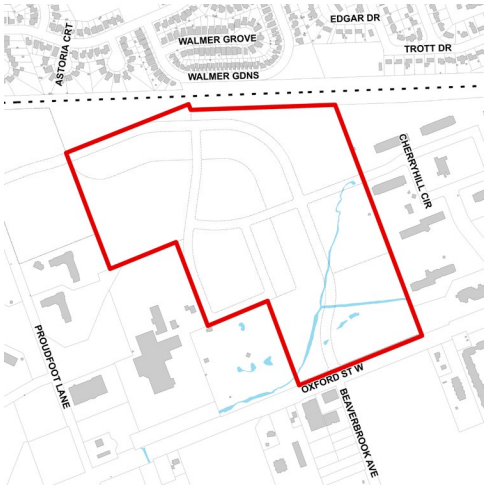


# NOTICE OF PLANNING APPLICATION

## Draft Plan of Subdivision and Zoning By-law Amendment

### 323 Oxford Street West, 92 & 825 Proudfoot Lane



**File: 39T-21505/Z-9416**

**Applicant: Sam Katz Holdings Inc.**

#### What is Proposed?

Draft Plan of Subdivision and Zoning amendment to allow:

- a proposed draft plan of subdivision consisting of three (3) medium density residential blocks; five (5) high density blocks; two (2) park blocks; one (1) road reserve block; two (2) open space buffers; all served by the extension of Westfield Drive, Beaverbrook Avenue and two (2) new local streets

## LEARN MORE & PROVIDE INPUT

Please provide any comments by **November 11, 2021**

Sean Meksula

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

519-661-CITY (2489) ext. 5349

Planning & Development, City of London, 300 Dufferin Avenue, 6<sup>th</sup> Floor,

London ON PO BOX 5035 N6A 4L9

File: 39T-21505/Z-9416

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

**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.**

# Application Details

## Requested Draft Plan of Subdivision

Consideration of a Draft Plan of Subdivision consisting of three (3) medium density residential blocks; five (5) high density blocks; two (2) park blocks; one (1) road reserve block; two (2) open space buffers; and four (4) open space blocks; serviced by four (4) local streets (Streets A, B, Beaverbrook Avenue, and Westfield Drive)

## Requested Zoning By-law Amendment

To change the zoning from a Holding Residential R5/R6/R7/R8 (h-1/R5-3/R6-5/R7/D75/H13/R8-4), Residential R5/R6/R7/R8, Neighbourhood Facility (R5-3/R6-5/R7/D75/H13R8-4/NF1), Holding Residential R8 (h-1/R8-4), Holding Residential Special Provision R8 (h-1/R8-4(9)), Residential R9 (R9-7/H40), Residential R9 (R9-7/H46) Holding Residential Special Provision R9 (h-1/R9-3(8)/H22), Open Space (OS1), and Open Space (OS4) Zones to a Zone to a Holding Residential R5 Special Provision (h-1/R5-7( )), Holding Residential R8 Special Provision(h-1/R8-4( )), Holding Residential R9 Special Provision (h-1/R9-7( )), Holding Residential R9 Special Provision (h-1/R9-7( )), Holding Residential R9 Special Provision (h-1/R9-7( )/H37), Holding Residential R9 Special Provision (h-1/R9-7( )/D175/H47), Holding Residential R9 Special Provision, Neighbourhood Shopping Area (h-1/R9-7( )/D250/H50/NSA3), Open Space (OS1), and Open Space (OS5) Zone. Changes to the currently permitted land uses and development regulations are summarized below. The Zoning By-law is available at [london.ca](http://london.ca).

## Requested Zoning (Please refer to attached map)

### Zone(s):

- **R5-7(\*\*) Zone** - to permit such uses as townhouses and stacked townhouses up to a maximum density of 60 units per hectare and maximum height of 12 metres, together with a special provision for additional permitted uses: cluster stacked townhouse dwelling; cluster townhouses; and cluster rear lane townhouses and building setbacks, front yard 3.0 metres, exterior side yard 3.0 metres and interior side yard 1.5 metres;
- **R8-4(\*\*) Zone** - to apartment buildings, handicapped person's apartment buildings, lodging house class 2, stacked townhousing, senior citizen apartment buildings, emergency care establishments, continuum-of-care facilities and maximum height of 16 metres, together with a special provision for additional permitted uses: cluster stacked townhouse dwelling; cluster townhouses; and cluster rear lane townhouses and building setbacks to apartment buildings, front yard 6.0 metres, north property line 30 metres (to rail corridor), setback to cluster townhouse dwellings front yard 3 metres, west property line 5.0 metres, north property line 30 metres (to rail corridor), height 13 metres (4 storeys) within 140 of the west property line property boundary otherwise 20.0 metres (6 storeys) and 1 parking space per unit;
- **R9-7(\*\*) Zone** - to permit apartment buildings, lodging house class 2, senior citizen apartment buildings, handicapped person's apartment buildings, and continuum-of-care facilities, together with a special provision for additional permitted uses: cluster stacked townhouse dwelling; cluster townhouses; and cluster rear lane townhouses, building setbacks for apartments, front yard 6.0 metres, exterior side yard 5.0 metres, interior side yard 5.0 metres, rear yard 5.0 metres, setback for cluster townhouses, front yard, 3.0 metres, exterior side yard 3.0 metres, interior side yard 1.5 metres and 1 parking space per unit;
- **R9-7(\*\*)/H37 Zone** - to permit apartment buildings, lodging house class 2, senior citizen apartment buildings, handicapped person's apartment buildings, and continuum-of-care facilities, together with a special provision for additional permitted uses: cluster stacked townhouse dwelling; cluster townhouses; and cluster rear lane townhouses, building setbacks for apartments, front yard 6.0 metres, exterior side yard 6.0 metres, north property line 30.0 metres (to rail corridor), east property line 10.0 metres, setback for cluster townhouses, front yard, 3.0 metres, exterior side yard 3.0 metres, interior side yard 1.5 metres, north property line 30.0 metres (to rail corridor), height (maximum) 37.0 metres (12 storeys), and 1 parking space per unit;

- **R9-7(\*\*)/D175/H47 Zone** - to permit apartment buildings, lodging house class 2, senior citizen apartment buildings, handicapped person's apartment buildings, and continuum-of-care facilities, together with a special provision for additional permitted uses: cluster stacked townhouse dwelling; cluster townhouses; and cluster rear lane townhouses, building setbacks for apartments, front yard 6.0 metres, exterior side yard 6.0 metres, south interior 3.0 metres, east property line 10.0 metres, setback for cluster townhouses, front yard, 3.0 metres, exterior side yard 3.0 metres, interior side yard 1.5 metres, rear yard 3.0 metres, density maximum of 175 units/ha, height (maximum) 47.0 metres (15 storeys), and 1 parking space per unit;
- **R9-7(\*\*)/D250/H50/NSA3 Zone** - to permit apartment buildings, lodging house class 2, senior citizen apartment buildings, handicapped person's apartment buildings, and continuum-of-care facilities, together with a special provision for additional permitted uses: cluster stacked townhouse dwelling; cluster townhouses; cluster rear lane townhouses and uses permitted with the NSA3 Zone variation, building setbacks for apartments, front yard 6.0 metres, exterior side yard 6.0 metres, north interior property line 3.0 metres, east property line 10.0 metres, setback for cluster townhouses, front yard, 3.0 metres, exterior side yard 3.0 metres, interior side yard 1.5 metres, rear yard 3.0 metres, density maximum of 250 units/ha, height (maximum) 50.0 metres (16 storeys), and 1 parking space per unit;
- **OS1 Zone** - to permit such uses as conservation lands, conservation works, golf courses, public and private parks, recreational buildings associated with conservation lands and public parks, campgrounds, and managed forests; and,
- **OS5 Zone** - to permit conservation lands, conservation works, passive recreation uses which include hiking trails and multi-use pathways, and managed woodlots.

The City may also consider applying holding provisions in the zoning to ensure adequate provision of municipal services, that a subdivision agreement or development agreement is entered into, and to ensure completion of noise assessment reports and implementation of mitigation measures for development adjacent arterial roads

An Environmental Impact Study (EIS) report prepared by MTE Consultants, dated June 30, 2021, have been submitted with the application for draft plan of subdivision. The EIS reports are available for viewing by contacting the City's Planner listed below. File: 39T-21505 / Z-9416 Planner: S. Meksula (City Hall).

## 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, Medium Density Residential, Multi-family, High Density Residential, and Open Space in the Official Plan, which permits single detached, semi-detached, duplex and multiple attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; and small-scale nursing homes, rest homes, and homes for the aged; low-rise and high-rise apartment buildings; apartment hotels; multiple-attached dwellings; emergency care facilities; nursing home; rest homes; homes for the aged; and rooming and boarding houses. public open space uses such as public parks, and private open space uses such as cemeteries and private golf courses, as the main uses. The subject lands are in the 'Neighbourhoods' and 'Green Space' Place Types in *The London Plan*.

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

### **Right to Appeal to the 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.

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 Cathy Saunders, City Clerk, 519-661-CITY(2489) ext. 4937.

### **Accessibility**

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

# Requested Draft Plan of Subdivision



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

