

## Legacy Village

Bill No.(number to be inserted by Clerk's Office)  
2024

By-law No. Z.-1-

A by-law to amend By-law No. Z.-1 to rezone an  
area of land located at 850 Highbury Avenue North

**THEREFORE** the Municipal Council of The Corporation of the City of London enacts as follows:

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to a portion of the lands located at 850 Highbury Avenue North (comprising *Legacy Village*) as shown on the attached map comprising part of Key Map No. A108, **FROM** a Regional Facility (RF) Zone **TO** a Holding Residential R9 Special Provision (h-(\*)•h-(\*\*))•R9-7(\*)•D300) Zone; a Holding Residential R9 Special Provision (h-(\*)•h-(\*\*))•R9-7(\*\*)•D300) Zone; a Holding Residential R9 Special Provision (h-(\*)•h-(\*\*))•R9-7(\*\*\*)•D250) Zone; a Holding Compound Residential R5 Special Provision/Residential R9 Special Provision (h-(\*)•h-(\*\*))•R5-7(\*\*)/R8-4(\*) Zone; a Holding Compound Residential R5 Special Provision/Residential R9 Special Provision (h-(\*)•h-(\*\*))•h-(\*\*\*)•R5-7(\*\*)/R9-7(\*\*\*) Zone; a Holding Compound Residential R5 Special Provision/Residential R9 Special Provision (h-(\*)•h-(\*\*))•h-(\*\*\*)•h-(\*\*\*\*)•R5-7(\*\*\*)/R9-7(\*\*\*\*) Zone; a Holding Residential R9 Special Provision (h-(\*)•h-(\*\*))•h-(\*\*\*)•R8-4(\*\*) Zone; a Holding Compound Business District Commercial/Community Facility/Heritage (h-(\*\*\*)•BDC/CF2/CF3/HER) Zone; and, an Open Space (OS1) Zone.
2. Section Number 13.4 of the R9 Zone is amended by adding the following Special Provisions:

### **R9-7(\*\*) 850 Highbury Avenue North (TOC – Policy Area 2B)**

#### a) Additional Permitted Uses:

- i) The permitted uses of the BDC Zone variation shall be permitted within a mixed-use Apartment Building. The maximum gross floor area for these additional permitted uses shall be in accordance with applicable regulations in Section 25.3 of Zoning By-law Z.-1.
- ii) Buildings located directly adjacent to Oxford Street East and Highbury Avenue North, shall include active uses such as commercial/retail, office uses, and indoor lobbies and amenity areas on those portions of the ground floor that face towards Oxford Street East and Highbury Avenue North.

#### b) Regulations:

- i) Height (Minimum) The lesser of 3-storeys or 9.0m.

- ii) Height (Maximum) The lesser of 16-storeys or 54.0m.
- iii) Front & Exterior Yard Depth (Minimum) 4.5m
- iv) Rear & Interior Yard Depth (Minimum) 4.5m

**R9-7(\*\*\*) 850 Highbury Avenue North (TOC – Policy Area 2A)**

a) Additional Permitted Uses:

- i) The permitted uses of the BDC Zone variation shall be permitted within a mixed-use Apartment Building. The maximum gross floor area for these additional permitted uses shall be in accordance with applicable regulations in Section 25.3 of Zoning By-law Z.-1.
- ii) Buildings located directly adjacent to Highbury Avenue North, shall include active uses such as commercial/retail, office uses, and indoor lobbies and amenity areas on those portions of the ground floor that face towards Highbury Avenue North.

b) Regulations:

- i) Height (Minimum) The lesser of 3-storeys or 9.0m.
- ii) Height (Maximum) The lesser of 12-storeys or 42.0m.
- iii) Front & Exterior Yard Depth (Minimum) 4.5m
- iv) Rear & Interior Yard Depth (Minimum) 4.5m

**R9-7(\*\*\*\*) 850 Highbury Avenue North (Residential – Policy Area 1B)**

a) Additional Permitted Uses:

- iii) The permitted uses of the BDC Zone variation shall be permitted within the ground floor of a mixed-use Apartment Building. The maximum gross floor area for these additional permitted uses shall be in accordance with applicable regulations in Section 25.3 of Zoning By-law Z.-1.

b) Regulations:

- i) Height (Minimum) The lesser of 3-storeys or 9.0m.

- ii) Height (Maximum) The lesser of 12-storeys or 42.0m.
- ii) Density (Minimum) 45 units per hectare.
- iii) Front & Exterior Yard Depth (Minimum) 4.5m

**R9-7(\*\*\*\*) 850 Highbury Avenue North (Residential – Policy Area 2)**

a) Regulations:

- i) Height (Minimum) The lesser of 2-storeys or 8.0m.
- i) Height (Maximum) The lesser of 6-storeys or 22.0m.
- ii) Density (Minimum) 25 units per hectare.
- iv) Front & Exterior Yard Depth (Minimum) 4.5m

3. Section Number 12.4 of the R8 Zone is amended by adding the following Special Provisions:

**R8-4(\*) 850 Highbury Avenue North (Residential – Policy Area 1A)**

a) Regulations:

- i) Height (Minimum) The lesser of 2-storeys or 8.0m.
- i) Height (Maximum) The lesser of 4-storeys or 15.0m.
- ii) Density (Minimum) 30 units per hectare.
- iv) Front & Exterior Yard Depth (Minimum) 4.5m

**R8-4(\*\*) 850 Highbury Avenue North (Village Core)**

b) Additional Permitted Uses:

- i) The permitted uses of the BDC Zone variation shall be permitted within the ground floor of a mixed-use Apartment Building. The maximum gross

floor area for these additional permitted uses shall be in accordance with applicable regulations in Section 25.3 of Zoning By-law Z.-1.

b) Regulations:

- |      |  |                                   |
|------|--|-----------------------------------|
| i)   | Height<br>(Minimum)                      | The lesser of 2-storeys or 8.0m.  |
| ii)  | Height<br>(Maximum)                      | The lesser of 4-storeys or 15.0m. |
| iii) | Front & Exterior Yard Depth<br>(Minimum) | 4.5m                              |
| iv)  | Rear & Interior Yard Depth<br>(Minimum)  | 4.5m                              |

4. Section Number 9.4 of the R5 Zone is amended by adding the following Special Provisions:

**R5-7(\*) 850 Highbury Avenue North (Residential – Policy Area 1A)**

a) Regulations:

- |      |  |                                  |
|------|--|----------------------------------|
| i)   | Height<br>(Minimum)                      | The lesser of 2-storeys or 8.0m. |
| ii)  | Density<br>(Minimum)                     | 30 units per hectare.            |
| iii) | Density<br>(Maximum)                     | 75 units per hectare.            |
| iv)  | Front & Exterior Yard Depth<br>(Minimum) | 4.5m                             |

**R5-7(\*\*) 850 Highbury Avenue North (Residential – Policy Area 1B)**

a) Regulations:

- |      |  |                                  |
|------|--|----------------------------------|
| i)   | Height<br>(Minimum)                      | The lesser of 2-storeys or 8.0m. |
| ii)  | Density<br>(Minimum)                     | 45 units per hectare.            |
| iii) | Density<br>(Maximum)                     | 75 units per hectare.            |
| iv)  | Front & Exterior Yard Depth<br>(Minimum) | 4.5m                             |

**R5-7(\*\*\*) 850 Highbury Avenue North (Residential – Policy Area 2)**

a) Regulations:

- |      |  |                                  |
|------|--|----------------------------------|
| i)   | Height<br>(Minimum)                      | The lesser of 2-storeys or 8.0m. |
| ii)  | Density<br>(Minimum)                     | 25 units per hectare.            |
| iii) | Density<br>(Maximum)                     | 75 units per hectare.            |
| iv)  | Front & Exterior Yard Depth<br>(Minimum) | 4.5m                             |

5. Section Number 3.8 2) pertaining to Holding “h” Zones is amended by adding the following Holding Provisions:

**h-(\*\*\*) Purpose:** The development of sensitive land uses is prohibited until such time as a detailed Noise and/or Noise/Vibration Study is completed in relation to the industrial use located at 535 and 539 Commercial Crescent which meets the applicable Provincial Guidelines, and it is demonstrated that provincial guidelines can be met with respect to the development of sensitive uses and any required mitigation measures are implemented prior to removal of the h-(\*\*\*) . If there are irreconcilable noise and vibration incompatibilities, the development of sensitive land uses shall be prohibited until such time as the Class II or Class III industrial use ceases to exist.

**Permitted Interim Uses:** Non-sensitive uses.

**h-(\*\*\*\*) Purpose:** To ensure there are no land use conflicts between nearby rail lines and the proposed residential uses, the “h-(\*\*\*\*)” shall not be deleted until the owner agrees to implement all noise and vibration attenuation measures, recommended in the noise and vibration assessment report acceptable to the City of London.

**Permitted Interim Uses:** Existing Uses.

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the Planning Act, R.S.O. 1990, c. P13, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on XXXX XX, 2024

Josh Morgan  
Mayor

Michael Schulthess  
City Clerk

First Reading – XXXX XX, 2024  
Second Reading – XXXX XX, 2024  
Third Reading – XXXX XX, 2024

DRAFT