

Agenda Including Addeds

Planning and Environment Committee

17th Meeting of the Planning and Environment Committee Meeting

November 12, 2018, 4:00 PM

Council Chambers

Members

Councillors S. Turner (Chair), A. Hopkins, M. Cassidy, J. Helmer, T. Park, Mayor M. Brown

The City of London is committed to making every effort to provide alternate formats and communication supports for Council, Standing or Advisory Committee meetings and information, upon request. To make a request for any City service, please contact accessibility@london.ca or 519-661-2489 ext. 2425.

The Committee will recess at approximately 6:30 PM for dinner, as required.

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1. Disclosures of Pecuniary Interest	
2. Consent	
2.1 10th Report of the Advisory Committee on the Environment	4
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2.3 Application - 100 Kellogg Lane and 1127 Dundas Street (H-8957)	8
a. <i>(ADDED) Revised Recommendation</i>	20
2.4 Music, Entertainment and Culture District Strategy Amendments and Implementation Status Update	21
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2.8 Application - 2313 and 2373 Callingham Drive - Blocks 2 and 3 Plan 33M-664 (P-8830)	202
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2.12 Building Division Monthly Report for September 2018	238
3. Scheduled Items	
3.1 Public Participation Meeting - Not to be heard before 4:00 PM - Application - 1175 Blackwell Boulevard (Z-8954)	244

3.2	Public Participation Meeting - Not to be heard before 4:30 PM - 600 Sunningdale Road West 39T-18501 (Z-8888)	257
3.3	Public Participation Meeting - Not to be heard before 5:00 PM - Heritage Places 2.0: A Description of Potential Heritage Conservation Districts in the City of London (O-8965)	300
	a. <i>(ADDED) A. M. Valastro, 1-133 John Street</i>	360
3.4	Public Participation Meeting - Not to be heard before 5:30 PM - Application - 131 King Street (Z-8902)	361
3.5	Public Participation Meeting - Not to be heard before 6:00 PM - Application - 3080 Bostwick Road (Site 1) (OZ-8941)	404
3.6	Public Participation Meeting - Not to be heard before 6:00 PM - Application - 3080 Bostwick Road (Site 3) (Z-8942)	461
3.7	Public Participation Meeting - Not to be heard before 6:00 PM - Application - 3080 Bostwick Road (Site 5) (OZ-8943)	510
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	a. S. Gliksman, 22-1890 Richmond Street	662
	b. V. Digby, 16-1890 Richmond Street	664
	c. <i>(ADDED) C. MacKinnion, 235 North Centre Road</i>	667
	d. <i>(ADDED) R. Croft, 38-145 North Centre Road</i>	668
4.	Items for Direction	
4.1	D. Broostad, Hamilton Road Area Business Association - Request for Amendment to Hamilton Road BIA By-laws	669
5.	Deferred Matters/Additional Business	
5.1	<i>(ADDED) 11th Report of the Advisory Committee on the Environment</i>	671
6.	Confidential	
6.1	Litigation or Potential Litigation/Solicitor-Client Privilege	
	A matter pertaining to litigation or potential litigation currently before the Ontario Superior Court of Justice, Court file No. 2796/16, affecting the municipality, advice that is subject to solicitor-client privilege, including communications necessary for the purposes of negotiating settlement and for the purpose of giving directions or instructions to officers, employees or agents of the municipality or persons retained by or under a contract with the municipality.	
6.2	<i>(ADDED) Personal Matters/Identifiable Individual</i>	
	A personal matter pertaining to identifiable individuals, including municipal employees, with respect to the 2019 Mayor's New Year's Honour List.	

7. Adjournment

Advisory Committee on the Environment

Report

10th Meeting of the Advisory Committee on the Environment
October 3, 2018
Committee Room #3

Attendance PRESENT: S. Ratz (Chair), M. Bhavra, M. Bloxam, S. Brooks,
M. Hodge, N. St. Amour and D. Szoller and J. Bunn (Secretary)

ABSENT: K. Birchall, S. Hall, J. Howell, L. Langdon, T. Stoiber
and A. Tipping

The meeting was called to order at 12:15 PM.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Scheduled Items

None.

3. Consent

3.1 9th Report of the Advisory Committee on the Environment

That it BE NOTED that the 9th Report of the Advisory Committee on the Environment, from its meeting held on September 5, 2018, was received.

4. Sub-Committees and Working Groups

None.

5. Items for Discussion

5.1 Tree Planting and Maintenance

That Municipal Council BE REQUESTED to consider additional funding for the 2019 Forestry Operations budget to allow for further maintenance and watering of existing trees in the City of London; it being noted that the Advisory Committee on the Environment (ACE) received a presentation from A. Beaton, Manager, Forestry Operations with respect to the practices related to the watering of London trees at a past meeting of the ACE; it being further noted that the ACE feels that increased maintenance and watering of existing trees will extend the average tree life expectancy of mature trees in London and potentially achieve London's 34% canopy target.

5.2 Green in the City Speaker Series - Update

That it BE NOTED that the Green in the City Speaker Series communication, dated September 25, 2018, from S. Ratz, was received.

5.3 The River Talks

That it BE NOTED that the poster for The River Talks event "A Gathering at Deshkan Ziibi", being held October 18-20, 2018 at Museum London, was received.

5.4 ACE Presentations/Events/Meeting List

That it BE NOTED that the ACE Presentations/Events/Meeting List document, dated September 25, 2018, submitted by S. Ratz, was received.

6. Deferred Matters/Additional Business

None.

7. Adjournment

The meeting adjourned at 12:47 PM.

Trees and Forests Advisory Committee

Report

10th Meeting of the Trees and Forests Advisory Committee
October 24, 2018
Committee Room #4

Attendance PRESENT: C. Linton (Vice Chair), T. Khan, J. Koelheide, A. Meilutis,, G. Mitchell, A. Morrison, M. Szabo; and P. Shack (Secretary)

ABSENT: C. Haindl, R. Mannella, S. Teichert and R. Walker

ALSO PRESENT: A. Beaton, R. Cosby, K. Hodgins and J. Spence

The meeting was called to order at 12:30 PM.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Scheduled Items

None.

3. Consent

3.1 9th Report of the Trees and Forests Advisory Committee

That it BE NOTED that the 9th Report of the Trees and Forests Advisory Committee, from its meeting held on September 26, 2018, was received.

4. Sub-Committees and Working Groups

That the following actions be taken with respect to the Sub-Committees and Working Groups:

a) that J. Kogelheide BE ADDED to the Communication Strategy working group; and,

b) a working group BE ESTABLISHED consisting of T. Khan, J. Kogelheide, C. Linton, A. Morrison, M. Szabo and J. Spence with respect to the Boulevard Tree Protection By-law.

5. Items for Discussion

5.1 City of London Street Tree Planting in New Subdivisions-C. Linton

That it BE NOTED that the Trees and Forests Advisory Committee heard a verbal update from A. Beaton, Manager Operations-Forestry and K. Hodgins, Supervisor of Operations, with respect to the City of London Street Tree Planting in New Subdivisions.

5.2 Black Plastic Rings Around Tree Bases-J. Kogelheide

That the following actions be taken with respect to Black Plastic Rings around tree bases:

a) that the Planning and Environment Committee BE REQUESTED to prioritize the city communications initiative with respect to black plastic rings around tree bases;

b) that Civic Administration BE INVITED to a future meeting of the Trees and Forests Advisory Committee (TFAC) to provide information with respect to the updated City of London's Urban Forestry website; it being noted that TFAC heard a verbal update from K. Hodgins, Supervisor of Operations with respect to this matter.

6. Deferred Matters/Additional Business

None.

7. Adjournment

The meeting adjourned at 1:20 PM.

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: George Kotsifas, P. Eng
Managing Director, Development & Compliance Services And
Chief Building Official

Subject: Application By: 1803299 Ontario Inc. c/o Len Leith
100 Kellogg Lane and 1127 Dundas Street

Meeting on: November 12, 2018

Recommendation

That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to the application of 1803299 Ontario Inc. relating to the property located at 100 Kellogg Lane and 1127 Dundas Street, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on November 20, 2018 to amend Zoning By-law Z.-1 in conformity with the Official Plan to change the zoning of the lands **FROM** a Holding Special Provision Business District Commercial (h-212•BDC1•BDC2(12)) Zone and a Holding Special Provision Business District Commercial (h-212•BDC1•BDC2(13)) Zone **TO** a Special Provision Business District Commercial (BDC1•BDC2(12)) and a Special Provision Business District Commercial (h-212•BDC1•BDC2(13)) Zone to remove the "h-212" holding provision from these lands.

Executive Summary

Summary of Request

The applicant has requested removal of the "h-212" holding provision from the Zone applied to 100 Kellogg Lane and 1127 Dundas Street, which requires an analysis of compatibility between industrial facilities (D6 Guidelines) being carried out by a qualified professional and submitted to the City and any recommendation contained therein for mitigation measures be undertaken to the satisfaction of the City of London Site Plan Approval Authority.

Purpose and the Effect of Recommended Action

The purpose and effect is to remove the holding ("h-212") symbol from the zoning applied to this site to permit the development of a hotel in proximity to commercial and industrial uses including an existing brewery and proposed distillery on site.

Rationale of Recommended Action

The conditions for removing the holding provision have been met, as a D-6 Guideline Compatibility Study has been submitted to the satisfaction of the City of London Site Plan Approval Authority which concludes that the potential impacts from nearby uses are expected to be minimal. The D-6 Study recommendation will be implemented through the Site Plan Approval process, in that the report should be updated if the current development plan and site layout change significantly. All issues have been resolved and the holding provision is no longer required.

Analysis

1.0 Site at a Glance

1.1 Property Description

The site is located on the east side of Kellogg Lane, south of Dundas Street and west of Eleanor Street. The property addressed at 100 Kellogg Lane has a total frontage of 172.4 metres on Dundas Street and 347 metres on Kellogg Lane, with a site area of approximately 6.6 hectares. The property addressed at 1127 Dundas Street has a frontage of approximately 110 metres on Dundas Street and a lot area of approximately

1 hectare. The subject lands are presently occupied by The Factory, Powerhouse Brewing Company, and Drexel Industries within a portion of the existing buildings of the former Kellogg's Factory. There are existing industrial and residential uses to the north, residential uses to the south, residential uses to the west, and industrial and residential uses to the east.

1.2 Current Planning Information (see more detail in Appendix D)

- Official Plan Designation – Main Street Commercial Corridor/Light Industrial
- The London Plan Place Type – Rapid Transit Corridor/Light Industrial
- Existing Zoning – Holding Business District Commercial/ Special Provision Business District Commercial (h-212•BDC1•BDC2(12)) Zone and a Special Provision Light Industrial/ Light Industrial (LI(19) •LI3•LI4•LI5) Zone

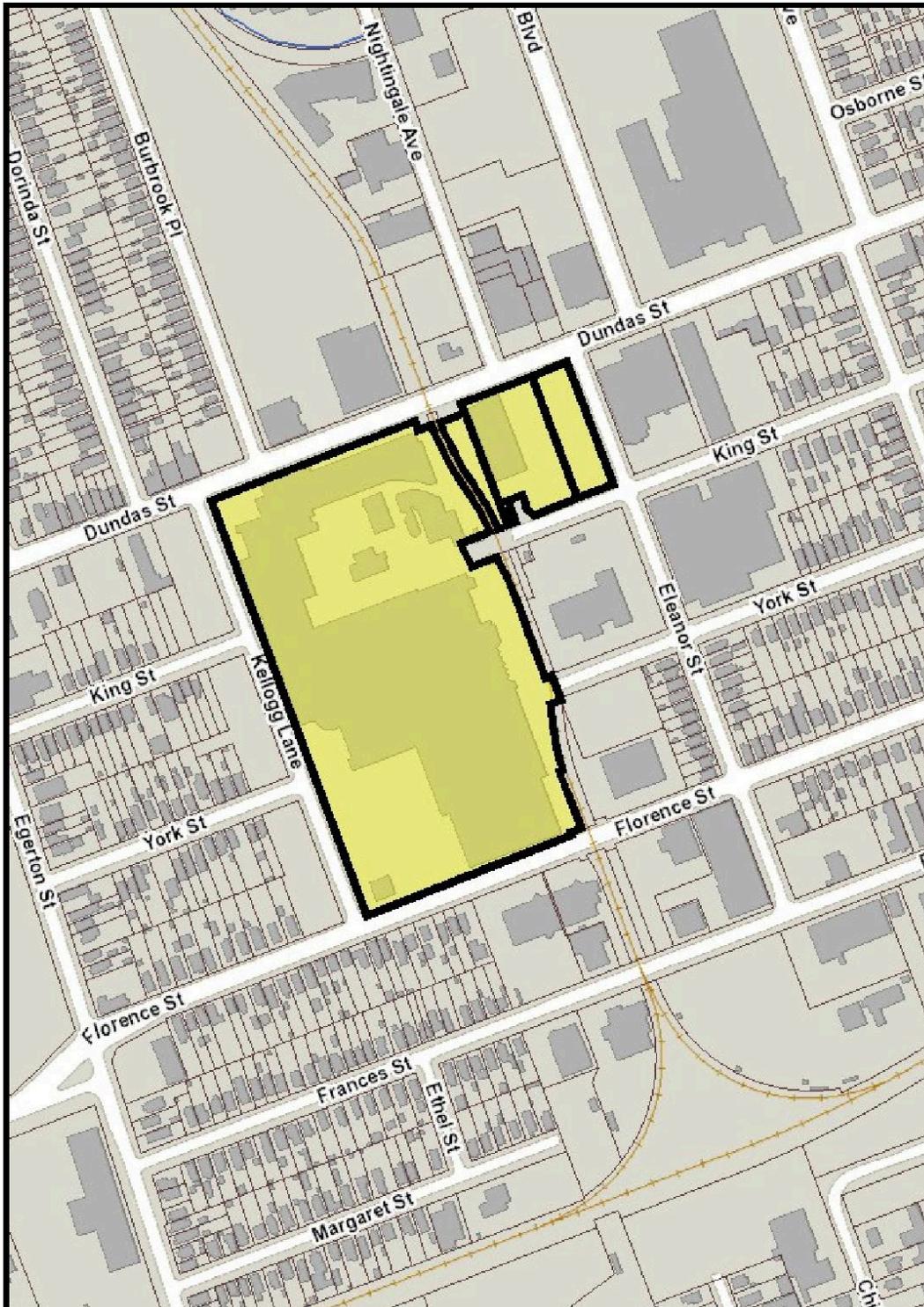
1.3 Site Characteristics

- Current Land Use – Commercial and Industrial Uses
- Frontage – 172.4m on Dundas Street and 347m on Kellogg Lane
- Depth – 347m from Dundas Street
- Area – approx. 6.6ha (16.3 acres)
- Shape – Rectangular

1.4 Surrounding Land Uses

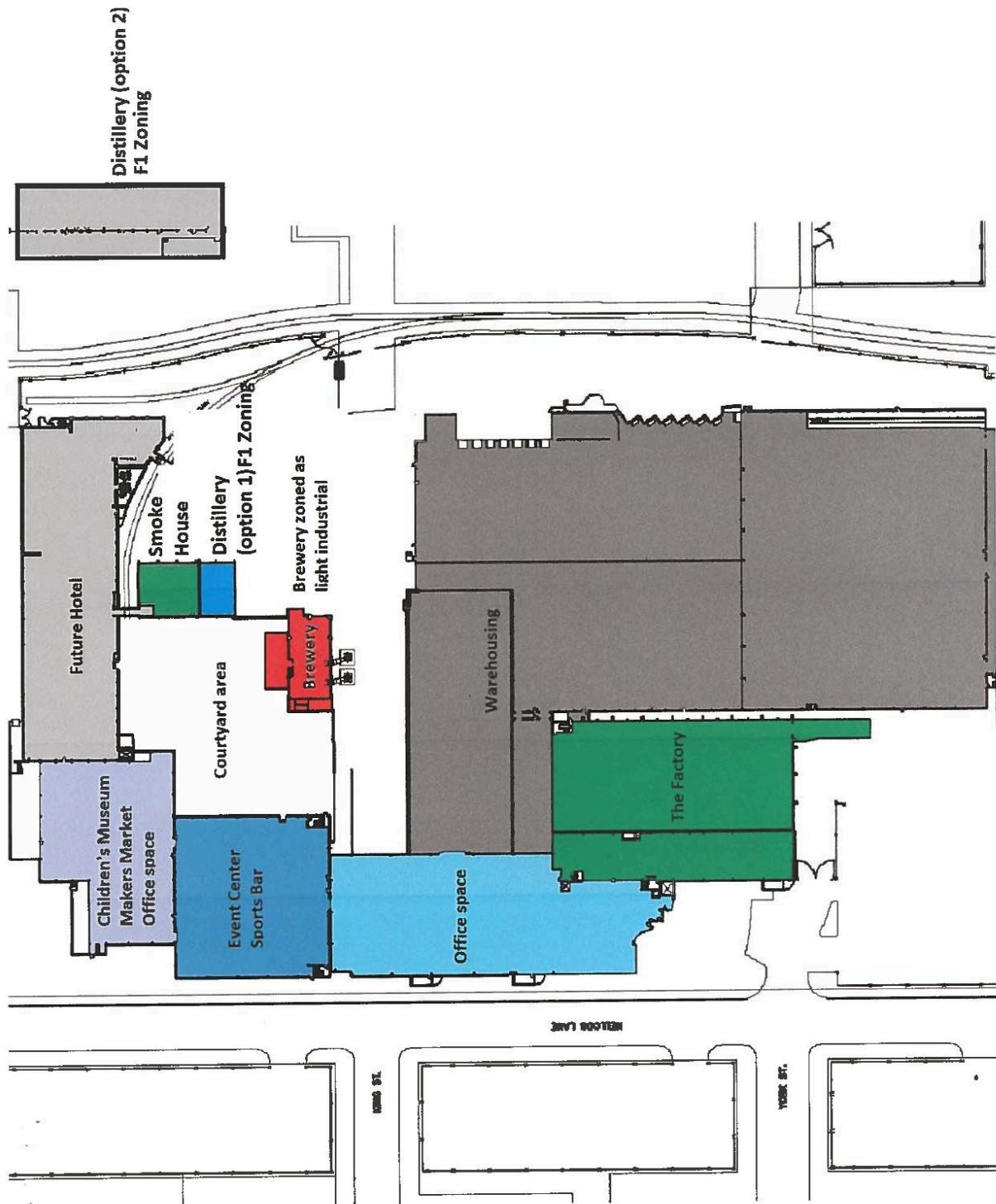
- North – Residential/Industrial
- East – Residential/Industrial
- South – Residential
- West – Residential

1.5 Location Map



Location Map		Legend	
Subject Property:	100 Kellogg Lane		Subject Property
Applicant:	LEN LEITH		Parks
File Number:	H-8957		Assessment Parcels
Created By:	Meg Sundercock		Buildings
Date:	10/5/2018		Address Numbers
Scale:	1:4000		
Corporation of the City of London			

1.6 Proposed Site Plan



2.0 Description of Proposal

2.1 Development Proposal

The requested amendment will permit the development of a hotel in proximity to commercial and industrial uses, including an existing brewery and a proposed distillery use on site. Other proposed uses on the lands include a Children's Museum, Maker's Market, an Event Center, a Sports Bar, and additional office space.

3.0 Revelant Background

3.1 Planning History

On December 23, 2014, the Kellogg's Factory permanently closed.

On October 10, 2017, a report went to Planning and Environment Committee recommending an Official Plan and Zoning By-law Amendment to permit commercial uses on the lands.

On April 30, 2018, a report went to Planning and Environment Committee recommending a Zoning By-law Amendment to add additional entertainment uses to the list of permitted uses in the zone.

3.2 Requested Amendment

The applicant is requesting the removal of the "h-212" holding provision on the site which requires an analysis of compatibility between industrial facilities (D6 Guidelines) being carried out by a qualified professional and submitted to the City and any recommendation contained therein for mitigation measures be undertaken to the satisfaction of the City of London Site Plan Approval Authority..

3.3 Community Engagement (see more detail in Appendix B)

In response to the Notice of Application, no comments were received.

3.4 Policy Context

The Planning Act permits the use of holding provisions to restrict future uses until conditions for removing the holding provision are met. To use this tool, a municipality must have approved Official Plan policies related to its use, a Municipal Council must pass a zoning by-law with holding provisions ("h" symbol), an application must be made to council for an amendment to the by-law to remove the holding symbol, and Council must make a decision on the application within 150 days to remove the holding provision(s).

The London Plan and the 1989 Official Plan contain policies with respect to holding provisions, the process, and notification and removal procedures.

4.0 Key Issues and Considerations

4.1 What is the purpose of the "h-212" holding provision and is it appropriate to consider its removal.

The "h-212" holding provision states:

"To prevent or minimize possible adverse effects on sensitive land uses created by industrial properties an analysis of compatibility between industrial facilities (D6 Guidelines) shall be carried out by a qualified professional and submitted to the City and any recommendation contained therein for mitigation measures be undertaken to the satisfaction of the Site Plan Approval Authority, prior to the removal of the "h-212" symbol.

A Guideline D-6 Compatibility Study was submitted to Development Services which analysed potential noise, odour, and dust impacts of local industry on the proposed hotel development and concluded that the impacts from all nearby facilities were either negligible or predicted to be minimal. The study recommended that the report be updated should the current development plan change significantly.

5.0 Conclusion

The Applicant has provided a D-6 Compatibility Study to the satisfaction of the City of London Site Plan Approval Authority. Therefore, the required conditions have been met to remove the "h-212" holding provision. The removal of the holding provision is recommended to Council for approval.

Prepared by:	Meg Sundercock, BURPL Planner I, Development Services
Reviewed and Recommended by:	Lou Pompilii, MCIP RPP Manager, Development Planning (Subdivision)
Concurred in by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official
<p>Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services</p>	

October 30, 2018
MS/ms

Y:\Shared\ADMIN\1- PEC Reports\2018 PEC Reports\17 - Nov 12 '18 PEC\DRAFT - 100 Kellogg Lane and 1127 Dundas Street H-8957 MS Report 1of7.docx

Previous Reports and Applications Relevant to this Application

OZ-8794 – Report to Planning and Environment Committee on October 10, 2017 to amend the Official Plan and Zoning By-law, and to hold a public participation meeting.

Z-8893 – Report to Planning and Environment Committee on April 13, 2018 to amend the Zoning By-law to include additional entertainment uses in the existing special provision Business District Commercial zone.

Appendix A

Bill No. (number to be inserted by Clerk's Office)
2018

By-law No. Z.-1-18 _____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 100 Kellogg Lane and 1127 Dundas Street.

WHEREAS 1803299 Ontario Inc. has applied to remove the holding provision from the zoning for lands located at 100 Kellogg Lane and 1127 Dundas Street, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provision from the zoning of the said lands;

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 100 Kellogg Lane and 1127 Dundas Street, as shown on the attached map, to remove the holding provision so that the zoning of the lands as a Special Provision Business District Commercial (BDC1*BDC2(12)) Zone and a Special Provision Business District Commercial (BDC1*BDC2(13)) Zone comes into effect.
- 2) The By-law shall come into force and effect on the date of passage.

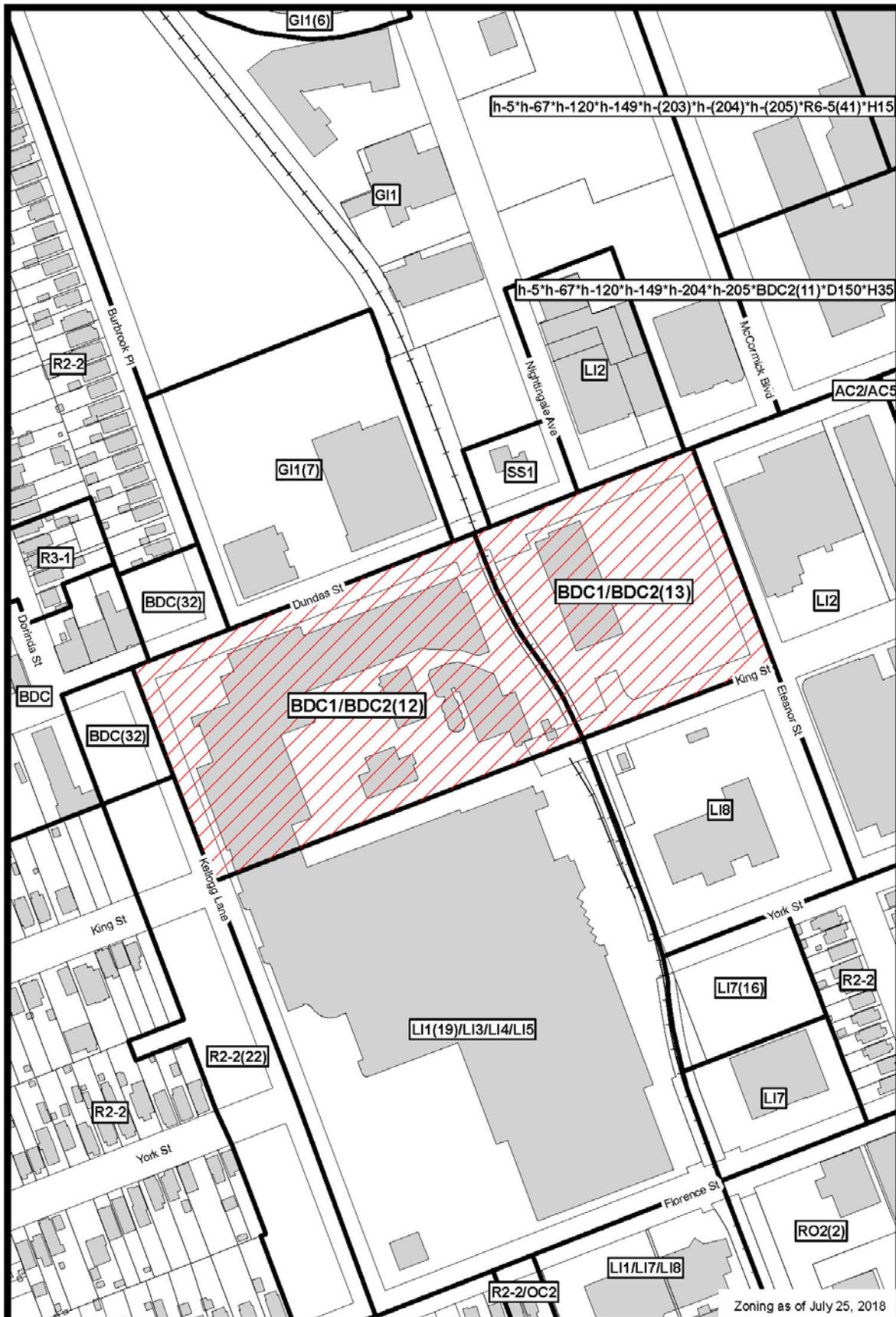
PASSED in Open Council on November 20, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – November 20, 2018
Second Reading – November 20, 2018
Third Reading – November 20, 2018

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



Zoning as of July 25, 2018

<p>File Number: H-8957 Planner: MS Date Prepared: 2018/09/28 Technician: rc By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:2,500</p> <p>0 12.525 50 75 100 Meters</p> 
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Geodatabase

Appendix B – Public Engagement

Community Engagement

Public liaison: On July 18, 2018, Notice of Application was sent to 4 property owners in the surrounding area (those that requested notice through the previous Official Plan and Zoning by-law amendment). Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on July 19, 2018.

On August 2, 2018, a Revised Notice of Application was published in the *Public Notices and Bidding Opportunities* section of *The Londoner* to correct an error in the July 19, 2018 notice.

No replies were received.

Nature of Liaison: City Council intends to consider removing the Holding (“h”) Provision from the zoning of the subject lands. The purpose and effect of this zoning change is to remove the holding symbol to allow development of the lands for residential uses permitted under the Residential R4 (R4-6) Zone. The purpose of the “h” provision is to ensure the orderly development of lands and the adequate provision of municipal services. The “h” symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development. Council will consider removing the holding provision as it applies to these lands no earlier than August 13, 2018.

Responses: No comments were received.

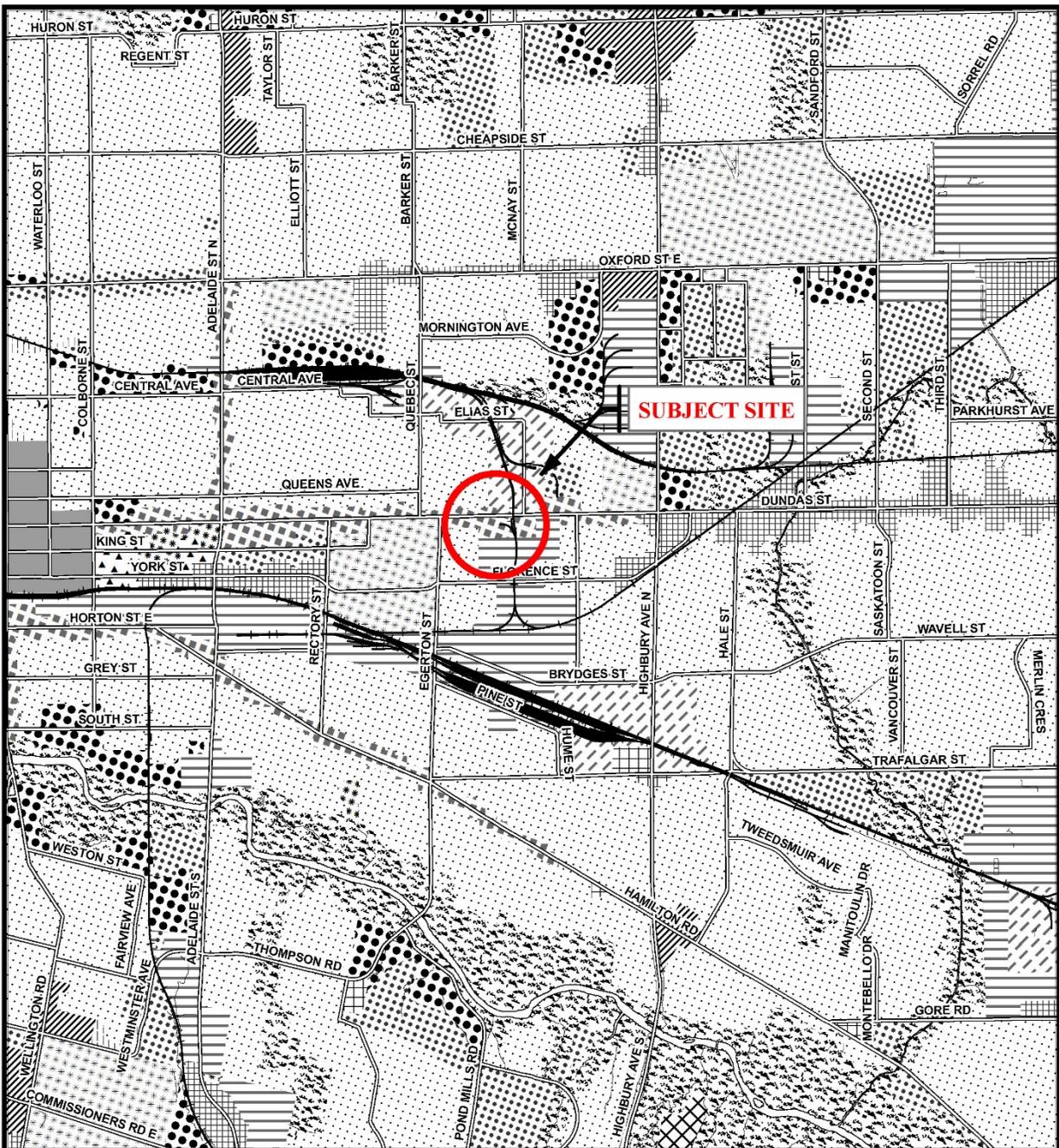
Responses to Public Liaison Letter and Publication in “The Londoner”

Telephone	Written
None	None

Agency/Departmental Comments

Upper Thames River Conservation Authority: No Objection.

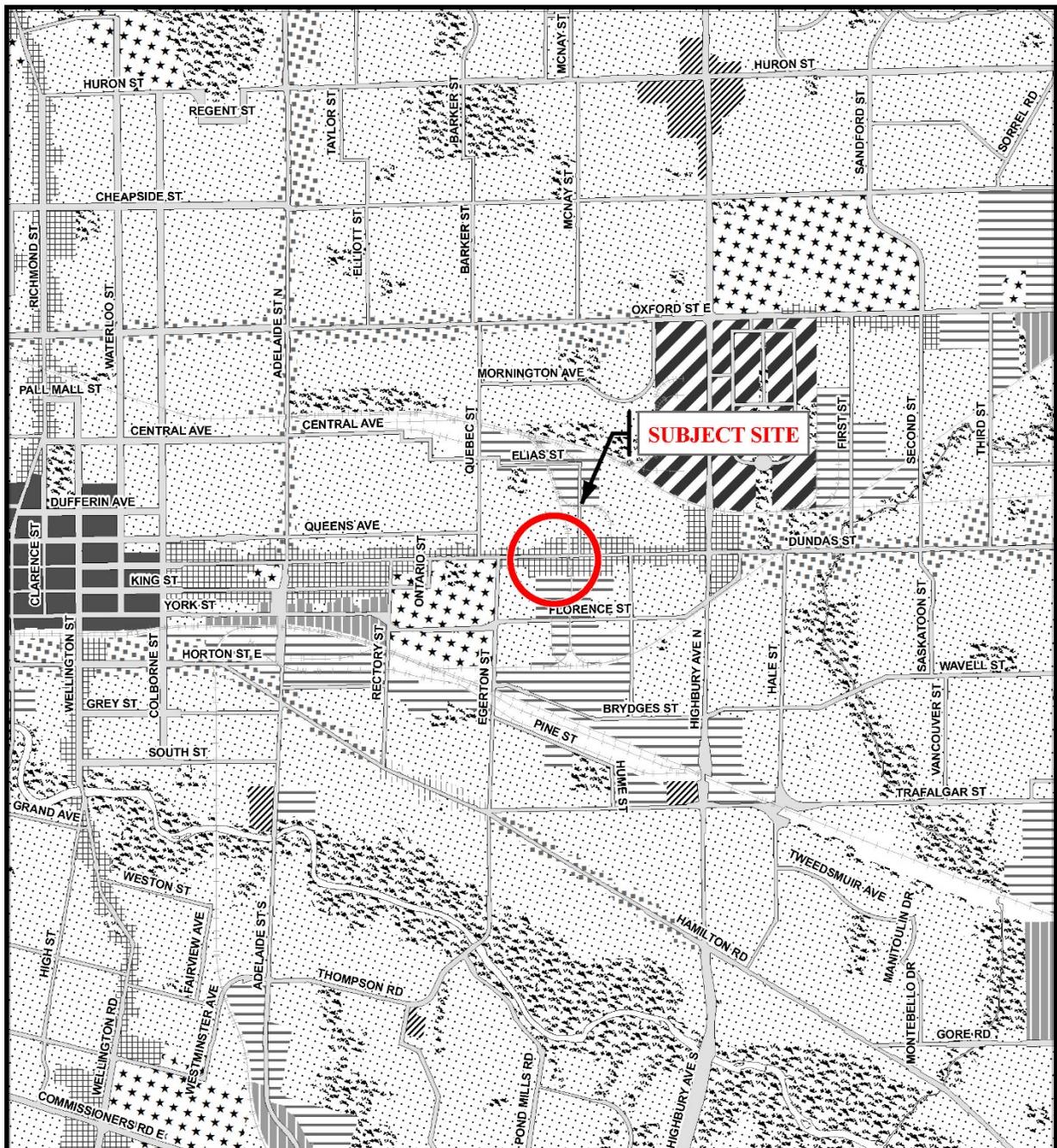
London Hydro: No Objection.



Legend					
	Downtown		Multi-Family, Medium Density Residential		Office Business Park
	Wonderland Road Community Enterprise Corridor		Low Density Residential		General Industrial
	Enclosed Regional Commercial Node		Office Area		Light Industrial
	New Format Regional Commercial Node		Office/Residential		Commercial Industrial
	Community Commercial Node		Regional Facility		Transitional Industrial
	Neighbourhood Commercial Node		Community Facility		Rural Settlement
	Main Street Commercial Corridor		Open Space		Environmental Review
	Auto-Oriented Commercial Corridor		Urban Reserve - Community Growth		Agriculture
	Multi-Family, High Density Residential		Urban Reserve - Industrial Growth		Urban Growth Boundary

<p>CITY OF LONDON Planning Services / Development Services OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	 Scale 1:30,000 0 155 310 620 930 1240 1550 Meters	FILE NUMBER: H-8957
		PLANNER: MS
		TECHNICIAN: RC
		DATE: 2018/09/28

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consolidated\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd



Legend

Downtown	Future Community Growth	Environmental Review
Transit Village	Heavy Industrial	Farmland
Shopping Area	Light Industrial	Rural Neighbourhood
Rapid Transit Corridor	Future Industrial Growth	Waste Management Resource Recovery Area
Urban Corridor	Commercial Industrial	Urban Growth Boundary
Main Street	Institutional	
Neighbourhood	Green Space	

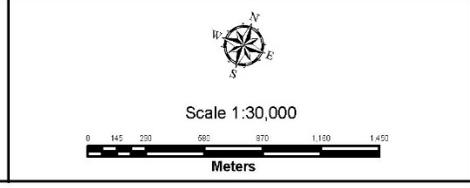
This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON
 Planning Services /
 Development Services

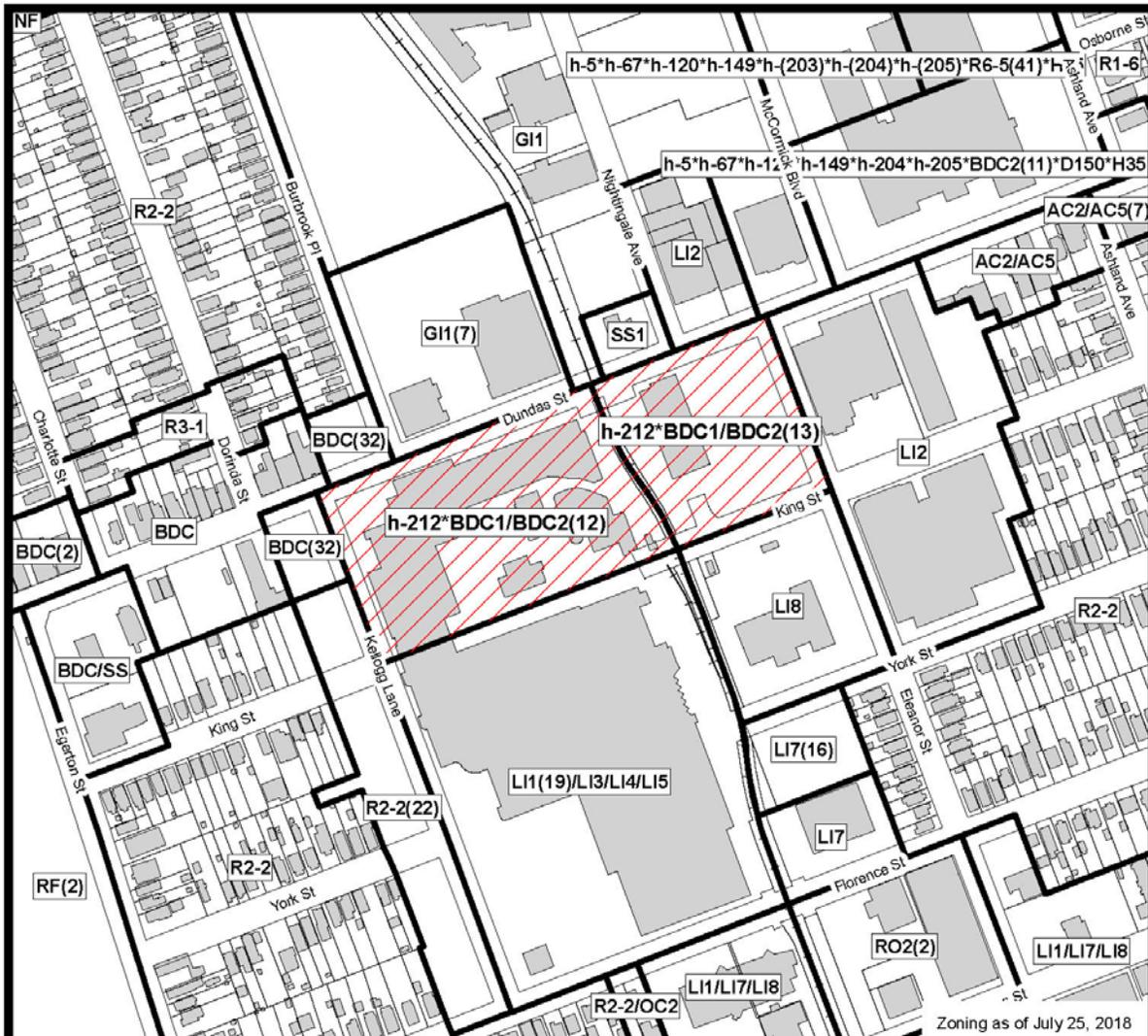
**LONDON PLAN MAP 1
 - PLACE TYPES -**

PREPARED BY: Planning Services



File Number: H-8957
Planner: MS
Technician: RC
Date: September 28, 2018

Project Location: E:\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\10.3.1 Versions\mxd\Z-8957EXCERPT_Map1_PlaceTypes_b&w_8x14_Arc10.3.1.mxd



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- R1 - SINGLE DETACHED DWELLINGS
- R2 - SINGLE AND TWO UNIT DWELLINGS
- R3 - SINGLE TO FOUR UNIT DWELLINGS
- R4 - STREET TOWNHOUSE
- R5 - CLUSTER TOWNHOUSE
- R6 - CLUSTER HOUSING ALL FORMS
- R7 - SENIOR'S HOUSING
- R8 - MEDIUM DENSITY/LOW RISE APTS.
- R9 - MEDIUM TO HIGH DENSITY APTS.
- R10 - HIGH DENSITY APARTMENTS
- R11 - LODGING HOUSE

- DA - DOWNTOWN AREA
- RSA - REGIONAL SHOPPING AREA
- CSA - COMMUNITY SHOPPING AREA
- NSA - NEIGHBOURHOOD SHOPPING AREA
- BDC - BUSINESS DISTRICT COMMERCIAL
- AC - ARTERIAL COMMERCIAL
- HS - HIGHWAY SERVICE COMMERCIAL
- RSC - RESTRICTED SERVICE COMMERCIAL
- CC - CONVENIENCE COMMERCIAL
- SS - AUTOMOBILE SERVICE STATION
- ASA - ASSOCIATED SHOPPING AREA COMMERCIAL

- OR - OFFICE/RESIDENTIAL
- OC - OFFICE CONVERSION
- RO - RESTRICTED OFFICE
- OF - OFFICE

- RF - REGIONAL FACILITY
- CF - COMMUNITY FACILITY
- NF - NEIGHBOURHOOD FACILITY
- HER - HERITAGE
- DC - DAY CARE

- OS - OPEN SPACE
- CR - COMMERCIAL RECREATION
- ER - ENVIRONMENTAL REVIEW

- OB - OFFICE BUSINESS PARK
- LI - LIGHT INDUSTRIAL
- GI - GENERAL INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- EX - RESOURCE EXTRACTIVE
- UR - URBAN RESERVE

- AG - AGRICULTURAL
- AGC - AGRICULTURAL COMMERCIAL
- RRC - RURAL SETTLEMENT COMMERCIAL
- TGS - TEMPORARY GARDEN SUITE
- RT - RAIL TRANSPORTATION

- "h" - HOLDING SYMBOL
- "D" - DENSITY SYMBOL
- "H" - HEIGHT SYMBOL
- "B" - BONUS SYMBOL
- "T" - TEMPORARY USE SYMBOL

CITY OF LONDON
PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:
H-8957 MS

MAP PREPARED:
2018/09/28 CK

1:4,000
0 20 40 80 120 160
Meters

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: George Kotsifas, P. Eng
Managing Director, Development & Compliance Services And
Chief Building Official
Subject: Application By: 1803299 Ontario Inc. c/o Len Leith
100 Kellogg Lane and 1127 Dundas Street
Meeting on: November 12, 2018

Recommendation

That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to the application of 1803299 Ontario Inc. relating to the property located at 100 Kellogg Lane and 1127 Dundas Street, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on November 20, 2018 to amend Zoning By-law Z.-1 in conformity with the Official Plan to change the zoning of the lands **FROM** a Holding Special Provision Business District Commercial (h-212•BDC1•BDC2(12)) Zone and a Holding Special Provision Business District Commercial (h-212•BDC1•BDC2(13)) Zone **TO** a Special Provision Business District Commercial (BDC1•BDC2(12)) and a Special Provision Business District Commercial (BDC1•BDC2(13)) Zone to remove the "h-212" holding provision from these lands.

Executive Summary

Summary of Request

The applicant has requested removal of the "h-212" holding provision from the Zone applied to 100 Kellogg Lane and 1127 Dundas Street, which requires an analysis of compatibility between industrial facilities (D6 Guidelines) being carried out by a qualified professional and submitted to the City and any recommendation contained therein for mitigation measures be undertaken to the satisfaction of the City of London Site Plan Approval Authority.

Purpose and the Effect of Recommended Action

The purpose and effect is to remove the holding ("h-212") symbol from the zoning applied to this site to permit the development of a hotel in proximity to commercial and industrial uses including an existing brewery and proposed distillery on site.

Rationale of Recommended Action

The conditions for removing the holding provision have been met, as a D-6 Guideline Compatibility Study has been submitted to the satisfaction of the City of London Site Plan Approval Authority which concludes that the potential impacts from nearby uses are expected to be minimal. The D-6 Study recommendation will be implemented through the Site Plan Approval process, in that the report should be updated if the current development plan and site layout change significantly. All issues have been resolved and the holding provision is no longer required.

Analysis

1.0 Site at a Glance

1.1 Property Description

The site is located on the east side of Kellogg Lane, south of Dundas Street and west of Eleanor Street. The property addressed at 100 Kellogg Lane has a total frontage of 172.4 metres on Dundas Street and 347 metres on Kellogg Lane, with a site area of approximately 6.6 hectares. The property addressed at 1127 Dundas Street has a frontage of approximately 110 metres on Dundas Street and a lot area of approximately

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: John M. Fleming
Managing Director, Planning and City Planner
Subject: Music, Entertainment and Culture District Strategy
Amendments and Implementation Status Update
Meeting on: November 12, 2018

Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the Music, Entertainment and Culture Districts:

- a) the revised Music, Entertainment and Culture District Strategy attached hereto as Appendix "A" **BE APPROVED**, it being noted that the Strategy has been amended as directed by Municipal Council on March 21, 2017 and on June 13, 2017 and contains replacement pages 63 to 65, revisions to pages 66 to 67, and document-wide changes redefining and renaming the former "Downtown District"; and,
- b) the Music, Entertainment and Culture District Implementation Status Update attached hereto as Appendix "B" **BE ADOPTED**.

Executive Summary

The *Music, Entertainment and Culture District Feasibility Study* was adopted in part on March 20, 2017. Since its partial adoption, City staff have been working to both update the study as directed by Municipal Council and to implement the adopted portions of the study. This report make these necessary changes to the *Music, Entertainment and Culture District Strategy* and provides a status update on the strategy's implementation to date.

Analysis

Previous Reports Pertinent to this Matter

- March 20, 2017 – Music, Entertainment and Culture District Feasibility Study and Strategy – Strategic Priorities and Planning Committee
- June 5, 2017 – Noise By-law Amendment – Temporary Noise Permits; Outdoor Patios Associated with Restaurants and Taverns – Community and Protective Services Committee
- June 6, 2017 – Zoning By-law Amendment to Remove Prohibitions of Amplified Music and Dancing on Outdoor Patios – Planning and Environment Committee

1.0 Background

London's Cultural Prosperity Plan was adopted by Municipal Council in March 2013. A key concept of this plan was the identification and recognition of important "culture districts" already existing within the city, including the downtown, Richmond Row and Old East Village. The *Music, Entertainment and Culture District Feasibility Study* further refined this direction and identified ways to help strengthen these districts.

On March 21, 2017, Municipal Council resolved:

That the following actions be taken with respect to Music, Entertainment and Culture Districts:

- a) the staff report dated March 20, 2017 BE RECEIVED; and
- b) the recommended Strategy contained in the staff report noted in a), above, BE APPROVED subject to the following:
 - i) Operating Hours of Festivals and Events and Volume of Noise (Pages 63 to 65 of the Strategy contained in the Feasibility Study) being excluded from the approval and being reported upon separately to the Strategic Priorities and Policy Committee within two meeting cycles; it being noted that staff will work to implement the Strategy over time and within existing budgets or in association with the next 4-Year Multi-Year Budget;
 - ii) the documentation being updated to redefine and rename the references to the "Downtown District" to the "Downtown & Old East Village Districts"; it being understood that these two Districts would not necessarily fall within one single boundary.

On June 13, 2017

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of the City of London, relating to entertainment permitted on outdoor patios associated with a restaurant or tavern in the City of London:

- a) the proposed by-law appended to the staff report dated June 6, 2017, as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on June 13, 2017 to delete Section 4.18 5) and renumber the following subsections of the General Provisions Section of Zoning By-law Z-1, (in conformity with the Official Plan), to permit amplified music, dancing or other forms of entertainment; it being noted that Noise By-law (PW-12) regulates noise levels and hours of operation and can provide regulations therein to address specific locations and situations; and,
- b) replacement pages 66 and 67, together with the other edits the Municipal Council requested to the Music, Entertainment and Culture District Feasibility Study, BE PRESENTED at a future meeting of the Strategic Priorities and Policy Committee (SPPC), to document comprehensively the City's Music, Entertainment and Culture District strategy; it being noted that pages 63 to 65 have already been referred by the SPPC.

2.0 Amendments to the Study

As directed by Municipal Council, the following amendments were made to the *Music, Entertainment and Culture District Feasibility Study*. In addition, the title of the document has been updated, from *Music, Entertainment and Culture District Feasibility Study* to *Music, Entertainment and Culture District Strategy*, to acknowledge the progress made to date and future implementation of the strategy.

2.1 Operating Hours of Festivals and Events

Operating Hours of Festivals and Events (page 63) was re-written to add clarity to the current situation and the proposed actions in terms of public and private property. All areas of the city, including those within and outside of the defined districts, will be afforded the same opportunities with the only distinction made between that of public and private property. The proposed actions would allow a temporary noise permit to be granted by the Manager of By-law Enforcement to a maximum of 12 a.m. on private property. The 11 p.m. curfew would remain, with any exceptions requiring Council approval.

2.2 Volume of Noise

Volume of Noise (page 64-65) was re-written to indicate that the proposed actions apply to all of the districts in the same manner. The proposed actions were revised to specifically address the location of measurement in terms of sound readings and to recommend similar consideration for the *Special Events Policies and Procedures Manual* during reviews. Reference to possible actions with respect to sound on outdoor patios was removed and addressed under the topic “Permitted Activities on Private Patios” on the following page for clarity.

2.3 Permitted Activities on Private Patios

Revisions to the previous section (Volume of Noise) created a need for the “Permitted Activities on Private Patios” section (page 66-67) to be amended as well. The revised proposed actions now address all districts in the same manner, retaining the action to permit amplified sound on patios by way of an application for a temporary noise permit with the recommendation for a maximum volume of 70 decibels that shall not extend past 12 a.m.

2.4 Downtown/Old East Village District

As directed by Municipal Council, Old East Village was removed from the Main Street District category and merged with the “Downtown District” category. The Strategy was revised to reflect this direction, which required minor edits to pages 57 through 61.

3.0 Implementation of the Strategy

Since the *Music, Entertainment and Culture District Feasibility Study* (now *Music, Entertainment and Culture District Strategy*) was adopted in part in 2017, City staff have been working to implement the tasks identified in Table 2 on page 83 of the strategy. It should be noted that while some tasks can be completed in full, many are ongoing overarching goals that are meant to continually be implemented and improved upon. Below is a summary of the progress that has been made to date.

3.1 Zoning By-law Amendments

Shortly after the adoption of the strategy, the City initiated a Zoning By-law amendment to remove regulations which prohibited amplified music, dancing and other forms of entertainment on outdoor patios associated with a restaurant or tavern. This Zoning By-law amendment was presented to the Planning and Environment Committee on June 6, 2017 and subsequently approved by Municipal Council on June 13, 2017.

This decision was appealed to the Ontario Municipal Board, which delayed the implementation of temporary sound permits for outdoor patios. However, the appeal was later withdrawn on April 27, 2018 bringing the amendment into full force and effect.

3.2 Sound By-law Amendments

On June 5, 2017, staff came forward with amendments to the Sound By-law (formerly the Noise By-law) pertaining to the temporary sound permit provisions. These amendments addressed the location of sound measurement with a focus on sensitive locations as well as the time and sound limits permitted through a temporary sound permit for community events and outdoor patios.

Approved temporary sound permits for community events and outdoor patios are listed publicly on the City of London website. Sound enforcement is undertaken during peak periods on Friday and Saturday night by Municipal By-law Enforcement Officers and patio-related sound issues are addressed at that time.

As the past framework permitted amplified music and dancing on “grandfathered” outdoor patios, the Sound By-law amendments and the previously discussed Zoning By-law amendments now regulate sound on outdoor patios on a consistent basis. These amendments successfully implemented the proposed actions identified under “permitted activities on private patios”, “operating hours of festivals and events”, and “volume of noise”.

3.4 Outdoor Patio Information Sessions

The previously discussed amendments to the Zoning By-law and the Sound By-law facilitated the ability for business owners to apply for temporary sound permits to allow for outdoor entertainment. To be proactive in the approach to these permits, City staff held an information session at Central Library on May 9, 2018 to inform downtown and Old East Village business owners of the opportunity, process and requirements of these permits. Staff from the London Music Office and the Chief Municipal Law Enforcement Officer were available to answer questions. This helped to implement the proposed actions under “accessibility of policies, regulations, and procedures”.

At the time this report was being prepared, ten amplified sound permits were applied for and approved for outdoor patios. Several additional applications were under review.

3.5 Special Events and Procedure Manual Updates

Through the annual review of the *Special Events and Procedure Manual*, policy changes were made which allowed for more flexibility in size, number and placement of areas where alcohol can be served and consumed within Victoria Park; the maximum total area permitted remained unchanged. This implemented the proposed actions under “fenced events”.

3.6 Active Programming and Local Talent

The Culture Office has been actively working to help enhance programming and host local talent in London. Between the adoption of the strategy in March 2017 and July 25 of this year, over 30 events and more than 160 performers were hosted or supported by the London Music Office. Such events included SequiFest, Soundcheck for Success, and Takover Fest in Old East Village. Staff will be coming forward shortly with an update to the *Cultural Prosperity Plan*, which includes a more detailed report on the past five years of programming and events in London.

3.7 Sound Mitigation

City of London Staff undertook tests of sound mitigation techniques during the 2018 summer festival season using physical barriers to reduce sound levels. Sound readings were taken and citizens commented that the sound was reduced with the mitigation devices. This background will help to feed into the proposed actions under “sound mitigation”.

The London Music Officer has been added to the circulation list for planning applications and now will have the opportunity to provide comments on Zoning By-law amendments and Official Plan amendments which are in proximity to existing music venues. It is the intention to inform applicants at this stage in development of potential conflicts between sensitive uses and music venues and to encourage applicants to incorporate sound mitigation measures in the building design.

3.8 District Collaboration

Staff from the Culture Office have been working closely with Downtown London and the Old East Village Business Improvement Area, groups located in the city’s major culture district. The focus is to share and leverage investments that have been made to promote activity within the downtown and Old East Village. The work done will help to implement a more formal process and the proposed actions under “district collaboration”.

3.9 Information Guides

The London Music Office has recently produced a Live Music Venue 101 Guide, available at londonmusicoffice.com. This guide provides information and advice to those looking to open a live music venue or add music to existing sites. The guide includes links to the related information, such as the Service London Starter Guides for restaurant, night clubs and bars.

A Good Neighbour Guide was also recently created by the London Music Office. This guide is intended for owners of bars, restaurants and entertainment venues and

provides suggestions to reduce potential conflicts and complaints. This was identified as a proposed action under “advanced notice and information access” and helps to implement this task.

3.10 Traffic Congestion

Staff are currently working to address traffic congestion, specifically within the downtown that results from a large number of patrons leaving when an event ends or bars close. Staff in By-law Enforcement have consulted with the taxi industry early in 2018 to work towards finding options to reduce the impact of vehicles queuing to pick up patrons. Implementation of this work is ongoing and these discussions will feed into a more comprehensive plan in the future to implement the proposed actions under “traffic congestion”.

4.0 Planned and Future Projects

Implementation of the *Music, Entertainment and Culture District Strategy* will continue. The implementation of some items can be completed within existing budgets; other items requiring additional resources may be considered by Council, alongside other funding requests, through the 2019-2023 Strategic Plan process and 2020-2023 Multi-Year Budget process.

4.1 Dundas Place Policy

Dundas Place construction will be wrapping up for the first phase by the end of the year. As this space is designed to be active and programmed, how this is facilitated is important and a review of the current policies and procedures will be undertaken by staff and likely result in proposed amendments. As a part of this, a stream-lined approach to obtaining a permit to close Dundas Place to traffic will be considered.

4.2 Sound Mitigation Research

Research is currently underway by the Culture Office (Parks and Recreation) relating to policies for managing the impacts of change as they occur. Staff in the Culture Office are leading this conversation, as they meet with staff in the Building Division and Planning Services to understand how concepts implemented in other locations could be adapted within a London context.

4.3 Centralized Website

Planning Services staff will be working with other City departments to create and maintain a website with centralized and simplified information, with links to relevant policies for easy navigation as well as links to other websites to help the public stay informed on the events planned in their neighbourhoods that may result in disruptions. Creation of this website may require additional resources through the 2020-2023 Multi-Year Budget process.

4.4 Wayfinding Signage

The *Music, Entertainment and Culture District Strategy* identifies the need to provide a strategic wayfinding system to direct people to key destinations within the city and to help promote and brand districts. The cost of signage, installation and maintenance should be assessed in further detail and possibly considered through the 2020-2023 Multi-Year Budget process.

4.5 District Branding

Permanent labelled gateway markers to signify entry into a district and to establish the district identity are recommended through the *Music, Entertainment and Culture District Strategy*. The cost of such elements as signage, banners, lighting and ongoing maintenance would need to be assessed and considered in future budget processes. A Business Case would likely need to be prepared.

4.6 Signage Pilot Program

The *Music, Entertainment and Culture District Strategy* identifies that there is a financial hurdle to local and start-up events when it comes to advertising and promotion. The study recommends a pilot program which would provide financial assistance to local

and start-up organizations for signage to market the events. This concept would need to be assessed in further detail and its implementation would require dedicated funding. This could be considered by Council, alongside other funding requests, through the 2020-2023 Multi-Year Budget process.

5.0 Conclusion

Implementation of the *Music, Entertainment and Culture District Strategy* is underway. Several future projects necessary for the complete implementation of the study will require consideration in future budget cycles.

Acknowledgements

This report was prepared with the assistance of City staff from Parks and Recreation, the Culture Office, Development and Compliance, Licensing and Municipal Law Enforcement, and Development Services.

Prepared by:	Kerri Killen, MCIP, RPP Senior Planner, Urban Regeneration
Submitted by:	Britt O'Hagan, MCIP, RPP Manager, Urban Regeneration
Recommended by:	John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner

November 5, 2018

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**Appendix B – Music, Entertainment and Culture District
Implementation Status Update**

Music, Entertainment & Culture Districts

Strategy



Nov
2018

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This report would not have been possible without the guidance of the many City staff members and stakeholders that participated in the process:

Robin Armistead, Chris Campbell, Heather Chapman, Bill Coxhead, Cory Crossman, Annette Drost, John Fleming, Andrea Halwa, Orest Katolyk, Krista Kearns, Kerri Killen, George Kotsifas, Janette MacDonald, Charles Parker, Jennifer Pastorius, Lou Pompillii, Scott Stafford, Jim Yanchula, and all of the public and industry individuals who attended meetings, phoned or submitted comments during the study process.

EXECUTIVE SUMMARY

The London Plan provides key directions which will guide planning and development in London over the next 20 years. One of these key directions is to “celebrate and support London as a culturally rich, creative, and diverse city.” This report reviews the feasibility of establishing music, entertainment, and culture districts, as well as recommends supporting actions to enable the success of such culture districts.

To direct this study, consultation with the public, business owners, industry, and a diverse internal stakeholder group consisting of City staff representing a variety of departments, the London Arts Council, Tourism London, Downtown London and the Old East Village BIA was undertaken. The key issues identified through this process included:

- the intensity, frequency and duration of events and festivals;
- the sometimes conflicting goals of increasing a residential population and promoting music, entertainment and culture within the urban areas of the city;
- the need for better communication and notification procedures; and,
- the inconsistencies created over time in terms of what policies and regulations apply to not-for-profit and for-profit organizations as well as individual private outdoor patios.

A review of the current policies, regulations and processes which direct how music, entertainment and culture develops and operates within London served as a baseline for suggested changes.

The proposed strategy includes an approach which aims to balance all interests and proposes a policy framework based on geographic location. This strategy would not only allow the framework to be tailored to the context of a location, it would establish expectations for both residents and event organizers in terms of the level of intensity, frequency, and duration of events that would be permitted within the identified locations.





STUDY ORIGIN & PURPOSE

Introduction

The London Plan sets new goals and priorities to shape the growth, preservation, and evolution of London over the next 20 years. The Plan sets a bold new horizon for London in 2035 – Exciting, Exceptional, and Connected. The Plan sets a foundational key direction to “celebrate and support London as a culturally rich, creative, and diverse city.” Supporting and enhancing opportunities for music, entertainment, and cultural activities will strengthen London as a city, help to drive economic opportunities, assist in urban regeneration, strengthen the image of our city, enhance the quality of life, promote diversity, and provide a competitive edge for talent attraction and retention.

The London Plan also identifies a key direction to promote urban living and a desire for compact growth directed to established urban areas of the city. London’s most urban areas are also prime locations for music, entertainment, and cultural activities, which bring energy and a unique atmosphere to these communities. While this energy is most certainly a draw to choosing an urban lifestyle, sometimes these activities come with negative impacts. Mitigating such impacts that may lead to a reduced quality of life for urban residents is an integral part of this conversation.

This balance between celebrating and promoting music, entertainment, and cultural activities while maintaining an environment that remains attractive to residents and businesses is the central issue of this study.

Purpose

The purpose of this study is to:

- Outline the existing policies, regulations, and processes which manage music, entertainment, and cultural activities within this city as a baseline for future changes;
- Identify the role, benefits, and potential impacts of Music, Entertainment, and Culture Districts;
- Review other municipalities' approaches to managing music, entertainment, and culture activities and mitigating impacts negative to residents and businesses;
- Consult with the public, industry stakeholders, and internal stakeholders; and,
- Create a strategy which celebrates and promotes music, entertainment, and culture activities, while creating an environment attractive to residents and businesses.

The strategy brought forward in this study aims to provide more efficient processes and methods to support music, entertainment, cultural events and activities, while addressing community concerns and mitigating potential negative impacts to residents and businesses. Establishing districts can achieve this by focussing policies and regulations within geographic areas with the intent of identifying proposed boundaries and what can take place within them. The overall goal of the strategy is to create a framework that clearly sets expectations in terms of the frequency, duration, and intensity of activities and events related to music, entertainment, and culture within London, with particular attention to proposed district areas.

Background

This study was initiated in response to Municipal Council direction where it was resolved:

That the Civic Administration BE REQUESTED to report back to the Strategic Priorities and Policy Committee on the feasibility of establishing Culture Districts, that may include music and entertainment, within the City of London, as well as what supporting actions would need to be taken

to enable the success of a Culture District (e.g. possible amendments to the Sign and Canopy By-law, Noise By-law, Zoning By-law, Business Licensing By-law, etc.). (8/14/SPPC)

The prelude to that direction stated Council's intent for the study:

The establishment of Culture Districts, that may include music and entertainment, is an effective tool for municipalities to use to draw performers and tourists to specific areas of the city. It seems logical for London to have such Districts, given the various venues that are already in place that support these activities including Budweiser Gardens, the Grand Theatre, Harris Park, Fanshawe Centre for Digital and Performance Arts, the Palace Theatre, numerous bars and eateries, various streets and squares that host many festivals and celebrations during summer months, among others. A vibrant Culture District can also make a significant contribution to a healthy economy.

In addition, Council cited the need for completion of this study following a request from the operators of "Rock the Park" to extend that event to five consecutive days instead of four. In response, Council's second resolution on the subject addressed the request, but also referenced the completion of a potential district report:

14. That the following actions be taken with respect to the "Rock the Park 12 – July 2015" event:

the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on April 28, 2015, to amend the City of London's 2015 Special Events Policies and Procedures Manual to provide for the "Rock the Park 12- July 2015" event use of Harris Park for 5 consecutive days, commencing on July 14, 2015 and ending on July 18, 2015; it being noted that the Civic Administration is currently undertaking a review of the feasibility of establishing Culture Districts in the city, which will include consideration as to how best to address special events in the future; and,

the Civic Administration BE REQUESTED to evaluate the impact on the community as a result of permitting the

request noted in a), above, and to include their findings in the report back on the feasibility of establishing Culture Districts in the city;

Council, on October 27, 2015, resolved that:

the Terms of Reference, attached to the staff report dated October 26, 2015 as Appendix 1, BE ADOPTED as a basis for the preparation of a study which will define the purpose and potential locations of such districts in the City of London; it being noted that such changes may require changes to be undertaken to the Official Plan, Zoning By-law, other City by-laws and City processes; ...

it being noted that the Civic Administration will engage the area residents with respect to this matter. (2/23/SPPC)

In response to the various Council directions, Planning Services has co-ordinated a process which has included a City staff stakeholder team tasked with reviewing existing regulations and processes, researching other municipalities' regulations and approaches, and coordinating consultation with the community, industry and internal stakeholder groups for this report.

Key Questions

How can we best plan for and support music, entertainment, and culture in London while balancing and mitigating the impact of such activities?

How can music, entertainment, and culture districts respond to the unique context of the existing neighbourhoods in London?

What policy, regulation, and process changes need to occur to create successful music, entertainment, and culture districts in London?





WHAT IS A MUSIC, ENTERTAINMENT & CULTURE DISTRICT?

Definition

The working definition of a Music, Entertainment and Culture District as first outlined in the approved Study Terms of Reference is:

Defined location(s) in the city that have a concentration of venues offering music, entertainment, and/or culture. These venues can include theatres, arenas, outdoor parks, enclosed buildings, performance spaces, museums, galleries, music, or media production studios. These districts may have different rules for hours of operation, road closures, sidewalk patios, music/sound, etc. that facilitates and encourages music, entertainment and cultural events in the city.

These spaces include both public and private space, indoor and outdoor spaces and permanent and temporary venues and events. Typically they have a different set of rules and regulations than other parts of the city.

District Role

Districts establish a location within which music, entertainment, and cultural activities are welcomed and celebrated. The role of music, entertainment, and culture districts is to facilitate and support events and activities through a policy framework that is appropriate to the “carrying capacity” of the district.

Districts establish expectations for residents, business owners, event organizers, and staff in terms of the frequency, duration, and intensity of the events and activities that occur regularly within district boundaries, rather than only occasionally. Because activities are expected more frequently, for longer hours, and at larger scales, the potential for cumulative impacts is greater and therefore the requirement to mitigate these impacts must be greater as well. Balancing the benefits with the cumulative impacts of frequently held music, entertainment, and cultural activities and events is key issue that should be addressed when a district is established.

Districts also set expectations for a higher level of quality and maintenance of the public realm and an overall environment that sets a district apart from other areas within the city. It provides a place where activities and events can be directed and where the infrastructure and funding can be focused in a deliberate way to support them.

District Value

Music, entertainment, and culture are now being recognized as significant economic drivers in cities around the world. These activities provide direct employment opportunities to communities through industry-specific jobs and businesses as well as create compound spending through spinoff benefits in the hospitality and service sectors.

Cities recognized as having strong music, entertainment, and culture also profit from many indirect benefits, including attracting creative workers in technology, film, television, digital media, and fashion. Innovators are attracted to cities that feature strong cultural industries appealing to many start-ups and entrepreneurs. Businesses may also relocate to these cities

to attract and retain a strong labour force as cities with music, entertainment, and cultural activities attract the creative class of workers. They, in turn, attract further development across other sectors such as education, healthcare, research, technology and housing.

“City vibrancy and culture are key factors in the retention and recruitment of new talent.”

Kapil Lakhotia, President and CEO at the LEDC

Extensive research has concluded that arts and culture tourists outspend typical tourists two to one and stay longer. Economic impact can be measured in both direct impacts, such as ticket sales, and indirect impacts, such as restaurants and hotels, with the latter receiving the greatest benefit. Benefits include increased tourism, downtown- and commercial-area development, economic development, and increased business opportunities.

A comprehensive Ontario Arts Council Study in 2012 on arts and cultural tourists found that:

- The average overnight arts and cultural trip was \$667.00 compared to \$374.00 on all average overnight (non-arts / cultural) trip.
- One fifth of the 42.8 million overnight trips to Ontario ended up with participation in Arts and Cultural activities in 2010.
- Over 9.5 million tourists visiting the province for arts and culture tourism.
- In 2010 these tourists outspent non arts & culture tourists 2-1, spending \$4.1 billion.
- At 4.4 nights on average, members of the arts and cultural sector spent one night longer in Ontario than the typical tourist (3.1 nights).

- Provincially the economic impact of arts and culture tourism is substantial, generating \$3.7 billion in GDP, 67,700 jobs, \$2.4 billion in wages and \$1.7 billion in taxes for all levels of government.

Spending for this sector on average was broken down into the following:

- 13% or \$0.5 billion spent on attractions of event
- 15% or \$0.6 billion spent on retail/other
- 27% or \$1.1 billion spent on lodging
- 27% or \$1.1 billion spent on food/beverages
- 18% or \$0.7 billion spent on transportation

The importance of culture to London’s economy was comprehensively reviewed as part of the preparation of the *Cultural Prosperity Plan* in 2013 (see below). The following table summarizes the information.

Table 1: Comparison of Economic Contributions for Cultural Sectors

City of London (2011)	London CMA (2011)	City of Toronto (2006)	Ottawa (2006)	Hamilton CMA (2001)
\$540 million (direct contribution)	\$580 million (direct contribution)	\$9 billion (GDP estimate)	\$1.98 billion (GDP estimate)	-
\$1,475 per capita	\$1,222 per capita	\$3,595 per capita	\$1,751 per capita	-
7,703 jobs in cultural sector	8,345 jobs in cultural sector (as of 2006)	83,000 jobs in cultural sector	22,500 jobs in cultural sector	11,600 jobs in cultural sector
4.2% (as of 2006)	3.8% of total workforce (as of 2006)	6% of total workforce	4.7% of total workforce	3.4% of total workforce

Source: London Culture Profile Report 2013

The impact that music, entertainment, and culture have on London's economy has never been comprehensively reviewed (except for specific major events such as the Memorial Cup or World Figure Skating Championships where special reports were provided to Council). However, recent studies on individual events have concluded that:

- The 2016 edition of Country Music Week attracted more than 18,000 participants, including 4,900 visitors from outside London. The spending of out of town fans, along with participants at the industry conference and the investment made by the event organizers in hosting a world-class event provided a considerable boost in economic activity for the City of London. A final economic assessment report is being finalized and will be released by the CCMA in the spring of 2017.
- In 2011, over 100 festivals and events in the city were estimated to attract over 900,000 people.
- Rock the Park has been operating for 11 years and attracts approximately 40,000 to 50,000 each year.



A summer festival in London, Ontario.



A performance in London, Ontario.



Canada Day firework display in London, Ontario. Credit: Tourism London

As a comparison, other Canadian cities reported that:

- In Toronto, the culture sector contributes \$9 billion annually to Toronto Region's gross domestic product. More than three million people go to the Cultural District every year. The Entertainment District is a destination for over 15 million visitors annually; 80,000 people work in the Entertainment District and 16,000 live there. Over 18,000 dwelling units are expected to be added over the next 5 years (2011).
- Durham's 2014 Boots and Hearts festival generated approximately \$17 million in economic impact and is expected to expand and move to a larger location in 2015.
- The \$12-million boost to the Hamilton economy for hosting the Juno Awards now has the city thinking ahead to hosting more live events. Music events are said to be just as lucrative as arts and culture in Hamilton.
- It was estimated that the 2015 Canadian Country Music Week in Halifax generated approximately \$14 million in economic impact.

Appendix F summarizes the economic impact of music, entertainment and culture identified in other municipalities.

In summary, music, entertainment, and culture districts are valuable for their ability to:

- Increase the vibrancy of the city;
- Encourage more people to visit the central parts of the city;
- Increase tourism;
- Encourage more citizen interaction;
- Contribute to a healthy city economy; and,
- Help to attract a young, highly-skilled workforce.



atre



APPROACHES

London's Current Approach

Music, entertainment and cultural uses in London

There are significant concentrations of music, entertainment and cultural uses currently located throughout London. Major hubs have been identified by this study having clusters of venues and services around them that provide activities and events related to music, entertainment, and culture which are greater in frequency, longer in duration, and higher in intensity than generally prevailing in the city. These major hubs are primarily located in and around the downtown and Old East Village.

Complementary uses have been identified as restaurants with live entertainment, small theatres, galleries, outdoor public spaces, patios, and other related venues, amenities, and services. The complementary uses identified through this study are also highly concentrated within the downtown and Old East Village and their surrounding areas, such as Richmond Row and the Western Fair Complex. Additional, smaller concentrations have been identified along the Hamilton Road corridor and south of the downtown, in the area known as SoHo, and along main streets across the city

The London Plan identifies four locations as having a symbiotic relationship with the downtown through policy 799_16, which directs us to, "Establish strong physical and collaborative connections between the Downtown and the surrounding urban business areas such as Richmond Row, the Old East Village, SoHo, and Hamilton Road." The music, entertainment, and

cultural uses already established within these identified areas are further supported by this policy direction which sets the expectation that future growth within Richmond Row, Old East Village, SoHo, and Hamilton Road will be supportive of the uses, activities, and events occurring within the downtown.

The London Plan further identifies a number of main streets, located across the city. These main streets serve their surrounding communities and provide ideal locations for small-scale local events to be held. The additional main streets identified through *The London Plan* include:

- Applewood (not yet developed)
- Byron
- Hyde Park
- Lambeth
- Upper Richmond Village (not yet developed)
- Wortley Village

Downtown

Within the downtown and surrounding area, the major hubs identified through this study include:

- Budweiser Gardens
- Centennial Hall
- The Grand Theatre
- Harris Park
- London Convention Centre
- London Music Hall
- Museum London
- Victoria Park
- Wolf Performance Hall

Particularly high concentrations of complementary uses are located on Richmond Row and near Covent Garden Market. Map 1 identifies the locations of these major hubs and complementary uses within the downtown and surrounding area. It is important to recognize that this map may not include

all individual complementary uses, but provides a suitable representation of the current environment of the downtown and surrounding area.

Map 1: Downtown and Surrounding Area



It is important to note two future major hubs planned for the downtown - Dundas Place and the Forks of the Thames. The Dundas Place project will transform Dundas Street into a flexible street environment that will easily accommodate outdoor patios and street festivals. The future revitalization of a five kilometer stretch of the Thames River radiating from the Forks is being initiated through the Back to the River campaign. This project will transform the Forks of the Thames into a space supportive of music, entertainment and culture.

It is expected that the downtown will continue to support music, entertainment, and cultural uses in the future. *The London Plan* directs investment in cultural and institutional uses that will act as catalysts for downtown regeneration. It also identifies the downtown as the highest intensity and the greatest mix of uses within London.

Richmond Row is identified in *The London Plan* as a Main Street, which permits a broad range of uses and a pedestrian-oriented environment.



Budweiser Gardens, London, Ontario.



London Music Hall, London Ontario.



The Grand Theatre, London, Ontario.

Old East Village

Old East Village and surrounding area is home to four major hubs for music, entertainment, and cultural activities:

- Aeolian Hall
- London Clay Art Centre
- Palace Theatre
- Western Fair Complex

It is important to note that the Western Fair complex is unique to the other major hubs located in the Old East Village area in the scale and variety of activities that occur here and its ability to hold multiple events at once. *The London Plan* has specific polices which apply to the Western Fair Complex and plans for its continued growth to provide an entertainment component to complement both the Fairgrounds and Old East Village. It permits a broad range of uses specific to the Western Fair Complex which includes entertainment and recreational uses.

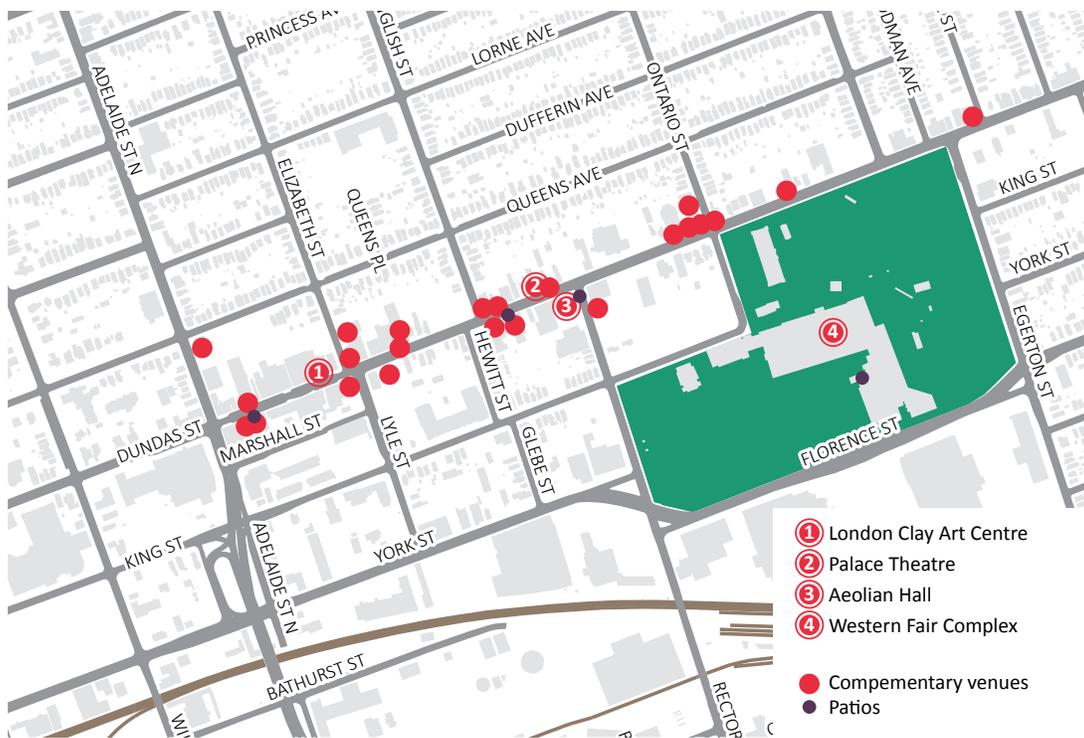


The London Clay Art Centre, London, Ontario.

Complementary uses are found along the Dundas Street corridor and include a variety of restaurants, patios and other related amenities and services. *The London Plan* identifies this segment of Dundas Street as the Rapid Transit Corridor Place Type. This place type permits a wide variety of uses and promotes intensification supportive of the transit system.

Map 2 identifies the hubs and complementary uses within Old East Village and surrounding area. It is important to recognize that this map may not include all individual complementary uses, but provides a suitable representation of the current environment of Old East Village and the surrounding area.

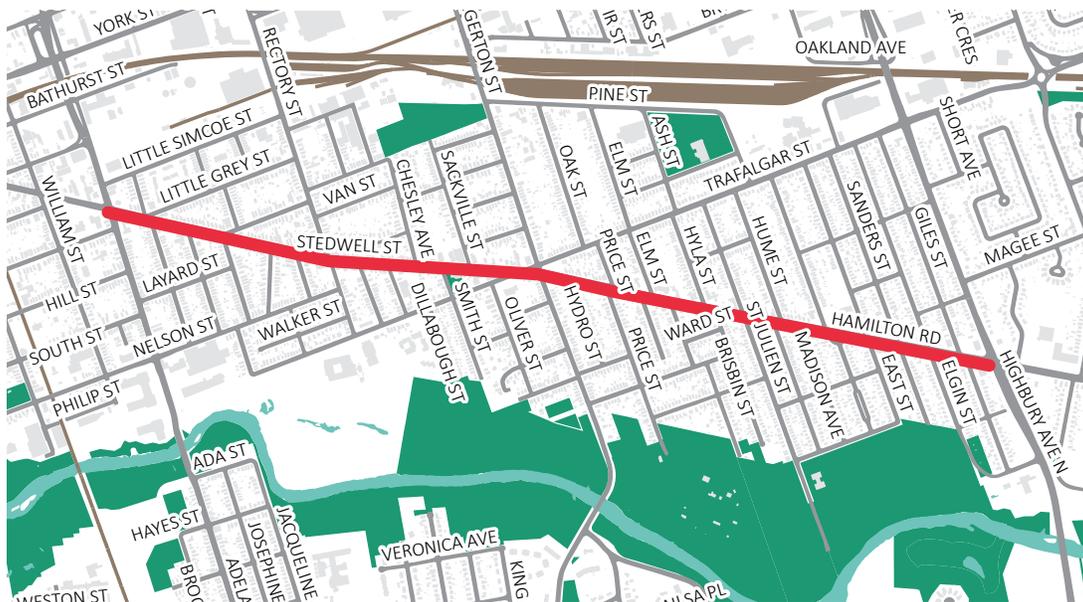
Map 2: Old East Village and Surrounding Area



Hamilton Road

In addition to the downtown and Old East Village, there are also notable concentrations of complementary uses located along the Hamilton Road corridor between Adelaide Street and Highbury Avenue North. Numerous restaurants can currently be found in this area. This segment of Hamilton Road is identified as the Urban Corridor and Main Street Place Types by *The London Plan*, which are areas where intensification and a mix of uses are encouraged. This policy framework in combination with the current context and close proximity to the downtown creates an opportunity for further growth in music, entertainment, and cultural activities. This area is identified in Map 3.

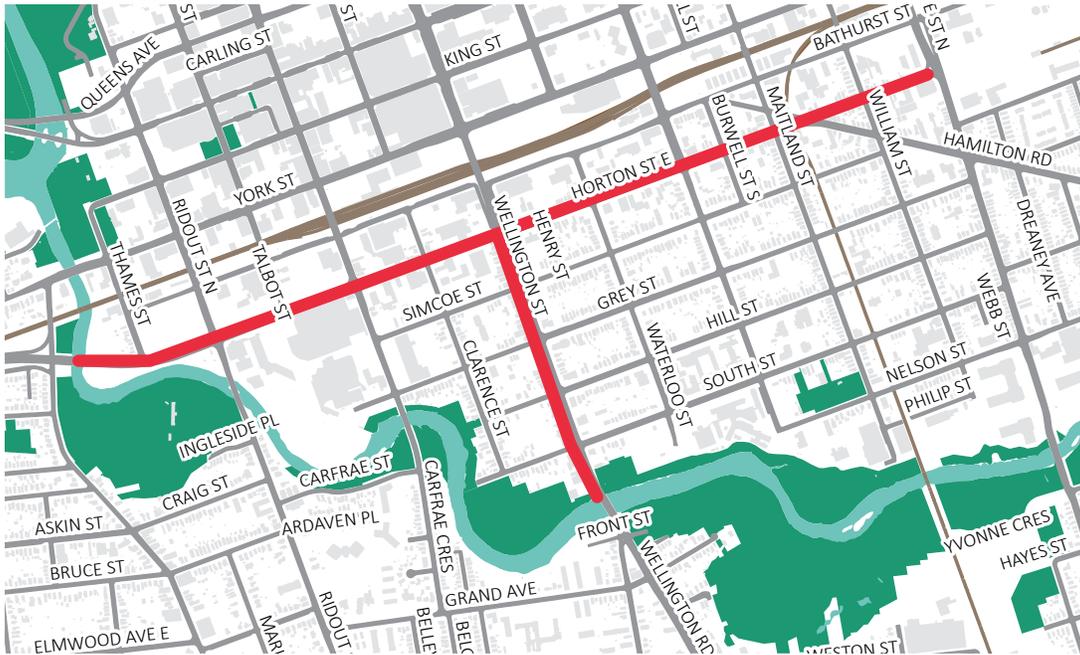
Map 3: Hamilton Road



SoHo

South of Horton Street, or SoHo, much like the Hamilton Road corridor, has current conditions and a policy framework that provides an environment for future growth in the music, entertainment, and culture sector. Specifically Horton Street and Wellington Road south of Horton Street are identified as Urban Corridor and Rapid Transit Corridor Place Types, respectively. These place types encourage intensification and a mix of uses. This area is identified in Map 4.

Map 4: SoHo



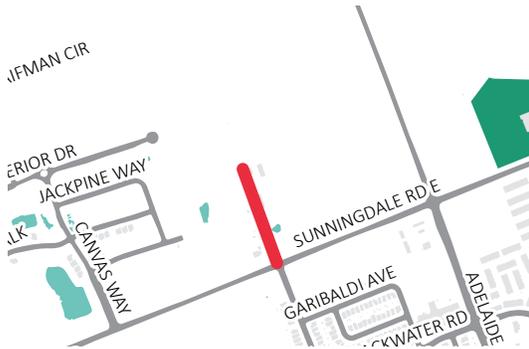
Main Streets

The London Plan identifies several additional main streets, which serve or are intended to serve their surrounding communities. Policy 905_ states that “These streets will contribute significantly to our image and identity as a city and will support the regeneration and continued vitality of the neighbourhoods that surround them.”

Neighbourhood-scale events currently occur or are likely to occur within these identified main street areas:

- Applewood
- Byron
- Hyde Park
- Lambeth
- Upper Richmond Village
- Wortley Village

Map 5: Applewood



Map 6: Byron



Map 7: Hyde Park



Map 8: Lambeth



Map 9: Upper Richmond Village



Map 10: Wortley Village



Policies, Council Directions, Regulations and Processes

Currently, policy direction and regulation of music, entertainment and culture is administered through involvement of staff from Parks and Recreation, By-law Enforcement, Planning Services, Zoning, Business Licensing, Corporate Investments and Partnerships, London Police, the Culture Office and Council. Other organizations such as Tourism London, the London Arts Council, Downtown London and the Old East Village BIA are also heavily involved. Additionally, provincial agencies such as the Alcohol and Gaming Commission (AGCO) influence how the music, entertainment and cultural industries operate within the city.

The City of London policies and regulations that influence the development and operation of music, entertainment, and cultural events and venues within the city include:

- The London Plan;
- Our Move Forward: London's Downtown Plan;
- London's Cultural Prosperity Plan;
- Old East Village Community Improvement Plan;
- London Music Strategy;
- Noise By-law;
- Special Events Policies and Procedures Manual;
- Zoning By-law Z.-1;
- Sign and Canopy By-law; and,
- Business Licensing By-law.

Below is a brief summary of the current policies, by-laws and processes involved in regulating music, entertainment and cultural uses.

The London Plan

As noted at the beginning of this report, *The London Plan* includes a number of overarching directions and policies that support music, entertainment, and culture. *The London Plan* was adopted by Council in June 2016 and approved by the Ministry of Municipal Affairs and Housing in December of 2016 and will provide guidance for growth and development until 2035.

Relevant policies that relate to this study include:

- *Policy 538_ Develop programming along the Thames Valley Corridor and in London’s parks to allow for festivals, events and activities that promote social connections, physical health, mental well-being and intellectual development.*
- *Policy 539_ Improve the vibrancy of Dundas Street, our Cultural Corridor, which runs through Old East Village and the Downtown, and enhance connections to the Thames River.*
- *Policy 548_ Design streets, parking spaces, and public spaces that can be transformed or activated to support festivals/ events on weekends or during low-peak traffic periods, including Dundas Street between the Forks of the Thames and Wellington Street.*
- *Policy 793_ Our Downtown will exude excitement, vibrancy, and a high quality of urban living. It will be the preeminent destination place for Londoners, residents from our region, and tourists to experience diverse culture, arts, recreation, entertainment, shopping and food. Our Downtown will showcase our history and offer vibrant and comfortable public places filled with people, ranging from large city-wide gathering places, to heavily treed urban plazas and intimate parkettes.*
- *Policy 794_ Dundas Street will be the most exciting street in the city, offering a multitude of experiences along its length. We will connect strongly to our birthplace, at the Forks of the Thames, where we will create beautifully landscaped “people places” that Londoners will gravitate toward. And, we will cherish our heritage streetscapes that tell the story of our past, and create a unique and enriching setting that will give our core a strong sense of place and identity.*

- *Policy 795_ Our Downtown will be the hub of our economy’s business community, containing the city’s largest office buildings and a complex blend of professional and business service functions that collectively create dynamic synergies. Our vibrant Downtown restaurants, entertainment venues, hotels, and convention centre facilities, combined with the highest-order communications infrastructure, will be attractive to those who work Downtown and those businesses that seek out the best and the brightest employees.*
- *Policy 797_ London’s Downtown of 2035 will be our calling card to the world. It will embody and communicate our vision that London is Exciting, Exceptional and Connected.*
- *Policy 799_ 7 Invest in cultural and institutional uses that will act as catalysts for Downtown regeneration.*
- *Policy 799_ 16 Establish strong physical and collaborative connections between the Downtown and the surrounding urban business areas such as Richmond Row, the Old East Village, SoHo, and Hamilton Road.*
- *Policy 1102_ The Western Fair Association represents a unique institutional use that has served a support function for the agricultural industry, industrial community, and the residents of London and area for over 100 years. Recreational and entertainment uses relevant to the Western Fair Association’s roots have long existed on the Fairgrounds and have expanded in range and size over time. It is expected that this entertainment component will continue to grow in a positive way to complement both the Fairgrounds and the Old East Village. In addition to the range of uses permitted in the Institutional Place Type, entertainment and recreational uses may be permitted. Hotels will also be permitted.*

Our Move Forward: London’s Downtown Plan

Our Move Forward: London’s Downtown Plan was adopted by Council on April 14, 2015 to serve as a guideline document under the *Official Plan*. It is intended to guide development, in conjunction with the *Downtown Heritage Conservation District Plan*, within the boundaries of the downtown over the next 20 years. This plan continues the former *Millennium Plan’s*

revitalization of the downtown which started in the 1990s.

Two of the Strategic Directions in *Our Move Forward: London's Downtown Plan* that are most applicable to this report include:

- Make Dundas Street The Most Exciting Place In London, and “animate Dundas Street with a variety of programmed events and activities”;
- Create the Buzz, and “support the downtown’s distinct identity by encouraging artistic expression and cultural activity that promotes the central city as a hub for culture in London”.

Both of these strategic directions depend on the use of cultural, music and entertainment uses to create activity and act as a draw for the city’s residents to the downtown.

London’s Cultural Prosperity Plan

London’s Cultural Prosperity Plan was adopted by Council on March 5, 2013 and serves as a strategic document that provides a collective vision and direction for culture in the future. It is a framework for the implementation of cultural events. Although the focus of that document is culture, music and entertainment are part of the overall cultural experience. Downtown London, Richmond Row and Old East Village (Potential Action 3.9.1) were recognized in it as important cultural districts. This has led to increased focus in these areas for asset development, investment and programming opportunities. In addition, “cultural nodes,” such as Springbank Park and Wortley Village, were identified in the plan for serving a role in smaller cultural events. Specific relevant policies include:

- Section 3.9 Strengthen London’s Cultural Districts and Cultural Nodes;
- Section 3.9.1 Recognize Downtown London, Richmond Row and Old East Village as important cultural districts; and,
- Section 3.9.2 Develop and Maintain unique gateway features for London’s cultural districts.

Old East Village Community Improvement Plan

The *Old East Village Community Improvement Plan* was amended in November 2005. Cultural uses were identified as part of the vision for this plan, which states: offer a range of entertainment, arts and culture uses. Four districts within Old East Village were identified and included: the Entertainment and Recreation District encompassing the Western Fair Grounds and Queens Park.

Further, this plan states:

It is the Vision of the Community Improvement Plan that the Western Fair Entertainment Complex will play a lead role in supporting an entertainment and recreation “flavour” on the corridor. It is envisioned that those who attend events at the fairgrounds will link to the other attractions in the Village. Blended with the strong sense of culture on the corridor, the entertainment and recreational functions offered in this district will play a large role in creating a fun, active and exciting atmosphere on the corridor.

Policies are included, consistent with Section 6.2.2 (ii) of the 1989 *Official Plan*, which encourage linkages between the Western Fair and the Dundas Street corridor.

London Music Strategy

The *London Music Strategy* was adopted by Council in September 2014 and contains twelve priorities, three of which are related to this study, including:

- Increase live music city wide;
- Study and update by-laws, policies, practises and procedures to create favourable business conditions for venues, festivals, performances and music businesses; and,
- Support music tourism.

The strategy involved establishing the position of a Music Development Officer as part of the Culture Office. As part of their mandate, a London Music Census has been created. The intent is to keep it updated and for it to serve as a public resource at londonmusicoffice.com/resources/directory.

The London Business of Music Committee also has been created with four associated Task Teams comprised of local industry personnel. These teams include 1) Musicians Task Team, 2) Events & Venues Task Teams 3) Education & Incubation Task Team and 4) Music Business Development Task Team.

Noise By-law

The Noise By-law (consolidated on July 25, 2011) regulates noise emanating from all properties, in particular private property, but does not set out qualitative or quantitative noise measures or the time and duration of any permissible type of disturbance. It relies on Ontario Ministry of Environment Publications for standards and procedures. Within the Noise By-law, amplified sound “that is clearly audible at a Point of Reception in a Residential Area at any time” is prohibited.

The Noise By-law also has provisions for the issuance of temporary noise permits subject to conditions established by the Manager of By-law Enforcement. Under these permits typically the volume shall not exceed 90 decibels 30 metres from the source between 9:00 a.m. and 11:00 p.m.

Special Events Policies and Procedures Manual

The *Special Events Policies and Procedures Manual* was established in 1993 and last revised on December 9, 2015. These policies are applied to all events held in City parks and properties. They are reviewed yearly, circulated for comment and reported on to the Community Services Committee (CSC). The manual assists event holders by defining rules and regulations to guide the organizers in a way that allows them to operate in City parks and properties while making sure the public is safe and the community and corporation are protected.

There are specific policies for Victoria, Harris and Springbank Parks related to the number of events that can be held per year at each. Section 9.6 of the manual states that “Victoria Park will be limited to nine major special events with produced amplified concerts per year between June 1st and Labour Day in September.” For Harris Park the section 10.3 states that it “will

be limited to five major special events (four consecutive days in length) totaling no more than 12 days combined of amplified concerts per year.”

Special events with amplified sound that are booked on City properties are governed by Section 13 Noise Policies, which covers all City parks. The existing noise policy in the special events manual states:

The amplification of sound for Special Events will be limited to the hours of 9:00 a.m. to 11:00 p.m. and all amplified concerts shall not exceed a sound pressure of 90 decibels beyond 30m (100 feet) from the front edge of the stage.

Special events are exempt from the City’s *Noise By-law* as long as they comply with the prescribed operating hours and decibel level.

Council-approved policy exemptions for hours and noise currently include the following:

- New Year’s Eve Event at Victoria Park is limited to the hours of 9:00 a.m. – 12:00 midnight;
- Announcements for the gathering of participants, “on your mark, get set, go” and the singing of the national anthem at sporting events (note sound level not to exceed 90 decibels between 8:00 a.m. – 9:00 a.m.). All other amplified sound (i.e. music) cannot begin until 9:00 a.m.); and,
- Springbank Gardens (formerly Wonderland Gardens) has a lower allowable sound threshold of 70 decibels for events.

If the event organizer exceeds the decibel level or operates outside the approved hours for amplified sound, they could be subject to charges/fines under the Noise By-law.

City of London staff monitor and document the decibel levels with a sound meter once every half hour during amplified concerts. If the sound exceeds 90 decibels on any of the readings, the concert organizer loses their \$500 noise deposit with the City.

Zoning By-law Z.-1

The *Zoning By-law Z.-1* (Section 4.18) contains regulations for outdoor patios associated with a restaurant or tavern pertaining to capacity, location, lighting, loading, entertainment, and parking. Since *Zoning By-law Z.-1* was approved July 1, 1993, there have been a number of amendments to Section 4.18. Initially, no music was permitted on outdoor patios; however, in response to comments received through the comprehensive Zoning By-law review process and a separate review in 2001 to 2004, amendments were made to permit non-amplified music and to remove parking requirements.

Section 2 (Definitions) of the *Zoning By-law Z.-1* provides definitions for music, entertainment and cultural uses. These uses are permitted in a wide variety of zones throughout the city, including: Office Residential (OR), Office Conversion (OC), Restricted Office (RO), Office (OF), Downtown Area (DA), Regional Shopping Area (RSA), Community Shopping Area (CSA), Neighbourhood Shopping Area (NSA), Associated Shopping Area (ASA), Business District Commercial (BDC), Arterial Commercial (AC), Highway Service Commercial (HS), Restricted Service Commercial (RSC), Convenience Commercial (CC) and Regional Facility (RF) Zones. In suburban locations there are restrictions on the size of individual uses and amount of gross floor area (GFA) they can occupy.

Sign and Canopy By-law

The *Sign and Canopy By-law*, consolidated on November 7, 2011, addresses temporary signs for special events. Charitable and not-for-profit organizations do not require a permit for these temporary signs, unless the signs exceed six square metres in size. Such signs cannot be erected more than six weeks prior to the event and must be removed within 72 hours after closing of the event.

It should be noted that the *Sign and Canopy By-law* is currently under review at the time of this study.

Business Licensing By-law

The *Business Licensing By-law* was consolidated on January 4, 2016. This by-law indicates that a Hawkers and Pedlars Licence is not required if the goods, wares or merchandise are hawked, peddled or sold at a Special Event as defined by City Policy and for which a Special Events Permit has been obtained.

Alcohol and Gaming Commission Regulations

The Alcohol and Gaming Commission (AGCO) is involved in the regulation of events at which beer, wine and liquor are sold. The *Liquor License Act* has a clause (Section 46) which addresses noise from outdoor premises which disturbs neighbours and significantly relies on compliance with municipal by-laws and noise regulations as an enforcement tool. The AGCO can take a liquor license away or fine the owner due to municipal by-law infractions.

Test Events in London

Following the approval of the Terms of Reference for this study, Planning staff coordinated the review of the existing regulatory framework and processes and began the public, industry and internal stakeholder consultation process. The study preparation process has also involved efforts at two interrelated test projects:

- a City-initiated Zoning By-law amendment to temporarily permit amplified music and dancing on patios until the end of September 2016; and,
- the request by Tourism London to have an outdoor stage on Talbot Street for Country Music Week from September 8-11, 2016.

The purpose and effect of the Zoning By-law amendment was to temporarily remove for approximately two months the application of Section 4.18 5) of Zoning By-law Z.-1, in order to allow the City to monitor the impact of permitting amplified music and dancing on patios in the downtown and Old East Village during the summer festival season, particularly during Country Music Week September 8-11, 2016. This test period

was to be used to gather information for the consideration of permanent changes through this study.

Planning staff undertook a comprehensive public participation process, held a public participation meeting on July 18, 2016 and Council approved the recommended Zoning By-law amendment on July 26, 2016. However, during the statutory appeal period two appeals were received. This prevented the test from occurring. The Ontario Municipal Board subsequently closed the file because the temporary zone time-period lapsed in September 2016.

The second test of the existing regulations was the request for an open air stage on Talbot Street during Country Music Week September 8-10th, 2016. To facilitate the open air stage, an amendment to the Special Events Policies and Procedures Manual was required. The amendment was brought forward at a public participation meeting before the Community and Protective Services Committee on June 21, 2016. The amendment was a request to permit an exception to Section 13.0 of the manual to provide for extended hours of sound for an outdoor stage on Talbot Street from 11:00 p.m. to no later than 1:00 a.m. The event was very successful and the coordinator of the event indicated no noise complaints were received. Complaints regarding the road closure on King Street were received by staff.



Country Music Week in London, Ontario.



Open air stage on Talbot Street during Country Music Week in London, Ontario.

Other Municipalities' Approaches

A review of other municipalities' processes and regulations was completed to gather ideas and approaches used elsewhere and to consider which may be appropriate for London. Five Canadian municipalities were reviewed, including Toronto, Ontario; Kitchener, Ontario; Hamilton, Ontario; Calgary, Alberta; and Vancouver, British Columbia. Three American cities including Austin, Texas; Nashville, Tennessee; and New Orleans, Louisiana were also reviewed.

Research focused on:

- whether the municipality has a music, entertainment and culture district(s);
- what are the municipality's policies and regulations;
- who is responsible for regulation and processes;
- what funding is involved;
- what economic impacts have been measured; and,
- what recent issues have been identified.

It is important to note that higher-order government regulations may be different in the United States than in Canada, so direct comparisons cannot always be made. For instance, recently in the United States many municipalities have been trying to establish such districts to include areas which are not subject to open-containers laws for consumption of alcoholic beverages. Under American laws this is possible, but may not be possible under Ontario law.

Below is a summary of key findings. More detailed information is provided in Appendix F.

Toronto, Ontario

The City of Toronto is currently working to balance competing goals: creating an environment that is supportive of a “Music City,” and developing a residential community in the downtown. The arrival of residential uses into Toronto’s entertainment district has resulted in conflicts between residents and bar and nightclub owners. Business closures and relocations have resulted. The City of Toronto Noise By-law is currently under review to better address these conflicts.

A review of the City of Toronto’s policies, regulations, and processes has found that Toronto:

- Has established two districts – the Toronto Entertainment District and the Bloor Street Culture Corridor.
- Has created a series of master plans and guideline documents for both districts.
- Has established a Music Advisory Council (TMAC), which is composed of volunteers from the music community, city councillors, and two staff who provide advice to Council through the Economic Development Committee.
- Has established a Toronto Noise Coalition, which is an organization of residents who respond to noise issues.
- Has created a comprehensive music strategy which has been adopted by Council and includes identified roles of various City departments.
- Has hired a full time Music Development Officer.
- Has championed Toronto as a “Music City” and partnered with Austin Texas, led by City Council.
- Measures noise from property line (65 decibels at property line).
- Has a Noise By-law that establishes a maximum of 85 decibels.
- Requires a minimum distance of 30 metres from a patio to a sensitive land use.

- Has passed a by-law to limit bars/restaurants to 25% of the streetface on certain streets.
- Requires that new restaurants must agree to no cover charge, no noise after 11:00 p.m. and a seat for every patron.
- Has had rules since 2006, which require one bouncer per 100 patrons, a security guard with a metal detector, submission of noise and crowd control plans and are responsible for litter clean-up.

Kitchener, Ontario

The City of Kitchener's approach and regulations related to music, entertainment and culture are very similar to London's current approach. Kitchener has no identified district, however the city's downtown has a significant concentration of uses related to music, entertainment and culture. Kitchener's downtown residential community is somewhat smaller than London's. Noise complaints have significantly increased in recent years.

A review of the City of Kitchener's policies, regulations, and processes has found that Kitchener:

- Has a Zoning By-law which requires a minimum 30 metre distance between a patio and sensitive land use.
- Has a Noise By-law which is in effect 24 hours a day.
- Has Kitchener's Downtown Action Plan One, with one of the plan's specified goals directing the city to "Foster a Live Music Scene."
- Has a multi-departmental team of economic development and event planners/programmers
- Enforces the Noise By-law through the Waterloo Regional Police.

Hamilton, Ontario

A review of the City of Hamilton's policies, regulations, and processes has found that Hamilton:

- Has established one entertainment district, known as Hess Village.
- Has created a Music Strategy.
- Has established a process where requests for amplified outdoor music are processed through site-specific Zoning By-law amendments and variances through the Committee of Adjustment.
- Has a by-law which currently prohibits outdoor music on commercial patios.
- Has initiated a review of their outdoor commercial patio regulations and recommended they be relaxed for two years in seven specific areas and monitored to determine if permanent changes are warranted (Council sent this back for further review in January 2017).
- Requires that bar owners pay policing costs in Hess Village.

Calgary, Alberta

A review of the City of Calgary's policies, regulations, and processes has found that Calgary:

- Has established two districts – the 17th Ave Retail and Entertainment District and the Culture District – both are located outside of the downtown.
- Has a Noise by-law with different limits for different uses.
- Restricts outdoor speaker systems so they cannot be used within 150 metres of a residential use except during the Calgary Stampede.
- Regulates noise through the Community Standards By-law.
- Has a Noise By-laws in effect from 10:00 p.m. to 7:00 a.m. Monday to Saturday.

- Has a system which permits noise levels up to 75 decibels in the downtown during day and 60 decibels at night and a maximum of 65 decibels in residential areas during the day and 50 decibels at night.
- Has fines which range between \$100 and \$200.
- Requires permits for major events.
- Provides the opportunity for people to appeal approval of temporary permits.
- Requires public notice for events with more than 5,000 people.

Vancouver, British Columbia

A review of the City of Vancouver's policies, regulations, and processes has found that Vancouver:

- Has established two entertainment districts -- one is located within the downtown (centred around Gastown) and the other is located south of the downtown and is known as the Granville Island District; Granville Street, north of False Creek, was a theatre district but is now becoming a centre for night clubs. It is a mix of music, entertainment and cultural uses.
- Has established a variety of neighbourhoods which each have their own entertainment focus.
- Has a number of plans, policy documents, regulations and guidelines.
- Has delegated noise enforcement to both City staff and police.
- Has created plans to have all entertainment in one district located downtown after liquor service was extended to 3:00 a.m. in the late 1990s, but complaints significantly increased.
- Has different sound levels for different uses. Sound levels are intended for an audience within 10 metres and are limited to 70 decibels during the day and 65 decibels at night.
- Requires business to post a warning sign, in clear view, if the interior sound level is greater than 90 decibels.

- Has the Granville Street (Downtown South) Guidelines, which address Residential Livability (Section 2.3). Specifically they state that:

Development sites on Granville Street are severely affected by noise, especially from vehicular traffic and from uses which generate a lot of noise, such as bars and cabarets.

Appropriate design and construction techniques, which can be used to buffer residential units from noise include:

- *orientating bedrooms away from noise sources (“deep units” will be considered which use borrowed light for the bedrooms);*
- *using full mechanical ventilation (to provide an alternative to opening windows);*
- *using concrete construction;*
- *using glass block walls, or acoustically rated glazing;*
- *using sound absorptive materials and sound barriers on balconies.*
- Requires residential developments near the Theatre Row Entertainment District meet any applicable noise requirements that have been adopted by Council for the area.
- Has cultural uses are excluded from the floor area measurement so long as they do not exceed 20% of the allowable floor area ratio (FAR).

Austin, Texas

A review of the City of Austin’s policies, regulations, and processes has found that Austin:

- Has established 250 live music venues in eight entertainment districts, six of which are located in the downtown;
- Has created its own noise by-law (Code of Ordinances); and,
- Has indicated that patio music accounts for an additional 20-40% of venue revenues.
- Has a Music and Entertainment Division in the City (four employees).

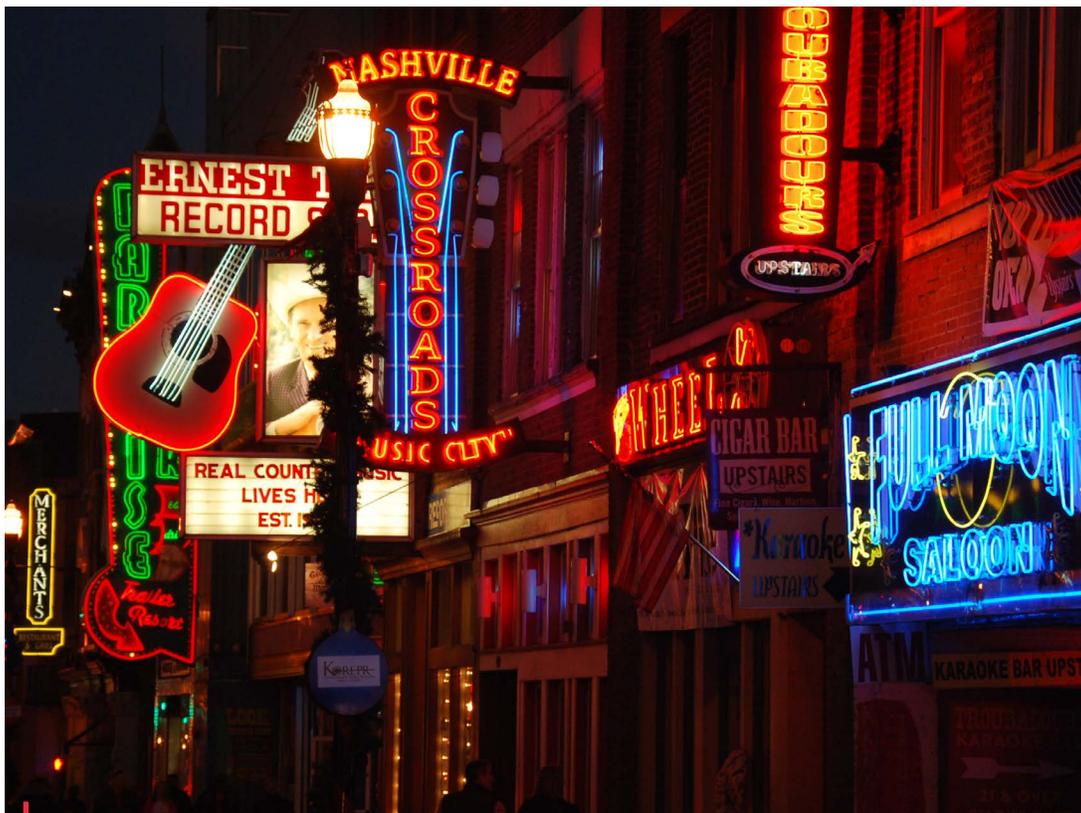
- Regulates noise produced from food trucks, permitting a maximum of 70 decibels at the property line that is across the street from or abutting a residential use.
- Has a separate Texas Noise By-law.
- Has a Noise By-law which limits noise between 10:30 p.m. and 7:00 a.m. to a decibels range of 70-85 decibels between 10:00 p.m. and 2:00 a.m. in an entertainment district. Live entertainment with amplified sound is a maximum of 70 decibels measured at the property line.
- Regulates noise for a permitted music venue, so that noise can be no louder than 85 decibels until 10:30 p.m. Sunday to Wednesday, 11:00 p.m. Thursday and 12:00 a.m. Friday and Saturday.
- Requires Sound Impact Plans, Temporary Change of Use Permit, Temporary Event Impact Plan and/or Temporary Use Permit depending on nature and size of event.
- Has a Good Neighbour Policy document where compliance is a condition of some permits.
- Requires a permit in the CBD (Downtown) within 190 metres of a residence, church, hospital, hotel or motel.
- May not issue a permit within 30 metres of a property zoned and used as residential except under special circumstances, one of which is agreements with owners, tenants or community organizations.
- Does not issue two permits within 30 days.
- Requires that for live music permits, signs have to be posted and notice must be given to those within 190 metres of the property.
- Has a system of one-day, four-day and one-year permits.

Nashville, Tennessee

A review of the City of Nashville's policies, regulations, and processes has found that Nashville:

- Has established two districts – a restaurant district on 2nd Avenue and a bar district on Broadway Street – which have been in existence since 1960.

- Has created a non-profit organization, known as The District, that focuses on entertainment and business improvement and operates like a business improvement association.
- Has established Music Row, which is located southwest of the downtown, and is the office centre for the music industry.
- Has attracted 11 million visitors a year, who spend \$4 billion/year and employ 60,000 people (2011).
- Uses the boundary line of the neighbouring residential property to measure noise.
- Permits pre-recorded music, up to 85 decibels.
- Permits patio noise up to 85 decibels as measured 15 metres from the business property line.
- Exempts special events, mass gatherings, city parks and entertainment facilities.
- Except in the downtown musical instruments using amplification are not permitted between 11:00 p.m. to 7:00 a.m. within 15 metres of a residence.



Nashville, Tennessee.

New Orleans, Louisiana

A review of the City of New Orleans's policies, regulations, and processes has found that New Orleans:

- Has established a framework that regulates where music venues are permitted, but not how loud music is permitted to be and for how long.
- Has established a Music and Culture Coalition which supports more live music activity.
- Has developed a concentration of live music along Bourbon Street.
- Has attracted 11 million tourist visits per year.
- Regulates live music by zoning by-law, on a building-by-building basis. Zoning does not allow live music in restaurants but does in an entertainment district (French Quarter and Frenchman Street) where three musicians are permitted on the stage with no amplification, not even a microphone.
- Has created new zoning ordinance, which is not yet adopted, which would remove the restriction on amplification and the three musician limit.
- Has created a distinction between a restaurant (over 50% of sales on food) and a night club.
- Does not require bars and restaurants to close.
- Has an open container law.
- Proposed a new noise ordinance in 2013, which proposed to reduce noise from 80 decibels to 70 decibels from 10:00 p.m. to 7:00 a.m. in the French Quarter, and a maximum of 85 decibels on Bourbon street, but the ordinance was not approved.
- Has established Sound Check, an educational program for musicians and bar owners about the dangers of high decibel sound.





CONSULTATION

Historical Background

Historically, noise and hours of operation of activities and events have been raised as concern from residents who live in and within close proximity to the downtown, particularly residents who live adjacent to the Richmond Row which has a significant concentration of bars and restaurants, most of which have outdoor patios. In the initial development of the comprehensive Zoning By-law (By-law Z.-1) in the late 1980s and early 1990s, staff received requests from nearby residents to include restrictions on bars and restaurants to limit the size and location of outdoor patios and what could occur on them.

Between 2000 and 2003, there were amendments made to *Zoning By-law Z.-1* to place additional limits on bars and restaurants. Residents in the past have indicated their quality of life has been impacted as a result of:

- noise from both music and people;
- lighting;
- insufficient parking;
- parking dislocation (others taking residents parking spots, on-street or otherwise);
- garbage; and,
- odour.

Community and Business Consultation

Consistent with Council direction given for this study, over 15,000 letters were mailed to residents with information on the Zoning By-law amendment which had proposed to temporarily permit for about two months amplified music and dancing on patios in the downtown and Old East Village. In addition, Londoner notices were posted, a project webpage on the City's website was created in December 2015, and two community consultation meetings to solicit public input have been held. Staff have also met with specific groups at their request.

The first community consultation meeting was held on June 28, 2016. There were 26 people in attendance, not including City and agency staff. As this was the first opportunity to discuss the project, the meeting followed a question and answer format in which attendees posed questions to staff and staff provided answers to the group.

The questions focused on the study process, opportunities for more public input, the current regulation framework of events and festivals, what other municipalities are doing, and the hiring of local music talent. The list of questions was later posted on the project webpage.

The second community consultation meeting was held on November 2, 2016. There were 24 attendees, the majority of which indicated that they had not attended the previous meeting held in June. It should be noted that attendees at this meeting included residents and business owners. A brief review of the project was presented then the meeting was held in an open-house style to collect feedback focusing on the 2016 festival season.

Boards were set up to collect comments and concerns as well as possible solutions within following general topic areas:

- parking, traffic and road closures;
- sound volume and vibration;
- cleanliness and garbage removal;
- hours of operation;

- notification, timing and frequency of event; and,
- all other related topics.

Maps were also available identifying potential boundaries for pilot districts, with the option to pose additional locations or modify the boundaries shown.

Much of the feedback related to the impact of excessive noise on the overall quality-of-life for residents living near festival and event locations as well as in proximity to bars. Possible solutions proposed included reducing the maximum permitted volume, reducing the frequency, and providing buffer zones for residential uses.

Comments and concerns were also raised with regard to reduced building and parking lot access during events, excessive garbage and littering, and the stress placed on lawns and trees within parks due to frequent events.



“Gathering on the Green” is a yearly event held in Wortley Village in London, Ontario.

With regard to potential districts, there was some feedback suggesting changes to include and exclude some areas within the downtown boundary. The inclusion of Harris Park within the pilot district boundary came from an event organizer, while the request to exclude a residential building came from residents. Feedback was received that indicated there was a desire to consider additional areas for pilot districts, including: Western Fair, Wortley Village, TD Waterhouse Stadium, Western University, and Byron/Springbank.

“Events should be spread out throughout the city to encourage local tourism to other area’s hubs.”

Community feedback

In addition to the two community consultation meetings, staff received more than 50 letters and e-mails regarding the project. Most comments raised concerns regarding the City possibly changing the existing status quo in policy, regulations, and processes.

In summary, based on the two community meetings and the public input received to date, noise and hours of operation are the primary issues raised mainly from residents living in close proximity to Richmond Row and Victoria Park.

A more detailed account of the feedback received can be found in Appendix C.

Event Organizers and Industry Consultation

Some business owners, musicians, event coordinators and people involved in music, entertainment and culture initiatives attended the community consultation meetings. Their feedback can be found in Appendix C.

A survey was sent out on February 25, 2016 to 165 event organizers and industry professionals involved in events in 2013, 2014 and/or 2015 on public property. The survey was also posted on the project website. Forty-seven completed surveys were received. Survey responses were generally positive in nature, with 67 percent of respondents indicating that they had no issues with by-laws or regulations during the operation of the most recent festival or event they organized. In addition, 92 percent of respondents indicated that they did not receive a noise complaint during operations. A full summary of the responses can be found in Appendix D.

On November 29, 2016 the Liquor License Conference was held by Lerner's Lawyers. Staff attended the conference to gain perspectives from restaurant owners regarding events held on private property. The discussion focused on creating a "level playing field" through the equal enforcement of city-wide regulations. Restaurant owners were looking for more flexibility and clear regulations that were outlined in advance. The group also indicated they were forming a working group to provide further comments to feed into this study. No comments have been received from that group.

City Staff and Agency Consultation

Staff from various organizations and agencies which work with event organizers and industry professionals, and who have involvement in helping to regulate and enforce the City polices were brought together for the purpose of this study. City staff were represented from Planning Services, Parks and Recreation Services, Licensing and Municipal Law Enforcement Division, the Culture Office and the Building Division. The group also had representatives from the London Arts Council, Tourism London,

Downtown London and Old East Village BIA. Two meetings were held and discussions by phone and by e-mail were ongoing throughout the process.

On December 8, 2015, the first meeting of this internal stakeholder group was held to discuss the project direction and to begin to identify issues with by-laws and regulatory processes.

A summary of the meeting discussion is below:

- Considerable time was spent discussing the time needed to complete the study, a comprehensive public engagement process and to make necessary changes to facilitate Country Music Week in September 2016. The initial deadline of March 2016 was identified as difficult to meet. The group felt it was better to concentrate first on Country Music Week and the changes needed to ensure that major event ran smoothly. Due to the size and complexity of that event, the group felt that it could serve as a test case for future changes to our by-laws and processes for the 2017 event season;
- The language in the Special Events Policy Manual for non-profit vs. for-profit events is different;
- The regulatory scheme for events on public vs. private property is different;
- Different rules for different locations;
- The study should concentrate not only on the larger events, but should include the experiences of all types of large and smaller events at different times of the year;
- Review the provision of amplified music and/or dancing on patios;
- Consider different ways to measure sound levels, for example, measure at the property line and not the stage; and,
- How to accommodate the growth of events over time.

On October 3, 2016 a second stakeholder meeting was held to discuss the monitoring results of Country Music Week and the overall 2016 festival season. With regard to the former, Parks and Recreation staff received no concerns related to the Talbot Street outdoor stage surrounding noise, however, sound measurements recorded indicate that the event surpassed 90

decibels on the first night of the event. In addition, both By-law Enforcement staff and the Country Music Week organizers did not receive any complaints.

For all festivals and events held during the 2016 season, there were 15 noise concerns/issues submitted for seven summer festivals, which is a higher volume than previous years. There were four road closure issues identified, three of which were residential issues and one which was raised by the London Transit Commission (LTC). A full summary of the discussion can be found in Appendix E.



Dundas Street, in London, Ontario, is frequently closed to vehicle traffic to accommodate events in the summer months, such as the one shown above.

Creating Balance

The complexities of this study were evident throughout the consultation process. Festivals and events, and the general environment created by a clustering of restaurants, music, arts and culture establishments and activities can have both a positive and negative influence on how London is perceived. This environment can also have a direct impact on the quality of life of its residents.

From consultation with residents, it is clear that there is a tolerance limit with respect to the sound volume, frequency and duration of events. There is acknowledgment from residents currently living in areas directly affected by events that, to a degree, the impacts are a part of living in that particular location. However, there is an evident desire for limits to be clearly regulated and reliably enforced establishing consistent expectations for residents. Improved communication from City staff, event organizers, and business owners will be key in establishing a positive relationship with residents now and in the future.

A review of relevant research and follow-up discussions with City and agency staff indicates there are benefits to be gained in terms of the economy, tourism, and city-branding from fostering music, entertainment and culture industries within London. The feedback received from staff and event organizers touches on a number of opportunities, from wayfinding and district/event identification signage to noise regulation improvements that can make the city more attractive and accommodating to the industry.

Capitalizing on these opportunities will require consideration of changes to City regulations, by-laws, and processes. It will be important to consider how these changes, directed to foster the music, entertainment and culture industries, will impact current and future residents. As well, the resources available to City staff to implement and maintain this new framework organized around districts should be considered.





STRATEGY

Introduction

Drawing from the feedback received through the consultation process and the review of other municipalities' approaches, the strategy for implementing music, entertainment, and culture districts in London focusses on balancing all interests. This approach takes into account the perspectives of residents and business owners, event organizers and industry professionals, and staff from various organizations and agencies.

To achieve this balance, the strategy is guided by the following directions:



Celebrate and promote music, entertainment, and cultural events and activities.



Streamline processes to facilitate events and activities of all scales.



Mitigate impacts that sometimes come with these events and activities.

These directions recognize the benefits of establishing a framework that is supportive of music, entertainment, and cultural events and activities, and meanwhile acknowledges that these uses can create impacts that exceed established community and/or regulatory expectations. Events and activities can strengthen London as a city, help to drive economic opportunities, assist in urban regeneration, strengthen the image of our city, enhance the quality of life, promote diversity, and provide a competitive edge for talent attraction and retention. However, noise, traffic congestion, and littering are a few examples of potential impacts created by these uses that can negatively affect the quality of life of nearby residents and local business operations.

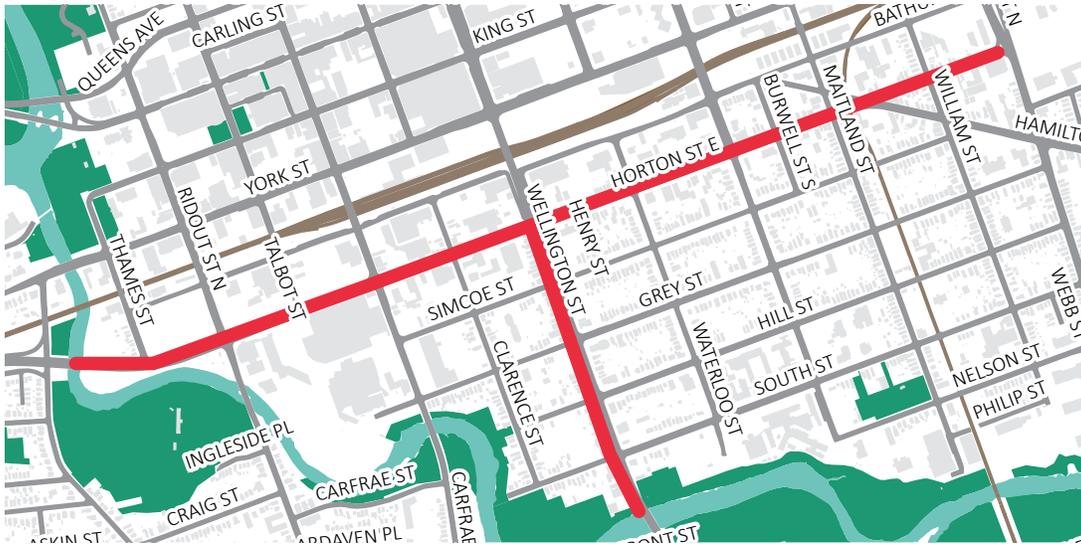
This strategy also recognizes that for a music, entertainment, and culture district to be successful, it must respond to the existing context and acknowledge that there are a different set of expectations regarding the frequency, intensity, and duration of events and the ability to respond to them in different areas of the city. For this reason, this strategy identifies unique categories that correspond to geographic locations identified by the polices of *The London Plan*. This system provides a framework to address the frequency, intensity, and duration of events and activities in response to unique situations and to respond to the potential associated impacts accordingly.

The district categories include:

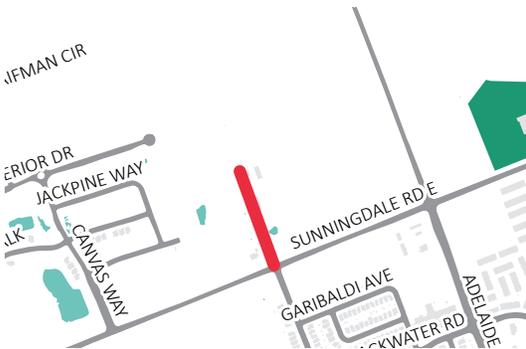
- City-wide District
- Main Street District
- Downtown/Old East Village District

The City-wide District includes the entirety of the city not covered by the Main Street or Downtown/Old East Village Districts, and is therefore not illustrated on the following maps.

Map 13: Proposed Main Street District (SoHo)



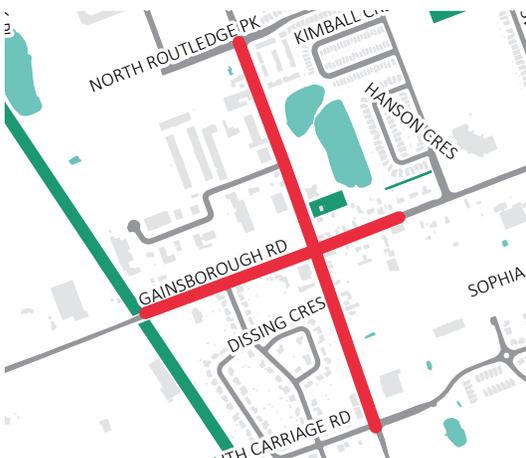
Map 14: Proposed Main Street District (Applewood)



Map 15: Proposed Main Street District (Byron)



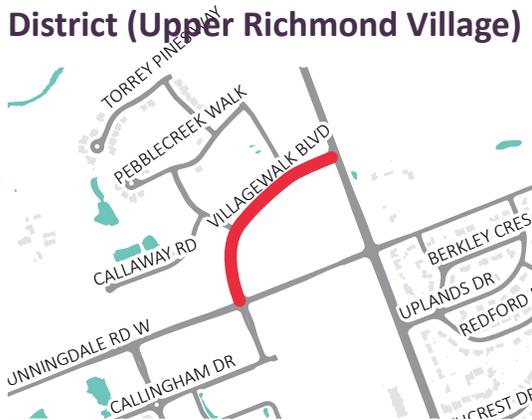
Map 16: Proposed Main Street District (Hyde Park)



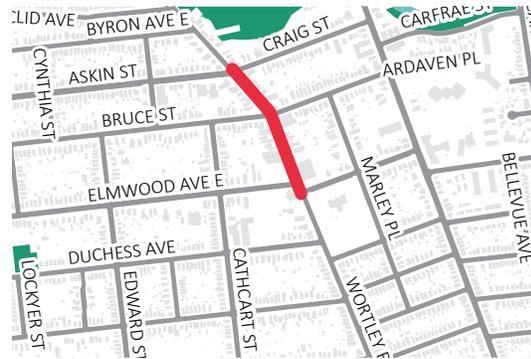
Map 17: Proposed Main Street District (Lambeth)



Map 18: Proposed Main Street District (Upper Richmond Village)

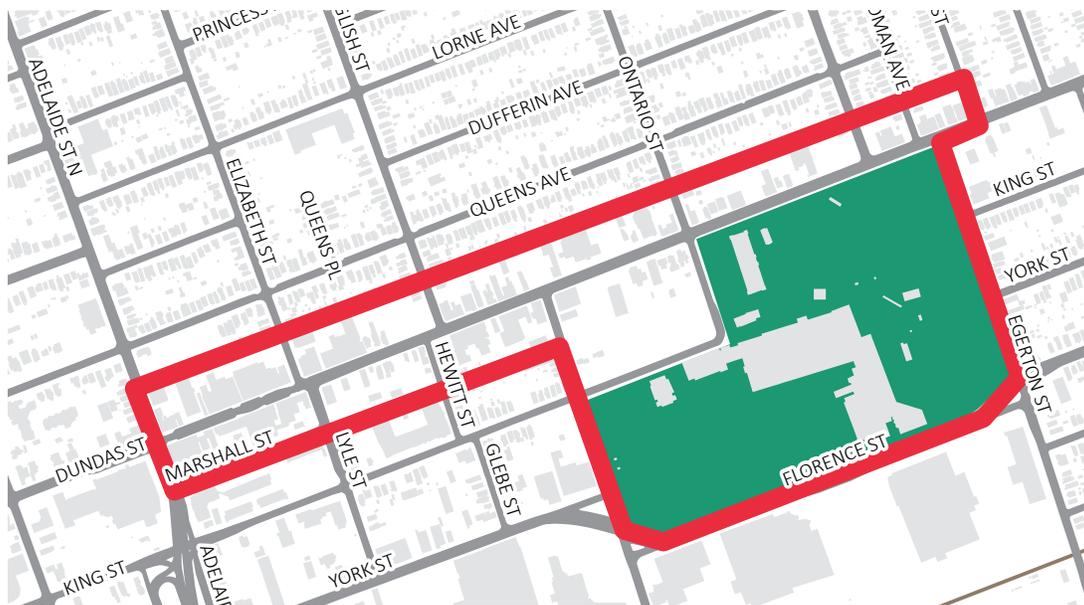


Map 19: Proposed Main Street District (Wortley Village)

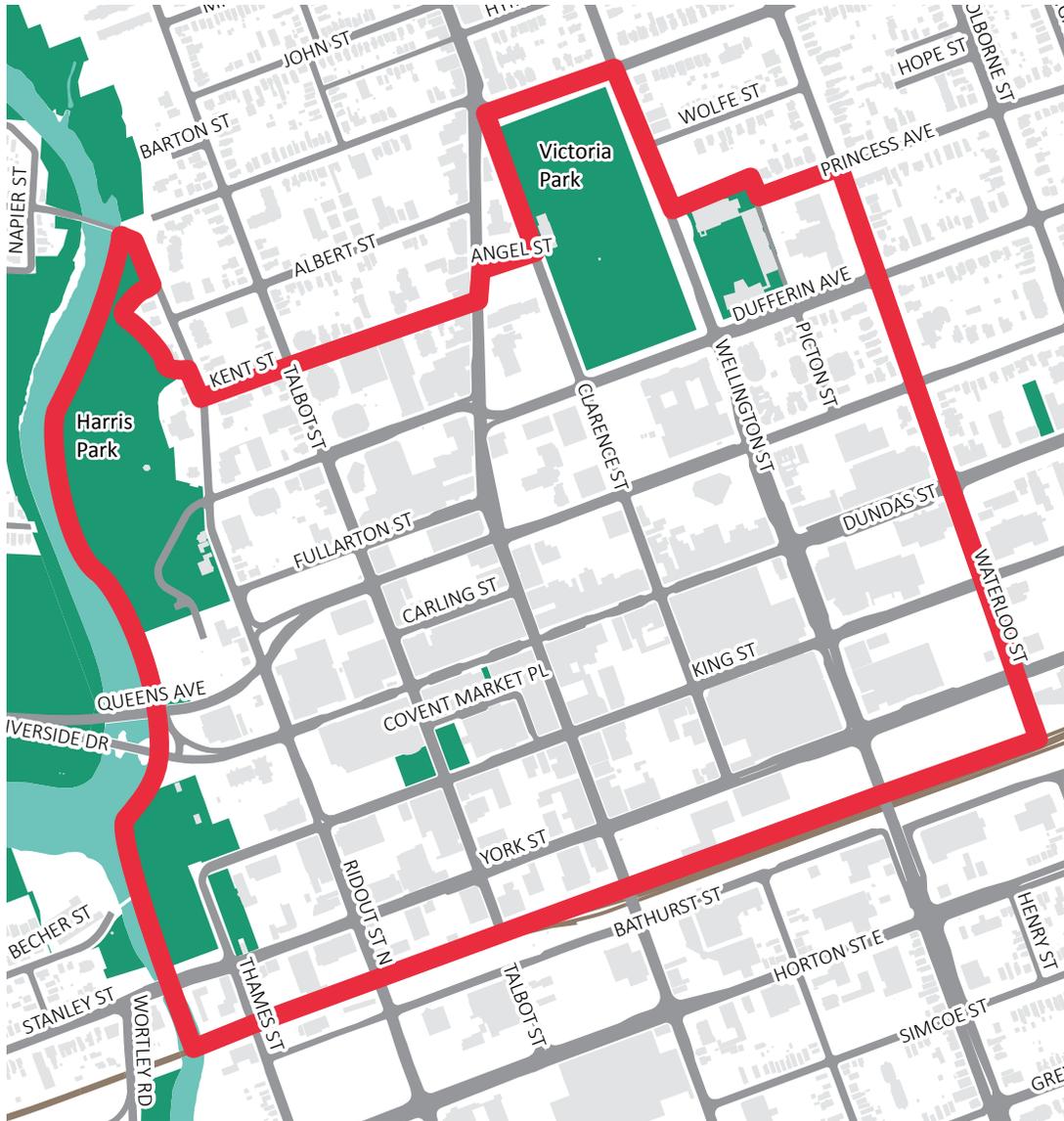


The Downtown/Old East Village District boundary includes all nine major music, entertainment, and cultural hubs located within the downtown and the four major hubs located within Old East Village identified through this study. The boundary also includes the majority of the complementary venues and patios identified. It should be noted that while Labatt Park is a complementary venue near the downtown, it is not included within this boundary. Events held here will have the opportunities available in the City-wide District. The proposed Downtown/Old East Village District boundary is illustrated in Map 20 and Map 21, as the boundary is not continuous.

Map 20: Proposed Downtown/Old East Village District (1)



Map 21: Proposed Downtown/Old East Village District (2)



Options

A number of issues, opportunities, and solutions were identified throughout the study process. This strategy puts in place proposed solutions that are in proportion with the district category in terms of the frequency, intensity, and duration of activities and events permitted.

A series of issues and opportunities are discussed below in terms of how they are currently addressed within the London context. Tables follow with proposed solutions in each of the three district categories, beginning with broad solutions applicable city-wide, to district categories meriting additional and/or more specific approaches.

The issues and opportunities are also associated with at least one of the three identified directions:



Celebrate and promote music, entertainment, and cultural events and activities.



Streamline processes to facilitate events and activities of all scales.



Mitigate impacts that sometimes come with these events and activities.



Operating Hours of Festivals and Events



Current situation

Festivals and events located on public property are required to end at 11:00 p.m. unless a temporary permit has been approved for an extension. Amplified music is not permitted on private property except with a Noise By-law exemption permit. Event organizers have identified the desire to operate festivals on private property later into the evening, while residents have reported certain events are too loud or last too long into the evening.

Proposed actions

City-wide, Main Street District & Downtown/OEV District

On private property, the 11:00 p.m. curfew would be extended to a maximum of 12:00 a.m. by a temporary Noise By-law permit granted by a delegated authority through the Manager of By-law Enforcement.

On public property, the 11:00 p.m. curfew would remain. Exceptions can be made by Council direction.

Rationale

The other municipalities reviewed through this study typically require events to end at 11:00 p.m., consistent with the current regulations in London. However, cities such as Austin, Texas have extended hours to 12:00 a.m. and 1:00 a.m. for specified days. Extending festival and event hours through a Noise By-law Permit or through Council direction would provide for a more flexible environment for festivals and events, but ensures off-times to maintain residents' quality of life.



Cultural event located on Dundas Street in London, Ontario.



Volume of Noise



Current situation

Noise impacts are the same whether the noise is emitted from public or private property. Noise regulations do not distinguish between different scales of events and types of events. Volume is currently measured in sound emitted from the point source, which may not accurately reflect the impact of the sound heard in the surrounding environment. On public and private property, all concerts shall not exceed 90 decibels measured at 30 metres (100 feet) from the front edge of the stage/point source.

Proposed actions

City-wide, Main Street District & Downtown/OEV District

Amend the temporary noise permit regulations of the Noise By-law to allow the Manager of By-law Enforcement flexibility in the selecting the location where the decibel readings will be taken in response to the context.

During future reviews of the *Special Events Policies and Procedures Manual*, consider taking noise readings at a location other than 30 meters from the point source to provide for more justifiable and reasonable noise readings.

Rationale

Measuring the volume from a point of reception justifiable in its specific context more accurately reflects the actual impact of the sound and encourages event organizers to consider noise mitigation responses such as stage orientation and sound set-up that impact how sound travels beyond the point source.



An outdoor music festival in London, Ontario.



Permitted Activities on Private Patios



Current situation



In July 1993, *Zoning By-law Z.-1* regulations prohibiting amplified music and dancing were adopted by Council. Patios on private property established before July 1993 are therefore not governed by these regulations. However, patios on private property established after July 1993 are subject to these regulations and are not permitted to have amplified music or dancing.

Proposed actions

City-wide, Main Street District & Downtown/OEV District

Remove patio regulations regarding amplified or electronic music, dancing and other forms of entertainment from the Zoning By-Law. Address any patio noise impacts through the Noise By-law.

Permit amplified sound on commercial private patios by way of an application for a temporary noise permit. Amend the temporary noise permit regulations of the Noise By-law to include a maximum sound volume of 70 decibels, which would not extend past 12 a.m.

As each patio is unique in its size, location, grade and surrounding land uses, each application for a temporary noise permit should be evaluated based on its locational characteristics. The maximum sound volume and time should not be permitted in all instances.

Rationale

Addressing outdoor patio noise impacts through the *Noise By-law*, rather than the Zoning By-law, would ensure that all noise matters, regardless of where in the city they occur, are addressed through the same regulatory framework.

Temporary noise permits were introduced into the *Noise By-law* in 2008. The Manager of By-law Enforcement is granted the approval authority duties by Council to issue, refuse to issue, revoke, suspend or to impose conditions on temporary noise

permits. The approval authority may impose conditions on the type and volume of sound, the times of the day which sounds can be made, the expiry date, posting of security, and requiring monitoring of the sound levels by the applicant. Applicants who do not agree with the decision of the approval authority have appeal rights to the City's Hearings Officer.

The proposed action would involve the applicant making a submission to the City which would be reviewed to determine if amplified sound on the subject private commercial patio would constitute a good neighbourhood fit with surrounding land uses.



An outdoor patio on Richmond Row in London, Ontario.



Sound Mitigation

Current situation

By-law enforcement officers and the police address noise issues through a complaint-based approach. The quality of life of nearby residents can be diminished due to consistently high noise and vibration levels generated at events and festivals.

Proposed actions

City-wide	Main Street District	Downtown/OEV District
<p>Adequate procedures exist given the scale and frequency of most events.</p>	<p>For large-scale events, identify the “impact zone” surrounding the event, in which sensitive uses may be impacted by noise. The event organizer would be required to submit a sound mitigation plan to the City outlining measures taken to reduce the impact of noise on the “impact zone.”</p>	<p>In addition to event organizers submitting a sound mitigation plan outlined under the Main Street District, proponents of new residential buildings/units within identified “impact zones” surrounding large venues would be asked to meet a higher standard in terms of sound dampening building practices.</p>

Rationale

Taking a proactive approach to minimizing the impact of noise places less emphasis on enforcement and thus relies less heavily on the *Noise By-law* as the only means of addressing noise issues. Vancouver has established their own Building Code for noise-reducing building standards and Toronto is currently considering implementing one as well. The legality of this approach is uncertain and compliance may be voluntary. However, there may be additional opportunities through the site plan approval process to apply noise-mitigating measures.

Some cities have asked developers to include warning clauses in the sales agreements or have a map showing nearby

entertainment venues for prospective purchasers. Improving sound board technologies can also help event organizers to control sound levels at point of source.



Park Amenity

Current situation

There are limits on how many major special events are permitted in London’s larger premier parks yearly between June first and Labour Day [Victoria Park (9), Harris Park (5)]. Use of the parks is not regulated outside of this use and date range. However, even with limits on their number and duration, holding frequent high-impact events and festivals within larger premier parks has a detrimental effect on the health of trees, flowerbeds, and lawns and increases wear and tear on other public park amenities.

Proposed actions

City-wide	Main Street District & Downtown/OEV District
Adequate procedures exist given the scale and frequency of most events.	A larger than standard security deposit would be required to ensure major impact uses in premier parks receive proportionately greater park amenity maintenance. Staff would work proactively with event organizers to use other venues such as Dundas Place and the Forks of the Thames as these projects are completed.

Rationale

Within Downtown and Main Street Districts, there are higher expectations for the quality and maintenance of the public realm. Larger premier parks hosting frequent major events that significantly impact maintenance intended for levels of general public use, should be returned to the condition they were in prior to the events after the events are over. Security deposits ensure these expectations can be met by providing adequate funding for maintenance and repairs.



Waste Management

Current situation

An influx of visitors creates a higher demand on garbage collection and cleanup operations, and if not adequately and continuously maintained, can reflect negatively on the image of the city.

Proposed actions

City-wide

Adequate procedures exist given the scale and frequency of most events.

Main Street District & Downtown/OEV District

Require large-scale events to prepare a waste management plan, transferring some responsibility of waste removal onto the event organizers. A security deposit would be required and lost if the waste management plan is not implemented.

Rationale

Within Downtown and Main Street Districts, there are higher expectations for the quality and maintenance of the public realm. Parks and other public spaces [e.g. closed roads] hosting frequent major events that significantly impact maintenance intended for levels of general public use, should be left in an acceptable condition after the events are over. Security deposits ensure these expectations can be met by providing adequate funding for maintenance where it has been left in an unsatisfactory condition.



Fenced Events

Current situation



Current practice ensures unrestricted public access to public parks is continuously maintained. The maximum area permitted to be fenced off within Victoria Park restricts opportunities for liquor to be served at events and eliminates the ability to have ticketed events or accurate attendance counts.

Proposed actions

City-wide

Fencing regulation issues are concentrated within the identified districts.

No change would be proposed city-wide.

Main Street District & Downtown/OEV District

Consider policy changes to increase the maximum permitted size of a fenced off area, under certain criteria, while maintaining public passage through the park.

Rationale

Reviewing policies pertaining to fencing off events may provide for a greater variety of opportunities in holding certain events, varying the assortment of events held, improving attendance counts and balancing security and public access during events.



Road Closures

Current situation



To temporarily close a road, the applicant must submit a petition signed and approved by a minimum number of residents/businesses owners/property owners that will be affected (*Special Events Policies & Procedures Manual*). This process can be particularly difficult for event organizers seeking to close a road located within an area where there is no organized local community association or a business improvement association that can readily assist with the petition requirement.

Proposed actions

City-wide	Main Street District	Downtown/OEV District
Adequate procedures exist given the location and frequency of most road closures.	Establish a streamlined process for road closures that is closely aligned with consultation supported through an organized local community association or a business improvement association.	In addition to the streamlined process, establish a pre-approved list of preferred street closure locations (i.e. Dundas Place). Locations chosen which would result in the least impact to businesses and residents and would be vetted with those affected.

Rationale

Public rights-of-way provide opportunities for additional space for activities and events. However, some locations cause fewer disruptions when closed to vehicular traffic. Identifying these locations and encouraging organizers to locate activities and events within them sets expectations and creates a streamlined process.



Traffic Congestion

Current situation

In the “Richmond Row” area, traffic congestion issues occur on John Street, Mill Street, and Richmond Street after bars close for the evening and events end. Taxis are being directed to queue on Angel Street. There is no standard expectation or approach to managing peak traffic congestion resulting from a sudden short-term surge of vehicles and pedestrians leaving a major-capacity event venue or cluster of them.

Proposed actions

City-wide	Main Street District & Downtown/OEV District
<p>Traffic congestion issues are concentrated within the identified districts.</p> <p>No changed would be proposed city-wide.</p>	<p>Comprehensively address traffic congestion by providing transportation options. Explore opportunities with the London Transit Commission (LTC) to provide special service during large-scale events to reduce traffic congestion and parking demands within the district. Work with taxi operators to create temporary taxi stands and designated routes/locations for pick-ups as required. Explore the possibility of additional or targeted By-law Enforcement Officers, security officers, etc. during large-scale events or evening hours.</p>

Rationale

Managing traffic congestion benefits the nearby residents and improves the experience of people visiting a District. Nashville closes streets temporarily in entertainment districts after hockey games and has police officers directing traffic.



Advance Notice and Information Access

Current situation



Currently, it is the responsibility of residents to seek out information related to events and festivals that directly affects access to their homes/neighbourhoods. Limited road closure information is posted on the City's "Renew London: Road Report" webpage. An orange "closed road" sign is erected on site prior to the closing of the road.

Residents can be directly affected by a road closure, reducing or eliminating access to residential parking and loading, with little notice and no consultation. They can also be directly affected by other aspects of activities and events. Lack of sufficient and direct advance notification or predictability of activities and events makes it difficult for affected nearby residents to adapt to them.

Proposed actions

City-wide

Create a webpage, operated and maintained by City staff, which provides a comprehensive list of events and event information, including approved hours of event operation, road closure periods, etc.

Establish a notification protocol for road closures due to events appropriate to the size of the event. Notice would be provided by the event organizer and would provide organizer contact information to accommodate individual requests.

Work with the London Business of Music Committee to create a Good Neighbours Guide and promote heavily with business owners.

Main Street District & Downtown/OEV District

Event organizers of large-scale events and/or events needing road closures, would be required to send out notice addressed to residents and business owners potentially affected. Information such as dates, times, road closure details and organizer contact information for the event would be included.

Rationale

The location and duration of road closures can have a direct impact on residents, business deliveries, visitor itineraries, etc. Sufficient advance notification allows residents and others in a neighbourhood/district to plan ahead and make alternate arrangements if necessary.

In Calgary, events which involve over 5,000 people are required to provide public notice. Toronto has created a Good Neighbour Guide as a means to minimize conflict between businesses with neighbouring residents.



Accessibility of Policies, Regulations, and Procedures

Current situation



Policies, regulations, and procedures that pertain to impacts from events and concentrations of music, entertainment, and culture activity are available on the City's website; however, there is no centralized location for this information and no simplified summary is available. Navigating which City polices apply, and how, regarding events is difficult. This causes confusion regarding when and how residents should react and respond to these impacts. It also makes it difficult for event/entertainment proponents to readily understand what baseline expectations are and what the implications may be in requesting to exceed them, or in contravening them.

Proposed actions

City-wide, Main Street District & Downtown/OEV District

City staff would create and maintain a webpage with centralized and simplified information, with links to relevant polices for easy navigation. Information and links to other relevant websites, such as those maintained by BIAs, neighbourhood groups, Tourism London, etc. would also be included to provide a comprehensive source for information on upcoming activities, events, and festivals in London. Information would also be available in the lobby of City Hall.

Collaborating with BIAs, neighbourhood groups, and other relevant groups, staff would hold community information sessions after Council-approved policy and regulatory changes resulting from this study are complete.

While information on the webpage maintained by the City and described in the City-wide solution would be accessible to all, the target would be to provide information to current or future residents living in or nearby a district.

Rationale

It is a best practice to create one online location with all pertinent information relating to music, entertainment, and cultural activities and events for the convenience of residents, businesses, and event organizers.



Wayfinding

Current situation

People unfamiliar with the locations of event venues or districts do not have a coordinated directional guidance program as to how to get to them, or how to conveniently detour around them, or move within them.

Proposed actions

City-wide

Implement a comprehensive wayfinding signage program to direct locals and tourists to major venues and districts throughout the city.

Main Street District & Downtown/OEV District

Within the district, a deliberately planned and strategic wayfinding system would be implemented to direct people to key destinations. This would help with promotion, assist with branding, and ensure people get to where they want to go.



Wayfinding signage.

Rationale

Locals and tourists alike would benefit from clear signage both through a city-wide and a district-specific wayfinding system of permanently-installed signs. The presence of signage identifying an event and entertainment destination not only aids navigation for its users, but is also a publicly visible way to convey the role venues and districts play in the economy and identity of the city.



This gateway feature is the centerpiece of Playhouse Square’s district identity within Cleveland, Ohio.



Branding

Current situation

There are no physical features identifying music, entertainment, and culture districts, as no such districts currently exist. The most frequented locations within the city for such activities and events are not branded to reflect this role.

Proposed actions

City-wide

Existing opportunities are adequate in city locations where the scale and frequency of most events is comparatively modest.

Main Street District & Downtown/OEV District

Permanent labelled gateway markers would signify entry into a district and establish the district identity. Specialized banners, lighting etc., unique to the district would provide additional branding opportunities.

Rationale

Branding the districts where music, entertainment, and cultural events most frequently occur establishes expectations for this type of activity and visibly contributes to the apparent vibrancy of the city.



Outdoor Advertising Opportunities

Current situation

The City allows for not-for-profit advertising on some road and railway underpasses. Some event organizers rent commercial billboard space or affix notices to utility poles. In addition, to event organizer signage, Tourism London promotes events through their newsletter, which reaches nearly 30,000 people, their website, and social media outlets.

Event organizers find that there are too few affordable opportunities for advertising events within the city using signage.

Proposed actions

City-wide, Main Street District & Downtown District

Consider piloting a fund to expand signage advertising options available to organizers of local and/or start-up events, in a partnership between the City and Tourism London.

Rationale

Promotion of events increases their success and successful events are more likely to return to London. A more deliberate approach to vetting the quality, quantity, and locations for signs that advertise music, entertainment, and culture events in districts would be a way of showing the city's vibrancy.



Vendor Licensing

Current situation

Currently, unregulated vendors are appearing on city sidewalks during events. Licenses can be obtained to sell within public parks; however, a license cannot be obtained to sell merchandise on the City's rights-of-way. By-law enforcement officers seize merchandise if vendors are located on the rights-of-way.

Proposed actions

City-wide & Main Street District

Adequate procedures exist given the locations where vendors appear.

Downtown/OEV District

Consider creating a licensing system, which would allow sales of goods temporarily on the public right-of-way, Budweiser Gardens and select other locations during events and festivals.

Rationale

When operated legally, street vendors can add to the liveliness of activities and events.



Not-for-profit and For-profit Regulations

Current situation

The City has different policies for events held on public property by not-for-profit and for-profit organizations, such as parkland rental fees, and fees for gated/non-gated events. As an example, the Budweiser Gardens parking lot is the only City property permitted to have a “for-profit gate.” Policies are less restrictive in favour of not-for-profit organizations due to the public benefit gained.

Proposed actions

City-wide

Adequate procedures exist given the scale and frequency of events.

Main Street District & Downtown/OEV District

Explore the possibility of regulation changes that would reduce restrictions applying to for-profit organizations operating on public property.

Rationale

Removing some restrictions applying to for-profit organizations provides an opportunity for the city to share financial success and to create equity.



Promoting Active Programming and Local Talent

Current situation

The Community Arts Investment Program (CAIP) includes incentives to foster local talent for three major festivals (Sunfest, Home County and the Fringe Festival) and three local indoor venues (Arts Project, Palace Theatre, and Aeolian Hall). The London Arts Live Stream of CAIP encourages the showcasing of grass roots-developing artists while animating high-traffic specific spaces throughout the city.

The recent hiring of the Music Officer at the City of London was the first step in encouraging the cultivation of local talent in the music industry.

Proposed actions

City-wide, Main Street District & Downtown/OEV District

Consider creating an organization, with local business associations and BIAs, to encourage coordinated programming within districts. This organization would oversee the provision of continuous programming in districts to keep them vibrant areas and attractive for the residents and visitors to visit on a continuous basis. The quality of programming could be part of the role of this gatekeeper organization, as would the mandate to showcase and support local area talent.

Rationale

Active programming within districts is beneficial to the districts and provides an opportunity to specifically profile local talent (performance arts, music, visual arts, etc.). It is important to develop local London talent and to support local entrepreneurs to foster music, entertainment, and culture in London. Nashville has fewer restrictions for live music acts than for pre-recorded music, which is one way of supporting local talent.



Ivory Hours, a local area band, plays at an outdoor event on Dundas Street, in London, Ontario.



District Collaboration

Current situation

No districts currently exist; however, future opportunities exist to create a collaborative environment between districts.

Proposed actions

City-wide

Adequate procedures exist given the scale and frequency of events.

Main Street District & Downtown/OEV District

Establish a network for district coordination that would encourage cross-promotion of events and work with event organizers to ensure they are matched with the most appropriate venue. The network could share information through a circulation list and/or regular meetings

Rationale

It is beneficial for districts to collaborate and coordinate to broaden opportunities for cross-promotion and create a larger network of contacts in the music, entertainment, and culture industries. This coordination helps to ensure that event organizers have a positive experience which reflects favourable on London and strengthens its image as a city accommodating to events and festivals.

Implementation Plan

The options presented above have been identified as tasks in the table below. Next to each identified task is the City service area that would lead the implementation of that task, with the understanding that most of the tasks would require participation from several service areas and certain agencies/organizations with a direct interest in the tasks. The breadth and depth of attention that is needed to implement the list of tasks is significant. Tasks therefore are prioritized in a proposed order that was developed according to an assessment of how often and in-depth each option was raised during the consultation undertaken for this study, compared with the level of attention necessary to address the task.

Priorities to “Do First” propose a target date for completion before the end of 2017. The time and/or financial resources anticipated to address them are relatively low compared with other priorities, and the consequences of completing those builds early momentum to implement the others.

Priorities to “Do Second” propose a target date for completion before the end of 2019. The resources anticipated to address them are greater compared with “Do First” priorities. It is expected that these decisions will be implemented using resources within the City’s current approved Multi-Year Budget, and possibly also to staff and budget resources within budgets of partners, event organizers, etc.

Priorities to “Do Third” may require a comparatively significant amount of resources for implementation. These would proceed after 2019, pending the next four-year budget process. Opportunities may also be expanded with other organizations interested in contributing to these initiatives.

Table 2: Tasks

	Task	Lead Service Area	Priority
	Operating hours of festivals and events	Parks & Recreation	Do First
	Volume of noise	Development & Compliance	Do First
	Permitted activities on private patios	Planning Services	Do First
	Fenced events	Parks & Recreation	Do First
	Promoting active programming and local talent	Culture Office	Do First
	District collaboration	Culture Office	Do First
	Park amenity	Parks & Recreation	Do Second
	Waste management	Parks & Recreation	Do Second
	Advance notice and information access	Planning Services	Do Second
	Accessibility of policies, regulations, and procedures	Parks & Recreation and Planning Services	Do Second
	Sound mitigation	Planning Services and Development & Compliance	Do Third
	Road closures	Parks & Recreation and Development & Compliance	Do Third
	Traffic congestion	Environmental & Engineering	Do Third
	Wayfinding	Planning Services and Environmental & Engineering	Do Third
	Branding	Planning Services	Do Third
	Outdoor advertising opportunities	Culture Office and Development & Compliance	Do Third
	Vendors regulation	Parks & Recreation	Do Third
	Not-for-profit and for-profit regulations	Parks & Recreation	Do Third





APPENDICES

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Appendix A: Project Chronology

Date	Event
February 17, 2015	Strategic Priorities and Policy Committee (SPPC) resolution initiated by Councillors Salih and Helmer.
March 10, 2015	Council resolution asking staff to review the possibility of establishing Culture Districts.
April 21, 2015	Council resolution requesting “Rock the Park “report.
April 28, 2015	Council resolution requesting the results of “Rock the Park” report be reported in Culture District Study.
June 9, 2015	Potential Culture Districts in the City of London report submitted to SPPC.
October 22, 2015	Londoner Notice for Terms of Reference.
October 26, 2015	Terms of Reference for Potential Culture Districts in the City Of London Background Study submitted to SPPC.
October 27, 2015	Council resolution directing staff to undertake the Study.
December 8, 2015	First Internal Stakeholders Meeting.
December 22, 2015	Project Page on City Website becomes active.
December 31, 2015 and January 14, 2016	Londoner Notice indicating Music, Entertainment and Culture District Study Initiation.
February 25, 2016	Industry Survey mailed to 165 event organizers.
March 21, 2016	Music, Entertainment and Culture District Study Status Report submitted to SPPC.
March 22, 2016	Council resolution directing staff to proceed with consultation.

Date	Event
May 19, 2016	Letter from Culture Office requesting zoning by-law amendment to allow amplified music and dancing on patios for a temporary period.
May 27, 2016	Tourism London letter to CPSC requesting exemption to allow a stage on Talbot Street for Country Music Week.
May 30, 2016	Culture Office request letter to PEC to open Z file.
May 31, 2016	Council resolution directing staff to initiate a zoning by-law amendment to allow amplified music and dancing on Patios in Downtown and Old East Village.
June 2, 16 & 23, 2016 Amendment July 18, 2016	Londoner Notice for Public Meeting to consider Zoning By-law.
June 16 & 23, 2016	Londoner Notice for First Community Consultation Meeting
June 21, 2016	Notice of Application/Public Meeting sent to other Departments/Agencies
June 21, 2016	Extension of Hours for Sound from Outdoor Stage on Talbot Street During Country Music Week report submitted to Community and Protective Services Committee (CPSC).
June 22, 2016	Public Notice sent to 15,400 Addresses through Canada Post for Zoning By-law Amendment
June 23, 2016	Council resolution approving Talbot Stage for Country Music Week.
June 28, 2016	First Community Consultation Meeting
June 30, 2016	Londoner Notice for Notice of Public Meeting
July 18, 2016	Downtown Business Improvement Area and Old East Village Community Improvement Area City-initiated Zoning By-law Amendment (Z-8625) submitted to Planning and Environment Committee (PEC) for public meeting.

Date	Event
July 26, 2016	Council approves Zoning By-law amendment (Z-8625)
August 4, 2016	Notice of Passing of Zoning By-law Amendment
August 24, 2016	Appeal Period Ends
September 1, 2016	OMB Zoning By-law Amendment Appeal Package sent to Clerks
September 8-11, 2016	Country Music Week
October 3, 2016	Second Internal Stakeholders Meeting
November 2, 2016	Second Community Consultation Meeting
November 14, 2016	Status of Zoning By-law Amendment Appeal Report submitted to PEC.

Appendix B: Previous Reports and Studies

Since the mid 1990's the City has prepared various reports on music, entertainment and/or culture uses. These include:

A Summary of Potential Strategies for Revitalizing London's Downtown (PC – October 1994)

A comprehensive review of possible methods to improve Downtown including a focus on arts and culture and limiting entertainment facilities in the suburbs.

Planning Entertainment Uses for Downtown Revitalization (April 9, 1996, August 26, 1996 and September 30, 1996)

A report to deal with requests for large entertainment uses in suburban locations and the consideration of options for possible Official Plan policy and zoning by-law changes.

Parking Standards in the Downtown Area (PC- July 28, 1997)

To eliminate the requirement for additional parking for additional parking for outdoor patios in the Downtown Area on either private or public land (Section 4.18 6)).

Regulation of Noise from Outdoor Patios and/or Restaurants/Taverns (June 2001)

Report to consider possible options for changes to address problems in the Richmond Row area.

Regulation of Festivals/Events on Private and Public Property (PC – March 2002)

Review of current policies with respect to using parking lots as venues for special events.

Residential-Entertainment Interface Study –Preliminary Report (PC – June 21, 2004)

Consideration of a number of changes to be considered by the Noise Task Force including policy, by-law and process changes.

Creative City Task Force Report (April 27, 2005)

Recognized the importance of arts and culture and the attraction of creative industries for economic development to attract a younger demographic to the City.

Amplified Sound and Hours of Operation of Special Events (CSC – May 29, 2012)

Report provided a series of options for changing sound/decibel limits and hours of operation at special events on City land. It included a public consultation process and a review of other municipalities.

London’s Cultural Prosperity Plan and London Cultural Profile Report (February 19, 2013).

See Section 5.3.4.

Entertainment on Outdoor Patios (PEC – March 25, 2014)

Proposal to implement a pilot program permitting acoustic music on outdoor patios associated with a restaurant or tavern.

Entertainment on Patios City-Initiated Zoning by-law Amendment (Z-8335) (PEC – May 13, 2014)

Zoning by-law amendment to allow acoustical music on outdoor patios.

London Music Strategy (IEPC – August 27 and September 2, 2014)

A comprehensive strategy created by London’s Music Industry Development Task Force which included twelve priorities and many specific actions to strengthen London’s music industry and make music an economic development tool.

Noise By-law Complaints (CPSC – February 17, 2015)

A report regarding the distribution of noise by-law complaints between Police Services and By-law Enforcement and the consideration of options in future.

Our Move Forward: London’s Downtown Plan (Council adopted April 14, 2015)

See discussion in Section 5.3.3.

Potential Culture Districts in the City of London (SPPC – June 9, 2015)

In response to a Council resolution, a report outlining the process for undertaking a study to create districts for music, entertainment and/or culture.

Terms of Reference for Potential Culture Districts in the City of London Background Study (SPPC – October 26, 2015)

Submission of Terms of Reference for Music, Entertainment and Culture District Study.

Music, Entertainment and Culture District Study – Study Status Report (SPPC – March 21, 2016)

Planning staff seeking direction to continue on with the public engagement process.

Extension of Hours for Sound from Outdoor Stage on Talbot Street During Counter Music Week (Parks and Recreation to CPSC – June 21, 2016)

An amendment to the Special Events Policies and Procedures Manual to extend the hours of sound (till 1 am instead of 11 pm) arising from an outdoor stage on Talbot Street On September 8-10th, 2016 for Country Music Week.

Downtown Business Improvement Area and Old East Village Community Improvement Area City-Initiated Zoning By-law Amendment (Z-8625) (PEC – July 18, 2016)

The intent was to allow amplified music and dancing on outdoor patios (Section 4.18.5 of the Zoning By-law) for a temporary period but the amendment was appealed.

London Music Strategy – A Year in Review (SPPC – November 7, 2016)

Report provided an update on what has happened since the strategy was adopted.

Appendix C: Public and Business Consultation

June 28, 2016: Community consultation feedback received

- What is the City doing to help promote and help local musical talent?
- When will the decision be made on the outcome of the trial period? Should they attend?
- How do you monitor special events now? How will you monitor trial period?
- What is the predicted timeframe for the study to be completed?
- How would the noise from outdoor concerts/events affect concerts in venues that may already be happening such as the Aeolian Hall? (Conflict between Outdoor and Indoor Musical Events)
- What have been the experiences been in the other cities like Hamilton/Kitchener who have already started these programs? Can you provide examples of other Cities that have relaxed noise by-laws to accommodate music?
- What are the benefits to changing the cut off for music from 11 pm to 1 am?
- Beyond these meetings, what efforts are being made to interact with residents of the core?
- For the open-air stage, will this also have the by-law extension from 11 pm – 1 am?
- What happens if there are a large number of complaints during the event that is currently planned, what will be the protocol?
- Will that be the only study being done for the open air stage?
- What are the fees for monitoring noise?
- Is the City only considering by-law modifications when studying the idea of culture districts?
- Other than allowing louder music outside, what other ideas for the District?

- If a restaurant is having an outdoor patio “festival” is there a way to close down a road for the duration of the festival?
- What events are you expecting? Only CMW in Sept? Is this primarily for bars?
- Would the City consider creating an information package to provide to anyone who wishes to hire live music at restaurants, retailers, private parties?
- Is there any way that we get some notification of upcoming events ASAP?
- What would happen if a religious institution wanted to hold an event outside?
- The CMW outdoor stage is going to 1:00 am as a test, What will “success” look like?
- If it is successful what will be the process for future events to run later?
- How can citizens get involved in approval of the amendments?
- How are Western and Fanshawe going to react to the Project?
- How do you grow a district when no one goes Downtown on weekends?

November 2, 2016: Community consultation
feedback received

Parking, traffic and road closures

Comments and concerns:

- Could not access my place (460 Wellington) for more than 2 hrs during Gay Pride
- Evening street closures set up which happens in the afternoon (ex parades) disrupts business activities
- Private parking lots should work with night clubs to offer reduced overnight parking. Rates are already to expensive
- To many road closures already
- Late night parking is disruptive as cars revive up late in the early morning – headlights in windows etc.

- Ensure adequate accessible parking. Be aware of how road closures may affect accessibility

Possible solutions:

- Do not block residential access
- Set up limits for set up periods before street closures to ensure the street is not closed for more hours than necessary

Sound volume and vibration

Comments and concerns:

- How to prevent high noise levels (eg Sunfest) which prevented sleep totally during night.
- Noise is driving residents out of town for extended periods
- Destroying residential quality of life
- Negatively impacts home values
- Driving the very people you need out of town
- Read Jane Jacobs and what she has said about livable cities & noise!
- I'm not concerned about festivals because they end @ 11; the bars patios go to the wee hrs of the morning
- The noise stops @ 11 but the brain doesn't in Rx to the noise; I couldn't sleep (SunFest in 2016 was worst)
- I had to spend my own \$ to insulate my curtains/windows
- No one is against culture and music, but when the volume of there event becomes disturbing and disruptive for nearby residents then there has to be serious methods of lowering the sound volume of there event
- Share the wealth. We will tolerate having to leave town for Rock the Park if it is the only heavy noise; but don't add outdoor patios and MEC districts as well. Put some @ Western Fair &/or Springbank
- Noise is intrusive. These areas need to be in warehouse districts i.e. Western Fair. Appropriate buffers from residential areas
- Conflict of interest between encouraging residential units downtown and promoting expanded noise levels in Music, Entertainment, and Culture District

- There are more than 25 condo and rental building downtown and these taxpayers are getting very angry about the noise levels they are subjected to

Possible solutions:

- Austin's pp = long noise B/L distinguishes many noise source and types
- On a patio the music should be background (not concert dB)
- 90 dB limit doesn't acct for base / London (downtown) Noise Cttee
- Alternative venues for musical events
- Alternative venues for musical events 1. Western Fair 2. Budweiser 3. Springbank Park
- Stop amplified music at 11P.M.
- Survey for Residents on noise, garbage, drunkenness etc
- Buffer zones from residential buildings even within a district (if private patios amplified music is even allowed – which is should not)
- Better noise by-laws and better enforcement +1
- Every citizen should be afforded the same level of protection against noise
- Need to strategically lower/raise the dB levels based on many related factors 1) location, capacity, venue. It's not a one size fits all
- No exemptions in Noise bylaw for Private Patios +1
- Hours of these events start them earlier
- Publish New Bylaw Enforcement Complaint Line in LFP, etc

Cleanliness and garbage removal

Comments and concerns:

- Garbage after events including broken beer bottles & hypodermic needles found on the properties near venues. Cigarette butts littering all the walkways around parks.
- Not enough bins during events on Dundas
- Overflowing garbage containers during special events – Sunfest, Dundas St fest, OEV street fest

Possible solutions:

- More bins!!
- Have a mid event crew to assist w garbage removal
- Require a waste/disposal plan for large events.

Hours of operation

Comments and concerns:

- Need to have later end times for special events in Victoria Park & Downtown
- Extend noise bylaw until midnight for festivals – 11pm is too early for the youth today.
- 11pm is the way other larger cities are going capping all amplified music at 11pm if near residential areas or venues are required to built walls Toronto – new

Possible solutions:

- Extend special events until midnight – allow procedure for additional exemptions
- Young people in the city – sleep too; events – need to control the noise

Notification, timing and frequency of event

Comments and concerns:

- Why do we have so many events (weekly) in Victoria Park. The grass, etc. is being destroyed as well as trees.
- Victoria Park should be scheduled during the summer with one or two weeks off to allow the park to recover June 1- Sept 1
- Events should be spread out throughout the city to encourage local tourism to other areas “hubs” i.e. Byron

Possible solutions:

- Utilize other park other than Vic Park – YES
- Schedule one event every 2 weeks at most – YES
- Alternative solution 3 weeks on 1 week off to accommodate the # of festivals

- Allow for more event days in Harris Park

All other related topics

Comments and concerns:

- Please release research that these districts attract and retain young professionals
- Please release all data from Country Music Week
- Why not spread events thru the city? Victoria Park should not carry the load
- Development of services w/ students | permanent DT pop v. transient (can't attract yr. round pop)

Possible solutions:

- Creative class by definition is identified by a predisposition to arts, music, entertainment. They are key driving force for economic development.
- Will be releasing CCMA when available

Where a district should be piloted downtown

- Market Square
- Clarence Street
- This would be a disaster for people in Blackfriars and in the more than 25 residential buildings in downtown which Council has encouraged!!!
- This is not a district and more residents are needed
- ADD Harris Park to the district
- TAKE OUT Princess to Queens, Wellington to Waterloo

Where a district could be piloted in Richmond Row

- Not here; already plagued by noise; over saturated
- Too large. Need to tighten up to include focus on Richmond and only relevant side streets
- RR is already a district

Where a district could be piloted in Old East Village

- Western Fair Warehouse District
- Use western Fair – angle parking, meeting rooms, performance site
- Dundas Aeolian Hall to Adelaide
- Western Fair District
- Western Fair would draw in more people if street performance there

Where a district could be piloted anywhere else in the city

- Wortly – Old South is evolving into a Ent Dist
- TD Waterhouse Stadium
- Byron Springbank | U.W.O.
- Entertainment “nodes” could be added.
- No Districts | balance use though out the city eg Wortley & Old East evolving

Appendix D: Industry Consultation

The survey was posted online on February 25, 2016 and available until April 29, 2016. We received 47 completed surveys. A summary of the survey results is below:

1. What is the name of the organization you represent?

Responses: 39

2. Which one of the following options best describes your organization?

Registered not-for-profit	34	71%
Private (sole proprietorship)	6	13%
Private (corporation)	3	6%
Public corporation	1	2%
Other, please specify	4	8%

The “Other” descriptions provided included “Community-Based Initiatives,” “Prayer group,” “Local Board of the Municipality,” and “Charity.”

Responses: 48 (one survey selected two options, registered not-for-profit and other)

3. What country is your organization based out of?

Canada	46	98%
United States	0	0%
Other, please specify	1	2%

Responses: 47

4. How many years has your organization been in operation?

Less than one year	0	0%
One to five years	7	15%
Five to ten years	6	13%
More than ten years	34	72%

Responses: 47

5. Please indicate the name of your event most recently held in London.

Responses: 47

6. When was the event held?

39 events surveyed were held in 2015. Five events were held in 2016. 23 (52%) of the events were held in June, July or August.

Responses: 44

7. How frequently is the event held in London?

One-time event	1	2%
Annually	38	81%
Other, please specify	8	17%

Responses: 47

8. Approximately how many people attended the event?

The events surveyed varied in size considerably, ranging from 50-60 people to 200,000 people. The attendance breaks down as follows:

0-1,000:	28 events (60%)
1,001-10,000:	11 events (23%)
10,001+:	7 events (15%)
Don't know:	1 (2%)

Responses: 47

9. Estimate the percentages of where your event attendees come from.

London Area	20%-100%	Average: 84%
Outside of the London Area, but within Ontario	0%-80%	Average: 13%
Outside of Ontario, but within Canada	0%-15%	Average: 1%
United States	0%-20%	Average: 1%
Other	0%-5%	Average: 0%
Don't know	4	9%

Responses: 47

10. Where was the event held?

Indoors	7	15%
Outdoors	11	23%
Both	29	62%

Responses: 47

11. Please indicate the name of the site(s) or street address(es) of the event.

The most popular event sites include Springbank Gardens (7), Victoria Park (5), Covent Garden Market (5), and Harris Park (4).

Responses: 47

12. Did you feel the physical space you held the event in was an appropriate size?

Too small	2	4%
Appropriate	44	96%
Too large	0	0%

Responses: 46

13. Do you think there are enough options in terms of event spaces to host events in London?

Yes	24	51%
No	18	38%
Don't know	5	11%

Responses: 47

14. If there are sites or spaces you would like available for events that are not currently available, please indicate the location(s).

- Dundas Flex Street
- Space with 400,000 sqft of smooth, clean, asphalt, plus room for up to 3,500 cars with access to hydro and water
- Need more theatre space, impossible to book the three existing options for more than a three day run
- London needs several flexible spaces that can be used for a variety of uses, 100-150 seats, located in the downtown core and Old East Village
- Trouble finding space to rehearse
- Underutilized, empty downtown and Old East Village spaces
- Performing Arts Centre
- More small event space in neighbourhood parks and the city
- More pavilions in parks
- Community centres that are flexible with food options
- Large open space just east of Parkwood Hospital (Ball Diamond)
- Harris Park, Labatt Park, Ivey Park/Forks of the River

- Green space with quality washrooms
- Empty spaces, whether due to abandonment or looking to be leased
- The take place.ca idea seems great
- Downtown
- A 400-500 seat theatre
- Performing arts centre with space for seating from 250 to 500

Responses: 21 (5 of which were “N/A,” “no,” or “don’t know”)

15. Did you use any of the following to promote the event? Please select all that apply.

Posters at retail locations	37	80%
Poster boards	23	50%
Billboards	7	15%
Banners	20	43%
Digital kiosks/signs	12	26%
Did not use any of the above	8	17%

Responses: 46

16. Do you feel there were enough opportunities to promote the event in London through the options listed in the previous question?

Yes	24	59%
No, please explain	17	41%

- Yes: Also advertised on radio and internet
- No: Music industry has moved to an online marketing strategy campaign
- No: Hard to access and billboard/general advertising is way too overpriced for non-profits
- No: The City could provide poster boards in good locations so that promoters could have good postings to receptive audiences instead of trying to find a pole to staple a poster to. Downtown and UWO and Fanshawe long w Richmond Row and Old East and Wortley Village would be good sites for this investment which could probably be self controlled by promoters and/or a summer job for a student.
- No: I had a very hard time getting advertising for a reasonable cost. I’m not even certain the City of London put it on their website as I understood they would.

- No: I'm not sure where this questions is leading to, but there is always room to improve marketing opportunities especially as supplied by the municipality. We have a full-blown marketing campaign for all of our events including electronic media, print materials, radio ads etc. I don't find the boxes above very comprehensive if you are looking for a complete picture of how events are marketed in London.
- No: Not may retailers open to promoting event
- No: due to the reduce [sic] potential advertisiing [sic] venues, competition is fierce! E.g. posters, etc.
- No: It is harder and harder to find places to put up posters. Other options are too expensive.
- No: to [sic] expensive for billboards and banners
- No: These opportunities are all self-funded. Will the City bear the cost to put flags on downtown poles (like the used to)?
- No: There is always room to improve and to have additional advertizing spaces. A digital banner outside of events or a community board(s) on major roadways to announce events. Example Pierrefonds Dollard in Quebec have these. Very informative events.
- No: There is no centralized list for the above indicating contact information/businesses to approach for a buy/in-kind sponsorship.
- No: I actually wasn't aware that the City of London had access to any of these promotional resources

Responses: 41

17. Did you experience barriers with any of the following during the preparation or operation of the event?

Noise By-law	10	22%
Parking By-law	6	13%
Sign By-law	2	4%
Alcohol and Gaming Commission of Ontario (AGCO) regulations	3	7%
Tobacco regulations	1	2%
Other, please specify	6	13%
No issues with by-laws and/or regulations	31	67%

- Of the respondents that selected “other,” some used this section to elaborate on their issue rather than identifying an issue that was unique to the list. The additional unique barriers included issues with insurance certificates, placement of port-a-potties, London Electrical inspectors, and food regulations.

Responses: 46

18. Did you have to change any aspects of your event to abide by provincial or municipal policies or by-laws?

Yes	9	19%
No	36	77%
Don't know	2	4%

Responses: 47

19. What did you have to change to abide by provincial or municipal policies or by-laws?

Most of the responses noted having to reduce noise levels and readjust times when the louder portion of the event would be held. There were also a couple complaints about the time of day you can serve beer and the use of wristband identification for alcohol service. There was one comment referencing the inflatables policy being too restrictive with a \$5 million coverage required.

Responses: 8

20. Did the change(s) you made to abide by provincial or municipal policies or by-laws cause a delay in hosting your event?

Yes	2	17%
No	10	83%
Don't know	0	0%

Responses: 12

21. Was there a cost involved in making the change(s) to abide by provincial or municipal policies or by-laws?

Yes	4	33%
No	7	58%
Don't know	1	8%

Responses: 12

22. Did you feel the change(s) made to abide by provincial or municipal policies or by-laws greatly affected the nature of your event?

Yes	4	31%
No	8	61%
Don't know	1	8%

Responses: 13

23. Did you receive a noise complaint while hosting the event?

Yes	3	6%
No	43	92%
Don't know	1	2%

Responses: 47

24. What was the reason for the noise complaint received?

Volume of noise	1	25%
Time of noise	0	0%
Both	2	50%
Don't know	1	25%

Responses: 4

25. Was a fine or a warning issued for your noise violation?

Fine	1	25%
Warning	3	75%

Responses: 4

26. Did noise restrictions or their enforcement affect the event?

Yes	4	9%
No	41	91%

Responses: 45

27. Please describe how noise restrictions or their enforcement affected the event.

One event was unable to play music (radio) and another decided not to include live music due to restrictions. One event holder indicated that the noise issue was not the music, but rather people congregating outside. One response was that there were no issues. One complaint was that the volume cap of 90DB is too low.

Responses: 5

28. Did you receive any complaints from people attending your event that there were problems finding parking?

Yes	15	32%
No	28	60%
Don't know	4	8%

Responses: 47

29. Was the event well-served by public transit?

Yes	29	62%
No	10	21%
Don't know	8	17%

Responses: 47

30. Do you feel the event would have benefited from increased public transit services?

Yes	16	34%
No	18	38%
Don't know	13	27%

Responses: 47

31. What type of improved transit service would have benefited the event?

Extended hours	11	65%
More frequent service	7	41%
Shuttle buses	8	47%
Special event shops	8	47%
Other, please specify	1	6%

- One survey suggested additional promotion of the service.

Responses: 17

32. Was a street closed for your event?

Yes	11	23%
No	36	77%
Don't know	0	0%

Responses: 47

33. Did you have any issues with the process of closing a street for the event?

Yes	3	19%
No	13	81%

Responses: 16

34. Please describe the issues you experienced with the process of closing a street.

One survey indicated that the police costs were excessive and the requirement of a motorcycle escort even though the road was already closed, was perceived as unnecessary. One survey indicated that collecting 60% agreement signatures is very time consuming in Old East Village, in comparison to the downtown where they can receive sign-off from Downtown London. The cost associated with a street closure was also noted by one survey as a problem.

Responses: 5

35. Were there other specific issues not addressed above which impacted the operation of the event?

Yes	5	11%
No	40	89%

Responses: 45

36. Please describe the additional issues.

- One survey indicated problems with participants finding Springbank Gardens and requested it be changed back to Wonderland Gardens as it is located off of Wonderland Road. One survey indicated that they did not receive adequate support from Tourism London, the London Arts Council, and the London Seniors centres. One survey indicated that the power outlets along Dundas Street almost never work and recommended a special process for event on Dundas Street, as the process that is currently in place is designed for Victoria Park, Harris Park, and Springbank Park.

Responses: 6

37. Have you ever hosted the event in a city/town other than London?

Yes	14	30%
No	33	70%

Responses: 47

38. Please describe your experience of hosting the event in London in comparison with other any other city you have hosted the event.

- Four responses indicated that their experience holding an event in London was comparable to their experience in other municipalities, with the exception of one issue parking within the downtown. Three reported having a better experience in London than other cities. Two surveys indicated that London was more difficult than other cities to operate in. One of these two said this was due to the lack of support from civic offices and City Hall and the other said that other cities provided more resources such as city tents and furniture. The last response was just a statement “smaller cities.”

Responses: 12

39. How did the cost of operating in London impact the success of the event?

Positively	7	15%
No effect	24	52%
Negatively	11	24%
Don't know	4	9%

Responses: 46

40. How did the value of the Canadian dollar impact the success of the event?

Positively	2	4%
No effect	30	64%
Negatively	10	21%
Don't know	5	11%

Responses: 47

41. How did provincial funding or grants impact your event?

Positively	11	23%
No effect	6	13%
Negatively	0	0%
Did not access provincial funding or grants	30	64%

Responses: 47

42. How did local funding or grants impact your event?

Positively	17	36%
No effect	7	15%
Negatively	1	2%
Did not access local funding or grants	22	47%

Responses: 47

43. Does your organization track the economic impact of the event through an “end of event report” that you would be willing to share with City staff?

Yes, please attach report	5	11%
No	41	87%
Don't know	1	2%

- Only one report was attached, which did not contain any quantitative information. Another survey indicated that the organization raised \$7,000 CAN, however, this is not the economic impact of the event.

Responses: 47

44. If you have any additional comments or information you would like to provide, please provide your comments below.

General comments:

- City staff has always been very helpful
- Has had a good experience running events and dealing with City rules and processes
- Happy that the City provided bathrooms
- Excited to use the new playground equipment
- Hope to host more events this year, 2016
- London could be doing so much better when it comes to making it an exciting and vibrant city

- Hopes to receive better support this year from City Hall, Tourism London, and the Arts Community
- Organization does not seek or receive and funding except for vendors and sponsors
- Much help was received from Robin Armistead at City Hall in the promotion of the event

Suggestions for improvements:

- Open up access to places such as Harris Park
- Invest in development of places that have potential but lack amenities that are needed for producing event and supporting groups
- Development of the “river area” should consider infrastructure such as washrooms and power
- The Western Fair District would support a review and some flexibility on the noise by-law as it pertains to decibel level and 11pm curfew
- Would like Tourism London to fund an event’s economic impact report
- Resolve parking issues at Springbank Gardens
- Too much paperwork; City insists that proof of insurance is done on their form, not just a copy; streamline this process
- Did not appreciate the new regulations on smoking
- Springbank gardens has parking limitations
- No space in London that can accommodate an event with appropriate parking, washroom accessibility, and access to food preparation
- Access to hydro in the park would be helpful
- Need more affordable theatre space and space to rehearse
- Non-profit rates for event space rental would be very helpful
- More funding for small events is needed and it seems more attention is given to large events and more funding goes to them
- Venues/facilities in London are generally lacking

- Many policies, venues etc. make it difficult to get things done
- Need better streamlining processes, creating perhaps a one-stop shop to be able to get all of the permissions, info, etc.
- To retain and capture tenable results within the local community more support of smaller local initiatives would prove beneficial
- An additional option for publicity and awareness would have been the use of banners on lamp posts around the block, but the cost was prohibitive

Responses: 21

45. Only two surveys did not have the contact information section completed, indicating that 45 of the 47 event organizers would be willing to be contacted by the City for follow up questions or discussion.

Appendix E: City Staff and Agency Consultation

At the City staff and agency meeting held on October 4, 2016, the following items were discussed.

2016 Festival Season: Monitoring Results

Issue/comment	Potential solution
No music (and all amplified sound) and dancing on patios	Move from zoning bylaw to noise bylaw; volume and time regulated; gradient for different types of events; Austin ex-ample
Noise complaints after Tragically Hip; primarily related to house parties	Anomaly, one-time event
Beatles Fest, wayfinding was well done	Festival-specific orientation
Timing of events; different audiences for different times	
Street closure signage looks like construction signage	Different look to construction signs; branded
Signage for events in special districts	Address in Sign By-law update; no special permit; simplified process
Posting/communications	Spectrum of communication options that can accommodate low-tech and high-tech
Limited amount of advertising opportunities in the city for major events/culture districts; areas reserved for City events, not private advertising	Address through Sign By-law; selected high-profile locations outside of the districts reserved for advertising large-scale events; students
Decorative lighting; Market Lane and City Hall lighting are good examples	Concentrate lighting, projections, marketing for different are-as
Security lighting	
Support for all scales of events; all London Culture Districts should work together	Formalized coordinated funded team consisting of City staff, volunteers, organizations, etc. that come together for all scales of events; work with student organizations
Restrictions of licenced areas (number, location of, and size) is limiting	Restrictions have potential for changes during annual review

Issue/comment	Potential solution
Restrictions on what type of event/ vendor are not currently in place; no criteria/standards to say “no”	Set a threshold; create regulations; implemented through “SWAT team”; ensure diversity over repetition for vendors; curated; emphasize local events/vendors; prevent offensive/ negative
Cannot control access/fence off parks for events (Victoria Park); no metrics can be collected	Explore opportunities for controlled access at free events with the intent of capturing metrics and monitoring access
Not-for-profits are only allowed to have controlled access in Harris Park	Look at opportunities for private events
Limited number of events in Victoria and Harris Parks in reaching capacity on high-impact events	Review policies
Insufficient knowledge of public understanding on City policies/ regulation/by-laws	Proactively inform the public, users of the spaces; proactive approach to providers of music and entertainment
Value of culture districts not widely understood	Proactive promotion based on metrics
4 road closure issues – 3 residential 1 LTC (related to one specific event that effected numerous cross roads)	
15 noise concerns /issues over 7 festivals during the festival season; higher volume than previous years	
	Need for an independent survey
Need for London content	Create a minimum threshold for London content within Culture Districts
Temporary public art is “policed” by by-law enforcement and regulated by the public art process	Need a complementary process to the public art process to regulate temporary public art
Banner process not currently user- friendly for banners exceeding a certain size	

Issue/comment	Potential solution
Cleanliness of outdoor patios is not consistent	Good neighbour policy/promotion
Last call pick-up street congestion	Valet taxi, temporary road closures and taxi stands; taxi stand plan
Noise enforcement at residential point of reception	This is regulated; housekeeping amendment
City garbages in Victoria Park overflowing during events	More frequent pick-ups

Country Music Week: Monitoring Results

Issue/comment	Potential solution
No noise complaints received Friday and Saturday night	
Typical number of noise complaints throughout the week, bylaw enforcement	
Parks and Recreation received no concerns/issues surrounding noise, event did surpass the 90db	
No noise complaints forwarded to Chris	
Don't know objectively if people "looked the other way" since this was a special event	Need for an independent survey
City and private parking enforcement was appropriate	Met with private parking enforcement prior to event
No increase in parking complaints	
Road closure complaints made to Downtown London and City staff, access to and from parking garage	Advanced communication of road closures to residents impacted by closures
Road closures were determined to be essential by security and police	Dealt with by police, would deal with emergency situations
Dundas Street between Talbot and Ridout closed unexpectedly, 4:30-6 Sept 11	Contingency plan; overestimate street closures; on-call operations to adapt to changing needs

Issue/comment	Potential solution
Drug use and illegal street activity	Special attention from London Police
Wayfinding for pedestrians and event attendees	App; maps; handouts during event; posted schedule
Permanent identification, signage for specific areas; branded	
Distinction between attendee and public events; public trying to attend private events	On site signage; choose location appropriately
Illegal merchandising on the public sidewalk	Enforcement seizes merchandise; licences can be obtained to sell within public parks, not on sidewalks
First time for public events	
Electrical supply	No issues for this event; Covent Garden Market used for this event, recently upgraded
AGCO infractions TBD	
Main stage, market area licensed; area was crowded around the licenced area	Provide area that is not licenced to accommodate families, controlled separate areas for drinking and non-drinking
Theming for event/activation/concentration	Positive response for this event; Minimum threshold of activation/concentration in the district

Appendix F: Other Municipalities' Approaches

Toronto, Ontario

Do they have districts?

- Bloor St. Culture Corridor: more than a dozen arts organizations along a 1.6km stretch of Bloor St. West.
- Toronto Entertainment District: approx. 35 nightclubs, a host of restaurants, sports and music attractions along an 8 block stretch on King St. between University and Spadina.

Current policies and regulations

- Council has championed Toronto as a “Music City”. Has established a formal Music City Alliance with Austin Texas.
- Official Plan Policies Chapter 1, 2 c), 4.5
- Toronto Entertainment District Master Plan , City of Toronto, Update 2013
- Comprehensive Music Strategy – adopted by Council
- Zoning By-law : minimum distance of 30 m from patio to sensitive land use.
- Outdoor commercial patio may not be used to provide entertainment such as performances, music and dancing.
- By-law passed to limit to 25% the number of bars/restaurants on a street
- Noise By-law: No more than 85 db measured 20m from the source over a 5 min. period from 7am-11 pm. Exemption application is \$100 and apply 3 weeks in advance.
- New restaurants must agree to no cover charge, no noise after 11 pm and a seat for every patron.
- Since 2006 Rules 1) one bouncer/100 patrons 2) security guard with metal detector 3) submit noise and crowd control plans 4) responsibility for litter cleanup .
- Nightlife Establishments Best Practices, City of Toronto, October 2011
- Entertainment District Retail and Mixed Use Strategy, City of Toronto, June 2012
- Not Zoned for Dancing – Comprehensive Review of Entertainment, U of T, 2014

- Toronto Entertainment District BIA – Annual Report, 2015
- Culture Plan (2014)
- Public Art Master Plan

Groups involved

- City of Toronto Arts & Culture Services Department
- Full-time Music Development Officer
- Toronto Music Advisory Council (TMAC)
- Economic Development Committee
- Toronto Entertainment District BIA (formed in 2008)
- Toronto Entertainment District Residents Association
- Toronto Noise Coalition

Funding programs

None found through research.

Economic impact

- The culture sector contributes \$9 billion annually to Toronto Region's GDP. More than 3 million members of the public go to the culture district every year.
- The entertainment district is a destination for over 15 million visitors annually. Over 80,000 people work in the district and 16,000 live there. Additional 18,000 dwelling units expected to be added over the next 5 years (2011).

Recent changes/issues

- 90 nightclubs in the entertainment district in the early 2000s, now only 35 left because of conflict between residential and bars.
- Loud music complaints have risen by 170%
- Comprehensive review of noise by-law in recent years. Noise By-law recommendations submitted in August 2015 but not passed yet. After being elected, John Tory pledged to amplify Toronto's music scene by relaxing some of the regulations in the noise by-law.

- Proposed by-law would allow 45 db in a residential neighbourhood after 11 p.m.
- Considering changes to allow music venues to close later than 2 a.m.
- Considering having a “Night Mayor” at the direction of the Economic Development Committee
- Problem distinguishing between restaurant and nightclub.
- \$3.8 M upgrade to Yonge-Dundas Square which includes video screens to show events on public property.

Kitchener, Ontario

Do they have districts?

- No specified entertainment district, Downtown -Centre and Market Districts are home to pubs and clubs.
- Kitchener has identified 55 Cultural Heritage Landscapes which are historic places that blend the built and natural environment

Current policies and regulations

- Downtown Kitchener Action Plan 2012-2016, City, March 2012 (eg. “Foster a Live Music Scene”)
- Kitchener Zoning By-law 85-1 Section 4
- Minimum 30m distance between patio and sensitive land use
- Noise By-law – in effect 24 hours a day
- Noise exemptions need for outdoor concerts- approved by Council
- City has co-ordinated event planning staff (10 people)
- Your City Rules Guideline Document (Noise By-law Section)
- Kitchener Public Art Program, 2011-2016
- City of Kitchener Cultural Heritage Landscapes, December 2014

Groups involved

- Community Services
- By-law enforcement
- Community programs and services

- Downtown Kitchener BIA
- Waterloo Regional Police enforce Noise By-law

Funding programs

- The City of Kitchener, Region of Waterloo, City of Waterloo, Province of Ontario, and Government of Canada contribute funds for arts and culture in Kitchener in order to help it grow.

Economic impact

None found through research.

Recent changes/issues

- During a 10-year period the number of bylaw complaints increased by 124 percent while staffing remained constant. Noise complaints seem to be the most popular. In 2002, the city had 2,068 noise complaints, increasing to 3,783 in 2012, an increase of 220 percent.

Hamilton, Ontario

Do they have districts?

- No specified district except Hess Village, concentration of bars and restaurants on Hess St between Main and King St West downtown
- Partially falls into the King St West BIA.
- Within the Downtown Urban Growth Centre boundary.

Current policies and regulations

- Putting People First: The New Land Use Plan for Downtown Hamilton,,2004
- Hamilton Music Strategy (Sept 2015)
- Hess Village Entertainment By-law amending the City of Hamilton Licensing Code By-law No. 06-213, 2006
- Hess Village Designation as an Entertainment District - 2003
- City of Hamilton By-law No. 11-285 – Noise Control By-law
- Ban outdoor music on commercial patios

- City of Hamilton By-law No. 14-321 to amend to control noise
- Cultural Plan-Love Your City, 2008
- Public Art Master Plan Review, 2015

Groups involved

- Cultural Plan Roundtable
- Public Art and Projects
- Music & Film Office
- Hamilton Police
- Planning and Economic Development Dept.
- By-law Enforcement

Funding programs

- Hess Village received funding from the city for infrastructure.
- Councillor Jason Farr proposed the city take on 65% of policing costs to help Hess Village businesses maintain and market themselves.
- Hamilton is considered by many to be far behind than most other cities in funding per capita for arts. The primary source of funding for municipal arts and culture in Hamilton has remained at \$3.2 million since 2000. An increase in \$1 million over 3 years is said to make a significant difference in creating stable and collaborative arts ecosystem in Hamilton.

Economic impact

- The \$12-million boost to the Hamilton economy for hosting the Juno Awards now has the city thinking ahead to hosting more live events. Musical events are said to be just as lucrative as arts and culture in Hamilton.
- As of 2006, Hamilton had 7,290 workers in cultural industries and occupations, which is 2.6% of the labour force. The provincial average was 3.4%, and the national average was 3.3%. There were 1,680 artists in Hamilton in 2006, making up 0.6% of the labour force, similar to the national average of 0.8%. The number of artists has increased 22% in the last 15 years, growing faster than the overall labour force.

Recent changes/issues

- Crowds in Hess Village have been shrinking since 2012, with some estimating they are down more than half (2015). Hess Village is developing a reputation for being too loud and violent. There are 17 bars in a space zoned for 12.
- Club and bar owners also have the responsibility of a yearly \$115,000 policing cost to maintain order in Hess, resulting in a loss of about 65 percent of customers. Hess once employed 500 people, and it now employs 250
- Hamilton bylaw officers want to partner with police to handle noise related complaints. Late-night noise makers accounted for 1,000 unanswered complaints in 2014. In 2014, recommendation was made to Council for a one-year \$142,000 experiment to partner a bylaw officer with a special duty officer for wee hour noise patrol on Thursday, Friday, and Saturday nights. Bylaw officers do not work between 1am-7am
- It takes an average of 2.5 hours to respond to priority four calls.
- City considering changes to patio noise by-law. Two year Pilot Project delayed by Council Jan 2017- allow music up to 60db until 11 pm in 7 areas City-wide
- Sarcoa rest. on waterfront suing City \$15 million over amplified music
- Heritage properties in Hamilton rose by 12% over the last decade to 241 properties. There was also an increase in the number of properties with Heritage Districts in Hamilton to 358 in 2010 compared to 343 in 2000.

Calgary, Alberta

Do they have districts?

- The Cultural District: stretches from 1st Street S.W. to 3rd Street S.E. and from 6th Avenue S.W. to the CP Rail tracks south of 9th Avenue downtown.
- 17th Ave Retail and Entertainment District: Spanned between 2nd and 14th Street SW, close to downtown and Stampede Park, the 17th Ave entertainment district boasts over 400 unique shops, services, and more. Located downtown and is a BRZ.

Current policies and regulations

- 17th Ave S.E. Corridor Study
- 17th Ave S.W. Urban Design Strategy, Calgary, March 2008
- 17 Ave SE Transportation Study, AECOM, June 2010
- Establishing Business Revitalization Zones (BRZ)
- By-Law No. 5M2004 – Noise bylaw
- Calgary Cultural Plan, 2015
- Public Art Program
- Public Art Policy

Groups involved

- Calgary Police Service
- Planning, Development & Assessment Department
- City of Calgary Land Use Planning and Policy
- Calgary By-law enforcement

Funding programs

- Calgary, along with Niagara, was named Canada's Culture Capital in 2012, which netted them a \$1.6 million grant from the federal government. City Council had already committed \$2 million to cultural activities in 2012.

Economic impact

None found through research.

Recent changes/issues

- 17th Avenue has been approved for reconstruction to serve businesses and citizens more adequately. Some work includes sidewalk improvements, new road design, and upgrades to underground utilities.
- The City of Calgary is monitoring car use on 17th Ave. Being a hotspot for patios, customers have been complaining that loud vehicles are ruining the fun.
- Changes to noise bylaw coming.
- Also considering limits on the number of bars, number of bars that can occupy a street face and a maximum size of 75m² for each bar.

- In 2016 Alberta allowed restaurants to serve alcohol on patios as late as they are allowed to serve it indoors.
- Current study on-going for c-rated scale low-frequency sound

Vancouver, British Columbia

Do they have districts?

- Granville Entertainment District: neighbourhood in Downtown Vancouver. The district is centred on a seven-block stretch of the Granville Mall and surrounding streets, stretching from the start of Granville Street by Waterfront Station, south the Granville Street Bridge. It is also considered to be the city's cultural hub with its vast assortment of performance venues, theatres and live music. Part of District is called the "Theatre Row Entertainment District"
- Gastown is another District.

Current policies and regulations

- Downtown Official Development Plan (November 1975)
- Downtown South Goals and Policies (1991/1993)
- Downtown South Guidelines (1991/1997/2004)
- Granville Street (Downtown South) Guidelines (June 1991)
- Southeast Granville Slopes Official Development Plan (March 1984)
- Granville Loops Policy Plan (October 2010)
- Design Handbook for Building Frontages on Granville Street
- Green Urban Pattern Granville High Street (March 2013)
- Noise Control Bylaw No. 6555 (2016)
- The Cultural Plan for Vancouver 2008-2018
- North Vancouver Cultural Plan

Groups involved

- City By-law Enforcement
- Cultural Services
- Community Services
- Development and Building Services

- Creative City Task Force
- Alliance for Arts and Culture
- North Vancouver Recreation & Culture Commission (NVRC)
- North Vancouver Museums & Archives

Funding programs

- Every year, the City of Vancouver and the Vancouver Park Board award \$10.1 million to non-profit arts and culture organizations through a variety of grant programs, including:
 - Artists in Communities program
 - Artist Live-Work Studio Awards Program
 - Community Arts Grant Program
 - Cultural Grants Program
 - Cultural Infrastructure Grant Program
 - Grants for Emerging Artists
 - Permit fee assistance for culture spaces
 - Theatre Rental Grant Program

Economic impact

- The various live music venues in Vancouver attract international tours and thousands of people per year.
- North Vancouver Museums and Archives preserves and cares for over 20,000 historical artifacts

Recent changes/issues

- The City came up with the plans to have all the city's entertainment located in one neighbourhood in the late 1990s after liquor service was extended to 3am. Vancouver Police have said that this led to an increase of assaults and calls for police assistance since then.
- Granville was once named "Theatre Row" for its large number of movie theatres along its stretch. Most have since shut down or have been converted into nightclubs, marking the new entertainment district. There are no theatres in the area as of November 2012.
- In 2016 BC endorsed happy hours and expanded booze service in restaurants in an attempt to reform "antiquated" liquor license laws.

- Granville Entertainment District has grown from 3400 to 11,200 liquor licensed seats since 2011. Six officers patrol the streets.
- Gastown 4000 to 5100 licensed seats since 2011- 2 patrolling officers
- Both areas have a high degree of public drunkenness.
- “Serve it Right “ Program – all servers must take course, no strong enforcement

Austin, Texas

Do they have districts?

They have eight entertainment districts:

- Sixth Street
- East Austin
- Rainey Street
- Warehouse District
- Second Street
- Market District
- South Congress
- Red River

Current policies and regulations

- Noise By-Law Chapter 9-2 – Noise and Amplified Sound
- Texas Noise By-law
- Cultural Districts Program
- Art in Public Spaces Program
- Create Austin Cultural Master Plan

Groups involved

- Music and Entertainment Division
- Economic Development Department
- Bylaw Enforcement
- Cultural Arts Division

- Office of Arts and Cultural Resources
- Texas Commission on the Arts

Funding programs

- Music & Entertainment Division helps grow the industry through job creation, talent support, business connections & revenue growth.
- Cultural Arts Funding Programs
- Art in Public Places Program

Economic impact

- 250 live music venues and 8 entertainment districts foster economic growth in this industry.
- Culture boosts the economy by attracting visitors, generating businesses, job development, and enhancing property value

Recent changes/issues

- Initiatives will continue to be developed to improve the entertainment and culture industries in Austin.

Nashville, Tennessee

Do they have districts?

- Music Row/The District: Centered on 16th and 17th Avenues South (called Music Square East and Music Square West, respectively, within the Music Row area), along with several side streets.
- Lower Broadway Historic District
- Fifth Avenue of the Arts District: Within a four-block area to the east and west, more galleries can be discovered on the cross streets in Downtown Nashville.

Current policies and regulations

- Ordinance No. BL2008-259, amending Section 11.12.070 of the Metropolitan Code, Excessive Noise. Add a “plainly audible” standard for determining certain violations of the noise ordinance.

- Substitute Ordinance No. BL2008-306, amending Section 11.12.070 of the Metropolitan Code, Excessive Noise. Add noise restrictions within the downtown area.
- Outdoor patios in a dining establishment can have speakers up to 85db, 15m from the property line
- Live music has few restrictions but limits on prerecorded music

Groups involved

- The District
- Public Safety Committee
- Cultural Arts Department

Funding programs

- The District: a private non-profit organization dedicated to economic and community revitalization of three historic districts and their contiguous areas in downtown Nashville.

Economic impact

- Music Row, just to the southwest of Downtown Nashville, is home to hundreds of businesses related to country music, gospel music, and Contemporary Christian music industries. In this area, offices of numerous record labels, publishing houses, music licensing firms, recording studios, video production houses, radio networks, and radio stations are found.
- The 5th Avenue corridor features 15 to 20 art venues. Nashville is ranked #2 most vibrant arts community.

Recent changes/issues

- 5th Avenue streetscape improvement completed in 2013. Enhancements to the Avenue include an iconic light canopy that will make that block instantly recognizable. Other features include new sidewalks and three landscaped sidewalk extensions that provide ample room for green space, improved crossing points for pedestrians, and outdoor dining. Individual street parking meters removed from the block, and a solar-powered pay station has been installed.

New Orleans, Louisiana

Do they have districts?

- French Quarter: the downtown hub for all the entertainment. Bourbon Street is 13 blocks of anything live music in the city. Frenchmen Street would be the place to find clubs, live performances and artists. Both located in Central Business District.
- Warehouse District/Art District: home to 25 galleries and a number of restaurants and cafes.

Current policies and regulations

- New Orleans Noise Ordinance
- Louisiana Public Nuisance Law

Groups involved

- Louisiana Department of Culture Recreation and Tourism
- Office of Cultural Development – Division of the Arts
- Greater New Orleans Foundation
- IMPACT

Funding programs

- IMPACT makes grants to organizations that: improve the quality of life and economic opportunities for culture bearers, artists, and performers; and also advocate for increased public support for the arts.

Economic impact

- Louisiana Cultural Districts Program created to spark community revitalization based on cultural activity through tax incentives. Cultural Products Districts: goal is to revitalize communities & contribute to the lives of the citizens by creating locally driven hubs of cultural activity. CPDs important to economic & cultural development in New Orleans.

Recent changes/issues

- 2013: Council endorsed a strict noise ordinance. French Quarter proposed to be reduced from 80 DBA to 70 from 10p to 7am. Max level of 85 to be strictly enforced along the popular Bourbon St. Never passed by Politicians.
- Zoning Ordinance deals with where music can be, not how loud.
- Sound Check Program educates musicians, bar owners, and residents on danger of high-decibel sound.

Appendix G: Bibliography

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Music, Entertainment & Culture Districts

Implementation Status Update

Nov
2018



Introduction

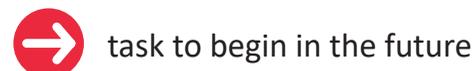
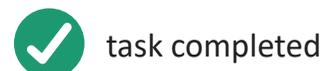
The implementation status update should be read in conjunction with the *Music, Entertainment & Culture Districts Strategy*. It is intended to provide a more detailed time line and to identify funding requirements for the individual tasks presented in the Strategy. These identified tasks implement the overarching directions of the Strategy through balancing the interests of residents, business owners, event organizers, industry professionals and staff from various organizations and agencies.

Table 1 of the implementation status update directly relates to and expands upon the Table 2 on page 83 of the *Music, Entertainment & Culture Districts Strategy*. It is important to note that the lead service areas identified in this status update have, in some cases, changed from those originally indicated in the Strategy. This is due to changes in service area responsibilities since the *Music, Entertainment & Culture Districts Strategy* was originally prepared.

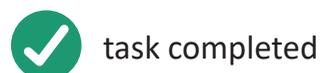
It is also important to consider that while some of the identified tasks are discreet activities that can be completed, others are continually underway and will therefore not have an associated target date for completion. Similarly, some target dates may represent a significant stage in an ongoing project.

Table 1: Implementation Status

Task	Lead Service Area	Implemented Projects	Future Projects	Target Completion	Task Status
Operating hours of festivals and events	Development & Compliance	Sound By-law amendments	N/A	2017	
Volume of noise	Development & Compliance	Temporary sound permit provisions amendments to the Sound By-law	N/A	2017	
Permitted activities on private patios	Planning Services	City-initiated Zoning By-law amendment; temporary sound permits issued	N/A	2018	
Fenced events	Parks & Recreation	Special Events and Procedure Manual updates amending how space in fenced areas can be allocated	Monitor event organizer feedback and consider increasing the maximum permitted size of a fenced area; update the <i>Special Events and Procedure Manual</i> as needed	2017; ongoing	
Promoting active programming and local talent	Parks & Recreation	Events hosted and/or supported by the Culture Office	Establish a facilitation and support organization	Ongoing	
District collaboration	Parks & Recreation	Collaboration with Downtown London and the Old East Village BIA with the Culture Office	Establish a network and circulation list	2019	
Park amenity	Parks & Recreation	N/A	Review fees in premiere parks; coordinate with Dundas Place Manager for alternative booking of events	2019	



Task	Lead Service Area	Implemented Projects	Future Projects	Target Completion	Task Status
Waste management	Parks & Recreation	N/A	Require waste management plans to be provided for locations other than Victoria Park; review need for possible fees	2020	
Advance notice and information access	Planning Services	Good Neighbours Guide	Create a centralized website; establish road closure notification protocol; create regulations requiring event organizers to provide notice to nearby residents	2019	
Accessibility of policies, regulations, and procedures	Parks & Recreation and Planning Services	N/A	Centralized website; information pamphlets	2019	
Sound mitigation	Planning Services, Development & Compliance and Parks & Recreation	Sound mitigation technique testing; research on managing the impacts of change	Create regulations to require event organizers to submit sound mitigation plans; identify sound “impact zones”; continue research on how change and sound mitigation is addressed in other locations and how this can be adapted to London	2020	
Road closures	Environmental & Engineering and Parks & Recreation	N/A	Create a streamlined process for road closures in preferred locations	2020	
Traffic congestion	Environmental & Engineering	Initial meetings with taxi industry	Create a plan with the taxi industry and LTC; amendments to regulations as required	2020	
Wayfinding	Planning Services and Environmental & Engineering	N/A	District-specific wayfinding plan	2020	



task completed



task in progress or ongoing



task to begin in the future

Task	Lead Service Area	Implemented Projects	Future Projects	Target Completion	Task Status
Branding	Planning Services	N/A	District-specific branding	2020	
Outdoor advertising opportunities	Parks & Recreation and Development & Compliance	N/A	Pilot signage fund	2021	
Vendors licensing	Development & Compliance	N/A	Review options for a vendor licensing system to permit the temporary sales of goods within the public right-of-way	2021	
Not-for-profit and for-profit regulations	Parks & Recreation	N/A	Review regulations for not-for-profit and for-profit organizations	2021	

 task completed

 task in progress or ongoing

 task to begin in the future

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: George Kotsifas, P. Eng
Managing Director, Development & Compliance Services And
Chief Building Official
Subject: Application By: Topping Family Farm Inc.
3105 Bostwick Road
Meeting on: November 12, 2018

Recommendation

That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to the application of Topping Family Farm Inc. relating to the property located at 3105 Bostwick Road, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on November 20, 2018 to amend Zoning By-law Z.-1 in conformity with the Official Plan to change the zoning of the lands **FROM** a Holding Special Provision Residential R2 (h*h-100*R2-4(2)) Zone **TO** a Special Provision Residential R2 (R2-4(2)) Zone to remove the "h" and "h-100" holding provisions.

Executive Summary

Summary of Request

The applicant has requested removal of the "h" and "h-100" holding provisions from the Zone on a portion of lands addressed as 3105 Bostwick Road, which requires the necessary securities be provided and a subdivision agreement is executed prior to development, and that adequate municipal servicing and access be provided.

Purpose and the Effect of Recommended Action

The purpose and effect is to remove the holding ("h" and "h-100") symbols from the zoning applied to this site to permit the development of 121 single detached dwellings.

Rationale of Recommended Action

The conditions for removing the holding provision have been met, as the required security has been submitted and the subdivision agreement has been registered. Through the subdivision agreement, adequate servicing has been provided and access has been established. All issues have been resolved and the holding provisions are no longer required.

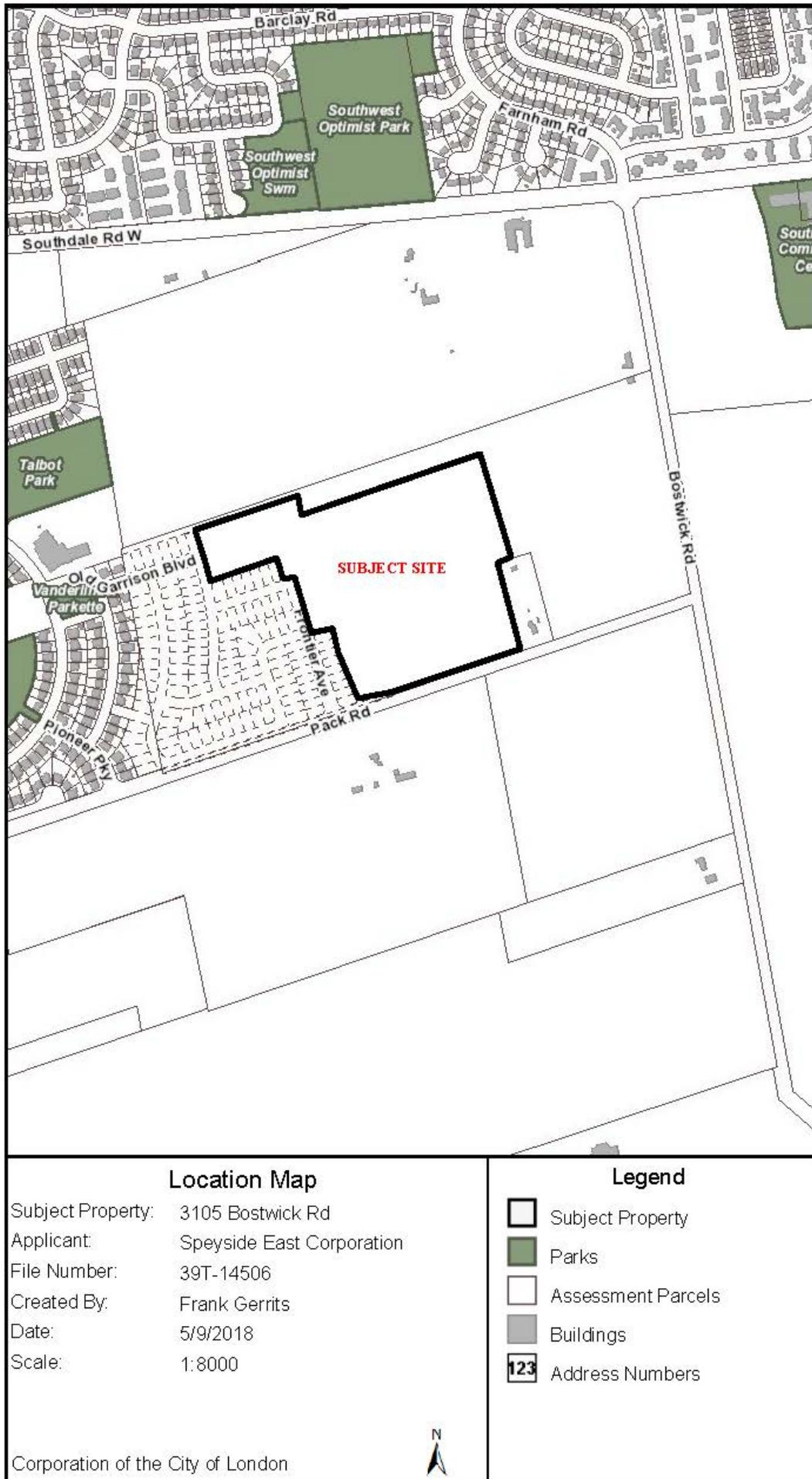
Analysis

1.0 Site at a Glance

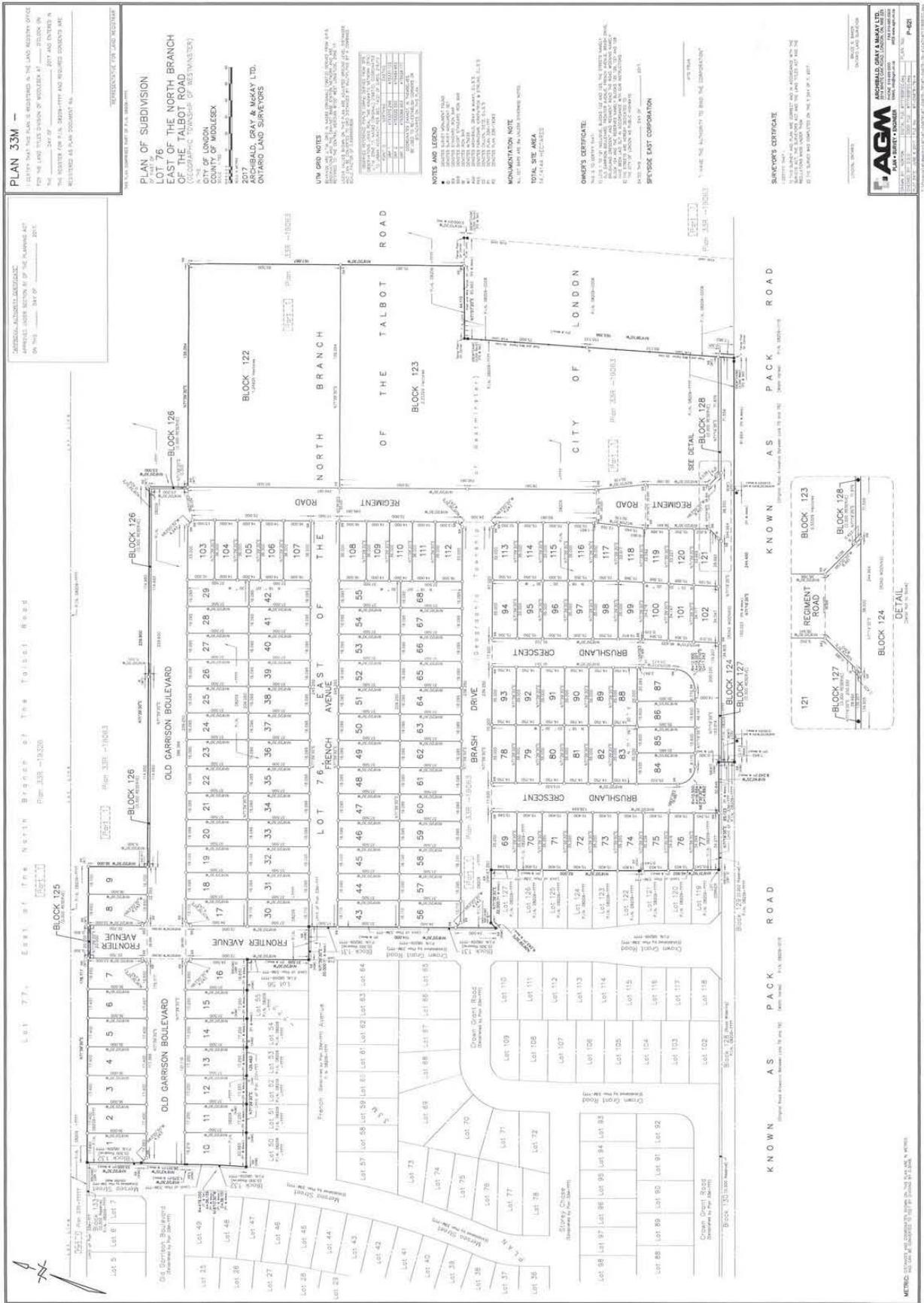
1.1 Property Description

The site is located on a portion of the lands addressed as 3105 Bostwick Road, on the west side of Bostwick Road, north of Pack Road and east of Frontier Avenue. The subject lands consist of Phase 6 in the Talbot Village Subdivision, and have a total frontage of 244.9 metres on Pack Road, with a site area of approximately 14.1 hectares. The subject lands are presently vacant. There are existing agricultural uses to the north, south, and west, and residential uses to the east.

1.2 Location Map



1.3 Plan of Subdivision (Phase 6)



1.4 Current Planning Information (see more detail in Appendix D)

- The London Plan Place Type – Neighbourhoods
- Official Plan Designation – Low Density Residential
- Existing Zoning – Holding Special Provision Residential R2 (h-h-100-R2-4(2)) Zone

1.5 Site Characteristics

- Current Land Use – Vacant
- Frontage – 244.9 m on Pack Road
- Depth – 384.7 m
- Area – approx. 14.1 ha
- Shape – Irregular

1.6 Surrounding Land Uses

- North – Agricultural
- East – Agricultural
- South – Agricultural
- West – Residential

2.0 Description of Proposal

2.1 Development Proposal

The requested amendment will permit the development of 121 single detached dwellings within a development that includes one (1) new road and the extension of four (4) existing roads established through the subdivision process (39T-14506).

3.0 Relevant Background

3.1 Planning History

May 19, 2015: Report to Planning and Environment Committee on Draft Plan of Subdivision, Official Plan, and Zoning By-law Amendments to approve a redlined draft plan of subdivision containing 244 single detached lots, one (1) school block, one (1) park block, one (1) road widening, and two (2) 0.3m reserves, all served by the extension of Old Garrison Boulevard (a secondary collector road), two (2) secondary collector roads, and eight (8) new local streets along with the appropriate zoning for these lands. (39T-14506/Z-8436)

May 8, 2017: Report to Planning and Environment Committee on Special Provisions for the Subdivision Agreement. (39T-14506)

June 15, 2017: Report to Planning and Environment Committee on removal of a holding provision for Phase 5 of the development. (H-8781)

September 25, 2017: Report to Planning and Environment Committee on removal of a holding provision for Phase 5 of the development. (H-8781)

September 10, 2018: Report to Planning and Environment Committee on Special Provisions for the Subdivision Agreement (Phase 6). (39T-14506)

3.2 Requested Amendment

The applicant is requesting the removal of the “h” and “h-100” holding provisions on the site which requires the necessary securities be provided and a development agreement is executed prior to development, and that adequate municipal servicing and access is provided.

3.3 Community Engagement (see more detail in Appendix B)

In response to the Notice of Application, no comments were received.

3.4 Policy Context

The Planning Act permits the use of holding provisions to restrict future uses until conditions for removing the holding provision are met. To use this tool, a municipality must have approved Official Plan policies related to its use, a municipal council must pass a zoning by-law with holding provisions (“h” symbol), an application must be made to council for an amendment to the by-law to remove the holding symbol, and council must make a decision on the application within 150 days to remove the holding provision(s).

The London Plan and the 1989 Official Plan contain policies with respect to holding provisions, the process, and notification and removal procedures.

4.0 Key Issues and Considerations

4.1 What is the purpose of the “h” holding provision and is appropriate to consider its removal.

The “h” holding provision states:

“To ensure the orderly development of lands and the adequate provision of municipal services, the “h” symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of the approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development.

Permitted Interim Uses: Model homes are permitted in accordance with Section 4.5(2) of the By-law.”

The Owner has provided the necessary security and has entered into a subdivision agreement with the City. This satisfies the requirement for removal of the “h” holding provision.

4.2 What is the purpose of the “h-100” holding provision and is it appropriate to consider its removal?

The “h-100” holding provision states that:

“To ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available to the satisfaction of the City Engineer, prior to the removal of the h-100 symbol.

Permitted Interim Uses: Existing Uses.”

The h-100 holding provision requires a looped watermain system and a second public access be constructed. On October 25, 2018, it was confirmed that these works have been completed.

5.0 Conclusion

The Applicant has entered into a development agreement for this site, provided the necessary security, and constructed a looped watermain system and second public access. Therefore, the required conditions have been met to remove the “h” and “h-100” holding provision. The removal of the holding provision is recommended to Council for approval.

Prepared by:	Meg Sundercock, BURPL Planner I, Development Services
Reviewed and Recommended by:	Lou Pompilii, MCIP RPP Manager, Development Planning (Subdivision)
Concurred in by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services	

October 25, 2018
MS/ms

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2018\H-8968 - 3105 Bostwick Road (MS)\PEC\DRAFT - 3105 Bostwick Road H-8968 MS Report 1of7.docx

Previous Reports and Applications Relevant to this Application

May 19, 2015: Report to Planning and Environment Committee on Draft Plan of Subdivision, Official Plan, and Zoning By-law Amendments to approve a redlined draft plan of subdivision containing 244 single detached lots, one (1) school block, one (1) park block, one (1) road widening, and two (2) 0.3m reserves, all served by the extension of Old Garrison Boulevard (a secondary collector road), two (2) secondary collector roads, and eight (8) new local streets along with the appropriate zoning for these lands. (39T-14506/Z-8436)

May 8, 2017: Report to Planning and Environment Committee on Special Provisions for the Subdivision Agreement. (39T-14506)

June 15, 2017: Report to Planning and Environment Committee on removal of “h” holding provision for Phase 5 of the development. (H-8781)

September 25, 2017: Report to Planning and Environment Committee on removal of “h-100” holding provision for Phase 5 of the development. (H-8781)

September 10, 2018: Report to Planning and Environment Committee on Special Provisions for the Subdivision Agreement (Phase 6). (39T-14506)

Appendix A

Bill No. (number to be inserted by Clerk's Office)
2018

By-law No. Z.-1-18 _____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 3105 Bostwick Road.

WHEREAS Topping Family Farm Inc. has applied to remove the holding provision from the zoning for a portion of the lands located at 3105 Bostwick Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provision from the zoning of the said lands;

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 3105 Bostwick Road, as shown on the attached map, to remove the holding provisions so that the zoning of the lands as a Special Provision Residential R2 (R2-4(2)) Zone comes into effect.
2. This by-law shall come into force and effect on the day it is passed.

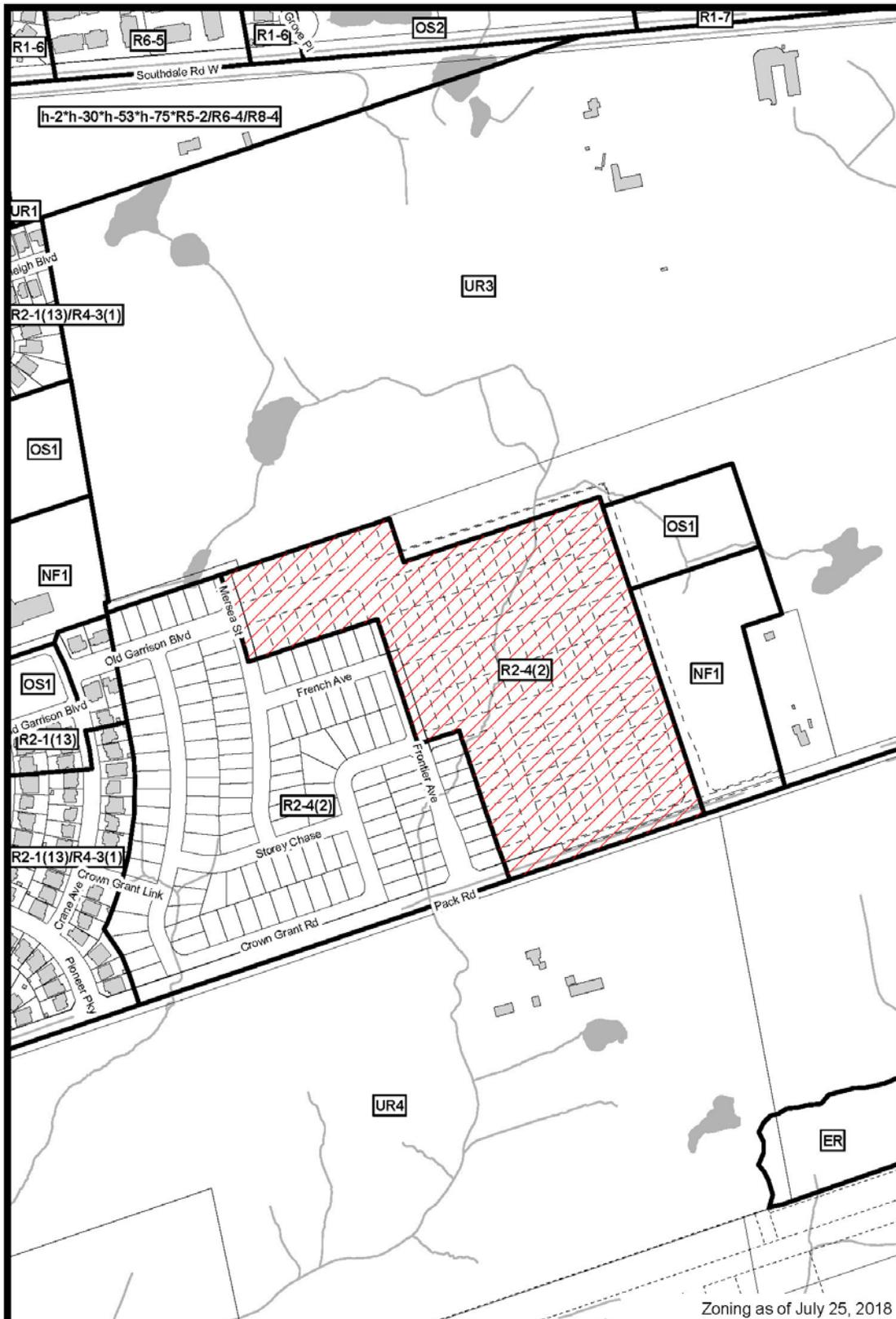
PASSED in Open Council on November 20, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – November 20, 2018
Second Reading – November 20, 2018
Third Reading – November 20, 2018

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

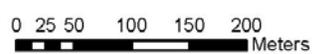


Zoning as of July 25, 2018

File Number: H-8968
 Planner: MS
 Date Prepared: 2018/10/16
 Technician: RC
 By-Law No: Z.-1-

SUBJECT SITE 

1:5,000



Geodatabase

Appendix B – Public Engagement

Community Engagement

Public liaison: Notice of Application was published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on October 18, 2018.

No replies were received.

Nature of Liaison: City Council intends to consider removing the “h” and “h-100” Holding Provisions from the zoning of the subject lands. The purpose and effect of this zoning change is to remove the holding symbols to allow development of the lands for residential purposes permitted under the Holding Special Provision Residential R2 (h*h-100*R2-4(2)) Zone. The purpose of the “h” provision is to ensure the orderly development of the lands and the adequate provision of municipal services. The “h” symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development. The purpose of the “h-100” symbol is to ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available to the satisfaction of the City Engineer, prior to the removal of the h-100 symbol. Council will consider removing the holding provisions as it applies to these lands no earlier than November 12, 2018.

Responses: No comments were received.

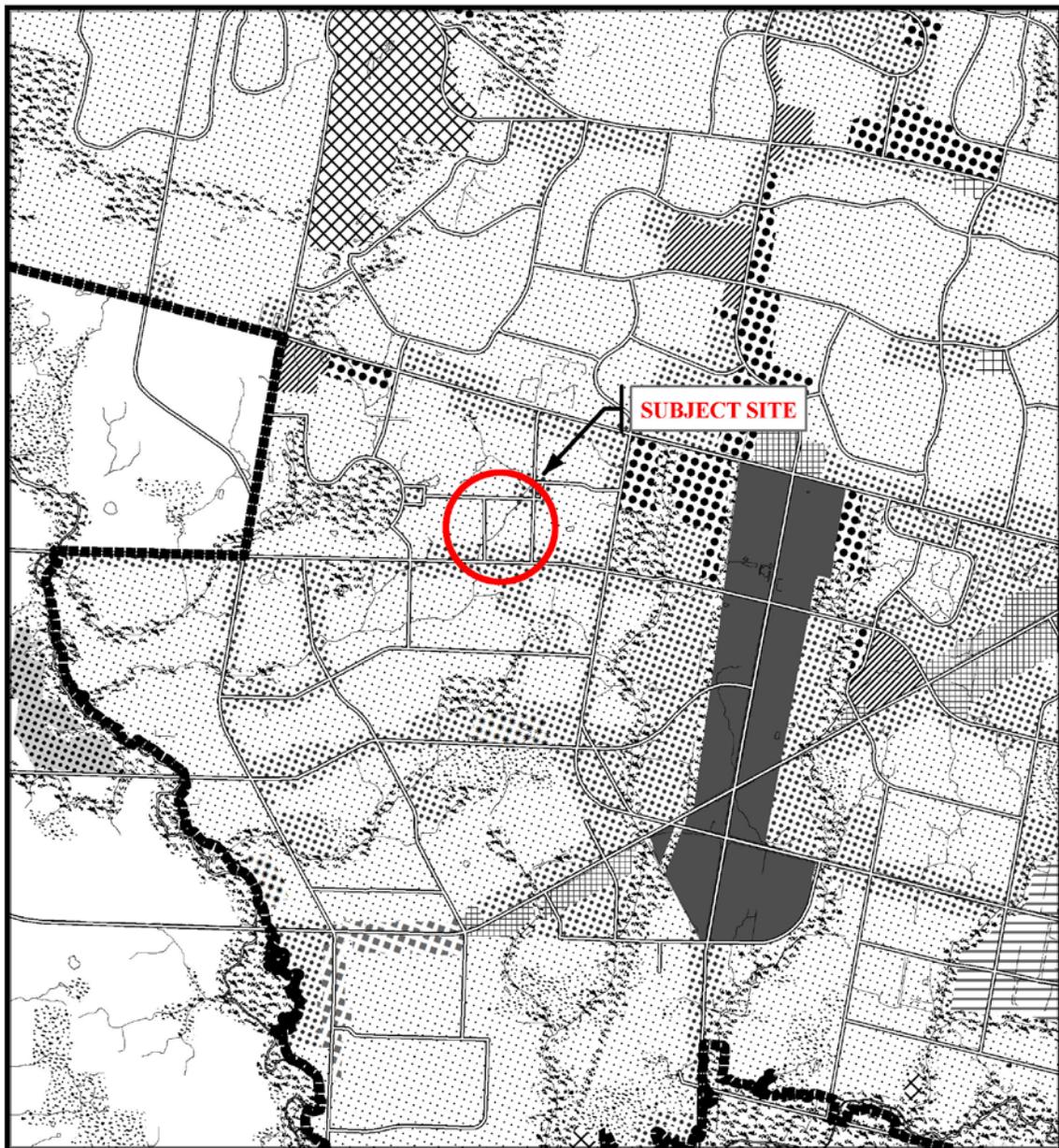
Responses to Public Liaison Letter and Publication in “The Londoner”

Telephone	Written
None	None

Agency/Departmental Comments

CN Rail: No Objection.

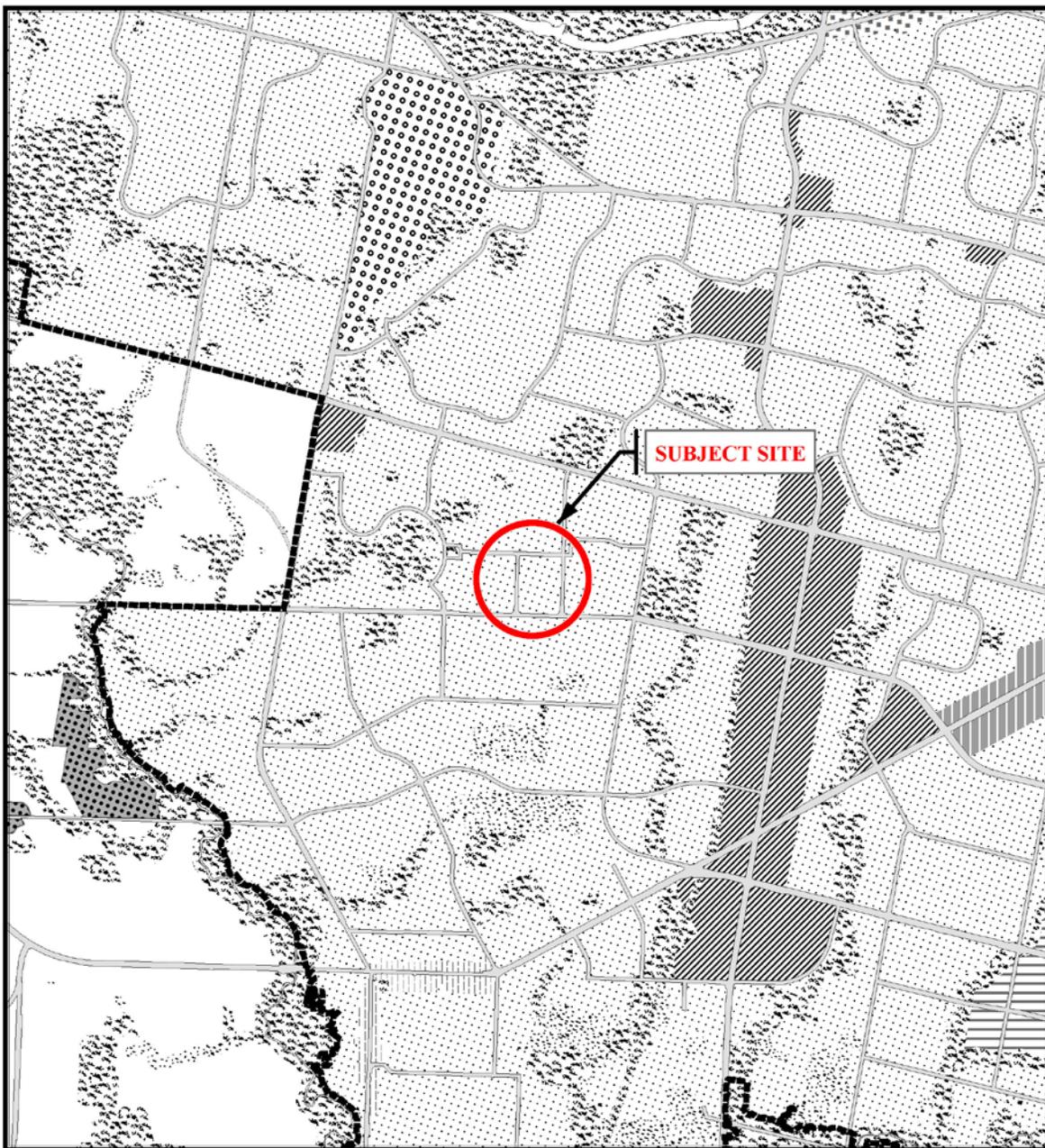
Upper Thames River Conservation Authority: A Clearance Letter was issued August 24, 2018 and no additional Section 28 approvals are required.



Legend		
	Downtown	
	Wonderland Road Community Enterprise Corridor	
	Enclosed Regional Commercial Node	
	New Format Regional Commercial Node	
	Community Commercial Node	
	Neighbourhood Commercial Node	
	Main Street Commercial Corridor	
	Auto-Oriented Commercial Corridor	
	Multi-Family, High Density Residential	
	Multi-Family, Medium Density Residential	
	Low Density Residential	
	Office Area	
	Office/Residential	
	Regional Facility	
	Community Facility	
	Open Space	
	Urban Reserve - Community Growth	
	Urban Reserve - Industrial Growth	
	Office Business Park	
	General Industrial	
	Light Industrial	
	Commercial Industrial	
	Transitional Industrial	
	Rural Settlement	
	Environmental Review	
	Agriculture	
	Urban Growth Boundary	

<p>CITY OF LONDON Planning Services / Development Services OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	FILE NUMBER: H-8968
		PLANNER: MS
		TECHNICIAN: RC
		DATE: 2018/10/16

PROJECT LOCATION: e:\planning\projects\p_official\plan\work\conso\00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd



Legend

- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor | Commercial Industrial | Urban Growth Boundary |
| Main Street | Institutional | |
| Neighbourhood | Green Space | |

This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

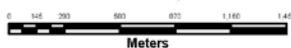
Planning Services /
 Development Services

**LONDON PLAN MAP 1
 - PLACE TYPES -**

PREPARED BY: Planning Services



Scale 1:30,000

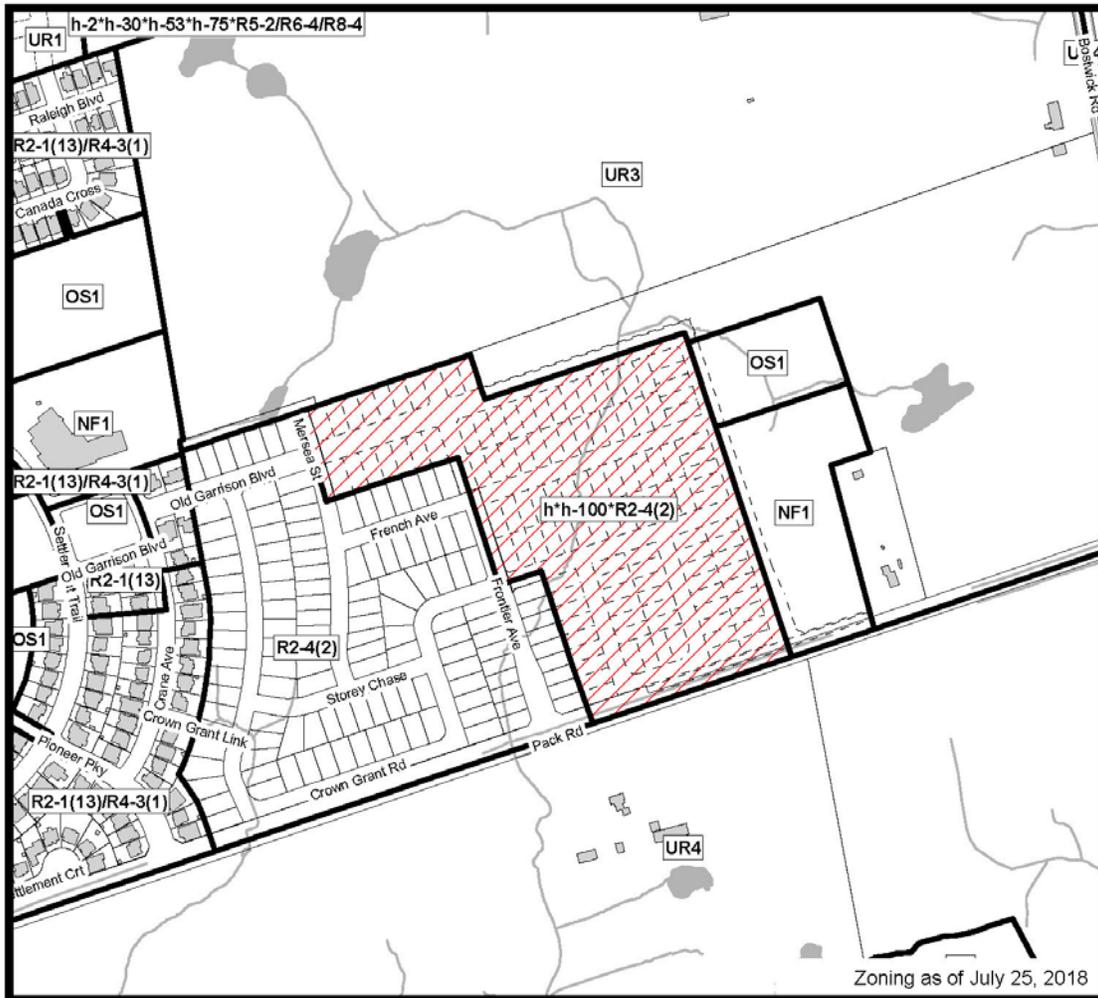


File Number: H-8968

Planner: MS

Technician: RC

Date: October 16, 2018



Zoning as of July 25, 2018



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 | |
| R7 - SENIOR'S HOUSING | OS - OPEN SPACE |
| R8 - MEDIUM DENSITY/LOW RISE APTS. | CR - COMMERCIAL RECREATION |
| R9 - MEDIUM TO HIGH DENSITY APTS. | ER - ENVIRONMENTAL REVIEW |
| R10 - HIGH DENSITY APARTMENTS | |
| R11 - LODGING HOUSE | OB - OFFICE BUSINESS PARK |
| DA - DOWNTOWN AREA | LI - LIGHT INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | GI - GENERAL INDUSTRIAL |
| CSA - COMMUNITY SHOPPING AREA | HI - HEAVY INDUSTRIAL |
| NSA - NEIGHBOURHOOD SHOPPING AREA | EX - RESOURCE EXTRACTIVE |
| BDC - BUSINESS DISTRICT COMMERCIAL | UR - URBAN RESERVE |
| AC - ARTERIAL COMMERCIAL | |
| HS - HIGHWAY SERVICE COMMERCIAL | AG - AGRICULTURAL |
| RSC - RESTRICTED SERVICE COMMERCIAL | AGC - AGRICULTURAL COMMERCIAL |
| CC - CONVENIENCE COMMERCIAL | RRC - RURAL SETTLEMENT COMMERCIAL |
| SS - AUTOMOBILE SERVICE STATION | TGS - TEMPORARY GARDEN SUITE |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | RT - RAIL TRANSPORTATION |
| OR - OFFICE/RESIDENTIAL | "h" - HOLDING SYMBOL |
| OC - OFFICE CONVERSION | "D" - DENSITY SYMBOL |
| RO - RESTRICTED OFFICE | "H" - HEIGHT SYMBOL |
| OF - OFFICE | "B" - BONUS SYMBOL |
| | "T" - TEMPORARY USE SYMBOL |

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

H-8968

MS

MAP PREPARED:

2018/10/16

RC

1:6,000

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Meters

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: G. Kotsifas P. Eng.,
Managing Director, Development & Compliance Services And
Chief Building Official

Subject: 905 Sarnia Road Inc.
1233 and 1237 Sandbar Street
Removal of Holding Provisions (h-82)

Meeting on: November 12, 2018

Recommendation

That, on the recommendation of the Senior Planner, Development Services the following actions be taken with respect to the application of 905 Sarnia Inc. relating to the properties located at 1233 and 1237 Sandbar Street the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on November 20, 2018 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning of 1233 and 1237 Sandbar Street **FROM** a Holding Residential R1 Special Provision (h-82*R1-13 (3)) Zone **TO** a Residential R1 Special Provision (R1-13 (3)) Zone to remove the h-82 holding provision.

Executive Summary

Summary of Request

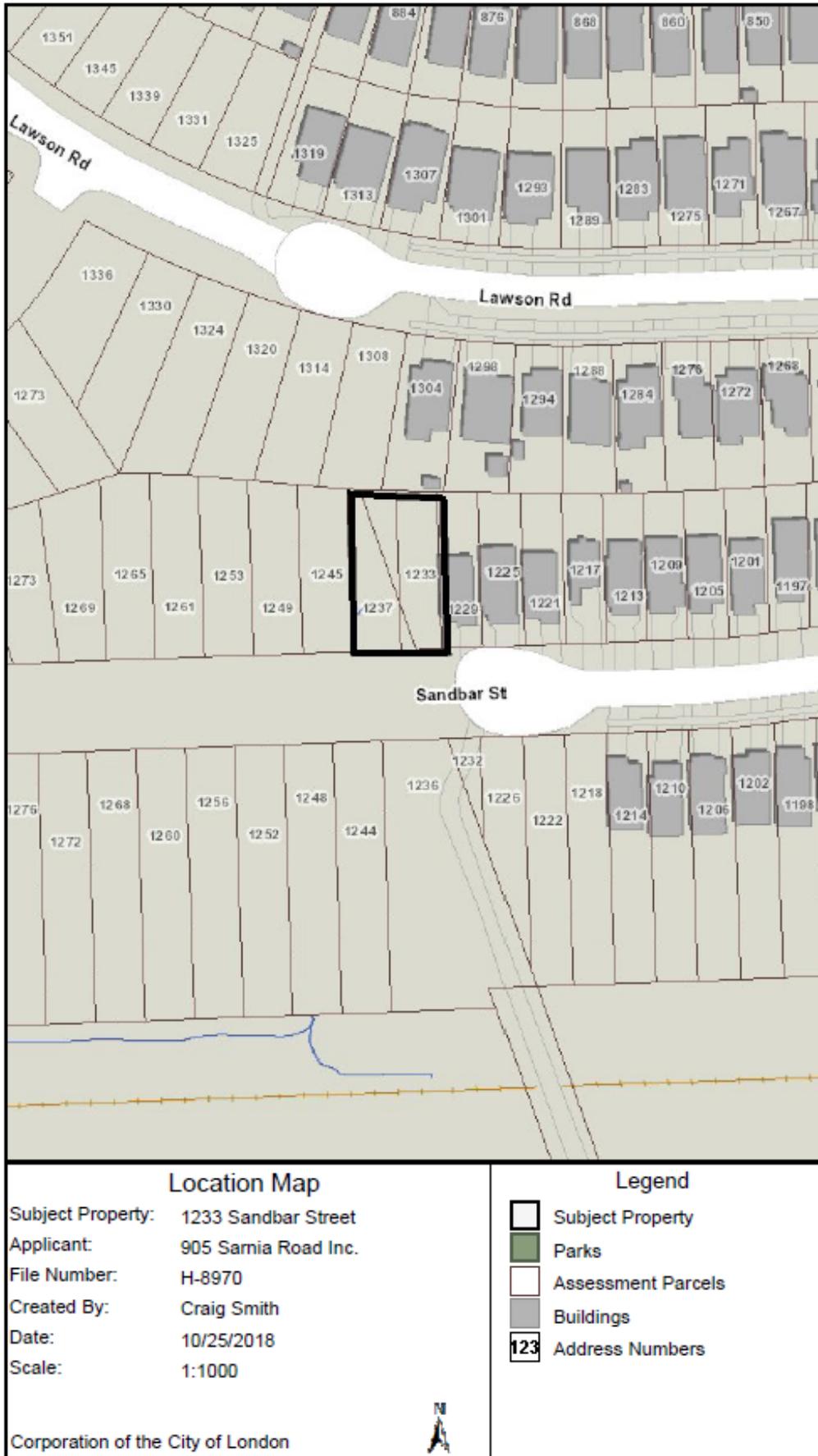
The applicant has requested the removal of the h-82 holding provision to allow for the consideration of building permits on two single detached dwelling lots.

Rationale of Recommended Action

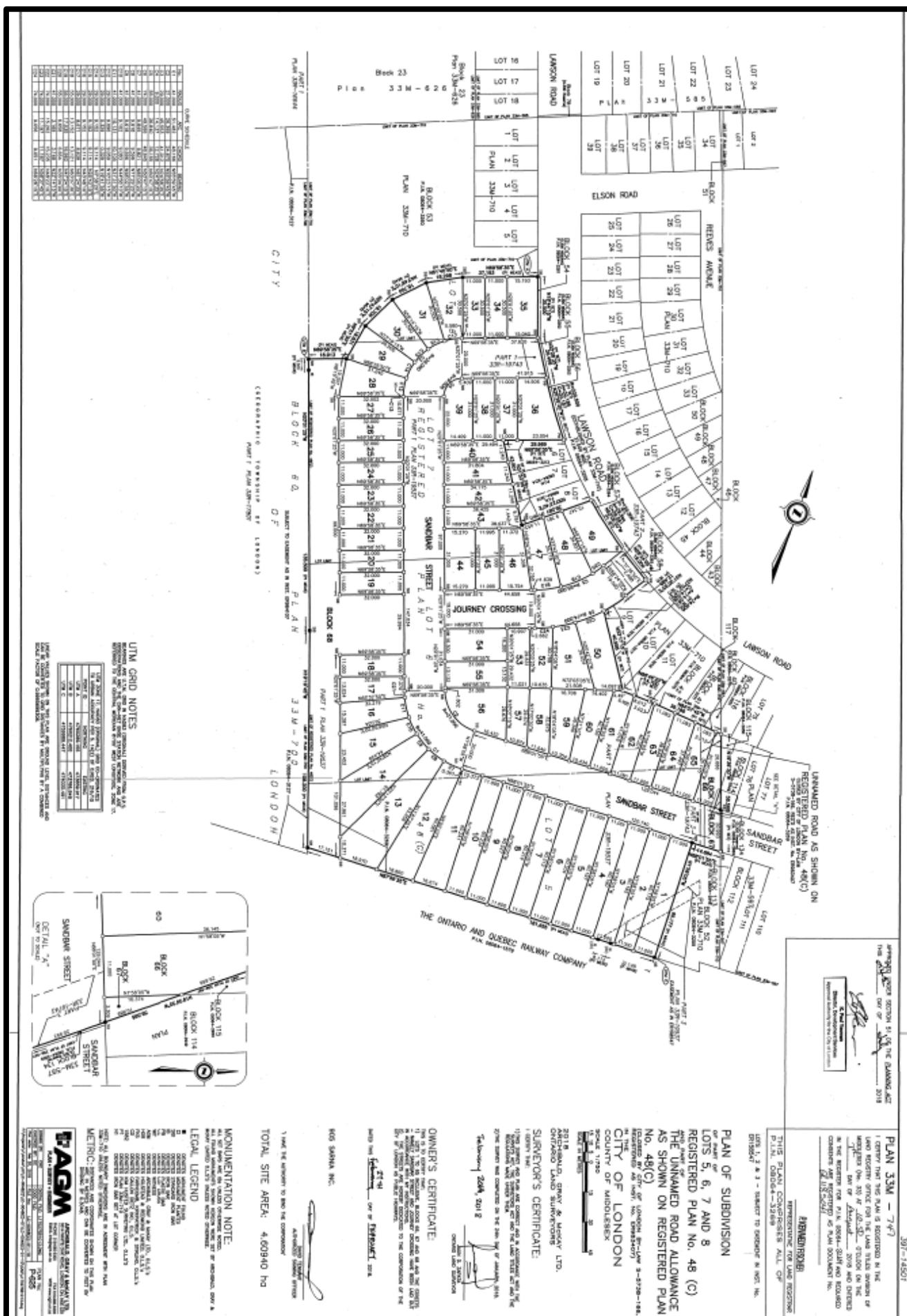
1. The removal of the holding provisions will allow for development in conformity with the Zoning By-law Z.-1.
2. The proposed part blocks have been registered and consolidated with the abutting lands. Removal of the h-82 holding provision is appropriate at this time.

Analysis

Location Map



Plan of Subdivision (33M-747)



2.0 Description of Proposal

2.1 Development Proposal

To requested holding provision removal would allow for the consideration of building permits on two single detached dwelling lots.

3.0 Relevant Background

3.1 Planning History

On March 6, 2018, Council approved the removal of holding provisions for the balance of the lands within this subdivision (33M-747). The h-82 holding provision was retained on these parcels to ensure that the issue related to the consolidation of part lots with the abutting lands would be addressed.

4.0 Key Issues and Considerations

Why is it Appropriate to remove the Holding Provision

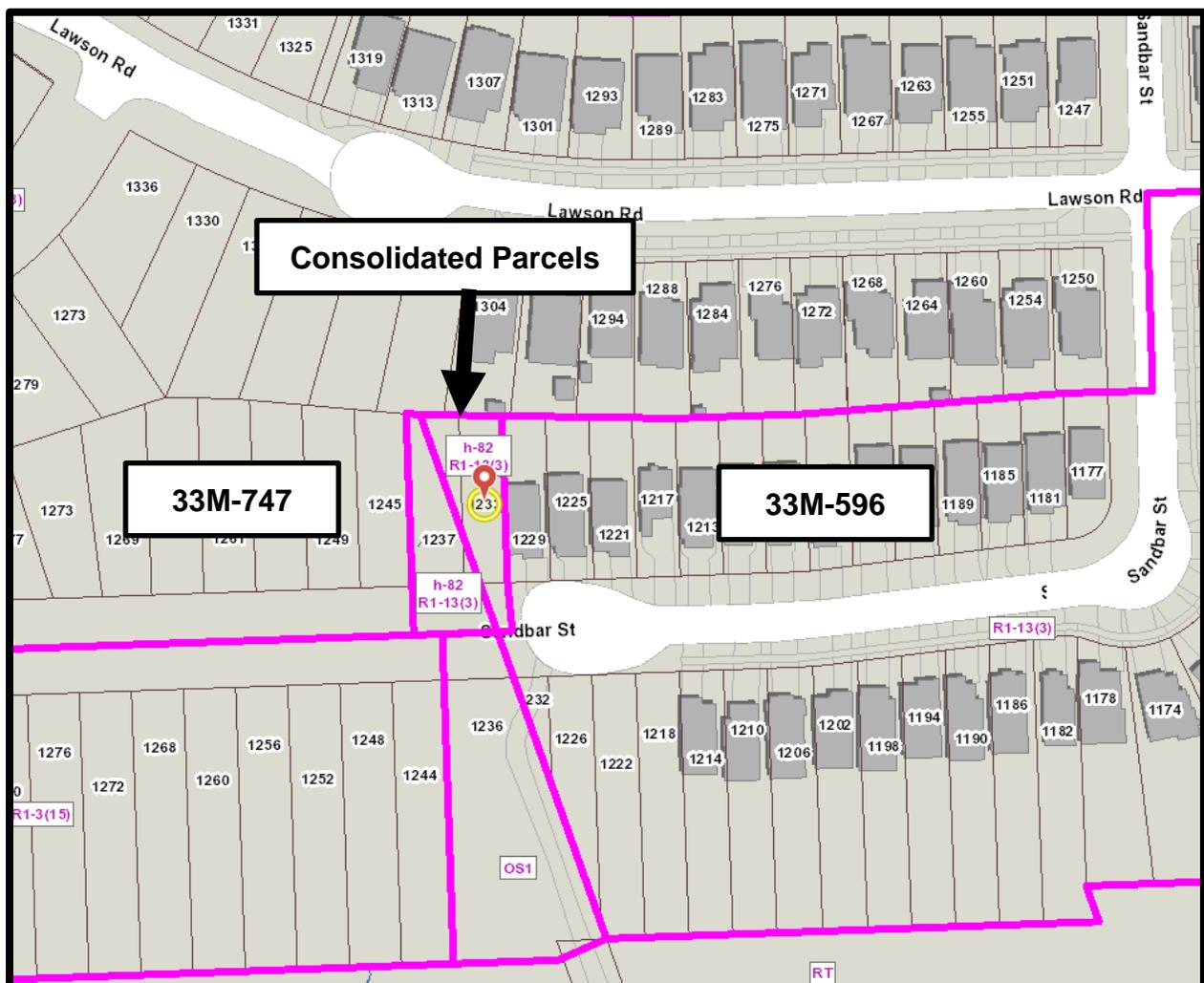
h-82 Holding Provision

The (h-82) holding provision states that:

“To ensure that there is a consistent lotting pattern in this area, the “h-82” symbol shall not be deleted until the part block has been consolidated with adjacent lands.”

The h-82 holding provision was applied at the time of subdivision approval for the partial lots in this Plan of Subdivision (33M-596) which was registered in September 2008 and on the partial lots in the abutting Plan of Subdivision (33M-747) which was registered August 7, 2018. The holding provision was applied to the lands to ensure that the part lot/blocks would be consolidated and result in a lotting pattern that is consistent with the abutting parcels and bring both consolidated parcels into compliance with the regulations of the existing zoning.

The applicant has provided the City with records of the transfer and consolidation of part blocks under one ownership to create developable lots (as shown on the map below).



5.0 Conclusion

Given that blocks in the two abutting subdivisions (33M-596 and 33M-747) have been consolidated, it is appropriate to consider the removal of the h-82 holding provision from these blocks at this time.

Prepared and Recommended by:	C. Smith, MCIP, RPP Senior Planner, Development Services
Reviewed by:	Lou Pompili, MCIP, RPP Manager, Development Planning (Subdivision)
Concurred in by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services	

November 6, 2018
CS\

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2018\H-8970 - 1233 and 1237 Sandbar Street (CS)\PEC-Report-H-8970.docx

Appendix A

Appendix "(A)"

Bill No. (Number to be inserted by
Clerk's Office)
2018

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to
remove holding provision from the zoning
of the land located at 1233 and 1237
Sandbar Street

WHEREAS 905 Sarnia Inc. has applied to remove the holding provisions from the zoning for the land located at 1233 and 1237 Sandbar Street, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provisions from the zoning of the said land;

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 the lands located at 1233 and 1237 Sandbar Street, as shown on the attached map to remove the holding provisions so that the zoning of the lands as a Residential R1 Special Provision (R1-13 (3)) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on, November 20, 2018

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – November 20, 2018
Second Reading – November 20, 2018
Third Reading – November 20, 2018

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



File Number: H-8970
Planner: CS
Date Prepared: 2018/10/25
Technician: RC
By-Law No: Z.-1-

SUBJECT SITE 

1:1,500

0 5 10 20 30 40
 Meters



Appendix B – Public Engagement

Community Engagement

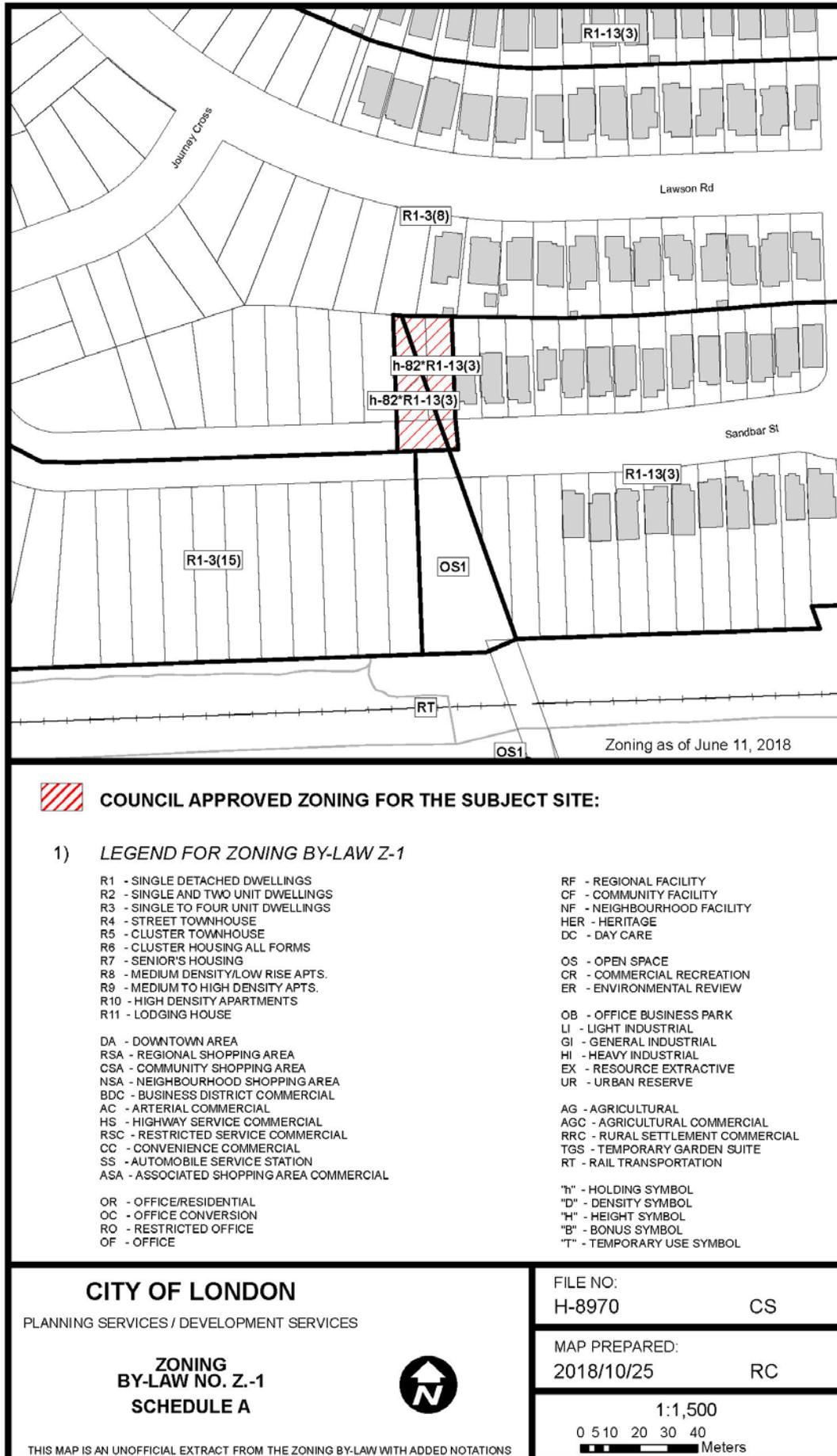
Public liaison: Notice of the application was published in the Londoner on November 1, 2018

0 replies were received

Nature of Liaison: City Council intends to consider removing the h-82 holding provisions from the lands. The holding h-82 symbol shall not be deleted until the part block has been consolidated with adjacent lands to the satisfaction of the City. Council will consider removing the holding provision as it applies to these lands no earlier than November 12, 2018.

Appendix C

Zoning Map



Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: John Fleming, MCIP, RPP
Managing Director, Planning & City Planner
George Kotsifas P. Eng.,
Managing Director, Development and Compliance Services &
Chief Building Official

Subject: Upper Thames River Conservation Authority Dingman Creek
Subwatershed Screening Area Mapping

Meeting on: November 12, 2018

Recommendation

That, on the recommendation of the Managing Director, Planning & City Planner and Managing Director, Development and Compliance Services & Chief Building Official the following report **BE RECEIVED** for information.

Executive Summary

Purpose and the Effect of Recommended Action

This report provides a status update regarding the Upper Thames River Conservation Authority's (UTRCA) Regulatory Floodplain for the Dingman Creek Subwatershed

Previous Reports Pertinent to this Matter

Civic Works Committee, October 6, 2015: "Dingman Creek Subwatershed: Stormwater Servicing Strategy Schedule C Municipal Class Environmental Assessment."

Civic Works Committee, February 3, 2013: "Contract Award T13-89 Dingman Creek Stormwater Management Erosion Control Wetland (ES2682)."

Municipal Council, November 20, 2012: "A by-law to amend the Official Plan for the City of London, 1989 relating to lands located in the southwest quadrant of the City, generally bounded by Southdale Road West, White Oak Road, Exeter Road, Wellington Road South, Green Valley Road, and the Urban Growth Boundary."

Analysis

1.0 Context

1.1 Dingman Creek Subwatershed

The Dingman Creek subwatershed (17,200 hectares) includes 74% of its drainage area within the City of London and the entire planning area of the Southwest Area Secondary Plan (SWAP). In October 2015, the City initiated the Dingman Creek Subwatershed: Stormwater Servicing Municipal Class Environmental Assessment (Dingman EA). The Dingman EA is reviewing previously recommended works in the context of current stormwater management practices, including Low Impact Development (LID), and natural channel design. In tandem, the UTRCA has undertaken a comprehensive review of the floodplain hazards adjacent to the Dingman Creek. Both of these initiatives are intended to inform the review of future development applications for lands located within the Dingman Creek Subwatershed.

1.2 UTRCA Regulatory Floodplain Update

The main objectives of the Regulation made under the Conservation Authorities Act are to ensure public safety and protect property with respect to natural hazards. The *Upper Thames River Conservation Authority: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses* (Ontario Regulation 157/06) establishes Regulated Areas where development could be subject to flooding, erosion or where interference with wetlands and alterations to shorelines and watercourses may have an adverse effect on those environmental features.

Watercourses and the associated regulated floodplains are one of the natural hazards that are components of the UTRCA's Regulation Limit. Regulation Limit Mapping is a tool used to identify and communicate where Natural Hazards are located. The methodologies followed and assumptions used in Regulation Limit Mapping development are based on provincial guidance prepared by the Ministry of Natural Resources and Forestry (MNR). As such, the UTRCA have the jurisdiction to regulate Natural Hazard areas (including the floodplain) in the Dingman Creek subwatershed. It should be noted that where there is a discrepancy between the mapping and the text of the Regulation, the text prevails. In addition, the Regulation applies to all areas described by the text of the Regulation, whether mapped or not.

The draft results of the UTRCA's updated flood modelling/mapping exercise have generally shown an increase in the regulatory floodplain limits across the Dingman Creek Subwatershed. UTRCA has a documented *Regulation Mapping Update Process* to guide transition for utilizing such updated information. The transition guidance includes:

- When making decisions regarding hazard lands, the Conservation Authority shall utilize the most recent and best available information including recent updates to floodplain modelling, watercourse, and wetland mapping – recognizing the Regulation continues to be 'text based'.
- When the available information is deemed insufficient to make decisions regarding hazard lands, the CA shall require the applicant to collect information, undertake calculations/modeling, produce mapping, etc., to allow an informed decision to be made regarding the hazard lands.
- Where the 'Principle of Development' has been established under the Planning Act, the Authority will work with the proponent and the municipality to pursue a resolution where possible.

Appendix A contains a map reflecting a combination of existing erosion and wetland hazard information (which are part of current Regulation Limit mapping) and the updated floodplain information.

In addition to the regulatory requirements under the *Conservation Authorities Act* regulations, Conservation Authorities have delegated responsibilities to represent provincial interests regarding natural hazards as outlined in Section 3.1 of the Provincial Policy Statement. These delegated responsibilities require Conservation Authorities to review and provide comments on official plans and comprehensive zoning by-laws and applications made under the *Planning Act*. As such, the Appendix A map information will also be utilized to inform *Planning Act* applications.

2.0 Key Issues and Considerations

2.1 Process for Screening Planning and Development Applications

The UTRCA Regulatory Floodplain Update is expected to have implications on the limits of the floodplain and the planning and development applications and land uses within the floodplain area determined through the update.

The UTRCA has provided mapping to City Staff that reflects the preliminary results of updated floodplain modelling. The City has also been advised that the updated UTRCA mapping will be presented to the UTRCA Board at its next meeting, on November 27,

2018. It is expected that the existing UTRCA transition guidance described above will be utilized moving forward with respect to the updated floodplain and natural hazard information.

The mapping identifies a “screening area”, where further review and refinement will continue as options for engineered flood mitigation and/or policy solutions are assessed through a subsequent phase of the Dingman EA. Following completion of the EA study and/or implementation of viable mitigation works, there may be changes to the UTRCA’s Regulatory Floodplain limits which can be incorporated through future amendments to The London Plan and the 1989 Official Plan.

In the interim, the City intends to use the “screening area” for planning and development applications and building permit applications as the engineering study continues. The City anticipates the UTRCA will request applicants obtain confirmation and approval from the UTRCA before any City approval of a planning, development or building application within this “screening area” of London. The UTRCA approval will ensure that the lands have appropriate access, minimize risk to public health and safety and not create new or aggravate existing hazards. The UTRCA’s Board will also be informed of this approach.

The City expects to continue coordinating with the UTRCA on the review of planning, development, and building permit applications utilizing the new “Screening Area” mapping.

2.2 Dingman Environmental Assessment Implications

The objectives of the Dingman EA study are to develop stormwater servicing solutions for lands that are scheduled for development. As a result, the UTRCA floodplain update has triggered the recommendation for the EA to be phased into two components (See Appendix B for Phase 1 lands):

- *Phase 1* will address stormwater servicing requirements for select lands under the original EA scope of work. Phase 1 will only recommend municipal infrastructure for new development within tributaries outside of the area of influence of the updated Dingman Creek hazard lands.
- *Phase 2* will be a continuation of the Master Plan EA process but will include a new or expanded problem statement to analyze potential engineering infrastructure for Dingman Creek (and tributaries not included in Phase 1) to mitigate flooding on impacted lands (as well as to improve access), all in consideration of the updated hazard information. During this time, the UTRCA will continue to confirm the extents of the natural hazards that are components of the UTRCA’s Regulation Limits.

Phase 1 is targeted to be completed by mid-2019. This will recommend stormwater servicing for a study area of approximately 530 hectares. Phase 2 is targeted to be completed by end of 2021. An estimated cost of \$500,000 has been added to the 2019 Development Charges Update to complete this phase of the study. Phase 2 will recommend infrastructure for all Dingman lands within the City’s Urban Growth Boundary, including the remainder of the SWAP lands. The benefit of phasing the Dingman EA is to allow for development within the 0-5 year period to proceed wherever possible in accordance with the City’s Growth Management Implementation Strategy. A subsequent report to Civic Works Committee will outline the scope of Phase 2 in more detail.

2.3 Approach to Planning Studies Currently Underway

The screening area approach will also be applied to any Secondary Plan, Master Plan, or other planning study that is currently under review. A forthcoming report will identify the issues of this floodplain modelling as it relates to the planning process for the White Oak-Dingman Secondary Plan; however, it should be recognized that the screening area implications are significant for this secondary plan area.

2.4 Next Steps

The UTRCA will provide Planning Services, Environmental and Engineering Services, Development and Compliance Services, and other City Service Area staff a digital mapping file for identifying the lands within the screening area. Staff would then request the applicable development or building permit applicant in or near the screening area to contact the UTRCA for more information.

Following the November 27, 2018, report to the UTRCA Board, and confirmation of the City's proposed "screening area" approach, the City will return to Council with a report identifying additional considerations related to various types of land use categories within the "screening area", which may include developed versus undeveloped areas.

3.0 Conclusion

The City will continue to work and assist the UTRCA in implementing their floodplain regulation mandate. The City will continue to evaluate stormwater servicing solutions within the Dingman EA for lands identified as Phase 1. A subsequent Phase 2 of the Dingman EA will be presented at the Civic Works Committee to identify potential options to mitigate the increased hazard limits for the balance of the lands within the City boundary.

Staff will return to PEC and Council with a report identifying additional considerations related to various types of land use categories within the "screening area", which may include developed versus undeveloped areas following further direction from the UTRCA after its Board meeting on November 27, 2018.

Submitted by:	Gregg Barrett, AICP Manager, Long Range Planning & Research
Submitted by:	Shawna Chambers, P.Eng. Division Manager, Stormwater Engineering
Recommended by:	George Kotsifas, P.Eng. Managing Director, Development and Compliance Services & Chief Building Official
Recommended by:	John Fleming, MCIP, RPP Managing Director, Planning & City Planner
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Planning Services	

November 2, 2018
GB\SC\tn

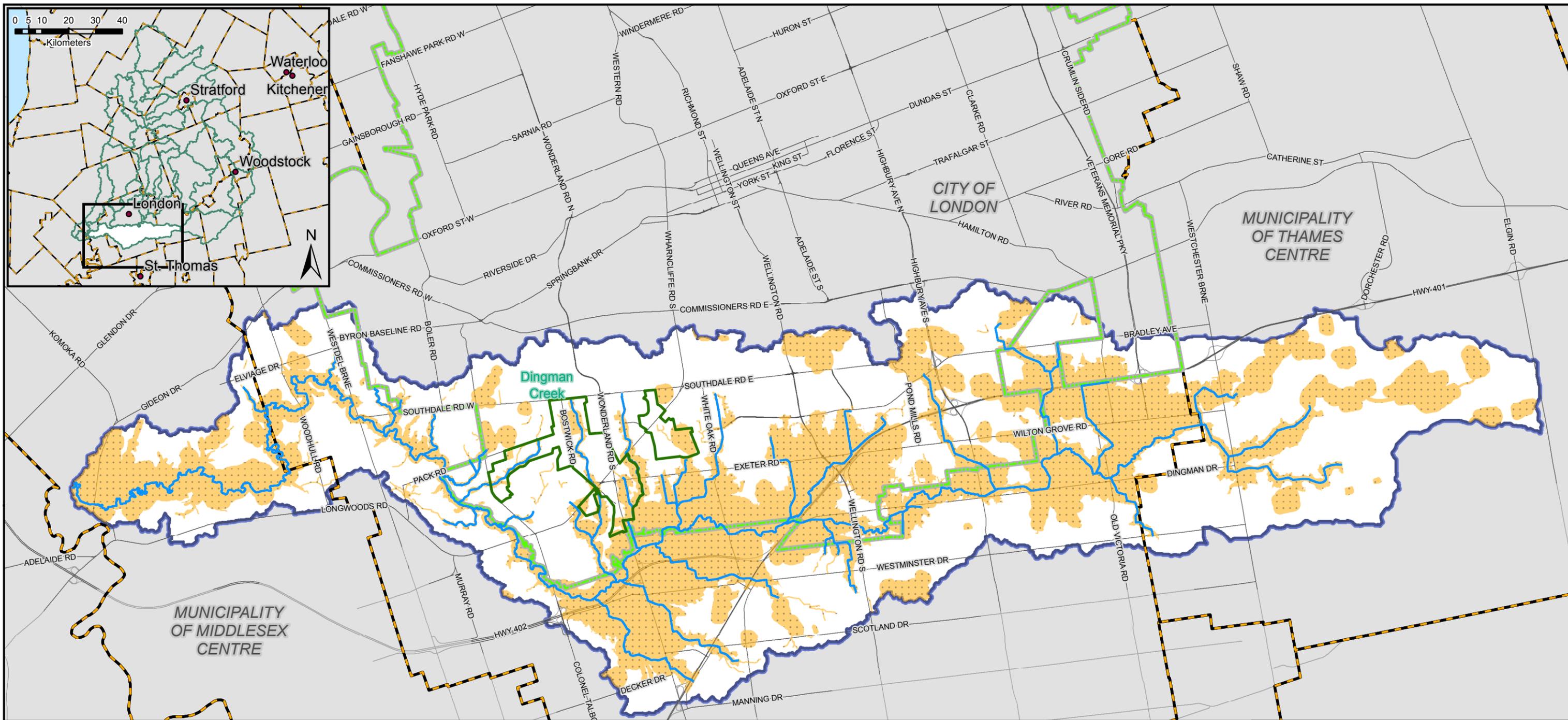
Appendix A - Dingman Subwatershed Screening Area Mapping
Appendix B – Location Map: Dingman Creek EA Proposed Phase 1 Catchment Area

CC: Kelly Scherr, Managing Director, Environmental and Engineering Services & City Engineer
Scott Mathers, Director, Water and Wastewater
Paul Yeoman, Director, Development Services
Peter Kokkoros, Deputy Chief Building Official

Y:\Shared\policy\Dingman Creek - 2018\2018-Nov-12 PEC-UTRCA Draft Floodplain Update.docx

Appendix A – Dingman Subwatershed Screening Area Mapping

**Appendix B – Location Map: Dingman Creek EA Proposed Phase 1
Catchment Area**



DINGMAN SUBWATERSHED SCREENING AREA

NATURAL HAZARDS (FLOODING, EROSION, WETLANDS)

Legend

- River
- Roads
- Municipalities
- Dingman Subwatershed
- Urban Growth Boundary

- Screening Area
- Dingman Creek EA
- Proposed Phase 1 Area

Map Created by UTRCA
October 31, 2018

Kilometers

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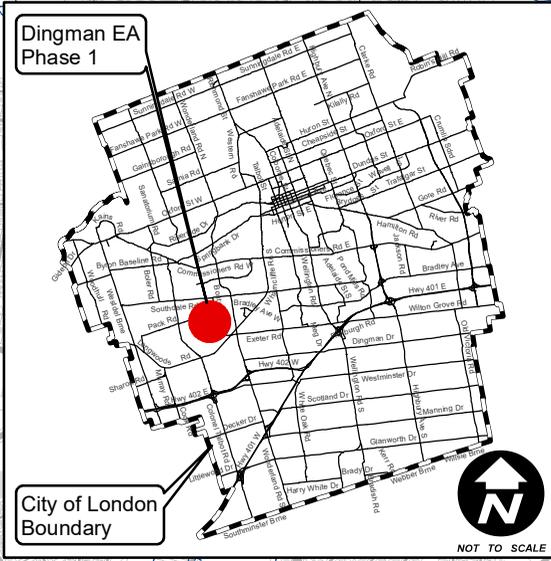
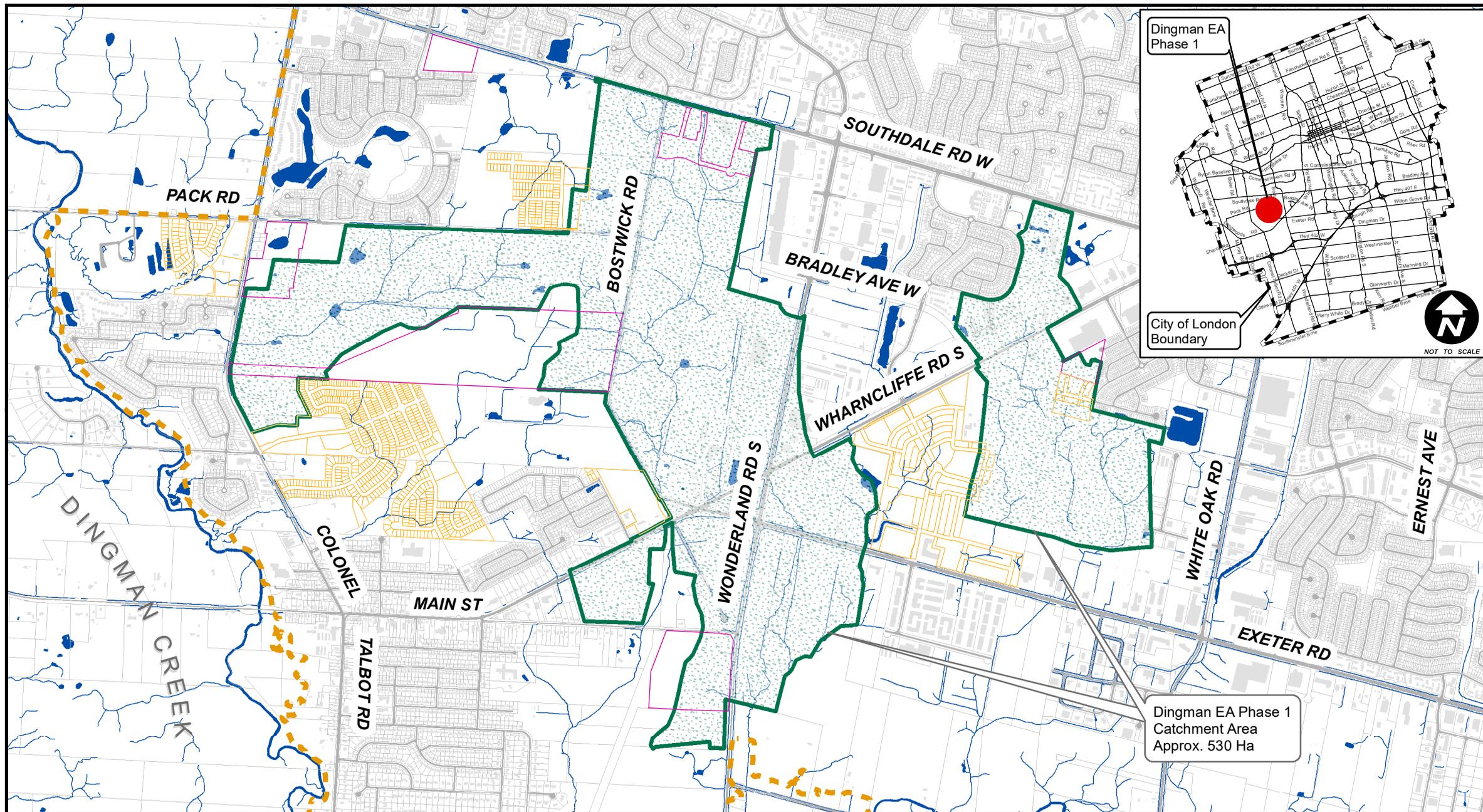
This map is not a substitute for professional advice. Please contact UTRCA staff for any changes, updates and amendments to the information provided.

This document is not a Plan of Survey.

Data Sources:
2018 Watercourse, Oct. 2018 Section 28 Screening Area
Copyright © UTRCA, 2018

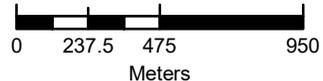
2016 Urban Growth Boundary Copyright © City of London, 2016

2018 Roads, 2013 Municipal Boundary
Copyright © Queen's Printer for Ontario, 2018, 2018.



APPENDIX 'B' - LOCATION MAP - DINGMAN CREEK, MUNICIPAL CLASS ENVIRONMENTAL ASSESSMENT - PROPOSED PHASE 1 CATCHMENT AREA





Legend:

 Dingman Creek, EA Proposed Phase 1 Catchment Area	 Draft Plan (DP) Approved	 Land Parcel	 Road	 Urban Growth Boundary	 Railroad	 Water Body
 DP Under Review						

Map Produced by
Stormwater Engineering
300 Dufferin Avenue,
PO Box 5035
London, Ontario
N6A 4L9
www.London.ca



201

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: George Kotsifas, P. Eng.
Managing Director, Development & Compliance Services
And Chief Building Official

Subject: Application By: Town and Country Developments (2005) Inc
2313 and 2373 Callingham Drive
Blocks 2 and 3 Plan 33M-664

Meeting on: November 12, 2018

Recommendation

That, on the recommendation of the Senior Planner, Development Services, the following action be taken with respect to the application by Town and Country Developments (2005) Inc., to exempt the following lands from Part-Lot Control:

- a) the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on November 20, 2018 to exempt Blocks 2 and 3 of Registered Plan 33M-664 from the Part Lot Control provisions of Subsection 50(5) of the *Planning Act*.

Executive Summary

Summary of Request

Request for approval to exempt Blocks 2 and 3 in Registered Plan 33M-664 from the Part Lot Control provisions of the *Planning Act*.

Purpose and Effect of Recommended Action

Exemption from Part Lot Control will allow the developer to divide the blocks into twenty-seven (27) freehold street townhouse lots with individual accesses to Callingham Drive

Rationale for Recommended Action

The conditions for passing the Part-Lot Control By-law have been satisfied and the applicant has been advised that the cost of registration of the by-law is to be borne by the applicant, all in accordance with the previous Council Resolution.

LOCATION MAP



LOCATION MAP
 Subject Site: 2313 Callingham Drive
 Applicant: Town
 File Number: P-8830
 Planner: Craig Smith
 Created By: Craig Smith
 Date: 2017-10-16
 Scale: 1:2500

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

LEGEND	
	Subject Site
	Parks
	Assessment Parcels
	Buildings
	Address Numbers

Analysis

At its meeting held on December 12, 2017, Municipal Council resolved:

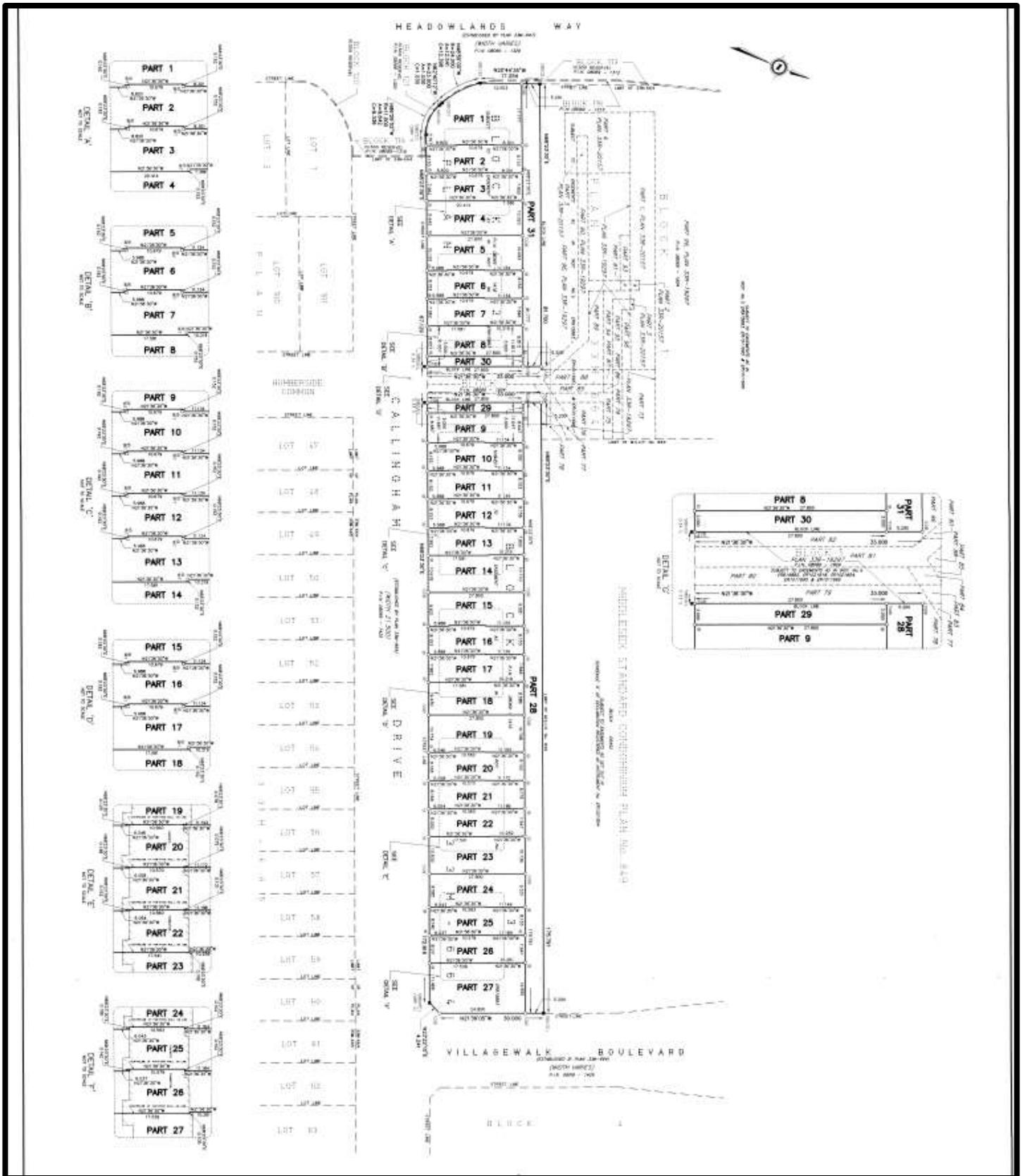
That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application by Town and Country Developments (2005) Inc., to exempt the properties located at 2313 and 2373 Callingham Drive from Part Lot Control:

- a) *pursuant to subsection 50(7) of the Planning Act, R.S.O. 1990, c. P.13, the proposed revised by-law appended to the December 4, 2017 Planning and Environment Committee Added Agenda **BE INTRODUCED** at a future Council meeting, to exempt Block 2 and 3, Plan 33M-664, from the Part Lot Control provisions of subsection 50(5) of the said Act, for a period not to exceed three (3) years;*
- b) *the following conditions of approval **BE REQUIRED** to be completed prior to the passage of a Part Lot Control By-law for Block 2 and 3, Plan 33M-664 as noted in clause a) above:*
 - i.) *the submission by the Applicant of a draft reference plan to Development Services for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the Land Registry Office;*
 - ii.) *the submission by the Applicant to Development Services of a digital copy, together with a hard copy, of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;*
 - iii.) *the submission by the Applicant of each draft reference plan to London Hydro showing driveway locations and to obtain approval for hydro servicing locations and above ground hydro equipment locations prior to the reference plan being deposited in the Land Registry Office;*
 - iv.) *the submission by the Applicant to the City for review and approval prior to the reference plan being deposited in the Land Registry Office; any revised lot grading and servicing plans in accordance with the final lot layout to divide the blocks should there be further division of property contemplated as a result of the approval of the reference plan;*
 - v.) *the Applicant entering into any amending subdivision agreement with the City, if necessary;*
 - vi.) *the Applicant agreeing to construct all services, including private drain connections and water services, in accordance with the approved final design of the lots;*
 - vii.) *the Applicant obtaining confirmation from Development Services that the assignment of municipal numbering has been completed in accordance with the reference plan(s) to be deposited;*
 - viii.) *the Applicant obtaining approval from Development Services for each reference plan to be registered, prior to the reference plan being registered in the Land Registry Office;*
 - ix.) *the Applicant submitting to the City confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office; and,*
 - x.) *the Applicant obtaining clearance from the City that requirements iii), iv) and v) inclusive, outlined above, have been satisfactorily completed, prior to any issuance of building permits by the Building Division for lots being developed in any future reference plan; and,*

c) *the Applicant **BE ADVISED** that the cost of registration of the above-noted by-law is to be borne by the Applicant, in accordance with City policy. (2017-D25)*

The exemption from the Part-Lot Control will allow for creation of individual residential units on freehold townhouse lots. The conditions noted above have been satisfied, and the attached recommended by-law to implement Council's December 12, 2017 resolution will allow the conveyance of individual freehold interests for lands within Block 2 and 3 of Plan 33M-664, as per the attached reference plan.

REFERENCE PLAN 33R-20244



Conclusion

In accordance with the Council Resolution, the conditions required to be completed prior to the passage of a Part-Lot Control By-law have been satisfied, and the applicant has been advised that the cost of registration of the by-law is to be borne by the applicant.

Recommended by:	C. Smith, MCIP, RPP Senior Planner - Development Services
Reviewed by:	Lou Pompilli, MPA, RPP Manager, Development Planning
Concurred In by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P. Eng Managing Director, Development and Compliance Services and Chief Building Official

November 5, 2018
CS/

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2017\P-8830 - 2313 and 2373 Callingham Drive (CS)\PEC\PEC Report to
pass by-law.docx

Appendix A

Bill No. (number to be inserted by
Clerk's Office)
2018

By-law No. C.P. (number to be inserted
by Clerk's Office)

A by-law to exempt from Part-Lot Control lands located on the north side of Callingham Drive, west of Villagewalk Boulevard; being composed of all of Block 2 and 3 of Plan 33M-664, more accurately described as Parts 1-31 inclusive on Reference Plan 33R-20244 in the City of London and County of Middlesex.

WHEREAS pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, as amended, and pursuant to the request from Town and Country Developments (2005) Inc., it is expedient to exempt lands located on the north side of Callingham Drive, west of Villagewalk Boulevard; legally described as Blocks 2 and 3 in Registered Plan 33M-664, London, from Part Lot Control;

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

1. Lands located on the north side of Callingham Drive, west of Villagewalk Boulevard; being composed of all of Block 2 and 3 of Plan 33M-664, in the City of London and County of Middlesex, more accurately described as Parts 1-31 inclusive on Reference Plan 33R-20244 are hereby exempted from Part Lot Control pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c.P.13*, as amended; for a period not to exceed three (3) years;
2. This by-law comes into force when it is registered at the Land Registry Office.

PASSED in Open Council on November 20, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – November 20, 2018
Second Reading – November 20, 2018
Third Reading – November 20, 2018

Appendix B – Relevant Background

Additional Reports

File No. P-8830 – Planning and Environment Committee Meeting on December 4, 2017 – Report from the Managing Director, Development & Compliance Services and Chief Building Official with respect to an application by Town and Country Development (2005) Inc. requesting an exemption from Part Lot Control for Blocks 2 and 3 Plan 33M-664, located on the north side of Callingham Drive, west of Villagewalk Boulevard.

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: George Kotsifas, P. Eng
Managing Director, Development & Compliance Services And
Chief Building Official

Subject: Application By: 4161 Raney Crescent c/o John Spriet
4161 and 4141 Raney Crescent

Meeting on: November 12, 2018

Recommendation

That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to the application John Spriet relating to the property located at 4161 and 4141 Raney Crescent:

- (a) the attached proposed by-law (Appendix "A") **BE INTRODUCED** at the Municipal Council meeting on November 20, 2018 to deem Lots 21 and 23 of Registered Plan 33M-177, City of London, County of Middlesex not to be in a registered plan of subdivision for the purposes of subsection 50(3) of the *Planning Act*;
- (b) the City Clerk **BE DIRECTED** to provide notice of the by-law passing and undertake registration of the Deeming By-law, in accordance with the provisions in subsections 50(28) and 50(29) of the *Planning Act*; and,
- (c) the applicant **BE REQUIRED** to pay for any costs incurred to register the deeming by-law at the land registry office.

Executive Summary

Summary of Request

The applicant has requested the removal of the property line currently separating the above to allow the parcels to be merged into one lot.

Purpose and the Effect of Recommended Action

The purpose of the recommended action is to approve the deeming by-law in order to consolidate contiguous lots into one parcel by deeming the subject lands not to be in a registered plan of subdivision. Removal of the internal lot boundary will allow for the reconfiguration of the industrial lands to be redeveloped with one industrial building fronting onto Raney Crescent.

Rationale of Recommended Action

The subject site currently contains two separate parcels which are under similar ownership and which received Site Plan Approval in 2004 for an industrial development that includes a building contained on 4161 Raney Crescent (Lot 23) and an associated parking lot on the adjacent property at 4141 Raney Crescent (Lot 21). The deeming by-law will allow the properties to merge as one parcel under one ownership.

Analysis

1.0 Site at a Glance

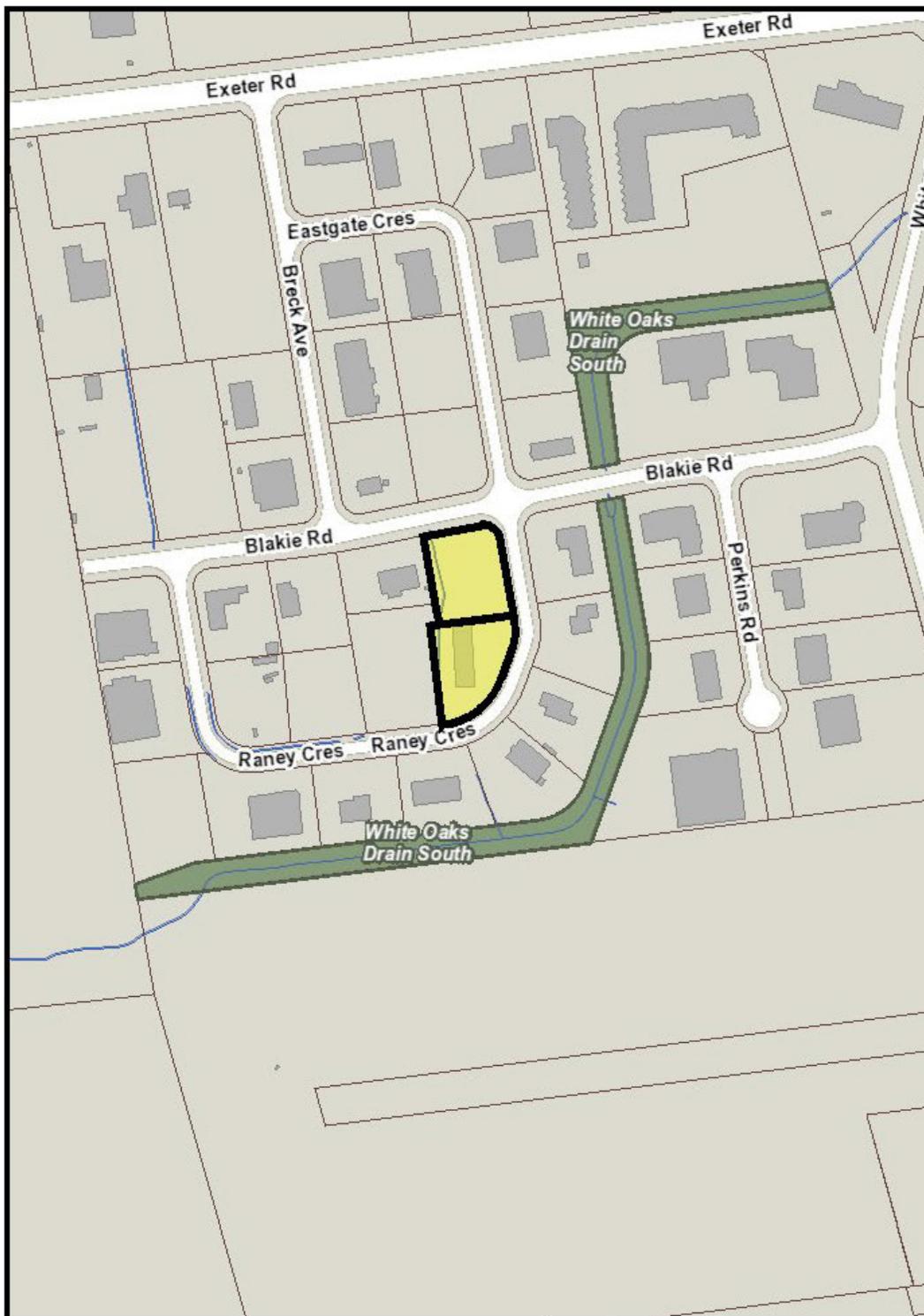
1.1 Property Description

The site is located on the west side Raney Crescent, south of Blakie Road. The property addressed at 4161 Raney Crescent has a total frontage of 113 metres (372 feet) on Raney Crescent, with a site area of approximately 0.4 hectares (1 acre). The property addressed at 4141 Raney Crescent has a frontage of approximately 71 metres (233 feet) on Raney Crescent and a lot area of approximately 0.42 hectare (1.04 acres). The subject lands are presently occupied by a light industrial use within the existing buildings. There are existing industrial, service commercial and community facility uses within the surrounding area.

1.2 Current Planning Information (see more detail in Appendix D)

- Official Plan Designation –Light Industrial
- The London Plan Place Type –/Light Industrial
- Existing Zoning – Holding Light Industrial (h-17/LI1/LI2) Zone

1.3 Location Map



Location Map		Legend	
Project Title:	Location Map		Subject Site
Description:	4161 & 4141 Raney Cres.		Parks
Created By:	Rob Carnegie		Assessment Parcels
Date:	11/1/2018		Buildings
Scale:	1:4000		Address Numbers

Corporation of the City of London



2.0 Description of Proposal

By-laws can be enacted pursuant to Section 50(4) of the *Planning Act* for the purpose of deeming any plan of subdivision or part thereof, which has been registered for eight (8) years or more, not to be a registered plan of subdivision for the purposes of Section 50(3) of the *Planning Act*. The effect of a deeming by-law would be to merge two or more lots or blocks within a registered plan of subdivision into one legally conveyable lot. Deeming by-laws are often used to merge lots from old plans of subdivision which no longer meet current development or zoning standards or where a building is proposed to be constructed across property boundaries.

Plan 33M-177 was registered on July 3, 1987. The individual lots must be deregistered and consolidated with the adjacent block in order to implement the preferred development concept. Approval of a deeming by-law will provide for redevelopment of the lands, in conformity with the Council-approved zoning. In this subject case, the current owner requires a water service for fire protection for the existing building and a possible future expansion. The municipal watermain is located on Blakie Road and fronts the parcel that is currently being used as a parking area (4141 Raney Crescent). The building requiring the connection is on the adjacent parcel and the merging of the properties would allow it to front the watermain. In addition, the owner is considering a future building expansion that would cross the existing property boundary. The construction of buildings across lot boundaries is not permitted under the Building Code and the underlying lotting pattern must be removed so that the development can proceed in the form of a building with associated parking and landscaping on one consolidated lot.

No notice or hearing is required prior to the passing of a “deeming” by-law under subsection 50(4) of the *Planning Act*. Notice of the passing of the by-law must be given within 30 days to the assessed owner of any land to which the by-law applies, and the owner can make representations to Council concerning the by-law within 20 days of issuance of the notice.

3.0 Conclusion

An application has been received from the owner of the property 4161 and 4141 Raney Crescent for approval of a by-law to deem the land not to be part of a registered plan of subdivision under the *Planning Act*. The reason for this request is to permit the abutting lots that are in common ownership to merge to facilitate a planned future expansion and a water connection for fire protection to the existing building.

Prepared and Recommended by:	Lou Pompilii, MCIP RPP Manager, Development Planning (Subdivision)
Concurred in by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services	

October 30, 2018
LP/lp

Appendix A

Bill No.
2016

By-law No.

A by-law to deem a portion of Registered Plan 33M-177 not to be a registered plan of subdivision for the purposes of subsection 50(3) of the *Planning Act, R.S.O. 1990, c. P13*.

WHEREAS subsection 50(4) of the *Planning Act* provides that the council of a local municipality may by by-law designate any plan of subdivision or part thereof that has been registered for eight years or more, and deem it not to be a registered plan of subdivision for the purposes of subsection 50(3) of the *Planning Act*.

AND WHEREAS Lots 21 and 23 are currently separate lots within the registered plan.

AND WHEREAS Registered Plan No. 33M-177 has been registered for more than eight years.

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

- 1) That the following lots on Registered Plan 33M-177 shall be deemed not to be a registered plan of subdivision for the purposes of Section 50(3) of the *Planning Act*: Lots 21 and 23 on 33M-177, City of London, County of Middlesex being all of PINs 08208-0054 and 08208-0056
- 2) This by-law comes into force on the day it is enacted by the Council of the Corporation of the City of London, subject to the provisions of subsection 50(27) of the *Planning Act*.

PASSED in Open Council on November 20, 2018

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading - November 20, 2018
Second Reading – November 20, 2018
Third Reading - November 20, 2018

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: George Kotsifas, P. Eng
Managing Director, Development & Compliance Services and
Chief Building Official

Subject: Application By: Speyside East Corporation
Talbot Village Subdivision – Phases 1, 1A, 1B, 2, 3 and 4
39T-00514 and 39T-13501 – Amending Amendments

Meeting on: November 12, 2018

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the Subdivision Agreements and Amending Subdivision Agreements between The Corporation of the City of London and Speyside East Corporation, for the subdivision of land referred to as Talbot Village Community, located on the north side of Pack Road, east of Colonel Talbot Road:

- (a) the attached Amending Agreement between The Corporation of the City of London and Speyside East Corporation **BE APPROVED** for Talbot Village Phase 1A (Plan 33M-458); subdivision agreement;
- (b) the attached Amending Agreement between The Corporation of the City of London and Speyside East Corporation **BE APPROVED** for Talbot Village Phase 1B (Plan 33M-494); subdivision agreement;
- (c) the attached Amending Agreement between The Corporation of the City of London and Speyside East Corporation **BE APPROVED** for Talbot Village Phase 2 (Plan 33M-624); subdivision agreement;
- (d) the attached Amending Agreement between The Corporation of the City of London and Speyside East Corporation **BE APPROVED** for Talbot Village Phase 3 (Plan 33M-562); subdivision agreement; and
- (e) the attached Amending Agreement between The Corporation of the City of London and Speyside East Corporation **BE APPROVED** for Talbot Village Phase 4 (Plan 33M-684), subdivision amending agreement;
- (f) the Mayor and the City Clerk **BE AUTHORIZED** to execute this Agreement, any further amending agreements and all documents required to fulfil its conditions.
- (g) the Mayor and the City Clerk **BE AUTHORIZED** to execute this Agreement, any amending agreements and all documents required to fulfill its conditions.

Purpose

The Subdivision Agreements for the Talbot Village Subdivision (39T-00514 and 39T-13504) were approved in 2002 (Phase 1), 2004 (Phase 1B), 2006 (Phase 3), 2010 (Phase 2), and 2015 (Phase 4). As a condition of the agreement, the Developer was required to construct a temporary pumping station to service the lands within this development at their sole expense and to later transfer the pumping station to the City.

Through the initial Subdivision Agreement in 2002, the City was identified as the party responsible for the maintenance and operations of the temporary pumping station and forcemain with the developer responsible for all costs incurred. These conditions were

carried forward in all subsequent Subdivision Agreements with the intention that this arrangement would end when the permanent sanitary outlet became available.

This Amending Agreement report addresses the necessary administrative actions required to allow the transfer of operations of the temporary pump station to occur in time for the construction of the permanent pumping station and forcemain.

Background

Property Description:

The Talbot Village Subdivision is located on the north side of Pack Road, east of Colonel Talbot Road

Draft plan approval with conditions was granted for the Talbot Village Subdivision lands on October 11, 2001. The draft plan consisted of a 576 single detached lots and a 19 blocks, which consisted of mixed used developments, a school site, SWM lands, open space lands and park lands.

Final Approvals relating to the draft plan have occurred as follows:

- Phase 1A was registered on December 20, 2002 as Plan 33M-458;
- Phase 1B was registered on July 20, 2004, as Plan 33M-494;
- Phase 2 was registered on December 9, 2010, as Plan 33M-624;
- Phase 3 was registered on January 16, 2007, as Plan 33M-562; and
- Phase 4 was registered on September 28, 2015, as Plan 33M-684.

Temporary Pumping Station and Existing Sanitary Capacity

This development relies on a temporary pumping station that was constructed by the Speyside East Corporation under the Talbot Village Phase 1A agreement executed in 2002. The pump station construction was granted approval as a temporary measure to allow the Talbot Village development to move forward in advance of a permanent sanitary treatment solution for the southwest area of the city. At the time, the Southside Pollution Control plant was considered to be the ultimate solution. Since that time, the Southwest Area Plan has been completed, along with the Southwest Area Sanitary Servicing Study (SASS) and the 2014 Development Charges Background Study (DCBS). Through the SASS and the 2014 DCBS, an alternate solution was identified that includes a 2019 GMIS project to construct the Colonel Talbot Pumping Station and forcemain. When this work is complete, the temporary Talbot Village Pumping Station can be decommissioned and wastewater flows from this development can be accommodated by the new, City constructed and DC funded, pumping station and forcemain.

The subdivision agreement amendments will address all administrative matters necessary to reflect the ultimate servicing solution and the decommissioning of the Talbot Village Pumping Station.

Figure 1: Location map of Talbot Village



Prepared by:	Matt Feldberg, CET, MPA Manager, Development Services (Subdivisions)
Reviewed and Recommended by:	Paul Yeoman, RPP, PLE Director, Development Services
Concurred in by:	Scott Mathers, MPA, P.Eng. Director, Water and Wastewater
Submitted by:	George Kotsifas, P.Eng. Managing Director, Development and Compliance Services and Chief Building Official
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

November 6, 2018

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2000\39T-00514 Speyside East Corporation\Amending Agreement - Talbot Village Pumping Station\PEC REPORT TEMPLATE - Amending Subdivision Agreements and Amending Agreements.docx

THIS AGREEMENT made, in triplicate, this _____ day of _____, 2018.

BETWEEN:

THE CORPORATION OF THE CITY OF LONDON
(hereinafter called the City)

OF THE FIRST PART

AND

SPEYSIDE EAST CORPORATION
a Company incorporated under the laws
of the Province of Ontario
(hereinafter called the Owner)

OF THE SECOND PART

WHEREAS the Parties hereto have entered into a certain Subdivision Agreement dated the 4th day of September, 2002, and registered in the Land Registry Office for the Land Titles Division of Middlesex East (No. 33) on the 10th day of January, 2003, as Instrument Number ER201867, respecting the lands more particularly described in Schedule "A" attached hereto and other lands, ("Phase 1A Agreement");

WHEREAS the Parties hereto have entered into a certain Subdivision Agreement dated the 18th day of May, 2004, and registered in the Land Registry Office for the Land Titles Division of Middlesex East (No. 33) on the 20th day of July, 2004, as Instrument Number ER301093, respecting the lands more particularly described in Schedule "A" attached hereto and other lands, ("Phase 1B Agreement");

WHEREAS the Parties hereto have entered into a certain Subdivision Agreement dated the 27th day of July, 2010, and registered in the Land Registry Office for the Land Titles Division of Middlesex East (No. 33) on the 15th day of September, 2010, as Instrument Number ER728710, respecting the lands more particularly described in Schedule "A" attached hereto and other lands, ("Phase 2 Agreement");

WHEREAS the Parties hereto have entered into a certain Subdivision Agreement dated the 25th day of July, 2006, and registered in the Land Registry Office for the Land Titles Division of Middlesex East (No. 33) on the 27th day of September, 2006, as Instrument Number ER459806, respecting the lands more particularly described in Schedule "A" attached hereto and other lands, ("Phase 3 Agreement");

WHEREAS the Parties hereto have entered into a certain Subdivision Agreement dated the 29th day of June, 2015, and registered in the Land Registry Office for the Land Titles Division of Middlesex East (No. 33) on the 20th day of October, 2015, as Instrument Number ER477356, respecting the lands more particularly described in Schedule "A" attached hereto and other lands, ("Phase 4 Agreement");

AND WHEREAS the Phase 1A Agreement, the Phase 1B Agreement, the Phase 2 Agreement, the Phase 3 Agreement and the Phase 4 Agreement are herein collectively referred to as the "Subdivision Agreements";

AND WHEREAS it is deemed expedient to amend the Subdivision Agreements, as previously amended by the Subdivision Amending Agreements;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and the sum of ONE DOLLAR (\$1.00) of lawful money of Canada now paid by the Owner to the City, the receipt whereof is hereby acknowledged, the City and the Owner covenant and agree that the Subdivision Agreements, as previously amended by the Subdivision Amending Agreements be and the same are hereby amended as follows:

1. That Phase 1A Subdivision Agreement, Part I – Section 24 be amended to read:

24: NOTICE

Any notices required or permitted to be given pursuant to the terms of this Agreement shall be given in writing sent by prepaid registered post, addressed in the case of notice given by the City to: **Speyside East Corporation, c/o Southside Group, 75 Blackfriars Street, London, Ontario N6H 1K8** and in the case of notice given by the Owner, addressed to: The City Clerk, P.O. 5035, London, Ontario N6A 4L9. Notice shall conclusively be deemed to have been given on the day that the same is posted.

Wherever in this Agreement the City is permitted or required to give direction, exercise supervision, or to require work to be done or work to cease in respect of the construction, installation, repair and maintenance of works and services, he shall be deemed to have done so if he communicates such direction, supervision or requirement, orally or in writing, to any person purporting or appearing to be a foreman, superintendent or other servant of the Owner, and if the City shall have made such communication orally he shall confirm such communication in writing as soon as conveniently possible.

2. That Phase 1A Subdivision Agreement, Part II – Special Provisions, Section 27, Clause (h) be deleted in its entirety:

(h) The subdivider agrees to advise the City in writing at least two weeks prior to connecting, either directly or indirectly, into any unassumed services constructed by a third party, and to save the City harmless from any damages that may be caused as a result of the connection of the services from this subdivision into any unassumed services.

Prior to any connection being made to an unassumed service, the following will apply:

(i) The unassumed services must be completed and Conditionally Accepted by the City;

(ii) The subdivider must have a video inspection completed on all affected unassumed sewers;

(iii) All MOE Certificates of Approval associated with the subdivider's proposed servicing works and all applicable permits must be obtained.

The subdivider further agrees to pay a proportional share of the operational, maintenance and/or monitoring costs of any affected unassumed sewers or SWM facilities (if applicable) to third parties that have constructed the services and/or facilities, to which the subdivider is connecting. The above-noted proportional share of the cost shall be based on contributing flows for sewers or on storage volume in the case of a SWM facility. The subdivider's payments to third parties, shall:

- (i) *commence upon completion of the subdivider's service work connections to the existing unassumed services; and*
- (ii) *continue until the time of assumption of the affected services by the City.*

3. That Phase 1A Subdivision Agreement, Part II – Special Provisions, Section 27, Clause (i) be deleted in its entirety:

- (i) *With respect to any services and/or facilities constructed in conjunction with this plan, the subdivider agrees to permit the connection into and use of the subject services and/or facilities by outside owners whose lands are serviced by the said services and/or facilities, prior to the said services and/or facilities being assumed by the City.*

The connection into and use of the subject services by an outside owner will be conditional upon the outside owner satisfying any requirements set out by the City, and agreement by the outside owner to pay a proportional share of the operational, maintenance and/or monitoring costs of any affected unassumed services and/or facilities.

4. That Phase 1A Subdivision Agreement, Part II – Special Provisions, Section 27, Clause (r) be deleted in its entirety:

- (r) *It is hereby acknowledged that this plan is currently located within the Oxford Pollution Control Plant sewerage shed. It is further acknowledged that treatment capacity at the said Plant is available for this plan as at September 3, 2002 and will be reserved for this plan provided this plan and this agreement are registered within one (1) year of September 3, 2002, i.e. before September 3, 2003.*

In the event that this plan and this agreement are not registered before September 3, 2003, or in the event construction of municipal services within this plan does not begin with one (1) year from the time of registration of the plan, i.e. before September 3, 2004, then the reserved treatment capacity in the said Plant will be forfeited and the subdivider must reapply for treatment capacity to be reserved for this plan.

The subdivider hereby agrees that the City will not issue building permits for lots in this plan unless there is treatment capacity reserved at the Oxford Pollution Control Plant for this plan.

5. That Phase 1A Subdivision Agreement, Part II – Special Provisions, Section 27, Clause (s) be deleted in its entirety:

- (s) *The subdivider acknowledges that the ultimate sanitary outlet to service this plan is the future trunk sanitary sewer along Colonel Talbot Road, which will flow southerly to the future Southside Pollution Control Plant. Until those facilities are available, in order to provide an outlet for this plan, a temporary servicing strategy has been accepted which includes the provision of a temporary sanitary pumping station located within this plan, discharging to the Oxford Sewage Treatment Plant via the Byron Pumping Station.*

The subdivider hereby agrees to construct the sanitary sewers in this plan to the identified outlet, to the specifications of the City Engineer. The subdivider further agrees to construct all sanitary sewers required in conjunction with this plan to be sized to accommodate all upstream lands to the specifications of the City Engineer and at no cost to the City unless otherwise specified herein.

6. That Phase 1A Subdivision Agreement, Part II – Special Provisions, Section 27, Clause (t) be deleted in its entirety:

- (t) *The subdivider agrees to pay the City to operate and maintain the temporary pumping station and forcemain. The subdivider agrees to continue to pay to the City the cost of operating and maintaining the temporary pumping station*

until such time that the permanent sewer outlet is available and this temporary pumping station is decommissioned. To this effect, the City shall continue to hold sufficient security for these costs. The security required to operate and maintain the pumping station will be \$120,000 for the expected life of the pumping station. The subdivider will be required to also provide funds to the City, in the amount of \$30,000, for the decommissioning and removal of the temporary pumping station, abandonment of the temporary forcemain, connection of the gravity sanitary sewers to the permanent future sanitary trunk sewer, and all other costs associated with the transfer of flows to the permanent system.

7. That Phase 1A Subdivision Agreement, Part II – Special Provisions, Section 27, Clause (u) be deleted in its entirety:

(u) The subdivider will be responsible for all works and associated costs for the temporary modifications as required to the Southwinds pumping station to change over to single stage pumping and the subsequent reversal to the original condition. Additional details will be required on how the Southwinds pumping station is to be modified. The City's Environmental Services Department will need to be consulted regarding the details of the proposal. No building permits shall be issued prior to these modifications being completed. The City will hold security of \$20,000 for these costs.

8. That Phase 1A Subdivision Agreement, Part II – Special Provisions, Section 27, Clause (v) be deleted in its entirety:

(v) The subdivider hereby acknowledges that, although it will install the temporary pumping station and forcemain at its expense as required herein, the City is the sole operator of the temporary pumping station and forcemain. To this effect, the subdivider and the City agree to enter into a separate agreement addressing how the subdivider and the City will manage any excess residual capacity of the temporary pumping station that is not required for this plan, either prior to the assumption of this plan or prior to other lands being serviced by the temporary pumping station, whichever comes first. The said agreement shall be in effect until the time sanitary sewage flows from this plan are no longer directed through this temporary pumping station as determined by the City Engineer.

9. That Phase 1B Subdivision Agreement, Part I – Section 24 be amended to read:

24: NOTICE

Any notices required or permitted to be given pursuant to the terms of this Agreement shall be given in writing sent by prepaid registered post, addressed in the case of notice given by the City to: **Speyside East Corporation, c/o Southside Group, 75 Blackfriars Street, London, Ontario N6H 1K8** and in the case of notice given by the Owner, addressed to: The City Clerk, P.O. 5035, London, Ontario N6A 4L9. Notice shall conclusively be deemed to have been given on the day that the same is posted.

Wherever in this Agreement the City is permitted or required to give direction, exercise supervision, or to require work to be done or work to cease in respect of the construction, installation, repair and maintenance of works and services, he shall be deemed to have done so if he communicates such direction, supervision or requirement, orally or in writing, to any person purporting or appearing to be a foreman, superintendent or other servant of the Owner, and if the City shall have made such communication orally he shall confirm such communication in writing as soon as conveniently possible.

10. That Phase 1B Subdivision Agreement, Part II – Special Provisions, Section 28, Clause (h) be deleted in its entirety:

(h) The owner acknowledges that this plan is located within the Oxford Pollution Control Plant sewerage shed. The owner further acknowledges that treatment capacity at the said Plant is available for this plan as at May 10,2004 and will be reserved for this plan provided this plan and this agreement are registered within one (1) year of May 10,2004, i.e. before May 10, 2005.

To this effect, the owner agrees that in the event that this plan and this agreement are not registered before May 10, 2005, then the reserved treatment capacity in the said Plant may be forfeited as determined by the City Engineer and the owner must reapply to the City to have reserved sewage treatment capacity reassigned to this plan.

The owner further agrees that the City will not issue building permits for this plan unless there is treatment capacity reserved at the Oxford Pollution Control Plant for this plan.

11. That Phase 1B Subdivision Agreement, Part II – Special Provisions, Section 28, Clause (i) be deleted in its entirety:

(j) *The owner acknowledges that the sanitary outlet to service this plan is the existing 450 mm (18 inch) diameter sanitary sewer on Settlement Trail (33M-458) which outlets to the temporary Talbot Village Pumping Station, via the Byron Pumping Station and the Oxford Pollution Control Plant . The ultimate outlet for this plan of subdivision and the downstream sewers is the future Southland Pollution Control Plant. To this effect, the owner hereby agrees to construct the sanitary sewers in this plan to that outlet sewer, to the specifications of the City Engineer. The owner further agrees to construct all sanitary sewers required in conjunction with this plan to be sized to accommodate all upstream lands to the specifications of the City Engineer and at no cost to the City unless otherwise specified herein.*

12. That Phase 1B Subdivision Agreement, Part II – Special Provisions, Section 27, Clause (j) be deleted in its entirety:

(j) *The owner agrees to advise the City in writing at least two weeks prior to connecting, either directly or indirectly, into any unassumed services constructed by a third party, and to save the City harmless from any damages that may be caused as a result of the connection of the services from this subdivision into any unassumed services.*

Prior to any connection being made to an unassumed service, the following will apply:

- (i) *The unassumed services must be completed and Conditionally Accepted by the City;*
- (ii) *The owner must have a video inspection completed on all affected unassumed sewers;*
- (iii) *All MOE Certificates of Approval associated with the owner's proposed servicing works and all applicable permits must be obtained.*

The owner further agrees to pay a proportional share of the operational, maintenance and/or monitoring costs of any affected unassumed sewers or SWM facilities (if applicable) to third parties that have constructed the services and/or facilities, to which the owner is connecting. The above-noted proportional share of the cost shall be based on contributing flows for sewers or on storage volume in the case of a SWM facility. The owner's payments to third parties, shall:

- (iv) *commence upon completion of the owner's service work connections to the existing unassumed services; and*
- (v) *continue until the time of assumption of the affected services by the City.*

13. That Phase 1B Subdivision Agreement, Part II – Special Provisions, Section 27, Clause (k) be deleted in its entirety:

(k) *With respect to any services and/or facilities constructed in conjunction with this plan, the owner agrees to permit the connection into and use of the subject services and/or facilities by outside owners whose lands are serviced by the*

said services and/or facilities, prior to the said services and/or facilities being assumed by the City.

The connection into and use of the subject services by an outside owner will be conditional upon the outside owner satisfying any requirements set out by the City, and agreement by the outside owner to pay a proportional share of the operational, maintenance and/or monitoring costs of any affected unassumed services and/or facilities.

14. That Phase 2 Subdivision Agreement, Part I – Section 24 be amended to read:

24: NOTICE

Any notices required or permitted to be given pursuant to the terms of this Agreement shall be given in writing sent by prepaid registered post, addressed in the case of notice given by the City to: **Speyside East Corporation, c/o Southside Group, 75 Blackfriars Street, London, Ontario N6H 1K8** and in the case of notice given by the Owner, addressed to: The City Clerk, P.O. 5035, London, Ontario N6A 4L9. Notice shall conclusively be deemed to have been given on the day that the same is posted.

Wherever in this Agreement the City is permitted or required to give direction, exercise supervision, or to require work to be done or work to cease in respect of the construction, installation, repair and maintenance of works and services, he shall be deemed to have done so if he communicates such direction, supervision or requirement, orally or in writing, to any person purporting or appearing to be a foreman, superintendent or other servant of the Owner, and if the City shall have made such communication orally he shall confirm such communication in writing as soon as conveniently possible.

15. That Phase 2 Subdivision Agreement, Part I – General Provisions, Section 27, Clause (y) be deleted in its entirety:

- (y) *The Owner shall pay a proportional share of the operational, maintenance and/or monitoring costs of any affected unassumed sewers or SWM facilities (if applicable) to third parties that have constructed the services and/or facilities, to which the Owner is connecting. The above-noted proportional share of the cost shall be based on design flows, to that satisfaction of the City Engineer, for sewers or on storage volume in the case of a SWM facility. The Owner's payments to third parties, shall:*
- i. commence upon completion of the Owner's service work connections to the existing unassumed services; and*
 - ii. continue until the time of assumption of the affected services by the City.*

16. That Phase 2 Subdivision Agreement, Part I – General Provisions, Section 27, Clause (z) be deleted in its entirety:

- (z) *With respect to any services and/or facilities constructed in conjunction with this Plan, the Owner shall permit the connection into and use of the subject services and/or facilities by outside owners whose lands are serviced by the said services and/or facilities, prior to the said services and/or facilities being assumed by the City.*

The connection into and use of the subject services by an outside owner will be conditional upon the outside owner satisfying any requirements set out by the City, including the granting of any servicing easements that are required by other outside owners whose lands are to be connected to the subject services, and agreement by the outside owner to pay a proportional share of the operational, maintenance and/or monitoring costs of any affected unassumed services and/or facilities.

17. That Phase 2 Subdivision Agreement, Part II – Special Provisions, Section 28, Clause (r) be deleted in its entirety:

- (r) *Sewage treatment capacity at the Oxford Pollution Control Plant is available for this Plan as of July 19, 2010 and will be reserved by the City for this Plan provided this Plan and this Agreement are registered before July 19, 2011.*

In the event that this Plan and this Agreement are not registered before July 19, 2011, then the reserved treatment capacity in the Plant may be forfeited in the absolute discretion of the City Engineer and in the event of such forfeiture, the Owner shall apply to the City to have sewage treatment capacity allocated to this Plan, if such capacity is available at that time.

The Owner acknowledges that sewage treatment capacity at the Oxford Pollution Control Plant must be allocated for this Plan prior to the Owner's application for building permits in this Plan.

18. That Phase 2 Subdivision Agreement, Part II – Special Provisions, Section 28, Clause (s) be deleted in its entirety:

- (s) *The Owner shall construct the sanitary sewers to service the Lots and Blocks in this Plan and connect them to the existing sanitary sewage system being the 200 mm (8 inch) diameter sanitary sewer on Crane Avenue at the south limit of the Plan and the 400 mm (18 inch) diameter sanitary sewer at the intersection of Settlement Trail and Pomeroy Lane at the west limit of the Plan, all serviced by a temporary pumping station on Block 138 in Plan 33M-458. The sanitary sewers required in conjunction with this Plan shall be sized to accommodate all upstream lands to the specifications of the City Engineer and at no cost to the City unless otherwise specified herein.*

19. That Phase 2 Subdivision Agreement, Part II – Special Provisions, Section 28, Clause (v) be deleted in its entirety:

- v. *Prior to issuance of a Certificate of Conditional Approval for this Plan, the downstream sanitary remedial works under separate agreement approved by Municipal Council on May 25, 2009 between the City and Speyside East Corporation are to be completed to the satisfaction of the City Engineer at no cost to the City.*

bd. *With respect to any services and/or facilities constructed in conjunction with this Plan, the Owner shall permit the connection into and use of the subject services and/or facilities by outside owners whose lands are serviced by the said services and/or facilities, prior to the said services and/or facilities being assumed by the City.*

The connection into and use of the subject services by an outside owner will be conditional upon the outside owner satisfying any requirements set out by the City, including the granting of any servicing easements that are required by other outside owners whose lands are to be connected to the subject services, and agreement by the outside owner to pay a proportional share of the operational, maintenance and/or monitoring costs of any affected unassumed services and/or facilities.

20. That Phase 3 Subdivision Agreement, Part I – Section 24 be amended to read:

24: NOTICE

Any notices required or permitted to be given pursuant to the terms of this Agreement shall be given in writing sent by prepaid registered post, addressed in the case of notice given by the City to: **Speyside East Corporation, c/o Southside Group, 75 Blackfriars Street, London, Ontario N6H 1K8** and in the case of notice given by the Owner, addressed to: The City Clerk, P.O. 5035, London, Ontario N6A 4L9. Notice shall conclusively be deemed to have been given on the day that the same is posted.

Wherever in this Agreement the City is permitted or required to give direction, exercise supervision, or to require work to be done or work to cease in respect of the construction, installation, repair and maintenance of works and services, he shall be deemed to have done so if he communicates such direction, supervision or requirement, orally or in writing, to any person purporting or appearing to be a foreman, superintendent or other

servant of the Owner, and if the City shall have made such communication orally he shall confirm such communication in writing as soon as conveniently possible.

21. That Phase 3 Subdivision Agreement, Part II – Special Provisions, Section 28, Clause (l) be deleted in its entirety:

(l) *Sewage treatment capacity at the Oxford Pollution Control Plant is available for this plan as at July 24, 2006 and will be reserved by the City for this Plan provided this Plan and this Agreement are registered before July 24, 2007.*

In the event that this Plan and this Agreement are not registered before July 24, 2007, then the reserved treatment capacity in the Plant may be forfeited in the absolute discretion of the City Engineer and in the event of such forfeiture, the Owner shall apply to the City to have sewage treatment capacity assigned to this Plan, if such capacity permits in this Plan.

The Owner acknowledges that sewage treatment capacity at the Oxford Pollution Control Plant must be allocated for this Plan prior to the Owner's application for building permits in this Plan.

22. That Phase 3 Subdivision Agreement, Part II – Special Provisions, Section 28, Clause (m) be deleted in its entirety:

(m) *The Owner shall construct the sanitary sewers to service the Lots in this Plan and connect them to the existing 525 mm (21 inch) diameter sanitary sewer located west of this Plan located in Block 138 of Plan 33M-458. The sanitary sewers required in conjunction with this Plan shall be sized to accommodate all upstream lands to the specifications of the City Engineer and at no cost to the City unless otherwise specified herein.*

23. That Phase 3 Subdivision Agreement, Part II – Special Provisions, Section 28, Clause (n) be deleted in its entirety:

(n) *The Owner agrees to pay the City to construct necessary remedial downstream works at the Owner's expense to provide network conveyance capacity for this plan at an estimated cost of \$71,000 and at no cost to the City. The estimated amount is payable at the time of registration. If the actual cost exceeds the estimated cost, the Owner must pay any excess amount to the City at the completion of the project and prior to the issuance of a Certificate of Conditional approval for this Plan. In no circumstance, are the remedial works to be at the cost of the City.*

24. That Phase 3 Subdivision Agreement, Part II – Special Provisions, Section 28, Clause (p) be deleted in its entirety:

(p) *The Owner shall pay a proportional share of the operational, maintenance and/or monitoring costs of any affected unassumed sewers or SWM facilities (if applicable) to third parties that have constructed the services and/or facilities, to which the Owner is connecting. The above-noted proportional share of the cost shall be based on contributing flows for sewers or on storage volume in the case of a SWM facility. The Owner's payments to third parties, shall:*

i. commence upon completion of the Owner's service work connections to the existing unassumed services; and

ii. continue until the time of assumption of the affected services by the City.

Alternatively, the Owner may make private arrangements with the third parties to satisfy the above requirements, and provide details of these arrangements to the City Engineer.

25. That Phase 3 Subdivision Agreement, Part II – Special Provisions, Section 28, Clause (q) be deleted in its entirety:

(q) *With respect to any services and/or facilities constructed in conjunction with this plan, the Owner shall permit the connection into and use of the subject services and/or facilities by outside owners whose lands are serviced by the said services and/or facilities, prior to the said services and/or facilities being assumed by the City.*

The connection into and use of the subject services by an outside owner will be conditional upon the outside owner satisfying any requirements set out by the City, including the granting of any servicing easements that are required by other outside owners whose lands are to be connected to the subject services, and agreement by the outside owner to pay a proportional share of the operational, maintenance and/or monitoring costs of any affected unassumed services and/or facilities and any outside owner agreeing to pay a proportional share of the temporary servicing cost to Speyside East Corporation. The proportional share shall be based on the contributing flows of the sewers.

26. That Phase 3 Subdivision Agreement, Part II – Special Provisions, Section 28, Clause (r) be deleted in its entirety:

(r) *With respect to the temporary pump station used in conjunction with this plan, the Owner shall permit the connection into and use of any residual capacity of the pump station beyond the capacity required for the Plan of Subdivision, 39T-00514 by outside owners whose lands may be serviced by the said pump station.*

The connection into and use of the temporary pump station by an outside owner will be conditional upon the outside owner satisfying any requirements set out by the City, including the granting of any servicing easements that are required by other outside owners whose lands are to be connected to the subject services and each outside property owner agreeing to pay their pro rated share of the temporary servicing costs incurred by the Owner. The proportional share shall be based on the contributing flows of the sewers.

27. That Phase 4 Subdivision Agreement, Section 25.7 – SANITARY AND STORM SEWERS, Clause (j) be deleted in its entirety:

(j) *The Owner shall pay a proportional share of the operational, maintenance and/or monitoring costs of any affected unassumed sewers or SWM facilities (if applicable) to third parties that have constructed the services and/or facilities, to which the Owner is connecting. The above-noted proportional share of the cost shall be based on design flows, to that satisfaction of the City, for sewers or on storage volume in the case of a SWM facility. The Owner's payments to third parties, shall:*

(i) *commence upon completion of the Owner's service work connections to the existing unassumed services; and*

(ii) *continue until the time of assumption of the affected services by the City.*

28. That Phase 4 Subdivision Agreement, Section 25.7 – SANITARY AND STORM SEWERS, Clause (k) be deleted in its entirety:

(k) *With respect to any services and/or facilities constructed in conjunction with this Plan, the Owner shall permit the connection into and use of the subject services and/or facilities by outside owners whose lands are serviced by the*

SCHEDULE "A"

This is Schedule "A" to the Subdivision Amendment Agreement dated this _____ day of _____, 2018, The Corporation of the City of London and Speyside East Corporation to which it is attached and forms a part.

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being composed of Block 138 on 33M-458, Block 173 on 33M-624, and Block 35 on Plan 33M-684, Geographic Township of Westminster, in the City of London, County of Middlesex.

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: George Kotsifas, P. Eng
Managing Director, Development & Compliance Services And
Chief Building Official

Subject: Application By: Rockwood Homes c/o Andrea McCreery,
Stantec Consulting Ltd.
2674 Asima Drive

Meeting on: November 12, 2018

Recommendation

That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to the application by Rockwood Homes c/o Andrea McCreery, Stantec Consulting Ltd. the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on November 20, 2018 to exempt part of Block 55 in Plan 33M-699 from the Part-Lot Control provisions of Subsection 50(5) of the *Planning Act*, for a period not exceeding three (3) years.

Executive Summary

Summary of Request

This report is a request for the approval to exempt Block 55 in Registered Plan 33M-699 from the Part-Lot Control provisions of the *Planning Act*.

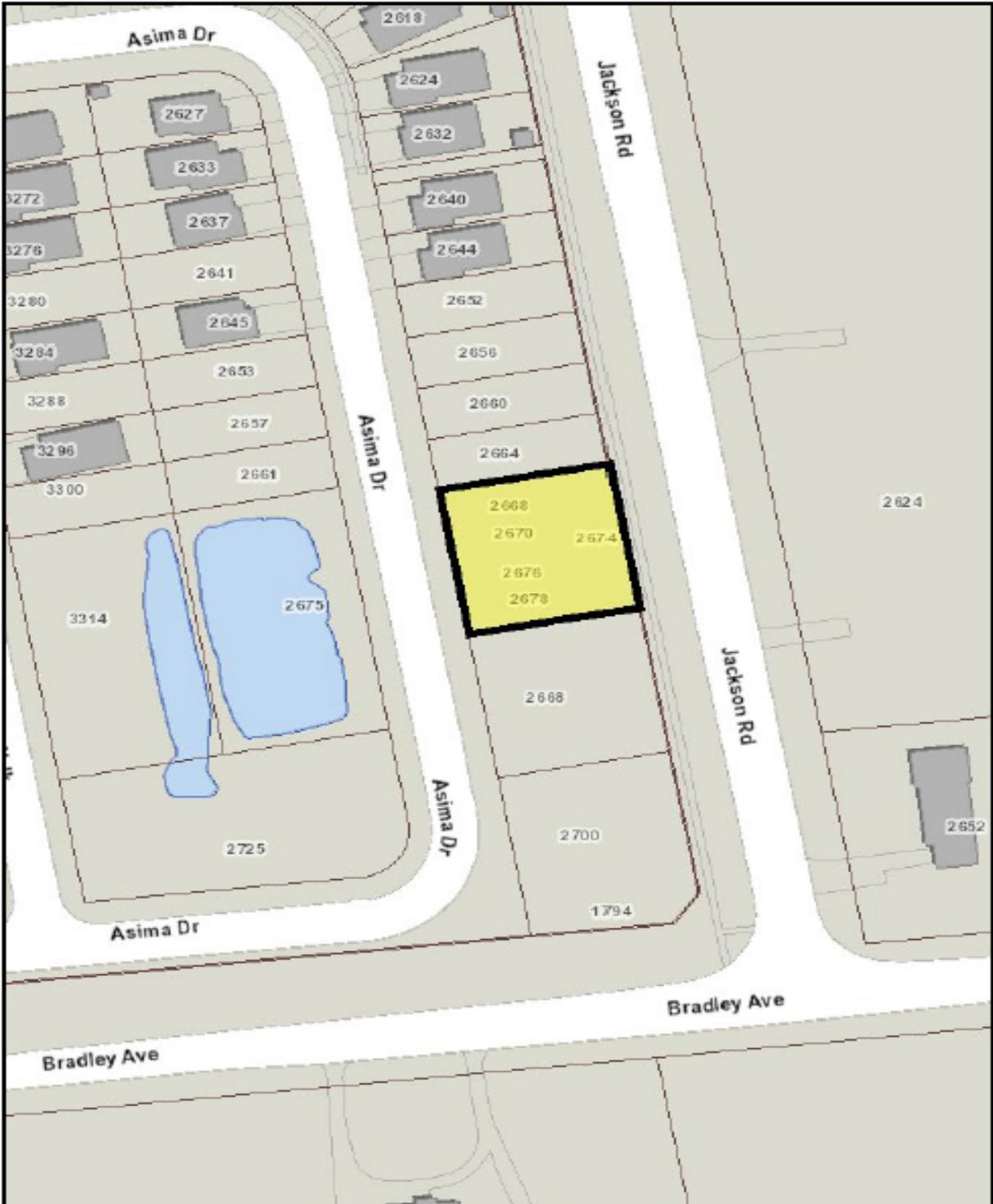
Purpose and Effect of Recommended Action

Exemption from Part-Lot Control will allow the developer to create 4 street townhouse units, with access provided via Asima Drive.

Rationale for Recommended Action

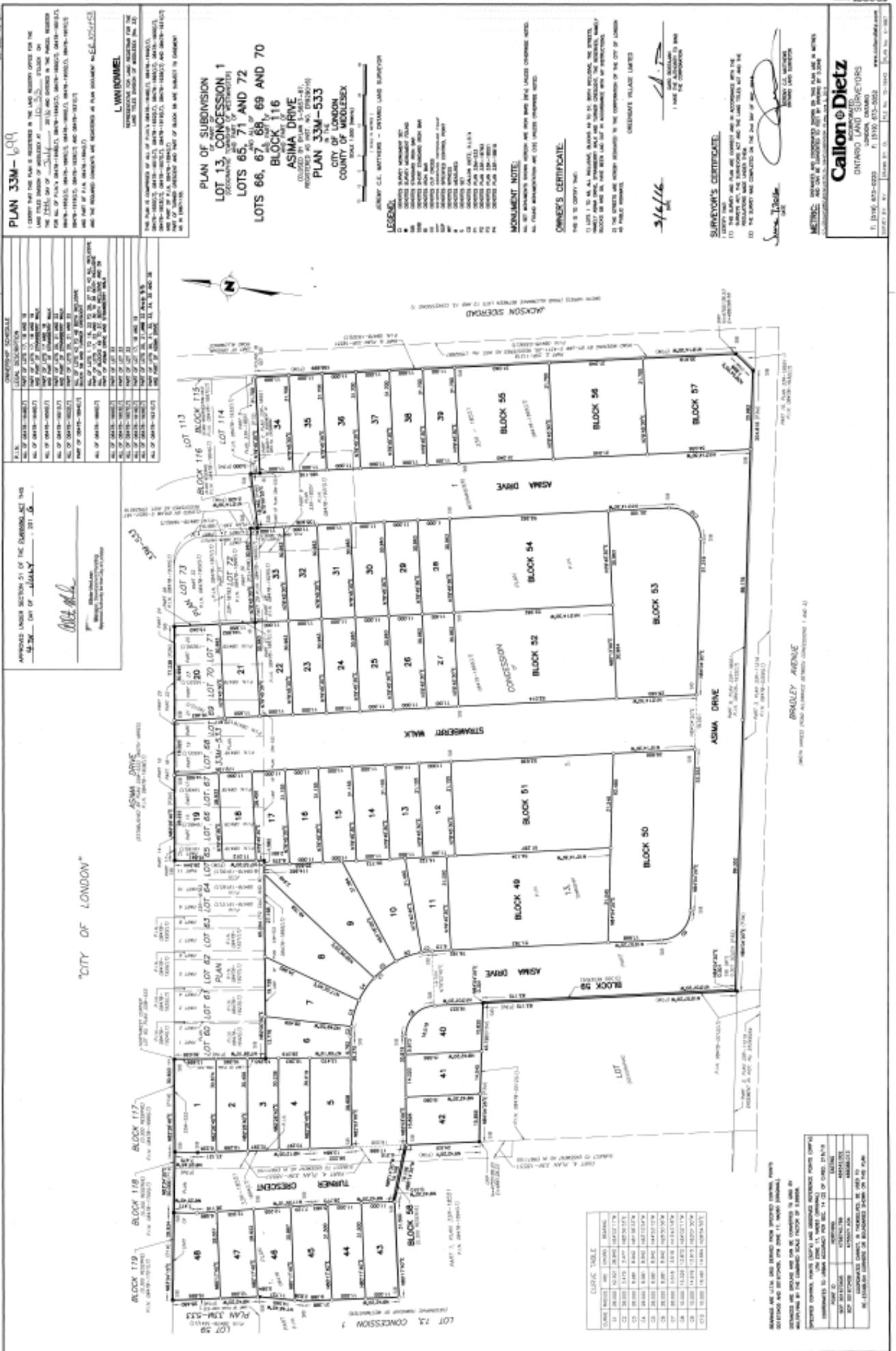
The conditions for passing the Part-Lot Control By-law have been satisfied, and the applicant has been advised that the cost of registration of the by-law is to be borne by the applicant, all in accordance with the previous Council Resolution

Location Map



Location Map		Legend	
Subject Property:	2674 Asima Drive		Subject Property
Applicant:	ROCKWOOD HOMES ONTARIO INC		Parks
File Number:	P-8963		Assessment Parcels
Created By:	Sean Meksula		Buildings
Date:	10/1/2018		Address Numbers
Scale:	1:1000		
Corporation of the City of London			

33M-699 Plan



Analysis

At its meeting held on November 6, 2018, Municipal Council resolved:

That, on the recommendation of the Planner II, Development Services, the following actions be taken with respect to the application by Rockwood Homes c/o Andrea McCreery, Stantec Consulting Ltd. to exempt lands from Part-Lot Control:

- (a) pursuant to subsection 50(7) of the Planning Act, R.S.O. 1990, c. P.13, the attached proposed by-law BE INTRODUCED at a future Council meeting, to exempt part of Block 55 in Plan 33M-699 from the Part-Lot Control provisions of subsection 50(5) of the said Act; for a period not to exceed three (3) years, IT BEING NOTED that these lands are subject to registered subdivision agreements and are zoned Residential R4 Special Provision (R4-5(2)) in Zoning By-law No. Z-1, which zoning permits street townhouse dwellings with a garage front yard depth of 5.5m, an exterior side yard depth for the main building minimum of 3.0m and an interior side yard depth minimum of 1.5m;*
- (b) the following conditions of approval BE REQUIRED to be completed prior to the passage of a Part-Lot Control Bylaw for Blocks 55, Plan 33M-699 as noted in clause (a) above:*
 - i. The applicant be advised that the costs of registration of the said by-laws are to be borne by the applicant in accordance with City Policy;*
 - ii. The applicant submit a draft reference plan to the Development Services for review and approval to ensure the proposed part-lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the land registry office;*
 - iii. The applicant submits to the Development Services a digital copy together with a hard copy of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;*
 - iv. The applicant submit each draft reference plan to London Hydro showing driveway locations and obtain approval for hydro servicing locations and above ground hydro equipment locations prior to the reference plan being deposited in the land registry office;*
 - v. The applicant submit to the City Engineer for review and approval prior to the reference plan being deposited in the land registry office; any revised lot grading and servicing plans in accordance with the final lot layout to divide the blocks should there be further division of property contemplated as a result of the approval of the reference plan;*
 - vi. The applicant shall enter into any amending subdivision agreement with the City, if necessary;*
 - vii. The applicant shall agree to construct all services, including private drain connections and water services, in accordance with the approved final design of the lots;*
 - viii. The applicant shall obtain confirmation from the Development Services that the assignment of municipal numbering has been completed in accordance with the reference plan(s) to be deposited, should there be further division of property contemplated as a result of the approval of the reference plan prior to the reference plan being deposited in the land registry office;*

- ix. *The applicant shall obtain approval from the Development Services of each reference plan to be registered prior to the reference plan being registered in the land registry office;*
 - x. *The applicant shall submit to the City, confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;*
 - xi. *The applicant shall obtain clearance from the City Engineer that requirements iv), v) and vi) inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Building Controls Division for lots being developed in any future reference plan;*
 - xii. *That on notice from the applicant that a reference plan has been registered on a Block, and that Part-Lot Control be re-established by the repeal of the bylaw affecting the Lots/Block in question.*
- (a) *the Approval Authority (Municipal Council) BE REQUESTED to approve this by-law; and,*
- (b) *the Applicant BE ADVISED that the cost of registration of this by-law is to be borne by the applicant in accordance with City policy.*

The exemption from Part Lot Control will allow for lot lines for individual units (lots) to be established on registered blocks in a registered plan of subdivision. The conditions noted above have been satisfied as follows:

- zoning is in place;
- the proposed lots comply with the approved zoning;
- a reference plan and digital copy of the plan have been deposited with the Land Registry Office and received by the City (33R-20158);
- municipal addressing has been assigned;
- sign off from London Hydro has been provided;
- no amendment is required to the subdivision agreement;
- no revised lot grading or servicing plan is required; and,
- the development agreement has been registered for the site.

The attached recommended by-law to implement Council's November 6, 2018 resolution will allow the conveyance of individual lots within part of Block 55 in Plan 33M-699, as per the attached reference plan. This development proposal will consist of four (4) street townhouse lots with access via a public street (Asima Drive).

Conclusion

In accordance with the Council Resolution, the conditions required to be completed prior to the passage of a Part Lot Control By-law have been satisfied, and the applicant has been advised that the cost of registration of the by-law is to be borne by the applicant.

Prepared & Recommended by:	Lou Pompili, MCIP RPP Manager, Development Planning (Subdivision
Concurred in by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

CC: Matt Feldberg, Manager, Development Services (Subdivisions)

October 26, 2018

LP/lp

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2018\P-8963 - 2674 Asima Drive (SM)\PEC\2674 Asima Drive Part Lot Control P-8963 SM Report 1.docx

Appendix A

Bill No. **Number inserted by Clerk's Office**
2018

By-law No. C.P.- **Number inserted by Clerk's Office**

A by-law to exempt from Part-Lot Control, lands located on Asima Drive, west side of Jackson Road, legally described as Block 55 in Registered Plan 33M-699.

WHEREAS pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, as amended, and pursuant to the request from Rockwood Homes, it is expedient to exempt lands located on Asima Drive, west of Jackson Road, legally described as Block 55 in Registered Plan 33M-699, from Part-Lot Control;

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

1. Block 55 in Registered Plan 33M-699, located on Asima Drive, west of Jackson Road, are hereby exempted from Part-Lot Control, pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c.P.13*, as amended, for a period not to exceed three (3) years; it being pointed out that these lands are zoned to permit street townhouse dwellings in conformity with the Residential R4 Special Provision (R4-5(2)) Zone of the City of London Zoning By-law No. Z-1, covering the subject area.
3. This by-law comes into force when it is registered at the Land Registry Office.

PASSED in Open Council on November 20, 2018

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading - November 20, 2018
Second Reading – November 20, 2018
Third Reading - November 20, 2018



London
CANADA

Development and Compliance Services Building Division

To: G. Kotsifas, P. Eng.
Managing Director, Development & Compliance Services
& Chief Building Official

From: P. Kokkoros, P. Eng.
Deputy Chief Building Official

Date: October 12, 2018

RE: Monthly Report for September 2018

Attached are the Building Division's monthly report for September 2018 and copies of the Summary of the Inspectors' Workload reports.

Permit Issuance

By the end of September, 3,515 permits had been issued with a construction value of approximately \$781 million, representing 1,856 new dwelling units. Compared to last year, this represents a 9.5% decrease in the number of permits, a 15.1% decrease in the construction value and an 11.7 decrease in the number of dwelling units.

To the end of September, the number of single and semi-detached dwellings issued were 533, which was a 35.4% decrease over last year.

At the end of September, there were 694 applications in process, representing approximately \$481 million in construction value and an additional 865 dwelling units, compared with 765 applications having a construction value of \$230 million and an additional 553 dwelling units for the same period last year.

The rate of incoming applications for the month of September averaged out to 18.3 applications a day for a total of 349 in 19 working days. There were 47 permit applications to build 47 new single detached dwellings, 3 townhouse applications to build 5 units, of which 2 were cluster single dwelling units.

There were 364 permits issued in September totalling \$47.1 million including 111 new dwelling units.

Inspections

BUILDING

Building Inspectors received 2,362 inspection requests and conducted 3,116 building related inspections. 122 inspections were completed relating to complaints, business licenses, orders and miscellaneous inspections. Based on a staff compliment of 16 inspectors, an average of 327 inspections were conducted this month per inspector.

Based on the 2,362 requested inspections for the month, 95% were achieved within the provincially mandated 48 hour time allowance.

PLUMBING

Plumbing Inspectors received 815 inspection requests and conducted 1,093 plumbing related inspections. No inspections were completed relating to complaints, business licenses, orders and miscellaneous inspections. Based on a staff compliment of 6 inspectors, an average of 182 inspections were conducted this month per inspector.

Based on the 815 requested inspections for the month, 99% were achieved within the provincially mandated 48 hour time allowance.

NOTE:

In some cases, several inspections will be conducted on a project where one call for a specific individual inspection has been made. One call could result in multiple inspections being conducted and reported. Also, in other instances, inspections were prematurely booked, artificially increasing the number of deferred inspections.

AD:cm
Attach.

c.c.: A. DiCicco, T. Groeneweg, C. DeForest, O. Katolyk, D. Macar, M. Henderson

CITY OF LONDON

SUMMARY LISTING OF BUILDING CONSTRUCTION ACTIVITY FOR THE MONTH OF SEPTEMBER 2018

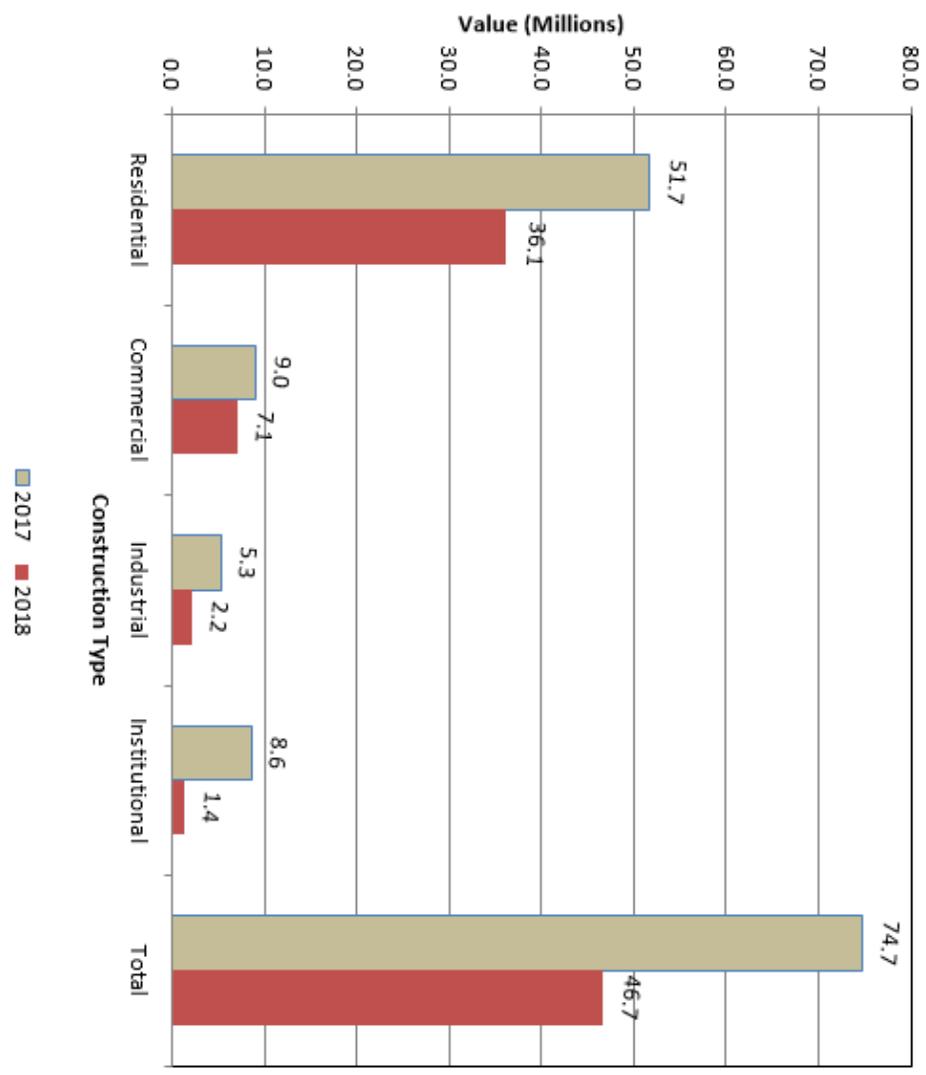
CLASSIFICATION	September 2018			to the end of September 2018			September 2017			to the end of September 2017		
	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS
SINGLE DETACHED DWELLINGS	44	19,413,669	44	533	224,219,845	533	84	36,209,760	84	826	339,581,999	826
SEMI DETACHED DWELLINGS	0	0	0	0	0	0	0	0	0	0	0	0
TOWNHOUSES	12	11,865,000	58	176	134,344,869	548	15	10,323,892	44	195	148,914,682	617
DUPLEX,TRIPLEX,QUAD,APT BLDG	0	0	0	7	164,602,920	713	1	200,000	2	8	131,920,460	614
RES-ALTER & ADDITIONS	176	4,786,404	9	1,436	48,768,937	62	160	4,957,960	7	1,535	54,847,647	47
COMMERCIAL - ERECT	3	2,231,200	0	27	55,447,103	0	3	3,671,930	0	15	32,869,080	0
COMMERCIAL - ADDITION	0	0	0	12	9,650,718	0	1	25,000	0	10	14,752,260	0
COMMERCIAL - OTHER	49	4,837,650	0	357	50,920,639	0	42	5,350,042	0	286	68,526,202	0
INDUSTRIAL - ERECT	0	0	0	3	9,450,000	0	1	729,756	0	3	4,267,476	0
INDUSTRIAL - ADDITION	1	32,000	0	6	7,310,000	0	1	5,000	0	13	14,305,475	0
INDUSTRIAL - OTHER	3	2,173,000	0	45	19,415,804	0	5	4,613,000	0	52	7,640,660	0
INSTITUTIONAL - ERECT	0	0	0	0	0	0	0	0	0	3	70,457,500	0
INSTITUTIONAL - ADDITION	0	0	0	5	14,049,600	0	0	0	0	1	1,200,000	0
INSTITUTIONAL - OTHER	12	1,382,282	0	201	37,526,692	0	11	8,581,400	0	127	25,120,723	0
AGRICULTURAL	0	0	0	3	210,000	0	2	320,000	0	3	520,000	0
SWIMMING POOL FENCES	21	400,452	0	196	4,157,972	0	15	334,928	0	201	3,918,338	0
ADMINISTRATIVE	30	30,250	0	155	434,350	0	26	51,325	0	160	794,250	0
DEMOLITION	9	0	8	71	0	34	10	0	6	83	0	59
SIGNS/CANOPY - CITY PROPERTY	1	0	0	11	0	0	2	0	0	33	0	0
SIGNS/CANOPY - PRIVATE PROPERTY	3	0	0	271	0	0	26	0	0	333	0	0
TOTALS	364	47,151,907	111	3,515	780,509,449	1,856	405	75,373,993	137	3,887	919,636,752	2,104

Note: 1) Administrative permits include Tents, Change of Use and Transfer of Ownership, Partial Occupancy.

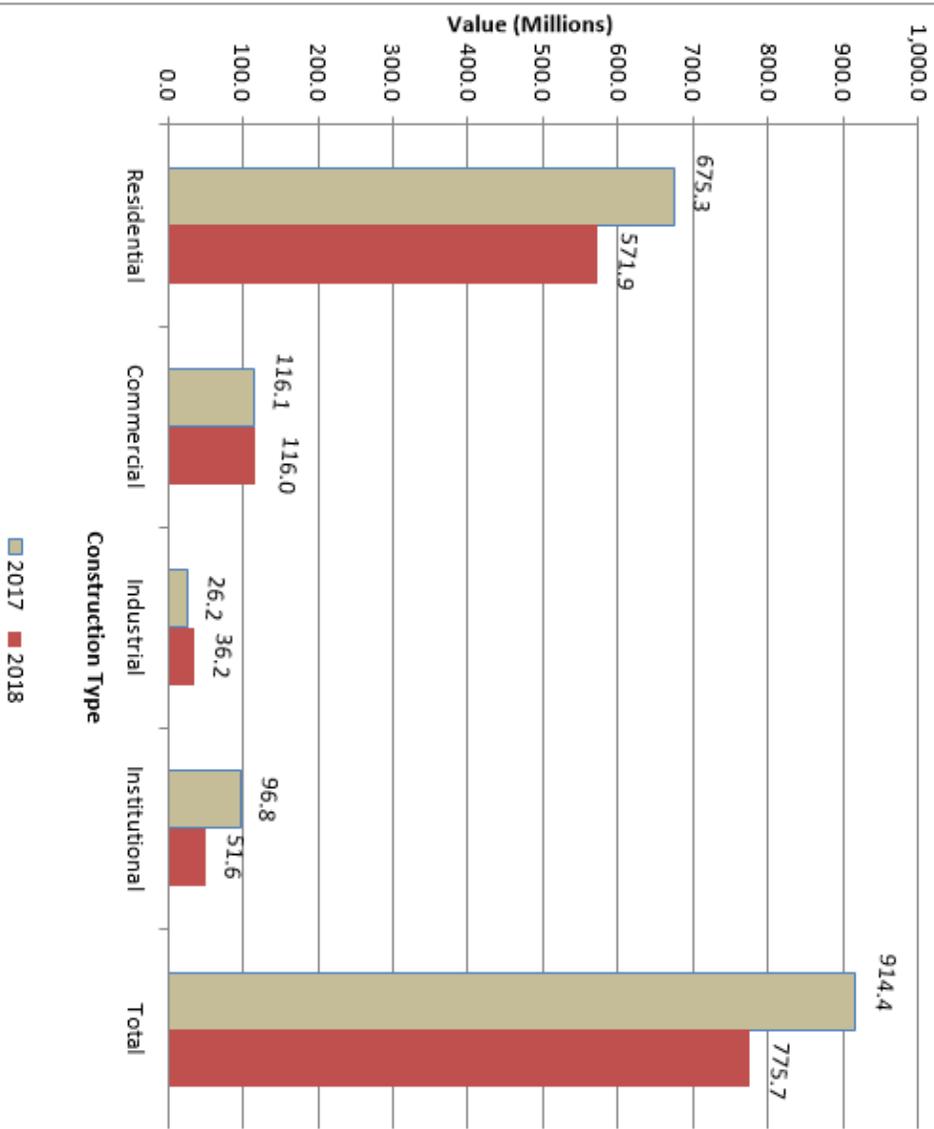
2) Mobile Signs are no longer reported.

3) Construction Values have been rounded up.

Construction Value of Building Permits September



Construction Value of Building Permits January to September



**City of London - Building Division
Principal Permits Issued From September 01, 2018 to September 30, 2018**

Owner	Project Location	Proposed Work	No. Of Units	Constr Value
Lindsay Clark Sifton Properties Limited	1080 Upperpoint Ave	Install-Site Services-Install Site Services	0	500,000
2447695 Ontario Inc	109 Fanshawe Park Rd E	Alter-Financial Institution-Comm - Alter Interior For Scotiabank. Partial Perm	0	750,000
The Board Of Governors The University Of Western Ontario	1151 Richmond St	Alter-Power Plants-Indust- Alt- Int Of Power Plant, Partial Permit Is	0	2,000,000
Graystone Custom Homes Limited	1158 Riverbend Rd	Erect-Townhouse - Cluster Sdd-Erect 1 Storey, 2 Car Garage, 4 Bedrooms, Finished	1	420,000
The Governing Council Of The Salvation Army Canada East	1340 Dundas St	Alter-Offices-Cm - Alter Interior Of Salvation Army, Building 3	0	140,000
Sifton Properties Limited Sifton Properties Limited	1556 Moe Norman Pl	Erect-Townhouse - Cluster Sdd-Erect, New Sdd Cluster, 1 Storey, 2 Car Garage, 4 B	1	306,000
Sifton Properties Limited Sifton Properties Limited	1600 Ed Ervasti Lane	Erect-Townhouse - Cluster Sdd-Erect 1 Storey, 2 Car Garage, 2 Bedrooms, Unfinish	1	432,000
Erin Mercer C/Realty Holdings Inc C/O Cadillac Fairview Corp	1680 Richmond St	Alter-Retail Store-Comm - Alter Interior For Jack Jones Store In Unit	0	220,000
Dennis Dalton The Ridge At Byron Inc.	1710 Ironwood Rd 18	Erect-Townhouse - Cluster Sdd-Erect, 1 Storey, 2 Car Garage, 1 Bedroom, Unfinish	1	333,000
Dennis Dalton The Ridge At Byron Inc.	1710 Ironwood Rd 56	Erect-Townhouse - Cluster Sdd-Erect, 1 Storey, 2 Car Garage, 2 Bedrooms, Finishe	1	475,800
Sifton Properties Limited Sifton Properties Limited	1835 Shore Rd	Install-Site Services-Install Site Services	0	500,000
Oxford West Gateway Inc.	1868 Oxford St W	Install-Restaurant -Install Site Services	0	750,000
Oxford West Gateway Inc.	1880 Oxford St W 2	Erect-Restaurant -Cm- Erect New Restaurant For Tim Hortons. Frr Fpo	0	700,000
2585013 Ontario Inc	1970 Hyde Park Rd	Erect-Retail Plaza-Erect New Commercial Building For 5 Tenants, Frr	0	1,128,000
Richmond Block London Corporation	210 Dundas St	Alter-Offices-Comm - Alter Second And Third Floor For London Fre	0	800,000
London Life Insurance Company	255 Dufferin Ave	Alter-Offices-Interior Alteration To Catereria On 4th Floor	0	452,000
Magnificent Homes Magnificent Homes	2621 Holbrook Dr D	Erect-Townhouse - Condo-Erect - 5 Std Units Townhouse Bldg D - 2 Storeys,	5	988,100
Oxford Wharmcliffe Centre Inc	265 Wharmcliffe Rd N	Erect-Dental Offices-Cm - Erect Shell Building For Dental Office Shell	0	403,200
Richmond Village (London) Inc.	275 Callaway Rd J	Erect-Townhouse - Condo-Th- Erect 28-Unit Stacked Townhouse Block J, Dpns	28	4,561,900
Foxwood Developments (London) Inc.	2910 Tokala Trail K	Erect-Street Townhouse - Condo-Erect - New Townhouse - Bldg 'K' - 5 Units - Dpns	5	973,000
Foxwood Developments (London) Inc.	2910 Tokala Trail L	Erect-Townhouse - Condo-Erect - New Townhouse - Bldg 'L' - 4 Units - Dpns	4	779,800
2585306 Inc. 2585306 Ontario Inc.	3260 Singleton Ave L	Erect-Townhouse - Condo-Erect - Townhouse Block - 4 Unit - 3 Storey, 1 Car	4	820,000
Farhi Holdings Corporation	383 Richmond St	Alter-Offices-Comm - Alter Interior For Neighbourhood Legal Serv	0	200,000
500 Springbank Drive Limited C/O Realstar Management	500 Springbank Dr	Alter-Apartment Building-Ra- Interior Alter For New Fitness Center And Yoga	0	150,000
Cedar Hollow Developments Limited	600 Guinness Way C	Erect-Townhouse - Condo-Erect New 6 Unit Townhouse Block C - Dpnt'S 606, 60	6	1,276,800
	7091 Clayton Walk 12	Erect-Townhouse - Cluster Sdd-Erect 2 Storey, 2 Car Garage, 4 Bedrooms, Unfinish	1	498,600
	762 Colborne St	Add-Triplex-Apartment - Add To And Alter To Triplex Following	0	145,000
785 Wonderland Road Inc C/O Mccor Management (East) In	785 Wonderland Rd S	Alter-Retail Store-Alter Interior For Landlord Work, Demo/Prep, In Pr	0	280,000
Martin Kamil Black Fly Beverage Co.	847 Highbury Ave N	Alter-Distilleries-Install Floor Drains And Sewage Ejector	0	140,000
Drewlo Holdings Inc.	848 Blythwood Rd	Install-Apartment Building-Install Site Services, Frr	0	200,000
Thames Valley District School Board Thames Valley District School Board	941 Viscount Rd	Alter-Schools Secondary, High, Jr. High-Alter - Secondary School Interior Renovation To E	0	1,100,000

Total Permits 31 Units 58 Value 22,423,200

Permits Issued Greater 100000 Construction Value

October 11 2018

**City of London - Building Division
Principal Permits Issued From September 01, 2018 to September 30, 2018**

Owner

Project Location

Proposed Work

**No. Of
Units**

**Constr
Value**

Includes all permits over \$100,000, except for single and semi-detached dwellings

Commercial building permits issued - subject to Development Charges under By-law C.P.-1496-244

Owner

Iyman Meddoui Oxford Whamcliffe Centre Inc
Oxford West Gateway Inc.
2585013 Ontario Inc.

Commercial permits regardless of construction value.

Report to Planning and Environment Committee

To: Cair and Members
Planning & Environment Committee

From: George Kotsifas, P. Eng
Managing Director, Development and Compliance
Services and Chief Building Official

Subject: 700531 Ontario Ltd. c/o Tony Marsman Construction
1175 Blackwell Boulevard

Public Participation Meeting on: November 12, 2018

Recommendation

That, on the recommendation of the Manager, Development Planning, with respect to the application of 700531 Ontario Ltd. c/o Tony Marsman Construction, relating to the property located at 1175 Blackwell Boulevard, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting November 20, 2018 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, **FROM** a Residential R4 (R4-5) Zone **TO** a Residential R5 (R5-5) Zone to permit townhouse and stacked townhouse dwellings.

Executive Summary

Summary of Request

The requested zoning amendment would allow for the construction of townhouse and stacked townhouse dwellings in a cluster form whereas the current zoning on the lands only permits street townhouse dwellings.

Purpose and the Effect of Recommended Action

The purpose and effect of this Zoning By-law Amendment is to permit the development of cluster townhouse dwellings in a form similar in nature to what is currently permitted, but would allow for the establishment of a condominium instead of developing street townhouse units as freehold lots.

Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement 2014;
2. The recommended amendment conforms to The London Plan;
3. The recommended amendment conforms to the policies of the 1989 Official Plan;
4. The proposed development will permits a form of development that is appropriate for the subject lands and is compatible with the existing and planned surrounding land uses.

1.0 Site at a Glance

1.1 Property Description

The subject lands are located on the south side of Blackwell Boulevard, west of Rob Panzer Road. There are vacant lands and Stoney Creek to the north, institutional and residential uses to the south, vacant lands and residential uses to the west, and commercial uses to the east.

1.2 Current Planning Information (see more detail in Appendix D)

- The London Plan Place Type – Neighbourhoods
- Official Plan Designation – Multi-Family, Medium Density Residential
- Existing Zoning – Residential R4 (R4-5)

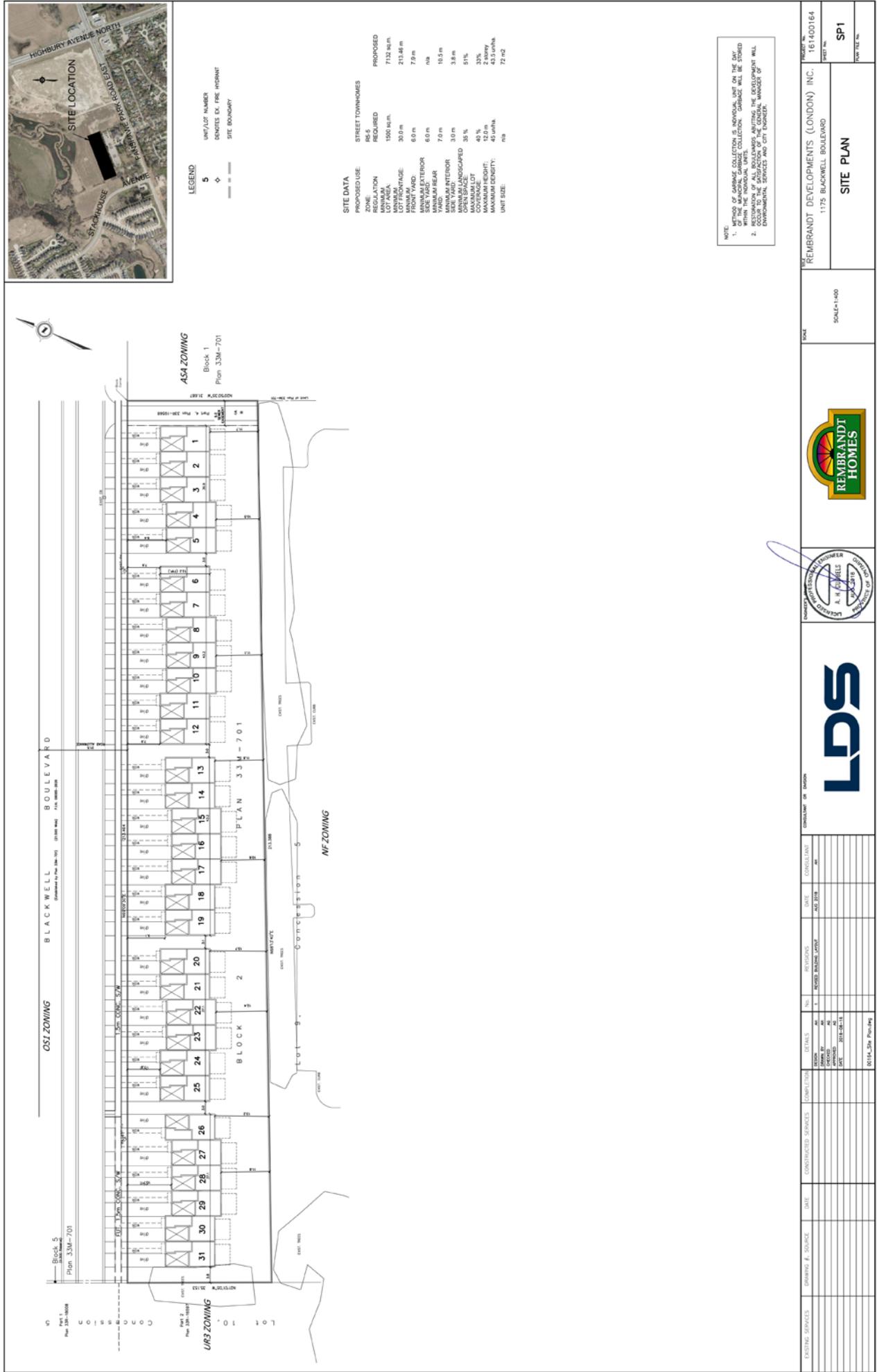
1.3 Site Characteristics

- Current Land Use – Vacant
- Frontage – 109.5 m
- Depth – 32.7 m
- Area – Approximately 0.7 ha
- Shape – Rectangular

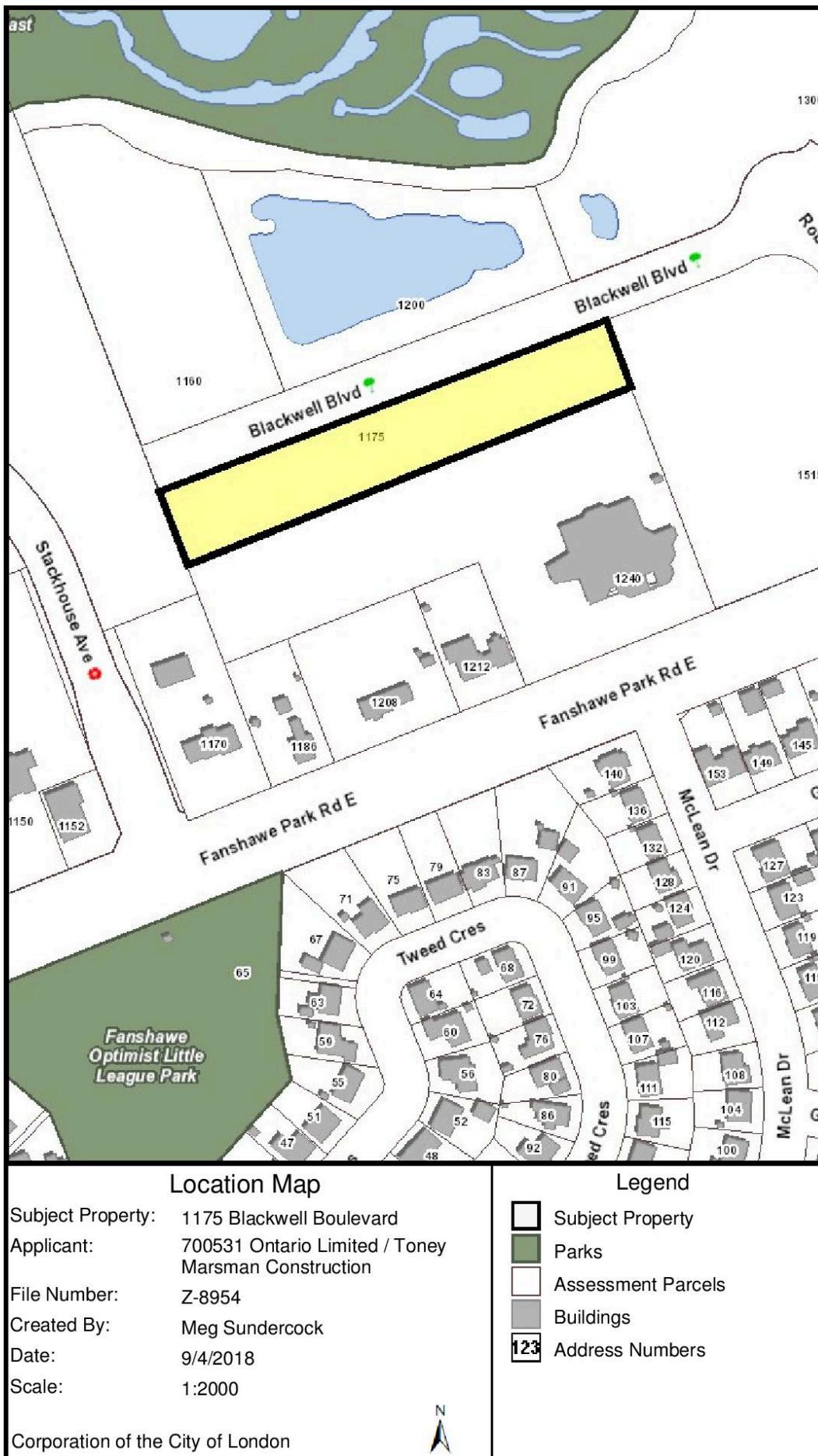
1.4 Surrounding Land Uses

- North – Vacant, Stoney Creek
- East – Vacant, Residential
- South – Residential, Institutional
- West – Commercial

Proposed Site Plan



1.5 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The recommended Zoning By-law amendment will permit townhouse and stacked townhouse dwellings in a cluster form as the applicant intends to establish them as a condominium. The current Residential R4 (R4-5) Zone applied to the lands allows for street townhouse dwellings, with each unit occupying a separate lot and having legal frontage on a public street.

Due to the depth of the sewer on Blackwell Boulevard, a private sewer is required to be constructed within the front yard of the subject lands and will be subject to an easement across the frontage of the property. Rather than requiring a legal agreement with the owner of each freehold townhouse unit to maintain and service the sewer, the applicant intends to incorporate the development as a condominium to manage this matter in a more comprehensive manner across a single property.

3.0 Relevant Background

3.1 Planning History

On September 25, 2006, Municipal Council recommended the City of London Approval Authority grant draft approval to the plan of subdivision and granted a Zoning By-law amendment to permit residential and commercial uses with holding provisions (39T-14512/Z-6833) for the subject and adjacent lands.

The subdivision was also the subject of the Stoney Creek Sanitary Sewer Extension Municipal Class EA, the Storm Drainage and Stormwater Management Works for Stoney Creek Undeveloped Lands Municipal Class EA, and a Municipal Class EA for Fanshawe Park Road East, between Adelaide Street North and Highbury Avenue North.

Three year extensions of the draft plan of subdivision were granted in 2010 and 2013 respectively.

Holding provision originally applied to these lands were removed on July 18, 2016 (H-8600).

Phase 1 of the Stoney Creek Subdivision was granted final approval on September 8, 2016 for the portion of the draft plan consisting of one (1) multi-family block (street townhomes), one (1) commercial block, one (1) park block, one (1) stormwater management block, and five (5) reserve blocks, all served by two new secondary collector roads (Rob Panzer Road and Blackwell Boulevard).

3.2 Community Engagement (see more detail in Appendix B)

On September 5, 2018, Notice of Application was sent to all property owners within 120 metres of the subject lands. Notice of Application was published in The Londoner on September 6, 2018. No responses have been received at the time this report was prepared.

4.0 Key Issues and Considerations

The proposed Zoning By-law Amendment was evaluated to determine whether it was compatible with the surrounding neighbourhood.

4.1 Provincial Policy Statement, 2014 (PPS)

The Provincial Policy Statement (PPS) 2014 provides policy direction regarding land use and development. The proposed application is consistent with Section 1.0, Building Strong Communities and Section 3.0, Protecting Public Health and Safety, as it provides for a mix of uses in combination with the recently developed commercial block to the east and the institutional and low density residential uses to the south of the subject lands. The incorporation of the proposed high and medium density blocks in the subsequent phase of the Draft Approved subdivision represents an efficient use of land and resources within an existing settlement area. The stormwater management facility and Stoney Creek to the north recognize the long-term ecological function of natural heritage systems.

4.2 The London Plan

The proposed amendment would permit street-oriented townhouses in a form similar to what is presently permitted on the lands. The proposed buildings have principle entrances and windows facing the public right-of-way and are of an appropriate scale with respect to their relationship with pedestrians the public realm. The intensity of development is appropriate in the neighbourhood context, and contributes to the mix of housing types and uses in the area, as provided for in the City Building policies and Key Directions of The London Plan.

The southern property line of the subject lands is the northernmost boundary of the Primary Transit Area. The site is located within the Neighbourhoods Place Type and has frontage on Blackwell Boulevard, being a Neighbourhood Connector. The lands are also in close proximity to two additional Neighbourhood Connectors, being Stackhouse Avenue and Rob Panzer Road. As such, the range of permitted uses for the lands includes townhouses at a maximum of 2.5 stories in height, though it is recognized that these policies are still presently under appeal. Based on the foregoing, the proposed development and neighbourhood, as designed, is consistent with the intended character, goals, and functions of the Neighbourhood Place Type.

4.3 The 1989 Official Plan

The subject lands are designated Multi-Family, Medium Density Residential which permits multiple-unit housing forms with a low-rise form including cluster townhouse dwellings, that is intended to serve as a transition between low density residential areas and more intense land uses. The proposed amendment maintains the townhouse dwelling form at a scale and density that is compatible with the existing low-rise single detached dwellings and future high-density built form of the surrounding area. The proposed amendment would not result in additional intensity or land use conflicts between the subject lands and the surrounding area. The proposed development conforms to the policies of the 1989 Official Plan.

4.4 Zoning

The lands are located within a Residential R4 (R4-5) Zone. The lands were zoned during the subdivision process in 2006 to permit medium density residential uses in the form of street townhouses, and included an "h" holding provision for adequate municipal servicing and access. The holding provision was removed in 2016.

The Residential R4-5 Zone allows for Street Townhouse Dwellings which are defined as follows:

"STREET TOWNHOUSE" means a townhouse with each unit on a separate lot and having legal frontage on a public street. Within Near-Campus Neighbourhoods, as illustrated in Figure 4.36, a dwelling unit within a Street Townhouse shall contain no more than three bedrooms.

The special provision of the Subdivision Agreement (39T-04512) requires an easement for the purpose of servicing within the front yard of the subject lands, as well as a one (1) metre rear yard maintenance easement for street townhouse dwellings which do not provide direct access to the rear yard from the garage. Rather than establishing these easements over thirty one (31) individual freehold lots, the applicant is requesting a Residential R5 (R5-5) Zone on the lands to construct townhouses in the same physical form as would be permitted in the Residential R4 (R4-5) Zone but in a different form of tenure.

The requirements of the Residential R5 (R5-5) Zone differ in that greater interior side and front yard setbacks are required, as well as increased landscaped open space coverage and a maximum building height of 12.0 metres, where the Residential R4 (R4-5) Zone permits a maximum building height of 10.5 metres. The applicant is proposing a building height of 7.9 metres. The development, as proposed, complies with the regulations of the Zoning By-law, as amended.

5.5 Planning Impact Analysis

As per Section 3.7 in the Official Plan, where a zone change application is being considered, a variety of criteria may be considered when evaluating the proposal with respect to the appropriateness of a change in land use, and in minimizing potential adverse impacts on abutting uses. The proposed Zoning By-law Amendment is consistent with Section 3.7 as:

- the proposed use of the lands, being townhouse dwellings, was contemplated through the subdivision process, and is compatible with surrounding uses.
- the block created through the Plan of Subdivision is of sufficient size and shape to accommodate the proposed use.
- the intensity of the use is not being increased as part of this application. The form as proposed will not create impacts on surrounding land uses.
- the proposed medium density residential development is located in close proximity to a future park and public open space opportunities, as well as the Primary Transit Area, and two transit stops.
- no potential impact is anticipated on surrounding natural features and heritage resources

5.0 Conclusion

The proposed amendment is consistent with the Provincial Policy Statement and is in conformity with The London Plan and the 1989 Official Plan. The proposed amendment provides the applicant additional flexibility in dealing with the legal arrangements associated with the required easement on the lands, and permits development that is appropriate for the subject lands and is compatible with existing and planned surrounding land uses. These proposed amendments represent good land use planning and are recommended to Council for approval.

Prepared by:	Meg Sundercock, BURPL Planner I, Development Services
Reviewed & Recommended by:	Lou Pompilii, MCIP RPP Manager, Development Planning (Subdivision)
Concurred in by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services	

November 6, 2018

MS

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2018\Z-8954 - 1175 Blackwell Boulevard (MS)\PEC\DRAFT - 1175 Blackwell Boulevard Z-8954 MS Report 1 of 8.DOCX

Previous Reports Pertinent to this Matter

September 25, 2006: Subdivision Draft Approval and Zoning By-law Amendment (39T-14512/Z-6833).

July 18, 2016: The “h” holding provision was removed from the lands (H-8600).

September 8, 2016: Final approval was granted for Phase 1 of the Stoney Creek Subdivision (including the subject lands).

Appendix A

Bill No. (number to be inserted by Clerk's Office)
(2018)

By-law No. Z.-1-18 _____

A by-law to amend By-law No. Z.-1 to rezone the property located at 1175 Blackwell Boulevard.

WHEREAS 700531 Ontario Limited has applied to rezone the property located at 1175 Blackwell Boulevard as shown on the map attached as Schedule "A" to this by-law, as set out below;

AND WHEREAS this rezoning 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 as amended, is amended by changing the zoning applicable to lands located at 1175 Blackwell Boulevard as shown on the map attached as Schedule "A" to this by-law **FROM** a Residential R4 (R4-5) Zone **TO** a Residential R5 (R5-5) Zone.
2. 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.

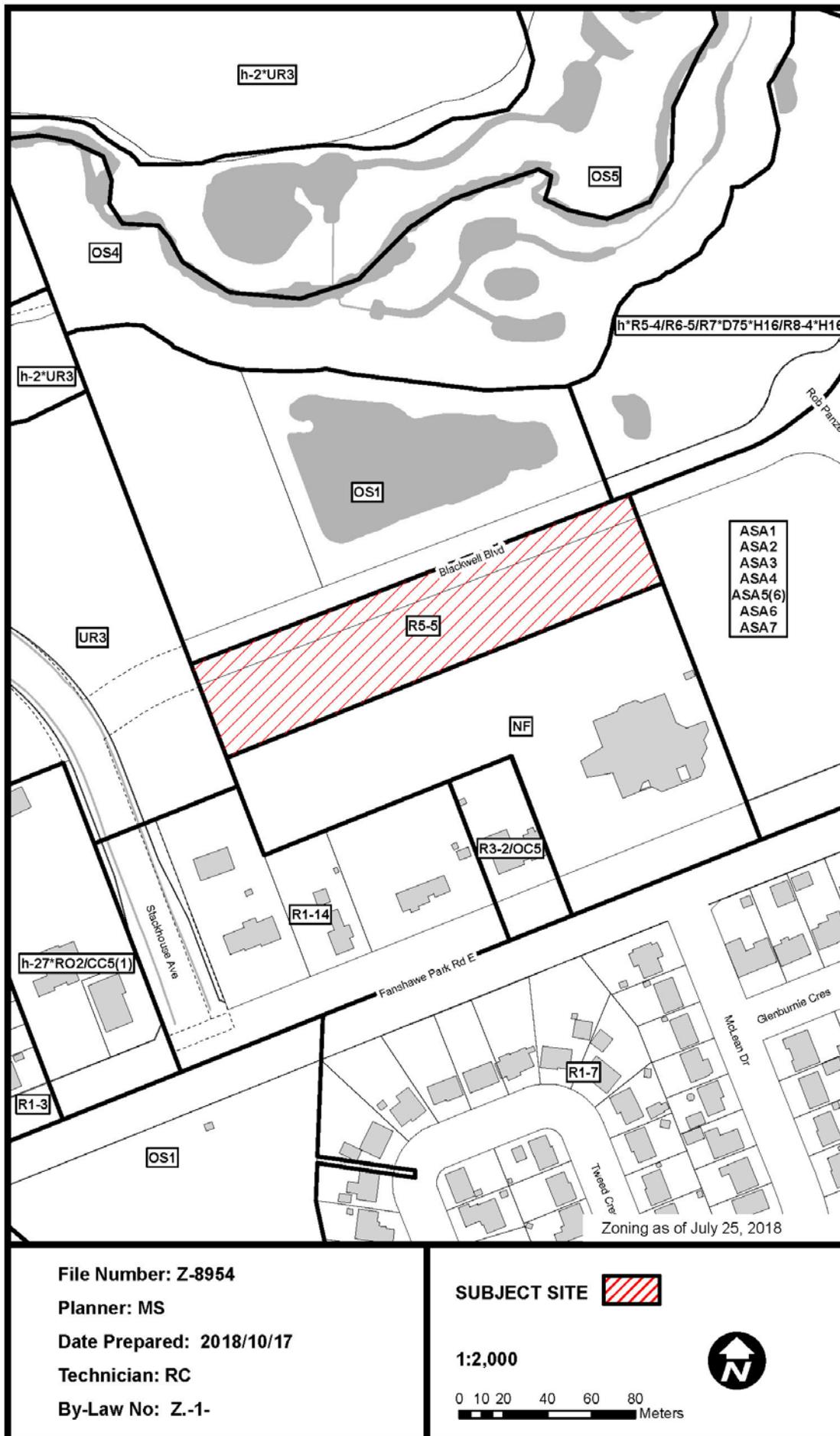
PASSED in Open Council on November 20, 2018

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – November 20, 2018
Second Reading – November 20, 2018
Third Reading – November 20, 2018

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



Appendix B – Public Engagement

Community Engagement

Public liaison: On September 5, 2018, Notice of Application was sent to property owners within 120 metres of the subject lands. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on September 6, 2018.

On October 24, 2018, Notice of Public Meeting was sent to property owners within 120 metres of the subject lands. Notice of Public Meeting was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on October 25, 2018.

No replies were received.

Nature of Liaison: The purpose and effect of this zoning change is to permit the development of 31 cluster townhouse dwellings. Possible change to Zoning By-law Z.-1 **FROM** a Residential R4 (R4-5) Zone which permits street townhouse dwellings with a maximum building height of 10.5 metres and a maximum lot coverage of 40% **TO** a Residential R5 (R5-5) Zone which permits townhouse dwellings and stacked townhouse dwellings with a maximum building height of 12.0 metres, a maximum lot coverage of 40% and a maximum density of 45 units per hectare.

Responses: No comments were received.

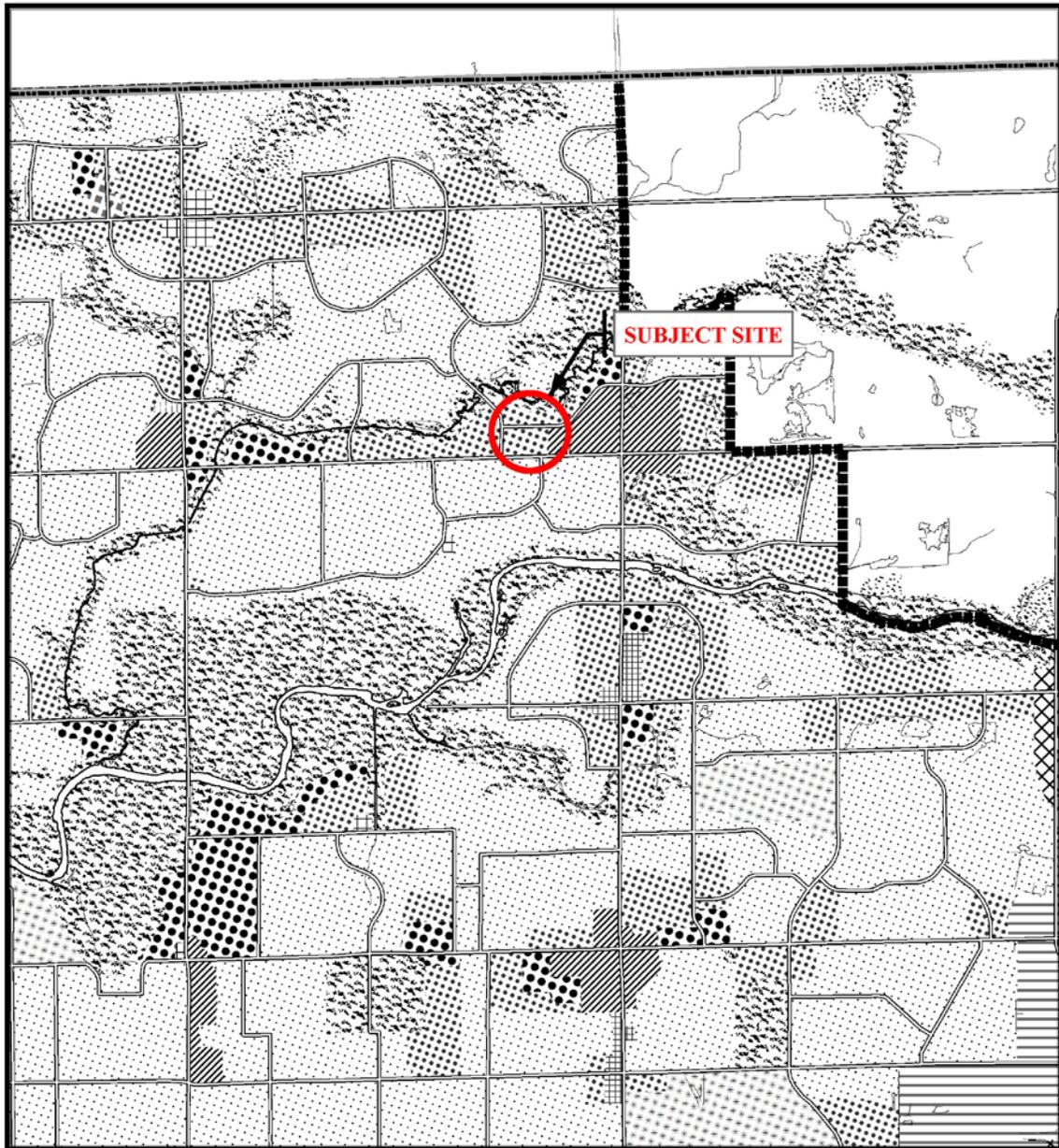
Responses to Public Liaison Letter and Publication in “The Londoner”

Telephone	Written
None	None

Agency/Departmental Comments

Development Services – Engineering: No Comments.

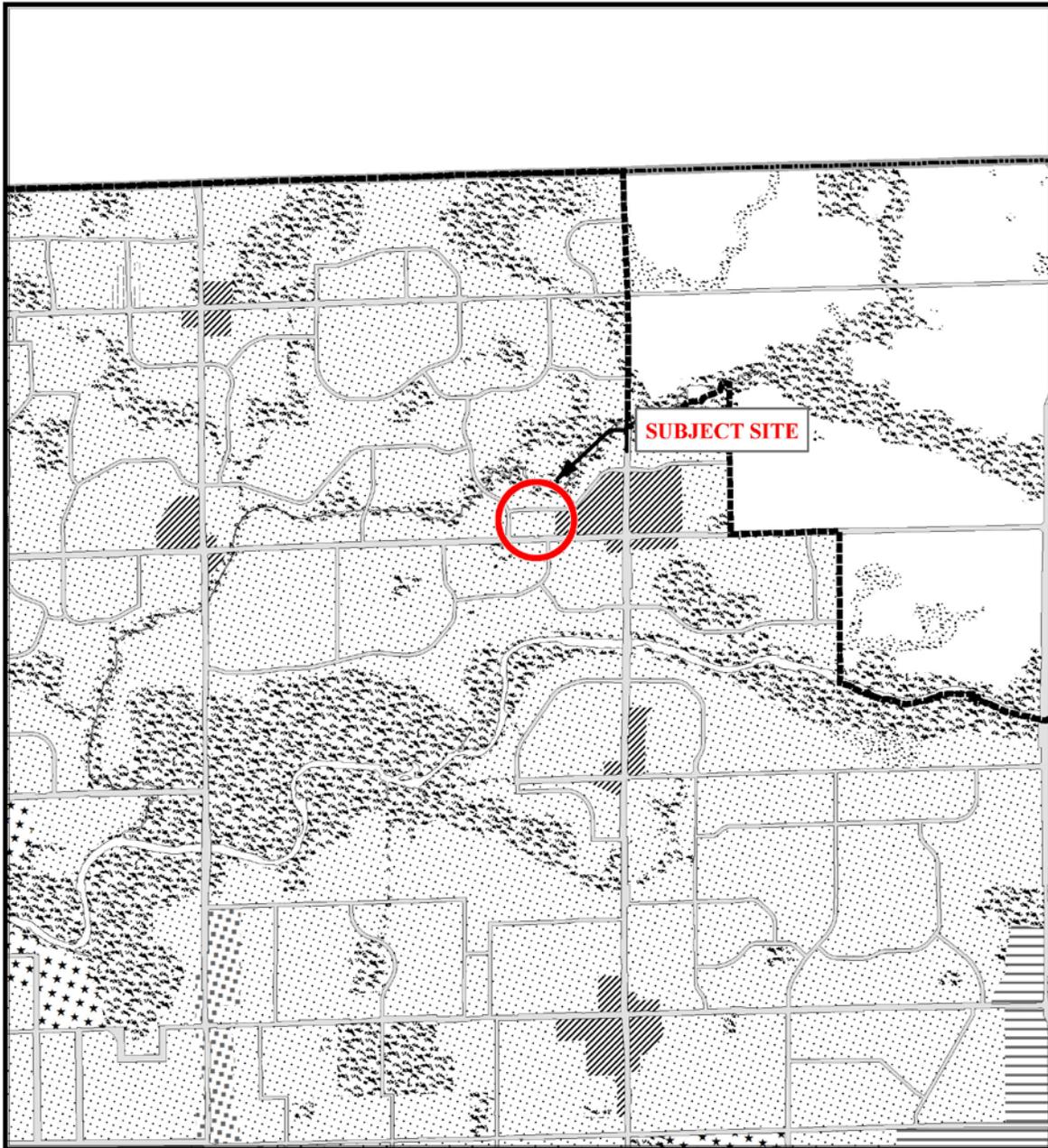
London Hydro: No objection.



Legend		
Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial
Community Commercial Node	Regional Facility	Transitional Industrial
Neighbourhood Commercial Node	Community Facility	Rural Settlement
Main Street Commercial Corridor	Open Space	Environmental Review
Auto-Oriented Commercial Corridor	Urban Reserve - Community Growth	Agriculture
Multi-Family, High Density Residential	Urban Reserve - Industrial Growth	Urban Growth Boundary

<p>CITY OF LONDON Planning Services / Development Services OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: Z-8954</p>
		<p>PLANNER: MS</p> <p>TECHNICIAN: RC</p> <p>DATE: 2018/10/17</p>

PROJECT LOCATION: e:\planning\projects\p_official\plan\work\consolid0\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd



Legend

- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor | Commercial Industrial | Urban Growth Boundary |
| Main Street | Institutional | |
| Neighbourhood | Green Space | |

This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

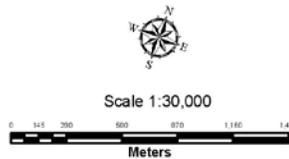
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

Planning Services /
 Development Services

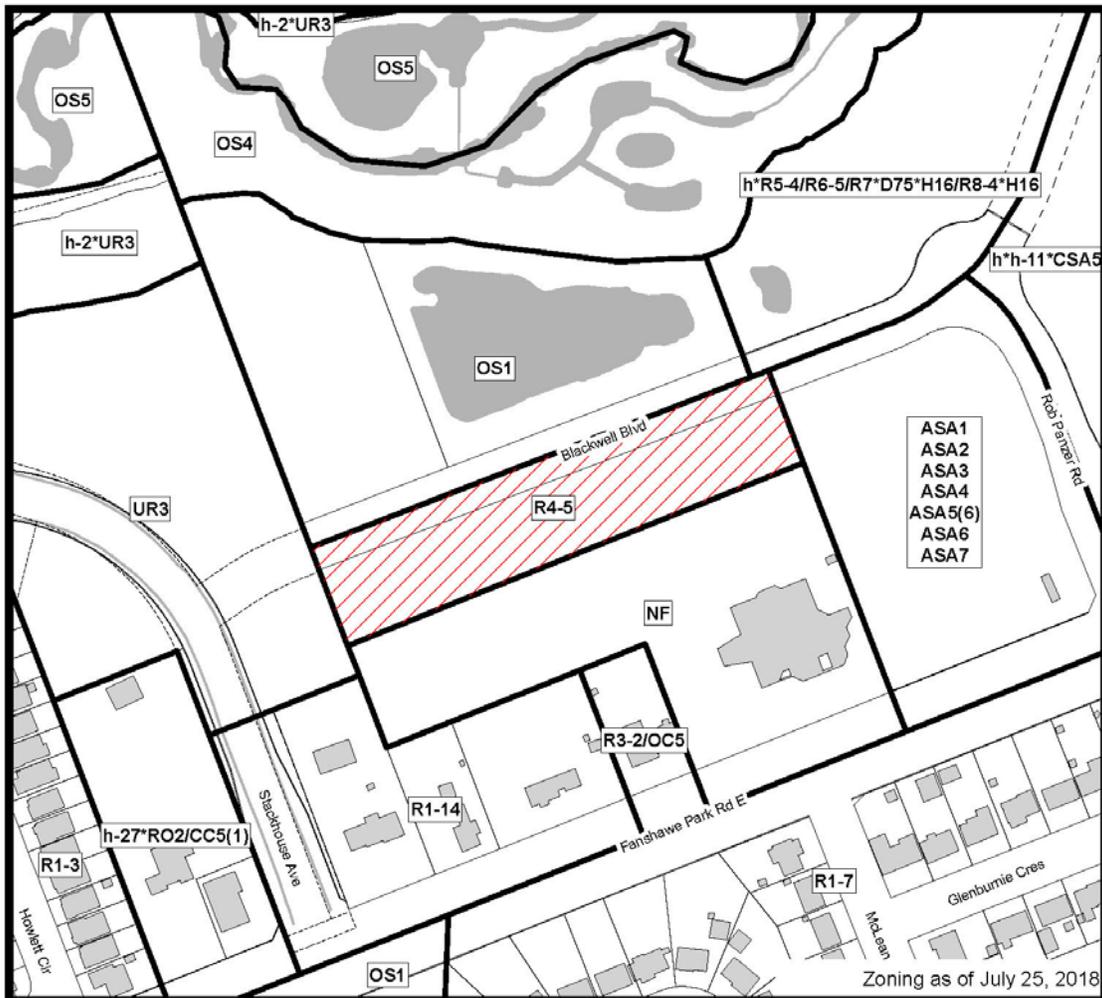
**LONDON PLAN MAP 1
 - PLACE TYPES -**

PREPARED BY: Planning Services



File Number: Z-8954
Planner: MS
Technician: RC
Date: October 17, 2018

Project Location: E:\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\10.3.1 Versions\mxd\Z-8954-EXCERPT_Map1_PlaceTypes_b&w_8x14_Arc10.3.1.mxd



Zoning as of July 25, 2018



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- | | |
|--|---|
| <ul style="list-style-type: none"> R1 - SINGLE DETACHED DWELLINGS R2 - SINGLE AND TWO UNIT DWELLINGS R3 - SINGLE TO FOUR UNIT DWELLINGS R4 - STREET TOWNHOUSE R5 - CLUSTER TOWNHOUSE R6 - CLUSTER HOUSING ALL FORMS R7 - SENIOR'S HOUSING R8 - MEDIUM DENSITY/LOW RISE APTS. R9 - MEDIUM TO HIGH DENSITY APTS. R10 - HIGH DENSITY APARTMENTS R11 - LODGING HOUSE
 DA - DOWNTOWN AREA RSA - REGIONAL SHOPPING AREA CSA - COMMUNITY SHOPPING AREA NSA - NEIGHBOURHOOD SHOPPING AREA BDC - BUSINESS DISTRICT COMMERCIAL AC - ARTERIAL COMMERCIAL HS - HIGHWAY SERVICE COMMERCIAL RSC - RESTRICTED SERVICE COMMERCIAL CC - CONVENIENCE COMMERCIAL SS - AUTOMOBILE SERVICE STATION ASA - ASSOCIATED SHOPPING AREA COMMERCIAL
 OR - OFFICE/RESIDENTIAL OC - OFFICE CONVERSION RO - RESTRICTED OFFICE OF - OFFICE | <ul style="list-style-type: none"> RF - REGIONAL FACILITY CF - COMMUNITY FACILITY NF - NEIGHBOURHOOD FACILITY HER - HERITAGE DC - DAY CARE
 OS - OPEN SPACE CR - COMMERCIAL RECREATION ER - ENVIRONMENTAL REVIEW
 OB - OFFICE BUSINESS PARK LI - LIGHT INDUSTRIAL GI - GENERAL INDUSTRIAL HI - HEAVY INDUSTRIAL EX - RESOURCE EXTRACTIVE UR - URBAN RESERVE
 AG - AGRICULTURAL AGC - AGRICULTURAL COMMERCIAL RRC - RURAL SETTLEMENT COMMERCIAL TGS - TEMPORARY GARDEN SUITE RT - RAIL TRANSPORTATION
 "h" - HOLDING SYMBOL "d" - DENSITY SYMBOL "H" - HEIGHT SYMBOL "B" - BONUS SYMBOL "T" - TEMPORARY USE SYMBOL |
|--|---|

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

ZONING BY-LAW NO. Z-1 SCHEDULE A



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

FILE NO:
 Z-8954 MS

MAP PREPARED:
 2018/10/17 RC



Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: George Kotsifas, P. Eng.
Managing Director, Development and Compliance Services
And Chief Building Official

Subject: Public Participation Meeting Report
Sunningdale Golf and Country Ltd.
600 Sunningdale Road West

Public Participation Meeting on: November 12, 2018

Recommendation

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of Sunningdale Golf and Country Ltd., relating to a portion of the property located at 600 Sunningdale Road West:

- (a) The comments received from the public during the Public Engagement process attached as Appendix "A" to the staff report dated November 12, 2018, **BE RECEIVED**
- (b) **IT BEING NOTED** that staff will continue to process the application and will consider the public, agency, and other feedback received during the review of the subject application as part of the staff evaluation of the subject application.

Executive Summary

Summary of Request

The requested amendment is to permit a draft plan of subdivision and Zoning By-law Amendments to allow for 114 single detached lots, 4 park blocks and numerous one foot reserve blocks serviced by 3 local streets.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to:

- i) Present the details of the requested amendment in conjunction with the statutory Public Meeting;
- ii) Preserve the appeal rights of the public and ensure the Municipal Council has had the opportunity to review the requested draft plan of subdivision and Zoning By-law Amendments prior to the expiration of the 180 day timeframe legislated for draft plan of subdivision and accompanying *Planning Act* applications;
- iii) Introduce the proposed development and identify matters raised to-date through the technical review and public consultation period; and
- iv) Bring forward a future recommendation report for consideration by the Planning and Environment Committee, once the technical review is complete.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject site consists of 20.6 ha of land that is currently operating as a part of the Sunningdale Golf course operations, with approximately 650 meters of frontage on Sunningdale Road West. The subject site is located on the south, side of Sunningdale Road West between Richmond Street and Wonderland Road North.

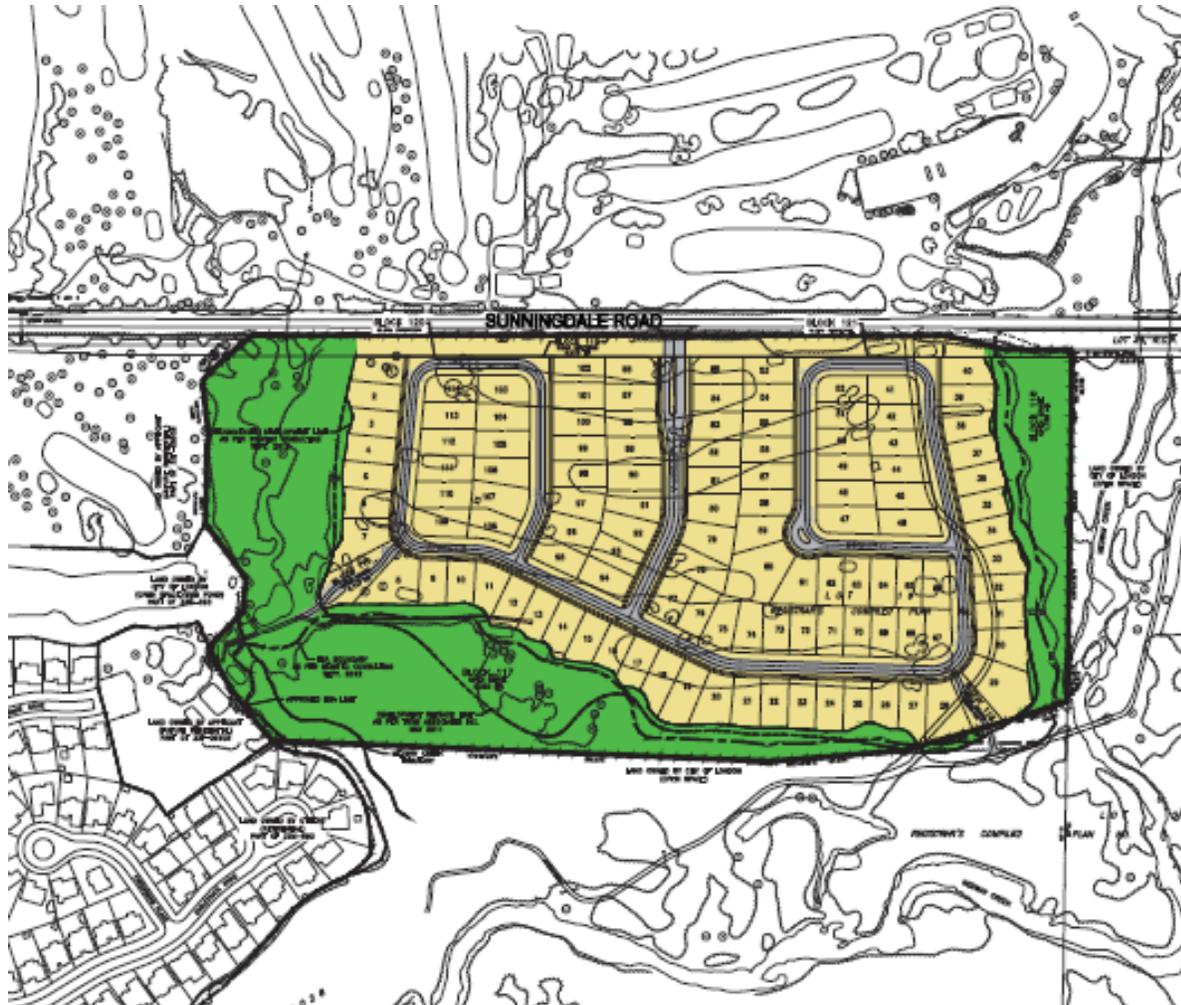


Figure 1: Proposed Master Development Plan

1.2 Current Planning Information (see more detail in Appendix C)

- The London Plan Place Type – Neighbourhoods and Green Space
- Official Plan Designation – Low Density Residential (LDR) & Open Space (OS)
- Secondary Planning Area - Sunningdale Area Plan
- Existing Zoning – Urban Reserve (UR3) Zone, Holding Urban Reserve (h-2*UR3) Zone, Open Space (OS4) Zone, and Open Space (OS5) Zone

1.3 Site Characteristics

- Current Land Use – Golf Course
- Frontage – +/- 650m
- Depth – varies
- Area –20.6ha
- Shape – Irregular

1.4 Surrounding Land Uses

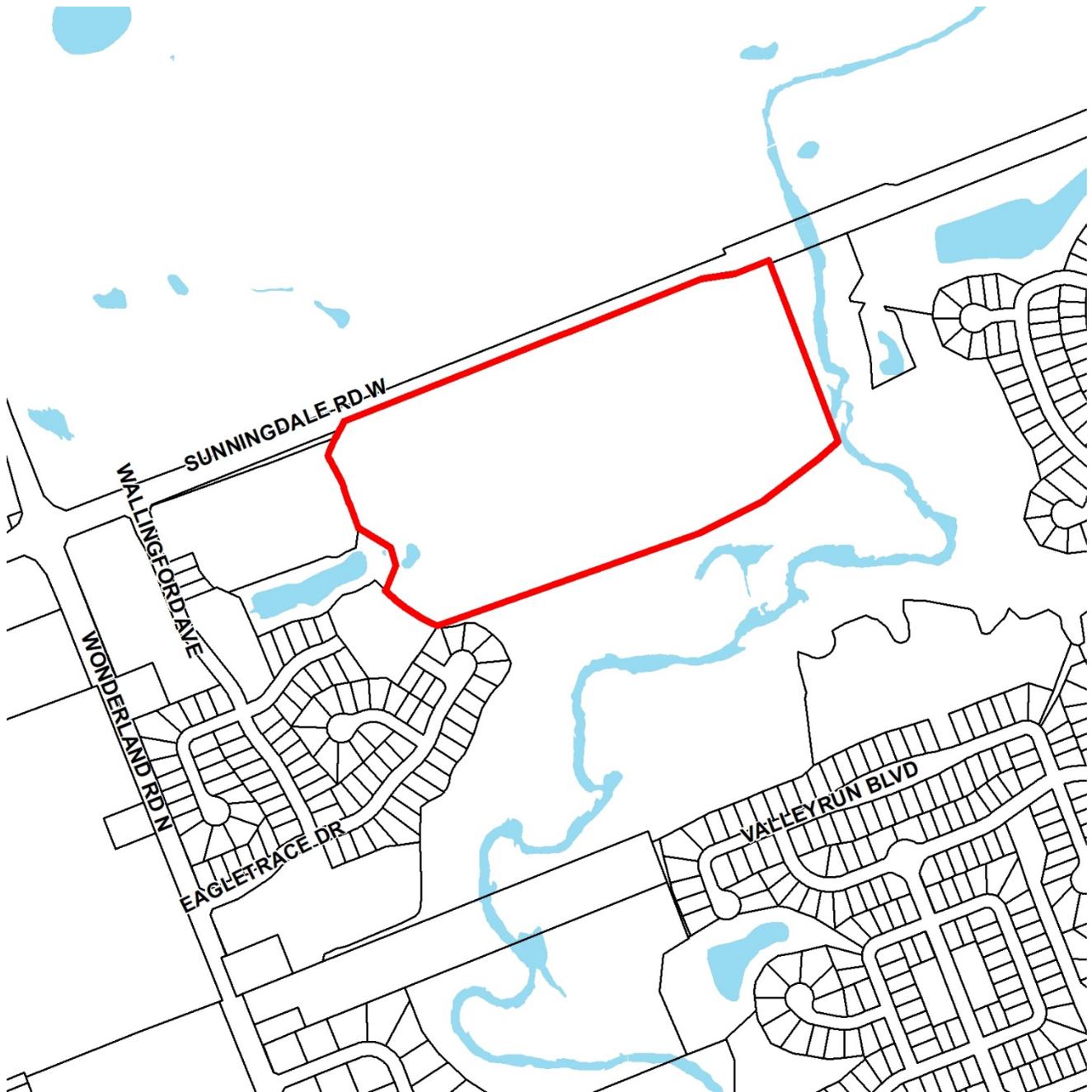
- North – Golf Course
- East – Medway Valley Heritage Forest Environmentally Significant Area

- South Medway Valley Heritage Forest Environmentally Significant Area
- West – Medway Valley Heritage Forest Environmentally Significant Area

1.5 Intensification (identify proposed number of units)

- 114 residential units are being proposed within the subject site which is located outside of the Built-area Boundary, and Primary Transit Area

1.6 Location Map



2.0 Description of Proposal

2.1 Development Proposal 39T-18501/Z-8888

The proposed draft plan of subdivision consist of 114 single detached lots, 4 park blocks and numerous one foot reserve blocks serviced by 3 local streets.

Figure 2: Proposed Draft Plan of Subdivision 39T-18501/Z-8888



2.2 Submitted Studies

A number of reports and studies were submitted to support the requested amendment, including:

- Final Proposal Report
- Hydrogeological Study
- Slope Stability Assessment
- Environmental Impact Study
- Functional Stormwater Management Report
- Environmental Noise Assessment
- Stage 2 Archaeological Assessment

2.5 Requested Amendment

To change the zoning from an Urban Reserve (UR3) Zone, a Holding Urban Reserve (h.2*UR3) Zone and an Open Space (OS4) Zone to a Residential R1 (R1-9) Zone and an Open Space (OS5) Zone. Changes to the currently permitted land uses and development regulations are summarized below.

Zone(s): Residential R1 (R1-9) Zone that permits single detached dwellings with:

- Minimum Lot Frontage of 18.0 metres
 - Minimum Lot Area of 690 square metres
 - Maximum Height of 12.0 metres; and
- An Open Space (OS5) Zone that permits passive recreational uses only.

3.0 Relevant Background

3.1 Planning History

In 1996, the City initiated an Area Study which included the subject lands. The Sunningdale Area Plan was adopted by Council June 1998. Through the Area Planning process this 20.6ha site was identified for Low Density Residential and Open Space land uses.

3.2 Community Engagement (see more detail in Appendix A)

Notice of Application was circulated on April 3, 2018, and notice was published in The Londoner on April 5, 2018. There were four (4) responses provided through the community consultation period. All 4 responses support the proposed draft plan as submitted. One person did include in their support comments that there be less lots and more green space.

3.3 Policy Context (see more detail in Appendix B)

Provincial Policy Statement, 2014

Section 51(24) of the *Planning Act* provides municipalities with criteria which must be considered prior to approval of a draft plan of subdivision. The Act notes that in addition to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality, regard shall be had for,

- the effect of development of the proposed subdivision on matters of provincial interest;
- whether the proposed subdivision is premature or in the public interest;
- whether the plan conforms to the official plan and adjacent plans of subdivision, if any;
- the suitability of the land for the purposes for which it is to be subdivided;
- the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity, and the adequacy of them;
- the dimensions and shapes of the proposed lots;
- the restrictions or proposed restrictions, if any, on the land proposed to be subdivided the buildings and structures proposed to be erected on it, and the restrictions, if any, on adjoining land;
- conservation of natural resources and flood control;
- the adequacy of utilities and municipal services;
- the adequacy of school sites;
- the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;
- the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and
- the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area.

The London Plan and City of London Official Plan contains Council's objectives and policies to guide the short-term and long-term physical development of the municipality. The policies promote orderly urban growth and compatibility among land uses. While the objectives and policies in the London Plan and City of London Official Plan primarily relate to the physical development of the municipality, they also have regard for social, economic and environmental matters.

The London Plan

The London Plan directs that all of the relevant policies of the Plan that relate to a planning and development applications should be read in their entirety and form the basis for evaluating consistency with the Plan (1577-1578). Proposed plans of subdivision will be evaluated based on all of the policies of The London Plan, including such policies as (1688):

1. Our Strategy
2. City Building Policies
3. Our Tools
4. Place Type Policies
5. Availability of Municipal Services
6. Potential impacts on adjacent and nearby properties
7. The degree to which the proposal fits within its context and policy goals
8. Relevant secondary plans and specific policies
9. Relevant guideline documents

Our Strategy

Relevant planning strategies to support key directions to guide planning and subdivision development include the following:

59_ Direction #5 Build a mixed-use compact city

- *Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place.*
- *Build quality public spaces and pedestrian environments that support walking.*

61_ Direction #7 Build strong, healthy and attractive neighbourhoods for everyone

- *Plan for healthy neighbourhoods that promote active living, provide healthy housing options, offer social connectedness, afford safe environments, and supply well-distributed health services.*
- *Design complete neighbourhoods by meeting the needs of people of all ages, incomes and abilities, allowing for aging in place and accessibility to amenities, facilities and services.*
- *Implement “placemaking” by promoting neighbourhood design that creates safe, diverse, walkable, healthy, and connected communities, creating a sense of place and character.*
- *Create social gathering places where neighbours can come together, such as urban parks and public spaces, community centres, family centres, community gardens, cafés, restaurants, and other small commercial services integrated within neighbourhoods.*
- *Protect what we cherish by recognizing and enhancing our cultural identity, cultural heritage resources, neighbourhood character, and environmental features.*
- *Identify, create and promote cycling destinations in London and connect these destinations to neighbourhoods through a safe cycling network.*
- *Support programs that give communities the ability to improve their neighbourhoods in creative and positive ways.*
- *Distribute educational, health, social, cultural, and recreational facilities and services throughout the city so that all neighbourhoods are well-served.*
- *Integrate well-designed public spaces and recreational facilities into all of our neighbourhoods.*
- *Integrate affordable forms of housing in all neighbourhoods and explore creative opportunities for rehabilitating our public housing resources.*

City Building Policies

201_ *New neighbourhoods should be designed with consideration for the character of existing landscapes and topography. The street network and civic infrastructure will be established in consideration of this goal.*

202_ *Buildings and public spaces at key entry points into neighbourhoods will be designed to help establish a neighbourhood's character and identity.*

203_ *Neighbourhoods should be planned to include one or more identifiable and accessible focal points that contributes to the neighbourhood's character and allows for community gathering.*

204_ *Natural heritage is an important contributor to the character of an area and influences the overall street network. Neighbourhoods should be designed to preserve view corridors to natural heritage features and landmarks through lotting patterns, window streets, and building placement.*

211_ *The City's street network will be designed to ensure high-quality pedestrian environments, maximized convenience for mobility, access to focal points and to support the planned vision for the place type.*

212_ *The configuration of streets planned for new neighbourhoods will be of a grid, or modified grid, pattern. Cul-de-sacs, dead-ends, and other street patterns which inhibit such street networks will be minimized. New neighbourhood street networks will be designed to have multiple direct connections to existing and future neighbourhoods.*

213_ *Street patterns will be easy and safe to navigate by walking and cycling and will be supportive of transit services.*

219_ *Neighbourhoods will incorporate a grid or modified grid street network that supports the delivery of emergency services.*

220_ *Neighbourhoods should be designed with a diversity of lot patterns and sizes to support a range of housing choices, mix of uses and to accommodate a variety of ages and abilities.*

228_ *Neighbourhood streets and all infrastructure will be planned and designed to enhance safety by implementing the principles of Crime Prevention Through Environmental Design, encouraging greater levels of passive surveillance, and providing sidewalks of sufficient width to support planned levels of activity.*

242_ *Public spaces will be designed to support the planned vision of the place type by enhancing views and vistas, providing places to meet and gather, and establishing connections.*

243_ *Public facilities, parks, trails, seating areas, play equipment, open spaces and recreational facilities should be integrated into neighbourhoods to allow for healthy and active lifestyles.*

244_ *Public spaces will be located and designed to help establish the character and sense of place of the surrounding area and, where applicable, the positive image of our city.*

247_ *Public spaces should be located and designed within neighbourhoods to ensure that a minimum of 50% of their perimeter will be bounded by a public street.*

518_ *Secondary plans and larger residential development proposals should include a 25% affordable housing component through a mix of housing types and sizes. In keeping with this intent, 40% of new housing units within a secondary plan, and lands exceeding five hectares in size outside of any secondary plan, should be in forms other than single detached dwellings.*

Neighbourhoods Place Type

The subject site is within the Neighbourhoods Place Type in The London Plan and located with frontage onto a Civic Boulevard (Sunningdale Road West). The range of permitted uses include: single detached, semi-detached, townhouses, triplexes, small-scale community facilities, stacked townhouses, fourplexes, and low-rise apartment buildings. The development form is intended between a minimum of 2 storeys and a maximum of 4 storeys, with a potential to bonus up to 6 storeys (Tables 10-12).

Environmental Policies

1412_ Ecological buffers are required to protect natural heritage features and areas, and their ecological functions and processes, to maintain the ecological integrity of the Natural Heritage System.

1413_ Ecological buffers will be required on lands contiguous to a specific natural heritage feature or area.

1414_ The location, width, composition and use of ecological buffers necessary to protect natural heritage areas from the impacts of development on adjacent lands will be specified through application of the City Council approved Guidelines for Determining Setbacks and Ecological Buffers as part of an approved secondary plan and/or an environmental impact study.

1415_ In addition to buffer lands, additional techniques may be required to assist in minimizing the impact of development on the Natural Heritage System, including all of the following:

- 1. Discourage rear-lotting adjacent to the Natural Heritage System, and the use of site planning to orient the development away from natural heritage features and areas.*
- 2. The acceptance of lands immediately adjacent to natural heritage areas as part of the required parkland dedication for the proposed development.*
- 3. The use of a geotechnical setback from the boundary of natural heritage areas or natural hazard areas for construction purposes.*
- 4. Restriction of public access by providing a limited number of access points to natural heritage areas.*
- 5. Lands identified and delineated as ecological buffers may be zoned to permit their inclusion in calculating and applying zoning regulations applicable for the lot.*
- 6. Development and site alteration on lands identified and delineated as an ecological buffer shall be prohibited unless specified as a permitted use in the Zoning By-law.*
- 7. Setbacks shall apply from any lands identified as an ecological buffer.*
- 8. The creation of individual lots that include lands identified and delineated as ecological buffers is not permitted.*
- 9. Fencing (without gates) along all private lands abutting natural features.*
- 10. Other measures, as determined through a detailed environmental study.*

1416_ Where different components of the Natural Heritage System overlap, the limit of development shall be set at the limit of the maximum ecological buffer as determined through an approved environmental impact study. Where the limits of a natural hazard overlap with the limits of an ecological buffer determined for a natural heritage feature, the development limit shall be set as the greater of the limit of the natural hazard corridor or the limit of the ecological buffer.

Our Tools

1768_ In the review of all planning and development applications, including the review of secondary plans, for residential development adjacent to Civic Boulevards, Urban Thoroughfares, Rural Thoroughfares, Rapid Transit Boulevards, Expressways and Provincial Highways will be subject to all of the following criteria, to ensure that

residential development does not rear or side-lot onto the adjacent streets, as appropriate:

- *Place types that permit residential uses with a medium to high level of intensity will, wherever practical, be sited adjacent to these streets. This form of development provides for greater flexibility in building orientation thereby allowing front facing buildings with amenity space in the rear.*
- *If there is no practical place type alternative, and sensitive place types must locate adjacent to these streets, then subdivision design measures will be encouraged to eliminate the need for noise walls. These subdivision design measures could include, but are not limited to neighbourhood design with window or lay-by streets or service streets; subdivisions with rear lanes; subdivisions on private service streets; or alternative measures that conform with the policies of this Plan*

The 1989 Official Plan

The subject site is within Low Density Residential (LDR) designation, which primarily permits single detached; semi-detached; and duplex dwellings. Multiple-attached dwellings, such as row houses or cluster houses may also be permitted subject to the policies of this Plan and provided they do not exceed the maximum density of development permitted under policy 3.2.2 (30uph).

3.1.2. Low Density Residential Objectives

- *Enhance the character and amenities of residential areas by directing higher intensity uses to locations where existing land uses are not adversely affected.*
- *Encourage the development of subdivisions that provide for energy conservation, public transit, and the retention of desirable natural features.*

3.1.1. General Objectives for all Residential Designations

- *Provide for a supply of residential land that is sufficient to accommodate the anticipated demand for a broad range of new dwelling types over the planning period.*
- *Support the provision of a choice of dwelling types according to location, size, affordability, tenure, design, and accessibility so that a broad range of housing requirements are satisfied*
- *Support the distribution of a choice of dwelling types by designating lands for a range of densities and structural types throughout the City.*
- *Support the development of residential facilities that meet the housing needs of persons requiring special care.*
- *Direct the expansion of residential development into appropriate areas according to availability of municipal services, soil conditions, topographic features, environmental constraints; and in a form which can be integrated with established land use patterns.*
- *Minimize the potential for land use compatibility problems which may result from an inappropriate mix of: low, medium and high density housing; higher intensity residential uses with other residential housing; or residential and non-residential uses.*
- *Support the provision of services and amenities that enhance the quality of the residential environment.*
- *Promote residential development that makes efficient use of land and services.*

15.3.6. Ecological Buffers

- *Ecological buffers serve to protect the ecological function and integrity of the*

Natural Heritage System. Ecological buffers will be required around, or adjacent to, and other components of the Natural Heritage System, based upon the recommendations of an approved Environmental Impact Study. (Clause i) amended by OPA 438 Dec. 17/09)

- *The location, width, composition and use of ecological buffers necessary to protect natural heritage areas from the impacts of development on adjacent lands will be specified through application of the Council approved Guidelines for Determining Setbacks and Ecological buffers as part of a secondary plan and/or an environmental impact study. (Clause ii) amended by OPA 438 Dec. 17/09)*
- *In addition to buffer lands, additional techniques may be required to assist in minimizing the impact of development on the Natural Heritage System, including but not limited to:*
 - *The use of site planning to orient the development away from natural heritage areas;*
 - *The acceptance of lands immediately adjacent to natural heritage areas as part of the required parkland dedication for the proposed development;*
 - *The use of a setback from the boundary of natural heritage areas for construction purposes;*
 - *Restriction of public access by providing a limited number of access points to natural heritage areas;*

19.9.6. Additional Noise Attenuation Policies for Residential Land Uses Adjacent to Arterial Roads.

- *If there is no practical land use alternative, and sensitive land uses must locate adjacent to an arterial road, then subdivision design measures will be encouraged to eliminate the need for noise walls. These subdivision design measures could include, but are not limited to:*
 - *Subdivisions with window or lay-by streets or service roads;*
 - *Subdivisions with rear lanes;*
 - *Subdivisions on private service roads.*
- *The main objective of these design measures is to ensure that residential development does not rear or side-lot onto the adjacent arterial roads.*

4.0 Matters to be Considered

A complete analysis of the applications is underway and includes a review of the following matters, which have been identified to date:

Range of Uses

- If the range of residential, open space and park uses are appropriate

Design

- Location and orientation of residential units along Sunningdale Road West
- Access and orientation of uses to the Medway Valley Heritage Forest Environmentally Significant Area.
- If the proposed subdivision design is consistent with the Our City, Our Strategy, City Building, City Structure, and Place Type policies
- Mix of housing type/form and affordable housing considerations
- Access and connectivity (both vehicular and pedestrian)

Technical Review

- Limits of Environmental Significant Area and Buffer delineations to protect the Medway Valley Heritage Forest Environmentally Significant Area.
- Complete hydrogeological information
- The acceptance of the Environmental Impact Study including rationale for buffering widths and mitigation measures.

More information and detail is available in the Appendices of this report.

5.0 Conclusion

Development Services staff will continue to review the merits of the draft plan of subdivision and Zoning By-law Amendment applications and the comments received with respect to the requested planning applications. A subsequent planning report will be prepared when the review is complete, including a recommended action for the consideration of the Planning and Environment Committee and Municipal Council.

Recommended by:	Craig Smith, MCIP, RPP Senior Planner, Development Services
Reviewed by:	Lou Pompilii, MCIP RPP Manager, Development Planning (Subdivision)
Concurred in by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services	

November 6, 2018
/sw

CC: Matt Feldberg, Manager, Development Services (Subdivisions)

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Appendix A – Public Engagement

Community Engagement

Public liaison: On April 3, 2018, Notice of Application was sent to 10 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 April 5, 2018. A “Planning Application” sign was also posted on the site.

4 replies were received

Nature of Liaison: The purpose and effect of this application is to permit the development of a subdivision with 114 single detached lots, 4 park blocks and numerous one foot reserve blocks serviced by 3 local streets. **Draft Plan of Subdivision** – Consideration of a draft plan of subdivision consisting of 114 single detached lots, 4 park blocks and numerous one foot reserve blocks **Zoning By-law Amendment** - Possible Amendment to Zoning By-law Z.-1 to change the zoning **FROM** a Urban Reserve (UR3) Zone, a Holding Urban Reserve (h.2*UR3) Zone and an Open Space (OS4) Zone **TO** a Residential R1 (R1-9) Zone which permits single detached dwellings with a minimum lot frontage of 18.0 metres, a minimum lot area of 690 square metres and maximum height of 12.0 metre and an Open Space (OS5) Zone permits passive recreational uses only. The City may also consider the use of holding provisions, to ensure development is street oriented, discourage the use of noise walls, that waterlooping and a second public access is provided and a development agreement will be entered into to the satisfaction of the City

Responses: All 4 responses support the proposed draft plan as proposed. One person did include in their support comment the concern that there be less lots and more green space

Responses to Public Liaison Letter and Publication in “The Londoner”

From: Doug Wastell <[redacted]>
Sent: Thursday, April 26, 2018 11:47 AM
To: Smith, Craig; Sue Wastell
Subject: 600 Sunningdale Road West

Hi Craig,

My wife (Sue) and I live at 2429 Waterside Close and back onto this future project. We can see the property directly out the back of our house.

We are writing in support of this development because it will be a great fit for our neighbourhood.

Thank you for your consideration.

Doug Wastell

From: Laura Marshall [REDACTED]
Sent: Friday, April 27, 2018 9:00 AM
To: Smith, Craig
Subject: 600 Sunningdale Rd West Proposal

Hello Mr Smith,

I am a current residence in the north neighborhood of the proposed land development at 600 Sunningdale Road West and I am writing to you to offer my support of the project. I think turning that area of the current golf course into a residential subdivision is a great use of the land as long as it preserves the beautiful medway valley forest. In addition, the only other hesitation I see with the current proposal as it stands is the number of houses to be built - I would like to see fewer houses in order to preserve more green space and also limit the amount of traffic in/out of the subdivision and onto Sunningdale. Other than that, the proposal is a nice change to see rather than having to worry about golfers crossing busy Sunningdale Road.

Sincerely,
Laura Marshall

From: Crown Homes [REDACTED] >
Sent: Monday, May 07, 2018 10:08 AM
To: Smith, Craig
Subject: 600 Sunningdale Rd. W. File: 39T-18501/Z-8889 Applicant: Sunningdale Golf and Country Club

Good morning Craig,

As custom home builders, we have built homes in all Sunningdale developments in London. We have enjoyed an excellent working relationship with Sunningdale and they have been responsible and thoughtful developers of the area.

We are very supportive of the above noted new development as we have several clients looking for good sized lots in the north end of London but no inventory. We are confident that Sunningdale will once again develop this area in a responsible and thoughtful way that will benefit London.

Regards,

Merv

Merv Bell
President
Crown Homes of London Inc.

From: Peter McClure <[REDACTED]>
Sent: Wednesday, May 16, 2018 3:39 PM
To: Smith, Craig
Subject: 600 Sunningdale Road West

Mr Smith,

I would like to express my support of the proposed Draft Plan of Subdivision and Zoning Amendment put forward by Sunningdale Golf and Country Ltd (Corlon Properties Inc.).

This is a much needed development in the north end of London where we have seen the number of available building lots being unable to keep up with demand.

Sunningdale G&C (Corlon) has shown themselves to be one of the premier land development companies in the City and the Neighbourhoods of Sunningdale is one of the most attractive and well thought out subdivisions in London. They have also taken great care during the construction of their previous sites to minimize the impact of construction on the existing neighbourhoods.

Thank You,
Peter McClure

Agency/Departmental Comments

Archaeological

As follow up to our phone conversation earlier this week, please be advised that for the property at 600 Sunningdale Road West (Sunningdale Court, 39T-18501) I have received:

- Stage 1 Archaeological Assessment (P438-0116-2017, dated June 12, 2017 by AECOM) – requiring further archaeological work
- Stage 2 Archaeological Assessment (P131-0063-2017, dated January 24, 2018 by AECOM) – requiring further archaeological work. Note: the greens were not assessed.

There is at least one significant archaeological site (Location 2; AgHh-259) requiring further mitigation. As this is an active golf course, it is not possible to properly assess this site or complete the archaeological fieldwork on the greens. I understand that Stage 3 archaeological assessment for Location 2 (AgHh-259) is being completed presently.

To ensure that the Stage 4 mitigation of impacts for Location 2 (AgHh-259) are completed and the greens are assessed prior to ground disturbing activities, the h-18 holding provision should be placed on the subject property through the Zoning By-law Amendment and conditions included in the Draft Plan of Subdivision to ensure that all archaeological assessments are completed for the subject property and that the Ministry of Tourism, Culture and Sport has concurred that all archaeological concerns on the property have been addressed.

Development Services- Engineering

Please advise the Owner that it is Development Services (engineering) position that the Final Proposed Report provided with this application has not addressed or adequately addressed all of the issues identified in the Initial Proposal Review meeting comments such as, but not limited to, the sight lines, sanitary routing, hydrogeological information.

On that basis Development Services (engineering) propose that the outstanding issues be resolved as indicated in the comments in this memo and in the attached Draft Plan conditions through the recommended revisions to the draft plan and through the next stages of the approval process such as the Focused Design Studies or engineering drawings review stage.

Information

The Wastewater and Engineering Division has the following comments:

1. The subject lands are previously included as part of the sanitary drainage area plans for the Medway Trunk Sanitary Sewer (MTSS) as external area 6 being 18 Ha in size with a maximum population of 990 connecting to the existing 200 mm diameter sanitary sewer at the southeast corner of these lands tributary to the 750mm diameter MTSS.

The IPR and FPR from the applicant mentions a possible future SWM conflict on lands outside the growth boundary and they are proposing that there may be a need to revise the existing accepted sanitary drainage area plans and designs. WADE as part of the IPR process asked for additional detail to be included as part of the FPR but this was not addressed in any detail. As such WADE has included draft plan conditions that require this information at focused design studies.

The applicant and engineering consultant can contact WADE directly so we may better understand their concerns.

2. As part of engineering drawings submission there is the private forcemain from the Sunningdale Golf Course club house that crosses Sunningdale Rd that goes south as mentioned in the FPR. The preference would be to cut the private forcemain back on private lands connected to a private manhole on the Sunningdale Golf Course Golf lands and flow by a gravity connection to the future sanitary manhole on future Sunningdale Court.

The Transportation and Planning Division have the following comments:

1. The sight distance analysis provide in Appendix "H" of the FPR, proposes to fill Sunningdale Road which is not in keeping with the Sunningdale Road Environmental Assessment (EA). The EA ultimate profile in this location is to cut the road. The Owner is to resubmit a site distance analysis recognizing the future ultimate configuration. Furthermore, the City standard for site distance analysis is to achieve the desirable decision site distance as per section 2.1.13 of the Design Specifications and Requirements Manual.
2. The City currently has identified Sunningdale Road West between Wonderland Road and Richmond Street for a road widening project in 2020. Coordination of construction activities may be required to avoid constructor/contractor issues.
3. The City is currently undertaking detailed design for Sunningdale Road West, and as a part of this assignment will be undertaking the design of turn lanes to accommodate this development

The following information has been provided by the Stormwater Management Unit with regards to the report prepared by LDS Consultants Inc., "Hydrogeological Desktop Study – Proposed Residential Subdivision, Sunningdale Court, London Ontario, February 8, 2018".:

As per the attached draft plan conditions (See Condition k), please ensure that an appropriate hydrogeological assessment is completed by a Qualified Professional (QP). Specific elements that the City of London would like addressed in the hydrogeological assessment include, but may not necessarily be limited to the following:

- Installation of boreholes and monitoring wells, to assess the groundwater conditions and hydrogeological regime.
- Evaluation of the hydrogeological environment, including specific aquifer properties (e.g., hydraulic conductivity), groundwater levels, groundwater flow direction, etc.

- Evaluation of water quality characteristics (both groundwater and surface water), and the potential interaction between shallow groundwater and surface water features, including any seeps located within the banks of the creek.
- A completed water balance.
- Evaluation of construction related impacts, and their potential effects on the shallow groundwater system.
- Evaluation of construction related impacts, and their potential effects on local significant features.
- Discussion regarding monitoring plans (if applicable).
- Discussion regarding contingency plans (if applicable).
- Discussion related to the water taking requirements to facilitate construction (i.e., PTTW or EASR be required to facilitate construction?). What is the anticipated radius of influence?
- Discussion regarding mitigation measures associated with construction activities specific to the development (e.g., specific construction activities related to dewatering).
- Discussion regarding the existing PTTW issued by the MOECC for Sunningdale Golf and Country Club (PTTW No. 5340-A7TRPH), and potential interference effects to either of these sources as a result of the development (i.e., short-term or long-term).
- Discussion regarding LID considerations proposed for the development.
- Discussion regarding the presence of fertilizers, herbicides, and pesticides based on historical land use.

Please note the City does not support gateway islands; therefore, please remove the gateway island on Street 'A' at Sunningdale Road from the face of the plan. Since the City does not support gateway islands, Street 'A' road width may be revised to be 21.5 metres wide tapered to 20.0 metres. See condition ac).

Zoning By-law Amendment

Development Services and the above-noted engineering divisions have no objection to the proposed Zoning By-law Amendment for the proposed revised draft plan of subdivision subject to the following:

1. 'h' holding provision is implemented with respect to servicing, including sanitary, stormwater and water, to the satisfaction of the City Engineer and the entering of a subdivision agreement.
2. 'h-100' holding provision is implemented with respect to water services and appropriate access that no more than 80 units may be developed until a looped watermain system is constructed and there is a second public access is available, to the satisfaction of the City Engineer.

Required Revisions to the Draft Plan

Note: Revisions are required to the draft plan as follows:

- i) red line this plan to include 6.0m straight tangents at the intersection of Street "C" & Street "B" opposite lots 33 & 34 to the satisfaction of the City Engineer
- ii) red line this plan to include a 6.0m straight tangent between the two horizontal curves on Street "C" opposite lots 39 & 38 to the satisfaction of the City Engineer
- iii) red line this plan to provide a second access to the site to allow for emergency services access, the access is to be restricted to right in / right out through the construction of a centre island median to the satisfaction of the City Engineer – **MAY BE REVISED BASED ON REVIEW OF SUBDIVISION DESIGN**
- iv) Revise to separate road widening block, Block 119, into two parts east and west of Street 'A'
- v) Clearly delineate block/lot limits
- vi) Remove 'eyebrow' island on Street 'C'

- vii) Remove gateway island from Street 'A' as this City does not support gateway islands
- viii) Revise Street 'A' at Sunningdale Road West to be a minimum right of way width of 21.5 metres for a minimum length of 30.0 metres tapered back over a distance of 30 metres to the standard local right-of-way width of 20.0 metres, to the satisfaction of the City Engineer.
- ix) Label Street 'C', east of Street 'A'
- x) Ensure all geotechnical issues and all required (structural, maintenance and erosion) setbacks related to slope stability for lands within this plan are addressed and make any necessary revisions, to the satisfaction and specifications of the City.
- xi) The Owner shall ensure all streets with bends of approximately 90 degrees shall have a minimum inside street line radius with the following standard:

<u>Road Allowance</u>	<u>S/L Radius</u>
• 20.0 m	9.0 m
• 19.0 m	9.5 m
• 18.0 m	10.0 m

Please include in your report to Planning and Environment Committee that there will be increased operating and maintenance costs for works being assumed by the City.

Note that any changes made to this draft plan will require a further review of the revised plan prior to any approvals as the changes may necessitate revisions to our comments.

Environmental Ecological Planning Advisory Committee (EEPAC)

Sunningdale Court EIS (600 Sunningdale Road West)

October 12, 2017

Reviewed by C. Dyck and S. Levin

MAJOR CONCERNS:

Size of buffers where the buffer is less than 10 m

Lack of information on protection of S2 plant (Two flowered Cynthia) – we believe this omission is sufficient grounds to reject the current version of the EIS

Date of field work predates the construction of the multi-use pathway and bridges

Lack of detail on restoration plans and insufficient monitoring period post restoration

BUFFERS

The rationale for a “relatively small buffer areas” given on page 7.7 is unclear, particularly in explaining why 5 m is sufficient. No explanation is given as to why the construction buffer is only 5 m. Page 7.7 indicates that final buffer requirements are to be determined as part of a site specific EIS. Were these words written at a different time? Isn't the document a final EIS? Regardless, there is no explanation of the buffer widths or a clear buffer management plan (very limited information appears in Table 7-2).

RECOMMENDATION 1: Either the EIS be revised to explain why the buffer widths are as narrow as 5 m. Otherwise, 10 m buffers should be the minimum requirement.

RECOMMENDATION 2: A buffer management plan with ecosite specific native planting recommendations be a condition of the development agreement.

Figures 6 and 7 note there is a 30 m buffer for fish habitat but the legend indicates “no buffer for the golf course pond.” EEPAC assumes this refers to the pond at the west end of the development in an area that, according to the zoning map that went out with the

public notice, will be lands zoned OS5. Therefore, EEPAC is unclear how the pond is not buffered.

RECOMMENDATION 3: EEPAC requests that staff ensure that this pond is retained.

TWO FLOWERED CYNTHIA

In Appendix B, two CC of 10 plants are noted. There is some discussion in the text about one of the plants – Twinleaf. Its general location is noted in the report (7.6). This plant is listed as S4. However, there is absolutely no mention in the text of the other CC 10 plant – Two-Flowered Cynthia. This plant is listed as S2 which means Very Rare (page 3.5 uses the word ‘imperiled’ for S2) in Ontario; usually between 6 and 20 occurrences in the province, or found in only a few remaining hectares. For comparison, False Rue Anemone, which is listed as Threatened, also has an S2 ranking.

RECOMMENDATION 4: Until it is clarified if this plant is off the development site and protected from disturbance, the EIS be considered incomplete.

EDUCATION

It is unclear to the reviewers how access to the ESA from Block 115 will be limited. Although many will stay on the paved path, there are others who will stray. The EIS mentions in a number of places “education” but does not detail what steps will be taken to “educate.” It is also unclear how fencing will help homeowners avoid fertilizer and herbicide use, or avoid planting invasive species (p. 7.6, section 7.1.6)

EEPAC believes the following recommendation would address both of these.

RECOMMENDATION 5:

As a condition of development

- the proponent be required to install signage at Block 115 and 116 with information on the ESA including why it is significant and with normative messages consistent with behaviour science (‘nudges’), that encourage people to do the right thing and stay on designated paths, keep dogs on leash, etc. This is more likely to be considered “ongoing public education” (pgs 7.6 and 7.7). In return, EEPAC recommends the requirement for a home owner “package” be deleted from the development agreement.

- 6 months after assumption, the City send each resident the “Living With Natural Areas” brochure

NET EFFECTS ASSESSMENT (Section 7)

RECOMMENDATION 6: Page 7.13 - EEPAC strongly discourages installing bird boxes as a means of mitigating the impacts of this development and recommends that this be removed from the EIS.

As the EIS points out domestic pets are a threat to birds. It is unlikely that birds will “learn” to avoid domestic pets and installing bird boxes simply makes it easier for cats to find nesting birds. Numerous studies indicate that domestic animals increase stress in wildlife populations as they devote energy to avoidance and flight rather than on reproduction.

ENVIRONMENTAL MANAGEMENT PLAN (Section 8)

The report is very general in terms of the restoration and compensation plantings and plans. For example, page 7.4 says “...buffer management techniques will be used to reduce indirect impacts during construction and over the long term.” There is no clear explanation for this assertion.

In Table 7-3 under “ground disturbance and grading” the report recommends “regular inspection and repair of erosion and sediment control measures” and “regular inspection

of the outlet and downstream for evidence of erosion.” It is unclear how often “regular” inspection will be and who or what agency will be responsible for monitoring and repair.

The EIS has two different proposed monitoring periods, neither of which, in EEPACs opinion and from examples from other developments, is sufficient.

RECOMMENDATION 7: An Environmental Management Plan be prepared for approval by the City and the UTRCA as a condition of development. The EMP must include a clear explanation for how the Plan will minimize indirect impacts on the Natural Heritage features and functions over the long term as well as how often inspections will occur during construction. EEPAC recommends the following elements be included in the EMP:

- a. The areas north and to the south (including the area south of the pathway) of the proposed outlet spillway be restored. It is unclear why this area was not restored when the sewer or the path were built. However, it does provide an opportunity for compensation, given the rip-rap spillway will not provide much opportunity for riparian habit replacement.
- b. Post construction monitoring be for three springs and three falls subsequent to the buffer and restoration plantings.
- c. An Invasive Species Management Plan be required as part of the development agreement, including for lands to be dedicated to the City as part of the City owned ESA (see Table 4-1)
- d. All restoration be with species that are native and appropriate for each ecosite.
- e. Clarification of the proposed “qualitative vegetation monitoring” be provided to EEPAC and if necessary, City staff. Does “quality” refer to the individual plants (i.e. poor health of planted species due to stressors like drought) or does it refer to the “quality” of the overall species composition (i.e. heavy presence of invasive species)? This recommendation should perhaps read “qualitative and quantitative” to determine the degree to which the newly planted vegetation has survived and is thriving. Indicators of overall plant health should be clearly outlined, such that when individual plants do not thrive the warranty period would be triggered, and the vegetation would be replaced.

CONSTRUCTION RECOMMENDATIONS

In section 8.3, it states "while the site is actively being developed/constructed with a log of dates when the facilities (i.e. erosion and sediment controls, construction fencing) were inspected, the condition of the facilities at the time and remedial actions, if any, that were taken." This also appears on page 9.2, recommendation #8. Are these activities that get reported to Development Services? It is unclear which City department receives these reports, or if there any random site visits to see if there is compliance specifically when the development is adjacent to a part of the Natural some other point in time?

As a result of this lack of clarity, EEPAC recommends:

RECOMMENDATION 8:

- a) The city conduct random visits to ensure sediment control measures are in place, particularly when the outlet channel is being constructed.
- b) Clean Equipment Protocol be followed.
- c) No equipment shall be stored or refuelled within 30 m of any natural feature or watercourse.
- d) Gates with no fences must (not should as shown on page 7.4) be erected between the development and the ESA.

e) Removal of vegetation must (not should as stated on page 8.2) take place outside the nesting period of migratory birds.

f) Invasive plants be removed.

STORMWATER

Page 7.3 indicates at the bottom that the proposed outflow is at “an appropriate spot for discharge to Medway Creek.” Nowhere does the report explain why the proposed location is better there than any other spot along the Creek.

RECOMMENDATION 9: A clear rationale for this location be provided before the EIS is accepted.

RECOMMENDATION 10: The development agreement be clear in who (the proponent or the City) is responsible for the ongoing maintenance of the OGS and outlet after assumption (see page 7.11, Table 7-3)

TO BE FORWARDED TO TRANSPORTATION DIVISION

EEPAC notes on page 4.10 that there is a perched culvert preventing fish passage. This should be rectified with the road widening. A box culvert is the preferred option.

QUALITY OF DATA COLLECTION - AMPHIBIAN SURVEYS

EEPAC questions if the frog call count surveys were done in a manner consistent with the Marsh Monitoring Protocol. Although the stations are located in areas off the developable lands, it is unusual to see the 3 required surveys done in two different years. It was also unclear as to when the three minute samples were taken, given the wide range of times shown in Table 3-2 on page 3.4. EEPAC notes that sundown on June 16, 2011 was roughly one hour prior to the time period shown in the Table. As well, two of the survey stations were closer than the 500 m recommended in the Protocol.

OTHER EDITS, ERRORS and OMISSIONS

The legend in Figure 7 notes ‘Fence’ but it is not clearly shown on the Figure. It would be helpful to know if the proposed fencing with no gates is actually along all properties particularly the ones abutting Blocks 115 and 116.

- References to UTRCA Watershed Report Card for the Medway should be updated to the most recent version, released this year.
- The first three paragraphs on page 4.2 appear to be unnecessary as:
 - the proponent will not be addressing the lack of interior forest in the watershed.
 - it is unclear when the benthic survey after 2001 was conducted
 - there is little in this EIS that will implement the recommendations in the third paragraph which seem to relate to needs in other parts of the Medway Creek Subwatershed.

EEPAC believes Table 7.1 on pages 7.2/7.3 includes fewer direct impacts than is likely.

Page 9.2 ends abruptly. It is unclear whether a ‘period’ is simply missing to end the sentence, or whether a portion of the sentence/page is missing.

Environment and Parks Planning

Environmental and Parks Planning has reviewed the submission for the above noted plan of subdivision and offers the following comments:

NATURAL HERITAGE SYSTEM

- The data collection for this project occurred in 2011 and 2012, over 6 years ago. Technically this data must be confirmed through additional field studies, however given the already identified significance of the features and functions this will not be necessary to recollect all of the inventory data.
- However, an inventory of potential snag trees on the golf course is required and the need to address endangered bat species, which are known to occur in the Medway Valley ESA. Compensation for any snag trees on the golf course must be compensated for with bat boxes. This methodology needs to be confirmed with the MNR. Endangered Bat Species are not addressed under Section 5.2 of the EIS.
- The determination of the ESA feature limit has not properly used the Environmental Management Guideline document Boundary Delineation (Section 3.0). For example, portions of the cultural meadow along the rear of many of the proposed lots would be included in the boundary of the ESA due to SWH for Monarch. It would meet criteria 1 of the guideline document for including important habitat zones as part of the feature. Another example would be Guideline 7 applying to some of the cultural communities.
- Section 7.0 impacts to not properly attribute the potential magnitude of impact that the land use change brings through new residential homes, street development, lighting and sound.
- Section 7.0 does not properly apply the City's guideline for determining buffer setbacks and ecological buffers (Section 5.0 of the EMG). Buffer requirements adjacent to ESAs and features which contain sensitive features are larger than what is identified. Provide buffer calculations based on the known features and functions.
- The Significant Stream Corridor narrows substantially around the wetland (pond) habitat located along the west. This is not consistent with minimum Significant Corridor width requirements identified in the Official Plan of 30m.
- Identify the requirement for the pathway located along the rear of the southern lots to be located outside of the ESA and buffer areas.
- Provide data sheets for the field work conducted during the 2011 and 2012 field seasons.
- Based on the above, municipally approved buffers and the ultimate development limit shall be established prior to this application further proceeding to draft approval.

PARKS AND OPEN SPACE

- Required parkland dedication shall be calculated pursuant to section 51 of the Planning Act at 5% of the lands within the application or 1 hectare per 300 units, whichever is greater for residential uses. Parkland dedication calculations for the proposed development are listed in the table below.
- It is the expectation of E&PP that the required parkland dedication will be satisfied through the dedication of parkland and natural heritage lands. Red line revisions will be required to the proposed plan.
- Staff have indicated that the multi-use pathway system is to connect from the existing storm pond on lands immediately west of the subject site to the existing multi-use pathway on the east of the site. This linear park/open space block is to be located adjacent to the rear of lots 9 to 28.
- The two proposed park blocks are to be modified and a third block is to be added.

- Block 115 is to have a minimum frontage of 15 meters;
 - Block 116 is to be reduced to a standard municipal walkway;
 - A third block is to be created at the terminus of Street A (lot 16) with a minimum width of 20 meters to provide a vista into the ESA and connection to the multi-use pathway.
- Based on recommended redline revisions **approximate** parkland land dedication requirements are calculated on the table listed below. It is recognized that buffers and a development limit must be established prior to finalizing these values.
 - In accordance with By-law CP-9, natural heritage and hazard lands will be deducted from the land area used for the calculation of parkland dedication. Within this subdivision, Blocks 117 and 118 were emitted from the area calculation.

Land Use	Area (ha)		Expected Dedication (ha)
Subject Lands	20.695		
Less Open Space Land	6.583		
Total Dedication Required	14.112 @ 5%		0.706
Proposed Park Blocks	Area	Rate	Dedication
115 Park (to be revised)	0.147	1:1	0.147
New Park (to be calculated)	~0.077	1:1	~0.077
117 Open Space	5.385	1:27	0.200
118 Open Space	1.198	1:27	0.044
Total Dedication on Plan (Blocks 115, new, 117, 118)			0.468
Outstanding Balance			0.238
Existing Parkland Credit from 39T-10502			1.049
Balance of Parkland Credit			0.811

- The Official Plan requires neighbourhood parks to be flat and well drained in order to accommodate recreational activities. However, in certain situations Council may accept parkland dedication that contains significant vegetation and topography. The Official Plan notes that these lands will be accepted at a reduced or constrained rate. By-law CP-9 establishes and implements these rates as follows:

- **2.1.3 Land - for park purposes - conveyance – Hazard, Open Space and Constrained Land**

The Corporation retains the right not to accept the conveyance of land that is considered not suitable or required for park and recreation purposes including but not limited to the size of the parcel, hazard lands, wet lands, hydro lands, easements or other encumbrances that would restrict the Corporation's use of the land. Where the Corporation does not request the Owner to convey table land, the Corporation may in lieu accept constrained land at the following ratios:

- 1) Hazard land - 27 hectares of hazard land for every 1 hectare of table land;
- 2) Open space or other constrained lands - 16 hectares of open space or constrained lands for every 1 hectare of table land.

Blocks 117 and 118 will be considered as a portion of the parkland dedication based on the Council approved rate of 27:1 because of the Environmental Significant Area and Hazard

- As part of Focused Design Studies submission, the Owner's Landscape Architect shall prepare and submit a conceptual plan for all park blocks and pathway alignments, to the satisfaction of the City Planner.
- The Owner shall construct 1.5m high chain link fencing without gates in accordance with current City park standards (SPO 4.8) or approved alternate, along the property limit interface of all existing and proposed private lots adjacent to existing and/or future Park and Open Space Blocks. Fencing shall be completed to the satisfaction of the City Planner, within one (1) year of the registration of the plan.
- As part of Focused Design Studies, the Owner shall prepare and submit an implementation plan for recommendations (including a monitoring program) within the approved EIS prepared by Stantec (2017).
- As part of Focused Design Studies, the Owner's qualified consultant shall prepare and submit a tree preservation report and plan for lands within the proposed draft plan of subdivision. The tree preservation report and plan shall be focused on the preservation of quality specimen trees within lots and blocks, and completed in accordance with current approved City of London guidelines for the preparation of tree preservation reports and tree preservation plans, to the satisfaction of the City Planner. Tree preservation shall be established first and grading/servicing design shall be developed to accommodate maximum tree preservation as per the Council approved Tree Preservation Guidelines.
- In conjunction with the first submission of engineering drawings, the Owner's qualified consultant shall undertake, by a Registered Professional Forester, a Hazard Tree Assessment Study for Blocks 117 and 118. The study will undertake a tree risk assessment to identify hazard trees or hazardous parts of any trees within falling distance of residential blocks, park lot lines (this being the hazard tree management zone) and trails (as approved by the city), this also taking into account wind-firmness of adjacent trees affected by any recommended hazard tree removals, and ensure that those hazard trees, or parts thereof, are abated or removed in a timely manner by competent, certified arborists prior to any other persons (workers) entering the hazard tree management zone, or within one year of registration, whichever is sooner.
- The Owner shall prepare and deliver to all homeowners an education package which explains the stewardship of natural area, the value of existing tree cover and the protection and utilization of the grading and drainage pattern on these lots. The educational package shall be prepared to the satisfaction of the City Planner.
- The Owner shall not grade into any open space areas. Where lots or blocks abut an open space area, all grading of the developing lots or blocks at the interface with the open space areas are to match grades to maintain exiting slopes, topography and vegetation. In instances where this is not practical or desirable, any grading into the open space shall be to the satisfaction of the City Planner.
- Prior to construction, site alteration or installation of services, robust silt fencing/erosion control measures must be installed and certified with site inspection reports submitted to the Environmental and Parks Planning Division monthly during development activity along the edge of the woodlot.

Urban Design



Memo

To: Craig Smith, Senior Planner,
Development Services

From: Jerzy Smolarek, Urban Designer

Date: June 22, 2018

RE: 39T-18501: 600 Sunningdale Rd W.

Craig,

Planning Services has reviewed the latest plans for the subdivision located at the above noted address and provide the following comments:

1. In accordance with the London Plan, include a public street along 50% of the perimeter of the open space in order to provide views and physical connection to the existing open space corridor and existing and future pathway network. The following suggested design changes would aid in achieving this policy:
 - a. Design the neighbourhood to create a focal point at the south end of the main entry street incorporating the Open Space, to provide visual connection to the open space as people enter the neighbourhood.
 - b. Include wide pathway blocks (min. 15m) aligned with the ends of public streets to create view corridors and maintain visual connection with the natural feature for safety.
 - c. Alternatively, incorporating a portion of window street along the open space.
2. Ensure lots located along Sunningdale Road W and the proposed window streets adjacent to Sunningdale Road W. are oriented to the arterial road to minimize the need for noise attenuation fencing; shield rear yards with building mass; and increase the amount of active building facades.
3. Incorporation of more intense building forms (i.e. townhouses) along Sunningdale Rd West be considered.

Please feel free to contact me is you have any questions or concerns.

Sincerely,

Jerzy Smolarek, MAUD
Urban Designer

Upper Thames River Conservation Authority (UTRCA)



"Inspiring a Healthy Environment"



June 21, 2018

City of London - Development Services
P.O. Box 5035
London, Ontario N6A 4L9

Attention: Craig Smith (sent via e-mail)

Dear Mr. Smith:

Re: File No. 39T-18501/Z-8888 Application for Approval of Draft Plan of Subdivision & Zoning By-Law Amendment
Applicant: Sunningdale Golf and Country Ltd.
600 Sunningdale Road West, London

The Upper Thames River Conservation Authority (UTRCA) has reviewed this application with regard for the policies in the *Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006)*. These policies include regulations made pursuant to Section 28 of the *Conservation Authorities Act*, and are consistent with the natural hazard and natural heritage policies contained in the *Provincial Policy Statement (2014)*. The *Upper Thames River Source Protection Area Assessment Report* has also been reviewed in order to confirm whether these lands are located in a vulnerable area. The Drinking Water Source Protection information is being disclosed to the Municipality to assist them in fulfilling their decision making responsibilities under the Planning Act.

PROPOSAL

The applicant is proposing a residential plan of subdivision comprised of 114 single detached dwellings, 3 new local streets and 4 new open space blocks.

CONSERVATION AUTHORITIES ACT

As shown on the enclosed mapping, the subject lands are regulated by the UTRCA in accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the *Conservation Authorities Act*. The regulation limit is comprised of riverine flooding and erosion hazards and although not shown on the Regulation Mapping, there are also regulated wetland features and the associated surrounding areas of interference. The UTRCA has jurisdiction over lands within the regulated area and requires that landowners obtain written approval from the Authority prior to undertaking any site alteration or development within this area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland.

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UTRCA ENVIRONMENTAL PLANNING POLICY MANUAL (2006)

The UTRCA's Environmental Planning Policy Manual is available online at:

<http://thamesriver.on.ca/planning-permits-maps/utrca-environmental-policy-manual/>

3.2.2 General Natural Hazard Policies

These policies direct new development and site alteration away from hazard lands. No new hazards are to be created and existing hazards should not be aggravated. The Authority also does not support the fragmentation of hazard lands through lot creation which is consistent with the Provincial Policy (PPS).

3.2.3 Riverine Flooding Hazard Policies

These policies address matters such as the provision of detailed flood plain mapping, floodplain planning approach, and uses that may be allowed in the flood plain subject to satisfying UTRCA permit requirements.

3.2.6 & 3.3.2 Wetland Policies

New development and site alteration is not permitted in wetlands. Furthermore, new development and site alteration may only be permitted in the area of interference and /or adjacent lands of a wetland if it can be demonstrated through the preparation of an Environmental Impact Study (EIS) that there will be no negative impact on the hydrological and ecological function of the feature.

TECHNICAL PEER REVIEW OF SUPPORTING STUDIES

Slope Assessment

UTRCA staff completed a high level review of the submission titled ***Slope Assessment, Sunningdale Court Subdivision*** prepared by exp date March 2015. We advised the applicant by email on May 14, 2018 that there are a number of deficiencies with the geotechnical submission including but not limited to:

- The 2015 Slope Assessment (exp) does not appear to have been updated to reflect the seepage areas that have been identified in the EIS.
- We requested confirmation that the submission has incorporated the responses that were provided by exp in correspondence date May 24, 2011, July 4, 2011 and August 3, 2011 to address the Conservation Authorities interests.
- The cross-sections should be on 11x17 paper and should be accompanied by a full size plan.

It was also noted in Section 4.1 Slope Stability – General that “details regarding the proposed development, layout and site grading have not been examined as part of the current scope of work.” As part of a complete application, an updated geotechnical study was requested by the UTRCA. We seek clarification as to why the actual development was not considered in the updated geotechnical assessment. The UTRCA has advised the it will undertake a review of the geotechnical study once a satisfactory report has been submitted.

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Hydrogeological Assessment & Water Balance Analysis

In the UTRCA's September 18, 2017 comments regarding the Initial Proposal Report for the proposed development, we provided the following advice regarding the preparation of the Hydrogeological Assessment & Water Balance Analysis (italicized text) –

P.20 – Existing Background Studies - a Hydrogeological Study has been prepared. This report was not scoped with the UTRCA. Ideally the EIS and Hydrogeological Assessment (including water balance analysis) should be scoped and prepared in tandem. It is the ecologist's role to identify the features which need to be evaluated and protected. This information is then used by the hydrogeologist to help determine where the monitoring wells need to be installed to evaluate the amount and timing of groundwater input to the features. The water resources engineer's role is to identify/delineate the area contributing surface runoff to the feature for the water balance. This sets up the analysis for the hydrogeological assessment and water balance which shall be prepared consistent with the Hydrogeological Assessment Submissions, Conservation Authority Guidelines to Support Development Applications (June, 2013) by a qualified professional.

The hydrogeological assessment and water balance should be completed on a catchment area basis. For the hydrogeological assessment, a minimum of three monitoring wells (piezometers), not placed in a straight line, in each hydrostratigraphic unit to be investigated, at locations and in a manner appropriate to interpret horizontal flow directions are required. Fluctuations of ground water flow direction need to be considered so that water level measurements from these wells are representative of ground water flows from the aquifer to the nearest water body. Screened intervals of monitoring wells shall be positioned within the geologic horizon (aquifer) which may be in communication with the natural heritage feature (can also be a natural hazard feature e.g. wetland, watercourse). A minimum of one year of monitoring is required.

Once the hydrogeological assessment and water balance analysis have been accepted, the information is then handed off to the ecologist to incorporate into the EIS analysis. The water resources engineer interprets the amount of pre and post development flow coming from the surface water using a water balance analysis, the hydrogeologist determines the volume and timing of groundwater contributing to the feature, while the ecologist uses the information from the water resources engineer and hydrogeologist to determine whether changes in the amount and timing of surface and groundwater from pre to post will impact the natural heritage and natural hazard features that need protecting.

*We note that some consultants do not understand the difference between a water **budget** analysis and a water **balance** analysis and that is why it is important that a water resources engineer complete the water balance analysis in conjunction with the hydrogeologist.*

We remind the proponent that the UTRCA's peer review fee for technical reports is \$1025.00 which includes one comprehensive review and one revised report review. Furthermore, in accordance with our Environmental Policy Manual, the Authority reserves the right to charge additional report review fees. If the submitted Hydrogeological Report (including Water Balance Analysis) does not meet our submission requirements, the UTRCA will return the report to the applicant as incomplete and the incomplete submission will be deemed to be the first review.

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The UTRCA has completed a high level review of the **Hydrogeological Desktop Study Proposed Residential Subdivision Sunningdale Court London, Ontario** prepared by LDS dated February 8, 2018. This study was not scoped with the Conservation Authority. We offer the following comments.

As illustrated on Drawing 3 and indicated on page 6, the Site is surrounded on 3 sides (south, east and west) by UTRCA regulated lands. Similarly, a site walk with representatives of the City and UTRCA was conducted on August 13, 2015. The consultation process resulted in confirmation of the boundary of the Medway Creek Valley Heritage Forest ESA as shown on Figure 2, Appendix A completed by Stantec dated October 12, 2017. Wetlands and groundwater dependent ecosystems are present on the Site.

Geotechnical boreholes are useful for defining 'subgrade soils' on Site but are not utilized to assess groundwater conditions on Site. The geotechnical boreholes will be useful to locate a minimum of three boreholes in each aquifer on Site.

Based on the statements in the EIS completed for the Site, e.g. Patches of watercress were noted throughout the length of the watercourse, indicating groundwater discharge throughout the system (p. 4.9 EIS). Further noted on p.4.11 of the EIS, the prevalence of groundwater seeps and watercress are a better indicator of thermal regime. It is stated on page 1-2 of the Hydrogeological Desktop Study, that Mr. David Schmidt authorized a desktop study on March 8, 2017. Given the regulated lands, the adjacent ESA, the general of the EIS that has been submitted for the Site and the direction that was provided but the Conservation Authority at the September 13, 2017 Proposal Review meeting (documented in our correspondence dated September 18, 2017), a desktop study does not meet the requirements of the UTRCA to address the wetland features and natural heritage and groundwater dependent ecosystems on Site. The report is deemed to be unacceptable.

An integrated approach between the EIS and hydrogeological assessment which details the hydrogeological components on Site with the regulated lands and groundwater dependent ecosystems present is required. Again, the Conservation Authority recommends that the applicant arrange a scoping meeting with the UTRCA to establish the terms of reference for the Hydrogeological Assessment and Water Balance Analysis.

Functional Stormwater Management Report

The UTRCA has completed a review of **The Functional Stormwater Management Report Sunningdale Court** dated February 13, 2018 prepared by LDS . We offer the following comments.

1. A portion of the west side of the site contributes runoff to a Tributary of Medway Creek known as the Wonderland Tributary. The UTRCA strongly recommends controlling the storm runoff based on the catchment areas. Approximately a 3.42 ha area is flowing into the Wonderland Tributary to the west under the existing conditions however, only 0.91 ha of the 3.42 ha has been proposed to direct runoff to the Wonderland Tributary under the proposed conditions. The decrease in the catchment area will reduce the runoff contribution to the Wonderland Tributary under the proposed condition thus reducing the base flow contribution to the tributary.

The UTRCA requires that the base flow to the Wonderland Tributary be maintained in order to sustain the benthic and other species within the creek. Please revise the SWM design to

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maintain and control the runoff under the post-development conditions to both the Medway Creek and its Tributary.

Also, Table 3 and Table 6 present the flows to the Wonderland Tributary under the pre- and post-development conditions. The area contributing runoff to the tributary decreases from 3.42 ha to 0.9 ha under the post-development condition but the flows increase under the post-development conditions. Please explain how the runoff increases while the area contributing runoff decreases.

2. It is mentioned that 60 m³/ha erosion control storage is provided for all of the lands that discharge to the Wonderland Tributary. However, it is also mentioned that the majority of the land contributing flow to the Wonderland Tributary will be intercepted and as result, flows to the tributary will be limited to sheet flow only. The report fails to demonstrate how the 60 m³/ha erosion control will be provided on the site under the proposed condition. Please address.
3. Please provide justification for why quantity control is not required and how the runoff from the site will be conveyed safely without causing erosion and local flooding. The referenced study Group 1 Subwatershed Study (Marshall Macklin Monaghan, 1995) was undertaken in the mid 1990's and since that time, significant development has occurred in the catchment of Medway Creek and near this property which may require the need for quantity control.
4. The report generally mentions a variety of SWM LIDs measures in Table 1. Please identify the SWM LIDs that will be used on the site for this development and provide detailed designs of the LID features at the detailed design stage of the project.
5. In Section 1.2 it is mentioned that an enhanced level protection will be provided for water quality using an Oil Grit Separator (OGS). In Section 3.1.3 it is indicated that only one OGS will treat the runoff from catchment areas 201 through 204 which roughly accounts for 10 hectares of the site. Keeping in view the performance of OGS devices, the efficiency of which is reduced over a period of time in the absence of proper and timely operation and maintenance issue, the UTRCA is concerned about the potential impact of the water quality from the site on the natural heritage features of the Medway Creek Corridor and the ESA. Accordingly, please provide an opinion regarding the use of an OGS for water quality.

It is also noted that any flows which exceed the treatment capacity of the OGS facility will bypass the OGS and flow directly to the outlet channel to Medway Creek. Given the ecological significance of the Medway Creek Corridor, please provide more details regarding the potential impacts of the untreated runoff on the natural heritage system. Please also provide more details including the operation and maintenance plan for the proposed OGS at the detailed design stage of the project.

6. On Figure 3, the proposed outlet shows a 750 mm diameter storm sewer with an almost 90 degree bend to convey the flows to the outlet. The UTRA recommends that a manhole be incorporated before the runoff gets into the outlet in order to avoid the sudden turn and its impact.

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7. In Section 3.1.1 it is indicated that the rear yard drainage of catchment areas 206 and 207 having an area of 2.2 hectares will be conveyed as sheet flow off site. Please provide confirmation that the grading and sheet flow will not have any impacts on the slope.
8. Figure 4 shows drainage area 209 under the post-development conditions but the report mentions area 209i. Please correct the report or update the Figure to accurately represent the drainage areas on the site under the proposed conditions.
9. The proposed measures (i.e. rain barrels and reducing lot grading) mentioned in the water balance which are intended to balance the infiltration deficit on the site will not compensate for the infiltration deficit under the proposed development such etc. Please provide details as to how the infiltration deficit will be compensated.
10. It is indicated that there will be a decrease of 65% runoff contribution to the Wonderland Tributary but that this will have no negative impact on the tributary. The UTRCA does not agree with the statement. Please explain.
11. Please provide riprap sizing at the outlet for the maximum velocity under the 250-year storm. Also, please provide a cross-section of the riprap showing thickness details etc.
12. Please provide a schematic of the hydrologic model under the pre and post-development condition showing the routing of the flows on the site.
13. Please submit a hydrograph for the outlets for the 2, 10, 100 and 250-year storm event under the pre and post-development conditions.
14. Table 1 in Appendix D shows an infiltration of 190 mm for the hydrologic soil C and 310 mm for the same hydrologic soil C. If the consultant is not planning on changing the local soil, then please provide an explanation as to why the infiltration has changed from 190 mm to 310 mm. Please explain.

Also, the infiltration values from the pervious areas under the post-development condition do not make sense as shown in Appendix D Sheet 1. Please check the infiltration values.

15. Please add the land use type next to the soil conditions column in Table 1 in Appendix D for easy comparison of the land uses under the pre- and post-development conditions.
16. Please submit a detailed sediment and erosion control plan at the detailed design stage of the project.

Environmental Impact Study

The UTRCA is still reviewing the EIS and we will provide our comments under separate cover.

Final Proposal Report

References to hazard lands should be revised to natural hazard lands.

P.8 & P. 16 it is indicated that an EIS and Geotechnical Slope Stability Assessment have been completed. As per the UTRCA's comments on the Initial Proposal Report (IPR), a Hydrogeological

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Assessment & Water Balance Study is also required for a complete application. Please revise accordingly.

P.15 & 22 - Make reference to recreational amenities including a system of walkways and trails. Blocks 115 and 116 are proposed to provide a neighbourhood connector to an existing multi-use trail which is located in the Medway Valley Heritage ESA. However, the Record of Consultation from the Proposal Review Meeting (dated November 2, 2017) includes comments from Parks Planning and Open Space indicating that *the multi-use pathway is to be located at the rear of lots 8 to 28.*

The UTRCA requests more details regarding the proposed pathway/multi-use trail alignment, design and grading such that we can confirm whether the necessary Section 28 approvals could be issued. Consistent with UTRCA policy, the pathway/multi-use trail must be located outside of the riverine erosion hazard which includes the 6 metre erosion access allowance.

P.26 – it is indicated that portions of the ESA contains unstable slopes. Please provide clarification regarding the location of the unstable slopes.

DRINKING WATER SOURCE PROTECTION

Clean Water Act

The *Clean Water Act* (CWA), 2006 is intended to protect existing and future sources of drinking water. The Act is part of the Ontario government's commitment to implement the recommendations of the Walkerton Inquiry as well as protecting and enhancing human health and the environment. The CWA sets out a framework for source protection planning on a watershed basis with Source Protection Areas established based on the watershed boundaries of Ontario's 36 Conservation Authorities. The Upper Thames River, Lower Thames Valley and St. Clair Region Conservation Authorities have entered into a partnership for The Thames-Sydenham Source Protection Region.

The Assessment Report for the Upper Thames watershed delineates three types of vulnerable areas: Wellhead Protection Areas, Highly Vulnerable Aquifers and Significant Groundwater Recharge Areas. We wish to advise that the subject lands are identified as being within a vulnerable area. Mapping which shows these areas is available at:

http://maps.thamesriver.on.ca/GVH_252/?viewer=tsrassessmentreport

Provincial Policy Statement (PPS, 2014)

Section 2.2.1 requires that: *"Planning authorities shall protect, improve or restore the quality and quantity of water by: e) implementing necessary restrictions on development and site alteration to:*

- 1. protect all municipal drinking water supplies and designated vulnerable areas; and*
- 2. protect, improve or restore vulnerable surface and ground water features, and their hydrological functions."*

Section 2.2.2 requires that *"Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored."*

Municipalities must be consistent with the Provincial Policy Statement when making decisions on land use planning and development.

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Policies in the *Approved Source Protection Plan* may prohibit or restrict activities identified as posing a *significant threat* to drinking water. Municipalities may also have or be developing policies that apply to vulnerable areas when reviewing development applications. Proponents considering land use changes, site alteration or construction in these areas need to be aware of this possibility. The *Approved Source Protection Plan* is available at:

<http://www.sourcewaterprotection.on.ca/source-protection-plan/approved-source-protection-plan/>

RECOMMENDATION

Given the UTRCA's outstanding concerns regarding the proposed development and the supporting technical studies, we recommend that this application be deferred in order to provide the applicant with the opportunity to respond to the comments and prepare the appropriate studies. Again, we encourage the applicant to arrange a scoping meeting for the Hydrogeological Assessment and Water Balance Analysis.

UTRCA REVIEW FEES

Consistent with UTRCA Board of Directors approved policy, Authority Staff are authorized to collect fees for the review of Planning Act applications. Our fee to review this application is \$5125.00. Our fee to peer review the Technical Reports (Hydrogeological Assessment & Water Balance, Functional Stormwater Management Report, Geotechnical Report and EIS) is \$1025.00 per report for a total of \$4100.00. We will invoice the applicant under separate cover.

We remind the applicant that the Conservation Authority's peer review fee includes **one comprehensive review and one revised report review** and that additional fees will be collected for subsequent reviews.

Thank you for the opportunity to comment. If you have any questions, please contact the undersigned at extension 293.

Yours truly,
UPPER THAMES RIVER CONSERVATION AUTHORITY



Christine Creighton
Land Use Planner
LN/IS/CC/cc

Enclosure – Regulations Mapping (please print on legal size paper to ensure that the scales are accurate)

c.c. Sent via e-mail -
Applicant – Sunningdale Golf and Country Ltd. – Dave Schmidt
UTRCA – Mark Snowsell & Brent Verscheure, Land Use Regulations Officers



July 30, 2018

City of London - Development Services
P.O. Box 5035
London, Ontario N6A 4L9

Attention: Craig Smith (sent via e-mail)

Dear Mr. Smith:

Re: File No. 39T-18501/Z-8888 – UTRCA Comments on EIS
Applicant: Sunningdale Golf and Country Ltd.
600 Sunningdale Road West, London

Further to our comments dated June 21, 2018, the Upper Thames River Conservation Authority (UTRCA) has completed its review of *Sunningdale Scoped Environmental Impact Study* dated October 12, 2017 prepared by Stantec. We offer the following comments.

1. Please provide rationale as to why this is a scoped EIS rather than a full EIS.
2. Please determine the catchment areas of the natural features and discuss whether the land use change will affect surface water and groundwater quantity and quality to these areas under the post-development scenario. Include a discussion about the subsurface drains and ponds that, according to Section 4.3.2, currently control surface flow from the existing golf course holes. Also consider that reaches of Medway Creek are known to contain both fish and mussel Species at Risk and that downstream reaches of Medway Creek have been identified as critical mussel habitat. Furthermore, consider that patches of watercress were noted throughout the length of the coldwater Wonderland Road tributary, indicating groundwater discharge throughout the system. How will these features and functions be maintained in the post-development scenario? Show where all surface flows will discharge.
3. The EIS makes reference to the Sunningdale Community Plan which was completed 20 years ago (in 1998). Since that time, new policies and science about buffers have been approved occurred since the
4. In Section 2.6, please describe what CA policies and regulations apply to the subject lands.
5. In Section 2.8, please discuss whether the development meets the DFO self-assessment criteria and whether DFO review is required. Also, in Section 5.7, please provide discussion as to whether the proposed development will result in serious harm to a CRA fishery, and if not, why not.
6. Tables 3-1 and 3-2 lists amphibian call count surveys as June 16 (2011), April 20 (2012) and May 16 (2012). Section 3.2.2 lists amphibian call count surveys as April 29 (2011), May 16 (2011) and

UTRCA Comments on EIS
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June 16 (2011). Please confirm the dates and provide the field data sheets in an appendix.

7. In Section 3.2.2, please provide rationale as to why MAM2 and MAM2-2 were not surveyed for amphibians.
8. Please ensure that all recommendations in the last paragraph of Section 4.2.1 are included in Section 9.2. As well, please discuss how road salt and pool drainage will be mitigated, especially since the rear yards will be draining into the natural areas.
9. The MAM2 and MAM2-2 wetlands communities should be listed in Section 4.3.1.
10. In Section 4.3.3 it is indicated that LDS has advised that no significant seepage or infiltration areas were detected in, or directly adjacent to, the subject property. However, this comment is based on a desk top hydrogeological assessment prepared by LDS which has been deemed to be unacceptable. The UTRCA has requested that a proper hydrogeological assessment be submitted as was required during the pre-consultation for the proposed development. Once completed and accepted, the findings of the hydrogeological assessment will need to be incorporated into the EIS.

Note that Stantec recorded locations of significant groundwater seeps and springs, as well as indicators of groundwater seeps such as watercress and skunk cabbage, within and adjacent to the subject lands. LIO also classifies the Wonderland Road Tributary as a cold water watercourse. Please discuss this discrepancy.

11. Section 4.4.2 mentions the importance of Twinleaf as a species with a CC value of 10, yet does not mention the importance of Two-flowered Cynthia, which is also a species with a CC value of 10 and a provincial rank of S2 (imperiled). Please discuss the locations of both of these species, and how they will be protected from the impacts of the proposed development.
12. Section 5.5.2 states that vegetation communities with SRANKS of S1 to S3 could qualify as rare or specialized habitats. Please explain why this section further states that "no rare habitat occurs within the Study Area" when both the S2/S3 FOD7-4 Black Walnut Lowland Deciduous Forest and the S3 FOD7-5 Black Maple Lowland Deciduous Forest occur within the study area. The same concern applies to Appendix D under "other rare vegetation communities".
13. Please provide a discussion as to how the location of the stormwater management outlet was determined. The construction of the outlet will require the necessary approvals pursuant to the Conservation Authorities Act.

In Section 7.1.1, please explain how "an appropriate spot for discharge" was determined.

14. Figure 5 shows the trail connection arrow extending beyond the existing pathway and into FOD 7-4. Please explain.
15. Please include the potential impact and mitigation measure for backyard pools in Section 7.1.6.
16. The boundary of the ESA was established based on the features and functions present on site (as stated in Section 5.8). This includes more than just the woodland features and therefore, it is misleading to state in Section 7.2 that "the ESA boundary includes some areas of successional habitat that in themselves function to buffer the effects on adjacent land uses on established forest edges". These successional areas have many more features and functions than simply as a buffer to adjacent features. In other words, the ESA does not buffer itself. The boundary of the ESA

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does NOT include a buffer or a setback and we therefore require additional rationale for the buffers around the ESA. To assist with this, Table 7-2 must include a discussion of buffers in relation to the natural features found in the different sections and an analysis of buffer sizes based on City of London buffer guidelines. The buffer analysis shall also incorporate the findings of the hydrogeological assessment once a proper study has been completed.

Please be sure to consider the following:

- a. Sections A – D, I and J: located near steep wooded slopes (significant valleylands), locally significant wetlands, fish habitat, significant corridors and vegetated floodplain areas. These sections are also located near forest communities adjacent to Medway Creek and to cool-cold water in Wonderland Road Tributary, which are both considered SWH for seeps and springs.
 - b. Sections E-G: located near wetland communities (MAM2, MAM2-2 and OA) which are also confirmed SWH for wetland amphibian breeding habitat and confirmed SWH for Snapping Turtle, a Species of Conservation Concern.
 - c. Sections H and I: located near FOD5-5 Sugar Maple – Hickory Deciduous Forest where Butternut, an endangered Species At Risk, was observed.
 - d. Sections A-G: located near S2/S3 FOD7-4 Black Walnut Lowland Deciduous Forest.
 - e. Sections I and J: located near S3 FOD7-5 Black Maple Lowland Deciduous Forest.
 - f. Section E: located near candidate SWH for Monarch and giant Swallowtail, both considered Species of Conservation Concern.
 - g. Sections A-E: located near candidate SWH for Eastern Wood-Pewee, a Species of Conservation Concern and near the Medway Creek Valley, which is considered SWH as an animal movement corridor for wetland amphibian breeding habitat.
 - h. All Sections: located near FOD communities, which are candidate SWH for bat maternity colony habitat and foraging habitat for Giant Swallowtail, a Species of Conservation Concern.
 - i. The locations of, and appropriate buffers for, Twinleaf and Two-flowered Cynthia.
17. Section 7.1.3 indicates that one of the potential effects of the development is a change to timing, volumes and location of surface water flows into Medway Creek and the Wonderland Road Tributary, yet there is no discussion as to whether these effects will impact the fish populations in the study area and / or downstream. This is needed to determine if the effect is an acceptable impact or requires mitigation.
18. In Table 7-3:
- a. The cool-cold water Wonderland Road Tributary should be considered as a potential impact under hydrology / groundwater.
 - b. Timing windows for birds, bats, turtles and fish should be considered under site grading and construction.
19. Sections 8.1 and 8.2 do not include a discussion pertaining to the protection and mitigation measures for the Wonderland Road Tributary.
20. The UTRCA's preference would be to prohibit grading and/or construction within the buffer areas and the development setbacks. The works should occur within the development envelope, once the development limit has been accepted. If this is not feasible, we require that potential

UTRCA Comments on EIS
File No.39T-18501/Z-8888

encroachment and works in the buffer and development setback areas be minimized. Please provide more details in this regard including a discussion on the restoration works that would be required in the disturbed areas post-construction.

21. In Section 9.2, please include the timing for the construction recommendations. Also note that recommendation 1 and 2 should refer to Figure 5, not Figure 6.
22. Please separate the plant list in Appendix B by vegetation community.
23. Editorial comments:
 - a. Please ensure that the Upper Thames *Region* Conservation Authority is changed to Upper Thames **River** Conservation Authority in the document.
 - b. Please include the approved 2011 Issues Summary Report (ISR) in an Appendix
 - c. Please include Eastern Wood Pewee under Significant Wildlife Habitat (bullet 4) in Section 5.9
 - d. Appendix D states that areas turtle wintering areas are candidate SWH, whereas Section 5.5 states that "SWH for turtle wintering areas is considered present in this feature". Please change the word "candidate" to "confirmed".
 - e. Appendix D states that seeps and springs are candidate SWH, whereas Section 5.5.2 states that "SWH for seeps and springs is known to occur along the lower slopes of Medway Creek and Tributaries in the Study Area" and that "forest communities adjacent to Medway Creek and the Wonderland Road Tributary are therefore considered as SWH for seeps and springs". Please change the word "candidate" to "confirmed".
 - f. Under Amphibian Movement Corridor in Appendix D, amphibian breeding habitat (wetland) is considered candidate. Please change the word "candidate" to "confirmed".

RECOMMENDATION

As was previously conveyed, given the UTRCA's outstanding concerns regarding the proposed development and the supporting technical studies, we recommend that this application be deferred.

Thank you for the opportunity to comment. If you have any questions, please contact the undersigned at extension 293.

Yours truly,
UPPER THAMES RIVER CONSERVATION AUTHORITY



Christine Creighton
Land Use Planner
TT/CC/cc

Enclosure – Regulations Mapping (please print on legal size paper to ensure that the scales are accurate)

- c.c. Sent via e-mail -
Applicant – Sunningdale Golf and Country Ltd. – Dave Schmidt
UTRCA – Mark Snowsell & Brent Verscheure, Land Use Regulations Officers

Appendix B – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this requested land use change. The most relevant policies, by-laws, and legislation are identified as follows:

Provincial Policy Statement, 2014

- 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns
 - 1.1.3 Settlement Areas
- 1.7 Long-term economic prosperity

London Plan

- 54 Our Strategy
- 79 Our City – City Structure Plan
- 193 City Design Policies
- 309 City Building Policies
- 516 Affordable Housing
- 916 Neighbourhoods
- 1556 Secondary Plans
- 1577 Evaluation of Planning Applications

Sunningdale Area Plan

Official Plan

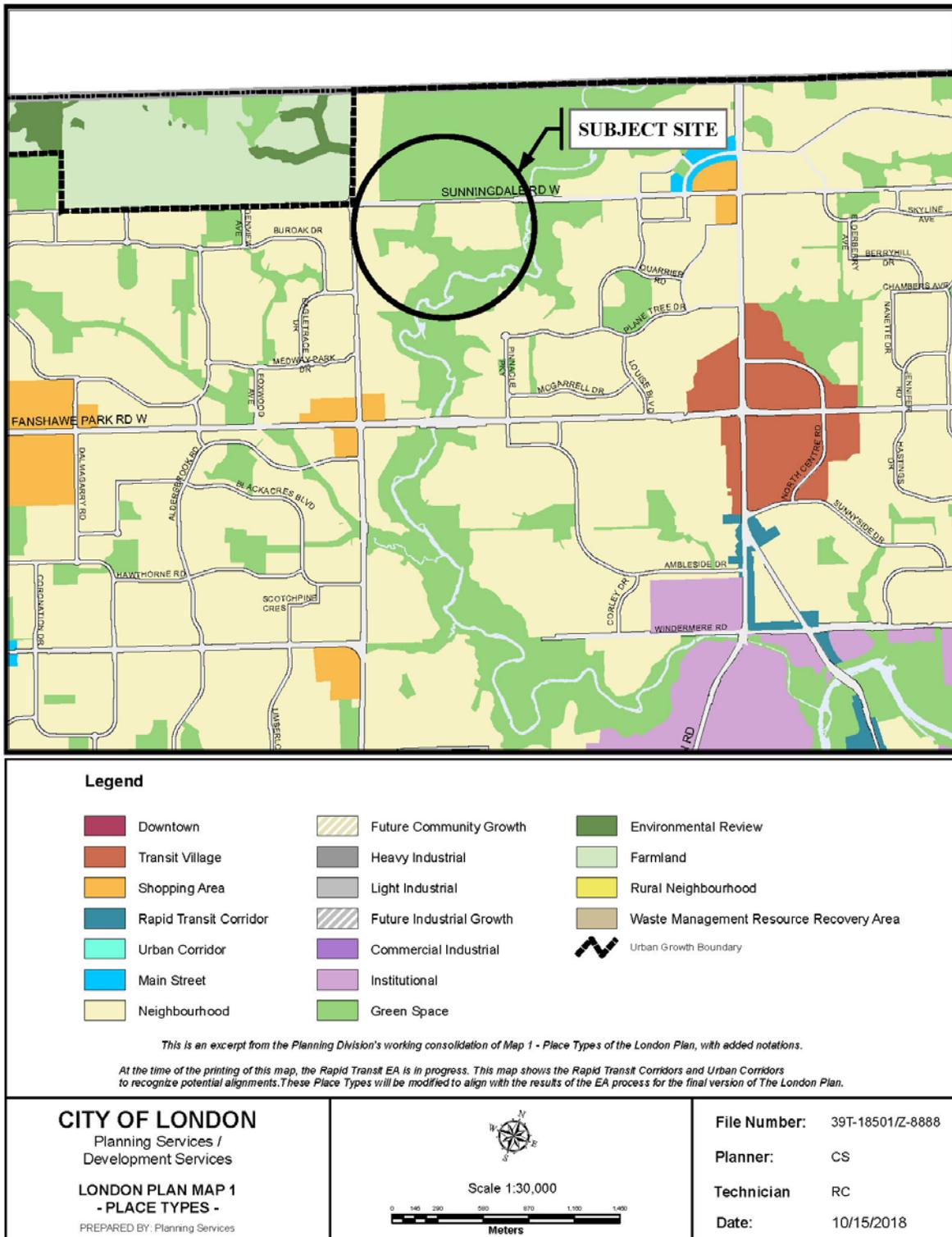
- 2.1 Council Strategic Plan
- 3.1. Low Density Residential
 - 11.1 Urban Design
- 12 Housing
- 15 Environmental Policies
- 16 Parks & Recreation Policies
- 20 Secondary Plans

Z.-1 Zoning By-law

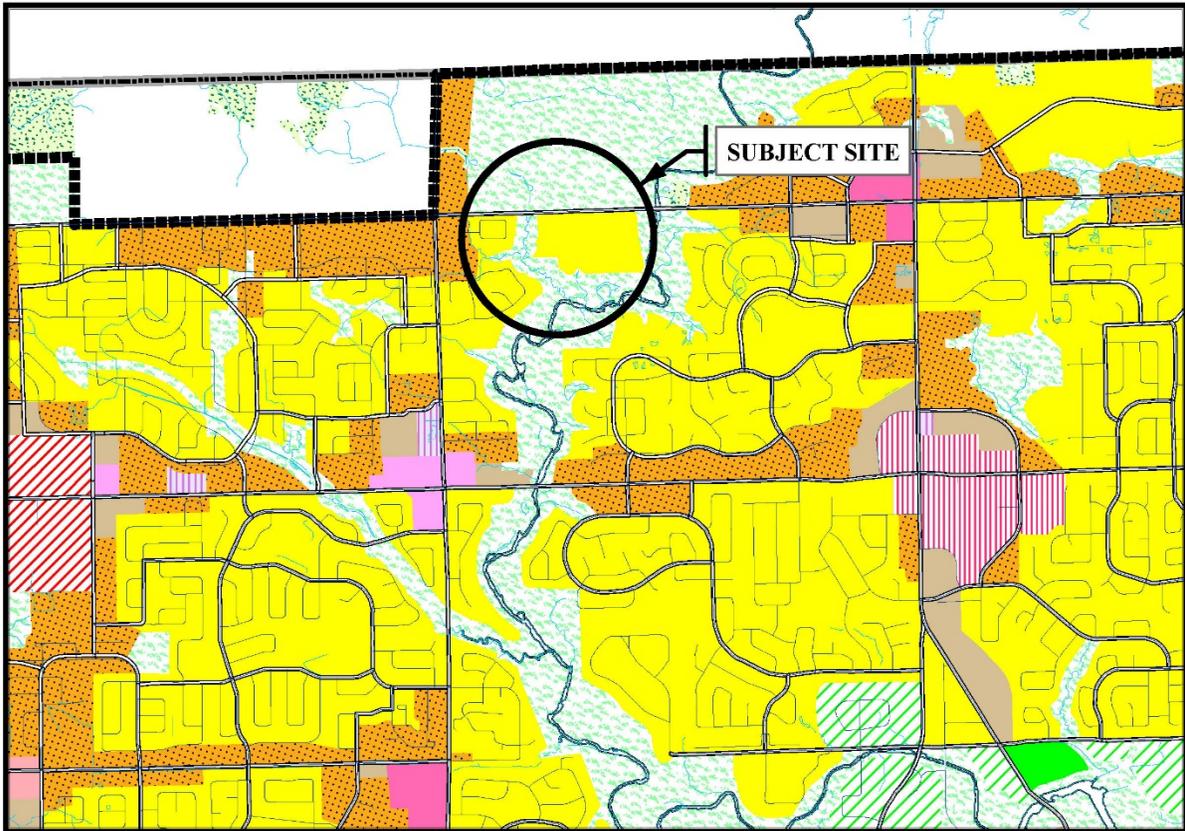
- Section 3: Zones and Symbols
- Section 4: General Provisions
- Section 5: Residential R1 Zone
- Section 36: Open Space

Appendix C – Additional Information

Additional Maps



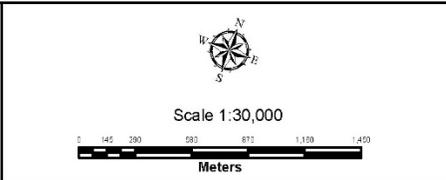
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Legend		
Downtown	Multi-Family, Medium Density Residential	Rural Settlement
Wonderland Road Community Enterprise Corridor	Low Density Residential	Office Business Park
Enclosed Regional Commercial Node	Office Area	General Industrial
New Format Regional Commercial Node	Office/Residential	Light Industrial
Community Commercial Node	Regional Facility	Commercial Industrial
Neighbourhood Commercial Node	Community Facility	Transitional Industrial
Main Street Commercial Corridor	Open Space	Environmental Review
Auto-Oriented Commercial Corridor	Urban Reserve Community Growth	Agricultural
Multi-Family, High Density Residential	Urban Reserve Industrial Growth	Urban Growth Boundary

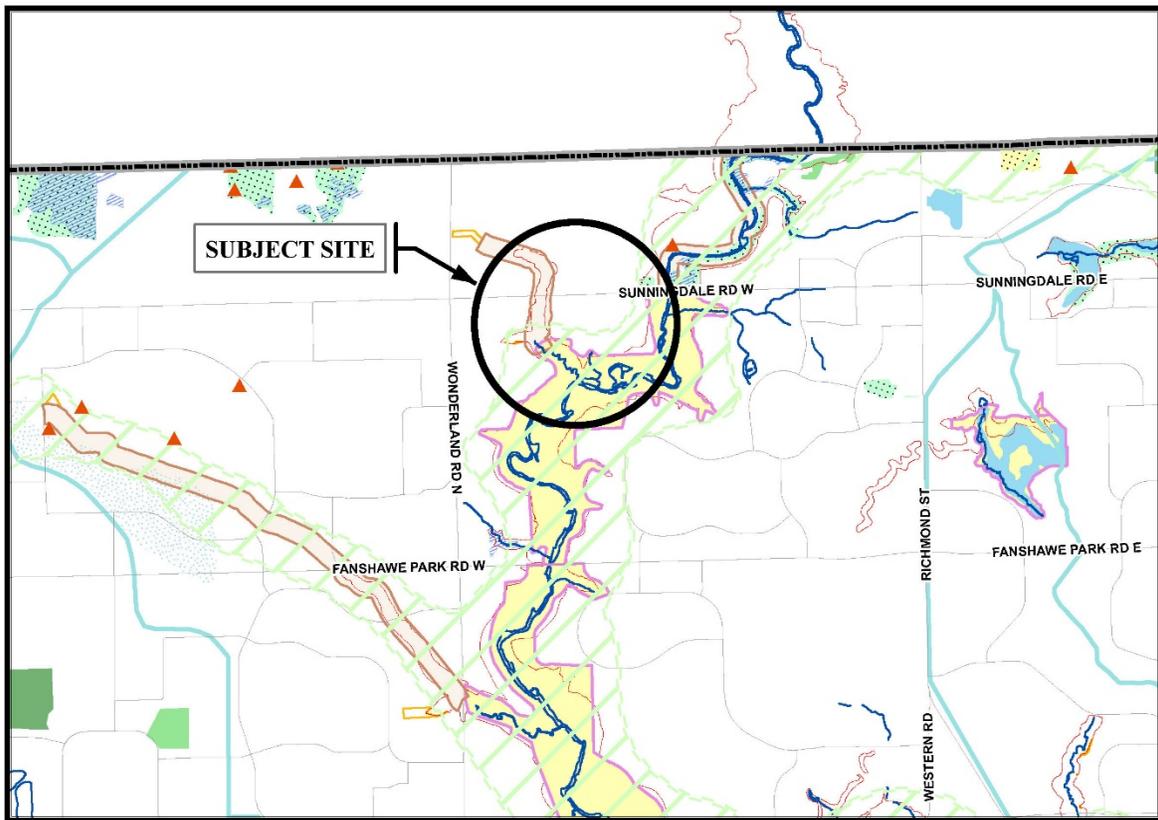
This is an excerpt from the Planning Division's working consolidation of Schedule A to the City of London Official Plan, with added notations.

CITY OF LONDON
Planning Services /
Development Services
OFFICIAL PLAN SCHEDULE A
- LANDUSE -
 PREPARED BY: Graphics and Information Services

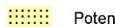


FILE NO: 39T-18501/Z-8888
PLANNER: CS
TECHNICIAN: RC
DATE: October 15, 2018

PROJECT LOCATION: e:\planning\projects\p_officialplan\workconsol\00\excerpts\mxd_templates\scheduleA_colour_8x11_with_SWAP.mxd



NATURAL HERITAGE SYSTEM

-  ESAs
-  Potential ESAs
-  Significant Woodlands
-  Woodlands
-  Unevaluated Vegetation Patches
-  Significant River, Stream, and Ravine Corridors
-  Unevaluated Stream and Ravine Corridors
-  Provincially Significant Wetlands
-  Locally Significant Wetlands
-  Unevaluated Wetlands
-  Potential Naturalization Areas
-  Potential Upland Corridors
-  Ground Water Recharge Areas

NATURAL HAZARDS

-  Maximum Hazard Line
- NOTE 1: Hazard Lines shown on this map are approximate. The precise delineation of hazard line mapping available from the Conservation Authority having jurisdiction.*
- NOTE 2: Flood Fringe mapping for certain areas of the city is available from the Upper Thames River Conservation Authority.*

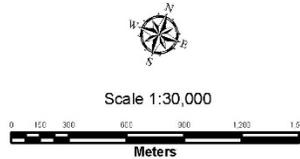
Base Map Features

-  Railways
-  Water Courses/Ponds
-  Streets (refer to Schedule "C")
-  Conservation Authority Boundary
-  Subwatershed Boundary
-  Big Picture Meta-Cores and Meta-Corridors
-  Provincial ANSI Boundary

CITY OF LONDON
Planning Services /
Development Services

OFFICIAL PLAN SCHEDULE B1
- NATURAL HERITAGE FEATURES -

PREPARED BY: Graphics and Information Services



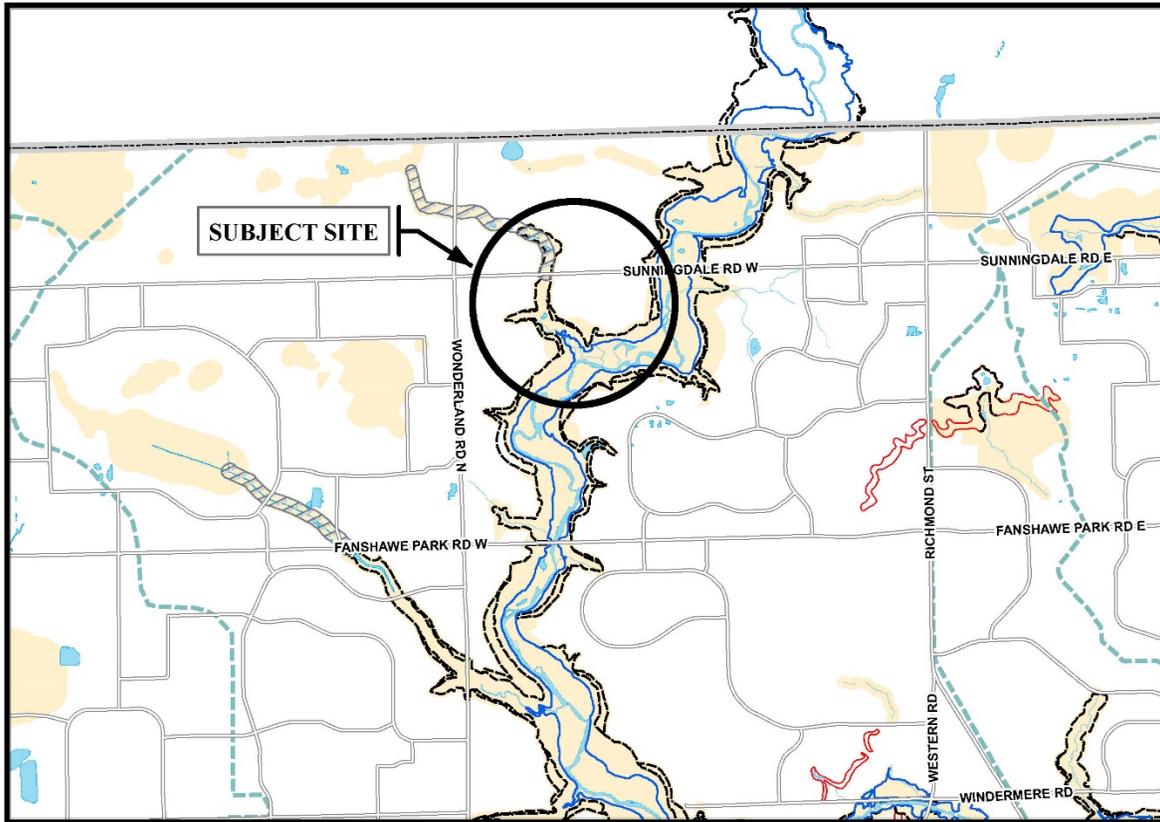
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PLANNER: CS

TECHNICIAN: RC

DATE: October 15, 2018

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NATURAL RESOURCES

- Aggregate Resource Areas
- Extractive Industrial
- Emergency Municipal Water Wells

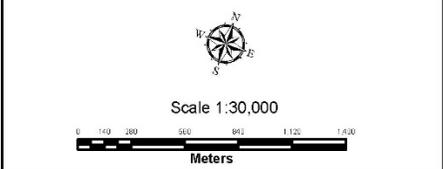
Base Map Features

- Railways
- Water Courses/Ponds
- Streets (refer to Schedule "C")
- Conservation Authority Boundary
- Subwatershed Boundary
- Potential Special Policy Areas
- Special Policy Area

NATURAL HAZARDS

- Regulatory Flood Line
NOTE 1: Flood Lines shown on this map are approximate. The precise delineation of flood plain mapping is available from the Conservation Authority having jurisdiction.
NOTE 2: Flood Fringe mapping for certain areas of the city is available from the Upper Thames River Conservation Authority.
- Riverine Erosion Hazard Limit For Confined Systems
- Riverine Erosion Hazard Limit For Unconfined Systems
- Steep Slopes Outside of the Riverine Erosion Hazard Limit
- Abandoned Oil/Gas Wells
- Conservation Authority Regulation Limit

CITY OF LONDON
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OFFICIAL PLAN SCHEDULE B2
NATURAL RESOURCES
AND
NATURAL HAZARDS
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Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: John M. Fleming
Managing Director, Planning and City Planner

Subject: Heritage Places 2.0 – A Description of Potential Heritage Conservation Districts in the City of London

Public Participation Meeting on November 12, 2018

Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, with advice of the Heritage Planner, the following actions be taken with respect to the application of the Corporation of the City of London to update and replace the *Heritage Places* guideline document which applies citywide:

- (a) The proposed by-law attached hereto as Appendix “A” and the draft guideline document – *Heritage Places 2.0: A Description of Potential Heritage Conservation Districts in the City of London (Heritage Places 2.0)* – attached hereto as Appendix “C” **BE RECEIVED**;
- (b) The comments received from the Public Participation Meeting (PPM) of November 12, 2018 **BE CONSIDERED** in the preparation of the final *Heritage Places 2.0* guideline document and associated proposed amendment to *The London Plan*; and,
- (c) The attached draft of *Heritage Places 2.0* **BE CIRCULATED** to the London Advisory Committee on Heritage (LACH), the Urban League and relevant neighbourhood associations for feedback on this draft guideline document.

It **BEING NOTED** that the final guideline document *Heritage Places 2.0* will be brought before a future meeting of the Planning and Environment Committee for adoption as a Guideline Document to The London Plan following consultation with the LACH, Urban League and relevant neighbourhood associations.

Executive Summary

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to delete the reference to the guideline document entitled “Heritage Places: A Description of Potential Heritage Conservation Areas in the City of London”, and replace it with a new guideline document entitled, “Heritage Places 2.0: A Description of Potential Heritage Conservation Districts in the City of London” in Policy 1721 of the Cultural Heritage Guidelines of *The London Plan*.

Rationale of Recommended Action

Adoption of an updated *Heritage Places* guideline document – *Heritage Places 2.0* – requires an amendment to the City’s Official Plan, *The London Plan*.

The recommended amendment is consistent with Section 2.6.1 of the *Provincial Policy Statement (PPS)*, 2014 directing that “significant built heritage resources and significant cultural heritage landscapes shall be conserved.”

The recommended amendment conforms to Policy 570_ of *The London Plan* which asserts that City Council may adopt specific strategies for the purposes of cultural heritage protection and conservation, including: identification and designation of specific cultural heritage resources including properties and districts.

The recommended amendment conforms to Policy 1712_ of *The London Plan* which states that City Council may adopt guideline documents to provide direction for the implementation of the policies of the *Plan* or to guide development of a specific area.

Official Plan Amendment Analysis

1.0 Subject Lands

The lands affected by the Official Plan Amendment are City-wide.

2.0 Nature of Application

This report recommends approval of an amendment to *The London Plan* (Policy 1721) to adopt the attached update to *Heritage Places* entitled, *Heritage Places 2.0: A Description of Potential Heritage Conservation Districts in the City of London* as a Cultural Heritage Guideline under Guideline Documents of the Our Tools Section.

3.0 Relevant Background

3.1 Planning History

In 1993, *Heritage Places: A Description of Potential Heritage Conservation Areas in the City of London*, was approved as a guideline document to the *Official Plan* of the City of London. This document has been the primary reference used to identify candidate areas for the potential development of heritage conservation district areas within the City. Fourteen areas were originally identified within *Heritage Places* based on 'characterization studies'. These studies were intended to act as an indicator of heritage significance, but were never meant to be an exhaustive list of all areas within the City. Originally, the list of fourteen study areas was un-prioritized. A report to the London Advisory Committee on Heritage (March 1999) was the first to prioritize potential Heritage Conservation Districts (HCD), and this list has been amended, expanded, consolidated and re-prioritized over time. The City has since dealt with requests for HCD designation from the community in a sequential process based on these episodic re-prioritizations of areas identified in *Heritage Places*.

On January 16, 2017, Municipal Council directed Civic Administration "to review [the] prioritized list of potential Heritage Conservation Districts and to recommend an update to *Heritage Places*..." Since the adoption of *Heritage Places*, the planning and policy framework for heritage conservation in Ontario has undergone substantial changes, including most notably revisions to the *Ontario Heritage Act* in 2005 and the *Provincial Policy Statement* in 2014, and at the municipal level, adoption of *The London Plan* in 2016. Given these changes to heritage conservation planning and policy framework, and the accomplishments of the original *Heritage Places* (ten of the original fourteen candidate areas have been designated as HCDs), it is an opportune time to review and revise this guideline document.

Letourneau Heritage Consulting (LHC) was retained in March 2018 to prepare an updated document entitled, *Heritage Places 2.0: A Description of Potential Heritage Conservation Districts in the City of London*. The objectives of the update have been to conduct a comprehensive, city-wide review of areas, and prepare a prioritized list for further study of these areas as potential Heritage Conservation Districts (HCD) – pursuant to Part V of the *Ontario Heritage Act*. The intention has been to essentially 'reset' *Heritage Places* to reflect current Provincial legislation, City policies, Council direction and community interest. LHC was tasked with the following:

1. **Review Policy Context** – Update background component of *Heritage Places* to reflect the *Provincial Policy Statement – 2014 (PPS)*, *Ontario Heritage Act* and *The London Plan* (London's *Official Plan*).

2. **Consult with Heritage Community** – With input from members of the London Advisory Committee on Heritage (LACH) and representatives from London's heritage community, undertake a city-wide comprehensive review of areas identified as having heritage significance, using a pre-established methodology, and prepare characterization studies of each area.
 - Re-evaluate (and update as needed) information on candidate areas already documented in the current *Heritage Places*.
3. **Develop Methodology** – Develop a method for identifying and prioritizing areas in the City—with possible cultural heritage value – for potential HCD designation.
 - Prepare a prioritized list for further study and consideration as potential HCDs.

Consultation with community stakeholders was integral to the preparation of *Heritage Places 2.0*. The consultation process was initiated in April 2018 starting with an introductory email-out to nearly 50 active members of London's heritage community including members of the: Architectural Conservancy of Ontario – London; Downtown London; Heritage London Foundation; London Advisory Committee on Heritage; London Heritage Council; London Planners Council, Middlesex Historical Society; and, the Urban League. A total of three roundtable discussions were conducted in May and June, with a series of informal interviews carried out both before and following the first roundtable. The second roundtable took place during the June meeting of the London Advisory Committee on Heritage (LACH) with participation of nearly the full committee. Throughout the consultation process, participants had the opportunity to provide feedback via email or phone. Over thirty people participated in the consultation process providing input on the identification of candidate areas for consideration as potential HCDs in London, along with what factors should be considered in the prioritization process.

In April 2018, a city-wide review of candidate areas for *Heritage Places 2.0* was initiated by the consultant. General areas having potential cultural heritage value or interest were identified based on heritage staff reports and existing heritage inventories, and areas previously identified in *Heritage Places* that had yet to be designated as HCDs. As well, members of London's heritage community provided input into potential areas for consideration during roundtable discussions. The goal was to develop an initial (working) list of candidate areas that merit further consideration as part of the *Heritage Places 2.0* project; over fifty areas were initially identified. A values-based assessment was applied to further cull the list of candidate areas. Values were derived from: 1) those outlined in O.Reg. 9/06 – to capture associative, physical and contextual aspects of candidate areas; 2) those outlined in *The London Plan (Policy_576)* – to ensure that criteria captured overlapped with those that would be used for potential designation of candidate areas as HCDs; and, 3) those identified in the *Ontario Heritage Tool Kit* and the *Standards and Guidelines for the Conservation of Historic Places in Canada* – to capture additional values not necessarily related to the built/physical environment. The following values were used to identify candidate areas for *Heritage Places 2.0*:

- Historical/Associative Values
- Physical/Design Values
- Contextual Values
- Other values include:
 - Spiritual Values
 - Educational and Scientific Values
 - Natural Values
 - Archaeological Values
 - Social Values

These values provided a framework for the consideration of a range of factors reflected in cultural heritage resources. The over fifty candidate areas initially identified citywide, were then short-listed to fourteen and further prioritized.

The prioritization of candidate areas for consideration as potential HCDs was derived from a systematic review of other municipalities' practices, previous staff reports and

consultation with the members of the heritage community. The following factors were considered during prioritization of candidate areas:

- Results of the **values-based assessment** of candidate areas relates to how strongly each area met the characteristics associated with these values;
- **Potential for change** within an area can include development pressure, existing levels of protection, as well as a variety of external pressures, such as projected growth, threats to cultural heritage integrity, or the addition or loss of a significant economic driver;
- **Community preparedness** or readiness and willingness to initiate and engage in an HCD Study process;
- **Appropriateness of planning tool** (Part V – *Ontario Heritage Act*, HCD designation) for conservation of significant cultural heritage resources in the area versus other planning tools; and,
- **Other factors** such as previous Municipal Council direction, recognition of City planning priorities and implications of planned future initiatives.

The fourteen candidate areas that were identified were prioritized based on a qualitative assessment assigned to each of the above factors based on how strongly the area associated with that factor. It is recommended that the areas listed below be studied further, prioritized as follows:

1. Talbot North
2. SoHo (South of Horton)
3. The Smokestack District
4. Stanley-Becher-Riverforks
5. Dundas Street – Old East
6. Piccadilly
7. Old South II
8. Old North
9. Orchard Park Sherwood Forest
10. Lambeth
11. Hamilton Road
12. Braemar Crescent
13. Hall's Mills
14. Pond Mills

It is important to stress that the outcome of *Heritage Places 2.0* is not an evaluation or recommendation of these candidate areas for designation, but simply the identification and recognition that these areas have potential heritage significance. The prioritization of potential HCDs is also by no means a measure or reflection of the perceived cultural heritage value or interest or significance. These areas are not being recommended for designation, but may be recommended for further evaluation as part of Municipal Council decision to move forward with HCD Studies under Part V of the *Ontario Heritage Act*.

It has been standard procedure for the City to move forward with an HCD study for potential district designation upon Council approval following a community request for such a study. The identification and further prioritization of these candidate areas in *Heritage Places 2.0* helps to manage community expectations and staff resources by providing clarity in scheduling of future work and transparency and fairness to the nomination process.

4.0 Rationale for Amendment

4.1 Requested Amendment

At its meeting on January 18, 2017, Municipal Council resolved that Civic Administration review the prioritized list of potential heritage conservation districts in the City, as well as update the current Heritage Places guideline document.

“...the Civic Administration BE DIRECTED to review the prioritized list of potential Heritage Conservation Districts and to recommend an update to Heritage Places, it being noted such a review may impact Heritage

Conservation District deadlines established in Municipal Council's Strategic Plan."

Adoption of an updated Heritage Places guideline document requires an amendment to the City's Official Plan, *The London Plan*.

The proposed Official Plan Amendment is to amend Policy 1721_4 of the Cultural Heritage Guidelines under Guideline Documents of the Our Tools Section of *The London Plan*, to remove reference to "Heritage Places: A Description of Potential Heritage Conservation Areas in the City of London", and to replace it with reference to "Heritage Places 2.0: A Description of Potential Heritage Conservation Districts in the City of London."

4.2 Community Engagement

Notice of Application was published in the Public Notices and Bidding Opportunities section of *The Londoner* on October 11, 2018. The notice advised of the possible amendment to *The London Plan* to remove reference to "Heritage Places: A Description of Potential Heritage Conservation Areas in the City of London" and replace it with reference to "Heritage Places 2.0: A Description of Potential Heritage Conservation Districts in the City of London".

Notice of Public Meeting was published in the Public Notices and Bidding Opportunities section of *The Londoner* on October 25, 2018.

No responses were received to either notice.

4.2.1 London Advisory Committee on Heritage

The LACH was consulted during the preparation of Heritage Places 2.0 as part of a Roundtable Discussion conducted on June 13, 2018. The intent of the discussion was to gain input from committee members regarding areas of the City that may have potential for further study as potential heritage conservation districts. The Stewardship Sub-Committee of the LACH was consulted on October 24, 2018 and the full committee of the LACH will be consulted at its meeting on November 14, 2018.

4.3 Policy Context

Planning Act

As identified under Section 2 of the *Planning Act*, "the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest" is matter of Provincial Interest (2_d). This is reinforced through the *Provincial Policy Statement* (2014), which is issued under Section 3 of the *Planning Act*. Section 3(1) of the *Planning Act* requires that municipal decisions affecting a planning matter "shall be consistent" with the *Provincial Policy Statement*.

Provincial Policy Statement (2014)

Section 2.6.1 of the *Provincial Policy Statement* (2014) directs that "significant built heritage resources and significant cultural heritage landscapes shall be conserved." "Significant" is defined in the *Provincial Policy Statement* (2014) as, in regards to cultural heritage and archaeology, "resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, and event, or a people."

Ontario Heritage Tool Kit

The standard baseline for identifying potential Heritage Conservation Districts (HCD) under the *Ontario Heritage Act* (OHA) is outlined by the Ontario Ministry of Tourism, Culture and Sport in the *Ontario Heritage Tool Kit document Heritage Conservation Districts* (2006). The *Tool Kit* does not provide specific criteria for the identification of candidate areas, however it does provide broad descriptions of characteristics that might constitute a Heritage Conservation District (HCD). The *Tool Kit* identifies that the "cultural heritage value of areas can be expressed in terms of their design or physical, historical or associative or contextual values." Further, "values that contribute to the character of heritage conservation districts may be expressed more broadly as natural, historic, aesthetic, architectural, scenic, scientific, cultural, social or spiritual values. It is

important to note that the “value of the district as a whole is always greater than the sum of its parts” (p10). The *Tool Kit* also emphasises the importance of community input in the identification, designation, and management of HCDs, stating that “[a]s the users and the ultimate guardians, the community forms a vital part of a district” (p5).

The London Plan (2016) and the Ontario Heritage Act

The identification and further study of areas in the City of London for potential heritage conservation district status is supported by the following strategic directions of *The London Plan* (2016). Particularly:

- Direction #1-4: Revitalize our urban neighbourhoods and business areas (Policy 55);
- Direction #3-7: Protect our built and cultural heritage to promote our unique identity and develop links to arts and eco-tourism in the London region (Policy 57);
- Direction #5-2: Sustain, enhance, and revitalize our downtown, main streets, and urban neighbourhoods (Policy 59);
- Direction #7-5: Protect what we cherish by recognizing and enhancing our cultural identity, cultural heritage resources, neighbourhood character, and environmental features (Policy 61).

The *Ontario Heritage Act* does not specifically set out policies to identify potential Heritage Conservation Districts, however the *Act* enables local municipalities to designate Heritage Conservation Districts (HCD) provided the requirements of the *Ontario Heritage Act* are met and the municipality has sufficient supporting policies within its Official Plan.

The London Plan contains sufficient policies to enable the designation of an HCD in accordance with the *Ontario Heritage Act*, as well as the identification of criteria for the evaluation of potential HCDs (Policy 575).

“City Council will consider the following criteria in the evaluation of an area for designation as a heritage conservation district:

1. The association of the area with a particular historical event or era that is unique to the community.
2. The presence of properties which are considered significant to the community as a result of their location or setting.
3. The presence of properties representing a design or method of construction which is considered to be of cultural heritage value or interest to the community, region, province, or nation.
4. The presence of properties which collectively represent a certain aspect of the development of the city that is worthy of maintaining.
5. The presence of physical, environmental, or aesthetic elements which, individually, may not constitute sufficient grounds for designation as a heritage conservation district, but which collectively are significant to the community” (Policy 576).

Secondary Plans and other tools (such as Cultural Heritage Guideline documents) are described in the Our Tools part of the Plan under Guideline Documents. The following policies enable and describe the addition of Guideline Documents to *The London Plan*:

- “City Council may adopt guideline documents to provide direction for the implementation of the policies of this Plan or to guide development of a specific area. Guideline documents may contain guidelines, standards, and performance criteria that are either too detailed, or require more flexibility in interpretation or implementation than the policies of this Plan would allow. (Policy 1712)
- Guideline documents will be adopted by resolution of City Council. Planning and development applications and public works shall be reviewed to determine their consistency with the provisions of any applicable guideline document, and conditions may be imposed upon the approval of development accordingly. Provincial guideline documents will also be used to implement the policies of this Plan. (Policy 1713)

- The preparation of a guideline document will include provisions to encourage input from agencies, associations, and individuals that have an interest in the subject matter. Before adopting or amending a guideline document, City Council will hold a public meeting to provide for input from interested parties” (Policies 1712 - 1714).

Strategic Plan 2015-2019

Heritage conservation is identified as an integral part of “Building a Sustainable City” in the *Strategic Plan for the City of London 2015-2019*. The preparation and implementation of Heritage Conservation District Plans is identified as one of the strategies for achieving our goal to “*protect and celebrate London’s heritage for current and future generations*” (6B).

5.0 Next Steps

This report recommends that *Heritage Places 2.0: A Description of Potential Heritage Conservation Districts in the City of London* be identified as a Cultural Heritage Guideline document in Policy 1721_ of *The London Plan*. Further, this report presents a draft Official Plan Amendment for circulation to amend Policy 1721_4 of the Cultural Heritage Guidelines under Guideline Documents of the Our Tools Section of *The London Plan*, to remove reference to “Heritage Places: A Description of Potential Heritage Conservation Areas in the City of London”, and to replace it with reference to “Heritage Places 2.0: A Description of Potential Heritage Conservation Districts in the City of London.”

The next steps prior to approval of the proposed Official Plan amendment (O-8965) is to: incorporate comments received from this Public Participation Meeting in the preparation of the final *Heritage Places 2.0* guideline document; circulate the attached draft of *Heritage Places 2.0* for feedback from the London Advisory Committee on Heritage (LACH), the Urban League and relevant neighbourhood associations; and, present the final *Heritage Places 2.0* guideline document and proposed Official Plan amendment (O-8965) at a future meeting of the Planning and Environment Committee in Q2 – 2019.

Prepared by:	Laura E. Dent, M.Arch, PhD, MCIP, RPP Heritage Planner.
Prepared by:	W.J. Charles Parker, MA Senior Planner – Long Range Planning and Research
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Recommended by:	John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Planning Services	

November 5, 2018
LED/cp

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Appendix A

Bill No. (number to be inserted by Clerk's Office)
2018

By-law No. C.P.-XXXX-____

A by-law to amend The London Plan for the City of London, 2016 to replace the existing *Heritage Places* guideline document with an updated *Heritage Places 2.0* guideline document.

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

1. Amendment No. (to be inserted by Clerk's Office) to The London Plan for the City of London Planning Area – 2016, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading –
Second Reading –
Third Reading –

**AMENDMENT NO.
to the
THE LONDON FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to delete an existing policy in Section 1721_4 (Culture Heritage Guidelines) of *The London Plan* for the City of London and replace with a new entry.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to all lands located in the City of London.

C. BASIS OF THE AMENDMENT

1. The recommended amendment is consistent with Section 2.6.1 of the *Provincial Policy Statement (PPS)*, 2014 directing that “significant built heritage resources and significant cultural heritage landscapes shall be conserved.”
2. *The London Plan* provides for the adoption of Guideline Documents to provide direction for the implementation of the policies of the *Plan*. Guideline documents provide guidelines, standards and performance criteria for the evaluation of planning applications and may assist in the implementation of the policies of the *Plan*.
3. At its meeting on January 17, 2017, Municipal Council resolved that Civic Administration review the prioritized list of potential heritage conservation districts in the City, as well as update the current Heritage Places guideline document. The adoption of this guideline document fulfils this Council direction.

D. THE AMENDMENT

The London Plan is hereby amended as follows:

1. Policy 1721_4 with regard to Cultural Heritage Guidelines Documents is deleted in its entirety and replaced with the following policy;
 4. *Heritage Places 2.0: A Description of Potential Heritage Conservation Districts in the City of London.*

Appendix B

Previous Reports Pertinent to this Matter

2017, January 17. Municipal Council Resolution, re: recommend update of *Heritage Places*, 7.n.

2014, November 4. Report to the Planning and Environment Committee. Heritage Conservation District Work Plan and Prioritization.

2014, September 2. Municipal Council Resolution, re: prioritization of Heritage Conservation Districts in the City, 14.a.

2014, August 26. Report to the Planning and Environment Committee. Heritage Conservation District Status Report.

2003, August 25. Report to the Planning Committee. Potential Heritage Conservation District Priority List.

1993. *Heritage Places: A Description of Potential Heritage Conservation Areas in the City of London*.

1993, June 21. Municipal Council Resolution, re: approval of Heritage Places as guideline document to the *Official Plan*, 10.

Appendix C

Heritage Places 2.0: A Description of Potential Heritage Conservation Districts in the City of London

HERITAGE PLACES 2.0

Potential
Heritage
Conservation
Districts
in the
City of London



Parts of this report may be reproduced on the condition that proper reference is made to the

City of London
and
Letourneau Heritage Consulting Inc.

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NOVEMBER 2018

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DRAFT - NOVEMBER, 2018

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A INTRODUCTION

London is known as ‘The Forest City’ – a city which prides itself on its parks, greenery and tree lined streets. It is also recognized as a ‘City of Communities’ – a city that defines itself by the many differentiated neighbourhoods that dot its landscapes; rural neighbourhoods, urban neighbourhoods, outer and inner suburbs, and areas with industrial and institutional qualities. These special, unique places help to make London legible – it is readable; meaning that people understand it visually and can make sense of it as a whole. Urban planner Kevin Lynch called this ‘imageability’ which he attributes to helping to enhance people’s attachments to ‘place’ and community, and helping to support a committed citizenry. A major component of a community’s ‘sense of place’ is its relationship to its heritage and landscape setting. Heritage is an important community resource. It is a source of knowledge and memory. It contributes to the quality of life of a community. It is a collective legacy.

It should be no surprise then that London ranks 3rd in the Province with the highest number of designated heritage conservation districts (HCD). London has seven HCDs– tied with Hamilton also having seven – and is behind Ottawa with eighteen and Toronto with twenty HCDs. Further, London has the 2nd most number of properties designated in HCDs (just over 3,700); behind only Toronto with nearly 5,000. Londoners are plainly passionate about their City’s heritage!

Back in 1994, the original *Heritage Places* began the process of identifying areas in the City that may have potential cultural heritage value or interest. In the twenty years since its adoption as a Guideline Document to the City of London’s *Official Plan*, ten of the original fourteen potential Heritage Conservation Districts have been designated. There have also been updates to the *Provincial Policy Statement*, the *Ontario Heritage Act* and the City has a new official plan (*The London Plan*); these updates impact the identification

and evaluation of cultural heritage resources.

Moving forward, the following document, *Heritage Places 2.0* is intended to be a reset of the original Heritage Places and to take a second look at the this document. There is now the opportunity to expand the review of the City to see if there’s anything that’s was missed the first go around, and to begin to establish a sense of priority to what areas should likely be study first. It is important to recognize that the areas that are identified in *Heritage Places 2.0* are not being identified as future HCDs, but rather are being noted as worthy of further study in the future. This may lead to designation as an HCD under Part V of the *Ontario Heritage Act* – however it is a separate process beyond the scope of this document.



B BACKGROUND

In 1993, *Heritage Places: A Description of Potential Heritage Conservation Areas* in the City of London, was approved as a guideline document to the *Official Plan* of the City of London. It states that:

“[t]he purpose of this guideline document is to “highlight areas of outstanding historical, architectural and natural character in the City. The intent is to identify candidate areas for potential heritage conservation or district status through the implementation of Parts IV and V of the Ontario Heritage Act” (p3).

This document has since been the primary reference used to identify candidate areas for the potential development of heritage conservation district areas within the City.

Fourteen areas were originally identified within *Heritage Places* based on ‘characterization studies’.

These studies were intended to act as an indicator of heritage significance, but were never meant to be an exhaustive resume reflecting all areas within the City. Place name, location, and historic themes were identified for each of the fourteen areas identified. Consideration was given to identification and evaluation of potential HCDs based on criteria in the *Official Plan*, but the list remained un-prioritized. The original list of fourteen areas was as follows: Richmond Streetscape; Ridout Restoration; Talbot North; East Woodfield; West Woodfield; Lorne Avenue; Wortley Village; Marley Place; Elmwood Avenue; Stanley-Becher; Hellmuth-St. James; Grosvenor-St. George; Petersville; and, Pond Mills.

A report for the LACH (March 1999) was the first to prioritize potential Heritage Conservation Districts (HCD), and this list has been amended, expanded, consolidated and re-prioritized over time. The City has since dealt with requests for HCD designation from the community in a

sequential process based on episodic re-prioritizations of areas identified in *Heritage Places*.

Since the adoption of Heritage Places as a guideline document, the planning and policy framework for heritage conservation in Ontario has undergone substantial changes, including most notably revisions to the *Ontario Heritage Act* in 2005, and the *Provincial Policy Statement* in 2014, and at the municipal level, adoption of *The London Plan* in 2016. Given changes to heritage conservation planning and policy framework, and the accomplishments of the original *Heritage Places* (ten of the original fourteen candidate areas have been designated as HCDs), it is an opportune time to revisit and reset this original guideline document. Ultimately, the goal of *Heritage Places 2.0* is to build on the original document, reflecting a similar format and focus on ‘characterization studies’ while also clarifying a process to identify and prioritize candidate areas for further study as potential HCDs.



G OVERVIEW + APPROACH

At its meeting on January 16, 2017, Municipal Council directed Civic Administration “to review [the] prioritized list of potential Heritage Conservation Districts and to recommend an update to Heritage Places.” Subsequently, in March 2018, Letourneau Heritage Consulting (LHC) was retained to prepare the updated *Heritage Places 2.0* document. The objectives of the update have been to conduct a comprehensive, city-wide review of areas, and prepare a prioritize list for further study of these areas as potential Heritage Conservation Districts (HCD) – pursuant to Part V of the *Ontario Heritage Act*. The intention has been to essentially ‘reset’ Heritage Places to reflect current Provincial legislation, City policies, Council direction and community interest. LHC was tasked with the following:

1. Review Policy Context – Update background component of *Heritage Places* to reflect the *Provincial Policy Statement – 2014 (PPS)*, *Ontario Heritage Act* and *The London Plan* (London’s Official Plan).

2. Consultation with Heritage Community – With input from members of the London Advisory Committee on Heritage (LACH) and representatives from the heritage community, undertake a city-wide comprehensive review of areas identified as having heritage significance, using an a priori established methodology, and prepare characterization studies of each area.

- Re-evaluate (and update as needed) information on candidate areas already documented in the current *Heritage Places*.

3. Develop Methodology – Develop a method for identifying and prioritizing areas in the City—with possible cultural heritage value – for potential HCD designation.

- Prepare a prioritized list for further study and consideration as potential HCDs.

1. Policy Context

Since the development of *Heritage Places* there have been substantial changes to land use planning associated with resources that demonstrate, or have the potential to demonstrate, cultural heritage value or interest. In Ontario, cultural heritage is considered to be a matter of provincial interest. Cultural heritage resources are managed under provincial legislation, policy, regulations and guidelines. The *Ontario Heritage Act (OHA)* directly addresses cultural heritage and is the key legislation enabling the protection of properties of cultural heritage value or interest at the municipal and provincial level. The *Planning Act*, through the *Provincial Policy Statement – 2014 (PPS)*, also addresses cultural heritage as an area of provincial interest. Other provincial legislation deals with cultural heritage indirectly or in specific cases. These various acts and policies indicate broad support for the conservation of cultural heritage by the Province. They also provide a framework that must be considered for any proposed development or property alteration.

Planning Act

The *Planning Act* is the primary document for land use planning in Ontario. The *Planning Act* also defines matters of provincial interest. It states under Part I (2, d):

“The Minister, the council of a municipality, a local board, a planning board and the Municipal Board, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as, the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest.”

Section 3 of the *Planning Act* issues the *Provincial Policy Statement (PPS)*, and all decisions affecting land use planning matters “shall be consistent with” the *PPS*.

Provincial Policy Statement (2014)

The *Provincial Policy Statement (PPS)* does not explicitly address heritage conservation districts (HCD), it does however include HCDs within its definition of cultural heritage landscapes, as follows: Section 2.6.1 of the *PPS* directs that “significant built heritage resources and significant cultural heritage landscapes shall be conserved.” “Significant” is defined in the *PPS* as, in regards to cultural heritage and archaeology, “resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, and event, or a people.”

Ontario Heritage Act + The London Plan

The *Ontario Heritage Act (OHA)* does not specifically set out policies to identify potential Heritage Conservation Districts (HCD), however the *OHA* enables local municipalities to designate HCDs provided the requirements of the *OHA* are met and the municipality has sufficient supporting policies within its *Official Plan*. HCDs are designated under Part V of the *OHA*. See Appendix for further description of the Heritage Conservation District designation process.

The London Plan – the Official Plan of the City of London – underscores the commitment of the City to conserve and promote its culturally rich and diverse cultural heritage resources and the important role of its cultural heritage resources in building and maintaining its neighbourhoods. The identification and further study of areas in the City of London for potential heritage conservation district status is supported by the following strategic directions of *The London Plan*. Particularly:

- Direction #1-4: Revitalize our urban neighbourhoods and business areas (Policy 55);
- Direction #3-7: Protect our built and cultural heritage to promote our unique identity and develop links to arts and eco-tourism in the London region (Policy 57);

- Direction #5-2: Sustain, enhance, and revitalize our downtown, main streets, and urban neighbourhoods (Policy 59);
- Direction #7-5: Protect what we cherish by recognizing and enhancing our cultural identity, cultural heritage resources, neighbourhood character, and environmental features (Policy 61).

The *London Plan* also contains sufficient policies to enable the designation of an HCD in accordance with the *OHA*, as well as the identification of criteria for the evaluation of potential HCD designation (Policy 575).

“City Council will consider the following criteria in the evaluation of an area for designation as a heritage conservation district:

1. The association of the area with a particular historical event or era that is unique to the community.
2. The presence of properties which are considered significant to the community as a result of their location or setting.
3. The presence of properties representing a design or method of construction which is considered to be of cultural heritage value or interest to the community, region, province, or nation.
4. The presence of properties which collectively represent a certain aspect of the development of the city that is worthy of maintaining.
5. The presence of physical, environmental, or aesthetic elements which, individually, may not constitute sufficient grounds for designation as a heritage conservation district, but which collectively are significant to the community” (Policy 576).

The above criteria provide a clear basis for the evaluation of potential HCD designation once candidate areas have been identified and prioritized.

2. Consultation with Heritage Community

Consultation with community stakeholders was integral to the preparation of *Heritage Places 2.0*. The consultation process was initiated in April 2018 starting with an introductory email-out to nearly 50 active members of London’s heritage

community including members of the: Architectural Conservancy of Ontario – London; Downtown London; Heritage London Foundation; London Advisory Committee on Heritage; London Heritage Council; London Planners Council, Middlesex Historical Society; and, the Urban League. A total of three roundtable discussions were conducted in May and June, with a series of informal interviews carried out both before and following the first roundtable. The second roundtable took place during the June meeting of the London Advisory Committee on Heritage (LACH) with participation of nearly the full committee. Throughout the consultation process, participants had the opportunity to provide feedback via email or phone. Over thirty people participated in the consultation process providing input on the identification of candidate areas for consideration as potential HCDs in London, along with what factors should be considered in the prioritization process.

3. Methodology – A Values-Based Approach

Since the development of the original *Historic Places* document in 1994, there have been significant shifts in heritage conservation planning theory and practice. In particular, following the Nara Document on Authenticity (1994), the 1999 Burra Charter (updated 2013), and the Getty Conservation Institute research into values (1998-2005), the focus of heritage conservation planning has been on the importance of heritage value in determining significance. This understanding is reflected within Ontario heritage planning practice through revisions to the *Ontario Heritage Act (OHA)* in 2005, and the development of local and provincial designation criteria (O.Reg 9/06). However, in terms of the identification of potential Heritage Conservation Districts (HCD), the *OHA* does not provide any criteria, and only states what an HCD Study and Plan must include as part of the HCD designation process.

The standard baseline for identifying potential Heritage Conservation Districts (HCD) under the *Ontario Heritage Act (OHA)* is outlined by the Ontario Ministry of Tourism, Culture and Sport in the *Ontario Heritage Tool*

Kit: Heritage Conservation Districts (2006). The *Tool Kit* does not provide specific criteria for the identification of candidate areas, however it does provide broad descriptions of characteristics that might constitute a Heritage Conservation District (HCD). More specifically, the *Tool Kit* does identify that values are important to the identification of heritage conservation districts and that the “value of the district as a whole is always greater than the sum of its parts.” The cultural heritage value of areas “can be expressed in terms of their design or physical, historical or associative or contextual values”, and that values can be “expressed more broadly as natural, historic, aesthetic, architectural, scenic, scientific, cultural, social or spiritual values” (p10).

The *Tool Kit* specifically references the *Historic Places Initiative (HPI)* as a potential model to identify heritage values and attributes. Further, the *HPI Statement of Significance Training Workbook and Resource Guide* outlines a number of heritage values that can be applied to cultural heritage resources (including heritage conservation districts). These values overlap with those outlined in the *Tool Kit* (historical, scientific, cultural, spiritual, aesthetic, educational, social, natural and, contextual).

Finally, a best practices review was undertaken to determine how other Ontario communities considered HCDs. This included the City of Toronto, the Town of Oakville CHL project, and the Region of Waterloo CHL criteria. This information, and approach was used to begin to develop a values-based criteria to identify (for further study) potential heritage conservation districts in the City of London. For further description, see the following Section D.

D IDENTIFICATION OF AREAS

A city-wide review of candidate areas for *Heritage Places 2.0* was initiated by Letourneau Heritage Consulting Inc. in April 2018. General areas having potential cultural heritage value or interest were identified based on heritage staff reports and existing heritage inventories, and areas previously identified in Heritage Places that had yet to be designated as districts. As well, members of London's heritage community provided input into potential areas for consideration during Roundtable Discussions.

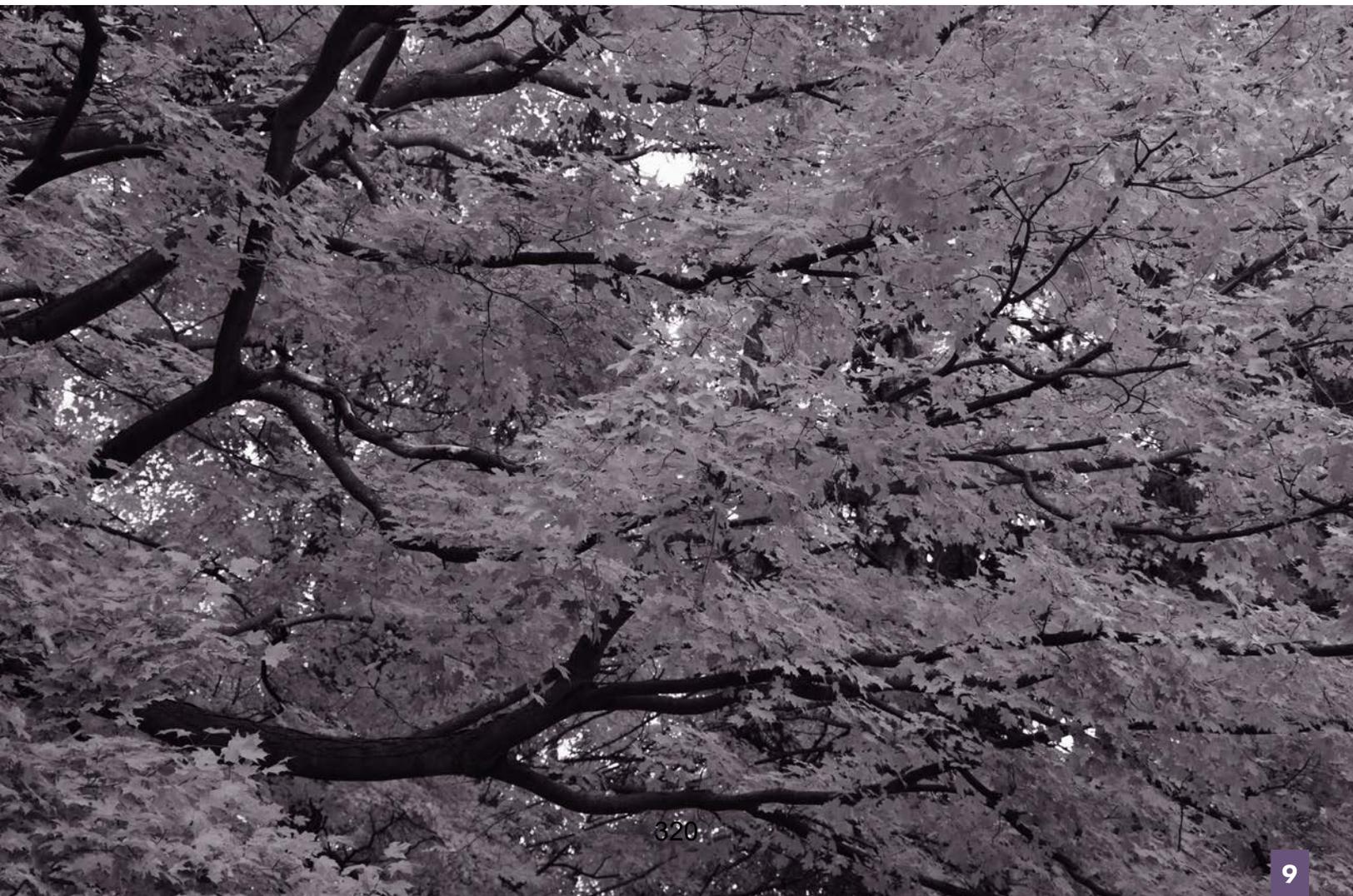
The goal was to develop an initial (working) list of candidate areas that merit further consideration as part of the Heritage Places 2.0 project; over fifty areas were initially identified. A values-based assessment (see Section D) was applied to further cull the list of candidate areas. Values were derived from: 1) those outlined in O.Reg. 9/06 – to capture associative, physical and contextual aspects of candidate areas; 2) those outlined in *The London*

Plan (Policy_576) – to ensure that criteria captured overlapped with those that would be used for potential designation of candidate areas as HCDs; and, 3) those identified in the *Ontario Heritage Tool Kit* and the *Standards and Guidelines for the Conservation of Historic Places in Canada* – to capture additional values not necessarily related to the built/physical environment. The following values were used to identify candidate areas for Heritage Places 2.0:

- Historical/Associative Value
- Physical/Design Value
- Contextual Value
- Other values include:
 - o Spiritual Values
 - o Educational and Scientific Values
 - o Natural Values
 - o Archaeological Values
 - o Social Values

These values provide a framework for the consideration of a range of

factors reflected in cultural heritage resources. See Table x for descriptions of the values and examples of attributes related to each value. [See attached E1] The Values-Based Assessment resulted in over fifty candidate areas city-wide being initially identified, which was then short-listed to fourteen and prioritized for further. See Section F for the short-list of candidate areas.



E PRIORITIZATION OF AREAS

The prioritization of candidate areas for consideration as potential Heritage Conservation Districts (HCD) was derived from a systematic review of other municipalities' practices, previous staff reports and consultation with the members of London's heritage community. Of the Ontario municipalities reviewed, only the City of Toronto was found to have a defined, publicly-available prioritization process for the nomination of Heritage Conservation Districts. Toronto's framework is based on five factors: 1) development activity; 2) existing level of protection; 3) fragility of the area; 4) planning priorities, and 5) archaeology. Other factors are also considered such as cultural heritage value or interest (relative to other nominated areas) and/or relevant planning studies. Toronto's factors were found to generally align with those outlined in Heritage Staff's report to the Planning and Environment Committee (2018-11-04 – HCD Work Plan and Prioritization). A draft list of factors for prioritization was compiled and then vetted with input from community members during Roundtable Discussions on May 1st and June 20th, and in consultation with the London Advisory Committee on Heritage (LACH) at their June 13th meeting.

The final list of factors that was considered during the prioritization of candidate areas is as follows:

- Results of the **values-based assessment** of candidate areas relates to how strongly each area met the characteristics associated with these values;
- **Potential for change** within an area can include development pressure, existing levels of protection, as well as a variety of external pressures, such as projected growth, threats to cultural heritage integrity, or the addition or loss of a significant economic driver;
- **Community preparedness** or readiness and willingness to initiate and engage in an HCD Study process;

- **Appropriateness of planning tool** (*Part V – Ontario Heritage Act*, HCD designation) for conservation of significant cultural heritage resources in the area versus other planning tools; and,
- **Other factors** such as previous Municipal Council direction, recognition of City planning priorities and implications of planned future initiatives.

3. The Smokestack District
4. Stanley-Becher-Riverforks
5. Dundas Street – Old East
6. Piccadilly
7. Old South II
8. Old North
9. Orchard Park Sherwood Forest
10. Lambeth
11. Hamilton Road
12. Braemar Crescent
13. Hall's Mills
14. Pond Mills

The fourteen (14) areas identified were prioritized based on a qualitative assessment assigned to each of the above factors based on how strongly the candidate area associated with that factor. Table x illustrates the assessment, graphed along each factor per candidate area.

Fourteen areas (14) in the City of London have been identified as having heritage significance for potential designation as Heritage Conservation Districts. Note that this prioritization is by no means a measure or reflection of the perceived cultural heritage value or interest or significance of candidate areas. It is recommended that the areas listed below be studied further, prioritized as follows:

1. Talbot North
2. SoHo (South of Horton)

It is important to stress that the outcome of *Heritage Places 2.0* is not an evaluation or recommendation of these candidate areas for designation, but simply the identification and recognition that these areas have potential heritage significance. These areas are not being recommended for designation at this time, but may be recommended for further study and evaluation as part of Municipal Council decision to move forward with an HCD Study under Part V of the *Ontario Heritage Act*. See Figure 1.

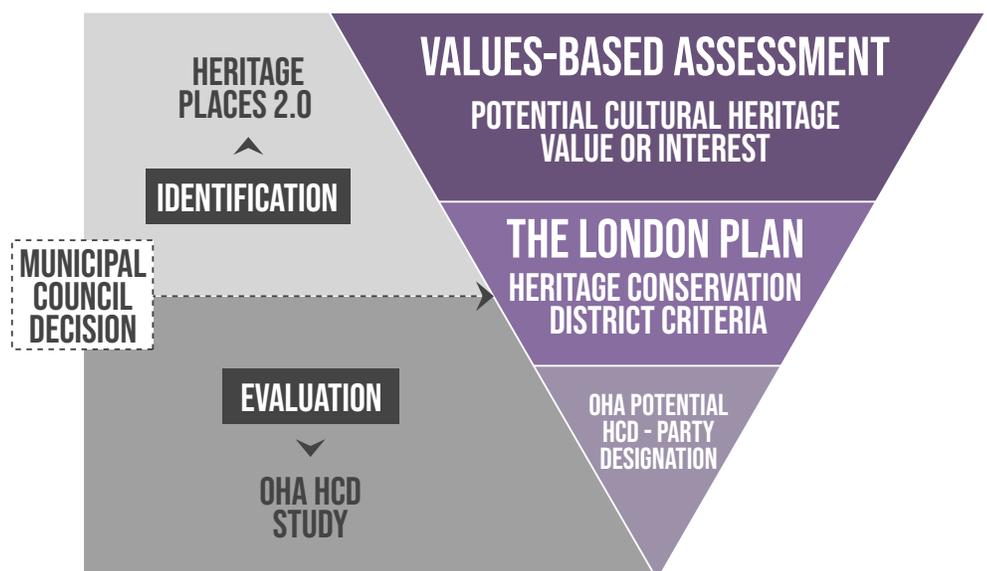
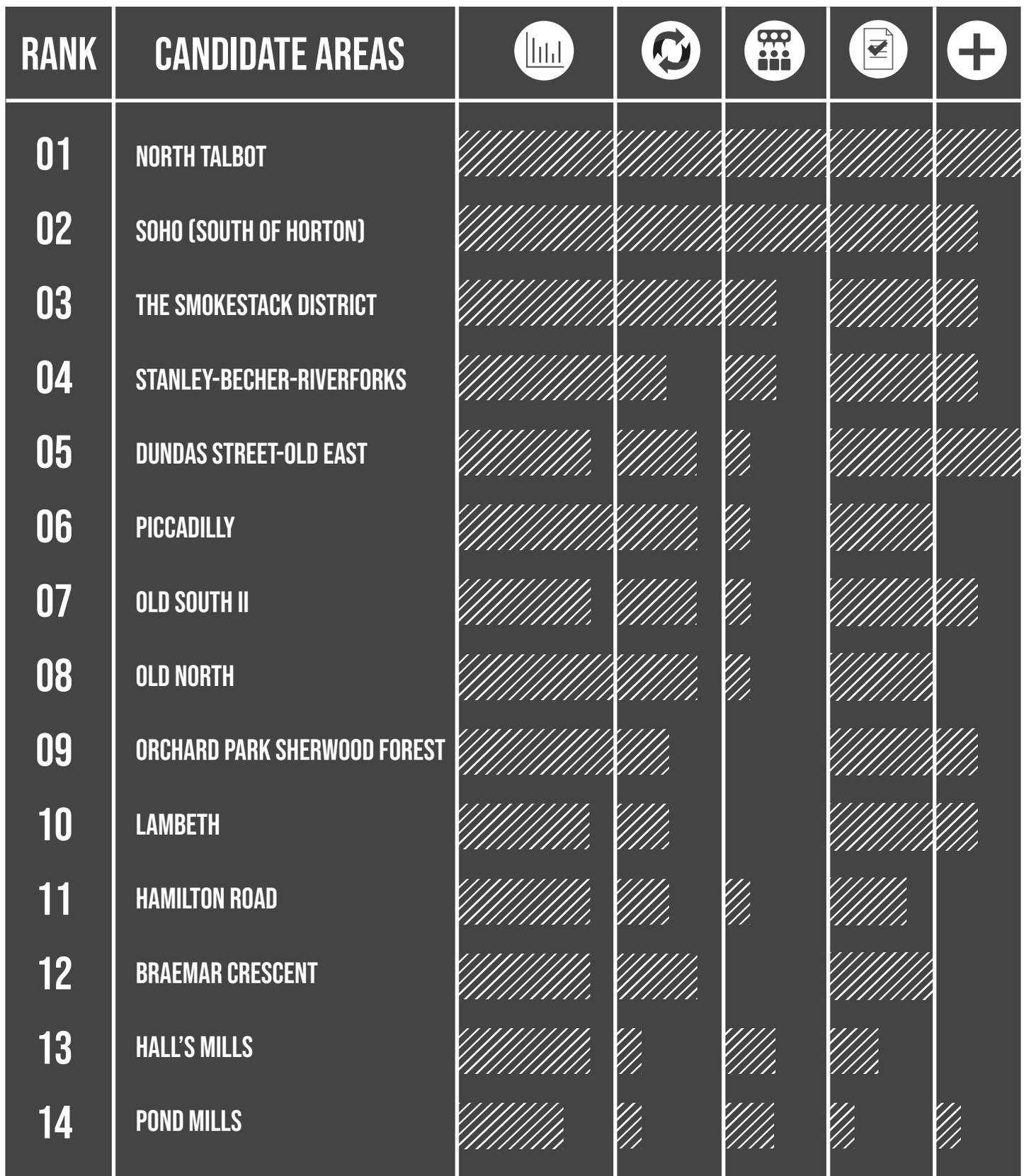


Figure 1. Distinction between identification of properties for Heritage Places 2.0, and evaluation for further study as potential HCD designation

	VALUE	ILLUSTRATIVE ATTRIBUTES
MAIN VALUES	Historical/Associative	Association of area (or properties) with: <ul style="list-style-type: none"> - an individual, development period, event or theme significant to a community
	Physical/Design	Presence in area of: <ul style="list-style-type: none"> - distinctive architectural design, style or construction method - clusters of properties considered to be of cultural heritage value or interest
	Contextual	Presence in area of: <ul style="list-style-type: none"> - distinctive landscapes - landmarks - a distinctive sense of place - properties that are significant as a result of their location or setting
ADDITIONAL VALUES	Spiritual	Association of area with: <ul style="list-style-type: none"> - particular religious communit(ies) - clusters of religious building/cemeteries, ceremonial or cosmological features - oral traditions identifying significance
	Educational & Scientific	Association of area with: <ul style="list-style-type: none"> - teaching landscape(s) - a significant presence of educational/training facilities
	Natural	Association of area with: <ul style="list-style-type: none"> - natural features - environmentally sensitive area(s) - environmental elements which are collectively significant to the community
	Archaeological	Association of area with: <ul style="list-style-type: none"> - known architectural site(s) - potential archaeological site(s) - known burials
	Social	<ul style="list-style-type: none"> - Area contributes to a broader understanding of a way of life - Area contributes to the understanding of an underrepresented aspect or group in London's history - Presence in area of memorial or symbolic elements within the landscape - Area depicts a particular way of life

Figure 2. Values referenced in identification of areas for Heritage Places 2.0



VALUES-BASED ASSESSMENT



COMMUNITY FEEDBACK + READINESS



POTENTIAL FOR CHANGE



FITNESS OF PLANNING TOOL



OTHER FACTORS

Figure 3. Prioritization of areas, graphed along criteria referenced for ranking purposes



F AREA CHARACTERIZATION STUDIES

Similar to its predecessor, the major part of this Heritage Places 2.0 is dedicated to characterization studies of the fourteen areas within the City of London. These areas were identified as having cultural heritage significance, and prioritized for further study as potential Heritage Conservation Districts. The characterization studies are brief, abundantly illustrated, and intended only to act as an indicator of heritage significance, not an exhaustive resume of each area.

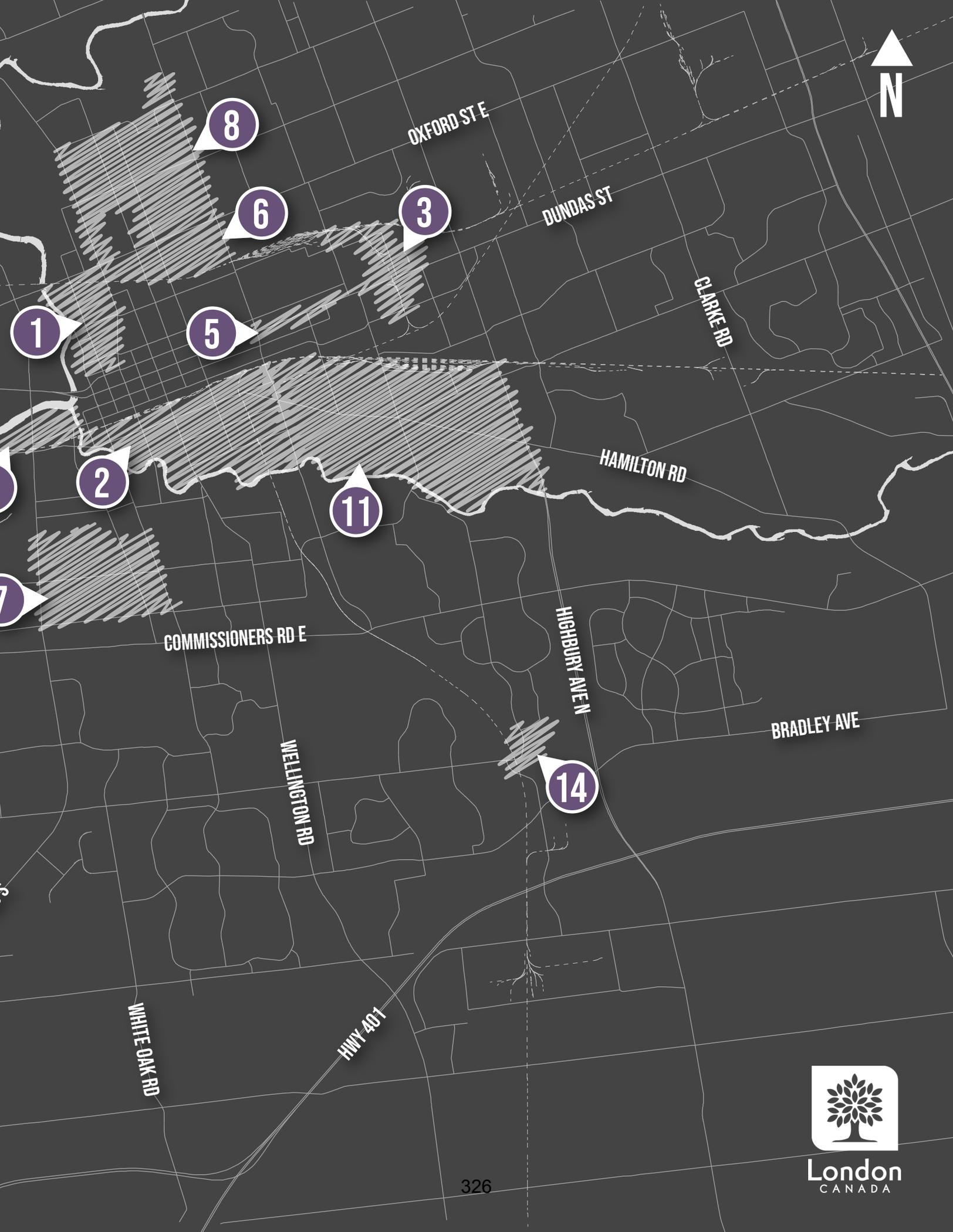
The following characterization studies include a:

- numerical ranking
- place name
- description of the area's location along with a location map;
- statement of primary use of properties within the area;
- summary of assessment and illustrative graph; and finally,
- description of the area.

HERITAGE PLACES 2.0 CANDIDATE AREAS



- 01 TALBOT NORTH
- 02 SOHO (SOUTH OF HORTON)
- 03 THE SMOKE STACK DISTRICT
- 04 STANLEY-BECHER-RIVERFORKS
- 05 DUNDAS STREET-OLD EAST
- 06 PICCADILLY
- 07 OLD SOUTH II
- 08 OLD NORTH
- 09 ORCHARD PARK SHERWOOD FOREST
- 10 LAMBETH
- 11 HAMILTON ROAD
- 12 BRAEMAR CRESCENT
- 13 HALL'S MILLS
- 14 POND MILLS



8

6

3

1

5

2

11

7

14





01 TALBOT NORTH

The Talbot North area generally includes properties on Talbot Street between Fullarton Street and Oxford Street East. Harris Park and the north branch of the Thames River (including Ann Street Park) form a natural border to the west. Abutting the Talbot North area are three existing heritage conservation districts – West Woodfield (to the east), Blackfriars-Petersville (to the west), and the Downtown Heritage Conservation District (mainly to the south-east).

PRIMARY USE: residential

ASSESSMENT:

Talbot North rates strongly in all factors used to assess candidate areas for further study as potential heritage conservation districts.





Background

The Talbot North area was not comprehensively settled until the 1860s, but quickly became London's first 'suburb' established outside of the City-proper. Early on, the area developed to have an exclusive character reflecting London's elite, including homes of the Carling, Leonard, Gunn, Smart, and Blackburn families. Riverside mansions lined the east bank of the Thames River, and wealthy Londoners built expansive homes along major thoroughfares to reflect their high social standing. Over time, this area has transitioned to accommodate many of London's prominent business enterprises, often within historic buildings. Today, Talbot North still retains a predominantly residential character that is also clearly bordered with commercial main streets.

Description

The area is associated with the urban development of London following its annexation in 1840 and includes properties exhibiting late 19th and early 20th century architectural styles and details (e.g., Italianate, Gothic Revival, and Queen Anne). Some of the most

characteristic features of the area is the many architectural variations on the Italianate style along with commanding residences and the prevailing use of buff brick. The natural landscape predominates with several access points and views along the Thames River, including at Ann Street Park and Harris Park.

The Talbot North contains a high concentration of significant cultural heritage resources with nearly 120 heritage listed and designated properties on the City's Register. Some notable properties within the Talbot North area include:

- 76 Albert Street (c1865), built for Josiah Blackburn;
- 90 Albert Street (c.1870), home of William R. Meredith, member of Ontario Legislature in 1872 and leader of the Conservative opposition government in 1878; elected Chief Justice of Ontario in 1884
- 93-95 Dufferin Avenue – including 93 Dufferin Ave (c1864), believed to be designed by Samuel Peters;
- Kent Streetscape – including 126-128 Kent Street, home of Thomas H. Carling, president of the Carling Brewing and Malting Company, 130

- Kent Street (c.1863), built for George Mackenzie Gunn, and 136 Kent Street (c.1888), designed by George F. Durand for William A. Gunn, son of George M. Gunn
- 140-146 Mill Street (c1863), a set of two double houses in the Italianate style;
- 513 Talbot Street (1881), formerly the Talbot Street Baptist Church; and,
- 651 Talbot Street (c1905) and adjacent 653 Talbot Street (c1908) part of the 'Riverside Residences'.

Talbot North was identified in the original Heritage Places as an area of outstanding historical, architectural and natural character that had potential for designation as a heritage conservation district under Part V of the Ontario Heritage Act. In July 2017, Municipal Council requested that the Talbot North Community be considered as the top priority on the list of upcoming Heritage Conservation Districts (HCD) to be designated.



02 SOHO (SOUTH OF HORTON)

SoHo or South of Horton, is largely situated south of Horton Street East as the name of this area implies. The area generally includes properties south of the Canadian National Railway lines and west of Adelaide Street North, with south branch of the Thames River form a natural southern and western boundary. SoHo abuts the downtown city core and the existing Downtown Heritage Conservation District.

PRIMARY USE: residential/commercial

ASSESSMENT:

SoHo rates strongly in nearly all factors used to assess candidate areas for further study as potential heritage conservation districts.





Background

The area south of Horton Street more commonly known as the SoHo Neighbourhood has a long history, of over 150 years, as a community in the city of London from its early days as a place of refuge on the Underground Railroad, to housing one of the City's major medical facilities, to being located along the edges of the downtown and the Thames River. These factors have given this neighbourhood a prominent role in the development of the City.

The area is generally characterised by an eclectic mix of late 19th to 20th century residential properties, with commercial properties along Wellington Street and Horton Street East. The portion of the area west of Wellington Street was located within the boundaries of Burwell's "Survey of the Town Site of London" (1826). It is the location of several of London's early mills and industries, including the Labatt Brewery. A major feature impacting the character of SoHo is the now vacant South Street Hospital Complex (formerly the London General Hospital, Victoria Hospital) including both the remaining heritage buildings and vacant lands. When the London General Hospital first opened in 1875,

the surrounding streets were lined with modest homes, the majority of which were occupied by a largely working-class community.

In addition to the prominent theme of healthcare and medicine, SoHo is associated with early mills and industry, as well as Clark's Bridge and a car barn associated with the London and Port Stanley rail line that bisects the neighbourhood east of Maitland Street. Afro-Canadian history in London is linked to 'The Hollow' (around Thames Street) and the neighbourhood more broadly. Other ethnic communities in London, including the Jewish and Polish communities are associated with the neighbourhood and vestiges of their institutions are situated among its built heritage. The area is also associated with the history of the 1840 annexation of London.

Description

The SoHo area contains a high concentration of significant cultural heritage resources with well over 125 heritage listed and designated properties on the City's Register. A distinct sense of place is found throughout particularly noting key streetscapes, such as Clarence Street, Colborne Street, Grey Street, and Henry

Street. Some notable properties within the area include:

- 391 South Street (c1899), the Colborne Building; is the only building that remains on the south side of South Street as part of the original Victoria Hospital
- 392 South Street (c1922), War Memorial Children's Hospital; built after WWI for specialized child care; Neo-classical styling with cut stone trim and foundations
- 432 Grey Street (c1853), Fugitive Slave Chapel; associated with early development of the Black community in London and later connections to the Underground Railway
- 430 Grey Street (c1868), Beth Emmanuel British Methodist Episcopal Church, one of the oldest surviving churches representing the Black community in London
- 240 Waterloo Street (c1886), the Michigan Central Roundhouse

The SoHo Community Improvement Plan (2011) recommended that this area be studied for further potential heritage conservation district status. In 2013, Municipal Council supported this recommendation by adding SoHo to a 'priority listing' of areas identified for further HCD study.



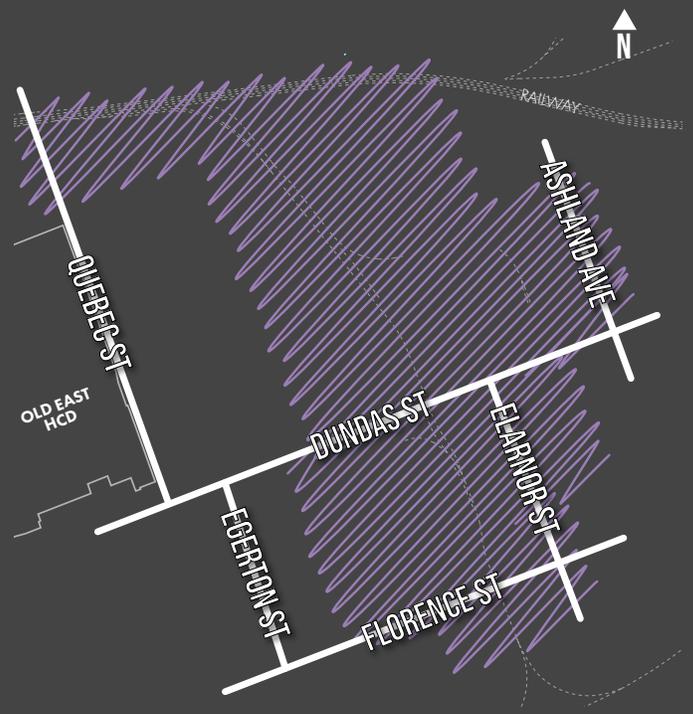
03 THE SMOKE STACK DISTRICT

The Smokestack District comprises an area dotted with industrial complexes situated south of the Canadian Pacific Railway lines and east of Ashland Avenue. Florence Street and Kelloggs Lane and Burbrook Place loosely form the southern and western edges of the area.

PRIMARY USE: industrial heritage

ASSESSMENT:

The Smokestack District rates strongly in nearly all factors used to assess candidate areas for further study as potential heritage conservation districts.





Background

The Smokestack District includes a number of exemplary early 20th century industrial complexes along Dundas Street and several side streets. It is one of a small number of urban areas in the City with observed industrial land uses nearby low- to mid-rise residential, commercial, and park land uses.

The District and its physical legacy is integral with the history of London. The District's development pattern traces the City's relationship with rail transportation. Remaining building structures and typologies reflect early 20th century industrial architecture, factory workers' housing, and the rise of automobile usage (e.g. 'the early gas station').

The area is generally characterised by early 20th century industrial complexes associated with municipality-sponsored industrial development in the 1910s to 1920s. The area was annexed by the City of London in 1912. At the time, it was a largely undeveloped stretch of land between the City of London and Pottersburg. The land was offered for sale for the construction of large industrial complexes and the area is associated with municipality-sponsored

industrial development during this period. A number of expansive factory complexes were constructed here in the early 20th century. Factory workers' housing was constructed along many of the side streets in adjacent areas.

Description

There is a concentration of intact examples of early 20th century factory complexes, as well examples from the late 19th century and mid-20th century, many of which are listed on the City's Register. Some notable properties within the area include:

- 1156 Dundas Street (c1914), McCormick Manufacturing Company building, designed by architectural firm Watt & Blackwell; McCormick's was one of the largest employers in London, and remains a major architectural landmark on Dundas Street
- 1152 Dundas Street (c1920), Ruggles Truck building, designed by architectural firm Watt & Blackwell; classical structure with a center bay dominated by three great arched windows and flanked by two symmetrical wings; ornamentation in both the stone and the brickwork is extensive for an industrial structure

- 1108 Dundas Street (earliest construction dates to 1907), the Empire Brass Company building, designed by architect John Mackenzie Moore
- 445 Nightingale Avenue (c1923), the Reid Brothers; red brick structure, indicative of the smaller companies in the District; original smokestack and skylights remain
- 471 Nightingale Avenue (c1917), the Hunt Milling Company building, designed by architectural firm Watt & Blackwell; when built it housed one of the largest flour mills in Canada
- 100 Kellogg Lane (1913-1931), original structure designed by architect John Mackenzie Moore and boiler house by Albert Kahn; a large industrial structure dominating its portion of Dundas Street with repetitive pillars of red brick separated by large windows

The Smokestack District was identified in the Cultural Heritage Landscape Study of London (1996) as a potential Cultural Heritage Landscape – "Dundas East Industrial". In 2017, fifteen properties in this area were added to the City's Register (Inventory of Heritage Resources).



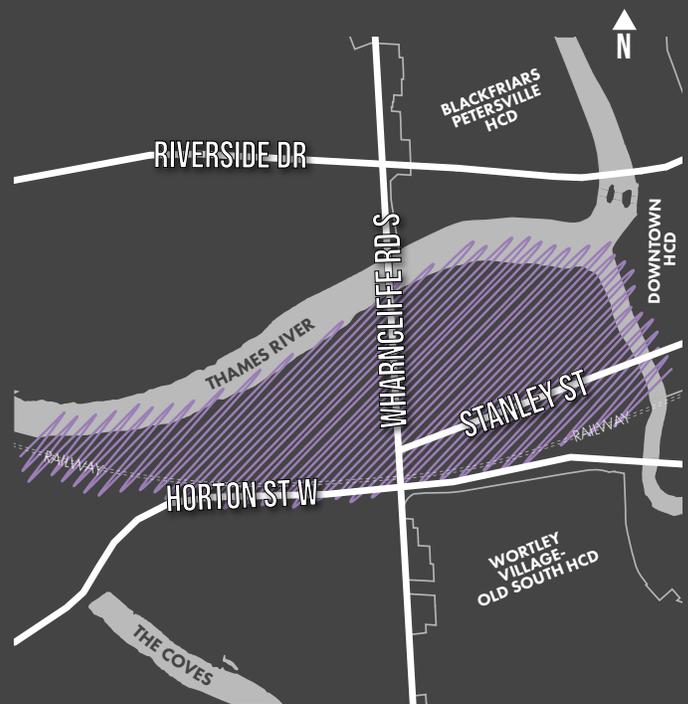
04 STANLEY-BECHER-RIVERFORKS

The Stanley-Becher-Riverforks area is bounded by the Thames River on the north, east and west, and the Canadian National Railway to the south. Surrounding the area are three existing heritage conservation districts – Blackfriars-Petersville (to the north), Wortley Village-Old South (to the south) and the Downtown Heritage Conservation District (to the east).

PRIMARY USE: residential

ASSESSMENT:

Stanley Becher-Riverforks rates strongly in many of the factors used to assess candidate areas for further study as potential heritage conservation districts.





Background

Stanley Street used to be the primary route that linked the Wharnccliffe Highway to Ridout Street, on the south side of the Thames River. Stanley Street was later subdivided into building lots in the 1870s, with much of the development in the Stanley-Becher-Riverforks area dating from the subsequent period. Some of the oldest homes in London are in this area such as "Stanley Terrace" and "Wincomblea".

Stanley-Becher-Riverforks is generally characterised by a mix of single detached homes, many built in the mid-19th to early 20th century. Parks along the Thames River are a defining element of this area with Stanley Street providing a connection from the Wharnccliffe Highway (now Wharnccliffe Road) to Ridout Street North via the Westminster Bridge. The area is closely associated with the Forks of the Thames River with scenic views to this natural heritage resource.

Examples of period architectural styles and refined details are found throughout the area. The King Street Bridge connecting the Stanley-Becher-Riverforks to Ivey Park, is recognized as a significant cultural heritage resource through its designation under

the Ontario Heritage Act. The area is associated with a number of prominent figures, including but not limited to James Givens, a judge in the County Court and President of the London Town Council in 1840-1841.

Description

The Stanley-Becher-Riverforks contains a number of properties listed in the City's Register. Key streetscapes include Stanley Street, Becher Street, The Ridgeway, Riverview Avenue, and Evergreen Avenue. Some notable properties within the area include:

- 15-17-19-21 Stanley Street (1843) – known as Stanley Terrace – built as the home of Judge James Givens, the first notary and solicitor for the Bank of Upper Canada and also president of the London Town Council in 1841
- 28-30-32 Stanley Street (c1888), terrace cluster in a mixture of the Georgian and Italianate styles; the porch features cut-out pattern detailing
- Numerous groupings of properties on the inventory (ranging from 1843-ca.1925)
- 40 Becher Street (c.1856) – known as Wincomblea – built for Finlay McFee and later occupied by Charles Hutchinson, Crown Attorney for

the County of Middlesex and, later, Clerk of the Peace; it is a simple, two storey, white brick home with a low hip roof and prominent chimneys; the architecture combines Georgian and Regency styles

- 46 Stanley Street (c1875), one of the finest porches in the City in the Queen Anne Revival style
- 50 Stanley Street (c1886), designed by architect George Durand; a Queen Anne Revival home with unusual L-shaped plan with an offset, centre bay projection topped by a conical roof
- 54 Stanley Street (c1879), unusual Renaissance Revival style and liberal use of stone work and detailing

Stanley-Becher-Riverforks was identified in the original Heritage Places as an area of outstanding historical, architectural and natural character that had potential for designation as a heritage conservation district under Part V of the Ontario Heritage Act. In 2013, Municipal Council added Riverforks to Stanley-Becher-Riverforks to recognize the candidate areas on both sides of Wharnccliffe Road South. Areas of archaeological potential are identified in the area in the Archaeological Management Plan (2017).



05 DUNDAS STREET-OLD EAST

The Dundas Street- Old East area generally includes properties on Dundas Street between Adelaide Street North and Quebec Street. In the surrounding area is the Western Fair and the existing Old East Heritage Conservation District – which the area abuts at its northern edge.

PRIMARY USE: commercial

ASSESSMENT:

Dundas Street- Old East rates strongly in many of the factors used to assess candidate areas for further study as potential heritage conservation districts.





Background

The Dundas Street–Old East area is closely associated with the former Village of London East and the annexation of the area in 1885, as the City of London expanded eastward. The area is also associated with the 1912 annexation of the ‘Smokestack District’, immediately east of this candidate area, and the growth of London’s industries. Examples of late-19th and early 20th century commercial architectural styles and details are found throughout the area as well as examples of important religious and institutional architecture.

Description

The Dundas Street-Old East area is generally characterised by several blocks of late-19th to early 20th-century commercial storefronts, Aeolian Hall (the former Town Hall of the Village of London East), the Palace Theatre building, several turn of the century residential buildings and prominent religious structures. The area reflects the commercial centre of the former Village of London

East. A distinct sense of place is found throughout the area due in part to a cohesive main street streetscape. The area contains a concentration of significant cultural heritage resources with nearly 50 heritage listed and designated properties on the City’s Register. Some notable properties within the area include:

- 609 Dundas Street (1871), Lilley's Corners
- 664 Dundas Street (1897), London Clay Arts Centre; Late Victorian, part of Anderson Block
- 694 Dundas Street (c1900), two storey, red brick Italianate building – flat roof with large wooden cornice
- 710 Dundas Street (1929), Palace Theatre, Park Theatre; in the Art Deco style – currently the London Community Players
- 778-780 Dundas Street (1886), first business on premises was J. H. Cunningham Fancy Goods; Italianate, two-storey white brick
- 795 Dundas Street (1883), Aeolian Hall
- 864-872 Dundas Street (1885, c1907), Hayman Commercial Block; built in two sections, with brick of

earlier section stained red to match c1907 addition

- 869-871 Dundas Street (1890), Hayman House; built for John Hayman, founder of J. Hayman & Sons, contracting business; extensive verandah with bandshell

The City of London is currently undertaking the preparation of the Old East Village-Dundas Street Corridor Secondary Plan (2018). This area is also subject to the Old East Village Community Improvement Plan (CIP) and guidelines contained within the Old East Village Commercial Corridor: Urban Design Manual (2016).



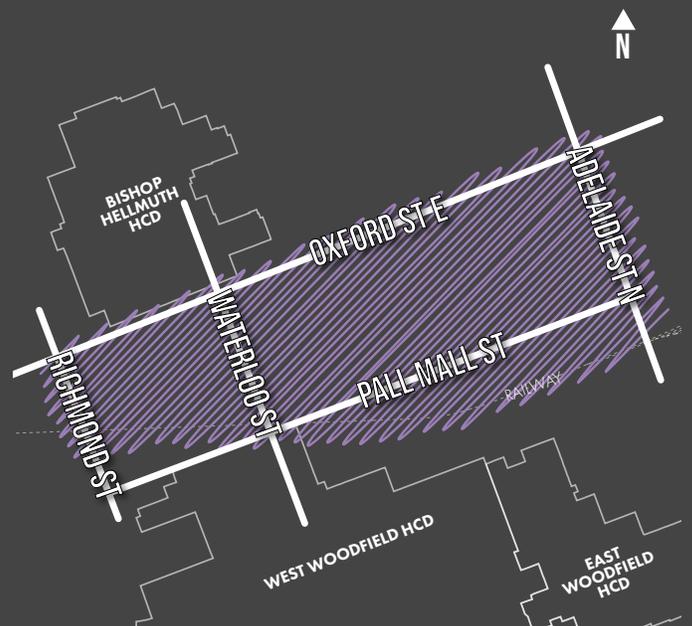
06 PICCADILLY

The Piccadilly area generally includes properties south of Oxford Street East, west of Adelaide Street North, north of the Canadian Pacific Railway and east of Richmond Street. Surrounding the area are three existing heritage conservation districts- West Woodfield Heritage Conservation District, East Woodfield Heritage Conservation District, and the Bishop-Hellmuth Heritage Conservation District, which abuts the northern edge of the Piccadilly area.

PRIMARY USE: residential

ASSESSMENT:

Piccadilly rates strongly in several factors and is emerging in others used to assess candidate areas for further study as potential heritage conservation districts.





Background

The Piccadilly area was sparsely populated until the 1880's, due to several blocks being occupied by the British Garrison and the Carling Brewery. The British Garrison was situated on land east of Richmond Street and south of Piccadilly Street down to present day Victoria Park. An artificial body of water, named Lake Horn after Colonel Horn, was created by the British Garrison in the mid 1800's at the most northern point of the garrison grounds. The Carling Creek, which ran through the Piccadilly area, was dammed at Richmond Street to create Lake Horn. The Garrison grounds were gradually quitted after 1865, but the area just south of Piccadilly Street was not sold until the 1880's.

The former Carling Brewery occupied most of the Piccadilly, Waterloo, Pall Mall, and Colborne Street block, just east of the British Garrison. Thomas Carling opened the brewery around 1840, but in 1888 the brewery was relocated to Talbot Street. The relocation of the brewery left the block open for development. Colborne Street Methodist Church, built in 1889, was the first development on the former Carling Brewery property.

By the 1880's, the Garrison grounds had been divided up, the dam at Richmond Street was removed and Horn Lake had disappeared. The block that once occupied Carling Brewery was open for development, and the Canada Pacific Railway tracks were laid out alongside Carling Creek.

Description

The sudden availability of land in a relatively short period of time, resulted in consistency in building designs. Wide gable ends on the front, with small attic windows, ornamented with milled woodwork that are sided with shingles, can still be seen throughout the area. While these decorative gables are a common element in the area, the distinctiveness comes from similarities being found in a variety of building plans and heights.

The Piccadilly area contains a high concentration of significant cultural heritage resources with over 70 heritage listed and designated properties on the City's Register. Some notable properties within the area include:

- 301 Piccadilly Street (c.1872), home of James Shanley, organizer of the London Field Battery and Local

- Master of the Supreme Court
- 336 Piccadilly Street (c.1907), also known as Kenross, designed for Charles R. Somerville, founder of a paper box manufacturing company that grew into Somerville Industries
- 398 Piccadilly Street (c.1903) designed by Herbert E. Mathews for John George Richter, a president of the London Life Insurance Company
- 445 Piccadilly Street (c.1905) built by architect William G. Murray for Mr. Fred Henderson, a clerk with Robinson, Little & Co., Wholesale and Dry Goods Dealers

The Piccadilly area is consistently recognized by members of London's heritage community when areas in the City are discussed for potential Heritage Conservation District designation. Although the area has seen newer 20th century development, much of Piccadilly still dates from its early turn-of-the-century period of rapid building and construction.



07 OLD SOUTH II

The Old South II area generally includes properties south of Duchess Avenue/McKenzie Avenue, west of Ridout Street South, north of Baseline Road East, and west of Wharncliffe Road South. The area abuts the existing Wortley Village- Old South Heritage Conservation District.

PRIMARY USE: residential

ASSESSMENT:

Old South II rates strongly in several factors and is emerging in others used to assess candidate areas for further study as potential heritage conservation districts.





Background

The Old South II area was annexed by London in 1890 and developed substantially between the World War I and World War II. South of Emery Street East – between Wharncliffe Road South and Edward Street – interwar period homes of the 1920s and 1930s are laid out in narrow blocks. East-west roads in this portion of the area extend only one or two blocks, with several prominent bends (notably along Elworthy and Iroquois Avenues). Examples of predominantly vernacular styles dating to the early 20th century are found throughout the area. A distinct sense of place is found with respect to scale, massing, setbacks and groupings of similar decorative motifs or plans.

Description

The Old South II area is generally characterised by an eclectic mix of 19th century and many 20th century detached residential properties. The area contains a number of significant cultural heritage resources with nearly 50 heritage listed and designated

properties on the City’s Register. Some notable properties within the area include:

- 244 Base Line Road East (c1934), Eclectic styling in brick with Tudor details
- 139 Briscoe Street East (c1882), Ontario Cottage with edged hip roof and pediment gable with gingerbread verging
- 161 and 163 Devonshire Avenue; couplet of (c1938) Tudor Revival brick buildings with stone trim
- 198 Emery Street East (c1875), Ontario Cottage built for Thomas Hayden who early on farmed the area bounded by Wortley Road, Wharncliffe Road S, Briscoe Street and Devonshire Avenue
- 212 Emery Street East (c1890), Ontario Cottage with central pediment gable and two front bays
- 128 Langarth Street East (c1883), Ontario Cottage; frame with original wood siding
- 353 Wortley Road (c1919), one-and-a-half storey Queen Anne red brick with high cross-gabled roof
- 379 Wortley Road (1921), one and a half storey in the Prairie style

with red Spanish tile roof; former home of Mary Scoffield (1907-1992), London's first female medical specialist

- 385 Wortley Road (c1890), Italianate styling with partially enclosed front verandah

There are some areas of archaeological potential identified in the Archaeological Management Plan (2017).



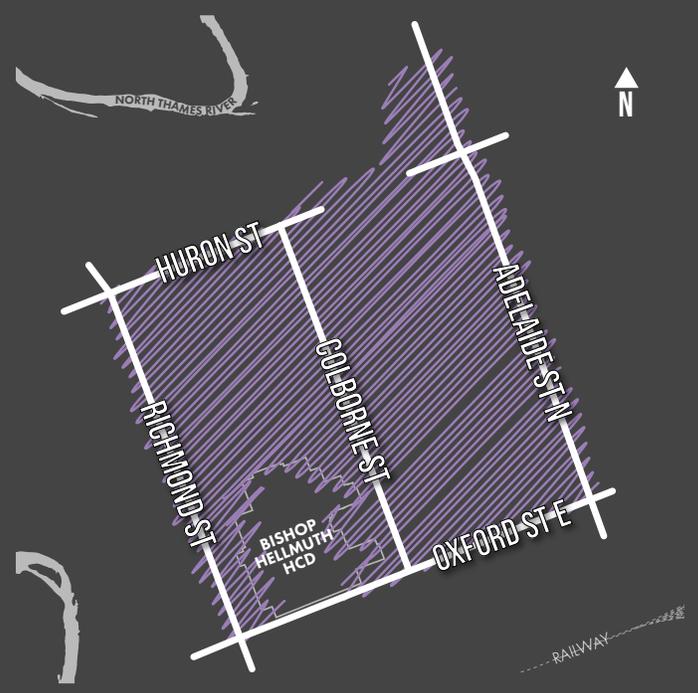
08 OLD NORTH

The Old North area generally includes properties south of Huron Street and the North London Athletic Fields, west of Adelaide Street North, north of Oxford Street and east of Richmond Street. Old North completely surrounds the existing Bishop Hellmuth Heritage Conservation District.

PRIMARY USE: residential

ASSESSMENT:

Old North rates strongly in several factors and is emerging in others used to assess candidate areas for further study as potential heritage conservation districts.





Background

Formerly located at the north end of the City of London, Old North was part of a large area surveyed for settlement in the 1840s. The area remained largely undeveloped until the end of the 19th century. Many of the extant residential structures were constructed in the early 20th century, mostly before World War II. North-south streets within the area – to the immediate south – are generally continuations of those of the old City of London. Generally, the survey pattern of Old North reflects its association with inter-war era development.

Description

Old North is generally characterised by detached, low-rise residential properties with a number of wide, tree-lined boulevards. Groupings of residential-vernacular – with some examples of architect-designed residences – are found throughout the area. A distinct sense of place is found throughout, particularly along prime streetscapes, such as Clenray Place

and Richmond Street North between Oxford and Huron Streets.

The area contains a high number of significant cultural heritage resources with over 180 heritage listed and designated properties on the City's Register. Some notable properties within the area include:

- 1 to 18 Chalmers Street (1933-37), clustering of inter-war Tudor Revival residential properties
- 1 to 17 Clenray Place, cul-de-sac (1932-36), strong streetscape of compatibly-designed properties
- 807 Colborne Street (1909), Fire Hall No. 4; designed by architect Arthur E. Nutter and features a hose-drying tower
- 290 Huron Street (1929), owned by Stuart Gallagher of Gallagher Motors Ltd; Tudor Revival style with original casement windows and picturesque dormers
- 401 Huron Street (1937) Colonial with centre hall plan and wood siding
- 986 Richmond Street (c1908), in the Shingle Style with gambrel roof sheathed in slate

- 268 Regent Street (1935), Albert M. Masuret was the first owner who was a well-known wholesale grocer; Herbert E. Murton architect, designed in the English Cottage style
- 273 Regent Street (1927), house exhibiting many recognizable features that define the Arts & Crafts style
- 784 Richmond St (1863), Picturesque Gothic with double gable façade
- 371 St James Street (1880), former home of William Wyatt in the Italianate style
- 325 Victoria Street (1930) Tudor Revival styling in stucco and brick, projecting decorative beams on front façade and low pitched gable roof

The area contains archaeological potential identified in the Archaeological Management Plan (2017).



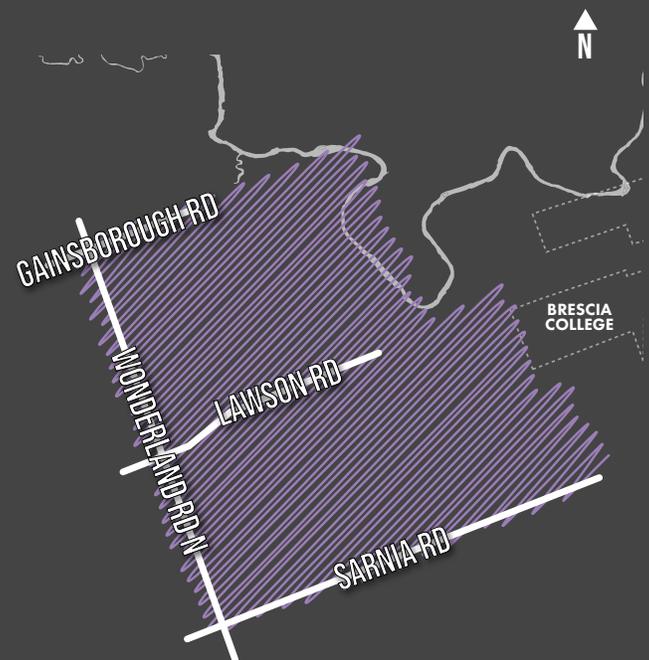
09 ORCHARD PARK SHERWOOD FOREST

The Orchard Park Sherwood Forest area generally includes properties south of Gainsborough Road and Medway Valley Heritage Forest ESA, west of Brescia Lane, north of Sarnia Road and east of Wonderland Road North. Abutting the Orchard Park Sherwood Forest area to the north is the Elsie Perrin Williams Estate, and to the east is Brescia College.

PRIMARY USE: residential

ASSESSMENT:

Orchard Park Sherwood Forest rates strongly in several factors and is emerging in others used to assess candidate areas for further study as potential heritage conservation districts.





Background

The Orchard Park Sherwood Forest area is associated with residential subdivision development outside the City core during a period of post-war growth. This period saw a major increase in the population to the City (of nearly 60,000 people) during annexation in 1961.

In 1955, developer Bill Davies confirmed plans for a \$7.5 million, 500 home development on land in the Brescia Heights area of what was then the former London Township. Promotional material stated that this project is to be “carved out a huge apple orchard” from farms owned by the Sleights, Edwards, and Palsers into the Orchard Park subdivision. Many of the street names within Orchard Park reflect Davies’ interests. Bromleigh Avenue is from Birmingham, England, where Davies’ daughter lived. Further, Wychwood Park echoes the name of the Toronto neighbourhood where Davies grew up. Development continued gradually north of Orchard Park, as Sherwood Forest on the former site of Dr. Russell Schram’s

farm. The development proceeded in three phases: 1960, 1963, and 1964.

Description

The Orchard Park Sherwood Forest area is a characteristic planned residential subdivision of the 1950s and 1960s era, comprising mainly single-family detached residential properties sited along winding crescents and cul-de-sacs. Irregular parcels have resulted a distinct rhythm of staggered building frontages.

There are many parks with open green space in the area, including Gretna Green Park, Ruskin Park, Rollingwood Circle Park and A.L. Furanna Park. The grounds of the former Sherwood Forest Public School also offer recreation opportunities. There are two elementary schools, Orchard Park and St. Thomas More.

The area includes two heritage listed properties on the City’s Register – 33 Bromleigh Avenue (1962) and 122 Bloomfield Drive (1956) – which reflect Mid-Century Modern architectural styling. In addition to

a high concentration of 1950s and 1960s residential structures, the area includes a number of physical features and characteristics representative of subdivision planning and design including the prevalence of bungalows with attached garages or carports, wide chimneys and wide setbacks. Development of the subdivision is indicative of the period, and includes the use of cul-de-sacs and integration with the natural topography and planned park spaces.

A request from the Orchard Park-Sherwood Forest Ratepayers Association was received in May 2013 to add their community to the priority listing of potential HCDs. This was received by the London Advisory Committee on Heritage (LACH) on June 12, 2013, and approved by Municipal Council’s resolution on June 25, 2013.



10 LAMBETH

The Lambeth area is located in the south end of London and includes properties in the former village of Lambeth. James Street, Campbell Street, Sunray Avenue and Dingman Creek loosely form the edges of the area.

PRIMARY USE: commercial/residential

ASSESSMENT:

Lambeth is an emerging area for further study as a potential heritage conservation district, reflecting many of the factors used to assess candidate areas for *Heritage Places 2.0*.





Background

For the purposes of this characterization study, the Lambeth area generally comprises the central core of the former rural village of Lambeth – centred around the intersection of two historic transportation routes – Colonel Talbot Road and Main Street/Longwoods Road. The Euro-Canadian history of the village of Lambeth dates to around 1809, when Abraham Patrick settled on the east side of Dingman Creek. A post office was established in the community in 1840, operating under the names of Westminster and Lambeth; the post office was located along Main Street, west of Colonel Talbot Road. Lambeth was annexed by the City of London in 1993, and maintains a strong sense of place as a distinct community.

Description

The area includes a number of low-rise detached residential structures, commercial structures and park spaces. Two churches, Lambeth United Church and Trinity Anglican Church,

are located near the core of the area along with a cemetery and cenotaph. Several of the primary streets in the area are named for key figures in Lambeth’s development history. For example, James and Beattie Streets are named for James and Sarah Beattie, who, in 1865, purchased land from the St. Andrew’s Division of the Sons of Temperance, and then sold this property to the Wesleyan Methodist Church in 1866 (Anguish, 16).

The area contains a concentration of significant cultural heritage resources with nearly 40 heritage listed and designated properties on the City’s Register. Some notable properties within the area include:

- 4307 Colonel Talbot Road (1868), Trinity Anglican Church and Cemetery
- Lambeth’s Cenotaph
- 4380 Colonel Talbot Road (1861), Beresford House; property associated with early settler Merrill S. Ayers, who he purchased the lot in 1853 where the present house is located
- 4402 Colonel Talbot Road (1925),

McEacheren School; designed by architect Herbert McBride in the Beaux Arts style

- 2457 Main Street (c1870), Gothic Revival styling
- 2527 Main Street (c1865), Georgian style with centre hall plan

The City of London is currently undertaking the preparation of a Community Improvement Plan (CIP) for Lambeth (draft 2018). The Lambeth Village Core is subject to the Southwest Area Secondary Plan (2017 update). Areas of archaeological potential are identified in the Archaeological Management Plan (2017).



11 HAMILTON ROAD

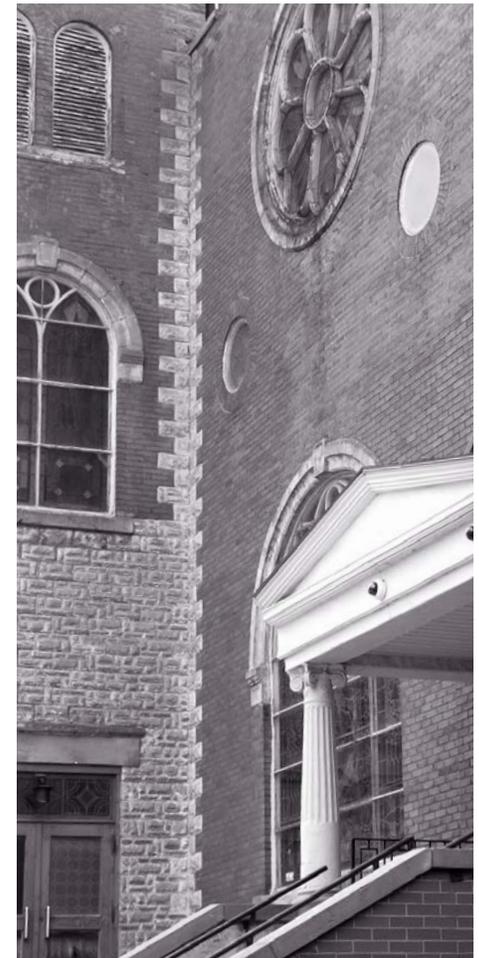
The Hamilton Road area is located southwest of the downtown city core and includes properties surrounding Hamilton Road, as the name of the area implies. The area generally includes properties south of the Canadian National Railway, west of Highbury Avenue North and east of Adelaide Street North. The south branch of the Thames River forms a natural southern boundary.

PRIMARY USE: commercial/residential

ASSESSMENT:

Hamilton Road is an emerging area for further study as a potential heritage conservation district, reflecting many of the factors used to assess candidate areas for *Heritage Places 2.0*.





Background

The Hamilton Road area has and continues to be an important route into the City's downtown core. The area west of Adelaide Street to east of Egerton Street was annexed by London in 1840. After annexation, the area began to emerge as an industrial area with a number of small oil refineries. The number of industrial and commercial properties increased after the Grand Trunk Railway (currently part of the Canadian National Railway system) was completed in 1853. The remaining portion of the Hamilton Road area became a part of the City of London in 1885 when the area west of Egerton Street was annexed. In the early 20th century, a number of industrial businesses relocated, which allowed for large areas to be subdivided for housing. Industrial business along the railway consolidated, and commercial properties continued to grow along Hamilton Road.

Description

Hamilton Road continues to be the spine that runs through the area, and includes a high concentration of detached late 19th to mid-20th century low-rise commercial properties as well as institutional, educational, and spiritual structures. The angle of Hamilton Road creates an irregular, but rhythmic pattern of lots and building facades. Neighbourhoods branching off from Hamilton Road include high concentrations of residential structures dating from the late 19th to mid-20th century, and it is not uncommon for a residential structure to be identical to other houses on the street.

The Hamilton Road area contains a high concentration of significant cultural heritage resources with over 150 heritage listed and designated properties on the City's Register. Some notable properties within the area include:

- 75 Dillabough Street (c.1915), first occupant was J.H. Parker, a foreman
- 88 Egerton Street (c.1914), first occupant was W. Clarke Rumble of Barton and Rumble Carworks
- 77 Price Street (c.1875) Henry Stratford, a plasterer
- Smith Street – (c.1908), a row of identical houses

Working with the local community, Planning Services undertook a Community Improvement Plan (CIP) for the Hamilton Road Area which was adopted by Municipal Council in March 2018.



12 BRAEMAR CRESCENT

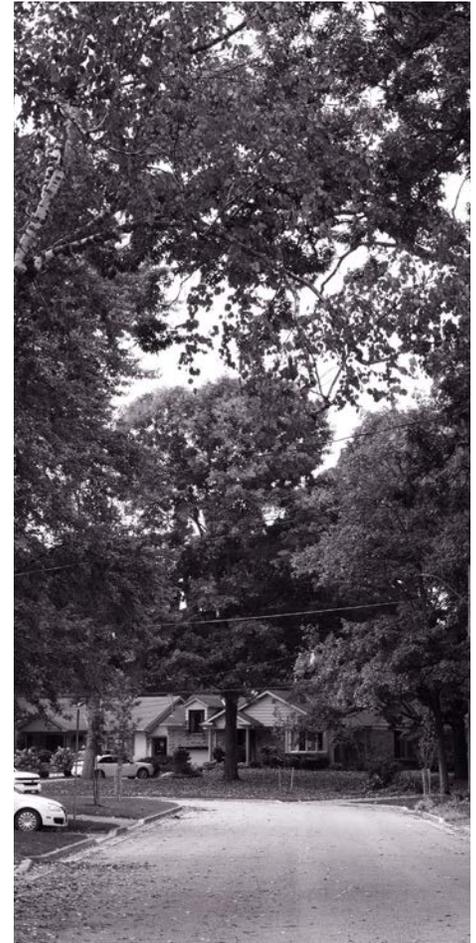
The Braemar Crescent area is located in West London and generally includes properties fronting Braemar Crescent as the name of the area implies. The area is generally located south/west of Braemar Crescent, north of the Thames River, and east of Wonderland Road North.

PRIMARY USE: residential

ASSESSMENT:

Braemar Crescent is an emerging area for further study as a potential heritage conservation district, reflecting many of the factors used to assess candidate areas for *Heritage Places 2.0*.





Background

Braemar Crescent was London's first subdivision, and the first subdivision development undertaken by London home-builder Harry Sifton (The Sifton Construction Company) in an area then located outside of the City limits. The area is generally characterised by mainly single story two and three bedroom homes situated on lots to take advantage of the existing landscape and mature trees. Development primarily dates from 1949 to 1951. The south half of the plan of subdivision – comprising long residential lots fronting Riverside Drive (then North River Road) and backing onto the Thames River – was registered in 1948. The north half of the subdivision, comprising smaller, irregularly-shaped lots along Braemar Crescent, was approved in 1950. Construction began in spring 1950, with a total of 57 homes being built from 1950-1951. Braemar Crescent was a pivotal point for Sifton, and a litmus test as the Company considered future development in London.

Description

Braemar Crescent is associated with the suburban development of London beginning in the 1950s. It is the first example of a suburban residential development by a private developer and the first subdivision by local home-builder Harry Sifton and the Sifton Construction Company. The area includes a high concentration of structures from the 1949-1951 Sifton development. A distinct sense of place is found along Braemar Crescent throughout the Braemar Crescent development. No properties within the area are currently listed or designated on the City's Register.



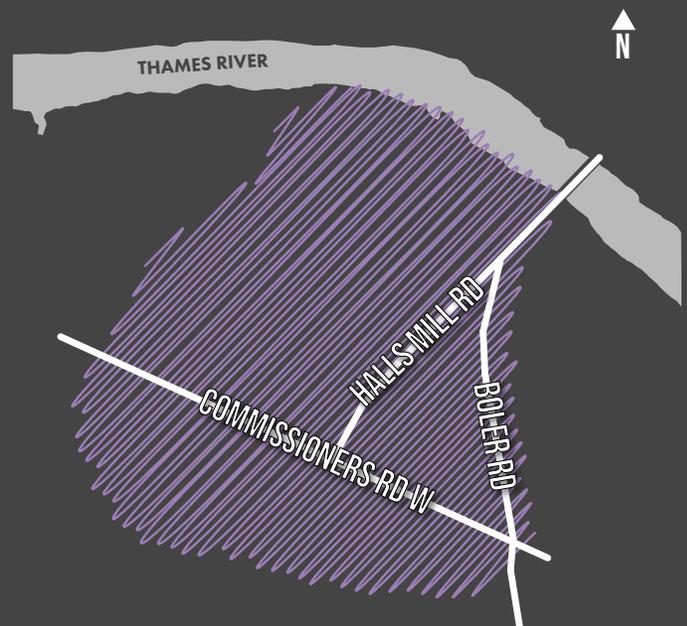
13 HALL'S MILLS

The Hall's Mills area is located in West London and generally includes properties on Halls Mill Road, as the name implies. The area is generally bounded by the Thames River to the north, Boler Road to the west, Commissioners Road West to the south and Stephen Street to the east. The surrounding area includes Springbank Park.

PRIMARY USE: residential

ASSESSMENT:

Hall's Mills is an emerging area for further study as a potential heritage conservation district, reflecting several of the factors used to assess candidate areas for *Heritage Place 2.0*.





Background

In the 1820s, a carding and fulling mill was constructed in this location along the Thames River. Burleigh Hunt purchased that property in 1831 and constructed a gristmill and dam across the Thames River. The business was purchased in 1833 by Cyrenius Hall, after whom the hamlet was known. The village of Byron developed around Hall's Mills, and in 1961 the Village of Byron was annexed by the City of London.

The Hall's Mills area is associated with the early history of Westminster, Hall's Mills and Byron Village. Westminster was called Hall's Mills as early as 1845 by local community members. In 1853 the area officially became Hall's Mills in honour of Cyrenius Hall an early owner of a gristmill and dam constructed across the Thames River at this location. At that time the area was settled by 200 people and had post office and . In 1857, Hall's Mills was renamed Byron by Sir Henry Niles after a village close to London England. The area continued to grow and in 1961 the Village of Byron was annexed by the City of London.

Description

The Thames River exerts a strong presence in the area and is a significant geographical, contextual, and historical feature. The natural topography, dense canopy, and location of Hall's Mills along the Thames River contribute to the character and secluded sense of place.

The Hall's Mill area is generally characterised by the collection of early- to mid-19th century properties along Halls Mills Road and Commissioners Road West. The properties along Halls Mills Road ranges in styles, including Georgian, Ontario Cottage and Queen Anne. Halls Mill Road is also almost completely surrounded by parks, which contributes to the character of the area. There are several properties along Commissioners Road West that are included in the area, including 1289 Commissioners Road West, which is believed to be the last remaining building of the original commercial area.

Within a relatively small area, Hall's Mills contains a concentration of cultural heritage resources that are listed on the City's Register. Some notable properties within the area include:

- 225 Halls Mill Road (c1860), Ontario Cottage with centre gable
- 247 Halls Mill Road (c1890), Queen Anne styled with bargeboard and open verandah with decorative gingerbread detailing
- 249 Halls Mills Road (c.1835), occupied by Dr. John Lee and his wife who operated a private school out of their home until 1842 – it is a typical five-bay Georgian styled house
- 1288 Halls Mill Place (c1834), Gothic Revival, built by C. M. Elson, carpenter in Byron
- 1289 Commissioners Road West (c.1835), house of Lanson Harrington, a trunk and saddle maker
- 1344 Commissioners Road West (c.1853), St. Anne's Church in Gothic Revival style



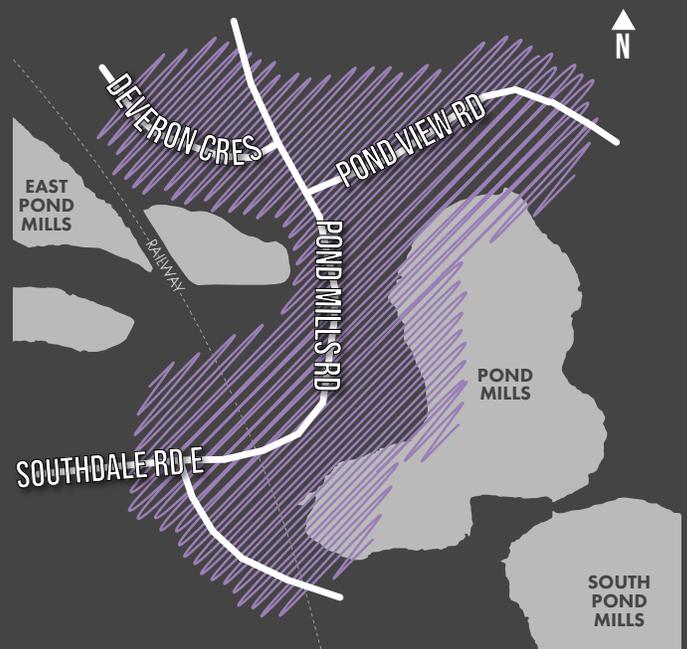
14 POND MILLS

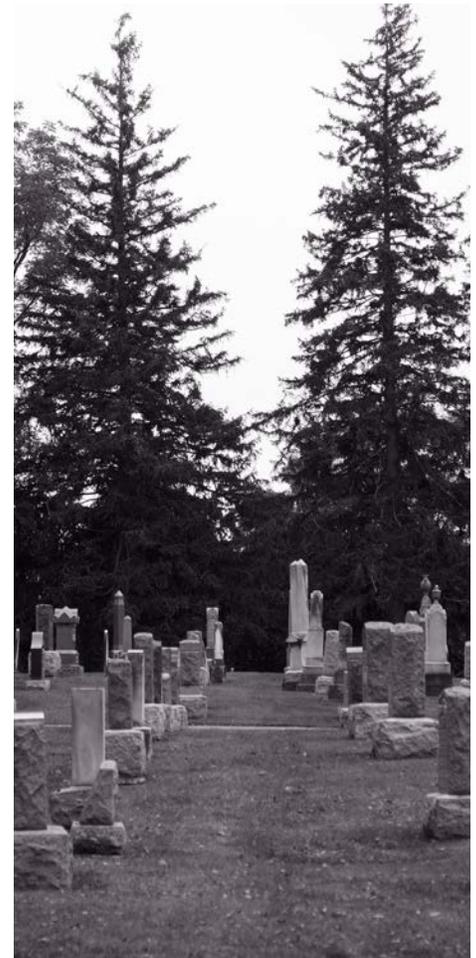
The Pond Mills area is located in south/east London and is mostly surrounded by Westminster Ponds-South- Pond Mills ESA. The area generally includes properties south of Pond View Road, north/west of Pond Mills Road and east of Pond Mills Road/Southdale Road East.

PRIMARY USE: residential

ASSESSMENT:

Pond Mills is an emerging area for further study as a potential heritage conservation district, reflecting several of the factors used to assess candidate areas for *Heritage Place 2.0*.





Background

Pond Mills is one of the oldest settlements in the former Westminster Township and associated with the small rural settlement that developed here in the 19th century. The area is characterised by the surrounding natural landscape, which includes the Westminster Ponds – Pond Mills Environmentally Sensitive Area and its kettle lakes. This is a key landscape feature. Previously recorded Indigenous sites in the area include, at least, one late Archaic period site (2500 – 1000 BC) and one Middle Woodland period site (BC 500- 500 AD).

This area attracted early settlers to shores of the Ponds, with a French settler named Mr. Lumeree building the first mill on the Pond in 1823. A hamlet soon grew to include small grist mills, cheese factories, general stores, a school, church and cemetery. The Pond Mills Cemetery on the North Pond, is one of the oldest in London, with the first burial recorded on May 12, 1825.

Pond Mills contains several scenic features which contribute the area's attractiveness. These include the natural areas surrounding the Ponds and stretches of scenic roadways along Pond Mills Road where it meets Southdale Road as well as a stretch of Pond View Road.

Description

The area includes several listed properties on the City's Register which comprise remnants of the former "Scottish Settlement" that grew around the Ponds. Some notable heritage resources within the Pond Mills area include:

- Pond Mills Cemetery
- 555 Pond Mills Road (c1843), original home of miller whose grist mill was located nearby; the foundations of the mill are still visible
- 570 Pond Mills Rd (c1870), 1 ½ storey white brick Ontario farmhouse
- 700 Pond Mills Road (c1870), Baty House, a Gothic Revival farmhouse still within its original setting

- 1075 Pond View Road (c1870), an early Ontario farmhouse

Pond Mills was identified in the original Heritage Places as an area of outstanding historical, architectural and natural character that had potential for designation as a heritage conservation district under Part V of the Ontario Heritage Act. Areas of archaeological potential are identified in the Archaeological Management Plan (2017).

APPENDIX

HERITAGE CONSERVATION DISTRICT - DESIGNATION PROCESS

Ultimately, the objective of designating an area under Part V of the Ontario Heritage Act is the long-term conservation and management of its cultural heritage value or interest.

Policy – Ontario Heritage Act + The London Plan

The *Ontario Heritage Act (OHA)* enables local municipalities to designate *Heritage Conservation Districts (HCD)* provided the requirements of the OHA are met and the municipality has sufficient supporting policies within its official plan. London's official plan, *The London Plan*, contains sufficient policies to enable the designation of an HCD in accordance with the OHA, as well as the identification of criteria for the evaluation of potential HCDs (Policy 575).

“City Council will consider the following criteria in the evaluation of an area for designation as a heritage conservation district:

1. The association of the area with a particular historical event or era that is unique to the community.
2. The presence of properties which are considered significant to the community as a result of their location or setting.
3. The presence of properties representing a design or method of construction which is considered to be of cultural heritage value or interest to the community, region, province, or nation.
4. The presence of properties which collectively represent a certain aspect of the development of the city that is worthy of maintaining.
5. The presence of physical, environmental, or aesthetic elements which, individually, may not constitute sufficient grounds for designation as a heritage conservation district, but which collectively are significant to the community” (Policy 576).

Process – Requests for Designation

The City has traditionally dealt with a request for HCD designation in a sequential process. Following Municipal Council's direction in response to a request from the community, a request for proposals is issued to select consultants to undertake the formal study to determine whether an area meets *The London Plan* and provincial requirements for protection as a HCD

under Part V of the *Ontario Heritage Act (OHA)* and to make recommendations regarding possible boundaries. As part of this phase, the consultants are required to conduct at least one public information meeting. Upon reporting back to Municipal Council, Municipal Council may then direct the preparation of a Plan & Guidelines for the proposed HCD. Again, at least one public information meeting is required as well as a statutory public meeting before Planning and Environment Committee prior to a recommendation that Municipal Council pass a by-law to designate the HCD pursuant to Part V of the OHA. The passing of the by-law triggers a thirty day appeal period. If an appeal is launched, the HCD is not in force and effect until the appeal is resolved.

The following are the key steps to designate a HCD as outlined in the *Ontario Heritage Tool Kit – Heritage Conservation Districts* (p16):

The Study

- o Step 1 – Request to designate
- o Step 2 – Consultation with the Municipal Heritage Commission
- o Step 3 – Official Plan provisions
- o Step 4 – The Area Study and Interim Control
- o Step 5 – Evaluation of cultural heritage resources and attributes
- o Step 6 – Delineation of boundary of the study area & potential HCD
- o Step 7 – Public consultation on draft HCD study

The Plan

- o Step 8 – Preparation of the HCD plan and guidelines (public consultation required)
- o Step 9 – Passing the designation bylaw & adoption of the HCD plan
- o Step 10 – Registration of bylaw on title
- o Step 11 – Notification of passing of bylaw to the Ontario Heritage Trust
- o Step 12 – Proposed changes to existing bylaws and Official Plan provisions
- o Step 13 – Implementing the HCD plan

See Figure x.

HCD Study – Required Contents under the Ontario Heritage Act

Section 40(2) of the Ontario Heritage Act (OHA) requires that a study for the purpose of designating one or more

HCDs shall include the following:

- a) Examine the character and appearance of the area that is subject of the study, including buildings, structures and other property features of the area, to determine if the area should be preserved as a heritage conservation district;
- b) Examine and make recommendations as to the geographic boundaries of the area to be designated;
- c) Consider and make recommendations as to the objectives of the designation and the content of the heritage conservation district plan required under section 41.1;
- d) Make recommendations as to any changes that will be required to the municipality's official plan and to any municipal by-laws, including any zoning by-laws. 2005, c. 6. S. 29.

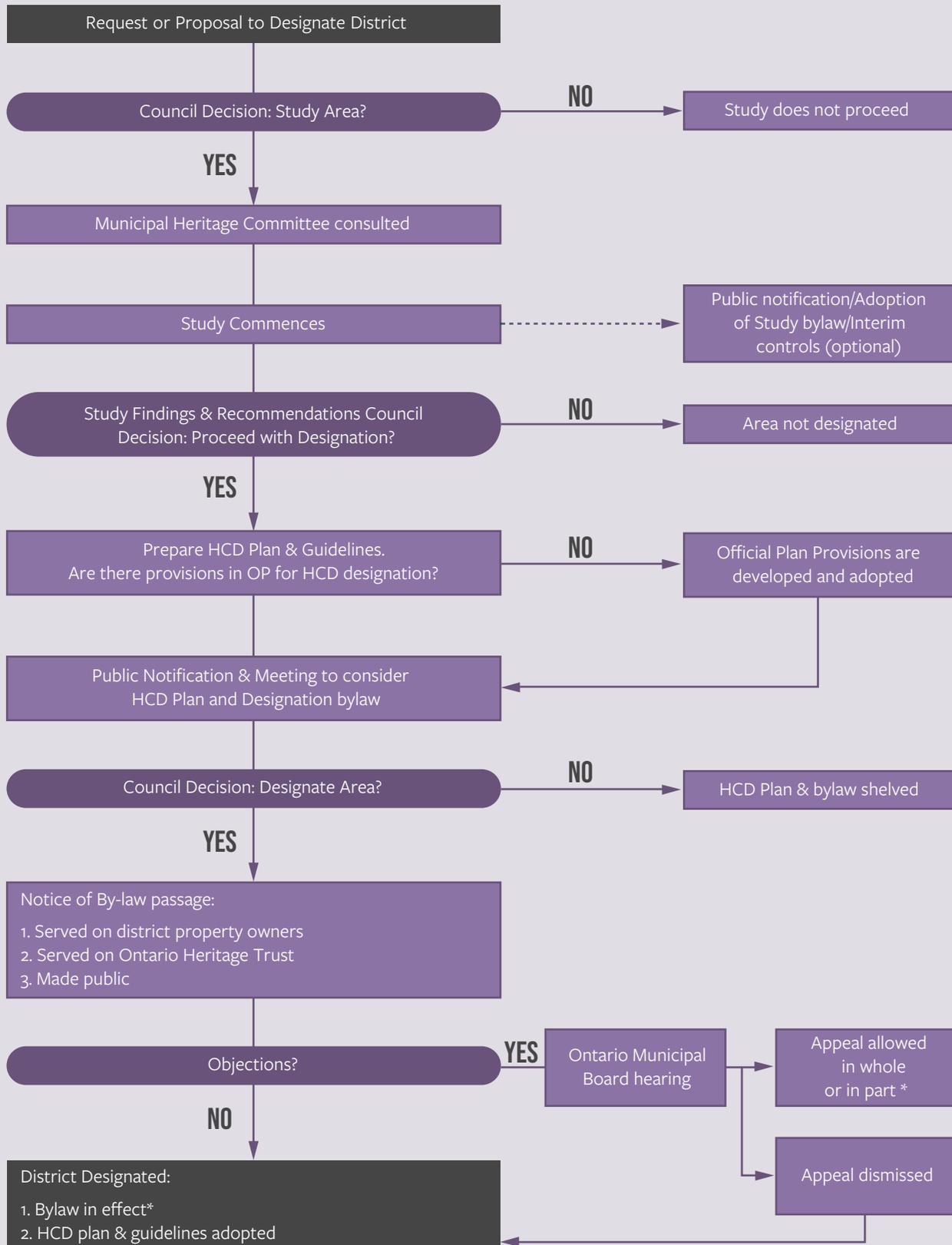
The OHA requires consultation with a municipal heritage committee, where established, with respect to the study (Section 40(3)). London's municipal heritage committee is the London Advisory Committee on Heritage (LACH).

HCD Plan – Required Contents under the Ontario Heritage Act

Should the council of a municipality be satisfied with the findings and recommendations of an HCD Study, it may direct the preparation of an HCD Plan as required by Section 41.1(1) of the Ontario Heritage Act (OHA). The OHA specifies that an HCD Plan shall include:

- a) A statement of the objectives to be achieved in designating the area as a heritage conservation district;
- b) A statement explaining the cultural heritage value or interest of the heritage conservation district;
- c) A description of the heritage attributes of the heritage conservation district and of properties in the district;
- d) Policy statements, guidelines and procedures for achieving the stated objectives and managing change in the heritage conservation district; and,
- e) A description of the alterations or classes of alterations that are minor in nature and that the owner of property in the heritage conservation district may carry out or permit to be carried out on any part of the property, other than the interior of any structure or building on the property, without obtaining a permit under Section 42.

HERITAGE CONSERVATION DISTRICT DESIGNATION PROCESS



*NB. Bylaw may need to be amended for an appeal allowed “in part”

Figure 4. Heritage Conservation District designation process (Ontario Heritage Tool Kit. HCDs, p17)

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DRAFT



London
CANADA

Sent: Friday, November 09, 2018 8:36 AM
To: Saunders, Cathy <csaunder@london.ca>
Subject: comments re: Heritage Places 2.0

Dear Ms Saunders,

Please submit my comments to the Chair and Members of the Planning and Environment Committee regarding Heritage Places 2.0.

Dear Chair and Members of the Planning and Environment Committee,

Re: Public Participation Meeting November 12 2018 - Heritage Places 2.0

I would appreciate having the opportunity to provide input to the document Heritage Places 2.0, and therefore encourage you to please accept the Draft Report so it may be released for public comment.

I am Chair of the North Talbot Neighbourhood Association and have long advocated for the protection of the historical attributes of this district.

The continued political interference and delay in studying the area has resulted in 'champion' buildings being lost.

I recognize that a study may not result in a heritage conservation district designation but the report, completed by an independent consultant, has concluded that the area has strong historical value and merits a study.

It is worthwhile moving this report forward. There are several great areas that merit a study both residential and industrial.

All these areas define a unique historical past, their relationship to the river Thames (historically Antler River) and celebrate architectural design through time.

Sincerely,

AnnaMaria Valastro
133 John Street, Unit 1
London, Ontario N6A 1N7

Report to Planning and Environment Committee

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

**From: John M. Fleming
Managing Director, Planning and City Planner**

**Subject: York Development
131 King Street**

Public Participation Meeting on: November 12, 2018

Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of York Development relating to the property located at 131 King Street:

- (a) The proposed by-law attached as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on November 20, 2018 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Holding Downtown Area Special Provision (h-3*DA1(6) *D350) Zone **TO** a Holding Downtown Area Special Provision Bonus (h-18*DA1(6)*D350*B(_)) Zone.

The B(_) Bonus Zone shall be implemented through one or more agreements to provide for an apartment building height of 30-storeys or 102 metres (334.6ft) with an increased density of up to 931 units per hectare in return for the provision of the following facilities, services, and matters:

- 1) A high quality development which substantially implements the site plan and elevations as attached in Schedule "1" to the amending by-law:

A podium design that includes;

- i) A well-articulated façade screening the multi-level parking structure that includes multiple step-backs, several canopies, planters on the main canopy above the retail level, and includes a variety of materials;
- ii) A prominent principal entrance into the apartment building that is easily identifiable through the use of a recessed entrance and canopy that protrudes above the entrance;
- iii) A retail component, west of the principal apartment entrance, that includes a two storey glass window wall, which maintains a similar rhythm and proportion of the existing storefronts along King Street;
- iv) A large design feature, above the garage entrance (along King Street) to add interest to the streetscape and break up the appearance of this portion of the parking structure;
- v) Ground floor windows on the west elevation with the possibility to become future storefronts facing the alley along the west side of the development, and;
- vi) A canopy along the west elevation providing weather protection to pedestrians traveling between King Street and the rear of the building.

A tower design that includes;

- i) A varied step back of the tower from the podium along the King Street frontage;
- ii) A design feature wall extending from the principle apartment entrance at the base of the podium to the top of tower clad in textured panels and window wall consisting of clear and coloured glazing;
- iii) A protruding design element located on the 23rd and 24th storeys at the north east corner of the building fully clad in window wall consisting of clear and coloured glazing and framed;

- iv) A material and colour palette that provides for a cohesive design between all elements of the building including the podium and the tower;
- v) A high proportion of transparent glazing and a relatively low proportion of exposed concrete or similar materials, including floor to ceiling window walls, and clear glass for balcony railings;
- vi) A high level of articulation on the east and west elevations that reduce the overall visual mass of the building;
- vii) A design of the top of the tower that provides interest to the skyline and is well integrated with the design language of the overall building, and;
- viii) The incorporation of the mechanical and elevator penthouses with the roofline of the tower.

2) Public Parking

The provision of 41 publicly accessible parking spaces on level 1 of the underground parking facility and accessed from York Street. An agreement shall be entered into between the Corporation of the City of London and the property owner to facilitate this requirement.

3) Design Feature

As depicted in the elevations shown in Schedule "1" to the amending By-law a design feature will be located over the main vehicular access off of King Street. The details for this feature, including design, appearance and materials, will be determined in consultation with Staff through the site plan approvals process.

4) Public Art

The financial contribution of funding to a future public art project within the Downtown Area in the amount of 1% of the construction value up to a maximum of \$250,000, to be provided at the time of site plan approval.

5) 3 levels of underground parking

6) Publicly accessible civic space located at the York Street entrance.

- (b) The Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the site plan process:
- i) Provide an enhanced treatment along the westerly elevation portion of the parking garage.
 - ii) Implementation of the recommendations provided in the wind study to reduce wind impacts at the commercial entrance at the northwest corner of the building.
 - iii) Ensure a full Noise and Vibration Study is undertaken to address the concerns raised by CN Rail.

Executive Summary

Summary of Request

The requested amendment is to permit a site-specific bonus zone to allow for a 30-storey (102 metre) apartment building which will include 266 residential units (931uph) on floors 6 to 30, while the ground floor will provide 608m² of commercial space. Three levels of underground parking will be provided in addition to parking on levels 2 through 5, providing a total of 309 parking spaces, 41 of which will be accessible public parking.

Purpose and the Effect of Recommended Action

The purpose and effect of the zoning change is to permit a residential apartment building with a maximum height of 30-storeys which will include 266 residential units.

The bonus zone shall be implemented through one or more agreements to facilitate the development of the requested apartment building in return for, publicly accessible parking spaces, provision of 3 levels of underground parking, publically accessible civic space, \$250,000 financial contribution toward public art, and the construction of the high quality form of development illustrated in Schedule "1" of the amending by-law.

Rationale of Recommended Action

1. The recommended amendment is consistent with the PPS 2014.
2. The recommended amendment conforms to the Downtown Area policies of the City of London Official Plan and Downtown Place Type policies of The London Plan.
3. The recommended amendment facilitates the redevelopment of an existing surface parking lot in the downtown core and encourages an appropriate form of development.
4. The bonusing of the subject site ensures the building form and design will fit within the surrounding area while providing a high quality design standard.
5. The subject lands are located in a location where intensification can be accommodated given the existing municipal infrastructure, and existing and future public transit facilities in the area.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject site is located in Downtown London and is a through lot with its wider frontage along King Street and its narrower frontage on York Street. The site is directly south of the London Covent Garden Market and just east of Budweiser Gardens. The site is approximately 0.28 ha in size and is currently undeveloped and used for surface parking. East and west of the site along King Street are mixed-use buildings with predominately commercial/retail uses at grade and a scale of 2 to 3 storeys in height. The south portion of the site that fronts York Street is located in an area made up of a combination of surface parking lots and low-rise buildings generally used for office and residential type uses.

1.2 Current Planning Information (see more detail in Appendix D)

- The London Plan Place Type – Downtown
- Official Plan Designation – Downtown
- Existing Zoning – h-3*DA1(6)*D350

1.3 Site Characteristics

- Current Land Use – Surface Parking Lot
- Frontage – 32 metres
- Depth – 120 metres
- Area – 0.28 ha
- Shape – Irregular

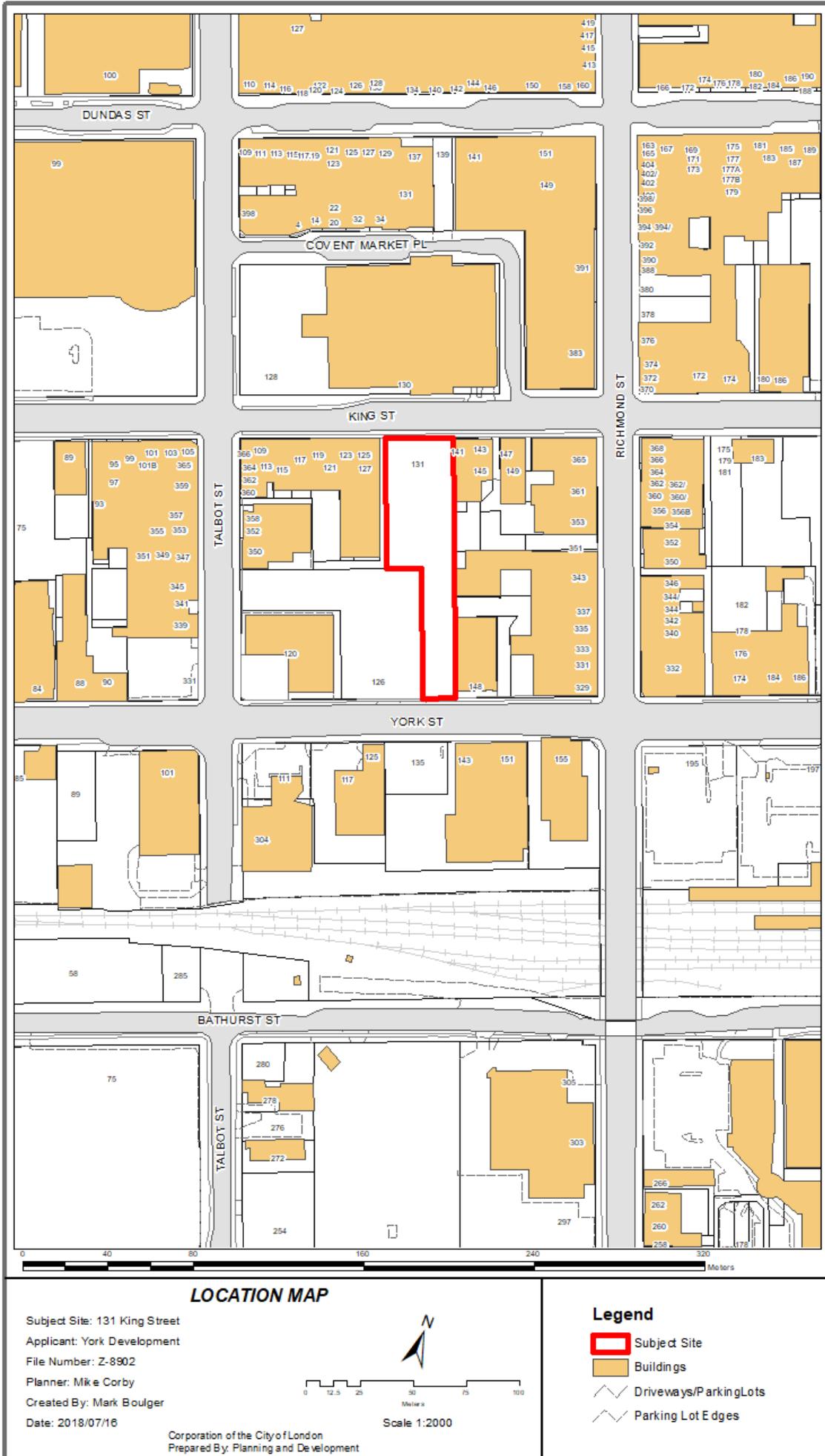
1.4 Surrounding Land Uses

- North – Covent Garden Market
- East – Mixed use buildings
- South – Office/Residential/Surface Parking
- West – Mixed use buildings

1.5 Intensification (identify proposed number of units)

- The proposed development will represent intensification within the Built-area Boundary
- The proposed development will represent intensification within the Primary Transit Area

1.6 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The proposal is for a 30-storey (102 metre) apartment building which will include 266 residential units (931uph) on floors 6 to 30, while the ground floor will provide 608m² of commercial space. Three levels of underground parking will be provided in addition to parking on levels 2 through 5, providing a total of 309 parking spaces. Vehicular access is provided off King Street and York Street to access upper and lower levels of parking.

3.0 Relevant Background

3.1 Planning History

The subject site has been used as a surface parking lot for over 30 years and is located within the Downtown Heritage Conservation District and subject to the policies of the Downtown London Heritage Conservation District Plan, Downtown Design Guidelines and Our Move Forward: London's Downtown Plan.

3.2 Requested Amendment

The requested amendment is for a Zoning By-law amendment from a Holding Downtown Area Special Provision (h-3*DA1(6)*D350) Zone to a Holding Downtown Area Special Provision Bonus (h-18*DA1(6)*D350*B(_)) Zone. The bonus zone would permit a residential density of 931uph and maximum height of 102 metres in return for eligible facilities, services and matters outlined in Section 19.4.4 of the Official Plan. Other provisions such as setbacks may also be considered through the re-zoning process as part of the bonus zone.

3.3 Community Engagement (see more detail in Appendix B)

There were 3 responses received during the community consultation period.

Support for:

- Development in the downtown which does not result in the removal of a heritage building and results in the removal of surface parking
- Total parking provided in the development provides opportunity for public parking in the downtown core

Concerns for:

- Potential snow loading on building
- View of tenants on second floor of existing neighbouring buildings
- Wind impacts
- Prefer building to abut easterly building so as to not create a narrow alleyway between existing and proposed buildings.

3.4 Policy Context (see more detail in Appendix C)

The London Plan identifies the subject site and surrounding area within the Downtown area supporting the City's highest-order mixed uses and activities providing a broad range of uses and heights. The 1989 Official plan also designates the subject site as a Downtown Area ("DA") Designation which is intended to support major office uses, hotels, convention centres, government buildings entertainment uses and cultural facilities which have a city-wide or larger service area.

Provincial Policy Statement, 2014

The Provincial Policy Statement (PPS) 2014 provides policy direction on matters of provincial interest related to land use and development. Section 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use

Patterns of the PPS encourages healthy, livable and safe communities which are sustained by accommodating an appropriate range and mix of residential, employment and institutional uses to meet long-term needs. It also promotes cost-effective development patterns and standards to minimize land consumption and servicing costs. The PPS encourages settlement areas (1.1.3 Settlement Areas) to be the main focus of growth and development. Appropriate land use patterns within settlement areas are established by providing appropriate densities and mix of land uses that efficiently use land and resources along with the surrounding infrastructure, public service facilities and are also transit-supportive (1.1.3.2).

The policies of the PPS require municipalities to identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock (1.1.3.3) while promoting appropriate development standards which facilitate intensification, redevelopment and compact form (1.1.3.4) and promoting active transportation limiting the need for a vehicle to carry out daily activities (1.1.3.2, 1.6.7.4).

The PPS also promotes an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents (1.4 Housing). It directs planning authorities to permit and facilitate all forms of housing required to meet the social, health and wellbeing requirements of current and future residents, and direct the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs. It encourages densities for new housing which efficiently use land, resources, and the surrounding infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed.

The PPS ensures consideration is given to culturally significant heritage properties and that they are protected from adverse impacts by restricting development and site alteration on adjacent lands to protected heritage property unless it has been demonstrated that the heritage attributes of the protected heritage property will be conserved." (2.6.3.).

In accordance with section 3 of the Planning Act, all planning decisions 'shall be consistent with' the PPS.

London Plan

The subject site is located in the Downtown Place Type in The London Plan which promotes the highest-order mixed-use activity centre in the city permitting the widest range of uses. The Plan permits a broad range of residential, retail, service, office, cultural, institutional, hospitality, entertainment, recreational and other related uses. Mixed-use buildings are encouraged with retail and service uses promoted at grade along commercial-oriented streetscapes, with residential and non-service office uses that do not serve a walk-in clientele directed to the rear of buildings and to upper floors (PERMITTED USES_800).

The Downtown will permit the tallest buildings and the highest densities in the city. Buildings are required to be a minimum of either three storeys or nine metres in height and will not exceed 20 storeys in height unless Type 2 Bonus Zoning is applied. Type 2 bonusing allows for a height limit up to 35 storeys in conformity with the Our Tools policies of the Plan. Tall buildings will be permitted only where they achieve a high level of design excellence in conformity with the City Design policies and in accordance with associated guidelines of the Plan. The evaluation of height and built form will take into account access to sunlight by adjacent properties, wind impacts, view corridors, visual impacts on the Thames Valley Corridor, and potential impacts on public spaces and heritage properties located in close proximity to proposed development (INTENSITY_802).

Planning and development applications within the Downtown Place Type will also be controlled through specific form policies. All planning and development applications will

conform with the City Design policies of this Plan, Our Move Forward: London's Downtown Plan, the Downtown Design Manual and will conform with the Downtown Heritage Conservation District Plan and related guidelines. A priority on the pedestrian experience will be encouraged through site layout, building location, and a design that reinforces pedestrian comfort and safety. Building design that represents individual creativity and innovation will be encouraged within the Downtown to create landmarks, develop a distinctive character for the Downtown, and contribute to the city's image (FORM_803).

As noted within the intensity policies of the Downtown Place Type, the policies provide an opportunity to bonus for increases in height and density up to 35-storeys. Bonusing Provisions Policy 1652 outlines the framework and public facilities, services, or matters that can be provided in order to achieve these increases.

Official Plan

The subject site is designated Downtown Area which is the primary multi-functional activity centre serving the City of London and the surrounding area, comprising much of southwestern Ontario. It contains regionally significant office, retail, service, government, recreational, entertainment and cultural facilities and is distinguished from other areas in the City by its concentration of employment and its intensive, multi-functional land use pattern. It is intended that the Downtown will continue to be the major office employment centre and commercial district in the City, and that its function as a location for new medium and high density residential environment will be strengthened over time.

The Official Plan outlines Planning Objectives (4.1.1, Planning Objectives) in the Downtown which should strive to be met through all forms of development within the core. The Official Plan promotes the continued development of the Downtown by allowing for a wide range of uses and encourages the growth of the residential population. It also encourages the provision of a high level of transit services as well as enhancing the attractiveness and accessibility of the Downtown for residents and visitors. The Downtown policies of the Official Plan provide Urban Design Objectives in order to create quality forms of development in the Downtown Area. The policies encourage a high standard of design and require new development be considerate and compatible to surrounding architectural styles and buildings with historic significance (4.1.2, Urban Design Objectives).

Within the Downtown boundaries, a Downtown Shopping Area has been identified. Council shall encourage the retention and enhancement of a Downtown Shopping Area in which the predominant uses at street level shall be retail and service facilities that comprise a pedestrian-oriented shopping environment to serve Downtown workers, the residential population and visitors (4.1.4, Downtown Shopping Area).

The development of a variety of high and medium density housing types in the Downtown will be supported. Residential units may be created through new development or through the conversion of vacant or under-utilized space in existing buildings. Residential development within the Downtown Shopping Area shall provide for retail or service office uses at street level (4.1.6, Permitted Uses, iv) Residential Uses)

The City's Downtown is where the largest densities of office and retail uses shall be located and it is also where the highest residential densities are promoted. The continued increase in residential density is encouraged in order to attract and support the higher intensity of uses and services such as public transit. The highest density permitted without the use of Bonus Zoning is 350 uph for residential developments. In order to create a sustainable downtown population, the policies of the Official Plan permit increases in density under the provisions of policy 19.4.4 in return for the provision of certain public facilities, amenities or design features provided the proposal (4.1.7, i) Scale Limitations). The policies of the Official Plan permit Bonus Zoning as a means of achieving enhanced development features that result in a public benefit which

cannot be obtained through the normal development process in return for permitting increased heights and densities. The Planning Act provides direction on bonusing which allows municipalities to use bonusing provisions in their Official Plan in return for facilities, services, or matters, as are set out in the By-law.

Development projects within the downtown are encouraged to have regard for the positioning and design of buildings to achieve the urban design principles contained in Chapter 11, conform to the Site Plan Control By-law and address standards in Downtown Design Guidelines. It is intended that Downtown development should enhance the street level pedestrian environment and contribute to the sensitive integration of new development with adjacent structures and land uses (4.1.7, ii) Design Considerations). Other key components of the downtown include enhancing the pedestrian circulation and the appearance and continuity of the shopping environment (4.1.9, Circulation Pedestrian). At the same time the plan supports the provision of adequate and well-located off-street parking facilities that are sufficient to meet the demand generated by existing and proposed land uses in the Downtown (4.1.10, Parking)

The Official Plan identifies the Downtown as a Heritage Conservation district (13.3.8.5 Downtown) and as such is subject to the policies of the Downtown Heritage Conservation District Plan. The plan seeks to retain critical functional and visual attributes that convey or have a historical relationship to the area in which they are situated. This can include buildings, natural and cultural landscapes, streetscapes, hardscape elements, and other features that contribute to an area's recognizable character.

Our Move Forward: London's Downtown Plan

The proposal is subject to the guidelines of London's Downtown Plan, and should seek to implement the relevant Strategic Directions of the Plan. These include Forging connections with the downtown neighbourhoods, Greening our downtown, and Building a great neighbourhood.

4.0 Key Issues and Considerations

Through the circulation process no departmental concerns were expressed. Some concerns were raised by the public through the process. The report below addresses the relevant planning policies and concerns in detail.

4.1 Issue and Consideration # 1 – Use

Provincial Policy Statement, 2014

The PPS encourages settlement areas (1.1.3 Settlement Areas) to be the main focus of growth and their vitality and regeneration shall be promoted. Appropriate land use patterns within settlement areas are established by providing appropriate densities and mix of land uses that efficiently use land and resources along with surrounding infrastructure, public service facilities and are also transit-supportive. The proposed development will help continue and promote the vitality and regeneration of the surrounding area and downtown as a whole and maintains an appropriate land use pattern within a settlement area. The proposed apartment will support the existing commercial/retail and entertainment uses in the area and will also help draw future commercial and residential uses to the core. The proposed infill development provides an efficient use of the land at an appropriate density along with a land use that is considered compatible with the surrounding lands. The proposed increase in density is appropriate as the apartment will take advantage of the surrounding resources, infrastructure, public service facilities, will be transit-supportive and at the same time remove surface parking from the downtown.

The proposed residential development also contributes to the mix of housing types in the area and helps in achieving a greater the downtown population. The increased

density is also appropriate as it will support the existing transit routes in the area and the future rapid transit route along King Street where higher densities are encouraged to locate (1.4 Housing).

The London Plan

The subject site is located in the Downtown Place Type which promotes the highest-order mixed-use activity centre in the city permitting the widest range of uses. The proposed apartment building is considered to be a permitted use as it provides a mixed-use building with retail at grade along a commercial-oriented streetscape. (PERMITTED USES_800).

1989 Official Plan

The Official Plan supports the development of a variety of high and medium density housing types in the Downtown. The proposed apartment building is in keeping with these policies as it provides a high density development proposal with retail uses at street level on a vacant lot currently used for surface parking (Permitted Uses, 4.1.6). The proposed development also provides 41 publically accessible parking spaces which can be accessed off of York Street on the first level (level 1) of the underground parking structure. This inclusion of public parking is in keeping with the Official Plan's goals to support the provision of adequate and well-located off-street parking facilities that are sufficient to meet the demand generated by existing and proposed land uses in the Downtown and Downtown Parking Strategy (4.1.10. Parking).

Our Move Forward: London's Downtown Plan

The proposed use also helps in forging connections with the downtown neighbourhoods. The increase in density is directly on a future rapid transit line that will link the downtown to easterly areas like Old East Village and is in close proximity to the connections that will access all the other areas of the City to the north, south and west.

4.2 Issue and Consideration # 2 - Intensity

Provincial Policy Statement, 2014

The PPS requires municipalities to identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock [1.1.3.3]. The proposed apartment building provides a compact form that appropriately intensifies an underutilized site and is located along a Rapid Transit route in the downtown which is a preferred location to promote intensification. The site currently has access to multiple bus routes and is within walking distance to parks and the Thames Valley Corridor, commercial/retail and entertainment uses and My Dundas Place providing services that help the site accommodate increases in density. The site is also of sufficient size to provide a built form that responds to the surrounding context. The proposed development meets the intent of this PPS as it provides a density of new housing which efficiently use land, resources, and the surrounding infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed [1.4.3(d)].

The London Plan

The Downtown is identified as the area of the City where the tallest buildings and highest densities should be located. The London Plan requires a minimum height of 3 storeys or nine meters in order to create a strong street wall within the core. Heights will not exceed 20 storeys unless Type 2 Bonus Zoning is applied which allows for up to 35 storeys in height.

In order for taller more intense buildings to be approved specific criteria shall be met within The London Plan. The proposed development is in keeping with these intensity policies as the proposed development at 30-storeys in height has been able to achieve

a high level of design in conformity with the City Design policies and is generally in keeping with the goals of the Downtown Heritage Planning District. The proposed height and built form have been able to limit potential visual impacts on the surrounding public spaces and the existing view corridors are maintained. The surrounding public spaces (Market Square) will have additional shadowing for a small period of time during the mornings in the spring and fall. The potential wind impacts of the proposed design have been mitigated for the most part through the stepbacks provided at the podium and the surrounding pedestrian realm will maintain safe wind conditions.

The requested amendment would be considered Type 2 bonusing under The London Plan in order to achieve a height of 30-storeys. Bonusing Provisions (Policy_1652) that outline the framework and public facilities, services, or matters that can be provided in order to achieve the proposed increase in height are identified below under the analysis of the current Official Plan. These provisions are similar to the provision undertaken through the 1989 Official Plan and are considered in more detail below.

1989 Official Plan

As previously indicated, the applicant has applied to increase the density to 931uph and a height of 102 metres through the bonusing provisions outlined in Section 19.4.4 of the Official Plan. The policies of the Official Plan permit Bonus Zoning as a means of achieving enhanced development features which result in a public benefit that cannot be obtained through the normal development process in return for permitting increased heights and densities. The Planning Act provides legislation on increases in height and density which allows municipalities to use bonusing provisions in their Official Plan in return for facilities, services, or matters, as are set out in the By-law. The proposed building form and design (discussed in Section 4.3- Form) and provision of 41 public parking spaces, 3 levels of underground parking, publicly accessible civic space off of York Street, a design feature above the main vehicular entrance on King Street and a financial contribution of \$250,000 for Public Art within the downtown core, all of which may not otherwise be implemented through the normal development approvals process, allow the proposed development to qualify for Bonus Zoning in conformity to the policies of the Official Plan. These bonusable features are outlined in the Staff recommendation.

In order to implement the identified items for bonus zoning, section 19.4.4 iv) of the Official Plan states that:

“As a condition to the application of bonus zoning provisions to a proposed development, the owner of the subject land will be required to enter into an agreement with the City, to be registered against the title to the land. The agreement will deal with the facilities, services, or matters that are to be provided, the timing of their provision, and the height or density bonus to be given.”

Bonus zoning is implemented through one or more agreements with the City that are registered on title to the lands. The agreements are intended to “lock in” the design features that will be incorporated into the form of development to merit the additional density. Through the site plan approval process, the proposed development will be reviewed to ensure that all facilities, services and matters that have warranted bonus zoning have been incorporated into the agreements. These design features are highlighted in the recommendation and the amending by-law included in the illustrations attached as Schedule “1”.

4.3 Issue and Consideration # 3 - Form

Provincial Policy Statement, 2014 (PPS)

The proposed development is in keeping with the PPS as it provides an opportunity for intensification at an appropriate location taking into account the existing building stock in the area. The new development provides a compact form that appropriately intensifies an underutilized site while providing an appropriate form of development. The

development will be required to meet current development standards and site plan requirements. King Street is also an arterial road and the easterly connection through the downtown for the future rapid transit system where a high level of design standards are required. The development will promote active transportation limiting the need for a vehicle to perform daily activities in conformity with the goals of the PPS. It also supports the long-term economic prosperity of the area by promoting an opportunity for economic development and community investment-readiness and promotes a well-designed built form that encourages a sense of place, by conserving features that help define character of the area.

The proposed form of development has considered the surrounding heritage context of the downtown through a podium design that appears as 2-3 storeys at street level through different setbacks and design features which responds appropriately to and enhances the existing streetscape along King Street and will help define the future streetscape. The use of a bonus zone ensures the development remains similar in nature to what exists in the area helping create compatibility in the community and protecting the surrounding properties from adverse impacts in conformity with the PPS [2.6.3.].

The London Plan

Developments within the Downtown Place Type will conform to specific form policies of The London Plan. A main feature of the proposed apartment building is the proposed podium which emphasizes the importance of addressing the pedestrian experience through a high proportion of windows of the proposed commercial space looking onto the street creating a more comfortable and safe experience. The applicant has also identified that windows from the commercial space will look out onto the midblock connection being provided ensuring eyes on the alleyway will be maintained. The site's layout is also used appropriately as the narrow portion of land fronting onto York Street has been optimized to help with the pedestrian experience by providing a highly landscaped open area with benches for public use and the mid-block connection helps with pedestrian circulation in the area. The use of a recessed main pedestrian entrance off of King Street with an overhang along with a large canopy structure across the front of the north elevation at approximately the 3rd floor provides pedestrians with opportunities to seek shelter from rain and sun exposure. This same canopy structure carries a similar datum line as the abutting developments and a similar window pattern and size is used at the top of the commercial space in keeping with windows on the abutting properties ensuring continuity and harmony with the surrounding area. The development of a vacant site also helps with the continuity of the shopping environment in the area by contributing to the existing street wall along King Street. The development has been able to provide a creative design that responds to the surrounding context while maintaining its own distinctive character in the downtown and conforming to the form policies of the Downtown Area Place Type.

1989 Official Plan

The Urban Design Objectives of the Downtown Area are similar to those in The London Plan and seek to provide a high standard of design for buildings to be constructed in strategic or prominent locations of the Downtown while discouraging development and design treatments that are considered detrimental to the functional success and visual quality of Downtown. They provide flexibility for individual design creativity and innovation and to the extent feasible, position new development to minimize the obstruction of view corridors to natural features and landmarks. New developments shall provide for continuity and harmony in architectural style with adjacent uses that have a distinctive or attractive visual identity or are recognized as being of architectural or historic significance.

As part of a complete application the applicant provided an Urban Design Brief, and attended the Urban Design Peer Review Panel to identify how the above-mentioned policies have been achieved through the building design and form. Both the Urban Design Peer Review Panel and Staff were generally pleased with the proposed design

but had some concerns with the visual massing of the building due to the length of the building along the north/south axis. It was recommended that the width of the building be reduced at the top portion to help reduce its overall visual massing and scale. There was also a recommendation to break down the mass of east and west sides of the building through additional articulation and separating of the balconies.

The applicant refined the design and was able to reduce the massing on the south side of the building by reducing floors and adding an additional setback on the west side of the building which allows for the removal of the large blank column on the wall and introduction of additional balconies and glazing to soften the view from the west (see fig 1). The south east corner has seen significant reduction in height as well to help reduce the visual massing of the structure (see fig 2). In keeping with direction from Staff and the Panel the balconies on the east and west sides of the building were redesigned in a manner that helps break down the visual massing and length on these sides of the building. The breaking up of the balconies also provided the opportunity to introduce additional glazing to the project resulting in the final design which is attached to the recommended By-law as Schedule "1".

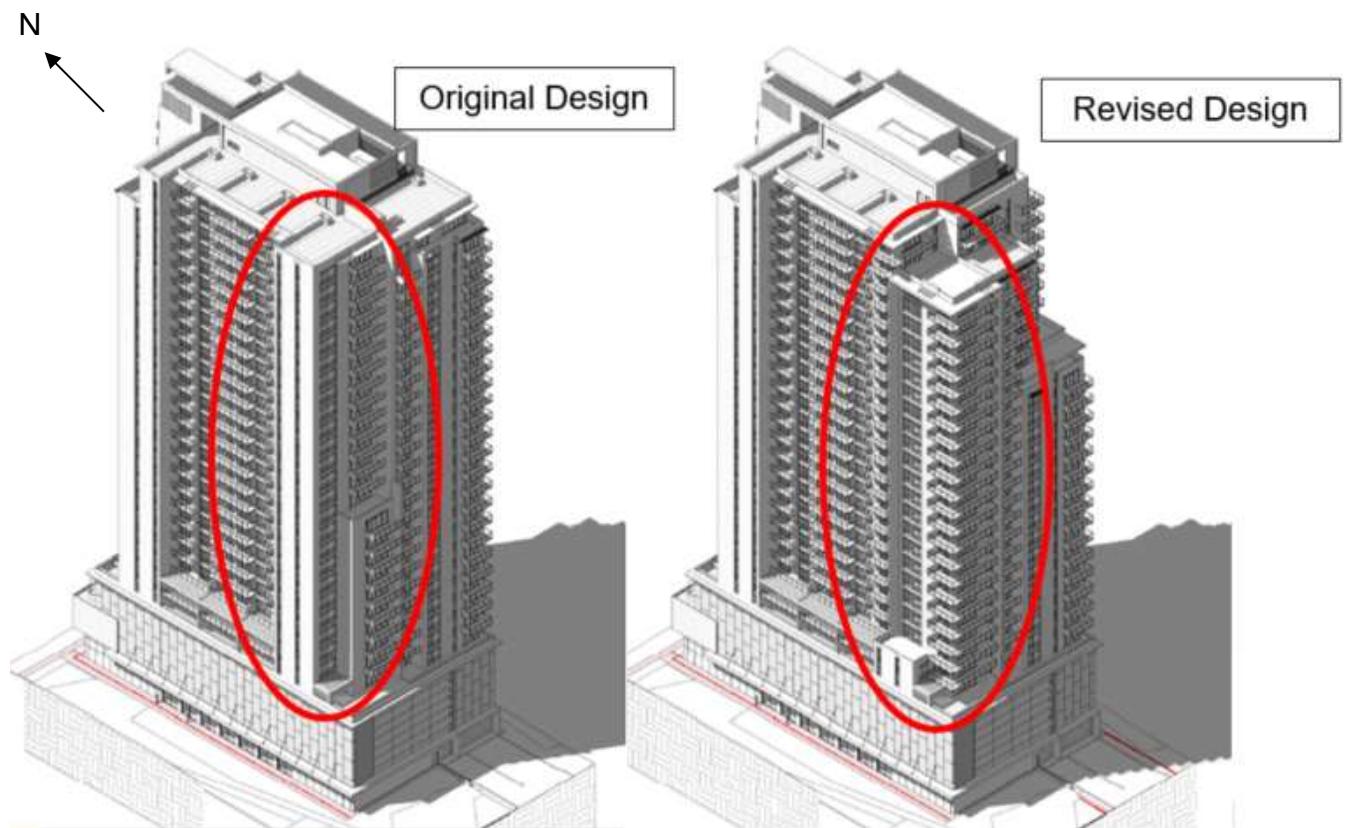


Figure 1 – West Elevation

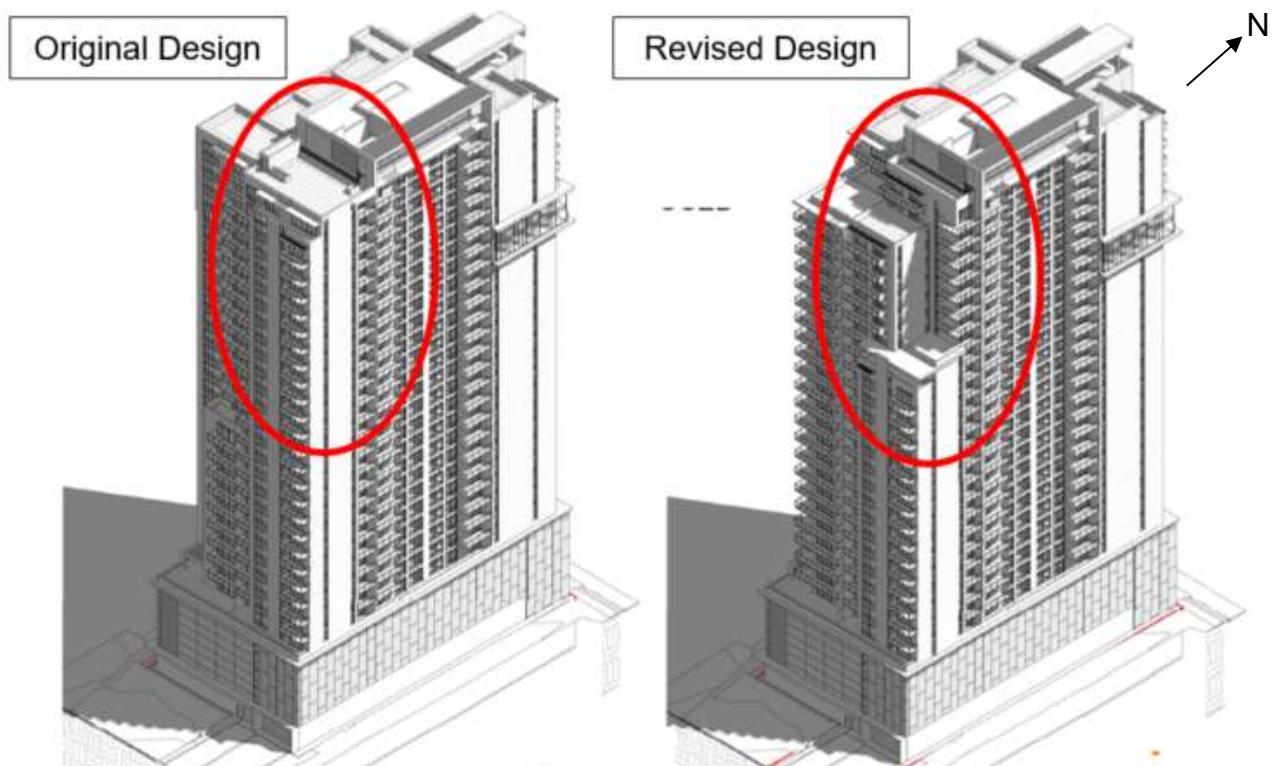


Figure 2 – Easterly Elevation

The final design proposal responds to many of the design concerns and achieves many of the design principles of the Official Plan and The London Plan. The overall massing of the tower portion has been reduced helping limit shadows on the surrounding community and additional articulation has been used to break down the building. The podium provides for the sensitive integration of the development among the adjacent structures and surrounding land uses. The development will support public transit while providing a quality form of development to help enhance the future rapid transit corridor and Downtown. The proposed building is in keeping with the design guidelines outlined in Chapter 11 and in keeping with the Urban Design objectives of the Downtown Area.

4.4 Issue and Consideration # 4 – Heritage

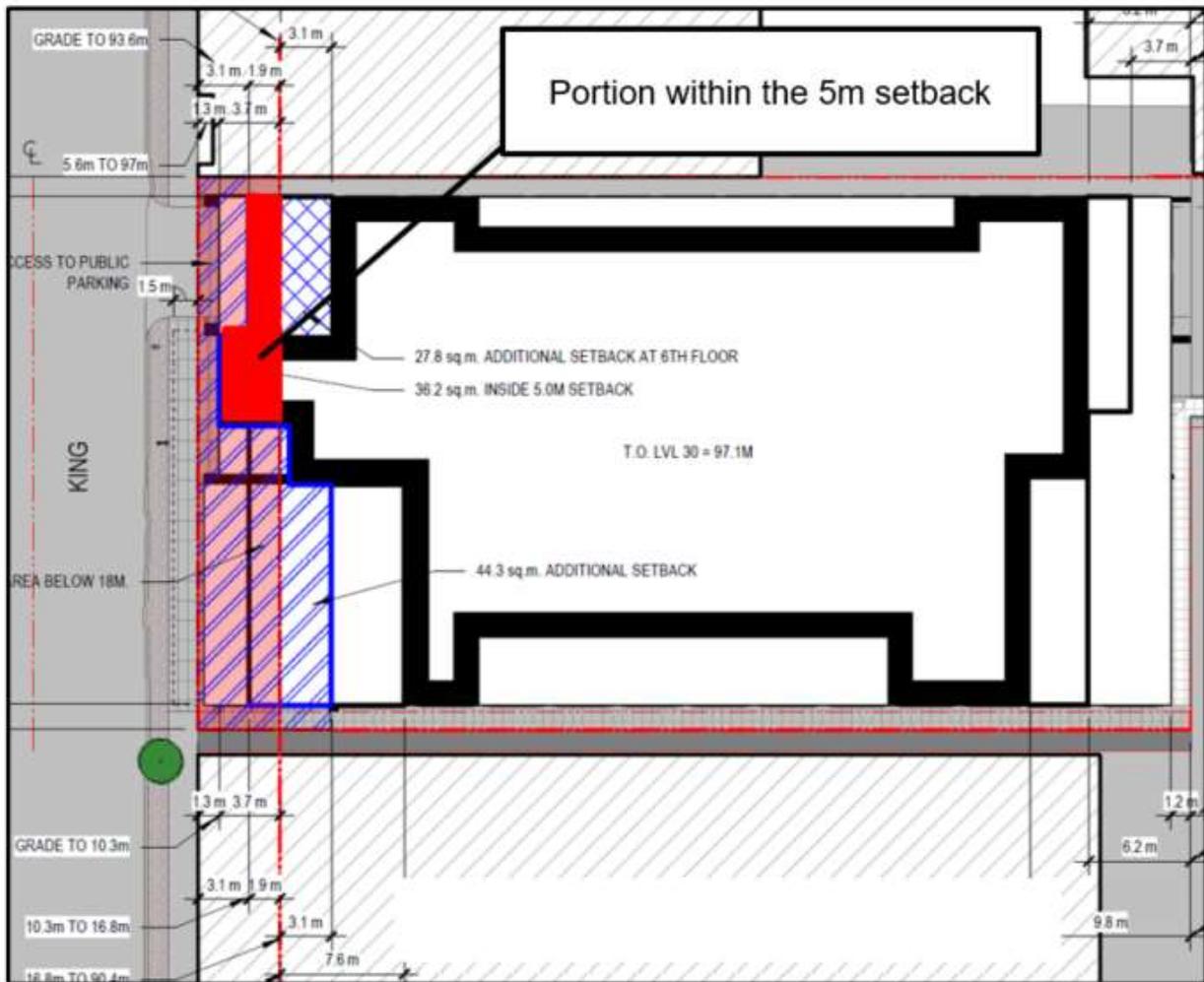
The Downtown contains many of the City's original buildings and some of the most architecturally important structures in our community. Policies for preservation are balanced against policies which promote growth and development in the Downtown. The Official Plan supports a blending of these two approaches to the Downtown by encouraging property owners to incorporate buildings and features of cultural heritage value into new development projects.

The site is located within the Downtown Heritage District, which is designated under Part V of the Ontario Heritage Act (OHA). The proposed development utilizes a vacant lot within a Heritage District and does not result in the demolition of any heritage buildings or loss of any heritage features in the downtown. The development results in a design that is compatible with neighbouring buildings and sets a positive precedent for the Downtown as a whole. Careful consideration was taken in the design of the proposed development to provide a compatible podium that respects the heights and cornices of adjacent buildings. The development continues the existing datum lines and ground-floor scale that have been established with the buildings to the east and west to provide for continuity and harmony in architectural style with adjacent uses in conformity to the policies of the Official Plan. The building materials, though different than abutting properties, pick up the rhythm of the windows on the second floor of the abutting buildings and the overall design maintains the segmented quality of the façade, which works to maintain the rhythm of the storefronts along King Street. Through the use of multiple step backs the podium maintains the general scale of the street and appears at the same height as the building to the east and west (2-3 storeys). The podium design combined with the majority of the tower being well setback from the Dundas Street edge enables the development to maintain a street presence that maintains a low-rise form without being overwhelmed by a significant change in height caused by the tower.

The Zoning Amendment Application and Heritage Impact Statement (HIS) has been received by Heritage Staff and the London Advisory Committee on Heritage (LACH). Although the 5 metre setback was not able to be achieved for the whole frontage of the building no adverse impacts are anticipated to adjacent heritage designated properties and to the urban fabric within the Downtown Heritage Conservation District as a result of the proposed new development.

4.5 Issue and Consideration # 5 – Reduced Setback

Within the Downtown Heritage Conservation District Plan podiums have a maximum height restriction of 18m and after such height require a setback of 5m before the residential tower can be built. In combination with the proposed podium and its high level of design and articulation, along with the use of varying setbacks on the residential tower beyond the 18m height, the resulting form has minimal impacts on the pedestrian realm and within the surrounding area. Additionally the majority of the structure is outside of the 5 metre setback. It is recognized that one of the main design features of the building, which is a long narrow strip of windows up the middle of the tower on the north elevation, stays within the required 5 metre setback. Through the use of a highly designed and articulated podium and multiple setbacks in the tower the development is able to create the feeling of a significant setback and provide a compatible development within the surrounding context.



4.6 Issue and Consideration # 6 – Wind Study

The subject site has an existing holding provision (h-3) which requires the completion of a wind study for buildings over 30 metres in height to ensure development will not have an adverse impact on pedestrian level wind conditions in the Downtown Area. A preliminary pedestrian wind study was completed by the applicant to assess the impacts of the development at a pedestrian scale. The document concluded that the main pedestrian entrance was well sheltered and no impacts would be created. It also

determined that the surrounding sidewalks, westerly laneway, open area at the south side of the property and easterly podium terrace would have no affects.

There is a potential for unsafe conditions during the winter months at the northwest corner of the proposed development at the commercial entrance. The report suggested moving the entrance away from the building corner and/or recessing the entrance similar to the main apartment entrance to the east. Staff is providing direction for this item to be reviewed during the site plan process to see if an alternative entrance is achievable for the commercial space.

4.7 Issue and Consideration # 7 – Archaeology

The subject is located within an area of archaeological potential identified by the Archaeological Management Plan (2017). A Stage 1 archaeological assessment (Bluestone Research Inc., March 2018) was completed, and further archaeological work is required. Given the current use of the property as a parking lot, it may not be possible to proceed with the trenching strategies for the Stage 2 archaeological assessment until further in the development process. The h-18 holding provision is recommended to be applied to the property to ensure that archaeological issues are addressed.

4.8 Issue and Consideration # 8 – Design Feature

The proposed development identifies an art feature above the main vehicular entrance off of King Street. The proposed feature helps mitigate potentially negative effects of a large blank space created due to the multiple levels of above-grade parking being proposed. While it is recognized that the details of the art installation may change, it is essential that an active, interesting element be included to ensure that there are no blank walls for the proposed development. Staff have included this feature as a bonusable item to ensure that the final design feature goes through an additional review process with Staff to ensure the proposed art is appropriate and in keeping with the intent of the Downtown Heritage Conservation District Plan. This process will be undertaken during the Site Plan Approval process.

5.0 Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2014 and conforms to the Downtown Place Type policies of The London Plan and the City of London Official Plan policies. The proposal facilitates the development of an undeveloped lot and encourages an appropriate form of development. The bonusing of the subject site ensures the building form and design will fit within the surrounding area while providing a high quality design standard. The subject lands are situated in a location where intensification can be accommodated given the existing municipal infrastructure, location within the downtown shopping area, and existing and future public transit facilities in the area.

Prepared by:	Mike Corby, MCIP, RPP Current Planning
Submitted by:	Michael Tomazincic, MCIP, RPP Manager, Current Planning
Recommended by:	John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Planning Services	

November 5, 2018
MC/mc

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Appendix A

Bill No. (number to be inserted by Clerk's Office)
2018

By-law No. Z.-1-18_____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 131
King Street.

WHEREAS York Development has applied to rezone an area of land located at 131 King Street, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning 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 131 King Street, as shown on the attached map comprising part of Key Map No. A.107, from a Holding Downtown Area Special Provision (h-3*DA1(6)*D350) Zone to a Holding Downtown Area Special Provision Bonus (h-18*DA1(6)*D350*B(_)) Zone.
- 2) Section Number 4.3 of the General Provisions in By-law No. Z.-1 is amended by adding the following new Bonus Zone:

4.3) B(_) 131 King Street

The Bonus Zone shall be enabled through one or more agreements to facilitate the development of a high quality residential apartment building, with a maximum of 30-storeys, 266 dwelling units and density of 931 units per hectare, which substantively implements the Site Plan and Elevations attached as Schedule "1" to the amending by-law; and

- i) Public Parking

The provision of 41 publicly accessible parking spaces on level 1 of the underground parking facility and accessed from York Street. An agreement shall be entered into between the Corporation of the City of London and the property owner to facilitate this requirement.

- ii) Design Feature

As depicted in the elevations shown in Schedule "1" to the amending By-law a design feature will be located over the main vehicular access off of King Street. The details for this feature, including design, appearance and materials, will be determined in consultation with Staff through the site plan approvals process.

- iii) Public Art

The financial contribution of funding to a future public art project within the Downtown Area in the amount of 1% of the construction value up to a maximum of \$250,000, to be provided at the time of site plan approval.

- iv) 3 levels of underground parking

- v) Publicly accessible civic space located at the York Street entrance.

The following special regulations apply within the bonus zone upon the execution and registration of the required development agreement(s):

a) Regulations:

i)	Density	931 uph
ii)	Height (maximum)	102 metres (334.6 feet)
iii)	Residential Component Easterly Side Yard (minimum)	1.2 metres
iv)	Residential Component Westerly Side Yard (minimum)	1.5 metres
v)	Residential Component Northerly Side Yard (minimum)	1.3 metres

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 November 20, 2018

Matt Brown
Mayor

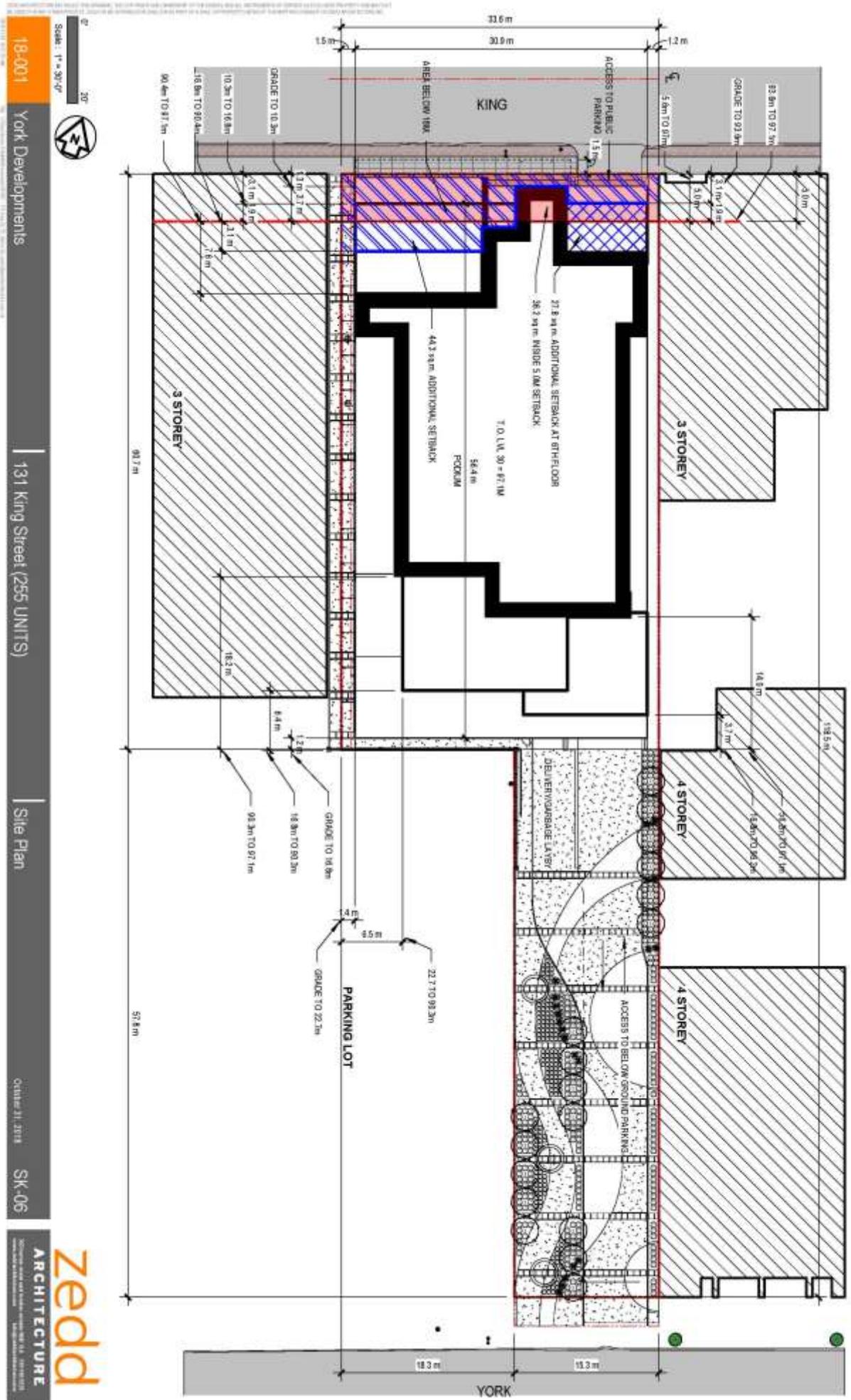
Catharine Saunders
City Clerk

First Reading – November 20, 2018
Second Reading – November 20, 2018
Third Reading – November 20, 2018

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



Schedule "1"



Scale: 1" = 30'-0"
 20'

19-001 York Developments

131 King Street (255 UNITS)

Site Plan

October 21, 2018

SK-05

Zedd
 ARCHITECTURE



Scale

18.001

York Developments

131 King Street

King Street Materials

July 4th, 2010

SK-41

ARCHITECTURE

zedd

131 E

18-001

York Developments

131 King Street (255 UNITS)

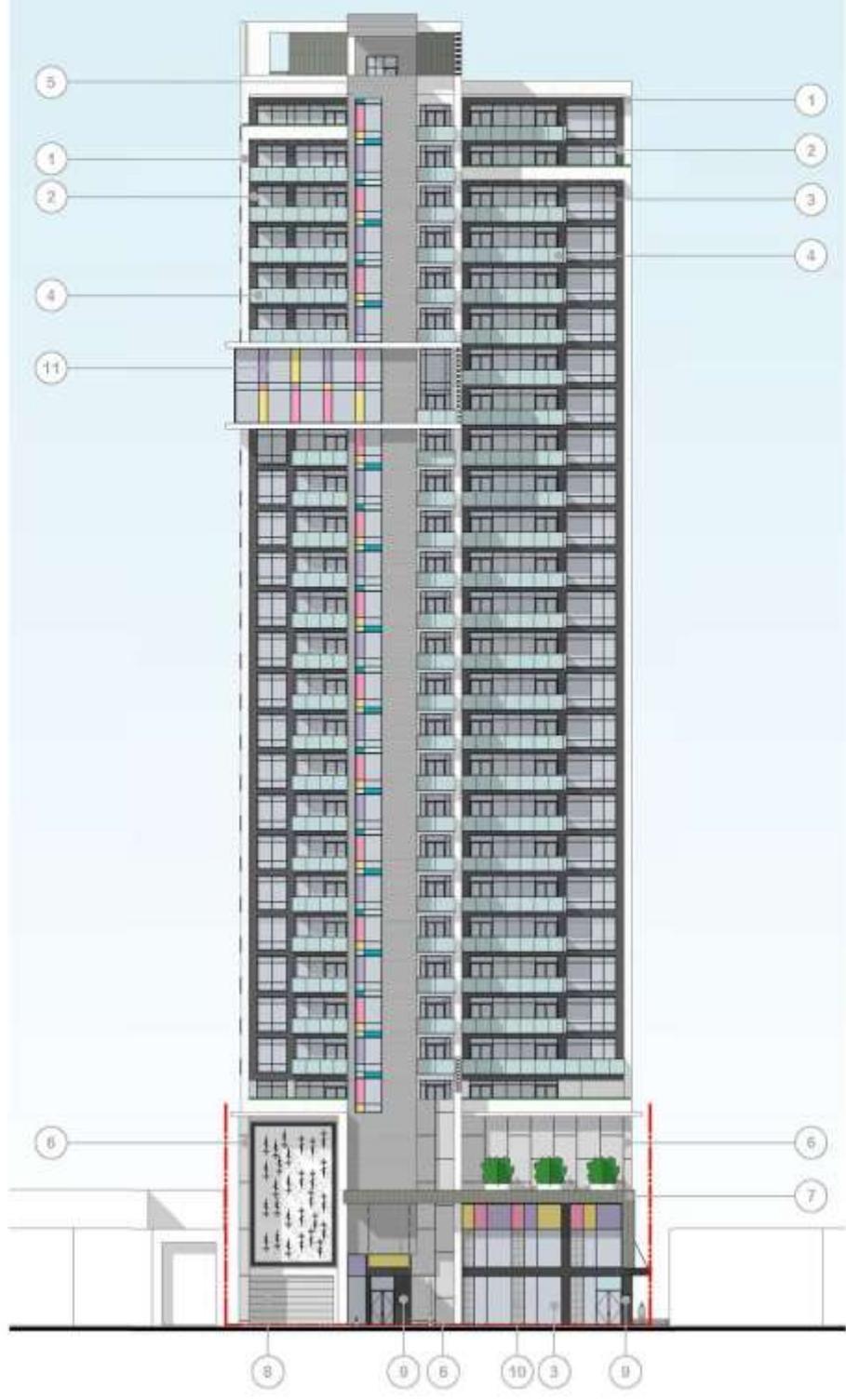
NORTH Elevation

October 21, 2018 Dsk-32

zedd
 ARCHITECTURE

MATERIAL LEGEND

- 1 CONCRETE - TEXTURED FINISH (LIGHT)
- 2 CONCRETE - TEXTURED FINISH (RECESSED DARK)
- 3 WINDOW WALL - CLEAR GLASS - CHARCOAL MULLIONS
- 4 GLASS RAILING - TEMPERED CLEAR
- 5 HORIZONTAL TEXTURED PANELS
- 6 TEXTURED PANELS
- 7 ACM CANOPY - CHARCOAL
- 8 GARAGE DOOR - ALUMINUM FRAME, LAMINATED GLASS
- 9 ACM SIDING - CHARCOAL
- 10 STAINLESS STEEL PANELS - FACETTED
- 11 COLORED GLASS
- 12 METAL GRILLES - CHARCOAL
- 13 ALUMINUM TRELLIS - WHITE





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18-001
 York Developments
 131 King Street (255 UNITS)
 SOUTH Elevation
 October 31, 2018
 Dsk-34
Zedd ARCHITECTURE
 411 East Main Street, Suite 100, South
 York, Ontario M6P 1B5
 Tel: 416-291-1111
 Fax: 416-291-1112
 www.zeddarch.com

MATERIAL LEGEND

1. CONCRETE - TEXTURED FINISH (LIGHT)
2. CONCRETE - TEXTURED FINISH (RECESSED DARK)
3. WINDOW WALL - CLEAR GLASS, CHARCOAL MULLIONS
4. GLASS RAILING - TEMPERED CLEAR
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6. TEXTURED PANELS
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8. GARAGE DOOR - ALUMINUM FRAME, LAMINATED GLASS
9. ACM SIDING - CHARCOAL
10. STAINLESS STEEL PANELS - FACETTED
11. COLORED GLASS
12. METAL GRILLES - CHARCOAL
13. ALUMINUM TRELLIS - WHITE





Appendix B – Public Engagement

Community Engagement

Public liaison: On April 26, 2018 Notice of Application was sent to 84 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on April 26, 2018. A “Planning Application” sign was also posted on the site.

3 replies were received

Nature of Liaison: Possible change to Zoning By-law Z.-1 FROM a Holding Downtown Area Special Provision (h-3*DA1(6) *D350) Zone TO a Downtown Area Special Provision Bonus (DA1(6)*D350*B(_)) Zone. The bonus zone would permit a residential density of 931uph and maximum height of 102 metres in return for eligible facilities, services and matters outlined in Section 19.4.4 of the Official Plan. Other provisions such setbacks and lot coverage may also be considered through the re-zoning process as part of the bonus zone.

Responses:

Sunday, May 20, 2018
Mike Corby, Planning Services, City of London

RE: Notice of Application – 131 King Street - Z-8902

Dear Mr. Corby,
ACO London has recently become aware that York Developments wishes to build a 30-storey building on the site of an Impark surface parking lot at 131 King Street.

This is the kind of infill development ACO London wishes to encourage. Surface parking lots are the obvious places for infill development, since no heritage buildings are demolished to make way for them. While some downtown businesses are worried that the development of surface parking lots will discourage customers, it is important to note that the proposed development still includes 309 parking spaces and therefore supports parking in the core.

The proposed structure is in the Downtown Heritage Conservation District, but the area directly surrounding the parking lot already consists of a diverse selection of buildings with different styles and heights. A development at this location will hopefully help to prevent the demolition of heritage resources elsewhere.

Sincerely,
Jennifer Grainger
President, London Region Branch
Architectural Conservancy Ontario

Suki & Alice Bal
42 Exmoor Place
London, ON
N5X 3W2

May 17th, 2018

Mike Corby
Planning Services, City of London
206 Dundas Street
London, ON
N6A 1G7

Re: Zoning By-Law Amendment (File: Z-8902)

Hi Mike,

We are the owners of 141 King Street building address property as well as the Suki Salon/Spa business. I am generally in support of the proposed development and zoning by-law amendments, but I a few concerns that I would like addressed as follows:

1. That the new building is built flush against west wall of my building so no alley is created,
2. That the existing windows and vent opening (none-operational) on the west wall of my building to be blocked and sealed before the new building completed,
3. That the existing sump pipe discharge on west side of my building be accommodated properly in design of new building parking.

Please provide notice of the public participation meeting so that I can confirm that my concerns are being considered by the building developers, planners and engineers. Thank you for your attention to this matter.

Regards,

Suki and Alice Bal

Public



July 20th, 2018

Mike Corby - Planner
City of London
300 Dufferin Ave.
London, ON

Dear Mr. Corby:

Re: York Developments – Highrise Residential Proposal
King Street, London, Ontario

Further to your recent meeting with our client Maria Mendes, co-owner of 123-125-127 King Street with Dominic Mendes, and our subsequent telephone conversations, we provide the following comments and concerns regarding the above noted matter. We are hopeful our concerns will be discussed in your progress report scheduled for the Planning Environment Committee (PEC) on August 13th, 2018.

We will summarize our concerns in five (5) main categories, 1) Mutual Laneway, 2) Treatment of the west wall of the proposed building, 3) Wind/Snow load drifting studies, 4) Construction impacts and, 5) Bonusing. We should note that we did meet and then prepared a letter to York Developments summarizing our concerns. While they did respond to our letter, their submissions, while helpful in framing further discussions, were sufficiently vague/non-committal that we felt a submission to the City remained warranted.

1. Mutual Driveway

As you are aware, there is a 3 meter (10 foot) mutual right-of-way between our client's property and the subject lands. The status of this easement and ownership details have been challenging to confirm. A copy of the Reference Plan 33R-7119 is attached with this letter. However for many years the laneway has provided vehicular and tenant access to our client's lands, including periodic parking. The York proposal seeks to establish a different use for this area including a component of a mid-block connection route as well as possible further uses such as an "artisan alley" or outdoor space for possible ground level restaurant uses. Indeed York Developments have leveraged this space in their plans as a major contributor to their bonusing request for the project.

As our client asserts ownership of half of this space, and rights to vehicular access over all of it, we have concerns with the impact York's proposal will have on both, without more specific details and further commitment with respect to design, lighting and maintenance including snow removal. Our client's residential building has both

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London, ON N6C 4P4
Tel: (519) 474-7137 • Fax: (519) 474-2284
Email: zp@zpplan.com • Website: zpplan.com

door access and large residential unit windows overlooking this space. Residents with windows on the east wall will have a constant shadow overcast. As such the details are important to ensure safe operation and the livability of our client's building and the residents within. We did inquire as to whether a minor adjustment to the footprint of the building (5ft to the east) could be considered to provide more dimension to this space but were advised such adjustments were unlikely.

2. Treatment of West Wall of Proposed Building

Further to item one, the way in which the first two or three floors of the west side of the proposed building are treated will significantly affect the level of impact the new development will have on the operation and livability of our client's building. In particular, the existing and possible future uses directly accessing and facing the unit's space is cause for concern. This wall impacts the entirety of our client's building as it is approximately 58m (190ft) deep. In their response to our concerns, York proposed a variety of options, including fully functioning lower level retail floor space, with possible use of laneway space, to greenwalls, to variations of building materials and other enhancements such as flags. While some combination of the above may very well result in a positive environment, it was suggested it would only be truly determined later in the process (presumably during site plan). Given the importance of this space being properly executed to ensure function and livability, we would ask that this matter be better clarified before final zoning approval is given.

3. Wind/Snow Drifting Studies

We were advised by York that a preliminary "desk top" wind study was completed as part of the original project submissions. We were further advised that a fully modeled wind tunnel tested study is to be completed to further test some unacceptable wind conditions identified in the original report. Given the proximity of our client's property to the proposed development, we are obviously very interested in the outcome of this study as it relates to wind conditions both at street level along King Street as well as the laneway discussed previously. We are also very much concerned with the possibility that a tall building to the east of our client's property will result in increased drifting and snow loads in the winter on our client's flat roof and around our client's building, including the easement/driveway. Given the age of our client's building (constructed in the 1800's) we are concerned such additional loads will result in structural issues for our client's building. At the very least this could increase maintenance and repair costs, and at the worst, could result in material negative impacts to the building's structural integrity. We believe, to the extent possible, that the scope of the additional wind study be extended to provide comment on modelling to forecast the extent of possible increases in ground drifts and increased snow loads on our client's building.

Of note in this regard, York has agreed to conduct pre- and post-building audits of our client's building to document the existing and future conditions of our client's building, which is commendable and appreciated. However, we did not get assurances that all

costs, including our client's own engineering oversight of the audit efforts would be covered. Also there was no assurance that the snow load/drifted issues would be explored.

4. Construction Impact

The construction of the proposed building will, according to York Developments, take approximately two (2) years. Again, given the proximity of the subject lands to our client's property, our client is concerned about impacts on their business operation, their commercial tenants and the livability of residential units within the building. York has responded by assuring our client that on-site people will be available to address issues, should they arise. We were hopeful this would include efforts not only to mitigate, but also avoid these issues. Here again our client would like clarity and commitment to these efforts before zoning is approved to ensure the measures are adequate and the impacts are minimized, but preferably avoided where possible.

5. Bonusing

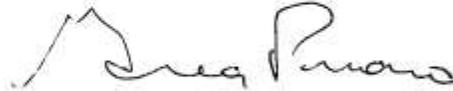
Given the scope of the proposed building for this project, we asked York for details on how they would support their request for bonusing. They did provide us with a list of items, but it was unclear if all would be used or the extent to which they would be relied upon. We will continue to review this as the matter continues to evolve toward a final decision of PEC and Council.

Thank you for considering our client's concerns. We will be in attendance at the August 13th, 2018 PEC meeting to speak to our concerns. Furthermore we will continue to monitor and participate in the planning approval process including continued, thus far, helpful efforts to work with the applicant to refine and resolve as many issues as possible prior to final approval.

Should you have any questions or comments please do not hesitate to call.

Yours very truly,

ZELINKA PRIAMO LTD.



Greg Priamo, BES, MCIP, RPP
Principal Planner

Responses to Public Liaison Letter and Publication in “The Londoner”

Telephone	Written
Maria G. Mendes Market View Properties 125,127 King Street, London ON	Jennifer Grainger Architectural Conservancy Ontario – London Region Branch Grosvenor Lodge 1017 Western Road London, ON N6G 1G5
	Suki and Alice Bal 141 King St, London ON

Agency/Departmental Comments

London Hydro – May 22, 2018

Servicing the above proposal should present no foreseeable problems. Above-grade transformation is required.

Note: Transformation lead times are minimum 16 weeks.

Contact Engineering Dept. to confirm requirements & availability.

This site is presently serviced by London Hydro. Contact Engineering Dept. if a service upgrade is required to facilitate the new building. Any new and/or relocation of existing infrastructure will be at the applicant's expense. Above-grade transformation is required.

Note: Transformation lead times are minimum 16 weeks.

Contact Engineering Dept. to confirm requirements & availability.

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. However, London Hydro will require a blanket easement.

LACH – June 13, 2018

I hereby certify that the Municipal Council, at its meeting held on June 12, 2018 resolved:

That, the following actions be taken with respect to the 6th Report of the London Advisory Committee on Heritage from its meeting held on May 9, 2018:

d) the Civic Administration BE ADVISED that the London Advisory Committee on Heritage (LACH) supports the conclusions of the Heritage Impact Assessment for the application for a zoning by-law amendment for the property located at 131 King Street with the exception of the following matters:

- the step back should be consistent with the Downtown Heritage Conservation District guidelines
- the vehicular access on King Street should be removed because it prevents a contiguous building interface; and,
- the frontage on York Street;

it being noted that the LACH supports the activation of the alley, as proposed and the overall design of the building;

Heritage – May 24, 2018

The subject property at 131 King Street is located within the Downtown Heritage Conservation District, designated under Part V of the Ontario Heritage Act. The subject property is vacant and spans King Street to York Street, mid-block between Talbot Street and Richmond Street.

Historically, this area has been known as “Whiskey Row.” Adjacent to the Covent Garden Market, this area attracted many taverns and hotels to accommodate vendors and farmers at the Covent Garden Market since 1843.

A Heritage Impact Assessment was required as part of a complete application for Official Plan Amendment and Zoning By-law Amendment to permit the development of the subject property for a high rise development. A Heritage Impact Assessment (prepared by Thor Dingman, dated March 27, 2018) was submitted as part of the complete application.

Recognizing the long period of evolution of the Downtown Heritage Conservation District, one of the goals of the Downtown Heritage Conservation District Plan is to “influence the renovation or construction of modern era buildings so that it is done with regard to the District and complementary to the character and streetscape” (Section 3.2.1). This supports policies in the Official Plan (1989, as amended) including “encourage new development, redevelopment, and public works to be sensitive to, and in harmony with, the City’s heritage resources” (Chapter 13). To achieve this, the proposed development must be distinguishable but also compatible with the heritage character of the Downtown Heritage Conservation District. As the Heritage Impact Assessment notes, “conservation of heritage resources and new development are not mutually exclusive” (page 15).

Staff appreciate that the proposed development does not attempt to replicate a historic architectural style, but represents a contemporary building which reflects its own period. Policies and guidelines regarding new construction are found within Section 6.1.4.1 of the Downtown Heritage Conservation District Plan. Staff appreciate the analysis undertaken by the Heritage Impact Assessment, particularly the summary table of Section 7.6, and would offer the following comments:

- **Setback** – the Heritage Impact Assessment notes that there is “no similar adjacent building.” While there are no adjacent high rise buildings, there are a number of adjacent buildings. The proposed development should, and appears to (noted as “built to the property limit on all sides” in the Heritage Impact Assessment, page 22), match the setback of adjacent buildings to support and maintain the continuity of the street edge.
- **Pedestrian Environment (Podium)** – The Downtown Heritage Conservation District Plan notes that “a single excessively tall and imposing structure can completely alter the pedestrian-focused atmosphere of the Downtown.” To ensure that this does not occur, special attention must be paid to the compatibility of the proposed development and the pedestrian environment, seeking a development that enhances the character of the street.

The proposed development will fill in a gap in the King Street streetscape and not require the demolition of any heritage buildings. Image 36 included within the Heritage Impact Assessment demonstrates the careful consideration that was taken in the design of the proposed development to provide a compatible podium with regards to the heights and cornices of adjacent buildings. The proposed location of the entrance to the parking garage (off of King Street) presents challenges to achieving the desired form of development, and requires mitigation. To ensure this is successfully implemented, the following are recommended:

- Maximize the amount of glazing at grade to 80% and reduce the number of blank walls/spaces;
 - Maintain the clearly distinguish the ground storey from the second storey of the proposed development to avoid “double height” storefronts (as shown in the concept drawings);
 - Maintain the segmented quality of the façade, which works to maintain the rhythm of the storefronts along King Street; and,
 - Use high quality materials throughout the entire proposed development that are consistent with the Downtown Heritage Conservation District (noting proposed materials of: porcelain panels, stainless steel, zinc, standing seam aluminum composite material panels, curtain wall (glass) glazing).
- **Stepback** – The proposed development does not comply with the 5m stepback above the 18m height of the podium (Section 6.1.4.1, Façade Composition, Downtown Heritage Conservation District Plan, p.6.41). The Heritage Impact Assessment rationalization for a deviation from the required 5m stepback:
The building provides setbacks above the podium level, but in an attempt for a more sculptural building quality, the setbacks vary from 3 metres to 8 metres as opposed to the 5 meter recommendation. This approach allows the

building to step back further in plan to give the west elevation a narrower appearance and to help articulate the mass of the northwest corner (Section 7.3, Heritage Impact Assessment).

While not included within the Heritage Impact Assessment, the Stepback Diagram (SK-07) included within the Urban Design Brief more clearly articulates the setbacks of the proposed development. The “tongue” feature of the proposed development projects into the 5m setback. To achieve the required 5m setback, opportunities to adjust the “tongue” of the proposed development to comply with the 5m setback requirement of the Downtown Heritage Conservation District Plan should be undertaken.



Figure 1: Stepback Diagram (SK-07) from the Urban Design Brief for 131 King Street.

- **Art Installation** – the proposed development includes multiple levels of above-grade parking. In a means to mitigate the negative impact of potentially-blank walls in the public realm, an art installation has been proposed. While it is recognized that the details of the art installation may change, it is essential that an active, interesting element be included to ensure that there are no blank walls for the proposed development.

Further consultation and agreement with the estate of Greg Curnoe, to be undertaken by the property owner, is essential to see the proposed art installation come to fruition.

Should alternative concepts be required, Whiskey Row could be a potential topic of interest.

- **Terraced Greenscaping** – The proposed installation of natural, living trees on the third storey of the proposed development is an interesting concept to add visual interest and texture on a blank wall of the façade. To ensure the viability of these trees, how will these trees be maintained?
- **Laneway** – Laneways are a significant attribute of the Downtown Heritage Conservation District. Policies and guidelines related to laneways in the Downtown Heritage Conservation District are:

- Preserve the alleyway openings between or in between building(s) and their original proportions;
- Improve the visibility of alleyways to increase their utility and safety;
- Insure that existing alleys are preserved as public right-of-way;
- Permit no infringement by development or services into the alleys.

The proposed development appears to leverage the opportunities that the laneway between 131 King Street and 125-127 King Street and supports the vision of the Downtown Heritage Conservation District Plan.

- **York Street Frontage** – A new pedestrian and motor vehicle gateway is proposed for the York Street frontage of the property for the proposed development. It is understood that the designs and concepts for this space continue to evolve, however the proposed designs must comply with the Downtown Heritage Conservation District Plan.

Archaeology

The subject is located within an area of archaeological potential identified by the Archaeological Management Plan (2017). A Stage 1 archaeological assessment (Bluestone Research Inc., March 2018) was completed, and further archaeological work is required. Given the current use of the property as a parking lot, it may not be possible to proceed with the trenching strategies for the Stage 2 archaeological assessment until further in the development process. The h-18 holding provision should be applied to the property to ensure that archaeological issues are addressed.

Heritage Alteration Permit

As the subject property is located within the Downtown Heritage Conservation District, Heritage Alteration Permit approval is required to permit the proposed development. The Heritage Alteration Permit must be obtained prior to the issuance of a Building Permit, and will require consultation with the London Advisory Committee on Heritage. It is recommended that the Heritage Alteration Permit application address the items for compatibility raised in this memo, as well as the comments of the LACH on this proposed development (and Heritage Impact Assessment) at its meeting on May 9, 2018.

Development Services – May 24, 2018

Verbatim comments as per the Transportation Division:

- The provision of public parking should be included with this development as this is one of the key recommendations of the Downtown Parking Strategy; “look for opportunities to invest in joint venture projects by participating with developers to integrate public parking in new developments within the next 20 years in sub areas 3,4, and 1 in central southwest downtown”. The subject property is located within sub district 1, further discussion with the developer regarding the provision of public parking will be required to discuss opportunities to integrate public parking into the development. For information regarding the Downtown Parking Strategy please use the following web link:
<https://www.london.ca/residents/Roads-Transportation/Transportation-Planning/Pages/Parking-Strategy.aspx>
- Road widening dedication of 13.0m from centre line is required on York Street
- The pavement markings on York street will need to be revised to provide for a two way left turn lane (TWLTL)
- Access to King street will be restricted to RI/RO due to the one way direction of travel on King Street
- King Street has been identified as a rapid transit corridor in the Council approved Rapid Transit Master Plan (RTMP). Through the Transit Project Assessment Process (TPAP), the corridor and station locations will be refined and examined in greater detail, future access to King Street will be restricted to right in/right out. For information regarding the RTMP or TPAP please use the following web links:

<http://www.london.ca/residents/Environment/EAs/Pages/Rapid-Transit.aspx> or
<http://www.shiftlondon.ca/>

- Detailed comments regarding access design and location will be made through the site plan process

Verbatim comments as per the SWM Division:

SWED staff have no additional or new comments to those provided as part of SPC18-071.

The above comments, among other engineering and transportation issues, will be addressed in greater detail when/if these lands come in for site plan approval.

CN Rail – May 7, 2018

I have reviewed the development plans and the Noise and Vibration Feasibility Assessment (March 28, 2018) for this proposed development.

I would offer the following comments:

- CN Rail would like to see a full Noise and Vibration Study undertaken, with proposed mediations. This is one of the recommendations in the Feasibility Assessment.
- CN's standard position is to encourage that Class 1 thresholds be met, even if mitigation associated with Class 4 is implemented.
- The following clause should be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 300m of the railway right-of-way: "Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way."
- The Owner shall be required to grant CN an environmental easement for operational noise and vibration emissions, registered against the subject property in favour of CN.

Appendix C – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this requested land use change. The most relevant policies, by-laws, and legislation are identified as follows:

Provincial Policy Statement, 2014

Section 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1

1.1.3 Settlement Areas

1.1.3.2

1.1.3.3

1.1.3.4

1.1.3.2,

1.6 Infrastructure and Public Service Facilities

1.6.7.4

1.4 Housing

2.6 Cultural Heritage and Archaeology

2.6.3

The London Plan

PERMITTED USES_800

INTENSITY_802

FORM_803

TYPE 2 BONUS ZONING_1652

City of London Official Plan

4.1.1, Planning Objectives

4.1.2, Urban Design Objectives

4.1.4, Downtown Shopping Area

4.1.6. Permitted Uses, iv) Residential Uses

4.1.7, i) Scale Limitations)

4.1.7, ii) Design Considerations

4.1.9, Circulation Pedestrian

Chapter 11, Urban Design Principles

13.3.8. SPECIFIC HERITAGE CONSERVATION DISTRICTS

13.3.8.5 Downtown

19.4.4 Bonus Zoning

Our Move Forward: London's Downtown Plan and the Downtown Design Manual.

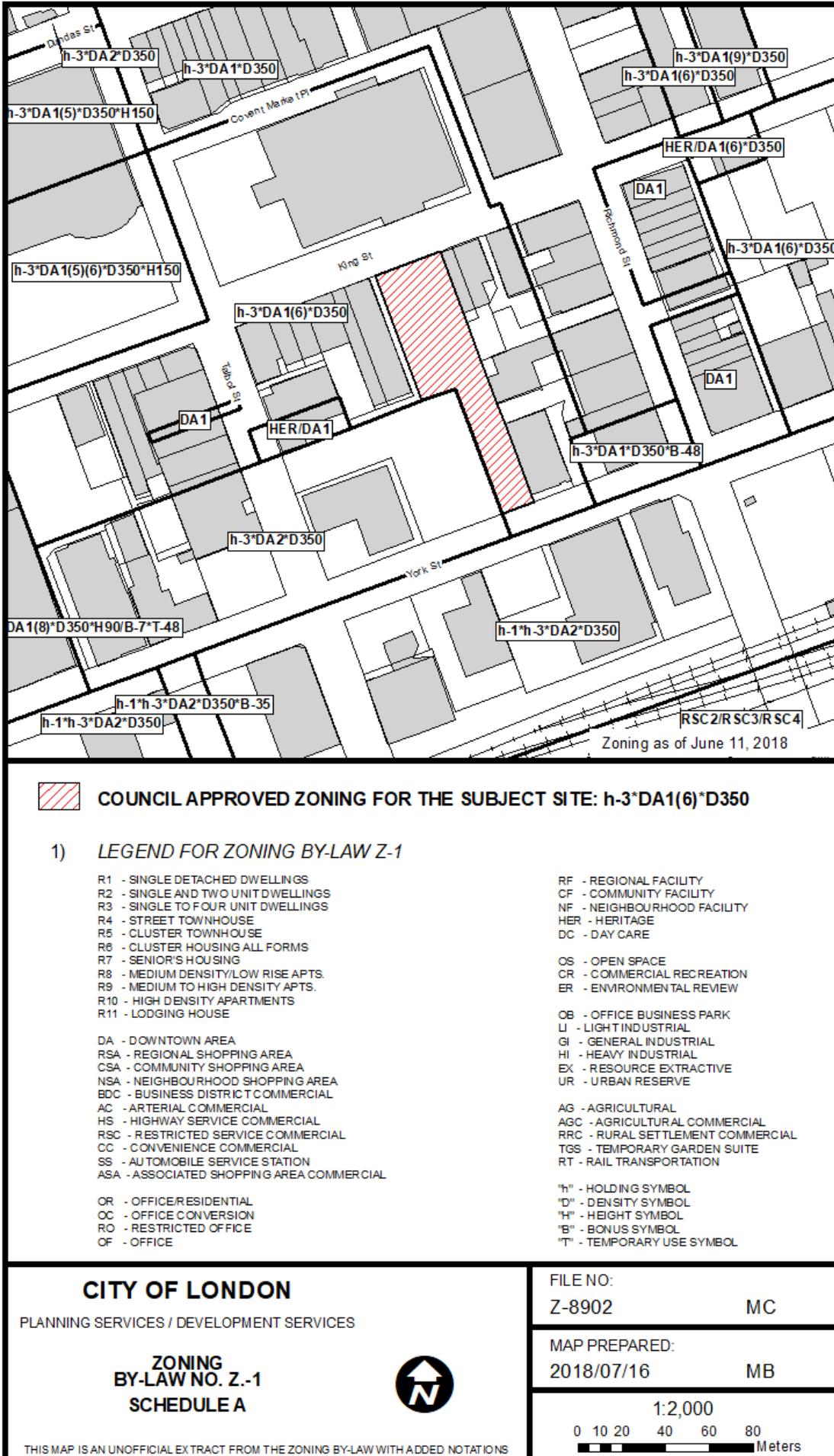
Downtown Heritage Conservation District Plan

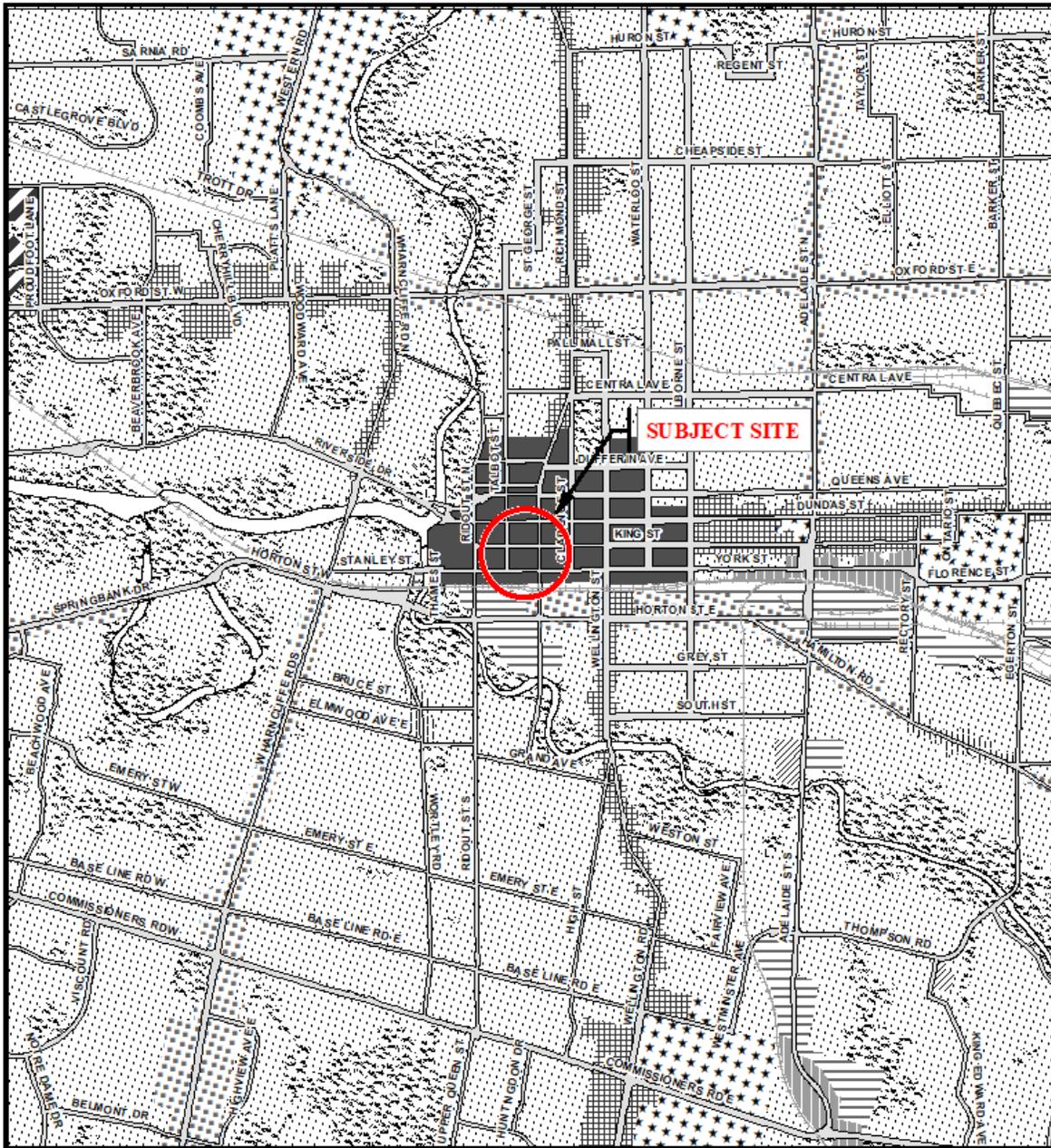
Z.-1 Zoning By-law

Site Plan Control Area By-law

Appendix D – Relevant Background

Additional Maps





Legend

- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor | Commercial Industrial | Urban Growth Boundary |
| Main Street | Institutional | |
| Neighbourhood | Green Space | |

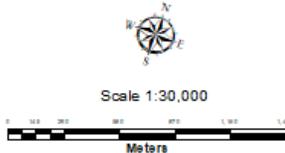
This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

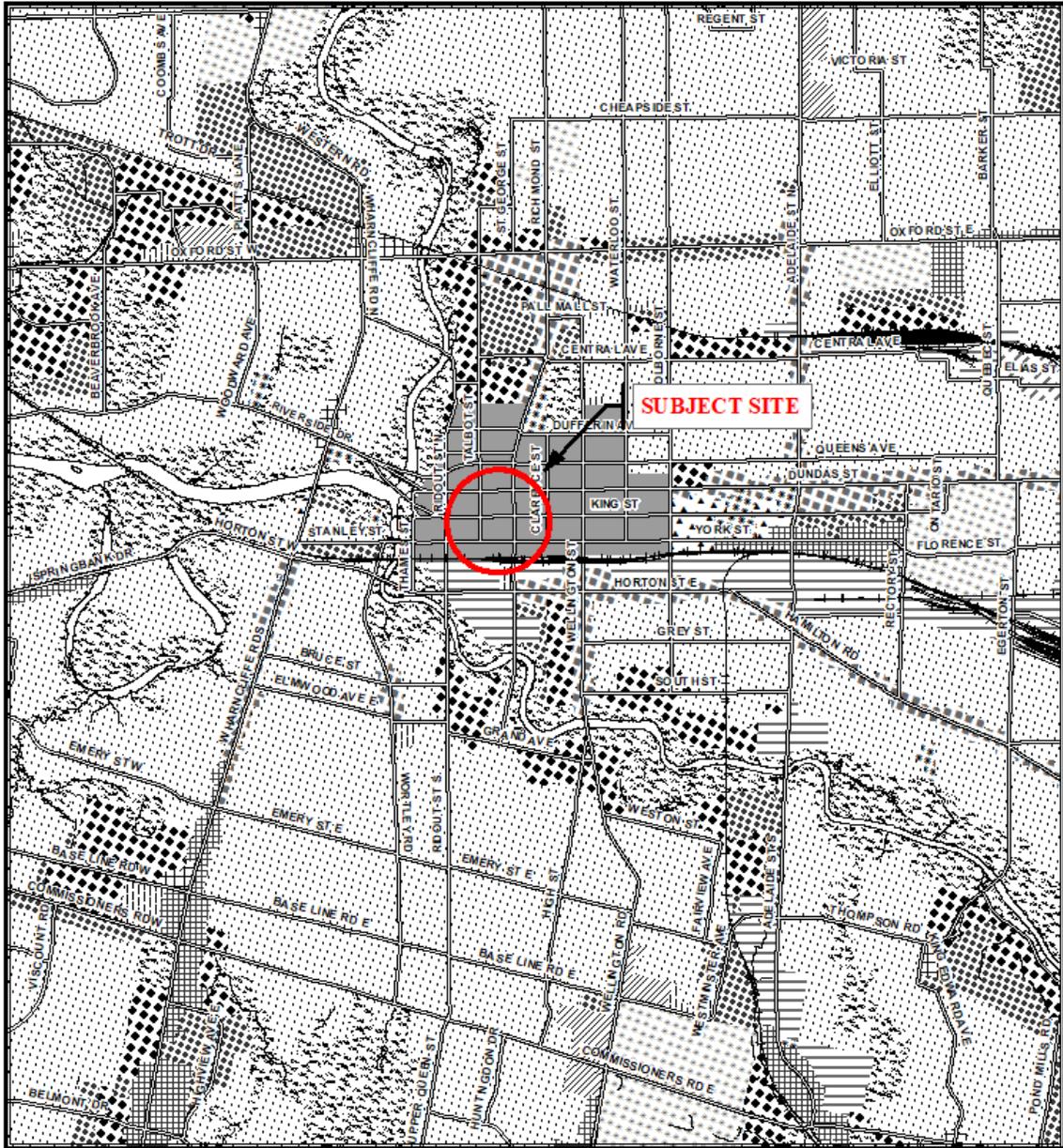
CITY OF LONDON
 Planning Services /
 Development Services

LONDON PLAN MAP 1
 - PLACE TYPES -

PREPARED BY: Planning Services



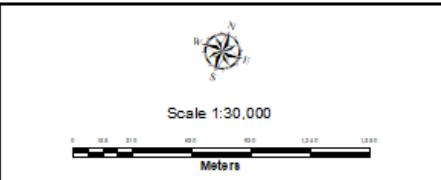
File Number: Z-8902
Planner: MC
Technician: MB
Date: July 16, 2018



Legend		
Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial
Community Commercial Node	Regional Facility	Transitional Industrial
Neighbourhood Commercial Node	Community Facility	Rural Settlement
Main Street Commercial Corridor	Open Space	Environmental Review
Auto-Oriented Commercial Corridor	Urban Reserve - Community Growth	Agriculture
Multi-Family, High Density Residential	Urban Reserve - Industrial Growth	Urban Growth Boundary

CITY OF LONDON
 Planning Services /
 Development Services
OFFICIAL PLAN SCHEDULE A
 - LAND USE -

PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-8902
 PLANNER: MC
 TECHNICIAN: MB
 DATE: 2018/07/16

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\koo\so100\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd

Appendix E – Urban Design Comments/Response

Urban Design – June 19, 2018

Planning Services has reviewed the above noted rezoning, based on the UDPRP submission, and provide the following comments consistent with the Official Plan and applicable by-laws and guidelines:

1. Please provide a response to the UDPRP comments.
2. Narrow the depth of the building north-south to minimize shadowing impacts, and the visual mass of the building.
3. Break down the mass of the building through articulation, separating the balcony, removing unnecessary design features that add 'bulk' and utilizing material changes and a high proportion of glazing on the building.
4. Incorporate a greater proportion of vision glass into the base of the building in order to animate the streetscape.
5. Refine the design of the building by ensuring various design features relate to each other in a unified way.

Urban Design Peer Review Panel - April 27, 2018

The Panel provides the following feedback on the submission to be addressed through the Zoning Bylaw amendment underway:

- The Panel commends the high level of design on the lower floors along the proposed King Street frontage. This element creates human scale to the tower proposal.
- The Panel suggests the owner consider the size and siting of the tower floorplate to reduce its apparent scale and to address its relationship to adjacent properties that may be redeveloped in the future for high density intensification.
- The Panel recommends further refinement of the building design including:
 - to create a more cohesive design by focusing on key features resulting in an overall refinement of the design;
 - to increase articulation along the east/west elevations to break down the length of the building;
 - to continue to develop the “jewel box” design to better integrate it into the building design, making it relate more to other design features on the building;
 - to consider refining the “tongue” gesture and related wall, as it appears from the west, which may be overwhelming, as well as its effect on balcony views to river;
 - to consider refining the tower top, to better relate it to design features at the pedestrian and “jewel box” levels;
 - to encourage more cohesion between the numerous design expressions; and,
 - to give further consideration to the east and west “podium” elevations as they relate to the pedestrian route and tower above.
- Further refinement to the York Street frontage is required through the design process. There was a discussion of various considerations including creation of a park space or a design that can convert to development over time. Further consideration should also be given to the design of the gate element on York Street. This could either better relate to the tower design or a potential parkette; or be eliminated to better serve the potential park/public space.
- The Panel requests further evaluation and refinement of the laneway and pedestrian route through the site to address CPTED issues and address the pedestrian experience such as visual surveillance of the laneway (support windows), sightlines, sidewalk width and location.
- The Panel questions the rooftop public amenity as a bonusable feature due to its operational challenges.

Concluding comments:

The Panel supports the overall design concept with the integration of the design recommendations noted above.

This UDPRP review is based on City planning and urban design policy, the submitted brief, and noted presentation. It is intended to inform the ongoing planning and design process. Subject to the comments and recommendations above, the proposed development represents an appropriate solution for the site.

UDPRP Response – 131 King Street – York Developments

Date of UDPRP Review – April 18, 2018.

	<u>UDPRP Comments</u>	<u>Zedd Response</u>
1	The Panel commends the high level of design on the lower floors along the proposed King Street frontage. This element creates human scale to the tower proposal.	No Action Required However refinements in the overall design have occurred as has an increase in the clear glazing areas at street level.
2	The Panel suggests the owner consider the size and siting of the tower floorplate to reduce its apparent scale and to address its relationship to adjacent properties that may be redeveloped in the future for high density intensification.	Scale of building manipulated via refinement of design – setbacks / recesses in the façade. The overall floor plate will undergo minor adjustments however the unit size / area floor plates are unaffected..
3	Panel suggests further refinement: a To create a more cohesive design by focusing on key features resulting in an overall refinement of the design;	The elevations simplified / and introduced common themes to relate the design throughout the base, middle and top of building.
	b To increase articulation along the east/west elevations to break down the length of the building;	East and west elevations refined to provide additional glazing – texture and colors to assist in breaking up the façade. Balconies re-designed to integrate with other elevations.
	c Continue to develop the "jewel box" design to better integrate it into the building design, making it relate more to other design features on the building;	Incorporated ground floor design features into the jewel box to create a relationship between pedestrian scale and visual scale. Overall 'box' refined for stronger integration with structure.
	d Consider refining the "tongue" gesture and related wall, as it appears from the west, which may be overwhelming, as well as its effect on balcony views to river;	Tongue element incorporated into the top of tower design to create cohesion between the two elements. Wall in question pulled back to expose the balconies which will allow River views.
	e Consider refining the tower top, to better relate it to design features at the pedestrian and "jewel box" levels;	Elements refined and stronger relationship established.
	f To encourage more cohesion between the numerous design expressions; and, to give further consideration to the east and west "podium" elevations as they relate to the pedestrian route and tower above.	Elements refined and now relate. Materials from the front elevation incorporated onto this elevation – increased pattern and texture on the large wall – with pedestrian canopy.

4	Further refinement to the York Street frontage is required through the design process. There was a discussion of various considerations including creation of a park space or a design that can convert to development over time. Further consideration should also be given to the design of the gate element on York Street. This could either better relate to the tower design or a potential parkette; or be eliminated to better serve the potential park/public space.	As per discussion, York street gate and car parking feature has been deleted in lieu of a small pedestrian parkette accessible to the public/community space and form part of the link to King Street.
5	The Panel requests further evaluation and refinement of the laneway and pedestrian route through the site to address CPTED issues and address the pedestrian experience such as visual surveillance of the laneway (support windows), sightlines, sidewalk width and location.	Protective canopies – lighting – upgraded pavement – glazing to building are to be incorporated and would better protect and direct pedestrians through the site.
6	The Panel questions the rooftop public amenity as a bonusable feature due to its operational challenges.	The public access has been deleted in lieu of occupants only.
7	The Panel supports the overall design concept with the integration of the design recommendations noted above.	11/11 design recommendations included into the project re-design.

Report to Planning and Environment Committee

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

**From: George Kotsifas, P. Eng.
Managing Director, Development and Compliance Services
And Chief Building Official**

**Subject: Public Participation Meeting Report
31675 Ontario Ltd (York Developments)
3080 Bostwick Road (Site 1)
Public Participation Meeting on: November 12, 2018**

Recommendation

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of 31675 Ontario Ltd (York Developments Inc.), relating to the property located at 3080 Bostwick Road:

- (a) The request to amend the Official Plan to add the site to the list of preferred locations for convenience commercial uses, and the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** an Urban Reserve (UR4) Zone, **TO** a Residential R9/Convenience Commercial Special Provision/Restricted Office Special Provision Bonus (R9-7/CC4(_)/RO2(_)*B-__) Zone, **BE REFUSED** for the following reasons:
- i) The proposed amendment is not consistent with the Provincial Policy Statement (2014), that healthy and liveable communities are sustained by accommodating an appropriate range and mix of residential uses;
 - ii) The proposed development does not conform to the Multi-Family, High Density Residential Designation of the 1989 Official Plan; The London Plan City Structure, the Neighbourhoods Place Type; and the Southwest Area Secondary Plan.
 - iii) The proposed development individually and collectively (with the larger parcel) represents an over-use and over-intensification that exceeds the maximum development permissions set out in the Official Plan and secondary plan policies;
 - iv) The proposed development for Site 1 and the larger parcel does not provide a mix of housing types to minimize the overwhelming effect of large high-rise developments and broad segregation of housing forms and types, or to provide for housing diversity;
 - v) The proposed bonus zone does not sufficiently demonstrate the increased height and density is in keeping with the Key Directions of The London Plan that would result in good planning; and,
 - vi) The proposed bonus zone does not adequately demonstrate enhanced public benefits commensurate to the requested increase in height and density.

Executive Summary

Summary of Request

The requested amendment is to permit site-specific Official Plan and Zoning By-law Amendments to allow for a mixed-use development with two towers consisting of 18

and 21 storeys, and 3,000m² of commercial and office space, with a total density of 262 units per hectare.

Summary of the Effect of Recommended Action

The proposed development includes a number of positive features and design treatments for the site. Notwithstanding, Site 1 individually, and as part of the larger parcel, collectively represents intensity which is not appropriate and results in an over-intensification for the site. The requested mixed-use apartment is contemplated as an appropriate use for the lands, however the proposed height of 18 and 21 storeys and density of 262 units per hectare for this site exceeds the policies of The London Plan - High Density Residential Overlay, the High Density Residential designation in the Southwest Area Secondary Plan, and the Multi-Family, High Density Residential designation policies of the 1989 Official Plan; all of which consider development up to 12 storeys and 150 units per hectare.

The proposal is not consistent with the Provincial Policy Statement, 2014, and does not conform to The London Plan, Southwest Area Secondary Plan, or the 1989 Official Plan. The intensity proposed is not aligned with the policies of the City Structure Plan and the intent of The London Plan that directs the most intensive development to strategic locations to make wise planning decisions. While consideration for site specific bonus zoning is allowed to increase height and density, it is not appropriate at the level of intensity for the subject site, as it is inconsistent with policy, and does not result in good planning. Additionally, the proposed form is only conceptual at this time, and the bonusable facilities, services and matters are insufficient to support the request.

The policies of the Southwest Area Secondary Plan, The London Plan Neighbourhoods place type and High Density Residential Overlay and the Multi-Family, High Density Residential designated lands of the 1989 Official Plan all require a mix of housing forms to be provided for housing variety, and to minimize the overwhelming effect of concentrated and segregating high density residential forms and intensities. There is no mix of housing type provided, with 100% of the proposed built form as high-rise residential apartments on Site 1 and the larger parcel of 3080 Bostwick Road.

The status of the various studies and reports required to support the proposed development are incomplete, and require additional information, revisions and/or amendments before they can be considered acceptable to substantiate the request. Matters of natural heritage, environment, urban design, bonusing, transportation, and sanitary servicing provision are required to be resolved or reach a satisfactory level of certainty to support the proposal. At this time, the technical review of the proposed development is not yet complete and requires additional discussion, information, and for some items, could include the consideration of holding provisions.

Staff are willing to continue working with the applicant to resolve issues, incorporate alternative high density housing forms to provide a housing mix, and consider a development that has regard for the policies. However, the applicant has indicated that they do not support this position. In its current form, Staff recommends that the application be refused as it is not consistent with key policies that relate to the appropriateness of intensification, mix of housing form, bonusing provisions and a satisfactory technical review.

Rationale of Recommended Action

It is recommended that this application be refused for the following reasons:

- i) The proposed amendment is not consistent with the Provincial Policy Statement (2014), that healthy and liveable communities are sustained by accommodating an appropriate range and mix of residential uses;
- ii) The proposed development does not conform to the Multi-Family, High Density Residential Designation of the 1989 Official Plan; The London

Plan City Structure, the Neighbourhoods Place Type; and the Southwest Area Secondary Plan.

- iii) The proposed development individually and collectively (with the larger parcel) represents an over-use and over-intensification that exceeds the maximum development permissions set out in the Official Plan and secondary plan policies;
- iv) The proposed development for Site 1 and the larger parcel does not provide a mix of housing types to minimize the overwhelming effect of large high-rise developments and broad segregation of housing forms and types or to provide for housing diversity;
- v) The proposed bonus zone does not sufficiently demonstrate the increased height and density is in keeping with the Key Directions of The London Plan that would result in good planning; and,
- vi) The proposed bonus zone does not adequately demonstrate enhanced public benefits commensurate to the requested increase in height and density.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject site is a 1.54ha portion of a larger parcel of land comprised of approximately 15ha of vacant land with frontage on Southdale Road West and Bostwick Road. The portion of the site that is the subject of the Official Plan and Zoning By-law amendment is identified as “Site 1” which is located at the northwestern most part of the site, closest to the intersection of Southdale and Bostwick. The site is vacant and located south of an existing medium density neighbourhood, situated on the north side of Southdale Road West.

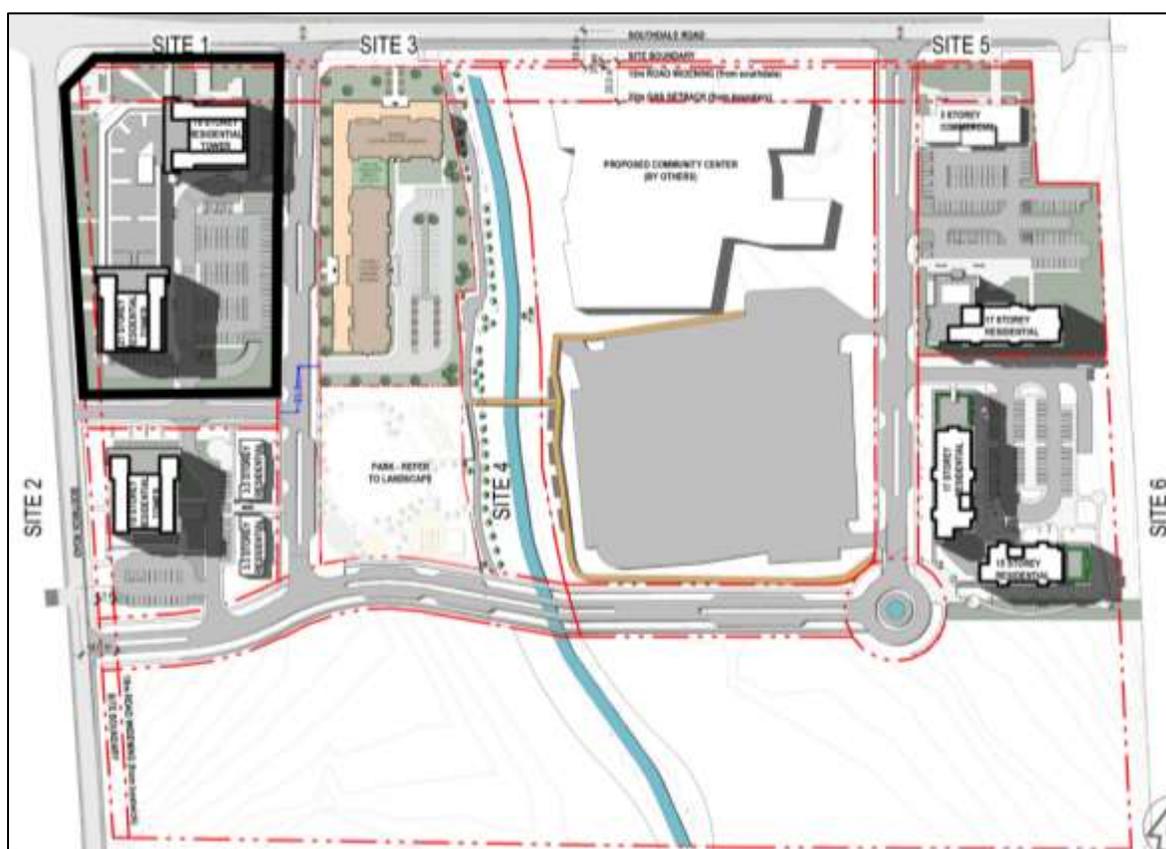


Figure 1: Initial Proposed Master Development Plan

1.2 Current Planning Information (see more detail in Appendix C)

- Official Plan Designation – Multi-Family, High Density Residential (MFHDR)
- The London Plan Place Type – Neighbourhoods & High Density Residential Overlay
- Southwest Area Plan Designation –High Density Residential (HDR)
- Existing Zoning – Urban Reserve (UR4) Zone

1.3 Site Characteristics

- Current Land Use – vacant
- Frontage – 99m (Southdale Road West)
- Depth – 164m (Bostwick Road)
- Area – 1.54ha
- Shape – Rectangular

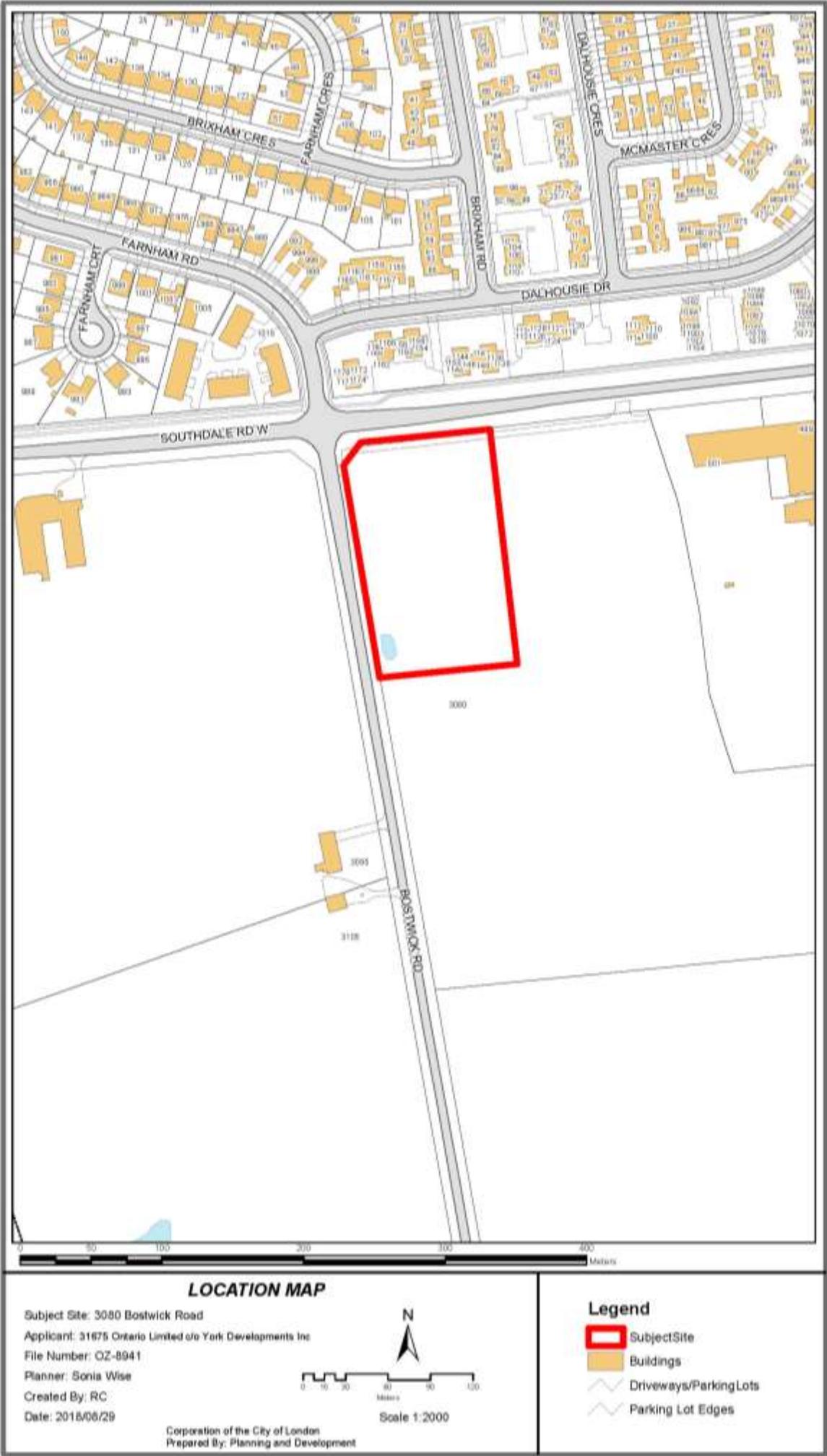
1.4 Surrounding Land Uses

- North – Residential
- East – Vacant land and Community Centre
- South – Vacant
- West – Vacant land and Agricultural

1.5 Intensification (identify proposed number of units)

- 372 residential units are being proposed within Site 1, which is located outside of the Built-Area Boundary, and Primary Transit Area

1.6 Location Map



1.7 Consent Application B.032/18

Site 1 is also the subject of an application for consent to sever B.032/18, to create the separate parcel, and retain the remainder of the lands for other development proposals. The consent application is being considered concurrently with the requested Official Plan and Zoning By-law Amendments.

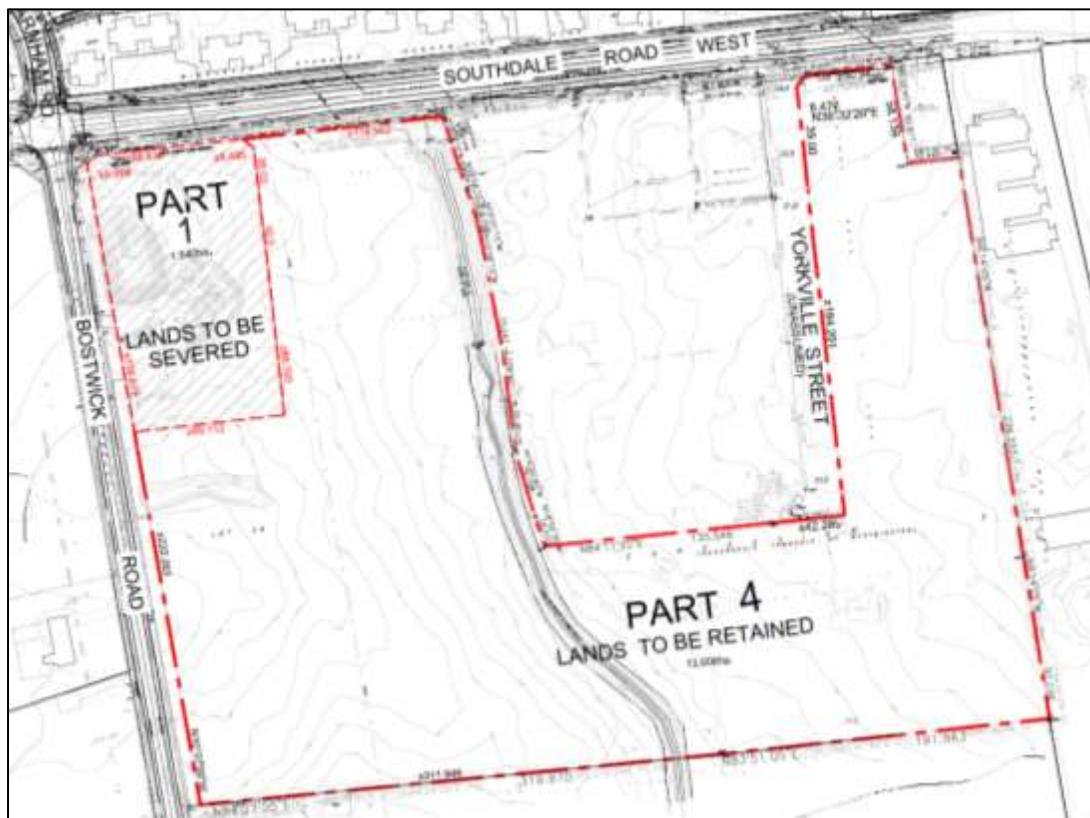


Figure 2: Proposed Severance Sketch B.032/18

1.8 Subdivision Application 39T-18502

The remainder of 3080 Bostwick Road to the south and east of Site 1 is the subject of an application for a draft plan of subdivision 39T-18502/Z-8931. The plan of subdivision is proposing three new roads, two new high density residential development blocks, an open space block and a new park block, as well as lands reserved for future development.

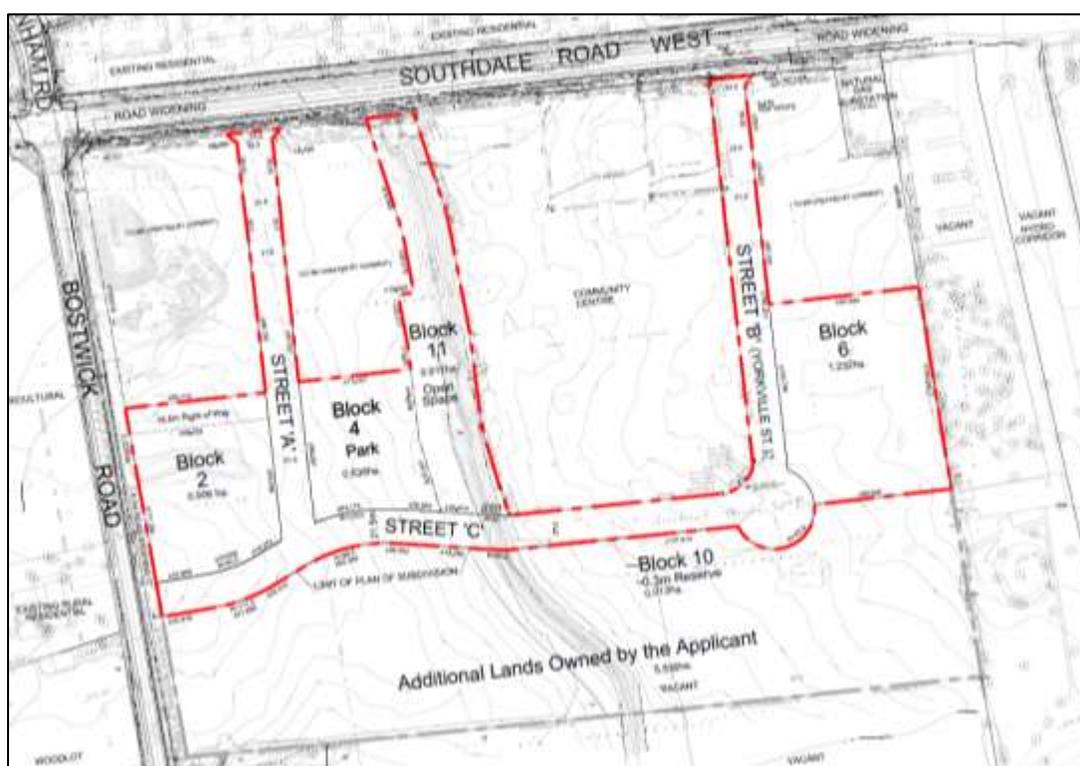


Figure 3: Proposed Draft Plan of Subdivision 39T-18502

The current Urban Reserve (UR4) Zone provides for and regulates existing uses on lands which are primarily undeveloped for urban uses. The UR zone is intended to protect large tracts of land from premature subdivision and development in order to provide for future comprehensive development. The proposed development for the subject site (Site 1) is being considered comprehensively with the proposed draft plan of subdivision, and the other site specific development applications for Sites 3 and 5, which are collectively referred to as the 'larger parcel'.

2.0 Description of Proposal

2.1 Development Proposal

The proposal is for a mixed use development with residential apartments, offices and convenience commercial uses. There are two towers proposed consisting of 18 and 21 storeys (77m). Both proposed towers are connected by a proposed five storey building containing 2,000m² of office space and 1,000m² of convenience commercial gross floor area. A wide range of uses are requested, including: studios, food stores, restaurants, personal service establishments, clinics, financial institutions and pharmacies.

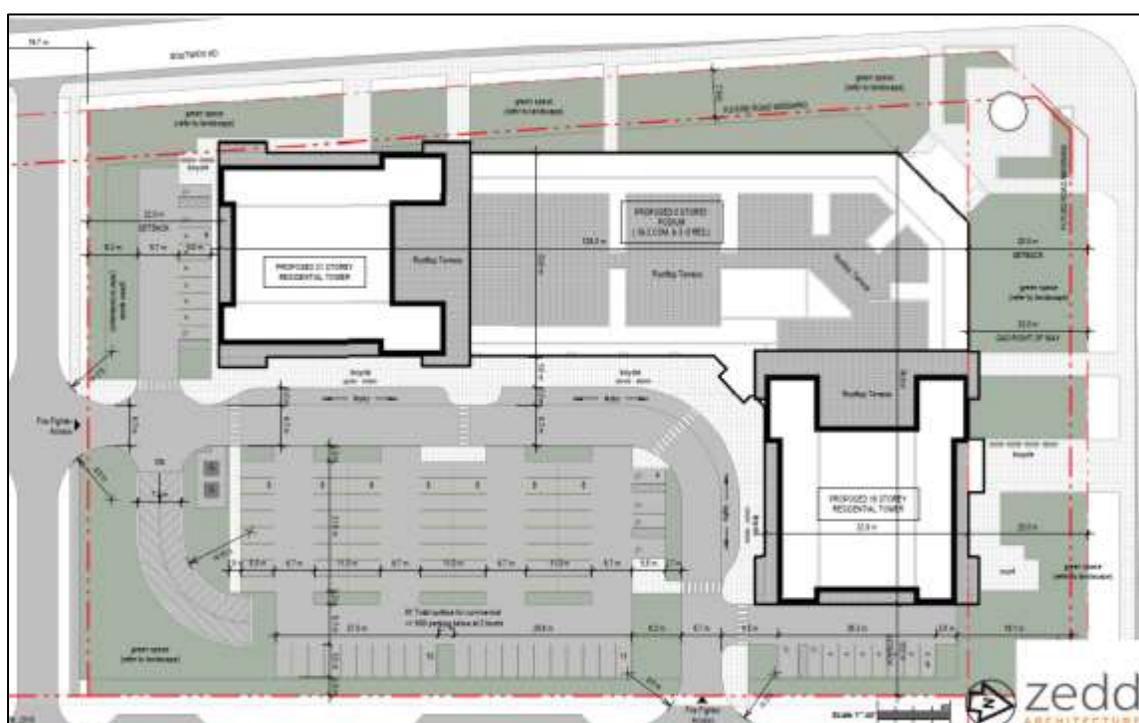


Figure 4: Conceptual Site Plan



Figure 5: Conceptual Rendering

3.0 Relevant Background

3.1 Planning History

The site is within the Southwest Area Secondary Plan area which came into full force and effect in April, 2014. Through the review of the SWAP, the Multi-Family, High Density Residential designation was approved by Council in October, 2012. In 2014, a portion of the lands at 3080 Bostwick Road were severed and re-zoned (Z-8386) to facilitate development of the Bostwick Community Centre.

3.2 Public Meeting

The requested amendment was before the Planning and Environment Committee on October 9, 2018 for a public participation meeting. An overview of the proposed development was provided as well as a summary of the public and stakeholder comments received.

The Planning and Environment Committee and Council endorsed the following:

a) the comments received from the public during the Public Engagement process appended to the staff report dated October 9, 2018 as Appendix "A" BE RECEIVED for information; and,

b) a public participation meeting BE HELD at a future meeting of the Planning and Environment Committee;

3.3 Community Engagement (see more detail in Appendix A)

Notice of Application was circulated on August 17, 2018, and notice was published in the Londoner on August 16, 2018. There were 8 responses provided through the community consultation to date. A summary of the comments include:

Concern for:

- Increased traffic and congestion (x6)
- Increased cut through traffic in the established neighbourhood to the north (x3)
- Pedestrian safety
- Road improvements should be implemented as recommended in the Southdale EA (x4)
- Only the ward 9 councillor was identified on the notice, not the nearby ward 10
- The local school capacity and ability to accommodate increased number of pupils (x2)
- Site 1 – building height is too high, should be 14 storeys or less
- Greater building heights are difficult to evacuate in emergencies and may block satellite signals
- Provide convenient drop-off/pick-up spaces for para transit vehicles
- Provide affordable housing options and small-lot, small home options
- Reduced setbacks should not be allowed

Support for:

- Positive to see the site finally develop
- Interest in investing in the project

A public participation meeting was held on October 9, 2018 to gather community comments and feedback. There was one speaker that was concerned about the impacts of cut-through traffic which will be analyzed further through a future speed/volume study along Farnham Road.

3.4 Requested Amendment

The requested amendment is for an Official Plan/Zoning By-law Amendment to permit the proposed mixed-use development. An Official Plan Amendment is required to add

the site to the list of preferred location for convenience commercial uses. A Zoning By-law Amendment is required to permit the proposed scale and intensity of residential, commercial and office uses on a site-specific basis. The Zone requested by the applicant is for a Residential R9/Convenience Commercial Special Provision/Restricted Office Special Provision Bonus (R9-7/CC4(_)/RO2(_)*B-__) Zone.

3.5 Policy Context

Provincial Policy Statement 2014

The *Planning Act* requires that all planning decisions made by City Council be consistent with the Provincial Policy Statement, 2014 (PPS). The PPS provides policy direction on matters of provincial interest related to land use planning, as Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. The PPS states that the most important vehicle for implementing the PPS is the Official Plan, which shall provide clear and reasonable policies that protect provincial interests and direct development to suitable areas (4.7).

The London Plan

The London Plan is the City's new Official Plan which was adopted by Council and approved by the Ministry. The London Plan represents Council's new direction for guiding land use in the City. At this time, portions of The London Plan referred to in this report are in-effect (Our Strategy, parts of Our City and City Structure Plan), and portions are under appeal (Neighbourhoods Place Type, High Density Residential Overlay and Our Tool – Bonusing). Notwithstanding their individual status, all policies of The London Plan have been considered in the evaluation of this application.

The City Structure Plan provides a framework for London's growth and change over the next 20 years which includes targeted growth in the City's Built Area Boundary and Primary Transit Area. All of the planning we do will be in conformity with the City Structure Plan.

The subject site is within the Neighbourhoods Place Type in The London Plan and located at the intersection of two Civic Boulevards. A range of uses are permitted including: single detached, semi-detached, townhouses, triplexes, small-scale community facilities, stacked townhouses, fourplexes, and low-rise apartment buildings. Secondary permitted uses in this location include: mixed-use buildings, and stand-alone retail, service and office uses. The development form is permitted between a minimum of 2 storeys and 4 storeys, with a potential to bonus up to 6 storeys (Tables 10-12).

The site is also located within the High Density Residential Overlay which recognizes greater development potential for some sites previously designated as Multi-Family, High Density Residential.

1989 Official Plan

The subject site is within the Multi-family, High Density Residential (MFHDR) designation, which primarily permits multiple-attached dwellings, and low and high-rise apartment buildings with densities generally less than 150 units per hectare for locations outside of Central London (3.4.3). Some secondary permitted uses are contemplated within the MFHDR designation that are considered to be integral to, and compatible with, high density residential development. Uses such as community facilities, small-scale office developments, and convenience commercial uses may be considered where they meet relevant policies (3.4.1).

Southwest Area Secondary Plan (SWAP)

Both The London Plan and the 1989 Official Plan recognize the need for a Secondary Plan to provide more detailed policy guidance for a specific area that goes beyond the general policies. The Southwest Area Secondary Plan (SWAP) forms part of The

London Plan and the 1989 Official Plan, and its policies prevail over the more general Official Plan policies if there is a conflict (1556 & 1558). The SWAP has also included relevant policies from the 1989 Official Plan which were carried forward and become part of the Secondary Plan. Where policies of the 1989 Official Plan are referenced but not carried forward, it is the intent that the SWAP is to be read in conjunction with the policies of The London Plan (20.5.17.1).

The site is located within the Bostwick Residential Neighbourhood and designated High Density Residential (HDR) in SWAP. Mid-rise to high-rise residential form is permitted with densities and heights up to a maximum of 150 units per hectare and 12 storeys respectively (20.5.9.2), as is the consideration for certain secondary permitted uses as well as site-specific bonus zoning.

Evaluation

The primary review of the planning application was based on consideration for the policies of the Provincial Policy Statement, 2014, The London Plan, the Southwest Area Secondary Plan and the 1989 Official Plan. Portions of The London Plan have been appealed by York Developments as they relate to 3080 Bostwick Road. The planning analysis has resulted in 4 main areas where there is inconsistency with the Provincial Policy Statement, 2014, and/or nonconformity with the Official Plan policies. These include:

- 1) Intensity
- 2) Mix of Residential Uses and Form
- 3) Bonusing
- 4) Issues Requiring Further Consideration

1) Intensity

Our Strategy

One of the 8 key directions of The London Plan is to ‘build a Mixed-use compact city’, by Implementing a City Structure Plan that focuses high-intensity, mixed-use development to strategic locations along rapid transit corridors and within the Primary Transit Area (59_1). The level of intensity proposed could be considered appropriate for locations such as the downtown or a transit village where the population would best benefit from and contribute to the intended function, however the level of intensity is not appropriate for the site as it results in a dispersion of density and does not contribute to achieving a compact City form.

A related direction is to ‘make wise planning decisions’, which requires big picture and long-term thinking when making planning decisions to consider the implications of a short-term and/or site-specific planning decision within the context of this broader view (62_3). The intensity proposed on the subject site needs to be considered where it fits in a city-wide context and whether it supports strategic and efficient growth intended by The London Plan.

Our City

The ‘Our City’ section describes the existing and future structure of the City, including the major elements that establish the physical framework of London, and how the City will manage growth in the next 20 years. Greenfield forms of development such as the proposed development will continue to be considered, though there is greater emphasis on encouraging and supporting growth within the existing built-up area of the city (79).

Directing infill and intensification to the Primary Transit Area is a major part of the Plan’s strategy to manage growth in the city as a whole and to achieve a target of accommodating 45% of all future residential growth in the Built-Area Boundary (91). Additionally, it is a target of the plan that 75% of all intensification be achieved in the Primary Transit Area which includes the greatest amount and highest level of transit service in the city (92_2). The subject site is located outside of both the Built-Area

Boundary and the Primary Transit Area, and is not a desirable location for the level of intensity proposed.

The PPS directs that planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, such as the intensification targets for the Built-Area Boundary and the Primary Transit Area (1.1.3.5). Allowing the intensity of 262 units per hectare outside of the targeted growth areas will affect demand within those areas and is not in keeping with the intent for strategic long-term planned growth.

Growth Servicing

The PPS identifies that land use patterns within settlement areas shall be based on densities and a mix of lands uses which efficiently use land and resources, are appropriate and efficient use infrastructure, public service facilities, and do not require their unjustified or uneconomical expansion (1.1.3.2.a.1)&2)). The Growth Framework established by The London Plan is a plan for shaping growth over the next 20 years by directing growth to strategic locations. Infrastructure will be planned and directed to service the development patterns and levels of intensity expected based on the City Structure Plan, place type allocation and policies of this Plan (166). The proposed development significantly exceeds the anticipated level of intensity for the site which has the potential to influence development growth and demand in the broader city context.

Neighbourhoods Place Type

The site is located within the Neighbourhoods Place type which allows for a range of residential uses, and a development form between a minimum of 2 storeys and 4 storeys, with a potential to bonus up to 6 storeys (Tables 10-12).

High Density Residential Overlay

Though The London Plan directs higher density uses towards strategic locations to support and take advantage of public transit, such as in transit villages and along rapid transit corridors, it also recognizes some remnant high density residential areas (954). The subject lands are designated in the 1989 Plan as Multi-Family, High Density Residential, and are recognized in the High Density Residential (HDR) Overlay which retains greater development potential despite not being in a targeted growth location (955).

Lands like the subject site, which are within the High Density Residential Overlay but outside of the Primary Transit Area may be permitted up to 12 storeys with a density up to a maximum of 150 units per hectare. The proposed 18 and 21 storey form, and 262 units per hectare well exceed the intended cap of the HDR overlay policies.

Southwest Area Secondary Plan

The lands are designated as High Density Residential in the Bostwick Neighbourhood, which provides for a range of mid to high-rise residential uses. These lands are intended to be the most intensive in the residential neighbourhood areas which are implemented through development permissions that contemplate up to a maximum of 12 storeys, and 150 units per hectare. The proposed development surpasses the maximum height of 12 storeys with 18 and 21 storey towers, as well as the density with a requested 262 units per hectare. The height and form of the development directly influences the density through the provision of more residential units. The proposed intensity concentrates growth outside of the Built-Area Boundary and Primary Transit Area and results in an over-intensification of the site. The maximum height of 12 storeys and 150 units per hectare provide the most intensive permissions for development in the Bostwick Neighbourhood, and are appropriate parameters to guide future development of the site.

1989 Official Plan

The scale of development for Multi-Family, High Density Residential designated lands includes 150 units per hectare outside of Central London and up to 250 units per hectare within Central London bounded by the Thames River to the south (3.4.3). The site is located many kilometres outside of Central London, while proposing a density that would far exceed the greater density consideration afforded to that area.

Consideration of Comprehensive Development

The existing zone is an Urban Reserve (UR4) Zone which is intended to protect large tracts of land from premature subdivision and development in order to provide for the future comprehensive development on those lands. Despite the application for a site specific Official Plan and Zoning By-law Amendment and consent to sever, the entire legal parcel of 3080 Bostwick Road and its relationship to Site 1 requires holistic consideration, and the site cannot be evaluated in isolation. The remainder of the lands at 3080 Bostwick Road are also proposed for various high density residential development forms through other separate Official Plan/Zoning Amendments and a plan of subdivision. There are four additional development sites proposed, with three development sites (Site 5, Block 2 & Block 6) exceeding the maximum height and density, and one development site proposing the highest level permitted (Site 3).

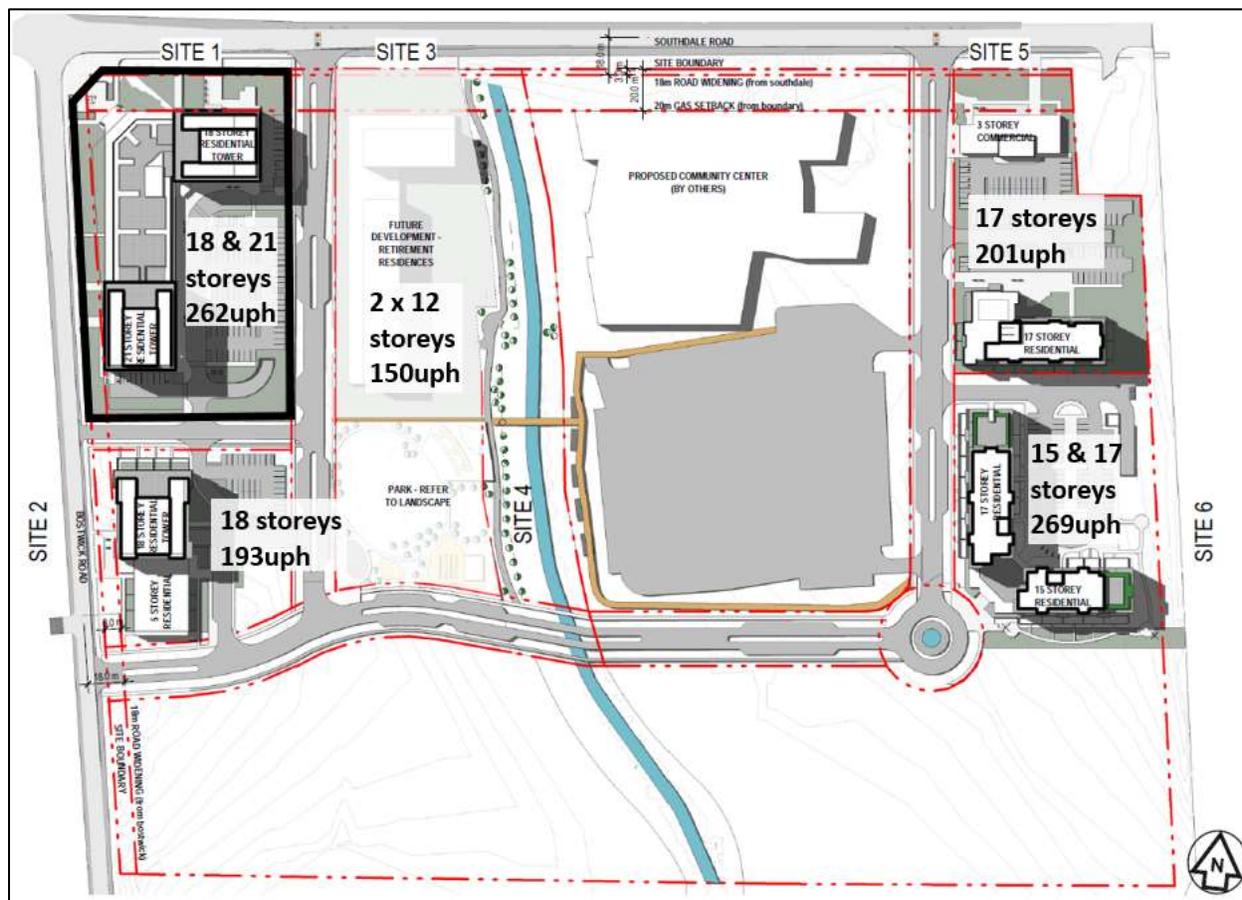


Figure 6: Master Plan Intensities

Intensity Summary

High-rise apartment buildings play a significant role in supporting the fundamental goal of linking land use and mobility. This type of development generates significant densities which can create a high demand for transit services. Directing these uses to the Downtown, Transit Village, and Rapid Transit Corridor Place Types creates vibrant active and connected centres, and is a key strategy to create the context for a viable and cost-efficient transit system.

Site 1 individually, and as part of the larger parcel, collectively represents intensity which is not appropriate and results in an over-intensification of the site. Locating such high density and intensity outside of the Primary Transit Area and Built-Area Boundary

does not conform to the policies of the City Structure Plan and intent of The London Plan that directs the most intensive development to strategic locations to make wise planning decisions. The concentration of the high density residential units outside of a targeted growth area like the Built-Area Boundary or Primary Transit Area influences the growth patterns and demand in the Southwest Area and broader City context.

The requested mixed-use apartment is contemplated as an appropriate use for the lands, however the height of 18 and 21 storeys and density of 262 units per hectare exceeds the High Density Residential Overlay, the High Density Residential designation in SWAP and the Multi-Family, High Density Residential designation policies of the 1989 Official Plan; all of which consider development up to 12 storeys and 150 units per hectare.

2) Mix of Housing Types

The PPS identifies that healthy and liveable communities are sustained by accommodating an appropriate range and mix of residential uses (including second units, affordable housing, and housing for older persons) uses (Policy 1.1.1(b)). The only residential use proposed for Site 1 and the larger parcel of 3080 Bostwick Road is high-rise apartment, which does not provide a range or mix of residential uses.

Our Strategy

To build a mixed-use compact city, a mix of housing types within our neighbourhoods is required so that they are complete and support aging in place (59_5). The proposal is one piece of a larger development plan which proposes entirely the same form of development resulting in only one housing type provided.

To build strong, healthy and attractive neighbourhoods for everyone, neighbourhoods need to be designed to meet the needs for people of all ages, incomes and abilities, allowing for aging in place and accessibility to amenities, facilities and services (61_2). The proposal does not provide any mix of housing forms that would contribute to providing a diversity and variety of housing that would truly cater to the needs of many.

Neighbourhoods

Neighbourhoods will be planned for diversity and mix and should avoid the broad segregation of different housing types, intensities, and forms (918_2). The proposed development provides a high-rise residential form which is further replicated on all of the development parcels under review for 3080 Bostwick Road. The result is a concentration of only high density residential units in one location that will be segregated from existing and future development forms.

High Density Residential Overlay

On large sites or areas within the High Density Residential Overlay, capable of accommodating multiple buildings, a diversity of housing forms such as mid-rise and low-rise apartments and multiple attached dwellings will be required (958_3). The site itself, and its relationship to the larger parcel are both large enough to accommodate a variety of the forms specified, though the only residential use proposed is high-rise residential apartments, which does not achieve the intent of the policy. Additionally, zoning may not allow for the full range of height and density identified in these policies. (958_5).

Southwest Area Secondary Plan

The SWAP provides direction that in order to create diverse and connected communities, a mix of housing types, densities and design should be provided throughout each neighbourhoods (20.5.1.4.ii.a)). A range and mix of uses is required to achieve balanced and inclusive residential communities. In applications for subdivision, a diversity of building types is required to provide a mix of residential forms (20.5.4.1 iii)

c)). Site 1 and the entirety of 3080 Bostwick Road represent only one form of residential building type which does not achieve a balanced or inclusive community. Despite the site-specific consent to sever application for Site 1, it forms part of the larger parcel of 3080 Bostwick Road and is considered under the same criteria as a subdivision (51.12 Planning Act).

1989 Official Plan

The 1989 Official Plan supports the provision of a choice of dwelling types according to location, size, affordability, tenure, design and accessibility, and minimizing the potential for land use compatibility problems which may result from an inappropriate mix of low, medium and high density housing (3.1.1.ii & vii). Outside of the Downtown and Central London areas, it is Council's intention that a mixing of housing types, building heights and densities shall be required in large designated areas which normally exceed 3ha (3.4.3.i). All areas shall include a diversity of housing forms such as mid-rise and low-rise apartments and multiple attached dwellings in order to minimize the overwhelming effect of large high-rise developments (3.4.3.i.b)).

Site 1 has a lot area of 1.5ha, but is part of the property of 3080 Bostwick Road which is 15ha and collectively larger than the identified 3ha which would qualify it as a 'large' site. Despite the individual applications submitted for Site 1, the consideration is based on the entire property which is well able to produce a variety of housing forms to provide for diversity. The lowest high-rise form is 12 storeys and the tallest is 21 storeys which does not allow for housing choice or variety. There are no low-rise, mid-rise or multiple attached forms proposed which results in 100% of the residential form on the larger parcel as high-rise apartments. Additionally, the UDPRP is supportive of a mix of built forms throughout this project.

Mix of Housing Types Summary

In order to achieve well-designed and inclusive communities, a mix of housing types is necessary to support the needs for people of all ages, incomes and abilities, and provide opportunities for aging in place. It is not sufficient to provide for a variety of housing only within the context of the entire Bostwick Neighbourhood, as the policies require a mix within the designation as well, and on sites larger than 3ha. The policies of the Southwest Area Secondary Plan, The London Plan Neighbourhoods place type, the High Density Residential Overlay and the Multi-Family, High Density Residential designated lands of the 1989 Official Plan all require a mix of housing forms be provided for housing variety, and to minimize the overwhelming effect of large high-rise developments and the broad segregation of housing forms and types.

The policies of the 1989 Official Plan, the SWAP HDR, the Neighbourhoods place type and the High Density Residential Overlay allow for a wide range of multiple-attached, mid-rise and high-rise residential forms that can provide for a desirable mix of housing types on 3080 Bostwick Road and still achieve the intent for the Bostwick Neighbourhood as the most intensive of the residential designations within this area. It is not appropriate or desirable to allow only one residential form of residential use (high-rise) for the entirety of Site 1, as well as the larger parcel of 3080 Bostwick Road.

3) Bonusing

Southwest Area Secondary Plan

The SWAP policies for the High Density Residential designation in the Bostwick Neighbourhood allow for the **consideration** of site-specific bonus requests that exceed the maximum height and density of the High Density Residential designation (20.5.9.2.iii.c)). The requested increase in height above the 12 storeys maximum to 18 and 21 storeys, as well as the increase in density above the 150 units per hectare to 262 units per hectare is proposed through a bonus zone.

1989 Official Plan

Bonus zoning **may** permit increases to the height and density in return for the provision of such facilities, services or matters. The facilities, services or matters should be reasonable for their cost/benefit implications and must result in a benefit to the general public and/or an enhancement of the design or amenities of a development to the extent that a greater density or height is warranted. Bonus Zoning is provided to encourage development features which cannot be obtained through the normal development process (19.4.4.i&ii).

The increased height of 18 storeys and 21 storeys (77m), and density of 262uph is requested through a site-specific bonus zone. The proposed bonusable facilities, services or matters by the applicant include “enhanced urban design elements” as well as:

b) To support the provision of common open space that is functional for active or passive recreational use;

It is unclear where the common open space is located, how large it is, how it will be used for active or passive recreational use, and any other detail regarding potential qualification as a bonusable facility, service or matter.

The applicant has suggested that the land transactions for the Community Centre in 2014 would be considered as a bonusable element for the consideration of the developments proposed at 3080 Bostwick Road, however the transactions concluded in 2014 and did not provide any future density credit or development consideration. In 2014, part of the lands for the Bostwick Community Centre were received as a donation which was acknowledged with receipt of a tax credit for fair market value in the amount of \$2,380,000.00, and additional lands were purchased by the City for \$2,000,000.00 for a total of \$4.38M. The land transactions are ineligible to be considered as ‘bonusable’ for the current application as fair compensation was provided at that time, and the matter was concluded in 2014.

c) To support the provision of underground parking;

In the General Policies of SWAP, “parking should be located underground for large buildings, such as high-rise residential buildings, office buildings and mixed-use buildings” (20.5.3.9.iii.g)). The direction in SWAP for new development is required for all relevant properties in the southwest area, and is a feature able to be achieved through the normal development process. Additionally, there is the provision of surface parking as well, which does not result in the added benefit of increased landscaped open space if all parking was to be provided underground.

Underground parking formerly qualified as a bonusable element through the 1989 Official Plan, however the SWAP now requires underground parking as part of the building design consideration, and The London Plan no longer considers underground parking as an eligible bonusable feature. Underground parking is transitioning from a design feature that was considered above and beyond the normal development process to a requirement that forms the normal development process.

d) To encourage aesthetically attractive residential development through the enhanced provision of landscaped open space;

It is unclear the degree to which the provision of landscape open space is enhanced. The R9-7 zone requires a minimum provision of 30% landscaped open space, and the proposal is for the provision of 32.7%. There is inadequate detail regarding the quality of landscaping as well to justify qualification as a bonusable feature. Providing only the minimum requirements of what is achievable through the normal

development process would not result in any enhanced public benefit or be eligible for consideration as bonusable.

h) To support innovative and environmentally sensitive development which incorporates notable design features, promotes energy conservation, waste and water recycling and use of public transit;

It is unclear what features are proposed that promote energy conservation, waste and water recycling and use of public transit. Without detailed specifics of what these features are, it is not possible to determine if they truly represent an exceptional and enhancement that would result in a public benefit.

j) To support the provision of design features that provide for universal accessibility in new construction and/or redevelopment

It is unclear how the provision of design features provide for enhanced universal accessibility. The Ontario Building Code contains requirements for universal accessibility and if the proposal is only meeting the minimum of these requirements, it would be considered provisions through the normal development process and not eligible for any consideration as a bonusable element.

At the time of the preparation of this report, additional bonusing details were submitted by the applicant on October 31, 2018 which have been included as an attachment, but not yet been reviewed by the City.

The London Plan

Bonus zoning will only be considered where it is demonstrated that the resulting intensity and form of the proposed development represents good planning within its context (1653). The height and intensity proposed through the bonus request does not represent good planning as it is not combined with providing a mix of housing types or within a location that would support the intensity proposed. Greater height or density offered through type 2 bonus zoning will be commensurate with the public value of the facility, service or matter that is provided (1654). The proposed bonusing does not represent sufficient public benefit or offset the height or intensity increases.

Bonusing Summary

The proposed bonus zoning does not support a form or intensity of development that is in accordance with the City Structure Plan, or representative of good planning. Further, the bonusable features themselves would not represent a commensurate value to the requested increases in height and density as they do not reflect provisions beyond what can normally be achieved through the development process and do not represent any enhanced public benefit. The bonusing proposed is conceptual only and lacks specific details required to evaluate what the tangible items are, and whether they truly qualify as bonusable facilities, services and matters.

4) Issues Requiring Further Consideration

In addition to the items that fail to conform to the various PPS and/or Official Plan policies, the functional and technical elements of the proposed development are not in a satisfactory state or timing for acceptance. Many of the items under review require amendments, revisions and modification in order to ensure there will not be any detrimental impacts on the transportation network, natural heritage features or existing or planned development. The proposed development is not recommended for consideration until there is more detailed information provided to address the following:

Transportation and Mobility

The London Plan places a new emphasis on creating attractive mobility choices by focusing intense, mixed-use development to centres that will support and be served by

rapid transit, integrated with walking and cycling (60_5). The site has proximity to the primary transit area boundary, but is not located within the boundary, or has access to rapid transit services. The site is not currently well served by transit having access to only a one-way service on Southdale from Bostwick to Wonderland which operates as a branch of Route 15, providing a quarter of the service of Route 15. The frequency of the route provides 30 minute one-way weekday daytime service, 60 minute evening and Sunday service, and 40 minute Saturday daytime service. The London Transit Commission has provided comments as follows:

“We would note that this development falls outside the primary transit area of the London Plan. Directing large scale development outside of where transit operates frequently impairs efficient transit operations. Our transit network is forced to increase in geographic scale with relatively small gains in ridership - a definite concern of ours.”

Without frequent and reliable transit service, single vehicle trips are likely to be more prevalent for mobility and movement. A total of 725 parking spaces are proposed to be located in two underground levels, with some surface parking spaces. Access is proposed from Street A to the east, as well as an east-west connection located to the south of the site. Transportation staff have reviewed the Transportation Impact Assessment and identified certain changes required for the correct and efficient operation of traffic. Transportation staff cannot support a full access for Street A, as the Southdale Road EA identifies a median at this location restricting the access to right in/right out. Furthermore, the signal spacing does not meet the minimum spacing as identified in the Access Management Guidelines. The timing of various DC road projects is currently being reviewed through the DC update and may impact future road capacity assumptions contained in the TIA.

Sanitary Servicing

Sanitary capacity for the larger parcel is currently limited to 7.5 l/s which restricts the blocks that can develop in the short term. These capacity issues can be addressed over the long term, however staging and/or phasing of the proposed development(s) will be required until the ultimate solution is available. Holding provisions would be required to ensure that capacity exists prior to construction and occupancy of proposed developments. There are planned growth works for the area identified in the 2014 DC Study which include a new pumping station on Colonel Talbot Rd. and a sanitary trunk sewer along Bostwick Rd. Further discussion on the ultimate solution for the site is warranted.

Natural Heritage and Environment

Site 1 is currently part of a larger parcel of land which includes environmental features such as the Thornicroft Drain and a significant woodland/wetland feature past the southern extent of Street C. Despite Site 1 being located at the northwest portion of the site and not having an immediate interface with the natural heritage features, the implications for providing a sufficient buffer to the Thornicroft Drain and any other natural features may adjust the location of the developable lands and have a cascading effect on the road locations and parcel shapes and sizes. Additionally, the proposed severance of the subject site would allow for a change in ownership which is only appropriate once the larger parcel has been addressed comprehensively from a natural heritage feature point of view to avoid the fragmentation of land.

It is essential that the lands for the whole of 3080 Bostwick Road are considered comprehensively to evaluate their collective impact on natural heritage and environmental features. Various concerns and comments have been raised by the UTRCA regarding the submitted Environmental Impact Study, Stormwater Management, and Hydrogeological and Water Balance provided, some of which are shared by EEPAC Environmental and Parks Planning staff. A summary of the comments provided by the UTRCA on the individual studies are as follows:

Environmental Impact Study

In conclusion, there is not enough information provided in the EIS to determine whether development within the significant deciduous woodland community in the south (Patch 10064) or within the 30 – 40m buffer of the Thornicroft Drain, or within the vegetation communities supporting Species at Risk will have any long-term impacts to their ecological function of these features. As such, we request a more conservative approach to ensure that the ecological function of the natural features will be maintained.

Stormwater Management

The uncontrolled major and minor flows from the site may cause erosion, flooding and water quality issues in the receiving Tributary D. The UTRCA requires that consideration be given to interim measures to slow down the runoff from the site to avoid local flooding and erosion that may be caused by increased imperviousness on the site due to development.

Hydrogeological and Water Balance Assessment

The most significant deficiency is in the incorporation of the hydrogeological interpretation and the impact to the natural heritage features and the regulated areas on and adjacent to the Site. In conclusion, there is insufficient assessment of the groundwater and the natural heritage features from a water quality and quantity basis. Further work needs to be completed prior to conditions of draft plan approval being provided by the UTRCA for the proposed development of 3080 Bostwick Road as the changes to the water budget alone are likely to significantly impact the natural heritage features.

Summary of UTRCA Comments

*As was conveyed in our October 2, 2018 comments, given the UTRCA's outstanding concerns regarding the cumulative impacts of the proposed development on the natural hazard lands and the natural heritage system as well as the noted deficiencies of the supporting technical reports, the Conservation Authority continues to recommend that the applications be **deferred** so that the matters can be addressed or alternatively be refused.*

However, if the matter is considered by PEC at its November 12, 2018 meeting and the Committee is supportive of the applications, the UTRCA requests that holding provisions be applied to Site 1, Site 3 and Site 5 whereby the applicant shall be required to submit/prepare a Hydrogeological Assessment and Water Balance Analysis, a Stormwater Management Report and an Environmental Impact Study to the satisfaction of the UTRCA.

Built Form and Design

In order to achieve a well-designed built form throughout the City, development that is designed to be a good fit and compatible within its context, a mix of housing types to support aging in place and affordability, and healthy diverse and vibrant neighbourhoods that promote a sense of place and character (193_1,2,7&9). The proposed development has some positive features regarding design such as: providing for a continuous street wall along the Southdale Road and Bostwick Road frontages; incorporating the majority of parking within proposed buildings; and incorporating mix-use development at Southdale and Bostwick Road. However, changes to the design are required, as the current form proposed does not have sufficient details or merit to be considered an enhanced built design.

Stepbacks are required for the tower component from the lower level to create a podium feature instead of a sheer wall of 21 storeys from the ground floor to the top of the

building, and podiums are to be broken up horizontally in order to reduce their overall massing. Further, the UDPRP identified that with respect to the 5 storey podiums, there may be a need to potentially stepback an upper podium to reduce the massing of the podium. The tower should then have a further stepback. Additionally, the podiums should be broken up lengthwise - potentially into more than one building on a development site, to reduce the overall massing.

Bonus zone requests are intended to begin with an enhanced and exceptional building design of high quality which meets the urban design policies. It is not appropriate to consider a design that does not qualify as an enhanced design, as well as one that would not be able to 'lock in' the enhanced design to provide certainty regarding the implementation of positive features through subsequent planning and design processes.

Zoning

The requested amendment is for a Residential R9/Convenience Commercial Special Provision/Restricted Office Special Provision Bonus (R9-7/CC4(_)/RO2(_)*B-__) Zone which includes commercial, office and residential uses.

Residential

The proposed R9-7 zone is used to implement High Density Residential forms of housing and allows for the requested apartment building. The zone would be appropriate to implement the requested apartment use if it was applied in a context that supports the broader policies of providing a mix of land uses and consideration of a comprehensive development proposal.

Special provisions are requested for the proposed development that include: a 0.4m exterior side yard setback, a 22m rear yard setback, and an increased lot coverage of 37%. The reduced exterior side yard results in a building that is brought closer to the street edge which is generally acceptable. The reduced 22m rear yard setback still provides adequate setback from the rear of the property to allow for functionality. The increased lot coverage from 30% maximum to 37% requested is not an increase that would be unsupported, however it can be indicative of a building form that is too large for the site. Generally, there is a relationship between increasing the lot coverage of a building when the landscaped open space is equally increased to offset the built form coverage. The landscaped open space is proposed at 32% which does not provide this relief.

Commercial and Office

The London Plan contemplates some mixed-use and commercial uses at this location at the intersection of two civic boulevards, to meet the daily needs of neighbourhood residents, including: mixed-use buildings, and stand-alone retail, service and office uses. (918_5). The provision of small-scale commercial and mixed use development could be appropriate at this location, and could contribute to providing residents with easy access to daily goods and services within walking distance.

It is a goal of this Plan to allow for an appropriate range of retail, service and office uses within neighbourhoods. The range of retail, service and office uses that may be permitted in this Place Type will only be permitted if they are appropriate and compatible within a neighbourhood context (924).

Southwest Area Secondary Plan

Higher intensity mid-rise, transit-oriented development is encouraged along portions of the arterial road network to support the provision of transit services as detailed in 20.5.4.1 iv) of the General Residential policies.

Secondary Permitted Uses and Mixed Uses

The SWAP Bostwick Neighbourhood HDR designation allows for the consideration of secondary permitted uses such as convenience commercial and community centre uses, allowed in the Multi-Family, High Density Residential designation of the 1989 Official Plan to be permitted (20.5.9.2.ii). There are secondary uses of convenience commercial and restricted office proposed for the site in a mixed use format. The full range of requested uses include:

Restricted Office (RO2) Uses

- Clinics;
- Medical/dental offices;
- Medical/dental laboratories; and,
- Offices.

Convenience Commercial (CC) Uses

- Bake shops;
- Commercial schools;
- Florist shops;
- Pharmacies;
- Restaurants eat-in;
- Brewing on premises establishments;
- Business service establishments;
- Convenience business service establishments;
- Day care centres;
- Offices;
- Studios;
- Food stores;
- Restaurants, take-out;
- Convenience services establishments;
- Convenience stores;
- Financial institution; and,
- Personal service establishments (all without drive-thrus).

The requested secondary uses include the full diversity and range of convenience commercial and restricted office uses contemplated as permitted uses by the policies. The focus for the Bostwick Neighbourhood is residential in nature, and intended to support the commercial uses along the Wonderland Enterprise Corridor. Convenience Commercial uses are generally limited in scale to a maximum of 300m² per use to ensure that the commercial uses are small-scale and serve the local community.

A special provision was requested for the CC zone to exempt the size restriction which would allow a permitted use to utilize the maximum 1,000m² for a single use. Having a large scale commercial use would not complement the Wonderland Road corridor and would instead compete with the commercial demand in the area. It is not appropriate to exceed the 300m² maximum size of each commercial use and the requested special provision is not supported.

Similarly, the full request for office use is 2,000m² which could be occupied by one single office use. The general provision for office space in the Wonderland Road Corridor is also 2,000m² and it is necessary to differentiate the hierarchy of office space through restricting the size of any one office use to 1,000m² to ensure the corridor contains the most permissive office opportunities.

Planning Impact Analysis

The Planning Impact Analysis will be used to evaluate applications for an Official Plan and/or Zoning change to determine the appropriateness of a proposed change in land use.

- a) *compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area.*

The lands to the north of the site are developed as low-medium density housing with townhouses and single detached dwellings as the dominant form. There is a Union Gas pipeline along the Southdale Road West frontage which requires an additional 20m setback of the built form from the road which can effectively mitigate shadow impacts and the bulk of the buildings. There will be greater shadowing on the lands to the north from the higher heights than there would be from a lower built form, though the impacts would still be reasonable.

The Bostwick Community Centre is located to the east of the site and residential uses in this location would support patronage of the community centre within walking distance. Lands to the south and west represent future development lands, which are designated to include a variety of low, medium and high density housing forms. Providing a mix of low-rise and mid-rise apartments as well as multiple attached dwellings would provide a more integrated and compatible form than the contrast between the high-rise proposed and future lower rise uses.

- b) *the size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed use;*

The form of development lacks certain design features such as tower setbacks which would contribute to positive design and better pedestrian environment. The over-use of the site results in towers that present sheer walls to the street with minimal relief which emphasizes the tower height and massing. The proposed built form exceeds the maximum lot coverage for the site and requires additional modification to the form or additional lands to create a better built form outcome.

- c) *the supply of vacant land in the area which is already designated and/or zoned for the proposed use;*

The lands are designated and well suited to develop for a variety of High Density Residential forms. The proposal for Site 1 is one site of 4 additional development blocks which are all proposing at or above the maximum intensity contemplated for the lands. There are additional High Density Residential designated lands south of Street C which have not been included in the subdivision, and the development form and intent for these lands is not known at this time.

The lands in the Wonderland Road Enterprise Corridor were recently amended to reduce the residential intensity from a maximum heights of 14 storeys to 6 storeys with bonusing, and maximum densities from 175uph to 100uph with bonusing. The reduction in residential intensity was to recognize that there are more strategic locations in other areas of the city to direct the greater heights and densities than within the Wonderland corridor. Though the built form is capped at a mid-rise level of 6 storeys, there is the potential to bonus up to 100uph which is at a high density intensity.

Within the broader SWAP area, there is a special policy for lands at 17 & 31 Exeter Road which permits high density residential buildings up to 12 storeys and 150 units per hectare, which is currently undeveloped (20.5.6.5.v). Additional lands are located at Southdale and Pomeroy Lane under the North Talbot Area Plan which are developed with and proposed for a new 12 storey residential form.

There are a number of opportunity sites within SWAP that would accommodate high density or high-rise residential uses, including the subject lands.

- d) *the proximity of any proposal for medium or high density residential development to public open space and recreational facilities, community facilities, and transit services, and the adequacy of these facilities and services.*

The site is in close proximity to the Bostwick Community centre which provides community and recreational resources. There is limited transit services currently,

which will likely be improved as more of the SWAP is developed, though it should be noted that this site is still located outside of the rapid transit corridors and Primary Transit Area. A new park of 0.636ha is proposed to the southeast of the site and Parks Planning staff have advised that additional parkland will be required to support the intensity proposed. The Thornicroft Drain is located further east which is showing trails for pedestrians within the buffer area as part of the subdivision, though trails cannot be located within the buffer and an additional 8m width is required to provide for the trail feature which will shift the boundary of Site 3.

- e) *the need for affordable housing in the area, and in the City as a whole, as determined by the policies of Chapter 12 – Housing*

The provision of forms of housing other than single detached dwellings are encouraged in SWAP and The London Plan which provide intrinsic affordability given the smaller unit size compared to a detached dwelling (518). There is no affordable housing proposed as defined in Chapter 12 of the 1989 Official Plan, though the provision of affordable housing units could be considered as part of the bonusing services, facilities or matters in agreement with the Housing Development Corporation.

- f) *the height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;*

The proposed heights of Site 1 are 18 and 21 storeys. Surrounding heights of the nearby residential development proposals include two 12 storey towers on site 3 to the east, one 17 storey tower on site 5, one 18 storeys tower on site 2 and two 15-17 storey towers on site 6. There is very limited variation in building heights on the surrounding development sites which can create an overwhelming effect of the high-rise residential form. Providing a mix of low-rise and mid-rise apartment buildings will vary the overall heights of 3080 Bostwick Road, and reduce the intensities to be more consistent with the policy intent.

Urban Design staff have identified that heights should transition across the sites from north to south, by locating the tallest buildings along Southdale Road and transitioning south with lower scale buildings. The UDPRP recommends a broader variation in building heights among the towers to create additional distinction in heights.

- g) *the extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;*

The site is mostly vacant with very little existing vegetation that would be desirable to retain. On the larger site, the Thornicroft Drain is a naturalized feature that is proposed to have a pathway located parallel to the drain which would provide access to the feature.

- h) *the location of vehicular access points and their compliance with the City's road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties;*

The vehicular access for Street A will require modification as there will be a median proposed along Southdale Road West, and the proximity of the existing traffic lights at Bostwick Road would not facilitate an additional set of lights. Certain amendments such as compliance with the City's Access Management policies are required to the TIA, which is currently under review. Sidewalks will be required on both sides of new streets to provide for comfortable pedestrian connections.

- i) *the exterior design in terms of the bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area;*

The layout of the built form is oriented towards the corner which is a positive feature, however the lack of stepback from the tower to the 5 storey portion of the building does not create a podium and emphasizes more of the bulk and scale of the tower components. Without a mix of high-density housing forms provided on the larger site, future land uses may not be able to integrate as well with the proposed built form, given the concentration of high-rise form on the entire parcel of 3080 Bostwick Road and the eventual interface that will be created.

- j) *the potential impact of the development on surrounding natural features and heritage resources;*

The Thornicroft Drain traverses the site which supports important environmental features such as the deciduous hedge row. The submitted environmental studies are being reviewed and have not progressed to a point where the impacts of the proposed development are known on the nearby woodlot/wetland feature to the south. The development limit associated with the Thornicroft Drain is similarly under review which may impact the eventual parcel fabric for Site 3 and possibly shift the location of Street A, which could impact the boundary limits of Site 1. Additionally, the pathway feature cannot be located within the buffer setback and it has been identified that additional land will be required to provide the pathway abutting the buffer.

- k) *constraints posed by the environment, including but not limited to locations where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration and rail safety may limit development;*

There is a minimum required setback of 20m from the Union Gas pipeline along Southdale Road West which is being provided. A noise study has also been prepared to address the arterial noise generated by Southdale and Bostwick Roads. The noise study is under review and pending minor amendments and endorsement by a certified engineer, is in a form that is generally acceptable to the City. There are no rail, landfill, sewage treatment, contamination or other similar generators of adverse impacts applicable to the subject lands.

- l) *compliance of the proposed development with the provisions of the City's Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law;*

The proposed development does not conform to the City's Official Plan with regards to the intensity proposed, the lack of housing mix, the bonusing proposed, and status of required studies and reports. The existing Urban Reserve zone requires the comprehensive consideration of all the lands to avoid premature development and land use patterns. Site plan matters are being considered through the requested amendment, though there is no application for Site Plan Approval or Signage at this time.

- m) *measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis; and*

Additional works are required to first identify the extent of any adverse impacts on surrounding land uses. Some potential impacts such as the reduced infiltration on the nearby wetland have not identified a mitigation or avoidance strategy and require further exploration. Some impacts such as the development limits and flood limits of the Thornicroft Drain require additional information to determine any adverse impacts. At this time, the studies are underway to identify the impacts of the proposal and many are not in a satisfactory state to accept.

- n) *impacts of the proposed change on the transportation system, including transit.*

There are Environmental Assessments (EA) currently underway for Wonderland Rd, Bostwick Rd alignment, and Southdale Rd which are required to be incorporated in the TIA as well. Future scheduled works in the area are identified in the table and map below subject to Council approval and budget availability. There is limited transit service for the site, which may improve with greater built out of the general area, though there is concern expressed from the London Transit Commission (LTC) that allowing such large scale development outside of the primary transit area forces an increase to the geographic scale of the transit network with relatively small gains in ridership.

Table 1: Future Road Works

Id	Road	Limits	Improvement	Potential Year
1	Colonel Talbot	300 m South of Southdale to James Street	2 Lane Upgrade	2023
2	Bostwick	Pack to Wharnccliffe	Realignment with 2 Lane Upgrade	2026
3	Southdale Road West	Bostwick to Pine Valley	2 to 4 through lanes with centre turn lane	2026
4	Bradley Avenue Extension	Wonderland to Bostwick	New 2 through lanes	2028
5	Wonderland Road	Commissioners to Southdale	4 to 6 through lanes	2028
6	Southdale Road West	Bostwick to Colonel Talbot	2 to 4 through lanes with centre turn lane	2031
7	Pack Rd	Colonel Talbot to Bostwick	2 Lane Upgrade	2032

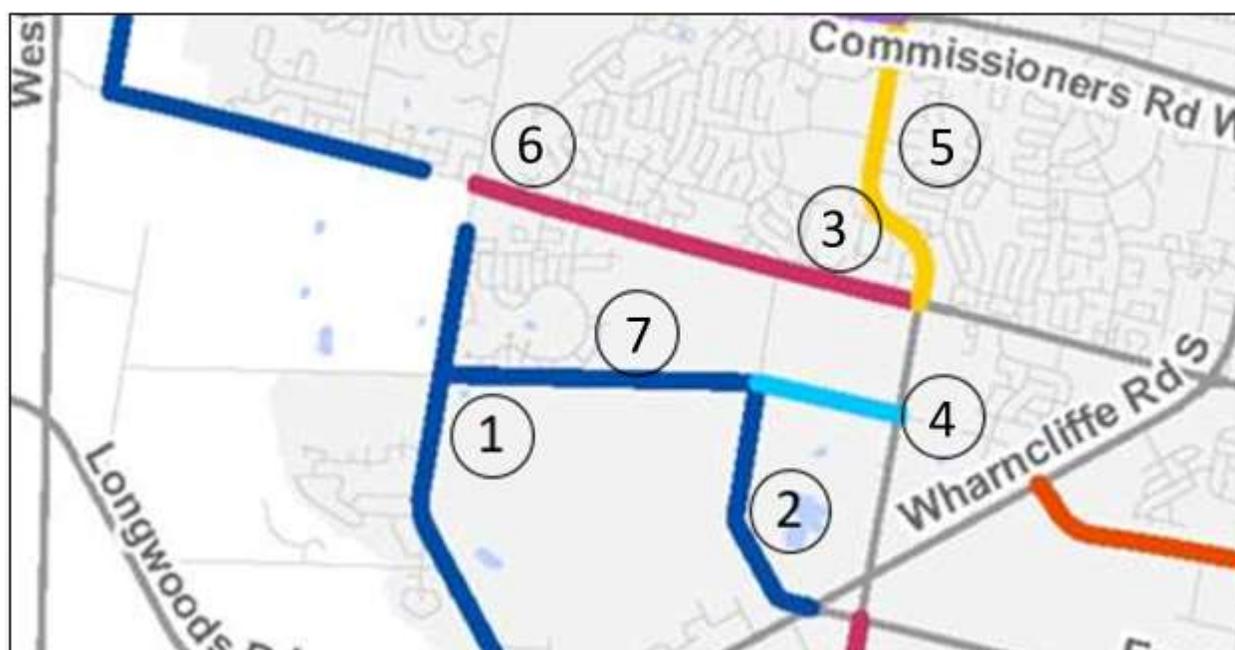


Figure 7: Map of Future Road Works in Area

5.0 Conclusion

Site 1 and the remainder of the subject lands at 3080 Bostwick Road are poised to support, and benefit from, well-designed and appropriate high density residential development that is consistent with the City's policy framework and provides for a mix of housing types. High density, high-rise housing forms are a valuable City Building tool to achieving the intent of the intensification goals for the Built-Area Boundary and Primary Transit Area, and allowing the intensities proposed for Site 1 has the potential to limit high density demand in other more strategic and desirable locations across the City. The intensities proposed for Site 1 of 18 and 21 storeys and 262 units per hectare, exceeds the maximum of 150 units per hectare and 12 storeys as identified by the policies of the High Density Residential Overlay of The London Plan, the High Density

Residential designation of the Southwest Area Secondary Plan and the Multi-Family, High Density Residential Designation of the 1989 Official Plan.

The policies in this location allow for the consideration of site specific bonus zoning request to permit increased height and/or density, though the request must result in good planning that fits within the broader policy framework and does not result in an over-intensification of the site. The intensity proposed for Site 1 does not conform to the City Structure Plan of The London Plan, which directs the highest intensities to strategic locations that can best avail and contribute ridership to transit and other services. Additionally, the bonusable facilities, services and matters proposed are insufficient to support such a requested departure from the maximums permitted.

The policies of the Southwest Area Secondary Plan, The London Plan Neighbourhoods place type and High Density Residential Overlay and the Multi-Family, High Density Residential designated lands of the 1989 Official Plan all require a mix of housing forms be provided on large high density residential lands for housing variety, and to minimize the overwhelming effect of concentrated and segregating high density residential forms and intensities. The applicant's submission for Site 1 and the larger parcel of 3018 Bostwick Road provides no mix of housing type or form, with 100% of the proposed built form as high-rise residential apartments.

Staff also have concerns regarding the status of the various studies and reports required to support the request, as many are incomplete, inadequate or require additional information and revisions. Matters of natural heritage, environment, urban design, bonusing, transportation, and sanitary servicing provision are required to be resolved or reach a satisfactory level of certainty to support the proposal.

It is the opinion of Staff that the applicant has not sufficiently demonstrated how the proposal is consistent with the Provincial Policy Statement, 2014, nor how it fully conforms to the policies of The London Plan, Southwest Area Secondary Plan, or the 1989 Official Plan. The proposed development individually and collectively with the other development parcels proposed at 3080 Bostwick Road represents a significant over-intensification of the subject site and general area. Staff are willing to continue working with the applicant to resolve issues, incorporate alternative high density housing forms to provide a housing mix, and consider the comprehensive development of 3080 Bostwick Road that has regard for the policies; however in its current form, staff recommend that the application be refused.

Recommended by:	Sonia Wise, MCIP, RPP Senior Planner, Development Services
Reviewed by:	Lou Pompilii, MCIP RPP Manager, Development Planning (Subdivision)
Concurred in by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services	

November 5, 2018
/sw

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Appendix A – Public Engagement

Community Engagement

Public liaison: On August 17, 2018, Notice of Application was sent to 552 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 August 16, 2018. A “Planning Application” sign was also posted on the site. Additional notification of the public participation meeting held on October 9, 2018 was provided on September 20, 2018.

8 replies were received

Nature of Liaison: The purpose and effect of this Official Plan and zoning change is to permit a mixed use development with residential, office and convenience commercial uses. Possible amendment to the Official Plan to add the subject site to the list of preferred sites to allow convenience commercial uses. Possible change to Zoning By-law Z.-1 **FROM** an Urban Reserve (UR4) Zone **TO** a Residential R9/Convenience Commercial Special Provision/Restricted Office Special Provision Bonus (R9-7/CC4(_)/RO2(_)*B-__) Zone to permit a range of high density residential uses in two towers of 18 & 21 storeys with a 5 storey podium, and 1,000m² of convenience commercial uses, and 2,000m² of office uses. A bonus zone is requesting an increased height of 21 storeys, and a density of 261 units per hectare in return for such facilities, services or matters described in section 19.4.4 of the Official Plan, and policies 1638-1655 of The London Plan.

Responses: A summary of the various comments received include the following:

Concern for:

- Increased traffic and congestion (x6)
- Increased cut through traffic in the established neighbourhood to the north (x3)
- Pedestrian safety
- Road improvements should be implemented as recommended in the Southdale EA (x4)
- Only the ward 9 councillor was identified on the notice, not the nearby ward 10
- The local school capacity and ability to accommodate increased number of pupils (x2)
- Site 1 – building height is too high, should be 14 storeys or less
- Greater building heights are difficult to evacuate in emergencies and may block satellite signals
- Provide convenient drop-off/pick-up spaces for para transit vehicles
- Provide affordable housing options and small-lot, small home options
- Reduced setbacks should not be allowed

Support for:

- Positive to see the site finally develop
- Interest in investing in the project

Responses to Public Liaison Letter and Publication in “The Londoner”

Telephone	Written
Tom Brimson 12-1015 Farnham Rd London ON N6K 1S3	Amanda Nash 1172 Dalhouse Dr London ON N6K 2Y1
Jim Cressman 957 Dalhousie Dr London ON N6K 1M8	Susan Spencer-Paton 31 Brixham Road London ON NK 1P5
Wing Man Lin	Esther Corcoran 143 McMaster Drive London ON N6K 1J5
	Ed Morrison
	Ron & Sharon Wimperis

Additional Public Correspondence Received (after Oct 9)

From: Ron & Sharon Wimperis [mailto:]
Sent: Monday, October 29, 2018 9:42 AM
To: Wise, Sonia <swise@london.ca>
Cc: Hopkins, Anna <ahopkins@london.ca>
Subject: 3080 Bostwick Rd File: Z-8942 & File: OZ-8941

I just read the public notice regarding the above address.
I am concerned about a couple things.

1) Site 3 is looking for adjustment for a senior-oriented apartment building. The original City Plans for the southwest part of the city called for a seniors building at 3535 Settlement Trail. To date this land is vacant and unkempt and will continue in this state, if it's original purpose is allowed somewhere else. If Bostwick is approved, what will become of the 3535 Settlement Trail property and the unpaved roads in the area? This approach of altering plans, is a big reason for the piecemealed road conditions in the area. Pack Road and Settlement Trail are a great examples of the timely completion of site improvements.

2) Site 1 is looking for more convenience commercial usage. This should not be approved until the infrastructure can handle the increased traffic. You can already see this with the new community center.

a. A two lane road (Southdale) was over capacity and the community center just added to the problem. The proposed "Street A" will also add to the congestion. The plans I saw indicate Southdale will be widened in 2 stages and not for a few years. First between Farnham and Colonel Talbot, followed by Farnham to Pine Valley. This seems backwards and/or should all be completed at once, followed by development.

b. Traffic on Southdale should indicate the need for advance greens at Farnham Rd, during rush hours.

c. Proposed "Street C" will add traffic to Bostwick and a right turn lane is needed from Bostwick to Southdale. Improvements to Bostwick Rd is years off and the developer could get this done as part of their site improvements and accessibility.

d. Reduced setbacks shouldn't be allowed. Future transit and transportation needs will be handcuffed, without proper planning now.

1) I would suggest stronger commitments, from the developers, towards the immediate surface roads needs stronger language and municipal follow up, as part of this development. Talbot Village is an example of a problem. Phases of the subdivision are over 10 years old and some roads still don't have the top coat of asphalt, including Settlement Trail, Old Garrison and Crane Road. Then take a look at a local collector road, Pack Road. It's a mess with no end in sight.

Looking forward to your response.

Agency/Departmental Comments

September 20, 2018 – Development Services Engineering: Memo

The City of London's Environmental and Engineering Services Department offers the following comments with respect to the aforementioned Official Plan and Zoning By-Law amendment application:

Comments for the Re-zoning Application

- A holding provision for the provision of access to the satisfaction of the City Engineer is required.
- Transportation has reviewed the TIA provided and cannot support a full access for Street A, the Southdale Road EA identifies a median at this location restricting the access to right in/right out, furthermore the signal spacing does not meet the minimum spacing as identified in the Access Management Guidelines. The timing of various DC road projects is currently being reviewed through the DC update and may impact future road capacity assumptions contained in the TIA. The applicant should update the TIA to reflect the above mentioned street A access restriction.
- A general "h" provision to ensure the orderly development of lands and the adequate provision of municipal services (i.e. to ensure the detailed design and agreement to construct the required watermain has been satisfied).
- An "h-100" provision to ensure the looped watermain discussed above is constructed, commissioned, and put into service.
- A revised sanitary capacity analysis to demonstrate flows from all three sites do not exceed the 7.5l/s sanitary allocation. All three sites and the draft plan of subdivision (excluding the SWCC) combined cannot exceed 7.5l/s as agreed upon in the Agreement of Purchase and Sale for these lands. Alternatively, flows above the allocated 7.5l/s for the subject lands may be able to be serviced by the future GMIS Bostwick Road Sanitary Sewer. The applicant should be advised that his consulting engineer can contact Wastewater and Drainage Engineering prior to submitting the revised analysis for further clarification regarding the scope of the sewer assessment.
- Provide a Professional Engineers stamp for the Noise Assessment.

Transportation

The following items are to be considered during the future development application stage:

- The applicant shall construct all external works as identified in the future accepted TIA to facilitate the development of the subject lands;
- Widen Southdale Road to a maximum width of 24.0 metres in perpendicular width from the centerline of Southdale Road along the entire frontage of the subject lands.
- Widen Bostwick Road to a maximum width of 18.0 metres in perpendicular width from the centerline of Bostwick Road along the entire frontage of the subject lands.
- Provide a 0.3m road reserve block along the Bostwick Road and Southdale Road frontages.
- Provide sufficient right-of-way widening to dedicate 6.0 m x 6.0 m "daylighting triangle" at the intersection of Bostwick Road and Southdale Road.
- Provide plan and profile drawings demonstrating the design of the private access road to be located within the future dedicated right of way. The conceptual

centerline design of the draft plan of subdivision road network shall be included to ensure the private access road does not impact any future development.

- Individual access from Blocks 1 and 3 will not be permitted to Southdale Road.
- The access road is to be constructed to a standard suitable for winter maintenance, including but not limited to, installation of granular's, base asphalt and curb and gutter. The road structure shall be built to the road classification (as determined by the future draft plan of subdivision) standards.
- A plan/profile of Bostwick Rd may be required to determine sight line requirements as identified in the City's Design and Specifications and Requirements Manual at all street connections. If desirable decision sight distances cannot be achieved the applicant shall undertake works on Bostwick road at no cost to the City to achieve the desirable decision sight distances.
- A temporary turnaround may be required depending on the length of the private access.
- Any road and/or servicing crossing over the Thornicroft drain may require an Environmental Assessment Opinion Letter.
- Access arrangement will need to comply with the Southdale Road EA <https://www.london.ca/residents/Environment/EAs/Pages/Southdale-Road-West-Bostwick-Road-Improvements-.aspx>

Water

The following items are to be considered during the future development application stage:

- Individual water service connections from the site directly to Southdale Road and/or Bostwick Road will not be permitted.
- The proposed municipal watermain shall be sized to accommodate the future draft plan of subdivision and any external tributary lands.
- The alignment of the proposed municipal watermain along the private access road (future dedicated right of way) shall be in standard location as per UCC 1M.

Wastewater

The following items are to be considered during the future development application stage:

- Development of the site should be coordinated with the future draft plan of subdivision.
- The proposed municipal sewers shall be sized to accommodate the future draft plan of subdivision and any external tributary lands.
- The alignment of the proposed municipal sewers along the private access road (future dedicated right of way) shall be in standard location as per UCC 1M.

Stormwater

The following items are to be considered during the future development application stage:

- City of London Permanent Private System policy applies and all post development flows for all storm events up to the 100 year storm shall be controlled to the pre-development levels.
- Quality controls to the standards of the Ministry of the environment, Conservation and Parks – MECP (formerly MOECC) shall be achieved by the use of an OGS (or any other applicable options such as catchbasin hoods, bioswales, etc.) providing normal (70% TSS removal) level.
- An MECP ECA may be required for the design and construction of any proposed outfall (e.g. the outfall proposed in Fig.-2 of the IPR TS2016-008). The applicant will have to contact the MECP to confirm if a new ECA is required. Please note that any required ECA may be obtained through B.032/18 or B.033/18. Coordination will be required.

- Any proposed LID solution should be supported by a Geotechnical Report and/or hydrogeological investigations prepared with focus on the type of soil, its infiltration rate, hydraulic conductivity (under field saturated conditions), and seasonal high ground water elevation. The report(s) should include geotechnical and hydrogeological recommendations of any preferred/suitable LID solution.

Noise

The following items are to be considered during the future development application stage:

- The noise assessment will be required to be submitted as part of a future application for acceptance by the City. Ensure the report is updated to reflect any changes in design and layout.



Memo

To: Sonia Wise
Planner II

From: Jerzy Smolarek
Urban Designer

Date: November 2, 2018

RE: 3080 Bostwick Rd

Sonia,

Urban Design has reviewed the relevant site plans and elevations for the re-zoning application at the above noted address and provide the following comments consistent with the Southwest Area Secondary Plan, the Official Plan, applicable By-Laws and guidelines, as well as the recommendations from the Urban Design Peer Review Panel:

Urban Design staff commend the applicant for incorporating the following into the design; providing for a continuous street wall along the Southdale Road and Bostwick Road frontages; incorporating the majority of parking within proposed buildings; the incorporation of mix-use development along the major street frontages; the inclusion of Public Streets; and the inclusion of a centrally located public park that will act as a focal point for the community.

Overall general site comments;

- Built form
 - Ensure that the proposed development respects the identified maximum heights within the Southwest Area Secondary Plan;
 - Transition heights across the sites from north to south, by locating the tallest buildings along Southdale Road and transitioning south with lower scale buildings;
 - Consider a variation in building heights for any proposed towers in order to create additional distinction and add interest to skyline;
 - Ensure proposed buildings are organized and sited to frame new public streets with good proportions and to create a sense of enclosure to the street;
 - Ensure any building proposed taller than eight storeys include a three or four storey podium. The tower(s) located on these podium should include a stepback from the edge of the podium. Additionally, ensure podiums are broken up horizontally in order to reduce their overall massing;
 - Ensure all proposed towers include small floor plates in order to avoid large shadows and the visual massing that occurs with long slab buildings;
 - Ensure all proposed buildings are articulated, both vertically and horizontally, to break up their overall massing. Provide for a variation in architectural expression

- and materials to further refine the scale of buildings, particularly at the lower levels;
- Where commercial is located at the base of buildings ensure:
 - Ensure the principal public entrance provides direct access to the public sidewalk;
 - Ensure primary windows and signage face the street;
 - Include awnings, canopies, and arcades to provide weather protection;
 - Where residential units are located at the base of buildings ensure;
 - The inclusion of ground floor individual unit entrances and private courtyard spaces with walkway connections to the City sidewalk or the private on-site pedestrian circulation network.
 - Include a mix of housing typologies through the sites including high-rise buildings, mid-rise buildings, stacked towns and townhouses;
- Parking
 - Include a combination of low masonry walls and landscaping along the edge of parking areas visible from any public street in order to provide a built edge along the street and to screen the parking function.
 - Park
 - Ensure the proposed public park serves as the focal point of the new community. Any proposed buildings should frame public streets and the proposed public park to provide for a built edge and “eyes on the street”.
 - Connectivity
 - Ensure that further vehicular and pedestrian connections are contemplated to the east and south of the subject site in order to provide for connectivity to surrounding area.

In addition to the general overall site comments, the following are site specific comments;

- Site 2
 - Include built form along the proposed north-south public street in order to provide for an active edge and enclosure to the park.
- Site 3
 - Include built form fronting on the proposed park in order to create an active edge and enclosure to the park.
 - Provide further details on the integration of the development on this site and the creek corridor.
- Site 5
 - Consider locating the taller building along the Southdale Rd frontage in order to allow for the southerly building to begin the transition of heights throughout the development.
 - Ensure buildings are located parallel to public streets in order to provide for a built edge, activate the street frontage and provide enclosure to the street.
- Site 6
 - Ensure the proposed buildings on this site are the lower in height than buildings proposed on sites to the north in order to provide for the transition to lower built forms south of the subject site.

If you have any questions or concerns please do not hesitate to get in touch with me.

Sincerely,



Jerzy Smolarek, MAUD
Urban Designer
JS



Memo

To: Sonia Wise
Senior Planner - Development Services

From: Environmental and Parks Planning

Date: October 28, 2018

RE: 39T-18502 – 3080 Bostwick Road

NATURAL HERITAGE SYSTEM

Environmental and Parks Planning (E&PP) has reviewed the Draft Report completed by Stantec received in September 2018. E&PP have identified several issues that need to be addressed to complete and finalize the report. The following comments must be addressed in order to be compliant with the City's Environmental Management Guidelines (EMG), City of London Official Plan (OP) policies and London Plan Policies, and the Provincial Policy Statement (PPS 2014). Detailed comments are presented below.

1. Section 1.2 Study Area – It is noted in this section that the site was active agriculture until recently. Please note that the area has not been active agriculture for some time according to airphotos. It has remained a fallow field for over 5 years and was previously an orchard and not tilled. **Action: update description of current and past land uses.**
2. Section 2.2 City of London Official Plan – Please note that buffers are (not may be) required around all natural heritage features as per policy 15.3.6. It has been indicated that a Subject Lands Status Report (SLSR) was submitted to the City on August 24, 2017, E&PP does not recall being in receipt of the SLSR; please clarify what document this is that was submitted to the City of London and any correspondence between E&PP and Stantec regarding this document. The Minister approved the London Plan in December 2016. Please update this section, and note that a majority of the London Plan is now in force as per the OMB recent resolution (post submission of the EIS). **Action: Review and update this section.**
3. Section 3.2.2 Amphibian Calls – No early spring amphibian calling survey as per the MMP was conducted for the woodland habitat at the south end of the study. MMP are required to be followed for all amphibian calling surveys. The Bostwick Road EA conducted by Parsons in 2016 carried out amphibian surveys of this feature and confirmed that it is not SWH. However, in the future ensure MMP are followed to ensure investigations for amphibian SWH are completed. **Action: Revise section and other required sections accordingly.**
4. Section 4.6 Vegetation Communities – Please update Figures to include the 1998 ELC codes as these are what the City of London uses and is still the official ELC identified by the MNRF. A recent site visit by E&PP identified a wetland located along the edge of the Significant Woodland and the watercourse within the Significant Woodland. This feature has not been identified in the Report. Please review and revise the ELC communities and figures as required. Also, E&PP could not confirm the old field habitat as the majority of this community was recently ploughed under. E&PP note that altering the site during the review of an application is against council policy. E&PP is unable to confirm the description of the large old field habitat. **Action: Revise this section accordingly and note the unapproved vegetation clearing of the site.**
5. Section 4.10 Species At Risk – During the multiple breeding bird surveys, were no bobolink identified on or adjacent to the subject site? Field work conducted by Doughan and Associates for the Community Center (east of the watercourse) identified two male Bobolinks on the current subject lands (west of the watercourse) in the old field habitat. Please confirm that no Bobolink or Eastern Meadowlarks were heard or seen on the subject lands. While the primary threat to Monarchs is habitat loss in Mexico, other factors occurring in its northern range still contribute to the overall decline of this species. It is still

afforded some protection under SWH criteria as the species and its habitat is present on the subject site and are listed as a Special Concern species. **Action: Review and revise this section accordingly.**

6. Section 5.0 Significant Natural Heritage Features and Policy Implications – Under Significant Wildlife Habitat, please note that the Significant Woodland meets the criteria to be identified as SWH for Red-Headed Woodpecker (Special Concern). In addition, the Parson’s work on the Bostwick Road EA in 2016 confirmed the Significant Woodland as SWH for Eastern-wood Pewee (Special concern). This will be relevant for the future development blocks identified in the Master Plan Concept Figure 5 regarding the long-terms protection of the Significant Woodland feature and its functions. **Action: Review and revise this Section and any corresponding sections accordingly.**
7. Section 5.0 Significant Natural Heritage Features and Policy Implications – An analysis of applicable London Plan policies is required, in particular the wetland policies as wetland habitat has been identified by Stantec (MAMM 1-12) on the subject lands. **Action: Review and revise this Section and any corresponding sections accordingly.**
8. Section 6.0 Environmental Constraints – This section requires updating to incorporate the SWH components. Also, please review and ensure that the agreed to buffers as part of the Community Centre project have been implemented, as the Figure does not seem to accurately reflect this. **Action: Update section accordingly.**
9. Section 8.0 Impact Assessment – As previously noted, vegetation has already been removed on the subject site during the review of the application. The SWH (Monarch) will need to be addressed in a restoration plan for the buffers along the Drain and elsewhere on the subject site. This section must address the removal of wetland habitat located within the current proposed development footprint. The loss of area/vegetation associated with the riparian corridor as a result of the crossing of the Drain. A **Action: Update section accordingly.**
10. Section 9.0 Mitigation Measures – Reference to a required restoration plan is needed. Regard for the high-rise building design should incorporate bird friendly guidelines, reference to requiring this through the process is needed. **Action: Update section accordingly.**

Figure 4 Designated Natural Features – The woodland associated with the Drain should be identified as Significant Woodland and not ‘other woodland’ as this would meet the City’s criteria to be Significant Woodland based on its connectivity with the Significant Corridor and Significant Woodland. **Action: Update Figure accordingly.**

PARKS AND OPEN SPACE

- Required parkland dedication shall be calculated pursuant to section 51 of the Planning Act at 5% of the lands within the application or 1 hectare per 500 units, whichever is greater for residential uses and 2% for commercial uses. Parkland dedication calculations for the proposed development are listed in the table below. It is the expectation of E&PP that the majority of the required parkland dedication will be satisfied through land dedication with the remainder as a cash-in-lieu payment.
- The table below summarizes the information as per the submitted Plan.

Land Use	Area (ha)	Requested Density	Requested Unit Count	Expected Dedication (ha)
Block 1	1.42	262 uph	372	1.24
Block 2	0.906	193 uph	175	0.583
Block 3	1.12	150 uph	168	0.56
Block 5 - HDR	1.02	201 uph	198	0.66
Block 5 - Commercial			5000m ²	.01
Block 6	1.232	269	331	1.10

Land Use	Area (ha)	Requested Density	Requested Unit Count	Expected Dedication (ha)
Required Parkland				4.243
Parkland Dedication– Block 4				0.636
Open Space dedication – Block 11 @ 1:27				0.034
Total Dedication on Plan				0.67
Outstanding Over Dedication Balance				3.573

- Multi-use pathways are to be located outside of buffer lands. An 8 meter wide block will be required for the multi-use pathway
- Based on the requested density for the proposed residential blocks additional parkland will be required to meet residential demand. This additional parkland may be located south of Street A. Additional discussions with the applicant will be required.
- The balance of any remaining parkland dedication will be taken as cash-in-lieu.
- Prior to the submission of the first engineering drawings, the owner shall consult with Environmental and Parks Planning Division to prepare:
 - - A concept/buffer plan for all open space blocks,
 - A concept plan for all proposed pathway blocks, and
 - A concept plan for Park Block (Block 4).
- As part of the first engineering submission, the Owner shall prepare an education package as approved by the City Planner that explains the stewardship of natural areas and the value of existing tree cover. The owner shall ensure that the education package is delivered to all purchasers and transferees of the lots in this plan.
- The Owner shall construct a 1.5m high chain link fencing without gates in accordance with current City park standards (SPO 4.8) or approved alternate, along the property limit interface of all existing and proposed private lots adjacent to existing and/or future Park and Open Space Blocks. Fencing shall be completed to the satisfaction of the City Planner, within one (1) year of the registration of the plan.
- The Owner shall not grade into any public Park or Open Space lands. In instances where this is not practical or desirable, any grading into the public Park or Open Space lands shall be to the satisfaction of the City Planner.
- Prior to the submission of the first engineering drawings, the owner shall prepare and submit a tree preservation report and plan for lands within the proposed draft plan of subdivision. The tree preservation report and plan shall be focused on the preservation of quality specimen trees within lots and blocks. The tree preservation report and plan shall be completed in accordance with current approved City of London guidelines for the preparation of tree preservation reports and tree preservation plans, to the satisfaction of the City Planner. Tree preservation shall be established first and grading/servicing design shall be developed to accommodate maximum tree preservation as per the Council approved Tree Preservation Guidelines.
- Prior to construction, site alteration or installation of services, robust silt fencing/erosion control measures must be installed and certified with site inspection reports submitted to the Environmental and Parks Planning Division monthly during development activity along the edge of the Thornicroft Drain and the woodland/wet land south of Street A.

AM/BP

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"Inspiring a Healthy Environment"



October 24, 2018

City of London - Development Services
P.O. Box 5035
London, Ontario N6A 4L9

Attention: Sonia Wise (sent via e-mail)

Dear Ms. Wise:

**Re: UTRCA Supplementary Comments re File OZ-8941 – Site 1 Official Plan & Zoning By-Law Amendment
File Z-8942 – Site 3 - Zoning By-Law Amendment
File OZ-8943 – Site 5 - Official Plan & Zoning By-Law Amendment
Applicant: York Developments
Agent: MHBC
3080 Bostwick Road, London**

In our comments dated October 2, 2018, the Upper Thames River Conservation Authority (UTRCA) advised of a number of concerns pertaining to the technical studies that were submitted to support the development applications proposed for the regulated lands known municipally as 3080 Bostwick Road as follows:

PEER REVIEW OF TECHNICAL REPORTS

Hydrogeological and Water Balance Assessment

The UTRCA has reviewed the ***Preliminary Hydrogeological Assessment & Water Balance Residential Development - 3080 Bostwick Road London, Ontario*** prepared by exp dated February 2018 and offers the following comments -

Hydrogeological Assessment

The Hydrogeological Assessment and Water Balance itself had limited water quantity and quality data.

The Executive Summary states that '*Groundwater elevation and water quality monitoring is on-going with additional hydrogeological interpretation to follow at a later date.*' However, additional data including water quality and quantity data collected up to August 22, 2018 was provided. Thus, as indicated in the title, the submitted document is preliminary in nature.

The format of the report is comprehensive, concise and generally meets the guidelines provided by the UTRCA. The well completions, siting, purging and general testing are well documented. The inclusion of technical background information in appendices is clear and scales are comparable between graphs enabling comparisons.

Deficiencies to be addressed in the final report are outlined below.

1. Include updated quantity and quality data in the final report. The preliminary report itself provided limited water quantity data. Indicate changes to interpretation, if any, based on an inclusive data set.
 - a. Include date of SWRT. Was this after the loggers were installed and visible on water level data?

2. Please include missing borehole logs in the final report (digital copies were provided for the current review). Please provide borehole logs included in cross-sections and their locations (boreholes were included from the Community Centre project in the middle of the proposed development but not included in the appendices).
3. Please incorporate a discussion of the natural heritage features, describing their groundwater dependent status as outlined in the indicated background material (Toronto and Region Conservation Authority, 2017).
4. Based on the cross-sections, the covering till which may act in some areas as a confining layer thins towards the unnamed drain and towards the south. The water table in the aquifer is below the bottom of the overlying till. The scale of the depth of the unnamed drain is not represented in the cross-section.
 - a. Upon review of the manual measurements (6 locations versus 4 locations), the monitors along the drain are normally higher than wells MW17-1 and MWS5-2 approximately 250 m away from the drain.
 - b. Upon review of continuous data:
 - i. MW17-3 and MW17-2 are located in proximity to the drain. MW S5-2 and MW17-1 are approximately 250 m from the drain.
 - ii. Although, MW17-2 is noisy and peaked and always higher than the other wells, there is only 1.5 m average difference in water levels between all the continuous monitored wells. 17-2 peaks shortly after a precipitation event during the recharge period (approximately November through May). The peak in recharge occurs in the other monitors, in a similar period however more subdued and delayed.
 - iii. The 17-2 monitor is in the same aquifer as the other locations. The topography south of the Site, where the woodland/wetland is located is higher in elevation and likely contributes to the mounding at this site.
 - iv. Between December and April, MW 17-1 and MW 17-3 are similar in elevation and variation. Between May and August, the two curves diverge and MW 17-1 declines more than MW 17-3.
 - v. Based on the above noted variations, it is reasonable to assume that mounding occurs along the drain and particularly in the area of MW17-2 where the overlying till is thin. MW17-2 should be included in water table mapping of the Site. A more representative high water level with manual measurements is likely obtained on February 8, 2018. MW 17-2 may also be influenced by wetlands to the south and the intersection of surface water catchments. In most air photographs, water is present in the drain that traverses the Site throughout the year.
5. The final/cummulative development of 3080 Bostwick Road has the potential to significantly impact the water balance as indicated on P. 15. It is unclear whether Site 7 development is included in the water budget. On P 15 it is stated that infiltration will be about 11% of pre-existing. Runoff increases significantly. The loss of infiltration and increased runoff have the potential to significantly affect the natural heritage features to the South which includes a wetland and significant woodlands. The evaluation needs to review the seasonal and long term variations of the wetland, and dependencies of the wetland based on species, habitat and water level variation. The changes to the water budget are not supported in the Conservation Ontario guidelines.
6. It is stated on p 12 that *'the influence of road salt in the surface water is impacting groundwater adjacent to the Drain'*. Sampling occurred on November 15, 2017, therefore it is unlikely that there was road salt applied prior to the sampling event and thus sample quality likely represents longer term impact of the surface water on the groundwater. There was limited discussion on further impacts due to de-

icing materials from the new development. Please address the water quality impact to the Site from the development.

7. Please include additional impact assessment and comprehensive recommendations to maintain the natural heritage features in proximity to the Site.

The most significant deficiency is in the incorporation of the hydrogeological interpretation and the impact to the natural heritage features and the regulated areas on and adjacent to the Site. In conclusion, there is insufficient assessment of the groundwater and the natural heritage features from a water quality and quantity basis. Further work needs to be completed prior to conditions of draft plan approval being provided by the UTRCA for the proposed development of 3080 Bostwick Road as the changes to the water budget alone are likely to significantly impact the natural heritage features.

Water Balance

1. The water balance analysis is based on the soil type on the site. The water balance should be based on the catchment areas contributing to the existing natural features to the south. Also, the water balance calculations used a 13 ha area in the analysis but no supporting drawing based on topography was provided. Please update the water balance calculations based on the contributing area to the existing wetland and provide a figure showing the area supported by contour information.
2. Please update the water balance calculations under the proposed development conditions by coordinating with IBI consulting doing the stormwater management design for the site to make sure that the infiltration and runoff values used and volumes targets are met and incorporated into the stormwater management design of the site under the post-development conditions.
3. The estimated infiltration under the pre and post-development conditions are 45,216 m³ and 4,953 m³ per year respectively. Please compensate for the reduction in the infiltration on the site under the proposed condition and support the compensation with water balance calculation in collaboration with IBI.
4. The proposed measures for the increased infiltration on the site under the post-development conditions should be discussed with the IBI and should be supported with the calculations to make sure that infiltration deficit is met under the proposed conditions.
5. Please make sure to use the same values in the water balance calculations used by IBI for this site especially the infiltration values under the pre- and post-development conditions.
6. The infiltration values used for the hydrologic B soil ranges from 266 to 295 mm/year while the MOECC 2003 Manual Table 3 listed infiltration values for the hydrologic soil B ranging from 228 to 274. Please provide justification for the infiltration values used in the water balance calculation for the hydrologic soil B.
7. The impervious of 0.90 is being used for the major portion of the site under the post-development conditions. The impervious used in the water balance under the post-development conditions should match with the impervious values used by IBI in their water balance for the site under the post-development conditions. Please address.

Stormwater Management

The report titled ***Storm Drainage and Stormwater Management Plan*** prepared by IBI Group dated May 2016 was reviewed. We offer the following comments:

1. Please submit Figure 1 titled *Storm Drainage Areas* as a full size drawing, supported with contour information to provide a better understanding of the local drainage and catchment areas on the site.
2. The UTRCA's Regulatory Storm is the 250 year storm and not the 100 year storm. In Section 2, page 2, reference is made to the 100 year storm control to pre-

development levels. Please update the report as per the UTRCA requirements of controlling up to the 250 year storm.

It is also noted that quantity control will be provided up to the 100 year storm but then it is stated that the future public road will drain to the upgraded open channel without quantity control due to feasibility issue. Please provide further explanation.

3. The uncontrolled major and minor flows from the site may cause erosion, flooding and water quality issues in the receiving Tributary D. The UTRCA requires that consideration be given to interim measures to slow down the runoff from the site to avoid local flooding and erosion that may be caused by increased imperviousness on the site due to development.
4. Please submit a cross section for the existing tributary D both upstream and downstream of the property under the existing and proposed conditions showing the 10, 50, 100 and the 250 year storms elevations.
5. Please submit a HEC-RAS model supported by updated survey and cross sections which considers the upstream area of approximately 213 ha to properly delineate the flood plain width for the Tributary D on the property.
6. Please identify the area contributing runoff to the natural heritage features to the south including the wetland and calculate the base flows and infiltration required for the wetland to be sustained using water balance approach. As previously noted, please update the water balance calculations under the existing condition by identifying and showing areas contributing runoff to the wetland in the south under the existing condition.
The water balance under the proposed condition should be undertaken to compensate for the runoff and infiltration under the proposed conditions.
7. Please provide a clear description and show the areas that will be treated by the proposed Oil and Grit separator.
8. It is mentioned that quantity control will include the use of SWM LIDs. Please show the location and details of the proposed SWM LIDs to be used for quantity control with details and supporting calculations. Also, please submit a drawing showing the location of the SWM LIDs on site.
9. Please update the report by adding flows for the 10, 25 and 50 years storm events.
10. Please check the Time to Peak values in Table 3.1 provided on page 5 and 6. The Tp values varied approximately from 1.3 to 2.25 minute. Please check calculations for the Tp and update the VO2 model accordingly.
11. Detailed Sediment and Erosion Control (SEC) drawings with staging and other details and notes will be required signed and sealed by P.Eng.
12. The SWM report shall be properly signed, sealed and dated by P.Eng.
13. Please provide justification for the Curve Number (CN) values used for the soil on the site. Please support the CN values with local soil map.
14. Please submit riprap sizing calculations shown on the Drawing sheet PP-07. Please submit a cross section showing details such as width and depth of the proposed riprap.
15. Please submit channel conveyance and capacity calculations to make sure the channel has enough capacity to convey flows from the site and upstream under the proposed conditions.

The UTRCA reviewed **3080 Bostwick Road Environmental Impact Study** prepared by Stantec dated May 1, 2018. The UTRCA does not agree with the intent of an EIS being to “assess and mitigate the potential impacts of the proposed development on the natural heritage and hazard features”. Rather, the intent of an EIS is to evaluate the natural hazard and natural heritage features, and to then determine whether development may be permitted within or adjacent to the features depending on what functions need to be protected to maintain these features, as well as what type / intensity of development is acceptable. The EIS should be focused on protection and maintenance of the natural hazard and natural heritage features, not only on mitigation measures. With this in mind, the UTRCA provides the following comments:

1. The development footprint should be established after the EIS is complete – therefore it should not be the first figure in the report, but rather come as a recommendation that has been determined (and justified) from the analysis in the EIS.
2. Please ensure that the EIS consistently refers to the deciduous woodland community in the south (Patch 10064) as a Significant Woodland and the Thornicroft Drain as a Significant Corridor whenever these features are mentioned and whenever describing the project study area / site conditions. As well, please include that the deciduous woodland community in the south (Patch 10064) has been identified as Open Space and Environmental Review on Schedule 4 in the Southwest Area Plan and the hedgerow has been identified as Open Space in Schedule A of the Official Plan.
3. Please review and include the August 2017 SLSR and EIS for the Bostwick Road Improvements (Municipal Class EA) prepared for City of London by Parsons as part of the background literature review considered in the EIS.
4. Section 3.2.2 states that three breeding survey windows were captured for breeding amphibian stations, as required by the MMP survey protocol, and occurred in April, May and June. However, Table 3.1 and 3.2 shows amphibian call count surveys only in May and June of 2008, and only in May of 2014. Although we agree that April 2014 was a cool spring, there were several dates that met the > 5 °C requirement including April 8, 10 – 13, 17, 20 – 21, 24, 28 – 30. Also note that surveys must be conducted under three temperature regimes, > 5°C, > 10°C and > 17°C. These protocols were not met in 2008 surveys, or in 2014 surveys. Furthermore, several years have passed since the surveys such that additional amphibian field work could have been completed. Therefore, we request that a full three breeding survey windows be completed following the MMP survey protocol.
5. Breeding bird windows are from April to August, yet surveys were only conducted in June. Given the significance of the woodland feature, and the potential for rare or special concern bird species, we request that additional breeding bird surveys occur in May, July and August.
6. Bank Swallows generally arrive in Ontario starting in mid to late April and continue through May, and most depart starting in late July and continue through August and September. Therefore, the supplementary fieldwork to inspect the fill piles for the potential presence of Bank Swallow activity on October 5, 2017 is not an appropriate time to conduct such work.
7. Section 4.2 mentions that the connection between the hedgerow, designated as Open Space in Schedule A of the Official Plan and the deciduous woodland community in the south (Patch 10064) has been cleared for a collector right of way. Please provide further detail about this removal.
8. CA regulated areas include all watercourses (including intermittent streams), all waterbodies, and all wetlands, both evaluated and unevaluated, as well as the

associated wetland areas of interference. Please show these on a map. These include the wetland habitat(s) within the deciduous woodland community in the south (Patch 10064), the small patches of wetland along Thornicroft drain and its tributaries, and the MAMM1-12 community on the west side of the property shown in Figure 2. Please correct this information in the appropriate sections throughout the EIS and include it on Figure 4.

9. Section 4.4.1 refers to high erosive energy in the drain channel leading to bed and bank material erosion and downstream deposition. Further mention is made to Parish's work which suggests that large scale remediation work may be required. Will this remediation work be included /required that as part of this project?
10. Section 4.6 states that none of the vegetation communities are considered rare in the province, yet the Dry-Fresh Black Walnut Deciduous woodland community is ranked S2/S3 and therefore would be considered rare. Please discuss.
11. Section 4.11.1 refers to fish being present despite the lack of habitat variability and turbidity due to periodic erosive forces from storm runoff from the north. Will any work be done to correct these conditions as part of this project?
12. Please show where the rare (S2) native tree species (Honey Locust) was found. Since it cannot be confirmed that the species occurs at the site as a result of anthropogenic means, we request that this species is protected from the effects of development. Please discuss how this protection will be achieved.
13. Appendix F does not use the Significant Wildlife Habitat criteria for Ecoregion 7E. For example, there is no criterion for Deer Yarding Areas and there is a criterion for Special Concern and Rare Wildlife Species. Please revise Appendix F and Section 5.5 using the appropriate criteria and address the following:
 - a. Vegetation classification should follow the 1998 ELC for southern Ontario (Lee et al 1998), rather than the 2008 updated ELC as SWH criteria are based on the 1998 classification system. Recognizing this, the following SWH types may meet the candidacy assessment criteria and will need to be evaluated:
 - i. Turtle Wintering Areas
 - ii. Ground Colonially Nesting Birds
 - iii. Turtle Nesting Areas
 - iv. Wetland Amphibian Breeding Habitat
 - v. Marsh Breeding Bird Habitat
 - vi. Shrub/ Early Successional Bird Breeding Habitat
 - b. Patch 10064 contains Rare Vegetation Community as it has been identified as a Black Walnut deciduous woodland. This is a rare vegetation community (S2/S3).
 - c. Patch 10064 contains Significant Wildlife Habitat due to the presence of terrestrial crayfish.
 - d. Patch 10064 contains habitat for two Special Concern species - the Monarch and the Red-headed woodpecker. Both species were observed on site.
 - e. Patch 10064 may contain nesting habitat for Special Concern species - the Eastern Wood Pewee.
 - f. Only the northern 50 to 70 m of the significant deciduous woodland community in the south (Patch 10064) was investigated. As a result, it is not possible to confirm SWH using defining criteria and a more conservative approach to evaluating SWH must be undertaken for this community, relying on candidate criteria to identify SWH. The following SWH types may meet the candidate criteria:
 - i. Raptor Wintering Area
 - ii. Bat Maternity Colonies

- iii. Tree / Shrub Colonially Nesting Birds
 - iv. Old Growth Forest
 - v. Waterfowl Nesting Area
 - vi. Bald Eagle and Osprey Nesting, Foraging and Perching Habitat
 - vii. Woodland Raptor Nesting Habitat
 - viii. Seeps and Springs
 - ix. Woodland Amphibian Breeding Habitat
 - x. Woodland Area Sensitive Bird Breeding Habitat
- g. The Southdale Community Centre SLR and EIS by Dougan & Assoc. identified three species at risk birds (Bank Swallow, Barn Swallow and Bobolink) on site, as well as S1 Hairy Mountain mint and the special concern Monarch. These observations should be considered in the SWH evaluation. The barn swallows were determined to be possibly nesting in a culvert just south of Southdale Road, while the two male bobolinks were seen foraging on the west side approximately 30 – 50m from the watercourse. The Monarch foraging habitat was assumed to include components of the old field meadow community that support forbs such as Milkweed, while it is unknown where the Hairy Mountain Mint was observed.
14. Please provide buffer calculations following the City of London criteria in Section 5.10. Note that a 30 m buffer has been recommended for the southwestern corner and southern edge of the deciduous woodland community in the south (Patch 10064) in the August 2017 SLR and EIS for Bostwick Road Improvements (Municipal Class EA) prepared for City of London by Parsons given the sensitivity of the feature.
15. Table 5.1 would suggest 30 meter buffers on all watercourses (permanent and intermittent) and that those buffers are vegetated with trees (better for preventing water temperature increases) and grasses (better at reducing overland sediment flow).
16. Please provide support for the statement in Section 6.0 that “Ecological buffers that were previously agreed to for the proposed development have been incorporated into the boundary line placement of the individual blocks”. Who agreed to these buffers? Is there documentation supporting this agreement? How was this reached without an EIS to determine what features and functions needed to be protected?
17. Section 7.1 states that future public roads will drain to the Thornicroft Drain using oil / grit separator technology to control quality. How will the salt from the roads be addressed? Where will snow be piled?
18. According to a letter by Dougan & Associates dated September 23rd, 2014, a reduced buffer on the east side of the Thornicroft Drain was permitted for the community centre, given that the buffer was to be increased on the west side. The Thornicroft Drain was designated as a Significant Corridor in Schedule B1 of the City of London OP. If the development to the north was in place when this designation was determined, it may not be appropriate to simply state in Section 8.1 that “the current riparian zone of the Thornicroft Drain does not provide a connection to any feature to the north due to its terminus at Southdale Road West and the developed area to the north of the road. Furthermore, the uncontrolled flows arriving from the storm sewer draining developed lands to the north as well as the areas of erosion along the Thornicroft Drain warrant a large buffer surrounding this feature.
19. Given the numerous impacts of trails in natural features, the UTRCA is not supportive of trails within buffer zones. Trails could potentially be located on the outside edge of a buffer zone, but that should not reduce the size of the buffer itself.

20. Section 7.1 states that an EIS specific to the outlet constructed on the east side of the Thornicroft Drain was previously prepared and submitted in 2016 by Stantec. Furthermore, Section 8.2 states that vegetation removal has been completed on the east side of the Thornicroft Drain to accommodate the construction of the storm outlet. Please provide additional details. How much vegetation was removed? Was a tree preservation plan prepared? Was the 2016 EIS accepted?
21. In Section 8.0, please include the following information in the EIS when determining impacts:
 - a. In the August 2017 SLSR and EIS for Bostwick Road Improvements (Municipal Class EA) prepared for City of London by Parsons, seven (7) of the nine (9) fish species listed in Appendix C have a preferred temperature classification of cool (19 – 25° C). Please confirm the temperature regime.
 - b. Patch 10064 is a significant woodland, with five regionally rare plant species, confirmed Significant Wildlife Habitat, and ephemeral drainage channels and vernal pools along the western portion
 - c. A 30 m buffer has been recommended for the southwestern corner and southern edge of the woodland.
22. Section 8.1 mentions opportunities to work within the buffer area of Thornicroft Drain and within the main channel to apply rehabilitation techniques to mitigate future erosion. Will the mitigation only be for future impacts and not existing ones? Please provide more details.
23. Please provide additional information justifying the alignment of the future Street C crossing and the placement of a second SWM outlet that includes:
 - a. a tree analysis,
 - b. an appropriate buffer for the portion of the significant deciduous woodland (Patch 10064) that extends into the Subject Property east of the Thornicroft Drain where Breeding Bird Point Count Location 3 (BB3) is located,
 - c. location of erosion,
 - d. location of groundwater indicator species, including watercress and spotted jewelweed
 - e. any other important considerations to support placement of Street C and second SWM outlet. Given that the watercourse is already experiencing habitat degradation due to the existing stormwater outlet upstream what impacts will this second outlet have? How will those impacts be prevented? Please provide more details.
24. Section 9.2.1 speaks about exclusion fencing for construction. Will there be a permanent fence separating the completed development from the natural features?
25. The last sentence in Section 10.0 is incomplete.
26. Please put the 1998 ELC for southern Ontario (Lee et al 1998), rather than the 2008 updated ELC, on the Figures as SWH criteria are based on the 1998 classification system. What is the classification for the vegetation community where amphibian survey station B was located?
27. Please identify plant species by ELC vegetation community in Appendix D
28. Summary in Appendix E should state that 2 amphibians (not 1) were identified on site.

In conclusion, there is not enough information provided in the EIS to determine whether development within the significant deciduous woodland community in the south (Patch 10064) or within the 30 – 40m buffer of the Thornicroft Drain, or within the vegetation communities supporting Species at Risk will have any long-term impacts to their

ecological function of these features. As such, we request a more conservative approach to ensure that the ecological function of the natural features will be maintained.

RECOMMENDATION

We understand that the applicant has requested that the applications - File OZ-8941 – Site 1, Official Plan & Zoning By-Law Amendment File Z-8942 – Site 3 - Zoning By-Law Amendment and File OZ-8943 – Site 5 - Official Plan & Zoning By-Law Amendment be considered by the City’s Planning & Environment Committee (PEC) at its meeting on November 12, 2018. As was conveyed in our October 2, 2018 comments, given the UTRCA’s outstanding concerns regarding the cumulative impacts of the proposed development on the natural hazard lands and the natural heritage system as well as the noted deficiencies of the supporting technical reports, the Conservation Authority continues to recommend that the applications be **deferred** so that the matters can be addressed or alternatively be refused.

However, if the matter is considered by PEC at its November 12, 2018 meeting and the Committee is supportive of the applications, the UTRCA requests that holding provisions be applied to Site 1, Site 3 and Site 5 whereby the applicant shall be required to submit/prepare a Hydrogeological Assessment and Water Balance Analysis, a Stormwater Management Report and an Environmental Impact Study to the satisfaction of the UTRCA.

Thank you for the opportunity to comment. If you have any questions, please contact the undersigned at extension 293.

Yours truly,
UPPER THAMES RIVER CONSERVATION AUTHORITY



Christine Creighton
Land Use Planner
TT/LN/IS/CC/cc

- c.c. Sent via e-mail -
Applicant – York Developments
Agent - MHBC
UTRCA – Mark Snowsell & Brent Verscheure, Land Use Regulations Officers



Memo

To: Proponents

- David Yuhasz, Zedd Architecture Inc.
- Carlos Ramirez, York Developments
- Ali Soufan, York Developments
- Scott Allen, MHBC

City of London Personnel

- Sonia Wise, Senior Planner
- Jerzy Smolarek, Urban Designer

From: Urban Design Peer Review Panel (UDPRP)

- Steven Cooper, Architect (declared conflict)
- Jordan Kemp, Urban Designer
- John Nicholson, Architect
- Janine Oosterveld, Urban Designer
- Heather Price, Urban Designer
- McMichael Ruth, Architect

**RE: Draft Plan of Subdivision: 3080 Bostwick Road
Presentation & Review, October 10, 2018**

The Panel provides the following feedback on the submission to be addressed through the draft plan of subdivision application. From the Proponent, additional information was provided that clarified that there are also consent applications and zoning amendments currently underway for parts of the subject lands. Note that the comments were provided to broadly relate to the overall master plan concept and are to be considered holistically. Detailed comments on individual sites have not been provided. The proponent is aware that the detailed design will be reviewed by the Panel at the site plan consultation stage. The Panel found it difficult to evaluate this proposal because of lack of clarity around the type of development application proposed and variation among drawings. Comments were provided in three broad categories:

Public Realm

- The overall structure of new public streets and pedestrian connections appear to work well across the entire site. Cross-sections for new public streets should be designed to encourage pedestrian movement and active transportation.

- The public park should serve as the “heart” of the new community. New buildings should frame public streets and the proposed public park to provide for casual overlook and “eyes on the street”. As presented, the public park is framed by surface parking areas, which is not appropriate.
- Pedestrian circulation between the buildings, and throughout the master plan, should allow for greater connection between each building and each side of the public streets. Forecourts at main entrances and larger sidewalks with more connections to other points could be used to strengthen circulation routes and improve pedestrian experiences.
- Buildings should be organized and sited to frame new public streets with good proportion and to create a sense of enclosure on both sides.
- The streetscape design should blend seamlessly between public and private realm.
- The Panel is supportive of boulevard treatment along all new public streets that meets or exceeds the City’s design requirements.
- The Panel is of the opinion that it is important that there is consistency in the streetscape design throughout the street network - among the various development applications (subdivision and consent). Consider how cycling facilities (on or off-street) are integrated into the master plan and will relate to future development on adjacent properties.
- The Panel is supportive of boulevard street tree plantings and on-street parking as shown on the master landscape plan. Ensure soil volumes and the location of utilities are considered in the street design to accommodate illustrated trees.

Built form

- The overall approach to built form should be guided by a set of urban design guidelines to be used through evaluation of proposals during the Site Plan Approval process.
- The Panel is of the opinion that a consistent design vision should be woven through the entire project including Site 3. The Proponent indicated at the meeting that the building elevations submitted for Site 3 were to be considered a placeholder with a refined concept that aligns with the overall design concept to follow through a future development application.
- It was unclear how the Panel should comment on building height relative to the conflicting policy framework between the Southwest Area Plan and the London Plan. City staff were not available at the meeting to clarify. Comments provided in this section are general in nature and do not provide opinion on the policy framework.
- A design principle that should be identified in area-specific urban design guidelines and applied to all sites is that the relative height of buildings along the streets should relate to the human scale. With respect to the 5 storey podiums, there may be a need to potentially stepback an upper podium to reduce the massing of the podium. The tower should then have a further stepback. Additionally, the podiums should be broken up lengthwise - potentially into more than one building on a development site, to reduce the overall massing.
- Individual parcels should be developed to minimize parking lot exposure to the street. As an example, the orientation of the 17-storey building on Site 5 could frame the street rather than a perpendicular orientation.
- The Panel supports the use of architectural features to break up massing of the proposed buildings. Design principles such as this should be integrated into design guidelines associated

with the subdivision and consent applications. It is positive to see the intent to create a streetwall along new and existing public streets, but the approach is inconsistent throughout the site.

- Articulate the buildings (vertically and horizontally) to break up the overall massing. Use of variation in architectural expression and materials to further refine the scale of buildings, particularly at the lower levels.
- Reconsider siting and organization of tall buildings on east side of site. If “slab” style buildings continue to be part of the proposal, ensure that they effectively create a comfortable pedestrian environment and an appropriate scale along public streets.
- Reconsider built form of slab buildings on the east side of the site. At a minimum, slab buildings should be broken down through design/massing. In particular, the proposed building on Site 6 should be reconsidered. Distance separation is also an important consideration such that their massing doesn’t read as one building.
- Consider rooflines as it relates to overall city skyline as this project will be visible from a significant distance.
- Ensure street setbacks allow for landscape/trees within the pedestrian environment to create a comfortable pedestrian environment.

Other design components

- Overall, the Panel is of the opinion that area specific urban design guidelines should be adopted through the subdivision/consent or zoning bylaw amendments and applied at the time of site plan to ensure a consistent design approach throughout the project despite the possibility of more than one developer.
- The Panel is supportive of a mix of built forms throughout the project.
- The Panel recommends a broader variation in building heights among the towers to create additional distinction in heights.
- Give consideration to canopies and other elements through detailed design that support streetscape design.
- Shadow impacts on community centre, proposed park and amenity areas should be evaluated.
- The Panel commends the Proponent for master planning the area.

Concluding comments:

The Panel requests that urban design guidelines be prepared and adopted in support of the draft plan of subdivision and zoning bylaw amendments. The Panel requests the opportunity to review and comment on the urban design guidelines. Additionally, the Panel will provide detailed comments at the time of each site plan.

Sincerely on behalf of the UDPRP,



Janine Oosterveld, MCIP RPP (UDPRP Chair)



MEMO

KITCHENER
WOODBIDGE
LONDON
KINGSTON
BARRIE
BURLINGTON

To:	Sonia Wise, Senior Planner Development Services Division, City of London
From:	Scott Allen, Partner
Date:	October 31, 2018
File:	1094'B'
Subject:	3080 Bostwick Road (Master Plan Concept) Bonusing Zoning Program York Developments

Further to your request for additional information regarding bonusable elements for the 3080 Bostwick Road proposal, please find below a summary of the facilities, services and matters proposed for bonusing under the City's 1989 Official Plan and new Official Plan (The London Plan).

Bonusing Approach

The bonusing program itemized below builds upon, and supports, the design objective for the Master Plan Concept developed for 3080 Bostwick Road (i.e., to develop these lands as an integrated (complete) neighbourhood and a community focal point).

The intent of this bonusing program is to provide a series of public benefits that achieve the following:

- Encourage healthy, active lifestyles for both future residents and the broader Bostwick community;
- Promote synergies with the facilities planned on-site and the adjacent Southdale Community Centre; and
- Enhance the overall compatibility of this development with existing neighbourhoods.

Collectively, the elements of this program are to offer a level of public benefit commensurate with the proposed building height and residential density. It is also important to note that all features identified in Tables 1 and 2 below would be provided in a comprehensive bonusing program to help implement the Master Plan Concept in its entirety.

Program Elements

Table 1 identifies the components of the proposed bonusing program relative to the standard bonusing criteria of the 1989 Official Plan.

Table 1: Summary of Bonusable Items (1989 Official Plan)

Bonusable Items (Section 19.4.4. ii)	Bonusable Items (facilities, services, matters)
b). Provision of public open space	<ul style="list-style-type: none"> • Dedication of community park (Site 4). The parkland dedication requirement calculated for the entire development would be provided in a cash-in-lieu of parkland payment pursuant to By-law CP-9.
c) Underground parking	<ul style="list-style-type: none"> • Underground parking to reduce surface parking areas.
d) Enhanced landscaped open space	<ul style="list-style-type: none"> • Boulevard enhancements for Streets A, B, and C including common element improvements above City design standards ('cost-plus' enhancements include theme lighting, a water feature, public seating, masonry walls, irrigation systems, bicycle lanes, wrapped LED lighted for boulevard trees).
h) Innovative/sensitive design	<ul style="list-style-type: none"> • Charging stations, car share, bike share facilities available to the public.
j) Provide for universal accessibility	<ul style="list-style-type: none"> • 20% accessible apartment units (15% is required per building per the OBC).
Additional Considerations	
Dedication of public open space	<ul style="list-style-type: none"> • Donation of approximately 2.8 ha (7.0 ac) of property within the original 3080 Bostwick Road parcel to accommodate the Southwest Community Centre.
Adoption of design guidelines	<ul style="list-style-type: none"> • Implementation of design guidelines to provide direction for the final architectural/urban design elements of all development blocks within the Master Plan Concept. <p><u>Note:</u> The use of guidelines will allow for certain refinements to the form/layout of individual project sites during the detailed design phase for each block, while also ensuring that core Master Plan themes are respected. Design Guidelines will be based upon the design themes proposed for Site 5 and will be prepared to the satisfaction of City staff pursuant to a holding provision.</p>

Table 2 identifies the components of the proposed bonusing program relative to the standard Type 2 Bonus Zoning criteria of The London Plan. Notwithstanding that the Type 2 criteria are currently under appeal and not in effect, York Developments has developed this program to address these bonusing considerations.

Summary of Type 2 Bonusable Items (The London Plan)

Bonusable Items (Policy 1652)	Bonusable Items (facilities, services, matters)
1. Exceptional site and building design	<ul style="list-style-type: none"> • High quality architectural design (building/landscaping) including a common design theme applied to street boulevards. Design elements are to be defined in approved design guidelines. • Provision of underground parking facilities.
2. Dedication of public open space	<ul style="list-style-type: none"> • Dedication of community park (refer to Table 1).
3. Provision of off-site community amenities	<ul style="list-style-type: none"> • Boulevard enhancements for Streets A, B, and C including common element improvements (refer to Table 1). • Neighbourhood park feature (Site 4) supporting community-oriented activities and containing a farmers' market pavilion (promoting 'farm-to-table' initiatives), amphitheatre, outdoor physical fitness equipment, spray pad and skate park. <u>Park facilities will complement, and support, YMCA programming.</u>
6. Public art	<ul style="list-style-type: none"> • Six steel sculptures placed in development setback along Southdale Road West frontage.
8. Sustainable development forms	<ul style="list-style-type: none"> • Green roofs accessed from rooftop amenity areas.
9. Contribution to transit facilities	<ul style="list-style-type: none"> • Two transit shelters along Southdale Road West frontage to promote bus ridership.
10. Large quantities of secure bicycle parking and cycling infrastructure.	<ul style="list-style-type: none"> • Dedicated areas for bicycle parking along Southdale Road West frontage and within the community park (Site 4). • Cycling lanes planned for Streets B and C.
14. Car parking, car sharing and bicycle sharing facilities accessible to the general public.	<ul style="list-style-type: none"> • Charging stations, car share, bike share facilities available to the public. • Public parking in Site 5 (to help mitigate YMCA overflow).
15. Extraordinary tree planting	<ul style="list-style-type: none"> • Large caliper trees spaced 15 m apart along Street A and B corridors.
Additional Considerations	
Dedication of Open Space	<ul style="list-style-type: none"> • Refer Table 1.
Design Guidelines	<ul style="list-style-type: none"> • Refer to Table 1.

Summation

We trust that the bonusing program described above is informative, and will assist with your review of the associated planning applications. Following internal review of this bonusing proposal, York Developments would be pleased to discuss any specific aspects of the program with you in more detail.

Appendix B – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this requested land use change. The most relevant policies, by-laws, and legislation are identified as follows:

Provincial Policy Statement, 2014

- 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns
- 1.1.3 Settlement Areas
- 1.7 Long-Term Economic Prosperity

The London Plan

- 54 Our Strategy
- 79 Our City – City Structure Plan
- 193 City Design Policies
- 309 City Building Policies
- 516 Affordable Housing
- 916 Neighbourhoods
- 954 High Density Residential Overlay
- 1556 Secondary Plans
- 1577 Evaluation of Planning Applications
- 1645-1655 Bonus Zoning

Southwest Area Secondary Plan

- 20.5.1.4 Principles of the Secondary Plan
- 20.5.2 Community Structure Plan
- 20.5.3 General Policies
- 20.5.4.1 General Land Use Policies
- 20.5.5 Neighbourhoods
- 20.5.9 Bostwick Neighbourhood
- 20.5.17 Appendix 4: Official Plan Excerpts – Policies

1989 Official Plan

- 2.1 Council Strategic Plan
- 3.4. Multi-Family, High Density Residential
- 3.6.5 Convenience Commercial and Service Stations
- 3.6.8 New Office Development
- 11.1 Urban Design
- 19.4.4 Bonus Zoning
- 20 Secondary Plans

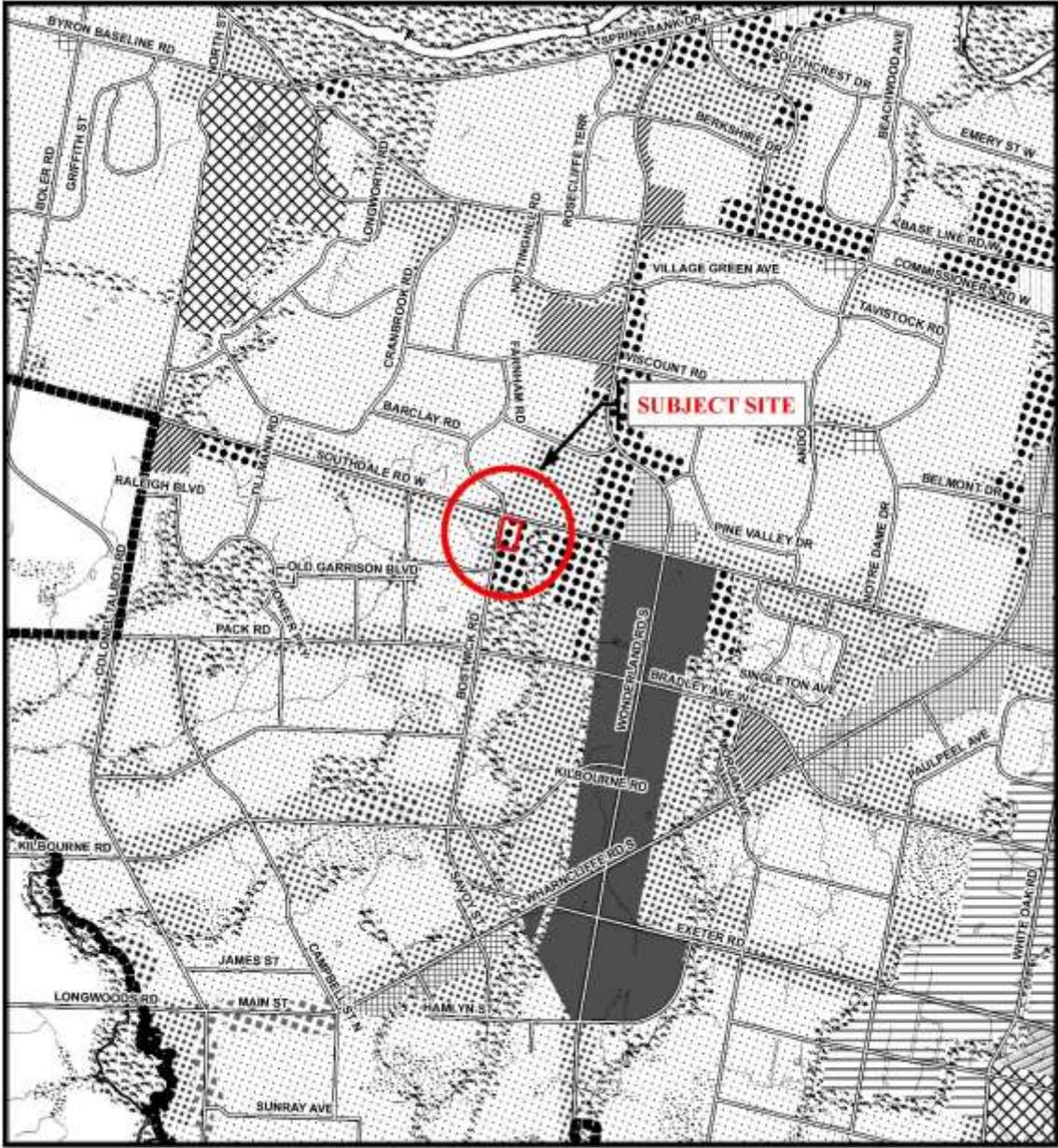
Z.-1 Zoning By-law

- Section 3: Zones and Symbols
- Section 4: General Provisions
- Section 13: Residential R9 Zone
- Section 18: Restricted Office Zone
- Section 29: Convenience Commercial (CC) Zone

Appendix C – Relevant Background

Additional Maps

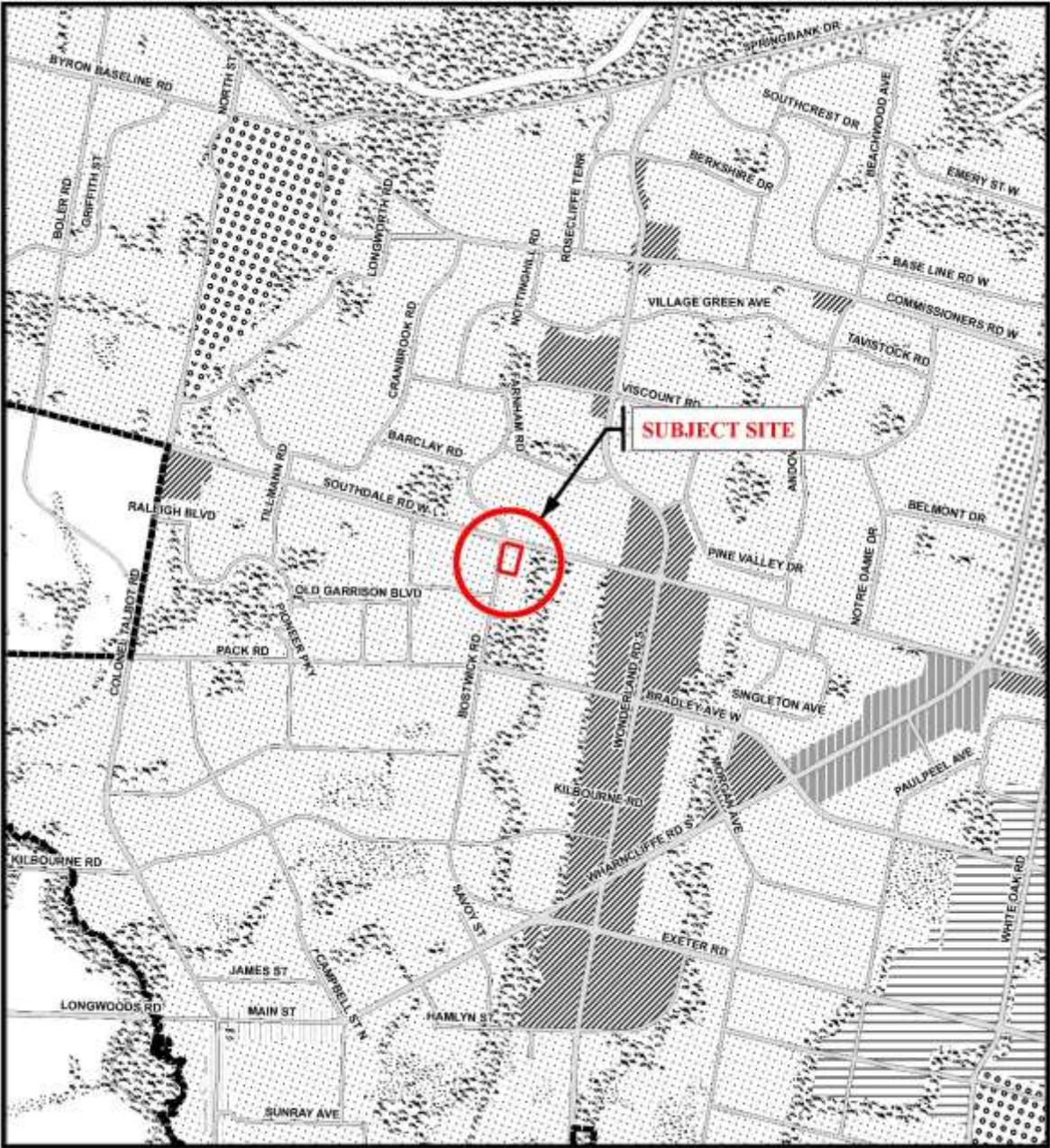




Legend		
Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial
Community Commercial Node	Regional Facility	Transitional Industrial
Neighbourhood Commercial Node	Community Facility	Rural Settlement
Main Street Commercial Corridor	Open Space	Environmental Review
Auto-Oriented Commercial Corridor	Urban Reserve - Community Growth	Agriculture
Multi-Family, High Density Residential	Urban Reserve - Industrial Growth	Urban Growth Boundary

<p>CITY OF LONDON Planning Services / Development Services OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: OZ-8941</p>
		<p>PLANNER: SW</p> <p>TECHNICIAN: RC</p> <p>DATE: 2018/09/29</p>

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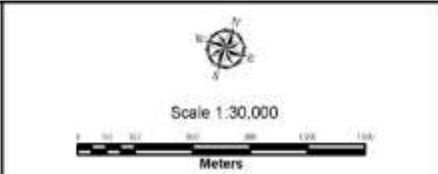
Legend

Downtown	Future Community Growth	Environmental Review
Transit Village	Heavy Industrial	Farmland
Shopping Area	Light Industrial	Rural Neighbourhood
Rapid Transit Corridor	Future Industrial Growth	Waste Management Resource Recovery Area
Urban Corridor	Commercial Industrial	Urban Growth Boundary
Main Street	Institutional	
Neighbourhood	Green Space	

This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

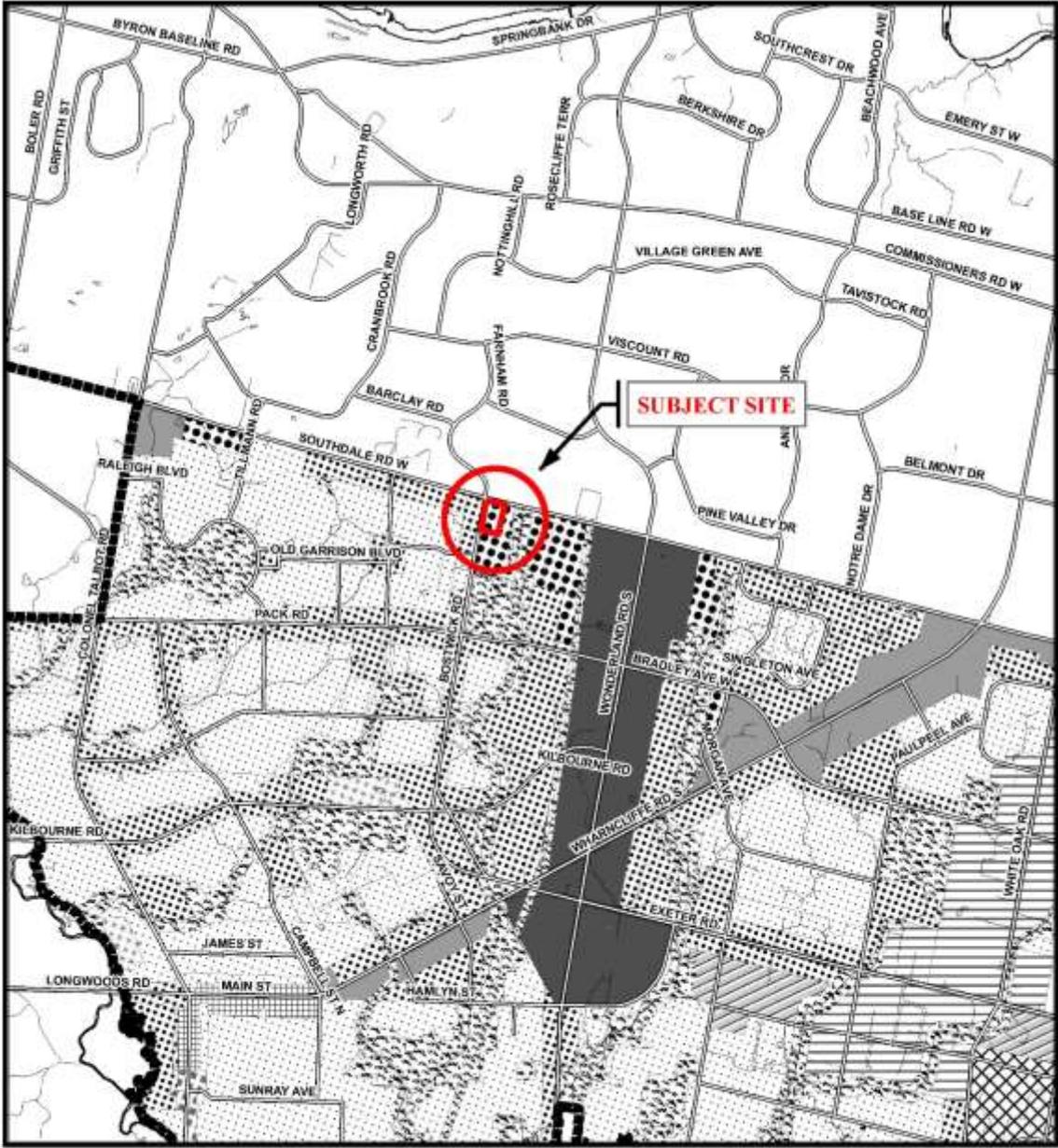
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON
 Planning Services /
 Development Services
LONDON PLAN MAP 1
- PLACE TYPES -
 PREPARED BY: Planning Services



File Number: OZ-8941
Planner: SW
Technician: RC
Date: August 29, 2018

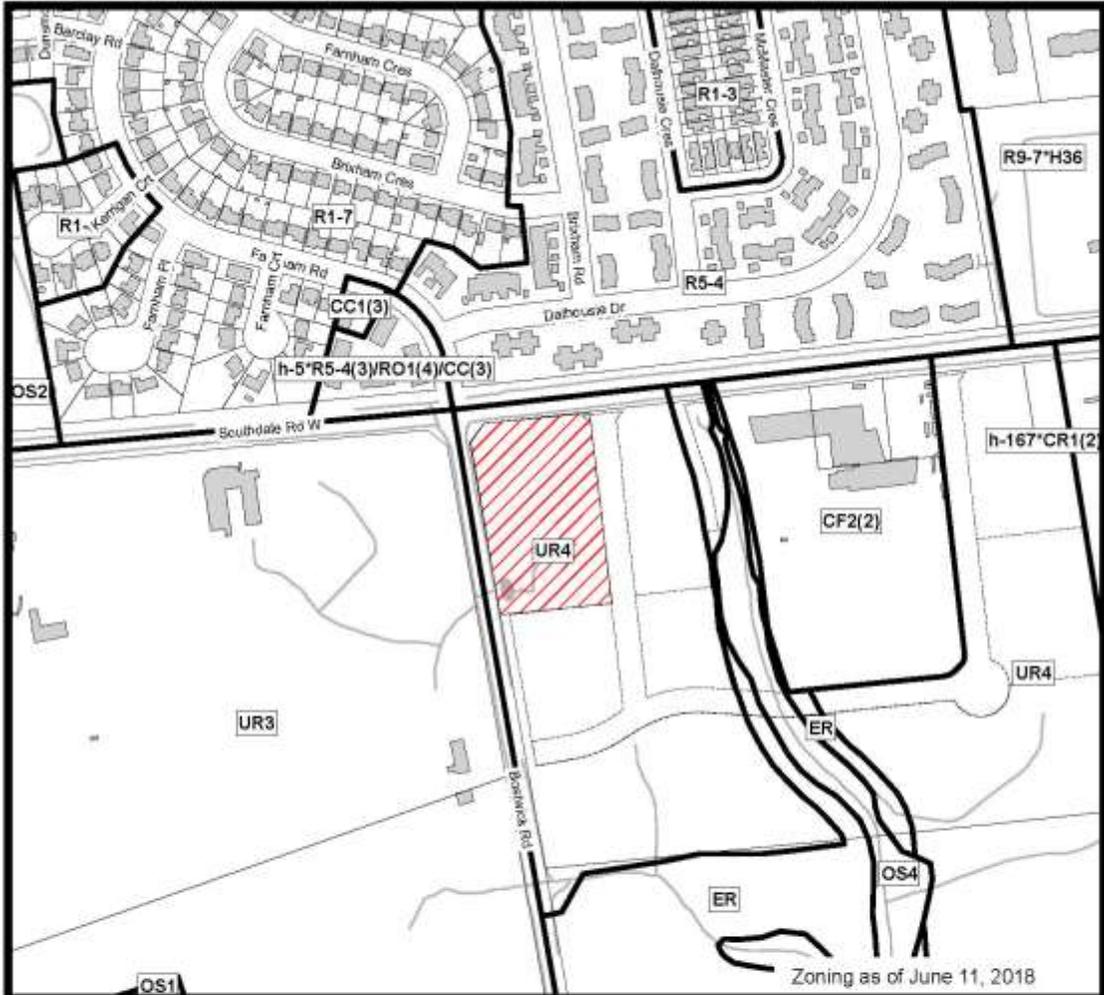
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Legend	
	High Density Residential
	Medium Density Residential
	Low Density Residential
	Commercial
	Office
	Wonderland Road Community Enterprise Corridor
	Main Street Lambeth North
	Main Street Lambeth South
	Open Space
	Institutional
	Industrial
	Commercial Industrial
	Transitional Industrial
	Urban Reserve Community Growth
	Urban Reserve Industrial Growth
	Rural Settlement
	Urban Growth Boundary

<p>CITY OF LONDON Planning Services / Development Services SOUTHWEST AREA STUDY SECONDARY PLAN - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: OZ-8941</p>
		<p>PLANNER: SW</p> <p>TECHNICIAN: RC</p> <p>DATE: 2018/08/29</p>

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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- | | |
|--|---|
| <ul style="list-style-type: none"> R1 - SINGLE DETACHED DWELLINGS R2 - SINGLE AND TWO UNIT DWELLINGS R3 - SINGLE TO FOUR UNIT DWELLINGS R4 - STREET TOWNHOUSE R5 - CLUSTER TOWNHOUSE R6 - CLUSTER HOUSING ALL FORMS R7 - SENIOR'S HOUSING R8 - MEDIUM DENSITY/LOW RISE APTS. R9 - MEDIUM TO HIGH DENSITY APTS. R10 - HIGH DENSITY APARTMENTS R11 - LODGING HOUSE
 DA - DOWNTOWN AREA RSA - REGIONAL SHOPPING AREA CSA - COMMUNITY SHOPPING AREA NSA - NEIGHBOURHOOD SHOPPING AREA BDC - BUSINESS DISTRICT COMMERCIAL AC - ARTERIAL COMMERCIAL HS - HIGHWAY SERVICE COMMERCIAL RSC - RESTRICTED SERVICE COMMERCIAL CC - CONVENIENCE COMMERCIAL SS - AUTOMOBILE SERVICE STATION ASA - ASSOCIATED SHOPPING AREA COMMERCIAL
 OR - OFFICE/RESIDENTIAL OC - OFFICE CONVERSION RO - RESTRICTED OFFICE OF - OFFICE | <ul style="list-style-type: none"> RF - REGIONAL FACILITY CF - COMMUNITY FACILITY NF - NEIGHBOURHOOD FACILITY HER - HERITAGE DC - DAY CARE
 OS - OPEN SPACE CR - COMMERCIAL RECREATION ER - ENVIRONMENTAL REVIEW
 OB - OFFICE BUSINESS PARK LI - LIGHT INDUSTRIAL GI - GENERAL INDUSTRIAL HI - HEAVY INDUSTRIAL EX - RESOURCE EXTRACTIVE UR - URBAN RESERVE
 AG - AGRICULTURAL AGC - AGRICULTURAL COMMERCIAL RRC - RURAL SETTLEMENT COMMERCIAL TGS - TEMPORARY GARDEN SUITE RT - RAIL TRANSPORTATION
 "Y" - HOLDING SYMBOL "D" - DENSITY SYMBOL "H" - HEIGHT SYMBOL "B" - BONUS SYMBOL "T" - TEMPORARY USE SYMBOL |
|--|---|

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:
OZ-8941 SW

MAP PREPARED:
2018/08/28 RC

1:5,000
0 25 50 100 150 200 Meters

Additional Reports

OZ-6662: 2004 Request for Official Plan and Zoning By-law Amendments to develop site for various residential and commercial uses

O-7609: 2012 Council Approved Official Plan Amendments associated with Southwest Area Plan

Z-8386: 2014 Zoning by-law Amendment to facilitate the development of the Bostwick Community Centre

OZ-8941: October 9, 2018 Public Participation Meeting Report

Report to Planning and Environment Committee

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

**From: George Kotsifas, P. Eng.
Managing Director, Development and Compliance Services
And Chief Building Official**

**Subject: Public Participation Meeting Report
31675 Ontario Ltd (York Developments)
3080 Bostwick Road (Site 3)**

Public Participation Meeting on: November 12, 2018

Recommendation

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of 31675 Ontario Ltd. (York Developments Inc) relating to the property located at 3080 Bostwick Road:

- (a) The request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** an Urban Reserve (UR4) Zone **TO** a Residential R9 Special Provision (R9-7(_)*H55) Zone, **BE REFUSED** for the following reasons:
- i) The proposed amendment is not consistent with the Provincial Policy Statement (2014), that healthy and liveable communities are sustained by accommodating an appropriate range and mix of residential uses;
 - ii) The proposed development individually and collectively (with the larger parcel) represents an over-use and over-intensification that exceeds the maximum development permissions set out in the Official Plan and secondary plan policies;
 - iii) The proposed development for Site 3 and the larger parcel does not conform to the Multi-Family, High Density Residential Designation of the 1989 Official Plan; The London Plan High Density Residential Overlay; and the Southwest Area Secondary Plan as it does not provide a mix of housing types to minimize the overwhelming effect of large high-rise developments and broad segregation of housing forms and types, or to provide for housing diversity; and
 - iv) The proposed development and technical review does not comply with the intent of the Urban Reserve Zone to consider development comprehensively in order to protect large tracts of land from premature subdivision and development patterns.

Executive Summary

Summary of Request

The requested amendment is to permit a site-specific Zoning By-law Amendment that may facilitate a senior's oriented residential development with two towers of 12 storeys, connected by a 2 storey podium, at a total density of 150 units per hectare.

Summary of the Effect of Recommended Action

Site 3 is the proposed development with the lowest intensity of all the development sites of 3080 Bostwick Road, with heights of 12 storeys and a density of 150 units per hectare; which is at the maximum permitted by the policies of The London Plan - High Density Residential Overlay, the High Density Residential designation in the Southwest

Area Secondary Plan, and the Multi-Family, High Density Residential designation policies of the 1989 Official Plan. The requested amendment is being considered both on the basis of how the proposal fits within the subject site, as well as how the intensity fits within the larger parcel of 3080 Bostwick Road. There is concern that although the individual intensity of Site 3 is within the maximum permitted, the contribution to the overall intensity of all development proposed for 3080 Bostwick Road would not be appropriate.

The policies of the Southwest Area Secondary Plan, The London Plan Neighbourhoods place type and High Density Residential Overlay and the Multi-Family, High Density Residential designated lands of the 1989 Official Plan all require that a mix of housing forms be provided for housing variety, and to minimize the overwhelming effect of concentrated and segregating high density residential forms and intensities. The requested senior's oriented apartment use is contemplated as an appropriate use for the lands, however the inclusion of the standard apartment use in the requested zone could permit a standard apartment building with no senior's oriented uses at all. That would result in no mix of housing type being provided, with 100% of the proposed built form and type as high-rise residential apartments on Site 3 as well as the larger parcel of 3080 Bostwick Road.

The status of the various studies and reports required to support the proposed development are incomplete, and require additional information, revisions and/or amendments before they can be considered acceptable to substantiate the request. Matters of natural heritage, environment, urban design, transportation, and sanitary servicing provision are required to be resolved or reach a satisfactory level of certainty to support the proposal. At this time, the technical review of the proposed development is not yet complete and requires additional discussion, information, and for some items, could include the consideration of holding provisions.

Staff are willing to continue working with the applicant to resolve issues, incorporate alternative high density housing forms to provide a housing mix, and consider a development that has regard for the policies. However, the applicant has indicated that they do not support this position. In its current form, Staff recommends that the application be refused as it is not consistent with key policies that relate to the appropriateness of intensification, mix of housing form and a satisfactory technical review.

Rationale of Recommended Action

It is recommended that this application be refused for the following reasons:

- i) The proposed amendment is not consistent with the Provincial Policy Statement (2014), that healthy and liveable communities are sustained by accommodating an appropriate range and mix of residential uses;
- ii) The proposed development individually and collectively (with the larger parcel) represents an over-use and over-intensification that exceeds the maximum development permissions set out in the Official Plan and secondary plan policies;
- iii) The proposed development for Site 3 and the larger parcel does not conform to the Multi-Family, High Density Residential Designation of the 1989 Official Plan; The London Plan High Density Residential Overlay; and the Southwest Area Secondary Plan as it does not provide a mix of housing types to minimize the overwhelming effect of large high-rise developments and broad segregation of housing forms and types, or to provide for housing diversity; and
- iv) The proposed development and technical review does not comply with the intent of the Urban Reserve Zone to consider development

comprehensively in order to protect large tracts of land from premature subdivision and development patterns.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject site consists of 1.1ha of vacant land, which also forms part of a larger parcel of land owned by the applicant (approximately 15ha) with frontage on Southdale Road West and Bostwick Road. The portion of the site that is the subject of the Zoning By-law amendment is identified as “Site 3” which is located directly west of the Thornicroft Drain and Bostwick Community Centre. The site is vacant and located south of an existing medium density neighbourhood situated on the north side of Southdale Road West.

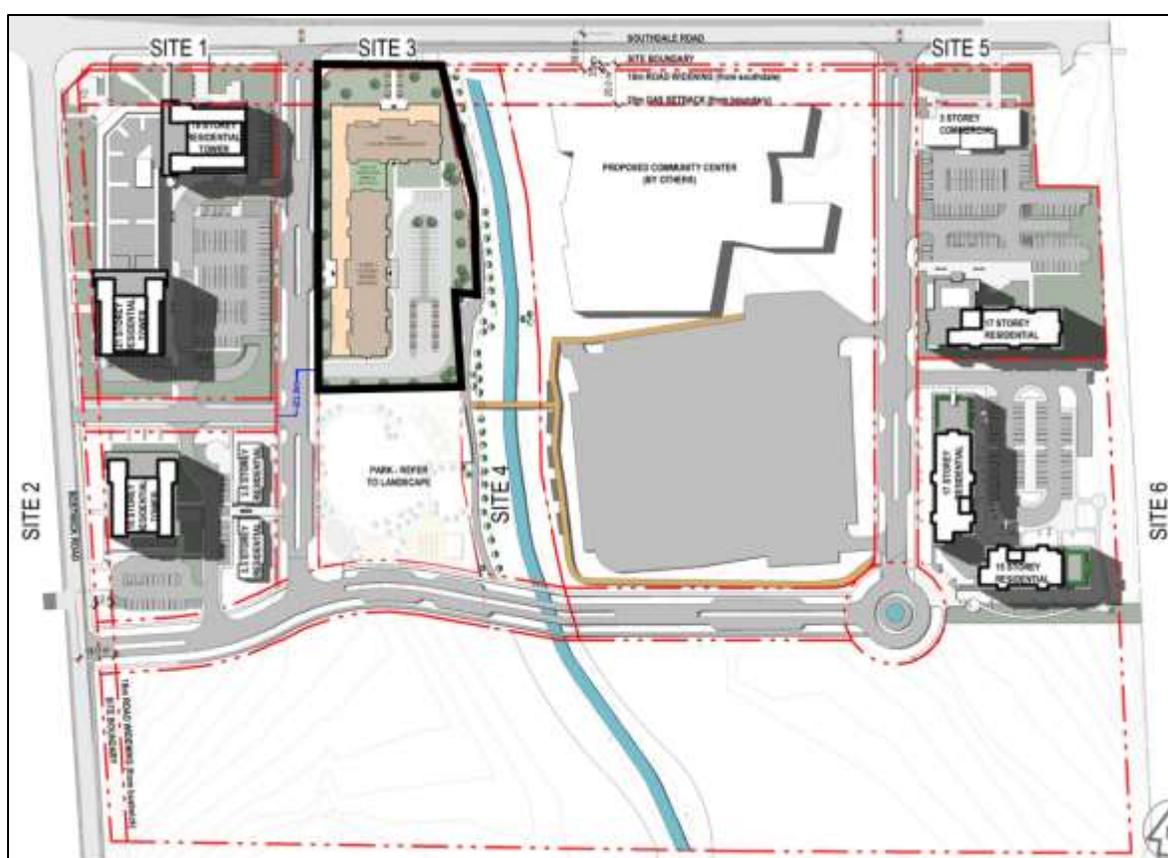


Figure 1: Initial Proposed Master Development Plan

1.2 Current Planning Information (see more detail in Appendix C)

- Official Plan Designation – Multi-Family, High Density Residential (MFHDR)
- The London Plan Place Type – Neighbourhoods & High Density Residential Overlay
- Southwest Area Plan Designation – Multi-Family, High Density Residential (MFHDR)
- Existing Zoning – Urban Reserve (UR4) Zone

1.3 Site Characteristics

- Current Land Use – vacant
- Frontage – 61m (Southdale Road West)
- Depth – 159m
- Area – 1.1ha
- Shape – Irregular

1.4 Surrounding Land Uses

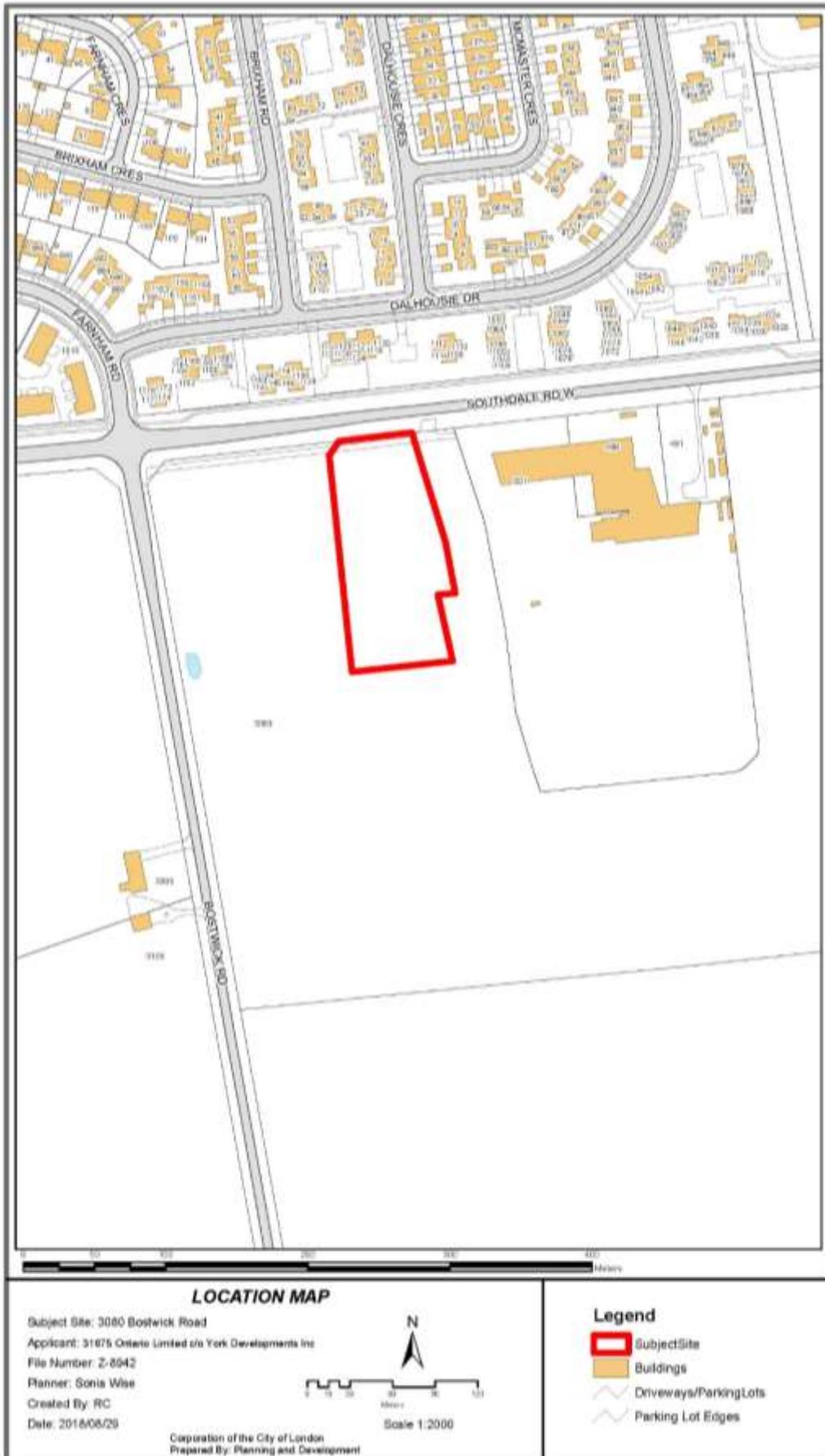
- North – Residential

- East – Thornicroft Drain & Community Centre
- South – Vacant and future park
- West – Vacant & Agricultural

1.5 Intensification (identify proposed number of units)

- 168 residential units are being proposed within Site 3 which is located outside of the Built-area Boundary, and Primary Transit Area

1.6 Location Map



1.7 Consent Application B.033/18

The subject site is also the subject of an application for consent to sever (B.033/18), to create the separate parcel, and retain the remainder of the lands for other development proposals. The consent application is being considered concurrently with the requested Zoning By-law Amendment.

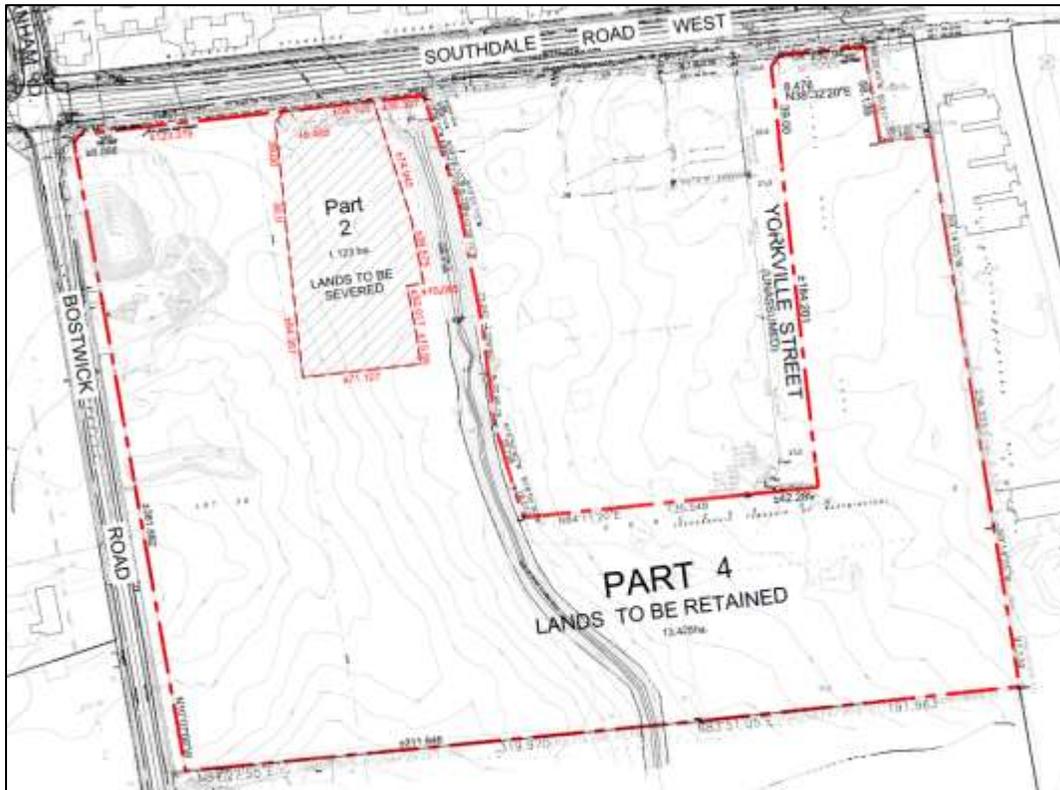


Figure 2: Proposed Severance Sketch B.033/18

1.8 Subdivision Application 39T-18502

The remainder of 3080 Bostwick Road to the south and east of Site 3 is the subject of an application for a draft plan of subdivision 39T-18502/Z-8931. The plan of subdivision is proposing three new roads, two new high density residential development blocks, an open space block and a new park block, as well as lands reserved for future development.

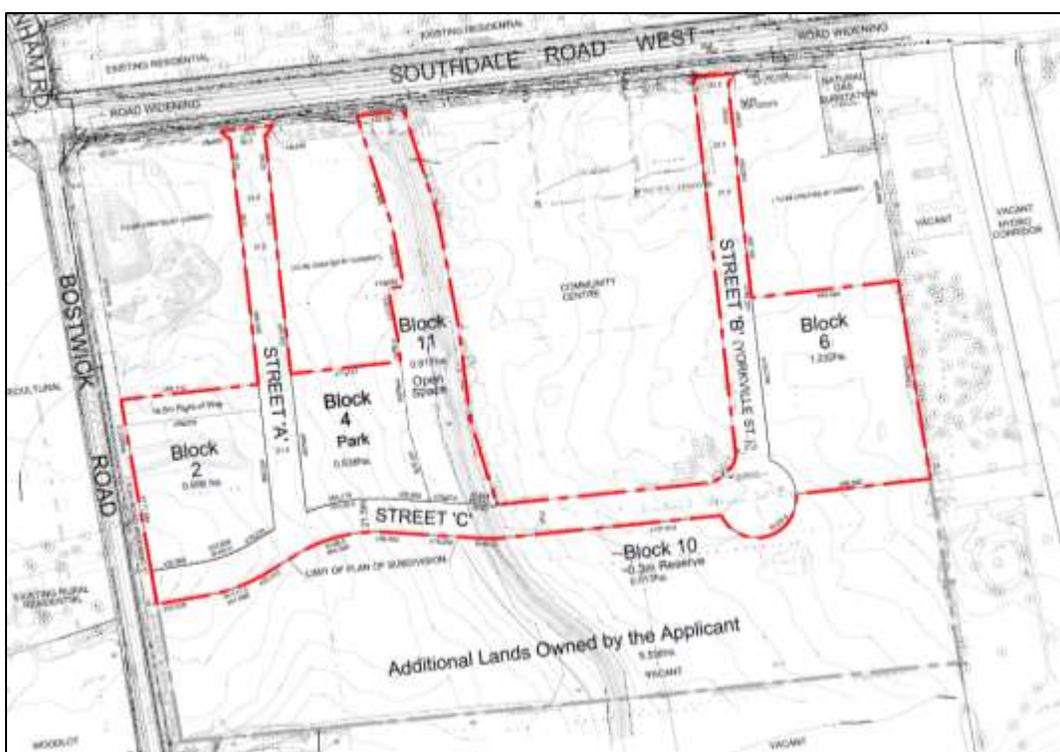


Figure 3: Proposed Draft Plan of Subdivision 39T-18502

The current Urban Reserve (UR4) Zone provides for and regulates existing uses on lands which are primarily undeveloped for urban uses. The UR zone is intended to protect large tracts of land from premature subdivision and development in order to provide for future comprehensive development. The proposed development for the subject site (Site 3) is being considered comprehensively with the proposed draft plan of subdivision, and the other site specific development applications for Sites 3 and 5, which are collectively referred to as the 'larger parcel'.

2.0 Description of Proposal

2.1 Development Proposal

The development being requested for Site 3 by the applicant is for a senior's oriented residential apartment building that consists of two (2) 12 storey towers connected by a 2 storey podium. There are a total of 168 units proposed which equates to a density of 150 units per hectare.

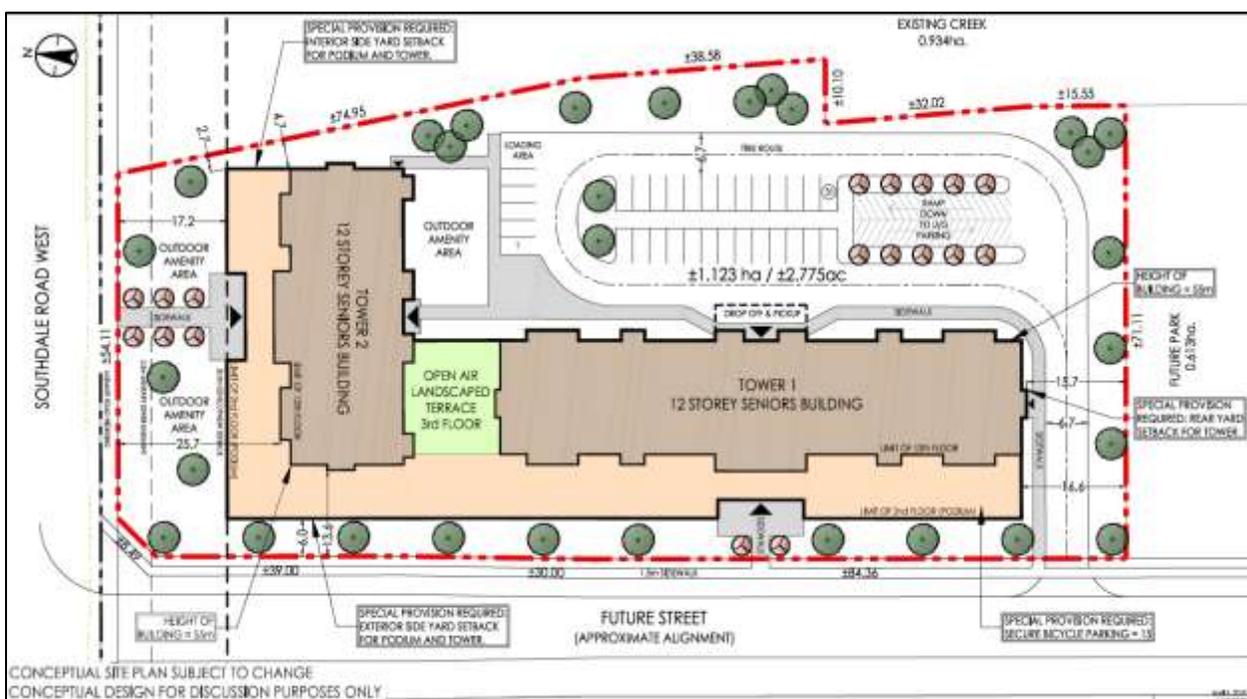


Figure 4: Conceptual Site Plan

The proposed buildings are oriented in an “L” shape along Southdale Road West and the future Street A. Vehicular access is provided to the south of the site from Street A which leads to a parking area in the rear. There are 31 surface parking spaces and 53 underground parking spaces, for a total of 84 spaces to support this proposed development. An open-air landscaped terrace is proposed on the roof of the second storey podium.



Figure 5: Conceptual Rendering – West Elevation

3.0 Relevant Background

3.1 Planning History

The site is within the Southwest Area Secondary Plan area which came into full force and effect in April, 2014. Through the review of the SWAP, the Multi-Family, High Density Residential designation was approved by Council in October, 2012. In 2014, a portion of the lands at 3080 Bostwick Road were severed and re-zoned (Z-8386) to facilitate development of the Bostwick Community Centre.

3.2 Public Meeting

The requested amendment was before the Planning and Environment Committee on October 9, 2018 for a Public Participation Meeting. An overview of the proposed development was provided as well as a summary of the public and stakeholder comments received.

The Planning and Environment Committee and Council endorsed the following:

a) the comments received from the public during the Public Engagement process appended to the staff report dated October 9, 2018 as Appendix "A" BE RECEIVED for information; and,

b) a public participation meeting BE HELD at a future meeting of the Planning and Environment Committee;

3.3 Community Engagement (see more detail in Appendix B)

Notice of Application was circulated on August 17, 2018, and notice was published in The Londoner on August 16, 2018. There were 8 responses provided through the community consultation to date. A summary of the comments include:

Concern for:

- Increased traffic and congestion (x6)
- Increased cut through traffic in the established neighbourhood to the north (x3)
- Pedestrian safety
- Road improvements should be implemented as recommended in the Southdale EA (x4)
- Only the ward 9 councillor was identified on the notice, not the nearby ward 10
- The local school capacity and ability to accommodate increased number of pupils (x2)
- Site 3 – should have adequate parking for seniors
- Greater building heights are difficult to evacuate in emergencies and may block satellite signals
- Provide convenient drop-off/pick-up spaces for para transit vehicles
- Provide affordable housing options and small-lot, small home options
- Reduced setbacks should not be allowed

Support for:

- Positive to see the site finally develop
- Interest in investing in the project

A Public Participation Meeting was held on October 9, 2018 to gather community comments and feedback. There was one speaker that was concerned about the impacts of cut-through traffic which will be analyzed further through a future speed/volume study along Farnham Road.

3.4 Requested Amendment

The requested amendment to the Zoning By-law is to permit the proposed senior's oriented residential development. A Zoning By-law Amendment is required to permit the site-specific request for a Residential R9 Special Provision (R9-7(_)*H55) Zone with a maximum building height of 12 storeys or 55m. Special provisions are requested to permit a rear yard setback of 15.5m, an interior side yard setback of 2.5m, an exterior side yard setback of 6m, and a lot coverage of 40%.

3.5 Policy Context

Provincial Policy Statement 2014

The *Planning Act* requires that all planning decisions made by City Council be consistent with the Provincial Policy Statement, 2014 (PPS). The PPS provides policy direction on matters of provincial interest related to land use planning, as Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. The PPS states that the most important vehicle for implementing the PPS is the Official Plan, which shall provide clear and reasonable policies that protect provincial interests and direct development to suitable areas (4.7).

The London Plan

The London Plan is the City's new Official Plan which was adopted by Council and approved by the Ministry. The London Plan represents Council's new direction for guiding land use in the City. At this time, portions of The London Plan referred to in this report are in-effect (Our Strategy, parts of Our City and City Structure Plan), and portions are under appeal (Neighbourhoods Place Type and High Density Residential Overlay). Notwithstanding their individual status, all policies of The London Plan have been considered in the evaluation of this application.

The City Structure Plan provides a framework for London's growth and change over the next 20 years which includes targeted growth in the City's Built Area Boundary and Primary Transit Area. All of the planning we do will be in conformity with the City Structure Plan.

The subject site is within the Neighbourhoods Place Type in The London Plan and located at the intersection of two Civic Boulevards. A range of uses are permitted including: single detached, semi-detached, townhouses, triplexes, small-scale community facilities, stacked townhouses, fourplexes, and low-rise apartment buildings (Tables 10-12).

The site is also located within the High Density Residential Overlay which recognizes greater development potential for some sites previously designated as Multi-Family, High Density Residential.

1989 Official Plan

The subject site is within the Multi-family, High Density Residential (MFHDR) designation, which primarily permits multiple-attached dwellings, and low and high-rise apartment buildings with densities generally less than 150 units per hectare for locations outside of Central London (3.4.3).

Southwest Area Secondary Plan (SWAP)

Both The London Plan and the 1989 Official Plan recognize the need for a Secondary Plan to provide more detailed policy guidance for a specific area that goes beyond the general policies. The Southwest Area Secondary Plan (SWAP) forms part of The London Plan and the 1989 Official Plan, and its policies prevail over the more general Official Plan policies if there is a conflict (1556 & 1558). The SWAP has also included

relevant policies from the 1989 Official Plan which were carried forward and become part of the Secondary Plan. Where policies of the 1989 Official Plan are referenced but not carried forward, it is the intent that the SWAP is to be read in conjunction with the policies of The London Plan (20.5.17.1).

The site is located within the Bostwick Residential Neighbourhood and designated High Density Residential (HDR) in SWAP. Mid-rise to high-rise residential form is permitted with densities and heights up to a maximum of 150 units per hectare and 12 storeys respectively (20.5.9.2).

Evaluation

The primary review of the planning application was based on consideration for the policies of the Provincial Policy Statement, 2014, The London Plan, the Southwest Area Secondary Plan and the 1989 Official Plan. Portions of The London Plan have been appealed by York Developments as they relate to 3080 Bostwick Road. The planning analysis has resulted in 4 main areas where there is inconsistency with the Provincial Policy Statement, 2014, and/or nonconformity with the Official Plan policies. These include:

- 1) Intensity
- 2) Mix of Residential Uses and Form
- 3) Issues Requiring Further Consideration

1) Intensity

Our Strategy

One of the 8 key directions of The London Plan is to ‘make wise planning decisions’, which requires big picture and long-term thinking when making planning decisions to consider the implications of a short-term and/or site-specific planning decision within the context of this broader view (62_3). The intensity proposed on the subject site is at the maximum level permitted through the policies and is required to be considered where it fits in a broader context and whether it supports strategic and efficient growth intended by The London Plan.

Our City

The ‘Our City’ section describes the existing and future structure of the City, including the major elements that establish the physical framework of London, and how the City will manage growth in the next 20 years. Greenfield forms of development such as the proposed development will continue to be considered, though there is greater emphasis on encouraging and supporting growth within the existing built-up area of the city (79).

Directing infill and intensification to the Primary Transit Area is a major part of the Plan’s strategy to manage growth in the city as a whole and to achieve a target of accommodating 45% of all future residential growth in the Built-Area Boundary (91). Additionally, it is a target of the plan that 75% of all intensification be achieved in the Primary Transit Area which includes the greatest amount and highest level of transit service in the City (92_2). The subject site is located outside of both the Built-Area Boundary and the Primary Transit Area, though is within a High Density Residential designation and proposing the highest limit available for permitted intensity.

Growth Servicing

The PPS identifies that land use patterns within settlement areas shall be based on densities and a mix of lands uses which efficiently use land and resources, are appropriate and efficient use infrastructure, public service facilities, and do not require their unjustified or uneconomical expansion (1.1.3.2.a.1)&2)). The Growth Framework established by The London Plan is a plan for shaping growth over the next 20 years by directing growth to strategic locations. Infrastructure will be planned and directed to

service the development patterns and levels of intensity expected based on the City Structure Plan, place type allocation and policies of this Plan (166). The proposed development significantly exceeds the anticipated level of intensity for the site which has the potential to influence development growth and demand in the broader city context.

Neighbourhoods Place Type

The site is located within the Neighbourhoods Place type which allows for a range of residential uses, and a development form between a minimum of 2 storeys and 4 storeys, with a potential to bonus up to 6 storeys (Tables 10-12).

High Density Residential Overlay

Though The London Plan directs higher density uses towards strategic locations to support and take advantage of public transit, such as in transit villages and along rapid transit corridors, it also recognizes some remnant high density residential areas (954). The subject lands are designated in the 1989 Plan as Multi-Family, High Density Residential, and are recognized in the High Density Residential (HDR) Overlay which retains greater development potential despite not being in a targeted growth location (955).

Lands like the subject site, which are within the High Density Residential Overlay but outside of the Primary Transit Area may be permitted up to 12 storeys with a density up to a maximum of 150 units per hectare. The proposal is for two (2) 12 storey towers built up to a density of 150 units per hectare which is at the maximum cap of the HDR overlay policies.

Southwest Area Secondary Plan

The lands are designated as High Density Residential in the Bostwick Neighbourhood, which provides for a range of mid to high-rise residential uses. These lands are intended to be the most intensive in the residential neighbourhood areas which are implemented through development permissions that contemplate up to a maximum of 12 storeys, and 150 units per hectare.

1989 Official Plan

The scale of development for Multi-Family, High Density Residential designated lands includes 150 units per hectare outside of Central London which is proposed through the subject application.

Comprehensive Development Consideration

The existing zone is an Urban Reserve (UR4) Zone which is intended to protect large tracts of land from premature subdivision and development in order to provide for the future comprehensive development on those lands. Despite the application for a site specific Official Plan and Zoning By-law Amendment and consent to sever, the entire legal parcel of 3080 Bostwick Road and its relationship to Site 3 requires holistic consideration, and the site cannot be evaluated in isolation. The remainder of the lands at 3080 Bostwick Road are also proposed for various high density residential development forms through other separate Official Plan/Zoning Amendments and a plan of subdivision. There are four additional development sites proposed, (Site 1, Site 5, Block 2 & Block 6) which all exceed the maximum height and density permitted.

Intensity Summary

The proposed development is within the contemplated maximum height and density permitted, although it is at the very top end of both. The requested apartment building is contemplated as a permitted use for the lands, as is the height of 12 storeys and

density of 150 units per hectare in the High Density Residential Overlay, the High Density Residential designation in SWAP and the Multi-Family, High Density Residential designation policies of the 1989 Official Plan. The relationship and intensity proposed on the larger parcel is critical to inform whether the collective intensity proposed is reasonable and represents good planning.

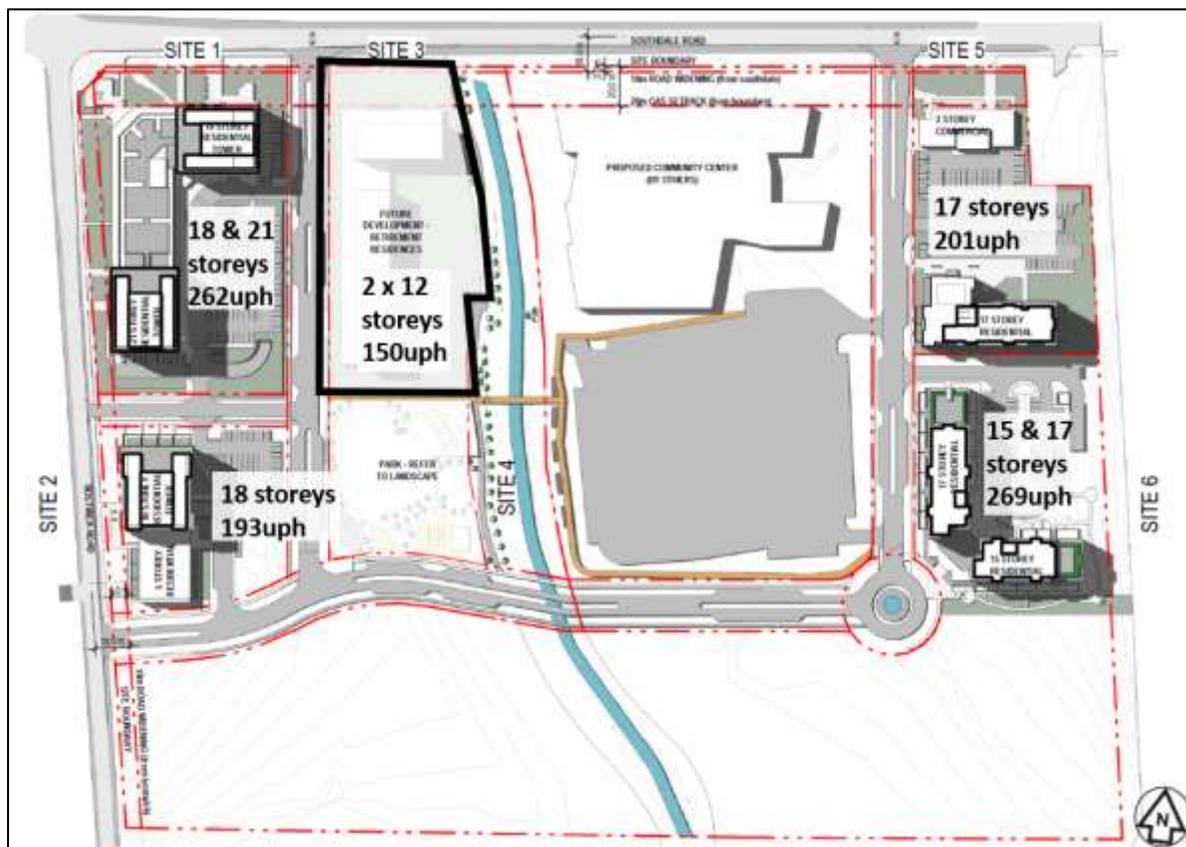


Figure 6: Master Plan Intensities

2) Mix of Housing Types

The PPS identifies that healthy and liveable communities are sustained by accommodating an appropriate range and mix of residential uses (including second units, affordable housing, and housing for older persons) uses (Policy 1.1.1(b)). The only residential use proposed for Site 3 and the larger parcel of 3080 Bostwick Road is high-rise apartment, which does not provide a range or mix of residential uses.

Our Strategy

To build a mixed-use compact city, a mix of housing types within our neighbourhoods is required so that they are complete and support aging in place (59_5). The proposal is one piece of a larger development plan which proposes entirely the same form of development resulting in only one housing type provided.

To build strong, healthy and attractive neighbourhoods for everyone, neighbourhoods need to be designed to meet the needs for people of all ages, incomes and abilities, allowing for aging in place and accessibility to amenities, facilities and services (61_2). The proposal does not provide any mix of housing forms that would contribute to providing a diversity and variety of housing that would truly cater to the needs of many. Despite the described intention to provide for senior's oriented development, the request is for a zone that allows for standard apartment use which could in a scenario where a seniors oriented apartment is replaced by a standard apartment, much like what is being proposed throughout the larger area.

Neighbourhoods

Neighbourhoods will be planned for diversity and mix and should avoid the broad segregation of different housing types, intensities, and forms (918_2). The proposed

development provides a high-rise residential form which is further replicated on all of the development parcels under review for 3080 Bostwick Road. The result is a concentration of only high density residential units in one location that will be segregated from existing and future development forms.

High Density Residential Overlay

On large sites or areas within the High Density Residential Overlay, capable of accommodating multiple buildings, a diversity of housing forms such as mid-rise and low-rise apartments and multiple attached dwellings will be required (958_3). The site itself, and its relationship to the larger parcel are both large enough to accommodate a variety of the forms specified, though the only residential use proposed is high-rise residential apartments, which does not achieve the intent of the policy. Additionally, zoning may not allow for the full range of height and density identified in these policies. (958_5).

Southwest Area Secondary Plan

The SWAP provides direction that in order to create diverse and connected communities, a mix of housing types, densities and design should be provided throughout each neighbourhoods (20.5.1.4.ii.a)). A range and mix of uses is required to achieve balanced and inclusive residential communities. In applications for subdivision, a diversity of building types is required to provide a mix of residential forms (20.5.4.1 iii c)). Site 3 and the entirety of 3080 Bostwick Road represent only one form of residential building type which does not achieve a balanced or inclusive community. Despite the site-specific consent to sever application for Site 3, it forms part of the larger parcel of 3080 Bostwick Road and is considered under the same criteria as a subdivision (51.12 Planning Act).

1989 Official Plan

The 1989 Official Plan supports the provision of a choice of dwelling types according to location, size, affordability, tenure, design and accessibility, and minimizing the potential for land use compatibility problems which may result from an inappropriate mix of low, medium and high density housing (3.1.1.ii & vii). Outside of the Downtown and Central London areas, it is Council's intention that a mixing of housing types, building heights and densities shall be required in large designated areas which normally exceed 3ha (3.4.3.i). All areas shall include a diversity of housing forms such as mid-rise and low-rise apartments and multiple attached dwellings in order to minimize the overwhelming effect of large high-rise developments (3.4.3.i.b)).

Site 3 has a lot area of 1.1ha, but is part of the overall property of 3080 Bostwick Road which is 15ha and collectively larger than the identified 3ha which would qualify it as a 'large' site. Despite the individual applications submitted for Site 3, the consideration is based on the entire property which can support a variety of housing forms to provide for diversity within an HDR designation. Site 3 is proposing the lowest high-rise form of 12 storeys while the tallest within the larger area is 21 storeys which does not allow for housing choice or variety. There are no low-rise, mid-rise or multiple attached forms proposed, which results in 100% of the residential form on the larger parcel as high-rise apartments. Additionally, the UDPRP is supportive of a mix of built forms throughout this project.

Mix of Housing Types Summary

In order to achieve well-designed and inclusive communities, a mix of housing types is necessary to support the needs for people of all ages, incomes and abilities, and provide opportunities for aging in place. It is not sufficient to provide for a variety of housing only within the context of the entire Bostwick Neighbourhood, as the policies require a mix within the designation as well, and on sites larger than 3ha. The policies of the Southwest Area Secondary Plan, The London Plan Neighbourhoods place type,

the High Density Residential Overlay and the Multi-Family, High Density Residential designated lands of the 1989 Official Plan all require a mix of housing forms to be provided for housing variety, and to minimize the overwhelming effect of concentrated and segregating high density residential forms and intensities.

While the provision of true senior's oriented dwellings would provide a mix of housing type, the zoning requested still allows for apartment uses which could result in no provision of the intended senior's use. Additionally, to provide for housing diversity, policies of the 1989 Official Plan, the SWAP HDR, the Neighbourhoods place type and the High Density Residential Overlay allow for a wide range of multiple-attached, mid-rise and high-rise residential forms that can provide for a desirable mix of housing types on 3080 Bostwick Road and still achieve the intent for the Bostwick Neighbourhood as the most intensive of the residential designations within this area. It is not appropriate or desirable to allow only one residential form of residential use (high-rise) for the entirety of Site 3, as well as the larger parcel of 3080 Bostwick Road.

3) Issues Requiring Further Consideration

In addition to the items that fail to conform to the various PPS and/or Official Plan policies, the functional and technical elements of the proposed development are not in a satisfactory state or timing for acceptance. Many of the items under review require amendments, revisions and modification in order to ensure there will not be any detrimental impacts on the transportation network, natural heritage features or existing or planned development. The proposed development is not recommended for consideration until there is more detailed information provided to address the following:

Transportation and Mobility

The London Plan places a new emphasis on creating attractive mobility choices by focusing intense, mixed-use development to centres that will support and be served by rapid transit, integrated with walking and cycling (60_5). The site has proximity to the primary transit area boundary, but is not located within the boundary, or has access to rapid transit services. The site is not currently well served by transit having access to only a one-way service on Southdale from Bostwick to Wonderland which operates as a branch of Route 15, providing a quarter of the service of Route 15. The frequency of the route provides 30 minute one-way weekday daytime service, 60 minute evening and Sunday service, and 40 minute Saturday daytime service. The London Transit Commission has provided comments as follows:

“We would note that this development falls outside the primary transit area of the London Plan. Directing large scale development outside of where transit operates frequently impairs efficient transit operations. Our transit network is forced to increase in geographic scale with relatively small gains in ridership - a definite concern of ours.”

Without frequent and reliable transit service, single vehicle trips are likely to be more prevalent for mobility and movement. A total of 725 parking spaces are proposed to be located in two underground levels, with some surface parking spaces. Access is proposed from Street A to the east, as well as an east-west connection located to the south of the site. Transportation staff have reviewed the Transportation Impact Assessment and identified certain changes required for the correct and efficient operation of traffic. Transportation staff cannot support a full access for Street A, as the Southdale Road EA identifies a median at this location restricting the access to right in/right out. Furthermore, the signal spacing does not meet the minimum spacing as identified in the Access Management Guidelines. The timing of various DC road projects is currently being reviewed through the DC update and may impact future road capacity assumptions contained in the TIA.

Sanitary Servicing

Sanitary capacity for the larger parcel is currently limited to 7.5 l/s which restricts the blocks that can develop in the short term. These capacity issues can be addressed over the long term, however staging and/or phasing of the proposed development(s) will be required until the ultimate solution is available. Holding provisions would be required to ensure that capacity exists prior to construction and occupancy of proposed developments. There are planned growth works for the area identified in the 2014 DC Study which include a new pumping station on Colonel Talbot Rd. and a sanitary trunk sewer along Bostwick Rd. Further discussion on the ultimate solution for the site is warranted.

Natural Heritage and Environment

Site 3 is currently part of a larger parcel of land which includes environmental features such as the Thornicroft Drain and a significant woodland/wetland feature past the southern extent of the subject lands under the consideration of planning applications. Site 3 has a direct interface with the Thornicroft Drain, and at this time the implications for providing a sufficient buffer to the Thornicroft Drain and any other natural features may adjust the location of the developable lands (or the form and density of Site 3) and have a cascading effect on the road locations and parcel shapes and sizes. Additionally, there is a requirement to locate the pathway that extends parallel to the drain outside of the buffer area which will require an additional 8m width adjustment to the parcel fabric. The proposed severance of the subject site would also allow for a change in ownership which is only appropriate once the larger parcel has been addressed comprehensively from a natural heritage feature point of view to avoid the fragmentation of land.

It is essential that the lands for the whole of 3080 Bostwick Road are considered comprehensively to evaluate their collective impact on natural heritage and environmental features. Various concerns and comments have been raised by the UTRCA regarding the submitted Environmental Impact Study, Stormwater Management, and Hydrogeological and Water Balance provided, some of which are shared by EEPAC Environmental and Parks Planning staff. A summary of the comments provided by the UTRCA on the individual studies are as follows:

Environmental Impact Study

In conclusion, there is not enough information provided in the EIS to determine whether development within the significant deciduous woodland community in the south (Patch 10064) or within the 30 – 40m buffer of the Thornicroft Drain, or within the vegetation communities supporting Species at Risk will have any long-term impacts to their ecological function of these features. As such, we request a more conservative approach to ensure that the ecological function of the natural features will be maintained.

Stormwater Management

The uncontrolled major and minor flows from the site may cause erosion, flooding and water quality issues in the receiving Tributary D. The UTRCA requires that consideration be given to interim measures to slow down the runoff from the site to avoid local flooding and erosion that may be caused by increased imperviousness on the site due to development.

Hydrogeological and Water Balance Assessment

The most significant deficiency is in the incorporation of the hydrogeological interpretation and the impact to the natural heritage features and the regulated areas on and adjacent to the Site. In conclusion, there is insufficient assessment of the groundwater and the natural heritage features from a water quality and quantity basis. Further work needs to be completed prior to conditions of draft plan approval being provided by the UTRCA for the proposed development of 3080 Bostwick Road as the

changes to the water budget alone are likely to significantly impact the natural heritage features.

Summary of UTRCA Comments

*As was conveyed in our October 2, 2018 comments, given the UTRCA's outstanding concerns regarding the cumulative impacts of the proposed development on the natural hazard lands and the natural heritage system as well as the noted deficiencies of the supporting technical reports, the Conservation Authority continues to recommend that the applications be **deferred** so that the matters can be addressed or alternatively be refused.*

However, if the matter is considered by PEC at its November 12, 2018 meeting and the Committee is supportive of the applications, the UTRCA requests that holding provisions be applied to Site 1, Site 3 and Site 5 whereby the applicant shall be required to submit/prepare a Hydrogeological Assessment and Water Balance Analysis, a Stormwater Management Report and an Environmental Impact Study to the satisfaction of the UTRCA.

Built Form and Design

In order to achieve a well-designed built form throughout the City, development that is designed to be a good fit and compatible within its context, a mix of housing types to support aging in place and affordability, and healthy diverse and vibrant neighbourhoods that promote a sense of place and character (193_1,2,7&9). The proposed development has some positive features regarding design, such as the orientation and continuous street wall along the corner of Street A and Southdale Road, the provision of a podium and stepbacks to the towers, and provision of rooftop amenity space. However, changes to the design are required to provide a better interface with the proposed park block to the south which would benefit from a built form interface rather than an edge consisting of a driveway and parking. Site 3 has important interfaces with Southdale Road West, Street A, the future park block and the Thornicroft Drain. More detailed design will be required to ensure positive integration of the building and compatibility within the area.

Zoning

Higher intensity mid-rise, transit-oriented development is encouraged along portions of the arterial road network to support the provision of transit services as detailed in 20.5.4.1 iv) of the General Residential policies.

The requested amendment to the Zoning By-law is to permit the proposed senior's oriented residential development as well as to allow for standard apartment building uses. A Zoning By-law Amendment is requested for the Residential R9 Special Provision (R9-7(_)*H55) Zone with a maximum building height of 12 storeys or 55m. Special provisions are requested to permit a rear yard setback of 15.5m, an interior side yard setback of 2.5m, an exterior side yard setback of 6m, and a lot coverage of 40%.

The proposed R9-7 zone is used to implement High Density Residential forms and allows for the requested senior's oriented apartment building. The zone also allows for standard apartment buildings which could eventuate as a permitted use, notwithstanding the applicant's submission requesting a senior's oriented apartment. The full permissions of the requested Zone allow a standard apartment building to be built up to the cap limit of 55 metres in height (12 storeys) and at a density of 150 uph which does not contribute to a mix of housing type for this subject or the broader area,. Further, the parking proposed only supports a senior's oriented development, and would be insufficient to allow for a standard apartment use. The zone requested is also considered in a context that supports the broader policies of providing a mix of land uses and consideration of a comprehensive development proposal.

The special provisions requested to permit the reduced rear yard, interior side yard and exterior side yard setbacks maintain the general intent of the requirements, and are generally acceptable as proposed. The effects of the increased lot coverage of 40% from 30% maximum can be seen in the form of development which has very large tower massing that could be better improved by reducing lot coverage to be more aligned with the 30% maximum permitted and subsequently the size of the towers. Additionally, there is a relationship between increasing the lot coverage of a building when the landscaped open space is equally increased to offset the built form coverage. The landscaped open space is proposed at 30% which does not provide this relief.

Planning Impact Analysis

The Planning Impact Analysis will be used to evaluate applications for an Official Plan and/or Zoning change to determine the appropriateness of a proposed change in land use.

- a) *compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area.*

The lands to the north of the site are developed as low-medium density housing with townhouses and single detached dwellings as the dominant form. There is a Union Gas pipeline along the Southdale Road West frontage which requires an additional 20m setback of the built form from the road which can mitigate shadow impacts and the bulk of the buildings. The use of a podium stepbacks the tower component and further reduces shadow impacts.

The Bostwick Community Centre is located to the east of the site and residential uses in this location would support patronage of the community centre within walking distance. Lands to the south are proposed for a future park and the proposed built form of Site 3 will be an important consideration of this interface. Lands further south and west represent future development lands, which are designated to include a variety of low, medium and high density housing forms. Providing a mix of low-rise and mid-rise apartments as well as multiple attached dwellings would provide a more integrated and compatible form than the contrast between the high-rise proposed and future lower rise uses.

- b) *the size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed use;*

The proposed development is generally supported by the 1.1ha site though is requesting a 40% lot coverage which is beyond the 30% maximum permitted. Reducing the built form proposed would reduce the lot coverage and better suit the size and shape of the lot. Site 3 also has a direct interface to the Thornicroft Drain and consideration is underway to establishing the development limit to this feature. If the buffer distance to the drain changes, the developable parcel may also change which could result in a reduction of the proposed lot area and parcel shape that would increase lot coverage and density on the proposed form. This could also introduce a potential cascading effect on adjacent lands as proposed.

- c) *the supply of vacant land in the area which is already designated and/or zoned for the proposed use;*

The lands are designated and well suited to develop for a variety of High Density Residential forms. The proposal for Site 3 is one site of 4 additional development blocks which are all proposing above the maximum intensity contemplated for the lands. There are additional High Density Residential designated lands south of Street C which have not been included in the subdivision, and the development form and intent for these lands is not known at this time.

The lands in the Wonderland Road Enterprise Corridor were recently amended to reduce the residential intensity from a maximum heights of 14 storeys to 6 storeys with bonusing, and maximum densities from 175uph to 100uph with bonusing. The reduction in residential intensity was to recognize that there are more strategic locations in other areas of the city to direct the greater heights and densities than within the Wonderland corridor. Though the built form is capped at a mid-rise level of 6 storeys, there is the potential to bonus up to 100uph which is at a high density intensity.

Within the broader SWAP area, there is a special policy for lands at 17 & 31 Exeter Road which permits high density residential buildings up to 12 storeys and 150 units per hectare, which is currently undeveloped (20.5.6.5.v). Additional lands are located at Southdale and Pomeroy Lane under the North Talbot Area Plan which are developed with and proposed for a new 12 storey residential form.

There are a number of opportunity sites within SWAP that would accommodate high density or high-rise residential uses, including the subject lands.

- d) *the proximity of any proposal for medium or high density residential development to public open space and recreational facilities, community facilities, and transit services, and the adequacy of these facilities and services.*

The site is in close proximity to the Bostwick Community centre which provides community and recreational resources. There is limited transit services currently, which will likely be improved as more of the SWAP is developed, though it should be noted that this site is still located outside of the rapid transit corridors and Primary Transit Area. A new park of 0.636ha is proposed to the southeast of the site and Parks Planning staff have advised that additional parkland will be required to support the intensity proposed. The Thornicroft Drain is located further east which is showing trails for pedestrians within the buffer area as part of the subdivision, though trails cannot be located within the buffer and an additional 8m width is required to provide for the trail feature which will shift the boundary of Site 3.

- e) *the need for affordable housing in the area, and in the City as a whole, as determined by the policies of Chapter 12 – Housing*

The provision of forms of housing other than single detached dwellings are encouraged in SWAP, which provide intrinsic affordability given the smaller unit size compared to a detached dwelling. There is no affordable housing proposed as defined in Chapter 12 of the 1989 Official Plan.

- f) *the height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;*

The proposed heights of Site 3 are two 12 storey towers. Surrounding heights of the nearby residential development proposals include a 18 and 21 storey towers on site 1 to the west, one 17 storey tower on site 5, one 18 storeys tower on site 2 and two 15-17 storey towers on site 6. There is very limited variation in building heights on the surrounding development sites which can create an overwhelming effect of the high-rise residential form. Providing a mix of low-rise and mid-rise apartment buildings will vary the overall heights of 3080 Bostwick Road, and reduce the intensities to be more consistent with the policy intent.

- g) *the extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;*

The site is mostly vacant with very little existing vegetation that would be desirable to retain. To the east, the Thornicroft Drain is a naturalized feature that is proposed to have a pathway located parallel to the drain which would provide access to the

feature, though the pathway cannot be located within the buffer distance as proposed and an additional 8m width is required which will impact the parcel fabric of Site 3.

- h) the location of vehicular access points and their compliance with the City's road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties;*

The vehicular access for Street A will require modification as there will be a median proposed along Southdale Road West, and the proximity of the existing traffic lights at Bostwick Road would not facilitate an additional set of lights. Certain amendments such as compliance with the City's Access Management policies are required to the TIA, which is currently under review. Sidewalks will be required on both sides of new streets to provide for comfortable pedestrian connections.

- i) the exterior design in terms of the bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area;*

The layout of the built form is oriented towards the corner of Street A and Southdale Road West which is a positive, as is the provision of podium and tower setbacks. The built form proposed is conceptual only at this time, though it requesting an increased lot coverage of 40% which is indicative of the eventual built form. Without a mix of high-density housing forms provided on the larger site, future land uses may not be able to integrate as well with the proposed built form given the concentration of high-rise form on the entire parcel of 3080 Bostwick Road and the eventual interface that will be created.

- j) the potential impact of the development on surrounding natural features and heritage resources;*

The Thornicroft Drain traverses the site which supports important environmental features such as the deciduous hedge row. The submitted environmental studies are being reviewed and have not progressed to a point where the impacts of the proposed development are known on the nearby woodlot/wetland feature to the south. The development limit associated with the Thornicroft Drain is similarly under review which may impact the eventual parcel fabric for Site 3 and possibly shift the location of Street A, which could impact the boundary limits of Site 1. Additionally, the pathway feature cannot be located within the buffer setback and it has been identified that additional land will be required to provide the pathway abutting the buffer.

- k) constraints posed by the environment, including but not limited to locations where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration and rail safety may limit development;*

There is a minimum required setback of 20m from the Union Gas pipeline along Southdale Road West which is being provided. A noise study has also been prepared to address the arterial noise generated by Southdale and Bostwick Roads. The noise study is under review and pending minor amendments and endorsement by a certified engineer, is in a form that is generally acceptable to the City. There are no rail, landfill, sewage treatment, contamination or other similar generators of adverse impacts applicable to the subject lands.

- l) compliance of the proposed development with the provisions of the City's Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law;*

The proposed development does not conform to the City's Official Plan with regards to lack of housing mix, and satisfaction of required studies and reports. The

intensity proposed is at the maximum permitted, and is required to be considered in concert with all development proposals to determine the appropriateness. The existing Urban Reserve zone requires the comprehensive consideration of all the lands to avoid premature development and land use patterns. Site plan matters are being considered through the requested amendment, though there is no application for Site Plan Approval or Signage at this time.

m) *measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis;*

Additional works are required to first identify the extent of any adverse impacts on surrounding land uses. Some potential impacts such as the reduced infiltration on the nearby wetland have not identified a mitigation or avoidance strategy and require further exploration. Some items such as the development limits and floodlimits of the Thornicroft Drain require additional information to determine what, if any, adverse impacts would result. At this time, the studies are underway to identify the impacts of the proposal and many are not in a satisfactory state to accept.

n) *impacts of the proposed change on the transportation system, including transit.*

There are Environmental Assessments (EA) currently underway for Wonderland Rd, Bostwick Rd alignment, and Southdale Rd which are required to be incorporated in the TIA as well. Future scheduled works in the area are identified in the table and map below subject to Council approval and budget availability. There is limited transit service for the site, which may improve with greater built out of the general area, though there is concern expressed from the London Transit Commission (LTC) that allowing such large scale development outside of the primary transit area forces an increase to the geographic scale of the transit network with relatively small gains in ridership.

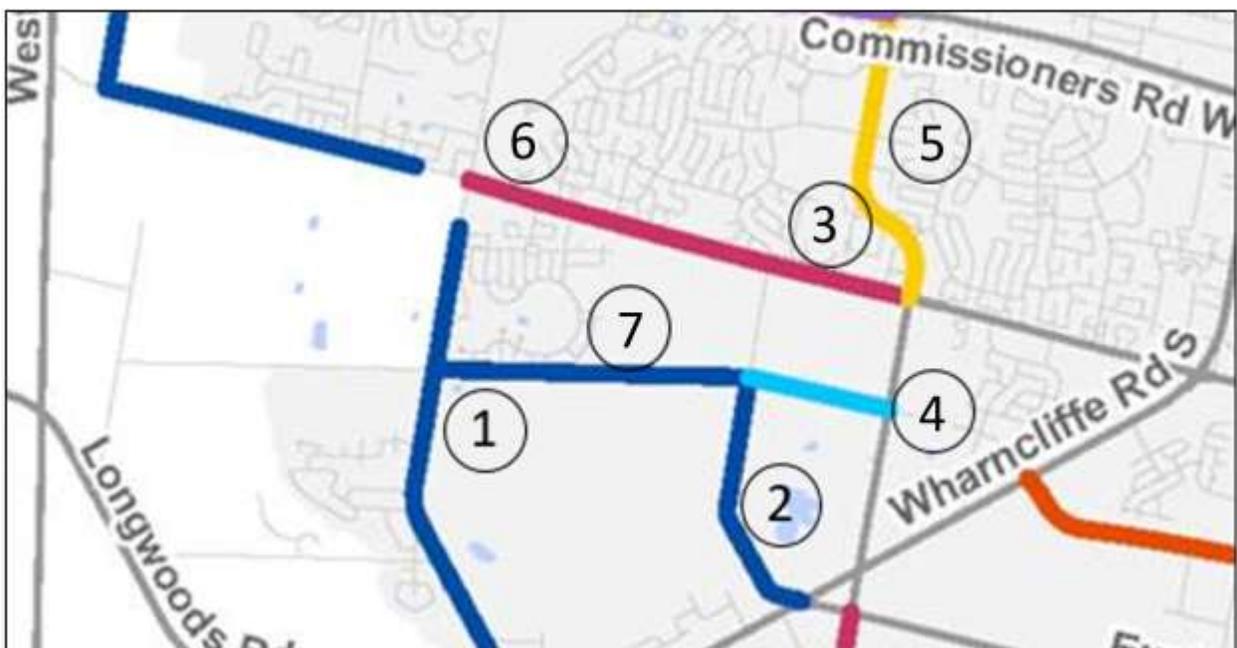


Figure 7: Map of Future Road Works in Area

Table 1: Future Road Works

Id	Road	Limits	Improvement	Potential Year
1	Colonel Talbot	300 m South of Southdale to James Street	2 Lane Upgrade	2023
2	Bostwick	Pack to Wharncliffe	Realignment with 2 Lane Upgrade	2026

3	Southdale Road West	Bostwick to Pine Valley	2 to 4 through lanes with centre turn lane	2026
4	Bradley Avenue Extension	Wonderland to Bostwick	New 2 through lanes	2028
5	Wonderland Road	Commissioners to Southdale	4 to 6 through lanes	2028
6	Southdale Road West	Bostwick to Colonel Talbot	2 to 4 through lanes with centre turn lane	2031
7	Pack Rd	Colonel Talbot to Bostwick	2 Lane Upgrade	2032

5.0 Conclusion

Site 3 and the remainder of the subject lands at 3080 Bostwick Road are poised to support, and benefit from, well-designed and appropriate high density residential development that is consistent with the City's policy framework and provides for a mix of housing types. Site 3 is the proposed development with the lowest intensity of all the development sites, with heights of 12 storeys and a density of 150 units per hectare, which is at the maximum permitted by the policies of The London Plan - High Density Residential Overlay, the High Density Residential designation in the Southwest Area Secondary Plan, and the Multi-Family, High Density Residential designation policies of the 1989 Official Plan. The requested amendment is being considered regarding how the proposal fits within the subject site, as well as how the intensity fits within the larger parcel of 3080 Bostwick Road. There is concern that though the individual intensity of Site 3 does not exceed the maximum permitted, the contribution to the overall intensity of all development proposed for 3080 Bostwick Road would not be appropriate.

The policies of the Southwest Area Secondary Plan, The London Plan Neighbourhoods place type and High Density Residential Overlay and the Multi-Family, High Density Residential designated lands of the 1989 Official Plan all require a mix of housing forms to be provided for housing variety, and to minimize the overwhelming effect of concentrated and segregating high density residential forms and intensities. The requested senior's oriented apartment use is contemplated as an appropriate use for the lands, however the inclusion of the standard apartment use in the requested zone could permit a standard apartment building with no senior's oriented uses at all. That would result in no mix of housing type provided, with 100% of the proposed type and built form as high-rise residential apartments on Site 3 and the larger parcel of 3080 Bostwick Road.

Staff also have concerns regarding the status of the various studies and reports required to support the request, as many are incomplete, inadequate or require additional information and revisions. Matters of natural heritage, environment, urban design, transportation, and sanitary servicing provision are required to be resolved or reach a satisfactory level of certainty to support the proposal.

It is the opinion of Staff that the applicant has not sufficiently demonstrated how the proposal is consistent with the Provincial Policy Statement, 2014, nor how it fully conforms to the policies of The London Plan, Southwest Area Secondary Plan, or the 1989 Official Plan. The proposed development individually and collectively with the other development parcels proposed at 3080 Bostwick Road represents a significant over-intensification of the subject site and general area. Staff are willing to continue working with the applicant to resolve issues, incorporate alternative high density housing forms to provide a housing mix, and consider the comprehensive development of 3080 Bostwick Road that has regard for the policies; however in its current form, staff recommend that the application be refused.

Recommended by:	Sonia Wise, MCIP, RPP Senior Planner, Development Services
Reviewed by:	Lou Pompilii, MCIP RPP Manager, Development Planning (Subdivision)
Concurred in by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services	

November 5, 2018
/sw

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Appendix A – Public Engagement

Community Engagement

Public liaison: On August 17, 2018, Notice of Application was sent to 552 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 August 16, 2018. A “Planning Application” sign was also posted on the site. Additional notification of the public participation meeting held on October 9, 2018 was provided on September 20, 2018.

8 replies were received

Nature of Liaison: The purpose and effect of this zoning change is to permit the development of a seniors-oriented apartment building. Possible change to Zoning By-law Z.-1 **FROM** an Urban Reserve (UR4) Zone **TO** a Residential R9 Special Provision (R9-7()*H55) Zone to permit a range of high density residential uses with special provisions for reduced setbacks, lot coverage, and to permit a site-specific height of 12 storeys or 55m.

Responses: A summary of the various comments received include the following:

Concern for:

- Increased traffic and congestion (x6)
- Increased cut through traffic in the established neighbourhood to the north (x3)
- Pedestrian safety
- Road improvements should be implemented as recommended in the Southdale EA (x4)
- Only the ward 9 councillor was identified on the notice, not the nearby ward 10
- The local school capacity and ability to accommodate increased number of pupils (x2)
- Site 3 – should have adequate parking for seniors
- Greater building heights are difficult to evacuate in emergencies and may block satellite signals
- Provide convenient drop-off/pick-up spaces for para transit vehicles
- Provide affordable housing options and small-lot, small home options
- Reduced setbacks should not be allowed

Support for:

- Positive to see the site finally develop
- Interest in investing in the project

Responses to Public Liaison Letter and Publication in “The Londoner”

Telephone	Written
Tom Brimson 12-1015 Farnham Rd London ON N6K 1S3	Amanda Nash 1172 Dalhouse Dr London ON N6K 2Y1
Jim Cressman 957 Dalhousie Dr London ON N6K 1M8	Susan Spencer-Paton 31 Brixham Road London ON NK 1P5
Wing Man Lin	Esther Corcoran 143 McMaster Drive London ON N6K 1J5
	Ed Morrison
	Ron & Sharon Wimperis

Additional Public Correspondence Received (after Oct 9)

From: Ron & Sharon Wimperis [mailto:]
Sent: Monday, October 29, 2018 9:42 AM
To: Wise, Sonia <swise@london.ca>
Cc: Hopkins, Anna <ahopkins@london.ca>
Subject: 3080 Bostwick Rd File: Z-8942 & File: OZ-8941

I just read the public notice regarding the above address.

I am concerned about a couple things.

1) Site 3 is looking for adjustment for a senior-oriented apartment building. The original City Plans for the southwest part of the city called for a seniors building at 3535 Settlement Trail. To date this land is vacant and unkempt and will continue in this state, if it's original purpose is allowed somewhere else. If Bostwick is approved, what will become of the 3535 Settlement Trail property and the unpaved roads in the area? This approach of altering plans, is a big reason for the piecemealed road conditions in the area. Pack Road and Settlement Trail are a great examples of the timely completion of site improvements.

2) Site 1 is looking for more convenience commercial usage. This should not be approved until the infrastructure can handle the increased traffic. You can already see this with the new community center.

a. A two lane road (Southdale) was over capacity and the community center just added to the problem. The proposed "Street A" will also add to the congestion. The plans I saw indicate Southdale will be widened in 2 stages and not for a few years. First between Farnham and Colonel Talbot, followed by Farnham to Pine Valley. This seems backwards and/or should all be completed at once, followed by development.

b. Traffic on Southdale should indicate the need for advance greens at Farnham Rd, during rush hours.

c. Proposed "Street C" will add traffic to Bostwick and a right turn lane is needed from Bostwick to Southdale. Improvements to Bostwick Rd is years off and the developer could get this done as part of their site improvements and accessibility.

d. Reduced setbacks shouldn't be allowed. Future transit and transportation needs will be handcuffed, without proper planning now.

1) I would suggest stronger commitments, from the developers, towards the immediate surface roads needs stronger language and municipal follow up, as part of this development. Talbot Village is an example of a problem. Phases of the subdivision are over 10 years old and some roads still don't have the top coat of asphalt, including Settlement Trail, Old Garrison and Crane Road. Then take a look at a local collector road, Pack Road. It's a mess with no end in sight.

Looking forward to your response.

Agency/Departmental Comments

September 20, 2018 – Development Services Engineering: Memo

The City of London's Environmental and Engineering Services Department offers the following comments with respect to the aforementioned Official Plan and Zoning By-Law amendment application:

Comments for the Re-zoning Application

- A holding provision for the provision of access to the satisfaction of the City Engineer is required.
- Transportation has reviewed the TIA provided and cannot support a full access for Street A, the Southdale Road EA identifies a median at this location restricting the access to right in/right out, furthermore the signal spacing does not meet the minimum spacing as identified in the Access Management Guidelines. The timing of various DC road projects is currently being reviewed through the DC update and may impact future road capacity assumptions contained in the TIA. The applicant should update the TIA to reflect the above mentioned street A access restriction.
- A general "h" provision to ensure the orderly development of lands and the adequate provision of municipal services (i.e. to ensure the detailed design and agreement to construct the required watermain has been satisfied).
- An "h-100" provision to ensure the looped watermain discussed above is constructed, commissioned, and put into service.
- A revised sanitary capacity analysis to demonstrate flows from all three sites do not exceed the 7.5l/s sanitary allocation. All three sites and the draft plan of subdivision (excluding the SWCC) combined cannot exceed 7.5l/s as agreed upon in the Agreement of Purchase and Sale for these lands. Alternatively, flows above the allocated 7.5l/s for the subject lands may be able to be serviced by the future GMIS Bostwick Road Sanitary Sewer. The applicant should be advised that his consulting engineer can contact Wastewater and Drainage Engineering prior to submitting the revised analysis for further clarification regarding the scope of the sewer assessment.
- Provide a Professional Engineers stamp for the Noise Assessment.

Transportation

The following items are to be considered during the future development application stage:

- The applicant shall construct all external works as identified in the future accepted TIA to facilitate the development of the subject lands;
- Widen Southdale Road to a maximum width of 24.0 metres in perpendicular width from the centerline of Southdale Road along the entire frontage of the subject lands.
- Widen Bostwick Road to a maximum width of 18.0 metres in perpendicular width from the centerline of Bostwick Road along the entire frontage of the subject lands.
- Provide a 0.3m road reserve block along the Bostwick Road and Southdale Road frontages.
- Provide sufficient right-of-way widening to dedicate 6.0 m x 6.0 m "daylighting triangle" at the intersection of Bostwick Road and Southdale Road.
- Provide plan and profile drawings demonstrating the design of the private access road to be located within the future dedicated right of way. The conceptual

centerline design of the draft plan of subdivision road network shall be included to ensure the private access road does not impact any future development.

- Individual access from Blocks 1 and 3 will not be permitted to Southdale Road.
- The access road is to be constructed to a standard suitable for winter maintenance, including but not limited to, installation of granular's, base asphalt and curb and gutter. The road structure shall be built to the road classification (as determined by the future draft plan of subdivision) standards.
- A plan/profile of Bostwick Rd may be required to determine sight line requirements as identified in the City's Design and Specifications and Requirements Manual at all street connections. If desirable decision sight distances cannot be achieved the applicant shall undertake works on Bostwick road at no cost to the City to achieve the desirable decision sight distances.
- A temporary turnaround may be required depending on the length of the private access.
- Any road and/or servicing crossing over the Thornicroft drain may require an Environmental Assessment Opinion Letter.
- Access arrangement will need to comply with the Southdale Road EA <https://www.london.ca/residents/Environment/EAs/Pages/Southdale-Road-West-Bostwick-Road-Improvements-.aspx>

Water

The following items are to be considered during the future development application stage:

- Individual water service connections from the site directly to Southdale Road and/or Bostwick Road will not be permitted.
- The proposed municipal watermain shall be sized to accommodate the future draft plan of subdivision and any external tributary lands.
- The alignment of the proposed municipal watermain along the private access road (future dedicated right of way) shall be in standard location as per UCC 1M.

Wastewater

The following items are to be considered during the future development application stage:

- Development of the site should be coordinated with the future draft plan of subdivision.
- The proposed municipal sewers shall be sized to accommodate the future draft plan of subdivision and any external tributary lands.
- The alignment of the proposed municipal sewers along the private access road (future dedicated right of way) shall be in standard location as per UCC 1M.

Stormwater

The following items are to be considered during the future development application stage:

- City of London Permanent Private System policy applies and all post development flows for all storm events up to the 100 year storm shall be controlled to the pre-development levels.
- Quality controls to the standards of the Ministry of the environment, Conservation and Parks – MECP (formerly MOECC) shall be achieved by the use of an OGS (or any other applicable options such as catchbasin hoods, bioswales, etc.) providing normal (70% TSS removal) level.
- An MECP ECA may be required for the design and construction of any proposed outfall (e.g. the outfall proposed in Fig.-2 of the IPR TS2016-008). The applicant will have to contact the MECP to confirm if a new ECA is required. Please note that any required ECA may be obtained through B.032/18 or B.033/18. Coordination will be required.

- Any proposed LID solution should be supported by a Geotechnical Report and/or hydrogeological investigations prepared with focus on the type of soil, its infiltration rate, hydraulic conductivity (under field saturated conditions), and seasonal high ground water elevation. The report(s) should include geotechnical and hydrogeological recommendations of any preferred/suitable LID solution.

Noise

The following items are to be considered during the future development application stage:

- The noise assessment will be required to be submitted as part of a future application for acceptance by the City. Ensure the report is updated to reflect any changes in design and layout.



Memo

To: Sonia Wise
Planner II

From: Jerzy Smolarek
Urban Designer

Date: November 2, 2018

RE: 3080 Bostwick Rd

Sonia,

Urban Design has reviewed the relevant site plans and elevations for the re-zoning application at the above noted address and provide the following comments consistent with the Southwest Area Secondary Plan, the Official Plan, applicable By-Laws and guidelines, as well as the recommendations from the Urban Design Peer Review Panel:

Urban Design staff commend the applicant for incorporating the following into the design; providing for a continuous street wall along the Southdale Road and Bostwick Road frontages; incorporating the majority of parking within proposed buildings; the incorporation of mix-use development along the major street frontages; the inclusion of Public Streets; and the inclusion of a centrally located public park that will act as a focal point for the community.

Overall general site comments;

- Built form
 - Ensure that the proposed development respects the identified maximum heights within the Southwest Area Secondary Plan;
 - Transition heights across the sites from north to south, by locating the tallest buildings along Southdale Road and transitioning south with lower scale buildings;
 - Consider a variation in building heights for any proposed towers in order to create additional distinction and add interest to skyline;
 - Ensure proposed buildings are organized and sited to frame new public streets with good proportions and to create a sense of enclosure to the street;
 - Ensure any building proposed taller than eight storeys include a three or four storey podium. The tower(s) located on these podium should include a stepback from the edge of the podium. Additionally, ensure podiums are broken up horizontally in order to reduce their overall massing;
 - Ensure all proposed towers include small floor plates in order to avoid large shadows and the visual massing that occurs with long slab buildings;

- Ensure all proposed buildings are articulated, both vertically and horizontally, to break up their overall massing. Provide for a variation in architectural expression and materials to further refine the scale of buildings, particularly at the lower levels;
- Where commercial is located at the base of buildings ensure:
 - Ensure the principal public entrance provides direct access to the public sidewalk;
 - Ensure primary windows and signage face the street;
 - Include awnings, canopies, and arcades to provide weather protection;
- Where residential units are located at the base of buildings ensure;
 - The inclusion of ground floor individual unit entrances and private courtyard spaces with walkway connections to the City sidewalk or the private on-site pedestrian circulation network.
- Include a mix of housing typologies through the sites including high-rise buildings, mid-rise buildings, stacked towns and townhouses;
- Parking
 - Include a combination of low masonry walls and landscaping along the edge of parking areas visible from any public street in order to provide a built edge along the street and to screen the parking function.
- Park
 - Ensure the proposed public park serves as the focal point of the new community. Any proposed buildings should frame public streets and the proposed public park to provide for a built edge and “eyes on the street”.
- Connectivity
 - Ensure that further vehicular and pedestrian connections are contemplated to the east and south of the subject site in order to provide for connectivity to surrounding area.

In addition to the general overall site comments, the following are site specific comments;

- Site 2
 - Include built form along the proposed north-south public street in order to provide for an active edge and enclosure to the park.
- Site 3
 - Include built form fronting on the proposed park in order to create an active edge and enclosure to the park.
 - Provide further details on the integration of the development on this site and the creek corridor.
- Site 5
 - Consider locating the taller building along the Southdale Rd frontage in order to allow for the southerly building to begin the transition of heights throughout the development.
 - Ensure buildings are located parallel to public streets in order to provide for a built edge, activate the street frontage and provide enclosure to the street.
- Site 6
 - Ensure the proposed buildings on this site are the lower in height than buildings proposed on sites to the north in order to provide for the transition to lower built forms south of the subject site.

If you have any questions or concerns please do not hesitate to get in touch with me.

Sincerely,

A handwritten signature in black ink, appearing to be 'S.Wise', written in a cursive style.

Jerzy Smolarek, MAUD
Urban Designer
JS



Memo

To: Sonia Wise
Senior Planner - Development Services

From: Environmental and Parks Planning

Date: October 28, 2018

RE: **39T-18502 – 3080 Bostwick Road**

NATURAL HERITAGE SYSTEM

Environmental and Parks Planning (E&PP) has reviewed the Draft Report completed by Stantec received in September 2018. E&PP have identified several issues that need to be addressed to complete and finalize the report. The following comments must be addressed in order to be compliant with the City's Environmental Management Guidelines (EMG), City of London Official Plan (OP) policies and London Plan Policies, and the Provincial Policy Statement (PPS 2014). Detailed comments are presented below.

1. Section 1.2 Study Area – It is noted in this section that the site was active agriculture until recently. Please note that the area has not been active agriculture for some time according to airphotos. It has remained a fallow field for over 5 years and was previously an orchard and not tilled. **Action: update description of current and past land uses.**
2. Section 2.2 City of London Official Plan – Please note that buffers are (not may be) required around all natural heritage features as per policy 15.3.6. It has been indicated that a Subject Lands Status Report (SLSR) was submitted to the City on August 24, 2017, E&PP does not recall being in receipt of the SLSR; please clarify what document this is that was submitted to the City of London and any correspondence between E&PP and Stantec regarding this document. The Minister approved the London Plan in December 2016. Please update this section, and note that a majority of the London Plan is now in force as per the OMB recent resolution (post submission of the EIS). **Action: Review and update this section.**
3. Section 3.2.2 Amphibian Calls – No early spring amphibian calling survey as per the MMP was conducted for the woodland habitat at the south end of the study. MMP are required to be followed for all amphibian calling surveys. The Bostwick Road EA conducted by Parsons in 2016 carried out amphibian surveys of this feature and confirmed that it is not SWH. However, in the future ensure MMP are followed to ensure investigations for amphibian SWH are completed. **Action: Revise section and other required sections accordingly.**
4. Section 4.6 Vegetation Communities – Please update Figures to include the 1998 ELC codes as these are what the City of London uses and is still the official ELC identified by the MNRF. A recent site visit by E&PP identified a wetland located along the edge of the Significant Woodland and the watercourse within the Significant Woodland. This feature has not been identified in the Report. Please review and revise the ELC communities and figures as required. Also, E&PP could not confirm the old field habitat as the majority of this community was recently ploughed under. E&PP note that altering the site during the review of an application is against council policy. E&PP is unable to confirm the description of the large old field habitat. **Action: Revise this section accordingly and note the unapproved vegetation clearing of the site.**
5. Section 4.10 Species At Risk – During the multiple breeding bird surveys, were no bobolink identified on or adjacent to the subject site? Field work conducted by Doughan and Associates for the Community Center (east of the watercourse) identified two male

Bobolinks on the current subject lands (west of the watercourse) in the old field habitat. Please confirm that no Bobolink or Eastern Meadowlarks were heard or seen on the subject lands. While the primary threat to Monarchs is habitat loss in Mexico, other factors occurring in its northern range still contribute to the overall decline of this species. It is still afforded some protection under SWH criteria as the species and its habitat is present on the subject site and are listed as a Special Concern species. **Action: Review and revise this section accordingly.**

6. Section 5.0 Significant Natural Heritage Features and Policy Implications – Under Significant Wildlife Habitat, please note that the Significant Woodland meets the criteria to be identified as SWH for Red-Headed Woodpecker (Special Concern). In addition, the Parson’s work on the Bostwick Road EA in 2016 confirmed the Significant Woodland as SWH for Eastern-wood Pewee (Special concern). This will be relevant for the future development blocks identified in the Master Plan Concept Figure 5 regarding the long-terms protection of the Significant Woodland feature and its functions. **Action: Review and revise this Section and any corresponding sections accordingly.**
7. Section 5.0 Significant Natural Heritage Features and Policy Implications – An analysis of applicable London Plan policies is required, in particular the wetland policies as wetland habitat has been identified by Stantec (MAMM 1-12) on the subject lands. **Action: Review and revise this Section and any corresponding sections accordingly.**
8. Section 6.0 Environmental Constraints – This section requires updating to incorporate the SWH components. Also, please review and ensure that the agreed to buffers as part of the Community Centre project have been implemented, as the Figure does not seem to accurately reflect this. **Action: Update section accordingly.**
9. Section 8.0 Impact Assessment – As previously noted, vegetation has already been removed on the subject site during the review of the application. The SWH (Monarch) will need to be addressed in a restoration plan for the buffers along the Drain and elsewhere on the subject site. This section must address the removal of wetland habitat located within the current proposed development footprint. The loss of area/vegetation associated with the riparian corridor as a result of the crossing of the Drain. **Action: Update section accordingly.**
10. Section 9.0 Mitigation Measures – Reference to a required restoration plan is needed. Regard for the high-rise building design should incorporate bird friendly guidelines, reference to requiring this through the process is needed. **Action: Update section accordingly.**

Figure 4 Designated Natural Features – The woodland associated with the Drain should be identified as Significant Woodland and not ‘other woodland’ as this would meet the City’s criteria to be Significant Woodland based on its connectivity with the Significant Corridor and Significant Woodland. **Action: Update Figure accordingly.**

PARKS AND OPEN SPACE

- Required parkland dedication shall be calculated pursuant to section 51 of the Planning Act at 5% of the lands within the application or 1 hectare per 500 units, whichever is greater for residential uses and 2% for commercial uses. Parkland dedication calculations for the proposed development are listed in the table below. It is the expectation of E&PP that the majority of the required parkland dedication will be satisfied through land dedication with the remainder as a cash-in-lieu payment.
- The table below summarizes the information as per the submitted Plan.

Land Use	Area (ha)	Requested Density	Requested Unit Count	Expected Dedication (ha)
Block 1	1.42	262 uph	372	1.24
Block 2	0.906	193 uph	175	0.583
Block 3	1.12	150 uph	168	0.56

Land Use	Area (ha)	Requested Density	Requested Unit Count	Expected Dedication (ha)
Block 5 - HDR	1.02	201 uph	198	0.66
Block 5 - Commercial			5000m ²	.01
Block 6	1.232	269	331	1.10
Required Parkland				4.243
Parkland Dedication– Block 4				0.636
Open Space dedication – Block 11 @ 1:27				0.034
Total Dedication on Plan				0.67
Outstanding Over Dedication Balance				3.573

- Multi-use pathways are to be located outside of buffer lands. An 8 meter wide block will be required for the multi-use pathway
- Based on the requested density for the proposed residential blocks additional parkland will be required to meet residential demand. This additional parkland may be located south of Street A. Additional discussions with the applicant will be required.
- The balance of any remaining parkland dedication will be taken as cash-in-lieu.
- Prior to the submission of the first engineering drawings, the owner shall consult with Environmental and Parks Planning Division to prepare:
 - - A concept/buffer plan for all open space blocks,
 - A concept plan for all proposed pathway blocks, and
 - A concept plan for Park Block (Block 4).
- As part of the first engineering submission, the Owner shall prepare an education package as approved by the City Planner that explains the stewardship of natural areas and the value of existing tree cover. The owner shall ensure that the education package is delivered to all purchasers and transferees of the lots in this plan.
- The Owner shall construct a 1.5m high chain link fencing without gates in accordance with current City park standards (SPO 4.8) or approved alternate, along the property limit interface of all existing and proposed private lots adjacent to existing and/or future Park and Open Space Blocks. Fencing shall be completed to the satisfaction of the City Planner, within one (1) year of the registration of the plan.
- The Owner shall not grade into any public Park or Open Space lands. In instances where this is not practical or desirable, any grading into the public Park or Open Space lands shall be to the satisfaction of the City Planner.
- Prior to the submission of the first engineering drawings, the owner shall prepare and submit a tree preservation report and plan for lands within the proposed draft plan of subdivision. The tree preservation report and plan shall be focused on the preservation of quality specimen trees within lots and blocks. The tree preservation report and plan shall be completed in accordance with current approved City of London guidelines for the preparation of tree preservation reports and tree preservation plans, to the satisfaction of the City Planner. Tree preservation shall be established first and grading/servicing design shall be developed to accommodate maximum tree preservation as per the Council approved Tree Preservation Guidelines.
- Prior to construction, site alteration or installation of services, robust silt fencing/erosion control measures must be installed and certified with site inspection reports submitted to the Environmental and Parks Planning Division monthly during development activity along the edge of the Thornicroft Drain and the woodland/wet land south of Street A.

AM/BP

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"Inspiring a Healthy Environment"



October 24, 2018

City of London - Development Services
P.O. Box 5035
London, Ontario N6A 4L9

Attention: Sonia Wise (sent via e-mail)

Dear Ms. Wise:

**Re: UTRCA Supplementary Comments re File OZ-8941 – Site 1 Official Plan & Zoning By-Law Amendment
File Z-8942 – Site 3 - Zoning By-Law Amendment
File OZ-8943 – Site 5 - Official Plan & Zoning By-Law Amendment
Applicant: York Developments
Agent: MHBC
3080 Bostwick Road, London**

In our comments dated October 2, 2018, the Upper Thames River Conservation Authority (UTRCA) advised of a number of concerns pertaining to the technical studies that were submitted to support the development applications proposed for the regulated lands known municipally as 3080 Bostwick Road as follows:

PEER REVIEW OF TECHNICAL REPORTS

Hydrogeological and Water Balance Assessment

The UTRCA has reviewed the ***Preliminary Hydrogeological Assessment & Water Balance Residential Development - 3080 Bostwick Road London, Ontario*** prepared by exp dated February 2018 and offers the following comments -

Hydrogeological Assessment

The Hydrogeological Assessment and Water Balance itself had limited water quantity and quality data.

The Executive Summary states that '*Groundwater elevation and water quality monitoring is on-going with additional hydrogeological interpretation to follow at a later date.*' However, additional data including water quality and quantity data collected up to August 22, 2018 was provided. Thus, as indicated in the title, the submitted document is preliminary in nature.

The format of the report is comprehensive, concise and generally meets the guidelines provided by the UTRCA. The well completions, siting, purging and general testing are well documented. The inclusion of technical background information in appendices is clear and scales are comparable between graphs enabling comparisons.

Deficiencies to be addressed in the final report are outlined below.

1. Include updated quantity and quality data in the final report. The preliminary report itself provided limited water quantity data. Indicate changes to interpretation, if any, based on an inclusive data set.

- a. Include date of SWRT. Was this after the loggers were installed and visible on water level data?
2. Please include missing borehole logs in the final report (digital copies were provided for the current review). Please provide borehole logs included in cross-sections and their locations (boreholes were included from the Community Centre project in the middle of the proposed development but not included in the appendices).
3. Please incorporate a discussion of the natural heritage features, describing their groundwater dependent status as outlined in the indicated background material (Toronto and Region Conservation Authority, 2017).
4. Based on the cross-sections, the covering till which may act in some areas as a confining layer thins towards the unnamed drain and towards the south. The water table in the aquifer is below the bottom of the overlying till. The scale of the depth of the unnamed drain is not represented in the cross-section.
 - a. Upon review of the manual measurements (6 locations versus 4 locations), the monitors along the drain are normally higher than wells MW17-1 and MWS5-2 approximately 250 m away from the drain.
 - b. Upon review of continuous data:
 - i. MW17-3 and MW17-2 are located in proximity to the drain. MW S5-2 and MW17-1 are approximately 250 m from the drain.
 - ii. Although, MW17-2 is noisy and peaked and always higher than the other wells, there is only 1.5 m average difference in water levels between all the continuous monitored wells. 17-2 peaks shortly after a precipitation event during the recharge period (approximately November through May). The peak in recharge occurs in the other monitors, in a similar period however more subdued and delayed.
 - iii. The 17-2 monitor is in the same aquifer as the other locations. The topography south of the Site, where the woodland/wetland is located is higher in elevation and likely contributes to the mounding at this site.
 - iv. Between December and April, MW 17-1 and MW 17-3 are similar in elevation and variation. Between May and August, the two curves diverge and MW 17-1 declines more than MW 17-3.
 - v. Based on the above noted variations, it is reasonable to assume that mounding occurs along the drain and particularly in the area of MW17-2 where the overlying till is thin. MW17-2 should be included in water table mapping of the Site. A more representative high water level with manual measurements is likely obtained on February 8, 2018. MW 17-2 may also be influenced by wetlands to the south and the intersection of surface water catchments. In most air photographs, water is present in the drain that traverses the Site throughout the year.
5. The final/cummulative development of 3080 Bostwick Road has the potential to significantly impact the water balance as indicated on P. 15. It is unclear whether Site 7 development is included in the water budget. On P 15 it is stated that infiltration will be about 11% of pre-existing. Runoff increases significantly. The loss of infiltration and increased runoff have the potential to significantly affect the natural heritage features to the South which includes a wetland and significant woodlands. The evaluation needs to review the seasonal and long term variations of the wetland, and dependencies of the wetland based on species, habitat and water level variation. The changes to the water budget are not supported in the Conservation Ontario guidelines.
6. It is stated on p 12 that *'the influence of road salt in the surface water is impacting groundwater adjacent to the Drain'*. Sampling occurred on November 15, 2017,

therefore it is unlikely that there was road salt applied prior to the sampling event and thus sample quality likely represents longer term impact of the surface water on the groundwater. There was limited discussion on further impacts due to de-icing materials from the new development. Please address the water quality impact to the Site from the development.

7. Please include additional impact assessment and comprehensive recommendations to maintain the natural heritage features in proximity to the Site.

The most significant deficiency is in the incorporation of the hydrogeological interpretation and the impact to the natural heritage features and the regulated areas on and adjacent to the Site. In conclusion, there is insufficient assessment of the groundwater and the natural heritage features from a water quality and quantity basis. Further work needs to be completed prior to conditions of draft plan approval being provided by the UTRCA for the proposed development of 3080 Bostwick Road as the changes to the water budget alone are likely to significantly impact the natural heritage features.

Water Balance

1. The water balance analysis is based on the soil type on the site. The water balance should be based on the catchment areas contributing to the existing natural features to the south. Also, the water balance calculations used a 13 ha area in the analysis but no supporting drawing based on topography was provided. Please update the water balance calculations based on the contributing area to the existing wetland and provide a figure showing the area supported by contour information.
2. Please update the water balance calculations under the proposed development conditions by coordinating with IBI consulting doing the stormwater management design for the site to make sure that the infiltration and runoff values used and volumes targets are met and incorporated into the stormwater management design of the site under the post-development conditions.
3. The estimated infiltration under the pre and post-development conditions are 45,216 m³ and 4,953 m³ per year respectively. Please compensate for the reduction in the infiltration on the site under the proposed condition and support the compensation with water balance calculation in collaboration with IBI.
4. The proposed measures for the increased infiltration on the site under the post-development conditions should be discussed with the IBI and should be supported with the calculations to make sure that infiltration deficit is met under the proposed conditions.
5. Please make sure to use the same values in the water balance calculations used by IBI for this site especially the infiltration values under the pre- and post-development conditions.
6. The infiltration values used for the hydrologic B soil ranges from 266 to 295 mm/year while the MOECC 2003 Manual Table 3 listed infiltration values for the hydrologic soil B ranging from 228 to 274. Please provide justification for the infiltration values used in the water balance calculation for the hydrologic soil B.
7. The impervious of 0.90 is being used for the major portion of the site under the post-development conditions. The impervious used in the water balance under the post-development conditions should match with the impervious values used by IBI in their water balance for the site under the post-development conditions. Please address.

Stormwater Management

The report titled ***Storm Drainage and Stormwater Management Plan*** prepared by IBI Group dated May 2016 was reviewed. We offer the following comments:

1. Please submit Figure 1 titled *Storm Drainage Areas* as a full size drawing, supported with contour information to provide a better understanding of the local drainage and catchment areas on the site.
2. The UTRCA's Regulatory Storm is the 250 year storm and not the 100 year storm. In Section 2, page 2, reference is made to the 100 year storm control to pre-development levels. Please update the report as per the UTRCA requirements of controlling up to the 250 year storm.
It is also noted that quantity control will be provided up to the 100 year storm but then it is stated that the future public road will drain to the upgraded open channel without quantity control due to feasibility issue. Please provide further explanation.
3. The uncontrolled major and minor flows from the site may cause erosion, flooding and water quality issues in the receiving Tributary D. The UTRCA requires that consideration be given to interim measures to slow down the runoff from the site to avoid local flooding and erosion that may be caused by increased imperviousness on the site due to development.
4. Please submit a cross section for the existing tributary D both upstream and downstream of the property under the existing and proposed conditions showing the 10, 50, 100 and the 250 year storms elevations.
5. Please submit a HEC-RAS model supported by updated survey and cross sections which considers the upstream area of approximately 213 ha to properly delineate the flood plain width for the Tributary D on the property.
6. Please identify the area contributing runoff to the natural heritage features to the south including the wetland and calculate the base flows and infiltration required for the wetland to be sustained using water balance approach. As previously noted, please update the water balance calculations under the existing condition by identifying and showing areas contributing runoff to the wetland in the south under the existing condition.
The water balance under the proposed condition should be undertaken to compensate for the runoff and infiltration under the proposed conditions.
7. Please provide a clear description and show the areas that will be treated by the proposed Oil and Grit separator.
8. It is mentioned that quantity control will include the use of SWM LIDs. Please show the location and details of the proposed SWM LIDs to be used for quantity control with details and supporting calculations. Also, please submit a drawing showing the location of the SWM LIDs on site.
9. Please update the report by adding flows for the 10, 25 and 50 years storm events.
10. Please check the Time to Peak values in Table 3.1 provided on page 5 and 6. The Tp values varied approximately from 1.3 to 2.25 minute. Please check calculations for the Tp and update the VO2 model accordingly.
11. Detailed Sediment and Erosion Control (SEC) drawings with staging and other details and notes will be required signed and sealed by P.Eng.
12. The SWM report shall be properly signed, sealed and dated by P.Eng.
13. Please provide justification for the Curve Number (CN) values used for the soil on the site. Please support the CN values with local soil map.
14. Please submit riprap sizing calculations shown on the Drawing sheet PP-07. Please submit a cross section showing details such as width and depth of the proposed riprap.

15. Please submit channel conveyance and capacity calculations to make sure the channel has enough capacity to convey flows from the site and upstream under the proposed conditions.

Environmental Impact Study

The UTRCA reviewed **3080 Bostwick Road Environmental Impact Study** prepared by Stantec dated May 1, 2018. The UTRCA does not agree with the intent of an EIS being to “assess and mitigate the potential impacts of the proposed development on the natural heritage and hazard features”. Rather, the intent of an EIS is to evaluate the natural hazard and natural heritage features, and to then determine whether development may be permitted within or adjacent to the features depending on what functions need to be protected to maintain these features, as well as what type / intensity of development is acceptable. The EIS should be focused on protection and maintenance of the natural hazard and natural heritage features, not only on mitigation measures. With this in mind, the UTRCA provides the following comments:

1. The development footprint should be established after the EIS is complete – therefore it should not be the first figure in the report, but rather come as a recommendation that has been determined (and justified) from the analysis in the EIS.
2. Please ensure that the EIS consistently refers to the deciduous woodland community in the south (Patch 10064) as a Significant Woodland and the Thornicroft Drain as a Significant Corridor whenever these features are mentioned and whenever describing the project study area / site conditions. As well, please include that the deciduous woodland community in the south (Patch 10064) has been identified as Open Space and Environmental Review on Schedule 4 in the Southwest Area Plan and the hedgerow has been identified as Open Space in Schedule A of the Official Plan.
3. Please review and include the August 2017 SLSR and EIS for the Bostwick Road Improvements (Municipal Class EA) prepared for City of London by Parsons as part of the background literature review considered in the EIS.
4. Section 3.2.2 states that three breeding survey windows were captured for breeding amphibian stations, as required by the MMP survey protocol, and occurred in April, May and June. However, Table 3.1 and 3.2 shows amphibian call count surveys only in May and June of 2008, and only in May of 2014. Although we agree that April 2014 was a cool spring, there were several dates that met the > 5 °C requirement including April 8, 10 – 13, 17, 20 – 21, 24, 28 – 30. Also note that surveys must be conducted under three temperature regimes, > 5°C, > 10°C and > 17°C. These protocols were not met in 2008 surveys, or in 2014 surveys. Furthermore, several years have passed since the surveys such that additional amphibian field work could have been completed. Therefore, we request that a full three breeding survey windows be completed following the MMP survey protocol.
5. Breeding bird windows are from April to August, yet surveys were only conducted in June. Given the significance of the woodland feature, and the potential for rare or special concern bird species, we request that additional breeding bird surveys occur in May, July and August.
6. Bank Swallows generally arrive in Ontario starting in mid to late April and continue through May, and most depart starting in late July and continue through August and September. Therefore, the supplementary fieldwork to inspect the fill piles for the potential presence of Bank Swallow activity on October 5, 2017 is not an appropriate time to conduct such work.

7. Section 4.2 mentions that the connection between the hedgerow, designated as Open Space in Schedule A of the Official Plan and the deciduous woodland community in the south (Patch 10064) has been cleared for a collector right of way. Please provide further detail about this removal.
8. CA regulated areas include all watercourses (including intermittent streams), all waterbodies, and all wetlands, both evaluated and unevaluated, as well as the associated wetland areas of interference. Please show these on a map. These include the wetland habitat(s) within the deciduous woodland community in the south (Patch 10064), the small patches of wetland along Thornicroft drain and its tributaries, and the MAMM1-12 community on the west side of the property shown in Figure 2. Please correct this information in the appropriate sections throughout the EIS and include it on Figure 4.
9. Section 4.4.1 refers to high erosive energy in the drain channel leading to bed and bank material erosion and downstream deposition. Further mention is made to Parish's work which suggests that large scale remediation work may be required. Will this remediation work be included /required that as part of this project?
10. Section 4.6 states that none of the vegetation communities are considered rare in the province, yet the Dry-Fresh Black Walnut Deciduous woodland community is ranked S2/S3 and therefore would be considered rare. Please discuss.
11. Section 4.11.1 refers to fish being present despite the lack of habitat variability and turbidity due to periodic erosive forces from storm runoff from the north. Will any work be done to correct these conditions as part of this project?
12. Please show where the rare (S2) native tree species (Honey Locust) was found. Since it cannot be confirmed that the species occurs at the site as a result of anthropogenic means, we request that this species is protected from the effects of development. Please discuss how this protection will be achieved.
13. Appendix F does not use the Significant Wildlife Habitat criteria for Ecoregion 7E. For example, there is no criterion for Deer Yarding Areas and there is a criterion for Special Concern and Rare Wildlife Species. Please revise Appendix F and Section 5.5 using the appropriate criteria and address the following:
 - a. Vegetation classification should follow the 1998 ELC for southern Ontario (Lee et al 1998), rather than the 2008 updated ELC as SWH criteria are based on the 1998 classification system. Recognizing this, the following SWH types may meet the candidacy assessment criteria and will need to be evaluated:
 - i. Turtle Wintering Areas
 - ii. Ground Colonially Nesting Birds
 - iii. Turtle Nesting Areas
 - iv. Wetland Amphibian Breeding Habitat
 - v. Marsh Breeding Bird Habitat
 - vi. Shrub/ Early Successional Bird Breeding Habitat
 - b. Patch 10064 contains Rare Vegetation Community as it has been identified as a Black Walnut deciduous woodland. This is a rare vegetation community (S2/S3).
 - c. Patch 10064 contains Significant Wildlife Habitat due to the presence of terrestrial crayfish.
 - d. Patch 10064 contains habitat for two Special Concern species - the Monarch and the Red-headed woodpecker. Both species were observed on site.
 - e. Patch 10064 may contain nesting habitat for Special Concern species - the Eastern Wood Pewee.

- f. Only the northern 50 to 70 m of the significant deciduous woodland community in the south (Patch 10064) was investigated. As a result, it is not possible to confirm SWH using defining criteria and a more conservative approach to evaluating SWH must be undertaken for this community, relying on candidate criteria to identify SWH. The following SWH types may meet the candidate criteria:
- i. Raptor Wintering Area
 - ii. Bat Maternity Colonies
 - iii. Tree / Shrub Colonially Nesting Birds
 - iv. Old Growth Forest
 - v. Waterfowl Nesting Area
 - vi. Bald Eagle and Osprey Nesting, Foraging and Perching Habitat
 - vii. Woodland Raptor Nesting Habitat
 - viii. Seeps and Springs
 - ix. Woodland Amphibian Breeding Habitat
 - x. Woodland Area Sensitive Bird Breeding Habitat
- g. The Southdale Community Centre SLR and EIS by Dougan & Assoc. identified three species at risk birds (Bank Swallow, Barn Swallow and Bobolink) on site, as well as S1 Hairy Mountain mint and the special concern Monarch. These observations should be considered in the SWH evaluation. The barn swallows were determined to be possibly nesting in a culvert just south of Southdale Road, while the two male bobolinks were seen foraging on the west side approximately 30 – 50m from the watercourse. The Monarch foraging habitat was assumed to include components of the old field meadow community that support forbs such as Milkweed, while it is unknown where the Hairy Mountain Mint was observed.
14. Please provide buffer calculations following the City of London criteria in Section 5.10. Note that a 30 m buffer has been recommended for the southwestern corner and southern edge of the deciduous woodland community in the south (Patch 10064) in the August 2017 SLR and EIS for Bostwick Road Improvements (Municipal Class EA) prepared for City of London by Parsons given the sensitivity of the feature.
15. Table 5.1 would suggest 30 meter buffers on all watercourses (permanent and intermittent) and that those buffers are vegetated with trees (better for preventing water temperature increases) and grasses (better at reducing overland sediment flow).
16. Please provide support for the statement in Section 6.0 that “Ecological buffers that were previously agreed to for the proposed development have been incorporated into the boundary line placement of the individual blocks”. Who agreed to these buffers? Is there documentation supporting this agreement? How was this reached without an EIS to determine what features and functions needed to be protected?
17. Section 7.1 states that future public roads will drain to the Thornicroft Drain using oil / grit separator technology to control quality. How will the salt from the roads be addressed? Where will snow be piled?
18. According to a letter by Dougan & Associates dated September 23rd, 2014, a reduced buffer on the east side of the Thornicroft Drain was permitted for the community centre, given that the buffer was to be increased on the west side. The Thornicroft Drain was designated as a Significant Corridor in Schedule B1 of the City of London OP. If the development to the north was in place when this designation was determined, it may not be appropriate to simply state in Section 8.1 that “the current riparian zone of the Thornicroft Drain does not provide a connection to any feature to the north due to its terminus at Southdale Road West

and the developed area to the north of the road. Furthermore, the uncontrolled flows arriving from the storm sewer draining developed lands to the north as well as the areas of erosion along the Thornicroft Drain warrant a large buffer surrounding this feature.

19. Given the numerous impacts of trails in natural features, the UTRCA is not supportive of trails within buffer zones. Trails could potentially be located on the outside edge of a buffer zone, but that should not reduce the size of the buffer itself.
20. Section 7.1 states that an EIS specific to the outlet constructed on the east side of the Thornicroft Drain was previously prepared and submitted in 2016 by Stantec. Furthermore, Section 8.2 states that vegetation removal has been completed on the east side of the Thornicroft Drain to accommodate the construction of the storm outlet. Please provide additional details. How much vegetation was removed? Was a tree preservation plan prepared? Was the 2016 EIS accepted?
21. In Section 8.0, please include the following information in the EIS when determining impacts:
 - a. In the August 2017 SLSR and EIS for Bostwick Road Improvements (Municipal Class EA) prepared for City of London by Parsons, seven (7) of the nine (9) fish species listed in Appendix C have a preferred temperature classification of cool (19 – 25° C). Please confirm the temperature regime.
 - b. Patch 10064 is a significant woodland, with five regionally rare plant species, confirmed Significant Wildlife Habitat, and ephemeral drainage channels and vernal pools along the western portion
 - c. A 30 m buffer has been recommended for the southwestern corner and southern edge of the woodland.
22. Section 8.1 mentions opportunities to work within the buffer area of Thornicroft Drain and within the main channel to apply rehabilitation techniques to mitigate future erosion. Will the mitigation only be for future impacts and not existing ones? Please provide more details.
23. Please provide additional information justifying the alignment of the future Street C crossing and the placement of a second SWM outlet that includes:
 - a. a tree analysis,
 - b. an appropriate buffer for the portion of the significant deciduous woodland (Patch 10064) that extends into the Subject Property east of the Thornicroft Drain where Breeding Bird Point Count Location 3 (BB3) is located,
 - c. location of erosion,
 - d. location of groundwater indicator species, including watercress and spotted jewelweed
 - e. any other important considerations to support placement of Street C and second SWM outlet. Given that the watercourse is already experiencing habitat degradation due to the existing stormwater outlet upstream what impacts will this second outlet have? How will those impacts be prevented? Please provide more details.
24. Section 9.2.1 speaks about exclusion fencing for construction. Will there be a permanent fence separating the completed development from the natural features?
25. The last sentence in Section 10.0 is incomplete.
26. Please put the 1998 ELC for southern Ontario (Lee et al 1998), rather than the 2008 updated ELC, on the Figures as SWH criteria are based on the 1998 classification system. What is the classification for the vegetation community

where amphibian survey station B was located?

27. Please identify plant species by ELC vegetation community in Appendix D

28. Summary in Appendix E should state that 2 amphibians (not 1) were identified on site.

In conclusion, there is not enough information provided in the EIS to determine whether development within the significant deciduous woodland community in the south (Patch 10064) or within the 30 – 40m buffer of the Thornicroft Drain, or within the vegetation communities supporting Species at Risk will have any long-term impacts to their ecological function of these features. As such, we request a more conservative approach to ensure that the ecological function of the natural features will be maintained.

RECOMMENDATION

We understand that the applicant has requested that the applications - File OZ-8941 – Site 1, Official Plan & Zoning By-Law Amendment File Z-8942 – Site 3 - Zoning By-Law Amendment and File OZ-8943 – Site 5 - Official Plan & Zoning By-Law Amendment be considered by the City's Planning & Environment Committee (PEC) at its meeting on November 12, 2018. As was conveyed in our October 2, 2018 comments, given the UTRCA's outstanding concerns regarding the cumulative impacts of the proposed development on the natural hazard lands and the natural heritage system as well as the noted deficiencies of the supporting technical reports, the Conservation Authority continues to recommend that the applications be **deferred** so that the matters can be addressed or alternatively be refused.

However, if the matter is considered by PEC at its November 12, 2018 meeting and the Committee is supportive of the applications, the UTRCA requests that holding provisions be applied to Site 1, Site 3 and Site 5 whereby the applicant shall be required to submit/prepare a Hydrogeological Assessment and Water Balance Analysis, a Stormwater Management Report and an Environmental Impact Study to the satisfaction of the UTRCA.

Thank you for the opportunity to comment. If you have any questions, please contact the undersigned at extension 293.

Yours truly,
UPPER THAMES RIVER CONSERVATION AUTHORITY



Christine Creighton
Land Use Planner
TT/LN/IS/CC/cc

c.c. Sent via e-mail -
Applicant – York Developments
Agent - MHBC
UTRCA – Mark Snowsell & Brent Verscheure, Land Use Regulations Officers



Memo

To: Proponents

- David Yuhasz, Zedd Architecture Inc.
- Carlos Ramirez, York Developments
- Ali Soufan, York Developments
- Scott Allen, MHBC

City of London Personnel

- Sonia Wise, Senior Planner
- Jerzy Smolarek, Urban Designer

From: Urban Design Peer Review Panel (UDPRP)

- Steven Cooper, Architect (declared conflict)
- Jordan Kemp, Urban Designer
- John Nicholson, Architect
- Janine Oosterveld, Urban Designer
- Heather Price, Urban Designer
- McMichael Ruth, Architect

**RE: Draft Plan of Subdivision: 3080 Bostwick Road
Presentation & Review, October 10, 2018**

The Panel provides the following feedback on the submission to be addressed through the draft plan of subdivision application. From the Proponent, additional information was provided that clarified that there are also consent applications and zoning amendments currently underway for parts of the subject lands. Note that the comments were provided to broadly relate to the overall master plan concept and are to be considered holistically. Detailed comments on individual sites have not been provided. The proponent is aware that the detailed design will be reviewed by the Panel at the site plan consultation stage. The Panel found it difficult to evaluate this proposal because of lack of clarity around the type of development application proposed and variation among drawings. Comments were provided in three broad categories:

Public Realm

- The overall structure of new public streets and pedestrian connections appear to work well across the entire site. Cross-sections for new public streets should be designed to encourage pedestrian movement and active transportation.

- The public park should serve as the “heart” of the new community. New buildings should frame public streets and the proposed public park to provide for casual overlook and “eyes on the street”. As presented, the public park is framed by surface parking areas, which is not appropriate.
- Pedestrian circulation between the buildings, and throughout the master plan, should allow for greater connection between each building and each side of the public streets. Forecourts at main entrances and larger sidewalks with more connections to other points could be used to strengthen circulation routes and improve pedestrian experiences.
- Buildings should be organized and sited to frame new public streets with good proportion and to create a sense of enclosure on both sides.
- The streetscape design should blend seamlessly between public and private realm.
- The Panel is supportive of boulevard treatment along all new public streets that meets or exceeds the City’s design requirements.
- The Panel is of the opinion that it is important that there is consistency in the streetscape design throughout the street network - among the various development applications (subdivision and consent). Consider how cycling facilities (on or off-street) are integrated into the master plan and will relate to future development on adjacent properties.
- The Panel is supportive of boulevard street tree plantings and on-street parking as shown on the master landscape plan. Ensure soil volumes and the location of utilities are considered in the street design to accommodate illustrated trees.

Built form

- The overall approach to built form should be guided by a set of urban design guidelines to be used through evaluation of proposals during the Site Plan Approval process.
- The Panel is of the opinion that a consistent design vision should be woven through the entire project including Site 3. The Proponent indicated at the meeting that the building elevations submitted for Site 3 were to be considered a placeholder with a refined concept that aligns with the overall design concept to follow through a future development application.
- It was unclear how the Panel should comment on building height relative to the conflicting policy framework between the Southwest Area Plan and the London Plan. City staff were not available at the meeting to clarify. Comments provided in this section are general in nature and do not provide opinion on the policy framework.
- A design principle that should be identified in area-specific urban design guidelines and applied to all sites is that the relative height of buildings along the streets should relate to the human scale. With respect to the 5 storey podiums, there may be a need to potentially stepback an upper podium to reduce the massing of the podium. The tower should then have a further stepback. Additionally, the podiums should be broken up lengthwise - potentially into more than one building on a development site, to reduce the overall massing.
- Individual parcels should be developed to minimize parking lot exposure to the street. As an example, the orientation of the 17-storey building on Site 5 could frame the street rather than a perpendicular orientation.
- The Panel supports the use of architectural features to break up massing of the proposed buildings. Design principles such as this should be integrated into design guidelines associated

with the subdivision and consent applications. It is positive to see the intent to create a streetwall along new and existing public streets, but the approach is inconsistent throughout the site.

- Articulate the buildings (vertically and horizontally) to break up the overall massing. Use of variation in architectural expression and materials to further refine the scale of buildings, particularly at the lower levels.
- Reconsider siting and organization of tall buildings on east side of site. If “slab” style buildings continue to be part of the proposal, ensure that they effectively create a comfortable pedestrian environment and an appropriate scale along public streets.
- Reconsider built form of slab buildings on the east side of the site. At a minimum, slab buildings should be broken down through design/massing. In particular, the proposed building on Site 6 should be reconsidered. Distance separation is also an important consideration such that their massing doesn’t read as one building.
- Consider rooflines as it relates to overall city skyline as this project will be visible from a significant distance.
- Ensure street setbacks allow for landscape/trees within the pedestrian environment to create a comfortable pedestrian environment.

Other design components

- Overall, the Panel is of the opinion that area specific urban design guidelines should be adopted through the subdivision/consent or zoning bylaw amendments and applied at the time of site plan to ensure a consistent design approach throughout the project despite the possibility of more than one developer.
- The Panel is supportive of a mix of built forms throughout the project.
- The Panel recommends a broader variation in building heights among the towers to create additional distinction in heights.
- Give consideration to canopies and other elements through detailed design that support streetscape design.
- Shadow impacts on community centre, proposed park and amenity areas should be evaluated.
- The Panel commends the Proponent for master planning the area.

Concluding comments:

The Panel requests that urban design guidelines be prepared and adopted in support of the draft plan of subdivision and zoning bylaw amendments. The Panel requests the opportunity to review and comment on the urban design guidelines. Additionally, the Panel will provide detailed comments at the time of each site plan.

Sincerely on behalf of the UDPRP,



Janine Oosterveld, MCIP RPP (UDPRP Chair)

Appendix B – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this requested land use change. The most relevant policies, by-laws, and legislation are identified as follows:

Provincial Policy Statement, 2014

- 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns
 - 1.1.3 Settlement Areas
- 1.7 Long-Term Economic Prosperity

The London Plan

- 54 Our Strategy
- 79 Our City – City Structure Plan
- 193 City Design Policies
- 309 City Building Policies
- 516 Affordable Housing
- 916 Neighbourhoods
- 954 High Density Residential Overlay
- 1556 Secondary Plans
- 1577 Evaluation of Planning Applications

Southwest Area Secondary Plan

- 20.5.1.4 Principles of the Secondary Plan
- 20.5.2 Community Structure Plan
- 20.5.3 General Policies
 - 20.5.4.1 General Land Use Policies
- 20.5.5 Neighbourhoods
- 20.5.9 Bostwick Neighbourhood
- 20.5.17 Appendix 4: Official Plan Excerpts – Policies

1989 Official Plan

- 2.1 Council Strategic Plan
- 3.4. Multi-Family, High Density Residential
 - 11.1 Urban Design
- 20 Secondary Plans

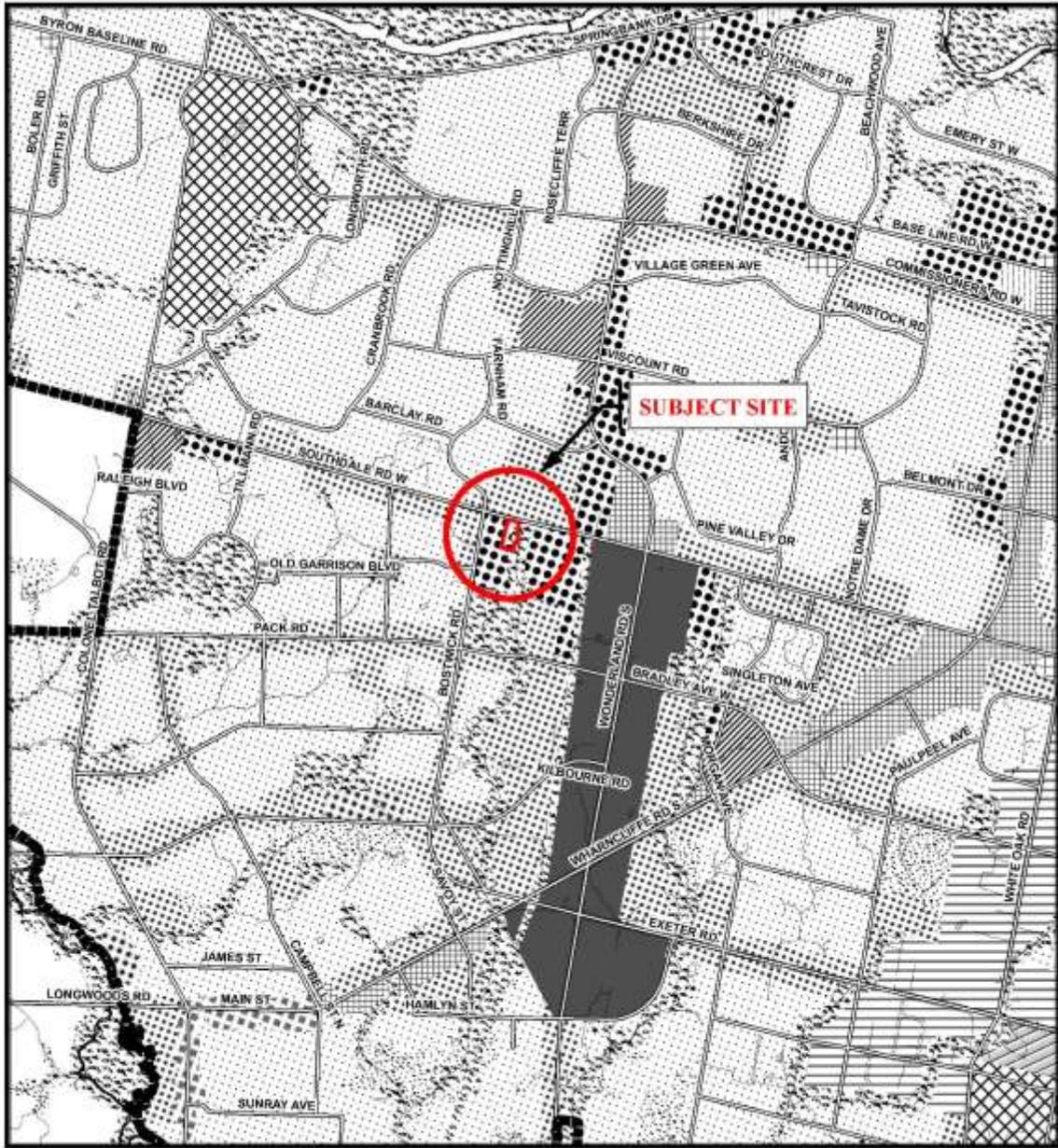
Z.-1 Zoning By-law

- Section 3: Zones and Symbols
- Section 4: General Provisions
- Section 13: Residential R9 Zone

Appendix C – Relevant Background

Additional Maps

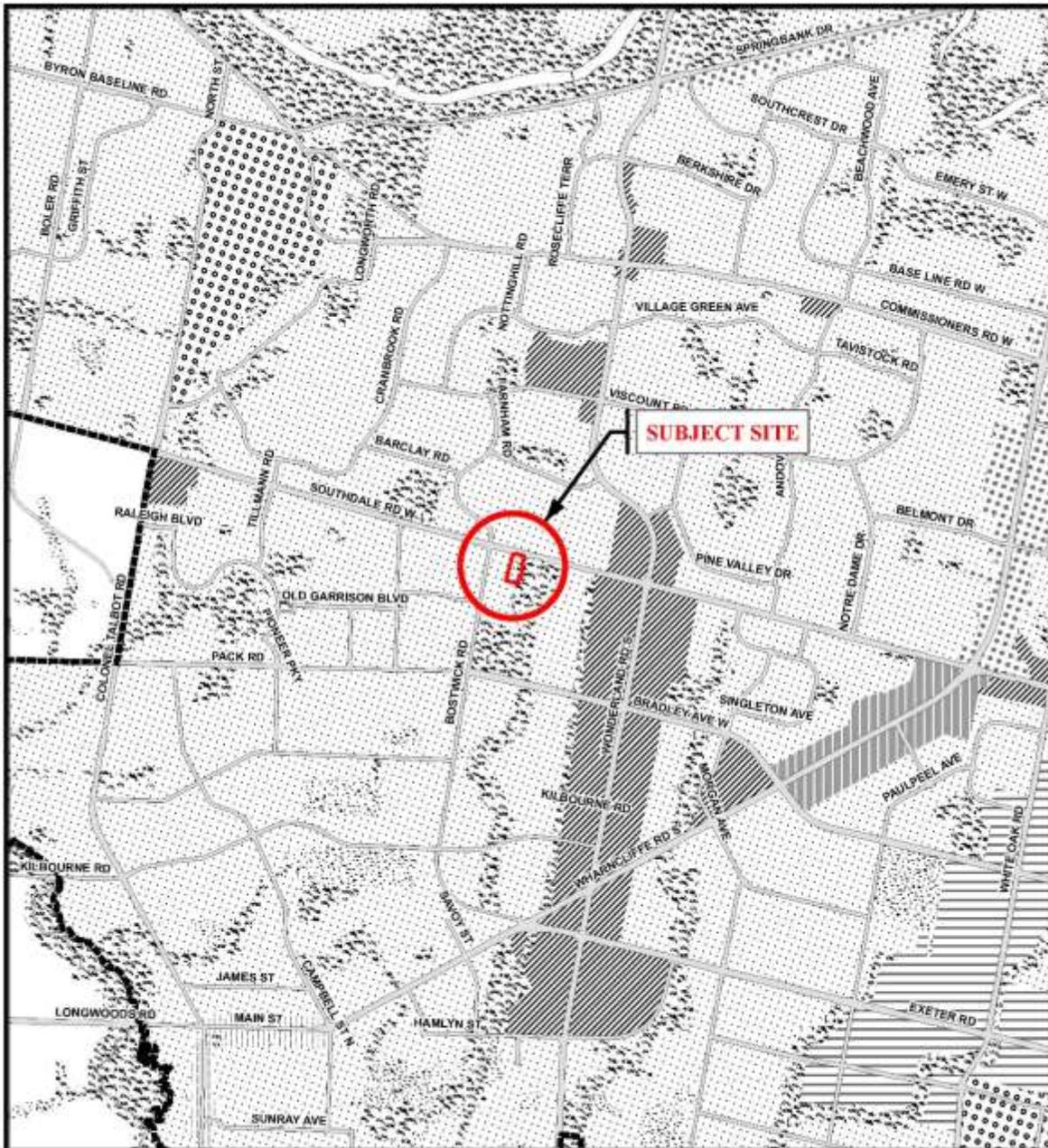




Legend		
Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial
Community Commercial Node	Regional Facility	Transitional Industrial
Neighbourhood Commercial Node	Community Facility	Rural Settlement
Main Street Commercial Corridor	Open Space	Environmental Review
Auto-Oriented Commercial Corridor	Urban Reserve - Community Growth	Agriculture
Multi-Family, High Density Residential	Urban Reserve - Industrial Growth	Urban Growth Boundary

<p>CITY OF LONDON Planning Services / Development Services OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: Z-8942</p>
		<p>PLANNER: SW</p> <p>TECHNICIAN: RC</p> <p>DATE: 2018/09/29</p>

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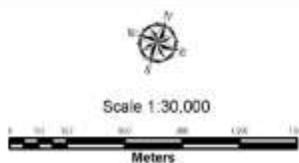
Legend

- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor | Commercial Industrial | Urban Growth Boundary |
| Main Street | Institutional | |
| Neighbourhood | Green Space | |

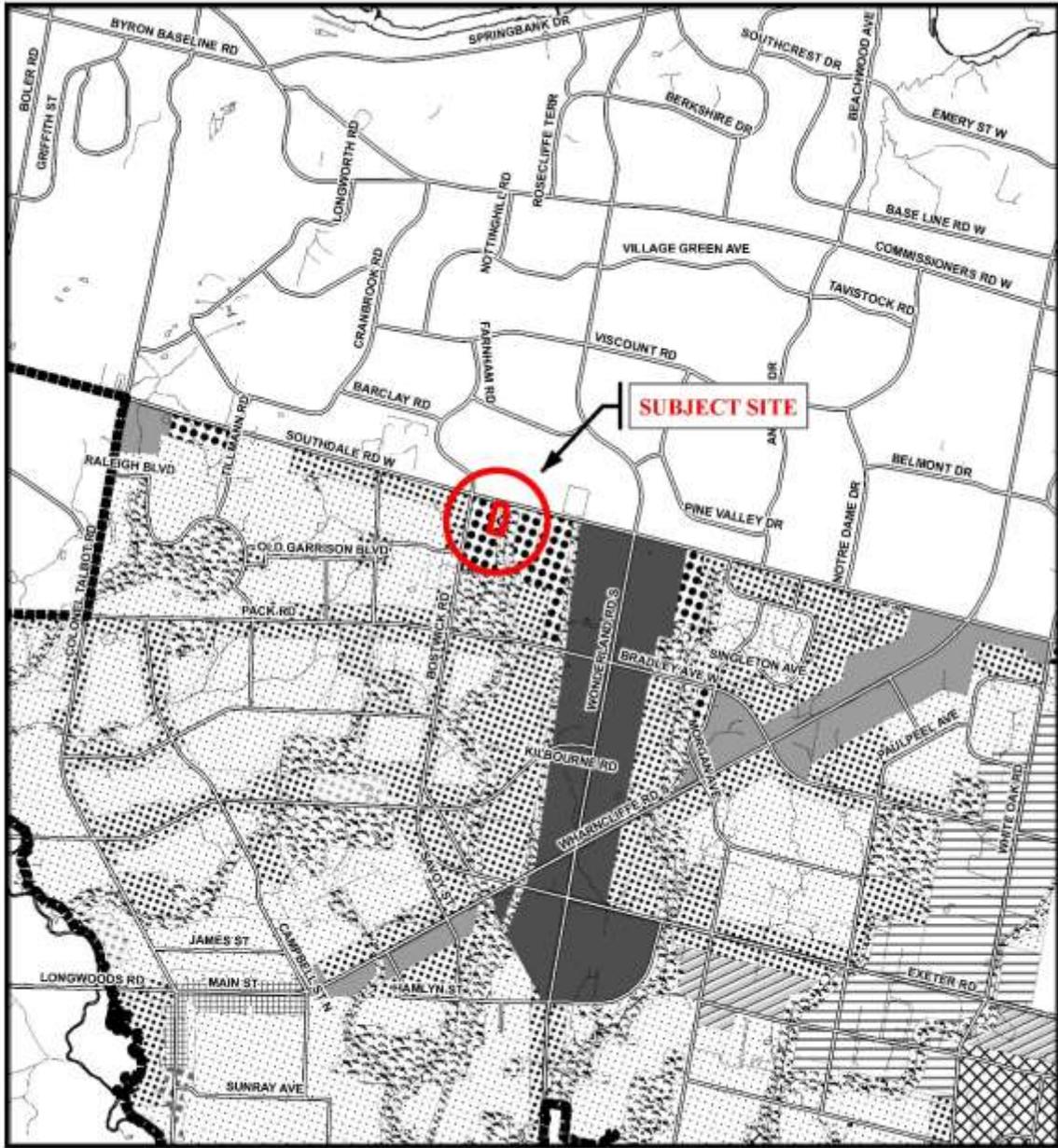
This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON
Planning Services /
Development Services
LONDON PLAN MAP 1
- PLACE TYPES -
PREPARED BY: Planning Services



File Number: Z-8942
Planner: SW
Technician: RC
Date: August 29, 2018



Legend	
	High Density Residential
	Medium Density Residential
	Low Density Residential
	Commercial
	Office
	Wonderland Road Community Enterprise Corridor
	Main Street Lambeth North
	Main Street Lambeth South
	Open Space
	Institutional
	Industrial
	Commercial Industrial
	Transitional Industrial
	Urban Reserve Community Growth
	Urban Reserve Industrial Growth
	Rural Settlement
	Urban Growth Boundary

<p>CITY OF LONDON Planning Services / Development Services SOUTHWEST AREA STUDY SECONDARY PLAN - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	 Scale 1:30,000 Meters	FILE NUMBER: Z-8942
		PLANNER: SW
		TECHNICIAN: RC
		DATE: 2018/08/29

PROJECT LOCATION: e:\planning\projects\p_official\plan\work\consolid00\excerpt\lmd_templates\scheduleA_b&w_6x14_with_SWAP.mxd



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- R1 - SINGLE DETACHED DWELLINGS
- R2 - SINGLE AND TWO UNIT DWELLINGS
- R3 - SINGLE TO FOUR UNIT DWELLINGS
- R4 - STREET TOWNHOUSE
- R5 - CLUSTER TOWNHOUSE
- R6 - CLUSTER HOUSING ALL FORMS
- R7 - SENIOR'S HOUSING
- R8 - MEDIUM DENSITY/LOW RISE APTS.
- R9 - MEDIUM TO HIGH DENSITY APTS.
- R10 - HIGH DENSITY APARTMENTS
- R11 - LODGING HOUSE

- DA - DOWNTOWN AREA
- RSA - REGIONAL SHOPPING AREA
- CSA - COMMUNITY SHOPPING AREA
- NSA - NEIGHBOURHOOD SHOPPING AREA
- BDC - BUSINESS DISTRICT COMMERCIAL
- AC - ARTERIAL COMMERCIAL
- HS - HIGHWAY SERVICE COMMERCIAL
- RSC - RESTRICTED SERVICE COMMERCIAL
- CC - CONVENIENCE COMMERCIAL
- SS - AUTOMOBILE SERVICE STATION
- ASA - ASSOCIATED SHOPPING AREA COMMERCIAL

- OR - OFFICE/RESIDENTIAL
- OC - OFFICE CONVERSION
- RO - RESTRICTED OFFICE
- OF - OFFICE

- RF - REGIONAL FACILITY
- CF - COMMUNITY FACILITY
- NF - NEIGHBOURHOOD FACILITY
- HER - HERITAGE
- DC - DAY CARE

- OS - OPEN SPACE
- CR - COMMERCIAL RECREATION
- ER - ENVIRONMENTAL REVIEW

- OB - OFFICE BUSINESS PARK
- LI - LIGHT INDUSTRIAL
- GI - GENERAL INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- EX - RESOURCE EXTRACTIVE
- UR - URBAN RESERVE
- AG - AGRICULTURAL
- AGC - AGRICULTURAL COMMERCIAL
- RRC - RURAL SETTLEMENT COMMERCIAL
- TGS - TEMPORARY GARDEN SUITE
- RT - RAIL TRANSPORTATION

- "N" - HOLDING SYMBOL
- "D" - DENSITY SYMBOL
- "H" - HEIGHT SYMBOL
- "B" - BONUS SYMBOL
- "T" - TEMPORARY USE SYMBOL

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

Z-8942

SW

MAP PREPARED:

2018/08/28

RC

1:5,000

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Meters

Additional Reports

OZ-6662: 2004 Request for Official Plan and Zoning By-law Amendments to develop site for various residential and commercial uses

O-7609: 2012 Council Approved Official Plan Amendments associated with Southwest Area Plan

Z-8386: 2014 Zoning by-law Amendment to facilitate the development of the Bostwick Community Centre

Z-8942: October 9, 2018 Public Participation Meeting Report

Report to Planning and Environment Committee

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

**From: George Kotsifas, P. Eng.
Managing Director, Development and Compliance Services
And Chief Building Official**

**Subject: Public Participation Meeting Report
31675 Ontario Ltd (York Developments)
3080 Bostwick Road (Site 5)**

Public Participation Meeting on: November 12, 2018

Recommendation

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of 31675 Ontario Ltd (York Developments Inc) relating to the property located at 3080 Bostwick Road:

- (a) The request to amend the Official Plan to add the site to the list of preferred locations for convenience commercial uses, and the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** an Urban Reserve (UR4) Zone, **TO** a Residential R9/Convenience Commercial Special Provision/Restricted Office Special Provision Bonus (R9-7/CC4(_)/RO2(_)*B-__) Zone, **BE REFUSED** for the following reasons:
- i) The proposed amendment is not consistent with the Provincial Policy Statement (2014), that healthy and liveable communities are sustained by accommodating an appropriate range and mix of residential uses;
 - ii) The proposed development does not conform to the Multi-Family, High Density Residential Designation of the 1989 Official Plan; The London Plan City Structure, the Neighbourhoods Place Type; and the Southwest Area Secondary Plan.
 - iii) The proposed development individually and collectively (with the larger parcel) represents an over-use and over-intensification that exceeds the maximum development permissions set out in the Official Plan and secondary plan policies;
 - iv) The proposed development for Site 5 and the larger parcel does not provide a mix of housing types to minimize the overwhelming effect of large high-rise developments and broad segregation of housing forms and types, or to provide for housing diversity;
 - v) The proposed bonus zone does not sufficiently demonstrate the increased height and density is in keeping with the Key Directions of The London Plan that would result in good planning; and,
 - vi) The proposed bonus zone does not adequately demonstrate enhanced public benefits commensurate to the requested increase in height and density.

Executive Summary

Summary of Request

The requested amendment is to permit site-specific Official Plan and Zoning By-law Amendments to allow for a stand-alone mixed office and commercial building with

3,000m² of commercial and office space, with a separate 17 storey apartment building, and a total density of 201 units per hectare.

Summary of the Effect of Recommended Action

The proposed development includes a number of positive features and design treatments for the site. Notwithstanding, Site 5 individually, and as part of the larger parcel, collectively represents intensity which is not appropriate and results in an over-intensification for the site. The requested stand-alone secondary uses and apartment building are contemplated as appropriate uses for the lands, however the proposed height of 17 storeys and density of 201 units per hectare for this site exceeds the policies of The London Plan - High Density Residential Overlay, the High Density Residential designation in the Southwest Area Secondary Plan, and the Multi-Family, High Density Residential designation policies of the 1989 Official Plan; all of which consider development up to 12 storeys and 150 units per hectare.

The proposal is not consistent with the Provincial Policy Statement, 2014, and does not conform to The London Plan, Southwest Area Secondary Plan, or the 1989 Official Plan. The intensity proposed is not aligned with the policies of the City Structure Plan and the intent of The London Plan that directs the most intensive development to strategic locations to make wise planning decisions. While consideration for site specific bonus zoning is allowed to increase height and density, it is not appropriate at the level of intensity for the subject site, as it is inconsistent with policy, and does not result in good planning. Additionally, the proposed form is only conceptual at this time, and the bonusable facilities, services and matters are insufficient to support the request.

The policies of the Southwest Area Secondary Plan, The London Plan Neighbourhoods place type and High Density Residential Overlay and the Multi-Family, High Density Residential designated lands of the 1989 Official Plan all require a mix of housing forms to be provided for housing variety, and to minimize the overwhelming effect of concentrated and segregating high density residential forms and intensities. There is no mix of housing type provided, with 100% of the proposed built form as high-rise residential apartments on Site 5 and the larger parcel of 3080 Bostwick Road.

The status of the various studies and reports required to support the proposed development are incomplete, and require additional information, revisions and/or amendments before they can be considered acceptable to substantiate the request. Matters of natural heritage, environment, urban design, bonusing, transportation, and sanitary servicing provision are required to be resolved or reach a satisfactory level of certainty to support the proposal. At this time, the technical review of the proposed development is not yet complete and requires additional discussion, information, and for some items, could include the consideration of holding provisions.

Staff are willing to continue working with the applicant to resolve issues, incorporate alternative high density housing forms to provide a housing mix, and consider a development that has regard for the policies. However, the applicant has indicated that they do not support this position. In its current form, Staff recommends that the application be refused as it is not consistent with key policies that relate to the appropriateness of intensification, mix of housing form, bonusing provisions and a satisfactory technical review.

Rationale of Recommended Action

It is recommended that this application be refused for the following reasons:

- i) The proposed amendment is not consistent with the Provincial Policy Statement (2014), that healthy and liveable communities are sustained by accommodating an appropriate range and mix of residential uses;
- ii) The proposed development does not conform to the Multi-Family, High Density Residential Designation of the 1989 Official Plan; The London

Plan City Structure, the Neighbourhoods Place Type; and the Southwest Area Secondary Plan.

- iii) The proposed development individually and collectively (with the larger parcel) represents an over-use and over-intensification that exceeds the maximum development permissions set out in the Official Plan and secondary plan policies;
- iv) The proposed development for Site 5 and the larger parcel does not provide a mix of housing types to minimize the overwhelming effect of large high-rise developments and broad segregation of housing forms and types or to provide for housing diversity;
- v) The proposed bonus zone does not sufficiently demonstrate the increased height and density is in keeping with the Key Directions of The London Plan that would result in good planning; and,
- vi) The proposed bonus zone does not adequately demonstrate enhanced public benefits commensurate to the requested increase in height and density.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject site consists of 1.1ha of vacant land, which also forms part of a larger parcel of land owned by the applicant (approximately 15ha) with frontage on Southdale Road West and Bostwick Road. The portion of the site that is the subject of the Official Plan and Zoning By-law amendment is identified as “Site 5” which is located at the northeastern most part of the site just east of the Bostwick Community Centre. The site is vacant and located south of an existing medium density neighbourhood, situated on the north side of Southdale Road West.

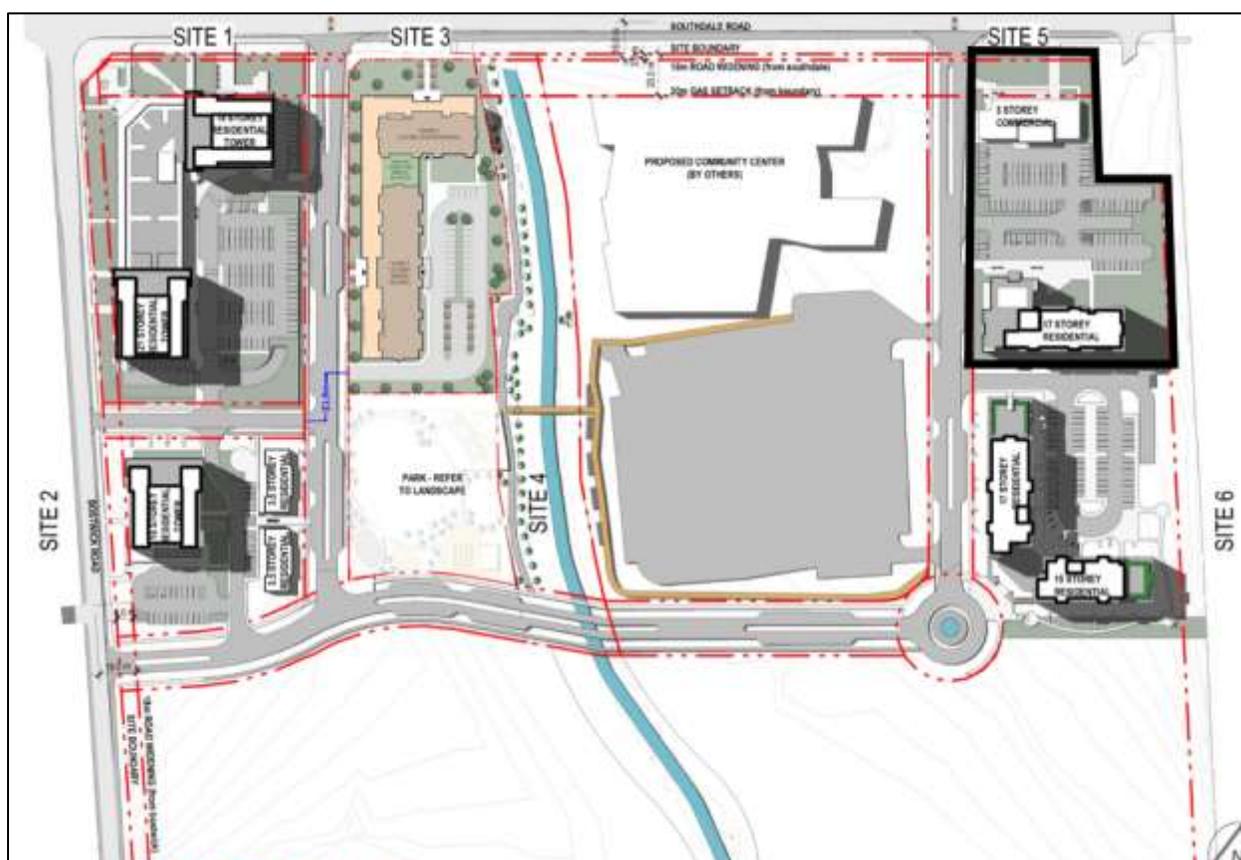


Figure 1: Initial Proposed Master Development Plan

1.2 Current Planning Information (see more detail in Appendix C)

- Official Plan Designation – Multi-Family, High Density Residential (MFHDR)
- The London Plan Place Type – Neighbourhoods & High Density Residential Overlay
- Southwest Area Plan Designation – Multi-Family, High Density Residential (MFHDR)
- Existing Zoning – Urban Reserve (UR4) Zone

1.3 Site Characteristics

- Current Land Use – vacant
- Frontage – 57m (Southdale Road West)
- Depth – 146m
- Area – 1.1ha
- Shape – Irregular

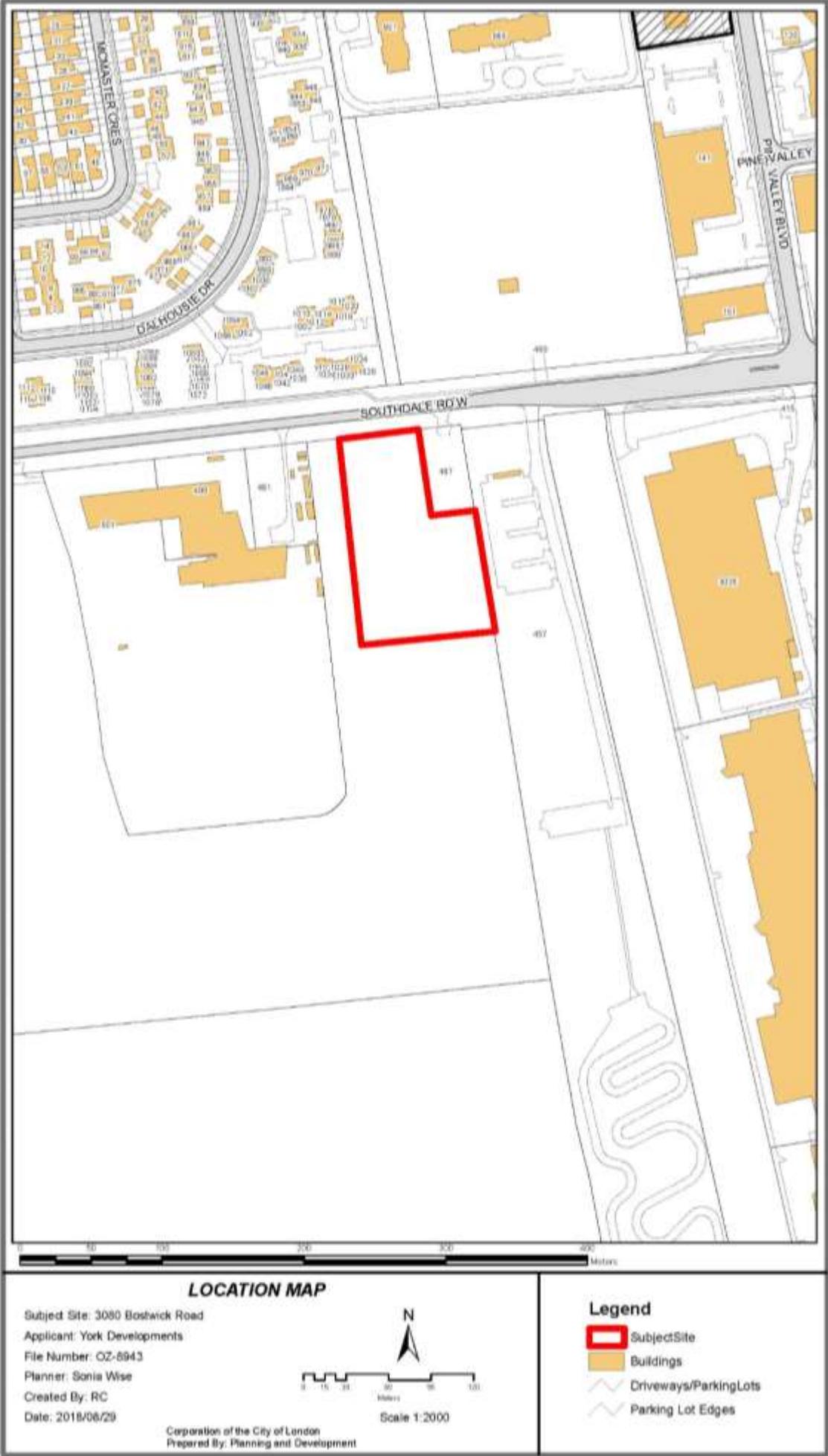
1.4 Surrounding Land Uses

- North – Residential
- East – Vacant land
- South – Vacant land
- West – Community Centre

1.5 Intensification (identify proposed number of units)

- 198 residential units are being proposed within Site 5 which are located outside of the Built-Area Boundary, and Primary Transit Area

1.6 Location Map



1.7 Consent Application B.034/18

The subject site is also the subject of an application for consent to sever B.034/18, to create the separate parcel, and retain the remainder of the lands for other development proposals. The consent application is being considered concurrently with the requested Official Plan and Zoning By-law Amendments.

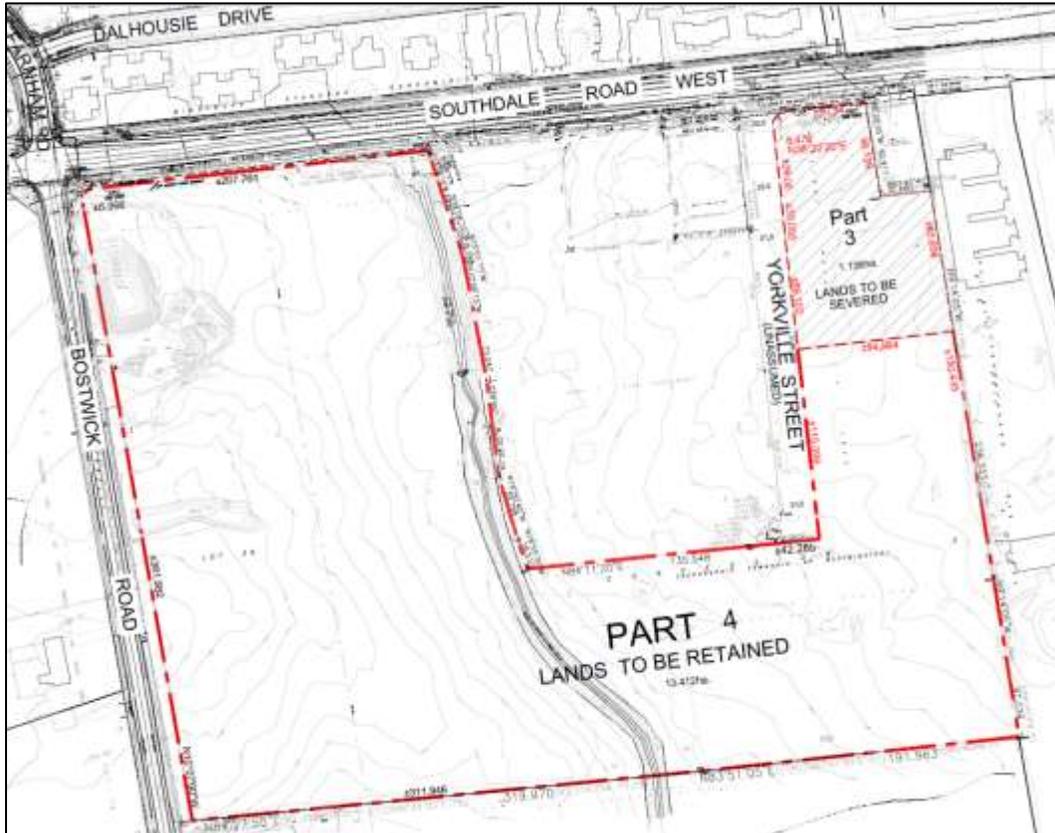


Figure 2: Proposed Severance Sketch B.034/18

1.8 Subdivision Application 39T-18502

The remainder of 3080 Bostwick Road to the south and east of Site 5 is the subject of an application for a draft plan of subdivision 39T-18502/Z-8931. The plan of subdivision is proposing three new roads, two new high density residential development blocks, an open space block and a new park block, as well as lands reserved for future development.

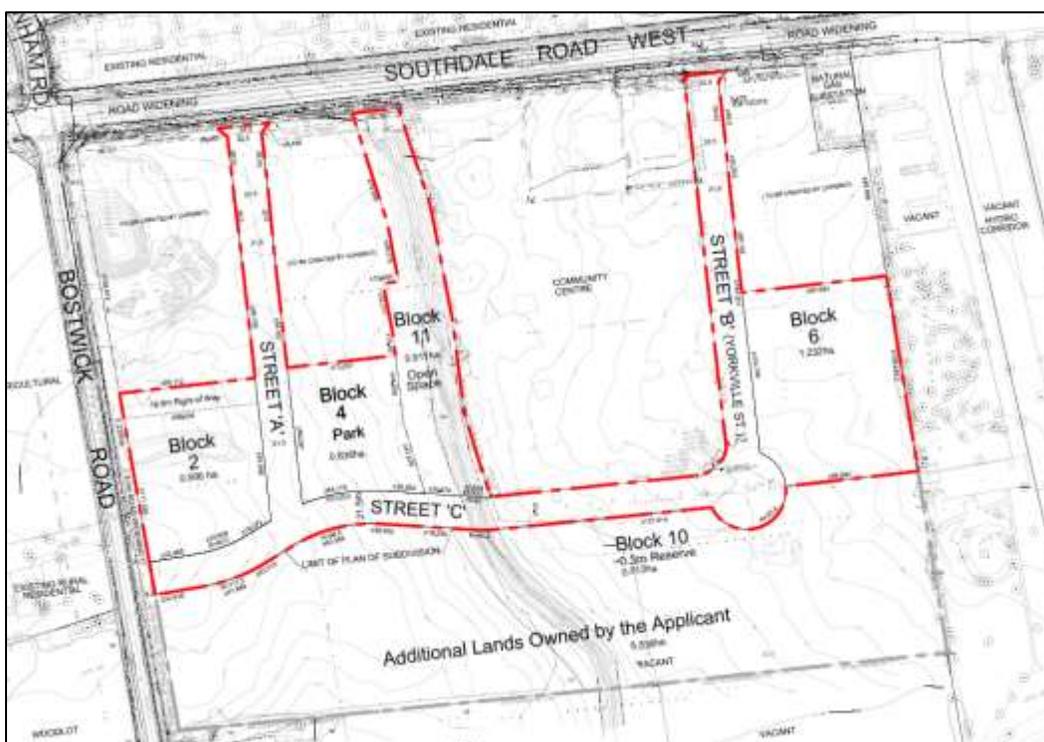


Figure 3: Proposed Draft Plan of Subdivision 39T-18502

The current Urban Reserve (UR4) Zone provides for and regulates existing uses on lands which are primarily undeveloped for urban uses. The UR zone is intended to protect large tracts of land from premature subdivision and development in order to provide for future comprehensive development. The proposed development for the subject site (Site 5) is being considered comprehensively with the proposed draft plan of subdivision, and the other site specific development applications for Sites 1 and 3, which are collectively referred to as the 'larger parcel'.

2.0 Description of Proposal

2.1 Development Proposal

The proposed development being requested for Site 5 consists of a three storey, stand-alone commercial and office building, and a 17 storey (68m) residential apartment building. The three storey building is oriented to Southdale Road West and contains 2,000m² of office space and 1,000m² of convenience commercial gross floor area. A wide range of convenience commercial uses are also being requested, including such uses as: studios, food stores, restaurants, personal service establishments, clinics, financial institutions and pharmacies.

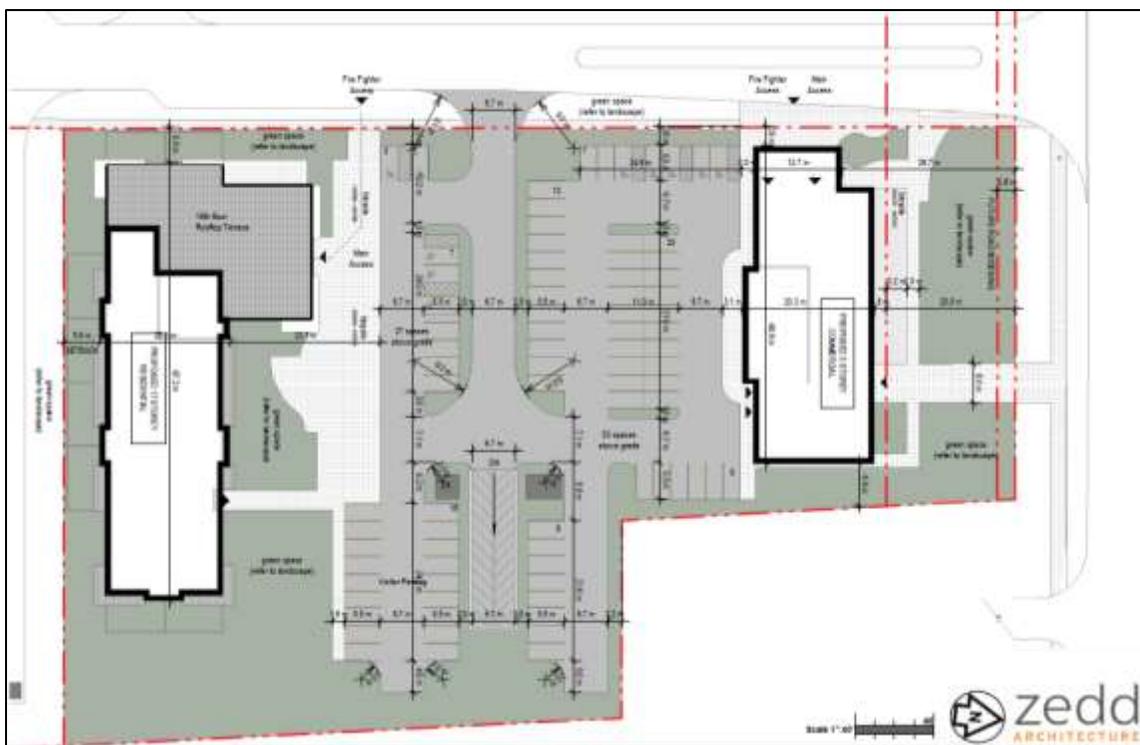


Figure 4: Conceptual Site Plan



Figure 5: Conceptual Rendering

3.0 Relevant Background

3.1 Planning History

The site is within the Southwest Area Secondary Plan area which came into full force and effect in April, 2014. Through the review of the SWAP, the Multi-Family, High Density Residential designation was approved by Council in October, 2012. In 2014, a portion of the lands at 3080 Bostwick Road were severed and re-zoned (Z-8386) to facilitate development of the Bostwick Community Centre.

3.2 Public Meeting

The requested amendment was before the Planning and Environment Committee on October 9, 2018 for a public participation meeting. An overview of the proposed development was provided as well as a summary of the public and stakeholder comments received.

The Planning and Environment Committee and Council endorsed the following:

a) the comments received from the public during the Public Engagement process appended to the staff report dated October 9, 2018 as Appendix "A" BE RECEIVED for information; and,

b) a public participation meeting BE HELD at a future meeting of the Planning and Environment Committee;

3.3 Community Engagement (see more detail in Appendix B)

Notice of Application was circulated on August 17, 2018, and notice was published in the Londoner on August 16, 2018. There were 8 responses provided through the community consultation to date. A summary of the comments include:

Concern for:

- Increased traffic and congestion (x6)
- Increased cut through traffic in the established neighbourhood to the north (x3)
- Pedestrian safety
- Road improvements should be implemented as recommended in the Southdale EA (x4)
- Only the ward 9 councillor was identified on the notice, not the nearby ward 10
- The local school capacity and ability to accommodate increased number of pupils (x2)
- Site 5 – 17 storeys too tall
- Greater building heights are difficult to evacuate in emergencies and may block satellite signals
- Provide convenient drop-off/pick-up spaces for para transit vehicles
- Provide affordable housing options and small-lot, small home options
- Reduced setbacks should not be allowed

Support for:

- Positive to see the site finally develop
- Interest in investing in the project

A public participation meeting was held on October 9, 2018 to gather community comments and feedback. There was one speaker that was concerned about the impacts of cut-through traffic which will be analyzed further through a future speed/volume study along Farnham Road.

3.4 Requested Amendment

The requested amendment is for an Official Plan/Zoning By-law Amendment to permit the proposed office/commercial and residential development. An Official Plan

Amendment is required to add the site to the list of preferred location for convenience commercial uses. A Zoning By-law Amendment is required to permit the proposed scale and intensity of the residential apartment building and commercial and office building on a site-specific basis. The Zone requested by the applicant is for a Residential R9/Convenience Commercial Special Provision/Restricted Office Special Provision Bonus (R9-7/CC4(_)/RO2(_)*B-__) Zone.

3.5 Policy Context

Provincial Policy Statement 2014

The *Planning Act* requires that all planning decisions made by City Council be consistent with the Provincial Policy Statement, 2014 (PPS). The PPS provides policy direction on matters of provincial interest related to land use planning, as Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. The PPS states that the most important vehicle for implementing the PPS is the Official Plan, which shall provide clear and reasonable policies that protect provincial interests and direct development to suitable areas (4.7).

The London Plan

The London Plan is the City's new Official Plan which was adopted by Council and approved by the Ministry. The London Plan represents Council's new direction for guiding land use in the City. At this time, portions of The London Plan referred to in this report are in-effect (Our Strategy, parts of Our City and City Structure Plan), and portions are under appeal (Neighbourhoods Place Type, High Density Residential Overlay and Our Tool – Bonus). Notwithstanding their individual status, all policies of The London Plan have been considered in the evaluation of this application.

The City Structure Plan provides a framework for London's growth and change over the next 20 years which includes targeted growth in the City's Built Area Boundary and Primary Transit Area. All of the planning we do will be in conformity with the City Structure Plan.

The subject site is within the Neighbourhoods Place Type in The London Plan and has frontage on a Civic Boulevard. A range of uses are permitted including: single detached, semi-detached, townhouses, triplexes, small-scale community facilities, stacked townhouses, fourplexes, and low-rise apartment buildings. Secondary permitted uses are not permitted in this location and mixed-use buildings and stand-alone retail, service and office uses are directed to sites at the intersection of major roads instead (Tables 10-12).

The site is also located within the High Density Residential Overlay which recognizes greater development potential for some sites previously designated as Multi-Family, High Density Residential.

1989 Official Plan

The subject site is within the Multi-family, High Density Residential (MFHDR) designation, which primarily permits multiple-attached dwellings, and low and high-rise apartment buildings with densities generally less than 150 units per hectare for locations outside of Central London (3.4.3). Some secondary permitted uses are contemplated within the MFHDR designation that are considered to be integral to, and compatible with, high density residential development. Uses such as community facilities, small-scale office developments, and convenience commercial uses may be considered where they meet relevant policies (3.4.1).

Southwest Area Secondary Plan (SWAP)

Both The London Plan and the 1989 Official Plan recognize the need for a Secondary Plan to provide more detailed policy guidance for a specific area that goes beyond the

general policies. The Southwest Area Secondary Plan (SWAP) forms part of The London Plan and the 1989 Official Plan, and its policies prevail over the more general Official Plan policies if there is a conflict (1556 & 1558). The SWAP has also included relevant policies from the 1989 Official Plan which were carried forward and become part of the Secondary Plan. Where policies of the 1989 Official Plan are referenced but not carried forward, it is the intent that the SWAP is to be read in conjunction with the policies of The London Plan (20.5.17.1).

The site is located within the Bostwick Residential Neighbourhood and designated High Density Residential (HDR) in SWAP. Mid-rise to high-rise residential form is permitted with densities and heights up to a maximum of 150 units per hectare and 12 storeys respectively (20.5.9.2), as is the consideration for certain secondary permitted uses as well as site-specific bonus zoning.

Evaluation

The primary review of the planning application was based on consideration for the policies of the Provincial Policy Statement, 2014, The London Plan, the Southwest Area Secondary Plan and the 1989 Official Plan. Portions of The London Plan have been appealed by York Developments as they relate to 3080 Bostwick Road. The planning analysis has resulted in 4 main areas where there is inconsistency with the Provincial Policy Statement, 2014, and/or nonconformity with the Official Plan policies. These include:

- 1) Intensity
- 2) Mix of Residential Uses and Form
- 3) Bonusing
- 4) Issues Requiring Further Consideration

1) Intensity

Our Strategy

One of the 8 key directions of The London Plan is to 'build a Mixed-use compact city', by implementing a City Structure Plan that focuses high-intensity, mixed-use development to strategic locations along rapid transit corridors and within the Primary Transit Area (59_1). The level of intensity proposed could be considered appropriate for locations such as the downtown or a transit village where the population would best benefit from and contribute to the intended function, however the level of intensity is not appropriate for the site as it results in a dispersion of density and does not contribute to achieving a compact City form.

A related direction is to 'make wise planning decisions', which requires big picture and long-term thinking when making planning decisions to consider the implications of a short-term and/or site-specific planning decision within the context of this broader view (62_3). The intensity proposed on the subject site needs to be considered where it fits in a city-wide context and whether it supports strategic and efficient growth intended by The London Plan.

Our City

The 'Our City' section describes the existing and future structure of the City, including the major elements that establish the physical framework of London, and how the City will manage growth in the next 20 years. Greenfield forms of development such as the proposed development will continue to be considered, though there is greater emphasis on encouraging and supporting growth within the existing built-up area of the city (79).

Directing infill and intensification to the Primary Transit Area is a major part of the Plan's strategy to manage growth in the city as a whole and to achieve a target of accommodating 45% of all future residential growth in the Built-Area Boundary (91). Additionally, it is a target of the plan that 75% of all intensification be achieved in the Primary Transit Area which includes the greatest amount and highest level of transit

service in the city (92_2). The subject site is located outside of both the Built-Area Boundary and the Primary Transit Area, and is not a desirable location for the level of intensity proposed.

The PPS directs that planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, such as the intensification targets for the Built-Area Boundary and the Primary Transit Area (1.1.3.5). Allowing the intensity of 201 units per hectare outside of the targeted growth areas will affect demand within those areas and is not in keeping with the intent for strategic long-term planned growth.

Growth Servicing

The PPS identifies that land use patterns within settlement areas shall be based on densities and a mix of lands uses which efficiently use land and resources, are appropriate and efficient use infrastructure, public service facilities, and do not require their unjustified or uneconomical expansion (1.1.3.2.a.1)&2)). The Growth Framework established by The London Plan is a plan for shaping growth over the next 20 years by directing growth to strategic locations. Infrastructure will be planned and directed to service the development patterns and levels of intensity expected based on the City Structure Plan, place type allocation and policies of this Plan (166). The proposed development significantly exceeds the anticipated level of intensity for the site which has the potential to influence development growth and demand in the broader city context.

Neighbourhoods Place Type

The site is located within the Neighbourhoods Place type which allows for a range of residential uses, and a development form between a minimum of 2 storeys and 4 storeys, with a potential to bonus up to 6 storeys (Tables 10-12).

High Density Residential Overlay

Though The London Plan directs higher density uses towards strategic locations to support and take advantage of public transit, such as in transit villages and along rapid transit corridors, it also recognizes some remnant high density residential areas (954). The subject lands are designated in the 1989 Plan as Multi-Family, High Density Residential, and are recognized in the High Density Residential (HDR) Overlay which retains greater development potential despite not being in a targeted growth location (955).

Lands like the subject site, which are within the High Density Residential Overlay but outside of the Primary Transit Area may be permitted up to 12 storeys with a density up to a maximum of 150 units per hectare. The proposed 17 storey form, and 201 units per hectare exceeds the intended cap of the HDR overlay policies.

Southwest Area Secondary Plan

The lands are designated as High Density Residential in the Bostwick Neighbourhood, which provides for a range of mid to high-rise residential uses. These lands are intended to be the most intensive in the residential neighbourhood areas which are implemented through development permissions that contemplate up to a maximum of 12 storeys, and 150 units per hectare. The proposed development surpasses the maximum height of 12 storeys with a 17 storey tower, as well as the density with a requested 201 units per hectare. The height and form of the development directly influences the density through the provision of more residential units. The proposed intensity concentrates growth outside of the Built-Area Boundary and Primary Transit Area and results in an over-intensification of the site. The maximum height of 12 storeys and 150 units per hectare provide the most intensive permissions for development in the Bostwick Neighbourhood, and are appropriate parameters to guide future development of the site.

1989 Official Plan

The scale of development for Multi-Family, High Density Residential designated lands includes 150 units per hectare outside of Central London and up to 250 units per hectare within Central London bounded by the Thames River to the south (3.4.3). The site is located many kilometres outside of Central London, while proposing a density that would far exceed the greater density consideration afforded to that area.

Comprehensive Development Consideration

The existing zone is an Urban Reserve (UR4) Zone which is intended to protect large tracts of land from premature subdivision and development in order to provide for the future comprehensive development on those lands. Despite the application for a site specific Official Plan and Zoning By-law Amendment and consent to sever, the entire legal parcel of 3080 Bostwick Road and its relationship to Site 5 requires holistic consideration, and the site cannot be evaluated in isolation. The remainder of the lands at 3080 Bostwick Road are also proposed for various high density residential development forms through other separate Official Plan/Zoning Amendments and a plan of subdivision. There are four additional development sites proposed, with three development sites (Site 1, Block 2 & Block 6) exceeding the maximum height and density, and one development site proposing the highest level permitted (Site 3).

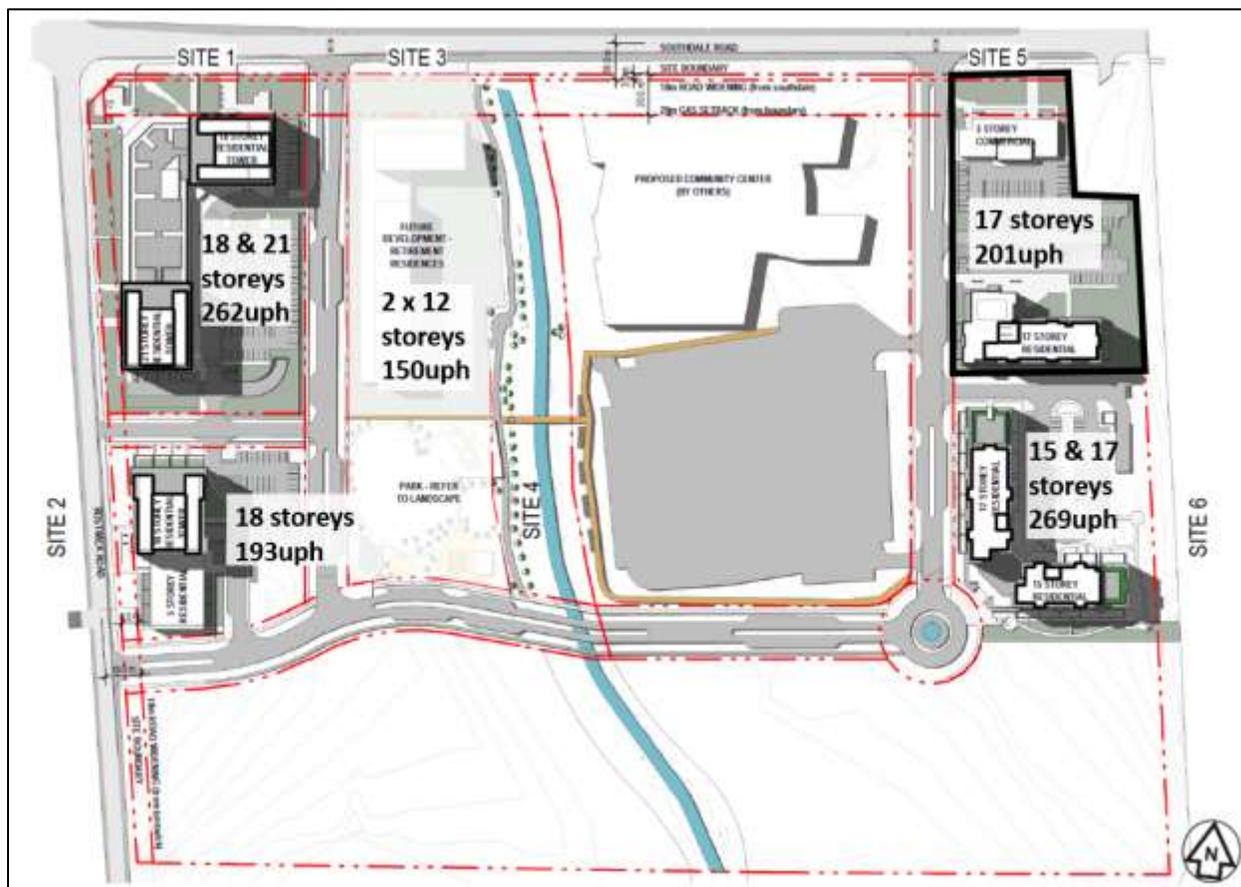


Figure 6: Master Plan Intensities

Intensity Summary

High-rise apartment buildings play a significant role in supporting the fundamental goal of linking land use and mobility. This type of development generates significant densities which can create a high demand for transit services. Directing these uses to the Downtown, Transit Village, and Rapid Transit Corridor Place Types creates vibrant active and connected centres, and is a key strategy to create the context for a viable and cost-efficient transit system.

Site 5 individually, and as part of the larger parcel, collectively represents intensity which is not appropriate and results in an over-intensification of the site. Locating such high density and intensity outside of the Primary Transit Area and Built-Area Boundary does not conform to the policies of the City Structure Plan and intent of The London

Plan that directs the most intensive development to strategic locations to make wise planning decisions. The concentration of the high density residential units outside of a targeted growth area like the Built-Area Boundary or Primary Transit Area influences the growth patterns and demand in the Southwest Area and broader City context.

The requested apartment building is contemplated as an appropriate use for the lands, however the height of 17 storeys and density of 201 units per hectare exceeds the High Density Residential Overlay, the High Density Residential designation in SWAP and the Multi-Family, High Density Residential designation policies of the 1989 Official Plan; all of which consider development up to 12 storeys and 150 units per hectare. The stand-alone office and commercial building is contemplated as a secondary permitted use under the High Density Residential designation of the Southwest Area Secondary Plan and policies of the 1989 Multi-Family, High Density Residential designation, however does not comply with The London Plan that directs commercial or mixed uses to the intersection of major roads.

2) Mix of Housing Types

The PPS identifies that healthy and liveable communities are sustained by accommodating an appropriate range and mix of residential uses (including second units, affordable housing, and housing for older persons) uses (Policy 1.1.1(b)). The only residential use proposed for Site 5 and the larger parcel of 3080 Bostwick Road is high-rise apartment, which does not provide a range or mix of residential uses.

Our Strategy

To build a mixed-use compact city, a mix of housing types within our neighbourhoods is required so that they are complete and support aging in place (59_5). The proposal is one piece of a larger development plan which proposes entirely the same form of development resulting in only one housing type provided.

To build strong, healthy and attractive neighbourhoods for everyone, neighbourhoods need to be designed to meet the needs for people of all ages, incomes and abilities, allowing for aging in place and accessibility to amenities, facilities and services (61_2). The proposal does not provide any mix of housing forms that would contribute to providing a diversity and variety of housing that would truly cater to the needs of many.

Neighbourhoods

Neighbourhoods will be planned for diversity and mix and should avoid the broad segregation of different housing types, intensities, and forms (918_2). The proposed development provides a high-rise residential form which is further replicated on all of the development parcels under review for 3080 Bostwick Road. The result is a concentration of only high density residential units in one location that will be segregated from existing and future development forms.

High Density Residential Overlay

On large sites or areas within the High Density Residential Overlay, capable of accommodating multiple buildings, a diversity of housing forms such as mid-rise and low-rise apartments and multiple attached dwellings will be required (958_3). The site itself, and its relationship to the larger parcel are both large enough to accommodate a variety of the forms specified, though the only residential use proposed is high-rise residential apartments, which does not achieve the intent of the policy. Additionally, zoning may not allow for the full range of height and density identified in these policies. (958_5).

Southwest Area Secondary Plan

The SWAP provides direction that in order to create diverse and connected communities, a mix of housing types, densities and design should be provided

throughout each neighbourhoods (20.5.1.4.ii.a)). A range and mix of uses is required to achieve balanced and inclusive residential communities. In applications for subdivision, a diversity of building types is required to provide a mix of residential forms (20.5.4.1 iii c)). Site 5 and the entirety of 3080 Bostwick Road represent only one form of residential building type which does not achieve a balanced or inclusive community. Despite the site-specific consent to sever application for Site 5, it forms part of the larger parcel of 3080 Bostwick Road and is considered under the same criteria as a subdivision (51.12 Planning Act).

1989 Official Plan

The 1989 Official Plan supports the provision of a choice of dwelling types according to location, size, affordability, tenure, design and accessibility, and minimizing the potential for land use compatibility problems which may result from an inappropriate mix of low, medium and high density housing (3.1.1.ii & vii). Outside of the Downtown and Central London areas, it is Council's intention that a mixing of housing types, building heights and densities shall be required in large designated areas which normally exceed 3ha (3.4.3.i). All areas shall include a diversity of housing forms such as mid-rise and low-rise apartments and multiple attached dwellings in order to minimize the overwhelming effect of large high-rise developments (3.4.3.i.b)).

Site 5 has a lot area of 1.1ha, but is part of the property of 3080 Bostwick Road which is 15ha and collectively larger than the identified 3ha which would qualify it as a 'large' site. Despite the individual applications submitted for Site 5, the consideration is based on the entire property which is well able to produce a variety of housing forms to provide for diversity. The lowest high-rise form is 12 storeys and the tallest is 21 storeys which does not allow for housing choice or variety. There are no low-rise, mid-rise or multiple attached forms proposed which results in 100% of the residential form on the larger parcel as high-rise apartments. Additionally, the UDPRP is supportive of a mix of built forms throughout this project.

Mix of Housing Types Summary

In order to achieve well-designed and inclusive communities, a mix of housing types is necessary to support the needs for people of all ages, incomes and abilities, and provide opportunities for aging in place. It is not sufficient to provide for a variety of housing only within the context of the entire Bostwick Neighbourhood, as the policies require a mix within the designation as well, and on sites larger than 3ha. The policies of the Southwest Area Secondary Plan, The London Plan Neighbourhoods place type, the High Density Residential Overlay and the Multi-Family, High Density Residential designated lands of the 1989 Official Plan all require a mix of housing forms be provided for housing variety, and to minimize the overwhelming effect of large high-rise developments and the broad segregation of housing forms and types.

The policies of the 1989 Official Plan, the SWAP HDR, the Neighbourhoods place type and the High Density Residential Overlay allow for a wide range of multiple-attached, mid-rise and high-rise residential forms that can provide for a desirable mix of housing types on 3080 Bostwick Road and still achieve the intent for the Bostwick Neighbourhood as the most intensive of the residential designations within this area. It is not appropriate or desirable to allow only one residential form of residential use (high-rise) for the entirety of Site 5, as well as the larger parcel of 3080 Bostwick Road.

3) Bonusing

Southwest Area Secondary Plan

The SWAP policies for the High Density Residential designation in the Bostwick Neighbourhood allow for the **consideration** of site-specific bonus requests that exceed the maximum height and density of the High Density Residential designation (20.5.9.2.iii.c)). The requested increase in height above the 12 storeys maximum to 17

storeys, as well as the increase in density above the 150 units per hectare to 201 units per hectare is proposed through a bonus zone.

1989 Official Plan

Bonus zoning **may** permit increases to the height and density in return for the provision of such facilities, services or matters. The facilities, services or matters should be reasonable for their cost/benefit implications and must result in a benefit to the general public and/or an enhancement of the design or amenities of a development to the extent that a greater density or height is warranted. Bonus Zoning is provided to encourage development features which cannot be obtained through the normal development process (19.4.4.i&ii).

The increased height of 17 storeys (68m), and density of 201uph is requested through a site-specific bonus zone. The proposed bonusable facilities, services or matters by the applicant include “enhanced urban design elements” as well as:

b) To support the provision of common open space that is functional for active or passive recreational use;

It is unclear where the common open space is located, how large it is, how it will be used for active or passive recreational use, and any other detail regarding potential qualification as a bonusable facility, service or matter.

The applicant has suggested that the land transactions for the Community Centre in 2014 would be considered as a bonusable element for the consideration of the developments proposed at 3080 Bostwick Road, however the transactions concluded in 2014 and did not provide any future density credit or development consideration. In 2014, part of the lands for the Bostwick Community Centre were received as a donation which was acknowledged with receipt of a tax credit for fair market value in the amount of \$2,380,000.00, and additional lands were purchased by the City for \$2,000,000.00 for a total of \$4.38M. The land transactions are ineligible to be considered as ‘bonusable’ for the current application as fair compensation was provided at that time, and the matter was concluded in 2014.

c) To support the provision of underground parking;

In the General Policies of SWAP, “parking should be located underground for large buildings, such as high-rise residential buildings, office buildings and mixed-use buildings” (20.5.3.9.iii.g)). The direction in SWAP for new development is required for all relevant properties in the southwest area, and is a feature able to be achieved through the normal development process. Additionally, there is the provision of surface parking as well, which does not result in the added benefit of increased landscaped open space if all parking was to be provided underground.

Underground parking formerly qualified as a bonusable element through the 1989 Official Plan, however the SWAP now requires underground parking as part of the building design consideration, and The London Plan no longer considers underground parking as an eligible bonusable feature. Underground parking is transitioning from a design feature that was considered above and beyond the normal development process to a requirement that forms the normal development process.

d) To encourage aesthetically attractive residential development through the enhanced provision of landscaped open space;

It is unclear the degree to which the provision of landscape open space is enhanced. The R9-7 zone requires a minimum provision of 30% landscaped open space, which is well provided and exceeded with 49.4% provided. However, there is inadequate detail regarding whether the landscaping refers only to the additional amount provided (quantity) or whether there is enhanced quality of landscaping as well to

justify the feature as bonusable. The landscape open space in the zoning is a minimum provision, and providing additional landscape open space is encouraged for all developments. More information is needed to determine whether the landscaping is truly being enhanced, and if so, what the commensurate value would be to the requested increase in height and density.

h) To support innovative and environmentally sensitive development which incorporates notable design features, promotes energy conservation, waste and water recycling and use of public transit;

It is unclear what features are proposed that promote energy conservation, waste and water recycling and use of public transit. Without detailed specifics of what these features are it is not possible to determine if they truly represent an exceptional and enhancement that would result in a public benefit.

j) To support the provision of design features that provide for universal accessibility in new construction and/or redevelopment

It is unclear how the provision of design features provide for enhanced universal accessibility. The Ontario Building Code contains requirements for universal accessibility and if the proposal is only meeting the minimum of these requirements, it would be considered provisions through the normal development process and not eligible for any consideration as a bonusable element.

At the time of the preparation of this report, additional bonusing details were submitted by the applicant on October 31, 2018 which have been included as an attachment, but not yet been reviewed by the City.

The London Plan

Bonus zoning will only be considered where it is demonstrated that the resulting intensity and form of the proposed development represents good planning within its context (1653). The height and intensity proposed through the bonus request does not represent good planning as it is not combined with providing a mix of housing types or within a location that would support the intensity proposed. Greater height or density offered through type 2 bonus zoning will be commensurate with the public value of the facility, service or matter that is provided (1654). The proposed bonusing does not represent sufficient public benefit or offset the height or intensity increases.

Bonusing Summary

The proposed bonus zoning does not support a form or intensity of development that is in accordance with the City Structure Plan, or representative of good planning. Further, the bonusable features themselves would not represent a commensurate value to the requested increases in height and density as they do not reflect provisions beyond what can normally be achieved through the development process and do not represent any enhanced public benefit. The bonusing proposed is conceptual only and lacks specific details required to evaluate what the tangible items are, and whether they truly qualify as bonusable facilities, services and matters.

4) Issues Requiring Further Consideration

In addition to the items that fail to conform to the various PPS and/or Official Plan policies, the functional and technical elements of the proposed development are not in a satisfactory state or timing for acceptance. Many of the items under review require amendments, revisions and modification in order to ensure there will not be any detrimental impacts on the transportation network, natural heritage features or existing or planned development. The proposed development is not recommended for consideration until there is more detailed information provided to address the following:

Transportation and Mobility

The London Plan places a new emphasis on creating attractive mobility choices by focusing intense, mixed-use development to centres that will support and be served by rapid transit, integrated with walking and cycling (60_5). The site has proximity to the primary transit area boundary, but is not located within the boundary, or has access to rapid transit services. The site is not currently well served by transit having access to only a one-way service on Southdale from Bostwick to Wonderland which operates as a branch of Route 15, providing a quarter of the service of Route 15. The frequency of the route provides 30 minute one-way weekday daytime service, 60 minute evening and Sunday service, and 40 minute Saturday daytime service. The London Transit Commission has provided comments as follows:

“We would note that this development falls outside the primary transit area of the London Plan. Directing large scale development outside of where transit operates frequently impairs efficient transit operations. Our transit network is forced to increase in geographic scale with relatively small gains in ridership - a definite concern of ours.”

Without frequent and reliable transit service, single vehicle trips are likely to be more prevalent for mobility and movement. A total of 725 parking spaces are proposed to be located in two underground levels, with some surface parking spaces. Access is proposed from Street A to the east, as well as an east-west connection located to the south of the site. Transportation staff have reviewed the Transportation Impact Assessment and identified certain changes required for the correct and efficient operation of traffic. Transportation staff cannot support a full access for Street A, as the Southdale Road EA identifies a median at this location restricting the access to right in/right out. Furthermore, the signal spacing does not meet the minimum spacing as identified in the Access Management Guidelines. The timing of various DC road projects is currently being reviewed through the DC update and may impact future road capacity assumptions contained in the TIA.

Sanitary Servicing

Sanitary capacity for the larger parcel is currently limited to 7.5 l/s which restricts the blocks that can develop in the short term. These capacity issues can be addressed over the long term, however staging and/or phasing of the proposed development(s) will be required until the ultimate solution is available. Holding provisions would be required to ensure that capacity exists prior to construction and occupancy of proposed developments. There are planned growth works for the area identified in the 2014 DC Study which include a new pumping station on Colonel Talbot Rd. and a sanitary trunk sewer along Bostwick Rd. Further discussion on the ultimate solution for the site is warranted.

Natural Heritage and Environment

Site 5 is currently part of a larger parcel of land which includes environmental features such as the Thornicroft Drain and a significant woodland/wetland feature past the southern extent of the subject lands under the consideration of separate planning applications. The proposed severance of the subject site would allow for a change in ownership which is only appropriate once the larger parcel has been addressed comprehensively from a natural heritage feature point of view to avoid the fragmentation of land.

It is essential that the lands for the whole of 3080 Bostwick Road are considered comprehensively to evaluate their collective impact on natural heritage and environmental features. Various concerns and comments have been raised by the UTRCA regarding the submitted Environmental Impact Study, Stormwater Management, and Hydrogeological and Water Balance provided, some of which are shared by EEPAC Environmental and Parks Planning staff. A summary of the comments provided by the UTRCA on the individual studies are as follows:

Stormwater Management

The uncontrolled major and minor flows from the site may cause erosion, flooding and water quality issues in the receiving Tributary D. The UTRCA requires that consideration be given to interim measures to slow down the runoff from the site to avoid local flooding and erosion that may be caused by increased imperviousness on the site due to development.

Hydrogeological and Water Balance Assessment

The most significant deficiency is in the incorporation of the hydrogeological interpretation and the impact to the natural heritage features and the regulated areas on and adjacent to the Site. In conclusion, there is insufficient assessment of the groundwater and the natural heritage features from a water quality and quantity basis. Further work needs to be completed prior to conditions of draft plan approval being provided by the UTRCA for the proposed development of 3080 Bostwick Road as the changes to the water budget alone are likely to significantly impact the natural heritage features.

Summary of UTRCA Comments

*As was conveyed in our October 2, 2018 comments, given the UTRCA's outstanding concerns regarding the cumulative impacts of the proposed development on the natural hazard lands and the natural heritage system as well as the noted deficiencies of the supporting technical reports, the Conservation Authority continues to recommend that the applications be **deferred** so that the matters can be addressed or alternatively be refused.*

However, if the matter is considered by PEC at its November 12, 2018 meeting and the Committee is supportive of the applications, the UTRCA requests that holding provisions be applied to Site 1, Site 3 and Site 5 whereby the applicant shall be required to submit/prepare a Hydrogeological Assessment and Water Balance Analysis, a Stormwater Management Report and an Environmental Impact Study to the satisfaction of the UTRCA.

Built Form and Design

In order to achieve a well-designed built form throughout the City, development that is designed to be a good fit and compatible within its context, a mix of housing types to support aging in place and affordability, and healthy diverse and vibrant neighbourhoods that promote a sense of place and character (193_1,2,7&9). The proposed development has some positive features regarding design such as the orientation and provision of a continuous street wall along the Southdale Road frontage. However, it may be more suitable to locate the apartment building along the edge of Southdale Road West to allow for the gradual transition of heights further south, and incorporate any secondary permitted commercial and/or office uses as a mix within the building. Additionally, buildings should be located parallel to public streets to provide for a built edge, activate the street frontage and provide enclosure to the street. Certain changes to the design are required, as the form as currently proposed does not have sufficient details or merit to consider it an enhanced built design.

Bonus zone requests are intended to begin with an enhanced and exceptional building design of high quality which meets the urban design policies. It is not appropriate to consider a design that does not qualify as an enhanced design, as well as one that would not be able to 'lock in' the enhanced design to provide certainty regarding the implementation of positive features through subsequent planning and design processes.

Zoning

The requested amendment is for a Residential R9/Convenience Commercial Special Provision/Restricted Office Special Provision Bonus (R9-7/CC4(_)/RO2(_)*B-__) Zone

which includes commercial, office and residential uses.

Southwest Area Secondary Plan

Higher intensity mid-rise, transit-oriented development is encouraged along portions of the arterial road network to support the provision of transit services as detailed in 20.5.4.1 iv) of the General Residential policies. The proposed apartment building is not located directly on Southdale Road West which does not provide the most ideal location to take advantage of the transit services along the main road.

Residential

The proposed R9-7 zone is used to implement High Density Residential forms of housing and allows for the requested apartment building. The zone would be appropriate to implement the requested apartment use if it was applied in a context that supports the broader policies of providing a mix of land uses and consideration of a comprehensive development proposal.

Special provisions are requested for the proposed apartment building that include: a 19m interior side yard setback, a 5.5m exterior side yard setback and a 5m rear yard setback. The reduced exterior side yard results in a building that is brought closer to the street edge which is generally acceptable, and the reduced rear and interior side yard setbacks would provide adequate setback from the rear of the property to allow for function and privacy.

Commercial and Office

The London Plan contemplates some mixed-use and commercial uses at the intersection of two major roads, such as at Site 1, to meet the daily needs of neighbourhood residents, including: mixed-use buildings, and stand-alone retail, service and office uses. (918_5). It is a goal of this Plan to allow for an appropriate range of retail, service and office uses within neighbourhoods. The range of retail, service and office uses that may be permitted in this Place Type will only be permitted if they are appropriate and compatible within a neighbourhood context (924).

Secondary Permitted Uses

The SWAP Bostwick Neighbourhood HDR designation allows for the consideration of secondary permitted uses such as convenience commercial and community centre uses, allowed in the Multi-Family, High Density Residential designation of the 1989 Official Plan to be permitted (20.5.9.2.ii). There are secondary uses of convenience commercial and restricted office proposed for the site in a separate, stand-alone building. The full range of requested uses include:

Restricted Office (RO2) Uses

- Clinics;
- Medical/dental offices;
- Medical/dental laboratories; and,
- Offices.

Convenience Commercial (CC) Uses

- Bake shops;
- Commercial schools;
- Florist shops;
- Pharmacies;
- Restaurants eat-in;
- Brewing on premises establishments;
- Business service establishments;
- Convenience business service establishments;
- Day care centres;
- Offices;

- Studios;
- Food stores;
- Restaurants, take-out;
- Convenience services establishments;
- Convenience stores;
- Financial institution; and,
- Personal service establishments (all without drive-thrus).

The requested secondary uses include the full diversity and range of convenience commercial and restricted office uses contemplated as permitted uses by the policies. The focus for the Bostwick Neighbourhood is residential in nature, and intended to support the commercial uses along the Wonderland Enterprise Corridor. Convenience Commercial uses are generally limited in scale to a maximum of 300m² per use to ensure that the commercial uses are small-scale and serve the local community.

A special provision was requested for the CC zone to exempt the size restriction which would allow a permitted use to utilize the maximum 1,000m² for a single use. Having a large scale commercial use would not complement the Wonderland Road corridor and would instead compete with the commercial demand in the area. It is not appropriate to exceed the 300m² maximum size of each commercial use and the requested special provision is not supported.

Similarly, the full request for office use is 2,000m², which could be occupied by one single office use. The general provision for office space in the Wonderland Road Corridor is also 2,000m² and it is necessary to differentiate the hierarchy of office space through restricting the size of any one office use to 1,000m² to ensure the corridor contains the most permissive office opportunities. An additional special provision is requested to include a reduced 2.4m exterior side yard setback, which would locate the building closer to the corner of Southdale Rd W and Street B.

Planning Impact Analysis

The Planning Impact Analysis will be used to evaluate applications for an Official Plan and/or Zoning change to determine the appropriateness of a proposed change in land use.

- a) *compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area.*

The lands to the north of the site are developed as low-medium density housing with townhouses and single detached dwellings as the dominant form. There is a Union Gas pipeline along the Southdale Road West frontage which requires an additional 20m setback of the built form from the road which can effectively mitigate shadow impacts and the bulk of the buildings. There will be greater shadowing on the lands to the north from the higher heights than there would be from a lower built form, though the impacts would still be reasonable.

The Bostwick Community Centre is located directly to the west of the site and residential uses in this location would support patronage of the community centre within convenient walking distance. Lands to the south and west represent future development lands, which are designated to include a variety of low, medium and high density housing forms. Providing a mix of low-rise and mid-rise apartments as well as multiple attached dwellings would provide a more integrated and compatible form than the contrast between the high-rise proposed and future lower rise uses.

- b) *the size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed use;*

The proposed development requires certain special provisions regarding reduced setbacks and parking, which are considered to be generally minor in nature. The

site is 1.1ha in size and is generally of a sufficient size to accommodate the scale of the development proposed.

- c) *the supply of vacant land in the area which is already designated and/or zoned for the proposed use;*

The lands are designated and well suited to develop for a variety of High Density Residential forms. The proposal for Site 5 is one site of 4 additional development blocks which are all proposing at or above the maximum intensity contemplated for the lands. There are additional High Density Residential designated lands south of Street C which have not been included in the subdivision, and the development form and intent for these lands is not known at this time.

The lands in the Wonderland Road Enterprise Corridor were recently amended to reduce the residential intensity from a maximum heights of 14 storeys to 6 storeys with bonusing, and maximum densities from 175uph to 100uph with bonusing. The reduction in residential intensity was to recognize that there are more strategic locations in other areas of the city to direct the greater heights and densities than within the Wonderland corridor. Though the built form is capped at a mid-rise level of 6 storeys, there is the potential to bonus up to 100uph which is at a high density intensity.

Within the broader SWAP area, there is a special policy for lands at 17 & 31 Exeter Road which permits high density residential buildings up to 12 storeys and 150 units per hectare, which is currently undeveloped (20.5.6.5.v). Additional lands are located at Southdale and Pomeroy Lane under the North Talbot Area Plan which are developed with and proposed for a new 12 storey residential form.

There are a number of opportunity sites within SWAP that would accommodate high density or high-rise residential uses, including the subject lands.

- d) *the proximity of any proposal for medium or high density residential development to public open space and recreational facilities, community facilities, and transit services, and the adequacy of these facilities and services.*

The site has the closest access and proximity to the Bostwick Community Centre which provides community and recreational resources. There is limited transit services currently, which will likely be improved as more of the SWAP is developed, though it should be noted that this site is still located outside of the rapid transit corridors and Primary Transit Area. A new park of 0.636ha is proposed to the southeast of the site and Parks Planning staff have advised that additional parkland will be required to support the intensity proposed. The Thornicroft Drain is located further east which is showing trails for pedestrians as part of the subdivision.

- e) *the need for affordable housing in the area, and in the City as a whole, as determined by the policies of Chapter 12 – Housing*

The provision of forms of housing other than single detached dwellings are encouraged in SWAP and The London Plan which provide intrinsic affordability given the smaller unit size compared to a detached dwelling (518). There is no affordable housing proposed as defined in Chapter 12 of the 1989 Official Plan, though the provision of affordable housing units could be considered as part of the bonusing services, facilities or matters in agreement with the Housing Development Corporation.

- f) *the height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;*

The proposed height of Site 5 is at 17 storeys. The UDPRP noted that the orientation of Site 5 could frame Street B better in a perpendicular orientation. Surrounding heights of the nearby residential development proposals include two 12

storey towers on site 3 to the east, two towers of 18 & 21 storeys at Site 1, one 18 storeys tower on site 2 and two 15-17 storey towers on site 6. There is very limited variation in building heights on the surrounding development sites which can create an overwhelming effect of the high-rise residential form. Providing a mix of low-rise and mid-rise apartment buildings will vary the overall heights of 3080 Bostwick Road, and reduce the intensities to be more consistent with the policy intent.

Urban Design staff have identified that heights should transition across the sites from north to south, by locating the tallest buildings along Southdale Road and transitioning south with lower scale buildings. The UDPRP recommends a broader variation in building heights among the towers to create additional distinction in heights.

- g) *the extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;*

The site is mostly vacant with very little existing vegetation that would be desirable to retain. On the larger site, the Thornicroft Drain is a naturalized feature that is proposed to have a pathway located parallel to the drain which would provide access to the feature.

- h) *the location of vehicular access points and their compliance with the City's road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties;*

The vehicular access is provided from Street B which is existing and providing access to the Bostwick Community Centre. For the larger site, certain amendments such as compliance with the City's Access Management policies are required to the TIA, which is currently under review. Sidewalks will be required on both sides of new streets to provide for comfortable pedestrian connections.

- i) *the exterior design in terms of the bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area;*

The layout of the three-storey built form is oriented towards the corner which is a positive feature, however the 17 storey apartment building is set far back from Southdale Road West which is not an ideal location. The apartment building will also need to incorporate a podium stepback to minimize the effects of the sheer walls. Without a mix of high-density housing forms provided on the larger site, future land uses may not be able to integrate as well with the proposed built form given the concentration of high-rise form on the entire parcel of 3080 Bostwick Road and the eventual interface that will be created.

- j) *the potential impact of the development on surrounding natural features and heritage resources;*

The Thornicroft Drain traverses the larger parcel which supports important environmental features such as the deciduous hedge row. The submitted environmental studies are being reviewed and have not progressed to a point where the impacts of the proposed development are known on the nearby woodlot/wetland feature to the south.

- k) *constraints posed by the environment, including but not limited to locations where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration and rail safety may limit development;*

There is a minimum required setback of 20m from the Union Gas pipeline along Southdale Road West which is being provided. A noise study has also been

prepared to address the arterial noise generated by Southdale and Bostwick Roads. The noise study is under review and pending minor amendments and endorsement by a certified engineer, is in a form that is generally acceptable to the City. There are no rail, landfill, sewage treatment, contamination or other similar generators of adverse impacts applicable to the subject lands.

l) compliance of the proposed development with the provisions of the City's Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law;

The proposed development does not conform to the City's Official Plan with regards to the intensity proposed, the lack of housing mix, the bonusing proposed, and status of required studies and reports. The existing Urban Reserve zone requires the comprehensive consideration of all the lands to avoid premature development and land use patterns. Site plan matters are being considered through the requested amendment, though there is no application for Site Plan Approval or Signage at this time.

m) measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis;

Additional works are required to first identify the extent of any adverse impacts on surrounding land uses. Some potential impacts such as the reduced infiltration on the nearby wetland have not identified a mitigation or avoidance strategy and require further exploration. At this time, the studies are underway to identify the impacts of the proposal and many are not in a satisfactory state to accept.

n) impacts of the proposed change on the transportation system, including transit.

There are Environmental Assessments (EA) currently underway for Wonderland Rd, Bostwick Rd alignment, and Southdale Rd which are required to be incorporated in the TIA as well. Future scheduled works in the area are identified in the table and map below subject to Council approval and budget availability. There is limited transit service for the site, which may improve with greater built out of the general area, though there is concern expressed from the London Transit Commission (LTC) that allowing such large scale development outside of the primary transit area forces an increase to the geographic scale of the transit network with relatively small gains in ridership.

Table 1: Future Road Works

Id	Road	Limits	Improvement	Potential Year
1	Colonel Talbot	300 m South of Southdale to James Street	2 Lane Upgrade	2023
2	Bostwick	Pack to Wharncliffe	Realignment with 2 Lane Upgrade	2026
3	Southdale Road West	Bostwick to Pine Valley	2 to 4 through lanes with centre turn lane	2026
4	Bradley Avenue Extension	Wonderland to Bostwick	New 2 through lanes	2028
5	Wonderland Road	Commissioners to Southdale	4 to 6 through lanes	2028
6	Southdale Road West	Bostwick to Colonel Talbot	2 to 4 through lanes with centre turn lane	2031
7	Pack Rd	Colonel Talbot to Bostwick	2 Lane Upgrade	2032

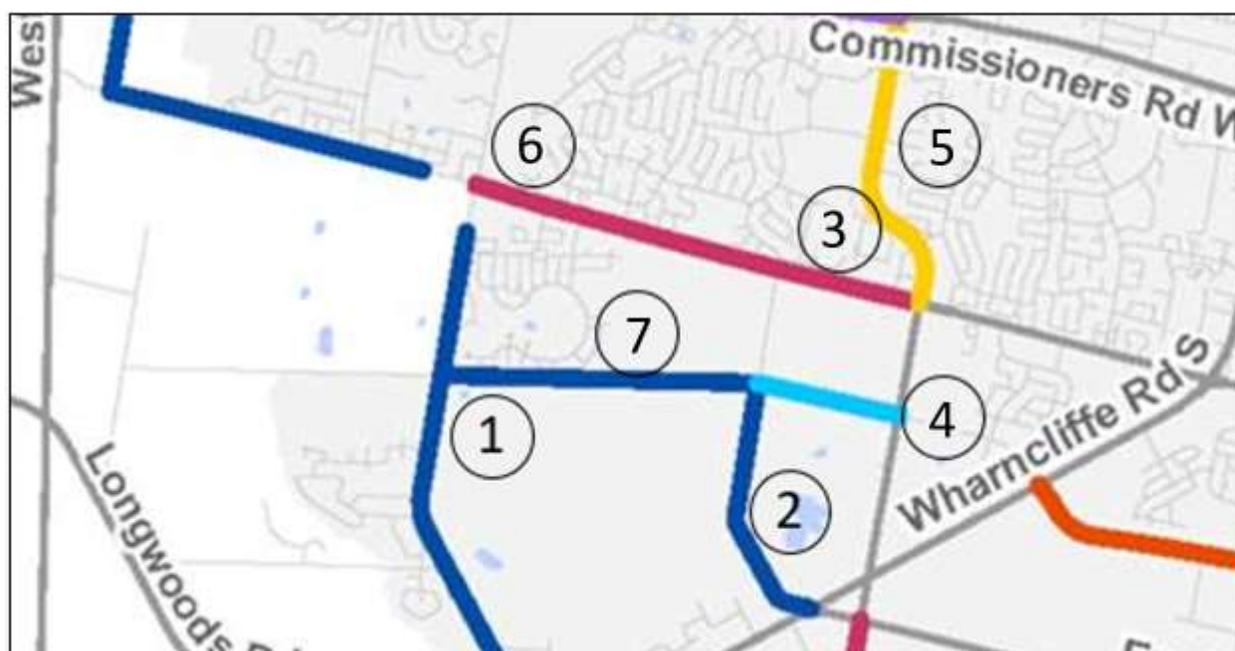


Figure 7: Map of Future Road Works in Area

5.0 Conclusion

Site 5 and the remainder of the subject lands at 3080 Bostwick Road are poised to support, and benefit from, well-designed and appropriate high density residential development that is consistent with the City's policy framework and provides for a mix of housing types. High density, high-rise housing forms are a valuable City Building tool to achieving the intent of the intensification goals for the Built-Area Boundary and Primary Transit Area, and allowing the intensities proposed for Site 5 has the potential to limit high density demand in other more strategic and desirable locations across the City. The intensities proposed for Site 5 of 17 storeys and 201 units per hectare, exceeds the maximum of 150 units per hectare and 12 storeys as identified by the policies of the High Density Residential Overlay of The London Plan, the High Density Residential designation of the Southwest Area Secondary Plan and the Multi-Family, High Density Residential Designation of the 1989 Official Plan.

The policies in this location allow for the consideration of site specific bonus zoning request to permit increased height and/or density, though the request must result in good planning that fits within the broader policy framework and does not result in an over-intensification of the site. The intensity proposed for Site 5 does not conform to the City Structure Plan of The London Plan, which directs the highest intensities to strategic locations that can best avail and contribute ridership to transit and other services. Additionally, the bonusable facilities, services and matters proposed are insufficient to support such a requested departure from the maximums permitted.

The policies of the Southwest Area Secondary Plan, The London Plan Neighbourhoods place type and High Density Residential Overlay and the Multi-Family, High Density Residential designated lands of the 1989 Official Plan all require a mix of housing forms be provided on large high density residential lands for housing variety, and to minimize the overwhelming effect of concentrated and segregating high density residential forms and intensities. The applicant's submission for Site 5 and the larger parcel of 3018 Bostwick Road provides no mix of housing type, with 100% of the proposed built form as high-rise residential apartments.

Staff also have concerns regarding the status of the various studies and reports required to support the request, as many are incomplete, inadequate or require additional information and revisions. Matters of natural heritage, environment, urban design, bonusing, transportation, and sanitary servicing provision are required to be resolved or reach a satisfactory level of certainty to support the proposal.

It is the opinion of Staff that the applicant has not sufficiently demonstrated how the proposal is consistent with the Provincial Policy Statement, 2014, nor how it fully

conforms to the policies of The London Plan, Southwest Area Secondary Plan, or the 1989 Official Plan. The proposed development individually and collectively with the other development parcels proposed at 3080 Bostwick Road represents a significant over-intensification of the subject site and general area. Staff are willing to continue working with the applicant to resolve issues, incorporate alternative high density housing forms to provide a housing mix, and consider the comprehensive development of 3080 Bostwick Road that has regard for the policies; however in its current form, staff recommend that the application be refused.

Recommended by:	Sonia Wise, MCIP, RPP Senior Planner, Development Services
Reviewed by:	Lou Pompilii, MCIP RPP Manager, Development Planning (Subdivision)
Concurred in by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services	

November 5, 2018
/sw

Z:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2018\OZ-8943 - 3080 Bostwick Rd site 5 (SW)\PEC Report
Nov 12\OZ-8943-3080-Bostwick-Rd-site-5-PEC-Report-Template.docx

Appendix A – Public Engagement

Community Engagement

Public liaison: On August 17, 2018, Notice of Application was sent to 552 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 August 16, 2018. A “Planning Application” sign was also posted on the site. Additional notification of the public participation meeting held on October 9, 2018 was provided on September 20, 2018.

8 replies were received

Nature of Liaison: The purpose and effect of this Official Plan and zoning change is to permit a residential/office and commercial development with residential, office and convenience commercial uses. Possible amendment to the Official Plan to add the subject site to the list of preferred sites to allow convenience commercial uses. Possible change to Zoning By-law Z.-1 **FROM** an Urban Reserve (UR4) Zone **TO** a Residential R9/Convenience Commercial Special Provision/Restricted Office Special Provision Bonus (R9-7/CC4(_)/RO2(_)*B-__) Zone to permit a range of high density residential uses in a 12-17 storey apartment building form, and 1,000m² of convenience commercial uses, and 2,000m² of office uses. A bonus zone is requested to allow an increased height of 17 storeys, and a density of 201 units per hectare in return for such facilities, services or matters described in section 19.4.4 of the Official Plan, and policies 1638-1655 of The London Plan.

Responses: A summary of the various comments received include the following:

Concern for:

- Increased traffic and congestion (x6)
- Increased cut through traffic in the established neighbourhood to the north (x3)
- Pedestrian safety
- Road improvements should be implemented as recommended in the Southdale EA (x4)
- Only the ward 9 councillor was identified on the notice, not the nearby ward 10
- The local school capacity and ability to accommodate increased number of pupils (x2)
- Site 5 – 17 storeys too tall
- Greater building heights are difficult to evacuate in emergencies and may block satellite signals
- Provide convenient drop-off/pick-up spaces for para transit vehicles
- Provide affordable housing options and small-lot, small home options
- Reduced setbacks should not be allowed

Support for:

- Positive to see the site finally develop
- Interest in investing in the project

Responses to Public Liaison Letter and Publication in “The Londoner”

Telephone	Written
Tom Brimson 12-1015 Farnham Rd London ON N6K 1S3	Amanda Nash 1172 Dalhouse Dr London ON N6K 2Y1
Jim Cressman 957 Dalhousie Dr London ON N6K 1M8	Susan Spencer-Paton 31 Brixham Road London ON NK 1P5
Wing Man Lin	Esther Corcoran 143 McMaster Drive London ON N6K 1J5
	Ed Morrison
	Ron & Sharon Wimperis

Additional Public Correspondence Received (after Oct 9)

From: Ron & Sharon Wimperis [mailto:]
Sent: Monday, October 29, 2018 9:42 AM
To: Wise, Sonia <swise@london.ca>
Cc: Hopkins, Anna <ahopkins@london.ca>
Subject: 3080 Bostwick Rd File: Z-8942 & File: OZ-8941

I just read the public notice regarding the above address.
I am concerned about a couple things.

1) Site 3 is looking for adjustment for a senior-oriented apartment building. The original City Plans for the southwest part of the city called for a seniors building at 3535 Settlement Trail. To date this land is vacant and unkempt and will continue in this state, if it's original purpose is allowed somewhere else. If Bostwick is approved, what will become of the 3535 Settlement Trail property and the unpaved roads in the area? This approach of altering plans, is a big reason for the piecemealed road conditions in the area. Pack Road and Settlement Trail are a great examples of the timely completion of site improvements.

2) Site 1 is looking for more convenience commercial usage. This should not be approved until the infrastructure can handle the increased traffic. You can already see this with the new community center.

a. A two lane road (Southdale) was over capacity and the community center just added to the problem. The proposed "Street A" will also add to the congestion. The plans I saw indicate Southdale will be widened in 2 stages and not for a few years. First between Farnham and Colonel Talbot, followed by Farnham to Pine Valley. This seems backwards and/or should all be completed at once, followed by development.

b. Traffic on Southdale should indicate the need for advance greens at Farnham Rd, during rush hours.

c. Proposed "Street C" will add traffic to Bostwick and a right turn lane is needed from Bostwick to Southdale. Improvements to Bostwick Rd is years off and the developer could get this done as part of their site improvements and accessibility.

d. Reduced setbacks shouldn't be allowed. Future transit and transportation needs will be handcuffed, without proper planning now.

1) I would suggest stronger commitments, from the developers, towards the immediate surface roads needs stronger language and municipal follow up, as part of this development. Talbot Village is an example of a problem. Phases of the subdivision are over 10 years old and some roads still don't have the top coat of asphalt, including Settlement Trail, Old Garrison and Crane Road. Then take a look at a local collector road, Pack Road. It's a mess with no end in sight.

Looking forward to your response.

Agency/Departmental Comments

September 20, 2018 – Development Services Engineering: Memo

The City of London's Environmental and Engineering Services Department offers the following comments with respect to the aforementioned Official Plan and Zoning By-Law amendment application:

Comments for the Re-zoning Application

- A holding provision for the provision of access to the satisfaction of the City Engineer is required.
- Transportation has reviewed the TIA provided and cannot support a full access for Street A, the Southdale Road EA identifies a median at this location restricting the access to right in/right out, furthermore the signal spacing does not meet the minimum spacing as identified in the Access Management Guidelines. The timing of various DC road projects is currently being reviewed through the DC update and may impact future road capacity assumptions contained in the TIA. The applicant should update the TIA to reflect the above mentioned street A access restriction.
- A general "h" provision to ensure the orderly development of lands and the adequate provision of municipal services (i.e. to ensure the detailed design and agreement to construct the required watermain has been satisfied).
- An "h-100" provision to ensure the looped watermain discussed above is constructed, commissioned, and put into service.
- A revised sanitary capacity analysis to demonstrate flows from all three sites do not exceed the 7.5l/s sanitary allocation. All three sites and the draft plan of subdivision (excluding the SWCC) combined cannot exceed 7.5l/s as agreed upon in the Agreement of Purchase and Sale for these lands. Alternatively, flows above the allocated 7.5l/s for the subject lands may be able to be serviced by the future GMIS Bostwick Road Sanitary Sewer. The applicant should be advised that his consulting engineer can contact Wastewater and Drainage Engineering prior to submitting the revised analysis for further clarification regarding the scope of the sewer assessment.
- Provide a Professional Engineers stamp for the Noise Assessment.

Transportation

The following items are to be considered during the future development application stage:

- The applicant shall construct all external works as identified in the future accepted TIA to facilitate the development of the subject lands;
- Widen Southdale Road to a maximum width of 24.0 metres in perpendicular width from the centerline of Southdale Road along the entire frontage of the subject lands.
- Widen Bostwick Road to a maximum width of 18.0 metres in perpendicular width from the centerline of Bostwick Road along the entire frontage of the subject lands.
- Provide a 0.3m road reserve block along the Bostwick Road and Southdale Road frontages.
- Provide sufficient right-of-way widening to dedicate 6.0 m x 6.0 m "daylighting triangle" at the intersection of Bostwick Road and Southdale Road.
- Provide plan and profile drawings demonstrating the design of the private access road to be located within the future dedicated right of way. The conceptual

centerline design of the draft plan of subdivision road network shall be included to ensure the private access road does not impact any future development.

- Individual access from Blocks 1 and 3 will not be permitted to Southdale Road.
- The access road is to be constructed to a standard suitable for winter maintenance, including but not limited to, installation of granular's, base asphalt and curb and gutter. The road structure shall be built to the road classification (as determined by the future draft plan of subdivision) standards.
- A plan/profile of Bostwick Rd may be required to determine sight line requirements as identified in the City's Design and Specifications and Requirements Manual at all street connections. If desirable decision sight distances cannot be achieved the applicant shall undertake works on Bostwick road at no cost to the City to achieve the desirable decision sight distances.
- A temporary turnaround may be required depending on the length of the private access.
- Any road and/or servicing crossing over the Thornicroft drain may require an Environmental Assessment Opinion Letter.
- Access arrangement will need to comply with the Southdale Road EA <https://www.london.ca/residents/Environment/EAs/Pages/Southdale-Road-West-Bostwick-Road-Improvements-.aspx>

Water

The following items are to be considered during the future development application stage:

- Individual water service connections from the site directly to Southdale Road and/or Bostwick Road will not be permitted.
- The proposed municipal watermain shall be sized to accommodate the future draft plan of subdivision and any external tributary lands.
- The alignment of the proposed municipal watermain along the private access road (future dedicated right of way) shall be in standard location as per UCC 1M.

Wastewater

The following items are to be considered during the future development application stage:

- Development of the site should be coordinated with the future draft plan of subdivision.
- The proposed municipal sewers shall be sized to accommodate the future draft plan of subdivision and any external tributary lands.
- The alignment of the proposed municipal sewers along the private access road (future dedicated right of way) shall be in standard location as per UCC 1M.

Stormwater

The following items are to be considered during the future development application stage:

- City of London Permanent Private System policy applies and all post development flows for all storm events up to the 100 year storm shall be controlled to the pre-development levels.
- Quality controls to the standards of the Ministry of the environment, Conservation and Parks – MECP (formerly MOECC) shall be achieved by the use of an OGS (or any other applicable options such as catchbasin hoods, bioswales, etc.) providing normal (70% TSS removal) level.
- An MECP ECA may be required for the design and construction of any proposed outfall (e.g. the outfall proposed in Fig.-2 of the IPR TS2016-008). The applicant will have to contact the MECP to confirm if a new ECA is required. Please note that any required ECA may be obtained through B.032/18 or B.033/18. Coordination will be required.

- Any proposed LID solution should be supported by a Geotechnical Report and/or hydrogeological investigations prepared with focus on the type of soil, its infiltration rate, hydraulic conductivity (under field saturated conditions), and seasonal high ground water elevation. The report(s) should include geotechnical and hydrogeological recommendations of any preferred/suitable LID solution.

Noise

The following items are to be considered during the future development application stage:

- The noise assessment will be required to be submitted as part of a future application for acceptance by the City. Ensure the report is updated to reflect any changes in design and layout.



Memo

To: Sonia Wise
Planner II

From: Jerzy Smolarek
Urban Designer

Date: November 2, 2018

RE: 3080 Bostwick Rd

Sonia,

Urban Design has reviewed the relevant site plans and elevations for the re-zoning application at the above noted address and provide the following comments consistent with the Southwest Area Secondary Plan, the Official Plan, applicable By-Laws and guidelines, as well as the recommendations from the Urban Design Peer Review Panel:

Urban Design staff commend the applicant for incorporating the following into the design; providing for a continuous street wall along the Southdale Road and Bostwick Road frontages; incorporating the majority of parking within proposed buildings; the incorporation of mix-use development along the major street frontages; the inclusion of Public Streets; and the inclusion of a centrally located public park that will act as a focal point for the community.

Overall general site comments;

- Built form
 - Ensure that the proposed development respects the identified maximum heights within the Southwest Area Secondary Plan;
 - Transition heights across the sites from north to south, by locating the tallest buildings along Southdale Road and transitioning south with lower scale buildings;
 - Consider a variation in building heights for any proposed towers in order to create additional distinction and add interest to skyline;
 - Ensure proposed buildings are organized and sited to frame new public streets with good proportions and to create a sense of enclosure to the street;
 - Ensure any building proposed taller than eight storeys include a three or four storey podium. The tower(s) located on these podium should include a stepback from the edge of the podium. Additionally, ensure podiums are broken up horizontally in order to reduce their overall massing;
 - Ensure all proposed towers include small floor plates in order to avoid large shadows and the visual massing that occurs with long slab buildings;
 - Ensure all proposed buildings are articulated, both vertically and horizontally, to break up their overall massing. Provide for a variation in architectural expression

- and materials to further refine the scale of buildings, particularly at the lower levels;
- Where commercial is located at the base of buildings ensure:
 - Ensure the principal public entrance provides direct access to the public sidewalk;
 - Ensure primary windows and signage face the street;
 - Include awnings, canopies, and arcades to provide weather protection;
 - Where residential units are located at the base of buildings ensure;
 - The inclusion of ground floor individual unit entrances and private courtyard spaces with walkway connections to the City sidewalk or the private on-site pedestrian circulation network.
 - Include a mix of housing typologies through the sites including high-rise buildings, mid-rise buildings, stacked towns and townhouses;
- Parking
 - Include a combination of low masonry walls and landscaping along the edge of parking areas visible from any public street in order to provide a built edge along the street and to screen the parking function.
 - Park
 - Ensure the proposed public park serves as the focal point of the new community. Any proposed buildings should frame public streets and the proposed public park to provide for a built edge and “eyes on the street”.
 - Connectivity
 - Ensure that further vehicular and pedestrian connections are contemplated to the east and south of the subject site in order to provide for connectivity to surrounding area.

In addition to the general overall site comments, the following are site specific comments;

- Site 2
 - Include built form along the proposed north-south public street in order to provide for an active edge and enclosure to the park.
- Site 3
 - Include built form fronting on the proposed park in order to create an active edge and enclosure to the park.
 - Provide further details on the integration of the development on this site and the creek corridor.
- Site 5
 - Consider locating the taller building along the Southdale Rd frontage in order to allow for the southerly building to begin the transition of heights throughout the development.
 - Ensure buildings are located parallel to public streets in order to provide for a built edge, activate the street frontage and provide enclosure to the street.
- Site 6
 - Ensure the proposed buildings on this site are the lower in height than buildings proposed on sites to the north in order to provide for the transition to lower built forms south of the subject site.

If you have any questions or concerns please do not hesitate to get in touch with me.

Sincerely,



Jerzy Smolarek, MAUD
Urban Designer
JS



Memo

To: Sonia Wise
Senior Planner - Development Services

From: Environmental and Parks Planning

Date: October 28, 2018

RE: 39T-18502 – 3080 Bostwick Road

NATURAL HERITAGE SYSTEM

Environmental and Parks Planning (E&PP) has reviewed the Draft Report completed by Stantec received in September 2018. E&PP have identified several issues that need to be addressed to complete and finalize the report. The following comments must be addressed in order to be compliant with the City's Environmental Management Guidelines (EMG), City of London Official Plan (OP) policies and London Plan Policies, and the Provincial Policy Statement (PPS 2014). Detailed comments are presented below.

1. Section 1.2 Study Area – It is noted in this section that the site was active agriculture until recently. Please note that the area has not been active agriculture for some time according to airphotos. It has remained a fallow field for over 5 years and was previously an orchard and not tilled. **Action: update description of current and past land uses.**
2. Section 2.2 City of London Official Plan – Please note that buffers are (not may be) required around all natural heritage features as per policy 15.3.6. It has been indicated that a Subject Lands Status Report (SLSR) was submitted to the City on August 24, 2017, E&PP does not recall being in receipt of the SLSR; please clarify what document this is that was submitted to the City of London and any correspondence between E&PP and Stantec regarding this document. The Minister approved the London Plan in December 2016. Please update this section, and note that a majority of the London Plan is now in force as per the OMB recent resolution (post submission of the EIS). **Action: Review and update this section.**
3. Section 3.2.2 Amphibian Calls – No early spring amphibian calling survey as per the MMP was conducted for the woodland habitat at the south end of the study. MMP are required to be followed for all amphibian calling surveys. The Bostwick Road EA conducted by Parsons in 2016 carried out amphibian surveys of this feature and confirmed that it is not SWH. However, in the future ensure MMP are followed to ensure investigations for amphibian SWH are completed. **Action: Revise section and other required sections accordingly.**
4. Section 4.6 Vegetation Communities – Please update Figures to include the 1998 ELC codes as these are what the City of London uses and is still the official ELC identified by the MNRF. A recent site visit by E&PP identified a wetland located along the edge of the Significant Woodland and the watercourse within the Significant Woodland. This feature has not been identified in the Report. Please review and revise the ELC communities and figures as required. Also, E&PP could not confirm the old field habitat as the majority of this community was recently ploughed under. E&PP note that altering the site during the review of an application is against council policy. E&PP is unable to confirm the description of the large old field habitat. **Action: Revise this section accordingly and note the unapproved vegetation clearing of the site.**
5. Section 4.10 Species At Risk – During the multiple breeding bird surveys, were no bobolink identified on or adjacent to the subject site? Field work conducted by Doughan and Associates for the Community Center (east of the watercourse) identified two male Bobolinks on the current subject lands (west of the watercourse) in the old field habitat. Please confirm that no Bobolink or Eastern Meadowlarks were heard or seen on the subject lands. While the primary threat to Monarchs is habitat loss in Mexico, other factors occurring in its northern range still contribute to the overall decline of this species. It is still

afforded some protection under SWH criteria as the species and its habitat is present on the subject site and are listed as a Special Concern species. **Action: Review and revise this section accordingly.**

6. Section 5.0 Significant Natural Heritage Features and Policy Implications – Under Significant Wildlife Habitat, please note that the Significant Woodland meets the criteria to be identified as SWH for Red-Headed Woodpecker (Special Concern). In addition, the Parson’s work on the Bostwick Road EA in 2016 confirmed the Significant Woodland as SWH for Eastern-wood Pewee (Special concern). This will be relevant for the future development blocks identified in the Master Plan Concept Figure 5 regarding the long-terms protection of the Significant Woodland feature and its functions. **Action: Review and revise this Section and any corresponding sections accordingly.**
7. Section 5.0 Significant Natural Heritage Features and Policy Implications – An analysis of applicable London Plan policies is required, in particular the wetland policies as wetland habitat has been identified by Stantec (MAMM 1-12) on the subject lands. **Action: Review and revise this Section and any corresponding sections accordingly.**
8. Section 6.0 Environmental Constraints – This section requires updating to incorporate the SWH components. Also, please review and ensure that the agreed to buffers as part of the Community Centre project have been implemented, as the Figure does not seem to accurately reflect this. **Action: Update section accordingly.**
9. Section 8.0 Impact Assessment – As previously noted, vegetation has already been removed on the subject site during the review of the application. The SWH (Monarch) will need to be addressed in a restoration plan for the buffers along the Drain and elsewhere on the subject site. This section must address the removal of wetland habitat located within the current proposed development footprint. The loss of area/vegetation associated with the riparian corridor as a result of the crossing of the Drain. **Action: Update section accordingly.**
10. Section 9.0 Mitigation Measures – Reference to a required restoration plan is needed. Regard for the high-rise building design should incorporate bird friendly guidelines, reference to requiring this through the process is needed. **Action: Update section accordingly.**

Figure 4 Designated Natural Features – The woodland associated with the Drain should be identified as Significant Woodland and not ‘other woodland’ as this would meet the City’s criteria to be Significant Woodland based on its connectivity with the Significant Corridor and Significant Woodland. **Action: Update Figure accordingly.**

PARKS AND OPEN SPACE

- Required parkland dedication shall be calculated pursuant to section 51 of the Planning Act at 5% of the lands within the application or 1 hectare per 500 units, whichever is greater for residential uses and 2% for commercial uses. Parkland dedication calculations for the proposed development are listed in the table below. It is the expectation of E&PP that the majority of the required parkland dedication will be satisfied through land dedication with the remainder as a cash-in-lieu payment.
- The table below summarizes the information as per the submitted Plan.

Land Use	Area (ha)	Requested Density	Requested Unit Count	Expected Dedication (ha)
Block 1	1.42	262 uph	372	1.24
Block 2	0.906	193 uph	175	0.583
Block 3	1.12	150 uph	168	0.56
Block 5 - HDR	1.02	201 uph	198	0.66
Block 5 - Commercial			5000m ²	.01
Block 6	1.232	269	331	1.10

Land Use	Area (ha)	Requested Density	Requested Unit Count	Expected Dedication (ha)
Required Parkland				4.243
Parkland Dedication– Block 4				0.636
Open Space dedication – Block 11 @ 1:27				0.034
Total Dedication on Plan				0.67
Outstanding Over Dedication Balance				3.573

- Multi-use pathways are to be located outside of buffer lands. An 8 meter wide block will be required for the multi-use pathway
- Based on the requested density for the proposed residential blocks additional parkland will be required to meet residential demand. This additional parkland may be located south of Street A. Additional discussions with the applicant will be required.
- The balance of any remaining parkland dedication will be taken as cash-in-lieu.
- Prior to the submission of the first engineering drawings, the owner shall consult with Environmental and Parks Planning Division to prepare:
 - - A concept/buffer plan for all open space blocks,
 - A concept plan for all proposed pathway blocks, and
 - A concept plan for Park Block (Block 4).
- As part of the first engineering submission, the Owner shall prepare an education package as approved by the City Planner that explains the stewardship of natural areas and the value of existing tree cover. The owner shall ensure that the education package is delivered to all purchasers and transferees of the lots in this plan.
- The Owner shall construct a 1.5m high chain link fencing without gates in accordance with current City park standards (SPO 4.8) or approved alternate, along the property limit interface of all existing and proposed private lots adjacent to existing and/or future Park and Open Space Blocks. Fencing shall be completed to the satisfaction of the City Planner, within one (1) year of the registration of the plan.
- The Owner shall not grade into any public Park or Open Space lands. In instances where this is not practical or desirable, any grading into the public Park or Open Space lands shall be to the satisfaction of the City Planner.
- Prior to the submission of the first engineering drawings, the owner shall prepare and submit a tree preservation report and plan for lands within the proposed draft plan of subdivision. The tree preservation report and plan shall be focused on the preservation of quality specimen trees within lots and blocks. The tree preservation report and plan shall be completed in accordance with current approved City of London guidelines for the preparation of tree preservation reports and tree preservation plans, to the satisfaction of the City Planner. Tree preservation shall be established first and grading/servicing design shall be developed to accommodate maximum tree preservation as per the Council approved Tree Preservation Guidelines.
- Prior to construction, site alteration or installation of services, robust silt fencing/erosion control measures must be installed and certified with site inspection reports submitted to the Environmental and Parks Planning Division monthly during development activity along the edge of the Thornicroft Drain and the woodland/wet land south of Street A.

AM/BP

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"Inspiring a Healthy Environment"



October 24, 2018

City of London - Development Services
P.O. Box 5035
London, Ontario N6A 4L9

Attention: Sonia Wise (sent via e-mail)

Dear Ms. Wise:

**Re: UTRCA Supplementary Comments re File OZ-8941 – Site 1 Official Plan & Zoning By-Law Amendment
File Z-8942 – Site 3 - Zoning By-Law Amendment
File OZ-8943 – Site 5 - Official Plan & Zoning By-Law Amendment
Applicant: York Developments
Agent: MHBC
3080 Bostwick Road, London**

In our comments dated October 2, 2018, the Upper Thames River Conservation Authority (UTRCA) advised of a number of concerns pertaining to the technical studies that were submitted to support the development applications proposed for the regulated lands known municipally as 3080 Bostwick Road as follows:

PEER REVIEW OF TECHNICAL REPORTS

Hydrogeological and Water Balance Assessment

The UTRCA has reviewed the ***Preliminary Hydrogeological Assessment & Water Balance Residential Development - 3080 Bostwick Road London, Ontario*** prepared by exp dated February 2018 and offers the following comments -

Hydrogeological Assessment

The Hydrogeological Assessment and Water Balance itself had limited water quantity and quality data.

The Executive Summary states that '*Groundwater elevation and water quality monitoring is on-going with additional hydrogeological interpretation to follow at a later date.*' However, additional data including water quality and quantity data collected up to August 22, 2018 was provided. Thus, as indicated in the title, the submitted document is preliminary in nature.

The format of the report is comprehensive, concise and generally meets the guidelines provided by the UTRCA. The well completions, siting, purging and general testing are well documented. The inclusion of technical background information in appendices is clear and scales are comparable between graphs enabling comparisons.

Deficiencies to be addressed in the final report are outlined below.

1. Include updated quantity and quality data in the final report. The preliminary report itself provided limited water quantity data. Indicate changes to interpretation, if any, based on an inclusive data set.
 - a. Include date of SWRT. Was this after the loggers were installed and visible on water level data?

2. Please include missing borehole logs in the final report (digital copies were provided for the current review). Please provide borehole logs included in cross-sections and their locations (boreholes were included from the Community Centre project in the middle of the proposed development but not included in the appendices).
3. Please incorporate a discussion of the natural heritage features, describing their groundwater dependent status as outlined in the indicated background material (Toronto and Region Conservation Authority, 2017).
4. Based on the cross-sections, the covering till which may act in some areas as a confining layer thins towards the unnamed drain and towards the south. The water table in the aquifer is below the bottom of the overlying till. The scale of the depth of the unnamed drain is not represented in the cross-section.
 - a. Upon review of the manual measurements (6 locations versus 4 locations), the monitors along the drain are normally higher than wells MW17-1 and MWS5-2 approximately 250 m away from the drain.
 - b. Upon review of continuous data:
 - i. MW17-3 and MW17-2 are located in proximity to the drain. MW S5-2 and MW17-1 are approximately 250 m from the drain.
 - ii. Although, MW17-2 is noisy and peaked and always higher than the other wells, there is only 1.5 m average difference in water levels between all the continuous monitored wells. 17-2 peaks shortly after a precipitation event during the recharge period (approximately November through May). The peak in recharge occurs in the other monitors, in a similar period however more subdued and delayed.
 - iii. The 17-2 monitor is in the same aquifer as the other locations. The topography south of the Site, where the woodland/wetland is located is higher in elevation and likely contributes to the mounding at this site.
 - iv. Between December and April, MW 17-1 and MW 17-3 are similar in elevation and variation. Between May and August, the two curves diverge and MW 17-1 declines more than MW 17-3.
 - v. Based on the above noted variations, it is reasonable to assume that mounding occurs along the drain and particularly in the area of MW17-2 where the overlying till is thin. MW17-2 should be included in water table mapping of the Site. A more representative high water level with manual measurements is likely obtained on February 8, 2018. MW 17-2 may also be influenced by wetlands to the south and the intersection of surface water catchments. In most air photographs, water is present in the drain that traverses the Site throughout the year.
5. The final/cummulative development of 3080 Bostwick Road has the potential to significantly impact the water balance as indicated on P. 15. It is unclear whether Site 7 development is included in the water budget. On P 15 it is stated that infiltration will be about 11% of pre-existing. Runoff increases significantly. The loss of infiltration and increased runoff have the potential to significantly affect the natural heritage features to the South which includes a wetland and significant woodlands. The evaluation needs to review the seasonal and long term variations of the wetland, and dependencies of the wetland based on species, habitat and water level variation. The changes to the water budget are not supported in the Conservation Ontario guidelines.
6. It is stated on p 12 that *'the influence of road salt in the surface water is impacting groundwater adjacent to the Drain'*. Sampling occurred on November 15, 2017, therefore it is unlikely that there was road salt applied prior to the sampling event and thus sample quality likely represents longer term impact of the surface water on the groundwater. There was limited discussion on further impacts due to de-

icing materials from the new development. Please address the water quality impact to the Site from the development.

7. Please include additional impact assessment and comprehensive recommendations to maintain the natural heritage features in proximity to the Site.

The most significant deficiency is in the incorporation of the hydrogeological interpretation and the impact to the natural heritage features and the regulated areas on and adjacent to the Site. In conclusion, there is insufficient assessment of the groundwater and the natural heritage features from a water quality and quantity basis. Further work needs to be completed prior to conditions of draft plan approval being provided by the UTRCA for the proposed development of 3080 Bostwick Road as the changes to the water budget alone are likely to significantly impact the natural heritage features.

Water Balance

1. The water balance analysis is based on the soil type on the site. The water balance should be based on the catchment areas contributing to the existing natural features to the south. Also, the water balance calculations used a 13 ha area in the analysis but no supporting drawing based on topography was provided. Please update the water balance calculations based on the contributing area to the existing wetland and provide a figure showing the area supported by contour information.
2. Please update the water balance calculations under the proposed development conditions by coordinating with IBI consulting doing the stormwater management design for the site to make sure that the infiltration and runoff values used and volumes targets are met and incorporated into the stormwater management design of the site under the post-development conditions.
3. The estimated infiltration under the pre and post-development conditions are 45,216 m³ and 4,953 m³ per year respectively. Please compensate for the reduction in the infiltration on the site under the proposed condition and support the compensation with water balance calculation in collaboration with IBI.
4. The proposed measures for the increased infiltration on the site under the post-development conditions should be discussed with the IBI and should be supported with the calculations to make sure that infiltration deficit is met under the proposed conditions.
5. Please make sure to use the same values in the water balance calculations used by IBI for this site especially the infiltration values under the pre- and post-development conditions.
6. The infiltration values used for the hydrologic B soil ranges from 266 to 295 mm/year while the MOECC 2003 Manual Table 3 listed infiltration values for the hydrologic soil B ranging from 228 to 274. Please provide justification for the infiltration values used in the water balance calculation for the hydrologic soil B.
7. The impervious of 0.90 is being used for the major portion of the site under the post-development conditions. The impervious used in the water balance under the post-development conditions should match with the impervious values used by IBI in their water balance for the site under the post-development conditions. Please address.

Stormwater Management

The report titled **Storm Drainage and Stormwater Management Plan** prepared by IBI Group dated May 2016 was reviewed. We offer the following comments:

1. Please submit Figure 1 titled *Storm Drainage Areas* as a full size drawing, supported with contour information to provide a better understanding of the local drainage and catchment areas on the site.
2. The UTRCA's Regulatory Storm is the 250 year storm and not the 100 year storm. In Section 2, page 2, reference is made to the 100 year storm control to pre-

development levels. Please update the report as per the UTRCA requirements of controlling up to the 250 year storm.

It is also noted that quantity control will be provided up to the 100 year storm but then it is stated that the future public road will drain to the upgraded open channel without quantity control due to feasibility issue. Please provide further explanation.

3. The uncontrolled major and minor flows from the site may cause erosion, flooding and water quality issues in the receiving Tributary D. The UTRCA requires that consideration be given to interim measures to slow down the runoff from the site to avoid local flooding and erosion that may be caused by increased imperviousness on the site due to development.
4. Please submit a cross section for the existing tributary D both upstream and downstream of the property under the existing and proposed conditions showing the 10, 50, 100 and the 250 year storms elevations.
5. Please submit a HEC-RAS model supported by updated survey and cross sections which considers the upstream area of approximately 213 ha to properly delineate the flood plain width for the Tributary D on the property.
6. Please identify the area contributing runoff to the natural heritage features to the south including the wetland and calculate the base flows and infiltration required for the wetland to be sustained using water balance approach. As previously noted, please update the water balance calculations under the existing condition by identifying and showing areas contributing runoff to the wetland in the south under the existing condition.
The water balance under the proposed condition should be undertaken to compensate for the runoff and infiltration under the proposed conditions.
7. Please provide a clear description and show the areas that will be treated by the proposed Oil and Grit separator.
8. It is mentioned that quantity control will include the use of SWM LIDs. Please show the location and details of the proposed SWM LIDs to be used for quantity control with details and supporting calculations. Also, please submit a drawing showing the location of the SWM LIDs on site.
9. Please update the report by adding flows for the 10, 25 and 50 years storm events.
10. Please check the Time to Peak values in Table 3.1 provided on page 5 and 6. The Tp values varied approximately from 1.3 to 2.25 minute. Please check calculations for the Tp and update the VO2 model accordingly.
11. Detailed Sediment and Erosion Control (SEC) drawings with staging and other details and notes will be required signed and sealed by P.Eng.
12. The SWM report shall be properly signed, sealed and dated by P.Eng.
13. Please provide justification for the Curve Number (CN) values used for the soil on the site. Please support the CN values with local soil map.
14. Please submit riprap sizing calculations shown on the Drawing sheet PP-07. Please submit a cross section showing details such as width and depth of the proposed riprap.
15. Please submit channel conveyance and capacity calculations to make sure the channel has enough capacity to convey flows from the site and upstream under the proposed conditions.

The UTRCA reviewed **3080 Bostwick Road Environmental Impact Study** prepared by Stantec dated May 1, 2018. The UTRCA does not agree with the intent of an EIS being to “assess and mitigate the potential impacts of the proposed development on the natural heritage and hazard features”. Rather, the intent of an EIS is to evaluate the natural hazard and natural heritage features, and to then determine whether development may be permitted within or adjacent to the features depending on what functions need to be protected to maintain these features, as well as what type / intensity of development is acceptable. The EIS should be focused on protection and maintenance of the natural hazard and natural heritage features, not only on mitigation measures. With this in mind, the UTRCA provides the following comments:

1. The development footprint should be established after the EIS is complete – therefore it should not be the first figure in the report, but rather come as a recommendation that has been determined (and justified) from the analysis in the EIS.
2. Please ensure that the EIS consistently refers to the deciduous woodland community in the south (Patch 10064) as a Significant Woodland and the Thornicroft Drain as a Significant Corridor whenever these features are mentioned and whenever describing the project study area / site conditions. As well, please include that the deciduous woodland community in the south (Patch 10064) has been identified as Open Space and Environmental Review on Schedule 4 in the Southwest Area Plan and the hedgerow has been identified as Open Space in Schedule A of the Official Plan.
3. Please review and include the August 2017 SLSR and EIS for the Bostwick Road Improvements (Municipal Class EA) prepared for City of London by Parsons as part of the background literature review considered in the EIS.
4. Section 3.2.2 states that three breeding survey windows were captured for breeding amphibian stations, as required by the MMP survey protocol, and occurred in April, May and June. However, Table 3.1 and 3.2 shows amphibian call count surveys only in May and June of 2008, and only in May of 2014. Although we agree that April 2014 was a cool spring, there were several dates that met the > 5 °C requirement including April 8, 10 – 13, 17, 20 – 21, 24, 28 – 30. Also note that surveys must be conducted under three temperature regimes, > 5°C, > 10°C and > 17°C. These protocols were not met in 2008 surveys, or in 2014 surveys. Furthermore, several years have passed since the surveys such that additional amphibian field work could have been completed. Therefore, we request that a full three breeding survey windows be completed following the MMP survey protocol.
5. Breeding bird windows are from April to August, yet surveys were only conducted in June. Given the significance of the woodland feature, and the potential for rare or special concern bird species, we request that additional breeding bird surveys occur in May, July and August.
6. Bank Swallows generally arrive in Ontario starting in mid to late April and continue through May, and most depart starting in late July and continue through August and September. Therefore, the supplementary fieldwork to inspect the fill piles for the potential presence of Bank Swallow activity on October 5, 2017 is not an appropriate time to conduct such work.
7. Section 4.2 mentions that the connection between the hedgerow, designated as Open Space in Schedule A of the Official Plan and the deciduous woodland community in the south (Patch 10064) has been cleared for a collector right of way. Please provide further detail about this removal.
8. CA regulated areas include all watercourses (including intermittent streams), all waterbodies, and all wetlands, both evaluated and unevaluated, as well as the

associated wetland areas of interference. Please show these on a map. These include the wetland habitat(s) within the deciduous woodland community in the south (Patch 10064), the small patches of wetland along Thornicroft drain and its tributaries, and the MAMM1-12 community on the west side of the property shown in Figure 2. Please correct this information in the appropriate sections throughout the EIS and include it on Figure 4.

9. Section 4.4.1 refers to high erosive energy in the drain channel leading to bed and bank material erosion and downstream deposition. Further mention is made to Parish's work which suggests that large scale remediation work may be required. Will this remediation work be included /required that as part of this project?
10. Section 4.6 states that none of the vegetation communities are considered rare in the province, yet the Dry-Fresh Black Walnut Deciduous woodland community is ranked S2/S3 and therefore would be considered rare. Please discuss.
11. Section 4.11.1 refers to fish being present despite the lack of habitat variability and turbidity due to periodic erosive forces from storm runoff from the north. Will any work be done to correct these conditions as part of this project?
12. Please show where the rare (S2) native tree species (Honey Locust) was found. Since it cannot be confirmed that the species occurs at the site as a result of anthropogenic means, we request that this species is protected from the effects of development. Please discuss how this protection will be achieved.
13. Appendix F does not use the Significant Wildlife Habitat criteria for Ecoregion 7E. For example, there is no criterion for Deer Yarding Areas and there is a criterion for Special Concern and Rare Wildlife Species. Please revise Appendix F and Section 5.5 using the appropriate criteria and address the following:
 - a. Vegetation classification should follow the 1998 ELC for southern Ontario (Lee et al 1998), rather than the 2008 updated ELC as SWH criteria are based on the 1998 classification system. Recognizing this, the following SWH types may meet the candidacy assessment criteria and will need to be evaluated:
 - i. Turtle Wintering Areas
 - ii. Ground Colonially Nesting Birds
 - iii. Turtle Nesting Areas
 - iv. Wetland Amphibian Breeding Habitat
 - v. Marsh Breeding Bird Habitat
 - vi. Shrub/ Early Successional Bird Breeding Habitat
 - b. Patch 10064 contains Rare Vegetation Community as it has been identified as a Black Walnut deciduous woodland. This is a rare vegetation community (S2/S3).
 - c. Patch 10064 contains Significant Wildlife Habitat due to the presence of terrestrial crayfish.
 - d. Patch 10064 contains habitat for two Special Concern species - the Monarch and the Red-headed woodpecker. Both species were observed on site.
 - e. Patch 10064 may contain nesting habitat for Special Concern species - the Eastern Wood Pewee.
 - f. Only the northern 50 to 70 m of the significant deciduous woodland community in the south (Patch 10064) was investigated. As a result, it is not possible to confirm SWH using defining criteria and a more conservative approach to evaluating SWH must be undertaken for this community, relying on candidate criteria to identify SWH. The following SWH types may meet the candidate criteria:
 - i. Raptor Wintering Area
 - ii. Bat Maternity Colonies

- iii. Tree / Shrub Colonially Nesting Birds
 - iv. Old Growth Forest
 - v. Waterfowl Nesting Area
 - vi. Bald Eagle and Osprey Nesting, Foraging and Perching Habitat
 - vii. Woodland Raptor Nesting Habitat
 - viii. Seeps and Springs
 - ix. Woodland Amphibian Breeding Habitat
 - x. Woodland Area Sensitive Bird Breeding Habitat
- g. The Southdale Community Centre SLSR and EIS by Dougan & Assoc. identified three species at risk birds (Bank Swallow, Barn Swallow and Bobolink) on site, as well as S1 Hairy Mountain mint and the special concern Monarch. These observations should be considered in the SWH evaluation. The barn swallows were determined to be possibly nesting in a culvert just south of Southdale Road, while the two male bobolinks were seen foraging on the west side approximately 30 – 50m from the watercourse. The Monarch foraging habitat was assumed to include components of the old field meadow community that support forbs such as Milkweed, while it is unknown where the Hairy Mountain Mint was observed.
14. Please provide buffer calculations following the City of London criteria in Section 5.10. Note that a 30 m buffer has been recommended for the southwestern corner and southern edge of the deciduous woodland community in the south (Patch 10064) in the August 2017 SLSR and EIS for Bostwick Road Improvements (Municipal Class EA) prepared for City of London by Parsons given the sensitivity of the feature.
15. Table 5.1 would suggest 30 meter buffers on all watercourses (permanent and intermittent) and that those buffers are vegetated with trees (better for preventing water temperature increases) and grasses (better at reducing overland sediment flow).
16. Please provide support for the statement in Section 6.0 that “Ecological buffers that were previously agreed to for the proposed development have been incorporated into the boundary line placement of the individual blocks”. Who agreed to these buffers? Is there documentation supporting this agreement? How was this reached without an EIS to determine what features and functions needed to be protected?
17. Section 7.1 states that future public roads will drain to the Thornicroft Drain using oil / grit separator technology to control quality. How will the salt from the roads be addressed? Where will snow be piled?
18. According to a letter by Dougan & Associates dated September 23rd, 2014, a reduced buffer on the east side of the Thornicroft Drain was permitted for the community centre, given that the buffer was to be increased on the west side. The Thornicroft Drain was designated as a Significant Corridor in Schedule B1 of the City of London OP. If the development to the north was in place when this designation was determined, it may not be appropriate to simply state in Section 8.1 that “the current riparian zone of the Thornicroft Drain does not provide a connection to any feature to the north due to its terminus at Southdale Road West and the developed area to the north of the road. Furthermore, the uncontrolled flows arriving from the storm sewer draining developed lands to the north as well as the areas of erosion along the Thornicroft Drain warrant a large buffer surrounding this feature.
19. Given the numerous impacts of trails in natural features, the UTRCA is not supportive of trails within buffer zones. Trails could potentially be located on the outside edge of a buffer zone, but that should not reduce the size of the buffer itself.

20. Section 7.1 states that an EIS specific to the outlet constructed on the east side of the Thornicroft Drain was previously prepared and submitted in 2016 by Stantec. Furthermore, Section 8.2 states that vegetation removal has been completed on the east side of the Thornicroft Drain to accommodate the construction of the storm outlet. Please provide additional details. How much vegetation was removed? Was a tree preservation plan prepared? Was the 2016 EIS accepted?
21. In Section 8.0, please include the following information in the EIS when determining impacts:
 - a. In the August 2017 SLSR and EIS for Bostwick Road Improvements (Municipal Class EA) prepared for City of London by Parsons, seven (7) of the nine (9) fish species listed in Appendix C have a preferred temperature classification of cool (19 – 25° C). Please confirm the temperature regime.
 - b. Patch 10064 is a significant woodland, with five regionally rare plant species, confirmed Significant Wildlife Habitat, and ephemeral drainage channels and vernal pools along the western portion
 - c. A 30 m buffer has been recommended for the southwestern corner and southern edge of the woodland.
22. Section 8.1 mentions opportunities to work within the buffer area of Thornicroft Drain and within the main channel to apply rehabilitation techniques to mitigate future erosion. Will the mitigation only be for future impacts and not existing ones? Please provide more details.
23. Please provide additional information justifying the alignment of the future Street C crossing and the placement of a second SWM outlet that includes:
 - a. a tree analysis,
 - b. an appropriate buffer for the portion of the significant deciduous woodland (Patch 10064) that extends into the Subject Property east of the Thornicroft Drain where Breeding Bird Point Count Location 3 (BB3) is located,
 - c. location of erosion,
 - d. location of groundwater indicator species, including watercress and spotted jewelweed
 - e. any other important considerations to support placement of Street C and second SWM outlet. Given that the watercourse is already experiencing habitat degradation due to the existing stormwater outlet upstream what impacts will this second outlet have? How will those impacts be prevented? Please provide more details.
24. Section 9.2.1 speaks about exclusion fencing for construction. Will there be a permanent fence separating the completed development from the natural features?
25. The last sentence in Section 10.0 is incomplete.
26. Please put the 1998 ELC for southern Ontario (Lee et al 1998), rather than the 2008 updated ELC, on the Figures as SWH criteria are based on the 1998 classification system. What is the classification for the vegetation community where amphibian survey station B was located?
27. Please identify plant species by ELC vegetation community in Appendix D
28. Summary in Appendix E should state that 2 amphibians (not 1) were identified on site.

In conclusion, there is not enough information provided in the EIS to determine whether development within the significant deciduous woodland community in the south (Patch 10064) or within the 30 – 40m buffer of the Thornicroft Drain, or within the vegetation communities supporting Species at Risk will have any long-term impacts to their

ecological function of these features. As such, we request a more conservative approach to ensure that the ecological function of the natural features will be maintained.

RECOMMENDATION

We understand that the applicant has requested that the applications - File OZ-8941 – Site 1, Official Plan & Zoning By-Law Amendment File Z-8942 – Site 3 - Zoning By-Law Amendment and File OZ-8943 – Site 5 - Official Plan & Zoning By-Law Amendment be considered by the City’s Planning & Environment Committee (PEC) at its meeting on November 12, 2018. As was conveyed in our October 2, 2018 comments, given the UTRCA’s outstanding concerns regarding the cumulative impacts of the proposed development on the natural hazard lands and the natural heritage system as well as the noted deficiencies of the supporting technical reports, the Conservation Authority continues to recommend that the applications be **deferred** so that the matters can be addressed or alternatively be refused.

However, if the matter is considered by PEC at its November 12, 2018 meeting and the Committee is supportive of the applications, the UTRCA requests that holding provisions be applied to Site 1, Site 3 and Site 5 whereby the applicant shall be required to submit/prepare a Hydrogeological Assessment and Water Balance Analysis, a Stormwater Management Report and an Environmental Impact Study to the satisfaction of the UTRCA.

Thank you for the opportunity to comment. If you have any questions, please contact the undersigned at extension 293.

Yours truly,
UPPER THAMES RIVER CONSERVATION AUTHORITY



Christine Creighton
Land Use Planner
TT/LN/IS/CC/cc

c.c. Sent via e-mail -
Applicant – York Developments
Agent - MHBC
UTRCA – Mark Snowsell & Brent Verscheure, Land Use Regulations Officers



Memo

To: Proponents

- David Yuhasz, Zedd Architecture Inc.
- Carlos Ramirez, York Developments
- Ali Soufan, York Developments
- Scott Allen, MHBC

City of London Personnel

- Sonia Wise, Senior Planner
- Jerzy Smolarek, Urban Designer

From: Urban Design Peer Review Panel (UDPRP)

- Steven Cooper, Architect (declared conflict)
- Jordan Kemp, Urban Designer
- John Nicholson, Architect
- Janine Oosterveld, Urban Designer
- Heather Price, Urban Designer
- McMichael Ruth, Architect

**RE: Draft Plan of Subdivision: 3080 Bostwick Road
Presentation & Review, October 10, 2018**

The Panel provides the following feedback on the submission to be addressed through the draft plan of subdivision application. From the Proponent, additional information was provided that clarified that there are also consent applications and zoning amendments currently underway for parts of the subject lands. Note that the comments were provided to broadly relate to the overall master plan concept and are to be considered holistically. Detailed comments on individual sites have not been provided. The proponent is aware that the detailed design will be reviewed by the Panel at the site plan consultation stage. The Panel found it difficult to evaluate this proposal because of lack of clarity around the type of development application proposed and variation among drawings. Comments were provided in three broad categories:

Public Realm

- The overall structure of new public streets and pedestrian connections appear to work well across the entire site. Cross-sections for new public streets should be designed to encourage pedestrian movement and active transportation.

- The public park should serve as the “heart” of the new community. New buildings should frame public streets and the proposed public park to provide for casual overlook and “eyes on the street”. As presented, the public park is framed by surface parking areas, which is not appropriate.
- Pedestrian circulation between the buildings, and throughout the master plan, should allow for greater connection between each building and each side of the public streets. Forecourts at main entrances and larger sidewalks with more connections to other points could be used to strengthen circulation routes and improve pedestrian experiences.
- Buildings should be organized and sited to frame new public streets with good proportion and to create a sense of enclosure on both sides.
- The streetscape design should blend seamlessly between public and private realm.
- The Panel is supportive of boulevard treatment along all new public streets that meets or exceeds the City’s design requirements.
- The Panel is of the opinion that it is important that there is consistency in the streetscape design throughout the street network - among the various development applications (subdivision and consent). Consider how cycling facilities (on or off-street) are integrated into the master plan and will relate to future development on adjacent properties.
- The Panel is supportive of boulevard street tree plantings and on-street parking as shown on the master landscape plan. Ensure soil volumes and the location of utilities are considered in the street design to accommodate illustrated trees.

Built form

- The overall approach to built form should be guided by a set of urban design guidelines to be used through evaluation of proposals during the Site Plan Approval process.
- The Panel is of the opinion that a consistent design vision should be woven through the entire project including Site 3. The Proponent indicated at the meeting that the building elevations submitted for Site 3 were to be considered a placeholder with a refined concept that aligns with the overall design concept to follow through a future development application.
- It was unclear how the Panel should comment on building height relative to the conflicting policy framework between the Southwest Area Plan and the London Plan. City staff were not available at the meeting to clarify. Comments provided in this section are general in nature and do not provide opinion on the policy framework.
- A design principle that should be identified in area-specific urban design guidelines and applied to all sites is that the relative height of buildings along the streets should relate to the human scale. With respect to the 5 storey podiums, there may be a need to potentially stepback an upper podium to reduce the massing of the podium. The tower should then have a further stepback. Additionally, the podiums should be broken up lengthwise - potentially into more than one building on a development site, to reduce the overall massing.
- Individual parcels should be developed to minimize parking lot exposure to the street. As an example, the orientation of the 17-storey building on Site 5 could frame the street rather than a perpendicular orientation.
- The Panel supports the use of architectural features to break up massing of the proposed buildings. Design principles such as this should be integrated into design guidelines associated

with the subdivision and consent applications. It is positive to see the intent to create a streetwall along new and existing public streets, but the approach is inconsistent throughout the site.

- Articulate the buildings (vertically and horizontally) to break up the overall massing. Use of variation in architectural expression and materials to further refine the scale of buildings, particularly at the lower levels.
- Reconsider siting and organization of tall buildings on east side of site. If “slab” style buildings continue to be part of the proposal, ensure that they effectively create a comfortable pedestrian environment and an appropriate scale along public streets.
- Reconsider built form of slab buildings on the east side of the site. At a minimum, slab buildings should be broken down through design/massing. In particular, the proposed building on Site 6 should be reconsidered. Distance separation is also an important consideration such that their massing doesn’t read as one building.
- Consider rooflines as it relates to overall city skyline as this project will be visible from a significant distance.
- Ensure street setbacks allow for landscape/trees within the pedestrian environment to create a comfortable pedestrian environment.

Other design components

- Overall, the Panel is of the opinion that area specific urban design guidelines should be adopted through the subdivision/consent or zoning bylaw amendments and applied at the time of site plan to ensure a consistent design approach throughout the project despite the possibility of more than one developer.
- The Panel is supportive of a mix of built forms throughout the project.
- The Panel recommends a broader variation in building heights among the towers to create additional distinction in heights.
- Give consideration to canopies and other elements through detailed design that support streetscape design.
- Shadow impacts on community centre, proposed park and amenity areas should be evaluated.
- The Panel commends the Proponent for master planning the area.

Concluding comments:

The Panel requests that urban design guidelines be prepared and adopted in support of the draft plan of subdivision and zoning bylaw amendments. The Panel requests the opportunity to review and comment on the urban design guidelines. Additionally, the Panel will provide detailed comments at the time of each site plan.

Sincerely on behalf of the UDPRP,



Janine Oosterveld, MCIP RPP (UDPRP Chair)



MEMO

KITCHENER
WOODBIDGE
LONDON
KINGSTON
BARRIE
BURLINGTON

To:	Sonia Wise, Senior Planner Development Services Division, City of London
From:	Scott Allen, Partner
Date:	October 31, 2018
File:	1094'B'
Subject:	3080 Bostwick Road (Master Plan Concept) Bonusing Zoning Program York Developments

Further to your request for additional information regarding bonusable elements for the 3080 Bostwick Road proposal, please find below a summary of the facilities, services and matters proposed for bonusing under the City's 1989 Official Plan and new Official Plan (The London Plan).

Bonusing Approach

The bonusing program itemized below builds upon, and supports, the design objective for the Master Plan Concept developed for 3080 Bostwick Road (i.e., to develop these lands as an integrated (complete) neighbourhood and a community focal point).

The intent of this bonusing program is to provide a series of public benefits that achieve the following:

- Encourage healthy, active lifestyles for both future residents and the broader Bostwick community;
- Promote synergies with the facilities planned on-site and the adjacent Southdale Community Centre; and
- Enhance the overall compatibility of this development with existing neighbourhoods.

Collectively, the elements of this program are to offer a level of public benefit commensurate with the proposed building height and residential density. It is also important to note that all features identified in Tables 1 and 2 below would be provided in a comprehensive bonusing program to help implement the Master Plan Concept in its entirety.

Program Elements

Table 1 identifies the components of the proposed bonusing program relative to the standard bonusing criteria of the 1989 Official Plan.

Table 1: Summary of Bonusable Items (1989 Official Plan)

Bonusable Items (Section 19.4.4. ii)	Bonusable Items (facilities, services, matters)
b). Provision of public open space	<ul style="list-style-type: none"> • Dedication of community park (Site 4). The parkland dedication requirement calculated for the entire development would be provided in a cash-in-lieu of parkland payment pursuant to By-law CP-9.
c) Underground parking	<ul style="list-style-type: none"> • Underground parking to reduce surface parking areas.
d) Enhanced landscaped open space	<ul style="list-style-type: none"> • Boulevard enhancements for Streets A, B, and C including common element improvements above City design standards ('cost-plus' enhancements include theme lighting, a water feature, public seating, masonry walls, irrigation systems, bicycle lanes, wrapped LED lighted for boulevard trees).
h) Innovative/sensitive design	<ul style="list-style-type: none"> • Charging stations, car share, bike share facilities available to the public.
j) Provide for universal accessibility	<ul style="list-style-type: none"> • 20% accessible apartment units (15% is required per building per the OBC).
Additional Considerations	
Dedication of public open space	<ul style="list-style-type: none"> • Donation of approximately 2.8 ha (7.0 ac) of property within the original 3080 Bostwick Road parcel to accommodate the Southwest Community Centre.
Adoption of design guidelines	<ul style="list-style-type: none"> • Implementation of design guidelines to provide direction for the final architectural/urban design elements of all development blocks within the Master Plan Concept. <p><u>Note:</u> The use of guidelines will allow for certain refinements to the form/layout of individual project sites during the detailed design phase for each block, while also ensuring that core Master Plan themes are respected. Design Guidelines will be based upon the design themes proposed for Site 5 and will be prepared to the satisfaction of City staff pursuant to a holding provision.</p>

Table 2 identifies the components of the proposed bonusing program relative to the standard Type 2 Bonus Zoning criteria of The London Plan. Notwithstanding that the Type 2 criteria are currently under appeal and not in effect, York Developments has developed this program to address these bonusing considerations.

Summary of Type 2 Bonusable Items (The London Plan)

Bonusable Items (Policy 1652)	Bonusable Items (facilities, services, matters)
1. Exceptional site and building design	<ul style="list-style-type: none"> • High quality architectural design (building/landscaping) including a common design theme applied to street boulevards. Design elements are to be defined in approved design guidelines. • Provision of underground parking facilities.
2. Dedication of public open space	<ul style="list-style-type: none"> • Dedication of community park (refer to Table 1).
3. Provision of off-site community amenities	<ul style="list-style-type: none"> • Boulevard enhancements for Streets A, B, and C including common element improvements (refer to Table 1). • Neighbourhood park feature (Site 4) supporting community-oriented activities and containing a farmers' market pavilion (promoting 'farm-to-table' initiatives), amphitheatre, outdoor physical fitness equipment, spray pad and skate park. <u>Park facilities will complement, and support, YMCA programming.</u>
6. Public art	<ul style="list-style-type: none"> • Six steel sculptures placed in development setback along Southdale Road West frontage.
8. Sustainable development forms	<ul style="list-style-type: none"> • Green roofs accessed from rooftop amenity areas.
9. Contribution to transit facilities	<ul style="list-style-type: none"> • Two transit shelters along Southdale Road West frontage to promote bus ridership.
10. Large quantities of secure bicycle parking and cycling infrastructure.	<ul style="list-style-type: none"> • Dedicated areas for bicycle parking along Southdale Road West frontage and within the community park (Site 4). • Cycling lanes planned for Streets B and C.
14. Car parking, car sharing and bicycle sharing facilities accessible to the general public.	<ul style="list-style-type: none"> • Charging stations, car share, bike share facilities available to the public. • Public parking in Site 5 (to help mitigate YMCA overflow).
15. Extraordinary tree planting	<ul style="list-style-type: none"> • Large caliper trees spaced 15 m apart along Street A and B corridors.
Additional Considerations	
Dedication of Open Space	<ul style="list-style-type: none"> • Refer Table 1.
Design Guidelines	<ul style="list-style-type: none"> • Refer to Table 1.

Summation

We trust that the bonusing program described above is informative, and will assist with your review of the associated planning applications. Following internal review of this bonusing proposal, York Developments would be pleased to discuss any specific aspects of the program with you in more detail.

Appendix B – Policy Context –

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this requested land use change. The most relevant policies, by-laws, and legislation are identified as follows:

Provincial Policy Statement, 2014

- 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns
- 1.1.3 Settlement Areas
- 1.7 Long-Term Economic Prosperity

The London Plan

- 54 Our Strategy
- 79 Our City – City Structure Plan
- 193 City Design Policies
- 309 City Building Policies
- 516 Affordable Housing
- 916 Neighbourhoods
- 954 High Density Residential Overlay
- 1556 Secondary Plans
- 1577 Evaluation of Planning Applications
- 1645-1655 Bonus Zoning

Southwest Area Secondary Plan

- 20.5.1.4 Principles of the Secondary Plan
- 20.5.2 Community Structure Plan
- 20.5.3 General Policies
- 20.5.4.1 General Land Use Policies
- 20.5.5 Neighbourhoods
- 20.5.9 Bostwick Neighbourhood
- 20.5.17 Appendix 4: Official Plan Excerpts – Policies

1989 Official Plan

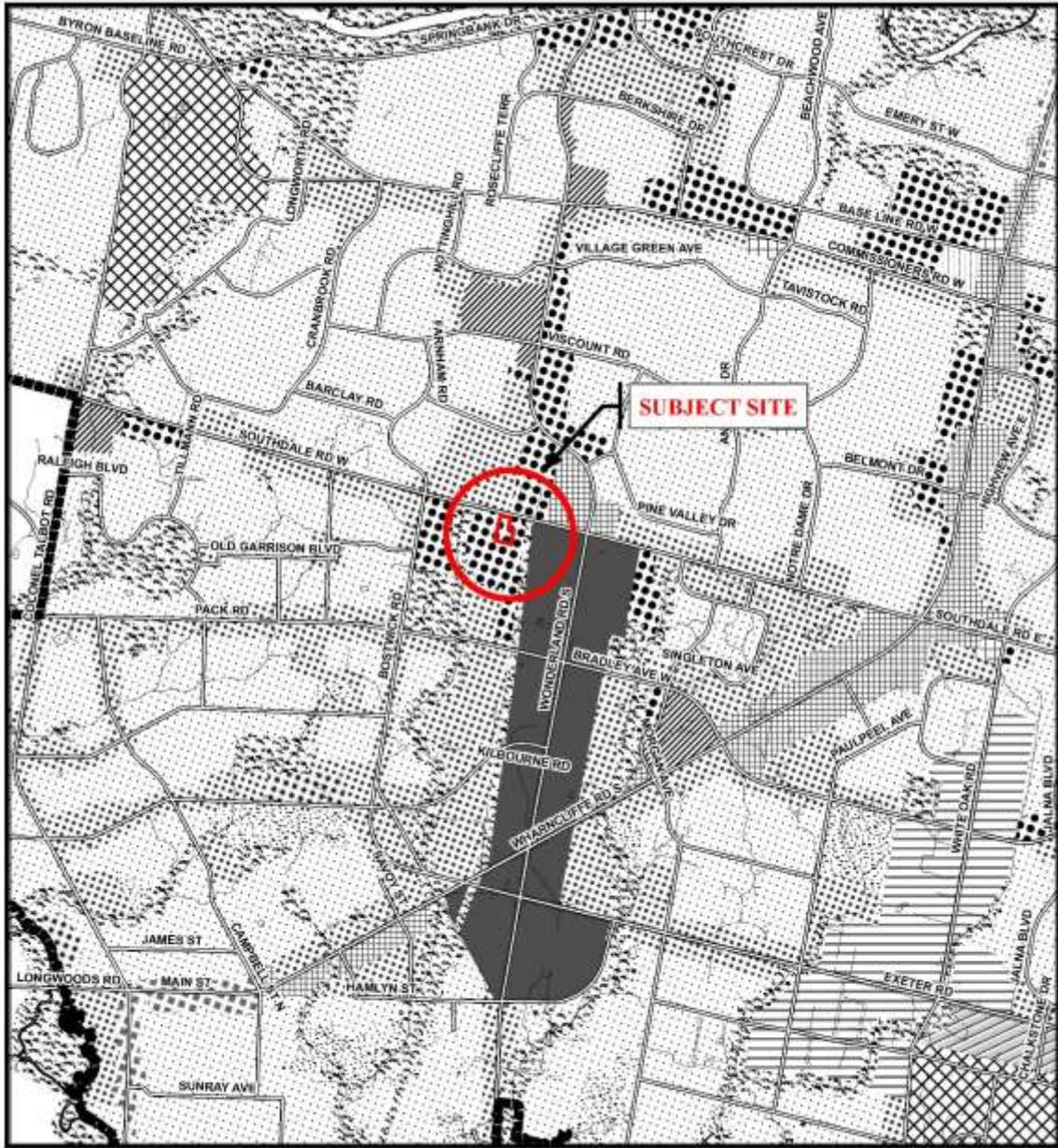
- 2.1 Council Strategic Plan
- 3.4. Multi-Family, High Density Residential
- 3.6.5 Convenience Commercial and Service Stations
- 3.6.8 New Office Development
- 11.1 Urban Design
- 19.4.4 Bonus Zoning
- 20 Secondary Plans

Z.-1 Zoning By-law

- Section 3: Zones and Symbols
- Section 4: General Provisions
- Section 13: Residential R9 Zone
- Section 18: Restricted Office Zone
- Section 29: Convenience Commercial (CC) Zone

Appendix C – Relevant Background

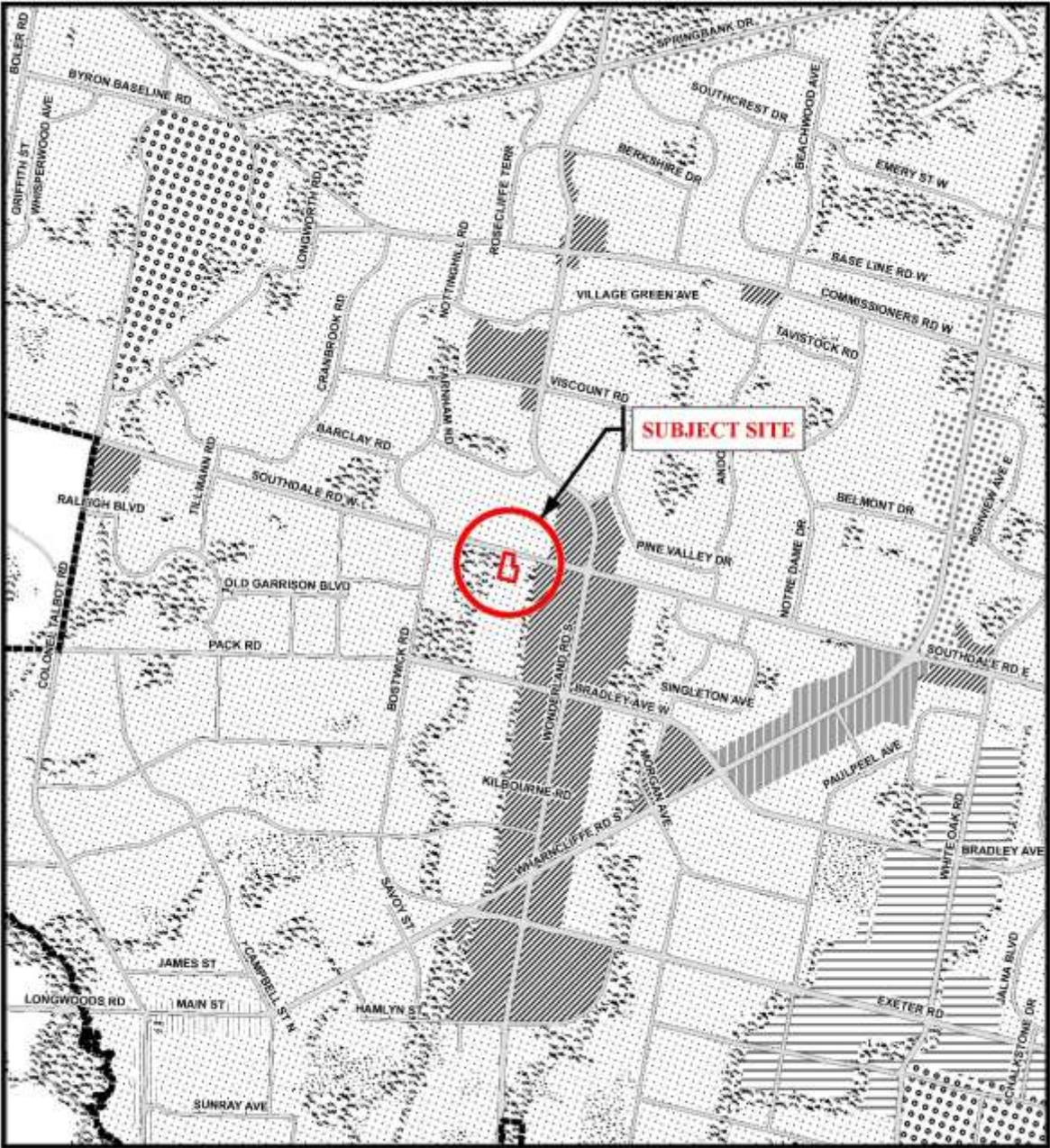




Legend		
Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial
Community Commercial Node	Regional Facility	Transitional Industrial
Neighbourhood Commercial Node	Community Facility	Rural Settlement
Main Street Commercial Corridor	Open Space	Environmental Review
Auto-Oriented Commercial Corridor	Urban Reserve - Community Growth	Agriculture
Multi-Family, High Density Residential	Urban Reserve - Industrial Growth	Urban Growth Boundary

<p>CITY OF LONDON Planning Services / Development Services OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: OZ-8943</p> <p>PLANNER: SW</p> <p>TECHNICIAN: RC</p> <p>DATE: 2018/09/29</p>
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PROJECT LOCATION: e:\planning\projects\p_official\plan\work\consolid00\excerpt\mxd_templates\scheduleA_b&w_6x14_with_SWAP.mxd



Legend

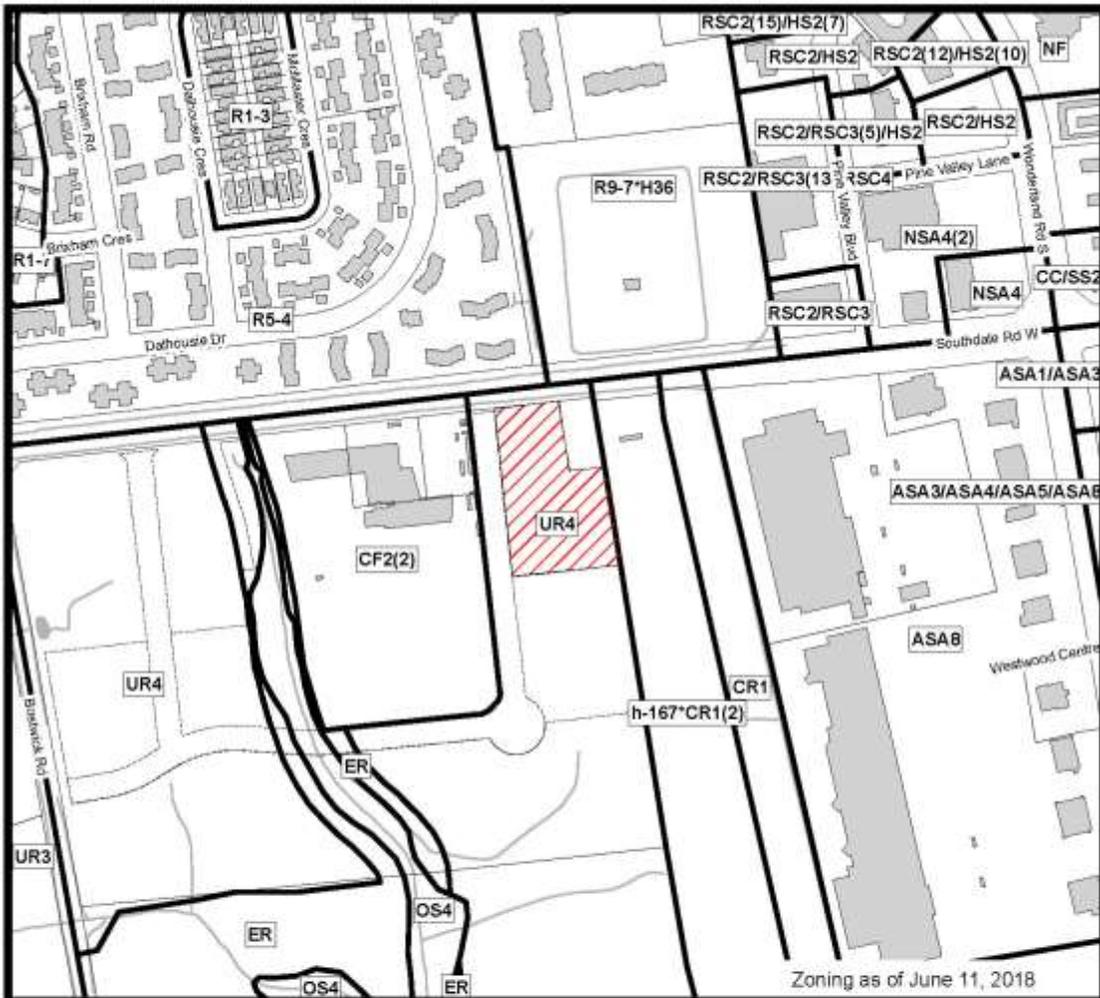
Downtown	Future Community Growth	Environmental Review
Transit Village	Heavy Industrial	Farmland
Shopping Area	Light Industrial	Rural Neighbourhood
Rapid Transit Corridor	Future Industrial Growth	Waste Management Resource Recovery Area
Urban Corridor	Commercial Industrial	Urban Growth Boundary
Main Street	Institutional	
Neighbourhood	Green Space	

This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

<p>CITY OF LONDON Planning Services / Development Services</p> <p>LONDON PLAN MAP 1 - PLACE TYPES -</p> <p>PREPARED BY: Planning Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>File Number: OZ-8943</p> <p>Planner: SW</p> <p>Technician: RC</p> <p>Date: August 29, 2018</p>
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Project Location: E:\Planning\Projects\p_official\plan\work\consolid00\excerpts_LondonPlan10.3.1_Versions\mxd\OZ-8943-EXCERPT_Map1_PlaceTypes_S&W_Br14_Arc10.3.1.mxd



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- | | |
|--|---|
| <ul style="list-style-type: none"> R1 - SINGLE DETACHED DWELLINGS R2 - SINGLE AND TWO UNIT DWELLINGS R3 - SINGLE TO FOUR UNIT DWELLINGS R4 - STREET TOWNHOUSE R5 - CLUSTER TOWNHOUSE R6 - CLUSTER HOUSING ALL FORMS R7 - SENIOR'S HOUSING R8 - MEDIUM DENSITY/LOW RISE APTS. R9 - MEDIUM TO HIGH DENSITY APTS. R10 - HIGH DENSITY APARTMENTS R11 - LODGING HOUSE
 DA - DOWNTOWN AREA RSA - REGIONAL SHOPPING AREA CSA - COMMUNITY SHOPPING AREA NSA - NEIGHBOURHOOD SHOPPING AREA BDC - BUSINESS DISTRICT COMMERCIAL AC - ARTERIAL COMMERCIAL HS - HIGHWAY SERVICE COMMERCIAL RSC - RESTRICTED SERVICE COMMERCIAL CC - CONVENIENCE COMMERCIAL SS - AUTOMOBILE SERVICE STATION ASA - ASSOCIATED SHOPPING AREA COMMERCIAL
 OR - OFFICE/RESIDENTIAL OC - OFFICE CONVERSION RO - RESTRICTED OFFICE OF - OFFICE | <ul style="list-style-type: none"> RF - REGIONAL FACILITY CF - COMMUNITY FACILITY NF - NEIGHBOURHOOD FACILITY HER - HERITAGE DC - DAY CARE
 OS - OPEN SPACE CR - COMMERCIAL RECREATION ER - ENVIRONMENTAL REVIEW
 OB - OFFICE BUSINESS PARK LI - LIGHT INDUSTRIAL GI - GENERAL INDUSTRIAL HI - HEAVY INDUSTRIAL EX - RESOURCE EXTRACTIVE UR - URBAN RESERVE
 AG - AGRICULTURAL AGC - AGRICULTURAL COMMERCIAL RRC - RURAL SETTLEMENT COMMERCIAL TGS - TEMPORARY GARDEN SUITE RT - RAIL TRANSPORTATION
 "Y" - HOLDING SYMBOL "D" - DENSITY SYMBOL "H" - HEIGHT SYMBOL "B" - BONUS SYMBOL "T" - TEMPORARY USE SYMBOL |
|--|---|

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:
OZ-8943 SW

MAP PREPARED:
2018/08/28 RC

1:5,000
0 25 50 100 150 200
Meters

Additional Reports

OZ-6662: 2004 Request for Official Plan and Zoning By-law Amendments to develop site for various residential and commercial uses

O-7609: 2012 Council Approved Official Plan Amendments associated with Southwest Area Plan

Z-8386: 2014 Zoning by-law Amendment to facilitate the development of the Bostwick Community Centre

OZ-8943: October 9, 2018 Public Participation Meeting Report

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: John M. Fleming
Managing Director, Planning and City Planner
Subject: Paramount Development (London) Inc.
809 Dundas Street
Public Participation Meeting on: November 12, 2018

Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Paramount Development (London) Inc. relating to the property located at 809 Dundas Street:

- (a) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting November 20, 2018 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** an Office Residential/Business District Commercial Special Provision (OR*BDC(20)*D250*H46) Zone, **TO** a holding Business District Commercial Special Provision Bonus (h-17*h-18*BDC(20)*D250*DH46*B-__) Zone; and to change the Parking Area of a portion of the subject property **FROM** Parking Area 3 **TO** Parking Area 1.

The B(__) Bonus Zone shall be implemented through one or more agreements to provide for a mixed-use apartment building with two 24 storey (82m (269ft)) buildings with an increased density up to 710 units per hectare in return for the provision of the following facilities, services, and matters:

- 1) A high quality development which substantially implements the site plan and elevations as attached in Schedules "1" and "2" to the amending by-law:

Base

- i) Division of the front façade along Dundas Street into multiple bays representative of separate individual units.
- ii) A ground floor design that includes large proportions of clear glazing as well as a variety of brick with separate direct entrances to individual commercial units to Dundas Street.
- iii) A ground floor to ceiling height that is greater than the height of all other individual storeys to activate the street and create a vibrant pedestrian realm.
- iv) Permanent architecturally integrated canopies/awnings above the ground floor entrances to differentiate the building base and provide overhead protection from natural elements.
- v) The provision of a portion of the top of the third level of the building (fourth floor terrace) as a greened outdoor amenity area for the residents.
- vi) Use of transparent glazing on the second and third floors
- vii) Pedestrian connection along the south of the building from the pick-up/drop-off area to Rectory Street

Middle

- viii) Slim tower architectural style with tower floor-plate of less than 1,060m² to minimize the overall mass, visual impact and sunlight disruption of the tower
- ix) Towers that utilize a high proportion of vision glass and spandrel glass (window-wall) as the primary form of cladding for the tower, to mitigate the overall visual building mass and provide a light and refined appearance in the Old East Village Skyline.
- x) A stepback of 11m of the tower portions of the buildings from Dundas Street

- above the third storey.
- xi) Utilize changes in colour and material to visually break up the massing of the tower

Top

- xii) Utilize building step-backs and variation in massing to define the building cap and completely conceal the mechanical and elevator penthouse within the overall architectural design of the top of the building to contribute to a dynamic Old East Village skyline.

2) Provision of one level of underground parking

3) Provision of Affordable Housing

The provision of 25 affordable housing units, established by agreement at 95% of average market rent for a period of 25 years. An agreement shall be entered into with the Corporation of the City of London, to secure said affordable housing units for the 25 year term.

- (b) The Site Plan Approval Authority **BE REQUESTED** to consider the following through the site plan process:
 - i) Provide directional lighting from the rear of the building to illuminate the municipal laneway;
 - ii) Formalize and pave the municipal laneway including the access to Rectory Street; and
 - iii) Provide a difference in paving, materials or treatment for the length of the municipal laneway to provide for enhanced pedestrian comfort and reflect that the space is shared.
- (c) That Staff **BE DIRECTED** to initiate an amendment to The London Plan for the property at 809 Dundas Street to **ADD** a new policy to the Specific Policies for the Rapid Transit and Urban Corridor Place Types, to allow for a maximum height of 24 storeys subject to a bonus zone.

Executive Summary

Summary of Request

The requested amendment is to rezone the subject site to remove the existing Office Residential zone, while retaining the Business District Commercial zone, and add a site-specific bonus zone to permit a mixed use, commercial/residential building. Holding provisions are being recommended to ensure that the necessary infrastructure is upgraded and that an archaeological assessment is completed prior to development.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended amendment will allow for a mixed-use development with two apartment buildings of 24 storeys and a three storey podium containing ground floor commercial and office space.

Rationale of Recommended Action

- i) The recommended amendment is consistent with the *Provincial Policy Statement (PPS), 2014*, which promotes intensification, redevelopment and a compact form in strategic locations to minimize land consumption and servicing costs and provide for a range of housing types and densities to meet projected requirements of current and future residents;
- ii) The recommended amendment is consistent with the policies of the *Provincial Policy Statement, 2014* which requires planning authorities to facilitate pedestrian and non-motorized movement by promoting a land use pattern, density and a mix of uses that serve to minimize the length and number of vehicle trips and support the development of viable choices and plans for public transit and other alternative

transportation modes;

- iii) The recommended amendment supports the objectives of the Old East Village Main Street Commercial Corridor policies of the City of London Official Plan which encourages redevelopment in the Area of Transition and Redevelopment segments of the Main Street Commercial Corridor;
- iv) The recommended amendment will allow for an increase to height and density through a bonus zone which requires that the ultimate form of development be consistent with the site plan and elevations appended to the amending by-law.;
- v) The recommended amendment will facilitate an enhanced form of development in accordance with the OEV Commercial Design Guidelines which includes an architecturally defined base, middle and top with the base serving to frame the pedestrian realm at a human-scale;
- vi) The recommended bonus zone provides for an increased density and height in return for a series of bonusable features, matters and contributions that benefit the public in accordance with Section 19.4.4 of the Official Plan;
- vii) The recommended Policy for Specific Areas is appropriate as it maintains the existing place type identified through The London Plan while providing flexibility for the site to support the increased height and densities; and
- viii) The recommended amendment is appropriate for the site and context and will assist with the continued improvement and revitalization of old east village.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject site is located at the southeast corner of the intersection of Dundas Street and Rectory Street and has an area of approximately 7,100m². The site is currently developed with two commercial buildings, including one mixed use building with residential on the second floor. The site is located within a Main Street Commercial Corridor, and is surrounded by a diverse range of uses including: the heritage designated Aeolian Hall located to the west; medical/dental offices, the Western Fair Regional Facility, and the Western Fair Farmer's Market located to the east and south east; a range of commercial, institutional and mixed use buildings along the north side of Dundas Street, as well as a residential neighbourhood and old east heritage conservation district located further north.

The site is an irregular shape with a 'notch out' to the west along Rectory where there is currently a two storey building not part of the proposed application and not proposed to change. The site has frontage on Dundas Street, Rectory Street, and abuts a municipal laneway located to the south.

1.2 Current Planning Information (see more detail in Appendix E)

- Official Plan Designation – Main Street Commercial Corridor (MSCC)
- The London Plan Place Type – Rapid Transit Boulevard
- Existing Zoning – (OR*BDC(20)*D250*H46) Zone

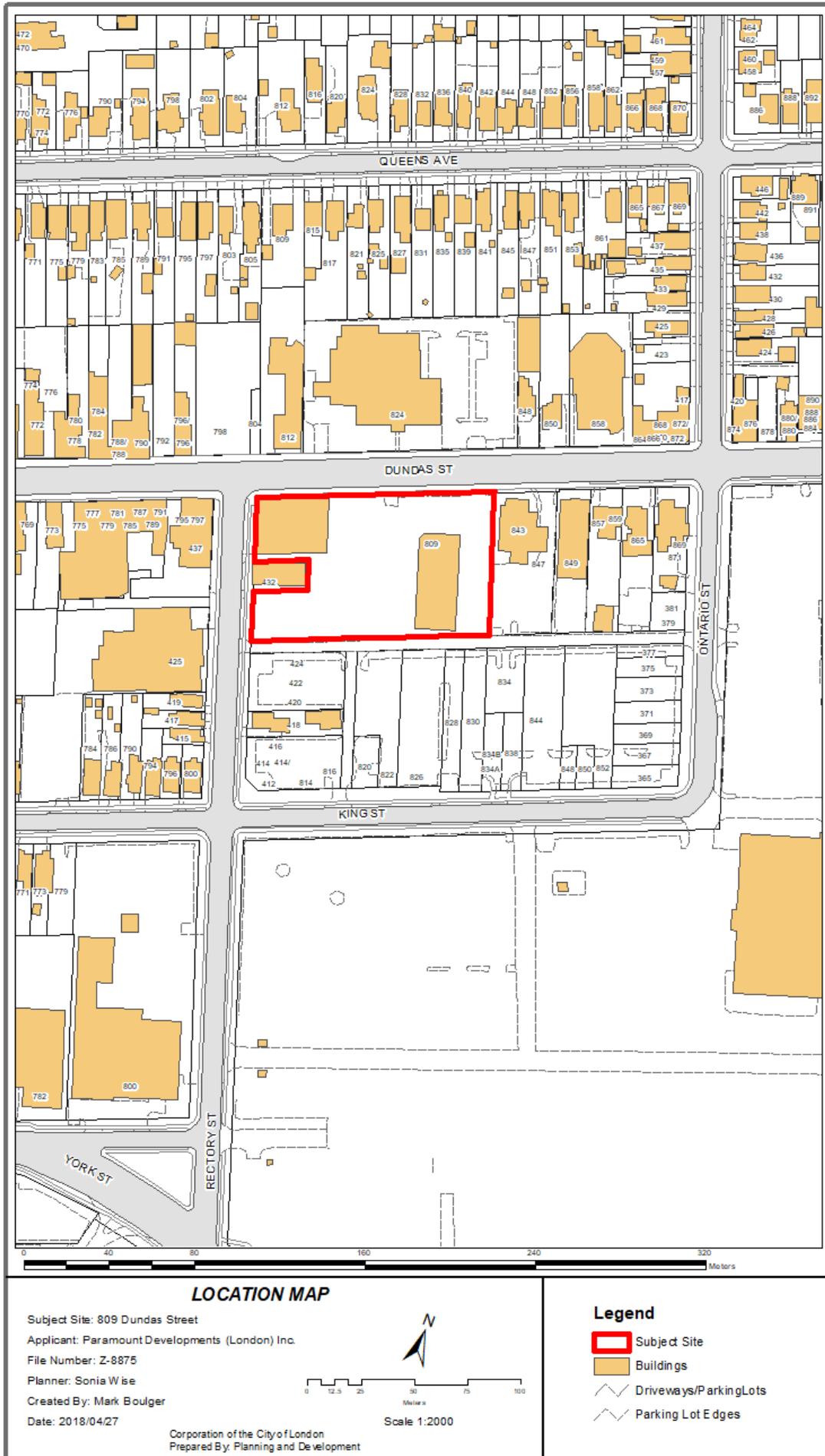
1.3 Site Characteristics

- Current Land Use – commercial
- Frontage – 23m (Rectory), and 111m (365 feet) along Dundas Street)
- Depth – 66m
- Area – 7,100m² (acres) or square metres (square feet))
- Shape – Irregular

1.4 Surrounding Land Uses

- North – Institutional/Commercial Corridor
- East – Commercial and Western Fair Farmer’s Market
- South – Western Fair (Parking)
- West – Recording Studio/Aeolian Hall/Commercial Corridor

1.5 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The proposal is for a mixed use development with two 24-storey apartment buildings with a total of 480 residential units situated atop a 3-storey podium. A total of 332 parking spaces are proposed in one underground level and two above ground parking levels, accessed via the rear laneway. A total of 1,750m² (18,836 sq ft) of commercial gross floor area is proposed on the ground floor fronting Dundas Street, and the north portion of Rectory Street in a number of separate units (approximately 10 bays).

2.2 Requested Amendment

The requested amendment is for a site specific bonus zone to allow for the proposed mixed use development. The base Business District Commercial zone with existing height and density provisions is proposed to be maintained. The bonus zone will allow the specific proposal in return for bonusing provisions outlined further through the body of the report.

3.0 Relevant Background

3.1 Community Engagement (see more detail in Appendix C)

There were 22 responses provided through the community consultation period, including those from the Community Information Meeting, which was held on March 29, 2018, where approximately 29 people attended. The most commonly received comments include:

Support for:

- the project as proposed and the associated revitalization potential

Concerns and Suggestions for:

- no affordable housing being provided in a location that could support it
- the impact of the shadows and loss of sunlight cast by the buildings
- better design of the east wall (and the potential to incorporate a mural)
- provide distinctive treatments for storefronts and use materials found in area
- height proposed is too tall for area
- better connectivity to Dundas Street, the BRT station and Western Fair market
- increased traffic congestion and use of the laneway for vehicles
- area is currently under-parked, provide obvious parking for the proposal
- better address the Dundas Street and Rectory Street corner
- roof detail lacks continuity
- impacts of construction regarding noise, dust, vibration, and service interruptions
- overload on infrastructure with additional population, need to provide additional public facilities and services
- offer timed rental structure to encourage independent small businesses
- provide additional setbacks around 432 Rectory Street for access and function

A public participation meeting was held on June 18, 2018 which provided additional input and comments on the proposed development. Aspects such as the provision of affordable housing, impacts of shadowing, and pedestrian connectivity were raised. All public comments received through the public participation meeting, community meetings and other correspondence has been considered, addressed or incorporated where possible in the proposed development and detailed further through this report.

3.2 Policy Context (see more detail in Appendix D)

The Old East Village area has been the focus of numerous studies, plans and efforts to revitalize and invigorate the corridor. In 1998 there was the Mayor's Task Force on Old East London Report, followed by "Re-establishing Value-A Plan for the Old East Village"

prepared by the Planners Action Team in 2003. In 2004 Council adopted Official Plan Policies and Zoning By-law amendments to establish an Old East Village Community Improvement Plan Area and create separate and distinctive segments of focus. Most recently, the Old East Commercial Corridor Urban Design Manual was created in 2016.

Provincial Policy Statement, 2014

The Provincial Policy Statement (PPS) 2014, provides policy direction on matters of provincial interest related to land use planning and development. The policies support efficient and resilient development patterns through a range of uses, and appropriate infill and intensification in settlement areas and main streets.

Re-establishing Value – A Plan for Old East Village 2003

The plan 'Re-establishing Value: A Plan for the Old East Village' was created in 2003 to revitalize the Old East Village Corridor. It was developed by the Planners Action Team (PACT) through the Ontario Professional Planners Institute (OPPI) to address the underlying issues impacting the corridor, and contained specific recommendations to improve the corridor. Priorities were identified in the PACT report which were further implemented through the Community Improvement Plan and other municipal processes.

Old East Village Community Improvement Plan (CIP) 2004

The Old East Village CIP was established in 2004 to provide the context for a coordinated municipal effort to improve the physical, economic and social climate of the Old East Village and implemented through OZ-6749. The focus was to improve private investment, property maintenance, renewal and desirability of the Old East Corridor and included a suite of financial incentives. The OEV CIP established a strategic vision for the larger commercial corridor and its constituent sub-districts to: serve as a focal point for the surrounding residential community; offer goods and services which are useful to, and used by, the surrounding community; offer some goods and services for a broader City-wide market; foster a pedestrian-oriented streetscape, while not excluding automobiles.

Old East Village Commercial Corridor Urban Design Manual 2016

The Old East Village Commercial Corridor Urban Design Manual (OEVCC UDM) was created in 2016, and recognizes that the Old East Village is an important area in London's history and future. The design manual is intended to guide new development, renovation, and restoration in a way that aligns the vision established for the area and the Community Improvement Plan. The goal of the manual is to provide a basis for promoting high quality design that will complement the existing area.

The London Plan

The subject site is located within the Rapid Transit Corridor place type and within the Old East Village Main Street segment (844). Rapid Transit Corridors are intended to be vibrant, mixed-use, mid-rise communities that border the length of our rapid transit services and include segments with unique character (826). The site is within the Main Street Specific Segment Policies of the London Plan for the Old East Village, which includes special policies for the lands that extend along Dundas Street from the Downtown to Quebec Street (844.1).

1989 Official Plan

The subject site is designated Main Street Commercial Corridor (MSCC), which takes the form of long established, pedestrian-oriented business or mixed-use districts, and is also located within the Old East Village Special Policy Corridor, which extends from Adelaide Street North to Charlotte Street along Dundas Street. The Special Policy recognizes that the corridor is not homogeneous and contains further guidance for development in the Old East Village. The existing conditions and future goals for the corridor differ from district to district, and area-specific policies have been established

for four separate segments along the corridor including: the Village Core (Adelaide to Lyle), the Village Annex (Village Core east to Rectory), the Entertainment and Recreation District (the Western Fair) and the Area of Transition and Redevelopment (Village Annex east to Charlotte), which is where the subject site is located.

4.0 Key Issues and Considerations

4.1 Revitalization

The London Plan provides direction to sustain, enhance and revitalize our downtown, main streets, and urban neighbourhoods to build a mixed-use, compact City (59_3). The 1989 Official Plan recognizes that the area has historically served as a commercial focal point for the surrounding neighbourhood which was the Town of East London, but that its role has diminished since the 1980's (4.4.1.13.2). The intent of the Main Street Commercial Corridor designation is to provide for the strengthening of this area for retail, personal service, office, and residential uses through revitalization, rehabilitation, some redevelopment and the implementation of improvement plans (4.4). This objective is consistently echoed in the various policy and guideline documents to provide and support opportunities for the redevelopment of vacant or underutilized properties, and to strengthen the existing corridor.

The Main Street Commercial Corridor policies provide for the redevelopment of vacant, underutilized or dilapidated properties within Main Street Commercial Corridors for one or more of a broad range of permitted uses (4.4.1.1 i). The subject site is an underutilized parcel within a desirable location on a main street, in close proximity to a transit station and along the Old East Commercial Corridor. Further, the Rapid Transit Corridors are the connectors between the Downtown and Transit Villages, and the redevelopment of the site will positively enhance the corridor, frame the east gateway into the downtown and be supportive of transit (4.4.1.2.ix & 829).

4.2 Use

Provincial Policy Statement

The PPS promotes healthy, livable and safe communities by accommodating an appropriate range and mix of residential, employment, and other uses to meet long term needs (1.1.1 b) PPS). The proposal provides for a mix of residential and commercial uses which are suitable and encouraged in the main street location along Dundas Street. Densities and a mix of land uses are also promoted where they are transit-supportive, where transit is planned, exists or may be developed (1.1.3.2.5).

The London Plan

The Rapid Transit and Urban Corridors contemplate a range of residential, retail, service, office, cultural, recreational and institutional uses (837.1). Mixed use buildings such as the proposed development are encouraged as well as the provision of active (commercial, retail and service) uses on the ground floor. The Old East Village Main Street segment allows for a broad range of uses to support a walkable neighbourhood scale that caters to providing shopping and commercial options (845). The uses proposed are appropriate for the main street location, allow for a diverse range of options and will support the rapid transit services.

The London Plan supports the provision of a variety of residential types with varying size, tenure and affordability so that a broad range of housing requirements are satisfied (830.11). The recommended action will result in the provision of affordable housing units as part of the bonusable provisions which will be implemented through an agreement with the City of London.

1989 Official Plan

The Main Street Commercial Corridor similarly allows a broad range of uses including small-scale retail uses, service and repair establishments, food stores, convenience

commercial uses, personal and business services, pharmacies, restaurants, financial institutions, small-scale offices, small-scale entertainment uses, galleries, studios, community facilities such as libraries, day care centres, correctional and supervised residences and residential uses (4.4.1.4). The ground floor along Dundas Street is proposed to be used for a variety of commercial uses, and no additional uses are being sought through the requested amendment.

Residential uses combined with commercial uses will be encouraged in the Main Street Commercial Corridors to promote active street life and movement in those areas to support day to night activities beyond traditional work hours (4.4.1.8). The residential uses are proposed above the third floor, which will provide additional population and activity directly on the corridor. The Area of Transition and Redevelopment sub-precinct also supports a mix of uses which is achieved by the proposed residential, commercial, office, retail and service uses (4.4.1.13.2 iii).

4.3 Intensity

Provincial Policy Statement

The PPS promotes cost-effective development patterns and standards to minimize land consumption and servicing costs, and encourages settlement areas to be the main focus of growth and development (1.1.3). Long-term economic prosperity is further supported by maintaining and enhancing the vitality and viability of downtowns and mainstreets, which is relevant for the proposal as development and investment in the Old East Village main street positively enhances the area as a whole (1.7.1. c) PPS).

The London Plan

A wide range of permitted uses and greater intensities of development are contemplated along Rapid Transit Corridors and in locations close to transit stations (830.4). The policies contemplate a minimum of 2 storeys (or 8m) to a maximum of 12 storeys with type 2 bonusing. Further, buildings in the Main Street segments, and properties within 100m of rapid transit stations may be considered up to 16 storeys with the provision of type 2 bonusing (847.2 & table 9). The subject site is within the Old East Main Street segment and located within approximately 100m of the future Ontario and Dundas Street Station which affords greater consideration for development potential. A site specific appeal to The London Plan policies as they relate to the subject site was received by the proponent and is ongoing.

1989 Official Plan

The Main Street Commercial Corridor policies encourage mixed-use development to reinforce the objectives of providing a diverse mix of land uses and achieving higher densities (4.4.1.1. iv). Residential densities within mixed-use buildings should be consistent with densities allowed in the Multi-Family, High Density Residential (MFHDR) designation and the provisions of section 3.4.3, which allows for up to 150 units per hectare. The site specific zoning that currently applies to the property provides greater density permissions up to 250 units per hectare. The request is for a density of 710 units per hectare, which represents a substantive increase in density beyond the current permissions. The Official Plan allows consideration of the requested amendment through a site specific Bonus Zone in accordance with section 3.4.3 and 19.4.4, in return for the facilities, services and matters that provide public benefit which are detailed in the Bonus Section of this report.

4.4 Form

Provincial Policy Statement

Built design is emphasized in the PPS by “encouraging a sense of place by promoting well-designed built form” (1.7.1 d) PPS). The proposal represents an attractive and appropriate built form for a property fronting on the important Dundas Street Corridor in the Old East Village.

The London Plan

The intensity policies for the Old East Village Main Street Segment allow for a minimum of 2 storeys up to 12 storeys maximum, with bonusing up to 16 storeys (847.3). The proposed height of 24 storeys is greater than that contemplated by the provisions of the London Plan, and the site specific permissions for the proposed development will be recognized through a future specific policy.

The form of development within the rapid transit corridors requires transit-oriented and pedestrian-oriented development forms (830.7). The proposal has a consistent street edge which is oriented to pedestrians, and has convenient access to the nearby transit station proposed along Ontario Street. Where there is a mix of uses within an individual building, retail and service uses will be encouraged to front the street at grade, which is consistent with the active uses along Dundas and Rectory Streets (837.4).

The mass of large buildings fronting the street should be broken down and articulated at grade so that they support a pleasant and interesting pedestrian environment (841.3). The site is proposing to utilize a podium at street level with the towers setback to minimize the impact that a shear wall would create. Large expanses of blank walls will not be permitted to front the street, and windows, entrances and other building features that add interest and animation to the street will be encouraged (841.3). The Dundas and Rectory Streets are well activated by the proposed number of openings and uses.

1989 Official Plan

Development within the Old East Main Street Commercial Corridor is encouraged where it maintains the scale, setback and character of the existing uses, and achieves higher densities and mixed-use developments (4.4.1.1 ii, iv). The proposed development is consistent with the existing scale and character of the built form in the area and provides a compatible infill development.

The Area of Transition and Redevelopment sub-precinct is characterized as a portion of the corridor that does not form part of the continuous pedestrian commercial streetscape due to large gaps in the streetscape created by parking lots and other uses (4.4.1.13.2.iii). This district was not currently considered a viable part of a continuous pedestrian commercial streetscape in its existing form. The proposed development will positively enhance a continuous pedestrian oriented built form by removing the large gaps created between buildings from the parking areas and infilling with the proposed built form, establishing a consistent street edge.

4.5 Building Base

Redevelopment within a Main Street Commercial Corridor designation shall form a continuous, pedestrian-oriented shopping area and shall maintain a setback and storefront orientation that is consistent with adjacent uses (4.4.1.7). Unlike other segments of the corridor, however, it is not mandatory that development in the Area of Transition be required to support pedestrian-orientation, though the provision of pedestrian-orientation is highly preferable (4.4.1.13.2.iii). The proposed development forms a consistent street edge along both Dundas Street and Rectory Street, which is generally in keeping with the setback of the Aeolian Hall to the west. The Rapid Transit Corridors will also be fundamentally walkable streetscapes, with development that is pedestrian and transit-oriented (827). The proposed development contributes to a fundamentally walkable streetscape, which is oriented to pedestrians, and will cater to the nearby residential neighbourhoods within easy walking distance to provide local shopping options.

Buildings should be sited close to the front lot line, and be of a sufficient height to create a strong street wall (841.2). The Zoning By-law may allow new structures to be developed with zero front and side yards to promote a pedestrian streetscape (4.4.1.7 iv)). The site is fully developed along Dundas and Rectory Streets with the proposed building located on the property boundary to provide a strong street edge. Building design should provide appropriate building massing and height provisions in front of and

between buildings and define public spaces (4.4.1.9 iv)). There are additional setbacks provided beyond the minimum requirements around the EMAC building located at 432 Rectory Street which provides a positive integration with the existing building. The setbacks provide relief from the built form around the existing building and allow adequate space for tree planting.



Figure 1: Conceptual Rendering: Podium view from the northeast

Taller buildings should provide a minimum of either two storeys or eight metres in height at the street edge, and the three-storey podium proposed provides a human scale development at the street edge while minimizing the height of the towers at the street level (847.1). The podium provides a compatible and consistent scale to the surrounding established built form by setting the residential towers back from the street edge. Rooftop amenity areas on top of the podium are proposed to provide outdoor space for the residents which will activate the upper floors and take advantage of the space.

Built form in the Main Street Commercial Corridors typically consists of small, separately-owned and managed commercial properties that meet the frequent shopping needs for customers from a much larger areas (4.4.1.3). The design along the Dundas Street streetscape mimics individual buildings by breaking up of the massing through fenestration, change in cladding (materials), building projections and separation into individual 'bays'. The proposed materials include a variety of brick and vision glass on the building base, and canopies and awnings will provide weather protection and highlight entrance features. The massing and conceptual design of new development should provide for continuity and harmony in architectural style with adjacent uses which have a distinctive and attractive visual identity (11.1.1 v). The proposed three storey podium design is consistent with the scale of architectural and building styles found in the area, and the division of the façade into separate units is reminiscent of the style of smaller individual properties along the corridor. Transparent glazing on the second and third storeys will further increase activity instead of opaque or translucent openings.

4.6 Middle

The 'middle' of the development is comprised of the majority of the residential units contained within the two towers. A podium base, with a substantial step-back to the tower, should be used for buildings in excess of four storeys, to avoid sheer walls fronting onto these main street corridors (848.4). The two towers are set back 11m from the Dundas Street podium which minimizes the extent and impact of the tower on the activity along the street, and exceeds the 3m minimum identified in the OEVCC UDM to reduce any overpowering or overshadowing effects on the street or adjacent properties.

The proposed materials for the middle are stucco/coloured concrete with an extensive amount of vision glass. Articulation of the various individual components that make up the tower provide interest and distinction to the various tower facades. Residential development above commercial development should provide maximum privacy between private living spaces as well as adequate separation from commercial activity

(4.4.1.8). The residential towers are set back from the commercial component, and have a total distance of 23m between towers which provides adequate space to allow for separation, privacy, sunlight and breezes.

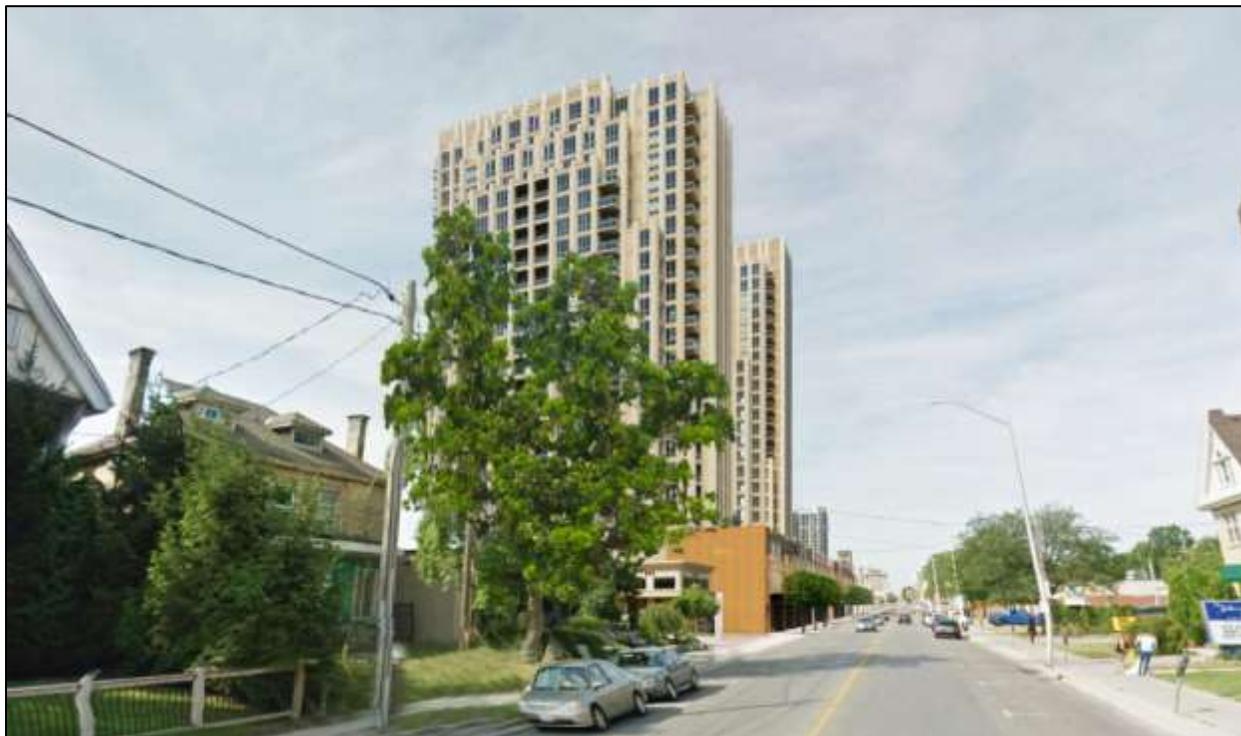


Figure 2: Conceptual Rendering: view from the northeast

4.7 Sunlight and Shadow

The design and positioning of new buildings should have regard for the impact of the proposed development on year-round sunlight conditions on adjacent properties and streets. (11.1.1.ix). The orientation of the tower massing lies in the north-south axis which is preferred to minimize the impacts of shadowing on the surrounding area.

There was concern raised at the public participation and community information meetings that the shadow impacts of the proposal would negatively impact nearby properties utilizing existing solar panels. A comparison was undertaken between the maximum height permitted by the existing zoning, and the proposed maximum height of 24 storeys or 80m associated with the recommended bonus zone. The results of the analysis showed that during the months of April, May, June, July, and August, there were no shadow impacts from either the 15 or 24 storey form. During the month of December (which has the shortest amount of sunlight) both the 15 and 24 storey forms cast the same shadow over the solar panels at the same times, beginning at 1:30pm until the sunset just before 5pm. During the spring and fall, the extent of the shadow impacts and difference between the 15 and 24 storey form is the most noticeable.

The 24 storey form begins casting a shadow on the solar panels at 866 Dundas Street the week beginning on September 17 for a duration of 47 minutes between the approximate hours of 3:18pm to 4:05pm. There is a gradual increase in the duration of the shadow impact with the most shadowing occurring the week beginning on October 15 for a duration of 2:25 hours. From the next week beginning on October 22, the 15 storey form begins casting shadows on the site, and the difference between the duration of shadows is an additional 1:21 hours for the 24 storey form. A similar pattern also occurs in the Spring months. There will be shadow impacts on 866 Dundas Street from development of the site under the existing maximum zoning regulations, and the increased height requested for the proposed development will also cast shadows beginning earlier in the fall and lasting later into the spring. The shadows begin to fall on the subject site in the afternoon, and move with the changing location of the sun. Though there will be shadow impact on the property, there is still an adequate provision of sunlight during the day, and the proposed development does not result in excessive or detrimental over-shadowing. Additional setbacks have subsequently been incorporated on the top levels of the building which will create more of a point tower that will reduce shadowing impacts.

4.8 Top

The top of the building consists of the highest three floors that form the cap to the built form. The OEVCC UDM identifies a successful façade whose top, middle, and bottom are clearly definable and visually separated through materials and architectural treatment (p.6 1.1). The top of the proposed development has a tapering of the top floors in opposite directions which adds interest and helps reduce the perceived width of the tower from the east and west perspectives. There is no exposed mechanical equipment visible, and the roof is proposed to be clad in materials that enhance the buildings and contribute positively to the Old East skyline.

4.9 Bonusing

The requested amendment is for a Site Specific Bonus Zone to allow for the increase in building height and density. The consideration for bonus zoning is through chapter 19 of the 1989 Official Plan and policies 1638 of The London Plan which sets out the various facilities, services and matters that can be provided as a public benefit for the increase. In addition to the enhanced urban design and underground parking proposed, Council resolved at its meeting of June 26, 2018:

the Civic Administration BE REQUESTED to include, as part of any recommended bonus zoning, the provision of a portion of the total units of the proposed building as affordable housing units;

Planning staff have consulted with the Housing Development Corporation (HDC) to determine what the suitable amount of affordable housing would be for the proposed development, taking into consideration the proposed bonusing, scale of the increased height and density, the location and context, and the 'lift' from the existing zone to the proposed bonus zone.

The recommended Bonus Zone is to provide 25 affordable housing units at a rate of 95% average market rent for a duration of 25 years, which was established through HDC's in-house knowledge of local affordable housing needs and demands, local industry measures including CMHC rental market and housing analytics, City neighbourhood profiles, labour market data, as well as a review of the bonusing policies and practices of other major urban centres. HDC recognized the proposed building plans and attributes and understands that this development is within an existing Community Improvement Plan (CIP) area. The recommended Bonus Zone considers the difference between the number of units permitted under the existing height and density permissions and the height and density being sought through the Bonus Zone.

4.10 Transportation

As a measure of how the proposed intensity will be accommodated and supported by the subject site, consideration is given to the servicing and transportation impacts. The PPS promotes a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support the use of transit and active transportation (1.6.7.4 PPS). The subject site has direct access to the rapid transit network including convenient access to the station proposed at Ontario and Dundas Streets. The PPS also promotes densities and a mix of land uses which "are transit supportive, where transit is planned, exists or may be developed" (1.1.3.2.a) 5 PPS), which includes consideration of the future rapid transit corridor intended through SHIFT.

Municipal Laneway

The proposed vehicular access for the property is at the rear of the site from the municipal laneway running east to west parallel to Dundas Street. The rear access is preferred to the alternatives of using Dundas Street or Rectory Street as these streetscapes are uninterrupted by vehicular movements and instead maintain a strong and consistent pedestrian focus.

Historically, most laneways in the City were created prior to the 1930's to facilitate horse drawn carriage access to the rear of properties where carriage sheds were typically

located, which is consistent with the subject laneway that was established as part of Registered Plan RP411 in 1884. Over time, the City became the eventual administrative owner, but did not assume maintenance for the lanes. As per the Lane Maintenance Policy By-law A.-6168-43, the only use of a public lane is to provide access from a street to private property and vice versa. Lane maintenance is generally left up to the abutting property owners to address and share responsibility.

As part of the June Planning and Environment Committee there was direction to consider better pedestrian connectivity along the laneway to the future transit station. The width of the laneway does not allow for the provision of a sidewalk or footpath within the right of way and maintain the two-way traffic required for the fire route in this location. Unlike a public road where there is a public boulevard to accommodate sidewalks, the lands abutting the laneway on the north and south sides are privately owned and contain obstructions such as structures, tree planting, and grade changes that would make the installation of a sidewalk challenging. The use of the laneway will require various improvements such as paving, which will be addressed through the development agreement as recommended to the Site Plan Approval Authority. The intent is to also require a different paving or surface treatment within the laneway to visually differentiate the space as unique from a right of way to enhance pedestrian comfort and use, while maintaining a level surface for a functional fire route.

Parking

Common parking areas are encouraged instead of individual access points and individual parking areas in the Main Street Commercial Corridors (4.4.1.1 iii). The subject site provides the parking for the various commercial and residential units in one location at the rear of the property, which maintains the built form along the Dundas and Rectory Streets. Similarly, The London Plan policies direct that Urban Corridors are to be linear in configuration and street-oriented with parking generally located at the rear or underground (845).

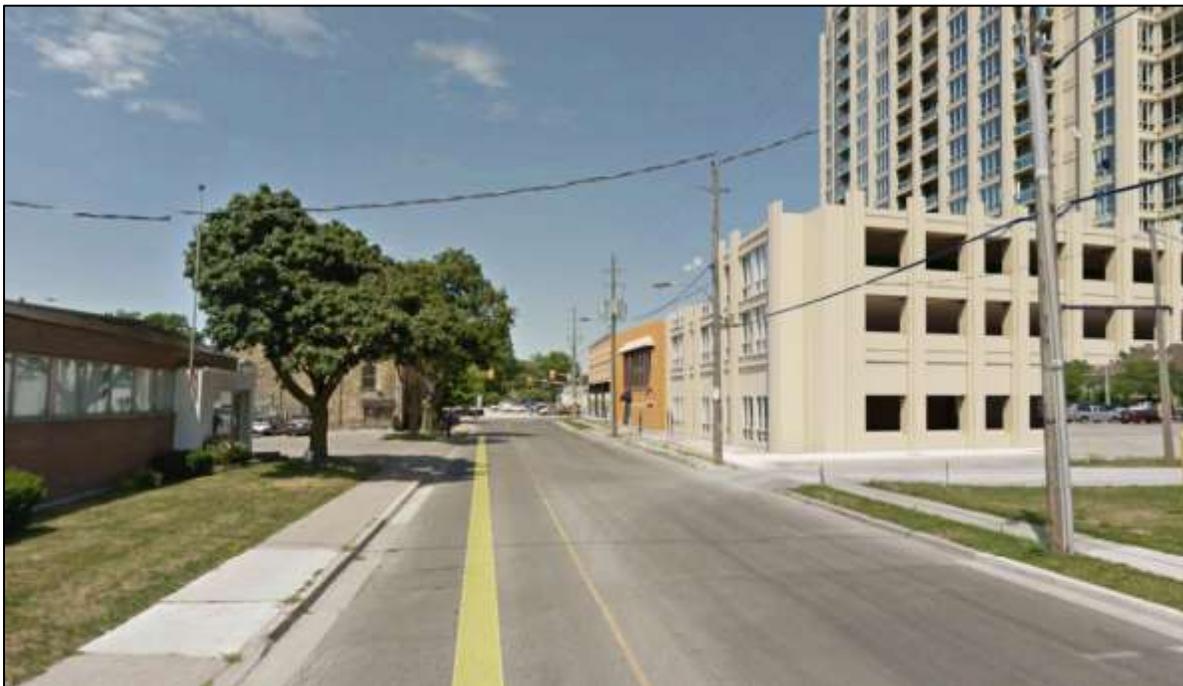


Figure 3: South Rendering Rectory Street

The London Plan encourages underground parking and structured parking integrated within the building design (841.12). There is one level of underground parking proposed, and two levels of above ground parking in the second and third storeys above the active ground floor. The parking requirements for this site were developed through planning application OZ-6749 to provide an incentive for new residential uses that will support rehabilitation of the Old East Village Corridor. The minimum parking requirement for existing and new residential development for sites located within Parking Area 1 was waived, and this provision is appropriate to continue to apply to the scale of development requested through the bonus zone. The applicant is proposing a

total of 332 parking space to facilitate and support the commercial and residential components.

Parking rates in the City of London are determined by dividing the City into three parking area standards based on anticipated vehicle trips. The site is located on the boundary between Parking Area 1 and Parking Area 3, with the majority of the site located within Parking Area 1 and a small portion located within Parking Area 3. An amendment is recommended to include the entire subject site within Parking Area Standard 1 to recognize the entire legal parcel and allow for the utilization of the reduced parking rate.

Public Transit

The site is well-serviced by existing LTC services including: routes 2 and 20 directly on Dundas Street servicing the downtown, Fanshawe College and Argyle Mall, route 7 along York Street servicing the east, and two routes along Adelaide Street, 16 and 92, servicing the southeast, the Victoria Hospital, and Masonville Mall in the north. The site is also located in proximity to the proposed rapid transit routes along Dundas Street east of Ontario Street, and King Street to the west. A station is proposed along Ontario Street which is within 100m of the subject site and will provide convenient and frequent transit services.

4.11 Servicing

The proposed development is able to connect to the existing water and stormwater infrastructure, though the sanitary modeling in this area has a potential constraint regarding capacity. Dundas Street has been identified for lifecycle renewal infrastructure improvements from Adelaide Street to Rectory Street, as well as English Street. These works will provide additional capacity to support the proposed intensity, and a holding provision is recommended until upgrades in the downstream system are completed prior to development.

4.12 Heritage

The subject site is not within a heritage conservation district or comprised of buildings that are listed or designated on the Heritage Register. The site is located adjacent to a heritage listed property at 432 Rectory Street, and across the street from a heritage designated property at 795-797 Dundas Street. The property at 432 Rectory Street was added to the Inventory of Heritage Resources as a listed property during the LACH review of the proposed application, and consists of a two-storey converted office building proposed to be retained.



Figure x: Northwest view of Aeolian Hall and proposal

One objective of the Main Street Commercial Corridor, is to maintain the cultural heritage value or interest of listed buildings and ensure through the application of the Commercial Urban Design Guidelines that new development is consistent with the form of existing development (4.4.1.2 viii). Further, the corridor's heritage building stock is a key asset and the protection, enhancement and celebration of significant heritage structures will be encouraged through all of the revitalization activities that are initiated (4.4.1.13.2). The heritage designated property located at the southwest corner of Rectory and Dundas Street is the Aeolian Hall which was formerly utilized as a town hall for the Town of East London. The proposed built form relates well to the Aeolian Hall and the podium height of three storeys is sympathetic and slightly lower in height than the Aeolian.

The site is within an area of potential archaeological significance and is located in proximity to, or directly on, the former St. Paul's cemetery. Prior to the development of the site, an archaeological assessment will be required, which is recommended through the use of a holding provision.

5.0 Conclusion

The Old East Village has long been the focus of many revitalization studies and community improvement initiatives. The recommended amendment is consistent with the Provincial Policy Statement, 2014 and conforms to the 1989 Official Plan policies and represents an appropriate amendment to The London Plan. The proposal facilitates the development of an underutilized site and provides an appropriate form and scale of development. The bonusing of the subject site ensures the building form and design will contribute positively to the surrounding area while providing affordable housing units within the building. The subject lands are located where intensification can be accommodated given the existing and future provision of municipal infrastructure, location on a main street in the Old East Village, and existing and future public transit facilities in the area.

Prepared by:	Sonia Wise, MCIP, RPP Senior Planner, Development Services
Submitted by:	Michael Tomazincic, MCIP, RPP Manager, Current Planning
Recommended by:	John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner

November 5, 2018

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Appendix A

Bill No.(number to be inserted by Clerk's Office)
2018

By-law No. Z.-1-18_____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 809
Dundas Street.

WHEREAS Paramount Development (London) Inc. has applied to rezone an area of land located at 809 Dundas Street, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning 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 809 Dundas Street, as shown on the attached map comprising part of Key Map No. A108 from an Office Residential/Business District Commercial Special Provision (OR*BDC(20)*D250*H46) Zone to a holding Business District Commercial Special Provision Bonus (h-17*h-18*BDC(20)*D250*DH46*B-__) Zone.
- 2) Schedule "B" to By-law No. Z.-1 is amended by extending Parking Area 1 to the entirety of the subject lands.
- 3) Section Number 4.3 of the General Provisions is amended by adding the following Site Specific Bonus Provision:

4.3.4(_) B(_) 809 Dundas Street

The Bonus Zone shall be enabled through one or more agreements to facilitate the development of a high quality apartment building with a maximum of 24 storeys, 480 dwelling units and density of 710 units per hectare, which substantively implements the Site Plan and Elevations attached as Schedule "1" and Schedule "2" to the amending by-law; and

- i) Provision of one level of underground parking
- ii) Provision of Affordable Housing

The provision of 25 affordable housing units, established by agreement at 95% of average market rent for a period of 25 years. An agreement shall be entered into with the Corporation of the City of London, to secure said affordable housing units for the 25 year term.

The following special regulations apply within the bonus zone:

a) Regulations:

i) For the purpose of this by-law the front lot line shall be deemed to be Dundas Street

ii) Density: 710 units per hectare
(Maximum)

iii) Height: (Maximum)	82 metres (269 ft)
iv) Front Stepback of Tower above the Third Storey (Minimum)	11m (36 ft)
v) Individual Tower floor plate above 3 rd Storey (Maximum)	1,060m ² (11,409 sq ft)
vi) Ground Floor Commercial Uses: (Minimum)	1,750m ² (18,836 sq ft)

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 November 20, 2018.

Matt Brown
Mayor

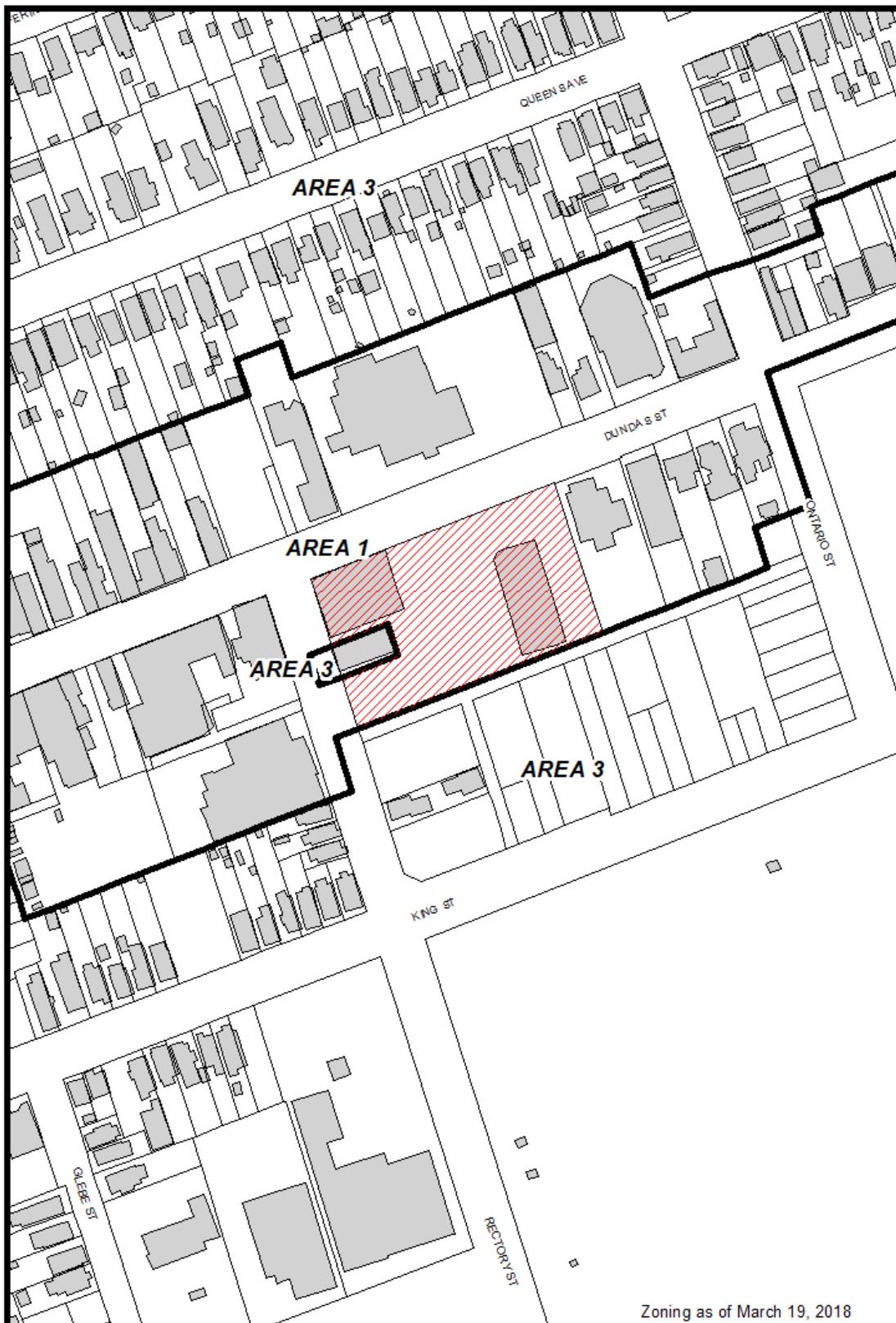
Catharine Saunders
City Clerk

First Reading – November 20, 2018
Second Reading – November 20, 2018
Third Reading – November 20, 2018

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



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



File Number: Z-8875
Planner: SW
Date Prepared: 2018/04/27
Technician: ZZ
By-Law No: Z.-1-

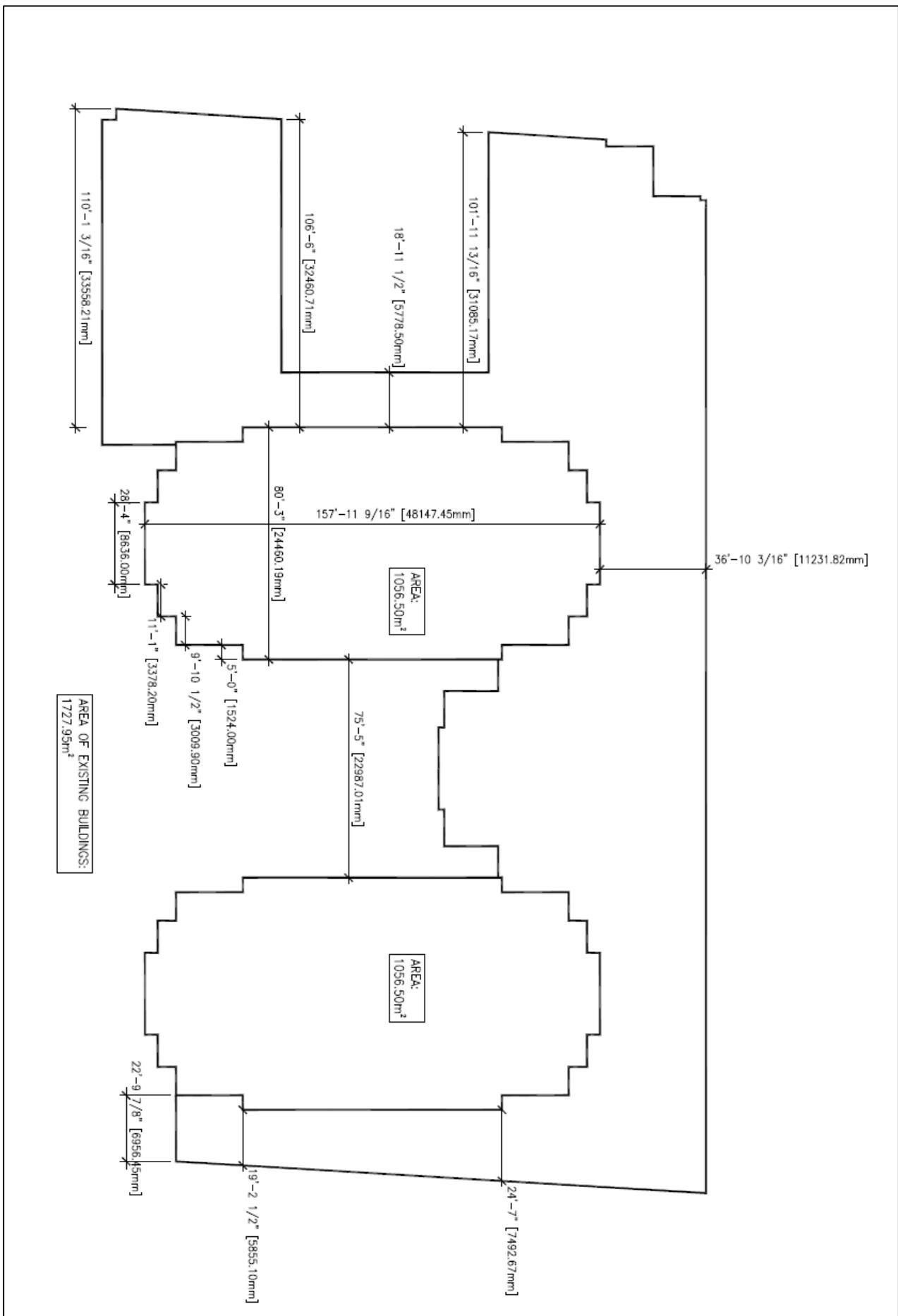
SUBJECT SITE 

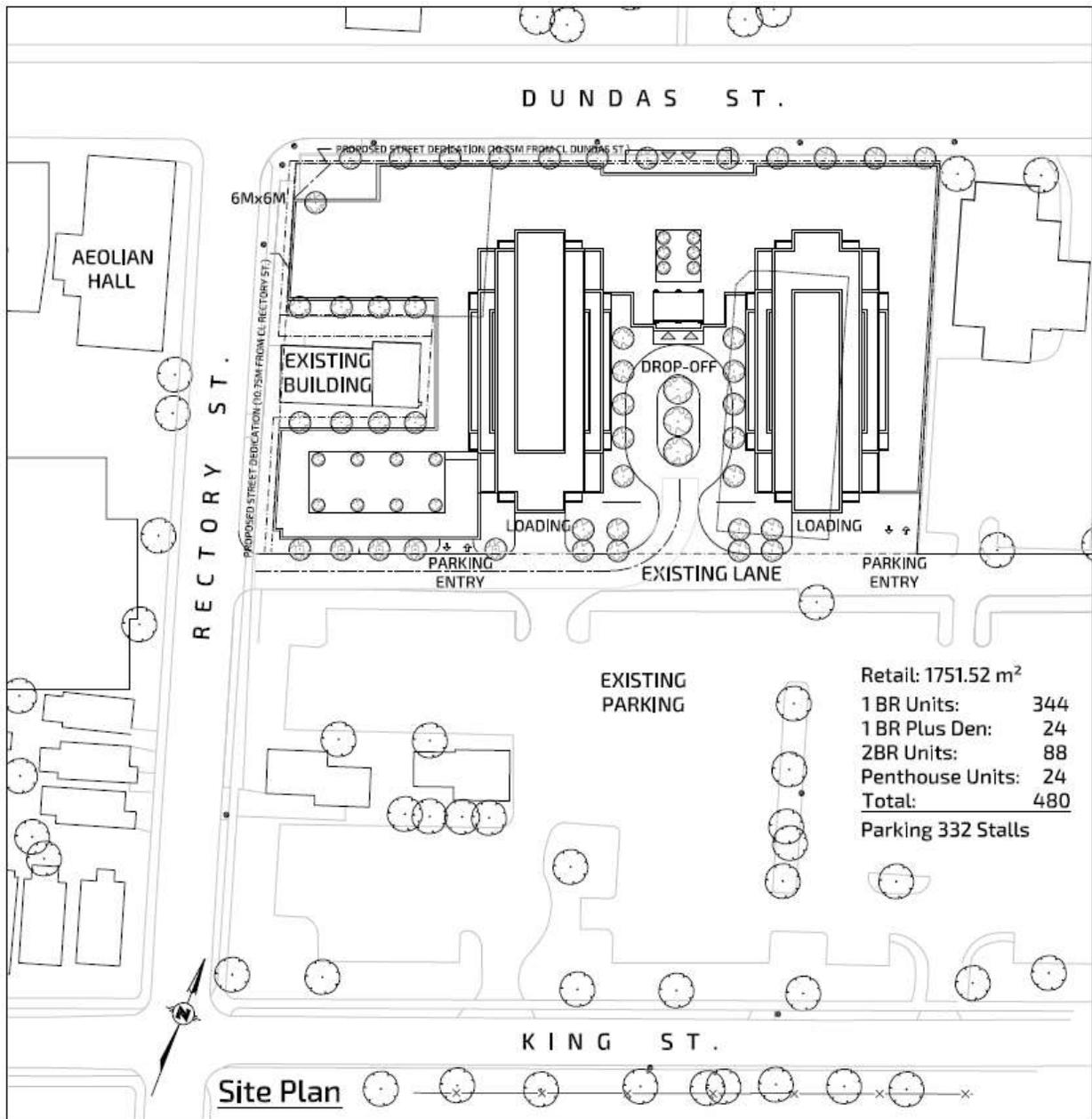
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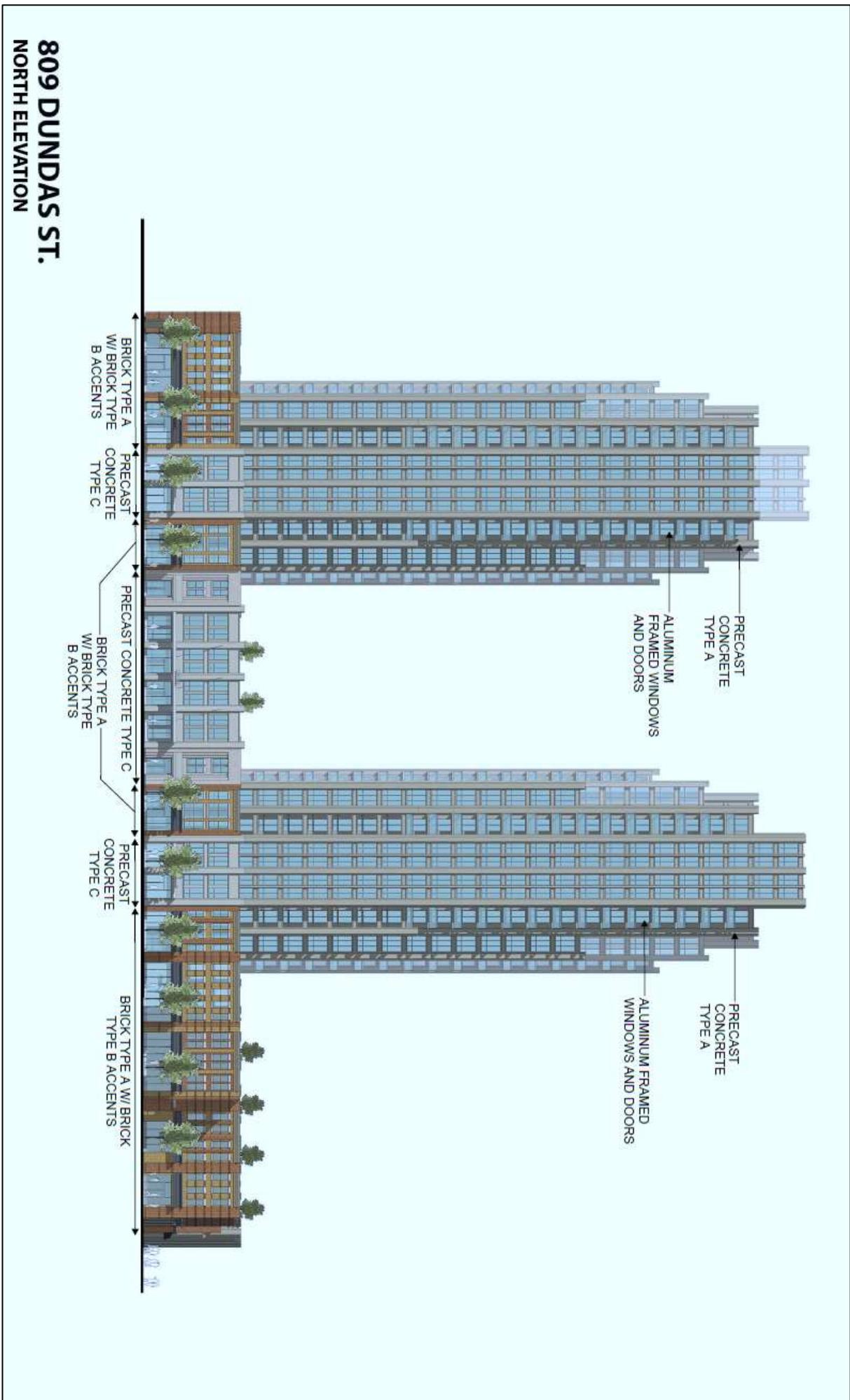


Schedule 1

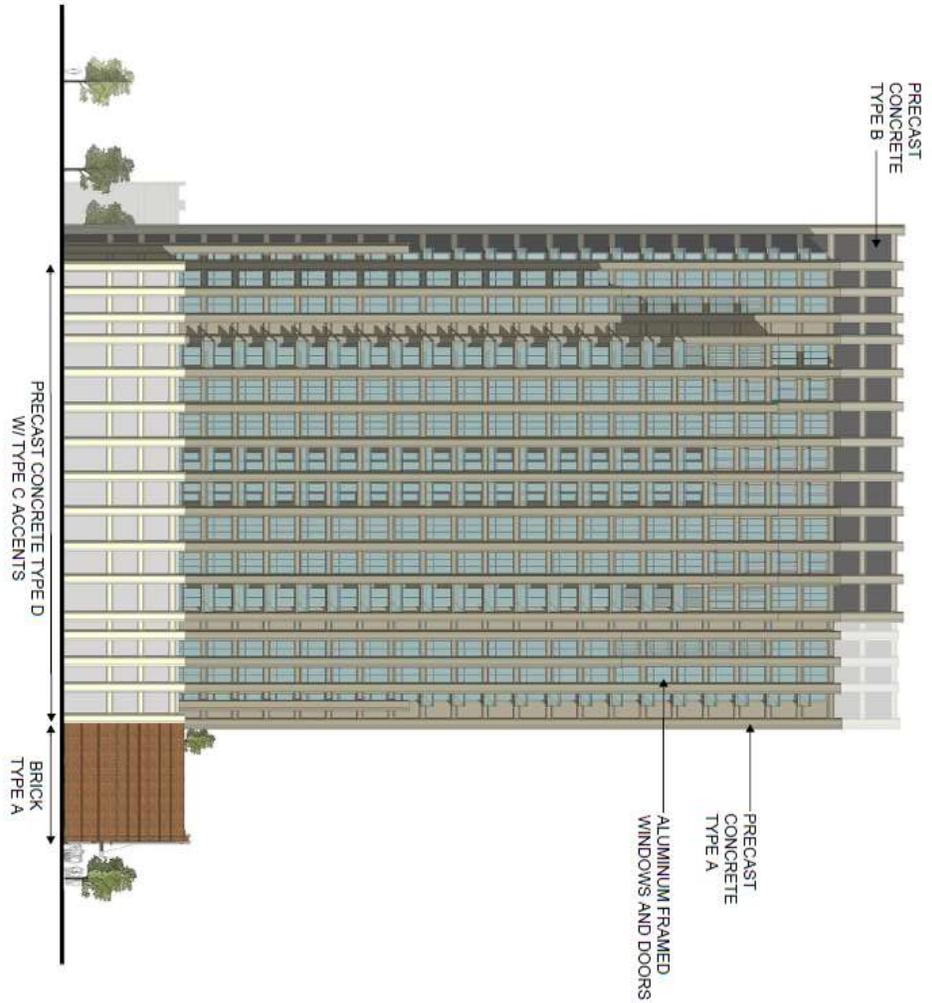




Schedule 2



809 DUNDAS ST.
EAST ELEVATION



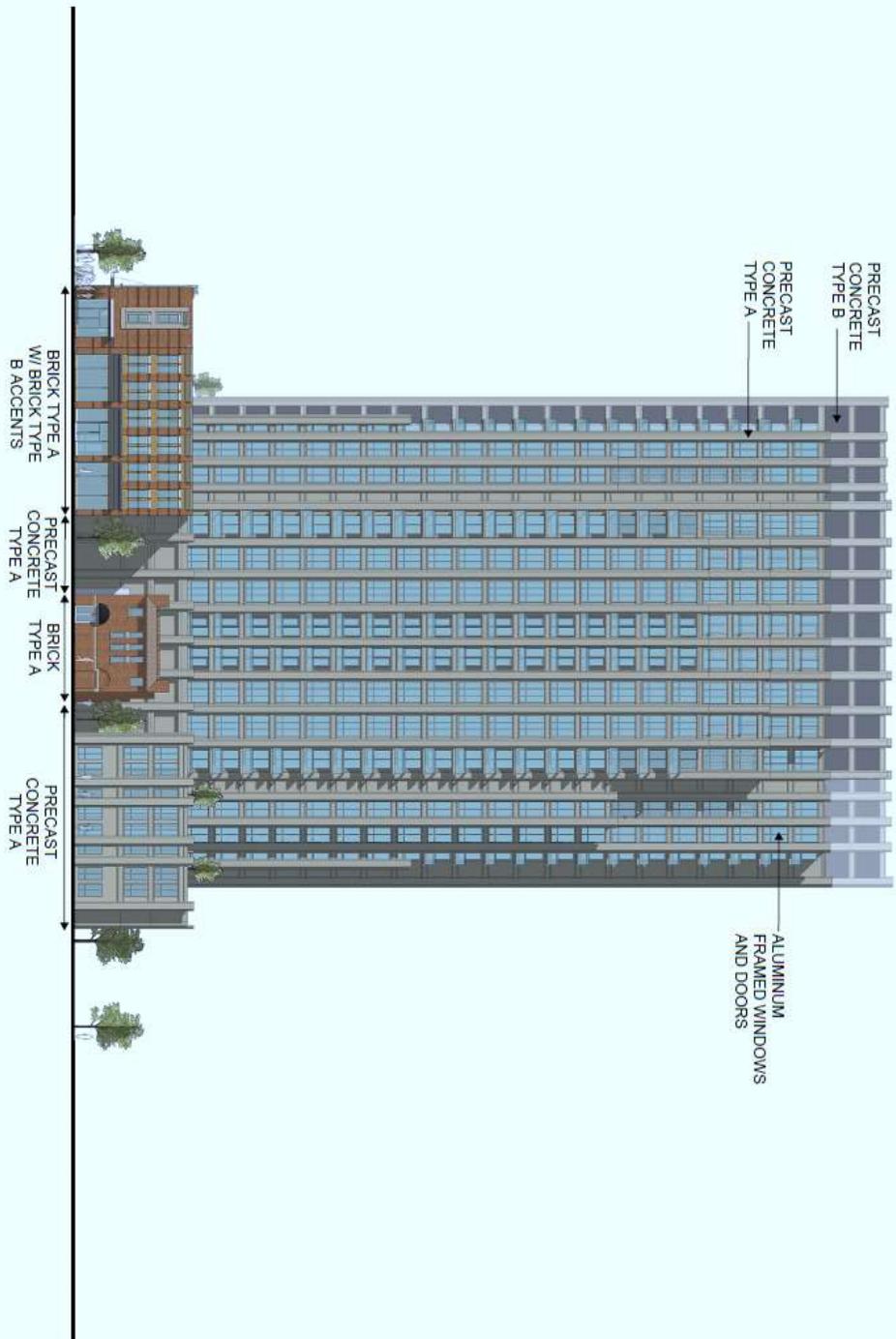
NICHOLSON
SHEFFIELD
ARCHITECTS
INC.

809 DUNDAS ST.
SOUTH ELEVATION



NICHOLSON
SHEFFIELD
ARCHITECTS
INC.

809 DUNDAS ST.
WEST ELEVATION



NICHOLSON
SHEFFIELD
ARCHITECTS
INC.

Appendix B

Bill No. (number to be inserted by Clerk's Office)
2018

By-law No. C.P.-XXXX-____

A by-law to amend The London Plan for
the City of London, 2016 relating to 809
Dundas Street.

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

1. Amendment No. (to be inserted by Clerk's Office) to The London Plan for
the City of London Planning Area – 2016, as contained in the text attached hereto and
forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of
the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on _____, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading –
Second Reading –
Third Reading –

**AMENDMENT NO.
to the
THE LONDON FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to add new policies to the Specific Policies for the Rapid Transit and Urban Corridor Place Type and adding the subject lands to Map 7 – Specific Policy Areas – of The London Plan.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 809 Dundas Street in the City of London.

C. BASIS OF THE AMENDMENT

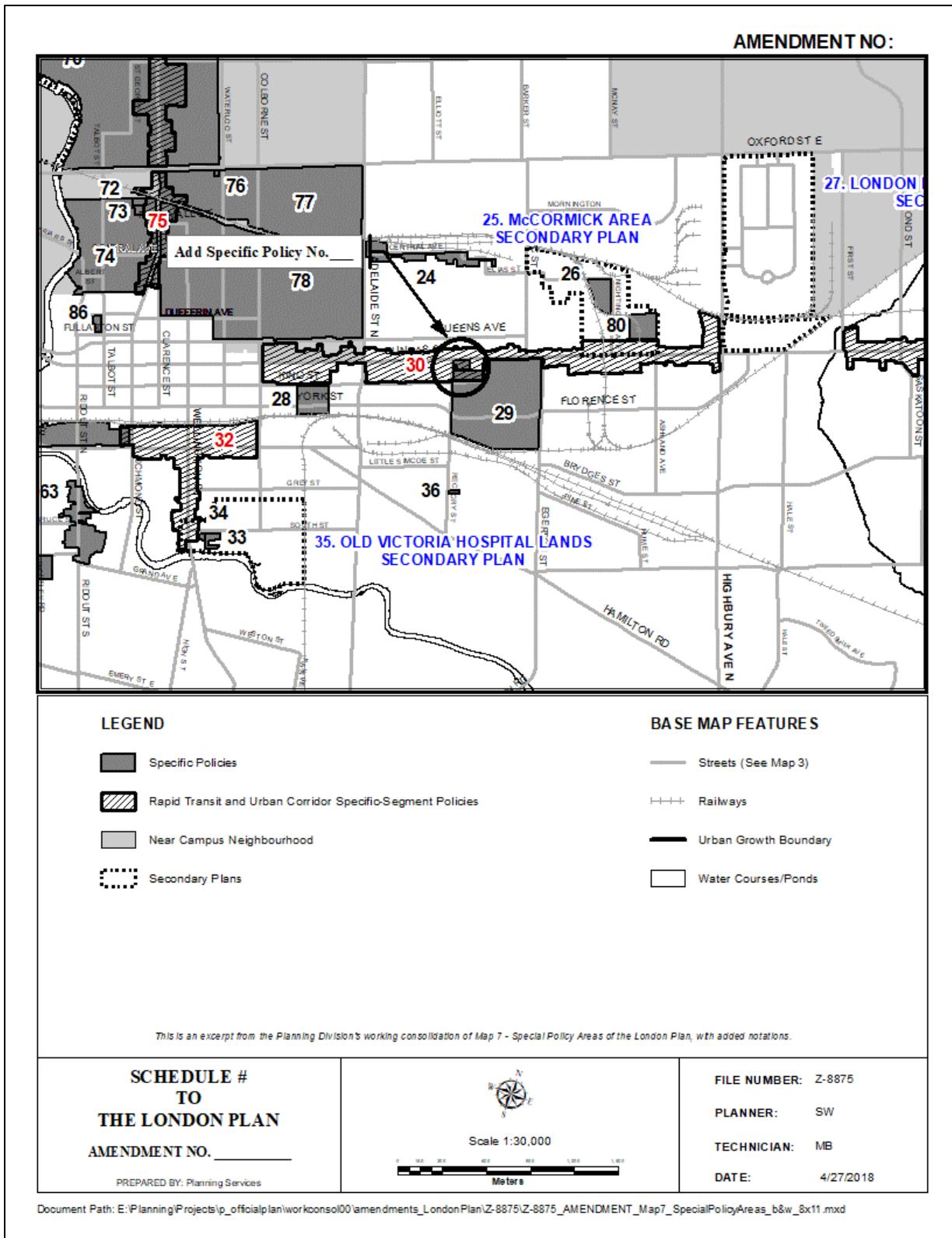
The recommended amendment is consistent with the Provincial Policy Statement, 2014 and Policies for Specific Areas of The London Plan. The recommendation provides the opportunity for a mixed-use development with a greater height and density that will revitalize the old east commercial corridor. The use of the Policies for Specific Areas will maintain the existing place type while providing additional development potential for the specific site.

D. THE AMENDMENT

The London Plan is hereby amended as follows:

1. Specific Policies for the Rapid Transit and Urban Corridor Place Type of The London Plan for the City of London is amended by adding the following:

()_ In the Rapid Transit Corridor Place Type located at 809 Dundas Street, greater height of 24 storeys and density of up to 710 units per hectare may be considered through a site specific bonus zone.
2. Map 7 – Specific Policies Areas, to The London Plan for the City of London Planning Area is amended by adding a specific policy area for the lands located at 809 Dundas Street in the City of London, as indicated on “Schedule 1” attached hereto.



Appendix C – Public Engagement

Public liaison: On February 22, 2018 Notice of Application was sent to 71 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on February 23, 2018. A “Planning Application” sign was also posted on the site.

22 replies were received

Nature of Liaison: Possible change Zoning By-law Z.-1 from an Office Residential/Business District Commercial Special Provision (OR*BDC(20)*D250*H46) Zone which permits a wide range of commercial, retail and residential uses with a maximum density of 250 units per hectare and an approximate height of 15 storeys (46m), to a Business District Commercial Special Provision Bonus (BDC(20)*D250*H46*B-___) Zone to permit the existing range of uses permitted by the Business District Commercial Zone variation, with an increased lot coverage, an increased height of 82m, and an increased maximum density of 710 Units per hectare through a bonus zone, in return for eligible facilities, services and matters outlined in Section 19.4.4 of the Official Plan, such as the provision of enhanced urban design and underground parking.

Responses: A summary of the various comments received include the following:

Support for:

Tasteful and appropriate design, quality materials, supportive of/excited for project (x 9), project will provide revitalization for area (x 4), traditional street frontage design

Concern for:

Affordable Housing:

Provide some affordable housing units (x4), as a mix of the total units (x 2), as part of the bonusing provisions, provide a minimum of 20%

Sunlight and Shadowing:

Shadow cast from building affect solar panels on Life Spin building (x 4), 12 storey form would cast less shadow, impacts on both sides of Dundas Street, creation of gloomy spaces

Building Design:

East blank wall needs to be addressed with better treatment (x 4), utilize east wall for a mural (x 2), provide distinctive treatment of storefronts (x 2), replicate materials found on existing storefronts in area, provide heritage design in heritage district, better address Rectory and Dundas corner, roof detail lacks continuity and visually splits the building,

Height

Highrise buildings are changing the skyline of OEV, no more than 15 storeys, 12 storeys should be the maximum, zoning requirements should be more inclusive than just height regulations, proposed height is too drastic compared to what is there now

Connectivity

Connectivity to Dundas St should be a high priority, pedestrian connectivity to BRT station at Dundas & Ontario (x 2), provide sidewalk along laneway to connect to Western Fair

Transportation

Concern for the high traffic volume on the laneway, currently inadequate public parking in area (x 2), commercial parking should be obvious, support increased demand for parking with increased provision of spaces, traffic congestion

Construction

Impacts of construction on business operations (x 3), noise impacts (x 3), dust (x 2), vibration (x 3) structural impacts (x 3), street closures and service interruptions (x 4), damage from construction vehicles

Servicing

Overload on infrastructure, the area can't support the influx of several hundred more residents, public spaces/schools need to accommodate tower dwellings

Other

Offer timed rental structure to encourage independent small businesses, provide additional setbacks for 432 Rectory Street for function and emergency access (x 2)

Responses to Public Liaison Letter and Publication in "The Londoner"

Telephone	Written
	Paul Moisesshyn
	Robert Nation & Joe Vaughn (EMAC) 432 Rectory St, London ON N5W 3W4
	Nicholas Hogg 843 Dundas St, London ON N5W 2Z8
	Victor Wagner 849 Dundas St, London ON N5W 2Z8
	Jesse Helmer 706 Princess Ave, London ON N5W 3M3
	Kate Fowler 1018 Dundas St, London ON N5W 3A3
	Jeff Pastorius 623 Dundas St, London ON N5W 2Z1 & 778 Elias St, London ON
	Frank Filice 831 Elias St, London ON N5W 3N9
	Sarah Meritt 831 Elias St, London ON N5W 3N9
	Louis Polakovic 925 Plantation Rd, London ON N6H 2Y1
	Lewis Seale 1-1036 Dundas St, London ON N5W 3A5
	Zack Lawlis 78 Stuart St, London ON N5Y 1S3
	Kathryn Eddington 709 Princess Ave, London ON N5W 3M2
	Esther Andrews 481 Dorinda St, London ON N5W 4B3
	Jacqueline Thompson 866 Dundas St, London ON N5W 2Z7
	Cassie Norris 23-1290 Sandford St, London ON N5V 3X8
	Caleb Denomme 766 Princess Ave – Upper London ON N5W 3M4
	Jason Jordan 970 Willow Dr, London ON N6E 1P3
	Vito Pettinato 724 Dundas St, London ON N5W 2Z4
	Bryan Clark/Andrew Rosser (Aeolian Hall) 795 Dundas St, London ON N5W 2Z6

Agency/Departmental Comments

Development Services Engineering – March 21, 2018

Transportation

The following items are to be considered during the site plan approval stage:

- Road widening Dedication:
 - Dedicate 0.692m to obtain 10.75m from centreline along Dundas Street.
 - Dedicate 0.692m to obtain 10.75m from centreline along Rectory Street.
 - Dedicate new 6.0m x 6.0m sight triangle on the southeast corner of Dundas Street and Rectory Street.
- King Street, Ontario Street, and Dundas Street have been identified as rapid transit corridors in the Council approved Rapid Transit Master Plan (RTMP). The preliminary recommendations have identified Ontario Street as a candidate for a transit station, through the ongoing Transit Project Approval Process (TPAP) and has also been identified for a conversion from one way northbound traffic to a two way street with the addition of a southbound lane for traffic, the corridors and transit station locations will be refined in greater detail through the TPAP process. For information regarding the RTMP or TPAP please use the following web link: <https://www.shiftlondon.ca/>

Stormwater Engineering

The following items are to be considered during the site plan approval stage:

- Please note that as per City as-constructed drawing 17211, the site, at a C=0.37, is tributary to the existing 750mm storm sewer on Ontario Street via the 600mm storm sewer on Dundas Street fronting the site. However, the 750mm storm sewer on Ontario (STMH3 to STMH2 in as-con 17211) appears to be in surcharge condition and therefore hydraulic calculations should be required (storm sewer capacity analysis) to demonstrate the capacity of the existing 750 storm sewer system is not exceeded.
- Proving there is sufficient pipe capacity to service the site, on-site SWM controls should be designed to the satisfaction of the City Engineer. On-site SWM controls design should include, but not be limited to required storage volume calculations, flow restrictor sizing, etc.
- Considering the number of parking spaces, the owner may be required to have a consulting Professional Engineer confirming that water quality will be addressed to the standards of the Ministry of the Environment and to the satisfaction of the City Engineer. Applicable options could include, but not be limited to the use of oil/grit separators, catchbasin hoods, bioswales, etc.
- The subject lands are located in the Central Thames Subwatershed. The Developer shall be required to provide a Storm/drainage Servicing Report demonstrating that the proper SWM practices will be applied to ensure the maximum permissible storm run-off discharge from the subject site will not exceed the peak discharge of storm run-off under pre-development conditions.

Wastewater and Drainage Engineering

- As part of the City's Pollution Prevention Control Plan (PPCP) and sanitary modeling in this area, it has been flagged that there is potential constraints in the English Street sanitary sewers downstream of this subject site. The English Street sanitary sewers downstream of this proposed development has been the subject of flow monitoring. Consequently WADE is taking steps to do additional flow monitoring to evaluate sanitary flows including wet weather.
- Dundas Street from Rectory to Adelaide has been identified for lifecycle replacement infrastructure works tentatively in 2020. English Street is still being

considered for lifecycle replacement infrastructure works tentatively for 2021 pending budgets and approvals.

- Based on the significant intensification proposed as part of the initial zoning pre-application WADE requested a preliminary sanitary sewer capacity assessment. WADE is asking that the assessment be revised to include an inventory of all existing and abandoned connections to the municipal system inclusive of all storm sewers and connections on this site be accounted for to ensure no storm p.d.c.'s or connections are directed to the sanitary system.
- WADE is recommending an 'h' provision be applied until this density is supportable or upgrades in the downstream system have been undertaken.

Water

The following items are to be considered during the site plan approval stage:

- Water is available from the 250 CI on Dundas Street and the 200mm CI on Rectory.
- Based on the number of units and the potential height of the development, water servicing (including looping requirements) must be in compliance with section 7.9.3 of the City of London Design specifications.
- The design should consider the potential ownership structure of the property, ie. condo corporation, single ownership etc. and the servicing requirements based on that ownership structure.

London Hydro – March 19, 2018

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. However, London Hydro will require a blanket easement.

UTRCA – March 19, 2018 Excerpt

No objections.

Urban Design – March 21, 2018

Urban Design staff commend the applicant for incorporating the following into the design; Providing for a continuous street wall along the Dundas Street frontage; Providing appropriate scale/ rhythm/ materials/ fenestration of the podium along the Dundas Street and Rectory Street frontages in keeping with the Old East Village Commercial Corridor Urban Design Manual; Incorporating all parking within the structure; Providing for appropriate tower setbacks from Dundas Street; Providing a north-south orientation of the towers, which limits the extents of shadows; Including a high proportion of transparent glazing on the towers; Providing for articulation on the exterior concrete columns on the towers.

Urban design staff have been working closely with the applicant through the rezoning process to address many of the design concerns that have been raised by the community, the Urban Design Peer Review Panel, and City staff. Some of the design concerns that remain outstanding include;

- Treatment of the podium at the intersection of Rectory and Dundas; include further windows on the ground floor elevations and further details on the upper facades.
- Treatment of the podium on the north half of the east façade; consider including openings or variation on this façade as it will be highly visible for the foreseeable future.
- Tower variation; Provide some variation between the two towers to address the perception of width and to add interest to the skyline
- Tower Massing, consider further articulation on the east and west facades of the towers, and consider the addition of colour to the towers in order to further break up the massing.

The applicant should provide a response to the UDPRP Memo issued following the March 2018 meeting detailing how they have considered all of the Panels comments.

Urban Design Peer Review Panel – March 29, 2018

The Panel provides the following feedback on the submission to be addressed through the Zoning Bylaw amendment underway:

- The Panel is supportive of the 3-storey podium which creates a pedestrian scale to the development along Dundas Street in character with the area.
- The Panel has a concern with the amount of overlap between the two proposed towers in terms of overlook and shadows cast on the space in-between them. There is a preference for the towers to stagger, providing offset between the towers in plan. This could involve a reduction in floor plate (and possibly dispersing density in a different manner e.g. additional floors on a stepped back podium or additional height on one or both towers) to allow for the staggering.
- The Panel suggests that the proponent and City staff evaluate the east tower relative the east property line to ensure appropriateness of separation with respect to tower overlook and impact on the possibility of a future tower development, should future tall buildings be deemed appropriate for the area.
- As an alternative to commercial ground floor space, the proponent could also consider street-fronting town houses in the podium. These could be multi-storey and provide additional screening for the upper parking garage levels facing the street.
- The Panel is supportive of the articulation of tower. Consideration should be given to providing some variation among the two towers to address the perception of width and add interest to the skyline.
- The Panel supports the canopy feature over the Dundas Street residential entrance and suggests further emphasizing this area to define it along the length of the façade.
- The Panel supports all parking located within the building. Consideration should be given for active openings to the second and third floor parking garage. Additionally, the Panel encourages a design that includes some active use (residential or commercial) on at least a portion of these upper floors for more “eyes on the street”, particularly after hours when commercial units are closed.
- The symmetry of the two tower scheme works well at the drop-off area, where the towers land on the ground, but from the Dundas Street perspective, consideration could be given to provide more variation to the skyline.
- Openings/variation along the eastern façade should be considered, even if minor, knowing that a future development may hide this façade in the future.

Concluding comments:

The Panel supports the overall design concept with the integration of the design recommendations noted above and commends the applicant for their thoughtful approach to the design at this early stage of development. This UDPRP review is based on City planning and urban design policy, the submitted brief, and noted presentation. It is intended to inform the ongoing planning and design process. Subject to the comments and recommendations above, the proposed development represents an appropriate solution for the site.

LACH – March 28, 2018

BE ADVISED that the London Advisory Committee on Heritage (LACH) is satisfied with the research contained in the Heritage Impact Statement dated January 2018, prepared by Zelinka Priamo Ltd. for the adjacent property located at 795 Dundas Street;



October 24, 2018

TO: City of London Planning Services
Attention: Michael Tomazincic, Manager, Current Planning
Sonia Wise, Planner II, Current Planning

REGARDING: Bonusing for Affordable Housing at 809 Dundas St., London
City of London Planning File: Z-8875
HDC File: 809 Dundas

Background:

Housing Development Corporation, London (HDC) was engaged as a third party to support information, facilitate negotiation, and assist in the provision of a fair recommendation to Planning Services in response to the following resolution of Municipal Council to consider Section 37 bonusing provisions (*Planning Act RSO 1990, S. 37*) for the purposes of advancing affordable housing at 809 Dundas:

“...c) the Civic Administration BE REQUESTED to include, as part of any recommended bonus zoning, the provision of a portion of the total units of the proposed building as affordable housing units...”

- *Municipal Council, June 26 2018.*

Requested Zoning By-law Amendment:

The purpose and effect of the zoning by-law amendment requested by Paramount Developments is to provide for a mixed-use development with two 24-storey apartment buildings containing a total of 480 residential units.

The details of the requested Zoning By-law Amendment, including consideration of facilities, services, and matters of public benefit, were previously identified in the June 18, 2018, report of the City Planner to the Planning and Environment Services Committee. This report informed the process.

This letter reflects the recommendation of HDC to the City of London Planning Services as fair consideration of bonusing for affordable rental housing within the proposed development at 809 Dundas St., London, advanced by Paramount Developments. These recommendations are further to our meetings with Paramount Development and Planning Services and the established rationale noted below.

RECOMMENDATION:

Based on the review of the proposed project plans for 809 Dundas, as submitted to the City of London Planning Services by Paramount Developments, it is the recommendation of HDC that the City Planner advance the following requirements within the affordable housing Bonus Zone:



1. **25 single (one bedroom) units at the proposed 809 Dundas development be considered for dedication to affordable rental housing in exchange for the granting of increased height and density, as the provision of services pursuant to the *Planning Act RSO 1990, S. 37*;**
 -
2. **“Affordability” for the purpose of any associated encumbrance agreement (see below) be defined as rents not exceeding 95% of the Average Market Rent (AMR), as defined at the time of occupancy, and where:**
 - i. **AMR of the affordable units be defined as the one-bedroom AMR rate for the London Census Metropolitan Area by CMHC at the time of building occupancy;**
 - ii. **the identified units will be scattered throughout the development and may be constructed to a more modest level but within the affordable housing size and attribute guidelines of HDC; and**
 - iii. **the rents of the defined affordable units will only be incremented in rents to the allowable maximum once per 12-month period in accordance with the *Residential Tenancies Act* or any successor legislation.**
 -
3. **The duration of the affordability period be set at 25 years from the point of initial occupancy of all 25 designated affordable rental units. Sitting tenants residing in designated affordable housing units at the conclusion of the agreement would retain security of tenure and adjusted affordable rents until end of their tenancy. These rights would not be allowed to be assigned or sublet.**
 -

These, and any other amended conditions to be confirmed by Municipal Council need to be secured through an encumbrance agreement ensuring compliance and to retain the value of the affordable rental housing Bonus Zone (at an estimated rate of approx. 50% of the construction cost of the affordable units) over the 25-year affordability period. An agreement would also address other conditions including tenant selection.

Any such agreement to retain the affordable rental housing would be subject to terms defined by the City Solicitor and compliance reviews and remedies similar to other affordable housing development agreements of the City and HDC and as managed through the City’s Housing Division.

Rationale for Affordable Housing Bonus:

The initial recommended Bonus Zone was established at 30 affordable rental housing units for a 20-year affordability period. This was based on a proportional factoring of units between the existing permitted height and density and the plans being sought through the Bonus Zone and was consistent with Council’s Key Directions and Strategies in the London Plan and local housing plans. (London Plan Policy 517_).

Through discussion and concurrence of Planning Services and Paramount Developments, this recommendation has been modified to provide for 25 affordable rental units (at 95% AMR) over 25 years. This revised recommendation provides an alternative approach to achieving similar value and meets the intentions of Paramount Developments and the service exchange providing long term affordable housing.

The recommended Bonus Zone considers local affordable housing needs and demands, local industry measures including CMHC rental market and housing analytics, City neighbourhood profiles, labour market data, as well as a review of the bonusing policies and practices of other major urban centres.



HDC recognizes the proposed location, building plans, and other project attributes are within an existing Community Improvement Plan (CIP) area where other non-bonusing related incentives are also available. The final recommended Bonus Zone remains based on the difference between the existing height and density permissions and those being sought through the Bonus Zone.

The recommended Bonus Zone is specific to the proposed development at 809 Dundas St., London and does not apply to any other development by virtue any perceived similarity in height and density increase or built form.

Conclusion:

Section 37 of the *Planning Act* provides municipalities the ability to advance public facilities, services and matters in exchange for additional height and density above existing zoning permissions. The ability to utilize this important tool as a mechanism to advance affordable rental housing aligns with a critical need in London, noting that London is currently ranked 5th in Canada for the highest percentages of households in “Core Housing Need” in major urban centres. (CMHC, July 2018).

This recommendation recognizes Council’s expressed interest to seek “...options for implementing and coordinating [planning] tools to be most effective...” to “...promote the development of affordable housing in London”. (4.4/12/PEC, July 25, 2018)

HDC will be available to the Planning and Environment Committee and to Civic Administration to further inform this recommendation or respond to any associated questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen Giustizia".

Stephen Giustizia
CEO, HDC

- c. Brian Turcotte, Development Manager, HDC
- Isabel da Rocha, Business and Program Manager, HDC

For Copy through Planning Services to:

Paramount Developments (London) Inc. (Developer)

- Attention: Roger Caranci
- Bill Carter
- Ian Stone
- Harry Froussios, Zelinka Priamo Ltd.

Appendix D – Policy Context

Application

City of London Zoning By-law Amendment Application Form, completed by Harry Froussios, submitted February 2, 2018.

Reference Documents

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this requested land use change. The most relevant policies, by-laws, and legislation are identified as follows:

PPS

- 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns
 - 1.1.1 a, b, c, e, f
- 1.1.3 Settlement Areas
 - 1.1.3.1, 1.1.3.2, 1.1.3.3, 1.1.3.4, 1.1.3.6
- 1.4 Housing
 - 1.4.1
- 1.6.7 Transportation Systems
 - 1.6.7.4

Official Plan

- 3.4. Multi-Family, High Density Residential
 - 3.4.3. Scale of Development
- 4.4.1 Main Street Commercial Corridor
 - 4.4.1.3. Function
 - 4.4.1.1. Planning Objectives
 - 4.4.1.2. Urban Design Objectives
 - 4.4.1.4. Permitted Uses
 - 4.4.1.7. Scale of Development
 - 4.4.1.9. Urban Design
 - 4.4.1.13. Specific Main Street Commercial Corridors
 - 4.4.1.13.2. Old East Village (iii)
- 19.4 Zoning
 - 19.4.4 Bonus Zoning

London Plan

- Rapid Transit and Urban Corridors
- Permitted Uses – 837
- Intensity – 840
- Form – 841
- Bonus Zoning 1645-1655

Lane Maintenance Policy By-law A.-6168-43

Relevant Correspondence

B. Turcotte, S. Giustizia, & I. Da Rocha. Housing Development Corporation. Emails to S. Wise. April – October 2018.

A. Giesen. City of London – Transportation Planning & Design, Emails to S.Wise. March – October 2018.

K. Gonyou. City of London – Urban Regeneration. Emails to S.Wise February – June 2018.

K. Graham & B. Moore. City of London – Wastewater and Drainage Engineering. Emails to S.Wise April, 2018.

B. Lambert. City of London – Development Services – Engineering. Emails to S. Wise March - May 2018.

S. Lepik. London Hydro. Email to S. Wise March 19, 2018.

A. Lockwood. City of London – Development Services – Planning. Emails to S. Wise May – October, 2018.

J. Smolarek. City of London – Urban Design – Emails to S. Wise April – October, 2018.

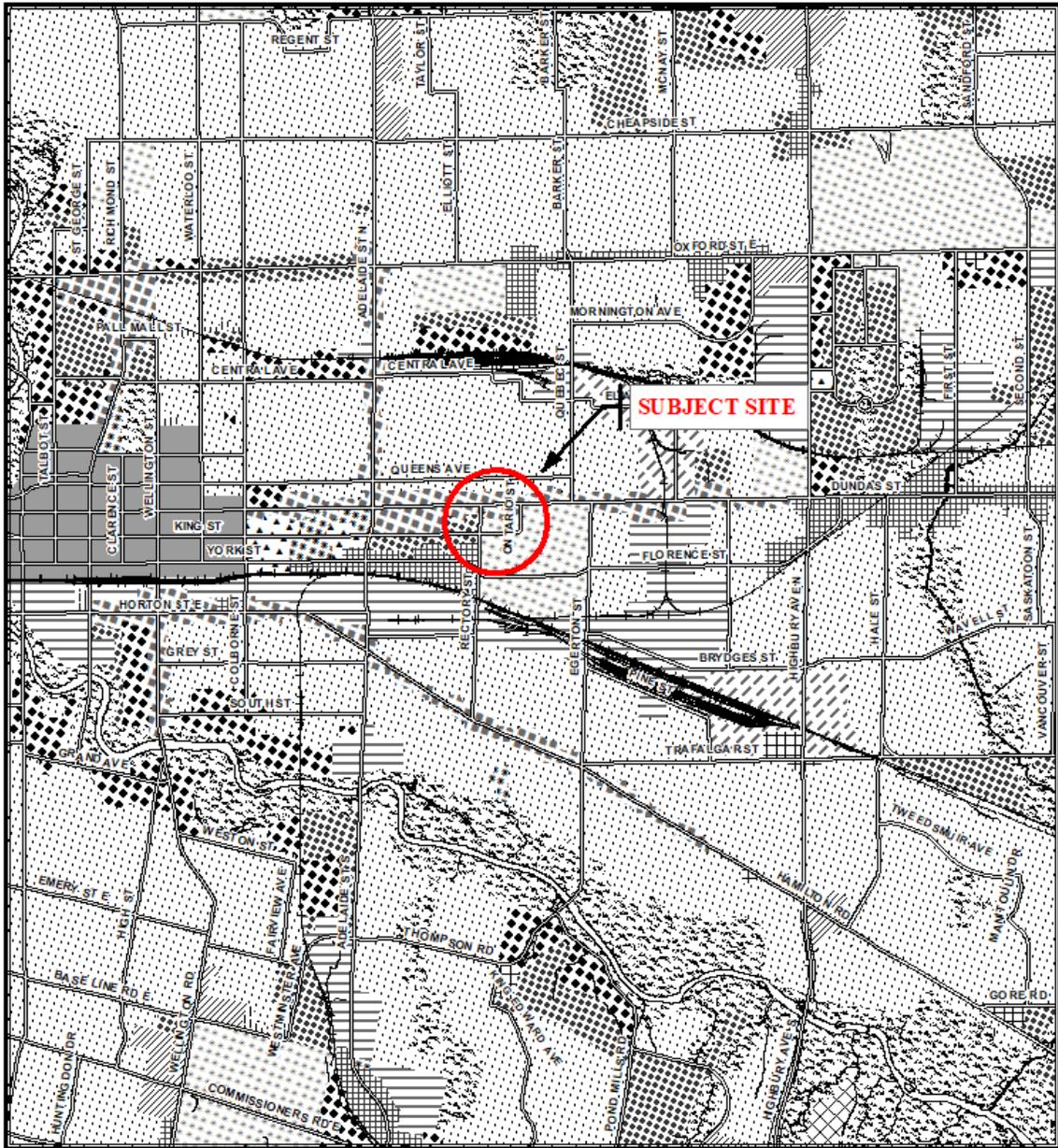
Other

Site visit March 6

Appendix E – Relevant Background

Additional Maps

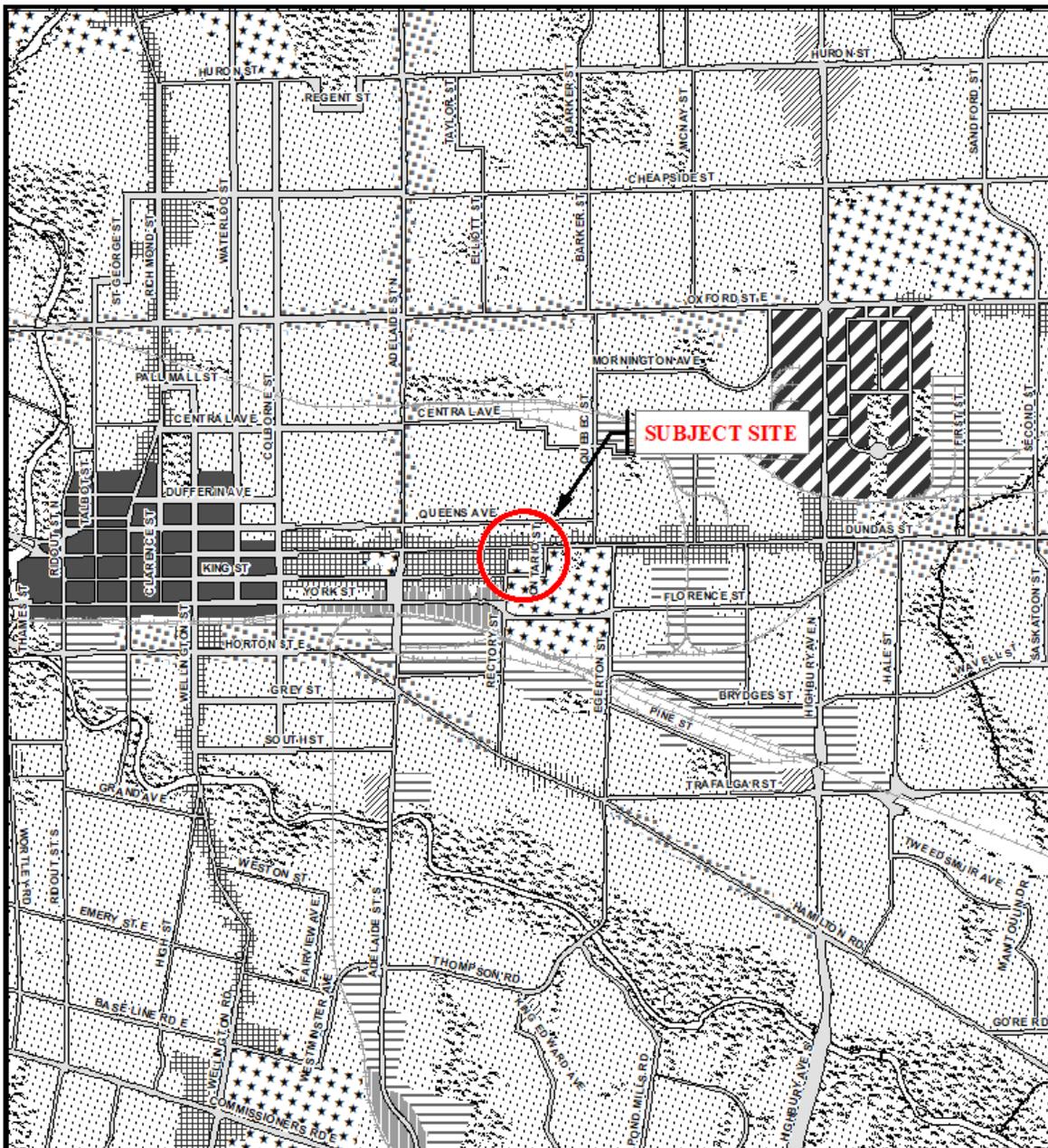




Legend		
Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial
Community Commercial Node	Regional Facility	Transitional Industrial
Neighbourhood Commercial Node	Community Facility	Rural Settlement
Main Street Commercial Corridor	Open Space	Environmental Review
Auto-Oriented Commercial Corridor	Urban Reserve - Community Growth	Agriculture
Multi-Family, High Density Residential	Urban Reserve - Industrial Growth	Urban Growth Boundary

<p>CITY OF LONDON Planning Services / Development Services OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	 Scale 1:30,000 Meters	<p>FILE NUMBER: Z-8875 PLANNER: SW TECHNICIAN: MB DATE: 2018/04/27</p>
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PROJECT LOCATION: e:\planning\projects\p_officialplan\work\koo\100\excerpts\mxd_templates\schedule_A_b&w_8x14_with_SWAP.mxd



Legend

- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor | Commercial Industrial | Urban Growth Boundary |
| Main Street | Institutional | |
| Neighbourhood | Green Space | |

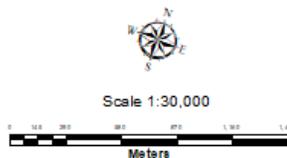
This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

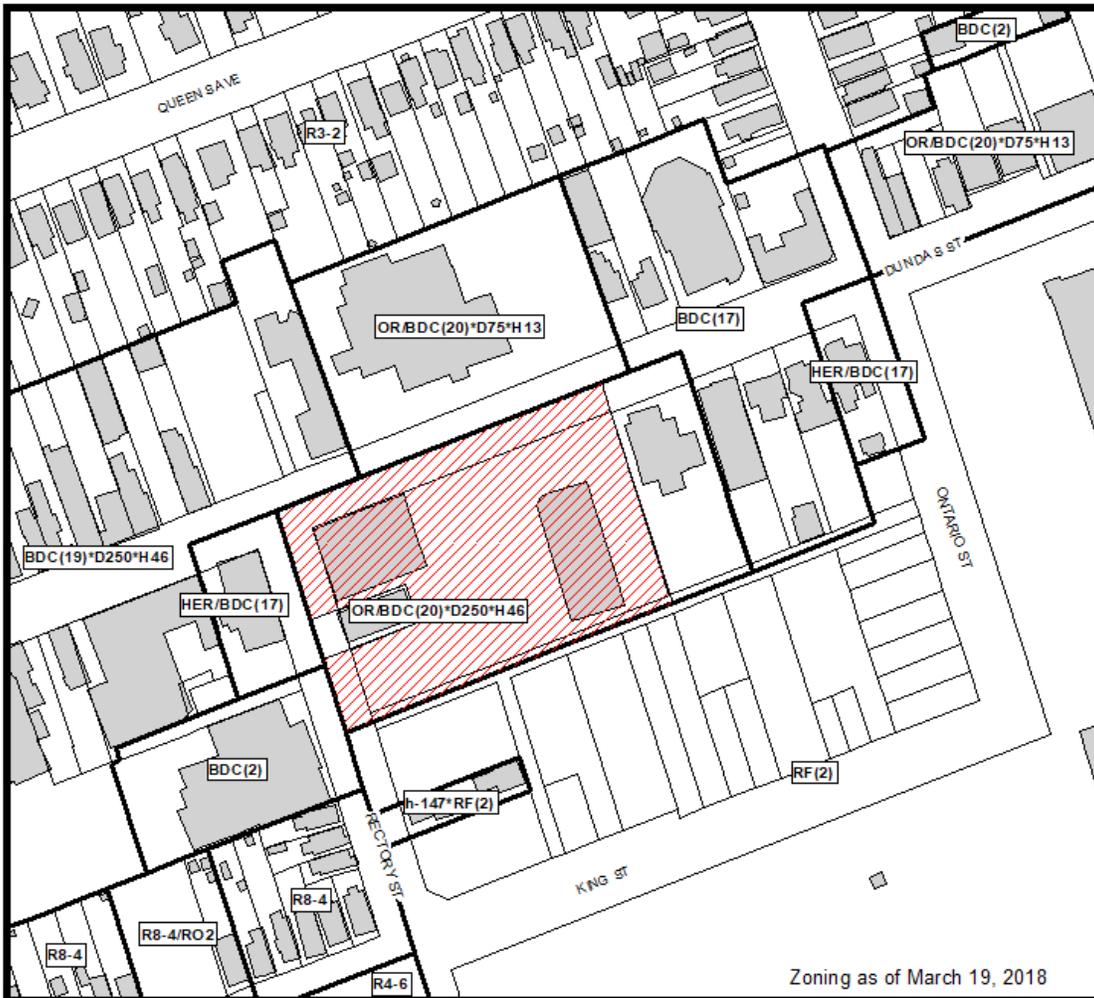
CITY OF LONDON
Planning Services /
Development Services

LONDON PLAN MAP 1
- PLACE TYPES -

PREPARED BY: Planning Services



File Number: Z-8875
Planner: SW
Technician: MB
Date: April 27, 2018



Zoning as of March 19, 2018



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: OR/BDC(20)*D250*H46

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

- | | |
|--|---|
| <ul style="list-style-type: none"> R1 - SINGLE DETACHED DWELLINGS R2 - SINGLE AND TWO UNIT DWELLINGS R3 - SINGLE TO FOUR UNIT DWELLINGS R4 - STREET TOWNHOUSE R5 - CLUSTER TOWNHOUSE R6 - CLUSTER HOUSING ALL FORMS R7 - SENIOR'S HOUSING R8 - MEDIUM DENSITY/LOW RISE APTS. R9 - MEDIUM TO HIGH DENSITY APTS. R10 - HIGH DENSITY APARTMENTS R11 - LODGING HOUSE
 DA - DOWNTOWN AREA RSA - REGIONAL SHOPPING AREA CSA - COMMUNITY SHOPPING AREA NSA - NEIGHBOURHOOD SHOPPING AREA BDC - BUSINESS DISTRICT COMMERCIAL AC - ARTERIAL COMMERCIAL HS - HIGHWAY SERVICE COMMERCIAL RSC - RESTRICTED SERVICE COMMERCIAL CC - CONVENIENCE COMMERCIAL SS - AUTOMOBILE SERVICE STATION ASA - ASSOCIATED SHOPPING AREA COMMERCIAL
 OR - OFFICE/RESIDENTIAL OC - OFFICE CONVERSION RO - RESTRICTED OFFICE OF - OFFICE | <ul style="list-style-type: none"> RF - REGIONAL FACILITY CF - COMMUNITY FACILITY NF - NEIGHBOURHOOD FACILITY HER - HERITAGE DC - DAY CARE
 OS - OPEN SPACE CR - COMMERCIAL RECREATION ER - ENVIRONMENTAL REVIEW
 OB - OFFICE BUSINESS PARK LI - LIGHT INDUSTRIAL GI - GENERAL INDUSTRIAL HI - HEAVY INDUSTRIAL EX - RESOURCE EXTRACTIVE UR - URBAN RESERVE
 AG - AGRICULTURAL AGC - AGRICULTURAL COMMERCIAL RRC - RURAL SETTLEMENT COMMERCIAL TGS - TEMPORARY GARDEN SUITE RT - RAIL TRANSPORTATION
 "h" - HOLDING SYMBOL "D" - DENSITY SYMBOL "H" - HEIGHT SYMBOL "B" - BONUS SYMBOL "T" - TEMPORARY USE SYMBOL |
|--|---|

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

Z-8875 SW

MAP PREPARED:

2018/04/27 MB

1:2,000

0 10 20 40 60 80 Meters

Additional Reports

November 2004 - OZ-6749 - Old East Village Corridor Community Improvement Area (CIP), including Official Plan and Zoning By-law Amendments.

April 2008 - Expansion of the Old East Village Corridor Community Improvement Plan.

June 15, 2008 - Z-7519 – Planning and Environment Committee

June 18, 2018 – Z-8875 – Planning and Environment Committee – Public Participation Meeting

Report to Planning and Environment Committee

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

**From: John M. Fleming
Managing Director, Planning and City Planner**

**Subject: The Tricar Group
230 North Centre Road**

Public Participation Meeting on: November 12, 2018

Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of The Tricar Group relating to the property located at 230 North Centre Road:

- (a) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on November 20, 2018 to amend the Official Plan to change the designation of the subject lands **FROM** a Multi-Family, Medium Density Residential designation, **TO** a Multi-Family, High Density Residential designation;
- (b) The proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on November 20, 2018 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, to change the zoning of the subject property **FROM** a Holding Residential R5/R7/R8 (h-5*R5-7/R7*D75*H12/R8-4*H12) Zone, **TO** a Holding Residential R9 Bonus (h-183*R9-7*B(_)) Zone.

The B(_) Bonus Zone shall be implemented through one or more agreements to provide for an apartment building height of 15 storeys or 56 metres (183.7ft) with an increased density of up to 192 units per hectare in return for the provision of the following facilities, services, and matters:

- 1) A high quality development which substantially implements the site plan and elevations as attached in Schedule "1" to the amending by-law:

Podium

- i) The inclusion of podium townhouse units, seven along the Richmond Street frontage and seven along the North Centre Road frontage;
- ii) Brick as the primary material on the street-facing elevations;
- iii) Individual unit entrances with front door access for all townhouse units;
- iv) Ground floor units with walkways leading to the City sidewalk for all street facing townhouse units;
- v) A prominent principle entrance into the apartment building that is easily identifiable by including some or all of the following: a change of massing, a higher level of clear glazing, and/or the incorporation of canopies;
- vi) A multi-level parking structure that is buffered from the street-facing facades by the inclusion the townhouse units.
- vii) Architectural details and design elements on the north podium elevation that will be visible to those entering the City from the north.

Mid Rise Portions

- i) A material and colour palette that provides for a cohesive design between all elements of the building including the podium, the mid-rise portions and the tower. This could include the inclusion of brick and/or a similar colour to the brick cladding on the podium;

- ii) A high proportion of glass materials and a relatively low proportion of exposed concrete or similar materials, including floor to ceiling window walls. Use of clear glass balcony barriers;
- iii) The inclusion of window walls on the eight floor matching the top levels of the tower portion.

Tower

- i) A material and colour palette that provides for a cohesive design between all elements of the building including the podium, the mid-rise portions and the tower. This could include the inclusion of brick and/or a similar colour to the brick cladding on the podium.
- ii) A high proportion of glass materials and a relatively low proportion of exposed concrete or similar materials, including floor to ceiling window walls. Use of clear glass balcony barriers;
- iii) A step-back of the fourteenth and fifteenth floors on all tower elevations.
- iv) The inclusion of window walls on the fourteenth and fifteenth floors.
- v) The design of the top of the towers that provides interest to the skyline and is well integrated with the design language of the overall building.
- vi) Incorporation of mechanical room with the roofline of the tower.

2) Transit Station

The financial contribution of funding to the future Transit Station at Masonville Mall in the amount of 1% of the construction value up to \$250,000, for the provision of facilities, services, programming, public art or other matters for positive project enhancements to be provided at the time of site plan approval or construction of the station, whichever occurs first.

- 3) 1 level of underground parking
- 4) Publicly accessible civic space located at the southwest corner of the site.
- c) The Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the site plan approval process:
 - i) Consider designing the exterior elevations of the amenity room with more prominence and relate it further to the corner entrance rather than the design of the townhouses. Both the entrance and amenity room could appear as one from the outside, this would provide for a stronger building presence at the corner;
 - ii) On the south elevation of the corner entrance, extend the glass/spandrel treatment further east up to the brick on the townhouse;
 - iii) Explore ways to provide interest on the west façade of the 3 storey townhouse at the corner entrance, this could be achieved in many ways including; greenwall, vines, mural, brick patterns, etc...
 - iv) Remove the columns on the balconies on the west elevation of the midrise portion along Richmond Street similar to what is shown on the east elevation. Alternatively, if the columns are necessary consider moving them up against the building making them appear as an extension of the building rather than columns.
 - v) As three new townhouse units have been added to the east elevation of the podium, consider locating these townhouses further south immediately north of the towns along North Centre Rd as this would provide for an active edge on a very visible portion of building and would provide for a more welcoming entrance to the site.
 - vi) Ensure any visible portions of the north podium elevation include architectural details and design elements that provide interest in order to avoid large blank portions of wall on the podium. This is important as this northern façade will be seen by those entering the City, southbound, at this important gateway.

Executive Summary

Summary of Request

The requested amendment is to permit a site-specific bonus zone to allow for a 15-storey apartment building which will include 222 residential units. This includes 7 podium units along North Centre Road, 7 podium units along Richmond Street and 3 podium units along the north-east corner of the site.

Purpose and the Effect of Recommended Action

The purpose and effect of this Official Plan and zoning change is to permit a residential apartment building with a maximum height of 15-storeys which will include 222 residential units. This includes 7 podium units along North Centre Road, 7 podium units along Richmond Street and 3 podium units along the north-east corner of the site. The bonus zone shall be implemented through one or more agreements to facilitate the development of the requested apartment building in return for a financial contribution towards the future transit hub at Masonville Mall, a publicly accessible civic space at the corner of North Centre Road and Richmond Street, provision of 1 level of underground parking and the construction of the high quality form of development illustrated in Schedule "1" of the amending by-law.

Rationale of Recommended Action

1. The recommended amendment is consistent with the PPS 2014.
2. The recommended amendment is consistent with the City of London Official Plan policies and Transit Village Place Type policies of The London Plan.
3. The recommended amendment facilitates the development of an undeveloped lot and encourages an appropriate form of development.
4. The bonusing of the subject site ensures the building form and design will fit within the surrounding area while providing a high quality design standard.
5. The subject site is located in a location where intensification can be accommodated given the existing municipal infrastructure, the nearby arterial roads (Richmond Street & Fanshawe Park Road), large commercial node, and existing and future public transit facilities in the area.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject site is located on the northeast corner of the Richmond Street and North Centre Road intersection. The site is approximately 1.16 ha in size and is currently undeveloped. The subject site was previously part of a large block of land created through a plan of subdivision in 1997. The eastern portion of this block developed for a continuum-of-care facility (Richmond Woods Retirement Village) while the western portion (the subject site) remained vacant. The subject site was created through a consent application (2016) which severed the subject site from the Richmond Woods Retirement Village development. The lands directly south are designated and used for Office uses while the remainder of the lands on the south side of North Centre Road are designated as High Density Residential through the 1989 Official Plan and have been developed as townhomes. To the north is a large estate lot owned by Western University that underwent a rezoning in 2014 for a mix of medium density residential type uses. The zoning was approved on April 15, 2014. To the west of the site are lands that are also designated for High Density Residential uses that were developed as one and two storey townhomes.

1.2 Current Planning Information (see more detail in Appendix D)

- Official Plan Designation – Multi-Family, Medium Density Residential
- The London Plan Place Type – Transit Village
- Existing Zoning – Holding Residential R5/R7/R8 (h-5*R5-7/R7*D75*H12/R8-4*H12) Zone

1.3 Site Characteristics

- Current Land Use – Vacant
- Frontage – 80 metres
- Depth – 105 metres
- Area – 1.16 ha
- Shape – Rectangular

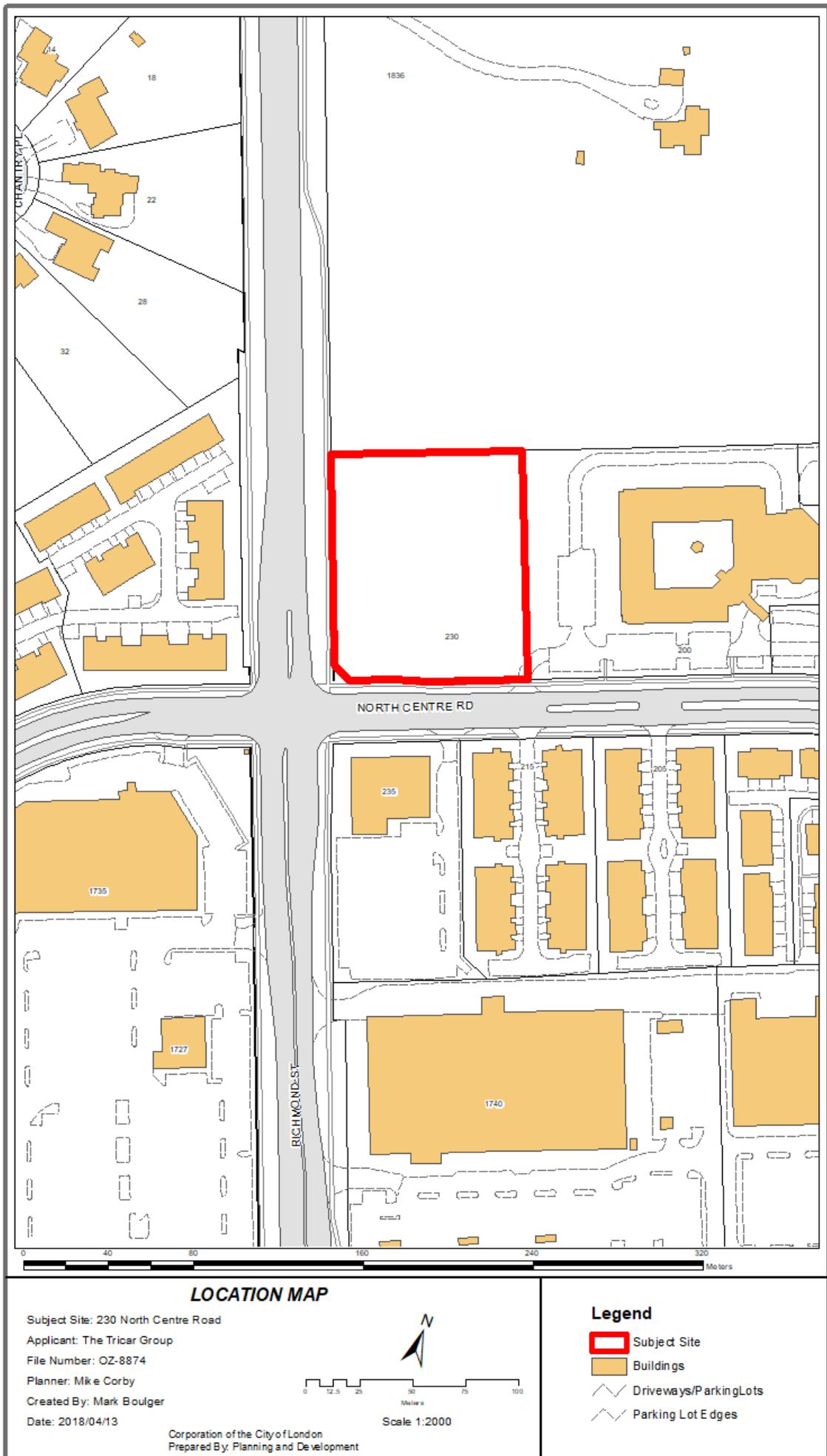
1.4 Surrounding Land Uses

- North – Large Estate Lot
- East – Continuum-of-Care Facilities
- South – Office/Commercial/Residential
- West – Residential/Commercial

1.5 Intensification (identify proposed number of units)

- The proposed development will represent intensification within the Built-area Boundary
- The proposed development will represent intensification within the Primary Transit Area

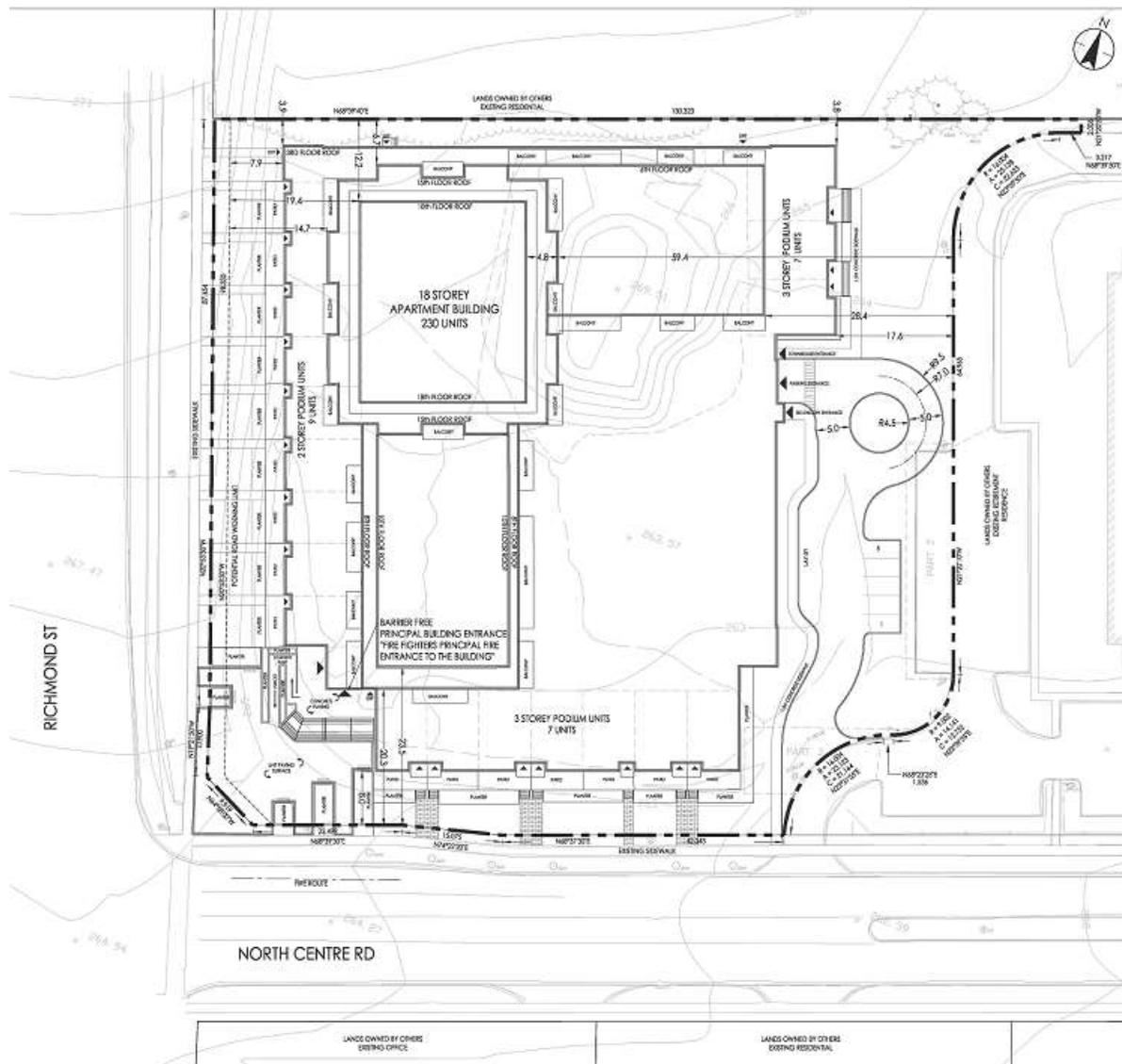
1.6 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The proposal is for a 15-storey apartment building at a maximum height of 56m (183.7ft) which will include 222 residential units. This includes 7 podium units along North Centre Road, 7 podium units along Richmond Street and 3 podium units along the north-east corner of the site. An 8-storey wing is located along Richmond Street and a 6-storey wing is located along the northerly property limit creating an L-shaped development.



A total of 308 parking spaces for the development have been accommodated through one level of underground parking and two levels of podium parking screened by the townhouse units along Richmond Street and North Centre Road. 5 parking spaces are available at grade with additional visitor parking accommodated within the parking structure. Vehicular access is provided through a joint access at the easterly edge of the property along North Centre Road.

3.0 Relevant Background

3.1 Planning History

The subject site and surrounding lands on the northeast corner of Fanshawe and Richmond Street were designated through the 1989 Official Plan and subject to a rezoning application in 1995 which was appealed to the OMB. While the zoning amendment was under appeal a plan of subdivision application was submitted to the City seeking to implement the proposed ZBA that was still under appeal. Due to the zoning being under appeal Council refused the subdivision application which was then consolidated at the OMB in order for both matters to be dealt with at the same time. In

1997 all appeals were withdrawn and the proposed by-laws came into effect resulting in the zoning and property fabric that exists on these sites today.

On September 23, 2016 a consent application was submitted to sever the subject site from the lands to the east which received conditional approval from the consent authority on January 25, 2017 and the conditions of consent were cleared on September 21, 2017.

On February 8, 2018 an application was accepted for a 22-storey apartment building at a maximum height of 73.2m (240ft), with a total of 230 residential units (199 uph) constructed on a 2-3 storey podium. The proposal provided 7 podium units fronting North Centre Road and Richmond Street.

On June 13, 2018 a revised development proposal was submitted for an 18-storey, L-shaped residential apartment building which included 215 residential units (186uph) with 7 podium units being provided along North Centre Road and 9 podium units along Richmond Street.

On August 15th, 2018 a further revision to the design was submitted which proposed an 18-storey, L-shaped residential apartment building which included 230 residential units (199uph). This included 7 podium units along North Centre Road, 7 podium units along Richmond Street and 3 podium units along the north-east corner of the site.

On September 24th, 2018 Staff presented a recommendation for approval of the final design for the proposed 18-storey, L-shaped residential apartment building. The recommendation from the committee resulted in a referral back to Staff to ensure that an additional community meeting consultation occurred between Staff, the community and the applicant.

Subsequent to the community meeting held on October 4, 2018 a final design was submitted which proposed a 15-storey, L-shaped residential apartment building which will include 222 residential units (192 uph). This included an 8-storey mid-rise portion and 7 townhouse units along Richmond Street, 7 townhouse units on North Centre Road, a 6-storey mid-rise portion parallel to the north property line, and 3 podium townhouse units at the north east-corner of the site.

3.2 Requested Amendment

The requested amendment is for an Official Plan amendment from a Multi-Family, Medium Density Residential designation to a Multi-Family, High Density Residential designation.

The amendment also includes a Zoning By-law amendment from a Holding Residential R5/R7/R8 (h-5*R5-7/R7*D75*H12/R8-4*H12) Zone, to a Residential R9 Bonus (R9-7*B(_)) Zone to allow for the proposed apartment building. The bonus zone would permit a residential density of 192uph and maximum height of 56 metres in return for eligible facilities, services and matters outlined in Section 19.4.4 of the Official Plan. Other provisions such as interior/exterior side yard setbacks and lot coverage may also be considered through the re-zoning process as part of the bonus zone.

3.3 Community Engagement

In keeping with the Council direction received on September 24, 2018, Staff held an additional community meeting on October 4, 2018. The meeting included individuals from the surrounding Condominium Boards, Richmond Woods, active community members, the Ward 5 Councillor, the applicant, and City Staff.

During the meeting the community members presented a prioritized list of their concerns to Staff and the applicant. There prioritized list of concerns are summarized below and the email is attached as Appendix C.

1) Reduction of Height / Shadowing / Density:

- Seeking a development that stays within the medium density designation but can be bonused up to 9-10 storeys in height.
- 2) Street traffic concerns** (parking, pedestrian safety concerns)
- Provide solutions to help with the increase in traffic on North Centre Road.
 - Pedestrian bridge/crosswalk (along North Centre and Richmond Street), installation of stop sign, yield signs, no-left turn signs at the one-shared driveway entrance. Installing no parking signs along the side of the street, create/enforce paid parking with no-parking hours between rush-hour.
- 3) Green space needed**
- Insufficient green space being provided for the community.
 - Only provides options for the future tenants.
 - It would be a benefit to the community if proper green space be added to the design, and increase the quality of life for all residents.
- 4) Aesthetically pleasing design** (tied)
- The new alternative design (based on bonusing within the MFMDR) has to fit within the character of the community.
 - Not a concrete slab.
- 4) Outdoor visitor parking** (tied)
- 5 outdoor parking spaces are not enough.
 - Under-ground visitor parking is not sufficient, as it is locked and not accessible to all visitors.
 - Visitors will just park on the street for convenience.
 - Increased on street parking will result in traffic and parking concerns for the surrounding properties.
- 6) Geotechnical report**
- Seeking legal paperwork that ensures a geotechnical report would be required.
 - The community discussed the idea that this should be completed by third party. This way a non-biased report is created to ensure that the high water table isn't an issue for the development.
- 7) Wetland and Nature impact**
- Concerned about the building's impact on the wildlife in the area and if there is anything that can be required to protect it from this development.
 - Can the City put in place any initiatives that offset habitat loss due to the development?
 - Can Tricar contribute to this cause?
- 8) Viewshed loss**
- The ability to reduce the loss of views can be achieved through a redesign at the community's desired scale.
- 9) One shared driveway**
- Through further clarification the Community understands why there is only one proposed entryway.
 - Is there ways that the City can make this entryway safer for oncoming traffic and pedestrians?
- 10) Privacy concerns**
- Can the new proposal find a way to give established neighbours more privacy?

Along with the community outlining their main concerns the additional community meeting also provided an opportunity to have an open dialogue between the community, Staff and the applicant and helped all parties involved to understand each

other's concerns and allowed Staff and the applicant to provide some clarification on questions that were raised.

The Staff report submitted on September 24th, 2018 took into account and addressed many of the issues identified above. Some additional points of clarification are provided below:

Reduction of Height / Shadowing / Density:

- The use of MFMDR and bonusing provisions generally does not allow for heights of 9-10 storeys. This is usually achieved through the MFHDR designation.

Geotechnical report.

- As identified by the building division at the July 16th meeting of the Planning and Environment Committee a Geotechnical report is required at the time of applying for a building permit. The developer cannot proceed until this report is submitted and cleared by Staff.
- Staff also recommended the adoption of a holding provision to ensure a Hydrogeological report is completed.
- Noting that the community is specifically worried about the ground water and wells in the area planning staff are recommending an alternative holding provision to the one presented at the September 24, 2018 meeting of the PEC. The holding provision recommended as part of this amendment is specific to the community's concern related to monitoring potential impact on private wells and implementing mitigation measures (if necessary):

h-183 Purpose: To ensure that development will not have any negative impacts on the groundwater in the area, with specific attention given to any negative impacts on existing wells, a Hydrogeological Study shall be prepared by a qualified professional and submitted to the City to evaluate the potential impact of the proposed development to area private wells and provide recommendations for monitoring post construction impacts and possible mitigation measures to the satisfaction of the City Engineer prior to the removal of the h-183 symbol. Any recommendations contained therein shall be incorporated into the development agreement to the satisfaction of the City of London.

- A third party review is not required. The applicant must hire a qualified professional to complete the report.

Wetland and Nature impact.

- Parks Planning Staff and the UTRCA were circulated on all variations of this application. No concerns were expressed about the potential loss of habitat in the area.
- The site is located a significant distance away from the natural feature.

One-shared driveway (safety)

- The proposed entrance will be required to meet all site plan standards and will ensure the entrance is safe.

During the community meeting some additional concerns were also raised that were not on the list. These include:

Fire/Road Closure

A member of the community expressed concerns that in the event of a fire Richmond Street would be required to be closed and if it did need to be closed how would traffic be detoured?

Staff, followed up with the Fire Department who identified that it is hard to answer the question exactly as variables like hydrant location, vehicles, fire location will all factor on how a fire is fought. That being noted, there is a hydrant on North Centre Road across the street, which would likely be the Fire Department's initial response point. This would

not require Richmond Street to be closed. If smoke conditions and fire conditions are a hazard to Richmond Street it would be closed. In this instance traffic would have to be detoured north of North Centre Road intersection and onto Plane Tree Drive coming out onto Fanshawe Park Rd West.

UTRCA

The City is requiring that a hydrogeological study be completed as part of the Site Plan Approval stage and preliminary studies already undertaken by a qualified engineer show that limited dewatering will be required to develop the site.

At the most recently community meeting, concerns continue to be expressed about the potential impact on the Arva Moraine Wetland. The UTRCA has twice previously responded to the Notice of Application expressing no concerns. Staff followed up with the UTRCA to specifically enquire if the proposed dewatering posed a concern relative to the ESA. The Upper Thames River Conservation Authority confirmed that they have no objection or concerns relating to the proposed development at 230 North Centre Road. The proposed development is setback greater than 120 metres from the boundary of the Arva Moraine Wetland. The 120 metre setback (area of interference) was established by the Province as an acceptable distance for which development can occur outside of a Provincially Significant Wetland (PSW) without the need to complete studies such as Environmental Impact Statement or Hydrogeological Report.

3.4 Outcome/Changes

As a result of the additional community meeting the applicant made additional revisions to the final development proposal to help address the community's concerns. The main change is a reduction in storeys which has resulted in a reduction in scale and massing. The tower portion is now proposed at 15-storeys in height and the 10-storey mid-rise portion along Richmond Street has been reduced to 8-storeys. These changes will reduce shadow impacts on the abutting lands as well as reduce the overall massing and scale of the building. The overall unit count has also been reduced from 230 units to 222 units resulting in an overall density of 192 uph. Staff are supportive of the proposed changes.

Although the height of the final design has been reduced from the proposal that was recommended for approval by Staff on September 24th, 2018 the same planning rationale used in Staff's report are still relevant and can be used to justify Staff's revised recommendation for approval of the final proposal. The September 24th, 2018 planning report has been included as Appendix D to this report.

5.0 Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2014 and conforms to the City of London Official Plan policies and Transit Village Place Type policies of The London Plan. The proposal facilitates the development of an undeveloped lot and encourages an appropriate form of development. The bonusing of the subject site ensures the building form and design will fit within the surrounding area while providing a high quality design standard. The subject lands are situated in a location where intensification can be accommodated given the existing municipal infrastructure, the nearby arterial streets, large commercial node, and existing and future public transit facilities in the area.

Prepared by:	Mike Corby, MCIP, RPP Current Planning
Submitted by:	Michael Tomazincic, MCIP, RPP Manager, Current Planning
Recommended by:	John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner

November 5, 2018
MC/mc

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Appendix A

Bill No. (number to be inserted by Clerk's Office)
2018

By-law No. C.P.-1284-
A by-law to amend the Official Plan for
the City of London, 1989 relating to 230
North Centre Road.

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

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the
City of London Planning Area – 1989, as contained in the text attached hereto and forming
part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of
the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on November 6, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – November 6, 2018
Second Reading – November 6, 2018
Third Reading – November 6, 2018

AMENDMENT NO.
to the
OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to change the designation of certain lands described herein from Multi-Family, Medium Density Residential to Multi-Family, High Density Residential on Schedule “A”, Land Use, to the Official Plan for the City of London.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 230 North Centre Road in the City of London.

C. BASIS OF THE AMENDMENT

The recommended amendment is consistent with the Provincial Policy Statement, 2014, and the Multi-Family, High Density Residential policies of the Official Plan and the Transit Village Place Type policies of The London Plan.

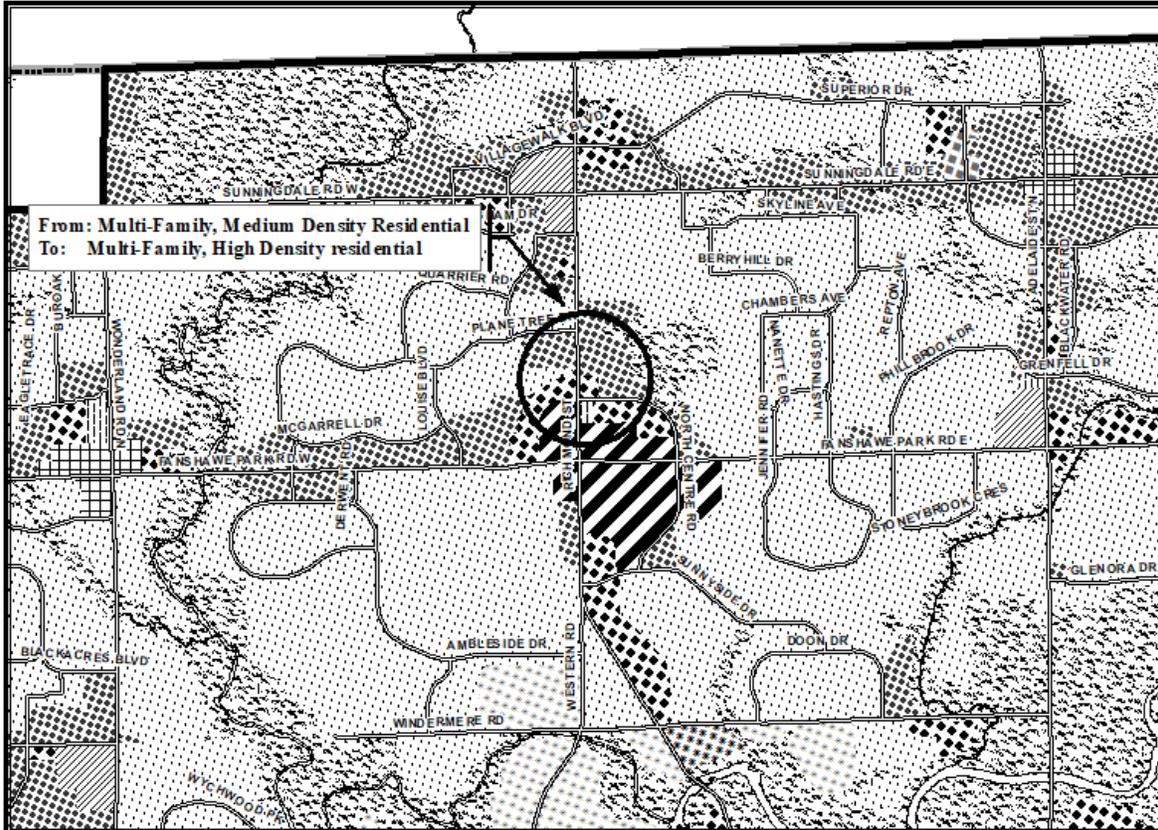
The recommended amendment will facilitate a residential apartment building which is compatible with the surrounding land uses.

D. THE AMENDMENT

The Official Plan for the City of London is hereby amended as follows:

Schedule “A”, Land Use, to the Official Plan for the City of London Planning Area is amended by designating those lands located at 230 North Centre Road in the City of London, as indicated on “Schedule 1” attached hereto from Multi-Family, Medium Density Residential to Multi-Family, High Density Residential.

AMENDMENT NO: _____



From: Multi-Family, Medium Density Residential
 To: Multi-Family, High Density residential

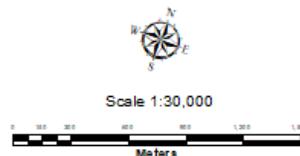
Legend

- | | | |
|---|--|-------------------------|
| Downtown | Multi-Family, Medium Density Residential | Office Business Park |
| Wonderland Road Community Enterprise Corridor | Low Density Residential | General Industrial |
| Enclosed Regional Commercial Node | Office Area | Light Industrial |
| New Format Regional Commercial Node | Office/Residential | Commercial Industrial |
| Community Commercial Node | Regional Facility | Transitional Industrial |
| Neighbourhood Commercial Node | Community Facility | Rural Settlement |
| Main Street Commercial Corridor | Open Space | Environmental Review |
| Auto-Oriented Commercial Corridor | Urban Reserve - Community Growth | Agriculture |
| Multi-Family, High Density Residential | Urban Reserve - Industrial Growth | Urban Growth Boundary |

This is an excerpt from the Planning Division's working consolidation of Schedule A to the City of London Official Plan, with added notations.

**SCHEDULE 1
 TO
 OFFICIAL PLAN
 AMENDMENT NO. _____**

PREPARED BY: Graphics and Information Services



FILE NUMBER: OZ-8874

PLANNER: MC

TECHNICIAN: MB

DATE: 2018/04/13



Appendix B

Bill No. (number to be inserted by Clerk's Office)
2018

By-law No. Z.-1-18_____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 230
North Centre Road.

WHEREAS The Tricar Group has applied to rezone an area of land located
at 230 North Centre Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number
(number to be inserted by Clerk's Office) this rezoning will conform 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 230 North Centre Road, as shown on the attached map comprising
part of Key Map No. A.102, from a Holding Residential R5/R7/R8 (h-5*R5-
7/R7*D75*H12/R8-4*H12) Zone to a Holding Residential R9 Bonus (h-183*R9-
7*B(_)) Zone.
- 2) Section Number 4.3 of the General Provisions in By-law No. Z.-1 is amended by
adding the following new Bonus Zone:

4.3) B(_) 230 North Centre Road

The Bonus Zone shall be implemented through the required development
agreements to facilitate the development of a high quality residential apartment
building, with a maximum of 15-storeys, 222 dwelling units and density of 192 units
per hectare, which substantively implements the Site Plan and Elevations attached
as Schedule "1" to the amending by-law; and

- i) Transit Station

The financial contribution of funding to the future Transit Station at
Masonville Mall in the amount of 1% of the construction value up to
\$250,000, for the provision of facilities, services, programming, public art
or other matters for positive project enhancements to be provided at the
time of site plan approval or construction of the station, whichever occurs
first.

- ii) 1 level of underground parking
- iii) Publicly accessible civic space located at the southwest corner.

The following special regulations apply within the bonus zone upon the execution
and registration of the required development agreement(s):

a) Regulations:

- | | |
|-------------------------|---------------------------|
| i) Density | 192 uph |
| ii) Height
(maximum) | 56 metres
(183.7 feet) |

iii)	Front Yard Depth for floors 1-3 (minimum)	4.5 metres (14.76ft)
iv)	Exterior Side Yard Depth for floors 1-2 (minimum)	7.5 metres (24.60ft)
v)	Rear Yard Depth for floors 1-3 (minimum)	3.5 metres (11.48ft)
vi)	Rear Yard Depth for floors 4-14 (minimum)	6 metres (19.68ft)
vii)	Rear Yard Depth for floor 15 (minimum)	8.5 metres (26.25ft)
viii)	Maximum Lot Coverage (maximum)	64.5%
ix)	Landscaped Open Space (minimum)	28.5%

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 November 20, 2018.

Matt Brown
Mayor

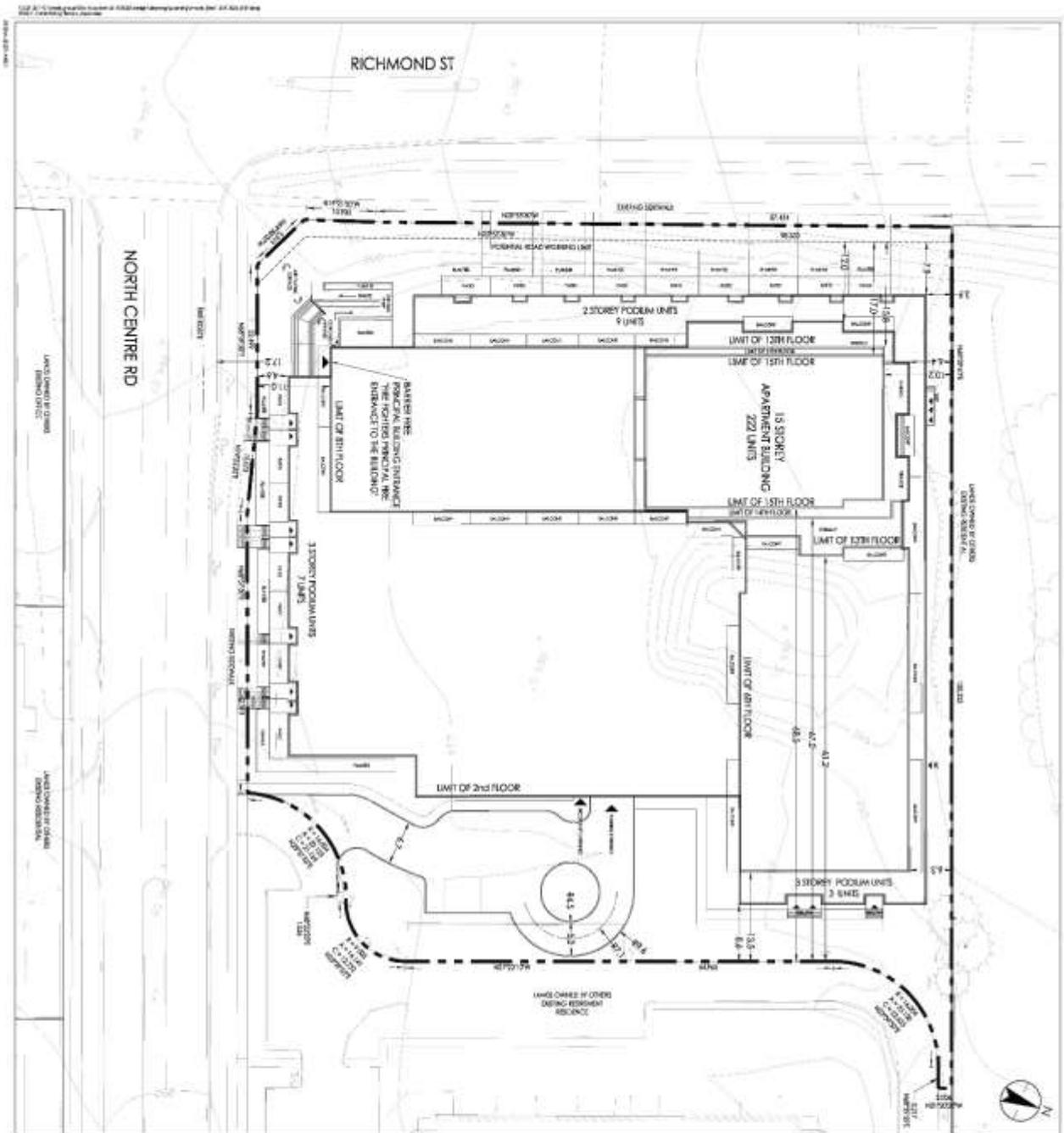
Catharine Saunders
City Clerk

First Reading – November 20, 2018
Second Reading – November 20, 2018
Third Reading – November 20, 2018

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



Schedule "1"



Stantec

235 NORTH CENTRE ROAD
 LONDON, ON CANADA

THE BECAP GROUP

SITE PLAN

Project No: 30304
 Date: 15.01.2025
 Drawing No: 23501

Scale: 1:1000
 1 of 1

Design Data

Project Name: 235 North Centre Road
 Project No: 30304
 Drawing No: 23501

Client: THE BECAP GROUP

Design Team:

Project Manager	Mike Corby
Designer	Mike Corby
Checker	Mike Corby
Approver	Mike Corby

Design Date: 15.01.2025

Design Scale: 1:1000

Design Status: Final

Design Notes:

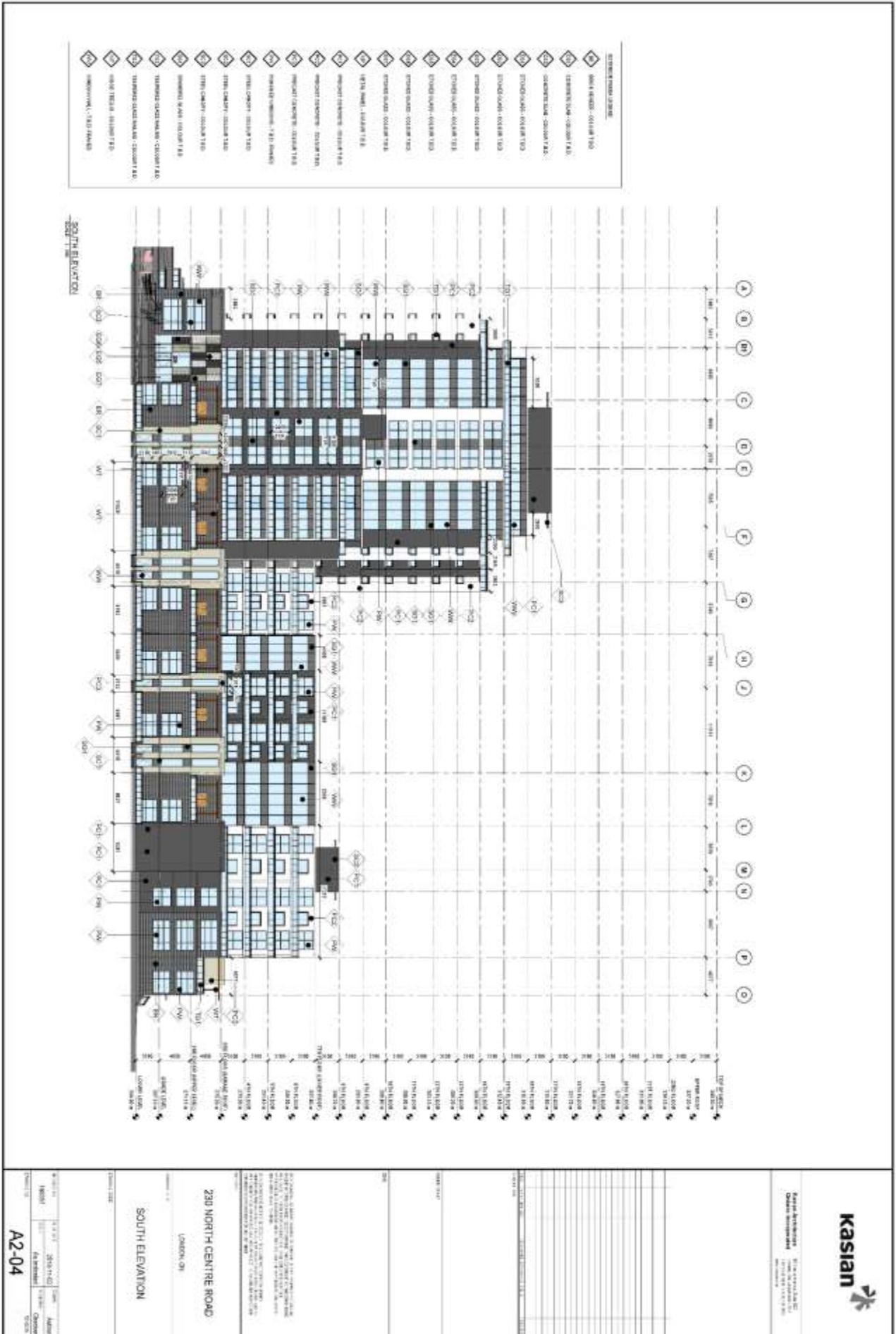
1. THIS SITE PLAN IS A PRELIMINARY DESIGN AND IS SUBJECT TO APPROVAL BY THE LOCAL AUTHORITY.

2. THE DESIGNER HAS CONDUCTED VISUAL IMPACT ASSESSMENT AND HAS CONSIDERED THE EFFECTS OF THE PROPOSED DEVELOPMENT ON THE SURROUNDING ENVIRONMENT.

3. THE DESIGNER HAS CONSIDERED THE EFFECTS OF THE PROPOSED DEVELOPMENT ON THE SURROUNDING ENVIRONMENT AND HAS TAKEN MEASURES TO MITIGATE ANY NEGATIVE IMPACTS.

4. THE DESIGNER HAS CONSIDERED THE EFFECTS OF THE PROPOSED DEVELOPMENT ON THE SURROUNDING ENVIRONMENT AND HAS TAKEN MEASURES TO MITIGATE ANY NEGATIVE IMPACTS.

5. THE DESIGNER HAS CONSIDERED THE EFFECTS OF THE PROPOSED DEVELOPMENT ON THE SURROUNDING ENVIRONMENT AND HAS TAKEN MEASURES TO MITIGATE ANY NEGATIVE IMPACTS.



Appendix C – Community Response

From: Michelle Bogdan Stanescu
Sent: Friday, October 5, 2018 1:27 PM
To: Corby, Mike <mcorby@London.ca>; Tomazincic, Michael <mtomazin@London.ca>
Subject: 230 North Centre Rd - Follow-up

Good Afternoon Michaels,

Thank you for your assistance in coordinating the community + planning staff + developer meeting last night. It was a very positive experience and I believe a number of candid conversations happened. I'm optimistic that this meeting will result in reaching a compromise for the development of 230 North Centre Road. I am hopeful that we can find a good balance between Tricar's revenue benchmarks, the City's vision and community caring infill development.

I wanted to also follow-up on your request last night – i.e the request for me to forward you our community's "*Top 10 Concerns*". As I mentioned last night, these concerns were circulated to select neighbours. Mainly board members and active neighbours that attended the larger community meeting on Wednesday, October 3rd.

Our concerns (in order of importance to the collective group) are:

— Most Important —

#1 – Reduction of Height / Shadowing / Density: It took over an hour and a half for us to reach a consensus on Wednesday, but our community would be happy to move toward a development that is at medium density (6 floors) + bonusing (up to 50%- 64% bonusing = approx. 3 - 4 additional floors).

#2 - Street traffic concerns. The new proposal needs to provide solutions to help with the increase in traffic on N. Centre Road (parking concerns / pedestrian safety concerns). Last night, we discuss the idea of a pedestrian bridge/crosswalk (along North Centre and Richmond Street), installation of stop sign / yield signs / no-left turn signs at the one-shared driveway entrance. Or the idea of installing no parking signs along the side of the street / create enforce paid parking w/ no-parking hours between rush-hour. We'd be open to the city's suggestions to help alleviate traffic concerns.

#3 - Green space needed. Current plan does not provide enough green space for the community. The plan only provides options for the future tenants of 230 N. Centre Road. With limited walkable parks in our area (Gibbons private land / Wetlands off limits) – it would be a huge benefit to the community if proper green space be added to the design, and increase the quality of life for all residents.

#4 (tied) - Aesthetically pleasing design. At medium density + bonusing, the new alternative design has to fit within the character of the community. Not a concrete slab. We believe Tricar can create a beautiful building, considering the beautiful designs they have done in the past.

#4 (tied) - Outdoor visitor parking. More spots needed. 5 not enough for outdoor parking space. Under-ground visitor parking is not sufficient, as it is locked and not accessible to all visitors. We know a number of visitors will just park on the street for convince. This will create a lot of traffic and parking concerns for the building lots around the area.

#5 - Geotechnical report. Please confirm / send us a copy of the legal paperwork behind the provision that this would enforce the completion of a geotechnical report. Our community also discussed the idea that this should be completed by third party – this way a non-biased report is created to ensure that the high water table isn't an issue for the development of 230 North Centre Rd.

#6 - **Wetland and Nature impact.** What can be done to reduce buildings impact and protect the wildlife in our area. Wild deer, turkeys, turtles, birds and a number of wildlife call this area their home due to the ESA. Can the City put in place any initiatives that offset habitat loss due to the development. Can Tricar contribute to this cause?

#7 - **Viewshed loss.** Can the new medium density + bonusing proposal find ways to reduce the view loss.

#8 - **One-shared driveway.** We did discussed this yesterday – and I believe we understand why there is only one proposed entryway. But are there ways that the City can make this entryway safer for oncoming traffic and pedestrians? See ideas at #2.

#9 - **Privacy concerns.** Can the new proposal find a way to give established neighbours more privacy.

As I mentioned to Adam last night, there are a number of concerns here – but we would be willing to be flexible on the lower issues in order to achieve a compromise on higher (more important) items. The example I used last night was a building with lower density / height might still affect the viewshed. But lower density (units/hectare) and height is our most important concern –and we'd be willing to compromise view shed in order to achieve of our #1 concern.

A final note I wanted to share with you. The community members that attend yesterday and on Wednesday wanted to be clear that our suggestions are just as thought leaders – not as final decision makers. It is our hope that we can bring information back to our neighbours living in our condo corps and surrounding area. We would still like our neighbours to have an opportunity to review a new proposal (if created).

Anyways - that's all for now.

If you have an any questions – feel free to send them my way.
Have a great Friday and happy thanksgiving.

Cheers,
Michelle Stanescu

Appendix D – Staff Report, September 24, 2018

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: John M. Fleming
Managing Director, Planning and City Planner
Subject: The Tricar Group
230 North Centre Road
Public Participation Meeting on: September 24, 2018

Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of The Tricar Group relating to the property located at 230 North Centre Road:

- (c) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on October 2, 2018 to amend the Official Plan to change the designation of the subject lands **FROM** a Multi-Family, Medium Density Residential designation, **TO** a Multi-Family, High Density Residential designation;
- (d) The proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on October 2, 2018 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, to change the zoning of the subject property **FROM** a Holding Residential R5/R7/R8 (h-5*R5-7/R7*D75*H12/R8-4*H12) Zone, **TO** a Holding Residential R9 Bonus (h-132*R9-7*B()) Zone.

The B() Zone shall be implemented through one or more agreements to provide for an apartment building height of 18 storeys or 62 metres (203.4ft) with an increased density of up to 199 units per hectare in return for the provision of the following facilities, services, and matters:

- 5) A high quality development which substantially implements the site plan and elevations as attached in Schedule "1" to the amending by-law:

Podium

- viii) The inclusion podium townhouse units, seven along the Richmond Street frontage and seven along the North Centre Road frontage;
- ix) Brick as the primary material on the street facing elevations;
- x) Individual unit entrances with front door access for all townhouse units;
- xi) Ground floor units with walkways leading to City sidewalk for all street facing townhouse units;
- xii) A prominent principle entrance into the apartment building that is easily identifiable by including some or all of the following: a change of massing, a higher level of clear glazing, and/or the incorporation of canopies;
- xiii) A multi-level parking structure that is buffered from the street-facing facades by the inclusion the townhouse units.

Mid Rise Portions

- iv) A material and colour palette that provides for a cohesive design between all elements of the building including the podium, the mid-rise portions and the tower. This could include the inclusion of brick and/or a similar colour to the brick cladding on the podium;
- v) A high proportion of glass materials and a relatively low proportion of exposed concrete or similar materials, including floor to ceiling window walls. Use of clear glass balcony barriers;

- vi) A step-back of the ninth and tenth floors on the west, south and east facades;
- vii) The inclusion of window walls on the ninth and tenth floors matching the top levels of the tower portion.

Tower

- vii) A material and colour palette that provides for a cohesive design between all elements of the building including the podium, the mid-rise portions and the tower. This could include the inclusion of brick and/or a similar colour to the brick cladding on the podium.
- viii) A high proportion of glass materials and a relatively low proportion of exposed concrete or similar materials, including floor to ceiling window walls. Use of clear glass balcony barriers;
- ix) A step-back of the sixteenth, seventeenth and eighteenth floors on all tower elevations.
- x) The inclusion of window walls on the sixteenth, seventeenth and eighteenth floors.
- xi) The design of the top of the towers that provides interest to the skyline and is well integrated with the design language of the overall building.
- xii) Incorporation of mechanical room with the roofline of the tower.

6) Transit Station

The financial contribution of funding to the future Transit Station at Masonville Mall in the amount of 1% of the construction value up to \$250,000, for the provision of facilities, services, programming, public art or other matters for positive project enhancements to be provided at the time of site plan approval or construction of the station, whichever occurs first.

7) 1 level of underground parking

8) Publicly accessible civic space located at the southwest corner.

- ci) The Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the site plan approval process:
 - vii) Consider designing the exterior elevations of the amenity room with more prominence and relate it further to the corner entrance rather than the design of the townhouses. Both the entrance and amenity room could appear as one from the outside, this would provide for a stronger building presence at the corner;
 - viii) On the south elevation of the corner entrance, extend the glass/spandrel treatment further east up to the brick on the townhouse;
 - ix) Explore ways to provide interest on the west façade of the 3 storey townhouse at the corner entrance, this could be achieved in many ways including; greenwall, vines, mural, brick patterns, etc...
 - x) Remove the columns on the balconies on the west elevation of the midrise portion along Richmond Street similar to what is shown on the east elevation. Alternatively, if the columns are necessary consider moving them up against the building making them appear as an extension of the building rather than columns.
 - xi) As three new townhouse units have been added to the east elevation of the podium, consider locating these townhouses further south immediately north of the towns along North Centre Rd as this would provide for an active edge on a very visible portion of building and would provide for a more welcoming entrance to the site.
- d) Pursuant to Section 34(17) of the Planning Act, as determined by the Municipal Council, no further notice **BE GIVEN** in respect of the proposed by-law as the change to the regulation for building height:
 - i. Is minor in nature and

- ii. Continues to implement the building design consistent with the development design circulated with the Notices of Revised Application and Public Meeting.

Executive Summary

Summary of Request

The requested amendment is to permit a site-specific bonus zone to allow for an 18-storey apartment building which will include 230 residential units. This includes 7 podium units along North Centre Road, 7 podium units along Richmond Street and 3 podium units along the north-east corner of the site.

Purpose and the Effect of Recommended Action

The purpose and effect of this Official Plan and zoning change is to permit a residential apartment building with a maximum height of 18-storeys which will include 230 residential units. This includes 7 podium units along North Centre Road, 7 podium units along Richmond Street and 3 podium units along the north-east corner of the site. The bonus zone shall be implemented through a development agreement to facilitate the development of the requested apartment building in return for a financial contribution towards the future transit hub at Masonville Mall, a publicly accessible civic space at the corner of North Centre and Richmond Street, provision of 1 level of underground parking and the construction of the high quality form of development illustrated in Schedule "1" of the amending by-law.

Rationale of Recommended Action

6. The recommended amendment is consistent with the PPS 2014.
7. The recommended amendment is consistent with the City of London Official Plan policies and Transit Village Place Type policies of the London Plan.
8. The recommended amendment facilitates the development of an undeveloped lot and encourages an appropriate form of development.
9. The bonusing of the subject site ensures the building form and design will fit within the surrounding area while providing a high quality design standard.
10. The subject lands are located in a location where intensification can be accommodated given the existing municipal infrastructure, the nearby arterial roads (Richmond Street & Fanshawe Park Road), large commercial node, and existing and future public transit facilities in the area.

Analysis

1.0 Site at a Glance

1.5 Property Description

The subject site is located on the northeast corner of the Richmond Street and North Centre Road intersection. The site is approximately 1.16 ha in size and is currently undeveloped. The subject site was previously part of a large block of land created through a plan of subdivision in 1997. The eastern portion of this block developed for a continuum-of-care facility (Richmond Woods Retirement Village) while the western portion (the subject site) remained vacant. The subject site was created through a consent application (2016) which severed the subject site from the Richmond Woods Retirement Village development. The lands directly south are designated and used for Office uses while the remainder of the lands on the south side of North Centre Road are designated as High Density Residential through the 1989 Official Plan and have been developed as townhomes. To the north is a large estate lot owned by Western University that underwent a rezoning in 2014 for a mix of medium density residential type uses. The zoning was approved on April 15, 2014. To the west of the site are lands that are also designated for High Density Residential uses that were developed as one and two storey townhomes.

1.6 Current Planning Information (see more detail in Appendix D)

- Official Plan Designation – Multi-Family, Medium Density Residential
- The London Plan Place Type – Transit Village
- Existing Zoning – Holding Residential R5/R7/R8 (h-5*R5-7/R7*D75*H12/R8-4*H12) Zone

1.7 Site Characteristics

- Current Land Use – Vacant
- Frontage – 80 metres
- Depth – 105 metres
- Area – 1.16 ha
- Shape – Rectangular

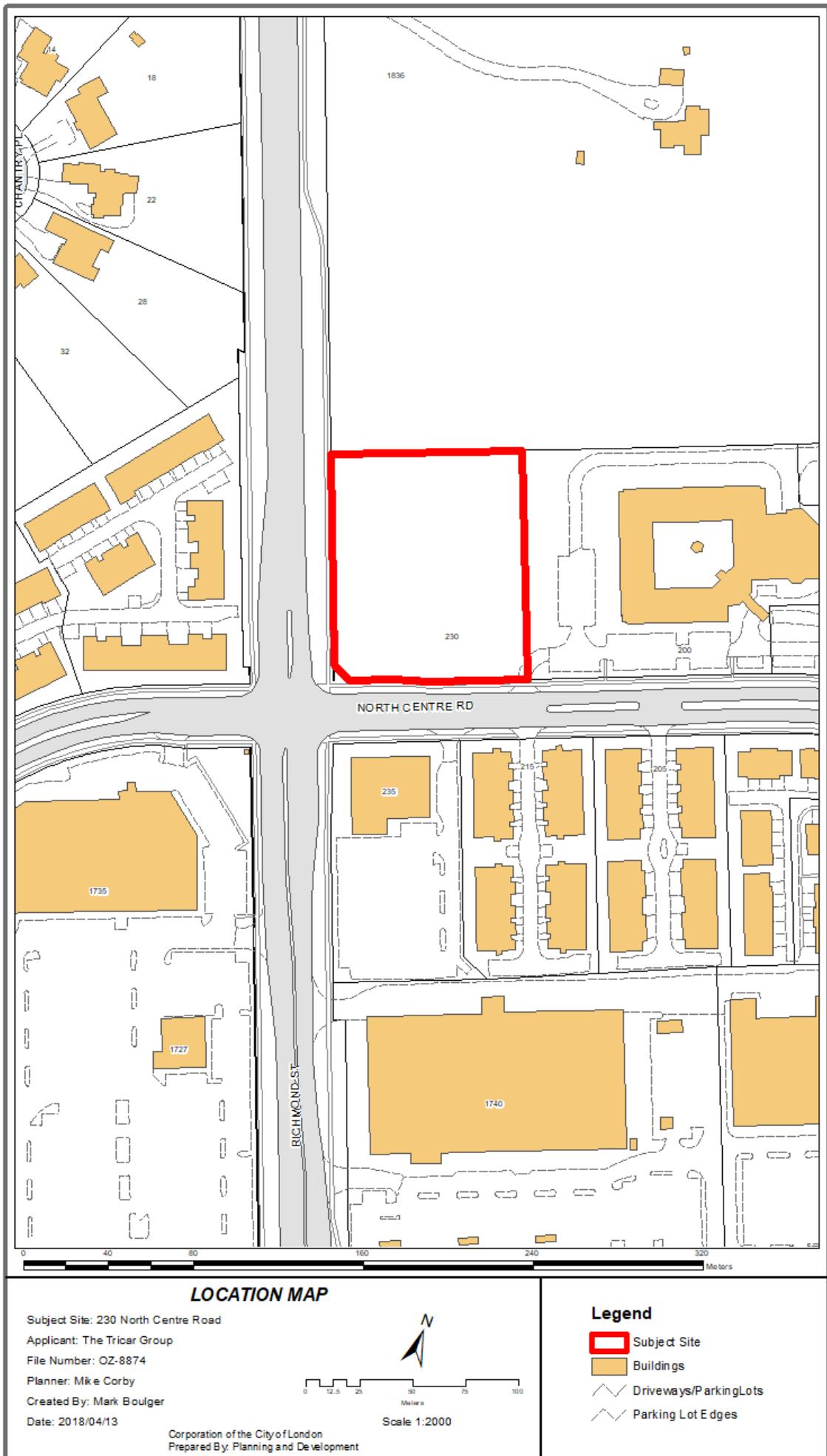
1.8 Surrounding Land Uses

- North – Large Estate Lot
- East – Continuum-of-Care Facilities
- South – Office/Commercial/Residential
- West – Residential/Commercial

1.5 Intensification (identify proposed number of units)

- The proposed development will represent intensification within the Built-area Boundary
- The proposed development will represent intensification within the Primary Transit Area

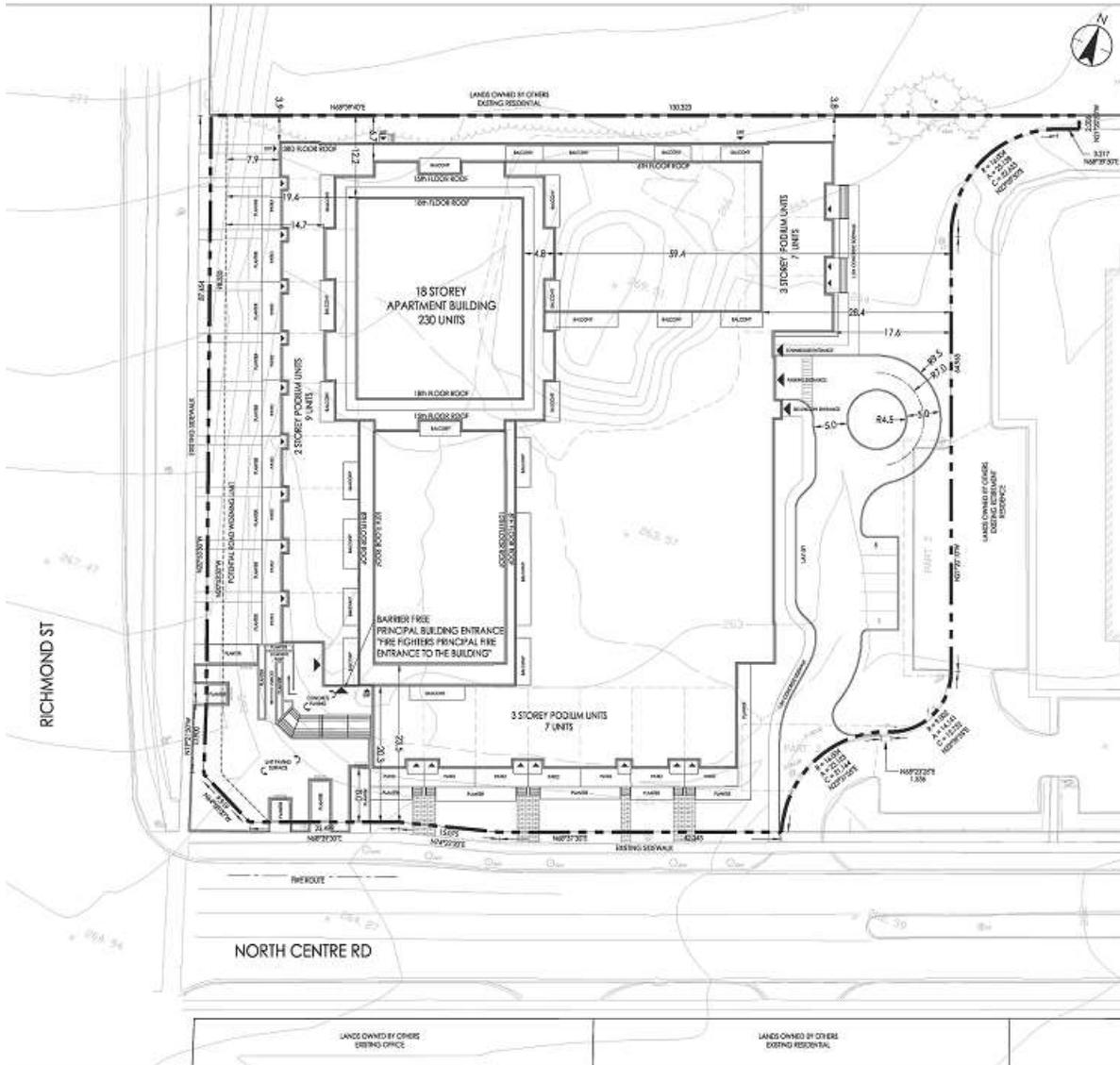
1.6 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The proposal is for an 18-storey apartment building at a maximum height of 61m (200ft) which will include 230 residential units. This includes 7 podium units along North Centre Road, 7 podium units along Richmond Street and 3 podium units along the north-east corner of the site. A 10-storey wing is located along Richmond Street and a 6-storey wing is located along the northerly property limit creating an L-shaped development.



A total of 308 parking spaces for the development have been accommodated through one level of underground parking and two levels of podium parking screened by the townhouse units along Richmond Street and North Centre Road. 5 parking spaces are available at grade with additional visitor parking accommodated within the parking structure. Vehicular access is provided through a joint access at the easterly edge of the property along North Centre Road.



3.0 Relevant Background

3.1 Planning History

The subject site and surrounding lands on the northeast corner of Fanshawe and Richmond Street were designated through the 1989 Official Plan and subject to a rezoning application in 1995 which was appealed to the OMB. While the zoning amendment was under appeal a plan of subdivision application was submitted to the City seeking to implement the proposed ZBA that was still under appeal. Due to the zoning being under appeal Council refused the subdivision application which was then consolidated at the OMB in order for both items to be dealt with at the same time. In 1997 all appeals were withdrawn and the proposed by-laws came into effect resulting in the zoning and property fabric that exists on these sites today.

On September 23, 2016 a consent application was submitted to sever the subject site from the lands to the east which received conditional approval from the consent authority on January 25, 2017 and the Conditions of consent were cleared on September 21, 2017.

On February 8, 2018 an application was accepted for a 22-storey apartment building at a maximum height of 73.2m (240ft), with a total of 230 residential units (199 uph) constructed on a 2-3 storey podium. The proposal provided 7 podium units fronting North Centre Road and Richmond Street.

On June 13, 2018 a revised development proposal was submitted for an 18-storey, L-shaped residential apartment building which included 215 residential units (186uph) with 7 podium units being provided along North Centre Road and 9 podium units along Richmond Street.

On August 15th, 2018 the final design was submitted which proposed an 18-storey, L-shaped residential apartment building which will include 230 residential units (199uph). This includes 7 podium units along North Centre Road, 7 podium units along Richmond Street and 3 podium units along the north-east corner of the site.

3.2 Requested Amendment

The requested amendment is for an Official Plan amendment from a Multi-Family, Medium Density Residential designation to a Multi-Family, High Density Residential designation.

The amendment also includes a Zoning By-law amendment from a Holding Residential R5/R7/R8 (h-5*R5-7/R7*D75*H12/R8-4*H12) Zone, to a Residential R9 Bonus (R9-7*B(_)) Zone to allow for the proposed apartment building. The bonus zone would permit a residential density of 199uph and maximum height of 62 metres in return for eligible facilities, services and matters outlined in Section 19.4.4 of the Official Plan. Other provisions such as interior/exterior side yard setbacks and lot coverage may also be considered through the re-zoning process as part of the bonus zone.

3.3 Community Engagement (see more detail in Appendix B)

The proposed development has been through multiple community engagement processes. Through the original application based on a 22-storey apartment building, 54 responses were received during the community consultation period, with an additional 14 submitted at the Community Information Meeting, which was held on March 21, 2018, where approximately 64 people attended. The most commonly received comments included:

Concerns for:

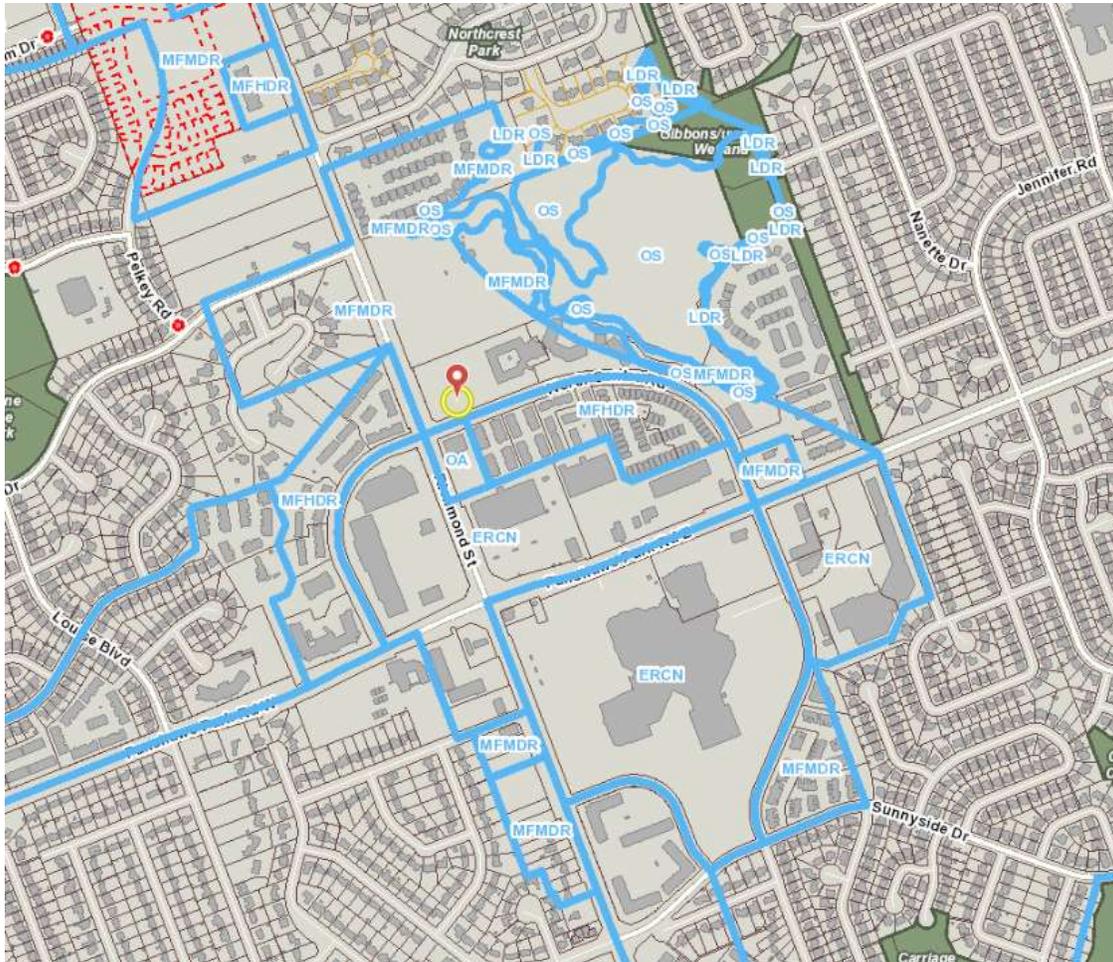
- the proposed height of the building
- the impact of the shadows and loss of sunlight cast by the buildings
- loss of privacy
- proposed scale too large, not in keeping with character of the area.
- limited surface parking
- lack of infrastructure to support the increase in density
- potential increases in traffic along North Centre Road
- safety concerns created for the seniors home and traffic accessing North Centre
- construction traffic/noise and dust

A revised development concept was circulated to the public for an 18-storey development concept with two 8-storey wings along the westerly and northerly property lines. Another Community Information Meeting was held on July 3, 2018. Through the new consultation period 10 new comments were received along with 3 comments from the Community Information Meeting where 31 people attended. Similar concerns that were previously expressed above were raised again, noting the revisions were not substantial enough and similar impacts will exist. These comments can be found in Appendix "B"

24 additional comments were received through a community meeting with the Ward 4 Councillor and are attached in Appendix B.

3.4 Policy Context (see more detail in Appendix C)

The subject site is currently located in a Multi Family, Medium Density Residential ("MFMDR") designation which is located along the north side of North Centre Road. The south side of North Centre Road has a Multi-Family, High Density Residential ("MFHDR") designation running along a large portion of North Centre Road. Through this application the applicant is seeking to change the MFMDR designation on the subject site to the MFHDR designation similar to what exists in the area. The London Plan identifies the subject site and surrounding area as a Transit Village Place Type which provides a broad range of uses and significant heights.



Provincial Policy Statement, 2014

The Provincial Policy Statement (PPS) 2014 provides policy direction on matters of provincial interest related to land use and development. Section 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns of the PPS encourages healthy, livable and safe communities which are sustained by accommodating an appropriate range and mix of residential, employment and institutional uses to meet long-term needs. It also promotes cost-effective development patterns and standards to minimize land consumption and servicing costs. The PPS encourages settlement areas (1.1.3 Settlement Areas) to be the main focus of growth and development. Appropriate land use patterns within settlement areas are established by providing appropriate densities and mix of land uses that efficiently use land and resources along with the surrounding infrastructure, public service facilities and are also transit-supportive (1.1.3.2).

The policies of the PPS require municipalities to identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock [1.1.3.3] while promoting appropriate development standards which facilitate intensification, redevelopment and compact form [1.1.3.4] and promoting active transportation limiting the need for a vehicle to carry out daily activities [1.1.3.2, 1.6.7.4].

The PPS also promotes an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents (1.4 Housing). It directs planning authorities to permit and facilitate all forms of housing required to meet the social, health and wellbeing requirements of current and future residents, and direct the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs. It encourages densities for new housing which efficiently use land, resources, and the surrounding infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed.

In accordance with section 3 of the Planning Act, all planning decisions “shall be consistent with” the PPS.

Official Plan

The application is to change the current Official Plan designation to Multi-Family, High Density Residential. The Multi-Family, High Density Residential designation is intended to accommodate large-scale, multiple-unit forms of residential development. The Official Plan identifies criteria where high density residential developments should be located (3.4.2 Location). These locations generally are on lands adjacent to major employment centres, shopping areas, major public open space, transportation routes, and where high density development will not adversely affect surrounding land uses. Within these preferred locations the general form of development permitted includes large-scale, multiple-unit forms of residential development (3.4.1. Permitted Uses). Within the MFHDR designation net residential densities will normally be 150 units per hectare (60 units per acre) or less outside of Central London (3.4.3. Scale of Development). The scale of development is also controlled through specific criteria generally applied to large areas designated MFHDR. The policies encourage a mixing of housing types, building heights and densities while providing for a transition in scale, diversity of housing forms and where possible locate the high-rise structures closest to activity nodes (shopping and employment centres) and points of high accessibility (arterial roads, transit service). Massive, at-grade or above-grade parking areas shall not dominate the site and all developments should conform with the urban design principles in Section 11.1.

The MFHDR designation identifies that Council, under the provisions of policy 19.4.4. and the Zoning By-law, may allow an increase in the density above the limit otherwise permitted by the Zoning By-law in return for the provision of certain public facilities, amenities or design features. (3.4.3. Scale of Development, Density Bonusing)

The London Plan

The subject site is located within the Transit Village Place Type. Transit Villages are intended to provide a broad range of uses and some of the most intense forms of development in the City. These areas are intended to be “*exceptionally designed, high-density mixed-use urban neighbourhoods connected by rapid transit to the Downtown and each other*”[806]

The intent is that these areas will have the greatest mix of uses and intensity of development outside of the downtown based around a rapid transit station as the focal point of the village [807]. In order to support the rapid transit system higher densities of people living, working and shopping in the area are promoted along with pedestrian oriented and cycling-supported development and design to encourage the use of the City’s transit system to reduce overall traffic congestion within the city [808].

In order to facilitate the development of Transit Villages a broad range of residential, retail, service, office, cultural, institutional, hospitality, entertainment, recreational, and other related uses may be permitted [Permitted Uses_811].

The Intensity [813] policies of the Plan specifically outline that a minimum of either two storeys or eight metres in height is required and heights will not exceed 15 storeys. Type 2 Bonus Zoning beyond this limit permits heights up to 22 storeys. Development applications will be evaluated to ensure that an adequate level of intensity is being provided in order to support the goals of the Place Type while heights are to step down from the core to adjacent Neighbourhood Place Types.

The form [814] of development within the Transit Village is guided by policies that ensure that planning and development applications will conform with the City Design policies of this Plan. They encourage high-quality architectural design and for buildings and the public realm to be pedestrian, cycling and transit-supportive. Underground parking and structured parking integrated within developments is also encouraged along with other form considerations.

The Transit Village also provides an opportunity to bonus for increases in height and density up to 22-storeys. Bonusing Provisions Policy 1652 outlines the framework and public facilities, services, or matters that can be provided in order to achieve these increases.

4.0 Key Issues and Considerations

Through the circulation process no departmental concerns were expressed. However, several concerns were raised by the public through the process. The report below addresses these concerns in detail.

4.1 Issue and Consideration # 1 - Use

Provincial Policy Statement, 2014 (PPS)

The proposed development is in keeping with the PPS as it provides an alternative land use within the surrounding context promoting an appropriate range and mix of residential uses. High density developments such as the one proposed promote a cost-effective development pattern helping reduce servicing cost, land consumption and will develop an underutilized property that has remained undeveloped since the approval of a subdivision in 1997 [1.1.1]. The proposed development is within a settlement area helping establish an appropriate land use pattern that contributes to the density and mix of land uses in the area. The apartment will both benefit and support the existing resources, surrounding infrastructure and public service facilities in the area (1.1.3 Settlement Areas). The site is also considered to be transit supportive as it is close proximity to an existing transit node that will be home to a future bus rapid transit station (1.1.3.2) contributing to a healthy, livable and safe communities.

The PPS also promotes an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents (1.4 Housing). It directs planning authorities to permit and facilitate all forms of housing required to meet the social, health and wellbeing requirements of current and future residents, and direct the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs. The proposed development is in keeping with this goal of the PPS as the surrounding lands are predominately low-density forms of development. The proposed apartment provides a mix of housing type in the area and provides a density that will help in meeting the projected requirements of current and future residents.

Official Plan

The proposed development of a high-rise apartment requires a change from the existing Multi-Family, Medium Density Residential designation to Multi-Family, High Density Residential. The proposed apartment use is considered a main permitted use within the requested designation (3.4.1. Permitted Uses). The Official Plan identifies where it is appropriate to locate High Density Residential designations (3.4.2. Locations). It identifies that lands in close proximity to large commercial nodes, regional facilities or designated Open Space areas and lands abutting or having easy access to an arterial road are appropriate locations. The subject site is located along Richmond Street, which with is an arterial road, and direct vehicular access to the main entrance is close by. The site is also located in close proximity to one of the city's largest commercial nodes at Fanshawe Road and Richmond Street and a large Open Space designation (see map below).



Additional criteria is also considered when designating lands Multi-Family, High Density Residential. The subject site is in keeping with this criteria as it is considered compatible with the surrounding land uses. The lower forms of development to the west and south of the site are setback across wide rights-of-way and the proposed townhouse units imbedded in the podium on the south façade create a compatible interface helping reduce impacts of the proposed development. The abutting property to the east is developed as a medium density form of development helping to transition down from taller heights of the edge of the community to lower heights in the interior. The proposed development podium steps down to a similar scale as the continuum-of-care facility with the tallest portions of the proposed apartment located on the west side of the property. The subject site is also of a size and shape where a development can provide appropriate buffering and design features to ensure it is compatible within the surrounding area and will not adversely impact the surrounding amenities or character of the area. There are no servicing concerns within the area and the potential increase in traffic to the area is considered minimal and can be absorbed within the anticipated volume of traffic. The site's location is also within convenient walkable distance to public transit service, and shopping facilities.

For the above mentioned reasons it is appropriate to designate the lands as Multi-Family High Density Residential.

The London Plan

The subject site is located within a Transit Village Place Type. The proposed apartment use is in keeping with the vision and role within the city structure as it provides a permitted land use [811] that will help increase the density in the area and provides a high standard of design [806]. It promotes a development based around a rapid transit system where higher densities of people living, working and shopping are encouraged with the goal of reducing overall traffic congestion within the city [807,808]

4.2 Issue and Consideration # 2 – Intensity

The PPS requires municipalities to identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock [1.1.3.3]. The proposed High Density Residential development provides an ideal location and form of development to promote intensification. It is located along an arterial road, in close proximity to a major commercial node with access to multiple bus routes. The surrounding building stock ranges from a continuum-of-care facility, office, townhomes, open space and commercial uses all of which are setback from the site. This proposed intensity of the development can be accommodated on the site and within the surrounding context. The PPS also encourages densities for new housing which efficiently use land, resources, and the surrounding infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed [1.4.3(d)]. The proposed development meets the intent of this PPS policy.

Official Plan

The MFHDR designation provides three ranges of net density within the City excluding provisions for bonusing. In the case of the subject site it is located outside of the Downtown and Central London and is therefore permitted a maximum density of 150 unit per hectare (3.4.3. Scale of Development). As previously indicated, the applicant has applied to increase the density above the permitted 150 uph to 199 uph through bonusing provisions. Density bonusing can be approved by Council, under the provisions of policy 19.4.4. and is a tool used to achieve enhanced development features which result in a public benefit that cannot be obtained through the normal development process in return for permitting increased heights and densities. The Planning Act provides direction on bonusing which allows municipalities to use bonusing provisions in their Official Plan in return for facilities, services, or matters, as are set out in the By-law. The proposed building form and design (discussed in Section 4.3- Form) and provision of a financial contribution to the future transit hub at Masonville Mall, 1 level of underground parking and publicly accessible civic space located at the southwest corner of the property all of which may not otherwise be implemented through the normal development approvals process, allow the proposed development to qualify for Bonus Zoning in conformity to the policies of the Official Plan. These bonusable features are outlined below:

- 1) A high quality development which substantially implements the site plan and elevations as attached in Schedule “1” to the amending by-law:

Podium

- xiv) The inclusion podium townhouse units, seven along the Richmond Street frontage and seven along the North Centre Road frontage;
- xv) Brick as the primary material on the street facing elevations;
- xvi) Individual unit entrances with front door access for all townhouse units;
- xvii) Ground floor units with walkways leading to City sidewalk for all street facing townhouse units;
- xviii) A prominent principle entrance into the apartment building that is easily identifiable by including some or all of the following: a change of massing, a higher level of clear glazing, and/or the incorporation of canopies;
- xix) A multi-level parking structure that is buffered from the street-facing facades by the inclusion the townhouse units.

Mid Rise Portions

- viii) A material and colour palette that provides for a cohesive design between all elements of the building including the podium, the mid-rise portions and the tower. This could include the inclusion of brick and/or a similar colour to the brick cladding on the podium;

- ix) A high proportion of glass materials and a relatively low proportion of exposed concrete or similar materials, including floor to ceiling window walls. Use of clear glass balcony barriers;
- x) A step-back of the ninth and tenth floors on the west, south and east facades;
- xi) The inclusion of window walls on the ninth and tenth floors matching the top levels of the tower portion.

Tower

- xiii) A material and colour palette that provides for a cohesive design between all elements of the building including the podium, the mid-rise portions and the tower. This could include the inclusion of brick and/or a similar colour to the brick cladding on the podium.
- xiv) A high proportion of glass materials and a relatively low proportion of exposed concrete or similar materials, including floor to ceiling window walls. Use of clear glass balcony barriers;
- xv) A step-back of the sixteenth, seventeenth and eighteenth floors on all tower elevations.
- xvi) The inclusion of window walls on the sixteenth, seventeenth and eighteenth floors.
- xvii) The design of the top of the towers that provides interest to the skyline and is well integrated with the design language of the overall building.
- xviii) Incorporation of mechanical room with the roofline of the tower.

2) Transit Station

The financial contribution of funding to the future Transit Station at Masonville Mall in the amount of 1% of the construction value up to \$250,000, for the provision of facilities, services, programming, public art or other matters for positive project enhancements to be provided at the time of site plan approval or construction of the station, whichever occurs first.

3) 1 level of underground parking

4) Publicly accessible civic space located at the southwest corner.

In order to implement the identified items for bonus zoning, section 19.4.4 iv) of the Official Plan states that:

“As a condition to the application of bonus zoning provisions to a proposed development, the owner of the subject land will be required to enter into an agreement with the City, to be registered against the title to the land. The agreement will deal with the facilities, services, or matters that are to be provided, the timing of their provision, and the height or density bonus to be given.”

Bonus zoning is implemented through a development agreement with the City that is registered on title to the lands. The development agreement is intended to “lock in” the design features that will be incorporated into the form of development to merit the additional density. Through the site plan approval process, the proposed development will be reviewed to ensure that all facilities, services and matters that have warranted bonus zoning have been incorporated into the development agreement. These design features are highlighted in the recommendation and the amending by-law included in the illustrations attached as Schedule “1”.

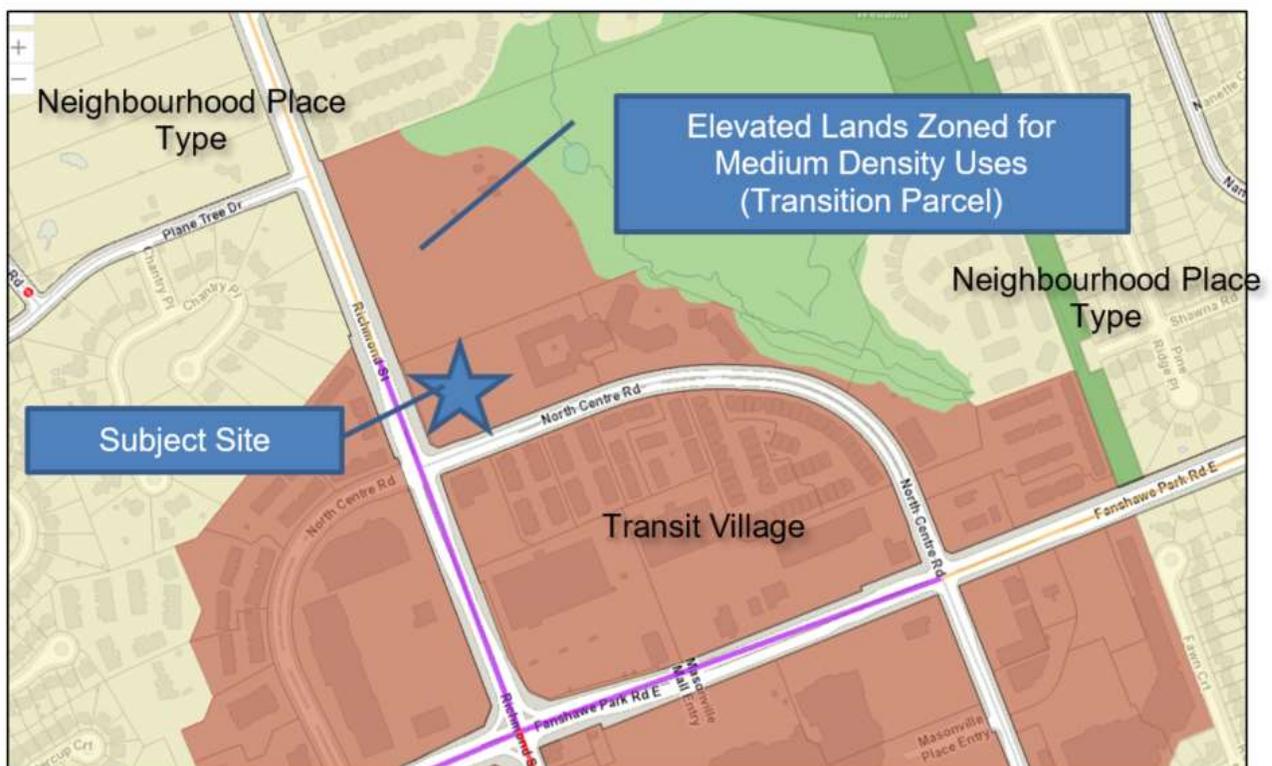
The London Plan

The London Plan clearly encourages an increase in residential densities within its Transit Villages in order to support the commercial uses of the node and the rapid

transit station that is considered the hub of the village. In order to ensure these goals are being met the London Plan provides intensity policies (L13). These policies provide permissions for buildings to have a minimum of either two storeys or eight metres in height and will not exceed 15-storeys in height. However, Type 2 Bonus Zoning is permitted beyond this limit, up to 22-storeys. The proposed development height of 18-storeys is within the range permitted by The London Plan through Type 2 Bonusing which is similar to the bonusing process applied through the 1989 Official Plan.

Planning and development applications within the Transit Village Place Type will be evaluated to ensure that they provide for an adequate level of intensity to support the goals of the Place Type, including supporting rapid transit, efficiently utilizing infrastructure and services, ensuring that the limited amount of land within this place type is fully utilized, and promoting mixed-use forms of development. As previously noted in the Transit Villages policies these areas are already developed and limited opportunities for intensification exists. The subject site provides an ideal location for intensification as it is a vacant property.

The Transit Village also encourages building heights to step down from the core of the Transit Village to any adjacent Neighbourhoods Place Types. The subject site's location is in close proximity to the main intersection of the Village core and has a large elevated parcel of land zoned for medium density development directly north which provides for the appropriate transition from the proposed 18-storey apartment to the Neighbourhoods Place Type on the edge of the Transit Village.



4.3 Issue and Consideration # 3 - Form

Provincial Policy Statement, 2014 (PPS)

The proposed development is in keeping with the PPS as it provides an opportunity for intensification at an appropriate location taking into account the existing building stock in the area. The proposed development has considered the surrounding building stock by positioning its tallest portions along an arterial road where impacts will be reduced on the surrounding buildings located in the interior of the neighbourhood. The proposal has gone through an extensive design process helping to ensure that an appropriate development standard is established to help implement the intensification of the subject site. The subject site is located in a Transit Village which has convenient amenities, employment and shopping destinations based around a future bus rapid transit hub and currently in close proximity to several bus routes that stop at Masonville Mall. The

building's design and location help promote active transportation as they provide the ability for pedestrian and bicycles to access the nearby facilities and will help limit the need for a vehicle to carry out daily activities in conformity with the goals of the PPS [1.1.3.2, 1.6.7.4].

Official Plan

The proposed form of development has made a strong effort to create a transition in scale through the proposed form of development in response to the surrounding land uses. Townhomes wrap the parking garage along Richmond Street and North Centre Road to create a similar scale and interface with the surrounding office and townhouse units. Additional townhomes have been included along the easterly parking garage to help create an active interface with the abutting continuum-of-care facility.

The development also positions increases in height and massing to appropriate locations. The development is L-shaped above the podium base and is significantly setback from the proposed 2-3 storey townhomes at grade. The mid-rise portion along Richmond Street reaches 10-storys where height is encouraged to locate and is 6-storeys along the northerly part of the site where the abutting lands increase significantly in elevations. The 18-storey tower portion of the apartment is located in the NW corner of the property where height impacts will be minimal. Through the use of the townhomes the development is able to reduce the visual impacts of the proposed parking structure. The main pedestrian access point is located directly at the intersection of Richmond Street and North Centre providing tenants easy access to the surrounding transit services and activity nodes.

The Official Plan also ensures that all developments conform to the Urban Design principles in Section 11.1. As part of a complete application the applicant provided an Urban Design Brief and attended the Urban Design Peer Review Panel to identify how the above-mentioned policies have been achieved through the building design and form. The original 22-storey apartment was well received by Staff and the Urban Design Peer Review Panel. Some minor concerns were raised about improving the cohesiveness of the building by further connecting the podium to the mid-rise and tower portions of the project through alternative design features. Removing the blank façade was suggested on the northwest corner of the podium that is prominent from the street by integrating other architectural elements of the building into this part of the elevation. Extending the proposed townhouse units along the Richmond Street frontage to create a stronger street presence was also recommended. The pedestrian access to the building was encouraged to be redesigned to give priority to accessibility to the front entrance through the reorientation of the access ramp. The proposed amenity area was also considered isolated in nature and the provision of greater surveillance of the area through an internal amenity space looking over it or simply moving it and providing a drop-off/rear-entry to the building was suggested as an alternative design feature.

In an effort to respond to the Urban Design panel's original comments and the public concerns a revised design was submitted and presented to the panel. The main changes included a reduction from 22-storeys to 18-storeys and shifting the height of the building from the SW corner of the site to the NW corner to help reduce shadows on abutting lands. The applicant also extended the townhomes along Richmond Street along the length of the parking structure, removed the at-grade amenity space located in the North East corner and identified that it would be placed atop the parking structure. The applicant provided a drop-off area instead in the NE corner as suggested by the panel and reoriented the accessibility ramp to the front entry. Fenestration to the NW corner was also added to articulate as an entrance to the project. After the revisions were made the proposed 18 storey, L-Shaped building was re-circulated to the public and reviewed by the Urban Design Review Panel. The panel was appreciative of the efforts made to try and address their original comments and provided follow up considerations

The panel provided additional recommendations based on the revised design which included:

- *Recommend an indoor amenity adjacent to rooftop amenity. There should be a mix of passive and active amenities*
- *The tower proportions could benefit from shifting the penthouse to the northwest corner of the floorplan. This will help create an elongated sense of the massing and assist with the overall form/expression of the tower.*
- *The landscape design should consider amenity for townhouses along the street*
- *Entrance design should be further refined to address the blank facades on the sides of the two townhouses - consider adding an active space near the main entry to eliminate the blank wall (side) of townhouse units. Further articulation of the massing in the form of an entrance canopy could also assist in creating a stronger sense of arrival at the corner.*
- *Suggest 3 storey townhouses along Richmond Street*
- *Give further attention to the east façade. At the moment it is hard to discern where the entrances into the building occur.*
- *Give further consideration to the function and design of the drop off area as it may cause confusion as there doesn't appear to be a functional entrance to access the building (other than to the pool)*
- *Wrapping corner with balcony – reconsider if it needs to wrap as these types of balconies tend to be used as storage and has the possibility of being unsightly.*

During the circulation of the revised design similar comments were received from the public along with a concern that the new apartment will impact the view corridor from the lands to the north. As a result the final design being recommended for approval received some additional changes. The wrapped balconies were removed to help reduce the visual massing of the building and townhome units were included along the east podium to help reduce the visual impact on the abutting senior's home. Due to the inclusion of these townhomes however, the proposed drop off circle had to be removed. The wing portion of the building along the north edge of the property was reduced from 8-storeys to 6 storeys and the height along Richmond Street was increased from 8-storeys to 10-storeys. This change in design provides a more effective overall design as it helps tie in the design of the penthouse on top of the tower portion to the mid-rise portion along Richmond Street.

The applicant has also provided their opinion on how the panel's concerns have been address through the final design.

- 1) *We have updated and changed all windows around the tower and podium to large punched windows of the same size.*
- 2) *Window walls have been added on the north and south side of the tower to provide a break between solid material in the tower.*
- 3) *The 2 townhouse units on the corner of the North Centre Road and along Richmond Street have been converted to Amenity Spaces allowing more glazing and a more lively entrance at this corner. The amenity space is double height. The architectural language of the amenity space complements the residential entrance and townhouses through using a combination of the same materials.*
- 4) *The north and south portion of the corner balconies are removed to reduce the weight around the corners of the tower.*
- 5) *3 townhouses are added to the North-east corner of the site. We have also added a secondary entrance near the parking entrance to provide pedestrian access to the elevator lobby from the drop-off area at the East of the site.*
- 6) *We have also reduced the height of the wing on the north side to 6 storeys and increased the height of the wing to the southwest to 10 storeys, to better incorporate the tower and southwest leg. We have a 2m setback on the 9th and 10th floor and use the full window wall to replicate the same look as the 16th to 18th floor of the tower.*

Additional design details that are considered minor in nature have been identified in the recommendation to the Site Plan Approval Authority to consider implementing through the site plan process. It is also important to consider that the proposed form of development will be controlled through the recommended bonus zone ensuring the

design being proposed is what is built. No other apartment building can be built at this height or density on the site without a rezoning. Other potential developments would be restricted to the limitations of the proposed R9-7 zone which is commonly used to implement MFHDR designation.

The London Plan

The London Plan also helps guide the shape of development through form policies. The rationale used above under the current Official Plan in regards to scale and form of development also satisfies form policies of The London Plan. The proposed design is generally in keeping with the City Design Policies of the Plan and a high quality architectural design is being achieved. The development is transit supportive and the base is designed to establish and support a high-quality pedestrian environment [814].

The following form policies apply within the Transit Village Place Type:

1. All planning and development applications will conform with the City Design policies of this Plan.
2. High-quality architectural design will be encouraged within Transit Villages.
3. Buildings and the public realm will be designed to be pedestrian, cycling and transit-supportive through building orientation, location of entrances, clearly marked pedestrian pathways, widened sidewalks, cycling infrastructure, and general site layout that reinforces pedestrian safety and easy navigation.
4. Convenient pedestrian access to transit stations will be a primary design principle within Transit Villages.
5. Consideration should be given to providing publicly-accessible pedestrian connections through a proposed development site connecting with the pedestrian network on existing and future adjacent sites.
6. All public works will ensure a highquality pedestrian environment through streetscape improvements such as widened sidewalks, upgrading the sidewalk material, planting street trees, installing benches and other street furniture, providing pedestrian lighting, and integrating public art.
7. The base of all buildings will be designed to establish and support a high-quality pedestrian environment.
8. Pedestrian traffic associated with rapid transit stations should be considered in the design of the station, the public realm, and adjacent developments.
9. Massing and architecture within the Transit Village should provide for articulated façades and rooflines, accented main entry points, and generous use of glazing and other façade treatments along sidewalk areas such as weather protection features to support a quality pedestrian environment.
10. Creative and distinctive forms of building design are encouraged within the Transit Villages.
11. Surface parking areas should be located in the rear and interior sideyard. Underground parking and structured parking integrated within the building design is encouraged.
12. Shared car and bicycle parking facilities and carshare/bikeshare programs will be encouraged within Transit Villages. Public changerooms and bicycle facilities will be encouraged.
13. Planning and development applications will be required to demonstrate how the proposed development can be coordinated with existing, planned and potential development on surrounding lands within the Transit Village Place Type.

4.4 Issue and Consideration # 4 - Context

Through the public circulation a number of comments expressed that the existing residential community is low-rise and low density in nature and that the proposed high-rise development is not in keeping with the area. It should be noted that the intent of the existing land use designations in the area, planned through the 1989 Official Plan was to see a much larger residential density created through medium and high density developments to support the large commercial node. Although the existing zoning did not fully implement the 1989 Official Plan to its fullest extent it has always been identified and considered good planning to provide an increase in intensity and density in the area. This same rationale has been carried over into The London Plan which promotes increased intensities within the Transit Village in order for it to access local amenities, shopping destination, employment opportunities and support rapid transit.

It should also be noted that comparable development exists at North Centre and Fanshawe Park Road W, just west of Richmond, where a 12-storey apartment is located between a 4-storey apartment building and 2-storey townhomes. The proposed apartment has changed its design to respond to the surrounding land uses and it is not considered out of place to allow for a high quality designed building to be placed within the surrounding context.



4.5 Issue and Consideration # 6 – Traffic

Another main point of contention through this process is the potential increase in traffic that the proposed development will create in relation to the ongoing traffic issues.

Several comments about existing cut through traffic along North Centre Road, the increase in truck and construction traffic and the high volumes of traffic along Richmond Street were received. A traffic impact assessment was not required as part of a complete application as the potential increase in traffic from the proposed development did not warrant the need for the study.

Both Staff and the Ward councillor followed up with the Transportation department based on the public concern and received the following comments.

“In terms of the development, a traffic impact assessment is not required as part of the zoning application nor the Site Plan Consultation. A Site Plan application has not yet been submitted by the developer. The traffic study was not required since the trips generated by the development did not trigger a study as per the TIA guidelines and because the anticipated road improvements to the adjacent Richmond/FPR intersection in the near future based on the EA recommendations.”

Staff reviewed the collision history at the intersection and noted there have been no collisions in the past 5 years (typical period used for collision history) between vehicles and vulnerable road users (pedestrians and cyclists). As part of the Site Plan process staff can work with the applicant in regards to the Traffic Management Plan to limit construction truck traffic impacts to the street (such as only accessing north centre from Richmond). There are no intersection operational concerns associated with this development staff continually review traffic patterns at signalized intersections and make adjustments to traffic signal timing as required to ensure efficient operation. The projected traffic increase for the development is about a total of 70 trips in the AM peak hour and 86 trips in the PM peak hour, the existing transportation infrastructure will be able to accommodate this small increase in traffic.”

Transportation Staff also approved a speed study along North Centre Road be undertaken to help address the ongoing concerns of the public. An environmental assessment is also being completed to deal with capacity constraints at Fanshawe and Richmond Street which should help reduce the need for traffic to cut through North Centre Road.

4.7 Issue and Consideration # 6 - Shadows

Another main concern of the public was the shadows cast from the proposed development. Upon review of the shadow studies the design of the building allows the shadows to move relatively quickly, traversing across amenity areas within approximately one hour. Concern has been raised about the amenity space in the centre of the Continuum-of-Care facility to the east and the impacts the shadows will have on that area. An analysis was completed showing the existing shadow from the Continuum-of-Care facility was cast over the outdoor amenity area prior to the shadow of the proposed apartment reaching it. There is a small increase in the shadow within the outdoor amenity area created by the proposed apartment. (See Below)

The full shadow study is attached as Appendix D



4.8 Issue and Consideration # 7 – Ground Water

Based on concerns about a high water table in the area a request was made at the Planning and Environment Committee meeting on July 16th to ensure that a hydrogeological report is completed. Although this would be required through the building permit process a holding provision is being recommended to ensure that it is completed at the site plan approvals process instead. The applicant has completed a preliminary assessment of the site and soil conditions which indicated that no concerns will arise as a result of the proposed apartment building. The report indicates that the proposed depth of construction will not impact the water table and only temporary dewatering may be required to accommodate the proposed footings. The volume of pumped groundwater is unlikely to exceed the MOE standard of 50,000L/ day. If the required volume of pumped water were to be close to or exceed MOE limits the Ministry would be required to provide approval of the development.

h-132 Purpose: To ensure that a Water Balance Study and a Hydrogeological Study is submitted as part of a complete Site Plan Application, the h-132 symbol shall not be removed until the results of each Study are accepted to the satisfaction of the City of London.

5.0 Conclusion

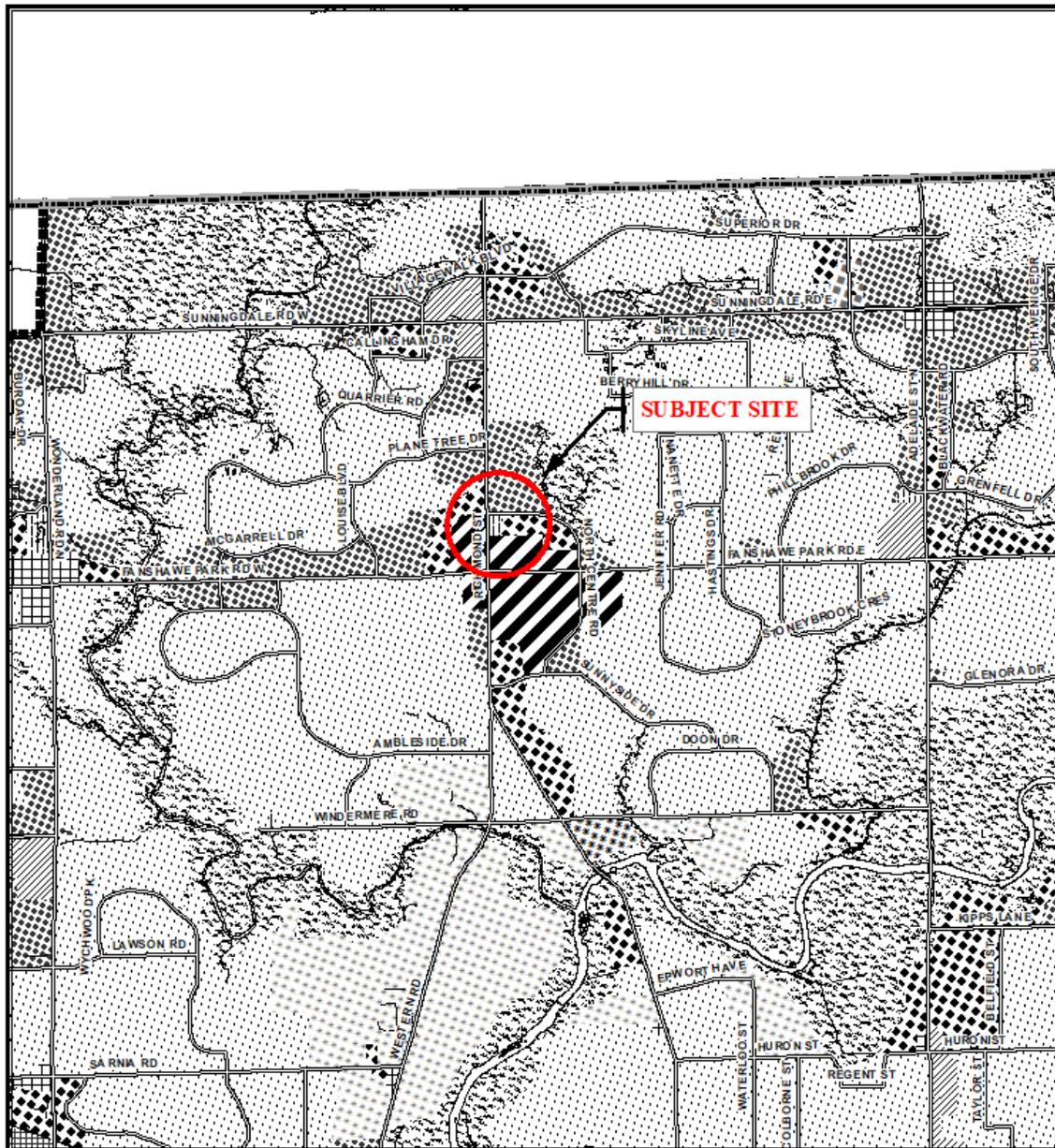
The recommended amendment is consistent with the Provincial Policy Statement, 2014 and conforms to the City of London Official Plan policies and Transit Village Place Type policies of The London Plan. The proposal facilitates the development of an undeveloped lot and encourages an appropriate form of development. The bonusing of the subject site ensures the building form and design will fit within the surrounding area while providing a high quality design standard. The subject lands are situated in a location where intensification can be accommodated given the existing municipal infrastructure, the nearby arterial streets, large commercial node, and existing and future public transit facilities in the area.

Prepared by:	 Mike Corby, MCIP, RPP Division Name
Submitted by:	 Michael Tomazincic, MCIP, RPP Manager, Division Name
Recommended by:	 John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner

November 5, 2018
MC/mc

Appendix E – Relevant Background

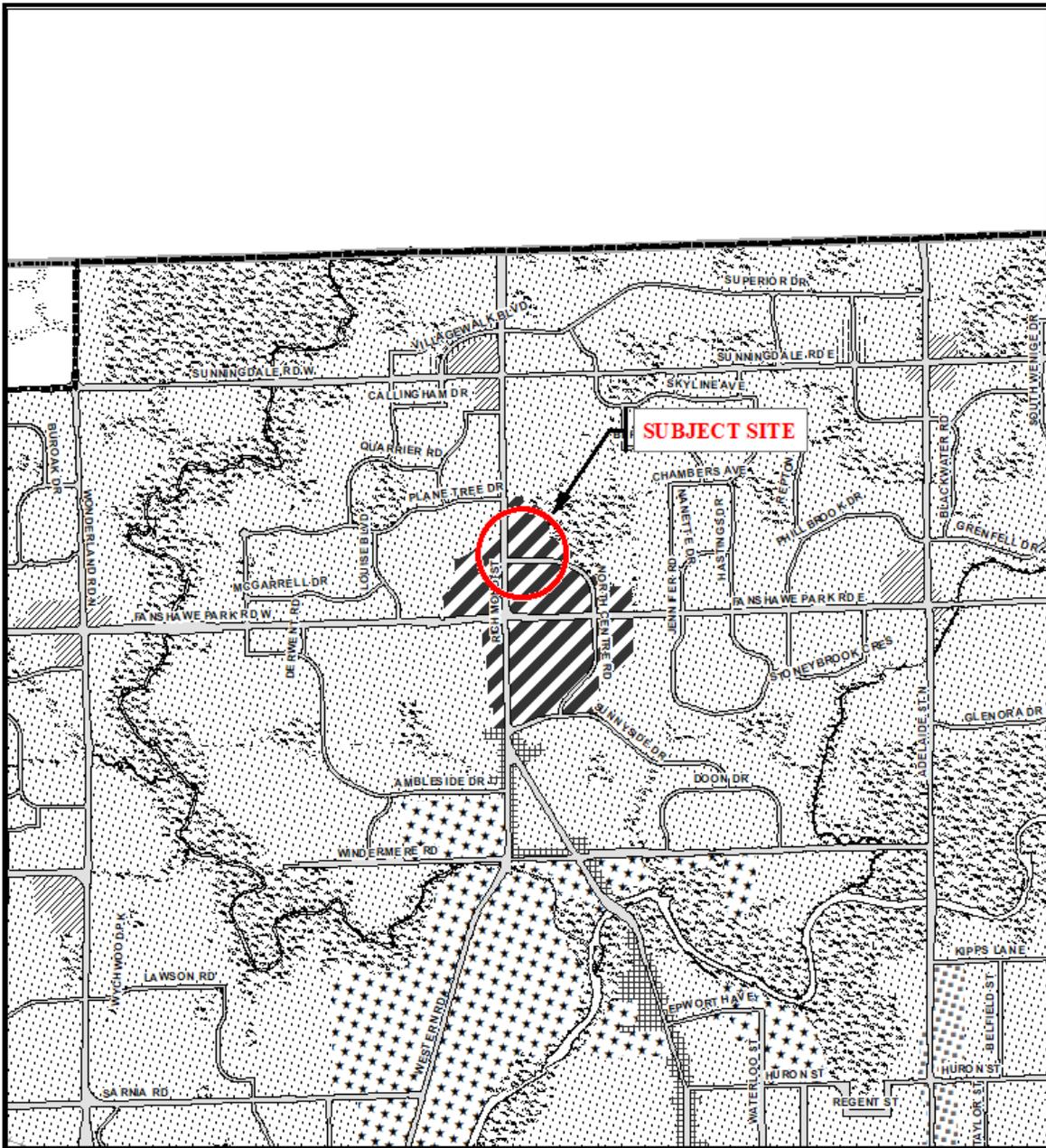
Additional Maps



Legend		
Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial
Community Commercial Node	Regional Facility	Transitional Industrial
Neighbourhood Commercial Node	Community Facility	Rural Settlement
Main Street Commercial Corridor	Open Space	Environmental Review
Auto-Oriented Commercial Corridor	Urban Reserve - Community Growth	Agriculture
Multi-Family, High Density Residential	Urban Reserve - Industrial Growth	Urban Growth Boundary

<p>CITY OF LONDON Planning Services / Development Services OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: OZ-8874</p>
		<p>PLANNER: MC</p> <p>TECHNICIAN: MB</p> <p>DATE: 2018/04/13</p>

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\coo\ns\100\excerpts\mxd_templates\scheduleA_b&w_sx14_with_SWAP.mxd



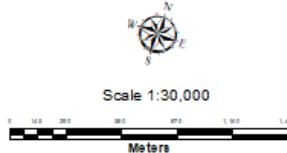
Legend

- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor | Commercial Industrial | Urban Growth Boundary |
| Main Street | Institutional | |
| Neighbourhood | Green Space | |

This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

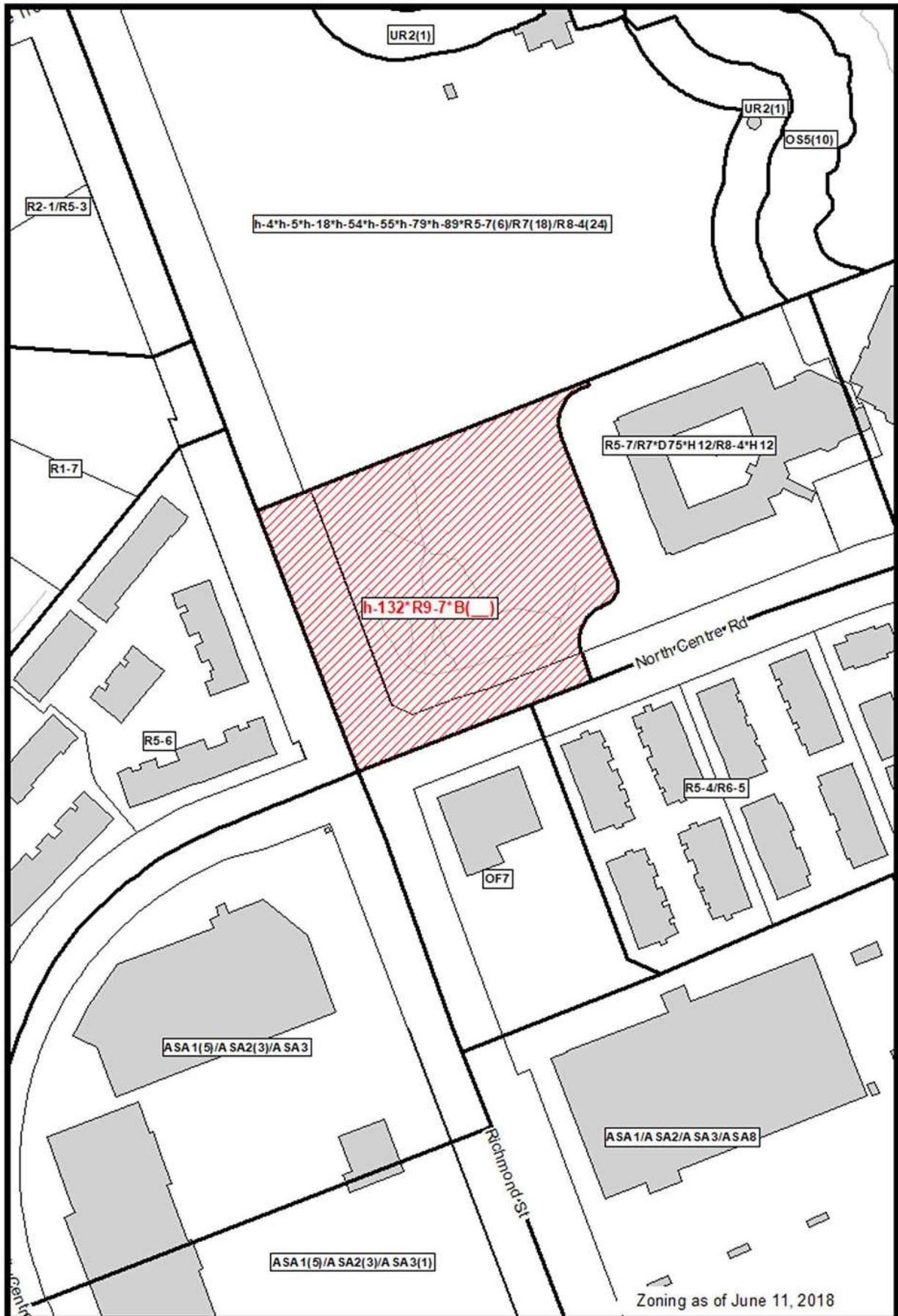
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON
 Planning Services /
 Development Services
LONDON PLAN MAP 1
- PLACE TYPES -
 PREPARED BY: Planning Services



File Number: OZ-8874
Planner: MC
Technician: MB
Date: April 13, 2018

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



File Number: OZ-8874
Planner: MC
Date Prepared: 2018/06/14
Technician: MB
By-Law No: Z.-1-

SUBJECT SITE 

1:2,000

0 10 20 40 60 80 Meters



1890 Richmond St. Unit 22
London, Ontario N5X 4J1
November 3, 2018

To: Planning and Environment Committee, City Council, Ward 5 Councillor
Maureen Cassidy, Mike Tomazincic, Senior Planner; Mike Corby, Senior Planner;
Cathy Saunders, City Clerk

Re: Proposed Tricar Development @230 North Centre Road

The consultation process with the community, city planners, the developer and Ward 5 Councillor Maureen Cassidy, has proven to be a lengthy, complicated and often confusing process in which information is provided, sometimes on short notice, and often revised several times within a short time frame before going forward to a PEC meeting. As a result, people have responded to different versions for the same meeting. This has been a frustrating process for all.

While the latest conceptual drawings give us some hope that the developer has listened to the public's concerns, some of which were building height, shadowing, transition to neighbouring properties, we see no attempt on the part of the builder to reduce the mass of the building, or the amount of surface area covered by solid materials; to increase the green space or surface parking for residents or visitors, or to provide access for garbage and recycling trucks, service and/or emergency vehicles. Where are the design principles for green infrastructure in this development?

Tricar has shown no concern for the increased traffic and safety issues that will be caused by the sheer number of residents of 222 units. They have not budged from their request for a high density designation (maximum of 150 units) plus bonusing. The 222 units are almost 3X the maximum number of units for medium density. Even with reduced height, the building will be a monstrous structure on a relatively small piece of property.

This type of development can now be seen in downtown London or in cities like Toronto where land prices are considerably higher and higher density development is welcomed to provide more housing opportunities. Even high rise residential buildings in Toronto have some green space and/or a playground at ground level for residents and their families. Where is the outdoor amenity space in this Tricar proposal?

How is this luxury condo building a part of a wide range of housing choices in the area or an affordable housing opportunity? Does it support the security, health and well-being of our senior populations? (Ref: p. 163, City Building Policies, Green and Healthy City, Aug.27, 2018)

Why do we want this development in North London? Infill development is a cornerstone of The London Plan but surely that does not translate to an out of scale

development in the middle of 1 and 2 storey homes, and 3 neighbouring buildings (2 senior residences and 1 office building) that are 3-5 storeys.

I urge the PEC and city council to reconsider the scale of development on this property. I urge you to reject this latest proposal and protect our neighbourhoods.

Sincerely,

Susan Gliksman

On behalf of the Board of Directors and residents of MSCC #582

From: VICTORIA DIGBY

Sent: Thursday, November 01, 2018 1:09 PM

To: Corby, Mike <mcorby@London.ca>; Saunders, Cathy <csaunder@london.ca>; Cassidy, Maureen <mcassidy@london.ca>

Subject: 230 North Centre Road - Tricars Latest Design

Good Afternoon to All,

May I extend my appreciation to Mike for forwarding the latest information - I have had a chance to review the new designs from Tricar regarding the 230 North Centre Road application . I wish to share my impressions of this redesign:

- The developer has only addressed two issues: 1) height (from 22 storeys back in February to 18 storeys in July and now currently at 15 storeys) and 2) number of units (brought the number of units down from 230 to 222 . . . leaving all other matters unaddressed and therefore unresolved).
- Public optics suggest the developer is being reasonable. However, the compromises that Tricar has made over the last several months are mere adjustments to an overall outrageous plan to begin with. The issue facing 230 North Centre Road is not a need for compromise between all parties; rather, it's a need to refocus the attention on what it is to be considered a 'good fit' for this neighbourhood.
- Under the current medium density zoning, the land permits only 75 units per hectare (uph); this new design is over massing the land 147 units more than allowed under medium-density zoning.
- Under the Official Plan (1987) which guides this land, the current medium density zoning permits a developer not to build more than 6 storeys unless they decide to 'bonus' up to (but no more than) 15 storeys. So, this is what Tricar's latest development has done. But storeys are not the only issues.
- The developer has offered 'bonusing' which translates into financial contributions from Tricar to the City towards Transit Hub initiatives @ Masonville Mall and an agreement to build a level of underground parking at 230 North Centre Rd. This is called Type 2 bonusing, which is allowed in the City of London. Underground

parking shouldn't be a bonus item because they couldn't accomplish their goal without it.

- While the community appreciates the efforts by City Planning and Tricar to reduce massing and shadowing, the efforts have fallen short of achieving the kind of transitioning and intensification allowed under good planning and medium density zoning; clearly the proposed design would be the type expected in a downtown core or any urban city.
- There is no need to rezone for higher density because 230 North Centre Rd is not on the BRT route even though it has been designated by City Planning to fall within the New London Plan as part of the new Transit Village. It's important to remember that most parts of the New London Plan are still under appeal. . .and that the BRT has been put on hold until the spring. Further, 230 North Centre is on the most northern outer edge of the Transit Village – where it appears Planning arbitrarily declared this vacant land to be included . . .as well as another parcel of Western Univ land just north of 230 North Centre.
- Safety/security of seniors in area remains a concern. Richmond Woods seniors complex will share the driveway entrance to 230 North Centre Rd – these residents remain the most vulnerable to this proposed complex. As residents walk daily throughout their driveways and parking areas for pleasure they also do so for safety . . .away from the public street ways . . . there is concern over the potential for 230 North Centre residents to use Richmond Woods driveways/parking facilities as a cut-through or even as their own to utilize.
- Under this new design, there will still be four residential communities entering/exiting onto North Centre Road within feet of each other. Further, the main entrance to the anticipated development is at the corner of Richmond & North Centre. All of this combined makes us anticipate gridlock and traffic hazards in the future.
- Lack of green space remains a concern. The roof of the parking lot is not suitable 'green space' for such high-density development. Although City Planning continues to refer to the large amount of open space around 230 North Centre as justification for allowing over development, let's be clear that the land to the north

is private property owned by Western University which houses its President and holds private ceremonies on its property through the year. The land to the northwest is protected environmentally sensitive land. So where will residents from 222 units congregate? Even their own rooftop won't be able to support the hundreds of residents living in their own complex.

- Intensification and transitioning between zones is something that good planning takes into consideration – but for the transitioning to be occurring all within 1+ hectare of land is not reasonable nor in keeping within the spirit of good planning. This project is not a good fit.
- Our community is asking for the same consideration and decision making that has been applied in other parts of the city. Specifically, the City PEC committee unanimously rejected a 4-storey application on Byron Baseline Road back on August 16th on the basis that 1) there was not enough green space, 2) the stark contrast on existing homes in area and 3) the sheer over-intensification of development in the area. These same arguments apply to 230 North Centre Road.

In conclusion, residents ask the PEC and Council to be the bodies that create the balance between what the City Planning Dept. and developers envision for this city and what we the residents desire for our neighbourhoods.

Residents request the PEC to reject the application for rezoning 230 North Centre Rd from its current medium density to a high-density allowance. We encourage Tricar to continue to bring the massing down and consider the issues raised by community partners.

Thank you,

Victoria Digby
16-1890 Richmond Street
London, Ontario N5X 4J1

From: Kumon-London Northeast-Cynthia MacKinnon

Sent: Thursday, November 08, 2018 9:31 AM

To: City of London, Mayor <mayor@london.ca>; Cassidy, Maureen <mcassidy@london.ca>; Squire, Phil <psquire@london.ca>; Morgan, Josh <joshmorgan@london.ca>; Salih, Mo Mohamed <msalih@london.ca>; van Holst, Michael <mvanholst@london.ca>; Armstrong, Bill <BArmstro@london.ca>; Helmer, Jesse <jhelmer@london.ca>; Hubert, Paul <phubert@london.ca>; Hopkins, Anna <ahopkins@london.ca>; Ridley, Virginia <vridley@london.ca>; Turner, Stephen <sturner@london.ca>; Saunders, Cathy <csaunder@london.ca>; Usher, Harold <husher@london.ca>; Park, Tanya <tpark@london.ca>; Zaifman, Jared <jzaifman@london.ca>

Subject: A question of density

To all whom it concerns,

I am a business person working at [235 North Centre Rd.](#)

Recently, one of my staff members was hit by a turning car while legally walking across the rd at the intersection of Fanshawe Pk Rd. and North Centre Rd. Fortunately she was not hurt, but it shook up our office staff and we began to discuss, again, the high volume traffic in the Masonville area.

ANY design of a building , whether tall or short and bulky, is not acceptable if it means a change in the allowable density of traffic in this corridor.

I have indicated that the new design is unacceptable because the density is still too great. The proposed number of vehicles coming from such density into this corridor is unacceptable.

Cynthia MacKinnon

From: rob croft

Date: November 8, 2018 at 3:53:02 PM EST

To: "mayor@london.ca" <mayor@london.ca>, "mcassidy@london.ca" <mcassidy@london.ca>, "psquire@london.ca" <psquire@london.ca>, "joshmorgan@london.ca" <joshmorgan@london.ca>, "msalih@london.ca" <msalih@london.ca>, "mvanholst@london.ca" <mvanholst@london.ca>, "barmstro@london.ca" <barmstro@london.ca>, "jhelmer@london.ca" <jhelmer@london.ca>, "phubert@london.ca" <phubert@london.ca>, "ahopkins@london.ca" <ahopkins@london.ca>, "vridley@london.ca" <vridley@london.ca>, "sturner@london.ca" <sturner@london.ca>, "csaunder@london.ca" <csaunder@london.ca>, "husher@london.ca" <husher@london.ca>, "tpark@london.ca" <tpark@london.ca>, "jzaifman@london.ca" <jzaifman@london.ca>, Mike Corby <mcorby@london.ca>, "csaunder@london.ca" <csaunder@london.ca>, Michael Tomazincic <mtomazin@london.ca>

Subject: OZ-8874 230 North Centre Road

Rob Croft
38-145 North Centre Rd
London N5X4C7

Mike Corby
The City of London, Planning Services

Hi Mike,

I refer to a letter I received from The City of London, Planning Services dated July 25, 2018 section (c) "Planning staff BE DIRECTED to continue to work with the applicant and the community to move toward a design that would result in reduced shadow or overlook, reduce massing, etc." In response to this and Tricar's latest design only one change has been made – reducing the storeys from 18 to 15. I do appreciate the effort Tricar has made to meet with the community, to hear our concerns and to shave 3 floors off the building, and to lower the podium units. This is an improvement. I am disappointed that the massing and scale of the building was not addressed. This is a huge concern for me and a large majority of the community, based on comments that the building "looks out of place", "too big for the lot size", "overpowers the neighborhood", "blocks my view" "creates a shadow". The original proposal for a 22 storey apartment had 230 residential units. The 15 storey design has only reduced the units to 222. This means that the whole 1.1 hectare of land is paved over to such a degree that any green space for the +/- 500 new residents has to be on top of the parking garage. Other concerns will be vehicular entrance/exit, no safe area for emergency vehicles, minimal outdoor parking for visitors and service vehicles which will increase on street parking.

The fact that the application was referred back twice shows that not only the community has concerns about the scale but so do members of the PEC.

If this rezoning amendment is adopted by PEC/Council I trust that the City and Tricar will be accountable and that the building will remain at 15 stories. My hope is that Council, City Planning Services and Tricar continue to work on ways to reduce massing and a scale we can all live with.

Thanks and Regards,

Rob Croft

Nov 4th, 2018

To: Chair and Members, Planning and Environment Committee
Subject: Request for Amendment to our Hamilton Road BIA By Laws

Dear Sir/Madams

Our Board of Management has reviewed the Hamilton Road BIA's By Law and requests that the following amendment requests be added to the PEC Agenda for Nov 12,

1. Committee Members

Current:

5.12 (1) Each committee appointed shall be composed of not fewer than three (3) directors of the Board of Management and shall perform such duties and undertake such responsibilities as the Board of Management specifies and shall report only to the Board of Management.

To: Each committee appointed shall be composed of not fewer than *two* (2) directors of the Board of Management and shall perform such duties and undertake such responsibilities as the Board of Management specifies and shall report only to the Board of Management.

Rationale:

The committees of the Hamilton Road BIA Board of Management will help us carry out the different goals of the organization. Several committees are being formed in the future (the Beautification committee, Events committee, etc.). The lower amount of board members required to be on a committee ensures that their time and capacity is being appropriately leveraged to fulfill the goals of the organization. With two board members being the minimum, it will allow us to also recruit from other BIA members from the greater business community and add in more individuals who may have an interest in the committee.

2. AGM Notice

Current:

8.2 Notice for all Members' meetings shall be:

(a) Sent by prepaid mail to each Member not less than 15 days prior to the meeting. Notice shall be mailed to the address last provided by the Member to the Board of Management or, where no address is provided, to the property address of the owner(s) indicated on the last municipal assessment roll.

To: Membership should receive written or electronic notice of the Annual General Meeting not less than *ten (10) days* prior to the meeting date.

Reason:

This 10-day timeframe will allow us some extra time, should any unforeseen circumstances occur. We will be using email, going forward, which should provide ample notice.

3. AGM Quorum

Current:

8.6 A majority of the Members constitutes a quorum at any meeting of the Members.

To: The members present shall constitute a quorum at any meeting of the members. If there are less the fifteen (15) members present, then the presiding officer will adjourn the meeting.

Reason:

This current by law states that the majority of membership (50% plus 1) would need to be present at an AGM for quorum to be achieved. For the majority of the Hamilton Road BIA to be present, 72 members would need to attend. This is not a realistic number of members to be present at an AGM and may cause us to postpone important decisions. In our experience, having 15 individual members present is a significant presence for an AGM and represents the diversity of the Hamilton Road business corridor.

Thank you, in advance, for consideration. Please let us know if you have any questions!

We give permission for all communication to be made public, including postings to the PEC Agenda and as well as City of London website(s).

Dave Broostad
Hamilton Road Area Business Assoc
Project Coordinator
Hamilton Road, London, Ontario, N5Z 1R9

Advisory Committee on the Environment

Report

11th Meeting of the Advisory Committee on the Environment
November 7, 2018
Committee Room #4

Attendance PRESENT: S. Ratz (Chair), K. Birchall, M. Bloxam, S. Brooks, S. Hall, M. Hodge, J. Howell, D. Szoller and A. Tipping and J. Bunn (Secretary)

ABSENT: M. Bhavra, L. Langdon and T. Stoiber

The meeting was called to order at 12:16 PM.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Scheduled Items

None.

3. Consent

3.1 10th Report of the Advisory Committee on the Environment

That it BE NOTED that the 10th Report of the Advisory Committee on the Environment, from its meeting held on October 3, 2018, was received.

3.2 Municipal Council Resolution - 10th Report of the Advisory Committee on the Environment

That it BE NOTED that the Municipal Council resolution, from its meeting held on October 16, 2018, with respect to the 10th Report of the Advisory Committee on the Environment, was received.

4. Sub-Committees and Working Groups

None.

5. Items for Discussion

5.1 ACE 2018 Wrap Up Survey Questions

That it BE NOTED that the Advisory Committee on the Environment 2018 Wrap Up Survey Questions document, as appended to the agenda, was received.

5.2 ACE 2018 Work Plan

That it BE NOTED that the Advisory Committee on the Environment 2018 Work Plan, dated June 26, 2018, was received.

5.3 Green in the City Update - S. Ratz

That it BE NOTED that a verbal update from S. Ratz with respect to the Green in the City event series, was received.

6. Deferred Matters/Additional Business

6.1 (ADDED) Recycling

That the following actions be taken with respect to recycling:

- a) the Civic Administration BE REQUESTED to consider a voluntary commercial recycling reporting system similar to the Health Unit Dine Safe Program where businesses display signage indicating their recycling efforts including, but not limited to, what materials are being recycled; and,
- b) staff representatives responsible for the above-noted request BE IDENTIFIED to the Advisory Committee on the Environment (ACE) and attend a future meeting of the ACE for further discussion.

6.2 (ADDED) Notice of Public Information Centre No. 1 - Adelaide Street North Municipal Class Environmental Assessment Study

That it BE NOTED that the Notice of Public Information Centre No. 1, from H. Huotari, Parsons Inc. and M. Davenport, City of London, with respect to the Adelaide Street North Municipal Class Environmental Assessment Study, was received.

6.3 (ADDED) Hyde Park Community Storm Drainage and Stormwater Management Servicing Municipal Class Environmental Assessment Addendum Master Plan - Notice of Study Completion

That it BE NOTED that the Notice of Study Completion, dated November 8, 2018, from D. Gough, City of London and J. Haasen, AECOM, with respect to the Hyde Park Community Storm Drainage and Stormwater Management Servicing Municipal Class Environmental Assessment Addendum Master Plan, was received.

6.4 (ADDED) ReThink Zoning Draft Terms of Reference

That J. Adema, Planner II, BE REQUESTED to provide a timeline to the Advisory Committee on the Environment with respect to when feedback is required from the Committee related to the ReThink Zoning Draft Terms of Reference document dated October 31, 2018.

7. Confidential

7.1 Personal Matters/Identifiable Individual

That the Advisory Committee on the Environment convene in closed session with respect to the following:

7.1 Personal Matters/Identifiable Individual

A personal matter pertaining to identifiable individuals, including municipal employees, with respect to the 2019 Mayor's New Year's Honour List.

The Advisory Committee on the Environment convened in camera from 1:36 PM to 1:42 PM.

8. Adjournment

The meeting adjourned at 1:42 PM.