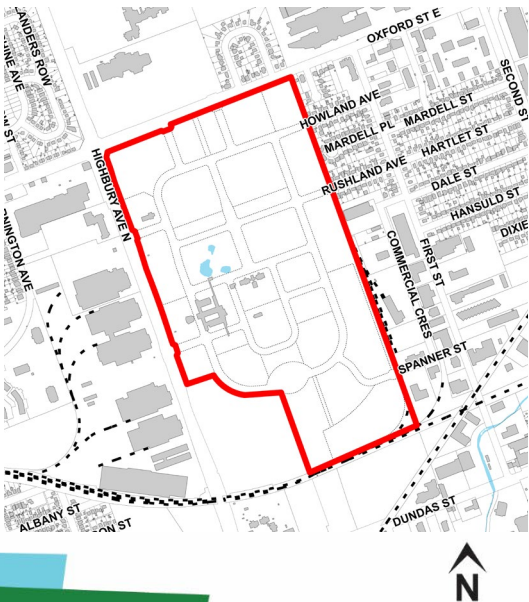




NOTICE OF REVISED PLANNING APPLICATION & NOTICE OF PUBLIC MEETING

Official Plan Amendment and Revised Zoning By-law Amendment and Draft Plan of Subdivision

850 Highbury Avenue North



File: 39T-21503 / Z-9577
File: O-9735

Applicant: Old Oak Properties
Applicant: City of London

What is Proposed?

Draft Plan of Subdivision and Zoning amendment to allow: one (1) low density residential block, eight (8) medium residential density blocks, two (2) medium density residential / mixed use blocks, eight (8) high density residential / mixed use blocks, six (6) heritage blocks, one (1) institutional block, one (1) parkland block, four (4) open space / servicing blocks, one (1) stormwater management block, one (1) future develop block one, one (1) road widening, served by the extension of Rushland Avenue, Howland Avenue, Spanner Street, and seven (7) new streets (Streets A through G).

City Initiated Official Plan Amendment to make minor changes to policies and schedules of the London Psychiatric Hospital Secondary Plan to provide flexibility and reflect the current development plan.

LEARN MORE & PROVIDE INPUT

You are invited to provide comments and/or attend a public meeting of the Planning and Environment Committee to be held:

Meeting Date and Time: Tuesday, July 16, 2024, no earlier than 1:00 p.m.

Please monitor the City's website closer to the meeting date to find a more accurate meeting start time: <https://london.ca/government/council-civic-administration/council-committee-meetings>

Meeting Location: The Planning and Environment Committee Meetings are hosted in City Hall, Council Chambers; virtual participation is also available, please see City of London website for details.

Please provide any comments by **May 31, 2024**

For more information contact:

Michael Clark
mclark@london.ca
519-661-CITY (2489) ext. 4586
Development Services, City of London
300 Dufferin Avenue, 6th Floor,
London ON PO Box 5035 N6A 4L9
File: 39T-21503 / Z-9577 / O-9735

london.ca/planapps

To speak to your Ward Councillor:

Peter Cuddy
pcuddy@london.ca
519-661-CITY (2489) ext. 4003

If you are a landlord, please post a copy of this notice where your tenants can see it. We want to make sure they have a chance to take part.

Date of Notice: May 21, 2024

Application Details

Requested Official Plan Amendment

To make minor changes to the London Psychiatric Hospital Secondary Plan to provide flexibility in the design of public streets and bicycle routes, update the schedules of the Secondary Plan to reflect revisions to the proposed road network and block fabric, and other minor amendments to the plan.

Requested Revised Draft Plan of Subdivision

Consideration of a revised Draft Plan of Subdivision consisting of one (1) low density residential block, eight (8) medium residential density blocks, two (2) medium density residential/mixed use blocks, eight (8) high density residential/mixed use blocks, six (6) heritage blocks, one (1) institutional block, one (1) parkland block, four (4) open space / servicing blocks, one (1) stormwater management block, one (1) future develop block one, one (1) road widening, served by the extension of Rushland Avenue, Howland Avenue, Spanner Street, and seven (7) new streets (Streets A through G).

Revisions to the previously circulated draft plan of subdivision include the removal of single family lots and their replacement with a low density residential block (Block 1), the realignment of the future extension to Spanner Street, and minor changes to the road alignments.

Requested Revised Zoning By-law Amendment

To change the zoning from a Regional Facility (RF) Zone to a Holding Residential Special Provision R5/R8 (h-*•h-***•R5-7(*)/R8-4(*)•D100) Zone, Holding Residential Special Provision R5/R8 (h-*•h-**•h-***•R5-7(**)/R8-4(**)) Zone, Holding Residential Special Provision R5/R8 (h-*•h-**•h-***•h-****•R5-7(**)/R8-4(**)) Zone, Holding Residential Special Provision R8 (h-*•h-**•h-***•R8-4(**)•D100) Zone, Holding Residential Special Provision R5/R9 (h-*•h-***•h-****•R5-7(**)/R9-7(**)) Zone, Holding Residential Special Provision R5/R9 / Neighbourhood Facility 1 (h-*•h-**•h-***•R5-7(**)/R9-7(**)/NF1) Zone, Holding Residential Special Provision R9 (h-*•h-***•R9-7(*)•D320) Zone, Holding Residential Special Provision R9 (h-*•h-***•R9-7(**)•D300) Zone, Holding Residential Special Provision R9 (h-*•h-***•R9-7(**)•D250) Zone, Holding Residential Special Provision R9 (h-*•h-***•R9-7(**)•D250) Zone, Holding Residential Special Provision R9 (h-*•h-***•h-****•R9-7(**)•D250) Zone, Business District Commercial / Community Facility / Heritage (BDC/CF2/CF3/HER) Zone, Holding Business District Commercial / Community Facility / Heritage (h-***•BDC/CF2/CF3/HER) Zone, Holding Neighbourhood Facility/Open Space (h-*•h-***•NF1/OS1) Zone, and Open Space (OS1) Zone. Changes to the currently permitted land uses and development regulations are summarized below.

Revisions to the previously circulated proposed zoning include changes to the proposed Residential R9 and Business District Commercial Zones to only permit commercial uses within mixed-use buildings, switch of some Residential R9 Zones to medium density Residential R8 Zones, minor adjustments to the permitted densities and the application of holding provisions.

The Zoning By-law is available at london.ca.

Requested Zoning (Please refer to attached maps)

- **Residential R9 (R9-7(*)•D320) Zone (Block 16)** - to permit high density residential uses including apartment buildings with a maximum residential density of 320 units per hectare.

Requested Special Provisions include:

- The permitted uses of the BDC Zone variation shall be permitted within a mixed-use Apartment Building;
- Buildings located directly adjacent to Oxford Street East and Highbury Avenue North, shall include active uses on the ground floor oriented towards the streets.
- Minimum required height of 3 storeys or 9 metres;
- Maximum permitted height of 22 storeys or 75 metres;
- Reduced minimum required front, side and rear yards of 3 metres;
- Increased maximum permitted lot coverage of 40%.;
- Notwithstanding Section 4.19 (4), a parking area shall be located no closer than 1.5m from the east lot line;
- Notwithstanding Section 4.27, balconies on an apartment building may be permitted to encroach up to 1.5 metres into the required front and exterior side yard; and
- Notwithstanding anything to the contrary, Oxford Street East shall be deemed to be the front lot line.

- **Residential R9 (R9-7(*)•D300) Zone (Blocks 13-15)** - to permit high density residential uses including apartment buildings with a maximum residential density of 300 units per hectare.

Requested Special Provisions include:

- The permitted uses of the BDC Zone variation shall be permitted within a mixed-use Apartment Building;
- Buildings located directly adjacent to Oxford Street East and Highbury Avenue North, shall include active uses on the ground floor oriented towards the streets.
- Minimum required height of 3 storeys or 9 metres;
- Maximum permitted height of 22 storeys or 75 metres;
- Reduced minimum required front, side and rear yards of 3 metres;
- Increased maximum permitted lot coverage of 40%.
- Notwithstanding Section 4.27, balconies on an apartment building may be permitted to encroach up to 1.5 metres into the required front and exterior side yard; and
- Notwithstanding anything to the contrary, Oxford Street East shall be deemed to be the front lot line.

- **Residential R9 (R9-7(*)•D300) Zone (Block 17)** - to permit high density residential uses including apartment buildings with a maximum residential density of 300 units per hectare.

Requested Special Provisions include:

- The permitted uses of the BDC Zone variation shall be permitted within a mixed-use Apartment Building;
- Buildings located directly adjacent to Oxford Street East and Highbury Avenue North, shall include active uses on the ground floor oriented towards the streets.
- Minimum required height of 3 storeys or 9 metres;
- Maximum permitted height of 22 storeys or 75 metres;
- Reduced minimum required front, side and rear yards of 3 metres;
- Increased maximum permitted lot coverage of 40%.
- Notwithstanding Section 4.27, balconies on an apartment building may be permitted to encroach up to 1.5 metres into the required front and exterior side yard; and
- Notwithstanding anything to the contrary, Highbury Avenue North shall be deemed to be the front lot line.

- **Residential R9 (R9-7(**)•D250) Zone (Blocks 12 & 17/18)** - to permit high density residential uses including apartment buildings with a maximum residential density of 250 units per hectare.

Requested Special Provisions include:

- The permitted uses of the BDC Zone variation shall be permitted within a mixed-use Apartment Building;
- Buildings located directly adjacent to Oxford Street East and Highbury Avenue North, shall include active uses on the ground floor oriented towards the streets.
- Minimum required height of 3 storeys or 9 metres;
- Maximum permitted height of 16 storeys or 54 metres; and
- Reduced minimum required front, side and rear yards of 4.5 metres.

- **Residential R9 (R9-7(***)•D250) Zone (Blocks 18 & 19)** - to permit high density residential uses including apartment buildings with a maximum residential density of 250 units per hectare.

Requested Special Provisions include:

- The permitted uses of the BDC Zone variation shall be permitted within a mixed-use Apartment Building;
- Buildings located directly adjacent to Oxford Street East and Highbury Avenue North, shall include active uses on the ground floor oriented towards the streets.
- Minimum required height of 3 storeys or 9 metres;
- Maximum permitted height of 12 storeys or 42 metres; and
- Reduced minimum required front, side and rear yards of 4.5 metres.

- **Residential R5/R9 (R5-7(**)/R9-7(****)) Zone (Block 2)** - to permit medium and high density residential uses including apartment buildings, townhouses and stacked townhouses.

Requested R9-7 Special Provisions include:

- The permitted uses of the BDC Zone variation shall be permitted within a mixed-use Apartment Building;
- Minimum required height of 3 storeys or 9 metres;
- Maximum permitted height of 12 storeys or 42 metres;
- Minimum density of 45 units per hectare; and
- Reduced minimum required front and exterior side yards of 4.5 metres.

Requested R5-7 Special Provisions include:

- Minimum required height of 2 storeys or 8 metres;
- Minimum density of 45 units per hectare;
- Maximum density of 75 units per hectare; and
- Reduced minimum required front and exterior side yards of 4.5 metres.

- **Residential R5/R9 / Neighbourhood Facility (R5-7(**)/R9-7(****)/NF1) Zone (Block 26)** - to permit medium and high density residential uses including apartment buildings, townhouses and stacked townhouses, as well as public and private facility uses which primarily serve a neighbourhood function including elementary schools, day care centres, community centres, and libraries.

Requested R9-7 Special Provisions include:

- The permitted uses of the BDC Zone variation shall be permitted within a mixed-use Apartment Building;
- Minimum required height of 3 storeys or 9 metres;
- Maximum permitted height of 12 storeys or 42 metres;
- Minimum density of 45 units per hectare; and
- Reduced minimum required front and exterior side yards of 4.5 metres.

Requested R5-7 Special Provisions include:

- Minimum required height of 2 storeys or 8 metres;
- Minimum density of 45 units per hectare;
- Maximum density of 75 units per hectare; and
- Reduced minimum required front and exterior side yards of 4.5 metres.

- **Residential R5/R8 (R5-7(*)/R8-4(*)•D100) Zone (Blocks 1, 3 & 4)** - to permit medium density residential uses including apartment buildings, townhouses and stacked townhouses with a maximum residential density of 100 units per hectare.

Requested R8-4 Special Provisions include:

- Minimum required height of 2 storeys or 8 metres;
- Maximum permitted height of 4 storeys or 15 metres;
- Minimum density of 30 units per hectare; and
- Reduced minimum required front and exterior side yards of 4.5 metres.

Requested R5-7 Special Provisions include:

- Minimum required height of 2 storeys or 8 metres;
- Minimum density of 30 units per hectare;
- Maximum density of 75 units per hectare; and
- Reduced minimum required front and exterior side yards of 4.5 metres.

- **Residential R8 (R8-4(**)•D100) Zone (Blocks 10 & 11)** - to permit medium density residential uses including apartment buildings and stacked townhouses with a maximum residential density of 100 units per hectare.

Requested R8-4 Special Provisions include:

- The permitted uses of the BDC Zone variation shall be permitted within a mixed-use Apartment Building;
- Minimum required height of 2 storeys or 8 metres;
- Maximum permitted height of 4 storeys or 15 metres; and
- Reduced minimum required front and exterior side yards of 4.5 metres.

- **Residential R5/R9 (R5-7(***)/R9-7(****)) Zone (Blocks 5-9)** - to permit medium density residential uses including apartment buildings, townhouses and stacked townhouses.

Requested R9-7 Special Provisions include:

- Minimum required height of 3 storeys or 9 metres;
- Maximum permitted height of 6 storeys or 22 metres;
- Minimum density of 25 units per hectare; and
- Reduced minimum required front and exterior side yards of 4.5 metres.

Requested R5-7 Special Provisions include:

- Minimum required height of 2 storeys or 8 metres;
- Minimum density of 25 units per hectare;
- Maximum density of 75 units per hectare; and
- Reduced minimum required front and exterior side yards of 4.5 metres.

- **Business District Commercial/Community Facility/Heritage (BDC/CF2/CF3/HER) Zone (Blocks 20-23)** - to permit institutional type uses which provide a city-wide or community service function. The R8-4 zone will permit apartment buildings, handicapped person's apartment buildings, lodging house class 2, stacked townhousing, senior citizen apartment buildings, emergency care establishments and continuum-of-care facilities with a maximum density of 150 units per hectare. The heritage zone provides for and regulates buildings, structures and lands that have been designated under the Ontario Heritage Act.

- **Open Space/Neighbourhood Facility (OS1/NF1) Zone** - to permit future parkland/open space corridors. The NF1 zone variation permits places of worship, elementary schools, day care centres, community centres, libraries, private schools, fire stations, private club, and police station.
- **Open Space (OS1) Zone** - to permit future parkland/open space corridors.

The applicant has also proposed the following holding provisions (please refer to the attached map in Figure 2)

- **h-(*) Purpose:** To ensure that new development is designed and approved in general conformity with the applicable urban design guidelines and policies of the London Psychiatric Hospital Secondary Plan (LPHSP), the Site Plan Application shall demonstrate conformity with the policies and, following a public site plan review, a development agreement shall be entered into to ensure the resulting built form and site layout is implemented to the satisfaction of the City of London prior to the removal of the h-(*) symbol.
Permitted Interim Uses: Existing Uses
Proposed to be applied to: Blocks 1-19, 26, & 30
- **h-(**) Purpose:** To ensure that new development exceeding the Standard Maximum Height outlined in Table 1 of the London Psychiatric Hospital Secondary Plan (LPHSP) meets the criteria outlined in the applicable LPHSP designation for the site, the Site Plan Application shall demonstrate that the criteria specified in the policies for the designation have been met and a development agreement entered into to ensure the resulting built form and site layout is implemented to the satisfaction of the City of London prior to the removal of the h-(**) symbol.
Permitted Interim Uses: Any new development which is at or below the applicable Standard Maximum Height as per Table 1 of the London Psychiatric Hospital Secondary Plan.
Proposed to be applied to: Blocks 2, 5-19, & 26
- **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.
Proposed to be applied to: Blocks 1-11, 19, 21-23, 26 & 30
- **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
Proposed to be applied to: Blocks 6-9

The City may also consider revised zones, special provisions and holding provisions in zoning to implement the urban design requirements and considerations of the London Psychiatric Hospital Lands Secondary Plan, and ensure compatibility with adjacent land uses, water looping, municipal services, and phasing.

Planning Policies

Any change to the Zoning By-law must conform to the policies of the Official Plan, London’s long-range planning document. The subject lands are in the Transit Village Place Type in The London Plan, permitting a broad range of residential, retail, service, office, cultural, institutional, hospitality, entertainment, recreational, and other related uses, and in the Green Space Place Type permitting recreational uses for passive enjoyment of natural features, conservation or rehabilitation works, or harvesting of trees in accordance with good forestry management. The subject lands are also within the London Psychiatric Hospital Secondary Plan which permits a range of medium and high density residential and mixed uses, in a way that is compatible with and ensure the long-term protection of the significant cultural heritage features on the subject lands.

How Can You Participate in the Planning Process?

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

See More Information

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

- Contacting the City's Planner listed on the first page of this Notice; or
- Viewing the application-specific page at london.ca/planapps
- Opportunities to view any file materials in-person by appointment can be arranged through the file Planner.

Reply to this Notice of Application

We are inviting your comments on the requested changes at this time so that we can consider them as we review the application and prepare a report that will include Planning & Development staff's recommendation to the City's Planning and Environment Committee. Planning considerations usually include such matters as land use, development intensity, and form of development.

Attend This Public Participation Meeting

The Planning and Environment Committee will consider the requested zoning changes at this meeting, which is required by the Planning Act. You will be invited to provide your comments at this public participation meeting. A neighbourhood or community association may exist in your area. If it reflects your views on this application, you may wish to select a representative of the association to speak on your behalf at the public participation meeting. Neighbourhood Associations are listed on the Neighbourgood website. The Planning and Environment Committee will make a recommendation to Council, which will make its decision at a future Council meeting.

What Are Your Legal Rights?

Notification of Council Decision

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

Right to Appeal to the Ontario Land Tribunal

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of London to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the proposed official plan amendment is adopted, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the proposed official plan (or official plan amendment) is adopted, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of London to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

If a person or public body would otherwise have the ability to appeal the decision of the Council of the Corporation of the City of London but does not make oral submissions at a public meeting, if one is held, or make written submissions to the City of London in respect of

the proposed plan of subdivision before the approval authority gives or refuses to give approval to the draft plan of subdivision, the person or public body is not entitled to appeal the decision to the Ontario Land Tribunal.

If a person or public body does not make oral submissions at a public meeting, if one is held, or make written submissions to the City of London in respect of the proposed plan of subdivision before the approval authority gives or refuses to give approval to the draft plan of subdivision, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

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

Notice of Collection of Personal Information

Personal information collected and recorded at the Public Participation Meeting, or through written submissions on this subject, is collected under the authority of the Municipal Act, 2001, as amended, and the Planning Act, 1990 R.S.O. 1990, c.P.13 and will be used by Members of Council and City of London staff in their consideration of this matter. The written submissions, including names and contact information and the associated reports arising from the public participation process, will be made available to the public, including publishing on the City's website. Video recordings of the Public Participation Meeting may also be posted to the City of London's website. Questions about this collection should be referred to Evelina Skalski, Manager, Records and Information Services 519-661-CITY(2489) ext. 5590.

Accessibility

The City of London is committed to providing accessible programs and services for supportive and accessible meetings. We can provide you with American Sign Language (ASL) interpretation, live captioning, magnifiers and/or hearing assistive (t coil) technology. Please contact us at plandev@london.ca by June 4, 2024 to request any of these services.

Draft Plan of Subdivision

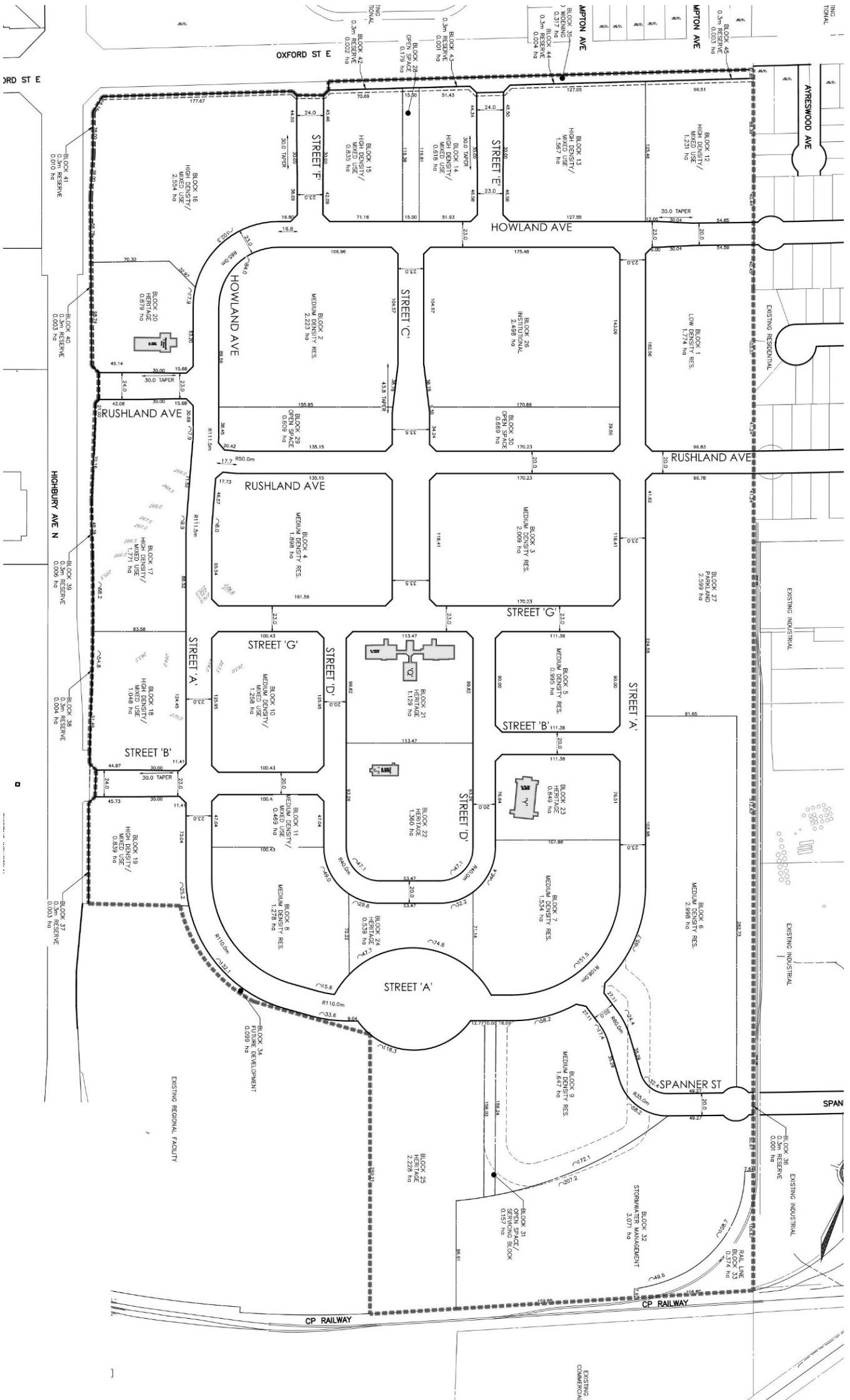


Figure 1. Excerpt from Revised Draft Plan of Subdivision for 850 Highbury Avenue North

Proposed Zoning Schedule

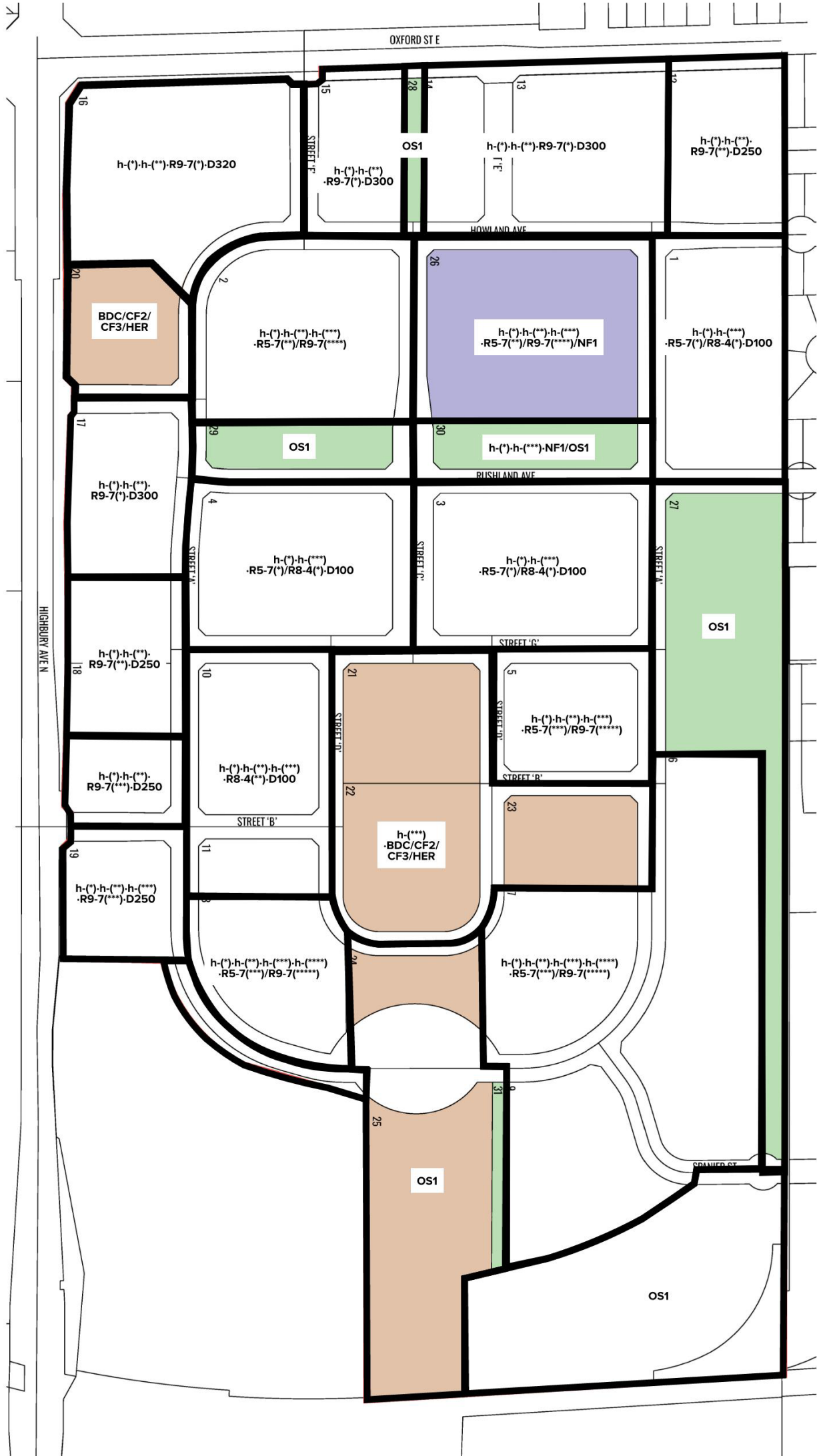


Figure 2. Proposed Zoning Schedule for the lands located at 850 Highbury Avenue North.