



FRAMEWORK

1566_ The *London Plan* is the Official Plan for the City of London that establishes our vision for the city and then sets out a deliberate range of policies that will allow us to achieve this vision. For these policies to have meaningful impact, and guide change and development over time, a variety of tools that have been afforded to municipalities by the Province will be utilized. The following policies of this Plan, described as Our Tools, provide further detail and direction on how the Plan will be implemented and how the city, the public, applicants, agencies, and others are to use the policies of this Plan to contribute to our London of 2035: Exciting, Exceptional and Connected.



GROWTH MANAGEMENT/ GROWTH FINANCING

GROWTH MANAGEMENT IMPLEMENTATION STRATEGY

1567_ The City will adopt a *Growth Management Implementation Strategy* (GMIS) to set a plan for staging growth and financing the required infrastructure. Within the context of the City's servicing master plans, the GMIS will plan for the orderly progression of development within the Urban Growth Boundary and the timely provision of infrastructure required to support fully serviced and functional communities and employment areas on a financially sustainable basis.

1568_ Financial sustainability depends in large measure on:

1. The adequacy of development charge rates to finance infrastructure required by growth.
2. The financial health of the applicable development charge reserve fund to support future infrastructure investments.
3. The effects of growth proposals on tax and user rates, impacted by the non-growth share of infrastructure projects.

1569_ The GMIS will direct capital budget timing of growth-related infrastructure projects. Updates to the GMIS will examine development charge revenues in relation to projected infrastructure investments to assess the affordability of planned construction. Through the GMIS, the City may accelerate or defer infrastructure projects from established capital budget timelines, with approvals/deferrals subject to yearly City Council approval.

1570_ The GMIS will be prepared to meet the following objectives:

1. Schedule for and finance infrastructure to support growth that is in conformity with the City Structure Plan.
2. Plan for infrastructure in support of the 45% intensification target in this Plan.
3. Advance infrastructure projects that support infill and intensification in conformity with the established intensification targets in the growth management policies in the Our City part of this Plan and the goal of growing in ways that will support the efficient use of our existing infrastructure and services.
4. Support the timely build-out of existing planned communities in a logical, phased manner that optimizes the utilization of any new infrastructure that is required to support development.
5. Support growth in areas that are, or can be, served by existing infrastructure and existing public services and facilities.
6. Focus growth in areas that have existing servicing capacity or comparatively lower costs for required infrastructure, rather than those that do not have available servicing capacity or are relatively expensive to service.
7. Provide a basis for long-term, reliable municipal capital budgeting for growth-related servicing works.
8. Ensure that services are in place or planned to maintain a maximum supply of five years of serviced lands in registered and draft approved plans of subdivision to support the city's physical growth and the City's housing mix and affordability objectives. Should a development proponent wish to develop lands beyond the five-year inventoried supply, services may be extended by the City with the cost solely borne by the developer, consistent with the Growth Management/Growth Financing policies of this Plan.
9. Maintain, at all times, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans of subdivision.
10. Avoid scattered or "leap-frog" development patterns and focus growth where it can complete existing communities.
11. Do not allow for development patterns that are unnecessarily expensive and financially disadvantageous to the City over time.
12. Through the GMIS, the city may defer or accelerate infrastructure projects to respond to development charge reserve fund balances, forecasted development charge revenues, market take-up and growth rates.
13. Support the extension and use of transit services.

1571_ The GMIS will establish five-year and 5+ year periods for the extension of growth-related infrastructure. The strategy will be informed by both the *Development Charges Background Study* and previous GMIS updates and it will consider growth-related costs in relation to growth-related revenues. The GMIS will be updated on an annual basis.

1572_ The private provision of infrastructure in advance of the timing indicated in the GMIS and capital budget is discouraged. Unless a development proponent and the City have entered into a municipal service and financing agreement, the City will not provide compensation for development charge-eligible infrastructure constructed in advance of the *Growth Management Implementation Strategy* capital budget timelines.

GROWTH FINANCING

1573_ The financing requirements to service new development should not jeopardize the long-term financial health of the City or place an undue risk or burden on existing taxpayers. The following growth financing policies are intended to achieve these objectives:

1. Growth-related capital costs will be recovered from revenues generated from new development. This will be established through the *Development Charges Study* and *Development Charges By-law* and best management practices for asset management.
2. The review of proposed secondary plans, subdivisions, and major planning and development applications will include an evaluation of how the proposal conforms with the *Growth Management Implementation Strategy* or a City Council approved municipal service and financing agreement. Where it does not conform, the proposed plan may be refused.
3. The review of proposed secondary plans, subdivisions, and major planning and development applications will require a complete fiscal impact analysis, including such considerations as growth costs, timing of works, and development charges revenues, demonstrating the potential financial implications of the proposed development on the development charges reserve funds. Best management practices for asset management, including whole life-cycle costing, level of service considerations and risk management will also be included with the financial impact analysis. Approval of a secondary plan, plan of subdivision, or major development proposal may be refused or deferred if a satisfactory fiscal analysis is not submitted for the City's review or if the City determines that the required investment in municipal works would be premature.
4. The City may consider the involvement of the private sector in the construction and financing of infrastructure.
5. All servicing arrangements must be consistent with long-term planning, servicing, corporate asset management planning, and financing strategies and policies. Development benefitting from temporary servicing arrangements must contribute to the cost of providing long-term servicing through the payment of development charges as required by the *Development Charges By-law*.
6. The City will plan and budget for major infrastructure works in keeping with its financial management strategy, its municipal asset management strategy and the GMIS, and with regard for the balance of revenues and expenditures from its development charges funds. Infrastructure works and development approvals will be staged accordingly.
7. The City will consider, as part of a development charges study, an area rating approach to recognize that the costs of growth in certain areas of the city may be substantially different from the costs of growth in other areas of the city.
8. Growth-related shares of major infrastructure components will be funded through development charge fees, as set out in the *Development Charges Background Study* and *Development Charges By-law*. Development proposals requiring DC-eligible infrastructure that is not included in the development charges rate calculation will be considered premature until such time as the required infrastructure is incorporated into a future development charges background study.



MUNICIPAL SERVICE AND FINANCING AGREEMENTS

1574_ Consistent with the provisions of the *Development Charges Act*, the City may provide for municipal service and financing agreements (MSFA) to permit a development applicant(s) to accelerate works outside of the timing established in the capital budget. Municipal service and financing agreement principles, parameters, policies, and criteria will be set out in the City's *Development Charges By-law* and/or *Development Charges Background Study*.

1575_ Municipal service and financing agreements shall conform with the City Structure, Civic Infrastructure, Growth Management/Growth Financing policies of this Plan.

PLANNING AND DEVELOPMENT APPLICATIONS

DEFINITION

1576_ For the purposes of this Plan, the term “planning and development application” will be interpreted to include applications, made pursuant to the *Planning Act*, for:

1. Amendment to the Official Plan
2. Establishment of a new, or amendment to an existing, secondary plan
3. Amendment to the *Zoning By-law*
4. Site plan approval
5. Minor variance
6. Plan of subdivision, including part lot control exemption
7. Consent to sever
8. Plan of condominium (all categories)

EVALUATION CRITERIA FOR PLANNING AND DEVELOPMENT APPLICATIONS

1577_ All the relevant policies of this Plan that relate to a planning and development application should be read in their entirety and form the basis for evaluating its conformity with this Plan.

1578_ All planning and development applications will be evaluated with consideration of the use, intensity, and form that is being proposed. The following criteria will be used to evaluate all planning and development applications:

1. Consistency with the *Provincial Policy Statement* and in accordance with all applicable legislation.
2. Conformity with the Our City, Our Strategy, City Building, and Environmental policies of this Plan.
3. Conformity with the policies of the place type in which they are located.
4. Consideration of applicable guideline documents that apply to the subject lands.



5. The availability of municipal services, in conformity with the Civic Infrastructure chapter of this Plan and the Growth Management/Growth Financing policies in the Our Tools part of this Plan.
6. Potential impacts on adjacent and nearby properties in the area and the degree to which such impacts can be managed and mitigated. Considering the type of application under review, and its context, an analysis of potential impacts on nearby properties may include such things as:
 - a. Traffic and access management.
 - b. Noise.
 - c. Parking on streets or adjacent properties.
 - d. Emissions generated by the use such as odour, dust, or other airborne emissions.
 - e. Lighting.
 - f. Garbage generated by the use.
 - g. Privacy.
 - h. Shadowing.
 - i. Visual impact.
 - j. *Policy Deleted.*
 - k. Trees and canopy cover.
 - l. Cultural heritage resources.
 - m. Natural heritage features and areas.
 - n. Natural resources.
 - o. Other relevant matters related to use and built form

The above list is not exhaustive.

7. The degree to which the proposal fits within its context. It must be clear that this is not intended to mean that a proposal must be the same as development in the surrounding context. Rather, it will need to be shown that the proposal is sensitive to, and compatible with, its context. It should be recognized that the context consists of existing development as well as the

planning policy goals for the site and surrounding area. Considering the type of application under review, and its context, an analysis of fit may include such things as:

- a. Policy goals and objectives for the place type.
- b. Policy goals and objectives expressed in the City Design chapter of this Plan.
- c. Neighbourhood character.
- d. Streetscape character.
- e. Street wall.
- f. Height.
- g. Density.
- h. Massing.
- i. Scale.
- j. Placement of building.
- k. Setback and step-back.
- l. Relationship to adjacent buildings.
- m. Proposed architectural attributes such as windows, doors, and rooflines.
- n. Materials.
- o. Relationship to cultural heritage resources on the site and adjacent to it.
- p. Landscaping and trees.
- q. Coordination of access points and connections.
- r. Other relevant matters related to use, intensity and form.

The above list is not exhaustive.

1579_ Nothing in this section will take away from specific requirements that are identified in the other policies of this Plan. As described in the Complete Application policies of this Plan, sufficient information must be submitted by the applicant to allow for these evaluation criteria to be applied.



CITY OF LONDON
TREE PLANTING GUIDELINES

INTRODUCTION

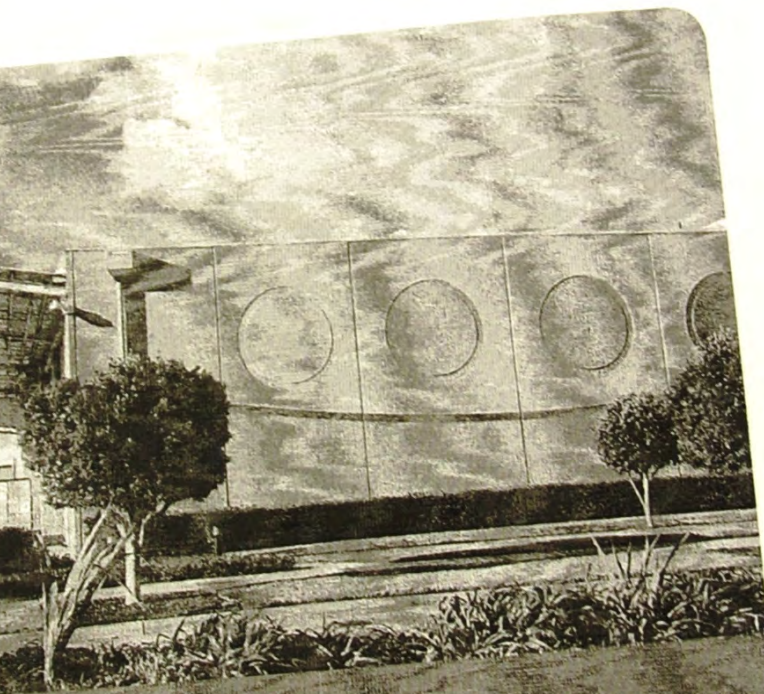
Tree planting on the public right-of-way is a long term initiative. **What is done today can have a serious impact on street tree maintenance activities for years to come.** It is therefore imperative that tree planting be done with care and planning. Planning is critical to ensure that the final product is sustainable and aesthetically pleasing. Trees of similar shape but different species, if carefully selected, will provide the desired effect of tree arch over the street. The mix of species is essential to reduce the chances of insect epidemics, to guard against the spread of disease as trees are trimmed in efficient block treatments, to prevent widespread neighbourhood complaints and to eliminate extensive tree removal programs when single species plantings die (eg. Dutch elm disease on American elm, verticillium wilt on Norway Maples).

Designs should reflect patterns which show a use of random plantings of diversified species. Consideration should be given to adjacent lands where existing street trees may exist to ensure that continuous plantings are not created, in particular infill projects of limited frontage.

The City of London recognizes the difficulties in coordinating tree planting within the development process for new subdivisions. Trees are a living entity and, as such, cannot always be planted or inspected at convenient times. As well, difficulties with tree species availability, the seasonal nature of planting operations and administration make it more difficult to coordinate tree planting operations within the framework in place for assumption and end of warranty processes currently in place for new developments. The City of London, therefore, has instituted a 'cash-in-lieu' system whereby the developer will participate in providing a planting plan at time of assumption and the City will implement the tree planting.

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East Village

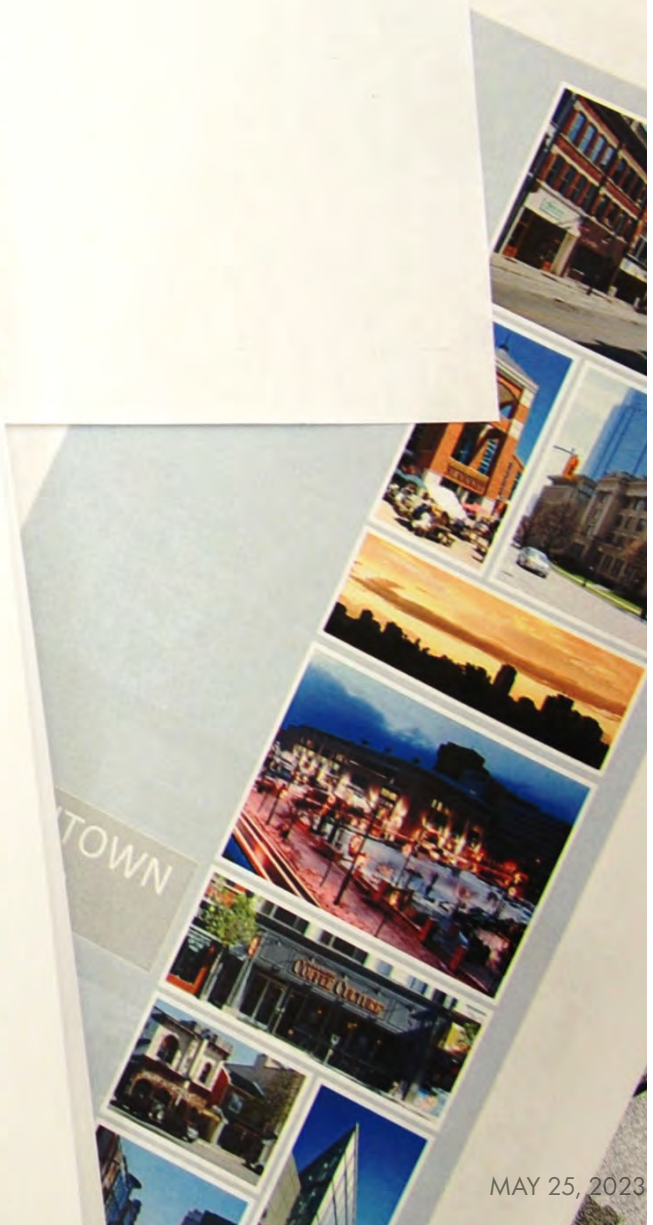
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OUR TOOLS

COMPLETE APPLICATION AND PRE-APPLICATION CONSULTATION REQUIREMENTS

1580_ In order to ensure that all the relevant and required information pertaining to a planning application is available at the time of submission of the application, to enable City Council and its delegated approval authorities to make informed decisions within the prescribed period of time, and to ensure that the public and other stakeholders have access to all relevant information early in the planning process, any or all the following information may be requested from applicants who apply for amendments to *The London Plan*, amendments to the *Zoning By-law*, site plan approval, consents to sever, and approvals of plans of subdivision, including condominiums.

1581_ In all instances the number and the scope of studies to be required for the submission of a complete application should be appropriate and in keeping with the scope and complexity of the application.

REPORTS AND STUDIES

1582_ City Council and its delegated approval authorities may require reports and studies as part of a comprehensive planning application package referred to as a complete application. The reports and studies are intended to provide information pertaining to a subject site and the areas adjacent to it. This is to assist Council and its delegated approval authorities in the evaluation of an application to ensure that it is consistent with the *Provincial Policy Statement* and in conformity with the policies of this Plan.

1583_ City Council and its delegated approval authorities may require that a person requesting an amendment to *The London Plan*, applying for an amendment to the *Zoning By-law*, applying for approval of a plan subdivision or condominium, or making an application for a consent to sever, provide any other information or material that Council or its delegated approval authorities consider they may need. Therefore, these broad categories of reports and studies are not intended to preclude Council and its delegated approval authorities from requiring additional reports and studies that may be identified during the planning process if circumstances necessitate the need for such information as part of the decision making process.

1584_ The Place Type or City Building policies of this Plan augment the following policies by providing more guidance on the information that may be required for planning and development applications, depending on their context.

1585_ The specific scoping of reports and studies to be submitted by an applicant will be identified at a Consultation Meeting.

> REPORTS/STUDIES TO ADDRESS PLANNING AND DESIGN MATTERS

1586_ The required reports/studies are to specifically address how the use, intensity and form of a proposal is in accordance with all applicable legislation, is consistent with the *Provincial Policy Statement* and is in conformity with the policies of this Plan.

1587_ A Planning and Design Report shall be required to address the Evaluation Criteria for Planning and Development Application policies in the Our Tools part of this Plan. Such reports will clearly articulate and address matters relating to the use, intensity and form of the proposal. (OPA 21)

1588_ Where applicable, the reports/studies will also address consistency with a secondary plan or guideline documents that have been adopted by City Council.

> REPORTS/STUDIES TO ADDRESS ENVIRONMENTAL AND NATURAL HERITAGE MATTERS

1589_ The submission of reports and studies related to environmental and natural heritage matters is to identify and assess the significance and boundaries of natural features and areas and their ecological functions consistent with the *Provincial Policy Statement* and in conformity with the policies of this Plan.

1590_ The Natural Heritage, Natural and Human-made Hazards, Natural Resources, Civic Infrastructure, Parks and Recreation, and Forest City chapters of this Plan provide more guidance.

> REPORTS/STUDIES TO ADDRESS TRANSPORTATION AND MOBILITY MATTERS

1591_ The submission of reports and studies related to transportation and mobility matters is to determine if a proposed development and/or change in land use can be accommodated by the mobility network, what changes to the mobility

network, if any, are required to accommodate the proposed development and/or change in land use, and to ensure that any potential impacts on the surrounding land uses are mitigated, and demonstrate conformity with the policies of this Plan. This may include an analysis of mobility infrastructure for pedestrians, bicycles, transit users and automobiles.

1592_ The required report/studies must also identify whether, and if so, how, the proposed development and/or change in land use will be serviced by transit including an analysis of the implications for public transit. Where new mobility infrastructure and/or lands are required or an expansion of the existing mobility infrastructure is necessary to accommodate a proposed development and/or change in land use, the transportation reports/studies will demonstrate that the improved mobility infrastructure will be adequate to accommodate all modes of mobility in a safe and efficient manner and minimizes potential impacts on surrounding uses.

1593_ The Mobility chapter of this Plan provides more guidance.

> REPORTS/STUDIES TO ADDRESS SERVICING AND INFRASTRUCTURE MATTERS

1594_ The submission of reports and studies related to servicing and infrastructure matters is to ensure that a proposed development and/or change in land use can be supported by adequate municipal water, sanitary sewer, and stormwater management facilities, and must also demonstrate conformity with the policies of this Plan.

1595_ The required reports/studies are to demonstrate that the existing servicing infrastructure is sufficient to accommodate the proposed development and/or change in land use or that the lands can be reasonably serviced by the extension of existing infrastructure and to identify any new servicing infrastructure and lands that may be required external to the proposed site. Where new servicing infrastructure and/or lands are required or an expansion of the existing infrastructure is necessary, the servicing and infrastructure reports/studies must also identify how the requirements, if any, under the *Environmental Assessment Act* are to be addressed. The initiation of the Integration Provision of the *MEA Municipal Class Environmental Assessment* may also be required.

1596_ The Civic Infrastructure chapter of this Plan provides more guidance.

> REPORTS/STUDIES TO ADDRESS FINANCIAL MATTERS

1597_ The submission of reports and studies related to financial matters is to demonstrate that a proposed development and/or change in land use will not have an undesirable or unanticipated financial impact on the City of London.

1598_ The required reports/studies are to identify the short-term and long-term costs to the City of London for the provision of municipal infrastructure and services required to support a proposed development and/or change in land use and an estimate of anticipated revenues arising from a proposed development and/or change in land use. Whole life-cycle costs, level of service and risk for any City of London infrastructure should be considered.

1599_ The terms of reference for fiscal impact studies will be jointly determined by the City and the owner/applicant at the time of the request. The study will be prepared and may be peer reviewed at the owner/applicant's expense. Development applications or proposals that otherwise conform with the relevant policies of this Plan may be refused or deferred on the basis of financial impact and burden on the City, if suitable mitigation measures are not available.

1600_ The Growth Management/Growth Financing policies in the Our Tools part of this Plan provide more guidance.

> REPORTS/STUDIES TO ADDRESS CULTURAL HERITAGE MATTERS

1601_ The submission of reports and studies related to cultural heritage matters is to demonstrate that a proposed development and/or change in land use will have a positive impact on the city's public realm, and must demonstrate conformity with the policies of this Plan.

1602_ The required reports/studies are to demonstrate how a proposed development and/or change in land use may impact on adjacent cultural heritage resources through a heritage impact assessment, is sensitive to archaeological issues, is designed in a manner that enhances the local built form and/or natural environment, and is consistent with any heritage conservation district plan and approved urban design guidelines.

1603_ The Cultural Heritage and City Design chapters of this Plan provide more guidance.



> REPORTS/STUDIES TO ADDRESS
NUISANCE AND HAZARD MATTERS

1604_ The submission of reports and studies related to nuisance and hazard matters is to demonstrate that residents or users of a proposed development and/or change in land use are buffered from nuisances related to noise, dust, odour, vibration, lighting and contamination/fill, and to reduce the potential for public cost or risk to future residents resulting from natural and human-made hazards. The reports/studies must also demonstrate conformity with this Plan.

1605_ The required reports/studies are to identify all of the potential nuisance issues and natural/human-made hazards, which may impact the proposed development and/or change in land use; identify the areas that are to be employed as a buffer between the nuisance issues and natural/human-made hazards and the proposed development and/or change in land use, and identify any other measures to be undertaken to mitigate the impacts associated with the nuisance issues and natural/human-made hazards from the proposed development and/or change in land use.

1606_ The Natural and Human-made Hazards chapter and the Noise, Vibration and Safety policies in the Our Tools part of this Plan provide more guidance.

> REPORTS/STUDIES TO ADDRESS
AGRICULTURAL MATTERS

1607_ The submission of reports and studies related to agricultural matters is to identify and assess any agricultural features that may be affected by a proposed development and/or change in land use, including surface and subsurface features, and to ensure that any potential impacts resulting from a proposed development and/or change in land use on the surrounding agricultural features are mitigated. The reports/studies must also demonstrate conformity with the policies of this Plan.

1608_ The required reports/studies/ agricultural impact assessments are to identify the agricultural features which may be affected by the proposed development and/or change in land use; identify the areas that are to be employed as a buffer between the proposed development and/or change in land use and adjacent agricultural features; demonstrate that the proposed development and/or change in land use will be accommodated in an efficient manner; and mitigate impacts to the greatest extent possible consistent with the *Provincial Policy Statement*.

1609_ The Rural London part of this Plan provides more guidance.



BIBLIOGRAPHY OF RESOURCES

1610_ All information and material that was provided to the municipality in support of an application must be listed in a Bibliography of Resources to clearly outline what information was made available to City Council prior to a decision being made.

RECORD OF PRE-APPLICATION CONSULTATION

1611_ City Council may, by by-law, require a Pre-application Consultation Meeting. The purpose of the Consultation Meeting is to allow the applicant to discuss with City Staff matters pertaining to the application. Through these discussions, City Staff will have the opportunity, in consultation with the applicant, to outline the information and materials that the applicant will be required to submit concurrently with the application. If a Pre-application Consultation Meeting occurs, it will be completed prior to the submission of an application. The specific reports/studies that are required to be submitted together with the application will be identified at the Consultation Meeting. (OPA 21)

APPLICATION INFORMATION REQUIREMENTS

1612_ In addition to the prescribed information required by the *Planning Act*, and the other information outlined in the Our Tools part of this Plan, additional information and materials may be required by the City to assist in understanding, evaluating and making recommendations on the application, and to ensure that sufficient information in an

appropriate format can be made available to the commenting agencies and the public, and to City Council and its delegated approval authorities. Detailed information requirements will be set out in the relevant application forms.

CONCURRENT APPLICATION PROVISIONS

1613_ In addition to the prescribed information required by the *Planning Act* and the other information outlined in the Our Tools part of this Plan, the City may, through the Consultation Meeting, identify applications that are required to be submitted concurrently, to ensure that City Council and its delegated approval authorities can properly evaluate the applications and make consistent and appropriate decisions.

ELECTRONIC SUBMISSIONS

1614_ The submission of all information may be required in both electronic and hard copy format so that this information can be more easily made available for review to the public.

STRATEGY FOR CONSULTING WITH THE PUBLIC

1614A_ For any application for an official plan amendment or zoning by-law amendment, a proposed strategy for consulting with the public with respect to the application may be required as part of a complete application. (OPA 21)

PUBLIC ENGAGEMENT AND NOTICE

1615_ It is essential that Londoners be made aware of various planning proposals and be given the opportunity to express their views on these matters. This part of the Plan focuses on the process for public participation for applications made under the *Planning Act*, as well as the City Council adopted policies on community engagement to ensure a meaningful two-way dialogue and participation in forming decisions that affect the various stakeholders and the community.

1616_ Consistent with the values in this Plan, the community engagement process will be transparent, accessible, responsive, inclusive and empowering. It is intended that the process will be based on realistic expectations, mutual respect, and trust.

ENGAGEMENT TECHNIQUES

1617_ The municipality may utilize a variety of engagement techniques, including:

1. Public meetings of Committees of City Council through statutory public meetings.
2. Non-statutory community information meetings for the purpose of informing the public and receiving their input.
3. Open houses.
4. Workshops.
5. Internet-based tools and social media.
6. Land use change signage posted on-site.
7. Verbal and written submissions to staff.
8. Task forces.
9. Direct consultation with various groups and individuals.
10. Collaboration with other groups and agencies to reach out to engage citizens.

1618_ Provisions for public engagement will be appropriate for the intended audience and to the nature and scope of the planning matter being addressed, including physical meeting venues and the use of information technology.

> PUBLIC MEETINGS AND NOTICES

1619_ Consistent with the *Planning Act*, the public meeting and notice procedures that will be followed for applications to adopt or amend an official plan or zoning by-law, a community improvement plan, plan of subdivision, vacant land condominium and common elements condominium are as follows. Notice procedures for other types of applications are addressed elsewhere in this Plan.

> STATUTORY PUBLIC MEETING(S)

1620_ A Committee of City Council will hold one or more public meeting(s) at which time the applicant and any member of the public may express their views on a planning proposal(s).

1621_ In addition to the statutory public meeting(s) noted above, if a comprehensive review of the Plan is being undertaken, or the Plan is being amended in relation to a community planning permit system, City Council will ensure that at least one open house is held for the purpose of giving the public an opportunity to review and ask questions on the required information and material. If required, an open house will be held no later than seven days prior to the date of the initial public meeting.

> TIMING OF NOTICES

1622_ Within 15 days after an affirmative notice of acceptance of a complete application is provided for applications made under the *Planning Act* requiring public notice, the City will provide a Notice of Application to the persons and public bodies prescribed under the *Planning Act*, and make the required information and material available to the public.

1623_ In the case of an amendment to *The London Plan*, or the adoption or amendment of a community improvement plan or zoning by-law, Notice of Public Meeting will be given a minimum of ten days prior to the date of the public meeting. For the approval or revision of a plan of subdivision, or a vacant land or common elements condominium, Notice of Public Meeting will be given a minimum of 14 days prior to the date of the public meeting.

> METHOD OF NOTICE

1624_ Notice of Application and Notice of Public Meeting will be given by:

1. Publication in a local newspaper that, in the opinion of the City is of sufficiently general circulation in the area adjoining the subject land that it would give the public reasonable notice of the subject matter.
2. Publication on the City of London website.
3. Mail or email, to the best of the ability of the municipality, to:
 - a. Every owner of land within the affected site and/or area to which the proposal applies, as shown on the last revised assessment roll.
 - b. Every owner of land within 120 metres of the area to which the proposal applies, as shown on the last revised assessment roll.
 - c. Every person and agency that has given the City Clerk a written request for such notice.
 - d. The applicant.
 - e. The relevant neighbourhood association, where one exists and is known to the City.
 - f. The public bodies and agencies as prescribed by the Province.

1625_ Notice of Application will also be given by signage on or near the site of the application providing brief details of the application and where more information can be obtained.

1626_ Where a member of the public or a public body or agency has requested that notice be provided by email and has provided an email address, email Notice of Application and Notice of Public Meeting may be given in place of mail.

> DISCRETIONARY NOTICES OF APPLICATION AND PUBLIC MEETING

1627_ At the discretion of the City Planner or the Chief Building Official, the 120 metre circulation radius may be expanded to notify additional owners of land in situations where

the circulation radius of a particular application exhibits one or more of the following characteristics:

1. A parcel of land subject to a planning application is surrounded by a limited number of large parcels that effectively comprise the entire circulation area (e.g. Institutional, Green Space, Industrial, Farmland).
2. A significant population is located just beyond the 120 metre circulation distance.
3. The 120 metre radius captures just a small number of properties that would receive notice.
4. Only a small number of parcels within a neighbourhood have not received notice and expanding the notification would complete the neighbourhood circulation.
5. To address any other irregularities that occur due to the use of a 120 metre circulation radius. (*OPA 78*)

1628_ It should be noted that in circumstances where the City Planner or Chief Building Official exercise their discretion to expand the 120 metre radius, the use of this discretion will not result in:

1. An excessively large circulation area.
2. An excessively large number of properties being notified creating undue cost implications.
3. Notification to properties that are not reasonably associated with the subject property.

> NOTIFICATION TO NON-OWNER OCCUPIED DWELLINGS

1629_ Where Staff are aware of non-owner occupied dwellings located within the circulation radius, efforts may be made to request that the owners of land notify their tenant(s) and/or post the notice in prominent location(s) within the building such as in common areas, front lobby, laundry area, and mail room.

NEIGHBOURING MUNICIPALITIES AND FIRST NATIONS COMMUNITIES

1630_ City Council will engage and consult with Middlesex County, neighbouring municipalities and First Nations on matters of mutual interest and concern, and specifically work with neighbouring municipalities and/or First Nations on development proposals or matters which could affect the City and neighbouring municipalities and/or First Nations.

1631_ The appropriate First Nations shall be provided notification in regard to the identification of burial sites and significant archaeological resources relating to the activities of their ancestors, such as the importance of the Forks of the Thames. If the City of London initiates the preparation of an *Archaeological Management Plan*, the appropriate First Nations shall be notified and invited to participate in the process.

FOREGO PUBLIC NOTIFICATION FOR MINOR TECHNICAL CHANGES TO AN AMENDMENT

1632_ City Council may forego public notification and public meeting(s) and may adopt changes in instances to correct a minor technical error or omission contained in an amendment which has undergone full public review; to change punctuation or format, alter language, or correct clerical, grammatical, or typographical errors; and to insert footnotes or similar annotations to indicate the origin and approval of each provision.

ADVISORY COMMITTEES

1633_ City Council may establish advisory committees relating to specific subject matter, for the purpose of receiving advice. Such advice may be provided in association with planning and development applications and other planning matters to assist staff in formulating recommendations and Council in making well-informed decisions. Terms of reference will be established for each advisory committee, identifying how committees will be notified, how they will be integrated into the planning process, and how they will provide their advice to Council.



DELEGATED AUTHORITY AND ALTERNATIVE ENGAGEMENT TECHNIQUES FOR MINOR AMENDEMENTS

1633A_ City Council may delegate approval authority for minor amendments to the Zoning By-law. Such minor zoning by-law amendments are:

1. Removing a holding symbol where the requirements of the holding provision have been met.
2. Correcting of minor errors and omissions to the zoning by-law.
3. Housekeeping updates to reflect changes including but not limited to job titles, City departments, external agencies and organizations, or other policy documents, by-laws, and legislation. (OPA 65)

1633B_ A public meeting is not required for a minor zoning by-law amendment application described above unless concerns have been identified by written submission received during the commenting period identified in the Notice of Application. (OPA 65)

1633C_ A public meeting is not required for minor amendments to this Plan unless concerns have been identified by written submission received during the commenting period identified in the Notice of Application. Such minor official plan amendments are:

1. Correcting minor errors and omissions..
2. Housekeeping updates to reflect changes including but not limited to job titles, City departments, external agencies and organizations, or other policy documents, by-laws, and legislation. (OPA 65)

PLANNING AND DEVELOPMENT CONTROLS

1634_ The *Planning Act* identifies a number of tools that can be used by a municipality that control the use and development of land. These Planning and Development Controls will be utilized to achieve the vision, values, key directions, and policies of this Plan.

ZONING BY-LAW

1635_ In accordance with the *Planning Act*, the *Zoning By-law* may be used:

1. For prohibiting the use of land, for or except for, such purposes as may be set out in the by-law.
2. For prohibiting the erecting, locating, or using of buildings or structures for, or except for, such purposes as may be set out in the by-law.
3. For prohibiting the erection of any class or classes of buildings or structures on land that is subject to flooding or on land with steep slopes, or that is rocky, low-lying, marshy, unstable, hazardous, subject to erosion or to natural or artificial perils.
4. For prohibiting any use of land and the erecting, locating or use of any class or classes of buildings or structures within any defined area or areas:
 - a. That is a significant wildlife habitat, wetland, woodland, ravine, valley, or area of natural and scientific interest.
 - b. That is a significant corridor or shoreline of a lake, river, or stream.
 - c. That is a significant natural corridor, feature, or area.
5. For prohibiting any use of land and the erecting, locating or using of any class or classes of buildings or structures on land:
 - a. That is contaminated.
 - b. That contains a sensitive groundwater feature or a sensitive surface water feature.
 - c. That is within an area identified as a vulnerable area in a drinking water *Source Protection Plan* that has taken effect under the *Clean Water Act*, 2006.
6. For prohibiting any use of land and the erecting, locating or using of any class or classes of buildings or structures on land that is the site of a significant archaeological resource.



7. For regulating the type of construction and the height, bulk, location, size, floor area, spacing, character and use of buildings or structures to be erected, and the minimum frontage and depth of the parcel of land and the proportion of the area thereof that any building or structure may occupy.
8. For regulating the minimum elevation of doors, windows or other openings in buildings or structures or in any class or classes of buildings or structures to be erected.
9. For requiring the owners or occupants of buildings or structures to be erected or used for a purpose named in the by-law to provide and maintain loading or parking facilities.
10. For regulating the minimum area of the parcel of land and to regulate the minimum and maximum density and the minimum and maximum height of development.
11. To prohibit the use of land or the erection or use of buildings or structures unless such municipal services as may be set out in the by-law are available to service the land, buildings, or structures.

1636_ City Council may initiate amendments to the *Zoning By-law* where:

1. It is determined that the assumptions and conditions on which the regulations were based have changed to the extent that the regulations are no longer appropriate.
2. Existing regulations need to be refined as a result of further study.
3. A secondary plan has been completed and changes to the *Zoning By-law* are required to implement the new secondary plan.
4. Amendments are necessary to implement changes to provincial legislation and statutes, including the *Provincial Policy Statement*.
5. Amendments are necessary to implement the results of a comprehensive review to the Plan, in accordance with the provisions of the *Planning Act*.

1637_ 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*.

ZONING TO THE UPPER MAXIMUM HEIGHT

1638_ The maximum height in the applicable Place Type may include a standard maximum and upper maximum height. Zoning on individual sites may be permitted up to the standard maximum height. Applications to exceed the standard maximum height will be reviewed on a site-specific basis and will not require an amendment to this Plan. Heights exceeding the upper maximum will require an amendment to this Plan.

1639_ A framework of heights that includes standard maximum and upper maximum heights, is shown on Table 8 at the beginning of the Urban Place Type policies.

1640_ In order to provide certainty and to ensure that the features required to mitigate the impacts of the additional height and densities are provided, a site-specific zoning by-law amendment will be required to exceed the standard maximum height. Through the amendment process the community, City Council and other stakeholders can be assured that measures will be implemented to mitigate any impacts of additional height or density.

1641_ Increases in building height above the Standard Maximum may be permitted where the resulting intensity and form of the proposed development represents good planning within its context.

1642_ *Policy Deleted*

1643_ *Policy Deleted*

1644_ *Policy Deleted*

1645_ *Policy Deleted*

1646_ *Policy Deleted*

1647_ *Policy Deleted*

1648_ *Policy Deleted*

1649_ *Policy Deleted*

1650_ *Policy Deleted*

1651_ *Policy Deleted*

1652_ *Policy Deleted*

1653_ *Policy Deleted*

1654_ *Policy Deleted*

1655_ *Policy Deleted*

HOLDING PROVISION BY-LAW

1656_ The *Zoning By-law* may contain holding provisions that specify the use(s) of land, buildings or structures that will be permitted when the holding symbol is removed consistent with the *Planning Act*. Until such time as the holding provision is removed, these uses will not be permitted.

1657_ Holding provisions may be used to ensure that the goals, objectives, and policies of this Plan are met prior to the holding symbol being removed. Holding provisions may be used to address requirements relating to such matters as civic infrastructure; environmental or flood protection measures; noise, vibration, or odor mitigation; built form requirements; public site plan processes and other such matters relating to the goals, objectives, and policies of this Plan.

1658_ *The Zoning By-law* will be amended by application to remove the holding symbol when City Council or its delegated approval authority determines that the requirements relating to the appropriate purpose as set out in the by-law have been met. (OPA 65)

1659_ Such requirements may include, but are not limited to, the satisfying of certain financial and servicing requirements of the municipality, and the signing of site plan or subdivision agreements, or any other necessary agreements under the provisions of the *Planning Act*.

1660_ The Public Meetings and Notices policies of the Our Tools part of this Plan will not apply to the removal of the holding symbol. A notice of City Council's intent to remove the holding symbol will be given in accordance with the requirements of the *Planning Act* and associated regulations.

1661_ Interim uses permitted in a holding zone may be limited to existing uses that will be compatible with the ultimate use of the land, and certain other uses that may also be compatible.

MINOR VARIANCE

1662_ The Committee of Adjustment, when dealing with an application for minor variance, will be satisfied that the general intent and purpose of this Plan and the *Zoning By-law* would be maintained, and that the variance would be minor in nature and desirable for the appropriate development or use of the land, building, or structure.

> CRITERIA FOR REVIEWING APPLICATIONS

1663_ When reviewing an application for minor variance, the Committee of Adjustment will also consider the relevant policies of this Plan and all of the following criteria:

1. That compliance with the provisions of the *Zoning By-law* would be unreasonable and would impose an undue hardship on the applicant.
2. That the application deals with circumstances not common to the area and would not create a precedent for similar requests from other property owners.
3. That the variance would not cause substantial detriment, hazard, or annoyance that would detract from the character or amenity of nearby properties, and would not adversely affect the traffic and parking conditions in the area.
4. That a variance adding a new use which is not substantially the same by definition, character, or operation as the permitted uses, should not be allowed.
5. That a variance to extend a permitted use into an adjoining zone should allow only the minimum extension necessary to provide for the reasonable and practical use of the property, and should not hinder the reasonable development and/or use of properties in the adjacent zone.

> CONDITIONS OF APPROVAL

1664_ The Committee of Adjustment may attach such conditions as it deems appropriate to the approval of an application for minor variance. Conditions imposed by the Committee of Adjustment may include a requirement that the property owner enter into one or more agreements with the City dealing with some or all of the terms and conditions if the requirement is set out in the decision. Such agreement(s) may be registered against the land to which it applies and the City is entitled to enforce the agreement against the owner and, subject to the *Registry Act* and the *Land Titles Act*, against any and all subsequent owners of the land.

NON-CONFORMING USES

1665_ The use of lands, buildings, or structures that do not comply with the *Zoning By-law*, but were lawfully used for such purpose prior to the approval of the *Zoning By-law*, and continue to be used for such a purpose, shall be recognized as non-conforming uses in accordance with the *Planning Act*. If such non-conforming uses cease, then the rights derived from such uses shall terminate.

1666_ Consistent with the provisions of the *Planning Act*, a proposal to allow for the expansion or enlargement of a non-conforming use, or to allow a change in a non-conforming use, may be permitted by way of an application to the Committee of Adjustment. It is the intention and expectation that non-conforming uses, buildings, or structures shall eventually cease, and be replaced by uses, buildings, or structures that conform to the intent of this Plan and comply with the *Zoning By-law*.

1667_ In special circumstances, it may be appropriate to consider the change, extension or enlargement in the use of any land, building, or structure of the non-conforming use, provided that all of the following criteria are met:

1. Such land, building, or structure continues to be used in the same manner and for the same purpose as it was used on the day the *Zoning By-law* was approved.
2. The use is similar to the purpose for which it is used or more compatible with the uses permitted by the *Zoning By-law* on the day the by-law was passed.
3. Permission for the extension, enlargement or change in the non-conforming use is in keeping with the general intent of the Official Plan and does not unduly aggravate the situation created by the existence of the use, including the requirements of the *Zoning By-law* applying to the area.
4. That the long-term continuation of the use would be appropriate.
5. There will be no expansion of the site or building beyond the limits of the land owned and used on the day the *Zoning By-law* was passed.
6. The expansion is minor in relation to the existing buildings and development on the site, and is in appropriate proportion to the size of the non-conforming use.
7. The characteristics of the existing non-conforming use and the proposed extension or enlargement will not contribute to air, noise or water pollution, and will not result in nuisances such as vibration, fumes, smoke, dust, odour, lighting or traffic.
8. That the proposed extension, enlargement or change in use will not interfere with desirable development, in adjacent areas, in conformity with the Official Plan and *Zoning By-law*.
9. The use does not involve hazardous activities or substances that threaten the safety of the surrounding area.
10. Neighbouring uses can be adequately protected by the provision of landscaping, buffering or screening, appropriate setbacks for buildings and structures, and devices and measures for reducing nuisances.
11. That the extension, enlargement or change in use would provide for measures that will reduce nuisances, protect adjacent properties, and improve the compatibility of the use with the surrounding area.
12. Traffic and parking conditions in the area will not be adversely affected and appropriate design of exits and entrances to the site can be provided.

13. Adequate parking and loading facilities are provided to accommodate the proposed use.
14. Adequate civic infrastructure is available.

1668_ Where the extension or enlargement of any land, building or structure used for any purposes prohibited by the *Zoning By-law* is permitted subject to the requirements above, such an approval may also be subject to site plan control.

1669_ Certain non-conforming uses, particularly industrial or intensive commercial uses in residential areas that detract from the character and quality of a complete neighbourhood, will be encouraged to relocate or redevelop so that the subject land may be used in conformity with the policies of this Plan and the provisions of the *Zoning By-law*. Special attention will be given to the re-establishment of the use in a different location where it is able to exist under improved conditions, and in conformity with the policies of this Plan.

1670_ The City may consider the feasibility and desirability of acquiring a non-conforming property and holding, selling, leasing, or redeveloping the property in conformity with the policies of this Plan and sound financial management. The City may also consider an exchange of other City-owned lands.

TEMPORARY USE PROVISIONS

1671_ Provided the general intent and purpose of this Plan are maintained, City Council may pass by-laws to authorize the temporary use of land, buildings, or structures for a purpose that is otherwise prohibited by this Plan, for renewable periods not exceeding three years, in accordance with the provisions of the *Planning Act*.

1672_ In enacting a temporary use by-law, City Council will have regard for the following matters:

1. Compatibility of the proposed use with surrounding land uses.
2. Any requirement for temporary buildings or structures in association with the proposed use.
3. Any requirement for temporary connection to municipal services and utilities.
4. The potential impact of the proposed use on mobility facilities and traffic in the immediate area.

5. Access requirements for the proposed use.
6. Parking required for the proposed use, and the ability to provide adequate parking on-site.
7. The potential long-term use of the temporary use.
8. In the case of temporary commercial surface parking lots in the Downtown, the impact on the pedestrian environment in the Downtown.
9. The degree to which the temporary use may be frustrating the viability of the intended long-term use of the lands.

1673_ It is not intended that temporary uses will be permitted on a long-term basis and they will not be permitted where they may interfere with the long-term planning for a site. Permanent structures for temporary uses will not be permitted. Severances to support temporary uses may not be permitted where they may negatively impact long-term planning.

1673A_ For lands within the Downtown Place Type, the following criteria will be used to evaluate both applications for temporary zoning to permit surface commercial parking lots and applications for extensions to temporary zoning to permit surface commercial parking lots, in the Downtown:

1. The demonstrated need for surface parking in the area surrounding the subject site. Utilization rates for sub-areas of the Downtown may be used to evaluate this need.
2. The importance of any pedestrian streetscapes that are impacted by the surface commercial parking lot and the degree to which these streetscapes are impacted.
3. The size of the parking lot, recognizing a goal of avoiding the underutilization of Downtown lands.
4. The length of time that the surface commercial parking lot has been in place, recognizing it is not intended that temporary uses will be permitted on a long-term basis.
5. Applicable guideline documents may be used to provide further, more detailed, guidance in applying these policies.

6. Site plan approval will be required for all temporary surface commercial parking lots in the Downtown.
7. Where Council does not wish to extend the temporary zoning for a surface commercial parking lot a short-term extension of the temporary zone may be permitted for the purpose of allowing users of the lot to find alternative parking arrangements. *(OPA 21)*

SITE PLAN CONTROL

1674_ City Council will adopt a by-law to designate the entire area within the corporate limits of the City of London as a Site Plan Control Area. All types of development or redevelopment will be subject to Site Plan Control. Exemptions may be identified within the *Site Plan Control By-law*.

1675_ City Council may establish differentiated processes for site plan applications based on their complexity and scope.

> DEVELOPMENT OR REDEVELOPMENT

1676_ For the purposes of this Plan, development or redevelopment means the construction, erection, or placing of one or more buildings or structures on land, or the making of an addition or alteration to a building or structure that has the effect of substantially increasing its size or usability thereof, or the laying out and establishment of a commercial parking lot.

1677_ Without limiting the generality of the above policy, if any of the following conditions exist as the result of development or redevelopment, it will be considered a substantial increase in the usability of a building through alteration, and will be subject to site plan control:

1. Altering a building for a use or purpose that has a substantively higher parking requirement than that which applied to the previous use of the building before it was altered.
2. Altering a building for a use or purpose that will lead to substantively higher traffic generation during all or a specific portion of the day or night.
3. Altering a building to house a greater number of residential units.
4. Altering all or a portion of a building for

residential use, from a non-residential use, such that the residential use is likely to cause a substantive increase in traffic or likely to impose a greater planning impact.

5. Altering all or a portion of a building for non-residential use or purpose, from a residential use, such that the new use or purpose is likely to cause a substantive increase in traffic or likely to impose a greater planning impact.
6. Altering a building, including by demolition or otherwise, such that the existing site layout must be substantively altered to accommodate new or modified vehicular or pedestrian access points, new or expanded parking areas for automobiles or bicycles, new loading facilities, or increased lighting.

> REQUIREMENTS

1678_ No person shall undertake any development that is subject to site plan control unless City Council, or its delegated site plan approval authority, has approved a site plan including the following:

1. Plans showing the location of all buildings and structures to be erected and showing the location of all site servicing, facilities and works to be provided in conjunction therewith, including facilities designed to have regard for accessibility for persons with disabilities.
2. Drawings showing plan, elevation and cross-section views for each building to be erected which drawings are sufficient to display:
 - a. The massing and design of the proposed building.
 - b. The relationship of the proposed building to adjacent buildings, streets, and exterior areas to which members of the public have access.
 - c. The provision of interior walkways, stairs, elevators, and escalators to which members of the public have access from streets, open spaces, and interior walkways in adjacent buildings.

- d. Matters relating to exterior design, including without limitation the character, scale, appearance and design features of buildings, and their sustainable design, but only to the extent that it is a matter of exterior design.
- e. The sustainable design elements on any adjoining street, including without limitation trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities.
- f. Trees to be retained and planted.
- g. Facilities designed to have regard for accessibility for persons with disabilities.

1679_ Pursuant to the *Planning Act*, the *Site Plan Control By-law* will contain provisions relating to the requirements identified above.

> OBJECTIVES OF SITE PLAN CONTROL

1680_ The intent of site plan control is to improve the efficiency of land use and servicing and to encourage more attractive, sustainable, and compatible forms of development by providing for development which:

1. Implements the City Building and Place Type policies of this Plan.
2. Is in accordance with the provincial interest of promoting a built form that is well designed, encourages a sense of place and provides for public spaces that are of high quality, safe, accessible, attractive, and vibrant.
3. Implements the City Design policies of this Plan.
4. Is properly serviced by municipal infrastructure.
5. Is functionally integrated with adjacent development to provide for compatibility of design and to minimize impacts on adjacent properties.
6. Has sites large enough to accommodate the required services and facilities.

7. Provides for the orderly and safe movement of traffic into and out of private properties with minimum interference to vehicular and pedestrian traffic.
8. Provides for adequate and accessible parking and loading facilities, and orderly circulation within parking areas.
9. Promotes safe and convenient pedestrian circulation and incorporates accessibility design standards.
10. Provides sufficient illumination for pedestrian security and safety, and for the enhancement of external building design and landscaped open space.
11. Improves the aesthetics of the site, by providing for open space, screening, landscaping, and the retention of natural features.
12. Contributes to the function of the site by incorporating, where appropriate, shared access and parking for adjacent properties, and measures to assist in the reduction of stormwater runoff.
13. Ensures appropriate measures are undertaken to avoid negative impacts on significant natural features and areas.
14. Addresses issues relating to emergency services response for a site, including such matters as emergency response radio systems, underground structures' capacity to accommodate the weight of emergency response vehicles, and emergency vehicle access.

> MATTERS ADDRESSED BY SITE PLAN CONTROL

1681_ To achieve these objectives, matters such as those that follow will be addressed through site plan control:

1. Location, massing, and conceptual design of buildings and structures.
2. Location and design of vehicular and pedestrian access points.
3. Location and design of off-street parking and loading facilities.
4. Facilities for on-site pedestrian and vehicular circulation.

5. Street widenings as required by this Plan.
6. Location and design of on-site exterior lighting, landscaping, buffering, fencing, outdoor storage, and garbage disposal facilities.
7. Measures to minimize any loss of sunlight and privacy to adjacent properties.
8. Location and design of outdoor recreational areas.
9. Location of external facilities and works.
10. Easements over, and grading of lands.
11. Provisions for stormwater management and drainage.
12. Wastewater and water servicing.
13. Facilities designed to have regard for accessibility for persons with disabilities.
14. Matters relating to exterior design including elements pertaining to character, scale, appearance, materials, and design features of buildings and sites and their sustainable design.
15. The sustainable design elements on any adjoining street under the City's jurisdiction, including trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers, and bicycle parking facilities.
16. The location and type of all trees to be retained and planted.
17. Provision for the City to enter into one or more agreements with applicants, to ensure that development proceeds in accordance with these matters.

> PUBLIC SITE PLAN PROCESS

1682_ To assist in encouraging the integration of new development with adjacent land uses, City Council may require public notification and a public site plan meeting in connection with any project that Council may deem to require public involvement in the assessment of a site plan.

1683_ A public site plan meeting will be required for the following:

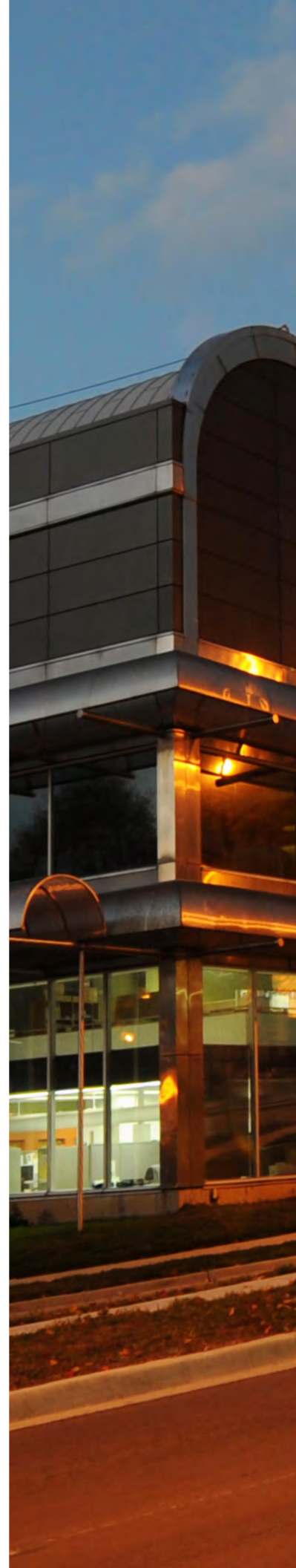
1. Major Downtown projects.
2. Vacant land condominiums and common elements condominiums, unless it can be demonstrated that there is no need or public concern.
3. Residential intensification projects, pursuant to the intensification policies in the Neighbourhoods chapter of this Plan.
4. Projects where zoning has been applied for additional height or density.
5. Development within Heritage Conservation Districts. (*OPA 78*)

SCOPED SITE PLAN PROCESS

1683A_ Where permitted by the policies of this Plan, a scoped site plan process may be applied as follows:

1. The full range of submissions required for the standard site plan approval process will not be required. Rather, the following submissions will be required:
 - a. A Planning and Design Report, scoped to address relevant design issues.
 - b. Site plan and building elevation drawings.
 - c. Where appropriate, a grading certificate and a water service and sewer/drainage connections plan.
2. Upon review and approval, the site plan and building elevation drawings will be stamped as approved and constitute applicable law. No development agreement or security will be required unless there is a specific reason for such requirement. (*OPA 47*)

1683B_ Applications for building permits will be reviewed for compliance based on the stamped site plan and building elevation drawings, prior to issuance of any building permit. Any future variation from the approved site plan and building elevations shall require a site plan approval amendment application. (*OPA 47*)



COMMUNITY PLANNING PERMIT SYSTEM

1684_ To implement the policies of this Plan, City Council may establish a community planning permit system that applies to the entire city, or a portion thereof. An amendment to this Plan will be made to implement any such community planning permit system, and will describe:

1. Proposed community planning permit system area(s).
2. Scope of authority that may be delegated.
3. The City's goals, objectives and policies for using the community planning permit system.
4. Types of conditions that may be included in the community planning permit by-law.
5. Types of criteria that may be included in the community planning permit by-law by which applications would be evaluated.
6. Additional information requirements to be included in an application, over and above those requirements identified in Schedule 1 of the *Planning Act's* Regulation.
7. Exemption of any class of development or use of land from the requirements in Schedule 1 of the *Planning Act's* Regulation.
8. Policies relating to the facilities, services, and matters which may be requested in exchange for the height or density which is permitted, or for increases in these heights or densities.

SUBDIVISION OF LAND

1685_ The *Planning Act* identifies a number of tools that can be used by a municipality to control the subdivision of land.

PLANS OF SUBDIVISION

1686_ Proposed plans of subdivision will be evaluated for their conformity with the *Planning Act*, applicable provincial legislation and guidelines, and the policies of this Plan. As delegated by the Province, City Council of the

City of London will be the approval authority for the approval of subdivisions which, in turn, may be delegated by Council to a person or body.

1687_ Plans of subdivision are included in the definition of "planning and development applications" and will be subject to the policies of this Plan that apply to such applications.

1688_ Proposed plans of subdivision will be evaluated based on all of the relevant policies and guideline documents of The London Plan, including:

1. Our Strategy.
2. Our City.
3. City Building policies.
4. The policies of the place type in which the proposed subdivision is located.
5. The Our Tools policies.
6. Relevant secondary plans and specific policies.
7. Relevant guideline documents.

1689_ The approval authority may require, as a condition of draft plan approval, that the property owner satisfy certain conditions prior to final approval and registration of the plan of subdivision, as in the opinion of the approval authority are reasonable, having regard to the nature of the development proposed for the subdivision. In granting a subdivision, the approval authority may attach conditions, as authorized under the provisions of the *Planning Act*, relating to the dedication of public amenities such as:

1. Parkland or cash in-lieu-of such dedication.
2. Streets, street widenings and one foot reserves as may be required by the City. A street includes the entire right-of-way and may contain, in addition to the roadway, sidewalks, bicycle lanes, bicycle and pedestrian pathways and public transit rights of way.
3. Pedestrian pathways, bicycle pathways and public transit rights-of-way, as the approval authority considers necessary.

4. Land for commuter parking lots, transit stations and related infrastructure for the use of the general public using highways, as the approval authority considers necessary.
5. Municipal or other services required as the approval authority considers necessary.

1690_ The property owner may be required to meet these conditions of draft approval within a specified time period, failing which, draft plan approval may lapse. To provide for the fulfillment of these conditions and for the installation of services according to municipal standards, the approval authority will require the property owner to enter into a subdivision agreement prior to final approval of the plan of subdivision.

1691_ The approval authority may require the property owner to demonstrate how remnant parcels of land will be designed to be integrated with the proposed draft plan of subdivision, served with services and accessed through the subdivision street network, and/or integrated into internal laneways.

1692_ In accordance with provisions of the 1983 *Planning Act*, for plans which were approved under the regulations of that Act, and where the approval authority has been delegated by the Minister to the City of London, the approval authority may, at its discretion, carry out a review of the conditions of draft approval and make amendments to the conditions in order to reflect the requirements of the current *Provincial Policy Statement*, and policies in *The London Plan*. The review of these draft plans will occur on a regular basis at the discretion of the approval authority. Public notification will be given of any proposed changes to the draft plan or conditions in accordance with the current *Planning Act* and current City practices. The approval authority may also, at its discretion, withdraw draft approval of the plan in accordance with the regulations of the 1983 *Planning Act*. Draft Plan approval will be extended only where the plan of subdivision conforms with the current policies of *The London Plan* and all current legislation and the *Provincial Policy Statement*.

1693_ In accordance with the *Planning Act*, draft plan approval will only be extended where the plan of subdivision conforms with the current policies of *The London Plan*, all current legislation, and is consistent with the *Provincial Policy Statement*.

1694_ In accordance with the *Planning Act*, City Council may pass by-laws to exempt all, or parts of, registered plans of subdivision from part-lot control. Such exemption will eliminate the need for further subdivisions or consents to convey portions of lots within the registered plan of subdivision. Exemption from part-lot control will not be supported for the creation of a private street which serves freehold lots.

1695_ City Council may, by by-law, deem any part of a plan of subdivision not to be a registered plan of subdivision, subject to the provisions of the *Planning Act*.

CONSENT TO SEVER LANDS

1696_ In accordance with the provisions of the *Planning Act*, City Council may delegate the authority to give consents to a body such as the Committee of Adjustment or to an officer of the municipality. The Consent Authority deals with applications, under the subdivision and part-lot control provisions of the *Planning Act*, for consent to the severance of the ownership or rights in use of land by sale and purchase or by mortgage, lease, or other form of agreement for a period of twenty-one years or more.

1697_ When dealing with an application for consent under the subdivision or part-lot control provisions of the *Planning Act*, the Consent Authority will be satisfied that a plan of subdivision is not necessary for the proper and orderly development of the land.

1698_ Where the proposed lot(s) and/or the use for the proposed lot(s) do not conform to the *Zoning By-law*, a provisional consent decision may be given subject to a condition that the applicant apply for a zoning by-law amendment or minor variance relating to the proposed consent to sever and that the decision on the zoning by-law amendment or minor variance application is in full force and effect.

> CONSENT CRITERIA

1699_ When reviewing an application for consent to create a lot(s), the Consent Authority will consider all the policies of *The London Plan* and the following criteria:

1. That any lot(s) to be created would conform to the policies of this Plan, the *Zoning By-law*, and any applicable area study or guideline document.

2. That the matters which, according to the *Planning Act*, are to be regarded in the review of a draft plan of subdivision have been taken into account.
 3. That the size and shape of any lot(s) to be created would be appropriate for the intended use, and would generally conform with the intent of the policies of this Plan and the *Zoning By-law* as they pertain to the subject area.
 4. That the size and shape of any lot(s) to be created is compatible with adjacent development and conforms to any development agreements registered against the title of the subject land.
 5. That the creation of any lot(s) would have the effect of infilling an existing developed area where the pattern of land use has been established, and would not have the effect of extending a developed area.
 6. That the proposed lot(s) would front on, or have access to, an existing public street and would not involve the opening or extension of a public street.
 7. That the proposed lot(s) would not unduly reduce the accessibility of abutting lands suitable for development.
 8. That access to the proposed lot(s) would not create traffic problems or hazards and that policies of this Plan regarding street access would be complied with.
 9. That adequate municipal services and utilities would be available.
 10. That any health and safety matters relating to the *Building Code* are adequately addressed.
 11. For a consent application pertaining to lands within the Farmland or Future Growth Place Types, that the lot to be created would conform to the Farmland policies of this Plan.
 12. For a consent application pertaining to natural features located on lands within a Green Space or Environmental Review Place Type the potential impacts resulting from fragmentation of natural features corridors and linkages will be taken into consideration.
 13. That potential impacts on components of the Natural Heritage System will be addressed in conformity with the policies of this Plan.
- 1700_** Where individual on-site wastewater treatment systems are proposed, the Consent Authority will also consider all of the following criteria:
1. The Civic Infrastructure policies of this Plan.
 2. The proposed development is consistent with the surrounding area in terms of pattern and size.
 3. The proposed development does not represent an extension to an area for existing development on individual services.
 4. The proposed development would not create a precedent for future similar applications on adjacent or nearby lots.
- > CONSENT CRITERIA FOR FREE-HOLD LOTS ON COMMON ELEMENTS CONDOMINIUM ROADWAY**
- 1701_** All developments with free-hold lots must be served by a public street designed to acceptable standards and to the specifications of the City.
- 1702_** The creation of a non-condominium private road to serve new free-hold lots shall be prohibited. The creation of a common elements condominium private roadway to serve new free-hold lots will be discouraged, unless it is demonstrated it cannot be integrated into a plan of subdivision, it promotes efficient land utilization, it will be registered as a common elements condominium corporation, and it will serve a maximum of five new lots.
- 1703_** Consent for the creation of free-hold lot development on a common elements condominium roadway may be granted only if all of the following additional criteria are satisfied:
1. The severed and retained parcels comply with the provisions of the implementing *Zoning By-law*.
 2. Adequate municipal services shall be available or shall be provided to the property limit of the development.

3. The private common element services within the development connect to available adequate municipal services on a public street.
 4. The applicant enter into an agreement with the City to address servicing and other development issues.
 5. There is provision for a safe and dry access for all lots involved.
 6. The common element roadway is not needed to create local public street connections to existing developed lands or undeveloped lands in the future, based on good land use planning principles.
 7. The common element roadway has an adequate width to accommodate the traveled portion of road, boulevards and services for its use, construction and maintenance to permit safe vehicular movements, and has an adequate turning facility of sufficient area to accommodate emergency, delivery and maintenance vehicles consistent with the *Site Plan Control By-law*.
 8. The agreement will identify the numbering of units and signage indicating a private street, all subject to the approval of the City Planner.
 9. The agreement will specify that garbage pick-up will be from a central pad located adjacent to the public street which is easily accessible for the City garbage collection vehicles.
 10. The freehold lots dependent on the common element roadway will be rezoned to include a Holding Zone to prohibit the development of the freehold lots until a common elements condominium corporation is registered on title for the roadway.
2. The dedication of any streets, street widenings and one foot reserves as may be required by the City. A street includes the entire right-of-way and may contain, in addition to the roadway, sidewalks, bicycle lanes, bicycle and pedestrian pathways and public transit rights of way.
 3. The dedication of pedestrian pathways, bicycle pathways and public transit rights-of-way, as the consent authority considers necessary.
 4. The dedication of land for commuter parking lots, transit stations and related infrastructure for the use of the general public using highways, as the consent authority considers necessary.
 5. Municipal or other services required as the consent authority considers necessary.
 6. Fulfillment of any financial requirements of the City.
 7. A servicing agreement between the property owner and the City pertaining to any extension or upgrading of municipal services required by the City to accommodate the development of a lot created by consent.
 8. Submission of a registered reference plan to the Consent Authority.
 9. That the property owner enter into one or more agreements with the City dealing with such matters as the Consent Authority may consider necessary. Such agreement(s) may be registered against the land to which it applies and the City is entitled to enforce the agreement against the owner and, subject to the *Registry Act* and the *Land Titles Act*, against any and all subsequent owners of the land.

> CONDITIONS OF CONSENT APPROVAL

1704_ In granting a consent, the consent authority may attach conditions, as authorized under the provisions of the *Planning Act*, including but not limited to:

1. The dedication of parkland or cash in-lieu-of such dedication.

10. Confirmation that any corresponding zoning by-law amendment or minor variance application has been dealt with and is in full force and effect.

PLANS OF CONDOMINIUM

1705_ The process of creating units, common elements and exclusive use common elements through the registration of a condominium description is governed by the *Condominium Act* and the *Planning Act*. Authority for the approval of plans of condominium has been assigned by the Province to the City Council of the City of London.

> STANDARD CONDOMINIUM POLICIES

1706_ The following policies will apply to consideration of an application for a standard condominium:

1. If the development is to be registered as multiple plans of condominium, the minimum number of units to be included in each condominium will be ten, or a number adequate to ensure the reasonable, independent operation of the condominium corporation.

> COMMON ELEMENTS CONDOMINIUM POLICIES

1707_ The following policies will apply to consideration of an application for a common elements condominium:

1. Common elements condominium corporations will be permitted unless the City requires public ownership of the lands for purposes of: pedestrian or vehicular access, including any part of a public street allowance; the construction, maintenance and repair of public facilities and services; or safeguarding significant natural features set out in the Natural Heritage policies of this Plan, or planned trail systems; or, the proposal is otherwise not in the public interest.
2. The creation of a new private street common elements condominium corporation will be subject to the Consent to Sever Lands policies of this Plan.



> PHASED CONDOMINIUM POLICIES

1708_ The following policies will apply to consideration of an application for a phased condominium:

1. The minimum number of units for the initial and final registration will be ten, or a number adequate to allow for reasonable operation of the condominium corporation should the proposed phases not be constructed or registered as approved in the draft plan.
2. The City will be satisfied that the proposed phasing, in association with statutory easements or otherwise, joint use and maintenance agreements and other mechanisms is satisfactory to ensure the long-term independent operation of the condominium and the remnant land should subsequent phases not be built or registered, or registered as stand-alone condominium corporations.

> VACANT LAND CONDOMINIUM POLICIES

1709_ The following policies will apply to consideration of an application for a vacant land condominium:

1. The same considerations and requirements for the evaluation of draft plans of subdivision shall apply to draft plans of vacant land condominium.
2. The applicant may be required to provide site development concepts and meet design requirements consistent with the *Site Plan Control By-law* as part of the consideration of a draft plan of vacant land condominium.
3. Proposals for vacant land condominiums which will result in units above or below any other unit will not be supported.
4. Only one dwelling will be permitted per unit.
5. At the time of registration, structures cannot cross unit boundaries.
6. The registration of a proposed development as more than one vacant land condominium corporation may be permitted if the proposal is supportive

of comprehensive development and planning goals. The minimum number of units to be included in each condominium corporation will be adequate to allow for the reasonable, independent operation of the condominium corporation.

1709A_ *Policy Deleted (OPA 78)*

> CONDOMINIUM GUIDELINES

1710_ City Council may adopt *Condominium Guidelines* to assist in the preparation and evaluation of proposed draft plans of condominium.

> CONDITIONS

1711_ The City may require that applicants satisfy reasonable conditions prior to final approval and registration of the plan of condominium, as authorized under the provisions of section 51 of the *Planning Act*. The applicant will be required to meet conditions of draft plan approval within a specified time period, failing which, draft plan approval will lapse.





GUIDELINE DOCUMENTS

1712_ City Council may adopt guideline documents to provide direction for the implementation of the policies of this Plan or to guide development of a specific area. Guideline documents may contain guidelines, standards, and performance criteria that are either too detailed, or require more flexibility in interpretation or implementation than the policies of this Plan would allow.

1713_ Guideline documents will be adopted by resolution of City Council. Planning and development applications and public works shall be reviewed to determine their consistency with the provisions of any applicable guideline document, and conditions may be imposed upon the approval of development accordingly. Provincial guideline documents will also be used to implement the policies of this Plan.

1714_ The preparation of a guideline document will include provisions to encourage input from agencies, associations, and individuals that have an interest in the subject matter. Before adopting or amending a guideline document, City Council will hold a public meeting to provide for input from interested parties.

1715_ Where there is a conflict or incongruence between a guideline document and one or more policies within *The London Plan*, the policies of *The London Plan* shall prevail.

CITY DESIGN GUIDELINES

1716_ The following is the list of City Design guideline documents:

1. Airport Road South Business Park Urban Design Guidelines
2. City of London Placemaking Guidelines
3. Dingman Drive Industrial Area Urban Design Guidelines
4. Downtown Design Study - Design Guidelines
5. Grosvenor Gate Neighbourhood Character Statement and Compatibility Guidelines
6. Hyde Park Community Plan - Community and Urban Design Guidelines
7. Old East Village Commercial Corridor Urban Design Manual
8. Richmond Street-Old Masonville Master Plan and Urban Design Guidelines
9. Talbot Community Urban Design Guidelines
10. Upper Richmond Village Urban Design Guidelines
11. Urban Design Guidelines for 3080 Bostwick Road
12. Urban Design Guidelines for the Old Victoria Hospital Lands Phase II (OPA 9) (OPA 25)

URBAN REGENERATION GUIDELINES

1717_ The following is the list of Urban Regeneration guideline documents:

1. Our Move Forward: London's Downtown Plan
2. Richmond Row Master Plan





CIVIC INFRASTRUCTURE GUIDELINES

1718_ The following is the list of Civic Infrastructure guideline documents:

1. Access Management Guidelines
2. Cycling Master Plan
3. Development Charges Background Study
4. Growth Management Implementation Strategy
5. Transportation Impact Assessment Guidelines
6. Transportation Master Plan

NATURAL HERITAGE SYSTEM GUIDELINES

1719_ The following is the list of Natural Heritage System guideline documents:

1. Conservation Master Plan for the Coves Environmentally Significant Area
2. Data Collection Standards for Ecological Inventory
3. Environmental Management Guidelines
4. *Policy Deleted*
5. *Policy Deleted*
6. *Policy Deleted*
7. *Policy Deleted*
8. *Policy Deleted*
9. Kilally Open Space Master Plan
10. Meadowlily Woods Master Plan
11. Medway Valley Heritage Forest Environmentally Significant Area (South) Conservation Master Plan
12. Planning and Design Standards for Trails in Environmentally Significant Areas
13. Sifton Bog Environmentally Significant Area Conservation Master Plan
14. Westminster Ponds/Pond Mills Environmentally Significant Area Master Plan Update (OPA 39) (OPA 78)

PARKS, RECREATION AND OPEN SPACE GUIDELINES

1720_ The following is the list of Parks, Recreation and Open Space guideline documents:

1. Guidelines for the Development of Parks and Open Space
2. Parks and Recreation Master Plan
3. Thames River Valley Corridor Plan
4. Tree Planting and Protection Guidelines
5. Urban Forestry Strategy

CULTURAL HERITAGE GUIDELINES

1721_ The following is the list of Cultural Heritage guideline documents:

1. Archaeological Management Plan
2. Blackfriars/Petersville West Development Guidelines
3. Guidelines for the Identification of Cultural Heritage Landscapes in London
4. Heritage Places 2.0: A Description of Potential Heritage Conservation Districts in the City of London. (OPA 12) (OPA 21)

OTHER GUIDELINES

1722_ The following is the list of Other guideline documents:

1. Condominium Submission, Review and Approval Guidelines

COMMUNITY IMPROVEMENT PLANS

1723_ The Urban Regeneration section in the Our City part of this Plan provides policies relating to community improvement plans. The following policies are intended to provide more detail and direction for such plans.

1724_ In accordance with the provisions of the *Planning Act*, a by-law may be passed to identify areas designated for Community Improvement (a Community Improvement Project Area). These are shown on Map 8 - Community Improvement Project Areas. City Council may also adopt a community improvement plan for the area(s) designated for community improvement.

1725_ New community improvement project areas approved by City Council shall be added to Map 8 - Community Improvement Project Areas by an amendment to this Plan.

1726_ Community improvement plans are intended to provide City Council with the necessary tools to stimulate reinvestment and redevelopment, inspire appropriate infill and intensification, coordinate planning efforts, improve the physical infrastructure, support community economic development, preserve neighbourhood and cultural heritage value, and lead to the establishment of an improved neighbourhood. The tools to implement community improvement plans may include incentives and targeted private and/or public investment to achieve the vision, key directions and policies in *The London Plan*. Council may also acquire, clear and dispose of land to support community improvement and economic development, or use any other methods to support community improvement or environmental, social or community economic development that is permitted by the legislation.

1727_ Community improvement is intended to meet the following objectives:

1. Maintain and improve the public realm, including such things as streets, sidewalks, street lights, street trees, pathways, parks, open spaces, and public buildings.
2. Maintain and improve municipal services including such things as the water distribution system, the sanitary and storm sewer systems, mobility network, transit services, and neighbourhood services.
3. Encourage the coordination of municipal servicing expenditures with planning and development activity.
4. Stimulate private sector property maintenance, repair, rehabilitation, redevelopment and other forms of private sector investment and reinvestment activity.
5. Maintain and improve the physical and aesthetic amenities of streetscapes in both the public and private realms.
6. Encourage the conservation, restoration, adaptive re-use and improvement of cultural heritage resources.
7. Encourage the eventual elimination and/or relocation of incompatible and conflicting land uses and where this is not possible, encourage physical improvements to minimize the incompatibility/conflict.
8. Promote the improvement of energy efficiency standards for residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses.
9. Foster the revitalization and continued improvement of the Downtown and other existing commercial districts including but not limited to the Old East Village, the SoHo Area, and other established business districts.
10. Upgrade social and recreational facilities and support the creation of affordable housing.
11. Support the implementation of measures that will assist in achieving sustainable development and sustainable living.
12. Improve environmental and social conditions.
13. Promote cultural and tourism development.
14. Facilitate and promote community economic development.
15. Promote and improve long-term community stability, safety and quality.

1728_ To identify an area for community improvement, City Council shall consider the following criteria:

1. Deficiencies in physical infrastructure including but not limited to the sanitary sewer system, storm sewer system, and/or watermain system, streets, sidewalks, curbs, streetscapes and/or street lighting, and municipal parking facilities.
2. Deficiencies in recreational, social or community facilities including public open space, municipal parks, neighbourhood parks, indoor/outdoor recreational facilities, and public social facilities.
3. Commercial, residential, industrial and mixed-use areas with poor physical condition and/or poor visual quality of the built environment, including but not limited to building façades, building condition, streetscapes, public amenity areas and urban design.
4. Vacant lots and/or underutilized properties and buildings which have potential for infill, redevelopment, expansion or development to better utilize the land base.
5. Non-conforming, conflicting or incompatible land uses or activities that disrupt or threaten to disrupt the predominant land use, function and/or viability of an area.
6. A demonstrated interest in community improvement by the private firms within an area.
7. Presence of potential or recognised cultural heritage resources.
8. Known or suspected areas of environmental contamination.
9. Lack of or deficient affordable housing or mix of housing opportunities.
10. Improvement to energy efficiency and/or renewable energy efficiency.
11. Traffic and/or parking problems or deficiencies.
12. Other significant barriers to the repair, rehabilitation, redevelopment or development of underutilized land and/or buildings.
13. Other significant environmental, social or community economic development reasons for community improvement.



SPECIFIC AREA POLICIES

1729_ Notwithstanding the other land use policies contained in this Plan, policies for Specific Areas may be applied where the applicable place type policies would not accurately reflect the intent of City Council with respect to a specific site or area.

1730_ The adoption of policies for Specific Areas may be considered in limited circumstances where the following conditions apply:

1. The proposal meets all other policies of the Plan beyond those that the specific policy identifies.
2. The proposed policy does not have an adverse impact on the integrity of the place type policies or other relevant parts of this Plan.
3. The proposed use is sufficiently unique and distinctive such that it does not establish an argument for a similar exception on other properties in the area.
4. The proposed use cannot be reasonably altered to conform to the policies of the place type.
5. The proposed policy is in the public interest, and represents good planning.

1731_ Policies for Specific Areas will not be permitted if there are no distinguishing or unique features of the site that would require the specific area policy or where they would establish an argument of precedent for similar specific area policies.

1732_ All applications for Specific Area Policies shall be evaluated based on the Planning and Development Applications section in the Our Tools part of this Plan.

1733_ Specific Area Policies may be considered to restrict the range of permitted uses, to restrict the scale and intensity of development, or to direct the form normally allowed in a particular place type, in order to protect other uses in an area from negative impacts.

1734_ Policies for Specific Areas shall be adopted as an amendment to the appropriate place type policies of this Plan, and added to Map 7 - Specific Policy Areas.

MUNICIPAL BY-LAWS

1735_ The City may pass by-laws under the authority of the *Planning Act* or *Municipal Act* or other provincial legislation which will apply to designated areas of the city to assist in, or facilitate, the implementation of the vision, key directions and policies of *The London Plan*, for matters such as, but not limited to:

1. Access By-law - Protecting the traffic carrying capacity of certain streets or parts of certain streets by designating them, by by-law, as controlled access streets. The by-law may identify categories of controlled access streets, including those to which access from abutting lands is prohibited without the consent of City Council by way of by-law amendment, and others which will be subject to regulations in the by-law to control the number, location, spacing, and function of driveways providing access to, or egress from, abutting properties.
2. Demolition Control By-law – To prevent the premature demolition of residential buildings.
3. Development Charges By-law – Development Charges are fees that are paid by new development to fund new infrastructure and services constructed throughout the city.
4. Interim Control By-law - Where City Council has, by by-law or resolution, directed that a review or study be undertaken in respect of land use planning policies in the municipality or in any defined area or areas thereof, Council may pass a by-law to be in effect for a period of time specified in the by-law, which period will not exceed one year from the date of the passing thereof, prohibiting the use of land, buildings, or structures within the municipality or within the defined area or areas thereof for, or except for, such purposes as are set out in the by-law.
5. Methadone Clinic Pharmacy Licensing By-law – To regulate the operation of methadone clinics and pharmacies.

6. Property Standards By-law – To regulate the maintenance, occupancy, and enforcement of properties, which is important to the health, safety, and welfare of city residents and in preserving the character of residential areas. Property owners whose property does not conform to standards in the by-law will be required to repair and maintain such properties in accordance with those minimum standards.

Minimum standards in the by-law apply to, among other matters, exterior building and property conditions, and interior conditions of buildings and structures, including:

- a. Garbage disposal and pest prevention.
 - b. Structural maintenance, safety, and cleanliness of buildings.
 - c. Services to buildings including plumbing, heating, and electricity.
 - d. The adequacy of a building, or unit within a building, for healthy occupancy in terms of sanitation, light, and ventilation.
 - e. Keeping properties free from rubbish, debris, weeds, abandoned or inoperative vehicles, trailers, boats, mechanical equipment, or building materials.
7. Residential Rental Licensing By-law – To address sub-standard housing conditions in rental units and protect the amenity, character, and stability of residential areas.
 8. Sign and Canopy By-law – To regulate signs in accordance with the provisions of the *Municipal Act*.
 9. Site Alteration By-law – To prevent the filling and alteration of lands.
 10. Streets By-law – to provide for the regulation of streets.
 11. Tree Conservation By-law – To regulate the injury or destruction of trees.

ACQUISITION AND DISPOSITION OF LAND

1736_ The City may acquire, hold and dispose of land through purchase, expropriation, dedication, land exchange, or other means, and may use such land for the development of different facilities, civic infrastructure, and various forms of transportation and mobility corridors for the benefit of the community and its residents, in accordance with the *Municipal Act*.

ACQUISITION OF LANDS FOR STREETS AND OTHER MOBILITY INFRASTRUCTURE

HIGHWAYS TO BE WIDENED AND EXTENT OF WIDENINGS

1737_ All streets shown on Map 3 - Street Classifications will be considered highways to be widened for the purposes of the *Planning Act*.

1738_ The planned street width for each classification of street shown in Table 6 - Street Classification Design Features, together with the requirements identified in the following policies, will determine the extent of a required widening.

1739_ The planned street width may be refined through a Municipal Class Environmental Assessment or other transportation planning study considering such matters as traffic volumes, cycling lanes, transit requirements, relationship to truck routes, existing heritage properties, existing streetscapes, lot fabric, topographic constraints, and the policies of adjacent place types.

1739A_ Planned street widths are identified in Table 6 and are the standard widths required. In some instances, a planned street width may be identified based on the following criteria. Where one or more of the criteria are met an alternate street width may be required without the need for an amendment to this Plan. Street widths and street segment widths will be based on street character and conditions, including where one or more of the following considerations applies:

1. Widening would have an adverse impact on identified cultural heritage resources, archeological sites, natural heritage features, other defined features or topography;

2. Widening would have an adverse impact on an established street wall, streetscape character, parcel viability, or the ability to maintain consistent setbacks for new development, which applies where there is a policy basis to maintain and enhance existing street character;
3. An alternate street width has been identified through an Environmental Assessment, planning study, approved plan of subdivision, or through another approved study;
4. Consideration of the City's active transportation network in accordance with the Transportation Master Plan, and where nearby and adjacent streets are planned to integrate street design features; or
5. Council is of the opinion that other constraints make it impractical to widen the street to the planned width of Table 6. (OPA 79)

1740_ Wider street widths than those shown on Table 6 may be required at locations such as an intersection, grade separation, railway crossing, interchange, or where there are topographical constraints. Additional street right-of-way of up to 48m within 150m of intersections are typically required to accommodate turning lanes and other transportation and mobility infrastructure on Civic Boulevards and Urban Thoroughfares. The required minimum right-of-way width on any corner lot will also include a triangular area bounded by the street lines and line joining points on the street lines at 6m for perpendicular intersections. A Municipal Class Environmental Assessment or other transportation planning study may be required to identify required street widths based on a specific context. Any additional street width may be for the purposes of accommodating street requirements such as daylight triangles, turning lanes, increasing intersection capacity, locations for traffic control devices, high occupancy vehicle lanes, transit facilities, transit stations, transit priority measures and related infrastructure. (OPA 79)

1741_ In accordance with the *Planning Act*, as a condition to the approval of a site plan, the City may require lands abutting the street to be dedicated, at no expense to the municipality, for the purposes of a street widening.

1742_ In accordance with the *Planning Act*, as a condition to the approval of a plan of subdivision or consent, when the proposed subdivision or consent abuts an existing street, the City may require that sufficient land, other than land occupied by buildings or structures, be dedicated to provide for the widening of the street to such width as the approval authority considers necessary.

1743_ Where the widening of a road is to be obtained by dedication as a condition to the approval of a site plan, consent, or plan of subdivision, adjacent land shall be obtained equidistant from the centerline as determined by one of the following:

1. The centreline of the original road allowance laid out by competent authority which has not otherwise been amended by a City Council approved Environmental Assessment or by-law.
2. The centreline as established by a City Council approved Environmental Assessment or by-law.
3. The centreline of construction of a road where no original road allowance was laid out by competent authority.

1744_ Where, because of a street widening, the size of a property is reduced and the lot area or setbacks no longer conform with the *Zoning By-law*, City Council may consider an amendment to the by-law to recognize the property as a legal use.

DEDICATION OF LANDS FOR STREETS AND MOBILITY INFRASTRUCTURE

1745_ In accordance with the *Planning Act*, through the planning process relating to plans of subdivision and consent, conditions may be established to require that highways, including pedestrian pathways, bicycle pathways, and public transit rights-of-way, be dedicated as the approval authority considers necessary. Map 4 - Active Mobility Network, may be consulted through the planning and development application process to assess such requirements.

1746_ Dedication of lands for streets will be consistent with the City's planned street network identified on Map 3. Additional streets may be identified to constitute portions of the planned street network through a secondary plan, plan of subdivision, Environmental Assessment process, or transportation planning study.

1747_ Streets to be dedicated will be classified in conformity with Map 3 and the planned street widths listed in Table 6. Wider street widths may be required at locations such as an intersection, grade separation, railway crossing, interchange, or where there are topographical constraints. A Municipal Class Environmental Assessment or other transportation planning study may be required to identify required street widths based on a specific context. Any additional street width may be for the purposes of accommodating street requirements such as daylight triangles, turning lanes, increasing intersection capacity, locations for traffic control devices, high occupancy vehicle lanes, transit facilities, transit stations, transit priority measures and related infrastructure. (OPA 79)

1748_ Dedication of lands for public transit rights-of-way, transit stations, and related infrastructure will conform with the street network shown on Map 3 and the associated design features identified in Table 6.

1749_ Dedication of lands for bicycle pathways and pedestrian pathways will conform with Map 4.

1750_ The width of lands to be dedicated for cycling pathways and pedestrian pathways that are not within a street shall be sufficient to accommodate a five metre corridor of traveled portion and shoulders and up to five metres on either side for sight lines, curves, drainage, and safety zones, where required.

1751_ Dedication of lands for commuter parking lots, transit stations, and related infrastructure will conform with the Mobility policies of this Plan and the applicable place type.

SPECIFIC POLICIES FOR LAND ACQUISITION

> SUNNINGDALE ROAD WEST BETWEEN RICHMOND STREET AND WONDERLAND ROAD NORTH

1752_ The intent of this policy is to facilitate land acquisition for the widening of Sunningdale Road West to its required width while avoiding disturbance of the existing golf course operations on the north side of the street. When the lands owned on the south side of Sunningdale Road West develop, the City may, in cooperation with the property owner, consider acquiring all of the required street widening dedications for both sides of the street, from property owners on the south side of Sunningdale Road West. The acquisition of half of the total street widening will be by land dedication. The means of acquiring the remainder of the required street widening will be subject to an agreement negotiated between the property owner(s) and the City, and may involve dedication and/or reasonable compensation for the lands. The land acquisition will be subject to the necessary curve radii adjustments and the completion of any required Environmental Assessment. Any such agreement will be negotiated between the property owner(s) and the City at the time of approval of the first development application on lands on either side of the street abutting the required shift in the centerline and the agreement will provide for the future acquisition of all of the lands required to complete the realignment. (Policy subject to appeal OLT-22-002286)

PARKLAND ACQUISITION AND DEDICATION

1753_ The acquisition of parkland to achieve the objectives of the Parks and Recreation policies of this Plan may occur through purchase, donation, bequest, expropriation, or through dedication as provided for under the *Planning Act*. In some situations, particularly where the intent is to contribute to the City's continuous network of parks and open space, land suitable for parkland may also be acquired through joint funding programs between the City and the relevant conservation authorities. In all cases, parkland acquisition projects will require the approval of City Council.



1754_ City Council may establish one or more by-laws to implement the parkland acquisition and dedication policies of this Plan.

METHODS OF ACQUISITION

1755_ City Council may acquire lands for use as parkland through any of the following methods: dedication; purchase; donation or bequest; and expropriation.

PARKLAND DEDICATION

1756_ City Council will, as a condition of the subdivision, development or redevelopment of land for residential purposes, require that land in the amount of 5% of the land proposed for development be conveyed to the municipality for park or other public recreational purposes, pursuant to the provisions of the *Planning Act*.

1757_ City Council may require the dedication of parkland at a rate of 1 hectare for every 300 dwelling units proposed, in accordance with the *Planning Act*. The calculation of dwelling unit potential will be established based on the number of approved lots and the zoning applied to any blocks in a draft approved plan of subdivision.

1758_ In the case of industrial or commercial development, City Council may require that land in the amount of 2% of the land proposed for development be conveyed to the municipality for park or other public recreational purposes, pursuant to the *Planning Act*.

ALTERNATIVE REQUIREMENT

1759_ City Council may require cash in-lieu-of all or part of the required parkland dedication, as prescribed by the *Planning Act*, under one or all of the following circumstances:

1. Where the required land dedication fails to provide an area of suitable shape, size, or location for development as public parkland.
2. Where the required dedication of land would render the remainder of the site unsuitable or impractical for development.
3. Where existing park and recreational facilities in the vicinity of the site area are, in the opinion of the City, clearly adequate to serve the projected increase in population.

1760_ In the case of residential development, City Council may, by by-law, specify the amount of fixed cash payment per dwelling unit. The amount of cash payment will be amended when deemed necessary to reflect the general rate of land values in the city.

1761_ Alternatively, the City may require a payment in lieu of the required parkland at rate of one hectare for every 500 dwelling units, as provided for under the *Planning Act*. The calculation of dwelling unit potential will be established based on the number of approved lots and the zoning applied to any blocks in a draft approved plan of subdivision.

CREDIT SYSTEM

1762_ Where land in excess of the amount of land required for dedication has been conveyed to the City for park purposes in association with a development proposal, the excess may be applied as a credit to future development by the same applicant.

CONDITION OF DEDICATED LANDS

1763_ Land conveyed to the City as part of the required parkland dedication will be expected to meet minimum standards for drainage, grading, and general condition, as contained in the *Parks and Recreation Master Plan*. Prior to accepting any lands dedicated for park purposes, the City may require evidence that no environmental contamination has occurred on the lands. In the event that evidence shows that contamination may have taken place on or adjacent to such lands, the City may require that the site be rehabilitated or remediated to the satisfaction of the City and the Province prior to purchasing or accepting the lands.

ACCEPTANCE OF RAVINES, WOODED AREAS

1764_ Land conveyed to the City as part of the parkland dedication requirement will generally be flat, open land. However, in areas where the need for flat, open land is being met, lands containing features such as ravines, woodlands and other vegetation or variations in topography may be accepted at a rate which reflects their relative development potential.

PRIORITIES FOR ACQUISITION

1765_ Priorities for parkland acquisition will be based on all of the following:

1. Existing and proposed population densities.
2. Existing facilities and their accessibility to the neighbourhood residents.
3. The availability of funds for acquisition.
4. The suitability of lands available for sale.
5. Acquisitions that serve to create a more continuous or linked park system.
6. Acquisitions which will serve to create a more continuous or linked Natural Heritage System.

NOISE, VIBRATION AND SAFETY

SENSITIVE LAND USES NEAR NOISE GENERATORS

1766_ The development of sensitive land uses on lands in close proximity to the London International Airport, rail lines, higher-order streets and provincial highways, industrial, commercial or institutional place types will have regard for potential impacts from noise, vibration and/or safety concerns and, where a proposed development does not comply with provincial guidelines for acceptable levels of noise, and/or where there is a concern over safety, mitigation measures may be required through the development approval process.

GUIDELINE DOCUMENT

1767_ In areas where noise levels exceed provincial standards, or which are subject to excessive ground-borne vibration, measures for reducing the level of noise and/or vibration impact may be identified in a guideline document. This guideline document will be developed in consultation with the Province, affected agencies, rail operators, and the public. The guidelines will identify the specific responsibilities of the property owner and the commenting and approval authorities. They may also address subdivision design standards for window streets, service lanes and lay-by streets that may assist in promoting and encouraging

alternative subdivision design measures. Until a guideline document is completed, the City will rely on provincial and agency input to determine attenuation measures for development which could be affected by excessive noise and/or ground-borne vibration levels.

NEIGHBOURHOOD DESIGN AND NOISE

1768_ In the review of all planning and development applications, including the review of secondary plans, for residential development adjacent to Civic Boulevards, Urban Thoroughfares, Rural Thoroughfares, Rapid Transit Boulevards, Expressways and Provincial Highways will be subject to all of the following criteria, to ensure that residential development does not rear or side-lot onto the adjacent streets, as appropriate:

1. Less sensitive land uses, such as commercial, community facility, public space or office uses, will, whenever practical and in conformity with the Place Type policies of *The London Plan*, be sited adjacent to these types of streets to act as a buffer between noise generated by the street traffic and sensitive residential uses.
2. Place types that permit residential uses with a medium to high level of intensity will, wherever practical, be sited adjacent to these streets. This form of development provides for greater flexibility in building orientation thereby allowing front facing buildings with amenity space in the rear.
3. If there is no practical place type alternative, and sensitive place types must locate adjacent to these streets, then subdivision design measures will be encouraged to eliminate the need for noise walls. These subdivision design measures could include, but are not limited to neighbourhood design with window or lay-by streets or service streets; subdivisions with rear lanes; subdivisions on private service streets; or alternative measures that conform with the policies of this Plan.



4. If land use planning or alternative neighbourhood designs cannot reasonably be utilized within the proposed residential subdivision then a noise impact study will be undertaken on behalf of the property owner, by an accredited acoustical consultant, to determine the appropriate noise attenuation mechanism based on forecasted ultimate traffic volumes, considering the Mobility policies of this Plan, the *Transportation Master Plan*, road widening dedication and the effect the road widening dedication will have on the design of the required noise attenuation measure; the design specifications of the noise attenuation measure, such as height, density/width, location, benefiting lots, and building material will also be considered.

1769_ Where noise walls are determined to be the only practical noise attenuation measure for residential development adjacent to Civic Boulevards, Urban Thoroughfares, Rural Thoroughfares, Rapid Transit Boulevards, Expressways and Provincial Highways the following will be required:

1. For multi-family or cluster forms of development, a common elements condominium corporation will be established for the noise wall. The condominium corporation will ensure that there are adequate funds to pay for the upkeep, maintenance and replacement costs of the noise wall. The requirement for a common elements condominium will be established as a condition of subdivision approval.
2. For freehold low-rise residential development, one of the following two solutions will be implemented:
 - a. A common elements condominium corporation will be established with all of the properties that directly benefit from the noise wall, as established in the noise study, to be identified as parcels of tied land that are responsible for this common element. The condominium corporation will ensure that there are adequate funds to pay for the upkeep, maintenance

and replacement costs of the noise wall. The requirement for a common elements condominium will be established as a condition of subdivision approval.

- b. Other measures approved by City Council as conditions of development approval, that achieve key principles of avoiding long-term, ongoing and replacement costs to the City and ensuring that costs be borne by those benefiting from the noise wall (including the property owner developing the lands).
3. The proposed size, height and location of the noise wall will need to address expected ultimate traffic volumes as established in the Mobility policies of this Plan and the *Transportation Master Plan*.
4. The proposed noise wall will be constructed of higher-quality materials that effectively mitigate noise, are durable and do not detract from the aesthetic of the community.
5. Where appropriate, the proposed noise wall shall be compatible and consistent with other noise walls along the same street, except where existing noise walls are in conflict with the above criteria.
6. Landscaping will be encouraged on the street-side of noise walls to improve noise wall aesthetics and mitigate the canyon effect, in conformity with the City Design policies in this Plan.

1770_ Additional Noise policies will apply, as follows:

1. New sensitive land uses that are expected to be exposed to noise levels which are above acceptable provincial standards will be required to incorporate noise attenuation measures into the development.
2. Until such time as a guideline document is completed, the City will rely on peer review and agency input and the Our Tools policies of this Plan to determine potential noise impacts and noise attenuation measures on sensitive land use applications which could be affected by excessive noise levels.

3. The City's *Zoning By-law* may place a holding provision on lands which could be affected by excessive noise levels. The holding provision will be removed when the property owner has satisfied the City, in consultation with relevant agencies, that adequate noise attenuation measures have been provided for in any proposed development.
4. Where a development applicant undertakes a noise impact study by a recognized acoustical consultant to determine noise levels and attenuation measures to reduce noise levels to acceptable standards, the City in consultation with the relevant agencies, will have regard for these studies, in addition to the Our Tools policies of this Plan, in setting out development conditions.
5. Development proposals for lands that lie, in whole or in part, within the Noise Exposure Forecast (N.E.F.) contours for London International Airport, as shown in Figure 27, will comply with the federal standards associated with those contours.
6. Development proposals for lands which may be affected by rail noise levels which exceed maximum provincial standards, will be circulated to the appropriate rail operator for comment. Where the City has adopted a guideline document, the development proposal will be circulated to the appropriate rail operator to clarify which mitigating measures will be included as a condition of approval of the development. Where a guideline document has not been completed the City will rely on provincial and agency input, and input from a qualified consultant for the applicant, to determine potential noise impacts and appropriate attenuation measures.

1771_ Additional Vibration policies will apply, as follows:

1. Excessive vibration levels from rail lines and Industrial Place Types may negatively impact residential development or vibration sensitive non-residential development. New





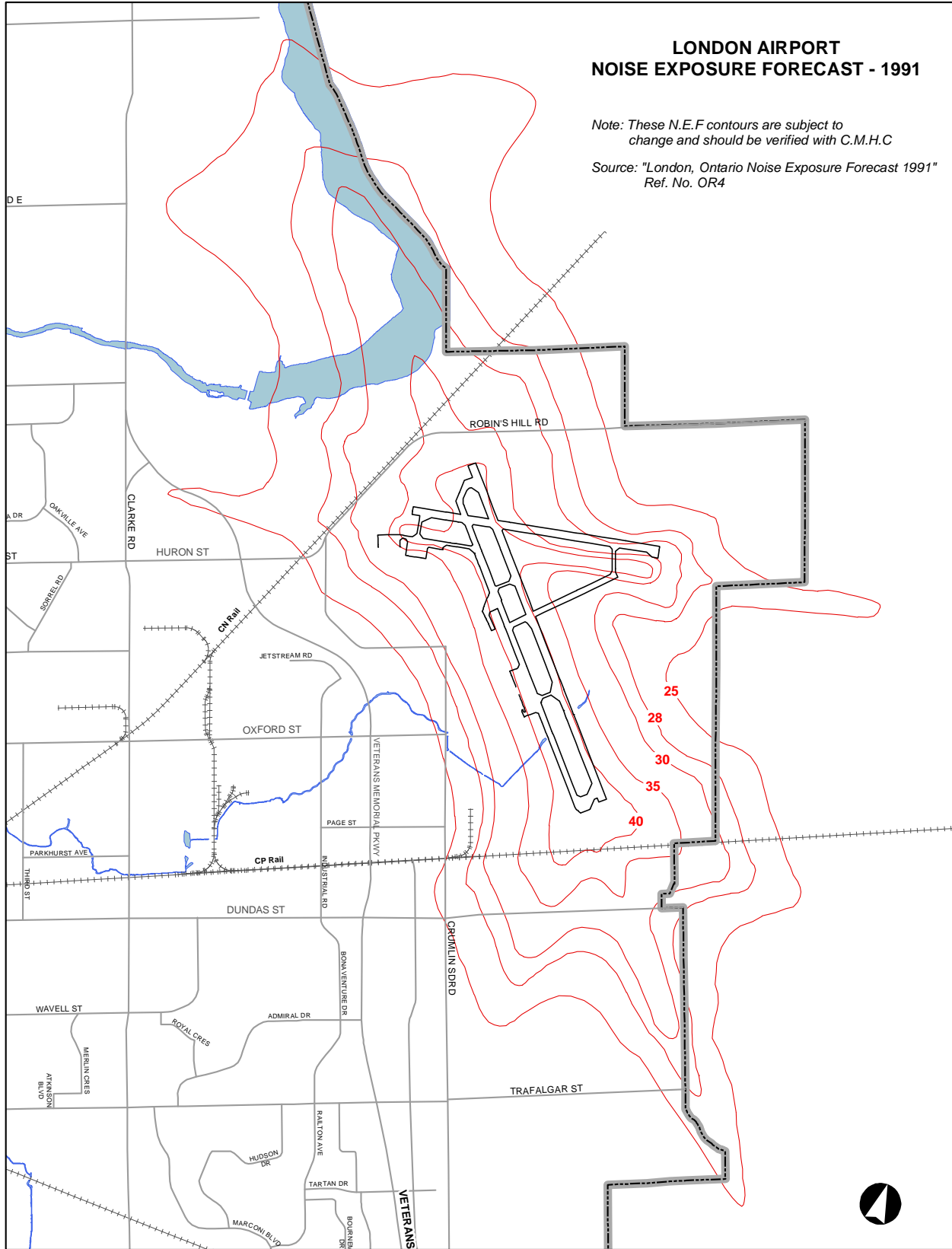
residential development which is expected to be exposed to ground-borne vibration levels which exceed minimum acceptable provincial standards will be required, where practical, to incorporate attenuation measures into the development.

2. Development proposals within 120 metres of a rail line or Industrial Place Types will be circulated to the applicable commenting agency, rail operator, and/or the public to identify appropriate attenuation measures required, if any.
3. The City's *Zoning By-law* may place a holding provision on lands which have been identified as being subject to excessive ground-borne vibration levels. The holding provision will be removed when the property owner has satisfied the City and other applicable agencies, that adequate attenuation measures have been incorporated into the development.
4. Where a development applicant undertakes a vibration impact study by a recognized ground-borne vibration consultant to determine vibration levels and attenuation measures to reduce vibration levels to acceptable standards, the City, in consultation with any applicable agencies, will have regard for these studies in establishing development conditions.

1772_ Additional Rail and Pipeline Safety policies will apply, as follows:

1. All proposed development adjacent to railways will provide appropriate safety measures such as setbacks, berms and security fencing, to the satisfaction of the City in consultation with the appropriate railway.
2. A minimum setback of 20 metres will be provided from the centre of a high pressure pipeline to the nearest wall of a building intended for human occupancy.

FIGURE 27 - LONDON INTERNATIONAL AIRPORT NOISE EXPOSURE FORECAST



MINIMUM DISTANCE SEPARATION

1773_ Any proposed planning and development applications for lands outside of the Urban Growth Boundary, and any proposals to expand the Urban Growth Boundary, shall meet the required odour setbacks in accordance with the provincial Minimum Distance Separation (MDS I) Implementation Guidelines and Formulae, as amended by the Province from time to time.

1774_ Prior to the issuance of any building permit for any new or altered livestock facility, including manure storages, the City will require compliance with the provincial Minimum Distance Separation (MDS II) setbacks and compliance with the provisions of the *Zoning By-law*.

MINIMUM DISTANCE SEPARATION I (MDS I)

1775_ MDS I formula, established by the Ontario Ministry of Agriculture, Food and Rural Affairs, will apply as follows:

1. Livestock facilities that exist within the Farmland or Rural Neighbourhoods Place Types will be provided protection from the encroachment of all new development through the application of MDS I setbacks at the time of planning and/or development review.
2. The City will require compliance with the MDS I setbacks for any proposal to expand the Rural Neighbourhoods Place Type.
3. The City will require compliance with the Minimum Distance Separation MDS I setbacks for all new or expanding cemeteries.
4. The City will require compliance with the MDS I setbacks for all types of new development proposed by building permit on all existing lots of record.

1776_ The MDS I formula, established by the Ontario Ministry of Agriculture, Food and Rural Affairs, will not apply in the following instances:

1. The City does not require compliance with the MDS I requirements for surplus farm dwelling severances, except where the surplus farm dwelling is located on the same lot as the subject livestock

facility prior to the consent being granted in conformity with the Rural London policies of this Plan.

2. The City does not require compliance with the MDS I requirements for the construction of a new dwelling that is replacing a dwelling that is destroyed in whole, or in part, provided that the new dwelling is located no closer to a livestock facility than prior to the reconstruction.
3. The City does not require compliance with the MDS I requirements for the construction of a secondary farm dwelling unit.
4. The City does not require compliance with the MDS I setbacks for new and expanding agricultural-related or on-farm diversified uses.

MINIMUM DISTANCE SEPARATION II (MDS II)

1777_ MDS II formula, established by the Ontario Ministry of Agriculture, Food and Rural Affairs, will apply as follows:

1. The creation, alteration or expansion of any livestock facility within the Farmland or Rural Neighbourhoods Place Types shall meet the appropriate MDS II setbacks.
2. The City does not require compliance with the Minimum Distance Separation MDS II setbacks for the reconstruction of a livestock facility, provided that it is located no closer to surrounding development after reconstruction and the livestock facility will house the same number and type of animal on the same style of manure system that existed prior to the reconstruction.
3. For the purposes of MDS II setbacks, the City will treat all inactive cemeteries as Type A land uses in accordance with the *Minimum Distance Separation Implementation Guidelines*. For clarity, such cemeteries may be documented in an appendix in the *Zoning By-law*.
4. The City does not require compliance with the MDS II setbacks between new or altered livestock facilities and existing agricultural-related or on-farm diversified uses.

MAPS

1778_ *The London Plan* includes maps that are provided on paper at a size of 3ft X 4ft drawn to scale. These maps constitute part of the Official Plan. Policies in this Plan provide direction for the interpretation of these maps. The following is a description of each map included in this Plan.

MAP 1 – PLACE TYPES

1779_ This map shows the place types that are assigned to all lands within the city.

MAP 2 – HIGH DENSITY RESIDENTIAL OVERLAY (FROM 1989 OFFICIAL PLAN)

1780_ This map shows lands that are included in the High Density Residential Overlay (from 1989 Official Plan).

MAP 3 – STREET CLASSIFICATIONS

1781_ This map shows the alignment and classification of all existing and planned streets in the city, with the exception of Neighbourhood Streets.

MAP 4 - ACTIVE MOBILITY NETWORK

1782_ This map shows the active mobility network which facilitates human-powered travel throughout the city.

MAP 5 – NATURAL HERITAGE

1783_ This map shows the components of the Natural Heritage System. It also shows a variety of natural heritage features and areas which remain to be evaluated for their significance to determine whether they should be included within the Natural Heritage System.

MAP 6 – HAZARDS AND NATURAL RESOURCES

1784_ This map shows the natural resources existing in London and also illustrates our hazard lands.

MAP 7 – SPECIFIC POLICY AREAS

1785_ This map shows lands where specific policies apply, beyond the parent policies of *The London Plan*. This includes secondary planning areas as well as those lands that have been identified for specific policies within a place type. This map is intended as a helpful reference for users of *The London Plan*.

MAP 8 – COMMUNITY IMPROVEMENT PROJECT AREAS

1786_ This map shows the designated community improvement project areas within London.

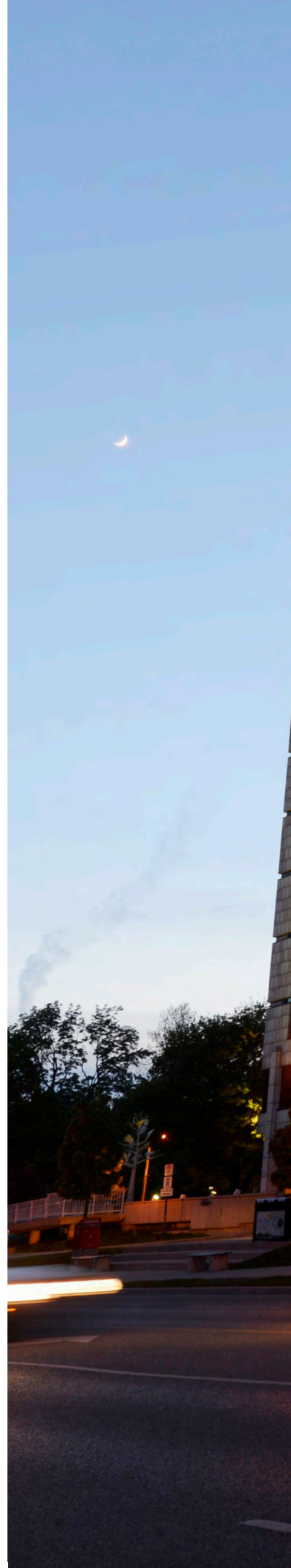
MAP 9 – HERITAGE CONSERVATION DISTRICTS AND CULTURAL HERITAGE LANDSCAPES

1787_ This map shows those lands that are designated as Heritage Conservation Districts and/or Cultural Heritage Landscapes.

MAP 10 – PROTECTED MAJOR TRANSIT STATION AREAS

1787A_ This map shows the designated Protected Major Transit Station Areas within the City. (OPA 30)

1788_ In addition to these official maps, Appendix 1 provides unofficial maps for convenient quick reference. These maps are not to scale and should not be used as the basis for implementing this Plan.





OFFICIAL PLAN MONITORING

1789_ For the policies to remain responsive to changing conditions over the life of this Plan, its implementation will require continuous monitoring of key trends and indicators, periodic policy review, and amendments to the Plan as warranted. This monitoring will occur as identified in the Monitoring Program policies in the Our Strategy part of this Plan.

1790_ A London Plan Monitoring Program will be created to establish key performance measures and to report on our progress relating to this Plan's key directions a minimum of once every two years. This process will involve significant public engagement and education and reporting that will allow all Londoners to understand this progress.

1791_ As part of any comprehensive review of this Official Plan, the City shall undertake a land needs analysis to ensure that sufficient lands are available to maintain at all times the ability to accommodate residential growth for a minimum of ten years, consistent with the *Provincial Policy Statement*.

1792_ As part of any comprehensive review of this Official Plan, the City shall undertake a land needs analysis to ensure that sufficient lands are available to provide for an appropriate mix and range of employment and institutional uses to meet long-term needs, consistent with the *Provincial Policy Statement*.

1793_ City Council may initiate amendments to the Plan where it is determined that the assumptions and conditions on which the policies were based have changed to the extent that the policies are no longer appropriate; existing policies need to be refined as a result of further study; the completion of a secondary plan; or changes of provincial legislation and statutes, and may introduce guideline documents or secondary plans to implement provincial policy statements; and as a result of comprehensive reviews of the Plan, in accordance with the provisions of the *Planning Act*. A comprehensive review of *The London Plan* will be completed no less frequently than ten years after the Plan comes into effect and every five years thereafter.

1794_ City Council may also consider requests for amendments to the Plan from a person or public body, in accordance with the provisions of the *Planning Act*.

GLOSSARY OF TERMS

1795_ By default, the common meaning of a term or phrase should be used to interpret the policies in *The London Plan*. However, in some cases a specific definition is to be used in the interpretation and application of the policies of this Plan. For such cases, definitions have been provided below.

Active mobility means human-powered travel, including but not limited to walking, cycling, inline skating, skateboarding and travel with the use of mobility aids for those who need them. Transit ridership is often seen as a form of active mobility, because every transit trip begins and ends with a walk. The active mobility network includes sidewalks, crosswalks, cycling lanes, designated streets and multi-use pathways to accommodate active transportation.

Accessory and ancillary means a use, building or structure that is incidental, subordinate and exclusively devoted to the main use and carried on with such main use, building or structure on the same lot.

Adaptive re-use means the conversion of an existing building for a use that differs from the use it was initially constructed for. In most cases, the term applies to the conversion of a non-residential use to a residential use.

Additional residential unit means a self-contained residential unit with kitchen and bathroom facilities within dwellings or within accessory structures as defined in the Additional Residential Unit policies of this Plan. (OPA 78)

Adjacent when considering potential impact on cultural heritage resources means sites that are contiguous; sites that are directly opposite a cultural heritage resource separated by a laneway, easement, right-of-way, or street; or sites upon which a proposed development or site alteration has the potential to impact identified visual character, streetscapes or public views as defined within a statement explaining the cultural heritage value or interest of a cultural heritage resource.

Affordable housing means either one of the following:

1. In the case of ownership housing, will mean either one of the following:
 - a. Housing for which the

purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or

- b. Housing for which the purchase price is at least 10 percent below the average purchase price of a comparable resale unit in the City of London;
2. In the case of rental housing, will mean either one of the following:
 - a. A unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or
 - b. A unit for which the rent is at or below the average market rent of a unit in the City of London.

Aging in place means the ability for people to continue to live in their neighbourhood through all stages of their life and still be mobile and independent, and experience a quality of life they know and enjoy for their housing needs, community supports, recreation, leisure, social, cultural and spiritual activities in the community.

Brownfield means undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

Built-Area Boundary describes the built area of the City as of 2016. The City Structure Plan shows the Built-Area Boundary. The Built-Area Boundary is fixed in time for the purposes of implementing and monitoring the City's target for intensification. Residential development occurring within the Built-Area Boundary will be considered as intensification for the purposes of meeting the City's intensification target. (OPA 78)

Built Form includes all elements that make up the physical shape of the city. These include neighbourhoods, streets, streetscapes, public spaces, landscapes and buildings.

City building means an activity, plan, design, investment, public work or development that

sets the future shape, character and form of the city.

Climate change mitigation refers to efforts to reduce or prevent the emission of greenhouse gases. Mitigation can mean using new technologies and renewable energies, making older equipment more energy efficient, or changing management practices or consumer behaviour.

Climate change adaptation refers to adjustments in ecological, social, or economic systems in response to actual or expected climatic stimuli and their effects or impacts. It refers to changes in processes, practices, and structures to moderate potential damages or to benefit from opportunities associated with climate change.

Compact pattern of development means a form of development that minimizes the use of land to accommodate housing, industrial, commercial and institutional growth. This form of development incorporates a substantial mix of height and density and avoids non-contiguous development patterns or gaps in the urban form.

Complete neighbourhood means the design of neighbourhoods to meet the needs of people of all ages and abilities, promoting aging in place, promoting healthy lifestyles, having mixed uses that provide convenient access to goods and services for daily life, having affordable housing choice, incorporating infrastructure and services that support mobility choices, and providing for a more equitable distribution of social infrastructure.

Complete streets are those that are designed to support many different forms of mobility. Complete streets provide physical environments that make all forms of mobility safe, attractive, comfortable and efficient. Complete streets also provide a positive physical environment that supports the form of development that is planned for, or exists, adjacent to the street. In some cases, complete streets may also incorporate corridors for wildlife movement.

Comprehensive Review means a review of the London Plan to ensure that the Plan has regard to the matters of provincial interest identified in the *Planning Act* and is consistent with the *Provincial Policy Statement*. Any comprehensive review of the London Plan will be conducted consistent with the definition of a “comprehensive review” in the *Provincial Policy Statement*.

Conservation of cultural heritage resources

means actions or processes that are aimed at safeguarding the heritage attributes of a cultural heritage resource so that it retains its cultural heritage value or interest and extends its physical life. This may involve preservation, rehabilitation, restoration or a combination of these actions or processes.

Converted dwelling means the conversion of an existing residential dwelling to accommodate two or more dwelling units, without making substantive changes to the exterior of the building.

Corporate Asset Management means a plan for the City to manage its infrastructure under its direct ownership and control, satisfying provincial needs while optimizing and standardizing asset management practices.

Cultural heritage landscape means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Aboriginal Community. The area may involve features such as structures, spaces, archaeological sites, or natural elements that are valued together for their interrelationship, meaning or association. Such a cultural heritage landscape is valued by Londoners and is of significance to an understanding of the histories of a people or place.

Cultural heritage resource means a human work or a place that gives evidence of human activity or has spiritual or cultural meaning or value, and which has been determined to have historic value. Cultural heritage resources include both the physical and intangible resources, properties protected under the *Ontario Heritage Act*, built heritage resources, cultural heritage landscapes, archaeological resources, paleontological resources and both documentary and material heritage.

Development Charges By-law means the City approved by-law for requiring fees to be paid by applicable development for the recovery of growth-related capital infrastructure costs. The *Development Charges By-law* will be supported by the *Development Charges Background Study* and will be consistent with the provisions of the *Development Charges Act*.

Distinctive Tree means a tree that has attained a trunk diameter of 50cm or greater, measured

from Natural Ground Level to 1.4m above Natural Ground Level.

Ecological footprint means a measure of human demand on the Earth's ecosystems. It is a standardized measure of demand for natural capital that may be contrasted with the planet's ecological capacity to regenerate.

Ecosystems approach to planning utilizes the natural heritage ecosystem as the fundamental framework to develop all of our plans. This ensures that our urban development can co-exist with a healthy, connected and sustainable natural heritage system. It also connects the planning that we do in London with the larger context of the ecosystem within our larger watersheds and beyond.

Employment area means those areas designated for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.

Facility Accessibility Design Standards means a mandatory design aid applicable to the design and construction of new facilities, as well as the retrofit, alteration or addition to existing facilities owned, leased or operated by the City.

Fit – Where the word fit is used within this Plan for the purpose of evaluating planning applications, it is referring to whether a proposal conforms with Policy 1578_7

Focal point means a physical and/or visual design feature, which may include a public space, gathering place, cultural heritage resource, prominent landmark or structure, natural heritage feature or area of interest, activity generator, landscaping treatments, architectural structures that provide a space that supports community interaction designed to promote a sense of community identity.

Food desert means areas where food is not easily, or affordably, available within certain communities.

Form means "built form" and includes such things as the physical size, height, shape, style, and architectural elements of a building and its position relative to the lot and surrounding buildings.

Future ready means identifying and planning

the steps, which need to be taken now for anticipated future needs and/or practices.

Greenfield means outlying locations of the city, within the city's Urban Growth Boundary, on lands that have never previously been developed.

Green infrastructure means natural and human-made elements that provide ecological and hydrological functions and processes. Green infrastructure can include components such as natural heritage features and systems, parklands, stormwater management systems, street trees, urban forests, natural channels, permeable surfaces, and green roofs.

Green job means those jobs that contribute substantially to preserving or restoring environmental quality, reducing energy, materials and water consumption, decarbonizing the economy and minimizing or altogether avoiding generation of all forms of waste and pollution. Green jobs also include jobs in traditional sectors with businesses that have significantly greener processes or operations than industry standards. Job sectors range from clean technology and green building construction to education and materials recovery, and local food and beverage industry where the food and beverage is produced and consumed within the city.

Growth Management Implementation Strategy means a plan for staging growth and financing to ensure the orderly progression of development within the Urban Growth Boundary and the timely provision of infrastructure required to support fully serviced and functional communities and employment areas on a financially sustainable basis.

Group Home means a residence licensed or funded under a federal or provincial statute for the accommodation of three to ten persons, exclusive of staff, living under supervision in a single housekeeping unit and who, by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement for their well-being. A group home may include youth on probation under federal or provincial statute. (OPA 78)

High-rise building means a building with a height of nine storeys or more.

Holding provision is applied when City Council, in a by-law passed under section 34 of the *Planning Act*, by the use of the holding symbol ("h") in conjunction with any use zone, specifies

the use to which lands, buildings or structures may be put at such time in the future as the holding symbol is removed by amendment to the by-law. The holding symbol will not be removed until such time as certain requirements are met.

Human-scale means a physical environment which reflects a sympathetic proportional relationship to human dimensions and which contributes to the resident's positive perception and comprehension of the size, scale, height, bulk and/or massing of buildings or other features of the built environment.

Intensification - Residential intensification means the development of a property, site, or area at a higher density than currently exists. Intensification adds one or more residential units to a site, or creates one or more additional lots from an existing lot.

Intensification target is the minimum desired percentage of all new residential units that will be created within the Built-Area Boundary.

Intensity means the concentration of development and use on a site and is addressed in *The London Plan* with such measures as height, gross floor area, lot coverage, building floorplate area, residential density in units/ha, number of bedrooms, parking, and floor area ratio.

For the purposes of the Near Campus Neighbourhood policies of this Plan, an increase in residential intensity means the increase in the usability of an existing dwelling, building, or site to accommodate additional occupancy including, but not limited to, building construction or additions, increasing the number of bedrooms, and expanding parking areas, but does not include the development of a property, site or area at a higher density than currently exists.

Infrastructure means physical structures, facilities and corridors that form the foundation for development. Infrastructure includes sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, electricity generation facilities, electricity transmission and distribution systems, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities. (PPS 2014) Infrastructure also includes community infrastructure, such as parks, libraries, community centres, police and fire facilities.

LEED means Leadership in Energy and Environmental Design, which is a standard for development that incorporates green sustainable elements into proposed buildings, site works, construction methods and long-term maintenance programs.

LEED Building Design and Construction means Leadership in Energy and Environmental Design for materials used in the building design and construction.

LEED-ND means Leadership in Energy and Environmental Design for Neighbourhood Development.

Level of service means a standard measurement used by transportation officials which reflects the relative ease of traffic flow on a scale of A to F, with free-flow being rated LOS-A and congested conditions rated as LOS-F.

Local improvement charge means a charge that is applied by the municipality to recoup the costs incurred by the City to undertake some local improvement that is beyond the level of service normally offered by the municipality. Such charges have many applications, but there has been recent interest in using them as a tool to encourage improvements that reduce energy consumption or offer other environmental sustainability benefits.

Lodging house means an owner-occupied dwelling unit which is used to provide lodging units for hire or gain directly or indirectly to three or fewer persons with or without meals. A lodging house shall not include a nursing home, hotel, motel, hostel, group home, bed and breakfast establishment, emergency care establishment, rooming house or a residence of an educational institution.

Lodging unit means a room or rooms intended for the exclusive use of the occupant for sleeping that may contain sanitary facilities or food preparation facilities, but not both.

Low impact development (LID) is a stormwater management strategy that seeks to mitigate the impacts of increased runoff and stormwater pollution by managing runoff as close to its source as possible. LID comprises a set of site design strategies that minimize runoff and distributed, small scale structural practices

that mimic natural or predevelopment hydrology through the processes of infiltration, evapotranspiration, harvesting, filtration and detention of stormwater. These practices can effectively remove nutrients, pathogens and metals from runoff, and they reduce the volume and intensity of stormwater flows.

Low and moderate income households means

- a. in the case of ownership housing, households with incomes in the lowest 60 percent of the income distribution for the regional market area; or
- b. in the case of rental housing, households with incomes in the lowest 60 percent of the income distribution for renter households for the regional market area.

Ministry of the Environment, Conservation and Parks D-series Guidelines are a series of guidelines that are to be applied in the land use planning process to avoid and mitigate land use planning conflicts. *(OPA 78)*

Mixed-use buildings are those that include more than one use within a single building. The range of uses that may be permitted in such buildings is limited to those allowed for in the relevant place type. In most cases, mixed-use buildings include a residential component. Within the Neighbourhoods Place Type, a residential use is required as a component of any mixed-use building.

Mobility means the movement of people and goods through the city going from one location to another in a safe, accessible, convenient and affordable manner. Mobility, conventionally referred to as transportation, can be classified into five main types: walking, cycling, transit, movement with mobility devices and motorized vehicle movement.

Mobility Infrastructure means highways, streets, pedestrian pathways, bicycle pathways, public transit rights-of-way, commuter parking lots and transit stations and related infrastructure.

Multi-modal mobility network means a mobility network that supports all forms of mobility in a way that is attractive, comfortable,

cost-effective, safe, efficient and convenient for its users.

Office - Accessory office uses - office space that is incidental, ancillary, subordinate and exclusively devoted to a main permitted use within a place type.

Office - General office uses - a broad category of offices, including professional, service, medical and others sub-categories of office use.

Office - Office Conversion - the total or partial conversion of a residential building for office use.

Office Floor Area Maximum means the maximum floor area devoted to office uses and will also include the floor area of all uses that are ancillary or accessory to the office use.

Office scale means the following:

1. Office, small scale means a building containing 2,000m² of office uses or less.
2. Office, medium scale means a building containing 2,000m² to 5,000m² of office uses.
3. Office, large scale means a building containing more than 5,000m² of office uses.

Pedestrian-oriented means the degree to which the built environment has been designed to support and appeal to pedestrians. This often stands in contrast to buildings, sites, streets and streetscapes that are built primarily for the convenience of motorists. Factors affecting pedestrian-orientation may include such things as providing a sense of enclosure through the presence of a street wall; no front yard parking; street connectivity and convenient pedestrian linkages from common origins and destinations; amenities for pedestrians such as benches, weather protection, shade structures or trees, and pedestrian-scaled lighting; widened sidewalks and direct walkway connections to buildings; variety of building types; a high frequency of entrances and transparency through windows and doors; the absence of blank walls; high quality landscaping; tree planting to create attractive treescapes; and environments that are

safe and comfortable for pedestrians by virtue of such things as sidewalk maintenance, quality lighting and lots of casual surveillance of the street by building inhabitants.

Protected Major Transit Station Area means the area surrounding and including an existing and planned higher order transit (e.g. rapid transit) station or stop. The Downtown, Transit Village, and Rapid Transit Corridor Place Types are focused around rapid transit routes and are identified as Protected Major Transit Station Areas. (OPA 30)

Public realm means all those areas within the city that the public has unrestricted physical access to including such areas as streets (including the paved portion, sidewalks, and boulevards), seating areas, transit stations, parks, squares, plazas, forecourts, community facilities, publicly accessible natural areas, and public rights-of-way and easements established for public access.

Public work means any improvement of a structural nature or other undertaking that is within the jurisdiction of City Council.

Rooming house means a residential building that provides shared living, food preparation and sanitary facilities which is licensed and used to provide lodging units for hire or gain directly or indirectly exclusive of the owner or primary occupant to more than three persons, with or without meals. A rooming house shall not include a lodging house, nursing home, hotel, motel, hostel, group home, bed and breakfast establishment, emergency care establishment, or a residence of an educational institution, but shall include a fraternity or sorority.

Sensitive land use means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

Spread pattern of development means a form of development that inefficiently uses land to accommodate housing, industrial, commercial and institutional growth. This form of development does not incorporate a substantial

mix of height and density, is of a low intensity, and may include non-contiguous development patterns and gaps in the urban form.

Streetscape means the combination of visual and structural elements including such things as the street right-of-way, the design and placement of buildings, street trees, landscape elements, street furniture, lighting, and signage.

Street wall is the condition created when the front façades of a series of buildings are aligned facing a street to create a sense of definition, enclosure, and a level of protection from the weather along a streetscape. It is an important feature of designing a street to be comfortable for pedestrians. The term street wall does not necessarily imply that buildings are joined together.

Supervised correctional residence means a residence licensed or funded under a federal or provincial statute for the accommodation of up to ten persons, exclusive of staff, living under supervision in a single housekeeping unit that is maintained and operated primarily for persons who have been placed on probation or released on parole under federal or provincial statute; or youth who have been charged under federal or provincial statute and who have been placed in detention or custody.

Subwatershed means the watershed of a tributary stream, or sub-component of a major watershed.

Subwatershed plans means a plan that provides the direction needed to manage subwatersheds in an ecologically sound manner, both for existing land use activities and as urban land use changes, and that offers opportunity to improve the delivery of conservation programs while providing for ongoing monitoring and evaluation of the plans' success.

Stormwater management means the plans, public works and initiatives put in place to maintain quality and quantity of stormwater runoff to pre-development levels.

Sustainable means an action that meets the needs of the present without compromising the ability of future generations to meet their own needs. It is a holistic approach to planning to achieve a balance between the social and economic needs of the community, and environmental conservation.

Transit-oriented or transit-supportive development means development which is designed to be well connected and integrated with transit systems, helps to make transit use more efficient, comfortable and attractive, provides quality pedestrian amenities to support the walk to and from transit services and generates ongoing demand for transit ridership.

Transportation demand management means the application of a range of measures to affect travel patterns and reduce the demand for motorized forms of transportation.

Transportation impact assessment means the evaluation of the transportation impacts that are generated by a proposed development or redevelopment.

Treescape means the pattern of tree planting along a corridor or streetscape that is intended to create a sense of place, an aesthetic quality or a pleasant physical environment for walking, cycling or social activities.

Urban Growth Boundary means the boundary shown on Map 1 and Figure 1, beyond which urban uses will not be permitted. Generally, this map boundary separates the urban parts of our city from the rural parts of our city.

View corridor means the line of sight of a person, looking toward an object of significance to the community from a public place. Such objects could include such things as topographic features, significant stands of trees, historic buildings or landscapes, or prominent landmarks or structures. The view corridor is defined by a direction, a height, and a width.

Watershed means an area that is drained by a river and its tributaries.

Wildland Fire Assessment and Mitigation Standards means the combination of risk assessment tools and environmentally appropriate mitigation measures identified by the Ministry of Northern Development, Mines, Natural Resources and Forestry to be incorporated into the design, construction and/or modification of buildings, structures, properties and/or communities to reduce the risk to public safety, infrastructure and property from wildland fire. (OPA 78)

