

## Report to Planning and Environment Committee

**To:** Chair and Members  
Planning and Environment Committee

**From:** Scott Mathers, MPA, P.Eng.  
Deputy City Manager, Planning and Economic Development

**Subject:** 2419361 Ontario Inc. (c/o Zelinka Priamo Ltd.)  
934 Oxford Street West  
File Number: Z-9733, Ward 8

**Date:** Public Participation Meeting on: July 16, 2024

## Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of 2419361 Ontario Inc. relating to the property located at 934 Oxford Street West, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on July 23, 2024, to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, The London Plan, to change the zoning of the subject property **FROM** a Residential R1 (R1-10) Zone **TO** a Holding Residential R8 Special Provision (h-89\*R8-4(\_)) Zone;

**IT BEING NOTED**, that the above noted amendment is being recommended for the following reasons:

- i) The recommended amendment is consistent with the *Provincial Policy Statement 2020 (PPS)*, which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents, present and future;
- ii) The recommended amendment conforms to The London Plan, including but not limited to Key Directions, City Design and Building policies, and the Neighbourhood Place Type policies.
- iii) The recommended amendment would permit an appropriate form of development at an intensity that is appropriate for the site and surrounding neighbourhood.

## Executive Summary

### Summary of Request

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from a Residential R1 (R1-10) Zone to a Residential R8 Special Provision (R8-4(\_)) Zone. Special provisions requested include a reduced lot frontage, increased density and reduced interior side yard setbacks to the east and west.

Staff are recommending approval with a holding provision that will ensure stormwater management measures are incorporated at the building permit stage.

### Purpose and the Effect of Recommended Action

Staff are recommending approval of the requested Zoning By-law amendment with special provisions and h-89 holding provision. The recommended action will facilitate the development of the proposed 3-storey, **8-unit** apartment building.

## Linkage to the Corporate Strategic Plan

This recommendation supports the following Strategic Areas of Focus:

- **Housing and Homelessness, by ensuring** London's growth and development is well-planned and considers use, intensity, and form.
- **Wellbeing and Safety, by promoting** neighbourhood planning and design that creates safe, accessible, diverse, walkable, healthy, and connected communities.

# Analysis

## 1.0 Background Information

### 1.1 Previous Reports Related to this Matter

PEC Report – 934 Oxford Street West – Z-9678 – January 30, 2024.

### 1.2 Planning History

In November 2023, the applicant submitted a Zoning By-law Amendment application to permit a 3.5 storey, 8-unit residential development. Based on discussions with City Staff, revisions to the development plan were made. Due to the timelines imposed by the Province which require a Council decision 90-days from the date an application is submitted, City Staff had insufficient time to recirculate the revised proposal. At the Municipal Council meeting on February 13, 2024, the application was refused, and Civic Administration was directed to transfer the planning application fee for this Zoning By-law amendment to a subsequent application on the same property. Council noted that the applicant submitted a revised concept plan on January 16, 2024, with the intention of working through issues with Staff. However, the statutory timelines under the *Planning Act* required a decision at the February 13, 2024 Council meeting to avoid issuing a refund.

### 1.3 Property Description and Location

The subject site, 934 Oxford Street West, is located on the south side of Oxford Street West between Freele Street and Juniper Street, in the Oakridge Planning District. The subject lands have a frontage of 22.8 metres along Oxford Street West, a depth of 45.7 metres and a total area of 1044m<sup>2</sup>. The subject lands currently contain a single detached dwelling with an attached basement garage, with one access from Oxford Street West. The lands contain a slope moving downward from west to east. Oxford Street West is an Urban Thoroughfare with an average annual traffic volume of 26,000 vehicles per day. Oxford Street West has sidewalks with adjacent bicycle paths on both sides of the street.

The lot is part of an established lot fabric consisting of similar sized lots currently used for low-density residential uses fronting Oxford Street West. The surrounding area consists primarily of low-density residential uses, and also contains institutional uses such as a place of worship, schools and associated parks.

#### Site Statistics:

- Current Land Use: Single detached dwelling
- Frontage: 22.8 metres (74.8 feet)
- Depth: 46 metres (150.9 feet)
- Area: 1044 square metres (0.26 acres)
- Shape: regular
- Located within the Built Area Boundary: Yes
- Located within the Primary Transit Area: No

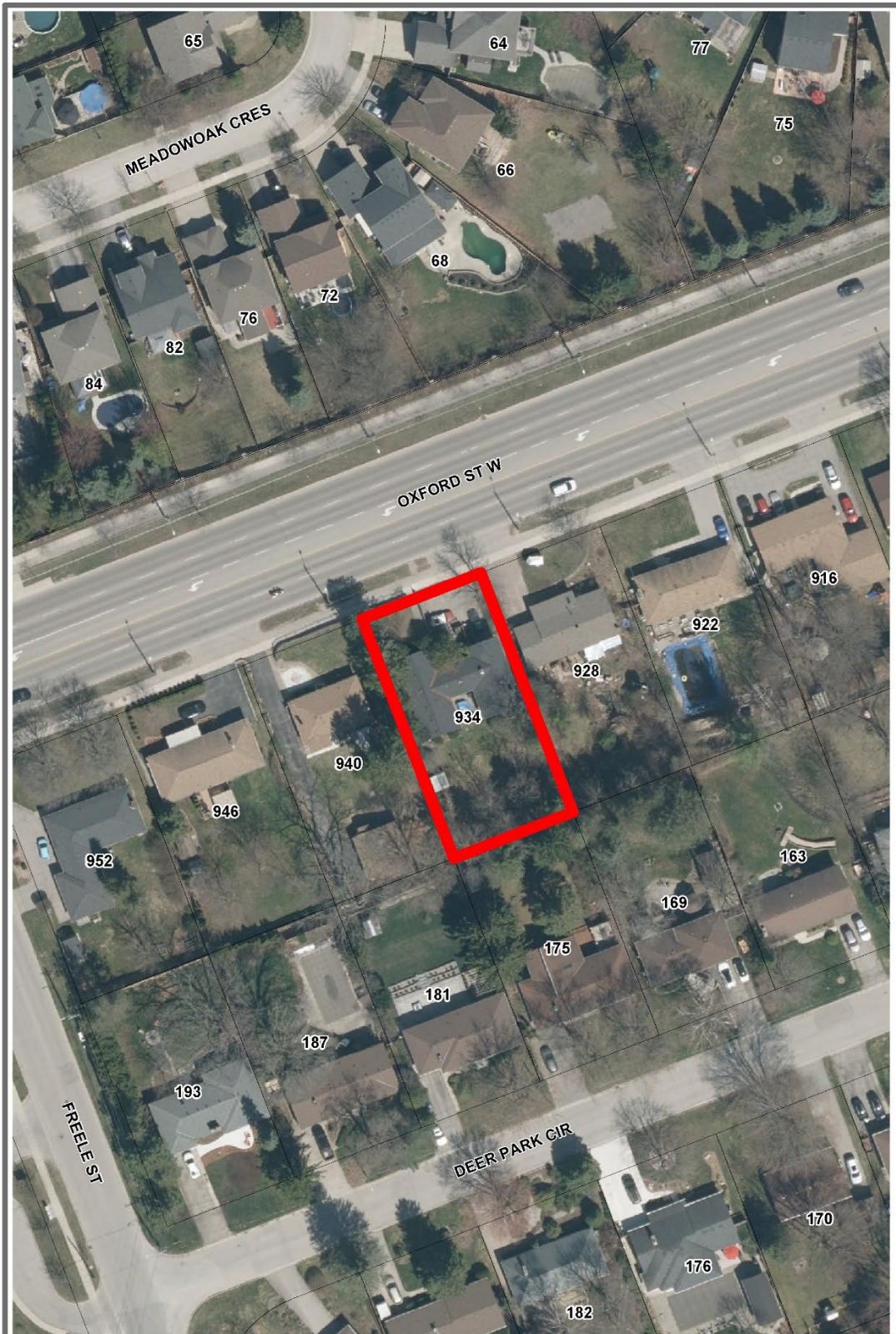
#### Surrounding Land Uses:

- North: Single detached dwellings
- East: Single detached dwellings
- South: Single detached dwellings
- West: Single detached dwellings, Oakridge Presbyterian Church

#### Existing Planning Information:

- The London Plan Place Type: Neighbourhoods Place Type fronting an Urban Thoroughfare (Oxford Street West)
- Existing Zoning: Residential R1 (R1-10)

Additional site information and context is provided in Appendix “B”.



**LOCATION MAP**

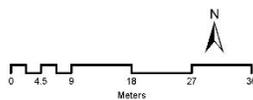
Address: 934 Oxford Street West

File Number: Z-9733

Planner: Isaac de Ceuster

Date: 2024/05/30

Corporation of the City of London  
Prepared By: Planning and Development



Scale 1:800

**Legend**

-  Subject Site
-  Assessment Parcels

Figure 1- Aerial Photo of 934 Oxford Street West and surrounding lands



Figure 2 - Streetview of 934 Oxford Street West (view looking south)

## 2.0 Discussion and Considerations

### 2.1 Development Proposal

The applicant is proposing a 3-storey residential apartment development consisting of eight (8) residential units and six (6) surface parking spaces located to the rear of the building. The proposed apartment building is to be set back 7.0 metres from the front lot line, and 2.4 metres from the easterly and westerly lot line. The proposed front yard setback of 7.0m is to accommodate the required road-widening and will generally maintain the established building line. The building will have a footprint of approximately 360m<sup>2</sup>, with each unit approximately 74m<sup>2</sup> in size.

Vehicular access is proposed by a centrally located porte-cochere, a drive-thru style driveway from Oxford Street West. The driveway leads to a parking area in the rear yard, with 5 standard parking spaces and 1 barrier-free parking space. Pedestrian connections are provided with a sidewalk that will connect with the existing sidewalk along Oxford Street West. A common, outdoor amenity area is provided to the rear of the proposed building, between the proposed development and parking area.

To facilitate the proposed development, the existing single detached dwelling will be demolished.

The proposed development includes the following features:

- Land use: Residential
- Form: Low-rise apartment building
- Height: 3 storeys (approximately 10 metres)
- Residential units: 8
- Density: 77 units / hectare
- Building coverage: 22%
- Parking spaces: 6 surface spaces
- Landscape open space: 41.6%
- Functional amenity space: outdoor common amenity space

Additional information on the development proposal is provided in Appendix "B".

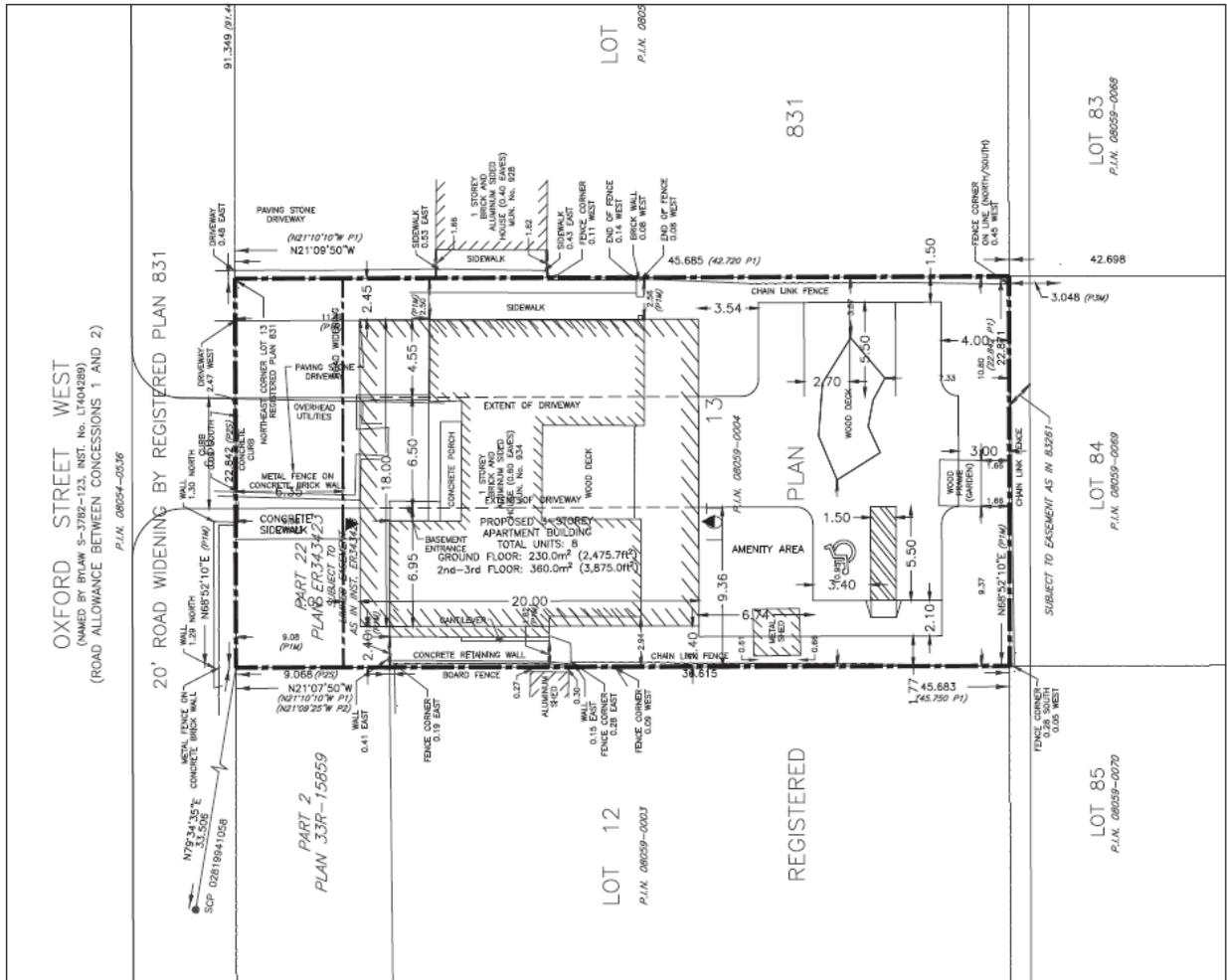


Figure 3 - Conceptual Site Plan 934 Oxford Street West (received April 2024)

## 2.2 Requested Amendment(s)

The applicant has requested an amendment to the Zoning Bylaw Z.-1 to rezone the property from a Residential R1 (R1-10) to a Residential R8 Special Provision (R8-4(\_)).

The following table summarizes the special provisions that have been proposed by the applicant and those that are being recommended by staff.

Regulation (R8-4)	Required	Proposed	Recommended
Lot frontage (minimum)	30.0	22.8	22.8
Interior Side Yard Setback (minimum)	4.5	West: 2.4 East: 2.4	West: 2.4 East: 2.4
Density (units per hectare) maximum	75	80	80

The following table summarizes the special provisions that are being recommended by staff:

Regulation (R8-4)	Required	Proposed	Recommended
Interior Side Yard Setback (minimum)	4.5	West: 2.4 East: 2.4	<ul style="list-style-type: none"> <li>2.4m with no windows to bedrooms</li> <li>6.0m with windows to bedrooms</li> </ul>
Rear Yard Setback (minimum)	4.5	15.6	15
Rear yard parking setback (minimum)	3.0	3.0	3.0

## 2.3 Internal and Agency Comments

The application and associated materials were circulated for internal comments and public agencies to review. Comments received were considered in the review of this application and are addressed in Section 4.0 of this report.

Key issues identified by staff and agencies included:

- Recommendation for h-89 holding provision to ensure SWM measures are incorporated at the building permit stage.
- Interior side yard setbacks
- Building orientation
- Parking area landscape buffer

Detailed internal and agency comments are included in Appendix “D” of this report.

## 2.4 Public Engagement

On May 16, 2024, Notice of Application was sent to 67 property owners and residents in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on May 23, 2024. A “Planning Application” sign was also placed on the site.

There were four responses received during the public consultation period. Comments received were considered in the review of this application and are addressed in Section 4.0 of this report.

Concerns expressed by the public relate to:

- Implications for future development along Oxford Street
- Traffic congestion
- Aesthetics
- Privacy

Detailed public comments are included in Appendix “E” of this report.

## 2.5 Policy Context

### ***The Planning Act and the Provincial Policy Statement, 2020***

The Provincial planning policy framework is established through the Planning Act (Section 3) and the Provincial Policy Statement, 2020 (PPS). The Planning Act requires that all municipal land use decisions affecting planning matters shall be consistent with the PPS.

Section 1.1 of the PPS encourages healthy, livable, and safe communities which are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the province and municipalities over the long term. Healthy, livable, and safe communities are sustained by accommodating an appropriate affordable and market-based range and mix of residential types, and promoting the integration of land use planning, growth management, transit-supportive development, intensification, and infrastructure planning to achieve cost-effective development patterns, optimize transit investments, and standards to minimize land consumption and servicing costs (1.1.1.b) & 1.1.1.e)).

The PPS directs settlement areas to be the focus of growth and development, further stating that the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities (1.1.3). Further, the PPS directs planning authorities to provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area (1.4.1).

Land use patterns within settlement areas shall be based on densities and a mix of land uses which: efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; minimize negative impacts to air quality and climate change, and promote energy efficiency; prepare for the impacts of a changing climate; support active transportation; are transit-supportive, where transit is planned, exists, or may be developed (1.1.3.2). Land use patterns within settlement areas shall also be based on a range of use and opportunities for intensification and redevelopment (1.1.3.2). Finally, the PPS supports long-term economic prosperity by encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce, and by encouraging a sense of place by promoting well-designed built form (1.7.1.b) & 1.7.1.e)).

The proposed development meets the intent of the *Planning Act* and the *PPS* by promoting residential intensification in the form of a low-rise apartment building within the urban growth boundary.

### ***The London Plan, 2016***

*The London Plan* (TLP) includes evaluation criteria for all planning and development applications with respect to use, intensity and form, as well as with consideration of the following (TLP 1577-1579):

1. Consistency with the Provincial Policy Statement and all applicable legislation.
2. Conformity with the Our City, Our Strategy, City Building, and Environmental policies.
3. Conformity with the Place Type policies.
4. Consideration of applicable guideline documents.
5. The availability of municipal services.
6. Potential impacts on adjacent and nearby properties in the area and the degree to which such impacts can be managed and mitigated.
7. The degree to which the proposal fits within its existing and planned context.

Staff are of the opinion that all the above criteria have been satisfied.

## **3.0 Financial Impact/Considerations**

There are no direct municipal financial expenditures associated with this application.

## **4.0 Key Issues and Considerations**

### **4.1 Land Use**

The proposed residential use is supported by the policies of the *Provincial Policy Statement, 2020 (PPS)* and is a contemplated use in accordance with Table 10 – Range of Permitted Uses in the Neighbourhoods Place Type of The London Plan. As provided in Table 10, a broad range of low-rise residential uses including low-rise apartments are permitted on the subject lands fronting an Urban Thoroughfare (TLP, Table 10). The proposed residential use aligns with Key Direction #5 – Building a mixed-use compact city, by planning for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward (TLP, Policy 59\_4), and to ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place (TLP, Policy 59\_5).

### **4.2 Intensity**

The proposed residential intensity is consistent with the policies of the PPS that encourage residential intensification, redevelopment, and compact form (1.1.3.4), an efficient use of land (1.1.1.a), and a diversified mix of housing types and densities (1.4.1). The proposed residential intensity does conform with Table 11 – Range of

Permitted Heights in the Neighbourhoods Place Type of The London Plan which contemplates a standard maximum height of 4 storeys, and an upper maximum height of 6 storeys fronting an Urban Thoroughfare (TLP, Policy 935\_). As the proposed development has a maximum height of 3-storeys, the proposed intensity is in keeping with, and supported by the Neighbourhoods Place Type policies.

### 4.3 Form

The proposed built form is supported by the policies of the *Provincial Policy Statement, 2020 (PPS)* and is contemplated in accordance with the Neighbourhoods Place Type of The London Plan. It is the intent of The London Plan to encourage residential intensification within existing neighbourhoods which add value to neighbourhoods by adding to their planning and existing character, quality, and sustainability (TLP, Policy 937\_). The proposed built form is consistent with the Neighbourhoods Place Type policies and the City Design policies of The London Plan by facilitating an appropriate form and scale of residential intensification that is compatible with the existing and future neighbourhood character (TLP, Policy 953\_2).

The built form consists of a 3-storey (13 metre) apartment building, oriented towards Oxford Street West to reinforce the existing street wall of the adjacent single-detached lots (TLP, Policy 256\_). The proposed built form of the low-rise apartment building provides a human-scale massing that has consideration for the surrounding low-density residential land uses and is appropriate in scale with the neighbourhood character (TLP, Policy 953\_2). The applicant will implement privacy measures such as landscaping and fencing, to minimize visual impacts on the abutting properties. Further, the slope of the subject lands will assist in minimizing the impact of the development's height, considering the grading of the subject lands is lower than the abutting property to the west. Access to the subject lands will be provided via a centrally located drive-thru style driveway from Oxford Street West, leading to the parking area in the rear. The parking, therefore, will be visually screened from the street, encouraging a pedestrian oriented streetscape (TLP, Policy 936\_4). As such, the proposed form and design of the 3-storey low-rise apartment building fronting an Urban Thoroughfare meets the intent of The London Plan.

### 4.4 Zoning Provisions

The 'R8-4' Zone is intended to permit medium density development in the form of low-rise apartment buildings. The applicant has requested the following special provisions as part of the application.

**Frontage** – The applicant is requesting a special provision to permit a frontage of 22.8 metres, whereas 30.0 metres would be the minimum frontage required for the R8-4 zone variation. The reduced frontage, in conjunction with the minimum lot area regulation is sufficient to accommodate the centrally located access, appropriate setbacks and the development as a whole. Staff is supportive of the reduced frontage.

**Density** – The applicant has requested a special provision to permit a maximum density of 80 units per hectare, whereas the R8-4 zone variation permits a maximum density of 75 uph. The proposed density is consistent with the residential intensification policies of The London Plan that encourage infill and redevelopment on underused lots (TLP, 939\_5 & \_6). As the requested increase in density to 80 units per hectare can be considered minor, staff are supportive of the increased density.

**Interior side yard setback** – The applicant has requested a special provision to permit 2.4 metres minimum interior side yard setbacks to the west and east, whereas a minimum interior side yard setback of 4.5 metres is required. In staff's opinion, a 2.4 metres setback is appropriate where there are no windows or openings facing bedrooms. This proposed special provision for a 2.4 metres interior side yard setback to the east and west is sufficient to accommodate access and maintenance in the side yard and allows for fencing and landscape buffers to mitigate potential privacy concerns with abutting properties. As such, Staff have no concerns with requested special provision to permit 2.4 metre interior side yard setbacks to the easterly and westerly lot

line where there are no windows to bedrooms.

**Front Yard Setback** – The applicant is proposing a 7.35 metre front yard setback. This setback accommodates the required road-widening dedication along Oxford Street West, and an additional 1.0 metres setback from the ultimate front lot line. Urban Design staff are supportive of the provided front yard setback, noting that it would reinforce the existing street wall of the adjacent single-detached dwellings. As the proposed front yard setback is 7.3 metres, whereas 7.0 metres is the minimum required, no special provision is required for the front yard setback.

#### **Staff Recommended Special Provisions**

**Interior Side Yard Setback** – Staff are recommending an additional special provision for a minimum interior side yard setback of 6.0 metres to the easterly and westerly property line, where windows or openings are facing bedrooms to allow for privacy and not hinder adjacent properties. This recommended special provision conforms to the City Building Policies, providing that the site layout should be designed to minimize and mitigate impacts on adjacent properties (TLP, Policy 253\_).

**Parking Setback**– Staff are recommending a minimum parking setback of 3.0 metres to the southerly (rear) lot line, which is provided by the applicant based on the concept plan. Including this special provision for a minimum parking setback of 3 metres to the rear lot line is appropriate to facilitate the development while ensuring sufficient room for site maintenance, landscaping and functionality between the parking area and the lot line.

**Rear Yard Setback** – Staff are recommending a minimum rear yard setback of 15 metres to ensure the proposed apartment building does not extend too far into the rear yard. This will help reduce visual impacts in the abutting rear yards and potential overlook concerns. The setback also ensures enough space is maintained to provide for functional parking at amenity space.

#### **4.5 Trees**

A Tree Preservation Plan was prepared by Ron Koudys Landscape Architects (RKLA) as part of a complete application to summarize the findings of the tree assessment and make recommendations regarding tree preservation and removal. The inventory captured 29 individual trees, of which 21 trees are proposed for removal and eight (8) trees are proposed to be preserved. Two distinctive trees are growing on site, these are protected by the City's Tree Protection By-law and will require a permit to be removed. Additionally, insufficient protection has been offered to three boundary trees. It is noted that consent will be required from co-owners or neighbours to injure or remove boundary trees. Alternatively, the non-disturbance area of the critical root zones of the trees can be increased. Based on the City's policy and regulatory framework, 4 replacement trees are required. Where there is insufficient space on the same site the intent will be to plant all replacement trees; otherwise, cash-in lieu will be required at the building-permit stage.

## **Conclusion**

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from a Residential R1 (R1-10) Zone to a Residential R8 Special Provision (R8-4( ) Zone. Staff are recommending approval of the requested Zoning Bylaw amendment with h-89 holding provision and special provisions.

The recommended action is consistent with the PPS 2020, conforms to The London Plan and will permit a 3-storey, 8-unit, residential low-rise apartment.

**Prepared by:** Isaac de Ceuster,  
Planner, Planning Implementation

**Reviewed by:** Catherine Maton, MCIP, RPP  
Manager, Planning Implementation

**Recommended by:** Heather McNeely, MCIP, RPP  
Director, Planning and Development

**Submitted by:** Scott Mathers, MPA, P.Eng.  
Deputy City Manager, Planning and Economic  
Development

Copy: Britt O'Hagan, Manager, Current Development  
Mike Corby, Manager, Site Plans  
Brent Lambert, Manager, Development Engineering

## Appendix A – Zoning Bylaw Amendment

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 934 Oxford Street West.

WHEREAS this amendment to the Zoning By-law Z.-1 conforms to the Official Plan;

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 lands located at 934 Oxford Street West, as shown on the attached map comprising part of Key Map No. A106, **FROM** a Residential R1-10 Zone **TO** a Holding Residential R8 Special Provision (h-89\*R8-4(\_)) Zone.
2. Section Number 12.4 of the Residential R8 Zone is amended by adding the following Special Provisions:

R8-4(\_) 934 Oxford Street West

a. Regulations

- |  |  |
|--|--|
| i) Density (maximum)   | 80 units per hectare   |
| ii) Lot Frontage (Minimum)   | 22.8 metres (74.8 feet)  |
| iii) East Interior Side Yard Depth (minimum)   | 2.4 metres (7.9 feet) when the building wall contains no windows to bedrooms |
| iv) East Interior Side Yard Depth (minimum)  | 6.0 metres (19.7 feet) when the building wall contains windows to bedrooms.  |
| v) West Interior Side Yard Depth (minimum)   | 2.4 metres (7.9 feet) when the building wall contains no windows to bedrooms |
| vi) West Interior Side Yard Depth (minimum)  | 6.0 metres (19.7 feet) when the building wall contains windows to bedrooms.  |
| vii) Rear Yard Setback (minimum)   | 15 metres (49.21 feet)   |
| viii) Parking Setback from Southerly Lot Line (minimum)  | 3.0 m (9.8 feet)   |
| ix) No below-grade units and sunken amenity areas shall be permitted fronting Oxford Street West |  |

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.

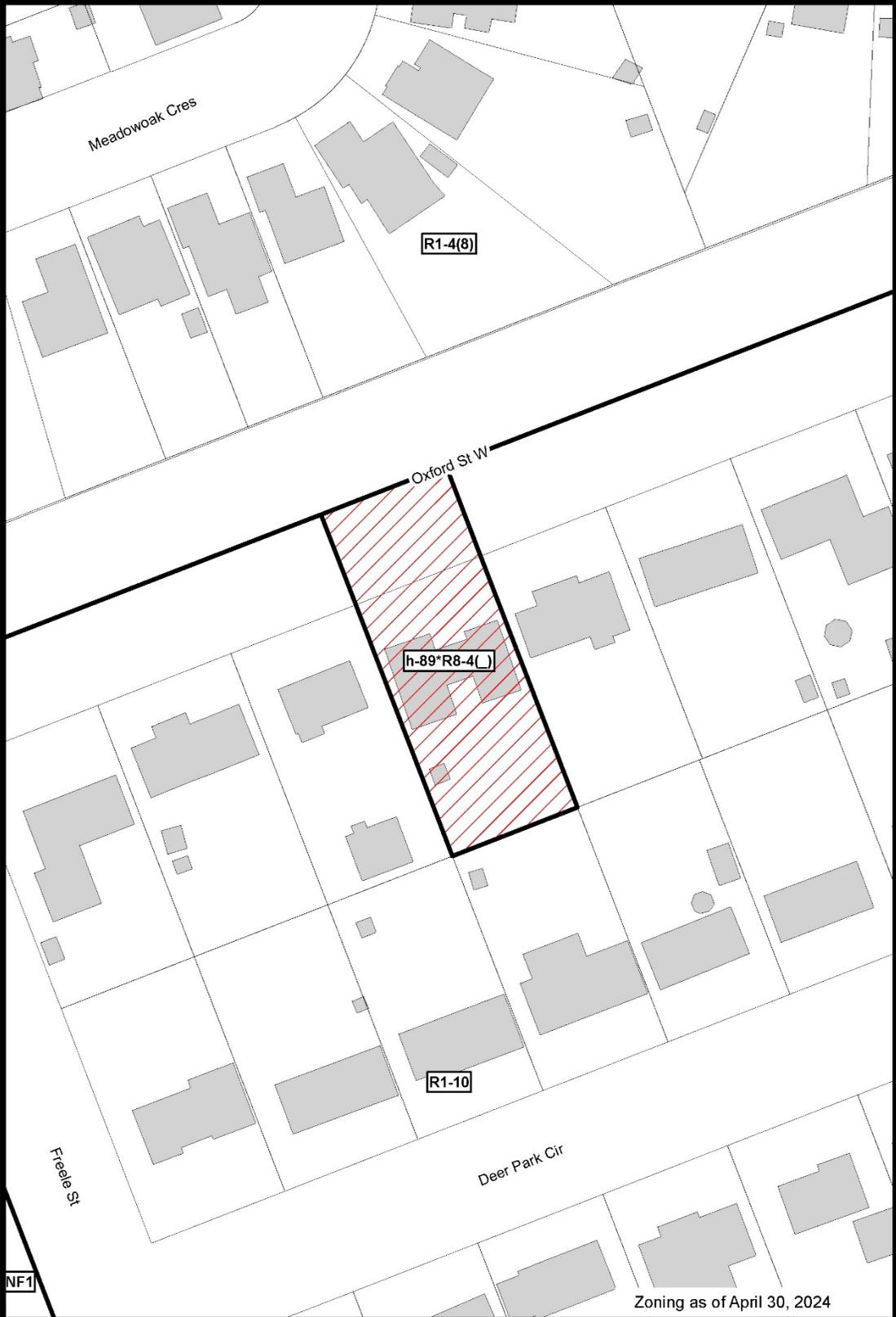
PASSED in Open Council on July 23, 2024.

Josh Morgan  
Mayor

Michael Schulthess  
City Clerk

First Reading – July 23, 2024  
Second Reading – July 23, 2024  
Third Reading – July 23, 2024

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z-1)



File Number: Z-9733  
Planner: IDC  
Date Prepared: 2024/05/30  
Technician: RC  
By-Law No: Z-1-

SUBJECT SITE 

1:800

0 4 8 16 24 32 Meters



## Appendix B - Site and Development Summary

### A. Site Information and Context

#### Site Statistics

Current Land Use	Single detached dwelling
Frontage	22.8 metres (74.8 feet)
Depth	46 metres (150.9 feet)
Area	1044 square metres (0.26 acres)
Shape	Regular (rectangle)
Within Built Area Boundary	Yes
Within Primary Transit Area	No

#### Surrounding Land Uses

North	Single detached dwellings
East	Single detached dwellings
South	Single detached dwellings
West	Single detached dwellings, Oakridge Presbyterian Church

#### Proximity to Nearest Amenities

Major Intersection	Oxford Street West and Hyde Park Road, 950m
Dedicated cycling infrastructure	Oxford Street West, 10 metres
London Transit stop	Oxford Street West, 75m
Public open space	Oakridge Optimist Community Park, 450m
Commercial area/use	Oxford Street West and Hyde Park Road, 1km
Community/recreation amenity	Oakridge Optimist Community Park, 450m

### B. Planning Information and Request

#### Current Planning Information

Current Place Type	Neighbourhoods Place Type, Urban Thoroughfare
Current Special Policies	None
Current Zoning	Residential R1 (R1-10)

#### Requested Designation and Zone

Requested Place Type	N/A
Requested Special Policies	None
Requested Zoning	Residential R8 Special Provision (R8-4( ))

#### Requested Special Provisions

Regulation (R8-4)	Required	Proposed
Lot frontage (minimum) metres	30.0	22.8
Interior Side Yard Setback (minimum)	4.5	West: 2.4 East: 2.4
Density (units per hectare) maximum	75	80

## C. Development Proposal Summary

### Development Overview

The proposed development consists of a 3-storey residential apartment building containing a total of 8 dwelling units. Surface parking (6 spaces) is proposed to the rear of the building.

### Proposal Statistics

Land use	Residential
Form	Low-rise apartment building
Height	3 storeys (13 metres)
Residential units	8
Density	80 units / hectare
Building coverage	22%
Landscape open space	42%
New use being added to the local community	No

### Mobility

Parking spaces	6 surface spaces
Vehicle parking ratio	0.75
New electric vehicles charging stations	Unknown
Secured bike parking spaces	Unknown
Secured bike parking ratio	N/A
Completes gaps in the public sidewalk	N/A
Connection from the site to a public sidewalk	Yes
Connection from the site to a multi-use path	NA

### Environmental Impact

Tree removals	21
Tree plantings	Unknown
Tree Protection Area	No
Loss of natural heritage features	N/A
Species at Risk Habitat loss	N/A
Minimum Environmental Management Guideline buffer met	N/A
Existing structures repurposed or reused	No
Green building features	Unknown





Zoning By-law Z.-1 – Schedule A



**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:**

1) **LEGEND FOR ZONING BY-LAW Z-1**

- |   |                                   |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS            | RF - REGIONAL FACILITY            |
| R2 - SINGLE AND TWO UNIT DWELLINGS        | CF - COMMUNITY FACILITY           |
| R3 - SINGLE TO FOUR UNIT DWELLINGS        | NF - NEIGHBOURHOOD FACILITY       |
| R4 - STREET TOWNHOUSE                     | HER - HERITAGE                    |
| R5 - CLUSTER TOWNHOUSE                    | DC - DAY CARE                     |
| R6 - CLUSTER HOUSING ALL FORMS            | OS - OPEN SPACE                   |
| R7 - SENIOR'S HOUSING                     | CR - COMMERCIAL RECREATION        |
| R8 - MEDIUM DENSITY/LOW RISE APTS.        | ER - ENVIRONMENTAL REVIEW         |
| R9 - MEDIUM TO HIGH DENSITY APTS.         | OB - OFFICE BUSINESS PARK         |
| R10 - HIGH DENSITY APARTMENTS             | LI - LIGHT INDUSTRIAL             |
| R11 - LODGING HOUSE                       | GI - GENERAL INDUSTRIAL           |
| DA - DOWNTOWN AREA                        | HI - HEAVY INDUSTRIAL             |
| RSA - REGIONAL SHOPPING AREA              | EX - RESOURCE EXTRACTIVE          |
| CSA - COMMUNITY SHOPPING AREA             | UR - URBAN RESERVE                |
| NSA - NEIGHBOURHOOD SHOPPING AREA         | AG - AGRICULTURAL                 |
| BDC - BUSINESS DISTRICT COMMERCIAL        | AGC - AGRICULTURAL COMMERCIAL     |
| AC - ARTERIAL COMMERCIAL                  | RRC - RURAL SETTLEMENT COMMERCIAL |
| HS - HIGHWAY SERVICE COMMERCIAL           | TGS - TEMPORARY GARDEN SUITE      |
| RSC - RESTRICTED SERVICE COMMERCIAL       | RT - RAIL TRANSPORTATION          |
| CC - CONVENIENCE COMMERCIAL               | "h" - HOLDING SYMBOL              |
| SS - AUTOMOBILE SERVICE STATION           | "D" - DENSITY SYMBOL              |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | "H" - HEIGHT SYMBOL               |
| OR - OFFICE/RESIDENTIAL                   | "B" - BONUS SYMBOL                |
| OC - OFFICE CONVERSION                    | "T" - TEMPORARY USE SYMBOL        |
| RO - RESTRICTED OFFICE                    |                                   |
| OF - OFFICE                               |                                   |

**CITY OF LONDON**

PLANNING SERVICES / DEVELOPMENT SERVICES

**ZONING  
BY-LAW NO. Z.-1  
SCHEDULE A**



FILE NO:

Z-9733

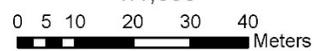
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MAP PREPARED:

2024/05/30

RC

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THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

## Appendix D – Internal and Agency Comments

### Urban Design:

#### Matters for ZBA:

1. Provide a minimum front yard setback of 1.0m from the ultimate right-of-way of Oxford Street West to ensure the proposed development reinforces the existing street wall of the adjacent single-detached lots. Refer to The London Plan (TLP) 256
2. Provide a minimum interior side yard setback with and without windows to habitable rooms. TLP, 253, 252
  - o Where unit windows face the interior side yard, a minimum 6.0m setback should allow for privacy and not hinder the redevelopment of adjacent properties.
  - o Where no unit windows face the interior side yard, a 2.4m minimum setback should accommodate access and maintenance in the side yard.
3. Orient the built form towards Oxford Street West with principal entrances, window openings and/or front porches on the ground floor along with balconies/terraces on the upper floors to face the Urban Thoroughfare for visual amenity and allowing passive surveillance. TLP 291, 228
4. Provide a minimum parking setbacks of 3.0m to the rear to accommodate a landscape buffer that mitigates potential negative impacts on the adjacent properties to the south. TLP 253
5. Avoid any below-grade units and sunken amenity areas adjacent to Oxford Street West to mitigate privacy and noise issues

This application would not proceed through the Site Plan Approval process given the current unit count, however, Urban Design recommends the following site design matters be considered:

1. Provide a pedestrian connection from Oxford Street West to access the units located at grade to the east part of the property. TLP 268, 255
2. Clarify the location of garbage storage/pick-up. Integrate the garbage storage area within the building and ensure the pick-up area is located away from Oxford Street West frontage or well-screened from the street to mitigate potential negative impact on the public realm. TLP 266

### Engineering

- Engineering has no comments related to the zoning application, however, we will be requesting an h-89 to ensure SWM measures are incorporated at the building permit stage.

### Parks Planning & Design

#### Matters for Site Plan

- Parkland dedication has not been taken for this site. It is to be noted that the applicant, as a requirement of the building permit, will be required to provide parkland dedication in the form of cash-in-lieu pursuant to By-law CP-25.

### Site Plan

1. Major Issues
  - As the proposal is for less than 11 residential units, Site Plan Control is not required.
2. Matters for OPA/ZBA
  - As the proposal is for less than 11 residential units, Site Plan Control is not required.
3. Matters for Site Plan
  - As the proposal is for less than 11 residential units, Site Plan Control is not required.

#### 4. Complete Application Requirements

- As the proposal is for less than 11 residential units, Site Plan Control is not required.

#### **Landscape Architect**

Development and Planning staff have reviewed the Tree Preservation Report for Zoning By-law Amendment at 934 Oxford Street W, London, and provide the following comments consistent with the Official Plan, applicable by-laws and specifications. The format of report and methods used to prepare inventory are acceptable.

#### Major Issues

-Two distinctive trees are growing on the site. These trees are protected by the City's Tree Protection bylaw and require a permit to remove. To obtain a removal permit, contact Forestry Dispatcher at [trees@london.ca](mailto:trees@london.ca) with details of your request. Any person who contravenes any provision of this By-law is guilty of an offence and if convicted under this By-law is liable to a minimum fine of \$500.00 and a maximum fine of \$100,000.00, where the fine is not a set fine.

#### Matters for OPA/ZBA

- Insufficient protection has been offered to three boundary trees, #11, 12 and 16. Obtain consent from co-owner/neighbour to injure trees or increase no-disturbance to the critical root zone of each tree. **Critical Root Zone**" means the area of land within a radius of ten (10) cm from the trunk of a tree for every one (1) cm of trunk diameter. Critical roots zones would be as follows Tree#11 1.8m, Tree #12 4.5m and Tree #16 2.6m. Boundary trees are protected by the province's Forestry Act 1998, c. 18, Sched. I, s. 21, boundary trees can't be removed without written consent from co-owner.
- The tree inventory prepared by RKLA captured 29 individual trees 21 are proposed for removal, for a total of **544 cm** dbh. In accordance with LP Policy 399, **54** replacement trees are required. However, the City's Tree Protection Bylaw will be used to calculate replacement trees as the city develops a bylaw to implement Policy 399. To this end, **4** replacement trees would be required. Where there is insufficient space on the same site from which the trees are removed to plant all of the number of Replacement Trees, cash-in-lieu will be calculated by multiplying the number of Replacement Trees that could not be planted on site due to insufficient space by \$350 per tree.

#### **UTRCA**

The Upper Thames River Conservation Authority (UTRCA) has reviewed this application with regard for the policies within the Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006), Section 28 of the Conservation Authorities Act, the Planning Act, the Provincial Policy Statement (2020), and the Upper Thames River Source Protection Area Assessment Report.

#### Conservation Authorities Act

The subject lands **are not** affected by any regulations (Ontario Regulation 41/24) made pursuant to Section 28 of the *Conservation Authorities Act*.

#### Recommendation

The UTRCA has **no objections** to the application and we have no Section 28 approval requirements.

## Appendix E – Public Engagement

### Community Engagement

#### Notice of Application:

On May 16, 2024, Notice of Application was sent to 67 property owners and residents in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on May 23, 2024. A “Planning Application” sign was also placed on the site.

Three comments were received.

**Nature of Liaison: 934 Oxford Street West** – The purpose and effect of this zoning change is to permit a 3.5 storey apartment building with 8 residential units. Possible change to Zoning By-law Z.-1 **FROM** a Residential R1 (R1-10), Zone **TO** a Residential R8 Special Provision (R8-4(\_)) Zone. Special provisions would permit the existing reduced frontage, reduced interior side yard setbacks, and an increased density of 80 units per hectare. File: Z-9733. Planner: I. De Ceuster.

#### Public Comment #1 - Received on June 12, 2024.

Dear Mr. de Ceuster: I am sending you this email to voice my opposition to the amendment of the property above. As a resident of the area I am opposed to having a building amendment on Oxford Street. By doing an amendment, you are opening the floodgates for future developments of apartments along Oxford Street, causing an enormous amount of traffic congestion to this beautiful area.

Sincerely  
Ana Ienco

#### Public Comment #2 - Received on June 13, 2024.

June 13, 2024

Re: Zoning By-law Amendment: 934 Oxford St. West: File: Z-9733

Mr. Lehman: Mr. de Ceuster:

We are writing with our further concerns with respect to the more recent Zoning By-law Amendment (File: Z-8733) for 934 Oxford St. West.

Certainly, as neighbours on 175 Deerpark Circle backing on to the Oxford St. West aforementioned property above, we have serious concerns with the development proposal and repercussions once more.

Firstly, a major concern is current and future traffic influx, pending construction and completion of said building.

As we all know, Oxford is continuing to be a very busy route for various reasons. Due to changes in boundaries for Elementary and Secondary schools in the area, more students in area sub-divisions will be attending area Oakridge schools, including Elementary and Secondary. With that student population daily influx, students will be arriving on foot, by bus, or being dropped off at peak traffic congestion times in the morning and afternoon.

Students are crossing an already very busy Oxford Street at peak times. Further, Oakridge High School is a non bussed school, therefore, at around 8am, parents are dropping off their kids to the Oakridge High School, or parents are dropping off kids to the Oakridge High School Co-Op Daycare, with pick up around 4pm, again at peak general traffic periods. Daycare drop offs and pick ups simultaneously occur for toddlers

at the Oakridge Presbyterian Church on Freele St. We do have serious traffic and safety concerns here, including a constant traffic flow of construction vehicles on Oxford St., Freele St., and our own Deer Park Circle.

Its obvious that redirected Oxford traffic during construction will inevitably rerouted continuously along Freele St., to Deer Park Circle, and onto Juniper St. and elsewhere. Currently, west to east and east to west traffic flow from out of town at peak times continues to be a major concern.

Further, there are currently no sidewalks or speed bumps on our section of Deer Park Circle, which has become an already busy thoroughfare for people and vehicles.

Our further concern, particular to our property and potentially others, is simply the disruption of the aesthetic beauty and quality of our property and the neighbourhood, of which we've cherished as owners for almost 32 years.

We've certainly witnessed many changes to Oakridge Acres over the years that have certainly enhanced the day to day living experience in a non intrusive way, both aesthetically and otherwise. In particular, personally, we cherish the privacy or our tree shrouded yard of ours and our neighbours. The proposed building of a three-storied, eight unit complex off the back of our back yard seriously intrudes on the quality of enjoyment of our property and others on a daily basis.

Certainly, our current and future property value would be seriously diminished with building development.

In the current re-zoning application, are we to understand that, the requested Rezoning R8-4( ) , could entail being opened up to changes in potential uses of said property from the original R1-10 (single detached dwelling),to and including apartment buildings, handicapped persons apartment buildings, lodging house class 2, stacked town housing, senior citizen apartment buildings, emergency care establishment, and continuing of care facilities?

Considering the City's current and future Oxford St. and area building development plans, and considering the proposed high-rise development in the Oxford-Wonderland area, traffic congestion remains a disruptive major concern and inconvenience for commuters, and a serious safety concern for home owners and families.

Thank you for your consideration of concerns above.

Respectfully,

Marty and Jan Smye

175 Deer Park Circle

London, ON

**Public Comment #3 - Received on June 14, 2024.**

Mr. Lehman and Mr. de Ceuster:

We are writing with our concerns with respect to the more recent Zoning By-law Amendment File: Z-9733 for 934 Oxford St. West.

As homeowners of 176 Deer Park Circle we have serious concerns and repercussions with the development proposal as set out in the Proposal by Applicant 2419361 Ontario Inc.

One of the major concerns is the current and future traffic influx with the pending construction and completion of said building on Oxford Street.

Oxford Street is known to be a very busy street for traffic heading east to west and vice versa across town. Considering the pending changes in boundaries for schools in the area, more students in our subdivision will be attending area Oakridge schools, both Elementary and Secondary. With the increase in student population, students will be arriving on foot, by bus, or being dropped off at peak traffic congestion times in the morning and afternoon.

Oakridge High School is a non bussed school, therefore, at around 8am, parents are dropping off their kids to the High School, or to the Co-Op Daycare, with pick up around 4pm, again at peak traffic times. The daycare drop offs and pick ups simultaneously occur for toddlers at the Oakridge Presbyterian Church on Freele St.

It appears obvious that redirected Oxford traffic during construction will inevitably be rerouted to Freele St., down Deer Park Circle, and onto Juniper St. exasperating traffic flow at peak times which continues to be a major concern.

We do not have any sidewalks or speed bumps on our section of Deer Park Circle, which has become an already busy thoroughfare for pedestrians and vehicles.

Does the Rezoning R8-4 application state that this rezoning could entail other changes in potential uses of said property from the original R1-10 (single detached dwelling), "to and including apartment buildings, handicapped persons apartment buildings, lodging house class 2, stacked town housing, senior citizen apartment buildings, emergency care establishment, and continuing of care facilities"?

If this is true, then that influx of traffic with this building development plan and the proposed high rise development at Oxford and Wonderland will become a much larger concern and serious inconvenience for travellers as well as create many safety concerns for the home owners and families due to the increase in an already heavily traffic-congested area.

We trust you will take our concerns in to your consideration before approving the proposed Zoning By law change.

Thank you,

Brian and Rose Burton

176 Deer Park Circle

London, ON

#### **Public Comment #4 – Received June 14, 2024**

As per your flyer, Notice of Planning Application and Public Meeting regarding a Zoning By-law Amendment for 934 Oxford Street West, File Z-9733, I am writing to provide comments for consideration by Council.

My name is JoAnne Palmateer and my family and I have lived at 934 Oxford Street West since 1978. I feel that I have a unique perspective regarding this property and its surrounding environs.

When we moved in, there was an abandoned farm across the street from us. Since then, we have witnessed many changes, including the development of an entire subdivision on the farmland, and have lived through the widening of Oxford Street West itself.

Throughout these changes, the neighbourhood on the south side of the street has retained its single family housing character and the Oakridge area has remained a desirable neighbourhood within the City of London.

The lot is too small to accommodate the proposed building. The present house fills the lot from side-to-side with only walkways between the east and west sides of the house and the neighbours. There is parking for three vehicles and a temporary visitor at the front of the house.

The backyard has a level area that would barely accommodate an in-ground pool. The back and both side neighbours' lots are all on fairly significantly different levels. There is the potential for an unwelcome runoff in a bad storm. Building substantial retaining walls abutting at least two of the three neighbouring lots, and privacy fences on all three boundaries, will reduce the area available for parking.

Even with the removal of dozens of mature trees, the parking space for the tenants is very limited, with little parking allotted for visitors and delivery trucks or moving vans.

The height of the building will decrease the privacy of all neighbours within the vicinity, as all their backyards/pools will be exposed to new neighbours peering down into their properties. Regular privacy fences will not be tall enough to prevent the neighbours to the south from looking into the new building's windows and yard.

Although the degree of the slope of the hill in front of the property was reduced when the City widened the road, there have still been times when thunderstorms have created a river that has spanned the road. In winter, snow has created a traffic jam on the uphill side. Rerouting to Deer Park Circle to get to the top of the hill has often proven to be a bad choice. The hill is steeper and the snow plow takes longer to get to that portion of the street. The icy conditions there have created their own traffic problems.

Oxford Street crests at Freele Street, which hides the oncoming eastbound traffic and often causes a potentially hazardous situation when pulling out of the driveway to head west. This is often exacerbated by the downhill traffic travelling over the speed limit.

The pedestrian sidewalk has an attached bikeway and this has caused many near misses when bike riders come barreling down from the top of the hill at a high rate of speed.

The sidewalk is quite busy with students travelling to and from the Oakridge High School, dog walkers, families with children, exercisers, and bike riders.

In the winter, there are three plowed piles of snow, one by the road and two from the sidewalk plows, that eventually create tall mountains of accumulated snow. The shovelled snow on both sides of the curb ramp result in a very limited sight line when exiting the driveway, which often is problematic for extended periods of time.

If this precedent-setting decision results in the construction of more apartment buildings, it will also affect municipal water and wastewater systems and the need to keep the infrastructure adequate for the increase in the local population.

Since the rapid transit expansion appears to be years away from completion, and the possibility of reducing the property values of the neighbourhood homes is high, the long term implications of this project must be studied further.

Any thought of these units being affordable housing is out the window as well, as I have spoken to the proposed landlord and have been informed the units will go from \$2500 to \$3500 a month (without a guarantee of personal parking spaces I might add).

Thank you for your time and Consideration