

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: George Kotsifas P. Eng.,
Deputy City Manager, Planning and Economic Development

Subject: Goldfield Limited – Application for Zoning By-law Amendment
4270 Lismer Lane
Public Participation Meeting

Date: December 13, 2021

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Goldfield Limited relating to the property located at 4270 Lismer Lane:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting December 21, 2021, to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** an Holding Residential R8 (h*h-100*h-104*h-198*R8-4) Zone, **TO** an Holding Residential R5 Special Provision and R8 (h*h-100*h-104*h-198*R5-7(_)/R8-4) Zone

Executive Summary

Summary of Request

The request is for approval of a zone change from a Holding Residential R8 (h*h-100*h-104*h-198*R8-4) Zone to a Holding Residential R5 Special Provision and R8 (h*h-100*h-104*h-198*R5-7(_)/R8-4) Zone to facilitate the development of multiple-attached townhouse development.

A R5-7(_) Special Provision Zone has been requested to accommodate for the following:

- Minimum required Lot Frontage of 20 meters;
- Reduced rear yard setback from the proposed Bradley Avenue extension to help support a contiguous street well (minimum setback of 4.5 meters and maximum setback of 6.0 meters);
- Reduced interior side yard setback along lands to the west from 6 meters to 4.5 meters (minimum setback of 4.5 meters); and,
- Reduced front yard setback for unit 1 and 34 from > 6 meters to 3.5 meters (minimum setback of 3.5 meters).

Purpose and Effect of the Recommended Action

The purpose and effect are to recommend that Municipal Council approve the recommended zoning by-law amendment.

Rationale of Recommended Action

1. The recommended zoning by-law amendment is consistent with the Provincial Policy Statement.
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 recommending zoning conforms to the policies of the *1989 Official Plan*, including, but not limited to, the Multi-Family, Medium Density Residential

designation.

4. The zoning will permit development that is considered appropriate and compatible with the existing and future land uses surrounding the subject lands.

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 planning and sustainable over the long term.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

May 12, 2003 – Report and Public Participation Meeting at Planning and Environment Committee regarding North Longwoods Area Plan (O-6424)

July 27, 2017 – Report to London Consent Authority to sever land from 1160 Wharnccliffe Road South to 3427 Paul Peel Drive (B.031-17).

November 6, 2017 – Report to Committee of Adjustment to sever land from 1160 Wharnccliffe Road South to 3427 Paul Peel Drive (A.162-17).

September 24, 2018 – Report to Planning and Environment Committee regarding Draft Plan of Subdivision and associated Zoning By-law Amendments (39T-16508/Z-8697).

October 17, 2018 – Report to Approval Authority: Recommendation for Approval of Draft Plan of Subdivision (39T-16508).

October 23, 2018 – Notice of Decision on Application for Approval of Draft Plan of Subdivision - Approved (39T-16508).

November 4, 2019 – Report to Planning and Environment Committee on Emily Carr South Subdivision Special Provisions (39T-16508).

Jul 16, 2020 – Report to Committee of Adjustment requesting variances for front yard and exterior yard setbacks and increase in density (A.021-20).

July 22, 2020 – Report to Approval Authority: Recommendation for Plan of Subdivision Approval (39T-16508).

1.2 Planning History

This application is part of Emily Carr Subdivision South, which was granted final approval by the City of London Approval Authority in July 2020 and the subdivision was registered as Plan 33M-786 on June 29, 2020. The final plan consisted of seven (7) medium density residential blocks, two (2) local public streets and the extension of Lismer Way.

On October 2, 2018, Municipal council passed a Zoning By-law Amendment to change the zoning from Urban Reserve UR4) and Urban Reserve (UR6) to a Holding Residential R4 Special Provision (h-h-100*h-104*h-155*R4-4(2)) Zone, Holding Residential R8 (h*h-100*h-104*h-198*R8-4) Zone. Consent and Minor Variances applications submitted in 2017 for severances were granted approval, as well as the Minor Variance application in 2020. This current Zoning By-law Amendment application was received on August 24, 2021, and was accepted as complete on August 31, 2021.

1.3 Property Description

The subject property is generally located south of Wharnccliffe Road South and Legendary Drive, and west of Paul Peel Drive. The site has a mix of built or proposed low and medium density residential to the north and east, and Urban Reserve and Environmental Review lands to the south and east. The Zoning By-law Amendment would permit the construction of 8 multiple-attached townhouse buildings with 66 units on Block 1 of Registered Plan 33M-786. This site is currently vacant and approximately 1.43 hectares (3.53 acres) in size. The site would have access to municipal services and is in an area planned for growth.

1.4 Current Planning Information

- *The London Plan* Place Type – Neighbourhoods
- (1989) *Official Plan* Designation – Multi-Family, Medium Density Residential
- Existing Zoning – Holding Residential R8 (h*h-100*h-104*h-198*R8-4)

1.5 Site Characteristics

- Current Land Use – Vacant
- Frontage – 20 meters on Lismer Lane
- Depth – Irregular, 100 meters
- Area – 1.43 hectares
- Shape – Irregular, Rectangular

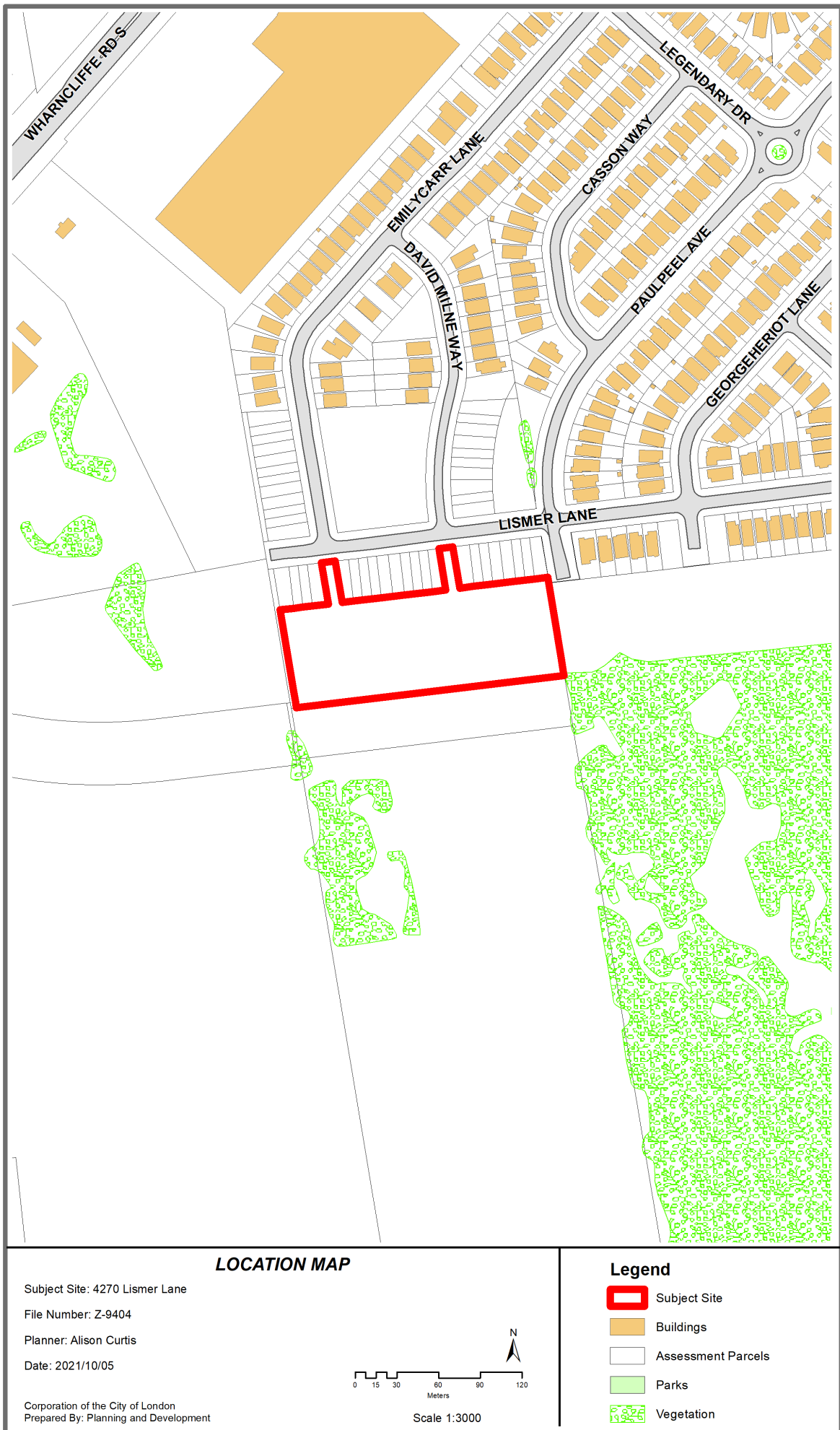
1.6 Surrounding Land Uses

- North – Multi-Family, Medium Density Residential
- East – Low and Medium Density Residential
- South – Multi-Family, Medium Density Residential, Urban Reserve, and proposed Bradley Avenue extension
- West – Multi-family Medium Density Residential and Auto-Oriented Commercial Corridor

1.7 Intensification

- The 66-unit, multiple-attached townhouse development is outside the Primary Transit Area, but within the Urban Growth Boundary.

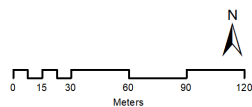
1.8 Location Map



LOCATION MAP






Subject Site: 4270 Lismer Lane
 File Number: Z-9404
 Planner: Alison Curtis
 Date: 2021/10/05

Corporation of the City of London
 Prepared By: Planning and Development



Scale 1:3000

Legend

-  Subject Site
-  Buildings
-  Assessment Parcels
-  Parks
-  Vegetation

2.0 Discussion and Considerations

2.1 Requested Amendment

The Applicant has requested consideration of a zoning by-law amendment to rezone the lands from a Holding Residential R8 (h*h-100*h-104*h-198*R8-4) Zone to a Holding Residential R5 Special Provision, R8 (h*h-100*h-104*h-198*R5-7(_)/R8-4) Zone. This amendment has been requested to facilitate future development of a Vacant Land Condominium comprised on multiple-attached, cluster townhouse dwellings. The current R8-4 Zone permits low rise apartments buildings, which will vary in form depending on the adjacent land uses, and the proposed addition of the R5-7 Zone would permit cluster townhouses and cluster stacked townhouses.

The applicant requested a R5-7(_) Special Provision Zone has been requested to accommodate for the following:

- Reduced exterior side yard setback from the proposed Bradley Avenue extension from 8 meters to 5.8 meters to help support a contiguous street wall (requesting a minimum setback of 4.5 meters and a maximum setback of 6.0 meters);
- Reduced interior side yard setbacks to 3.6 meters for units 1 and 34; and,
- Measure lot frontage from Paul Peel Avenue due to the separate and irregular lot configuration along Lismer Lane.

Measuring lot frontage from Paul Peel Avenue would ensure the development satisfies the Residential R5-7 Zone requirements for minimum lot frontage but may not be appropriate as it would result in the lot frontage and the proposed development's address being on different streets. The following special provisions are recommended by staff to ensure the lot frontage and address are located on the same street:

- Minimum required Lot Frontage of 20 meters;
- Reduced rear yard setback from the proposed Bradley Avenue extension to help support a contiguous street well (minimum setback of 4.5 meters and maximum setback of 6.0 meters);
- Reduced interior side yard setback along lands to the west from 6 meters to 4.5 meters (minimum setback of 4.5 meters); and,
- Reduced front yard setback for unit 1 and 34 from > 6 meters to 3.5 meters (minimum setback of 3.5 meters).

2.2 Community Engagement

Information regarding the Draft Vacant Land Condominium application and opportunities to provide comments were provided to the public as follows:

- Notice of Public Participation Meeting was sent to property owners within 120 meters of the subject property on November 25th, 2021.
- Notice of Application and Public Participation were published in the Public Notices and Bidding Opportunities section of The Londoner on November 25th, 2021.
- Information about the Application were posted on the website on November 25th, 2021.

No comments were received from the public. Comments from external agencies are included in Appendices C.

2.3 Policy Context (see more detail in Appendix D and E)

Provincial Policy Statement (PPS)

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:

1. Building Strong Healthy Communities;
2. Wise Use and Management of Resources; and,
3. Protecting Public Health and Safety.

Important policy objectives to highlight are those within Sections 1.1, 1.4 and 1.6. These policies require land use 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 D.

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 PL170700) and not in force and effect are indicated with an asterisk (*) throughout this report.

The subject lands are located within the “Neighbourhoods” Place Type at the intersection of a Neighbourhood Street and a Neighbourhood Connector. This Place Type and location permits a range of low-density residential uses (i.e., single-detached, semi-detached, townhouses, and group homes) at a maximum height of 2.5 stories.

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 D. An excerpt of from *The London Plan* Map 1 – Place Types* is found in Appendix E.

1989 Official Plan

The subject lands are designated 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 D for further analysis.

This application has been reviewed with the applicable policies of the *1989 Official Plan*. An excerpt from Land Use Schedule “A” can be found at Appendix E.

Southwest Area Secondary Plan (SWAP)

This site forms part of the *Southwest Area Secondary Plan* and is subject to the development vision and detailed policies of the Secondary Plan. Additionally, the site forms part of the ‘Central Longwoods Neighbourhood’ within the greater plan. This secondary plan sets out policy and guidance to create neighbourhoods that have the following features: a mix of uses and diverse mix of residential housing; an emphasis on design parameters with placemaking features; walkability within and between neighbourhoods; an integration of the Natural Heritage System as an opportunity for residents to enjoy; and, Neighbourhood Central Activity Nodes as destination places in the neighbourhood. The requested amendment has been reviewed with the applicable policies contained in the *SWAP* and is consistent.

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 Holding Residential R8 (h*h-100*h-104*h-198*R8-4). A zoning map excerpt from the Z.-1 Zoning By-law Schedule A is found in Appendix E.

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 the 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 the cluster townhouses, including cluster townhouses or cluster stacked townhouses, at a maximum height of 12 meters (39.37 feet). Medium density development in the form of low-rise apartment buildings at a maximum height of 13 meters (42.7 feet) is currently permitted in the Residential R8 Zone. The proposed townhouse development would provide a mix of housing choices in compact form and is street oriented, which contributes an active street front along the proposed Bradley Avenue extension to create a safe pedestrian environment that promotes connectivity. It would also serve as a transition between single detached dwellings to the north and the surrounding light industrial uses. The recommended zoning and existing holding provisions are considered an appropriate use that is generally consistent with the proposed future development surrounding.

4.2 Intensity

The subject lands are sufficient in size and configuration to accommodate the development of 8 buildings and 66 multiple-attached townhouse dwellings. The Multi-Family Medium Density Residential Designation on the *1989 Official Plan* permits a maximum density of 75 units per hectare. The proposed development conforms with this policy. Table 11* of *The London Plan* provides for a minimum of 1 storey and a maximum of 2.5 storeys in the Neighbourhoods Place Type at the intersection of a Neighbourhood Street and a Neighbourhood Connector. The recommended zoning permits a maximum of 60 units per hectare and a maximum height of 12 meters under the R5-7 zone variation, which is in keeping with the *1989 Official Plan* and *The London Plan*. The intensity allowed in the recommended zoning is considered appropriate.

4.3 Form

As previously noted, the recommended zoning would permit medium density residential development in the form the cluster townhouses, including cluster townhouses or cluster stacked townhouses. Currently, the Residential R8 zone permits medium density development in the form of low-rise apartment buildings at a maximum height of 13 meters (42.7 feet). The Residential R8-4 Zone Variation requires a minimum lot area of 1000 meters squared and a minimum lot frontage of 30 meters. As noted, the requested Residential R5-7 Zone Variation would permit cluster townhomes on a minimum lot area of 1000 meters squared and a minimum lot frontage of 30 meters. The subject lands are 1.43 hectares (14, 300 meters squared), which meets and exceeds the minimum required lot size and can accommodate the proposed development. A special provision to measure street frontage along Paul Peel Avenue

has been requested so that the proposal can satisfy the requirement for a minimum lot frontage of 30 meters. The irregular lot configuration provides only 20 meters of lot frontage on Lismer Lane, whereas the approximately 71 meters of frontage is available along Paul Peel Avenue. This requested special provision would result in the lot frontage and address for the proposed development to be located on different street. Staff are instead recommending a special provision that the minimum required lot frontage be 20 meters and measured on Lismer Lane. This requested special provision would allow the proposal to meet the minimum required lot frontage. The recommended zoning, special provisions and existing holding provisions are considered an appropriate form that is generally consistent with the proposed future development surrounding.

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 is compatible with the surrounding land uses, and no potential impacts are anticipated;
- the size and shape of the subject lands have the ability to accommodate the intensity proposed, and is not proposing an increased density;
- the proposed multi-family, medium density residential development is in proximity of adequate transit services and public open space opportunities;
- the proposed development is street-oriented, and could create an active street front that could contribute to the visual character of the neighbourhood;
- the proposed development contributes to a mix of housing choices in the area;
- and, the proposal is being reviewed through the Site Plan Approval Process to ensure compliance with road access policies, the Site Plan Control By-law and Sign Control By-law.

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 zoning and special provisions will permit townhouse units that are 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

Reviewed by: Bruce Page, MCIP, RPP
Manager, Subdivision Planning

Recommended by: Gregg Barrett, AICP
Director, Planning and Development

Submitted by: George Kotsifas, P.Eng.
Deputy City Manager, Planning and Economic
Development

CC: Matt Feldberg, Manager, Subdivision and Development Inspections
Michael Pease, Manager, Site Plans
Peter Kavcic, Manager, Subdivision Engineering

GK/GB/BP/AC/ac

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2021\Z-9404 - 4270 Lismer Lane (A. Curtis)

Appendix A: Amendment Schedule

Appendix "A"

Bill No. (number to be inserted by
Clerk's Office)
(2021)

By-law No. Z.-1-21_____

A bylaw to amend By-law No. Z.-1 to
rezone lands located at 4270 Lismer
Lane.

WHEREAS Goldfield Limited has applied to rezone lands located at 4270 Lismer Lane, 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 4270 Lismer Lane, as shown on the attached map, FROM a Holding Residential R8 (h-h-100-h-104-h-198-R8-4) Zone TO a Holding Residential R5 Special Provision and R8 (h-h-100-h-104-h-198-R5-7()/R8-4) Zone.
- 2) Section Number 9.4 of the Residential R5 Zone is amended by adding the following Special Provisions:
 -) R5-7()
 - a) Regulations:
 - i) Lot Frontage 20m (65.6ft)
(Minimum)
 - ii) Rear Yard depth for adjacent to 4.5m (14.8ft) – 6.0m (19.7ft)
Arterials
(Minimum – Maximum)
 - iii) Interior Side Yard depth 4.5m (14.8ft)
(Minimum)
 - iv) Front Yard depth for adjacent 3.5m (11.48ft)
to Local Street
Main Building/Garage
(Minimum)

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.

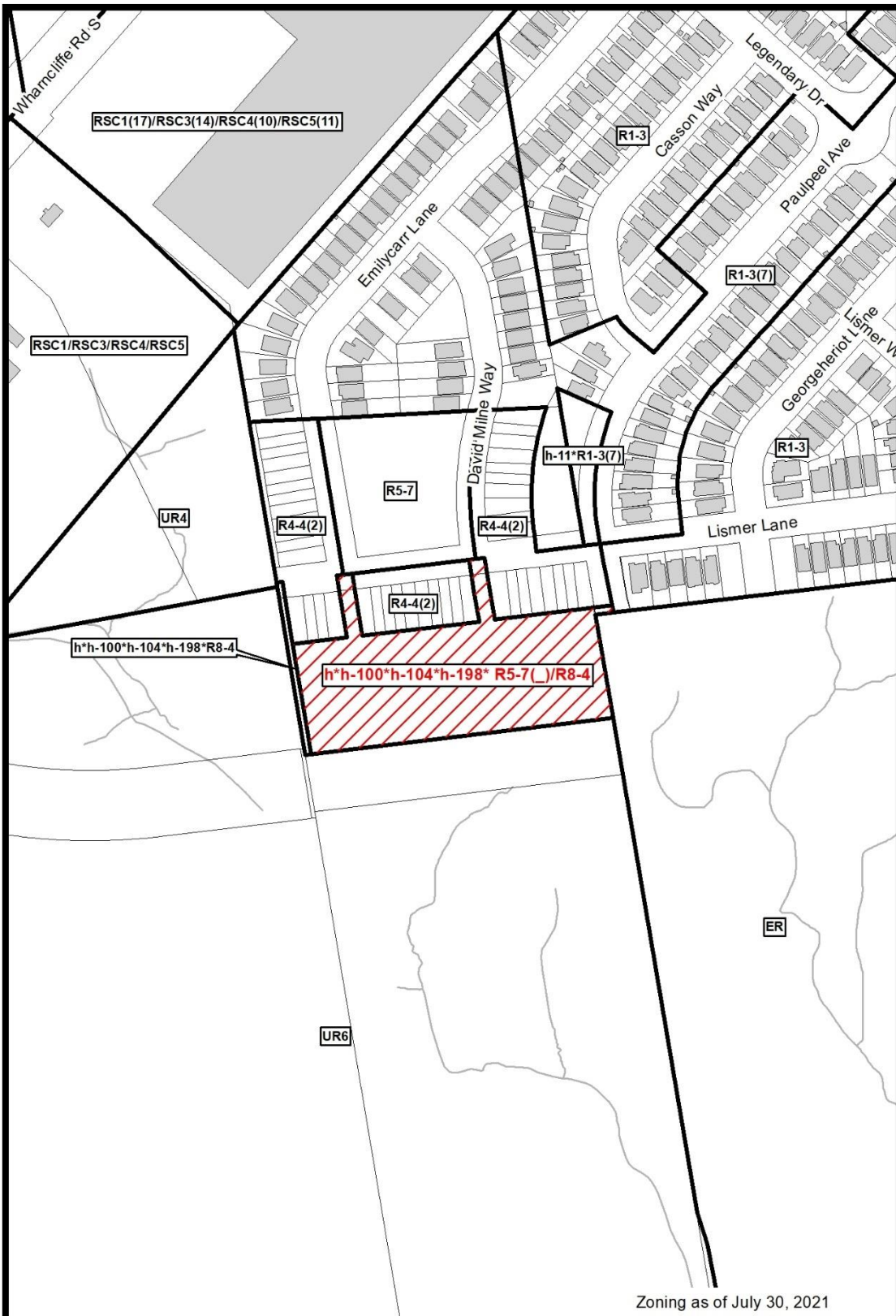
PASSED in Open Council on December 21, 2021

Ed Holder
Mayor


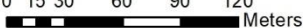

Catharine Saunders
City Clerk

First Reading – December 21, 2021
Second Reading – December 21, 2021
Third Reading – December 21, 2021

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



Zoning as of July 30, 2021

<p>File Number: Z-9404 Planner: AC Date Prepared: 2021/10/07 Technician: MB By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:3,000</p> <p>0 15 30 60 90 120 Meters </p> <p></p>
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Appendix B: Community Consultation

Community Engagement

Public Liaison: Notice of the Intent to Remove Holding Provisions was published in the Londoner on November 25, 2021, and notice of the Public Participation meeting was distributed to the public and the relevant internal and external agencies on November 25, 2021.

No replies from the public were received.

Londoner Notice: 4270 Lismer Lane; south side of Wharncliffe Road South; approx. 1.43 hectares (3.53 acres) – The purpose and effect of this application is to facilitate construction of eight (8) townhouse buildings containing 66 units with access from Lismer Lane. Consideration of an amendment to the zoning by-law to change the zoning from Holding Residential R8 (h-h-100-h-104-h198-R8-4), which permits medium density development in the form of low-rise apartment buildings, to a Holding Residential R5 Special Provision and R8 (h-h-100-h-104-h-198-R5-7()/R8-4) Zone, which permits medium density residential development in the form of cluster and stacked townhouses. Special provisions have been requested to address reduced exterior side yard setback to Bradley Avenue, reduced interior side yard setback for units 1 and 34, and measuring lot frontage along Paul Peel Avenue. A public meeting will be held no sooner than December 13, 2021, and will not be held before 4:00 p.m.

Appendix C: Agency and Departmental Comments

Departmental Comments

Urban Design

- This site includes a holding provision for street orientation (h-198) and as such, the applicant should demonstrate how the proposed buildings will be oriented to their respective public streets and consistent with the Southwest Area Secondary Plan **[SWASP]**.
- Building Design
 - Ensure that the proposed buildings are oriented to Bradley Avenue and Paul Peel Avenue. Include adequate maximum and minimum setbacks along Bradley Avenue and Paul Peel Avenue to avoid rear-lotting and ensure street-oriented buildings. **[SWASP 20.5.3.9 iii c, 20.5.11 ii]**.
 - Block '5', '6', '7' & '8' along Bradley Avenue and Block '4' along Paul Peel Avenue should be street oriented with entrance porches facing the street and garages accessed by rear lane.
 - Alternatively, a window street design may be explored along Bradley Ave, as long as proper connections to the public street are made, and buildings are designed to be active and animated along the street frontage.
 - Ensure that the width of garages fronting public streets do not exceed 50% of the unit width and do not project beyond the facade **[SWASP 20.5.3.9 iii e]**.
 - Explore opportunities to incorporate active uses (habitable space) on ground floors fronting public streets and provide individual private amenity spaces like porches, balconies etc.
- Site Design
 - Provide safe and effective pedestrian linkages between units, amenity areas and to bounding public streets (Bradley Avenue, Paul Peel Avenue, and Lismer Way). **[SWASP 20.5.4.1 iii a]**.


- Ensure parking areas or internal drive aisles visible from the street are screened using a combination of landscaping and low-rise masonry walls (max. 0.75m in order to reduce their visual impact along both streetscapes. **[SWASP 20.5.3.9 iii g]**].

Agency Comments

London Hydro


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.

 Reply Sheet for City of London Applications to be Reviewed by London Hydro Engineering	
Date:	October 5, 2021
To:	City of London Planning Division – Room 609
Attn:	Alison Curtis
RE:	Address: 4270 Lismer Lane Applicant: Goldfield Limited File/Ref #: Z-9404

London Hydro Response:

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. Note: Transformation lead times are minimum 16 weeks. Contact the Engineering Dept. to confirm requirements & availability.	<input type="checkbox"/>
This site is presently serviced by London Hydro. Contact the Engineering Dept. if a service upgrade is required to facilitate the new building. Any new and/or relocation of existing infrastructure will be at the applicant's expense, maintaining safe clearances from L.H. infrastructure is mandatory. Note: Transformation lead times are minimum 16 weeks. Contact the Engineering Dept. to confirm requirements & availability.	<input type="checkbox"/>
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.	<input checked="" type="checkbox"/>
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.	<input type="checkbox"/>
London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. However, London Hydro will require a blanket easement.	<input checked="" type="checkbox"/>

Signed: 
 Hans Schreff
 Manager - Developer & Operations Support,
 Engineering & Operations Administration Dept.
 519-661-5800 ext. 5014

Committee of Adjustment
 Notice of Application
 Site Plan Consultation
 Site Plan Application

Appendix D: 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 66-unit Vacant Land Condominium. There is a mix of residential, open space, light industrial and agricultural uses adjacent to the property. This requested Zoning By-law Amendment is consistent with several *PPS* policies, which are outlined below.

Policy Sections 1.1.1, 1.1.3 and 1.6 requires land use within settlement areas to effectively use the land and resources through appropriate densities, range of uses and the efficient use of infrastructure. This contributes to resilient development and the creation of healthy, livable, and safe communities that encourage the use of active transportation and transit infrastructure available. The requested amendment would facilitate the development of a vacant site within the settlement area that has full access to municipal services, as well as provide a range of housing in compact form for current and future residents (Section 1.4). The subject lands are designated and intended, over the long term, to be used for multiple-dwelling, low to medium density residential uses.

The compact form, mix of uses, and density of the proposal result in efficient and resilient development, and this will encourage the use of public and active transportation options. This will help to support energy conservation and help to improve air quality, which is consistent with Section 1.8 of the *PPS*. An archaeological study was completed for the subject site and determined there would no impacts to archaeological or cultural resources, which is consistent with Section 2.6 of the *PPS*. The site is also located outside of any natural or man-made hazards, which helps to protect public health and safety as prioritized in Section 3.0 of the *PPS*.

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 PL170700) and not in force and effect are indicated with an asterisk (*) throughout this report).

Neighbourhoods Place Type

The subject lands are located within the “Neighbourhoods” Place Type at the intersection of a Neighbourhood Street and a Neighbourhood Connector. This Place Type and location permits a range of low-density residential uses (i.e., single-detached, semi-detached, townhouses, and group homes) at a maximum height of 2.5 stories.

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; diverse housing choices; well-connected neighbourhoods; alternatives for mobility; and, parks and recreational opportunities. The requested amendment is generally in keeping with the vision for the Neighbourhood Place Type and its key

elements. The amendment would allow for development that contributes to a neighbourhood character and a diversity of housing choices. The site is also close to City owned open space and public transportation, which contributes to a connected and strengthened community that offers convenient alternatives for mobility and accessing services.

City Building and Design Policies

The requested amendment is generally supportive of the policies laid out in the City Building section of the *London Plan*, which seeks to set a framework for the shape, form and character of the City. 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*).

Our Tools

Section 34 of the *Planning Act* permits councils of local municipalities to pass zoning by-laws, and also provides for the amendment 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 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). 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 secondary collector, as well as serving as a transition between single detached dwellings to the north and light industrial uses to the east, south and west. The proposal also provides a density of 62 units per hectare, which is less than the 75 units per hectare permitted in the MFMDR designation (3.3.3 Scale of Development).

Southwest Area Secondary Plan (SWAP)

This site forms part of the *Southwest Area Secondary Plan* and is subject to the development vision and detailed policies of the Secondary Plan. Additionally, the site forms part of the 'Central Longwoods Neighbourhood' within the greater plan. This secondary plan sets out policy and guidance to create neighbourhoods that have the

following features: a mix of uses and diverse mix of residential housing; an emphasis on design parameters with placemaking features; walkability within and between neighbourhoods; an integration of the Natural Heritage System as an opportunity for residents to enjoy; and, Neighbourhood Central Activity Nodes as destination places in the neighbourhood. The requested amendment has been reviewed with the applicable policies contained in the *SWAP*.

The site is designated as Medium Density Residential in the *SWAP* and is located adjacent to Paul Peel Avenue, a secondary collector, and the proposed extension of Bradley Avenue, which would be an arterial road. This designation encourages a mix of housing forms at a higher intensity than suburban neighbourhoods, and residential development that supports public and active transportation opportunities. The permitted uses defer to those in the Multi Family, Medium Density Residential section of the *1989 Official Plan*, which has been outlined in the previous section.

This amendment is consistent with the *SWAP*, and it conforms with permitted density for Medium-Density Residential. The requested amendment would facilitate the development of a vacant land condominium which has a density of 62 units per hectares, which is within the permitted 75 units per hectare permitted.

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 the Zoning Amendment Map found in Appendix A of this report.

These lands are currently zoned Holding Residential R8 (h*h-100*h-104*h-198*R8-4). This zone permits medium density development in the form of apartments, which will vary in form but shall not exceed 16 meters (52.5 feet). The requested amendment would add a Special Provision Residential R57 to the subject lands (h*h-100*h-104*h-198*R5-7(_)/R8-4). This change permits medium-density residential development in the form of cluster townhouses and stacked cluster townhouses with densities of 25 units per hectares in lower density areas and 60 units per hectares in for inner city areas or locations near major activity centers.

The amendment to include the Special Provision Residential R7 (5-7(_)) has been requested to facilitate the development of a vacant land condominium comprised of multiple-attached townhouse dwellings, which will be submitted in the future as a separate application. A Special Provision Zone has been requested to address the following:

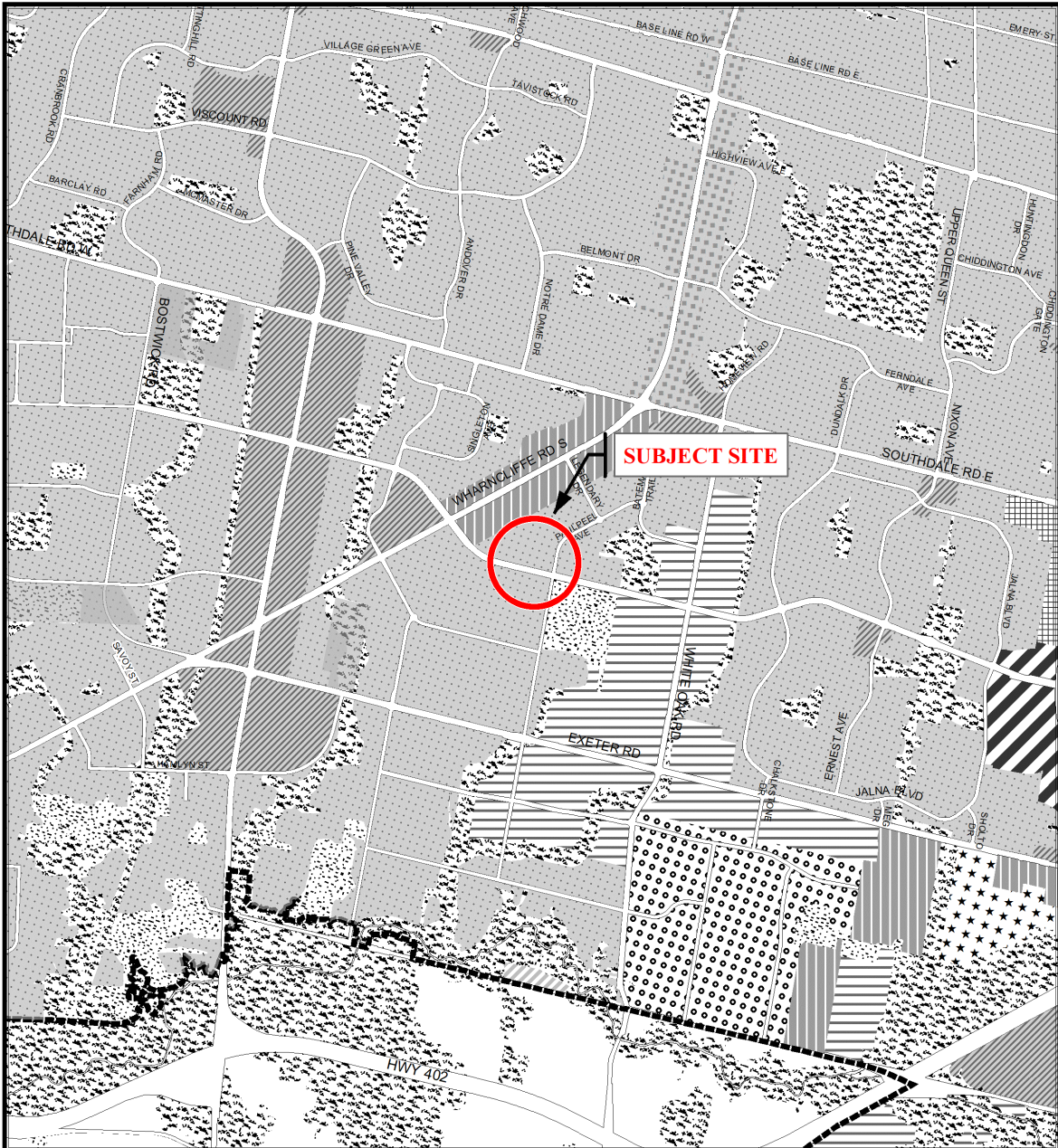
- Reduced exterior side yard setback from the proposed Bradley Avenue extension from 8 meters to 5.8 meters to help support a contiguous street wall;
- Reduced interior side yard setbacks to 3.6 meters for units 1 and 34; and,
- Measure lot frontage from Paul Peel Avenue due to the separate and irregular lot configuration along Lismer Lane.

The Holding Provisions that currently form part of the zone are to ensure the following:

- orderly development and adequate provision of municipal services through approved Development Agreement (h);
- there is adequate water services 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 (h-100);
- a comprehensive storm drainage and stormwater management report is completed to address the stormwater management strategy for all lands within the subject plan and external lands where a private permanent on-site drainage facility is proposed for any block or blocks not serviced by a constructed regional stormwater management facility (h-104); and,
- street-oriented development and discourage noise attenuation walls along arterial roads, a development agreement shall be entered into to ensure that new development is designed and approved consistent with the Southwest Area Secondary Plan (h-198).

Appendix E

London Plan 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	Areas Withheld from LPAT Approval
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.

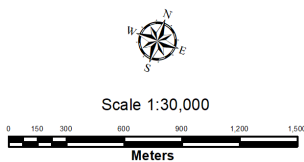
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

Planning & Development

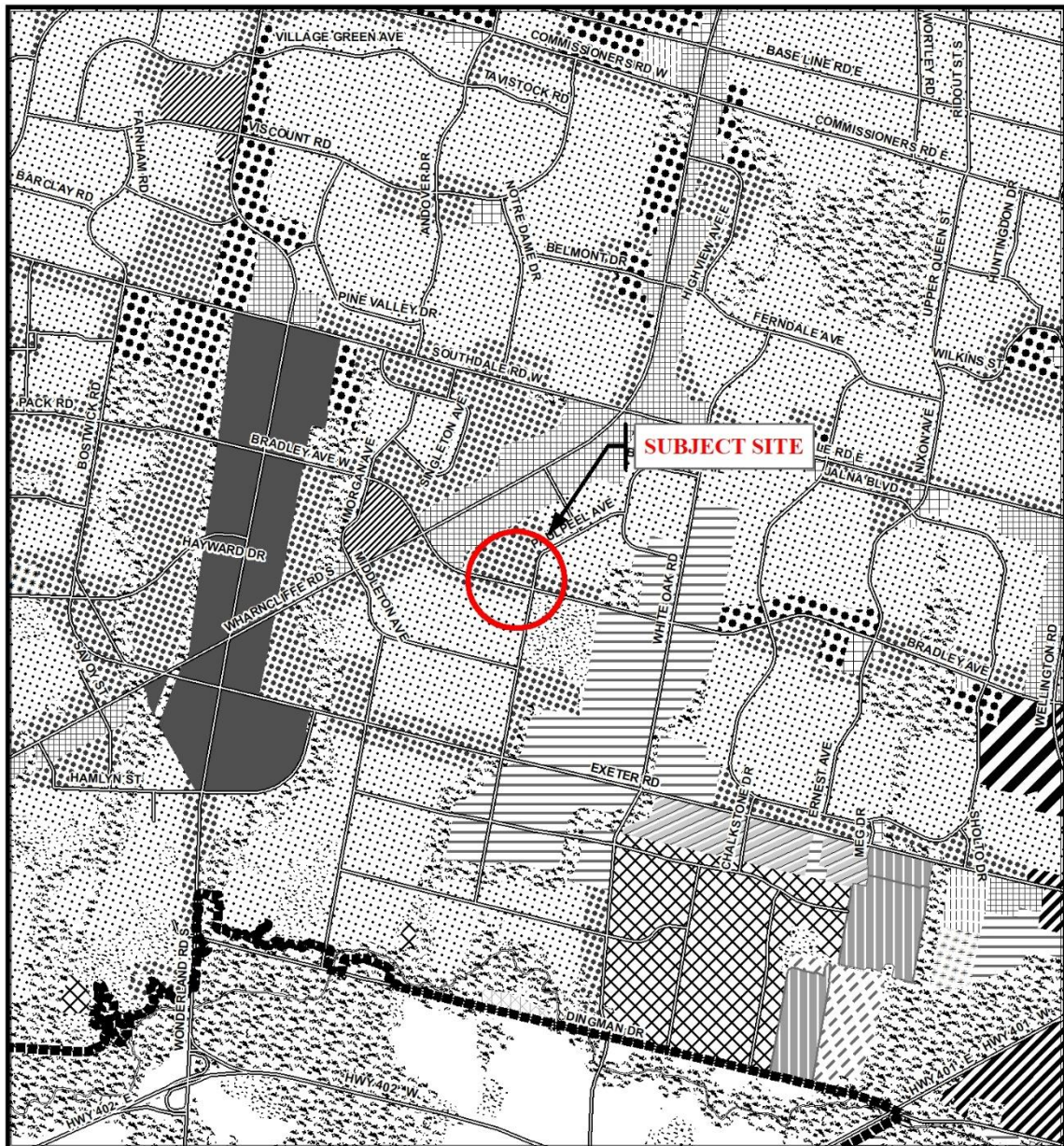
LONDON PLAN MAP 1 - PLACE TYPES -

PREPARED BY: Planning & Development



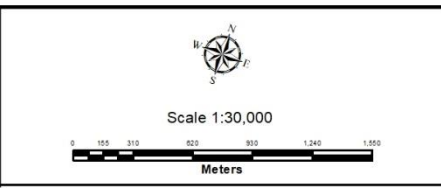
File Number: Z-9404
Planner: AC
Technician: MB
Date: 2021/10/05

1989 Official Plan Excerpt



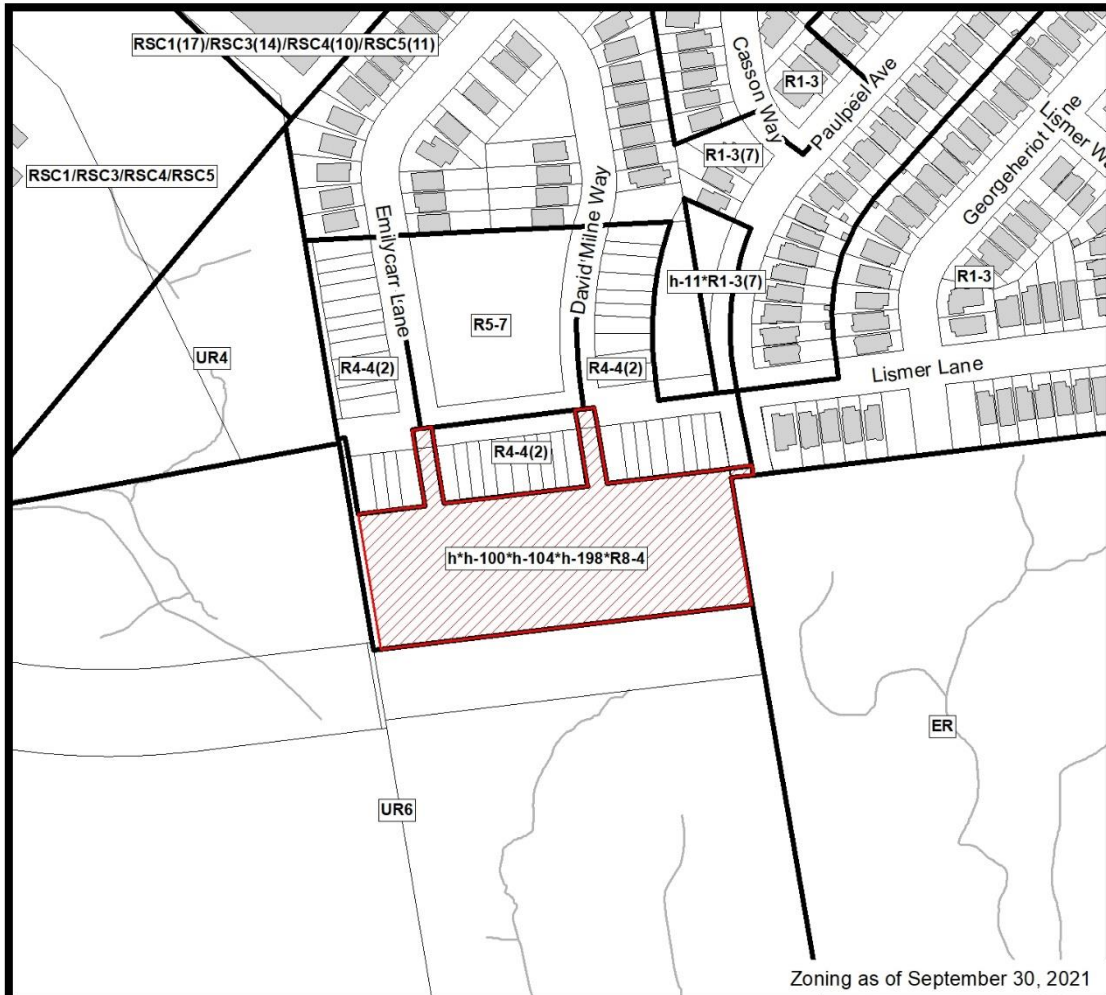
Legend		
Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial
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-9404
 PLANNER: AC
 TECHNICIAN: MB
 DATE: 2021/10/07

Zoning By-law Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: h*h-100*h-104*h-198*R8-4

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-9404

AC

MAP PREPARED:

2021/10/07

MB

1:3,000

0 15 30 60 90 120 Meters

THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS