

Report to London Committee of Adjustment

To: Chair and Members
London Committee of Adjustment
From: Michaela Hynes
Senior Coordinator – Committee of Adjustment
Subject: A-26081 – 376 Edmonton Street, Ward 2
Public Participation Meeting
Date: September 17, 2026

Executive Summary

Summary of Request

Variances under Section 45(1) of the *Planning Act* are requested as follows:

1. To permit an accessory building with an exterior side yard setback of 1.8m, whereas 3.2m is the minimum required.

Purpose and Effect

Variances requested to permit a detached additional residential unit.

Recommendation

The requested variance is being recommended for **approval** as it satisfies the provisions of Section 45(1) of the *Planning Act R.S.O. 1990 c.P.13*:

- The requested variance maintains the general intent and purpose of the Official Plan (The London Plan).
- The requested variance maintains the general intent and purpose of Zoning By-law No. Z.-1.
- The requested variance is minor in nature.
- The requested variance is desirable for the appropriate development or use of the subject lands.

Conditions

Should the Committee of Adjustment approve the requested variances, the approval would not be subject to any conditions.

Analysis

Property Description

The subject lands, municipally known as 376 Edmonton Street, are located in the northeast corner of the Edmonton Street and Whitney Street intersection in the Argyle Planning District. The surrounding area consists of low-density residential uses, primarily in the form of single detached dwellings, with commercial uses further north fronting Dundas Street. In addition, land immediately east of the subject lands is zoned to permit future residential development in a variety of low-density forms, up to and including street townhouses. Currently, the subject lands contain a single detached dwelling with a detached garage in the rear yard. The applicant is requesting a variance to permit a detached additional residential unit.

Planning History

On November 4, 2025, Council passed a resolution directing Civic Administration to bring forward a by-law to amend the provisions related to Additional Residential Units (ARU) in Zoning By-law Z.-1. As part of this resolution, Council passed an Interim Control By-law (ICBL) that temporarily restricted new Additional Residential Units (ARUs) exceeding the prescribed bedroom count or unit size limits to allow time for a study of these matters. Council also directed Civic Administration to undertake this study to determine appropriate

permissions related to the maximum number of bedrooms and size of additional residential units.

On March 3, 2026, Council approved amendments to permit a maximum of two (2) bedrooms within a detached additional residential unit, a maximum of three (3) bedrooms in all additional residential units located within or attached to the main building, a maximum of three (3) bedrooms in all additional residential units located within an accessory building, and a maximum unit size of 80% of the gross floor area of the primary dwelling unit.

This decision was appealed, and the regulations established under the Council-approved Interim Control By-law remain in force and effect.

On August 28, 2025, the Committee of Adjustment approved a Minor Variance application (A-25092) on the subject lands to permit an additional residential unit in an accessory building. The variances approved were 1) to permit an accessory building containing an ARU in the exterior side yard and 2) an accessory building containing an ARU with a south exterior side yard setback of 3.4 metres. Through the building permit review process, it was determined that the property line extends further into the neighbouring property than the existing fence line suggested. As a result, the proposed location of the accessory building was moved closer to the street to avoid relocating the existing fence and to minimize potential impacts to established tree roots. This site-specific constraint necessitated the revised building location, requiring a subsequent minor variance application.



Figure 1: Aerial photo of the subject lands and surrounding area.

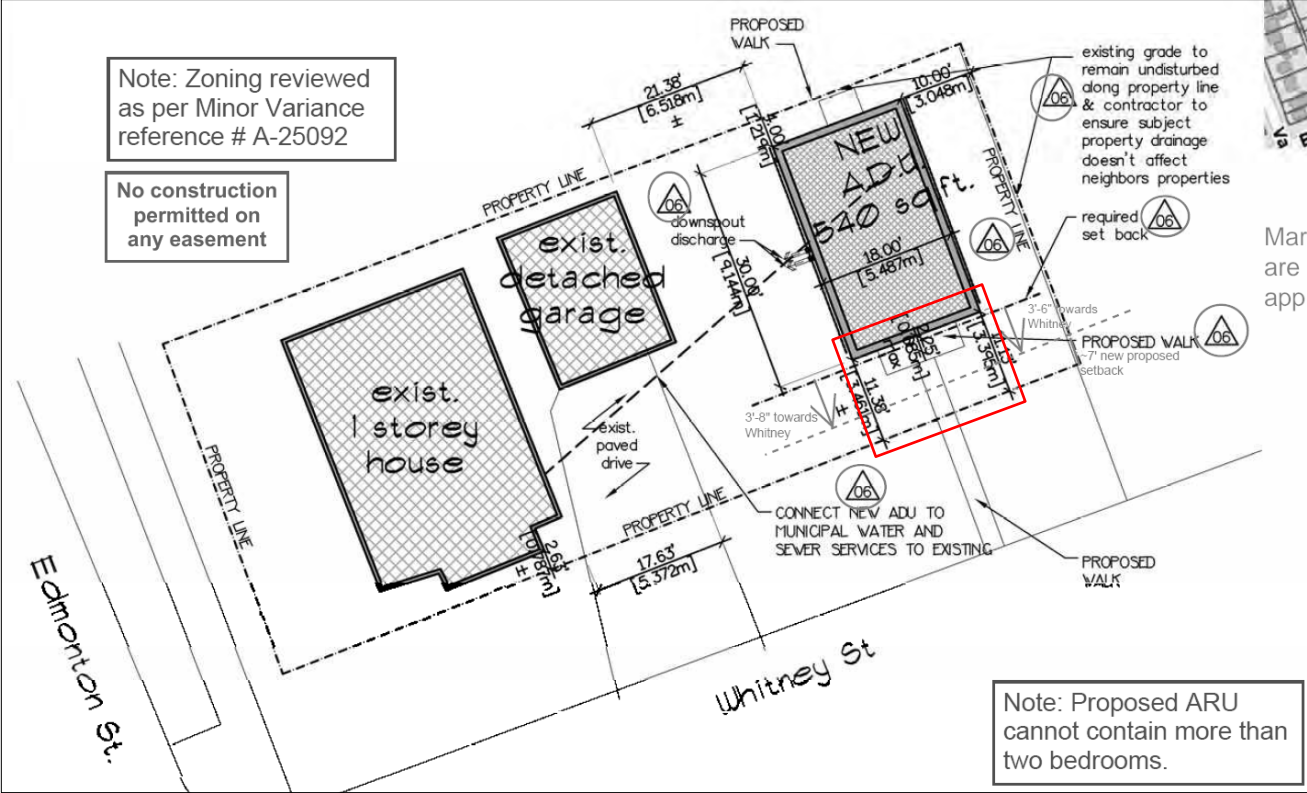


Figure 2: Conceptual Site Plan with requested variance outlined in red.

The Planning Act and the Provincial Planning Statement, 2024

Subsection 3(5) of the *Planning Act* requires that a decision that affects a planning matter shall be consistent with the *Provincial Planning Statement, 2024 (PPS)*. The *PPS* provides policy direction on matters of provincial interest related to land use planning and development that are complemented by local policies addressing local interests. The application being considered does not involve broad policy considerations and has been reviewed in conjunction with The London Plan, which implements the policies of the *PPS*.

The London Plan, 2016

The subject lands are in the Neighbourhoods Place Type with frontage along two Neighbourhood Streets (Edmonton Street and Whitney Street) as per Map 1 – Place Types and Map 3 – Street Classifications in The London Plan (TLP). The existing single detached dwelling and proposed detached ARU are contemplated uses in accordance with Table 10 – Range of Permitted Uses in the Neighbourhoods Place Type of The London Plan.

Zoning By-law No. Z.-1

The subject lands are zoned Residential R2 (R2-3) Zone pursuant to the City of London Zoning By-law No. Z.-1, which permits the use of the existing single detached dwelling and the proposed detached ARU.

Variance 1: To permit an accessory building with an exterior side yard setback of 1.8m, whereas 3.2m is the minimum required.

The intent of this regulation is to ensure that accessory structures are located away from streets and public areas, while supporting urban design objectives related to a consistent building wall and streetscape along public streets. These objectives are established through policies in The London Plan, which seek to foster a sense of place and character (TLP 139_), respect neighbourhood character (TLP 199_), and site buildings in a manner that maintains and reinforces the prevailing street wall or street line (TLP 1578_).

In this instance, the proposed setback of the accessory structure from the exterior lot line is 1.8 metres, which is greater than the approximately 0.8 metre setback of the existing dwelling from the same lot line. As such, the proposed structure will not project beyond the established building line along Whitney Street. Rather, its location maintains and reinforces the existing street wall and avoids creating a notable projection or disruption to the visual continuity of development along the street.

Based on the above, Planning and Development staff are of the opinion the requested variance is minor in nature, desirable for the appropriate development of the lands and maintains the general intent and purpose of the Zoning By-law Z.-1.

Conclusion

Planning and Development staff are recommending the **approval** of the variance as the variance maintains the general intent and purpose of The London Plan, and the Zoning By-law, is minor in nature, and is desirable for the appropriate use and development of the lands.

Prepared by: Chloe Cernanec, Planner

Reviewed by: Michaella Hynes
Senior Coordinator – Committee of Adjustment

Submitted and Recommended by: Catherine Maton, MCIP, RPP
Manager, Planning Implementation

Appendix A – Comments

Public Comments

A Notice of Public Hearing was sent to property owners and residents within a 60-metre radius of the subject site. Notice of Application was also published on the Public Notices webpage of the City’s London’s official website. There were **no** responses received during the public consultation period.

Internal/Agency Comments

Through the circulation of the application, responses were received expressing no concerns from the following staff and agencies: Ecology, UTRCA, Heritage, CN Rail, and Engineering.

Landscape Architecture

- It is the property owner’s responsibility to ensure that the new development does not result in adverse effects on the City’s Urban Forest Canopy and/or neighboring properties. If any trees are proposed for injury or removal (destruction) or have the potential to cause injury, contact the Forestry department (trees@london.ca) prior to development, construction, site works, excavation or site alteration.
- The below information is for the applicant’s knowledge and only applicable if trees are proposed for injury or removal:
- The City of London [Tree Protection Bylaw](#) regulates the injury and/or destruction of trees within the Urban Growth Boundary that have a diameter of at least 50 centimeters growing on private property, and trees of any size in Tree Protection Areas. Permits are required to injure or remove regulated trees. Any person who contravenes any provision of this By-law is guilty of an offence and if convicted is liable to fines and/or court orders. Visit [Privately owned trees | City of London](#) or contact Forestry at trees@london.ca for more information.
- The City of London [Boulevard Tree Protection By-law](#) regulates the injury and/or destruction of all trees located on City of London Boulevards (including their root zones). Any person who contravenes any provision of this By-law is guilty of an offence and if convicted is liable to fines and/or court orders. Contact Forestry at trees@london.ca for more information.
- Boundary trees are regulated by Ontario’s [Forestry Act](#) Section 10. Boundary trees are trees whose trunk is growing on or crosses the boundary between adjoining lands, are common property and cannot be removed without written consent from all co-owners. Injury or destruction of a boundary tree without consent is guilty of an offence under this Act. The trunk of a tree is considered everything from the root-collar (at the base) to where the first branch appears.