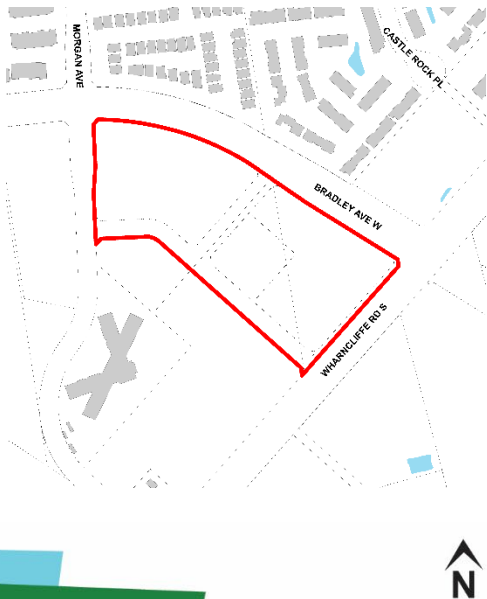




# NOTICE OF PLANNING APPLICATION

## Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments

### 3350, 3480 Morgan Avenue and 1363 Wharncliffe Road South



**File: 39T-22503 & OZ-9100**

**Applicant: Sifton Properties Limited**

#### What is Proposed?

Draft Plan of Subdivision, Official Plan and Zoning amendments to allow:

- Two (2) medium density residential blocks;
- One (1) park block; and,
- Two local streets

## LEARN MORE & PROVIDE INPUT

Please provide any comments by **September 1, 2022**

Mark Johnson

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

519-661-CITY (2489) ext. 6276

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

File: OZ-9100

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

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

Paul Van Meerbergen

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

519-661-CITY (2489) ext. 4010

**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: August 4, 2022

# Application Details

## Requested Draft Plan of Subdivision

Consideration of a Draft Plan of Subdivision consisting of two (2) medium density residential blocks and one (1) park block, serviced by two local streets.

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

To add a site-specific policy to allow the site to develop for primarily residential uses in a Commercial/Shopping Area to the Southwest Area Secondary Plan and The London Plan. The residential uses include a mix of townhouses and stacked townhouses up to 4 storeys and apartment buildings up to 6 storeys.

## Requested Zoning By-law Amendment

To change the zoning from a Holding Community Shopping Area Special Provision (h•h-11•h-63•h-82•h-95•h-100•h-105•h-135•CSA5(3)) Zone; and a Holding Community Shopping Area Special Provision (h•h-11•h-63•h-82•h-95•h-100•h-105•h-138•CSA5(3)) Zone to a Holding Residential R9 Special Provision (h•h-11•h-63•h-82•h-95•h-100•h-105•h-135•R9-4(\*)) Zone; a Holding Residential R9 Special Provision/Community Shopping Area Special Provision (h•h-11•h-63•h-82•h-95•h-100•h-105•h-135•h-138•R9-7(\*)/CSA5(3)) Zone; a Holding Residential R9 Special Provision/Community Shopping Area Special Provision (h•h-11•h-63•h-82•h-95•h-100•h-105•h-135•R9-7(\*\*)/CSA5(3)) Zone; a Holding Residential R9 Special Provision/Community Shopping Area Special Provision (h•h-11•h-63•h-82•h-95•h-100•h-105•h-135•h-138•R9-7(\*\*\*)/CSA5(3)) Zone; and a Holding Open Space (h•h-11•h-63•h-82•h-95•h-100•h-105•h-135•h-138•OS(1)) Zone. Changes to the currently permitted land uses and development regulations are summarized below.

The London Plan and the Zoning By-law are available at [london.ca](http://london.ca).

### Current Zoning

**Zone:** a Holding Community Shopping Area Special Provision (h•h-11•h-63•h-82•h-95•h-100•h-105•h-135•CSA5(3)) Zone; and a Holding Community Shopping Area Special Provision (h•h-11•h-63•h-82•h-95•h-100•h-105•h-138•CSA5(3)) Zone.

**Permitted Uses:** a range of commercial uses including: assembly halls, automotive uses, restricted, bake shops, clinics, commercial parking structures and lots, commercial recreation establishments, convenience service establishments, day care centres, duplicating shops, financial institutions, home and auto supply stores, institutions, medical/dental offices, offices, patient testing centre laboratories, personal service establishments, private clubs, restaurants, retail stores, service and repair establishments, studios, supermarkets, taverns, video rental establishments, brewing on premises establishments, cinemas, commercial schools and private schools.

**Special Provision(s):** The CSA5(3) special provisions allow uses to be in stand-alone buildings and permit a reduced front and exterior side yard setback of 3 metres.

**Height:** 12 metres

### Requested Zoning

**Zone:** a Holding Residential R9 Special Provision (h•h-11•h-63•h-82•h-95•h-100•h-105•h-135•R9-4(\*)) Zone; a Holding Residential R9 Special Provision/Community Shopping Area Special Provision (h•h-11•h-63•h-82•h-95•h-100•h-105•h-135•h-138•R9-7(\*)/CSA5(3)) Zone; a Holding Residential R9 Special Provision/Community Shopping Area Special Provision (h•h-11•h-63•h-82•h-95•h-100•h-105•h-135•R9-7(\*\*)/CSA5(3)) Zone; a Holding Residential R9 Special Provision/Community Shopping Area Special Provision (h•h-11•h-63•h-82•h-95•h-100•h-105•h-135•h-138•R9-7(\*\*\*)/CSA5(3)) Zone; and a Holding Open Space (h•h-11•h-63•h-82•h-95•h-100•h-105•h-135•h-138•OS(1)) Zone.

**Permitted Uses:** include those permitted through the existing zone as well as the additional uses of hotels and motels, cluster townhouses, cluster stacked townhouses, apartment buildings, lodging house class 2, senior citizens apartment buildings, handicapped persons apartment buildings, and continuum of care facilities.

**Special Provision(s):** i) to permit townhouses and stacked townhouses uses, a minimum lot frontage of 20 metres, a minimum front and exterior side yard setback of 4.5 metres, a minimum interior side yard setback of northwest property line of 2.2 metres, a minimum rear yard setback of 4.5 metres, a maximum height for townhouses and stacked townhouses of 14 metres, a maximum height for all other uses of 17 metres (5 storeys), a maximum lot coverage for townhouses and stacked townhouses of 40 percent, and a minimum parking requirement of 1 parking spaces per unit for the Residential R9 (R9-4(\*) Zone; ii) to permit townhouses, stacked townhouses and hotel/motel uses, a minimum front and exterior side yard setback of 4.5 metres, a maximum height for townhouses and stacked townhouses of 14 metres, a maximum height for all other uses of 22 metres (6 storeys), a maximum lot coverage of 40 percent, a maximum density of 200 units per hectare, and a minimum parking requirement of 1

parking spaces per unit for the Residential R9 (R9-7(\*) Zone; iii) to permit townhouses, stacked townhouses and hotel/motel uses, a minimum front and exterior side yard setback of 4.5 metres, a minimum interior side yard setback of 4.5 metres, a minimum rear yard setback of 4.5 metres, a maximum height for townhouses and stacked townhouses of 14 metres, a maximum height for all other uses of 17 metres (5 storeys), a maximum lot coverage for townhouses and stacked townhouses of 40 percent, and a minimum parking requirement of 1 parking spaces per unit for the Residential R9 (R9-7(\*\*) Zone; and iv) to permit townhouses, stacked townhouses and hotel/motel uses, a minimum front and exterior side yard setback of 4.5 metres, a minimum interior side yard setback of 4.5 metres, a minimum rear yard setback of 4.5 metres, a minimum landscaped open space for townhouses and stacked townhouses of 25 percent, a maximum height for townhouses and stacked townhouses of 14 metres, a maximum height for all other uses of 22 metres (6 storeys), a maximum lot coverage of 40 percent, a maximum density of 200 units per hectare and a minimum parking requirement of 1 parking spaces per unit for the Residential R9 (R9-7(\*\*\*) Zone.

**Height:** 14 metres – 22 metres

This property is also the subject to an Official Plan and Zoning By-law Amendment application to facilitate the proposed development (File: OZ-9100).

## **Planning Policies**

Any change to the Zoning By-law must conform to the policies of the Official Plan, London's long-range planning document. The lands are also within the Southwest Area Secondary Plan which provides more detailed policy guidance for a specific area that goes beyond the general policies. The subject lands are located within the Central Longwoods Neighbourhood in the Southwest Area Secondary Plan and designated as Commercial. The lands are within the Shopping Area Place Type in The London Plan; which primarily permits a broad range of retail, service and office uses. Mixed use development is encouraged, and residential uses are permitted in addition to the commercial uses, though are not permitted as the primary land use. A specific policy is proposed to permit a primarily residential development to occur on the lands.

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

You have received this Notice because someone has applied for a Draft Plan of Subdivision and to change the Official Plan designation and the zoning of land located within 120 metres of a property you own, or your landlord has posted the notice of application in your building. The City reviews and makes decisions on such planning applications in accordance with the requirements of the Planning Act. The ways you can participate in the City's planning review and decision making process are summarized below.

### **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 Draft Plan of Subdivision, and 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](#) website. The Planning and Environment Committee will make a recommendation to Council, which will make its decision at a future Council meeting. The Council Decision will inform the decision of the Director, Planning & Development, who is the Approval Authority for Draft Plans of Subdivision.

## **What Are Your Legal Rights?**

### **Notification of Council and Approval Authority's Decision**

If you wish to be notified of the Approval Authority's decision in respect of the proposed draft plan of subdivision, you must make a written request to the Director, Planning & Development, City of London, 300 Dufferin Ave., P.O. Box 5035, London ON N6A 4L9, or at [developmentsservices@london.ca](mailto:developmentsservices@london.ca). You will also be notified if you provide written comments, or make a written request to the City of London for conditions of draft approval to be included in the Decision.

If you wish to be notified of the decision of the City of London on the proposed official plan 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 does not make oral submissions at a public meeting, if one is held, or make written submissions to the City of London in respect of the proposed plan of subdivision before the approval authority gives or refuses to give approval to the draft plan of subdivision, the person or public body is not entitled to appeal the decision of the Director, Planning & Development to the Ontario Land Tribunal.

If a person or public body does not make oral submissions at a public meeting, if one is held, or make written submissions to the City of London in respect of the proposed plan of subdivision before the approval authority gives or refuses to give approval to the draft plan of subdivision, 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.

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**

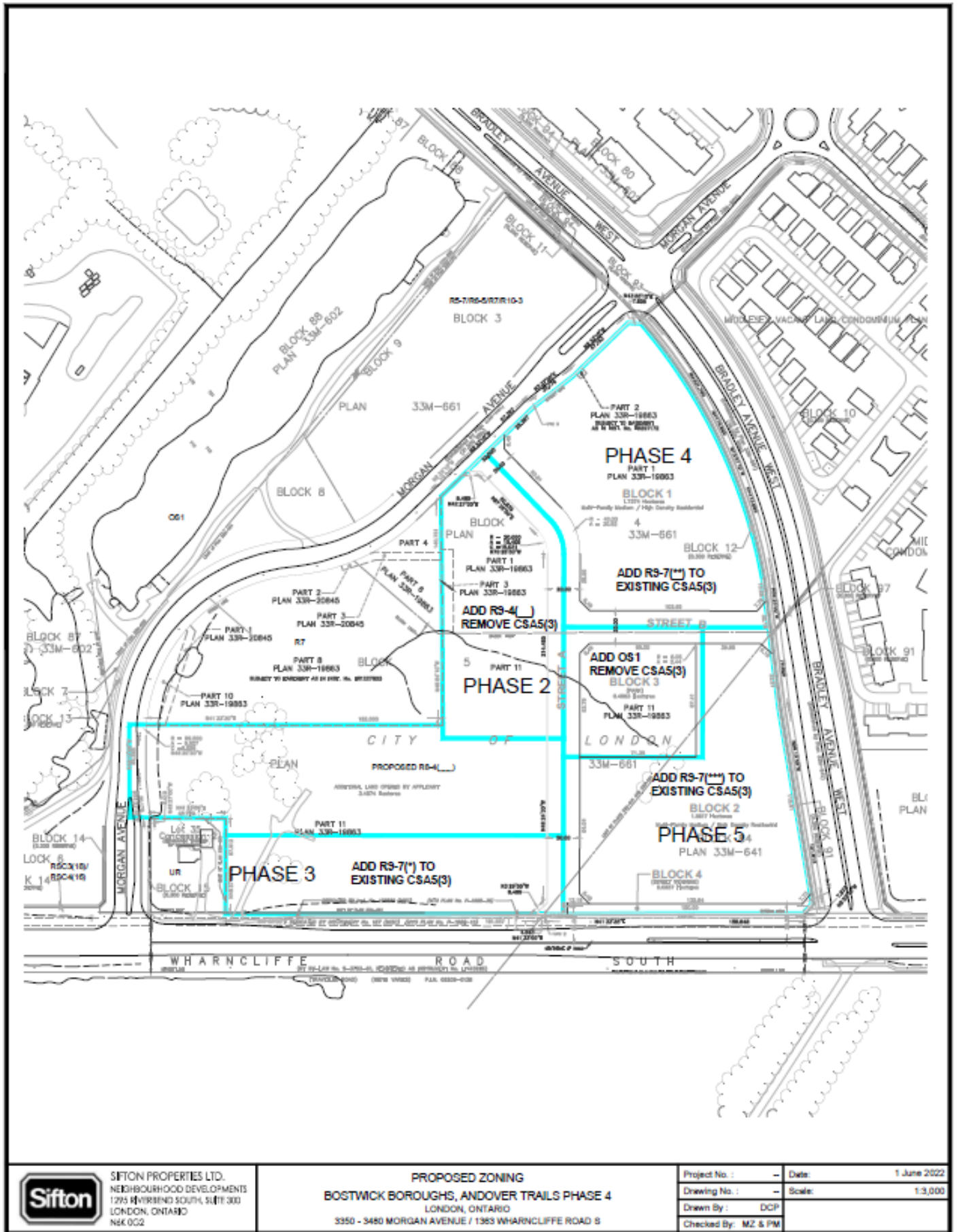
Personal information collected and recorded at the Public Participation Meeting, or through written submissions on this subject, is collected under the authority of the Municipal Act, 2001, as amended, and the Planning Act, 1990 R.S.O. 1990, c.P.13 and will be used by Members of Council and City of London 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 [developmentsservices@london.ca](mailto:developmentsservices@london.ca) for more information.



# Requested Zoning



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