



# NOTICE OF PLANNING APPLICATION

## Official Plan and Zoning By-law Amendments

### 464-466 Dufferin Ave & 499 Maitland St



**File: OZ-9130**

**Applicant: Ian B. Johnstone Professional Corporation**

#### What is Proposed?

Official Plan and Zoning amendments to allow:

- An eat-in restaurant
- Maintain 4 residential dwelling units
- Recognize existing site conditions

## LEARN MORE & PROVIDE INPUT

Please provide any comments by **November 26, 2019**

Melanie Vivian

[mvivian@london.ca](mailto:mvivian@london.ca)

519-661-CITY (2489) ext. 7547

Development Services, City of London, 300 Dufferin Avenue, 6<sup>th</sup> Floor,  
London ON PO BOX 5035 N6A 4L9

File: OZ-9130

[london.ca/planapps](http://london.ca/planapps)

You may also discuss any concerns you have with your Ward Councillor:

Arielle Kayabaga

[akayabaga@london.ca](mailto:akayabaga@london.ca)

519-661-CITY (2489) ext. 4013

**If you are a landlord, please post a copy of this notice where your tenants can see it.  
We want to make sure they have a chance to take part.**

Date of Notice: November 6, 2019

# Application Details

Commonly Used Planning Terms are available at [london.ca/planapps](http://london.ca/planapps).

## Requested Amendment to the Current Official Plan

To add a Special Policy Area to permit an eat-in restaurant within the ground floor of the existing building within the Low Density Residential designation.

## Requested Amendment to The London Plan (New Official Plan)

To add a Special Policy Area to permit an eat-in restaurant within the ground floor of the existing building within the Neighbourhoods Place Type, located along a Neighbourhood Street.

## Requested Zoning By-law Amendment

To change the zoning from a Residential R3/Convenience Commercial (R3-2/CC) Zone to a Residential R3/Convenience Commercial Special Provision (R3-2/CC(\_)) Zone. Changes to the currently permitted land uses and development regulations are summarized below. The complete Zoning By-law is available at [london.ca/planapps](http://london.ca/planapps).

### Current Zoning

**Zone:** Residential R3/Convenience Commercial (R3-2/CC) Zone

**Permitted Uses:** The Residential R3 (R3-2) Zone permits single detached dwellings; semi-detached dwellings; duplex dwellings; triplex dwellings; converted dwellings; and fourplex dwellings. The Convenience Commercial (CC) Zone permits convenience service establishments without a drive-through facility; convenience stores without a drive-through facility; financial institutions without a drive-through facility; and personal service establishments without a drive-through facility.

### Requested Zoning

**Zone:** Residential R3/Convenience Commercial Special Provision (R3-2/CC(\_)) Zone

**Permitted Uses:** The Residential R3 (R3-2) Zone permits single detached dwellings; semi-detached dwellings; duplex dwellings; triplex dwellings; converted dwellings; and fourplex dwellings. The Convenience Commercial Special Provision (CC(\_)) Zone would permit an eat-in restaurant use within the existing building in addition to the other permitted uses, as outlined in Permitted Uses above.

**Special Provision(s):** To permit a restaurant, eat-in within the existing building and recognize existing conditions including lot frontage, lot depth, parking, setbacks, lot coverage and landscaped open space area.

## Planning Policies

Any change to the Zoning By-law must conform to the policies of the Official Plan, London's long-range planning document. These lands are currently designated as Low Density Residential in the Official Plan, which permits single detached; semi-detached; and duplex dwellings as the main uses.

The subject lands are in the Neighbourhoods Place Type in *The London Plan*, located along a Neighbourhood Street, permitting a range of single detached, semi-detached, duplex, converted dwellings, townhouses, secondary suites, home occupations, and group homes.

## How Can You Participate in the Planning Process?

You have received this Notice because someone has applied to change the Official Plan designation and the zoning of land located within 120 metres of a property you own, or your landlord has posted the notice of application in your building. The City reviews and makes decisions on such planning applications in accordance with the requirements of the *Planning Act*. The ways you can participate in the City's planning review and decision making process are summarized below. For more detailed information about the public process, go to the [Participating in the Planning Process](http://london.ca) page at [london.ca](http://london.ca).

## See More Information

You can review additional information and material about this application by:

- visiting Development Services at 300 Dufferin Ave, 6<sup>th</sup> floor, Monday to Friday between 8:30am and 4:30pm;
- contacting the City's Planner listed on the first page of this Notice; or
- viewing the application-specific page at [london.ca/planapps](http://london.ca/planapps).

## Reply to this Notice of Application

We are inviting your comments on the requested changes at this time so that we can consider them as we review the application and prepare a report that will include Development Services staff's recommendation to the City's Planning and Environment Committee. Planning considerations usually include such matters as land use, development intensity, and form of development.

## Attend a Future Public Participation Meeting

The Planning and Environment Committee will consider the requested Official Plan and zoning changes on a date that has not yet been scheduled. The City will send you another notice inviting you to attend this meeting, which is required by the *Planning Act*. You will also be invited to provide your comments at this public participation meeting. The Planning and Environment Committee will make a recommendation to Council, which will make its decision at a future Council meeting.

## What Are Your Legal Rights?

### Notification of Council Decision

If you wish to be notified of the decision of the City of London on the proposed official plan amendment and zoning by-law amendment, you must make a written request to the City Clerk, 300 Dufferin Ave., P.O. Box 5035, London, ON, N6A 4L9, or at [docservices@london.ca](mailto:docservices@london.ca). You will also be notified if you speak to the Planning and Environment Committee at the public meeting about this application and leave your name and address with the Secretary of the Committee.

### Right to Appeal to the Local Planning Appeal Tribunal

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of London to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the proposed official plan amendment is adopted, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the proposed official plan amendment is adopted, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of London to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

For more information go to <http://elto.gov.on.ca/tribunals/lpat/about-lpat/>.

### Notice of Collection of Personal Information

Personal information collected and recorded at the Public Participation Meeting, or through written submissions on this subject, is collected under the authority of the *Municipal Act*, 2001, as amended, and the *Planning Act*, 1990 R.S.O. 1990, c.P.13 and will be used by Members of Council and City of London staff in their consideration of this matter. The written submissions, including names and contact information and the associated reports arising from the public participation process, will be made available to the public, including publishing on the City's website. Video recordings of the Public Participation Meeting may also be posted to the City of London's website. Questions about this collection should be referred to Cathy Saunders, City Clerk, 519-661-CITY(2489) ext. 4937.

**Accessibility – Alternative accessible formats or communication supports are available upon request. Please contact [accessibility@london.ca](mailto:accessibility@london.ca) or 519-661-CITY(2489) extension 2425 for more information.**

# Site Concept



Existing Conditions Plan.

The above image represents the applicant's proposal as submitted and may change.