

## 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:** 1408 Ernest Avenue  
Public Participation Meeting

**Date:** December 13, 2021

## Recommendation

That, on the recommendation of the Director, Planning & Development, with respect to the application of Paner House Inc. relating to the property located at 1408 Ernest Avenue, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on December 21, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan for the City of London, to change the zoning of the subject property **FROM** a Restricted Office (RO2) Zone, **TO** a Residential R8 Special Provision (R8-4( )) Zone.

## Executive Summary

### Summary of Request

The owner has requested to rezone the subject site to permit the conversion of a two-storey commercial building into a residential apartment building with 18 dwelling units (44uph).

### Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to permit the conversion of a two-storey commercial building into a residential apartment building with 18 dwelling units (44 uph). The following special provisions would facilitate the proposed residential development confined to the existing buildings and structures on site:

- i) a minimum front yard setback of 4.0 m; and
- ii) a minimum interior side yard setback of 4.0 m to recognize the existing setbacks for the building.

### 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 \*Neighbourhood Place Type policies.
3. The recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Multi-Family, Medium Density Residential designation.
4. The recommended amendment would facilitate reuse of the existing building with a use that is appropriate for the context of the site.
5. The subject lands represent an appropriate location for intensification in the form of an apartment building, at an intensity that is appropriate for the site and surrounding area.

# Analysis

## 1. Background Information

### 1.1 Previous Reports Related to this Matter

None.

### 1.2 Property Description

The subject lands are located within the White Oaks neighbourhood just south of the Ernest Ave and Bradley Ave intersection. The property is located on the east side of the street, at the edge of an established residential community (south) and abutting a neighbourhood commercial node to the north and west. The site has an area of approximately 1.029 acres (0.41 Ha), with approximately 50.6 metres of frontage on Ernest Avenue and a depth of approximately 81.3 metres.

A two-storey commercial building currently occupies the property, with approximately 581 square metres of rentable commercial space on the first floor and 622 square metres of rentable commercial space on the second floor. The subject lands are adjacent to and accessed by a shared private access laneway to the north with a 64-space parking lot in the rear portion of the site. The building is currently vacant.

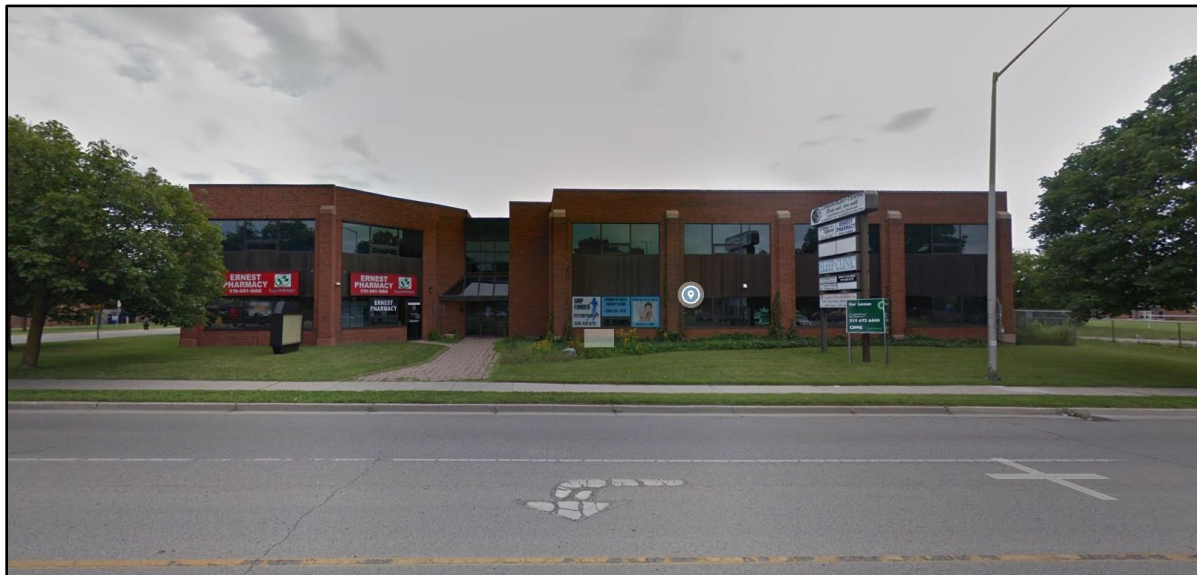


Figure 1 Google Maps (2019) Front view of the subject lands (facing East, towards Bradley Shopping Centre)



Figure 2 Google Maps (2019) Northeast view of the subject lands.

### **1.3 Current Planning Information (see more detail in Appendix D)**

- Official Plan Designation – Multi-Family, Medium Density Residential
- The London Plan Place Type – Neighbourhoods
- Existing Zoning – Restricted Office RO (RO2) Zone

### **1.4 Site Characteristics**

- Current Land Use – Commercial
- Frontage – 50.6 metres
- Depth – 20.3 metres
- Area – 1,334 square metres
- Shape – Rectangular

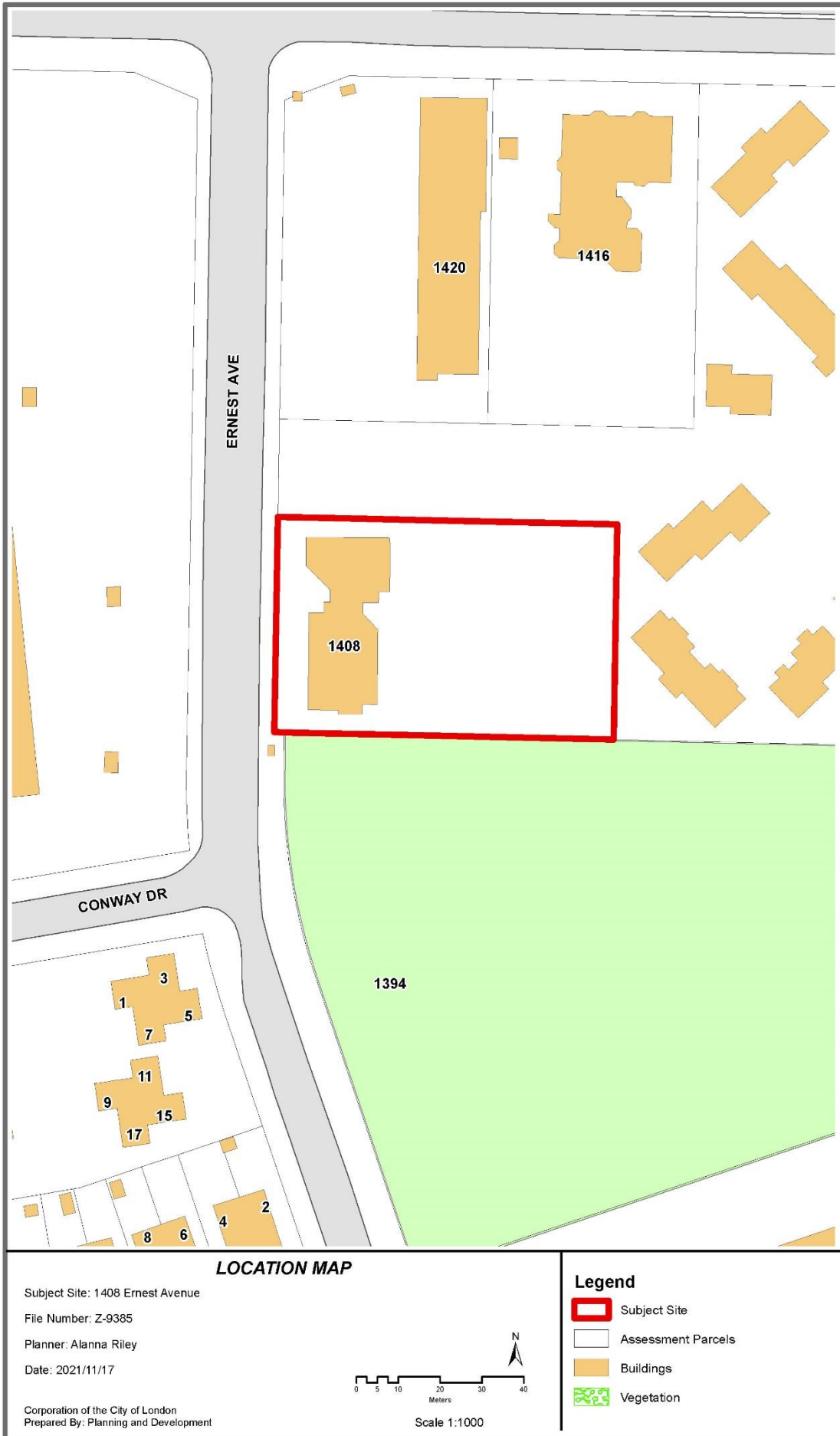
### **1.5 Surrounding Land Uses**

- North – Commercial, Neighbourhood shopping centre
- West – Commercial, Neighbourhood shopping centre
- East – Residential, Cooperative housing
- South – Municipal Park

### **1.6 Intensification**

The proposed 2 storey apartment building represents residential intensification within the Built-Area Boundary. The proposed development is located outside of the Primary Transit Area.

## 1.7 Location Map



## 2.0 Discussion and Considerations

### 2.1 Development Proposal

The existing building will be converted into a two-storey apartment building and is anticipated to accommodate 18 residential dwelling units – approximately 9 dwelling units on each floor. The proposed apartment building conversion anticipates a mix of 1 bedroom, 1 bedroom plus den, and 2-bedroom units. Front and rear building entrances will be maintained with access to each unit provided internally. It is proposed that individual units on the first floor facing Ernest Avenue will have doors facing the street with walkways proposed to connect to the existing municipal sidewalk along Ernest Avenue.

Vehicular parking for the converted building will be provided behind the building in the existing parking lot to maintain a pedestrian-oriented street corridor along Ernest Avenue. Parking will be accommodated by the approximately 64 parking spaces that currently exist on the site. Access to the site will be maintained via the existing private shared access laneway.

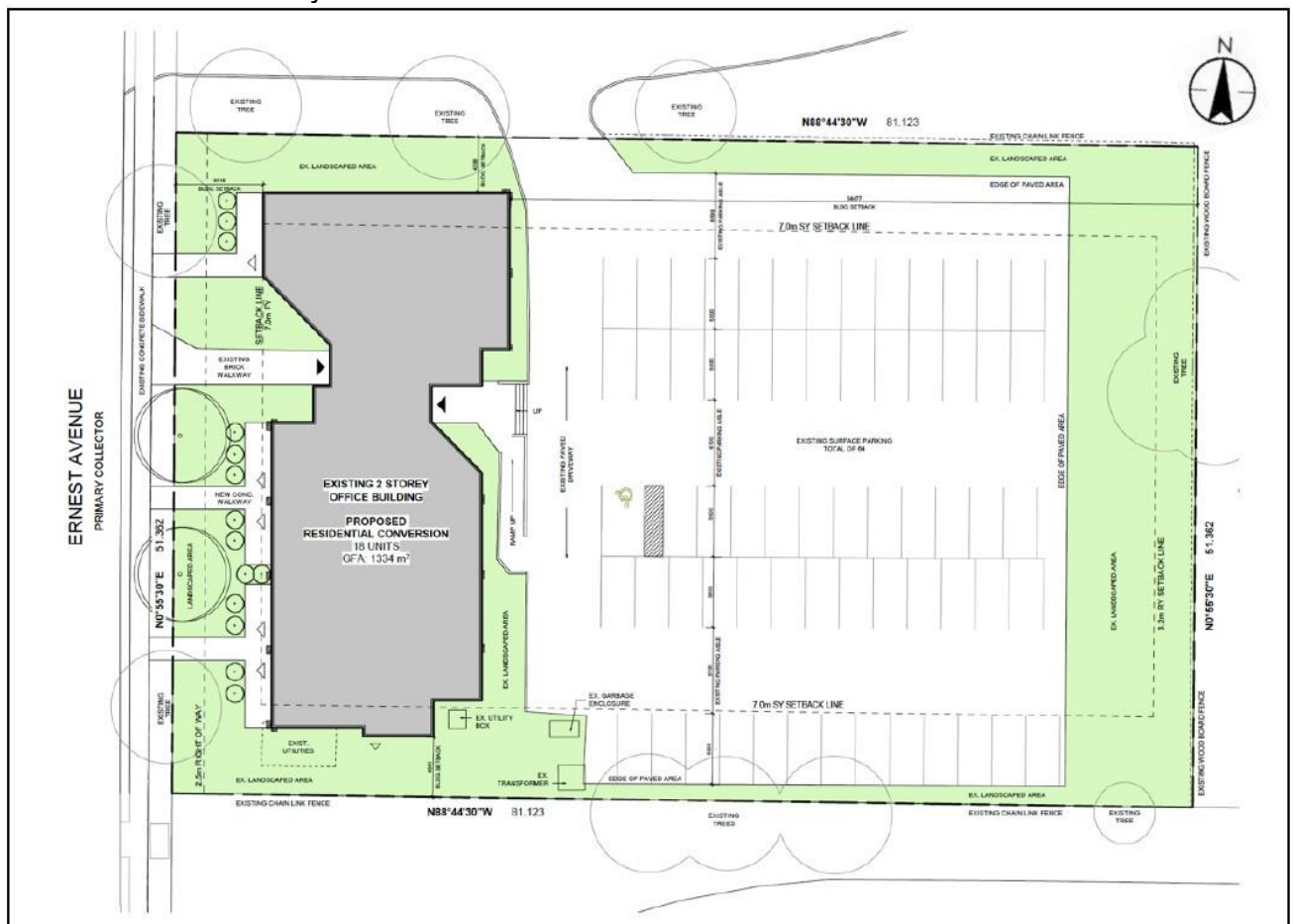


Figure 3 Conceptual Site Plan



Figure 4 Conceptual Rendering - Front View



Figure 5 Conceptual Rendering - Rear View

## 2.2 Requested Amendment

The applicant is requesting an amendment to Zoning By-law Z.-1 to change the zoning of the subject lands from a Restricted Office (RO2) Zone, which permits clinics and medical/dental offices, to a Residential R8 Special Provision (R8-4 ( \_ )) Zone to permit an apartment within the existing two-storey commercial building on-site. Special provisions are requested to permit a minimum front yard and exterior side yard setback of 4.0 m and a minimum rear yard and interior side yard setback of 4.0 m to recognize the existing built form.

## 2.3 Community Engagement (see more detail in Appendix B)

Staff received (1) one comment during the public consultation period, which will be addressed under Appendix B of this report. The comments can be summarized as follows:

- iii) Traffic impacts at the corner of Jalna and Ernest and Jalna and Bradley.
  - Concerns about threats to property values.
  - Potential noise pollution impact from the road racing and loud music.

## **2.4 Policy Context (see more detail in Appendix C)**

### Provincial Policy Statement, 2020

The *Provincial Policy Statement, 2020* (PPS) provides policy direction on matters of provincial interest related to land use planning and development. In accordance with Section III of the PPS, the PPS is intended to be “read in its entirety and the relevant policies are to be applied to each situation”.

The PPS encourages healthy, livable, and safe communities which are sustained by accommodating an appropriate range and mix of residential, employment and institutional uses to meet long-term needs (Section 1.1.1 b)). The PPS also directs planning authorities to identify appropriate locations and promote opportunities for transit-supportive development, support active transportation, and accommodating a range of housing options through residential intensification (Sections 1.1.3.2, 1.1.3.3). The PPS also seeks to contribute to the achievement of intensification and redevelopment targets (Section 1.1.3.5)

### 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 and maps under appeal to the Local Planning Appeals Tribunal (Appeal PL170100) are not in force and effect and 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 on \*Map 1 – Place Types of The London Plan, with frontage on a Neighbourhood Connector (Ernest Ave). The Neighbourhoods Place Type contemplates a broad range of residential uses for the subject lands in accordance with Table 10 – Range of Permitted Uses including, but not limited to single-detached, semi-detached, duplex and converted dwellings, triplexes, fourplexes, townhouses, stacked townhouses and low-rise apartments. \*Table 11 – Range of Permitted Heights requires a minimum height of 2-storeys and contemplates a maximum height of 4-storeys for the subject lands (or up to 6-storeys through Bonusing).

Consideration has also been given to the general policies of the Our Strategy, Our City, City Building and Design, Neighbourhoods Place Type, and Our Tools sections.

### 1989 Official Plan

The subject lands are designated Multi-Family Medium Density Residential (MFMDR) in accordance with Schedule ‘A’ of the 1989 Official Plan. The MFMDR designation is applied to lands that are primarily developed or planned for multiple-unit residential having a low-rise profile including row houses, cluster houses, low-rise apartment buildings, and certain specialized residential facilities (Section 3.3).

The proposed development of the subject lands meets the definition of redevelopment, as described in Section 3.2.3.1. of the 1989 Official Plan and is therefore subject to the Residential Intensification policies therein. The proposed conversion promotes Residential intensification through the conversion of an existing commercial building for residential use (Section 3.2.3). The Official Plan encourages residential development through intensification on lands and buildings appropriately located and serviced. The 1989 Official Plan also limits the scale of development. Residential development shall have a low-rise form and a site coverage and density that could serve as a transition between low density residential areas and more intensive forms of commercial, industrial, or high-density residential development (Section 3.3.3). The proposed development will remain at a height of two-storeys, in keeping with the height limitations of the Official Plan (Section 3.3.3 (i)). According to the Official Plan, Medium

density development will not exceed an approximate net density of 75 units per hectare (Section 3.3.3 (ii)).

### **3.0 Financial Impact/Considerations**

There are no direct municipal financial expenditures associated with this application.

## **4.0 Key Issues and Considerations**

### **4.1 – Issue and Consideration # 1: Use & Intensity**

#### Provincial Policy Statement, 2020 (PPS)

Section 1.1 of the PPS encourages healthy, livable and safe communities which accommodate an appropriate range and mix of uses to meet long-term needs (Section 1.1.1 b)), and are sustained by promoting efficient, cost-effective development patterns and standards to minimize land consumption and servicing costs (Section 1.1.1 e)).

The PPS directs settlement areas to be the main focus of intensification and redevelopment (Section 1.1.2). Appropriate land use patterns within settlement areas are established by providing appropriate densities and mix of land uses that efficiently use land and resources, and the surrounding infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed (Section 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, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs (Section 1.1.3.3). 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, including special needs requirements and needs arising from demographic changes (Section 1.4.3 b) 1.). The PPS encourages all types of residential intensification, including additional residential units and redevelopment (Section 1.4.3 b) 2.).

The recommended amendment is consistent with the policies of the PPS as it will implement a use that will continue to facilitate an efficient, cost-effective development pattern within an established settlement area. The development represents a form of intensification through the conversion of an existing commercial building to residential units. The proposed 2-storey, 18-unit apartment development supports the Province's goal to achieve a more compact, higher density form of development, and will contribute to providing choice and diversity in housing options required to meet the health, economic and well-being requirements of current and future residents. No new roads or infrastructure is required to service the site; therefore, the development makes efficient use of existing services. The proposed development supports the use of active transportation and transit as the site is conveniently located in an area that is directly serviced by existing transit.

#### The London Plan

The London Plan encourages intensification where appropriately located and provided in a way that is sensitive to and a good fit within existing neighbourhoods (Policy 83\_, 937\_, and 953\_1). The intensity of development must be appropriate to the neighbourhood context as it relates to items such as height, massing, and setbacks. (Policy 953\_2), as well as ensuring the site is an appropriate size to accommodate adequate parking in appropriate locations, landscaped open space, outdoor residential amenity area, adequate buffering and setbacks, and garbage storage area. (Policy 953\_3).

Policy 916\_3 of the Neighbourhoods Place Type identifies key elements for achieving the vision for neighbourhoods, which includes a diversity of housing choices allowing for



affordability and giving people the opportunity to remain in their neighbourhoods as they age if they choose to do so. Furthermore, Policy 918\_2 states that neighbourhoods will be planned for diversity and mix and should avoid the broad segregation of different housing types, intensities, and forms. The development of the proposed 2-storey, 18-unit apartment building would contribute to a mix of housing types in the neighbourhood, providing more intrinsically affordable housing options and providing additional opportunities for members of the community to remain in their neighbourhoods as they age.

The subject site is in the Neighbourhoods Place Type of The London Plan fronting on a Neighbourhood Connector. Table 10 – Range of Permitted Uses in Neighbourhoods Place Type, shows the range of primary and secondary permitted uses that may be allowed within the Neighbourhoods Place Type, by street classification (921\_). At this location, Table 10 would permit a range of low-rise residential uses including: triplexes and small-scale community facilities.

While the proposed converted apartment use does not conform to Table 10, \*Map 1 – Place Types designating these lands in the Neighbourhoods Place Type is currently under appeal. Accordingly, these policies are informative but are not determinative and cannot be relied on for the review of the requested amendment as the policy framework for this site is in a period of transition between the 1989 Official Plan and The London Plan.

#### Official Plan (1989)

The Multi-Family, Medium Density Residential (MFMDR) designation contemplates multiple-unit residential developments having a low-rise profile, and densities that exceed those found in Low Density Residential areas but do not approach the densities intended for the Multi-Family, High Density Residential designation (3.3). The primary permitted uses in the Multi-Family, Medium Density Residential designation shall include multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding houses. As such, staff is satisfied the proposed low-rise apartment building use is in conformity with the 1989 Official Plan.

Development in the Multi-Family, Medium Density Residential designation is intended to have a maximum height of 4-storeys and a maximum density of 75 units per hectare (3.3.3 i) and ii)). The proposed 2-storey, 18-unit apartment building yields a density of 44 units per hectare in keeping with the density permission of the MFMDR designation.

The subject site is located at an appropriate location to accommodate the proposed use and increase in intensity. The site is appropriately sized to accommodate the proposed number of residential units with no additional provisions required aside from recognizing the existing building form. The built form is sensitive to its surrounding context and provides sufficient separations and buffers to the surrounding commercial and residential uses while at the same time providing a transition between the commercial node and existing interior low-rise neighbourhood. The proposed development will make full use of the municipal services, minimizing consumption of land and servicing costs.

Overall, the level of intensity as proposed is considered appropriate for the site, size, and location; contributes to efficient use of public infrastructure, services, and facilities; encourages compact, cost-effective development; and supports active transportation and public transit. As such, staff is satisfied the proposed intensity and scale of development is in conformity with the 1989 Official Plan.

## **4.2 – Issue and Consideration #2: Form**

### Provincial Policy Statement, 2020

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, and by conserving features that help define

character (Policy 1.7.1 e)).

Consistent with the PPS, the recommended intensification of the subject lands would optimize the use of land and public investment in infrastructure in the area. Located within a developed area of the City, the redevelopment and intensification of the existing building on the subject lands would contribute to achieving more compact forms of growth.

### The London Plan

The London Plan encourages compact forms of development as a means of planning and managing for growth (Policy 7\_, Policy 66\_), and encourages growing “inward and upward” to achieve compact forms of development (Policy 59\_ 2, 79\_). The London Plan accommodates opportunities for infill and intensification of various types and forms that take advantage of existing services and facilities (Policy 59\_ 4.).

The subject site is in the Neighbourhoods Place Type, and according to the urban design considerations for residential intensification, compatibility and fit will be evaluated from a form-based perspective through consideration of the following: site layout in the context of the surrounding neighbourhood; building and main entrance orientation; building line and setback from the street; height transitions with adjacent development; and massing appropriate to the scale of the surrounding neighbourhood (\*Policy 953\_ 2. a.-f.),. The Our Tools section of The London Plan contains various considerations for the evaluation of all planning and development applications (\*Policy 1578\_).

The existing built form is in keeping with these design considerations for residential intensification as the building has proven over time to be compatible and a good fit within the neighbourhood. The site layout in combination with the location and massing of the building is consistent with urban design goals and helps to define the street edge and provide a street-oriented design with ground floor entrances facing the Ernest Ave. There is also sufficient space between the building and the property lines to provide an opportunity for fencing or landscaping to screen the building and afford adequate privacy levels for residents.

The proposed development with minor modifications to the existing built form will result in a development that is compatible with, and a good fit within the existing and planned context of the area.

### Official Plan (1989)

Development within areas designated Multi-Family, Medium Density Residential shall have a low-rise form and a site coverage and density that could serve as a transition between low density residential areas and more intensive forms of commercial, industrial, or high-density residential development (3.3.3).

The existing built form and site layout meets the intent of these policies as it provides a low-rise built form at an appropriate density between the existing commercial land uses to the north and open space/low density residential to the south.

The existing building is appropriately buffered from the abutting lands and provides a street-oriented design with surface parking located fully in the rear yard, with the majority of spaces screened by the building. No parking spaces are located between the building and the street helping establish a positive interface with the public realm and adequate setbacks are provided around the site to allow for buffering to further screen the building and parking from adjacent properties. Additional contemporary architectural elements are incorporated in the design to create visual interest along the streetscape.

#### **4.5 Issue and Consideration #5: Zoning**

The proposed apartment building requires special provisions to recognize the existing built form on the site. These special provisions include a reduced existing front yard depth of 4.0 metres, whereas 7.0 metres is required and an existing interior side yard depth of 4.0 metres, whereas 4.5 metres is required.

In the Residential R8 Zone, minimum front/exterior side, interior side, and rear yard depths are established relative to building height resulting in larger setbacks for taller buildings. However, larger front yard depths are generally less conducive to achieving a street-oriented and transit-oriented building design. The reduced front yard depth reflects current urban design standards in The London Plan, which encourage buildings to be positioned with minimal setbacks to public rights-of-way to create a street wall/edge that provides a sense of enclosure within the public realm (\*Policy 259\_).

Staff has no concerns with the existing building setbacks. The existing built form meets the intent of the urban design standards in The London Plan and provides a street-oriented residential development. Comments received from Urban Design staff were supportive of the building orientation and the reduced setback.

The required interior side yard depth is intended to provide adequate separation between the proposed development and adjacent buildings, while also providing access to the rear yard. The northerly interior side yard abuts a private driveway leading to the White Oaks Housing Co-operative. Staff is satisfied that the existing northerly interior side yard depth along with the private laneway provides adequate separation between the future apartment and commercial uses to the north. South of the subject site is another private driveway to a public park. The existing interior side yard setback will continue to have limited impacts on the abutting park as a result of the new apartment use.

### **Conclusion**

The recommended amendment to permit a 2-storey apartment building is consistent with the policies of the Provincial Policy Statement, 2020 and conforms to the in-force policies of The London Plan and the 1989 Official Plan. The recommended amendment provides for intensification at an appropriate location and facilitates the reuse of the existing building with a use that is compatible within its surrounding context.

**Prepared by:** Alanna Riley, MCIP, RPP  
Senior Planner, Planning and Development

Esha Biddanda Pavan  
Planner I, Planning and Development

**Reviewed by:** Mike Corby, MCIP, RPP  
Manager, Planning Implementation

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

**Submit by:** George Kotsifas, 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 Planning and Development.

## Appendix A

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

By-law No. Z.-1-21\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1408 Ernest Avenue.

WHEREAS Paner House Inc. has applied to rezone an area of land located at 1408 Ernest Avenue 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 1408 Ernest Avenue, as shown on the attached map comprising part of Key Map No. A111, from a Restricted Office (RO2) Zone to a Residential R8 Special Provision (R8-4(\_)) Zone.
- 2) Section Number 12.4 a) of the Residential R8 (R8-4) Zone is amended by adding the following Special Provision:

R8-4(\_) 1408 Ernest Avenue

a) Regulations:

- |     |                                      |                         |
|-----|--------------------------------------|-------------------------|
| iv) | Front yard setback (minimum)         | 4.0 metres (13.12 feet) |
| v)  | Interior side yard setback (minimum) | 4.0 metres (13.12 feet) |

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric 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)



File Number: Z-9385  
 Planner: AR  
 Date Prepared: 2021/11/24  
 Technician: DT  
 By-Law No: Z.-1-

SUBJECT SITE 

1:1,250

0 5 10 20 30 40 Meters



## Appendix B – Public Engagement

### Community Engagement

**Public liaison:** On August 4, 2021, Notice of Application was sent to all property owners with 120 m of the property. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on August 5, 2021. A “Planning Application” sign was also posted on the site.

**Nature of Liaison:** The purpose and effect of this zoning change is to permit the conversion of the existing two-storey commercial building into a residential apartment building. Possible change to Zoning By-law Z.-1 from a Restricted Office (RO2) Zone to a Residential R8 Special Provision (R8-4( )) Zone with special provisions including adding converted apartment buildings as a use, and minimum front yard and exterior side yard setback of 4.0m, and minimum rear yard and interior side yard setback of 4.0m to recognize the existing setbacks for the building.

**Responses:** One (1) comment was received (see below).

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We already have issues with traffic at each corner of Jalna and Bradley. Jalna and Ernest.

We have spoken to councilor Elizabeth in person about road racing .There are multiple children in this area. Four schools in the surrounding area.

We can't sustain any further growth.

According to city we have apartments be planned at all corners of Ernest,Bradley,South Dale rd.

This will hold approx close 4000 people.

How is the city going to manage traffic?

We have no ring roads?

No widening of the roads?

We're are all the grocery stores?

Secondly, the city planners are not considering the fact that restaurants on each corner have now allowed outside patio.

The city jointly shares a responsibility for addressing concerns of and meeting the needs of the community by ensuring some degree consistency in terms of threats to precedence, and manageable threats to the value of property.

Quiet enjoyment of property is a fundamental privilege and fundamental right within the community.

Any threat to this quiet enjoyment that cannot be immediately managed by the community defaults to the city to resolve acting in the best interest of the community.

We are having problems here now! Road racing, fighting,reviving of engines,constant loud music that continues.

When the planners provided outside patio permits was there any thought to the existing properties ?

I would think not.....

It's the City Planners responsibility to take all of this onto consideration

Not just to expand and disturb the neighborhood.

1770 Ernest Ave is prime example of all things mention and continues.

Next year I hope you consider no permit given to this restaurant since it was given under the presence of the Pandemic.

City planners also did not consult Public Health on the hazard of shiska lounges.

hookah smoking which has carcinogens properties in it is still permitted but yet no other business in this city are aloud to vape, smoke for social reasons .

Clearly there is either discrimination occurring or favoritism which is causing pitting against multiple cultures

I'm holding City planners for there decision making .

I'm asking for no more growth at this end of the city unless you provide further information .

Mr. A. McConnell

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## Agency/Departmental Comments

### Site Plan

- vi) Site Plan Control is not required for the proposed development. However, if additions or townhouses are proposed, then Site Plan Control would be required.

### Engineering

#### Transportation

vii)

#### Water

viii) No comments.

#### Stormwater

ix) No comments.

#### Sewer

x) No comments.

### UTRCA

The Upper Thames River Conservation Authority (UTRCA) has reviewed this proposal as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 157/06. The proposal has also been reviewed through our role as a public body under the *Planning Act* as per our Conservation Authority Board approved policies contained in *Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006)*. Finally, UTRCA has provided advisory comments related to policy applicability and to assist with implementation of the *Thames Sydenham Source Protection Plan* under the *Clean Water Act*.

### CONSERVATION AUTHORITIES ACT

The subject lands **are not** affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the *Conservation Authorities Act*.

### DRINKING WATER SOURCE PROTECTION: *Clean Water Act*

The subject lands have been reviewed to determine whether or not they fall within a vulnerable area (Wellhead Protection Area, Highly Vulnerable Aquifer, and Significant Groundwater Recharge Areas). Upon review, we can advise that the subject lands **are not** within a vulnerable area. For policies, mapping and further information pertaining to drinking water source protection, please refer to the approved Source Protection Plan at: <https://www.sourcewaterprotection.on.ca/approved-source-protection-plan/>

### RECOMMENDATION

As indicated, the subject lands are not regulated by the UTRCA, and a Section 28 permit application will not be required. The UTRCA has no objections to this application.

### Urban Design

- Include a walkway connection between the walkway at the rear of the building and the City Sidewalk along Earnest Avenue; and
- Consideration should be given to include individual private amenity areas (balconies or terraces) for the units within the converted building as there is no common outdoor amenity area provided.

## **Appendix B – 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 b)

1.1.3.1

1.1.3.2

1.1.3.3

1.1.3.4

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 59\_2., 4., and 5. Our Strategy, Key Directions, Direction #5 Build a Mixed-use Compact City

Policy 66\_ Our City, Planning for Growth and Change

Policy 79\_ Our City, City Structure Plan, The Growth Framework, Intensification

Policy 83\_ Our City, City Structure Plan, The Growth Framework, Intensification

\*Policy 259\_ City Building Policies, City Design, How Are We Going to Achieve This, Site Layout

Table 10 Range of Permitted Uses in Neighbourhoods Place Type

\*Table 11 Range of Permitted Heights in Neighbourhood Place Type

Policy 916\_ Place Type Policies, Urban Place Types, Neighbourhoods, Our Vision for the Neighbourhoods Place Type

Policy 918\_ Place Type Policies, Urban Place Types, Neighbourhoods, How Will we Realise our Vision?

Policy 921\_ Place Type Policies, Urban Place Types, Neighbourhoods, Permitted Uses

\*Policy 937\_ Place Type Policies, Urban Place Types, Neighbourhoods, Residential Intensification in Neighbourhoods

\*Policy 953\_ Place Type Policies, Urban Place Types, Neighbourhoods, Residential Intensification in Neighbourhoods, Additional Urban Design Considerations for Residential Intensification

### **Official Plan (1989)**

General Objectives for All Residential Designations

3.1.1 ii)

3.1.3 Multi-Family Medium Density Residential Objectives

3.3.1 vii – Residential Intensification, Density and Form

3.3 – Preamble

3.3.1 - Permitted Uses

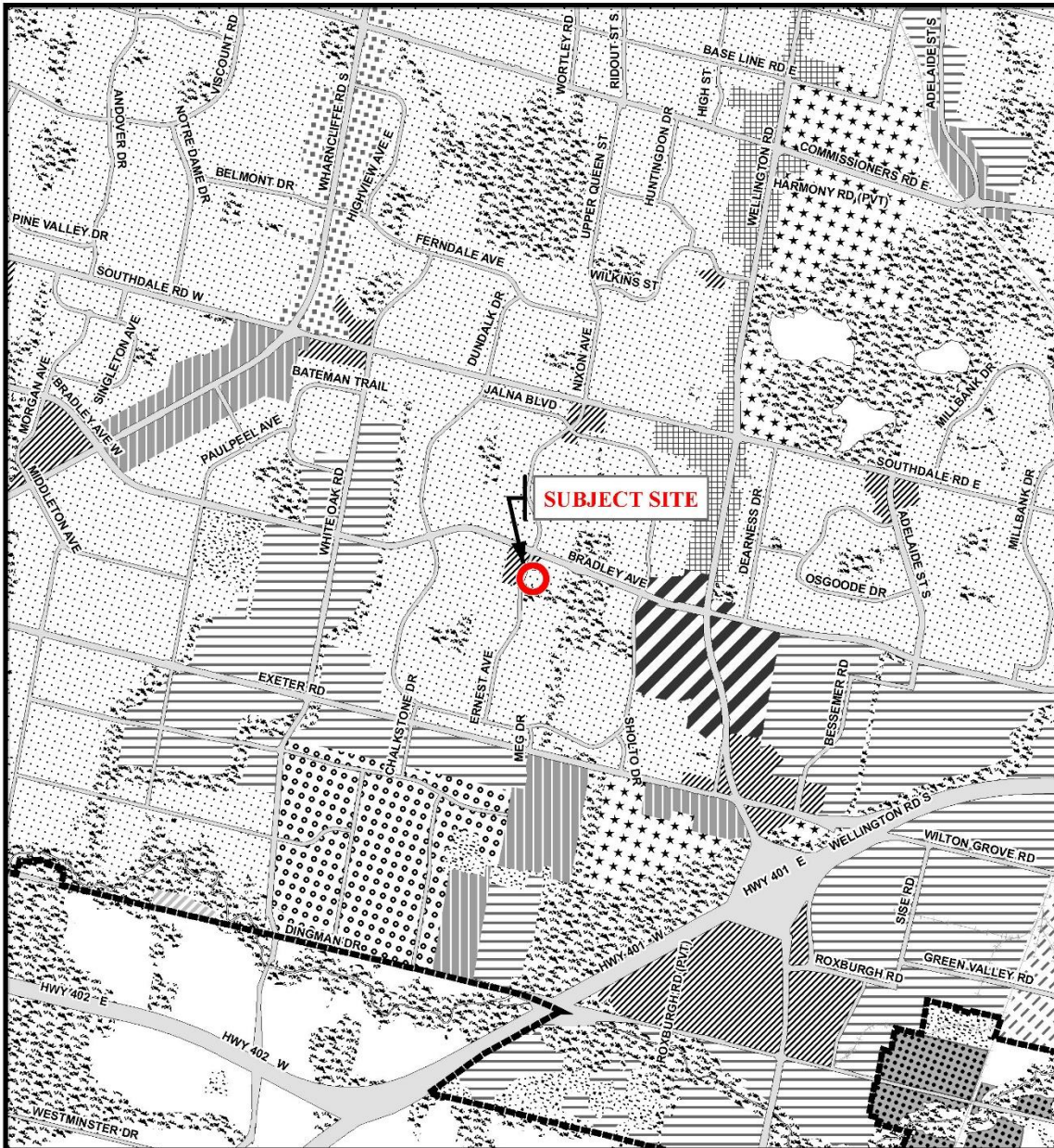
3.3.2 – Location

3.3.3 – Scale of Development



# Appendix C – Relevant Background

## Additional Maps London Plan Designation



### 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



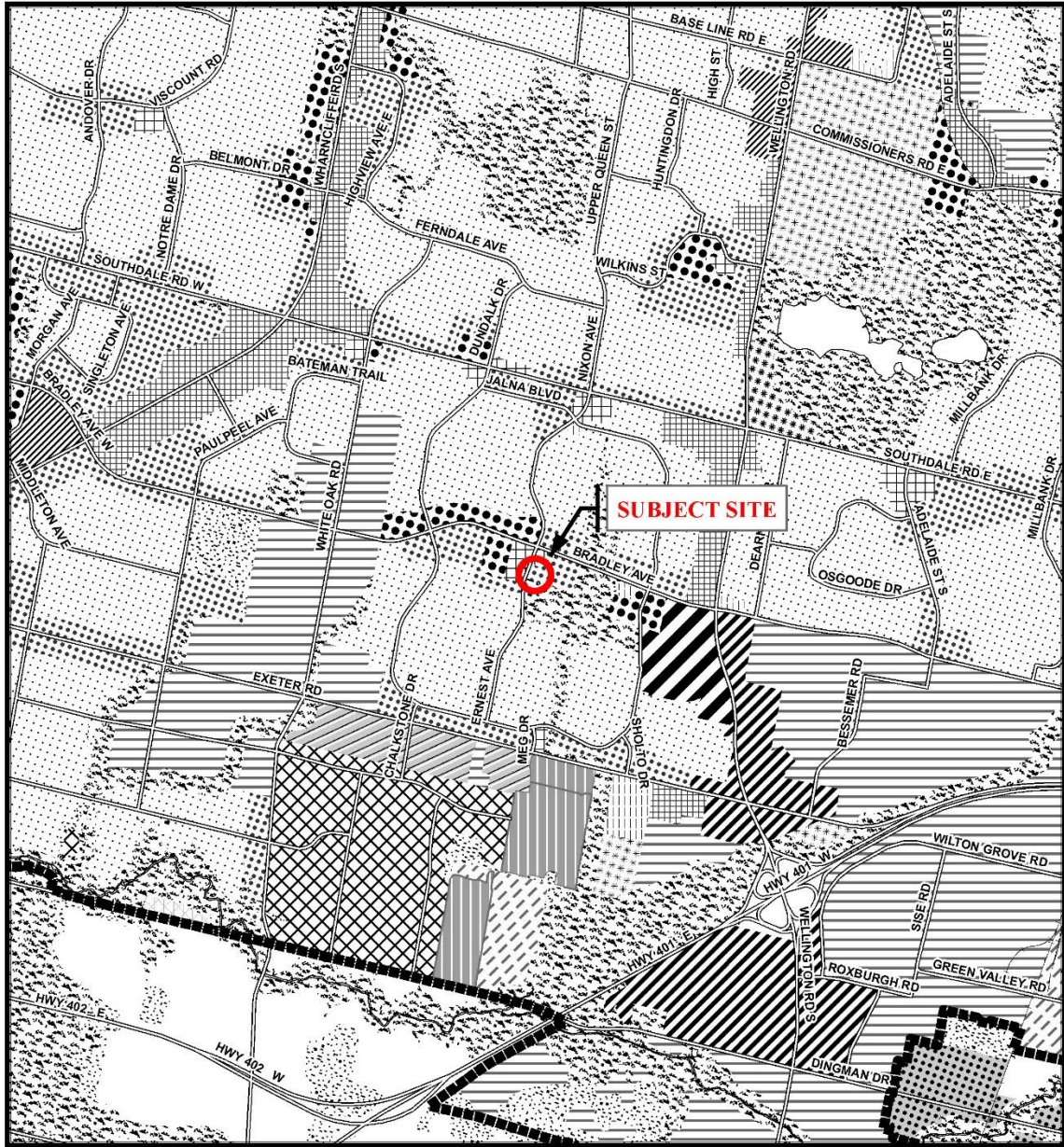
File Number: Z-9385

Planner: AR

Technician: RC

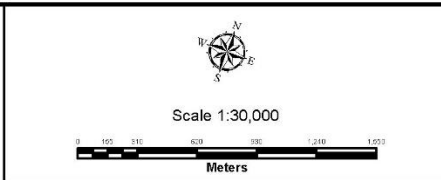
Date: November 17, 2021

# Official Plan Designation



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-9385  
 PLANNER: AR  
 TECHNICIAN: RC  
 DATE: 2021/11/17

# Existing Zoning



**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:**

1) **LEGEND FOR ZONING BY-LAW Z-1**

- 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

- 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-9385

AR

MAP PREPARED:

2021/11/17

RC

1:1,500

0 5 10 20 30 40

Meters