Agenda Including Addeds
Planning and Environment Committee

1st Meeting of the Planning and Environment Committee

December 10, 2018, 4:00 PM

Council Chambers

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.

Pages

1. Call to Order

   1.1 Disclosures of Pecuniary Interest

   1.2 Election of Vice Chair for the term ending November 30, 2019

2. Consent

   2.1 Application - 800 Sunningdale Road West - Request for a Three (3) Year Extension of Draft Plan of Subdivision Approval 39T-05508 — 4

   2.2 Application - 3400 Morgan Avenue - Removal of Holding Provisions (h. *h-11*h-63*h-82*h-95*h-100*h-105 and h-135) (H-8974) — 25

   2.3 Application - 3924 Colonel Talbot Road - Phase 1 of the Hunt Subdivision 39T-12503 (H-8981) — 36

   2.4 Application - 819 Kleinburg Drive (H-8964) — 45

   2.5 Application - 195 Dundas Street (H-8973) — 58

   2.6 Application - 1820 Canvas Way (H-8976) — 71

   2.7 Application - 2626 Sheffield Boulevard - Removal of Holding Provisions — 84

   2.8 LPAT Final Decision Draft Plan of Subdivision, Official Plan and Zoning By-law Amendment - 2054 Adelaide Street North 39T-11502 — 95

   2.9 Building Division Monthly Report for October 2018 — 134

3. Scheduled Items

   3.1 Not to be heard before 4:00 PM - Delegation - S. Levin, Chair, Environmental and Ecological Planning Advisory Committee - 12th Report of the Environmental and Ecological Planning Advisory Committee — 140

   3.2 Not to be heard before 4:00 PM - Delegation - M. Whalley, Acting Chair, London Advisory Committee on Heritage - 11th Report of the London Advisory Committee on Heritage — 159

   3.3 Not to be heard before 4:00 PM - Public Participation Meeting - Application - 172-174 and 176 Pond Mills Road (Z-8944) — 179

3.4 Not to be heard before 4:00 PM - Public Participation Meeting - Application - 747, 759 and 765 Hyde Park Road (O-8939/Z-8940) 195

3.5 Not to be heard before 4:00 PM - Public Participation Meeting - Application - Southern Portion of 3086 Tillmann Road (Z-8926) 219

3.6 Not to be heard before 5:15 PM - Public Participation Meeting - 446 York Street (Z-8971) 239

a. J. S. Dohetry, Gowling WLG (Canada) 296

b. A. Drewlo, Drewlo Holdings Inc. 309

c. J. Hassan 312

d. J. Clement 313

e. M. Sanchez-Keane, Centre for Organizational Effectiveness 314

f. P. Harper, Addiction Services of Thames Valley 315

g. R. .D. George, Wulaawsuwiikaan Healing Lodge 316

h. A. Gehman 317

i. R. Deleary, Atlosha Family Healing Services 318

j. P. Rozeluk, Mission Services of London 319

k. M. Harkins, London Bridge Child Care Services Inc. 321

l. I. Brown and J. Rakoff 322

m. S. Courtice, London InterCommunity Health Centre 323

n. B. Mitchell, Canadian Mental Health Association Middlesex 324

o. S. Quigley, London and Middlesex Housing Corporation 325

p. G. Zonruiter, 323 Ridgewood Crescent 326

q. J. MacDonald, Downtown London 327

r. C. Nolan, Street Level Women at Risk Program 328

s. K. Fisher, Chippewa Health Centre 329

t. A. Scheim 330

u. B. Dokis, Southwest Ontario Aboriginal Health Access Centre 331

v. D. Ruston 333

w. M. Connoy, 457 York Street 335

x. S. Koivu 336

y. D. Krogman 337

z. J. and J. Jeffery, 380 King Street 338

aa. D. Lundquist 343

ab. (ADDED) A. J .M. Baroudi, Baroudi Law *345*

4. Items for Direction

4.1 Request for Delegation Status - J. P. Plutino, Mainline Planning Services Inc. - 6188 Colonal Talbot Road 348

5. Deferred Matters/Additional Business

5.1 PEC Deferred Matters List 350

5.2 (ADDED) 1st Meeting of the Advisory Committee on the Environment *353*

5.3 (ADDED) 11th Report of the Trees and Forests Advisory Committee *355*

6. Adjournment

39T-05508
C.Smith

Report to Planning and Environment Committee

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

From: **G. Kotsifas, P.ENG**
Managing Director, Development and Compliance Services and Chief Building Official

Subject: **Application By: Sunningdale Golf Club Limited.**
800 Sunningdale Road West
Request for a Three (3) Year Extension of Draft Plan of Subdivision Approval
Meeting on December 10, 2018

Recommendation

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the request from Sunningdale Golf Club Limited, for the property located at 800 Sunningdale Road West:

a) The Approval Authority **BE ADVISED** that Council supports the granting of a three (3) year extension of the draft plan of subdivision, submitted by Sunningdale Golf Club Limited. (File No. 39T-05512) prepared by Whitney Engineering Inc., certified by Jason Wilband (Drawing No. 2), which shows 28 new single detached residential lots and 14 existing single detached lots, served by one (1) local street and one (1) new local street, **SUBJECT TO** the revised conditions contained in the attached Appendix "39T-05508"; and,

b) The applicant **BE ADVISED** that the Development Finance has summarized claims and revenues information in the attached Schedule "B"

Analysis

2.0 Description of Proposal

This application for Draft Plan of Subdivision Approval was accepted on April 28, 2005. It was circulated to the required agencies and municipal departments on May 10, 2005 and advertised in the London Free Press Civic Corner on May 7, 2005. A notice of Public Meeting was advertised in the London Free Press on May 27, 2006, and a notice of Public Meeting was sent out on May 26, 2006. The Public Meeting was held on June 14, 2006.

On July 21, 2006 this draft plan was approved by the Approval Authority. The first phase of this subdivision which was comprised of 100 single detached residential lots, two multi-family blocks, one stormwater management block, one park block, and four road widening blocks, and one road re-alignment block, all served by 4 new streets, being Wallingford Avenue, Eagletrace Drive, Creekbend Place and Cornelius Court was registered on June 27, 2008 33M-593).

An emergency 6 month draft approval extension was granted in July 2015 to allow sufficient time for the Owner and Planning staff to consider the request for draft plan extension.

39T-05508
C.Smith

At the meeting on November 24, 2015, City Council requested that the Approval Authority grant a three year extension and revision subject to the attached conditions of draft approval. The new draft approval expiry date was July 21, 2018 (three years after the last extension of draft approval).

An emergency 6 month draft approval extension was granted in July of 2018 to allow sufficient time for the Owner and Planning staff to consider the request for the draft plan extension.

The lands for the proposed draft plan of subdivision are currently being used as part of the Sunningdale golf course operations. In 2017, Sunningdale Golf Club received permission from the City of London and the Upper Thames Conservation Authority to relocate the existing operation from the south side of Sunningdale Road West to the lands on the north side of Sunningdale Road West. When the construction of the lands to the north are complete, the lands on the south side will be available for subdivision approval.

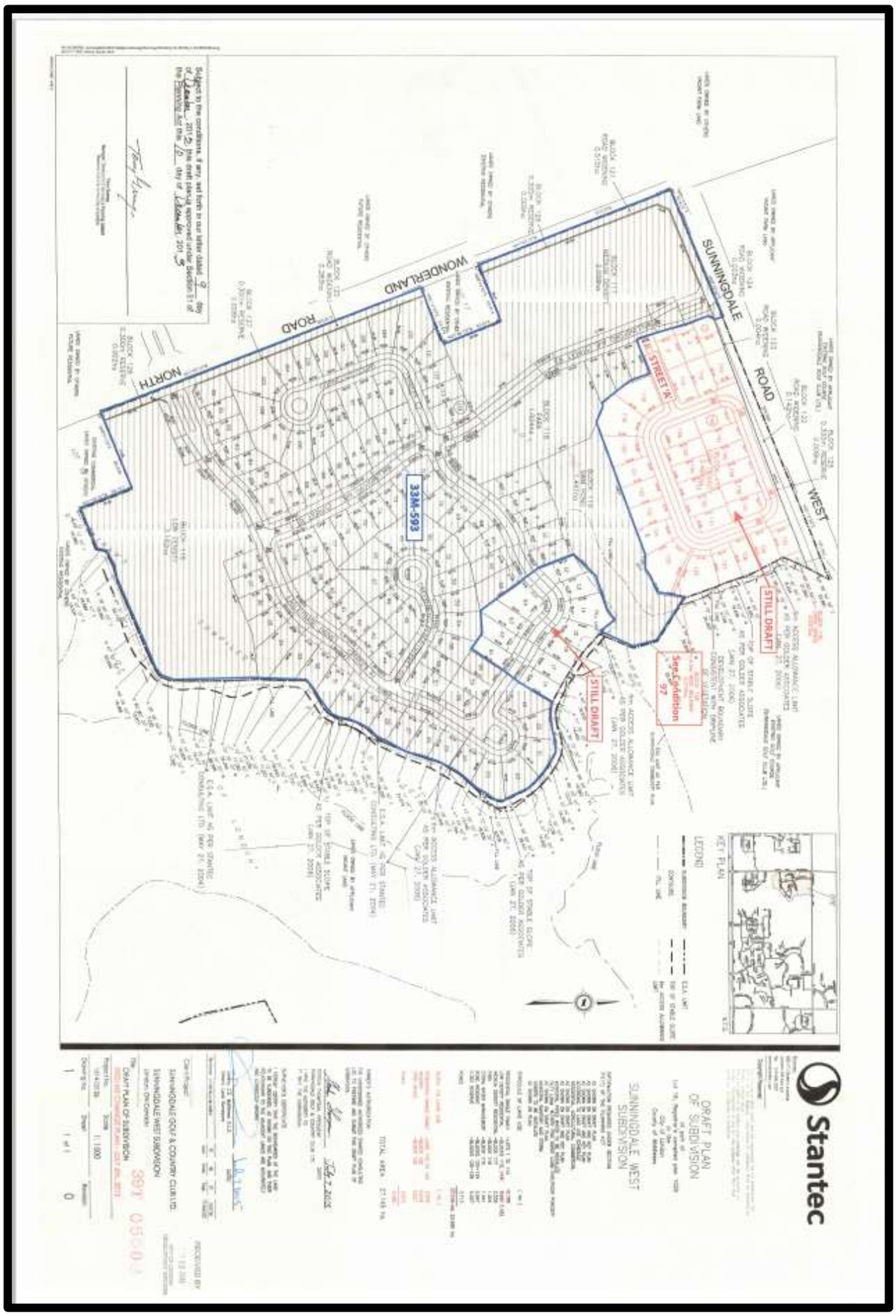
The attached amendments to the conditions of draft approval are required to ensure that these lands are developed to today's standards and to address engineering issues. The amendments to the conditions of draft approval are shown as strikeouts (deletions) and bold italic lettering (additions) on the attached Appendix. If granted, the new draft approval lapse date would be January 21, 2022.

The eastern boundary abuts the Medway Valley Heritage Forest. Conditions 13, 16 and 78 require that prior to any construction a subdivision agreement will be entered into ensuring that all erosion and sediment control measures are implemented to the current City standards as required by Section 10 of the Design Specifications and Requirements Manual. As a note Condition 12 has been deleted as the erosion and sediment controls are specified as required in conditions 13, 16 and 78.

As a result of these minor changes to the conditions of draft approval, an extension may be granted and there is no requirement for public notice of the changes (in accordance with Section 51 (33) & (47) of the Planning Act).

39T-05508
C.Smith

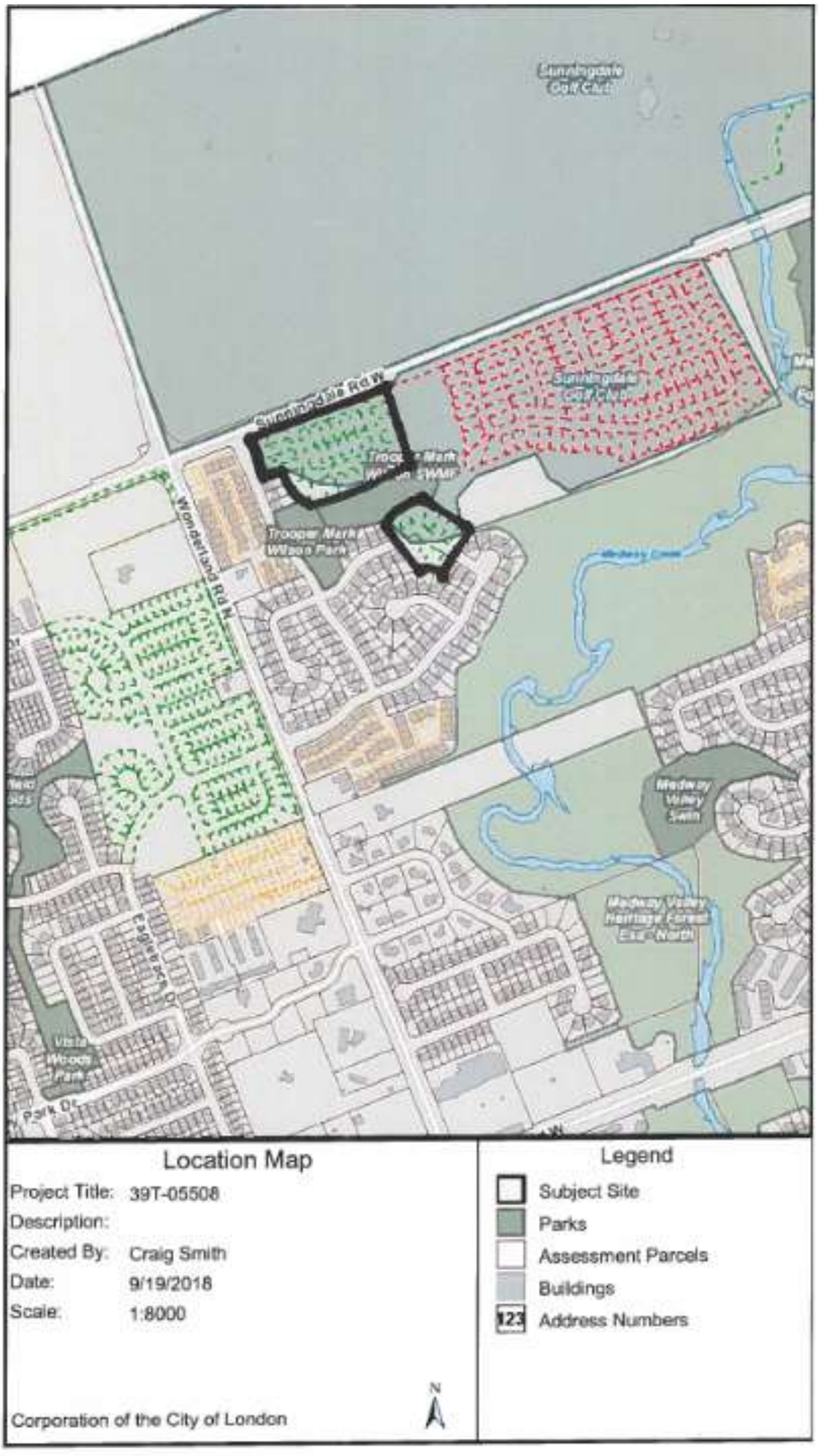
Approved Draft Subdivision Plan



Agenda Item # Page #

39T-05508
C.Smith

Location Map



39T-05508
C.Smith

5.0 Conclusion

The attached revised conditions of draft approval are appropriate to ensure that this subdivision is developed under current City standards.

Prepared and Recommended by:	**C. Smith MCIP, RPP** **Senior Planner, Development Planning**
Reviewed by:	**Lou Pompilii, 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**
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.	

CS/

CC: Matt Feldberg, Manager, Development Services (Subdivisions)

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2005\39T-05508 - 800 Sunningdale Rd W\DA Extension2018\Draft 1196 Fanshawe Park Rd W 39T-05508 Report CS 1of2.docx

Appendix 39T-05512

THE CORPORATION OF THE CITY OF LONDON'S CONDITIONS AND AMENDMENTS TO FINAL APPROVAL FOR THE REGISTRATION OF THE SUBDIVISION, FILE NO. 39T-05508 ARE AS FOLLOWS:

No. CONDITIONS

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1. This draft approval applies to the draft plan, as red-line amended, submitted by Sunningdale Golf Club Limited, prepared by Stantec Consulting Limited, certified by Jeremey Matthews, O.L.S., File No. 39T-05508 dated July 7, 2015, which shows 28 new single detached residential lots and 14 existing single detached lots, served by one (1) arterial road and one (1) new local street.

2. This approval of the draft plan applies for three years (until ***January 21, 2022***), and if final approval is not given by that date, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority.

3. This draft approval supercedes the draft approval granted by the Approval Authority on July 21, 2006.

4. The road allowances included in this draft plan shall be shown on the face of the plan and dedicated as public highways.

5. The Owner shall request that addresses be assigned to the satisfaction of the City in conjunction with the request for the preparation of the subdivision agreement.

6. Prior to final approval, the Owner shall submit to the Approval Authority a digital file of the plan to be registered in a format compiled to the satisfaction of the City of London and referenced to NAD83UTM horizon control network for the City of London mapping program.

7. Prior to final approval, appropriate zoning shall be in effect for this proposed subdivision.

8. The Owner shall in an agreement satisfy all the requirements, financial and otherwise, of the City of London including, but not limited to, surfacing of roads, installation and maintenance of services, drainage and grading, tree planting and tree preservation.

9. The subdivision agreement between the Owner and the City of London shall be registered against the lands to which it applies.

10. In conjunction with registration of the Plan, the Owner shall provide to the appropriate authorities such easements and/or land dedications (eg. 0.3m reserves) as may be required for all municipal works and services associated with the development of the subject lands, such as road, utility, drainage or stormwater management (SWM) purposes, to the satisfaction of the City~~, at no cost to the City~~.

11. The subdivision agreement between the Owner and the City of London may contain phasing arrangements to the satisfactory to the City.

12. ~~The Owner shall implement the requirements of the City of London concerning sedimentation and erosion control measures during all phases of construction. The Owner's consulting engineer shall have these requirements established and approved by the City, prior to any work on the site~~. ~~Prior to the commencement of any grading or alteration on site, the Owner shall enter into a site alteration agreement or a subdivision agreement and post the required security~~.

13. The Owner shall not commence construction or installation of *any* services (eg. Clearing or servicing of land) involved with this plan prior to entering into a site alteration agreement or subdivision agreement and obtaining all necessary

permits, approvals and/or certificates that need to be issued in conjunction with the development of the subdivision, unless otherwise approved by the City in writing; (eg. MOE certificates; City/Ministry/Agency permits: Approved Works, water connection, water-taking, navigable waterways; approvals: UTRCA, MNR, MOE, City; etc.).

14. ~~***Prior to the acceptance of engineering drawings***, In conjunction with the submission of engineering drawings, the Owner shall have it's professional engineer provide an opinion for the need for an Environmental Assessment under the Class EA requirements for the provision of any services related to this Plan. All class EA's must be completed prior to the submission of engineering drawings.~~

15. The Owner's professional engineer shall provide inspection services during construction for all work to be assumed by the City, and shall supply the City with a Certification of Completion of Works upon completion, in accordance with the plans accepted by the City Engineer.

16. The Owner shall comply with all City of London standards, guidelines and requirements in the design of this draft plan including required engineering drawings. Any deviation to the City's standards, guidelines, or requirements shall be completed to the satisfaction of the City.

17. Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with the Approval Authority a complete submission consisting of all required clearances, fees, and final plans, and to advise the Approval Authority in writing how each of the conditions of draft approval has been, or will be, satisfied. The Owner acknowledges that, in the event that the final approval package does not include the complete information required by the Approval Authority, such submission will be returned to the Owner without detailed review by the City.

18. For the purpose of satisfying any of the conditions of draft approval herein contained, the Owner shall file, with the City, complete submissions consisting of all required studies, reports, data, information or detailed engineering drawings, all to the satisfaction of the City. The Owner acknowledges that, in the event that a submission does not include the complete information required by the City, such submission will be returned to the Owner without detailed review by the City.

19. Prior to final approval for the registration of the subdivision the Approval Authority, is to be advised in writing by the City that all financial obligations/encumbrances on the said lands have been paid in full, including property taxes and local improvement charges.

20. ***Prior to the acceptance of engineering drawings***, ~~Prior to the submission of engineering drawings~~, the Owner shall have its professional engineer certify that sufficient sewage treatment and conveyance capacity is available to service the subdivision, to the satisfaction of the City.

Sanitary Servicing

21. ~~The Owner shall construct sanitary private drain connections to the existing municipal sanitary sewers on Wallingford Avenue and Eagletrace Drive to service the Lots and Blocks in the plan, all to the satisfaction of the City~~.

22. In order to prevent any inflow and infiltration from being introduced to the sanitary sewer system, the Owner shall, throughout the duration of construction within this plan, undertake measures within this draft plan to control and prevent any inflow and infiltration and silt from being introduced to the sanitary sewer system during and after construction, satisfactory to the City, ~~at no cost~~ to the City, including but not limited to the following:

i) Not allowing any weeping tile connections into the sanitary sewers within this Plan;
ii) Permitting the City to undertake smoke testing or other testing of connections to the sanitary sewer to ensure that there are no connections which would permit inflow and infiltration into the sanitary sewer;
iii) Having his consulting engineer confirm that the sanitary sewers meet allowable inflow and infiltration levels as per OPSS 410 and OPSS 407; and
iv) Implementing any additional measures recommended through the ~~Design Studies~~ ***Engineering Drawing*** stage.

23. Prior to registration of this plan, the Owner shall obtain consent from the City Engineer to reserve capacity at the Adelaide/Greenway Pollution Control Plant for this subdivision. This treatment capacity shall be reserved by the City Engineer subject to capacity being available, on the condition that registration of the subdivision agreement and the plan of subdivision occur within one (1) year of the date specified in the subdivision agreement.

Failure to register the plan within the specified time may result in the Owner forfeiting the allotted treatment capacity and, also, the loss of his right to connect into the outlet sanitary sewer, as determined by the City Engineer. In the event of the capacity being forfeited, the Owner must reapply to the City to have reserved sewage treatment capacity reassigned to the subdivision.

24. The Owner agrees that sanitary sewers are to be sized to provide for any external drainage areas as identified in the Medway EA Addendum.

Stormwater Management

25. ~~The Owner shall construct storm private drain connections to the existing municipal storm sewers on Wallingford Avenue and Eagletrace Drive to service the lots and Blocks in the plan, all to the satisfaction of the City. The Owner shall drain minor and major storm water from this plan to the Medway Creek, via the Sunningdale 6B Stormwater Management Facility and storm water conveyance systems within this plan and adjacent lands in accordance with the Medway Creek Subwatershed Study and to the satisfaction of the City~~.

26. The Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation, prepared by the Owner's consulting professional engineer, shall be in accordance with the recommendations and requirements of the following:
    i) The SWM criteria and environmental targets for the Medway Creek Subwatershed Study and any addendums/amendments;
    ii) The approved Storm/Drainage and SWM Servicing Functional Report for the subject lands;
    iii) The Sunningdale Area Storm Drainage and Stormwater Management Servicing for Undeveloped Lands Schedule B Municipal Class Environmental Assessment and any addendums/amendments;
    iv) The approved Functional Stormwater management Plan for Sunningdale SWM Facility 6B;
    v) The Stormwater Letter/Report of Confirmation for the subject development prepared and accepted in accordance with the file manager process;
    vi) The City of London Environmental and Engineering Services Department Design Specifications and Requirements, as revised;
    vii) The City's Waste Discharge and Drainage By-laws, lot grading standards, Policies, requirements and practices;
    viii) The Ministry of the Environment SWM Practices Planning and Design Manual, as revised; and
    ix) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies.

27. Prior to the issuance of any Certificates of Conditional Approval for any lot in this plan, the Owner shall complete the following:
    i) For lots and blocks in this plan or as otherwise approved by the City Engineer, all storm/drainage and SWM related works to serve this plan must be constructed and operational in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City;
    ii) ~~The SWM Facility to serve this plan must be constructed and operational;~~
    iii) Any alterations required to SWMF 6B to accommodate the overland flow route(s) must be constructed and operational;
    ii) Construct and have operational the major and minor storm flow routes for the subject lands, to the satisfaction of the City;
    iii) Implement all geotechnical/slope stability recommendations made by the geotechnical report accepted by the City; and

28. The Owner shall promote the implementation of SWM soft measure Best Management Practices (BMP's) within the plan, where possible, to the satisfaction of the City Engineer. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this plan and the approval of the City Engineer.

29. ~~In conjunction with the submission of engineering drawings, the Owner shall develop an erosion/sediment control plan (ESCP) that will identify all erosion and sediment control measures for the subject lands in accordance with the Functional SWM and/or Drainage Servicing Report for these lands, the City of London and Ministry of the Environment standards and requirements, for review and acceptance by the City (SWM unit). This Plan is to include measures to be used during all phases of construction. Prior to any work on the site, the Owner shall implement these measures satisfactory to the City. The Owner shall correct any deficiencies of the erosion and sediment control measures forthwith.~~

Watermains

30. ~~The Owner shall construct private water services to the existing municipal watermains on Wallingford Avenue and Eagletrace Drive to service the lots and Blocks in the plan, all to the satisfaction of the City Engineer~~.

Transportation

31. No direct vehicular access will be permitted to any lots or blocks within this plan of subdivision from Sunningdale Road West. All vehicular access is to be via the internal subdivision streets.

32. The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Sunningdale Road West ~~or Wonderland Road North~~ or other routes as designated by the City.

33. The Owner shall have it's professional engineer design and construct the roadworks in accordance with the following road widths:

    i) Eagletrace Drive has a minimum road pavement width (exluding gutters) of 8.0 metres with a minimum road allowance of 20 metres.
    ii) ***Warner Terrace*** ~~New Street~~ (with the exception of the window street portion) has a minimum road pavement width (excluding gutters) of 6.0 metres with a minimum road allowance of 18 metres.
    iii) ***Warner Terrace*** ~~New Street~~ (window street portion) has a minimum road pavement width (excluding gutters) of 7.0 metres with a minimum road allowance of 14.5 metres.

34. The Owner shall construct a 1.5 metre (5') sidewalk on one side of the following streets:
    i) Eagletrace Drive – outside boulevard

ii) ***Warner Terrace*** ~~"New Street"~~ – east, south and west boulevards

iii) ***Warner Terrace*** "~~New Street~~" (connection to Wallingford Avenue) – south boulevard

35. ~~***Prior to the acceptance of engineering drawings,*** In conjunction with the submission of engineering drawings, the Owner shall have its professional consulting engineer provide confirmation that all streets in this plan have centreline radii which conforms to the City of London Standard "Minimum Centreline Radii of Curvature of Roads in Subdivisions:"~~

~~The Owner shall ensure all streets with bends of approximately 90 degrees shall have a minimum inside street line radius with the following standard:~~

~~Road Allowance~~	~~S/L Radius~~
~~20.0 m~~	~~9.0 m~~
~~18.0 m~~	~~10.0 m~~

36. Prior to the issuance of any certificate of conditional approval, the Owner shall construct Eagletrace Drive to a fully serviced road and make any necessary adjustments to existing infrastructure (eg. MH adjustments, water valve adjustments etc.), in accordance with the accepted plans all to the satisfaction of the City.

37. Within one year of registration of the plan, the Owner shall install street lights on all streets and walkways in this plan, in accordance with this draft plan, to the satisfaction of the City, ~~at no cost to the City~~. Where a street from an abutting developed or developing area is being extended, the Owner shall install street light poles and luminaires, along the street being extended, which match the style of street light already existing or approved along the developed portion of the street, to the satisfaction of the ~~London Hydro for the~~ City of London.

Wells

38. The Owner shall decommission and permanently cap any abandoned wells located in this Plan, in accordance with current provincial legislation, regulations and standards. In the event that an existing well in this Plan is to be kept in service, the Owner shall protect the well and the underlying aquifer from any development activity.

Parks & Open Space

39. The required 5% parkland dedication for this plan of subdivision shall be dedicated to the City through the draft plan of subdivision 39T-10502.

40. Within six (6) months of registration of the plan of subdivision, the Owner shall construct a 1.5m high chain link fence without gates in accordance with current City of London Park standards (SPO4.8) or approved alternate, along all lots and blocks lines abutting park, opens space and/or ESA lands to the satisfaction of the Approval Authority

41. Within one (1) year of registration of the plan this plan of subdivision, the Owner shall prepare and deliver to all homeowners adjacent to lands zoned as Open Space, 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 as part of the Design Review Package to the satisfaction of the Approval Authority.

42. Prior to any work on the site and as part of the ~~Design Studies~~ ***Engineering Drawing*** submission, the Owner shall have a Tree Preservation Report and Plan prepared for lands within the proposed draft plan of subdivision. Tree preservation shall be established prior to grading/servicing design to accommodate maximum tree preservation. The Tree Preservation Report and Plan shall focus on the

preservation of quality specimen trees within Lots and Blocks and shall be completed in accordance with the current City of London Guidelines for the preparation of Tree Preservation Reports and Tree Preservation Plans to the satisfaction of the Approval Authority. The Owner shall incorporate the approved Tree Preservation Plan on the accepted grading plans.

43. The Owner shall not grade into any 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.

44. The recommendations of the approved EIS and associated addendum (Stantec, May 21, 2004 and February 18, 2005) shall be implemented through the engineering drawings and/or clauses in the subdivision agreement to the satisfaction of the Approval Authority**.**

    All park and open space blocks shall be sufficiently protected from sediment throughout the construction period. A sediment barrier shall be established along the park and/or open space block limits to the satisfaction of Approval Authority.

Agencies

45. The Owner shall provide the grading drawings to the UTRCA with sufficient lead time for review and comment prior to the final submission of engineering drawings to the City for approval.

46. ~~The Owner shall provide the digital layers for the slope assessment prepared by Golder Associates (January 27, 2006) to the UTRCA in an acceptable digital format prior to the submission of engineering drawings.~~

Planning

47. As part of the ~~Design Studies~~ ***Engineering Drawing submission***, the Owner shall have a qualified acoustical consultant prepare a noise study concerning the impact of traffic noise between Sunningdale Road West and the single detached lots, and apply alternative site design, building orientations and noise abatement measures that do not require a continuous noise attenuation barrier. Such measures will shall be in accordance with the requirements of the M.O.E. to be reviewed and accepted by the City. The final accepted recommendations shall be incorporated into the subdivision agreement with the City of London.

48. ~~The Owner shall prepare a building orientation plan which demonstrates that the front façade of the dwelling units can be oriented to all abutting streets (except where a noise barrier has been approved), acceptable to the City. The recommended building orientation will shall be incorporated into the approved site plan and executed development agreement.~~

    The Owner shall register on title and include in all Purchase and Sale Agreements the requirement that the homes to be designed and constructed on lots 1, 115 and 130 in this Plan, are to have design features, such as but not limited to porches, windows or other architectural elements that provide for a street oriented design except where a required noise wall has been approved abutting the exterior side yard, (Sunningdale Road West road frontage). Further, the owner shall obtain approval of their proposed design from the Managing Director of Planning and City Planner and his/her designate prior to any submission of an application for a building permit for lots 1, 115 and 130.

49. The Owner shall obtain approval from the London Fire Department prior to any burning of materials on-site be contemplated.

General

50. Prior to the issuance of a Certificate of Conditional Approval for each construction stage of this subdivision, all servicing works for the stage and downstream works must be completed and operational, in accordance with the approved design criteria and accepted drawings, all to the specification and satisfaction of the City.

51. ~~Prior to final approval, the Owner shall make arrangements with the affected property owner(s) for the construction of any portions of services or grading situated on private lands outside this plan, and shall provide satisfactory easements over these works, as necessary, all to the specifications and satisfaction of the City, at no cost to the City.~~

52. ~~In the event that relotting of the plan is undertaken, the Owner shall relocate and construct services to standard location, all to the specifications and satisfaction of the City~~.

53. The Owner shall connect to all existing services and extend all services to the limits of the draft plan of subdivision, ~~at no cost to the City~~, all to the specifications and satisfaction of the City.

54. ~~In the event the draft plan develops in phases, upon registration of any phase of this subdivision, the Owner shall provide land and/or easements along the routing of services which are necessary to service upstream lands outside of this draft plan to the limit of the plan~~.

55. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.

56. The Owner shall remove any temporary works when no longer required and restore the land, ~~at no cost to the City~~, to the specifications and satisfaction of the City Engineer.

57. ~~The Owner shall establish and maintain a Traffic Management Plan (TMP), when directed by the City, in conformance with City guidelines and to the satisfaction of the City Engineer for any construction activity that will occur on existing public roadways needed to provide services for this plan of subdivision. The TMP is a construction scheduling tool intended to harmonize a construction project's physical requirements with the operational requirements of the City of London, the transportation needs of road users and access concerns of area property owners. The Owner's contractor(s) shall undertake the work within the prescribed operational constraints of the TMP. The TMP will be submitted and become a requirement of the subdivision servicing drawings for this plan of subdivision~~.

58. Individual driveway accesses shall be located a minimum of 20 metres south of Sunningdale Road West.

59. The Owner shall have the common property line of Sunningdale Road West graded in accordance with the ***Sunningdale Road Environmental Assessment*** ~~City of London Standard "Subdivision Grading Along Arterial Roads" at no cost to the City~~.

    ~~Further, the grades to be taken as the centerline line grades on Sunningdale Road West are the future centerline of road grades as determined by the Owner's professional engineer and accepted by the City. From these, the Owner's professional engineer is to determine the elevations along the common property line which will blend with the reconstructed road~~.

60. ~~The Owner shall 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.~~

61. ~~Prior to connection being made to an unassumed service, the following will apply:~~

~~i) In the event discharge is to unassumed services, the unassumed services must be completed and conditionally accepted by the City;~~

~~ii) The Owner must provide a video inspection on all affected unassumed sewers;~~

~~Any damages caused by the connection to unassumed services shall be the responsibility of the Owner.~~

62. ~~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.~~

63. ~~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 served by the said services and/or facilities, prior to the said services and/or facilities being assumed by the City.~~

64. ~~The Owner shall construct all municipal services for the subject lands at the sole expense of the Owner. The details of the services required will be established by the City Engineer after particulars of engineering design are provided by the Owner, in accordance with the policies and standards of the City prevailing at the time the Subdivision Agreement is approved by City Council.~~

65. If, during the building or constructing of all buildings or works and services within this subdivision, any deposits of organic materials or refuse are encountered, the Owner shall report these deposits to the City Engineer and Chief Building Official immediately, and if required by the City Engineer and Chief Building Official, the Owner shall, at his own expense, retain a professional engineer competent in the field of methane gas to investigate these deposits and submit a full report on them to the City Engineer and Chief Building Official. Should the report indicate the presence of methane gas then all of the recommendations of the engineer contained in any such report submitted to the City Engineer and Chief Building Official shall be implemented and carried out under the supervision of the professional engineer, to the satisfaction of the City Engineer and Chief Building Official and at the expense of the Owner, before any construction progresses in such an instance. The report shall include provision for an ongoing methane gas monitoring program, if required, subject to the approval of the City engineer and review for the duration of the approval program.

If a permanent venting system or facility is recommended in the report, the Owner shall register a covenant on the title of each affected lot and block to the effect that the Owner of the subject lots and blocks must have the required system or facility designed, constructed and monitored to the specifications of the City Engineer, and that the Owners must maintain the installed system or facilities in perpetuity ~~at no cost to the City~~. The report shall also include measures to control the migration of any methane gas to abutting lands outside the Plan.

66. ~~Minimum side yard setbacks will be required as specified by the City for buildings which are adjacent to rear yard catch basin leads which are not covered by an easement on lots in this plan~~.

67. The Owner shall have its engineer notify existing property owners in writing, regarding the sewer and/or road works proposed to be constructed on existing City streets in conjunction with this subdivision, all in accordance with Council policy for “Guidelines for Notification to Public for Major Construction Projects”.

68. ~~The Owner shall be required to comply with the City’s tree planting policy with respect to provisions of trees for this subdivision~~.

69. ***Prior to the acceptance of engineering drawings,*** ~~In conjunction with the submission of engineering drawings~~, the Owner shall have his consulting professional engineer provide confirmation that the watermains that were constructed under 33M-593 are adequate to service the Lots and Blocks in this plan (eg. capacity requirements, effect on existing water infrastructure, hydraulics, water quality etc.), all to the satisfaction of the City Engineer.

70. ~~The Owner shall decommission and remove any abandoned infrastructure and restore all affected areas, at no cost to the City, including but not limited to cutting the water service and capping it at the watermain, private irrigation systems, electrical systems, private pathways, temporary retaining walls etc. all to the specifications and satisfaction of the City.~~

71. ~~The Owner shall remove all existing accesses and restore all affected areas, including but not limited to the existing golf course appurtenances, all to the satisfaction of the City, at no cost to the City.~~

The Owner shall decommission and remove any abandoned infrastructure and restore all affected areas, including but not limited to cutting the water services and capping it at the watermain, private irrigation systems, electrical systems, private pathways, temporary retaining walls, existing accesses including existing golf course appurtenances, all to the specifications and satisfaction of the City.

72. Prior to the acceptance of engineering drawings, the Owner’s consulting engineer shall certify the development has been designed such that increased and accelerated stormwater runoff from this subdivision will not cause damage to downstream lands, properties or structures beyond the limits of this subdivision. Notwithstanding any requirements or any approval given by the City, the Owner shall indemnify the City against any damage or claim for damages arising out of or alleged to have arisen out of such increased or accelerated stormwater runoff from this subdivision.

73. ***Prior to the acceptance of engineering drawings, the Owner shall have a report prepared by a qualified consultant, and if necessary, a detailed hydro geological investigation carried out by a qualified consultant, to determine, including but not limited to, the following:***
    - ***i) the effects of the construction associated with this subdivision on the existing ground water elevations and domestic or farm wells in the area***
    - ***ii) identify any abandoned wells in this plan***
    - ***iii) assess the impact on water balance in the plan***
    - ***iv) any fill required in the plan***
    - ***v) provide recommendations for foundation design should high groundwater be encountered***
    - ***vi) identify all required mitigation measures including Low Impact Development (LIDs) solutions***
    - ***vii) address any contamination impacts that may be anticipated or experienced as a result of the said construction***
    - ***ix) provide recommendations regarding soil conditions and fill needs in the location of any existing watercourses or bodies of water on the site.***

x) To meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407, include an analysis to establish the water table level of lands within the subdivision with respect to the depth of the sanitary sewers and recommend additional measures, if any, which need to be undertaken

all to the satisfaction of the City.

Prior to the issuance of any Certificate of Conditional Approval, the Owner's professional engineer shall certify that any remedial or other works as recommended in the accepted hydro geological report are implemented by the Owner, to the satisfaction of the City, ~~at no cost to the City~~.

~~In conjunction with the engineering drawing submission, the Owner shall have a qualified consultant provide confirmation that the existing hydro geological investigation is adequate to determine the effects of the construction associated with this subdivision on the existing ground water elevations and domestic or farm wells in the area and identify any abandoned wells in this plan, assess the impact on water balance and any fill required in the plan, to the satisfaction of the City. If necessary, the report is to also address any contamination impacts that may be anticipated or experienced as a result of the said construction as well as provide recommendations regarding soil conditions and fill needs in the location of any existing watercourses or bodies of water on the site.~~

~~Prior to the issuance of any Certificate of Conditional Approval, the Owner's professional engineer shall certify that any remedial or other works as recommended in the above accepted hydro geological report are implemented by the Owner, to the satisfaction of the City, at no cost to the City~~

74. ***Prior to the acceptance of engineering drawings, the Owner shall provide, to the City for review and acceptance, a geotechnical report or update the existing geotechnical report recommendations to address all geotechnical issues with respect to the development of this plan, including, but not limited to, the following:***

i) servicing, grading and drainage of this subdivision
ii) road pavement structure
iii) dewatering
iv) foundation design
v) removal of existing fill (including but not limited to organic and deleterious materials)
vi) the placement of new engineering fill
vii) any necessary setbacks related to slope stability for lands within this plan
viii) identifying all required mitigation measures including Low Impact Development (LIDs) solutions,
ix) Addressing all issues with respect to construction and any necessary setbacks related to erosion, maintenance and structural setbacks related to slope stability for lands within this plan, if necessary, to the satisfaction and specifications of the City. The Owner shall provide written acceptance from the Upper Thames River Conservation Authority for the final setback.

and any other requirements as needed by the City, all to the satisfaction of the City.

The Owner shall implement all geotechnical recommendations to the satisfaction of the City.

~~In conjunction with the engineering drawing submission, the Owner's professional engineer shall provide, to the City for review and acceptance, a geotechnical report or confirmation that the existing geotechnical report's recommendations are~~

~~adequate to address all geotechnical issues with respect to the development of this plan, including, but not limited to, servicing, grading and drainage of this subdivision, road pavement structure, dewatering, erosion, maintenance and structural setbacks related to slope stability for lands within this plan and any other requirements as needed by the City, all to the satisfaction of the City and the Upper Thames River Conservation Authority (UTRCA). The Owner shall implement all geotechnical recommendations with respect to slope stability to the satisfaction of the City and the UTRCA.~~

75. In conjunction with the engineering drawings submission, the Owner shall have his consulting engineer prepare and submit the following sanitary servicing design information:

    i) Provide a sanitary drainage area plan, including the preliminary sanitary sewer routing and the external areas to be serviced, to the satisfaction of the City;
    ~~ii) Propose a suitable routing, if necessary, for the trunk sanitary sewer to be constructed through this plan. Further to this, the consulting engineer shall be required to provide an opinion for the need for an Environmental Assessment under the Class EA requirements for this sanitary trunk sewer;~~
    iii) To meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407, provide an analysis to establish the water table level of lands within the subdivision with respect to the depth of the sanitary sewers and recommend additional measures, if any, which need to be undertaken; and

76. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of sanitary services for this draft plan of subdivision:

    i) Construct sanitary sewers to serve this Plan and connect them to the existing municipal sewer system, namely, the 450 mm (18") diameter sanitary sewer located on Wallingford Avenue and the 450 mm (18") diameter sanitary sewer located on Eagletrace Drive;
    ii) Construct sanitary private drain connections to the existing municipal sanitary sewers on Wallingford Avenue and Eagletrace Drive to service the Lots and Blocks in the plan, all to the satisfaction of the City
    ~~iii) Make provisions for oversizing of the internal sanitary sewers in this draft plan to accommodate flows from the upstream lands external to this plan, all to the satisfaction of the City. This sewer must be extended to the limits of this plan and/or property line to service the upstream external lands; and~~
    ~~iv) Where trunk sewers are greater than 8 metres in depth and are located within the municipal roadway, the Owner shall construct a local sanitary sewer to provide servicing outlets for private drain connections, to the satisfaction of the City. The local sanitary sewer will be at the sole cost of the Owner. Any exception will require the approval of the City Engineer.~~

77. ***Prior to the acceptance of engineering drawings,*** ~~Prior to the submission of engineering drawings~~, the Owner shall have his consulting engineer prepare and submit a Storm/Drainage and SWM Servicing Functional Report and/or submit a SWM Servicing Letter/Report of Confirmation, with the following information, to the satisfaction of the City:

    i) Identifying the storm/drainage and SWM servicing works for the subject and external lands and how the interim drainage from external lands will be handled, all to the satisfaction of the City;
    ii) Identifying major and minor storm flow routes for the subject and external lands, to the satisfaction of the City;
    iii) Confirmation of the proposed imperviousness in comparison to the original design of Sunningdale SWMF 6B;

iv) Confirmation of any external drainage areas which may need to be conveyed through these lands (eg. current, interim or ultimate);
v) The proposed overland flow route(s) to Sunningdale SWMF 6B from the red-lined block (and any external lands), including the 100-year and 250-year post-development flow rates and a cross-section demonstrating this flow can be conveyed to the SWM block. Please note that modelling is not required as Rational Method will be accepted; and
vi) Any alterations required to SWMF 6B to accommodate the overland flow route(s) and an engineer's opinion regarding conformance with the original Certificate of Approval (CofA).

78. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of stormwater management (SWM) and stormwater services for this draft plan of subdivision:

i) Construct storm sewers to serve this plan, located within the Medway Creek Subwatershed, and connect them to the existing municipal storm sewer system, namely, the 1500 mm diameter storm sewer located on Wallingford Avenue;
ii) Construct storm private drain connections to the existing municipal storm sewers on Wallingford Avenue and Eagletrace Drive to service the lots and Blocks in the plan, all to the satisfaction of the City. The Owner shall drain minor and major storm water from this plan to the Medway Creek, via the Sunningdale 6B Stormwater Management Facility and storm water conveyance systems within this plan and adjacent lands in accordance with the Medway Creek Subwatershed Study and to the satisfaction of the City
~~ii) Make provisions to oversize and deepen the internal storm sewers in this plan to accommodate flows from upstream lands external to this plan;~~
iii) Grade and drain the boundary of Lots abutting the SWM Block to blend in with the abutting SWM Facility, ~~at no cost to the City~~;
iv) Construct and implement erosion and sediment control measures as accepted in the Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation for these lands and the Owner shall correct any deficiencies of the erosion and sediment control measures forthwith; and
v) Address forthwith any deficiencies of the stormwater works and/or monitoring program.

79. The Owner shall ensure post-development discharge flow from the subject site must not exceed the capacity of the stormwater conveyance system. In an event where the above condition cannot be met, the Owner shall provide SWM on-site controls that comply to the accepted Design Requirement for Permanent Private Stormwater Systems.

80. The Owner's professional engineer shall ensure that all existing upstream external flows traversing this plan of subdivision are accommodated within the overall minor and major storm conveyance servicing system(s) design, all to the specification and satisfaction of the City Engineer.

81. ***Prior to the acceptance of engineering drawings, the Owner shall have their consulting engineer prepare and submit a water servicing report including the following design information, all to the satisfaction of the City Engineer:***

a) Water distribution system analysis & modeling and hydraulic calculations for the Plan of Subdivision confirming system design requirements are being met;

b) Address water quality and identify measures to maintain water quality from zero build-out through full build-out of the subdivision;

c) Identify fire flows available from each proposed hydrant to be constructed and determine the appropriate colour hydrant markers (identifying hydrant rated capacity);

d) Include a phasing report as applicable which addresses the requirement to maintain interim water quality;

e) Identify any water servicing requirements necessary to provide water servicing to external lands, incorporating existing area plans as applicable;

f) Identify any need for the construction of or improvement to external works necessary to provide water servicing to this Plan of Subdivision;

g) Identify any required watermain oversizing, if necessary, and any cost sharing agreements;

h) Identify the effect of development on existing water infrastructure – identify potential conflicts;

i) Include full-sized water distribution and area plan(s);

j) Identify on the water distribution plan the location of valves, hydrants, and the type and location of water quality measures to be implemented (including automatic flushing devices);

~~In conjunction with the engineering drawings submission, the Owner shall have his consulting engineer prepare and submit the following water servicing design information, all to the satisfaction of the City Engineer:~~

~~A water servicing report which addresses the following:~~

- ~~Identify external water servicing requirements;~~
- ~~Confirm capacity requirements are met;~~
- ~~Identify need to the construction of external works;~~
- ~~Identify the effect of development on existing water infrastructure – identify potential conflicts;~~
- ~~Water system area plan(s)~~
- ~~Water network analysis/hydraulic calculations for subdivision report;~~
- ~~Phasing report;~~
- ~~Oversizing of watermain, if necessary and any cost sharing agreements.~~
- ~~Water quality~~
- ~~Identify location of valves and hydrants~~

83. ***Prior to the issuance of any Certificates of Conditional Approval the Owner shall install and commission the accepted water quality measures required to maintain water quality within the water distribution system during build-out, all to the satisfaction of the City Engineer. The measures which are necessary to meet water quality requirements, including their respective flow settings, etc shall be shown clearly on the engineering drawings.***

The Owner shall ensure implemented water quality measures shall remain in place until there is sufficient occupancy demand to maintain water quality within the Plan of Subdivision without their use. The Owner is responsible for the following:

i) to meter and pay the billed costs associated with any automatic flushing devices including water discharged from any device at the time of their installation until removal;

ii) any incidental and/or ongoing maintenance of the automatic flushing devices;

iiii) payment for maintenance costs for these devices incurred by the City on an ongoing basis until removal;

iv) all works and the costs of removing the devices when no longer required; and

v) ensure the automatic flushing devices are connected to an approved outlet.

~~The Owner shall install temporary automatic flushing devices are to be installed at all dead ends to ensure that water quality is maintained during build out of the subdivision. They are to remain in place until there is sufficient occupancy use to maintain water quality without their use. The location of the temporary automatic flushing devices as well as their flow settings are to be shown on engineering drawings. The auto flushing devices and meters are to be installed and commissioned prior to the issuance of a Certificate of Conditional Approval. The Owner is responsible to meter and pay billed cost of the discharged water from the time of their installation until their removal. Any incidental and/or ongoing maintenance of the auto flushing devices is/are the responsibility of the Owner.~~

84. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of water services for this draft plan of subdivision:

i) Construct watermains to serve this Plan and connect them to the existing municipal system, namely, the existing 150 mm (6") diameter watermain on Eagletrace Drive and the 200 mm (8") on Wallingford Avenue;

ii) Deliver confirmation that the watermain system has been looped to the satisfaction of the City Engineer when development is proposed to proceed beyond 80 units; and

iii) Available fire flows and appropriate hydrant rated capacity colour code markers are to be shown on the engineering drawings; the coloured fire hydrant markers will be installed by the City of London at the time of Conditional Approval;

iv) Construct private water services to the existing municipal watermains on Wallingford Avenue and Eagletrace Drive to service the lots and Blocks in the plan, all to the satisfaction of the City Engineer

85. ~~Prior to the issuance of any Certificate of Conditional Approval, the Owner shall implement the accepted recommendations to address the water quality requirements for the watermain system, to the satisfaction of the City Engineer, at no cost to the City.~~

86. The Owner shall provide sidewalk links from ***Warner Terrace*** "~~New Street~~" to the proposed sidewalk on Sunningdale Road West in accordance with the City of London Window Street Standard Guidelines UCC-2M to the satisfaction of the City, ~~at no cost to the City~~. ~~Breaks in the 0.3 metre reserve are to be identified on the survey plan when submitted to the City~~.

87. Should the Owner direct any servicing within the walkway or the walkway is to be used as a maintenance access, the Owner shall provide a 4.6 metre wide walkway designed to the maintenance access standard, or as otherwise directed, to the specifications of the City.

88. ~~The Owner shall ensure access to lots and blocks adjacent to gateway treatments will be restricted to rights-in and rights-out only.~~

89. The Owner shall make minor boulevard improvements on Sunningdale Road West adjacent to this Plan, to the specifications of the City ~~and at no cost to the City~~, consisting of clean-up, grading and sodding as necessary.

90. The Owner shall remove the temporary turning circle on Eagletrace Drive and adjacent lands, in Plan 33M-593 to the west of this Plan, and complete the construction of Eagletrace Drive in this location as a fully serviced road, including restoration of adjacent lands, to the specifications of the City.

91. The Owner shall be reimbursed by the City an amount of $5,000 for the removal and reconstruction of these works, all to the satisfaction of the City.

92. ***Should any contamination or anything suspected as such, be encountered during construction, the Owner shall report the matter to the City Engineer and the Owner shall hire a geotechnical engineer to provide, in accordance with the Ministry of the Environment "Guidelines for Use at Contaminated Sites in Ontario", "Schedule A – Record of Site Condition", as amended, including "Affidavit of Consultant" which summarizes the site assessment and restoration activities carried out at a contaminated site, in accordance with the requirements of latest Ministry of Environment and Climate Change "Guidelines for Use at Contaminated Sites in Ontario" and file appropriate documents to the Ministry in this regard with copies provided to the City. The City may require a copy of the report should there be City property adjacent to the contamination.***

Should any contaminants be encountered within this Plan, the Owner shall implement the recommendations of the geotechnical engineer to remediate, removal and/or disposals of any contaminates within the proposed Streets, Lot and Blocks in this Plan forthwith under the supervision of the geotechnical engineer to the satisfaction of the City.

In the event no evidence of contamination is encountered on the site, the geotechnical engineer shall provide certification to this effect to the City.

~~The Owner hereby agrees that, should any contamination or anything suspected as such, be encountered during construction, the Owner shall report the matter to the City Engineer and the Owner shall hire a geotechnical engineer to provide, in accordance with the Ministry of the Environment "Guidelines for Use at Contaminated Sites in Ontario", "Schedule A – Record of Site Condition", as amended, including "Affidavit of Consultant" which summarizes the site assessment and restoration activities carried out at a contaminated site. The City may require a copy of the report should there be City property adjacent to the contamination. Should the site be free of contamination, the geotechnical engineer shall provide certification to this effect to the City.~~

93. ~~If any temporary measures are required to support the interim conditions in conjunction with the phasing, the Owner shall construct temporary measures and provide all necessary land and/or easements, to the specifications and satisfaction of the City Engineer, at no cost to the City.~~

\# ***The Owner shall ensure the limits of any request for Conditional Approval shall conform to the staging and phasing plan as set out in the accepted water servicing report and shall include the implementation of the interim water quality measures. In the event the requested Conditional Approval limits differ from the staging and phasing as set out in the accepted water servicing report, the Owner would be required to submit revised plans and hydraulic modeling as necessary to address water quality.***

\# ***In conjunction with engineering drawings submission, the Owner shall submit a Development Charge work plan outlining the costs associated with the design and construction of the DC eligible works (eg. decommissioning of golf course works). The work plan must be approved by the City Engineer and City Treasurer (as outlined in the most current DC By-law) prior to advancing a report to Planning and Environment Committee recommending approval of the special provisions for the subdivision agreement.***

Related Estimated Costs and Revenues

Estimated DC Funded Servicing Costs	Estimated Cost (excludes HST)
Claims for developer led construction from CSRF - None identified.	$0
Claims for City led construction from CSRF - None identified.	$0
Total	$0
Estimated Total DC Revenues (2018 Rates)	**Estimated Revenue**
CSRF	$1,200,818
UWRF	$107,887
TOTAL	$1,308,705

1 There are no anticipated claims associated with this development.

2 Estimated Revenues are calculated using 2018 DC rates and may take many years to recover. The revenue estimates includes DC cost recovery for “soft services” (fire, police, parks and recreation facilities, library, growth studies). There is no comparative cost allocation in the Estimated Cost section of the report, so the reader should use caution in comparing the Cost with the Revenue section.

Reviewed by:

Date

Jason Senese
Manager, Development Finance

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: **2589439 Ontario Inc. c/o Rivera Inc.**
3400 Morgan Avenue
Removal of Holding Provisions (h.*h-11*h-63*h-82*h-95*h-100*h-105 and h-135)
Meeting on: **December 10, 2018**

Recommendation

That, on the recommendation of the Senior Planner, Development Services the following actions be taken with respect to the application of 2589439 Ontario Inc. c/o Rivera Inc. relating to the property located at 3400 Morgan Avenue, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on December 18, 2018 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning of 3400 Morgan Avenue **FROM** a Holding Residential R7 (h.*h-11*h-63*h-82*h-95*h-100*h-105*h-135*R7*D27*H8) Zone **TO** a Residential R7 (R7*D27*H8) Zone to remove the h.*h-11*h-63*h-82*h-95*h-100*h-105 and h-135 holding provisions.

Executive Summary

Summary of Request

The applicant has requested the removal of the h.*h-11*h-63*h-82*h-95*h-100*h-105 and h-135 holding provisions from 3400 Morgan Avenue for the consideration of building permits to construct a 128 bed continuum of care facility.

Rationale of Recommended Action

1. The removal of the holding provision will allow for development in conformity with the Z-1 Zoning By-law.

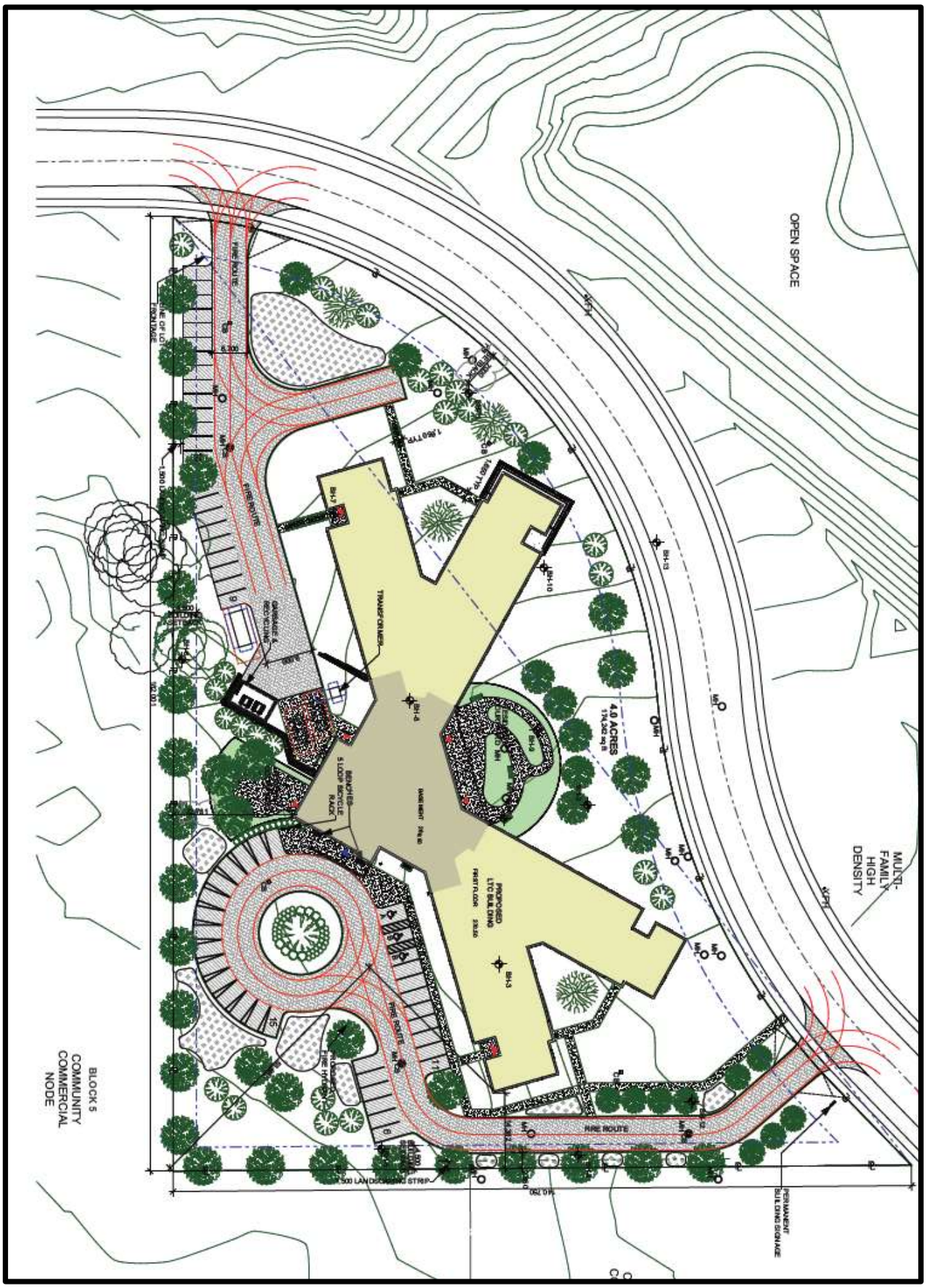
2. Engineering plans have been submitted through the site plan approval process (SPA18-004) and accepted by the City demonstrating how all servicing (water, sewer, and storm) will be accommodated on site. Through the site plan approval process access, consolidation, noise mitigation and urban design have been addressed in the final site design.

3. Through the site plan approval process the required security has been submitted to the City of London, the execution of the development agreement is imminent and the h.*h-11*h-63*h-82*h-95*h-100*h-105 and h-135 holding provisions are no longer required.

Analysis

Location Map

Proposed Site Plan- 3400 Morgan Avenue



2.0 Description of Proposal

2.1 Development Proposal

To permit a 128 bed continuum of care facility.

3.0 Revelant Background

3.1 Planning History

In 2017 Rivera Inc. was granted a zoning by-law amendment to permit a continuum of care facility on the lands. An application for site plan approval was received January 17, 2018. The applicant has completed the site plan approval process and has submitted the required securities. The registration of the development agreement is imminent.

Previous Planning Reports see Appendix D

4.0 Key Issues and Considerations

Why is it Appropriate to remove these Holding Provisions?

The registration of the Development Agreement is imminent. Engineering plans have been submitted through the site plan approval process (SPA18-004) and accepted by the City demonstrating how all servicing (water, sewer, and storm) will be accommodated on site. Through the site plan approval process, access, consolidation, noise mitigation and urban design have been addressed in the final site design. The applicant has provided the required security with the City.

Holding Provisions

h - Purpose: 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.

The owner has provided the necessary security and the registration of the development agreement is imminent. This satisfies the requirement for removal of the "h" holding provision at this time.

h-11 Purpose: To ensure the orderly development of lands and the adequate provision of municipal services, the "h-11" symbol shall not be deleted until a development agreement associated with a site plan which provides for appropriate access arrangements to the satisfaction of Council is entered into with the City of London.

By email dated October 16, 2018, the City of London's Transportation Department confirmed that the access location is acceptable to the City. The owner has provided the necessary security and the registration of the development agreement is imminent. This satisfies the requirement for removal of the h-11 holding provision at this time.

h-63 Purpose: To ensure there are no land use conflicts between the commercial and residential land uses, the "h- 63" symbol shall not be deleted until the owner agrees to implement all noise attenuation and design mitigating measures as recommended in noise assessment reports, acceptable to the City of London.

As part of the complete site plan application, the Owner submitted an assessment report, Environmental Compliance Assessment (Air and Noise) *Fulco Environmental Inc*. dated July 12, 2017. The submitted noise study has been accepted by the City and the recommended warning clauses have been included in the development agreement. It is appropriate to remove the h-63 holding provision at this time.

h-82 Purpose: 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 registration of the site plan consolidates the part blocks and is consistent with the lotting pattern in the area. The owner has provided the necessary security and the registration of the development agreement is imminent. This satisfies the requirement for removal of the h-82 holding provision at this time.

h-95 Purpose: To ensure that the urban design concepts established through the Official Plan and/or Zoning amendment review process are implemented, a development agreement will be entered into which, to the satisfaction of the General Manager of Planning and Development, incorporates these concepts and addresses identified Urban design issues.

By email dated October 4, 2018 the City of London's Planning Services confirmed that the building elevations have been accepted by the City. It is appropriate to remove the h-95 holding provision at this time.

h-100 Purpose: 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

and

h-105 Purpose: To ensure that a comprehensive storm drainage and stormwater management report prepared by a consulting engineer is completed to address the stormwater management strategy for all lands within the subject plan and external lands where a private permanent on-site storm drainage facility is proposed for any block or blocks not serviced by a constructed regional stormwater management facility. The "h-105" symbol shall not be deleted until the report has been accepted to the satisfaction of the General Manager of Planning and Development and City Engineer

On October 19, 2018 the City of London, Development Engineering Department unit accepted all engineering servicing drawings for the development of this site. The accepted engineering drawings ensure that the stormwater management, individual sanitary, water services and access have been provided to the satisfaction of the City. This satisfies the requirements for removal of the h-100 and h-105 holding provisions at this time.

h-135 Purpose: To ensure that commercial development does not exceed a maximum interim floor area threshold of 15,248 m2 in draft plan 39T-07510, the h-135 symbol shall not be deleted until a Traffic Impact Study is prepared, which demonstrates that the transportation infrastructure in Bostwick East is adequate to accommodate forecast traffic volumes.

There is no commercial floor area associated with this approved site plan. It is appropriate to remove the h-135 holding provision at this time.

5.0 Conclusion

It is appropriate to remove the h.*h-11*h-63*h-82*h-95*h-100*h-105 and h-135 holding provisions from the subject lands at this time as the required security has been submitted to the City of London and registration of the development agreement is imminent. Also,

engineering plans have been submitted through the site plan approval process (SPA18-004) and accepted by the City, demonstrating how all servicing (water, sewer, and storm) will be accommodated on site. Through the site plan approval process, access, consolidation, noise mitigation and urban design have also all been addressed in the final site design.

Prepared & Recommended by:	**C. Smith, MCIP, RPP** **Senior Planner, Development Services**
Reviewed by:	**Lou Pompilii, MPA, 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	

December 3, 2018
CS\

CC: Matt Feldberg, Manager, Development Services (Subdivisions)

Appendix A

Appendix "(A)"

Bill No. (Number to be inserted by Clerk's Office)
2019

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning of the land located at 3400 Morgan Avenue

WHEREAS. 2589439 Ontario Inc. c/o Rivera Inc. has applied to remove the holding provisions from the zoning for the land located at 3400 Morgan Avenue, 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 3400 Morgan Avenue, as shown on the attached map to remove the holding provisions so that the zoning of the lands as a Residential R7 (R7*D27*H8) Zone comes into effect.

2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on, December 18, 2018

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 18, 2018
Second Reading – December 18, 2018
Third Reading – December 18, 2018

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

Appendix B – Public Engagement

Community Engagement

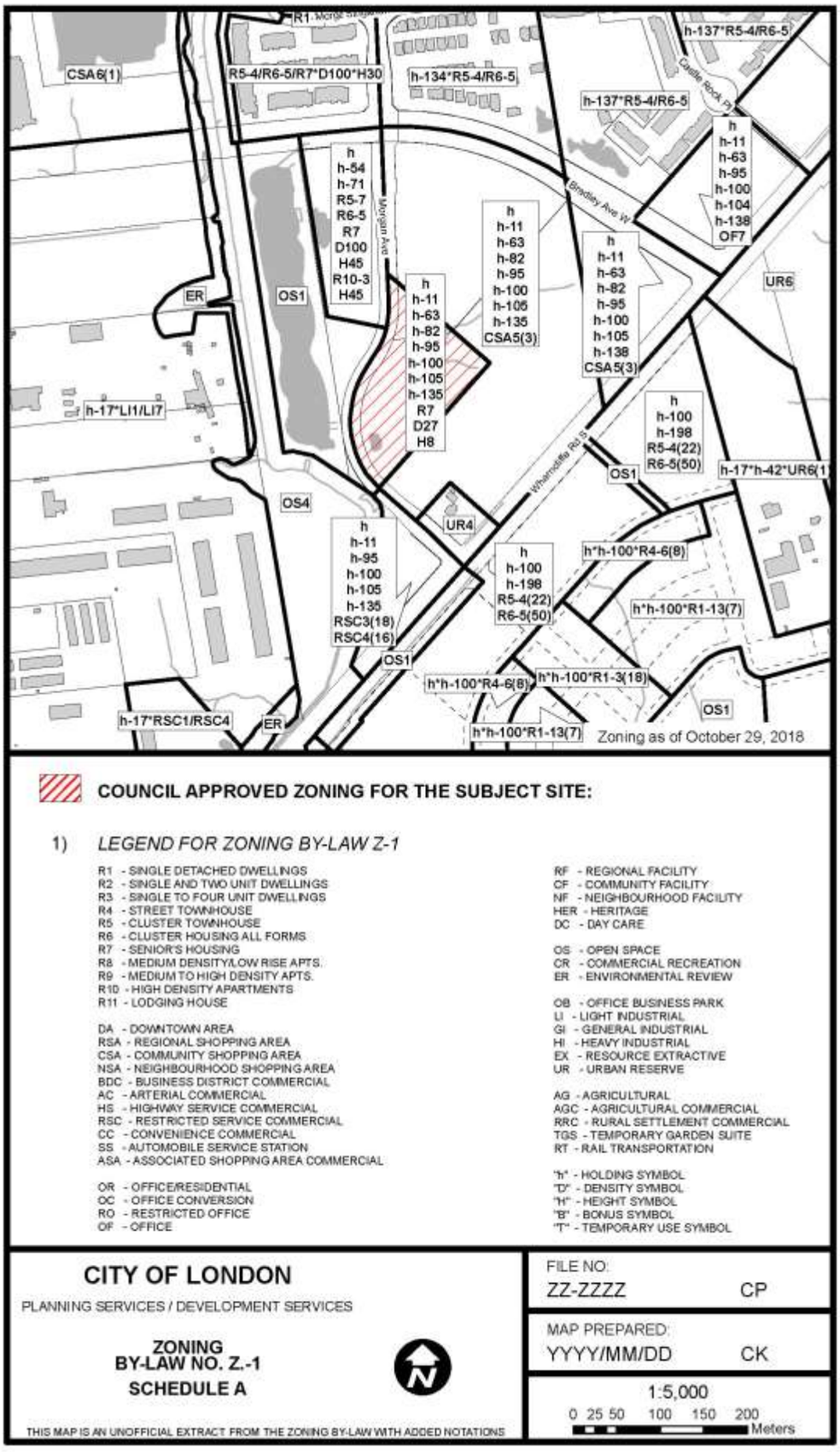
Public liaison: Notice of the application was published in the Londoner on November 15, 2018

0 replies were received

Nature of Liaison: City Council intends to consider removing the h.*h-11*h-63*h-82*h-95*h-100*h-105 and h-135 holding provisions from the lands which ensures that municipal services are provided, noise mitigation measures be implemented, a consistent lotting pattern is established, urban design concepts implemented, stormwater management is implemented and commercial floor space is not exceed an agreement shall be entered into to the satisfaction of the City. Council will consider removing the holding provision as it applies to these lands no earlier than December 10, 2018.

Appendix C

Zoning Map



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:
ZZ-ZZZZ CP

MAP PREPARED:
YYYY/MM/DD CK

1:5,000
0 25 50 100 150 200
Meters

Appendix D

Previous Planning Reports

June 16, 2017- Report to Planning Committee on an application from Rivera Inc. for a Zoning By-law amendment to allow a Continuum of Care Facility on the subject site.

June 20, 2013 – Report to Planning Committee on an application from Sifton Properties Limited for an Official Plan Amendment and Zoning By-law Amendment (OZ-8087) relating to the property located at 1311, 1363 and 1451 Wharncliffe Road South.

May 6, 2009 – Report to Planning Committee on an application from Sifton Properties Limited for Draft Plan of Subdivision Approval, Official Plan Amendment and Zoning By-law Amendment (39T-07510/Z-7457/O-7466) relating to the property located at 1311, 1363 and 1451 Wharncliffe Road South.

September 12, 2005, May 30, 2005, May 9, 2005, and April 25, 2005 – Report to Planning Committee on Bostwick East Area Plan (O-6872).

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: **Application by: Colonel Talbot Developments Inc.**
3924 Colonel Talbot Road
Phase 1 of the Hunt Subdivision – 39T-12503
Meeting on: **December 10, 2018**

Recommendation

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of Colonel Talbot Developments Inc. relating to the property located at 3924 Colonel Talbot Road, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on December 18, 2018 to amend Zoning By-law Z.-1 in conformity with the Official Plan to change the zoning of the lands **FROM** a Holding Residential R1 (h*R1-3) Zone, a Holding Residential R1 Special Provision/Residential R6 (h*R1-3(7)/R6-5) Zone, a Holding Residential R1 (h*R1-4) Zone, and a Holding Residential R1 (h*R1-5) Zone **TO** a Residential R1 (R1-3) Zone, a Residential R1 Special Provision/Residential R6 (R1-3(7)/R6-5) Zone, a Residential R1 (R1-4) Zone, a Residential R1 (R1-5) Zone, and an Open Space (OS1) Zone to remove the "h" holding provisions.

Executive Summary

Summary of Request

The applicant has requested removal of the "h" holding provision from the Zones within Phase 1 of the Hunt Subdivision (39T-12503) on a portion of lands addressed as 3924 Colonel Talbot Road, which requires the necessary securities be provided and a subdivision agreement is executed prior to development.

Purpose and the Effect of Recommended Action

The purpose and effect is to remove the holding ("h") symbol from the zoning applied to this site to permit the development of 132 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 signed. 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 subject lands include several adjacent properties comprising a total area of 64.77 hectares, with intermittent frontages along the east side of Colonel Talbot Road. The topography is gently sloping (northeast to southwest), with two catchment areas. The majority of the land drains southwest, eventually outletting to the Anguish Drain and Dingman Creek. Phase 1 of the Hunt Subdivision consists of 132 single detached dwellings, and two multi-family blocks, all served by 4 new roads and the extension of Bakervilla Street and Campbell Street North.

1.2 Current Planning Information (Phase 1)

- Official Plan Designation – Low Density Residential, Open Space
- The London Plan Place Type – Neighbourhoods, Green Space

- Existing Zoning – Holding Residential R1 (h*R1-3) Zone, Holding Residential R1 Special Provision/Residential R6 (h*R1-3(7)/R6-5) Zone, Holding Residential R1 (h*R1-4) Zone, Holding Residential R1 (h*R1-5) Zone, an Open Space (OS1) Zone.

1.3 Site Characteristics (Phase 1)

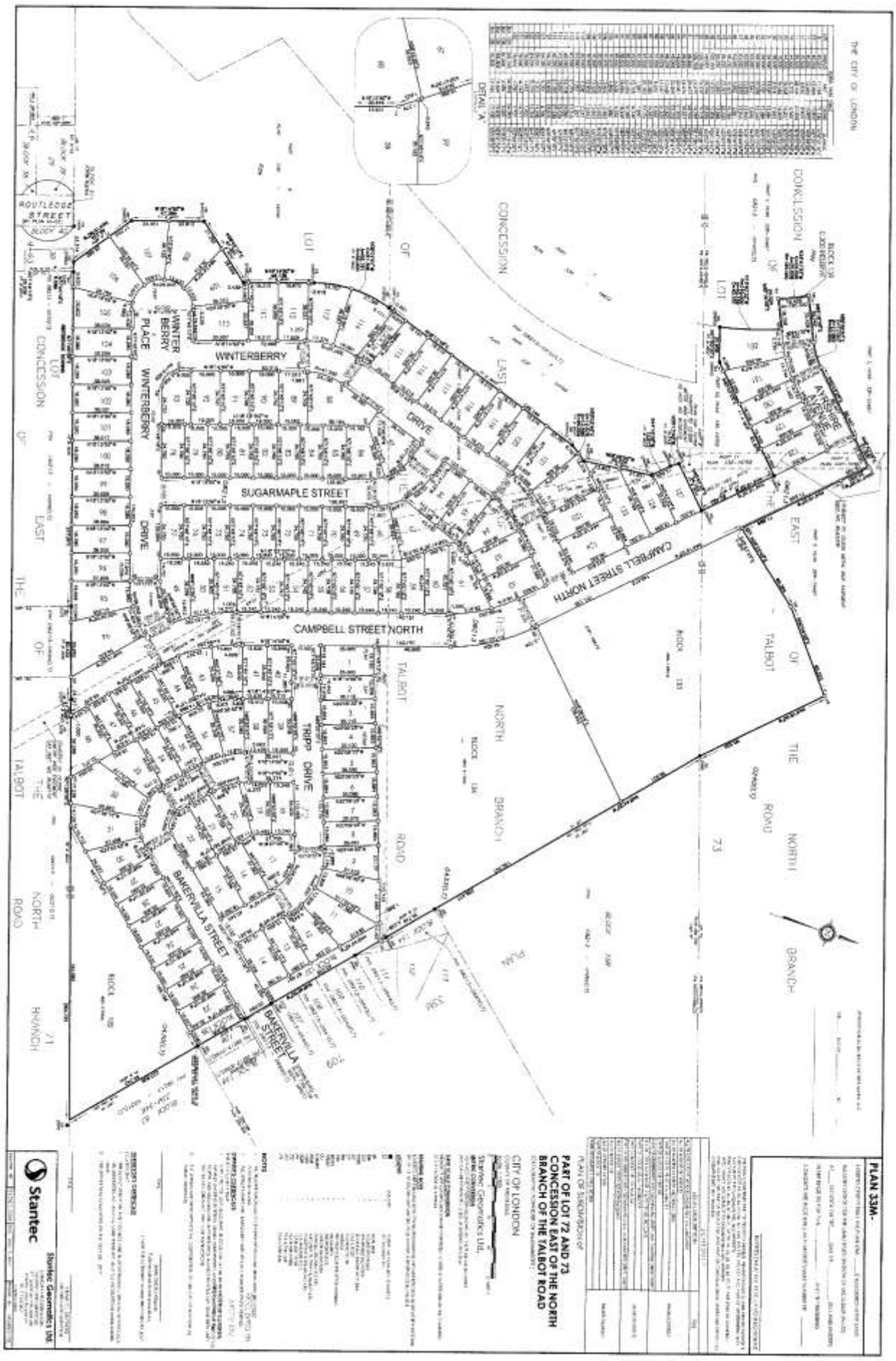
- Current Land Use – vacant
- Area – 17.5 ha (43.2 acres)
- Shape – irregular

1.4 Surrounding Land Uses (Phase 1)

- North – vacant
- East – vacant, existing single detached residential
- South – elementary school, park
- West – vacant, stormwater management pond, opens space

1.5 Location Map

Proposed Phase 1 Hunt Subdivision Plan (39T-12503)



2.0 Description of Proposal

2.1 Development Proposal

The requested amendment will permit the development of 132 single detached dwellings within a development that includes four (4) new roads and the extension of two (2) existing roads (Bakervilla Street and Campbell Street North) established through the subdivision process (39T-12503).

3.0 Relevant Background

3.1 Planning History

The subject lands include several adjacent properties comprising a total area of 64.77 hectares, with intermittent frontages along the east side of Colonel Talbot Road. The plan of subdivision application was accepted as a complete application on May 2, 2012. A revised plan of subdivision application was received from Colonel Talbot Developments Inc. on December 13, 2012. The Applicant appealed a lack of decision on January 28, 2013. In January of 2014 the Ontario Municipal Board heard the appeal by Colonel Talbot Developments Inc. and after a number of days of hearing, the Board agreed to a settlement reached between the parties based on testimony and submissions of counsel. The appeal was allowed in part and a decision was rendered on February 14, 2014. Modifications to the plan and conditions were approved by the OMB on April 26, 2016. Most recently, a draft approval extension and minor modifications on the plan and conditions were approved by the LPAT on April 25, 2018.

3.2 Requested Amendment

The applicant is requesting the removal of the “h” holding provision for Phase 1 of the subdivision which requires the necessary securities be provided and a subdivision agreement is entered into prior to development.

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 (see more detail in Appendix C)

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.

5.0 Conclusion

The Applicant has entered into a subdvsion agreement for this site, and provided the necessary security, therefore, the required conditions have been met to remove the “h” holding provision.

Prepared & Recommended by:	**Nancy Pasato, MCIP, RPP** **Senior Planner, Development Services**
Reviewed by:	**Lou Pompilii, MPA, 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	

December 3, 2018
NP/np

CC: Matt Feldberg, Manager, Development Services (Subdivisions)

\\CLFILE1\users-x\pdda\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2018\H-8981 - 3924 Colonel Talbot Road (NP)\H-8981 3294 Colonel Talbot Phase 1 PEC report.docx

Previous Reports and Applications Relevant to this Application

May 7, 2013 – Report to Planning and Environment Committee to establish a Municipal Council position in response to appeals from Colonel Talbot Developments Inc. on the neglect by Council to make a decision on Official Plan and Zoning By-law amendment applications; and failure of the Approval Authority to make a decision on an application for subdivision approval.

November 26, 2013 – Report to Planning and Environment Committee to provide an update on the status of discussions that have taken place with the applicant since May. The report also addressed the need for an updated Municipal Council position on the appeals from Colonel Talbot Developments Inc. relating to applications for draft plan of subdivision, Official Plan amendment and Zoning By-law amendment.

May 13, 2014 - Report to Planning and Environment Committee to provide an update to the OMB appeal and provide the decision to Council.

Appendix A

Bill No.(number to be inserted by Clerk's Office)
2019

By-law No. Z.-1-19_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 3924 Colonel Talbot Road.

WHEREAS Colonel Talbot Developments Inc. has applied to remove the holding provision from the zoning for a portion of the lands located at 3924 Colonel Talbot 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 3924 Colonel Talbot Road, as shown on the attached map, to remove the holding provisions so that the zoning of the lands as a Residential R1 (R1-3) Zone, a Residential R1 Special Provision/Residential R6 (R1-3(7)/R6-5) Zone, a Residential R1 (R1-4) Zone, a Residential R1 (R1-5) Zone and an Open Space (OS1) Zone comes into effect.

2. This by-law shall come into force and effect on the day it is passed.

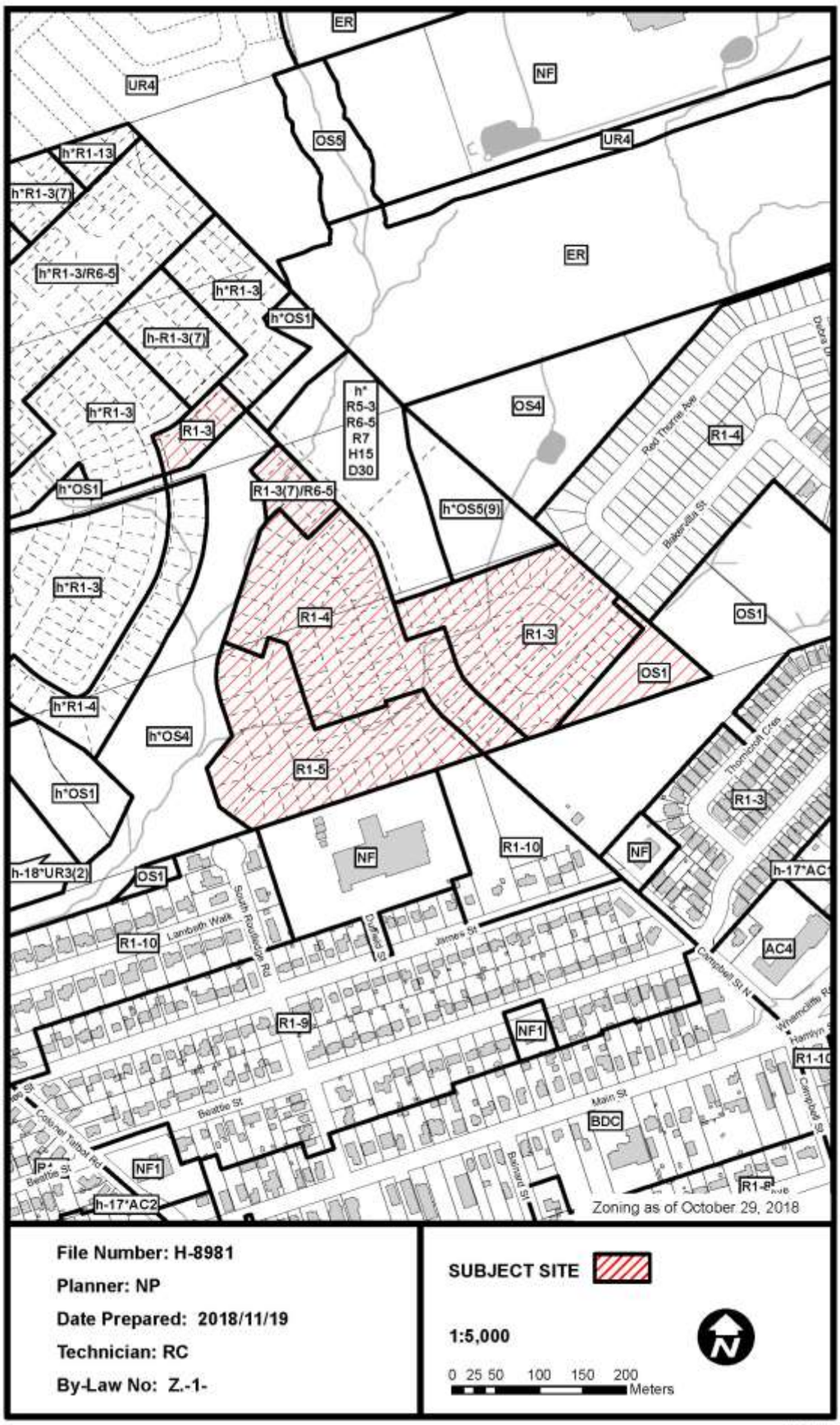
PASSED in Open Council on December 18, 2018.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 18, 2018
Second Reading – December 18, 2018
Third Reading – December 18, 2018

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



File: H-8964
Planner: M.Sundercock

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: Applewood Developments (London) Inc.**
819 Kleinburg Drive
Meeting on: **December 10, 2018**

Recommendation

That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to the application of Applewood Developments (London) Inc. relating to the property located at 819 Kleinburg Road, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on December 18, 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 (h*h-100*h-173*R5-6(9)*R6-5(38)*R8-4(27)) Zone **TO** a Holding Special Provision Residential (h-100*R5-6(9)*R6-5(38)*R8-4(27)) Zone to remove the "h" and "h-173" holding provisions.

Executive Summary

Summary of Request

The applicant has requested removal of the "h" and "h-173" holding provisions from the Zone on the subject lands, which requires the necessary securities be provided and a development agreement is executed prior to development which ensures the new development is consistent with the City of London Urban Design Principles and Placemaking Guidelines.

Purpose and the Effect of Recommended Action

The purpose and effect is to remove the holding "h" and "h-173" symbols from the zoning applied to this site to permit the development of 54 cluster townhouse dwellings.

Rationale of Recommended Action

The conditions for removing the holding provision have been met, as the required security has been submitted and the development agreement has been executed by the applicant. Through the development agreement adequate servicing has been provided, access has been established, and the development as approved is consistent with the City of London Urban Design Principles and Placemaking Guidelines. All issues have been resolved and the holding provisions are no longer required.

Analysis

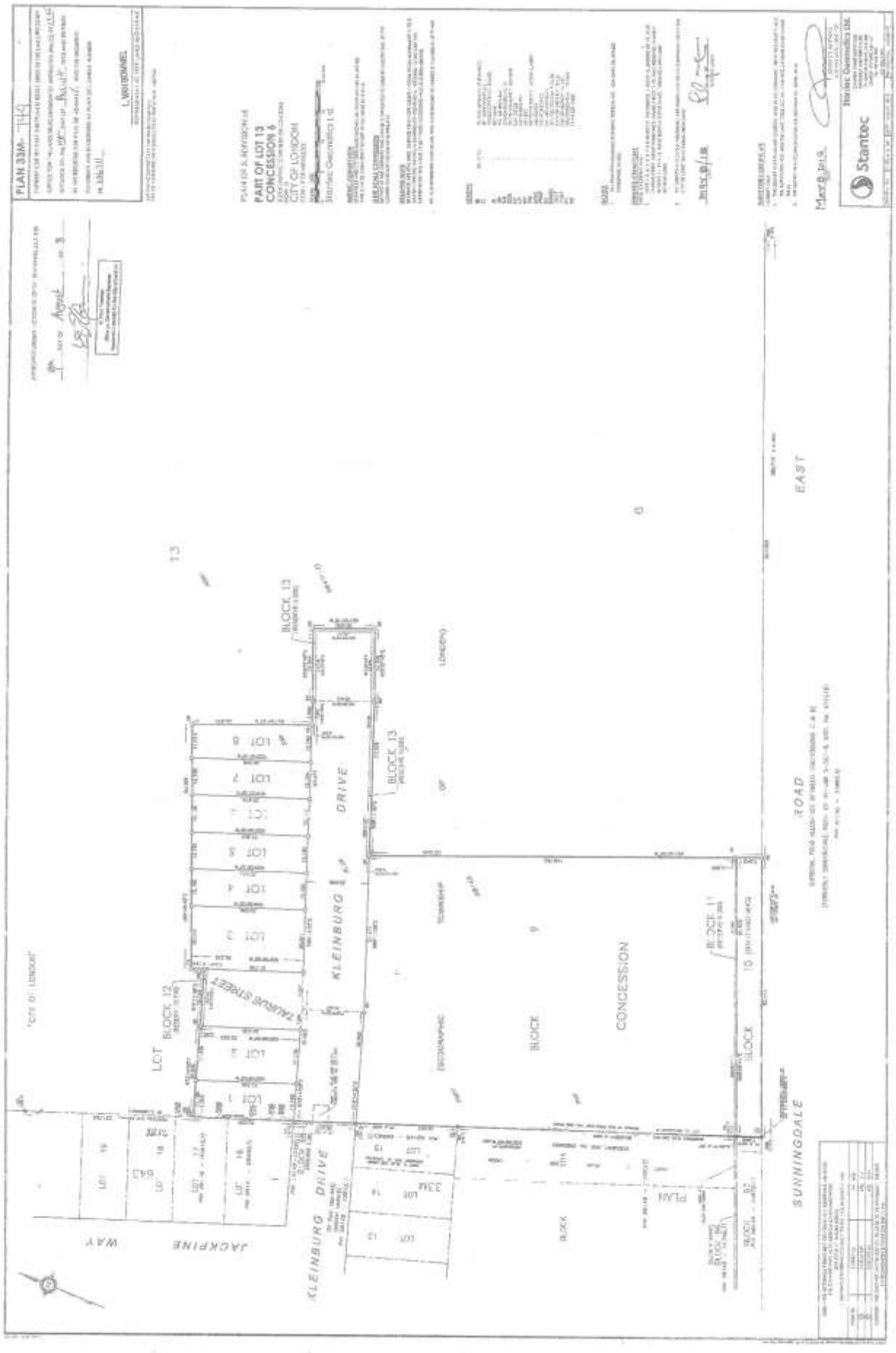
1.0 Site at a Glance

1.1 Property Description

The site is addressed as 819 Kleinburg Drive, on the south side of Kleinburg Drive, north of Sunningdale Road. The subject lands have a total frontage of 88.2 metres on Kleinburg Drive, with a site area of approximately 1.1 hectares. The subject lands are presently vacant. There are existing residential uses to the south, east, and northwest, and vacant lands to the west.

1.2 Location Map

1.3 Site Plan


PLAN 33M-
PART OF LOT 13
CONCESSION 6
CITY OF LONDON
Stantec
KLEINBURG DRIVE
TAURUS STREET
JACKPINE WAY
SUNNINGDALE ROAD EAST
BLOCK 13
BLOCK 12
BLOCK 11
LOT 1
LOT 2
LOT 3
LOT 4
LOT 5
LOT 6
LOT 7
LOT 8
CONCESSION
BLOCK

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

- The London Plan Place Type – Neighbourhoods
- 1989 Official Plan Designation – Multi-Family, Medium Density Residential
- Existing Zoning – h*h-100*h-173*R5-6(9)*R6-5(38)*R8-4(27)

1.5 Site Characteristics

- Current Land Use – Vacant
- Frontage – 92.6 m
- Depth – approx. 220 m
- Area – 2.1 ha
- Shape – Irregular

1.6 Surrounding Land Uses

- North – Vacant – future residential
- East – Existing dwelling – future commercial
- South – Medium density residential
- West – Vacant – future residential

2.0 Description of Proposal

2.1 Development Proposal

The requested amendment will permit the development of 54 cluster townhouse dwellings. The “h-100” holding provision for a looped watermain system and a second constructed access will remain on the lands at this time, as a maximum of 80 residential dwellings are permitted prior to its removal.

3.0 Revelant Background

3.1 Planning History

The Uplands North Area Plan was adopted in 2003, and the zoning on the lands was approved in 2014 with the Draft Approval of the subdivision. The applicant submitted an application for site plan approval in July of 2018 under the existing zoning for the construction of 54 cluster townhouse dwellings.

3.2 Requested Amendment

The applicant is requesting the removal of the “h” and “h-173” holding provisions from the Zone on the subject lands, which requires the necessary securities be provided and a development agreement is executed prior to development which ensures the new development is consistent with the City of London Urban Design Principles and Placemaking Guidelines.

3.3 Community Engagement (see more detail in Appendix B)

No comments were received in response to the Notice of Application,.

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, 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 development agreement with the City. This satisfies the requirement for the removal of the "h" holding provision.

4.2 What is the purpose of the "h-173" holding provision and is it appropriate to consider its removal?

The "h-173" holding provision states that:

"Purpose: To ensure that development is consistent with the City of London Urban Design Principles and Placemaking Guidelines, the h-173 shall not be deleted until urban design guidelines have been prepared and implemented through the subdivision agreement, to the satisfaction of the City of London.

Permitted Interim Uses: Existing Uses."

The Owner has entered into a development agreement, and the development as designed and approved is consistent with the Uplands North Community Plan and the City of London Urban Design Principles and Placemaking Guidelines. This satisfies the requirement for the removal of the "h-173" holding provision.

5.0 Conclusion

The Applicant has entered into a development agreement for this site, provided the necessary security, and the development as approved is consistent with the City of London Urban Design Principles and Placemaking Guidelines. Therefore, the required conditions have been met to remove the “h” and “h-173” holding provisions. The removal of the holding provisions is recommended to Council for approval.

Prepared by:	**Meg Sundercock, BURPL** **Planner I, Development Services**
Reviewed and Recommended by:	**Lou Pompilii, MPA 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 30, 2018
MS/ms

CC: Michael Tomazincic, Manager, Current Planning

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2018\H-8964 - 819 Kleinburg Drive (MS)\PEC\Draft 819 Kleinburg Drive H-8964 MS Report 1of1.docx

Previous Reports and Applications Relevant to this Application

June 9, 2003: Report to Planning Committee recommending adoption of the Uplands North Area Plan.

July 28, 2014: Report to Planning and Environment Committee for Draft Plan Approval of Subdivision, Official Plan Amendment and Zoning By-law Amendment (39T-09501/OZ-7638)

April 30, 2018: Report to Planning and Environment Committee for Special Provisions for Phase 1 of the subdivision. (39T-09501)

Appendix A

Bill No.(number to be inserted by Clerk's Office)
2019

By-law No. Z.-1-19_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 819 Kleinburg Drive.

WHEREAS Applewood Developments (London) Inc. has applied to remove the holding provision from the zoning for a portion of the lands located at 819 Kleinburg Drive, 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;

NOW 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 819 Kleinburg Drive as shown on the attached map, to remove the holding provisions so that the zoning of the lands as a Holding Special Provision Residential (h-100*R5-6(9)*R6-5(38)*R8-4(27)) Zone comes into effect.

2. This by-law shall come into force and effect on the day it is passed.

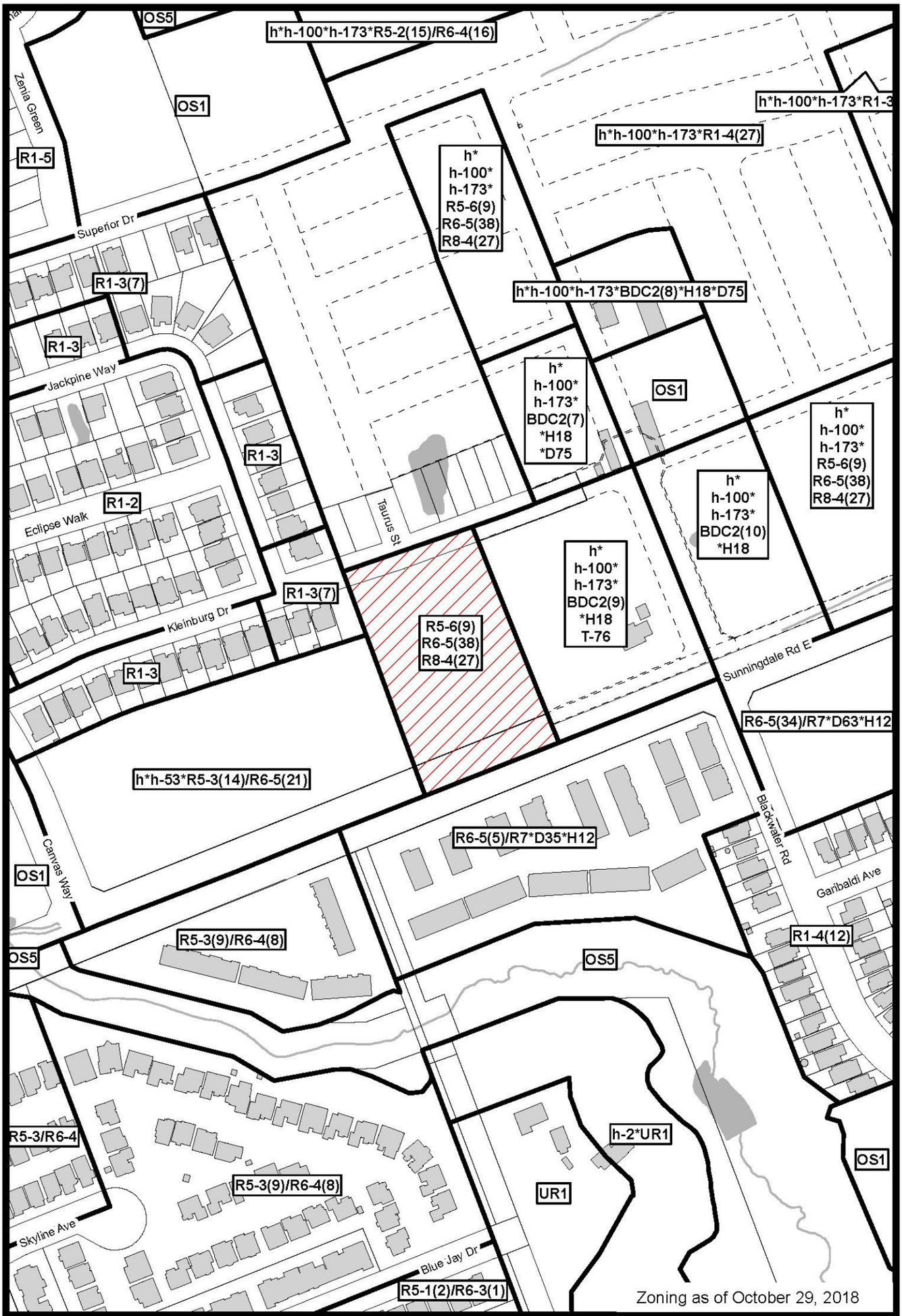
PASSED in Open Council on December 18, 2018.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 18, 2018
Second Reading – December 18, 2018
Third Reading – December 18, 2018

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



File Number: H-8964

Planner: MS

Date Prepared: 2018/11/22

Technician: RC

By-Law No: Z.-1-

SUBJECT SITE

1:3,000

0 15 30 60 90 120 Meters

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 11, 2018.

No replies were received.

Nature of Liaison: City Council intends to consider removing the "h" and "h-173" 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 Compound Residential (h*h-100*h-173*R5-6(9)*R6-5(38)*R8-4(27)) 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-173" symbol is to ensure that development is consistent with the City of London Urban Design Principles and Placemaking Guidelines. The "h-173" shall not be deleted until urban design guidelines have been prepared and implemented through the subdivision agreement, to the satisfaction of the City of London. Council will consider removing the holding provisions as it applies to these lands no earlier than November 12, 2018.

Responses: No comments were received.

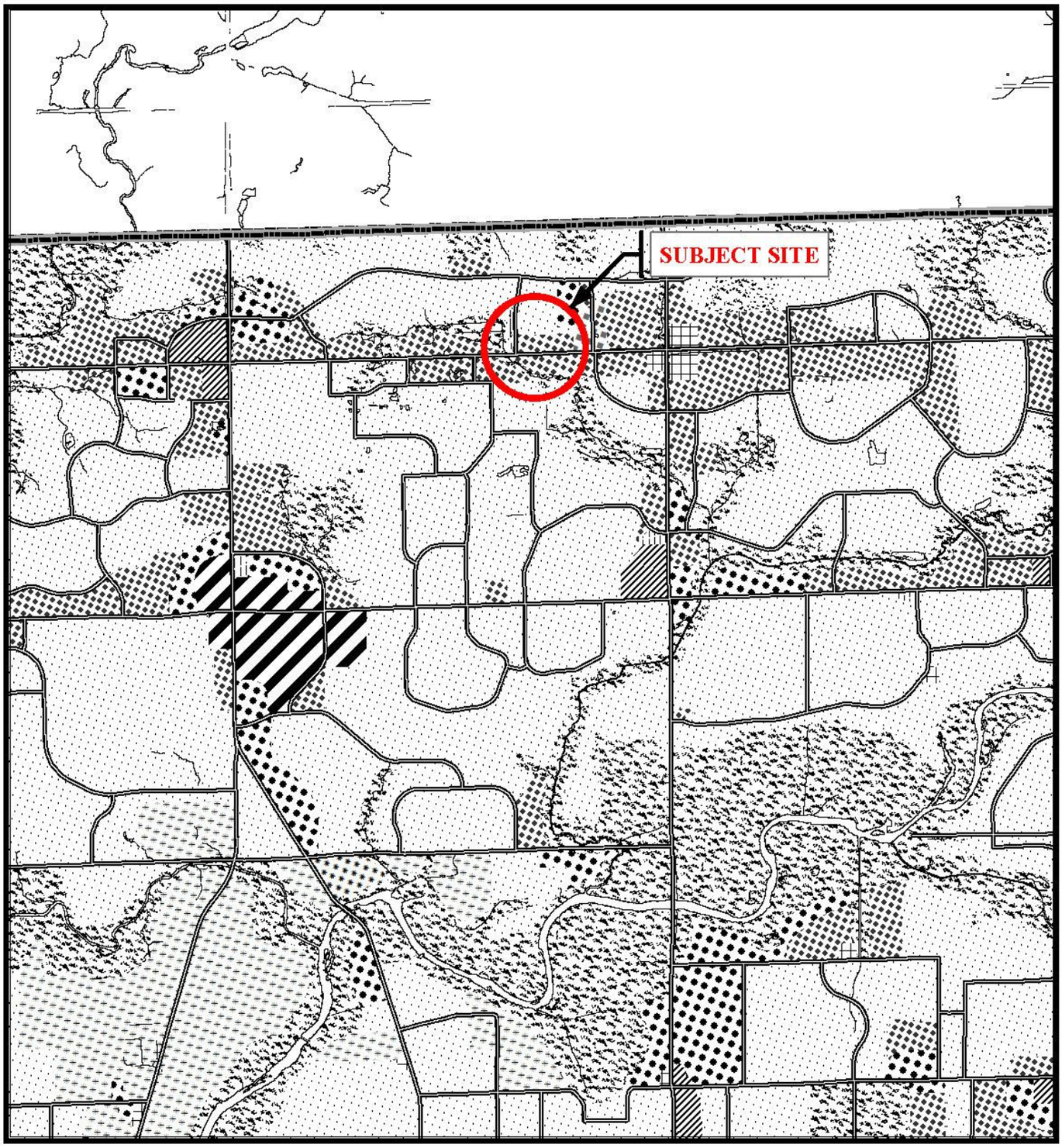
Responses to Public Liaison Letter and Publication in "The Londoner"

Telephone	Written
None	None

Agency/Departmental Comments

UTRCA: No objections.

Development Services – Engineering: No comments.



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

CITY OF LONDON

Planning Services / Development Services

OFFICIAL PLAN SCHEDULE A
- LANDUSE -

PREPARED BY: Graphics and Information Services

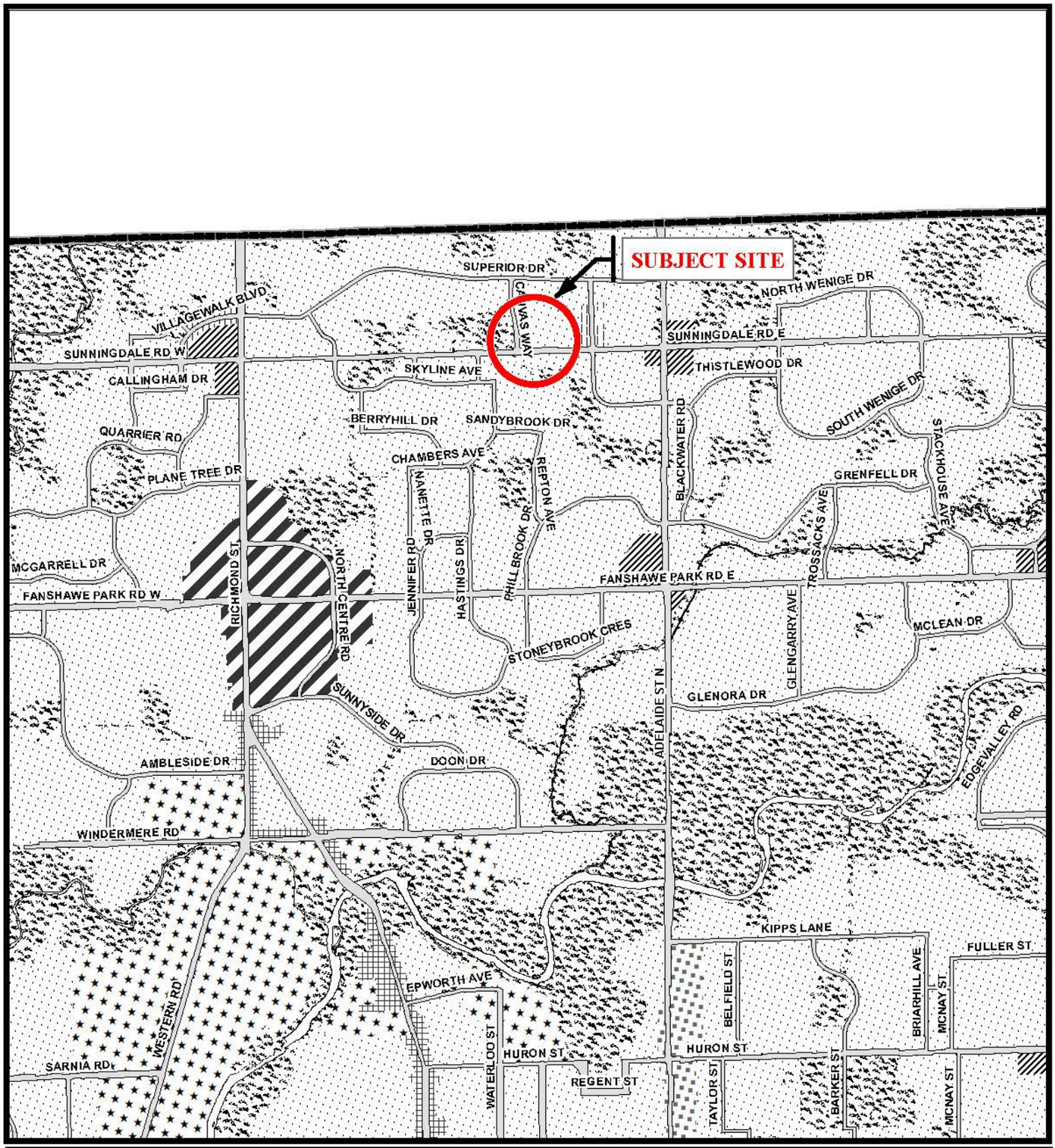
Scale 1:30,000

0 155 310 620 930 1,240 1,550

Meters

FILE NUMBER:	H-8964
PLANNER:	MS
TECHNICIAN:	RC
DATE:	2018/11/27

PROJECT LOCATION: e:\planning\projects\p_officialplan\workconsol00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd



Legend

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

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 -

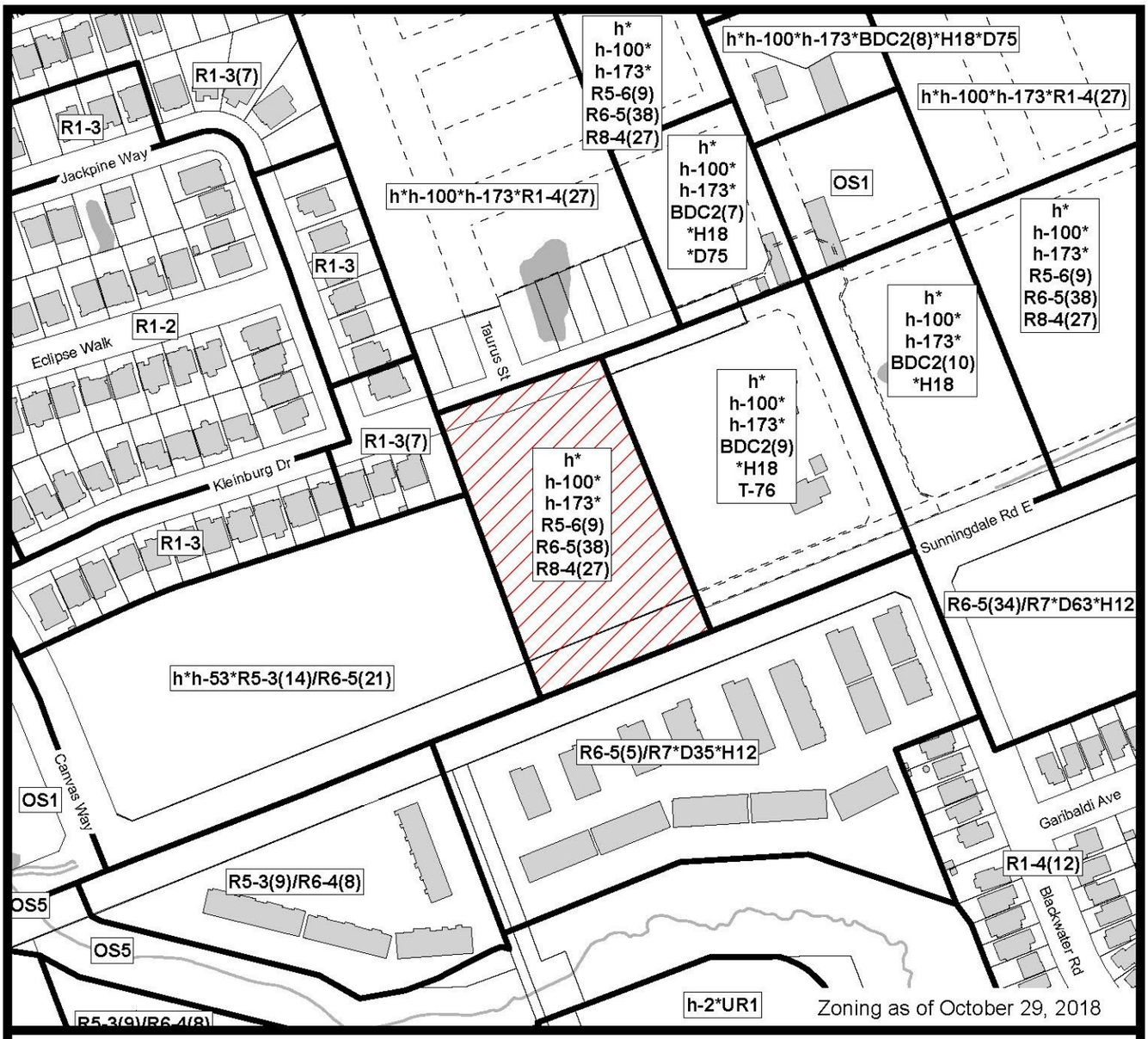
PREPARED BY: Planning Services

Scale 1:30,000

0 145 290 580 870 1,160 1,450
Meters

File Number: Z-8964
Planner: MS
Technician RC
Date: November 27, 2018

Project Location: E:\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\10.3.1 Versions\EXCERPT_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

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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
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RO - RESTRICTED OFFICE
OF - OFFICE

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

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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-8964 MS

MAP PREPARED: 2018/11/22 RC

1:3,000

0 15 30 60 90 120 Meters

File: H-8973
Planner: M.Sundercock

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: Danforth (London) Ltd.**
195 Dundas Street
Meeting on: **December 10, 2018**

Recommendation

That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to the application of Danforth (London) Ltd. relating to a portion of the property located at 195 Dundas Street, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on December 18, 2018 to amend Zoning By-law Z.-1 in conformity with the Official Plan to change the zoning of the lands **FROM** a Holding Downtown Area Temporary (h-3*DA1*D350*T-54) Zone **TO** a Downtown Area Temporary (DA1*D350*T-54) Zone and a Holding Downtown Area Temporary (h-3*DA1*D350*T-54) Zone to remove a portion of the "h-3" holding provision.

Executive Summary

Summary of Request

The applicant has requested removal of the "h-3" holding provision from the Zone on a portion of the lands addressed as 195 Dundas Street. The h-3 provision, which requires the preparation of a wind impact assessment which may, at the request of the City, include wind tunnel testing, by a qualified professional and submitted to the City, and any recommendation contained therein for building design or site modifications necessary to achieve acceptable wind conditions shall be incorporated in the proposed development to the satisfaction of the City of London.

Purpose and the Effect of Recommended Action

The purpose and effect is to remove the holding "h-3" symbol from a portion of the zoning applied to this site to permit the development of a residential apartment building with 140 units. The balance of the lands addressed at 195 Dundas Street are intended for future development and will be required to satisfy the requirements of the holding "h-3" symbol at such time as they redevelop.

Rationale of Recommended Action

The conditions for removing the holding provision for a portion of 195 Dundas Street have been met, as a wind impact assessment has been accepted and wind conditions as a result of the proposed development are acceptable. 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 addressed as 195 Dundas Street, on the south side of Dundas Street, west of Clarence Street. The subject lands have a total frontage of 15.2 metres on Dundas Street, with a site area of approximately 6,554m^2. The subject lands are presently used

as a commercial parking lot. There are existing commercial uses to the north, east, and west, and south.

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

- The London Plan Place Type – Downtown
- 1989 Official Plan Designation – Downtown
- Existing Zoning – h-3*DA1*D350*T-54

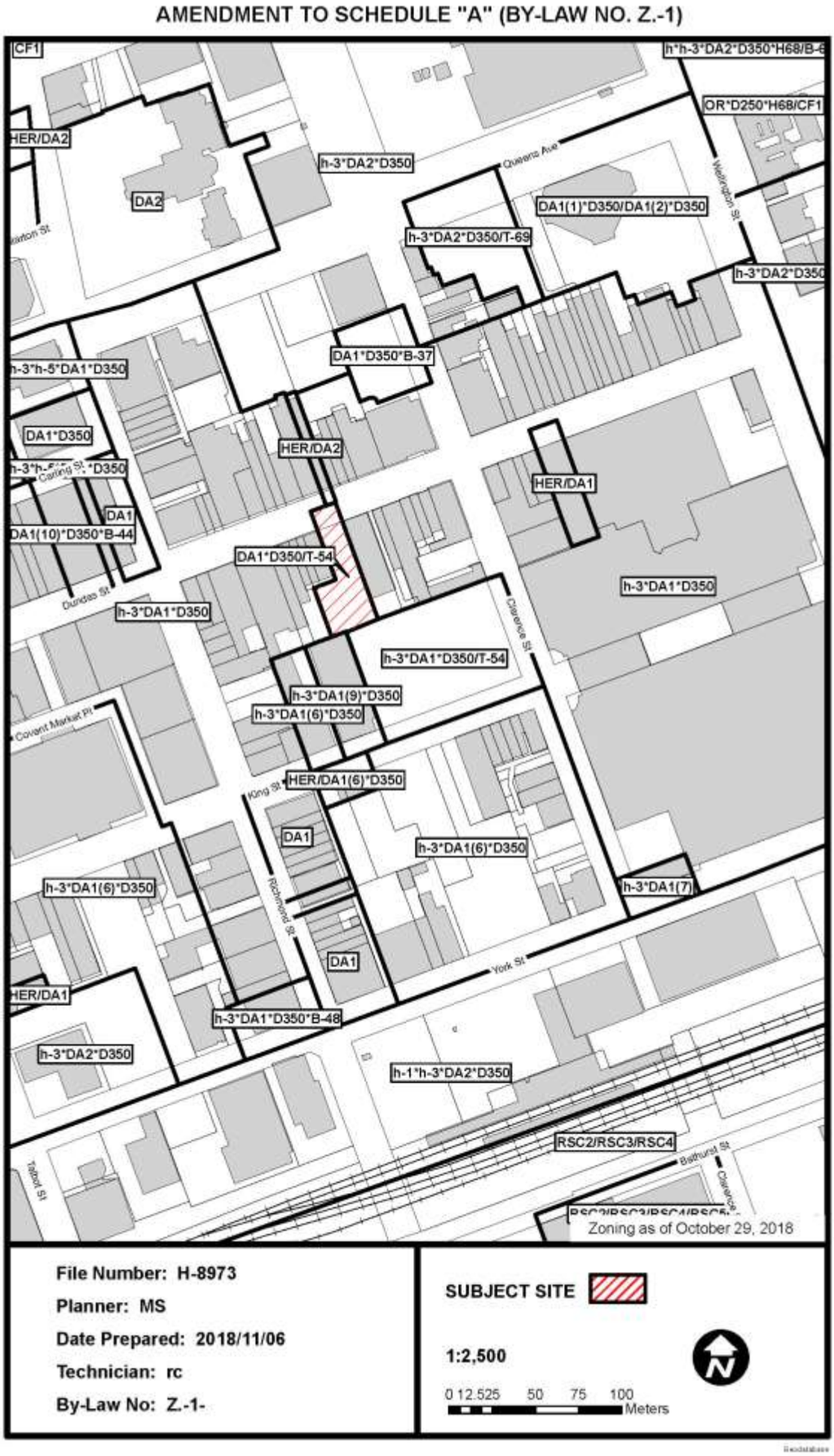
1.3 Site Characteristics

- Current Land Use – Commercial Parking Lot
- Frontage – 15.2 m
- Depth – Irregular
- Area – 6554 m^2
- Shape – Irregular

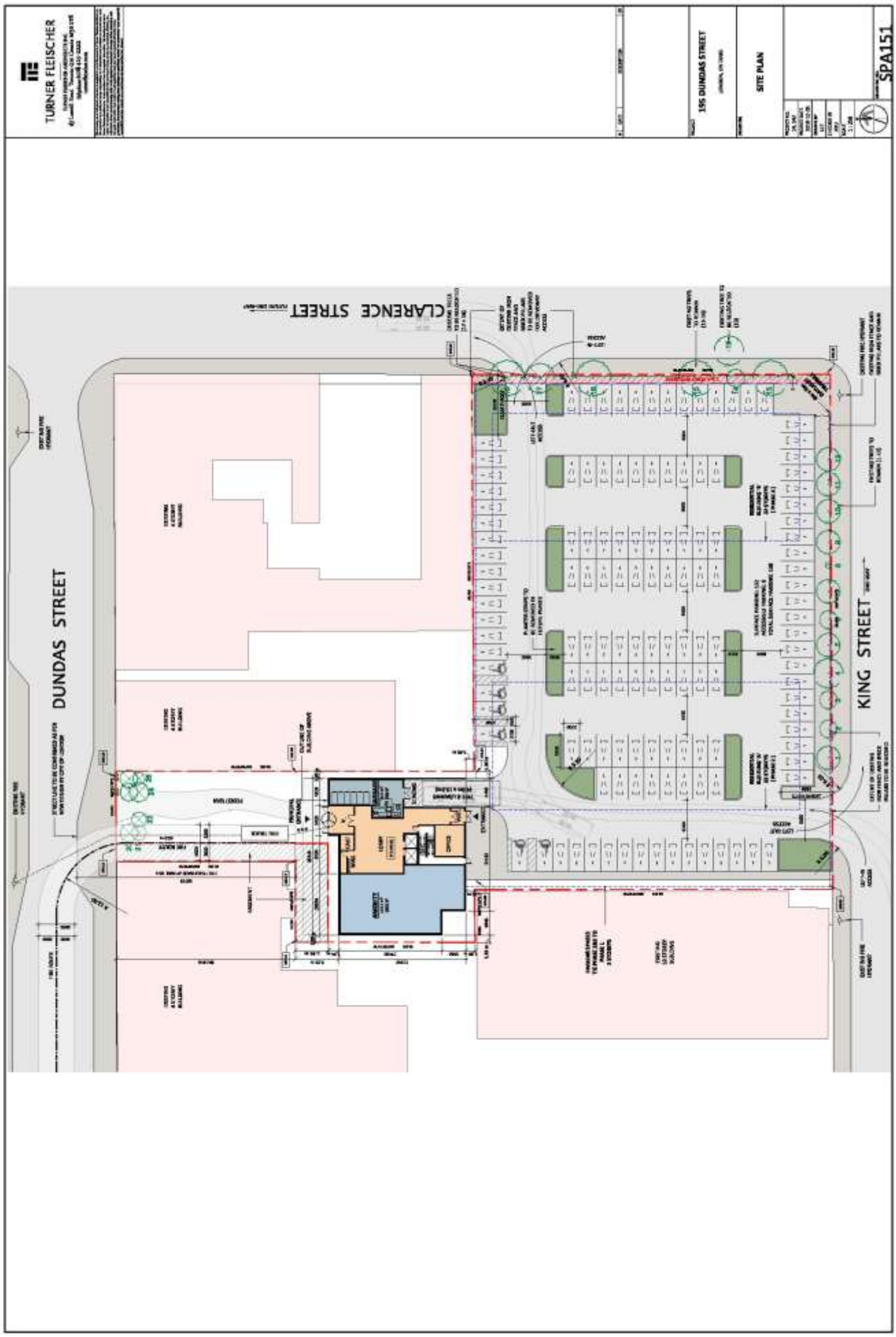
1.4 Surrounding Land Uses

- North – Commercial
- East – Commercial
- South – Commercial
- West – Commercial

1.5 Location Map



1.6 Site Plan


TURNER FLEISCHER
195 DUNDAS STREET
SITE PLAN
SPA151
CLARENCE STREET
DUNDAS STREET
KING STREET

2.0 Description of Proposal

2.1 Development Proposal

The requested amendment will permit the development of a residential apartment building with 140 units. Two additional residential apartment buildings are intended for the south portion of the subject lands in the future.

3.0 Revelant Background

3.1 Planning History

The Temporary Use (T-54) Zone was first applied to the subject lands in 1999 to allow for a commercial parking lot for up to three years. The Owner was granted subsequent three year extensions, the most recent being in 2016. A site plan application for the proposed apartment building was submitted in May of 2018 under the existing zoning and is presently under review.

3.2 Requested Amendment

The Applicant is requesting the partial removal of the “h-3” holding provision on the site which requires the preparation of a wind impact assessment which may, at the request of the City, include wind tunnel testing, by a qualified professional and submitted to the City, and any recommendation contained therein for building design or site modifications necessary to achieve acceptable wind conditions shall be incorporated in the proposed development to the satisfaction of the City of London.

3.3 Community Engagement (see more detail in Appendix B)

No comments were received in response to the Notice of Application.

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, 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-3” holding provision states:

Purpose: To ensure that development over 30.0 metres (98.4 feet) in the DA1 Zone or over 15.0 metres (49.2 feet) in the DA2 Zone will not have an adverse impact on pedestrian level wind conditions in the Downtown Area of the City of London, a wind impact assessment which may, at the request of the City, include wind tunnel testing, shall be prepared by a qualified professional and submitted to the City, and any recommendation contained therein for building design or site modifications necessary to achieve acceptable wind conditions shall be incorporated in the proposed development to the satisfaction of the City of London prior to removal of the "h-3" symbol.

Permitted Interim Uses:

(i) For lands zoned DA1 for any building or use less than 30.0 metres in height: any use permitted by the DA1 zone;

(ii) *For lands zoned DA2 for any building or use less than 15.0 metres in height: any use permitted by the DA2 zone.*

The Applicant has provided a pedestrian wind comfort assessment which tested both the current proposal and the full build out of the subject lands. Future wind conditions are anticipated to meet pedestrian wind safety criterion and wind speeds are not expected to change significantly from existing conditions. This satisfies the requirement for the removal of the "h-3" holding provision for the north portion of the lands.

5.0 Conclusion

The Applicant has provided a wind comfort assessment which has been accepted by the City. Therefore, the required conditions have been met to remove the "h-3" holding provision from a portion of the lands. The removal of the holding provisions is recommended to Council for approval.

Prepared by:	**Meg Sundercock, BURPL** **Planner I, Development Services**
Reviewed and Recommended by:	**Lou Pompilii, MPA 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 30, 2018
MS/ms

CC: Michael Tomazincic, Manager, Current Planning

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2018\H-8973 - 195 Dundas Street (MS)\PEC\Draft 195 Dundas H-8973 MS Report 1of1.docx

Previous Reports and Applications Relevant to this Application

July 26, 1999: Report to Planning Committee on a Zoning By-law Amendment to permit a Temporary Use Zone for a commercial parking lot (Z-5761)

September 30, 2002: Report to Planning Committee on Extension of the Temporary Use Zone (Z-6320)

December 11, 2006: Report to Planning Committee on a Zoning By-law Amendment to permit a Temporary Use Zone for a commercial parking lot (Z-7218)

January 29, 2007: Report to Planning Committee on Extension of the Temporary Use Zone (TZ-7218)

February 4, 2010: Report to Planning Committee on Extension of the Temporary Use Zone (TZ-7734)

December 26, 2012: Report to Planning and Environment Committee on Extension of the Temporary Use Zone (TZ-8100)

May 9, 2016: Report to Planning and Environment Committee on Extension of the Temporary Use Zone (TZ-8592)

Appendix A

Bill No.(number to be inserted by Clerk's Office)
2019

By-law No. Z.-1-19_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 195 Dundas Street.

WHEREAS Danforth (London) Ltd. has applied to remove the holding provision from the zoning for a portion of the lands located at 195 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 1820 Canvas Way as shown on the attached map, to remove the holding provisions so that the zoning of the lands as a Downtown Area Temporary (DA1*D350*T-54) Zone and a Holding Downtown (h-3*DA1*D350*T-54) Zone comes into effect.

2. This by-law shall come into force and effect on the day it is passed.

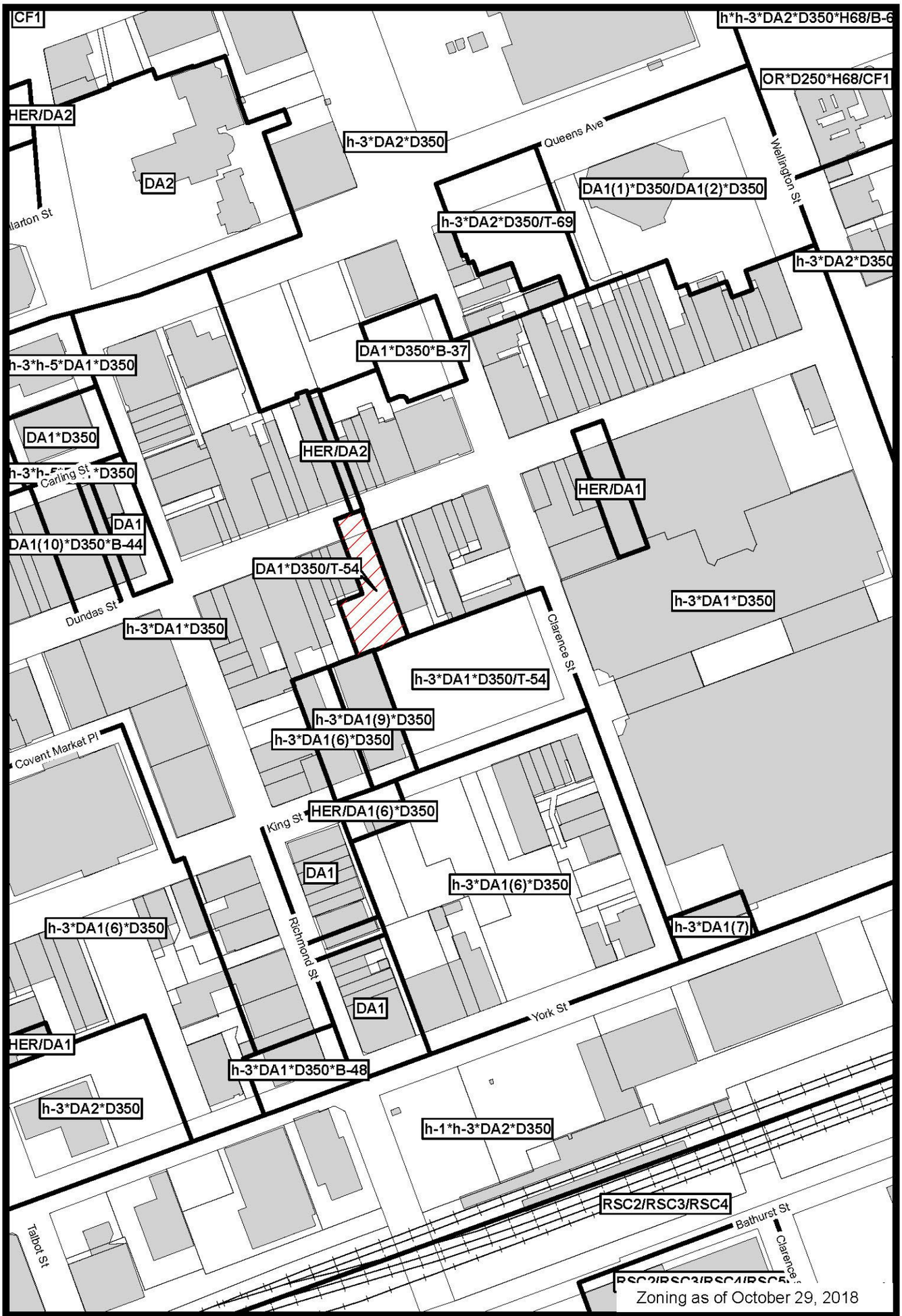
PASSED in Open Council on December 18, 2018.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 18, 2018
Second Reading – December 18, 2018
Third Reading – December 18, 2018

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



File Number: H-8973

Planner: MS

Date Prepared: 2018/11/06

Technician: rc

By-Law No: Z.-1-

SUBJECT SITE

1:2,500

0 12.525 50 75 100 Meters

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 November 15, 2018.

No replies were received.

Nature of Liaison: City Council intends to consider removing the “h-3” Holding Provision from a portion of 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 purposes permitted under the Holding Downtown (h-3*DA1*D350*T-54) Zone. The purpose of the “h-3” provision is to ensure that development over 30.0 metres (98.4 feet) in the DA1 Zone or over 15.0 metres (49.2 feet) in the DA2 Zone will not have an adverse impact on pedestrian level wind conditions in the Downtown Area of the City of London, a wind impact assessment which may, at the request of the City, include wind tunnel testing, shall be prepared by a qualified professional and submitted to the City, and any recommendation contained therein for building design or site modifications necessary to achieve acceptable wind conditions shall be incorporated in the proposed development to the satisfaction of the City of London prior to removal of the "h-3" symbol. Council will consider removing the holding provisions as it applies to these lands no earlier than December 10, 2018.

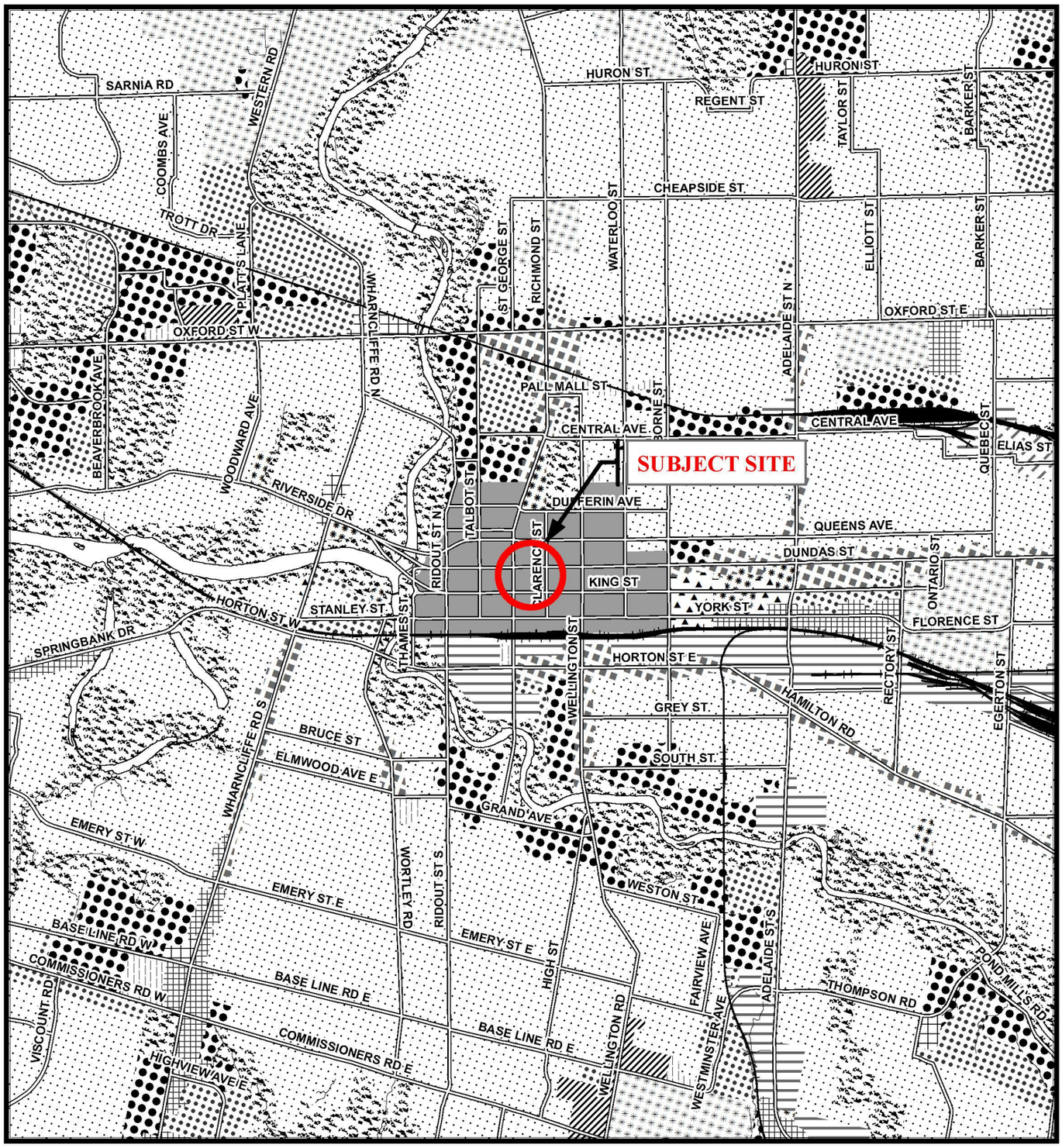
Responses: No comments were received.

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

Telephone	Written
None	None

Agency/Departmental Comments

UTRCA: No objections.



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

CITY OF LONDON

Planning Services / Development Services

OFFICIAL PLAN SCHEDULE A - LANDUSE -

PREPARED BY: Graphics and Information Services

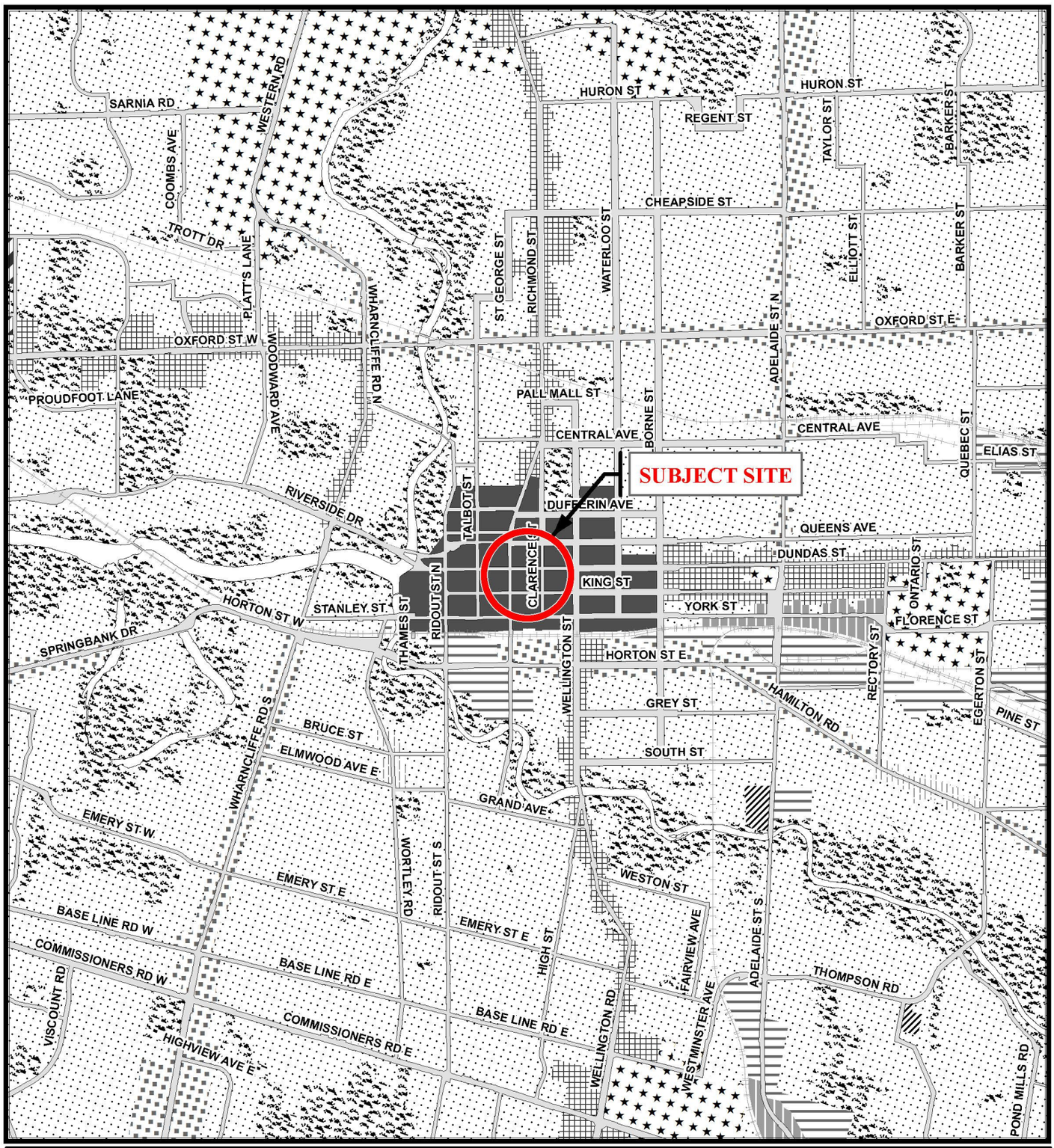
Scale 1:30,000

0 150 300 600 900 1,200 1,500

Meters

FILE NUMBER:	H-8973
PLANNER:	MS
TECHNICIAN:	RC
DATE:	2018/11/07

PROJECT LOCATION: e:\planning\projects\p_officialplan\workconsol00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd



Legend

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CITY OF LONDON
Planning Services /
Development Services

LONDON PLAN MAP 1
- PLACE TYPES -

PREPARED BY: Planning Services

Scale 1:30,000

0 150 300 600 900 1,200 1,500
Meters

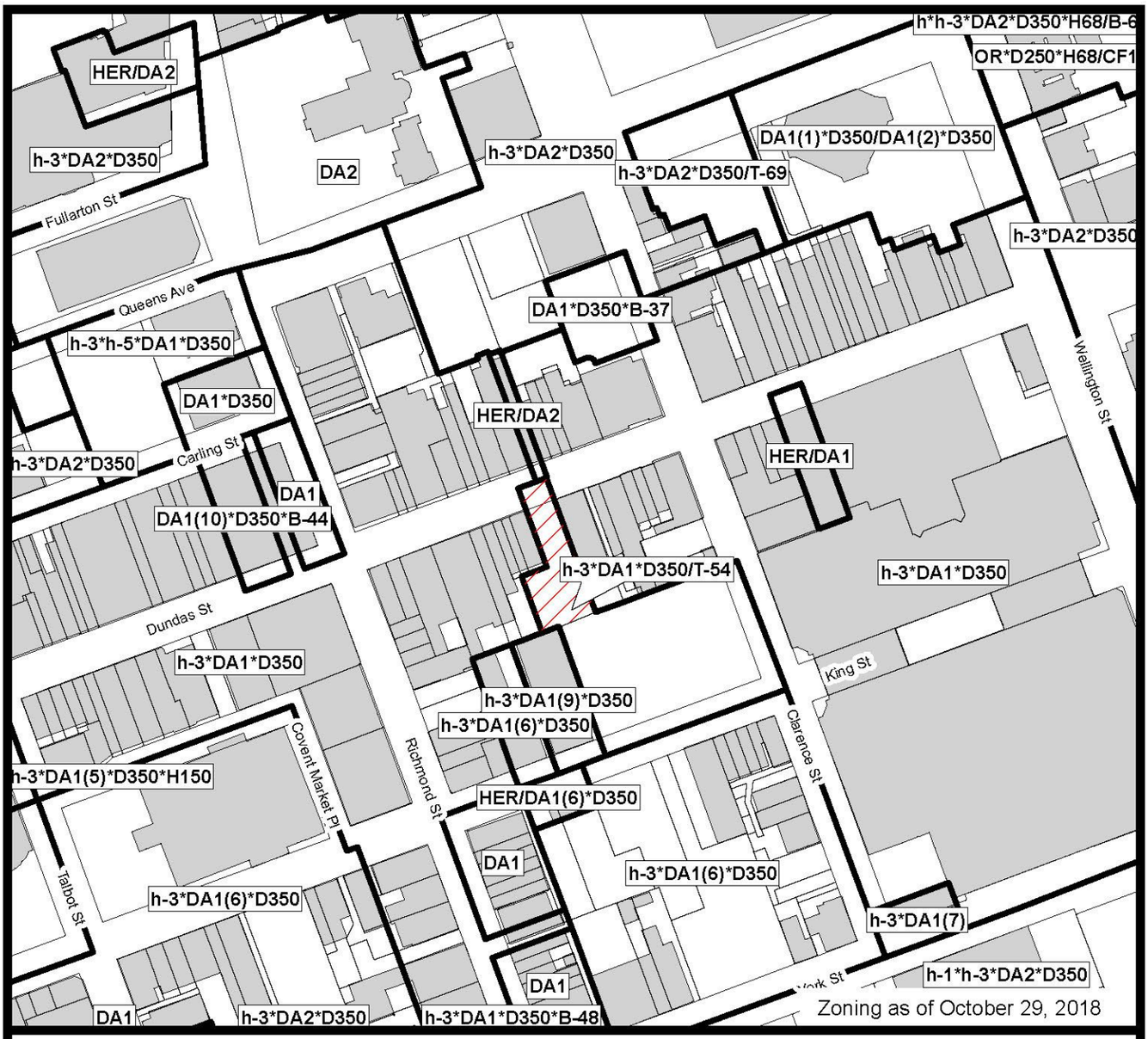
File Number: Z-8973

Planner: MS

Technician: RC

Date: November 7, 2018

Project Location: E:\Planning\Projects\p_zoning\z-1zones\amendments\H-8973\projects\H-8973-LP-Placetypes-Excerpt.mxd



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

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R2 - SINGLE AND TWO UNIT DWELLINGS
R3 - SINGLE TO FOUR UNIT DWELLINGS
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R6 - CLUSTER HOUSING ALL FORMS
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R9 - MEDIUM TO HIGH DENSITY APTS.
R10 - HIGH DENSITY APARTMENTS
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RRC - RURAL SETTLEMENT COMMERCIAL
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"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-8973 MS

MAP PREPARED: 2018/11/07 RC

1:3,000
0 15 30 60 90 120 Meters

File: H-8976
Planner: M.Sundercock

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: 2584857 Ontario Inc.**
1820 Canvas Way
Meeting on: **December 10, 2018**

Recommendation

That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to the application of 2584857 Ontario Inc. relating to the property located at 1820 Canvas Way:

a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on December 18, 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 (h*h-53*R5-3(14)*R6-5(21)) Zone **TO** a Special Provision Residential R2 (R2-4(2)) Zone and a Holding Special Provision Residential R5/R6 (h*R5-3(14)*R6-5(21)) Zone to remove the "h-53" holding provision over the entire site and the "h" holding provision over the majority of the site.

b) the application to remove the "h" holding provision from the western and eastern portions of the lands **BE DEFERRED** until such time as servicing, access and appropriate approval are secured for these portions of the subject site.

Executive Summary

Summary of Request

The applicant has requested removal of the "h" holding provision from the Zone on a portion of the lands addressed as 1820 Canvas Way, and the removal of the "h-53" holding provision from the Zone on the whole of the subject lands, which requires the necessary securities be provided and a development agreement is executed prior to development which ensures the new development is consistent with the Uplands North Community Plan, and adequate municipal services and access are available.

Purpose and the Effect of Recommended Action

The purpose and effect is to remove the holding "h" symbol from a portion of the zoning applied to this site, and the holding "h-53" symbol from the whole of the zoning applied to this site to permit the development 43 cluster single detached dwellings.

Adequate servicing and access is currently unavailable to the westerly townhouse block, and the eastern portion of the lands until the subdivision to the east develops. The holding "h" symbol can be removed from the balance of the lands, but will remain in place on the westerly and easterly portions of the subject property until such time as servicing, access and appropriate approval are secured for these portions of the subject site.

Rationale of Recommended Action

The conditions for removing the holding provision have been met, as the required security has been submitted and the development agreement has been registered. Through the development agreement adequate servicing has been provided for the majority of the lands, and the development as approved is consistent with the Uplands North Community Plan. The “h-53” holding provision, and the “h” holding provision over the cluster single detached lots are no longer required.

Analysis

1.0 Site at a Glance

1.1 Property Description

The site is addressed as 1820 Canvas Way and is located on the east side of Canvas Way, north of Sunningdale Road. The subject lands have a total frontage of 92.6 metres on Canvas Way, with a site area of approximately 2.1 hectares. The subject lands are presently vacant. There are existing residential uses to the north and south, a stormwater management facility to the west, and vacant lands to the east.

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

- The London Plan Place Type – Neighbourhoods
- 1989 Official Plan Designation – Multi-Family, Medium Density Residential
- Existing Zoning – h*h-53*R5-3(14)*R6-5(21)

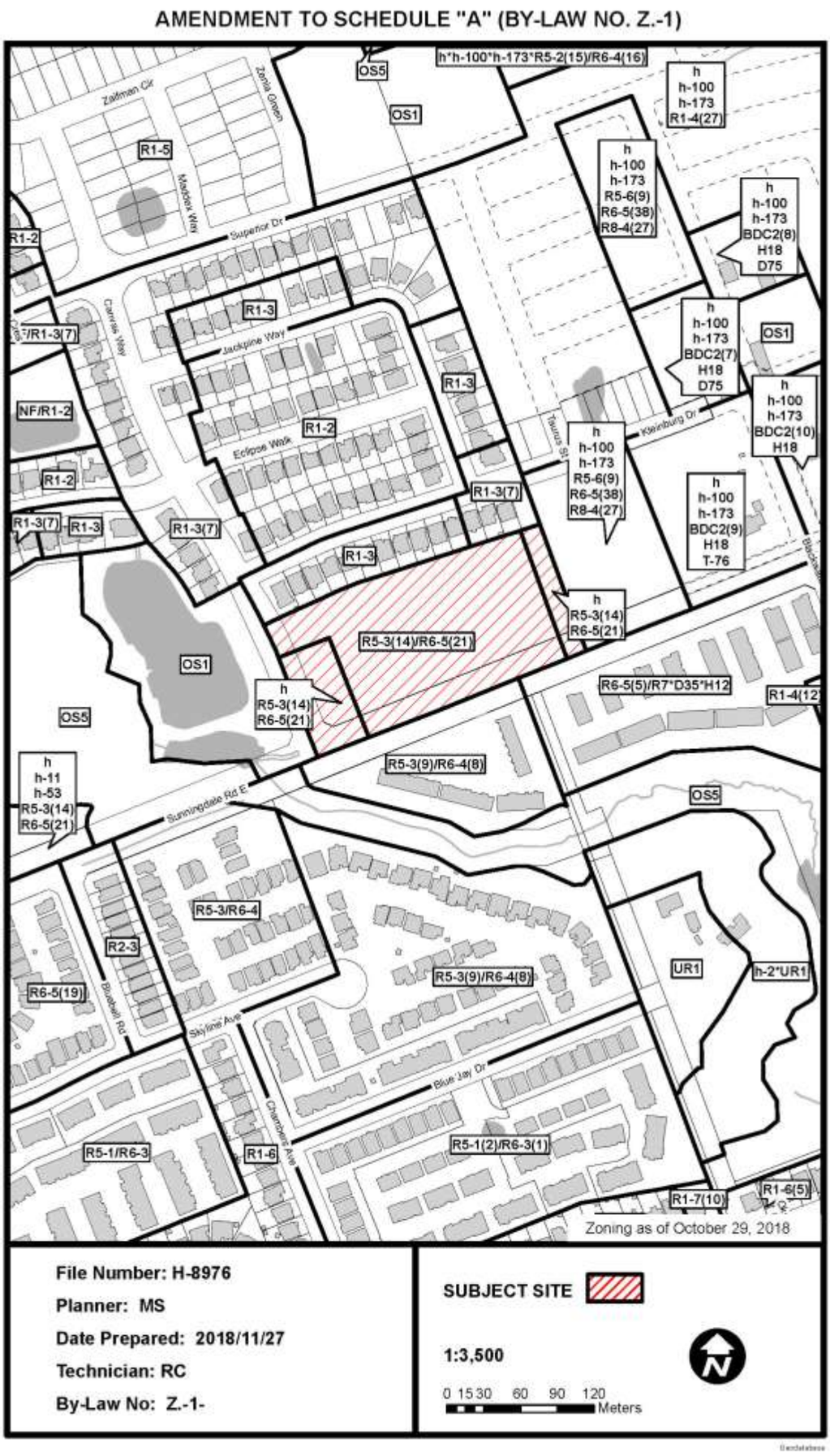
1.3 Site Characteristics

- Current Land Use – Vacant
- Frontage – 92.6 m
- Depth – approx. 220 m
- Area – 2.1 ha
- Shape – Irregular

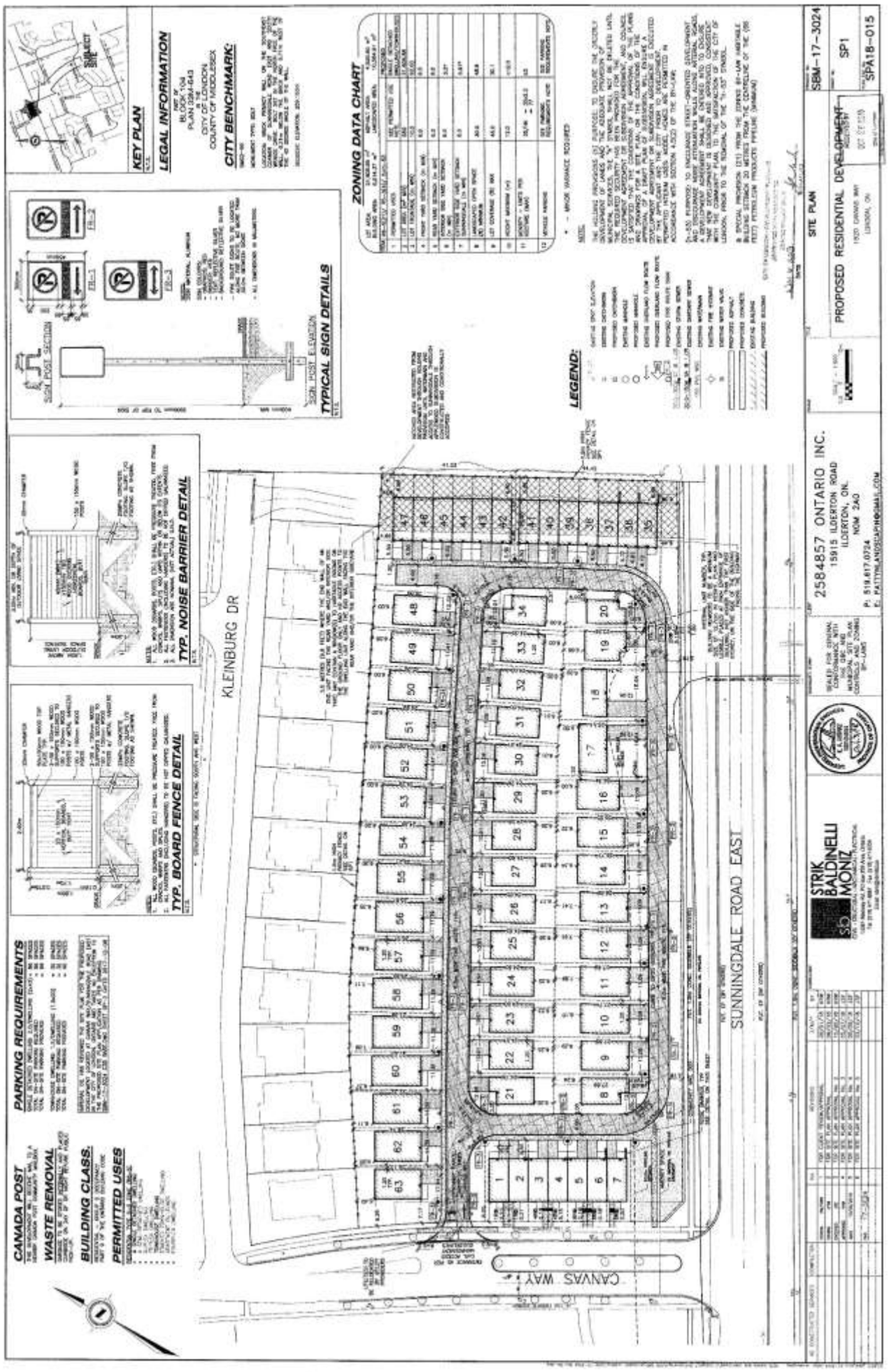
1.4 Surrounding Land Uses

- North – Low density residential
- East – Vacant – future residential
- South – Medium density residential
- West – Stormwater management facility

1.5 Location Map



1.6 Site Plan


KEY PLAN
LEGAL INFORMATION
CITY BENCHMARK:
TYPICAL SIGN DETAILS
ZONING DATA CHART
LEGEND:
TYP. NOISE BARRIER DETAIL
TYP. BOARD FENCE DETAIL
PARKING REQUIREMENTS
WASTE REMOVAL
BUILDING CLASS.
PERMITTED USES
CANADA POST
KLEINBURG DR
SUNNINGDALE ROAD EAST
CANVAS WAY
SITE PLAN
PROPOSED RESIDENTIAL DEVELOPMENT
2584857 ONTARIO INC.
15915 ILDERTON ROAD
ILDERTON, ON.
N0M 2A0
P. 519.617.0734
E. PATTYNLAND@GMAIL.COM
STRIK BALDINELLI MONIZ
SBM-17-3024
SP1
SPA18-015

2.0 Description of Proposal

2.1 Development Proposal

The requested amendment will permit the development of 43 cluster single detached dwellings. Upon the acceptance of services constructed to the east and the future removal of the "h" holding provision on the easterly and westerly portion of the subject lands, 20 townhouse dwellings are proposed.

3.0 Revelant Background

3.1 Planning History

The zoning on the subject lands was put in place in 2006 along with the Draft Approval of the subdivision (39T-05510). Subsequent extensions of the Draft Plan were granted in 2009 and 2013. The applicant submitted an application for site plan approval in February of 2018 under the existing zone to construct 43 cluster single detached dwellings and 20 cluster townhouse dwellings.

3.2 Requested Amendment

The applicant is requesting the removal of the "h-53" holding provision and the partial removal of the "h" holding provision on the site which requires the necessary securities be provided, a development agreement is executed prior to development to ensure compliance with the Uplands North Community Plan.

3.3 Community Engagement (see more detail in Appendix B)

No comments were received in response to the Notice of Application,

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, 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 development agreement with the City. Adequate servicing is available for the majority of the subject lands save for the proposed townhouse dwellings, the easterly portion of which will rely on servicing constructed as part of the subdivision to the east. The "h" holding provision is to remain on these portions of the site until servicing is available, but the

requirements for the removal of the “h” holding provision has been satisfied on the balance of the lands.

4.2 What is the purpose of the “h-53” holding provision and is it appropriate to consider its removal?

The “h-53” holding provision states that:

“To encourage street-oriented development and discourage noise attenuation walls along arterial roads, a development agreement shall be entered into to ensure that new development is designed and approved, consistent with the Community Plan, to the satisfaction of the City of London, prior to the removal of the "h-53" symbol.”

The Owner has entered into a development agreement, and the development as designed and approved is consistent with the Uplands North Community Plan. The requirements for the removal of the “h-53” holding provision has been satisfied on the whole of the subject lands.

5.0 Conclusion

The Applicant has entered into a development agreement for this site, provided the necessary security, and the development is consistent with the Community Plan. Therefore, the required conditions have been met to remove the “h-53” holding provision and a portion of the “h” holding provision. The removal of the balance of the “h” holding provision will be dealt with at a future PEC meeting once adequate servicing, access and approvals has been secured. The removal of the holding provisions is recommended to Council for approval.

Prepared by:	**Meg Sundercock, BURPL** **Planner I, Development Services**
Reviewed and Recommended by:	**Lou Pompilii, MPA 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 30, 2018
MS/ms
CC: Michael Tomazincic, Manager, Current Planning

Previous Reports and Applications Relevant to this Application

June 14, 2006: Report to Planning Committee for Draft Plan Approval of Subdivision and Zoning By-law Amendment (39T-05510/OZ-6917)

December 17, 2009: Report to Planning Committee for extension of Draft Plan (39T-05510)

May 7, 2013: Report to Planning and Environment Committee on Extension of Draft Plan (39T-05510)

Appendix A

Bill No.(number to be inserted by Clerk's Office)
2019

By-law No. Z.-1-19_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1820 Canvas Way.

WHEREAS 2584857 Ontario Inc. has applied to remove the holding provision from the zoning for a portion of the lands located at 1820 Canvas Way, 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;

NOW 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 1820 Canvas Way 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 and a Holding Special Provision Residential R5/R6 (h*R5-3(14)*R6-5(21)) Zone comes into effect.

2. This by-law shall come into force and effect on the day it is passed.

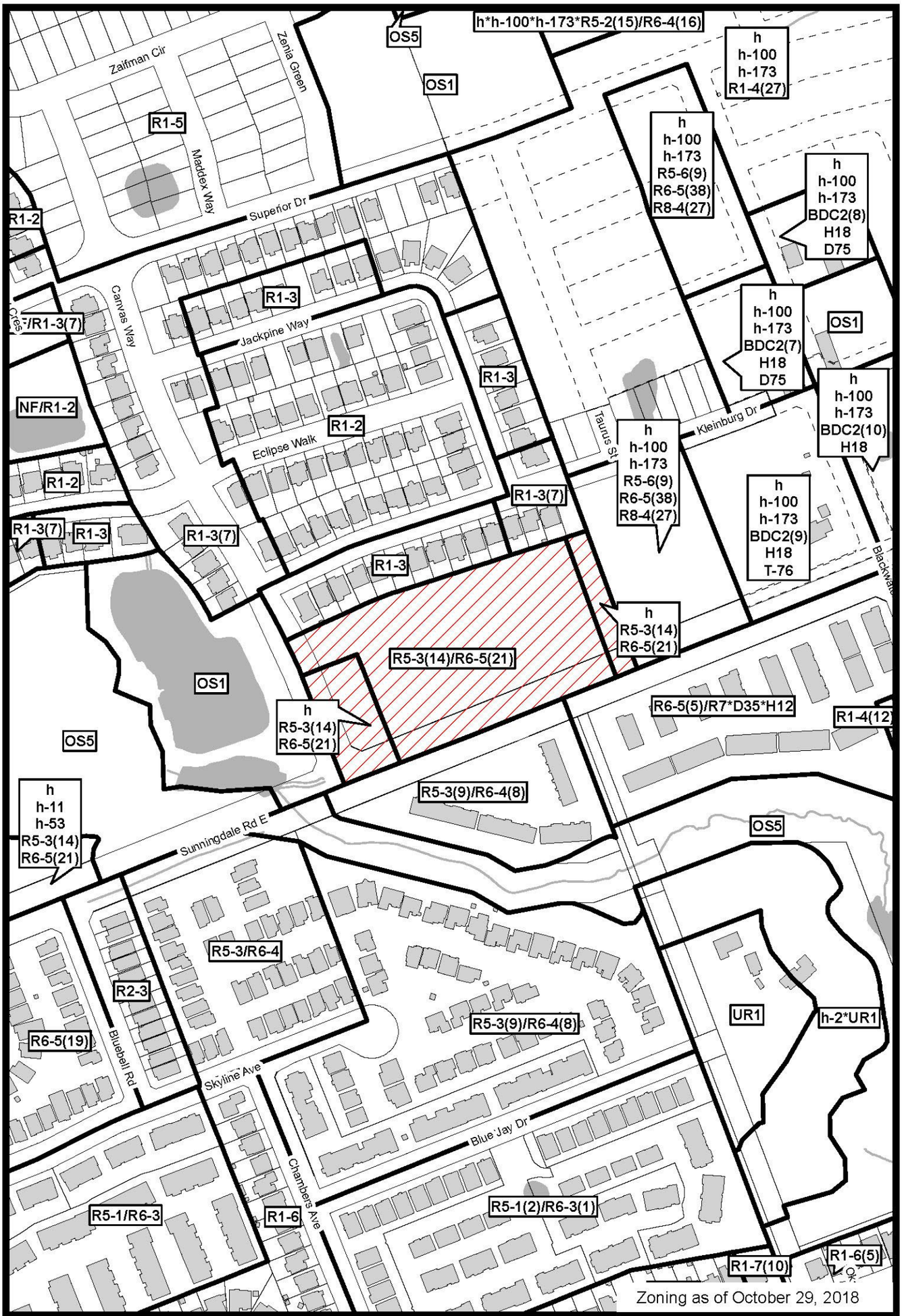
PASSED in Open Council on December 18, 2018.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 18, 2018
Second Reading – December 18, 2018
Third Reading – December 18, 2018

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



File Number: H-8976

Planner: MS

Date Prepared: 2018/11/27

Technician: RC

By-Law No: Z.-1-

SUBJECT SITE

1:3,500

0 15 30 60 90 120 Meters

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 November 15, 2018.

No replies were received.

Nature of Liaison: City Council intends to consider removing the “h” and “h-53” Holding Provisions from a portion of 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 (h*h-53*R5-3(14)*R6-5(21)) 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-53” symbol is to encourage street-oriented development and discourage noise attenuation walls along arterial roads. A development agreement shall be entered into to ensure that new development is designed and approved, consistent with the Community Plan, to the satisfaction of the City of London, prior to the removal of the "h-53" symbol. Council will consider removing the holding provisions as it applies to these lands no earlier than December 10, 2018

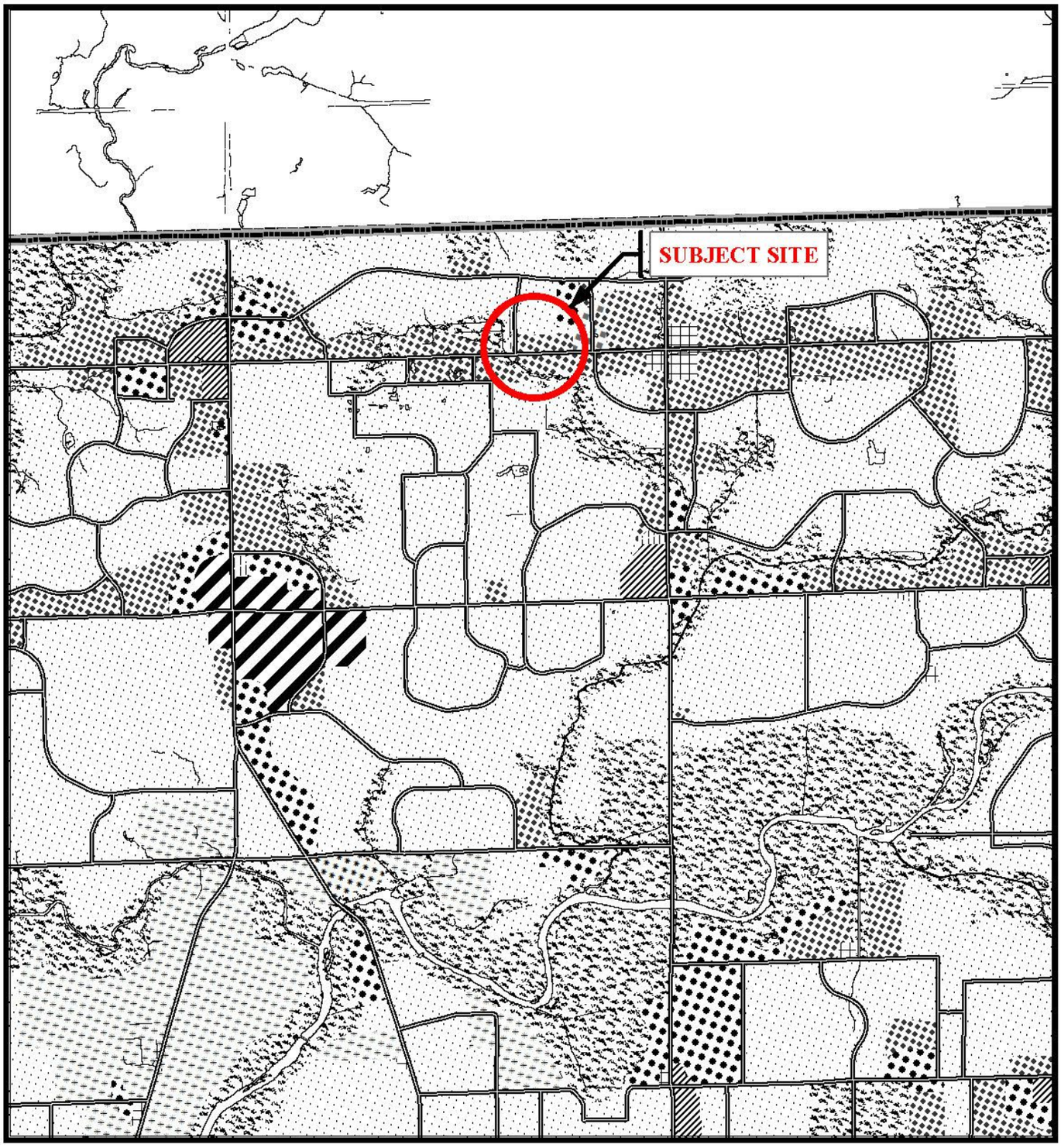
Responses: No comments were received.

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

Telephone	Written
None	None

Agency/Departmental Comments

UTRCA: No objections.



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

CITY OF LONDON

Planning Services / Development Services

OFFICIAL PLAN SCHEDULE A
- LANDUSE -

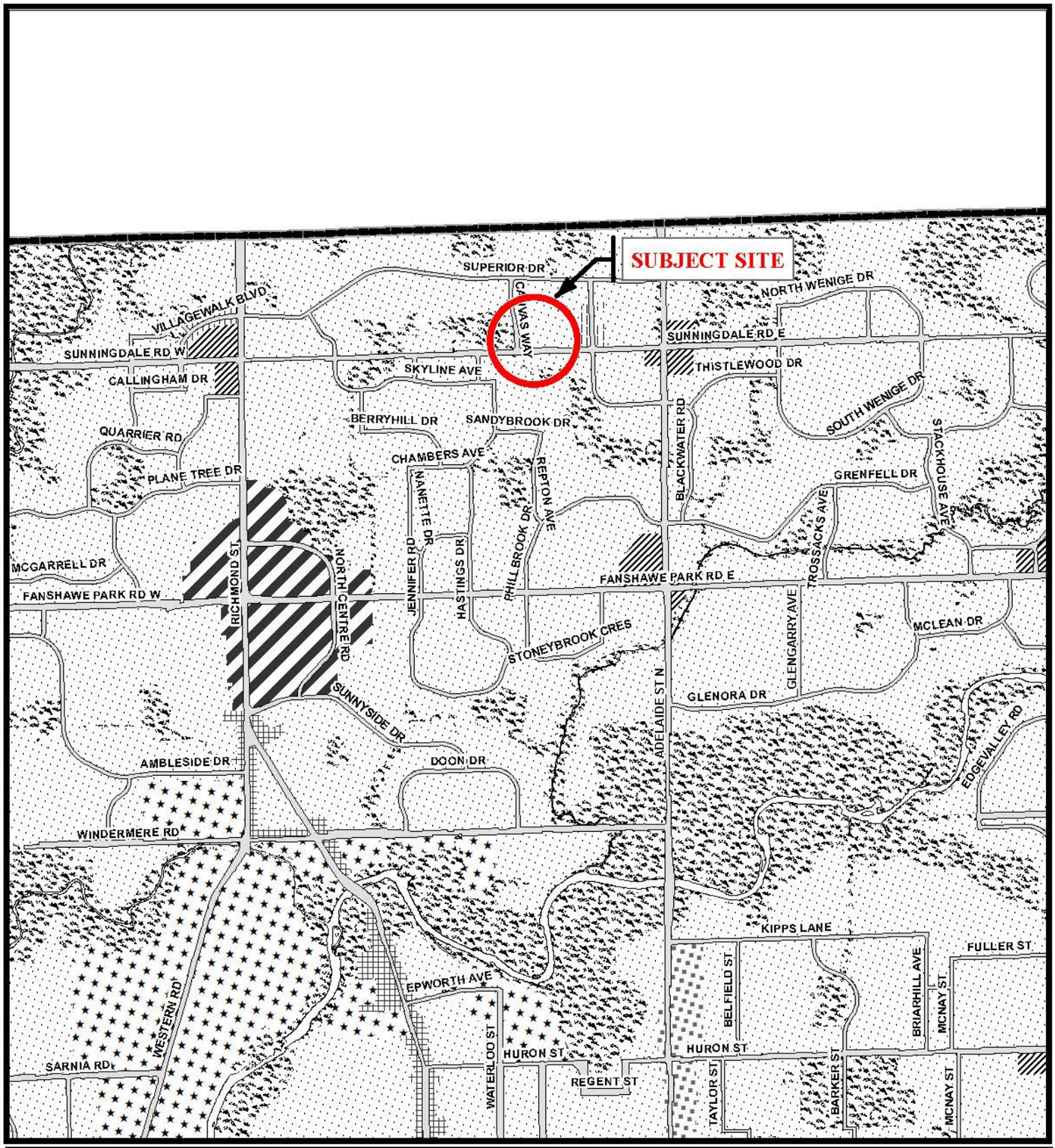
PREPARED BY: Graphics and Information Services

Scale 1:30,000

0 155 310 620 930 1,240 1,550
Meters

FILE NUMBER:	H-8976
PLANNER:	MS
TECHNICIAN:	RC
DATE:	2018/11/08

PROJECT LOCATION: e:\planning\projects\p_officialplan\workconsol00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd



Legend

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

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 -

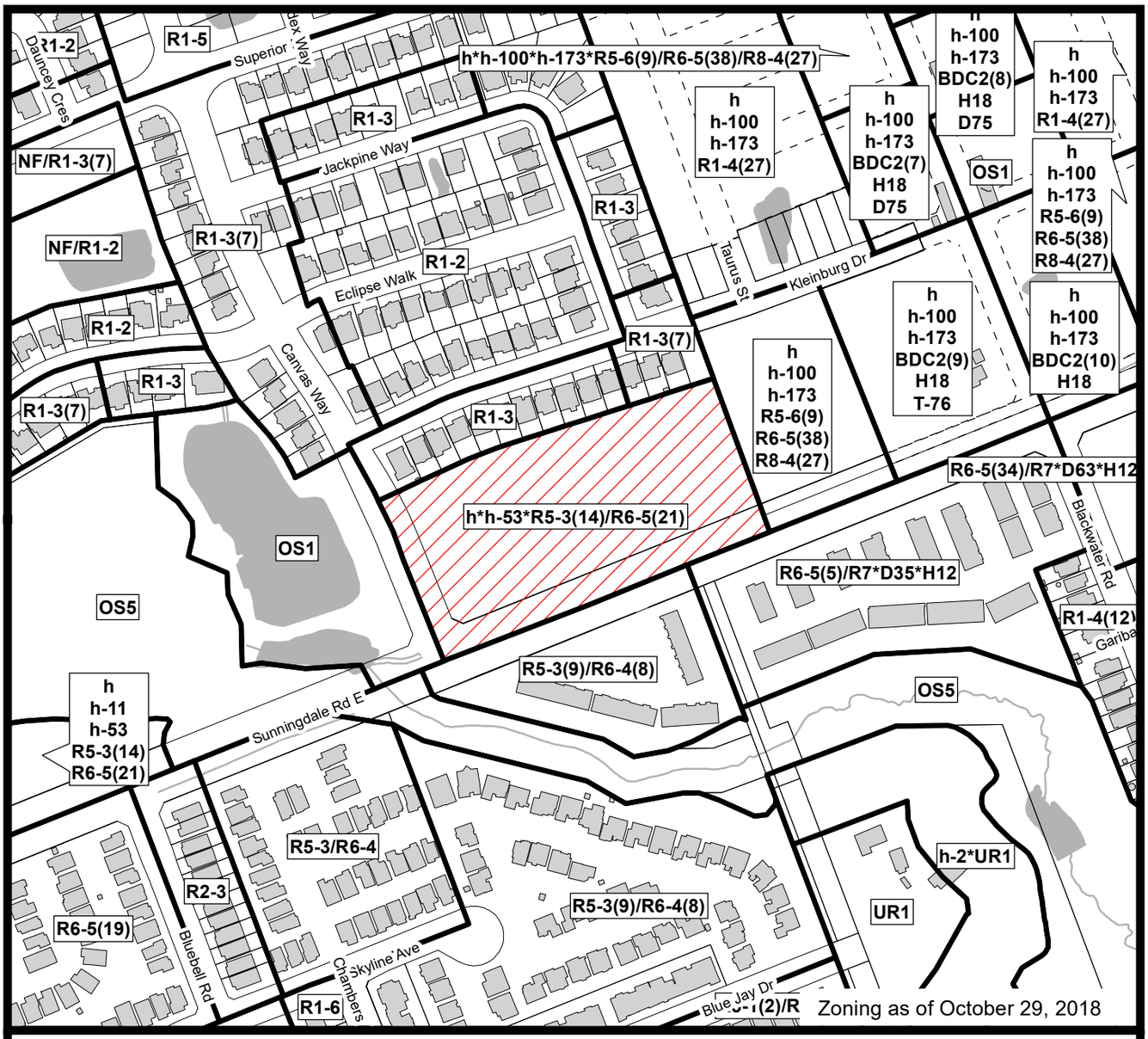
PREPARED BY: Planning Services

Scale 1:30,000

0 145 290 580 870 1,160 1,450
Meters

File Number: Z-8976
Planner: MS
Technician RC
Date: November 8, 2018

Project Location: E:\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\10.3.1 Versions\EXCERPT_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-8976 MS

MAP PREPARED: 2018/11/08 RC

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

File: H-8934
Planner: L. Mottram

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: Sifton Properties Limited**
2626 Sheffield Boulevard
Removal of Holding Provisions
Meeting on: **December 10, 2018**

Recommendation

That, on the recommendation of the Senior Planner, Development Services, based on the application by Sifton Properties Limited, relating to lands located at 2626 Sheffield Boulevard, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting to be held on December 18, 2018 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands **FROM** a Holding Residential R5/R6/R7/R8 Special Provision (h•h-71•h-100•R5-6(8)/R6-5(31)/R7(16)•D75•H13/R8-4(17)) Zone **TO** a Residential R5/R6/R7/R8 Special Provision (R5-6(8)/R6-5(31)/R7(16)•D75•H13/R8-4(17)) Zone to remove the h, h-71 and h-100 holding provisions.

Executive Summary

Purpose and the Effect of Recommended Action

The purpose and effect of this zoning change is to remove the h, h-71 and h-100 holding symbols from the zone map to permit the development of 44 attached cluster townhouse dwellings.

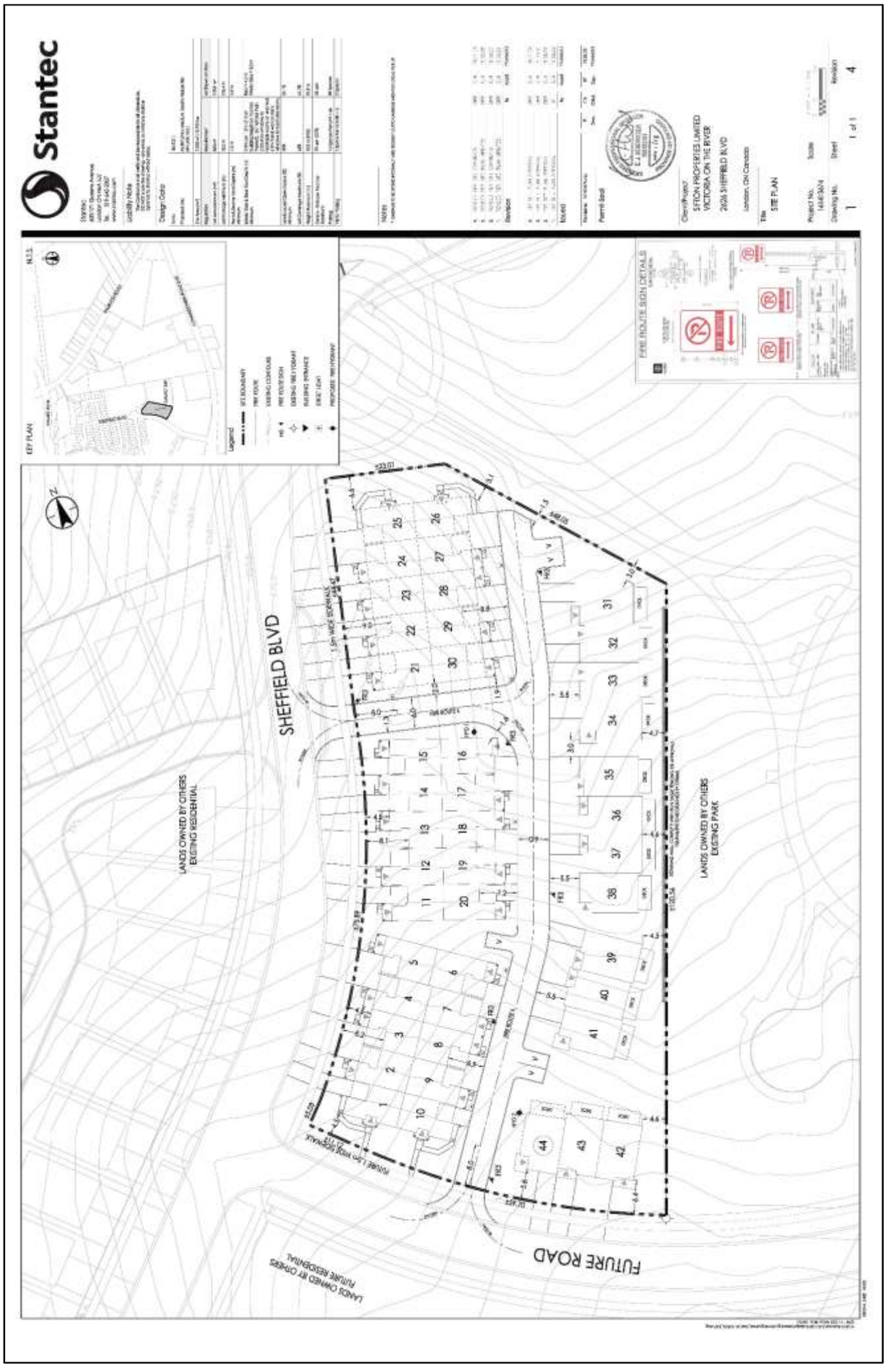
Rationale of Recommended Action

1. The conditions for removing the holding (h, h-71 & h-100) provisions have been met and the recommended amendment will allow development of a proposed 44 unit townhouse development in compliance with the Zoning By-law.
2. Performance security has been posted in accordance with City policy, and a Development Agreement has been executed by the applicant and the City.
3. As part of the Site Plan Approval process, a building orientation plan has been reviewed and accepted which demonstrates front façades of the dwelling units will be oriented to Sheffield Boulevard and the future Kettering Street.
4. Provision has been made for a looped watermain system to ensure adequate water service, and provision of a temporary emergency access to the satisfaction of the City.

Analysis

1.1 Location Map

1.2 Site Plan – 2626 Sheffield Boulevard



1.3 Building Elevations – 2626 Sheffield Boulevard

2.0 Description of Proposal

The purpose and effect of this zoning amendment is to remove the holding symbols to permit residential development consisting of 44, 2-storey and 3-storey townhouses.

3.0 Revelant Background

3.1 Planning History

On November 8, 2016 the Approval Authority for the City of London granted Final Approval for the third phase of the Victoria on the River subdivision consisting 48 single detached lots, three (3) medium density residential blocks and one (1) 0.3 m reserve block, served by a primary collector road (Sheffield Boulevard), and extension of Seven Oaks Ridge, Holbrook Drive and Leeds Crossing. The plan was subsequently registered on November 16, 2016 as Plan 33M-707.

On September 5, 2017, Municipal Council approved an amendment to remove the holding provisions on the medium density residential block fronting Holbrook Drive (Block 49) within Phase 3. The current application request applies to medium density residential Block 50. The zoning of this block is Holding Residential R5/R6/R7/R8 Special Provision (h•h-71•h-100•R5-6(8)/R6-5(31)/R7(16)•D75•H13/R8-4(17)) which permits, subject to removal of the holding provisions, such uses as single detached cluster housing, attached townhouses, stacked townhouses, low-rise apartment buildings, senior citizens apartment buildings, and continuum of care facilities; with a special provision for a reduced front yard setback to permit buildings to be located closer to the street in accordance with the City's Placemaking Guidelines.

An application for Site Plan Approval was recently submitted by Sifton Properties Limited for development of 44 cluster townhouse dwelling units.

4.0 Key Issues and Considerations

4.1 Have the conditions for removal of the holding (h, h-71 and h-100) provisions been met?

The purpose of the holding ("h") provision in the zoning by-law is as follows:

> *"Purpose*: *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.*

A Development Agreement was recently executed between Sifton Properties Limited and the City of London. Sifton Properties Limited have also posted security as required by City policy and the Development Agreement. Therefore, the condition has been met for removal of the "h" provision.

The purpose of the holding ("h-71") provision in the zoning by-law is as follows:

> *Purpose: To encourage street orientation development, the Owner shall prepare a building orientation plan which demonstrates how the front façade of the dwelling units can be oriented to all abutting streets (except where a noise barrier has been approved), acceptable to the General Manager of Planning and Development. The recommended building orientation will be incorporated into the approved site plan and executed development agreement prior to the removal of the "h-71" symbol.*

An application for Site Plan Approval has been submitted by Sifton Properties Limited (SPA18-071). The proposed development consists of 44 townhouse dwellings arranged in clusters of units attached side-by-side, as well as several units attached back-to-back. The building orientation plan demonstrates front facades of dwelling units oriented to the abutting streets (Sheffield Boulevard and future Kettering Street).

As part of the site plan review process, the plans and building elevations were reviewed for compliance with the City's Placemaking Guidelines and with the Old Victoria Area Plan Design Guidelines. The plans have now been accepted, a draft Development Agreement has been prepared that is acceptable, and securities have been received. Development Services staff are satisfied that the "h-71" symbol can be lifted from the zoning.

The purpose of the holding ("h-100") provision in the Zoning By-law is as follows:

> *Purpose: 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: A maximum of 80 residential units.*

The subdivision servicing drawings were previously reviewed and have been accepted by the City. Sifton Properties Limited has also completed installation of the services in Phase 3, including watermains and water looping of the subdivision. The subject townhouse block will be serviced by the existing watermain on Sheffield Boulevard. The temporary emergency access and associated works on Sheffield Boulevard have already been completed as part of Phases 1 and 2. The Subdivision Agreement for the current phase contains a provision requiring the Owner to reconstruct Sheffield Boulevard to remove the temporary emergency access and pavement marking and restore the boulevard, pathway, trees, street lights, parking bay, and associated roadworks when a second public access is provided, at the direction and satisfaction of the City Engineer.

It should be noted that Sifton Properties Limited is working with Development Services staff on public road and pedestrian pathway connections through the lands to the east, immediately adjacent the Victoria on the River subdivision (formerly the Gooyers/Grenier lands at 1938 and 1964 Commissioners Road East). The initial proposal report has been presented to City staff and a formal application for approval of draft plan of subdivision is expected to be submitted shortly.

5.0 Conclusion

In the opinion of Staff, the holding zone requirements have been satisfied and it is appropriate to proceed to lift the holding ("h", "h-71" and "h-100") symbols from the zoning applied to this site.

Prepared & Recommended by:	**Larry Mottram, MCIP, RPP** **Senior Planner, Development Planning**
Reviewed by:	**Lou Pompilii, 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**
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)

December 3, 2018
GK/PY/LP/LM/lm
Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2018\H-8934 - 2626 Sheffield Blvd\2626 Sheffield Blvd H-8934 LM Report 1of1.docx

File: H-8934
Planner: L. Mottram

Appendix A

Bill No. (Number to be inserted by Clerk's Office)
2019

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 2626 Sheffield Boulevard.

WHEREAS Sifton Properties Limited have applied to remove the holding provisions from the zoning for the lands located at 2626 Sheffield Boulevard, 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 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 the lands located at 2626 Sheffield Boulevard, as shown on the attached map, to remove the h, h-71 and h-100 holding provisions so that the zoning of the lands as a Residential R5/R6/R7/R8 Special Provision (R5-6(8)/R6-5(31)/R7(16)•D75•H13/R8-4(17)) Zone comes into effect.

2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on December 18, 2018.

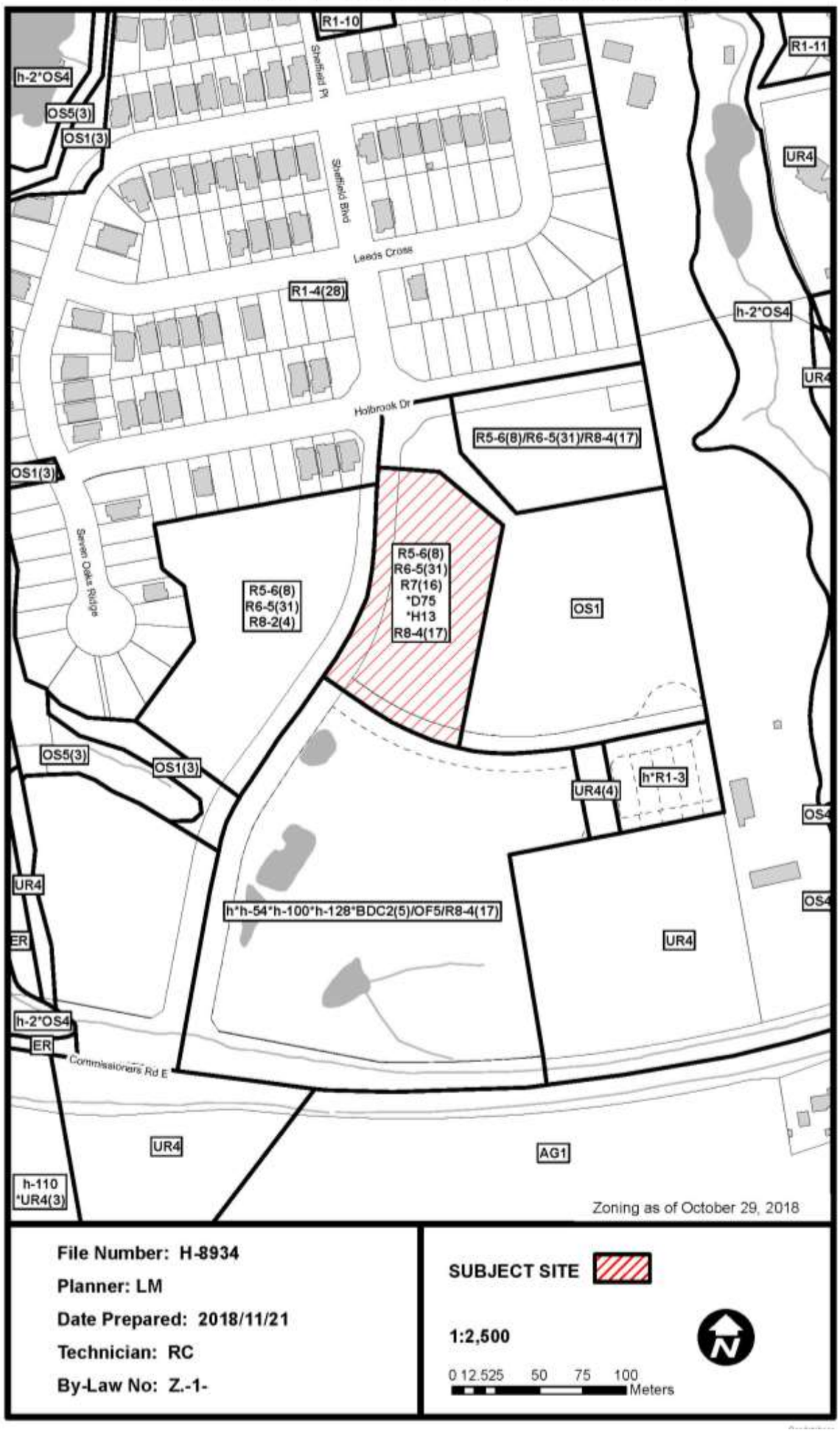
Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 18, 2018
Second Reading – December 18, 2018
Third Reading – December 18, 2018

File: H-8934
Planner: L. Mottram

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



File: H-8934
Planner: L. Mottram

Appendix B – Public Engagement

Community Engagement

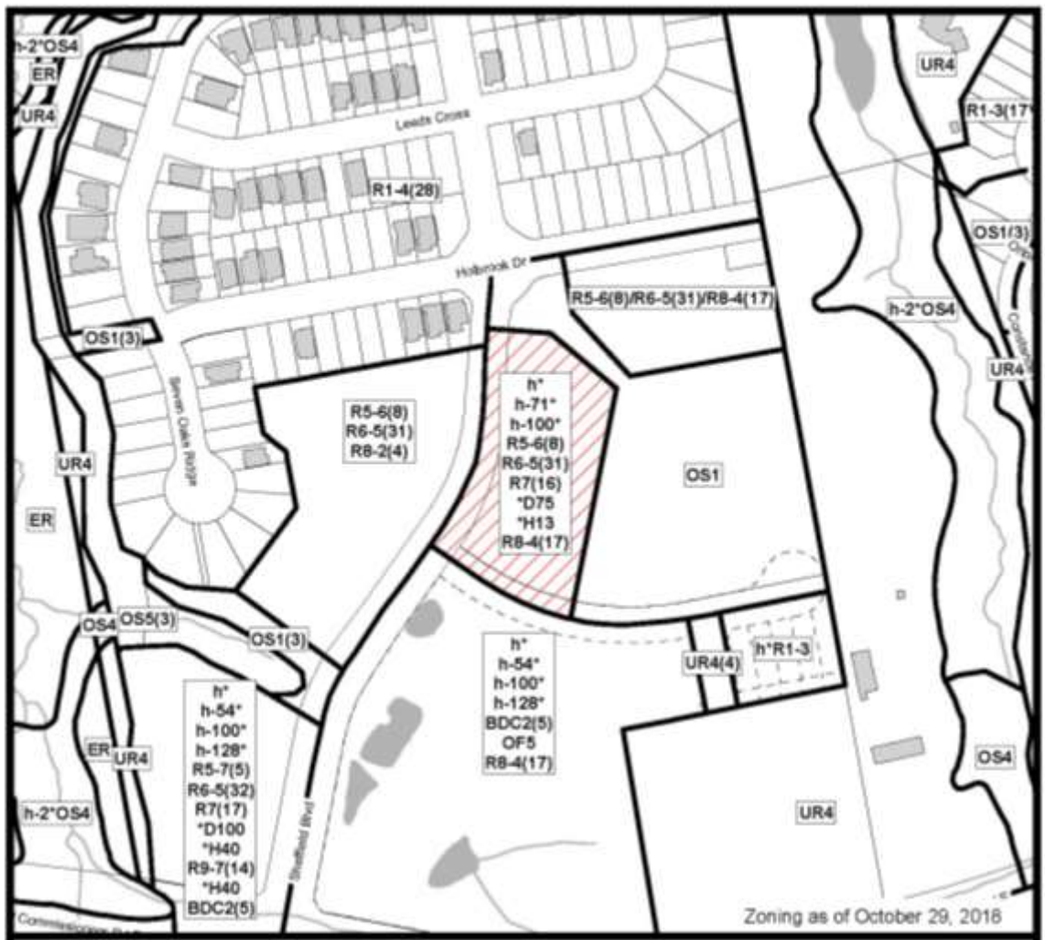
Public liaison: Notice of the application was published in the *Public Notices and Bidding Opportunities* section of The Londoner on September 27, 2018.

0 replies were received

Nature of Liaison: 2626 Sheffield Boulevard – Block 50 Plan 33M-707; located on the east side of Sheffield Boulevard, north of Commissioners Road East – City Council intends to consider removing the Holding ("h", "h-71" & "h-100") Provisions from the zoning of the subject lands to allow a future residential development of 44 attached cluster townhomes. The purpose and effect is to allow development of the lands for residential uses permitted under the Residential R5/R6/R7/R8 Special Provision (R5-6(8)/R6-5(31)/R7(16)•D75•H13/R8-4(17) 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. The "h-71" symbol is intended to ensure a building orientation plan is prepared which demonstrates how the front façade of the dwelling units can be oriented to all abutting streets. The recommended building orientation plan will be incorporated into the approved site plan and development agreement prior to removal of the "h-71" symbol. The "h-100" symbol is intended 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. Interim uses may be permitted up to 80 units maximum. Council will consider removing the holding provisions as it applies to these lands no earlier than November 6, 2018.

Appendix C – Relevant Background

Existing Zoning Map



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-8934 LM

MAP PREPARED: 2018/11/21 CK

1:3,000

0 15 30 60 90 120 Meters

File: 39T-11502
Planner: Nancy Pasato

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: **Applicant/Appellant: Sherway Limited**
LPAT Final Decision Draft Plan of Subdivision, Official Plan and Zoning By-law Amendment - 2054 Adelaide Street North
Meeting on: **December 10, 2018**

Recommendation

That, on the recommendation of the Senior Planner, Development Services, the following report related to the Local Planning Appeal Tribunal decision on the appeal by Sherway Limited, relating to draft plan of subdivision (39T-11502), Official Plan and Zoning By-law Amendment (OZ-7921)for the lands located at 2054 Adelaide Street North **BE RECEIVED** for information.

Executive Summary

The subject site is a 21 hectares (52 acres) parcel of land located east of Adelaide Street, north of Sunningdale Road and adjacent to the municipal boundary (Municipality of Middlesex Centre). This site currently houses an estate home with an access to Adelaide Street North. The majority of the property is currently being farmed. The lands generally roll from east to west and north to south.

The site also contains a Potential Environmentally Significant Area (ESA), and a Provincially Significant Wetland (PSW).

The lands to the west consists of a recently approved draft plan of subdivision (known as the Applewood Subdivision, also owned by the Applicant, file 39T-09501). The lands directly abutting to the north are within the Municipality of Middlesex Centre, designated as agricultural and open space, and are being used for cash crops. The existing Sun Canadian Oil Pipeline runs along the entire north limit of this site. A location map of the site is attached.

The original application consisted of 14 low density residential blocks (approximately 330 units comprised of single detached and/or street townhouse units, or cluster housing at a maximum density of 30 units per hectare); 1 future residential block (to be combined with lands to the south); 2 low/medium density residential blocks (approximately 80 cluster singles/semi-detached/townhouse or stacked townhouse units); 2 open space/walkway blocks; 3 road reserves/ road widening blocks; 1 future road block; and served by 1 new secondary collector road.

Staff ultimately recommended a redlined draft plan of subdivision (and associated revised Zoning By-law amendment) with 15 low density blocks, 2 medium density blocks, 3 open space blocks, 1 park block, and several 0.3 m reserves and road widening's, all served by 1 new secondary collector and 4 new local streets.

On September 9th, 2014, a public meeting was held for the above noted application. The Applicant did not formally object to any conditions at the Public Meeting. The Planning and Environment Committee (PEC) recommended approval of the Official Plan and Zoning By-law amendments, and recommended that the Approval Authority grant draft approval to the redline plan of subdivision, as proposed by Staff. This was subsequently supported by Municipal Council on September 16, 2014. On October 16,

2014, an appeal was received by the Ontario Municipal Board (now the Local Planning Appeal Tribunal, or LPAT) for the Official Plan and Zoning By-law Amendments for this site. Both appeals were made by the Owner/Applicant, Peter Sergautis (Sherway Limited). The basis of the appeal is stated as the following:

- Environmental setbacks and mapping are incorrect;
- Conditions of draft approval are unreasonable and will interfere with orderly and economic development of subject lands; and,
- Access to publically funded and available municipal services on municipal road allowances restricted.

The Applicant subsequently appealed a lack of decision on the draft plan of subdivision in July of 2016 and has asked the LPAT to consolidate all of the appeals.

Since the consolidation of hearings, the Applicant had met with Staff on a without prejudice basis to discuss the development limit and the extent of the natural heritage features. A resolution was agreed upon by all parties. Also, at the time of these discussions, the Applicant provided a proposed revised plan of subdivision. The Applicant's revised submission included 132 single detached lots, one (1) low density block, two (2) medium density blocks, four (4) open space blocks, one (1) future access block, one (1) road widening block, several 0.3 m reserves, all served by four (4) new local streets and one (1) new secondary collector (Superior Drive). A report to Planning and Environment Committee with the proposed settlement was received by Municipal Council on October 17, 2017.

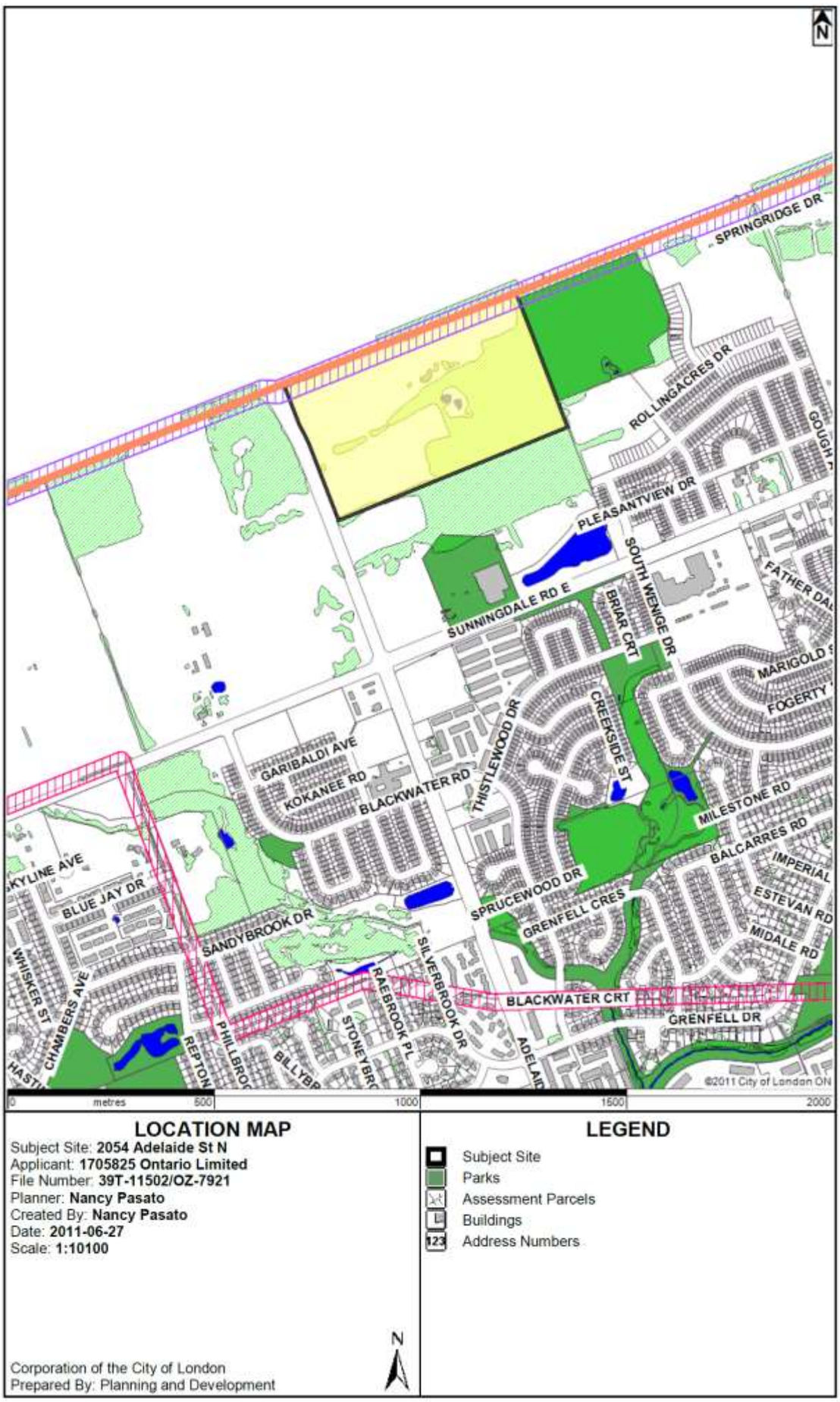
The LPAT settlement hearing was held on May 2, 2018. A decision on the settlement was issued on July 19, 2018 (Appendix "A"), however an error in the mapping was discovered. The LPAT issued a revised decision to approve the Official Plan, Zoning, and revised Subdivision Draft Plan Approval, subject to the completion of conditions as directed by the Tribunal on November 5, 2018 (Appendix "B").

As per Section 51 (34) of the Planning Act, the draft approval lapse date will be November 5, 2023.

The full LPAT decision from July 19, 2018 and November 5, 2018 is available in Appendix "A" and Appendix "B" of this report.

File: 39T-11502
Planner: Nancy Pasato

Location Map



LOCATION MAP

Subject Site: **2054 Adelaide St N**
Applicant: **1705825 Ontario Limited**
File Number: **39T-11502/OZ-7921**
Planner: **Nancy Pasato**
Created By: **Nancy Pasato**
Date: **2011-06-27**
Scale: **1:10100**

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

N

LEGEND

- Subject Site
- Parks
- Assessment Parcels
- Buildings
- 123 Address Numbers

Prepared & Recommended by:	**Nancy Pasato, MCIP, RPP** **Senior Planner, Development Services**
Reviewed by:	**Lou Pompilii, MPA, 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	

December 3, 2018
NP/

CC: Matt Feldberg, Manager, Development Services (Subdivisions)

\\CLFILE1\users-x\pdda\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2011\39T-11502 - 2054 Adelaide Street North (NP)\OMB and Settlement\report on OMB decision Comfort Subdivision.docx

Appendix “A” – LPAT Decision July 19, 2018

Appendix “B” – LPAT Decision November 5, 2018

Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement local

ISSUE DATE: July 19, 2018 **CASE NO(S).:** PL141245

The Ontario Municipal Board (the "OMB") is continued under the name Local Planning Appeal Tribunal (the "Tribunal"), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

PROCEEDING COMMENCED UNDER subsection 17(24) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	Sherway Limited
Subject:	Proposed Official Plan Amendment No. OPA 596
Municipality:	City of London
OMB Case No.:	PL141245
OMB File No.:	PL141245
OMB Case Name:	Sherway Limited v. London (City)

PROCEEDING COMMENCED UNDER subsection 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	Sherway Limited
Subject:	By-law No. Z-1-142343/OZ-7921
Municipality:	City of London
OMB Case No.:	PL141245
OMB File No.:	PL141246

PROCEEDING COMMENCED UNDER subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant:	1705825 Ontario Ltd.
Subject:	Proposed Plan of Subdivision - Failure of the City of London to make a decision
Purpose:	To permit a residential subdivision
Property Address/Description:	2054 Adelaide Street N.
Municipality:	City of London
Municipality File No.:	39T-11502
OMB Case No.:	PL141245
OMB File No.:	PL160702

Heard: May 2, 2018 in London, Ontario

APPEARANCES:

Parties	**Counsel**
Peter Sergautis and Sherway Limited	A. Ferreira
City of London	N. Hall

MEMORANDUM OF ORAL DECISION DELIVERED BY S. JACOBS ON MAY 2, 2018 AND ORDER OF THE TRIBUNAL

[1] Sherway Limited ("Sherway") wishes to develop a subdivision at its property located at 2054 Adelaide Street North in London (the "subject property"). While the City of London (the "City") amended its Official Plan (the "OPA") and Zoning By-law (the "ZBA") in response to Sherway's application, Sherway did not find these instruments to be satisfactory and appealed to the Ontario Municipal Board (the "Board"), now continued as the Local Planning Appeal Tribunal (the "Tribunal"), pursuant to s. 17(24), 34(19), and 51(34) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended (the "Act").

[2] The parties arrived at a settlement and this hearing was convened as a settlement hearing. Sherway circulated notice of the hearing in accordance with the Tribunal's direction, however, no one other than Sherway and the City appeared at the hearing.

[3] As a result of the settlement, the parties proposed the modifications to the OPA, ZBA, and draft plan of subdivision as detailed in Attachment 1.

[4] The Tribunal qualified Nancy Pasato to provide opinion evidence in the area of land use planning; Ms. Pasato provided evidence in support of the proposed instruments by affidavit, filed as Exhibit 2.

[5] Based on Ms. Pasato's uncontested planning evidence, the Tribunal is satisfied

that the proposed instruments are consistent with the *Provincial Policy Statement, 2014*, that the ZBA conforms with the City's Official Plan, that the draft plan of subdivision has appropriate regard for the matters set out in s. 51(24) of the Act, and that all of the instruments represent good land use planning. The Tribunal will therefore allow the appeals in part.

ORDER

[6] The Tribunal orders that the appeals are allowed in part.

[7] The Tribunal orders that City of London Official Plan Amendment No. 596 is modified in accordance with Appendix B of Attachment 1 to this Order.

[8] The Tribunal further orders that City of London Zoning By-law No. Z.-1-142343 is amended in accordance with Appendix C of Attachment 1 to this Order.

[9] The Tribunal further orders that the draft plan of subdivision shown in Appendix A of Attachment 1 to this Order is approved subject to the fulfillment of the conditions set out in Appendix A of Attachment 1 to this Order.

[10] And the Tribunal orders that pursuant to s. 51(56.1) of the *Planning Act*, the City of London shall have the authority to clear the conditions of draft plan approval and to administer final approval of the plan of subdivision for the purposes of subsection 51(58) of the Act. In the event that there are any difficulties implementing any of the conditions of draft plan approval, or if any changes are required to be made to the draft plan, the Tribunal may be spoken to.

"S. Jacobs"

S. JACOBS
MEMBER

Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement local

ISSUE DATE: November 05, 2018 **CASE NO(S).:** PL141245

The Ontario Municipal Board (the "OMB") is continued under the name Local Planning Appeal Tribunal (the "Tribunal"), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

PROCEEDING COMMENCED UNDER subsection 17(24) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	Sherway Limited
Subject:	Proposed Official Plan Amendment No. OPA 596
Municipality:	City of London
OMB Case No.:	PL141245
OMB File No.:	PL141245
OMB Case Name:	Sherway Limited v. London (City)

PROCEEDING COMMENCED UNDER subsection 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	Sherway Limited
Subject:	By-law No. Z-1-142343/OZ-7921
Municipality:	City of London
OMB Case No.:	PL141245
OMB File No.:	PL141246

PROCEEDING COMMENCED UNDER subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant:	1705825 Ontario Ltd.
Subject:	Proposed Plan of Subdivision - Failure of the City of London to make a decision
Purpose:	To permit a residential subdivision
Property Address/Description:	2054 Adelaide Street N.
Municipality:	City of London
Municipality File No.:	39T-11502
OMB Case No.:	PL141245
OMB File No.:	PL160702

APPEARANCES:

Parties	**Counsel**
Peter Sergautis and Sherway Limited	A. Ferreira
City of London	N. Hall

AMENDING DECISION OF THE TRIBUNAL DELIVERED BY S. JACOBS

[1] In accordance with Rule 24.04 of the Tribunal's *Rules of Practice and Procedure*, the Tribunal may at any time and without prior notice to the parties correct a technical or typographical error made in a decision or order. Subsequent to the issuance of the Decision and Order of the Tribunal on July 19, 2018 (the "Decision"), the parties advised the Tribunal that the Appendix B and Appendix C of Attachment 1 they provided to the Tribunal and were appended to the Decision contained omissions and errors.

[2] The Decision is hereby amended by replacing Appendix B and Appendix C of Attachment 1 with the corrected Appendix B and Appendix C of Attachment 1 appended to this Amending Decision.

[3] In all other respects the Tribunal's Decision remains the same.

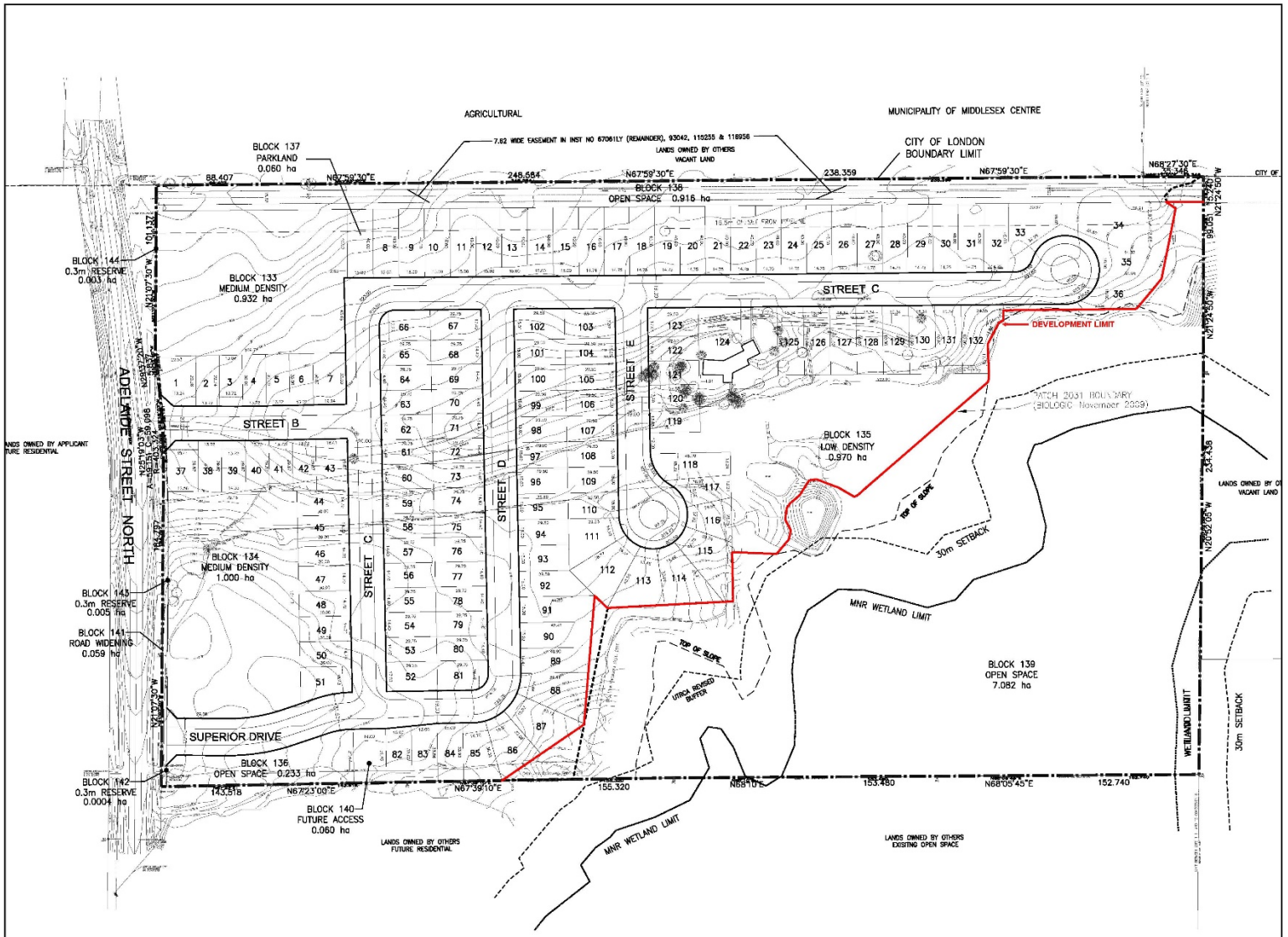
"S. Jacobs"

S. JACOBS
MEMBER

If there is an attachment referred to in this document,
please visit www.elto.gov.on.ca to view the attachment in PDF format.

Appendix A

Revised Draft Plan and Conditions of Draft Approval



KEY PLAN

DRAFT PLAN OF SUBDIVISION

OF PART OF
SOUTH HALF OF LOT 12
CONCESSION 6
(GEOGRAPHIC TOWNSHIP OF LONDON)
CITY OF LONDON
COUNTY OF MIDDLESEX

INFORMATION REQUIRED UNDER SECTION 51 (17) OF THE PLANNING ACT

A) As shown	G) As shown
B) As shown	H) Municipal water supply available
C) As shown	I) Clayey Silt
D) As listed above	J) As shown
E) As shown	K) All municipal services to be available
F) As shown	L) As shown

PROPOSED LAND USES AND AREAS

LOW DENSITY RESIDENTIAL (LOTS 1–132)	7.148 ha
MEDIUM DENSITY RESIDENTIAL (BLOCKS 133–134)	1.932 ha
LOW DENSITY (BLOCK 135)	0.970 ha
OPEN SPACE AND PARKLAND (BLOCKS 136–139)	8.291 ha
FUTURE ACCESS (BLOCK 140)	0.060 ha
ROAD WIDENING (BLOCK 141)	0.059 ha
0.3m RESERVES (BLOCKS 142–144)	0.008 ha
PROPOSED ROADS	2.733 ha
TOTAL AREA	21.198 ha

OWNER'S CERTIFICATE

SHERWAY LIMITED
HEREBY CONSENTS TO THE FILING OF THIS PLAN IN DRAFT FORM

PETER SIBRAGTSIS, PRESIDENT — DATED

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY SHOWN ON THIS PLAN.

BRUCE S. BAKER, ONTARIO LAND SURVEYOR — DATED
AGM SURVEYING & ENGINEERING

NO.	REVISION	DATE	INITIAL

ZELINKA PRIAMO LTD
A Professional Planning Practice
318 Wellington Road, London, Ontario N6C 4P4
Tel: (519) 474-7137 Fax: (519) 474-2284 e-mail: zp@zpplan.com

DRAWN BY: CTK	PROJECT NO: SRG/LON/11–01
DATE: FEBRUARY 2017	SCALE: 1:1,000

THE CORPORATION OF THE CITY OF LONDON'S CONDITIONS AND AMENDMENTS TO FINAL APPROVAL FOR THE REGISTRATION OF THIS SUBDIVISION, FILE NUMBER 39T-11502 ARE AS FOLLOWS:

NO. **CONDITIONS**

1. This draft approval applies to the draft plan as submitted by 1705825 Ontario Limited c/o Peter Sergautis (File No. 39T-11502), prepared by Zelinka Priamo Limited and certified by Bruce Baker, AGM Surveying (Project No. SRG/LON/11-01, dated August, 2016), as red-lined, which shows 132 single detached lots, one (1) low density block, two (2) medium density blocks, three (3) open space/parkland blocks, one (1) future access block, one (1) road widening and three (3) 0.3 m reserves, all served by one (1) new secondary collector (Superior Drive) and four (4) new local streets.

2. This approval applies for five years, and if final approval is not given by that date, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority.

3. The road allowances included in this draft plan shall be shown on the face of the plan and dedicated as public highways.

4. The Owner shall request that street(s) shall be named to the satisfaction of the City.

5. The Owner shall request that the municipal address shall be assigned to the satisfaction of the City.

6. Prior to final approval, the Owner shall submit to the City a digital file of the plan to be registered in a format compiled to the satisfaction of the City of London and referenced to NAD83UTM horizon control network for the City of London mapping program.

7. The subdivision agreement between the Owner and the City shall be registered against the lands to which it applies. Prior to final approval the Owner shall pay in full all municipal financial obligations/encumbrances on the said lands, including property taxes and local improvement charges.

8. In conjunction with registration of the plan, the Owner shall provide to the appropriate authorities such easements as may be required for all municipal works and services associated with the development of the subject lands, such as road, utility, drainage or stormwater management (SWM) purposes, to the satisfaction of the City, at no cost to the City.

9. Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with City a complete submission consisting of all required clearances, fees, and final plans, and to advise the City in writing how each of the conditions of draft approval has been, or will be, satisfied. The Owner acknowledges that, in the event that the final approval package does not include the complete information required by the City, such submission will be returned to the Owner without detailed review by the City.

10. Prior to final approval for the purpose of satisfying any of the conditions of draft approval

herein contained, the Owner shall file, with the City, complete submissions consisting of all required studies, reports, data, information or detailed engineering drawings, all to the satisfaction of the City. The Owner acknowledges that, in the event that a submission does not include the complete information required by the City, such submission will be returned to the Owner without detailed review by the City.

Planning

11. The Owner shall provide the purchasers of all lots in the subdivision with a zoning information package pertaining to residential driveway locations and widths. The Owner shall obtain and provide to the City written acknowledgement from the purchaser of each lot in this plan that their driveway will be installed and maintained in accordance with the requirements of the Zoning By-law. The information package and written acknowledgement shall be in a form satisfactory to the City.

12. The Subdivision Agreement shall contain warning clauses advising future residents of nearby agricultural operations and its potential impact on residential uses by owners.

13. Within one year of registration of 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 within Block 138 parallel to the rear property line of Lots 8-33 inclusive, and the side property line of Lot 34 adjacent to the City's proposed pathway and the Sun Canadian High Pressure Pipeline, to the satisfaction of the City.

14. The Owner shall include the following clauses to be registered on title within the Subdivision Agreement:

    "*Purchasers are advised that Block 133 and Lots 8-34 inclusive are adjacent to the registered Easement Lands of Sun Canadian which contains within a high-pressure petroleum products transmission pipeline. Unauthorized use of the easement by others will not be permitted. A 1.5m high chain link fence has been installed between the subject property and the City's pathway and registered easement for the Sun Canadian pipeline. The fence will be located on the City's property and will be under the ownership, control and maintenance of the City of London.*

    Adjoining land owners shall not alter the fence or install private/public access gates in the fence. Sun-Canadian shall inspect the fence annually, as part of the pipeline maintenance program.

    Purchasers of Block 133 and Lots 8-34 inclusive are advised that Block 139 will contain a granular, or asphalt surface walkway in passive parkland."

    The Easement Lands will be owned and maintained by The Corporation of the City of London, and will be utilized for passive parkland purposes accommodating a bicycle/pedestrian pathway. Unauthorized use of the Easement Lands by others will not be permitted.

    Removal or alteration of the City owned fence located within the easement shall not be permitted. Construction equipment access shall not be permitted across the Easement Lands or through the fence.

Any proposed additions or renovations to dwelling units or structures that may reduce the setback distance to the pipeline as stipulated in the City of London Zoning By-law will not be permitted.

No further excavations, alterations to surface or subsurface drainage, including swimming pools, decks, patios etc. shall be constructed within 16.5 m of the rear property line of Lots 8-34 inclusive and within 16.5 m of the side lot line for Block 133 without first obtaining prior written approval from Sun Canadian Oil Limited and the City of London."

Upper Thames River Conservation Authority (UTRCA) and Parks Planning

15. In conjunction with the Design Studies submission, the Owner shall submit a water balance report, prepared by a qualified consultant, to assess the impact the development will have on the Provincially Significant Wetland, and identifying all required mitigation measures, including any requirements to be implemented in the subdivision agreement, to the satisfaction of the City and the UTRCA. The recommendations shall be incorporated into the final EIS and implemented in the subdivision agreement.

16. In conjunction with the Design Studies submission, the Owner shall submit a Hydrogeological Assessment, prepared by a qualified consultant, to evaluate the north pond within Block 135 in order to determine if it is contributing groundwater to the adjacent wetland as well as other functions, and to assess the impact development will have on the Provincially Significant Wetland, and identifying all required mitigation measures, including any requirements to be implemented in the subdivision agreement. The study shall be prepared in accordance with the Hydrogeological Assessment Submissions Conservation Authority Guidelines to Support Development Applications (June, 2013) to the satisfaction of the City and the UTRCA and the findings shall be incorporated into the final EIS and may result in the redlining of the plan.

17. In conjunction with the Design Studies submission, a revised Environmental Impact Study shall be prepared that addresses the UTRCA's and Environmental and Parks Planning's outstanding concerns and incorporates recommendations and findings from the Hydrogeological assessment and the water balance assessment, to the satisfaction of the City and the UTRCA.

18. In conjunction with Design Studies submissions, the Stormwater Management Report (Functional and Final) and Drainage Plan be circulated to the UTRCA for review and sign-off.

19. In accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the Conservation Authorities Act, the proponent shall obtain the necessary permit/approvals from the UTRCA.

Environmental & Parks Planning

20. In conjunction with Design Studies submission, a Buffer Naturalization Plan and Edge Management Plan shall be provided for Block 139 that includes recommendations for the removal of invasive species within the Significant Woodland and the creation of wildlife habitat, to the satisfaction of the City.

21. In conjunction with the Design Studies submission, the Owner shall identify how the recommendations of the EIS, addendums, Hydrogeological and Water Balance reports will be implemented, to the satisfaction of the City.

22. The Owner shall dedicate Blocks 136, 137, 138, and redlined 139 to cover a portion of the required parkland dedication. The remaining parkland dedication for Block 133 will be taken as cash-in-lieu as per By-law CP-9.

23. In conjunction with the Design Studies submission, the Owner shall provide initial pathway concepts for Blocks 136, 137 and 138, to the satisfaction of the City.

24. Within one year of registration of this plan, the Owner shall grade, service and seed Blocks 137 and 138 and construct all works within the park blocks and pathway corridors within the phase being registered, in accordance with the approved plan, to the satisfaction of the City.

25. Within one year of registration of 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 private lots and blocks adjacent to existing and/or future Park and Open Space Blocks, to the satisfaction of the City.

26. The Owner shall not grade into any open space areas (Block 139). 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 existing 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.

27. In conjunction with the Design Studies submission, the Owner shall prepare 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 package shall be delivered to all homeowners upon registration of the transfer to each purchaser within this plan, to the satisfaction of the City.

28. In conjunction with the Design Studies submission, the Owner shall have a qualified arborist prepare 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. Tree preservation shall be established first and grading/servicing design shall be developed to accommodate maximum tree preservation. 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.

29. In conjunction with the Design Studies submission, the Owner shall, in lieu of the standard park grade, service and seed requirements, undertake, by a Registered

Professional Forester, a Hazard Tree Assessment Study for the portion of Block 139 that abuts park and open space. The study will include a tree risk assessment to identify hazard trees or hazardous parts of any trees within falling distance of the park and residential lot lines (this being the hazard tree management zone) and trails (as approved by the City).

Engineering – Sanitary

30. In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit the following sanitary servicing design information:
    i) A sanitary drainage area plan, including the preliminary sanitary sewer routing and the external areas to be serviced, to the satisfaction of the City;
    ii) Propose a suitable routing for the trunk sanitary sewer to be constructed through this plan. Further to this, the consulting engineer shall be required to provide an opinion for the need for an Environmental Assessment under the Class EA requirements for this sanitary trunk sewer; and
    iii) An analysis to establish the water table level of lands within the subdivision with respect to the depth of the sanitary sewers and recommend additional measures, if any, which need to be undertaken to meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407.

31. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of sanitary services for this draft plan of subdivision:
    i) Construct sanitary sewers to serve this Plan (including the extension of a minimum 300 mm (12") sanitary sewer on Sunningdale Road East, at no cost to the City) and connect them to the existing municipal sewer system, namely, the 300 mm (12") diameter sanitary sewer located on Sunningdale Road East, west of 920 Sunningdale Road East which connects to the 375 mm (15") sanitary sewer that runs through an easement in the condominium complex at 620 Thistlewood Drive eventually connecting to the 525 mm (21") municipal trunk sanitary sewer at Thistlewood Drive and Creekside Street;
    ii) Construct a maintenance access road and provide a standard municipal easement for any section of the sewer not located within the road allowance, to the satisfaction of the City; and
    iii) Where trunk sewers are greater than 8 metres in depth and are located within the municipal roadway, the Owner shall construct a local sanitary sewer to provide servicing outlets for private drain connections, to the satisfaction of the City. The local sanitary sewer will be at the sole cost of the Owner. Any exception will require the approval of the City Engineer.

32. In order to prevent any inflow and infiltration from being introduced to the sanitary sewer system, the Owner shall, throughout the duration of construction within this plan of subdivision, undertake measures within this draft plan to control and prevent any inflow and infiltration and silt from being introduced to the sanitary sewer system during and after construction, satisfactory to the City, at no cost to the City, including but not limited to the following:
    i) Not allowing any weeping tile connections into the sanitary sewers within this Plan;

ii) Permitting the City to undertake smoke testing or other testing of connections to the sanitary sewer to ensure that there are no connections which would permit inflow and infiltration into the sanitary sewer. The City may require smoke testing to be undertaken until such time as the sewer is assumed by the City;
iii) Having his consulting engineer confirm that the sanitary sewers meet allowable inflow and infiltration levels as per OPSS 410 and OPSS 407;
iv) Installing Parson Manhole Inserts (or approved alternative satisfactory to the City Engineer) in all sanitary sewer maintenance holes at the time the maintenance holes are installed within the proposed draft plan of subdivision. The Owner shall not remove the inserts until sodding of the boulevard and the top lift of asphalt is complete, all to the satisfaction of the City Engineer; and
v) Any additional measures recommended through the Design Studies stage.

33. Prior to registration of this Plan, the Owner shall obtain consent from the City Engineer to reserve capacity at the Adelaide Pollution Control Plant for this subdivision. This treatment capacity shall be reserved by the City Engineer subject to capacity being available, on the condition that registration of the subdivision agreement and the plan of subdivision occur within one (1) year of the date specified in the subdivision agreement.

    Failure to register the Plan within the specified time may result in the Owner forfeiting the allotted treatment capacity and, also, the loss of his right to connect into the outlet sanitary sewer, as determined by the City Engineer. In the event of the capacity being forfeited, the Owner must reapply to the City to have reserved sewage treatment capacity reassigned to the subdivision.

Engineering – Storm and Stormwater Management (SWM)

34. In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit a Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation to address the following:
    i) Identify the storm/drainage and SWM servicing works for the subject and external lands, if necessary, and how the interim drainage from external lands will be handled, all to the satisfaction of the City;
    ii) Identify major and minor storm flow routes for the subject and external lands, all to the satisfaction of the City, including the preliminary storm sewer routing from this plan to the existing outlet;
    iii) Any geotechnical recommendations in the geotechnical report with respect to construction, grading and drainage of this subdivision in relation to steep slopes and setbacks;
    iv) Develop an erosion/sediment control plan that will identify all erosion and sediment control measures for the subject lands in accordance with City of London and Ministry of the Environment standards and requirements, all to the satisfaction of the City. This plan is to include measures to be used during all phases of construction; and
    v) Implement SWM soft measure Best Management Practices (BMP's) within the Plan, where possible, to the satisfaction of the City. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this Plan and the approval of the City Engineer.

35. In conjunction with the Design Studies submission, the Owner shall have a report

prepared by a qualified consultant, and if necessary, a detailed hydro geological investigation carried out by a qualified consultant, to determine, including but not limited to, the following:

i) The effects of the construction associated with this subdivision on the existing ground water elevations and domestic or farm wells in the area;
ii) Identify any abandoned wells in this plan;
iii) Assess the impact on water balance in the plan;
iv) Any fill required in the plan;
v) Provide recommendations for foundation design should high groundwater be encountered;
vi) Identify all required mitigation measures including Low Impact Development (LIDs) solutions;
vii) Address any contamination impacts that may be anticipated or experienced as a result of the said construction; and
ix) Provide recommendations regarding soil conditions and fill needs in the location of any existing watercourses or bodies of water on the site, all to the satisfaction of the City.

Prior to the issuance of any Certificate of Conditional Approval, the Owner's professional engineer shall certify that any remedial or other works as recommended in the accepted hydro geological report have been implemented by the Owner, to the satisfaction of the City, at no cost to the City.

36. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of stormwater management (SWM) and stormwater services for this draft plan of subdivision:
    i) Construct storm sewers, located within the Stoney Creek Subwatershed, and connect them to the existing municipal storm sewer system, namely, the 1200 mm (48") diameter storm sewer stub located within an easement at 920 Sunningdale Road East on private lands which outlet to the Regional Stoney Creek SWM Facility 1N;
    ii) Make provisions to oversize and deepen the internal storm sewers, if necessary, in this plan, if necessary, to accommodate flows from upstream lands external to this plan;
    iii) Construct and implement erosion and sediment control measures as accepted in the Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation for these lands and the Owner shall correct any deficiencies of the erosion and sediment control measures forthwith; and
    iv) Address forthwith any deficiencies of the stormwater works for this plan.

37. The above-noted Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation, prepared by the Owner's consulting professional engineer, shall be in accordance with the recommendations and requirements of the following:
    i) The SWM criteria and environmental targets for the Stoney Creek Subwatershed Study and any addendums/amendments;
    ii) The accepted Municipal Class EA for Storm Drainage and Stormwater Management Servicing Works for the Stoney Creek Undeveloped Lands (2008) and the Minor revisions/amendments to the Municipal Class EA for Storm Drainage and Stormwater Management Servicing Works for the Stoney Creek Undeveloped Lands (May 2011);

iii) The approved Storm/Drainage and SWM Servicing Functional Report for the subject lands;
iv) The approved Functional Stormwater Management Plan for Regional SWM Facility 1N – AGM Engineering – Revised September 2008 or any updated Functional Stormwater Management Plan;
v) The City's Design Requirements for Permanent Private Stormwater Systems approved by City Council and effective as of January 1, 2012. The stormwater requirements for PPS for all medium/high density residential, institutional, commercial and industrial development sites are contained in this document, which may include but not be limited to quantity/quality control, erosion, stream morphology, etc.;
vi) The City of London Environmental and Engineering Services Department Design Specifications and Requirements, as revised;
vii) The City's Waste Discharge and Drainage By-laws, lot grading standards, Policies, requirements and practices;
viii) The City Council approved Official Plan Policies relating to open watercourse and wetland setbacks, the Owner shall allocate and maintain adequate setbacks as per the Ministry of the Environment and the City requirements, and as per the accepted Environmental Impact Study;
ix) The Ministry of the Environment and Climate Change SWM Practices Planning and Design Manual, as revised; and
x) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies.

38. Prior to the issuance of any Certificates of Conditional Approval, the Owner shall complete the following:
    i) For lots and blocks in this plan or as otherwise approved by the City Engineer, all storm/drainage and SWM related works to serve this plan must be constructed and operational in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City;
    ii) Construct and have operational the major and minor storm flow routes for the subject lands, to the satisfaction of the City; and
    iii) The Owner shall make arrangements with affected property owner(s) to direct overland flows from this plan to SWM Facility 1N via the private lands to the south or provide alternative routing or alternative strategies to manage overland flows as identified through design studies, to the satisfaction and specifications of the City. The Owner shall construct all necessary works and obtain all required easements for the City, as necessary, to the specifications and satisfaction of the City, at no cost to the City.

39. Prior to the acceptance of engineering drawings, the Owner's consulting engineer shall certify the development has been designed such that increased and accelerated stormwater runoff from this subdivision will not cause damage to downstream lands, properties or structures beyond the limits of this subdivision. Notwithstanding any requirements or any approval given by the City, the Owner shall indemnify the City against any damage or claim for damages arising out of or alleged to have arisen out of such increased or accelerated stormwater runoff from this subdivision.

40. The Owner's professional engineer shall ensure that all existing upstream external flows traversing this plan of subdivision are accommodated within the overall minor and major

storm conveyance servicing system(s) design, all to the specifications and satisfaction of the City Engineer.

41. The Owner shall ensure the post-development discharge storm flows from the subject site must not exceed the capacity of the stormwater conveyance system. In an event, where the above conditions cannot be met, the Owner shall provide SWM on-site controls that comply to the accepted Design Requirement for Permanent Private Stormwater Systems.

Engineering – Water

42. In conjunction with the Design Studies submission the Owner shall have their consulting engineer prepare and submit a water servicing report which addresses the following, all to the satisfaction of the City Engineer:
    i) Water distribution system analysis & modeling and hydraulic calculations for the Plan of Subdivision confirming system design requirements are being met;
    ii) Address water quality and identify measures to maintain water quality from zero build-out through full build-out of the subdivision;
    iii) Identify fire flows available from each proposed hydrant to be constructed and determine the appropriate colour hydrant markers (identifying hydrant rated capacity);
    iv) Include a phasing report as applicable which addresses the requirement to maintain interim water quality;
    v) Identify any water servicing requirements necessary to provide water servicing to external lands, incorporating existing area plans as applicable;
    vi) Identify any need for the construction of or improvement to external works necessary to provide water servicing to this Plan of Subdivision;
    vii) Identify the effect of development on existing water infrastructure – identify potential conflicts;
    viii) Include full-sized water distribution and area plan(s); and
    ix) Identify on the water distribution plan the location of valves, hydrants, and the type and location of water quality measures to be implemented (including automatic flushing devices).

43. Prior to the issuance of a Certificate of Conditional Approval and In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of water services for this draft plan of subdivision:
    i) Construct watermains to serve this Plan and connect them to the existing municipal system. This site shall be serviced from the Uplands High Level Water distribution System. Currently the closest watermain for this pressure sysem is the existing 300 mm (12”) diameter high level watermain on located on Sunningdale Road at Blackwater Road;
    ii) Extend watermains to site along municipal rights of way, or through future proposed municipal rights of way, in accordance with design standards and requirements through future developments 39T-09501 (660 Sunningdale Road) or along Sunningdale Road and Adelaide Street North to the subjects site, at no cost to the City; and
    iii) In accordance with the Design Standards and requirements, the subdivision shall be serviced from 2 sources of water supply (the watermain system shall be looped) to the satisfaction of the City Engineer where development or phasing of

the development is proposed to proceed beyond 80 units.

44. Prior to the issuance of any Certificates of Conditional Approval the Owner shall install and commission the accepted water quality measures required to maintain water quality within the water distribution system during build-out, all to the satisfaction of the City Engineer, at no cost to the City. The measures which are necessary to meet water quality requirements, including their respective flow settings, etc shall be shown clearly on the engineering drawings.

45. Implemented water quality measures shall remain in place until there is sufficient occupancy demand to maintain water quality within the Plan of Subdivision without their use. The Owner is responsible to meter and pay the billed costs associated with any automatic flushing devices including water discharged from any device from the time of their installation until removal. Any incidental and/or ongoing maintenance of the automatic flushing devices is/are the responsibility of the Owner.

46. The staging limits in any request for Conditional Approval shall conform to the phasing plan as set-out in the accepted water servicing design study and shall include the implementation of the interim water quality measures. In the event the requested phasing limits differ from the accepted design study the Owner would be required to submit revised phasing plans and hydraulic modeling addressing water quality.

47. With respect to the proposed blocks, the Owner shall include in all agreements of purchase and sale, and/or lease of Blocks in this plan, a warning clause advising the purchaser/transferee that should these develop as a Vacant Land Condominium or in a form that may create a regulated drinking water system under O.Reg. 170/03, the Owner shall be responsible for meeting the requirements of the legislation. If deemed a regulated system, there is potential the City of London could be ordered to operate this system in the future. As such, the system would be required to be constructed to City standards and requirements.

48. The Owner shall obtain all necessary approvals from the City Engineer for individual servicing of blocks in this subdivision, prior to the installation of any water services for the blocks.

Engineering – Transportation

Roadworks

49. The Owner shall construct a cul-de-sacs on Street ‘C’ and Street ‘E’ in accordance with City of London Standard DWG. SR-5.0 (or variation thereof as shown on the draft plan and as approved by the City Engineer.) The Owner shall provide a raised circular centre island (R=8.25m) within the cul-de-sacs or as otherwise directed by the City Engineer.

50. In conjunction with the Design Studies submission, the Owner shall have it’s professional engineer complete the following, all to the specifications and satisfaction of the City:
    i) Demonstrate how Superior Drive will align with Street ‘D’ in Plan 39T-09501 to the west and confirm that the centreline of Superior Drive is aligned

perpendicular to Adelaide Street North and opposite the centreline of Street 'D' in Plan 39T-09501;

ii) Provide a conceptual layout of the roads and rights-of-way of the plan to the City for review and acceptance with respect to road geometries, including but not limited to, right-of-way widths, tapers, bends, intersection layout, daylighting triangles, pavement markings, etc., and include any associated adjustments to the abutting lots; and

iii) Confirm that all streets in the subdivision have centreline radii which conforms to the City of London Standard "Minimum Centreline Radii of Curvature of Roads in Subdivisions.

51. The Owner shall construct Superior Drive at the western boundary of the plan in an alignment with Street 'D' in Plan 39T-09501 to the west, to the satisfaction of the City.

52. The Owner shall construct Superior Drive to secondary collector standards.

53. The Owner shall revise Superior Drive to provide 6.0 metre tangents on Street 'D', west of Street 'C', as per City standards.

54. All through intersections and connections with existing streets and internal to this subdivision shall align with the opposing streets based on the centrelines of the street aligning through their intersections thereby having these streets centred with each other, unless otherwise approved by the City Engineer.

55. The Owner shall construct the right-of-way width on Superior Drive, east of Street 'C' , to be 21.5 metres tapered back over a distance of 30 metres to the standard road allowance of 19 metres (62').

56. The Owner shall provide a minimum of 5.5 metres (18') along the curb line between the projected property lines of irregular shaped lots around the bends on streets in this plan. If not possible, the Owner shall limit the bulge in the curb line on streets in this plan to only a maximum offset from the standard radius required to achieve the minimum curb distance for driveways, as approved by the City Engineer. Further, the bulge in the street line is only to be to the extent required to achieve the minimum frontage for the abutting lots.

57. The Owner shall design and construct the roadworks, as designed by its professional engineer, in accordance with the following road widths:

i) Superior Drive has a minimum road pavement with (excluding gutters) of 9.5 metres (31.2') with a minimum road allowance of 21.5 metres (70');

ii) Street 'B' and Street 'C' (Superior Street to Street 'E'), have a minimum road pavement width (exluding gutters) of 8.0 metres (26.2') with a minimum road allowance of 20 metres (66');

iii) Street 'C' (east of Street 'E'), Street 'E' and Street 'D' has a minimum road pavement width (excluding gutters) of 7.0 metres (23') with a minimum road allowance of 19 metres (62'); and

iv) Superior Drive from Adelaide Street North to 45 metres (150') east has a minimum road pavement width (excluding gutters) of 11.0 metres (36.1') with a minimum road allowance of 22.5 metres (75'). The widened road on Superior Drive shall be equally aligned from the centreline of the road and tapered back to the 9.5 metres (31.2') of road pavement width (excluding gutters) and 21.5

metres (70') of road allowance width for this street with 30 metre (100') long tapers on both street lines.

58. The Owner shall convey Block 140 to the City for a future public road at no cost to the City.

    Prior to Final Approval, if an application for draft plan of subdivision has been accepted by the City on lands to the south of the subject site (known municipally as 1924 Adelaide Street North) and it is determined that a public road connection is needed to service these lands, then the Owner will be required to construct a fully serviced road, to the satisfaction of the City.

    If no application for draft plan of subdivision has been received for 1924 Adelaide Street North prior to final approval for the subject site, Block 140 shall be conveyed to the City for a future public road at no cost to the Municipality.

    If it is determined that the access block is required for a private access, Block 140 shall be sold at market value, as determined by the City acting reasonably to the owners of the adjacent lands for access purposes, and the City shall pay the net proceeds of that sale minus any City costs to the Owner of this plan (39T-11502) within 30 days of such sale.

    Should the City determine that Block 140 is not needed for access purposes (private or public) within ten years from [insert date of board decision], then the City will transfer it back to the Owner of this plan for a nominal fee.

59. Ensure all streets with bends of approximately 90 degrees shall have a minimum inside street line radius with the following City standard:

Road Allowance	S/L Radius
20.0 m	9.0 m
19.0 m	9.5 m
18.0 m	10.0 m

Sidewalks/Bikeways

60. The Owner shall construct a 1.5 metre (5') sidewalk on both sides of Superior Drive.

61. The Owner shall construct a 1.5 metre (5') sidewalk on one side of the following streets:
    i) Street 'B' – north boulevard;
    ii) Street 'C' – south and west boulevard; and
    iii) Street 'D' – east and south boulevard.

Street Lights

62. Within one year of registration of the plan, the Owner shall install street lighting on all streets and walkways in this plan to the satisfaction of the City, at no cost to the City. Where an Owner is required to install street lights in accordance with this draft plan of subdivision and where a street from an abutting developed or developing area is being extended, the Owner shall install street light poles and luminaires, along the street being

extended, which match the style of street light already existing or approved along the developed portion of the street, to the satisfaction of the London Hydro for the City of London.

Boundary Road Works

63. In conjunction with the Design Studies submission, the Owner shall have it's professional consulting engineer submit design criteria for the turn lanes on Adelaide Street North at Superior Drive and Street 'B' and any associated works, for review and acceptance by the City.

64. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall complete the following works, to the satisfaction of the City:
    i) Restrict access to Street 'B' at Adelaide Street North to right-in and right-out only by constructing a centre median island on Adelaide Street North and associated works, to the satisfaction of the City;
    ii) Construct a right turn taper on Adelaide Street at Street 'B' and associated works, to the satisfaction of the City;
    iii) Construct turn lanes on Adelaide Street North at Superior Drive, and any associated works, with sufficient storage and taper to accommodate traffic anticipated by the full build-out of the subdivision to the satisfaction of the City; and
    iv) Install street lighting at the intersection of Superior Drive and Street 'B' with Adelaide Street North to adequately illuminate the intersection, to the specifications and satisfaction of the City, at no cost to the City.

65. The Owner shall be required to make minor boulevard improvements on Adelaide Street North adjacent to this Plan, to the specifications of the City and at no cost to the City, consisting of clean-up, grading and sodding as necessary.

Road Widening

66. The Owner shall be required to dedicate sufficient land to widen Adelaide Street North to 18.0 metres (59.06') from the centreline of the original road allowance.

67. The Owner shall be required to dedicate 6.0 m x 6.0 m "daylighting triangles" at the intersection of Superior Drive with Adelaide Street North and Street 'B' with Adelaide Street North in accordance with the Z-1 Zoning By-law, Section 4.24.

Construction Access/Temporary/Second Access Roads

68. The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Adelaide Street North or other routes as designated by the City.

69. In the event any work is undertaken on an existing street, the Owner shall establish and maintain a Traffic Management Plan (TMP) in conformance with City guidelines and to the satisfaction of the City for any construction activity that will occur on existing public roadways. The Owner shall have it's contractor(s) undertake the work within the

prescribed operational constraints of the TMP. The TMP will be submitted in conjunction with the subdivision servicing drawings for this plan of subdivision.

Engineering – Other

70. The Owner shall comply with all City of London standards, guidelines and requirements in the design of this draft plan and all required engineering drawings, to the satisfaction of the City. Any deviations from the City's standards, guidelines or requirements shall be satisfactory to the City.

71. Prior to the issuance of a Certificate of Conditional Approval for each construction stage of this subdivision, all servicing works for the stage and downstream works must be completed and operational, in accordance with the approved design criteria and accepted drawings, all to the specification and satisfaction of the City.

72. Prior to final approval, the Owner shall make arrangements with the affected property owner(s) for the construction of any portions of services or grading situated on private lands outside this plan, and shall provide satisfactory easements over these works, as necessary, all to the specifications and satisfaction of the City, at no cost to the City.

73. Once construction of any private services, ie: water storm or sanitary, to service the lots and blocks in this plan is completed and any proposed relotting of the plan is undertaken, the Owner shall reconstruct all previously installed services in standard location, in accordance with the approved final lotting and approved revised servicing drawings all to the specification of the City Engineer and at no cost to the City.

74. The Owner shall connect to all existing services and extend all services to the limits of the draft plan of subdivision, at no cost to the City, all to the specifications and satisfaction of the City Engineer.

75. The Owner shall have the common property line of Adelaide Street North graded in accordance with the City of London Standard "Subdivision Grading Along Arterial Roads", at no cost to the City.

    Further, the grades to be taken as the centreline line grades on Adelaide Street North are the future ultimate centreline of road grades as determined by the Owner's professional engineer, satisfactory to the City. From these, the Owner's professional engineer is to determine the ultimate elevations along the common property line which will blend with the ultimate reconstructed road, all to the satisfaction of the City.

76. The Owner shall 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 connection being made to an unassumed service, the following will apply:

i) In the event discharge is to unassumed services, the unassumed services must be completed and conditionally accepted by the City; and
ii) The Owner must provide a video inspection on all affected unassumed sewers.

Any damages caused by the connection to unassumed services shall be the responsibility of the Owner.

77. 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 the 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.

78. 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 served 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.

79. If, during the building or constructing of all buildings or works and services within this subdivision, any deposits of organic materials or refuse are encountered, the Owner shall report these deposits to the City Engineer and Chief Building Official immediately, and if required by the City Engineer and Chief Building Official, the Owner shall, at his own expense, retain a professional engineer competent in the field of methane gas to investigate these deposits and submit a full report on them to the City Engineer and Chief Building Official. Should the report indicate the presence of methane gas then all of the recommendations of the engineer contained in any such report submitted to the City Engineer and Chief Building Official shall be implemented and carried out under the supervision of the professional engineer, to the satisfaction of the City Engineer and Chief Building Official and at the expense of the Owner, before any construction progresses in such an instance. The report shall include provision for an ongoing methane gas monitoring program, if required, subject to the approval of the City engineer and review for the duration of the approval program. If a permanent venting system or facility is recommended in the report, the Owner shall register a covenant on the title of each affected lot and block to the effect that the Owner of the subject lots and blocks must have the required system or facility designed, constructed and monitored to the specifications of the City Engineer, and that the Owners must maintain the installed system or facilities in perpetuity at no cost to the City. The report shall also include measures to control the migration of any methane gas to abutting lands outside the Plan.

80. The Owner's professional engineer shall provide inspection services for all work during construction by its professional engineer for all work to be assumed by the City, and

have its professional engineer supply the City with a Certification of Completion of Works upon completion, in accordance with the plans accepted by the City Engineer.

81. In conjunction with the Design Studies submission, the Owner shall have its professional engineer provide an opinion for the need for an Environmental Assessment under the Class EA requirements for the provision of any services related to this Plan. All class EA's must be completed prior to the submission of engineering drawings.

82. The Owner shall have its professional engineer notify existing property owners in writing, regarding the sewer and/or road works proposed to be constructed on existing City streets in conjunction with this subdivision, all in accordance with Council policy for "Guidelines for Notification to Public for Major Construction Projects".

83. The Owner shall not commence construction or installations of any services (eg. clearing or servicing of land) involved with this Plan prior to obtaining all necessary permits, approvals and/or certificates that need to be issued in conjunction with the development of the subdivision, unless otherwise approved by the City in writing (eg. Ministry of the Environment Certificates, City/Ministry/Government permits: Approved Works, water connection, water-taking, crown land, navigable waterways, approvals: Upper Thames River Conservation Authority, Ministry of Natural Resources, Ministry of the Environment, City, etc.)

84. Prior to any work on the site, the Owner shall decommission and permanently cap any abandoned wells located in this Plan, in accordance with current provincial legislation, regulations and standards. In the event that an existing well in this Plan is to be kept in service, the Owner shall protect the well and the underlying aquifer from any development activity.

85. In conjunction with the Design Studies submission, in the event the Owner wishes to phase this plan of subdivision, the Owner shall submit a phasing plan identifying all required temporary measures, and identify land and/or easements required for the routing of services which are necessary to service upstream lands outside this draft plan to the limit of the plan to be provided at the time of registration of each phase, all to the specifications and satisfaction of the City.

86. If any temporary measures are required to support the interim conditions in conjunction with the phasing, the Owner shall construct temporary measures and provide all necessary land and/or easements, to the specifications and satisfaction of the City Engineer, at no cost to the City.

87. The Owner shall remove any temporary works when no longer required and restore the land, at no cost to the City, to the specifications and satisfaction of the City.

88. The Owner shall decommission any abandoned infrastructure, at no cost to the City, including cutting the water service and capping it at the watermain, all to the specifications and satisfaction of the City.

89. The Owner shall remove all existing accesses and restore all affected areas, all to the satisfaction of the City, at no cost to the City.

90. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.

91. Prior to the issuance of any Certificates of Conditional Approval, the Owner shall have the existing access and services to 2054 Adelaide Street North relocated and/or reconstructed to the satisfaction of the City should the existing dwelling on Lot 124 be retained. Any portion of the existing services not used shall be removed or abandoned and capped to the satisfaction of the City, at no cost to the City. In addition, the Owner shall regrade, if necessary, areas within Block 135 to be compatible with the proposed subdivision grading and drainage, to the satisfaction of the City.

92. In conjunction with the Design Studies submission, the Owner shall provide, to the City for review and acceptance, a geotechnical report or update the existing geotechnical report recommendations to address all geotechnical issues with respect to the development of this plan, including, but not limited to, the following:
    i) Servicing, grading and drainage of this subdivision;
    ii) Road pavement structure;
    iii) Dewatering;
    iv) Foundation design;
    v) Removal of existing fill (including but not limited to organic and deleterious materials);
    vi) The placement of new engineering fill;
    vii) Any necessary setbacks related to slope stability for lands within this plan;
    viii) Identifying all required mitigation measures including Low Impact Development (LIDs) solutions; and
    ix) Cutting/filling, erosion, maintenance and structural setbacks related to slope stability associated with the existing wetlands, all to the satisfaction of the City and the Upper Thames River Conservation Authority (UTRCA).

93. The Owner shall implement all geotechnical recommendations to the satisfaction of the City.

94. Should any contamination or anything suspected as such, be encountered during construction, the Owner shall report the matter to the City Engineer and the Owner shall hire a geotechnical engineer to provide, in accordance with the Ministry of the Environment "Guidelines for Use at Contaminated Sites in Ontario", "Schedule A – Record of Site Condition", as amended, including "Affidavit of Consultant" which summarizes the site assessment and restoration activities carried out at a contaminated site, in accordance with the requirements of latest Ministry of Environment and Climate Change "Guidelines for Use at Contaminated Sites in Ontario" and file appropriate documents to the Ministry in this regard with copies provided to the City. The City may require a copy of the report should there be City property adjacent to the contamination.

    Should any contaminants be encountered within this Plan, the Owner shall implement the recommendations of the geotechnical engineer to remediate, removal and/or disposals of any contaminates within the proposed Streets, Lot and Blocks in this Plan forthwith under the supervision of the geotechnical engineer to the satisfaction of the City at no cost to the City.

In the event no evidence of contamination is encountered on the site, the geotechnical engineer shall provide certification to this effect to the City.

95. In conjunction with the Design Studies submission, the Owner shall submit a Development Charge work plan outlining the costs associated with the design and construction of the DC eligible works. The work plan must be approved by the City Engineer and City Treasurer (as outlined in the most current DC By-law) prior to advancing a report to Planning and Environment Committee recommending approval of the special provisions for the subdivision agreement.

Appendix B

Proposed Official Plan Amendment

Bill No. 531
2018

By-law No. C.P.-1284(__)-___

A by-law to amend the Official Plan for the City of London, 1989 relating to 2054 Adelaide Street North.

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

1. Amendment No. ___ 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 August 28, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – August 28, 2018
Second Reading – August 28, 2018
Third Reading – August 28, 2018

AMENDMENT NO. __

to the

OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To change the designation of certain lands described herein from Low Density Residential, Multi-Family, Medium Density Residential and Environmental Review to Low Density Residential, Multi-Family, Medium Density Residential, and Open Space on Schedule “A”, Land Use, to the Official Plan for the City of London.

2. To add Street A (Superior Drive) as a Secondary Collector road on Schedule “C”, Transportation Corridors, of the Official Plan for the City of London.

B. LOCATION OF THIS AMENDMENT

1. This Amendment applies to lands located at 2054 Adelaide Street North in the City of London.

C. BASIS OF THE AMENDMENT

1. Schedule “A” - The requested change to the Multi-Family, Medium Density Residential along the Adelaide Street frontage is in keeping with the policies of the Official Plan. These lands abut an arterial road, but can be accessed off of Superior Drive to limit any direct traffic impact on Adelaide Street. The proposed height and scale is low rise in nature and will not have a significant impact on surrounding low density residential uses. The proposed medium density use is compatible with surrounding proposed land uses, can accommodate the proposed use, is in close proximity to public open space and recreational facilities (such as the Stoney Creek Community Centre) and future transit. The proposed change to the Open Space designation is also appropriate in order to recognize the extent of the natural heritage features.

2. Schedule “C” - The Stoney Creek Area Plan was never formally adopted by Council and as such, no secondary collector roads were added to Schedule C. Through the subdivision process, the Transportation Division requested that Street A (Superior Drive) be designated as a secondary collector road.

D. THE AMENDMENT

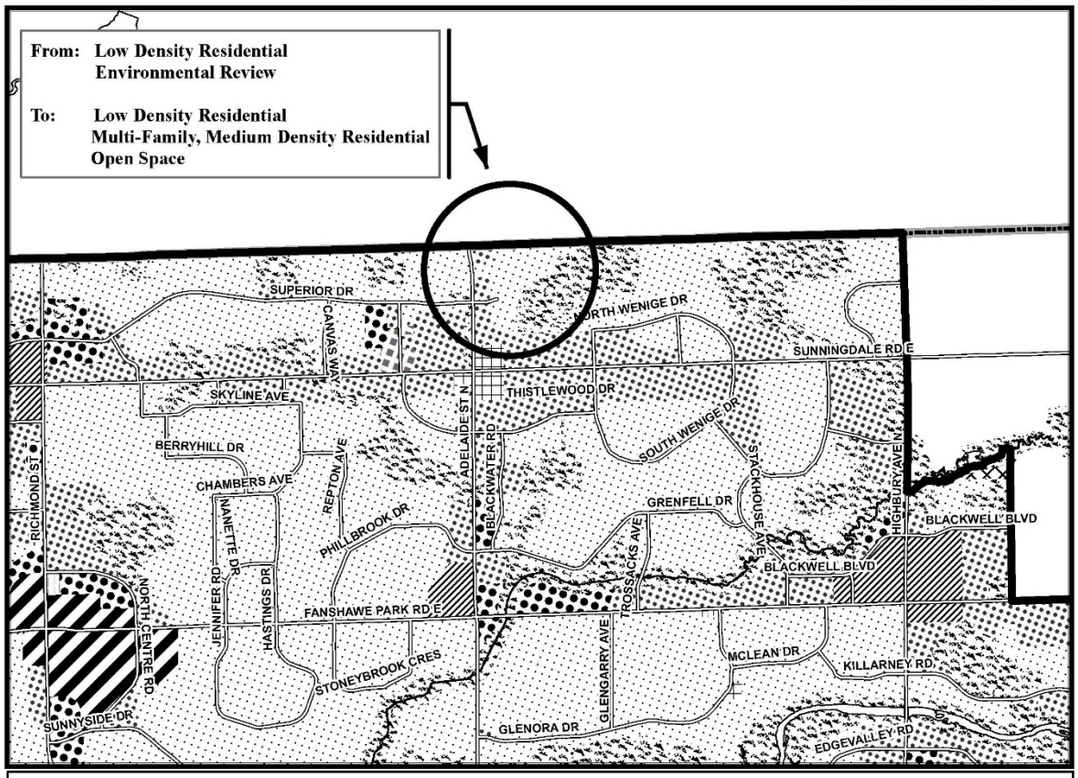
The Official Plan for the City of London is hereby amended as follows:

1. Schedule "A", Land Use, to the Official Plan for the City of London Planning Area is amended by designating those lands located 2054 Adelaide Street North in the City of London, as indicated on "Schedule 1" attached hereto from Low Density Residential, Multi-Family, Medium Density Residential and Environmental Review to Low Density Residential, Multi-Family, Medium Density Residential, and Open Space.

2. Schedule “C”, Transportation Corridors to the Official Plan for the City of London Plan is amended by designating Street A (Superior Drive) from Sunningdale Road East to Street B as a Secondary Collector.

SCHEDULE "A"

AMENDMENT NO:



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

Scale 1:30,000

0 150 300 600 900 1,200 1,500
Meters

FILE NUMBER: OZ-7921
PLANNER: NP
TECHNICIAN: WR
DATE: 2017/09/07

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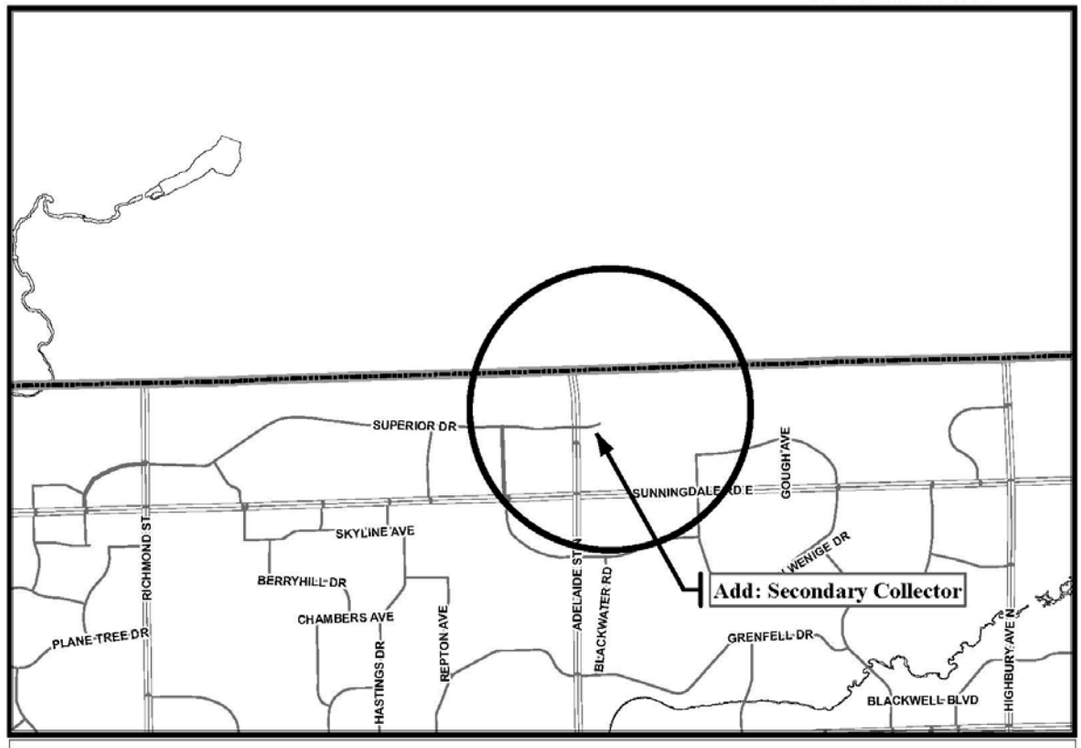
SCHEDULE “C”

AMENDMENT NO:



Legend

ROAD CLASSIFICATION

- Secondary Collector
- Primary Collector
- Arterial
- Freeway
- Expressway

PROPOSED ROAD CORRIDOR

- Proposed Secondary Collector
- Proposed Primary Collector
- Proposed Arterial
- Proposed Freeway
- Proposed Expressway
- Proposed Interchange

THIS IS AN EXCERPT FROM THE PLANNING DIVISION'S WORKING CONSOLIDATION OF SCHEDULE C TO THE CITY OF LONDON OFFICIAL PLAN, WITH ADDED NOTATIONS

SCHEDULE ####### TO OFFICIAL PLAN **AMENDMENT NO. _____** PREPARED BY: Graphics and Information Services	Scale 1:30,000 0 150 300 600 900 1,200 1,500 Meters	**FILE NUMBER:** OZ-7921 **PLANNER:** NP **TECHNICIAN:** WR **DATE:** 2017/09/07

PROJECT LOCATION: e:\planning\projects\p_officialplan\workconsol00\amendments\?????\mxds\scheduleC_b&w_8x11_with_SWAP.mxd

Appendix C

Proposed Zoning By-law Amendment

Bill No.
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 2054 Adelaide Street North.

WHEREAS 1705825 Ontario Limited has applied to rezone an area of land located at 2054 Adelaide Street North, 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;

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 2054 Adelaide Street North, from an Urban Reserve (UR3) Zone and an Environmental Review (ER) Zone to a Holding Residential R1 Special Provision (h. h-100•R1-4(**)) Zone, a Holding Residential R5 Special Provision/Residential R6 Special Provision (h. h-100•R5-2(**)/R6-1(*)) Zone, a Holding Residential R5 Special Provision/R6 Special Provision/Residential R8 Special Provision (h. h-100•R5-4(*)/R6-5(*))/R8-4(*)) Zone, a Holding Residential R5 Special Provision/R6 Special Provision (h. h-100•R5-4(**)/R6-5(**)) Zone, an Open Space (OS1) Zone and an Open Space (OS5) Zone.

2. Section 5.4 of the Residential R1 Zone to By-law No. Z.-1 is amended by adding the following Special Provision:

R1-4(**)

(a) Regulations

i)	Front Yard Setback, Main Dwelling (Minimum):	3 metres (9.8 feet)
ii)	Front Yard Depth for Garages (Minimum.):	5.5 metres (18.0 feet)
iii)	Interior Side Yard Depth (Minimum):	1.2 metres (3.9 feet), except where there is no attached garage, then 3.0 metres (9.8 feet) is required on one side.
iv)	Dwelling Setback From High Pressure Pipeline (Minimum):	20.0 metres (66 feet)

3. Section 9.4 of the Residential R5 Zone to By-law No. Z.-1 is amended by adding the following Special Provision:

R5-2(*)

(a) Regulations

i)	Front Yard Setback, Main Dwellings (Minimum):	3 metres (9.8 feet)
ii)	Front Yard Depth	5.5 metres (18.0 feet)

for Garages (Minimum.):

4. Section 9.4 of the Residential R5 Zone to By-law No. Z.-1 is amended by adding the following Special Provision:

R5-4(*)

(a) Regulations

i)	Front Yard Setback, Main Dwellings (Minimum):	3 metres (9.8 feet)
ii)	Front Yard Depth for Garages (Minimum):	5.5 metres (18.0 feet)

5. Section 9.4 of the Residential R5 Zone to By-law No. Z.-1 is amended by adding the following Special Provision:

R5-4(**)

(a) Regulations

i)	Front Yard Setback, Main Dwellings (Minimum):	3 metres (9.8 feet)
ii)	Front Yard Depth for Garages (Minimum.):	5.5 metres (18.0 feet)
iii)	Dwelling Setback From High Pressure Pipeline (Minimum):	20.0 metres (66 feet)

6. Section 10.4 of the Residential R6 Zone to By-law No. Z.-1 is amended by adding the following Special Provision:

R6-1(*)

(a) Regulations

i)	Front Yard Setback, Main Dwellings (Minimum):	3 metres (9.8 feet)
ii)	Front Yard Depth for Garages (Minimum.):	5.5 metres (18.0 feet)

7. Section 10.4 of the Residential R6 Zone to By-law No. Z.-1 is amended by adding the following Special Provision:

R6-5(*)

(a) Regulations

i)	Front Yard Setback, Main Dwellings (Minimum):	3 metres (9.8 feet)
ii)	Front Yard Depth for Garages (Minimum):	5.5 metres (18.0 feet)

8. Section 10.4 of the Residential R6 Zone to By-law No. Z.-1 is amended by adding the following Special Provision:

R6-5(**)

(a) Regulations

i)	Front Yard Setback, Main Dwellings (Minimum):	3 metres (9.8 feet)
ii)	Front Yard Depth for Garages (Minimum):	5.5 metres (18.0 feet)
iii)	Dwelling Setback From High Pressure Pipeline (Minimum):	20.0 metres (66 feet)

9. Section 12.4 of the Residential R8 Zone to By-law No. Z.-1 is amended by adding the following Special Provision:

R8-4(*)

(a) Regulations

i)	Front Yard Setback, Main Dwellings (Minimum):	3 metres (9.8 feet)

10. 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.

11. This By-law shall come into force and be deemed to come into force in accordance with subsection 34(21) of the *Planning Act, R.S.O. 1990, c. P.13*, either upon the date of the passage of this by-law or as otherwise provided by the said subsection.

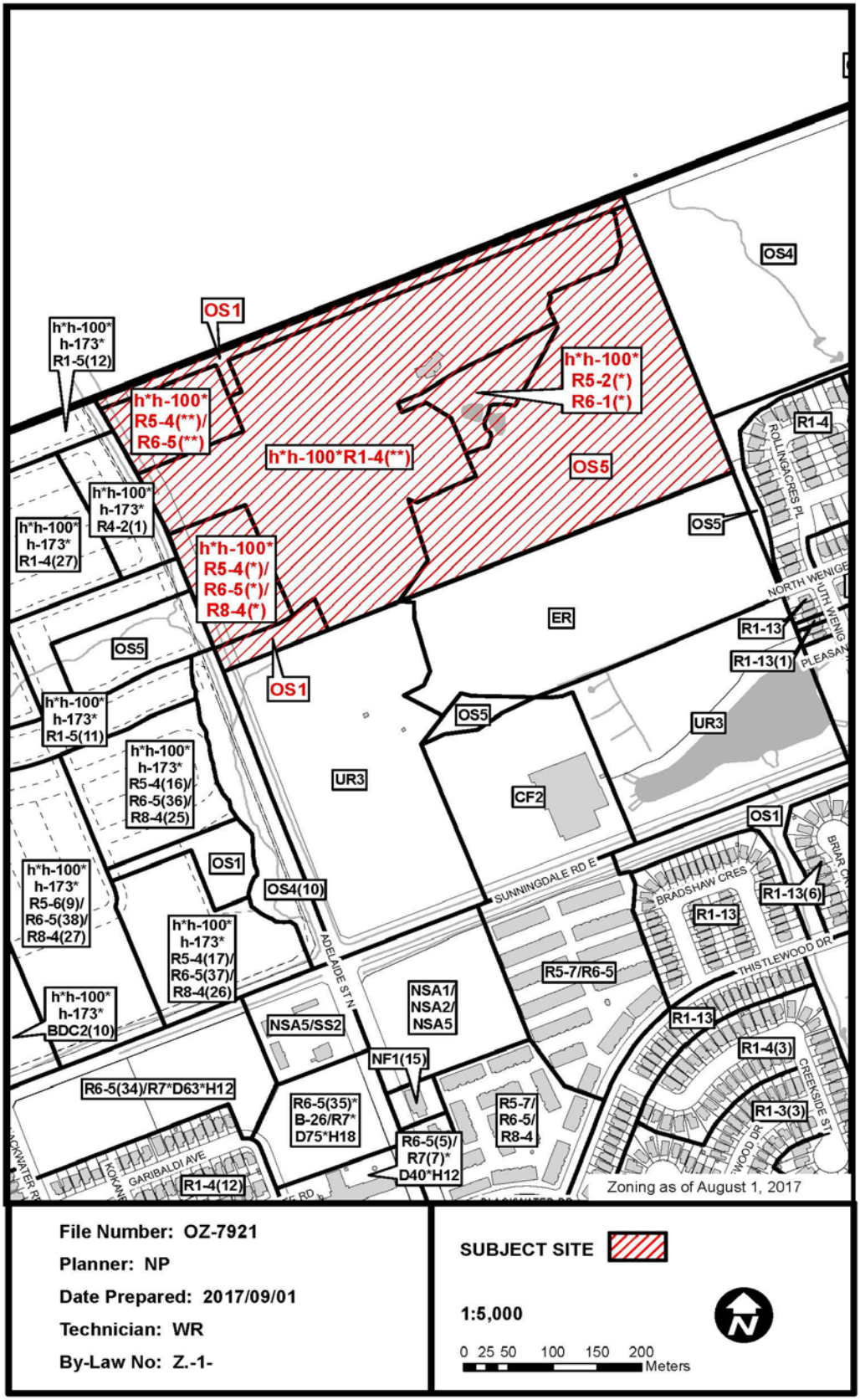
PASSED in Open Council on August 28, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading - August 28, 2018
Second Reading - August 28, 2018
Third Reading - August 28, 2018

SCHEDULE "A"


OS1
h*h-100*
h-173*
R1-5(12)
h*h-100*
R5-4(**)/
R6-5(**)
h*h-100*R1-4(**)
h*h-100*
R5-2(*)
R6-1(*)
OS4
OS5
R1-4
h*h-100*
h-173*
R4-2(1)
h*h-100*
h-173*
R1-4(27)
h*h-100*
R5-4(*)/
R6-5(*)/
R8-4(*)
OS5
ER
R1-13
R1-13(1)
OS5
OS1
h*h-100*
h-173*
R1-5(11)
OS5
UR3
h*h-100*
h-173*
R5-4(16)/
R6-5(36)/
R8-4(25)
UR3
CF2
OS1
h*h-100*
h-173*
R5-6(9)/
R6-5(38)/
R8-4(27)
OS1
OS4(10)
SUNNINGDALE RD E
BRADSHAW CRES
R1-13
R1-13(6)
h*h-100*
h-173*
R5-4(17)/
R6-5(37)/
R8-4(26)
ADELAIDE ST N
R5-7/R6-5
THISTLEWOOD DR
h*h-100*
h-173*
BDC2(10)
NSA5/SS2
NSA1/
NSA2/
NSA5
R1-13
R1-4(3)
NF1(15)
R6-5(34)/R7*D63*H12
R6-5(35)*
B-26/R7*
D75*H18
R5-7/
R6-5/
R8-4
R1-3(3)
R6-5(5)/
R7(7)*
D40*H12
GARIBALDI AVE
R1-4(12)
Zoning as of August 1, 2017
File Number: OZ-7921
Planner: NP
Date Prepared: 2017/09/01
Technician: WR
By-Law No: Z.-1-
SUBJECT SITE
1:5,000
0 25 50 100 150 200
Meters

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: November 19, 2018

RE: **Monthly Report for October 2018**

Attached are the Building Division's monthly report for October 2018 and copies of the Summary of the Inspectors' Workload reports.

Permit Issuance

By the end of October, 3,871 permits had been issued with a construction value of approximately $847 million, representing 1,998 new dwelling units. Compared to last year, this represents a 10.2% decrease in the number of permits, a 15.4% decrease in the construction value and an 11.1% decrease in the number of dwelling units.

To the end of October, the number of single and semi-detached dwellings issued was 597, which was a 33% decrease over last year.

At the end of October, there were 607 applications in process, representing approximately $501 million in construction value and an additional 1,189 dwelling units, compared with 718 applications having a construction value of $270 million and an additional 668 dwelling units for the same period last year.

The rate of incoming applications for the month of October averaged out to 14.3 applications a day for a total of 315 in 22 working days. There were 61 permit applications to build 61 new single detached dwellings, 6 townhouse applications to build 20 units, of which 2 were cluster single dwelling units.

There were 356 permits issued in October totalling $66.2 million including 142 new dwelling units.

Inspections

BUILDING

Building Inspectors received 1,992 inspection requests and conducted 3,368 building related inspections. 1 inspection was completed relating to complaints, business licenses, orders and miscellaneous inspections. Based on a staff compliment of 11 inspectors, an average of 283 inspections were conducted this month per inspector.

Based on the 1,992 requested inspections for the month, 93% were achieved within the provincially mandated 48 hour time allowance.

PLUMBING

Plumbing Inspectors received 487 inspection requests and conducted 663 plumbing related inspections. An additional 126 inspections were completed relating to complaints, business licenses, orders and miscellaneous inspections. Based on a staff compliment of 5 inspectors, an average of 127 inspections were conducted this month per inspector.

Based on the 487 requested inspections for the month, 97% 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 October 2018

	October 2018			to the end of October 2018			October 2017			to the end of October 2017		
CLASSIFICATION	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	64	26,364,180	64	597	250,584,025	597	67	29,252,784	67	894	369,210,983	894
SEMI DETACHED DWELLINGS	0	0	0	0	0	0	0	0	0	0	0	0
TOWNHOUSES	11	9,727,400	39	187	144,072,269	587	13	5,859,610	21	208	154,774,291	638
DUPLEX, TRIPLEX, QUAD,APT BLDG	2	6,753,600	27	9	171,356,520	740	1	11,809,800	51	9	143,730,260	665
RES-ALTER & ADDITIONS	163	6,250,322	12	1,599	55,021,259	74	201	4,384,734	5	1,736	59,232,381	52
COMMERCIAL - ERECT	4	3,537,200	0	31	58,984,303	0	7	15,456,362	0	22	48,325,442	0
COMMERCIAL ADDITION	1	1,130,000	0	13	10,780,718	0	1	781,200	0	11	15,533,460	0
COMMERCIAL - OTHER	48	10,552,700	0	405	61,473,339	0	46	8,453,620	0	332	76,979,822	0
INDUSTRIAL - ERECT	0	0	0	3	9,450,000	0	1	160,000	0	4	4,427,476	0
INDUSTRIAL - ADDITION	1	20,000	0	7	7,330,000	0	2	1,530,000	0	15	15,835,475	0
INDUSTRIAL - OTHER	10	500,500	0	55	19,916,304	0	8	1,297,250	0	60	8,937,910	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	7	607,250	0	208	38,133,942	0	10	1,918,000	0	137	27,038,723	0
AGRICULTURAL	0	0	0	3	210,000	0	0	0	0	3	520,000	0
SWIMMING POOL FENCES	20	762,000	0	216	4,919,972	0	10	262,000	0	211	4,180,338	0
ADMINISTRATIVE	18	19,500	0	173	453,850	0	14	26,950	0	174	821,200	0
DEMOLITION	2	0	1	73	0	35	19	0	8	102	0	67
SIGNS/CANOPY - CITY PROPERTY	3	0	0	14	0	0	0	0	0	33	0	0
SIGNS/CANOPY - PRIVATE PROPERTY	2	0	0	273	0	0	26	0	0	359	0	0
TOTALS	356	66,224,652	142	3,871	846,736,100	1,998	426	81,192,310	144	4,314	1,001,205,261	2,249

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.

November 15, 2018

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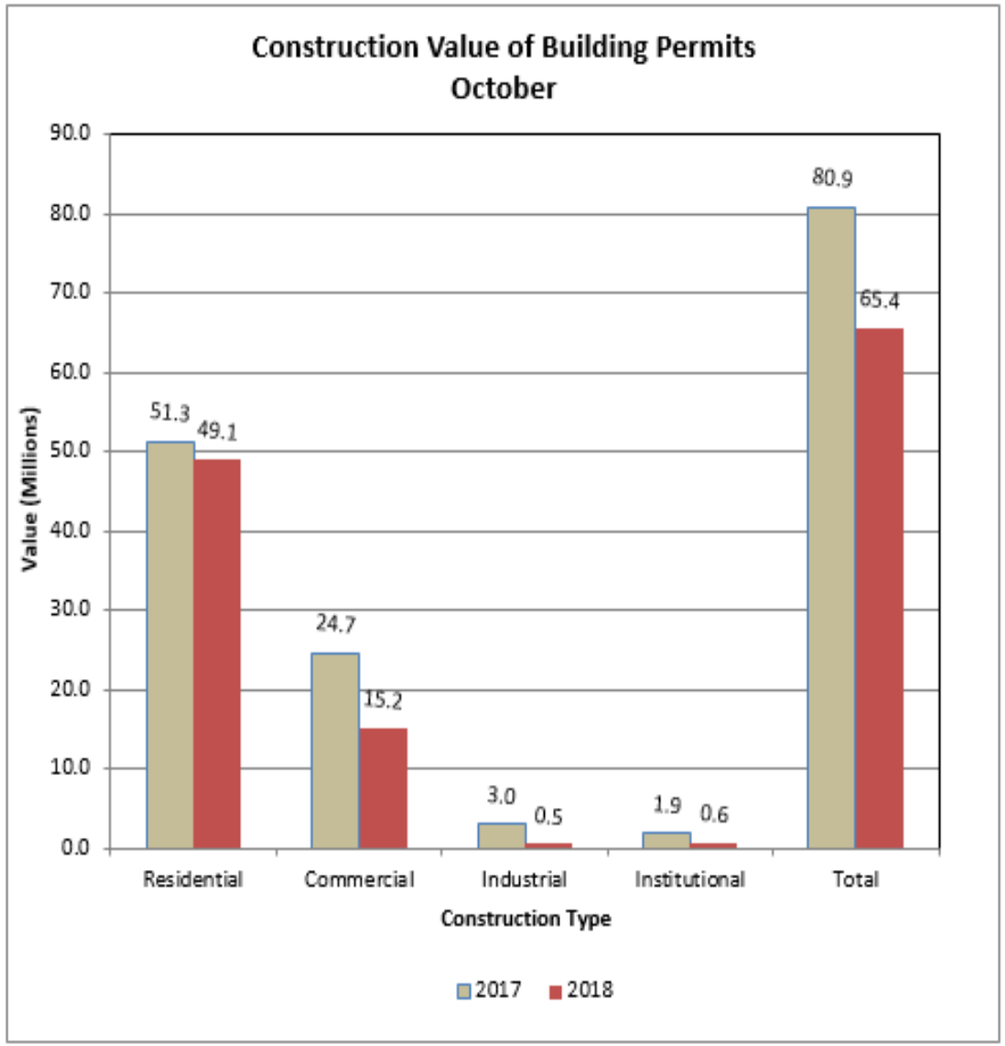

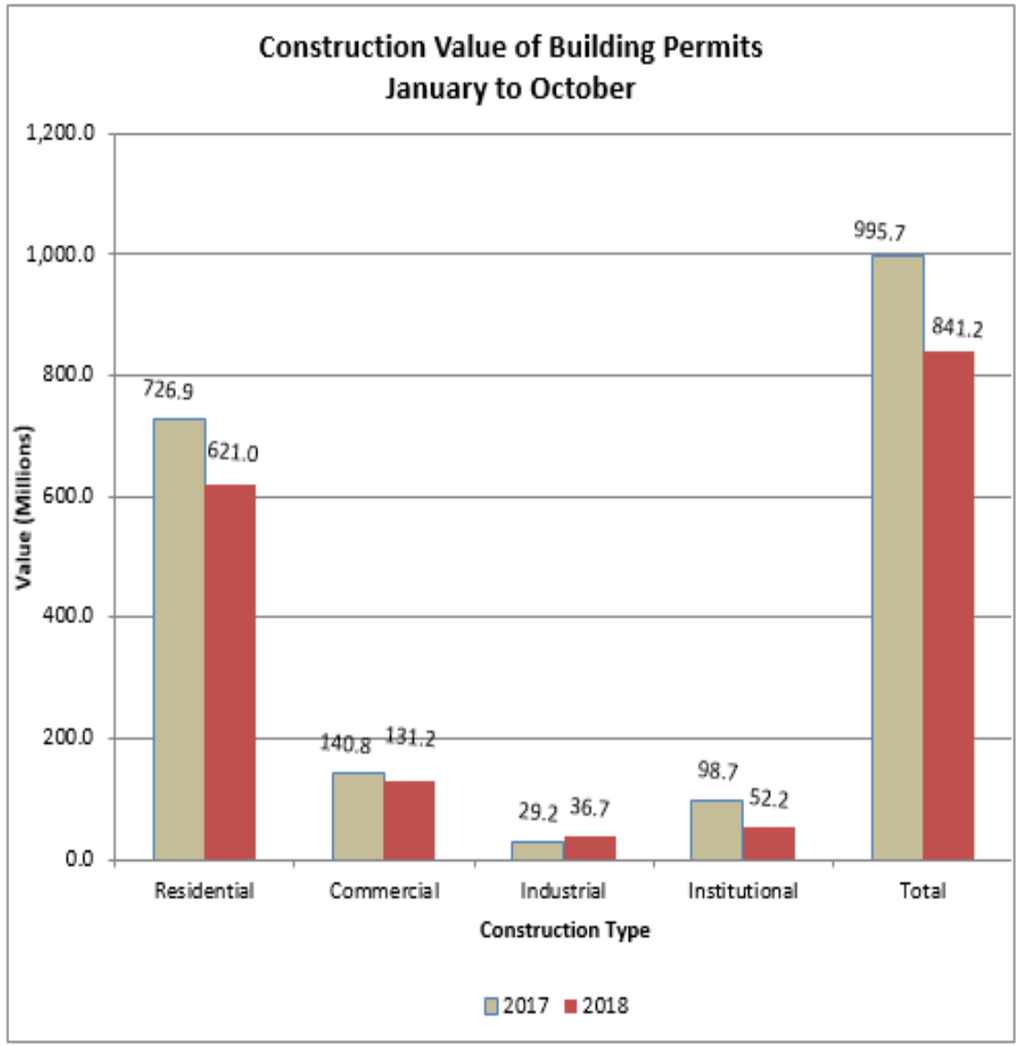

*** excludes Agricultural, Administrative and Sign Permits

November 22 2018

City of London - Building Division

Principal Permits Issued From October 01, 2018 to October 31, 2018

Owner	Project Location	Proposed Work	No. Of Units	Constr Value
Riocan Holdings Inc	1030 Adelaide St N	Alter-Retail Store-Alter Interior Of Metro Store, Frr/Fpo	0	4,000,000
Jeffrey Wilson White Oaks Mall Holdings Ltd C/O Bentall Kennedy (Canada)	1105 Wellington Rd	Alter-Retail Store-Comm - Alter For Shoppers Drug Mart In Units 271-2	0	1,000,000
1134518 Ontario Ltd 1134517 Ontario Ltd	111 York St	Alter-Restaurant <= 30 People-Alter- Cm Tim Hortons- Interior And Exterior Alter	0	200,000
Rembrandt Meadowlilly Inc Rembrandt Meadowlilly Inc	1110 Meadowlark Ridge A	Erect-Townhouse - Condo-Erect 7 Unit Townhouse Block Dpn 42,44,46,48,50,52	7	1,695,200
Rembrandt Meadowlilly Inc Rembrandt Meadowlilly Inc	1110 Meadowlark Ridge B	Erect-Townhouse - Condo-Erect 7 Unit Townhouse Block Dpn 28,30,32,34,36,38	7	1,863,100
Rembrandt Meadowlilly Inc Rembrandt Meadowlilly Inc	1110 Meadowlark Ridge G	Erect-Townhouse - Condo-Erect 5 Unit Townhouse Block Dpn 1056, 1058, 1060,	5	1,245,000
Ben Cameron Consulting Inc.	130 Sherwood Forest Sq A	Erect-Apartment Building-Erect 4-Storey 24-Unit Apartment Building Frr/Fpo	24	6,123,600
1331 Hyde Park Road Holdings Inc	1331 Hyde Park Rd	Erect-Retail Plaza-Erect Commercial Shell Building 3 Units. Frr	0	2,552,000
1016747 Inc 1016747 Ontario Inc.	1450 North Wenige Dr 21	Erect-Townhouse - Cluster Sdd-Erect New Cluster Sfd, 2 Storey, 2 Car Garage, 3 B	1	286,200
1016747 Ontario Limited	1450 North Wenige Dr 29	Erect-Townhouse - Cluster Sdd-Erect - 1 Storey, 2 Car Garage, 2 Bedroom, Partial	1	360,000
Millstone Inc. Millstone Homes Inc.	1452 Byron Baseline Rd 4	Erect-Townhouse - Cluster Sdd-Erect New Townhousecluster Sdd, 2 Storey, 2 Car, 4	1	484,200
Becker Anne,Becker Garth	149 Tecumseh Ave E	Install Inground Pool Fence-Pool Fence Permit - Inground-	0	350,000
Sifton Properties Limited Sifton Properties Limited	1638 Ed Ervasti Lane	Erect-Townhouse - Cluster Sdd-Erect, New Cluster Sdd, 1 Storey, 2 Car Garage, 4	1	361,800
Ben Cameron Ben Cameron Consulting Inc	164 Sherwood Forest Sq	Install-Apartment Building-Apt - Install Site Servicing Frr	0	1,363,472
Bonnie & Mike Pierotti Julcon Developments Inc	167 John St	Erect-Triplex-Ra - Erect New 2 1/2 Storey Triplex 'Off' The Clo	3	630,000
Erin Mercer Cf/Realty Holdings Inc C/O Cadillac Fairview Corp	1680 Richmond St	Alter-Retail Store-Comm - Alter Interior For Telus In Unit # L026 Fr	0	220,000
Hully Gully Limited	1705 Wharncliffe Rd S	Add-Non-Residential Accessory Building- Add New Storage Bldg. Frr	0	1,130,000
1058506 Ontario Inc	1771 Trafalgar St	Erect-Carwash-Cm - Erect 2 Bay Drive Thru Car Wash	0	655,200
The Incorporated Synod Of The Diocese Of Huron	195 Dufferin Ave	Alter-Offices-Alter - Interior Renovation, 7th Floor Offices, No	0	341,200
213 Wortley Corp 213 Wortley Corp	211 Wortley Rd	Add-Apartment Building-Add To Rear Of Existing Apt Building To Maintain 8	4	550,000
Al-Tamimi Ltd Al-Tamimi Ltd	2263 Dundas St	Erect-Carwash-Cm - Erect Single Drive Thru Car Wash Shell Only	0	271,200
1610341 Ontario Inc	240 Waterloo St	Alter-Offices-Comm - Interior Fit Up Unit 106. Frr ******Parkin	0	142,000
Sifton Properties Limited Sifton Properties Limited	2427 Daisy Bend	Install-Townhouse - Cluster Sdd-Install Site Services	0	500,000
Magnificent Homes Magnificent Homes	2621 Holbrook Dr F	Erect-Townhouse - Condo-Erect - 4 Unit Townhouse Block - Unit 2, 4, 6, 8 -	4	693,500
Abdo Mohammed Oxford Wharncliffe Centre Inc	265 Wharncliffe Rd N	Alter-Dental Offices-Cm - Interior Alteration For Dental Office	0	1,000,000
Greengate Village Limited	2688 Asima Dr	Erect-Street Townhouse - Condo-Erect - Townhouse - 4 Units, 2 Storey, 3 & 4 Bedro	4	873,600
Waste Management Of Canada Corporation	290 Exeter Rd	Alter-Chemical Mfg Or Processing-Id - Replace Existing Heater And Exhaust Fan	0	250,000
Foxwood Developments (London) Inc	2900 Tokala Trail	Install-Townhouse - Condo-Install Site Services For Four Blocks	0	400,000
Sifton Properties Limited Sifton Properties Limited	3025 Doyle Dr	Install-Townhouse - Cluster Sdd-Install Site Services	0	500,000
2585306 Inc. 2585306 Ontario Inc.	3260 Singleton Ave M	Erect-Townhouse - Condo-Erect - Townhouse Block - 4 Unit - 3 Storey, 1 Car	4	956,200
2585306 Inc. 2585306 Ontario Inc.	3260 Singleton Ave N	Erect-Townhouse - Condo-Erect - Townhouse Block - 4 Unit - 3 Storey, 1 Car	4	908,600
Voula Zervakos York Developments (London) Inc	3325 Wonderland Rd S	Alter-Retail Store-Cm - Interior Fit Up For Visions Electronics Unit	0	500,000
Craig Janosik Snc Lavalni O&M On Behalf Of Pwgsc	451 Talbot St	Alter-Federal Buildings-Is - Interior Alteration, Add Emergency Lighting A	0	131,000
Esam Construction Limited Esam Construction Limited	541 Oxford St W	Alter-Financial Institution-Commercial Alteration To Finish For Rbc Bank; Shel	0	950,000
St Joseph'S Parkwood Institute St Joseph'S Parkwood Institute	550 Wellington Rd	Install-Hospitals-Institutional Building - Plumbing Installation - H	0	0
John Purkiss Wharncliffe Joint Venture	764 Wharncliffe Rd S	Alter-Automobile Sales & Service-Alter For Facade And Roof Upgrades Car Dealership.	0	300,000
Al Faez Real Estate Corp Al Faez Real Estate Corp	775 Southdale Rd E	Install-Retail Store-Cm - Install New Facade Onpart Of Existing Buildin	0	180,000
785 Wonderland Road Inc C/O Mccor Management (East) Inc 785 Wonderland Road Inc./ Mccor	785 Wonderland Rd S	Alter-Retail Store-Alter Interior For Landlord Work, Demo/Prep, In Pr	0	280,000

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November 22 2018

City of London - Building Division

Principal Permits Issued From October 01, 2018 to October 31, 2018

Owner	Project Location	Proposed Work	No. Of Units	Constr Value
Management (East) Inc.	785 Wonderland Rd S	Alter-Retail Store-Alter Interior For Landlord Work, Demo/Prep, In Pr	0	280,000
Thames Valley District School Board Thames Valley District School Board	80 St Lawrence Blvd	Install-Schools Elementary, Kindergarten-Installation Of Storm Sewer And Oil Grit Separator	0	235,000
Dipesh Patel London Health Sciences Centre	800 Commissioners Rd E	Alter-Hospitals-Is - Interior Alteration For Mdr Sacope Room, D1-3	0	150,000
Rogers Cable Communications C/O Real Estate Dept	800 York St	Alter-Offices-Interior Alter Of Office Building. Frr Fpo	0	250,000

Total Permits 41 Units 70 Value 34,882,072

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

Hully Gully Limited
1058506 Ontario Inc
Al-Tamimi Ltd Al-Tamimi Ltd
Mark Minnie 1331 Hyde Park Road Holdings Inc.

Commercial permits regardless of construction value.

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Environmental and Ecological Planning Advisory Committee Report

12th Meeting of the Environmental and Ecological Planning Advisory Committee
November 15, 2018
Committee Rooms #1 and #2

Attendance

PRESENT: S. Levin (Chair), E. Arellano, C. Dyck, S. Hall, B. Krichker, K. Moser, R. Trudeau and I. Whiteside and H. Lysynski (Secretary)

ALSO PRESENT: C. Creighton

ABSENT: A. Boyer, C. Evans, P. Ferguson and S. Sivakumar

The meeting was called to order at 5:19 PM

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Scheduled Items

2.1 Mud Creek Channel Design for Phase 1

That it BE NOTED that the presentation from S. Chambers, Division Manager, Stormwater Engineering, with respect to the Mud Creek Subwatershed Study was postponed to the December 13, 2018 Environmental and Ecological Planning Advisory Committee meeting due to inclement weather.

3. Consent

3.1 11th Report of the Environmental and Ecological Planning Advisory Committee

That it BE NOTED that the 11th Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on October 18, 2018, was received.

4. Sub-Committees and Working Groups

None.

5. Items for Discussion

5.1 Notice of Public Update Meeting - Wilton Grove Road Reconstruction - Commerce Road to Westchester Bourne

That the following actions be taken with respect to Wilton Grove Road reconstruction, from Commerce Road to Westchester Bourne:

a) the Civic Administration BE ADVISED that the Environmental and Ecological Planning Advisory Committee recommends that phragmites be remediated at the commencement of construction to ensure that it does not spread; and,

b) the Civic Administration BE REQUESTED to monitor the spread of phragmites at the conclusion of the project;

it being noted that the Environmental and Ecological Planning Advisory Committee reviewed and received a notice of Public Update Meeting from H. Huotari, Project Manager, Parsons Inc. and S. Shannon, Project Manager, City of London, with respect to this matter.

5.2 Notice of Study Completion - Hyde Park Community Storm Drainage and Stormwater Management Servicing Municipal Class Environmental Assessment Addendum Master Plan

That it BE NOTED that the Hyde Park Community Storm Drainage and Stormwater Management Servicing Municipal Class Environmental Assessment Addendum Master Plan - Notice of Study Completion from D. Gough, Environmental Services Engineer, City of London and J. Haasen, Project Manager, AECOM, was received.

5.3 ReThink Zoning Draft Terms of Reference

That a Working Group BE ESTABLISHED consisting of C. Dyck, S. Hall and S. Levin, to review the ReThink Zoning Draft Terms of Reference; it being noted that the Environmental and Ecological Planning Advisory Committee reviewed and received a memo dated October 31, 2018, from J. Adema, Planner II, with respect to this matter.

5.4 EIS Review Comments Spreadsheet - Southdale West Improvements - Pine Valley to Colonel Talbot Road

That the Civic Administration BE REQUESTED to ensure that the Environmental and Ecological Planning Advisory Committee (EEPAC) is involved in the detailed design for the Southdale West Improvements; it being noted that the EEPAC would like to review the draft Environmental Study Report prior to its being placed on the thirty day public review; it being further noted that the EEPAC reviewed and received the attached communication from S. Shannon, Technologist II, with respect to this matter.

5.5 Notice of Public Information Centre No.1 - Adelaide Street North Municipal Class Environmental Assessment Study

That it BE NOTED that the Environmental and Ecological Planning Advisory Committee heard a verbal update from S. Levin and reviewed and received the Notice of Public Information Centre No. 1, relating to the Adelaide Street North Municipal Class Environmental Assessment Study.

5.6 Notice of Commencement - Kilally South, East Basin, Municipal Class Environmental Assessment

That the Civic Administration BE REQUESTED to attend a future Environmental and Ecological Planning Advisory Committee meeting to provide an update on the Kilally South, East Basin, Municipal Class Environmental Assessment.

5.7 Public Meeting Notice - Zoning By-law Amendment - 1175 Blackwell Boulevard

That it BE NOTED that the Public Meeting Notice dated November 24, 2018 from M. Sundercock, Planner 1, relating to 1175 Blackwell Boulevard, was received.

5.8 William Street Outfall - Class Environmental Assessment and Environmental Impact Statement - Response to Comments Provided

That it BE NOTED that the communication dated October 26, 2018, from S. Stanlake-Wong, Project Manager, Dillon Consulting Limited, with respect to the response to the Environmental and Ecological Planning Advisory Committee Working Group comments, relating to the William Street Outfall Class Environmental Assessment and Environmental Impact Study, was received.

5.9 Representative to the Advisory Committee on the Environment

That S. Hall BE APPOINTED as the Environmental and Ecological Planning Advisory Committee representative on the Advisory Committee on the Environment for the term ending February 28, 2019.

6. Deferred Matters/Additional Business

6.1 (ADDED) Notice of Public Information Centre #2 - Long Term Water Storage - Municipal Class Environmental Assessment

That it BE NOTED that the City of London Long Term Water Storage Municipal Class Environmental Assessment, Notice of Public Information Centre #2, was received.

6.2 (ADDED) 6019 Hamlyn Street Sub-Division - Environmental Impact Statement

That the following actions be taken with respect to the property located at 6019 Hamlyn Street:

a) the attached Working Group comments relating to the Environmental Impact Statement BE FORWARDED to the Civic Administration for consideration; and,

b) the attached Working Group comments relating to the hydrogeological study BE FORWARDED to the Civic Administration for consideration.

6.3 (ADDED) Preliminary Comments on Stantec Environmental Impact Statement for Clarke Road Improvements

That, the following actions be taken with respect to the Clarke Road Improvements:

a) the attached Working Group comments BE FORWARDED to the Civic Administration for consideration; and,

b) the Civic Administration BE ASKED to provide a copy of the Environmental Study Report prior to the thirty day public review.

6.4 (ADDED) Thames Valley Corridor: SOHO

That it BE NOTED that the attached Community Open House relating to the Thames Valley Corridor: SOHO, was received.

7. Adjournment

The meeting adjourned at 6:25 PM.

From: "Shannon, Sam" <sshannon@london.ca>
Date: November 14, 2018 at 1:04 PM

Hi Sandy,

See the follow responses for #9 and #14 as mentioned below.

#9 – Upstream of Southdale Road, the catchment area tributary to Thornicroft drain is collected primarily in the underground storm sewer network as shown in AECOM's report. This neighbourhood was constructed prior to current standards for stormwater control. The 2250 mm storm sewer daylights on the south side of Southdale Road as the most upstream, open channel portion of Thornicroft Drain. The Southdale Road EA identifies opportunities for Low-Impact-Development may provide water quality control from Southdale Road West improvements. As identified in the EA document, part of Phase 3 of the EA, a Stormwater Design Report will be prepared to address how stormwater associated to the road improvements will be managed.

The City's Stormwater Engineering Division recognizes that future development within the Thornicroft Drain catchment will need to consider a holistic approach to protect, maintain and enhance the Thornicroft Drain. This would be conducted as a separate exercise outside of the Southdale West EA Improvements project.

#14 - Currently it is difficult to meet the requirements for Habitat compensation within the City limits due to lack of available sites for this purpose. The City recognizes EEPAC's recommendation and will need to look at acquiring lands or changing the purpose of currently owned lands to allow for the City to meet its ESA 2007 (i.e. for Meadowlark) within the City instead of looking to the larger Ecoregion which is currently allowed under the ESA 2007 regulation.

Please do not hesitate to contact me should you have any questions.

Regards,

Sam Shannon, C.E.T.
Technologist II
Transportation Planning & Design
City of London

6019 HAMLYN STREET sub division, EIS by Natural Resources Solutions, Inc., dated August 2018, received by EEPAC on October 18, 2018

Reviewed by B. Krichker, S. Levin, R. Trudeau, I. Whiteside

Submitted to November 15, 2018 EEPAC meeting

Northern part of East Lambeth ESA.

RECOMMENDATION: Given this site and other sites adjacent to this ESA are owned by the proponent, this represents piecemeal planning. Good ecosystem planning should require a look at the entire ESA and define buffers ahead of all applications.

POSITIVES

– Recommendation for signage in public areas in addition to the standard homeowner's booklet. This is supported by EEPAC.

-Agreement by proponent to retain the wooded link between the ESA and the other wetland/woodland on the site

MAIN ISSUES –

Hydrology and Storm Water Issues – details to follow

width of encroachment into 30 m wetland buffer and 10 m woodland buffer by a number of properties (6 back yards and a multi-use pathway that is not only in the buffer but is thru the ESA in violation of the principle "to not thru an ESA").

Although it is interesting that there is an area of buffer compensation, it is the distance from the feature NOT the amount that is relevant. As area compensation ignores the critical function zone (see How Much Habitat Is Enough, Environment Canada, particularly 2.1.5 and)

https://www.ec.gc.ca/nature/default.asp?lang=En&n=E33B007C-1#_02_1_4

Protection Zones should protect the wetland attributes from stressors. Recommended widths should consider sensitivities of the wetland and the species that depend upon it, as well as local environmental conditions (e.g., slopes, soils and drainage), vegetative structure of the Protection Zone, and nature of the changes in adjacent land uses. Stressors need to be identified and mitigated through Protection Zone design.

RECOMMENDATION: As per How Much Habitat is Enough, Critical Function Zones should be established around the wetlands based on knowledge of species present and their use of habitat types.

Lots 91-92 have no woodland buffer and only 20 m wetland

Lots 65-66 have only 12.5 m wetland buffer by our measurement

From the medium density, the wetland buffer is as small as 8 m

Lots in the NW where the buffer is IN the backyard, there is only 12.5 m and part of that buffer appears to have a 3 m wide multiuse pathway that would be mowed at least 0.5 m on each side.

RECOMMENDATION: The minimum buffer from the wetland must be 30 m and 10 m from woodland features. This must be put in place for the entire patch which constitutes the East Lambeth Forest ESA (see attached pages from the SWAP Natural Heritage Study)

Unclear rationale (page 24) for excluding parts of the wetlands on the west side from the ESA. Given that they are not developable anyway, why are they excluded? It is noted that Frequency occurrence of MAM (Meadow Marsh) in London is only 5.6% and SWT is only 8% (Bergsma and DeYoung – 2006)

RECOMMENDATION: All wetlands must be included in the ESA and designated Green Space as per the London Plan.

The "sliver" of future development in the SE appears to be forced and fanciful. Why not make it part of the renaturalization plan?

There is no detail about the re-naturalization plan – when might it be produced and how would a City Ecologist be involved in its review?

Not clear why buckthorn on adjacent property means that no effort will be made to reduce buckthorn (page 39). Isn't much of the adjacent property to the south owned by the same proponent?

There is mention of a re-naturalization plan for the buffer on page 36-37 with no details other than "dense plantings" mentioned on page 39. At a minimum, a condition of approval must be the preparation of a re-naturalization plan to the satisfaction of the City and UTRCA and that such plan be implemented as soon as possible, so that the plants have a chance to mature.

RECOMMENDATION:

- **The EIS be considered incomplete until a specific re-naturalization plan including buckthorn management is included.**
- **Alternatively, a specific re-naturalization plan be a requirement of the subdivision agreement**

RECOMMENDATION: The subdivision agreement include fencing with no gates where private property will abut the ESA or wetland features

CONSTRUCTION RECOMMENDATIONS

To minimize construction impacts, all forested and wetland areas must be fenced during construction the intent being to reduce the amount of waste from the site blowing into the natural areas.

EEPAC agrees that refueling and marshalling of equipment must be at least 30 m min from natural features.

PHRAGMITES RECOMMENDATION

Phragmites should be dealt with either by the proponent or the City depending on when Wonderland Road is widened. If widened first, the City project should deal with it. It is unclear at this time if the herbicide that would be most effective has been approved for use in a watercourse. If not, and a special

permit is required, the City (or Upper Thames) should be responsible for its use with payment coming from the proponent.

POST CONSTRUCTION RECOMMENDATIONS

It must be made clear in the subdivision agreement when the monitoring period starts, which seasons monitoring will take place, who is responsible for monitoring, and how reports will be shared with the City. There should be a holdback to pay for any re-plantings that would only be released after the end of the monitoring period. The triggers for monitoring to start should be by the advancement of the subdivision.

The City should send each residence “Living with Natural Areas” 6 mons after the subdivision is 70% completion and again when the multi residential block is 70% occupied.

_____

City of London

“Draft” Southwest Area Plan – Natural Heritage Study

DRAFT

Prepared by:

AECOM
50 Sportsworld Crossing Road
Suite 290
Kitchener, ON, Canada N2P 0A4
www.aecom.com

519 650-5313 tel
519 650-3424 fax

Project Number:
60118887

Date:
March 12, 2010

could be seen moving from all directions towards the pond through the grass. There were also several large leeches observed swimming throughout the water, which likely reached the pond by attaching to over-land travelling frogs and/or turtles, and possibly waterfowl.

Several Northern Leopard Frog was observed foraging in the field between Patch 10069 and 10070, and a Gray Tree Frog was observed calling from Patch 10069 on June 4 2009. Lower levels of calling activity that were most likely weather-related were observed on the second visit in June.

On a following daytime visit nearly two weeks later to Patch 10066, across the agricultural field to the north of Patch 10069, a single American Toad was observed moving from the direction of the church through the field towards Patch 10066; this, as well as the leeches, gives an indication that toads, and likely other amphibians and animals, travel in between patches to access the habitat necessary to complete their life cycle.

2.7.3.2 Lambeth Area

Patch 10075 on the Fratscko property had two ponds in an area of wetland; one is a dug-out pond that was surrounded by thick conifers, just at the edge of a wooded area bordering a meadow; the other is a much smaller pond less than 200 m to the northwest. The larger pond was surveyed May 21 and June 9 2009; small schools of small minnow-sized fish were observed. On both survey evenings no amphibians were heard calling from the smaller pond. However, during a daytime site visit earlier in the season, American Toad tadpoles were observed in open water in tire ruts and other scraped/cut-over areas in the wetland/swamp area at the north of the Patch. The larger pond was deeper than hip wader height, and much of the land surrounding the east, north and south of this pond was wet and swampy with pools of standing water. There was also a high amount of fallen woody debris and standing dead snags, and both submerged and emergent aquatic vegetation was present. American Toad, Spring Peeper, Northern Leopard Frog, Gray Tree Frog, and Green Frog were all observed calling here. During a subsequent daytime visit June 24 2009, several Green Frog tadpoles were observed in the swampier areas surrounding the amphibian survey station and a Gray Tree Frog was heard calling.

2.7.3.3 Bostwick Area

No amphibian surveys were conducted in the Bostwick area due to a lack of landowner permission.

2.7.3.4 Longwoods Area

Patch 10090 was surveyed May 21 and June 9 2009; on both evenings no calling frogs were observed. Although the majority of the aquatic habitat consisted of running water (frogs prefer standing water to breed), on June 24 2009 while conducting a breeding bird survey several adult Green Frogs were observed throughout the patch and tadpoles were observed in the wetland patch; at the time, the water levels in the wetland patch were above knee-height. There was other potential wildlife habitat available at this site, including standing and fallen snags, denning habitat, and a high amount of amphibian foraging habitat. Several Green Frogs and Leopard Frogs were observed during daytime visits foraging both within and adjacent to the watercourse.

2.7.3.5 Dingman Area

No amphibian surveys were conducted in the Dingman area due to a lack of landowner permission.

2.7.3.6 Brockley Area

A small portion of Patch 10101 was surveyed from the roadside May 21 and June 9 2009 as a lack of landowner permission prohibited access to other amphibian breeding habitat within the patch. On both evenings no calling frogs were observed. This is likely due to the majority of the accessible habitat consisting of running water; which is suitable for foraging amphibians but not for breeding. Snags and den trees were present, as were fallen logs and potential reptile hibernacula (the concrete bridge). Several Green Frogs and Leopard Frogs were observed during daytime visits to this patch foraging both within and adjacent to the watercourse.

Table 14 below summarizes the results of the amphibian surveys.

Table 14: Summary Table of Amphibian Surveys

Date and Weather	Area and Patch Number	Site	UTM Coordinates	Species	Code	Number
May 21 2009; 10:00pm 19°C, no wind, 0% cloud cover, no precipitation	Lambeth Area - 10075	Pond rimmed by conifers;	477620 E, 4750675 N	American Toad	1	2
				Spring Peeper	1	2
				Gray Tree Frog	1	2
				Green Frog	1	4
	Talbot Area - 10069	Pond south of church driveway	476141 E, 4752215 N	American Toad	1	1
				Spring Peeper	1	1
				Gray Tree Frog	2	7
		Pond north of church driveway	476123 E, 4752228 N	American Toad	1	3
		Pond southwest of church parking lot	475906 E, 4752105 N	American Toad	1	2
				Spring Peeper	1	3
				Gray Tree Frog	2	10
	Longwoods Area - 10090	By roadside	479813 E, 4750950 N	None calling		
	Brockley Area - 10101	By roadside	483094 E, 4750983 N	None calling		
	Bostwick	*No patches within this area were surveyed in 2009 due to lack of landowner permission*				
	Dingman	*No patches within this area were surveyed in 2009 due to lack of landowner permission*				
June 9 2009; 10:00pm 10°C, wind 5-10 km/hr, 50% cloud cover, no	Lambeth Area - 10075	Pond rimmed by conifers	477620 E, 4750675 N	Leopard Frog	1	1
				Green Frog	1	4
	Talbot Area - 10069	Pond south of church driveway	476141 E, 4752215 N	None calling		
		Pond north of church driveway	476123 E, 4752228 N	Green Frog	1	1
		Pond southwest of church	475906 E,	Leopard Frog	1	1

Date and Weather	Area and Patch Number	Site	UTM Coordinates	Species	Code	Number
precipitation		parking lot	4752105 N	Green Frog	1	2
	Longwoods Area - 10090	By roadside	479813 E, 4750950 N	None calling		
	Brockley Area - 10101	By roadside	483094 E, 4750983 N	None calling		

2.7.4 Discussion

The spring and summer of 2009 was unseasonably cool and wet; April amphibian auditory surveys could not be conducted as the appropriate weather conditions were not achieved in April once landowner permission was received, and the May survey was conducted after the typical timing window in order to capitalize on ideal survey temperatures that had not been reached in May before that night. June surveys were conducted in less than ideal temperatures in order to capture any amphibians calling within the appropriate timing window as the desired night time temperature had not yet been reached, and forecasts did not predict warmer temperatures for the remainder of the month. For patches where landowner permission was not received, attempts to survey for calling amphibians from the roadside were thwarted by heavy traffic noise.

Other species of amphibians which likely use the ponds and other potential amphibian habitat within the study area include the Wood Frog (*Rana sylvatica*) and Western Chorus Frog (*Pseudacris triseriata*); as these species call earlier in the season and landowner permission was not obtained by that period in time they were likely missed.

Although the spring and summer's unusually cool temperatures likely affected the calling activity and the results of the amphibian survey, the amphibian habitat at both Patches 10069 and 10075 showed the highest numbers and highest diversity of calling amphibians of all surveyed areas.

The Western Chorus Frog has recently been listed as Threatened by COSEWIC in the Great Lakes – St. Lawrence Lowlands region of Ontario, though found to be Not at Risk in the Carolinian region, which includes the study area. There were no observations of any Red Efts, the terrestrial larval stage of the aquatic Red-spotted Newt (*Notophthalmus viridescens*); these are more commonly expected in older forests with larger permanent sources of standing water nearby. They may be present in some patches within the study area, including Patch 10075 and patches that were not surveyed.

The aquatic larva of Mole salamanders (*Ambystoma* sp.) such as the Spotted and Blue-spotted Salamanders were not observed within the survey patches; however this does not preclude their presence in other patches. Their reproductive success, and therefore their detectability within the surveyed patches may have been affected by the unusually cool spring and summer temperatures.

Reptiles

Though only two Eastern Garter Snakes (*Thamnophis sirtalis*) were observed at Patch 10090, the habitat is suitable at all patches for this species.

Eastern Grey Squirrel (*Sciurus carolinensis*)
Striped Skunk (*Mephitis mephitis*)
Virginia Opossum (*Didelphis virginiana*)
Mink (*Mustela vison*)
Coyote (*Canis latrans*)
Red Fox (*Vulpes vulpes*)

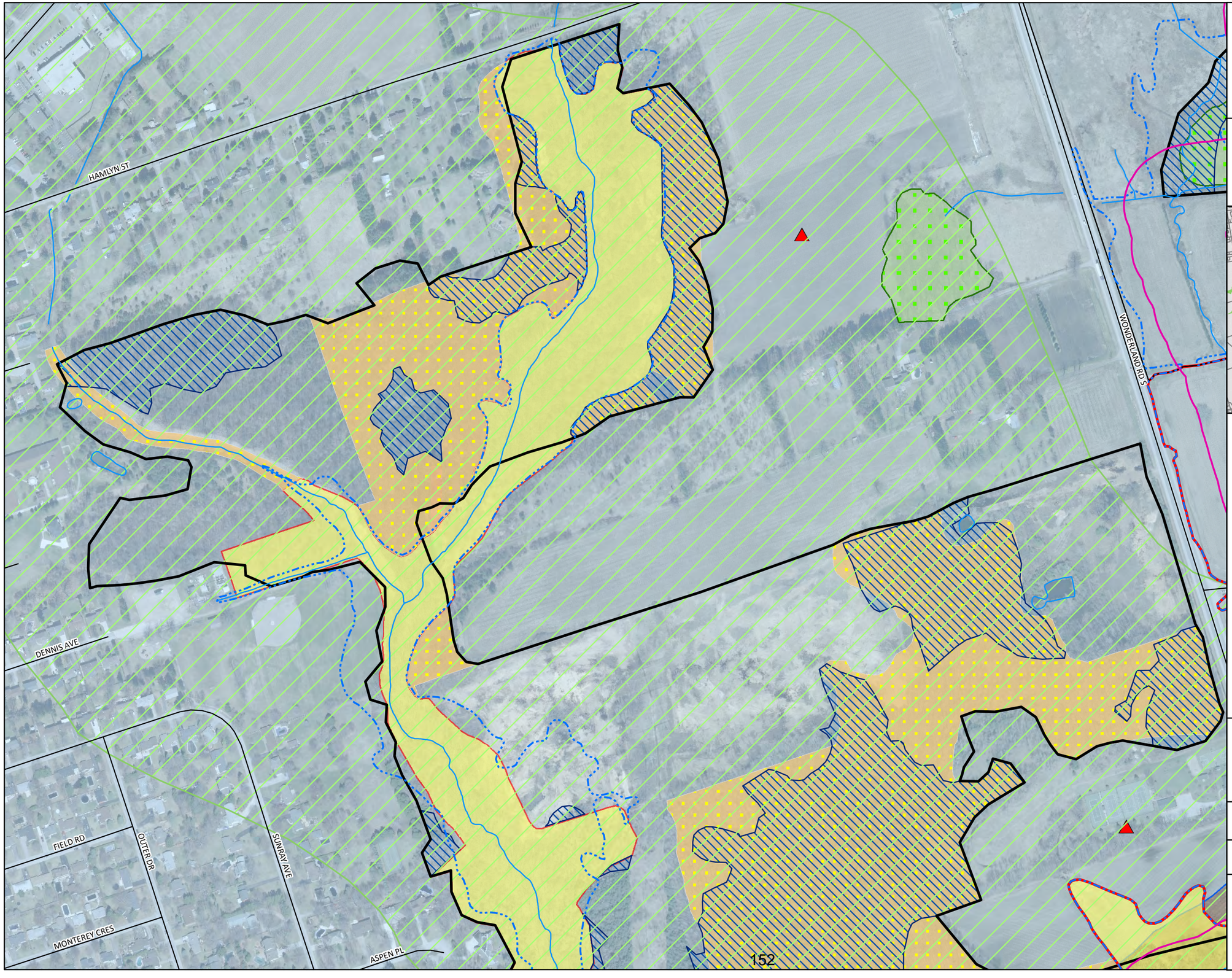
The Mink and Opossum were observed in Patch 10090 along Dingman Creek, and the Meadow Jumping Mouse was observed in the thick vegetation of the hydro cut in Patch 10075, and Red Fox scat was observed in Patch 10075. The lack of observations of these mammals in other patches does not preclude their presence. All of the surveyed patches showed evidence of the other mammal species.

Other Wildlife

Monarch Butterflies (*Danaus plexippus*) were observed within several patches which had open field habitat suitable for milkweed to grow, namely 10075, 10090 and 10069. Ebony Jewelwings (*Calopteryx maculata*), a species of damselfly indicative of a permanent freshwater source, were observed at Patches 10090, 10069, and 10101. Several Twelve-spotted Skimmers (*Libellula pulchella*), a species of dragonfly, were observed at Patch 10090; and two extremely large dragonflies, potentially Swamp Darners (*Epiaeschna heros*) judging from time of year, suitable habitat present, and their large size, were observed in Patch 10075. Digger or Chimney Crayfish (*Fallicambarus fodiens*) were present in Patches 10127 and 10075 in various wet areas both within and adjacent to the wooded areas. Several large leeches were also visible swimming in the pond north of the church driveway by Patch 10069; they likely arrived at the pond while attached to an over-land travelling turtle, a common way for leeches to both breed and travel between water bodies.

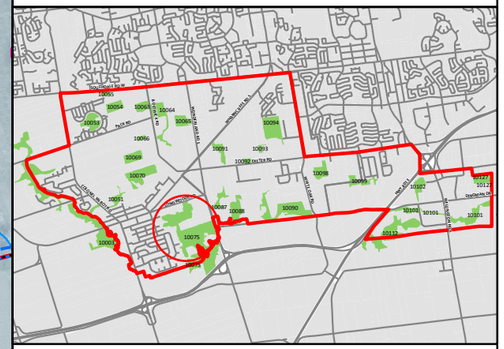
Birds

A total of 71 bird species were observed throughout the surveyed patches. This total includes two species at risk, no provincially rare species, and 11 area-sensitive species. Also, 15 species observed in the study area are identified as 'Priority Species' by Partners In Flight Ontario/Bird Studies Canada's Landbird Conservation Plan, and 31 species that were identified by Bird Studies Canada as Conservation Priority Species for Middlesex County. Table 15 below gives a summary of these findings per patch, and Table 16 shows which species were observed per patch.



London
CANADA

City of London
South West Area Plan



Legend

- Naturalization Area
- Roads
- SWAP Boundary
- Rivers
- Floodline
- Patch Boundaries
- Unevaluated Wetlands
- Ground Water Recharge Area
- Significant River, Stream & Ravine Corridor
- Unevaluated Vegetation
- Potential ESA
- ESAs
- Big Picture

N

0 0.05 0.1 0.2
Kilometers

Official Plan Natural Heritage Feature Designations

Patch 10075a

1:4,000	Datum: NAD 83, Zone 17 Source: City of London
March 2010	PN: 60118887

AECOM

URBAN STRATEGIES INC.

2006 Woodland Evaluation results – Patch 10075

Assessment Component	Score	Rationale
1.1 Site Protection	High	A) High – patch contains wetland > 2ha in size (approx. 8.6 ha) and watercourse B) Low – overall gentle slopes (average slope less than 10%)
1.2 Landscape Integrity	High	A) Medium – Woodland cover within 2 km estimated between 7-10% B) High – directly connected through waterways C) High – patch is isolated and 89.2 ha in size
2.1 Age & Site Quality	High	A) High – Contains mature woodland community types B) High – one or more vegetation community has a MCC greater than 4.6 C) Medium – Patch contains a combination of communities in good, fair and poor condition.
2.2 Size & Shape	High	A) High – Patch is approximately 89.2 ha in size B) High – Patch contains forest interior C) High – Fourteen Conservation Priority birds at Levels 1 and 2 were observed
2.3 Diversity	High	A) High – Patch contains 3 community series B) High – Patch Contains four or more Vegetation Types C) High – 4 critical amphibian habitat components (unpolluted shallow water that remains wet during breeding season; emergent and submergent aquatic vegetation; closed canopy offering a shaded moist understory environment and abundance of coarse woody debris) D) Low – Patch contains conifer communities <2.0ha in size. E) High – contains natural channel with fish habitat present
3.0 Threatened or Endangered Species	N/A	No VTEs present
4.1 High Quality Communities	High	A) Medium – no communities with an srank higher than S4 B) Medium – Carolinian species present C) Medium – trees > 50 cm dbh rare or occasional in one or more communities within the patch D) Medium – Average basal area 12-24 m^2/ha
4.2 High Quality Landforms	Medium	A) Medium – Patch located on the Till Plain
Total Score	High 6 Medium 1 Low	**Significant Woodland**

From: Ian Whiteside
Sent: Thursday, November 15, 2018 6:13 PM
To: ; Lysynski, Heather <hlysynsk@London.ca>
Cc:
Subject: Hamlyn Street Hydro/SWM

Based on the EEPAC review of the AECOM SWM Report for the proposed storm/drainage and SWM Servicing works for Sifton Property 6019 Hamlyn Street -Draft of Subdivision, and the MTE Preliminary Hydrogeological Investigation for the same site, EEPAC comments are as follows:

City Council and MOECP accepted the Dingman Creek Subwatershed Study Updates (DCSSU) and the Pincombe Drain Municipal Class EA study with City Council approving all recommendations for these studies to maintain at minimum, and if possible, to improve environmental/ecological health of this system. Also, City Council's approved recommendations included the specific environmental/ecological targets with criteria for terrestrial, water resources systems and their major functions and features, as well as design criteria and requirements for storm/drainage and SWM quantity, quality control, erosion, and allowable peak flow discharges to the Digman Creek and its tributaries under the projected post developments conditions.

We are of the opinion that it is absolutely critical to ensure that environmental/ ecological conditions, and significant major functions and features not be adversely impacted by the proposed land development and servicing works for this Draft Plan of subdivision. Therefore, the final SWM report for the proposed servicing works needs to include and address the following:

a) compliance with all applicable criteria and requirements of the Pincombe Drain Municipal Class EA and DCSSU for the proposed design of the storm/drainage and SWM servicing works for the subject should be demonstrated and all applicable criteria and requirements for the subject lands should be listed and incorporated in the SWM report;

b) taking in considerations that the proposed SWM system components (soakaway pits) are designed to be located with in the wetland buffer area, which represents an encroachment to a Provincially Significant Wetland (PSW) buffer and it is located immediately adjacent to the subdivision land boundaries, the SWM report should incorporate and demonstrate all required justifications for the proposed SWM design, including updating the Hydrogeological report with support information related to hydrogeological and geotechnical conditions, water balance assessment (including a detailed assessment of water balance for the proposed subdivision lands and the PSWs) and the detailed record of groundwater quality and quantity monitoring information for the existing conditions to establish the base line conditions, prior to finalizing the proposed design. Also, this SWM design report needs to include and develop the

required details and cost considerations for the compensation and mitigation plan and measures and all these estimated costs;

c) a water quantity and quality and monitoring program needs to be developed and be included in the report. This water quantity and quality and monitoring program needs to include the water quality (basic chemistry and ecological monitoring-BioMAP) under pre development conditions for a minimum 1 year monitoring to assess dry and wet weather conditions (2 monitoring periods for each of the identified conditions - we note that the preliminary groundwater report only had two weeks of water level information) and a minimum of 3 years under the post development conditions to establish the baseline conditions and to measure any potential adverse impacts on the PSW and/or the potential failing of the proposed SWM system/LID.

d) the estimated water balance under the post development conditions should not exceed 90-80% of the pre development run off flows conditions and to minimize potential adverse impact on PSW. Equally, the evaluation should demonstrate that the development will protect water inflows to the PSW. (In short, the report should demonstrate that the water balance and water quality of the PSW will not be adversely impacted by the site development, including construction related impacts.) We note that the Hydrogeological report for the subject lands shows that run off increase under the post development conditions represents a 49% increase over baseline conditions and must be treated, therefore, the SWM report should address these issues in the design of the SWM quality/quantity control system for this subdivision.

e) The life expectancy, ownership, and the level of the risk of the proposed SWM system LID components - the proposed soakaway pits and bioretention facility - potentially failing (and what the impact on the system from failure would be) should be addressed and identified in details in this report, prior to finalizing and accepting the proposed design of this SWM system.

Based on the information presented in the Hydrogeological report, the subject lands are located within the shallow aquifer (groundwater app. 0.25m to 3 m from the ground service), the ground water gradient is generally directed to the Dingman Creek and/or the Dingman tributaries, and the soil conditions are variable. Although there is a presence of the small sand layer; however, the thickness of this layer as well as the permeability suggests to be variable and could be in some areas to be mixed with some till, all these formations looks are sitting on on some layers of clay and till formations. It suggests that these soil and groundwater conditions may not able to support a long life expectancy and performance of the proposed LID systems.

Sent from my iPhone

Preliminary Comments on Stantec EIS for Clarke Road Improvements

Prepared by Katrina Moser, Susan Hall and Berta Krichker

Context: As discussed Oct. 29, 2018 with Stantec and City Staff, EEPAC will provide preliminary comments on the EIS for the municipal class environmental study report (ESR) for the Clarke Road Improvements. Upon receiving and reviewing the environmental study report for the municipal class EA Clarke Road Improvements, EEPAC will finalize the comments for the project. In the ESR, EEPAC will be looking for a complete description of the present and predicted environmental conditions of the site, including both terrestrial and aquatic environmental conditions, assurance that adverse impacts will be minimized and that mitigations will be more than sufficient. This will require more detailed mitigation and compensation plans than are presently in the EIS.

Summary of EIS: The proposed project will expand Clarke Road from two to four lanes with consideration given to the ultimate build-out to six lanes. The project will also necessitate widening or possible reconstruction of the J.W. Carson Bridge, which crosses the Thames River. The proposed project addresses increased traffic volumes associated with development. The construction will occur in a particularly sensitive area, and will impact the Fanshawe Wetlands PSW, unevaluated wetlands, significant valley lands, Kilally Forest ESA, potential ESA and the Thames River. Within the study site there are reports of 18 animal (birds, reptiles, mammals), three fish and seven plants SAR. Diversity is high; 263 plant species were identified, of which 175 were native. Five plant species have a rank of S2 or S3, and nine native species had a coefficient of 8, indicating intact remnant natural systems. The EIS also identifies numerous potential impacts, including threats to SARs, loss of habitat for SARs, loss of provincially rare species and others. These losses will be difficult to mitigate and compensate, and will be costly. Monitoring must be a part of the plan. Given the sensitivity of the site, it is critical that the EIS is an accurate and detailed description of the present terrestrial and aquatic ecosystem condition. Complete knowledge of present conditions is critical in order that: 1) the best choice is made for the preferred alternative, 2) baseline conditions are accurately documented, and 3) the ecosystem is protected and there is accountability.

Comments:

1. ***Ecological and environmental water quality monitoring is critical, and presently inadequate***. Presently the EIS provides what appears to be a single measurement at one site for pH, conductivity, dissolved oxygen and temperature. There is also a basic description of the aquatic habitat. This is inadequate to provide an accurate estimate of pre-disturbance conditions. Pre-construction conditions need to be measured, recorded and evaluated to establish the existing environmental/ecological baseline for the area where the work is proposed. Also, the monitoring program needs to record and measure any changes, including any potential adverse impacts on environmental/ecological health of this system. The monitoring program should be conducted for a minimum period of one year prior to finalizing the design and construction of this proposed work and be monitored for a minimum of 2-3 years following the construction period. This monitoring program should be based on professionally recognized monitoring program protocols, be comprehensive and should include terrestrial, aquatic and water quality monitoring components. Water quality monitoring should include basic water chemistry (major anions

and cations, nutrients, including nutrient constituents, contaminants, chlorophyll a, dissolved oxygen, pH and specific conductivity) together with BioMapping and/or aquatic biomonitoring following CABIN protocols. Water quality monitoring should be done multiple times to capture seasonal variations, and should include samples upstream and downstream of the construction site. As noted in the EIS, the bridge and construction will have impacts on the adjacent terrestrial and aquatic systems. It must be ensured that there is an accurate baseline assessment to determine post construction impacts and appropriate mitigation and compensation to protect the ecosystem.

2. ***Sediment Erosion Control Plan (SECP) - critical steps required for the design component of the proposed infrastructure that will require careful planning and monitoring.*** Based on the EIS, it is clear that an important issue will be the erosion control measures proposed for this project. Without control measures, erosion may have significant effects on the ecological/environmental system, negatively impacting both the terrestrial and aquatic ecosystems. Erosion controls must be proposed and adequately outlined to protect SAR, aquatic water quality and aquatic and terrestrial ecosystems. These controls must be extremely robust and sufficient to avoid sediment intrusion and impact. The proposed SECP/measures should be in principal developed and described in the ESR of this Municipal class EA. The supervision and review of the SECP, mitigations and implementations must be done by the Consultant, the City staff and UTRCA , to ensure accountability.

3. ***Additional detailed studies are required to better document SAR as is recommended in the EIS report***. Additional detailed environmental studies are recommended. These include surveys, recording and determining the presence or absence of SAR, both aquatic and terrestrial, and should be included as a part of the Municipal Class EA Study's Environmental Study Report (ESR) together with all applicable recommendations for protection of these species and overall ecological health of the system. Examples include documenting Queensnake hibernacular and hairy sedge microenvironment. Is there evidence that hairy sedge can be successfully transplanted? Where is there suitable habitat for such a transplant? Similar questions regarding Weak bluegrass and rhombic-leaved sunflower.

4. ***The underlying principals and general outline of the proposed compensation and mitigation plans that will be developed and presented for the MNRF and DOF approval permits need to be identified and recommended by the ESR of this Municipal Class EA.*** The recommended mitigation and compensation plans and costs associated with this work are critical requirements for the success of the proposed work and should be part of the ESR record.

5. ***The ESR needs to include a proposed design for the storm/drainage and Storm Water Management (SWM) water quantity/quality plan and the location of storm outlets***. The ESR needs to provide a storm/drainage and SWM plan to determine where discharges of storm sewers will occur. This is a critical piece of water quality control.

6. ***Invasive species control measures need to be described in more detail***. Plans to minimize invasive species are described very generally. With selection of the preferred option, we expect to see more detailed plans in the ESR.

THAMES VALLEY CORRIDOR: SOHO

WHAT:

This is a community open house to help us design and create new pathways and park amenities along the Thames River from Wellington St. to Maitland St.

WHEN:

November 28, 2018,

Open house from
6 p.m. to 8 p.m.

WHERE:

Goodwill Industries
255 Horton Street
Third Floor.

London
CANADA

London Advisory Committee on Heritage

Report

11th Meeting of the London Advisory Committee on Heritage
November 14, 2018
Committee Rooms #1 and #2

Attendance

PRESENT: D. Derek (Chair), S. Adamsson, D. Brock, J. Cushing, H. Elmslie, S. Gibson, T. Jenkins, J. Manness, K. Waud and M. Whalley and J. Bunn (Secretary)

ABSENT: H. Garrett

ALSO PRESENT: R. Armistead, J. Dent, L. Dent, K. Gonyou and J. Ramsay

The meeting was called to order at 5:30 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 10th Report of the London Advisory Committee on Heritage

That it BE NOTED that the 10th Report of the London Advisory Committee on Heritage, from its meeting held on October 10, 2018, was received.

3.2 ReThink Zoning Draft Terms of Reference

That it BE NOTED that the Memo dated October 31, 2018, from J. Adema, Planner II, with respect to the ReThink Zoning Draft Terms of Reference, was received.

3.3 Notice of Planning Application - Intent to Remove Holding Provision - 3400 Singleton Avenue

That it BE NOTED that the Notice of Planning Application dated October 17, 2018, from M. Sundercock, Planner I, with respect to the intent to remove a holding provision for the property located at 3400 Singleton Avenue, was received.

3.4 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.

3.5 Notice of Planning Application - Intent to Remove Holding Provision - 3105 Bostwick Road

That it BE NOTED that the Notice of Planning Application dated October 17, 2018, from M. Sundercock, Planner I, with respect to the intent to remove a holding provision for the property located at 3105 Bostwick Road, was received.

3.6 Public Meeting Notice - Zoning By-law Amendment - 809 Dundas Street

That it BE NOTED that the Public Meeting Notice dated October 24, 2018, from S. Wise, Senior Planner, with respect to a Zoning By-law Amendment for the property located at 809 Dundas Street, was received.

3.7 Notice of Cancellation - Public Meeting - Zoning By-law Amendment - 131 King Street

That it BE NOTED that the Notice of Cancellation - Public Meeting dated October 18, 2018, from M. Corby, Senior Planner, with respect to a Zoning By-law Amendment for the property located at 131 King Street, was received.

3.8 Notice of Planning Application - Zoning By-law Amendment - 446 York Street

That M. Knieriem, Planner II, BE ADVISED that the London Advisory Committee on Heritage is satisfied with the research, assessment and conclusions of the Heritage Impact Assessment for the property located at 446 York Street; it being noted that the Notice of Planning Application dated October 31, 2018, from M. Knieriem, Planner II, with respect to a Zoning By-law Amendment for the property located at 446 York Street, was received.

3.9 Notice of Planning Application and Public Meeting Notice - Official Plan Amendment - Amendment to the Cultural Heritage Guidelines of The London Plan

That it BE NOTED that the Notice of Planning Application dated October 16, 2018, and the Public Meeting Notice dated October 22, 2018, from L.E. Dent, Heritage Planner, with respect to an amendment to the Cultural Heritage Guidelines of The London Plan, as well as the Heritage Places 2.0 document, dated November 2018, and the attached presentation from L.E. Dent, with respect to the above-noted matter, were received; it being noted that the London Advisory Committee on Heritage will make official comments at the February, 2019 meeting.

4. Sub-Committees and Working Groups

4.1 Stewardship Sub-Committee Report

That the following actions be taken with respect to the Stewardship Sub-Committee Report from its meeting held on October 24, 2018:

a) NO FURTHER ACTION BE TAKEN with respect to the properties located at 536 and 542 Windermere Road based on the local knowledge and preliminary research of the Stewardship Sub-Committee; it being noted that this matter was brought to the attention of the London Advisory Committee on Heritage at their October 10, 2018 meeting;

b) priority levels presently used on the Register (Inventory of Heritage Resources) BE REMOVED; it being noted that all properties listed on the Register have the same level of protection and treatment under the provisions of Section 27 of the *Ontario Heritage Act*; and,

c) the remainder of the above-noted report BE RECEIVED;

it being noted that the attached presentation and handout from J. Ramsay, Project Director, Rapid Transit Implementation, were received with respect to an update on Bus Rapid Transit.

4.2 Education Sub-Committee Report

That the transfer of $7925.00 from the 2018 London Advisory Committee on Heritage Budget allocation to the Public Art Acquisition Reserve Fund BE APPROVED in order to replace lost signs in the following locations:

- Harris Park;
- Gibbons Park Bathhouse; and,
- Graham Arboretum in Springbank Park;

it being noted that the Education Sub-Committee Report, from its meeting held on November 5, 2018, was received.

5. Items for Discussion

5.1 Request for Heritage Designation for Heritage Listed Property - 336 Piccadilly Street by N. and T. Tattersall

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, with respect to the request for the designation of the heritage listed property at 336 Piccadilly Street, that notice BE GIVEN under the provisions of Section 29(3) of the *Ontario Heritage Act*, R.S.O. 1990, c. O. 18, of Municipal Council's intention to designate the property to be of cultural heritage value or interest for the reasons outlined in the attached Statement of Cultural Heritage Value or Interest; it being noted that the attached presentation from K. Gonyou, Heritage Planner, was received with respect to this matter.

5.2 Amendment to Heritage Designating By-law - 660 Sunningdale Road East

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the heritage designated property located at 660 Sunningdale Road East, notice of Municipal Council's intention to pass a by-law to amend the legal description of the property designated to be of cultural heritage value of interest by By-law No. L.S.P.-3476-474 BE GIVEN in accordance with the requirements of Section 30.1(4) of the *Ontario Heritage Act*, R. S. O. 1990, c. O. 18; it being noted that the attached presentation from K. Gonyou, Heritage Planner, with respect to this matter, was received.

5.3 Heritage Alteration Permit Application by Josef Dolezel - 508 Waterloo Street - West Woodfield Heritage Conservation District

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* to replace windows at 508 Waterloo Street, within the West Woodfield Heritage Conservation District, BE PERMITTED with the following terms and conditions:

a) the second floor main window replacement should mimic the same style, size and proportions as the original window;

b) the first floor main window should be preserved; and,

c) the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed;

it being noted that the attached presentation from K. Gowan, Heritage Planner, with respect to this matter, was received.

5.4 Heritage Planners' Report

That it BE NOTED that the attached submission from K. Gonyou and L. Dent and K. Gowan, Heritage Planners, with respect to various updates and events, was received.

6. Deferred Matters/Additional Business

6.1 (ADDED) Ontario Heritage Trust - Heritage Matters Magazine - Autumn 2018

That it BE NOTED that the Ontario Heritage Trust - Heritage Matters Magazine for Autumn of 2018 was received; it being noted that a copy is on file in the City Clerk's Office.

7. Adjournment

The meeting adjourned at 7:55 PM.

Heritage Places 2.0 – A Description of Potential Heritage Conservation Districts in the City of London

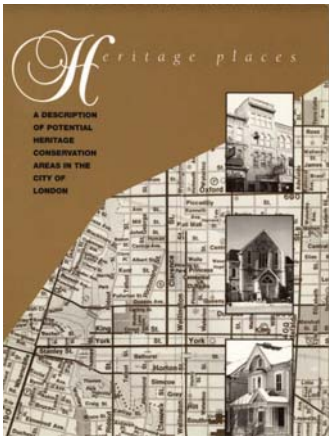
London Advisory Committee on Heritage

Wednesday – November 14, 2018

london.ca

Overview

- 1993 — OP guideline document
- primary reference to identify candidate areas for potential HCDs
- (14) areas originally identified
  - not originally prioritized
  - amended, expanded, consolidated, re-prioritized: (ex. Downtown, SoHo, Riverforks as part of Stanley-Becher, Ridout Restoration)
- (10) areas have since been designated as HCDs



Council Direction

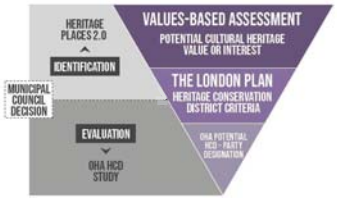
- At its meeting on January 17, 2017, Municipal Council directed Civic Administration to review the prioritized list of potential heritage conservation districts in the City, as well as update the current *Heritage Places* guideline document.
- Adoption of an updated *Heritage Places* guideline document requires an amendment to the City's Official Plan, *The London Plan*.

Approach – 'Reset' of *Heritage Places*

- March 2018 – Letourneau Heritage Consulting Inc. (LHC)

Objectives:

- Review Policy Context – Update background component of Heritage Places to reflect the 2014-*PPS*, *OHA* and *The London Plan*
- Consult with Heritage Community
- Develop criteria for identification and prioritization of areas in the for potential HCD designation
- Prepare a prioritized list for further study and consideration as potential HCDs
- Prepare characterization studies of areas identified



Distinction between identification of properties and evaluation for further study for potential HCD designation

Heritage Community Input

- Invite input from nearly (50) members of London's heritage community
  - Identification of candidate areas for consideration as potential HCDs in London, along with what factors should be considered in the prioritization process
- Representatives from :
  - ACO London; Downtown London; HLF; the LACH; London Heritage Council; London Planners Council, Middlesex Historical Society; Urban League and neighbourhood associations
- Three (3) roundtable discussions and informal interviews
  - One (1) roundtable – during June meeting of the LACH
  - Opportunity to provide input via email or phone
- Over thirty (30) participated in the consultation process

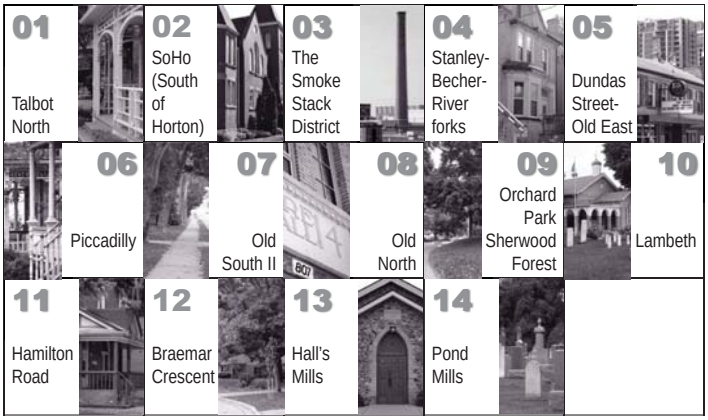
Identification of Areas

- Values-Based Assessment derived from:
  1) Ontario Heritage Act – Ontario Regulation 9/06
  2) The London Plan
  3) Ontario Heritage Tool Kit and The Standards and Guidelines for the Conservation of Historic Places in Canada
- Values used to identify candidate areas
  - Historical/Associative Values
  - Physical/Design Values
  - Contextual Values
  - Other values include:
    - Spiritual Values
    - Educational and Scientific Values
    - Natural Values
    - Archaeological Values
    - Social Values

Prioritization Criteria

- Prioritization criteria derived from review of other municipalities' practices, previous staff reports and consultation with the members of the heritage community
- Prioritization criteria:
    1. Results of **values-based assessment** of candidate area
    2. **Potential for change** within candidate area
    3. **Community preparedness** or readiness/willingness to initiate and engage in an HCD Study process
    4. **Appropriateness of** HCD designation as **planning tool**
    5. **Other factors** such as previous Municipal Council direction, recognition of City planning priorities and implications of planned future initiatives.

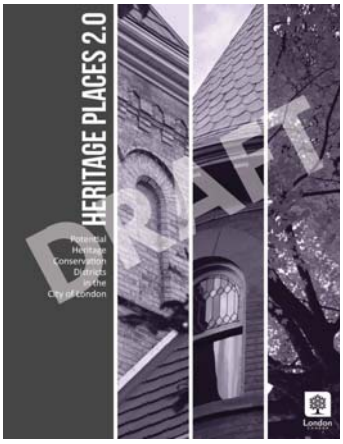
Candidate Areas



Candidate Areas – Locations

Considerations

- Outcome not an evaluation or recommendation of areas for designation
- Identification and recognition that areas have potential heritage significance which merits further study
- Prioritization not a measure or reflection of perceived cultural heritage value or interest or significance of area
- Areas not being recommended for designation, but may be recommended for further evaluation by Council decision to undertake HCD Study under OHA
- The identification and further prioritization of candidate areas will help to manage community expectations and staff resources by providing clarity in scheduling of future work and transparency and fairness to the nomination process.



PEC Actions

The proposed by-law and the draft guideline document – *Heritage Places 2.0* **BE RECEIVED**;

The comments received from the (Nov 12, 2018) PPM **BE CONSIDERED** in the preparation of the final Heritage Places 2.0 and proposed amendment to *The London Plan*; and,

The draft Heritage Places 2.0 **BE CIRCULATED** to the LACH, the Urban League and relevant neighbourhood associations for feedback.

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.

AGENDA

1. Expanded Cultural Heritage Screening Report (CHSR)
2. Individual Cultural Heritage Evaluation Reports (CHER)
   - Draft Terms of Reference
   - Draft Table of Contents
3. Grouped CHER
   - Draft Terms of Reference
   - Draft Table of Contents
   - Grouped CHER example
4. Work plan

EXPANDED CHSR

DRAFT CHSR (APRIL 2018)

- Screened properties along the BRT corridors for potential cultural heritage value or interest
- Provided a historical and policy context, existing conditions and mapping
- Made recommendations for properties requiring further heritage studies

EXPANDED CHSR (OCTOBER 2018)

- Included properties identified by LACH, and identified properties that do not require further study
- Identified properties added to the City's Inventory of Heritage Resources this year
- Evaluated potential impacts and identified mitigation strategies
- Assessed changes to impacts due to evolving design in response to consultation
- Updated mapping
- Updated recommendations for properties requiring further heritage studies

INDIVIDUAL CHER: TERMS OF REFERENCE

A stand-alone CHER will include detailed information on the history of each individual property, including:

- General description of context, community, landscapes
- Land use history (ownership)
- Photos and description of the building exterior
- Analysis of comparative buildings in London
- Cultural heritage resource evaluation under Ontario Regulation 9/06
- Statement of cultural heritage value or interest with description of heritage attributes
- Recommendations for future cultural heritage studies, if appropriate

HANDOUT AVAILABLE

INDIVIDUAL CHER: TABLE OF CONTENTS

Executive Summary
1 Introduction
2 Legislation and Policy Context
3 Historical Context
4 Existing Conditions
5 Cultural Heritage Evaluation
6 Conclusions
7 Recommendations
8 Images
9 Historic Photos and Mapping
10 Bibliography and Sources

HANDOUT AVAILABLE

GROUPED CHER: TERMS OF REFERENCE

A grouped CHER will be prepared for contiguous properties which share a geography, style, age, use and typology and will include:

- Shared general description of context, community, landscapes
- Individual land use history (ownership)
- Individual photos and description of the building exterior
- Individual analysis of comparative buildings in London
- Individual cultural heritage resource evaluation under Ontario Regulation 9/06
- Individual statement of cultural heritage value or interest with description of heritage attributes
- Recommendations for future cultural heritage studies, if appropriate

HANDOUT AVAILABLE

GROUPED CHER: EXAMPLE

"Four USRC Subways Cultural Heritage Evaluation Report" Prepared in August 2016 for Metrolinx

Recommendations provided in a separate Cultural Heritage Evaluation Recommendations Report (CHERR)

CHERs prepared for London BRT will be a single report with recommendations to be provided within the CHER

HANDOUT AVAILABLE

GROUPED CHER: TABLE OF CONTENTS

Executive Summary
1 Introduction
2 Legislation and Policy Context
3 Historical Context
4 Existing Conditions
5 Cultural Heritage Evaluation
6 Conclusions
7 Recommendations
8 Images
9 Historic Photos and Mapping
10 Bibliography and Sources

HANDOUT AVAILABLE

WORK PLAN: 2018

44 Wharncliffe Road
1110 Richmond Street
Wellington Road: 6 individual
Richmond Street Group CHER: 5 properties

→ Nov 28 Stewardship Sub-Committee

→ December 12 LACH

HANDOUT AVAILABLE

WORK PLAN: 2019

Wellington Grouped CHER (35 properties)

→ Dec 20 circulated for review

→ Jan 9 LACH Consultants can provide overview presentation of findings

→ Jan 30 Stewardship Sub-Committee

→ Feb 13 LACH

HANDOUT AVAILABLE

TIMELINES / NEXT STEPS

- Submit updated CHSR to MTCS
- Continue work on grouped and individual CHERs
- Continue to bring reports to LACH and Stewardship Subcommittee
- Cultural heritage evaluations to be completed in time for LACH meeting in February 2019
- Transit Project Assessment Process with Environmental Project Report to be completed by end of March 2019

QUESTIONS?

COMMENT AND RESPONSE TABLE

At the LACH meeting on October 10, the project team provided the expanded Cultural Heritage Screening Report (CHSR) and the draft terms of reference for the individual and group CHER. The draft table of contents and an example of a grouped CHER was provided to the Stewardship Sub-committee.

The following table summarizes the comments received from the LACH Stewardship Sub-Committee report dated October 24, 2018 and the project team's responses.

#	COMMENT	RESPONSE
1	The historical section of the CHER should be focused on the history of the property and how it fits into the London context, rather than a regurgitation of the history of London.	The historical context and settlement history section of the CHER will be focused on the immediate context where each property is located (e.g. the neighborhood and street). A detailed land use history will be included for each property. In the draft CHERs, we have referenced the CHSR for a more detailed history of London.
2	It may not be essential to take land registry research back to the Crown in all instances.	We have been able to complete land registry research back to the Crown for 44 Wharncliffe Road North, 1110 Richmond Street and the Richmond Street Group CHER. We understand that this may not always be possible or desirable, and will document as far back as we can.
3	A combined Terms of Reference for both group and individual CHERs should be considered as the essential/required content is identical.	The purpose of having a Terms of Reference for both individual and group CHERs is to clarify where background information, descriptions of context and historical research can be shared for properties in the Group CHER, and where property-specific details are required.
4	Only a brief summary of provincial and municipal context and policies should be included in the CHERs.	We agree. Only a summary will be included, specifically the Ontario Heritage Act, Planning Act, Provincial Policy Statement 2014, and Environmental Assessment Act.
5	Consideration should be given to combining all relevant information on an individual property (description, evaluation, conclusion, and recommendation) to be better suited for a reader's perspective for the group CHERs.	We have reorganized the group CHER Table of Contents so that all the property-specific information, including the land use history, architectural description, description of integrity, O. Reg. 9/06 evaluation and Statement of Cultural Heritage Value or Interest (if applicable) is in one section. We will also include a picture of the relevant property at the beginning of each section.
6	It should be noted that the grouping or sum of properties together may be of cultural heritage value or interest, rather than just the individual properties on their own (e.g. collective value of the streetscape).	We do consider the contextual value of each property within its streetscape, and this will be considered in each CHER.
7	There are concerns with the potential volume of including all of the necessary information on thirty-five (35) properties in one CHER. Consideration should be given to break this down further, perhaps on a block-basis, for a more manageable CHER.	It is expected that the 35 Wellington Group CHER properties will be organized into sub-groupings based on our research and common elements. Block-by-block Group CHERs may make sense and will be considered and evaluated as an approach.

Appendix D – Statement of Cultural Heritage Value or Interest

Legal Description
"Part Lot 16, e/s Waterloo Street, as in LC131018, London"

Description of Property
The property located at 336 Piccadilly Street, known as Kenross, is located on the northeast corner of Piccadilly Street and Waterloo Street. A two-and-a-half storey red brick residence with a prominent central tower is located on the property.

Statement of Cultural Heritage Value or Interest
The property at 336 Piccadilly Street is of significant cultural heritage value or interest because of its historical or associative values, its physical or design values, and its contextual values.

Historical or Associative Values
The property at 336 Piccadilly Street has direct historical associations with Charles R. Somerville (1856-1931). Following a successful career as a paper box manufacturer, the home at 336 Piccadilly Street was built in 1909 for the Somerville family replacing an earlier structure on the property. The home was named "Kenross," a portmanteau for the two children of Charles R. Somerville, Kenneth Ian (1895-1918) and Charles Ross "Sandy" (1903-1991). During their occupation of the home, Charles R. Somerville served as the Mayor of London in 1918-1919. Sandy Somerville later became the first Canadian to win the coveted U.S. Amateur Title in 1932 and was a Canadian golfing legend.

The home was sold in 1923 to Arthur H. Brener, in 1929 to George W. Little, in 1932 to James L. Thayer, in 1935 to Albert H. Murphy, in 1951 to Alex M. Auchterlonie (during whose tenure the property at 340 Piccadilly Street was sold off), in 1958 to Donald J. Matthews, in 1967 to Norman Hills, and in 2007 to Natalie and Timothy Tattersall.

Physical or Design Values
Kenross, the building located at 336 Piccadilly Street, is a monumental, landmark building. It is a unique and representative example and expression of the late Queen Anne Revival architectural style which demonstrates the exuberance of the Edwardian Period prior to the Great War (World War I). Completed in 1909 for the Somerville family, the building is complicated in its massing and refined in its demonstration of a high degree of craftsmanship in its details and finishes.

The building has a t-shaped plan, with a central, prominent three storey tower. The building is two and a half storeys in height, with the tower being a full three storeys in height. The foundation of the building is clad in coursed, rusticated red sandstone blocks. Rusticated sandstone is also used for the plinths of the porch. Dressed sandstone can also be found in the lintels of most window openings as well as coping on the Flemish gable on the west façade. The building is clad is smooth-finished red brick masonry laid in a stretcher bond pattern. This brick was imported, in keeping with the styles popular with London's affluent classes at the time. The round tower component features particularly decorative sandstone and moulded brickwork, including a full entablature with moulding, dentils, and pilaster-like finishes which emphasizes a Palladian motif.

The building is capped by a cross-gable roof, and accented by dormers. The roof features a wide overhang accented by modillions, projecting eaves, and a plain frieze in the soffits. The slate roof is composed of rounded or fishscale shingles. Slate cladding can also be found in the chimneys protruding from gables on the west façade. Metal cresting accentuates the ridges of the roof and metal flashing in the valleys of the roof. A metal finial is located at the top of the conical tower roof. The building features four brick chimneys with decorative brickwork detailing. Dormers are located on the north and south slopes of the roof. The dormer roofs have a hipped roof with a slight bellcast slope, which is also accented by metal cresting. The main gables of the cross-gable roof feature half timbering in a different style. The south end-gable features half-timbering in

a Tudor Revival-inspired motif with braces, beams, and struts painted in a contrasting colour to the stucco. The end-gable on the north façade features similarly-inspired details, but emphasizes quatrefoil motifs in its woodwork details. The end-gable on the east façade also features half-timbering, but here with a greater emphasis on the sloping aesthetic of the braces.

The majority of windows of the building are located in triplets. This includes the triple window with quarry, or diamond-shaped leaded glass motif, on the main floor, the three-bay oriel window with leaded window in the second storey, the Palladian window in the gable and the same motif in the doorway to the upper porch, the triple arched windows of the tower, and the triplet of plain rectangular sash windows on the second storey. Additionally, the single, paired, and triplet columns of the porch create three main bays across the porch and the three chimneys of the west façade also create a motif that accentuates the Flemish gable.

Wood windows are located throughout the building in a variety of styles compatible with the period and style of the building. In addition to the quarry windows of the main storey, diamond-shaped motifs in beveled leaded windows and fanlights are found throughout the building. All of the windows and doors, including the main front door, located in the tower are curved to match the curve to fit the curve of the walls of the round tower, which demonstrates a high degree of craftsmanship found throughout Kenross. In addition to its leaded windows and bevelled glass, Kenross includes a number of important, decorative stained glass windows and the ‘Tree of Life’ window program found in the Dining Room.

The porch wraps around part of the south and east sides of the building which emphasizes an asymmetrical, Queen Anne Revival composition to the building. The flat roof of the porch is supported by single, paired, and triplet wood columns set on rusticated red sandstone blocks. The columns are intricate, with two-thirds fluting, bases, and Scamozzi Ionic capitals. Dressed sandstone steps provide access to the porch via its middle bay. A low, solid red sandstone wall closes the ends of the steps; a painted metal handrail accentuates the sloping curvature of the entrance steps. The porch railings are composed of small, delicately-spun wood spindles set between a carved top and bottom rail. The low height of the railing curves up to match the height of the cap stone of the plinths. The porch deck is painted tongue and groove wood, which is accentuated by a moulded frieze affixed immediately below on the porch skirt. A plain frieze with moulding forms part of the porch’s entablature. An oak enclosure or vestibule provides access to the main front door to the building.

On the interior, the refined details and craftsmanship continues. The home is centred on the bifurcated main staircase, providing a focal point for the home and its circulation where semi-public and private spaces are distinctly defined. The location of the staircase on the west wall is articulated on the exterior by the Flemish gable; its windows flood the staircase with natural light. The home features eight fireplaces, each of a unique design and detail. Of further note is the mosaic flooring of the front foyer and the wood Palladian style column entry feature between the front foyer and main hall.

The property is defined by a stone curb, which acts as a short retaining wall to formally define the property at the municipal sidewalk.

The Queen Anne Revival architectural style is the most eclectic of the nineteenth century style, a cocktail of styles drawing inspiration from fifteenth century English architecture, with a blend and revival of Classical and Medieval motifs suited to a local vernacular. The particular execution of these architectural motifs in Kenross demonstrates the enthusiasm and flamboyance of the Edwardian Period and a culmination of the Queen Anne Revival architectural style and its expression. Kenross was designed to impress.

Contextual Values
The property at 336 Piccadilly Street is a landmark that defines the character of the Piccadilly area through its prominent location at the corner of Piccadilly Street and

Waterloo Street. The Piccadilly area is characterized by late Victorian and Edwardian homes, ranging in size and architectural style. Kenross is the grandest and largest historic home in the area.

Heritage Attributes
Heritage attributes that contribute to and support the cultural heritage value of the property at 336 Piccadilly include:

- Form, scale, and massing of the building, including the tower;
- Location of the building on the northeast corner of Piccadilly Street and Waterloo Street;
- Complex and flamboyant expression of the late Queen Anne Revival architectural style
- Red sandstone, including foundation cladding, coping of the Flemish gable, and lintels
- Red brick exterior cladding, including decorative detailing
- Slate-clad cross-gable roof with cresting, as well as the conical tower roof with finial
- Projecting eaves with plain frieze in the soffit and modillions
- Dormers with slight bellcast roof
- Half-timbering of the end-gables
- Four chimneys with decorative brick detailing
- Windows, including the quarry or diamond-shaped leaded windows, three-bay oriel window with leaded windows, the Palladian window motifs, arched and square-topped windows, as well as the curved windows, fan lights, leaded windows, bevelled details, and stained glass throughout
- Porch, including red sandstone plinths, turned wooden balustrade, wood columns, plain frieze, tongue and groove decking
- Oak enclosure/vestibule at the front door
- Curved wood front door
- Mosaic tile in the front foyer of the main storey
- Wood, Palladian style column entry feature between the front foyer and main hall with the staircase
- The wood bifurcated main staircase from the main storey of the house to the attic storey, including wood balustrade and desk at main level
- The eight fireplaces (including mantle and surrounds):
    - White mantle with rosettes and marble surround in the living room
    - Classically-inspired wood mantle with paired columns with green tile surround and brass firebox cover in the study
    - Stained wood mantle beneath the staircase with blue tile and brass firebox detailing
    - Arts and Crafts style tile fireplace with heavy metal brackets and hood, with wood mantle located in the dining room
    - Puce-colour tile with green tile detail located in the south bedroom on the second storey with brass firebox detailing and paneled metal firebox insert and painted wood mantle
    - Light peach and blue tile Neoclassical fireplace and mantle located in the east bedroom on the second storey
    - Blue tile, three-sided fireplace located in the corner of the northeast bedroom on the second storey
    - Arts and Crafts style fireplace with tile and wood mantel, with decorative carving, located in the ballroom of the attic storey
- Stone curb at the sidewalk edge of Piccadilly Street and Waterloo Street

The staircase affixed to the north façade of the building and detached garage are not considered to be heritage attributes of the property.

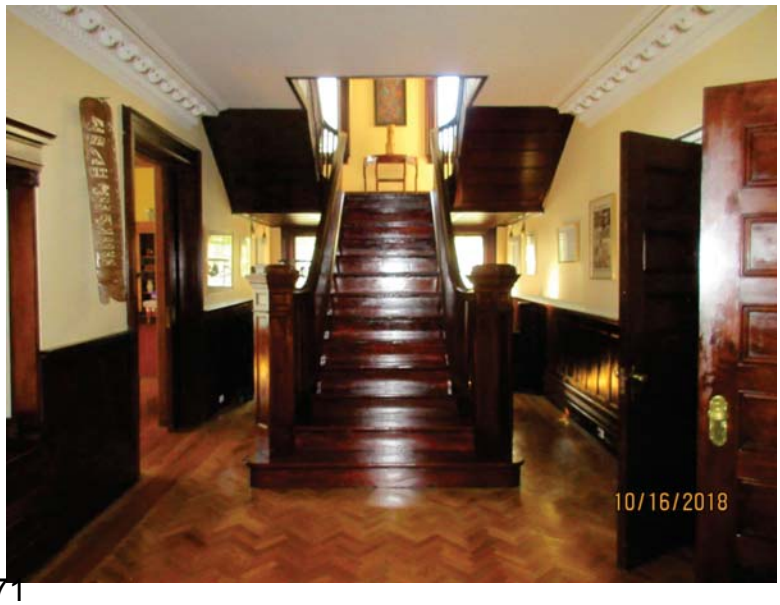
Request for Designation 336 Piccadilly Street Kenross

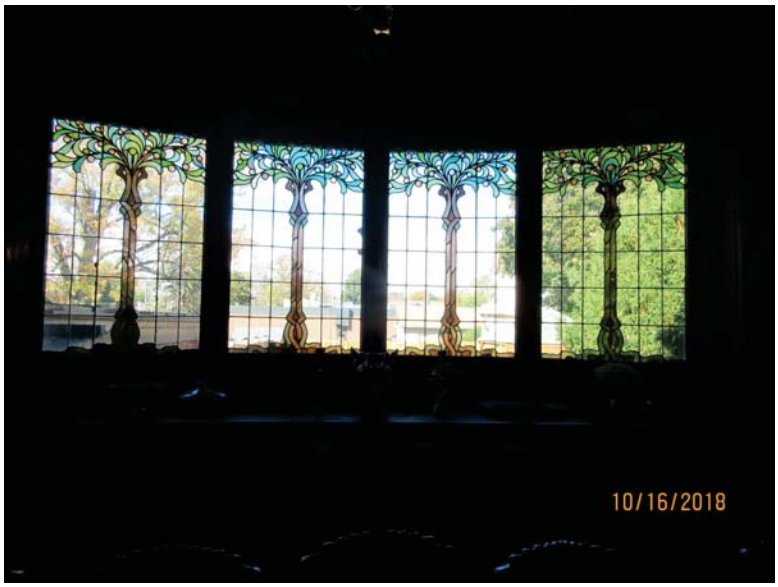
London Advisory Committee on Heritage
November 14, 2018

london.ca

336 Piccadilly Street

- Earlier house (c.1882-1887, demolished 1907)
- Constructed 1907-1909
- ACO Geranium Heritage House Tour: 1979, 2000, 2017





Charles Ross Somerville

- 1856-1931
- Somerville Paper Box Co.
- Mayor of London: 1918-1919
- “Kenross” – Kenneth Ian + Charles Ross

Research

- ACO Geranium Heritage House Tours
- *100 Fascinating Londoners*
- Fire Insurance Plans
- Tax Assessment Rolls
- Land Registry
- Property File
- London Room clippings
- *Topography of Grief*
- *London & Its Men of Affairs*
- Municipal Yearbook
- Western Archives
- Ken Somerville
- Natalie & Tim Tattersall
- Architectural
- No attributed architect known

Evaluation

Criteria of O. Reg. 9/06	Yes/No
Is a rare, unique, representative or early example of a style, type, expression, material or construction method	Yes
Displays a high degree of craftsmanship or artistic merit	Yes
Demonstrates a high degree of technical or scientific achievement	No
Has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community	Yes
Yields, or has the potential to yield, information that contributes to an understanding of a community or culture	No
Demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community	No
Is important in defining, maintaining or supporting the character of an area	Yes
Is physically, functionally, visually or historically linked to its surroundings	No
Is a landmark	Yes

Comparative Analysis

Marr House
385 Dufferin Avenue, West Woodfield HCD

Shuttleworth House
300 Princess Avenue, West Woodfield HCD

Kipps Family House
1160 Kipps Lane (listed)

Headley or Elliston
240 Sydenham Street (listed)

Recommendation

That, on the recommendation of the Managing Director, Planning & City Planner, with the advice of the Heritage Planner, with respect to the request for the designation of the heritage listed property at 336 Piccadilly Street, that notice BE GIVEN under the provisions of Section 29(3) of the *Ontario Heritage Act*, R.S.O. 1990, c. O. 18, of Municipal Council's intention to designate the property to be of cultural heritage value or interest for the reasons outlined in Appendix D of this report.

Amendment to Heritage Designating By-law for 660 Sunningdale Road East

London Advisory Committee on Heritaeg

November 14, 2018

london.ca

Barns

Chronology

- Listed on the Inventory of Heritage Resources in 1997
- *Archaeology & Built Heritage Assessment, Uplands North Area Plan* (2002)
- July 12, 2017: LACH consultation on demolition request
- April 11, 2018: LACH consultation on demolition request
- Settlement with Property Owner regarding Heritage Designation
- September 18, 2018: Heritage Designating By-law No. L.S.P.-3476-474 passed and registered on title
- Issues with legal description

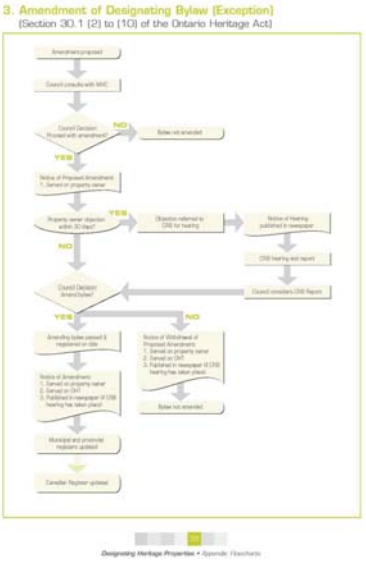
Ontario Heritage Act

Section 30.1(2):

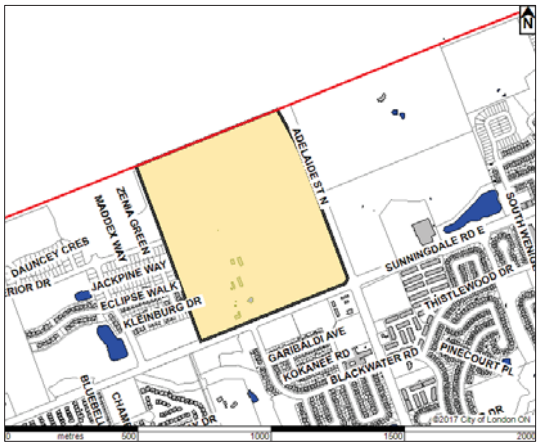
a) *To clarify or correct the statement explaining the property's cultural heritage value or interest or the description of the property's heritage attributes;*

b) *To correct the legal description of the property; or,*

c) *To otherwise revise the language of the by-law to make it consistent with the requirements of this Act or the regulations. 2005, c. 6, s. 19.*



Property Location



Reference Plan

Overlay Plan

Recommendation

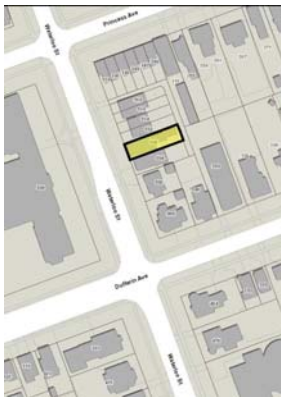
That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the heritage designated property at 660 Sunningdale Road East, notice of Municipal Council's intention to pass a by-law to amend the legal description of the property designated to be of cultural heritage value or interest by By-law No. L.S.P.-3476-474 **BE GIVEN** in accordance with the requirements of Section 30.1(4) of the *Ontario Heritage Act*, R. S. O. 1990, c. O. 18.

Heritage Alteration Permit
508 Waterloo Street

London Advisory Committee on Heritage
Wednesday November 14, 2018

london.ca

Property Location + Status



Location of 508 Waterloo Street

- Designated –Part V under the *Ontario Heritage Act*
- Located within the West Woodfield Heritage Conservation District *(*By-law No. L.S.P.-3400-254 –March 9, 2009)

Property Description

508 Waterloo Street (c.2016)

- Constructed c.1893
- Queen Anne styling
- Set back from Waterloo Street, has detailed gables, unique second floor window, spacious porch, double leaf doors with transoms and pairs with the 504 Waterloo Street

Heritage Alteration Permit

- The property was altered without obtaining Heritage Alteration Permit approval.
- A Heritage Alteration Permit application was submitted by the property owner and received October 12, 2018.
- The property owner has applied for a Heritage Alteration Permit to:
  - Remove original wood windows from the front façade; and
  - Replace windows with “Gentek” aluminum windows with faux muntins

Heritage Alteration Permit

508 Waterloo Street after alterations

Heritage Alteration Permit

508 Waterloo Street c.2016

508 Waterloo Street after removal of the attic windows

Heritage Alteration Permit

508 Waterloo Street c.2016

508 Waterloo Street after removal of the second floor main window

Heritage Alteration Permit

508 Waterloo Street c.2016

508 Waterloo Street after removal of the solarium windows

Heritage Alteration Permit

508 Waterloo Street -2018
(photo courtesy of property owner)

Proposed replacement for first floor main window and transom (photo courtesy of property owner)

Policy

Ontario Heritage Act

- Section 42 of the *Ontario Heritage A*ct requires that a property owner not alter, or permit the alteration of, the property without obtaining Heritage Alteration Permit approval.

West Woodfield Heritage Conservation District Plan **Guideline's:**

- "Restore" wherever possible rather than "replace"
- The preservation of original doors and windows is strongly encouraged wherever possible
- Replacement windows should mimic the original windows with respect to style, size and proportion

Analysis

- Attic and solarium replacement windows are in accordance with the guidelines as the windows are similar in style, size and proportions to the previous windows
- Second and first floor main windows do not comply to the guidelines.
  - The second floor main window was an original single hung sash wood window with unique decorative detail and has been replaced with an aluminum window that has two awing windows with faux muntins.
  - The first floor main window, which has not yet been replaced, is a single hung sash wood window and the proposed replacement is also an aluminum window that has two awing windows with faux muntins.

Staff Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* to replace windows at 508 Waterloo Street, within the West Woodfield Heritage Conservation District, **BE PERMITTED** with the following terms and conditions:

a) The second floor main window replacement should mimic the same style, size and proportions as the original window

b) The first floor main window should be preserved

c) The Heritage Alteration Permit be displayed in a location visible from the street until the work is completed

Heritage Planners' Report to LACH: November 14, 2018

1. Heritage Alteration Permits processed under Delegated Authority By-law:
    a. 24 Bruce Street (WV-OS HCD): Front door replacement
    b. 187 Dundas Street (Downtown HCD): New storefront and signage
    c. 939 Queens Avenue (OE HCD): Rear addition visible from the street
    d. 211 Dundas Street (Downtown HCD): Signage
    e. 491 English Street (OE HCD): Driveway alteration (amendment)
    f. 370 Richmond Street (Downtown HCD): Masonry repointing
    g. 562 Dufferin Avenue (EW HCD): Rear addition
    h. 742 Elias Street (OE HCD): Side porch
    i. 82 Empress Avenue (B/P HCD): Window replacement
    j. 68 Rogers Avenue (Downtown HCD): Siding replacement
    k. 226 Dundas Street (Downtown HCD): Façade alteration
    l. 228 Dundas Street (Downtown HCD): Façade alteration
2. Lorne Avenue Park – Community Meeting and Design Charette – Thursday November 15, 2018 from 7:00-9:00pm at Boyle Community Centre (530 Charlotte Street)
3. Special Call for Stewardship Sub-Committee Members to help review Cultural Heritage Evaluation Reports (CHERs) for Rapid Transit
4. Recent LPAT Decisions:
    a. "Kingston's Capital Condo rejected by appeal hearing" *The Kingston Whig-Standard* (November 9, 2018)
    b. "Fight for Oakville's Glen Abbey Golf Course headed to Ontario Court of Appeal" *Inside Halton* (November 7, 2018)
5. Update: re: Request to Repeal the Heritage Designating By-law for 1266 Riverside Drive (The Cedars). Property owner has agreed with the City to extent the legislated timeline to allow for further discussion. The LACH will be consulted.
6. Update: Blackfriars Bridge

Upcoming Heritage Events

- Hamilton Road's Steam Legacy, Hidden History of Hamilton Road, Crouch Branch (550 Hamilton Road) on Thursday November 15, 2018, 7:00pm
- Terrific Tales of London & Area – Tuesdays, Central Library (Richmond Room) at 7pm
    - November 20: Oscar Wilde's London connection
    - November 27: Mohawk physician and Oxford scholar, Dr. Oronhyatekha
- A Night of Mystery at Elsie Perrin Williams Estate – Friday November 16, 2018 https://heritagelondonfoundation.ca/event/mystery-night-dinner-silent-auction-at-the-elsie-perrin-williams-estate/
- Kilworth United Church Christmas Home Tour – Saturday November 24 and Sunday November 25. Ticket $25. www.kilworthunited.ca or 519-641-7367
- Christmas Tea at Eldon House – December 1-2. 1:00pm – 3:00pm seating. Tickets Adults $34.95 + HST & $24.95 + HST for children under 12. More information https://www.londontourism.ca/Events/Christmas-Tea
- Victorian Christmas Tea at Grosvenor Lodge – December 9 from 1:00pm to 3:00pm. Tickets $40. More information https://heritagelondonfoundation.ca/event/victorian-christmas-tea/

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: **Drewlo Holdings Inc.**
172-174 and 176 Pond Mills Road
Application for Zoning By-law Amendment
Public Participation Meeting on: December 10, 2018

Recommendation

That, on the recommendation of the Senior Planner, Development Services, based on the application by Drewlo Holdings Inc., relating to lands located at 172-174 and 176 Pond Mills Road, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting to be held on December 18, 2018 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands **FROM** a Convenience Commercial CC Zone, Urban Reserve UR1 Zone, and Residential R1/Neighbourood Facility (R1-6/NF) Zone **TO** a Residential R1 (R1-1) Zone to permit single detached dwellings on lots with a minimum lot frontage of 9.0 metres and minimum lot area of 250 square metres.

Executive Summary

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to amend the Zoning By-law to permit the development of nine (9) residential lots fronting the south side of the future extension of Deveron Crescent.

Rationale of Recommended Action

1. The recommended Zoning By-law Amendment is consistent with the Provincial Policy Statement.

2. The recommended zoning is appropriate, and conforms with The London Plan and the Official Plan.

3. The zoning will permit single detached dwelling lots that are appropriate for this location, and compatible with the pattern of existing and planned development in the immediate area.

Analysis

1.0 Site at a Glance

1.1 Property Description

The property at 172-174 Pond Mills Road is the site of a former neighbourhood convenience store. The building was demolished in 2014 and the site has remained vacant ever since. The adjacent parcel at 176 Pond Mills Road is also vacant. The topography is gently downward sloping from east to west towards Pond Mills Road. There is some existing tree cover across the middle and rear portions of the site. Both Pond Mills Road and the future extension of Deveron Crescent are classified as Neighbourhood Connectors in the London Plan. Pond Mills Road is classified as a Primary Collector and Deveron Crescent is classified as a Secondary Collector in the 1989 Official Plan.

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 – Convenience Commercial CC, Urban Reserve UR1 and Residential R1/Neighbourhood Facility (R1-6/NF)

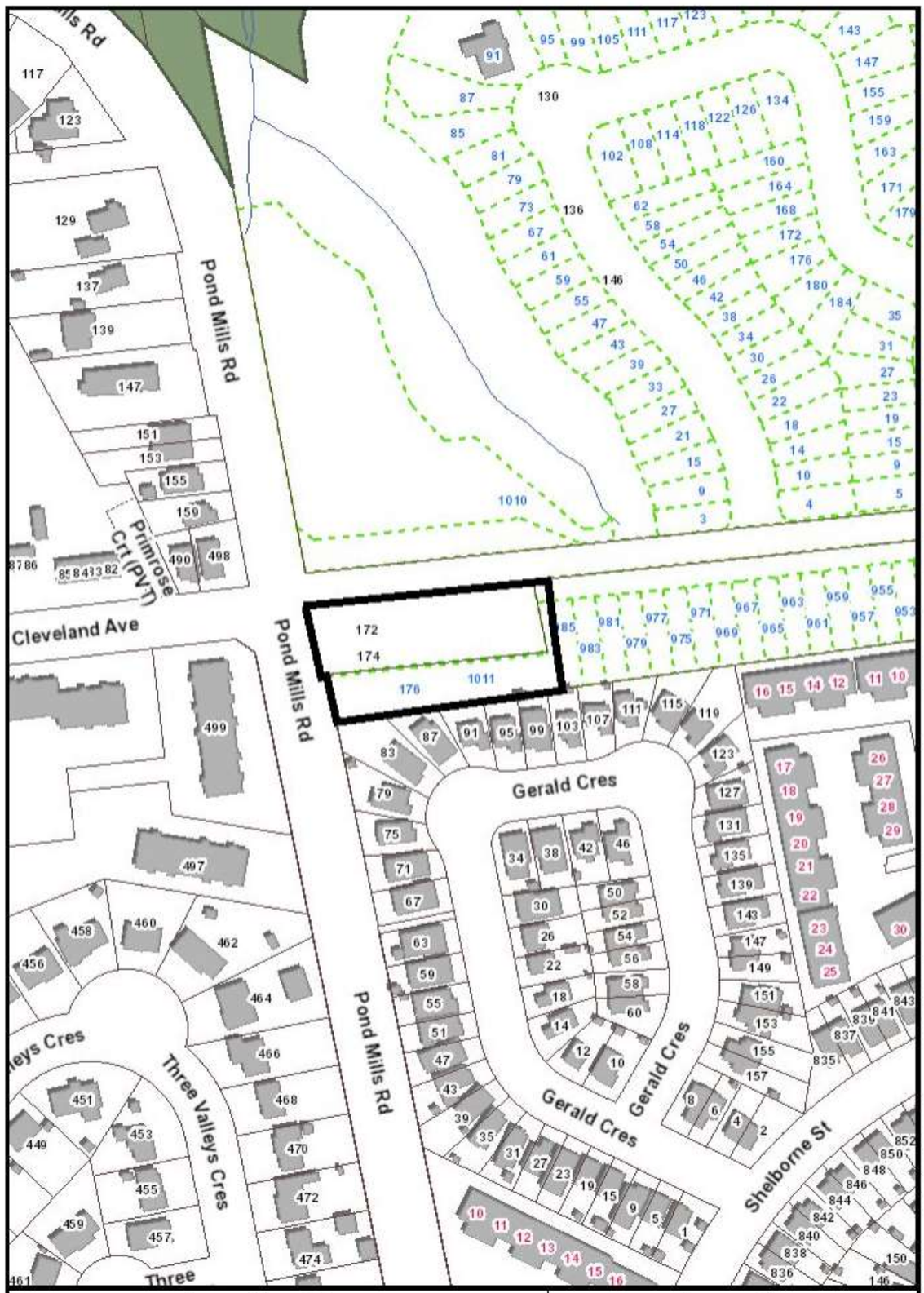
1.3 Site Characteristics

- Current Land Use – vacant
- Frontage – 48 metres
- Depth – approx. 92 metres
- Area – 0.44 hectares
- Shape – regular

1.4 Surrounding Land Uses

- North – vacant lands for future development
- East – vacant lands for future development
- South – residential single detached dwellings
- West – residential apartment building

1.5 Location Map

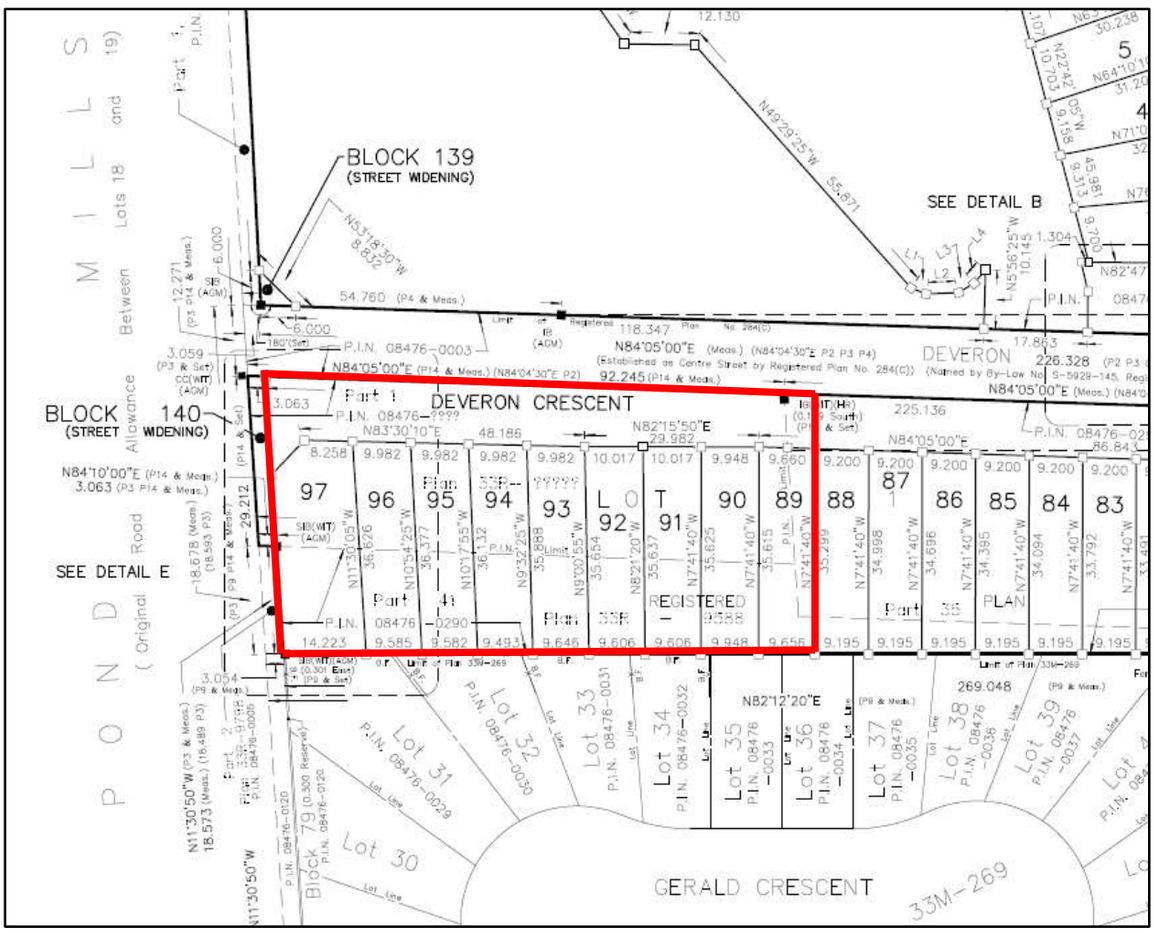


2.0 Description of Proposal

2.1 Development Proposal

The requested zoning amendment will facilitate the continuation of single detached dwelling lots fronting the south side of the future extension of Deveron Crescent through to Pond Mills Road (Lots 89 to 97), as illustrated below. The lots are intended to be created through the process of final approval of a draft-approved plan of subdivision on adjacent lands (File No. 39T-12501), and a future application for Exemption from Part Lot Control.

2.2 Proposed Lotting Plan



3.0 Relevant Background

3.1 Planning History

The property at 172-174 Pond Mills Road was recently acquired by Drewlo Holdings Inc. It was formerly the site of a convenience store (Pond Mills Mini-Mart). The building had been vacant for many years, and was eventually demolished in 2014.

The property at 176 Pond Mills Road is part of a future development block within a draft-approved plan of subdivision (File No. 39T-12501). The draft plan of subdivision was approved by the Ontario Municipal Board following a hearing of an appeal by Drewlo Holdings Inc. held in January 2017. The subdivision plan consists of 125 single detached lots, two (2) multi-family residential blocks, one (1) neighbourhood park block, a large (8.08 hectare) open space block, and two (2) new local streets. The draft plan includes the extension of Deveron Crescent, partly aligned on an existing unopened road allowance (formerly known as Centre Street), and resulting in the creation of an east/west public street connection between Shelbourne Street on the east and Pond Mills Road on the west.

The recent acquisition by Drewlo Holdings of the former convenience commercial lands on Pond Mills Road has created an opportunity to significantly improve the alignment of the intersection of Pond Mills Road, Cleveland Avenue, and Deveron Crescent. Detailed engineering design drawings for the subdivision plan have been submitted and are currently being reviewed by the City, including the revised intersection design as well as provision for private drain connections and individual servicing of the proposed lots.

3.2 Requested Amendment

The applicant has requested amendments to change the zoning from a Convenience Commercial CC Zone, Urban Reserve UR1 Zone, and Residential R1/Neighbourood Facility (R1-6/NF) Zone to a Residential R1 (R1-1) Zone to permit single detached dwellings on lots with a minimum lot frontage of 9.0 metres and minimum lot area of 250 square metres.

3.3 Community Engagement (see more detail in Appendix B)

There were no comments/concerns received from the community.

3.4 Policy Context (see more detail in Appendix C)

Provincial Policy Statement, 2014

The proposal must be consistent with Provincial Policy Statement (PPS) policies and objectives aimed at:

1. Building Strong Healthy Communities;
2. Wise Use and Management of Resources; and,
3. Protecting Public Health and Safety.

The PPS contains strong polices regarding the importance of promoting efficient development and land use patterns, as well as accommodating an appropriate range and mix of land uses, housing types, and densities to meet projected needs of current and future residents (Sections 1.1 and 1.4). The policies for Settlement Areas require that new development should occur adjacent to existing built up areas and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities (Section 1.1.3.6). Policies for Transportation promote a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support current and future use of transit and active transportation (Section 1.6.7.4). Planning Authorities shall also support energy conservation and efficiency through land use and development patterns which, among other matters, promotes design and orientation which maximizes opportunities for the use of renewable and alternative energy systems (Section 1.8.1).

The London Plan

The subject lands are located within the Neighbourhoods Place Type in The London Plan, and are situated at the intersection of two Neighbourhood Connector streets. The range of primary permitted uses include single detached, semi-detached, duplex, triplex, townhouses, secondary suites, home occupations, group homes, and small-scale community facilities. Secondary permitted uses include stacked townhouses, fourplexes, low-rise apartments, and mixed-use buildings. Consideration has also been given to the policies of the Our Strategy, City Building and Design, Neighbourhoods Place Type, and Our Tools sections. An excerpt from The London Plan Map 1 – Place Types is found at Appendix D.

1989 Official Plan

These lands are designated as Multi-family, Medium Density Residential under Section 3.3 which permits multiple attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding houses; emergency care facilities; and small-scale nursing homes, rest homes, and homes for the aged, as the main uses. These areas may also be developed for single detached, semi-detached, and duplex dwellings.

4.0 Key Issues and Considerations

4.1 Consideration # 1 – Alignment of Pond Mills Road and future extension of Deveron Crescent.

As noted in the Planning History section above, the subject lands at 172-174 Pond Mills Road were only recently acquired by Drewlo Holdings Inc. The draft plan of subdivision proposed to shift the alignment of Deveron Crescent north of this parcel resulting in a slight off-set at the intersection at Pond Mills Road. However, the acquisition of these additional lands has provided an opportunity to significantly improve the alignment of the intersection of Pond Mills Road, Cleveland Avenue, and Deveron Crescent. Detailed engineering design drawings for the subdivision plan have been submitted and are currently being reviewed by the City, including the revised intersection design and lane configuration, as well as provision for servicing connections to Pond Mills Road.

The applicant's intent is to consolidate the subject lands as a single block within the adjacent plan of subdivision as it proceeds through the process of final approval and registration. At that point, an application can be submitted and consideration given by Municipal Council to passing a by-law exempting the block from the Part-Lot Control provisions of the *Planning Act* to allow for creation of the nine (9) single detached dwellings lots. The requested zoning amendment is intended to facilitate this process.

More information and detail is available in Appendix C and D of this report.

5.0 Conclusion

The recommended amendments to the Zoning By-law are considered appropriate, are consistent with the Provincial Policy Statement, and conform to The London Plan and 1989 Official Plan. The zoning will permit single detached dwelling lots that are appropriate for this location, and compatible with the pattern of existing and future land uses in the surrounding area. It will also facilitate a better alignment of the intersection of Pond Mills Road, Cleveland Avenue and the future extension of Deveron Crescent.

Prepared & Recommended by:	**Larry Mottram, MCIP, RPP** **Senior Planner, Development Services**
Reviewed by:	**Lou Pompilii, MCIP, RPP** **Manager, Development Planning (Subdivisions)**
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	

December 3, 2018
GK\PY\LP\LM\lm

CC: Matt Feldberg, Manager, Development Services (Subdivisions)

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2018\Z-8944 - 172 and 174 Pond Mills Rd\172, 174 and 176 Pond Mills Road Z-8944 Report LM 1of1.docx

Appendix A

Bill No. (number to be inserted by Clerk's Office)
2019

By-law No. Z.-1-19_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 172-174 and 176 Pond Mills Road.

WHEREAS Drewlo Holdings Inc. has applied to rezone an area of land located at 172-174 and 176 Pond Mills Road, 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:

Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 172-174 and 176 Pond Mills Road, as shown on the attached map, from a Convenience Commercial CC Zone, an Urban Reserve UR1 Zone, and a Residential R1/Neighbourood Facility (R1-6/NF) Zone to a Residential R1 (R1-1) Zone.

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. P.13,* either upon the date of the passage of this by-law or as otherwise provided by the said section.

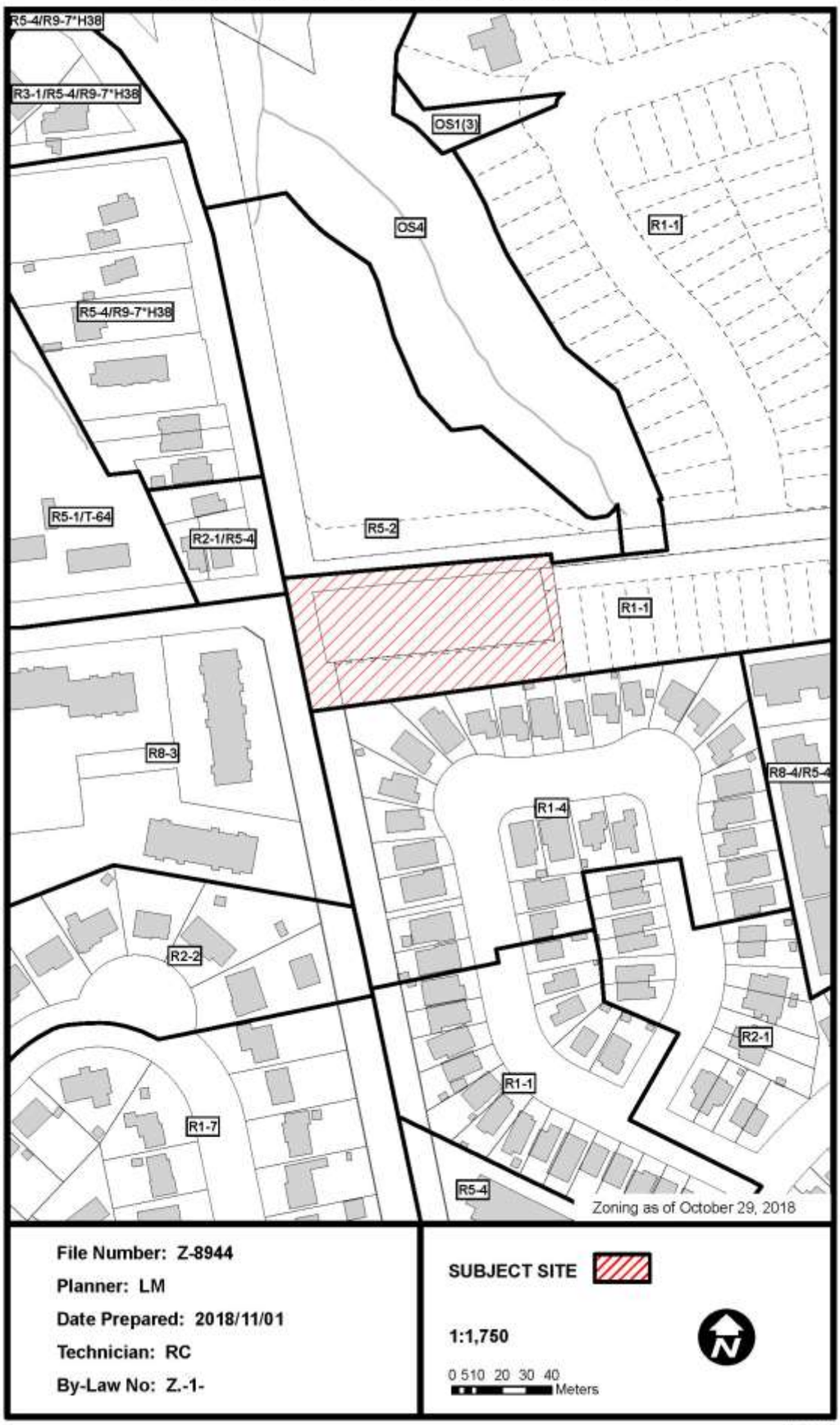
PASSED in Open Council on December 18, 2018.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 18, 2018
Second Reading – December 18, 2018
Third Reading – December 18, 2018

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



Appendix B

Community Engagement

Public liaison: On September 13, 2018, Notice of Application was sent to 96 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on September 20, 2018.

No replies were received

Nature of Liaison: The purpose and effect of this application is to allow development of approximately nine (9) residential lots. Possible Amendment to Zoning By-law Z.-1 to change the zoning of the lands from a Convenience Commercial CC Zone, an Urban Reserve UR1 Zone, and a Residential R1/Neighbourhood Facility (R1-6/NF) Zone to a Residential R1 (R1-1) Zone to permit single detached dwellings on lots with a minimum lot frontage of 9.0 metres and minimum lot area of 250 square metres.

Agency/Departmental Comments

No significant comments were received:

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

The proposal must be consistent with Provincial Policy Statement (PPS) policies and objectives aimed at:

1. Building Strong Healthy Communities;
2. Wise Use and Management of Resources; and,
3. Protecting Public Health and Safety.

The PPS contains strong polices regarding the importance of promoting efficient development and land use patterns, as well as accommodating an appropriate range and mix of land uses, housing types, and densities to meet projected needs of current and future residents (Sections 1.1 and 1.4). The proposed development will promote efficient land use by allowing appropriate residential uses on previously underutilized, commercially zoned lands. The site is in close proximity to public parks and open spaces, as well as community facilities, shopping and commercial services which exist further to the south in the area of Pond Mills Road and Commissioners Road East. It promotes an efficient and cost effective development and land use pattern, and will not cause environmental or public health and safety concerns.

The policies for Settlement Areas require that new development should occur adjacent to existing built up areas and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities (Section 1.1.3.6). The subject lands are located within the City's Urban Growth Boundary, and will be consolidated with an adjacent draft-approved plan of subdivision. The site is immediately adjacent existing built-up areas to the south and west, and designated and zoned future development lands to the north and east. The proposed development will utilize full municipal services which will outlet to existing sewers and services on Pond Mills Road via the future extension of Deveron Crescent.

Policies for Transportation promote a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support current and future use of transit and active transportation (Section 1.6.7.4). The proposed development is supportive of transit service and provides convenient access to an existing London Transit

bus route on Pond Mills Road, a future potential transit route on Deveron Crescent, and is located in close proximity to a planned walking and cycling pathway system.

Planning Authorities shall also support energy conservation and efficiency through land use and development patterns which, among other matters, promotes design and orientation which maximizes opportunities for the use of renewable and alternative energy systems (Section 1.8.1). The proposed lot pattern maintains a consistent north-south orientation to optimize exposure to passive solar energy.

There are no identified concerns for protection of natural heritage features or functions, agricultural, mineral aggregates, or cultural heritage and archaeological resources. The proposed development is outside of any natural hazards and there are no known human-made hazards. Therefore, Development Services staff are satisfied that the recommended Zoning By-law Amendment is found to be consistent with the Provincial Policy Statement.

The London Plan

Our Strategy

Key Direction #5 – Build a mixed-use compact city

2. Plan to achieve a compact, contiguous pattern of growth – looking "inward and upward".

4. Plan for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward.

Key Direction #6 – Place a new emphasis on creating attractive mobility choices

1. Create active mobility choices such as walking, cycling, and transit to support safe, affordable, and healthy communities.

7. Utilize a grid, or modified grid, system of streets in neighbourhoods to maximize connectivity and ease of mobility.

Key Direction #7 – Build strong, healthy and attractive neighbourhoods for everyone

1. Plan for healthy neighbourhoods that promote active living, provide healthy housing options, offer social connectedness, afford safe environments, and supply well distributed health services.

2. 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.

City Building and Design Policies

197_ The built form will be designed to have a sense of place and character consistent with the planned vision of the place type, by using such things as topography, street patterns, lotting patterns, streetscapes, public spaces, landscapes, site layout, buildings, materials and cultural heritage.

The proposed zoning will permit single detached residential dwellings which are compatible with adjacent residential development, in keeping with the character of the neighbourhood, and consistent with the planned vision of the Neighbourhood Place Type. The proposed residential lots will maintain a consistent lot pattern and continuity of the streetscape along of Deveron Crescent.

213_ Street patterns will be easy and safe to navigate by walking and cycling and will be supportive of transit services.

The street pattern is supportive of transit service and provides convenient access to an existng bus route on Pond Mills Road. The detailed engineering design includes provision

for sidewalks on both sides of Devereon Crescent connecting to sidewalks along Pond Mills Road; as well as provision for future bus stop and signage on Deveron Crescent at the intersection of Pond Mills Road.

> *348_ Active mobility features will be incorporated into the design of new neighbourhoods and, where possible, enhanced in existing neighbourhoods to ensure connections to the street and transit system.*

A multi-use pathway connection is planned within the road allowance along this stretch of Deveron Crescent, just to the east of the subject site. It will be a key part of a much larger active mobility network of walking and cycling routes throughout the City.

Neighbourhoods Place Type

The subject lands are located within the Neighbourhoods Place Type in The London Plan, and are situated at the intersection of two Neighbourhood Connector streets. The range of primary permitted uses include single detached, semi-detached, duplex, triplex, townhouses, secondary suites, home occupations, group homes, and small-scale community facilities. Secondary permitted uses include stacked townhouses, fourplexes, low-rise apartments, and mixed-use buildings. The proposed development of single detached dwellings (expected to be minimum 2 storeys in height) conforms with the use, intensity and form policies of the Neighbourhoods Place Type. One of the policy objectives is that neighbourhoods be designed to protect the Natural Heritage System, adding to neighbourhood health, identity and sense of place. As part of the detailed subdivision design, an Enviromental Impact Study (EIS) Addendum and tree preservation plan were prepared and submitted. Recommendations will be incorporated into the accepted engineering drawings to mitigate impacts and protect the ravine and Open Space lands north of the future extension of Deveron Crescent.

Our Tools

> *1694_ In accordance with the Planning Act, City Council may pass by-laws to exempt all, or parts of, registered plans of subdivision from part-lot control. Such exemption will eliminate the need for further subdivisions or consents to convey portions of lots within the registered plan of subdivision. Exemption from part-lot control will not be supported for the creation of a private street which serves freehold lots.*

The Owner's intent is to consolidate the subject lands as a single block within the adjacent plan of subdivision as it goes through the process of final approval and registration. At that point, an application can be considered by Municipal Council to pass a by-law exempting the block from the Part Lot Control provisions of the Planning Act to allow for creation of the nine (9) single detached dwellings lots. The requested zoning amendment is intended to facilitate this process.

1989 Official Plan

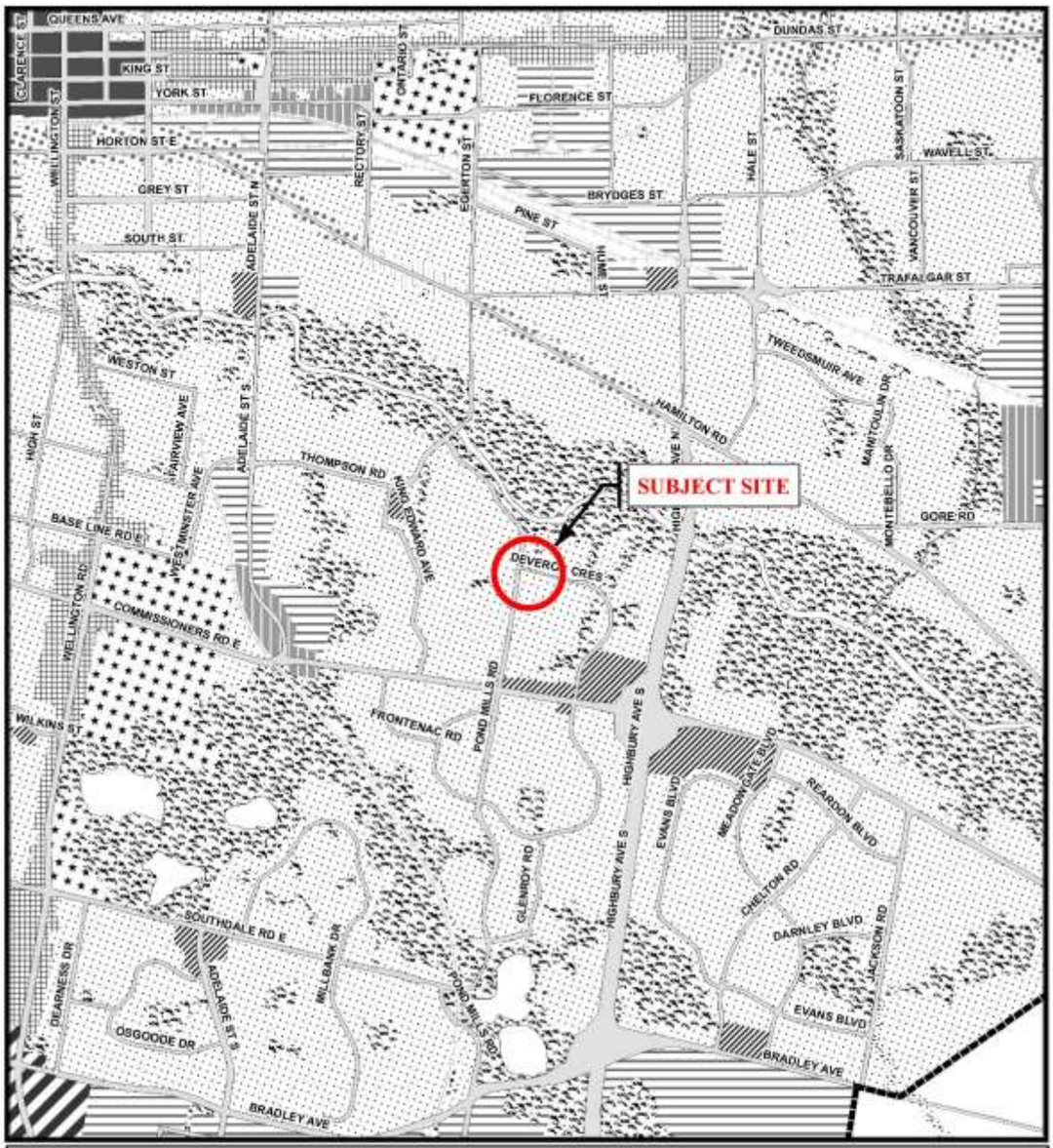
These lands are designated as Multi-family, Medium Density Residential under Section 3.3 which permits multiple attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding houses; emergency care facilities; and small-scale nursing homes, rest homes, and homes for the aged, as the main uses. These areas may also be developed for single detached, semi-detached, and duplex dwellings. The proposed zoning is consistent with the Official Plan designation and permitted uses.

Z.-1 Zoning By-law

The recommended Residential R1 (R1-1) Zone permits single detached dwellings on lots with a minimum lot frontage of 9.0 metres and minimum lot area of 250 square metres. This zoning is appropriate and consistent with proposed single detached lots within the adjacent draft plan of subdivision to the east, as can be seen on the Zoning By-law Map Excerpt found at Appendix D. The applicant's proposed final plan also shows similar lot frontages and depths (approximately 10 metres and 35 metres respectively).

Appendix D – Relevant Background

The London Plan Map Excerpt



Legend

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

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

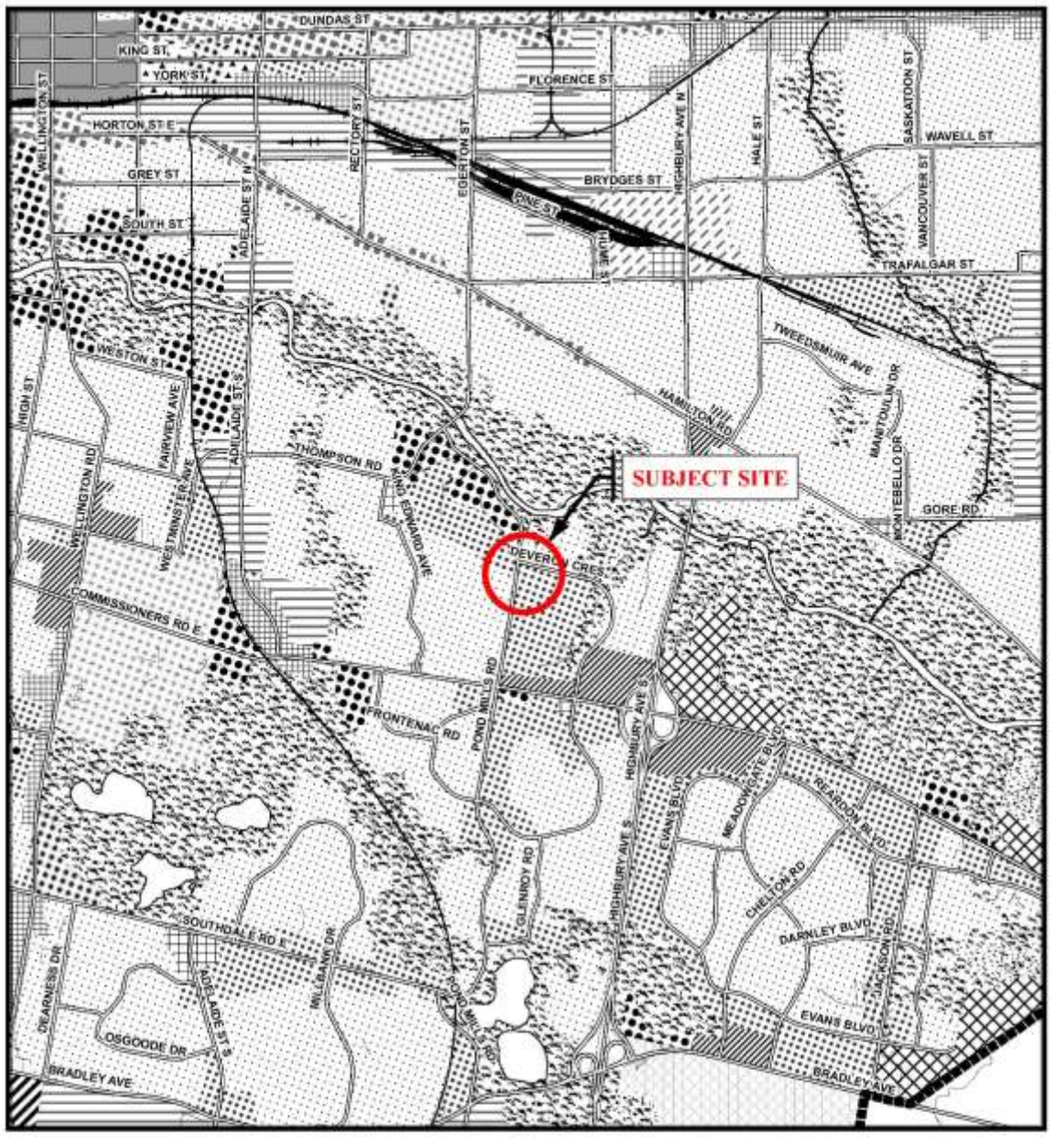
Scale 1:30,000

Meters

File Number:	Z-8944
Planner:	MK
Technician	MB
Date:	December 7, 2017

Project Location: E:\Planning\Projects\p_zoning\z-1zones\amendments\Z-8944\projects\Z-8944-LP-Placetypes-Excerpt.mxd

1989 Official Plan Map Excerpt



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 - LANDUSE -

PREPARED BY: Graphics and Information Services

Scale 1:30,000

Meters

FILE NUMBER:	Z-8944
PLANNER:	LM
TECHNICIAN:	RC
DATE:	2018/01/11

PROJECT LOCATION: e:\planning\projects\p_officialplan\workconsol00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd

Zoning By-law Map Excerpt

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: Z-8944 LM

MAP PREPARED: 2018/11/01 RC

1:2,500
0 12.525 50 75 100 Meters

Additional Reports

February 1, 2016 – Planning and Environment Committee Public Participation Meeting – Appeals to the Ontario Municipal Board - Application by Drewlo Holdings Inc. for approval of Draft Plan of Subdivision and Zoning By-law Amendment for lands located at 130, 136, 146 & 164 Pond Mills Road, and 925 Deveron Crescent (Agenda Item #6).

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: **Corporation of the City of London and Goodwill Industries 747, 759 and 765 Hyde Park Road**
Public Participation Meeting on: December 10, 2018

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of the Corporation of the City of London and Goodwill Industries relating to the property located at 747, 759 and 765 Hyde Park Road:

(a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on December 18, 2018 to amend the Official Plan for 765 Hyde Park Road by **ADDING** a policy to section 10.1.3 – Policies for Specific Areas to recognize the permitted uses of the Shopping Area Place Type in *The London Plan*;

(b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on December 18, 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 765 Hyde Park Road **FROM** an Office Special Provision (OF3(1)) Zone, **TO** an Office Special Provision/Arterial Commercial Special Provision (OF3(_)/(AC4(_)) Zone, and to change the Zoning of 747 and 759 Hyde Park Road by modifying the site-specific regulations of the existing Office Special Provision (OF3(1)) Zone.

Executive Summary

Summary of Request

Goodwill Industries proposes to establish a retail clothing boutique in addition to the office and accessory donation centre functions currently operating within the existing building at 765 Hyde Park Road. Goodwill also wishes to expand the range of permitted uses to provide future flexibility to establish other uses related to Goodwill Industries operations.

The proposal relates only to the most northerly building at 765 Hyde Park Road, and does not include the other two buildings on the site, addressed as 747 and 759 Hyde Park Road.

The City also initiated an amendment to the 1989 Official Plan to align the permitted uses at 765 Hyde Park Road with those of the Shopping Area Place Type of *The London Plan*.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended 1989 Official Plan amendment is to permit the broader range of uses permitted by the Shopping Area Place Type of *The London Plan* at 765 Hyde Park Road, encompassing a broad range of retail, service, office, entertainment, recreational, educational, institutional, and residential uses. The purpose and effect of the recommended Zoning By-law amendment is to permit the addition of retail and institutional uses at 765 Hyde Park Road, along with the currently permitted

clinic, medical/dental office, office, and laboratory uses, a mix of other commercial uses, and dwelling units above the first floor. Special provisions are recommended for 747, 759 and 765 Hyde Park Road to adjust lot requirements related to the new zone line, and recognize existing conditions related to building setback, landscaped open space and parking, for the existing buildings.

Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2014.

2. The recommended 1989 Official Plan amendment implements Council's intent as stated in *The London Plan*.

3. The recommended Zoning By-law amendment conforms to the policies of *The London Plan,* and will conform to the 1989 Official Plan upon approval of the recommended Official Plan amendment.

4. The recommended Zoning By-law amendment will encourage the establishment of a broader range of uses that are appropriate for the site and are compatible with the existing surrounding land uses.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject lands are located on the east side of Hyde Park Road, north of Oxford Street West. Hyde Park Road is an arterial road, and is classified as a Civic Boulevard in *The London Plan*. The site includes three (3) structures; the most northerly at 765 Hyde Park Road is a one-storey building with an approximate above-grade gross floor area of 406 square metres, currently occupied by the Goodwill Industries offices and donation centre. The two buildings south of 765 Hyde Park Road are multi-tenanted office buildings known as 747 and 759 Hyde Park Road, having an approximate combined above-grade gross floor area of 6100 square metres. The site is relatively flat, provides little landscaped open space, and has 220 parking spaces that are shared by the three buildings. The site is directly west of St. Paul Catholic Elementary School, south of the PetroCan gas station, north of the Bell communications building, and across Hyde Park Road from the Hyde Park Plaza and related commercial development.

The substantive request for amendments relates to 765 Hyde Park Road. Technical changes only, are being considered at 747 and 759 Hyde Park Road to accommodate a new zone line on the property.

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

- Official Plan Designation – Office Area
- *The London Plan* Place Type – Shopping Area
- Existing Zoning – Office Special Provision (OF3(1)) Zone

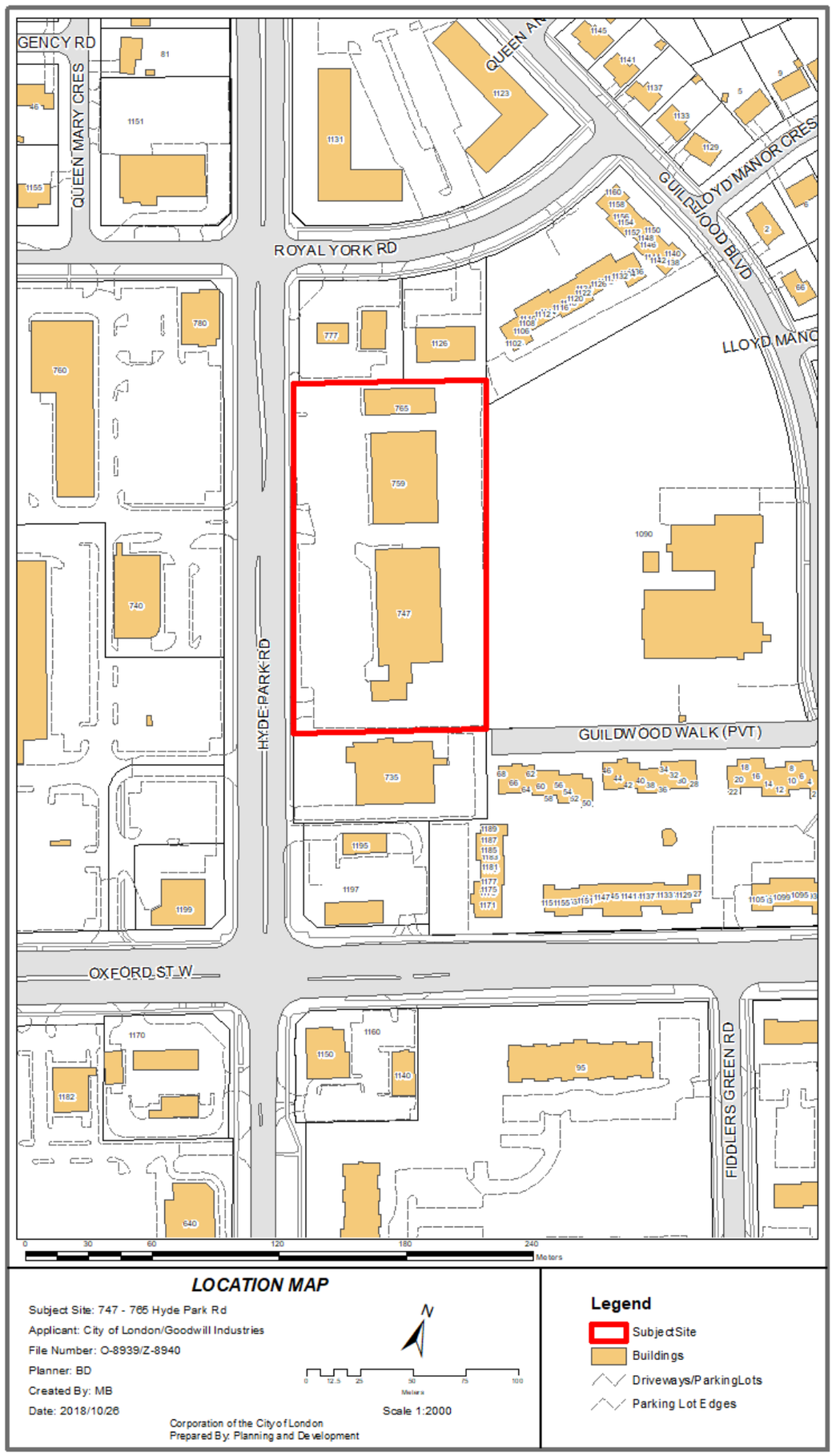
1.3 Site Characteristics

- Current Land Use – Goodwill Industries offices and donation centre, offices and medical/dental offices
- Frontage – 164.7 metres (540.35 feet)
- Depth – approx. 91 metres (300 feet)
- Area – 1.51 ha (3.72 acres)
- Shape – rectangular

1.4 Surrounding Land Uses

- North – gas station, multi-family residential
- East – St. Paul Catholic Elementary School
- South – Bell communications building, commercial uses
- West – range of standalone and plaza based commercial uses

1.5 Location Map



2.0 Description of Proposal

2.1 Development Proposal

Goodwill Industries proposes to establish a retail clothing boutique in addition to the office and accessory donation centre functions currently operating within the existing building at 765 Hyde Park Road. Goodwill also wishes to expand the range of permitted uses to provide future flexibility to establish other uses related to Goodwill Industries operations.

The proposal relates only to the most northerly building at 765 Hyde Park Road, and does not include the other two buildings on the site, addressed as 747 and 759 Hyde Park Road.

3.0 Relevant Background

3.1 Requested Amendment

Initial Application

August 16, 2018 - The original requested Zoning By-law amendment at 765 Hyde Park Road was to change the zoning from an Office Special Provision (OF3(1)) Zone to an Office Special Provision/Business District Commercial (OF3(1)/BDC) Zone to permit, in addition to the existing permitted uses, a broad range of retail stores, restaurants, convenience and business services, commercial recreation and entertainment uses, animal hospitals and clinics, libraries and police stations, artisan workshops and craft breweries, apartment buildings, existing dwellings, bed and breakfast establishments, emergency care establishments, lodging house class 2, and commercial parking structures. The City also identified the possible need for special regulations for 747, 759 and 765 Hyde Park Road to address building setbacks from property or zone lines, recognize existing site conditions, and recognize the existing parking on the site.

The City also initiated a concurrent Official Plan amendment application to align the 1989 Official Plan with the permitted uses in the Shopping Area Place Type of *The London Plan*.

Revised Application

As a result of further discussions between City staff and the applicant, Goodwill Industries revised its application on October 15, 2018 to request the Arterial Commercial (AC4) Zone instead of the Business District Commercial (BDC) Zone, with a special provision to add “Institution” as a permitted use. The revised liaison is as follows:

October 31, 2018 – REVISED - The purpose and effect of this Official Plan and zoning change is to permit a broader range of uses at 765 Hyde Park Road including a mix of retail, service, office, entertainment, recreational, educational, institutional and residential uses, with the intent of adding a retail component to the existing building and recognizing existing and possible future activities associated with Goodwill Industries. Possible amendment to the 1989 Official Plan to adopt the uses permitted in the Shopping Area Place Type of *The London Plan*. Possible change to Zoning By-law Z.-1 for 765 Hyde Park Road from an Office Special Provision (OF3(1)) Zone to an Office Special Provision/Arterial Commercial Special Provision (OF3(_)/AC4(_)) Zone to permit, in addition to the existing permitted uses, a broad range of retail stores, restaurants, and convenience and business services uses; animal hospitals; artisan workshops; craft breweries; institutions; existing dwellings and dwelling units above the first floor; emergency care establishments; lodging house class 2; and group home type 2. No land use change is requested for 747 and 759 Hyde Park Road; however the City may also consider special regulations for 747, 759 and 765 Hyde Park Road such as for building setbacks from property or zone lines, recognizing existing site conditions, and parking rates.

3.2 Community Engagement (see more detail in Appendix C)

One (1) respondent wished to be on record as having sought clarification of the application and expressing no objection.

3.3 Policy Context (see more detail in Appendix D)

Provincial Policy Statement (PPS) 2014

The Provincial Policy Statement (PPS) 2014 provides policy direction on matters of provincial interest related to the land use planning and development. 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 (1.1.1b.). The PPS also promotes economic development and competitiveness by providing for an appropriate mix and range of employment and institutional uses (1.3.1a.). In accordance with Section 3 of the Planning Act, all planning decisions “shall be consistent with” the PPS.

The London Plan

The London Plan provides direction to build strong, healthy and attractive neighbourhoods for everyone by:

- designing 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;
- supporting programs that give communities the ability to improve their neighbourhoods in creative and positive ways;
- distributing educational, health, social, cultural, and recreational facilities and services throughout the city so that all neighbourhoods are well-served; and
- supporting recreation and social programming which encourages interaction, cohesiveness and community building. (Key Direction #7, Directions 2, 7, 8, and 12)

The subject site is located in the Shopping Area Place Type in *The London Plan*. Shopping Areas are an important part of London’s complete communities, providing commercial centres with a wide range of retail, service, business, recreational, social, educational, and government uses within easy walking distance for neighbourhoods. Over time, many of these centres will become mixed-use areas that include retail, service, office and residential uses (871_). The City’s vision for Shopping Areas will be realized by, among other considerations, allowing for flexibility in use and intensification of existing centres (876_).

The Institutional chapter of *The London Plan* states that *"other smaller institutional uses are embedded within Neighbourhoods and a variety of other place types throughout the City. Schools, places of worship, facilities for community groups and faith-based organizations, and small health care services are examples of uses that are integrated into our communities (1083_)."*

1989 Official Plan

The subject site is located within the Office Area designation in the 1989 Official Plan. The Office Area designation permits offices within purpose-designed office buildings and buildings converted for office use. Secondary uses which may be permitted as accessory to offices include eat-in restaurants, financial institutions, personal services, day care centres, pharmacies, laboratories and clinics.

4.0 Key Issues and Considerations

4.1 Issue and Consideration # 1 – Use, Intensity and Form

Goodwill Industries currently operates an office and accessory donation centre out of the small, single-storey building located at 765 Hyde Park Road. The immediate intent is to permit the addition of a boutique retail clothing store, which is to be designed, managed and operated in association with Fanshawe College students. As a community service provider, Goodwill is also seeking permission for a range of land uses that will provide future flexibility of use. Possible future uses operated by Goodwill Industries include such uses as: a career centre offering such services as counselling, resume writing and computer training; Clothing Works, a free service which provides suitable clothing for those interviewing for or beginning new jobs; community rooms; or a small eat-in restaurant. A broader range of appropriate uses is also being considered to provide flexibility in the event Goodwill Industries relocates its operations and another tenant occupies the building.

The applicant is not proposing to construct additions to the existing building, or to significantly change the exterior appearance of the building.

4.1.1 - Use

Provincial Policy Statement, 2005 (PPS)

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 (1.1.1b.). The PPS also promotes economic development and competitiveness by providing for an appropriate mix and range of employment and institutional uses (1.3.1a.).

The recommended amendments to the 1989 Official Plan and Zoning By-law will provide for institutional community supports at the neighbourhood level, incidentally providing for non-institutional uses supporting local employment. While no redevelopment of the site is currently being considered, the recommended zoning also supports the future use of the site for a small amount of residential development, all consistent with the PPS. The list of land uses in the recommended Arterial Commercial Zone along with a special provision to permit Institutions, clearly recognizes the existing uses and allows new uses that reflect the intended community-based functions of the Goodwill Industries operations. The recommended zoning will contribute to an appropriate balance of institutional community support uses with commercial and residential uses, to create a healthy, livable and safe community.

The London Plan

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and 80% in force and effect).

The subject lands are located within the Shopping Area Place Type on *Map 1 – Place Types* in *The London Plan*. The Permitted Use policies of the Shopping Area Place Type are in force. While *The London Plan* maps are not in force, there is no site-specific appeal for the subject site, so it is reasonable to expect that the Shopping Area Place Type as it applies to this site will come into force.

The Shopping Area Place Type permits a broad range of retail, service, office, entertainment, recreational, educational, institutional, and residential uses, preferably in mixed-use buildings (877_). The Institutional policies also contain commentary on the distribution of institutional uses throughout the city, stating that *"Other smaller institutional uses are embedded within neighbourhoods and a variety of other place types through the city. Schools, places of worship, facilities for community groups and faith-based organization, and small heath care services are examples of uses that are integrated into our communities"* (1083_).

765 Hyde Park Road is in an area which is intended to transition over time from primarily office uses, to a broad mix of uses, including institutional uses embedded within neighbourhoods, to serve the surrounding community. The recommended zoning provides the opportunity to move toward a broader mix of uses in support of complete communities. The recommended zoning includes uses that are already permitted (clinics, medical/dental offices and laboratories, and offices), and new uses that generally include a broad range of retail stores, restaurants, and convenience and business services uses; animal hospitals; artisan workshops; craft breweries; institutions; existing dwellings and dwelling units above the first floor; emergency care establishments; lodging house class 2; and group home type 2. This range of uses conforms to permitted use policies of the Shopping Area Place Type.

The addition of institutions as a permitted use is key to recognizing existing, and permitting possible future expansion of the range of community services provided on the site. Institutions, as defined in By-law Z.-1, are operated by the municipality or any other group or organization without profit or gain, and can include, among other uses, community meeting rooms or a community centre, which supports the possible provision of community meeting space. Community Centres may also include Social Service Establishments. These provide services intended to promote and improve the independence, economic self-sufficiency, social and health development of citizens by a non-profit agency. The existing donation centre and the possible range of assistive uses such as career counselling, work-related training and the work-related wardrobe program fall precisely within the intended function of Social Service Establishments.

The addition of institutions as a permitted use at this location supports the Key Directions of *The London Plan* that speak to complete communities that meet the needs of all people at the neighbourhood level, support community improvement programming and social services in neighbourhoods, and encourage interaction, cohesiveness and community building (Key Direction #7, Directions 2, 7, 8 and 12).

City staff undertook an evaluation of the proposal with respect to the potential impacts of the recommended Zoning By-law amendment on adjacent nearby properties, the degree to which such impacts can be managed and mitigated, and the degree to which the proposal fits within its context, as required by *The London Plan* (882_ and 1578_). Relevant criteria include matters such as traffic and access management, noise, parking, emissions, visual impacts, lighting, loss of views, height and building massing. All planning and development applications are required to be evaluated based on the Planning and Development Applications section in the Our Tools part of this Plan (822_). Because there is not a proposal for redevelopment of the site, many criteria related to "fit" could not reasonably be evaluated but would be addressed at the site plan stage should a redevelopment be proposed. The proposed zoning change is suitable and appropriate for the site because:

- Access to the site is available via two (2) existing vehicular entrances directly from Hyde Park Road.
- The entire site (747, 759 and 765 Hyde Park Road) is adequately serviced by 220 parking spaces which are generally not all used during a normal business

day. The parking rates for the recommended new uses are similar to the parking rates for the existing permitted uses, and any change of use at 765 Hyde Park is not expected to trigger a significant increase in parking demand. The recommended Zoning By-law recognizes the existing parking situation, provided the uses are established within the existing building. Redevelopment of the site would require site plan approval and the standard parking rates would apply.

- The proposed additional uses are not expected to generate a significant increase in noise levels.
- The recommended range of uses is not expected to generate odour, dust, or other airborne emissions. Any emission-creating uses will be required to provide mitigation measures within the building.
- Existing lighting and privacy conditions will not change for the existing building. Redevelopment of the site would require site plan approval and lighting and privacy requirements would be addressed at that time. The majority of the site is adjacent to commercial/utility properties and the playing field for the St. Paul Catholic Elementary School. The northeast corner of the site is adjacent to the parking lot for a neighbouring townhouse development, which is unlikely to be adversely affected. The maximum building height and minimum rear yard setbacks as regulated in the recommended AC4 Zone, are more restrictive than those for the existing Office (OF3) Zone.

1989 Official Plan

The subject site is designated “Office Area” in the 1989 Official Plan. The Office Area designation is primarily intended for offices within purpose-designed office buildings and buildings converted for office use. Secondary uses which may be permitted as accessory to offices include eat-in restaurants, financial institutions, personal services, day care centres, pharmacies, laboratories and clinics. The full range of uses sought by Goodwill Industries is not permitted by the “Office Area” designation.

Because the maps in *The London Plan* are not in force and effect, the “Office Area” designation in the 1989 Official Plan currently provides the policy framework for the consideration of new uses on the site. The recommended amendment to the 1989 Official Plan to allow a broader range of uses conforms to the intent of *The London Plan* to move toward the mixing of a variety of uses within the Shopping Area Place Type.

4.1.2 – Intensity and Form

The London Plan

The Intensity policies for the Shopping Area Place Type are in force and effect and stress the importance of the adequacy of off-street parking, using such methods as buffers and building design to be sensitive to adjacent land uses, and mitigating impacts by ensuring lots are of sufficient size and configuration and using zoning regulations to ensure the intensity of development is sufficient for individual sites (878_).

Currently, there is no proposal for the redevelopment of the site and all uses are intended to be located within the existing building. Off-street parking is shared and will continue to be shared with the significantly larger office buildings located at 747 and 759 Hyde Park Road on the same property. The parking rates for the recommended new uses are similar to those that currently apply to the site, and no significant increase in parking demand is anticipated. Should redevelopment of the site be requested in the future, a full site plan process will be required. The site will be designed to be sensitive to those adjacent land uses that might be negatively impacted by a larger building.

The creation of a new zone line between 765 Hyde Park Road, and 747 and 759 Hyde Park Road, creates an artificial division of the property only for the purposes of interpreting the Zoning By-law. Special provisions are recommended in the Zoning By-law amendment to recognize a reduced frontage and the building location for 765 Hyde Park Road, and the existing landscaped open space and parking for all three buildings.

The London Plan also provides policies related to the form of development that apply largely to the development/redevelopment of large commercial blocks. As there is no redevelopment proposal for the subject site, an evaluation of conformity with these policies was not completed. If the site is redeveloped in the future, these policies will inform the site plan approval process.

More information and detail is available in Appendix C and D of this report.

5.0 Conclusion

The proposed Official Plan amendment is consistent with the Provincial Policy Statement and is in conformity with *The London Plan*. The proposed Zoning By-law amendment is consistent with the Provincial Policy Statement, in conformity with *The London Plan*, and with the 1989 Official Plan as amended. The addition of "Institution" as a permitted use will allow the applicant to expand the range of community services it provides within the neighbourhood. The proposed amendments represent good land uses planning and are recommended to Council for approval.

Prepared by:	**Barb Debbert,** **Senior Planner, Current Planning**
Reviewed by:	**Michael Tomazincic, MCIP, RPP** **Manager, Current Planning**
Recommended 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 23, 2018

BD/

Y:\Shared\implemen\DEVELOPMENT APPS\2018 Applications 8865 to\8939O - 8940Z - 747-765 Hyde Park Rd (BD)\O-8939 and Z-8940 - 747 - 765 Hyde Park Road Report to PEC.docx

Appendix A

Bill No.(number to be inserted by Clerk's Office)
(2019)

By-law No. C.P.-1284-
A by-law to amend the Official Plan for the City of London, 1989 relating to 765 Hyde Park 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 December 18, 2018.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 18, 2018
Second Reading – December 18, 2018
Third Reading – December 18, 2018

File: O-8939 and Z-8940
Planner: B. Debbert

AMENDMENT NO.

to the

OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To add a policy in Section 10.1.3 of the Official Plan for the City of London to adopt the specific range of permitted uses for the site as identified in the Shopping Area Place Type of *The London Plan*.

B. LOCATION OF THIS AMENDMENT

1. This Amendment applies to lands located at 765 Hyde Park Road in the City of London.

C. BASIS OF THE AMENDMENT

The amendment would add to the specific range of permitted uses for 765 Hyde Park Road to accurately reflect Council's current vision and intent for the subject lands as expressed in *The London Plan*. The amendment is consistent with the specific range of permitted uses contemplated by *The London Plan*.

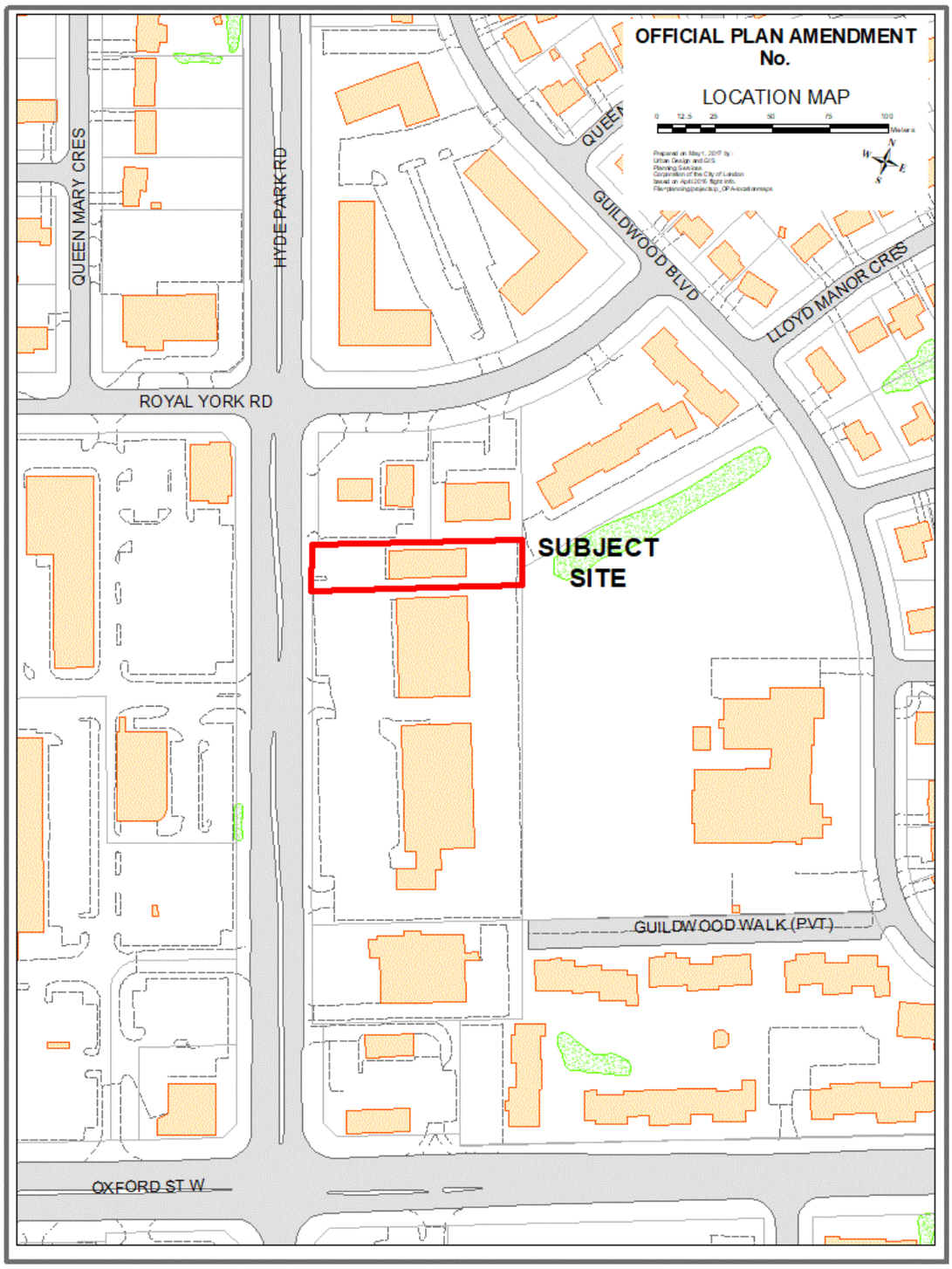
D. THE AMENDMENT

The Official Plan for the City of London is hereby amended as follows:

1. Section 10.1.3 – Policies for Specific Areas of the Official Plan for the City of London is amended by adding the following:

765 Hyde Park Road

( )_ At 765 Hyde Park Road, in addition to the range of uses permitted in the Office Area designation, a mix of retail, service, office, entertainment, recreational, educational, institutional and residential uses will also be permitted.


OFFICIAL PLAN AMENDMENT
No.
LOCATION MAP
QUEEN MARY CRES
HYDE PARK RD
GUILDWOOD BLVD
LLOYD MANOR CRES
ROYAL YORK RD
SUBJECT
SITE
GUILDWOOD WALK (PVT.)
OXFORD ST W

Appendix B

Bill No.(number to be inserted by Clerk's Office)
(2019)

By-law No. Z.-1-19_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 747, 759 and 765 Hyde Park Road.

WHEREAS Goodwill Industries has applied to rezone an area of land located at 765 Hyde Park 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;

AND WHEREAS the Municipal Council of the Corporation of the City of London deems it advisable to rezone an area of land located at 747 and 759 Hyde Park Road to add site-specific regulations;

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 765 Hyde Park Road, as shown on the attached map comprising part of Key Map No. A101, from an Office Special Provision (OF3(1)) Zone to an Office Special Provision/Arterial Commercial Special Provision (OF3(*)/AC4(*)) Zone.

2) Section Number 19.4 of the Office (OF3) Zone is amended by adding the following location and regulations to the existing Special Provision:

) OF3(1) 747 and 759 Hyde Park Road

b) Regulations

i)	Landscaped Open Space for existing building (min)	as existing
ii)	Parking for existing bldgs.	As existing and shared with 765 Hyde Park Road

3) Section Number 19.4 of the Office (OF3) Zone is amended by adding the following Special Provision:

) OF3(*) 765 Hyde Park Road

a) Regulations

i)	Lot Frontage (min)	19 metres (62.34 feet)
ii)	North Interior Side Yard for existing building (min)	3.0 metres (9.84 feet)
iii)	Landscaped Open Space for existing building (min)	as existing

iv)	Parking for existing building	As existing and shared with 747 and 759 Hyde Park Road

4) Section Number 26.4 of the Arterial Commercial (AC4) Zone is amended by adding the following Special Provision:

)	AC4(*)	765 Hyde Park Road		
	a)	Additional Permitted Uses		
		i)	Institution	
	b)	Regulations		
		i)	Lot Frontage (min)	19 metres (62.34 feet)
		ii)	North Interior Side Yard for existing building (min)	3.0 metres (9.84 feet)
		iii)	Landscaped Open Space for existing building (min)	as existing
		iv)	Parking for existing building	As existing and shared with 747 and 759 Hyde Park Road

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 December 18, 2018.

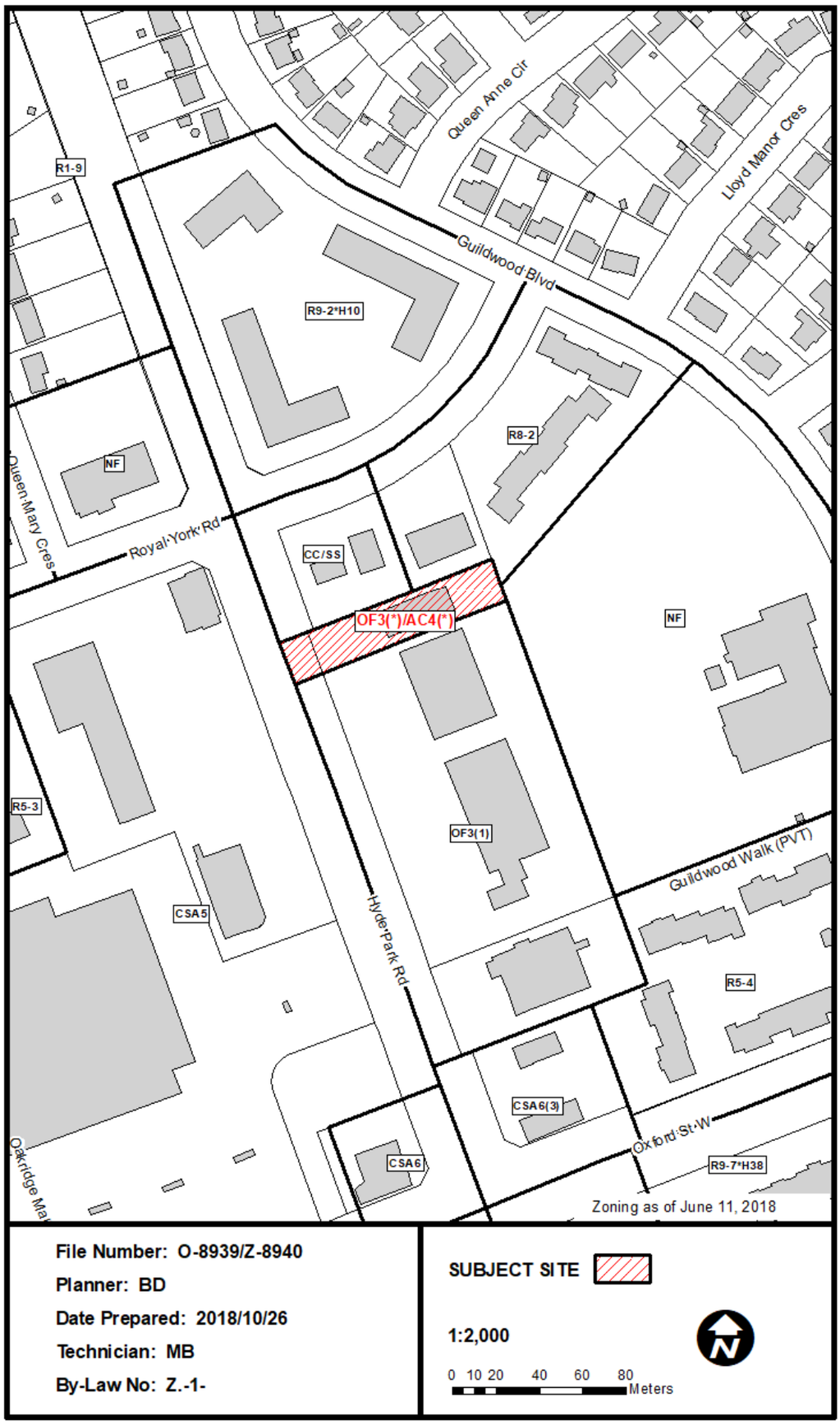
File: O-8939 and Z-8940
Planner: B. Debbert

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 18, 2018
Second Reading – December 18, 2018
Third Reading – December 18, 2018

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



Appendix C – Public Engagement

Community Engagement

Public liaison: On August 28, 2018, Notice of Application was sent to 117 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on August 30, 2018. A "Planning Application" sign was also posted on the site.

On October 31, 2018, a revised Notice of Application was sent to 117 property owners in the surrounding area. Revised Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on November 1, 2018. An "Application Amended" sticker was also place on the existing on-site sign.

One (1) reply was received.

Nature of Liaison:
Initial Application
August 16, 2018 - The purpose and effect of this Official Plan and zoning change is to permit a broader range of uses at 765 Hyde Park Road including a mix of retail, restaurant, neighbourhood facility, office and residential uses, with the intent of adding a retail component to the existing building. Possible amendment to the 1989 Official Plan to adopt the uses permitted in the Shopping Area Place Type of *The London Plan*. Possible change to Zoning By-law Z.-1 from an Office Special Provision (OF3(1)) Zone to an Office Special Provision/Business District Commercial (OF3(1)/BDC) Zone to permit, in addition to the existing permitted uses, a broad range of retail stores, restaurants, convenience and business services, commercial recreation and entertainment uses, animal hospitals and clinics, libraries and police stations, artisan workshops and craft breweries, apartment buildings, existing dwellings, bed and breakfast establishments, emergency care establishments, lodging house class 2, and commercial parking structures. No land use change is requested for 747 and 759 Hyde Park Road; however the City may also consider special regulations for 747, 759 and 765 Hyde Park Road such as for building setbacks from property or zone lines, recognizing existing site conditions, and parking rates.

Revised Application
As a result of further investigation of the range of uses to facilitate Goodwill Industries potential future operations, and to address City staff's concerns about the use of the Business District Commercial (BDC) Zone on the subject site, Goodwill Industries revised its application on October 15, 2018 to request the Arterial Commercial (AC4) Zone instead of the Business District Commercial (BDC) Zone, with a special provision to add "Institution" as a permitted use. The revised liaison is as follows:

October 31, 2018 – REVISED - The purpose and effect of this Official Plan and zoning change is to permit a broader range of uses at 765 Hyde Park Road including a mix of retail, service, office, entertainment, recreational, educational, institutional and residential uses, with the intent of adding a retail component to the existing building and recognizing existing and possible future activities associated with Goodwill Industries. Possible amendment to the 1989 Official Plan to adopt the uses permitted in the Shopping Area Place Type of *The London Plan*. Possible change to Zoning By-law Z.-1 for 765 Hyde Park Road from an Office Special Provision (OF3(1)) Zone to an Office Special Provision/Arterial Commercial Special Provision (OF3(_)/AC4(_)) Zone to permit, in addition to the existing permitted uses, a broad range of retail stores, restaurants, and convenience and business services uses; animal hospitals; artisan workshops; craft breweries; institutions; existing dwellings and dwelling units above the first floor; emergency care establishments; lodging house class 2; and group home type 2. No land use change is requested for 747 and 759 Hyde Park Road; however the City may also consider special regulations for 747, 759 and 765 Hyde Park Road such as for building setbacks from property or zone lines, recognizing existing site conditions, and parking rates.

Responses: One person sought clarification of the application. No concerns were raised by the public.

Responses to Public Liaison Letter and Publication in "The Londoner"

Telephone	Written
Eric Halls 1179 Oxford Street West N6H 1V6	None

Agency/Departmental Comments

Development Services – October 25, 2018

No Engineering comment other than a requirement, at the time of site plan approval, for road widening dedication of 18.0m from centre line on Hyde Park Road.

Environmental and Parks Planning – October 18, 2018

We do not have any specific comments regarding the application for the proposed use.

London Hydro – September 26, 2018

London Hydro has no objection to this proposal of 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 will require a blanket easement.

Upper Thames River Conservation Authority – August 15, 2018

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 the subject 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.

CONSERVATION AUTHORITIES ACT
The subject lands ***are not*** affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the *Conservation Authorities Act*.

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. Mapping which identifies these areas is available at: http://maps.thamesriver.on.ca/GVH_252/?viewer=tsrassessmentreport

Upon review of the current assessment report mapping, we wish to advise that the subject property is identified as being ***within a vulnerable area***.

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.

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
The UTRCA has no objections to this application.

Appendix D – 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
1.1.1b.
Section 1.3 Employment
1.3.1a.
Section 1.4 Housing

The London Plan

Key Directions
Direction 7 – Plan Strategically for a Prosperous City – Directions 1, 7, 8, 12 (in force)
Direction 8 – Make Wise Planning Decisions – Direction 2 (in force)
Shopping Area Place Type
OUR VISION FOR THE SHOPPING AREA PLACE TYPE – 871_ (in force)
ROLE WITHIN THE CITY STRUCTURE – 873_ & 874_ (in force)
HOW WILL WE REALIZE OUR VISION? – 876_3 (in force)
PERMITTED USES – 877_ (in force)
INTENSITY – 878_ (in force)
FORM – 879_ (not in force)
PLANNING AND DEVELOPMENT APPLICATIONS – 882_
Institutional Place Type
ROLE WITHIN THE CITY STRUCTURE – 1083_ (in force)
Our Tools
EVALUATION CRITERIA FOR PLANNING AND DEVELOPMENT APPLICATIONS – 1577_ & 1578_ (not in force)

1989 Official Plan

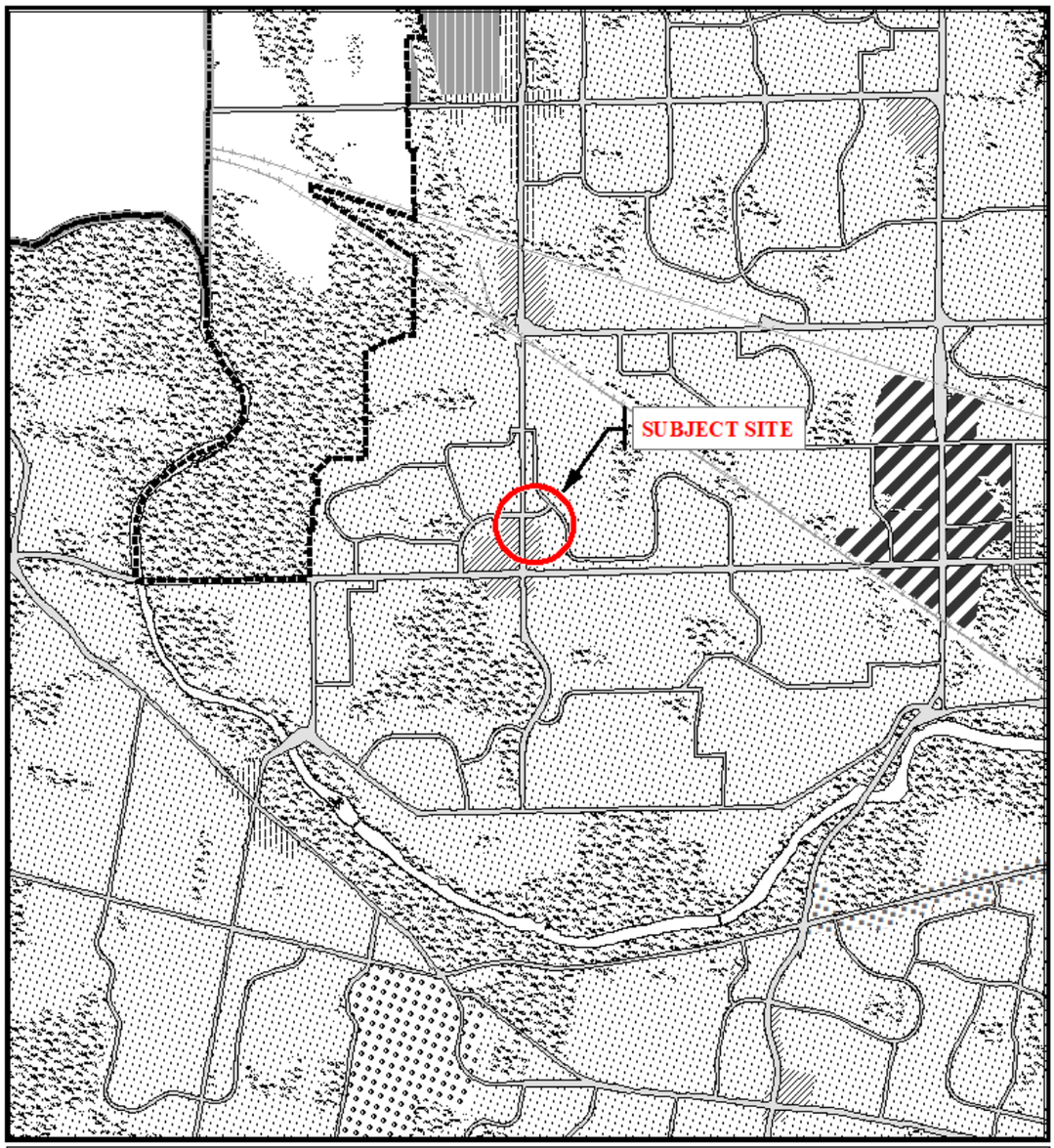
Office Area Designation
5.2.1 – Function
5.2.2 – Permitted Uses – Office Areas
5.2.4 – Scale of Development
5.2.5 – Form and Design
5.4.2 – Scope of Planning Impact Analysis
Specific Area Policies
10.1.1 – Criteria
10.1.2 – Planning Impact Analysis

Zoning By-law Z.-1

Appendix E – Relevant Background

Additional Maps

The London Plan Map 1 – Land Use



Legend

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

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

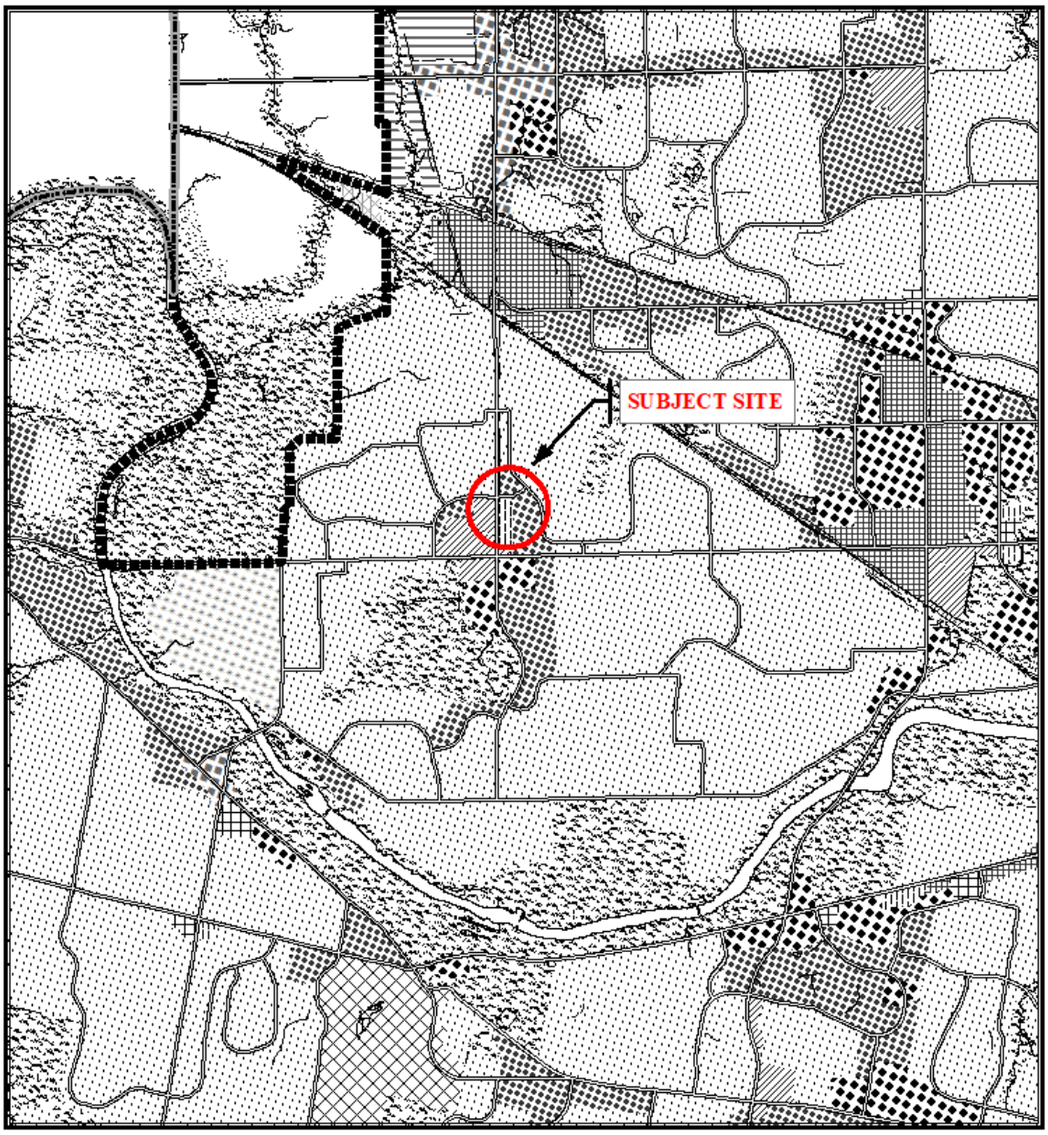
Scale 1:30,000

Meters

File Number:	O-8939/Z-8940
Planner:	BD
Technician	MB
Date:	October 26, 2018

Project Location: E:\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\EXCERPT_Map1_PlaceTypes_b&w_8x14.mxd

1989 Official Plan Schedule A – Land Use



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

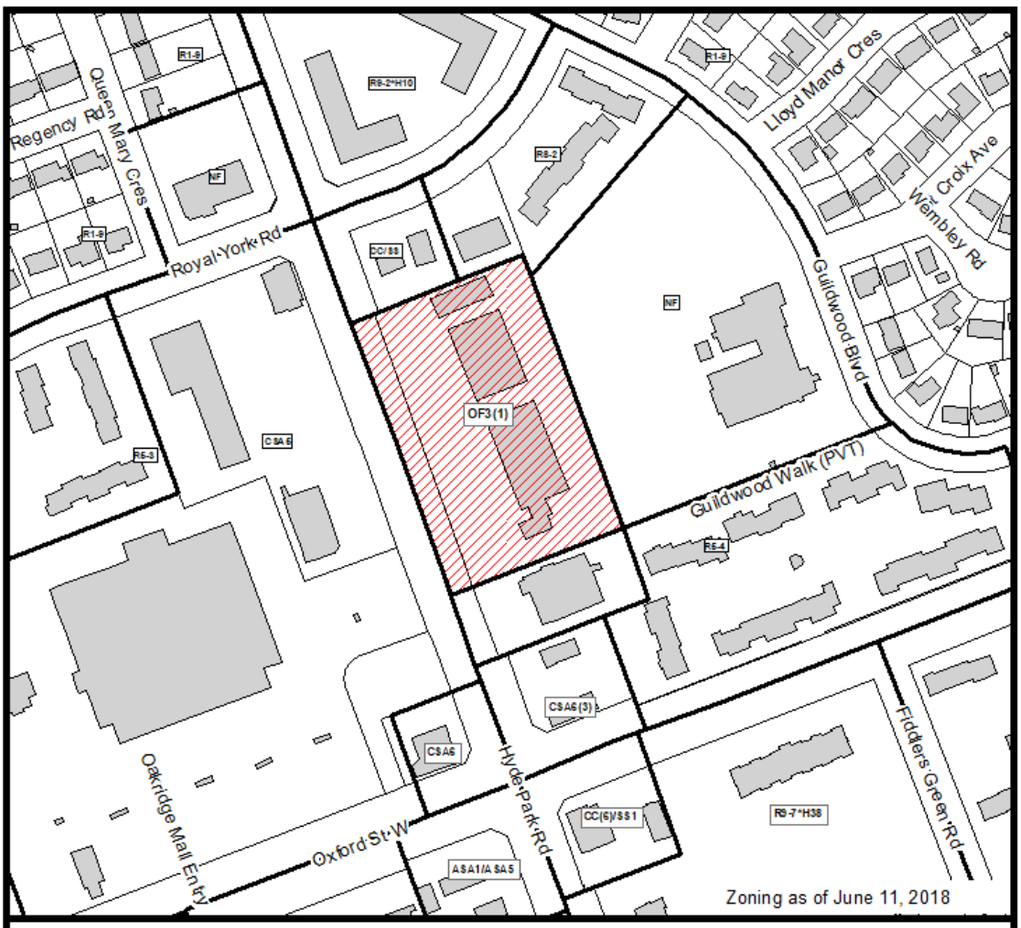
CITY OF LONDON
Planning Services / Development Services
OFFICIAL PLAN SCHEDULE A - LANDUSE -
PREPARED BY: Graphics and Information Services

Scale 1:30,000
Meters

FILE NUMBER:	O-8939/Z-8940
PLANNER:	BD
TECHNICIAN:	MB
DATE:	2018/10/26

PROJECT LOCATION: e:\planning\projects\p_officialplan\workconsol00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd

Zoning By-law Z.-1 Map



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: OF3(1)

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:
O-8939/Z-8940 BD

MAP PREPARED:
2018/10/26 MB

1:3,000
0 15 30 60 90 120
Meters

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: **Westfield Village Estates Inc.**
Southern Portion of 3086 Tillmann Road
Public Participation Meeting on: December 10, 2018

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Westfield Village Estates Inc. relating to the property located at the southern portion of 3086 Tillmann Road:

(a) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on December 18, 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 Residential R4 Special Provision (h-56•h-84•R4-6(6)) Zone, **TO** a Holding Residential R4 Special Provision (h-17•R4-6(__)) Zone and a Residential R4 Special Provision (R4-6(__)) Zone;

(b) The Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the site plan process:
- i) An interim design, landscaping, and maintenance of the northerly portion of the subject lands, which are not subject to the rezoning;
- ii) Implementation of the noise attenuation measures, as recommended in the Noise Assessment report prepared by Development Engineering (London) Limited, dated December 4, 2017, through the Development Agreement.

Executive Summary

Summary of Request

The requested action is to remove holding provisions h-56 and h-84 and to permit special provisions on a portion of the site in order to facilitate the development of street townhouses.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to permit the development of street townhouse dwellings on the southern portion of the site. A new holding provision is recommended to ensure adequate sanitary capacity is available to service the site, prior to development.

The purpose and effect of the recommended action will further request that the Site Plan Approval Authority consider the requirement for an interim design and landscaping for the northerly portion of the site, and to implement the recommendations of the noise assessment report through the development agreement.

Rationale of Recommended Action

1) The proposed development is consistent with the policies of the Provincial Policy Statement.
2) The proposed development is in conformity with the The London Plan and the 1989 Official Plan.

3) 12 street townhouse dwellings can be accommodated on the subject site by way of the recommended zoning, with only minor reductions in rear and side yard setbacks. As such, it is reasonable to allow the southern portion of the site to fulfill its planned function.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject site is located on the southeast corner of Southdale Road West and Tillmann Road. The site is irregularly shaped with a lengthy frontage along Tillmann Road, tapering in depth as it extends north towards Southdale Road West. The lands are currently vacant and surrounding land uses are: vacant residential land to the east, low rise residential to the south, low rise residential to the west across Tillmann Road, and a commercial plaza on the southwest corner of Southdale Road West and Tillmann Road. To the north, across Southdale Road West, is a Self-Storage Establishment and low rise residential.

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

- The London Plan Place Type – Neighbourhoods
- 1989 Official Plan Designation – Low Density Residential
- Existing Zoning – Holding Residential R4 Special Provision (h-56•h-84•R4-6(6)) Zone

1.3 Site Characteristics

- Current Land Use – Vacant
- Frontage (along Tillmann Road) – 106.94 metres (350.85 feet)
- Depth – 17.42 metres (57.15 feet)
- Area – 2,142.93 square metres (23,066.3 square feet)
- Shape – Irregular

1.4 Surrounding Land Uses

- North – Self-Storage Establishment and Residential
- East – Vacant Residential
- South – Residential
- West – Commercial and Residential

1.6 LOCATION MAP

2.0 Description of Proposal

2.1 Development Proposal

The owner is proposing to develop the southerly portion of the subject lands with 12 street townhouse dwellings.

Figure 1: 3086 Tillmann Road – view from Tillmann Road frontage

3.0 Relevant Background

3.1 Planning History

The subject block was created through subdivision 39T-07501, which was approved by the Ontario Municipal Board in 2008 and registered in 2010. At that time, it was expected that the lands would be consolidated with the adjacent lands to the east (municipally addressed as 799 Southdale Road West). Accordingly, holding provision h-84 was applied, which stipulates that the block must be consolidated with adjacent lands prior to its removal. The owner of the subject lands has indicated that to date, no real estate agreements have been successfully made with the adjacent landowner. Alternatively, the owner has prepared a conceptual site plan to demonstrate that orderly development of the southerly portion of the block is technically feasible without consolidation.

In addition, holding provision h-56 applies to the land which requires the owner to agree to implement all noise attenuation measures, as recommended in a noise assessment report prepared to the satisfaction of the City. The owner retained Development Engineering (London) Limited to prepare a noise assessment report, which was submitted in support of this application. The noise attenuation measures recommended in the noise assessment report are recommended to be implemented at the site plan stage through the Development Agreement.

3.2 Requested Amendment

The requested amendment is to rezone the subject lands from a holding Residential R4 Special Provision (h-56•h-84•R4-6(6)) Zone to a Residential R4 Special Provision (R4-6(__)) Zone. The purpose of the application is to remove holding provisions h-56 and h-84; and to permit a reduced rear yard setback of 5.59 metres, whereas 6 metres is required and a reduced interior side yard setback of 1.2 metres, whereas 2.4 metres is required, in order to facilitate the development of 12 street townhouse dwellings. The existing special provisions for front and exterior yard depth for the main dwelling to local and secondary collector roads of 4.5 metres and front and exterior yard depth for garages of 6 metres would continue to apply to the site. The existing range of permitted uses would continue to apply to the site.

It should be noted that removal of a holding provision typically would follow a slightly different process under the *Planning Act* than that of a Zoning By-law Amendment.

However, given that the owner is unable to satisfy the requirement of holding provision h-56, a full Zoning By-law Amendment is required.

3.3 Community Engagement (see more detail in Appendix B)

One written response and two telephone calls were received from the adjacent landowner and their planning consultant, which will be addressed later in this report. One written response was also received from a neighbouring property owner. The primary concerns cited were: 1) the future use of the northerly portion of the block not subject to this application; 2) the requested reduced rear yard setback and its impact on the adjacent lands; 3) traffic and parking impacts from the proposed townhouse dwellings, as well as road design, construction, and maintenance in the broader Talbot Village neighbourhood; and, 4) traffic volumes on Southdale Road.

3.4 Policy Context (see more detail in Appendix C)

Provincial Policy Statement (PPS) 2014

The Provincial Policy Statement (PPS) 2014, provides policy direction on matters of provincial interest related to land use planning and development. All decisions affecting land use planning matters shall be “consistent with” the policies of the PPS.

Section 1.1 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) to be the main focus of growth and development and directs municipalities to provide for appropriate range and mix of housing types and densities to meet projected requirements of current and future residents (1.4). The provision of street townhouse dwellings provides a mix of housing types, and as such is consistent with the policies of the PPS.

The London Plan

The subject site is located within the Neighbourhoods Place Type and is on a Neighbourhood Connector. Permitted uses within this Place Type include: single detached, semi-detached, duplex, converted dwellings, townhouses, secondary suites, home occupations and group homes (Table 10 – Range of Permitted Uses in Neighbourhoods Place Type). Given that the proposed townhouse dwellings are a permitted use in the Neighbourhoods Place Type, the requested amendment is in conformity with the policies of The London Plan.

1989 Official Plan

The subject site is designated Low Density Residential in the 1989 Official Plan. The primary permitted uses in the Low Density Residential designation are single detached, semi-detached, and duplex dwellings. Multiple-attached dwellings, such as row houses or cluster houses may also be permitted (3.2.1). Developments within this designation should have a low-rise, low coverage form that minimizes problems of shadowing, view obstruction and loss of privacy (3.2.2).

As the proposed street townhouse dwellings are a permitted use in the Low Density Residential designation and are proposed at a low-rise scale and form, the requested amendment is in conformity with the policies of the 1989 Official Plan.

Zoning By-law Z.-1

The base zoning of the subject lands is Residential R4, which permits the requested street townhouse dwellings. Notwithstanding the requested reductions in rear and side yard setbacks, the proposed street townhouse dwellings are currently a permitted use and comply with all other regulations of the existing Residential R4 Special Provision (R4-6(6)) Zone. As such, the purpose of the application is to remove the holding provisions in order to permit development under the existing zoning permissions that

already apply to the site.

4.0 Key Issues and Considerations

4.1 Issue and Consideration # 1: Removal of h-84

The existing zoning of the site contains a holding zone which requires the subject lands to consolidate with adjacent lands prior to its removal.

h-84 Purpose: To ensure that there is a consistent lotting pattern in this area, the "h-84" symbol shall not be deleted until the part block has been consolidated with adjacent lands.

The applicant has prepared a preliminary site plan demonstrating that the southerly portion of site can support the development of 12 street townhouse dwellings and a consistent lotting pattern (Figure 2). A special provision for rear yard setback is required, due to the tapering depth of the block toward Southdale Road West and articulation in building form. The requested rear yard setback is 5.59 metres, whereas 6 metres is required. This is a minor reduction which will facilitate the development of the block and an enhanced building design. A usable private amenity space in the rear yard can still be accommodated with the reduced rear yard setback.

In addition, a reduced side yard setback of 1.2 metres is requested for both buildings in the interior of the site between the two adjacent buildings. In the R4 zone, side yard setbacks are calculated based on the number of townhouse units per building block. For a building block containing five to eight townhouse units, the side yard setback requirement is 2.4 metres. The requested 1.2 metre setback is appropriate, as it is consistent with the side yard setbacks of the single detached dwellings in the surrounding area. The requested 1.2 metre setback for each building maintains adequate separation between the two buildings, as well as access to the rear yard. Rear yard access is further provided for each unit through the attached garages.

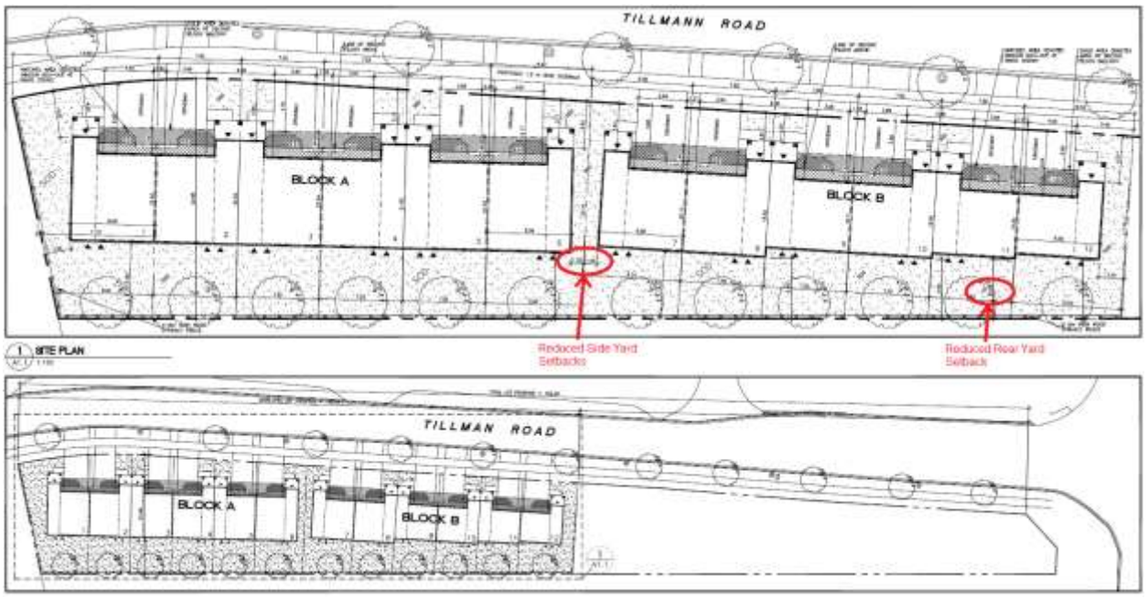


Figure 2: Conceptual Site Plan Showing Proposed Setback Reductions

4.2 Issue and Consideration # 2: Removal of h-56

The existing zoning of the site contains a second holding zone which requires a noise assessment to be undertaken in order to determine potential noise impacts from nearby arterial roads, and further, that the owner agrees to implement any noise attenuation measures recommended by the report.

h-56 Purpose: To ensure there are no land use conflicts between arterial roads and the proposed residential uses, the "h-56" shall not be deleted until the owner

agrees to implement all noise attenuation measures, recommended in noise assessment reports acceptable to the City of London.

A noise assessment report was prepared by Development Engineering (London) Limited, dated December 4, 2017, and submitted in support of this application. The report concluded that noise warning clauses should be included in agreements of purchase and sale or lease for unit 12 exclusively, and that provisions must also be made for central air conditioning. Civic administration recommends that these recommendations be implemented through the Development Agreement required at the site plan approval stage. As such, the requirements of the holding h-56 zone have been satisfied.

4.3 Issue and Consideration # 3: Servicing

Through the circulation of the application, it was determined that there is insufficient sanitary capacity in the interim to service townhouse Block A, until such time as the Colonel Talbot Pumping Station is fully operational and the two temporary pumping stations are decommissioned. Commissioning of the Colonel Talbot Pumping Station is anticipated for the end of 2019, therefore it is recommended the following holding provision be applied to the portion of the lands containing the proposed townhouse Block A:

h-17 *Purpose: To ensure the orderly development of lands and the adequate provision of municipal services, the "h-17" symbol shall not be deleted until full municipal sanitary sewer and water services are available to service the site.*

Permitted Interim Uses: Dry uses on individual sanitary facilities permitted by the applied Zone.

4.4 Issue and Consideration # 4: Remnant Block

The proposed street townhouse development and requested amendment applies only to the wider portion of the block that is developable without the need for consolidation with adjacent lands. As such, the northerly portion of the block at the intersection of Tillmann Road and Southdale Road West will remain undeveloped, and the holding provisions would continue to apply. As a result, development could not commence until such time as a deal between the owner of the subject lands and the adjacent land owner is reached and the lands are consolidated.

Viable development of the northerly portion of the block is possible provided the lands are consolidated with adjacent lands, as originally intended. As such, there is no concern related to the creation of an orphaned parcel by excluding the northerly portion of the site from the development.

A concern raised through the circulation of this application was with respect to the future of this block and its interim maintenance. To ensure the remnant portion of the block is adequately maintained in the interim, civic administration is recommending the Site Plan Approval Authority consider enhancing interim design, landscaping, and maintenance of these lands through the site plan approval process required for the proposed 12 street townhouse dwellings. This will ensure that obligations to provide for landscaping and maintenance of these lands are captured in the Development Agreement.

4.5 Issue and Consideration # 5: Traffic and Parking

Through the circulation of this application, concerns were raised regarding potential traffic and parking issues generated by the proposed development. The proposed street townhouse dwellings have been designed with private garages and driveways to accommodate each unit, and no reductions to the required parking have been requested. Further, as the street townhouse dwelling use is already permitted under the current R4-6 zoning, the primary purpose of the application is to remove holding provisions to facilitate the development of the site to its planned function.

Concerns were also expressed with respect to road design, construction, and maintenance within the broader Talbot Village neighbourhood, as well as traffic volumes on Southdale Road. However, as the site is already zoned for the proposed use and scale of development, these concerns are not directly relevant to this re-zoning.

City Transportation staff have reviewed the application and had no concerns with respect to traffic and parking as a result of the re-zoning. Further review of site access and design will be undertaken through the review of a future site plan application.

More information and detail is available in Appendix B and C of this report.

5.0 Conclusion

The recommended amendment is consistent with the Provincial Policy Statement and conforms to the policies of The London Plan and the 1989 Official Plan. The recommended amendment will enable the development of a vacant, underutilized parcel of land that will facilitate its planned function while ensuring necessary servicing is available prior to development. Further, the recommended action will ensure the northerly portion of the site that is not subject to the amendment will be adequately landscaped and maintained in the interim, until development is viable.

Prepared by:	**Catherine Lowery, MCIP, RPP** **Planner II, Current Planning**
Submitted by:	**Michael Tomazincic, MCIP, RPP** **Manager, Current Planning**
Recommended 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 Planning Services	

December 3, 2018
MT/mt

Y:\Shared\implemen\DEVELOPMENT APPS\2018 Applications 8865 to\8926Z - 3086 Tillmann Rd (CL)\PEC Report

Appendix A

Bill No.(number to be inserted by Clerk's Office)
2019

By-law No. Z.-1-19_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at the southerly portion of 3086 Tillmann Road.

WHEREAS Westfield Village Estates Inc. has applied to rezone an area of land located at the southerly portion of 3086 Tillmann Road, 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 the southerly portion of 3086 Tillmann Road, as shown on the attached map comprising part of Key Map No. A110, from a Holding Residential R4 Special Provision (h-56•h-84•R4-6(6)) Zone to a Holding Residential R4 Special Provision (h-17•R4-6(__)) Zone and a Residential R4 Special Provision (R4-6(__)) Zone.

2) Section Number 8.4 f) of the Residential R4 (R4-6) Zone is amended by adding the following Special Provision:

__) R4-6( ) 3086 Tillmann Road

a) Regulations

i)	Front and Exterior Yard Depth for Main Dwelling to Local and Secondary Collector Roads (Minimum)	4.5 metres (14.8 feet)
ii)	Front and Exterior Yard Depth for Garages	6 metres (19.7 feet)
iii)	Rear Yard Depth (minimum)	5.59 metres (18.3 feet)
iv)	Interior Side Yard Depth (minimum)	1.2 metres (3.9 feet)

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 December 18, 2018.

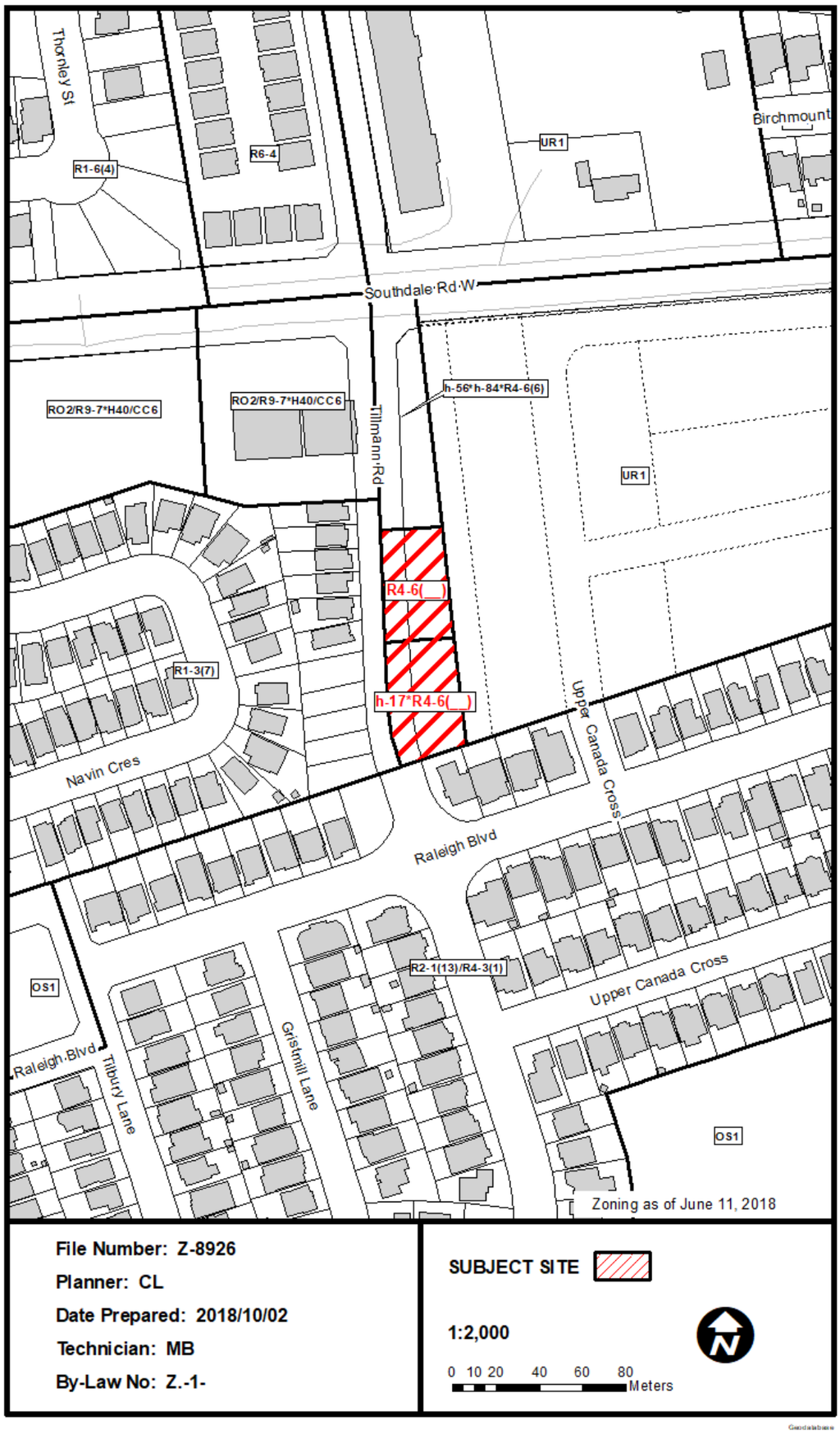
File: Z-8926
Planner: Catherine Lowery

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 18, 2018
Second Reading – December 18, 2018
Third Reading – December 18, 2018

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



Appendix B – Public Engagement

Community Engagement

Public liaison: On July 25, 2018, Notice of Application was sent to 102 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on July 26, 2018. A "Planning Application" sign was also posted on the site.

Three replies were received.

Nature of Liaison: Possible change to Zoning By-law Z.-1 from a Holding Residential R4 Special Provision (h-56•h-84•R4-6(6)) Zone to a Residential R4 Special Provision (R4-6(__)) to permit the development of the subject lands for street townhouses, and to permit a reduced rear yard setback of 5.59 metres, whereas 6 metres is required, and a reduced interior side yard setback of 1.2 metres, whereas 2.4 metres is required.

Responses: A summary of the various comments received include the following:

Concern for:

The northerly portion of the block not subject to the re-zoning:

Concerned that by not removing the holding provisions on the entire block, the northerly portion of the block will be undevelopable, remaining undeveloped and unmaintained.

Reduced rear yard setback:

Concerned that the proposed reduced rear yard setback will result in unreasonable expectations by future home owners as future development occurs to the east. As a result, future development to the east may have to provide additional spatial separation.

Traffic and parking:

Concerned that the proposed townhouses will cause further issues with traffic and parking in this area. Also concerned about road design, construction, and maintenance in Talbot Village, as well as traffic volumes on Southdale Road.

Responses to Public Liaison Letter and Publication in "The Londoner"

Telephone	Written
Vito Frijiia, Southside Group 799 Southdale Road West	Matt Campbell, Zelinka Priamo Ltd. 318 Wellington Road
Matt Campbell, Zelinka Priamo Ltd. 318 Wellington Road	Ron and Sharon Wimperis

ZELINKA PRIAMO LTD
A Professional Planning Practice

Sent via e-mail

August 17, 2018

Ms. Catherine Lowery, BES, MCIP, RPP
City of London – Planning Services
206 Dundas Street
London, ON.
N6A 1G7

Re: Zoning By-Law Amendment Application Z-8926
Westfield Village Estates Inc.
3086 Tillmann Road
Our File: SSD/LON/18-02

We are the Land Use Planning Consultants for Southside Group, owners of the lands abutting to the east of 3086 Tillmann Road, known municipally as 799 Southdale Road West. The intent of this letter is to express our concern to City planning staff regarding the proposed townhouse development, and the use of the remnant portion of 3086 Tillmann Road that is not part of Z-8926.

The Westfield Village Estates Inc. ("Westfield") development proposes to utilize the southern half 3086 Tillmann Road. The entire parcel is currently subject to two holding provisions (*h-56* and *h-84*). Provision *h-84* requires that these lands be consolidated with our client's lands (799 Southdale Road) prior to removal of the holding provision.

Our client has attempted to purchase 3086 Tillman Road from Westfield Village Estates Inc. / York Developments / Dave Tennant Urban Concepts to satisfy the requirements of *h-84*. However, the owners of 3086 Tillman Road have not provided an equitable proposal to our client (see attached offer for reference), and therefore consolidation of 3086 Tillman Road and 799 Southdale Road has not yet occurred.

Part of Westfield's justification to remove the *h-84* provision on the southerly portion of 3086 Tillmann Road is that it is deemed unnecessary for the appropriate development of the lands. While this may be true for the southerly portion which can accommodate the proposed 12 townhouses, it is not true for the northerly portion of the parcel, which is not subject to Z-8926. Given that attempts by our client to acquire 3086 Tillman Road have not resulted in an agreeable or equitable transaction, it is unreasonable to omit the northerly portion of the parcel from a defined development solution. The two scenarios for this land are either to be included in the development of the townhouses, likely as amenity space or landscaped open space, or to be consolidated with 799 Southdale Road.

We are concerned that if the development proceeds as proposed, and that an equitable consolidation of the northerly portion of 3086 Tillman Road is not possible, these lands will be undevelopable. As these lands are situated at a highly visible location at the intersection of a major Arterial Road and a Secondary Collector Road, it is in the public interest to develop these lands as part of either scenario identified above.

In Westfield's submitted Planning Justification Report, the author (Kirkness Consulting Inc.) claims that *"The easterly abutting owner* [Southside Group] *has no intention to develop its lands but has no objection to the development of the 12 street townhouses. He has provided an email stating that position."* This is not accurate. Our client has imminent plans to develop 799 Southdale Road and we are currently preparing a development proposal to present to City staff.

While our client has previously expressed a general acceptance of development on the subject lands, his comments were not intended to address the specific townhouse development currently proposed and are not applicable to the northerly portion of the lands.

With regard to the development of 3086 Tillman Road for townhouse dwellings, we note that the rear yard setbacks are at the minimum permitted in the *R4-6(6)* zone and, due to the rounding permissions of Section 1.9 of the Zoning By-Law, are in fact less than would otherwise be permitted if the required setback were denoted as 6.0m, rather than 6m. Such compact forms of development can result in unreasonable expectations by future home owners as future development occurs to the east.

It is important to note the proposed rear yard setback as it could result in our client being required to accommodate additional spatial separation on 799 Southdale Road that otherwise would not be required if 3086 Tillman Road were consolidated and developed comprehensively or if it had sufficient lands to provide more generous yards.

As such we would request that municipal staff review this application in light of this information.

We thank you for the opportunity to provide the above comments on behalf of Southside Group. If we can be of any assistance, please do not hesitate to contact the undersigned.

Yours very truly,

ZELINKA PRIAMO LTD.

Matt Campbell, BA, CPT
Planner

cc: Vito Frijia, Southside Group

From: Ron & Sharon Wimperis
Sent: Monday, October 29, 2018 9:40 AM
To: Lowery, Catherine <clowery@london.ca>
Cc: Hopkins, Anna <ahopkins@london.ca>
Subject: 3086 Tillman Road File: Z-8926

I just read the public notice regarding the above address.

I am concerned about a couple things.

1) The townhouses that will be built will increase the number of cars that will require parking from households with multiple cars and "guest traffic" in the area. Tillman Road in this area is already undersized. It can be difficult to avoid oncoming traffic due to its width, pot holes and has minimal parking spots available in the parking lane. The density of the buildings will make this worse.

2) The area current developers (York and Southside), have been slow to maintain their commitments to ensure safely passible roads. They needed to hear complaints, before solving the line painting required at the intersection of Tillman and Southdale. There are large pot holes that have continually been a concern and maneuvering them is needed to safely enter the subdivision, which is already in the city's possession. 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.

3) There is a lack of infrastructure in the area to handle the increased traffic on Southdale Road. The plans I saw indicate Southdale will be widened in 2 stages and not for a few years. Widening this road should happen before additional pressures are placed on it. Try driving this road between 3 and 7, its already crazy. This widening should include alignment of the turning lanes from Southdale to Tillman. They are out of alignment in both directions and makes it difficult to turn safely, slowing down the turning process and keeping the traffic on the road, longer than needed.

Looking forward to your response.

Agency/Departmental Comments

July 31, 2018: UTRCA

No objections.

August 10, 2018: Wastewater

WADE has no objection to this application; the Zoning By-law Amendment.

Notes on City Plan #24,382 (Interim Sanitary Drainage Area Plan) indicate the proposed Block 'A' townhouses (six individual connecting units) cannot outlet to the 200mm sanitary sewer system on Tillman Drive until the temporary pumping stations are not required anymore.

However this will change in the near future as the two lengths of sanitary sewer on Tillman Drive downstream of manhole S15 will be reactivated. A "manmade weir" will be created in sanitary manhole S15 and overflow effluent will flow south using the said two lengths of unused sanitary sewer. This means that the proposed Block 'A' townhouses can be built as they will now have a sanitary outlet.

Note (supplementary comments August 20, 2018): The Colonel Talbot Pumping Station is the 'change' and when it comes on line at the end of 2019 the two other Pumping Stations will be decommissioned. We need a holding provision on the subject lands until this happens.

Presently the proposed Block 'B' townhouses (6 individual connecting units) can outlet to the 200mm sanitary sewer system on Tillman Drive and can be built.

An adequate size for the san. p.d.c. for each individual townhouse should be determined by the Applicant's Engineer, all to City Standards and servicing should be consistent with Drawing SW-7.0.

August 14, 2018: Engineering

Transportation
No comments for the re-zoning application.

The following items are to be considered during the site plan approval stage:

- Ensure no conflicts with existing utilities ensuring all access is a minimum of 1.5m away from all utilities
- Additional comments regarding access location and design will be provided.

Stormwater
No comments for the re-zoning application.

Water
The applicants consulting engineer would be required to submit a servicing concept for the townhouse units confirming services can be installed to each unit while maintaining minimum separation distances and confirm where the water meters for each unit will be located and how they can be accessed. For the re-zoning, we do not need to see a servicing concept.

Noise
The Noise Assessment Report dated December 4th, 2017 by Development Engineering is acceptable.

Ensure the noise attenuation recommendations in the report for provision of forced air heating, central air conditioning and specific Warning Clauses are applied within this development and included within the Development Agreement for this site.

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 (PPS)

1.1.1 Healthy, liveable and safe communities are sustained by:

b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons)

1.1.3.1 Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.

1.1.3.2 Land use patterns within settlement areas shall be based on:

a) densities and a mix of land uses which:

1. efficiently use land and resources;

2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;

The London Plan

Table 10 permits townhouses in the Neighbourhood Place Type on a Neighbourhood Connector.

Table 11 permits form up to 2.5 storeys in height in the Neighbourhood Place Type on a Neighbourhood Connector.

1658_ The Zoning By-law will be amended by application to remove the holding symbol when City Council determines that the requirements relating to the appropriate purpose as set out in the by-law have been met.

1989 Official Plan

3.2 Low Density Residential

The Low Density Residential designation is applied to lands that are primarily developed or planned for low-rise, low density housing forms including detached, semi-detached, and duplex dwellings. Where appropriate, some multiple attached dwellings at densities similar to neighbouring detached units may be permitted. Policies in this Plan promote development which shall enhance the character of the residential area. Certain secondary uses of a non-residential nature which are integral to, and compatible with, a neighbourhood environment, are also permitted.

3.2.1 The primary permitted uses in areas designated Low Density Residential shall be 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. Residential Intensification may be permitted subject to the provisions of policy 3.2.3.

19.4.3 iii) Holding Zones – Removal

The Zoning By-law will be amended to remove the holding symbol when Council determines that the conditions relating to the appropriate purpose as set out in the By-law have been met.

Zoning By-law Z.-1

8.2 PERMITTED USES

No person shall erect or use any building or structure, or use any land or cause or permit any building or structure to be erected or used, or cause or permit any land to be used, in any Residential R4 Zone variation or any use other than the following uses:

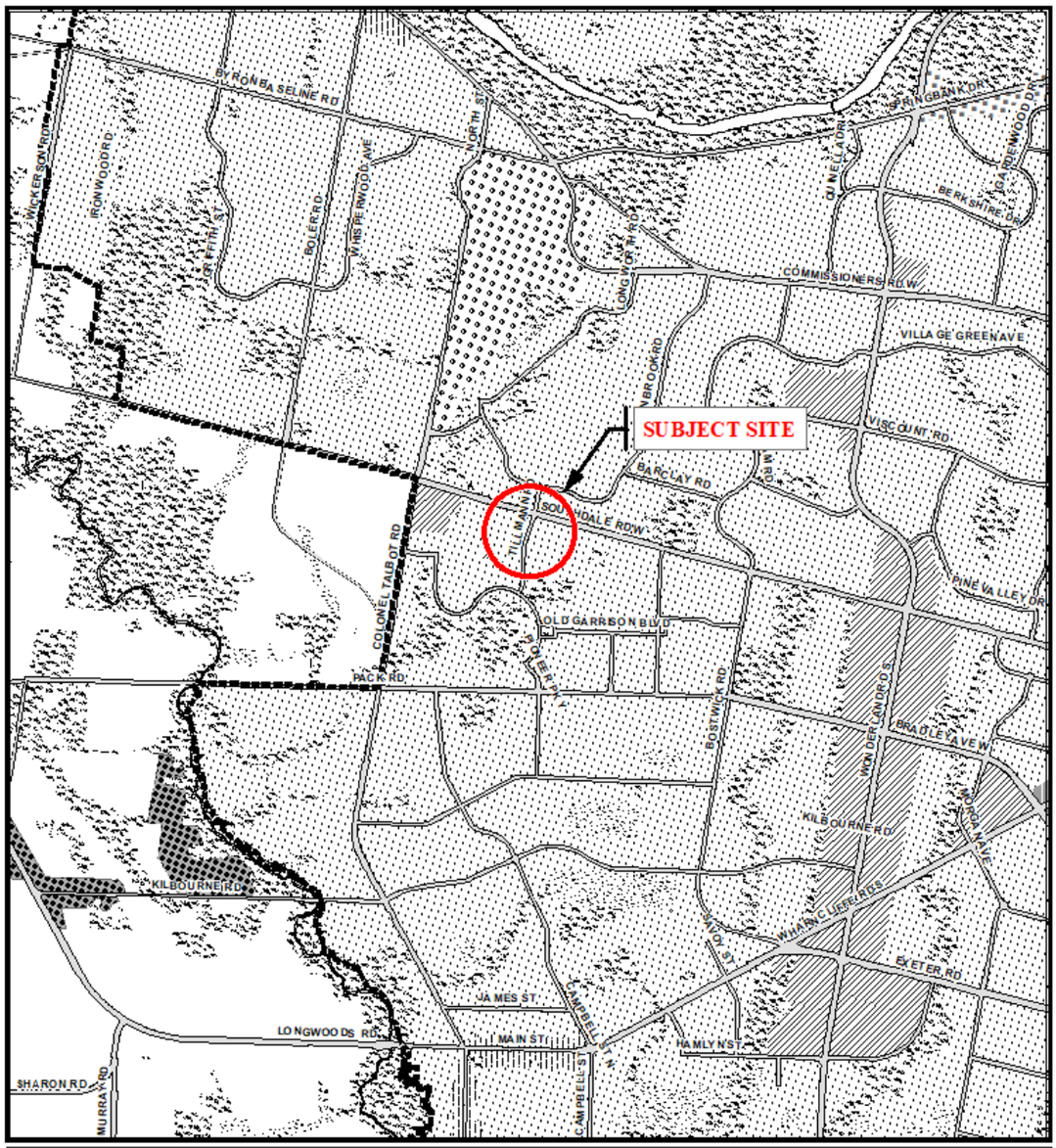
a) Street townhouse dwellings

Additional Reports

None

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 -

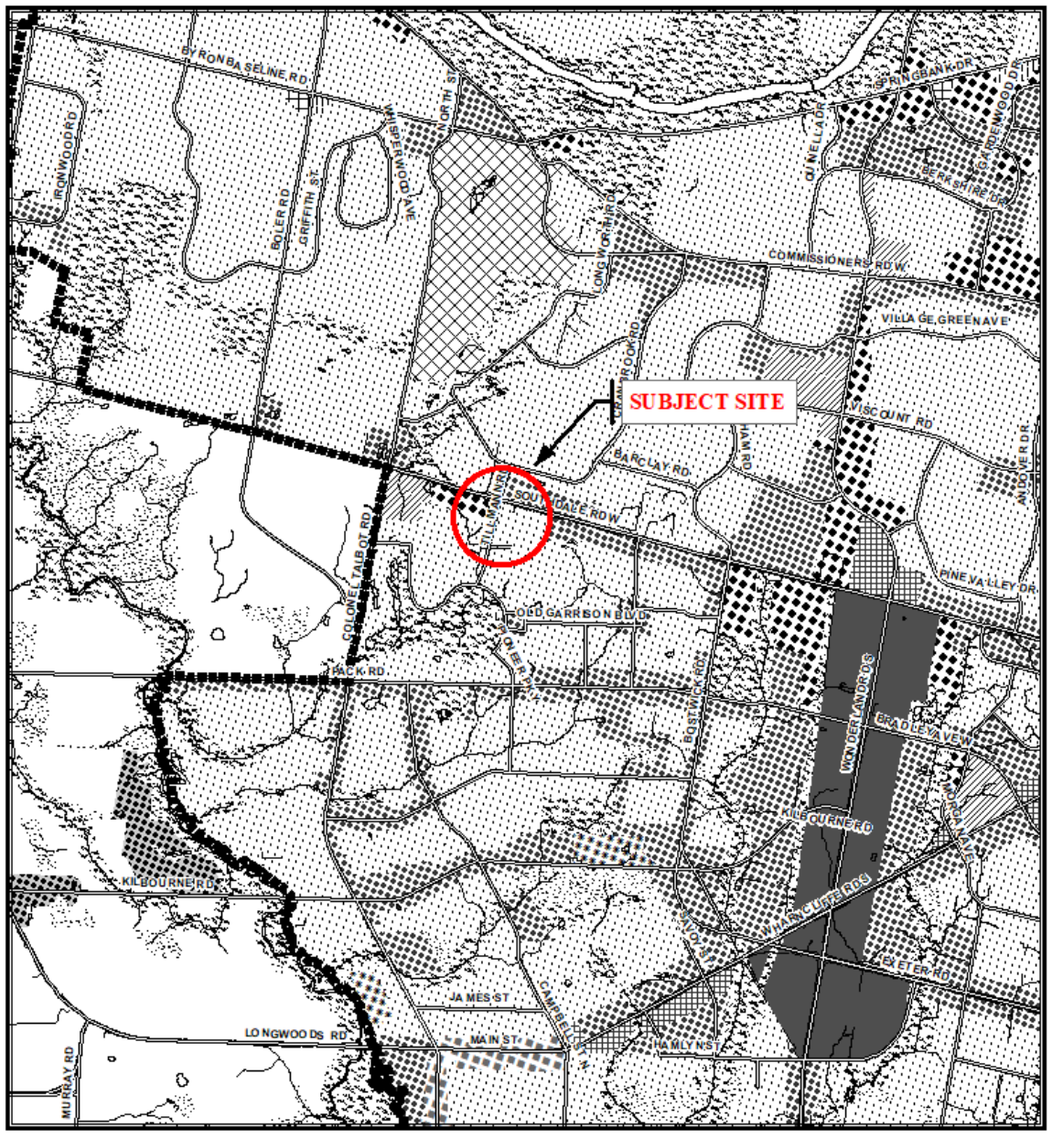
PREPARED BY: Planning Services

Scale 1:30,000

Meters

File Number:	Z-8926
Planner:	CL
Technician	MB
Date:	October 2, 2018

Project Location: E:\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\EXCERPT_Map1_PlaceTypes_b&w_8x14.mxd



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

CITY OF LONDON

Planning Services / Development Services

OFFICIAL PLAN SCHEDULE A - LANDUSE -

PREPARED BY: Graphics and Information Services

Scale 1:30,000

Meters

FILE NUMBER:	Z-8926
PLANNER:	CL
TECHNICIAN:	MB
DATE:	2018/10/02

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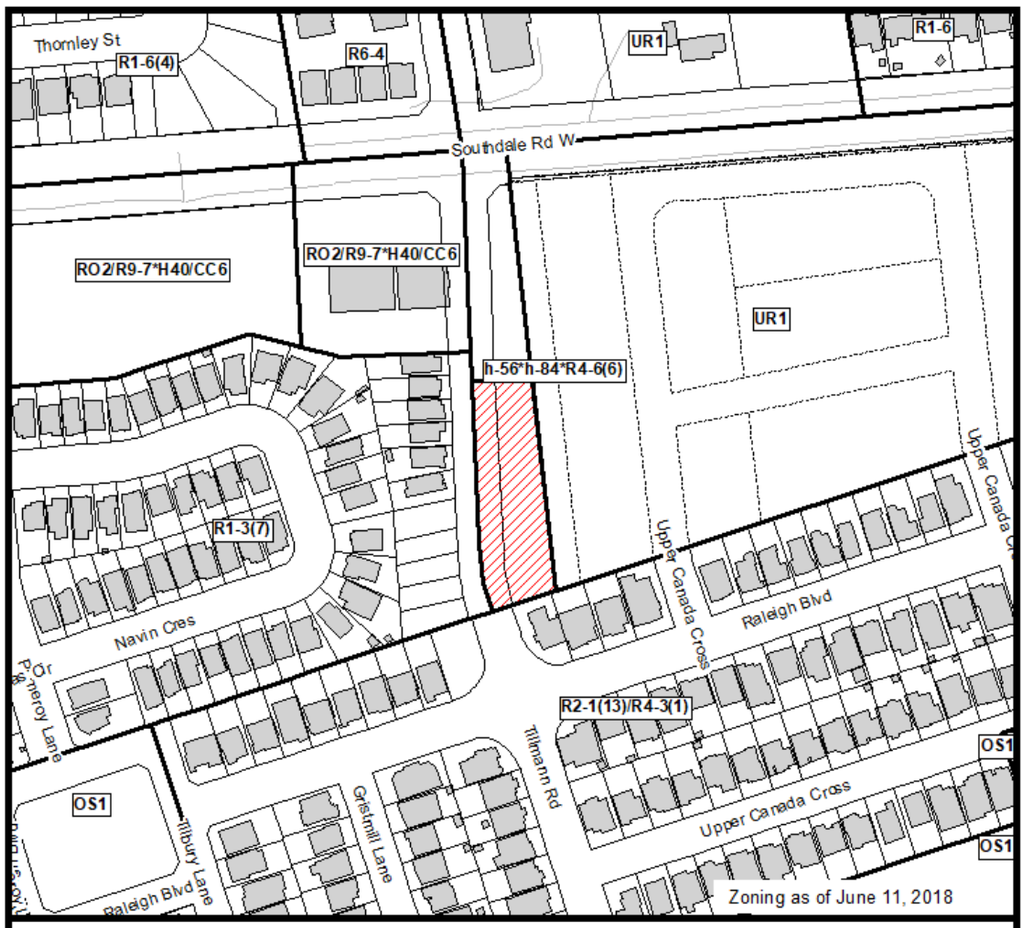


COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: h-56*h-84*R4-6(6)

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:
Z-8629 CL

MAP PREPARED:
2018/10/02 MB

1:2,500
0 12.525 50 75 100
Meters

File: Z-8971
Planner: M. Knieriem

Report to Planning and Environment Committee

To: **Chair and Members**
Planning & Environment Committee
From: **John M. Fleming**
Managing Director, Planning and City Planner
Subject: **Middlesex-London Health Unit /Regional HIV/AIDS Connection**
446 York Street
Public Participation Meeting on: December 10, 2018

Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of Middlesex-London Health Unit/Regional HIV/AIDS Connection relating to the property located at 446 York Street the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on December 18, 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 Restricted Service Commercial (RSC2/RSC4) Zone, **TO** a Holding Restricted Service Commercial/Restricted Service Commercial Special Provision (h-(*)●RSC2/RSC4(_)) Zone.

Executive Summary

Summary of Request

The requested Zoning By-law Amendment is to permit office uses, clinic uses in association with an office use, and medical/dental offices, in addition to the other uses already permitted on the subject site. The applicant has indicated that these uses are intended for the purposes of a supervised consumption facility.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended Zoning By-law Amendment is to permit offices uses and medical/dental office uses with the requirement that these facilities include an accessory clinic use in addition to the other uses already permitted on the subject site. The addition of these uses is intended for the provision of a supervised consumption facility within the existing building.

Minimum areas for intake and waiting areas and post-consumption areas are also recommended to be secured in the Zoning By-law.

The addition of an h-(*) holding provision is also recommended to ensure that the necessary archaeological studies are completed prior to any future redevelopment or alteration to the site requiring ground disturbance. The holding provision is such that the adaptive reuse of the existing building will not trigger the need for an Archaeological Assessment.

The recommended Zoning By-law Amendment also recognizes the existing parking as being sufficient for the recommended additional uses on the subject site.

Rationale of Recommended Action

The recommended action is consistent with the Provincial Policy Statement and conforms to The London Plan and the 1989 Official Plan. The recommended action has been modified from the requested amendment by adding regulations that require the recommended offices and medical/dental offices to be associated with an accessory clinic. These regulations are required to conform to The London Plan policies for

supervised consumption facilities which are permitted in all Place Types. The requirement that the clinic is accessory to the office and/or medical/dental office use is also required to ensure conformity with the 1989 Official Plan Office/Residential designation that applies to the subject site, which permits clinics but requires that these clinics are accessory to another use permitted in this designation. Further, the modifications made to the requested action are consistent with the provincial guidelines for the provision of supervised consumption facilities which focus on providing integrated, wrap-around services that connect clients who use drugs to primary care, treatment, and other health and social services. The recommended Zoning By-law also provides wording that the recommended uses are intended for the provision of a supervised consumption facility. While this is currently not a defined term, it provides clarification about what is intended for the facility.

Minimum areas for the intake and waiting area and post-consumption area are also proposed to be secured in the Zoning By-law. Official Plan Amendment 679 to The London Plan requires that these minimum areas be secured in the Zoning By-law. The areas secured are generally consistent with those outlined in the applicant's Planning Rationale and provincial guidelines. These minimum areas are intended to ensure that individuals are not queuing outside of the facility while waiting to use the services within the clinic, and also to ensure adequate space for those who have consumed substances to remain in the facility after consuming.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject site is located on the north side of York Street, mid-block between Burwell Street and Maitland Street. The subject site is rectangular in shape with a total site area of 845 square metres (9,096 square feet). The existing building on the subject site has an area of 353 square metres (4,876 square feet) and is set back approximately 27 metres from York Street. The subject site is currently occupied by a retail store.

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

- 1989 Official Plan Designation – Office/Residential Areas
- The London Plan Place Type – Neighbourhoods on a Civic Boulevard
- Existing Zoning – Restricted Service Commercial (RSC2/RSC4) Zone

1.3 Site Characteristics

- Current Land Use – Retail store
- Frontage –16.3 metres (53.5 feet)
- Depth – 47.5 metres (155.8 feet)
- Area – 845 square metres (9,096 square feet)
- Shape – Rectangular

1.4 Surrounding Land Uses

- North – A car dealership and a 19 storey apartment building are located immediately north of the subject site. Further north are a variety of low-rise, mid-rise, and high-rise residential buildings. The lands immediately north of the subject site, occupied by the car dealership, are in the Neighbourhoods Place Type in The London Plan, while the lands further north, including the lands occupied by the 19 storey apartment building, are in the Rapid Transit Corridor Place Type. The lands are designated Office/Residential in the 1989 Official Plan.

- East – A car dealership is located immediately east of the subject site. Further east is an automobile service establishment and the sports field associated with H.B. Beal Secondary School. The lands immediately east of the subject site are in the Neighbourhoods Place Type in The London Plan and are designated Office/Residential in the 1989 Official Plan. The H.B. Beal sports field is designated Community Facility in the 1989 Official Plan.

- South – The Men's Mission Shelter is located immediately south of the subject site. Further south is the CN Rail line. The lands south of the subject site are in the Neighbourhoods Place Type in The London Plan and are designated Office/Residential in the 1989 Official Plan.

- West – A financial business is located immediately west of the subject site. Other commercial establishments are located further west from the subject site. The lands west of the subject site are in the Neighbourhoods Place Type in The London Plan and are designated Office/Residential in the 1989 Official Plan.

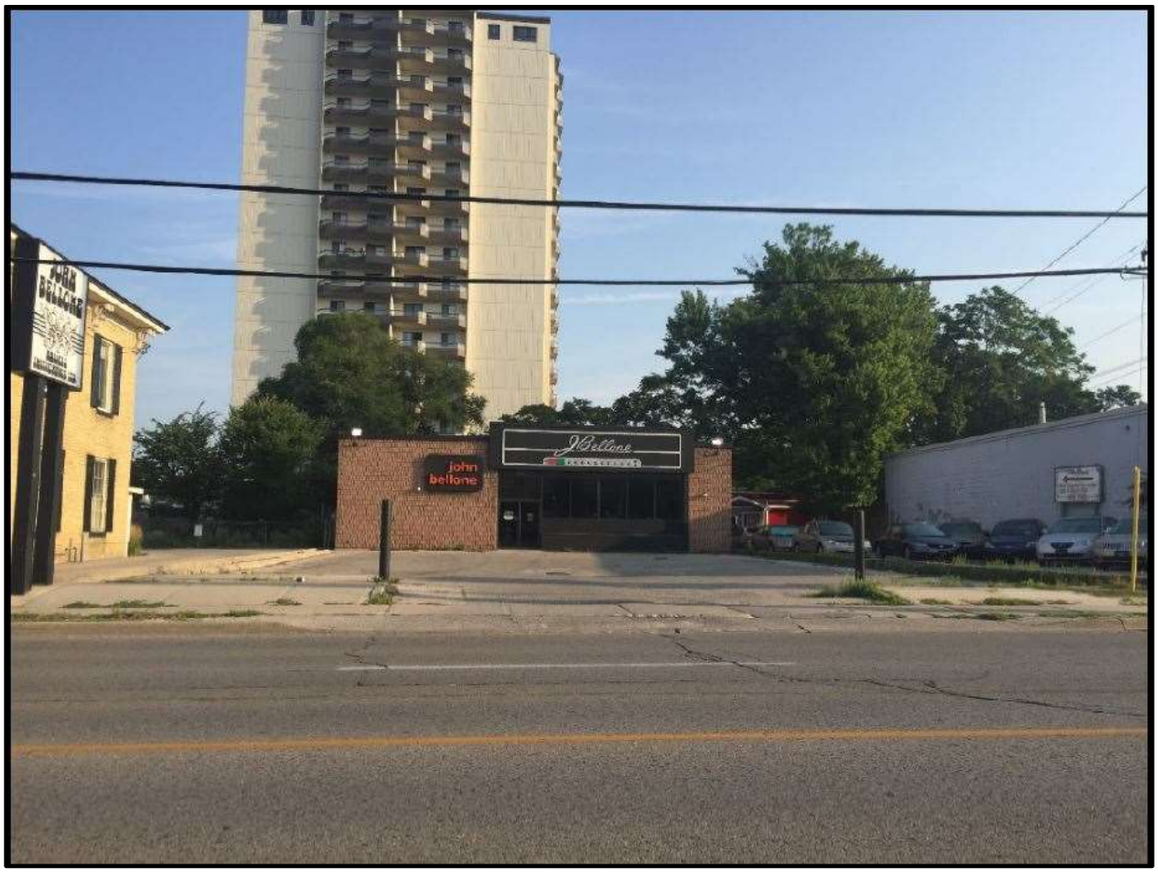
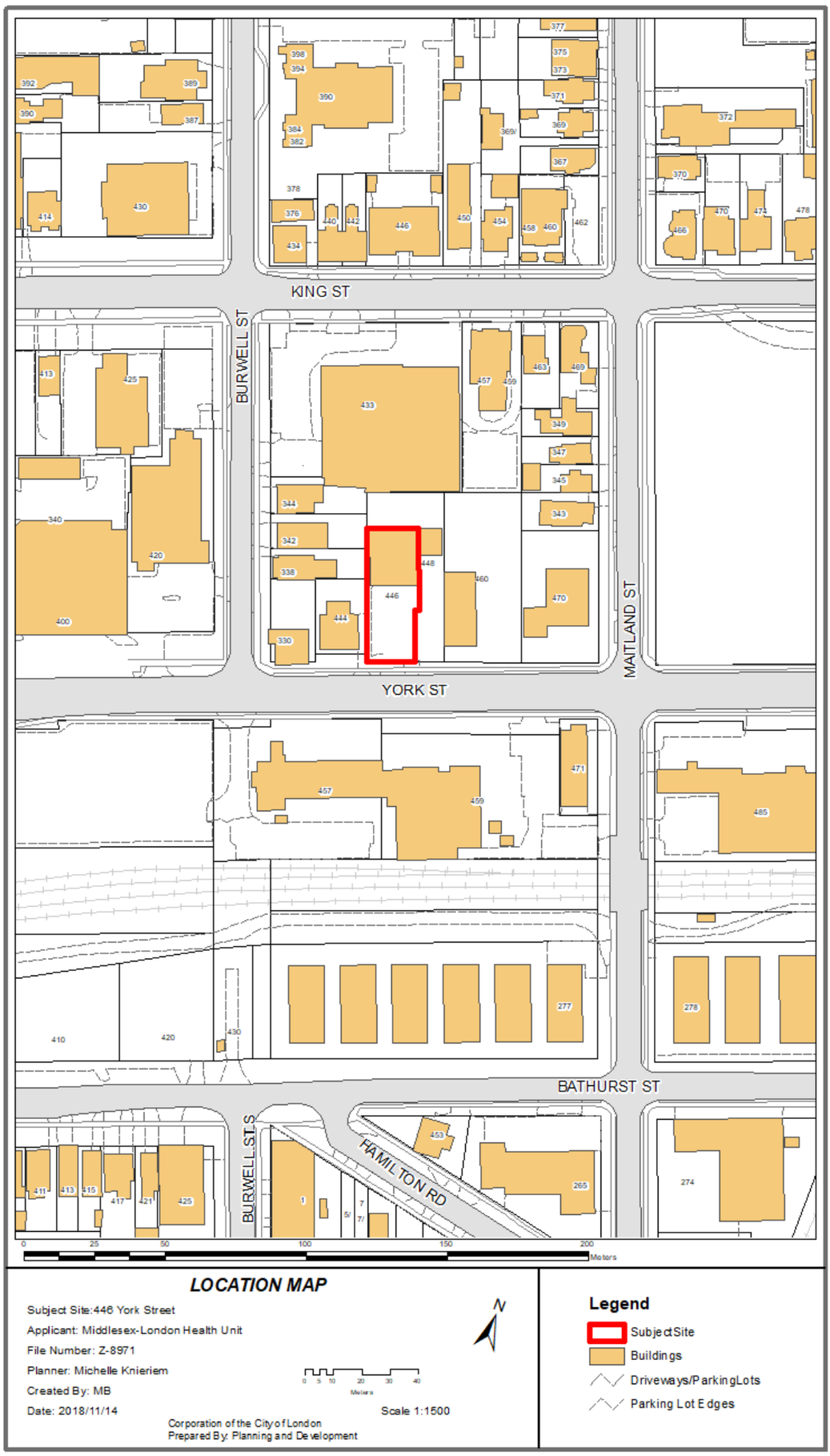


Figure 1 – Photo of subject site (provided by applicant)

1.6 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The Zoning By-law Amendment application proposes to allow offices, medical dental offices, and clinics in association with offices, in addition to the range of permitted uses already permitted in the subject site. The applicant has identified that these uses are intended to operate as a supervised consumption facility, whereby the clinic use is intended for the supervised consumption of drugs while the office use and medical/dental office use is intended for wrap-around services to connect those who use drugs to primary care, treatment, and other health and social services and also to provide administrative offices for various service providers.

The applicant has indicated that office uses are intended to occupy approximately 62 percent of the facility, while the clinic use would occupy approximately 38 percent of the facility.

In May, 2018, Municipal Council adopted amendments to The London Plan, the 1989 Official Plan, and the Zoning By-law that identified Supervised Consumption Facilities as a specific use and identified policies to guide the location of these facilities, as further detailed below in Section “3.1 Planning History”. The Zoning By-law Amendment and the 1989 Official Plan Amendment were appealed to the Local Planning Appeal Tribunal, but The London Plan Amendment was not appealed and is in-force and effect. As the Zoning By-law Amendment to add a definition for Supervised Consumption Facilities is currently under appeal, “supervised consumption facilities” is not a defined term in the Zoning By-law. In the absence of a more specific definition for these facilities, the zoning definition that would apply to the use is a “clinic” use for the supervised consumption of drugs and “offices” and “medical/dental offices” for the wrap-around services. As such, the applicant has applied to permit offices and medical/dental offices and clinics as an associated use. These uses have been identified as intended for a supervised consumption facility.

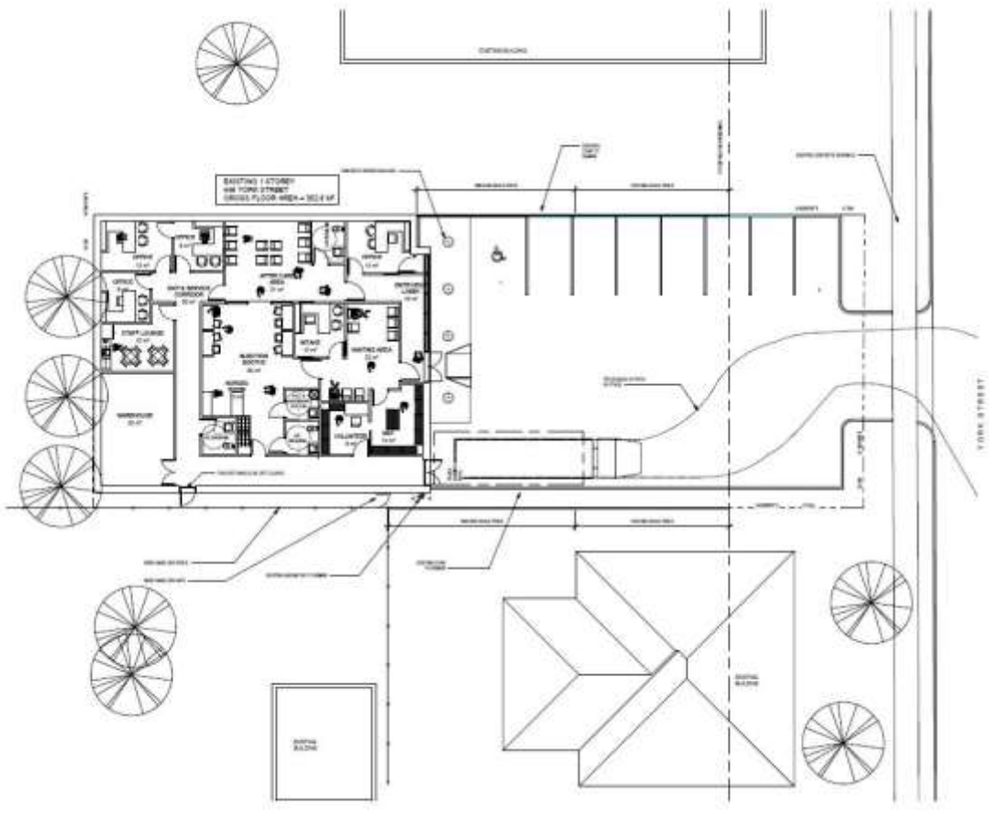


Figure 2 - Site plan provided by applicant

3.0 Relevant Background

3.1 Planning History

The subject site has not been subject to any recent applications under the Planning Act.

While the subject site has not been the subject of any recent planning applications, it is worth nothing that Council has recently adopted amendments to The London Plan, the 1989 Official Plan, and the Zoning By-law with regard to Supervised Consumption Facilities. At its meeting of May 22, 2018, Municipal Council adopted amendments to The London Plan (Official Plan Amendment 679) and the 1989 Official Plan (Official Plan Amendment 680) which permitted supervised consumption facilities in all place types in The London Plan and all land use designations in the 1989 Official Plan,subject to a Zoning By-law Amendment. Certain criteria were outlined to be considered when evaluating these Zoning By-law Amendments to ensure these facilities are in locations that meet the needs of those they are designed to serve and avoid land use conflicts. Municipal Council also adopted an amendment to the Zoning By-law to add “supervised consumption facilities” as a defined term. The Zoning By-law Amendment and amendment to the 1989 Official Plan (Official Plan Amendment 680) were appealed to the Local Planning Appeal Tribunal. The London Plan Amendment (Official Plan Amendment 679) was not appealed and is in-force and effect.

3.2 Requested Amendment

The applicant’s original request was for a Zoning By-law Amendment to add a “clinic” use to the range of permitted uses on the subject site.

Through discussions with Staff, this was request was revised to permit offices and medical/dental offices with clinics as an accessory use to these offices. The required provision of offices is consistent with the provincial guidelines that these facilities will provide integrated, wrap-around services that connect clients who use drugs to primary care, treatment, and other health and social services.

3.3 Community Engagement (see more detail in Appendix B)

Prior to the submission of an application, a Community Information Meeting was held by the applicant on July 25, 2018 at the London Public Library – Central Branch. This meeting was attended by approximately 43 individuals. This meeting was an open house format, which allowed members of the public to ask questions about various aspects of Supervised Consumption Facilities. City of London City Planning and Development Services Staff were in attendance at this meeting to answer any questions about the Zoning By-law Amendment process.

This application was submitted on October 10, 2018, and declared complete on October 22, 2018. A Notice of Application was sent to property owners within a 250 metre radius of the subject site on October 31, 2018 and published in The Londoner on November 1, 2018. This notification area exceeds the standard 120 metre notification radius identified by the Planning Act.

One sign detailing the development application was placed on the site, fronting York Street.

City of London City Planning Staff held a Community Information Meeting on November 26, 2018 at the London Public Library – Central Branch to provide an opportunity for the public to learn more about the application and provide feedback. Notification of this Community Information Meeting was mailed to all individuals who had identified themselves as interested parties, all landowners within 250 metres of the subject site and also mailed to all occupants within an area bounded by Queens Avenue, William Street, Horton Street, and Waterloo Street. Notices about the meeting were also posted in The London Free Press on November 17, 2018 and November 24, 2018. This meeting was attended by approximately 40 people. Comments provided centered around the function of the site as a supervised consumption facility including concerns about how the facility would function, concerns that the facility would attract an increased number of drug users to the area and associated illicit activities such as crime

and vandalism, concern about a decline in nearby property values, concern about the safety of users based on proximity to the railway tracks, and concern about proximity to schools and residences. Others spoke in favour of such facilities operating at that location. Comments were also provided that recommended limiting the requested uses to the existing building such that if there was a desire to expand the operations on the subject site, the public would have another opportunity to comment through the zoning by-law amendment process.

As of the date of this report approximately 18 interested parties have provided comment in response to this application. Concerns expressed mirrored the comments provided at the community information meeting. While many individuals expressed concerns about this application, several individuals have also contacted the file planner in support of the application.

Further information on community engagement along with copies of the written comments received with this application can be found in Appendix B.

3.4 Policy Context (see more detail in Appendix C)

Provincial Policy Statement, 2014

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development, setting the policy foundation for regulating the development and use of land. The subject site is located within a settlement area as identified in the PPS. The PPS identifies that healthy and livable communities will be sustained by accommodating a range and mix of uses and by avoiding development and land use patterns that may cause environmental or public health and safety concerns (Policy 1.1.1). Policy 4.7 indicates that the Official Plan is the most important vehicle for implementing the PPS.

All decisions of Council affecting land use planning matters are required to be consistent with the PPS.

The London Plan

The London Plan is the new Official Plan for the City of London and has been adopted by City Council and approved by the Ministry with modifications. The majority of The London Plan is in-force and effect, while a portion of the Plan continues to be under appeal at the Local Planning Appeals Tribunal.

The subject site is located in the Neighbourhoods Place Type in The London Plan, on a Civic Boulevard. The Neighbourhoods Place Type make up the majority of the City Structure's land area. Each of our neighbourhoods provides a different character and function, giving Londoners abundant choice of affordability, mix, urban vs. suburban character, and access to different employment areas, mobility opportunities, and lifestyles (Policy 917).

The range of permitted uses for the Neighbourhoods Place Type, based on the site's location on a Civic Boulevard, is generally limited to residential uses (Table 10). However, as further discussed in the above "Section 3.1 Planning History" at its meeting of May 22, 2018, Municipal Council adopted an amendment to The London Plan that adds a definition for Supervised Consumption Facilities and identifies that this uses is permitted in all place types, subject to a Zoning By-law Amendment, and outlined a set of evaluation criteria. The Official Plan Amendment to The London Plan regarding Supervised Consumption Facilities was not appealed, as such these policies are in-force and effect as part of The London Plan.

City of London 1989 Official Plan ("Official Plan")

The City of London 1989 Official Plan ("Official Plan") implements the policy direction of the PPS and contains objectives and policies that guide the use and development of land within the City of London. The Official Plan assigns specific land use designations to lands, and the policies associated with those land use designations provide for a general range of permitted uses.

The subject site is located within the "Office/Residential" land use designation in the Official Plan. Office/Residential areas are intended to promote office/residential projects in areas adjacent to downtown, servicing as a buffer between more intense commercial development and nearby residential areas (Policy 5.1.3). Primary permitted uses in this land use designation include offices and residential uses within mixed use buildings or complexes, small scale standalone offices, and office conversions. Secondary uses, which are permitted as accessory uses, include clinics.

As discussed in the above "Section 3.1 Planning History", Official Plan Amendment 680 was adopted by Municipal Council on May 22, 2018 which added a definition for Supervised Consumption Facilities, identified that these facilities could be permitted in any land use designation subject to a Zoning By-law Amendment application, and set evaluation criteria for reviewing locations for Supervised Consumption Facilities. While Council-adopted, this Official Plan Amendment is currently not in-force and effect as it has been appealed to the Local Planning Appeal Tribunal.

Zoning By-law Z-1
As further discussed in the above "Section 3.1 Planning History", Municipal Council adopted a Zoning By-law Amendment to add supervised consumption facilities as a defined use in the Zoning By-law. This Zoning By-law Amendment was appealed to the Local Planning Appeal Tribunal and, as such, is currently not in-force and effect as this appeal is ongoing. Where there is not a definition for a specific use in the Zoning By-law, the existing definitions in the Zoning By-law are reviewed to find the most relevant defined use that can be applied to the requested use. In the absence of a specific definition for supervised consumption facilities in the Zoning By-law, the functions occurring within supervised consumption facilities have been determined to fall under the existing definition of "clinic" for the activities related to supervised consumption and "office" or "medical/dental office" uses for the associated wrap-around services. As such, the Zoning By-law Amendment submitted was to permit a clinic use and will be evaluated as such.

4.0 Key Issues and Considerations

4.1 Issue and Consideration # 1 – Use

The Zoning By-law Amendment application for the subject site requests to add office uses, medical/dental offices and clinics in association with a office uses as permitted uses on the subject site. These uses are intended for a supervised consumption facility.

While Municipal Council adopted amendments to The London Plan, the 1989 Official Plan, and the Zoning By-law to add a definition and evaluation criteria for supervised consumption facilities, the amendments to the 1989 Official Plan and the Zoning By-law were appealed to the Local Planning Appeal Tribunal. The amendment to The London Plan was not appealed and is in-force and effect as part of The London Plan. As such, the application for a supervised consumption facility and the offices for the wrap-around services was evaluated as office and medical/dental office use with associated clinic in the 1989 Official Plan and the Zoning By-law, and was evaluated as a supervised consumption facility in The London Plan.

Provincial Policy Statement, 2014
The Provincial Policy Statement identifies that healthy communities will be sustained by allowing for a range and mix of uses and by avoiding development and land use patterns that may cause environmental or public health and safety concerns (Policy 1.1.1). The requested introduction of office uses, medical/dental offices, and clinics in association with medical/dental offices is consistent with these objectives. Injection drug use and the opioid crisis have created a significant public health crisis in London. Supervised Consumption Facilities have been identified as playing a key role in reducing the public health risks of injection drug use among persons who inject drugs, emergency responders, waste management staff, and the general public.

The Provincial Policy Statement also identifies that the Official Plan is the most important vehicle for implementing the PPS (Policy 4.7). The below discussion on the 1989 Official Plan and The London Plan demonstrate how the requested range of uses is consistent with the objectives outlined in the Provincial Policy Statement.

The London Plan
Official Plan Amendment 679 was adopted by Municipal Council in May, 2018 and is in-force and effect. This Official Plan Amendment permits Supervised Consumption Facilities in all place types, subject to a Zoning By-law Amendment. The Official Plan Amendment outlines criteria for the evaluation of a Zoning By-law Amendment for a Supervised Consumption Facility, to ensure that these facilities meet the needs of those they serve and avoid land use conflicts.

The Zoning By-law Amendment application submitted for 446 York Street included a request to permit an “office” use and or “medical/dental office” use and an associated “clinic” use in the absence of a definition for supervised consumption facilities being included in the Zoning By-law. As the applicant indicated that this Zoning By-law Amendment is intended for a supervised consumption facility, this application was reviewed under the policies for supervised consumption facilities in The London Plan.

The subject site is located in the Neighbourhoods Place Type on a Civic Boulevard in The London Plan, which permits a range of residential uses. The London Plan identifies that supervised consumption facilities are permitted in all place types, including the Neighbourhood Place Type, subject to a Zoning By-law Amendment to be reviewed under a set of criteria to ensure that these facilities meet the needs of those they serve and avoid land use conflicts. The permissions for an office use and medical dental office use are permitted within the Neighbourhood Place Type when associated with a clinic use as part of a supervised consumption facility.

The requested Zoning By-law Amendment was reviewed under the evaluation criteria for assessing supervised consumption facilities. This assessment is outlined in the below Table 1.

Table 1 - Evaluation Criteria for Supervised Consumption Facilities

Locations that meet the needs of those they are designed to serve

Criteria	Response
Within close proximity to, or near, communities where drug consumption is prevalent	The subject site is located near areas where drug consumption is prevalent. It is located in Central London where the information provided in the Planning Justification Report has identified as having higher concentrations of improperly discarded sharps. The subject site is also located across the street from the Men’s Mission, a shelter for homeless men.
Well serviced by transit	The subject site is well-serviced by transit with London Transit Commission Route 7 running immediately in front of the subject site on York Street, and Routes 2 and 20 servicing Dundas Street, two blocks north of the subject site. Further, the planned route for the City’s Bus Rapid Transit is to run one block north of the subject site, along King Street, so it is expected that transit service to the subject site will be enhanced in the future.

Criteria	Response
Discrete, allowing for reasonable privacy when using the facility	The proposed design of the building allows for discretion for users. Access includes an entry and exit lobby to avoid users queuing outside waiting for services and there are no windows in the waiting area or client service areas. There are also very few pedestrian-oriented commercial buildings along the street so there is limited pedestrian traffic to observe those entering/exiting the facility.
Separated from busy pedestrian-oriented commercial areas	The site is located along a portion of York Street with very few pedestrian-oriented commercial businesses located near the site. King Street and Dundas Street to the north of the subject site are planned to be pedestrian-oriented commercial areas, with designations in The London Plan that support pedestrian-oriented commercial uses, while York Street is not intended for that land use mix.
Separated from public spaces that generate pedestrian traffic or may generate large crowds from time to time	The subject site is separated from high-traffic public spaces. The closest space that may generate large crows from time-to-time is the sports field affiliated with H.B. Beal Secondary School, which is located approximately 95 metres from the subject site. This playing field is fenced with the primary pedestrian and vehicular entrance for the sports field is off of King Street, approximately 260 metres from the subject site.
Close to an area with other drug addiction related support services	The subject site is located close to many other addiction related support services, including the Men's Mission, across the street from the subject site, and the Salvation Army Centre of Hope, Regional HIV/AIDS Connection, Addiction Services Thames Valley, and London Cares, which are all located approximately 1 kilometre (10 to 15 minute walk) from the subject site.

Locations that meet the needs of those they are designed to serve

Criteria	Response
Separated from busy commercial areas or active public spaces that could generate conflicts between the general public and those leaving supervised consumption facilities after consuming	The subject site is located in an Office/Residential designation in the 1989 Official Plan and in the Neighbourhoods Place Type in The London Plan. Neither of these land use designations are intended to facilitate the development of busy commercial areas with a high level of pedestrian traffic. The as-built context has few pedestrian-oriented business and is not a busy pedestrian area. The closest active public space to the subject site is the H.B. Beal sports field, however the primary entrance to this sports field, which is surrounded by a fence, is off of King Street and not York Street.
Separated from parks	The subject site is separate from municipal parks. The closest municipal parks to the subject site area Campbell Memorial Park, which is approximately 650 metre walking distance from the subject site, and Victoria Park which is 1.6 kilometers from the subject site.
Separated from key pedestrian corridors	The subject site is separated from key pedestrian corridors. The portion of York Street near the subject site is not intended to be a key pedestrian corridor, as both the1989 Official Plan land use designation and The London Plan place type are not designations/place types that encourage the development of extensive pedestrian-oriented commercial uses. The as-built context also includes very few pedestrian-oriented commercial uses.
Separated from elementary or secondary school properties	The closest schools to the subject site are Catholic Central Secondary School and H.B. Beal Secondary School. The subject site is approximately a 400 metre walking distance from Catholic Central Secondary School. The sports field for H.B. Beal Secondary School is located approximately 95 metres from the subject site, however this sports field is fenced and the primary entrance is approximately a 260 metre walk from the subject site on King Street. The primary entrance to the school building is accessible from Dundas Street and is approximately a 500 metre walk from the subject site. This allows for adequate separation between the subject site and schools.

Criteria	Response
Separated from municipal pools, arenas and community centres, and the Western Fairgrounds	The subject site is separated from municipal pools, arenas and community centres, and the Western Fairgrounds. There are no municipal pools or arenas within 1 kilometre of the subject site and the Western Fairgrounds are approximately 1.3 kilometres east of the subject site. Childreach, a non-profit community centre, is located approximately 250 metres south of the subject site, but is separated from the subject site by the rail corridor, which provides a physical barrier between these uses. The YMCA is located approximately 600 metres walking distance northwest of the subject site.
Not located within the interior of a residential neighbourhood	The subject site is not located within the interior of a residential neighbourhood. The subject site is located in an Office/Residential designation in the 1989 Official Plan which permits a range of office and residential uses as the primary uses. The subject site is located in the Neighbourhoods Place Type in The London Plan, however it is located on the periphery of a neighbourhood, fronting an arterial road.

Based on the analysis of the above evaluation criteria, a supervised consumption facility is appropriate at this location as this location would meet the needs of those this facility would be intended to serve and would avoid land use conflicts.

The requested office and medical/dental office uses are recommended to be required to include an accessory clinic use in order to ensure conformity to The London Plan policies, which permits supervised consumption facilities, but would not allow stand-alone office or medical dental office uses on the subject site. Office and medical/dental office uses would provide wrap-around services to those utilizing supervised consumption facilities. The provision of wrap-around services for drug users as part of the supervised consumption facilities is a provincial requirement.

1989 Official Plan

The subject site is designated Office/Residential in the 1989 Official Plan. The Office/Residential designation permits a range of office and residential uses as the primary permitted uses (Policy 5.3.1). Clinics are a secondary permitted use, however they must be accessory to one of the primary permitted uses (Policy 5.3.1). The applicant has requested to permit office uses, medical/dental office uses, and clinics in association with an office use. This requested range of uses conforms to the range of permitted uses in the 1989 Official Plan.

Official Plan Amendment 680 was adopted by Municipal Council in May, 2018. Official Plan Amendment 680 permitted supervised consumption facilities in all land use designations subject to a Zoning By-law Amendment, and outlined criteria to evaluate this Zoning By-law Amendment to ensure these facilities meet the needs of those they serve and avoid land use conflicts. This Official Plan Amendment is currently under appeal and, as such, is not in-force and effect. The criteria for evaluating supervised consumption facilities outlined in Official Plan Amendment 680 mirrored the criteria in

The London Plan, which is in-force and effect, and are outlined in the above analysis of The London Plan.

4.2 Issue and Consideration # 2 – Intensity and form

The subject site is currently occupied by a one-storey building and surface parking. The materials submitted by the applicant contemplate the requested uses being accommodated within the existing building. While there are certain limitations associated with the zoning standards for the property that would make expansion of the facility beyond the existing building footprint challenging, there is still the possibility that the site could be redeveloped in the future into a larger facility. This was a matter of concern expressed by members of the public at the community information meeting, who indicated that if a new facility was to be built there should be an additional opportunity for public consultation on the zoning.

As a result of the community sensitivity associated with the introduction of the requested uses and the careful design that is required for the site, it is recommended that the requested uses be limited to the existing building. Should the applicant wish to expand the requested uses beyond the existing building, a Zoning By-law Amendment would be required to ensure that the development to accommodate the requested uses fits with the surrounding context. The recommended amendment is consistent with what the applicant has contemplated throughout the process.

4.3 Issue and Consideration # 3 – Parking

The recommended action includes a recommendation that the existing parking be recognized to accommodate the requested additional uses. This is intended such that it would allow flexibility to accommodate various types of offices that can be included in the facility as wrap-around services without having to amend the Zoning By-law based on parking requirements. The Planning Justification Report provided by the applicant has shown that those using supervised consumption facilities predominantly walk or take public transit to access these facilities, therefore it is not anticipated that the standard parking provisions for medical/dental offices would be required in these situations. The Zoning By-law identifies that the recommended uses are intended for the purposes of a supervised consumption facility, providing further clarification on the intended use of this property.

The requirement that the recommended uses be limited to the existing building will also help to regulate the parking provision.

4.4 Issue and Consideration # 4 – Intake and waiting areas and post consumption areas

The in-force policies of The London Plan pertaining to supervised consumption facilities, require that the Zoning By-law to permit these facilities secures minimum size requirements for intake and waiting areas for consumption booths and post consumption areas. This is also consistent with the provincial guidelines which identify design standards for best practice for post-consumption areas.

The applicant has identified that the proposed facility would include 5 square metres (53 square feet) of intake and waiting areas per consumption booth and 1.9 square metres (20 square feet) of post-consumption area per consumption booth.

As per the policies in The London Plan and the Council-adopted policies in the 1989 Official Plan, staff are recommending to secure these standards in the Zoning By-law to ensure adequate space in the facility to accommodate users both before and after consumption in order to prevent line-ups outside of the facility and to ensure that users who desire to stay in the facility after consuming drugs are able to be accommodated.

An overall minimum is recommended to be added to the post-consumption area requirement, such that in no instance could less than 9.3 square metres (100 square feet) be provided. This reflects provincial guidelines which require a minimum of 9.3

square metres (100 square feet) of post consumption area for 3 consumption booths, which identifies has a marginal increase to the post consumption area as the number of booths increases.

4.5 Issue and Consideration # 5 – Archaeological potential

The subject site is located in an area that has been identified as having archaeological potential by the *Archaeological Management Plan*. The proposed reuse of the existing building is not anticipated to require ground disturbing alterations that would trigger the need for an archaeological assessment to be completed.

The addition of a holding provision is recommended to the Zoning By-law Amendment for this application, so that if any future redevelopment or alteration to the site requiring ground disturbance would require that archaeological concerns are addressed prior to construction.

It has been noted that the alterations noted on the site plan provided by the applicant, dated October 24, 2018, including fencing, painting new lines on the paved parking area, and the addition of concrete bollards, are not anticipated to adversely affect any archaeological potential that may remain on the property and that an Archaeological Assessment is not required for these alterations at the scale that has been identified in the October 24, 2018 site plan.

4.6 Issue and Consideration # 6 – Heritage adjacency

The subject site is adjacent to a property at 444 York Street that is listed on the City of London's Inventory of Heritage Resources. A Heritage Impact Assessment was provided by the applicant. This Heritage Impact Assessment was reviewed by Staff who concur with the findings of the Heritage Impact Assessment that the proposed reuse of the existing building at 446 York Street will result in no adverse heritage impacts to the adjacent heritage listed property at 444 York Street.

This item was also considered by the London Advisory Committee on Heritage.

4.7 Issue and Consideration # 7 – Concern about facility operation

Many of the comments received from the community about this application have been in regard to the operation of the facility as a supervised consumption facility. Concerns received focused on such matters as security patrols, operating hours, and the introduction of additional drug users into the area and potential increases in crime and property standards issues. The Zoning By-law Amendment application process is not able to secure the standards of operation for this facility, rather it focuses on regulating whether this is an appropriate location for the requested use.

The municipal Zoning By-law Amendment process is only one component of the supervised consumption approval process. The approval of supervised consumption facilities is also subject to ongoing federal and provincial approvals, which are required for the facility to be funded and operated. These approvals are reviewed periodically and provide an opportunity for concerns to be identified and addressed on an ongoing basis.

While it is not anticipated that the introduction of a supervised consumption facility would lead to issues with property standard or crime, the City of London's Municipal Law Enforcement division and the London Police Service provide resources to address any such issues that arise. The applicant has also identified that there would be security patrols in the surrounding area as part of the operating of this site as a supervised consumption facility.

4.8 Issue and Consideration # 8 – Concern with rail corridor proximity

Several public comments were received relating to a concern about the proximity of the subject site to the rail corridor and the safety of users of the site. The applicant submitted information as part of the Planning Rationale identifying that a Crime Prevention Through Environmental Design (CPTED) analysis of the site had identified that the train tracks could provide a potential risk to those travelling to and from the site, and those at risk of self-harm. The applicant indicated that staff would remind clients of the risks associated with crossing and using the rail tracks in the area and also notes that those clients who visit SCF report they do so because they want to use drugs in a safe place that do not harm themselves and therefore the clients are unlikely to threaten self-harm. The applicant has also indicated that if a client or visitor threatened self-harm, nurses and RHAC staff on-site are trained in de-escalation, and understand when or if it is necessary to contact emergency services to ensure that clients do not harm themselves. The applicant has also identified that there is contiguous fencing along all private properties along both sides of the rail corridor that will prevent inadvertent access to the rail line through private property.

The existing Temporary Overdose Prevention Site (TOPS) is equally within walking distance to the railway corridor and has not experienced a negative impact as a result.

Illicit drug use has been identified as already occurring on many areas throughout the rail corridor and it is anticipated that the introduction of a supervised consumption facility would not worsen the risk for drug users based on proximity to the rail corridor, but would instead provide an alternative location and supports for those using drugs that is safer than many of the locations individuals are already consuming drugs along the rail corridor.

4.9 Issue and Consideration # 9 – Community consultation

Official Plan Amendment 679 in The London Plan (in-force and effect) and Official Plan Amendment 680 in the 1989 Official Plan (under appeal) require that a consultation plan be submitted as part of the application with at least one community meeting per year. The applicant has provided a consultation plan identifying that one community meeting will be held annually. This is considered to be sufficient and meets the criteria in the Official Plan Amendments.

4.10 Issue and Consideration # 10 – Site Design

As the subject site is going through a change in use and no new development is proposed, Development Services has determined that the application would not be required to go through a Site Plan Amendment application, since it does not meet the definition of “development” which triggers the site plan requirement.

While the application (as proposed) would not be required to go through a site plan application, the design of the site for supervised consumption facilities needs to be carefully considered. Official Plan Amendment 679 that provides the policies in The London Plan guiding the location of supervised consumption facilities identifies several criteria for the design of supervised consumption facilities, including the incorporation of Crime Prevention Through Environmental Design principles, allowing for easy visual surveillance of the building, orienting the building for discrete entry and exit while allowing for visual surveillance, and avoiding opportunities for loitering.

The site plan provided by the applicant, including fencing constructed on the east and west property line, was reviewed by Development Services staff who found the site design, as proposed, to be appropriate and meet these criteria.

4.11 Issue and Consideration # 11 – Property Values

The criteria for reviewing Zoning By-law Amendment applications require that applications must be consistent with the Provincial Policy Statement and conform to the Official Plan. Property values are not a matter that is considered in the Provincial Policy Statement or the Official Plan. While property values are not a criteria that are to be used when evaluating Zoning By-law Amendment applications, it is anticipated that a well-run, properly planned facility would have limited impacts on nearby properties and their associated property values.

More information and detail is available in Appendix B and C of this report.

5.0 Conclusion

The recommended Zoning By-law amendment is consistent with the policies in the Provincial Policy Statement and conforms to the policies in the Official Plan (including policies in both the 1989 Official Plan and The London Plan).

The recommended Zoning By-law would allow for an office use with an accessory clinic use or a medical/dental office use with an accessory clinic use, with the intention that these uses would function as a supervised consumption facility. The other uses already allowed on the subject site would continue to be permitted. This use conforms to Official Plan Amendment 679 which outlines the requirements for the provision of supervised consumption facilitates in The London Plan, and to the Council-adopted Official Plan Amendment 680 to the 1989 Official Plan which includes the same criteria as is in-force in The London Plan but is currently under appeal to the Local Planning Appeal Tribunal. The recommended uses also conform to the range of permitted uses in the Office/Residential designation in the 1989 Official Plan.

Additional standards are also recommended to be included in the Zoning By-law for minimum areas for intake and waiting areas and post-consumption areas and to limit the recommended uses to the existing building. The addition of these standards to the Zoning By-law are intended to ensure compatibility with the surrounding area, and ensure an opportunity for additional public input if the facility were to be expanded beyond what was contemplated in this application. The existing parking is also recognized as being sufficient for the recommended uses on the subject site.

The addition of an h-(*) holding provision is also recommended, to ensure that the necessary archaeological studies are completed prior to any future redevelopment or alteration to the site requiring ground disturbance, while allowing uses within the existing building.

While the recommended Zoning By-law Amendment includes additional standards beyond the requested Zoning By-law Amendment. It is intended to provide a greater level of detail than the requested Zoning By-law Amendment and to ensure that what has been proposed by the applicant is what is implemented. This additional level of detail ensures that the proposal conforms with Official Plan policies and is compatible with the surrounding area.

Prepared by:	**Michelle Knieriem, MCIP, RPP** **Planner II, Urban Regeneration, City Planning**
Submitted by:	**Michael Tomazincic, MCIP, RPP** **Manager, Current Planning, Development Services**
Concurred by:	**Paul Yeoman, RPP, PLE** **Director, Development Services**
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	

December 3, 2018
MT/mt

Y:\Shared\implemen\DEVELOPMENT APPS\2018 Applications 8865 to\8971Z - 446 York St (MK)\PEC Report November 30

Appendix A

Bill No.(number to be inserted by Clerk's Office)
(2019)

By-law No. Z.-1-19_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 446 York Street.

WHEREAS Middlesex-London Health Unit/Regional HIV/AIDS Connection have applied to rezone an area of land located at 446 York 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 446 York Street, as shown on the attached map compromising part of Key Map No. A107, from a Restricted Service Commercial (RSC2/RSC4) Zone to a Holding Restricted Service Commercial/Restricted Service Commercial Special Provision (h-(*)●RSC2/RSC4(_)) Zone.

2) Section Number 3.8 2) of the Holding "h" Zone is amended by adding the following Holding Provision:

) h-(*) Purpose: The proponent shall retain an archaeologist, licensed by the Ministry of Tourism, Culture and Sport under the provisions of the Ontario Heritage Act (R.S.O. 1990 as amended) to carry out a Stage 1 (or Stage 1-2) archaeological assessment of the entire property and follow through on recommendations to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found (Stages 3-4). The archaeological assessment must be completed in accordance with the most current Standards and Guidelines for Consulting Archaeologists, Ministry of Tourism, Culture and Sport.

All archaeological assessment reports, in both hard copy format and as a PDF, will be submitted to the City of London once the Ministry of Tourism, Culture and Sport has accepted them into the Public Registry.

Significant archaeological resources will be incorporated into the proposed development through either in situ preservation or interpretation where feasible, or may be commemorated and interpreted through exhibition development on site including, but not limited to, commemorative plaquing.

No demolition, construction, or grading or other soil disturbance shall take place on the subject property prior to the City's Planning Services receiving the Ministry of Tourism, Culture and Sport compliance letter indicating that all archaeological licensing and technical review requirements have been satisfied.

Permitted interim uses: uses within the existing building where no soil disturbance takes place.

3) Section Number 28.4 of the Restricted Service Commercial (RSC4) Zone is amended by adding the following Special Provision:

) RSC4( ) 446 York Street

a) Additional Permitted Uses
i) Offices with accessory Clinics for the purposes of a Supervised Consumption Facility.

ii) Medical/dental offices with accessory Clinics for the purposes of a Supervised Consumption Facility.

b) Regulations

i)	Additional Permitted Uses shall be restricted to the existing building.	
ii)	Parking Spaces	8 for all Additional Permitted Uses within the existing zone
iii)	Minimum intake and waiting area	5 square metres (53 square feet) per consumption booth.
iv)	Minimum post consumption area	1.9 square metres (20 square feet) per consumption booth; but in no instance shall less than 9.3 square metres (100 square feet) be provided.

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 December 18, 2018.

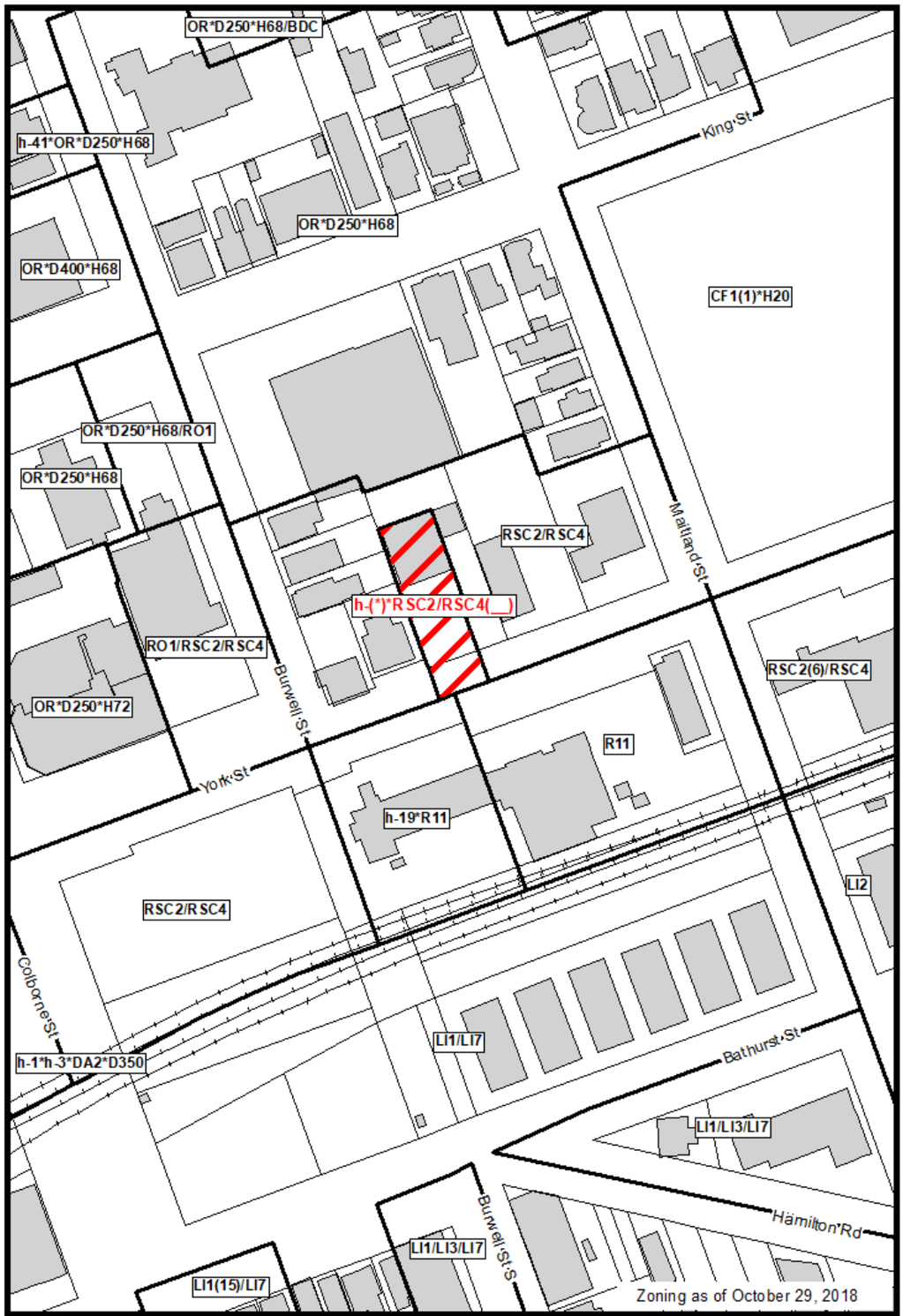
Ed Holder
Mayor

Catharine Saunders
City Clerk

File: Z-8971
Planner: M. Knieriem

First Reading – December 18, 2018
Second Reading – December 18, 2018
Third Reading – December 18, 2018

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



File Number: Z-8971
Planner: MK
Date Prepared: 2018/11/14
Technician: MB
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: On October 31, 2018, Notice of Application was sent to 701 property owners in the surrounding area and individuals who had identified themselves as interested parties at the pre-application community information meeting and through the process involving the City-wide Supervised Consumption Facility amendments. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on November 1, 2018. A "Planning Application" sign was also posted on the site.

20 replies were received.

Nature of Liaison: The purpose and effect of this zone change is to permit a clinic, in addition to the other uses already permitted on the subject site. Possible change to Zoning By-law Z.-1 from a Restricted Service Commercial (RSC2) Zone and a Restricted Service Commercial (RSC4) to a Restricted Service Commercial (RSC2) Zone and a Restricted Service Commercial Special Provision (RSC4(_)) Zone to permit a clinic use in addition to the other uses already permitted on the subject site. This clinic use is intended for a supervised consumption facility.

A Revised Notice of Public Meeting mailed on November 28, 2018 and placed in The Londoner on November 29, 2018 slightly modified this to recognize that the majority of the facility surrounding the clinic use was offices intended to provide wrap-around services to the supervised consumption facility, and to identify that Municipal Council may also consider certain modifications to the application. This revised notice indicated that the purpose and effect of this zone change has been revised to permit an office use, a clinic in association with an office use, and a medical/dental office, in addition to the other uses already permitted on the subject site. Possible change to Zoning By-law Z.-1 from a Restricted Service Commercial (RSC2/RSC4) Zone to a Restricted Service Commercial/Restricted Service Commercial Special Provision (RSC2/RSC4(_)) Zone to permit an office use, a clinic use in association with an office use, and a medical/dental office in addition to the other uses already permitted on the subject site. This clinic use is intended for a supervised consumption facility. This notice has also been revised to identify that Municipal Council may also consider modifications to the requested special provisions, including the addition of office and medical/dental office as permitted uses, the requirement for clinics to be associated with an office use, parking reductions, and minimum size requirements for intake and waiting areas for consumption booths and minimum post consumption area. The addition of a holding provision may also be considered.

Responses: A summary of the various comments received include the following:

Concern for:
Impact on property standards:

There was concern that individuals who have been consuming drugs in the facility will cause property damage to public or private property. The applicant has identified that there would be security patrols associated with the facility. The City also has the London Police Service and the Municipal Law Enforcement division to ensure public and private property is not damaged and property standards are maintained.

The facility operating hours are insufficient:

There was concern that the facility operating hours were not long enough, and that the facility should be open 24 hours per day. The applicant has indicated the facility will be open 12 hours a day, with the hours limited by budgetary constraints. The operating hours of the facility are not able to be secured in the Zoning By-law Amendment.

Increase in crime:

Many community members expressed concern that a supervised consumption facility would lead to an increase in crime. The applicant has indicated that the facility would have security patrols of the surrounding area during the operating hours of the facility. The London Police Service also provides a resource to address any crime.

Impact on property values:

The criteria for reviewing Zoning By-law Amendment applications require that applications must be consistent with the Provincial Policy Statement and conform to the Official Plan. Property values are not a matter that is considered in the Provincial Policy Statement or the Official Plan. While property values are not a criteria that are to be used when evaluating Zoning By-law Amendment applications, it is anticipated that a well-run, properly planned facility would have limited impacts on nearby properties and their associated property values.

Proximity to schools:

Community members identified concern about the proximity of the subject site to schools. The closest schools to the subject site are Catholic Central Secondary School and H.B. Beal Secondary School. The subject site is approximately a 400 metre walking distance from Catholic Central Secondary School. The sports field for H.B. Beal Secondary School is located approximately 95 metres from the subject site, however this sports field is fenced and the primary entrance is approximately a 260 metre walk from the subject site on King Street. The primary entrance to the school building is accessible from Dundas Street and is approximately a 500 metre walk from the subject site, and the secondary entrance on King Street is approximately a 400 metre walk from the subject site.

These factors combine to allow for adequate separation between the subject site and nearby schools.

Site is not discrete:

There was the concern that the site is not discrete and would not allow privacy for users. The applicant has identified that there will not be visibility through any windows at the front of the building. Further, the dedicated waiting area for those wishing to use the consumption booths would allow adequate space for individuals to wait inside the facility so that they are not lining up outside.

Proximity to residential uses:

There was the concern that the subject site did not meeting the criteria in The London Plan that supervised consumption facilities be located not in the interior of a residential neighbourhood. The subject site is close to residential uses, however it is located in a mixed-use context including businesses, offices, automobile service uses, and institutional uses. The subject site is also not located in the interior of a residential neighbourhoods, rather it is located on the exterior of the neighbourhood fronting onto an arterial road.

Concern that individuals will be queuing outside the facility to wait to consume drugs:

There was the concern that there would be individuals lining up outside the facility to use drugs. The recommended Zoning By-law amendment includes a minimum waiting area for those who intend to consume drugs, which is anticipated to be sufficient based on provincial guidelines. This is intended to prevent people from lining up outside the facility.

Responses to Public Liaison Letter and Publication in "The Londoner"

Telephone	Written
Deana Ruston 807-433 King Street London, ON N6B 3P3	Doug and Anne Sutton 507-389 Dundas Street London, ON N6B 3L5
	Fran Carroll 1406-430 King Street London, ON N6B 1S7
	Lance Howard 444 York Street London, ON N6B 1R2
	Sharon Krogman 482 Jarvis Street London, ON N6K 1X1
	Marilyn and David Beach 21-2081 Phillbrook Drive London, ON N5X 3A4
	Lorrie Riles 53 Simms Court London, ON N5Z 5E7
	Melody Hudson and Jecht Zea-Wilde N/A
	David Lundquist 191 Grey Street London, ON N6B 1G2
	Paul Pritiko 485 York Street London, ON N6B 1R4
	Joseph Sommerfreund 1-279 Hyman Street London, ON N6B 2G6
	Carrie O'Brien P.O. Box 600 Komoka, ON N0L 1R0
	George Bikas P.O. Box 600 Komoka, ON N0L 1R0
	George Meek
	Margaret Stewart 703-389 Dundas Street London, ON N6B 3L5
	Kasia Olszewska 318 Wellington Road London, ON N6C 4P4

Telephone	Written
	Amanda and Jose Fonseca 342 Burwell Street London, ON N6B 2V9
	Megan Walker 797 York Street, Unit 5 London, ON N6A 5P9
	Adriana Keresztes 340 Colborne St London, ON N6B 3N1
	Analee Baroudi 150 Dufferin Avenue, Site 206 London, ON N6A 5N6

Public Comments

From: Anne Catherine
Sent: Tuesday, November 27, 2018 8:21 PM
To: Knieriem, Michelle <mknieriem@london.ca>
Subject: Zoning By-Law Amendment 446 York Street

Michelle Knierie Services
Planning Services,
City of London.
206 Dundas St.,
London, ON
N6A 1G7

In attending the meeting Monday, November 26, at the Central Library, as opposed to being reassured I left feeling more concerned.
When we left our building to attend the meeting last night there was an individual sprawled on our couch in our lobby, obviously high and another smoking outside the locked door we needed to exit. He had jammed an old lottery ticket into the door lock for free access in and out. When we picked up the lottery ticket and took it with us he became agitated swearing and hitting the side of the building. We waited until we were a good distance from the building before calling our office to let them know what was going on. Again something that is not really requiring a police call unless it escalated but not improving quality of life downtown.
At the meeting we were reassured that there would be security outside the clinic. Hearing that my first concern is you are opening a clinic in a residential area where you obviously feel you need security and second that security is only during operational hours. The rest of the time the community is on its own so we have to deal with incidents like last night that are increasing. These are not incidents that are reflected in police records. You talked about increased foot patrols by police but we have certainly not witnessed that and just having to identify the need for increased police presence speaks to the legitimate concerns of neighbours. However there has been a definite increase in aggressive pan handling, petty theft including bikes, and break-ins to buildings in the area. All this effects the quality of life of downtown citizens.
You also reassured us that people receiving assistance from a clinic like this tend to move closer and to stay in the area. Not reassuring!
We know that most of the clients visiting this clinic are not employed but must purchase their illegal drugs. The only income generating jobs available are pan handling, theft, prostitution, break-ins to both cars and buildings and of course the retail side of illegal drugs which is a bigger concern when this is so close to major schools.
In daily walks around Victoria Park the change in atmosphere is evident as garbage pails are often left open or at times emptied on the ground and it was not unusual to

come across an individual sprawled out on the lawn this fall (in better weather) obviously under the influence. I have enclosed a picture of clothing left at the north west entrance to Victoria Park including women's less than clean intimate apparel. This is not a reassuring atmosphere for both residents and visitors.
Also a concern identified but not addressed is the large developers who were planning to build downtown who have now apparently backed out? One of those on the site of the Family Circle Restaurant and the other in the old Free Press building, both near these proposed sites. If this is the case obviously they are aware of the downturn expected in both these neighbourhoods and are not willing to invest.
It seems you are spending tax payer money on downtown to rejuvenate it while on the other hand planning its demise with little regard for the taxpayers or those living here who listened to your promises of rejuvenation. You also clearly stated there would be no assistance for loss of value of real estate in the area.
We are only allowed two of these clinics in our city. The fact that you would even consider imposing two sites on the downtown when we are clearly not the only area with this identified problem speaks to a disregard to taxpayers' money spent on the downtown and to its residents. The lack of concern from city hall and acknowledgement of the residents in this area, other than the official steps necessary, speaks volumes.
I see a need for clinic of this nature but a bigger clinic not near a residential area and especially a much greater distance from schools, one that also is 24 hours, that offers food, clothing, showers and rehabilitation when possible, where there are emergency beds where police can take clients whose behavior is beyond the client's control. A clinic away from residential units and especially schools. We all know the return to a healthy neighbourhood is a long and expensive road to travel with sometimes never regaining lost ground. This is supposed to be the heart of our city and in haste to deal with this crises I believe the city under pressure from the Middlesex Health Unit has not treated this issue with due diligence and in a fair manner.

Respectfully,
Doug & Anne Sutton

From: fran carroll
Sent: Tuesday, November 27, 2018 8:20 PM
To: Knieriem, Michelle <mknieriem@london.ca>
Subject: Comments on the permanent supervised consumption site 446 York St

Dear Michelle at City of London Planning Services

I am writing to you with regards to my concerns of having a permanent supervised consumption site at 446 York Street; it's in my neighbourhood. I live at 430 King Street located at King and Burwell, on the 14th floor facing east and south. The apartment building is located on the northwest corner of the intersection.

I have lived in this building for 10 years and have seen the changes in the neighbourhood. Since living in the building I have got rid of my car and walk daily in the neighbourhood: to work, both markets, the library, the bank, etc.

In the last few years it has become not as safe as it used to be. I deal with individuals in psychosis states raging in anger where I have to cross the street because their behaviours are unpredictable. I also deal with individuals high on (I am assuming drugs) reaching for imaginary things in thin air not there and in high energy states. Their behaviours are unpredictable and I feel very unsafe. I run into these behaviours frequently and am petrified when I have to pass them.

I also deal with extremely high volume siren traffic from emergency response vehicles when there are bad drugs in the neighbourhood. The constant sirens put one on edge because it is 24 hour a day occurrence and then it cools down again.

My bedroom window faces south towards the area of the Men's Mission; frequently during the warmer months in the middle of the night I am awaken to fights, angry yelling, etc from individuals hanging around the area when the weather is warm.

In the summer when I walk to the YMCA for an early morning work out there are numerous individuals sleeping and waking up on the grassy areas of King Street. Yes, I have to walk pass them. I don't have a problem with their sleeping; it is only their waken state; and there is no one else around at that time of the morning.

In the winter there have been men sleeping in between the front doors of the building where I live and I am forced to exit through the back where there are also individuals going through the garbage or sleeping under the overhang. I don't feel safe.

In the last year, street people have got into the building and lived in the stairwells.

My concern for the new site is that you say there will be security but I am doubtful it will extend to where my building is a block away. Also this will encourage more people hanging out. I've seen people already hanging out and checking out the parked cars. I want to be able to walk safely out my doors when I go to work in the morning and when I come home at night. I am not getting into a car; I am walking and this behavior is very much in my face and with the new site will only encourage more erratic behavior, more individuals hanging out, more emergency response sirens. I fully support the need for the site and the wraparound services it provides; however please keep the site at the location on King Street downtown where there are minimal residential areas.

Thank you for taking the time to read my concerns. If you want any further information please send me an email or phone me at .

Fran Carroll

From: Lance Howard
Sent: Tuesday, November 27, 2018 8:57 AM
To: Knieriem, Michelle <mknieriem@london.ca>
Subject: 446 York St planning meeting last evening

Hello Ms. Knieriem, My wife and I attended the public meeting last evening at the London Public Library. We are landowners at 444 York and 330 Burwell St as well as run a business out of 444 York.

Could you please forward the slide presentations that were used by the presenters last evening, I believe there were 3.

Thank you

Best Regards,
LANCE HOWARD CFP,CLU
Certified Financial Planner and Insurance Advisor
Save it wisely, spend it well, enjoy life

The Lance Howard Group Inc.
444 York St.
London, ON N6B 1R2

Confidentiality Note: The information contained in this message is legally privileged and confidential information intended only for the use of the addressee(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any use, dissemination, distribution or copying of this message is strictly prohibited.

From: Sharon
Sent: Tuesday, November 27, 2018 8:38 AM

To: David Lundquist ; Knieriem, Michelle <mknieriem@london.ca>
Cc: ; Bonnie ; Lance Howard; Paul; Ray Earnst; Shireen Mamika; Vanessa Verworn; yazan el-shalabi; crystal pirie; Andre Leite
Subject: Re: Applicant for 446 York

We also expressed the concerns of the railroad tracks and also lack of fire exists in the 446 York Street building. There is no way to have a back exist because we own the property behind the building.

Yes, I agree that the staff did seem open to at least hearing our concerns. it's more than we've ever gotten before.

Thanks again for all you're doing,

Sharon

From: David Lundquist
Sent: Tuesday, November 27, 2018 8:02 AM
To: Knieriem, Michelle <mknieriem@london.ca>
Cc: Bonnie; Lance Howard; Paul; Ray Earnst; sharon krogman; Shireen Mamika; Vanessa Verworn; yazan el-shalabi ; crystal pirie; Andre Leite
Subject: Applicant for 446 York

Dear Michelle,

Thank you for all the information last night. I believe many in our group were surprised that some of your staff seemed deferential to MLHU and the RHIVC (the applicants). I would hope the planning department is remaining impartial. The applicant argued for the amendment to the London Plan they now seem uninterested in using to apply for 446 York. An SCF is not a Clinic, based on the council decision in May 2018.

Additionally, some of our group wondered what steps the applicant would undertake to deal with the 300meters of open rail track. Will you be addressing this concern?

I am enclosing a copy in this email the list of questions submitted by community members in Ward 13 that we presented at the meeting last night. These questions were the chosen from a list of 75.

Kind regards,
David Lundquist

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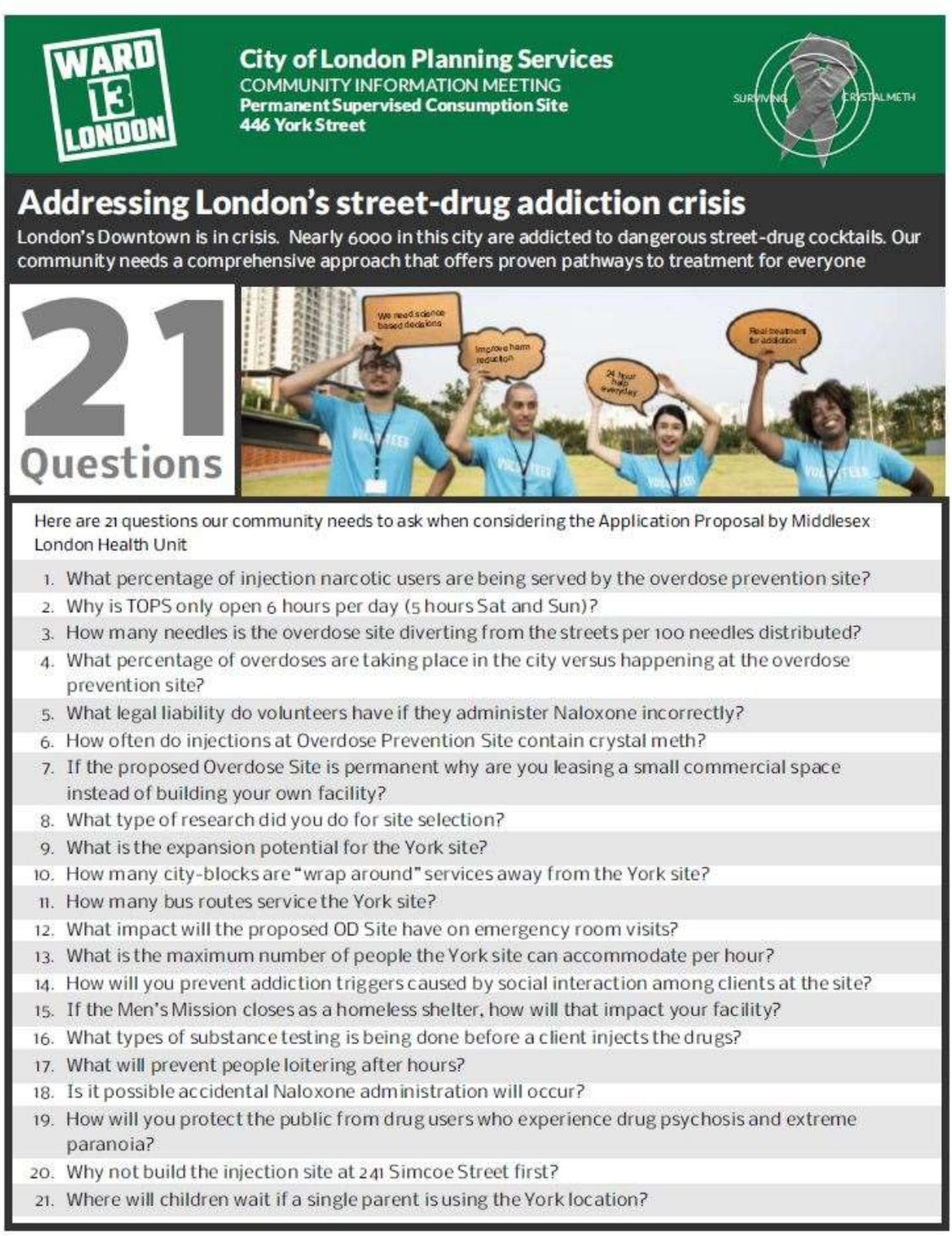

[Note: Above questions provided by community member, attached to email, and distributed by a community member at the Community Information Meeting on November 26, 2018]

From: Marilyn Beach
Sent: Monday, November 26, 2018 7:23 PM
To: Knieriem, Michelle <mknieriem@london.ca>
Subject: 446 York Street

Hello, my husband and I are unable to attend the meeting tonight but we wanted to let you know that we fully support the Zoning By-law Amendment to permit a clinic. We feel it is very important that London offer supervised injection sites.

Marilyn and David Beach

From: Lorrie Riles
Sent: Monday, November 26, 2018 5:18 PM

To: Knieriem, Michelle <mknieriem@london.ca>
Subject: Fwd: Proposed Supervised Consumption Facility @ 446 York Street

Subject: Proposed Supervised Consumption Facility @ 446 York Street

Dear Ms. Knieriem,

I am unable to make it to the Community Information Meeting today but would like to express my opinion.

I do not understand the justification for providing a location for individuals to use ***illegal*** substances. I understand that the idea is to prevent users from injuring themselves or overdosing but it is still illegal no matter how you look at it. Our dollars would be better off spent offering support to individuals with substance abuse problems to get themselves off of drugs rather than sustaining their abuse and addiction to no end. What's next, a theater that shows child pornography open to pedophiles to keep them off the streets?

I very rarely speak out on issues but this is one that I feel very strongly about. It may be too late to make any difference but I do want to express my opinion on this matter.

Thank you for taking the time to read this.

Regards,

Lorrie Riles

From: Melody Hudson
Sent: Thursday, November 22, 2018 2:49 PM
To: Knieriem, Michelle <mknieriem@london.ca>
Subject: 446 York Street

Hello,
My fiancé and I both reside in one of the apartments at 433 King Street, but are unable to make the community meeting about the consumption site at 446 York Street on Nov. 26th. So we wanted to reach out to you and relay our opinions on the matter.

We both strongly believe that this new clinic is a well needed addition to our community. And we believe that every community should have access to one, as there are many people who need the support it will provide. We know that most people in these situations, do not/are not able to travel very far to receive the help they need. So when we heard that there was a proposed clinic in our area, we were happy, as that meant more people in our community would have a safe place where they could learn healthier ways of dealing with their drug addiction, people to help get them through it, and refer them to other supports they can benefit from.

We have been long supporters of the Regional HIV/AIDs Connection and the hard work they have been doing, in our community, and in many others. So we know that if it is something they support, it is for good reason.

The situation will never change if we do not try different solutions to the problem. No solutions are perfect at the beginning, but the more we try, the more we know what does or doesn't work. And these are literally life and death situations, which makes it all that more important to try, as every success is a life. Plus there are lots of examples of these sorts of clinics being effective in general, so it something my fiancé and I believe we should implement in this community, and hopefully in the future, throughout London. Not to mention that financially, it is much better for community to fund a consumption site than to not help people with drug addictions, as it is much more cost effective than the ambulances, emergency trips, police involvement etc. that result from their conditions being untreated/unsupported.

If evidence, trials in different places (like Alberta), the Regional HIV/AIDs Connection, and Middlesex-London Health Unit all support this clinic, than both me and my fiancé stand by them, and hope that our community will do the right thing, and continue with the planned consumption site at 446 York Street.

Thank you,
Melody Hudson and Jecht Zea-Wilde

From: David Lundquist
Sent: Tuesday, November 20, 2018 10:13 PM
To: Knieriem, Michelle <mknieriem@london.ca>
Subject: REPLACEMENT z-8971

Please accept my feedback for the application submitted by Middlesex London Health Unit for construction of a Clinic at 446 York Street. This permit should re-submit under the zoning classification of SCF once the appeal process has concluded since the intended use is a Supervised Consumption Facility. The London Plan now includes a specific development category for Supervised Consumption Facilities that was voted upon in response to MLHU's requests last April. Council determined in May 2018 that the existing Clinic zoning is not an appropriate classification for SCFs. The passage of the SCF Zoning Amendment serves as evidence the City knows SCFs are not Clinics.

My understanding is that applicant hopes to gain approval for Z-8971, to protect two substantial long-term commercial leases. The applicant has shared concerns in the past that there is a risk the appeals process for the SCF Zoning Amendment, may frustrate at least one contract. I have real concerns the City is not keeping in mind its vested interest when considering the application for 446 York Street. The conflict for the City is its own lease with MLHU under London Middlesex Housing Corporation. Provincial guidance appears to require SCF sites to be at least 600m apart. There is a practical need to move TOPS at 186 King Street to 446 York Street before 241 Simcoe Street can begin construction. This creates an appearance the City is ignoring the London Plan to financially to benefit its subsidiary.

The planning application process must avoid "false-flag" proposals that could encourage future developers to flout the intended spirit of the London Plan and exploit technicalities.

Sincerely,

David Lundquist

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From: Paul Pritiko
Sent: Monday, November 19, 2018 12:02 PM
To: Knieriem, Michelle <mknieriem@london.ca>
Subject: Re: Z-8971

Are you abler to provide the new guide line rules the Provincial government has applied for locations where a safe injection sire can be located and guidelines on how it is top be operated ?

Or can you point me in the proper direction on where they can be obtained ?

Thanks

Paul Pritiko

From: Joe Sommerfreund
Sent: Monday, November 19, 2018 12:00 PM
To: Knieriem, Michelle <mknieriem@london.ca>
Subject: Application for rezoning re: 446 York Street for Supervised Consumption Facility

I fully support this application. I believe that such a facility is absolutely necessary as part of an overall harm reduction plan. There can be no question that it saves lives.

I believe that this is an excellent location as well. It is downtown, is on or within a short walk of major bus routes, is quite a number of blocks from residential premises, and has parking nearby.

I hope this application succeeds and that the facility receives provincial approval as quickly as possible.

Joseph Sommerfreund
1-279 Hyman Street, London
N6B 2G6

From: Anne Catherine
Sent: Saturday, November 17, 2018 5:05 PM
To: Knieriem, Michelle <mknieriem@london.ca>
Cc: christine.elliottco@pc.ola.org; MPP <tkernaghan-qp@ndp.on.ca>; Park, Tanya <tpark@london.ca>
Subject: Supervised Consumption Facility.

Michelle Knieriem
Planning Services
City of London,
206 Dundas St.,
London, Ontario
N6A 1G7
File: Z-8971

I am strongly oppose to the site at 446 York Street as a Supervised Consumption Facility. This site is close to a very large number of residential units, schools and at least one day care. It is also not far from the methadone clinic at 528 Dundas Street which is approximately 500 meters from the proposed site.
In researching articles on Supervised Sites in other neighbourhoods it is obvious there has been a negative impact on the neighbourhood where many social services are offered within a small area. We are with in walking distance to The Men' Mission, Parole office for Correctional Service of Canada, The Salvation Army Center of Hope, City of London Social Services, The Good Will, My Sisters Place, The John Howard Society, St Leonard's Society of London, a half way house and the Methadone Clinic at 528 Dundas Street.
A number of people especially those retired and over the age of sixty-five moved downtown to be able to walk freely about our neighbourhood, attend events downtown, go to restaurants, the library, the market and so on. Quality of life and petty crime are not measured by police statistics. When clients leave these Supervised Consumption Facility they leave high. These clients also need to purchase their illegal drugs. Most can't hold a job so resort to petty crime, pan handling, break-ins etc., all in the same neighbourhood. The retailers/ dealers for this business also move to where their clientele are which again creates a less than savory environment.
I would like to see this proposed clinic moved to an area with fewer residential units, away from schools and daycare and in an area where the impact of such a clinic would be reduced.

In an effort to help those stuck in this vicious cycle its important not to over look and to respect the permanent residents and businesses who have invested in their homes and neighbourhoods and that includes downtown residents.

Respectfully,
Anne & Doug Sutton

Sent from my Windows 10 device

From: Paul Pritiko
Sent: Friday, November 16, 2018 5:10 PM
To: Knieriem, Michelle <mknieriem@london.ca>
Cc: Doc Services <DocServices@london.ca>
Subject: File: Z-8971

Applicant: Middlesex-London Health Unit

Ms. M. Knieriem,

I am taking the time to notify you and the City of London that we object to the zoning application for 446 York Street. I am making it know that we oppose the transfer of zoning to allow a supervised consumption facility.

Please place me on record opposing this application so I may participate in the planning process and have a chance to speak at the committee information meeting on Monday, November/26th.

Thank You

Paul Pritiko
485 York Street
London, Ontario

From: Carrie O'Brien
Sent: Friday, November 16, 2018 12:12 PM
To: Knieriem, Michelle <mknieriem@london.ca>
Cc: George Bikas
Subject: Re: Zoning By-law Amendment Application - 446 York Street

Hi Michelle,

Happy Friday!

I'm following up on the ZBA proposal for 446 York St. on behalf of Drewlo Holdings.

Previous emails forward to us by other parties had included the below response from yourself regarding the addition of a definition for SCF. We were aware of the attached Policy approved by Council but were never circulated on a change/addition of definition. Can you point me to the appropriate Council agenda/minutes so I can review that in preparation for our comments submission before November 20.

Thanks in advance!
Carrie

Council did specifically adopt a definition for Supervised Consumption Facilities to be included in the Zoning By-law however this was appealed to the Local Planning Appeals Tribunal, as such isn't in-force-and-effect (meaning it can't be used right now). As such, we are left with finding what existing definition in the Zoning By-law would apply to such a facility. Our Zoning Department determined that the definition that would apply to define this use based on the existing list of definitions is "clinic".

Drugs are not prescribed at supervised consumption facilities, the users bring in their own drugs for consumption.

Please let me know if you have any further questions.
--
CARRIE O'BRIEN
Land Planner
Drewlo Holdings Inc.
P.O. Box 6000, Komoka ON N0L 1R0
https://www.drewloholdings.com

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From: David Lundquist
Sent: Thursday, November 15, 2018 6:05 PM
To: Knieriem, Michelle <mknieriem@london.ca>
Subject: Re: Fw: Upcoming Community Information Meeting - 446 York Street

Hey Michelle

So did the Zoning Department get a legal opinion? If so who gave the opinion?

David Lundquist

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From: Sharon
Sent: Thursday, November 15, 2018 2:17 PM
To: Knieriem, Michelle <mknieriem@london.ca>
Subject: SAFE INJECTION SITE 446 York Street

RE: SAFE INJECTION SITE PROPOSED @ 446 YORK STREET, LONDON, ONTARIO

There are major concerns for such a site operating at this location.

The location is NOT a safe distance from school properties. Beal alone represents 2,000 students and staff. Many of these students pass by this location regularly.

The location is in a HIGHLY residential neighbourhood. more than 2,000 residents live in adjacent towers, not to mention the single family homes within 30-100 yards.

The location is on an EXTREMELY busy street with more than 20,000 vehicles per day passing by. It is already very dangerous with those going to the Men's Mission constantly walking into traffic. With the thousands expected to use this site just think of the traffic hazards on this busy street.

The location is right in the middle of very successful currently operational businesses which contribute by the way of taxes to the city. By putting this site in the middle of

these businesses it would have very adverse affects on these businesses and their property values.

My own business is a Used Car Lot which I have operated for more than 45 years. My property is practically attached to 446 York Street. I own all of the property behind the proposed site at 446 York Street. There is no rear exit to the 446 York street location and no way to have either a rear or side exit in that building.

The location at 372 York street was rejected for the above reasons. That location is only 2 blocks from 446 York Street. There is revitalization going on in this area of York street so this should also be taken into consideration.

Thank you.

Respectfully submitted,

Dennis Krogman
DENINIS KROGMAN AUTO SALES LTD.

From: David Lundquist
Sent: Wednesday, November 14, 2018 3:56 PM
To: Knieriem, Michelle <mknieriem@london.ca>
Subject: Re: Fw: Upcoming Community Information Meeting - 446 York Street

looked on I have already looked online and do not see any definition for a clinic operating as an SCF.

There's no definition for SCF where is the definition for SCF?

could you kindly point me to the link of the PDF it specifically talks about the SCF?

From: David Lundquist
Sent: Wednesday, November 14, 2018 10:57 AM
To: Knieriem, Michelle <mknieriem@london.ca>
Subject: Re: Fw: Upcoming Community Information Meeting - 446 York Street

Hey Michelle,

Where is the definition of a clinic operating as an SCF to be found?

David Lundquist

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From: George Bikas
Sent: Tuesday, November 13, 2018 2:54 PM
To: Knieriem, Michelle <mknieriem@london.ca>
Cc: Carrie O'Brien
Subject: Re: Upcoming Community Information Meeting - 446 York Street

Hello Michelle,

Thank you for providing us via email the notice attached with regard to the upcoming CIM to discuss the ZBA submitted for the above-noted property. Please keep Carrie and I posted moving forward with all notifications via email with regard to this application.

Regards,
George

George Bikas
Manager, Land Development
Drewlo Holdings Inc.
P.O. Box 6000, Komoka, Ontario, N0L 1R0
http://www.drewloholdings.com/

Sent: Tuesday, November 13, 2018 1:59 PM
To: Knieriem, Michelle <mknieriem@london.ca>
Subject: Safe Injection Site

RE: Supervised Consumption Facility 446 York St.

I am writing in response to the information that a safe injection site is proposed at 446 York St.

I am against this proposal because it is adjacent to Krogmen Auto Sales who have in the past been subjected to damage to cars, discarded needles, people loitering and undo expense to put up fences on the property to keep undesired individuals off the property. Its bad for business to have the site located next door.

Plus, this site is to close to schools..

I urge the individuals involved with this proposal to search for a different site.

George Meek

From: januszrawski januszrawski
Sent: Monday, November 12, 2018 9:55 AM
To: Knieriem, Michelle <mknieriem@london.ca>
Subject: File #8971

File 8971
Margaret Stewart
Michelle Knieriem
703-389 Dundas St
City Hall London, On
London

Date Nov 8,2018

Dear Michelle

I would really appreciate if you would not pass the zoning amendment regarding the property at 446 York Street to allow a Supervised Consumption Facility.

I have great difficulty in addressing this issue , as all the drug users are "self harmers". If a person was "self harming" by another method i.e. wrist slashing you certainly wouldn't open a "Supervised Facility" for this or any kind of self harm, so why single out the drug users? I believe self harm is a mental health issue and a self harmer can be detained until they are not in danger of harming themselves. I also believe the drugs in use in those premises are illegal.

I believe to really to help people a completely new building should be built , to make rehabilitation the best option. I think proper rehabilitation program would make the whole of downtown core a safer place to live. I have been spat upon, sworn at, punched in the stomach, threatened by some users. The area between Elizabeth/Adelaide is a disgrace. Have you ever visited this area and seen users shooting up then living outside. This is not a life for anyone, and allowing people to and encouraging them to use drugs on themselves does them a great injustice. What they really need is rehabilitation and to get back in to society.

Another point I would like to offer is if this goes ahead Drug Users are not encouraged to "loiter" in the building, so they just come and hang out beside our condos. Also I would like to know what a 5 or 10 year projection of the sites are going to look like. I would like a reply.

Yours Truly

Margaret Stewart

From: Kasia Olszewska - Zelinka Priamo Ltd.
Sent: Friday, November 9, 2018 11:47 AM
To: Knieriem, Michelle <mknieriem@london.ca>
Subject: RE: Supervised Consumption Facility

Good morning Michelle,

Would you be able to send me the Staff planning report that endorsed 446 York Street and 243 Simcoe Street as potential sites for SCFs, with the planning rationale behind it? I have a copy of the report dated May 14, 2018 (File OZ-8852). The report lists the two addresses as potential sites, however, it does not give an analysis of why these two locations were chosen ***in particular?***

Thank you for your help,
Kasia Olszewska, HBA, MPL
Planner
Zelinka Priamo Ltd.

From: Amanda Fonseca
Sent: Thursday, November 8, 2018 6:42 PM
To: Knieriem, Michelle <mknieriem@london.ca>
Cc: Park, Tanya <tpark@london.ca>; Tony Fonseca
Subject: File: Z-8971 - Notice of Planning Application

Hello Michelle,

We received the Notice of Planning Application (File: Z-8971) for 446 York Street in the mail today. Are you able to please send a readable copy of the site concept drawing as several of the words are very blurry, and as our property line touches the property in question, we would like to be able to see and understand all information provided. Also, what do the circles represent/mean?

Thank you,
Amanda & Jose (Tony) Fonseca
342 Burwell Street

From: Megan Walker
Sent: Thursday, November 8, 2018 2:25 PM
To: Knieriem, Michelle <mknieriem@london.ca>
Subject: File: Z8971 re: 446 York Street

Hi Michelle,
We are in receipt of the notice of planning application re: 446 York Street.
The London Abused Women's Centre is fully supportive of the requested zoning as outlined in the notice.
A safe consumption site is fits well into the proposed location of 446 York Street and LAWC extends its full support.
Please keep us advised as to the dates and times of future public meetings.

Many thanks,
Megan

Megan Walker
Executive Director
London Abused Women's Centre
797 York Street, Unit 5
London, Ontario N6A 5P9
Canada

From: Kasia Olszewska - Zelinka Priamo Ltd.
Sent: Monday, November 05, 2018 4:49 PM
To: Macbeth, Travis <tmacbeth@london.ca>
Subject: RE: Supervised Consumption Facility

Travis,

I did some research; currently there is an LPAT appeal for 241 Simcoe Street pertaining to Supervised Consumption Facilities, however the LPAT process does not pertain to 446 York Street (the City recommended SCF), which does not include a 'clinic' as a permitted use, therefore notwithstanding the LPAT appeal process, the location would have to go through a complete Zoning By-law Amendment process in order to permit a SCF on site.

Can you provide us with an update regarding the City recommended SCF at 446 York Street?

Thanks,

Kasia Olszewska, HBA, MPL
Planner
Zelinka Priamo Ltd.

BAROUDI LAW

November 20, 2018

Via Email: mknieriem@london.ca

Michelle Knieriem, Planner
City of London
206 Dundas Street
London, Ontario N6A 1G7

Re: Community Information Meeting November 26, 2028
Proposed SCF at 446 York Street

I am the Lawyer for Northview Apartment REIT. My Client is the owner of a residential apartment building at 340 Colborne Street. We hereby provide written comments on the proposed Zoning By-law Amendment Application for 446 York Street to permit a "clinic" intended to be used for a Supervised Consumption Facility (SCF). We have received Notice that this Application will be the subject of a Community Information Meeting on November 26, 2008.

My Client strongly objects to this site being used as an SCF. My Client's property is in close proximity to the Subject Site, as are a number of other sensitive uses that will suffer significant adverse impacts if the Zoning By-law Amendment is approved. This is not an appropriate location for an SCF.

I have serious concerns with the way in which the City of London is proceeding from a procedural fairness and prematurity standpoint. First, Council pre-determined this Application by "endorsing" this location as being an appropriate site for an SCF at its meeting on May 8, 2018. This pre-determination has rendered the public planning process effectively moot, which is contrary to the legislative scheme of the *Planning Act*.

Second, the City has created policies and definitions to establish SCFs through Official Plan Amendment 680 and Zoning By-law Z.-1-182671. That regime requires that all new sites proposed

150 Dufferin Ave, Suite 206
London ON N6A 5N6
[redacted]

for SCFs will require a zoning by-law amendment. OPA 680 and ZBL Z.1-182671 have been appealed to the Local Planning Appeals Tribunal. Those appeals have not yet been determined. Given that the City has established its desired process for new SCFs through the instruments under appeal, it is entirely improper for the City to approve new SCF sites in the interim by re-zoning sites to add a "Clinic" use. This approach is premature, contrary to the public interest, and undermines the new proposed regime.

In addition to these concerns relating to procedural fairness and prematurity, the proposed Zoning By-law Amendment does not constitute sound land use planning, is not consistent with the Provincial Policy Statement, and does not conform to the City's Official Plan.

446 York Street is inappropriate for a supervised consumption site given the proximity of this site to:

1. An active full-time daycare;
2. The YMCA facility, which is used for after-school programs and by families and children;
3. The City's convention centre, which is a prime location for many public events in the City;
4. A law firm;
5. Two major hotels across the street from the block;
6. A secondary school;
7. Over 1500 local residents.

My Client is not opposed to SCFs generally and recognizes that these facilities serve the public interest; however, these facilities must be established in appropriate locations which are compatible with the surrounding neighbourhood and minimize adverse impacts on surrounding properties.

150 Dufferin Ave, Suite 206
London ON N6A 5N6
[redacted]

Thank you for your consideration of this submission.

Yours Truly,
BAROUDI LAW

Analee J.M. Baroudi

150 Dufferin Ave, Suite 206
London ON N6A 5N6
Tel [redacted]

DREWLO
"Family Built, Owned and Managed For Over 60 Years"
P.O. BOX 6000, KOMOKA, ON. N0L 1R0
Tel.: [redacted]
Fax: [redacted]

November 20, 2018

City Clerk's Office
Planning and Environment Committee
City of London
300 Dufferin Avenue
London, Ontario
N6A 4L9

Letter via email only

Attention: **Chairman Turner & Members of the Planning and Environment Committee**

Re: **File: Z-8971; Zoning By-law Amendment - 446 York Street**

Dear Chairman Turner & Members of the Planning and Environment Committee:

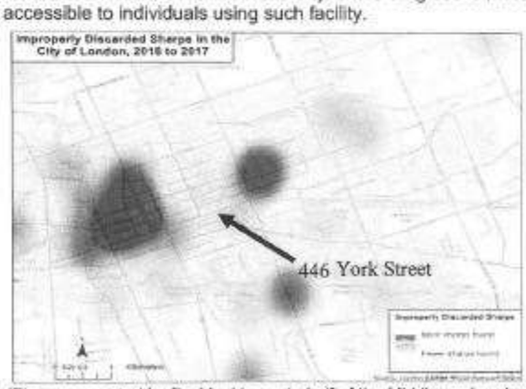
On behalf of Drewlo Holdings Inc., we are submitting this letter expressing our concern with respect to the above-noted matter. **Drewlo Holdings Inc., as the owner of 433 King Street, strongly opposes the proposed Zoning By-law Amendment.** We feel the zoning change is premature and that the proposed facility is not compatible with surrounding uses.

On January 22, 2018 Planning staff presented a report to PEC regarding the planning of supervised consumption facilities & temporary overdose prevention sites'. Council unanimously passed a motion on January 30, 2018 to establish a new Council Policy. The Policy, entitled "Siting of Supervised Consumption Facilities (SCF) and Temporary Overdose Prevention Sites (TOPS)" outlines 'criteria' that should be used by proponents planning a SCF or TOPS within the City of London. Additionally, Council directed Staff to initiate the necessary amendments to the Official Plan and Zoning By-law to plan for such facilities.

There are three (3) main criteria noted in the Council approved policy mentioned above; two (2) relating to the location of a proposed facility and the last prescribing Site Design.

As per Council direction, SCF/TOPS should be located to "benefit those who use such facilities" and "to avoid land use conflicts". The Criteria presented are essential for properly locating SCF & TOPS within our community. Unfortunately, the proposed located at 446 York Street fails to address some key components of the location criteria.

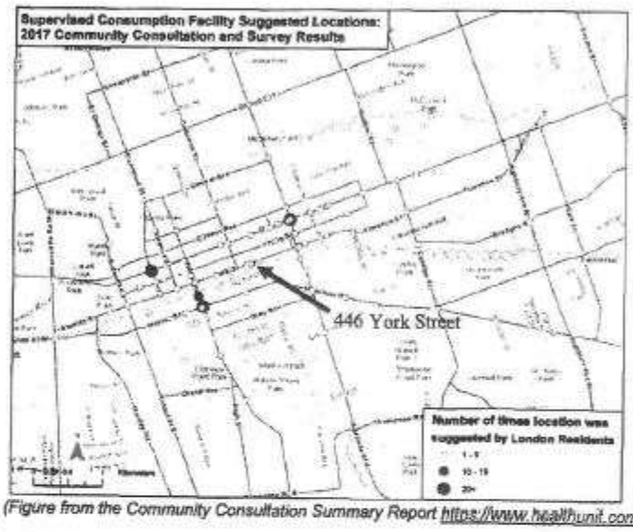
Located to Benefit those who use such Facilities
Supervised Consumption Facilities are to be sited in a location that is "within close proximity to, or near, communities where drug consumption is prevalent". While the proposed location at 446 York Street is in proximity to existing drug use, it is outside the top three (3) areas of the City where discarded sharps were most prevalent in 2016-2017. The location was chosen in haste given the availability of the property and does not consider other locations in the City where drug use is more prevalent and a facility would be more accessible to individuals using such facility.



(Figure presented by Dr. Mackie, on behalf of the Middlesex-London Health Unit, to City of London: Planning and Environment Committee on April 30, 2018 https://www.healthunit.com/opioids)

The proposed site at 446 York Street is not compliant with the intent of the policy mentioned above. It is within the 'Neighbourhoods Place Type' and the current zoning, RCS2 & RSC4, is intended for moderate intensity commercial uses and trade service uses, and does not permit the 'Clinic' use. It should not be modified to permit SCF/TOPS clinics; these uses should be reserved for properties within the 'Institutional Place Type'.

We believe the rate at Staff is moving to force the approval of this location is inappropriate. It appears that the Middlesex-London Health Unit is jumping at the first available site for the proposed SCF rather than considering all economic and social aspects of the site.



(Figure from the Community Consultation Summary Report https://www.healthunit.com/opioids)

In closing, we strongly agree that there is a moral responsibility within the community to help people with addiction problems. But this 'band-aid' approach does not solve the problems presented by the crisis in our community. **For the reasons provided, Drewlo Holdings Inc. strongly opposes the proposed Zoning By-law Amendment at 446 York Street.**

Sincerely,

Allan Drewlo
President, Drewlo Holdings Inc.

Cc: Michelle Knieriem, Planning Services, City of London

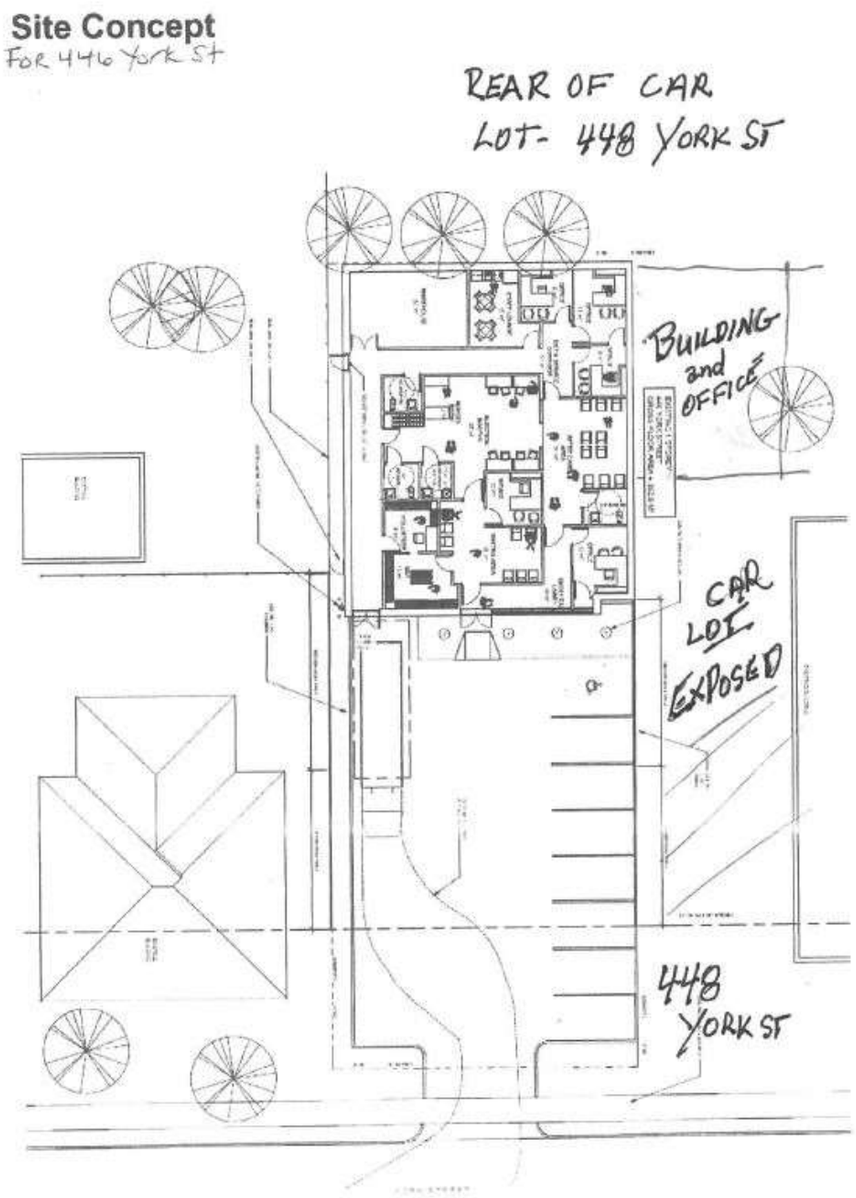
RE: 446 York St. File: Z-8971 Nov. 14. 2018

I am disputing the zoning of 446 York St. for a "Supervised Consumption Facility."
Our business is attached to the proposed site. We have an L-shaped property; our backyard is directly behind the building. There is no back exit at 446 York St. The only side exit potential leads immediatly into someones yard and a commercial parking lot.
446 York St. is in the middle of, and within feet of, thriving businesses. It is surrounded by residences and high-rises housing thousands of tax-paying citizens.
York St. is a main artery of the city with incredibly heavy traffic flow. Having no back or side exit makes it dangerous for the people who would be using the facility.
Beal High School's sports field is 50 steps away. A drug consumption site beside our car lot will make it almost impossible for us to function as a business.
My father has owned the property at 448 York St for 45 years. Having had health issues, he would like to sell. The constant flow of afflicted pedestrians will decrease his property value, and leave him vulnerable to loitering and vandleism. After visiting the 'Temporary Site' at 186 King St, I am afraid for my safety, as I often work alone and outside. Please consider this input and find a more sensible location for the intake of illegal drugs. Thank You.

DKrogman

Denise Krogman [redacted]
Krogman Auto Sales Ltd
448 York St. London

PLANNING DIVISION
SCANNED



The above image represents the applicant's proposal as submitted and may change.

Nov. 2018

When Dr. Mackie assured me that a Drug Consumption Site would not effect our property value; I asked him to please put that in writing. This is what he wrote.

"Your property value probably won't go down.... I'm not a real estate agent, so this is not a proffessional opinion."

Then handed it back to me smirking

Denise Knegman

448 York St.
London, ON
[redacted]

Comment Card

Proposed Supervised Consumption Facility

Middlesex-London Health Unit

Regional HIV/AIDS Connection

Public Open House
July 25, 2018

Your feedback on the proposed Supervised Consumption Facility at **446 York Street** is important to us! Please use this form to provide additional comments.

July 25/2018

Your property value probably won't ~~be lower~~

Chris Mackie

* I'm not a real estate agent, so this is not a professional opinion.

Thank you for your time!

Your comments would be appreciated by August 8th, 2018. Comments may also be emailed to scf@mbpc.ca.

mbpc
Monteith+Brown
planning consultants

Christopher.Mackie@MLHU.ON.CA

NOVEMBER 27TH 2018

Michelle Knieriemre

Planning Services

City of London

206 Dundas St

London, Ontario

N7A 1G7

Enclosed please find three articles all from the year 2018 that are pertinent in looking at the application for the Zoning By-Amendment for 446 York Street.

I have tried to highlight the areas that are concerning to us the residents in the neighbourhood.

Thanks for your time.

Respectfully,

Agency/Departmental Comments

London Hydro:
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.

Development Services – Site Plan:
I'm supportive of the site plan provided. No comments.

City Planning – Heritage Planning
To: Michelle Knieriem, Planner II
From: Kyle Gonyou, Heritage Planner
Date: November 5, 2018
Re: Heritage Impact Assessment 446 York Street (Z-8971)

Built Heritage
The subject property at 446 York Street is located adjacent to a heritage listed property at 444 York Street. In conformity to Policy 565_ of *The London Plan*, a Heritage Impact Assessment (MBPC, dated October 2018) was submitted as part of a complete application for a zoning by-law amendment for the subject property.
The Heritage Impact Assessment was prepared using the Ministry of Culture (now Ministry of Tourism, Culture and Sport) *Infosheet #5 Heritage Impact Assessments and Conservation Plans*. The Heritage Impact Assessment sufficiently described the heritage listed property at 444 York Street, and provided sufficient reference to applicable policy and legislation.
The Heritage Impact Assessment found that the proposed reuse of the existing building at 446 York Street "is anticipated to have no impact on the historical character and attributes of 444 York Street" (page 12). This is primarily attributed to the minimal alterations to the exterior of the building at 446 York Street required to facilitate the proposed reuse of the existing building.
Staff concur with the general findings of this Heritage Impact Assessment that the proposed reuse of the existing building at 446 York Street will result in no adverse impacts to the adjacent heritage listed property at 444 York Street.

Archaeology
The subject property at 446 York Street is identified as having archaeological potential by *the Archaeological Management Plan*. However, the proposed reuse of the existing building is not reasonably anticipated to require ground disturbing alterations that would trigger the requirement for an archaeological assessment to be completed. In this instance, the application of the h-18 holding provision may be more appropriate. The application of the h-18 holding provision would ensure that archaeological concerns are addressed if the subject property undergoes future redevelopment or change. The alterations noted on the Site Plan [provided separately, dated October 24, 2018] (fence, painting new lines on the paved parking area, and concrete bollards) are not anticipated to adversely affect any archaeological potential that may remain at the property.

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:
1.1.1 Healthy, liveable and safe communities are sustained by:

b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and

commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;

Policy 4.7: The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans.

Official plans shall identify provincial interests and set out appropriate land use designations and policies. To determine the significance of some natural heritage features and other resources, evaluation may be required.

The London Plan:
Policy 917: Our neighbourhoods make up the vast majority of our City Structure's land area. Our city is the composite of the neighbourhoods that define where we live, work, and play and also defines our city's identity. Each of our neighbourhoods provides a different character and function, giving Londoners abundant choice of affordability, mix, urban vs. suburban character, and access to different employment areas, mobility opportunities, and lifestyles.

Official Plan Amendment 679:
Supervised Consumption Facilities and Temporary Overdose Prevention Sites
> General Policy Approach
1099_a Supervised consumption facilities and temporary overdose prevention sites will be planned such that they:
□□meet the needs of those who they are designed to serve
□□avoid land use conflicts
Supervised consumption facilities and temporary overdose prevention sites may be permitted within any Place Type, subject to a zoning by-law amendment and all of the policies of this Plan.

> Evaluation Criteria for Locating Supervised Consumption Facilities and Temporary Overdose Prevention Sites
1099_ b The following evaluation criteria will be used when considering applications for zoning by-law amendments to support supervised consumption facilities and temporary overdose prevention sites to ensure that they are appropriately located:

1. Locations that meet the needs of those who they are designed to serve
a. Within close proximity to, or near, communities where drug consumption is prevalent
b. Well serviced by transit
c. Discrete, allowing for reasonable privacy for those using the facility
d. Separated from busy pedestrian-oriented commercial areas
e. Separated from public spaces that generate pedestrian traffic or may generate large crowds from time to time
f. Close to an area with other drug addiction related support services

2. Locations that avoid land use conflicts
a. Separated from busy commercial areas or active public spaces that could generate conflicts between the general public and those leaving supervised consumption facilities after consuming
b. Separated from parks
c. Separated from key pedestrian corridors
d. Separated from elementary or secondary school properties
e. Separated from municipal pools, arenas and community centres and the Western Fairgrounds
f. Not located within the interior of a residential neighbourhood

> Site and Facility Design Requirements for Supervised Consumption Facilities and Temporary Overdose Prevention Sites

1099_c Supervised consumption facilities and temporary overdose prevention sites should be designed to:

a. Incorporate the Crime Prevention Through Environmental Design (CPTED) principles of natural surveillance, natural access control and natural territorial reinforcement

b. Meet provincial regulations, the policies of this plan, and municipal by-laws relating to accessibility

c. Orient building entrances to allow for discrete entry and exit while ensuring visual surveillance and safety

d. Allow for easy visual surveillance of the facility and its surrounding site from the street

e. Avoid opportunities for loitering, such as the installation of seating areas or landscape features that can be used for seating

f. Ensure that interior waiting areas and vestibules of the facility are adequately sized to avoid line-ups or waiting outside of the building

g. Through the Zoning By-law amendment process, establish a minimum intake and waiting area per consumption booth, and a minimum post-consumption area per consumption booth to be established in the Zoning By-law.

> Neighbourhood Consultation for Supervised Consumption Facilities and Temporary Overdose Prevention Sites

1099_d Consultation is required by the Federal government in order to gain approval for the operation of supervised consumption facilities.

In addition to this requirement, proponents of supervised consumption facilities and temporary overdose prevention sites must host a community meeting with property owners, business owners, and residents within a minimum of 250m of the proposed site to describe the proposal and operational management plans for the facility. The community meeting must be held in advance of submitting an application for a Zoning By-law amendment to permit a Supervised Consumption Facility.

Proponents are required to document the information received and identify how their proposal responds to the comments identified at the community meeting. This document shall be required as part of a complete application for a Zoning Bylaw amendment to permit a Supervised Consumption Facility or Temporary Overdose Prevention Site.

To ensure that an ongoing consultation occurs after a Supervised Consumption Facility or Temporary Overdose Prevention Site is approved, the proposal for a Supervised Consumption Facility or Temporary Overdose Prevention Site shall also include a consultation plan for regular engagement with the surrounding community. Such a consultation plan shall include at least one community meeting per year and the identification of a primary contact at the facility able to address neighbourhood concerns regarding the ongoing operation of the facility.

>Conceptual Site Plan for Supervised Consumption Facilities and Temporary Overdoes Prevention Sites

1099_e The submission of a conceptual site plan as part of the complete application for a Zoning By-law Amendment to permit a Supervised Consumption Facility or Temporary Overdose Prevention Site will be required. The purpose of the conceptual site plan is to indicate how the site design criteria have been addressed and to allow the public the opportunity to comment on site plan matters during consideration of the proposed Zoning By-law Amendment to permit a Supervised Consumption Facility or Temporary Overdose Prevention Site use. The proposed design and conceptual site plan will be provided to the site plan approval authority along with comments received regarding the design. Where site plan approval is not required, the proposed design along with comments received

regarding the design will be forwarded to the relevant Federal or Provincial ministry considering the application for a Supervised Consumption Facility or Temporary Overdose Prevention Site.

1989 Official Plan

Policy 5.1.3: Office/Residential Objectives

i) Promote office/residential projects, in areas adjacent to the Downtown, which will serve as a buffer between more intense commercial development and nearby residential neighbourhoods.

ii) Accommodate office development at a limited scale in areas adjacent to the Downtown.

iii) Maintain a continuity of pedestrian-oriented uses at street level through the development of office uses on the lower levels of office/residential buildings.

Policy 5.3.1: Permitted Uses

The main permitted uses in the Office/Residential designation shall be offices and residential uses within mixed-use buildings or complexes; apartments; small scale stand alone offices and office conversions. Secondary uses which may be permitted as an accessory use include personal services; financial institutions; convenience stores; day care centres; pharmacies; laboratories; clinics; studios; and emergency care establishments. In addition, eat-in restaurants may be permitted through an amendment to the Zoning By-Law, subject to the Planning Impact Analysis as described in Section 5.4., to determine, among other things, whether the use can be integrated with minimal impact on surrounding areas. The Zoning By-law may restrict the range of uses permitted on individual sites, and will regulate the size of eat-in restaurants and other secondary uses.

Official Plan Amendment 680 (under appeal):

6.5 Supervised Consumption Facilities and Temporary Overdoes Prevention Sites

6.5.1 Definitions

A supervised consumption facility is a facility that has received an exemption from the *Controlled Drugs and Substances Act*, where people can bring their illicit drugs to consume in a sterile and safe environment. These facilities have equipment and trained staff present to oversee a person's drug consumption and assist in the event of an overdose or other health risk. These facilities shall offer additional health and drug-related support services. These facilities are intended to provide such services on an ongoing, rather than temporary, basis.

A temporary overdose prevention sites is a temporary facility that has received an exemption from the *Controlled Drugs and Substances Act* in the case of a Provincially declared public health emergency, where people can bring their illicit drugs to consume in a sterile and safe environment. Unlike supervised consumption facilities, these are to be temporary in nature.

6.5.2 General Policy Approach

Supervised consumption facilities and temporary overdose prevention sites will be planned such that they:

- meet the needs of those who they are designed to serve
- avoid land use conflicts

Supervised consumption facilities and temporary overdose prevention sites may be permitted within any land use designation, subject to a zoning by-law amendment and all of the policies of this Plan.

6.5.3 Evaluation Criteria for Supervised Consumption Facilities and Temporary Overdose Prevention Sites

The following evaluation criteria will be used when considering applications for zoning by-law amendments to support supervised consumption facilities and temporary overdose prevention sites to ensure that they are appropriately located:

1. Locations that meet the needs of those who they are designed to serve

i. Within close proximity to, or near, communities where drug consumption is

prevalent
ii. Well serviced by transit
iii. Discrete, allowing for reasonable privacy for those using the facility
iv. Separated from busy pedestrian-oriented commercial areas
v. Separated from public spaces that generate pedestrian traffic or may generate large crowds from time to time
vi. Close to an area with other drug addiction related support services

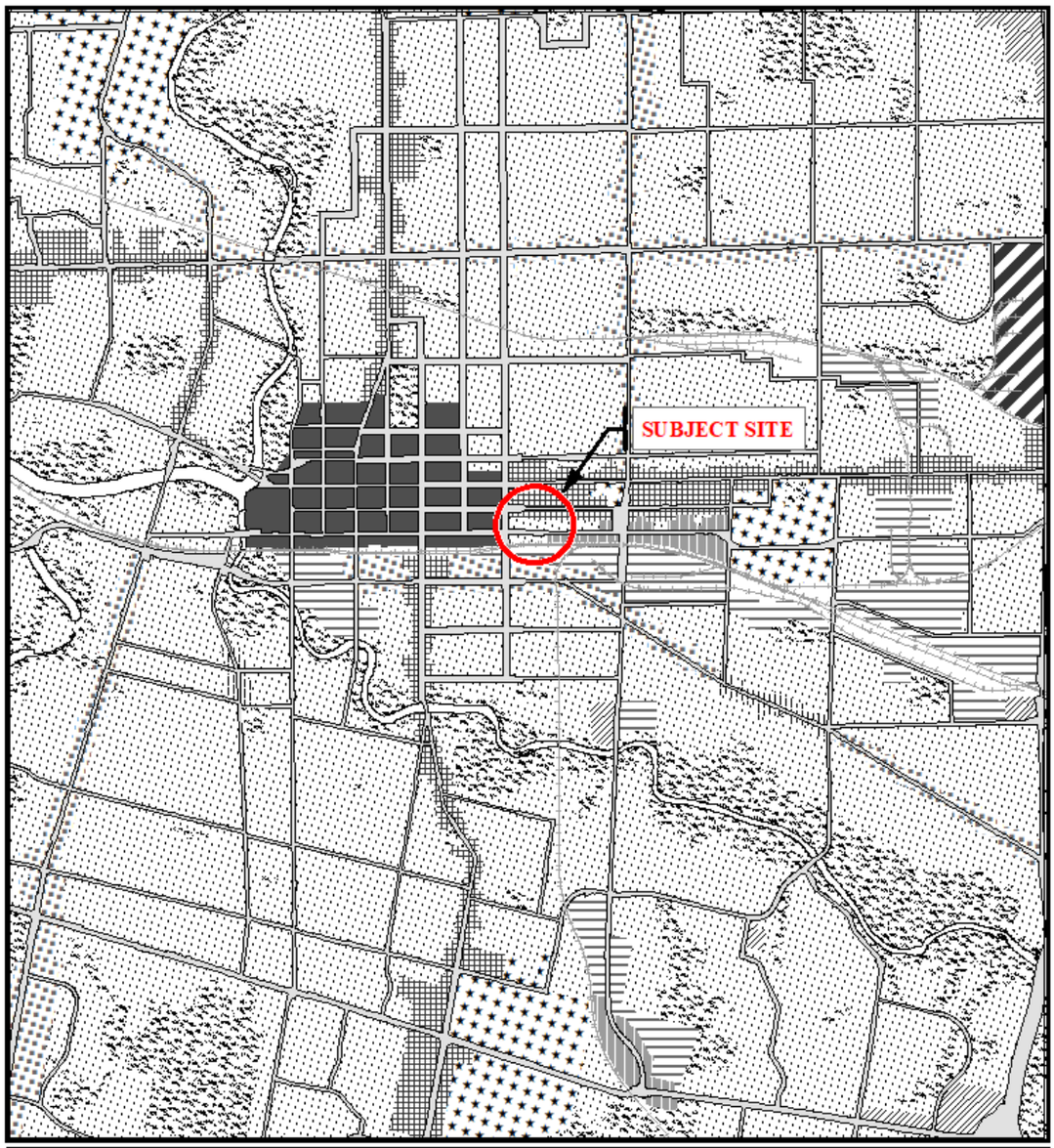
2. Locations that avoid land use conflicts
i. Separated from busy commercial areas or active public spaces that could generate conflicts between the general public and those leaving supervised consumption facilities after consuming
ii. Separated from parks
iii. Separated from key pedestrian corridors
iv. Separated from elementary or secondary school properties
v. Separated from municipal pools, arenas and community centres and the Western Fairgrounds
vi. Not located within the interior of a residential neighbourhood

Zoning By-law Z-1
Bill 254-2018 (under appeal):

Section Number 2 - Definitions is amended by adding the following new definitions in the appropriate alphabetical location:

“Supervised Consumption Facility” means a facility that has received an exemption from the *Controlled Drugs and Substances Act*, where people can bring their illicit drugs to consume in a sterile and safe environment. These facilities have equipment and trained staff present to oversee a person’s drug consumption and assist in the event of an overdose or other health risk. These facilities shall offer additional health and counselling related support services. These facilities are intended to provide such services on an ongoing, rather than temporary, basis.”

Additional Maps



Legend

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

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 -

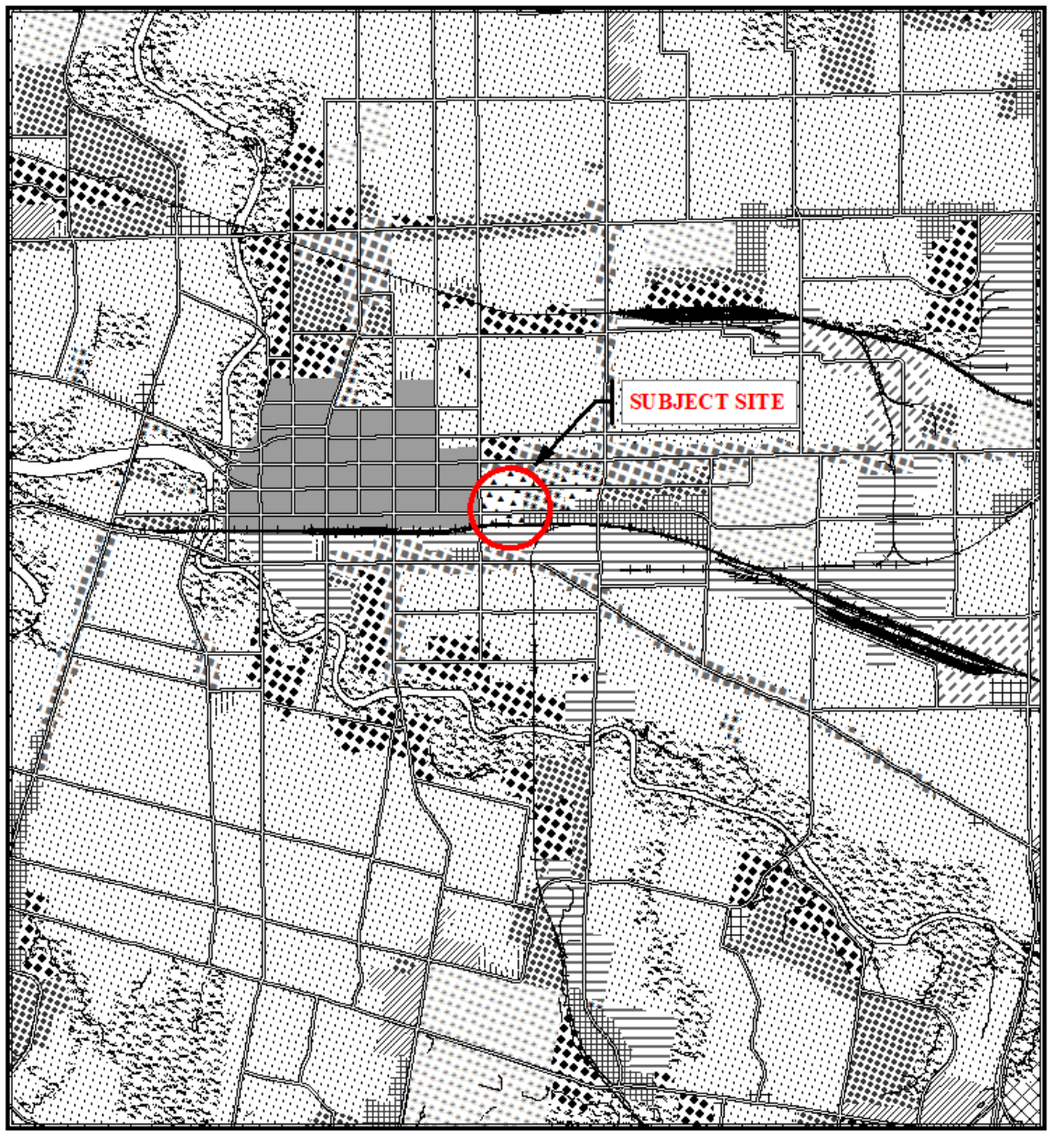
PREPARED BY: Planning Services

Scale 1:30,000

Meters

File Number:	Z-8971
Planner:	MK
Technician	MB
Date:	November 14, 2018

Project Location: E:\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\EXCERPT_Map1_PlaceTypes_b&w_8x14.mxd



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

CITY OF LONDON

Planning Services / Development Services

OFFICIAL PLAN SCHEDULE A - LANDUSE -

PREPARED BY: Graphics and Information Services

Scale 1:30,000

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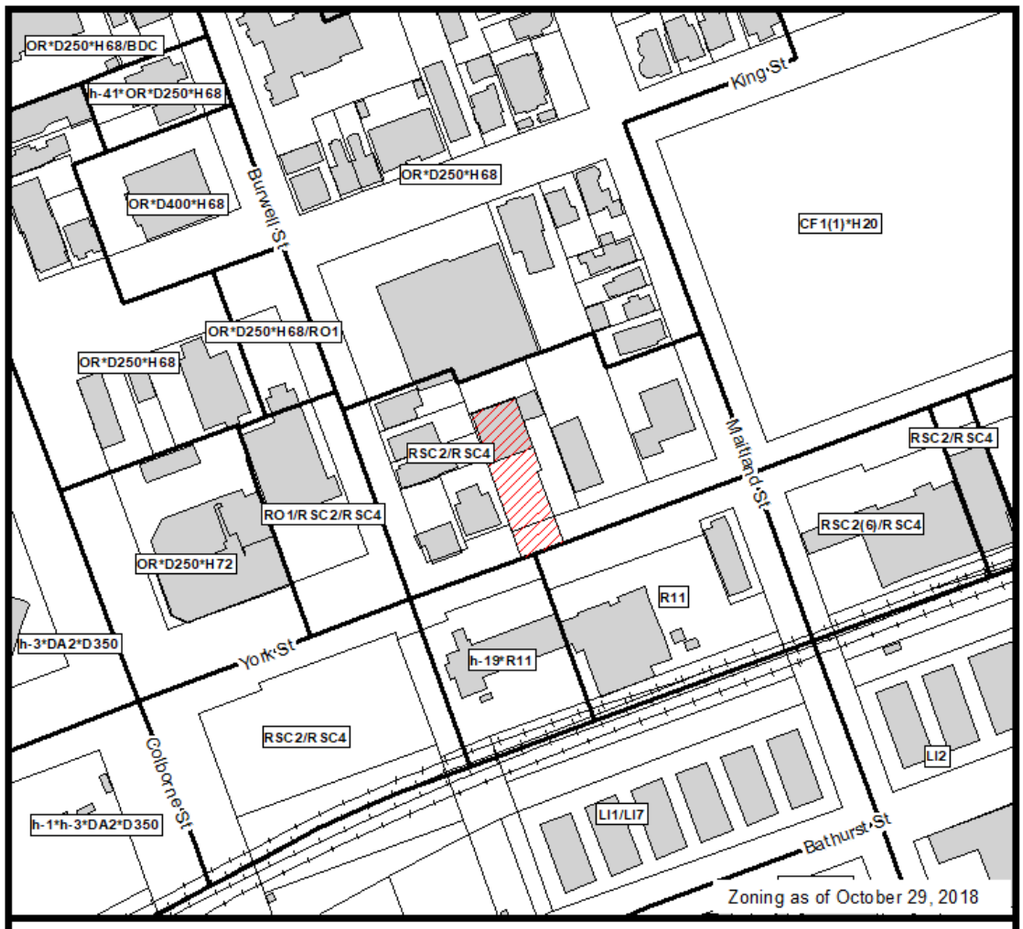
FILE NUMBER:	Z-8971
PLANNER:	MK
TECHNICIAN:	MB
DATE:	2018/11/14

PROJECT LOCATION: e:\planning\projects\p_officialplan\workconsol00\exoerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: RSC2/RSC4

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:
Z-8971 MK

MAP PREPARED:
2018/11/14 MB

1:2,000
0 10 20 40 60 80
Meters

Additional Reports

Province of Ontario. Consumption and Treatment Services: Application Guide (October, 2018)

May 14, 2018 Report to the Planning and Environment Committee – Planning for Supervised Consumption Facilities and Temporary Overdose Prevention Sites (OZ-8852)

January 22, 2018 Report to the Planning and Environment Committee – Planning for Supervised Consumption Facilities sand Temporary Overdose Prevention Sites (OZ-8852)

GOWLING WLG

November 19, 2018

Via E-mail

John S. Doherty
Direct +1 519 575 7518
Direct Fax +1 519 571 5018
john.doherty@gowlingwlg.com
File no. K0560683

City Clerk's Office
Planning and Environment Committee
City of London
300 Dufferin Avenue
London, ON N6A 4L9

Dear Sir / Madam:

Re: Our Clients: Catherine Bradbury, Lance Howard and 2072231 Ontario Limited
Letter of Concern: Supervised Consumption Facility Location (446 York Street)

We are counsel on behalf of Catherine Bradbury, Lance Howard, and 2072231 Ontario Limited ("207"), the owner of properties municipally known as 330 Burwell Street and 444 York Street in London, Ontario (the "Subject Properties").

We write further to the correspondence of Mr. Howard and Ms. Bradbury dated April 27, 2018 and May 3, 2018, attached hereto, regarding concerns about the Middlesex Health Unit ("MHU")'s proposed Supervised Consumption Facility ("SCF"), to be located at 446 York Street (the "Proposed Facility").

As set out in our clients' prior correspondence, their business is located at 444 York Street, and their property at 330 Burwell Street contains residential apartments. Both of the Subject Properties are adjacent to the Proposed Facility, and as such, our clients are concerned that the SCF will cause a land use conflict with these existing uses and others nearby. Further concerns have been raised about the proximity to two Secondary Schools and their active space.

In light of these concerns, and after making a number of written submissions and attending the April 30, 2018 public gallery, our clients were shocked to learn that shortly thereafter on May 22, 2018 City Council adopted Official Plan Amendment No. 679, without sending prior notice to those who submitted comments.

Our clients are not opposed to the use of SCFs in principle, but the Proposed Facility at 446 York Street would be located adjacent to incompatible commercial and residential uses, and with insufficient separation distance from local schools.

Proposed Supervised Consumption Facility (the "Use")

The intended site for this Use is situated in the wrong location. The property is located in a transitioning neighbourhood in close proximity to the Downtown. The transition to an urban neighbourhood is evident from a review of the land use mapping (attached) of the London Official Plan (the "Plan") - the former designation is "*Office Residential*", the approved designation is "*Neighbourhoods*").

As noted by London planning staff in their Report of May 14, 2018, the intended use is a unique use, one that is *not* compatible with residential areas, which is precisely the land use designation of the property and its current planning context.

Consider the policy direction of the Plan for its *Neighbourhoods*:

Urban Regeneration (Section 154.8) –facilitate intensification "*where it is deemed to be appropriate and in a form that fits well within the existing neighbourhood*". We strongly believe that the proposed Use at this location is not appropriate as the "character" of the Use does not fit well with the prevailing character of the Neighbourhood.

The general policy approach to planning of this Use through Amendment 679 is that the chosen location should avoid land use conflicts. We find it incomprehensible that lands designated *Neighbourhoods* would be considered for such Use.

Section 937 of the Plan requires that any neighbourhood intensification "*must be undertaken well, in a manner that adds value to the neighbourhood rather than to undermine its character, quality and sustainability....and must represent a good fit in the receiving neighbourhood*". We submit that the operation of the Use at this location would constitute a land use conflict and therefore is inconsistent and contrary to Section 937.

To establish the Use at this *Neighbourhoods* location would be contrary to the following "*Our Strategy*" policy objectives of the Plan:

Direction #3 – "Revitalize London's downtown, urban main streets, "*and their surrounding urban neighbourhoods to serve as the hubs of London's cultural community*"

Direction #5.3 – "*Sustain, enhance and revitalize.... our urban neighbourhoods*".

Direction #7 – "*Build strong, healthy and attractive neighbourhoods for everyone*".

Direction #8 8 – "*Avoid current and future land-use conflicts*".

Direction #8.9 – "*Ensure new development is a good fit within the context of an existing neighborhood*".

The intended Use at this *Neighbourhoods* location is also contrary to the following "*City Building*" policies of the Plan:

Policy 193.2 – *Development that is well designed to be a good fit and compatible within its context*; and Policy 193.9 – "*neighbourhoods that promote a sense of place and character*".

This dual policy direction stresses good urban design, consistent with, and complementary to, the existing neighbourhood. It is highly questionable whether this direction can be achieved given the intention to purposely orient the building in a manner that provides for "discrete" entry and for an essentially barren streetscape in order to allow easy visual surveillance and avoid opportunities for loitering.

In short, we fail to see how the intended Use at this neighbourhood location fulfills the "placemaking" objectives of the Plan, which are aimed at creating "*safe walkable and healthy communities and a sense of place and character*".

The locational evaluation criteria of Amendment 679, also require that such use be separated from "*busy commercial areas*" or "*active public spaces*" We submit that the intended site is located in immediate proximity to both space types. Consider the following:

- There are 17 businesses within 500 metres of the proposed site, many of which rely on significant foot traffic for their growth and success. Moreover, there is significant high density residential existing within 250 metres of the proposed site

- In immediate proximity are the Catholic Central Secondary School and HB Beal Secondary School and its adjoining public space area, which frames the westerly edge of this neighbourhood. The proposed Use would be located approximately 100 metres from the active public space associated with the HB Beal Secondary School, and approximately 250 metres from Catholic Central Secondary School. These community facilities are used for a multitude of high school sports events and is available to community groups for public use. In short, contrary to Amendment 679, if approved, the Use would be in close proximity to two schools and active public space capable of generating significant pedestrian traffic and large crowds from time to time.

- Nor would the Use be separated from key pedestrian corridors as required by Amendment 679. Map 3 of the Official Plan (attached) designates King Street (which is also in close proximity to the proposed Use), as a designated *pedestrian and cycle route,* the policy direction of which is to promote "*heightened levels of mobility such as cycling and walking*" and offering *"strong connection to urban neighbourhoods*".

- Moreover, York Street is designated on Map 4 as a *Civic Boulevard* (attached). The *Civic Boulevard* designation places "*priority on pedestrian and cycling movements along a very high quality pedestrian realm with a very high standard of urban design.*

Therefore, contrary to Amendment 679, if approved, the Use at this location would not be separated from, but in fact would front on, and be in close proximity to, two pedestrian oriented corridors, the future vision of which is to be supported by "*a strong network of high quality civic infrastructure*".

We submit therefore, that the intended York Street location fails to conform to the policy guidance of Amendment 679 respecting *pedestrian corridor separation* and constitutes a use that will not implement key policies of the Plan targeting the pedestrian enhancement and business attraction of these urban main streets.

Noteworthy is policy 154.4 of the Plan, which seeks to "*encourage the economic revitalization and enhance the business attraction of the city's urban main streets*". The Plan's urban regeneration policies at Section 154.5 also speak to strengthening the City's core by nurturing the development of the downtown "*and the urban neighbourhoods that surround it*". We do not believe that developing the Use at this location would meet the policy objectives of enhancing the attraction of business on this main street or the objective of nurturing this urban neighbourhood.

Policy 199 - "*All planning and developments proposals within an existing neighbourhood will be required to articulate the neighbourhood's character and demonstrate how the proposal has been designed to fit within that context.*

We have not seen any evidence to substantiate how the design of the Use will respect and reinforce the abutting heritage property, or contextually fit within the balance of the neighbourhood. In our view, the proposed rezoning application is premature at best, and should not be advanced in the absence of a public site plan process per s. 1089.

In our opinion, the proposed Use will function no differently and will attract the same type of individual as a *Methadone Clinic*, the latter being governed by the Plan's land use planning framework at Section 1094, which for a new Methadone Clinic includes the evaluation criteria provided at s. 1089 of the Plan. We believe that good planning dictates that the same approved evaluation criteria regulating the establishment of Methadone Clinics should equally apply to the proposed Use as in all practical terms, the proposed Use also constitutes a new *Institutional Place Type*.

Referring to Section 1089.1 of the Plan, we submit that all other opportunities for development or re-development of lands for institutional uses should first be explored before a final decision is made on the subject site. This should include a review of the opportunities that have been created at appropriate locations in the form of vacant land, vacant space and existing buildings and expansion, re-development and intensification opportunities on existing institutional sites.

We strongly advocate the application of the Plan's Section 1089 evaluation to the proposed application as a first step before any further consideration is given to the subject site given the site's clear policy non-compliance with Amendment 679.

In summary, the rezoning application to establish the Use at 446 York Street should be refused as it does not conform to the key locational policy criteria of Amendment 679. The application is not adequately separated from busy commercial areas, from active pedestrian corridors, or from school and related public space. The proposed location also lies within an urban neighbourhood. To approve the application at this location would, in our respectful opinion, amount to an inappropriate intrusion of an incompatible land use which would undermine the planned function of this receiving neighbourhood.

Please keep our office advised of all future meetings and reports regarding this proposed SCF Use.

Yours very truly,

Gowling WLG (Canada) LLP

John S. Doherty

JSD:hp

cc: *Brian Parker and Jonathan Minnes, Gowling WLG (Canada) LLP*
Client

April 27, 2018

Dear Councilor,

The Middlesex Health Unit has proposed a Supervised Consumption Facility for opioids to be located at 446 York St. I write this letter to convey that I am strongly opposed to this location.

My business is located at 444 York St. and I own the building as well. Additionally I own the building at 333 Burwell which has residential apartments. Our business has been here for 13 years. It is a full service financial planning and investment counseling firm. We have over 600 clients; 95% come to our office for their meetings. We have invested heavily in preserving the heritage of the buildings as well as the upkeep. We maintain business hours from 8am to 5pm.

The TVDSB and the Separate School Board have conveyed to the Middlesex Health Board that they do not support this proposed location as it is within 300 meters of Beal. Paul Sydor, Superintendent of TVDSB, was at the meeting on April 26th at 399 Ridout St. Hosted by the Health Unit and stated this information. We are in complete agreement with the School Boards that this location is too close to Beal.

There are 17 businesses within 500 meters of this proposed site and it is proposed to be placed in the middle of 7 businesses that rely significantly on foot traffic for the success and ongoing viability of their business.

There are a number of high density residential apartments within 250 meters of the proposed site. At the meeting on April 26th, the tenants that attended expressed grave concern with this location.

York St. is a significant east/west vehicle artery into downtown with large volumes of traffic. Being located right beside the proposed site we wish to inform council that jay walking is an everyday occurrence. Vehicles must take evasive maneuvers to avoid people crossing to the men's mission, either by braking, swerving around the jaywalker or changing lanes. We are very concerned that this location will have an increase of impaired jaywalkers putting both pedestrians and drivers eat risk.

The City has invested significant money in the Convention Center and supports the expansion of Western Fair. These are tourist areas and York St. is a major travel route for people attending either facility or commuting between the two. Increasing the density of homeless and impaired drug users in this area during business hours is not appropriate.

There has been significant investment by the local businesses in their properties in the last number of years and it is proposed that there be a more. This is a revitalized community.

At the meeting, the Health Unit used a slide to show property values in Vancouver near the Supervised Consumption Facility on the east side of Vancouver have increased over the last 10 years. Respectfully, that is not valid or relevant to London, as the Vancouver real estate market is an anomaly in Canada. We

have real concerns about our property values and the ability to get property insurance or being subject to increased rates. The property owners have retained counsel and if 446 York St. is approved will be applying to MPAC for a reduction in their property taxes.

A community is an ecosystem and currently there is a precarious balance between the men's mission, businesses, property owners, residents and customers visiting the area of the proposed site. There are real issues with the mission, however, the community embraces the need for the mission and deals with these problems as part to this ecosystem. The addition of an influx of people at 446 York St has a real risk of throwing the community out of balance.

The community was notified on April 23rd that the Health Unit would be holding a meeting on April 26th at 399 Ridout St to discuss their proposed site. There has been no consultation with the community. In fact, the proposal to the Planning and Environment Committee scheduled to be heard by Council on April 30th was posted to the Health Units website before the first community meeting.

The speed in which the Health Unit is moving to force the approval of this location is not appropriate. There has not been proper study or debate. This is a serious issue and the community needs to be properly consulted and respected.

For these reasons I urge you to not support the location of a supervised Consumption Facility at 446 York St and to modify the Health Unit's proposal to reflect that.

We understand what the Health Unit is trying to accomplish, however, this is not the right location.

Lance Howard

444 York St

May, 3 2018

City Clerk's Office
City of London
300 Dufferin Avenue
London, Ontario
N6A 4L9
Letter via email and hand delivered to City Clerk

Attention: Mayor Brown and all members of City Council

Re: **Letter of Concern: Planning and Environment Committee for the Supervised Consumption Facility Location (446 York Street) – Scheduled Item 3.6, Delegation by Dr. C. Mackie, Middlesex London Health Unit**

Dear Mayor Brown & Members of the City Council:

We were in attendance in the public gallery for the above noted meeting held at City Hall at 5:30 pm on April 30.

We send this letter to express our concern to City Council regarding the process that is being followed by the Planning and Environment Committee(Planning Committee) , the lack of data submitted to the Planning Committee by the Middlesex London Health Unit, the lack of stakeholder consultation sought from the affected parties before the endorsement was made and finally the adversity to the landowners (including potential reduction in property values and reduction of market rents due to being located directly beside a safe injection site) by the implied approval of this land use change before a proper application has been submitted.

Dr. Mackie made a slide presentation with remarks to the Planning Committee in order to justify the request for an endorsement for the approval of 446 York St as one of two permanent facilities to function as a Supervised Consumption facility (SCF). He referenced a January 2018 consultant's report from the Center for Organizational Effectiveness titled Supervised Consumption Facilities. Neighborhood safety was a prime concern expressed in the Consultant's report. One of Dr. Mackie's main suggestions was there would be 24-hour security on site. No financial plan has been filed with Health Canada or presented to the Planning Committee. How do we know the funds are available for this? There has been no staffing plan filed with Health Canada, again we cannot confirm if there will be provisions for security. The use of security was a major selling point to the Planning Committee.

As property owners and landlords we have a concern about the security of the site and the potential devaluation of our property and rent rolls. Dr. Mackie put forward an argument about the property values of East Vancouver that have no bearing on the City of London. We will have to secure our properties, spend on infrastructure to accomplish this and it will be financial hardship on us, caused by this facility.

We have concerns about the lack of procedure being followed by the Planning Committee and the London Middlesex Health Unit, as no application had been submitted to the Planning Committee at the time delegation status was granted to the London Middlesex Health Unit. It appears the Planning Committee and the London Middlesex Health Unit are trying to circumvent the established rules. I wonder how other businesses, developers and individuals feel about this precedent being set. Imagine a builder asking for Delegation Status and then saying, I don't have zoning in place, I don't have a building plan or business plan, however will you approve a by-law change? That would be completely inappropriate and we feel that is the case here.

One member of the Planning Committee asked about site selection criteria. The consultant's report laid out several criteria necessary for a successful SCF location, none of this was discussed at the Planning Meeting. The committee endorsed the proposal without verifying the criteria had been met. We do not feel 446 York St. meets the criteria for an appropriate SCF noting its proximity to schools, location of commercial businesses and foot traffic associated with those businesses, high density residential units, tourist areas and volume of traffic. Also, this location is not discrete, thereby not protecting the anonymity of clients entering the facility.

Both the TVDSB and Separate School Board have stated that they do not approve of 446 York St. as it is 100 meters from Beal and 300 meters from CCH. The proposed location at 446 York is directly in the middle of 7 businesses that rely almost exclusively on customers and clients walking into their place of business. There are 17 businesses within 500 meters of this location and if the old Free Press building is redeveloped then there is potential for significantly more.

There are 4 high density residential units within 250 meters of this proposed site and many ground floor apartments in houses surrounding the area.

The volume of traffic is substantial on York St as it is a major east /west artery in the city. Jaywalking is an everyday occurrence to and from the mens mission, given its location in the middle of the block. Cities that currently have a SCF have had to lower the speed limit around their facilities as the users of the facility when leaving due to their impairment are not able to distinguish between sidewalk and road. To place these people and the drivers of vehicles on York in this risky situation is fool hardy.

The City of London has invested significant money into the Convention Center and the Western Fair District. This District is drawing more trade shows to their facilities and the Casino is expanding. York St. is the logical route for travel between these destinations.

Finally, the building at 446 is wide open and clearly visible by all cars and pedestrians that travel along York St. It is not discrete in the least.

This location fails on all the major criteria that the consultant's report put forward as considerations when selecting a site. It appears the only thing it has going for it is an owner that is willing to lease the building to the Middlesex Health Unit.

For clarity, we are disappointed and very upset that Dr. Mackie of the London Middlesex Health Unit was permitted to address the Planning Committee. This is highly irregular and creates a positive bias for and prejudice to any opposition to this proposed (assumed) land use change.

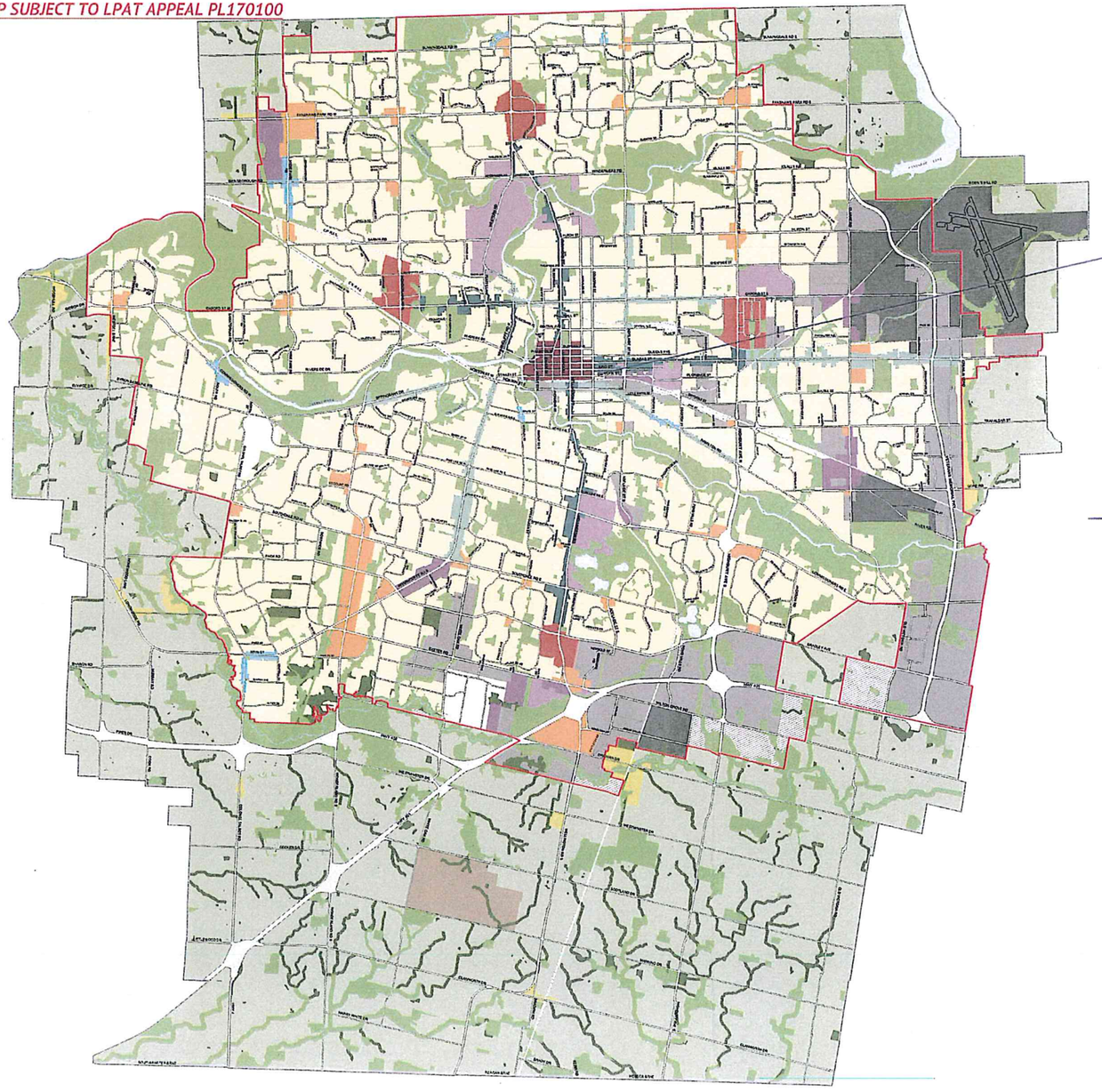
There was a constant theme put forward by Dr. Mackie and by the Planning committee in that there is an urgency to get a permanent location in place. Commendable, however, there is proper and due process that must be followed. It appears that this is being ignored for political expediency which is inappropriate. Council should act to make sure the rules are followed or precedent will be created that could have long term serious implications to the running of the City.

Sincerely,

Lance Howard and Catherine Bradbury
Business owners and Property Owners
444 York St. and 330 Burwell St.

MAP 1 - PLACE TYPES

MAP SUBJECT TO LPAT APPEAL PL170100



London
CANADA

"NEIGHBOURHOOD"

LEGEND

PLACE TYPES

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

BASE MAP FEATURES

- Streets (See Map 3)
- Railways
- Water Courses/Ponds

0 500 1,000 2,000 3,000 4,000 Metres

1:30,000

ADOPTED BY COUNCIL ON JUNE 23, 2016

APPROVED BY THE PROVINCE ON DECEMBER 28, 2016

THIS MAP MUST BE READ IN CONJUNCTION WITH THE TEXT OF THE LONDON PLAN

NOTE: At the time of the printing of this map, the Rapid Transit EA is in progress. It is expected that a rapid transit alignment will be known before *The London Plan* is approved. 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*

While every effort has been made to ensure that the mapping is accurate, a reader should verify all information contained in this map before acting upon it by contacting the City Clerk's Office, Suite 308, 300 Dufferin Avenue, London, Ontario, N6B 1Z2 or by calling (519) 661-2500 extension 4939

MAP 3 - STREET CLASSIFICATIONS

MAP SUBJECT TO LPAT APPEAL PL170100

London
CANADA

YORK STREET

LEGEND

STREET CLASSIFICATIONS

- Provincial Highway
- Expressway
- Urban Thoroughfare
- Rapid Transit Boulevard
- Civic Boulevard
- Main Street
- Neighbourhood Connector
- Rural Thoroughfare
- Rural Connector
- Interchanges
- Rapid Transit Stations

BASE MAP FEATURES

- Railways
- Urban Growth Boundary
- Water Courses/Ponds

0 500 1,000 2,000 3,000 4,000 Metres

1:30,000

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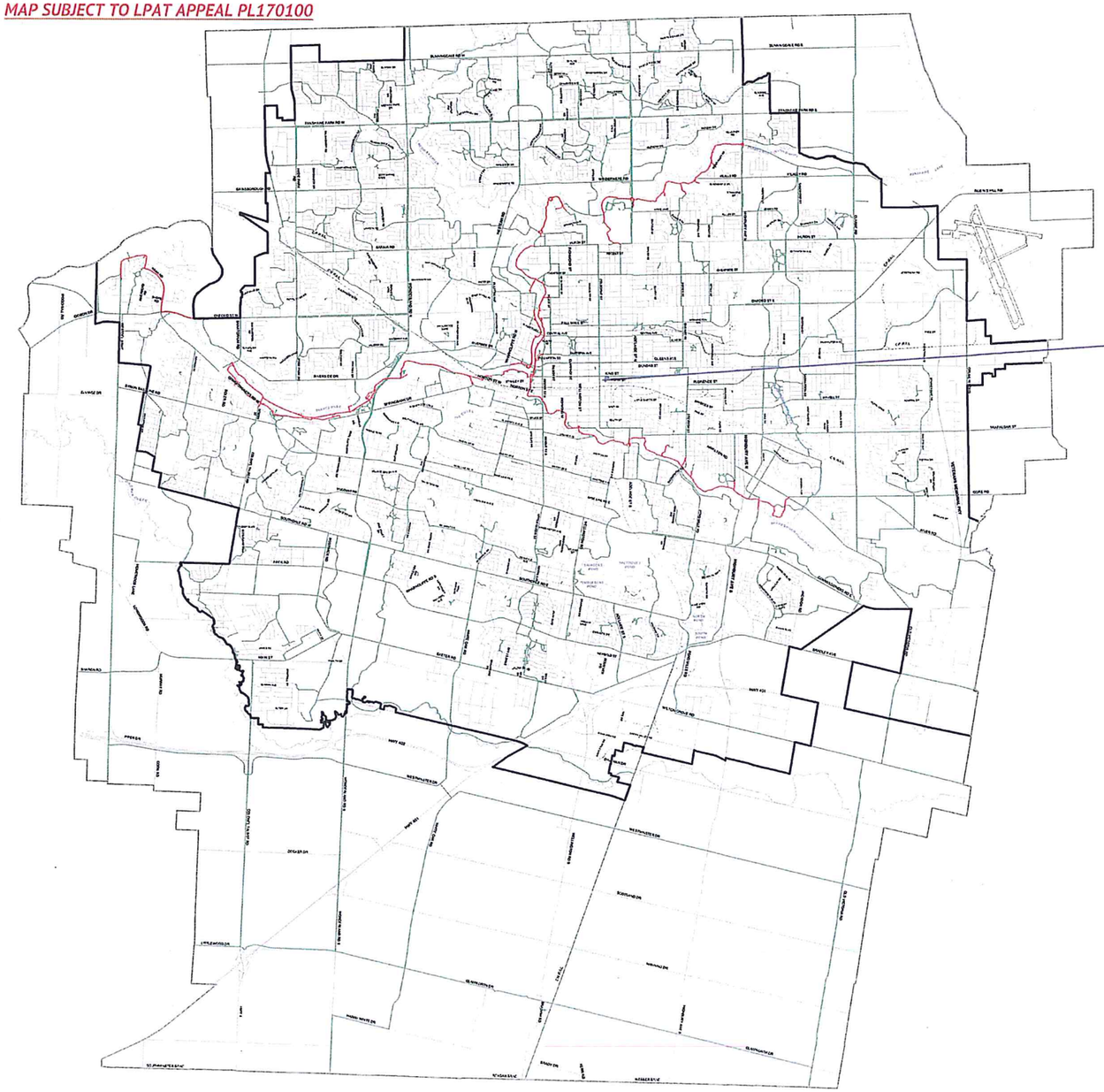
MAP 4 - ACTIVE MOBILITY NETWORK

MAP SUBJECT TO LPAT APPEAL PL170100



London
CANADA

LEGEND

- Thames Valley Parkway
- Cycling and Walking Routes

KING ST.

BASE MAP FEATURES

- Streets (see Map 3)
- Railways
- Urban Growth Boundary
- Water Courses/Ponds

0 500 1,000 2,000 3,000 4,000 Metres

1:30,000

ADOPTED BY COUNCIL ON JUNE 23, 2016

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November 20, 2018

City Clerk's Office
Planning and Environment Committee
City of London
300 Dufferin Avenue
London, Ontario
N6A 4L9

Letter via email only

Attention: **Chairman Turner & Members of the Planning and Environment Committee**

Re: **File: Z-8971; Zoning By-law Amendment - 446 York Street**

Dear Chairman Turner & Members of the Planning and Environment Committee:

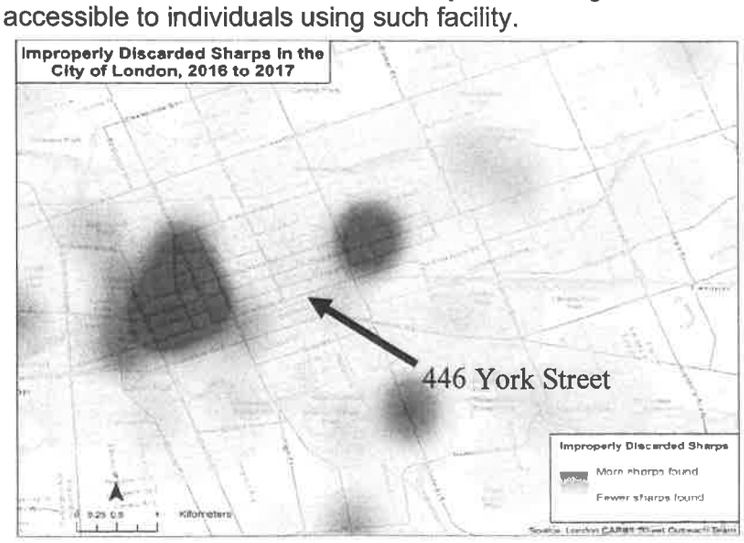
On behalf of Drewlo Holdings Inc., we are submitting this letter expressing our concern with respect to the above-noted matter. **Drewlo Holdings Inc., as the owner of 433 King Street, strongly opposes the proposed Zoning By-law Amendment.** We feel the zoning change is premature and that the proposed facility is not compatible with surrounding uses.

On January 22, 2018 Planning staff presented a report to PEC regarding the planning of supervised consumption facilities & temporary overdose prevention sites'. Council unanimously passed a motion on January 30, 2018 to establish a new Council Policy. The Policy, entitled "Siting of Supervised Consumption Facilities (SCF) and Temporary Overdose Prevention Sites (TOPS)" outlines 'criteria' that should be used by proponents planning a SCF or TOPS within the City of London. Additionally, Council directed Staff to initiate the necessary amendments to the Official Plan and Zoning By-law to plan for such facilities.

There are three (3) main criteria noted in the Council approved policy mentioned above; two (2) relating to the location of a proposed facility and the last prescribing Site Design.

As per Council direction, SCF/TOPS should be located to "benefit those who use such facilities" and "to avoid land use conflicts". The Criteria presented are essential for properly locating SCF & TOPS within our community. Unfortunately, the proposed located at 446 York Street fails to address some key components of the location criteria.

Located to Benefit those who use such Facilities
Supervised Consumption Facilities are to be sited in a location that is "within close proximity to, or near, communities where drug consumption is prevalent". While the proposed location at 446 York Street is in proximity to existing drug use, it is outside the top three (3) areas of the City where discarded sharps were most prevalent in 2016-2017. The location was chosen in haste given the availability of the property and does not consider other locations in the City where drug use is more prevalent and a facility would be more accessible to individuals using such facility.



(Figure presented by Dr. Mackie, on behalf of the Middlesex-London Health Unit, to City of London: Planning and Environment Committee on April 30, 2018 https://www.healthunit.com/opioids)

Additionally, they are to be *located "close to an area with other drug addiction related support services"*. This recommendation is consistent with the currently operating facilities in Ontario. There are eight (8) approved applications in Ontario (https://www.canada.ca/en/health-canada/services/substance-abuse/supervised-consumption-sites/status-application.html). All of these sites are located in conjunction with a pre-existing health or social service use;

- 179 Clarence St (Ottawa) – Ottawa Public Health: Sexual Health Clinic
- 221 Nelson St (Ottawa) – Sandy Hill Community Health Centre
- 55 Eccles St (Ottawa) – Somerset West Community Health Centre
- 256 King Edward Ave (Ottawa) – Ottawa Inner City Health (Harm Reduction, Hope Recovery Shelter, Hope Outreach Shelter)
- 145 Queen St E (Toronto) – Housing and Community Support Services
- 168 Bathurst St (Toronto) – Parkdale Queen West Community Health Centre
- 955 Queen St E (Toronto) – South Riverdale Community Health Centre
- 277 Victoria St (Toronto) – Toronto Public Health

Integrating SCF/TOPS with existing services is the most efficient use of funds and resources, as the supporting services associated with/recommended for SCF generally already exist at established health/social service locations. The existing TOPS, located at #30-186 King St, London, ON – the Regional HIV/AIDS Connection Program, is more consistent with those approved to date in Ontario – existing in a location where social/health services already operate.

Located to Avoid Land Use Conflicts

As per the January 22, 2018 Planning report, "given how new the introduction of supervised consumption facilities and temporary overdose prevention sites are to Ontario, it remains unclear as to what their impacts will be on adjacent land use." Based on that fact, Staff indicated that certain planning considerations should be considered when siting SCF/TOPS. One of these recommendations was separating facilities from public elementary and secondary school properties. This recommendation was further enforced through commentary from the London District Catholic School Board; they requested a minimum separation distance of 300m be established from school sites. The request of the LDCSB is consistent with London Plan policies already implemented for the siting of Methadone clinics:

> ***Policy # 1096*** *Zoning to allow for methadone clinics and methadone pharmacies will be established through a zoning by-law amendment to allow for a community consultation process. Zoning amendments to permit methadone clinic and methadone pharmacy uses will be allowed only in conformity with the policies of the place type in which they are located and all of the following criteria:*
>
> 1. *Sites must be well served by public transit.*
> 2. ***Property boundaries for proposed methadone clinics and methadone pharmacies must be a minimum of 300 metres from any elementary or secondary school property.***

The proposed location at 446 York Street is less than 100m from a sports field and less than 200m from H.B. Beal Secondary School. This is in direct contravention of the recommendations of the Council Policy as well as existing London Plan Policies for a similar use.

These criteria are further echoed in the recently passed by-laws (Bill No. 248, 249, 250 & 254) regarding changes to the Official Plan (1989), London Plan and Zoning By-law. We recognize locating SCF/TOPS facilities is difficult, however disregard for key location criteria cannot be overlooked.

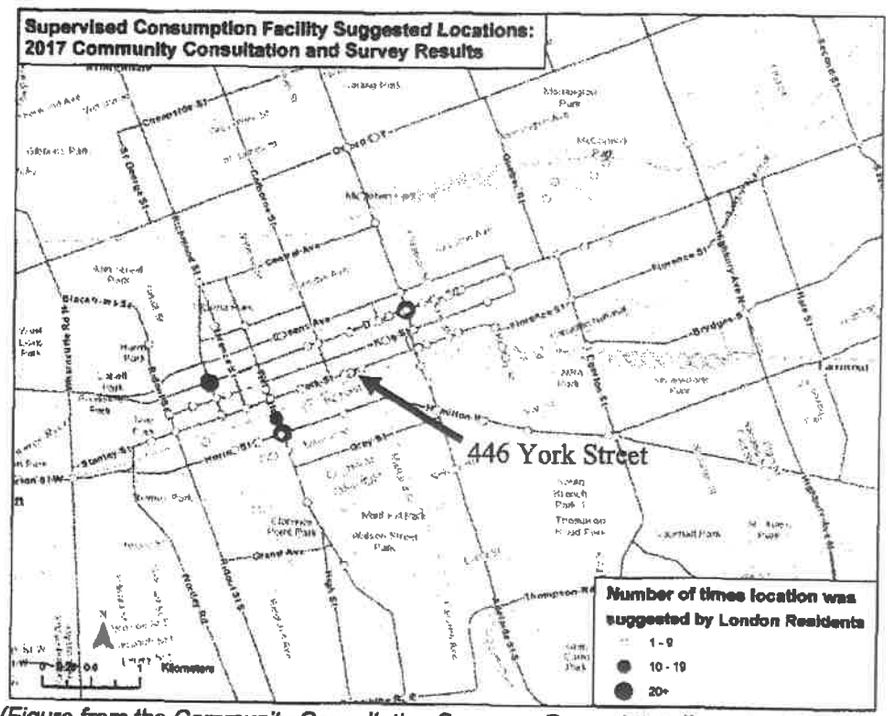
As per the report presented January 22, 2018, it is recommended that SCF and TOPS be interpreted as 'Clinics', with new definitions inserted in the Official Plan (OP) and Zoning By-law (ZB) to further distinguish the use, as was previously done with Methadone Clinics. On January 30, 2018, Council directed staff to initiate amendments to the Official Plan and Zoning By-law. A draft Official Plan Amendment and draft Zoning By-law Amendment were attached as Appendix 'C' and Appendix 'D', respectively, to the January 22, 2018 Staff report. And by-laws for amendments to the Official Plan (1989), London Plan and Zoning By-law were passed on May 22, 2018 by Council. OPA 680 relating to Supervised Consumption Site (Case No. PL180605) is currently being appealed to LPAT and no hearings have been scheduled to date.

File No. Z-8971, being a Zoning By-law Amendment for 446 York St., is attempting to rezone the property to permit 'Clinics' while ignoring recommendations from Staff in their report regarding the Council Policy 'Siting of Supervised Consumption Facilities (SCF) and Temporary Overdose Prevention Sites (TOPS)'. The by-laws introduced at the May 22, 2018 Council meeting differ greatly from the drafts presented in the original staff report, and from existing policies relating to Methadone Clinics.

Draft amendments indicated that SCF/TOPS should only be permitted within the Institutional Place Type. Whereas, the by-law passed by Council on May 22, 2018 regarding amendments to the London Plan (being Bill No. 249) permits SCF/TOPS in "any Place Type". This by-law is currently under appeal at LPAT (PL180605). Staff is now trying to permit a ZBA in advance of a decision from LPAT regardless of their previous statement in the January 22, 2018 report that "establishing a separate definition of SCF and TOPS will ensure that such uses are not interpreted as clinics – and this not indiscriminately permitted in all zones that allow for clinics". We feel that this ZBA request is being submitted prematurely and should be tabled until decisions from LPAT have been issued.

The proposed site at 446 York Street is not compliant with the intent of the policy mentioned above. It is within the 'Neighbourhoods Place Type' and the current zoning, RCS2 & RSC4, is intended for moderate intensity commercial uses and trade service uses, and does not permit the 'Clinic' use. It should not be modified to permit SCF/TOPS clinics; these uses should be reserved for properties within the 'Institutional Place Type'.

We believe the rate at Staff is moving to force the approval of this location is inappropriate. It appears that the Middlesex-London Health Unit is jumping at the first available site for the proposed SCF rather than considering all economic and social aspects of the site.



(Figure from the Community Consultation Summary Report https://www.healthunit.com/opioids)

In closing, we strongly agree that there is a moral responsibility within the community to help people with addiction problems. But this 'band-aid' approach does not solve the problems presented by the crisis in our community. **For the reasons provided, Drewlo Holdings Inc. strongly opposes the proposed Zoning By-law Amendment at 446 York Street.**

Sincerely,

Allan Drewlo
President, Drewlo Holdings Inc.

Cc: Michelle Knieriem, Planning Services, City of London

From: John Hassan
Sent: Tuesday, November 27, 2018 12:58 PM
To: Lysynski, Heather <hlysynsk@London.ca>
Cc: PEC <pec@london.ca>; Mackie, Dr. Christopher Brian Lester Turner, Stephen <sturner@london.ca>
Subject: In Support of rezoning at 446 York Street to accommodate Permanent Supervised Consumption and treatment site

I am writing to you to add my voice to the many in London who are wholly in support of the rezoning application needed to facilitate the transformation of the site at 446 York Street, in London, so that this much needed Permanent Supervised Consumption and Treatment facility can be established.

As a former first responder who worked and responded for many years in this area to medical calls for assistance, my opinion is that this site is long overdue.

Saving lives is what I was called upon to do in my work life and as such I feel compelled to lend my voice in support of the need for this facility; one that will be a huge first step in dealing with current health crisis that desperately needs our collective attention and action.

The location is well positioned to service the current need in the area and I believe it will greatly enhance the security and quality of life for ALL who live in the area and our city as a whole.

This site and the services it will provide are proven to reduce harm and save lives, something we should all prioritize.

The time to act is now and I hope that this project will receive as much help as possible from City Council and the infrastructure that the City of London has in place.

The time for barriers to timely access to necessary and life saving treatment has passed and this zoning request needs to move forward, and quickly.

Respectfully

John Hassan

Retired Fire Captain (London Fire Department)

Former President London Professional Fire Fighters Association Local 142 IAFF

Dear Madam
I wish to support the rezoning of 446 York Street to allow its use as an overdose prevention site. As a citizen who lives downtown and a physician I strongly support this to provide an appropriate location near Dundas and Richmond and Adelaide and Dundas, two of the biggest London use areas. Lives will be saved, fewer needles will be left in public spaces and drug users will have more supports to help them turn their lives around.
In short this is a vital service that needs to be supported.
Yours
sincerely
John Clement

Planning and Environment Committee,

Having facilitated the Safe Consumption Sites Community Engagement process, it was clear that London citizens support the city of London having Safe Consumption Facilities now known as Consumption & Treatment facilities. Having reviewed the data, the site at 446 York Street would be an important location to approve for a Safe Consumption Facility since it is within walking distance of both Dundas and Richmond and Dundas and Adelaide, the two biggest London hot spots for drug use. We know that close proximity is essential. I give full permission for this rezoning so that the 446 York Street can be use for a Safe Consumption Facility.

Having it at this site would mean:

- Addressing a problem that is already in the neighbourhood
- Cleaning up needle waste
- Getting injections off the street (and into a controlled environment)
- Improving safety in the neighbourhood as it the site will have a security guard

The Temporary Overdose Prevention Site has been a success (56 overdoses reversed, over 10,000 injections off the street, over 150 people into drug treatment, less needle waste downtown), now moving to a permanent location will mean that as a community we will be able to:

- Save lives
- Decrease the spread of HIV, Hep C etc.
- Wrap services around people, including addictions treatment, mental health counselling, and HIV testing
- Treat people with respect will help them feel valued and support them to take better care of themselves

For the sake of all people in our community, we ask that 446 York Street be rezoned in an expedient manner so that this service can begin to serve those most vulnerable in our community as quickly as possible.

Sincerely,

Maria Sanchez-Keane
Principal Consultant

Maria Sánchez-Keane, M.Div., MBA
CENTRE FOR ORGANIZATIONAL EFFECTIVENESS

Addiction Services
of Thames Valley | Services de toxicomanie de Thames Valley

200 Queens Avenue, Suite 260, London, Ontario N6A 1J3
t. 519-673-3242 f. 519-673-1022 adstv.ca

November 27, 2018

Clerk for the Planning and Environment Committee (PEC)
E: hlysynsk@London.ca

Re: Letter of Support for the Proposed Consumption and Treatment Site at 446 York Street

Dear Sir/Madam,

I am writing on behalf of our organization and the Board of Directors, to support the proposed location for the Consumption and Treatment Site (CTS) at 446 York Street. Addiction Services of Thames Valley supports the development of this permanent site and out Board of Directors has strongly endorsed both the Temporary Overdose prevention Site (TOPS) as well as the proposed permanent site.

Addiction Services of Thames Valley (ADSTV) is a collaborative partner in the TOPS site and currently provides staffing resources to TOPS and warm transfers / access to treatment and other addiction supports. In the permanent site, ADSTV will continue to collaborate, support those who use the CTS services as well as facilitate access to treatment for those who in need.

ADSTV offers many programs that would support the visitors to the CTS and believes that these harm reduction strategies are vital to the community. TOPS has proven that there is a need in London for CTS and that 56 lives have been saved. The award – winning Temporary Overdose Prevention Site has been a success with 56 overdoses reversed, over 10,000 injections off the street and 150 people referred to local drug treatment. In addition, there has been less needle waste downtown.

The location at 446 York is accessible to those in need, is within walking distance from well-known injection “hot spots” and will continue to increase access to drug treatment and other vital services for mental and physical health. Security on site will continue to provide support for the neighbourhood and the visitors to CTS will continue to feel respected and valued. We know that the City of London values respect for all of its citizens and that this vital healthcare service has a legitimate place in the continuum of care.

Please do not hesitate to contact me for more information and we look forward to the approval of this location.

Yours truly,

Linda Sibley.

Linda Sibley, Executive Director
Addiction Services of Thames Valley
V: 519-673-3242 ext. 226 E: lsibley@adstv.ca

cc: Generic PEC Office, pec@london.ca
Chris Mackie, Medical Officer of Health and CEO, Middlesex-London Health Unit, Christopher.Mackie@mlhu.on.ca
Brian Lester, Executive Director, Regional HIV/AIDS Connection, BLester@hivaidsconnection.ca
Arielle Kayabaga, Councillor Elect for Ward 13, akayabaga@london.ca

Wulaawsuwiikaan
HEALING LODGE

275 Jubilee Road, Munsee-Delaware Nation, R.R.#1 Muncey, ON N0L 1Y0
(519) 289-0148 www.whl-munsee.ca

28 NOVEMBER 2018

Clerk,
Planning and Environment Committee
City of London
LONDON, ON

RE: Rezoning at 446 York Street

Dear Sir/Madam:

I am writing today to support the rezoning of 446 York Street to allow for the use of an Overdose Prevention Site within the City of London. We have heard the great news about the success of the temporary site and the amount of people who have already benefited from this initiative.

It is good for Indigenous Communities to know that our relatives who have temporarily lost their path due to addictions have this type of support within the city; one that may possibly save their lives. It is also good to know that the overdose prevention sites do have important wrap-around services available.

Safe injection sites keep our communities safe and the many volunteers do a wonderful job in treating people respectfully.

Miigwech,

R. Doug George
Executive Director

From: Anne Gehman
Sent: Wednesday, November 28, 2018 10:47 AM
To: Lysynski, Heather <hlysynsk@London.ca>; Helmer, Jesse <jhelmer@london.ca>
Subject: zoning of 446 York Street

i am writing in support of the zoning for the above location for a harm reduction facility. This is very much needed in our city. Debates and studies have been going on for so long, and the current programmes are already proving to have a positive effect. So, please lets move forward. It is the right thing to do.

Thank you,

Anne Gehman

resident, Ward 4

ATLOHSA NATIVE FAMILY HEALING SERVICE INC.

CORPORATE OFFICE:
2212 Elm Avenue
Southwold Ontario
N0L 2G0
Email: admin@atlohsa.com

HEAD OFFICE:
109-343 Richmond Street
London, Ontario
N6A 3C2
Phone: 519-438-0068
Fax: 519-438-0070

ZHAAWANONG
WOMEN'S SHELTER
256 Hill Street
London, Ontario
N6B 1C9
Business: 519-432-2270
Toll Free: 1-800-605-7477
Fax: 519-432-2284

SUPPORTIVE HOUSING:
219 St. George Street
London, Ontario
N6A 3A6
Phone: 519-850-9929

Registered Charity
#13064 5203 RR 0001

Thursday November 29, 2018

Clerk for the Planning and Environment Committee(PEC)

Greetings,

On behalf of the Atlohsa Native Family Healing Services I wish to express our agency's clear support for the rezoning of 446 York Street for the purpose of a permanent Overdose Prevention Site. Atlohsa employs an Indigenous holistic healing model that is in line with the Prevention Sites' endeavor to treat people with respect which will help them feel valued and support them to take better care of themselves. As one of our site's is also located in the downtown core, Atlohsa staff and clients are often witness to substance injection and the dangerous waste that this behavior leaves behind. The overdose prevention site in our opinion will help to eliminate the high number of uncontrolled and unsafe injections (and waste) taking place in proximity to our programs and services.

Please feel free to contact me directly should you have any questions or comments.

Miigwech,

Raymond Deleary
Executive Director

Mission Services of London

November 29, 2018

Via email only hlysynsk@London.ca

H. Lysynski
Committee Secretary
Planning and Environment Committee
City of London
300 Dufferin Avenue
London, ON N6A 4L9

Dear H. Lysynski,

Re: Zoning Application 446 York Street

I am writing to you as the committee secretary to the Planning and Environment Committee to share our support for the proposed zoning by-law amendment for 446 York Street.

For over 65 years, Mission Services of London has been serving individuals and families struggling with, or at risk of, homelessness, poverty and addictions. We operate: an emergency shelter for men; an emergency shelter for families (the only family emergency shelter in southwestern Ontario); a community mental health program; a social enterprise thrift store; and a 14 bed live-in abstinence-based addiction treatment program (one of only two live-in addiction treatment programs in the South West LHIN and the only one with related second stage housing).

Just as we firmly believe an abstinence-based addiction treatment program is an indispensable and essential component in a community's response to addiction and mental health issues, so too do we believe that a supervised consumption and treatment services site is an essential component in a well-rounded, comprehensive, patient-centred community response to addiction and mental health issues.

Our experience in serving individuals in our community for over 65 years has taught us that the issues of poverty, homelessness, addictions and mental health are complex issues, requiring a multi-faceted and equally complex response. We have learned that unilateral and one-dimensional responses are seldom adequate to serve the broad scope of community needs. We have learned that

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London, ON N5W 6A8
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missionservices.ca

Community Mental Health Programs
457 York Street
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T. 519.672.8500

The Men's Mission & Rehabilitation Centre
459 York Street
London, ON N6B 1R3
T. 519.672.8500

Quintin Warner House
477 Queens Avenue
London, ON N6B 1Y3
T. 519.434.8041

Rotholme Women's & Family Shelter
42 Stanley Street
London, ON N6C 1B1
T. 519.673.4114

Mission Store
4-797 York Street
London, ON N5W 6A8
T. 519.438.3056
missionstore.ca

each of our neighbours is unique, their experiences and the road they have travelled to their current situation is unique, and that a community response able to meet their need at their point of need through the availability of a spectrum of services is beneficial, honouring and affirming to them as individuals.

We have also learned that there are risks associated with the status quo, and outcomes and results cannot change without also changing methods and approaches to serious community issues. In this context, there are many factors that suggest 446 York Street is very well suited for a supervised consumption and treatment services site. The most important reason is that it will save lives, our neighbours' lives. It is within walking distance of two of London's "hot spots" for drug use – the corners of Dundas & Richmond and Dundas & Adelaide. Quite frankly it is addressing a problem that is in the immediate and adjacent neighbourhoods and will provide a safe and controlled environment for activity that is already occurring on the street. Wrap around services will be provided on site and related services such as withdrawal management at Salvation Army and our addiction treatment program (Quintin Warner House) are within walking distance.

For those reasons we not only support a supervised consumption and treatment services site at 446 York Street but also, through our abstinence-based addiction treatment program, would welcome the opportunity to participate in the on-site wrap-around services provided at that site. We will continue to be an active participant in a comprehensive community response that serves the unique and individual needs of our neighbours.

As the Planning and Environment Committee wrestles with many competing interests in land use, at times responding to very difficult social issues and responses, I encourage the committee to consider an overall comprehensive approach, that considers the interests of all Londoners, with supervised consumption and treatment services site at 446 York Street being but one positive component in the development of a healthy community fabric in London.

Yours truly,

Peter Rozeluk, JD, CPA, CA
Executive Director

cc. Dr. Chris Mackie, Middlesex-London Health Unit
Brian Lester, Regional HIV/AIDS Connection
Councillor Arielle Kayabaga

London Bridge Child Care Services Inc. operates a child care centre, London Day Nursery, at 387 King Street.

We have no objection to the proposed Temporary Overdose Prevention Site at 446 York Street.

We view this development positively.

Michael Harkins,
Chief Financial Officer
London Bridge Child Care Services Inc.

Sent: Tuesday, November 27, 2018 8:31 PM
To: Lysynski, Heather <hlysynsk@London.ca>
Cc: PEC <pec@london.ca>
Subject: Rezoning 446 York Street

To whom it may concern,

On behalf of the Opioid Addiction Committee (OAC), a student organization at Western University, we would like to express our overwhelming support towards the rezoning at 446 York Street for the establishment of a permanent supervised consumption facility.

Supervised consumption facilities have continuously proven beneficial in communities across North America. Historically, the facilities have saved lives, reduced the spread of infectious diseases and exposed clients to crucial treatment/support services. The Temporary Overdose Prevention Site here in London has so far reversed 56 overdoses and has led to over 150 people entering drug treatment programs.

The success of the Temporary Overdose Prevention Site is evidence that the community is prepared to establish permanent supervised consumption facilities.

From a community perspective, we believe the benefits of the facilities will be swift and obvious. Less injection of drugs in public spaces, proper disposal of needle waste and a variety of other residual effects will undoubtedly improve the safety, cleanliness and overall image of this neighbourhood. Many additional steps will be taken to ensure that the sites have a positive impact on the community, such as adequate waiting spaces and aftercare rooms in the facility to prevent loitering in the area. Moreover, the site will have a full-time security guard, which will discourage any undesired behaviour near the site itself.

Through the tireless work of all parties involved, the municipal government has a critical opportunity to alleviate a problem that has been plaguing this city for years. The establishment of permanent supervised consumption facilities are in the city's best interest and any efforts to delay the rezoning of 446 York Street would be extremely discouraging.

Sincerely,

Ira Brown and Jonah Rakoff

London InterCommunity Health Centre

November 29, 2018

Clerk for the Planning and Environment Committee, City Clerk's Office
City of London
300 Dufferin Avenue
London, Ontario, PO BOX 5035
N6A 4L9

Re: the proposed rezoning of 446 York Street for use as a Permanent Supervised Consumption and Treatment Service

Planning and Environment Committee:

Please accept this letter as London InterCommunity Health Centre's support for the proposed reuse of 446 York Street as a clinic use, to allow for the delivery of supervised consumption and other medical and treatment services for people who consume substances. London InterCommunity Health Centre has provided inclusive and equitable health and social services to Londoners who experience barriers to care since 1989. We fully understand and publicly support the need for permanent supervised consumption and treatment services in our city, as we believe the services will save lives, and provide access to other health and social services that will improve the wellbeing of people accessing the clinic.

London InterCommunity Health Centre believes that 446 York Street is an optimal location for these services, as it is in close proximity to where the highest concentration of public injecting presently occurs. This location will also address concerns of community members who, while generally supportive of having such services in our city, requested that services be located at a reasonable distance from low-density neighbourhoods.

The positive impact of existing permanent supervised consumption and treatment services in Canada have been rigorously researched and extensively documented, and include: thousands of lives saved through overdose reversal, marked reduction in public consumption of illegal substances and improper disposal of needles, and improved neighbourhood safety. We have high confidence in the lead agency, Regional HIV/AIDS Connection, to deliver similar results.

Yours truly,

Scott Courtice
Executive Director, London InterCommunity Health Centre

Ontario's Community Health Centres
Unit 7–1355 Huron St. London, ON N5V 1R9
T (519) 653-6399 F (519) 653-9930
659 Dundas St. E. London, ON N5W 2Z1
T (519) 660-0875 F (519) 642-1532
mail@lihc.on.ca www.lihc.on.ca

Canadian Mental Health Association
Middlesex
Mental health for all

Association canadienne pour la santé mentale
Middlesex
La santé mentale pour tous

November 29, 2018

To City of London Councilors:

I am writing in support of the initiative to establish a supervised consumption and treatment service at 446 York Street in London and the request for rezoning, which will be presented to the City's Planning and Environment Committee on December 10, 2018.

As London is experiencing an opioid crisis, this site presents an opportunity for a community response to assist individuals who have a very real threat to their health and well-being. By locating the service at this site, those already in the neighborhood or those who are currently involved in drug use nearby will have ease of access to evidence-informed approaches to support persons with high risk of physical harm or even death. Providing safe sites has been shown to reduce the incidence of drug injections on the street, as well as needle waste in neighborhoods. In addition, these facilities are often the first step on a path to recovery, especially when they are linked to other services to support these people. London is already a leader in the province in terms of developing integrated services with ease of access at community-based locations.

CMHA Middlesex has provided outreach services to the Temporary Overdose Prevention Site since its opening in February 2018, to ensure that individuals who visit this facility and need access to programs related to their mental health can easily connect with our staff. This site has been a resounding success, with 56 overdoses reversed, over 10,000 injections occurring off the street, and over 150 people referred into drug treatment. Moreover, it has demonstrated the advantages of a wrap-around service that treats individuals with respect and dignity, while offering an opportunity for change. We will continue to provide these services in the new Supervised Consumption Facility, ensuring that support and services are available when and where they are needed.

We urge you to give strong consideration to the request for rezoning and support for supervised consumption and treatment service and look forward to our continued work with the community to bring these plans to life.

Sincerely,

Beth Mitchell

Beth Mitchell, Ph.D., C.Psych.
Chief Executive Officer

Cc Chris Mackie, CEO MLHU; Brian Lester, CEO RHAC

Queens Ave Site - Administrative Offices 534 Queens Ave., London, ON N6B 1Y6
Tel: 519-668-0624 Toll Free: 1-855-668-0624 Fax: 519-668-3641
info@cmhamiddlesex.ca www.cmhamiddlesex.ca
Twitter: @cmhamiddlesex Facebook: www.facebook.com/cmhamiddlesex

LONDON & MIDDLESEX HOUSING CORPORATION

November 27, 2018

Councillor Stephen Turner
The Corporation of the City of London
Planning and Environment Committee (PEC)
300 Dufferin Ave, P.O. Box 5035
London, ON N6A 4L9

RE: File Z-8971 Rezoning of 446 York Street

Dear Councillor Turner:

The need to have Supervised Consumption Services (SCS) in our community is irrefutable. SCS help fill an important role in the continuum of health services and are highly effective at reducing the harms of illicit substance use, including overdose deaths, bacterial infections and transmission of bloodborne pathogens such as HIV and hepatitis C. SCS also provide an access point for individuals to connect with or be referred to other services and supports, including harm reduction supply distribution, education, housing, health care (e.g. wound care), mental health and substance use services and addiction treatment programs. As a result, individuals see improvements in their overall health and wellness.

As the largest social housing provider in London and Middlesex County, we know that these services are desperately needed for a significant percentage of our tenants as well as those addicted to opioids. There is evidence to show that SCS will be used and a public consultation process revealed a strong desire to support those addicted to opioid drugs in our community. London however, like most communities, is divided on the selection of a permanent site to establish a Supervised Consumption & Rehabilitation Services Facility.

Our vision centers on healthy homes and communities in London and Middlesex and making a difference by positively impacting lives using housing as the foundation. LMHC wants to be part of the solution and not the problem in addressing social issues in our community by showing that we CARE. As such, LMHC supports the rezoning application submitted by MLHU and RHAC to allow a clinic use for the intended purpose of a Supervised Consumption Facility at 446 York Street.

Kinds Regards,

Sean Quigley
Chair, Board of Directors

Cc: Josh Browne, CEO
Chris Mackie, Middlesex-London Health Unit
Brian Lester, Regional HIV/AIDS Connection

Gerda Zonruiter
323 Ridgewood Cres, London, ON

Nov. 28, 2018

Planning and Environment Committee
300 Dufferin Avenue
London, Ontario

To Members of the Planning and Environment Committee

Re: Zoning for 446 York Street

Please accept this letter of support for zoning 446 York Street to allow the establishment of a permanent supervised consumption and treatment services site.

On balance, locating a supervised consumption facility at 446 York St. is likely to be more beneficial than harmful. The Temporary Overdose Prevention Site housed in this location is accessible, has helped prevent overdose deaths and has supported people into drug treatment. As a tenant of Innovation Works, located nearby, I have not had any negative experiences as a result of the presence of the Site.

Sincerely,

Gerda Zonruiter

From: Janette MacDonald
Sent: November-28-18 1:47 PM
To: Christopher Mackie
Subject: Supervised Consumption sites

Hello Dr. Mackie:

I am sending this e mail to confirm our continued support for Supervised Consumption sites. Of course our support is contingent upon the wrap around services being provided as a critical component of the sites success.

The creation of SCS is so critical to this and other communities since it not only provides life saving services but is a gateway to help our most vulnerable to enter into much needed treatment to improve their length and quality of life.

If we can change this for a few, soon we will be able to change it for many and therefore improved the quality of life for all.

It is important to note, and I hope more people will, is that our vulnerable population who are addicted did not make a choice to do be in this unfortunate situation and that all demographics can suffer the same fate. Let's treat all of our humans with compassion.

On behalf of our entire organization - we wish you and the entire team continued success.

Best regards,

Janette.

Janette MacDonald,
CEO and General Manager.

Downtown London
123 King St,
London, ON. N6A 3N7.

Nov. 30, 2018

Cathy Nolan, Managing Director
Street Level Women at Risk
511-200 Queens Av.
London ON N6A 1J3

Re: Permanent supervised consumption and treatment services in London

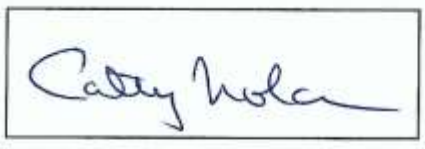
Dear City of London Council,

On behalf of the Street Level Women at Risk (SLWAR) Program, I would like to express our support for the invaluable services that a permanent supervised consumption and treatment services in London would provide. The Temporary Overdose Prevention Site has been a success (56 overdoses reversed, over 10,000 injections off the street, over 150 people into drug treatment, less needle waste downtown). It has made a positive difference in the lives of Street Level Women at Risk participants who access support and services at the Temporary Overdose Prevention Site.

Street Level Women at Risk supports the rezoning at 446 York Street because it will save lives. The location is within walking distance of both Dundas and Richmond and Dundas and Adelaide, the two biggest London hot spots for drug use. This would reduce a barrier for SLWAR participants who have experienced long term chronic homelessness, abject poverty, substance use, mental health challenges and trauma. It will help get injections off the street (and into a controlled environment) where people feel safe. It will provide wrap-around services, including addictions treatment, mental health counselling, and HIV testing which are all essential for the long term health and well-being of the people we serve. The partners, all of whom are valuable members of the Street Level Women at Risk Collaboration Advisory Group, have proven that they can run a service that respects neighbouring businesses and residents.

With this letter I ask that you proceed with the rezoning at 446 York Street as the new home for the Permanent supervised consumption and treatment services.

Sincerely,



Cathy Nolan RSW
Managing Director
Street Level Women at Risk Program

CHIPPEWA HEALTH CENTRE

November 28, 2018

Dear Review Committee Members:

Re: Permanent Supervised Consumption and Treatment Site

As the Health Director of Chippewas of the Thames First Nation I am pleased to write this letter of support for the rezoning of a permanent Supervised Consumption Facility at 446 York Street for individuals experiencing challenges with addictions.

This location is within walking distance of both Dundas and Richmond and Dundas and Adelaide, the two biggest London hot spots for drug use. It will address a problem that is already in the neighbourhood and surrounding communities. The facility will have wrap around services, including addictions treatment, mental health counseling, Hep C and HIV testing, clean up needle waste and get injections off the street and into a secure controlled environment, improving safety in the neighbourhood.

The partners have proven that they can run a service that respects neighbouring businesses and residences. Most importantly they treat people with respect to help them feel valued and supported to take better care of themselves. This has been demonstrated at temporary overdose prevention site which has been a success, 56 overdoses reversed, over 10,000 injections off the street, over 150 people into drug treatment and less needle waste downtown.

Chippewas of the Thames First Nation is committed to partnering and working with the Middlesex London Health Unit and Regional HIV/AIDS Connection to address the opioid crisis and improve health outcomes in our communities for all individuals.

Kindest regards,

Kimberly Fisher

Kimberly Fisher, *CFNHM*
Health Director

322 Chippewa Road
Muncey Ontario
N0L-1Y0
T. (519) 289-5641 or F.(519) 289-2378

Attn: Clerk, Planning and Environment Committee,

I am writing to express my wholehearted support for the rezoning of 446 York Street to permit the operation of a supervised consumption facility. As an epidemiologist and expert on injection drug use, I can attest to the extensive scientific literature supporting the benefits of these services for people who use drugs and the broader community. I am also a resident of Old East, having lived at Dundas and Adelaide for five years. I understand the impact that public drug use has had on our communities. Our underhoused and homeless neighbours who inject drugs have been forced to use a variety of unsafe and unsupervised injection sites: alleys, public washrooms, etc. I'm happy that the temporary overdose prevention site has helped to bring them off the street and into a safe, warm, and supervised environment where equipment can be safely disposed of. Regional HIV/AIDS Connection and its partners have demonstrated their ability to operate this service safely and with respect for their clients and the surrounding area, and I have the utmost confidence that they will do the same with the permanent site.

I am unfortunately unable to attend to the Planning and Environment Committee Meeting as I am in Sierra Leone, supporting that country to implement their first needle and syringe exchange program. Canada's evidence-based and compassionate response to people who use drugs is inspiring life-saving action globally, and I sure hope and expect that we will continue to take such a forward-thinking approach right here in London. I give permission for my letter to be noted on the committee agenda.

I imagine that the opportunity to save lives through a zoning decision is quite rare. I urge you not to squander the opportunity.

Thank you for your consideration,

Ayden Scheim, PhD

_____

Ayden Scheim, PhD

CIHR Postdoctoral Fellow | Division of Infectious Diseases and Global Public Health, University of California San Diego

Associate Scientist | Centre on Drug Policy Evaluation, Centre for Urban Health Solutions, St. Michael's Hospital

Southwest Ontario
Aboriginal Health
Access Centre

77 Anishinaabeg Drive
Muncey, Ontario N0L 1Y0
P 519.289.0352 F 519.289.0355

425-427 William Street
London, Ontario N6B 3E1
P 519.672.4079 F 519.672.6945

soahac.on.ca

November 26, 2018

Planning and Environment Committee
City of London
300 Dufferin Avenue
London, ON
N6A 4L9

Dear Planning and Environment Committee

I am writing this letter advising of our support of the Middlesex-London Health Unit's efforts in securing a Permanent Supervised Drug Consumption Site.

We are in full support of the rezoning of the proposed 446 York Street location for the Permanent Supervised Drug Consumption Site.

As an Aboriginal Health Access Centre serving First Nations, Metis and Inuit individuals, families and communities across the Southwest Region of Ontario; this crisis is being felt significantly in our urban, on reserve and off reserve populations.

SOAHAC has been working collaboratively both with the Middlesex London Health Unit and HIV Aids Connection at the current Temporary Overdose Prevention Site by having a SOAHAC staff Harm Reduction Outreach Worker on site one day per week. They assist within the aftercare room and doing outreach to both urban indigenous populations and on reserve communities that SOAHAC presently serves.

The Temporary Overdose Prevention Site has been a success to date; 56 overdoses reversed, over 10,000 injections off the street, over 150 people into drug treatment, less needles waste downtown. The time has come for a permanent solution.

The permanent site has and will continue to save lives; and address the issue of drug use that already exists in the neigbourhood. The proposed permanent site is within walking distance of both Dundas and Richmond and Dundas and Adelaide; which are the two biggest London hot spots for drug use.

Having this site will continue to ensure less needle waste on the streets and help to get injections off the street and into a controlled environment; which is beneficial to everyone.

Having the wraparound services including; addictions treatment, mental health counselling and HIV testing will continue to be an integral part of a Permanent Supervised Drug Consumption site.

Southwest Ontario
Aboriginal Health
Access Centre

77 Anishinaabeg Drive
Muncey, Ontario N0L 1Y0
P 519.289.0352 F 519.289.0355

425-427 William Street
London, Ontario N6B 3E1
P 519.672.4079 F 519.672.6945

soahac.on.ca

The partners presently engaged in the Temporary Overdose Prevention Site have proven that they can run a service that respects neighbourhood businesses and residents.

Most importantly continuing to treat people with respect will help them feel valued and support them to take better care of themselves.

Having the ability to continue to support this work with our community partners now and in future; allows SOAHAC to provide culturally sensitive care and support to not only the individuals, families and communities we serve; but to all affected by this continued crisis.

If you have any questions please don't hesitate to contact me directly.

Sincerely,

Brian Dokis,
Chief Executive Officer
SOAHAC
P: 519-914-1858 Ext. 2001
E: bdokis@soahac.on.ca

Dear Planning and Environment Committee,

I am writing today in support of the Zoning By-law Amendment Application (file number: Z-8971) put forward by the Middlesex-London Health Unit and Regional HIV/ AIDS Connection to allow:

- A clinic use in addition to the other uses already permitted on the subject site.
- This clinic use is intended for a Supervised Consumption Facility.

In May 2018, I launched an online petition via Change.org that to date has 664 signatures (and counting) in support of the proposed Supervised Consumption Facility and current Temporary Overdose Prevention Site. The petition has had media coverage from 106.9 The X Fanshawe College, AM980 Global News London Radio, CBC London, CTV London and The London Free Press. I began the petition to show my support of supervised consumption and the Temporary Overdose Prevention Site that is currently operating in London, and the petition has spread farther than I could have imagined- it started a conversation, challenged and changed mindsets and got people thinking about something they may not have completely understood or even thought about.

As of Monday, November 26th, 2018, there have been at least 56 overdose events reversed at London's Temporary Overdose Prevention Site at 186 King Street inside Regional HIV/ AIDS Connection since opening on February 12th, 2018. London's Temporary Overdose Prevention Site was the province's first Temporary Overdose Prevention Site sanctioned by the Government of Ontario. On Thursday, November 1st, the Middlesex-London Health Unit and Regional HIV/ AIDS Connection announced they had received federal approval from Health Canada for two Supervised Consumption Facilities to be located at 446 York Street and 241 Simcoe Street in London. The Temporary Overdose Prevention Site located at 186 King Street has also been granted Interim Supervised Consumption Facility status until the 446 King Street Supervised Consumption Facility is operational.

I live in an apartment building that directly backs onto the proposed location of the Supervised Consumption Facility at 446 York Street and I support this within my neighbourhood and community. The Men's Mission with Mission's Services of London is located across the street from the proposed Supervised Consumption Facility. Many of the clients that access services from the Men's Mission use substances and for the safety of themselves, the staff and volunteers working at the Men's Mission they are unable to use their substances within the facility. With that said, many individuals may be using their substances on the grounds outside of and surrounding the Men's Mission- posing a danger to themselves in case of an overdose event, but also to the surrounding community along with the increased risk and reality of discarded sharps (needles) in the neighbourhood.

Many of these concerns, can be managed and addressed with the proposed Supervised Consumption Facility in such close proximity. The Supervised Consumption Facility provides:

- Sterile and clean equipment/ supplies so that individuals do not share with one another (reducing opportunity for disease transmission like HIV and Hepatitis C via shared equipment)
- Emergency medical care from trained professionals should an overdose event/ opioid poisoning occur- this is vital as every second counts
- Access to Naloxone- a drug that reverses opioid overdoses quickly- given via injection or nasal spray that works similarly to how an EpiPen does for an anaphylactic allergic reaction-

allowing the individuals crucial minutes to get to emergency medical care at hospital via an ambulance
- Connections within the space of the Supervised Consumption Facility to vital support services such as addictions care, mental health care, housing support, medical care, and culturally sensitive and appropriate health and social care for Indigenous persons.

The Supervised Consumption Facility will also reduce discarded used needles (sharps) in the neighbourhood as the clients will have somewhere to dispose of them safely and properly- many individuals may be without adequate shelter being precariously housed, homeless or living in a shelter. Loitering will be addressed as these individuals will have somewhere to seek support from one another as peers but also from staff and volunteers within the facility.

I urge you, Planning and Environment Committee to please support the Middlesex-London Health Unit's application for a Zoning By-law Amendment. This crucial life-saving and life-changing social and health service has a place in our community. Let's continue to show care, compassion and love to those experiencing addiction as London faces a multitude of overlapping drug crises as a result of the opioid crisis. London led the way in opening London's Temporary Overdose Prevention Site as Ontario's first sanctioned Temporary Overdose Prevention Site- let's continue the momentum together!

Thank you,

Deana Ruston
Ward 13 Resident

November 28, 2018

City of London Planning and Environment Committee
300 Dufferine St. 3rd Floor
London ON

Re: Re-zoning 446 York St. London Ontario

Dear, Committee Members

Let me clear to state that this community is in great need of a permanent Supervised Consumption and Treatment Site for individuals and their loved ones, friends and neighbours. Addiction is a tragic disease that can grip anyone of us given the right (or wrong) sequence of life events. The "temporary" overdose prevention program has demonstrated and proven that this intervention is life saving and life is changing.

As I understand it the program has reversed 56 overdoses that could very well have added to the death outcomes this community is experiencing due to drug related illnesses and miss-adventure of consuming substance in lethal quantity. Not only have staffs of the temporary overdose prevention site watched over 10,000 safer injections they have been engaging, educating and directing 150 people to Treatment Programs.

Being a Community Mental Health and Addiction worker for over 40 years I have witnessed and can affirm a better quality of health and life when we proactively intervene and provide health services where the people are. Typically these folks have lost connection to family and have few friends to assist with life changing support. Many have been disadvantaged, experienced significant life traumas and have turned to substances. They are people that need to be treated with respect and offered dignity.

I realize that there will be naysayers and NIMBY will raise its head but having experience in this type of negativity I have come to realize it is out of fear and misinformation. Please consider that your committee is responsible to meet the needs of all constituents, even those who typically have no voice. This is a health issue and in fact a Health Clinic specific to a particular patient service need not unlike a dentist office, a chiropractic office or a Community Health Centre. Regrettably there is the thinking that substance users are "unsavory and of bad character" and therefore should not be in the public spaces. This thinking in my opinion is misguided as I see only individuals seeking help, safety and respect. Yes there are behaviours that are as a result of the "drug use" not the person. No one intentionally acts out; it is the result of the drug and its influence on the brain chemistry.

I understand the clinic will employ security services to allay risk to the general public, those using and visiting the service.

Further, as a work neighbour of this proposed site I can attest that the individuals who would use this service are here and "using" in public space. They are subjected to using substance in unclean environments, open to the elements, at risk of being preyed upon and ridiculed. This site will not encourage "others" to come from other areas of the City. The neighbourhood will not be over run. The neighbourhood will offer refuge, safety of person, health services and treatment opportunities for those already here.

Most of all the Supervised Consumption and Treatment site will nurture and care for our most vulnerable with the same care we all deserve for just being a member of this community and City.

This is a Pillar Community Award winning service.

I appreciate the opportunity to share my views and expression of support for this life altering health service.

Respectfully,

Martha Connoy

Martha Connoy
457 York St., London ON N6B 1R3

cc. Christopher Mackie
cc Brian Lester

Dear City Council,

We greatly need your assistance in saving lives. We are in an opioid crisis. London has been particularly affected. We have had a significant problem starting with prescription opioids and now including illicit fentanyl. We have had many deaths and severe morbidity from overdose as well as infections complications of injection drug use. This always results in numerous emergency visits and hospital admissions. I am writing to ask you to be part of the solution.

Please allow 446 York Street to be zoned for a supervised consumption site. Supervised consumption sites save lives. They are an important part of health care for people suffering from opioid use disorder.

They prevent overdose deaths, provide safe equipment, and teach people how to use their equipment properly to prevent infections. They also connect people with services needed for recovery. I have been greatly impressed by the wonderful service provided at our current Temporary Overdose Prevention Site.

The York street location has been well thought out. It is located central to where we know people are already using. This will improve safety in the area by decreasing injection drug use in public areas and reduce the risk of needle waste. A security guard will also add to safety.

Addiction is not a choice. It is a medical condition. Many people in London have developed addiction from prescribing practices of health care providers and related to past trauma. These people need and deserve support, and to be valued in order to move forward in their lives. Supervised consumption sites are an evidence- based form of support.

Thank you in advance for caring about all people in London, including those most marginalized who often do not have a voice.

Please feel free to use this letter openly.

Sincerely,

Sharon Koivu MD MCFP (PC)

From: Denise
Sent: Friday, November 30, 2018 7:14 PM
To: Knieriem, Michelle <mknieriem@london.ca>
Subject:

RE: file 8971 446 York st. After speaking with Shaya Dhinsa from Middlesex Health Unit on Nov 26., I was told that the clients will be using 'cookers' with with drugs they have brought into the building. This raises many alarms to how many at once? There is only one fire exit on the west with a small door and narrow exit. Way too close to existing buildings. A project such as this should be in a larger facility with beds and rehabilitation. This is not a safe location for anyone involved. Thank You , Denise Krogman

To: the Planning and Environment Committee, City of London

We are firmly in support of saving lives and especially treatment and support services to overcome drug addiction. We commend the Health Unit for its caring, compassionate and innovative approach to this very serious problem.

We live about 3 blocks from the current temporary safe injection site and we feel that, although the facility itself is unsatisfactory, the general location of that site makes sense. Regrettably, the same cannot be said for the proposed site at 446 York Street, about 3 blocks in the other direction from our residence. In our haste to establish a permanent site, we should not be in a rush to seize upon any site which a landlord is prepared to offer, regardless of its drawbacks.

Before approving the application to re-zone 446 York Street to locate a safe injection site, the PEC Committee should be aware that it would be violating at least two of the City's own policies, namely locating such a site squarely in (i) a School district, and (ii) a Residential neighborhood. ***446 York Street is within 3 blocks of 2 Secondary Schools plus a Day Care Centre, and 11 high density residential towers plus a number of single and multi-family homes. The attached listing and map highlight the obvious conflicts.***

Committee members should also give serious consideration to the additional City and Police resources which will surely have to be committed to prevent a repetition of the unfortunate situation which has befallen the downtown Toronto safe injection site, as reported in the Globe and Mail on November 3 - www.theglobeandmail.com/canada/toronto/article-neighbours-still-concerned-about-torontos-first-legal-supervised-drug/. Quoting the local Toronto City Councillor, "***They told us not to worry, that they were going to have it under control. And I think clearly they don't have it under control. It's very far from under control***."

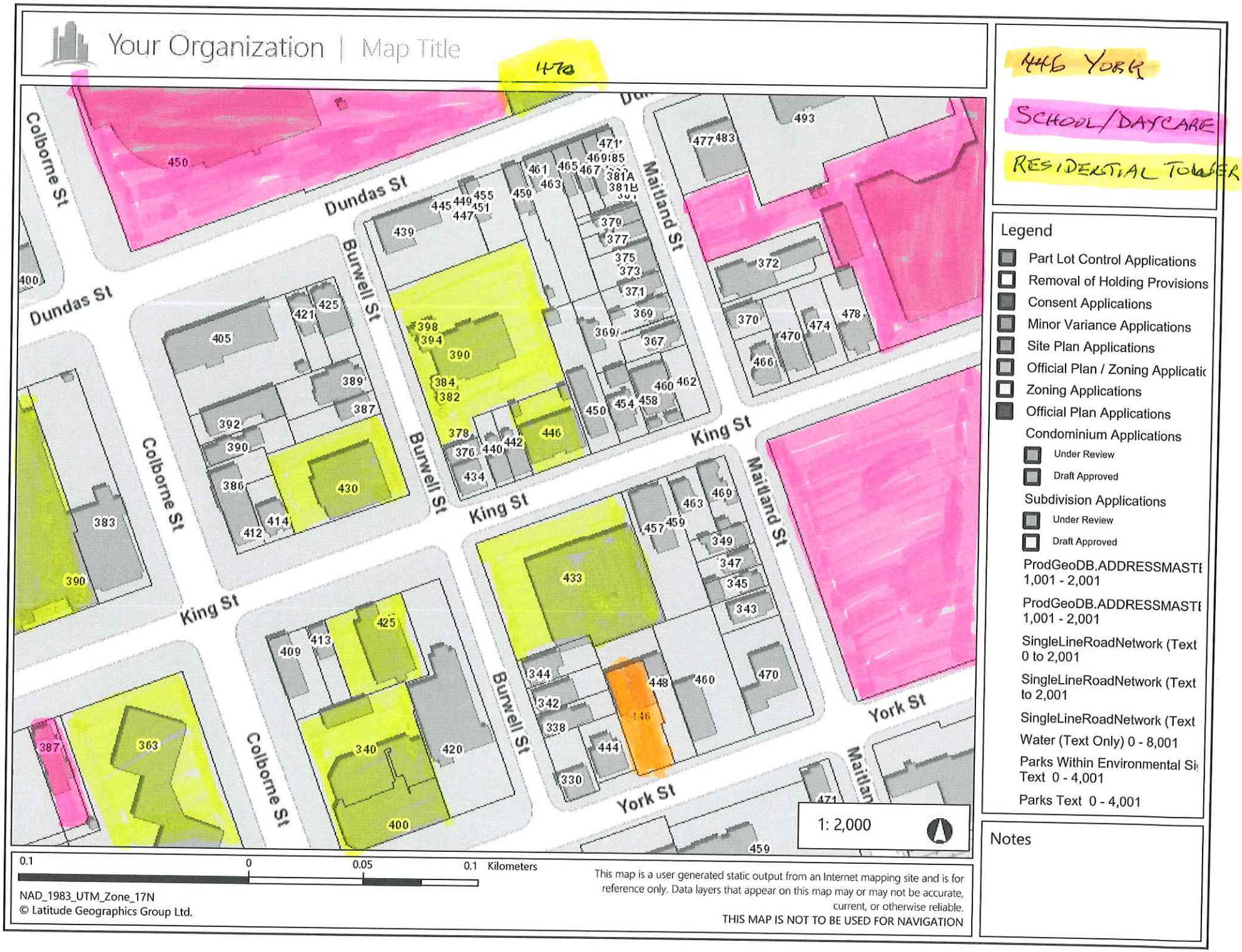
Also, approval may expose the City to legal action since the proposed use does not appear to qualify as a “Clinic” within the City's own Zoning by-law definition of “Clinic”. According to Zoning By-law Z-1 (see attached extract), in order to qualify as a “Clinic” the building must be "*... used by a medical doctor, dentist, optometrist, podiatrist, chiropractor, and/or drugless practitioner, practice of health discipline, radiologic technician, or registered psychologist ...*". We understand that a medical doctor will not be present at the safe injection site. Accordingly, It appears that the proposed facility would not be “used by” any of the acceptable listed practitioners.

If this site is approved and the worst happens – this high density school and residential neighborhood becomes inundated with unruly crowds, unacceptable behaviors, drug dealers and/or discarded drug paraphernalia – the Health Unit and the City should be ready to quickly move the site to a more suitable location to avoid long-lasting damage to the schools and the neighborhood.

Respectfully,

Jay and Jane Jeffery

380 King Street


Your Organization | Map Title
446 York
SCHOOL/DAYCARE
RESIDENTIAL TOWER
Legend
Part Lot Control Applications
Removal of Holding Provisions
Consent Applications
Minor Variance Applications
Site Plan Applications
Official Plan / Zoning Applicatic
Zoning Applications
Official Plan Applications
Condominium Applications
Under Review
Draft Approved
Subdivision Applications
Under Review
Draft Approved
ProdGeoDB.ADDRESSMASTE 1,001 - 2,001
ProdGeoDB.ADDRESSMASTE 1,001 - 2,001
SingleLineRoadNetwork (Text 0 to 2,001
SingleLineRoadNetwork (Text to 2,001
SingleLineRoadNetwork (Text
Water (Text Only) 0 - 8,001
Parks Within Environmental Si Text 0 - 4,001
Parks Text 0 - 4,001
Notes
Colborne St
Dundas St
Burwell St
Maitland St
King St
York St
1: 2,000
0.1 0 0.05 0.1 Kilometers
NAD_1983_UTM_Zone_17N
© Latitude Geographics Group Ltd.
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Within 3 blocks of 446 York Street:

Schools

H B Beal Secondary School – 525 Dundas/475 King Street

Catholic Central Secondary School – 450 Colborne Street

London Bridge Child Care Centre – 387 King Street

Residential Towers

433 King Street (adjoining site)

446 King Street

390 Burwell Street

430 King Street

425 King Street

340 Colborne Street

323 Colborne Street

363 Colborne Street

380 King Street

389 Dundas Street

470 Dundas Street

"BUILDING SUPPLY OUTLET" means an industrial premises used for milling, storage, and wholesale sales of a broad range of building materials and tools and which may include a retail operation. (O.M.B. File #R910387 - Appeal #9003-1, 9006-1 June 4, 1993)

"BULK BEVERAGE STORE" means a retail store devoted to the sale of packaged beverages in quantities, such as, by the case or other large lot, but not by individual unit or portion.

"BULK SALES ESTABLISHMENT" means the use of land, structure or building for the purpose of buying and selling lumber, wood, building materials, feed, fertilizer, ice, and allied commodities, but does not include manufacturing or processing.

"BUSINESS SERVICE ESTABLISHMENT" means an establishment primarily engaged in providing services to business establishments on a fee or contract basis, including advertising and mailing, building maintenance, employment services, protective services, and small equipment rental, leasing and repair.

"CAMPGROUND" means a parcel of land used or maintained as an overnight tenting or camping area, where people are temporarily accommodated in tents, trailers, travel trailers, motor home or similar facilities, whether or not a fee or charge is paid for the rental thereof, but does not include a mobile home or a mobile home park. (Z.-1-051390)

"CANOPY, WEATHER" means a permanent unenclosed roof structure erected for the purpose of sheltering motor vehicle fuel pumps and dispenser islands from the weather.

"CARPORT" means a covered structure used for the storage of vehicles. The roof of the said structure shall be supported by piers or columns so that 60 percent (60%) of its wall area closest to the side lot line is unenclosed.

"CAR WASH" means a building or structure for use by the general public containing facilities for the washing of motor vehicles for a fee either by production line methods employing mechanical devices or by hand. (Z.-1-051390)

"CASINO" means a facility for the purposes of gaming that is authorized by the Province of Ontario. (Z.-1-182697)

"CATALOGUE STORE" means a retail commercial establishment in which orders are accepted for the purchase of goods listed in a catalogue provided by the establishment and in which some or all of the goods so listed may also be available within the establishment for sale at retail.

"CATERER'S ESTABLISHMENT" means an establishment in which food and beverages are prepared for consumption off the premises and are not served to customers on the premises or to take out, but does not include a food service establishment.

"CELLAR" (repealed by Z.-1-98604)

"CEMETERY" means land that is set apart or used as a place for the interment of the deceased or in which human bodies have been buried and may include a crematorium, mausoleum and a columbarium.

"CENTRELINE, STREET" means the centreline of the original road allowance, as opposed to the centreline of the travelled roadway, or any widened road allowance.

"CHANNEL COMPOSTING FACILITY" means a facility where the composting of organic materials takes place in long rectangular troughs or channels and applied process controls are used to reduce the time required for composting and to ensure product quality. (Z.-1-031144)

"CHRONIC CARE FACILITY" means a rest home, a hospital, or licensed facility where the elderly or chronically ill reside and are cared for.

"CHURCH" (definition deleted by Z-1-142287)

"CINEMA" means a building or part thereof used for the showing or viewing of motion pictures.

"CITY" means The Corporation of the City of London.

"CLINIC" means a building or part thereof, other than a hospital, used by medical doctors, dentists, optometrists, podiatrists, chiropractors and/or drugless practitioners, the practice of health discipline, radiological technicians, registered psychologists and their staff for the purpose of public or private medical, surgical, physiotherapeutic or human health and may include administrative offices, waiting rooms, treatment rooms, laboratories, ophthalmic

dispensers, pharmacies, blood donor facilities, specimen collection centres and dispensaries directly associated with the facility, but does not include overnight accommodation or operating rooms and does not include a CLINIC, METHADONE." (Z.-1-051390) (Z.-1-122090)
"CLINIC, METHADONE" means a clinic or medical dental office that wholly, or in part, is used for the prescription of methadone as more than an ancillary activity and may include other support services such as, but not limited to, a methadone pharmacy, the provision of counselling services, and/or laboratories, but does not include a HOSPITAL. For the purposes of this definition, an ancillary activity shall mean prescribing methadone to a maximum of 40 clients per day. (Z.-1-122090)

"CLINIC, OUTPATIENT" means a clinic where day surgery and medical treatment is performed; however, no overnight accommodation shall be provided.

"CLUSTER TOWNHOUSE" - See "DWELLING, CLUSTER TOWNHOUSE".

"COMMERCIAL OUTDOOR RECREATION FACILITY" means an outdoor facility or facilities which may include, but not necessarily be restricted to, a water slide, a commercial outdoor swimming pool, a wave pool, a golf course, miniature golf course, driving range, a baseball batting cage or a paddleboat or bumper-boat pool, but shall not include a go-kart track, a facility for motorized recreational vehicles, an amusement park, a ski club or any other use separately defined or listed herein. (Z-1-051390)

"COMMERCIAL PARKING STRUCTURE" - See "PARKING STRUCTURE, COMMERCIAL".

"COMMERCIAL RECREATION ESTABLISHMENT" means a building, or part thereof, used for the purposes of an arena, assembly hall, billiard or pool room, bingo hall, bowling alley, dance hall, gym or fitness centre, ice or roller rink, indoor racquet courts, indoor swimming pool, or sports simulation, but not including a place of entertainment, an amusement games establishment, cinema, theatre, drive-in theatre, amusement park or any other place of entertainment or amusement otherwise defined or classified herein. (Deleted and replaced by Z.-1-96458 - O.M.B. File NO. R 980047 - Order Issue Date: June 25, 1998)

"COMMERCIAL SCHOOL" - See "SCHOOL, COMMERCIAL".

"COMMERCIAL STORAGE UNIT" (deleted by Z.-1-99636)

"COMMERCIAL VEHICLE" - See "VEHICLE, COMMERCIAL". (Z.-1-97542)

"COMMON OPEN SPACE" means recreation space provided within or outside a building or buildings for the use of all the residents for recreation or social purposes and is readily accessible by all the residents of such building or buildings.

"COMMUNITY CENTRE" means any tract of land and the buildings and facilities thereon used for recreational, leisure, or institutional community activities and may include a Social Service Establishment, and the control of which is vested in the municipality, a non-profit organization, a local board or agent thereof and shall not include a use for commercial purposes. (Z-1-051390)(Z.-1-152431)

"COMMUNITY COLLEGE" - See "SCHOOL".

"COMMUNITY RECYCLING AND DROP-OFF DEPOT" Facility for the collection of blue box recyclables, yard materials scrap metal, renovation materials and other materials from residential sources.
(Z.-1-091842)

"CONDOMINIUM" means a building or buildings in which each individual unit is held in separate private ownership and all floor space, facilities and outdoor areas used in common by all tenants are owned, administered and maintained by a corporation created pursuant to the provisions of the *Condominium Act*.

"CONFERENCE FACILITIES" means room(s) used to provide for meetings for consultation or discussion. (Z.-1-93173)

"CONSENT" means the approval to the severance of land pursuant to the provisions of Section 49 of the *Planning Act*, 1983, and as the same may be amended from time to time.

"CONSERVATION AREA" means an area of land owned by the Upper Thames River Conservation Authority and any other environmentally significant area designated by this By-Law as an OS4 and OS5 Zones. (Z.-1-93173)

"CONSERVATION LANDS" means lands used solely for the preservation and enhancement of the natural environment.

Please accept my feedback for the application submitted by Middlesex London Health Unit for construction of a Clinic at 446 York Street. This permit should re-submit under the zoning classification of SCF once the appeal process has concluded since the intended use is a Supervised Consumption Facility. The London Plan now includes a specific development category for Supervised Consumption Facilities that was voted upon in response to MLHU's requests last April. Council determined in May 2018 that the existing Clinic zoning is not an appropriate classification for SCFs. The passage of the SCF Zoning Amendment serves as evidence the City knows SCFs are not Clinics.

My understanding is that applicant hopes to gain approval for Z-8971, to protect two substantial long-term commercial leases. The applicant has shared concerns in the past that there is a risk the appeals process for the SCF Zoning Amendment, may frustrate at least one contract. I have real concerns the City is not keeping in mind its vested interest when considering the application for 446 York Street. The conflict for the City is its own lease with MLHU under London Middlesex Housing Corporation. Provincial guidance appears to require SCF sites to be at least 600m apart. There is a practical need to move TOPS at 186 King Street to 446 York Street before 241 Simcoe Street can begin construction. This creates an appearance the City is ignoring the London Plan to financially to benefit its subsidiary.

The planning application process must avoid "false-flag" proposals that could encourage future developers to flout the intended spirit of the London Plan and exploit technicalities.

Sincerely,

David Lundquist

WARD 13 LONDON

City of London Planning Services
COMMUNITY INFORMATION MEETING
Permanent Supervised Consumption Site
446 York Street

SURVIVING CRYSTAL METH

Addressing London's street-drug addiction crisis

London's Downtown is in crisis. Nearly 6000 in this city are addicted to dangerous street-drug cocktails. Our community needs a comprehensive approach that offers proven pathways to treatment for everyone

21 Questions

Here are 21 questions our community needs to ask when considering the Application Proposal by Middlesex London Health Unit

1. What percentage of injection narcotic users are being served by the overdose prevention site?
2. Why is TOPS only open 6 hours per day (5 hours Sat and Sun)?
3. How many needles is the overdose site diverting from the streets per 100 needles distributed?
4. What percentage of overdoses are taking place in the city versus happening at the overdose prevention site?
5. What legal liability do volunteers have if they administer Naloxone incorrectly?
6. How often do injections at Overdose Prevention Site contain crystal meth?
7. If the proposed Overdose Site is permanent why are you leasing a small commercial space instead of building your own facility?
8. What type of research did you do for site selection?
9. What is the expansion potential for the York site?
10. How many city-blocks are "wrap around" services away from the York site?
11. How many bus routes service the York site?
12. What impact will the proposed OD Site have on emergency room visits?
13. What is the maximum number of people the York site can accommodate per hour?
14. How will you prevent addiction triggers caused by social interaction among clients at the site?
15. If the Men's Mission closes as a homeless shelter, how will that impact your facility?
16. What types of substance testing is being done before a client injects the drugs?
17. What will prevent people loitering after hours?
18. Is it possible accidental Naloxone administration will occur?
19. How will you protect the public from drug users who experience drug psychosis and extreme paranoia?
20. Why not build the injection site at 241 Simcoe Street first?
21. Where will children wait if a single parent is using the York location?

November 20, 2018

Via Email: mknieriem@london.ca

Michelle Knieriem, Planner
City of London
206 Dundas Street
London, Ontario N6A 1G7

Re: Community Information Meeting November 26, 2028
Proposed SCF at 446 York Street

I am the Lawyer for Northview Apartment REIT. My Client is the owner of a residential apartment building at 340 Colborne Street. We hereby provide written comments on the proposed Zoning By-law Amendment Application for 446 York Street to permit a "clinic" intended to be used for a Supervised Consumption Facility (SCF). We have received Notice that this Application will be the subject of a Community Information Meeting on November 26, 2008.

My Client strongly objects to this site being used as an SCF. My Client's property is in close proximity to the Subject Site, as are a number of other sensitive uses that will suffer significant adverse impacts if the Zoning By-law Amendment is approved. This is not an appropriate location for an SCF.

I have serious concerns with the way in which the City of London is proceeding from a procedural fairness and prematurity standpoint. First, Council pre-determined this Application by "endorsing" this location as being an appropriate site for an SCF at its meeting on May 8, 2018. This pre-determination has rendered the public planning process effectively moot, which is contrary to the legislative scheme of the *Planning Act*.

Second, the City has created policies and definitions to establish SCFs through Official Plan Amendment 680 and Zoning By-law Z.-1-182671. That regime requires that all new sites proposed

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for SCFs will require a zoning by-law amendment. OPA 680 and ZBL Z.1-182671 have been appealed to the Local Planning Appeals Tribunal. Those appeals have not yet been determined. Given that the City has established its desired process for new SCFs through the instruments under appeal, it is entirely improper for the City to approve new SCF sites in the interim by re-zoning sites to add a "Clinic" use. This approach is premature, contrary to the public interest, and undermines the new proposed regime.

In addition to these concerns relating to procedural fairness and prematurity, the proposed Zoning By-law Amendment does not constitute sound land use planning, is not consistent with the Provincial Policy Statement, and does not conform to the City's Official Plan.

446 York Street is inappropriate for a supervised consumption site given the proximity of this site to:

1. An active full-time daycare;

2. The YMCA facility, which is used for after-school programs and by families and children;

3. The City's convention centre, which is a prime location for many public events in the City;

4. A law firm;

5. Two major hotels across the street from the block;

6. A secondary school;

7. Over 1500 local residents.

My Client is not opposed to SCFs generally and recognizes that these facilities serve the public interest; however, these facilities must be established in appropriate locations which are compatible with the surrounding neighbourhood and minimize adverse impacts on surrounding properties.

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Thank you for your consideration of this submission.

Yours Truly,
BAROUDI LAW

Analee J.M. Baroudi

150 Dufferin Ave, Suite 206
London ON N6A 5N6
Tel: (519)438-3776 Fax: (519)432-6707
analee@ferreiralaw.ca

November 30, 2018

c/o Heather Lysynski
City Clerk's Office
City of London
300 Dufferin Avenue
PO BOX 5035
London, ON N6A 4L9

Attention: Heather Lysynski, City Clerk

Re: Delegation Status Before Planning Committee to Obtain a Section 45(1.4) Council Resolution. Related Files: Zoning Bylaw Amendment File No. Z-1-172625, Consent File No. B.047-17, LPAT File No. PL180521. 2533430 Ontario Inc. 6188 Colonel Talbot Road.

Mainline Planning Services Inc. is retained as the owner's agent with respect to the above referenced applications.

Delegation Request:

On behalf of the owner of the subject property ('2533430 Ontario Inc.'), kindly accept this letter as his formal request that we are scheduled as a delegation before the Planning and Environmental Committee on December 10, 2019

Request for Council Resolution:

The owner requires a Council Resolution pursuant to Section 45(1.4) of the Planning Act. The purpose of the proposed resolution is to:

- Facilitate the creation of 2 lots that conform to the bylaw as required by conditional consent approval granted.
- Direct the City Clerk to accept a minor variance application to amend the Zoning Bylaw as necessary to ensure that both the severed and retained lots comply.

Reason for the Resolution

The resolution will allow staff to accept an application to amend the zoning bylaw and fulfill a condition of Consent Approval recently granted (City file no. 'B.047-17'). The matter is before the Local Planning Appeal Tribunal ('LPAT'), however, with the support of Council, the owner will be able to comply with the zoning condition avoiding costly litigation which is in the interest of all concerned. The severance is needed to convey a 4 Ha parcel to the existing hydroponic farm tenant to make the business viable avoiding the need to relocate.

Section 45(1.4):

A Council resolution is required under Section 45 (1.4) of the Planning Act, if section 45 (1.3) applies. Section 45 (1.3) states, *"Subject to subsection (1.4), no person shall apply for a minor variance from the provisions of the by-law in respect of the land, building or structure before the second anniversary of the day on which the by-law was amended"*. Section 45 (1.4) states, *"Subsection (1.3) does not apply in respect of an application if the council has declared by resolution that such an application is permitted, which resolution may be made in respect of a specific application, a class of applications or in respect of such applications generally"*. City of London Zoning staff informed that since a zoning by-law amendment for the subject site was passed on November 16, 2017, Section 45 (1.3) applies and a minor variance application cannot be submitted without the resolution of council (Section 45(1.4)) which makes the condition of consent approval unobtainable.

Background

In June of 2016, a building permit was issued to construct a 5-million-dollar farm building used to

mainline planning services inc
P.O. BOX 319, Kleinburg, Ontario, Canada L0J 1C0 Tel: (905) 893-0046 Fax: (888) 370-9474

hydroponically grow a rare maitake mushroom crop. The current farm operation utilizes a small fraction of the existing 18.3 Ha lot ('subject property') leaving nearly 16 Ha of land fallow and underutilized. In order to obtain financing, the Shogun Maitake Canada Co., Ltd. ('tenant' / 'Maitake') agreed with his investor(s) to purchase the land necessary for his farm operation. In order to keep the tenant, the owner agreed to sever the land into 2 lots and sell a 4.04 Ha lot to Maitake. The tenant has plans to expand the indoor farm operation and must own the parcel to obtain the millions of dollars investment capital to operate the business and remain in London.

In February of 2017, Mainline attended a pre-application consultation prior to submitting a consent application. At this meeting, staff from The City of London reported that "… *a Zoning By-law amendment [is required to support the consent] if the severed or retained parcels do not conform to the existing Zoning requirements"*.

In response to staff advice, applications for zoning by-law amendment and consent were submitted in June of 2017. Both applications requested the creation of two lots from the subject property and consideration for reduced frontage and lot area for both the severed and retained parcels. Despite the clarity of both our application and a staff report to council acknowledging our request ([excerpt] *"**FROM** Agricultural (AG2) Zone, which permits agricultural uses and includes a minimum lot area of 40 ha and a minimum lot frontage of 300m, **TO** a Holding Agricultural Special Provision (h-18 • AG2(_)) Zone, which permits the same agricultural uses but also permits two parcels having a lot area of 4.04 ha **and 14.29 ha**, and a lot frontage of 100m and 36.3")* the By-law amendment approved by Council on November 16, 2017 (see attached pdf) <u>failed to provide an area reduction for the retained lot</u>.

The Consent application (City file no. 'B.047-17') was reactivated in November 2017 and provisionally approved on May 3, 2018. The provisional approval includes a condition requiring both the severed and retained parcels to comply with the by-law. The consent approval was appealed to LPAT as the zoning condition appeared unattainable. In considering legal advice concerning the condition, the owner is requesting relief under Section 45(1.4) to Section 45(1.3) of the Planning Act. A Council Resolution would allow the owner to comply with the Zoning Bylaw and obtain final consent approval.

<u>Our Professional Opinion</u>

A Section 45 (1.4) exception by Council Resolution is appropriate because without it the consent approval is unattainable. The consent was approved to facilitate the creation of two lots in accordance with zoning bylaw amendment **Z-1-172625** so that a 4 Ha parcel of land would be conveyed to the Maitake Corporation. The conveyance is necessary to keep a newly constructed $5 million-dollar indoor hydroponic farm business economically viable so that it can remain in the City of London. The only way that zoning compliance can occur is by amendment to the bylaw. I trust that Council will provide this necessary relief so that we may submit a minor variance application and avoid litigation as it is in the best interest of all parties concerned.

Sincerely,
Mainline Planning Services Inc.

Joseph P. Plutino, M.C.I.P, R.P.P
jplutino@mainlineplanning.com
905-893-0046

cc. Members of Council
City Clerk
Aynsley Anderson, City Solicitor
client

DEFERRED MATTERS

PLANNING AND ENVIRONMENT COMMITTEE
(AS OF NOVEMBER 22, 2018)

File No.	Subject	Request Date	Requested/ Expected Reply Date	Person Responsible	Status
1	Alternative Planning and Zoning Tools to Holding Provisions – report back on options to redefine and reduce the use of redundant or unnecessary holding provisions in Z.-1.	Dec 3/13 12/25/PEC	Part 1 complete Part 2 **Q1,** 2019	Q1 2019	Part 1 of the response is completed – report was prepared and new practice significantly reduces need for the general "h" holding provision. Part 2~~, the remainder, must be deferred until the London Plan is approved – when the zoning by-law update will occur.~~ **Deferred to the ReThink Zoning process. Terms of Reference to PEC for approval Q1 2019.**
2	Review of commercial corridor along Commissioners Road East	March 2/15 13/6/PEC	**Q1** 2019	Fleming/Barrett	~~Revised date per the Planning Services Work Plan Update report received by PEC on October 10, 2017.~~ **To be incorporated in the review of City Planning work program Q1 2019.**
3	EEPAC Terms of Reference – Civic Admin to report allowing EEPAC to work with staff during the collaboration of reports, electronic distribution of files and to provide advice directly to PEC	May 12/15 (7/11/PEC)	Q4 2015	Saunders	Preparing initial report to PEC to seek Council direction.
4	Civic Administration BE REQUESTED to report back at a future meeting with respect to potential policy and/or by-law changes that would provide a mechanism by which green roofs could be included in the calculation of required landscape open space.	May 18/16 (13/19/PEC)	**Q1** 2019	Fleming/Kotsifas	~~A future report will be brought to PEC.~~ ~~Revised date per the Planning Services Work Plan Update report received by PEC on October 10, 2017.~~ **Deferred to the ReThink Zoning process. Terms of Reference to PEC for approval Q1 2019.**

File No.	Subject	Request Date	Requested/ Expected Reply Date	Person Responsible	Status
5	Sanitary Servicing to Arva and Water Servicing to Delaware – City Planner and City Engineer to report back with draft agreement that reflects Option 2 and to pursue a reduction in the sewage servicing area to match the current Arva settlement area boundary.	October 3/17 (13/18/PEC)	~~Q4 2018~~ **Q1, 2019**	Fleming/~~Mathers~~ **Scherr**	To be added to the Planning Services work plan, recognizing staff resource constraints. **Draft agreement provided to Middlesex Centre for review. Will provide update to PEC in Q1, 2019.**
6	Dundas Place Management and Dundas Place Field House – City Planner to report back on results of monitoring all aspects of Dundas Place Management by mid-2019 in order to inform the development of the 2020-2023 Multi-Year Budget.	November 28/17 (17/22/PEC)	Mid-2019	Fleming/Yanchula	~~Phase 1 of Dundas Place construction to be completed Q4, 2018 at which time Dundas Place Management will commence.~~ **Dundas Place Manager is now in place.**
7	White Oak/Dingman Area Secondary Plan – draft Official Plan policies to be brought forward following consultation with stakeholders, agencies and the public.	December 12/17 (4/1/PEC)	~~Q4, 2018~~ **Q1, 2019**	Fleming/Barrett	~~In progress – secondary plan on Planning Services Work Plan update received b Planning Committee on October 10, 2017. Expected completion date Q4, 2018~~ **Report to be provided to PEC in January, 2019.**
8	Draft Surplus School Sites Evaluation and Acquisition Policy to be considered at a future PEC meeting following public consultation with the TVDSB, LDCSB, Urban League and Child and Youth Network	April 10/18 (4.1/6/PEC)	Q1, 2019	Fleming/Barrett	Engagement will occur in the coming months with a target date to return Q1, 2019 **COMPLETED – PEC OCTOBER 9, 2018 – PLEASE REMOVE**
9	Medway Valley Heritage Forest ESA – Refer back to Staff to report back after deleting the proposed Bridge A and Bridge D; further public consultation with respect to those portions of the CMP that effect changes to the eastern boundary of the ESA, including the use of public streets; further consultation with the ACCAC, the EEPAC, UTRCA and neighbouring First Nations governments and organizations with respect to improved trail access and conditions; actions be taken to discourage crossings of the creek at sites	April 24/18 (3.2/7/PEC)	2019/2020	Fleming/~~Macpherson~~ **Barrett**	Next steps currently under review.

File No.	Subject	Request Date	Requested/ Expected Reply Date	Person Responsible	Status
	A, B, C, D and E, as identified in the CMP; hardscaped surfaces on the level 2 trails be limited to the greatest extent possible; ways to improve public consultation process for any ESA and CMP; and, amending the Trails Systems Guidelines to incorporate consultation with neighbouring First Nations, Governments and Organizations at the beginning of the process.				
10	Inclusionary Zoning for the delivery of affordable housing - the Civic Administration BE DIRECTED to report back to the Planning and Environment Committee outlining options and approaches to implement Inclusionary Zoning in London, following consultation with the London Home Builders Association and the London Development Institute.	August 28/18 (2.1/13/PEC)	**Q1 2020**	Fleming/Barrett	**Consultation with London Home Builders Association and London Development Institute underway**
11	The City of London Tree Protection By-law C.P.-1515-228 – refer to TFAC for review and comment; and, the proposed by-law be referred to a public participation meeting to be held by the Planning and Environment Committee on September 24, 2018 for the purpose of seeking public input and comments on amendments to the current by-law.	June 18/18 (4.1/11/PEC)	2019	Scherr	
12	The City of London Boulevard Tree Protection By-law – PPM to be held to seek public input and comments on the proposed by-law	Sept18/18 (4.2/14/PEC)	Q2 2019	~~Fleming/Macpherson~~ **Scherr**	

Advisory Committee on the Environment

Report

1st Meeting of the Advisory Committee on the Environment
December 5, 2018
Committee Room #4

Attendance

PRESENT: S. Ratz (Chair), K. Birchall, S. Brooks, S. Hall, M. Hodge, J. Howell, D. Szoller and A. Tipping and J. Bunn (Secretary)

ABSENT: M. Bhavra, M. Bloxam, L. Langdon and T. Stoiber

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. Organizational Matters

2.1 Election of Chair and Vice-Chair for the term ending June 1, 2019

That it BE NOTED that the Advisory Committee on the Environment elected S. Ratz and A. Tipping as Chair and Vice Chair, respectively, for the term ending June 1, 2019.

3. Scheduled Items

None.

4. Consent

4.1 11th Report of the Advisory Committee on the Environment

That it BE NOTED that the 11th Report of the Advisory Committee on the Environment, from its meeting held on November 7, 2018, was received.

4.2 Municipal Council Resolution - 11th Report of the Advisory Committee on the Environment

That it BE NOTED that the Municipal Council resolution, from its meeting held on November 20, 2018, with respect to the 11th Report of the Advisory Committee on the Environment, was received.

4.3 Municipal Council Resolution - Recruitment and Appointment of Advisory Committee Members for the Up-Coming Term

That it BE NOTED that the Municipal Council resolution, from its meeting held on November 20, 2018, with respect to the recruitment and appointment of Advisory Committee members for the up-coming term, was received.

5. Sub-Committees and Working Groups

None.

6. Items for Discussion

6.1 Environmental Topics on the City of London Website

That the Civic Administration BE REQUESTED to have a representative of the Communications Department attend the January or February 2019 meeting of the Advisory Committee on the Environment (ACE) in order to review and demonstrate how the following environmental topics and city programs that relate to these topics are being communicated via the City of London website, as well as through other City of London communication vehicles:

- Pollinator Programs;
- Urban Agriculture Strategy;
- Resilience/Climate Change Preparation; and,
- Toilets Are Not Garbage Cans;

it being noted that these are all topics that the ACE has had an interest in during its term.

6.2 "Toilets Are Not Garbage Cans" Stickers

That it BE NOTED that the Advisory Committee on the Environment held a general discussion related to the "Toilets Are Not Garbage Cans" stickers initiative.

6.3 Next Meeting Date

The next meeting of the Advisory Committee on the Environment will be held on January 9, 2019.

7. Deferred Matters/Additional Business

None.

8. Adjournment

The meeting adjourned at 1:04 PM.

Trees and Forests Advisory Committee

Report

11th Meeting of the Trees and Forests Advisory Committee
November 28, 2018
Committee Room #4

Attendance

PRESENT: R. Mannella (Chair), T. Khan, J. Kogelheide, C. Linton, A. Meilutis, A. Morrison, R. Walker; and P. Shack (Secretary)

ABSENT: C. Haindl, G. Mitchell, M. Szabo and S. Teichert

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

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

2.1 Urban Forestry Web Page Update

That it BE NOTED that the Trees and Forest Advisory Committee heard a verbal update from K. Hodgins, Supervisor of Operations, with respect to the Urban Forest Web Page Update.

3. Consent

3.1 10th Report of the Trees and Forests Advisory Committee

That it BE NOTED that the 10th Report of the Trees and Forest Advisory Committee from its meeting held on October 24th, 2018, was received.

3.2 Letter of Resignation - N. St. Amour

That it BE NOTED that a communication dated October 18, 2018 from N. St. Amour with respect to her resignation from the Trees and Forest Advisory Committee, was received.

3.3 ReThink Zoning Draft Terms of Reference

That discussion of the ReThink Zoning Draft Terms of Reference BE DEFERRED to the next Trees and Forests Advisory Committee meeting.

4. Sub-Committees and Working Groups

4.1 Boulevard Tree Protection By-law Working Group

That it BE NOTED that the Trees and Forests Advisory Committee are satisfied with the proposed revisions to the Boulevard Tree Protection By-law; it being noted that the Boulevard Tree Protection working group met with staff with respect to this matter.

5. Items for Discussion

5.1 Service Delivery

That it BE NOTED the Trees and Forests Advisory Committee heard a verbal update from J. Spence, Manager, Urban Forestry with respect to Urban Forestry now reporting to Forestry Operations.

5.2 Design Specification and Requirements Manual Update 2019, Tree Planting and Protection Guidelines Approved Species List

That it BE NOTED the Trees and Forests Advisory Committee heard a verbal update from J. Spence, Manager, Urban Forestry, with respect to the Tree Planting and Protection Guidelines Approved Species List.

5.3 Rain Water Holding Ponds

That it BE NOTED that the Trees and Forests Advisory Committee held a general discussion, with respect to rain water holding ponds.

6. Deferred Matters/Additional Business

6.1 (ADDED) Municipal Council Resolution with respect to the Recruitment and Appointment of Advisory Committee Members for the Up-coming term.

That it BE NOTED that the Municipal Council resolution adopted at its meeting held on November 20, 2018, with respect to the recruitment and appointment of Advisory Committee members for upcoming term, was received.

6.2 (ADDED) Notice of Study Commencement - Rehabilitation of Riverside Drive Bridge over the CN Railway - Detailed Design, Tendering and Contract Administration

That it BE NOTED that the Notice of Study Commencement from I. Bartlett, Stantec Consulting and S. Shannon, City of London with respect to the Rehabilitation of Riverside Drive Bridge over the CN Railway- Detailed Design, Tendering and Contract Administration, was received.

7. Adjournment

The meeting adjourned at 1:30 p.m.