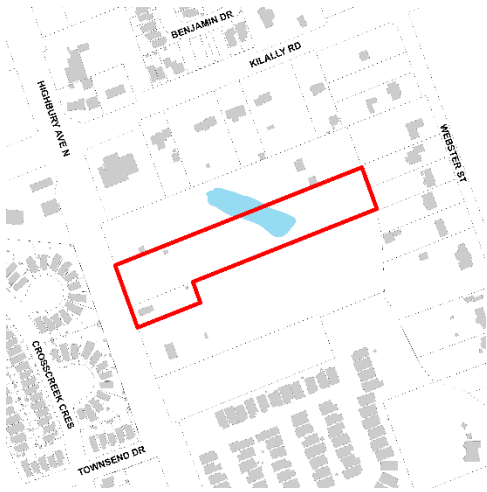




# NOTICE OF PLANNING APPLICATION

## Official Plan and Zoning By-law Amendments

### 1470-1474 Highbury Avenue North



**File: OZ-9508**

**Applicant: Copia Developments**

#### What is Proposed?

Official Plan and Zoning amendments to allow:

- three apartment buildings; with heights of 15, 16 and 18 storeys.
- 400 units.
- density of 276 units per hectare (gross residential density) and 455 units per hectare (net residential density).
- 410 parking spaces on the front portion of the properties

## LEARN MORE & PROVIDE INPUT

Please provide any comments by **June 28, 2022**

Chuck Parker, Senior Planner

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

519-661-CITY (2489) ext. 4648

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

File: OZ-9508

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

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

Mo Mohamed Salih

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

519-661-CITY (2489) ext. 4003

**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: June 8, 2022

# Application Details

## Requested Amendment to the 1989 Official Plan

To allow a height of 18 storeys and a density of 455 units per hectare in the Multi-Family, High Density Residential designation on the front portion of the subject properties. The policies provide for a maximum height of 12 storeys and a density of 150 units per hectare.

**NOTE- On May 25, 2022 the Ontario Land Tribunal (OLT) approved the London Plan, except for some site specific appeals, replacing the former 1989 Official Plan. However, this application was submitted prior to that date and is subject to consideration of the policies of the 1989 Plan.**

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

Requested a Special Policy to allow a height of 18 storeys and a density of 455 units per hectare in the Neighbourhood /High Density Overlay Place Type with frontage on a Urban Thoroughfare on the front portion of the subject properties. The policies provide for a maximum height of 12 storeys and a density of 150 units per hectare.

## Requested Zoning By-law Amendment

To change the zoning from Neighbourhood Facility (NF1) and Urban Reserve (UR1) Zones to a Residential R9 Special Provision Bonus (R9-7 ( )B-\_) Zone to permit apartment buildings at a height of 18 storeys and a density of 455 units per hectare . Changes to the currently permitted land uses and development regulations are summarized below.

Both Official Plans and the Zoning By-law are available at [london.ca](http://london.ca).

### Current Zoning

**Zone:** Neighbourhood Facility Special Provision (NF1(1))

**Permitted Uses:** places of worship, elementary schools, day care centres, community centres, libraries, private schools, private club, fire stations and police stations.

**Special Provision:** minimum main building setback from existing Imperial Oil Pipeline easement of 20 metres

**Zone:** Urban Reserve (UR1)

**Permitted Uses:** [existing dwellings; agricultural uses except for mushroom farms, commercial greenhouses, livestock facilities and manure storage facilities; conservation lands, managed woodlot, wayside pit, passive recreation use and farm gate sales.

The applicants have asked that the amendments for apartment buildings only be applied to the front portion of the property, west of the open space corridor. Through the consideration of the application the City will review the London Plan Place Types and Zoning on the rear portion of the property to determine whether any changes are required at this time. An Environmental Impact Study has been submitted as part of the application.

On the rear portion of the property the following zone is applied;

**Zone:** Open Space (OS1)

**Permitted Uses:** [conservation lands, conservation works, cultivation of land for agricultural/horticultural purposes, golf courses, private parks, public parks, recreational golf courses, recreational buildings associated with conservation lands and public parks, campground and managed forest.

### Requested Zoning

**Zone:** Residential R9 Special Provision Bonus (R9-7 ( )- B-\_)

**Permitted Uses:** apartment buildings, lodging house class 2, senior citizens apartment buildings, handicapped apartment buildings and continuum-of-care-facilities.

**Special Provisions:** besides height and density the applicant is asking for specific regulations for parking (1 per unit), front yard (6.8 metres), rear yard (22.2 metres for building "C"), interior side yard (3.5 metres) and balcony encroachments (1.5 metres).

**Residential Density:** 455 units per hectare

**Height:** 74 metres or 18 storeys

**Bonus Zone:** to permit a maximum density of 455 units per hectare and a height of 74 metres or 18 storeys

The City may also consider changes to the zoning on the rear portion of the property to determine whether any changes are required at this time. An Environmental Impact Study has been submitted as part of the application.

An Environmental Impact Study has been prepared to assist in the evaluation of this application.

## **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 Multi-Family, High Density Residential, Multi-Family, Medium Density Residential and Open Space in the 1989 Official Plan, which permits higher density housing and open space uses, respectively, as the main uses.

The subject lands are in the Neighbourhood/High Density Residential Overlay on an Urban Thoroughfare Street Classification and Green Space Place Types in The London Plan.

The Neighbourhood Place Type permits stacked townhouses, fourplexes, low-rise apartments, emergency care establishments, rooming houses and supervised correctional residences up to a maximum height of 6 storeys through bonusing.

No development is proposed on any lands within the Green Space Place Type on the rear portion of the subject lands. Green Space permits open space and parks type uses. Parts of the rear portion of the subject lands are also identified as "Unevaluated Vegetation Patches" "Unevaluated Wetlands" and "Provincially Significant Wetlands" on Map 5 (Natural Heritage System) of the London Plan. Parts of the rear portion of the subject lands are also identified as "Highly Vulnerable Aquifer", "Riverine Erosion Hazard Limit for Unconfined Systems", "Riverine Erosion Hazard Limit for Confined Systems" and "Conservation Authority Regulation Limit" on Map 6 (Natural Hazards and Natural Resources) of the London Plan.

An Environmental Impact Study has been submitted as part of the application to evaluate these environmental features.

The London Plan also includes Urban Design policies which will be used to evaluate the proposed design of the buildings.

## **How Can You Participate in the Planning Process?**

You have received this Notice because someone has applied to change the Official Plan designation, London Plan Place Type 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.

### **See More Information**

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

- 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)
- Opportunities to view any file materials in-person by appointment can be arranged through the file Planner.

### **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 Planning & Development 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.

This request represents residential intensification as defined in the policies of the Official Plan. Under these policies, Planning & Development staff and the Planning and Environment Committee will also consider detailed site plan matters such as fencing, landscaping, lighting, driveway locations, building scale and design, and the location of the proposed building on the site. We would like to hear your comments on these matters.

### **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. A neighbourhood or community association may exist in your area. If it reflects your views on this application, you may wish to select a representative of the association to speak on your behalf at the public participation meeting. Neighbourhood Associations are listed on the [Neighbourgood](http://Neighbourgood) website.

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/or 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 Clerk of the Committee.

### Right to Appeal to the Ontario Land 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 Ontario Land 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 Ontario Land 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 Ontario Land 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 Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

For more information go to <https://olt.gov.on.ca/appeals-process/forms/>.

### 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 Evelina Skalski, Manager, Records and Information Services 519-661-CITY(2489) ext. 5590.

### Accessibility

Alternative accessible formats or communication supports are available upon request. Please contact [plandev@london.ca](mailto:plandev@london.ca) for more information.

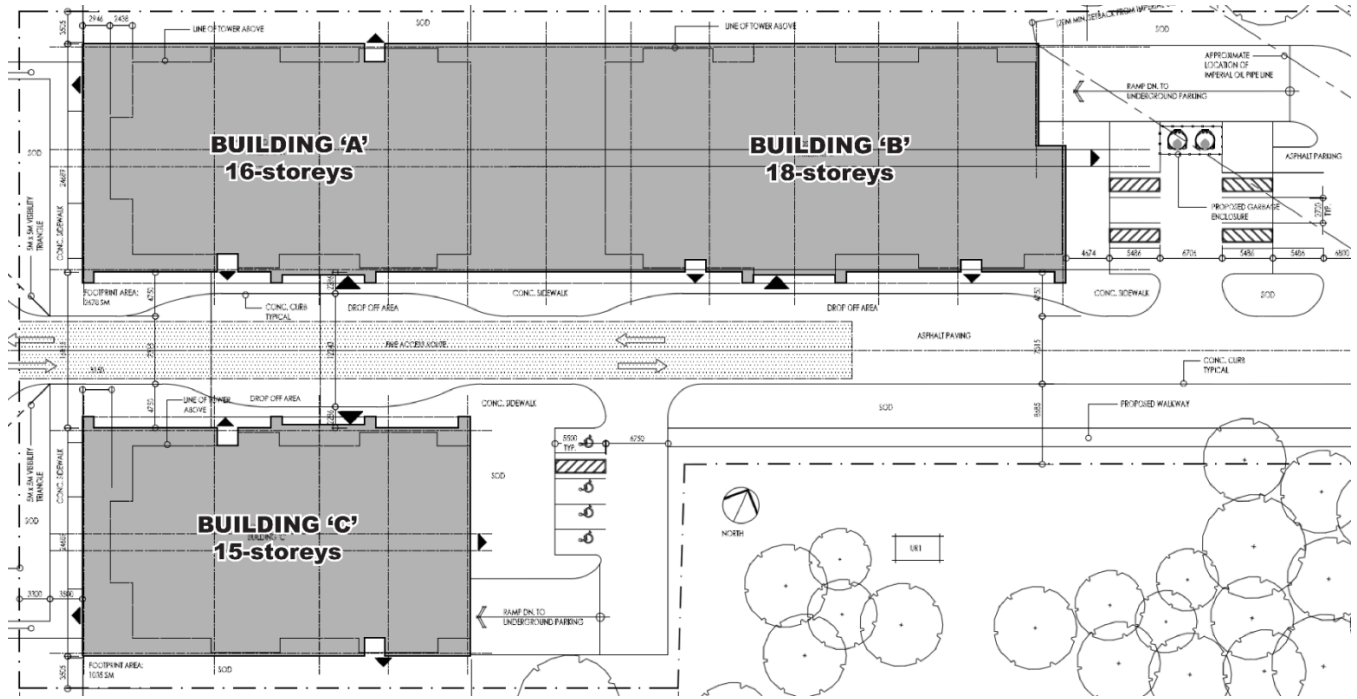
# Site Concept



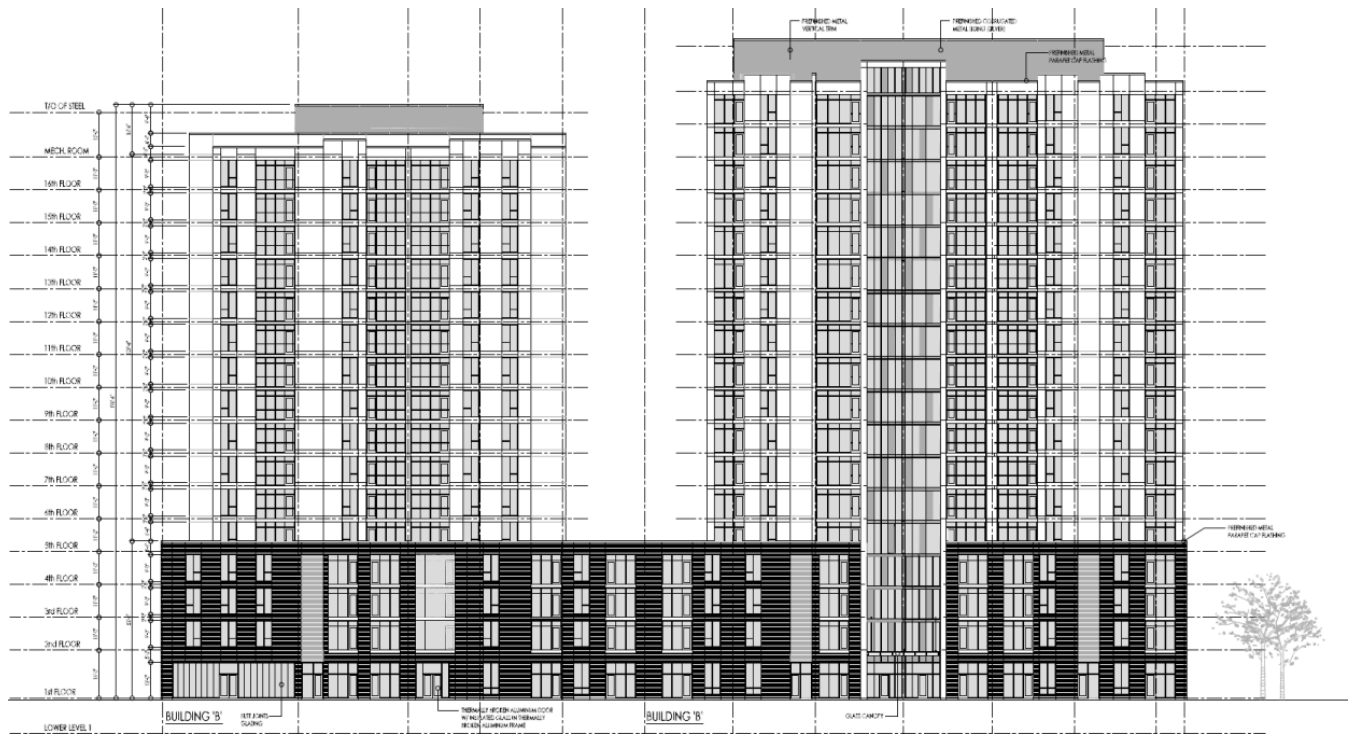
**Proposed Highbury Avenue Front Elevation**

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

# Building Renderings



**Proposed Building Lay-Out of Front Portion of Property**



**[South Elevation (Side of Building "C" Left and Building "B" Right**

The above images represent the applicant's proposal as submitted and may change.