

Bill No. 317
2012

By-law No. C.P.-1284(sn)-

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

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

1. Amendment No. 535 to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on July 24, 2012.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2012
Second Reading – July 24, 2012
Third Reading – July 24, 2012

AMENDMENT NO. 535

to the

OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

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

B. LOCATION OF THIS AMENDMENT

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

C. BASIS OF THE AMENDMENT

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

D. THE AMENDMENT

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

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

3.5.19

POLICIES FOR NEAR-CAMPUS NEIGHBOURHOODS

3.5.19.1

Defined Near-Campus Neighbourhoods

The following policies apply to the identified Near-Campus Neighbourhoods in proximity to the University of Western Ontario or Fanshawe College.

These areas are defined more specifically in Figure 3-1 "Near-Campus Neighbourhoods Area" of this Plan.

It is recognized that these areas are made up of neighbourhoods that differ from one another in many ways, including built form, land use mix, demographic and socio-economic structure, heritage resources, community layout, and distance from campus. Furthermore, it is recognized that neighbourhoods within these areas differ in the degree to which they have been affected by near-campus neighbourhood issues. However, these areas share a common characteristic in that they are relatively close to higher education institutions and they are a component of near-campus areas that this Plan seeks to protect and enhance.

3.5.19.2

Review of Planning Applications within Near-Campus Neighbourhoods

Understanding that the neighbourhoods within near-campus areas are not homogeneous, the planning approach and tools used to implement these policies will vary from neighbourhood to neighbourhood.

All planning applications, including minor variances, consents to sever, Official Plan amendments, Zoning By-law amendments, site plan approval, subdivisions, condominiums, area plans, secondary plans and precinct plans, will be reviewed based on the relevant policies of this Plan in addition to the following Near-Campus Neighbourhood policies.

3.5.19.3

Vision for Near-Campus Neighbourhoods

Near-Campus Neighbourhoods provide an extremely valuable asset to the City of London. They are important attributes in the City of London to attract and retain the brightest and best faculty and students. They are desirable and unique neighbourhoods, some of which offer an outstanding

stock of heritage buildings and streetscapes. In addition, they provide close proximity to employment, culture and entertainment resources that their neighbouring educational institutions offer.

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

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

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

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

- i) Encourage appropriate intensification (as characterized in Policy 3.5.19.5) that support the vision for near-campus neighbourhoods and discourage inappropriate forms of intensification that may undermine the long-term stability and established vision for Near-Campus Neighbourhoods;
- ii) In pursuit of balanced neighbourhoods, recognize areas that have already absorbed significant amounts of Residential Intensification and Residential Intensity and direct additional proposals to the preferred locations and in the preferred forms;
- iii) Encourage a balanced mix of residential structure types at the appropriate locations while preserving stable homogenous areas;
- iv) Direct Residential Intensification to higher density forms of housing, including mid-rise and high-rise apartment buildings and discourage a concentration of Residential Intensification and Residential Intensity in low density forms of housing;
- v) Direct Residential Intensification to significant transportation nodes and corridors and away from the interior of low density residential neighbourhoods;
- vi) Utilize a variety of planning implementation tools to allow for Residential Intensification and Residential Intensity which is appropriate in form, size, scale, mass, density, and/or intensity;
- vii) Identify where incremental changes in use, density, intensity, and lot size, as a result of zoning amendments, minor variances and consents to sever are collectively leading to undesirable changes in the character and amenity of streetscapes and neighbourhoods and avoid the continuation of such trends;
- viii) Identify strategic locations where Residential Intensification is appropriate and zone for these opportunities accordingly and utilize strong transit connections to link these Residential Intensification opportunities to campuses;

- ix) Plan for Residential Intensification in a proactive, coordinated and comprehensive fashion, utilizing area plans, master plans, and precinct plans;
- x) Ensure that Residential Intensification projects incorporate urban design qualities that enhance streetscapes, complement adjacent properties, and contribute to the functional and aesthetic quality of the neighbourhood;
- xi) Preserve heritage resources which contribute to the identity of streetscapes and neighbourhoods;
- xii) Provide for affordable housing opportunities and appropriate locations.

**3.5.19.5
Encourage
Appropriate
Intensification**

Within Near-Campus Neighbourhoods, it is a goal of this Plan to encourage appropriate forms of intensification. Planning applications, including minor variances, consents to sever, Official Plan amendments, Zoning By-law amendments, site plan approval, subdivisions, condominiums, area plans, secondary plans, or precinct plans which represent appropriate intensification, will be encouraged. For the purposes of these policies, appropriate intensification will be characterized as those which are not comprised of one or more of the following attributes:

- i) Developments within low density residential neighbourhoods that have already absorbed significant amounts of Residential Intensification and/or Residential Intensity and are experiencing cumulative impacts that undermine the vision for Near-Campus Neighbourhoods;
- ii) Developments proposed along streetscapes and within neighbourhoods that are becoming unsustainable due to a lack of balance in the mix of short- and long-term residents;
- iii) Residential Intensity that is too great for the structure type that is proposed;
- iv) Inadequately sized lots that do not reasonably accommodate the density and intensity of the proposed use;
- v) Proposed lots and buildings requiring multiple variances that, cumulatively, are not in keeping with the spirit and intent of the zoning that has been applied;
- vi) A lack of on-site amenity area;
- vii) Inadequate parking areas to accommodate expected level of Residential Intensity;
- viii) Excessive proportions of the site devoted to parking areas and driveways;
- ix) Built forms or building additions which are not consistent in scale and character with the neighbourhood, streetscape and surrounding buildings;
- x) Developments which continue an ad-hoc and incremental trend towards Residential Intensification within a given street, block, or neighbourhood, rather than a proactive, coordinated, and planned approach toward Residential Intensification.

**3.5.19.6
Directing
Preferred Forms
of Intensification
to Appropriate
Locations**

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

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

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

has been a substantial amount of Residential Intensification or Residential Intensity within the Low Density Residential designation.

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

**3.5.19.7
Definition of
Residential
Intensity**

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

**3.5.19.8
Zoning
Regulations for
Near-Campus
Neighbourhoods**

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

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

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

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

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

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

**3.5.19.10
Low Density**

Within the Near-Campus Neighbourhoods in areas designated Low Density Residential, planning applications to allow for Residential

Residential Designations

Intensification and Residential Intensity shall only be supported if the following criteria are met:

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

**3.5.19.11
Consents to Sever in Near-Campus Neighbourhoods**

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

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

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

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

The following criteria will be considered for minor variance applications in Near-Campus Neighbourhoods:

- i) the requested variance(s) shall not undermine the intent of the Zoning By-law where Council has applied a zone that established additional regulations in the neighbourhood;
- ii) the requested variance(s) shall not lead to inappropriate forms of intensification, as characterized in Policy 3.5.19.5 of this Plan;
- iii) the requested variance(s) shall not be supported to approve an increase in Residential Intensity where the proposed new development, expanded development, or modified development can be accommodated through a reconfiguration of the development proposal;

- iv) where a street, block, or neighbourhood has already absorbed substantial Residential Intensification in the Low Density Residential designation, a minor variance to accommodate a proposed consent to sever shall not be supported;
- v) site-specific minor variance applications to accommodate an increase in Residential Intensity on lands that are not unique within their context and do not have any special attributes which would warrant a site-specific minor variance shall not be supported;
- vi) minor variances to permit front yard parking shall not be supported where the proposed new development, expanded development, or modification to an existing development eliminates existing parking that is in a location which conforms to the Zoning By-law.

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

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

- i) height;
- ii) roof slopes and shapes;
- iii) scale;
- iv) massing;
- v) fenestration;
- vi) building materials;
- vii) building orientation;
- viii) architectural style; and
- ix) architectural features.

**3.5.19.14
Heritage
Preservation**

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

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

**3.5.19.15
Campus Lands
Adjacent to the
Community**

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

**3.5.19.16
Transit**

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

**3.5.19.17
Public Projects**

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

**3.5.19.18
Conflicts**

- i) Where there is a conflict between the Policies for Near-Campus Neighbourhoods, as outlined in Section 3.5.19 of this Plan:
 - a) and the more general policies of this Plan, the Policies for

Near-Campus Neighbourhood shall take precedence;

- b) and the more specific *Policies for Specific Residential Areas*, as outlined elsewhere in section 3.5 of this Plan, the more specific *Policies for Specific Residential Areas* shall apply;
 - c) and approved Secondary Plans, the policies of the Secondary Plan shall apply.
- ii) Where any or all of the requirements of the Policies for Near-Campus Neighbourhoods are not in conflict with or are not specifically addressed in the General Policies, the more specific *Policies for Specific Areas*, or Secondary Plans, the Policies for Near-Campus Neighbourhoods shall apply.
2. By adding the map entitled *Figure 3-1 Near-Campus Neighbourhoods Area* in Figure 1, attached hereto, to Chapter 3 of the Official Plan.

