prosperity should be supported by encouraging a sense of place by promoting a well-designed built form (Policy 1.7.1(e)). Intensification projects are assessed by how well they address matters such as height, scale and massing, building design, provision of landscaped open space, parking and access to determine whether it is an appropriate and well-designed built form. While the proposed development represents an intensification project within a settlement area and a compact form, it must also be appropriately designed to encourage a sense of place to be consistent with the PPS.

Ann Street and St. George Street

There is consistent policy direction within both the Official Plans to ensure any high-rise development of the subject site is designed to provide a compatible and sympathetic interface with the existing residential neighbourhood. There are three storey townhouses located along the west side of St. George Street, and two-storey townhouses to the south of the subject site. Though there are high-rise forms to the east and south of the site, it is the interface with the low-rise residential built form and character to the west that is the most sensitive.



Figure 6: West Side of St. George St (left) and East Side of St. George St (right)

The specific policy in *The London Plan* for the site contemplates an increase in height above 12 storeys, through a bonus zone, and where the evaluation criteria can be met. The policy also specifically states that “*Development along the St. George Street frontage will include a significant step-back to provide a low-rise character that is consistent with the streetscape*” (1038C). A building step-back refers to the tower portion or ‘middle’ of the building being setback from the edge of the podium or base to minimize the bulk and mass of the taller part of the building and ensure there is a pedestrian scale at street level. The portion of the building along St. George Street is provided at 9 storeys with a minimal four storey feature that does not extend the full length of the face, and does not meet the intent of the policy to maintain the low-rise residential character and streetscape in this area.



Figure 7: Rendering of St. George Street Façade at Base

Further, the policies of the subprecinct for Mill, Hyman, John, Ann and Talbot Streets within the Talbot Mixed-Use Area direct that “*the lands fronting onto Mill Street, Hyman Street, John Street, St. George Street, the south side of Ann Street, and the east side of Talbot Street, shall retain their predominantly low-rise residential character*” (1031). The

site is located within this subprecinct with frontage on St. George Street and the south side of Ann Street. The proposed development provides a 19 storey component with minimal setback along Ann Street connecting the 9 storey and 22 storey components at the ends of the block, neither of which provide a setback to Ann Street. The proposed design and lack of a significant setbacks do not achieve the retention of a “low-rise residential character” required by policy.

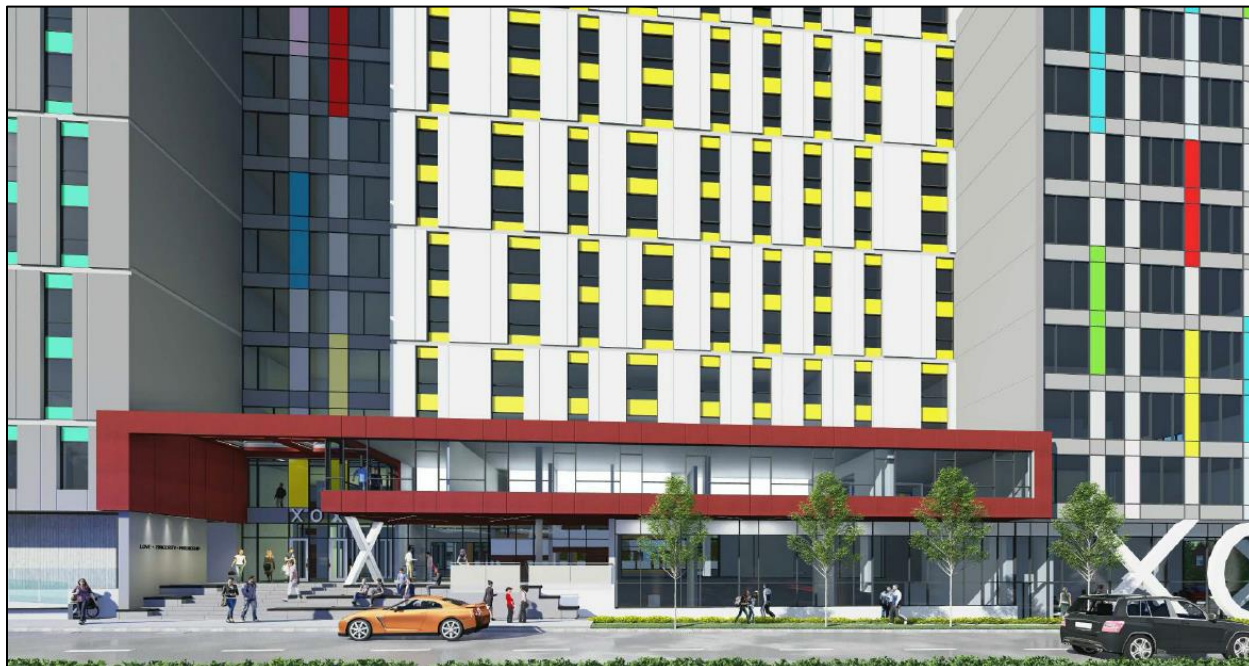


Figure 8: Rendering of Ann Street Façade at Base

Ann Street and St. George Street Summary

The massing proposed does not provide a significant step-back along St. George Street, as required by policy 1038C, and does not retain the predominantly low-rise residential character along the south side of Ann Street and St. George Street as required by policy 1031. The built form includes sheer walls along the 9 and 22 storeys which is the full extent of the building height directly to the street, without step-backs to provide relief. The sympathetic fit and compatibility of infill and intensification projects is paramount for established residential neighbourhoods, and without a sensitive transition in height and massing, nor the retention of a low-rise residential character, this is not achieved.

Criteria to change the designation to Multi-Family, High Density Residential

The majority of the subject site is within the Multi-Family, High Density Residential (MFHDR) designation, there is a portion along the St. George Street that is within the Multi-Family, Medium Density Residential (MFMDR) designation that is requested to be redesignated to MFHDR. Development in the MFMDR normally does not exceed 4 storeys, and serves as an appropriate transitional area from the high to mid heights that could occur on site and should be retained. The request to change the designation from the MFMDR designation to the MFHDR is based on the following criteria: i) compatibility, ii) municipal services, iii) traffic, iv) buffering and v) proximity to transit and service facilities.

- i) **Compatibility:** Development of the site or area for high density residential uses shall take into account surrounding land uses in terms of height, scale and setback and shall not adversely impact the amenities and character of the surrounding area.

The compatibility requirement in the *Official Plan (1989)* identifies that height, scale, and setbacks shall be compatible with the surrounding area, and must not detract from the character of the neighbourhood. The specific policies for the site require a ‘significant’ step-back along St. George Street, and retaining the low-rise residential character along Ann Street and St. George Street,

which would provide a sympathetic transition in building height and preserve the character of the surrounding area. The proposed development is not in keeping with the established character, scale or intensity of the area, will result in greater shadowing than a building with significant step-backs and does not satisfy the compatibility criteria of this policy.

- ii) Municipal Services: Adequate municipal services can be provided to meet the needs of potential development.

A Servicing Feasibility Study was required for the initial proposal and identifies there is sufficient water, wastewater and stormwater infrastructure available for the site. This criteria is not an issue.

- iii) Traffic: Traffic to and from the location should not have a significant impact on stable low density residential areas.

A Transportation Impact Assessment was submitted with the initial proposal evaluating the anticipated traffic to be generated by the development. Transportation Planning and Design staff have reviewed the proposed development and have no concerns. Detailed comments regarding access design and location would be made through a possible future planning application for Site Plan. This criteria is not an issue.

- iv) Buffering: The site or area is of suitable shape and size to accommodate high density housing and provide for adequate buffering measures to protect any adjacent low density residential uses.

Buffering relates to the transition from low to high density built forms and can include on-site measures or intervening land uses. The proposed development form has a requested lot coverage of 97% and does not provide opportunity for on-site buffering. The 4 storey component along St. George Street does not extend the length of the façade, there is very little step-back from the 4 storey base to the 9 storey portion along St. George Street, minimal setbacks to the 19 storey portion along Ann Street, and no setbacks to the 9 and 22 storey portions along Ann Street. The lack of podium or step-backs creates a sheer wall in these locations, no relief of the massing of the tower to the low density residential neighbourhood, and results in an abrupt change in height. Further, there is no landscaped open space provided on-site as the requested relief is to 0% where 20% minimum would be required, which could serve to provide at grade setbacks and softening to the nearby low-rise residential neighbourhoods from the bulk of the built form. The proposed development does not satisfy the buffering criteria.

- v) Proximity to Transit and Service Facilities: Public transit service, convenience shopping facilities and public open space should be available within a convenient walking distance.

The site is within a central location with convenient pedestrian access to quality public transit, commercial and retail along Richmond Row, and open spaces, however, it should be noted that there is no direct pedestrian or vehicular access to Richmond Street from Ann Street. Pedestrian movement would be to St. George Street to provide access to Oxford Street or to Piccadilly or Mill Street to provide access to Richmond Street. This criteria is not an issue.

Criteria to Change the Designation to MFHDR Summary

The proposed development meets a number of the criteria to redesignate part of the site to the Multi-Family, High Density Residential designation; but not all. The proposed development does not represent a compatible development form or provide sufficient buffering to the low density residential neighbourhood. One of the overall objectives for the Multi-Family, High Density Residential designation to promote the design of high

density residential developments that are sensitive to the scale and character of adjacent land uses, which is not being achieved (3.1.4.iii).

The *Official Plan (1989)* policies currently provide an intervening land use designation along the St. George Street frontage through the Multi-Family, Medium Density Residential (MFMDR) designation. The MFMDR designation serves as a suitable transition between Low Density Residential areas and more intense forms of land use such as the Multi-Family, High Density Residential designated lands (3.3). This would provide a mid-rise development form as a transition from high-rise building heights to low density residential areas through intervening land uses or building step-back. Amending the designation from the MFMDR to MFHDR allows greater height and building massing along St. George Street without an adequate step-back from the high-rise portion to the property boundary, and is not supported.

It is recommended that the Multi-Family, Medium Density Residential designation be maintained along the St. George Street frontage to provide an appropriate massing form to the adjacent Multi-Family, High Density Residential designation.

Bonusing and Form – City Design

The requested amendment to facilitate the greater height of 22 storeys above the 12 storeys maximum and density of 585uph above the contemplated 250uph is through a bonus zone. The bonus zoning will only be permitted where it is demonstrated that the resulting intensity and form of the proposed development represents good planning within its context (1653*).

The City Design policies of *The London Plan* provide direction on the design elements of a development and including the following:

199_ All planning and development proposals within existing and new neighbourhoods will be required to articulate the neighbourhood's character and demonstrate how the proposal has been designed to fit within that context.

The lands to the west and south have a low-rise residential character, and the Talbot Mixed-Use area directs that the scale and form of any redevelopment shall not adversely impact the amenities and character of the surrounding area (1025). The proposed development does not provide sufficient transition in building massing to the low-rise neighbourhood and has not been designed to fit within the local context. The tower floorplate needs to be minimized and setback further from the base to provide a more sensitive fit with the low-rise residential context.



Figure 9: Rendering – Corner Perspective of St. George and Ann St

235_Landscaping should be used to define spaces, highlight prominent features and landmarks, add visual interest, define pedestrian areas, delineate public and private spaces, add comfort and improve health, offer visual screening, and improve the aesthetic quality of neighbourhoods.

The standard minimum landscaped open space is for 20% for the requested R10-5 zone, and 30% in the existing R9-3 zone, and the request has been made to provide 0%. With 0% landscaped open space provided, there is no ability to add visual interest, add comfort through shade, offer visual screening or improve the aesthetic quality of neighbourhoods. Any landscaped space that occurs above grade on the rooftops of the building provide enhancement for the residents only and is expressly exempted by the definition of landscaped open space in the Z.-1 Zoning by-law. No private landscaping is permitted on City-owned boulevards as there are on-going maintenance costs and potential conflicts with infrastructure and utilities.

256_Buildings should be sited so that they maintain and reinforce the prevailing street wall or street line of existing buildings.

The lands to the south and west have low-rise forms as the prevailing street wall. Consistent with the specific policy direction, policy 256 requires buildings maintain and reinforce this low-rise street wall and associated character. There is a way to achieve both a high-rise form on-site that steps down to a low-rise form along the street frontages, though this has not been satisfied with the proposed built form.

293_High-rise building should be designed to minimize massing, shadowing, visual impact, and the obstruction of views from the street, public spaces, and neighbouring properties. To achieve these objectives, high rise buildings should take the form of slender towers. High rise buildings should not be designed with long axes where they create an overwhelming building mass.

An alternative design for the tower portion of the building is required in order to avoid a large and long floorplate slab building. The form as proposed impacts the view corridors to and from the site, access to sunlight for the proposed suites as well as neighboring developments and contributes to consistent shadow impacts to surrounding context. Any portion of the tower above eight storeys should be a point tower (up to approximately 1000m² within a 1.5:1 length: width ratio) in order to reduce the overall massing and consistent shadowing impacts and to ensure that shadows and loss of privacy on neighbouring properties are minimized.



Figure 10: Rendering – Southeast View

289_High and mid-rise buildings should be designed to express three defined components: a base, middle and top.

The base of a building should establish a human-scale façade which is often achieved through the provision of a podium that provides a lower built form at the street edge while having the taller portions of the building stepped back. While there are lower portions of the building along Ann Street and St. George Street, they do not provide a meaningful or discernable building base, and parts of the high-rise portions of the building extend directly to the street edge without providing any relief and resulting in a sheer wall at the corner of Ann Street and St. George and at the eastern portion of the building. There is little distinction as to the three components of the building, and the 19 storey portion of the building is comprised of a large and long expanse in an east-west orientation which results in a 'slab' floorplate rather than a point tower.

298_Design measures relating to building height, scale and massing should be used to provide a transition between development of significantly different intensities, considering the existing and planned context.

To ensure that the proposed building responds to its context in terms of height and massing, any portion of the building proposed along Ann Street and St. George Street should retain the predominantly low-rise character to respond to the low-rise residential character on the west side of the street, as well as the townhouses to the south, with a step down from the higher portions of the building. The angular plane shown in figure x, shows a 45° plane and the building massing proposed. To mitigate impacts on the street level and nearby residential neighbourhood, tower step-backs that fit within the angular plane are preferred, where the taller a building mass is, the further it will be setback from the street.



Figure 11: Angular Plane

Bonusing and Form – City Design Summary

While the building provides a built edge along both Ann Street and St. George Street, there is not enough of a setback to provide a pedestrian-scale base, minimize the massing and shadows or provide space for landscaping and buffering. The City Design policies are intended to facilitate well-designed built forms that respect the context and provide a sensitive fit. In staff's opinion these have not been satisfied through the proposed development. More refinement and revision to the design is required to address the City Building policies and create a more appropriate built form. As has also been previously noted, the proposed design does not satisfy the Specific Area policies for these lands which were developed to provide specific direction on appropriate development forms in this location.

Bonusing and Chapter 11 Urban Design Principles

In the *Official Plan (1989)*, height and density bonuses received “*should not result in a scale of development that is incompatible with adjacent uses*” (19.4.4.i). Bonusing will be used to support the City's urban design principles as contained in Chapter 11 and include:

- v) *Architectural Continuity: The massing and conceptual design of new development should provide for continuity and harmony in architectural style with adjacent uses which have a distinctive and attractive visual identity or which are recognized as being of cultural heritage value or interest.*

The proposed development represents a departure from the architectural style of adjacent uses. The area to the south and west is largely characterized by existing low density residential uses, save and except the existing high density apartment building to the east of the site, which is located along a transit corridor where greater heights are encouraged. The proposed development however fails to provide continuity and harmony with the existing residential neighbourhood and does not incorporate an appropriate base that provides a harmonious fit with the existing uses.

- viii) *Pedestrian Traffic Areas: In pedestrian traffic areas, new development should include street-oriented features that provide for the enhancement of the pedestrian environment, such as canopies, awnings, landscaped setbacks and sitting areas.*

The site is located on two local roads, in a central part of the City near the Oxford Street corridor to the north, Richmond Row to the east and the Downtown to the south. Though the area is predominantly residential in nature, it is a higher pedestrian traffic area given the location. The base of the building has made an effort to provide a pedestrian-scale environment, however Urban Design staff recommend greater tower setbacks from the edge of the podium be provided to assist in minimizing the building mass from the street level. The proposed building coverage of 97% and the 0% landscaped open space proposed results in minimal to no opportunity for landscaping at grade.

- ix) *Access to Sunlight: The design and positioning of new buildings should have regard for the impact of the proposed development on year-round sunlight conditions on adjacent properties and streets. In reviewing proposed developments, access to sunlight for adjacent properties should be maximized to enhance the potential for energy conservation and the amenity of residential areas and open space areas, such as parkettes and outdoor plazas.*

A Shadow Study was submitted as part of the complete application, demonstrating minor shadowing impacts on the low rise residential neighbourhood to the south throughout the year. However, shadows are cast on the adjacent high density residential property to the east, and on the low-rise residential uses to the west. The shadowing could be improved by the use of increased building setbacks, step-backs and a reduced mass. Images from the shadow modelling are contained in Appendix D.

- x) *Landscaping: Landscaping should be used to conserve energy and water, enhance the appearance of building setback and yard areas, contribute to the blending of new and existing development and screen parking, loading, garbage and service facilities from adjacent properties and streets.*

Limited to no landscaping is provided at grade with a requested reduction of 0%, which provides no ability to buffer the proposed development from adjacent sites, no enhancement of the building appearance and does not contribute to blending the new development in with its context.

- xiv) *Privacy: To the extent feasible, the design and positioning of new buildings should minimize the loss of privacy for adjacent residential properties.*

The form as proposed impacts neighbouring developments, and the overall massing should be reduced to help ensure that any loss of privacy on neighbouring properties is minimized. A separation distance of 25m should be considered between the high-rise portions of the proposed building and the adjacent high-rise developments to the east and south.

Bonusing and Chapter 11 Urban Design Principles - Summary

While it is acknowledged that efforts have been made to refine the built form and design from the initial proposal, the built form proposed is not appropriate in its current form, nor compatible within the context of the existing neighbourhood. Urban Design staff have provided several recommendations for design refinements to address the form-based concerns, which have not been incorporated into the design to date. In accordance with Policy 3.7, a Planning Impact Analysis is to be used to evaluate applications for an Official Plan amendment and/or zone change to determine the appropriateness of a proposed change in land use, and to identify ways of reducing any

adverse impacts on surrounding uses. The Planning Impact Analysis is contained in Appendix D and addresses matters of both form and intensity.

Near Campus Neighbourhoods

Development within neighbourhoods that are located within proximity to Western University and Fanshawe College are subject to the near-campus neighbourhood policies. *The London Plan* and the *Official Plan (1989)* establish a number of planning goals in an effort to support this vision for these neighbourhoods, and several are to ensure the compatibility of design and fit within the character of the neighbourhood, including:

9. Utilizing zoning to allow for residential intensification which is appropriate in form, size, scale, mass, density, and intensity (965_9; 3.5.19.4.vii);
10. Ensuring that residential intensification projects incorporate urban design qualities that enhance streetscapes and contribute to the character of the neighbourhood while respecting the residential amenity of nearby properties (965_10; 3.5.19.4.xi); and,
13. Ensure intensification is located and designed to respect the residential amenity of nearby properties (965_13; 3.5.19.4.xiv).

The proposed development is seeking to maximize the zoning for the site which requires relief from many regulations related to built form and site layout including, front yard, exterior side yard, interior side yard and rear yard setbacks, height, density, landscaped open space and building coverage. Urban design qualities are to be incorporated into the design to ensure intensification projects contribute to the character of the neighbourhood while respecting the residential amenity of nearby properties. There is significant concern with the built form as it does not enhance the streetscape, contribute to, or respect, the character of the neighbourhood, requires significant relief from the zoning regulations and results in an over-intensification of the site.

Residential intensification within near-campus neighbourhoods may be permitted only where it has been demonstrated that the criteria in policy 968 and 3.5.19.9 have been met. In Staff's opinion there are two notable deficiencies for the proposed development:

6. 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.

The proposed development does not adequately mitigate the impacts of the bulk and massing on the surrounding residential land uses, and the built form as proposed will have more impactful shadowing than a more slender tower that is setback from the street edge. There are a number of recommended refinements required to provide a better fit for the building within the residential neighbourhood context, including:

- Provide an alternative design for the tower portion of the building in order to avoid a large and long, slab-style floorplate.
- Any portion of the tower above eight storeys should be a point tower (up to approximately 1,000 square metres, within a 1.5:1 length: width ratio).
- A separation distance of 25m should be considered between the high-rise portions of the proposed building and the adjacent high-rise developments.
- Any portion of the building proposed along Ann Street and St. George Street should retain the predominantly low-rise character by responding to the low-rise residential built form to the west and south, while the east half of the building should respond to the high-rise buildings on the east and south, with a step down between both portions of the building.
- Provide a setback (a minimum of 5m is the standard requirement) above the 3rd or 4th storeys to provide a low-rise character.
- Reduce the building mass above the 3rd or 4th storey to a mid-rise form (up to 8 storeys) to create a comfortable pedestrian scale and character along St. George Street.

7. Significant heritage resources are protected and conserved where appropriate and

necessary according to the Cultural Heritage policies of this Plan.

The site is an existing listed property on the heritage inventory and the proposed development would result in the demolition of a heritage listed building which is being considered for designation. More information regarding heritage matters is provided in section 4.4 of this report, however the proposed development is predicated on the demolition of the heritage resource which is not in keeping with the intent to protect and conserve resources.

Near-Campus Neighbourhood Policies Summary

The near-campus neighbourhood policies provide additional direction and consideration for the fit and compatibility of new developments within areas located in proximity to the Western University and Fanshawe College campuses. The intent of the policies is to enhance the livability, diversity, vibrancy, culture, sense of place, and quality of housing options for all residents which is achieved through encouraging appropriate forms of intensification. The proposed development does not represent an appropriate form, size, scale, mass, or density and does not contribute to the character of the neighbourhood.

Key Issue and Consideration #1 Overall Built Form Summary

There are significant concerns associated with the built form for the proposed development associated with the volume, massing, height, setbacks and step-backs. The proposed development fails to provide a significant step-back along the St. George Street frontage, and does not retain the low-rise residential character of St. George or Ann Streets.

The proposed development meets a number of the criteria to redesignate part of the site to the Multi-Family, High Density Residential designation; but not all. It is recommended that the Multi-Family, Medium Density Residential designation be maintained along the St. George Street frontage to provide an intervening massing form to the Multi-Family, High Density Residential designation. The principles of Urban Design in Chapter 11 of the Official Plan (1989), the City Design policies in The London Plan, and the Near Campus Neighbourhood policies have not been satisfied. The discussion for bonusing begins with a well-designed building and as this element is not satisfied, no additional consideration can be given to facilitate a building with a height and density that is not appropriate, or compatible with the surrounding area.

4.2 Key Issue and Consideration #2: Intensity

The *Official Plan (1989)* intensity for the Multi-Family, High Density Residential designation includes heights that exceed those in the Multi-Family, Medium Density Residential designation, and density up to 250 units per hectare for lands within central London. Within *The London Plan*, the High Density Residential Overlay contemplates intensity up to 12 storeys in height within the Primary Transit Areas (958_1*). The Talbot Mixed-Use Special Policy area policies are found in both the *Official Plan (1989)* and *The London Plan*, and acknowledge that there will be demand for high-rise development forms in the area, including the subject site.

The MFHDR policies of the *Official Plan (1989)* contemplates bonusing for greater height and density above the specified maximums, and the specific policy for the site in *The London Plan* contemplates a greater intensity of development, and heights in excess of 12 storeys may be permitted through a bonus zone, where the evaluation criteria for planning and development applications and the bonus zoning policies of this plan can be met (1038_C). A specific area policy to Chapter 10 was initially requested, which is not required as the bonus zone and CC zone achieve the requested outcome.

Zoning

The requested amendment requires significant relief from a number of regulations which represents an over-intensification of the site. The requested R10-5 zone allows for a

greater density (350uph) than contemplated in Central London (250uph) and would allow greater development potential as of right instead of utilizing a bonus zone as the policies require.

Special Provisions requested to facilitate the development include:

- A reduced minimum front yard depth of 0m, whereas 7m-9m is required;
- A reduced minimum exterior side yard depth of 0m, whereas 9m-13m is required;
- A reduced minimum interior side yard depth of 0m, whereas 5m-30m is required;
- A reduced minimum rear yard depth of 0m, whereas 30m is required;
- A reduced minimum landscaped open space of 0% whereas 20% is required;
- An increased maximum lot coverage of 97%, whereas up to 50% is permitted;
- A reduced number of parking spaces of 180 spaces, whereas 225 is required.

Zoning Summary

The proposed development requires significant relief from the zoning regulations, which is indicative of a development zone that would be found in a Downtown or Main Street Commercial Corridor setting, and not the interior of a residential neighbourhood. The requested zoning does not provide adequate setbacks to adjacent apartment buildings, no on-site landscaping, buffering or at grade amenity space, and an increased lot coverage of almost double the established maximum for the R10-5 zone. While staff have supported some relief from the regulations for front yard and exterior side yard relief for infill projects to promote development near the street, the requested special provisions cumulatively represent an over-intensification of the site and a built form that is not appropriate for the neighbourhood context.

Bonusing and Intensity

The bonusing policies of *The London Plan* allow Council to pass a by-law to authorize increases in the height and density of development beyond what is otherwise permitted in return for the provision of such facilities, services or matters as are set out in the bonus zone (1638*). Bonus zoning may permit increases to the height and density in return for the provision of such facilities, services or matters. The bonus zoning will only be permitted where it is demonstrated that the resulting intensity and form of the proposed development represents good planning within its context (1653*).

There are significant concerns with the proposed building form which is intended to form the basis of all bonus zones. While the policies allow for the contemplation of greater height and density, the built form has an overall volume, massing and height that is not sensitive and compatible with the surrounding context and residential neighbourhood. As such, there is no starting point to consider bonusing as the built form does not represent good planning and results in an over-intensification of the site.

It is the recommendation of planning staff that this application be refused for the reasons contained within this report, and the following section provides a review of the applicant's proposed bonusing facilities, services and matters as follows:

b) Common Open Space

- A common amenity area (exterior terrace) to be provided above the first floor
- Rooftop terraces proposed above the 9th, 19th and 22nd floors

Response: The provision of common open spaces for residents is a standard minimum requirement in *The London Plan* (295), and the Site Plan Control Area By-law, and not considered eligible for bonusing. Publicly-accessible common open spaces could potentially be considered for bonusing, though would likely be provided at grade where it is clear they could access and use the spaces, instead of being located on the top of the building where secure access would be required. The amenity spaces proposed may result in a positive design feature for residents, though is not acceptable or eligible

for the purpose of bonusing.

c) Underground Parking

- Structured parking provided to reduce surface parking areas (204 subsurface spaces provided)

Response: Underground parking formerly qualified as a bonusable element through the *Official Plan (1989)*, though *The London Plan* no longer considers underground parking as an eligible bonusable feature. Underground parking is transitioning from a design feature that was considered above and beyond the normal development process to a requirement that forms part of the standard development process. Underground parking is an eligible bonusable feature given the appeal status of *The London Plan* policies, though staff would recommend alternative matters such as the provision of affordable housing instead.

d) Enhanced landscaped Open Space

- Landscape enhancements would be provided above City design standards, including theme lighting and public seating at strategic locations

Response: The proposed development has requested a reduction of landscaped open space to 0% from the 20% minimum required. Landscaping provided above the grade on rooftop areas is not supported and expressly excluded in the Zoning By-law as it would not provide any beneficial screening, buffering or pedestrian amenity or enhancement at street level. All landscaping proposed must be provided on private lands and cannot include any of the City boulevard in order to ensure the City does not incur any unanticipated maintenance costs and obligations, and that there are no conflicts with above or below ground infrastructure and utilities. Enhanced landscaped open space where the provision of landscaped open space is 0% is not acceptable or eligible for the purpose of bonusing.

h) Innovative/Sensitive Design

- Four electric vehicle charging stations within the publicly accessible surface parking area, as well as 16 charging stations within the parking garage
- Provision of four publicly accessible bicycle share facilities at a convenient location along the Ann Street frontage

Response: It is uncertain how the public would be able to gain access or how clear it would be to utilize the vehicle charging stations or bicycle share facilities. These items would likely become only positive features of the building for the residents without any clear or continued public access or benefit. The bicycle share facilities could be considered as supporting active transportation and alternative mobility options, though staff would recommend alternative matters such as the provision of affordable housing be considered for any bonus zone instead.

j) Provide for Universal Accessibility

- 20% accessible dwelling units (above the 15% minimum accessible units required by the Ontario Building Code).

Response: the OBC sets out the minimum amount of accessible units required, and additional provision of accessible units could be considered as a bonusable feature, though staff would recommend alternative matters such as the provision of affordable housing be considered for any bonus zone instead.

a) Affordable Housing

- 5% affordable housing units (rounded to the nearest unit provided at 85% of CMHC average market rent for a duration of 10 years from the point of initial occupancy. Affordable units would be established by agreement with the City of London and would target students (as permitted).

Response: the provision of affordable housing units through bonusing is a preferred feature and a recent priority identified by Municipal Council to address the housing crisis. As part of the Roadmap to 3,000 Report, an immediate next step was identified to *“double the current rate at which affordable units are obtained through bonusing”* (p.11). This direction establishes the provision of affordable housing units above other potentially eligible bonusable features and should be the main component of the requested bonus zone if Municipal Council decides to approve the development.

The Housing Development Corporation has reviewed the proposed affordable housing bonus and provided the following parameters based on past bonusing approvals:

- 13 units with a unit bedroom mix representative of the bedroom mix of the overall development at a rate of 80% of the CMHC’s Average Market Rent for the affordable unit bedroom type at the time of initial occupancy. This represents 10% of the “lift”, or increase in the number of units requested beyond what would normally be permitted.
- An affordability period of 50 years from the date of the initial occupancy
- A requirement to enter into a Tenant Placement Agreement with the City

The HDC also noted that the proposed development would require the demolition of existing buildings known municipally as 197 Ann Street, 175 Ann Street and 84 St. George Street. City Map shows that there are a number of Active Residential Rental Licenses associated with these properties. While the “affordability” of these units is unknown to HDC, HDC would assume that the rent currently being charged for the existing units is more affordable than the rent that will ultimately be charged for the new units that will replace them in the new development. Recognizing the importance of maintaining our existing affordable housing stock, HDC would encourage the City and the owner to explore opportunities wherein the existing rental units that are to be demolished to make way for the current proposal be provided for in the new development (in addition to those affordable units to be secured through the affordable housing bonus zone identified).

1. Exceptional site and Building Design

- High quality architectural design (building/landscaping) including a common design theme for podium (streetscape) elements
- Provision of structure parking facilities

Response: there are significant concerns with the built form and 0% landscaped open space proposed. Planning and Urban Design staff do not concur that the building as proposed represents exceptional site and building design, and do not accept this element as an eligible bonusable element. Also, as has been previously noted in this report, the proposed development is not consistent with the Specific Area policies related to design that apply to these lands.

8. Sustainable development forms

- Landscape plans for common outdoor amenity areas to incorporate sustainable design elements, including hard landscape elements and drought resistant landscaping to reduce water consumption

Response: As per above, the provision of 0% landscaped open space makes this criterion unachievable and ineligible.

9. Contribution to transit facilities

- Contribution to \$10,000 towards constructing transit shelters in close proximity to Richmond Street/Mill Street intersection to promote bus ridership. Again, as previously noted in this report, there is no direct pedestrian connection from this site to either Richmond Street or Oxford Street.

Response: It is unclear whether the LTC has had the opportunity to review this proposal and whether they have plans to upgrade to shelters and if \$10,000 would be a

meaningful contribution. Staff would recommend alternative matters such as the provision of affordable housing be considered for any bonus zone instead.

10. Large quantities of secure bicycle parking and cycling infrastructure

- Dedicated areas for bicycle parking along the Ann Street and St. George frontages (with convenient access to building entrances)
- Secure bicycle storage within the structure parking facility

Response: The Z.-1 Zoning By-law sets out minimum bicycle parking standards which are being met, as well as the location of secure parking for apartment buildings. This criteria is ineligible for bonusing as it is simply meeting the minimum standards.

15. Extraordinary Tree Planting

- Large caliper boulevard trees planted with a minimum 100mm caliper and a minimum distance of 10m between tree planting for the extent of the St. George and Ann Street frontages (where practical)

Response: As per above, the provision of 0% landscaped open space makes this criteria unachievable and ineligible. All landscaping proposed must be provided on private lands and cannot include any of the City boulevard in order to ensure the City does not incur any unanticipated maintenance costs and obligations, and that there are no conflicts with above or below ground infrastructure and utilities.

Key Issue and Consideration #2 – Bonusing and Intensity Summary

The proposed development has requested to support the increased in height and density with a bonus zone. Staff have significant concerns with the proposed building form which is intended to form the basis of all bonus zones. While the policies allow for the contemplation of greater height and density, the way the intensity manifests on the site does not result in a well-designed built form, and results in an over-intensification of the site. Further, staff is of the opinion that some of the facilities, services, and matters proposed in return for the requested increased intensity are ineligible and not commensurate for the requested increase in intensity. If Municipal Council wishes to consider the proposed development, staff recommend that any bonus zone associated with the proposed development be comprised of an affordable housing component commensurate to the increase in height and density requested to implement recent Council direction and ensure tangible benefits are provided in exchange for the greater height and density.

4.3 Key Issue and Consideration #3 – Convenience Commercial Use

The apartment building use proposed is a permitted use under the existing zoning, *Official Plan (1989)* designations, and *The London Plan High Density Overlay*. There is also a request for a range of convenience commercial uses under the CC4 zone, including convenience service establishments, convenience stores, financial institutions, personal service establishments and an additional craft brewery use.

The Talbot Mixed-Use Policy area contemplates a broader range of uses, including commercial and office uses, and more intensive home occupation type uses in the Mill, Hyman, John, Ann and Talbot area. These uses are generally more compatible with the residential use and character of the area. There is no policy basis or permissions that contemplate commercial uses under *The London Plan* in this location, though the *Official Plan (1989)* allows for a limited amount of convenience commercial uses within the Residential designations through consideration of policy 3.6.5.

The *Official Plan (1989)* contemplates the establishment of new Convenience Commercial uses through an Official Plan amendment and the policies of 3.6.5 based on: i) Function, ii) Permitted Uses, iii) Location, iv) Scale of Development, and v) Form of Development.

The preferred locations for convenience commercial uses is within the various commercial land use designations. The site is in proximity to the prominent Richmond Row commercial corridor which is where commercial uses should be located and concentrated to add to the vitality of the main street. While some of the policies of 3.6.5 are able to be satisfied, such as the range of permitted uses, two key aspects of the policies related to 'function' and 'location' have not been satisfied.

- i) *Function: Convenience Commercial uses and Service Stations should be designed to function at a neighbourhood scale while providing services to surrounding residential areas and the travelling public.*

The site is in proximity to the Richmond Row commercial corridor which provides a wide range of commercial, retail and service uses to the neighbourhood and travelling public. New commercial uses should be directed to Richmond Row to ensure the continued viability and vitality of that corridor, and to avoid a dilution and sprawl of commercial uses. The site is located within the interior of a neighbourhood which would not serve the travelling public as described in more detail under the location criteria in item iii). While the site would provide commercial uses to the surrounding residential area, it would likely function more as a destination point attracting patrons city-wide, in the same way as the Richmond Row commercial uses would.

- iii) *Convenience commercial uses and service stations will be located on arterial or primary collector roads where it can be demonstrated that such uses are compatible with surrounding land uses and will not have a serious adverse impact on the traffic-carrying capacity of roads in the area. the preferred locations for convenience commercial uses and service stations are at the intersections of major roads.*

St. George Street and Ann Street are both identified as local/neighbourhood streets, with St. George Street transitioning into a secondary collector north of Ann Street. The site is at the intersection of two local roads in both the *Official Plan (1989)* and *The London Plan*, and the intent of new convenience commercial uses is to be located along major roads including a primary collector or arterial, to preserve the interior of neighbourhoods, orient secondary permitted uses to the exterior parts of neighbourhoods, and cater to the travelling public.

Key Issue and Consideration #3 – Convenience Commercial Use Summary

The proposed craft brewery and other convenience commercial uses do not meet the criteria for Function or Location in the policies of 3.6.5 for establishing new Convenience Commercial Uses. While the Talbot Mixed-Use neighbourhood policies contemplate a broader range of uses, they are generally located within existing buildings to retain the existing character of the area. New commercial uses should be directed to the nearby Richmond Row corridor to concentrate the commercial presence and ensure the continued vitality of that Main Street and reduce traffic impacts within the community.

4.4 Key Issue and Consideration #4 – Heritage

The subject property is a heritage listed property, included on the City's *Register of Cultural Heritage Resources*. The parcel contains multiple built resources that have been identified as having potential cultural heritage value or interest that requires further research and evaluation prior to removal. The proposed development is predicated on the removal of all existing built resources on the subject property. At its meeting held on November 24, 2020, Municipal Council referred Civic Administration to report back regarding potential designation specifically of 183 and 197 Ann Street.

Both built resources have direct associations with the former Kent Brewery – one of the first breweries in London – and the Hamilton brewing family, notably John Hamilton (who ran the brewery from 1861– 1887), and his son, Joseph Hamilton (who ran the brewery from 1887–1917). The former Kent Brewery is one of the oldest existing brewery buildings in Canada and a rare example of an early brewery site where the brewery building remains (197 Ann Street), and the brewer's house (183 Ann Street) is also

intact.

As contemplated by the Provincial Policy Statement, 2020, the *Ontario Heritage Act*, and *The London Plan*, heritage resources are to be conserved and the impacts of development on these resources is to be evaluated. In policy 565 of The London Plan, an evaluation is required to determine if the built resources retain cultural heritage value or interest (CHVI) and to assess potential impacts of development. For CHVI evaluation purposes, a heritage impact assessment (HIA) was submitted by the applicant in 2021 as part of a revised complete application. The HIA determined that all built resources on the subject property have cultural heritage value, but that retention is not economically viable.

The London Advisory Committee on Heritage (LACH) provided comments regarding heritage impact assessments required as part of the planning application (OZ-9127), and in compliance with Section 29(2) of the Ontario Heritage Act, was consulted at its meeting on April 13, 2022, regarding potential designation of the built resources at 183 and 197 Ann Street.

A condition assessment of the built resource at 197 Ann Street was also prepared (2020) and concluded that although in fair condition and requiring attention expected for a building of this age, the condition and modifications made have not compromised the heritage value and integrity of the former brewery complex. Heritage staff's evaluation (using Ontario Heritage Act, O.Reg.9/06 criteria) of built resources at 183 Ann Street (Brewer's House) and 197 Ann Street (former Kent Brewery) found that they are significant cultural heritage resources that meet the criteria for designation under Section 29 the Ontario Heritage Act.

4.5 Key Issue and Consideration #5 – CP Rail Corridor

The site is located in close proximity to the Canadian Pacific (CP) rail corridor with the closest portion of the property at 197 Ann Street located approximately 23m from the CP rail property boundary, and approximately 30m from the centre of the tracks. The rail corridor is a Principal Main line in this location, and CP Rail notes that they are not in favour of residential developments adjacent or near the rail corridor as the land use is not compatible with rail operations. However, to ensure the safety and comfort of residents, and to mitigate as much as possible the inherent adverse environmental factors, the CP Standard Requirements are requested to be considered as part of the review.

An Environmental Noise Assessment Report and Vibration Study were prepared and reviewed by CP Rail, who supports the recommendations and requests the inclusion as conditions of approval.

Both The London Plan and the Official Plan (1989) direct that the development of sensitive lands uses on lands in close proximity to rail lines will have regard for potential impacts from noise, vibration and/or safety concerns and, where a proposed development does not comply with provincial guidelines, or where there is a concern over safety, mitigation measures may be required (1766 & 19.9.5). The proximity of the site to the rail corridor within a 30m setback requires a berm or alternative safety and protection measure. The applicant has identified that a crash wall is anticipated to be integrated into the building design and that a mitigation strategy is being prepared.

At the time of this report, there were no details provided in terms of what the crash wall would be comprised of, the extent of the wall, the integration with the building and/or the impacts on design. More information is required in order to determine the details of the proposed safety measures, how they would impact the built design and ground floor uses. A holding provision should be applied to ensure mitigation measures proposed are satisfactory to the City of London.

4.6 Key Issue and Consideration #6 – Ground Water

Through the public consultation process, there were concerns about the interruption to ground water levels as some nearby properties rely on the ground water for heating and cooling purposes. This issue was raised with the Ministry, who reviewed the Permits To Take Water (PTTW) as well as the properties that qualified as part of the residential 'domestic use' exemption.

A Geotechnical Assessment was completed by EXP on March 4, 2022 regarding the proposed development and the impacts on groundwater. It was noted that a standard geotechnical investigation will not determine all the groundwater parameters, and that a detailed hydrogeological assessment may be required to estimate the quantity of water to be removed. A holding provision should be applied to ensure that the hydrogeological assessment is carried out prior to Site Plan Approval.

Summary and Recommendation

While it is acknowledged that the proposed development has undertaken revisions from the initial design, it is not currently in a form that satisfies the policies related to built form, intensity and bonusing, convenience commercial uses, and the near-campus neighbourhoods.

The proposed development is not supported and is recommended for refusal for the following reasons:

- There is no significant step-back provided along the St. George Street frontage, and no retention of the low-rise residential character along Ann Street or St. George Streets, which does not achieve the site specific policy of 1038C, or the subprecinct policies for Mill, Hyman, John, Ann and Talbot.
- The proposed development does not provide a compatible transition to the low-rise residential neighbourhood and has a large floorplate and massing that requires refinement through setbacks, step-backs and buffering.
- Bonusing discussions cannot begin without a starting point of good planning and design, and the bonusing proposed is not acceptable and is not consistent with recent Municipal Council decisions regarding the provision of affordable housing through bonusing.
- The proposed development does not meet all of the criteria to redesignate part of the site to the Multi-Family, High Density Residential designation, and the existing Multi-Family, Medium Density Residential designation should be maintained along the St. George Street frontage.
- The proposed craft brewery and other convenience commercial uses do not meet the criteria for Function or Location in the policies of 3.6.5 for establishing new Convenience Commercial Uses, and should be directed to the nearby Richmond Row corridor instead.
- The proposed development does not meet all of the policies of the Near-Campus Neighbourhood area which allow for intensification only when it is appropriate in form, size, scale, mass, density and intensity.
- There are unresolved issues related to the mitigation measures for safety associated with the CP rail corridor, and potential impacts to the ground water.
- The proposal results in the demolition of heritage resources.

In addition to the above, the following matters have not been addressed through the proposed development:

Built Form and Design

- Any portion of the tower above eight (8) storeys should be a point tower or other acceptable design response that provides for a smaller floorplate (typically up to 1,000sqm, with a 1.5:1 length to width ratio)
- Provide a minimum setback of at least 5m above the 3rd or 4th storeys along St. George and Ann Streets
- Reduce the building mass above the 3rd or 4th storey to a mid-rise form (up to 8 storeys maximum)

Bonusing

The provision of affordable housing is prioritized above the other items submitted for consideration of bonusing and should consist of the following, which would typically be expected for the requested height and density, based on 10% of the lift:

- A minimum of thirteen (13) affordable residential rental units, including one (1) studio unit, one (1) one-bedroom unit, five (5) two-bedroom units, and six (6) three bedroom units (reflective of the unit mix proposed in the building).
- Rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
- The duration of affordability shall be set at 50 years from the point of initial occupancy of all affordable units.
- Alignment of the bonus to a defined municipal priority – the owner shall be required to enter into a Tenant Placement Agreement with the City.

Zoning

To address the safety concerns associated with the proximity to the CP rail tracks, and the potential disturbance to ground water, two holding provisions would be required to be incorporated:

h-183: Purpose: To ensure that development will not have any negative impacts on the groundwater in the area, with specific attention given to any negative impacts on existing wells, a Hydrogeological Study shall be prepared by a qualified professional and submitted to the City to evaluate the potential impact of the proposed development to area private wells and provide recommendations for monitoring post construction impacts and possible mitigation measures to the satisfaction of the City Engineer prior to the removal of the h-183 symbol. Any recommendations contained therein shall be incorporated into the development agreement to the satisfaction of the City of London.

h-() Purpose: To ensure there are no land use conflicts between the Canadian Pacific Rail corridor and the proposed residential and/or sensitive uses, mitigation measures for safety from possible derailments are required, as acceptable to the City of London.

Conclusion

The proposed development is within a central part of the City and has a policy framework that contemplates development at a greater height and intensity than currently exists. While it is acknowledged that efforts have been made to refine the built form and design from the initial proposal, the proposed development in its current form is not appropriate, nor compatible with the context of the existing neighbourhood. In order to achieve greater heights contemplated, an appropriately designed building and site that is sensitive and compatible with the surrounding area is required.

The proposed development is not consistent with the Provincial Policy Statement, 2020, which promotes intensification and redevelopment in appropriate locations and retention of cultural heritage resources.

The proposed development does not conform to *The London Plan (2016)*, including, but not limited to, the Key Directions, City Design, the Near Campus Neighbourhoods policies, the HDR overlay policies, the Talbot Mixed-use policies, and the site-specific policy 1038C for the site. The proposed development does not conform to the *Official Plan (1989)*, including, but not limited to, the Permitted Uses, Density and Scale, of the Multi-Family, Medium and High Density Residential designation, Bonusing, Urban Design, Heritage, and Policies for Near Campus Neighbourhoods.

The proposed development and requested zoning represents an over-intensification of the site, does not satisfy the criteria of the Planning Impact Analysis, and the bonus zone and associated facilities, services, and matters proposed through the bonus zone are not acceptable for the requested height and density. Lastly, the proposed development would result in the removal of heritage resources. As such, it is

recommended the requested amendments be refused.

**Prepared by: Sonia Wise, MCIP, RPP
Senior Planner, Site Plans**

**Reviewed by: Michael Corby, MCIP, RPP
Manager, Planning Implementation**

**Recommended by: Gregg Barrett, AICP
Director, Planning and Development**

**Submitted by: Scott Mathers, MPA, P.Eng
Deputy City Manager, Planning and Economic
Development**

Appendix A - Community Engagement

Public liaison: On October 10, 2019, Notice of Application was sent to 732 property owners and tenants in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on October 10, 2019. A Revised Notice of Application was provided on October 7, 2020, and a Revised Notice of Application and Invitation to attend the Public Participation Meeting was provided on April 1, 2022. Two “Planning Application” signs were also posted on the site.

Replies from 21 submitters were received

Nature of Liaison (initial):

The purpose and intent of this application is to allow a 28 storey apartment building with 274 residential units, commercial uses such as retail, personal services, administration offices and restaurants on the main floor, and underground parking. The building height steps down toward St. George Street to 26 and 12 storeys.

The applicant requested an amendment to the *Official Plan (1989)* to change the designation of the western part of the property from Multi-family, Medium Density Residential to Multi-family, High Density Residential, to identify the site as a permitted location for convenience commercial uses, and to add a Specific Policy Area to permit a maximum residential density of 764 units per hectare within the Multi-family, High Density Residential designation for this site.

The applicant requested an amendment to *The London Plan* to add a Special Area Policy in the Neighbourhoods Place Type for this site to permit a maximum building height of 28 storeys, and to permit a maximum overall floor area of 1,000 square metres for retail, service and office uses within the podium base.

The applicant also requested an amendment to Zoning By-law Z.-1 to change the zoning from a Residential R9 (R9-3*H12) Zone to a Residential R10 Special Provision/Convenience Commercial Special Provision (R10-5()*D764*H93/CC4()) Zone.

The requested Residential R10 (R10-5) Zone permits apartment buildings, lodging house class 2, senior citizens apartment buildings, handicapped apartment buildings, and continuum-of-care facilities. The requested special provisions were to permit a maximum height of 93 metres (28 storeys) where the height is to be determined on the zone map, a maximum density of 764 units per hectare in place of 350 units per hectare, reduced 0 metre yard depths to all property lines, reduced minimum landscaped open space of 0 percent where 20 percent is required, increased maximum lot coverage of 97 percent where 50 percent is permitted, and reduced parking of 209 spaces where 310 spaces are required.

The requested Convenience Commercial Zone permits convenience service establishments, convenience stores, financial institutions and personal service establishments, all without drive through facilities, and restricted to a location within an apartment building. The requested special provisions were to add food stores, take-out and eat-in restaurants, and brewing on premises establishments without drive-through facilities and restricted to a location within an apartment building, as well as allowing one commercial use to be limited to a maximum commercial gross floor area of 1,000 square metres where food stores are limited to a maximum of 500 square metres, take-out restaurants are limited to a maximum of 150 square metres and all other permitted uses are limited to a maximum of 300 square metres, and the maximum total commercial gross floor area is 1,000 square metres.

The notice also included the possibility that the City may also consider special provisions in Zoning By-law Z.-1 regulating the height transition of the proposed building, and the use of a less intensive base zone with bonus provisions to allow the requested height and density in return for certain facilities, services or matters.

Nature of Liaison (revised):

The purpose and effect of this Official Plan and zoning change is to permit the redevelopment of the subject site for a mixed-use, high-rise tower, with a maximum height of 22 storeys (75m) and a maximum density of 585 units per hectare.

Possible amendment to the 1989 Official Plan for the western portion of the property from the Multi-family, Medium Density Residential Designation to the Multi-family, High Density Residential Designation, to identify the site as a permitted location for convenience commercial uses, and to add a Specific Area Policy to permit a mixed-use building with a maximum density of 585uph implemented by way of a bonus zone.

Possible change to The London Plan to change the Special Area Policy in the Neighbourhoods Place Type for this site to permit a mixed-use development with a maximum building height of 22 storeys, and 500 square metres of gross floor area permitted for retail, service and office use within the podium base. Possible change to Zoning By-law Z.-1 from a Residential R9 (R9-3*H12) Zone to a Residential R10 Special Provision/Convenience Commercial Special Provision Bonus (R10-5(_)/CC4(_)*B-_ Zone.

Requested special provisions To permit a maximum height of 22 storeys (75 metres) where the height is to be determined on the zone map; to permit a maximum density of 585 units per hectare, whereas 350 units per hectare maximum is permitted; to permit a reduced front and exterior side yard depth of 0m whereas 15m is required; to permit a reduced rear and interior yard depth of 0m whereas 37.2m is required; to permit a reduced landscaped open space of 0% whereas 30% is required; to permit an increase lot coverage of 97% whereas 50% maximum is permitted; to permit a minimum of 180 parking spaces whereas 225 spaces are required; and to permit a maximum commercial gross floor area of up to 500sqm for all commercial uses, and as well as for an individual commercial use.

The City may also consider the use of holding provisions for the purpose of assessing hydrogeological conditions, and ensuring safety mitigation measures are implemented due to the proximity of the rail corridor. A bonus zone is requested for the increased height and density in return for certain facilities, services or matters.

Responses: One response was supportive of the proposed development, and the majority were opposed. A summary of the various comments received include the following:

Concern for:

- Heritage
 - Opposed to the demolition of heritage buildings
 - The whole block should be saved
- Retail/Commercial Use not appropriate for the location
- Intensity
 - Traffic volumes, noise and safety issues
 - Inadequate parking provided
 - Bonusing features are not beneficial
 - Increased number of pedestrians cutting through the area
- Form
 - Ignores the low-rise townhouse and single-family home characteristics of the neighbourhood
 - Inadequate on-site landscaped open space and inadequate parkland provision in the area – object to the use of cash-in-lieu of parkland
 - Inadequate provision of trees and boulevard space
 - Loss of sunlight, privacy and views
- Student Housing
 - Contributes to a pre-existing imbalance of student to non-student population in the neighbourhood

- Does not meet the near campus neighbourhood policies
 - Neighbourhood is underpopulated in the summer which isolates long-term residents, creates social problems such as squatters, criminal activity, and hurts local businesses
 - Purpose-designed student housing is not diverting students from single family homes as intended
 - Allowing construction and marketing of housing geared to students is contrary to the Human Rights Code because it discriminates against protected groups
- Possible impacts on groundwater-based HVAC systems in surrounding buildings
 - Possible impact on adjacent hydro transformer substation.
 - Loss of property value

Responses to Public Liaison Letter and Publication in “The Londoner”

Written Patrick John Ambrogio 1011 – 695 Richmond Street London ON N6A 5M8	Written Lydia Li and Brett Butchart 1804 – 695 Richmond Street London ON N6A 5M8
AnnaMaria Valastro North Talbot Community Association 133 John Street Unit 1 London ON N6A 1N7	Ken Owen St. George Grosvenor Neighbourhood Association 139 St. James Street London ON N6A 1W6
Ben Benedict 188 John Street London ON N6A 1P1	Jackie Farquahar 383 St. George Street London ON N6A 3A9
David Hallam & Catherine Ross 166 John Street London ON N6A 1P1	Dave Morrice 191 Hyman Street London ON N6A 1N4
Dalwinder Deol 18 Coastal Trail Nobleton ON L7B 0A5	Don Dickenson Dickenson Management for Condo Corp. No. 134, 695 Richmond Street PMB 133 – 611 Wonderland Road North London ON N6H 5N7
Eugene DiTrollo 14 St. George Street London ON N6A 2Z3	Mike Specht
Andrew Kent 3700 Kempt Road, Suite 100 Halifax, NS, B3K 4X8	Art Blumas 140 Ann Street
Sarah L. Kirshin-Neilans 295 Central Ave London ON N6B 2C9	Alice Martin
Rod McDowell	Noll Stevens
Louise White 133 Central Ave London ON	Steve Olivastri 141 Central Ave London
David Hallam	John Fooks 706-520 Talbot Street LONDON ON N6A6K4

From: Ben Benedict
Sent: Thursday, October 10, 2019 11:31 AM
To: Debbert, Barb <bdebbert@London.ca>
Cc:
Subject: [EXTERNAL] RE: Please read: Notice of Application - 84-86 St George St and 175-197 Ann St (WARD 13) - OZ-9127 Barb Debbert
Dear Barb Debbert

Can you explain what happens to the hydro substation for our community that is located within this development boundary?

Ben Benedict
Benedict Creative Communications
188 John Street, London, ON, N6A 1P1

From: [<mailto:>]
Sent: Wednesday, October 07, 2020 11:46 AM
To: Debbert, Barb <bdebbert@London.ca>
Cc: Barrios, Catalina <cbarrios@london.ca>; Parker, Charles <CParker@London.ca>; City of London, Mayor <mayor@london.ca>
Subject: [EXTERNAL] RE: OZ-9127- Notice of Planning Application - 84-86 St. George Street and 175-197 Ann Street - St. George and Ann Block Limited (WARD 13) - Planner: Barb Debbert
Importance: High

Dear Barb Debbert, Senior Planner:

I am opposed as per the application – it violates the official plan. Second, from 100 to 585 units per hectare is clearly over intensification for that ‘postage stamp’ sized area. Third, it sits on a subterranean water source with a building already abutting its banks, where in the world would this be allowed to happen, two buildings abutting a river? – This is an environmental nightmare waiting to happen, under YOUR watch!!! How is this different than the first application other than it provides further disrespect to local residents and our community overall! And why the change of planners half way through the processes, what quasi-illegal move is this that the city is coordinating with the developer at the communities expense? I wonder?

Thank you for the opportunity to comment though I doubt it will have any effect given London’s extensive and unethical history of giving developers whatever they want in spite of the repercussions on neighbours! Please keep me in the loop, this should never be allowed to reach this point!

Ben Benedict, MA Comm.
Benedict Creative Communications
188 John Street, London, ON, N6A 1P1

From: Lydia Li
Sent: Thursday, October 24, 2019 4:13 PM
To: Debbert, Barb <bdebbert@London.ca>
Cc: Lydia Li Brett Butchart
Subject: [EXTERNAL] Appeal Letter: File OZ-9127

Lydia Li and Brett Butchart
1804-695 Richmond Street
London, ON N6A 5M8
October 24, 2019

City Planning and Environment Committee

**Re: Official and Zoning By-law Amendments,
84-86 St. George Street and 175-197 Ann Street,
File: OZ-9127**

I am writing to oppose the Official Plan and Zoning Amendments of allowing 28 Storey apartment building/student housing built on the above mentioned address. We want to make sure that the Committee considers the issues of parking and traffic, safety and noise level, and value of the properties in the area before it makes the decision.

There are a few apartment buildings within the area mentioned above: 695 and 675 Richmond Street, 172 and 180 Mill Street, MARQ at 83 St. George Street and other apartments and houses in surrounding area. If you approve this proposal we worry that there will be significant increases in the traffic on the peaceful street. Also because of the railroad, many commuters choose to drive to the busy Talbot Street to go either north or west side of the city. Having a 28 storey building built in this area the neighbors will get the overflow of vehicles onto the already busy street. Residents in the new building will take the short cut by walking through the parking lot of Richmond 695 in order to get to the Richmond Street which potentially increases the unnecessary traffic and garbage disposal, and create safety and security issues as well.

We have concerns about the noise level that this new building will create in the neighbourhood. As you know, it can get quite hot here in the summer and I can't afford air conditioning, so I keep my windows open most of the time. We are worried that the new building will make it very noisy and make it impossible to keep windows open during the summer. We also worry the safety of this area when the density of population increases dramatically in such small block.

We are also concerned that the value of our property, and the value of neighbours' properties, will be significantly reduced as a result of this development. We are not real estate appraiser, but we are certain a 28-storey student residency building which blocks the sunshine and light and the view of our apartment is going to dissuade prospective purchasers who would have otherwise been interested in our condo.

We hope that you will consider our perspective and the pitfalls of approving this proposal during the planning process. Thank you.

Sincerely,

Yan Lydia Li

Brett Butchart

-----Original Message-----

From: Catherine Louise Ross <>
Sent: Thursday, October 31, 2019 5:47 PM
To: Debbert, Barb <bdebbert@London.ca>
Subject: [EXTERNAL] File OZ-9127

Dear Barb Debbert,

Since 1973, I have been a resident and home owner in the neighbourhood of concern, formerly at 66 St George St. and currently at 166 John St. Therefore I have an interest in creating a strong community in this area, where high density is balanced with green space. Therefore I am writing to express my concern

about certain aspects of the requested special zoning provisions being requested for St. George and Ann Block Limited.

Specifically it seems from the Notice of Planning Application that the proposers want, among other things, to weaken the city's official requirements for yard depths and landscaped open space and instead they wish to build a building with a larger footprint. This would be a mistake, I think, given that it is crucial for vibrant cities to preserve green space. Once the building is built, it is too late to realize that we should have provided more trees and more green natural areas for people where people can enjoy the natural world and sunshine without driving somewhere else (especially important given the asked for reduced parking that has been requested). The London core needs a balance, so that we have both high density housing but also public access for tenants to green space.

Many research studies have confirmed that cities that provide for public green spaces end up with healthier neighbourhoods and healthier citizens. So unless the plan is to provide the proposed apartment building with a green roof that include trees and plants, I urge the Planning and Environment Committee to reject this request to weaken existing requirements for landscaped open space.

Best wishes

Catherine Ross

166 John St., London

.....
From: David Hallam < >
Sent: Thursday, October 31, 2019 6:49 PM
To: Debbert, Barb <bdebbert@London.ca>
Subject: [EXTERNAL] File OZ-9127

Dear Ms Debbert:

I wish you to make note of my protest in respect of this application. In such a confined space, there can be no competent reason for reducing requirements for parking or green space. These two factors are absolutely essential to urban life and any site that cannot accommodate them is ill-advised in the first place and should not be considered.

respectfully

david hallam

Poverty exists not because we can't feed the poor, but because we can't satisfy the rich.
- *Jeremy Ashton*

.....
March 4, 2020

Ms. Barb Debbert
Development Services, City of London
300 Dufferin Avenue, 6th floor
London ON
PO box 5035 N6A 4L9

Dear B. Debbert

Update to Comments on

Notice of Planning Application for 84 -86 St. George Street and 175 – 197 Ann Street

The purpose of this letter is to provide comments on the notice of planning application

The purpose of this letter is to provide an update to the comments on the notice of planning application for official plan and zoning By-law amendments related to 84 – 86 St. George Street and 175 – 197 Ann Street that were previously submitted on October 31, 2019. Please replace the previous letter with this letter.

The application for the zoning by-law amendments is to allow:

- 28 storey apartment building with 274 residential units, commercial uses on the main floor, and underground parking,
- Building height steps down toward St. George Street to 26 and 12 storeys,
- Includes such commercial uses as retail, personal service, administration offices and restaurants,
- Special zoning provisions are requested for reduced yard depths, reduced landscaped open space, reduced parking, and increased lot coverage.

Alone either the apartment building or the commercial use would be a lot for the site together they are too much. My concerns with the proposal are:

- 1) Inadequate parking for the residents of the 759 bedrooms in the apartment portion of the building.
- 2) Inadequate parking for the commercial portion of the building.
- 3) Inadequate loading and unloading zones for the apartment portion of the building.
- 4) Inadequate loading and unloading zones for the commercial portion of the building.
- 5) The 175 Ann Street Transportation Impact Statement failed to address a number of issues.
- 6) Inadequate setbacks
- 7) Excessive residential density
- 8) Excessive height for the residential area.

The applicant is proposing to reduce the total number parking spaces for the residents of the 759 bedrooms in the apartment portion and the commercial portion to only 209 when the city requires a minimum of 310 spaces. After subtracting the number of spaces required for the commercial use, this leaves less than 1 parking space for every 4 residents. Because of the large number of bedrooms per apartment the number of available parking spaces should be greater than the minimum not less. In addition to support the city of London initiative in reducing carbon and the switch to electric vehicles that is occurring in Canada all of the parking spaces should be capable of charging electric vehicles.

As per the sketches included in the package the small drop of area on Ann street would be insufficient to allow a vehicle to clear the traffic on Ann street. The length and the depth of the drop off area, needs to be increased substantially. This area needs to be able to accommodate multiply vehicles (including moving trucks) at the same time and to allow those vehicles to completely clear Ann street. There also needs to be a drop off area on St. George Street for the vehicles servicing the commercial portion of the building.

The 175 Ann Street Transportation Impact Statement failed to address the effects of delivery vehicles, moving trucks, garbage pickup, the limited amount of parking, the fact that this part of Ann street requires vehicles to enter and exit via St. George Street and that there is no place for vehicles (e.g. trucks) to turn around without blocking the road or entering private property. In addition the Transportation Impact Statement failed to account for the construction period and the impacts and frustrations it will have on the residents in the area.

The setbacks for the building should be increased to allow for adequate drop off areas on both Ann Street and St. George Street. In addition the width of the sidewalks should be increased for the increase pedestrian traffic and to allow for the city to put garbage containers on the street outside the commercial area so that garbage is not spread through the residential area.

A maximum density of 764 units per hectare in place of 350 units per hectare is unreasonable. A maximum density of 350 units per hectare (125 units) should not be exceeded.

A reduction to zero metre yard depths to all property lines is unreasonable. Yard depths to all property lines should be maintained or increased due the building size, the density of the units, and the introduction of commercial space. The yard depths should be such that it will allow for larger sidewalks and space for garbage's on the sidewalks as would be typically for comparable nearby commercial spaces e.g., Richmond Street or Oxford Street. The yard depths are also required to provide proper separation between the new building and the neighbouring buildings.

The increase in the maximum lot coverage to 97 percent where 50 percent is permitted is unreasonable. The maximum lot coverage should not exceed the 50 percent limit. This would help to address the required yard depths for proper sidewalks, areas for vehicles to pull off, areas for moving vehicles, areas for delivery vehicles and to provide proper separation between the new building and the neighbouring buildings.

Sincerely

Mike Specht

.....
From: Ken Owen
Sent: Thursday, November 14, 2019 12:44 PM
To: Debbert, Barb <bdebbert@London.ca>
Subject: [EXTERNAL] file OZ-9127

Good afternoon Barb
Would it be possible for me to be included on notifications of public meetings associated with the 84-86 St George Street and 175-197 Ann Street project - your file #OZ-9127?

Ken Owen
On behalf of the St. George Grosvenor Neighbourhood Association.
139 St. James Street
London N6A 1W6

.....
From: jackie farquhar
Sent: Thursday, November 14, 2019 4:05 PM
To: Debbert, Barb <bdebbert@London.ca>
Subject: [EXTERNAL] Appliction # OZ-9127 York Developments - St. Geoge/Ann St. Block Ltd.

Hello Ms Debbert....please add my name to the list of persons interested in attending any public hearing on this development by York Developments.

I find it outrageous that York is applying to build 764 units per hectare in a 28 storey building with 100 fewer parking spots than required when the London Plan calls for 100 units per hectare and 4 storeys high. I implore the City to insist that the developer build in keeping with the City's plan.

Thank you Jackie Farquhar

--
Jackie Farquhar
383 St. George Street
London, ON. N6A 3A9

.....
From: jackie farquhar <>
Sent: Monday, October 26, 2020 9:34 PM
To: Debbert, Barb <bdebbert@London.ca>
Subject: [EXTERNAL] York Developments project - 183 197 Ann Street.

Hello Barbara...please put on record that I support the designation of the above historic buildings on Ann Street.

I implore City Planners to ensure that York Developments, if given permission to develop, retains aspects of these historic buildings. .

Thanks for your attention to my request. Jackie

--

Jackie Farquhar

.....

From: AnnaMaria Valastro
Sent: Thursday, November 21, 2019 7:37 AM
To: Dent, Laura <ldent@london.ca>; Fleming, John M. <JmFlemin@london.ca>; Bunn, Jerri-Joanne <jbunn@London.ca>; Saunders, Cathy <csaunder@london.ca>;
Subject: [EXTERNAL] Corrected : Request for designation for 197 Ann Street
Importance: High



North Talbot Neighbourhood Assoc.

Dear Dr. Dent,

We live in the North Talbot Community, the oldest and most historically significant community in London. Many of us have been waiting patiently to have our community recognized as a Heritage Conservation District only to have it bypassed for heritage designation over and over again.

While we wait, we lose more and more buildings of historical value undermining its very history. We are once again fighting to preserve some of the most significant heritage buildings that define not only this neighbourhood but London's history as a significant industrial area.

We support the heritage designation of 197 Ann St. the site of the last remaining brewery in North Talbot - Kent Brewery. We also support the heritage designation of 179 and 183 Ann St. - the homes of John Hamilton (183 Ann St.) and his son Joseph Hamilton (179 Ann St.) - owners of Kent Brewery.

This end of North Talbot was home to Carling Brewery and Kent Brewery as well as a host of other mills along Carling Creek. The creek and adjacent pond provided both a source of energy, water and waste disposal for these industries - hence the street Mill St.

Just south and west of this area were the mansions of these entrepreneurs and south of this site were the homes of the many employees of these industries.

The entire area tells a complete story and we no longer support preserving a tiny remnant of history here and there. Instead we want complete histories preserved so people can place faces to places and spark a true appreciation for the history of the city. We want the whole story told and preserved.

It is unique that the Hamilton Family lived next door to their business, whereas many other entrepreneurs chose to live in more affluent neighbourhoods. It is noteworthy that the "History of the County of Middlesex" first published in 1889 by Goodspeed states:

W. A. & C. L. GOODSPEED, PUBLISHERS.

p. 373

says of Kent Brewery

"The premises form one of the oldest landmarks in the city, and are located on Ann Street."

That comment was made in 1889. Therefore in 1889 Kent Brewery was already considered a historical landmark.

https://archive.org/stream/historyofcountyo00torouoft/historyofcountyo00torouoft_djvu.txt

Residents of North Talbot want the history of the community preserved as a whole. Time is running out.

Sincerely,

Eugene DiTrolio
14 St George St.
London ON N6A 2Z3

AnnaMaria Valastro
133 John St. Unit 1
London Ontario N6A 1N7

CC: Council, John Fleming, LACH, North Talbot Residents

.....
From: Dave Morrice

Sent: Thursday, November 21, 2019 5:38 AM

To: Dent, Laura <ldent@london.ca>

Cc: Fleming, John M. <JmFlemin@london.ca>; Bunn, Jerri-Joanne <jbunn@London.ca>; Saunders, Cathy <csaunder@london.ca>

Subject: [EXTERNAL] Fwd: Urgent: Please Read: Request for designation for 197 Ann Street

Good Morning I can't stress enough the importance of recognizing these sites. Our area has been inundated with developments that are starting a trend toward unsightly, "strictly for profit" buildings. We HAVE to save our heritage.

Dave Morrice
191 Hyman St

.....
From: Don Dickenson - Dickenson Management

Sent: Tuesday, December 10, 2019 10:51 AM

To: Debbert, Barb <bdebbert@London.ca>

Cc: Patrick John Ambrogio, P.Eng.

'Sarah Kirshin

Subject: [EXTERNAL] File OZ-9127

Dear Ms. Debbert

I am the property manager of Middlesex Condominium Corp. 134, located at 695 Richmond Street, London which is adjacent to 175 and 197 Ann Street and 84-86 George Street. The Board of Directors has asked me to contact you regarding the above Planning Application because their property is going to be impacted by the development plans for these properties. Please add the condo corp to your mailing list for any notices related to this application.

Don Dickenson
Dickenson Management

Phone:
Fax:

Please note our new mailing address:
PMB 133- 611 Wonderland Rd N
London, ON N6H 5N7

.....

From: Patrick John Ambrogio, P.Eng.
Sent: Tuesday, December 10, 2019 1:05 PM
To: Debbert, Barb <bdebbert@London.ca>
Subject: [EXTERNAL] RE: File OZ-9127

If you are compiling specific concerns, I am happy to detail several to you.

These will include (but are not limited to):

- Interference with our building's critical underground aquifer geothermal heating & cooling system, for which we have Ministry permits to take water
- Excessive density for the already congested site
- Excessive height/scale for the existing site and the adjacent neighbouring buildings
- Proximity/privacy/sunlight blocking
- Commercial use should be denied as it fronts on minor & dead-end side streets, interior and removed from the main commercial artery
- Traffic congestion
- And much, much, more

Thank you.

695 Richmond Street
Suite 1011
London ON N6A 5M8
Patrick

(added on Dec 10, 2019) The volatility of the critical underground aquifer is enormously concerning as the entire site is dynamic, and in flux, as is the natural environment. Geothermal HVAC reliability and performance is fundamental to our existing site and residential/commercial occupants.

.....

From: (AnnaMaria Valastro)
Sent: Tuesday, January 14, 2020 7:30 AM
To:
Cc: Blazak, Gary <gblazak@london.ca>; Saunders, Cathy <csaunder@london.ca>; Campbell, Melissa <mecampbe@london.ca>; Tomazincic, Michael <mtomazin@London.ca>; Debbert, Barb <bdebbert@London.ca>; Page, Bruce <BPAGE@London.ca>; Barrett, Gregg <GBarrett@London.ca>; Craven, Ryan <rcraven@london.ca>; ; ; Katolyk, Orest <OKatolyk@London.ca>
Subject: [EXTERNAL] Re: correction - letter to council

Dear Ms Saunders,

In the letter below, I reference a February 20 2019 meeting of the Civic Works Committee. This should be corrected to the Community and Protective Services Committee. Both meetings were scheduled on February 20, 2019. The video que remains the same.

Even though I do not anticipate any councillor or staff person to review this information, it remains important that the error be corrected. I would appreciate if councillors were made aware of this correction.

Thank You

AnnaMaria Valastro

On 2020-01-02 02:17, [North Talbot](#) wrote:

Dear Ms Saunders,

Can you please forward to Members of Council including the Mayor's office?

Thank You

AnnaMaria

Re: Planning in North Talbot

Dear Members of Council,

This letter is to share our concerns with the proposed development by York Development at 197 through to 179 Ann Street and 86 and 84 St. George St in the neighbourhood of North Talbot.

The development being proposed by York Development makes no effort to integrate into the community. It is a bloated building which ignores the low rise townhouse and single family home characteristics of the neighbourhood and under values the heritage qualities of the site. It pays no attention to the residents of the adjacent tall building whose sunlight and privacy would be blocked by the oversized York development. It will be student housing which is over represented in the North Talbot neighbourhood and possibly violates the Human Rights Code by discriminating against protected groups.

Students as a 'group' are not protected or analogues to protected groups (1 and 2), and while the Ontario Human Rights Commission (OHRC) is 'generally' supportive of student housing, it warns landlords against discriminating against protected groups by refusing applicants who are not students.

1. Fodor v North Bay (City), 2018 ONSC 3722 at para 26.
2. London Property Management Association v City of London, 2011 ONSC 4710 at para 69-73

Other cities look at housing 'types' and make decisions on housing type "needs" including student housing. The city of London has the authority to develop a student housing strategy. It CAN discuss openly the impacts of too much student housing concentrated on one area. The city CAN ensure landlords do not discriminate against protected groups if they advertise exclusively to students without approval from the OHR Tribunal.

This can be done through enforcement of Rental Licensing and design of units to ensure a diversity of unit 'type' is being planned.

By ignoring the isolation of long term residents within a concentrated student housing area, the city risks destabilizing near campus neighbourhoods. Students are, for the most part, temporary residents who live in neighbourhoods for part of the year. In areas where student housing dominates such as Ann St., Mill St and John St, entire streets are empty for months at a time leaving long term residents vulnerable to squatters, criminal activity and a loss of community.

The London Plan does not allow for this proposed density on this site, and there is growing cynicism that the London Plan is not a serious document if every single development proposal is permitted to build outside the Plan. **We also wish to remind Council that North Talbot already has several student oriented high rises with another one being built by Drewlo on Talbot St. None have diverted students from single family homes.**

There is a strong sense from North Talbot residents that a thread of bias and discrimination persist in matters of planning as it relates to the North Talbot Community. *We need an open and honest dialogue* of what we see as a discriminatory approach to policy as it relates to lower income communities. Whether this is intended to be discriminatory or not, that is certainly how it plays out.

I offer the following examples:

1. On December 23, 2019 the London Free Press published an article describing the proposed York Development on the Ann St. and St. George St block. Councillor Maureen Cassidy was quoted as stating that the York development “would be a 'gamechanger' for THAT neighbourhood”.

Councillor Cassidy has no unilateral authority deciding what is good for this community without first hearing from us. Similar comments were also credited to Councillor Phil Squire who suggested that a student highrise in North Talbot would alleviate student pressure from North London.

These comments become doubly offensive when this development proposes to tear down a significant landmark heritage site, which in turn would remove any chances of North Talbot being recognized as a Heritage Conservation District. Even before we have an opportunity to assess the community heritage qualities, councilors are undercutting the opportunity to do so with unabashed swiftness.

It can't be more disrespectful not just to dedicated residents of North Talbot but also to students. Students like any other person will rent the housing type that suits them best. For those that like to entertain often and loud, single family homes are the preferred housing.

2) In February 20, 2019 Orest Katolyk publicly stated at a Civic Works Public Participation Meeting (PPM) that establishments applying for patio amplified sound permits would be evaluated on a case by case basis. He reassured committee members that patios surrounded by single family homes will likely get a lower range in which to amplify sound than other residential areas.

Neither Committee Chair Maureen Cassidy or any other committee member including **Mayor Ed Holder** reprimanded the Chief By-law Officer for using demographics and economics in deciding the conditions under which a permit to release amplified sound on a patio would be issued. The Chief By-law Officer is making decisions on assumptions as to who lives in single family homes and why they would deserve greater protection from amplified sound than another person or a family that may not have the financial resources to afford a single family home. The 'law' is being applied prejudicially. CWC Video Queued at: 1.08

3) Planning applications for the downtown area are being approved without the required 'parkland' allocation and landscaping requirements. Instead 'cash-in-lieu' is being swapped out for green space.

The practice of completely removing a green space requirement (both parkland and landscape) at each new development is creating a downtown desert and depriving downtown residents of green streetscapes and private green amenities. We understand that land value, taxes and density are concerns for developers and politicians but not for the residents that have to live with these decisions. Quality of life should not be

sacrificed. We are as deserving of parkland, dog parks and playfields as anyone else living in this city.

The residents of North Talbot have taken notice of what we see as a persistent discriminatory approach to planning as it relates to North Talbot and we have taken offense.

We are asking for a formal apology from Councillor Squire and Councillor Cassidy for their disparaging comments about our community.

Sincerely,

David Hallam
166 John Street

Ben Benedict
188 John Street

AnnaMaria Valastro
133 John Street

CC: Orest Katolyk, Chief By-law Officer, Gary Blazak, Senior Advisor Mayor's Office, Barb Debbert, Senior Planner, Melissa Campbell, Manager Current Planning, Michael Tomarzincic Manager Current Planning, Bruce Page, Parks Planning, Ryan Craven, Neighbourhood Development and Support, Gregg Barrett, Long Range Planning

North Talbot Residents, Norman De Bono, Postmedia, Megan Stacey, Postmedia, Core Neighbourhood Associations

Ontario Ombudsman - File # 372995-001

Contact for the North Talbot Community: T.

.....
From: Dalwinder Deol
Sent: Friday, December 27, 2019 11:46 AM
To: Debbert, Barb <bdebbert@London.ca>
Subject: [EXTERNAL] Ann Street Housing

Hi Barb,

I received a notice of planning application for file OZ-9127. Just wanted to know what the status of this file is and when is the proposed completion date of the construction for this proposed apartment building.

Thanks in advance for your help!

.....
From: AnnaMaria Valastro
Sent: Wednesday, February 19, 2020 3:43 PM
To: Giesen, Andrew <agiesen@london.ca>
Cc: Debbert, Barb <bdebbert@London.ca>; Dales, Garfield <gdales@london.ca>; Tomazincic, Michael <mtomazin@London.ca>
Subject: [EXTERNAL] Re: Discussion of proposed development at 84-86 St George Street, and 175-197 Ann Street

<http://www.london.ca/business/Planning-Development/land-use-applications/Documents/Development-Services/OZ-9127/OZ-9127-Noise-Assess-Rpt.pdf>

Hello Andrew,

The above link is to the Noise Report submitted by York development. The report states that this development will ensure INDOOR noise levels meet municipal and provincial because OUTDOOR noise DID NOT meet these standards in part because of anticipated increased traffic.

Noise has been a longstanding issue in this neighbourhood and we have been screaming to have this issue addressed through by-law enforcement, we fought the amplified sound by-law for the same reason. We met with your department recently to discuss traffic noise and have an ongoing discussion with London Police. None of this was reviewed by your department and I am so tired, as is everyone, to have to raise this issues each time. They should be automatically reviewed by any staff that is listening. I resent having to raise these issues over and over again.

But here we go again.

Thank You for meeting with me and I hope to bring along one or two neighbours.

AnnaMaria

.....

From: AnnaMariaValastro
Sent: Saturday, February 22, 2020 11:59 AM
To: Saunders, Cathy <csaunder@london.ca>; Debbert, Barb <bdebbert@London.ca>; Tomazincic, Michael <mtomazin@London.ca>
Subject: [EXTERNAL] letter to council re: student high rise housing

Dear Ms. Saunders,

I would appreciate if this letter could be forwarded to Members of Council.

Thank You

AnnaMaria Valastro

Feb. 21, 2020

Re: Student High Rise Housing and the Human Rights Code

Dear Members of Council;

Council promotes more high rise student housing because it believes it will redirect students away from single family homes and into closed, controlled buildings, freeing single family homes for 'families'. **This is a false premise that has only concentrated more students into small neighbourhoods tipping the balance of demographic diversity.**

Groups of highly socialized students desire single family homes because they have an absentee landlord, and can entertain loud and often without supervision. If the neighbourhood has a reputation as a 'student' neighbourhood, it is presumed this activity is accepted and even expected – a stereotype portrayal of students by students. Without stating it explicitly, council believes that removing students from single family homes will reduce noise, upgrade property standards, and diversify demographics. Articulating such a goal openly would be discriminatory as students have the right to live where they choose.

North Talbot has a disproportionate representation of student housing both in family homes and high rises. The presence of high rises has only 'weeded' out those students that prefer to entertain loud and often. In the North Talbot neighbourhood the majority of single family homes are now 'party houses' almost exclusively and that has intensified noise throughout the neighbourhood and large gatherings at those single family homes.

A high student population dominating a neighbourhood is also problematic because students, for the most part, are temporary residents. While they may live in the same apartment/ house for their entire student career, they are not present year round leaving entire streets empty for many months consecutively during the spring and summer.

In the North Talbot Neighbourhood, Central Ave., John, Mill, and St George streets are primarily student housing and the majority of houses sit empty from April to September. This would also be true for student high rises, as it is true for university student residences.

London Police interactive crime map

<https://communitycrimemap.com/?address=London,ON> shows that residential crime rates are the highest in university neighbourhoods such as North Talbot and the university gates area off Richmond St. in North London. While the map is a new tool and only as accurate as the crimes reported to police, it does show that home invasions can be higher in the summer months on streets such as Mill and St George because houses are empty but furnished. It also shows that car theft is rampant in the large parking lots behind student housing year round. In speaking with London Police, they acknowledge that the emptiness of streets likely contributes to an increase in theft because there are no 'eyes and ears'.

Empty houses also attract squatters. Squatters themselves may not be a problem as they tend to be quiet choosing not to attract attention. However, there are many individuals that wander into the neighbourhood anticipating its vacancy and trespass not realizing the house is occupied. For residents this can be very frightening.

There is a profound loss of community when a neighbourhood is dominated by temporary housing which is what student housing is for the most part and adding more of the same housing will not improve the emptiness and isolation of long term residents.

Finally, building housing ONLY for, or advertising only to, students could also violate the Human Rights Act as the Act outlaws exclusive housing except for protected codes and then only if the housing offers special services for that protect code such as 'group homes' or 'assisted living'. Students as a 'group' are NOT a protected code nor are they analogous to a protected code and do not need 'special' housing. This has been well established by the Human Rights Tribunal.

Fodor v North Bay (City), 2018 ONSC 3722 at para 26. **HEARD at Toronto: May 17, 2018**

26] Student status is not a protected ground under the [Code](#).

[27] The applicant argues that, while student status is not enumerated, it is analogous to the [Code](#) grounds. The applicant says that student status is a proxy for age, marital status and family status because students tend to be young, single, non-parents. On this basis, she argues that discrimination against students is discrimination on the basis of age, as well as marital and family status. The OHRC has endorsed this position, but it has yet to be adopted by the courts. This position was rejected in *London Property Management Association v. City of London*, [2011 ONSC 4710](#), at para. [93](#). Similarly, I find in this case that the applicant's argument does not withstand scrutiny.

The city is being negligent when promoting one type of housing to one type of group while restraining other housing to other groups such as boarding houses. The City of

London limits boarding houses through zoning – the ONLY housing type for the lowest income earners. It can't be a more hypocritical and discriminatory policy than if the city bused low income earners to the city limits with a one way ticket to no where.

Student housing is NOT in short supply in North Talbot or across the city. It is a lucrative unchecked business that has grown exponentially marketing to Toronto and overseas residents and pushing rents to Toronto rates. This has shut out opportunities for other user groups, such as older individuals and has isolated non-student residents and as such, likely violates the Human Rights Act by decidedly promoting exclusive housing to a non-protected group and shutting people out.

Sincerely,

AnnaMaria Valastro

133 John Street, Unit 1

London Ontario N6A 1N7

CC: Glenn Matthews, Western's Off-Campus Housing Service

Residents of North Talbot and area Neighbourhood Associations

Barb Debbert and Michael Tomazincic, Current Planning

.....
From: AnnaMaria Valastro
Sent: Monday, February 24, 2020 4:36 AM
To: Debbert, Barb <bdebbert@London.ca>; Tomazincic, Michael <mtomazin@London.ca>
Subject: [EXTERNAL] Lack of Green Space in New Developments - 197 Ann Street

Re: Lack of green space in new developments. 197 Ann Street to 84 St. George St Block - proposed York Development

Dear Ms. Debbert,

It has become the new 'norm' for developers to no longer include the legislated landscaping and/or parkette requirements in new developments. They just assume that city planners will accept cash-in-lieu for building designs that build to the outer boundary of a lot without any space of trees or landscaping. This appears to be unique to downtown spaces to maximizes profit in smaller lots.

I know that planners and councillors, at least in this city, 'roll their eyes' or grimace when residents claim this approach is discriminatory to downtown residents. They just don't want to confront the possibility that their policy could be hurting people. Green space is universally acknowledged as an vital component to human and mental health and every development should carry their fair share of the load to ensure the downtown remains green.

The absence of canopy trees creates a desert effect in urban environments increasing heat and accelerating wind speeds. There is no relief for residents when adequate green space is bypassed and disastrous when this practice accumulates across an entire district. The city has the power to require that green space be incorporated, as legislated at a minimum, in all new developments. It doesn't because it is easier to ignore residents' desire for more parks and green space than defend them.

The practice of cash-in-lieu has only contributed to the desertification of the downtown core. This practice of taking money from developers 'in-lieu' of the legislated requirement for green space has not be equally distributed. And I would go further and

state that there is a stereotyping of personalities in this practice where it is assumed that downtown residents don't want green space and prefer sleek vistas.

The situation is so bad that the Trees and Forestry Committee is revisiting the city's Urban Forestry Strategy to see if the 'strategy' does not apply to the downtown.

Please find a link to a recent news story from the CBC dated Feb. 14 2020 that looks at Urban Design and its impact of mental health.

https://www.cbc.ca/radio/thesundayedition/the-sunday-edition-for-february-16-2020-1.5459411/how-urban-design-affects-mental-health-1.5462455?fbclid=IwAR3PxIE6qTe8Fx2grKVkKaVs-OCC7OrUivj1wSPnA_zEg63s9vFdVN7GtK

I have also attached photographs of an older development in the downtown (Colborne and King streets), a recent development (Renaissance Place) in the downtown and a recent development on Riverside Drive, just west of Wonderland Rd.

I have also attached a photograph of a corner parkette at Richmond and Horton streets installed with cash-in-lieu funds diverted from new developments. While admittedly debatable, I think it is reasonable to say that this small space fails as a parkette. There is no bench for elderly or weary walkers to rest and realistically no one would sit in the middle of traffic. It is not a people place. A similar but better space was built at the corner of Sarnia Rd. and Wonderland with benches but again, it is not a people space as no one would, or does, sit in the middle of traffic. The city is using cash-in-lieu to 'beautify' streets corners rather than creating usable green space for people - which is what people need.

This small space would have been better served if attached to landscaped areas where people actually lived.

Thank You

AnnaMaria Valastr0

133 John Street, Unit 1

London, Ontario N6A 1N7







From: Andrew Kent
Sent: March 9, 2020 2:02 PM
To: bdebbert@london.ca
Cc: akayabaga@london.ca
Subject: 84-86 George Street / 175-197 Ann Street

Good afternoon,

Our company – Killam Apartments – owns 180 Mill Street – the neighboring property to 84-86 George Street / 175-197 Ann Street. As such we are likely to be impacted the most by the proposed development. As property developers ourselves we are supportive of intensification and believe it is an important component of addressing affordability.

There are several components of this proposal we would like your team to consider carefully:

- Is there an opportunity to encourage the developer to target a mix of demographics? We believe the concentration of students into student housing does meet the intent of policies aimed at diverse, integrated communities.
- Does the scale of the proposal reflect your existing design policies regarding tall buildings? If those policies aren't in place does it meet the requirements of nearby municipalities like Kitchener or Waterloo?
- Are there requirements that can ensure a more careful transition to neighboring buildings, including setbacks, step backs, transition in height and elimination of blank walls?
- Is bike parking – and more importantly bike infrastructure to the University – adequate to support active transportation?

We appreciate the opportunity to provide feedback and look forward to reviewing a revised proposal.

Regards,
Andrew

From: art blumas [<mailto:>]

Sent: Thursday, August 20, 2020 2:11 PM

To: Debbert, Barb <bdebbert@London.ca>; Peloza, Elizabeth <epeloza@london.ca>; Squire, Phil <psquire@london.ca>; Cassidy, Maureen <mcassidy@london.ca>; Morgan, Josh <joshmorgan@london.ca>; pvanmeerberg@london.ca; Lehman, Steve <slehman@london.ca>; Kayabaga, Arielle <akayabaga@london.ca>; City of London, Mayor <mayor@london.ca>; Lewis, Shawn <slewis@london.ca>; Helmer, Jesse <jhelmer@london.ca>; van Holst, Michael <mvanholst@london.ca>
Subject: [EXTERNAL] File :L OZ-9127 St George and Ann Block Limited

Hi Barb,

I am the owner of 140 Ann St, a commercial building with multiple tenants. The proposed build of 28 stories at Ann St and St. George St by York Developments looks wonderful and would be a great asset to this area. The existing building are not of any special interest and the Williams Auto building is in bad shape. This is a area that needs more quality developments such as this to bring more people living in the City core.

Respectfully Yours
Arthur Blumas
Blucor Group Inc

.....

-----Original Message-----

From: < >

Sent: Thursday, October 29, 2020 1:13 PM

To: Sarah Kirshin-Neilans < >

Cc: Debbert, Barb <bdebbert@London.ca>; Don Dickenson < >; Chris D < >; Laura C. Howard < >; Patrick John Ambrogio, P.Eng. < >

Subject: RE: [EXTERNAL] Proposed Development - File OZ-9127

Thanks Sarah.

- > Good afternoon Ms. Debbert,
- >
- > In response to the city?s call for comments on this project, the
- > Board of MCC 134 would like to voice the following concerns:
- > · Interference with our building's critical underground
- > aquifer geothermal heating & cooling system, for which we have
- > Ministry permits to take water
- > · Excessive density and commercial use in this area will cause
- > further traffic congestion
- > We have engaged an engineering consultant to comment on some of the
- > technical aspects of these issues, please see the attached email
- > from Rebecca Walker.
- > In addition to the above, we have also heard from over 25% of our
- > condo owners who are very concerned about the excessive height/scale
- > of the proposed building, as it will impact on their view/natural
- > light and privacy.
- > The Board of MCC 134 would like the committee to take these issues
- > into consideration in further discussions of this project. Please
- > contact us if you require further information.
- > Thanks,
- > Sarah Kirshin-Neilans
- > President, MCC 134 Board of Directors
- >

.....

From: Sarah Kirshin-Neilans < >

Sent: Tuesday, October 27, 2020 4:57 PM

To: Debbert, Barb <bdebbert@London.ca>

Cc: Don Dickenson <>; Chris D <>; Laura C. Howard <>; Ozzie Buhrmann <>; Patrick John Ambrogio, P.Eng. <>
Subject: RE: [EXTERNAL] Proposed Development - File OZ-9127

Good afternoon Ms. Debbert,

In response to the city's call for comments on this project, the Board of MCC 134 would like to voice the following concerns:

- Interference with our building's critical underground aquifer geothermal heating & cooling system, for which we have Ministry permits to take water
- Excessive density and commercial use in this area will cause further traffic congestion

We have engaged an engineering consultant to comment on some of the technical aspects of these issues, please see the attached email from Rebecca Walker.

In addition to the above, we have also heard from over 25% of our condo owners who are very concerned about the excessive height/scale of the proposed building, as it will impact on their view/natural light and privacy.

The Board of MCC 134 would like the committee to take these issues into consideration in further discussions of this project. Please contact us if you require further information.

Thanks,
Sarah Kirshin-Neilans
President, MCC 134 Board of Directors

.....
From: Alice Martin <>
Sent: Thursday, April 7, 2022 5:53 PM
To: Schulthess, Michael <mschulth@London.ca>
Cc: Wise, Sonia <swise@london.ca>
Subject: [EXTERNAL] Kent Brewery

Please note my objection to York Development requesting demolition of yet another heritage site in London, Kent Brewery. It's really disgraceful to eliminate one by one the architectural heritage buildings located in the core of London in order to facilitate building which is aesthetically detrimental and fails to follow the London Plan. It seems the City works to evade London Plan restrictions while touting the Plan to the public whenever it's politically expedient.

.....
From: J F <>
Sent: Monday, April 11, 2022 8:00 AM
To: Wise, Sonia <swise@london.ca>; Fyfe-Millar, John <jfmillar@london.ca>
Subject: [EXTERNAL] Historic properties

It is with some sadness that I've discovered York Development is planning to tear down three historic properties on Ann Street, despite LACH recommending heritage distinction for these properties.

After witnessing the destruction of Camden Terrace, it is all the more surprising that some parties are eager to demolish other heritage properties in favour of graceless and nondescript high rises.

These properties represent an invaluable link to London's past and should be protected from reckless development.

John Fooks
706-520 Talbot Street
LONDON ON N6A6K4
m +

.....
From: <[NorthTalbot](#)>
Date: Mon, Apr 11, 2022 at 11:48 AM
Subject: Kent Brewery sign -on letter
To:

Dear Neighbours,

Below is a sign-on letter regarding the proposed development at the Kent Brewery site on Ann and St. George streets in the North Talbot Community. People are exasperated by this on/off again proposal but it is worth signing on and showing support for heritage preservation and the North Talbot Community, even if you have already sent in your own letter. The letter below also addresses planning matters.

This letter has already been submitted to the Planning and Environment Committee and the City Planner. All you need to do is forward the letter below to: pec@london.ca; swise@london.ca

and state that you wish to sign onto the letter submitted by AnnaMaria Valastro, North Talbot Community with your name.

This development will be Appealed but it remains important that the public voice is heard and 'on the record'.

Thank you and have a beautiful day.

From: <>
Sent: Monday, April 11, 2022 10:06 PM
To: PEC <pec@london.ca>; Wise, Sonia <swise@london.ca>
Subject: [EXTERNAL] revised: File: OZ9127 84-86 St. George St. and 175-197 Ann St.

There are typos in the original letter which have been corrected below. And revisions. Please use this letter to be placed on the public record.

Thank You

AnnaMaria Valastro

Dear Council Members,

City Council delayed heritage designation of the Kent Brewery and the homes of its brewmasters, John and Joseph Hamilton, as recommended by the London Advisory Committee on Heritage, because they wanted to see what 'bonus offerings' York Development would bring to the table in exchange for demolishing a distinguished Heritage Site.

Is this development worth the demolition of the Kent Brewery and the homes of John and Joseph Hamilton?

With the demolition of the Kent Brewery, a larger area of London's industrial history will also be lost as the Kent Brewery is part of a cluster of repurposed heritage buildings along Richmond St and the CP Rail Tracks. This area was a 19th century industrial hub along Carling Creek and the railroad. Please see attached photo.

The number of active Ontario Land Tribunal Appeals alone should signal to Council that people are disapproving of Council decisions that ignore London's heritage.

The Kent Brewery and the homes of its brewmasters, John Hamilton and his son Joseph Hamilton, are a perfect example of 19th century craft brewery where the owners lived alongside the brewery itself. The Kent Brewery is only one of two examples left in Canada, the other being Alexander Keiths in Halifax, and yet we have a Council that is willing to 'horse trade' this history for a bus shelter and giant Xs and Os on the street that mean nothing to nobody.

Bike racks and electric vehicle charging stations are just practical and planning ahead and all new development should have these additions. Planting drought tolerant plants instead of native plants on a small strip along a new building is not a climate action item.

Are these 'bonusable' offerings enough to justify the demolition of our heritage?

Kent Brewery and the Hamilton Family homes deserve to be protected because they are special and they are the last ones standing. All three buildings tell the story – not just one. And as an ensemble tell an even larger story of the village.

But history doesn't matter if it is up against a large tax base. That's the bottom line. And these buildings suffer from deep rooted aesthetics bias. These buildings are beautiful – inside and out - in good condition (Laura Dent research) and currently are homes to many people and the homes on St. George St are homes to families with children.

This Council could raise the bar and uphold the intend of the London Plan as Londoners requested when they were asked to 'help shape' London's direction for the next 20 years. Council could reject this proposal and ask that new development maintain the integrity of the buildings and design a new development that **'shows off'** the history as the London Plan intended when it went through extensive public engagement.

Attached are before and after photos of heritage designated 93-95 Dufferin St. Council sacrificed Camden Terrace and the history of Talbot St. Banker's Row in exchange for high density towers. In return they designated 93-95 Dufferin St.

The fate of 93-95 Dufferin St. can longer be the standard for heritage horse trading. As you can see from the photos, 93-95 Dufferin St. has been butchered and there is little left of these once grand homes by architect Samuel L. Peters.

Is this acceptable to you? If not, ask for more. If you ask for more, will you get more.

[Near Campus Neighbourhood Policy](#)

This development is an over intensification of the land. This specific site was chosen for marketing purposes because it will be marketed as temporary student housing and the North Talbot Neighbourhood is already over-intensified with this sort of housing.

Near Campus Neighbourhood Policy recognizes saturation of student housing and aims to balance a diversity in housing so to invite a diversity of people. Therefore this development cannot to reviewed in isolation of the whole North Talbot neighbourhood.

The London Plan pages 263 - 265 and 273 - 275

This neighbourhood is losing housing diversity at an alarming rate primarily because intensification has focused exclusively on temporary housing. It is important to understand how these decisions contribute to the growing problem of exclusionary housing and unintentionally 'people zoning'. Recently, city staff recommended refusal of a Minor Variance in the same neighbourhood to increase density beyond the allowable zoning limit citing the neighbourhood had been over-intensified and offended provisions in the Near Campus Neighbourhood Policy. While this development likely argues that it is part of a transit corridor, ALL traffic will move through the neighbourhood because it has no direct access to a transit corridor, therefore the impacts on the neighbourhood are real.

The neighbourhood cannot be ignored because the neighbourhood will carry the brunt of what is being proposed. Local city traffic studies show that the North Talbot neighbourhood experiences greater through traffic than local traffic because of its proximity to Richmond

Street and the CP rail tracks. Traffic from this new development can only move through the neighbourhood and therefore cannot be said to be on a main transit corridor for traffic flow.

Also, The Near Campus Neighbourhood Policies are dominate over all overlaying policies in the London Plan.

In the London Plan, under Place Type Polices, section Near Campus Neighbourhood:

It states in Section 965 pg. 262.

3) Do not allow for incremental changes in use, density, intensity, and lot size through zoning amendments, minor variances and consents to sever that cumulatively lead to undesirable changes in the character and amenity of streetscapes and neighbourhoods.

5) In pursuit of balanced neighbourhoods, recognize areas that have already absorbed a significant amount of residential intensification and residential intensity and direct proposals for additional intensification away from such areas.

13) Ensure intensification is located and designed to respect the residential amenity of nearby properties.

It states in Section 969 pg. 265

969_ For lands in the Neighbourhoods Place Type that are located within Near-Campus Neighbourhoods, the following forms of intensity and increased residential intensity will not be permitted:

- Development within neighbourhoods that have already absorbed significant amounts of residential intensification and/or residential intensity and are experiencing cumulative impacts that undermine the vision and planning goals for Near-Campus Neighbourhoods.

This neighbourhood has already experienced negative cumulative impacts from exclusionary housing intensification and wishes to seek relief. For example:

- For approximately 4-6 months, many of the rental units are empty because the tenants have moved back to their permanent residences. This has created dead zones of the neighbourhood – empty houses and streets that make permanent residents vulnerable to crime and reduces a sense of place and neighbourhood for those residents. The guidelines for Near Campus Neighbourhoods are intended to balance diversity in housing to invite a diversity of people. This neighbourhood is no longer balanced. It is now a dead zone which is a symptom of over-intensification of one housing type.
- Intensification has resulted in the denuding of trees and backyards to accommodate increased parking. The vast majority of new rentals are rooms within units but unlike a 'rooming house' whose occupants may not have cars, students – the primary market for rentals in this neighbourhood - arrive with their own personal vehicle as they travel between residences. Despite limits on parking space, investors tend to remove Landscape Open Space to accommodate tenant parking.
- This new development is reducing- not enhancing – Landscape Open Space

This neighbourhood needs housing for families to balance the intended policy direction of the Near Campus Neighbourhood.

The development will remove several **existing family affordable** units and they will not be replaced because the formula used by the City to calculate affordability is out of touch with the reality of people that cannot find housing and the percentage of units being offered applies only on the bonus areas being requested. The Unity Project has Appealed the City's approach on affordable unit swapping for bonusing. They appealed so a hard look can be had on whether the city 'swapping' isn't driven by a dense tax base rather than affordable housing that actually helps people in need.

And the converted single family homes in North Talbot are desirable by students that like to entertain because they often have an entire house with a lot of parking and an absentee landlord. Therefore this new highrise will NOT free up older

family homes that are now student housing. Single family homes are preferred by students.

[Trees](#)

Boulevard Trees cannot grow into shade trees because they do not have the soil or moisture to support them and are susceptible to road pollution. Unless the boulevard is setback enough to allow for full root expansion, shade trees cannot be realized and will not contribute to the overall tree canopy goals of the Urban Forest Strategy in the London Plan.

The City of London is struggling to meet its obligation under the Urban Forest Strategy and Climate Emergency Action Plan because of competing policies within the London Plan specific to intensification and planning designs. Intensification is removing private land for tree planting through reduced setbacks and open space requirements and the City Forestry Staff has concluded that there is no more public land for tree planting. These spaces have been exhausted and competing policies prevent or reduce private land to meet its tree canopy goals. Therefore, it becomes increasingly important that interior blocks contribute to the city's canopy goals.

9th Meeting of the Trees and Forests Advisory Committee

November 24, 2021, 12:15 PM

- 1. On-going Loss of Street Tree Planting Spaces The city is running out of vacant sites for trees on existing streets. Street trees are very important as they define community character. In addition to all their environmental benefits, street trees provide shade to pedestrians and can extend the lifespan of the asphalt roads. The city has planted most of the planting spaces identified through a recently completed tree inventory. In the process of creating annual planting plans, the city notifies residents via letter of the upcoming tree planting. Residents have the option to "opt out" and reject a street tree outside their home, even if one was there before. Over the past few years, this trend is increasing to as much as a 20% of the total tree planting numbers annually and has a cumulative impact. Private Land Approximately, 90% of tree planting opportunities are located on private lands. Encouraging tree planting on private land has the greatest impact to affect tree canopy cover goals.**

[Terraces](#)

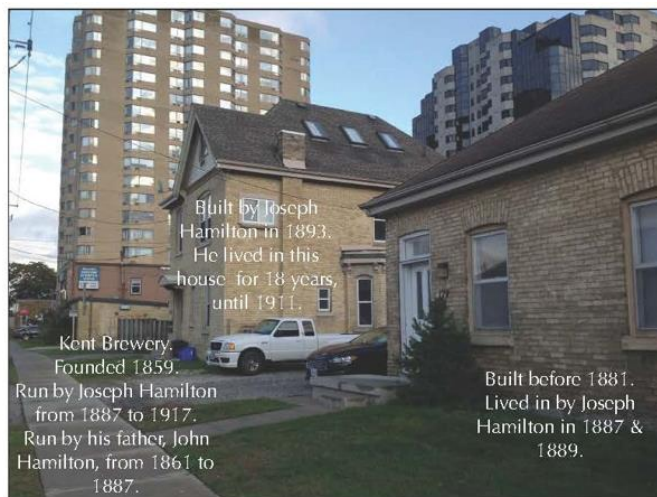
Large open terraces do not contribute to the Landscaped Open Space By-law but will increase noise in a neighbourhood that already has a noise issue. This building is brazen and is designed with no consideration of the neighbourhood – ***at all***. It completely ignores the fact that the neighbourhood already has an abundance of highrises, its traffic patterns will move through the small residential streets to get to a main streets, and ignores the impacts of a 'late night' commercial strip encroaching on a residential neighbourhood.

York Development already challenged the site zoning for this parcel of land in the London Plan which was zoned Neighbourhood Type Place in an effort to protect 'neighbourhoods'. The City then settled in 2018 and it reverted back to the 1989 Official Plan. York Development is back again, pushing harder still with zoning amendments that break all rules. Either the London Plan matters or it is irrelevant.



Three late 19th and early 20th century industrial buildings remain in near proximity, and are visible from the front door of the brewery building: the CPR instruction office/CPR storehouse (c. 1890), the Fireproof Warehouse building (1911), and the Murray-Selby Shoe Factory building (1909).

The presence of the 1892-1893 CPR train station is also notable, as a symbol of the railroad that enhanced the industrial potential of the area.



The brewers, John Hamilton, and his son, Joseph Hamilton, lived next to the brewery. The Labatts and the Carlings had once lived next to their breweries, however those houses are long gone. The brewery and the two residences associated with it are an example of how built assets can be contextually related. Additional research is needed to determine how unusual it is within Canada to have an intact brewers house next to a 19th century brewery building.

This property can be thought of as a small brewery district within the Carling's Creek industrial district, within the larger prospective Talbot North Heritage Conservation District.



Sincerely,

AnnaMaria Valastro

North Talbot Community – resident

Additional Signatories

+Louise White

+Noll Stevens

+Rod McDowell

+Steve Olivastrì

+David Hallam

From: <>

Sent: Monday, April 11, 2022 1:57 PM

To: PEC <pec@london.ca>; Wise, Sonia <swise@london.ca>

Subject: [EXTERNAL] sign on to letter regarding Kent Breweries

Please add my name in agreement to letter from North Talbot Community Asss. addressing Kent Brewery and lack of heritage designation

Louise White,

Resident

133 Central Ave., London

Ontario

From: Noll Stevens <>

Sent: Monday, April 11, 2022 1:36 PM

To: Wise, Sonia <swise@london.ca>

Subject: [EXTERNAL] Kent

I wish to sign onto the letter submitted by AnnaMaria Valastro, North Talbot Community

Thank you, Noll Stevens

From: Rod McDowell <>

Sent: Monday, April 11, 2022 1:34 PM

To: PEC <pec@london.ca>; Wise, Sonia <swise@london.ca>

Subject: [EXTERNAL] Fwd: Kent Brewery sign -on letter

Please accept this forwarded attachment as my support for the preservation of the Kent Brewery and adjacent home(s).

Thank you,

RodMcDowell

From: David Hallam <>

Sent: Monday, April 11, 2022 5:28 PM

To: PEC <pec@london.ca>; Wise, Sonia <swise@london.ca>

Subject: [EXTERNAL] Fwd: Kent Brewery sign -on letter

Please add me to the attached petition.

David Hallam

From: Steve.O < >
Sent: Monday, April 11, 2022 4:44 PM
To: PEC <pec@london.ca>; Wise, Sonia <swise@london.ca>
Cc: AnnaMaria Valastro < >; Louise White < >
Subject: [EXTERNAL] Fwd: Kent Brewery

I wish to sign on to the letter submitted by AnnaMaria Valastro, North Talbot Community.

Steve Olivastri
141 Central Ave
London

Appendix B - Agency/Departmental Comments

Heritage (January 20, 2020)

DS-heritage planning staff has reviewed the Heritage Impact Assessment (MHBC Planning Ltd, July 2019) for the Official Plan + Zoning By-law Amendment (OZ-9127) at the above noted address, and provides the following comments. These comments are consistent with the *Provincial Policy Statement (PPS)*, the *Ontario Heritage Act (OHA)* and *Ontario Regulation 9/06*, and London's *Official Plan/The London Plan*.

1. Overview + Scope of Work

The subject lands of this official plan/zoning by-law amendment (OZ-9127) are located on the southeast corner of the St. George Street/Ann Street intersection and include six parcels measuring approximately 3,674 m² (39,547 ft²) in total area: 175, 179, 183, 197 Ann, and 84 and 86 St. George Streets. Buildings on the subject lands comprise low-rise residential buildings, several outbuildings, and a commercial building. The surrounding area is dominated primarily by residential uses at varying densities including high-rise apartment buildings to the immediate east and south and low-rise forms fronting the west side of St. George Street. A multi-unit industrial building fronts the north side of Ann Street with the Canadian Pacific Railway line also running very close to the north.

The subject lands are located within the area colloquially known as 'North Talbot' which is associated with very early urban development in London following its annexation in 1840. Over time, this area has transitioned to accommodate many of London's prominent business enterprises, often within historic buildings. Today, North Talbot still retains a predominantly residential character, clearly bordered by commercial main streets, and with a strong presence of the natural landscape.

This application is for development of a 28-storey apartment building with 274 residential units, with three 'massing components' that step down in building height toward St. George Street from 26 and 12-storeys. Commercial uses on the main floor, and underground parking are also included as part of the development proposal. Commercial uses could include retail, personal service, administration offices and/or restaurants. A heritage impact assessment (HIA) was submitted by MHBC Planning Ltd. (report date July 5, 2019) – on behalf York Developments – as a requirement of the *Official Plan-1989* (13.2.3.1) and *The London Plan* (Policy 586), and to satisfy requirements of a complete OP/ZBA application.

2. Heritage Status and Adjacencies

The subject lands are located within the North Talbot which is identified in *Heritage Places 2.0* (2019) as a prime area of interest for potential, future heritage conservation district designation. The heritage status of the subject lands includes one property (197 Ann Street) that is LISTED on the City's *Register* (2019) – *Inventory of Heritage Resources*. 197 Ann Street (c1883) is the last remnant of the Old Kent Brewery and exhibits Italianate styling.

3. Policies + Requirements

Heritage resources are to be conserved and impacts evaluated as/per fundamental policies in the *PPS-2014*, the *Ontario Heritage Act*, the *London OP-1989* and *The London Plan*. For evaluation purposes, a heritage impact assessment (HIA) was submitted to evaluate the potential cultural heritage value or interest of the cultural heritage resource on the subject lands and identify heritage attributes of interest, assess the impacts of the proposed development on that resource, and to make recommendations to mitigate any adverse impacts that may arise.¹

Under Section 27(3) of the *Ontario Heritage Act*, demolition of LISTED properties on the City's *Register* requires consultation with the London Advisory Committee on Heritage (LACH) and Municipal Council approval. The proposed development is predicated on the demolition of 197 Ann Street, and as such a cultural heritage evaluation report (CHER) is required to determine if the property retains cultural heritage value or

interest. A CHER has been prepared as part of the heritage impact assessment submitted by MHBC Planning Ltd. (p33)

4. Development Services – Heritage Planning Comments

DS-heritage planning staff has reviewed the heritage impact assessment (HIA) and provides the following comments; these comments are pertinent to conclusions reached in the HIA:

- There are many errors and omissions in content throughout the HIA.
- Reference to historical sources are limited and key sources have not been cited.
- There is limited reference to North Talbot's significance to London's evolution.
- The contextual and historical significance of the subject site was not fully addressed.
- The context of adjacent buildings, related to the historic brewery-use at 197 Ann Street, is not acknowledged.
- The HIA notes significant building damage, and a compromised structure, with no conditions assessment being completed.
- The HIA doesn't recognize any physical design value and overlooks that this is an Italianate commercial building, which is unique in the City.
- The 9/06 evaluation was not comprehensive and was not presented in the standard chart format.

Note as well that the HIA did not assess impacts or suggest mitigation methods, because conclusions reached did not find the property at 197 Ann Street to have Cultural Heritage Value or Interest (CHVI). Consequently, the HIA also did not explore the potential of retention and integration of buildings on the property into the development proposal.

5. Additional Comments – London Advisory Committee on Heritage (LACH)

The Notice of Application, dated October 10, 2019, from B. Debbert, Senior Planner, with respect to Official Plan and Zoning By-law Amendments OZ-9127 was circulated to the London Advisory Committee on Heritage (LACH) and LACH is not satisfied with the research, assessment and conclusion of the Heritage Impact Assessment (HIA) for the property located at 197 Ann Street; it being noted that the LACH submitted the following comments with respect to the HIA (PEC – Nov 26, 2019 (e)):

- the HIA gives inadequate weight to the historical, associative and contextual values of the landmark brewery located at 197 Ann Street;
- the HIA contains errors and omissions within the historic research of the property and brewing history in London, e.g. incorrect derivation of the brewery name, date of building, reference to Westminster Township and evidence for the fire damage in the 19th Century;
- the properties located at 175, 179, 183 and 197 Ann Street and 84 and 86 St. George Street are recommended to be subject to 9/06 evaluation by the HIA because of strong associations with the Kent Brewery;
- the condition of the building has not been supported by an engineer's report;
- the LACH is opposed to the demolition of the property located at 197 Ann Street based on the current information available; and,
- the LACH encourages incorporating the built heritage resources associated with the historic Kent Brewery into any future developments.

At its meeting on December 11, 2019, the LACH referred further research and evaluation of 197 Ann Street along with properties located at 175, 179 and 183 Ann Street and 84 and 86 St. George Street to the Stewardship Sub-Committee for possible heritage designation.

6. Summary

In summary, DS-heritage planning staff finds the HIA insufficient primarily due to its lack of thoroughness and detail in its evaluation of cultural heritage value or interest (CHVI) of 197 Ann Street. Because of this, conclusions reached and recommendations made are not adequately substantiated by the research. Particularly, heritage planning staff does not support findings of the HIA determining: 1) that the subject property does not have significant cultural heritage value and interest; and therefore, 2) does not warrant

designation under the *Ontario Heritage Act*; and, 3) that the City approve demolition of the buildings at 197 Ann Street; and, 4) deem this report as sufficient documentation of the building for the archival record; and finally, 5) that this report be included in the archival record for this property for future research purposes. (pp4; 33). To reconcile contradictory opinions regarding the potential CHVI of the subject site (as expressed in statements made by the applicant's consultant, members of the LACH, and local heritage historians), DS-heritage planning staff will be preparing its own CHER evaluating the entirety of the subject site. Results from this report will inform recommendations in file planner's report to Council for this application.

Heritage (February 24, 2020)

A full copy of the heritage planning staff's CHER as noted above is contained in Appendix B.

London Advisory Committee on Heritage (Council Resolution November 27, 2019)

That the following actions be taken with respect to the 11th Report of the London Advisory Committee on Heritage, from its meeting held on November 13, 2019:

e) B. Debbert, Senior Planner, BE ADVISED that the London Advisory Committee on Heritage (LACH) is not satisfied with the research, assessment and conclusion of the Heritage Impact Assessment (HIA) for the property located at 197 Ann Street, as it relates to the Notice of Application, dated October 10, 2019, from B. Debbert, Senior Planner, with respect to Official Plan and Zoning By-law Amendments for the properties located at 84 – 86 St. George Street and 175 – 197 Ann Street; it being noted that the LACH submits the following comments with respect to the HIA:

- the HIA gives inadequate weight to the historical, associative and contextual values of the landmark brewery located at 197 Ann Street;
- the HIA contains errors and omissions within the historic research of the property and brewing history in London; e.g. incorrect derivation of the brewery name, date of building, reference to Westminster Township and evidence for the fire damage in the 19th century;
- the properties located at 175, 179, 183 and 197 Ann Street and 84 and 86 St. George Street are recommended to be subject to 9/06 evaluation by the HIA because of strong associations with the Kent Brewery;
- the condition of the building has not been supported by an engineer's report;
- the LACH is opposed to the demolition of the property located at 197 Ann Street based on the current information available; and,
- the LACH encourages incorporating the built heritage resources associated with the historic Kent Brewery into any future developments;

it being noted that the presentation appended to the 11th Report of the London Advisory Committee on Heritage from M. Tovey, with respect to this matter, was received.

London Advisory Committee on Heritage (Council Resolution January 15, 2020)

That the following actions be taken with respect to the 1st Report of the London Advisory Committee on Heritage, from its meeting held on December 11, 2019:

e) the following actions be taken with respect to the requests for delegation from A. Valastro and M. Tovey related to the properties located at 197, 183 and 179 Ann Street:

- i) the properties located at 175, 179, 183 and 197 Ann Street and 84 and 86 St. George Street BE REFERRED to the Stewardship Sub-Committee for research and evaluation for a possible heritage designation; it being noted that a verbal delegation by A. Valastro, with respect to this matter, was received; and,

- ii) the request for delegation by M. Tovey BE APPROVED for the February 2020 meeting of the London Advisory Committee on Heritage;

Urban Design Peer Review Panel (December 17, 2019) and applicant responses

Considering that the submission pertains to a Zoning By-law Amendment application and that there are other factors to be addressed, including a building of heritage interest and proximity to the CP Rail line, the Panel provided comments at a high level with respect to the proposed scale, siting and massing of the proposed development. The Panel provides the following comments on the submission:

- The applicant is commended for the siting of the buildings to frame the public realm along St George Street and Ann Street, and the provision of below-grade structured parking.

Applicant response: agreed.

- The panel supports efforts to animate and bring activity to the streetscape and framing the at grade outdoor amenity area. Measures such as high degree of transparency at grade are supported.

Applicant response: agreed.

- The panel has concerns with the overall scale of the development, considering that the proposed height and scale would be out of context in the neighbourhood and could have negative impacts. Further refinement of the massing is needed to strike a better balance with the context and mitigate potential impacts to the localized and broader neighbourhood. Lower building heights should be considered.

Applicant Response: The 3 components of the building were originally designed with 28 floors | 26 floors | 12 floors – this has been modified to 22 floors | 19 floors | 9 floors | with a significant building setback above the 4th floor. The building has been setback from the west property line 3m and significantly at the northwest corner 6 meters. All of the above assist in reducing the mass – increasing the quality of the streetscape and integrating with the existing context at the street for a reduced building scale. We note the surrounding existing buildings are 12 – 16 – 19 storeys as indicated in the drawing package.

- The panel acknowledges the applicant's attempt to break down the overall mass of the development into three separate but connected slender tall tower forms. However, the panel flagged that the long joining tower is of particular concern because it has the potential to impact view corridors to and around the site, adds volume to the development, limits solar access to the site and suites within the proposed towers and contributes to shadow impacts to surrounding areas. Separation between the massing of the development is encouraged.

Applicant Response: In principle the subject building cannot be separated from the existing block that it is proposed to sit within that currently contains 3 large and bulky square or rectangular apartment buildings with very little articulation nor interest in their facades and that more or less fill their sites

The joining tower or 2nd volume noted by the panel - when viewed in plan is of a shorter length than any side of the existing 3 apartment building faces currently on the block. Sk-63 clearly highlights that the existing buildings are much larger in volume in square or rectangular form as was acknowledged by the panel when this drawing was shown at the meeting. The proposed building takes the form of 3 narrow shapes joined together creating building form setbacks and open space and courtyards between the buildings 3 volumes. The existing buildings on the block on the other hand take their entire sites with a single massive volume. The volume 2 in question is to the north side of the block and is separated from the other 3 apartment buildings on site a greater distance than the existing buildings are from each other. Given this volume is to the north of the block it is not a cause of shadow casting to these other buildings which currently cast shadows

limiting solar access to the subject site. The height in turn allows for suites to have solar access from the east and west and views to the south, while the rooftop amenities, a key component and amenity of the development, have access to solar gain through the building rising above their neighboring apartment buildings on the subject site. It should be noted that the depth of the 3 volumes that form the building are very narrow as the unit depths are 20' whereas the typical unit depth is 35' or more. This allows for a better quality interior environment for the inhabitants with more exterior wall glazing by 30% than a typical apartment building resulting in the 3 narrow stepped massing components making up the building form.

- The panel acknowledges the architectural detailing (fenestration, coloured/patterning) to break down the long sides of the buildings, however encourages the applicant to provide breaks in the massing and greater building articulation as well.

Applicant Response: The building massing is currently broken down into 3 narrow stepping elements creating street setbacks, open space courtyards, rooftop amenities and recessed covered walkways at grade. As noted the architectural detailing or articulation is significant with varying materials, colors, textures, patterning, signage, lighting day and night - that distinguishes the 3 building elements. At grade over the first 3 storeys significant glazing and activities within contribute to the street scape and provide transparency through the building and where there is a concentrated focus on building articulation, color and form at the eye level. The level of existing articulation and that proposed in the re-design now under consideration far exceeds any building in this category currently in the city, in particular in response to immediate neighbors. We would not wish to consider any additional articulation to this building.

- The panel expressed concerns with the 12 storey massing on the St. George Street edge of the site as an abrupt transition to the low rise neighbourhood to the west and being imposing in relation to human scale proportions along the sidewalk. The panel encouraged the applicant to provide a stepping down of built form from the interior of the site to at most a four storey height along the St. George Street edge of the site, as a more compatible interface with the established low rise residential form of development on the west side of St. George Street and as a more human scale proportion with the sidewalk.

Applicant Response: The proposed building fills the 4th quadrant of a mid-high rise block fronted by Richmond street – Mill Street – St. George and Ann Street that currently house 3 apartment buildings ranging in height from 12 – 16 – 19 storeys. The lower third volume of the proposed development facing St. George is 11 storeys in order to align with the buildings currently erected within the noted block and in doing so provides an appropriate frontage at a lower or aligning scale to the existing context.

- The panel expressed concerns about the usability of the interior at grade courtyard considering that it would be entirely in shade by the buildings of the proposed development.

Applicant Response: There was a comment from the panel pertaining to the usability of the southerly courtyard due to the existing buildings on the block that would put the courtyard in shadow for extended periods of the day. The courtyard would not be *entirely* in shadow noting that the courtyard would serve many functional requirements including escape from the direct sun as a cooler sanctuary with water features that would allow spilling out of students from the 2 storey café adjacent to the courtyard, especially in the summer months. There are several alternative outdoor spaces for various activities noting the courtyard is an bonus feature to the development and not the prime outdoor space. There are two other rooftop terraces, one, an outdoor lounge and one with a pool - that would invite all day sun exposure for those seeking this experience.

Concluding comments:

- The Panel recognizes that the site is planned for high density development, however has some concerns with the expression of the form of high density in this development concept. The scale and heights of the proposed buildings are out of proportion for their context and could have negative impacts on both the local neighbourhood and broader area, given their scale. The Panel provided several suggestions on how best to refine the massing and scale of the proposed development to provide more sensitive transition to existing built form in the area and response to human scale proportions. The panel offered support for the measures incorporated in the design that provide for animation of St. George Street and Ann Street streetscapes, particularly the siting of the buildings near the street lines, provision of active uses at grade and high degree of transparency along the street facing elevations. As the application advances, further consideration of the panel's suggestions, together with any recommendations arising from other technical studies/reports (including noise and heritage impact assessments) is recommended.

Site Plan

The following comments apply for the review of 175-197 Ann Street & 84-86 St George Street:

- Site Plan approval is required for the proposed development; prior to site plan application, the applicant is to submit the site and elevation plans for site plan consultation.
- A tree preservation report will be required as part of a complete site plan application.
- Reminder to include the retail GFA as part of the overall density calculation within the site data table.
- Include planting details of the roof tops and perimeter plantings on the site plan.

Detailed comments will be provided through site plan consultation.

Parks Planning & Design

There is nothing significant from a Park's perspective. Parkland dedication will be required as a condition of site plan approval. If still in existence, the application would be subject to the cash-in-lieu requirements of By-law CP-9.

Development Services Review of Noise Study

- The report assesses predicted noise levels resulting from road traffic (Richmond Street, Oxford Street East, and St. George Street), and railway traffic (Canadian Pacific Railway).
- Section 3.3 Projected Noise Levels provides a bullet point summary of the assumptions made for the noise prediction calculations. In reviewing the report I noticed a minor oversight in the third bullet point which indicates "Road gradient for Sunningdale Road East and Richmond Street North is 0%". Please have the consultant provide a corrected replacement page, and request that they re-confirm their assumptions for the purposes of this noise assessment.
- Section 4 - Recommendations in the last two sentences of the third bullet point states:
"Additionally, acoustic screening at the OLA is required. Examples of such are glass railing, high solid parapets, fencing etc."
- Please request the consultant to provide information as to the appropriate length and height of the acoustic screening for the rooftop outdoor living areas. The site plan and elevations submitted with the application show outdoor common areas on both the 12th and 26th floors that would be exposed to potential road/rail noise.

- Also, under Section 4 - Recommendations in the third bullet point is a summary of the building components required to maintain indoor living areas to acceptable sound levels. Prior to issuance of building permits the acoustical consultant shall review and verify the wall, window and door recommendations noted in the report have been included in the building design, and that the indoor sound levels will comply with the MECP noise criteria.
- Please ensure the specific noise warning clauses (Warning Clauses: Types “B” and “D”, Canadian Pacific Railway, and City of London) as outlined in Section 4 – Recommendations, and identified on the Noise Study Plan (SBM-17-1297), are included within the Development Agreement for this site.
- I would also recommend that the noise assessment report be forwarded to CP Rail for their review.

Engineering (December 13, 2019)

The City of London’s Environmental and Engineering Services Department offers the following comments with respect to the aforementioned zoning application:

The following items are to be considered during the development application approval stage:

Transportation:

- Transportation has reviewed and accepted the TIA prepared in support of this application.
- 6.0m x 6.0m daylight triangle is required.
- Access to be located on Ann Street (*transportation staff will accept an access from St. George Street)
- Detailed comments regarding access design and location will be made through the site plan process.

Sewers:

- The sanitary sewer available for the subject lands is the 750mm trunk sanitary sewer on St. George St. just south of Ann Street.
- As part of a future site plan application the Owner engineering consultant is to ensure adequate size of the PDC connection per City of London specifications & standards. The proposed development requires a sanitary inspection maintenance hole which should be located wholly on private lands but as close to streetline as possible or in a location to the satisfaction of the City Engineer.
- In addition the applicant’s Consulting Engineer is to provide a report with an inventory of the existing buildings being demolished and lots including:
 - All existing sanitary and storm outlets.
 - All existing connections to the 250mm diameter combined sewer, including but not limited to weeping tile connections, roof water leaders, catchbasins, reverse grade driveway, etc. In the case of uncertain connections, dye testing may be required to verify if the discharge is directed to the sanitary or storm sewer. In the report the applicant is to provide possible mitigating measures which would allow the zoning amendment and subsequent development to proceed.
 - No storm connections are permitted to the sanitary sewer.
 - All connections no longer in use are to be properly abandoned.

Water:

- All of the existing buildings on these properties would be demolished under this plan. Their existing services will need to be fully decommissioned to city standards.
- We anticipate that two new water services will be required under the OBC. OBC and city standards for separation between these services will apply.

- Water is currently available from the 300mm DI watermain on St. George Street and the 100mm PVC watermain on Anne Street
- We anticipate that the 100mm main on Anne Street is insufficient in size for utilization by this plan. In order to service off of Ann Street this main will need to be upsized.
- If the Ann Street main is not utilized for servicing this plan it would then create a water quality issue. This is because the removal of multiple existing services (current condition for these properties) from this main would leave only a single remaining service to a property on the north side of the road. This service and its anticipated usage would be insufficient to maintain turnover within the main.
- ****Therefore, the main on Ann Street must be either be upsized and utilized for servicing this plan, or, abandoned and replaced with a smaller main that can continue to provide water to the sole remaining service.**

Stormwater:

- No storm sewers are currently established for the proposed site on Ann St. All storm servicing should be directed to St. George St. As per as-con 18324, only a portion of the proposed sites was designed tributary to the existing 375mm storm sewer at a C = 0.75. With the remainder of the site being directed to St. George St., the consultant would need to confirm capacity in the existing sewers and calculate any required storage.
- The proposed land use of a high density residential/commercial will trigger the application of design requirements of Permanent Private Storm System (PPS) as approved by Council resolution on January 18, 2010.
- The subject lands are located in the Central Thames Subwatershed. The Developer shall be required to provide a Storm/drainage Servicing Report demonstrating that the proper SWM practices will be applied to ensure the maximum permissible storm run-off discharge from the subject site will not exceed the peak discharge of storm run-off under pre-development conditions.
- The Owner agrees to promote the implementation of SWM Best Management Practices (BMP's) within the plan, including Low Impact Development (LID) where possible, to the satisfaction of the City Engineer. It shall include water balance.
- The owner is required to provide a lot grading plan for stormwater flows and major overland flows on site and ensure that stormwater flows are self-contained on site, up to the 100 year event and safely conveys up to the 250 year storm event, all to be designed by a Professional Engineer for review.
- The Owner shall allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands.
- Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands.
- An erosion/sediment control plan that will identify all erosion and sediment control measures for the subject site shall be prepared to the specification and satisfaction of the City Engineer and shall be in accordance with City of London and MECP (formerly MOECC) standards and requirements. This plan is to include measures to be used during all phases of construction. These measures shall be identified in the Storm/Drainage Servicing Report.

Housing Development Corporation, March 28, 2022

Elements for the City's Consideration in an Affordable Housing Bonus Zone:

- Affordable Units to be secured through the bonus (based on a defined lift provided by the City of 122 units) - 13 units;
- Affordable Unit Bedroom Mix (bachelor, one-, two-, three-bedroom, etc.) - should be representative of the bedroom mix of the overall development;
- Delivery of the Affordable Units - the affordable units should be in the first phase of the development;
- Affordability Period for the Affordable Units - 50 years from the date of initial occupancy;

- Rent for the Affordable Units – 80% of CMHC’s Average Market Rent for the London Census Metropolitan Area for the affordable unit bedroom type at the time of initial occupancy; and,
- Alignment of the bonus to a defined municipal priority – the owner shall be required to enter into a Tenant Placement Agreement with the City of London.

For Further Consideration Beyond the Bonus:

HDC would also note that the proposed development would require the demolition of existing buildings known municipally as 197 Ann Street, 175 Ann Street and 84 St. George Street. City Map shows that there are a number of Active Residential Rental Licenses associated with these properties. While the “affordability” of these units is unknown to HDC, HDC would assume that the rent currently being charged for the existing units is more affordable than the rent that will ultimately be charged for the new units that will replace them in the new development. Recognizing the importance of maintaining our existing affordable housing stock, HDC would encourage the City and the owner to explore opportunities wherein the existing rental units that are to be demolished to make way for the current proposal be provided for in the new development (in addition to those affordable units to be secured through the affordable housing bonus zone identified above). These units could be secured by the City in a manner similar to units secured through a bonus zone agreement in the DA and subject to elements similar to those defined above.

Ministry of the Environment, Conservation and Parks

This email is a response to your email of earlier today and per our telephone conversation, I have added additional information which we agreed would be helpful in your communications regarding the project before you. I have also attached a few links for your reference.

- <https://www.ontario.ca/environment-and-energy/map-permits-take-water>
- <http://www.ontla.on.ca/library/repository/mon/10000/251921.pdf>
- <https://www.ontario.ca/page/guide-permit-take-water-application-form>

The review and approval of water takings are governed by section 34 of the Ontario Water Resources Act (OWRA). Based on this legislation, water taking is regulated through a permit system to achieve environmental objectives. The program is also designed to minimize water supply and water quality interference problems and to provide for the settlement of interference complaints if they do occur. The Ministry recognizes that there are limits to the amount of water that can be taken without causing unacceptable adverse impacts. Permits will be controlled or not issued if current science standards indicate that additional or current takings will adversely impact existing users or the environment.

SUMMARY

- Within the block bounded by Richmond Street, Ann Street, St. George Street and Mill Street, the building located at 695 Richmond Street has an open loop geothermal HVAC systems that uses groundwater. In consultation with the Ministry of the Environment, Conservation and Parks staff, it is noted that PTTWs were also issued, in the past, for open loop geothermal systems at 685 Richmond Street and 180 Mill Street. It is likely that these buildings still have open loop geothermal systems despite not having a PTTW as ‘domestic use’ is now exempted from PTTWs.
- Documents in support of applications for PTTWs and ECAs is available as public information. Such information can be obtained through Freedom of Information or by consulting documents in person at the MECP Office in London.

For your information, here is a brief highlight of the available information:

- 695 Mill Street
 - Has an ECA and a PTTW from the Ministry of the Environment, Conservation and Parks for water taking and the operation of an open loop geothermal system.

- Water is taken from 2 wells and returned via a third well.
- The system was constructed in the 1980's and takes ~2 million litres/day.
- The wells are 7.6 m (25 ft), 9.75 m (32 ft) and 12.2 m (40 ft) deep, and are screened or completed in gravel overburden.
- The Permit to Take Water for this building was recently renewed and an observation well was scheduled to be installed in late 2019. This observation well could be used to measure changes in water levels.
- 675 and 685 Richmond Street
 - Used to have an PTTW (92-P-0081) but likely no longer exists because of the residential ("domestic use") exemption
 - At the time of the original PTTW, these two properties were serviced by an open loop system with 5 wells.
- 180 Mill Street
 - In 2008, the Ministry received an application for PTTW for an open loop geothermal system.
 - Water was taken from 2 wells and returned via a third well.
 - The wells were reported to be screened to a depth of 8.2 m (27 ft) and 7.9 m (26 ft).
 - The PTTW was issued for ~3.2 million litres/day. The PTTW was cancelled in 2013.
 - No construction dewatering permits records were found, after a cursory review, for the construction at 180 Mill Street.

The water table in the area is approximately 2.5 to 4 metres below the surface.

A permit for construction dewatering will be triggered and required by the proposed development if they take more than 50,000 litres of water per day. As part of the approval process, the proponent will need to assess the potential for impacts on the groundwater resources and other water users and provide a plan for mitigating impacts both over the short and long term. In addition, post-construction, if continual pumping of water is required in order to maintain dry conditions in the proposed underground parking facility, there could be a permanent impact on the water levels and the impact on the open loop geothermal HVAC systems for 675, 685 and 695 Richmond Street and 180 Mill Street. This impact, if any, would have to be assessed and be part of the application.

I hope this is helpful to you. Please let me know if you have any questions.

Have a good weekend.

Helene

Hélène Piérard, P.Geo | Hydrogeologist | Technical Support Section – Southwest Region | Ministry of the Environment, Conservation and Parks | Tel: (519) 873-5034 (**no voicemail**) | Fax: (519) 873-5020 | Email: Helene.Pierard@ontario.ca

London Hydro (October 22, 2019)

- Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant's expense. Above-grade transformation is required.
Note: Transformation lead times are minimum 16 weeks.
Contact Engineering dept. to confirm requirements & availability.
- London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

Canadian Pacific Railway

CP has reviewed the noted circulation. The proposed development is located in close proximity to our Windsor Subdivision, which is classified as a Principal Main line. Canadian Pacific Railway is not in favour of residential developments adjacent to

or near our right-of-way as this land use is not compatible with railway operations. The health, safety and welfare of future residents could be adversely affected by railway activities.

However, to ensure the safety and comfort of adjacent residents and to mitigate as much as possible the inherent adverse environmental factors, we request that CP's standard requirements are considered as part of the review. The attached requirements are based on a collaborative project by the Federation of Canadian Municipalities and the Railway Association of Canada entitled, the Guidelines for New Development in Proximity to Railway Operations (<http://www.proximityissues.ca>). Some of the requirements/comments may be premature for the current application, but we would appreciate the opportunity to review the site plan for this development when available.

Specifically:

1. CP has reviewed the Environmental Noise Assessment Report prepared by SBM Ltd. and note that certain recommendations have been made to mitigate the noise. CP supports the recommendations and requests the inclusion of these recommendations as conditions of approval.
2. CP has reviewed the Vibration study and notes that the levels are above CP requirements and that mitigation measures are required. The inclusion of these measures should be included as conditions of approval.
3. Please note that CP's setback of 30 metres includes a requirement for a berm or alternative safety measure. Although the noted development does provide for the setback, the applicant is requested to provide further information on how the berm or alternative safety measure will be achieved.

Regards,



Josie Tomei SR/WA
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Acquisitions
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800-1290 Central Parkway West
Mississauga, ON L5C 4R3

Canadian Pacific Railway – Supplementary Comments April 11, 2022

RE: Comments on OZ-9127, 84 – 86 St. George Street and 175 – 197 Ann Street, London, ON, within 500m of CP Rail line

Thank you for the recent notice respecting the captioned development proposal in the vicinity of Canadian Pacific Railway Company. The safety and welfare of residents can be adversely affected by rail operations and CP is not in favour of residential uses that are not compatible with rail operations. CP freight trains operate 24/7 and schedules/volumes are subject to change. CP's approach to development in the vicinity of rail operations is encapsulated by the recommended guidelines developed through collaboration between the Railway Association of Canada and the Federation of Canadian Municipalities. The 2013 Proximity Guidelines can be found at the following website address: <http://www.proximityissues.ca/>.

CP recommends that the below condition be inserted in all property and tenancy agreements and offers of purchase and sale for all dwelling units in the proposed building(s):

“Canadian Pacific Railway and/or its assigns or successors in interest has or have a railway right-of-way and/or yard located adjacent to the subject land hereof with operations conducted 24 hours a day, 7 days a week, including the shunting of trains and the idling of locomotives. There may be alterations to, or expansions of, the railway facilities and/or operations in the future, which alterations or expansions may affect the

living environment of the residents in the vicinity. Notwithstanding the inclusion of any noise and/or vibration attenuating measures in the design of the development and individual dwellings, Canadian Pacific Railway will not be responsible for complaints or claims arising from the use of its facilities and/or its operations on, over, or under the aforesaid right-of-way and/or yard.”

Should the captioned development proposal receive approval, CP respectfully requests that the recommended guidelines be followed.

Thank you,

CP Proximity Ontario



CP Proximity Ontario
CP Proximity-Ontario@cpr.ca
7550 Ogden Dale Road SE, Building 1
Calgary AB T2C 4X9

Urban Design – March 28, 2022

Urban Design Comments for OP/ZBA Application related to **84-86 St George Street, 175-197 Ann Street.**

- The applicant is commended for providing a building design that incorporates the following design features; a building that provides a built edge along both fronting streets, active ground floor uses, design elements that addresses the corner location, all parking underground/within the building.
- The overall volume, massing and height of the proposed building is not sensitive and compatible with the context and beyond the policy framework of The London Plan and shall be redesigned with reduced massing, volume and adequate setbacks and separation distances. Consistent with the previous staff and panel comments, the following needs to be incorporated as part of the zoning application.
- As this development will require a bonus zone to access any height above 12 storey [**TLP 1038_C**], the proposed building should demonstrate compatibility by responding to the context in terms of height, scale, massing, tower and building design, relationship to existing neighbourhood, adjacent streets and buildings [**TLP 1578_6,7**].
 - Provide an alternative design for the tower portion of the building in order to avoid a large and long floorplate slab building resulting from the three tall connected tower forms. The form as proposed impacts the view corridors to and from the site, access to sunlight for the proposed suites as well as neighboring developments and contributes to consistent shadow impacts to surrounding context.
 - Any portion of the tower above eight storeys should be a point tower (up to approximately 1000m² within a 1.5:1 length: width ratio) in order to reduce the overall massing and consistent shadowing impacts and to ensure that shadows and loss of privacy on neighbouring properties are minimized.
 - A separation distance of minimum 25m should be considered between the high rise portions within the proposed building and the adjacent high-rise developments.
 - Ensure the proposed building responds to its context in terms of height and massing along adjacent properties, St George Street and Ann Street.
 - Any portion of the building proposed along Ann Street and St George should retain the predominantly low-rise character by responding to the low-rise residential on the west side of the street [**TLP 1038_C**], as well as the existing townhomes to the south, while the east half of the building should respond to the high

rise buildings to the east and south with a step down between both portions of the building.

- Provide a step-back (a minimum of 5m) above 3rd or 4th stories to provide a low-rise character that is consistent with the streetscape along St. George and Ann Street
 - Reduce the building mass above 3rd or 4th storey to a mid-rise (up to 8 stories) to create a comfortable pedestrian scale and character along St George Street.
- Please find attached the shadow studies and angular plan analysis to support the arguments regarding massing and consistent shadowing of adjacent streets and properties from the proposed building.

Appendix C – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this requested land use change. The most relevant policies, by-laws, and legislation are identified as follows:

Provincial Policy Statement, 2020

- 1.1.3 – settlement areas
- 1.1.1.a) – efficient development and land use patterns
- 1.1.13.2.b) – promote residential intensification
- 1.1.3.4 – appropriate development standards
- 1.7.1 e) – well-designed built form
- 2.6.1 – conserve heritage resources

Official Plan (1989)

- 3.3 Multi-Family, Medium Density Residential
- 3.4. Multi-Family, High Density Residential
- 3.5.1 Talbot Mixed-Use Area
- 3.5.19 Policies for Near-Campus Neighbourhoods
- 3.7 Planning Impact Analysis
- 11 Urban Design
- 13 Heritage Resources
- 19.4 Bonus Zoning

The London Plan (TLP)

- 54 – Key directions
- 91 – Built-area boundary
- 92_2 – Primary transit area
- 189 City Design Policies
- 586
- 916 Neighbourhoods Place Type
- 954 High Density Residential Overlay
- 962 Near-Campus Neighbourhoods
- 1025 Talbot Mixed-Use Area
- 1038C Site Specific Policy for 175-199 Ann St and 84-86 St. George St
- 1578 Evaluation Criteria for Planning and Development Applications
- 1645-1655* Bonus Zoning

Appendix D – Planning Impact Analysis and Evaluation of Our Tools

Planning Impact Analysis (3.7) and Evaluation of Our Tools Planning and Development Applications (1578)

Criteria	Response
3.7.a) Compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area;	The proposed land use is contemplated in the current MFHDR designation and HDR overlay, however is of a scale and intensity that does not provide relief through building setbacks or stepbacks to the existing high-rise residential uses, impacting privacy, and the large tower floorplate can exacerbate shadowing on the neighbouring low-rise residential neighbourhood.
b) The size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed use;	The site is of an adequate size and shape to accommodate higher densities, however the proposed development requires significant relief from a number of regulations which is an indicator of over-intensification. The special provisions needed to accommodate the proposed development include reduced yard setbacks of 0 metres to all yards, a building coverage of 97%, and a landscaped open space of 0%, which does not provide on-site landscaping or outdoor at grade amenity areas.
c) The supply of vacant land in the area which is already designated and/or zoned for the proposed use;	There are vacant lands in the form of surface parking lots along Richmond Row and the Downtown which are appropriate and encouraged locations for the intensity proposed.
d) The proximity of any proposal for medium or high density residential development to public open space and recreational facilities, community facilities, and transit services, and the adequacy of these facilities and services;	The site has convenient access to public open space, recreational, community facilities, transit services, commercial and shopping areas due to the proximity to Richmond Row and the Downtown.
e) The need for affordable housing in the area, and in the City as a whole, as determined by the policies of Chapter 12 – Housing;	Affordable housing is a need identified City-wide, and any bonusing of development on the site should provide for affordable housing units within the parameters provided by the HDC.
f) The height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses; 1578_6) g) privacy 1578_6) h) shadowing 1578_6) i) visual impact 1578_7) f) height 1578_7) g) density 1578_7) h) massing	Staff have major concerns with the height and massing of the proposed building as there is an inadequate stepdown of the massing to the low-rise residential neighbourhood to the west along St. George Street and no retention of the low-rise residential character along Ann Street. A more sympathetic transition is required for the proposed building to the low rise residential neighbourhood and provide additional separation to nearby existing high-rise buildings.

<p>1578_7) i) scale 1578_7) j) placement of buildings 1578_7) k) setback and step-back 1578_7) l) relationship to adjacent buildings</p>	<p>The proposed development does not adequately mitigate the impacts of the bulk and massing on the surrounding residential land uses, and the existing form will have more impactful shadowing than a more slender tower that is setback from the street edge.</p>
<p>g) The extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area; 1578_6) m) natural heritage features and areas 1578_6) k) trees and canopy cover 1578_6) n) natural resources 1578_7) p) landscaping and trees</p>	<p>A Tree Preservation Plan will be required as part of Site Plan Approval, though the proposed development will occupy almost the entire site which would not facilitate the retention of any trees or vegetation. There are no natural features, resources or significant vegetation that have been identified during the application review for this site.</p> <p>There is also 0% landscaped open space proposed, which provides no on-site space allocated for landscaped open space and no ability to provide tree planting or canopy cover. It is not permitted or desirable to have planting on city boulevard due to potential conflicts with utilities and infrastructure, and the maintenance required.</p>
<p>h) The location of vehicular access points and their compliance with the City's road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties; 1578_6) a) traffic and access management 1578_7) q) coordination of access points and connections</p>	<p>Vehicular access is proposed from St. George Street. A Transportation Impact Assessment (TIA) was provided as part of the application submission. Transportation Planning and Design prefer the access from Ann Street, though are satisfied with the driveway location from St. George Street, and that the detailed access arrangement can be addressed at the site plan approval stage.</p>
<p>i) The exterior design in terms of the bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area; 1578_7) c) neighbourhood character 1578_7) d) streetscape character 1578_7) e) street wall 1578_7) m) proposed architectural attributes such as windows, doors and rooflines</p>	<p>The proposed development does not provide sufficient transition in building massing to the low-rise neighbourhood and has not been designed to fit within the local context. The tower floorplate needs to be minimized and setback further from the base to provide a more sensitive fit with the low-rise residential context.</p> <p>There are a number of recommended refinements required to provide a better fit for the building within the residential neighbourhood context, including:</p> <ul style="list-style-type: none"> • Provide an alternative design for the tower portion of the building in order to avoid a large and long, slab-style floorplate • Any portion of the tower above eight storeys should be a point tower (up to approximately 1,000 square metres, within a 1.5:1 length: width ratio)

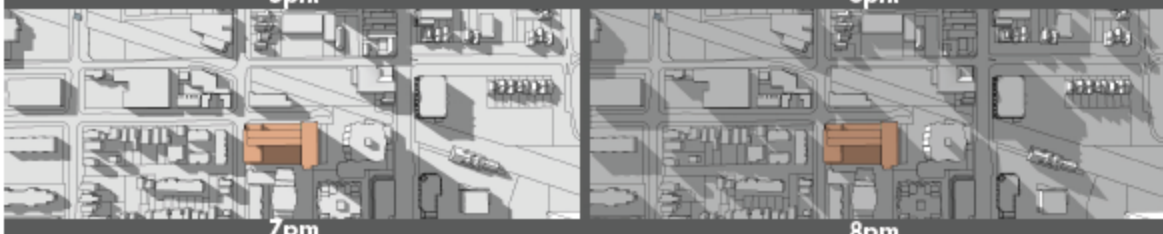
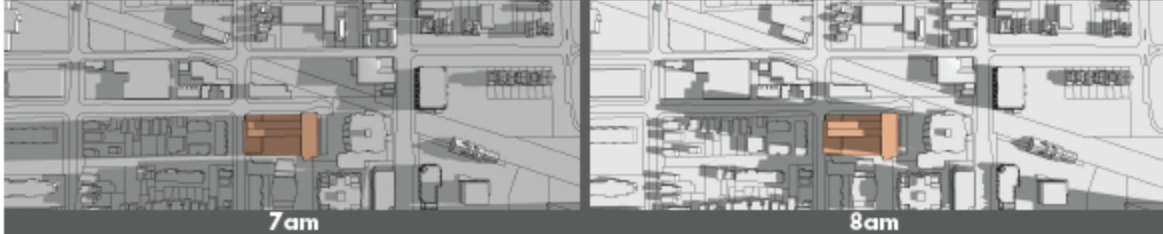
	<ul style="list-style-type: none"> • A separation distance of 25m should be considered between the high-rise portions of the proposed building and the adjacent high-rise developments • Any portion of the building proposed along Ann Street and St. George Street should retain the predominantly low-rise character by responding to the low-rise residential neighbourhood to the west and south, while the east half of the building should response to the high-rise buildings on the east and south, with a step down between both portions of the building. • Provide a setback (a minimum of 5m is the standard approach) above the 3rd or 4th storeys to provide a low-rise character • Reduce the building mass above the 3rd or 4th storey to a mid-rise form (up to 8 storeys) to create a comfortable pedestrian scale and character along St. George Street.
<p>j) The potential impact of the development on surrounding natural features and heritage resources; 1578_6) l) cultural heritage resources 1578_7) o) relationship to cultural heritage resources on the site and adjacent to it</p>	<p>The site is a listed property with two heritage resources at 197 Ann Street and 183 Ann Street, which have been identified by heritage staff for future designation. The proposed development would demolish these resources and redevelop the site in their place.</p>
<p>k) Constraints posed by the environment, including but not limited to locations where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration and rail safety may limit development; 1578_6) b) Noise 1578_6) d) emissions generated by the use such as odour, dust or other airborne emissions</p>	<p>There is a nearby CP rail corridor to the north which has noise, vibration and safety implications for the development in the event of a derailment. Noise and vibration mitigation measures are acceptable, though the safety mitigation measures such as a berm or crash wall have not been determined or detailed at this time, and more information is required.</p> <p>The proposed craft brewery use may result in the generation of odours due to on-site production, however are not anticipated to be significant.</p>
<p>l) Compliance of the proposed development with the provisions of the City's <i>Official Plan (1989)</i>, Zoning By-law, Site Plan Control By-law, and Sign Control By-law; 1578_6) e) lighting 1578_6) f) garbage generated by the use</p>	<p>The requested amendment does not conform to the policies of the <i>Official Plan (1989)</i> or <i>The London Plan</i>. A number of special provisions to the proposed R10-5 Zone are required to facilitate the proposed development, with respect to setbacks, parking, building coverage, landscaped open space, height, and density. The proposed setback reductions and 0% landscape open space do not provide for permitter plantings or buffering and is not in keeping with the Site Plan Control By-law. Detailed functional aspects of lighting and garbage would be</p>

	encompassed as part of standard site plan review.
<p>M) Measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis;</p>	<p>While some aspects of the built form have been revised such as the overall height and density, the proposal is still not acceptable in its current form. Additional refinement is required to the massing, building height, setbacks and step-backs to mitigate impacts and provide a more sensitive interface with the surrounding residential neighbourhood.</p> <p>Mitigation measures associated with the proximity to the CP rail corridor or ground water are not known at this time and require further detail and review.</p>
<p>3.7) n) Impacts of the proposed change on the transportation system, including transit 1578_6) c) Parking on streets or adjacent properties</p>	<p>The residential intensification of the subject lands is in a central location which facilitates a transit-oriented development. There is a requested parking reduction, though no major impacts on the transportation system or transit are anticipated.</p>

Shadow Analysis



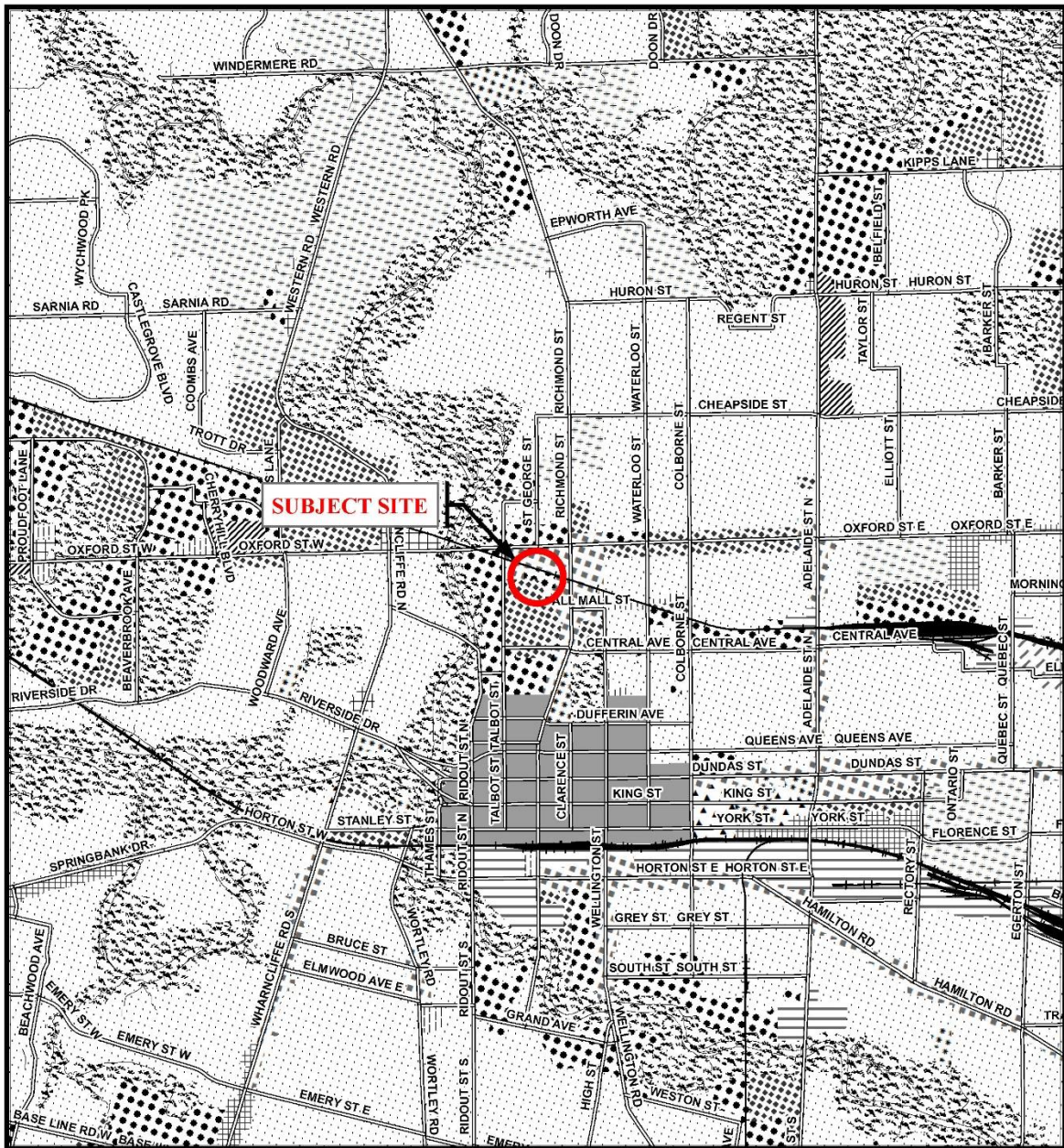
JUNE 21



SEPTEMBER 21

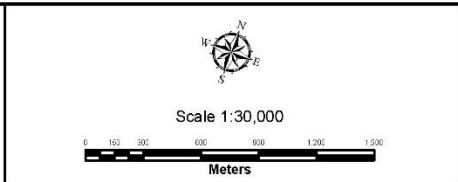


Appendix E – Additional Maps

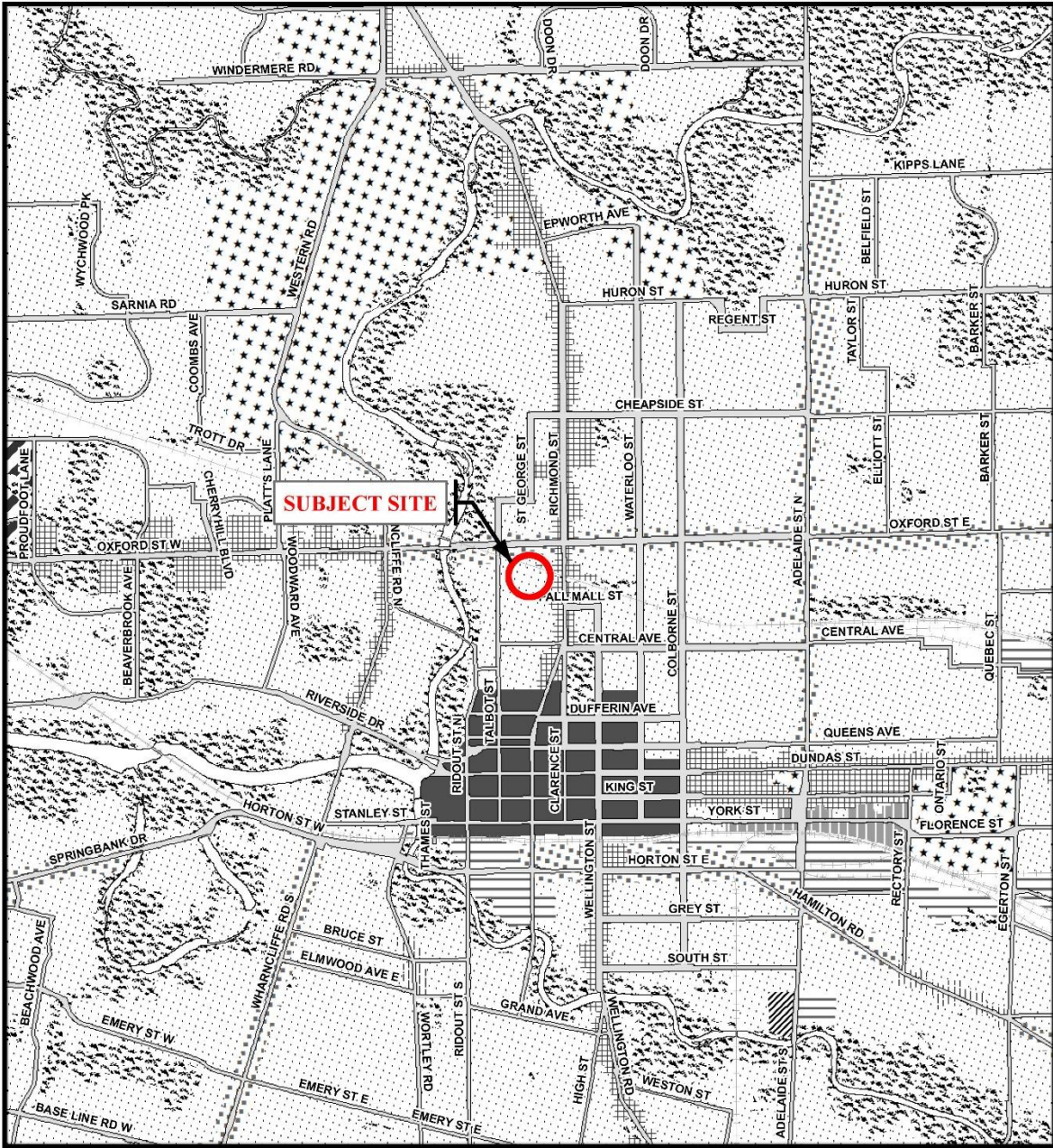


Legend	
	Downtown
	Enterprise
	Enclosed Regional Commercial Node
	New Format Regional Commercial Node
	Community Commercial Node
	Neighbourhood Commercial Node
	Main Street Commercial Corridor
	Auto-Oriented Commercial Corridor
	Multi-Family, High Density Residential
	Multi-Family, Medium Density Residential
	Low Density Residential
	Office Area
	Office/Residential
	Office Business Park
	General Industrial
	Light Industrial
	Regional Facility
	Community Facility
	Open Space
	Urban Reserve - Community Growth
	Urban Reserve - Industrial Growth
	Rural Settlement
	Environmental Review
	Agriculture
	Urban Growth Boundary

CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -
 PREPARED BY: Graphics and Information Services



FILE NUMBER: OZ-9127
PLANNER: BD
TECHNICIAN: RC
DATE: 10/02/2020



Legend

- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor | Commercial Industrial | Urban Growth Boundary |
| Main Street | Institutional | |
| Neighbourhood | Green Space | |

This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

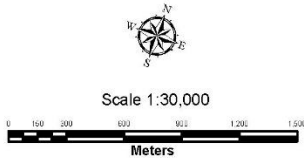
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

Planning Services /
Development Services

**LONDON PLAN MAP 1
- PLACE TYPES -**

PREPARED BY: Planning Services

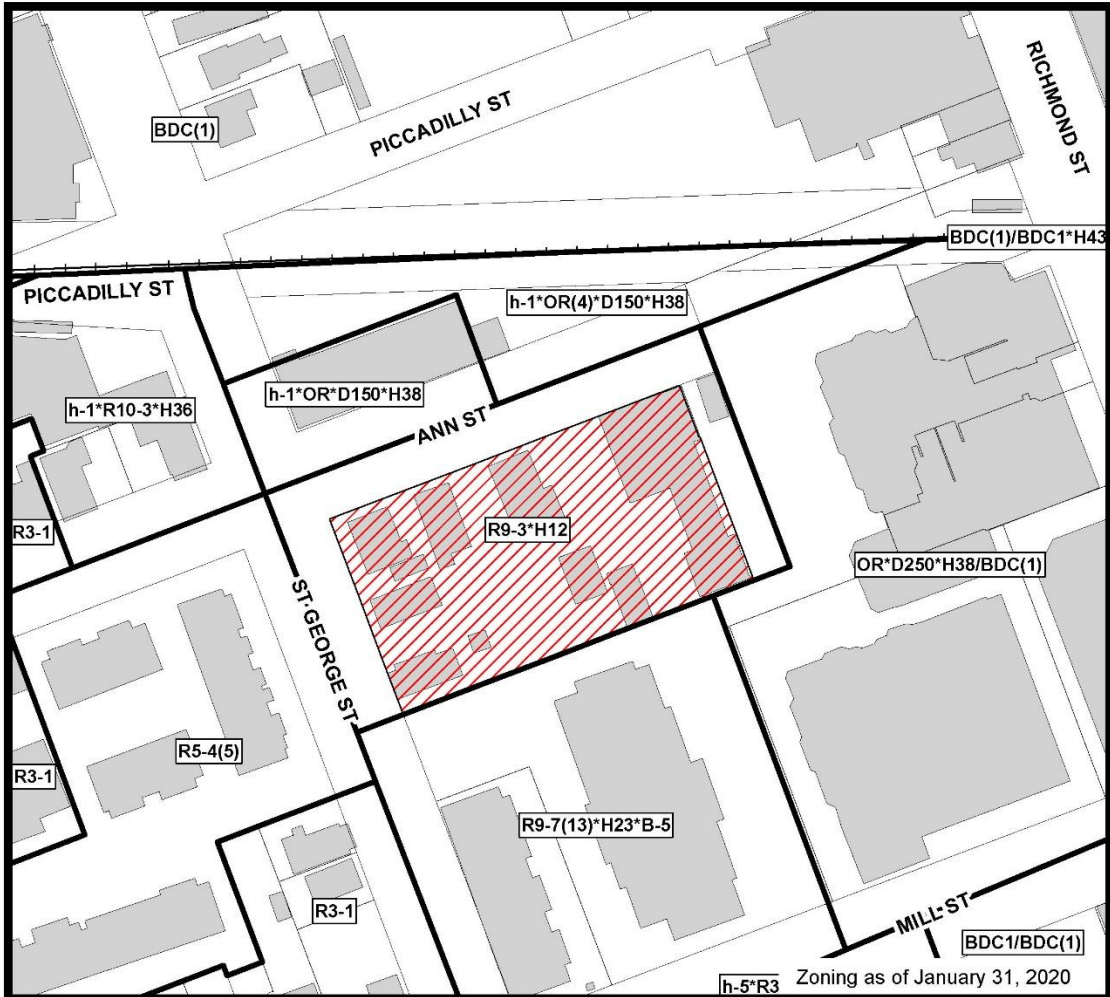


File Number: OZ-9127

Planner: BD

Technician: RC

Date: February 10, 2020



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) *LEGEND FOR ZONING BY-LAW Z-1*

- | | |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS | RF - REGIONAL FACILITY |
| R2 - SINGLE AND TWO UNIT DWELLINGS | CF - COMMUNITY FACILITY |
| R3 - SINGLE TO FOUR UNIT DWELLINGS | NF - NEIGHBOURHOOD FACILITY |
| R4 - STREET TOWNHOUSE | HER - HERITAGE |
| R5 - CLUSTER TOWNHOUSE | DC - DAY CARE |
| R6 - CLUSTER HOUSING ALL FORMS | OS - OPEN SPACE |
| R7 - SENIOR'S HOUSING | CR - COMMERCIAL RECREATION |
| R8 - MEDIUM DENSITY/LOW RISE APTS. | ER - ENVIRONMENTAL REVIEW |
| R9 - MEDIUM TO HIGH DENSITY APTS. | |
| R10 - HIGH DENSITY APARTMENTS | OB - OFFICE BUSINESS PARK |
| R11 - LODGING HOUSE | LI - LIGHT INDUSTRIAL |
| DA - DOWNTOWN AREA | GI - GENERAL INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | HI - HEAVY INDUSTRIAL |
| CSA - COMMUNITY SHOPPING AREA | EX - RESOURCE EXTRACTIVE |
| NSA - NEIGHBOURHOOD SHOPPING AREA | UR - URBAN RESERVE |
| BDC - BUSINESS DISTRICT COMMERCIAL | |
| AC - ARTERIAL COMMERCIAL | AG - AGRICULTURAL |
| HS - HIGHWAY SERVICE COMMERCIAL | AGC - AGRICULTURAL COMMERCIAL |
| RSC - RESTRICTED SERVICE COMMERCIAL | RRC - RURAL SETTLEMENT COMMERCIAL |
| CC - CONVENIENCE COMMERCIAL | TGS - TEMPORARY GARDEN SUITE |
| SS - AUTOMOBILE SERVICE STATION | RT - RAIL TRANSPORTATION |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | |
| OR - OFFICE/RESIDENTIAL | "h" - HOLDING SYMBOL |
| OC - OFFICE CONVERSION | "D" - DENSITY SYMBOL |
| RO - RESTRICTED OFFICE | "H" - HEIGHT SYMBOL |
| OF - OFFICE | "B" - BONUS SYMBOL |
| | "T" - TEMPORARY USE SYMBOL |

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

**ZONING
BY-LAW NO. Z-1
SCHEDULE A**



FILE NO:
OZ-9127 BD

MAP PREPARED:
2020/02/07 RC

1:1,250
0 5 10 20 30 40
Meters

THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

Dear Members of the Planning and Environment Committee,

Please accept my comments re: the revised application OZ-9127 - Ann Street and St George Street Block - York Development Proposal

At the last Planning and Environment Committee meeting, Council arbitrarily decided that the approval of this development is dependent on a minimum of thirteen (13) affordable residential rental units, including one (1) studio unit, one (1) one-bedroom unit, five (5) two-bedroom units, and six (6) three bedroom units (reflective of the unit mix proposed in the building).

This is a whimsical approach to housing affordability and will not replace the affordability of the current existing units on site.

Council will be evicting individuals that currently have housing they can afford. Many working individuals and families cannot afford new housing because they cannot afford first and last month's rent. They may have to live in shelters, sometimes with their families separated until they have accumulated enough wealth to secure housing. This approach evicts people from their homes, without properly considering what those people's fate will be.

For onlookers, Council seems to be acting in self interest without really understanding if these actions are hurting people or making the problem worse.

It will be no surprise to anyone that forcing an unrealistic deadline of June 20th to resolve serious flaws in this development was never intended to achieve a different outcome. Council was simply sending a message that the 13 affordable units was enough to win Council support. This is the same approach used to approve the development at 560-562 Wellington Street, which also broke good planning principles, had little public support and resulted in an Appeal. In that case, Councillor Josh Morgan went on a local newscast and made a proclamation about needing affordable housing for approval.

Councillor Lewis then approached Auburn Development and the 'usual suspects' approved the development. **This approach is not respected because it trades off good planning for units that are not affordable to the poorest residents and most at risk of being homeless.**

Last year, The Ontario Human Rights Tribunal received a complaint against the City of London for failing to implement the Near Campus Neighbourhood Strategy (NCNS) - which aims to balance long and short term housing (i.e. student rentals) through planning and zoning. It also claims that the City of London ignores discriminatory housing practices.

The Ontario Human Rights Tribunal has accepted the complaint and it is moving through the process.

For example:

York Development had explicitly informed Council that this development would be exclusive student housing. The development was rejected, in part, by city planners because it did not comply with the intent of the NCNS. The affected community has also stated that temporary housing (i.e student rentals) is over represented in the neighbourhood and is seeking relief from the negative consequences of having rows of empty houses and streets for almost half a year, each year. The neighbourhood is losing diversity in housing and people, and this is not healthy or safe for any community.

Council should know that purpose-built housing by the private sector is illegal in Ontario unless it is supportive housing such as retirement homes or homes for individuals with physical challenges.

In the North Talbot Neighbourhood, landlords, before showing an apartment to a prospective tenant, ask first and foremost whether the person is a student. If the answer is no, they are turned away and not shown the apartment. Students, as a group, are not a protected code in Ontario. Even though the developer has informed Council that the housing will be exclusive and planning staff have raised this issue in their report, Council has refused to acknowledge it and therefore appear to be 'people zoning' with intent and design.

By not acknowledging your own policy, and by not resisting a housing practice that is potentially discriminatory, you appear complicit.

The complaint also raises the 'right of an individual to the peaceful enjoyment of their property' which is embedded in Ontario's Human Rights Code. Neighbourhoods dominated by temporary student rentals tend to be overwhelmed by student behaviour that is oblivious to the remaining community because they are present for only a short time. The NCNS is intended to balance diversity in housing and people to achieve a full spectrum of residents. It is not intended to be exclusionary but inclusive. The NCNS also states that development is to respect the quality and character of these neighbourhoods.

This development does not contribute to this approach in any way.

The spirit of the Ontario Heritage Act is to designate properties of historical significance for the purpose of protecting our history in its physical built form, and its location is part of that history. The legislation is for the purpose of preserving built heritage for future generations. **Designation is not to be used only until you decide to demolish it a few weeks later.**

This development could be completely different. It could intensify the site and preserve the historical buildings on site. It could be something really great, but instead we have an aggressive developer, not interested in community, and Councillors that want to 'save the world' through eviction notices and approving buildings but not by building communities.

Sincerely

AnnaMaria Valastro

North Talbot Resident

From: Sara Rans

Sent: Thursday, June 9, 2022 11:07 AM

To: PEC <pec@london.ca>; Wise, Sonia <swise@london.ca>; Fyfe-Millar, John <jfmillar@london.ca>

Subject: [EXTERNAL] Ann Street and St. George Block - York Development Proposal

These are my comments regarding the revised application OZ-9127 - Ann Street and St George Street Block - York Development Proposal

I do not support this proposal.

At the last Planning and Environment Committee meeting, Council arbitrarily decided that the approval of this development is dependent on a minimum of thirteen (13) affordable residential rental units, including one (1) studio unit, one (1) one-bedroom unit, five (5) two-bedroom units, and six (6) three-bedroom units (reflective of the unit mix proposed in the building).

This approach to housing affordability will not replace the affordability of the currently existing units on site. What are your plans there?

Council will be evicting individuals that currently have housing they can afford. Many working individuals and families cannot afford new housing because they cannot afford the first and last month's rent. They may have to live in shelters, sometimes with their families separated until they have accumulated enough wealth to secure housing. This approach evicts people from their homes, without properly considering what those people's fate will be.

For onlookers, Council seems to be acting in self-interest without really understanding if these actions are hurting people or making the problem worse.

It will be no surprise to anyone that forcing an unrealistic deadline of June 20th to resolve serious flaws in this development seems never to have intended to achieve a different outcome. Council was simply sending a message that the 13 affordable units were enough to win Council support.

This is the same approach used to approve the development at 560-562 Wellington Street, which also broke good planning principles, had little public support and resulted in an Appeal. I guess this will happen again, with legal costs that no doubt further delay the development of affordable housing in the core and beyond.

So this letter contains a complaint that should be considered and a question that needs answering. I expect more than a response of receipt.

Dear Members of the Planning and Environment Committee,

I do not support the demolition of the Kent Brewery or the homes of the Hamilton Family for the proposed York development. I think any development that occurs on this site needs to respect London's history by preserving these historical buildings as they are and find a creative architectural approach to respectfully incorporate them in any new development.

Many of us travel to places to explore the cultural histories of other cities/countries. I would appreciate the opportunity to explore our history right here in London.

Thank You

Jennifer Helen

732 Princess Ave.

From: Catherine Paula Gelinis

Sent: Thursday, June 9, 2022 9:00 AM

To: PEC <pec@london.ca>; Wise, Sonia <swise@london.ca>

Subject: [EXTERNAL] Revised application OZ-9127 - Ann Street and St George Street Block - York Development Proposal

To: Members of the Planning and Environment Committee,

This note is in regards to the revised application OZ-9127 - Ann Street and St George Street Block - York Development Proposal.

York Development is clear and concise that this development would be exclusive student housing. The development was rejected, in part, by city planners because it did not comply with the intent of the NCNS. The affected community has also stated that temporary housing (i.e student rentals) is over represented in the neighbourhood and is seeking relief from the negative consequences of having rows of empty houses and streets for almost half a year, each year. The neighbourhood is losing diversity in housing and people, and this is not healthy or safe for any community.

The purpose-built housing by the private sector is considered illegal in Ontario unless it is supportive housing such as retirement homes or homes for individuals with physical challenges.

In the North Talbot Neighbourhood, landlords, before showing an apartment to a prospective tenant, ask first and foremost whether the person is a student. If the answer is no, they are turned away and are not shown the apartment. Students, as a group, are not a protected code in Ontario. Even though the developer has informed Council that the housing will be exclusive and planning staff have raised this issue in their report, Council has refused to acknowledge it and therefore appear to be 'people zoning' by intent and design.

The complaint also raises the 'right of an individual to the peaceful enjoyment of their property' which is embedded in Ontario's Human Rights Code. Neighbourhoods dominated by temporary student rentals tend to be overwhelmed by student behaviour that is oblivious to the remaining community because they are present for only a short time. The NCNS is intended to balance diversity in housing and people to achieve a full spectrum of residents. It is not intended to be exclusionary but inclusive. The NCNS also states that development is to respect the quality and character of these neighbourhoods.

--

Catherine Gelinis

B.A. (Hons), [M.H.R.Sc.](#)

From: louisew@execulink.com

Sent: Thursday, June 9, 2022 8:29 AM

To: PEC <pec@london.ca>; Wise, Sonia <swise@london.ca>

Subject: [EXTERNAL] OZ-9127 - 84-86 St. George Street and 175-197 Ann Street

Dear Members of the Planning and Environment Committee,

I do not support the demolition of the Kent Brewery or the homes of the Hamilton Family for the proposed York development. I think any development that occurs on this site needs to respect London's history by preserving these historical buildings as they are and find a creative architectural approach to respectfully incorporate them in any new development.

Many of us travel to explore the cultural histories of other cities/countries. I would appreciate the opportunity to explore our history right here in London.

Sincerely

Louise White

133 Central Ave

From: Sheila Regier

Sent: Friday, June 10, 2022 12:05 AM

To: PEC <pec@london.ca>

Subject: [EXTERNAL] Respect London's heritage

Dear Members of the Planning and Environment Committee,

I do not support the demolition of the Kent Brewery or the homes of the Hamilton Family for the proposed York development. I think any development that occurs on this site needs to respect London's history by preserving these historical buildings as they are and find a creative architectural approach to respectfully incorporate them in any new development.

Many of us travel to explore the cultural histories of other cities/countries. I would appreciate the opportunity to explore our history right here in London.

Sincerely

Sheila Regier

June 8, 2022

Planning and Development, City of London
300 Dufferin Avenue, 6th Floor
London, ON PO Box 5035 N6A 4L9
File OZ-9127

Attention: Sonia Wise

**Re: 84-86 St. George Street and 175-197 Ann Street
St. George and Ann Block Limited
York Development Proposal**

Dear Ms. Wise:

Please accept my comments re: the revised application OZ-9127.

First, I am concerned at the rush to approve this application.

I received this notice on June 6, 2022 with a meeting June 20, 2022 leaving little time to prepare any response.

This is the third notice I have received:

March 9, 2020: 28-storey apartment building, 274 units, underground parking, with attached 26-storey and 12-storey buildings, etc.

April 5, 2022: 22-storey building with 214 units and 180 parking spaces with attached 19 and 12 storey buildings, etc.

June 6, 2022: 23-storey building with 216 units and 180 parking spaces with an attached 19 storey building, etc.

I have a number of concerns as follows:

- 1) There is a current complaint (accepted by the Ontario Human Rights Tribunal) in process against the City of London for failing to implement the Near Campus Neighbourhood Strategy which seeks to balance long and short-term housing, particularly student rentals through planning and zoning.

I understand that York Development has informed Council that this development would be exclusive student housing.

Student leases are 12-month leases but are only occupied 6-8 months of the year with non-student rentals discouraged.

This area is already overwhelmed with students with the attendant noise, aggressive confrontations and carousing that lessens the enjoyment of long-term residents.

This development would over-intensify the area leading to wind tunnels, traffic and parking concerns and ultimately urban decay.

- 2) I understand that there are also building safety concerns with CP railway demanding that a “crash wall” be built because the site is too close to the rail line.

In addition, the Ministry of the Environment and Climate Change will not issue “water taking” permits for this development if it interferes with the geothermal heating and cooling system of neighbouring buildings (including my building).

The site also sits on a high-water table and may not be stable, which I understand is why an underpass could no be built on Richmond Street to accommodate a rapid transit line.

- 3) I am also concerned that Mayor Holder and Councillor John Fyfe-Millar have received campaign dollars from donors with interests in seeing this development go forward; if correct, they both should recuse themselves from voting thereto.

For all the above reasons, please accept the staff recommendations for refusal of this application on all points.

Sincerely,

Ted Mitchell

North Talbot Resident

Architectural Conservancy Ontario – London Region Branch
Grosvenor Lodge
1017 Western Road
London, ON N6G 1G5

June 16, 2022

Members of Planning & Environment Committee:
Anna Hopkins (Chair) – ahopkins@london.ca
Steven Hillier – shillier@london.ca
Steve Lehman – slehman@london.ca
Shawn Lewis – slewis@london.ca
Stephen Turner – sturner@london.ca

Mayor Ed Holder – mayor@london.ca

Re: Designation of 183 Ann Street & 197 Ann Street under Part IV of the Ontario Heritage Act

Dear Councillors and Mayor Holder,

On behalf of the London Region branch of Architectural Conservancy Ontario (ACO London), I am writing to express full support for the recommendation by City staff to designate **183 Ann Street and 197 Ann Street** under Part IV of the Ontario Heritage Act.

197 ANN STREET was built in 1859 and became known as the Kent Brewery in 1861, the year that the business was purchased by John Hamilton and a partner. John eventually became the sole owner. After his death in 1887, his son Joseph took over the business and the brewery continued to operate until it closed in 1917 due to Prohibition. The main brewery building has been referred to as the “largest surviving brewery artifact from Victorian London-Middlesex” (*On Tap: The Odyssey of Beer and Brewing in Victorian London-Middlesex*, by Glen Phillips). The brewery building has been adaptively re-used for 105 years and counting. It has housed a cigar factory, a cheese factory, a bicycle shop, and – at present – an automotive repair shop.

The property at **183 ANN STREET** was home to the Hamilton family from 1862 to 1911, according to city directories. The original frame structure where John Hamilton lived and died was completely rebuilt in local yellow brick by his son, Joseph, in 1893. Joseph lived in the current house from then until 1911.

These two buildings together, along with **179 Ann Street** (built before 1881 and home to Joseph Hamilton from 1887 to 1890), are a rare example of a brewery site with the brewery itself (197), a house built by the brewer (183), and a house in which the brewer lived (179) all still standing and in good condition.

In addition to their individual and collective importance in recalling and highlighting London's industrial past, these two properties sit within the expected study area for the North Talbot Heritage Conservation District. The Kent Brewery complex is an important component of this heritage neighbourhood. 183 and 197 Ann Street must be conserved and thoughtfully integrated *in situ* into any future development on the site.

Thank you for considering our comments.

Sincerely,

Dr. Wes Kinghorn
President, Architectural Conservancy Ontario – London Region

Copies: Cathy Saunders, City Clerk - csaunder@london.ca
Heather Lysynski, PEC Committee Secretary - pec@london.ca

From: Mark Tovey

Sent: Friday, June 17, 2022 9:14 AM

To: PEC <pec@london.ca>

Subject: [EXTERNAL] Letter for PEC Agenda: 197 Ann Street and 183 Ann Street - the Kent Brewery and Brewer's House

Dear Chair and Members of the Planning and Environment Committee,

As the second-oldest extant brewery building in Canada, this structure merits unusual care and consideration. Other buildings with less historical tradition and significance have been preserved, and rightfully so. The same should be done with the Kent Brewery building and the Brewer's House at 197 Ann Street and 183 Ann Street.

The building itself tells us far more than a commemoration.

I give my consent for this letter to appear on the public agenda.

Mark Tovey



**303 Richmond St., Suite 201
London, ON N6B 2H8**

June 17, 2022

By email:

Chair Anna Hopkins; Members of City of London Planning and Environment Committee
City of London
300 Dufferin Avenue
PO Box 5035
London, ON N6A 4L9

Dear Chair Hopkins and Committee Members:

**Re: Official Plan Amendment/Zoning By-law Amendment Applications (OZ-9127)
84-86 St. George Street and 175-197 Ann Street
St. George and Ann Block Limited (c/o York Developments)
City of London File: OZ-9127**

We have reviewed the Planning and Economic Development report ('Planning Staff report') relating to our planning applications for 84-86 St. George Street and 175-197 Ann Street and prepared for the Committee's June 20, 2022 meeting. In this report, City staff address a number of outstanding matters associated with our proposed mixed-use, high-rise development, as identified as part of City Council's referral of our applications back to Civic Administration. As noted in the report, our project team met with City staff to review these matters, which included consideration of recent refinements to our project design.

While it is acknowledged in the Planning Staff report that progress has been made in resolving many of the outstanding issues, City staff recommend that the planning applications be refused. **We respectfully disagree with this recommendation and in response, for the Committee's consideration, we offer the following comments relating to the outstanding matters identified in the Planning Staff report.**

Review of Outstanding Issues

1. Built Form, Buffering and Intensity

Zedd Architecture has designed the proposed high-rise tower envisioning an iconic building for Central London that provides a high architectural standard and is compatible with the surrounding community. The tower arrangement incorporates a series of five volumes, or rectangles, that vary in height and size. These tower elements and are intended to respond to the local development setting and to reduce the massing impact of the tower elements relative to other towers in the vicinity of our site. **It is important to note that this tower design is not intended to be a typical apartment building similar to others in the local community.** Rather, its crafted form and volume, materials and fenestration and complex program are to bring a new level of sophistication and superior building design to Central London.

Design Refinements

As outlined in the Planning Staff report, Zedd Architecture has refined its unique tower design to reduce the height of the nine (9) storey component addressing the St. George Street and Ann Street frontages to a six (6) storey podium. Along St. George Street the six storey block acts as a podium and extends from the south property line to the north property line. In addition, this form is setback from St. George Street over 6.5 m and aligns with the 45 degree view angle required at the corner of St. George and Ann Streets. Please refer to the attached design sheets.

A secondary, or lower, two storey volume cantilevers from the six storey podium (1.9 m setback from the property line) to assist in the stepping affect from the street, to align with the adjacent height of the parking podium and townhouses to the south of the development and to provide a human scale environment along St George Street. This volume does not extend across the entire façade, as it must respect the view angle requirement at the corner. The volume is also designed to allow for the building's sculptural corner element and heritage entrance to the proposed brewery to be viewed. This corner element strengthens the pedestrian environment, while allowing for an open, outdoor seating area in front of the building.

Along Ann Street, both the six storey podium at the corner and the single storey cantilevered volume that houses the game rooms cantilever over the pedestrian walkway (providing weather protection leading to the main building entrance). This again provides a human scale to the Ann Street facade. In addition, there is a high level of glazing and activity at both streetscapes for a more dynamic pedestrian experience. In particular, the heritage entrance and brewery pub adjacent to the gym and fitness rooms are all visible from the pedestrian walkway (putting additional eyes on the street).

The remaining two volumes house the majority of the apartments. The 18 storey thin volume is setback 12 m from St. George Street and 7 m from Ann Street. The tallest 23 storey volume is situated towards the three existing apartment buildings to the eastern side of the site. Collectively, the five forms 'cover' 61% of the site, when areas above the landscaped parking deck and similar open areas are considered. In this respect, a green terrace above the first floor parking deck provides 808 m² of open space, which equates to approximately 22% of the site.

Commentary

We are satisfied that the revised design adequately addresses the adjacent streetscapes and that the building elements collectively support our project vision: to establish a unique, student-oriented development on this site providing residents with an exceptional level of amenities. **In our view, the refined design resolves any outstanding concerns regarding the built form and intensity of this project.**

We have also reviewed the alternative tower design proposal set out in the Planning Staff report and illustrated in Figure 6. In our opinion, the development envelope defined through the associated zoning regulations would result in a conventional block tower design that would not accommodate neither the amenity nor the residential program intended for this project or support a creative design response to our site. It is also our opinion that in terms of pedestrian experience and compatibility, the podium component of our development is far superior to the townhouse arrangement at 180 Mill Street referenced in the report.

In light of these considerations, we do not support the Alternative Zoning By-law Amendment proposed in the Planning Staff report.

2. Rail Safety (Crash Wall)

The City Planning report recommends that a new holding provision 'h-(_) ' be incorporated into the proposed zoning to address the crash wall design as part of the detailed design process. While we do not oppose this recommendation, the crash wall design will be further reviewed as part of both the City's Site Plan Approval process and City's Building Permit review process, and therefore the proposed holding provision may be redundant.

3. Heritage Designation

As we have previously advised the Committee, we intend to implement key recommendations of the MHBC Heritage Impact Assessment (HIA) by developing a Document Report, Salvage Plan and Interpretation Plan. These plans will establish a detailed process to guide the removal of the building complex associated with the former Kent Brewery and the removal of 175, 179 and 183 Ann Street and 84 and 86 St. George Street. In particular, the Interpretation Plan will explore the incorporation of tangible cultural heritage elements (i.e., salvaged material) and intangible elements (i.e., stories, practices, rituals such as the tradition of brewing and industrial, working-class lifestyle) into the proposed tower.

Following further evaluation and with consideration for comments received through the application review process, we are not proposing to relocate 183 and 197 Ann Street. Rather, heritage conservation efforts will focus on effectively implementing the mitigation measures set out in the HIA.

Additionally, the Committee should be aware that we have submitted a letter of objection to the City's Notice of Intention to Designate 183 and 197 Ann Street. As set out in our letter, dated June 16, 2022, **the proposed heritage designation can be considered as part of the approval and implementation of**

the ongoing planning approvals. In this regard, designating the buildings in advance of the consideration of the planning applications unnecessarily complicates the planning process. It is better to bring a designation by-law forward after the Official Plan Amendment and Zoning By-law Amendment applications have been approved. That way the designation by-law can be tailored to the general form of development that has been considered and approved by Council.

Given these considerations, we are not supportive of the Planning Staff report that holding provision (h-41) be applied to the proposed zoning. We are satisfied that the proposed mitigation measures can be adequately reviewed and implemented by way of the City's Site Plan Approval process and set out in the associated Development Agreement. Our proposed Zoning By-law includes a holding provision (h) which requires that we execute a Development Agreement with the City to advance this project.

4. Traffic Mitigation

As noted in the Planning Staff report, the City's Transportation staff have confirmed that this project would not generate any traffic issues (this matter is resolved).

5. Impacts to Groundwater

EXP has confirmed the pump testing and data analysis that should be carried prior to construction to help design the construction dewatering system for the project and to support the associated Permit to Take Water application (submitted to the Ministry of the Environment, Conservation and Parks). The Planning Staff report recommends that a holding provision (h-183) be added to a proposed Zoning By-law Amendment requiring City staff review of this hydrological study. While we question the need to have City staff review this hydrogeological assessment as Ministry approval is required, we have no objection to this proposed holding provision.

6. Convenience Commercial Uses

As we have previously advised the Committee, a key element of our project vision is the **craft brewery** planned for the corner of St. George Street and Ann Street within the tower podium. This small-scale brewery is proposed to be operated by 4EST Brewery, a London-based company, and would include a tasting room open to the community. In addition to supporting a local industry, **operating a craft brewery at this location would provide a historic connection to the Kent Brewery**, which operated at 197 Ann Street during the late-19th and early-20th century.

Also, as we have previously advised the Committee:

- Several commemorative interpretative panels and installations would be placed within the brewery layout to commemorate and respect the historical value of the properties located on the project site.
- Bricks salvaged from existing buildings on-site would be used to create partition walls within the new brewery as well as architectural elements associated with the Kent Brewery, including its Florentine arches.

Given the overall value of the proposed brewery to this development, we are seeking limited permissions for a commercial use within the tower podium as part of our proposed amendments.

7. Bonus Zone

We are satisfied with the Bonus Zone requirements set out in the Committee's April 25, 2022 resolution. The language of that Bonus Zone is included in our proposed Zoning By-law Amendment, which also sets out the development regulations needed to implement the current project design.

Alternative Recommendation

In light of these considerations, **we request that the Planning and Environment Committee support our applications and endorse a recommendation for approval to City Council.** As such, we have enclosed a draft recommendation of approval for the applications to amend the City's Official Plan (The London Plan) and its Zoning By-law, noting that draft amendments supporting are project design are included in the Planning Staff report. We also note that additional holding provisions may need to be included in the draft Zoning By-law Amendment to address rail safety and hydrogeological issues.

Please note that I will address key matters noted in this submission as part of my presentation to the Committee at the June 20th public meeting.

Our team is available to assist in any way to address any questions you may have regarding the matters discussed. I may be contacted at 519-640-8968.

Respectfully submitted,



Ali Soufan
President, York Developments

Cc: S. Wise, H. Lysinksi; City of London
Mayor E. Holder, Council Members; City of London

Enclosure:

1. Draft Council Recommendation.
2. Additional project renderings (Zedd Architecture)

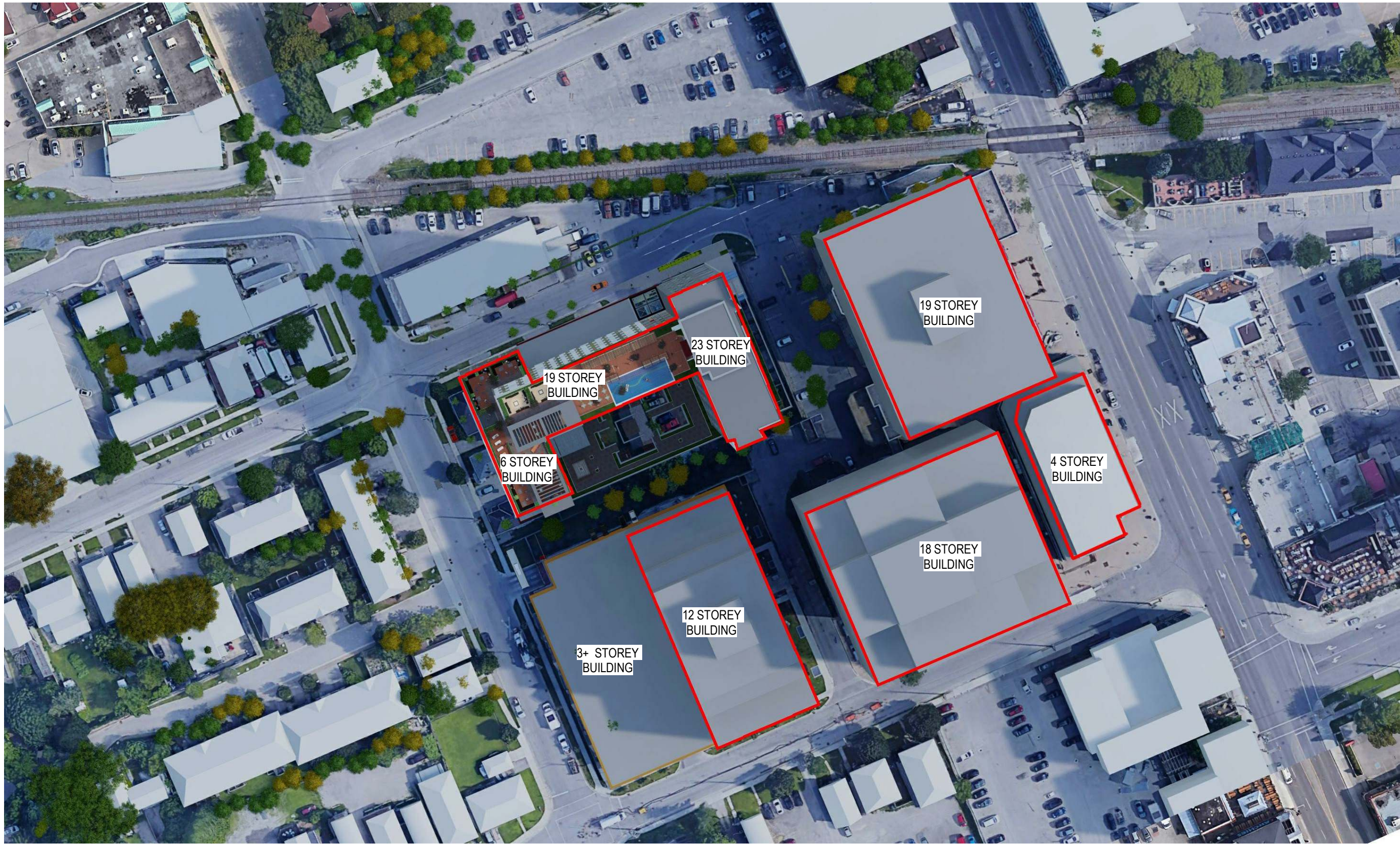
Recommendation

That the following actions be taken with respect to the application of St. George and Ann Block Limited, relating to the property located at 84-86 St. George Street and 175-197 Ann Street:

- (a) The proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on May 3, 2022 to amend The London Plan by **REPLACING** Policy 1038C to permit an intensive, mixed-use development having a maximum building height of 23 storeys, exclusive of the mechanical penthouse, and a maximum floor area of 500 m² for retail, service and office uses with the podium base, and by **ADDING** the subject lands to Map 7 – Specific Area Policies - of The London Plan;
- (b) The proposed by-law attached hereto as Appendix "C" **BE INTRODUCED** at the Municipal Council meeting on May 3, 2022 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, to change the zoning of the subject property **FROM** a Residential R9 (R9-3* H12) Zone **TO** a holding Residential R10/Convenience Commercial Special Provision/Bonus (h*R10-5/CC4()*B-()) Zone;

The Bonus Zone shall be implemented through one or more agreements to facilitate development of a high quality, mixed-use apartment building with a maximum density of 603 units per hectare and a maximum height of 84 metres, which substantively implements the Site Plan and Elevations attached as Schedule "1" to the amending by-law and in return for the facilities, services and matters set out in the amending by-law.

- (c) Development Services Staff **BE DIRECTED** to make the necessary revisions to the Official Plan Amendment and Zoning By-law Amendment documents in advance of the Municipal Council meeting on July 5, 2022, in consultation with the Applicant.



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Scale :

18-032

High-Rise Residence

Ann Street - London, ON

Overall Site View

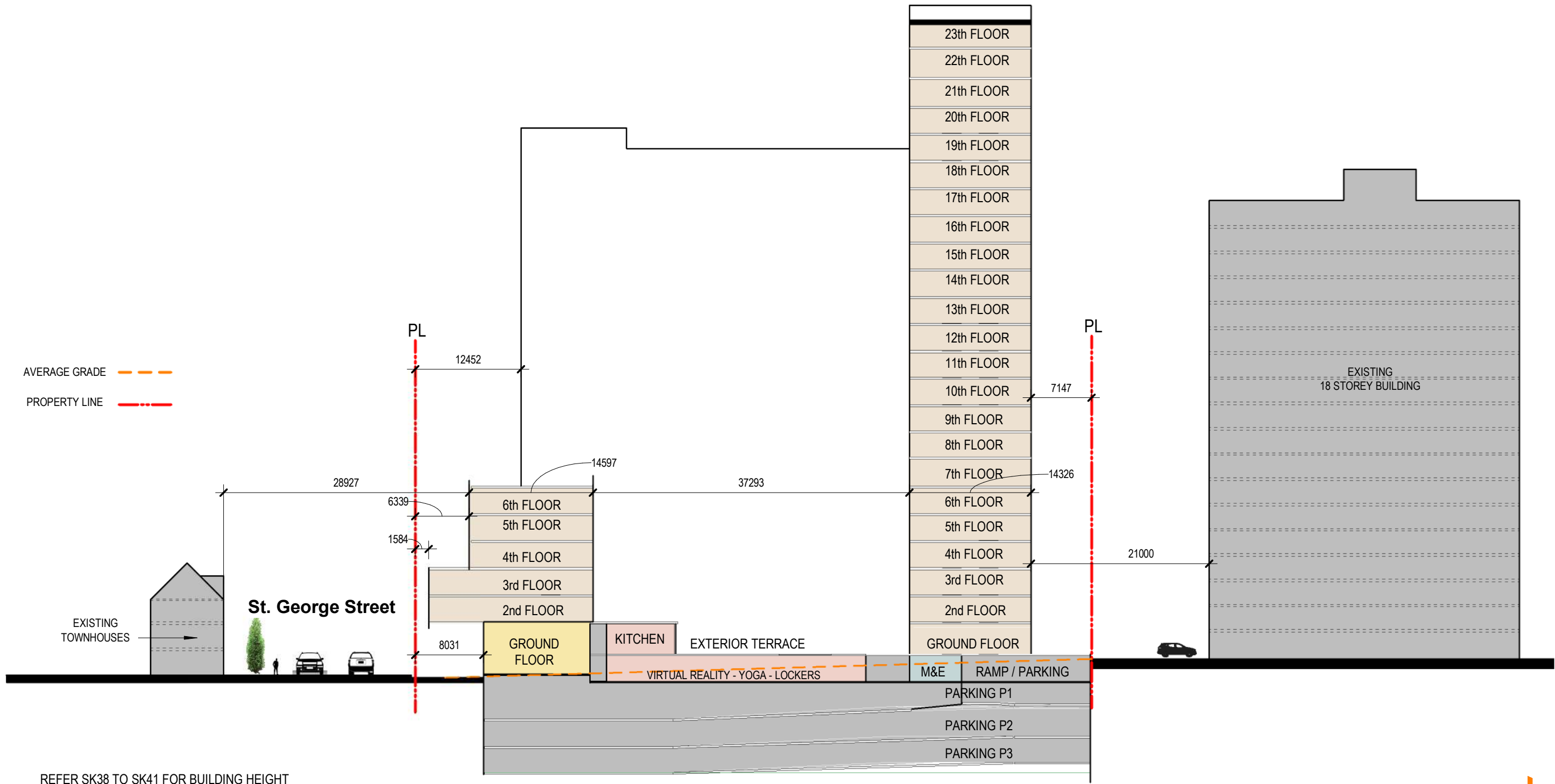
03/21/19

X008

zedd
ARCHITECTURE

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REFER SK38 TO SK41 FOR BUILDING HEIGHT

Scale : 1" = 40'-0"

18-032 High-Rise Residence

Ann Street - London, ON

East - West Spatial Separation

10/27/20

X006

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Scale :

18-032

High-Rise Residence

Ann Street - London, ON

N & W Rendered Elevations

10/27/20

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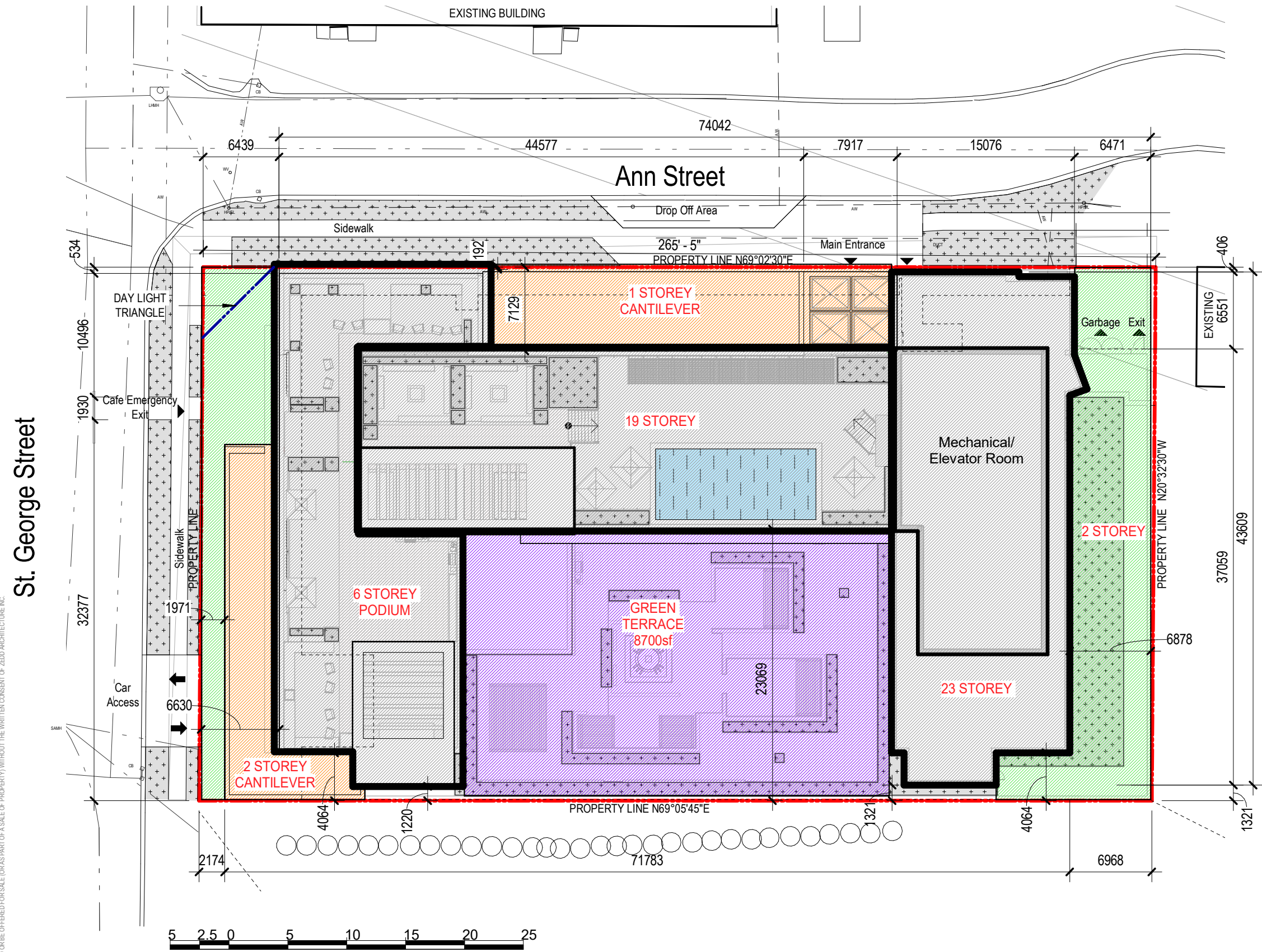
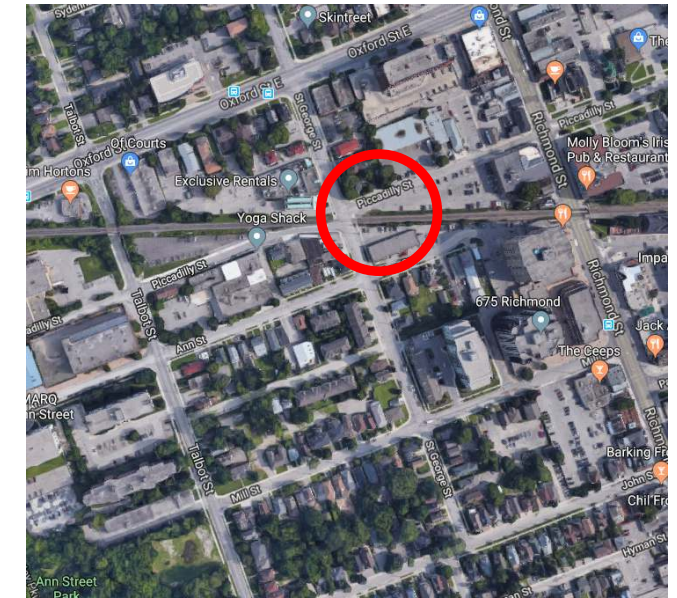


WEST ELEVATION



NORTH ELEVATION

Key Map



SITE STATISTICS		
Address: 175 ANN STREET - Proposed Zoning: R10(R10-5)		
ZONING	REQ'D	PROPOSED
USE:	Apartment Building	Apartment Building / Restaurant Use
SITE (LOT) AREA:(min.)	1000m ²	3,667.57m ²
LOT FRONTAGE (min.)	30 m	45.26 m
REAR YARD (min.)	37.2m	0 m
FRONT YARD (min.)	15 m	0 m
INTERIOR YARD (min.)	37.2m	0 m
EXTERIOR YARD (min.)	15 m	0 m
LANDSCAPE, OPEN SPACE (min.)	30%	0% - 2,315m ² (Roof Terraces@ 2nd, 10th & 20th), & Pool)
LOT COVERAGE (max.)	50%	94.6%
HEIGHT (m)	n/a	**73.21m from average grade
OFF-STREET PARKING	214*	189 & 15 Tandem
DENSITY (max.)	350 UNIT/ Ha	583 UNIT/ Ha
BICYCLE PARKING	0.75 PER UNIT = 206	206 (MIN)

*Parking Calculation - 1 / unit (214) Not Including Restaurant (Internal Use) = 214 Total
 **Tower 1 = 32.26m, Tower 2 = 64.26m, Tower 3 = 73.21m

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Scale : As indicated

18-032 High-Rise Residence

Ann Street - London, ON

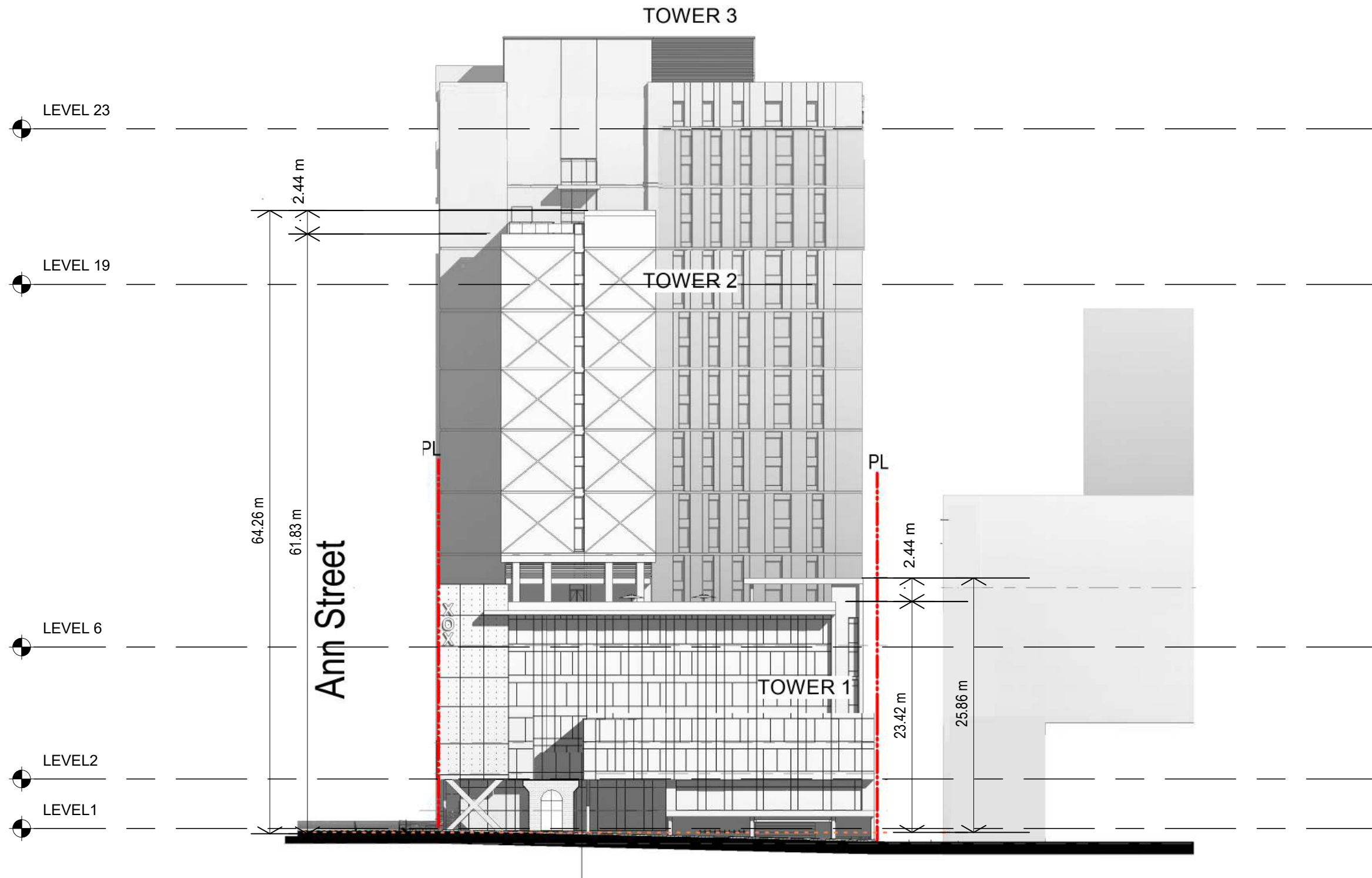
Site Plan

03/21/19

X009



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Scale : 1/4" = 1'-0"

18-032 High-Rise Residence

Ann Street - London, ON

West Elevation

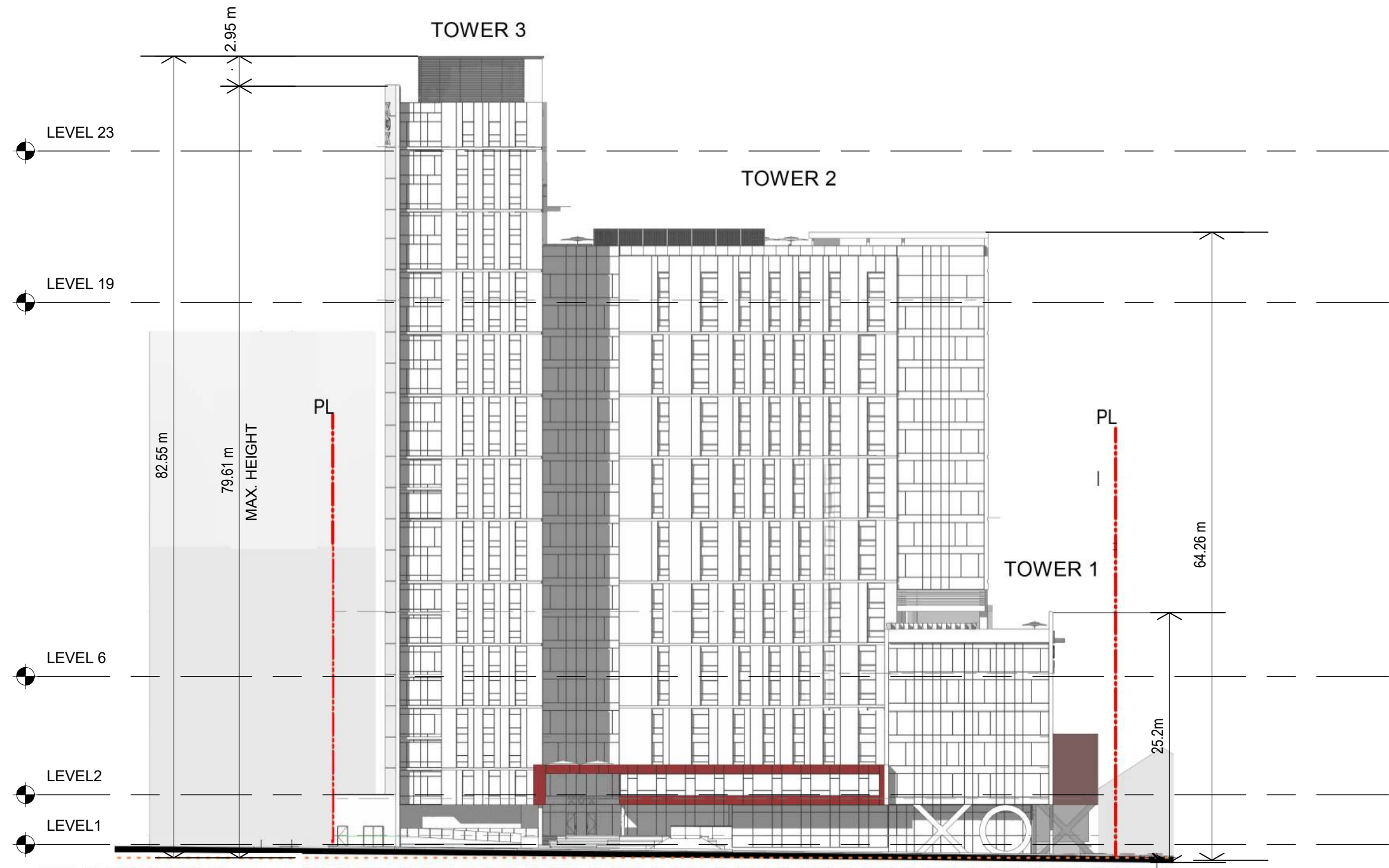
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Scale : 1/4" = 1'-0"

18-032

High-Rise Residence

Ann Street - London, ON

North Elevation

03/21/19

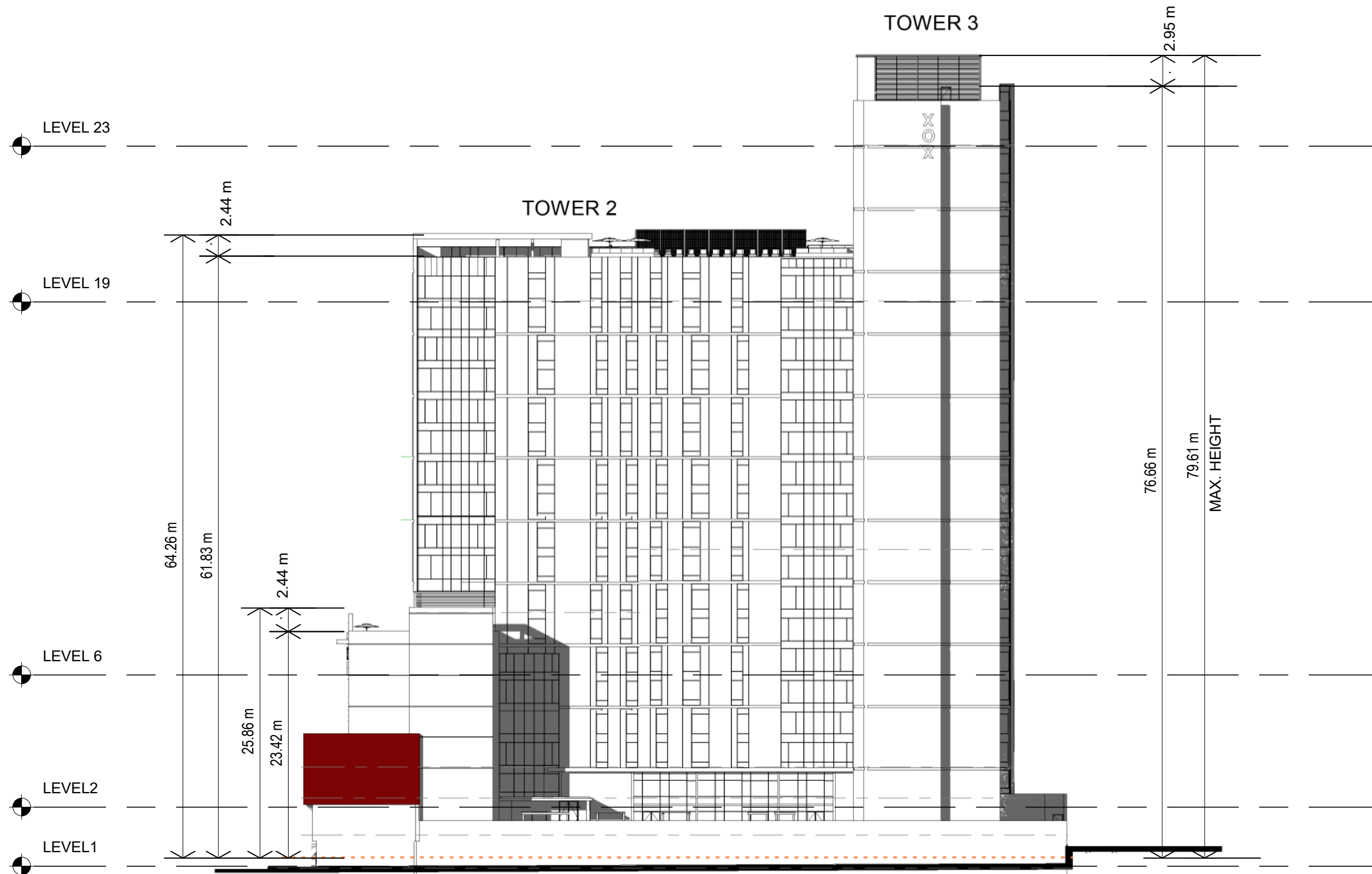
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Scale : 1/4" = 1'-0"

18-032 High-Rise Residence

Ann Street - London, ON

South Elevation

03/21/19

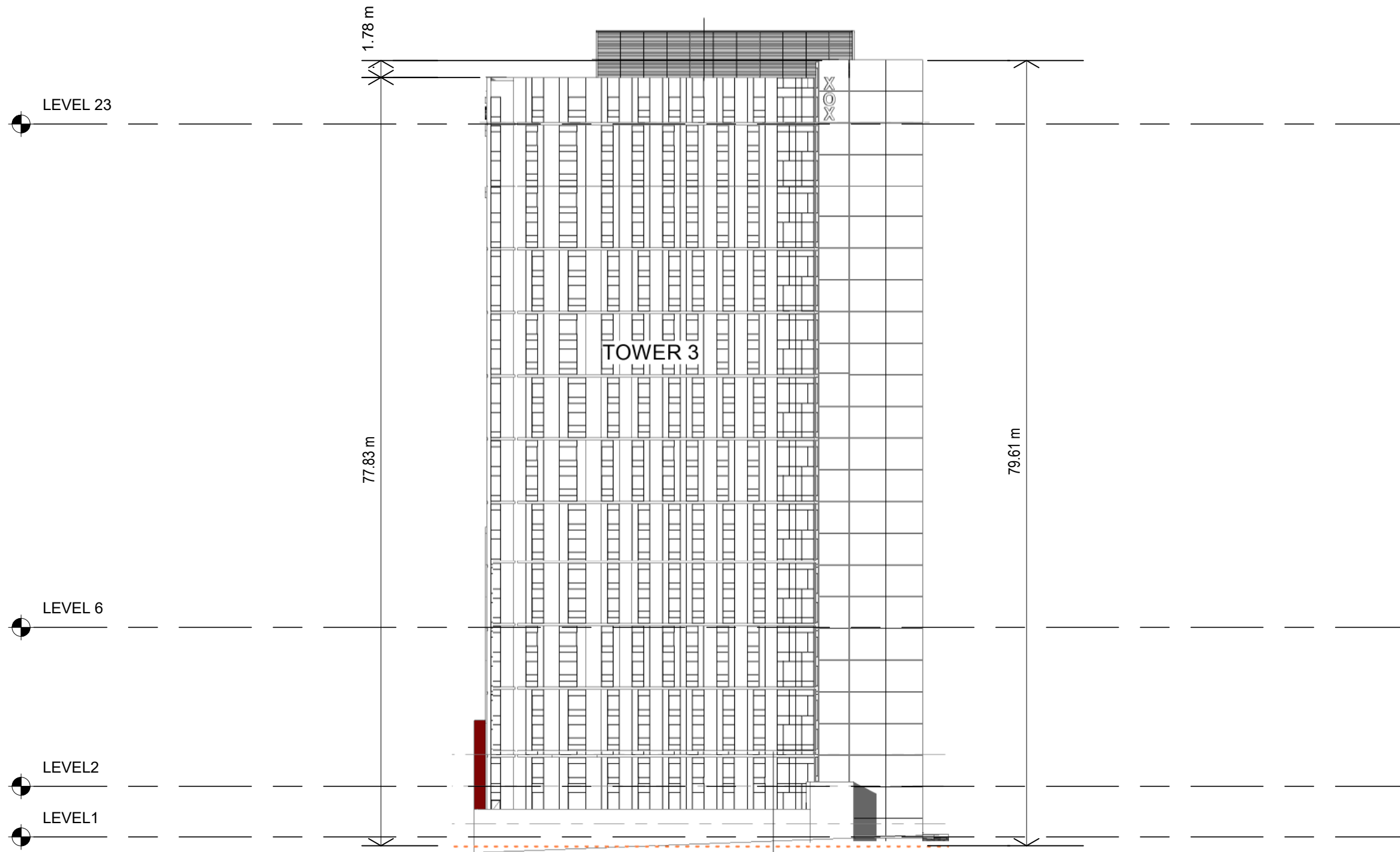
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Scale : 1/4" = 1'-0"



18-032 High-Rise Residence

Ann Street - London, ON

East Elevation

03/21/19

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Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee

From: Scott Mathers, MPA, P. Eng.,
Deputy City Manager, Planning and Economic Development

Subject: Application by 2399731 Ontario Ltd. c/o Westdell
Development Corporation
689 Oxford Street West (File: O-9206 and Z-9199)

Public Participation Meeting: June 20, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions **BE TAKEN** with respect to the application of 2399731 Ontario Ltd. c/o Westdell Development Corporation relating to the property located at 689 Oxford Street West:

- a) The request to amend Zoning No. Z.-1 to change the existing Highway Service Commercial/Restricted Service Commercial (HS1/HS3/RSC2/RSC4) Zone to a Residential R9 Special Provision Bonus/Highway Service Commercial Special Provision/Restricted Service Commercial Special Provision (R9-7*B-()/HS1()/HS3()/RSC2()/RSC4() Zone **BE REFUSED** for the following reasons:
 - i) The affordable housing contribution associated with the Bonus application is based upon a proposed combination of 1989 Official Plan and London Plan policies; however, the applicable Bonusing policy framework is the 1989 Official Plan bonusing policies.
 - ii) The requested special provisions for the Bonus Zone are proposed for individual buildings within the subject site, which does not meet the intent of London Plan and/or Zoning by-law Z.-1 regarding matters such as rear-lotting, yard definitions, and railway setback distance.

- b) The recommended by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on July 5, 2022 to amend Zoning By-law No. Z.-1, in conformity with The London Plan and the applicable policies of the 1989 Official Plan, to change the zoning of the subject property **FROM** a Highway Service Commercial/Restricted Service Commercial (HS1/HS3/RSC2/RSC4) Zone, **TO** a holding Residential R9 Special Provision Bonus/Highway Service Commercial Special Provision/Restricted Service Commercial Special Provision (h-_*R9-7*B-()/HS1()/HS3()/RSC2()/RSC4() Zone;

The Bonus Zone shall be implemented through one or more agreements to facilitate the development of three apartment buildings as follows: a 17-storey building of 146 units; an 18-storey building of 160 units; and a 21-storey building of 184 units. The development is an increased density of up to 396 units per hectare (490 units total). The development will substantively implement the Site Plan, Renderings and Elevations attached as Schedule "1" to the amending by-law and provides for the following facilities, services, and matters:

- 1) Provision of Affordable Housing
 - i) A total of 30 affordable housing units will be provided in the development, including a total of 10 affordable housing units in each of the three buildings (Buildings "A", "B", and "C").
 - ii) That the affordable unit mix (bachelor, 1-bedroom, 2-bedroom), is representative of the bedroom mix of the overall building within which the affordable units are contained.
 - iii) Rents not exceeding 80% of the Average Market Rent (AMR) for the London CMA, as determined by the CMHC, at the time of building

- occupancy for the respective building the affordable units are located within;
- iv) The duration of affordability set at 50 years from the point of initial occupancy of the respective building;
- v) The proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations;
- vi) These conditions to be secured through an agreement entered on title with associated compliance requirements and remedies.

2) Exceptional Design

The buildings designs shown in various illustrations contained in Schedule “1” of the amending by-law is being bonused for features which serve to support the City’s objectives of promoting a high standard of design.

- Enhanced building and site design features and setback podiums on Capulet Walk establishing a built street edge.
- Active uses potential along Capulet Walk street frontage for Building “B” and Building “C”.
- Architectural design features on the towers that will enhance the skyline and break up building mass.
- Inclusion of building step backs and varying building heights and articulated facades, including recesses, projections, and balconies, to provide depth and variation in built form and enhance pedestrian environment.
- Ground floor units along Capulet Walk to provide functional doors, walkways, connections to sidewalk on Capulet Walk.

- 3) Construction of underground parking under the second phase of development (Building “B” and Building “C”); and, a parking structure to function as an engineered crash wall for safety and impact mitigation associated with the adjacent rail line.

- c) **IT BEING NOTED** that the following Site Plan matters have been raised through the application review process for consideration by the Site Plan Approval Authority:
 - i) Use transparent glazing or active vision glazing on the ground floor of Building “B” and Building “C” on Capulet Walk and Oxford Street frontages to animate the street.
 - ii) Non-residential ground floor uses in Building “B” and Building “C” are to be oriented to the street and provide “front doors” to Capulet Walk.
 - iii) Incorporate an urban treatment between the built form fronting Capulet Walk and the City sidewalk.
 - iv) Recognize that the parking garage structure abutting the CN Rail property will be designed to a crash wall engineering standard, consistent with guidelines for development adjacent to rail lines and CN Rail requirements.
 - v) Noise attenuation clauses are to be addressed through future development agreements, with regards to mitigative building design standards and property adjacency (within 300m) to rail line operations.
 - vi) That revised sanitary area plan and design sheets from April 4, 2022 Servicing Memorandum are to be submitted to City Geomatics.
- d) That **NO ACTION BE TAKEN** regarding the application for 1989 Official Plan Amendment for consistency with in-force London Plan policies. It being noted that through Ontario Lands Tribunal (OLT) decision dated May 25, 2022, the final phase of city-wide London Plan policy appeals have been dispensed and therefore the 1989 Official Plan is repealed in accordance with Council decision dated June 23, 2016.

Executive Summary

Summary of Request

The requested amendment to Zoning By-law Z.-1 is to change the zoning of 689 Oxford Street West from a Highway Service Commercial/Restricted Service Commercial (HS1/HS3/RSC2/RSC4) Zone to a Residential R9 Special Provision Bonus/Highway Service Commercial/Restricted Service Commercial (R9-7*B(_)/HS1/HS3/RSC2/RSC4) Zone to permit a two-phased development of three buildings: a 17-storey building of 146 residential units; an 18-storey building of 160 residential units; and a 21-storey building of 184 residential units. The requested amendment also includes permission for commercial uses on ground floors of buildings “B” and “C”, the provision of a 3-level parking structure on the southwestern portion of the site adjacent to the CN Rail property, and the interim use of the existing commercial plaza on the eastern portion of the site.

The City’s new official plan (The London Plan) designates the subject site Transit Village Place Type. There is no requested amendment to The London Plan.

Purpose and Effect of the Recommended Action

The purpose and effect of the recommended Zoning By-law amendment is to permit a high-rise development of three buildings. The buildings are up to a maximum of 146 units, 160 units and 184 units for a total of 490 residential units on the subject site. Limited non-residential space may be provided on ground floors of buildings fronting Capulet Walk (Buildings “B” and “C” of the conceptual site plan).

Rationale of Recommended Action

- i. The recommended amendments are consistent with the Provincial Policy Statement (PPS), including policies for: promotion of efficient development and land use patterns; accommodation of an appropriate range and mix of residential types in settlement areas (affordable and market-based); regeneration of settlement areas; support for transit-supportive development; promotion of intensification, redevelopment, and compact form.
- ii. The recommended amendment to Zoning By-law Z.-1 conforms with policies of The London Plan, including but not limited to: Transit Village Place Type, Key Directions, City Structure Plan, and City Design Policies.
- iii. The recommended Amendments conform with the 1989 Official Plan, including policies for Bonus Zoning designation.
- iv. The recommended amendment facilitates infill and intensification on an underutilized urban size. Infill and intensification at appropriate locations supports the City’s commitment to reducing and mitigating climate change by supporting efficient use of existing urban lands and infrastructure and regeneration of existing neighbourhoods to limit outward growth.
- v. The recommended bonus zone facilitates public benefits including the development of affordable housing units that will help to address the growing need for affordable housing in London. The recommended amendment is in alignment with the Housing Stability Action Plan 2019-2024: Strategic Area of Focus 2 – Creating More Housing Stock, and the *Roadmap to 3,000 Affordable Housing Units*.

Climate Emergency

On April 23, 2019, Council declared a Climate Emergency. Through this declaration the City is committed to reducing and mitigating climate change by encouraging intensification and growth at appropriate locations. This includes intensification and efficient use of existing urban lands and infrastructure and the regeneration of existing neighbourhoods. It also includes aligning land use planning with transportation planning

to facilitate transit-supportive developments.

Linkage to the Corporate Strategic Plan

This application supports the 'Strengthening our Community' and 'Building a Sustainable City' areas of focus in the Corporate Strategic Plan by ensuring London's neighbourhoods have strong character, sense of place, and London's growth and development are well planned and sustainable over the long term.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

None.

1.2 Property Description

The subject site is on the northwest corner of Oxford Street West and Capulet Walk, located west of Wonderland Road North. The parcel is approximately 1.239 hectares (3.06 acres) in size, with a commercial plaza on the east portion fronting Capulet Walk and storage and vehicle parking to the rear (west). To the south and west of the parcel is an active Canadian National (CN) Rail line. To the north is a vacant parcel, followed by a residential uses further north. To the east across Capulet Walk are automobile service and commercial uses.

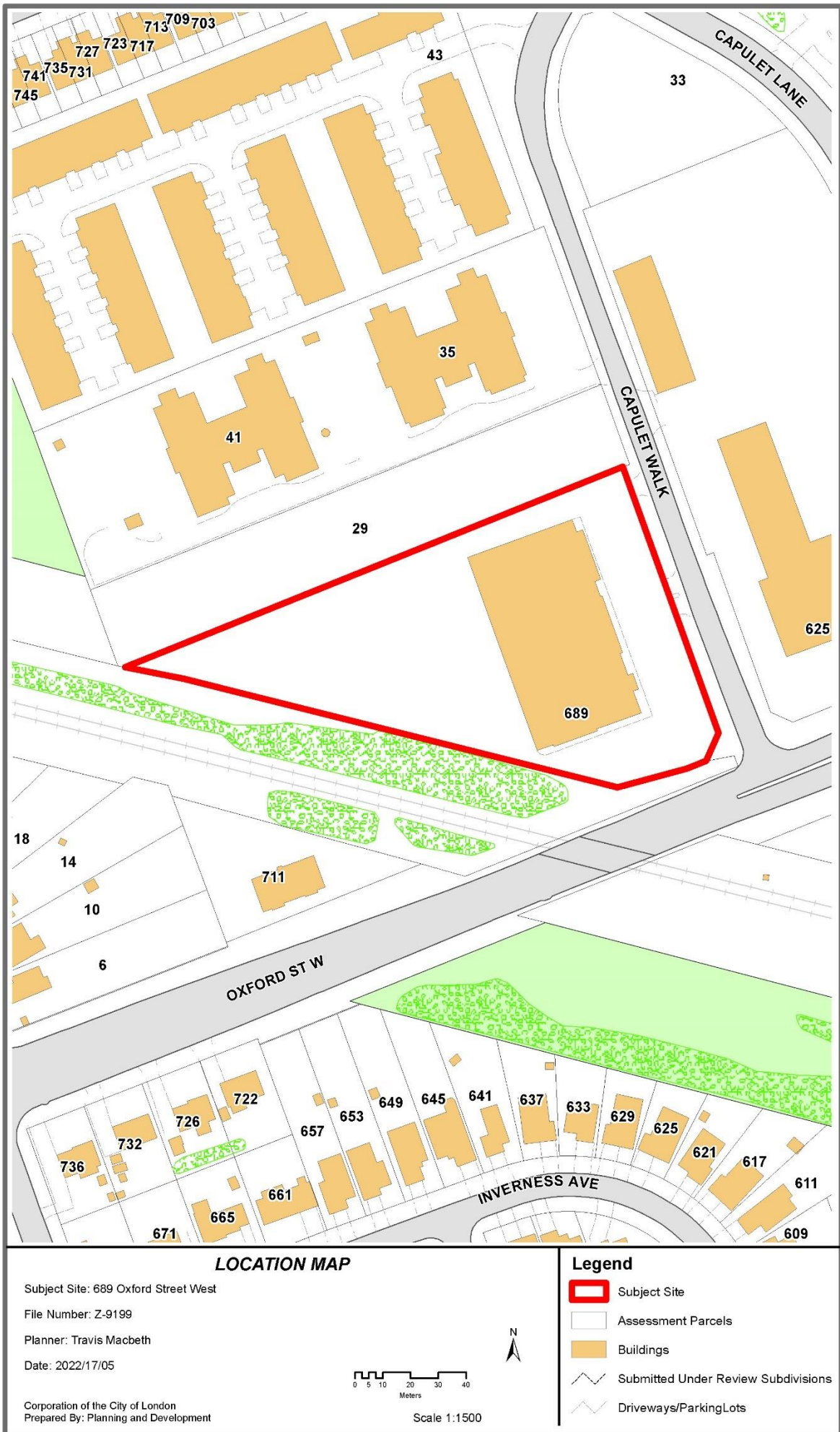
1.3 Current Planning Information (see more detail in Appendix E)

- The London Plan Place Type – Transit Village Place Type
- 1989 Official Plan Designation – Auto-Oriented Commercial Corridor
- Existing Zoning – Highway Service Commercial/Restricted Service Commercial (HS1/HS3/RSC2/RSC4) Zone

1.4 Site Characteristics

- Current Land Use – Commercial Plaza and Open Storage
- Frontage – 101.5 m (frontage is on Capulet Walk)
- Depth – 192.5 m
- Area – 1.239 ha (3.06 acres)
- Shape – Irregular

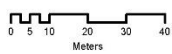
1.5 Location Map



LOCATION MAP

Subject Site: 689 Oxford Street West
 File Number: Z-9199
 Planner: Travis Macbeth
 Date: 2022/17/05

Corporation of the City of London
 Prepared By: Planning and Development



Scale 1:1500



Legend

- Subject Site
- Assessment Parcels
- Buildings
- Submitted Under Review Subdivisions
- Driveways/Parking Lots

1.6 Surrounding Land Uses

- North: surface parking lot to immediate north, with medium-density residential beyond to north (lands designated Multi-Family High Density Residential in 1989 Official Plan and Neighbourhoods in London Plan).
- East: automobile services and dealerships (designated Auto-Oriented Commercial Corridor in 1989 Official Plan and Transit Village in London Plan).
- South: CN Rail Line with automobile dealership across Oxford St (designated Auto-Oriented Commercial Corridor in 1989 Official Plan and Transit Village in London Plan)
- West: CN Rail Line with an office and residential neighbourhood further to west (designated Multi-Family Medium Density Residential in 1989 Official Plan and Neighbourhoods in London Plan)

1.7 Intensification

The proposed development represents intensification within the Primary Transit Area and within the Built Area Boundary.

The proposal is for development of 490 residential units (146 in Building “A”; 160 in Building “B” and 184 in Building “C”).

2.0 Description of Proposal

2.1 Development Proposal

This report is based upon a revised application. The initial proposal in February 2020 consisted of one building of 22 storeys and 166 units on the western portion of the site, with the proposed high-rise building located to the rear of the existing commercial plaza (see Figure 1 below). No redevelopment proposal was submitted for the commercial plaza building in the initial application.

The applicant submitted several revisions to designs and background materials, including a revised application in June 2021. That revised application was for a master plan for the entire site, with three buildings and revisions to building heights, densities, conceptual site plan and renderings. The June 2021 revisions resulted in a proposal of 480 units (388 units per hectare).

After further public and agency comments, another revised application was received in February 2022. It is for a similar development proposal to the June 2021 application. The final revised application of February 2022 is for 490 units (a density of 396 units per hectare), including revised site plan, building heights, and a narrower tower proposed for Building “B”. See Figure 2 below for February 2022 conceptual site plan.

The first phase proposed is a 17-storey residential building of 146 units, located on the west side of the subject site (labelled as “Serrano I” or “A” in the conceptual site plan. Hereafter referred to as “Building A”). The two buildings fronting Capulet Walk are proposed to be constructed as a second phase of development. The buildings of the second phase are 18 storeys with 160 units (Serrano II or “Building B”) and 21 storeys with 184 units (Serrano III or “Building C”). In total, 490 residential units are proposed. The existing commercial plaza is proposed to be retained in the interim until the second phase of development is constructed.

The buildings are proposed as towers of approximately 50 m in height for Building “A”, 52 m for Building “B”, and 60 m in height for Building “C”. Four-storey podiums are proposed along the Capulet Walk frontages of Buildings “B” and “C”. Buildings “B” and “C” may include commercial space on their ground floors.

A three-level parking structure is proposed adjacent to CN Rail property line on the southwestern lot line and two levels of underground parking are proposed under the second phase of development (Buildings “B” and “C”). A total of 489 parking spaces are proposed (approximately 1 space per unit).

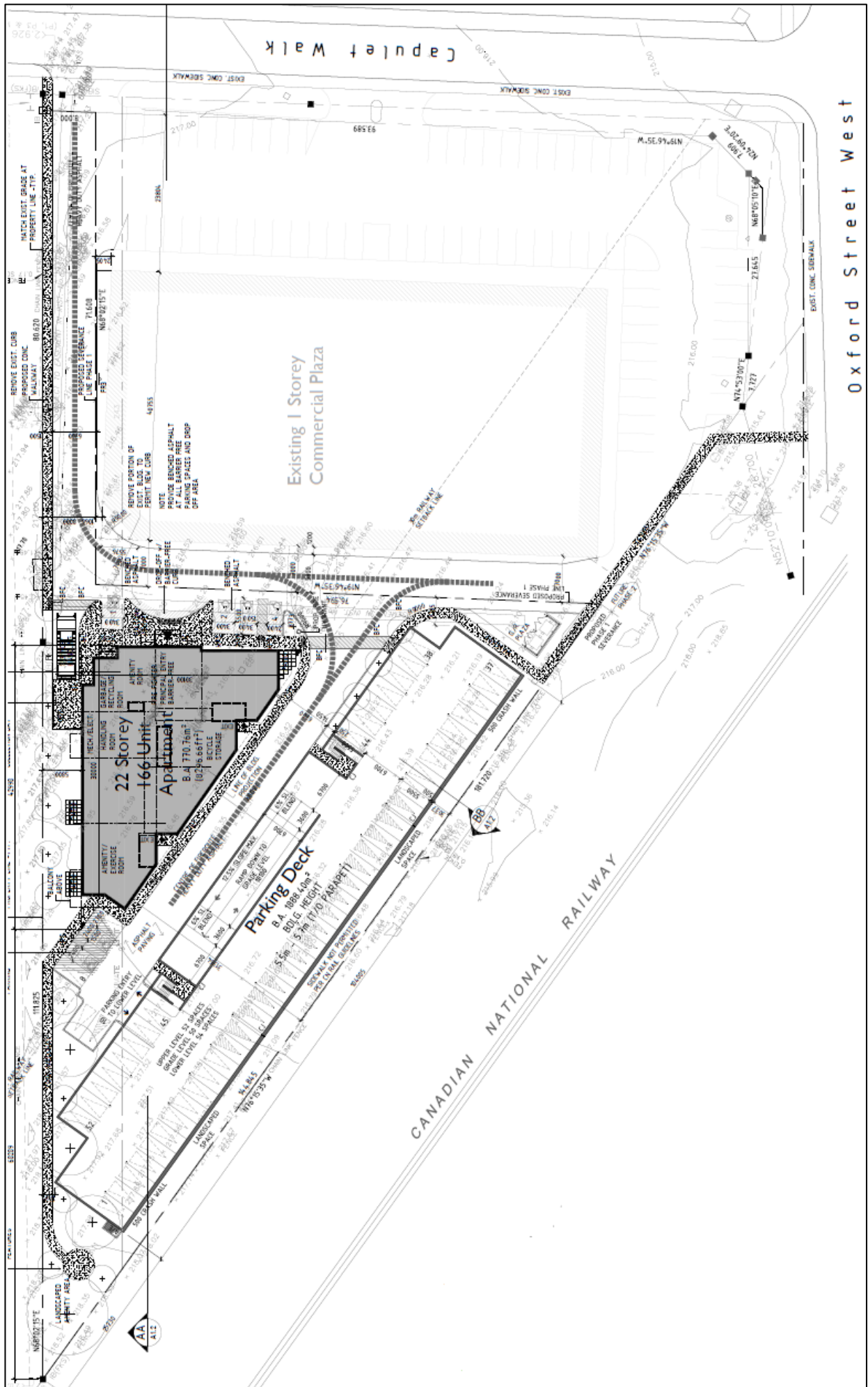


Figure 1: Initial Site Concept, February 2020

Shown below are the revised conceptual site plan and renderings (Figures 2 through 5).

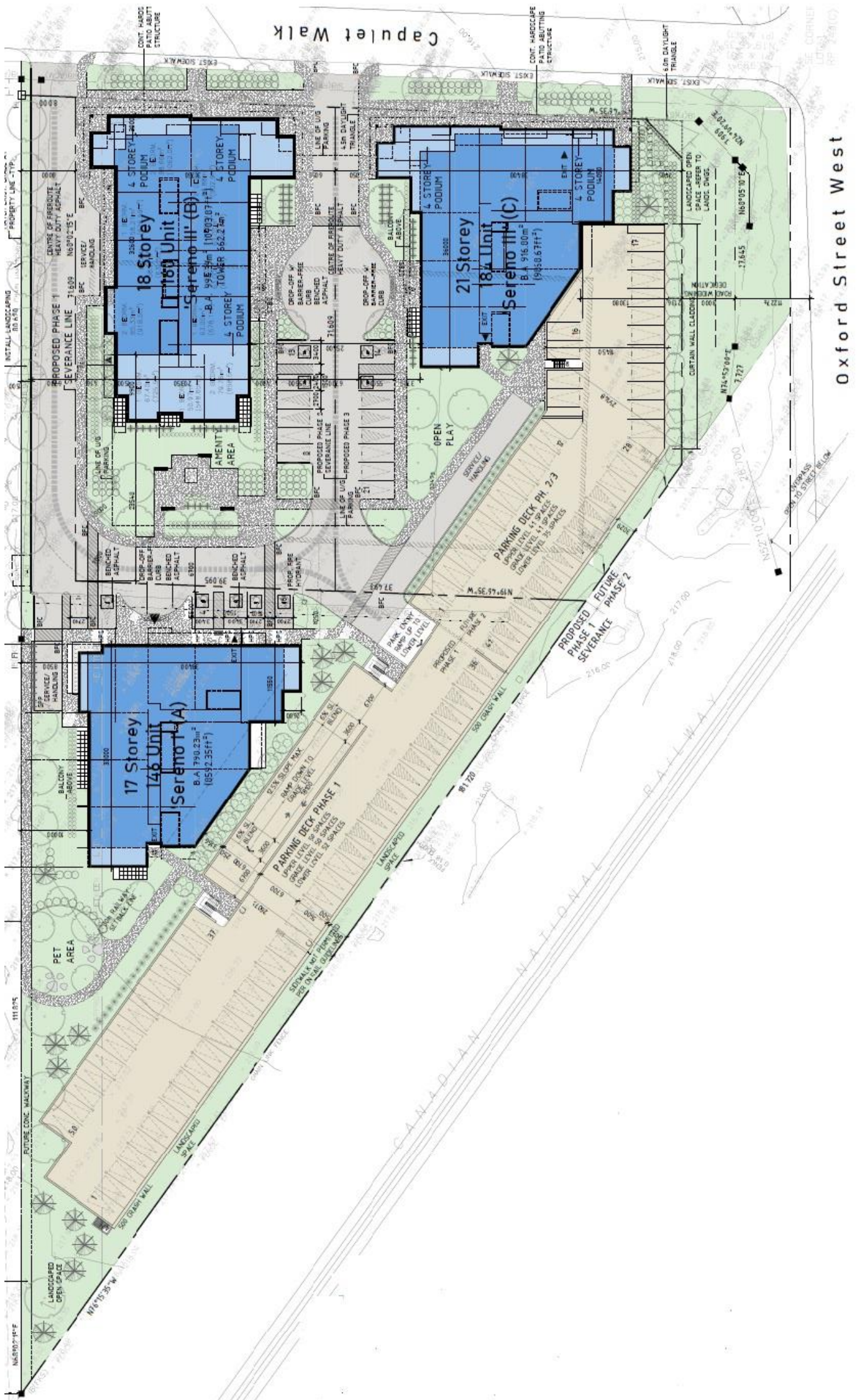


Figure 2: Conceptual Site Plan, February 2022



Figure 3: Bird's Eye view looking northeast (with CN Rail line in foreground and Building "A" on the left)



Figure 4: Rendering looking southwest (with Capulet Walk in foreground)



Figure 5: Rendering looking northwest from Oxford St. W. (Building “C” in foreground)

2.2 Requested Amendments

The London Plan designates the subject site ‘Transit Village’ Place Type. The planned use of Transit Village lands is for high-density, mixed-use urban neighbourhoods. No amendment to the London Plan is required.

The requested Zoning By-law Amendment is to change the zoning from Highway Service Commercial/Restricted Service Commercial (HS1/HS3/RSC2/RSC4) Zone to a Residential Special Provision Bonus/Highway Service Commercial/Restricted Service Commercial (R9-7*B(_)/HS1/HS3/RSC2/RSC4) Zone.

An application for amendment to the 1989 Official Plan was also made for the purposes of consistency with the in force policy framework of the London Plan. The amendment to the 1989 Official Plan is from Auto-Oriented Commercial Corridor (AOCC) designation to Multi-Family High Density Residential (MFHDR) designation.

Site-specific provisions associated with the bonus include matters such as: lot coverage, setbacks, landscaped open space, density, and parking..

The proposed increase in residential density is through a Bonus Zone, in exchange for the following identified facilities, services, and matters: site and building design, underground parking, stacked parking adjacent to the railway, and provision of affordable housing.

The Highway Service Commercial and Restricted Service Commercial special provision Zones are requested to permit the interim retention of the existing commercial plaza until the second phase of construction.

2.3 Community Engagement (also see Appendix C)

Responses from 12 households were received since Notice dated July 2021. Two respondents identified themselves as representatives on behalf of condominium complexes of multiple households.

The public's concerns generally related to:

- Scale and height;
- Density and number of units;
- That west leg of Rapid Transit was not funded so should not consider London Plan land use designation of Transit Village Place Type;
- Traffic volume and safety;
- Privacy concerns;
- Green space and trees;
- Groundwater and flooding;
- Affordable housing;
- Shadowing;
- Revisions to the proposal did not address previous concerns or comments raised during the initial application for one building.

The public concerns expressed are generally consistent with comments received during the initial application for one building in 2020.

2.4 Policy Context (also see Appendix D)

Provincial Policy Statement (PPS), 2020

In accordance with section 3 of the Planning Act, all planning decisions shall be consistent with the *Provincial Policy Statement*. The PPS provides policy direction on matters of provincial interest related to land use and development.

The PPS encourages healthy, livable, and safe communities. These communities must be sustained through a number of measures, including: accommodating an appropriate range and mix of affordable and market-based types of residential land uses (s. 1.1.1.b); promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs (s. 1.1.1.e); and addressing the natural environment and preparing for climate change (s. 1.1.1.h and 1.1.1.i).

The PPS encourages areas inside the urban growth boundary (i.e. "settlement areas") to be the main focus of growth and development, including opportunities for intensification and redevelopment. Appropriate land use patterns within urban growth boundaries are established by providing appropriate densities and mix of land uses that efficiently use land and resources along with the surrounding infrastructure, public services facilities and are also transit-supportive (s. 1.1.3.2).

Municipalities are required to identify and promote opportunities for intensification and redevelopment, taking into consideration existing building stock (s. 1.1.3.3), accommodating a significant supply and range of housing options, including various housing types, densities, and a variety of affordable and market-based housing arrangements (s. 1.1.3.3), promoting development standards which facilitate intensification, redevelopment and compact form (s. 1.1.3.4), and promote transit and active transportation (s. 1.6.7.4).

The PPS also requires that municipalities provide an appropriate range and mix of affordable and market-based housing options and densities to meet projected requirements of current and future residents (s. 1.4.1). The PPS first directs planning authorities to permit and facilitate growth through lands available for residential intensification and redevelopment within the existing built-up areas. Then the PPS also permits outward growth to greenfield areas designated for urban land uses (s. 1.4.1.a).

To prepare for the impacts of a changing climate, land use and development patterns with compact form, mixed uses, and a structure of "nodes and corridors" must also be promoted by municipalities (s. 1.8.1).

The London Plan, 2016

The London Plan is the new official plan for the city of London. It contains objectives and policies to direct land use, growth, and development in the municipality, consistent with the PPS.

The “Our Strategy” part of the London Plan establishes key directions that serve as the foundation for the policies and place types of the Plan (London Plan, s. 54). Under each key direction a number of planning strategies are identified. These directions and strategies include, but are not limited to, regeneration and intensification, affordable housing, and environmental protection. Strategies of the key directions include:

- Investing in, and promoting, affordable housing to revitalize neighbourhoods and ensure housing for all Londoners (policy 55_, Direction 1.13);
- Implement a city structure plan that focuses high-intensity, mixed-use development to strategic locations – along rapid transit corridors and within the Primary Transit Area (policy 59, Key Direction 5.1);
- Plan to achieve a compact, contiguous pattern of growth – looking “inward and upward” (policy 59, Key Direction 5.2);
- Plan for infill and intensification of various types and forms to take advantage of existing services and facilitate and to reduce our need to grow outward (policy 59_, Key Direction 5.4);
- Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place (policy 59_, Key Direction 5.5);
- Design complete neighbourhoods by meeting the needs of people of all ages, incomes and abilities, allowing for aging in place and accessibility to amenities, facilities and services (policy 61_ Key Direction 7.2);
- Integrate affordable forms of housing in all neighbourhoods and explore creative opportunities for rehabilitating our public housing resources (policy 61_, Key Direction 7.10).

The London Plan also includes a City Structure Plan that identifies the framework for growth and change over the planning horizon. Within this City Structure, the subject site is located within the urban area (within Urban Growth Boundary and Built Area) and within the Primary Transit Area (PTA). The PTA will be a focus of residential intensification and transit investment within London, and intensification will vary depending on the Place Type and will be a good fit within neighbourhoods (policy 90_). The London Plan also includes a city-wide intensification target and it is an objective of the London Plan that 75% of intensification will occur within the PTA.

The London Plan: Transit Village Place Type

The London Plan uses the term “Place Type” to identify the vision for the planned uses, intensities, and forms of development that will be permitted. Place type is used instead of the traditional planning term “land use designation”. Place Types include policies that regulate permitted uses, and the intensity and form of development (policy 748_). The intensity of a land use includes factors such as building height and density.

689 Oxford Street West is located within the ‘Transit Village’ Place Type. Transit Village lands are planned to be exceptionally designed, pedestrian-oriented, high-density, mixed-use urban neighbourhood nodes (policy 806_).

Within the hierarchy of planned growth and intensity, the Downtown and Transit Villages allow for the broadest range of uses and the most intense forms of development in the entire city (policy 789_). The Transit Village Place Type is second only to the Downtown in terms of mix of uses and intensity of development permitted.

Lands designated Transit Village are located in built-up areas that represent significant opportunities for infill, redevelopment, and overall opportunities for more efficient use of existing lands through compact forms (policy 807_ and 808_).

Official Plan, 1989

The application was submitted at a time when portions of the London Plan were still under appeal. Where London Plan policies were in force at the time, the London Plan will be the determinative policy analysis to evaluate applications. Where London Plan policies remain under appeal the London Plan is to be given consideration in the evaluation of an application, because it represents the most current policy direction for making decisions related to city building and development.

The subject site is designated Auto-Oriented Commercial Corridor in the 1989 Official Plan. The Auto-Oriented Commercial Corridor designation is intended to primarily serve commercial needs of the travelling public, including a broad range of service commercial uses that, for the most part, are not suited to locations within commercial nodes or main streets because of form, access, or exposure requirements (1989 OP s. 4.4.2). The Auto-Oriented Commercial Corridor designation permits land uses such as: hotels, motels, automotive uses and services, commercial recreation, restaurants, building supply and hardware stores, furniture and home furnishing stores, warehouses and wholesale outlets, self-storage outlets, nursery and garden stores, animal hospitals and boarding kennels, and other types of commercial uses offering service other travelling public. Certain private clubs, assembly halls, and light industrial uses may also be permitted on certain sites in the Auto-Oriented Commercial Corridor designation (1989 OP s. 4.4.2.4).

Zoning By-law Z.-1

The subject site is currently zoned Highway Service Commercial/Restricted Service Commercial (HS1/HS3/RSC2/RSC4). This zoning implements the policy framework of the 1989 Official Plan and its land use designations.

Highway Service Commercial zones are typically located on major arterial roads with high traffic volumes. This zone provides for a range of commercial and service uses which cater to the travelling public. Highway Service Commercial zone variations applied to the subject site include a range of automobile-oriented, convenience commercial and service uses as well as larger assembly uses and commercial recreation establishments.

Restricted Service Commercial zones provide for and regulate a range of moderately intense commercial uses and trade service uses, which may require land for outdoor storage or interior building space and a location on major streets.

3.0 Financial Impact/Considerations

There are no direct financial expenditures associated with the application.

4.0 Key Issues and Considerations

4.1 Issue and Consideration #1 - Use

Provincial Policy Statement, 2020

The PPS 2020 encourages lands within the urban growth boundary to be the focus of growth and development. Supporting the vitality and regeneration of urban areas is also critical to long-term economic prosperity of communities (s. 1.1.3). Appropriate land use patterns within the urban growth boundary are established by providing densities and a mix of land uses that efficiently use land and resources and the surrounding infrastructure, public service facilities, and are transit-supportive, as well as minimizing impacts of climate change. To prepare for the impacts of a changing climate, a structure of “nodes and corridors” must also be promoted by municipalities,

along with mixed-use developments designed with compact forms (s. 1.8.1).

The proposed development fits within its context as regeneration within a growth node (Transit Village) planned for high-density, mixed use development.

The proposed residential development will also include affordable units that will complement an appropriate affordable and market-based range and mix of residential types in the areas (consistent with PPS s. 1.1.1.b).

The London Plan

The Transit Village Place Type is planned for high-density development and a broad range of land uses. This place type is planned as second only to Downtown with respect to intensity of land uses and the range of uses (policy 789_). Permitted uses include a broad range of residential, retail, service, office, cultural, institutional, hospitality, entertainment, and recreational uses (policy 811_1). Mixed-use buildings are encouraged in this place type, and where there is a mix of uses within an individual building, the retail and service uses are encouraged to front the street at grade (policy 811_2 and 811_3). The Transit Village Place Type's permitted uses policies are in force.

London Plan evaluation criteria for planning and development applications includes consistency with the PPS and applicable legislation, conformity with the goals, directions, and policies of the London Plan, consideration of guideline documents, consideration of servicing and growth management policies, and impacts of development on surroundings, including fit and impact mitigation.

The subject site is located within the Primary Transit Area and within the Urban Growth Boundary of the City. The London Plan includes key directions for infill and regeneration within urban areas. The London Plan also includes policies for creation of affordable housing units within new residential development. The proposal is for a predominantly residential land use with permission for some commercial space at grade on the Capulet Walk frontage. This is an appropriate land use that conforms with the planned uses for the Transit Village Place Type.

The proposed development conforms to the planned use of the Place Type as a high-density, mixed-use place type.

1989 Official Plan

The land uses permitted by the 1989 Official Plan are automobile-oriented commercial uses; however, the amendment to the 1989 Official Plan proposes to change the land use designation for consistency with the in-force permitted use policies of the London Plan.

The land use designation typically applied to sites planned for high-rise apartment buildings is the Multi-Family, High Density Residential (MFHDR) designation of the 1989 Official Plan. This designation contemplates large-scale, multiple-unit forms of residential development including high-rise apartment buildings, apartment hotels, and various other multiple-attached dwellings. MFHDR designations may be considered in areas such as: periphery of downtown, close proximity to larger scale commercial areas, regional facilities, or open space areas, or at locations abutting arterial or primary collector roads (1989 OP, s. 3.4.2).

Also, policies for specific areas may be applied through the 1989 Official Plan where the application of existing policies would not reflect the intent of Council with respect to future use of the lands (s. 10.1.1). Noting that planned uses for the subject site under the London Plan differ from the Auto-Oriented Commercial Corridor uses that were previously planned, an amendment to add a site-specific policy to the 1989 Official Plan is appropriate for consistency with the in-force London Plan policies.

Consistent with the PPS, the London Plan, and the 1989 Official Plan MFHDR designation, the recommended development will contribute to the planned function of the Transit Village Place Type as a growth node within a nodes-and-corridors pattern of

development. The recommended development permits a mixed-use site and is urban regeneration promoting compact form on an underutilized site. The analysis of intensity and form below demonstrate the apartment building site can be appropriately developed.

Summary of Issue #1: Use

Consistent with the PPS, the London Plan, and 1989 Official Plan, the recommended development will contribute to the planned function of the Transit Village Place Type as a growth node within a nodes-and-corridors pattern of development. The recommended development permits a mixed-use site and is urban regeneration promoting compact form on an underutilized site. The analysis of intensity and form below demonstrate the apartment building site can be appropriately developed.

4.2 Issue and Consideration #2 - Intensity

Provincial Policy Statement, 2020

The PPS 2020 requires municipalities to identify appropriate locations and promote intensification and redevelopment, taking into account existing building stock or areas, and taking into account existing or planned infrastructure (PPS s. 1.1.3.3). The PPS is also supportive of development standards that facilitate intensification, redevelopment, and compact form (s. 1.1.3.4). The proposed development contributes to the surrounding context, which includes a range and mix of housing options, including apartment buildings and townhouses, as well as commercial lands (PPS s. 1.4.3).

The proposed development meets the intent of the PPS 2020 by providing a compact form of new housing through intensification, which will efficiently use land, resources, infrastructure, and public service facilities. The development also contributes to a nodes-and-corridors pattern of development that will support transit routes on Oxford Street West, Capulet Lane, and Wonderland Road North (PPS s. 1.4.3.d, 1.4.3.e, and 1.8.1).

The proposed high-rise development provides a compact form that appropriately intensifies an underutilized site. The subject site is of a sufficient size to accommodate the increase in density and is a built form that implements the planned uses of the site.

The London Plan

The proposed development implements the London Plan's City Structure Plan, which directs more intensive forms of growth to a nodes-and-corridors pattern. In the London Plan this site is identified and planned as an appropriate location for intensification and redevelopment. It is designated Transit Village Place Type, which is planned as the area of highest intensity of use outside of the Downtown. Transit Village Place Type lands are also planned for a broad range of uses that include mixed-use development.

The London Plan promotes intensification in appropriate locations. Intensification may occur in all Place Types that allow residential uses. The most intense forms of development will be directed to the Downtown, Transit Villages, and at station locations along the Rapid Transit Corridors. Intensification will be focused in the Primary Transit Area, including the Transit Village Place Types (policies 83, 84, 86, and 90).

The London Plan uses height as a measure of intensity in the Transit Village Place Type; however, it does not generally limit density of development by Place Type. A minimum height of 2 storeys, a standard maximum height of 15 storeys and a maximum height with Type 2 Bonusing up to 22 storeys is contemplated in the Transit Village Place Type. Note that through the May 25, 2022, OLT decision the term "Bonus Zoning" has been replaced with "Upper Maximum Height" in recognition of changes to section 37 of the Planning Act that will take effect in September 2022.

Mitigation of potential site impacts associated with increased density is addressed

through the bonus zone's recommended zoning regulations and substantive implementation of the conceptual site plan.

1989 Official Plan

The subject site is designated Auto-Oriented Commercial Corridor in the 1989 Official Plan, which permits a broad range of service commercial uses. An application for amendment to the 1989 Official Plan was also made to redesignate the lands from Auto-Oriented Commercial Corridor designation to Multi-Family, High Density Residential (MFHDR) designation, consistent with the London Plan. In the 1989 Official Plan, MFHDR is the land use designation typically applied to large-scale, multiple-unit residential developments. Therefore, the policies of the Multi-Family High Density Residential designation are being considered when evaluating the intensity of proposed development. The MFHDR designation generally permits up to 150 units per hectare (UPH). MFHDR designated lands are to take into consideration surrounding land uses, including height, scale, and setback (s. 3.4.2).

This application includes an increase in permitted density to 396 UPH through the Bonus Zoning provisions found in s. 19.4.4 of the 1989 Official Plan. The 1989 Official Plan permits Bonus Zoning as a means to achieve public benefit commensurate with additional increases to building height and/or density. In return for the additional height and/or density, the "facilities, services, or matters" of public benefit are to be set out in the Zoning By-law. The provision of affordable housing units and enhanced design provide a commensurate public benefit for the additional density and meets the criteria for Bonus Zoning in the 1989 Official Plan. These features are outlined in this report's recommendation section.

In order to implement the identified items for bonus zoning, s. 19.4.4.iv) of the 1989 Official Plan states that:

"As a condition to the application of bonus zoning provisions to a proposed development, the owner of the subject land will be required to enter into an agreement with the City, to be registered against the title to the land. The agreement will deal with the facilities, services, or matters that are to be provided, the timing of their provision, and the height or density bonus to be given."

Bonus Zoning is implemented through one or more agreements with the City that are registered on title to the lands. The agreements intend to "lock in" public benefit and elements of the development that merit the bonus. Through the site plan approval process, the proposed development will be reviewed to ensure that all facilities and design features that have warranted bonus zoning have been incorporated into the agreements.

Summary of Issue #2: Intensity

The subject site is located in the western portion of the Transit Village Place Type, which is planned as the area with the broadest and most intensive land uses outside of the downtown. The subject site is well served by transportation, and a broad range of commercial and service uses. As buildings of 17, 18, and 21 storeys are proposed, the development is consistent with building heights planned for this Place Type. The intensity is also in keeping with London Plan key directions for inward and upward growth, intensification, and complete neighbourhoods with a mix of housing forms.

The 1989 Official Plan identifies preferred locations for MFHDR designation as sites with existing or planned high-density development, as well as sites in proximity to major commercial nodes or abutting or having easy access to arterial or primary collector roads. The subject site is in an area of planned high-intensity residential development. The subject site is located at the intersection of a major arterial road. Oxford Street West is classified as an arterial road in Schedule C – Transportation Corridors to the 1989 Official Plan. Oxford Street West and Capulet Walk are both classified as "Rapid Transit Boulevard" street classifications on London Plan Map 3 – Street Classifications. This street classification prioritizes through movement of vehicles, connections to transit, and high volumes of traffic (London Plan policy 371_3). The site is also in

proximity to the major commercial node located at Oxford and Wonderland.

The subject lands are of a size and configuration capable of accommodating the more intensive redevelopment, with lands currently underutilized in a planned high-intensity node. This is consistent with PPS directions for nodes-and-corridors growth and intensification within the existing settlement area.

The London Plan and 1989 Official Plan direct and support residential intensification in this area. As noted above, the London Plan applies height as a measure of intensity but does not generally limit density of development by Place Type. The proposed development contemplates fewer storeys than the maximum of 22 permitted through the London Plan height framework of Type 2 Bonus Zoning; however, the requested density exceeds the general policy permission of the Multi-Family, High Density Residential designation of the 1989 Official Plan. Bonus Zone applications may exceed the 150 units per hectare limit, considering height, scale, and surroundings (1989 OP s 3.4.2).

The subject site is an appropriate location for high density development based on the planned uses, location criteria, and the form, design and mitigation measures identified below. The requested intensity of development is recommended, subject to agreements for Bonusing and certain considerations at the site plan approval stage.

The proposed development is a suitable intensity for the site and is consistent with the PPS and conforms to policies of the London Plan and 1989 Official Plan. More discussion on the form of development is provided in section 4.3 of this report. The applicant has also proposed public facilities, amenities, and design features in return for the requested density and height, in conformity with Chapter 19.4.4 of the 1989 Official Plan.

Bonus zones are generally paired with a base zone. For the subject site the recommended base is a Residential R9 (R9-7) Zone. In Zoning By-law Z.-1 the R9 Zoning regulations include provisions for additional density as-of-right in exchange for the provision of landscaped open space features. The recommended Bonus Zone already provides for additional density. To clarify future implementation through Site Plan applications and Zoning By-law interpretations, the recommended Bonus Zone excludes the opportunity to compound the standard as-of-right bonus with the specific Bonus Zone developed for this site.

Traffic Impacts:

Public comments raised concern about the increase in vehicular traffic the proposal is expected to generate in the Oxford/Wonderland area. The area is perceived to already have significant traffic. A Traffic Impact Study (TIS) was prepared as part of the application to evaluate potential impact on the level of service on Capulet Walk, Capulet Lane, and Oxford Street West. Findings of the TIS include that: the proposed site accesses will exhibit good level of service results; that the intersection of Capulet Walk and Oxford exhibits satisfactory level of service even with the traffic expected to be generated by the proposed development; and that improvements to the left turn storage lane is recommended at the signalized intersection of Capulet Lane and Oxford Street to improve southbound automobiles' left turns eastward onto Oxford Street.

Concerns with parking on-site and potential for parking impacts in surrounding areas were also identified in public comments. 490 residential units are proposed. 489 parking spaces are proposed on the subject property through a combination of surface parking, two levels of underground parking in the "second phase" area, and a three-level parking structure adjacent to the CN Rail property. The parking rate is approximately 1 space per residential unit.

Stormwater and Servicing:

Members of the public expressed concerns regarding the impact of development on servicing and the potential for flooding.

The applicant submitted a Servicing memorandum to address servicing requirements. Through City review, final updates to the Servicing memorandum were submitted on

April 4, 2022. The report states that existing sanitary municipal infrastructure on Capulet Walk is tributary to infrastructure on Oxford Street West. The sanitary servicing of the subject property is connected to an existing 450mm sanitary sewer and there is capacity for the development, as proposed with 490 units.

With regards to flooding: during the site plan application, a geotechnical report will be required to support the underground structure, including underground parking, as well as address any high ground water or dewatering requirements consistent with municipal and provincial standards and guidelines. This includes applicant acquisition of appropriate permits and approvals. The site plan application will address stormwater surface flows and will require flows to be contained and controlled on-site.

The proposed development is of a suitable intensity for the site and is consistent with the PPS and The London Plan. The development is of an appropriate intensity for the planned context of the area.

4.3 Issue and Consideration #3 – Form and Design

Provincial Policy Statement, 2020

The PPS supports appropriate development standards that facilitate intensification, redevelopment, and compact form (PPS s. 1.1.3.4). Long-term economic prosperity is also supported by encouraging a sense of place through well-designed built form (PPS s. 1.7.1.e).

The London Plan

Compact forms of development are encouraged for planning new growth, including “inward and upward” compact forms of development (policies 7_, 59_2, 66_, 79_). Various forms of infill and intensification are accommodated to realize the compact, inward and upward patterns of planned growth (policy 59_4).

Within the Transit Village Place Type, planning and development applications will conform with the City Design policies of the London Plan (policy 814_1). The form of development will include high-quality architectural design; massing and architecture that provides articulated facades, rooflines, accented main entries, generous use of glazing and façade treatments to support the public realm and pedestrian environment (814_9). Applications are also required to consider coordination of development relative to existing and planned development on surrounding lands within the Place Type.

The City Design policies identifies directions for the built environment, including Character, Parking, Site Layout, and Buildings. Built form and site layout are to have a character consistent with the planned vision of the place type and demonstrate fit within the existing and planned context (policies 197_, 199_, 252_). Site Layout is also to minimize impact on adjacent properties (policy 253_) and minimize visual exposure of parking areas on the public realm through means such as screening and locating parking in rear or side yards (policy 269_, 272_, 273_). High rise buildings are directed to be designed as point towers, with podiums, or other design solutions to reduce apparent height and mass, reduce shadowing, and to avoid long building axes (policies 292_ and 293). Transition between development of different intensities is to be considered through design measures (policy 298_).

The Our Tools section of the London Plan also includes considerations for the evaluation of planning and development applications (policy 1578_), some of which are building and site design considerations. Considerations for the evaluation of development applications related to building and site design include the potential impact on nearby properties and measures to mitigate such impacts. Impact mitigation may include, but is not limited to, such matters as: traffic, noise, privacy, shadowing, visuals, and other relevant matters related to land use and built form (policy 1578_6).

Development applications are also to be considered based on fit within context. Proposed developments are not required to be the same as the surrounding context, but the evaluation of “fit” includes assessment of planned policy goals for the site and

surrounding area as well as existing development. Per London Plan policy 1578_7, an analysis of fit and compatibility may include such things as:

- Policy goals and objectives for the place type;
- Policy goals and objectives expressed in the City Design chapter;
- Site and built form factors, such as height, density, massing, scale, placement of building, setback and step-back; architectural attributes; materials;
- Streetscape and Neighbourhood Character; and
- Other relevant matters related to land use, intensity and form.

The Transit Village Place Type directs that transitions in height and intensity be made between transit stations and surroundings neighbourhoods, and that building heights will step down towards adjacent Neighbourhoods (Policy 810_3 and 813_3). The intersection of Capulet Walk and Capulet Lane is identified as a station on Map 3 – Street Classifications.

1989 Official Plan

As noted above, the subject site is designated Auto-Oriented Commercial Corridor designation in the 1989 Official Plan. The Multi-Family High Density Residential (MFHDR) designation is typically applied to large-scale, multi-unit forms of residential development. The proposed development includes application for redesignation to the MFHDR designation, consistent with the policies of The London Plan. Development within the Multi-Family, High Density Residential designation is intended to accommodate large-scale, multiple-unit forms of residential development, including high-rise apartment buildings. Appropriate height and density for individual MFHDR sites may be based on an application for a bonus zone, or may be based upon a conceptual site plan identifying site development and surroundings (1989 OP s. 3.4.4).

Summary of Issue #3: Form

Consistent with the Provincial Policy Statement, in conformity with the London Plan, and with consideration for the MFHDR designation of the 1989 Official Plan, the recommended intensification of the subject site would enhance the use of land and public investment in infrastructure in the area. The redevelopment and intensification of the site would contribute to achieving more compact forms of residential and mixed-use development on an underutilized site. The form of development is consistent with the planned vision for the Place Type, City Design for site layout and building types, and parking.

The location and massing of the proposed development is consistent with urban design goals. The building is proposed to be situated close to Capulet Walk, while also considering setback requirements from Oxford Street consistent with guidelines for development adjacent to railways (see sections 4.5 and 4.6 below for more discussion of railway adjacent development). The street edge adjacent to Capulet Walk encourages street-oriented non-residential uses on the ground floor of proposed Buildings “B” and “C”. The buildings along Capulet Walk are designed with podiums at a pedestrian scale. Buildings include articulation, various materials, and balconies to break up massing.

Parking is generally located to the rear of buildings “B” and “C” and along the southwest property line, adjacent to the rail corridor, and underground. This allows opportunity for an active street edge, and front doors, along the Capulet Walk frontage.

Urban Design comments also highlight various considerations that support the use of Bonus Zoning to achieve greater height and intensity for development. Those comments included:

- Support for a site and building design that incorporates a built edge along Capulet Walk, Pedestrian-scaled podium; appropriately sized tower floor plates and

locating majority of parking behind the buildings away from the street and incorporating parking into a structure.

- Demonstration from applicant that the vision of the place type can be fulfilled as well as development of properties to the north.
- Design Building “B” point tower floor plate comparable to tower of Building “A” (small point towers) to reduce east-west axis of tower and reduce shadow impact.
- Provide active frontage on Oxford Street West by limiting structure parking at southeast corner of Building “C”, and consider active outdoor landscaped amenity space at corner of Oxford Street.
- Include active ground floor uses, including principal building entrances, indoor amenity, lobby space, etc. to activate Oxford Street West.
- Provide architectural building features to southeast corner of building “C”.
- Ground floor residential units along Capulet Walk to provide functional doors, walkways, connections to sidewalk on Capulet Walk.
- Contextual analysis of how the proposal fits within the area and planned use as a Transit Village Place Type.

These considerations have been included within the Bonus Zone in conjunction with the conceptual site plan, building elevations, renderings and other drawings appended to the recommended zoning by-law amendment.

Staff are satisfied that the design of the proposed development is generally of a suitable form to meet urban design goals. Implementation of required Bonus Zone elements and targeted refinements of the conceptual site plan and building design through the site plan application will result in a development which is compatible with existing and planned context for the area as a high-intensity place type.

Shadowing

As noted above, evaluation of development applications includes consideration of context and fit, as well as consideration of existing and planned land uses, forms, and intensities for a Place Type. Development is not required to be the same as the surroundings but compatibility may be considered based on site and building form, materials, height, massing, and transitions between Place Types.

Members of the public expressed concerns about shadow that would be cast by the proposed buildings. Drawings submitted by the applicant in the April 2022 Planning Justification Report include a shadow study showing the shadows that will fall in March, June, September, and December at 9:00a.m., 12:00p.m., and 4:00 p.m. The shadow study indicates intermittent shadowing during mornings, with no shadow on northerly properties by noon to mid-afternoon, depending upon the season. No shadow is cast on properties to the immediate north of the subject site in late afternoon to early evening, regardless of season.

The buildings on the proposed development are varying heights, with the tallest (Building “C” at 21 storeys) on the south side of the property, transitioning to 18 and 17 storeys on the north half of the property. In response to urban design feedback based on an earlier iteration of the 3-tower proposal, the proposed Building “B” has been modified to a 4-storey podium and a narrower point tower to reduce a long east-west axis. This is consistent with London Plan City Design policy 293, regarding minimization of massing and shadowing by reducing long axes of buildings. The floor plate of the Building “B” tower is now similar to that of Building “A”. This results in a shortened shadow duration for Building “B”. Shadow study is identified as Appendix B to this report.

4.4 Issue and Consideration #4 – Bonusing

Through the provisions of section 19.4.4 of the 1989 Official Plan, Council may allow an increase in density above the limit otherwise permitted by the Zoning By-law in return for certain public facilities, amenities, or design features (1989 OP s. 3.4.3.iv). The proposal for bonus zoning meets the objectives of Section 19.4.4.ii, including urban design objectives, the provision of affordable housing units, and underground parking.

In their April 2022 revised Planning Justification Report, the applicant proposes twenty (20) affordable housing units. Ten units in Building “A” and 10 units in either Building “B” or Building “C”, whichever building is developed first. The applicant’s rationale for the proposal of 20 affordable units was applying a combination of the 1989 Official Plan bonusing policies and the London Plan bonusing policies.

The maximum density permitted without bonus zoning in the 1989 Official Plan is 150 units per hectare, or 186 units on the subject site. With 490 units proposed, the total bonus is for 304 units. With 10 percent of the bonus density units being provided as an affordable housing contribution, 30 affordable units would be considered appropriate, based upon the policies of the 1989 Official Plan.

The Planning Justification Report, however, also considers the London Plan Bonusing policies, which apply to buildings over 15 storeys in height for Transit Village Place Type. As there are fewer than 100 units above the 15th storey, by this metric only 10 affordable units would be warranted at 10 percent of “lift” being contributed to affordable housing units. The applicant therefore proposes 20 units and considered this a compromise between the policy frameworks of the two plans.

However, the 1989 Official Plan is the only bonusing policy framework by which to evaluate the proposed public benefits commensurate with the Bonus Zoning proposed. London Plan bonusing policies were under appeal at the time the application was made and were subsequently deleted from the Plan through an Ontario Land Tribunal (OLT) Order dated May 25, 202. Moreover, recent changes in Provincial legislation have resulted in the removal of Bonusing from section 37 of the Planning Act. The OLT decision also identifies that Bonus Zoning application may continue to proceed under the policy framework of the 1989 Official Plan, if the application for Bonus Zoning was received by the City prior to the OLT decision date of May 25, 2022.

Therefore the 1989 Official Plan is the applicable bonus zoning policy framework for this application.

Staff recommend refusal of the applicant’s proposal of 20 affordable housing units at rents of 85% of Average Market Rent (AMR) and an affordability period of 50 years.

The following is recommended for the purposes of entering into an affordable housing agreement with the applicant:

- 30 affordable housing units total.
- 10 affordable housing units in each building, with the affordable unit mix (bachelor, 1-bedroom, 2-bedroom) representative of the bedroom mix of the overall building within which the affordable units are contained.
- Rents not to exceed 80% of AMR for the London CMA (as defined by the Canada Mortgage and Housing Corporation).
- Affordable unit rents are to be established at time of occupancy of the respective building the affordable units are contained within.
- The affordability period is 50 years from time of occupancy of the respective building.
- The applicant will enter into a tenant placement agreement (TPA) to align affordable units with priority populations.

- These conditions are to be secured through an agreement registered on title with associated compliance requirements and remedies.

The recommended affordable housing provisions are consistent with recent Council approvals and consistent with the advice of the City's Municipal Housing Development division (formerly Housing Development Corporation, HDC London).

In addition to affordable housing, the proposal demonstrates enhanced building and site design. Setbacks, podiums, architectural design features on the towers enhance the skyline, and break up building massing. Varying heights of buildings, and design features such as articulated facades, recesses, projections, and balconies, provide depth and variation in built form. Through potential for non-residential uses on ground floors of Buildings "B" and "C" with principle entrances on the Capulet Walk frontage, there is potential for active uses and street animation. Location of automobile parking as underground parking and as a structure for rail safety mitigation also enhance design of the site.

Contingent upon appropriate provision of affordable housing units, Staff are satisfied the public benefits can be commensurate with the increase in density.

4.5 Issue and Consideration #5 – Railway setback and "Crash Wall"

The subject site is located adjacent to a Canadian National Rail principal main line. To ensure public health and safety and mitigate impacts between development and railway operations, setbacks are required for habitable buildings adjacent to rail rights-of-way. The Federation of Canadian Municipalities and Railway Association of Canada's *Guidelines for New Development in Proximity to Railway Operations* (May 2013) identifies a setback guidelines in conjunction with a berm or other mitigative measure.

As of the April 2022 Planning Justification Report Addendum, buildings are proposed to be a minimum 29 metres from the CN Rail right-of-way; however, a 30m setback is the minimum guideline for development in proximity to railways. Therefore the attached by-law recommends a minimum setback of 30m for dwelling units, rather than the 29 m proposed.

Additionally, the proposed parking garage is less than the minimum required setback. The parking garage is therefore required to be engineered to a "crash wall" standard, in lieu of a berm.

The applicant submitted conceptual engineering drawings for the parking garage's crash wall. These drawings have been found to conceptually meet layout and dimension requirements. Concurrent with a subsequent Site Plan Application, the applicant will be required to finalize the approval of the crash wall. This will include providing structural drawings with details of reinforcing.

A holding zone provision ("h") is recommended for the subject site in order to ensure approval of the crash wall design. The holding zone must be removed prior to development of the lands.

4.6 Issue and Consideration #6 – Noise Attenuation

A noise and vibration study was also undertaken to evaluate the impact on the development from the adjacent CN Rail Line. A revised study evaluating development of three apartment buildings was received in May 2021.

Noise testing was conducted consistent with the Provincial Environmental Noise Guideline NPC-300, which tests outdoor and indoor sound level limits associated with road and rail traffic noise. The findings of the noise testing were that noise levels can be addressed through standard mitigative measures.

The study concluded that mitigative measures recommended for all units within the development include:

- Ventilation requirements: installation of central air conditioning system and

- Exterior wall building materials: minimum sound transmission class (STC) rating of 41 for exterior walls of living rooms and minimum STC rating of 42 for exterior walls of bedrooms.
- Window materials: minimum STC rating of 28 for living room windows and minimum STC rating of 29 for bedroom windows.

Development agreements prepared through a subsequent Site Plan Application process will also identify standard noise attenuation clauses which may be required for agreements of purchase, sale, or lease, or offers of purchase. Clauses may include identification of the central air conditioning system as a noise attenuation measure, and identification of the CN/VIA Rail line and its operations within 300 metres of the property.

The results of the vibration testing were that vibration levels will not exceed the standards specified by CN Rail and VIA rail. No abatement for railway vibration is required for the proposed development.

Conclusion

The recommended zoning by-law amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the London Plan policies including but not limited to Key Directions, the City Structure Plan, growth frameworks, City Design policies, and the Transit Village Place Type. The recommended amendment is also in conformity with in-force policies of the 1989 Official Plan, including the Bonus Zoning policies. The recommended amendment will facilitate an infill and intensification development of an underutilized site within the Built-Area Boundary and the Primary Transit Area, with land uses, intensity, and forms that are appropriate for the site through the use of Bonus Zoning.

Prepared by:	Travis Macbeth, MCIP, RPP Senior Planner, Long Range Planning & Research
Reviewed by:	Justin Adema, MCIP, RPP Manager, Long Range Planning & Research
Recommended by:	Gregg Barrett, AICP Director, Planning & Development
Submitted by:	Scott Mathers, MPA, P.Eng. Deputy City Manager, Planning and Economic Development

Appendix A – Zoning By-law Amendment

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

By-law No. Z.-1-19_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 689 Oxford Street West.

WHEREAS 2399731 Ontario Limited c/o Westdell Development Corporation has applied to rezone an area of land located at 689 Oxford Street West, as shown on the map attached to this by-law;

AND WHEREAS this rezoning conforms to the London Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 689 Oxford Street West, as shown on the attached map comprising part of Key Map No. A101, from a Highway Service Commercial/Restricted Service Commercial (HS1/HS3/RSC2/RSC4) Zone to a holding Residential R9 Special Provision Bonus/Highway Service Commercial Special Provision/ Restricted Service Commercial Special Provision h-_*R9-7*B(_)/HS1(_)/HS3(_)/RSC2(_)/RSC4(_)
Zone.
- 2) Section Number 4.3 of the General Provisions in By-law No. Z.-1 is amended by adding the following new Bonus Zone:

4.3) B- 689 Oxford Street West

The Bonus Zone shall be enabled through one or more agreements to facilitate the development of three (3) residential apartment buildings comprising: one 17-storey building of 146 residential units; one 18-storey building of 160 residential units; and, one 21-storey building of 184 residential units, for a combined total of 490 units and a maximum density of 396 units per hectare, in general conformity with the Site Plan, Renderings, and Elevations attached as Schedule "1" to the amending by-law, and provides the following:

a) Provision of Affordable Housing:

- i) A total of thirty (30) affordable housing units, with ten (10) affordable housing units provided in each building constructed.
- ii) That the affordable unit mx (bachelor, 1-bedroom, 2-bedroom) is representative of the unit mix of the overall building within which the affordable units are contained.
- iii) Rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy of the respective building.
- iv) The duration of affordable units will be set at 50 years from the point of initial occupation of the respective building.
- v) The proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations;
- vi) These conditions to be secured through agreements registered on title with

associated compliance requirements and remedies.

b) Exceptional Building and Site Design

- i) Enhanced building and site design features and setback podiums on Capulet Walk establishing a built street edge.
- ii) Active uses potential along Capulet Walk street frontage for Building “B” and Building “C”.
- iii) Architectural design features on the towers that will enhance the skyline and break up building mass.
- iv) Inclusion of building step backs and varying building heights and articulated facades, including recesses, projections, and balconies, to provide depth and variation in built form and enhance pedestrian environment.
- v) Ground floor units along Capulet Walk to provide functional doors, walkways, connections to sidewalk on Capulet Walk.
- vi) Parking within structured parking that will function as an engineered rail safety measure adjacent to the abutting railway line, and underground parking.

The following special provisions apply within the bonus zone upon the execution and registration of the required development agreement(s):

a) Additional Permitted Uses

- i) Commercial uses may be permitted on the ground floors of the 18-storey building (Building “B”) and the 21-storey building (Building “C”).

b) Regulations:

- i) Height, Building “A” (Maximum) 17 storeys or 50 metres (164.04 ft)
- ii) Height, Building “B” (Maximum) 18 storeys or 52 metres (170.6 ft)
- iii) Height, Building “C” (Maximum) 21 storeys or 60 metres (196.85 ft)
- iv) Density (Maximum) 396 units per hectare
- v) North Interior Side Yard, Apartment Building (Minimum) 8.0 metres
- vi) North Interior Side Yard, Parking Structure (Minimum) 3.0 metres
- vii) West Rear Yard, Parking Structure (Minimum) 3.0 metres

viii)	South Interior Side Yard, Apartment Building (Minimum)	8.0 metres
ix)	South Interior Side Yard, Parking Structure (Minimum)	3.0 metres
x)	Front Yard Depth (Minimum)	1.0 metres
xi)	Lot Coverage (Maximum)	50%
xii)	Parking structure setback from Railway Right-of-Way (Minimum)	3.0 metres
xiii)	Dwelling setback from Railway Right-of-Way (minimum)	30.0 metres
xiv)	Off-street parking (Minimum)	489 spaces
xv)	Bicycle parking (Minimum)	330 spaces

3) Section Number 27.4 of the Highway Service (HS) Zone is amended by adding the following Site-Specific Provisions:

a) 27.4 b) HS1() 689 Oxford Street West

a) Permitted Use:

i) Permitted uses shall be restricted to the building existing as of the date of passing of the by-law.

b) Regulation:

i) Existing number of parking spaces.

b) 27.4 d) HS3() 689 Oxford Street West

a) Permitted Use:

i) Permitted uses shall be restricted to the building existing as of the date of passing of the by-law.

b) Regulation:

i) Existing number of parking spaces.

4) Section Number 28.4 of the Restricted Service Commercial (RSC) Zone is amended by adding the following Site-Specific Provisions:

a) 28.4 b) RSC2() 689 Oxford Street West

a) Permitted Use:

i) Permitted uses shall be restricted to the building existing as of the date of passing of the by-law.

b) Regulation:

i) Existing number of parking spaces.

b) 28.4 d) RSC4() 689 Oxford Street West

a) Permitted Use:

i) Permitted uses shall be restricted to the building existing as of the date of passing of the by-law.

b) Regulation:

i) Existing number of parking spaces.

5) Section Number 3.8.2) of the Holding “h” Zones section is amended by adding the following Holding Zone:

h-__ 689 Oxford Street West

Purpose: to ensure the parking garage adjacent to the Canadian National (CN) Railway main line is designed to a crash wall standard, including structural drawings with details of reinforcing. The crash wall designs must be to the satisfaction of the Deputy City Manager, Planning and Development or designate prior to development of the lands and removal of the “h-__” symbol.

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. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

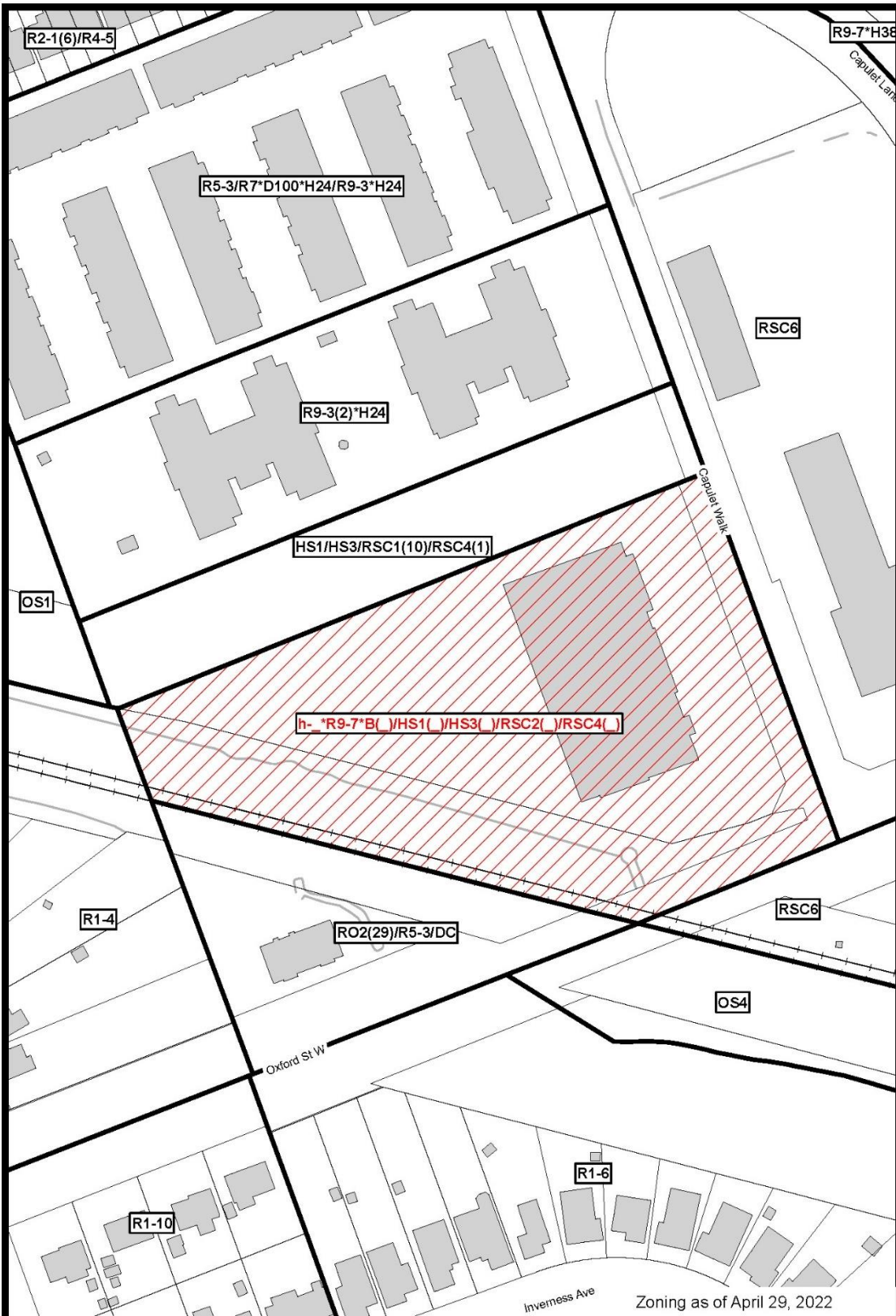
PASSED in Open Council on July 5, 2022.


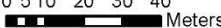

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – July 5, 2022
Second Reading – July 5, 2022
Third Reading – July 5, 2022

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z-1)



<p>File Number: Z-9199 Planner: TM Date Prepared: 2022/05/17 Technician: RC By-Law No: Z-1-</p>	<p>SUBJECT SITE </p> <p>1:1,500</p> <p>0 5 10 20 30 40 Meters </p> <p></p>
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Schedule "1"

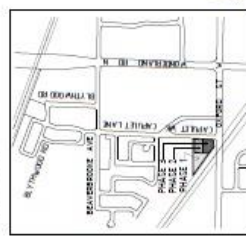
Site Plan



Site Plan

SCALE: 1" = 30'

FOR MORE INFORMATION, PLEASE CONTACT:
 DESIGNER: HOK, INC. 150 WEST 42ND STREET, NEW YORK, NY 10018
 ARCHITECT: HOK, INC. 150 WEST 42ND STREET, NEW YORK, NY 10018
 ENGINEER: HOK, INC. 150 WEST 42ND STREET, NEW YORK, NY 10018
 LANDSCAPE ARCHITECT: HOK, INC. 150 WEST 42ND STREET, NEW YORK, NY 10018



Site Data, Phases 1, 2, 3

PROPOSED	EXISTING
LOT AREA (FULL PARCEL, PHASE 1, 2, 3)	1,039,740 sq. ft.
LOT FRONTAGE	1,715 ft.
COVERAGE	786,129 sq. ft.
	208,329 sq. ft.
	198,000 sq. ft.
TOTAL	585,658 sq. ft.
LANDSCAPED OPEN SPACE	36,000 sq. ft.
HEIGHT	
ACCUMULATED 3440' CEILING	
BUILDING A	481,329 sq. ft. (17 STOREYS)
BUILDING B	518,944 sq. ft. (18 STOREYS)
BUILDING C	518,944 sq. ft. (18 STOREYS)
PARKING DECK	28,000 sq. ft.
BUILDING A	184 SUITES
BUILDING B	184 SUITES
BUILDING C	184 SUITES
TOTAL	552 SUITES
DENSITY	315.44 UNITS/AC
PARKING (480' x 10' = 480' REZON)	437 SPACES
VEHICLE PARKING (480' x 10' = 480' REZON)	32 (INC. ABOVE)
HAZARDOUS WASTE (480' x 10' = 480' REZON)	12 (INC. ABOVE)
BICYCLE STORAGE (10' x 10' = 100' REZON)	315 SPACES

Legend

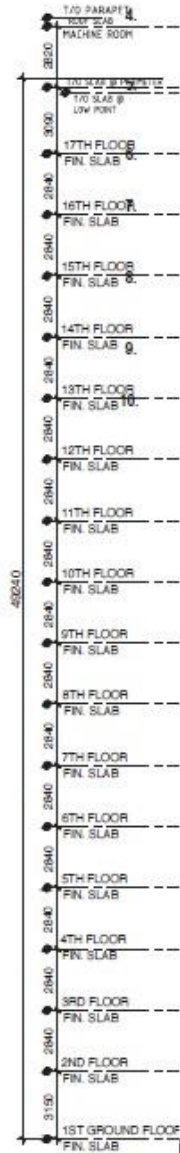
- SPR: SHADING INDICATES THE PROPOSED AND EXISTING PARKING SPACES AND DRIVE OFF AREA.
- RF: CROSS-PARK DRIVE WITH OVER TRUNCTION AND CURB CUTTING SPACES.
- TR: SHORT TERM BICYCLE STORAGE BAY
- CC: SHARED CONNECTION
- AROUND TRUCK LANDSCAPE WALL REFS TO GRADING PLAN
- INDICATES THE ROUTE 1000 INDEX
- INDICATES SHARED-PARKING SPACE ON COLLECTION DRIVE AND TRUCKS TO PICK-UP AREA.
- INDICATES THE ROUTE 1000 INDEX
- NEW DRIVE CUL - FOR THE 1000 INDEX AT THE CITY OF LONDON BY-LAW 1000/1001.
- TABLE 11, DESIGN THROUGHOUT FOR THE ROUTES.
- PARKING SPACE
- VEHICLE PARKING SPACE
- NOTE: ROUTES SHOWN ALTERNATE AT CHANGING AND CROSS OFF AREA.



PHASE 1, 2 & 3 SURVEY INFO
 "PART 1"
 PLAN OF SURVEY
 OF PART OF
 LOTS 1 & 2
 IN THE
 CITY OF LONDON
 COUNTY OF MIDDLESEX
 REGISTERED PLAN No. 243(C)

MASTER MATERIAL LEGEND

- | | | |
|---|---|--|
| <p>1. Podium:
Masonry – Ground Floor
Pernacon Cardiff Smooth Stone
Colour: Limestone Smooth</p> <p>2. Podium:
Masonry – 2nd to 4th Floors
Pernacon Melville Norman Brick
Colour: Rockland Black</p> | <p>3. Concrete beyond Podium:
Textured finish in 3 colour tones –
Off-White/Medium Grey/Dark Grey</p> <p>4. Entry Canopies:
12" Steel Channel
Colour: Dark Grey</p> <p>5. Aluminum Window Glazing:
Clear Glazing
Gun Metal Grey Frame</p> <p>6. Window Wall Spandrel Glazing:
Colour: 'Steel Wool' (Light Grey)</p> | <p>7. Glazed Balcony Guards:
Gun Metal Grey Rails/Framing
Light Blue Tempered Glazing</p> <p>8. Solid Concrete Balcony Guards/
Vertical Panels
Colour: Off-White</p> <p>9. All Prefinished Metal Cap Flashing
Colour: Match adjacent surface</p> <p>10. Mechanical Penthouse:
Agway Horizontal Corrugated Metal Cladding
Colour: Dark Grey</p> |
|---|---|--|



BUILDING A - EAST



BUILDING A - NORTH



BUILDING A - SOUTH



BUILDING A - WEST

MASTER MATERIAL LEGEND

1. Podium:
 - Masonry – Ground Floor
 - Permacon Cardiff Smooth Stone
 - Colour: Limestone Smooth
2. Podium:
 - Masonry – 2nd to 4th Floors
 - Permacon Melville Norman Brick
 - Colour: Rockland Black
3. Concrete beyond Podium:
 - Textured finish in 3 colour tones –
 - Off-White/Medium Grey/Dark Grey
4. Entry Canopies:
 - 12" Steel Channel
 - Colour: Dark Grey
5. Aluminum Window Glazing:
 - Clear Glazing
 - Gun Metal Grey Frame
6. Window Wall Spandrel Glazing:
 - Colour: 'Steel Wool' (Light Grey)
7. Glazed Balcony Guards:
 - Gun Metal Grey Rails/Framing
 - Light Blue Tempered Glazing
8. Solid Concrete Balcony Guards/
 - Vertical Panels
 - Colour: Off-White
9. All Prefinished Metal Cap Flashing
 - Colour: Match adjacent surface
10. Mechanical Penthouse:
 - Agway Horizontal Corrugated Metal Cladding
 - Colour: Dark Grey



BUILDING B - EAST



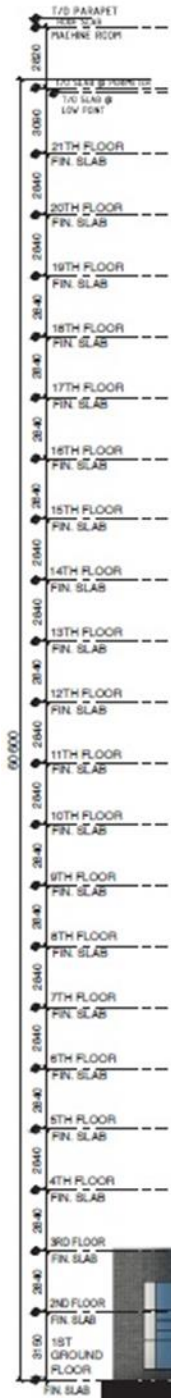
BUILDING B - SOUTH



BUILDING B - NORTH



BUILDING B - WEST



MASTER MATERIAL LEGEND

1. Podium:
Masonry – Ground Floor
Permacon Cardiff Smooth Stone
Colour: Limestone Smooth
 2. Podium:
Masonry – 2nd to 4th Floors
Permacon Melville Norman Brick
Colour: Rockland Black
 3. Concrete beyond Podium:
Textured finish in 3 colour tones –
Off-White/Medium Grey/Dark Grey
 4. Entry Canopies:
12" Steel Channel
Colour: Dark Grey
 5. Aluminum Window Glazing:
Clear Glazing
Gun Metal Grey Frame
 6. Window Wall Spandrel Glazing:
Colour: 'Steel Wool' (Light Grey)
 7. Glazed Balcony Guards:
Gun Metal Grey Rails/Framing
Light Blue Tempered Glazing
 8. Solid Concrete Balcony Guards/
Vertical Panels
Colour: Off-White
 9. All Prefinished Metal Cap Flashing
Colour: Match adjacent surface
 10. Mechanical Penthouse:
Agway Horizontal Corrugated
Metal Cladding
Colour: Dark Grey
- PARKING DECK (@Building C)**
- Masonry Veneer
 - Clear Vision and Spandrel Glazing
 - Agway Corrugated Metal Cladding
 - Painted Concrete Accents
 - All colours to match towers

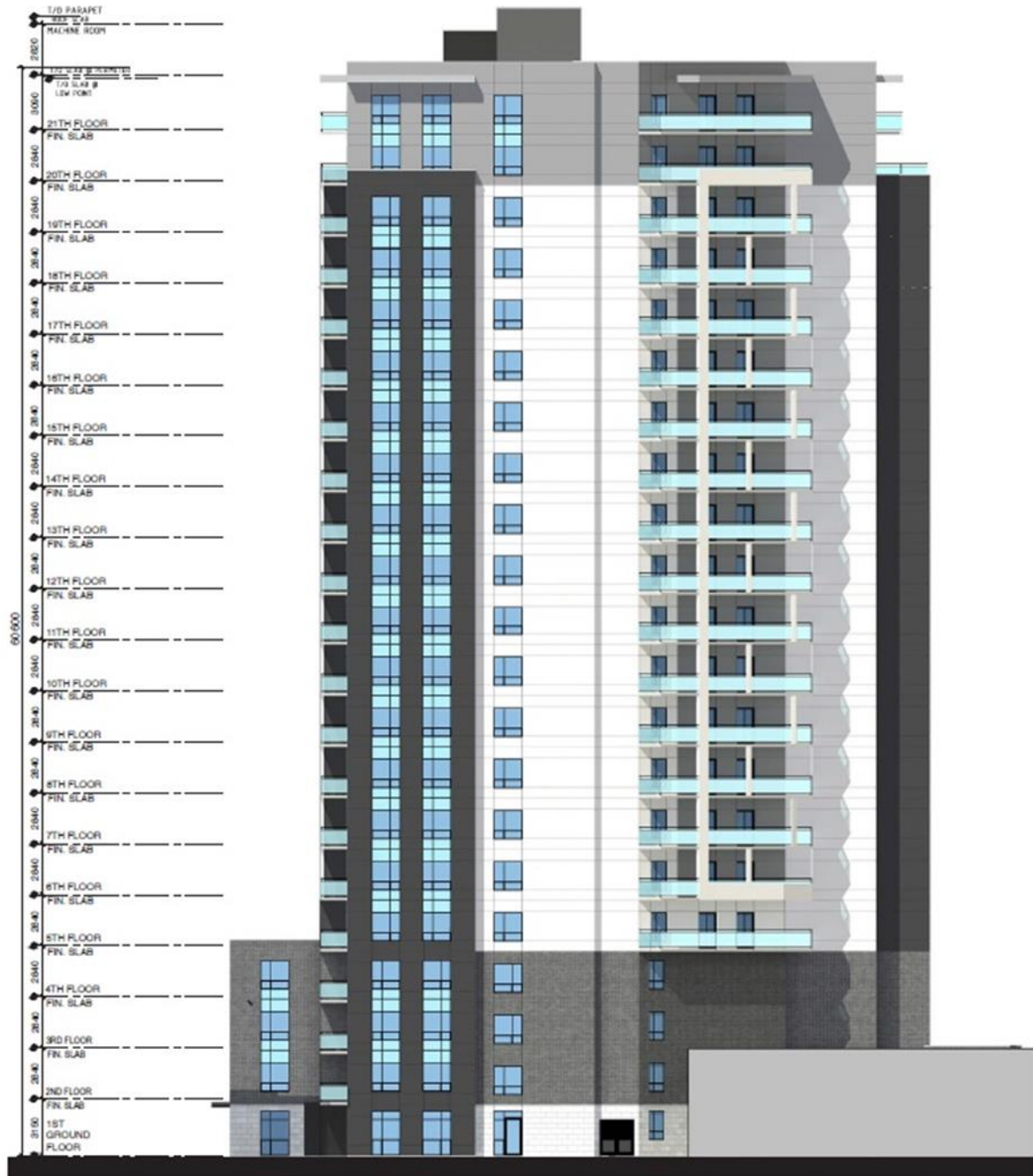
BUILDING C - EAST



BUILDING C - NORTH



BUILDING C - SOUTH



BUILDING C - WEST







Appendix B – Shadow Study

1. March 21st, 9:00 a.m.



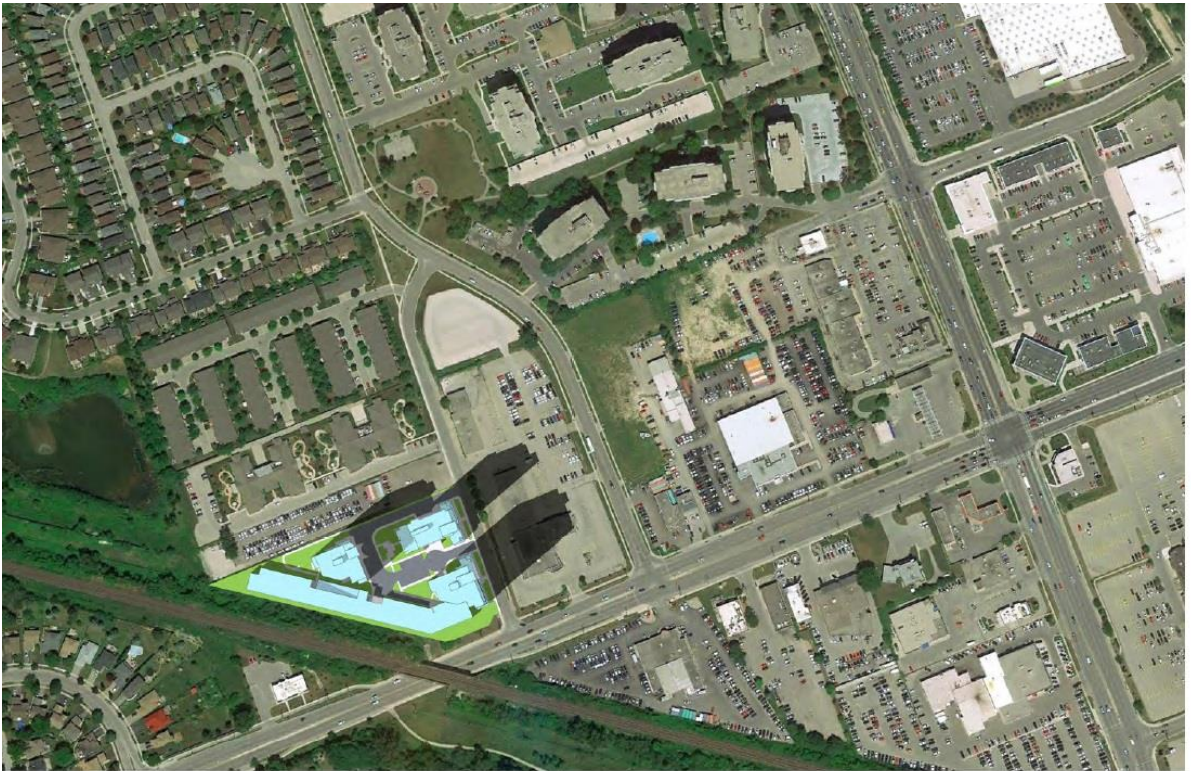
SHADOW STUDY - March 21st, 9:00 am

2. March 21st, 12:00 p.m.



SHADOW STUDY - March 21st, 12:pm

3. March 21st, 4:00 p.m.



SHADOW STUDY - March 21st, 4:00 pm

4. June 21st, 9:00 a.m.



SHADOW STUDY - June 21st, 9:00 am

5. June 21st, 12:00 p.m.



SHADOW STUDY - June 21st, 12:00 pm

6. June 21st, 4:00 p.m.



SHADOW STUDY - June 21st, 4:00 pm

7. September 21st, 9:00 a.m.



SHADOW STUDY - September 21st, 9:00 am

8. September 21st, 12:00 p.m.



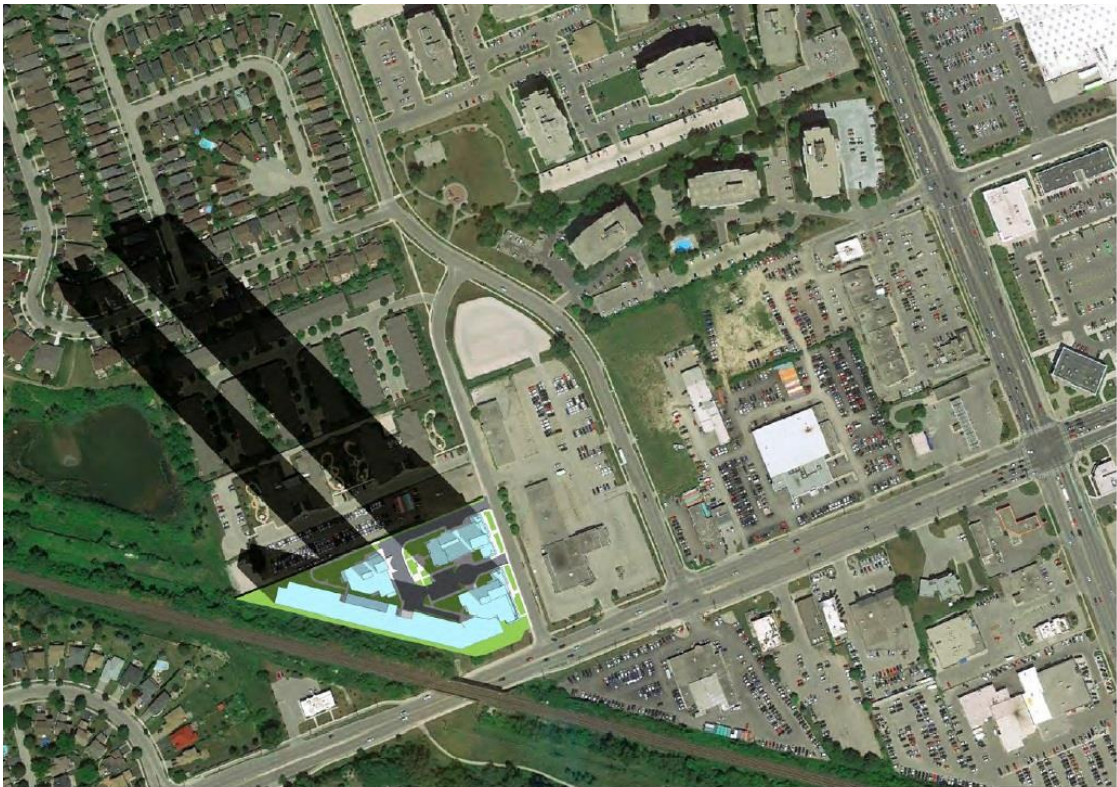
SHADOW STUDY - September 21st, 12:00 pm

9. September 21st, 4:00 p.m.



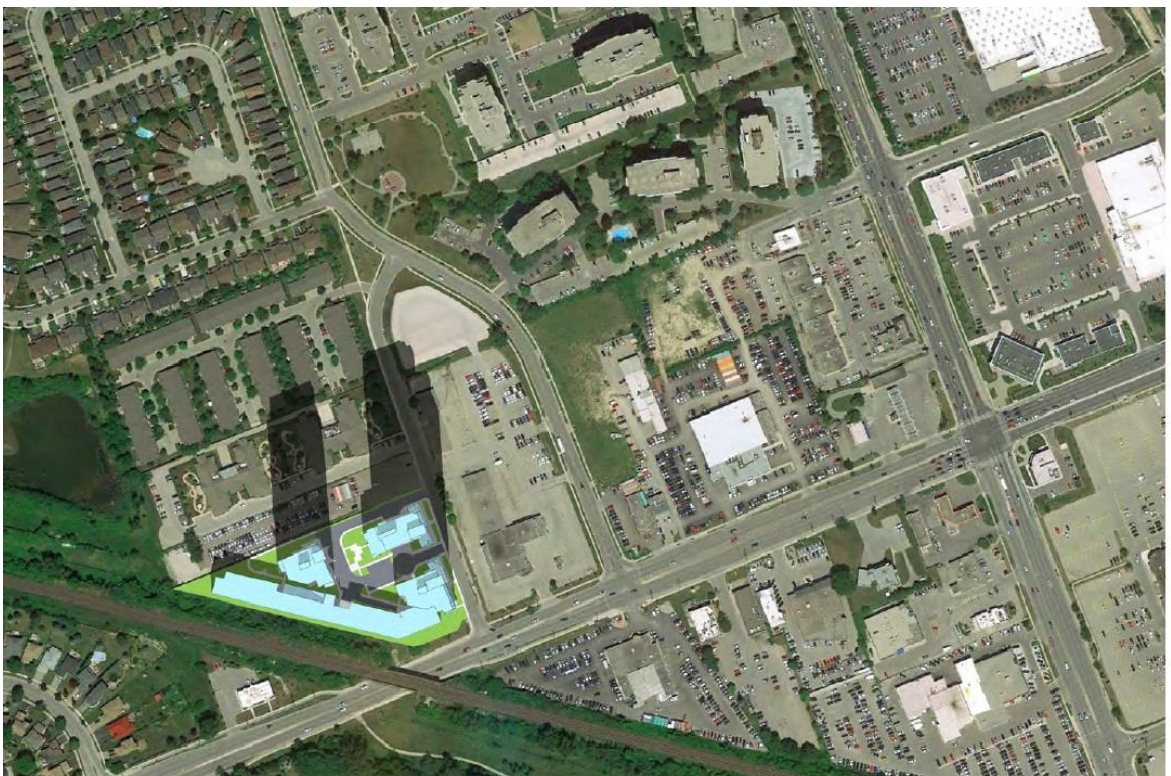
SHADOW STUDY - September 21st, 4:00 pm

10. December 21st, 9:00 a.m.



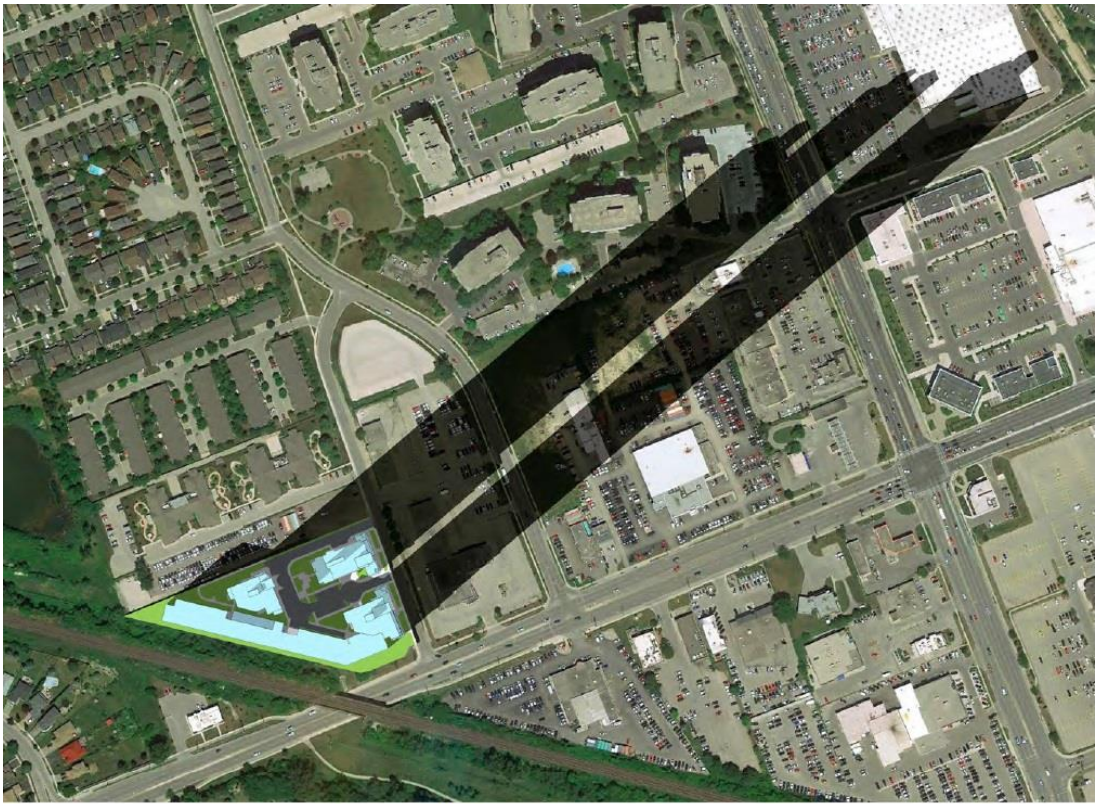
SHADOW STUDY - December 21st, 9:00 am

11. December 21st, 12:00 p.m.



SHADOW STUDY - December 21st, 12:00 pm

12. December 21st, 4:00 p.m.



SHADOW STUDY - December 21st, 4:00 pm

Appendix C – Public Engagement

Community Engagement

Public Liaison: On May 19, 2020, Notice of Application (for one building) was sent to prescribed agencies, City departments, and property owners in the surrounding area. On May 21, 2020, Notice of Application was published in *The Londoner*.

Following revisions to the proposal for a 3-building development, a Notice of Revised Application was sent to prescribed agencies, City departments, and sent to interested parties and surrounding properties owners. The Notice of Revised Application was sent on July 7, 2021. The Revised Notice of Application was published in *The Londoner* on July 8, 2021. A “Planning Application” sign was also posted on the site.

12 replies were received regarding the July 2021 notice of revised application for 3 buildings. Additionally, 46 replies were received in 2020 regarding the initial application for one 22-storey building.

Nature of Liaison for Revised Application, July 8, 2021:

689 Oxford Street West – The purpose and effect of the application to amend the Official Plan and Zoning By-law is to permit development of three (3) high-rise residential buildings in two phases of development. The first proposed phase is one building of seventeen (17) storeys in height. The second proposed phase is one building of seventeen (17) storeys and one building of nineteen (19) storeys. A total of 480 units is proposed (388 units per hectare). Interim retention of the existing commercial plaza is proposed.

Possible amendment to Zoning By-law Z.-1 **FROM** Highway Service/Restricted Service Commercial (HS1/HS3/RSC2/RSC4) Zone **TO** Residential Special Provision Bonus (R9-7*B-()) Zone and Highway Service/Restricted Service Commercial Special Provision (HS1/HS3/RSC2/RSC4) Zone. The proposed increase in density through the residential Bonus Zoning is in exchange for eligible facilities, services, and matters outlined in Section 19.4.4 of the Official Plan (1989). Other matters such as setback, lot coverage, and parking requirements may be considered through the re-zoning process as part of the Bonus Zone. Also, possible amendment to the Official Plan (1989) **FROM** Auto-Oriented Commercial Corridor designation **TO** Multi-Family, High Density Residential designation to align the Official Plan (1989) as it applies to these lands with the Transit Village Place Type of the London Plan.

Nature of Liaison, Revised Application and PPM, June 2, 2022:

689 Oxford Street West – The purpose and effect of the application to amend the Official Plan and Zoning By-law is to permit development of three (3) high-rise residential buildings in two phases of development. The first proposed phase is one building of 17 storeys in height. The second proposed phase is one building of 18 storeys and one building of 21 storeys. A total of 490 units is proposed (396 units per hectare). Interim retention of the existing commercial plaza is proposed.

Possible amendment to Zoning By-law Z.-1 **FROM** Highway Service/Restricted Service Commercial (HS1/HS3/RSC2/RSC4) Zone **TO** Residential Special Provision Bonus /Highway Service Commercial Special Provision/Restricted Service Commercial Special Provision (R9-7*B-()/HS1()/HS3()/RSC2()/RSC4()) Zone. The proposed increase in density through the residential Bonus Zoning is in exchange for eligible facilities, services, and matters outlined in Section 19.4.4 of the Official Plan (1989). Other matters such as setbacks, lot coverage, and parking requirements may be considered through the re-zoning process as part of the Bonus Zone. Also, possible amendment to the Official Plan (1989) **FROM** Auto-Oriented Commercial Corridor designation **TO**

Multi-Family, High Density Residential designation to align the Official Plan (1989) as it applies to these lands with the Transit Village Place Type of the London Plan.

Responses:

A summary of the various comments received included concern for the following:

- Scale and height is excessive for the area;
- Affordable housing proposed is insufficient;
- West leg of Rapid Transit was not funded by Council so Council should not consider the land use designation of the London Plan in determining appropriate use or intensity of development;
- Increased automobile traffic volume in area and traffic circulation;
- Parking on-site;
- Loss of privacy;
- Shadow impact;
- Insufficient natural and green areas; lands should be used for parks/green space;
- Flooding, over-land water flow and stormwater requirements;
- Property values.

Responses to Public Liaison, Notice of Revised Application July 2021

Telephone	Written
Peter Stavrou	Rick Coates
Rick Coates	Juan Cardona
	Mary Kosta
	Roger Meadows
	Barb Lounsbury
	Mike Wallace, London Development Institute (LDI)
	Edgar Cooke
	Brenda Philp
	Brian Gallant
	Barbara Cates and Kelley Cates
	Gail Stark

From: Coates, Rick
 Sent: July 16, 2021
 To: Macbeth, Travis
 CC: Lyons, Sheila; York, Alvin; Bowman, Lorna; Philp, Brenda; Coates, Rick; Lehman, Steve; Blazak, Gary
 Subject: 689 Oxford Street West – Zoning Amendment Request – 2399731 Ontario Limited c/o Westdell Development Corporation

Mr. Macbeth.... Our community, MSCC #526 (Oakridge Glen) located at 43 Capulet Walk has received the Revised planning application in connection with the above noted project. Last year the original application was managed by Ben Morin in the Planning Department. Please advise why he is no longer on the file?

At that time our community submitted several petitions (copies attached for your ease of reference) objecting to the application which contained our principal reasons for objecting. Those reasons still stand. The subject application has received little modification from the original application.

You should still have our information and documentation on file. Please confirm this is the case.

I would like to discuss this current application and I can be reached on my cell phone at [number redacted].

The Board of our condo of which I am a Director will be meeting to discuss this recent application next week and we will no doubt provide our current position although it is not anticipated that it will change dramatically from that previously submitted to Mr. Morin.

I have been on the City website to investigate the current application and to see if there has been any new information submitted by the applicant to justify the revised request. I did not see any new documentation. Can you please advise. We are particularly interested in any updated Traffic studies as the first one was completed in June which is a lower traffic time of year. Traffic on Capulet Walk is a major concern for this new development. Also the proposed building structures are still significantly larger than the maximum height provided for the Transit Village in the London Plan. Also the revised plan does not appear to give much consideration to the comments of the Urban Design Peer Review Panel of June 17, 2020 (concern about Tower in Park approach rather than creating the urban design desired by the London Plan).

You will note that I have copied our Ward Councillor, Mr. Steve Lehman, on this email.

I look for to your call...

Regards,

...Rick

Rick Coates
41-43 Capulet Walk
London, ON N6H 5V5
Canada

[Attached to the email: Petitions (approx. 71 households) signed in opposition to the initial application for one residential building of 22-storeys.]

From: Cardona, Juan
Sent: July 21, 2021
To: Macbeth, Travis
Subject: Comments to Official plan and zoning by-law amendment, file 0-9206 - Z-9199

Hello Travis

Please see attached letter with my comments to 689 Oxford Street West proposed 3 mega 17 to 19 storey buildings in a two storey houses area. Please confirm you received this letter.

I also want to raise a complaint for such a short time window for comments. I request a time extension for comments.

Thanks,
Juan Cardona

Copy to Steve Lehman, Ward 8 Councilor

July 21, 2021

Mr. Travis Macbeth
City Planning, City of London
206 Dundas Street
London ON N6A 1G7

Re: Comments to official plan and zoning by-law amendment, file 0-9206& Z-9199

Mr. Macbeth

We wish to make you aware of a number of strong objections that we have with regard to the proposed development for **689 Oxford Street West**, file number referenced above. As an immediate neighbour to the site of the proposed development, we are of the view that the proposed development will have a serious impact on our standard of living. Our specific objections are as follows:

1 Loss of privacy and overlooking

New developments will be expected to provide a high standard of layout and design that ensures adequate privacy for the occupants of the building and of adjacent residential properties.

The proposed site development with 3 towers with excessive 22 storeys, is at such height that the primary amenity area of our backyard, garden, and a raised deck with seating, and pond view would be severely overlooked from the top rooms of the new development, resulting in a serious invasion of our privacy.

In the London Plan, the transit village place type also states that the Maximum height storeys is 15. Why is then the proposed height 22 stories?

We believe that the proposed development is a direct contravention of Policy 9 of the London Plan (Specific policies for the transit village place type). The design of the proposed development does not afford adequate privacy for the occupants of the building or of adjacent residential properties, particularly with regard to their right to the quiet enjoyment of garden amenities. We would urge you to consider the responsibilities of the council under the Human Rights Act in particular Protocol 1, Article 1 which states that a

person has the right to peaceful enjoyment of all their possessions which includes the home and other land. We believe that the proposed development would have a dominating impact on us and our right to the quiet enjoyment of our property. Article 8 of the Human Rights Act states that a person has the substantive right to respect for their private and family life.

Human Rights Act

It may also be worth citing in this point of objection the responsibilities of the council under the Human Rights Act, in particular Protocol 1, Article 1. This states **that a person has the right to peaceful enjoyment of all their possessions, which includes the home and other land.**

Additionally, Article 8 of the Human Rights Act states that **a person has the substantive right to respect for their private and family life.** Private and family life therefore encompasses not only the home but also the surroundings.

2 Overshadowing and loss of light

The 22 storeys 3-tower building proposed development is within 100 meters of my house at 785 Silversmith Street. The close proximity combined with the excessive height (22 Storeys) will substantially overshadow and bring loss of light to my home, seriously affecting my family's wellbeing.

Based on the previous and as part of the developer's Shadow Study application, the building shadow will have negative impact thorough the year for all properties around, and completely overshadow my property and others around in the months of critical low light levels such as December.

3 Detrimental impact upon residential amenities

We believe that the proposed development is a direct contravention of any reasonable city plan. It does not respect local context and street pattern or, in particular, the scale and proportions of surrounding dwellings, and would be entirely out of the character of the area, to the detriment of the local environment. The properties along Capulet Road are typically row houses or semi-detached houses characterised by normal plots with some spacing between them.

The proposed dwelling would be just meters away from the train tracks. The proposed dwelling is a 22 storey building, yet its land proportions are smaller than the neighbouring semi-detached properties around.

The proposal would demonstrably harm the amenities enjoyed by local residents, in particular, valuable green space, privacy (see point 1) and the right to enjoy a quiet and safe residential environment.

4 Negative road traffic Impact

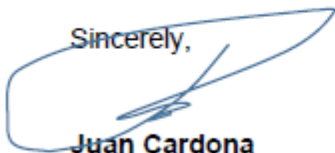
The developer's traffic impact study application does not mention the critical adverse effect of approximately new 530 vehicles added to the area traffic and roads. (22 storeys x 4 apartments per storey x 2 people average per apartment owning cars x 3 towers)

We would also like to request that, should the application be approved, the council consider using its powers to reduce the number of building storeys and the number of buildings in the project, so that it help mitigate the negative effects in our quality of life such as: loss of privacy, overlooking, loss of light, traffic, overshadowing. The proposed site of development will multiply the density of a neighbourhood that is characterized by row-houses and semi-detached homes.

In conclusion, we believe the proposal to contravene this guidance as it is to the detriment of the quality, character and amenity value of the area, by means of overshadowing, loss of light, loss of privacy, overlooking, negative road impacts and a general detriment upon the neighbourhood's quality of life.

We would be grateful if the council would take our objections into consideration when deciding this application. We would welcome the opportunity to meet with a representative of the planning department at our home to illustrate our objections at first hand.

Sincerely,



Juan Cardona
785 Silversmith Street
London ON N6H 5T4

Copy: Councillor Ward 8, Steve Lehman

From: Kosta, Mary
Sent: July 14, 2021
To: Macbeth, Travis; Lehman, Steve
Subject: Proposed development at 689 Oxford Street West

Dear Mr. Macbeth and Mr. Lehman,

Re.: File O-9206 & Z-9199

I am strenuously opposed to further development in this already extremely high-density area. What we need are not more high-rise apartments, but more green space. It takes me over 30 minutes to walk to a park from where I live at 810 Capulet Lane. Put a park where you are proposing to put yet another high-rise apartment building.

Furthermore, I am extremely upset that so much development is taking place to build more for-profit rentals instead of affordable housing. We have far too many people who cannot afford to buy a home, and cannot afford the high rents in this city, and as a result, either must move away or become homeless. As a senior, I can barely afford the rent I pay, and have not possibility of buying a house with the absurd housing market

which seems just to benefit speculators and developers. The city should be working to develop affordable housing, especially for those on fixed incomes.

Lastly, I see the proposed development includes a parking structure. Once again, instead of putting in place measures to combat climate change and reduce the reliance on vehicles that depend on fossil fuel, this is short-sighted of the city. This city has made little effort to do anything concrete after its climate emergency declaration. Where are the dedicated bicycle lanes? How has public transit, which is overcrowded and unreliable, improved? Where are the outlets at new housing developments (such as 810 Capulet Lane) for electric vehicles?

This proposed development does not meet the needs of the citizens of London. It is just a way for the developers to make a profit. We need green space, bicycle lanes, improved public transit, and affordable housing to make this a livable city for everyone.

Sincerely,

Mary Grace Kosta
208 810 Capulet Lane
London, Ontario N6H 0G9

From: Meadows, Roger
Sent: July 14, 2021
To: Macbeth, Travis
Subject: Apartment Buildings File O-9206 and Z-9199

Dear: Travis Macbeth

I have lived in Oakridge Acres for 51 years and I am totally opposed to the erection of 3 apartment buildings let alone two at 17- stories and one at 19- story at the corner of Capulet Walk and Oxford Street West.

To begin with, these apartment buildings would be totally out of proportion height wise with the rest of the apartment buildings that are to the north east on Capulet Lane which are 10 to 12 stories. Being at a height of 19 and 17 stories and so close to residential areas, it is going to be so imposing that it definitely will not fit in with the surrounding landscape. Because these apartment buildings will be much closer to mature residential areas than the others, it will take away privacy no matter what height they are to so many of the neighbourhood residents. The property values of the single family homes and condos in the area will be depreciated because of these 3 apartment buildings. Put yourself in the position of one of the residents of a single family home or condo in the area with these three apartment buildings going up. Are you going to be happy with the loss of privacy, more road congestion and your property value being negatively affected? The traffic in this area is now a nightmare at times especially the Wonderland and Oxford Street area and adding 3 more high rises is just going to compound the problem. I recommend that this area be developed the same as what is currently in the area just off Capulet Walk condos and single family homes. The official plan and zoning by-law amendment for 689 Oxford Street West be rejected.

Thanking you in advance for your co-operation concerning this matter.

Sincerely
Roger Meadows
469 Dunedin Drive
London.

From: Lounsbury, Barb
Sent: July 14, 2021
To: Macbeth, Travis
Subject: 689 Oxford St W

As a resident of Oakridge I would like you to please consider how congested this corner of Oxford St is going to become when you decide on its fate. I am not in favour of this development going forward.

The traffic along Capulet and Oxford is busy enough now without adding three additional high rise buildings to the area. Not to mention having to drive past a construction site for two or more years with cranes and cement trucks, etc. closing the roads and disrupting traffic. As we all know, traffic in this area is very busy with so many apartment buildings, plazas, and businesses.

Why must we fill every available empty lot in this city? The cityscape would be much more appealing to have more trees and green spaces along these busy roadways.

Thank you for your time.

Barb Lounsbury
533 Cayley Drive

From: Wallace, Mike
Sent: July 16, 2021
To: Macbeth, Travis
Subject: 689 Oxford St West application

Hi Travis

Can you confirm if the above application is within a Transit Village or in the TV but along the Rapid Transit Corridor. As Table 8 in the LP has two different bonus max. heights allowed depending on where the site is in the Transit Village.

Thanks Mike

Mike Wallace
Executive Director
London Development Institute (LDI)

From: Cooke, Edgar
Sent: July 22, 2021
To: Macbeth, Travis
CC: Lehman, Steve
Subject: 689 Oxford St. West Planning Application

Mr. Macbeth, on behalf of the Board and owners of Condominium Corporation 624 I wish to express our opposition to the proposed plan for development for 689 Oxford . We are of the opinion that this revised proposal does nothing to alleviate our concerns as expressed in regard to the original proposal made in 2020. This proposal in effect requests an even higher density than the last request with a similar number of units in each building and a minimal reduction in building heights. Presumably this reflects only a reduction in unit sizes not necessarily the number of inhabitants. A proposed concentration of 480 living units on this site is overwhelming. We still object to the overall heights of these proposed structures in that they far exceed what has been the proceeding development heights throughout the neighbourhood. I would suggest that

infill redevelopment of this nature should conform to the surrounding neighbourhood rather than try to redefine it!

We are still at odds with the proposed sound attenuation requirements in relation to what has been foisted on our owners. The proposed two storey parking structure is minimal when compared to a berm the height of the railcars on the tracks to the south topped with an additional high wooden fence. The requirement that our development maintain this fence along the perimeter of a Stormwater Retention Pond now City of London property is ludicrous and an obvious perversion of reasonable treatment. This requirement is a source of ongoing resentment amongst our owners as apparently non of which were made aware of it by the developer when their unit were originally purchased!

Thank You, Ted Cooke, Board Chairman

From: Philp, Brenda

Sent: July 28, 2021

To: Lehman, Steve; Macbeth, Travis; City of London, Mayor; van Holst, Michael; Lewis, Shawn; Helmer, Jesse; Salih, Mo Mohamed; Cassidy, Maureen; Squire, Phil; Morgan, Josh; Hopkins, Anna; Van Meerbergen, Paul; Turner, Stephen; Peloza, Elizabeth; Kayabaga, Arielle; Hillier, Steven.

Subject: 689 Oxford Street West – Revised Planning Application -File O-9206 and Z-9199

Hi Councillor Steve Lehman,

I live at 43 Capulet Walk which is a low rise condominium complex of 53 one storey units. We are situated just north of the site of the revised proposed Zoning amendments to allow a two phased development that includes a 17-storey building of 146 units, a 17-storey building of 167 units and a 19-storey building of 167 units as well as a 3-level parking structure at 689 Oxford St, West.

File: O-9206 & Z-9199

Applicant: 2399731 Ontario Limited c/o Westdell Development Corporation

I wrote to you in June of 2020 regarding the original proposal and am now writing to you in protest of the revised Application.

I have several concerns with this revised proposal. There seems to be very little changed for the better and the primary concerns still exist.

One of my main concerns is the proposed height of the 3 buildings. The addition of two 17-storey and one 19-storey towers is not appropriate to the existing community. To the west of Capulet Lane, it is all one or two-storey single family residences. To the east of Capulet Lane there are about 13 multi-unit residential buildings that are 12-storey buildings.

The original proposed plan indicates it was to providing only 1 parking space per unit instead of the standard 1.25 parking spaces per unit. The revised plan allows for .95 parking spaces per unit. This is unrealistic as there is no available parking in the neighborhood for the overflow of parking requirements that the residents would need. (I note that they are allowing for 375 bicycles?)

I am also very concerned about the effect on the traffic in the area. Both Capulet Lane at Oxford and Beaverbrook at Wonderland are very congested and when the school buses are on Capulet Lane, there is often a traffic holdup of more than 5 minutes on Capulet Lane.

I live on Capulet Walk where it intersects with Capulet Lane. With the 480 homes added to Capulet Walk, the ability to safely make a turn would be greatly impeded. The southbound traffic on Capulet Lane has a high percent failure to signal their right hand turn onto Capulet Walk and are often speeding. There have been more than one

occasion of cars speeding around the curve and spinning off into our complexes' fencing and brick pillars. There are also a number of southbound motorists who make illegal left hand turns exiting out of Capulet Walk onto eastbound Oxford, There is a good likelihood of this increasing in frequency with the large addition of cars exiting the neighborhood.

The shadow study indicates a very intrusive shadow for the entire neighborhood. This will affect a large number of single family homes to the north of the 3 towers. Highview Residences, which is the neighbor to the immediate north of 689 Oxford St. W., specializes in dementia and elder care and it appears they will have a large loss of sunlight to their home. (I personally find this unconscionable.)

I believe the plan is to have "loading, garbage and other service areas" on the north side of 698 Oxford as the immediate neighbor to Highview Residences.

I am also sending this to Mr. Travis Macbeth, Mayor Ed Holder and the other Councillors.

Sincerely,

Brenda Philp
1-43 Capulet Walk,
London, Ontario N6H 5V4

From: Gallant, Brian
Sent: July 30, 2021
To: Macbeth, Travis; Lehman, Steve
CC: Gallant, Brian
Subject: Comments File# O-9206 and Z-9199 689 Oxford Street W

Travis,

I am providing comments and concern regarding the planning application for 689 Oxford Street West.

I am the currently the owner of 711 Oxford Street West and was part of the planning and building process for this property. At that time, I was concerned about the ground water and storm water construction for 711 Oxford Street West and voiced concerns to the city about the movement of water for 711. Since the construction, we have had several floods on the east side of the building when we have significant rainfall.

Here is a link of a video showing a situation in March 2021 (the file is large that is why I had to provide a link). You will see a culvert that brings water from the north side of the train tracks onto the property at 711 Oxford St West as well as the flooding on the east side of the building.

[Video link]

My concern for the new development at 689 Oxford Street West is around the plan for moving rainfall, ground water and the storm water system and how that will be addressed and constructed. I believe that the planning process should limit severely the amount of water that comes from the north side of the tracks to prevent flooding at 711 Oxford St West.

I ask that you provide a response that you have received this message as well as a discussion around my concerns above.

Sincerely,

Brian Gallant

From: Stormwater Engineering
Sent: August 3, 2021
To: Gallant, Brian
CC: Lehman, Steve; Gallant, Brian; Macbeth, Travis

Hi Brian,

Travis passed your message along to me. Thank you for bringing this to my attention.

FYI, the culvert that discharges onto your lands drains flows from the north side of the CN railway lands, and not directly from 689 Oxford. No runoff from 689 Oxford should be entering the CN railway north ditch, however it is possible that some flow escapes the property and contributes to the discharge of the culvert.

Part of my role here at the City is review of the storm water management component of new development applications. During our Site Plan review process I will ensure that the design of the development at 689 Oxford street contains all flows on site, and discourage the consultant from any strategy that involves drainage to the CN railway ditch. Hopefully this will alleviate some of the runoff to your property via the culvert, and minimize flooding issues you are having.

For the subject Official Plan and Zoning applications, the direction I have already provided the applicant is as follows:

- The owner is required to provide a lot grading plan for stormwater flows and major overland flows on site and ensure that stormwater flows are self-contained on site, up to the 100 year event and safely conveys up to the 250 year storm event, all to be designed by a Professional Engineer for review.
- Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands.

I will enforce these stipulations as the project moves forward through the stages of the site plan approval, with consideration of your concern.

For clarity: I'll ensure the development of this site does not contribute flows to the CN railway lands and subsequently your property. However, it is possible you may not see a reduction in flows from the culvert post-construction, as I do not believe the site in it's current state contributes very much to the outflow of the culvert.

From: Cates, Barbara; Cates, Kelley
Sent: July 30, 2021
To: Macbeth, Travis
Subject: Official Plan and Zoning By-law Amendment-689 Oxford Street West File: 0-9206 and Z-9199

Good morning Mr. Macbeth,

I have attached my original letter of objection sent to Ben Morin on June 28, 2020 and his response on June 30, 2020 in which he advised he would look into the flooding concerns. To date, I have not received any communication from anyone on the issue of flooding. Meanwhile, I am shocked and even more gravely disturbed now to learn that the proposal is to build 3 buildings at the same time, rather than 1 building which was stated on the original planning application only one year ago. I also find it concerning that this time last year Westdell stated online that the other 2 buildings would be part of "future development." I see this is not the reality of the situation especially given Ben Morin's positive response which gave us hope that the second development may never occur. I very much hope that my serious concerns regarding flooding are taken into account before the city considers approving this project as there is plenty of risk for

homeowners on Laurel Street who could suffer the consequences if this issue is not adequately addressed. There has been a huge turnover of houses on Laurel Street which would be directly impacted by the development. I am sure you will not hear from those new homeowners who are unaware of potential flooding problems as they are new to the area. I would sincerely appreciate an update on the flooding issue as promised by Ben Morin. Thank you.

Sincerely,

Barabara and Kelley Cates

Good evening Mr. Morin,

I am a co-owner of 30 Laurel Street. My family and I wish to go on record now to state that our Covington built home was plagued by basement flooding issues from the time we took possession until many years later when it was finally fixed. One of our biggest concerns presently would be, during any proposed construction, the possibility of disturbing the underground water so precariously close to our home. Unfortunately, basement flooding was never disclosed to us at the time of the purchase of our home in October 1999. Needless to say, we spent many years hiring experts to repair the water issues by installing inside and outside weeping tiles which failed and then had to be re-done several more times at an astronomical cost to us. During that time, we reached out to the city for help with our water problem many times, but were denied any assistance. While those officials who visited our home admitted that there have always been countless issues with basement flooding in this neighbourhood, they never the less denied us the installation of a catch basin in our backyard even though they told us a catch basin would immensely help the issue. The problem in this area is that there are lily ponds on this land which posed quite a problem for the construction of 7 Covington homes built at the end of Laurel Street south ending at Oxford which included ours. We found this out later from our neighbours. There is also an extremely high water table under our foundation which should not be disturbed. With substantially improved repair technology, our flooding issue was eventually solved and it is vital to us that it is kept that way. As already stated, we deeply fear that should construction be approved for the high rise, the disturbance of the land with digging could pose a disaster if the water table was disrupted. Therefore, we feel it only fair that we be given a guarantee from the Planning Committee that should the Westdell proposed project proceed, there will be no water flooding threat to our property at any point now and into the future. May we say that we were shocked, appalled, outraged and heart broken to receive notification of the proposed Westdell Zoning By-Law Amendment change to permit the construction of not only a 22 storey apartment building a mere 120 metres from our home in Huntington, but also "Multi-family, High Density Residential." We have lived in and enjoyed our home for 20 years which we bought with the intention of myself eventually retiring here as it is a one floor home perfect as you reach retirement age. We love the location of our home which is close to my workplace, high school, shopping, entertainment, restaurants and, of course, COSTCO. My mother, who co-owns the home, has health and mobility issues so this property accommodates her physical needs. We could not even afford to try and re-locate to a similar home in this neighbourhood due to the astronomical home prices not to mention having to uproot her life, my life and my teenage son's life. This would be unimaginable. More to the point, my mother is physically incapable of being moved. We originally bought this property specifically for the large private tree lined backyard which backs onto the railroad track. It is similar to having our very own private park in our backyard. There is an abundance of wildlife animals and birds that frequent our property including blue herons, hawks and turkey vultures. In the spring, a family of ducks parade their ducklings through our backyard as they make their way to a neighbouring pool. All nature would immediately vanish from our green space and seek refuge elsewhere should construction begin. Obviously, we spend and enjoy a great amount of time outdoors on our patio, as do our neighbours, but that would be impossible with the noise, pollution, dirt, dust, fumes and total aggravation that construction would literally bring with it. We would then be forced to begin a new chapter in our lives living in an unwanted,

unnecessary fish bowl with our privacy stripped away. Our dream home would be turned into a nightmare with the proposed construction of a 22 storey high rise literally in our backyard, just across the railway track 120 metres from our home. We would potentially have thousands? of apartment dwellers staring down into our backyard, our kitchen and back bedroom 24/7. We would then be forced to keep our drapes drawn permanently for privacy which is not our style and definitely unacceptable. To say the very least, the project would be an outrageous and unacceptable intrusion into our way of life, not to mention the noise, pollution, lack of any privacy and the increased traffic this would impose on our quiet Oakridge neighbourhood. We are curious to know how the massive amount of increased traffic on Capulet Walk would be safely guaranteed when there are no lights at Oxford and Capulet Walk and no left turns permitted onto Oxford Street. All of those extra drivers from the proposed high rises would have to turn right onto Oxford and then make U turns around the existing burb on Oxford Street near Laurel Street if they want to go east on Oxford Street. Drivers already doing this have already increased the safety for drivers from our subdivision who make time consuming valiant tries at making left hand or right hand turns from Laurel St. onto Oxford St. every minute of the day and night. As it is, all of the residents in our subdivision have to be always prepared for lengthy waits at Oxford St. and Laurel St. to go east or west onto Oxford Street. We have always been denied traffic lights at Laurel St. and Oxford St. by City Hall. Drivers exiting Capulet Walk are already forced to make these dangerous U Turns on Oxford St. near Laurel Street if they want to travel east. This already presents a huge problem of heavy traffic flow with drivers trying to get turned around to drive east on the always busy Oxford Street which endangers all of our lives every day. Capulet Walk was never designed to withstand massive traffic flow from even one to say nothing of three 22 storey apartment buildings as it is only a "Walk" and not a viable roadway intended for heavy traffic. How would this work with thousands? of more drivers exiting Capulet Walk and turning right onto Oxford Street with the proposed plan? How would drivers exiting from Laurel St. even be able to make any kind of safe turn onto Oxford Street under the proposed project? We would no longer be able to open our windows during the day and night to enjoy the natural cool breeze, but would be forced to use AC as the air flow would be blocked by this monster building. Significant increased noise and disturbance from the apartment residents and 3 storey parking garage would also add to the problem forcing the closure of our windows. Natural light would disappear forcing us to have lights on day and night. We, the home owners would then be forced to pay those increased Hydro costs which is also not environmentally friendly or fair. We find it incredulous to believe that City Hall Planners could even remotely consider the Westdell project in Oakridge Acres to be built so close to our homes. There aren't any buildings of this height in the entire neighbourhood. These type of apartment buildings do not belong in subdivisions and are best suited for the downtown area where they already exist and don't infringe on single-family homes that exist in long established residential neighbourhoods like Huntington in Oakridge. We could never have envisioned Capulet Walk being re-zoned to accommodate massive high rises. There is a difference between constructing apartment buildings in subdivisions where initially the public are free to find out before they buy a home, that the area may in the future include new apartment construction versus suddenly proposing to re-zone an area to include high rises adjacent to a long standing residential neighbourhood with no apartment buildings. This obscene surprise is not correct or acceptable. Worst of all, the value of our home would automatically significantly drop should we have new apartment neighbours occupying the land adjacent to ours and obliterating the skyline. Should this project proceed, who then would compensate us for our great financial loss down the line? We were further shocked when we read Westdell's future proposal on-line for 689 Oxford Street West which in fact, in our interpretation, includes a plan to build 2 future additional high rises on the site. Why wasn't this total and vital information not clearly disseminated to us on the Notice of Planning Application which was sent to our home, rather than our having to research the actual details of the proposed development? What was the reason for withholding this key piece of extremely important information from my family who are among the most negatively affected homeowners in this critical situation? We are requesting that the Planning Committee truly re-consider the entire Westdell proposal in light of the fact that Oakridge Acres was never designed and built to host the future onslaught of high rises in resident's

backyards and the ruination of their properties. My family and I vehemently oppose every aspect of the proposed Westdell 689 Oxford Street West development now and in the future. We also kindly request to be kept informed as this case moves along and notified of decisions made along the way.

Sincerely,

Kelley Cates and Barbara Cates
30 Laurel Street
London N6H 4W4

Dear Kelley and Barbara Cates,

Thank you for your comments; they will be considered during the application review.

Thank you for also bringing the flooding and stormwater concerns to my attention. I will follow up with my colleagues in Stormwater Engineering and provide you with any information I receive.

Regarding the way the development phasing is described on the Notice of Application, the applicant has decided to apply to rezone a portion of the site and to retain the commercial plaza for an indeterminate amount of time. Any potential later phases are therefore not part of this application and are not being considered by Council at this time. Given the nature of the planning process, the applicant may significantly revise the later phase as expressed in their urban design brief, or decide to not pursue a second phase at all.

The City is currently determining timing for [Public Participation Meetings](#) (PPM) for this file and others. In the meantime I've attached a file containing our updated PPM procedures in response to COVID-19. As soon as I know more, I'll be sure to reach out to you.

Please do not hesitate to contact me for any additional information.

Regards,
Ben Morin
Planner I

From: Macbeth, Travis
Sent: August 16, 2021
To: Cates, Barbara and Cates, Kelley
Subject: RE: Official Plan and Zoning By-Law Amendment-689 Oxford Street West
File: 0-9206 and Z-9199

Good morning Mses. Cates,

The follow information has been provided by the City's Stormwater Engineering department, with regards to flooding and groundwater review:

In order to inform the design of the development, and facilitate the construction of subsurface structures, the owner's consultant will provide geotechnical analysis, which will often include hydrogeological components. These studies will review soil properties, identify ground water elevations, and propose methods of ground water management during and after construction. Structures with basements, parking structures, or other underground infrastructure may require temporary dewatering during construction, as well as permanent methods of achieving safe and dry subsoils post-construction (weeping tiles, sump pumps, etc.). The City reviews any and all projects with hydrogeological components to ensure that the consultant's methods of management of the ground water levels, and discharge from dewatering, is in line with municipal and

provincial standards and guidelines, including acquisition of appropriate permits and approvals. Furthermore, after construction is completed and temporary construction dewatering has ceased, groundwater levels are typically anticipated to recover at or near their pre-construction levels. New development typically has a net benefit to the surrounding water table as ground water pumping can be a on going process to protect the designed buildings and infrastructure, drawing the water table down.

Regards,
Travis Macbeth, MCIP, RPP

From: Stark, Gail
Sent: July 30, 2021
To: Lehman, Steve
CC: Macbeth, Travis
Subject: 689 Oxford St., W., London.

Good afternoon Steve.

You and I spoke about the original application for this property which I considered inappropriate for the area for many reasons.

I see that the application is now asking for 3 apartment buildings with even more apartments.

This is absolutely ludicrous for this property. The height of these buildings would certainly affect the single family homes just across the railway line. It would be 480 apartments in an area that cannot withstand that amount of traffic. The "30 affordable units" at 85% of current rent does not make them affordable at all.

I vehemently object to the changes requested and hope that a public meeting will be held to enable proper consideration and discussion.

Thank you

Gail Stark
837 Silversmith St, London, ON N6H 5T4

Agency/Departmental Comments

City of London: Development Services – Archaeological Assessment, May 14, 2020

Re: Archaeological Assessment – Complete Application Requirements
689 Oxford Street West (Z-9199)
Development Services Heritage Comments

This memo is to confirm that I have reviewed the following and find the report's analysis, conclusions and recommendations to be sufficient to fulfill archaeological assessment requirements for complete application (Z-9199):

- AECOM. *Stage 1 Archaeological Assessment 689 Oxford Street West* [...] London, Ontario (P438-0167-2018), March 25, 2019.

Please be advised that heritage planning staff recognizes the conclusion of the report that states that: "AECOM's Stage 1 background study for the proposed development at 689 Oxford Street West has determined that the potential for the recovery of both First Nation and Euro-Canadian archaeological resources within parts of the current study area is high. However, as a result of extensive land alteration associated with commercial development, the entire study area has been previously disturbed and archaeological potential has been removed. Based on these findings, no further archaeological assessment is required." (p i)

An Ontario Ministry of Tourism, Culture and Sport (MTCS) archaeological assessment compliance letter has also been received, dated May 8, 2019 (MTCS Project Information Form Number P438-0167-2018, MTCS File Number 0010176).

Archaeological assessment requirements can be considered satisfied for this application.

City of London: Transportation Planning & Design, July 23, 2021

- The transportation impact assessment is accepted, note that the owner shall implement all recommendations outlined in the transportation impact assessment;
- There are no further comments [for] the zoning and official plan application for 689 Oxford Street West, Z-9199, O-9206.

Environment and Infrastructure: Sewer Engineering – April 8, 2022

- Sewer Engineering Division are satisfied with the April 4, 2022 analysis and the populations presented and is sufficient to confirm capacity in order to receive the proposed development.
- It is acceptable to show that the existing 350mm sanitary on Oxford will be at 100% flowing full as a result.
- Consultants are to submit revised sanitary area plan and design sheet to City Geomatics.

London Hydro – Revised Application Response, July 8, 2021

- Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant's expense, maintaining safe clearances from [London Hydro] infrastructure is mandatory. A blanket easement will be required. Note: Transformation lead times are minimum 16 weeks. Contact Engineering Dept. to confirm requirements & availability.
- London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. However, London Hydro will require a blanket easement

Urban Design Peer Review Panel Memo – October 1, 2021

RE: Zoning By-law Amendment Application, 689 Oxford Street W, September, 15 2021.

The Panel appreciated the opportunity to review the revised materials submitted for this application. The Panel also continued to acknowledge the Applicant's suggestion regarding the importance of the site as part of the creation of a future transit village around the Oxford and Wonderland intersection. Unfortunately, the materials provided for review by the Panel were incomplete and not conducive to fully understanding the rationale behind the overall design strategy. In turn, evaluating the project from an urban design perspective was challenging. Notwithstanding the lack of contextual analysis provided, the Panel provided the following comments/recommendations to help inform next steps.

The Panel understands, from the *Transit Village* policies, that individual planning applications should demonstrate how the proposed development can be coordinated with existing, planned and potential development on surrounding lands within the Transit Village Place Type. In cases where a secondary plan does not exist, the applicant is required to show, through the use of a concept plan that considers the subject site and surrounding lands, how the proposed development will support and not undermine the long-term vision for the Transit Village.

- It is recommended that a fulsome contextual analysis be carried out to better understand how this site and project fits into the "big picture" future of the transit village.

- Although the proposed density may be appropriate and has been rationalized in the materials, building orientation, site layout, architectural design and landscape design are also key considerations at this stage and should work in harmony to create a high-quality pedestrian-oriented place, focused around public transit. Further contextual analysis is needed to understand how the project achieves this goal.
- For example, the design interface along Oxford Street (an urban gateway to the Transit Village) includes a substantial proportion of “blank wall” associated with the above grade parking structure. The structural importance of Oxford Street in the context of the Transit Village would suggest a much more urban/active interface condition is warranted.
- The Panel recommends exploring additional opportunities to soften topographical grade changes of the raised parking structure and enhancement of some parking structure facades through architectural upgrades, material finishes, terracing and/or buffer planting.
- Opportunities to eliminate one of the two proposed access points onto Capulet Walk should be considered to provide a stronger built form edge and actively programable streetscape.
- Opportunities to refine the layout and orientation of buildings on site with respect to one another should be further explored such that opportunities for relationships between landscape and amenity spaces on site are developed. For example, this may include opportunities to relocate the landscape area from the west side of Building A to the east side such that indirectly a larger, centralized courtyard is created between the amenity areas of the three buildings.
- Reorientation of Building C to the corner of Oxford Street West and Capulet Walk may assist in framing the street corner while allowing opportunities for an immediate connection between the parking garage and residences of Building C.
- Opportunities to increase the width of the landscape strip along the north edge of the property (specifically the North-East portion) should be considered to allow for additional landscaping. This may be achieved through a reduction in the overall width of the travel lane or elimination of one of the two vehicular access points proposed off Capulet Walk. In doing so provision of additional space dedicated to landscaping will assist in providing an enhanced public realm, encourage activation of the ground floor uses and buffer the presence of the travel lane as the site transitions to adjacent land uses.
- Additional design development and detailing surrounding the landscape areas on site was sought by the Panel. Programming of specific landscape nodes on site was not shown in sufficient detail to determine the landscape elements of each sub-area, their intended program, relation to the built form and the overall site.

The Transit Village policies direct that building heights will “step down” from the core of the Transit Village to adjacent neighbourhood areas.

- The materials do not show the spatial relationship of the site/development in relation to the core of the transit village and the future planned context of the area. Massing models showing contextual relationships between core elements of the transit village and the proposed building heights should be submitted.
- Shadow studies should be provided to help inform building heights/shapes.
- The applicant is commended for providing relatively slender tower floorplates, however, the orientation, shape and positioning of the towers requires further refinement in order to address their context.

Concluding comments:

This UDPRP review is based on City planning and urban design policy, the submitted brief, and noted presentation. It is intended to inform the ongoing planning and design process. Substantial further contextual analysis is warranted in order to inform revisions to the proposed design. This site is an important piece of the future Transit Village and necessitates an exceptional response to set a standard for higher density development in the area. The panel looks forward to the proponent’s response.

Appendix D – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of the requested zoning amendment and official plan amendment. The most relevant policies, by-laws, and legislation are identified as follows:

Provincial Policy Statement, 2020

- 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns
 - 1.1.1.a, b, d, g; and 1.1.2
- 1.1.3 Settlement Areas
 - 1.1.3.1, 1.1.3.2, 1.1.3.3, 1.1.3.4, and 1.1.3.5
- 1.4 Housing
 - 1.4.3
- 1.5 Public Spaces, Recreation, Parks, Trails and Open Space
 - 1.5.1.a and b
- 1.6 Infrastructure and Public Service Facilities
 - 1.6.1, and 1.6.3
- 1.6.7 Transportation Systems
- 1.7 Long-Term Economic Prosperity
- 1.8 Energy Conservation, Air Quality and Climate Change

The London Plan

Our Strategy

Key Directions – policies 55 to 62

Our City: City Structure Plan (Growth Framework)

Intensification – policies 79 to 87

Primary Transit Area – policies 88 to 92 and Figure 3

Downtown, Transit Villages and Rapid Transit Corridors – policies 95 to 98 and Figure 5

Our City: City Structure Plan (Economic Framework)

Downtown, Transit Villages and Rapid Transit Corridors – policies 127 to 130 and Figure 14

Our City

City Structure Plan Composite – policy 146 and Figure 20

City Building Policies – policies 189 to 306

General Framework of Urban Place Types – policies 788 and 789

Transit Village Place Type

Our Vision for the Transit Village Place Type – policy 806

Role within the City Structure – policies 807 to 809

How Will We Realize Our Vision? – policy 810

Permitted Uses – policy 811 and 812

Intensity* - policy 813 (*Note: policy 813 under appeal at LPAT)

Form – policy 814

Transit Village Protected Major Transit Station Areas (including density, height, permitted uses) – policies 815A to 815F

Our Tools – policies 1566 to 1683 and 1795

London Plan Maps 1 through 10

1989 Official Plan

Section 3.4 Multi-Family, High Density Residential

Section 3.4.1 Permitted Uses

Section 3.4.2 Locations

Section 3.4.3 Scale of Development

Section 19 Implementation

Section 19.4.4 Bonus Zoning

Z.-1 Zoning By-law

Section 3: Zones and Symbols

Section 4: General Provisions

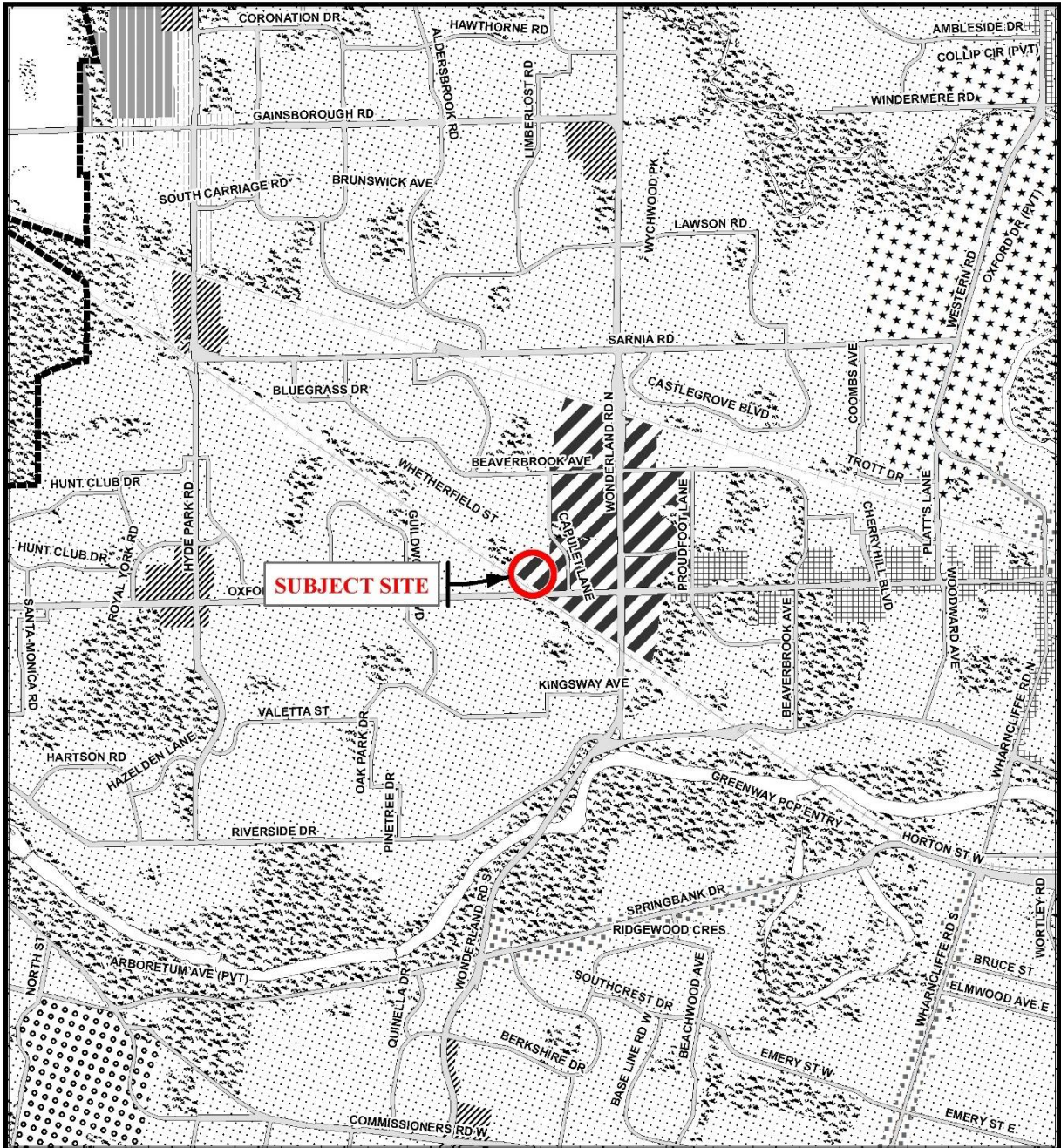
Section 13: Residential R9

Section 27: Highway Service Commercial (HS) Zone

Section 28: Restricted Service Commercial (RSC) Zone

Appendix E – Relevant Background (Additional Maps)

The London Plan: Map 1 – Place Types



Legend

Downtown	Future Community Growth	Environmental Review
Transit Village	Heavy Industrial	Farmland
Shopping Area	Light Industrial	Rural Neighbourhood
Rapid Transit Corridor	Future Industrial Growth	Waste Management Resource Recovery Area
Urban Corridor	Commercial Industrial	Urban Growth Boundary
Main Street	Institutional	
Neighbourhood	Green Space	

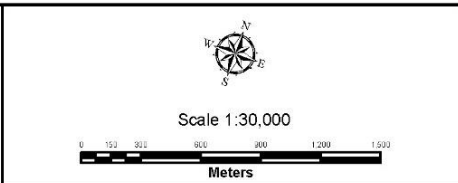
This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON
 Planning Services /
 Development Services

**LONDON PLAN MAP 1
 - PLACE TYPES -**

PREPARED BY: Planning Services



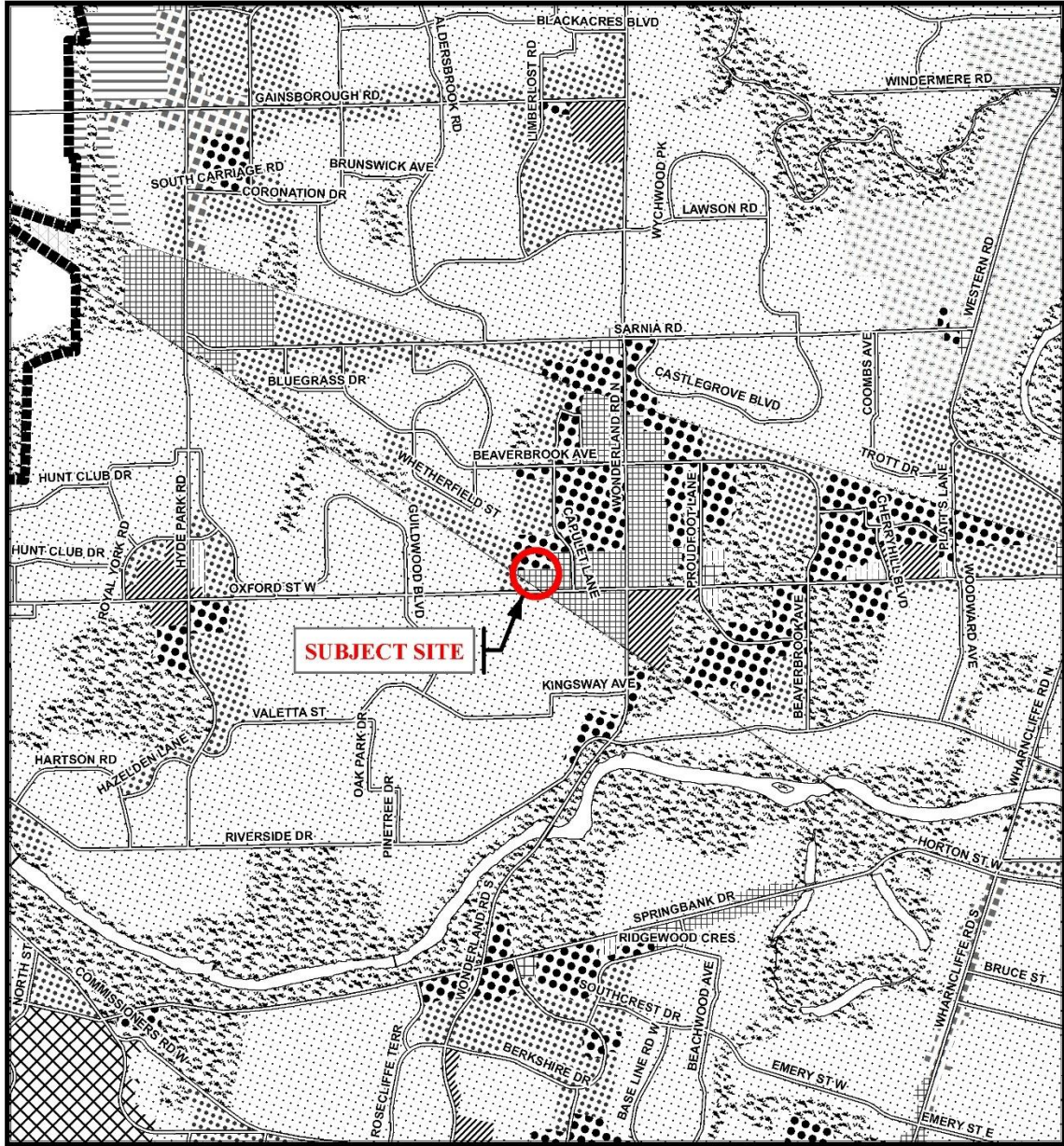
File Number: Z-9199

Planner: TM

Technician: RC

Date: May 17, 2022

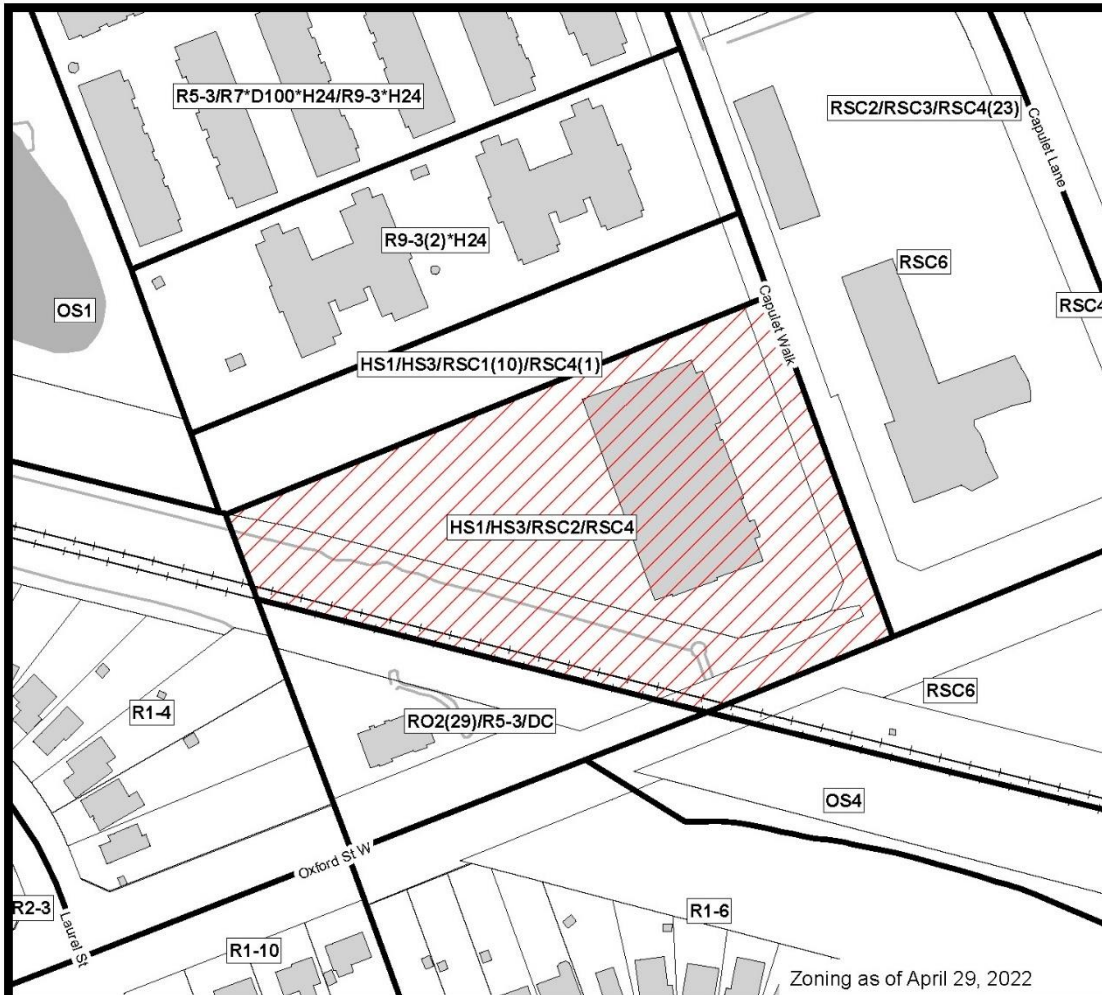
1989 Official Plan: Schedule A – Land Use



Legend			
	Downtown		Multi-Family, Medium Density Residential
	Wonderland Road Community Enterprise Corridor		Low Density Residential
	Enclosed Regional Commercial Node		Office Area
	New Format Regional Commercial Node		Office/Residential
	Community Commercial Node		Regional Facility
	Neighbourhood Commercial Node		Community Facility
	Main Street Commercial Corridor		Open Space
	Auto-Oriented Commercial Corridor		Urban Reserve - Community Growth
	Multi-Family, High Density Residential		Urban Reserve - Industrial Growth
			Office Business Park
			General Industrial
			Light Industrial
			Commercial Industrial
			Transitional Industrial
			Rural Settlement
			Environmental Review
			Agriculture
			Urban Growth Boundary

<p>CITY OF LONDON Planning Services / Development Services OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: Z-9199</p> <p>PLANNER: TM</p> <p>TECHNICIAN: RC</p> <p>DATE: 2022/05/17</p>
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Zoning By-law Z-1 – Zoning Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) LEGEND FOR ZONING BY-LAW Z-1

- | | |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS | RF - REGIONAL FACILITY |
| R2 - SINGLE AND TWO UNIT DWELLINGS | CF - COMMUNITY FACILITY |
| R3 - SINGLE TO FOUR UNIT DWELLINGS | NF - NEIGHBOURHOOD FACILITY |
| R4 - STREET TOWNHOUSE | HER - HERITAGE |
| R5 - CLUSTER TOWNHOUSE | DC - DAY CARE |
| R6 - CLUSTER HOUSING ALL FORMS | |
| R7 - SENIOR'S HOUSING | OS - OPEN SPACE |
| R8 - MEDIUM DENSITY/LOW RISE APTS. | CR - COMMERCIAL RECREATION |
| R9 - MEDIUM TO HIGH DENSITY APTS. | ER - ENVIRONMENTAL REVIEW |
| R10 - HIGH DENSITY APARTMENTS | |
| R11 - LODGING HOUSE | OB - OFFICE BUSINESS PARK |
| | LI - LIGHT INDUSTRIAL |
| DA - DOWNTOWN AREA | GI - GENERAL INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | HI - HEAVY INDUSTRIAL |
| CSA - COMMUNITY SHOPPING AREA | EX - RESOURCE EXTRACTIVE |
| NSA - NEIGHBOURHOOD SHOPPING AREA | UR - URBAN RESERVE |
| BDC - BUSINESS DISTRICT COMMERCIAL | |
| AC - ARTERIAL COMMERCIAL | AG - AGRICULTURAL |
| HS - HIGHWAY SERVICE COMMERCIAL | AGC - AGRICULTURAL COMMERCIAL |
| RSC - RESTRICTED SERVICE COMMERCIAL | RRC - RURAL SETTLEMENT COMMERCIAL |
| CC - CONVENIENCE COMMERCIAL | TGS - TEMPORARY GARDEN SUITE |
| SS - AUTOMOBILE SERVICE STATION | RT - RAIL TRANSPORTATION |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | |
| OR - OFFICE/RESIDENTIAL | "h" - HOLDING SYMBOL |
| OC - OFFICE CONVERSION | "D" - DENSITY SYMBOL |
| RO - RESTRICTED OFFICE | "H" - HEIGHT SYMBOL |
| OF - OFFICE | "B" - BONUS SYMBOL |
| | "T" - TEMPORARY USE SYMBOL |

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

ZONING BY-LAW NO. Z-1 SCHEDULE A



THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

FILE NO:

Z-9199

TM

MAP PREPARED:

2022/05/17

RC

1:2,000

0 10 20 40 60 80 Meters

From: LORNA BOWMAN

Sent: Thursday, June 9, 2022 10:37 AM

To: City of London, Mayor <mayor@london.ca>; Lehman, Steve <slehman@london.ca>

Cc: Morin, Benjamin <bmorin@london.ca>; Hillier, Steven <shillier@london.ca>; Turner, Stephen <sturner@london.ca>; Pelosa, Elizabeth <epelosa@london.ca>; Van Meerbergen, Paul <pvanmeerbergen@london.ca>; Morgan, Josh <joshmorgan@london.ca>; Cassidy, Maureen <mcassidy@london.ca>; nsalih@london.ca; Hopkins, Anna <ahopkins@london.ca>; van Holst, Michael <mvanholst@london.ca>; Helmer, Jesse <jhelmer@london.ca>; Lewis, Shawn <slewis@london.ca>; Hamou, Mariam <mhamou@london.ca>; Fyfe-Millar, John <jfmillar@london.ca>

Subject: [EXTERNAL] Revised Application & Public Meeting Notice Re: File: O-9206 & Z-9199 689 Oxford Street West now File Z-9199 & O-9206

Dear Mayor Holder, Councillor Lehman and City Councillors,

It is with some dismay that I learnt on June 3, 2022 in the London Free Press on of the upcoming Public Meeting on June 20th to consider the revised application of the Westdell Development plan. The next day I received notice in the mail. This provides less than three weeks notice at a time when many people are already away for the summer.

The revised application was submitted July 7, 2021. I do hope that this has given the members of Council time to not only review the file but also to visit the site in person. Although the address is 689 Street West one must enter and exit from Capulet Walk. There is no access onto Capulet Walk from the west. If you wish to return east, you will need to drive north to Capulet Lane and then go south to Oxford.

I have included my letter of June 15, 2020 for information and comparative purposes. I was pleased to read in the Free Press that Councillor Lehman, City Councillor for this Ward, had heard "from concerned neighbours about the proposed development" and that he realized that the proposed development "would loom over the single-family homes (LFP)." This fact is not addressed in the revised application submitted by Westdell or, is the information given by the Councillor that: "When it was first announced there was a lot of concern from the community.... I had hoped, when it was sent back for revisions, that I would see a substantial decrease in the height and the density... three buildings of that size, on a little triangle (of land), seems pretty intense." Nothing of substance was changed in the revised application submitted to you last July.

Westdell's revised application is for a total of 490 units or **2 less than the original proposal**. The actual percentage increase in density over that currently approved for this area is not stated nor are the total number of proposed so-called affordable units. In fact, the staff report recommending whether to allow for rezoning has not yet been published (LFP). Has it been done? What, if anything, was required of Westdell to be eligible to resubmit the application? As you are aware, the province has dispensed with rent control for all apartment buildings erected from 2018 onwards; and there is no rent control in effect when a tenant moves out. Thus, the very few so-called "affordable" housing units Westdell promises (10 or approximately 6.8 % in Building A with maybe a rent of 10% less than market rate) will not only be out of reach of most prospective low-income tenants -- but will carry no long-term guarantee. In the past year alone, rents have increased by 18% in London, the highest rate of increase in the province. This alone should disqualify them for such a density increase.

Westdell's proposed provision for off-street parking remains a concern. For Building A, it is 152 parking spaces for 146 dwelling units; for Building B, 200 spaces for 160 units; and for **Building C, 137 for 184 dwelling units**. This is a total of 489 off-street parking spaces, or one less than the number of proposed 490 rental units. Many families need two vehicles. Is Westdell proposing on-street parking on Capulet Walk? If permitted, congestion would be compounded.

No mention is made of parking provision for visitor parking and the commercial facilities proposed. What provision for accessible parking will be made for residents, visitors and business customers?

Since the 1989 plan and the London Plan of 2016 (six years ago), this area of London has undergone significant development. We are extremely well-served by grocery stores, restaurants and other essential services. There are few, if any, "commercial" needs. Westdell is seeking to meet a need that is not here.

Below, in my letter of two years ago, I also addressed questions of traffic flow, including accessibility and exit from Oakridge Glen at 43 Capulet Walk and safety concerns when turning north, the difficulties with the proposed recreational use of the Stormwater Management Pond by future Westdell tenants as their "green space" with entrance on foot from Oxford Street, and the overall impact on adjacent property values in the area. The artist's depiction of the shadow from Westdell's proposed development incorrectly shows the shadow ending at the property line proposed for the development itself. **This is false and was not the finding of the original shadow study**. Further, the initial traffic study was done after the end of the academic year in 2019. We are just recovering from the pandemic. An updated traffic study during the upcoming academic year is essential to assess the feasibility of this proposal at all.

It also appears that Westdell does not take into account the traffic congestion that will take place entering and leaving its own proposed development. This will be of especial concern in case of a fire or other emergency. Westdell president Lyman Meddoui's statement cited in the Free Press that "It's going to improve the area There's no doubt development spurs other development" (LFP, 06.03.2022) is not only inaccurate but self-serving. Responsible development, under the purview of London City Council, is required.

It would seem in this process of consultation that the letters sent, the petitions signed and the concerns raised by those who will most be affected that were made known to city officials and councillors both in 2020 and when this revised plan was first shared in 2021 are not of importance to City Council. Is this an example of development for development's sake rather than an effort by City Council to meet the needs of the people of London? if approved, it is a poor legacy for the outgoing Council.

Please review my original letter below. I do not wish to repeat information that was previously brought to your attention. It is my hope that you will give careful consideration to these issues and those raised by other residents residing in this area at the upcoming meeting.

Yours sincerely,
Lorna MA Bowman
18-43 Capulet Walk
Oakridge Glen

On Monday, June 22, 2020, 09:21:43 a.m. EDT, LORNA BOWMAN <

> wrote:

Re: **Notice of Planning Application 689 Oxford Street West** -- File: 0-9206 & Z-9199

Dear Mayor Holder

This letter is regarding the above Notice of Application and its implications for the condominium complex at 43 Capulet Walk known as Oakridge Glen – MSCC no. 536 --as well as the impact it would have on the surrounding area and the consequential resultant increased impact on the residents of Oakridge Glen.

Height of Building(s) Proposed and Population Density

It is my understanding that **the highest building in London currently stands at 24 storeys – One London Place**. This is also the height of the now infamous Grenfell Tower in London, England that burned so dramatically 3 years ago. The latter building held just 120 apartments on the top 20 floors. The rezoning application (23999731 Ontario Limited c/o Westdell Development Corporation) is seeking to obtain an official Plan and Zoning Plan Bylaw Amendment **to allow for the constriction of a 22 storey High Rise** and then at a later date, to request an **additional amendment** for two more apartment buildings of **18 and 20 storeys respectively for a total of 492 units**. The land on which it is proposed that these be built is probably comparable to that occupied by One London Place.

Present zoning allows for a maximum of 15 storeys. This proposal, for the first building, is an increase from 150 units per hectare to 293 units per hectare, that is 166 units in the building. This is, for all practical purposes, **a doubling of the present bylaw maximum allowance**. What is the rationale? The 6 units of affordable housing are a token compensation for the proposed density increase. Is the intention to create a densely populated low rent development? Does the City of London Canada want its own Grenfell Tower(s)?

The proposal indicates that there are 166 parking spaces proposed for the 166 units with a single entrance and exit. In a time when most household have two working adults, even the present by-law approval of 1.25 spaces per unit is problematic. Where will tenants park? Off-site parking along Capulet Walk would create an additional problem.

Traffic Flow

I am an original owner in Stage 1 of the Oakridge Glen, having purchased my townhouse in 2003. At that time, the City of London had not repositioned Capulet Lane to provide stop lights at Oxford Street West and “created” Capulet Walk. Since doing so, Capulet Walk has become a shortcut for cars driving south on Wonderland Road via Beaverbrook and Capulet Lane to travel west on Oxford Street. There has been no effort to control the flow of traffic nor drivers’ speeds. When one turns right from Capulet Lane onto Capulet Walk, and then makes a sharp right into Oakridge Glen, one always runs the risk of being rear-ended. Further, with the proposed building(s) at 689 Oxford Street West it will be next to impossible at many times of the day for the residents of 43 Capulet Walk to turn left out of Oakridge Glen onto Capulet Walk to access Capulet Lane.

Since 2003, Drewlo has built four 12 story apartment buildings south of Beaverbrook and another four north of Beaverbrook. These buildings, with the older ones on the east side of Capulet Lane, have significant student populations. The traffic study done for this application was completed in June 2019

at a time when most students have left London for the summer. Additionally, it considers only the immediate area on Capulet Walk and does not note the further development of the area such as the additional high-rise north of Beaverbrook (in the process of completion) and the expansion of the Rona shopping plaza. Nor does it examine overall traffic congestion. Each morning and afternoon there are two bottlenecks at the four-way stop of Capulet Lane and Beaverbrook. One is caused by school buses and the other by commuters going to and from work. Will there be a study to look at the overall traffic impact on this area and the consequences for local residents?

City Responsibility for Safety if Access Provided to Stormwater Management Pond from Oxford Street West

Since 2019, the Stormwater Management Pond built by Auburn Homes has been the responsibility of the City of London. If access is provided from Oxford Street West as proposed will this be considered a City of London Park? Will the City provide the same services it presently affords to City parks? See: [Parks Maintenance](#) Will there be controlled hours and access? What provision will the City make for the protection of children accessing the park (there is no perimeter fence around the pond)? The remnants of a campfire were observed beside the pond the morning of June 14, 2020. What safety provision will the City make to prevent increased break-ins for the homes at Oakridge Glen and on Silversmith Avenue that back onto the pond?

Parks Maintenance

Impact on Property Values at Oakridge Glen

Owners of condominium townhouses pay property taxes at the same rate as other homeowners in London. A Condominium Corporation complex, however, does **not** receive City services other than garbage removal. The Corporation pays for all roadway maintenance, street lighting and electricity, etc. As a Corporation, Oakridge Glen seeks to maintain the units and common elements in a manner reflective of the property's value. If the Westdell rezoning proposal is approved, the increased population density, traffic flow and safety issues will negatively impact the value of all residential single-unit townhouses and houses in the area.

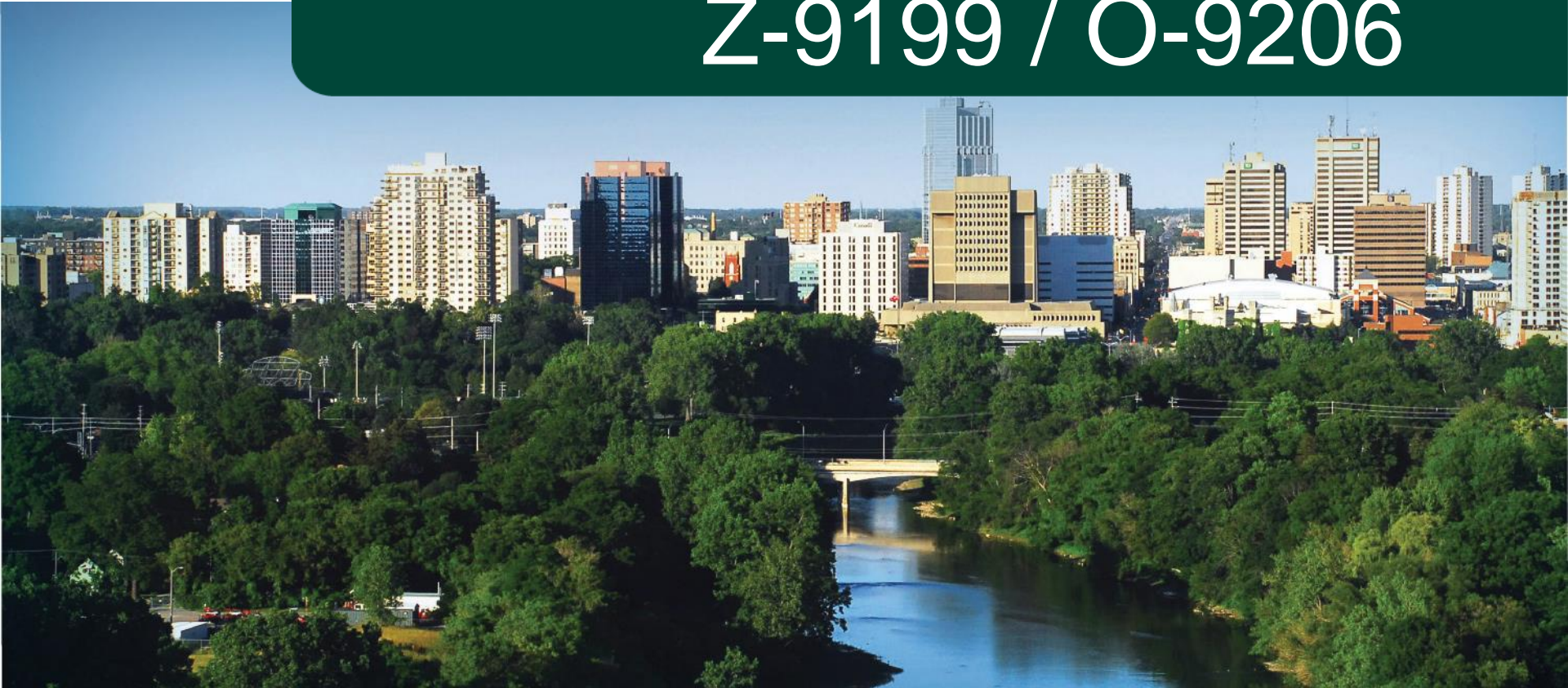
It is my opinion that should this plan move forward at all, no more than two buildings of 12 storeys be approved. It also strikes me that for the sake of stability in the area, rezoning for the full area under consideration should be done at the same time. The present proposal is for the 22-storey building only. In this way, present owners at Oakridge Glen will be able to make their own long-term plans.

Thank you for your consideration.

Yours sincerely,
Lorna MA Bowman
18-43 Capulet Walk

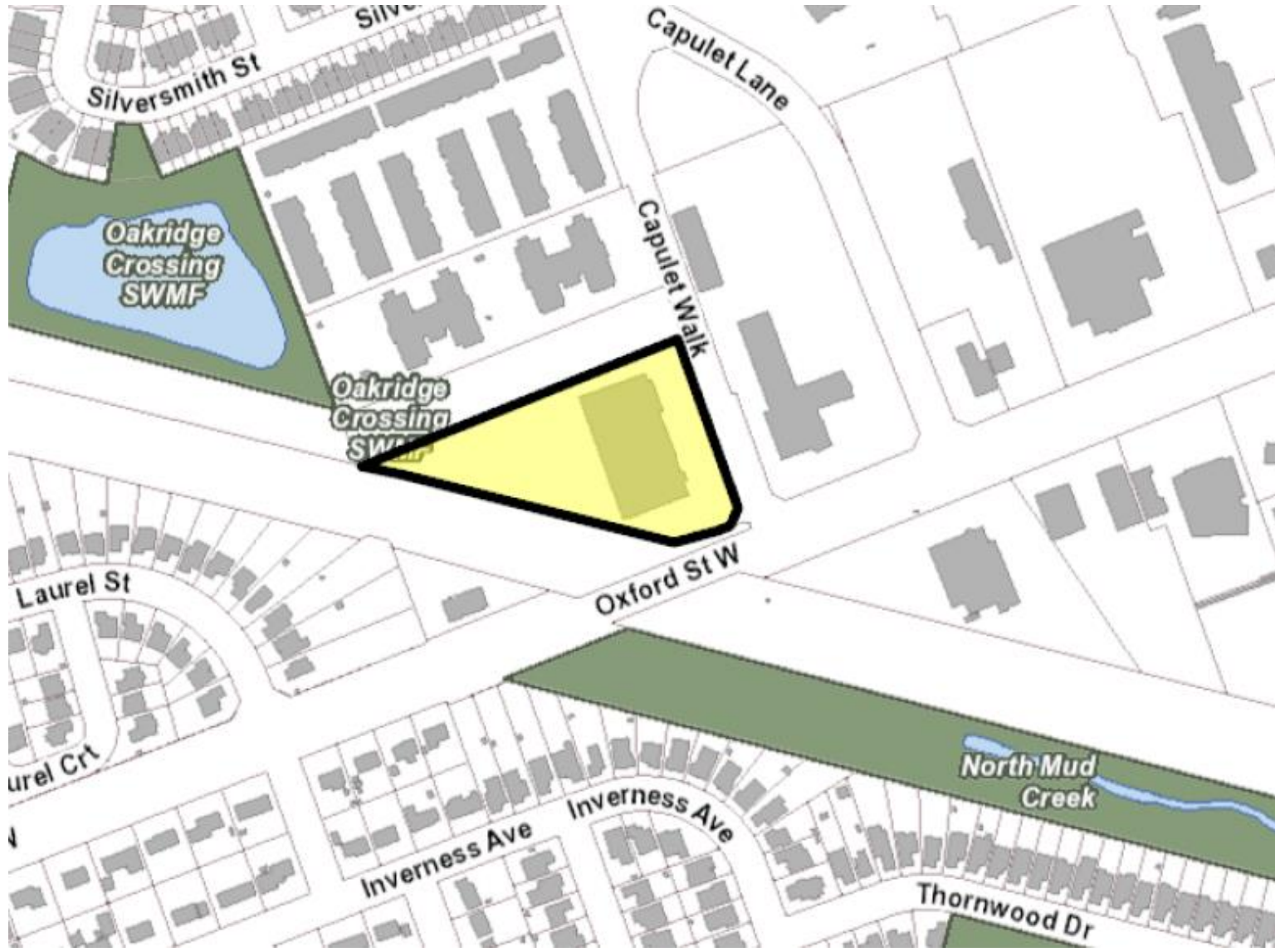


Slide 1 – 689 Oxford St. W. Z-9199 / O-9206



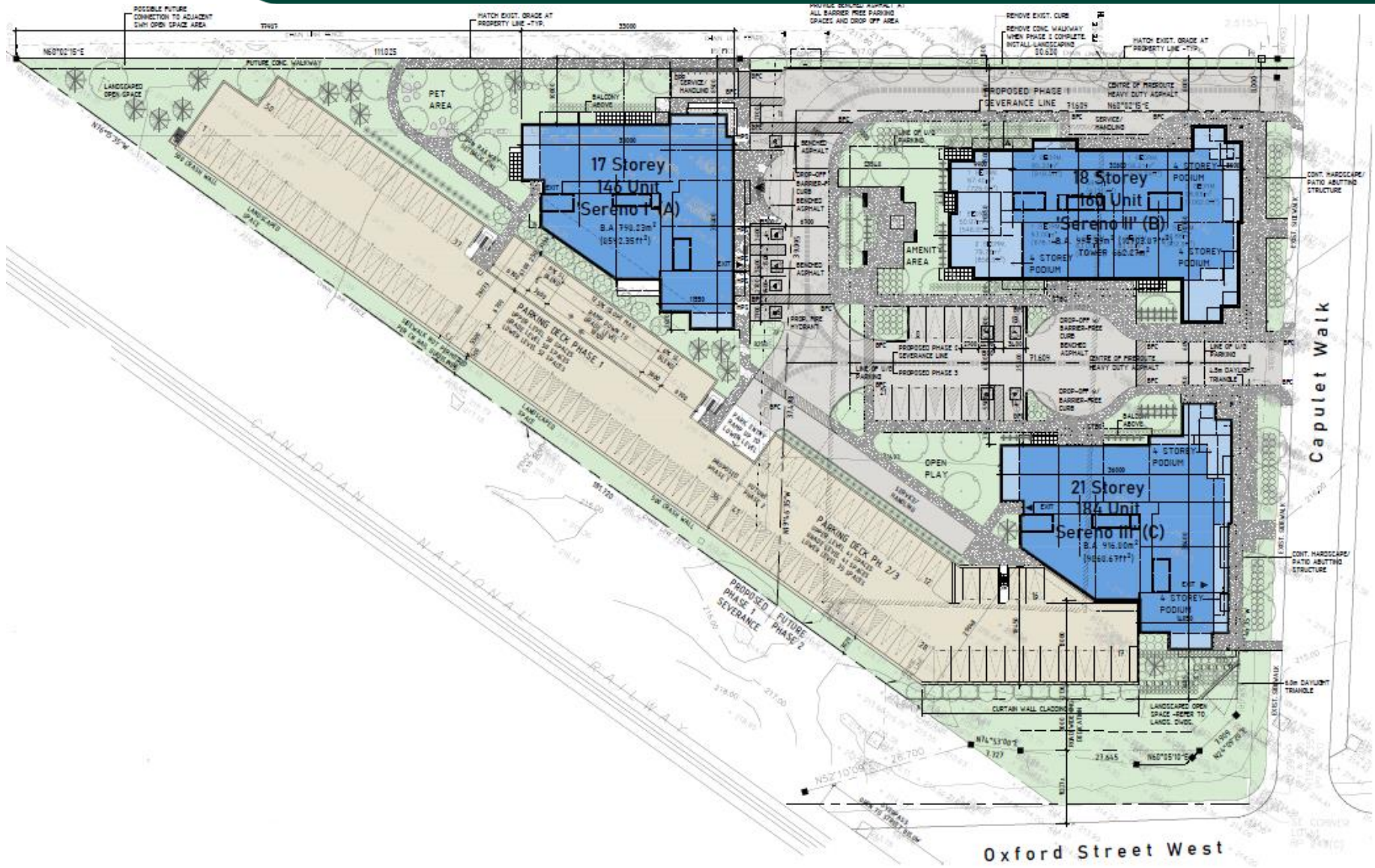
City of London
Planning and Environment Committee
June 20, 2022

Slide 2 – Subject Site





Slide 3 – Proposed Development: Conceptual Site Plan





Slide 4 – Proposed Development: Renderings





Slide 5 – Policy Context

- London Plan
 - Transit Village Place Type
 - Permits broad range of residential, retail, service, office, cultural, institutional and other uses.
 - Broadest range of uses and most intense uses are permitted in Downtown and Transit Villages.
 - Standard Maximum Height of 15 storeys permitted.
 - Up to 22 storeys permitted with Bonusing.

Slide 6 – Public Comments

- Scale and height;
- Density and number of units;
- That west leg of Rapid Transit was not funded so should not consider London Plan land use policies of the Transit Village Place Type;
- Traffic volume and safety;
- Privacy concerns;
- Green space and trees;
- Groundwater and flooding;
- Affordable housing;
- Shadowing;
- Revisions to the proposal did not address previous concerns or comments raised during the initial application for one building.



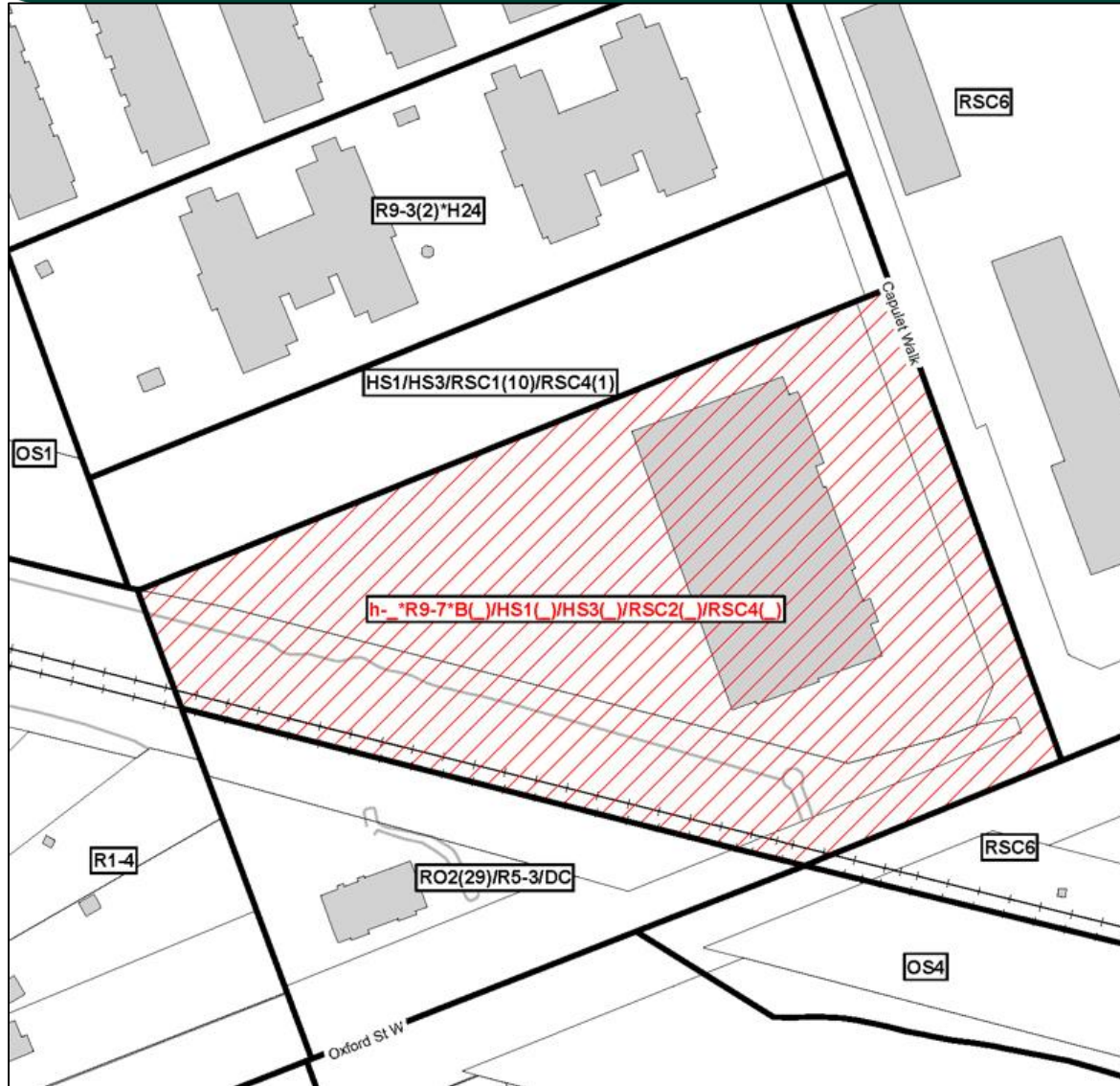
Slide 7 - Bonusing

- Applicant proposes underground parking, design features, and affordable housing as public benefits commensurate with bonus.
- Proposed affordable housing contribution based on “combination” of policy frameworks of 1989 OP and London Plan.
 - Proposal of 20 affordable housing units.
- Applicable policy framework for Bonusing is the 1989 Official Plan (s. 19.4.4).
- Bonusing policies removed from London Plan through an OLT decision, May 25, 2022.

Slide 8 - Recommendation

- Refusal of applicant's request for Zoning By-law Amendment, based on:
 - Affordable Housing policy framework (resulting in 20 units);
 - Special provisions related to yard dimensions and railway setback.
- Recommending Zoning By-law Amendment to permit the development, including:
 - 30 units of Affordable Housing.
 - Regulations to address as one property.
 - Holding provision for engineering standard of parking structure.
- No action taken on 1989 Official Plan Amendment.

Slide 9 - Recommendation



Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: Scott Mathers MPA, P. Eng.,
Deputy City Manager, Planning and Economic Development
Subject: Westell Development Corp.
599-601 Richmond Street
Public Participation Meeting
Date: June 20, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Westell Development Corp. relating to the property located at 599-601 Richmond Street:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on July 5, 2022 to amend Zoning By-law No. Z.-1, to change the zoning of the subject property **FROM** a Business District Commercial Special Provision (BDC(1)) Zone **TO** a Business District Commercial Special Provision Bonus (BDC(1))*B-() Zone.

The Bonus Zone shall be enabled through one or more agreements to facilitate the development of a high-quality mixed-use building, with a maximum height of eight (8) storeys, 57 dwelling units and a maximum density of 519 units per hectare, which substantively implements the Site Plan and Elevations attached as Schedule "1" to the amending by-law in return for the following facilities, services and matters:

- i. Exceptional Building Design
 - A built form located along Central Ave that establishes a built edge with primary building entrance, street-oriented units and active uses along this frontage;
 - Treatment of the first two-storeys of the proposed building contrasts with the remainder of the building above to clearly delineate the attractive, pedestrian-oriented area within the public realm;
 - A contemporary flat roof, with modern cornice lines and canopies for the balconies along the north side of the building, effectively announce the top of the building and help distinguish the building along the corridor;
 - A variety of materials, colours and textures break up the massing of the building into smaller sections, both vertically and horizontally, to appropriately frame the street and enhance the streetscape; and
- ii. Provision of Affordable Housing
 - A total of two, 1-bedroom residential units and two, 2-bedroom residential units will be provided for affordable housing;
 - Rents not exceeding 85% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
 - The duration of affordability set at 50 years from the point of initial occupancy;
 - The proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations;
 - These conditions to be secured through an agreement registered

on title with associated compliance requirements and remedies.

- (b) **IT BEING NOTED** that the following site plan and heritage matters were raised during the application review process:
- i) Removal of the layaway to maintain the City Boulevard as a green boulevard;
 - ii) Include a minimum of 0.5 to 1m setback from the Central Avenue frontage in order to avoid the requirement for encroachment agreements for building elements such as canopies, balconies, opening of doors, etc.
 - i. The main entrance setback from the property line is acknowledged.
 - ii. The commercial unit doors need to be recessed (a minimum of 0.5m or as required) to be within the property line.
The canopies proposed above the commercial units shall also be within the property line or included in an encroachment agreement; and
 - iii) To ensure proper measures are in place during construction, the recommendation of Section 7 in the Heritage Impact Assessment including a temporary protection plan is recommended to be addressed through site plan approval to mitigate impacts on adjacent heritage properties.

Executive Summary

Summary of Request

The owner has requested an amendment to Zoning By-law Z.-1 to change the zoning of the subject lands to permit an eight (8) storey mixed-use building with a total of 57 residential units at a density of 519 units per hectare with a bonus zone.

Special Provisions for the bonus zone include:

Existing Building

To recognize the existing building and uses the following special provisions are required:

- a minimum 0.0 m front yard setback;
- a minimum 0.0 m exterior side yard setback;
- 2 existing residential units; and
- 180m² of ground floor commercial.

Proposed Building

The following special provisions are required for the proposed development:

- a minimum 0.0 m exterior side yard setback ;
- a minimum 0.5m exterior side yard setback for any pedestrian entranceway;
- a minimum 1.0m step back above the 2-storey
- a minimum rear yard setback of 6.0m abutting a residential zone ;
- 57 proposed residential units;
- a maximum density of 519 units per hectare;
- a maximum height of 8-storeys(28m);
- ground floor commercial space consisting of 270m² for 2 commercial retail units;
- a maximum lot coverage of 100%; and
- a minimum of 8 parking spaces in total;

The proposed bonus zone would permit these special provisions in return for eligible facilities, services, and matters, specifically affordable housing outlined in Section 19.4.4 of the 1989 Official Plan.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to permit the development of an eight (8) storey, 57-unit mixed-use building with 6 parking spaces. Special provisions for the recommended bonus zone will include setback reductions, increased density and height, a maximum commercial space gross floor area, increase in lot coverage and reduced parking rate in order to facilitate a development that is appropriate for the site. The recommendation also includes site plan and urban design matters that were raised during the application review process.

Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020, which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents, present and future;
2. The recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Rapid Transit Corridor Place Type and Key Directions;
3. The recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Main Street Commercial Corridor designation;
4. The recommended amendment conforms to the Near Campus Neighbourhood Policies that direct more intense development to corridors.
5. The recommended amendment facilitates the development of affordable housing units that will help in addressing the growing need for affordable housing in London. The recommended amendment is in alignment with the Housing Stability Action Plan 2019-2024 and Strategic Area of Focus 2: Create More Housing Stock.
6. The recommended bonus zone for the subject site will provide public benefits that include affordable housing units, barrier-free and accessible design, transit supportive development, and a quality design standard to be implemented through a subsequent site plan application.

Linkage to the Corporate Strategic Plan

Building a Sustainable City – London’s growth and development is well planned and sustainable over the long term.

Climate Emergency

On April 23, 2019, Council declared a Climate Emergency. Through this declaration the City is committed to reducing and mitigating climate change by encouraging intensification and growth at appropriate locations. This includes efficient use of existing urban lands and infrastructure. It also includes aligning land use planning with transportation planning to facilitate transit-supportive developments and encourage active transportation

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

None.

1.2 Property Description

The subject site is comprised of one irregularly shaped lot located on the west side of Richmond Street at the southwest corner of the intersection of Richmond Street and Central Ave. The site currently contains two existing buildings with a Subway and Starbucks fronting onto Richmond Street with residential units above. The rear of the property is a surface parking lot accessed from Central Ave.



Figure 1 – Existing Buildings



Figure 2 – Existing Rear Parking Lot

In this area, Richmond Street has four traffic lanes, two north bound traffic lanes and two south bound with high volumes of traffic both ways. Central Ave has two traffic lanes, one east and one west bound. The site is within the Rapid Transit Corridor Place Type and located north of the Downtown area along Richmond Row and is well served by transit. Existing access is provided with public sidewalks along both sides of Richmond Street and Central Ave. The pedestrian and bicycle connectivity in the neighbourhood provides for convenient proximity to active mobility in the area.

1.3 Current Planning Information (see more detail in Appendix E)

- Official Plan Designation – Main Street Commercial Corridor
- The London Plan – Rapid Transit Corridor Place Type on a Rapid Transit Boulevard
- Existing Zoning – Business District Commercial Special Provision (BDC(1)) Zone

1.4 Site Characteristics

- Current Land Use – Commercial/Residential
- Frontage – 17.7 metres
- Depth – 68.8 metres
- Area – 0.11 hectares
- Shape – irregular

1.5 Surrounding Land Uses

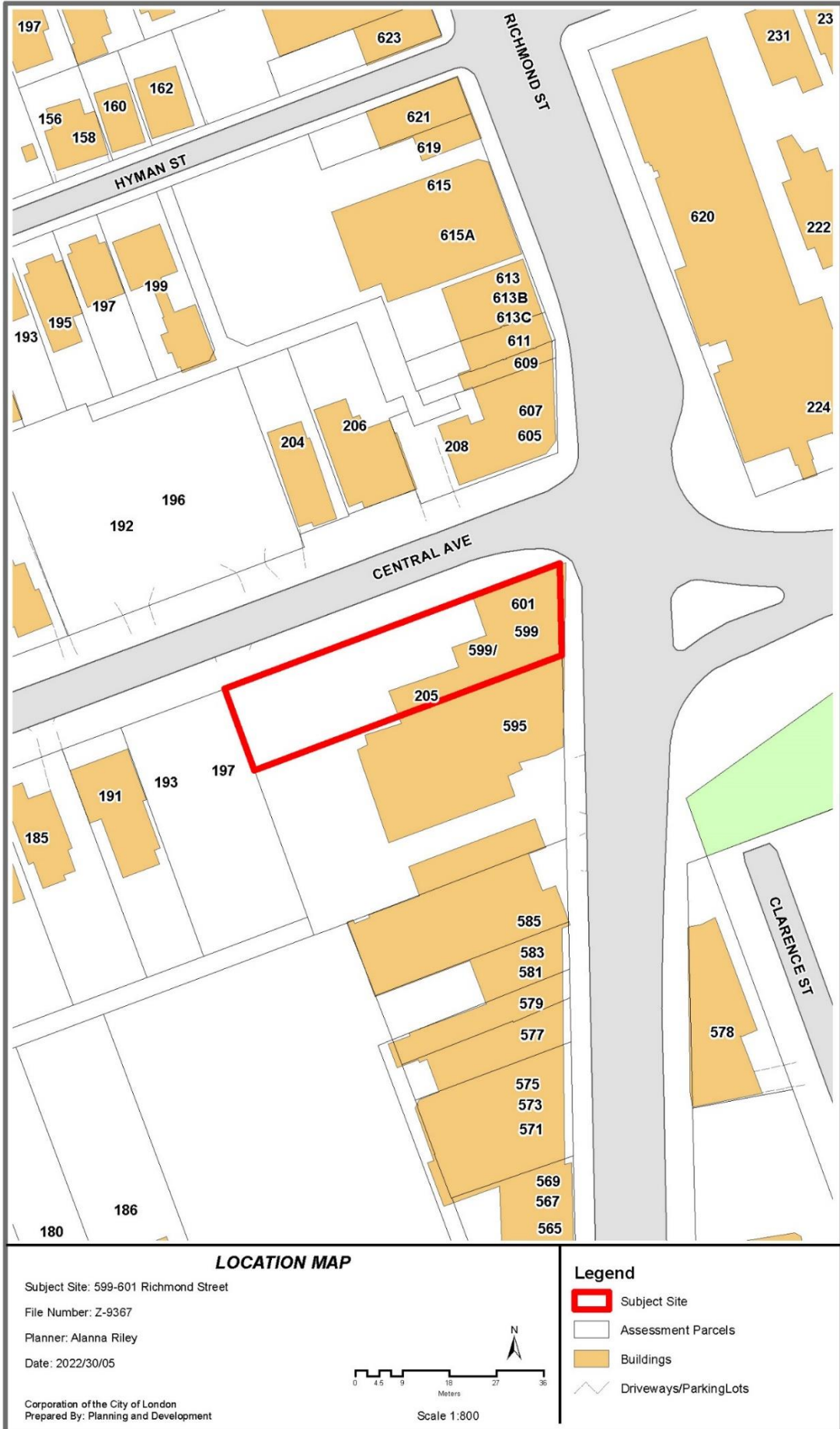
- North – Commercial

- East – Commercial, Victoria Park
- South – Commercial
- West – Commercial

1.6 Intensification

The proposed 57 residential units contribute to residential intensification within the Primary Transit Area and the Built-Area Boundary.

1.7 Location Map



2.0 Discussion and Considerations

2.1 Original Development Proposal

On June 2, 2021, the City accepted a complete application that proposed an eight (8) storey, mixed-use building on the rear portion of the lands with a building footprint of 750m² in area and 180m² of ground floor commercial fronting onto Central Ave with a total of 53 residential units, density of 482 units per hectare, private amenity rooms and secure bicycle storage with 5 parking spaces.

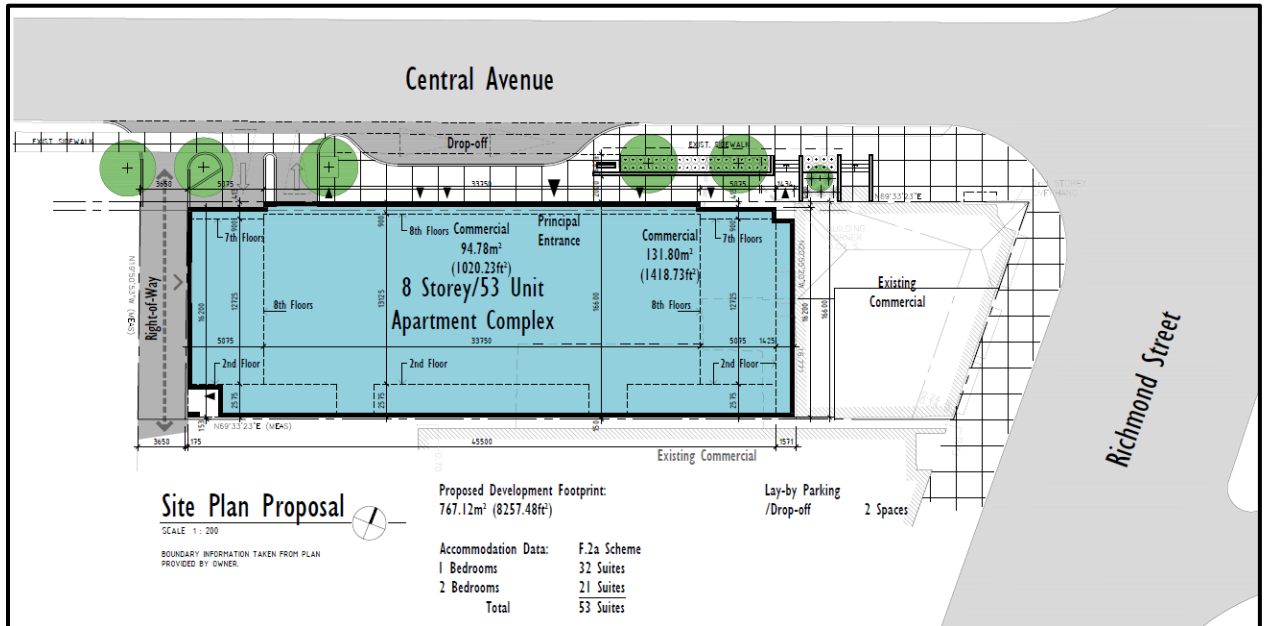


Figure 3: Original Site Concept Plan



Figure 4: Original Rendering - View from Central Ave

2.2 Revised Development Proposal

On April 25, 2022, the City accepted a revised application to address public, site plan and urban design concerns. The revised proposal consisted of an eight (8) storey, mixed-use building on the rear portion of the lands with a building footprint of approximately 740m² in area and 270m² of ground floor commercial fronting onto Central Ave with a total of 57 residential units, density of 519 units per hectare, pedestrian and vehicular access fronting onto Central Ave, private amenity rooms and secure bicycle storage, a loading area located within the building and 8 parking spaces.

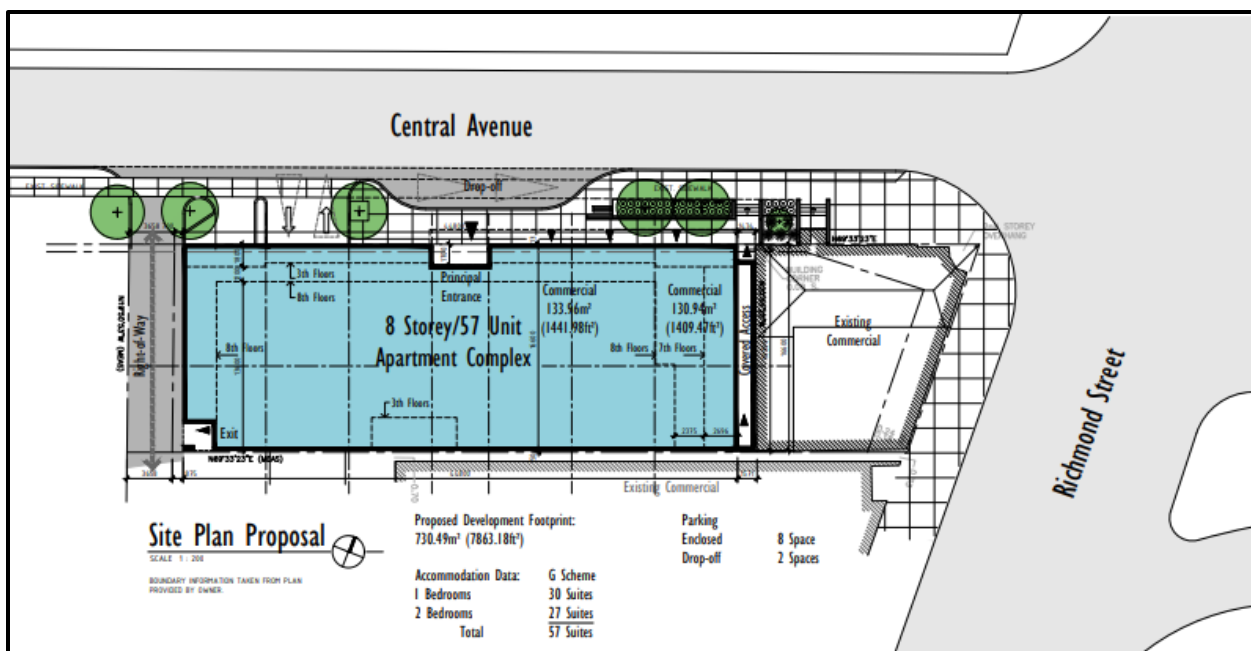


Figure 5: Revised Site Concept Plan



Figure 6: Revised Rendering - View from Central Ave

2.3 Requested Amendments

The owner has requested a Zoning By-law Z.-1 to change the zoning of the subject lands from a Business District Special Provision (BDC(1)) Zone to a Business District Commercial Special Provision Bonus (BDC(1)B-()) Zone to permit an eight (8) storey mixed-use building with a total of 57 residential units at a density of 519 units per hectare.

Special Provisions for the bonus zone include:
Existing Building

To recognize the existing building and uses the following special provisions are required:

- a minimum 0.0 m front yard setback;

- a minimum 0.0 m exterior side yard setback;
- 2 existing residential units; and
- 180m² of ground floor commercial.

Proposed Building

The following special provisions are required for the proposed development:

- a minimum 0.0 m exterior side yard setback;
- a minimum 0.5m exterior side yard setback for any pedestrian entranceway;
- a minimum 1.0m step back above the 2-storey
- a minimum rear yard setback of 6.0m abutting a residential zone ;
- 57 proposed residential units;
- a maximum density of 519 units per hectare;
- a maximum height of 8-storeys(28m);
- ground floor commercial space consisting of 270m² for 2 commercial retail units;
- a maximum lot coverage of 100%; and
- a minimum of 6 parking spaces in total;

The proposed bonus zone would permit these special provisions in return for eligible facilities, services, and matters, specifically affordable housing outlined in Section 19.4.4 of the 1989 Official Plan.

2.5 Community Engagement (see more detail in Appendix C)

Written responses were received from, or on behalf of, 11 households and a joint neighbourhood association letter with 20 names.

Also, the applicant hosted a virtual community meeting. The purpose of the meeting was to provide the community with information with respect to this application. Nine members of the community attended the community meeting.

The public's concerns generally dealt with the following matters:

- Height
- Density
- No amenity area
- Loss of Green boulevard
- Heritage
- Too big for site
- Privacy/Overlook
- Light/Noise impacts
- Traffic
- Parking
- Type of Tenancy
- Does not meet the policies of the Near Campus Neighbourhoods
- Loss of property value

2.6 Policy Context (see more detail in Appendix D)

Provincial Policy Statement, 2020

The Provincial Policy Statement 2020 provides policy direction on matters of provincial interest related to land use and development. Section 1.1 “Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns” of the PPS encourages healthy, livable, and safe communities over the long-term. These communities must be sustained through a number of measures, including: accommodating an appropriate range and mix of affordable and market-based types of residential land uses, as well as employment, institutional, recreation and open space land uses (s. 1.1.1.b); promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning

to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs (s. 1.1.1.e).

The PPS encourages areas inside the urban growth boundary (i.e. “settlement areas” per s. 1.1.3 Settlement Areas) to be the main focus of growth and development, including opportunities for intensification and redevelopment. Appropriate land use patterns within urban growth boundaries are established by providing appropriate densities and mix of land uses that efficiently use land and resources along with the surrounding infrastructure, public services facilities and are also transit-supportive (s.1.1.3.2).

Municipalities are required to identify and promote opportunities for intensification and redevelopment, taking into consideration an area’s existing building stock (s. 1.1.3.3), accommodating a significant supply and range of housing options, including various housing types, densities, and a variety of affordable and market-based housing arrangements (s. 1.1.3.3), promoting development standards which facilitate intensification, redevelopment and compact form (s. 1.1.3.4).

The PPS 2020 also requires that municipalities provide an appropriate range and mix of affordable and market-based housing options and densities to meet projected requirements of current and future residents (s. 1.4.1). It directs planning authorities to permit and facilitate growth through lands available for residential intensification and redevelopment within the existing built-up areas.

The PPS also encourages the range and mix of affordable and market-based housing to be built at densities that meet projected needs, by establishing targets for affordable housing (s. 1.4.3.a). Planning authorities are also required to permit and facilitate all housing options and all types of residential intensification.

The London Plan

At the time this Application was submitted, *The London Plan* was subject to an appeal to the *Local Planning Appeals Tribunal* (LPAT) (PL170700). The *Plan* was Council adopted and approved by the Ministry with modifications, and the majority was in force and effect. Policies that were under appeal were indicated with an asterisk (*) throughout reports. Since that time, *The London Plan* has come into full force and effect as of May 25, 2022, following a written decision from the *Ontario Land Tribunal* (OLT). Policies under appeal at the time of submission, but now in full force and effect are indicated with an asterisk (*) throughout this report.

The London Plan provides Key Directions (54_) that must be considered to help the City effectively achieve its vision. These directions give focus and a clear path that will lead to the transformation of London that has been collectively envisioned for 2035. Under each key direction, a list of planning strategies is presented. These strategies serve as a foundation to the policies of the plan and will guide planning and development over the next 20 years. Relevant Key Directions are outlined below.

The London Plan provides direction to build a mixed-use compact city by:

- Implementing a city structure plan that focuses high-intensity, mixed-use development at strategic locations – along rapid transit corridors;
- Planning to achieve a compact, contiguous pattern of growth – looking “inward and upward”;
- Planning for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward; and,
- Ensuring a mix of housing types within our neighbourhoods so that they are complete and support aging in place. (Key Direction #5, Directions 1, 2, 4 and 5).

The London Plan provides direction for a new emphasis on creating attractive mobility choices by:

- Establishing a high-quality rapid transit system in London and strategically use it to create an incentive for development along rapid transit corridors and at transit villages and stations.
- Linking land use and transportation plans to ensure they are integrated and mutually supportive.
- Focusing intense, mixed-use development to centres that will support and be served by rapid transit integrated with walking and cycling.
- Dependent upon context, requiring, promoting, and encouraging transit-oriented development forms. (Key Direction #6, Directions 3, 4, 5, and 6).

The London Plan also provides direction to build strong, healthy and attractive neighbourhoods for everyone by:

- Integrating affordable forms of housing in all neighbourhoods (61_Key Direction #7). Design complete neighbourhoods by meeting the needs of people of all ages, incomes and abilities, allowing for aging in place and accessibility to amenities, facilities and services (61_ Key Direction #7).

Lastly, The London Plan provides direction to make wise planning decisions by:

- Ensuring that all planning decisions and municipal projects conform with The London Plan and are consistent with the Provincial Policy Statement.
- Avoiding current and future land use conflicts – mitigate conflicts where they cannot be avoided.
- Ensuring new development is a good fit within the context of an existing neighbourhood.
- Ensuring health and safety is achieved in all planning processes. (Key Direction #8, Directions 1, 8, 9, and 10).

The site is in the Rapid Transit Corridor Place Type, as identified on *Map 1 – Place Types. Rapid Transit Corridors are identified as Protected Major Transit Station Areas, as shown on Map 10 – Protected Major Transit Station Areas (860A_). Also, the site is in the Main Street policies and identified as being in the Richmond Row segment. Main Street segments are streets that have been developed, historically, for pedestrian oriented shopping or commercial activity in the older neighbourhoods of the city. (845_) Further to this, the subject lands are also located in the Near-Campus Neighbourhoods, as identified on *Map 7 – Specific Policy Areas.

1989 Official Plan

The City's *Official Plan (1989)* contains Council's objectives and policies to guide the short-term and long-term physical development of the municipality. The policies promote orderly urban growth and compatibility among land uses. While objectives and policies in the Official Plan primarily relate to the physical development of the municipality, they also have regard for relevant social, economic and environmental matters.

The lands are within the Main Street Commercial Corridor land use designation of the 1989 Official Plan. Main Street Commercial Corridors take the form of either long-established, pedestrian-oriented business districts or mixed-use areas where, through conversion or small-scale redevelopment, there has been a transition from predominantly low-density residential housing to a mix of commercial, office and remnant residential uses.

The Main Street Commercial Corridor designation permits a wide range of uses and mixed-uses developments including but not limited to small-scale retail uses, restaurants, offices, small-scale entertainment uses, galleries and studios. The range of permitted uses shall cater to adjacent residential neighbourhoods within easy walking distance. The requested mixed-use development and proposed range of uses conforms to the MSCC designation and objectives.

Redevelopment within the MSCC designation that includes residential mixed-use buildings are to be consistent with the maximum density of 250uph allowed in the Multi-Family, High Density Residential designation of Section 3.4.3. of the OP (Policy 4.4.1.7.iii).

3.0 Financial Impact/Considerations

There are no direct municipal financial expenditures associated with this application.

4.0 Key Issues and Considerations

4.1 Provincial Policy Statement

The PPS encourages an appropriate affordable and market-based range and mix of residential types, including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons to meet long-term needs (1.1.1b)). The PPS also promotes the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs (1.1.1e)).

The PPS directs settlement areas to be the focus of growth and development. Land use patterns within settlement areas shall be based on densities and a mix of land uses which: efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; minimize negative impacts to air quality and climate change, and promote energy efficiency; prepare for the impacts of a changing climate; support active transportation and are transit-supportive, where transit is planned, exists or may be developed (1.1.3.2). Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment (1.1.3.2).

The policies of the PPS direct planning authorities to identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated, taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs (1.1.3.3). The PPS is supportive of development standards which facilitate intensification, redevelopment and compact form (1.1.3.4). Planning authorities are further directed to permit and facilitate all housing options required to meet the social, health, economic and well-being requirements of current and future residents as well as all types of residential intensification, including additional residential units and redevelopment (1.4.3b)). Densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed, are promoted by the PPS (1.4.3d)). The PPS also discusses long-term economic prosperity and that it should be supported “by maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets.....*encouraging a sense of place by promoting well designed built form*” (1.7.1.d).

Analysis

Consistent with the PPS, the recommended mixed-use building will contribute to the existing range and mix of housing types and commercial uses in the area, which is primarily composed of commercial land uses along the Richmond Street Corridor with low density residential uses located further west on Central Ave.

The subject lands are of a size and configuration capable of accommodating a more intensive form of development as a large portion of the site is underutilized, currently functioning as a commercial parking lot within a settlement area. The increased intensity of development on the site will make use of existing transit services, nearby active and passive recreation opportunities, and commercial uses.

The recommended intensification of the subject property would optimize the use of land and public investment in infrastructure in the area. The redevelopment and intensification of the subject lands would contribute to achieving a more compact form of growth while providing a built form that helps establish a sense of plan and enhance the vitality and viability of the main street and surrounding area.

4.2 Issue and Consideration #1: Use

The London Plan

The vision for the Corridors is to be realized through a number of implementation measures, including planning for a mix of residential and a range of other uses along corridors to establish demand for rapid transit services and allowing for a wide range of permitted uses and greater intensities of development along Corridors close to rapid transit stations (830_4 and 5). However, the interface between corridors and the adjacent lands within less intense neighbourhoods must also be carefully managed (830_6).

A range of residential, retail, service, office, cultural, recreational, and institutional uses may be permitted within the Corridor Place Type (*837_1). Mixed-use buildings are encouraged, and where there is a mix of uses within an individual building, retail and service uses will be encouraged to front the street at grade (*837_2 and 4). Consistent with the general Use policies of the Rapid Transit Corridor Place Type, a range of residential, retail, service, office, cultural, recreational, and institutional uses may be permitted in the Rapid Transit Corridor Protected Major Transit Station Areas. Mixed-use buildings are encouraged (860E_). It should be noted these permitted uses apply for the Main Street segment policies in which this site is located in (POLICY NUMBER).

In addition, these lands are also located in the Central Ave section of the Talbot Mixed-Use Area policies which indicate they are part of an area appropriate for the development of a mixed-use corridor...(1030_)

1989 Official Plan

The Official Plan identifies that the subject lands are designated as 'Main Street Commercial Corridor'. The permitted uses on lands designated 'Main Street Commercial Corridor' include: a wide range of uses and mixed-use developments including but not limited to small-scale retail uses, restaurants, offices, small-scale entertainment uses, galleries and studios. Redevelopment within the MSCC designation encourages residential uses combined with commercial uses and are encouraged in the Main Street Commercial Corridors to promote active street life and movement in those areas beyond the work-day hours.

Analysis:

The subject site is within the Rapid Transit Corridor (RTC) Place Type in *The London Plan* and the requested mix of uses for the subject site align with the vision and policies for RTCs in several ways. RTCs are to be vibrant, mixed-use, mid-rise communities that border the length of rapid transit services (826_). A wide range of uses including retail, residential, service, office, cultural, recreational, and institutional are permitted in RTCs, and mixed-use buildings are encouraged (837_). RTCs are meant to connect the Downtown and Transit Villages with highly urban forms of development and allow for a broad range of uses and moderate intensity along rapid transit routes (829_). Allowing the requested mixed-use building on the subject site supports development and activity consistent with the area, and will generate more demand for rapid transit services, supporting policies and the vision for RTCs (830_). The proposal utilizes existing services and infrastructure and reduces our need to grow outward. The proposed mix of uses is respectful of the character of the area and neighbourhoods and will generate and support pedestrian activity.

The development of the proposed eight (8) storey, 57-unit mixed-use building with commercial at grade and residential above is an appropriate use and contributes to a mix of housing types in the area, while also providing a more intrinsically affordable

housing option. Consistent with the surrounding context as well as the list of uses permitted in the policies, the recommended eight (8) storey apartment building is considered appropriate and in conformity with the policies of The London Plan.

The intent of the Main Street Commercial Corridor designation is to support the strength of these areas for a wide variety of uses. The requested mix of uses for the subject site is consistent with these policies.

4.3 Issue and Consideration #2: Intensity

The London Plan

Located in the Primary Transit Area and along rapid transit routes, the Rapid Transit Corridors will be some of the most highly connected neighbourhoods in our city and are linked to the Downtown and to the Transit Villages. Most of these corridors will be fundamentally walkable streetscapes, with abundant trees, widened sidewalks, and development that is pedestrian and transit oriented. Those parts of the Rapid Transit Corridors that are in close proximity to transit stations may allow for a greater intensity and height of development to support transit usage and provide convenient transportation for larger numbers of residents (827_).

Development within Corridors will be sensitive to adjacent land uses and employ such methods as transitioning building heights or providing sufficient buffers to ensure compatibility (*840_1). Lot assembly is encouraged within the Corridor Place Types to create comprehensive developments that reduce vehicular accesses to the street and to allow for coordinated parking facilities (*840_3).

For properties located on a Rapid Transit Corridor, the standard maximum height is 8 storeys or an upper limit of 12 storeys (*Table 9). Properties located on a Rapid Transit Corridor within 100 metres of rapid transit stations, or properties at the intersection of a Rapid Transit Corridor and a Civic Boulevard or Urban Thoroughfare, are permitted a standard maximum height of 12 storeys or an upper limit of 16 storeys through a comprehensive Zoning By-law amendment (*840_6 and *Table 9).

1989 Official Plan

There are no height and density permissions for the Main Street Commercial Corridor however, for residential development within this designation, the policies refer to the Multi-Family, High Density Residential designation which states that Residential densities within mixed-use buildings in a Main Street Commercial Corridor designation should be consistent with densities allowed in the Multi-Family, High Density and Medium Density Residential designations, which in the Central London Area will normally be less than 250 units per hectare (3.4.3. Scale of Development).

As previously indicated, the applicant has applied to increase the density above the permitted 250uph to 519uph through bonusing provisions. Density bonusing can be approved by Council, under the provisions of policy 19.4.4. and is a tool used to achieve enhanced development features, which result in a public benefit that cannot be obtained through the normal development process, in return for permitting increased heights and densities.

Further to this, the *Planning Act* provides legislation which allows municipalities to use bonusing provisions in their Official Plan in return for facilities, services, or matters, as are set out in the By-law. The proposed building form and design (discussed in Section 4.4- Form), and the provision of four (4) affordable housing units, all of which may not otherwise be implemented through the normal development approvals process, allow the proposed development to qualify for Bonus Zoning in conformity to the policies of the Official Plan. These bonusable features are outlined in the Staff recommendation and discussed in the Bonusing Section below.

Analysis:

Although The London Plan does not identify density limits within the policy framework, it does control how intense lands can develop through specific criteria. The proposed development is generally in keeping with the intensity policies of the Plan. The proposed building is for eight (8) storeys which is consistent with the Rapid Transit Corridor policies. The proposed mixed-use building contributes to the overall built form and intensity and is considered appropriate within the context of the Rapid Transit Corridor Place Type policies. Through its building orientation and urban design elements it is sensitive to the adjacent land uses.

As mentioned, the subject lands have frontage on the Rapid Transit Corridor which is a higher-order street, to which higher-intensity uses are directed. Also, the property lies within an area characterized by the mix of commercial, mixed-use buildings and residential forms of development. The subject lands are of a size and configuration capable of accommodating a more intensive form of development on the underutilized portion of the site, while maintain the existing commercial/residential building along Richmond Street. Also, the increased intensity of development on the site will make use of existing transit services, nearby active and passive recreation opportunities, and commercial uses.

Furthermore, an objective of the Main Street Commercial Corridor designation in the 1989 Official Plan encourages intensification and redevelopment in existing commercial areas within the built-up area of the City. This helps to meet commercial and residential needs, makes better use of existing City infrastructure, and strengthens the vitality of these areas (4.2.1). The requested intensity and mix of uses for the subject site is consistent with these policies. Intensification and redevelopment also support public transit and connections to the Downtown and other parts of the city - other key objectives of the MSCC designation (4.4.1.2). As the subject site is located within walking distance of established residential neighbourhoods the requested commercial uses can be supported by existing and future residents.

Finally, density bonusing can be approved by Council, under the provisions of policy 19.4.4. and is a tool used to achieve enhanced development features, which result in a public benefit that cannot be obtained through the normal development process, in return for permitting increased heights and densities. The *Planning Act* provides legislation which allows municipalities to use bonusing provisions in their Official Plan in return for facilities, services, or matters, as are set out in the By-law. The proposed development requires bonus zoning as a result of the proposed increase in density above 250uph to 519uph. The built form and exceptional design (discussed in Section 4.3- Form) combined with the provision of four (4) affordable housing units, which may not otherwise be implemented through the normal development approvals process, allow the proposed development to qualify for Bonus Zoning in conformity to the policies of the Official Plan. Staff is satisfied that the proposed facilities, services, and matters are commensurate for the proposed increased intensity. Also, the recommended zoning provisions provide assurances that the appropriate level of intensity will be permitted on the site. These bonusable features are outlined in the Staff recommendation and discussed in Section 4.4 below.

In addition, the MSCC policies in the 1989 *Official Plan* also support uses that encourage and strengthen active street life and movement beyond typical work-day hours (4.4.1.8). The recommended amendments for the subject site will support this policy by increasing the residential population along the corridor and provide additional commercial uses at grade, both contributing to the desired active street life and movement of the Main Street Corridor. The proposed development will add to the attractiveness of the overall area and support continued investment and regeneration of nearby sites and buildings.

Yard Reductions

The Business District Commercial Zone permits a 0 metre setback for front and exterior yards. Further to this a 0 metre setback is also permitted for an interior and rear yard setback abutting a non-residential zone. The applicant has proposed 0 metres for the front, exterior and interior yard setbacks, however 6 metres for the rear as it abuts a residential zone where 12 metres is required. The reduced setback is able to provide

sufficient space along the westerly property line for access and will result in minimal impacts to the western properties. The reduced setback will also help establish a built form which will create a strong street wall along Central Ave. It should be noted the existing uses to the west consist of a parking lot, commercial for a few properties and further down residential. commercial not residential.



Figure 7: View looking west on Central Ave

Parking Reduction

The revised application includes a parking reduction request from 61 spaces to 8 spaces. The Transportation Division is not in support of the reduced parking rate based on the Parking Study that was provided to staff. However, Planning and Development staff are of the opinion that the reduced parking rate is a common and acceptable modern standard for sites located on rapid transit corridors that support public transportation, such as Richmond Street. The development is located within central London and is within walking distance to the downtown core and several surrounding amenities. Also, Planning and Development is currently undertaking a review of parking rates and considering potential changes to reduce these rates for mixed use buildings. Site Plan raised an issue that the proposed 8 spaces were not functional and therefore, the recommendation is to reduce spaces to 6 to ensure this issue is addressed.

4.3 Issue and Consideration #3: Form

The London Plan

The Form policies of the Rapid Transit Corridor Place Type establish a number of directions for planning and development applications. These policies direct buildings to be sited close to the front lot line to create a pedestrian-oriented street wall while providing appropriate setbacks from properties adjacent to the rear lot line, break up and articulate the mass of large buildings fronting the street to support a pleasant and interesting pedestrian environment, and encourage windows, entrances and other features that add interest and animation to the street (841_2 and 841_3). Surface parking areas should be located in the rear and interior side yards; underground parking and structured parking integrated within the building design is encouraged (841_12). In general, buildings are to be designed to mitigate the impact of new development on adjacent neighbourhood areas (841_13).

In addition to the Form policies of the Rapid Transit Corridor Place Type, all planning and development applications will conform with the City Design policies of The London Plan (841_1). These policies direct all planning and development to foster a well-designed building form, and ensure development is designed to be a good fit and compatible within its context (193_1 and 193_2). The site layout of new development should be designed to respond to its context, the existing and planned character of the surrounding area, and to minimize and mitigate impacts on adjacent properties (252_ and 253_).

Further, as mentioned, the site is located within the Richmond Row segment in the Main Street policies within the Rapid Transit Corridor Policies. These policies discuss form that buildings will be close to the street with parking generally located to the rear, underground or integrated into the building. (845_)

1989 Official Plan

Main Street Commercial Corridors take the form of either long-established, pedestrian-oriented business districts or mixed-use areas where, through conversion or small-scale redevelopment, there has been a transition from predominantly low-density residential housing to a mix of commercial, office and remnant residential uses. Also, within the Main Street Commercial Corridor designation the form policies indicate that Main Street Commercial Corridors are pedestrian-oriented and the Zoning By-law may allow new structures to be developed with zero front and side yards to promote a pedestrian streetscape. These setbacks were discussed above in Section 4.2 – Intensity.

Analysis:

The recommended intensification of the subject property would optimize the use of land and public investment in infrastructure in the area. Located adjacent to a developed area of the City, the redevelopment and intensification of the subject lands would contribute to achieving more compact forms of growth. The proposed mixed-use building represents a more compact form of development than the parking lot that currently occupies a large portion of the site.

The proposed form of development has been designed with many positive features and has made a strong effort to maintain a scale and rhythm that responds to the surrounding land uses, and the location and massing of the proposed building is consistent with urban design goals.



Figure 8: View from the east onto the intersection of Richmond Street/Central Ave

While the existing building is situated with a 0 metre setback along Richmond Street, the additional proposed building is also to be situated close to Central Ave, defining the street edge and encouraging a street-oriented design with ground floor entrances facing the streets. The overall development uses building articulation, rhythm, materials, fenestration, and balconies along the public street frontage to help reduce the overall massing of the buildings and create a pleasant and interesting pedestrian environment while reducing large expanses of blank walls along the street and internal to the site.

The main entrance and lobby for the proposed mixed-use building will be located along the northerly lot line, facing Central Ave. The recommended zoning provides for the required design flexibility while ensuring the building continues to be located close to the street.

The parking area is located in the building to provide for appropriate screening of the parking from the street and adjacent to abutting properties. Staff are recommending a special provision of 6 parking spaces instead of the requested 8 spaces to ensure the parking area is functional as there were some concerns raised through site plan as to how the internal parking configuration will work.

The proposed building is taller than the surrounding buildings in the area. However, the proposed building is not as tall as the permissions of the London Plan which contemplates twelve (12) storeys in height. As Richmond Street continues to redevelop and implement the vision of the rapid transit corridor it is anticipated that greater heights will be achieved in the area. To ensure there are minimal impacts on the adjacent uses, the proposed building placement provides for a suitable separation between the proposed development and existing parking lot and commercial uses to the west helping mitigate concerns expressed by the public.

The review by City staff relating to urban design and site plan matters and comments from the Urban Design Peer Review Panel highlighted various considerations for more detailed design to be completed. The design refinements illustrated on the revised elevations in Schedule "1", provide certainty with respect to appropriate building location and massing, centralized amenity space, and buffering and parking lot design standards in order to establish suitable zoning regulations through bonusing with exceptional design.

At the site plan approval stage, City staff will continue to refine the building and site design features further with the applicant for implementation in the final approved drawings and development agreement, including:

- i) Provide sufficient setbacks for site plan planting requirements to provide adequate soil volumes for required perimeter plantings;
- ii) Maintain the City Boulevard as a green boulevard; and
- iii) Include a minimum of 0.5 to 1m setback from the Central Avenue frontage in order to avoid the requirement for encroachment agreements for building elements such as canopies, balconies, opening of doors, etc.
 - i. The main entrance setback from the property line is acknowledged.
 - ii. The commercial unit doors need to be recessed (a minimum of 0.5m or as required) to be within the property line.
 - iii. The canopies proposed above the commercial units shall also be within the property line or included in an encroachment agreement.

These are the detailed matters summarized under clause d) of the staff recommendation for the Site Plan Approval Authority to consider through the site plan approval process.

The proposed development offers positive features, has addressed City Design and Form policies of the Rapid Transit Corridor Place Type and MSCC policies of the 1989

Official Plan and meets high level urban design goals. The proposed form of development is appropriate and compatible with the surrounding area through its pedestrian oriented design which establishes an appropriate interface with the public realm and surrounding context. Implementation of the required Bonus Zone elements and targeted refinements of the site and building design will result in a development that is compatible with, and a good fit within the existing and planned context of the area.

4.4 Issue and Consideration #5: Near-Campus Neighbourhoods

Near-Campus Neighbourhoods are identified as extremely valuable city neighbourhoods that will be planned to enhance their livability, diversity, vibrancy, culture, sense of place, and quality of housing options for all (963_ and 964_; 3.5.19.3). The policies of The London Plan and 1989 Official Plan establish a number of planning goals in an effort to support this vision for these neighbourhoods (965_; 3.5.19.4.). These goals are intended to serve as an additional evaluative framework for all planning applications within Near-Campus Neighbourhoods, and include:

- Planning for residential intensification in a proactive, coordinated, and comprehensive fashion;
- Identifying strategic locations where residential intensification is appropriate within Near-Campus Neighbourhoods and which use strong transit connections to link these opportunities to campuses;
- Avoiding incremental changes in use, density, and intensity that cumulatively lead to undesirable changes in the character and amenity of streetscapes and neighbourhoods;
- Encouraging a balanced mix of residential structure types at appropriate locations while preserving stable residential areas and recognizing areas that have already absorbed significant amounts of intensification;
- Encourage appropriate forms of intensification that support the vision for Near-Campus Neighbourhoods and encouraging residential intensification in mid-rise and high-rise forms of development;
- Directing residential intensification to significant transportation nodes and corridors and away from interior of neighbourhoods;
- Utilizing zoning to allow for residential intensification which is appropriate in form, size, scale, mass, density, and intensity;
- Ensuring that residential intensification projects incorporate urban design qualities that enhance streetscapes and contribute to the character of the neighbourhood while respecting the residential amenity of nearby properties.
- Encourage affordable housing opportunities; and,
- Ensure intensification is located and designed to respect the residential amenity of nearby properties.

In Near-Campus Neighbourhoods, most intensification will be directed to place types that are intended to allow for mid-rise and high-rise residential development. These include Rapid Transit Corridors (967_).

As mentioned, the Main Street Commercial Corridor designation directs residential densities within mixed use buildings to be consistent with densities allowed in the Multi-Family, Medium and High-Density designations. This aligns with the Near Campus Neighbourhood policies that direct intensification situated at appropriate locations in the MFMDR and MFHDR designations and is preferred. (3.5.19.6).

Urban design qualities are to be incorporated into the design to ensure intensification projects contribute to the character of the neighbourhood while respecting the residential amenity of nearby properties. Zoning is to be utilized to ensure residential intensification occurs in a manner which is appropriate in form, size, scale, mass, density, and intensity. The subject site is of sufficient size and configuration as it can accommodate the proposed use while maintaining a level of compatibility within the surrounding context. The proposal provides a comprehensive development and facilitates the redevelopment of an underutilized site within a settlement area. The proposed development has made a strong effort to incorporate measures to provide sensitivity and rhythm that responds to the surrounding area. The use of step backs for

the upper portions of the building help create an appropriate human scale along Central Ave and provide an appropriate separation between the abutting properties. Additionally, the subject lands are within an established mixed-use area and well serviced by public transit. The proposed development will encourage intensification to make better use of existing City infrastructure and services and additionally support the policies which direct higher levels of density towards the corridors. The proposed development satisfies these policies, as the intensity with 8-storeys is contemplated by the Rapid Transit Corridor Place Type, and provided through bonusing in the 1989 Official Plan.

Staff is agreeable that redevelopment of the subject lands with higher intensity mixed use development aligns with the intent of the Near-Campus Neighbourhoods policies. The subject lands are located on a Rapid Transit Corridor in a strategic location where intensification would be appropriate. High-rise forms of redevelopment are preferred in Near-Campus Neighbourhoods and are directed to significant transportation nodes and corridors, away from the interior of neighbourhoods. In addition, the underutilized lot, would result in a more coordinated and comprehensive approach to redevelopment.

The site is of a suitable size and shape to accommodate intensification, the intensity of the proposed development is appropriate along a Rapid Transit Corridor by complementing the area and providing a compatible pedestrian-oriented development well served by public transit. As such, the proposed development satisfies the criteria for intensification in the Near-Campus Neighbourhoods.

4.5 Heritage

599-601 Richmond Street is a listed property on the City's Register of Cultural Heritage Resources and is also adjacent to another listed property at 595 Richmond Street. A Heritage Impact Study from MHBC Planning Limited was submitted through this process. Heritage staff have accepted the Heritage Impact Study as they are satisfied that the impacts to the heritage resources will be conserved and sufficiently mitigated. For a full review of the response please see Agency Comments in Appendix D.

4.6 Issue and Consideration #4: Bonusing

Under the provisions in the 1989 Official Plan of Policy 19.4.4, Council may allow an increase in the density above the limit otherwise permitted by the Zoning By-law in return for the provision of certain public facilities, amenities or design features (3.4.3. iv)). Chapter 19.4.4. ii) of the 1989 Official Plan establishes a number of objectives which may be achieved through Bonus Zoning.

A summary of the facilities, services, and matters proposed by the applicant in return for additional height and density is provided below:

Exceptional Design:

- A built form located along Central Ave that establishes a built edge with primary building entrance, street oriented units and active uses along this frontage;
- Treatment of the first two-storeys of the proposed building contrasts with the remainder of the building above to clearly delineate the attractive, pedestrian-oriented area within the public realm;
- A contemporary flat roof, with modern cornice lines and canopies for the balconies along the north side of the building, effectively announce the top of the building and help distinguish the building along the corridor;
- Each elevation incorporates vertical portions of the building that are offset to provide for a unique visual variety and texture along the façade;
- A variety of materials, colours and textures break up the massing of the building into smaller sections, both vertically and horizontally, to appropriately frame the street and enhance the streetscape; and

Affordable housing:

- A total of two 1-bedroom residential units and two 2-bedroom residential units will be provided for affordable housing;
- Rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
- The duration of affordability set at 50 years from the point of initial occupancy;
- The proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations;
- These conditions to be secured through an agreement registered on title with associated compliance requirements and remedies.

Staff is satisfied the proposed public facilities, amenities, and design features is commensurate for the requested increase in height and density.

4.5 Issue and Consideration #5: Neighbourhood Concerns

Although many issues have been raised by the residents, many of the concerns can be generally grouped under several key headings - Privacy, Green Boulevard Removal, and Type of Tenancy.

Comments related to height, form, density, parking and incompatibility have been addressed in sections 4.1 through 4.4. of this report. Heritage has been addressed in Section 4.6 of this report. Additional information is provided in Appendix C of this report.

Privacy and Overlook

Members of the public expressed concerns about the height of the building leading to loss of privacy from people looking out their windows, or when using their terraces or balconies.

The development proposes the building to be placed closer to the Central Ave frontage and provides a step back on the 3rd storey to additionally reduce height impacts on the abutting lands, which also supports urban design principles, as well as design flexibility.

With respect to the privacy of yards to the west, the building is proposed to be set back approximately 6 metres from the lot line and is further buffered by two commercial properties. In addition, this side of the building facing the westerly properties has minimal units and balconies with most balconies proposed along Central Ave. also, the south portion of the building does not propose any balconies and minimal windows.

Green Boulevard Removal

The northern boulevard is currently green. The applicant has proposed a layby which will remove a portion or all of this green boulevard. Staff are not supportive of this layby and have included this to be addressed through the site plan approval process as identified in the recommendation.

Type of Tenancy/Tenure

Several comments were made with respect to who will be living in the proposed development, and questions on whether or not this will be student housing. It's important to note that planning considerations cannot be made based on residential tenure. Type of tenancy and tenure (owner vs. rental) are not planning considerations when analyzing planning applications.

Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the policies of The London Plan, including but not limited to the Key

Directions, Rapid Transit Corridor Place Type and Near Campus Neighbourhoods. Further, the recommended amendment is in conformity with the in-force policies of the 1989 Official Plan, including but not limited to the Main Street Commercial Corridor designation and Near Campus Neighbourhood. The recommended amendment will facilitate the development of an underutilized site within the Built-Area Boundary and the Primary Transit Area with a land use, intensity, and form that is appropriate for the site through the use of Bonus Zoning.

Prepared by: Alanna Riley
Senior Planner, Development Services

Reviewed by: Mike Corby, MCIP, RPP
Manager, Planning Implementation

Recommended by: Gregg Barrett, AICP
Director, Planning and Development

Submitted by: Scott Mathers MPA, P. Eng.
Deputy City Manager, Planning and Economic
Development

cc:
Heather McNeely, Manager, Current Development
Michael Pease, Manager, Site Plans
Ismail Abushehada, Manager, Development Engineering

Appendix A

Bill No. (number to be inserted by Clerk's Office)
2022

By-law No. Z.-1-22_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 599-601 Richmond Street.

WHEREAS Westdell Development Corporation has applied to rezone an area of land located at 599-601 Richmond Street, as shown on the map attached to this by-law, as set out below;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 599-601 Richmond Street, as shown on the attached map comprising part of Key Map No. A101, from a Business District Commercial Special Provision (BDC(1)) Zone to a Business District Commercial Special Provision Bonus (BDC(1)*B-()) Zone;
- 2) Section Number 4.3 of the General Provisions in By-law No. Z.-1 is amended by adding the following new Bonus Zone:

4.3) B-() 599-601 Richmond Street

The Bonus Zone shall be implemented through one or more agreements to facilitate the development of a high-quality mixed-use building, with a maximum height of eight (8) storeys, and a maximum density of 519 units per hectare, which substantively implements the Site Plan, Renderings, Elevations and Views, attached as Schedule "1" to the amending by-law and provides for the following:

a) Exceptional Building Design

- A built form located along Central Ave that establishes a built edge with primary building entrance, street-oriented units and active uses along this frontage;
- Treatment of the first two-storeys of the proposed building contrasts with the remainder of the building above to clearly delineate the attractive, pedestrian-oriented area within the public realm;
- A contemporary flat roof, with modern cornice lines and canopies for the balconies along the north side of the building, effectively announce the top of the building and help distinguish the building along the corridor;
- A variety of materials, colours and textures break up the massing of the building into smaller sections, both vertically and horizontally, to appropriately frame the street and enhance the streetscape; and

b) Provision of Affordable Housing

- A total of two 1-bedroom residential units and two 2-bedroom residential units will be provided for affordable housing;
- Rents not exceeding 85% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
- The duration of affordability set at 50 years from the point of initial occupancy;
- The proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority

- populations;
- These conditions to be secured through an agreement registered on title with associated compliance requirements and remedies.

The following special regulations apply within the bonus zone upon the execution and registration of the required development agreement(s):

Existing Building

a) Permitted Uses:

Existing two residential units and 180 m² of ground floor commercial

b) Regulations

- | | | |
|-----|--|------------|
| i) | Front Yard Setback
(Minimum) | 0.0 metres |
| ii) | Exterior Side Yard Setback
Abutting a residential zone
(Minimum) | 0.0 metres |

Proposed Building

c) Regulations

- | | | |
|-------|---|-----------------------|
| i) | Exterior Side Yard Setback
1 st and 2 nd storey
(Minimum) | 0.0 metres |
| ii) | Exterior Side Yard Setback
For pedestrian entranceways
(Minimum) | 0.5 metres |
| iii) | Exterior Side Yard Setback
Above 2 nd storey
(Minimum) | 1.0 metres |
| iv) | Rear Yard Depth
Abutting a residential Zone

(Minimum) | 6.0 metres |
| v) | Total Parking Spaces
(Minimum) | 6 spaces |
| vi) | Density
(Maximum) | 519 units per hectare |
| vii) | Height
(Maximum) | 8-storeys(28m) |
| viii) | Ground Floor Commercial
for 2 commercial retail units
(Maximum) | 270m ² |
| ix) | Lot Coverage
(Maximum) | 100% |

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. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

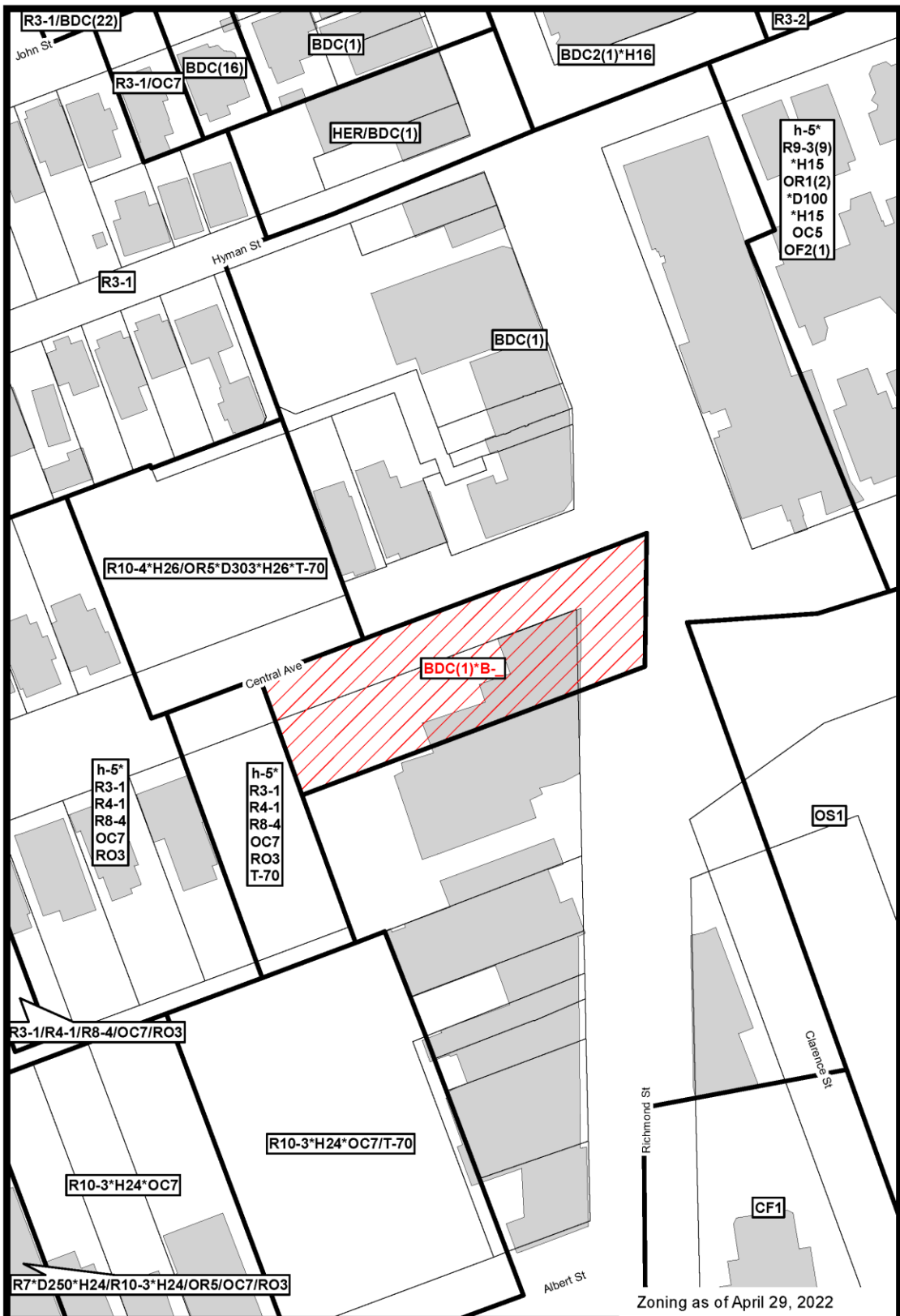
PASSED in Open Council on July 5, 2022.

Ed Holder
Mayor


Michael Schulthess
City Clerk

First Reading – July 5, 2022
Second Reading – July 5, 2022
Third Reading – July 5, 2022

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)




File Number: Z-9367
 Planner: AR
 Date Prepared: 2022/05/30
 Technician: rc
 By-Law No: Z.-1-

SUBJECT SITE 

1:1,000

0 5 10 20 30 40 Meters 



Schedule "1"





THESE PLANS AND SPECIFICATIONS SHALL BE USED IN CONNECTION WITH THE CONTRACT DOCUMENTS AND SHALL BE SUBJECT TO THE TERMS AND CONDITIONS OF THE CONTRACT WITH THESE.

THESE PLANS AND SPECIFICATIONS SHALL BE USED IN CONNECTION WITH THE CONTRACT DOCUMENTS AND SHALL BE SUBJECT TO THE TERMS AND CONDITIONS OF THE CONTRACT WITH THESE.

No.	REV.	DATE	DESCRIPTION
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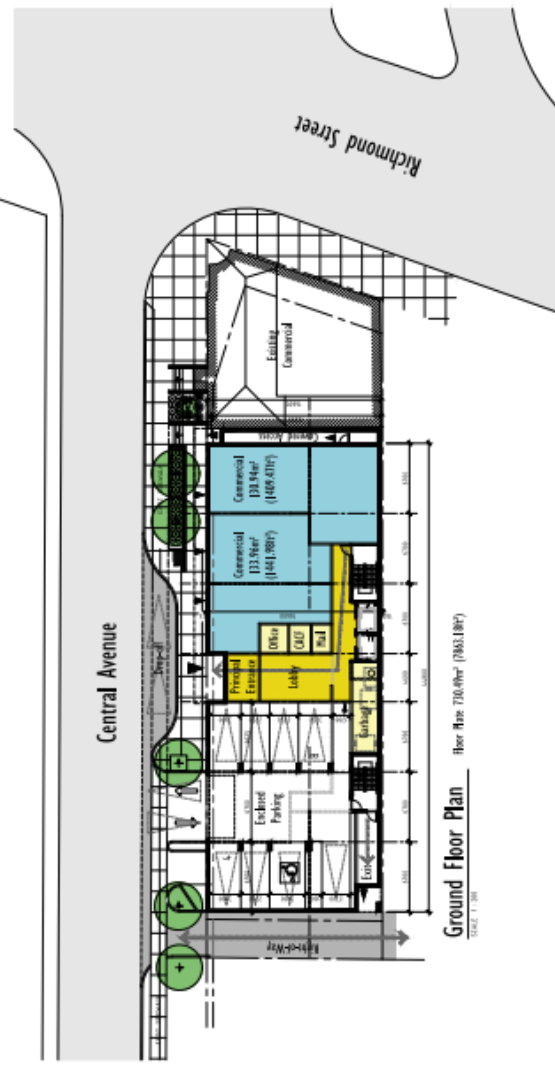
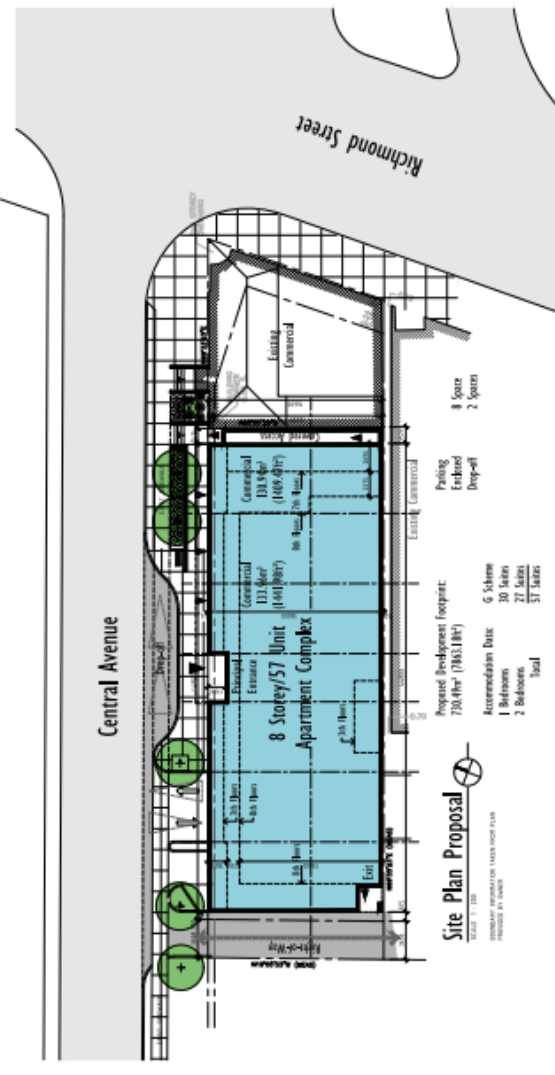
THOMAS KATZUS
 ARCHITECT
 1000 SHEPPARD AVENUE EAST
 SUITE 1000
 SCARBOROUGH, ONTARIO M1S 1T5
 TEL: (416) 291-1111
 FAX: (416) 291-1112
 WWW: THOMASKATZUS.COM

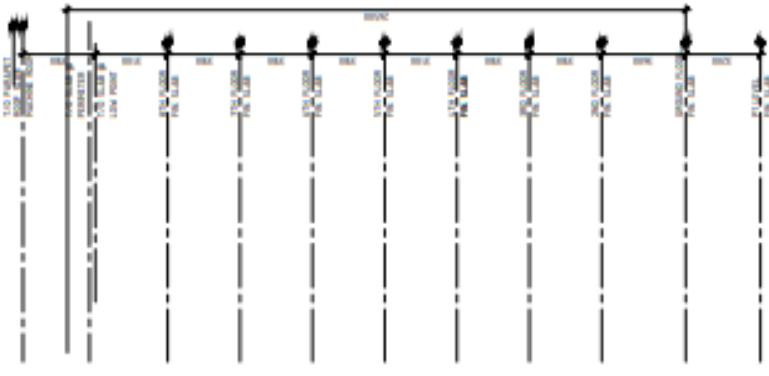
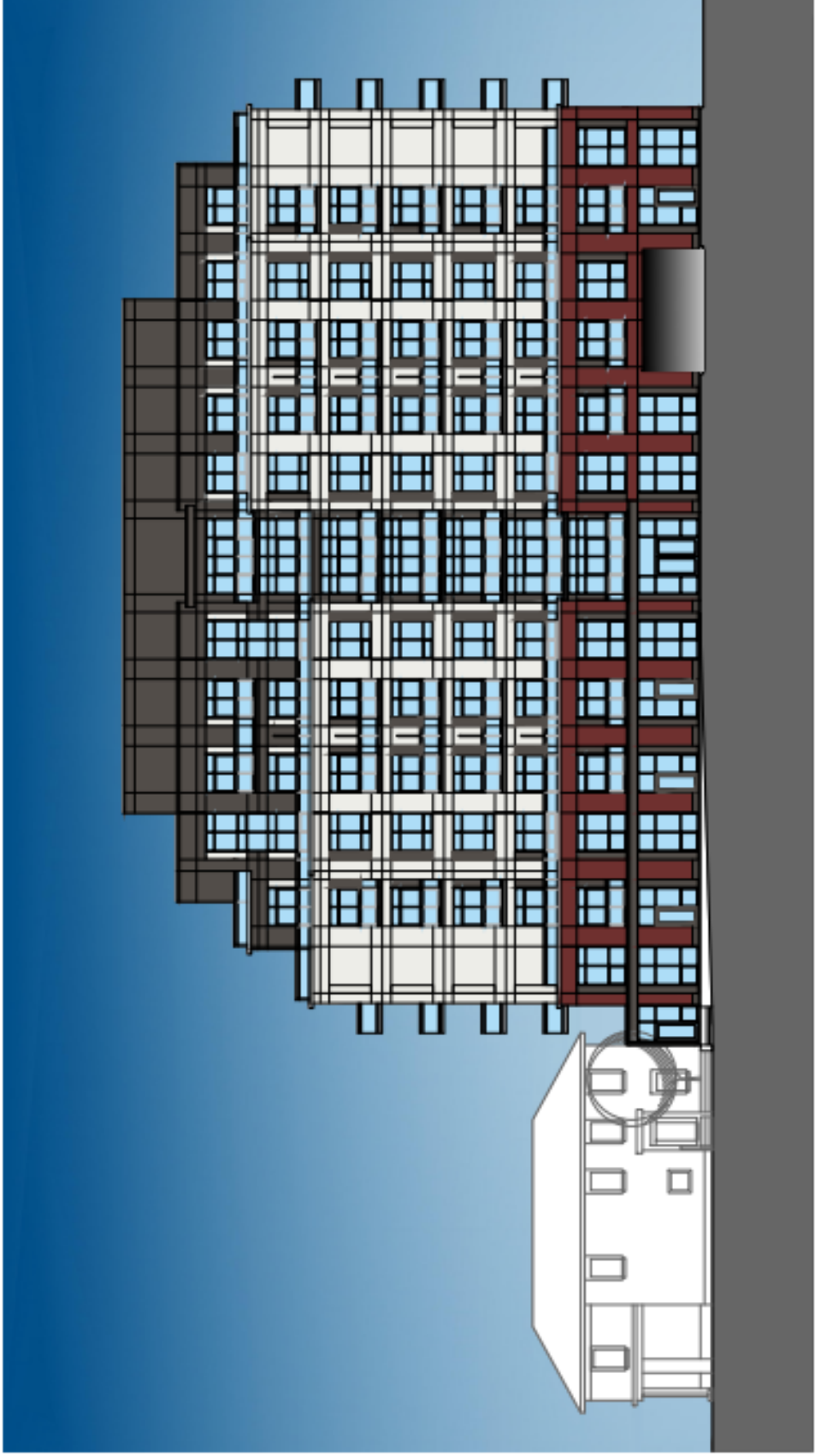
R. Tanno & Associate
 ARCHITECTS
 51 West Beaver Creek Road
 Suite 100
 Richmond Hill, Ontario L4B 1N2
 Canada
 Tel: (905) 709-1111
 Fax: (905) 709-1112
 Email: info@rtanno.com

Westdell
 Development Corp.
 701 RICHMOND ST., LONDON, ON
 Project Name
 599 Richmond St.,
 Scheme G
 Residential Tower
 Proposal
 London, Ontario
 Drawing No.
 Preliminary Site
 Plan, Ground
 Floor Proposal

DATE: 15/01/2024
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 PROJECT NAME: [Name]

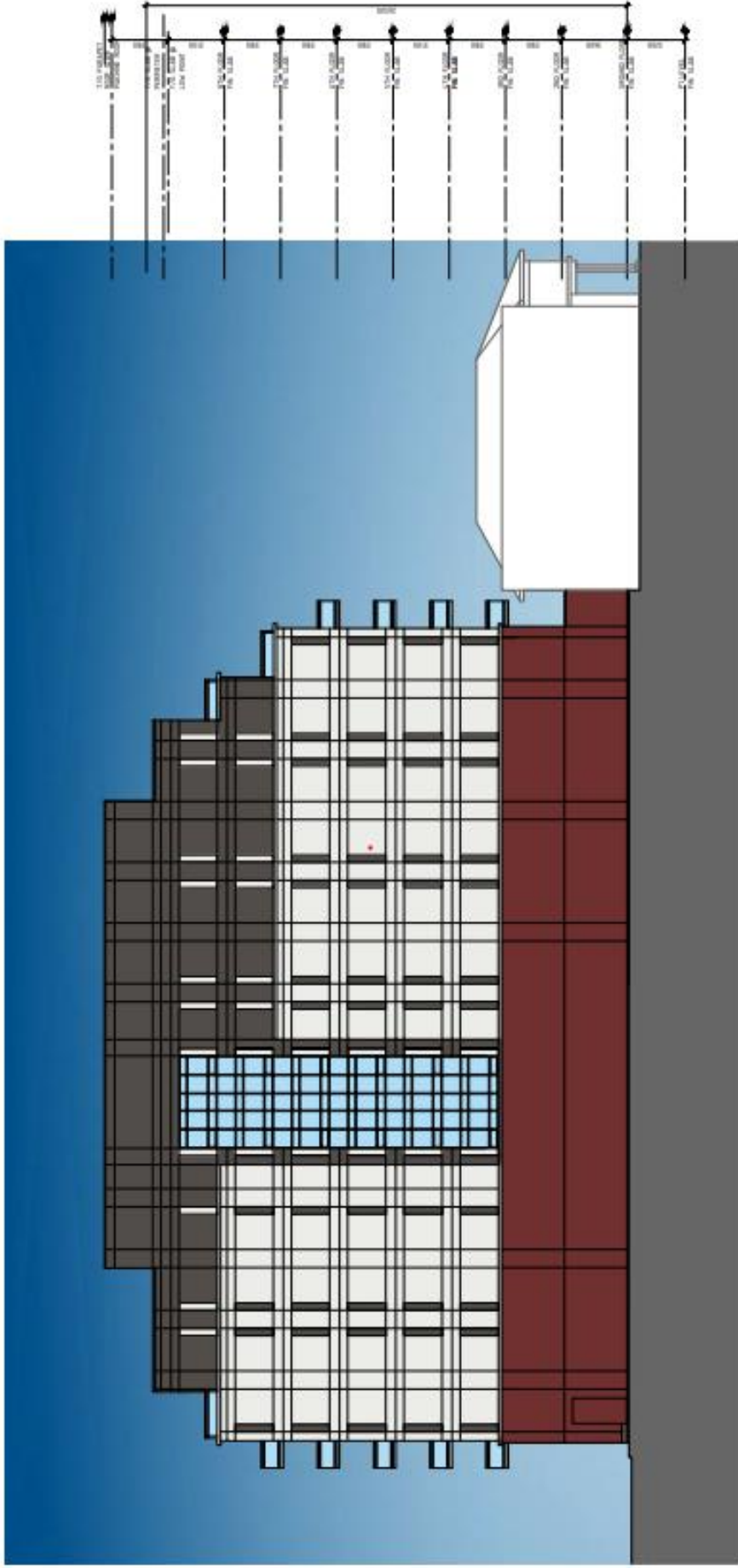
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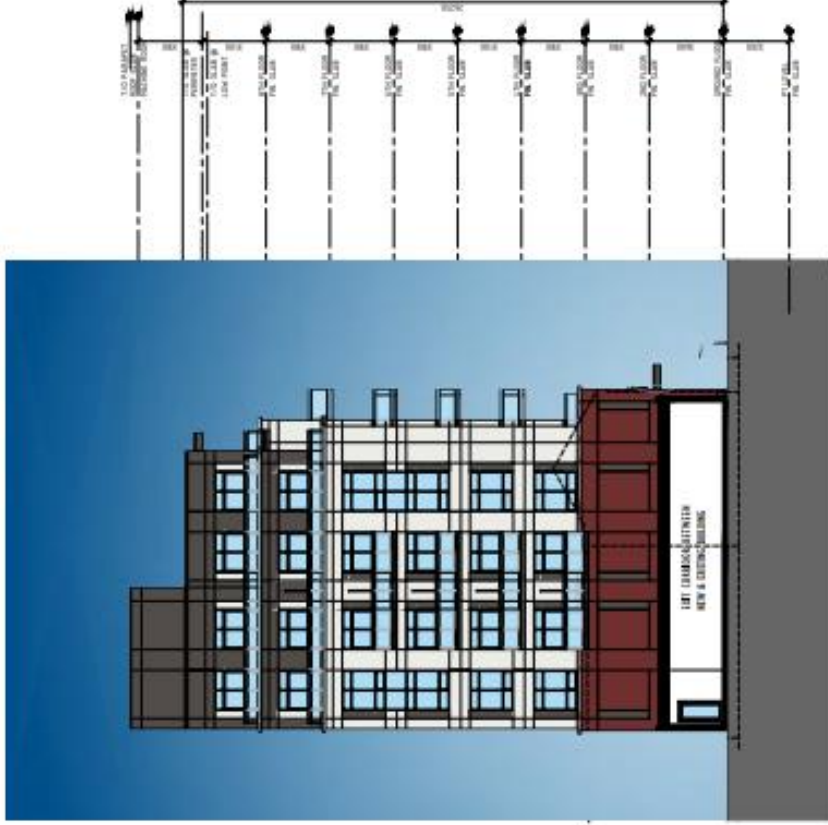
North Elevation Proposal

March 26, 2022



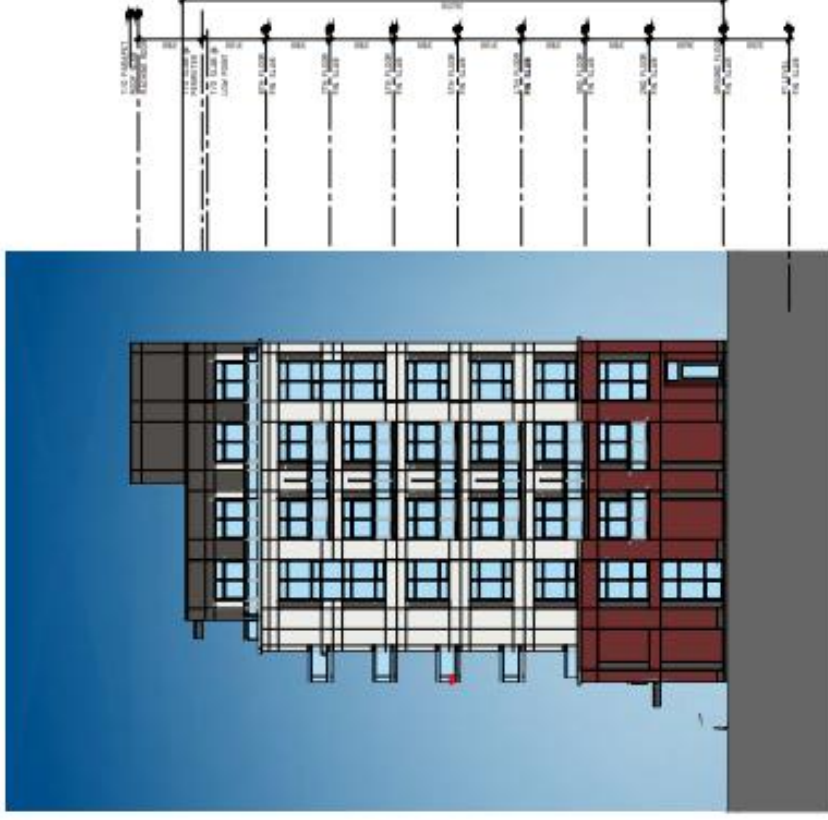
South Elevation Proposal

March 24, 2022



East Elevation Proposal

March 16, 2022



West Elevation Proposal

March 16, 2022

Appendix C – Public Engagement

Community Engagement

Notice of Application (November 15, 2021):

On June 16, 2021, Notice of Application was sent to property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on June 16, 2021. A “Planning Application” sign was also posted on the site. A revised notice was sent out April 28, 2022 to property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on April 28, 2022.

Replies were received from, or on behalf of, 8 households.

Nature of Liaison: The purpose and effect of this Zoning change is to permit the development of an 8-storey(28.0m) mixed-use building that will contain 180m² of commercial/retail on the ground floor and 53 residential units with 5 parking spaces. Possible change to Zoning By-law Z.-1 **FROM** a Business District BDC Special Provision (BDC(1)) Zone **TO** Business District BDC Special Provision Bonus (BDC(1))*B-() Zone. Special Provisions for the bonus zone include the existing buildings with frontage along Richmond Street with existing ground floor commercial space consisting of 180m² and existing two 2-bedroom residential units on the second floor; and for the new building a maximum ground floor area of 731m²; a minimum front yard, a minimum side yard, and a minimum rear yard setback of 0m; 57 residential units; a maximum density of 519 units per hectare; a maximum height of 8-storeys(28m); total ground floor commercial space consisting of 270m²; a maximum lot coverage of 100%; a minimum of 6 parking spaces; pedestrian and vehicular access fronting onto Central Ave; private amenity rooms and secure bicycle storage; and a loading area within the building. The proposed bonus zone would permit these special provisions in return for eligible facilities, services, and matters, specifically affordable housing outlined in Section 19.4.4 of the 1989 Official Plan and policies 1638_ to 1655_ of The London Plan. The City is also considering the following amendments special provisions in the zoning to implement the urban design requirements and adding holding provisions for the following: urban design, archaeological and public site plan.

Responses: A summary of the various comments received include the following:

Concern for:

- Height
- Density
- No amenity area
- Loss of green boulevard
- Heritage
- Too big for site
- Privacy/Overlook
- Light/Noise impacts
- Traffic
- Parking
- Type of Tenancy
- Does not meet the policies of the Near Campus Neighbourhoods
- Loss of property value

Responses to Public Liaison Letter and Publication in “The Londoner”

Hi Alanna I hope you are keeping well. I was just reading the development plan for Central Ave. and I have a few questions, Do you know if these will be rental units or condos to be sold?

Will they be providing the residents with an underground parking garage, or relying on the nearby parking lots?

If a parking garage, will they be providing any additional parking for the Richmond row area?

What is the timeline for this project from start to finish?

Thank you
Charlene Jones

Dear Neighbours,

The City of London received a development proposal for the corner of Central Ave and Richmond Street - behind the Starbucks - but no notices went out the Neighbourhood Assoc. to be circulated to residents. This is a chronic problem where residents are not being informed by planning staff on development proposals that impact their homes. Only commercial residents would have received these notices and no residents.

This is bad, really really bad - that residents are not being notified. The Ward Councillor - Ariella Kayabaga - also does not provide notice.

There is a legal **MINIMUM** of 120 meter notice radius requirement that staff must compile with but there is **absolutely no restrictions** on notifying residents beyond that point especially in commercial areas that abut residential areas. NO restrictions at all.

North Talbot Neighbourhood Assoc. was not notified of the Farhi Tower development at Harris Park even though the boundary of that development borders on the boundary of North Talbot. North Talbot was not notified of the Auburn development at Victoria Park and so on.

<https://london.ca/sites/default/files/2021-06/Z-9367-Notice%20of%20Application.pdf>

Ignore the deadline for comment and comment as you see fit. This notice has been copied to the planner who failed to notify residents and Council who consistently ignore the problem of residents not being notified.

North Talbot Community

Hello...This project goes against any semblance of proper. It is eight stories....DOUBLE any other building in the neighbourhood. We fought a local builder to keep his projects to 4 stories. Not to mention it would absolutely BLOCK any view of downtown. Is a good view of downtown going to only be had by the "chosen few"?

Dave Morrice
Dear Ms Riley,

I am writing with my comments regarding the subject Zoning By-Law Amendment application by Westdell Development Corporation.

I live at 156 Central Avenue (at the corner with St George Street) and have resided there for 35 years. Over that period of time I have seen many changes but the most distressing has been the devolution of a mixed, diverse neighbourhood of seniors, students, families and young working professionals of Greek, Italian and Canadian origin, into a ghetto of primarily students who have exhibited little respect for City noise and sanitation by-laws. They live in a neighbourhood but are not neighbourly.

Students only contribute to the City's economy for eight months of the year for four years before moving on and, while they are here, they place a disproportionate burden on the City's resources for policing and sanitation which ultimately makes its way down to the tax payer. As the key to financial growth is diversification, I find it curious that the City of London has placed so many of its economic eggs in the student basket.

To the best of my knowledge, most of the new construction in my part of the city is targeted to students (3 bedrooms/unit). I have seen very little specific information about the nature of the residential units in the Westdell development aside from "affordable

housing” but, my comment is that they should be a combination of bachelor, 1, 2 and 3 bedroom units to enable the return to the diversity of the old neighbourhood.

With Respect,

Patricia Cullimore

One more resident name as been added. Please ignore two previous letters and use this letter. It is important to ensure appeal process if necessary.

We apologize for any inconvenience.

File: Z-9367: Applicant Westdell Development Corporation

599-601 Richmond Street

The section of the London Plan that applies to this area is under appeal. Therefore, the 1989 Official Plan applies. However, it is anticipated that the planning department will apply policies within the London Plan.

The London Plan.

The north leg of the proposed Bus Rapid Transit system was cancelled. This was a decision of council. Therefore, there is no Bus Rapid Transit system along Richmond Street. The decision by council was made after the London Plan was adopted. Defaulting to the Bus Rapid Transit Corridor Policies would not apply here.

Even within the Bus Rapid Transit and Urban Corridor policy, it is noted:

- Note 1 - The heights shown in this table will not necessarily be permitted on all sites within the Rapid Transit and Urban Corridor Place Types.
- Note 2 - Where more specific policies exist in this Plan relating to height for an area or specific site, these more specific policies shall prevail;
- Note 3 - Type 1 Bonus Zoning may be permitted up to the standard maximum height. Map 7 London Plan

This area doesn't even fall under the Downtown Protected Major Transit Station Area. See map 7 of the London Plan. But even if it did, it states in section 803F of the London Plan:

803F_ Development within the Downtown Protected Major Transit Station Area will conform with all other policies of the London Plan including the Downtown Place Type and any Specific Area Policies. (LPA 30)

The specific policy for this area is Main Street Commercial Corridor which limits heights to 6 storeys with 2 bonuses.

The concern is that planning staff will oscillate between the 1989 Official Plan and the London Plan to achieve the density they want and will rationalize as they can – picking and choosing between policies.

It is preferred that policies are chosen because those are the policies that apply and best fit and complement the neighborhood and the residents that will be living in this new development. We prefer if people were put back into the equation. It is not just about buildings.

1989 Official Plan.

Zoning for this site is Business Commercial Development 1 and 2 which allows a residential development, and the specific policy for this site is Main Street Commercial Corridor.

This development is not on a main street. It is on a residential street and the 1989 Plan specifically states that new development abutting a residential neighbourhood within the Main Street Commercial Corridor requires setbacks and streetscape that conforms to the

residential neighbourhood. In other words, it must be respectful of the neighbourhood 'type' place.

What is supported:

- five parking spaces for car sharing

In this sense, this development is forward looking for the City of London. While Central Ave may be a primary traffic corridor, this section of Central Ave. between Richmond and Talbot streets is not well suited for such a designation as the homes are not set back far enough to buffer against increased traffic as they are on Central Ave east of Richmond Street.

- open to a diverse mixed population;
- should include affordable family suites

What is not supported:

The planning department automatically defaults to the urban design guidelines which encourages new development to build to its property boundaries to preserve a 'commercial corridor streetscape' regardless of whether that new development is a commercial building.

Again, this is development is a residential building, on a residential street that abuts a residential neighbourhood and the Urban Design requirements that encourage no setbacks to do apply here. Again, the 1989 Plan is clear. This development requires setbacks and streetscapes that conform to the neighbourhood 'texture'.

This trend to waiver all setbacks and build to the outer boundaries of properties has serious consequences over the long term because it literally removes outdoor 'ground' green space and as approvals are site by site, there is no assessment of the long term accumulative impacts of such a policy.

In conjunction with the London Hydro generic 'zone' tree planting guidelines in which no shade trees are permitted anywhere in the Downtown Core because of hydro lines, the only place to plant shade trees is on private property and the current trend in the Downtown area is to eliminate all private open space and build to the boundaries.

This is achieved by waiving all property setback zoning requirements.

Setbacks are a protective zoning requirement. It protects space between buildings to ensure privacy, safety and greenspace and this in turn protects residents.

Setbacks are a protective policy.

That's the purpose of a setback and by waiving setbacks in new development results in no open land for shade trees anywhere in the downtown core. You want people to walk? They are not going to walk blocks in the sweltering heat and hot sun without protective shade trees.

This policy of infill targets 'dilapidated' (direct quote from the 1989 Official Plan) buildings which tend to be low income older neighbourhoods. It is inequitable. Protective setback zoning is not waived for new development in other areas within the city. The Urban Design guidelines are intended to apply to commercial streetscapes. They are discriminatory if applied to new residential development differently depending on the neighbourhood where people live.

This idea of density to protect farmland is not working and will not work without building in the fine essential details that make new development 'home'. Green space are those essentials. The sprawling housing boom in smaller surrounding cities is telling us it is not working. So, while London can preach that density is needed to protect farmland, in reality it is doing no such thing as towns like St Thomas, Kilworth and so on are booming sprawls of single family homes that offer outdoor green space, privacy and affordability.

Those same qualities should also apply to all new highrise development and must be family friendly. Ground green amenity space is essential so residents can take their dogs out, children can play and sit under canopy (shade) trees for relief from the heat and have some

privacy. It is also essential in meeting the goals of the Urban Forestry Strategy and Climate Change Action Plan.

It is not just about feeding people to the commercial corridor for the benefit of business. Without green space, these developments force people onto the public street for outdoor space and that is inequitable.

This developer argues that Victoria Park serves as its ground green space.

A public space is not a semi-private space for residents. There is no impact assessment on the increased dependence of public space to serve as outdoor space for private development.

It is in real terms a subsidy to the developer on the backs of residents.

The building is oversized and not complementary to the heritage quality of this section of Richmond Row or the North Talbot Community. Every house on Central Ave. west of Richmond Street on the south side was present on the 1881 Fire Insurance Map. And it is believed the present day homes, with few exceptions, are original.

We would be supportive of a 6 storey, including bonusing, mixed use new development that offered 5 car share parking spaces, required setbacks, back and front as required in the 1989 Plan for ground open green amenity space for its residents with a landscaping plan that includes space for canopy trees and rent geared to income units specifically for families current living on the street or in temporary housing.

There is no housing crisis - there is an affordability housing crisis that can be directly blamed on wealthy investment developers. It is time to strike a balance and ask them to give back in a way that is meaningful.

Sincerely,

Dave Morrice

Cindi Talbot

Paul Latorre

Quinn Fisher

Kass Fisher-Talbot

Louise White

Jan Sayles

AnnaMaria Valastro

Noll Stevens

Felicity Stevens

Jill Jacobson

Steve Olivastri

Heather Chapman

Carol Hunter

Frank Devereaux

David Hallam

D Fraser

Maureen O'Dwyer

Gayle Harrison

Ben Benedict

Dear Ms. Riley,

I am writing to provide you with comments about the proposed Zoning Amendment of 599-601 Richmond Street and the building proposed to extend into our neighbourhood on Central Avenue.

Having resided on Albert St. for the past 25 years and within 6 blocks of the this address for most of the previous 40 years, I am seeing an alarming trend towards builds that are geared to mainly post secondary students who only contribute to the economics of our city for a maximum of 8 months of the year. I would like to remind the City of London Zoning Department, Planning Committee and members of City Council that permanent year round residents are the life blood of the downtown and Richmond Row corridor as we are the taxpayers and residents who support it.

In the last 5 to 10 years we have experienced an unbalanced ratio of post secondary student rentals in home conversions and builds. Our experience is that, demographically these rental addresses represent a disproportionately high percentage of renters who are anti-community in their attitude and treat the rest of the community with disrespectful behaviour. This creates disharmony in the community and requires a disproportionate amount of City of London tax base funded Policing, By-law Enforcement and Sanitation resources to deal with the fall out. Those of us who are tax paying home owners in this neighbourhood and others would like to see more of the new apartment housing units geared towards a diverse age and occupation demographic. This is what keeps us a economically healthy, liveable and viable community.

My neighbours agree that this proposed building needs to have more bachelor apartments for elderly people on fixed incomes and young people starting out in their careers who cannot drive or cannot invest in a personal vehicle. There should also be some 3 bedroom rental opportunities for families with children looking to live in the downtown so they can walk to school or work. Diversity of ages and life/work phase is what makes a community strong.

We also feel that the building plan must continue to adhere to a proper 6 meter setback and have a proper landscape designed and maintainable green space. Any physical parts of the building that impact this residential neighbourhood should be discussed in a meeting with the neighbourhood groups and individuals who reside in the streets west of Richmond Row. We appreciate and expect to be continually updated and notified by mail of any and all proposed changes.

Thank you.

Heather D. Chapman
Kathy Kopinak
Hello Alanna and Arielle,

I adamantly disprove of the plans for a Zoning By-Law Amendment for this project.

My reasons are

- 1) first off it appears to be a Central Ave address not Richmond as it seems that the exiting building which Starbucks is in will remain. So that makes me wonder if there is a reason that is not above board that it's being addressed as Richmond
- 2) I'm uncomfortable with the no variances that are in the application - the no set backs only 5 parking spaces for 53 units. -and even 8 storey is not to my liking. I also think that if you allow for these the special provisions of 0m for minimum front, side and back yard

the city will then be setting a precedent for special provisions for future buildings and projects. And that is where I adamantly disagree with.

And the affordable housing in return for these special provisions sounds like a you scratch my back I'll scratch yours. I know that Arielle had an agenda for affordable housing and I really don't think it should be downtown at one of the more upscale shopping district this city has to offer. This should be reserved for upscale living - expensive housing - if housing were to be considered. I don't agree with changing of zone for residential.

3) I don't agree with the request to have the zone changed from business to business and residential. There are many other area that are more appropriate for residential and affordable housing.

It almost sounds like it's additional student housing or if not I just do not agree with affordable housing in this area and for that matter the change to residential.

I would appreciate if I can be kept updated on this matter.

I have also signed a letter from the North Talbot group.

Thanks. Maureen

I tried to use "planapps" but nothing came up for this address - unless it takes forever to load.

Please provide me with the design brief so that I can figure out what they are trying to build.

Thank you

Hazel Elmslie

Hello Alanna,

Could you please tell me the planner's and architect's names, on behalf of Westdell Development Corporation, in regards to 599 - 601 Richmond Street, London, Ontario | Z-9367-Notice of Application project?

Thank you.

George A. Vrbos

Hi Alanna,

I received mail in regards to a notice of planning application back in July 2021. I currently own property on Central Ave. Can you give me an update as to where this application stands? Was the street approved for the zoning amendment to allow 8 storey mixed use?

Thank you,

Rick Chhabra

Departmental and Agency Comments

Original Urban Design

The design of the site should implement the following features as part of the bonus zone as demonstrated in the submitted plans, elevations and renderings.

- A built form located along the Sarnia Road that establishes a built edge with primary building entrance, street oriented units and active uses along those frontages.
- A step-back and terracing above the 3rd storey for the building along Sarnia Road frontage and at the intersection providing a human-scale along the street(s).
- A significant setback from the property to the South to provide a transition to the existing low-rise buildings.
- Articulated facades including recesses, projections, balconies and terraces to provide depth and variation in the built form to enhance the pedestrian environment.
- A variety of materials, textures and articulation along building façade(s) to highlight different architectural elements and provide interest and human-scale rhythm along the street frontages.
- Common outdoor amenity space at ground level and using rooftop terraces(Level 4) located at the intersection to protect the privacy of adjacent properties
- Locates majority of the parking behind the building and screened away from the street.
- As this application contemplates a bonus zone, please include the following revisions and improvements consistent with the previous staff and panel comments:
 - Please provide a detailed response to the Urban Design Peer Review Panel that explains how the Panel comments have been addressed.
 - Include a 1-2m setback from the Sarnia Road frontage in order to avoid the requirement for encroachment agreements for building elements such as canopies, balconies, opening of doors, etc.
 - We acknowledge the ground-floor residential units along Sarnia Road. Provide direct individual or a common walkway that connects the ground floor units to the City sidewalk, to encourage and allow residents and visitor to easily walk to transit and nearby commercial amenities to the North East.
 - Ground floor doors should be lockable 'front door' style to contribute to the appearance of a front-facing residential streetscape and promote walkability and activation of the street, as well as for security.
 - Ground floor private amenity spaces should be designed to extend into the setback as front porches or courtyards. Low height railings(up to 4ft/1.2m) and lockable 'patio gates' can be considered for the ground floor private amenity spaces, if there is a desire to control access.
 - Break-up the horizontal length of the building above 3 stories along Sarnia Road by introducing more variation in the design with a vertical mass or volume, articulation with recesses or balconies, and/or material or colour changes to provide interest and a more human-scale design along the street.

Updated Urban Design

- The design of the site and building should implement the following features as part of the bonus zone as demonstrated in the submitted plans, elevations and renderings.
 - A built form located along the Central Avenue that establishes an active built edge with primary building entrance and street oriented commercial units along that frontage.
 - An active above-ground podium floors with street oriented residential units along Central Avenue.
 - An appropriately designed and massed mid-rise building with a 2 storey podium and step backs of minimum 1.8m above podium for floors 3 to 6 and further step backs of minimum 1.2m for 7th storey along Eastern half and 1.2m for 8th storey along Western half facing Central Avenue that provides for human-scale along the Central Avenue.

- An appropriate built form with terracing and step backs at 7th and 8th stories along Richmond Street
- Well-articulated facades including recesses, projections, balconies and terraces to break the linearity of the façade and provide depth and variation in the built form to enhance the pedestrian environment along Central Avenue and Richmond Street
- A variety of materials, textures and articulation along building façade(s) to highlight different architectural elements and provide interest and human-scale rhythm along the street frontages.
- Locates all of the parking integrated in the building and away from the street.
- As this application contemplates a bonus zone, please include the following revision consistent with the previous staff and panel comments as part of the subsequent site plan application.
 - Include a minimum of 0.5 to 1m setback from the Central Avenue frontage in order to avoid the requirement for encroachment agreements for building elements such as canopies, balconies, opening of doors, etc.
 - The main entrance setback from the property line is acknowledged.
 - The commercial unit doors need to be recessed (a minimum of 0.5m or as required) to be within the property line.
 - The canopies proposed above the commercial units shall also be within the property line or included in an encroachment agreement.

Urban Design Peer Review Panel

- See Appendix F for comments and applicant replies

Parks

- Parkland dedication is required in the form of cash in lieu, pursuant to By-law CP-9 and will be finalized at the time of site plan approval.

Heritage



MEMO

To: Alanna Riley, Senior Planner
From: Laura E. Dent, Heritage Planner
Date: November 30, 2021
Re: **Heritage Impact Assessment Requirements
– Heritage Comments
599-601 Richmond Street/205 Central
Avenue (Z-9367)**

This memo is to confirm that I have reviewed the following and find the report sufficient to fulfill the heritage impact assessment requirements for (Z-9367):

- MHBC Planning Ltd. (December 12, 2020). *Cultural Heritage Impact Assessment, 599-601 Richmond Street/205 Central Avenue, City of London, ON.*

599-601 Richmond Street/205 Central Avenue (subject property) is a LISTED property on the City's *Register of Cultural Heritage Resources* and is also adjacent to another LISTED property at 595 Richmond Street.¹ The proposal is for an 8-storey mixed-use residential development with ground floor commercial fronting Central Avenue. The development is proposed at the rear of 599-601 Richmond Street; the existing 2-storey brick heritage building on the property is being retained. Per *The London Plan* (policy 565_), potential impacts to properties on, and adjacent to LISTED properties on the *Register* must be evaluated to demonstrate that heritage attributes are conserved.

Heritage planning staff has reviewed the heritage impact assessment (HIA) and appreciates the completeness and thoroughness with which the HIA has been prepared. Staff notes that the heritage resources identified in the HIA's cultural heritage evaluation have been conserved, principally through the retention of the heritage resources in-situ, along with retention of specific attributes identified in the HIA that are associated with these heritage resources. Staff recognizes that the proposed development will remove the remains of a brick ancillary structure (140m², w/no roof structure) and a portion of rear additions (30m²) associated with 599 Richmond Street. The impacts of the removals were deemed negligible in the HIA, due to their limited scope and location at the rear of the property, and that their removal will not impact identified heritage attributes along the east (front elevation) and north elevation of 601 Richmond Street (pp58, 60, 62 – HIA).

Further, staff particularly notes and supports the following measures proposed to mitigate impacts identified in Section 7.0 of the HIA (p5):

- The preparation of a Temporary Protection Plan is recommended which will include:

¹ At the time of the Heritage Impact Assessment preparation, the definition of adjacent was limited to contiguous properties. With the recent adoption of the "Glossary" in *The London Plan*, properties located across a street or laneway are now considered adjacent.

- A Vibration Monitoring Plan to ensure that no damage will occur to the existing buildings on and adjacent to the subject property during targeted building removals and construction.
- Location of the entry and exit points for construction traffic to the west of the site.
- A structural engineer's report describing how targeted building removals (i.e., staging and protection) will occur, and measures that outline how the integrity of the existing heritage buildings will be maintained.
- Documentation, with high resolution photographs, of the portions of the building fabric that are to be removed. (p5 – HIA)

Finally, to enhance compatibility and conserve the historical context of the existing heritage buildings within the context of Richmond Row, staff encourages the applicant to consider the following design-related measures outlined in the HIA (pp5-6):

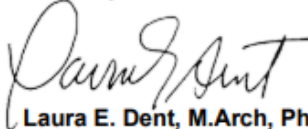
- *Materials should be sympathetic to historic buildings at street level (the first and second floor level) and preferably the use of high-quality materials (i.e., brick, stone);*
- *Proposed lighting and associated signage be sympathetic to the existing buildings on the subject lands; and,*
- *Mechanical equipment on the roof be screened to not detract from overall character.*

Additional design suggestions also include the following:

- More carefully consider form and massing of the new development in relationship to the existing heritage building on the subject property, and along the streetscape at Central Avenue.
 - Consider staggering the height of the new development to avoid the juxtaposition of 8-stories against the 2-storey heritage buildings.
 - Better define the base of the new development by visually carrying through the datum line of the existing heritage buildings through to the new development.
- Consider how the rear at 599 Richmond Street will be treated post-removal of addition(s).
- Consider limiting the primary colour palette on the elevations to 3 colours (presently 4-colours are being proposed, making it challenging to create a cohesive elevation).
- Drawings depicting the east elevation should show 599-601 Richmond Street in front of the proposed new development (i.e., as the base); this is how it will be read from the street.

Based on the review of the heritage impact assessment (HIA), heritage staff is satisfied that impacts to the heritage resources with CHVI will be conserved and sufficiently mitigated. The HIA can be accepted to meet heritage requirements (Z-9367).

Sincerely,



Laura E. Dent, M.Arch, PhD, MCIP, RPP

Heritage Planner
Community Planning, Urban Design and Heritage
Planning & Development

Ecology

- There are currently no ecological planning issues related to this property or associated study requirements.

Major issues identified

- No Natural Heritage Features on the site have been identified on Map 5 of the London Plan or based on current aerial photo interpretation.
- Adjacent lands include naturalized vegetation and indications of previous disturbance.

Upper Thames River Conservation Authority

- These lands are not regulated by the UTRCA; no comments

Archaeological

- Archaeological conditions can be considered satisfied for this application.

Housing Development Corporation

May 16, 2022

sent electronically

TO: **City of London Development Services (via e-mail only)**
Attention: Mike Corby, Manager, Planning Implementation, Planning and Development
Alanna Riley, Senior Planner, Planning Implementation, Planning and Development

REGARDING: **Bonusing for Affordable Housing**
599-601 Richmond Street ("Subject Lands")

Background:

Housing Development Corporation, London (HDC) was engaged to work with Westdell Development Corporation (the "Proponent") and their consultant (Strik Baldinelli Moniz, or SBM) to provide a fair recommendation to the Director, City of London Development Services in response to a Zoning By-law Amendment application (City of London Planning File: Z-9367) for height and density "bonusing" in exchange for the provision of affordable housing. The application serves to provide for the development of an eight-storey, mixed-use building containing 57 residential units and 265 square metres of ground floor commercial space.

This letter reflects the recommendation of HDC and is provided with the concurrence of the Proponent.

RECOMMENDATION:

It is the recommendation of the HDC that the following elements constitute the affordable housing bonus zone:

- 1. Two (2) one-bedroom residential units and two (2) two-bedroom residential units be dedicated to affordable rental housing in the proposed eight-storey, mixed-use building in exchange for the granting of increased height and density.**
- 2. "Affordability" for the purpose of an agreement be defined as rent not exceeding 85% of the Canada Mortgage and Housing Corporation (CMHC) Average Market Rent (AMR) for units where:**
 - i. AMR is defined at the one-bedroom rate and two-bedroom rate for the London Census Metropolitan Area by CMHC at the time of building occupancy;
 - ii. the identified units will be mixed throughout and not otherwise identifiable within the building; and
 - iii. Rents for the affordable rental housing units shall only be increased to the allowable maximum, once per 12-month period in accordance with the *Residential Tenancy Act* or any successor legislation but not to exceed 85% of the CMHC AMR.
- 3. The duration of the affordability period be set at 50 years** calculated from initial occupancy of each unit and for each month thereafter that the unit is occupied. At the conclusion of the agreement period, any sitting tenants within associated affordable units shall retain security of tenure and rental rates until the end of their tenancy. The rights of tenancy and affordability in the dedicated units shall not be allowed to be assigned or sublet during or after the agreement.
- 4. The Proponent be required to enter a Tenant Placement Agreement (TPA) with the City of London.** This action aligns the affordable rental housing units with priority populations vetted and referred to the Proponent or their agent by the City. The owner retains final tenant selection in accordance with the *Residential Tenancy Act*, subject to the established eligibility and compliance requirements.
- 5. These conditions be secured through an agreement registered on title with associated compliance requirements and remedies.** This recommendation ensures the retained value of each affordable rental housing unit within the Bonus Zone for the 50-year affordability period. Compliance will be monitored in a similar fashion as is conducted with other agreements and shall include conditions related to default and remedy.



Housing Development Corporation, London

520 Wellington St., Unit 7, London, ON N6A 3R2
P: 519-930-3512 www.hdcilondon.ca

The Proponent's application proactively aligned their bonus interests to the City's affordable housing priorities and the associated discussions establishing the above recommendation were achieved with their concurrence.

Rationale for Affordable Housing Bonus:

Guiding Policy: The London Plan recognizes housing affordability as one of the City's principle planning challenges. It states that planning activities will provide for a mixture of dwelling types and integrated mixtures of housing affordability. The Plan identifies bonusing as a planning tool in support of the provision of affordable rental housing within planning and development proposals.

Location and Application Considerations: The Subject Lands are on located on the west side of Richmond Street between Albert Street and Central Avenue. The lands about the downtown and are proximate to a broad range of residential, commercial, retail, office, institutional and open space uses. The lands are also served by public transit, bicycle and pedestrian infrastructure.

Alignment to Need: The locational attributes of the site align with factors used by HDC to advance affordable rental housing. The recommendations align with housing needs and priorities defined within the *Housing Stability for All Plan* and CMHC analytics related to housing stock, affordability rates, vacancy rates, rental rates, incomes, and other market conditions.

Conclusion:

The *Planning Act* provides municipalities the ability to advance public facilities, services or matters in exchange for additional height and density above existing zoning permissions. The ability to utilize this important tool as a mechanism to advance affordable rental housing aligns with a critical need in London, noting that London is currently ranked 5th in Canada for the highest percentage of households in "Core Housing Need" in major urban centres (CMHC, July 2018).

This recommendation recognizes Council's expressed interest to seek "...options for implementing and coordinating [planning] tools to be most effective..." to "...promote the development of affordable housing in London" (4.4/12/PEC, July 25, 2018).

Sincerely,

Melissa Espinoza, CEO, Housing Development Corporation, London (HDC)



520 Wellington St., Unit 7, London, ON N6A 3R2
P: 519-930-3512 www.hdclondon.ca

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Rationale for Affordable Housing Bonus:

Guiding Policy: The London Plan recognizes housing affordability as one of the City's principle planning challenges. It states that planning activities will provide for a mixture of dwelling types and integrated mixtures of housing affordability. The Plan identifies bonusing as a planning tool in support of the provision of affordable rental housing within planning and development proposals.

Location and Application Considerations: The Subject Lands are on located on the south side of Sarnia Road west of Wonderland Road North. The lands are proximate to a broad range of residential, community shopping, convenience commercial, neighbourhood facility and office uses. The lands are served by public transit, bicycle and pedestrian infrastructure.

Alignment to Need: The locational attributes of the site align with factors used by HDC to advance affordable rental housing. The recommendations align with housing needs and priorities defined within the *Housing Stability for All Plan* and CMHC analytics related to housing stock, affordability rates, vacancy rates, rental rates, incomes, and other market conditions.

Conclusion:

The *Planning Act* provides municipalities the ability to advance public facilities, services or matters in exchange for additional height and density above existing zoning permissions. The ability to utilize this important tool as a mechanism to advance affordable rental housing aligns with a critical need in London, noting that London is currently ranked 5th in Canada for the highest percentage of households in "Core Housing Need" in major urban centres (CMHC, July 2018).

This recommendation recognizes Council's expressed interest to seek "...options for implementing and coordinating [planning] tools to be most effective..." to "...promote the development of affordable housing in London" (4.4/12/PEC, July 25, 2018).

Sincerely,



Brian Turcotte, Development Manager, HDC

- c. Isabel da Rocha, Business and Program Manager, HDC
- Melissa Espinoza, Acting CEO and Program Manager, HDC



Appendix D – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this requested land use change. The most relevant policies, by-laws, and legislation are identified as follows:

Provincial Policy Statement, 2020

Section 1.1 – Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 a), b), c), d), e),

1.1.3

1.1.3.1

1.1.3.2

1.1.3.3

1.1.3.4

Section 1.4 – Housing

1.4.3

Section 1.7 – Long Term Economic Prosperity

The London Plan

(Policies subject to Local Planning Appeals Tribunal, Appeal PL170100, indicated with asterisk.)

Policy 7_ Our Challenge, Planning of Change and Our Challenges Ahead, Managing the Cost of Growth

Policy 54_ Our Strategy, Key Directions

Policy 55_ Our Strategy, Key Directions, Direction #1 Plan Strategically for a Prosperous City

Policy 57_ Our Strategy, Key Directions, Direction #3 Celebrate and Support London as a Culturally Rich, Creative, and Diverse City

Policy 59_ Our Strategy, Key Directions, Direction #5 Build a Mixed-Use Compact City

Policy 60_ Our Strategy, Key Directions, Direction #6 Place a New Emphasis on Creating Attractive Mobility Choices

Policy 61_ Our Strategy, Key Directions, Direction #7 Build Strong, Healthy and Attractive Neighbourhoods for Everyone

Policy 62_ Our Strategy, Key Directions, Direction #8 Make Wise Planning Decisions

193_ City Building Policies, City Design, What Are We Trying to Achieve?

252_ City Building Policies, City Design, Site Layout

253_ City Building Policies, City Design, Site Layout

289_ City Building Policies, City Design, Buildings

293_ City Building Policies, City Design, Buildings

807_ Place Type Policies, Transit Village, Role Within the City Structure

*813_ Place Type Policies, Transit Village, Intensity

815C_ Place Type Policies, Transit Village, Transit Village Protected Major Transit Station Areas

827_ Place Type Policies, Rapid Transit and Urban Corridors, Our Vision for the Rapid Transit and Urban Corridor Place Types

830_ Place Type Policies, Rapid Transit and Urban Corridors, How Will We Achieve Our Vision?

833_ Place Type Policies, Rapid Transit and Urban Corridors, Interpretation of Corridor Place Type Boundaries

834_ Place Type Policies, Rapid Transit and Urban Corridors, Interpretation of Corridor Place Type Boundaries

835_ Place Type Policies, Rapid Transit and Urban Corridors, Interpretation of Corridor Place Type Boundaries

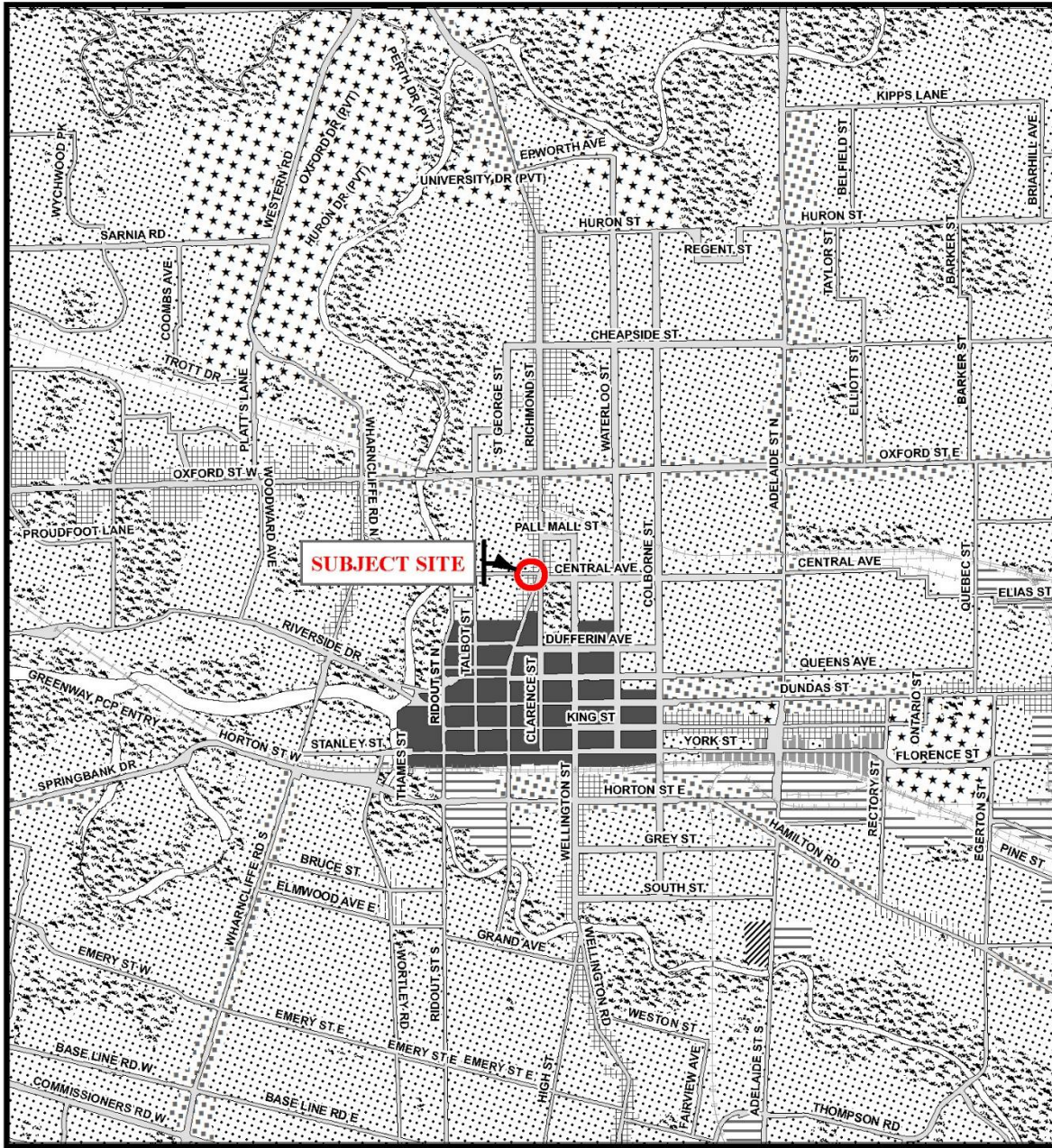
*837_ Place Type Policies, Rapid Transit and Urban Corridors, Permitted Uses
*840_ Place Type Policies, Rapid Transit and Urban Corridors, Intensity
841_ Place Type Policies, Rapid Transit and Urban Corridors, Form
860A_ Place Type Policies, Rapid Transit and Urban Corridors, Rapid Transit Corridor Protected Major Transit Station Areas
860B_ Place Type Policies, Rapid Transit and Urban Corridors, Rapid Transit Corridor Protected Major Transit Station Areas
860C_ Place Type Policies, Rapid Transit and Urban Corridors, Rapid Transit Corridor Protected Major Transit Station Areas
860D_ Place Type Policies, Rapid Transit and Urban Corridors, Rapid Transit Corridor Protected Major Transit Station Areas
860E_ Place Type Policies, Rapid Transit and Urban Corridors, Rapid Transit Corridor Protected Major Transit Station Areas
860F_ Place Type Policies, Rapid Transit and Urban Corridors, Rapid Transit Corridor Protected Major Transit Station Areas
963_ Place Type Policies, Neighbourhoods Place Type, Specific Policies for the Neighbourhoods Place Type, Near-Campus Neighbourhood
964_ Place Type Policies, Neighbourhoods Place Type, Specific Policies for the Neighbourhoods Place Type, Near-Campus Neighbourhood, Vision for Near-Campus Neighbourhoods
965_ Place Type Policies, Neighbourhoods Place Type, Specific Policies for the Neighbourhoods Place Type, Near-Campus Neighbourhood, Vision for Near-Campus Neighbourhoods
969_ Place Type Policies, Urban Place Types, Specific Policies for the Neighbourhoods Place Type, Near-Campus Neighbourhood, Intensification and Increases in Residential Intensity in the Neighbourhoods Place Type Within Near-Campus Neighbourhoods
*1649_ Our Tools, Planning and Development Controls, Bonus Zoning, Type 2 Bonus Zoning
*1650_ Our Tools, Planning and Development Controls, Bonus Zoning, Type 2 Bonus Zoning
*1652_ Our Tools, Planning and Development Controls, Bonus Zoning, Type 2 Bonus Zoning
*Table 9
*Map 1 – Place Types
Map 3 – Street Classifications
*Map – Specific Area Policies
Map 10 – Protected Major Transit Station Areas

Official Plan (1989)

Chapter 4 – Commercial Land Use Designations
Chapter 14 – Heritage Resources Policies
Chapter 15 – Environmental Policies
Chapter 18 - Transportation 11 – Urban Design Principles
11.1.1 ii), v), x), xi), xiii), xiv), xv), xvi), xvii), xviii)
19 Implementation
19.4.4 – Bonus Zoning

Appendix E – Relevant Background

The London Plan – Map 1 – Place Types



Legend

- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor | Commercial Industrial | Urban Growth Boundary |
| Main Street | Institutional | |
| Neighbourhood | Green Space | |

This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

Planning Services /
Development Services

LONDON PLAN MAP 1 - PLACE TYPES -

PREPARED BY: Planning Services



Scale 1:30,000



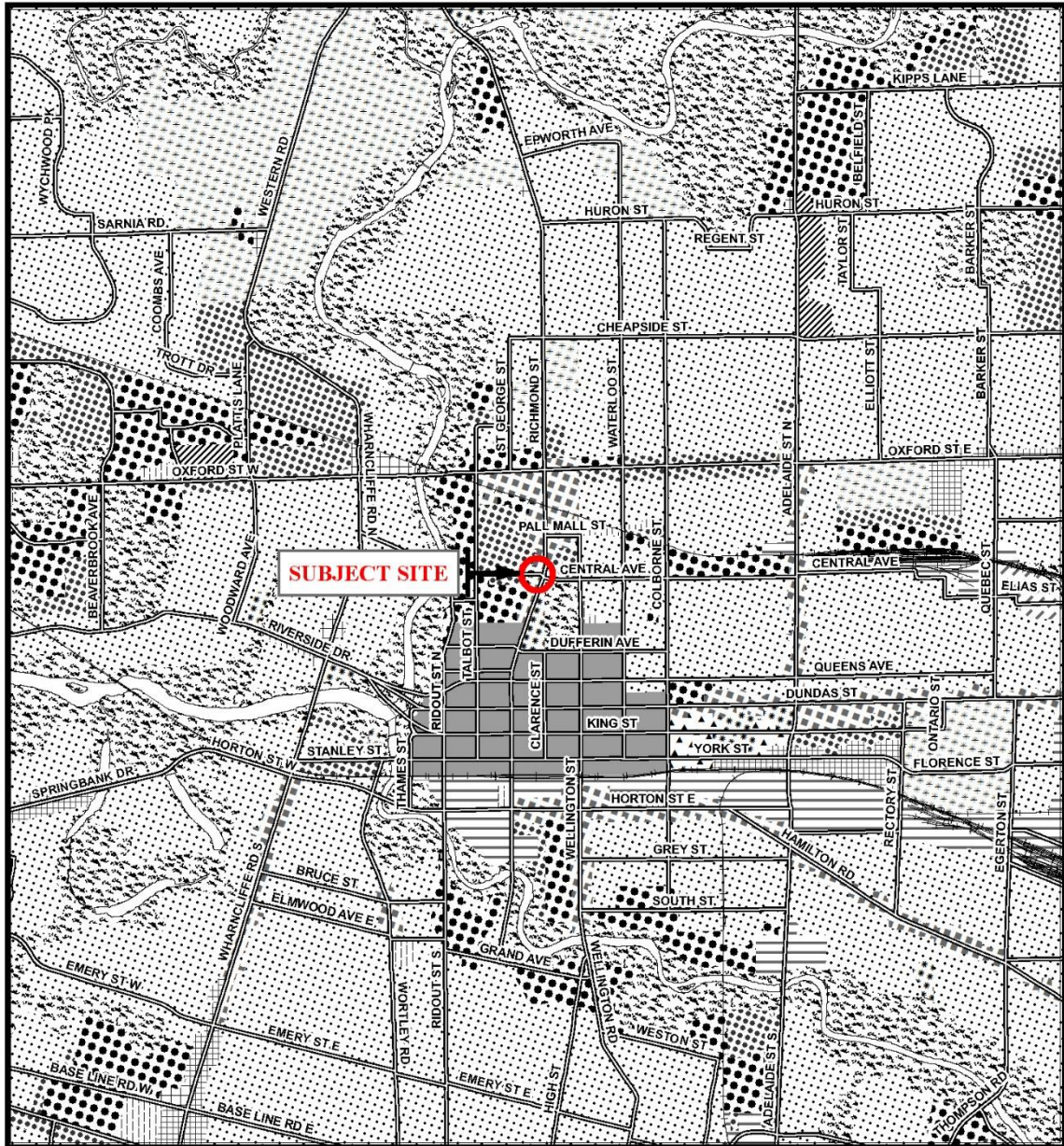
File Number: Z-9367

Planner: AR

Technician: RC

Date: May 30, 2022

1989 Official Plan – Schedule A – Land Use

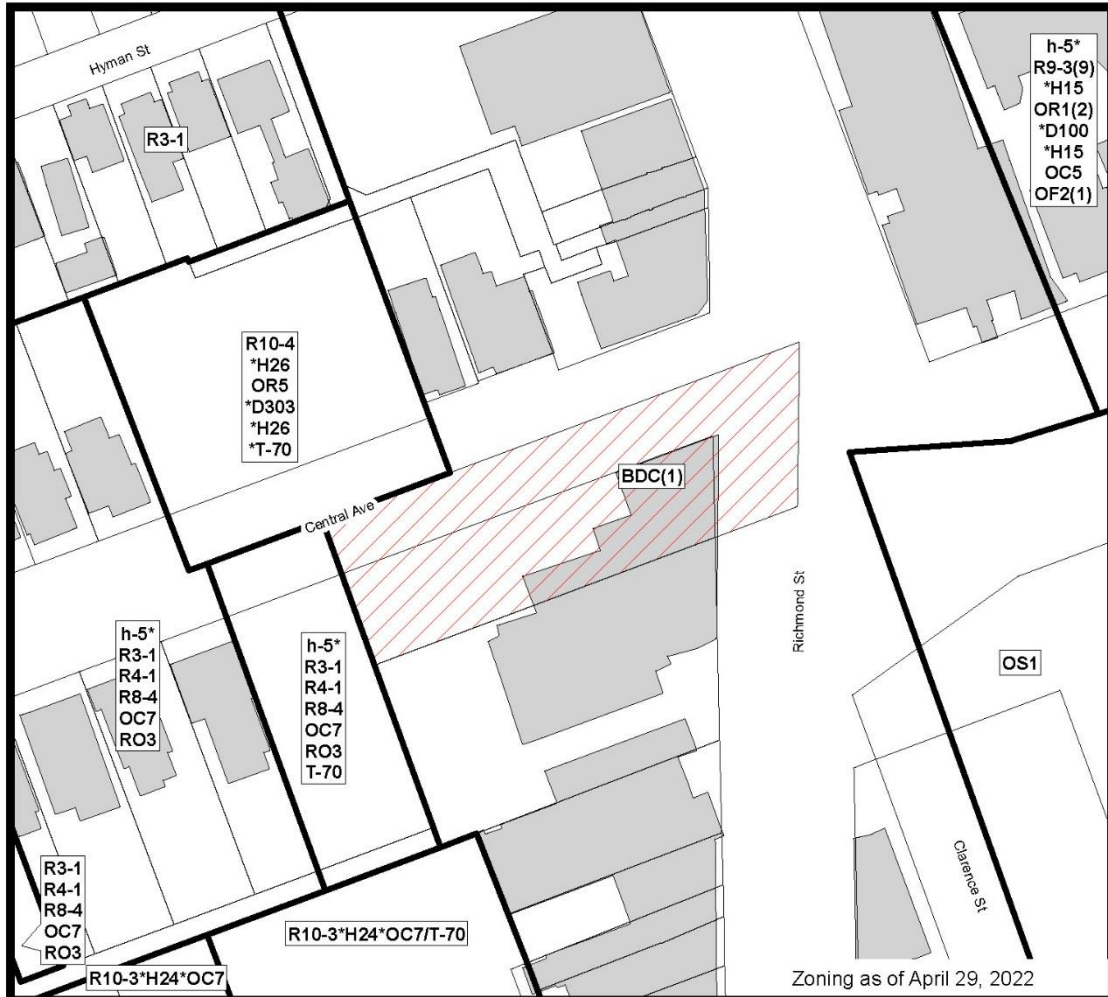


Legend		
Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial
Community Commercial Node	Regional Facility	Transitional Industrial
Neighbourhood Commercial Node	Community Facility	Rural Settlement
Main Street Commercial Corridor	Open Space	Environmental Review
Auto-Oriented Commercial Corridor	Urban Reserve - Community Growth	Agriculture
Multi-Family, High Density Residential	Urban Reserve - Industrial Growth	Urban Growth Boundary

<p>CITY OF LONDON</p> <p>Planning Services / Development Services</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>0 155 310 620 930 1,240 1,550</p> <p>Meters</p>	<p>FILE NUMBER: Z-9367</p>
		<p>PLANNER: AR</p>
		<p>TECHNICIAN: RC</p>
		<p>DATE: 2022/05/30</p>

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consol\00\excerpts\lmd_templates\scheduleA_b&w_8x14_with_SWAP.mxd

Zoning By-law Z.-1 – Zoning Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) **LEGEND FOR ZONING BY-LAW Z-1**

- | | |
|--|---|
| <ul style="list-style-type: none"> R1 - SINGLE DETACHED DWELLINGS R2 - SINGLE AND TWO UNIT DWELLINGS R3 - SINGLE TO FOUR UNIT DWELLINGS R4 - STREET TOWNHOUSE R5 - CLUSTER TOWNHOUSE R6 - CLUSTER HOUSING ALL FORMS R7 - SENIOR'S HOUSING R8 - MEDIUM DENSITY/LOW RISE APTS. R9 - MEDIUM TO HIGH DENSITY APTS. R10 - HIGH DENSITY APARTMENTS R11 - LODGING HOUSE
 DA - DOWNTOWN AREA RSA - REGIONAL SHOPPING AREA CSA - COMMUNITY SHOPPING AREA NSA - NEIGHBOURHOOD SHOPPING AREA BDC - BUSINESS DISTRICT COMMERCIAL AC - ARTERIAL COMMERCIAL HS - HIGHWAY SERVICE COMMERCIAL RSC - RESTRICTED SERVICE COMMERCIAL CC - CONVENIENCE COMMERCIAL SS - AUTOMOBILE SERVICE STATION ASA - ASSOCIATED SHOPPING AREA COMMERCIAL
 OR - OFFICE/RESIDENTIAL OC - OFFICE CONVERSION RO - RESTRICTED OFFICE OF - OFFICE | <ul style="list-style-type: none"> RF - REGIONAL FACILITY CF - COMMUNITY FACILITY NF - NEIGHBOURHOOD FACILITY HER - HERITAGE DC - DAY CARE
 OS - OPEN SPACE CR - COMMERCIAL RECREATION ER - ENVIRONMENTAL REVIEW
 OB - OFFICE BUSINESS PARK LI - LIGHT INDUSTRIAL GI - GENERAL INDUSTRIAL HI - HEAVY INDUSTRIAL EX - RESOURCE EXTRACTIVE UR - URBAN RESERVE
 AG - AGRICULTURAL AGC - AGRICULTURAL COMMERCIAL RRC - RURAL SETTLEMENT COMMERCIAL TGS - TEMPORARY GARDEN SUITE RT - RAIL TRANSPORTATION
 "h" - HOLDING SYMBOL "D" - DENSITY SYMBOL "H" - HEIGHT SYMBOL "B" - BONUS SYMBOL "T" - TEMPORARY USE SYMBOL |
|--|---|

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

ZONING BY-LAW NO. Z.-1 SCHEDULE A



THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

FILE NO:

Z-9367

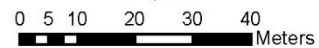
AR

MAP PREPARED:

2022/05/30

RC

1:1,000



Appendix F – Response to UDPRP

<p>Comment:</p> <p>Given the prominence/visibility of the site and the scale of the building, exceptional design attention should be given to the shape and articulation of the building to diminish the overall scale and impact of the building mass. In this regard the Panel recommends:</p> <ul style="list-style-type: none"> • Balconies have been introduced along the Central Avenue façade. Consider the introduction of a step-back from Central Avenue above the 3rd storey to better relate to the proportions of the adjacent heritage buildings and the Central Avenue ROW. • Explore significant “stepping back” or terracing of upper components (e.g., above 3- storeys) of the building from Richmond Street. • Review the orientation/alignment of the east façade to better align with the orientation of Richmond Street and the existing street-wall alignment. • Remove the expansive portions of “blank façade” by introducing additional fenestration, openings and material changes.
<p>Applicant Response:</p> <ul style="list-style-type: none"> • A 1.8 m step back from Central has been provided at the top of the second floor AND a further step back of 1.2 m at the 7th storey • A step-back and terracing has been provided in the east elevation (Richmond Street) of the 7th and 8th floors. Two balconies are located on each level from 3 to 6 and the 7th and 8th floors have terrace decks – all to enable exposure to Richmond Street. • The first two storeys of the east elevation back onto the existing heritage building fronting onto Richmond Street. No balconies are proposed on these two levels. • The following changes have removed what some contended to be too much of a 'slab' look. There is now increased spandrel glass at the centre and recessed the centre back 32". This breaks the massing down. The easterly portion has been lowered (in colour and setback only) a floor lower than the west. This also breaks down the massing, scales the bldg. to Richmond, creates visual interest.

<p>Comment:</p> <p>The relationship between the existing building on Richmond Street and the new building is not clear in the submitted materials and suggests problematic residual space. The Panel strongly recommends further horizontal separation between the proposed building and the existing building at 601 Richmond Street to avoid a perception of “overcrowding”.</p>

www.sbmtd.ca

[Click here to enter text.](#)

<p>Applicant Response:</p> <p>The space between the buildings has been re-designed and designated to become a corridor for existing. From Central Avenue, it would have a door and glazing one storey in height and extended to abut the existing Richmond Street building. The size of the site is small and if more horizontal separation is required, the unit yield is severely compromised. The contended “overcrowding” point is offset by taking a different approach which is to efficiently utilize the space for an important occupant exiting function and at the same time ensure the building materials and colours are appropriate to fit with both buildings.</p>

<p>Comment:</p> <p>The Panel noted that the proposed north façade plane is overly flat and recommends the introduction of more significant recesses and projections that better relate to the scale of the adjacent historic built form.</p>
<p>Applicant Response:</p> <p>The deep red-brown colour brick on the first two levels contrasted with the lighter main colour creates a more 'lively' appearance and brightens the bldg., all adding interest to the bldg. The spandrel glass has been increased at the centre and recessed the centre back about 0.8 m to breaks the massing down. The asymmetry of the east and west ends of the building at the 6th, 7th and 8th storeys also help to remove the contended slab-like appearance of the original design.</p>

<p>Comment:</p> <p>The Panel noted that the regard for scale and historic context is nominal in the current proposed design. The Panel recommends providing architectural expression and design elements, such as cornice lines, window bays, entrances, canopies, building materials, and fenestration, in a pattern, scale, and proportion that relate to the neighbouring buildings and engages pedestrians.</p>
<p>Applicant Response:</p> <p>Marsh Katsios and Tome Design have taken this comment into account and with the new building design using colour and architectural elements to make a proper fit with the existing Neighbourhood and integrating the “old” with the “new” resulting in a balanced juxtaposition.</p>

Comment:
It is recommended that the material selection be revisited to include a greater proportion of masonry materials (e.g., brick) to better relate to the adjacent heritage buildings.
Applicant Response:
The first two storeys are to be brick and a red brown colour to be similar but compliment the heritage buildings nearby.

Comment:
The Panel recommends removing the proposed "layby". This feature would severely disrupt the pedestrian environment along the Central Avenue frontage.
Applicant Response:
The lay-by is important for pedestrian pick-up and drop-off function and adds to defining the building entrance. RKLA Landscape Architects has now prepared a Landscape Plan and Rendering. The distance from street curb to building face is 6 m. the space has been divided between the pedestrian sidewalk which would be about 3 m in width and the lay by which is also about 3 m in width. The lay by and sidewalk have been designed using an integrated approach with the result producing an aesthetic and functional SHARED SPACE.

Comment:
While proposed tree plantings along Central Avenue should be commended, consideration should be given to the provision of appropriate soil volumes for trees as a large portion of the outdoor street frontage along Central Avenue is proposed to be hard surfaced. Structural soil cells should be utilized if necessary.
Applicant Response:
RKLA has carried out a comprehensive Tree Inventory and Preservation Plan which is part of the revised application submission. New trees are proposed and located where soil volumes can be sufficient. The newly prepared Landscape Plan shows this careful placement of new trees and shrub planters and planting.

Form Completed By: Laverne Kirkness, Claudio, Tome, Bill Katsios and Barry Murphy

From: AM Valastro

Sent: Friday, June 17, 2022 1:49 AM

To: PEC <pec@london.ca>

Subject: [EXTERNAL] Fwd: File: Z-9367: 599-601 Richmond Street

Please place on the added agenda with consent.

Thank You

AnnaMaria

File: Z-9367: 599-601 Richmond Street

Dear Members of Council,

It is important to Appeal this file because the staff report cherry picks its policies in support of the development and ignores other aspects of the same policies which would not support it. And never are policies such as the Climate Action Plan or the Urban Forest Strategy referenced even though adopted in the London Plan.

What is not supported:

This development is not Downtown. It is located on a residential street.

It is a mixed use development but primarily a residential building, on a residential street that abuts a residential neighbourhood and the Urban Design requirements that encourage no setbacks to do apply here. The 1989 Plan is clear. This development requires setbacks and streetscapes that conform to the neighbourhood 'texture'. The Near Campus Neighbourhood Policy is the overarching policy applicable on this site and that policy takes precedence. This policy carries over the same requirements from the 1989 Official Plan.

This trend to waive all setbacks and build to the outer boundaries seems to be unique to the broader old city area. If the same building was to be built on Fanshawe Park Rd. there would be setbacks despite having a commercial main floor. There is really no rhyme or reason why this building cannot have setbacks. It is a choice not to have setbacks but not because the policy supports it. The policy does not permit it and the density requested is double what is permitted.

It is important to ask the question whether a building design that ignores the neighbourhood texture, looks like all the other buildings being proposed in this city and gives only two (2) affordable housing units is worth **a doubling of density per hectare** in a space that is only three (3) cars lengths wide. It is so tight that the building had to be moved back slightly so the doors don't open onto the sidewalk. Really?

This approach has had serious consequences over the long term because it literally removes outdoor 'ground' green space and as approvals are site by site, there is no assessment of the long term accumulative impacts of such a policy.

In conjunction with the London Hydro **generic** 'zone' tree planting guidelines in which no shade trees are permitted in the old city area because of hydro lines, the only place to plant shade trees is on private property and the current trend is to eliminate all private open space and build to the boundaries.

This is achieved by waiving all property setback zoning requirements.

Setbacks are a protective zoning requirement. It protects space between buildings to ensure privacy, safety, air circulation, cooling heat radiating from building and greenspace and this in turn protects residents.

Setbacks are a protective policy.

That's the purpose of a setback and by waiving setbacks in new development results in no open land for shade trees anywhere in the old city area. You want people to walk? They are not going to walk blocks in the sweltering heat and hot sun without protective shade trees. And while staff reports always reference the 'big' policies such as Provincial Policy Statement and the London Plan, rarely do they reference the policies within the London Plan which are policies too such as the Urban Forest Strategy and the Climate Action Plan Strategy. These strategies will only work if applied broadly and to all development plans.

For example:

9th Meeting of the Trees and Forests Advisory Committee

November 24, 2021, 12:15 PM

- 1. On-going Loss of Street Tree Planting Spaces** The city is running out of vacant sites for trees on existing streets. Street trees are very important as they define community character. In addition to all their environmental benefits, street trees provide shade to pedestrians and can extend the lifespan of the asphalt roads. The city has planted most of the planting spaces identified through a recently completed tree inventory. In the process of creating annual planting plans, the city notifies residents via letter of the upcoming tree planting. Residents have the option to “opt out” and reject a street tree outside their home, even if one was there before. Over the past few years, this trend is increasing to as much as a 20% of the total tree planting numbers annually and has a cumulative impact. Private Land Approximately, 90% of tree planting opportunities are located on private lands. Encouraging tree planting on private land has the greatest impact to affect tree canopy cover goals.

Applying the Same Policy Differently Across the City

This policy of infill targets 'dilapidated' (direct quote from the 1989 Official Plan) buildings which tend to be low income older neighbourhoods. Protective setback zoning is not waived for new development in other areas within the city. You may cringe at the suggestion that these policies are applied differently depending on who lives where, but it is seen as taking advantage of inner cities and low income neighbourhoods because there is no reason why this site cannot house a building that fits and offers green space to its residents and contributes to the Urban Forestry Strategy and the Climate Change Action Plan. The Urban Design guidelines are intended to apply to commercial streetscapes. They are discriminatory if applied to new residential development differently depending on the neighbourhood where people live. Again, this development is on a residential street and any commercial business on this street is in a heritage house. The staff report ignores this fact and instead relies on the address which is Richmond St. but the building is behind the commercial strip.

More and more people will be living in highrises permanently and will not choose or cannot choose to live in single family homes or the like. Therefore, these new developments need to accommodate

families as well as others. Again, this building is being marketed to people without children and segregates populations within the city. The same qualities, green space or 'grounds' and play area should also apply to all new highrise development and must be family friendly. Ground green amenity space is essential so residents can take their dogs out, children can play and sit under canopy (shade) trees for relief from the heat and have some privacy.

It is broadly acknowledged that children in highrises with no immediate play area, use the corridors for play space and are more prone to depression.

If Council will not acknowledge the full slate of policies, including people zoning, then this file must be appealed.

Sincerely,

AnnaMaria Valastro



Slide 1 – OZ-9367: 599-601 Richmond Street



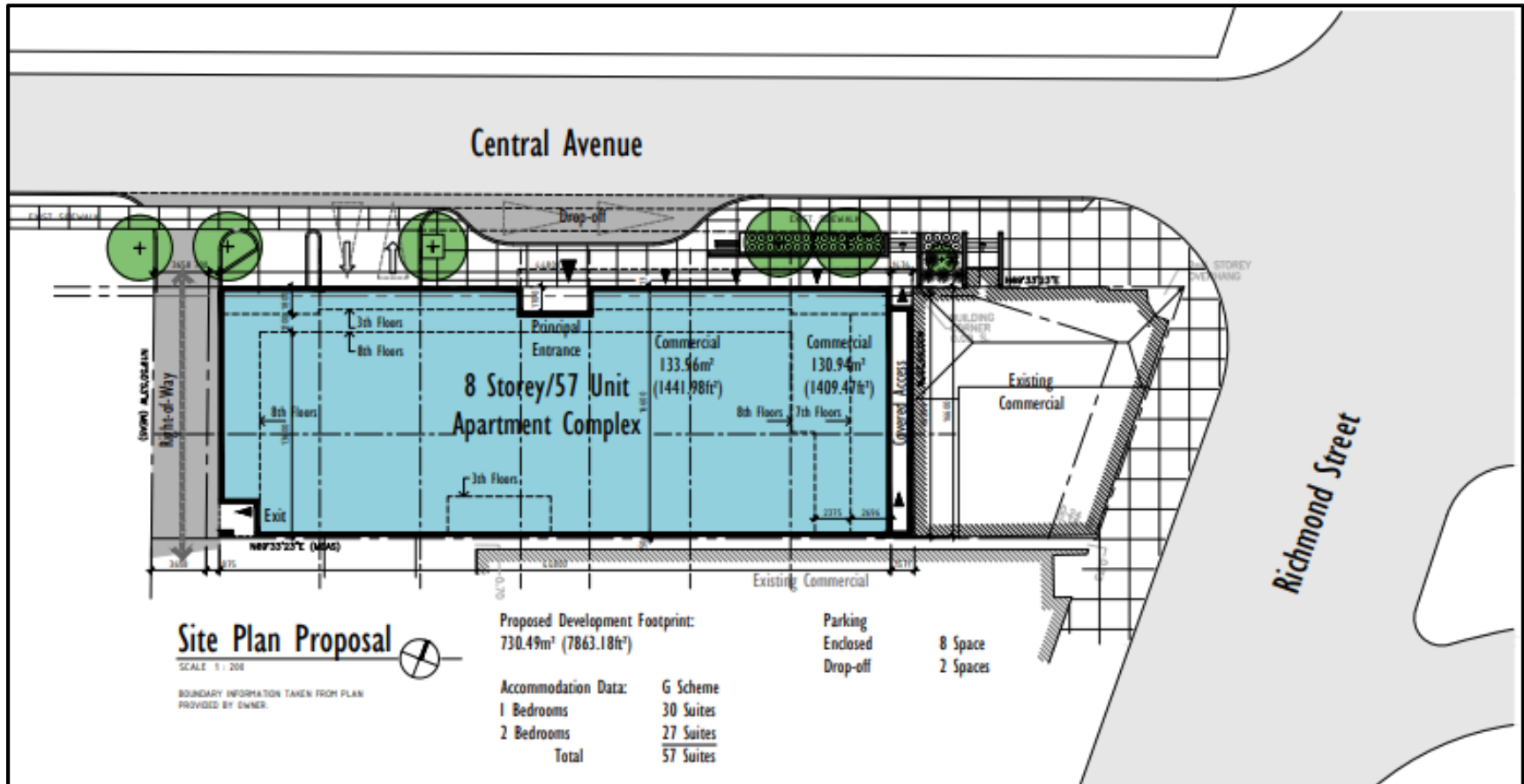
City of London
June 20, 2022



Slide 2 - Subject Site



Slide 3 - Proposed Development





Slide 4 – Proposed Development





Slide 5 – Policy Context

The London Plan

- Rapid Transit Corridor; Main Street; Central Ave
- Permits apartments with a height of 8-storeys
- Encourages compact forms of development and infill and intensification to manage outward growth

1989 Official Plan

- Main Street Commercial Corridor
- Redevelopment encourages mixed-use buildings
- No height and density permissions for the Main Street Commercial Corridor however, for residential development within this designation, the policies refer to the Multi-Family, High Density Residential designation
- Density bonusing can be approved by Council

Near Campus Neighbourhoods

- most intensification will be directed to place types that are intended to allow for mid-rise and high-rise residential development.



Slide 5 – Use, Intensity, Form

USE

- Supports the vision and policies of the Rapid Transit Corridor
- Consistent with Main Street Commercial policies

INTENSITY

- Contributes to the overall built form and intensity and is considered appropriate within the context of the Rapid Transit Corridor Place Type polices
- Staff is satisfied that the proposed facilities, services, and matters including 4 affordable housing units and exceptional design features are commensurate for the proposed increased intensity.

FORM

- Contributes to the overall built form and intensity and is considered appropriate within the context of the Rapid Transit Corridor Place Type polices
- Bonus Zone elements and targeted refinements of the site and building design will result in a development that is compatible with, and a good fit within the existing and planned context of the area.



Slide 6 – Neighbourhood Concerns

- Height
- Density
- No amenity area
- Loss of Green boulevard
- Heritage
- Too big for site
- Privacy/Overlook
- Light/Noise impacts
- Traffic
- Parking
- Type of Tenancy
- Does not meet the policies of the Near Campus Neighbourhoods
- Loss of property value

Slide 7 - Recommendation



Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee
From: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic Development
Subject: 2425293 Ontario Inc. – Zoning By-law Amendment for 801 Sarnia Road
Public Participation Meeting information
Date: June 20, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of 2425293 Ontario Inc. relating to the property located at 801 Sarnia Road:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on July 5, 2022, to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, to change the zoning of the subject property **FROM** a Residential R8 Bonus (R8-4*B40) Zone and Rail Transportation Zone, **TO** a Holding Residential R8 Special Provision Bonus (h*R8-4()*B()) Zone and Open Space (OS1) Zone;

The Bonus Zone shall be implemented through one or more agreements to facilitate the development of a high-quality apartment building with a maximum height of 20 meters, and a maximum density of 124 units per hectare (100 units), which substantively implements the Site Plan, Renderings, Elevations and Views attached in Schedule "1". The development shall specifically incorporate the following services, facilities, and matters:

1. Provision of Affordable Housing
 - i. A total of 4 one-bedroom residential units will be provided for affordable housing;
 - ii. Rents not exceeding 80% of the Average Market Rents (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
 - iii. The duration of affordability set at 50 years from the point of initial occupancy;
 - iv. The proponent shall enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations; and,
 - v. These conditions to be secured through an agreement registered on title with associated compliance requirements and remedies.
2. Design Principles
 - i. A mid-rise (6 storey) built form located along the Sarnia Road that establishes a built edge with primary building entrance, street oriented residential units and active uses along these frontages.
 - ii. Direct walkway connections from primary building entrance and ground floor residential unit entrances to the City sidewalk along Sarnia Road.
 - iii. Articulated facades including recesses, projections, balconies, and terraces to provide depth and variation in the built form to enhance the pedestrian environment.
 - iv. A variety of materials, textures, and articulation along building façade(s) to highlight different architectural elements and provide interest and human-scale rhythm along the street frontages.
 - v. Common outdoor amenity space at ground level along with the entrance to future City Pathway.

- vi. Locates majority of the parking behind the building and away from the street while screening the exposed parking with a combination of landscape and masonry walls.

Notwithstanding anything in the By-law to the contrary, the following regulations shall apply:

- | | | |
|------|---|--|
| i) | Front Yard Depth to Arterial Road (minimum) | 4.0 meters (13.1) feet |
| ii) | Rear Yard Setback to Open Space (minimum) | 13 meters (42.6 feet) |
| iii) | Height (maximum) | 20 meters (65.6 feet) |
| iv) | Parking (minimum) | 1 space per unit |
| v) | Parking for Affordable Units (minimum) | 0.33 space per unit |
| vi) | Density (maximum) | 124 units per hectare (100 dwelling units) |
- (b) Section 4.3 iv) - Site Specific Bonus Provisions is amended by deleting the current bonus zone (B-40) and replacing it with the new Bonus Zone outlined above in recommendation (a)
 - (c) Pursuant to Section 34(17) of the *Planning Act*, as determined by the Municipal Council, no further notice **BE GIVEN** in respect of the proposed by-law as the change in parking is minor in nature, the existing conditions plan circulated in the Notice of Application and Notice of Revised Application and Notice of Public Meeting accurately reflect the existing condition of the site, and no development or site alteration is proposed.

Executive Summary

Summary of Request

The request is for a Zoning By-law Amendment to change the zoning from a Residential R8 Bonus (R8-4*B40) Zone and Rail Transportation (RT) Zone, to a Holding Residential R8 Special Provision Bonus (h*R8-4()*B()) Zone and Open Space (OS1) Zone, to facilitate the development of a six (6) storey apartment building and public pathway. Zoning special provisions were requested for: a minimum front yard setback from an arterial road of 4 meters, whereas 8 meters minimum is required; a minimum rear yard setback to the Open Space Zone of 13 meters; a maximum building height of 20 meters, whereas 13 meters is the maximum permitted; a maximum density of 124 units per hectare, whereas 75 units per hectare is permitted; a reduced minimum parking requirement of 0.97 parking spaces per unit.

Staff are recommending a Holding Residential R8 Special Provision Bonus Zone (h*R8-4()*B()), in place of the R8-4 Zone. The recommended base R8-4 Special Provision would permit the Bonus Zone (B-40) previously approved for the subject lands, which is recommended to be repealed. This Bonus Zone permitted apartment buildings, handicapped persons apartment buildings, lodging house class 2, stacked townhousing, senior citizens apartment buildings, continuum-of-care facilities, and emergency care establishments, with a maximum height 16 meters or 5 storeys, a maximum density of 96 units per hectare, a reduced minimum front yard setback of 4.0 meters, and reduced

rear yard setback from the Open Space Zone of 13 meters, and a reduced minimum parking requirement of one space per unit.

The Applicant requested the use of Bonus provisions to allow the increase in density and height whereas the applicable policies of the Multi-Family, Medium Density Residential designation would allow residential intensification up to a maximum of 100 units per hectare. The facilities, services and matters proposed by the Applicant and recommended by Staff to support the Bonus Zoning include the building design and affordable housing.

Purpose and Effect of the Recommended Action

The purpose and effect of the recommended action are to approve the recommended City-Initiated Official Plan Amendment and requested Zoning By-law Amendments. The recommended zoning, Holding Residential R8 Special Provision Bonus (R8-4()*B()) Zone and Open Space (OS1) Zone, provides for:

- A base special provisions zone that would apply in the event that development occurs without the use of the Bonus Zone, to allow a five (5) storey (16 meters) apartment building at a maximum of 96 units per hectare, with a reduced front yard setback from an arterial road of four (4) meters minimum, where as eight (8) meters is required, reduced rear yard setback from the Open Space Zone of 13 meters, and a reduced minimum parking requirement of one space per unit, whereas 1.25 spaces per unit is required.
- A Bonus Zone to facilitate the development of the subject lands with a six (6) storey apartment building with a maximum density of 124 units per hectare (100 units) and the following: a minimum front yard setback from an arterial road of 4 meters, whereas 8 meters minimum is required; a minimum rear yard setback to the Open Space Zone of 13 meters; a maximum building height of 20 meters, whereas 13 meters is the maximum permitted; a maximum density of 124 units per hectare, where as 75 units per hectare is permitted; a reduced minimum parking requirement of 0.97 parking spaces per unit.
- An Open Space (OS1) Zone to permit the development of a public pathway.

Rationale for the Recommended Action

1. The recommended Zoning By-law Amendment is consistent with the Provincial Policy Statement, 2020, which encourages development to occur within settlement areas and land use patterns that provide for a range of uses and opportunities that will meet the needs of current and future residents;
2. The recommended zoning conforms to the in-force policies of *The London Plan*, including, but not limited to, the Neighbourhood Place Type, City Building and Design, Our Tools, and all other applicable *London Plan* policies;
3. The recommended amendment secures units for affordable housing through the Bonus Zone.

Linkage to the Corporate Strategic Plan

This application supports the Building a Sustainable City area of focus in the Corporate *Strategic Plan* by ensuring that the City of London's growth and development are well planned and sustainable over the long term.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

December 12, 2016 – Report to Planning and Environment Committee regarding a Vacant Land Condominium, Site Plan Approval Application and Zoning By-law Amendments (39CD-15516/ Z-8549/SP15-036).

April 24, 2017 – Report to Planning and Environment Committee for Removal of Holding Provisions (H-8736).

1.2 Planning History

The subject lands are located within the Hyde Park Community Planning Area, which was adopted alongside the associated Official Plan Amendments by Council in January of 2000. This Planning Area is bounded by the Fanshawe Park Road West to the north, Aldersbrook Road to the East, the Urban Growth Boundary to the west, and the CN railroad right of way to the south.

In 2015 and 2016, applications were submitted to permit the development of townhouses and a five (5) storey apartment building on the lands located at 801 Sarnia Road. An application for a Vacant Land Condominium (VLC), consisting of 57 townhouse units, was submitted for the westerly portion of the lands at 801 Sarnia Road. This application was accepted as complete on November 9, 2015.

The Zoning By-law Amendment which was submitted to facilitate the above noted developments applied to all the lands at 801 Sarnia Road and requested to change the zoning from an Urban Reserve (UR1) Zone to an Open Space (OS1), Holding Residential R6 Special Provision (h*^h-34*^h-65*R6-5(_)) and Holding Residential R8 Bonus (h*^h-34*^h-65*R8-4*B(40)) Zone. The Holding Residential R6 Special Provision Zone was to permit the 57-townhouse unit condominium development, and the Holding Residential R8 Bonus Zone was to permit the five (5) storey apartment. A public pathway corridor was also proposed as a part of the application and was proposed to be zoned Open Space (OS1). The Site Specific Bonus Zone was requested in order to permit a height of 16 meters and 72 units (96 units per hectare), and was contingent upon the provision of the following services:

Building

- a building design which, with minor variations at the discretion of the Managing Director, Planning and City Planner, matches the site concept and elevation drawings shown in Schedule "1";
- The building includes a differentiated base, middle and top;
- Individual entrances to the apartments are located on the ground floor of the apartment building adjacent to Sarnia Road and function as front doors rather than patio doors
- Ground floor amenity spaces are to be designed as open courtyards extending wider than the balconies above and into the front setback;

Site

- Provide glass or metal railings, or masonry walls to delineate the individual courtyards from the public realm.
- Railings are not to exceed 1m in height and masonry walls are not to exceed 0.9m in height in order to maintain visibility.
- Incorporate low landscaping to frame amenity areas.
- Direct walkway access from the front doors to the public sidewalk will be provided.

- Enhanced landscaping within the future public pathway corridor which includes additional plantings and public sitting areas;
- Enhanced entrance feature along Sarnia Road which includes the use of differencing paving materials, vegetation and public sitting areas: and
- All parking is to be located behind the building or enhanced screening

The current application was accepted as complete on February 25, 2022 and is being processed concurrently with an application for Site Plan Approval (SPA22-033).

1.3 Property Description

The subject lands are located in the northwest quadrant of the City and are a part of the Hyde Park Community Planning Area. Located on the north side of Sarnia Road, the lands are approximately 0.813 hectares in size with 227 meters of frontage and are described as Part Lots 4 and 13 on Registered Plan 48. The lands are bounded by the Canadian Pacific Railway Line to the north and east. Prior to the zoning by-law amendment in 2016, the lands were used for agricultural purposes and a single detached dwelling. There are single-detached dwellings to the north and east of the abutting rail line; a four (4) storey retirement home and three (3) storey long-term care facility to the south; and, a recently completed townhouse development to the west.

1.4 Current Planning Information

- *The London Plan* Place Type – Neighbourhoods
- (1989) *Official Plan* Designation – Multi-Family, Medium Density Residential
- Existing Zoning – Residential R8 Bonus Zone and Trail Transportation Zone (R8-4*B40/RT)

1.5 Site Characteristics

- Current Land Use – Residential
- Frontage – 227 meters on Sarnia Road
- Depth – 80.8 meters
- Area – approximately 0.813 hectares (2 acres)
- Shape – Triangular

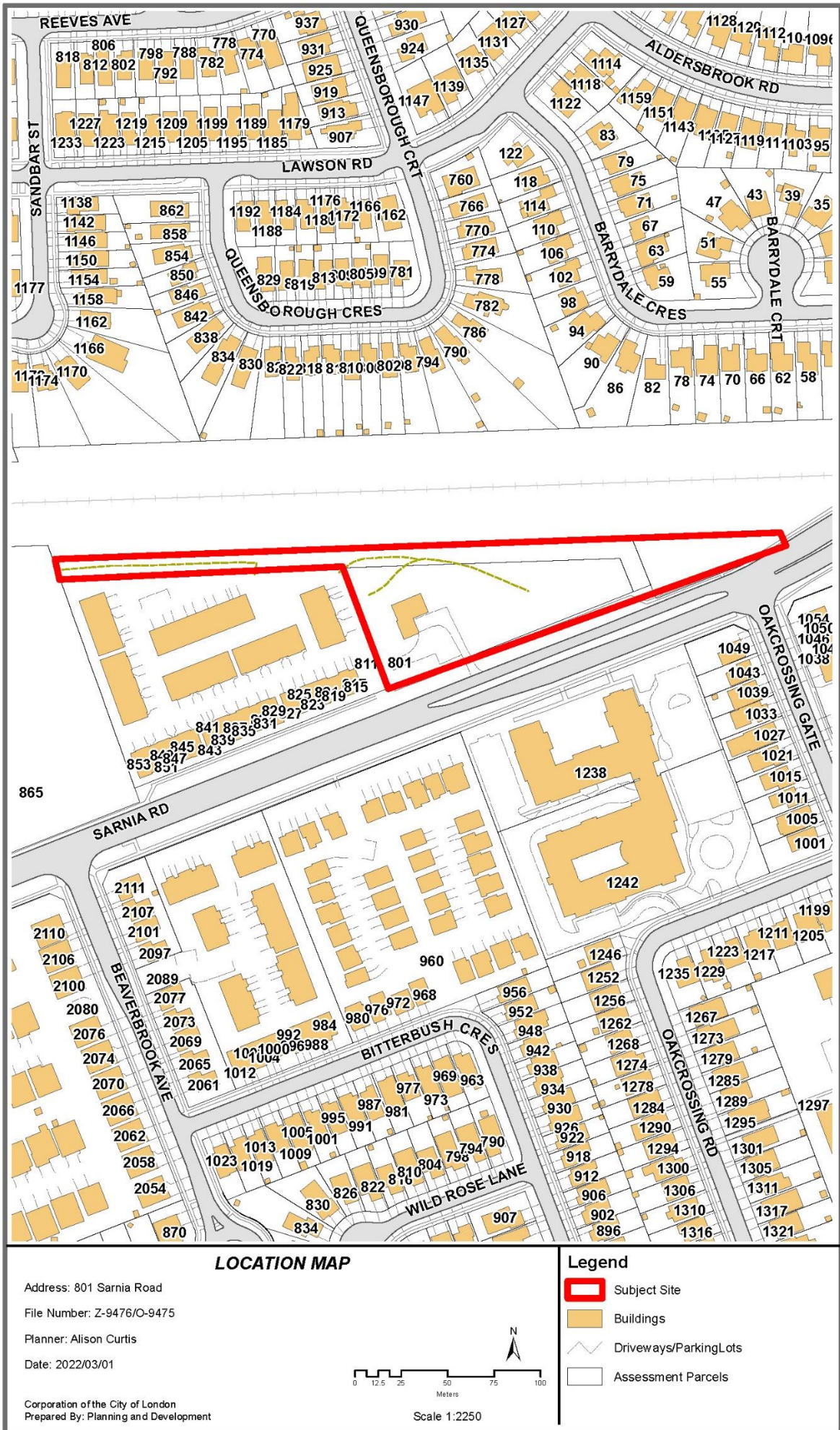
1.6 Surrounding Land Uses

- North – Low Density Residential, Single-detached dwellings and the CPR Railway
- East – Low Density Residential, Single-detached dwellings
- South – Multi-Family, Medium Density Residential, Retirement Home and Long-Term Care Facility
- West – Multi-Family, Medium Density Residential Development, Townhouse dwellings

1.7 Intensification

- The proposed 100-unit apartment building is outside of the Primary Transit Area and the Built Area Boundary.

1.8 Location Map



2.0 Discussion and Considerations

2.1 Development Proposal

As noted, previous applications for Zoning By-law Amendments and Site Plan Approval were received and processed by the City of London (Z-8549 and SPA15-036107). These applications were submitted in order to facilitate the development of a five (5) storey apartment building and public pathway. Figure 1, seen below, shows the previously approved Site Plan and entrance to the public pathway on Sarnia Road. Following the passing of the Zoning By-law amendment and issuance of Site Plan approval, the applicant entered discussions with Canadian Pacific Railway (CPR) to purchase the lands directly to the east with the intent that they would be included as developable land for this site.

On February 25, 2022, this application was accepted as complete by the City, and include the lands to be purchased from Canadian Pacific. The application proposes a six (6) storey, mid-rise residential apartment building, to be registered as a condominium, and the extension of the public pathway. The apartment building would contain 100 units, four (4) of which would be affordable units set at 80% of the Average Market Rents (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy for an affordability period of 50 years. The “L” shaped building is proposed to be in the southwestern portion of the subject lands, with a height of 19.9 meters, and have a building footprint of 1,719 meters square, which is approximately 15.7% of the subject lands. Vehicular and pedestrian accesses is proposed at the southwestern corner of the lands, while Site Plan may require a second access from Sarnia Road at the eastern extent of the subject lands. There will be two peripheral pedestrian access points to link the lands to the east and west. Amenity space will be offered on the northerly and easterly portion of the lands, which will be enhanced by landscaping.

There are a total of 97 parking spots proposed. Parking facilities are proposed to the north and the east of the apartment building. The parking adjacent to Sarnia Road will be screened by a landscape wall to contribute to an attractive public realm and pedestrian scale development. In addition to vehicular parking, eight (8) short-term bicycle parking space are located to the north of the proposed building and 75 long-term spaces are provided inside the building. This will help to promote active transportation. Figures 2, 3 and 4, seen below, show the proposed site plan and building renderings. The proposed public pathway will be extended and will provide an entrance at the new eastern extent of the lands. Parks Planning and Development is supportive of this new proposed entrance and extension.

Figure 1: Previously Approved Site Plan

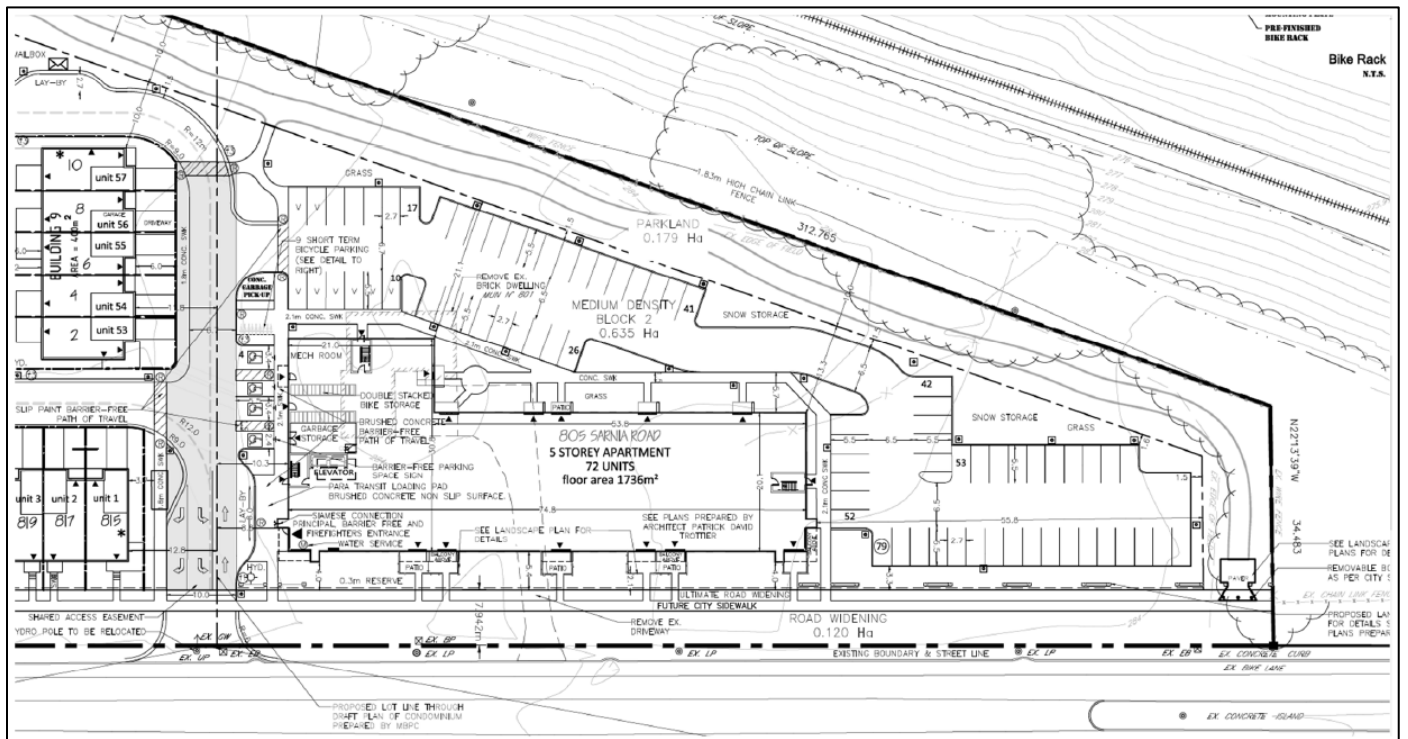


Figure 2: Current Proposed Site Plan

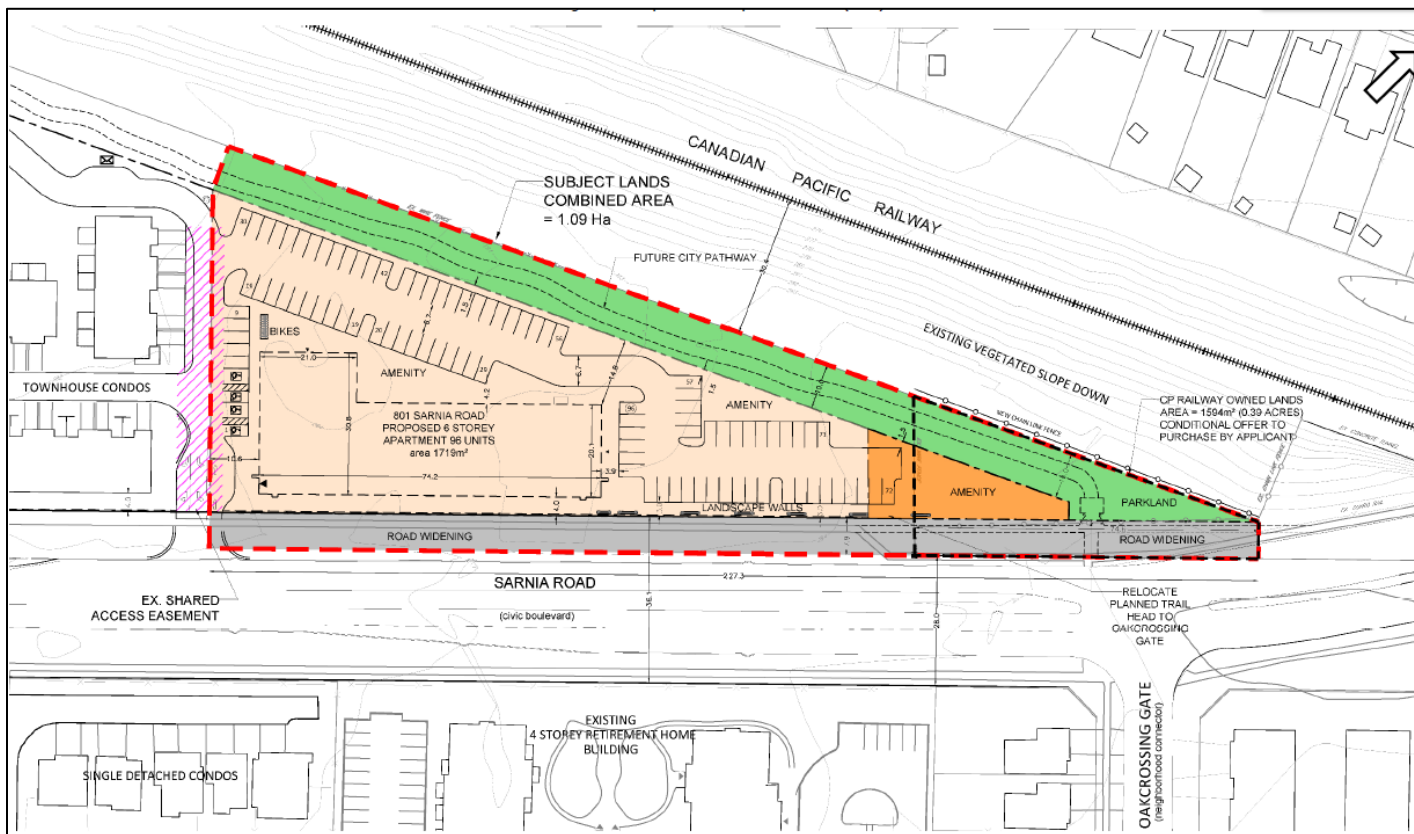


Figure 3: Proposed Building as seen looking north from Sarnia Road



Figure 4: Proposed building as seen looking northeast from Sarnia Road



2.2 Requested Amendments

Z.-1 Zoning By-law Amendments

The Applicant has requested consideration of a zoning by-law amendment to rezone the lands from a Residential R8 Bonus (R8-4*B40) Zone and Rail Transportation Zone, to a Holding Residential R8 Special Provision Bonus (h*R8-4()*B()) Zone and Open Space (OS1) Zone. This amendment has been requested to facilitate the development of a six (6) storey apartment building, containing 100 units, and a public pathway.

The requested Bonus Zone would permit:

- a 20-metre height, whereas a maximum of 16 metres is permitted;
- 100 dwelling units, whereas a maximum of 72 is permitted;
- relief from the parking requirements to permit 0.97 spaces per unit for a total of 97 spaces; and,
- provide relief from section 4.14 of the Zoning by-law in association with the density.

The public pathway will also be rezoned to Open Space (OS1) as a part of this Application. This Zone permits: conservation lands and works; cultivation of land for agriculture/horticulture; golf courses; private parks; public parks; recreational golf courses, recreational buildings associated with conservation lands and public parks; campgrounds; and, managed forests.

Staff are recommending that the previous Bonus Zone be repealed in favour of a base special provision zone based on the previous permissions, and a new bonus zone to facilitate the six (6) storey apartment building.

These zones and their regulations are as follows:

The Bonus Zone shall be implemented through one or more agreements to facilitate the development of a high-quality apartment building with a maximum height of 20 meters, and a maximum density of 124 units per hectare (100 units), which substantively implements the Site Plan, Renderings, Elevations and Views attached in Schedule "1". The development shall specifically incorporate the following services, facilities, and matters:

3. Provision of Affordable Housing
 - i. A total of 4 one-bedroom residential units will be provided for affordable housing;
 - ii. Rents not exceeding 80% of the Average Market Rents (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
 - iii. The duration of affordability set at 50 years from the point of initial occupancy;
 - iv. The proponent shall enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations; and,
 - v. These conditions to be secured through an agreement registered on title with associated compliance requirements and remedies.
4. Design Principles
 - i. A mid-rise (6 storey) built form located along the Sarnia Road that establishes a built edge with primary building entrance, street oriented residential units and active uses along these frontages.
 - ii. Direct walkway connections from primary building entrance and ground floor residential unit entrances to the City sidewalk along Sarnia Road.

- iii. Articulated facades including recesses, projections, balconies, and terraces to provide depth and variation in the built form to enhance the pedestrian environment.
- iv. A variety of materials, textures, and articulation along building façade(s) to highlight different architectural elements and provide interest and human-scale rhythm along the street frontages.
- v. Common outdoor amenity space at ground level along with the entrance to future City Pathway.
- vi. Locates majority of the parking behind the building and away from the street while screening the exposed parking with a combination of landscape and masonry walls.

Notwithstanding anything in the By-law to the contrary, the following regulations shall apply:

vii)	Front Yard Depth to Arterial Road (minimum)	4.0 meters (13.1) feet
viii)	Rear Yard Setback to Open Space (minimum)	13 meters (42.6 feet)
ix)	Height (maximum)	20 meters (65.6 feet)
x)	Parking (minimum)	1 space per unit
xi)	Parking for Affordable Units (minimum)	0.33 space per unit
xii)	Density (maximum)	124 units per hectare (100 dwelling units)

The Residential R8 Special Provision (R8-4(_)) Zone includes the following regulations:

a)	Regulations	
i)	Front Yard Depth to Arterial Road (minimum)	4.0 meters (13.1) feet
ii)	Rear Yard Setback to Open Space (minimum)	13 meters (42.6 feet)
iii)	Height (maximum)	16 meters (52.4 feet)
iv)	Parking (minimum)	1 space per unit
v)	Density (maximum)	96 units per hectare (72 dwelling units)

1989 Official Plan Amendment

On May 25, 2022, the Ontario Land Tribunal ordered that the *1989 Official Plan* be repealed in its entirety and *The London Plan* came into full force and effect. At the time

the application was made, the City initiated an amendment to the *1989 Official Plan* change the designation of the property to add a Chapter 10 Specific Area policy to permit a six (6) storey, 100-unit apartment building, with Bonus Zoning, at a maximum residential density of 124 units per hectare. The intent of this amendment was to align the *1989 Official Plan* policies with those of *The London Plan* that apply to the site. The City Initiated Amendment to the *1989 Official Plan* is no longer required to support the proposed development, and any Official Plan amendment required will be exclusively to *The London Plan*.

2.3 Community Engagement

Information regarding the requested Zoning By-law Amendment Application and opportunities to provide comments were provided to the public as follows:

- Notice of Application was sent to property owners within 120 meters of the subject property on March 27th, 2022.
- Notice of Application was published in the Public Notices and Bidding Opportunities section of *The Londoner* on March 27th, 2022.
- Information about the Application were posted on the website on March 27th, 2022.
- Notice of Public Participation Meeting was sent to property owners within 120 meters of the subject property and interested parties on June 2nd, 2022.
- Notice of Public Participation Meeting was published in Public Notices and Bidding Opportunities section of *The Londoner* on June 2nd, 2022.

Comments from members of the public and commenting agencies are included in Appendices C and D. Two emails were received from members of the public. Their concerns included:

- Reduction in property value
- Reduced privacy
- View obstruction
- Increased noise, traffic, and crime
- Reduced safety

2.4 Policy Context (see more detail in Appendices E and F)

Provincial Policy Statement, 2020

The *Provincial Policy Statement (PPS)* provides policy direction on matters of provincial interest as identified in Section 2 of the *Planning Act*. In accordance with Section 3 of the *Planning Act*, all planning decision shall be consistent with the *PPS* and the land use planning policies: Building Strong Healthy Communities; Wise Use and Management of Resources; and, Protecting Public Health and Safety. The *PPS* is to be read in its entirety.

The subject site is in the settlement area, and the requested amendment would help to facilitate the development of a six (6) storey apartment building containing 100 units. There is a mix of residential and open space, adjacent to the property, and there are commercial uses within walking distance. This requested Zoning By-law Amendment is consistent with several *PPS* policies, which are outlined in Appendix F.

Important policy objectives to highlight are those within Sections 1.1, 1.4 and 1.6. These policies require land uses within settlement areas to effectively use the land and resources through appropriate densities, range of uses and the efficient use of infrastructure. Directing new housing development to areas where there are, or will be, appropriate levels of infrastructure and public service facilities will ensure that land and infrastructure are used efficiently and can meet current and future needs. Promoting appropriate densities and mix of housing will also help to ensure current and future housing needs can efficiently be met, as well as supporting the use of active transportation and transit facilities. The requested amendment has been reviewed for consistency with the *PPS*, and the analysis can be found in Appendix F.

The London Plan

At the time this Application was submitted, *The London Plan* was subject to an appeal to the *Local Planning Appeals Tribunal (LPAT)* (PL170700). The *Plan* was Council adopted and approved by the Ministry with modifications, and the majority was in force and effect. Policies that were under appeal were indicated with an asterisk (*) throughout reports. Since that time, *The London Plan* has come into full force and effect as of May 25, 2022, following a written decision from the *Ontario Land Tribunal (OLT)*. Policies under appeal at the time of submission, but now in full force and effect are indicated with an asterisk (*) throughout this report.

The subject lands are located in the Neighbourhoods Place Type along a Civic Boulevard (Sarnia Road) which permits a range of residential uses, including: single detached, semi-detached, townhouses, stacked townhouses, and low-rise apartments (Table 10). Civic Boulevards permit a minimum height of two (2) storeys and a maximum height of four (4) storeys, with a Bonus up to six (6) storeys (Table 11*). The proposal is in keeping with these policies set out in *The London Plan*.

The requested amendment has been reviewed with the applicable policies of the Our Strategy, City Building and Design, Neighbourhoods Place Type and Our Tools sections of *The London Plan*. The analysis can be found in Appendix F. An excerpt of from *The London Plan* Map 1 – Place Types* is found in Appendix G.

1989 Official Plan

The subject lands are designated as Multi-Family, Medium Density Residential (MFMDR) in the *1989 Official Plan*. The permitted uses in this residential designation include: row houses or cluster houses; low-rise apartment buildings; rooming and boarding house; emergency care facilities; converted dwellings; and, small-scale nursing homes, rest homes, and homes for the aged (3.3.1 Permitted Uses). Please refer to Appendix F for further analysis.

This application has been reviewed with the applicable policies of the *1989 Official Plan*, and is keeping with its permitted uses. An excerpt from Land Use Schedule "A" can be found at Appendix G.

Hyde Park Community Plan

The subject lands are within the Hyde Park Community Planning Area and subject to the Hyde Park Community Plan and Urban Design Guidelines to guide development to create a healthy, functional, and pleasing community environment. The Urban Design Guidelines provide a means to ensure compatibility between land uses, create a pedestrian and transit-supportive form, emphasize public spaces, and the integration of the open space network into the Community. Under this plan, the lands are designated Medium Density Residential. The proposal incorporates urban design guidelines for the general streetscape and building design.

Z.-1 Zoning By-law

The appropriateness of the proposed zone change, the permitted uses and regulations have been reviewed against that regulatory requirement of Zoning By-law Z.-1. These lands are currently zoned a Residential R8 Bonus (R8-4*B40) Zone and Rail Transportation (RT) Zone. A zoning map excerpt from the Z.-1 Zoning By-law Schedule A is found in Appendix G.

3.0 Financial Impact/Considerations

Through the completion of the works associated with this application, fees, development charges and taxes will be collected. There are no direct financial expenditures associated with this application.

4.0 Key Issues and Considerations

Zoning Amendment applications to the City of London Zoning By-law are subject to the applicable policies in the *1989 Official Plan* and *The London Plan*. The *1989 Official Plan* sets out that the Planning Impact Analysis and its established criteria be used to evaluate Zoning By-law Amendments. In addition, *The London Plan* requires that applications demonstrate that the proposal is sensitive to, and compatible with, its context and consider the Use, Intensity and Form of proposed amendments.

4.1. Use

The recommended zoning would permit medium density residential development in the form of an apartment building containing 100 units (124 uph), at a maximum height of six (6) storeys (20 meters/65.6 feet) through the Bonus Zone and five (5) storeys (16 meters/52.4 feet) through the recommended Special Provision Zone. Under the *1989 Official Plan* and *The London Plan*, medium density residential lands uses are permitted on the subject lands. Medium density development in the form of apartment buildings is currently permitted in the Residential R8 Zone, in addition to lodging houses class 2; stacked houses, senior citizen apartment buildings, emergency care facilities; and, continuum-of-care facilities. The proposed apartment development would contribute to a mix of housing choices in a compact form and is street oriented, which also contributes to an active street front along Sarnia Road, creating a safe pedestrian environment that promotes connectivity. There is also an adequate transition in land uses adjacent to the subject lands. Immediately to the west, there are two (2) and three (3) storey townhouses, and immediately to the south, there is a three (3) storey long term care facility and a four (4) storey retirement home. These adjacent uses provide a transition between the proposed medium density apartment building and the surrounding low-density, single detached residential uses. The recommended zoning is considered appropriate and provides a range of uses that is consistent with the surrounding area.

4.2 Intensity

The Multi-Family, Medium Density Residential Designation in the *1989 Official Plan* permits a maximum density of 75 units per hectare while Table 11* of *The London Plan* controls intensity by providing for a range of height permissions. Permissions include a minimum of two (2) storeys and a maximum of four (4) storeys, with a potential bonus up to six (6) storeys, in the Neighbourhoods Place Type along a Civic Boulevard. A maximum height of 13 meters and a maximum density of 75 units per hectare is permitted under the Residential R8-4 Zone, but the previous Zoning By-law Amendment permitted a Bonus Zone allowing a maximum height of 16 meters and a maximum density of 96 units per hectare. The requested amendments made through this application permit a maximum height of six (6) storeys (20 meters) and a maximum density of 124 units per hectare, which is contingent on the provision on affordable housing and implementation of the recommended design principles.

The requested height of six (6) storeys is in keeping with the policies of *The London Plan*, but not the permitted density identified in the *1989 Official Plan*. Although the density is greater than what is permitted, the proposed height is considered appropriate for this location with developments of a similar scale and intensity existing adjacent to the subject lands. As noted in the previous section discussing use, the intensity of the immediately adjacent developments to the west and south serve as a transition between the proposed medium density development and low-density, single-detached residential. The requested intensity is considered appropriate as the subject lands have demonstrated that they are of sufficient in size and configuration to accommodate the development of a six (6).

4.3 Form

As noted, the *1989 Official Plan*, *The London Plan* and the Residential R8 Zone all permit medium density residential development on the subject lands. Permitted forms of medium density development include: townhouses, stacked townhouses, low-rise apartment buildings, lodging houses class 2, senior citizen apartment buildings, emergency care facilities; and, continuum-of-care facilities. The proposed development is in keeping with the permitted forms of development. A minimum lot area of 1000 square meters and a minimum lot frontage of 30 meters are required under the Residential R8-4 zone. These requirements are satisfied as the lands are approximately 8138 square meters and there are approximately 227 meters of lot frontage on Sarnia Road. The requested Bonus and Special Provision Zones consider a maximum height of six (6) and five (5) storeys, respectively, which are permitted under *The London Plan*. There is also a transition in form between this proposed development and the adjacent medium and low-density development, as previously discussed.

The proposed development would be located close to the road, contributing to an active street front and pedestrian scale, while also increasing the separation between the building and the CPR rail line at the rear of the property. The design principles outlined as requirements for the Bonus Zone also contribute to creating a development form that could create an active street front and pedestrian scale environment. The recommended Bonus Zoning, Special Provision Zone and holding provisions would facilitate development in an appropriate form that is generally consistent with the surrounding development.

4.4 Planning Impact Analysis

As noted, Section 3.7 of the *1989 Official Plan* sets out criteria as part of the Planning Impact Analysis to evaluate the appropriateness of a change in land use to minimize potential negative impacts. The proposed Zoning By-law Amendment is consistent with this section as:

- the proposed use of the land is compatible with surrounding uses and consistent with what is permitted;
- the lot is of a sufficient size and shape to accommodate the proposed use;
- the proposed development would facilitate the creation of affordable housing units;
- the form, as proposed, will not create impacts on surrounding land uses and is safe distance from the CPR Rail Line;
- the proposed multi-family, medium density residential development is located in close proximity to a future public pathway, as well as the public transit stops on Sarnia Road; and,
- no potential impact is anticipated on surrounding natural features and heritage resources.

Conclusion

The recommended Zoning Amendment is consistent with the *Provincial Policy Statement* and conforms with the *1989 Official Plan* and *The London Plan*. The recommended Bonus Zone and Special Provision Zone will permit development of an apartment building that is considered appropriate and compatible with existing and future land uses in the surrounding area. Therefore, staff are satisfied that the proposal represents good planning in the broad public interest and recommends approval.

Prepared by: Alison Curtis, MA
Planner 1, Planning and Development

Submitted by: Mike Corby, MCIP, RPP
Manager, Planning Implementation

Recommended by: Gregg Barrett, AICP
Director, Planning and Development

Submitted by: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic
Development

cc:
Heather McNeely, Manager, Current Development
Michael Pease, Manager, Site Plans
Ismail Abushehada, Manager, Development Engineering

SM/GB/MC/AC/ac

Y:\Shared\DEVELOPMENT SERVICES\11 - Current Planning\DEVELOPMENT APPS\2022 Applications
9472 to\Applications\Sarnia Road 801 (AC) O-9475-Z-9476

Bill No. (number to be inserted by
Clerk's Office)
(2022)

By-law No. Z.-1-22_____

A by-law to amend By-law No. Z.-1 to
rezone lands located at 801 Sarnia
Road.

WHEREAS Royal Premier Homes has applied to rezone lands located at 801 Sarnia Road as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 801 Sarnia Road, as shown on the attached map, FROM a Residential R8 Bonus (R8-4*B40) Zone and Rail Transportation Zone, TO a Holding Residential R8 Special Provision Bonus (h*R8-4()*B()) Zone and Open Space (OS1) Zone.
- 2) Section 4.3 iv) - Site Specific Bonus Provisions is amended by deleting the current bonus zone (B-40) and replacing it with the following new Bonus Zone
) B-__ 801 Sarnia Road

The Bonus Zone shall be implemented through a development agreement to facilitate the development of a high quality apartment building with a maximum height of 20 meters with a total maximum of 100 units (124 units per hectare), which substantively implements the Site Plan, Renderings, Elevations and Views attached in Schedule "1". The development shall specifically incorporate the following services, facilities, and matters:

1. Provision of Affordable Housing
 - i. A total of four (4) one-bedroom residential units will be provided for affordable housing;
 - ii. Rents not exceeding 80% of the Average Market Rents (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
 - iii. The duration of affordability set at 50 years from the point of initial occupancy;
 - iv. The proponent shall enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations; and,
 - v. These conditions to be secured through an agreement registered on title with associated compliance requirements and remedies.
2. Design Principles
 - i. A mid-rise (6 storey) built form located along the Sarnia Road that establishes a built edge with primary building entrance, street oriented residential units and active uses along these frontages.
 - ii. Direct walkway connections from primary building entrance and ground floor residential unit entrances to the City sidewalk along Sarnia Road.

- iii. Articulated facades including recesses, projections, balconies, and terraces to provide depth and variation in the built form to enhance the pedestrian environment.
- iv. A variety of materials, textures, and articulation along building façade(s) to highlight different architectural elements and provide interest and human-scale rhythm along the street frontages.
- v. Common outdoor amenity space at ground level combined along with the entrance to future City Pathway.
- vi. Locates majority of the parking behind the building and away from the street while screening the exposed parking with a combination of landscape and masonry walls.
- vii. A step-back (a minimum of 1.5m) and/or terracing above the 5th storey for the building along Sarnia Road frontage to provide a human-scale along the street(s).
If a setback above 5th storey is limited by the usable depth of the proposed units, explore opportunities to push the lower floors (1-5) further towards Sarnia Road to create the step back.

The following special regulations apply within the bonus zone upon the execution and registration of the required development agreement(s):

a) Regulations

- | | | |
|------|---|--|
| i) | Front Yard Depth to Arterial Road (minimum) | 4.0 meters (13.1) feet |
| ii) | Rear Yard Setback to Open Space (minimum) | 13 meters (42.6 feet) |
| iii) | Height (maximum) | 20 meters (65.6 feet) |
| iv) | Parking (minimum) | 1 space per unit |
| v) | Parking for Affordable Units (minimum) | 0.33 space per unit |
| vi) | Density (maximum) | 124 units per hectare (100 dwelling units) |

3) Section Number 12.4 of the Residential R8 Zone is amended by adding the following Special Provisions:

) R8-4(_)

a) Regulations

- | | | |
|------|---|------------------------|
| i) | Front Yard Depth to Arterial Road (minimum) | 4.0 meters (13.1) feet |
| ii) | Rear Yard Setback to Open Space (minimum) | 13 meters (42.6 feet) |
| iii) | Height (maximum) | 16 meters (52.4 feet) |

iv)	Parking (minimum)	1 space per unit
v)	Density (maximum)	96 units per hectare (72 dwelling units)

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. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

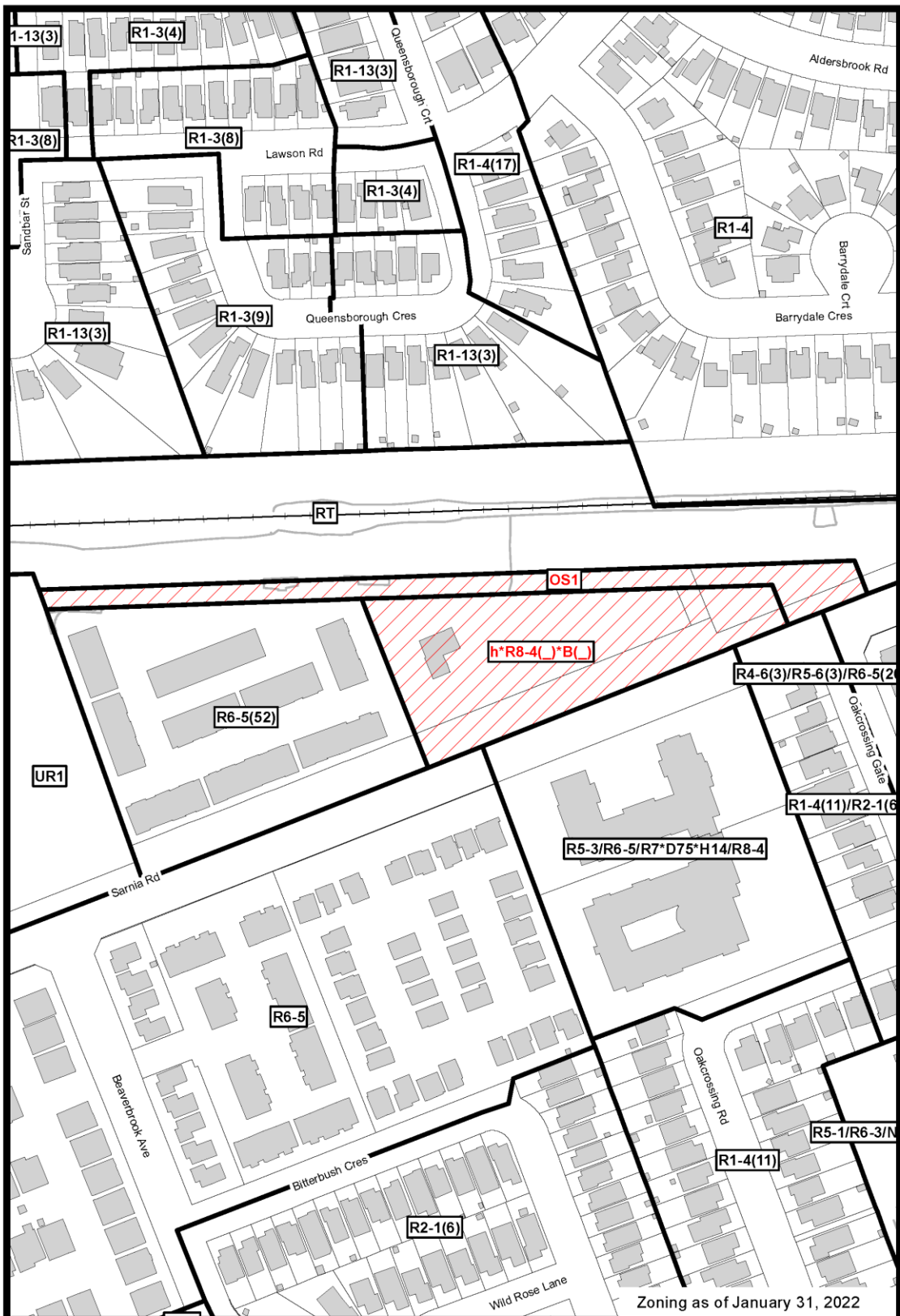
PASSED in Open Council on July 5, 2022

Ed Holder
Mayor


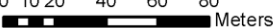

Catharine Saunders
City Clerk

First Reading – July 5, 2022
Second Reading – July 5, 2022
Third Reading – July 5, 2022

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z-1)



Zoning as of January 31, 2022

<p>File Number: Z-9476/O-9475 Planner: AC Date Prepared: 2022/05/20 Technician: rc By-Law No: Z-1-</p>	<p>SUBJECT SITE </p> <p>1:2,250</p> <p>0 10 20 40 60 80 Meters </p> <p></p>
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Schedule "1"



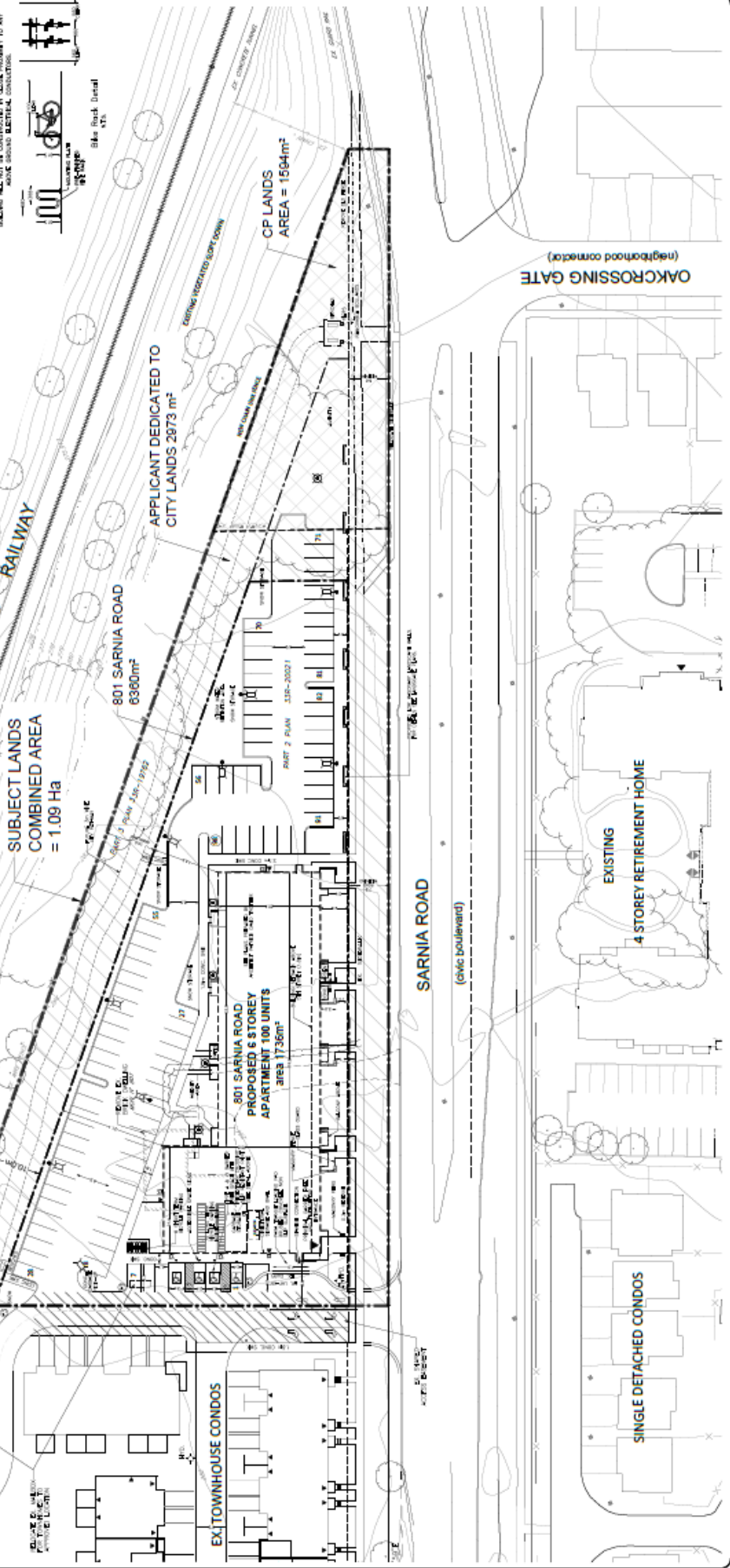
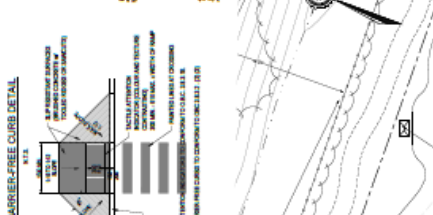
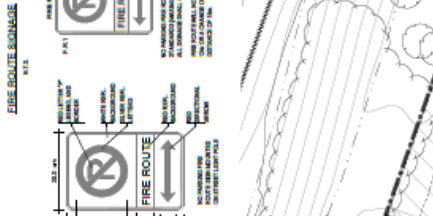
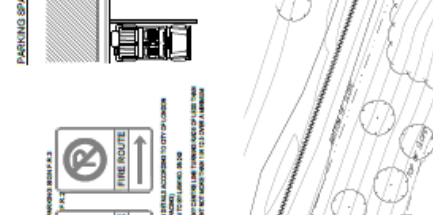
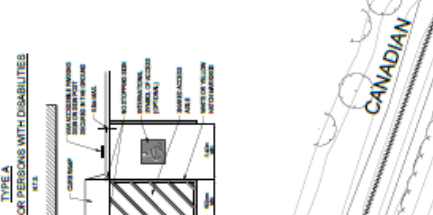
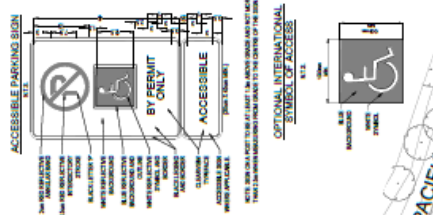
Montleith + Brown
planning consultants

KEY PLAN
1:10000
11/11/2017
11/11/2017
11/11/2017



SITE DATA TABLE			
REGULATION	Zone (B)-4	SRD	Revised SRD
1. MINIMUM LOT WIDTH (METERS)	30m	30m	30m
2. MINIMUM LOT DEPTH (METERS)	30m	30m	30m
3. MINIMUM FRONT YARD SETBACK (METERS)	5m	5m	5m
4. MINIMUM SIDE YARD SETBACK (METERS)	5m	5m	5m
5. MINIMUM REAR YARD SETBACK (METERS)	5m	5m	5m
6. MINIMUM SIDE SETBACK TO ADJACENT LOT (METERS)	5m	5m	5m
7. MINIMUM SIDE SETBACK TO ADJACENT LOT (METERS)	5m	5m	5m
8. MINIMUM SIDE SETBACK TO ADJACENT LOT (METERS)	5m	5m	5m
9. MINIMUM SIDE SETBACK TO ADJACENT LOT (METERS)	5m	5m	5m
10. MINIMUM SIDE SETBACK TO ADJACENT LOT (METERS)	5m	5m	5m
11. MINIMUM SIDE SETBACK TO ADJACENT LOT (METERS)	5m	5m	5m
12. MINIMUM SIDE SETBACK TO ADJACENT LOT (METERS)	5m	5m	5m
13. MINIMUM SIDE SETBACK TO ADJACENT LOT (METERS)	5m	5m	5m
14. MINIMUM SIDE SETBACK TO ADJACENT LOT (METERS)	5m	5m	5m
15. MINIMUM SIDE SETBACK TO ADJACENT LOT (METERS)	5m	5m	5m
16. MINIMUM SIDE SETBACK TO ADJACENT LOT (METERS)	5m	5m	5m
17. MINIMUM SIDE SETBACK TO ADJACENT LOT (METERS)	5m	5m	5m
18. MINIMUM SIDE SETBACK TO ADJACENT LOT (METERS)	5m	5m	5m
19. MINIMUM SIDE SETBACK TO ADJACENT LOT (METERS)	5m	5m	5m
20. MINIMUM SIDE SETBACK TO ADJACENT LOT (METERS)	5m	5m	5m

- NOTES:
- FOR ALL NEW CONSTRUCTION, THE COLLECTION AND REMOVAL OF DEBRIS SHALL BE PROVIDED BY THE APPLICANT.
 - FOR ALL NEW CONSTRUCTION, THE APPLICANT SHALL PROVIDE A LANDSCAPE PLAN AND DETAILS, SEE PLAN 2002-2003.
 - FOR ALL NEW CONSTRUCTION, THE APPLICANT SHALL PROVIDE A LIGHTING PLAN AND DETAILS, SEE PLAN 2002-2003.
 - FOR ALL NEW CONSTRUCTION, THE APPLICANT SHALL PROVIDE A SIGNAGE PLAN AND DETAILS, SEE PLAN 2002-2003.
 - FOR ALL NEW CONSTRUCTION, THE APPLICANT SHALL PROVIDE A FIRE ALARM PLAN AND DETAILS, SEE PLAN 2002-2003.
 - FOR ALL NEW CONSTRUCTION, THE APPLICANT SHALL PROVIDE A SECURITY PLAN AND DETAILS, SEE PLAN 2002-2003.



- LEGEND
- SUBJECT LANDS
 - PROPOSED LANDSCAPE ROUTE
 - PROPOSED FIRE ALARM WITH CLEAR ROUTE TO FIRE ALARM CONTROL PANEL
 - PROPOSED SIGNAGE
 - PROPOSED SIGN AND TYPE
 - PROPOSED ENTRANCE
 - PROPOSED LIGHT STANDARDS

NO.	DATE	DESCRIPTION
1	11/11/2017	ISSUED FOR COMMENT
2	11/11/2017	ISSUED FOR COMMENT
3	11/11/2017	ISSUED FOR COMMENT

SCALE: 1:400
DATE: 11/11/2017
PROJECT NO.: 2425293 ONTARIO INC.
SITE PLAN

Property: 801 Sarnia Road
Owner: Royal Premier Homes
City No.: SAC21-117
File No.: 14-10-111

11/11/2017 10:00:00 AM





Appendix B: Previously Approved Zoning

The By-law presented in this appendix was passed in Open Council on January 17th, 2017.

Bill No. (number to be inserted by Clerk's Office)
2017

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 801 Sarnia Road.

WHEREAS 2425293 Ontario Inc. c/o Farhad Noori has applied to rezone an area of land located at 801 Sarnia Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 801 Sarnia Road, as shown on the attached map, from an Urban Reserve (UR1) Zone to an Open Space (OS1) Zone, a Holding Residential R6 Special Provision (h.*h-34*h-65*R6-5(_)) Zone and a Residential R8*Bonus (h.*h-34*h-65*R8-4*B-_) Zone.
- 2) Section Number 4.3 iv) – Site Specific Bonus Provisions is amended by adding the following Bonus Provision:

) B-__ 801 Sarnia Road

The development shall be in accordance with the site concept and elevations attached as Schedule "1" of this By-law which includes an apartment building with a maximum height of 16 metres with total maximum of 72 units (96 units per hectare). The development shall specifically incorporate the following services, facilities and matters:

Building

- a building design which, with minor variations at the discretion of the Managing Director, Planning and City Planner, matches the site concept and elevation drawings shown in Schedule "1";
- The building includes a differentiated base, middle and top;
- Individual entrances to the apartments are located on the ground floor of the apartment building adjacent to Sarnia Road and function as front doors rather than patio doors
- Ground floor amenity spaces are to be designed as open courtyards extending wider than the balconies above and into the front setback;

Site

- Provide glass or metal railings, or masonry walls to delineate the individual courtyards from the public realm.
- Railings are not to exceed 1m in height and masonry walls are not to exceed 0.9m in height in order to maintain visibility.
- Incorporate low landscaping to frame amenity areas.
- Direct walkway access from the front doors to the public sidewalk will be provided.
- Enhanced landscaping within the future public pathway corridor which includes additional plantings and public sitting areas;
- Enhanced entrance feature along Sarnia Road which includes the use of differencing paving materials, vegetation and public sitting areas: and
- All parking is to be located behind the building or enhanced screening.

Notwithstanding anything in the By-law to the contrary the following regulations shall apply:

- | | |
|--|---|
| i) Front Yard Depth
(minimum) | 4.0 metres (13.1 feet) |
| ii) Rear Yard Setback to Open Space
(OS1) Zone
(minimum) | 13 metres (42.6 feet) |
| iii) Height
(maximum) | 16 metres (52.4 feet) |
| iv) Density
(maximum) | 96 units per hectare
(72 dwelling units) |
| v) Parking
(minimum) | 1 space per dwelling unit |

3) Section Number 10.4 of the Residential R6 (R6-5) Zone is amended by adding the following Special Provision:

) R6-5 ()

a) Regulations:

- | | |
|--|------------------------|
| i) Front Yard
Setback
(Minimum): | 4 metres (13.1 feet) |
| ii) West Interior Side
Yard Setback
(Minimum): | 4.6 metres (15.0 feet) |
| iii) Rear Yard Setback to Open Space
(OS1) Zone
(Minimum): | 10 metres (13.1 feet) |
| iv) Density
(Maximum) | 39 units per hectare |

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 subsection.

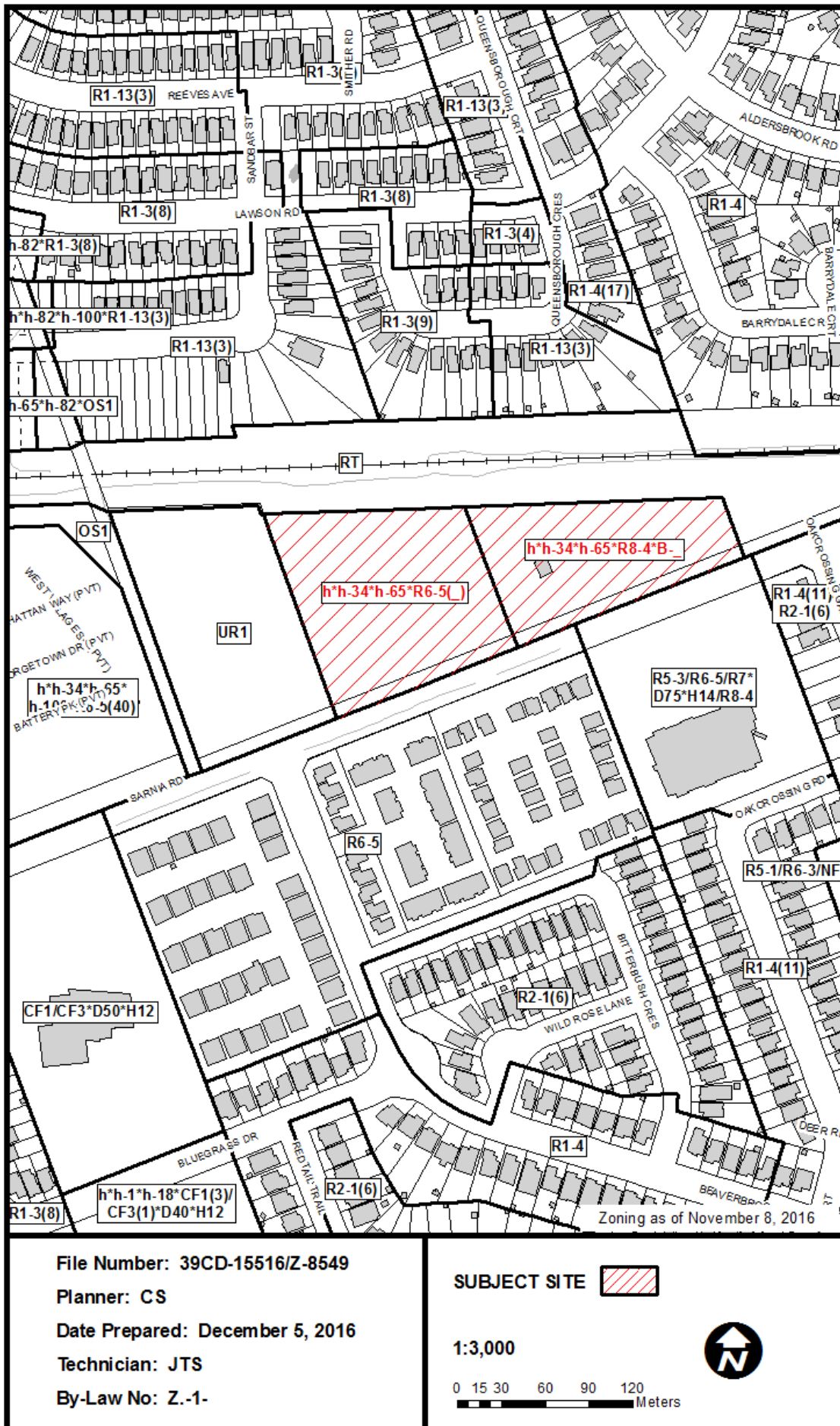
PASSED in Open Council on January 17, 2017.

Matt Brown
Mayor

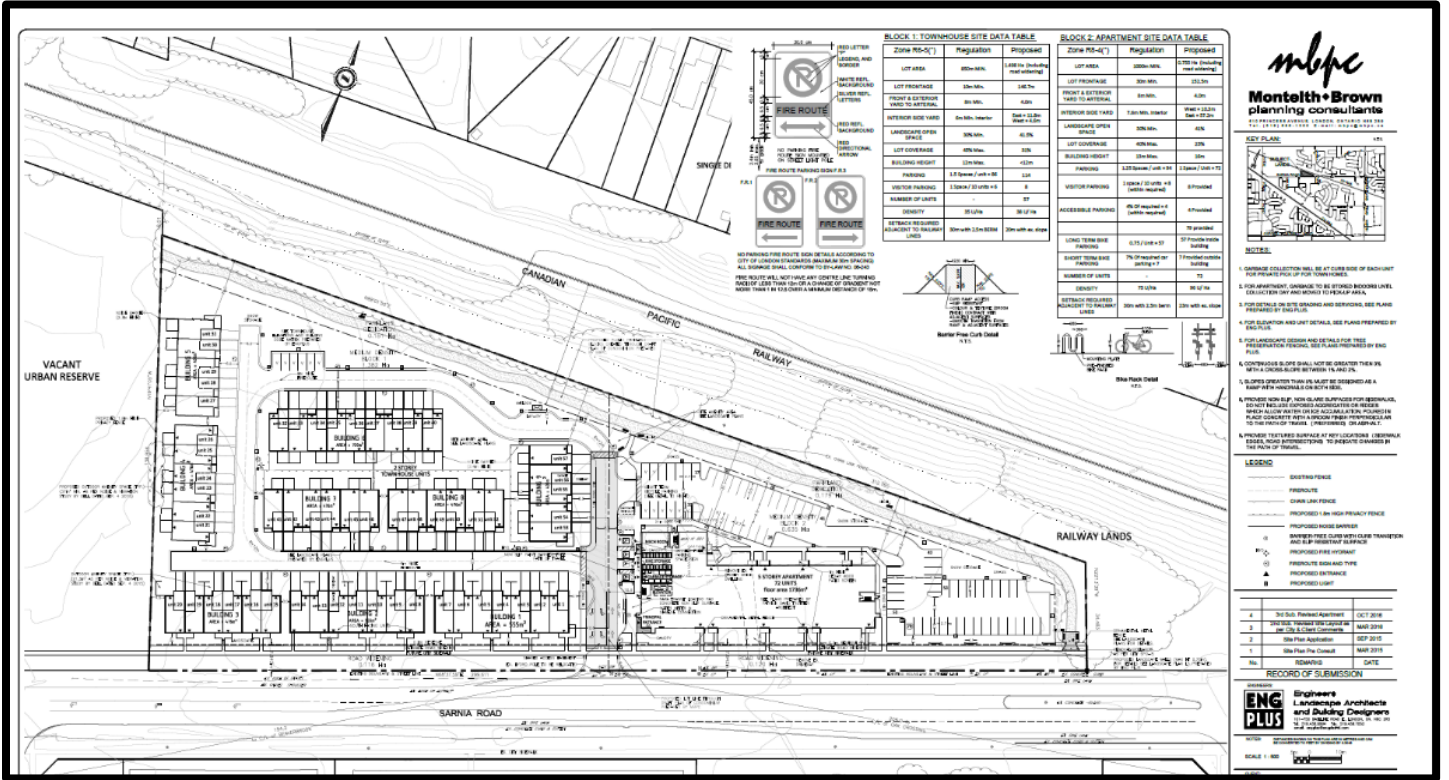
Catharine Saunders
City Clerk

First Reading - January 17, 2017
Second Reading - January 17, 2017
Third Reading - January 17, 2017

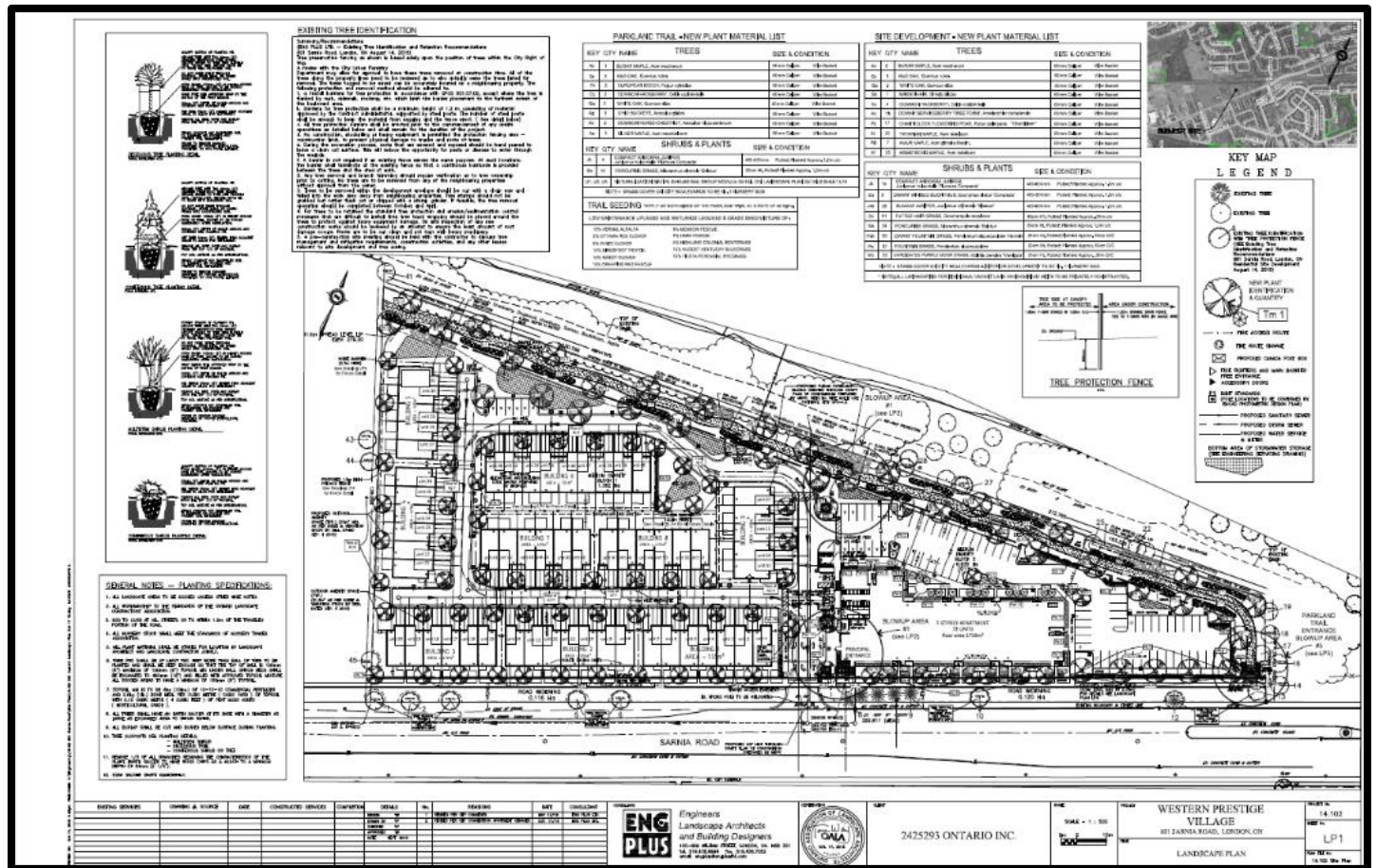
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)

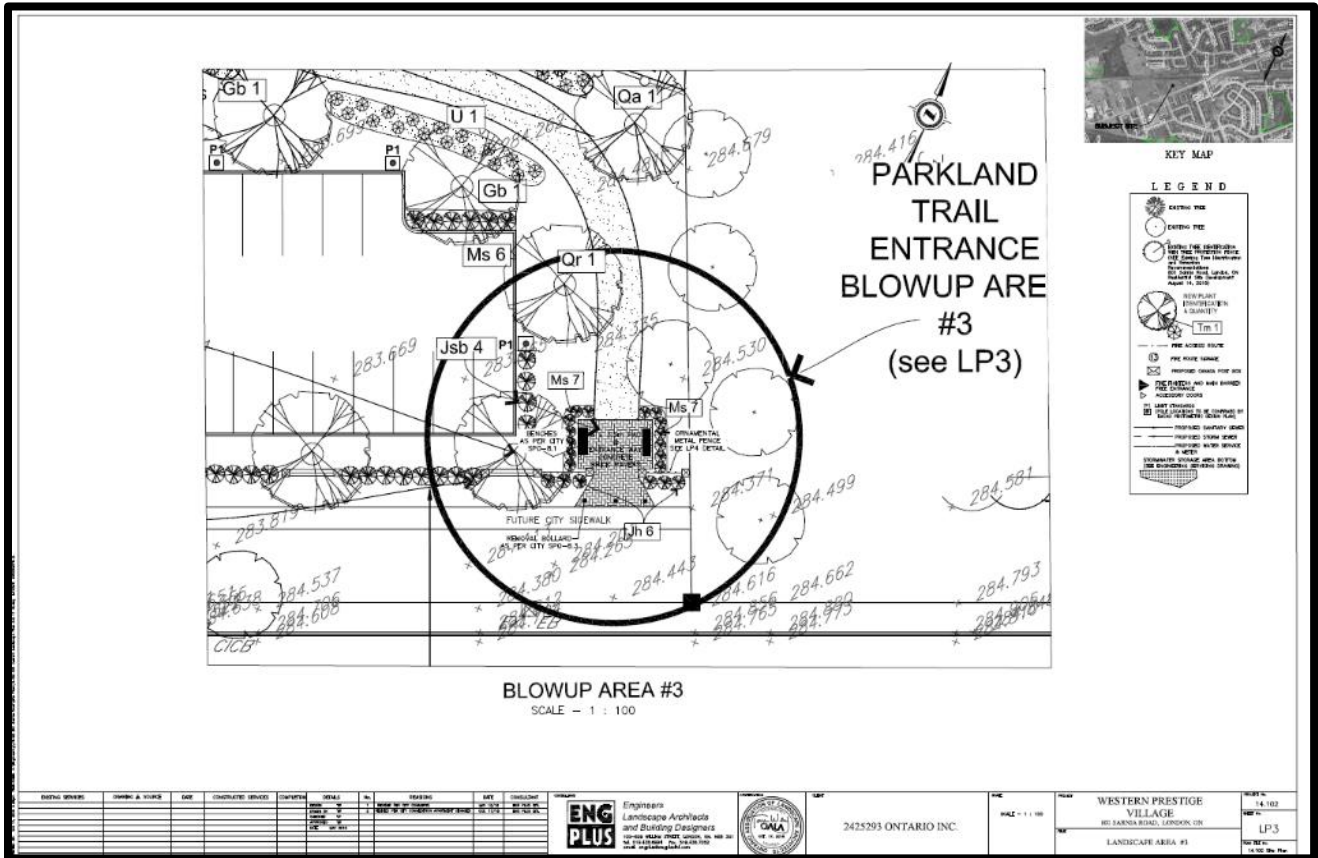
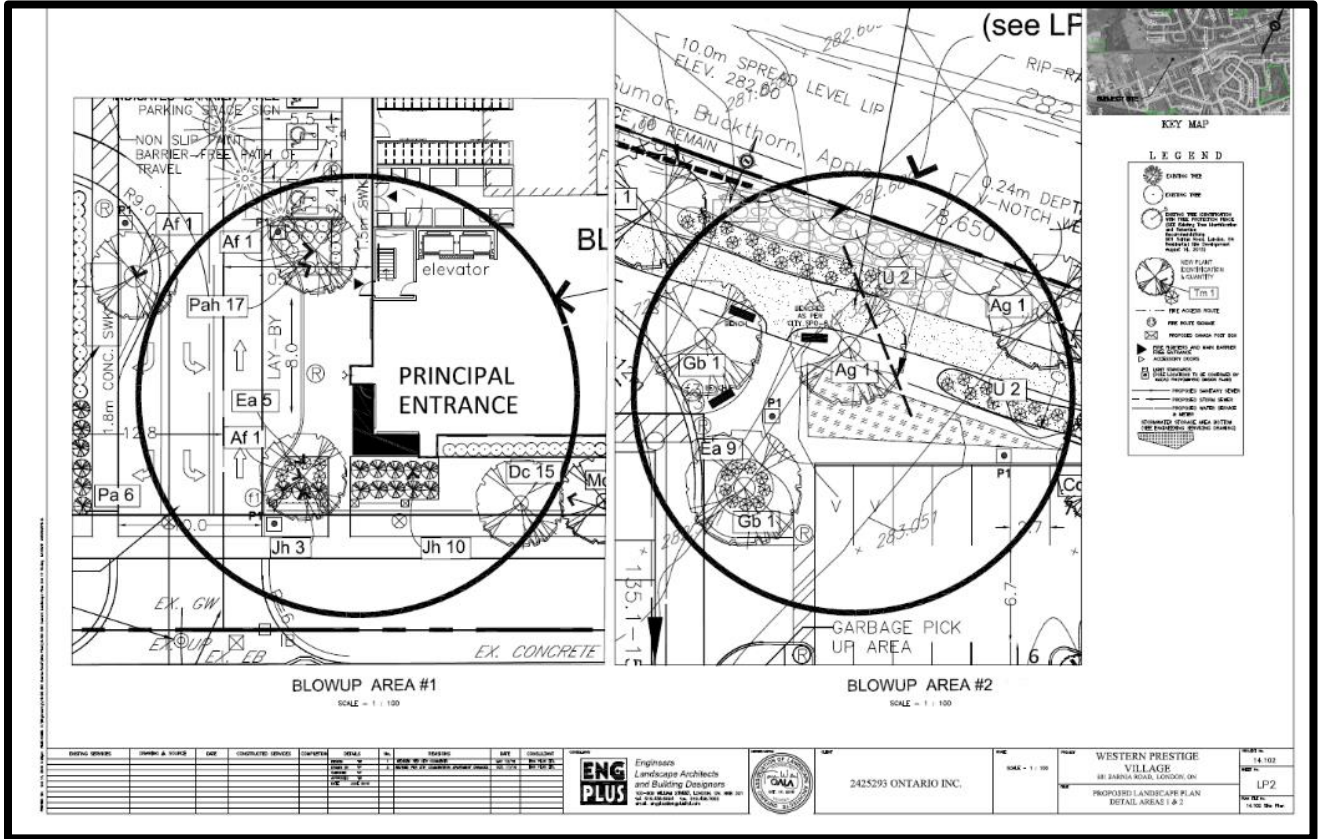


Schedule 1- Site Concept and Elevations



Landscape Plans





Elevations





<p># BUILD FOR ARCHITECTURE - 1000 MIDLAND AVE TORONTO, ONTARIO M5E 1B3 TEL: (416) 593-8888 WWW.A4ARCHITECTURE.COM</p>	<p>DATE: 2019.06.14 REVISED: 2019.06.20 REVISED: 2019.06.26</p>	<p>PROJECT PROPOSED 5 STOREY APARTMENT BUILDING 801 SARNIA RD., LONDON, ON WESTERN PRESTIGE VILLAGE</p>		<p>PRELIMINARY NOT FOR CONSTRUCTION</p>	<p>DRAWING DESCRIPTION CONTEMPORARY VRSN- SCHEMATIC DESIGN SOUTH ELEVATION DETAIL - EAST SIDE COLOURED RENDERING</p>	<p>PROJECT #19-11 DATE: 06.2019 SHEET #</p>
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A4.2e



OVERALL WEST ELEVATION



OVERALL EAST ELEVATION



OVERALL NORTH ELEVATION

<p># BUILD FOR ARCHITECTURE - 1000 MIDLAND AVE TORONTO, ONTARIO M5E 1B3 TEL: (416) 593-8888 WWW.A4ARCHITECTURE.COM</p>	<p>DATE: 2019.06.14 REVISED: 2019.06.20 REVISED: 2019.06.26</p>	<p>PROJECT PROPOSED 5 STOREY APARTMENT BUILDING 801 SARNIA RD., LONDON, ON WESTERN PRESTIGE VILLAGE</p>		<p>PRELIMINARY NOT FOR CONSTRUCTION</p>	<p>DRAWING DESCRIPTION CONTEMPORARY VRSN- SCHEMATIC DESIGN NORTH, WEST, EAST ELEVATIONS COLOURED RENDERING</p>	<p>PROJECT #19-11 DATE: 06.2019 SHEET #</p>
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A4.3



Appendix C: Community Engagement

Public Liaison: Notice of Application was sent to property owners within 120 meters of the subject property and published in The Londoner on March 27th, 2022. Notice of the opportunity to participate in a Public Participation Meeting was sent to property owners within 120 meters and published in The Londoner on June 2, 2022.

Londoner Notice: 801 Sarnia Road: north of Sarnia Road; approx. 0.8138 hectares (2.01 acres) – The purpose and effect of this application is to facilitate the construction of a six (6) storey apartment building containing 100 units, three (3) of which will be affordable, with access from Sarnia Road. Consideration of an amendment to the Zoning By-law to change from a Residential R8 Bonus and Rail Transportation (R8-4*B-40/RT) Zone to a Residential R8 (R8-4*B-40) Bonus Zone, which permits medium density residential development in the form apartment buildings, and to amend the Bonus Zone 40. Amendments to the Bonus Zone 40 include permitting a minimum front yard depth of 4.0 meters, a minimum rear yard setback to the Open Space (OS1) Zone of 13 meters, a maximum height of 20 meters and a minimum of one (1) parking space per units and 0.33 spaces per affordable unit. The City may also consider applying the Open Space (OS1) Zone. An Official Plan amendment will also be considered to allow a density of 124 units per hectare with the intent to align the 1989 Official Plan designation for these lands with the policies of The London Plan, the new Official Plan for the City of London.

File: O-9475 and Z-9476 Planner. A. Curtis X.4497

A total of two (2) responses were received.

Reponses: A summary of the various comments received include the following:

- Reduction in property value
- Reduced privacy
- View obstruction
- Increased noise, traffic, and crime
- Reduced safety

Responses to Notice of Application and Publication in The Londoner

Telephone	Written
	Sonia Chouritah and Jehad Alassar 1000 Bitterbush Crescent London, ON N6H 0A9
	Curtis Rydall 74 Barrydale Crescent London, ON N6G 2X4

From: jihad assar

Sent: Friday, March 18, 2022 7:19 PM

Subject: [EXTERNAL] 801 Sarnia Road

Hello,

We have just received a notice by mail regarding 801 Sarnia Road (official plan and Zoning By-law Amendments.

The amendments will allow: Six story apartment building with 100 units and three (3) of which are to be affordable. Amendments to the Bonus Zone for height,unit count and parking requirements.

As our house is located within 120 Meters and we will be affected by these amendments. We would like to express our disagreement to the proposed plan and amendments. This type of apartment building in our neighbourhood will decrease the value of our property, add more traffic, noise, crimes. In addition to other safety reasons which will affect our family neighbourhood in general.

Thank you,

Sonia Chouritah & Jihad Alassar

1000 Bitterbush Cres

From: Curtis Rydall
Sent: Friday, March 18, 2022 4:21 PM
To: Curtis, Alison; Lehman, Steve
Subject: [EXTERNAL] 801 sarnia road

We would object to this proposal. This will certainly bring down the value of this home but also obstruct our view and reduce our privacy.

Curtis Rydall
Sent from my iPhone

Appendix D: Agency and Departmental Comments

801 Sarnia Road - Responses to Application Circulation

Internal Department Comments

Parks Planning and Design

Parks Planning and Design staff have reviewed the submitted notice of application and offer the following comments:

- To facilitate the proposed transfer of the CP lands to 801 Sarnia Road, the applicant must obtain from the City the transfer of the easterly portion of the City's 10m park corridor (Part 3 Plan 33R19762).
- Parkland dedication will be satisfied by dedicating the lands required to extend the existing 10 metre wide City owned park block (Part 3, 33R-19762) on the lands acquired from CP Rail, easterly along the south side of the CP railway and connecting to Sarnia Road.
- Through the Site Plan Approval process, Parks Planning & Design would like to discuss options with the applicant regarding implementation of the landscaping, entrance feature, and pathway within the parkland corridor if required through the bonusing provisions. PP&D is willing to coordinate all planting and construction in exchange for compensation based on final engineering / landscape plans and associated cost estimates. The applicant would be responsible for initial tree removals and grading, but the City could then take over planting and construction with agreed upon compensation.

Urban Design

- The design of the site should implement the following features as part of the bonus zone as demonstrated in the submitted plans, elevations and renderings.
 - A mid-rise(6 storey) built form located along the Sarnia Road that establishes a built edge with primary building entrance, street oriented residential units and active uses along these frontage.
 - Direct walkway connections from primary building entrance and ground floor residential unit entrances to the city sidewalk along Sarnia Road.
 - Articulated facades including recesses, projections, balconies and terraces to provide depth and variation in the built form to enhance the pedestrian environment.
 - A variety of materials, textures and articulation along building façade(s) to highlight different architectural elements and provide interest and human-scale rhythm along the street frontages.
 - Common outdoor amenity space at ground level combined along with the entrance to future City Pathway.
 - Locates majority of the parking behind the building and away from the street while screening the exposed parking with a combination of landscape and masonry walls.
- As this application contemplates a bonus zone, please include the following revisions consistent with the previous staff and panel comments:
 - A step-back(a minimum of 1.5m) and/or terracing above the 5th storey for the building along Sarnia Road frontage to provide a human-scale along the street(s).

If a setback above 5th storey is limited by the usable depth of the proposed units, explore opportunities to push the lower floors(1-5) further towards Sarnia Road to create the step back

Ecology

There are no ecological planning issues related to this property and/or associated study requirements.

Water

The site is currently serviced by a 200mm PVC water service connector to municipal 400mm PVC on Sarnia Road (this is a high level watermain)

Stormwater

SWED staff have no SWM related comments to the application. All necessary SWM servicing and drainage requirements/controls for this site have been provided as part of SPA22-003.

Wastewater (comments from Pre-Application Consultation)

The municipal sanitary sewer available is a 200mm diameter sanitary sewer on Sarnia Road. As per the accepted drainage area for Sarnia Road improvements, the proposed lands were allocated a total of 142 people.

Transportation (comments from Pre-Application Consultation)

- Road widening dedication of 18.0m from centre line required along Sarnia Road;
- Detailed comments regarding access design and location will be made through the site plan process.
- A Traffic Management Plan will be required for work in the City ROW to be reviewed with Site Plan submission.
- Joint access agreement with the property to the west required
- Construction of a left turn lane and a right turn taper
- Detailed comments regarding access design will be made through the site plan process

External Agency Comments

Canadian Pacific

“Canadian Pacific Railway and/or its assigns or successors in interest has or have a railway right-of-way and/or yard located adjacent to the subject land hereof with operations conducted 24 hours a day, 7 days a week, including the shunting of trains and the idling of locomotives. There may be alterations to, or expansions of, the railway facilities and/or operations in the future, which alterations or expansions may affect the living environment of the residents in the vicinity. Notwithstanding the inclusion of any noise and/or vibration attenuating measures in the design of the development and individual dwellings, Canadian Pacific Railway will not be responsible for complaints or claims arising from the use of its facilities and/or its operations on, over, or under the aforesaid right-of-way and/or yard.

Appendix E: Policy Context

The following regulatory documents and policies were considered in their entirety as part of the evaluation of this proposal. The most relevant policies, by-laws, and legislation are identified and analysed in the following sections.

Provincial Policy Statement, 2020

The *Provincial Policy Statement (PPS)* provides policy direction on matters of provincial interest as identified in Section 2 of the *Planning Act*. In accordance with Section 3 of the *Planning Act*, all planning decision shall be consistent with the *PPS* and the land use planning policies: Building Strong Healthy Communities; Wise Use and Management of Resources; and, Protecting Public Health and Safety. The *PPS* is to be read in its entirety.

The subject site is in the settlement area, and the requested amendment would help to facilitate the development of a six (6) storey apartment building containing 100 units. There is a mix of residential and open space, adjacent to the property, and there are commercial uses within walking distance. This requested Zoning By-law Amendment is consistent with several *PPS* policies, which are outlined below.

Building Strong Healthy Communities

This first policy section of the *PPS* outlines the policies to achieve sustainability through efficient land use and development patterns that promote strong, livable, healthy, and resilient communities. This section also seeks to avoid development and land use patterns that result in inefficient expansion of settlement areas and that the necessary infrastructure and public service facilities are, or will be, available to meet current and projected needs.

To achieve healthy, livable and safe communities, the *PPS* encourages the following: an appropriate range and mix of residential, employment, institutional, recreation and park and open space uses to meet long-term needs; avoid development or land use patterns which may cause environmental or public health and safety concerns; cost-effective development patterns and standards to minimize land consumption and servicing costs; improving accessibility for those who are differently abled and older persons; and, land use patterns that conserve biodiversity and consider the impacts of a changing climate (Section 1.1.1). The requested Zoning By-law amendment achieves this objective as it contributes to a range of housing types and densities within the settlement area to meet long-term housing needs for current and future residents.

The *PPS* encourages settlement areas to be the focus of growth and development, and that there be appropriate land use patterns within this area that provide for appropriate densities and a mix of land uses that will efficiently and effectively use land resources, infrastructure, and public service facilities (Sections 1.1.3.1, 1.4.1 and 1.4.3). This development should also be transit-supportive, where these services exist or are planned, and be adjacent to existing built-up areas in a compact form for efficient land use (Sections 1.1.3.2 and 1.1.3.6). Planning authorities are directed to establish and implement phasing policies that will ensure the orderly development of land within designated growth areas, as well as the timely provision of infrastructure and public facilities, to meet current and projected needs (Section 1.1.3.7). The requested amendment would facilitate development that would provide for a mix of housing forms and densities adjacent to the existing built-up area for future and current needs, and services are available for the lands.

The *PPS* seeks to create healthy and active communities through planned public streets, spaces and facilities that are safe, foster social interaction and facilitate active transportation and community connectivity (Section 1.5.1) It also identifies that planning for infrastructure and public service facilities shall be coordinated and integrated with land use planning and growth management (Section 1.6.1). The proposed development includes the dedication of lands to the City to accommodate a public pathway that runs

parallel to the CPR line and is intended to connect Sarnia Road to the subdivisions north of the rail line. This public pathway will help to facilitate active transportation and community connectivity.

Wise Use and Management of Resources

Section 2 of the *PPS* acknowledges that the long-term prosperity, environmental health, and social well-being of Ontario depends upon the conservation and protection of our natural heritage and agricultural resources. The policies outlined in this section serve to protect sensitive areas, natural features and water resources.

The *PPS* states that “Natural features and areas shall be protected for the long term” and that “Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.” (Sections 2.1.1 and 2.1.8). No natural features are contained within the subject lands, and as such, no negative impacts on features or ecological function are anticipated.

This section of the *PPS* also sets out policies for the protection of significant built heritage resources and significant cultural heritage landscapes to ensure they are conserved, and development or site alteration shall not be permitted adjacent to protected heritage property, except where the proposed development or site alteration has been evaluated and demonstrated that the heritage attributes of the protected property will be conserved (Sections 2.6.1 and 2.6.3). There is no significant built heritage resources or significant cultural heritage landscapes located within the subject lands, and no adverse impacts are anticipated.

Protecting Public Health and Safety

Section 3 of the *PPS* acknowledges that the long-term prosperity, environmental health, and social well-being of Ontario depends upon reducing the potential for public cost or risk to residents from natural or human-made hazards. Policies in this Section direct development away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property-damage, as well as to not create new, aggravate, existing hazards. The subject lands are located adjacent to an active rail line, but are an adequate distance away and CPR does not object to the development. A noise and vibration study was carried out and identified that the vibration levels are lower than the CPR guideline and no additional mitigation is required.

The London Plan

At the time this Application was submitted, *The London Plan* was subject to an appeal to the *Local Planning Appeals Tribunal* (LPAT) (PL170700). The *Plan* was Council adopted and approved by the ministry with modifications, and the majority was in force and effect. Policies that were under appeal were indicated with an asterisk (*) throughout reports. Since that time, *The London Plan* has come into full force and effect as of May 25, 2022, following a written decision from the *Ontario Land Tribunal* (OLT). Policies under appeal at the time of submission, but now in full force and effect are indicated with an asterisk (*) throughout this report.

Our Strategy

This section of *The London Plan* outlines the values and vision that will guide our planning process to create an exciting, exceptional, and connected city. The Key Directions contained in this section outlines the planning strategies that will help to achieve the vision. Applicable Key Directions include:

Direction #1 is to *Plan strategically for a prosperous city* (55). The requested Zoning By-law Amendment helps to achieve this key direction by providing new residential growth within the Urban Growth Boundary that will be able to support adjacent commercial land uses and business.

Direction #4 is to *Become one of the greenest cities in Canada* (58). This key direction is achieved through the planned public pathway that will help to create a pedestrian link that could encourage active transportation options.

Direction #5 is to *Build a mixed-use compact city* (59). The subject lands are within the Urban Growth Boundary and within an area that is designated for growth. The proposal contributes to a mix of housing choices and densities within the surrounding context and provides for opportunities to access green space for recreational opportunities and transit services.

Direction #7 is to *Build strong, healthy and attractive neighbourhoods for everyone* (61). This key direction is achieved as the requested Zoning By-law Amendment would facilitate a development that provides a mix of housing choices that meet the needs of people of all age, incomes and abilities, and allowing for affordability and ageing in place within the community. It also helps to implement “placemaking” by promoting a neighbourhood design that promotes active living, walkability, and connectedness within and around the community.

Direction #8 is to *Make wise planning decision* (62). The proposed development and requested amendments have been assessed for conformity with Provincial and Municipal planning policies, and balances economic, environmental and societal considerations.

Our City

The policies contained in this section of *The London Plan* are designed to plan for the population and economic growth the City will experience over the next twenty (20) years. Growth and development will be in a compact form and directed to strategic locations. The required infrastructure and services to support growth will be planned in a way that is sustainable from a financial, environmental, and social perspective.

The London Plan emphasizes growth that is “inwards and upwards” to achieve compact development (79), and residential intensification plays a large role in achieving this goal (80). Residential intensification can occur in the following forms: addition of a secondary dwelling unit; expansion of existing buildings to accommodate greater residential density; adaptive re-use of existing, non-residential buildings, for resident use; infill development of vacant or underutilised lots; severance of existing lots; and, redevelopment, at higher than existing density, on developed lands (80). Although not within the Built-Area Boundary, the requested Zoning By-law Amendment would facilitate development that provides a greater density on previously development lands that were underutilized.

City Building Policies

This section of *The London Plan* provides a platform for growth that supports the *Plan’s* vision and priorities, and sets out policies for the shape, character, and form of the City over the next twenty (20) years.

The layout of the proposed development facilitated by the amendment contributes to neighbourhood character and identity by orienting buildings to the street and not creating blank walls along the street edge, which contributes to an active street front (202, 229, 259, 291). This layout also helps to create a safe pedestrian environment and promotes connectivity, within the development and the surrounding neighbourhoods, which offers opportunities for active mobility (213, 255, 259, 285, 291). There is open space incorporated in the proposed development, and lands are to be dedicated to the City for a public pathway.

Neighbourhoods Place Type

The subject lands are currently designated with the Neighbourhoods Place Type along a Civic Boulevard (Sarnia Road) permitting a range of residential uses, including: single detached, semi-detached, townhouses, stacked townhouses, and low-rise apartments (Table 10). Civic Boulevards permit a minimum height of two (2) storeys and a maximum height of four (4) storeys, with a Bonus up to six (6) storeys (Table 11*). The proposal is in keeping with these policies set out in *The London Plan*.

The vision for the Neighbourhood Place Type is to ensure that neighbourhoods are vibrant and exciting places that contribute to community well-being and quality of life. This vision is supported by key elements, some of which include: strong neighbourhood character; attractive streetscapes; diverse housing choices; well-connected neighbourhoods; alternatives for mobility; employment opportunities close to where people live; and, parks and recreational opportunities. The proposal is in keeping with the vision for the Neighbourhood Place Type and its key elements. It contributes to a neighbourhood character, attractive streetscapes, and a diversity of housing choices. The proposed development is in close proximity to lands designated with the Shopping Area Place Type, providing for amenities and employment opportunities. The provision of amenity space and the lands to be dedicated for the public pathway contribute to recreational opportunities and attractive alternatives for mobility.

Our Tools

Section 34 of the *Planning Act* permits councils of local municipalities to pass zoning by-laws, and also provides for amendments of these by-laws under section (34(10)). Policy 1637 of *The London Plan* reflects these policies and states that:

City Council may also consider applications for amendments to the Zoning By-law from a person or public body, consistent with the provisions of the Planning Act.

The *Planning Act* provisions, and prescribed information are required under Section 34(10.1) and outlined in Schedule 1 of Ontario Regulation 545/06. The prescribed information required under the *Act* was submitted with the application and is consistent with the provisions.

Based on Staff's review of *The London Plan* policies, the requested amendment is found to be in keeping and in conformity with the Place Type, City Building and Design, and Our Tool policies.

1989 Official Plan

The subject lands were designated as Multi-Family, Medium Density Residential (MFMDR) in the *1989 Official Plan*. The permitted uses in this residential designation included: row houses or cluster houses; low-rise apartment buildings; rooming and boarding house; emergency care facilities; converted dwellings; and, small-scale nursing homes, rest homes, and homes for the aged (3.3.1 Permitted Uses). The requested Zoning By-law Amendment is in keeping with these permitted uses.

One of the preferred locations for the MFMDR designation is abutting arterial, primary collector or secondary collector streets (3.3.2 Location). Development within this designation shall be low-rise in form with a density and site-coverage that serve as a transition between low density residential areas and more intensive forms, such as commercial, industrial, or high density residential (3.3.3 Scale of Development). This proposal is in keeping with these policies as it is located adjacent to an arterial and serves as a transition between single detached dwellings and townhouse dwellings to the west and northwest to the CPR line, as well as being adjacent to three (3) and four (4) storeys buildings on the south side of Sarnia Road. The proposal is not in keeping with the permitted density of 75 units per hectare, but the City had originally initiated an amendment to the *1989 Official Plan* to add a special policy to Chapter 10, Policies for Specific Area, to permit a maximum residential density of 124 units per hectare in the

form of a six (6) storey apartment building. This was done in an effort to align the policies of the *1989 Official Plan* with the Neighbourhoods Place Type policies in *The London Plan*. Given the recent OLT decision which resolved all remaining policy appeals *The London Plan* is now considered fully in force. This means the *1989 Official Plan* has been repealed and cannot be amended. Therefore, the City's proposed Official Plan amendment is no longer required to support the proposed amendment.

Hyde Park Community Plan

The subject lands are within the Hyde Park Community Planning Area and subject to the Hyde Park Community Plan and Urban Design Guidelines to guide development to create a healthy, functional, and pleasing community environment. The Urban Design Guidelines provide a means to ensure compatibility between land uses, create a pedestrian and transit-supportive form, emphasize public spaces, and the integration of the open space network into the Community. Under this plan, the lands are designated Medium Density Residential.

The proposal incorporates urban design principles identified in for the general streetscape and building design. Guidelines for streetscape that are reflected in the proposal include: orient buildings to the street to define the public space associated with the street; buildings and structures are located at the termination of a street and corner buildings should take advantage of the prominent location; sidewalks should be provided along one or both sides of the street; utility poles, lights, signs and other vertical elements should be located along the same planting line as street trees, where possible, to create a continuous street edge; and, landscape design should complement and unify other urban design objectives including building form, pedestrian and vehicular access points, parking location and signage.

Guidelines for building design reflected in the proposal include: buildings should be oriented to the street and located at the termination of a street; buildings on corner lots should be designed with side elevations detailing similar to the front elevation; building terminating vistas should have special attention to siting, massing and architectural detailing; a diversity in architectural expression is encouraged; building façades should be varied and articulated; and, façade design should clearly emphasize the main entrance of buildings.

Z.-1 Zoning By-law

The following provides a synopsis of the recommended zoning and permitted uses to be applied to the subject lands. Reference should be made to Zoning Amendment Map found in Appendix B of this report.

Current and Recommended Zoning

These lands are currently zoned Residential R8 Bonus (R8-4*B40) Zone and Rail Transportation (RT) Zone. The Residential R8 Bonus Zone (R8-4*B40) permits medium density development in the form of apartments. The Bonus Zone permitted: a five (5) storey (16 meters) apartment building at a maximum of 96 units per hectare; with a reduced front yard setback from an arterial road of four (4) meters minimum, where as eight (8) meters is required; reduced rear yard setback from the Open Space Zone of 13 meters; and, a reduced minimum parking requirement of one space per unit, whereas 1.25 spaces per unit is required. These site-specific regulations were contingent upon the provision of the following services:

Building

- a building design which, with minor variations at the discretion of the Managing Director, Planning and City Planner, matches the site concept and elevation drawings shown in Schedule "1";
- The building includes a differentiated base, middle and top;

- Individual entrances to the apartments are located on the ground floor of the apartment building adjacent to Sarnia Road and function as front doors rather than patio doors
- Ground floor amenity spaces are to be designed as open courtyards extending wider than the balconies above and into the front setback;

Site

- Provide glass or metal railings, or masonry walls to delineate the individual courtyards from the public realm.
- Railings are not to exceed 1m in height and masonry walls are not to exceed 0.9m in height in order to maintain visibility.
- Incorporate low landscaping to frame amenity areas.
- Direct walkway access from the front doors to the public sidewalk will be provided.
- Enhanced landscaping within the future public pathway corridor which includes additional plantings and public sitting areas;
- Enhanced entrance feature along Sarnia Road which includes the use of differencing paving materials, vegetation and public sitting areas: and
- All parking is to be located behind the building or enhanced screening

The Rail Transportation Zone permits railway lines and corridors which traverse the City. Railway lines and their accessory uses are the permitted uses within this Zone.

The current amendment to include a Bonus and Special Provisions zones has been requested to facilitate the development a six (6) storey apartment building containing 100 units and a planned public pathway. The Open Space (OS1) Zone is recommended for the public pathway, which permits the following uses: conservation lands and works; cultivation for lands for agricultural/horticultural purposes; golf courses; private and public parks; recreational golf courses; recreational buildings associated with conservation lands and public parks; campgrounds; and, managed forests.

The requested Bonus Zone would permit a six (6) storey apartment building with 100 units and the following: a minimum front yard setback from an arterial road of 4 meters, whereas 8 meters minimum is required; a minimum rear yard setback to the Open Space Zone of 13 meters; a maximum building height of 20 meters, whereas 13 meters is the maximum permitted; a maximum density of 124 units per hectare, where as 75 units per hectare is permitted; a reduced minimum parking requirement of 0.97 parking spaces per unit. This is contingent on the provision of affordable housing and design principles.

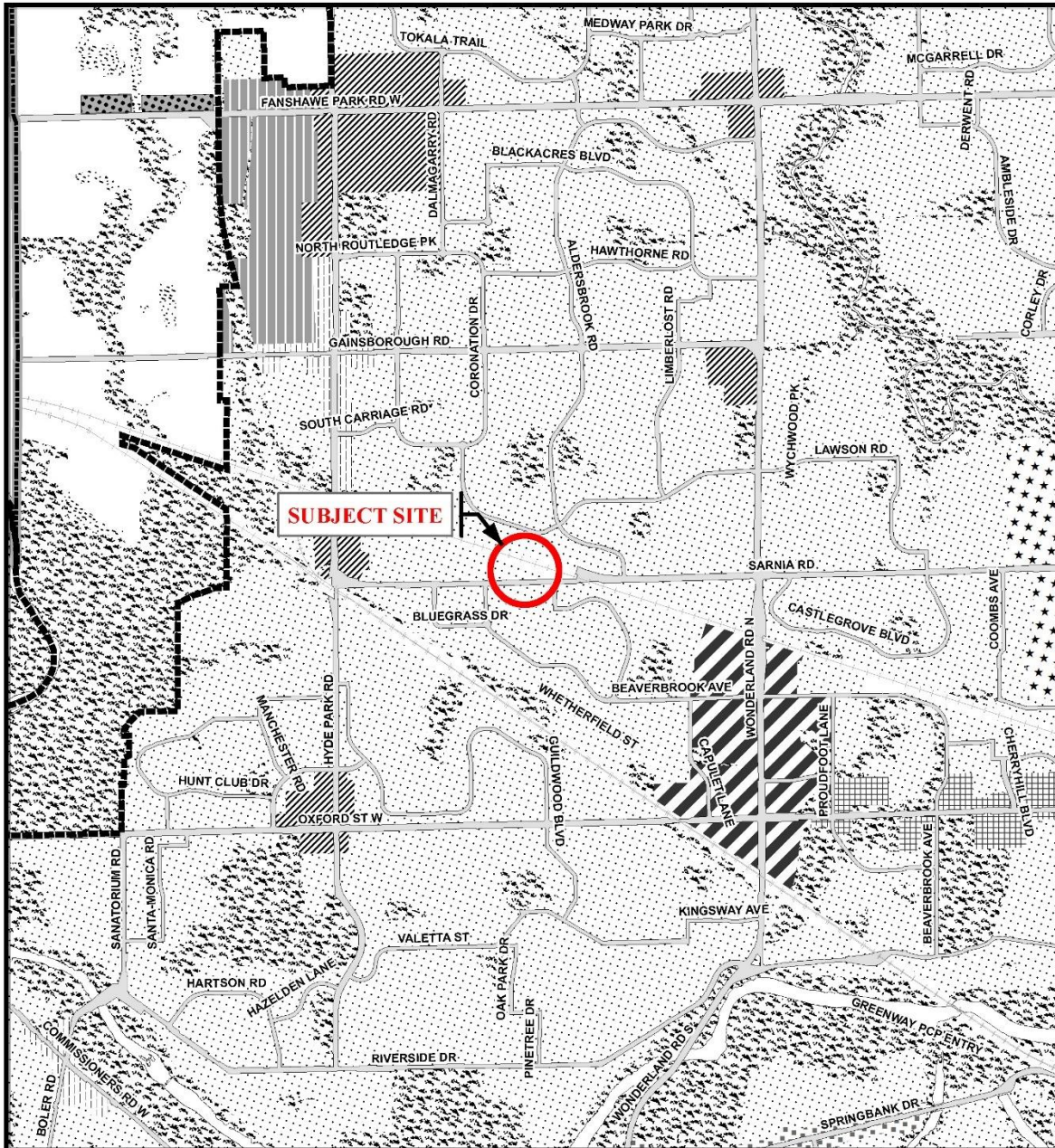
A base special provisions zone is recommended, in the event that the development occurs without the use of the Bonus Zone. This Special Provision Zone would permit a five (5) storey (16 meters) apartment building at a maximum of 96 units per hectare, with a reduced front yard setback from an arterial road of four (4) meters minimum, where as eight (8) meters is required, reduced rear yard setback from the Open Space Zone of 13 meters, and a reduced minimum parking requirement of one space per unit, whereas 1.25 spaces per unit is required.

Holding Provisions

It is recommended that the standard “h” holding provisions to the subject lands to ensure the adequate provision of municipal services; that the required security has been provided; and, that a Development Agreement is executed.

Appendix F: Policy Context – Graphics

London Plan Except



Legend

- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor | Commercial Industrial | Urban Growth Boundary |
| Main Street | Institutional | |
| Neighbourhood | Green Space | |

This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

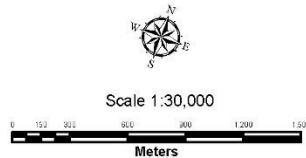
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

Planning Services /
Development Services

LONDON PLAN MAP 1 - PLACE TYPES -

PREPARED BY: Planning Services



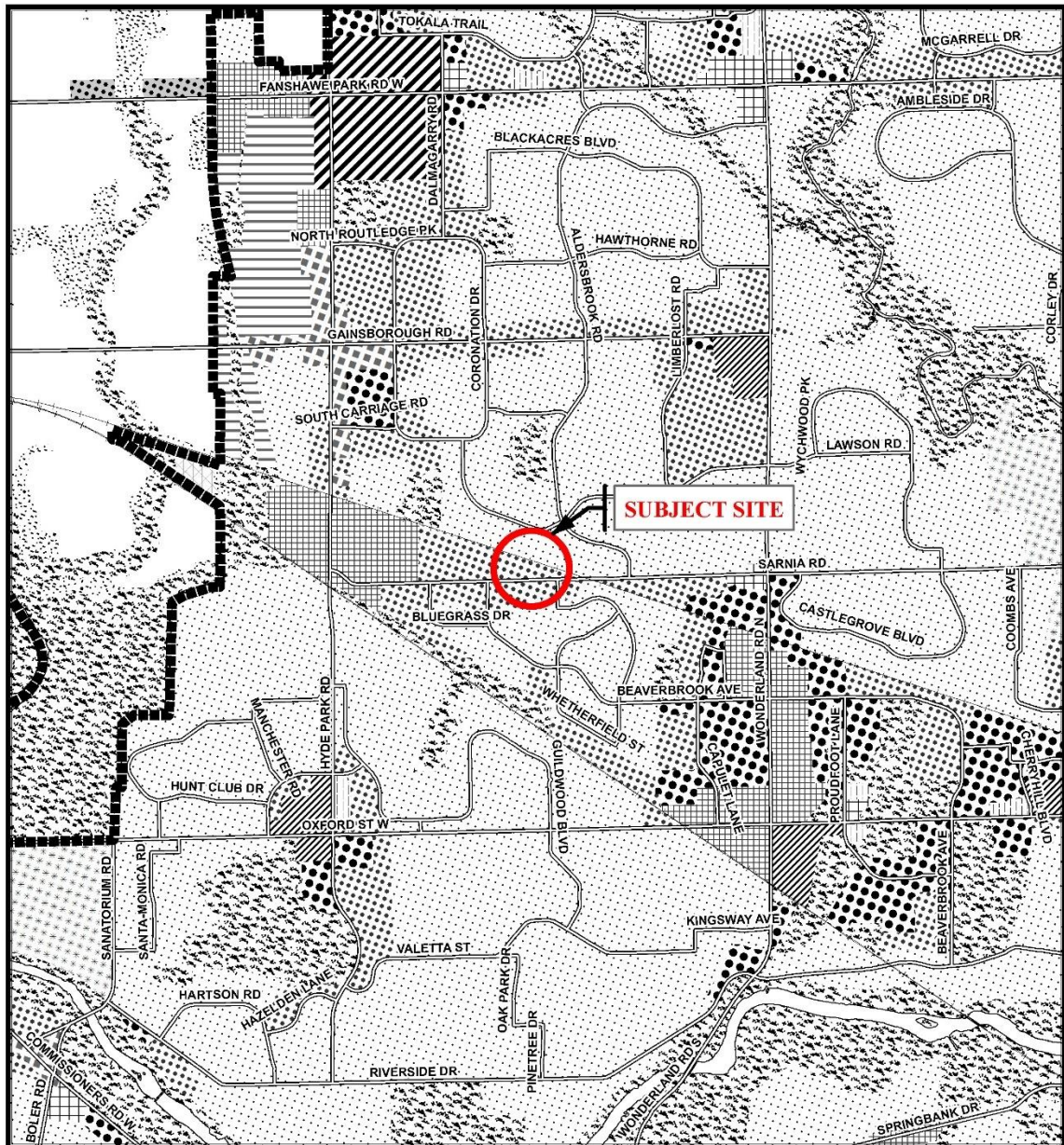
File Number: Z-9476/O-9475

Planner: AC

Technician: RC

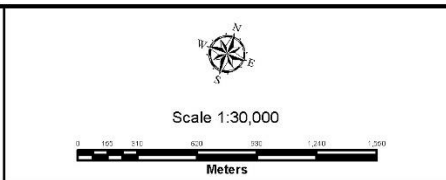
Date: March 1, 2022

1989 Official Plan Excerpt



Legend					
	Downtown		Multi-Family, Medium Density Residential		Office Business Park
	Wonderland Road Community Enterprise Corridor		Low Density Residential		General Industrial
	Enclosed Regional Commercial Node		Office Area		Light Industrial
	New Format Regional Commercial Node		Office/Residential		Commercial Industrial
	Community Commercial Node		Regional Facility		Transitional Industrial
	Neighbourhood Commercial Node		Community Facility		Rural Settlement
	Main Street Commercial Corridor		Open Space		Environmental Review
	Auto-Oriented Commercial Corridor		Urban Reserve - Community Growth		Agriculture
	Multi-Family, High Density Residential		Urban Reserve - Industrial Growth		Urban Growth Boundary

CITY OF LONDON
Planning Services /
Development Services
OFFICIAL PLAN SCHEDULE A
- LANDUSE -
 PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-9476/O-9475
PLANNER: AC
TECHNICIAN: RC
DATE: 2022/03/01

Z.-1 Zoning By-law Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) LEGEND FOR ZONING BY-LAW Z-1

- | | |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS | RF - REGIONAL FACILITY |
| R2 - SINGLE AND TWO UNIT DWELLINGS | CF - COMMUNITY FACILITY |
| R3 - SINGLE TO FOUR UNIT DWELLINGS | NF - NEIGHBOURHOOD FACILITY |
| R4 - STREET TOWNHOUSE | HER - HERITAGE |
| R5 - CLUSTER TOWNHOUSE | DC - DAY CARE |
| R6 - CLUSTER HOUSING ALL FORMS | OS - OPEN SPACE |
| R7 - SENIOR'S HOUSING | CR - COMMERCIAL RECREATION |
| R8 - MEDIUM DENSITY/LOW RISE APTS. | ER - ENVIRONMENTAL REVIEW |
| R9 - MEDIUM TO HIGH DENSITY APTS. | |
| R10 - HIGH DENSITY APARTMENTS | OB - OFFICE BUSINESS PARK |
| R11 - LODGING HOUSE | LI - LIGHT INDUSTRIAL |
| DA - DOWNTOWN AREA | GI - GENERAL INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | HI - HEAVY INDUSTRIAL |
| CSA - COMMUNITY SHOPPING AREA | EX - RESOURCE EXTRACTIVE |
| NSA - NEIGHBOURHOOD SHOPPING AREA | UR - URBAN RESERVE |
| BDC - BUSINESS DISTRICT COMMERCIAL | |
| AC - ARTERIAL COMMERCIAL | AG - AGRICULTURAL |
| HS - HIGHWAY SERVICE COMMERCIAL | AGC - AGRICULTURAL COMMERCIAL |
| RSC - RESTRICTED SERVICE COMMERCIAL | RRC - RURAL SETTLEMENT COMMERCIAL |
| CC - CONVENIENCE COMMERCIAL | TGS - TEMPORARY GARDEN SUITE |
| SS - AUTOMOBILE SERVICE STATION | RT - RAIL TRANSPORTATION |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | |
| OR - OFFICE/RESIDENTIAL | "h" - HOLDING SYMBOL |
| OC - OFFICE CONVERSION | "D" - DENSITY SYMBOL |
| RO - RESTRICTED OFFICE | "H" - HEIGHT SYMBOL |
| OF - OFFICE | "B" - BONUS SYMBOL |
| | "T" - TEMPORARY USE SYMBOL |

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

ZONING BY-LAW NO. Z-1 SCHEDULE A



FILE NO:
Z-9476/O-9475 AC

MAP PREPARED:
2022/03/01 RC

1:2,250
0 10 20 40 60 80 Meters

THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

Appendix A

Bill No. (number to be inserted by
Clerk's Office)
(2022)

By-law No. Z.-1-22_____

A by-law to amend By-law No. Z.-1 to
rezone lands located at 801 Sarnia
Road.

WHEREAS Royal Premier Homes has applied to rezone lands located at 801 Sarnia Road as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 801 Sarnia Road, as shown on the attached map, FROM a Residential R8 Bonus (R8-4*B40) Zone and Rail Transportation Zone, TO a Holding Residential R8 Special Provision Bonus (h*R8-4(_)*B(_)) Zone and Open Space (OS1) Zone.
- 2) Section 4.3 iv) - Site Specific Bonus Provisions is amended by deleting the current bonus zone (B-40) and replacing it with the following new Bonus Zone
 -) B-__ 801 Sarnia Road

The Bonus Zone shall be implemented through a development agreement to facilitate the development of a high quality apartment building with a maximum height of 20 meters with a total maximum of 100 units (124 units per hectare), which substantively implements the Site Plan, Renderings, Elevations and Views attached in Schedule "1". The development shall specifically incorporate the following services, facilities, and matters:

1. Provision of Affordable Housing
 - i. A total of four (4) one-bedroom residential units will be provided for affordable housing;
 - ii. Rents not exceeding 80% of the Average Market Rents (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
 - iii. The duration of affordability set at 50 years from the point of initial occupancy;
 - iv. The proponent shall enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations; and,
 - v. These conditions to be secured through an agreement registered on title with associated compliance requirements and remedies.
2. Design Principles
 - i. A mid-rise (6 storey) built form located along the Sarnia Road that establishes a built edge with primary building entrance, street oriented residential units and active uses along these frontages.
 - ii. Direct walkway connections from primary building entrance and ground floor residential unit entrances to the City sidewalk along Sarnia Road.

- iii. Articulated facades including recesses, projections, balconies, and terraces to provide depth and variation in the built form to enhance the pedestrian environment.
- iv. A variety of materials, textures, and articulation along building façade(s) to highlight different architectural elements and provide interest and human-scale rhythm along the street frontages.
- v. Common outdoor amenity space at ground level combined along with the entrance to future City Pathway.
- vi. Locates majority of the parking behind the building and away from the street while screening the exposed parking with a combination of landscape and masonry walls.
- vii. A step-back (a minimum of 1.5m) and/or terracing above the 5th storey for the building along Sarnia Road frontage to provide a human-scale along the street(s).
If a setback above 5th storey is limited by the usable depth of the proposed units, explore opportunities to push the lower floors (1-5) further towards Sarnia Road to create the step back.

The following special regulations apply within the bonus zone upon the execution and registration of the required development agreement(s):

a) Regulations

i)	Front Yard Depth to Arterial Road (minimum)	4.0 meters (13.1) feet
ii)	Rear Yard Setback to Open Space (minimum)	13 meters (42.6 feet)
iii)	Height (maximum)	20 meters (65.6 feet)
iv)	Parking (minimum)	1 space per unit
v)	Parking for Affordable Units (minimum)	0.25 spaces per unit
vi)	Density (maximum)	124 units per hectare (100 dwelling units)

3) Section Number 12.4 of the Residential R8 Zone is amended by adding the following Special Provisions:

) R8-4(_)

a) Regulations

i)	Front Yard Depth to Arterial Road (minimum)	4.0 meters (13.1) feet
ii)	Rear Yard Setback to Open Space (minimum)	13 meters (42.6 feet)
iii)	Height (maximum)	16 meters (52.4 feet)

iv)	Parking (minimum)	1 space per unit
v)	Density (maximum)	96 units per hectare (72 dwelling units)

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. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

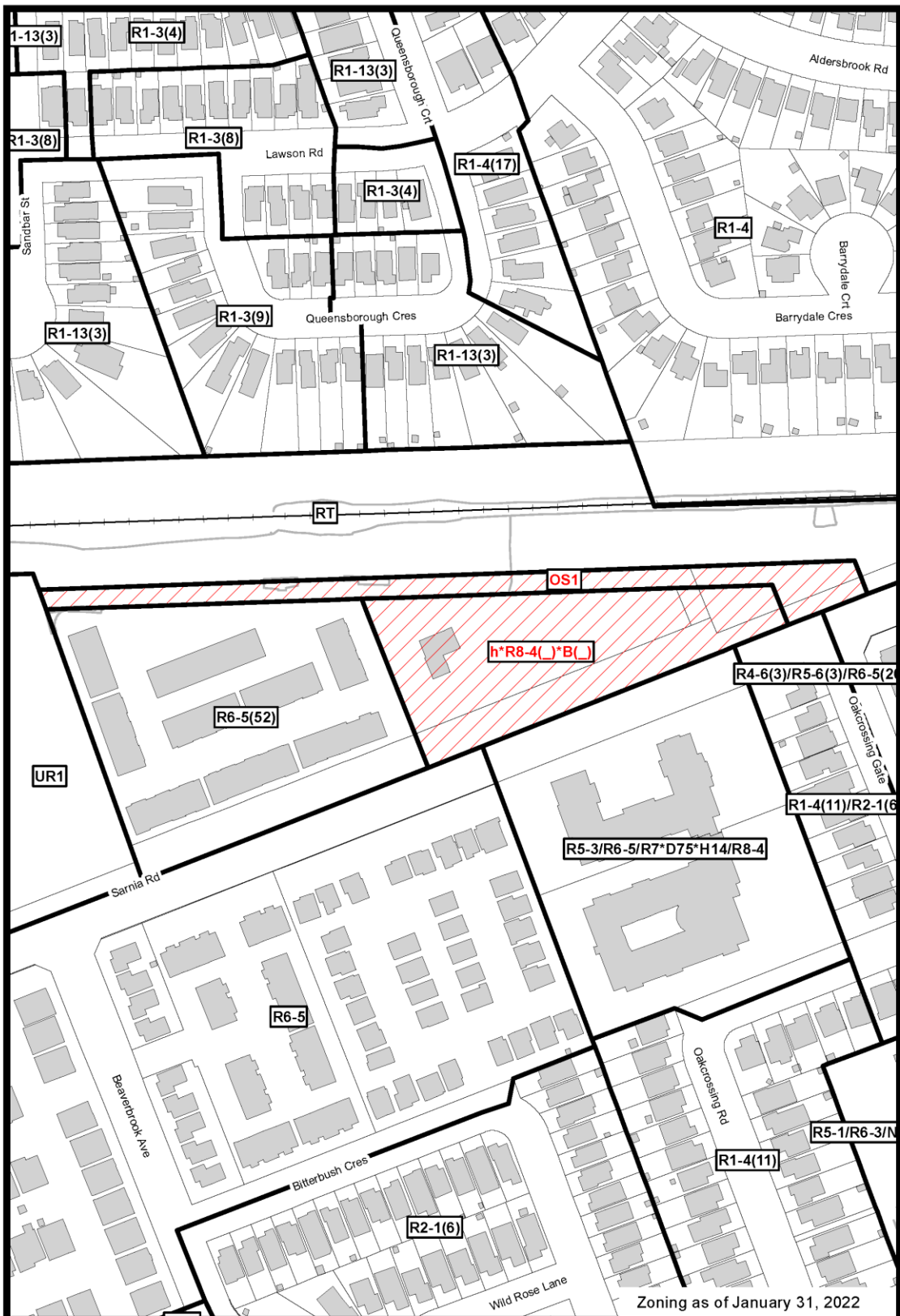
PASSED in Open Council on July 5, 2022

Ed Holder
Mayor


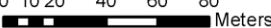

Catharine Saunders
City Clerk

First Reading – July 5, 2022
Second Reading – July 5, 2022
Third Reading – July 5, 2022

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z-1)



Zoning as of January 31, 2022

<p>File Number: Z-9476/O-9475 Planner: AC Date Prepared: 2022/05/20 Technician: rc By-Law No: Z-1-</p>	<p>SUBJECT SITE </p> <p>1:2,250</p> <p>0 10 20 40 60 80 Meters </p> <p></p>
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Rendering



Community Advisory Committee on Planning Report

2nd Meeting of the Community Advisory Committee on Planning
June 15, 2022
Advisory Committee Virtual Meeting
Please check the City website for current details

Attendance PRESENT: S. Bergman (Chair), I. Connidis, J. Dent, A. Johnson, S. Jory, M. Rice, M. Wallace, M. Whalley and M. Wojtak and J. Bunn (Committee Clerk)

ABSENT: S. Ashman, M. Bloxam, G. de Souza Barbosa, J. Metrailler, K. Waud and J. Wabegijig

ALSO PRESENT: S. Corman, L. Dent, K. Gonyou, M. Greguol, J. Kelemen and A. Mustard-Thompson

The meeting was called to order at 5:03 PM.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

M. Wallace discloses a pecuniary interest in clause 5.1 of the 2nd Report of the Community Advisory Committee on Planning, having to do with the Designation of 6092 Pack Road under Section 29 of the Ontario Heritage Act, by indicating that the applicant is a member of the association that employs him.

J. Dent discloses a pecuniary interest in clause 6.1 of the 2nd Report of the Community Advisory Committee on Planning, having to do with the Notice of Public Meeting - Western Road and Sarnia Road/Philip Aziz Avenue Environmental Assessment, by indicating that his employer is involved in the file.

2. Scheduled Items

None.

3. Consent

3.1 1st Report of the Community Advisory Committee on Planning

That it BE NOTED that the 1st Report of the Community Advisory Committee on Planning, from the meeting held on May 26, 2022, was received.

3.2 Public Meeting and Revised Application Notice - Official Plan and Zoning By-law Amendments - REVISED - 84-86 St. George Street and 175-197 Ann Street

That the Planning and Environment Committee BE ADVISED of the following with respect to the Public Meeting and Revised Application Notice, dated June 1, 2022, from S. Wise, Senior Planner for Revised Official Plan and Zoning By-law Amendments, related to the properties located at 84-86 St. George Street and 175-197 Ann Street:

- a) the revised application does not address the outstanding heritage concerns about the site; and,
- b) the Community Advisory Committee on Planning continues to support the previous recommendation to designate the properties located at 84-86

St. George Street and 175-197 Ann Street as heritage resources under the Ontario Heritage Act.

3.3 Public Meeting Notice - Zoning By-law Amendment - 599-601 Richmond Street

That it BE NOTED that the Public Meeting Notice, dated June 2, 2022, from A. Riley, Senior Planner, with respect to a Zoning By-law Amendment, related to the properties located at 599-601 Richmond Street, was received.

5. Items for Discussion

5.1 Designation of 6092 Pack Road under Section 29 of the Ontario Heritage Act

That the Planning and Environment Committee BE ADVISED that the London Community Advisory Committee on Planning (CACP) received a staff report, dated June 15, 2022, with respect to the Designation of 6092 Pack Road under Section 29 of the Ontario Heritage Act and the CACP supports the staff recommendation to designate the above-noted property to be of cultural heritage value or interest.

That it BE NOTED that the following matters were not disposed of by the Committee, due to lack of quorum, and will move forward to the next meeting Agenda.

4. Sub-Committees and Working Groups

4.1 Sub-Committees Discussion

5. Items for Discussion, continued

5.2 Heritage Planners' Report

6. Additional Business

6.1 (ADDED) Notice of Public Meeting - Western Road and Sarnia Road/Phillip Aziz Avenue Environmental Assessment

7. Adjournment

The meeting stood adjourned at 6:19 PM due to a lack of quorum.