

Agenda Including Addeds

Planning and Environment Committee

The 15th Meeting of the Planning and Environment Committee

September 9, 2019, 4:00 PM

Council Chambers

Members

Councillors A. Hopkins (Chair), J. Helmer, M. Cassidy, P. Squire, S. Turner, Mayor E. Holder

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

	Pages
1. Disclosures of Pecuniary Interest	
2. Consent	
2.1 9th Report of the Environmental and Ecological Planning Advisory Committee	3
2.2 Application - Exemption from Part-Lot Control - 1877 Sandy Somerville Lane (Block 1, Plan 33M-758) (P-9076)	8
2.3 Application - 447 Old Wonderland Road - Removal of Holding Provision (H-9058)	18
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2.6 Application - 1615 North Routledge Park 39T-78066	45
2.7 Application - 804-860 Kleinburg Drive (H-9103)	67
2.8 Limiting Distance (No Build) Agreement between the Corporation of The City of London and 947563 Ontario Limited - 1648 Warbler Woods Walk	80
2.9 Candidate Approval for the Urban Design Peer Review Panel	91
2.10 Application - Summerside Subdivision Phase 12B - Stage 2 - Special Provisions - 39T-07508	95
2.11 Application - 3425 Emily Carr Lane - Emily Carr (North) Subdivision - Special Provisions - 39T-18506	110
2.12 Application - Silverleaf Subdivision - 3493 Colonel Talbot Road - Request for Extension of Draft Plan Approval - 39T-14504	126
3. Scheduled Items	
3.1 Not to be heard before 4:00 PM - Delegation - A. Cantell, Vice-Chair, Trees and Forests Advisory Committee - 8th Report of the Trees	155

and Forests Advisory Committee

3.2	Public Participation Meeting - Not to be heard before 4:00 PM - Application - 915, 965, 1031 and 1095 Upperpoint Avenue - Application for Zoning By-law Amendment (Z-9057)	159
3.3	Public Participation Meeting - Not to be heard before 4:00 PM - Application - 220 and 244 Adelaide Street South (Z-9061 and O-9066)	185
	a. (ADDED) Replacement Pages for pg 185, 195, 196 and 197	210
	b. (ADDED) Dr. Pennie Thornton, 49 Carfrae Crescent	214
3.4	Public Participation Meeting - Not to be heard before 4:30 PM - 324 York Street (TZ-9069)	215
3.5	Public Participation Meeting - Not to be heard before 4:30 PM - 551 Knights Hill Road (Z-9062)	234
3.6	Public Participation Meeting - Not to be heard before 5:00 PM - 3493 Colonel Talbot Road (OZ-9049)	254
3.7	Public Participation Meeting - Not to be heard before 5:00 PM - Revise Wording of the Existing h-18 Holding Provision (Archaeological Assessment) (Z-9059)	295
3.8	Public Participation Meeting - Not to be heard before 5:30 PM - Application - 475 and 480 Edgevalley Road (Z-9068)	299
	a. (ADDED) Mike and Lydia Hermant, 1530 Benjamin Drive	338
4.	Items for Direction	
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4.2	8th Report of the London Advisory Committee on Heritage	352
5.	Deferred Matters/Additional Business	
6.	Confidential	
6.1	Personal Matters/Identifiable Individual/Ligation or Potential Litigation/Solicitor-Client Privileged Advice	
	A matter pertaining to personal matters about an identifiable individual, including municipal or local board employees, litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.	
7.	Adjournment	

Environmental and Ecological Planning Advisory Committee

Report

The 9th Meeting of the Environmental and Ecological Planning Advisory Committee
August 15, 2019
Committee Rooms #1 and #2

Attendance PRESENT: S. Levin (Chair), I. Arturo, L. Banks, A. Bilson-Darko, A. Cleaver, R. Doyle, L. Grieves, S. Hall, J. Khan, B. Krichker, I. Mohamed, K. Moser, B. Samuels, S. Sivakumar, R. Trudeau and M. Wallace and H. Lysynski (Secretary)

ABSENT: E. Arellano, A. Boyer, R. Doyle, C. Dyck, S. Esan, P. Ferguson, S. Heuchan and I. Whiteside

ALSO PRESENT: G. Barrett, J. MacKay, L. McDougall and E. Williamson

The meeting was called to order at 5:00 PM

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that M. Wallace disclosed a pecuniary interest in clauses 5.12 and 5.2 of this Report having to do with the Zoning By-law Amendment for the properties located at 800, 805 and 810 Chelton Road, by indicating that his employer has a business relationship with the applicant.

2. Scheduled Items

2.1 5:00 PM Emily Williamson, Ecologist – Environmental Management Guidelines update

That a Working Group BE ESTABLISHED consisting of S. Levin, I. Arturo, L. Banks, A. Cleaver, C. Dyck, J. Khan, B. Krichker, K. Moser and B. Samuels, to review and provide comments on the Environmental Management Guidelines; it being noted that the Environmental and Ecological Planning Advisory Committee heard the attached presentation from E. Williamson, Ecologist, with respect to this matter.

3. Consent

3.1 8th Report of the Environmental and Ecological Planning Advisory Committee

That it BE NOTED that the 8th Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on July 18, 2019, was received.

3.2 Municipal Council Resolution - 7th Report of the Environmental and Ecological Planning Advisory Committee

That it BE NOTED that the Municipal Council resolution adopted at its meeting held on July 30, 2019, with respect to the 7th Report of the Environmental and Ecological Planning Advisory Committee, was received.

4. Sub-Committees and Working Groups

None.

5. Items for Discussion

- 5.1 Notice of Planning Application - Zoning By-law Amendment - 800, 805 and 810 Chelton Road

That it BE NOTED that the Environmental and Ecological Planning Advisory Committee reviewed and received a Notice of Planning Application dated July 16, 2019, from L. Mottram, Senior Planner, with respect to the application by The Ironstone Building Company Inc., relating to the properties located at 800, 805 and 810 Chelton Road.

- 5.2 Scoped Environmental Impact Statement for the Chelton Road Development

That it BE NOTED that the Environmental and Ecological Planning Advisory Committee reviewed and received the Scoped Environmental Impact Statement relating to the properties located at 800, 805 and 810 Chelton Road.

- 5.3 Notice of Planning Application - Official Plan and Zoning By-law Amendments - 1-3 Bathurst Street and 269-281 Thames Street

That it BE NOTED that the Environmental and Ecological Planning Advisory Committee reviewed and received a Notice of Planning Application dated July 24, 2019, from C. Lowery Planner II, with respect to the application by 2497646 Ontario Ltd., relating to the properties located at 1-3 Bathurst Street and 269-281 Thames Street.

- 5.4 Notice of Study Completion - Clarke Road Improvements Municipal Class Environmental Assessment - Veterans Memorial Parkway extension to Fanshawe Park Road East

That it BE NOTED that the Environmental and Ecological Planning Advisory Committee reviewed and received a Notice of Study Completion relating to the Clarke Road Improvements Municipal Class Environmental Assessment for the Veterans Memorial Parkway extension to Fanshawe Park Road East.

6. Adjournment

The meeting adjourned at 6:18 PM.

City of London Environmental Management Guidelines (2007) Update

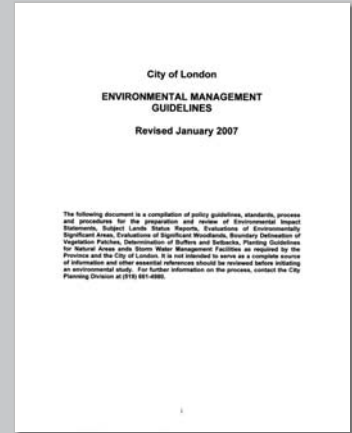


Presentation at EEPAC
August 15, 2019



The Current Environmental Management Guidelines

- The EMGs are intended to provide direction regarding the policies, procedures and requirements for preparing environmental reports and studies that may be required to evaluate:
 - Planning applications,
 - Municipal infrastructure projects,
 - Conservation Master Plans,
 - Secondary Plans,
 - Area Plans,
 - Subject Land Status Reports,
 - Environmental Assessments
 - Standalone Environmental Impact Studies



The Current Environmental Management Guidelines

Provincial Policy Statement 2014 and 2019 Proposed Changes

1.2.1; “A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and/or upper-tier municipal boundaries, and with other orders of government, agencies and boards including;

- a) managing and/or promoting growth and development that is integrated with infrastructure planning;
- b) economic development strategies;
- c) **managing natural heritage**, water, agricultural, mineral, and cultural heritage and archaeological resources **that is integrated with infrastructure planning**;
- d) infrastructure, **electricity generation facilities and transmission and distribution systems, multimodal transportation systems, public service facilities and waste management systems**;
- e) **ecosystem**, shoreline, watershed, and Great Lakes related issues;
- f) natural and human-made hazards;
- g) population, housing and employment projections, based on regional market areas; and
- h) addressing housing needs in accordance with provincial policy statements such as the **Ontario Housing Policy Statement: Service Manager Housing and Homelessness Plans**.



The Current Environmental Management Guidelines

The London Plan

1423_ “The City may prepare **environmental management guidelines** setting out in more detail the requirements of environmental studies for development and site alteration. Environmental studies are the means by which the City establishes the precise boundaries of natural features and areas and the significant ecological functions within them.”

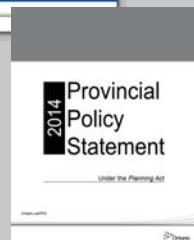
1424_ “These guidelines shall be updated as required to reflect changes to provincial policy and technical documents and **to reflect improvements in scientific knowledge regarding natural features and ecological functions.**”



Objective

Objective

Undertake a document review of the EMGs (2007) to identify relevant processes and reference documents, identify data gaps, and to improve the usability of the EMGs as a tool that sets out the requirements for the preparation of environmental studies that may be required to implement the London Plan and other approved federal, provincial and municipal policies and legislation.

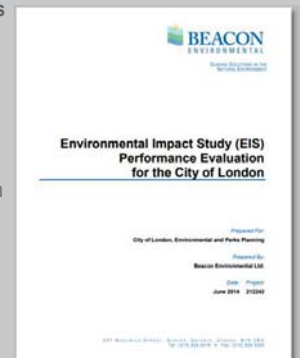


Background Review – Data Gaps and Updated Policy

Beacon 2014 Environmental Impact Study Findings

What is Working Well?:

- EMGs Sections 1.0, 2.0, and 5.0 are comprehensive and provide a good process
- OP Chapter 15 provides sound policy direction for Natural Heritage
- EIS policies and practices are generally effective in protecting Natural Heritage Features
- Fencing rear yards without gates limits encroachments
- Trails between backyards and Natural Heritage Features limits mowing encroachments
- Buffers are effective in absorbing encroachments outside of Natural Heritage Features



Background Review – Data Gaps and Updated Policy

Beacon 2014 Preliminary Findings Section 5.0

What Can Be Improved Upon?:

- Carry forward of EIS recommendations in Subdivision Agreements for implementation
- Ecological monitoring and enforcement to achieve benefits
- Managing encroachments better
- Ecological buffers do not work in rear yards – keep on public land
- Stewardship brochures, programs, and education are valuable – resent to future owners
- Scope and detail of Natural Heritage studies in Community Plans should be improved



Scope of Work

Pre-Consultation – City of London Lead

Project Initiation, Develop the Terms of Reference

1. Project Kick-Off Letter and Presentation Invite
2. Project Presentation to External Resources and First Nations at EEPAC
3. Circulation of Terms of Reference
4. Retain a Consultant

Phase 1 – Draft Consultant Lead

Project Initiation, Background Review and Draft Preparation

1. Review Background Documents and Updated Policies
2. Consultation with External Resources and First Nations
3. Revise the Environmental Management Guidelines
4. Circulate Draft Environmental Management Guidelines
5. Present Draft Environmental Management Guidelines at EEPAC



Scope of Work

Phase 2 – Consultant Lead

Draft Review, Comment Resolution

1. Begin External Resource and First Nation Consultation on the Draft Environmental Management Guidelines
2. Revise Draft Environmental Management Guidelines
3. Final Version of Environmental Management Guidelines Circulated
4. Presentation of Final Version of Environmental Management Guidelines at the Planning and Environment Committee



Consultation Groups

External Resources and First Nations Communities Invited to Participate

- Upper Thames River Conservation Authority
- Lower Thames Conservation Authority
- Kettle Creek Conservation Authority
- Chippewas of the Thames First Nation
- Munsee-Delaware Nation
- Oneida Nation of the Thames



Consultation Groups

External Resources and First Nations Communities Invited to Participate

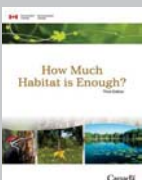
- Advisory Committee on the Environment
- Environmental Ecological Planning Advisory Committee
- The Urban League of London
- London Area Planning Consultants
- The London Development Institute
- London Home Builders Association
- Nature London



Pre-Consultation

The intention of the Pre-Consultation is to allow time for various external resources and First Nation communities to provide input into the update, including:

- The Consultation process
 - o How should we consult with you? (via email, collaborative meetings, individual meetings, conference calls etc.)
- The Terms of Reference
 - o General comments on the scope.
- The Current Environmental Management Guidelines (2007)
 - o What should change?
 - o What should stay the same?
 - o What sources should be considered in the updated document?



Project Milestones

Pre-consultation

- August 8, 2019 – Pre-consultation Initiated
- August 15, 2019 – Presentation of the Project at EEPAC
- September 19, 2019 – EMGs (2007) / ToR Initial Comment Deadline
- October 4, 2019 – Invitation to Bid and ToR Circulated
- October 18, 2019 – Consultant Bid Submission Deadline
- November 1, 2019 – Project Award



Phase 1

- November 22, 2019 – Project Initiated and Consultant Consultation Commenced (up to two meetings per group)
- April 16, 2020 – Draft EMGs Circulated and Presented at EEPAC
- May 21, 2020 – Draft EMGs Comment Deadline

Phase 2

- June 1, 2020 – Draft EMGs Consultation (up to two meetings per group)
- July 10, 2020 – Final EMGs Circulated
- July 27, 2020 – Planning and Environment Committee Presentation



Next Steps & Opportunities to Participate



The Corporation of the City of London
 Invitation for Informal Quote to Undertake the Consultation and Preparation of the Environmental Management Guidelines (2007) Update for the City of London



August 8, 2019

- External Groups and First Nations are invited to comment on the Terms of Reference, EMGs initial comment matrix.
- Please contact 519-661-CITY (2489) Ext. 2425 or accessibility@london.ca if you need information in an alternate format, or require the assistance of a communication support. Arrangements are made upon request by submitting a customer accommodation request form.

Next Steps & Opportunities to Participate

September 19, 2019

- Deadline to provide comments of Draft Terms of Reference.
- Deadline to provide comments on the current version of the EMG (Round 1 of 3). These comments will help guide the production Initial Draft of the EMGs.

Written comments on the current Environmental Management Guidelines (2007) would be provided in the following format.

Environmental Management Guidelines Update : Comment Tracking						
External Resource and First Nation Comments						
Reviewer Affiliation	Reviewer (F. Lastname)	Comment #	EMG Section	Page #	Type of Comment 1 - Policy 2 - Format 3 - Science 4 - Process	Comment and Suggested Action
E.g. EEPAC	T. River	1	1.0	29-34	2	The EIS Checklist is not user friendly. Digitize checklist.

EMG Comment Spreadsheet



Summary



- The City of London is initiating an update to the Environmental Management Guideline Document (2007).
- The Pre-consultation Phase commenced on August 8th with the invitation to this presentation.
- All external resource groups and First Nation feedback will be considered throughout the process, however, all comments may not be incorporated in the final draft recommended to Council.

Your engagement and participation throughout this process is welcomed and encouraged.



Questions or Comments?

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: Exemption from Part-Lot Control
Application By: Sifton Properties Ltd.
Address: 1877 Sandy Somerville Lane

Meeting on: September 9, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Sifton Properties Ltd. to exempt Block 1, Plan 33M-758 from Part-Lot Control:

- (a) Pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, the attached proposed by-law **BE INTRODUCED** at a future Council meeting, to exempt Block 1, Plan 33M-758 from the Part-Lot Control provisions of subsection 50(5) of the said *Act*, **IT BEING NOTED** that these lands are subject to a registered subdivision agreement and are zoned Residential R6 Special Provision (R6-5(49)) which permits cluster single detached dwellings and also zoned Open Space (OS5) which permits conservation lands, conservation works, passive recreation uses and managed woodlots;
- (b) The following conditions of approval **BE REQUIRED** to be completed prior to the passage of a Part-Lot Control By-law for Block 1, Plan 33M-758 as noted in clause (a) above:
 - i. The applicant be advised that the costs of registration of the said by-laws are to be borne by the applicant in accordance with City Policy;
 - ii. The applicant submit a draft reference plan to the Development Services for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the land registry office;
 - iii. The applicant submits to the Development Services a digital copy together with a hard copy of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;
 - iv. The applicant submit each draft reference plan to London Hydro showing driveway locations and obtain approval for hydro servicing locations and above ground hydro equipment locations prior to the reference plan being deposited in the land registry office;
 - v. The applicant submit to the City Engineer for review and approval prior to the reference plan being deposited in the land registry office; any revised lot grading and servicing plans in accordance with the final lot layout to divide the blocks should there be further division of property contemplated as a result of the approval of the reference plan;
 - vi. The applicant shall enter into any amending subdivision agreement with the City, if necessary;

- vii. The applicant shall agree to construct all services, including private drain connections and water services, in accordance with the approved final design of the lots;
- viii. The applicant shall obtain confirmation from the Development Services that the assignment of municipal numbering has been completed in accordance with the reference plan(s) to be deposited, should there be further division of property contemplated as a result of the approval of the reference plan prior to the reference plan being deposited in the land registry office;
- ix. The applicant shall obtain approval from the Development Services of each reference plan to be registered prior to the reference plan being registered in the land registry office;
- x. The applicant shall submit to the City, confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;
- xi. The applicant shall obtain clearance from the City Engineer that requirements iv), v) and vi) inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Building Controls Division for lots being developed in any future reference plan;
- xii. The applicant shall provide a draft transfer of the easements to be registered on title; and
- xiii. That on notice from the applicant that a reference plan has been registered on a Block, and that Part Lot Control be re-established by the repeal of the bylaw affecting the Lots/Block in question

Executive Summary

Summary of Request

This report is for review and endorsement by Municipal Council to exempt Block 1 in Registered Plan 33M-758 from the Part-Lot Control provisions of the *Planning Act*.

Purpose and Effect of Recommended Action

Exemption from Part-Lot Control will facilitate the creation of eight (8) cluster single detached land leased units, with access provided via private drive.

Rationale for Recommended Action

The standard conditions for passing the Part-Lot Control By-law are attached and are to be reviewed and endorsed by Municipal Council prior to the final by-law.

Analysis

1.0 Property Description

The subject site is located off of Sandy Somerville Lane, which is generally located northeast of Kains Road and Oxford Road West. The site has Riverbend Golf Course located to the north, existing dwellings to the west, Kains Woods ESA and the Thames River to the east, and an existing dwelling, and Kains Woods ESA to the south. The site has proximity to Thamesridge Park, Riverbend Park, St. Nicholas Catholic School.

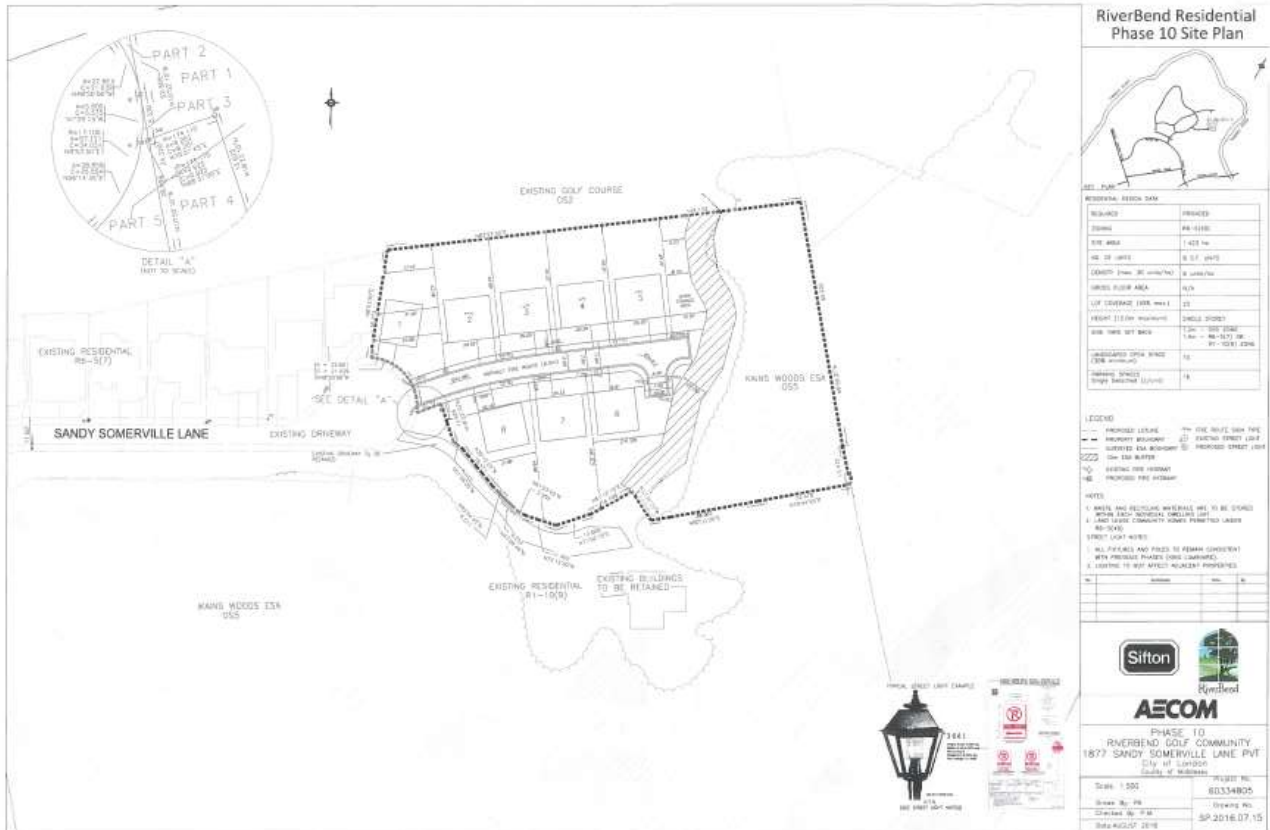
1.1 Current Planning Information

- The London Plan Place Type – Neighbourhoods Place Type and Open Space
- Official Plan Designation – Low Density Residential and Open Space
- Existing Zoning – Residential R6 Special Provision (R6-5(49)) and Open Space (OS5)

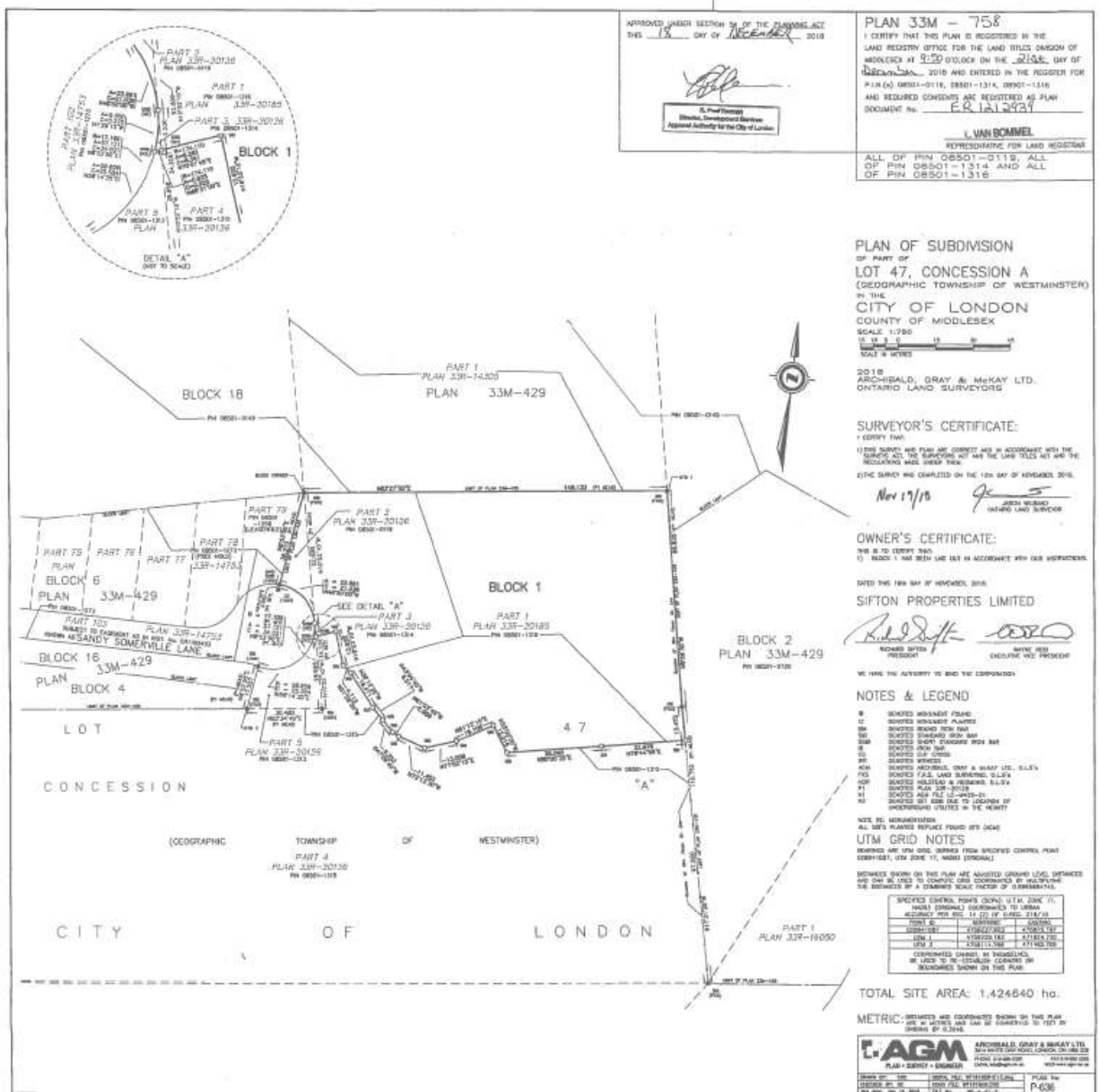
1.2 Location Map



1.3 Site Plan



1.4 Plan of Subdivision 33M-754



1.5 Site Characteristics

- Current Land Use – vacant
- Frontage – 1m – Private Drive
- Area –1.423 hectares
- Shape – irregular

1.6 Surrounding Land Uses

- North – open space
- East – open space
- South – single detached dwelling
- West – residential

2.0 Description of Proposal

2.1 Development Proposal

The Applicant, Sifton Properties Ltd., has requested exemption from part-lot control to create a total of eight (8) cluster single detached land leased units on a private drive. The plan of subdivision was registered in December of 2000 as a low density residential block. The dwellings will be cluster single detached land leased units, one to two storeys in height, and accessed via a private drive off of Sandy Somerville Lane.

3.0 Relevant Background

3.1 Planning History

The subject site forms part of the River Bend Community Plan which was initiated as a developer led Community Planning process in November of 1996. On June 22, 1998, City Council adopted Official Plan Amendment No. 121 which implemented the River Bend Community Plan. The amendment was subsequently appealed to the Ontario Municipal Board by a number of landowners within the area.

On October 16, 2000, Municipal Council approved a Zoning By-law amendment and recommended approval of the Draft Plan of Subdivision application for the River Bend Phase 1 area. The Zoning Amendment applied a Residential R6 Special Provision (R6-5(7)) Zone to the residential block portion of the subdivision draft plan which comprises an area of 43 hectares (106 acres). The Special Provision R6-5(7) Zone permits cluster housing in the form of single-detached, semi-detached, duplex, triplex, townhouse, stacked townhouse and apartment buildings. The maximum overall density is 30 units per hectare (12 units per acre).

A Residential R1 Special Provision (R1-10(6)) Zone was applied to the area identified on the draft plan as Block 7 consisting of an existing dwelling and a large manicured lawn (now known as 1877 Sandy Somerville Lane). The special provision permitted access via a private right-of-way with access to a public street. An Open Space (OS5) Zone was applied to the remainder of the subject property.

On November 8, 2016, Municipal Council approved a Zoning By-law amendment from a Residential R1 Special Provision (R1-10(6)) Zone to a Residential R6 Special Provision (R6-5(4)) Zone to permit various forms of cluster housing including single detached, semi-detached, duplex, triplex, fourplex, townhouses, stacked townhouses, and apartment buildings, together with a special provisions; an Open Space OS5 Zone; and a Residential R1 Special Provision (R1-10(7)) Zone to permit single detached dwellings with special provisions. The purpose and effect of the recommended action was to amend the zoning to permit the development single detached dwellings in the form of land lease community homes, and to retain the existing residential dwelling with access via a private right-of-way to a public street.

In 2016, the London Consent Authority granted a consent to sever approximately 4.1 hectares for the existing residential use, and retain approximately 1.4 hectares for the purpose of the proposed residential use.

3.3 Community Engagement

There is no legislated Community Engagement component to an Exemption from Part-Lot Control. A notice of the request for exemption from part-lot control and a list of standard draft conditions was circulated to internal departments (such as Engineering and the Building Division) and London Hydro. Development Engineering confirmed that the draft standard conditions are applicable and no additional conditions were needed.

3.4 Policy Context

In Ontario, the subdivision of land is governed by the *Planning Act*. Under this legislation, lot creation is permitted through the approval of a plan of subdivision, the granting of a Consent (commonly described as a “severance”) or, for lots within a registered plan of subdivision, through a by-law exemption from part-lot control. Section 50(28) of the *Planning Act*, R.S.O. 1990, c.P13, includes provisions to ensure that part of a lot or block within a registered plan of subdivision cannot be transferred without the approval of the municipality. The part-lot control provisions of the *Planning Act* allows a municipality to pass by-laws to remove part-lot control from all or any part of a registered plan of subdivision. Such a by-law has the effect of allowing the conveyance of a portion of a lot or block. Exemption from part-lot control is appropriate when a number of land transactions are involved and the resulting changes will not affect the nature or character of the subdivision.

Exemption from part-lot control is used to create cluster single detached dwellings lots off of private drives. Part-Lot Control may be exempted to allow a property owner to legally divide a block within their registered plan of subdivision.

4.0 Key Issues and Considerations

Council has adopted a policy to guide consideration of requests for exemption to Part-Lot Control, as follows:

- a) *appropriately zoned lots and blocks of registered plans of subdivision may be exempted from part-lot control for the purpose of establishing individual properties for conveyance or other purposes where municipal services or agreements for extension of services are in place;*

The lands are zoned Residential R6 Special Provision (R6-5(49)) in Zoning By-law No. Z.-1, which permits single detached dwellings with a maximum density of 30 units per hectare, a minimum lot frontage of 0m, a minimum side yard to the OS5 Zone of 1.0m and a minimum side yard depth to R6-5(7) and R1-10(9) Zones of 1.2m, and zoned Open Space (OS5) which permits conservation lands, conservation works, passive recreation uses and managed woodlots;. The applicant will be required to submit a draft reference plan to Development Services for review and approval to ensure the proposed lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the Land Registry Office.

- b) *exemption from part-lot control is used to implement the intended lotting of a portion of a registered plan where the complete division of land was not practical at the time of subdivision approval and registration;*

The subject block was registered and intended to be developed for single detached dwellings at the time of the subdivision approval. The division of individual lots is appropriate through part-lot control and successfully attaining site plan approval.

- c) *the nature and character of the subdivision are not to be changed by part-lot control exemption from that which was established by the subdivision plan and*

zoning by-law;

This request is consistent with the intended use of the block as established through the plan of subdivision and zoning. The development of the site units is consistent with the development in the area.

- d) the removal of part-lot control is appropriate when a series of land divisions is necessary to allow sale of the constructed buildings and associated part-lots;*

The exemption of part lot control creates eight (8) individual lots and one private drive as one transaction instead of requiring separate and individual land divisions to create the interests in land.

- e) references will be made to the land severance guidelines, guidelines for private streets, and other pertinent policies when considering the appropriateness of exemption; and*

The subject lands are within the Neighbourhoods Place Type in The London Plan and designated Low Density Residential in the 1989 Official Plan, which permits cluster single detached dwellings. The proposal will facilitate the development of the parcel in accordance with the form of development established at the time of subdivision approval. The proposed lots will not result in any traffic problems and will have access to municipal services and utilities. Access will be provided by a private drive off of Sandy Somerville Lane.

- f) the registration costs of by-laws passed at the request of the developer or subdivider, to exempt lands from part-lot control, will be borne by the applicant.*

The applicant is responsible for all costs associated with the Exemption to Part-Lot Control.

The applicant has applied for and received site plan approval (SPA18-090) to construct eight (8) cluster single detached dwelling units on a private street which was registered on title as a Development Agreement. Securities have also been taken through the site plan process.

The applicant has requested exemption from Part-Lot Control as an alternative to submitting an application through the Consent Authority. The applicant requested exemption from the Part-Lot Control provisions of the *Planning Act* to facilitate the creation of eight (8) single detached dwelling units. The proposed plan has been reviewed with regards to the City's Policy on Exemption from Part-Lot Control, the 1989 Official Plan, The London Plan and the applicable zoning, and has been determined to meet existing policies and the City's Zoning By-law.

4.1 Conditions

It is recommended that the following conditions be applied and that the By-law for Block 1 in Plan 33M-758 be passed at a future meeting of Municipal Council only when the following conditions have been complied with:

- i. The applicant be advised that the costs of registration of the said by-laws are to be borne by the applicant in accordance with City Policy;
- ii. The applicant submit a draft reference plan to the Development Services for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the land registry office;
- iii. The applicant submits to the Development Services a digital copy together with a hard copy of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting

Standards and be referenced to the City's NAD83 UTM Control Reference;

- iv. The applicant submit each draft reference plan to London Hydro showing driveway locations and obtain approval for hydro servicing locations and above ground hydro equipment locations prior to the reference plan being deposited in the land registry office;
- v. The applicant submit to the City Engineer for review and approval prior to the reference plan being deposited in the land registry office; any revised lot grading and servicing plans in accordance with the final lot layout to divide the blocks should there be further division of property contemplated as a result of the approval of the reference plan;
- vi. The applicant shall enter into any amending subdivision agreement with the City, if necessary;
- vii. The applicant shall agree to construct all services, including private drain connections and water services, in accordance with the approved final design of the lots;
- viii. The applicant shall obtain confirmation from the Development Services that the assignment of municipal numbering has been completed in accordance with the reference plan(s) to be deposited, should there be further division of property contemplated as a result of the approval of the reference plan prior to the reference plan being deposited in the land registry office;
- ix. The applicant shall obtain approval from the Development Services of each reference plan to be registered prior to the reference plan being registered in the land registry office;
- x. The applicant shall submit to the City, confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;
- xi. The applicant shall obtain clearance from the City Engineer that requirements iv), v) and vi) inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Building Controls Division for lots being developed in any future reference plan;
- xii. The applicant shall provide a draft transfer of the easements to be registered on title; and
- xiii. That on notice from the applicant that a reference plan has been registered on a Block, and that Part Lot Control be re-established by the repeal of the bylaw affecting the Lots/Block in question.

5.0 Conclusion

In accordance with the provisions of the *Planning Act*, Municipal Council may pass by-laws to exempt all, or parts of registered plans of subdivision from part-lot control. The applicant has requested exemption from the Part-Lot Control provisions of the *Planning Act* to facilitate the creation of eight (8) cluster single detached land leased units, with access provided via private drive, which is appropriate to allow for the sale of these units to future homeowners. The recommended exemption is considered appropriate and in keeping with the registered phases of the Riverbend subdivision, subject to the completion of the proposed conditions.

Prepared by:	Alanna Riley, MCIP, RPP Senior Planner, Development Services
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.	

cc: Matt Feldberg, Manager, Development Services (Subdivisions)
Lou Pompilii, Manager, Development Planning
Ismail Abushehada, Manager, Development Engineering

August 20, 2019

AR/ar

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2019\P-9076 - 1877 Sandy Somerville Lane (AR)\1877sandysomervillelane - Report.docx

Appendix A

Bill No. *Number inserted by Clerk's Office*
2019

Office

By-law No. C.P.- *Number inserted by Clerk's*

A by-law to exempt from Part-Lot Control, lands located at 1877 Sandy Somerville Lane, legally described as Block 1 in Registered Plan 33M-758.

WHEREAS pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, as amended, and pursuant to the request from Sifton Properties Limited, it is expedient to exempt lands located at 1877 Sandy Somerville Lane, legally described as Block 1 in Registered Plan 33M-758, from Part Lot Control;

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

1. Block 1 in Registered Plan 33M-758, located at 1877 Sandy Somerville Lane, are hereby exempted from Part-Lot Control, pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c.P.13*, as amended, for a period not to exceed three (3) years; it being noted that these lands are zoned to permit cluster single detached land leased units in conformity with the Residential R6 Special Provision (R6-5(49)) Zone of the City of London Zoning By-law No. Z-1.
2. This by-law comes into force when it is registered at the Land Registry Office.

PASSED in Open Council on

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading –
Second Reading –
Third Reading –

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: Nest on Wonderland
447 Old Wonderland Road
Removal of Holding Provision

Meeting on: September 9, 2019

Recommendation

That, on the recommendation of the Director, Development Services, based on the application by Nest on Wonderland, relating to lands located at 447 Old Wonderland Road, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting to be held on September 17, 2019 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 R8 Special Provision/Restricted Office Special Provision (h-5•R8-4(45))/RO2(33) Zone **TO** a Residential R8 Special Provision /Restricted Office Special Provision (R8-4(45))/RO2(33) Zone to remove the h-5 holding provision for this site.

Executive Summary

Purpose and the Effect of Recommended Action

The purpose and effect is to remove the holding (h-5) provision from the zoning at 447 Old Wonderland Road to allow development of a proposed four (4) storey, 41 unit apartment building.

Rationale of Recommended Action

1. The conditions for removing the holding (h-5) provision have been met and the recommended amendment will allow development of a proposed residential apartment building in compliance with the Zoning By-law.
2. The holding (h-5) provision can be removed from the zoning as a public meeting has been held and the requirements for public site plan review have been met.
3. A Development Agreement has been entered into by the applicant and the City, and security has been posted in accordance with City policy.

Analysis

1.1 Location Map



Location Map		Legend	
Subject Property:	447 Old Wonderland Road		Subject Property
Applicant:	Nest On Wonderland Inc		Parks
File Number:	H-9058		Assessment Parcels
Created By:	Larry Mottram		Buildings
Date:	7/24/2019		Address Numbers
Scale:	1:2000		
Corporation of the City of London		 N	

2.0 Description of Proposal

The purpose and effect is to remove the holding h-5 provision from the zoning at 447 Old Wonderland Road to allow development of a proposed residential apartment building.

3.0 Relevant Background

3.1 Planning History

On February 19, 2019, the Planning and Environment Committee received a staff report recommending approval of a Zoning By-law Amendment for the subject lands to change the zoning from an Open Space (OS1) Zone to a Holding Residential R8 Special Provision and Restricted Office Special Provision (h-5•R8-4(45)/RO2(33)) Zone. The zoning amendment was subsequently passed by Municipal Council on March 5, 2019.

That same month, an application for Site Plan Approval (File No. SPA19-021) for a proposed four (4) storey, 41 unit apartment building, was received by the City from Beco Developments. Conditional approval was issued on April 25, 2019. A resubmission to address comments made as part of the City response to the application was provided on June 17, 2019. The development proposal was subject to a public site plan meeting in accordance with the holding (h-5) zone regulations set out in the Zoning By-law. The public participation meeting to consider the site plan was held by the Planning and Environment Committee on July 22, 2019.

At its meeting held July 30, 2019, Municipal Council resolved:

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Beco Developments, relating to the property located at 447 Old Wonderland Road:

a) the Approval Authority BE ADVISED that the following issues were raised at the public meeting with respect to the application for Site Plan Approval to permit the construction of a 4 storey, 41 unit apartment building:

- i) garbage storage being maintained on site;*
- ii) lighting concerns;*
- iii) privacy concerns for the neighbouring condominium complex;*
- iv) noise, including air conditioning units;*
- v) designated smoking areas;*
- vi) snow storage; and,*
- vii) parking;*

b) the Approval Authority BE ADVISED that the Municipal Council supports the Site Plan Application to permit the construction of a 4 storey, 41 unit apartment building at 447 Old Wonderland Road; it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters. (2019D09)

4.0 Key Issues and Considerations

4.1 Has the condition for removal of the holding (h-5) provision been met?

The purpose of the holding ("h-5") provision in the zoning by-law is as follows:

"Purpose: To ensure that development takes a form compatible with adjacent land uses, agreements shall be entered into following public site plan review specifying the issues allowed for under Section 41 of the Planning Act, R.S.O. 1990, c. P.13, prior to the removal of the "h-5" symbol."

Permitted Interim Uses: Existing uses.

Following the public participation meeting, the applicant prepared a revised site plan submission to address those issues raised at the public meeting, as summarized as follows:

i) garbage storage being maintained on site

As shown on the revised site plan, the deep collection waste storage system which was originally shown along the easterly side of the site, between the parking lot and the east property line with neighbouring rear yards, will be relocated to the far north end of the parking lot adjacent a parcel of open space land. A note has been added to the site plan that garbage is to be stored internally in storage rooms within the apartment building, and that overflow garbage is to be provided in the outdoor deep well collection system.

ii) lighting concerns

The applicant submitted a photometric (lighting) plan to demonstrate that exterior lighting will be contained within the site area and not overcast on abutting lands to the east. Five light pole standards were shown along the easterly edge of the parking area, adjacent the rear yards of abutting residential properties. The revised site plan submission indicates that two of those light standards located along the parking area immediately adjacent the condominiums will be replaced by one light standard in order to mitigate potential infiltration of light and overcast. As noted in previous staff report, the light fixtures proposed are downward facing and function in a manner which has limited light dispersion so as to reduce impact on abutting uses.

iii) privacy concerns for the neighbouring condominium complex

A 2.4 metre high board-on-board fence along the easterly property line with the adjacent condominium complex is identified on the revised site plan. A 2.6 to 5.7 metre wide landscape strip is also shown between the property line and the edge of the parking lot for the proposed apartment building adjacent the condominiums. The landscape plan indicates that the strip will be planted with four large deciduous shade trees (Bloodgood London Planetree) and one coniferous tree (Norway Spruce) providing additional screening and privacy.

iv) noise, including air conditioning units

With respect to potential noise impacts generated from air conditioning units and building mechanical equipment, roof-top mechanical equipment will be enclosed within a mechanical penthouse. Individual apartment units will be equipped with ultra-quiet condensing units on each balcony. The applicant advises that the same units were used in building they developed in Byron and there have been no issues with noise.

v) designated smoking areas

As noted in the previous staff report, the Site Plan Control By-law does not regulate smoking areas on development sites and defers to Provincial legislation and Municipal By-laws.

vi) snow storage

The snow storage is identified on the site plan in the area that was previously shown to be occupied by the outdoor waste collection system adjacent the east side of the parking lot. The engineering plan shows the area will be graded with a swale to direct snowmelt and stormwater runoff to a catch basin connected to the internal storm sewer system.

vii) parking

The minimum parking requirements of the zoning by-law are met. At the minimum parking rate of 1.25 spaces per unit, 52 parking spaces plus 3 barrier-free accessible spaces are required. The most recent site plan submission indicates 58 on-site parking spaces plus 3 barrier-free spaces will be provided which is considered sufficient.

A public meeting has been held to review the proposed site development plans and receive feedback from the neighbourhood. A revised site plan submission has been made to address the concerns raised at the public meeting and a Development Agreement has been entered into. Therefore, it is recommended that the h-5 holding provision can be removed from the zoning of the property.

5.0 Conclusion

In the opinion of Staff, the holding zone requirement has been satisfied and it is appropriate to proceed to lift the holding (“h-5”) symbol from the zoning applied to this site.

Prepared by:	Larry Mottram, MCIP, RPP Senior Planner, Development 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.	

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
 Lou Pompilii, Manager, Development Planning
 Ismail Abushehada, Manager, Development Engineering

August 30, 2019
 GK/PY/LM/lm

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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 a holding provision from the zoning for lands located at 447 Old Wonderland Road.

WHEREAS Nest on Wonderland has applied to remove the holding provision from the zoning on the lands located at 447 Old Wonderland 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 447 Old Wonderland Road, as shown on the attached map, to remove the h-5 holding provision so that the zoning of the lands as a Residential R8 Special Provision/Restricted Office Special Provision(R8-4(45))/RO2(33) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

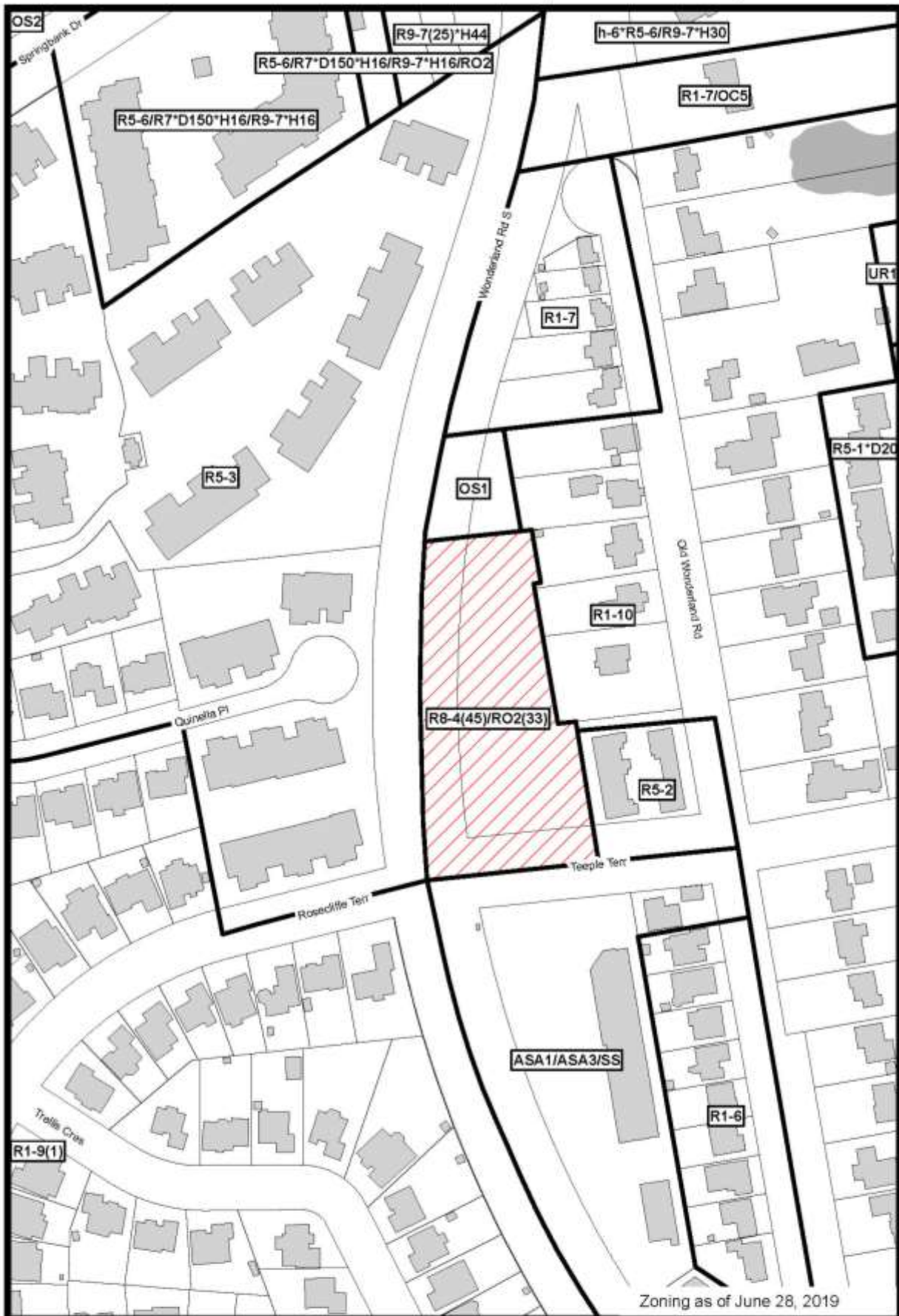
PASSED in Open Council on September 17, 2019.




Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 17, 2019
Second Reading – September 17, 2019
Third Reading – September 17, 2019

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



<p>File Number: H-9058 Planner: LM Date Prepared: 2019/07/29 Technician: rc By-Law No: Z.-1</p>	<p>SUBJECT SITE </p> <p>1:2,000</p> <p>0 10 20 40 60 80 Meters </p> <p></p>
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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 August 1, 2019. On July 23, 2019, a Notice of Intent to Remove a Holding Provision was sent to 8 surrounding property owners.

0 replies were received

Nature of Liaison: 447 Old Wonderland Road; located on the northeast corner of Wonderland Road South and Teeple Terrace – City Council intends to consider removing the Holding (“h-5”) Provision from the zoning of the subject lands to allow a four storey, 41 unit apartment building permitted under the Residential R8/Restricted Office (R8-4(45))/RO2(33) Zone. The purpose of the “h-5” provision is to ensure that development takes a form compatible with adjacent land uses, agreements shall be entered into following public site plan review specifying the issues allowed for under Section 41 of the Planning Act, R.S.O. 1990, c. P.13, prior to the removal of the "h-5" symbol. Council will consider removing the holding provision as it applies to these lands no earlier than August 27, 2019.

Agency/Departmental Comments: None received.

Appendix C – Relevant Background

Existing Zoning Map



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) LEGEND FOR ZONING BY-LAW Z-1

- | | |
|--|---|
| <ul style="list-style-type: none"> R1 - SINGLE DETACHED DWELLINGS R2 - SINGLE AND TWO UNIT DWELLINGS R3 - SINGLE TO FOUR UNIT DWELLINGS R4 - STREET TOWNHOUSE R5 - CLUSTER TOWNHOUSE R6 - CLUSTER HOUSING ALL FORMS R7 - SENIOR'S HOUSING R8 - MEDIUM DENSITY/LOW RISE APTS. R9 - MEDIUM TO HIGH DENSITY APTS. R10 - HIGH DENSITY APARTMENTS R11 - LODGING HOUSE
 DA - DOWNTOWN AREA RSA - REGIONAL SHOPPING AREA CSA - COMMUNITY SHOPPING AREA NSA - NEIGHBOURHOOD SHOPPING AREA BDC - BUSINESS DISTRICT COMMERCIAL AC - ARTERIAL COMMERCIAL HS - HIGHWAY SERVICE COMMERCIAL RSC - RESTRICTED SERVICE COMMERCIAL CC - CONVENIENCE COMMERCIAL SS - AUTOMOBILE SERVICE STATION ASA - ASSOCIATED SHOPPING AREA COMMERCIAL
 OR - OFFICE RESIDENTIAL OC - OFFICE CONVERSION RO - RESTRICTED OFFICE OF - OFFICE | <ul style="list-style-type: none"> RF - REGIONAL FACILITY CF - COMMUNITY FACILITY NF - NEIGHBOURHOOD FACILITY HER - HERITAGE DC - DAY CARE
 OS - OPEN SPACE CR - COMMERCIAL RECREATION ER - ENVIRONMENTAL REVIEW
 OB - OFFICE BUSINESS PARK LI - LIGHT INDUSTRIAL GI - GENERAL INDUSTRIAL HI - HEAVY INDUSTRIAL EX - RESOURCE EXTRACTIVE UR - URBAN RESERVE
 AG - AGRICULTURAL AGC - AGRICULTURAL COMMERCIAL RRC - RURAL SETTLEMENT COMMERCIAL TGS - TEMPORARY GARDEN SUITE RT - RAIL TRANSPORTATION
 "N" - HOLDING SYMBOL "D" - DENSITY SYMBOL "H" - HEIGHT SYMBOL "B" - BONUS SYMBOL "T" - TEMPORARY USE SYMBOL |
|--|---|

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



FILE NO:

H-9058

LM

MAP PREPARED:

2019/07/29

rc

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

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: 180 Village Walk Inc.
180 Villagewalk Boulevard
Meeting on: September 9, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following action be taken with respect to the application of 180 Village Walk Inc. relating to the property located at 180 Villagewalk Boulevard, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on September 17, 2019 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the lands **FROM** a holding Residential R6 Special Provision/Residential R7 Special Provision/Office Special Provision (h-5*h-99*h-100*R5-5(24)/R7(11)/OF(1)) Zone **TO** a Residential R6 Special Provision/Residential R7 Special Provision/Office Special Provision (R5-5(24)/R7(11)/OF(1)) Zone.

Executive Summary

Summary of Request

The applicant has requested the removal of the "h-5, "h-99" and h-100" holding provisions from 180 Villagewalk Boulevard, which are in place to ensure: a public site plan meeting; that the development design is consistent with the Upper Richmond Village – Urban Design Guidelines, and that adequate water looping and access is provided.

Purpose and the Effect of Recommended Action

The purpose and effect is to remove the "h-5, "h-99" and h-100" holding symbols to facilitate the development of a 12 unit townhouse development with access from Callaway Drive.

Rationale of Recommended Action

The requirements for removing the holding provisions have been met, and the Approval Authority has confirmed that no further work is required. It is appropriate to remove the holding provisions as they are no longer required.

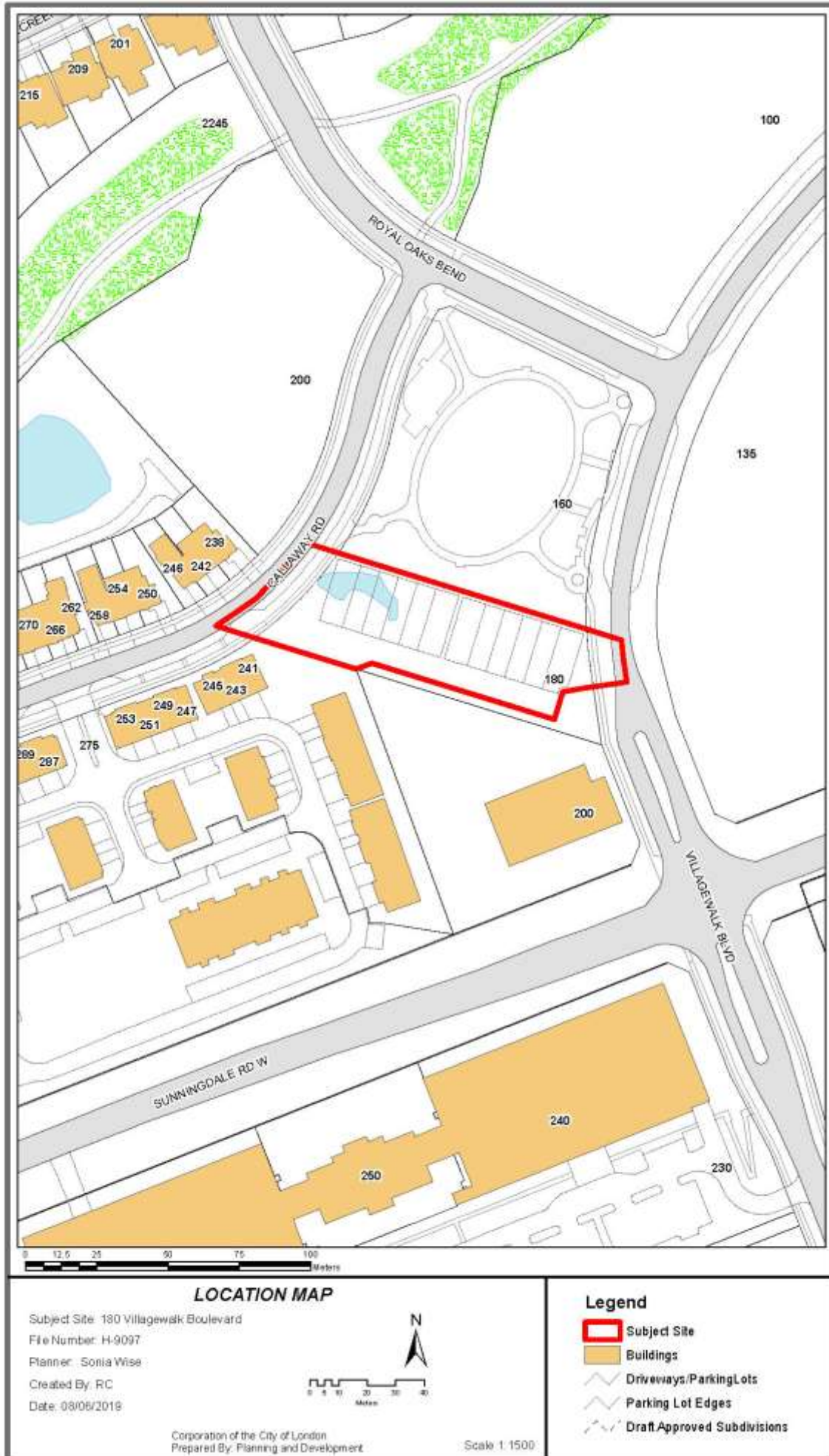
Analysis

1.0 Site at a Glance

1.1 Property Description

The property is located north of Sunningdale Road West and west of Villagewalk Boulevard. The proposal consists of one multi-family, medium density residential block within a registered plan of subdivision (Block 95 Registered Plan No. 33M-633). The site is a through lot with frontage on both Villagewalk Boulevard and Callaway Drive, though the public road access will be from Callaway Drive only, with no direct vehicular access to Villagewalk Boulevard. The site has full access to municipal services and is located in an area which is planned for future growth.

1.2 Location Map



1.3 Current Planning Information (see more detail in Appendix C)

- The London Plan Place Type – Main Street and Neighbourhoods
- Official Plan Designation – Multi-Family, Medium Density Residential
- Existing Zoning – h-5*h-99*h-100*R6-5(24)*R7(11)*OF(1) Zone

1.4 Site Characteristics

- Current Land Use – Vacant
- Frontage – 33.6m Villagewalk Boulevard and 42m Callaway Road
- Depth – Varies
- Area – 0.351
- Shape – Irregular

1.5 Surrounding Land Uses

- North – Park – Villagewalk Commons
- East – future Business District Commercial uses
- South – Office
- West – Residential

2.0 Description of Proposal

2.1 Development Proposal

The proposal is for a 12 unit cluster townhouse vacant land condominium with 6 units in 2 blocks. Vehicular access is provided from Callaway Boulevard and common elements are provided for landscaped open space, visitor parking and servicing.

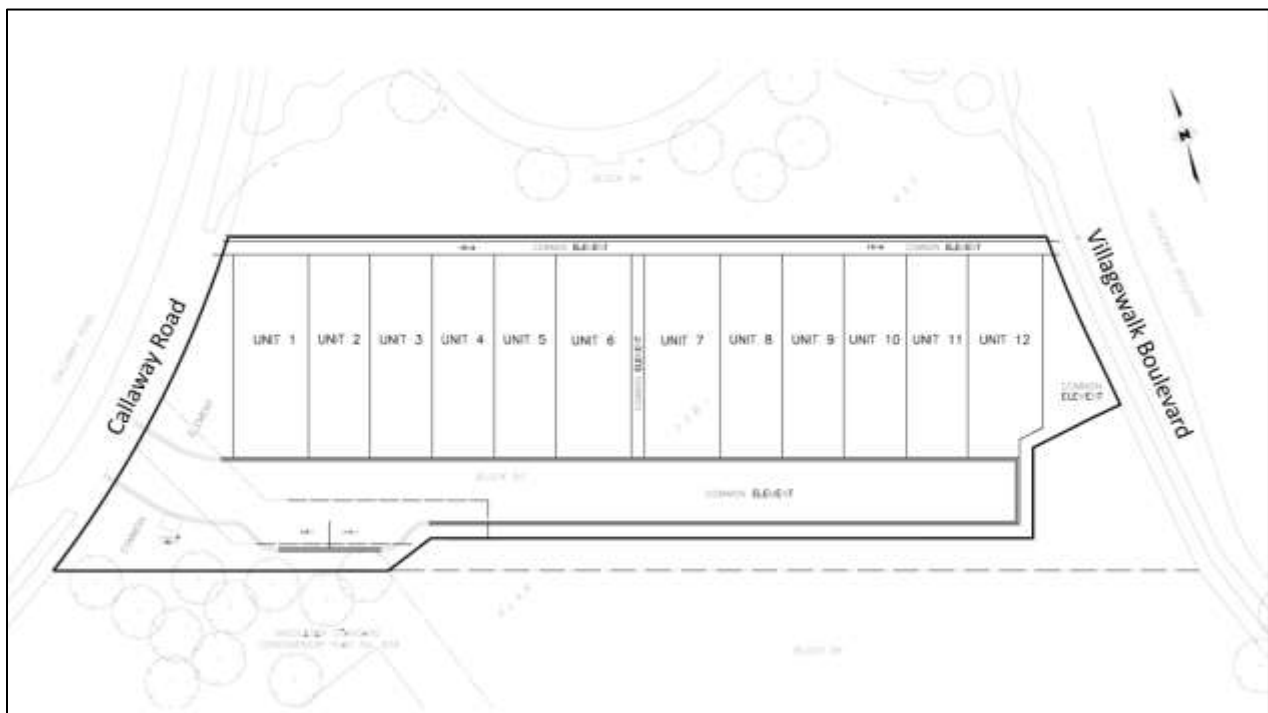


Figure 1: Conceptual Site Plan

An application for Site Plan Approval (SP18-139) has been made in conjunction with the application for Draft Plan of Vacant Land Condominium (39CD-19505). The site plan submission, including servicing, grading, landscaping, and building elevation plans, are approaching acceptance by the City.

3.0 Relevant Background

3.1 Planning History

The subject site is part of the Sunningdale North Area Plan which was adopted by City Council in 2006. The site was part of a larger draft plan of Subdivision and Zoning By-law Amendment application (39T-04513/Z-6842) for the lands at the northwest corner of Sunningdale Road and Richmond Street. The draft plan of subdivision was approved

with conditions in 2008 and the subject site was zoned holding Residential R6 Special Provision/Residential R7 Special Provision/Office Special Provision (h-5*h-99*h-100*R6-5(24)*R7(11)*OF(1)) to permit a variety of residential dwelling types and professional offices. The zoning applied at the time included holding provisions that required: a public site plan, that the Upper Richmond Village Urban Design Guidelines were implemented, and that water-looping requirements were satisfied. The subdivision was registered in September of 2011 as Plan 33M-633.

The site was subject to a Zoning By-law Amendment application in 2013, which also included properties at 200 and 275 Calloway Road and 200 Villagewalk Boulevard (Z-8130). This Zoning By-law Amendment pertained to the Special Provisions for the Residential R6 Zone, and deleted the minimum/maximum density requirement of 35 units per hectare and replaced it with a minimum density of 30 units per hectare and a maximum density of 75 units per hectare. The maximum permitted height was also increased from 12 metres to 15 metres. The Zoning By-law Amendment was adopted by City Council in 2013, which only pertained to the Residential R6 Special Provision (R6-5(24)) Zone permissions for the subject site. The Residential R7 Special Provision (R7(11)) and Office Special Provision (OF(1)) Zone permissions remained unchanged.

A consent application (B.050/17) was submitted in 2017 for 180 and 200 Villagewalk Boulevard to sever approximately 489m² from 180 Villagewalk Boulevard to convey to 200 Villagewalk Boulevard for the purposes of future office uses in order to accommodate additional parking and change the vehicular access location for 200 Villagewalk Boulevard. In 2018, a Zoning By-law Amendment Application (Z-8867) was submitted to support the severance which included re-zoning a portion of 180 Villagewalk Boulevard to support the consent. The consent was subsequently approved, following the Zoning of the lands coming into full force and effect.

On June 4, 2019, a combined public meeting occurred for the Site Plan (SPA18-139) and Vacant Land Condominium (39CD-19505) before the Planning and Environment Committee to receive comments and direction for the consideration of the approval authority. There were no public comments made at the meeting or received through the review process.

3.2 Previous Reports and Applications Relevant to this Application

June 4, 2019, Planning and Environment Committee; Public Participation Meeting, Graystone Custom Homes Ltd., 180 Villagewalk Boulevard, 39CD-19505/SPA18-139

March 25, 2014, Planning and Environment Committee; Public Participation Meeting, Speyside East Corporation, 3100 Colonel Talbot Road Subdivision, 39T-13504/Z-8243

March 17, 2001, Planning Committee; Planning Report on Application by Speyside East Corporation, 3126 Colonel Talbot Road, 39T-00514, Z-5967

December 13, 1999, North Talbot Community Plan (NTCP), Talbot Community Urban Design Guidelines

3.3 Requested Amendment

The applicant is requesting the removal of the “h-5, “h-99” and h-100” holding provisions from the site to allow for the development of the cluster townhouses.

3.4 Community Engagement

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

3.5 Policy Context

The Planning Act permits the use of holding provisions to restrict future uses until conditions for removing the holding provision are met. To use this tool, a municipality must have approved Official Plan policies related to its use, a municipal council must

pass a zoning by-law with holding provisions, 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 including the process, and notification and removal procedures.

4.0 Key Issues and Considerations

4.1 What is the purpose of the holding provisions and is it appropriate to consider their removal?

h-5: Purpose: To ensure that development takes a form compatible with adjacent land uses, agreements shall be entered into following public site plan review specifying the issues allowed for under Section 41 of the Planning Act, R.S.O. 1990, c. P.13, prior to the removal of the "h-5" symbol.

Permitted Interim Uses: Existing uses

A joint public participation meeting occurred on June 4, 2019 to satisfy the requirement for the public site plan meeting. The public participation meeting provided the public with an opportunity to provide input and comments into the site plan approval process. No public comments were made through the process. The Manager of Development Planning (Site Plan) confirmed a development agreement was entered into on August 19, 2019.

h-99: Purpose: To ensure that new development is designed and approved consistent with the policies of the Sunningdale North Area Plan and the "Upper Richmond Village-Urban Design Guidelines", to the satisfaction City of London, prior to removal of the "h-99" symbol.

Urban Design staff confirmed on August 19, 2019 that they are satisfied the development form implements the various requirements of the Upper Richmond Village – Urban Design Guidelines through the elevations, building orientation and pedestrian access through the site. The urban design and guidelines have been implemented as part of the Site Plan review process.

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. Permitted Interim Uses: Existing Uses

Permitted Interim Uses: A maximum of 80 residential units

Water engineering confirmed on August 16, 2019 that the development has incorporated water servicing through the development agreement and the holding provision is appropriate to remove.

5.0 Conclusion

The Applicant has undertaken sufficient works to remove the holding provisions. The resulting development has had the benefit of a public site plan meeting, implements the urban design principles set out in the Upper Richmond Village – Urban Design Guidelines, and provides adequate water-looping and access. It is appropriate to remove the holding provisions to allow the zoning to come into force.

Prepared by:	Sonia Wise, MCIP, RPP Senior Planner, Development Services
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	

August 30, 2019

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
 Lou Pompilii, Manager, Development Planning
 Ismail Abushehada, Manager, Development Engineering
 Michael Pease, Manager, Development Planning (Site Plan)

/sw

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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 remove holding provisions from the zoning for lands located at 180 Villagewalk Boulevard.

WHEREAS 180 Village Walk Inc. has applied to remove the holding provision from the zoning for the lands located at 180 Villagewalk 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 lands located at 180 Villagewalk Boulevard, as shown on the attached map, to remove the holding provisions so that the zoning of the lands as a Residential R6 Special Provision/Residential R7 Special Provision/Office Special Provision (R5-5(24)/R7(11)/OF(1)) Zone comes into effect.
2. This by-law shall come into force and effect on the day it is passed.

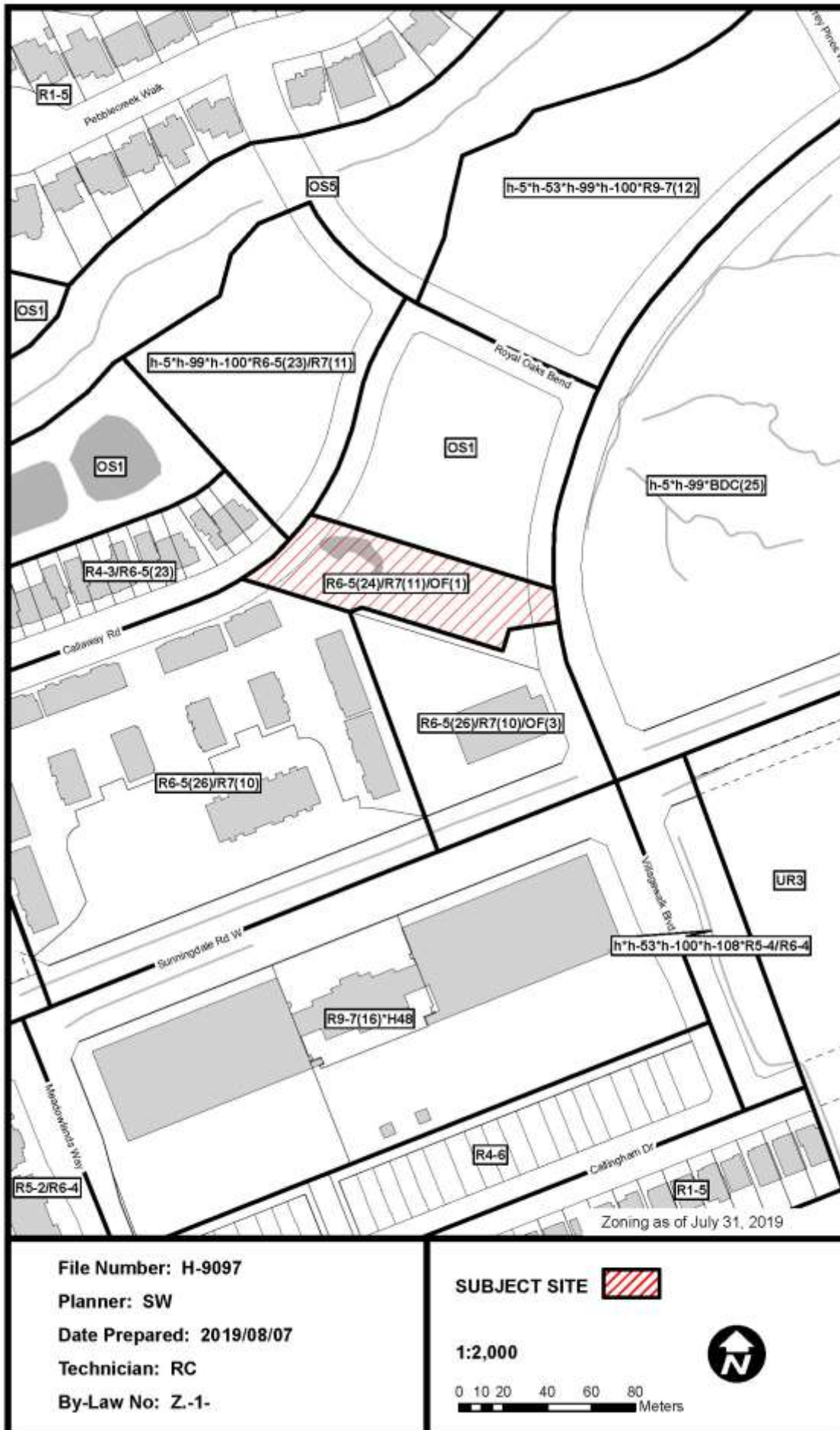
PASSED in Open Council on September 17, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 17, 2019
Second Reading – September 17, 2019
Third Reading – September 17, 2019

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



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: 1967172 Ontario Inc.
3400 Singleton Avenue
Meeting on: September 9, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of 1967172 Ontario Inc. relating to the property located at 3400 Singleton Avenue, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on September 17, 2019 to amend Zoning By-law No.Z.-1 in conformity with the Official Plan to change the zoning of the lands **FROM** a Holding Neighbourhood Facility / Residential R5 / Residential R6 (h*NF1/h*h-71*h-100*h-104*h-137*R5-4*R6-5) Zone **TO** a Neighbourhood Facility / Residential R5 / Residential R6 (NF1/R5-4/R6-5) Zone to remove the "h", "h", "h-71", "h-100", "h-104", and "h-137" holding provisions associated with the residential zones.

Executive Summary

Summary of Request

The applicant has requested removal of the "h", "h", "h-71", "h-100", "h-104", and "h-137" holding provisions from the Zone on the subject lands, which requires that the necessary securities be provided and a development agreement is executed prior to development; that dwelling units are oriented to all abutting streets; that there is adequate access and water services; that a comprehensive storm drainage and stormwater management report is accepted; and, that development in draft plan 39T-05509 does not exceed a maximum interim threshold of 240 units, and a Traffic Impact Study is prepared which demonstrates that the transportation infrastructure is adequate to accommodate forecasted traffic volumes.

Purpose and the Effect of Recommended Action

The purpose and effect is to remove the holding "h", "h", "h-71", "h-100", "h-104", and "h-137" holding provisions from the zoning applied to this site to permit the development of 82 cluster townhouse dwellings.

Rationale of Recommended Action

The conditions for removing the holding provisions have been met, as the required security has been submitted and the development agreement has been executed. Through the development agreement adequate servicing has been provided, access has been established, and the development as approved has dwelling units oriented to Singleton Avenue and to Westbury Park to the north. All issues have been resolved and the holding provisions are no longer required.

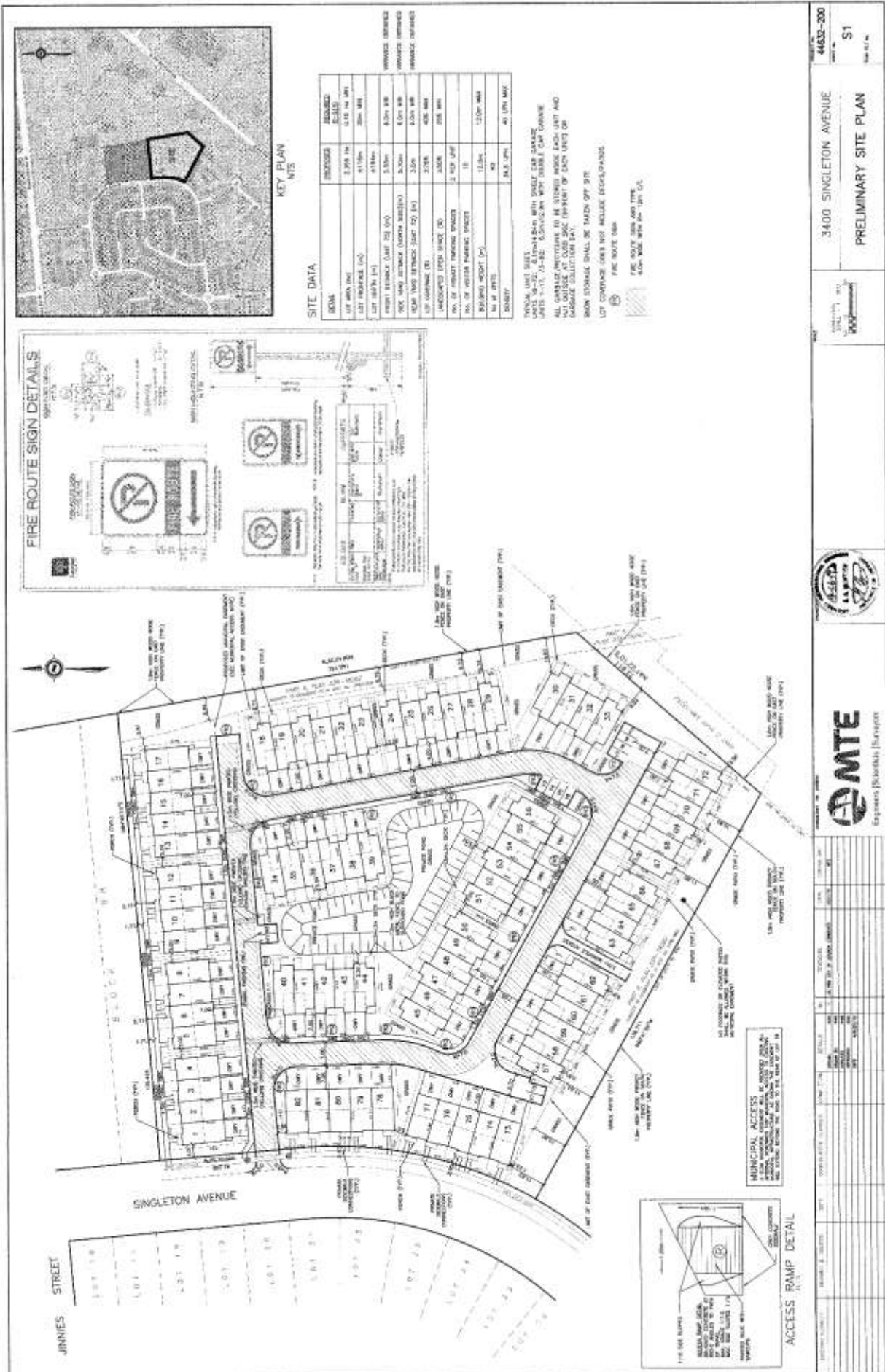
Analysis

1.0 Site at a Glance

1.1 Location Map



1.2 Site Plan



1.3 Property Description

The site is addressed as 3400 Singleton Avenue and is located on the east side of Singleton Avenue, south of Southdale Road West. The subject lands have a total frontage of approximately 116 metres on Singleton Avenue, with a site area of approximately 2.3 hectares. The subject lands are presently vacant. There are existing residential uses to the west, institutional uses to the east, commercial uses to the south, and public open space to the north.

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*NF1/h*h-71*h-100*h-104*h-137*R5-4*R6-5

1.5 Site Characteristics

- Current Land Use – Vacant
- Frontage – 116 m
- Depth – Varies
- Area – 2.3 ha
- Shape – Irregular

1.6 Surrounding Land Uses

- North – Westbury Park
- East – Existing Residential (Single Detached Dwellings)
- South – Existing Residential (Cluster Townhouses) and Vacant Commercial lands
- West – Existing Institutional

2.0 Description of Proposal

2.1 Development Proposal

The requested amendment will permit the development of 82 cluster townhouse dwellings.

3.0 Relevant Background

3.1 Planning History

A Zoning By-law Amendment (Z-6915) was approved by Municipal Council on May 25th, 2009 in association with the Draft Plan of Subdivision, which was granted Draft Approval with conditions on June 22nd, 2009, that established the existing parcel fabric and zoning for the subject lands.

The Neighbourhood Facility Zone was applied to the subject lands during the initial Subdivision and Zoning By-law Amendment process as it was intended to be the location of a future school. The School Boards waived their right to acquire the site, and at its meeting on November 6, 2018, Municipal Council indicated that the City had no interest in acquiring the property for municipal purposes.

3.2 Requested Amendment

The applicant has requested removal of the “h”, “h”, “h-71”, “h-100”, “h-104”, and “h-137” holding provisions from the Zone on the subject lands, which requires that the necessary securities be provided and a development agreement is executed prior to development; that dwelling units are oriented to all abutting streets; that there is adequate access and water services; that a comprehensive storm drainage and stormwater management report is accepted; and, that development in draft plan 39T-05509 does not exceed a maximum interim threshold of 240 units, and a Traffic Impact Study is prepared which demonstrates that the transportation infrastructure is adequate to accommodate forecasted traffic volumes

3.3 Community Engagement (see more detail in Appendix B)

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

3.4 Policy Context

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

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

4.0 Key Issues and Considerations

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

The “h” holding provision states:

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

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

The Owner has provided the necessary security and the development agreement has been executed. This satisfies the requirement for the removal of the “h” holding provisions.

4.2 What is the purpose of the “h-71” holding provision and is it appropriate to consider its removal?

The “h-71” holding provision states that:

“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. (Z.-1-061521)”

The site plan and building elevations have been accepted, showing dwelling units being oriented to the only abutting street (Singleton Avenue), as well to Westbury Park, and the Owner has entered into a development agreement. This satisfies the requirement for the removal of the “h-71” holding provisions.

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

The “h-100” holding provision states that:

“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 (Z.-1-081786) (Z.-1-122078)”

Due to the ten street-oriented dwellings which will connect to water services directly from Singleton Avenue, there are 72 units internal to the site which will be serviced by a single access and a non-looped watermain system. Water Engineering has confirmed that the development meets the looping requirement and as such, satisfies the requirement for the removal of the “h-100” holding provision.

4.4 What is the purpose of the “h-104” holding provision and is it appropriate to consider its removal?

The “h-104” holding provision states that:

“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-104” 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. (Z.-1-091860)”

The applicant is proposing a private on-site storm drainage facility, and a comprehensive storm drainage and stormwater management report has been accepted. This satisfies the requirement for the removal of the “h-104” holding provision.

4.5 What is the purpose of the “h-137” holding provision and is it appropriate to consider its removal?

The “h-137” holding provision states that:

“Purpose: To ensure that development in draft plan 39T-05509 does not exceed a maximum interim threshold of 240 residential units, the h-137 symbol shall not be deleted until the temporary Bostwick sanitary sewage pumping station and forcemain are decommissioned; and a Traffic Impact Study is prepared, which demonstrates that the transportation infrastructure in Bostwick East is adequate to accommodate forecast traffic volumes.

Permitted Interim Uses: Permitted uses up to a total of 240 residential units on the multi-family lands in draft plan 39T-05509. (Z.-1-112024)”

The subject lands are a former school site which was not included in the interim population cap. The sanitary system of the subdivision was designed to serve this block to a maximum of 400 people. The proposed development consists of 82 residential units, which equates to a sanitary population of 197 people. The sanitary servicing strategy has been accepted to the satisfaction of Development Services. Given the nature of the development, City staff determined that a Traffic Impact Study is not required. This satisfies the requirement for the removal of the “h-137” holding provision.

5.0 Conclusion

The Applicant has entered into a development agreement for this site, oriented the dwelling units to the abutting street, and demonstrated acceptable servicing strategies. Therefore, the required conditions have been met to remove the “h”, “h”, “h-71”, “h-100”, “h-104”, and “h-137” holding provisions. The removal of the holding provisions is recommended to Council for approval.

Prepared by:	Meg Sundercock, BURPL Site Development Planner, Development Services
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	

August 26, 2019
MS/ms

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
Lou Pompili, Manager, Development Planning
Ismail Abushehada, Manager, Development Engineering

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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 remove holding provisions from the zoning for lands located at 3400 Singleton Avenue.

WHEREAS 1967172 Ontario Inc. has applied to remove the holding provision from the zoning for the lands located at 3400 Singleton 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 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 3400 Singleton Avenue, as shown on the attached map, to remove the holding provisions so that the zoning of the lands as a Neighbourhood Facility Residential R5 / Residential R6 (NF1/R5-4/R6-5) Zone comes into effect.
2. This by-law shall come into force and effect on the day it is passed.

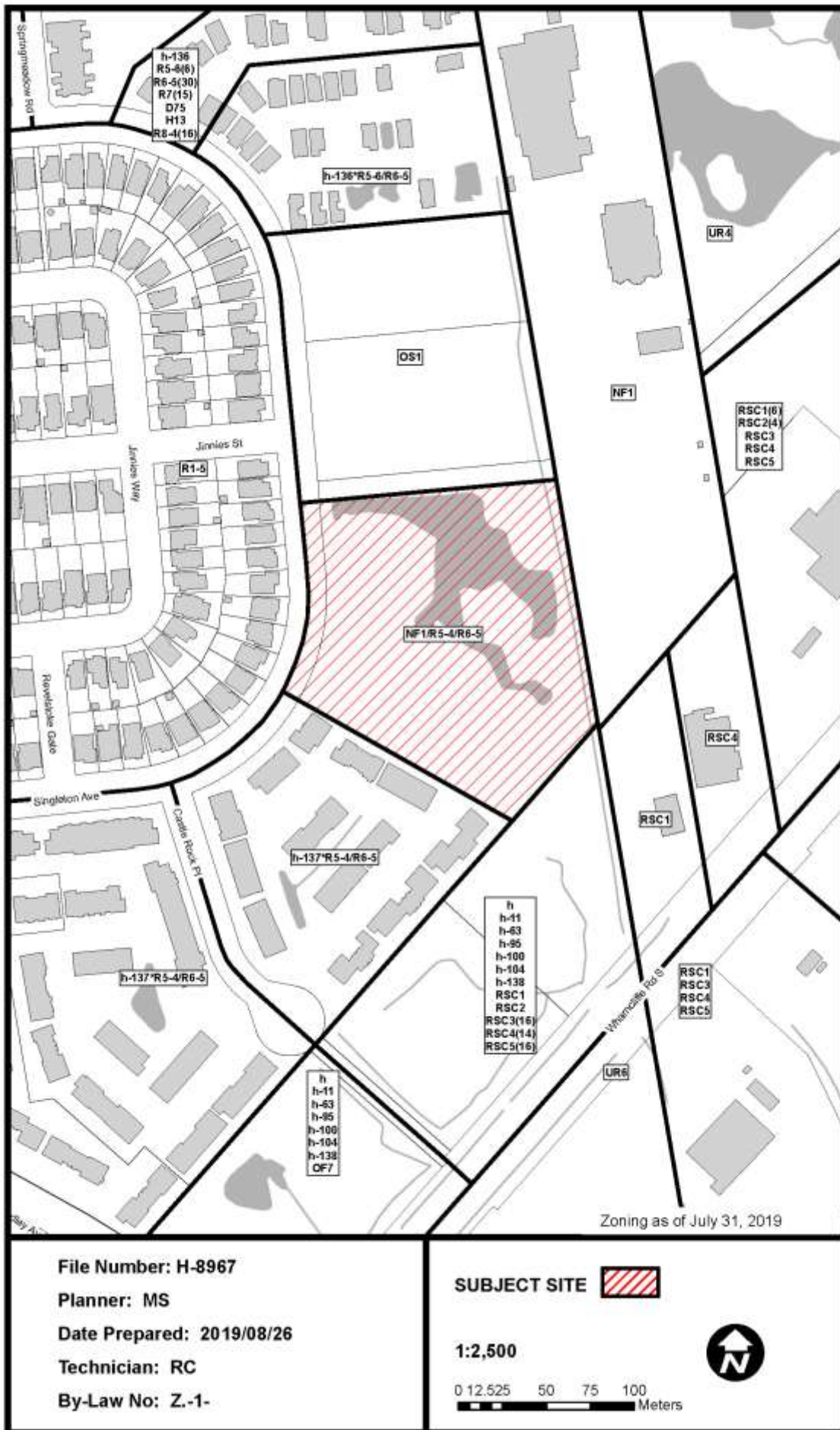
PASSED in Open Council on September 17, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 17, 2019
Second Reading – September 17, 2019
Third Reading – September 17, 2019

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



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: Doman Development Inc.
1615 North Routledge Park

Meeting on: September 9, 2019

Recommendation

That, on the recommendation of the Director, Development Services, with respect to the application of Doman Development Inc. relating to the property located at on the north side of North Routledge Park west of Hyde Park Road (1615 North Routledge Park) the Approval Authority **BE REQUESTED** to approve a three (3) year extension to Draft Plan Approval for the plan of subdivision File No. 39T-78066, **SUBJECT TO** the conditions contained in the attached Schedule "A".

Executive Summary

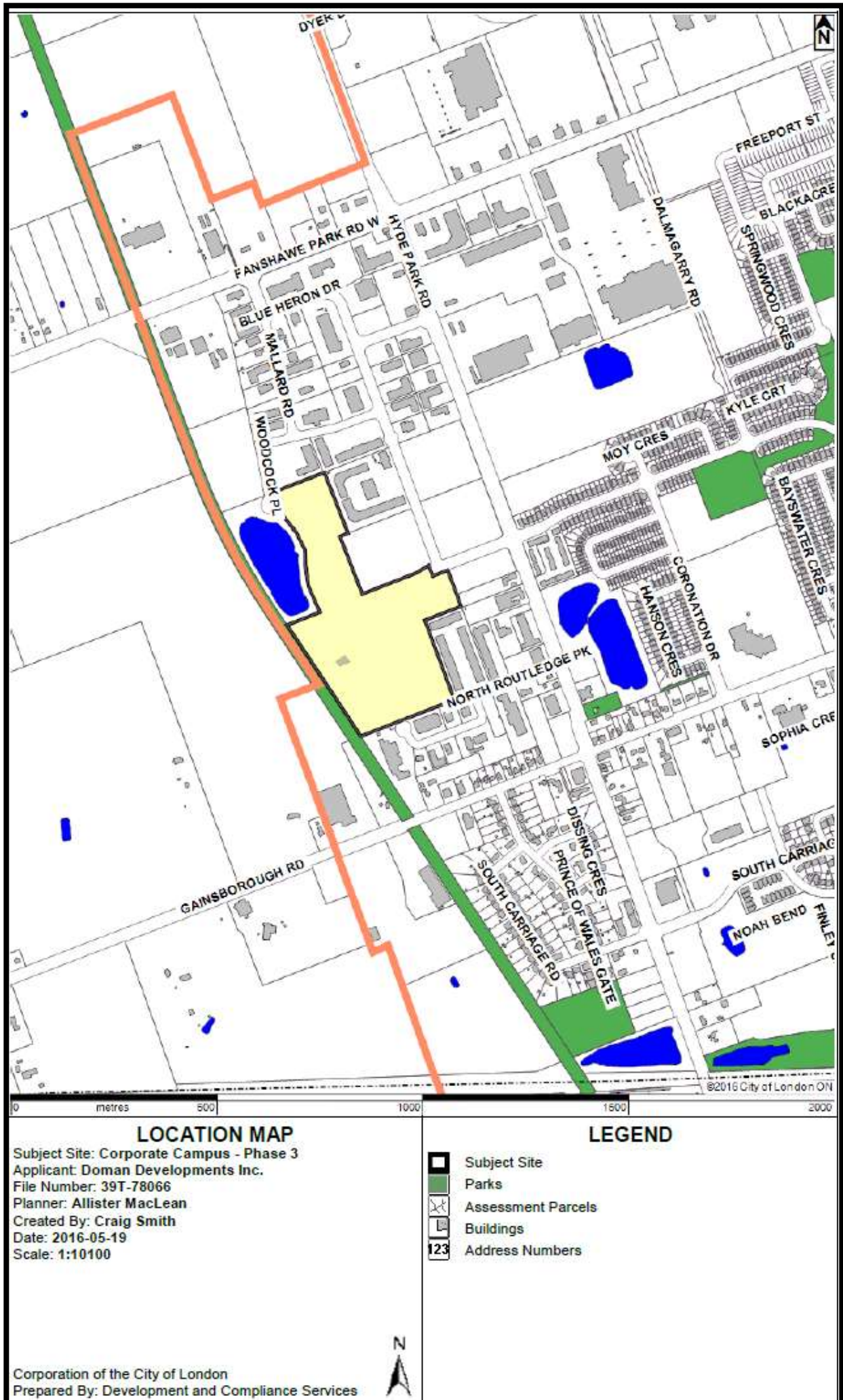
Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to consider a three (3) year extension to Draft Approval for the remaining phase(s) within the industrial draft plan of subdivision 39T-78066.

Rationale of Recommended Action

1. The requested three (3) year extension of Draft Plan Approval is reasonable, and should allow the applicant sufficient time to satisfy revised conditions of draft approval towards the registration of this plan.
2. The plan of subdivision will provide for future employment and industrial opportunities, and supports connectivity with adjacent future development lands. Therefore, an extension should be supported provided the conditions of Draft Approval are updated to reflect current City Standards and regulatory requirements.

1.0 Location Map



2.0 Relevant Background

2.1 Previous Reports

39T-78066 Draft Approval extension report to Planning Committee – March 2007.

39T-78066 Draft Approval extension report to Planning Committee- March 2010.

39T-78066 Draft Approval extension report to Planning Committee- September 2013.

39T-78066 Draft Approval extension report to Planning Committee- September 2016.

2.2 Planning History

The Doman subdivision is located on the west side of Hyde Park Road, north of Gainsborough Road, within the Hyde Park Planning District. This area was within part of the former Township of London that was annexed by the City of London in 1993.

The initial application for draft plan of subdivision approval was submitted to the Ministry of Municipal Affairs and Housing for approval in 1978. Draft Approval was given by the Minister of Housing in 1978, subject to conditions. On a number of occasions since then, the Draft Approval period was extended by the Minister for varying periods of one, two or three years.

On January 1, 1993, the subject lands were annexed to the City of London and Council supported an extension to draft approval at that time. An extension was approved by Council in 1996, which included several red line revisions and modified conditions of draft approval, reflecting Council's desire to require development of the subdivision on full municipal services. Three year extensions were subsequently granted by Council in 1998 and in 2001, with additional modifications being made to the Conditions of Draft Approval to reflect updated municipal standards and servicing requirements.

In 2001, Council adopted a Zoning amendment to bring most of the subject lands under Zoning By-law No. Z.-1 - to permit a range of "hi-tech" industrial uses that would be developed to a higher design standard than typical light industrial uses. This amendment was consistent with policies in the (1989) Official Plan and the Hyde Park Community Plan, which support the development of a prestige industrial area with a higher degree of office-based light industrial uses and higher design standards.

Previous requests for extension of draft approval were based primarily on the absence of municipal sanitary services in the area. The subdivision is now serviced by the Hyde Park Trunk Sanitary Sewer, constructed in 2003, which extends in an easterly direction from the former CN spur line corridor, along the alignment of North Routledge Park, north along Blue Heron Drive and east (along the north boundary of the subdivision) to Hyde Park Road.

Phase 1 of the draft plan was registered on March 27, 2007 (33M-568) which included the stormwater management block. Phase 2 of the draft plan was registered on April 28, 2015 (33M-681) which includes 5 industrial blocks and the extension of North Routledge Park and Blue Heron Drive.

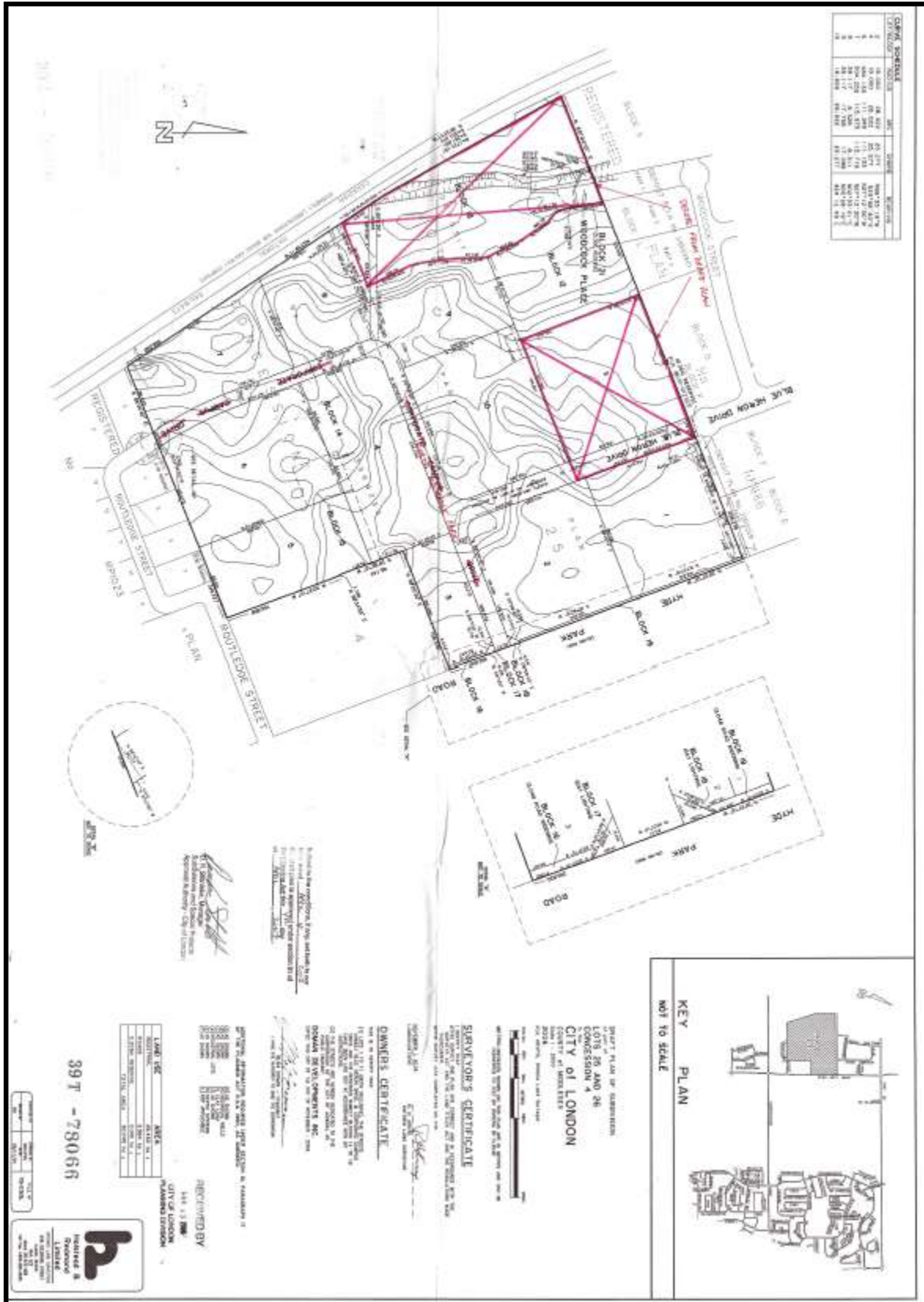
On March 28, 2013 an emergency 180 day draft plan extension was approved by the Manager, Development Services and Planning Liaison. On October 1, 2013 City Council resolved that a three year extension be granted to the Draft Plan of Subdivision Approval and on October 2, 2013 the City of London Approval Authority granted draft plan approval extension that would lapse on October 4, 2016.

On September 6, 2016 City Council resolved that a three year extension be granted to the Draft Plan of Subdivision Approval and on September 28, 2016 the City of London Approval Authority granted draft approval extension that will lapse on October 4, 2019.

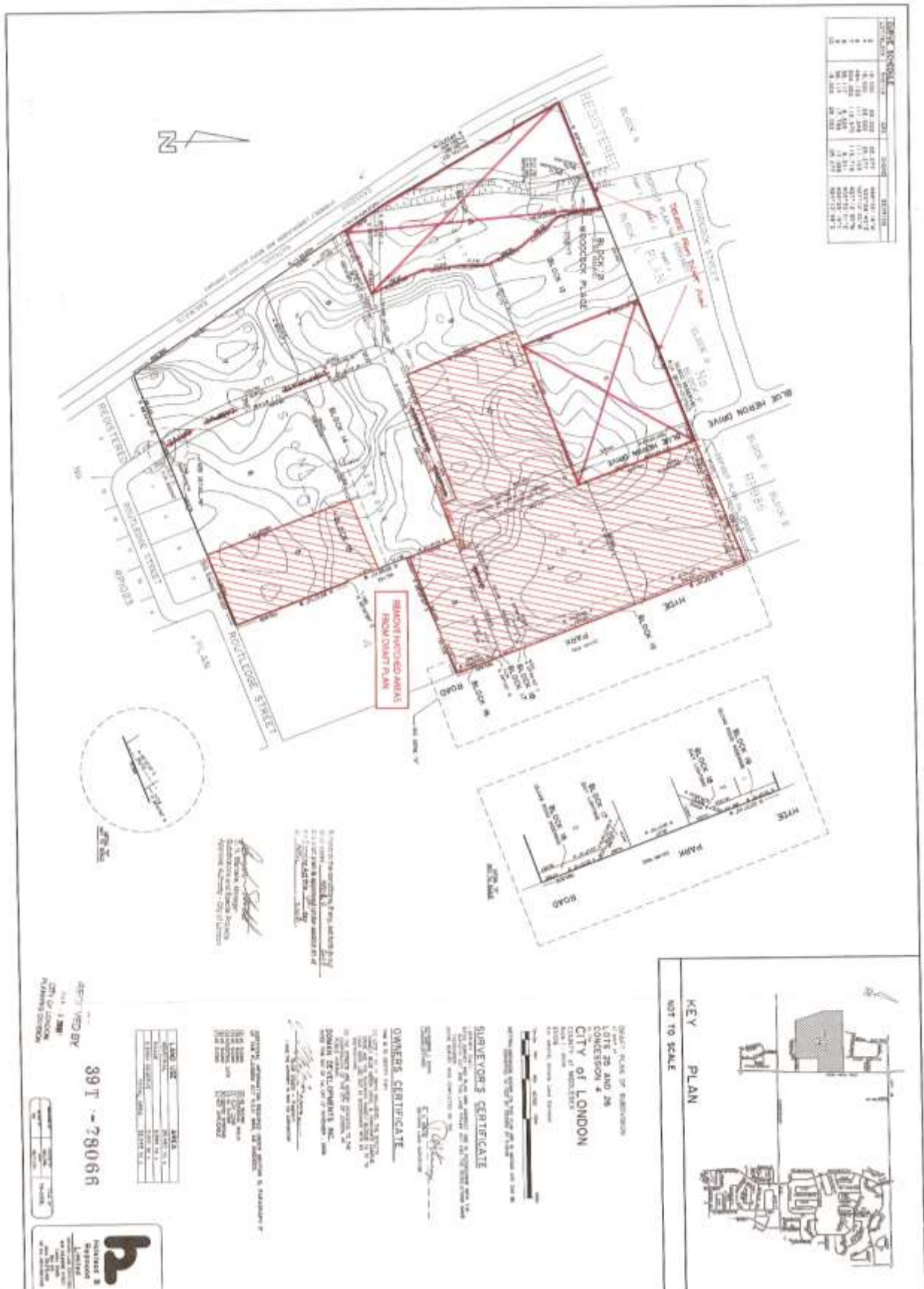
The attached amendments to the conditions of draft approval are required to ensure that these lands are developed to today's standards. The changes to conditions of draft approval are to address engineering and planning issues. The amendments to the conditions of draft approval are shown as **highlights** for revisions, ~~strikeouts~~ for deletions and underlines for additions on the attached Schedule "A". If granted, the new draft approval lapse date would be October 4, 2022.

No changes are proposed to the approved zoning, lotting pattern or road alignments within the draft plan. 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 50 (33) & (47) of the Planning Act).

2009 Approved Draft Plan- 39T-78066



2016 - Updated and Revised Draft Plan - 39T-78066



3.0 Conclusion

Staff are recommending a three (3) year extension to the Draft Approval for this plan of subdivision, subject to the revised conditions as attached. The proposed plan and recommended conditions of Draft Approval will ensure that development proceeds in accordance with Provincial Policy Statement, The London Plan, and the (1989) Official Plan. A three (3) year extension is recommended to allow sufficient time for registration of the lands within this Draft Plan. The recommended conditions of draft approval are attached to this report as Schedule "A" 39T-78066.

Prepared by:	Mike Corby, RPP, MCIP Senior Planner, Development Services
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	

August 30, 2019
/mc

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
Lou Pompilii, Manager, Development Planning
Ismail Abushehada, Manager, Development Engineering

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Appendix A

THE CORPORATION OF THE CITY OF LONDON'S CONDITIONS AND AMENDMENTS TO FINAL APPROVAL FOR THE REGISTRATION OF THIS SUBDIVISION, FILE NUMBER 39T-78066, ARE AS FOLLOWS:

* Denotes Deleted, Revised, or New Condition

NO. CONDITIONS

1. This approval applies to a revised plan submitted by Doman Developments, prepared by Holstead & Redmond, Ontario Land Surveyors, dated November 1, 2006, redline revised which shows 6 industrial Blocks, an easement Block for the Stanton Municipal Drain, and one new street.
2. This draft approval and these condition replaces the conditions of draft approval granted on September 28, 2016 for plan 39T-78066 as it applies to lands located at 1615 North Routledge Park on the north side of North Routledge Park west of Hyde Park Road. This approval of the draft plan applies for a period of three (3) years, and if final approval is not given within that time, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority.
3. The Owner shall request that the municipal address shall be assigned to the satisfaction of the City.
4. The Owner, prior to final approval, 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.
5. The road allowances included in this draft plan shall be dedicated as public highways.
6. The Owner shall enter into a subdivision agreement with the City, in the City's current approved form (a copy of which can be obtained from Development Services), which includes all works and services required for this plan, and this agreement shall be registered against the lands to which it applies.
~~The subdivision agreement between the Owner and the City of London shall be registered against the lands to which it applies.~~
7. In conjunction with registration of the Plan, the Owner shall provide to the appropriate authorities such easements and/or land dedications (eg. 0.3 metre reserve blocks) 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 Engineer, at no cost to the City.
8. The Owner shall 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, grading and drainage, tree planting and tree preservation.

Planning

9. Prior to final approval, the Owner shall take all necessary steps to ensure that appropriate zoning is in effect for this proposed subdivision.

Parks

10. Prior to final approval or prior to the issuance of a building permit, the Owner shall make payment to the City Cash-in-lieu of parkland equal to 2% of the value of the commercial lands pursuant to Section 51 of the Planning Act.

Upper Thames River Conservation Authority

11. Prior to final approval, a floodline report must be submitted to the UTRCA for their review and approval. The report is to determine the floodline on Lots 6 to 9 and 12 and 13, all inclusive so that the developability of these lands with respect to flooding potential can be assessed.

Stormwater Management

12. In conjunction with the first submission 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) Assess the impact on water balance in the plan, as applicable.
 - ii) Assess any fill required in the plan.
 - iii) Provide recommendations for foundation design should high groundwater be encountered.
 - iv) 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.
 - v) Determine the effects of the construction associated with this subdivision on the existing groundwater 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, as well provide recommendations for foundation design should high groundwater be encountered, to the satisfaction of the City. The hydrogeological investigation should identify all required mitigation measures including Low Impact Development (LIDs) solutions and associated details, as necessary, to the satisfaction of the City Engineer. Details related to proposed LID solutions, if applicable, should include information related to the long term operations of the LID systems as it relates to seasonal fluctuations of the groundwater table. 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. The hydrogeological investigation should also include the development of appropriate short-term and long-term monitoring plans (if applicable), and appropriate contingency plans (if applicable), in the event of groundwater interference related to construction.
 - vi) Determine water taking requirements to facilitate construction (i.e., PTTW or EASR be required to facilitate construction), including sediment and erosion control measures and dewatering discharge locations.
 - vii) address any contamination impacts that may be anticipated or experienced as a result of the said construction
 - viii) 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.

~~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 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,~~

~~as well provide recommendations for foundation design should high groundwater be encountered, 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.~~

13. 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.
14. The Owner shall discharge the storm flows from this site to the Stanton Drain via the proposed Hyde Park Stormwater Management (SWM) Facility No. 4 and related stormwater/drainage servicing, which is located within the Stanton Drain Subwatershed.
15. The Owner shall have his consulting professional engineer design and construct the storm/drainage servicing system from the subject lands, all to the specifications and satisfaction of the City Engineer and according to the requirements of the following:
 - i) The SWM targets and criteria for the Stanton Drain Subwatershed Study;
 - ii) The Hyde Park Development Area Storm Drainage and Stormwater Management Servicing Works Municipal Class EA (2009);
 - iii) The approved Hyde Park SWM Facility # 4 and Stanton Drain Remediation Functional Design Report (August 2011) for the subject lands;
 - iv) The Storm Drainage and SWM Servicing Works Letter/Report for the subject lands/development prepared and accepted in accordance with the file manager process, City requirements and to the satisfaction of the City Engineer;
 - v) The City's Waste Discharge and Drainage By-laws, lot grading standards, policies, requirements and practices;
 - vi) The Ministry of the Environment SWM Practices Planning and Design Manual; and
 - vii) Applicable Acts, Policies, Guidelines, Standards and Requirements of all relevant SWM agencies.
16. Prior to the issuance of a Certificate of Conditional Approval for lots and blocks in this plan, or as otherwise approved by the City Engineer, all storm servicing and drainage works, including minor and major storm flow routes, to serve this plan, shall be constructed and operational in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City Engineer.
17. In conjunction with the first submission of engineering drawings ~~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) 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) 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.
 - iv) Providing a preliminary plan demonstrating how the proposed grading and road design will match the grading of the Hyde Park SWM Facility # 4 built by the City;

- v) ~~Providing a geotechnical report or update the existing geotechnical report recommendations to address all geotechnical issues with respect to construction, grading and drainage of this subdivision 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~~
 - v) Developing a sediment and erosion control plan(s) that will identify all required sediment and erosion control measures for the subject lands in accordance with City of London and Ministry of the Environment, Conservation and Parks standards and requirements, all to the satisfaction of the City. The sediment and erosion control plan(s) shall identify all interim and long term measures that would be required for both registration and construction phasing/staging of the development and any major revisions to these plans after the initial acceptance shall be reviewed/accepted by the City of London for conformance to our standards and Ministry of the Environment, Conservation and Parks requirements; and
~~Developing 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 on construction; and~~
 - vi) Implementing 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.
18. 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 of and/or any approvals given by the City Engineer, 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.
19. 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 Stanton Drain Subwatershed, and connect them to the existing municipal storm sewer system, namely, the 1200 mm diameter storm sewer located on North Routledge Park;
 - ii) Make provisions to oversize and deepen the internal storm sewers, if necessary, in this plan to accommodate flows from upstream lands external to this plan;
 - iii) Grade and drain the boundaries of Blocks 8, 9 and 12 to blend in with the abutting Hyde Park SWM Facility # 4 to the west of this plan, 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.
20. ~~Prior to the issuance of any Certificates of Conditional Approval for any lot in this plan, the Owner shall complete the following:~~

- i) ~~Implement all geotechnical/slope stability recommendations made by the geotechnical report accepted by the City; and~~
21. The Owner shall ensure the post-development discharge flow from the subject site must not exceed capacity of the stormwater conveyance system. In an event where the condition cannot be met, the Owner shall provide SWM on-site controls that comply to the accepted Design Requirements for permanent Private Stormwater Systems.

Water

22. Prior to the issuance of any 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, namely, the existing 300 mm diameter watermain on North Routledge Park, the 300 mm diameter watermain on Blue Heron Drive at Woodcock Street and the 150 mm diameter watermain on North Routledge Park at the south limits of this draft plan;
- ii) Construct a new watermain through the existing industrial subdivision to the north to serve Block 12 in this plan in accordance with the approved Design Studies, at no cost to the City;
- iii) 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
- iv) The available fireflow and appropriate hydrant colour code (in accordance with the City of London Design Criteria) are to be shown on engineering drawings;

The fire hydrant colour code markers will be installed by the City of London at the time of Conditional Approval

23. In conjunction with the first submission 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) Identify domestic and fire flows for the potential ICI/medium/high density Blocks from the low-level (high-level) water distribution system;
- c) Address water quality and identify measures to maintain water quality from zero build-out through full build-out of the subdivision;
- d) Identify fire flows available from each proposed hydrant to be constructed and determine the appropriate colour hydrant markers (identifying hydrant rated capacity);
- e) Include a phasing report as applicable which addresses the requirement to maintain interim water quality;
- f) Develop a looping strategy when development is proposed to proceed beyond 80 units;
- g) Identify any water servicing requirements necessary to provide water servicing to external lands, incorporating existing area plans as applicable;
- h) Identify any need for the construction of or improvement to external works necessary to provide water servicing to this Plan of Subdivision;

- i) Identify any required watermain oversizing, if necessary, and any cost sharing agreements;
- j) Identify the effect of development on existing water infrastructure – identify potential conflicts;
- k) Include full-sized water distribution and area plan(s);
- l) 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 Design Studies 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:~~

- ~~i) A water servicing report which addresses the following:
 - Identify external water servicing requirements;
 - Identify fireflows available from each hydrant proposed to be constructed and identify appropriate hydrant colour code markers;
 - 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 and identify how water quality will be maintained until full built-out;
 - Oversizing of watermain, if necessary and any cost sharing agreements.
 - Water quality
 - Identify location of valves and hydrants
 - Identify location of automatic flushing devices as necessary
 - Looping strategy~~
- ii) ~~An engineering analysis to determine the extent of external watermains required to serve Blocks within this plan, at no cost to the City.~~

~~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. The requirements or measure which are necessary to meet water quality requirements shall also be shown clearly on the engineering drawings.~~

24. 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.

~~Prior to the issuance of a Certificate of Conditional Approval, the Owner shall install and commission temporary automatic flushing devices and meters at all dead ends and/or other locations as deemed necessary by the hydraulic modelling results to ensure that water quality is maintained during build out of the subdivision. These devices 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 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 automatic flushing devices is/are the responsibility of the Owner~~

25. 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.
26. 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.
27. In conjunction with the ~~first submission of engineering drawings~~ Design Studies submission, the Owner shall have its professional engineer identify the location of all existing private water wells and water lines on this site and provide confirmation which portions of the infrastructure are to be abandoned and which are to be maintained.
28. 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;
 - iii) 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.
29. 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.
30. 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 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.

Wastewater and Drainage

31. 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) Install Parson Manhole Inserts (or approved alternative satisfactory to the City Engineer) in all sanitary sewer maintenance holes at the time the maintenance hole(s) 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.
 - iv) Having his consulting engineer confirm that the sanitary sewers meet allowable inflow and infiltration levels as per OPSS 410 and OPSS 407; and
 - v) ~~Implementing any additional measures recommended through the first submission of engineering drawings Design Studies stage.~~
32. 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 525 mm (21") diameter Hyde Park Trunk Sanitary Sewer which bisects this site
 - 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;
 - ii) 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
 - 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.
33. ~~The Owner shall provide municipal sanitary servicing to the limits of this plan of subdivision and convey any necessary easement(s) to the City or external property Owners, to the satisfaction of the City Engineer, in order to provide for the servicing of parcels of lands external to this subdivision.~~
34. Prior to registration of this plan, the Owner shall obtain consent from the City Engineer to reserve capacity at the Oxford 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.
35. In conjunction with the ~~first submission of engineering drawings Design Studies 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 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 hydrogeological report that includes 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
- iv) ~~Implementing any additional measures recommended through the first submission of engineering drawings. All measures identified in the Design Studies shall be incorporated into the engineering drawings~~
36. The Owner shall notify all future developers that sewage control manholes built to City of London standards, may be required for each individual lot in accordance with Industrial Waste By-law No. W-982-188.

Transportation

37. The Owner shall design and construct the following in accordance with City standards:
- i) North Routledge Park to have a minimum road pavement width (excluding gutters) of 9.5 metres (31.2') with a minimum road allowance of 21.5 metres (70').
38. ~~The Owner shall undertake a limited scoped traffic impact study to determine the impact of this subdivision on surrounding arterial streets which shall be based upon Transportation Planning & Design Division's Traffic Impact Study Guideline document. This study shall be completed and approved prior to the submission of servicing drawings for any future phase(s) of development.~~
- ~~The Owner shall implement all recommendations outlined in the approved Transportation Impact Assessment to the satisfaction of the City Engineer.~~
39. ~~The Owner shall install standard barricades/warning signs at the limits of dead end streets within this plan to the specifications of the City Engineer.~~
40. The Owner in consultation with the LTC, shall indicate on the approved engineering drawings the possible 'Future Transit Stop Areas". The exact stop locations shall be field located as the adjacent sites are built, at which time the developer shall install a 1.5 metre wide concrete pad between the curb and the boulevard at the finalized stop locations.
41. The Owner agrees that, in the event that an emergency access is required for this subdivision, this requirement will be subject to satisfying the City Engineer with respect to all technical aspects, including adequacy of site lines, provision of channelization, adequacy of road geometries and structural design, etc.
42. 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 subdivision servicing drawings for this plan.
43. In conjunction with the first submission of engineering drawings, the Owner shall have its consulting engineer provide the following, all to the specifications and satisfaction of the City Engineer:
- i) identify the internal road network including taper details for streets in this plan that change right-of-way widths with minimum 30 metre tapers for review and acceptance with respect to road geometries, including but not limited to, right-of-way widths, tapers, tangents, bends, intersection layout, daylighting triangles, etc., and include any associated adjustments to the abutting lots. The roads shall be equally tapered and aligned based on the

road centrelines and it should be noted tapers are not to be within intersections.

- ii) 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." Streets that do not meet City standards may need to be revised.

~~In conjunction with the Design Studies submission, the Owner shall 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, etc., and include any associated adjustments to the abutting lots.~~

44. All through intersection 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.
45. ~~In conjunction with the Design Studies submission, the Owner shall have its professional consulting engineer 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", to the satisfaction of the City. Streets that do not meet the City standards may need to be revised.~~
46. 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.~~
47. Should any temporary turning circle exist on the abutting streets at the time this plan is registered, the Owner shall remove any existing temporary turning circles and restore the road including sidewalks to the satisfaction of the City Engineer, at no cost to the City.

If funds have been provided to the City by the Owner(s) of adjacent lands for the removal of the temporary turning circle(s) and the construction of this section of road(s) and all associated works, the City shall reimburse the Owner for the substantiated cost of completing these works, up to a maximum value that the City has received for this work.

48. The Owner shall construct a 1.5 metre (5') sidewalk on one side of the following streets:
- i) North Routledge Park Drive – outside (north and west) boulevard, west of Blue Heron Drive to the south limit of plan
49. The owner shall construct barrier curb throughout the subdivision in accordance with the Design Specifications and Requirements Manual to the satisfaction of the City Engineer.
50. ~~In conjunction with the submission of detailed design drawings, the Owner shall have his consulting engineer provide a proposed layout of the tapers for streets in this plan that change right-of-way widths with minimum 30 metre tapers (eg. from 20.0 metre to 19.0 metre road width), all to the satisfaction of the City Engineer. The roads shall be tapered equally aligned based on the alignment of the road centrelines. It should be noted tapers are not to be within an intersection.~~

General

51. The Owner shall construct and supply full municipal services on all streets within this plan. The Owner shall also construct and supply full municipal services to all lots created by this plan which may be on existing streets external to this plan, all to the satisfaction of the City Engineer (Woodcock Place in Plan M-568).
52. The Owner agrees that no construction or installations of any kind (eg. clearing or servicing of land) involved with this plan shall be undertaken 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. MOE certificates; City/Ministry/Government permits: Approved Works, water connection, water-taking Crown land, navigable waterways; UTRCA, MNR, MOE, City; etc., etc.).
53. The Owner agrees that once construction of any private services, ie: water, storm or sanitary, to service the lots or blocks in this plan and lands external to this plan are completed and any proposed relotting of the plan is undertaken, all the previously installed services must be reconstructed in standard location, in accordance with the approved final lotting and approved revised servicing drawings, all to the specifications of the City Engineer and at no cost to the City.
54. ~~The Owner shall have its professional engineer to determine the need for an Environmental Assessment under the Class EA requirements for the provision of any services related to this plan. No construction involving installation of services requiring an EA is to be undertaken prior to fulfilling the obligations and requirements of the Province of Ontario's Environmental Assessment Act.~~
55. ~~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.~~
56. The Owner's professional geotechnical engineer shall ensure that all geotechnical issues and all required setbacks related to slope stability in proximity to the Stanton Drain channel are adequately address for the subject lands, all to the satisfaction of the City Engineer and the UTRCA.
57. The Owner shall utilize construction access routes designated by the City Engineer from time to time.
58. 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 Engineer. Any deviations from the City's standards, guidelines or requirements shall be satisfactory to the City Engineer.
59. 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.
60. 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 Engineer.

61. 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 the sewers services as necessary, all to the specifications and satisfaction of the City Engineer , at no cost to the City.
62. 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.
63. 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.
64. 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) The unassumed services must be completed and Conditionally Accepted by the City;
 - ii) The subdivider must have a video inspection completed on all affected unassumed sewers;
 - b) 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.
65. 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.
 66. 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.
 67. ~~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. The provisions of all general by-laws, policies and guidelines, as amended from time to time, including~~

~~those pertaining to development charges and other levies, shall continue to apply to the subject lands and shall not be affected by any subdivision requirements respecting services.~~

68. The Owner agrees that 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, these deposits must be reported to the City Engineer/Chief Building Official immediately, and if required by the City Engineer/Chief Building Official, the Owner/contractor will, 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/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/Chief Building Official shall be implemented and carried out under the supervision of the professional engineer, to the satisfaction of the City Engineer/Chief Building Official and at the expense of the Owner/contractor, 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.

69. The Owner shall provide inspection 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 certificate of compliance upon completion in accordance with the plans approved by the City Engineer.
70. 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".
71. 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.
72. In conjunction with the first submission of engineering drawings ~~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 Engineer.
73. 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.
74. 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 Engineer.

75. The Owner shall remove all existing accesses and restore all affected areas, all to the satisfaction of the City Engineer, at no cost to the City.
76. Prior to the issuance of a Certificate of Conditional Approval for Block Lot 12 in this plan, the Owner shall build a fully serviced road on Woodcock Place in Plan 33M-568 and connect to the existing Woodcock Place in RP-986, to the satisfaction of the City, at no cost to the City. The Owner is to construct this fully-serviced road to City standards and is to include the extension of a watermain from Blue Heron Drive at Woodcock Street to Woodcock Place to service Block Lot 12 in this plan. It is noted that the 0.3 metre reserve (Block 3, Plan 33M-568) abutting Block Lot 12 in this plan is to remain until Woodcock Place is built to the satisfaction of the City Engineer, at no cost to the City.
77. ~~In conjunction with the first submission of engineering drawings Design Studies submission, the Owner shall provide a conceptual layout of Woodcock Place in Plan 33M-568 with consideration to the existing open watercourse, storm sewer servicing, SWM Facility, watermain servicing, etc.~~
78. Should the current or future Owner propose a revision to the development of these lands, that Owner may be required to complete a new or revised Design Studies submission in accordance with the File Manager process as required by the City.
79. The Owner shall provide a multi-purpose easement to the City along the north portion of Block 8 to provide for pedestrian access between North Routledge Park with the Hyde Park Rotary Link pathway all the satisfaction of the Manager of Parks Planning and Design.
80. In conjunction with the first submission 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 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, servicing, grading and drainage of this subdivision, road pavement structure, dewatering, foundation design, removal of existing fill (including but not limited to organic and deleterious materials), the placement of new engineering fill, any necessary 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. The Owner shall implement all geotechnical recommendations to the satisfaction of the City.~~

81. 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.

82. At the time this plan is registered, the Owner shall modify any existing easements, if necessary, and register all appropriate easements for any existing and proposed private storm and sanitary works required in this plan, to service external lands, all to the satisfaction of the City Engineer, at no cost to the City.
83. The Owner shall include in the Agreements of Purchase and Sale or lease and in the transfer of deed of any blocks in this plan, a covenant by the purchaser or transferee stating that the purchaser or transferee of the said blocks to observe and comply with the City easements, private easements and private sewer services needed for the servicing of any external lands to this plan. No landscaping, vehicular accesses, parking access, works or other features shall interfere with the above-noted municipal or private maintenance accesses, servicing, grading or drainage that services other lands.
84. Should any existing private servicing on the future North Routledge Park in this draft plan of subdivision be used for future municipal servicing, all services are to be constructed to City standards, to the satisfaction of the City, at no cost to the City.
85. Prior to commencing any construction on this site, the Owner shall notify the City of London Police Services of the start of construction of this plan of subdivision.
86. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.
87. In conjunction with engineering drawings submission, the Owner shall submit a Work Plan outlining the estimated costs associated with the design and construction of the DC eligible works. The work plan must be approved by the City Engineer (or designate) and City Treasurer (or designate) prior to advancing a report to Planning and Environment Committee recommending approval of the special provisions for the subdivision agreement all in accordance with the current DC By-law.
88. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall make adjustments to the existing works and services on Woodcock Place and North Routledge Park, adjacent to this plan to accommodate the proposed works and services on this street to accommodate this plan (eg. private services, street

light poles, traffic calming, etc.) in accordance with the approved design criteria and accepted drawings, al to the satisfaction of the City Engineer, at no cost to the City.

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.
804-860 Kleinburg Drive

Meeting on: September 9, 2019

Recommendation

That, on the recommendation of the Director, Development Services, based on the application by Applewood Developments (London) Inc. relating to the property located at 804-860 Kleinburg Drive, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on September 17, 2019 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 R1 Special Provision (h*h-100*h-173*R1-4(27)) Zone **TO** a Residential R1 Special Provision (R1-4(27)) Zone to remove the "h", "h-100" and "h-173" 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-100 and h-173 holding symbols from the zone map to permit the development of eight (8) single detached dwellings along Kleinberg Drive.

Rationale of Recommended Action

The conditions for removing the holding provisions have been met, as the required security has been submitted and the subdivision agreement has been signed, the number of units is below the threshold for a looped watermain and second access, and the urban design guidelines have been implemented through the subdivision agreement. All issues have been resolved and the holding provisions are no longer required.

1.0 Site at a Glance

1.1 Property Description

The sites are addressed as 804-860 Kleinburg Drive, on the north side of Kleinburg Drive, north of Sunningdale Road. The subject sites are presently vacant. There are existing residential uses to the south, and west, and vacant lands to the east and north.

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 – h*h-100*h-173*R1-4(27)

1.3 Site Characteristics

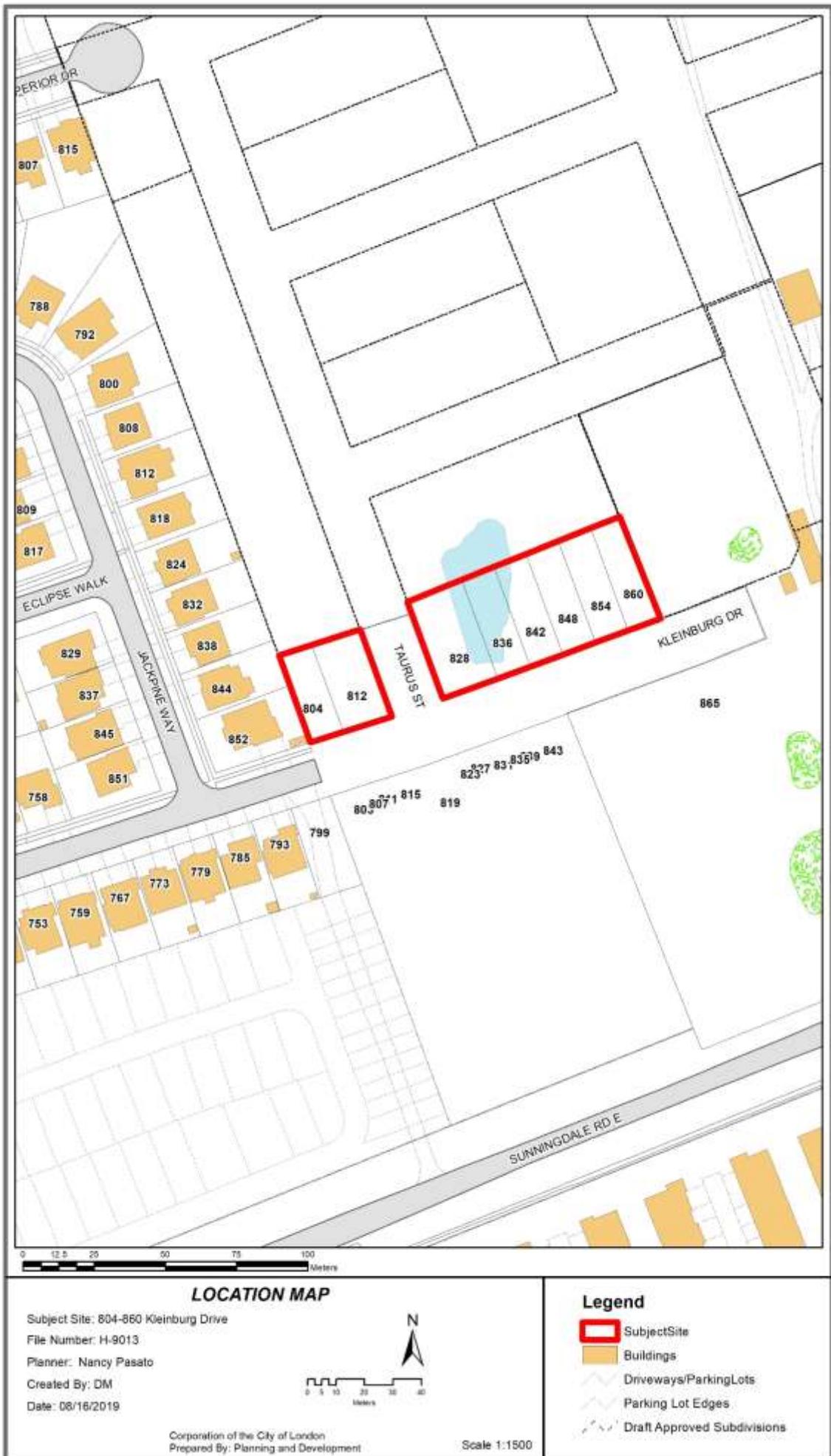
- Current Land Use – vacant
- Frontage – approx. 112m (367.5 feet)
- Depth – ranges - approx. 32m-39m (105.0 feet-128.0 feet)
- Area – approx. 0.377 ha (0.93 acres)

- Shape – irregular

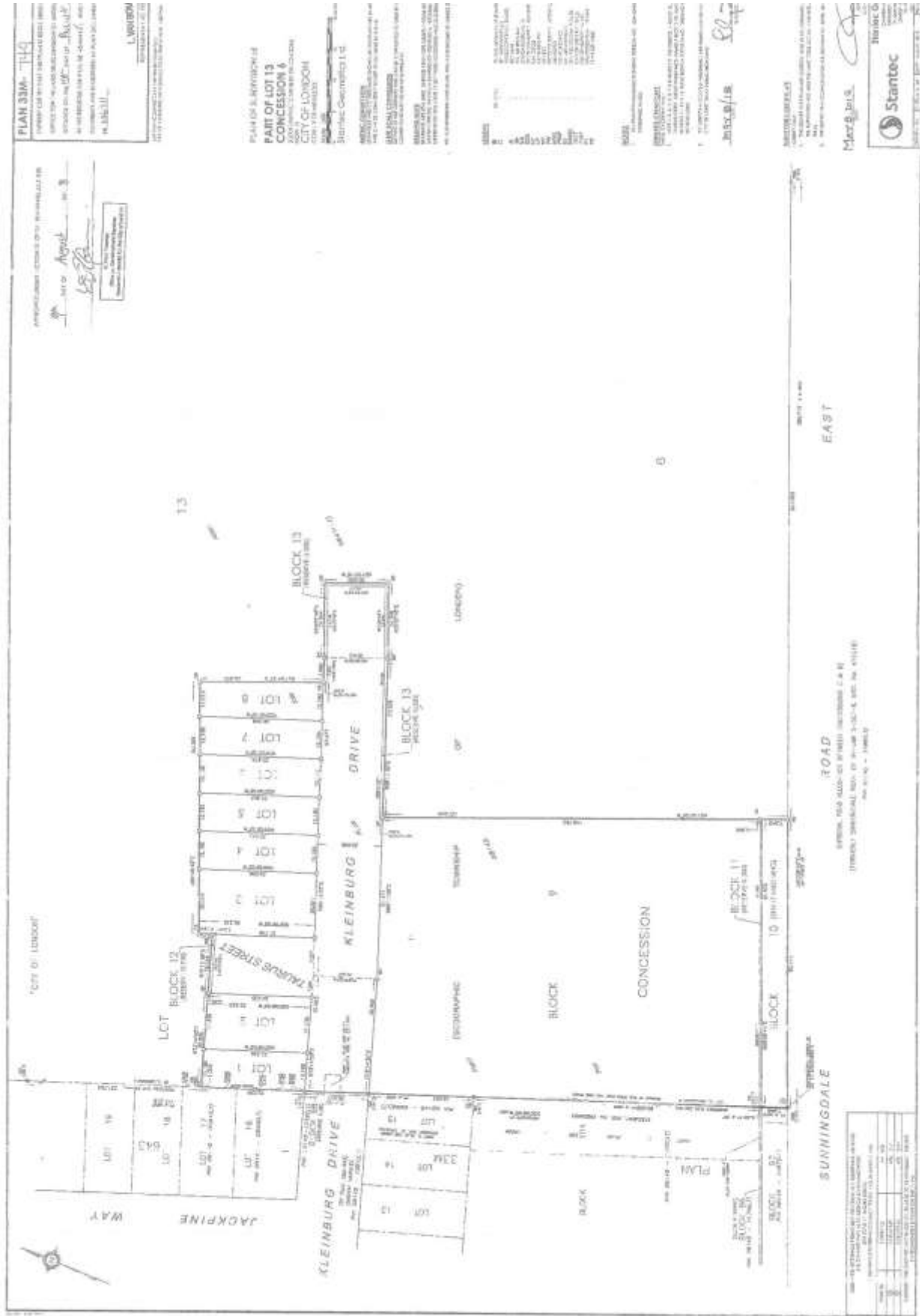
1.4 Surrounding Land Uses

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

1.5 Location Map



1.6 Phase 1 Registered Plan (33M-749)



2.0 Description of Proposal

2.1 Development Proposal

The requested amendment will permit the development of eight (8) single detached dwellings along Kleinburg Drive.

3.0 Relevant 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 Applewood Subdivision (39T-09501). Phase 1 of the subdivision was granted final approval on August 10, 2018, and is registered as 33M-749.

3.2 Requested Amendment

The applicant is requesting the removal of the “h”, “h-100” and “h-173” holding provisions from the Zone on the subject lands, which requires that the necessary securities be received, the execution of a subdivision agreement, a looped watermain be installed and a secondary emergency access be available, and ensure that the 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 subdivision 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-100” holding provision and is appropriate to consider its removal?

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 proposed eight (8) dwelling units is well below the 80 unit threshold for water looping and emergency access. The lands on the south side of Kleinburg Drive (819 Kleinburg Drive) are developing for a 54 unit cluster townhouse development. Even with these units both developments are below the threshold, therefore, conditions for removing the holding “h-100” provision in this instance have been met.

4.3 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 subdivision agreement, and the urban design guidelines for this phase were implemented through the subdivision agreement. This satisfies the requirement for the removal of the “h-173” holding provision.

5.0 Conclusion

The Applicant has entered into a subdivision agreement for these sites, provided the necessary security, is below the 80 unit limit for a looped watermain system and second public access, and has implemented the urban design guidelines through the subdivision agreement. Therefore, the required conditions have been met to remove the “h”, “h-100” and “173” holding provisions. The removal of the holding provisions is recommended to Council for approval.

Prepared by:	Nancy Pasato, MCIP, RPP Senior Planner, Development Services
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	

August 27, 2019

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

Lou Pompili, Manager, Development Planning

Ismail Abushehada, Manager, Development Engineering

NP/np

\\FILE1\users-x\pdda\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2019\H-9103 - 804-860 Kleinburg Drive (NP)\H-9103 804 Kleinburg Report.docx

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 804-860 Kleinburg Drive.

WHEREAS Applewood Developments (London) Inc. have applied to remove the holding provisions from the zoning for the lands located at 804-860 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 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 804-860 Kleinburg Drive, as shown on the attached map, to remove the h, h-100 and h-173 holding provisions so that the zoning of the lands as a Residential R1 Special Provision (R1-4(27)) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

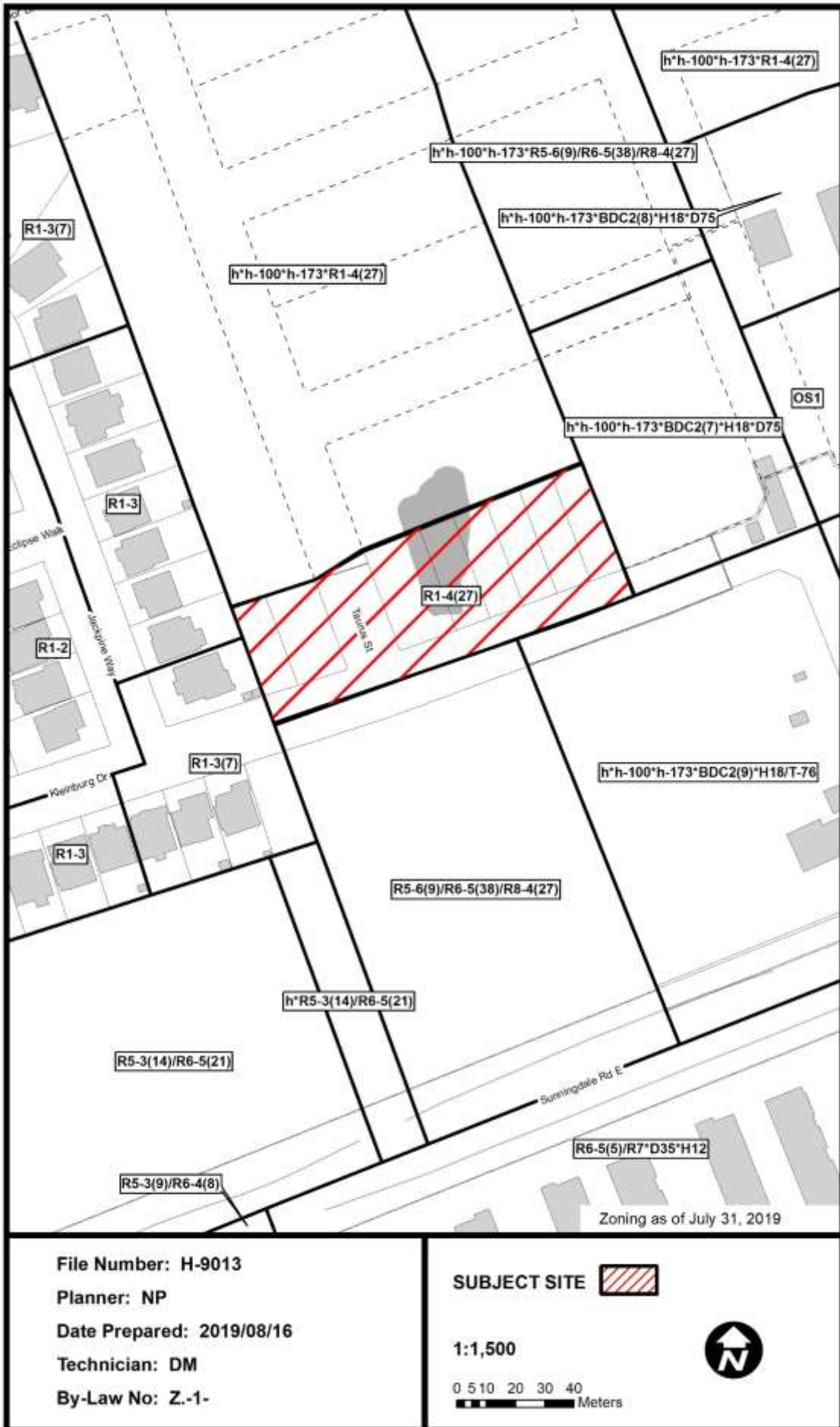
PASSED in Open Council on September 17, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 17, 2019
Second Reading – September 17, 2019
Third Reading – September 17, 2019

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



Geotitles.com

Previous Reports and Applications Relevant to this Application

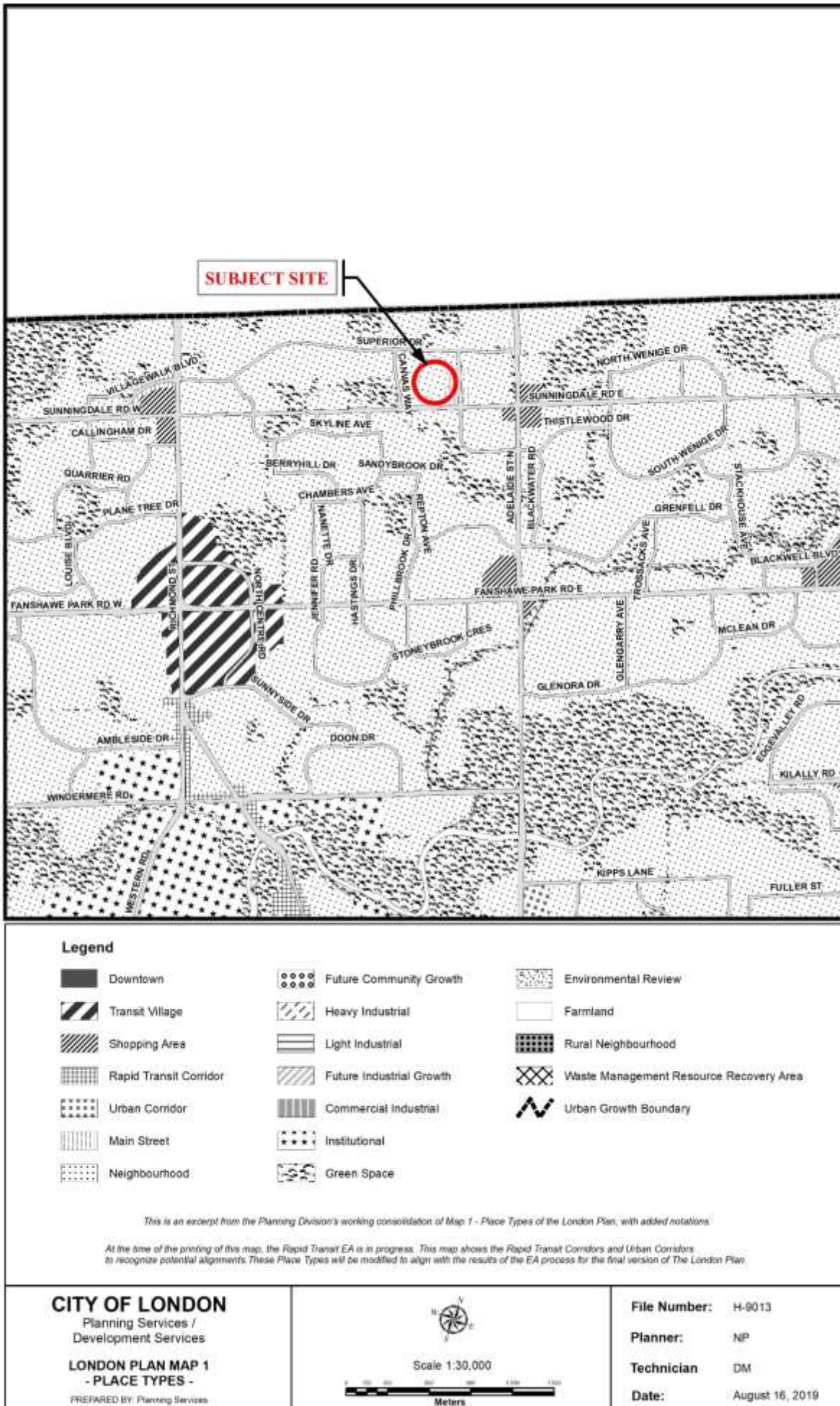
June 9, 2003: Report to Planning Committee recommending adoption of the Uplands North Area Plan.

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)

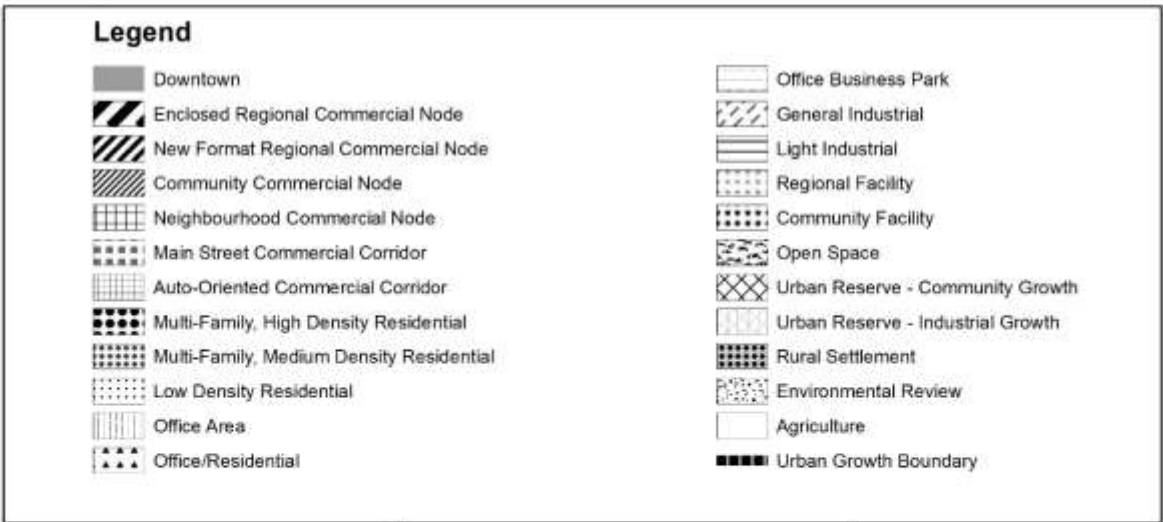
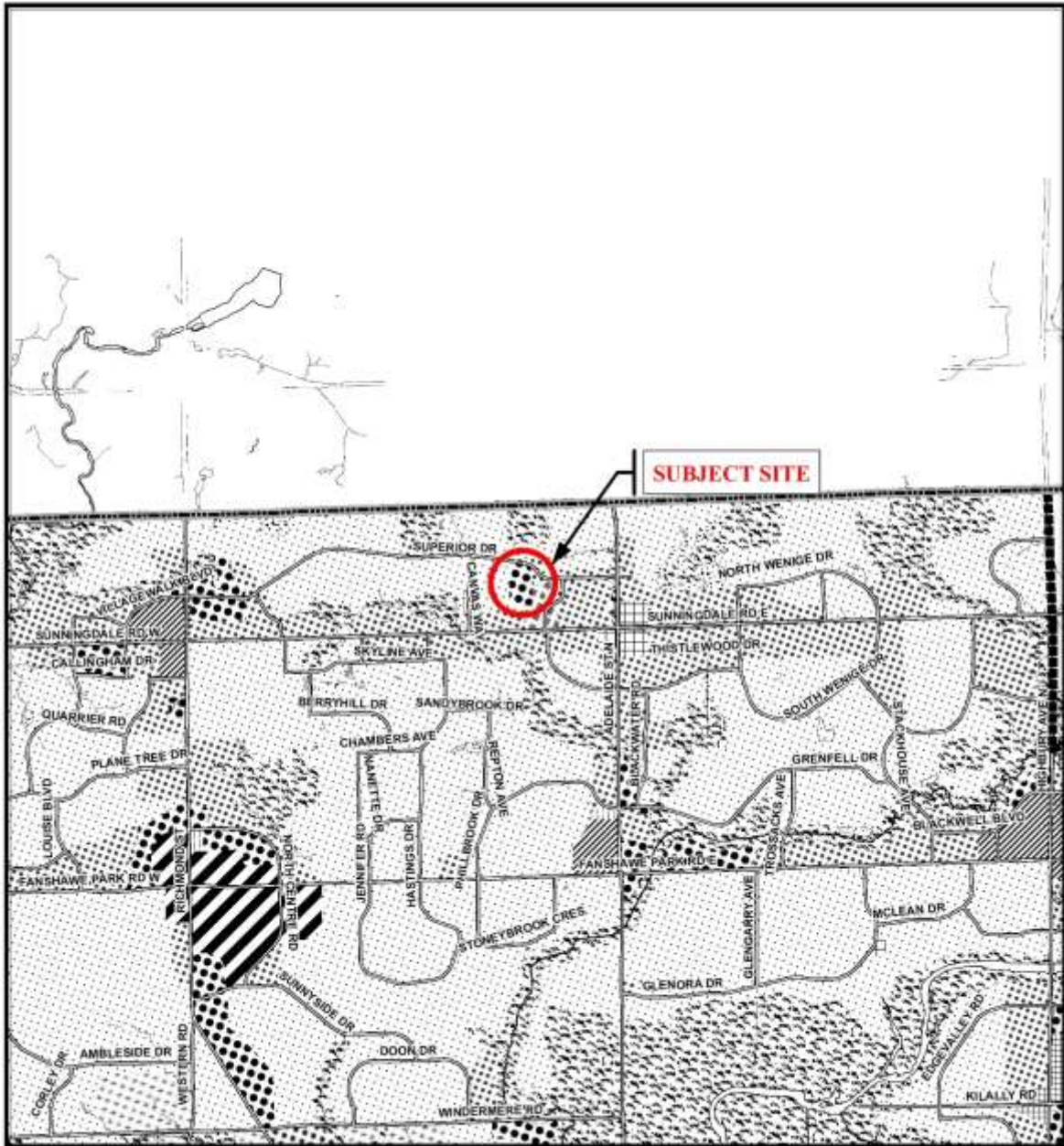
Appendix B – Relevant Background

London Plan Excerpt

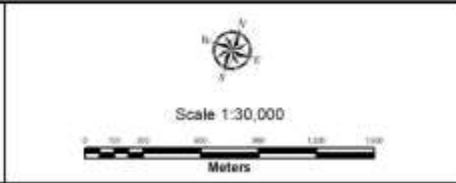


Project Location: E:\Planning\Projects\ip_officialplan\work\consolid\00\excerpts_LondonPlan\mxd\H-9013-Map1_PlaceTypes_b&w_8x14.mxd

1989 Official Plan Excerpt



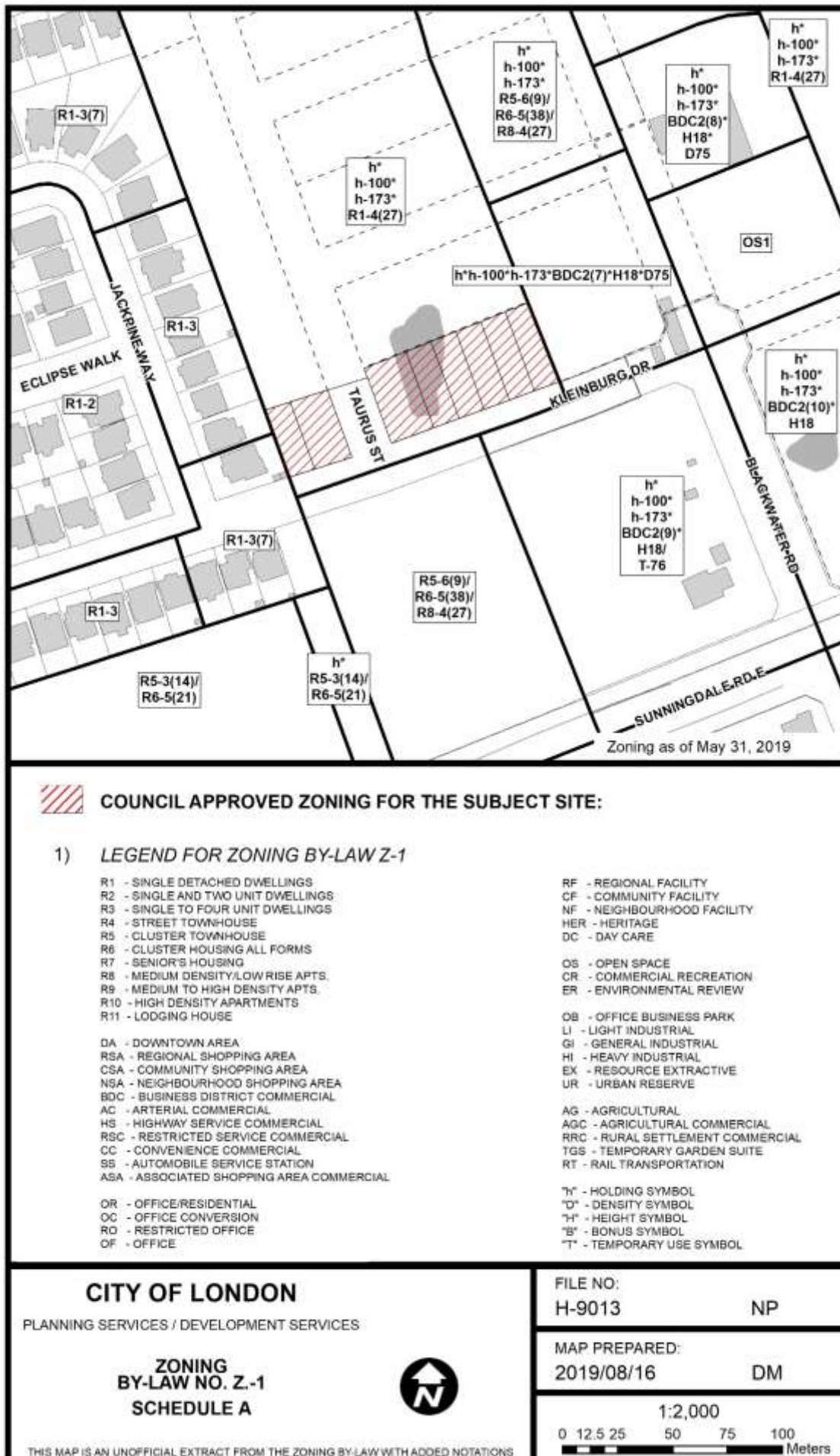
CITY OF LONDON
 Department of
 Planning and Development
OFFICIAL PLAN SCHEDULE A
 - LANDUSE -
 PREPARED BY: Graphics and Information Services



FILE NUMBER: H-9013
PLANNER: NP
TECHNICIAN: DM
DATE: 2019/08/16

PROJECT LOCATION: c:\planning\projects\p_officialplan\work\consolid00\excerpts\mxd_templates\scheduleA_NEW_b&w_8x14.mxd

Zoning Excerpt



TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE MEETING ON SEPTEMBER 9, 2019
FROM:	G. KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL
SUBJECT:	LIMITING DISTANCE (NO-BUILD) AGREEMENT BETWEEN THE CORPORATION OF THE CITY OF LONDON & 947563 ONTARIO LIMITED o/a BRIDLEWOOD HOMES (1648 WARBLER WOODS WALK)

RECOMMENDATION

That, on the recommendation of the Managing Director, Development & Compliance Services & Chief Building Official, the following actions be taken in respect of a limiting distance (no-build) agreement between the Corporation of the City of London and 947563 Ontario Limited o/a Bridlewood Homes (1648 Warbler Woods Walk):

- a) the attached proposed limiting distance agreement for the property at 1648 Warbler Woods Walk between the Corporation of the City of London and 947563 Ontario Limited o/a Bridlewood Homes **BE APPROVED**; and
- b) the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting of September 17, 2019 to approve the limiting distance agreement between the Corporation of the City of London and 947563 Ontario Limited o/a Bridlewood Homes for the property at 1648 Warbler Woods Walk, and to delegate authority to the Managing Director, Parks and Recreation to execute the agreement on behalf of the City of London as the adjacent property owner.

PREVIOUS REPORTS

January 28, 2009 – Report to Board of Control, submitted by the Director of Building Controls to amend the Appointment By-law authorizing the Chief Building Official to bind the Corporation of the City of London while exercising his duties in executing limiting distance agreements.

BACKGROUND

The purpose of this report is to authorize the Managing Director, Parks and Recreation, to execute into a limiting distance agreement on behalf of the Corporation of the City of London (Corporation) as the owner of the adjacent property. The Corporation is the owner of the park space property to the south of 1648 Warbler Woods Walk.

The owners of the property situated at 1648 Warbler Woods Walk namely, 947563 Ontario Limited o/a Bridlewood Homes have applied for a building permit to build a 3,660 sq.ft. (340 sq. m) - including the finished basement - single detached dwelling. The south exposed building face of the proposed house, would require a setback to the property line of 6.0m due to the proposed percentage of unprotected openings (16%) as per the Ontario Building Code (OBC).

The OBC provides relief from any setback restrictions by allowing for a virtual property line to be established. This requires that the affected owners enter into a limiting distance or otherwise commonly known as a “no-build” agreement with the adjacent owner(s) and the municipality.

Through the agreement, one of the affected owners covenants that no building or structure will be erected or placed on the portion of the property wherein the virtual property line has been shifted upon. This, in essence, allows the other owner to construct a building closer to the actual property line and thus being ‘relieved’ from the requirements of the OBC with respect to how the wall is to be constructed from a fire resistance standpoint.

947563 Ontario Limited o/a Bridlewood Homes (referred in the agreement as ‘Owner’), approached the Building Division with a proposal to enter into a “no-build” agreement which would eliminate the otherwise required opening restriction and result in a more aesthetic south wall design.

As previously mentioned, the OBC (Division B – Articles 9.10.14.2.(4) and (5)) allows for a municipality to enter into a “no-build” agreement with the property owners affected. The agreement will also be registered on the titles of the lands in question.

Articles (4) and (5) state:

(4) The required limiting distance for an exposing building face is permitted to be measured to a point beyond the property line that is not the centre line of a street, lane or public thoroughfare if,

(a) the owners of the properties on which the limiting distance is measured and the municipality enter into an agreement in which such owners agree that,

(i) each owner covenants that, for the benefit of land owned by the other covenantors, the owner will not construct a building on his or her property unless the limiting distance for exposing building faces in respect of the proposed construction is measured in accordance with the agreement,

(ii) the covenants contained in the agreement are intended to run with the lands, and the agreement shall be binding on the parties and their respective heirs, executors, administrators, successors and assigns,

(iii) the agreement shall not be amended or deleted from title without the consent of the municipality, and

(iv) they will comply with such other conditions as the municipality considers necessary, including indemnification of the municipality by the other parties, and

(b) the agreement referred to in Clause (a) is registered against the title of the properties to which it applies.

(5) Where an agreement referred to in Sentence (4) is registered against the title of a property, the limiting distance for exposing building faces in respect of the construction of any buildings on the property shall be measured to the point referred to in the agreement.

The Corporation (referred in the agreement as ‘Adjacent Owner’), is the owner of the property to the south. Considering the property is parkland-open space, entering into a “no-build agreement” with the Owner and the Corporation as the adjacent property owner, is considered a feasible option. This would result in the elimination of the percentage of unprotected opening restriction and/or fire resistance rating of the south exposed building face of the proposed dwelling unit.

The Building Division consulted with the Manager III, Parks Planning and Design, Planning Services with respect to the agreement, who advised that there was no objection with this proposal.

A site plan depicting the proposed dwelling as well as the South Elevation are included in Appendix ‘A’.

CONCLUSION

Previously, City Council has resolved to authorize the Chief Building Official to bind the Corporation in executing the limiting distance agreements, exercising his duties under the provisions of the Ontario Building Code.

The purpose of this report is to authorize the Managing Director, Parks and Recreation, to execute a limiting distance agreement on behalf of the Corporation in its capacity as the Adjacent Owner. The Corporation is the owner of the open space property to the south of 1648 Warbler Woods Walk.

The agreement, a provision under the Ontario Building Code, would allow the owner of 1648 Warbler Woods Walk to increase the percentage of wall openings and essentially provide a more feasible design option for the dwelling’s south wall.

PREPARED BY:	RECOMMENDED BY:
<p>PETER KOKKOROS, P.ENG. DEPUTY CHIEF BUILDING OFFICIAL, DEVELOPMENT AND COMPLIANCE SERVICES</p>	<p>GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL</p>

c.c Andrew MacPherson, Manager III, Parks Planning and Development
Dave Munteer, Solicitor II

Bill No.

By-law No.

A By-law to approve a limiting distance agreement between the Corporation of the City of London and 947563 Ontario Limited o/a Bridlewood Homes for the property at 1648 Warbler Woods Walk, and to delegate authority to the Managing Director, Parks and Recreation to execute the agreement on behalf of the City of London as the adjacent property owner.

WHEREAS section 5(3) of the *Municipal Act, 2001* S.O. 2001, c.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS it is deemed expedient for The Corporation of the City of London (the "City") to enter into a limiting distance agreement with 947563 Ontario Limited o/a Bridlewood Homes for the property at 1648 Warbler Woods Walk (the "Agreement");

AND WHEREAS it is appropriate to delegate authority to the Managing Director, Parks and Recreation to execute the agreement on behalf of the City of London as the adjacent property owner;

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

1. The Agreement substantially in the form attached as Schedule "A" to this by-law and to the satisfaction of the City Solicitor, being limiting distance agreement between the Corporation of the City of London and 947563 Ontario Limited o/a Bridlewood Homes for the property at 1648 Warbler Woods Walk, is hereby APPROVED.
2. The Managing Director, Parks and Recreation is hereby authorized to execute the Agreement approved under section 1 of this by-law on behalf of the City of London as the adjacent property owner.
3. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council , 2019

Ed Holder
Mayor

Catharine Saunders
City Clerk

First reading -
Second reading -
Third reading -

SCHEDULE "A"

THIS AGREEMENT made in duplicate this ___th day of September, 2019 .

BETWEEN:

947563 Ontario Limited o/a Bridlewood Homes
(hereinafter called the "OWNER")

of the FIRST PART

- and -

THE CORPORATION OF THE CITY OF LONDON

(hereinafter called the "CITY")

of the SECOND PART

- and -

THE CORPORATION OF THE CITY OF LONDON

(hereinafter called "ADJACENT OWNER")

of the THIRD PART

WHEREAS the Owner is the registered owner of the lands described in Schedule "A" (the "Owners' Lands");

AND WHEREAS Adjacent Owner is the registered owner of lands described in Schedule "B" (the "Adjacent Lands");

AND WHEREAS the Owner's Lands abut and are immediately to the North of the Adjacent Lands;

AND WHEREAS the Owner has applied to the City for permission to be exempted from certain provisions of the Ontario Building Code pertaining to unprotected openings and fire rating in the wall of a Single Detached Dwelling constructed on the Owner's Lands;

AND WHEREAS the south face of the single detached dwelling will abut the Adjacent Lands;

AND WHEREAS the City wishes to ensure that no building or structure will be erected on the Adjacent Lands within 6.0 metres of the south face of the Single Detached Dwelling on the Owner's Lands;

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the sum of \$2.00 and other good and valuable consideration now paid by each of the parties hereto to the other, the receipt and sufficiency of which is hereby acknowledged, the City, the Owner and Adjacent Owner hereby covenant and agree as follows:

1. The Adjacent Owner irrevocably agrees with the Owner not to construct any building or structure within 6.0 metres of the South face of the Single Detached Dwelling on the Owner's Land; failing which, the Adjacent Owner shall be fully liable for all costs of the work to be performed pursuant to the requirements of the Ontario Building Code.
2. The Adjacent Owner acknowledges and agrees that the 6.0 metre line as established by this agreement shall be the "limiting distance" for the purposes of the determining unprotected openings or fire rating on the wall as required by the Ontario Building Code, of the North face of any building subsequently erect on the Adjacent Lands.
3. For the purposes of this agreement "limiting distance" shall mean a line 6.0 metres from the South wall of the house on the Owner's Lands.
4. This restriction shall run with the Owner's Lands and the Adjacent Lands and shall bind all Parties hereto, their successors and assigns.
5. The Owner covenants and agrees with the City, that the Owner will forthwith bring the South wall of the Single Detached Dwelling into compliance, as is prescribed by the Ontario Building Code then in effect, coincidental with the construction of any building or structure upon the Adjacent Lands, which is within 6.0 metres of the South face of the Single Detached Dwelling on the Owner's Lands.

6. Further, the Owner covenants and agrees with the City, that the City may at any time Utilize its land to the south of 1648 Warbler Woods Walk as parkland, which may include the installation of standard park amenities and/or tree planting.
7. The Owner, successors and heirs of the subject property at 1648 Warbler Woods Walk agree(s) to restore to the City's satisfaction any disturbance of the parkland immediately adjacent to the south.
8. Removal of this agreement from the title of either property shall require the written agreement of all parties (or their heirs or assigns) to this agreement.

IN WITNESS WHEREOF the parties hereto have hereunto duly executed this agreement.

SIGNED, AND DELIVERED
in the presence of:

) **947563 Ontario Limited o/a Bridlewood Homes**
) (Owner)
) per: Carmine Gargarella
)
) _____
) Authorized Officer
)
)
)
)
) **THE CORPORATION OF THE CITY OF LONDON**
) (City)
) per: George Kotsifas, P.Eng.
)
) _____
) Authorized Officer
)
)
)
) **THE CORPORATION OF THE CITY OF LONDON**
) (Adjacent Owner)
) per: Scott Stafford-Managing Director,
) Parks & Recreation
)
)
) _____
) Authorized Officer

SCHEDULE 'A'

PLAN 33M711 LOT 89 (Municipal Address 1648 Warbler Woods Walk)

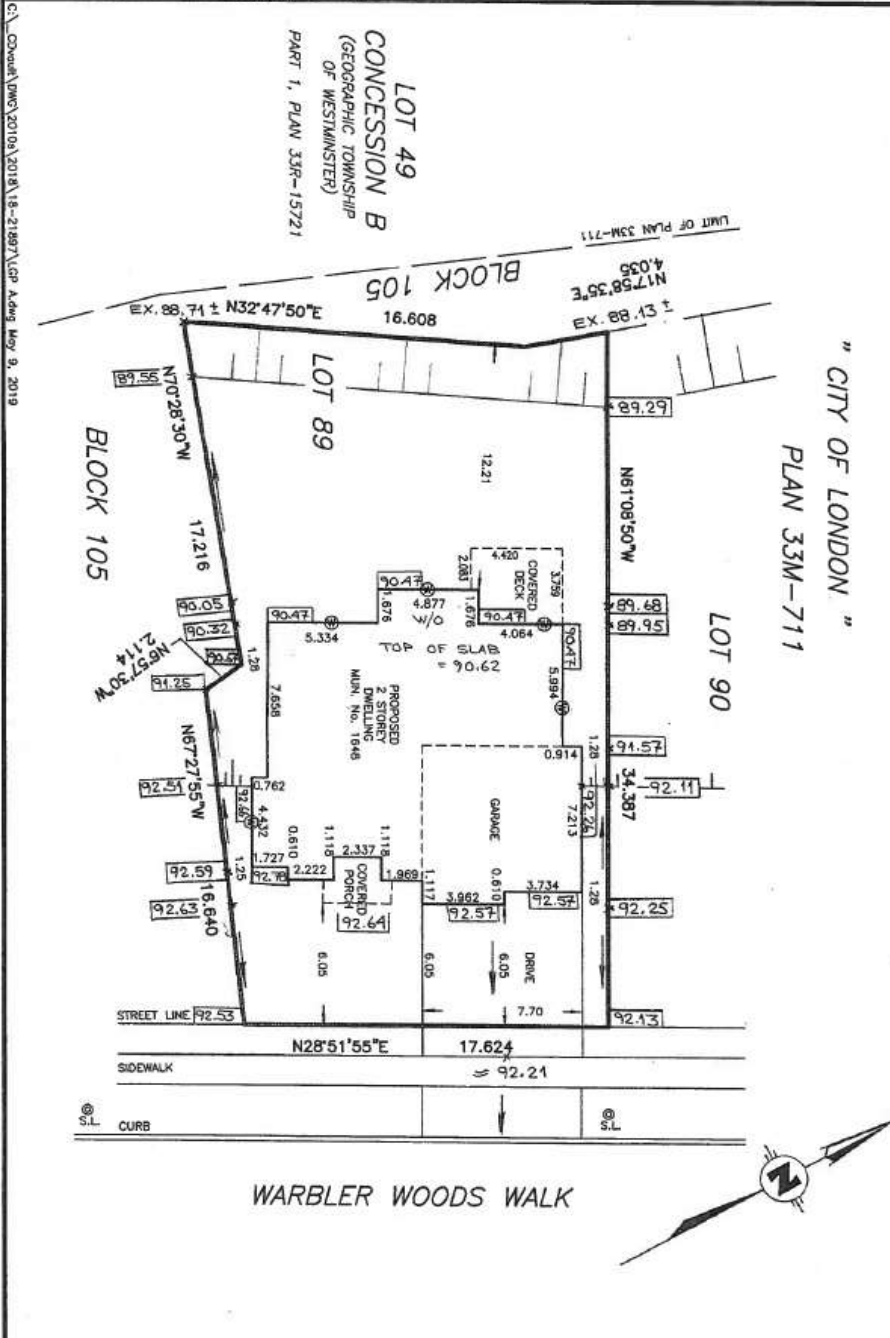
SCHEDULE 'B'

PLAN 33M711 BLK 105 RP
33R19765 PARTS 1 AND 2

APPENDIX 'A'

NO.	DATE	LOG	DATE	L/O
1	APR 28 2019	VL		
2	MAY 9 2019	VL		

NOTE:
STEP FOOTING FOR FROST COVER.
STEP FOUNDATION TO SUIT GRADE.



I HEREBY CERTIFY THAT THE PROPOSED GRADING AND APPURTENANT DRAINAGE WORKS COMPLY WITH SOUND ENGINEERING DESIGN AND THAT THE PROPOSED GRADING IS IN GENERAL CONFORMITY WITH THE CITY OF LONDON ZONING BY-LAW FOR DRAINAGE AND RELATIVE ELEVATIONS, WITH THE ACCEPTED SUBDIVISION GRADING PLANS FILED WITH THE CITY ENGINEER OR ATTACHED TO THE SUBDIVISION GRADING PLANS.

PROPOSED FOUNDATION DATA:

TOP OF FOUNDATION ELEV.	93.08
FRONT:	90.39
REAR:	89.25
BASEMENT WINDOW SILL ELEV.	N/A
8'4" FOUNDATION WALL HEIGHT	2.54
20" TOP OF FOUNDATION TO FINISHED GARAGE FLOOR	0.51

SITE DATA:
 SITE AREA = 642,268 SQ.M.
 BUILDING AREA = 202,091 SQ.M. (31%)
 DRIVEWAY AREA = 48,232 SQ.M. (7%)
 LANDSCAPED AREA = 391,336 SQ.M. (61%)

NOTE: ADD 200 METRES TO ALL ELEVATIONS TO OBTAIN GEODETIC DATUM.

⊕ DENOTES OPENING(S) PRESENT ON SIDE OF BUILDING (N.T.S.)

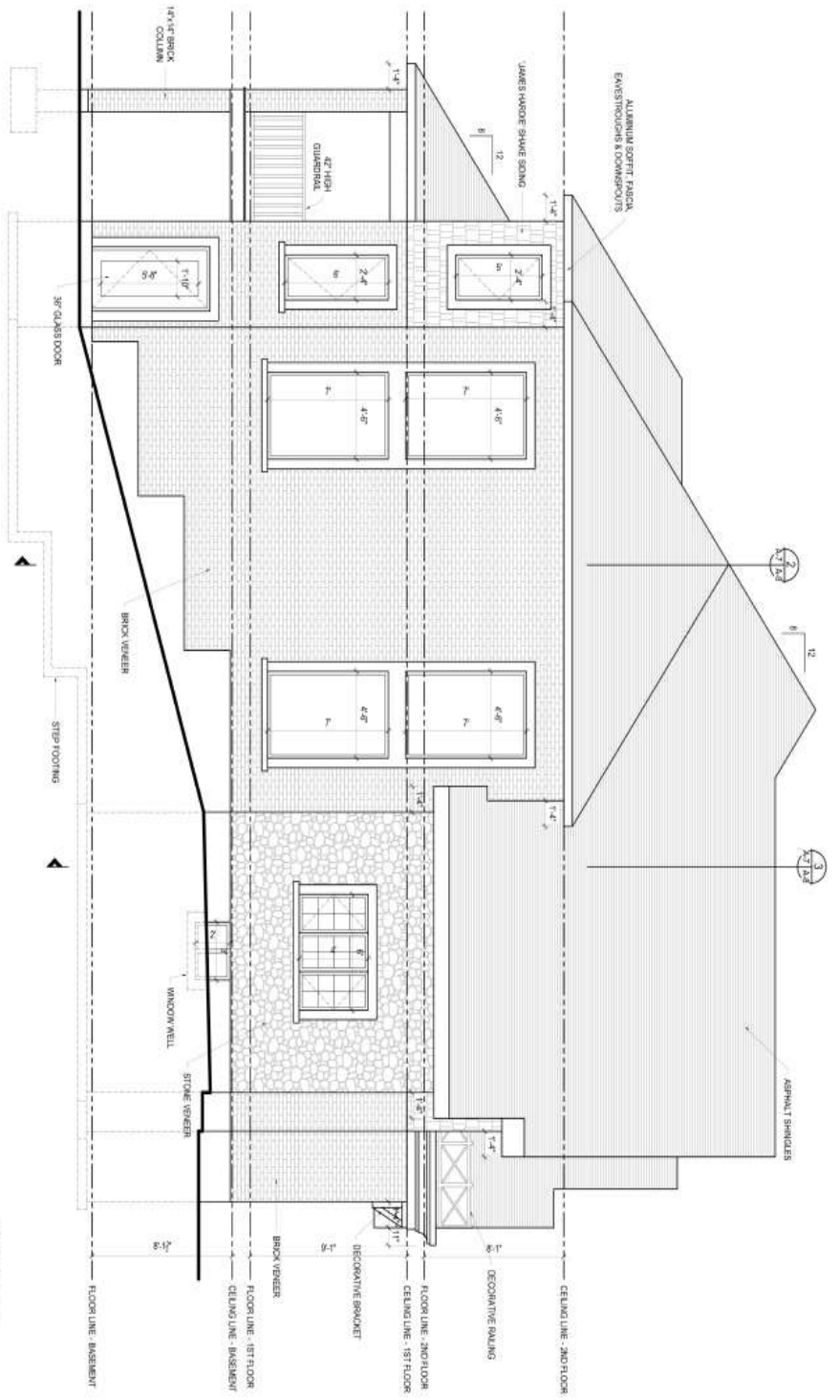
ZONING BASED ON: R1-5

Callon + Dietz
 INCORPORATED
 ONTARIO LAND SURVEYORS
 LONDON NORTH BAY ST. THOMAS
 TEL (519) 673-0220 FAX (519) 673-5052

PLAN PREPARED FOR:
 BRIDLEWOOD HOMES

PLAN No.: 33M-711 FILE No.: 18-21887 A
 DRAWN BY: VL SCALE: 1:250

C:\Oswald\DWG\2010a\2018\18-21887\LOG A.dwg May 9, 2019



LEFT ELEVATION
SCALE: 1/4"=1'

LIMITING DISTANCE CALCULATIONS

TOTAL AREA OF EXPOSING BUILDING FACE (SQ FT) (TOTAL)	TOTAL AREA OF EXPOSING BUILDING FACE (SQ FT) (LIMIT)
1000	1000
PERMISSIBLE AREA OF GLAZED OPENINGS	1000

Table 9.10.15.4
Maximum Area of Glazed Openings in Exterior Walls of Houses
Forming Part of Sentences 9.10.15.4.(1) and (2)

Item	Column 1	Maximum Aggregate Area of Glazed Openings, % of Exposing Building Face Area														
		2	3	4	5	6	7	8	9	10	11	12	13	14	15	
Maximum Total Area of Exposing Building Face, m ²	Less than 100	1	10	0	8	12	21	33	55	96	100	—	—	—	—	—
		2	15	0	8	10	17	25	37	67	100	—	—	—	—	—
	100	3	20	0	8	10	15	21	30	53	100	—	—	—	—	—
		4	25	0	8	9	13	19	26	45	100	—	—	—	—	—
	300	5	30	0	7	9	12	17	23	39	88	100	—	—	—	—
		6	40	0	7	8	11	15	20	32	69	100	—	—	—	—
	500	7	50	0	7	8	10	14	18	28	57	100	—	—	—	—
		8	100	0	7	8	9	11	13	18	34	56	84	100	—	—
	Over 1000	9	100	0	7	7	8	9	10	12	12	28	40	55	92	100
		10	100	0	7	7	8	9	10	12	12	28	40	55	92	100

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: George Kotsifas, P. Eng.
Managing Director, Development & Compliance Services &
Chief Building Official
Subject: Candidate Approval for the Urban Design Peer Review Panel
Meeting on: September 9, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following candidate **BE APPROVED** for the position listed below on the Urban Design Peer Review Panel:

- a) Amelia Sloan – Position of Planner

Background

On November 26, 2012, Planning and Environment Committee approved a revised Terms of Reference for the Urban Design Peer Review Panel. The revised Terms of Reference outlined the makeup of the Panel with the following positions: three (3) Architects and three (3) other professionals that influence the design of the built environment and are registered in their field; these fields include, in order of preference, Landscape Architecture, Urban Design, Planning or other professional fields that influence the design of the built environment. The Terms of Reference indicates Panel members are to be considered for approval by Council upon the recommendation of administration.

On January 7, 2019, Planning and Environment Committee approved the appointment of three (3) new Panel members (one architect/urban designer, one architect and one landscape architect) who were intended to serve on the Panel for a two (2) year term commencing on January 16, 2019 and ending December 31, 2019. On April 15, 2019, a Panel member with the position of Architect/Urban Designer voluntarily resigned, resulting in a vacancy for the remainder of this term.

The proposed candidate, Amelia Sloan, noted in this report possesses a full breadth of knowledge, expertise and experience in the field of Planning and Urban Design. Ms. Sloan's appointment to the Panel will assist the City as we move forward and continue to contribute to the value that the Panel has added within the development approvals process over the last decade.

Prepared by:	Wyatt Rotteau Urban Design Technician, Development Services
Recommended by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P. Eng Managing Director, Development and Compliance Services & Chief Building Official
<p>Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services</p>	

September 9, 2019

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Appendix A

Name: Amelia Sloan

Occupation: Development Planner

Work experience:

Development Planner – County of Oxford (current employer): My role at Oxford County mainly involves reviewing our current official plan policies, assisting with framing and articulating new policies and strategies, and developing a complete, integrated policy framework to greater achieve the County’s goals. In addition to policy development, I review emerging issues and investigate land use planning approaches in other jurisdictions, and am actively involved in commenting to provincial agencies and ministries on proposed legislative and regulatory amendments. Also, I provide support to my colleagues in development planning through the review of planning applications and completion of planning reports, as necessary. Planner - Municipal Affairs & Housing: As a planner at the provincial level, I analysed municipal documents, including official plans, to ensure that the province’s interest in economic, environmental and social issues were considered. I supported the land use planning capabilities of municipalities in my assigned counties to build capacity at the municipal level. I reviewed Official Plan updates and amendments of various municipalities throughout Eastern Ontario to ensure they are aligned with the Provincial Policy Statement (PPS) and the Planning Act, as well as other legislation. I have developed a sound understanding of provincial policy, along with an in-depth comprehension of the PPS and other provincial guidelines. I liaised with other ministries and agencies, to support the achievement of the government’s policy objectives. Planning Assistant - Town of Antigonish: As an assistant for the Town of Antigonish Director of Planning, I was responsible for overseeing and assessing the completion of a number of development agreements; analyzing the legislation and policies behind various town bylaws; creating promotional material for the town’s built heritage; and, liaising with community members to accomplish required tasks.

Education:

Registered professional planner since 2017 Master of Planning (MPLAN) - Dalhousie University, Halifax, NS Honours Bachelor of Science (Life Science), Art History Minor - McMaster University

Skills:

My education and career experience with land use planning and policy development, combined with an education in the history of art and architecture would be beneficial as a member of the peer review panel.

Interest reason:

I have a keen interest in urban design, and would like exposure to municipal processes that effectively critique, maintain and improve the built form. I would be hoping to learn ideas and processes that could be translated to the smaller urban areas where I live and work (e.g. St. Thomas, Woodstock, Ingersoll, Tillsonburg).

Contributions:

I think I have a strong understanding of provincial land use policy, and am a quick learner when it comes to understanding legislation, and regulatory frameworks in Ontario.

Past contributions:

I am a current member of the St. Thomas-Elgin Public Art Centre Board of Directors and believe aesthetics of the built form is part a community's cultural fabric. I strive to ensure the centre provides enhanced public experiences for the viewing and education of art in my community.

Interpersonal:

I am part of a volunteer organization that holds a monthly speaker series in St. Thomas and am often leading question periods/discussion at the end, and chair business

meetings. The group is called the Canadian Federation of University Women, St. Thomas chapter. Also, as an Art Centre board member, we constantly engage a board meetings, which I feel I do in a respectful manner.

Interview interest: Yes

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: Greengate Village Limited
Summerside Subdivision Phase 12B - Special Provisions
Meeting on: September 9, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London and Greengate Village Limited for the subdivision of land over Part of Lot 14, Concession 1, (Geographic Township of Westminster), situated on the north side of Bradley Avenue, between Highbury Avenue South and Jackson Road;

- (a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Greengate Village Limited for the Summerside Subdivision Phase 12B – Stage 2 (39T-07508) attached as Appendix “A”, **BE APPROVED**;
- (b) the Applicant **BE ADVISED** that Development Finance has summarized the claims and revenues attached as Appendix “B”; and
- (c) the Mayor and the City Clerk **BE AUTHORIZED** to execute this Agreement, any amending agreements and all documents required to fulfill its conditions.

Analysis

1.0 Site at a Glance






1.1 Background and Description

On June 28, 2019, the City of London Approval Authority issued a decision to grant draft approval to a red-line revised, draft plan of subdivision submitted by Greengate Village Limited, known as Summerside Phase 12B. The statutory public meeting of the Planning and Environment Committee was held on May 13, 2019. Municipal Council passed a corresponding Zoning By-law Amendment on May 21, 2019. There were no appeals to either the draft approved plan or Zoning By-law Amendment. The draft plan consists of 62 single detached dwellings, six (6) multi-family, medium density blocks, and two (2) reserve blocks, on the extension of Turner Crescent. The subject development lands are approximately 0.7 hectares in area, and are currently accessed off an existing road stub from Asima Drive.

This request for Special Provisions represents the second stage of the subdivision development consisting of 15 single detached residential lots, served by the extension of Turner Crescent terminating in a temporary turning circle. The first phase of the subdivision (Phase 12A) on lands to the east, which included the easterly extension of Asima Drive and Strawberry Walk, was registered on July 14, 2016.

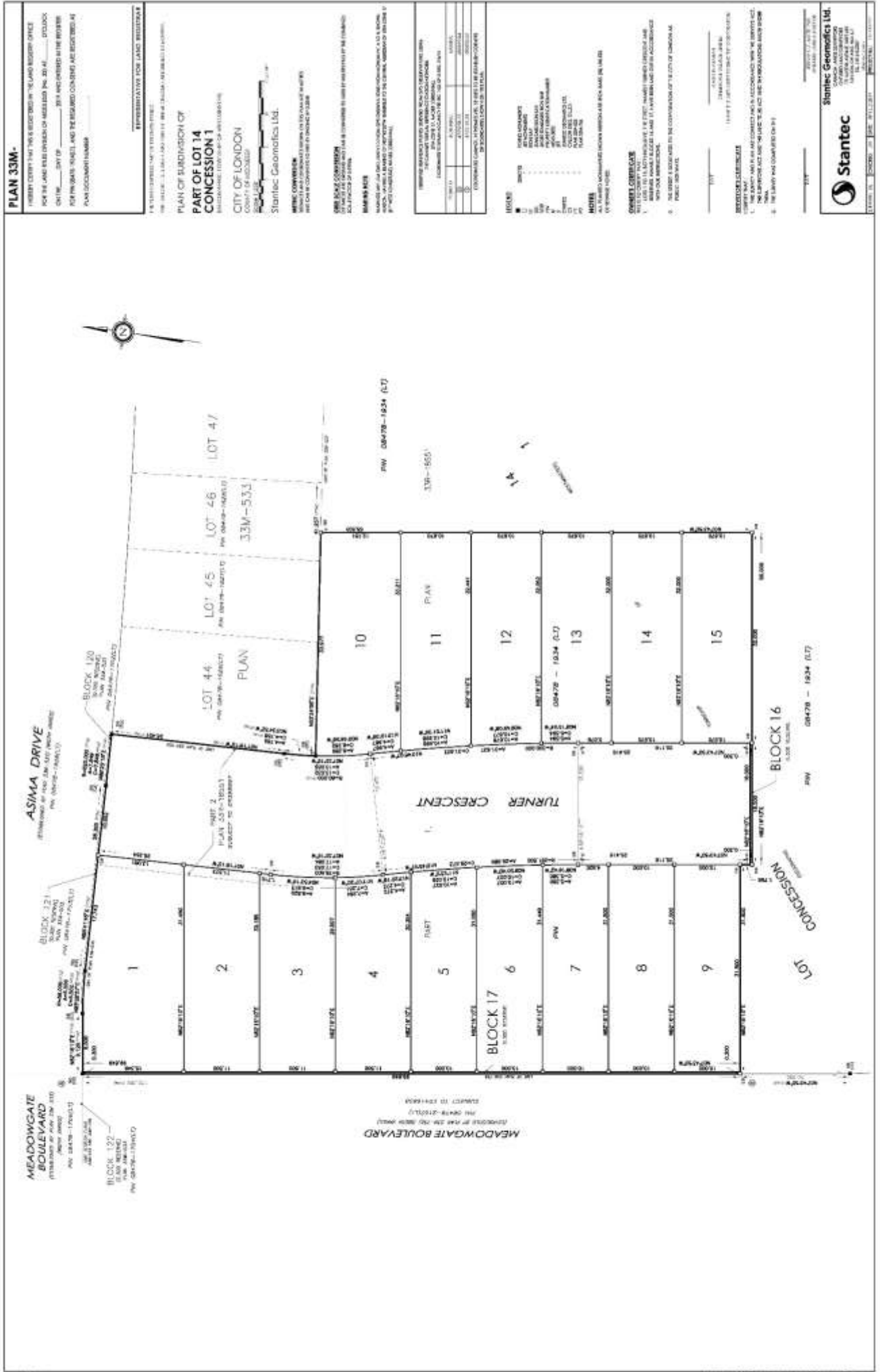
1.2 Location Map - Summerside Subdivision Phase 12B – Stage 2



Location Map		Legend	
Project Title:	39T-07508		Subject Site
Description:	Summerside Phase 12 - Stage 2		Parks
Created By:	Larry Mottram		Assessment Parcels
Date:	7/25/2019		Buildings
Scale:	1:2000		Address Numbers

Corporation of the City of London

1.3 Summerside Subdivision Phase 12B – Stage 2
 Proposed Plan for Registration



PLAN 33M-
 I HEREBY CERTIFY THAT THIS IS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND REGISTRY DIVISION OF NEWCASTLE AND SYDNEY DISTRICT COUNCIL ON THE DAY OF _____ 2014 AND ADVISED IN THE PROVISION OF THE LAND REGISTRY ACT 2014 THAT THE REGISTERED PLAN IS REGISTERED AS PLAN DOCUMENT NUMBER _____

REPRESENTATIVE FOR LAND REGISTRY
 I, _____, of _____, do hereby certify that the above is a true and correct copy of the plan as registered in the Land Registry Office of the City of London.
PLAN OF SUBDIVISION OF
PART OF LOT 14
CONVEYANCE 1
 BALANCE OF LOT 14 OF THE SUBDIVISION OF LOT 14 OF THE CITY OF LONDON
 CITY OF LONDON
 COUNTY OF MIDDLESEX
 Stantec Geomatics Ltd.

METRIC CONVERSION
 ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED.
 ALL DIMENSIONS ARE TO BE TAKEN AS SHOWN ON THE PLAN UNLESS OTHERWISE SPECIFIED.
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NO.	DESCRIPTION	AREA (SQ. METERS)	PERCENTAGE OF TOTAL AREA
1	LOT 1	1,100.00	11.11%
2	LOT 2	1,100.00	11.11%
3	LOT 3	1,100.00	11.11%
4	LOT 4	1,100.00	11.11%
5	LOT 5	1,100.00	11.11%
6	LOT 6	1,100.00	11.11%
7	LOT 7	1,100.00	11.11%
8	LOT 8	1,100.00	11.11%
9	LOT 9	1,100.00	11.11%
10	LOT 10	1,100.00	11.11%
11	LOT 11	1,100.00	11.11%
12	LOT 12	1,100.00	11.11%
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41	LOT 41	1,100.00	11.11%
42	LOT 42	1,100.00	11.11%
43	LOT 43	1,100.00	11.11%
44	LOT 44	1,100.00	11.11%
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46	LOT 46	1,100.00	11.11%
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48	LOT 48	1,100.00	11.11%
49	LOT 49	1,100.00	11.11%
50	LOT 50	1,100.00	11.11%

NOTES
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 50. ALL DIMENSIONS ARE TO BE TAKEN AS SHOWN ON THE PLAN UNLESS OTHERWISE SPECIFIED.

CONVEYANCE TO REGISTER
 I HEREBY CERTIFY THAT THIS IS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND REGISTRY DIVISION OF NEWCASTLE AND SYDNEY DISTRICT COUNCIL ON THE DAY OF _____ 2014 AND ADVISED IN THE PROVISION OF THE LAND REGISTRY ACT 2014 THAT THE REGISTERED PLAN IS REGISTERED AS PLAN DOCUMENT NUMBER _____

Stantec Geomatics Ltd.
 1000 WESTERN AVENUE, SUITE 1000, VANCOUVER, BC V6V 3R7, CANADA
 TEL: 604.681.2222 FAX: 604.681.2223
 WWW.STANTEC.COM

The applicant is preparing to register the second stage of this phase of the subdivision as shown on the proposed plan for registration. Development Services has reviewed these Special Provisions with the Owner who is in agreement with them.

This report has been prepared in consultation with the City Solicitor's Office.

Prepared by:	Larry Mottram, MCIP, RPP Senior Planner, Development Services
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.	

August 30, 2019

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
Lou Pompilii, Manager, Development Planning
Ismail Abushehada, Manager, Development Engineering

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Appendix A – Special Provisions

5. STANDARD OF WORK

Add the following Special Provisions:

- #1 The Owner shall provide minimum side yard setbacks 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.

The Owner shall include in any Agreement of Purchase and Sale or Lease for the Lots which incorporate rear yard catchbasins, which includes Lots 1, 2, 4, 5, 7, 8, 10 and 11 in this Plan and all other affected Lots shown on the accepted plans and drawings, a covenant by the purchaser or transferee to observe and comply with the minimum building setbacks and associated underside of footing (U.S.F.) elevations, by not constructing any structure within the setback areas, and not disturbing the catchbasin and catchbasin lead located in the setback areas. This protects these catchbasins and catchbasin leads from damage or adverse effects during and after construction. The minimum building setbacks from these works and associated underside of footing (U.S.F.) elevations have been established as indicated on the subdivision lot grading plan, attached hereto as **Schedule "I"** and on the servicing drawings accepted by the City Engineer.

10. COMPLETION, MAINTENANCE, ASSUMPTION AND GUARANTEE

Remove Subsection 10.3 and replace with the following:

- 10.3 The Owner shall guarantee each and every one of the works and services in good condition and repair, consistent with what is, in the opinion of the City Engineer and based on the certification of the Owner's Professional Engineer, sound engineering practice, for the period of one (1) year commencing the date of the signed Memo from the Managing Director, Environmental & Engineering Services and City Engineer and the Director of Development Services to assume said works and services. Provided however, that the City may, at its option, assume any or all of the said works and services at any time, but the City shall not be deemed to have assumed any work or service unless such assumption is evidenced by an assumption certificate and the enactment of a by-law to that effect.

15. PROPOSED SCHOOL SITES

Remove Subsections 15.3 to 15.8 as there are no school blocks in this Plan.

~~15.3 The Owner shall set aside an area or areas (being Block(s) _____) as a site or sites for school purposes to be held subject to the rights and requirements of any School Board having jurisdiction in the area.~~

~~15.4 The School Boards shall have the right, expiring three (3) years from the later of the date on which servicing of the relevant site is completed to the satisfaction of the City or the date on which seventy percent (70%) of the Lots in the subdivision have had building permits issued, to purchase the site and may exercise the right by giving notice to the Owner and the City as provided elsewhere in this Agreement and the transaction of purchase and sale shall be completed no later than two (2) years from the date of giving notice.~~

~~15.5 The School Boards may waive the right to purchase by giving notice to the Owner and the City as provided elsewhere in this Agreement.~~

~~15.6 Where all School Boards have waived the right to purchase, the City shall then have the right for a period of two (2) years from the date on which the right to purchase by the School Board has expired or has been waived as the case may be, to purchase the site for municipal purposes and may exercise the right by giving notice to the Owner as provided elsewhere in this Agreement and the transaction of purchase and sale shall be completed no later than sixty (60) days from the date of giving notice.~~

~~15.7 The Owner agrees that the school blocks shall be:~~

- (a) ~~graded to a one percent (1%) grade or grades satisfactory to the City, the timing for undertaking the said works shall be established by the City prior to the registration of the Plan; and~~
- (b) ~~top soiled and seeded to the satisfaction of the City, the timing for undertaking the said works to be established prior to assumption of the subdivision by the City.~~

~~15.8 Where the Owner has been required to improve the site by grading, top soil and seeding, the responsibility of the Owner for the maintenance of the site shall cease upon completion by the Owner of its obligations under this Agreement.~~

24.1 STANDARD REQUIREMENTS

Add the following new Special Provisions:

- #2 The Owner shall make all necessary arrangements with any required owner(s) to have any existing easement(s) in this Plan quit claimed to the satisfaction of the City and at no cost to the City. The Owner shall protect any existing private services in the said easement(s) until such time as they are removed and replaced with appropriate municipal and/or private services at no cost to the City.

Following the removal of any existing private services from the said easement and the appropriate municipal services and/or private services are installed and operational, the Owner shall make all necessary arrangements to have any section(s) of easement(s) in this Plan, quit claimed to the satisfaction of the City, at no cost to the City.

- #3 Prior to the issuance of a Certificate of Conditional Approval, the Owner shall remove the existing services to Lots 2 and 3 in this Plan and alternate services shall be installed to replace the existing private services, to the satisfaction of the City.
- #4 Prior to assumption of this subdivision in whole or in part by the City, and as a condition of such assumption, the Owner shall pay to the City Treasurer the following amounts as set out or as calculated by the City, or portions thereof as the City may from time to time determine:
 - (i) For the removal of the temporary turning circle on Turner Crescent outside this Plan, an amount of \$5,000; and
 - (ii) For the future removal of the automatic flushing device on Turner Crescent as per the accepted engineering drawings, an amount of \$5,000;
- #5 The Owner shall request the City release the 0.3 metre reserve on Asima Drive at the intersection of Turner Crescent. (Block 120 Plan 33M-533).
- #6 The Owner shall include in all Purchase and Sale Agreements of Sale or Lease for any Lots and Blocks that back onto Meadowgate Boulevard (Lots 1 - 9) a requirement that the purchaser/home builder shall provide concept plans and elevations prior to the application for a building permit which demonstrates building orientation to all adjacent streets, including a built form that has the same level of architectural detail on all street facades, all to the satisfaction of and at no cost to the City.

24.2 CLAIMS

Remove Section 24.2 in it's entirety and **replace** with the following:

There are no eligible claims for works by the Owner paid for from a Development Charges Reserve Fund or Capital Works Budget included in this Agreement.

24.6 EROSION AND SEDIMENT CONTROL

Add the following new Special Provision:

- #7 Prior to any work on the site, the Owner's professional engineer shall implement all interim and long term measures identified as a component of the Functional Storm/Drainage Servicing Report and is to have these measures established as per the accepted engineering drawings and approved all to the satisfaction of the City Engineer. Further, the Owner's Professional Engineer must confirm that the required sediment and erosion control measures are being maintained and operated as intended during all phases of construction.

24.7 GRADING REQUIREMENTS

Add the following new Special Provisions:

- #8 The Owner shall include in all Agreements of Purchase and Sale or Lease for the transfer of all the Lots within this Plan, as an overland flow route is located at the rear of all of the said Lots, a covenant by the purchaser or transferee to observe and comply with the following:

The purchaser or transferee shall not alter or adversely affect the said overland flow route on the said Lots as shown on the accepted lot grading and servicing drawings for this subdivision.

The Owner further acknowledges that no landscaping, vehicular access, parking access, works or other features shall interfere with the above-noted overland flow route, grading or drainage.

- #9 The Owner shall maintain the existing overland flow routes at the rear of all Lots in this Plan as per the accepted engineering drawings, to the satisfaction of the City Engineer.
- #10 Prior to the issuance of any Certificate of Conditional Approval, in order to develop this site, the Owner shall make arrangements with the adjacent property owners, if necessary, to the south and east to regrade any portions of the property, in conjunction with grading and servicing of this subdivision, to the specifications of the City, at no cost to the City.

24.9 SANITARY AND STORM SEWERS

Remove Subsection 24.9 (b) and **replace** with the following:

- (b) The Owner shall construct the storm sewers to service the Lots and Blocks in this Plan, which is located in the Dingman Creek Subwatershed, and connect them to the City's existing storm sewer system being the 525 mm diameter storm sewer stub on Turner Crescent, in accordance with the accepted engineering drawings, to the satisfaction of the City.

Remove Subsection 24.9 (j) and **replace** with the following:

- (j) The Owner shall construct the sanitary sewers to service the Lots and Blocks in this Plan and connect them to the City's existing sanitary sewage system being the 200 mm diameter sanitary sewer on Turner Crescent in accordance with the accepted engineering drawings, to the satisfaction of the City.

Add the following new Special Provisions:

- #11 Prior to the issuance of any Certificate of Conditional Approval, the Owner shall make adjustments to the existing works and services on Turner Crescent and Asima Drive, adjacent to this Plan to accommodate the proposed works and services on this street to accommodate the lots in this Plan (eg. private services, street light poles, traffic calming, etc.) in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City Engineer, at no cost to the City.

24.10 WATER SERVICING

Remove Subsection 24.10 (e) and **replace** with the following:

- (d) The Owner shall construct the watermains to service the Lots and Blocks in this Plan and connect them to the City's existing high-level water supply system, being the 200 mm

diameter water main on Turner Crescent, as per the accepted engineering drawings, to the specifications of the City Engineer.

Add the following new Special Provisions:

- #12 If the Owner requests the City to assume Turner Crescent with the automatic flushing device still in operation, all as shown on this Plan of Subdivision, prior to its extension to the south, the Owner shall pay to the City at the time of the assumption of this subdivision by the City, the amount estimated by the City at the time, to be the cost of removing the automatic flushing device and properly abandoning the discharge pipe from the automatic flushing device to the storm/sanitary sewer system at the south limit of Turner Crescent and restoring adjacent lands, all to the specifications of the City. The estimated cost for doing the above-noted work on this street is \$5,000, for which amount sufficient security is to be provided in accordance with **Condition 24.1 ()**. The Owner shall provide the cash to the City at the request of the City prior to assumption of the subdivision if needed by the City.

24.11 ROADWORKS

Remove Subsection 24.11 (p) as there are no traffic calming measures in this Plan.

~~(p) Where traffic calming measures are required within this Plan:~~

- ~~(i) The Owner shall erect advisory signs at all street entrances to this Plan for the purpose of informing the public of the traffic calming measures implemented within this Plan prior to the issuance of any Certificate of Conditional Approval in this Plan.~~
- ~~(ii) The Owner shall notify the purchasers of all lots abutting the traffic calming circle(s) in this Plan that there may be some restrictions for driveway access due to diverter islands built on the road.~~
- ~~(iii) Where a traffic calming circle is located, the Owner shall install the traffic calming circle as a traffic control device, including the diverter islands, or provide temporary measures, to the satisfaction of the City prior to the issuance of a Certificate of Conditional Approval for that section of road.~~
- ~~(iv) The Owner shall register against the title of all Lots and Blocks on **(insert street names)** in this Plan, and shall include in the Agreement of Purchase and Sale or Lease for the transfer of each of the said Lots and Blocks, a covenant by the purchaser or transferee stating the said owner shall locate the driveways to the said Lots and Blocks away from the traffic calming measures on the said streets, including traffic calming circles, **raised intersections**, splitter islands and speeds cushions, to be installed as traffic control devices, to the satisfaction of the City Engineer.~~

Remove Subsection 24.11 (q) and **replace** with the following:

- (q) The Owner shall direct all construction traffic including all trades related traffic associated with installation of services and construction of dwelling units in this Plan to access the site from Evans Boulevard via Bradley Avenue and Jackson Road or other routes as designated by the City. If the Owner utilizes Meadowgate Boulevard for their construction access they must coordinate with Drewlo Holdings Inc. since the road is un-assumed. The Owner is responsible for any damage or deterioration caused by their construction traffic.

Add the following new Special Provisions;

- #13 The Owner shall construct a temporary turning circle at the south limit of Turner Crescent, to the satisfaction of the City Engineer and at no cost to the City.

If the Owner requests the City to assume Turner Crescent, all as shown on this Plan of Subdivision, prior to its extension to the south, the Owner shall pay to the City at the time of the assumption of this subdivision by the City the amount estimated by the City at the time, to be the cost of removing the temporary turning circle at the south limit of Turner Crescent and completing the curb and gutter, asphalt pavement, Granular 'A', Granular 'B', sodding of the boulevard, 1.5metre (5foot) concrete sidewalks as per the accepted drawings, and restoring adjacent lands, including the relocation of any driveways, all to

the specifications of the City. The estimated cost, including legal fees for releasing easements and/or transferring blocks, and doing the above-noted work on this street is \$5,000 for which amount sufficient security is to be provided in accordance with 24.1 (____). The Owner shall provide the cash to the City at the request of the City prior to assumption of the subdivision if needed by the City.

When the lands abutting this Plan of Subdivision develop and the temporary turning circle is removed, the City will quit claim the easements which were used for temporary turning circle purposes which are no longer required at no cost to the City.

- #14 Barricades are to be maintained at south limit of Turner Crescent until lands to the south develop or as otherwise directed by the City. At the time of lands developing to the south of this Plan or as otherwise directed by the City, the Owner shall remove the barricades and any temporary turning circles, restore the boulevards and complete the construction of the roadworks within the limits of both temporary turning circles, to the specifications of the City, all at no cost to the City.

The Owner shall advise all purchasers of land within this subdivision that any traffic to and from this subdivision will not be permitted to pass the barricade(s) until the removal of the barricade(s) is authorized by the City.

- #15 Prior to the issuance of any Certificate of Conditional Approval, the Owner shall make all necessary arrangements, financial and otherwise, with the City to have Block 120 (0.3 metre reserve), as shown on Plan 33M-533, dedicated as public highway with Turner Crescent, at no cost to the City, to the satisfaction of the City Engineer.

SCHEDULE "C"

This is Schedule "C" to the Subdivision Agreement dated this _____ day of _____, 2019, between The Corporation of the City of London and Greengate Village Limited to which it is attached and forms a part.

SPECIAL WORKS AND SERVICES

Roadways

- Turner Crescent shall have a minimum road pavement width (excluding gutters) of 8.0 metres with a minimum road allowance of 18.5 metres as per the accepted engineering drawings.

Sidewalks

A 1.5 metre sidewalk shall be constructed on the west boulevard of Turner Crescent, as per the accepted engineering drawings.

Pedestrian Walkways

There are no pedestrian walkways in this Plan.

SCHEDULE "D"

This is Schedule "D" to the Subdivision Agreement dated this _____ day of _____, 2019, between The Corporation of the City of London and Greengate Village Limited to which it is attached and forms a part.

Prior to the Approval Authority granting final approval of this Plan, the Owner shall transfer to the City, all external lands as prescribed herein. Furthermore, within thirty (30) days of registration of the Plan, the Owner shall further transfer all lands within this Plan to the City.

LANDS TO BE CONVEYED TO THE CITY OF LONDON:

0.3 metre (one foot) reserves:	Block 16 and 17
Road Widening (Dedicated on face of plan):	NIL
Walkways:	NIL
5% Parkland Dedication:	NIL – provided through previous phase(s).
Dedication of land for Parks in excess of 5%:	NIL
Stormwater Management:	NIL

LANDS TO BE SET ASIDE FOR SCHOOL SITE: NIL

LANDS TO BE HELD IN TRUST BY THE CITY: NIL

SCHEDULE "E"

This is Schedule "E" to the Subdivision Agreement dated this _____ day of _____, 2019, between The Corporation of the City of London and Greengate Village Limited to which it is attached and forms a part.

The Owner shall supply the total value of security to the City is as follows:

CASH PORTION:	\$ 49,259
BALANCE PORTION:	<u>\$ 279,134</u>
TOTAL SECURITY REQUIRED	\$ 328,393

The Cash Portion shall be deposited with the City Treasurer prior to the execution of this Agreement.

The Balance Portion shall be deposited with the City Treasurer prior to the City issuing any Certificate of Conditional Approval or the first building permit for any of the lots and blocks in this Plan of subdivision.

The Owner shall supply the security to the City in accordance with the City's By-Law No. CPOL-13-114 and policy adopted by the City Council on April 4, 2017 and any amendments.

In accordance with Section 9 Initial Construction of Services and Building Permits, the City may limit the issuance of building permits until the security requirements have been satisfied.

The above-noted security includes a statutory holdback calculated in accordance with the Provincial legislation, namely the CONSTRUCTION LIEN ACT, R.S.O. 1990.

SCHEDULE "F"

This is Schedule "F" to the Subdivision Agreement dated this _____ day of _____, 2019, between The Corporation of the City of London and Greengate Village Limited to which it is attached and forms a part.

Prior to the Approval Authority granting final approval of this Plan, the Owner shall transfer to the City, all external easements as prescribed herein. Furthermore, within thirty (30) days of registration of the Plan, the Owner shall further transfer all easements within this Plan to the City.

Multi-Purpose Easements:

- (a) A temporary turning circle/multi-purpose easement shall be deeded to the City in conjunction with this Plan, over lands external to this Plan, on an alignment and of sufficient width acceptable to the City Engineer as follows:
 - (i) For a temporary turning circle at the south limit of Turner Crescent and temporary DICB's and associated works at the south limit of Turner Crescent as per the accepted engineering drawings.

Appendix B – Related Estimated Costs and Revenues

Summerside Phase 12B Stage 2 Subdivision - Greengate Village
 Subdivision Agreement
 39T-07508

Related Estimated Costs and Revenues

Estimated DC Funded Servicing Costs	Estimated Cost (excludes HST)
Claims for Owner led construction from CSRF - None identified.	\$0
Claims for City led construction from CSRF - None identified.	\$0
Total	\$0
Estimated Total DC Revenues (2019 Rates)	Estimated Revenue
CSRF	\$497,040
TOTAL	\$497,040

1. Estimated Revenues are calculated using 2019 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.
2. There are no eligible claims in this Plan of Subdivision.

Reviewed by:

Date

 Matt Feldberg
 Manager, Development Services
 (Subdivisions)

Reviewed by:

Date

 Paul Yeoman
 Director, Development Services

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: 2557727 Ontario Inc.
3425 Emilycarr Lane
Emily Carr (North) Subdivision - Special Provisions 39T-18506
Meeting on: September 9, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London and 2557727 Ontario Inc. for the subdivision of land located at 3425 EmilyCarr Lane (north portion) on the north side of the proposed Bradley Ave extension, west of the Copperfield in Longwoods residential subdivision and south of Wharncliffe Road;

- (a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and 2557727 Ontario Inc. for the Emily Carr (North) Subdivision (39T-18506) attached as Appendix "A", **BE APPROVED**;
- (b) the Applicant **BE ADVISED** that Development Finance has summarized the claims and revenues attached as Appendix "B"; and
- (c) the Mayor and the City Clerk **BE AUTHORIZED** to execute this Agreement, any amending agreements and all documents required to fulfill its conditions.

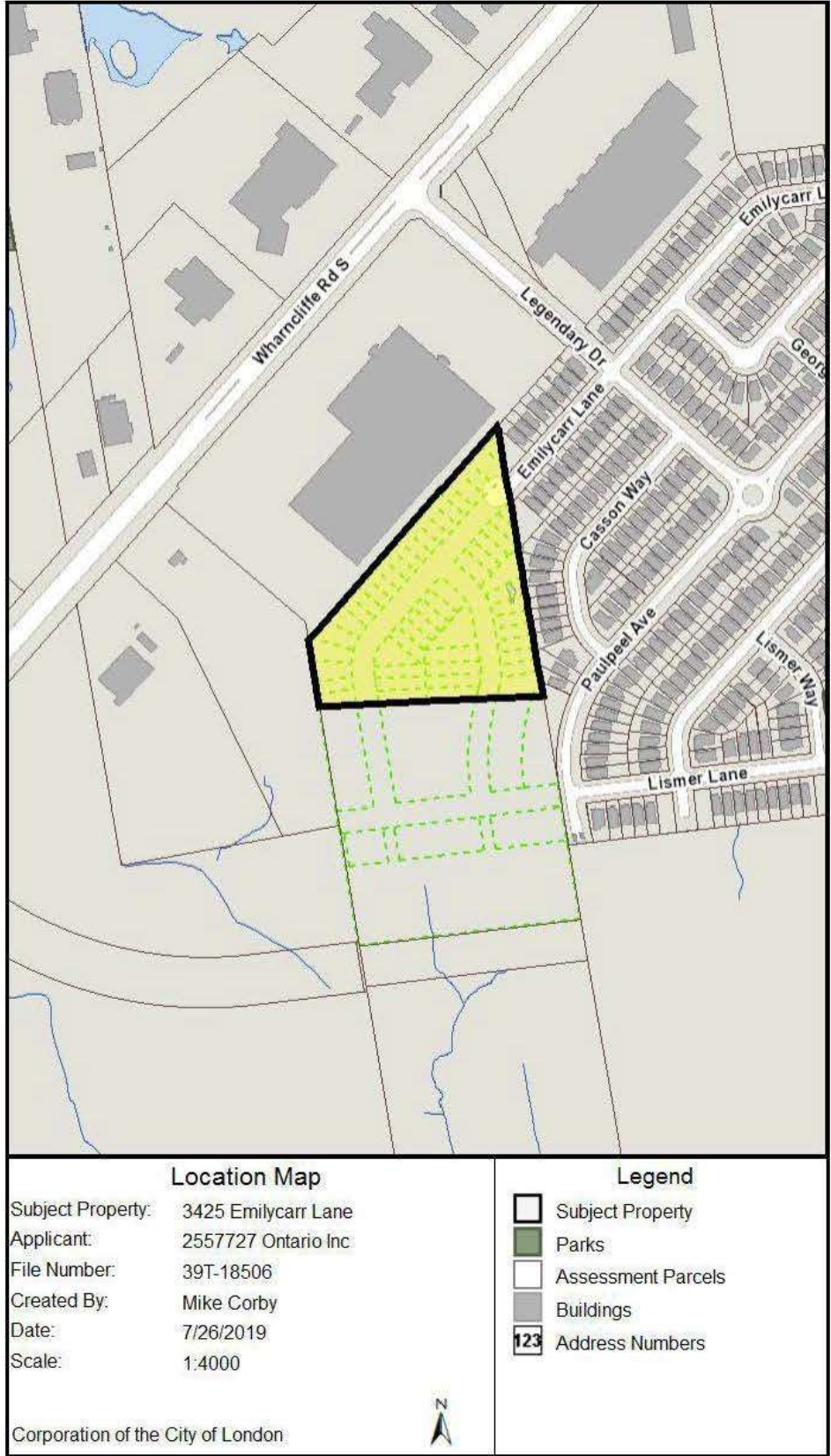
Analysis

1.0 Site at a Glance

1.1 Property Description

This application for Draft Plan of Subdivision Approval was accepted on December 3, 2018. It was circulated to the required agencies and municipal departments on December 17, 2018. On December 20, 2018, Notice of Application was sent to all property owners within 120m of the subject property and was also published in *The Londoner*. A Notice of Public Meeting was advertised in *The Londoner* on April 4, 2019 and was also sent out to all property owners within 120m of the subject property. The Public Meeting was held on April 15, 2019. Draft approval was granted on May 27, 2019.

1.2 Location Map Emily Carr (North) Subdivision



1.3 Emily Carr (North) Plan of Subdivision

File No.
 Subject to the conditions, terms and provisions of the plan, the
 City of London, 2012, the said plan is approved under
 Section 51 of the Planning Act, R.S.O. 1990, c. 301.2.

DRAFT PLAN OF SUBDIVISION
 LOT 33, CONCESSION 2
 (RECONSTRUCTED) TOWNSHIP OF WESTMINSTER
 IN THE
 CITY OF LONDON
 COUNTY OF MIDDLESEX
 SCALE: 1"=50'

SURVEYOR'S CERTIFICATE
 I HEREBY CERTIFY THAT THE LOTS AND BLOCKS SHOWN ON THE
 ATTACHED MAP ARE THE RESULT OF A SURVEY MADE BY ME OR
 UNDER MY SUPERVISION IN ACCORDANCE WITH THE SURVEY ACT,
 R.S.O. 1990, c. 301.2.

At 12/18/2012
OWNER'S CERTIFICATE:
 I HEREBY ACCEPT THE MAP AND THE SUBDIVISION

At 12/18/2012
ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51 (17) OF THE PLANNING ACT

1. TOTAL AREA OF LOT 33	10,000.00 SQ. FT.
2. TOTAL AREA OF CONCESSION 2	10,000.00 SQ. FT.
3. TOTAL AREA OF LOT 33	10,000.00 SQ. FT.
4. TOTAL AREA OF CONCESSION 2	10,000.00 SQ. FT.
5. TOTAL AREA OF LOT 33	10,000.00 SQ. FT.
6. TOTAL AREA OF CONCESSION 2	10,000.00 SQ. FT.
7. TOTAL AREA OF LOT 33	10,000.00 SQ. FT.
8. TOTAL AREA OF CONCESSION 2	10,000.00 SQ. FT.

LAND USE SCHEDULE
 RESIDENTIAL (R1) (1.1)
 LOT 1 TO LOT 32
 RESIDENTIAL (R1) (1.1)
 BLOCK 55 TO BLOCK 58
 RESIDENTIAL (R1) (1.1)
 BLOCK 59 TO BLOCK 62

METRIC:
 METRIC DIMENSIONS FOR THIS PLAN ARE IN METERS AND SHALL BE CONSIDERED TO BE
 THE OFFICIAL DIMENSIONS FOR THIS PLAN. METRIC DIMENSIONS SHALL PREVAIL OVER
 DIMENSIONS SHOWN ON THIS PLAN IN FEET AND INCHES. METRIC DIMENSIONS SHALL
 BE CONSIDERED TO BE THE OFFICIAL DIMENSIONS FOR THIS PLAN.

AGM
 APPROVED BY THE AGM
 APPROVED BY THE AGM
 APPROVED BY THE AGM
 APPROVED BY THE AGM

DP-1

The Applicant is registering approval of this subdivision, which consists of (48) single detached lots, seven (7) single family blocks and two (2) reserve block.

Development Services has reviewed these special provisions with the Owner who is in agreement with them.

This report has been prepared in consultation with the City Solicitor's Office.

Prepared by:	M. Corby, MCIP, RPP Senior Planner, Development Services
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.	

August 30, 2019

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
Lou Pompili, Manager, Development Planning
Ismail Abushehada, Manager, Development Engineering

MC/FG Y:\Shared\ADMIN\1- PEC Reports\2019 PEC Reports\13- September 9\DRAFT - 39T-18506 - Emily Carr (North) Subdivision - PEC Report.docx

Appendix A – Special Provisions

5. STANDARD OF WORK

Add the following new Special Provision:

- #1 The Owner shall provide minimum side yard setbacks 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.

The Owner shall include in all Agreements of Purchase and Sale or Lease for the transfer of Lots 21, 37, 43 and 44 of this plan, and all other affected Lots shown on the accepted plans and drawings, which incorporate rear yard catchbasins, a covenant by the purchaser or transferee to observe and comply with the minimum building setbacks and associated underside of footing (U.S.F.) elevations, by not constructing any structure within the setback areas, and not disturbing the catchbasin and catchbasin lead located in the setback areas. This protects these catchbasins and catchbasin leads from damage or adverse effects during and after construction. The minimum building setbacks from these works and associated underside of footing (U.S.F.) elevations have been established as indicated on the subdivision lot grading plan, attached hereto as **Schedule "I"** and on the servicing drawings accepted by the City Engineer.

6. SOILS CERTIFICATE/GEOTECHNICAL

Add the following new Special Provision:

- #2 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 geological report are implemented by the Owner, to the satisfaction of the City, at no cost to the City Engineer.

10. COMPLETION, MAINTENANCE, ASSUMPTION AND GUARANTEE

Remove Subsection 10.3 and **replace** with the following:

- 10.3 The Owner shall guarantee each and every one of the works and services in good condition and repair, consistent with what is, in the opinion of the City Engineer and based on the certification of the Owner's Professional Engineer, sound engineering practice, for the period of one (1) year commencing the date of the signed Memo from the Managing Director, Environmental & Engineering Services and City Engineer and the Director of Development Services to assume said works and services. Provided however, that the City may, at its option, assume any or all of the said works and services at any time, but the City shall not be deemed to have assumed any work or service unless such assumption is evidenced by an assumption certificate and the enactment of a by-law to that effect.

15. PROPOSED SCHOOL SITES

Remove Subsections 15.3 to 15.8 as there are no School Blocks in this Plan.

- ~~15.3 The Owner shall set aside an area or areas (being Block(s) _____) as a site or sites for school purposes to be held subject to the rights and requirements of any School Board having jurisdiction in the area.~~

- ~~15.4 The School Boards shall have the right, expiring three (3) years from the later of the date on which servicing of the relevant site is completed to the satisfaction of the City or the date on which seventy percent (70%) of the Lots in the subdivision have had building permits issued, to purchase the site and may exercise the right by giving notice to the Owner and the City as provided elsewhere in this Agreement~~

~~and the transaction of purchase and sale shall be completed no later than two (2) years from the date of giving notice.~~

~~15.5 The School Boards may waive the right to purchase by giving notice to the Owner and the City as provided elsewhere in this Agreement.~~

~~15.6 Where all School Boards have waived the right to purchase, the City shall then have the right for a period of two (2) years from the date on which the right to purchase by the School Board has expired or has been was waived as the case may be, to purchase the site for municipal purposes and may exercise the right by giving notice to the Owner as provided elsewhere in this Agreement and the transaction of purchase and sale shall be completed no later than sixty (60) days from the date of giving notice.~~

~~15.7 The Owner agrees that the school blocks shall be:~~

- ~~(a) graded to a one percent (1%) grade or grades satisfactory to the City, the timing for undertaking the said works shall be established by the City prior to the registration of the Plan; and~~
- ~~(b) top soiled and seeded to the satisfaction of the City, the timing for undertaking the said works to be established prior to assumption of the subdivision by the City.~~

~~15.8 Where the Owner has been required to improve the site by grading, top soil and seeding, the responsibility of the Owner for the maintenance of the site shall cease upon completion by the Owner of its obligations under this Agreement.~~

24.1 STANDARD REQUIREMENTS

Add the following new Special Provisions:

- #3** Prior to the issuance of any Certificate of Conditional Approval, should lands to the south not be developed, the Owner shall construct any necessary temporary measures, including but not limited to, temporary turning circles, automatic flushing devices, etc., provide any necessary easements and provide revised engineering drawings to be accepted by the City, all to the satisfaction of the City. Additional security may be required for these works, (eg. \$5,000 per automatic flushing device, \$5,000 for each external temporary turning circle, \$20,000 for each internal temporary turning circle), to the satisfaction of the City.
- #4** Should lands to the south not develop, prior to assumption of this subdivision in whole or in part by the City, and as a condition of such assumption, the Owner shall pay to the City Treasurer the following amounts as set out or as calculated by the City, or portions thereof as the City may from time to time determine:
 - (i) For the removal of any temporary turning circles required in conjunction with this plan, an amount of \$5,000 for each external temporary turning circle or \$20,000 for each internal temporary turning circle; and
 - (ii) For the removal of any automatic flushing devices in the future required in conjunction with this plan, an amount of \$5,000 for each automatic flushing device.
- #5** Prior to the issuance of any Certificate of Conditional Approval, the Owner shall make all necessary arrangements with the owner of Plan 33M-582 to construct new services and make adjustments to the existing works and services on Emilyarr Lane in Plan 33M-582 adjacent to this plan to accommodate the proposed works and services on this streets to accommodate the Lots in this Plan fronting this street (eg. private services, street light poles, etc.) in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City Engineer and at no cost to the City.

- #6 The Owner shall include in the Agreements of Purchase and Sale or lease and in the transfer or deed of Lots 1 and 2 and Blocks 49 and 50 in this Plan, a covenant by the purchaser or transferee stating that the purchaser or transferee of the said lot/block to observe and comply with the private easements, private sewer services needed for the servicing of external lands to the north of the said lot/block in this Plan.

No landscaping, vehicular accesses, parking access, works, services or other features in Lots 1 and 2 and Blocks 49 and 50 shall interfere with the above-noted municipal or private maintenance accesses, services, grading or drainage that services other lands.

- #7 The Owner shall make all necessary arrangements to combine Blocks 49, 50, 51, 52, 53, 54, 55, 56 and 57 in this Plan with adjacent lands to the east in Plan 33M-582, to create developable Lots and/or Blocks, to the satisfaction of and at no cost to the City. The above-noted Blocks shall be held out of development until they can be combined with adjacent lands to create developable Lots and/or Blocks.

24.2 CLAIMS

Remove Section 24.2 in its entirety and **replace** with the following:

There are no eligible claims for works by the Owner paid for from a Development Charges Reserve Fund or Capital Works Budget included in this Agreement.

24.6 EROSION AND SEDIMENT CONTROL

Add the following new Special Provision:

- #8 Prior to any work on the site, the Owner's professional engineer shall implement all interim and long term erosion and sediment control measures identified as a component of the Functional Storm/Drainage Servicing Report and is to have these measures established as per the accepted engineering drawings and approved all to the satisfaction of the City Engineer.

24.7 GRADING REQUIREMENTS

Add the following new Special Provisions:

- #9 The Owner shall include in the Agreements of Purchase and Sale or Lease for the transfer of Lots 1 and 2 in this Plan, as an overland flow route is located on the said Lots/Blocks, a covenant by the purchaser or transferee to observe and comply with the following:
- i) The purchaser or transferee shall not alter or adversely affect the said overland flow route on the said Lots as shown on the accepted lot grading and servicing drawings for this subdivision.

The Owner further acknowledges that no landscaping, vehicular access, parking access, works or other features shall interfere with the above-noted overland flow route, grading or drainage.

- #10 The Owner shall maintain the existing overland flow route between Lots 1 and 2 as per the accepted engineering drawings, to the satisfaction of the City Engineer.
- #11 Prior to the issuance of any Certificate of Conditional Approval, in order to develop this site, the Owner shall make arrangements with the adjacent property owner to

the east to regrade a portion of the property, in conjunction with grading and servicing of this subdivision, to the specifications of the City, at no cost to the City.

24.9 SANITARY AND STORM SEWERS

Remove Subsection 24.9 (b) and **replace** with the following:

- (b) The Owner shall construct the storm sewers to service the Lots and Blocks in this Plan, which is located in the Dingman Creek Subwatershed, and connect them to the City's existing storm system, in accordance with the accepted engineering drawings, to the satisfaction of the City.

Add the following new Special Provisions:

- #12 Prior to the issuance of a Certificate of Conditional Approval for Lots 32 to 45, inclusive, sanitary, storm and watermain servicing is to be available from adjacent lands to the south, to the satisfaction of the City.
- #13 The Owner shall remove any existing temporary Ditch Inlet Catch Basins (DICBS), etc. and the existing easements may be quit claimed, all to the satisfaction and specifications of the City Engineer and at no cost to the City.

24.10 WATER SERVICING

Add the following new Special Provisions:

- #14 Prior to the issuance of any Certificates 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 service to this draft Plan of Subdivision:
 - i) if the subject Plan develops in advance of the subdivision to the south of this Plan (39T-16508), watermains shall connect into the existing low-level municipal system, namely the existing 200 mm diameter watermain on Emilycarr Lane and shall be constructed only along Emilycarr Lane. Once the subdivision to the south is constructed, the watermain on David Milne Way may proceed with construction;
 - ii) if the subject Plan develops in advance of the subdivision to the south of this Plan, Owner shall make arrangements with the affected property owner(s) for the construction of any portions of watermain situated on private lands outside this Plan and shall provide satisfactory easements, as necessary, all to the specifications of the City; and
 - iii) have their consulting engineer prepare a Certificate of Completion of works to confirm to the City that the watermain connection to the 200 mm diameter watermain on Emilycarr Lane has been constructed, is operational and is complete.
- #15 The Owner shall pay a proportional share of the operation, maintenance, monitoring and/or billing costs of any automatic flushing device(s) 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 water meter billing, to the satisfaction of the Parties. The Owner's payments to third parties, shall:
 - (i) commence upon completion of the Owner's service work connections to the existing watermains; and
 - (ii) continue until the time at which the minimum water quality criteria is achieved, subject to City approval.

- #16 With respect to any automatic flushing device(s) constructed in conjunction with this Plan, the Owner shall permit the connection into and use of the subject automatic flushing devices by outside owners whose lands are serviced by the said watermain servicing and automatic flushing device(s).

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, which may include the granting of any servicing easements that are required by other outside owners whose lands are to be connected to the subject services, and agreement by the outside owner to pay a proportional share of the operation, maintenance, monitoring and/or billing costs of any automatic flushing devices.

- #17 If at any time, the parties cannot complete Conditions (___) and (___) above, each Owner shall install its own automatic flushing device(s) to flush water from its own watermains, to the satisfaction of the City.

24.11 ROADWORKS

Remove Subsection 24.11 (p) as there are no traffic calming measures in this Plan.

- ~~(p) Where traffic calming measures are required within this Plan:~~
- ~~(i) The Owner shall erect advisory signs at all street entrances to this Plan for the purpose of informing the public of the traffic calming measures implemented within this Plan prior to the issuance of any Certificate of Conditional Approval in this Plan.~~
- ~~(ii) The Owner shall register against the title of all Lots and Blocks abutting the traffic calming circle(s) in this Plan, and shall include in the Agreement of Purchase and Sale or Lease for the transfer of each of the said Lots and Blocks, a covenant by the purchaser or transferee stating the said owner that there may be some restrictions for driveway access due to diverter islands built on the road.~~
- ~~(iii) Where a traffic calming circle is located, the Owner shall install the traffic calming circle as a traffic control device, including the diverter islands, or provide temporary measures, to the satisfaction of the City prior to the issuance of a Certificate of Conditional Approval for that section of road.~~
- ~~(iv) The Owner shall register against the title of all Lots and Blocks on (insert street names) in this Plan, and shall include in the Agreement of Purchase and Sale or Lease for the transfer of each of the said Lots and Blocks, a covenant by the purchaser or transferee stating the said owner shall locate the driveways to the said Lots and Blocks away from the traffic calming measures on the said streets, including traffic calming circles, splitter islands and speeds cushions, to be installed as traffic control devices, to the satisfaction of the City Engineer.~~

Remove Subsection 24.11 (q) and **replace** with the following:

- (q) The Owner shall direct all construction traffic including all trades related traffic associated with construction of dwelling units in this Plan to access the site from Wharncliffe Road South via Legendary Drive.

Add the following new Special Provisions:

- #18 The Owner shall make arrangements with the owner of lands to the east to allow construction traffic access related to the installation of services to access the lands and for the completion of Emilyarr Lane as a fully serviced road in Plan 33M-582 and provide any restoration of Emilyarr Lane until Emilyarr Lane in Plan 33M-

532 is assumed by the City, at no cost to the City and all to the satisfaction of the City. Alternatively, the Owner shall direct all construction traffic related to the installation of services to access this site from Wharnccliffe Road via a temporary construction access as per the accepted engineering drawings, at no cost to the City, all to the satisfaction of the City.

#19 "The Owner shall install sufficient signage to direct construction traffic to the designated access routes, all to the satisfaction of the City."

#20 The Owner shall remove the temporary turning circle on Emily Carr Lane and adjacent lands, in Plan 33M-582 to the east of this Plan, and complete the construction of Emily Carr Lane in this location as a fully serviced road, including restoration of adjacent lands, to the specifications of the City. The City will quit claim the easements which were used for temporary turning circle purposes which are no longer required at no cost to the City.

If funds have been provided to the City by the Owner of Plan 33M-582 for the removal of the temporary turning circle and the construction of this section of Emily Carr Lane and all associated works, the City shall reimburse the Owner for the substantiated cost of completing these works, up to a maximum value that the City has received for this work.

In the event that Emily Carr Lane in Plan 33M-582 is constructed as a fully serviced road by the Owner of Plan 33M-582, then the Owner shall be relieved of this obligation.

#21 The Owner shall be required to make minor boulevard improvements on Emily Carr Lane 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.

SCHEDULE "C"

This is Schedule "C" to the Subdivision Agreement dated this _____ day of _____, 2019, between The Corporation of the City of London and 2557727 Ontario Inc. to which it is attached and forms a part.

SPECIAL WORKS AND SERVICES

Roadways

- Emilycarr Lane shall have a minimum road pavement width (excluding gutters) of 8.0 metres with a minimum road allowance of 20.0 metres.

- David Milne Way shall have a minimum road pavement width (excluding gutters) of 6.0 metres with a minimum road allowance of 18 metres

Sidewalks

A 1.5 metre sidewalk shall be constructed on Emilycarr Lane and David Milne Way as per the accepted engineering drawings.

Pedestrian Walkways

There are no pedestrian walkways in this Plan.

SCHEDULE "D"

This is Schedule "D" to the Subdivision Agreement dated this _____ day of _____, 2019, between The Corporation of the City of London and 2557727 Ontario Inc. to which it is attached and forms a part.

Prior to the Approval Authority granting final approval of this Plan, the Owner shall transfer to the City, all external lands as prescribed herein. Furthermore, within thirty (30) days of registration of the Plan, the Owner shall further transfer all lands within this Plan to the City.

LANDS TO BE CONVEYED TO THE CITY OF LONDON:

0.3 metre (one foot) reserves:	Blocks 58 and 59
Road Widening (Dedicated on face of plan):	NIL
Walkways:	NIL
5% Parkland Dedication:	Cash payment in lieu of the 5% parkland dedication pursuant to City of London By-law C.P.-9.
Dedication of land for Parks in excess of 5%:	NIL
Stormwater Management:	NIL

LANDS TO BE SET ASIDE FOR SCHOOL SITE: NIL

LANDS TO BE HELD IN TRUST BY THE CITY: NIL

SCHEDULE "E"

This is Schedule "E" to the Subdivision Agreement dated this _____ day of _____, 2018, between The Corporation of the City of London and 2557727 Ontario Inc. to which it is attached and forms a part.

The Owner shall supply the total value of security to the City is as follows:

CASH PORTION:	\$ 188,883
BALANCE PORTION:	<u>\$1,070,335</u>
TOTAL SECURITY REQUIRED	\$1,259,218

The Cash Portion shall be deposited with the City Treasurer prior to the execution of this agreement.

The Balance Portion shall be deposited with the City Treasurer prior to the City issuing any Certificate of Conditional Approval or the first building permit for any of the lots and blocks in this plan of subdivision.

The Owner shall supply the security to the City in accordance with the City's By-Law No. CPOL-13-114 and policy adopted by the City Council on April 4, 2017 and any amendments.

In accordance with Section 9 Initial Construction of Services and Building Permits, the City may limit the issuance of building permits until the security requirements have been satisfied.

The above-noted security includes a statutory holdback calculated in accordance with the Provincial legislation, namely the CONSTRUCTION LIEN ACT, R.S.O. 1990.

SCHEDULE "F"

This is Schedule "F" to the Subdivision Agreement dated this _____ day of _____, 2019, between The Corporation of the City of London and 2557727 Ontario Inc. to which it is attached and forms a part.

Prior to the Approval Authority granting final approval of this Plan, the Owner shall transfer to the City, all external easements as prescribed herein. Furthermore, within thirty (30) days of registration of the Plan, the Owner shall further transfer all easements within this Plan to the City.

Multi-Purpose Easements:

There are no multi-purpose easements required for this Plan.

Appendix B – Related Estimated Costs and Revenues

3425 Emily Carr Lane (North Portion) - 2557727 Ontario Inc. (York)
 Subdivision Agreement
 39T-18506

Related Estimated Costs and Revenues

Estimated DC Funded Servicing Costs	Estimated Cost (excludes HST)
Claims for Owner led construction from CSRF - None identified.	\$0
Claims for City led construction from CSRF - None identified.	\$0
Total	\$0
Estimated Total DC Revenues (2019 Rates)	Estimated Revenue
CSRF	\$1,822,480
TOTAL	\$1,822,480

1 Estimated Revenues are calculated using 2019 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.

2 There are no eligible claims in this Plan of Subdivision.

Reviewed by:

 Date

 Matt Feldberg
 Manager, Development Services
 (Subdivisions)

Reviewed by:

 Date

 Paul Yeoman
 Director, Development Services

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: 2219008 Ontario Ltd (York Developments)
Silverleaf Subdivision – 3493 Colonel Talbot Road
Request for Extension of Draft Plan Approval

Meeting on: September 9, 2019

Recommendation

That, on the recommendation of the Director, Development Services, with respect to the application of 2219008 Ontario Ltd (York Developments) relating to lands located at on the west side of Colonel Talbot Road and south of Park Road; legally described as Part of Lot 75, West of the North Branch of the Talbot Road (Geographic Township of Westminster), City of London, County of Middlesex, situated on the south side of Pack Road, west of Colonel Talbot Road, municipally known as 3493 Colonel Talbot Road the Approval Authority **BE REQUESTED** to approve a three (3) year extension to Draft Plan Approval for the residential plan of subdivision File No. 39T-14504, **SUBJECT TO** the revised conditions contained in the attached Schedule "A" 39T-14504.

Executive Summary

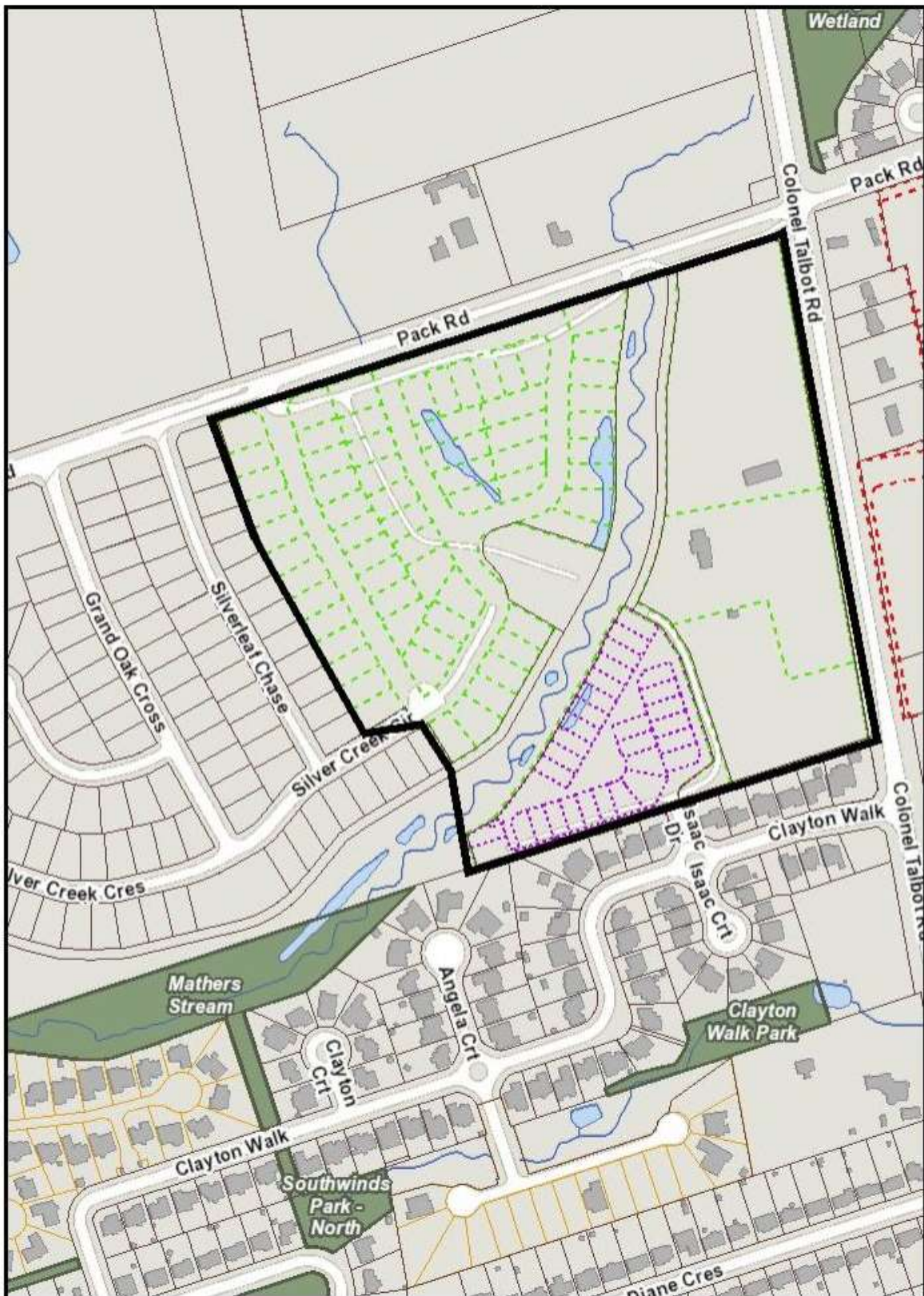
Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to consider a three (3) year extension to Draft Approval for the remaining phases within the Silverleaf draft plan of subdivision (39T-14504).

Rationale of Recommended Action

1. The requested three (3) year extension of Draft Plan Approval is reasonable, and should allow the applicant sufficient time to satisfy revised conditions of draft approval towards the registration of this plan.
2. The land use pattern and road alignments in this subdivision comprise an integral part of the overall subdivision, and supports connectivity with adjacent future development lands. Therefore, an extension should be supported provided the conditions of Draft Approval are updated to reflect current City Standards and regulatory requirements.

Location Map



Location Map

Subject Property: 3493 Colonel Talbot Rd
Applicant: YORK DEVELOPMENTS (LONDON) INC.
File Number: 39T-14504
Created By: Sonia Wise
Date: 8/21/2019
Scale: 1:4000

Legend

-  Subject Property
-  Parks
-  Assessment Parcels
-  Buildings
-  Address Numbers

Corporation of the City of London



Silverleaf Subdivision - Draft Approved Plan of Subdivision



1.0 Background

1.1 Planning History

The application for Draft Plan of Subdivision was received on September 15, 2014, and was granted draft approval on March 24, 2016. The draft approval included: 172 single detached dwellings lots, three (3) medium density residential blocks, one (1) mixed use block, five (5) walkway blocks, one (1) future development block, two (2) park blocks, two (2) open space blocks, and a stormwater management block; serviced by Pack Road, and six (6) local public streets (including the extension of Isaac Drive to the north).

Phase 1 of the subdivision has been registered as plan 33M-742 on April 16, 2018, consisting of 108 single family detached lots, the Stormwater Management Facility Dingman Tributary B4, six (6) park blocks, one (1) medium density block and several road widening's and 0.3 m (one foot) reserve blocks. Future phase(s) will include the balance of the lands which are draft approved but have not yet received final approval.



Figure 1: Registered Plan of Subdivision 33M-742

On March 22, 2019 an administrative (emergency) extension was granted for an additional 6 months (180 days) as the applicant was not able to satisfy the conditions of draft plan approval and register the remaining lands in advance of the expiry date of March 24, 2019. The current draft plan approval lapse date is September 24, 2019. An application for extension was received on June 6, 2019 requesting an additional three (3) years extension.

1.2 Request

The applicant has applied for a three (3) year extension in order to have more time to receive Final Approval and register the remaining phase(s) of the draft plan. The applicant has proposed minor changes to the lotting configuration and zoning for a portion of the lands, though has not proposed any changes to the road pattern that applies to the remaining lands. An extension period of three (3) years is being recommended in accordance with standard City practice. If Final Approval has not been provided within the three (3) year period and the applicant requests a further extension, there will be another opportunity to formally review the conditions and ensure that they are relevant to current planning policies and municipal servicing requirements.

1.3 Community Engagement

In accordance with Section 51(45) of the *Planning Act* notice was provided to the applicant, as well as any persons or public bodies prescribed under the Act, and anyone

who previously requested notification. Notice was not circulated to the community regarding the request for extension of draft approval given that there are no significant changes proposed to the zoning, lotting pattern or roadway alignments in the Draft Approved Plan (39T-14504).

1.4 Policy Context

Provincial Policy Statement, 2014

The Provincial Policy Statement (PPS) 2014, provides policy direction on matters of provincial interest related to land use planning and development. These lands are located within the City's Urban Growth Boundary where adequate servicing capacity exists. A comprehensive land use plan to guide future development in this area was previously prepared and adopted by Municipal Council, as the "Southwest Area Secondary Plan". The draft-approved plan of subdivision is in keeping with the Secondary Plan and meets the objectives of Section 1.1.1 of the PPS by creating healthy, liveable, safe, and sustainable communities by promoting efficient and resilient development patterns; accommodating an appropriate range and mix of housing; is in close proximity to recreational and public open space uses; and, makes efficient use of land and municipal services, including water, sanitary sewers, and stormwater management facilities (Section 1.1.3.6).

Environmental Impact Studies were prepared as part of the initial planning and approval process for this subdivision. Recommendations for protecting natural heritage features have been implemented including specific measures to enhance significant natural heritage resources through re-naturalization and restoration/compensation programs. There were also no concerns raised with respect to public health and safety, and there are no known human-made hazards. The draft plan of subdivision and requested extension is consistent with the Provincial Policy Statement.

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 the majority of which is in force and effect). The London Plan policies under appeal to the *Local Planning Appeals Tribunal* (Appeal PL170100) and not in force and effect are indicated with an asterisk (*) throughout this report. The London Plan policies under appeal are included in this report for informative purposes indicating the intent of City Council, but are not determinative for the purposes of this planning application.

These lands are located within the Neighbourhoods and Green Space Place Types in The London Plan. Neighbourhoods allow for a range of low to mid-rise residential uses such as single detached, semi-detached, duplex, townhouses, secondary suites, home occupations, group homes, townhouses, stacked townhouses and apartment buildings (table 10*). The Green Space Place Type permits such uses as district, city-wide, and regional parks; private green spaces such as cemeteries and golf courses; agriculture; woodlot management; conservation; essential public utilities and municipal services; stormwater management; recreational and community facilities.

The draft approved plan conforms to The London Plan's Place Type vision and key directions, including building strong neighbourhoods, providing a diversity of housing choices, and locating more intensive residential uses along higher order roads.

(1989) Official Plan

The subject site is located within the Low Density Residential (LDR), Multi-Family Medium Density Residential (MFMDR) and Open Space (OS) designations in the 1989 Official Plan, which primarily permits a range of low to mid-rise residential uses and passive recreational and conservation uses. The draft plan conforms with the policies

of the 1989 Official Plan.

Southwest Area Secondary Plan

Both The London Plan and the (1989) Official Plan recognize the need and role of a Secondary Plan to provide more detailed policy guidance for a specific area that goes beyond the general policies. The Southwest Area Secondary Plan (SWAP) forms part of The London Plan and the (1989) Official Plan, and its policies prevail over the more general Official Plan policies if there is a conflict (1556 & 1558*). The subject site is within the North Lambeth Residential Neighbourhood, and within the Low Density Residential (LDR), Medium Density Residential (MDR) and Open Space and Environmental Review designations. A range of low and medium density residential uses are proposed, as well as a limited range of secondary permitted uses and passive open space uses. The draft plan of subdivision extension conforms to the Secondary Plan.

1.5 Conditions of Draft Approval

The Draft Approval conditions have been re-circulated and reviewed with municipal departments and agencies to determine their relevance within the context of current regulatory requirements. As a result, there are minor wording modifications and revisions, as well as a number of new clauses added reflecting current municipal standards and requirements. One phase of the subdivision has been registered which has resulted in a number of deleted conditions have been completed as part of the final approval of the first phase. The amendments to the conditions of draft approval are shown as highlights for revisions, ~~strikeouts~~ for deletions and underlines for additions on the attached Schedule "A". The three year extension recommended would result in a new draft approval lapse date on or before September 24, 2022.

2.0 Conclusion

Staff are recommending a three (3) year extension to the Draft Approval for this plan of subdivision, subject to the revised conditions as attached. The proposed plan and recommended conditions of Draft Approval will ensure that development proceeds in accordance with Provincial Policy Statement, The London Plan, the Southwest Area Secondary Plan and 1989 Official Plan. A three (3) year extension is recommended to allow sufficient time for registration of the remaining lands within this Draft Plan. The recommended conditions of draft approval are attached to this report as Schedule “A” 39T-14504.

Prepared by:	Sonia Wise, MCIP, RPP Senior Planner, Development Services
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.	

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
Lou Pompilli, Manager, Development Services - Planning
Ismail Abushehada, Manager, Development Services - Engineering

August 30, 2019
/sw

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1 of 1.docx

Appendix A

THE CORPORATION OF THE CITY OF LONDON'S CONDITIONS AND AMENDMENTS TO FINAL APPROVAL FOR THE REGISTRATION OF THIS SUBDIVISION, FILE NUMBER 39T-14504 ARE AS FOLLOWS:

* Denotes Deleted, Revised, or New Condition

NO. CONDITIONS

1. This approval applies to the draft plan, submitted by MHBC Planning prepared by Callon Dietz, File No. 39T-14504, drawing dated June 19, 2014, as revised October 28, 2015, as red-line amended, which shows 64 residential units in the form of single detached dwellings, one mixed use/medium density residential block (Block 173), three (3) medium density residential blocks (Blocks 174, 175 and 190), all serviced by Pack Road, Colonel Talbot Road, and 6 local public streets.
2. This draft approval and these conditions replaces the conditions of draft approval granted on March 15, 2019 for plan 39T-14504 as it applies to lands located at 3493 Colonel Talbot Road on the west side of Colonel Talbot Road and south of Park Road; legally described as Part of Lot 75, West of the North Branch of the Talbot Road (Geographic Township of Westminster), City of London, County of Middlesex, situated on the south side of Pack Road, west of Colonel Talbot Road.
3. This approval of the draft plan applies for a period of three (3) years, and if final approval is not given within that time, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority.
4. The road allowances included in this draft plan shall be shown and dedicated as public highways.
5. The Owner shall within 90 days of draft approval submit proposed street names for this subdivision to the City.
6. 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.
7. The Owner, prior to final approval, 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.
8. Prior to final approval, appropriate zoning shall be in effect for this proposed subdivision.
9. The Owner shall enter into a subdivision agreement and shall satisfy all the requirements, financial and otherwise, of the City of London in order to implement the conditions of this draft approval.
10. The subdivision agreement between the Owner and the City of London shall be registered against the lands to which it applies once the plan of subdivision has been registered.
11. In conjunction with registration of the Plan, the Owner shall provide to the appropriate authorities such easements and/or land dedications 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.

12. No construction or installations of *any* kind (eg. clearing or servicing of land) involved with this plan shall be undertaken by the Owner 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 Manager of Development Planning in writing (eg. MOE certificates; City/Ministry/Agency permits: Approved Works, water connection, water-taking, navigable waterways; approvals: UTRCA, MNR, MOE, City; etc; etc.). No construction involving installation of services requiring an EA is to be undertaken prior to fulfilling the obligations and requirements of the Province of Ontario's Environmental Assessment Act and the City of London.

Development Services - Planning

13. The Owner shall carry out an archaeological survey and rescue excavation of any significant archaeological remains found on the site to the satisfaction of the Southwestern Regional Archaeologist of the Ministry of Culture; and no final approval shall be given, and no grading or other soil disturbance shall take place on the subject property prior to the letter of release from the Ministry of Culture.
14. In conjunction with the first submission of engineering drawings, the Owner shall submit a Noise Impact Study which recommends noise mitigation measures in accordance with the Ministry of the Environment Guidelines and the City of London policies and guidelines that excludes the requirement for a continuous berm/barrier along the Pack Road and/or Colonel Talbot Road frontage, all to the satisfaction of the City.
15. ~~The Owner shall dedicate Blocks 178-183 to the City at no cost to satisfy a portion of the parkland requirements for this subdivision. The remaining under dedication of parkland shall be taken through all or a portion of the dedication of Block 177 and/or cash in lieu as per By-law CP-9 to the satisfaction of the City.~~
16. The Owner shall construct a 1.5m high chain link fencing without gates in accordance with current City park standards (SPO 4.8) or approved alternate, along the property limit interface of all existing and proposed private lots adjacent to existing and/or future Park and Open Space Blocks. No fencing is to be provided between Multiple Residential Blocks 173, 174, 175 & 190 and adjacent Park Blocks. Fencing shall be completed to the satisfaction of the City, within one (1) year of the registration of the plan.
17. ~~As part of the first submission of engineering drawings, the Owner will be required to provide a conceptual plan for the urban parks plans (Blocks 178 and 179), to the satisfaction of the City.~~
18. ~~As part of the first submission of engineering drawings, the Owner will be required to provide a conceptual plan for the channel (Block 180), from the edge of the Environmental Significant Area to Pack Road, to the satisfaction of the City.~~
19. ~~As part of the first submission of engineering drawings, the Owner will be required to provide a conceptual plan for the layout of the pathway network within Blocks 178, 179, 181, 182, 183 and the two connections over Mathers Creek (connecting to Clayton Walk through the existing pathway corridor and Isaac Drive, to the satisfaction of the City.~~
20. The Owner shall prepare and deliver to all homeowners an education package which explains the stewardship of natural area, the value of existing tree cover and the protection and utilization of the grading and drainage pattern on these lots. The educational package shall be prepared to the satisfaction of City and UTRCA.
21. The Owner shall not grade into any open space areas. Where lots or blocks abut

an open space area, all grading of the developing lots or blocks at the interface with the open space areas are to match grades to maintain 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.

22. Prior to construction, site alteration or installation of services, robust silt fencing/erosion control measures must be installed and certified with site inspection reports submitted to the Environmental and Parks Planning Division monthly during development activity along the edge of the ESA.
23. The Owner shall, as part of the first submission of engineering drawings 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. 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 as part of the design studies submission. Tree preservation shall be established first and grading/servicing design shall be developed to accommodate maximum tree preservation.
24. All parkland blocks lands shall be sufficiently protected from sediment throughout the construction period. A sediment barrier shall be established along the park block limits to the satisfaction of Development Services and the City.
25. The Owner shall implement all recommendations from the October 27, 2015 approved Environmental Impact Study and addendum prepared by Stantec Consulting Inc. As part of the design studies, the owner shall indicate how each of the recommendations will be implemented (ie, design studies, engineering review, special provisions)
26. Within one (1) year of registration of the plan, the owner shall grade, service and seed all parkland to the satisfaction of the City.
27. The Owner agrees to register on title and include in all Purchase and Sale Agreements the requirement that the homes to be designed and constructed on all corner lots in this plan (including lots with side frontages to parks and/or open spaces), are to have design features, such as but not limited to porches, windows or other architectural elements that provide for a street oriented design and limited chain link or decorative fencing along no more than 50% of the exterior sideyard abutting the exterior sideyard road/park/open space frontage. Further, the owner shall obtain approval of their proposed design to the satisfaction of the Managing Director of Planning, City Planner or his/her designate prior to any submission of an application for a building permit for corner lots with an exterior sideyard or an interior sideyard fronting a street, park or open space block in this Plan.
28. As part of the first submission of engineering drawings, the Owner will be required to provide a detailed urban design guidelines (for Architectural Control) for this subdivision, including all proposed building forms and implementation processes, to the satisfaction of the City.
29. As part of the first submission of engineering drawings, the Owner shall design the window street for Block 175 and be required to provide an updated block plans for Blocks 173, 174, 175 & 190 detailing locations of buildings, building orientation, pedestrian circulation, parking areas, and building orientation towards the public streets and open spaces, to the satisfaction of the City. Ensure block plans and the urban design guidelines are in conformance with the policies of the Southwest Area Secondary Plan and the City's Placemaking Guidelines.

30. Block 173 shall be divided into two separate and distinct blocks as per the red-line plan which includes Block 173 as the southern portion and a new Block as the northern portion with a total area of 0.650ha.
31. No opaque fencing or noise walls are to be provided along the property limit between the new block to the north of Block 173 and adjacent Park Blocks.

SEWERS & WATERMAINS

Sanitary:

32. In conjunction with the first submission of engineering drawings Design Studies submission, the Owner shall have his consulting engineer prepare and submit and/or provide an update to 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) Provide a sanitary drainage report including the sewer routing invert and profile information relating to any crossing(s) of storm drainage channels and any external areas to be included in the design area, to the satisfaction of the City Engineer;
 - iii) Provide a report outlining the upgrades which will be required for the addition of sanitary flows to the Southwinds Pumping Station and a related work plan;
 - iv) Provide confirmation of the proposed ultimate service area by gravity to connect to the future planned Colonel Talbot sanitary trunk sewer and confirm a gravity connection can be made to the future planned Colonel Talbot sewer, all in accordance with the Southwest Area Sanitary Servicing Master Plan and to the satisfaction of the City Engineer;
 - v) 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, to meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407.
33. 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 250 mm (10") diameter sanitary sewer located on Isaac Drive and the future sanitary trunk sewer on Colonel Talbot Road to the proposed Colonel Talbot Pumping Station, in accordance with the Growth Management Implementation Strategy (GMIS) which is tendered and is being constructed; ~~both scheduled for construction in 2017 as per the current Growth Management Implementation Strategy (GMIS);~~
 - ii) Undertake necessary upgrades to the Southwinds Pumping Station and forcemain, all in accordance with the approved work plan
 - iii) Make appropriate arrangements for the City to install the private drain connections for Blocks 173, 174, 175, 190 and new Block 173 and 174 with the proposed Colonel Talbot Servicing trunk sewer at the Owner's expense;
 - iv) 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;
 - v) 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
 - vi) 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.

34. 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;
 - iv) Installing Parson Manhole Inserts (or approved alternative satisfactory to the City Engineer) in all sanitary sewer maintenance holes at the time the maintenance hole(s) 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) Implementing any additional measures recommended through the Design Studies stage.
35. Prior to registration of this Plan, the Owner shall obtain consent from the City Engineer to reserve capacity at the Oxford 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.

Storm and Stormwater Management (SWM)

36. In conjunction with the first submission of engineering drawings ~~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 ~~or provide an update to the existing Functional Report~~ to address the following:
- 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) Identifying how the existing drainage from external lands will be accommodated (eg. external flows conveyed into this plan via the existing culverts under Pack Road and Colonel Talbot Road)
 - iv) ~~Providing a preliminary plan demonstrating how the proposed grading and road design will match the grading of the proposed Stormwater Management Facility to be built by the City on Block 184;~~
 - v) Providing details of a pipe design to convey flow from the intermittent tributary upstream of Pack Road West, from the existing culvert to an approved outlet along Mathers Stream;

- vi) identifying how/where the existing tributary (generally near east entrance road) is to be diverted to the main tributary watercourse (may need additional land or right-of-way to accommodate additional pipe), to the satisfaction of the City Engineer.
- vii) Providing a fluvial geomorphological assessment prepared by a qualified engineer to support the proposed watercourse alterations, to the satisfaction of the City Engineer and at no cost to the City;
- viii) Providing details of channel enhancements design to the Upper Reach of the Mathers Stream corridor, all in accordance with the Dingman Creek No. B-4 SWM Facility and Tributary Channel Improvement/Modification EA (April 2015), at the Owner's expense and all to the satisfaction of the UTRCA and the City.
- ix) Having its consulting geotechnical engineer provide an update to the existing geotechnical report to address all geotechnical issues relating to slope stability associated with the open watercourses in this Plan, construction, grading and drainage of this subdivision and any necessary setbacks related to erosion, maintenance and structural setbacks related to slope stability. The report shall address the following, to the specifications and satisfaction of the City Engineer and the Upper Thames River Conservation Authority:
 - Accurately delineate the Riverine Erosion Hazard limit
 - Identify existing erosion and/or slope hazards
 - Assess the impact of the proposed development on existing hazards
 - Assess the potential for the proposed development to create new hazards
 - Identify measures to safely avoid the potential hazards, including appropriate development setback from the River Erosion Hazard Limit
 - Identifying and providing details where there may be two type of fill materials that meet granular fill. This must be benched into the other fill.
 - Identifying the extent of fill needed to service the site which addresses benching as per the report and slope stability to establish property limits and building setbacks
 - Identifying filling of the tributary and considerations with regards to impact on roads, buildings and services.

In addressing the above, the report shall take into consideration the required/proposed fill within the plan as well as the proposed channel improvements.

The Owner shall provide written acceptance from the Upper Thames River Conservation Authority for the final setback;

- x) Developing a sediment and erosion control plan(s) that will identify all required sediment and erosion control measures for the subject lands in accordance with City of London and Ministry of the Environment, Conservation and Parks standards and requirements, all to the satisfaction of the City. The sediment and erosion control plan(s) shall identify all interim and long term measures that would be required for both registration and construction phasing/staging of the development and any major revisions to these plans after the initial acceptance shall be reviewed/accepted by the City of London for conformance to our standards and Ministry of the Environment, Conservation and Parks requirements shall be ; and
~~Developing 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 on construction; and~~

- xi) Implementing 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.
 - xii) Should the proposed Storm/Drainage and SWM servicing works vary from the approved Functional SWM Plan for North Lambeth (Cumming Cockburn 2005), an updated Functional SWM Plan may be required to address the above, in lieu of a SWM Servicing Letter/Report of Confirmation.
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 Dingman Creek Subwatershed Study and any addendums/amendments;
 - ii) The approved Storm/Drainage and SWM Servicing Function Report for the subject lands;
 - iii) The approved Functional Stormwater Management Plan/Report for Dingman Tributary Regional SWM Facility B-4 or any updated Functional Stormwater Management Plan;
 - iv) The accepted Municipal Class Environmental Assessment (EA) Study for Storm/Drainage and Stormwater Management (SWM) Servicing and Tributary Improvement/Modification Works for the Dingman Creek No. B-4 SWM Facility and any addendums/amendments;
 - v) The Stormwater Letter/Report of Confirmation for the subject development prepared and accepted in accordance with the File Manager Process;
 - vi) The approved Functional Stormwater Management Plan for North Lambeth Subdivision, prepared by Cumming Cockburn Limited (2005) or any updated Functional SWM Plan;
 - vii) The approved Courtney Environmental Impact Study (EIS) for this site, prepared by Stantec Consulting Ltd. (July 2014) and any addendums/amendments;
 - viii) The City of London Environmental and Engineering Services Department Design Specifications and Requirements, as revised;
 - ix) The City's Waste Discharge and Drainage By-laws, lot grading standards, Policies, requirements and practices;
 - x) The Ministry of the Environment SWM Practices Planning and Design Manual, as revised; and
 - xi) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies.
 - xii) The City Design Requirements for Permanent Private Stormwater Systems were approved by City Council and is effective as of January 01, 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.
38. 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 the portion of this plan west of the watercourse, located within the Dingman Creek Subwatershed, and connect them to the existing Dingman Tributary SWMF B4 Facility ;
 - ii) Construct storm sewers to serve the portion of this plan east of the watercourse and connection them to the existing municipal storm sewer system, namely, the 1200 mm (48") diameter storm sewer located on Isaac Drive in Plan 33M-524;
 - iii) Make provisions to oversize and deepen the internal storm sewers in this plan to accommodate flows from upstream lands external to this plan;

- iv) ~~Grade and drain the west boundary of Block 176 to blend in with the abutting SWM Facility on Block 184 in this plan, at no cost to the City;~~
 - v) 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
 - vi) Address forthwith any deficiencies of the stormwater works and/or monitoring program.
39. 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 proposed Regional Dingman Tributary SWM Facility B-4, to be built by the City, to serve this plan must be constructed and operational;~~
 - iii) Construct and have operational the major and minor storm flow routes for the subject lands, to the satisfaction of the City;
 - iv) ~~Construct a pipe to convey flow from the intermittent tributary upstream of Pack Road West, from the existing culvert to an approved outlet along Mathers Stream. Provide additional land or right-of-way if necessary;~~
 - v) ~~Construct channel enhancements to the Upper Reach of the Mathers Stream corridor, all in accordance with the Dingman Creek No. B-4 SWM Facility and Tributary Channel Improvement/Modification EA (April 2015) and in accordance with section 9.7 of the EA, all to the satisfaction of the UTRCA and City.~~
 - vi) Implement all geotechnical/slope stability recommendations made by the geotechnical report, slope stability report and recommendations by the hydrogeological report on the engineering drawings, including but not limited to slope stability and engineered fill recommendations, accepted by the City;
40. Prior to the acceptance of engineering drawings, the Owner's professional engineer shall certify the subdivision 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 of, 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.
41. In conjunction with the first submission 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, or provide an update to the existing hydro geological report, to determine, including but not limited to, the following:
- i) Identify any abandoned wells in this plan.
 - ii) Assess the impact on water balance in the plan, as applicable.
 - iii) Assess any fill required in the plan.
 - iv) Provide recommendations for foundation design should high groundwater be encountered.
 - v) 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
 - vi) Determine the effects of the construction associated with this subdivision on the existing groundwater 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, as well provide recommendations for foundation design should high groundwater be encountered, to the satisfaction of the City. The hydrogeological investigation should identify all required mitigation measures including Low Impact Development (LIDs) solutions and associated details, as necessary, to the satisfaction of the City Engineer. Details related to proposed LID solutions, if applicable, should include information related to the long term operations of the LID systems as it relates to seasonal fluctuations of the groundwater table. 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. The hydrogeological investigation should also include the development of appropriate short-term and long-term monitoring plans (if applicable), and appropriate contingency plans (if applicable), in the event of groundwater interference related to construction.

- vii) Determine water taking requirements to facilitate construction (i.e., PTTW or EASR be required to facilitate construction), including sediment and erosion control measures and dewatering discharge locations.
- viii) 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.

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 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 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.~~

- 42. ~~Prior to final approval, the Owner shall dedicate sufficient lands to the City to enable to completion of the proposed SWM facility and all related servicing. The land for the SWM block shall be sized in accordance with the final accepted EA for Storm/Drainage and SWM Servicing and Tributary Improvement/Modification Works for the Dingman Creek SWM Facility B-4 and the final Functional SWM Report.~~
- 43. The Owner shall ensure the 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.

44. ~~The Owner shall develop the proposed plan of subdivision in accordance with the Design and Construction of SWM Facilities policies and processes identified in Appendix 'B-1' and 'B-2' SWM Facility "Just In Time" Design and Construction Process.~~
45. 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.

Watermains

46. In conjunction with the first submission of engineering drawings, the Owner shall have their consulting engineer prepare and submit a water servicing report or provide an update to the existing 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) Identify domestic and fire flows for the potential ICI/medium/high density Blocks from the low-level (high-level) water distribution system;
 - c) Address water quality and identify measures to maintain water quality from zero build-out through full build-out of the subdivision;
 - d) Identify fire flows available from each proposed hydrant to be constructed and determine the appropriate colour hydrant markers (identifying hydrant rated capacity);
 - e) Include a phasing report as applicable which addresses the requirement to maintain interim water quality;
 - f) Develop a looping strategy when development is proposed to proceed beyond 80 units;
 - g) Identify any water servicing requirements necessary to provide water servicing to external lands, incorporating existing area plans as applicable;
 - h) Identify any need for the construction of or improvement to external works necessary to provide water servicing to this Plan of Subdivision;
 - i) Identify any required watermain oversizing, if necessary, and any cost sharing agreements;
 - j) Identify the effect of development on existing water infrastructure – identify potential conflicts;
 - k) Include full-sized water distribution and area plan(s);
 - l) 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 Design Studies 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:~~

- ~~i) A water servicing report which addresses the following:
 - a) Identify external water servicing requirements;
 - b) Confirm capacity requirements are met;
 - c) Identify need to the construction of external works;~~

- ~~d) Identify the effect of development on existing water infrastructure—identify potential conflicts;~~
- ~~e) Water system area plan(s)~~
- ~~f) Water network analysis/hydraulic calculations for subdivision report;~~
- ~~g) Phasing report and identify how water quality will be maintained until full build-out;~~
- ~~h) Oversizing of watermain, if necessary and any cost sharing agreements.~~
- ~~i) Water quality~~
- ~~j) Identify location of valves and hydrants~~
- ~~k) Looping strategy~~

47. 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.

~~The Owner shall install temporary automatic flushing devices 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 the engineering drawings. The automatic flushing devices and meters are to be installed and commissioned prior to the issuance of any 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 automatic flushing device is/are the responsibility of the Owner.~~

48. 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 new Block, Blocks 173, 174, 175 and 190 in this Plan and connect them to the existing municipal system, namely, the existing 600 mm (24") diameter watermain on Colonel Talbot Road and Block 190 175 to the existing 200 mm diameter watermain on Isaac Drive. It is noted the 200 mm diameter watermain on Isaac Drive will have to be connected and put into service by the Owner since it is currently not in service;
 - ~~ii) Construct an appropriately sized watermain on Pack Road from the existing 600 mm diameter watermain on Colonel Talbot to the west limits of this plan to serve the 172 single family lots;~~
 - iii) 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. It is noted all municipal watermains being proposed shall be located within the City right of way in standard location. Municipal watermains are not to be located in easements or walkways;
 - iv) Block 176 may be serviced from the proposed watermain on Pack Road or from the proposed watermain on Street 'A';
 - v) 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;
49. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall implement the accepted recommendations of the water servicing report to address the water quality requirements for the watermain system, to the satisfaction of the City Engineer, at no cost to the City.

50. Prior to the installation of any water services for the Block in this Plan, the Owner shall obtain all necessary approval from the City Engineer for individual servicing of the said blocks.
51. With respect to the proposed medium density condominium blocks, Blocks 173, 174, 175 and 190, the Owner shall include in all agreements of purchase and sale, and or lease of Blocks 173, 174, 175 and 190 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.

52. 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;
 - iii) 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.
53. 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.

STREETS, TRANSPORTATION & SURVEYS

Roadworks

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. In conjunction with the first submission of engineering drawings, the Owner shall have its consulting engineer provide the following, all to the specifications and satisfaction of the City Engineer:
- i) provide a proposed layout plan of the internal road network including taper details for streets in this plan that change right-of-way widths with minimum 30 metre tapers for review and acceptance with respect to road geometries, including but not limited to, right-of-way widths, tapers, tangents, bends, intersection layout, daylighting triangles, etc., and include any associated adjustments to the abutting lots. The roads shall be equally tapered and aligned based on the road centrelines and it should be noted tapers are not to be within intersections.

- ii) 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:"
- iii) prepare a conceptual design for the window street for Street F to consider such issues as grading the common boulevard between Pack Road and the window street, overland flow routes, sidewalk connections, servicing, to the satisfaction of the City Engineer.

~~In conjunction with the Design Studies submission, the Owner shall have his consulting engineer provide a proposed layout of the tapers for streets in this plan that change right-of-way widths with minimum 30 metre tapers (eg. from 20.0 metre to 18.0 metre road width), all to the satisfaction of the City Engineer. The roads shall be tapered equally aligned based on the alignment of the road centrelines.~~

56. ~~In conjunction with the Design Studies submission, the Owner shall provide a conceptual layout of the roads and rights-of-way of the plan to the City Engineer for review and acceptance with respect to road geometries, including but not limited to, right-of-way widths, tapers, bends, intersection layout, daylighting triangles, etc., and include any associated adjustments to the abutting lots.~~

57. The Owner shall red-line the plan, as necessary, to provide 6.0 metre straight tangents between the reverse curves on Street 'F' (Silver Creek Circle extension) as required in the Design Specifications and Requirements Manual, to the satisfaction of the City Engineer.

58. ~~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 Street 'E'.~~

~~If not possible, the Owner shall limit the bulge in the curb line on Street 'E' 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.~~

59. ~~In conjunction with the Design Studies submission, the Owner shall have its professional consulting engineer 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:"~~

60. The Owner shall have its professional engineer design and construct the roadwork's in accordance with the following road widths:

- i) ~~Street 'A' and Street 'D' have a minimum road pavement width (excluding gutters) of 8.0 metres (26.2') with a minimum road allowance of 20 metres (66').~~
- ii) ~~Street 'B', Street 'C', Street 'E' and Street 'F' (with the exception of the window street portion) have a minimum road pavement width (excluding gutters) of 6.0 metres (19.7') with a minimum road allowance of 18 metres (60').~~
- iii) ~~Street 'F' (window street portion) have a minimum road pavement width (excluding gutters) of 7.0 metres (23') with a minimum road allowance of 14.5 metres as per Window Street Guidelines.~~
- iv) ~~Street 'A' from Pack Road to 45 metres (150') south 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 Street 'A' shall be equally aligned from the centreline of the road and tapered back to the 8.0 metres of road pavement width (excluding gutters) and 20.0 metres of road allowance width for this street with 30 metre (100') long tapers on both street lines.~~

- v) Street 'C' from Pack Road to 30 metres (100') south has a minimum road pavement width (excluding gutters) of 10.0 metres (32.8') with a minimum road allowance of 21.5 metres (70'). The widened road on Street 'C' shall be equally aligned from the centreline of the road and tapered back to the 6.0 metres of road pavement width (excluding gutters) and 18.0 metres of road allowance width for this street with 30 metre (100') long tapers on both street lines.
61. ~~In conjunction with the Design Studies submission, the Owner shall provide details of the right in/right out restricted access at Pack Road and Street 'B', to the satisfaction of the City Engineer.~~
62. ~~Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct a right in/right out restricted access at Pack Road and Street 'B', to the satisfaction of the City Engineer.~~
63. The Owner shall provide a temporary working easement along the Colonel Talbot Road frontage of Blocks 173, 174, 175, 190 and the new Block north of 173 and 174 in order to allow for the reconstruction of Colonel Talbot Road, which shall be released by the City when it is no longer needed, at no cost to the City.
64. The Owner shall revise Lot 1 and Lot 2 property lines to connect perpendicular to Pack Road street line as per City standards.
65. At 'tee' intersection, the projected road centreline of the intersecting street shall intersect the through street at 90 degrees with a minimum 6 metre tangent being required along the street lines of the intersecting road, to the satisfaction of the City.

Sidewalks/Bikeways

66. In accordance with the approved Southwest Area Plan (SWAP), the Owner shall construct a 1.5 metre sidewalk on both sides of the following streets:
- i) ~~Street 'A'~~
 - ii) ~~Street 'B'~~
 - iii) ~~Street 'C'~~
 - iv) ~~Street 'D'~~
 - v) ~~Street 'E'~~
 - vi) ~~Street 'F'~~
67. The Owner shall provide sidewalk links from Street 'F' to the future sidewalk on Pack Road 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.
68. 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, to the specifications of the City.

Street Lights

69. 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

70. The Owner shall be required to make minor boulevard improvements on Pack Road and Colonel Talbot Road 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.
71. In conjunction with the first submission of engineering drawings ~~Design Studies submission~~, the Owner shall verify the adequacy of the decision sight distance on Pack Road at ~~Street 'A', Street 'B' and Street 'C'~~. If the sight lines are not adequate, this street is to be relocated and/or road work undertaken to establish adequate decision sight distance at this intersection, to the specifications of the City Engineer, at no cost to the City.
- Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct these works to the satisfaction of the City Engineer, at no cost to the City.
72. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall install temporary street lighting at the intersection of Pack Road and ~~Street 'A', Street 'B' and Street 'C'~~, to the specifications of the City, at no cost to the City.
73. In conjunction with the first submission of engineering drawings ~~Design Studies submission~~, the Owner shall have its professional consulting engineer submit design criteria for the left turn and right turn lanes/tapers on Pack Road at ~~Street 'A', Street 'B' and Street 'C'~~ for review and acceptance by the City.
74. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct a left turn lane on Pack Road at ~~Street 'A' and Street 'C'~~, to the satisfaction of the City Engineer.
75. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct a right turn taper on Pack Road at ~~Street 'A', Street 'B' and Street 'C'~~, to the satisfaction of the City Engineer.

Road Widening

76. The Owner shall be required to dedicate sufficient land to widen Pack Road ~~and Colonel Talbot Road~~ to 18.0 metres (59.06') from the centreline of the original road allowance.
77. The Owner shall provide a road widening dedication on Colonel Talbot Road measured 24.0 metres from the centreline of Pack Road to a point 150.0 metres south of Pack Road to the satisfaction of the City Engineer.
78. The Owner shall provide a road widening dedication on Colonel Talbot Road measured 18.0 metres from the centreline from a point 150.0 metres south of Pack Road to the southerly limit of this plan, to the satisfaction of the City Engineer.
79. The Owner shall be required to dedicate 6.0 m x 6.0 m "daylighting triangles" at the following intersections, in accordance with the Z-1 Zoning By-law, Section 4.24:
- i) Colonel Talbot Road and Pack Road
 - ii) ~~Street 'A' and Pack Road~~
 - iii) ~~Street 'B' and Pack Road~~
 - iv) Street 'C' and Pack Road

Vehicular Access

80. The Owner shall notify the future owners of ~~Blocks 173, 174 and 190~~ that only one access will be permitted for all the blocks to Colonel Talbot Road. A joint access agreement must be established for the shared access and the access must comply with the requirements from the Transportation Impact Assessment for this site at the time of site plan approval. It is noted a left turn lane and right turn taper will be required at this joint access.

81. The Owner shall include in all agreements of purchase and sale and register on the title of Blocks 173, 174 and 190 in this Plan a warning clause advising the purchaser/transferee that these Blocks will only have one access permitted for all Blocks to Colonel Talbot Road in a location satisfactory to the City Engineer and a joint access agreement must be established for the shared access, to the satisfaction of the City.

Traffic Calming

82. In conjunction with the first submission of engineering drawings ~~Design Studies submission~~, the Owner shall have its professional engineer provide a conceptual design of the proposed raised intersections along Street 'D' at ~~Street 'A' and at Street 'C'~~, to the satisfaction of the City.
83. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct a raised intersection at the intersections of ~~Street 'A' and Street 'D' and Street 'C' and Street 'D'~~, to the specifications of the City Engineer.

Construction Access/Temporary/Second Access Roads

84. The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Pack Road via Colonel Talbot Road or other routes as designated by the City. Furthermore, there is a reduced load limit on Pack Road from Homewood Lane 1000 metre east and from Colonel Talbot Road to Bostwick Road in effect, so construction access shall be prohibited in the area.
85. 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 its 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.
86. In conjunction with 1st submission drawings', in addition, Pavement Markings Plans will be required for the lane markings at the intersections with the arterial road (Pack Road).

GENERAL CONDITIONS

87. 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.
88. 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.
89. 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.
90. In conjunction with the first submission 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 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, servicing, grading and drainage of this subdivision, road pavement structure, dewatering, any necessary setbacks related to slope stability for lands within this plan and any other requirements as needed by the City.~~

91. 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.

~~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.~~

92. 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.
93. 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.
94. The Owner shall have the common property line of Pack Road and Colonel Talbot Road 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 Pack Road and Colonel Talbot Road are the future ultimate centreline of road grades as determined by the Owner's professional engineer in conjunction with the Design Studies, 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.

95. 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;
- 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.

96. 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.

97. 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.

98. 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.

~~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.~~

99. 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.
100. ~~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.~~
101. 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".
102. 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.
103. In conjunction with ~~the first submission of engineering drawings~~ 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.
104. 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.
105. 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.
106. The Owner shall decommission any abandoned infrastructure (eg. septic tanks, overland wires, etc.), 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.

107. 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.
108. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.
109. In conjunction with the first submission of engineering drawings ~~Design Studies submission~~, the Owner shall submit confirmation that they have complied with any requirements of the Upper Thames River Conservation Authority.
110. The Owner shall co-ordinate the work associated with this Plan of Subdivision with the City's proposed construction of the sanitary trunk sewer and SWM Facility, to the satisfaction of the City, at no cost to the City.
111. ~~Prior to Final Approval of the 1st phase of this subdivision the owner shall work with City staff to allow for the City's acquisition of Block 177. If the City cannot acquire Block 177, the Owner shall negotiate the sale of this block to the land owner to the west (and have it consolidated on title to those lands) or acquire an easement from the adjacent land owner to allow for future access to this block.~~
112. The Owner shall obtain the necessary approvals pursuant to Section 28 of the Conservation Authorities Act from the UTRCA prior to undertaking any site alteration or development within the regulated area.
113. In conjunction with the first submission of engineering drawings ~~Design Studies submission~~ the Owner shall submit a final consolidated geotechnical report /slope assessment to the satisfaction of the UTRCA.
114. In conjunction with the first submission of engineering drawings ~~Design Studies submission~~ the Owner shall have a qualified fluvial geomorphologist submit a fluvial geomorphological assessment and meander belt analysis to the satisfaction of the UTRCA for the proposed channel.
115. In conjunction with the first submission of engineering drawings ~~Design Studies submission~~ the Owner shall submit a final Floodplain Analysis report to the satisfaction of the UTRCA's which addresses the Conservation Authorities concerns and which implements the recommendations of the Courtney Subdivision Floodplain Analysis (Stantec November 6, 2015).
116. In conjunction with the first submission of engineering drawings ~~Design Studies submission~~ the Owner shall submit a final consolidated EIS report to the satisfaction of the UTRCA and the City of London. The final EIS shall address issues such as wetland and ESA protection, compensation for the loss of the westerly tributary, and shall include recommendations for the plantings for the new channel to be incorporated into a Landscape Plan.
117. 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.

118. The Owner shall make all necessary arrangements with any required owner(s) to have any existing easement(s) in this plan quit claimed to the satisfaction of the City and at no cost to the City. The Owner shall protect any existing private services in the said easement(s) until such time as they are removed and replaced with appropriate municipal and/or private services at no cost to the City.

Following the removal of any existing private services from the said easement and the appropriate municipal services and/or private services are installed and operational, the Owner shall make all necessary arrangement to have any section(s) of easement(s) in this plan quit claimed to the satisfaction of the City, at no cost to the City.

119. 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. 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.
120. The Owner shall remove any temporary DICBS, etc. and any existing easements may be quit claimed, all to the satisfaction and specifications of the City Engineer and at no cost to the City.

Trees and Forests Advisory Committee

Report

8th Meeting of the Trees and Forests Advisory Committee
August 28, 2019
Committee Room #4

Attendance PRESENT: R. Mannella (Chair), A. Cantell, M. Demand, A. Hames, J. Kogelheide, A. Thompson, A. Valastro; and P. Shack (Secretary)

REGRETS: A. Morrison

ALSO PRESENT: A. Beaton, D. MacRae, J. Parsons, S. Rowland, M. Schulthess, J. Turner and B. Westlake-Power

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 Emancipation Day

That it BE NOTED that the attached and verbal presentation from J. Turner, Organizer, Emancipation Day, with respect to Emancipation Day Celebrations to be held on September 22, 2019, was received.

3. Consent

3.1 7th Report of the Trees and Forests Advisory Committee

That it BE NOTED that the 7th Report of the Trees and Forests Advisory Committee, from its meeting held on July 24, 2019, was received.

4. Sub-Committees and Working Groups

None.

5. Items for Discussion

5.1 Urban Forest Strategy Update

That consideration of the Urban Forest Strategy update BE DEFERRED to the next Trees and Forests Advisory Committee.

5.2 Tree Protection By-law for Comments

That the following actions be taken with respect to the draft Tree Protection By-law:

a) that the Civic Administration BE ADVISED of the following comments from the Trees and Forests Advisory Committee with respect to the draft Tree Protection By-law:

-concern the by-law is about how to remove a tree, rather than how to protect and plant more trees;

- focus on trees and future trees, without legal or political barriers;
 - need to consider tree protection at a generational scale, not human scale in context of climate change, wildlife (cavity trees) and the environment;
 - must protect young trees or replacement trees outside of the Tree Protection Area for future canopy;
 - diameter threshold of 50 cm or greater is above attainable size for many species and does not reflect what other municipalities are doing in their by-laws (for example Toronto 12" or 30 cm);
 - consensus across community that size threshold needs to be lower, acknowledging there may be budget implications and a business case may need to be put forward;
 - need to define "hazardous" tree and evidence for removal;
 - trees can be made hazardous by unnatural causes for example building an addition;
 - photo should be part of application to remove tree;
 - checklist of Arborist best practices to justify tree removal;
 - education program may be less expensive than enforcing the by-law. For example, planting a replacement tree before the original tree is removed (shadow planting);
 - cemeteries and golf courses should not be exempt from the by-law, and there should be a policy to require City of London golf courses to follow the spirit of the by-law;
 - fines must always be higher than the total cost of fees that would have been required, or it will not work;
 - provisions for on-line payments should be considered;
 - tree protection required by section 9.3 of the by-law should match other specific policies;
 - no need for section 7.3 of the by-law because no fee is taken until application determined;
 - inconsistency in Part 2-Definitions with regards to "meter" and "m";
 - leave snags on trees for housing of wildlife (for example birds of prey);
- b) that delegation status BE REQUESTED by the Chair or designate of the Trees and Forests Advisory Committee at the Planning and Environment Committee on September 9, 2019.

5.3 2019 Work Plan

That consideration of the 2019 work plan for the Trees and Forests Advisory (TFAC) Committee BE DEFERRED to the next meeting of TFAC.

5.4 Volcano Mulching

That it BE NOTED that the Trees and Forests Advisory Committee held a general discussion with respect to Volcano Mulching.

6. Adjournment

The meeting adjourned at 1:55 PM.



**INFORMATION PACKAGE FOR THE 7TH
ANNUAL EMANCIPATION DAY
CELEBRATION!**

**A DAY TO CELEBRATE THE FREEDOM
FROM SLAVERY.**

**Held at Westminster Ponds behind Parkwood
Institute (550 Wellington Road, South). Best
entrance is off of Commissioners Road. Please look
for the “Meeting Tree” signs. Look for the school bus
that will take everyone from the tent to the trail that
leads to the Meeting Tree.**

Held on Sunday, September 22, 2019.

Launch of National Forest Week.

1:45 p.m. to 4:30 p.m

- **Special performance from gospel singer Josline Steele-Manguen.**
- **Guitarist Mike Trudgen.**
- **With Singer Jenna Goldsack performing The National Anthem.**
- **Historians, Joe O’Neil.**
- **Prayer conducted by Rev. David Norton.**
- **Many more guests to help celebrate Emancipation Day!**
- **Justine Turner; historian and organizer will lead the program with historical notes throughout.**



Free tree give-away’s by (donations are kindly accepted.)

- **Enjoy food, fun and socialize after.**



Photo taken from the 6th Annual Emancipation Day Celebration. This is the ceremony around the Meeting Tree.

Organized by Justine Turner. If you have any questions you can email: Justine@emancipationdaycelebration.com. Or you can call 519-697-3430.

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: 915, 965, 1031 and 1095 Upperpoint Avenue
Application for Zoning By-law Amendment

Public Participation Meeting on: September 9, 2019

Recommendation

That, on the recommendation of the Director, Development Services based on the application of Sifton Properties Limited relating to the lands located at 915, 965, 1031 and 1095 Upperpoint Avenue (Blocks 132, 133, 134 and 135 Registered Plan No. 33M-754), the proposed by-law attached hereto as Appendix 'A' **BE INTRODUCED** at the Municipal Council meeting to be held on September 17, 2019 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/R8 Special Provision (h•h-54•h-209•R5-7(9)/R6-5(21)/R8-3(5)) Zone, a Holding Residential R5/R6/R8 Special Provision (h•h-54•h-209•R5-7(9)/R6-5(21)/R8-4(35)) Zone, and a Holding Residential R5/R6/R9 Special Provision (h•h-54•h-209•R5-7(9)/R6-5(21)/R9-7(26)•H40) Zone **TO** a Holding Residential R4/R5/R6/R8 Special Provision (h•h-54•h-209•R4-6()/R5-7(9)/R6-5()/R8-3(5)) Zone, a Holding Residential R4/R5/R6/R8 Special Provision (h•h-54•h-209•R4-6()/R5-7(9)/R6-5()/R8-4(35)) Zone, and a Holding Residential R4/R5/R6/R9 Special Provision (h•h-54•h-209•R4-6()/R5-7(9)/R6-5()/R9-7(26)•H40) Zone.

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 add a Residential R4 (R4-6()) Special Provision Zone to permit street townhouse dwellings. The recommended zoning includes special provisions for lot frontage, front yard setbacks for the main dwellings and garages, and building height. Special provisions for building setbacks and height are also recommended to be added to the existing zoning.

Rationale of Recommended Action

1. The recommended zoning amendments are considered appropriate and consistent with the Provincial Policy Statement.
2. The recommended zoning amendments conform with The London Plan, the (1989) Official Plan, and the Riverbend South Secondary Plan.
3. Zoning to permit street townhouses would be applied in conjunction with the existing compound zones to broaden the range of residential uses, and achieve objectives for providing a mix of housing types and designs.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject lands represent vacant development blocks within a registered plan of subdivision (Blocks 132, 133, 134 and 135 Plan 33M-754). The subdivision is currently being developed and the roads and services have not yet been assumed by the City. Prior to approval as a residential subdivision, these lands were in agriculture use for cultivated fields, as well as one residential single detached dwelling which has since been demolished. The topography is characterized by gently rolling terrain generally sloping downward from the southeast to northwest corner at Westdel Bourne. Elevations range from 295 metres in the southeast to 270 metres in the northwest. Except for a pocket of trees on the southerly portion of the site where the previous dwelling once existed, the area is devoid of any vegetation or natural features.

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 and Multi-family, High Density Residential
- Zoning:
 - **915 and 965 Upperpoint Avenue** - Holding Residential R5/R6/R8 Special Provision (h•h-54•h-209•R5-7(9)/R6-5(21)/R8-3(5))
 - **1031 Upperpoint Avenue** - Holding Residential R5/R6/R8 Special Provision (h•h-54•h-209•R5-7(9)/R6-5(21)/R8-4(35))
 - **1095 Upperpoint Avenue** - Holding Residential R5/R6/R9 Special Provision (h•h-54•h-209•R5-7(9)/R6-5(21)/R9-7(26)•H40)

1.3 Site Characteristics






- Current Land Use – vacant
- Frontage – approx. 547 metres combined frontage along Upperpoint Avenue
- Depth – approx. 170 metres
- Area – approx. 8.5 hectares total area
- Shape – irregular

1.4 Surrounding Land Uses

- North – neighbourhood park and stormwater management facilities
- East – future single detached dwellings and multiple-attached dwellings, neighbourhood park, and school site
- South – residential dwelling and former orchard
- West – rural estate dwellings

1.5 Location Map



Location Map		Legend	
Subject Property:	915 Upperpoint Avenue		Subject Property
Applicant:	SIFTON PROPERTIES LIMITED		Parks
File Number:	Z-9057		Assessment Parcels
Created By:	Larry Mottram		Buildings
Date:	5/7/2019		Address Numbers
Scale:	1:4000		

Corporation of the City of London

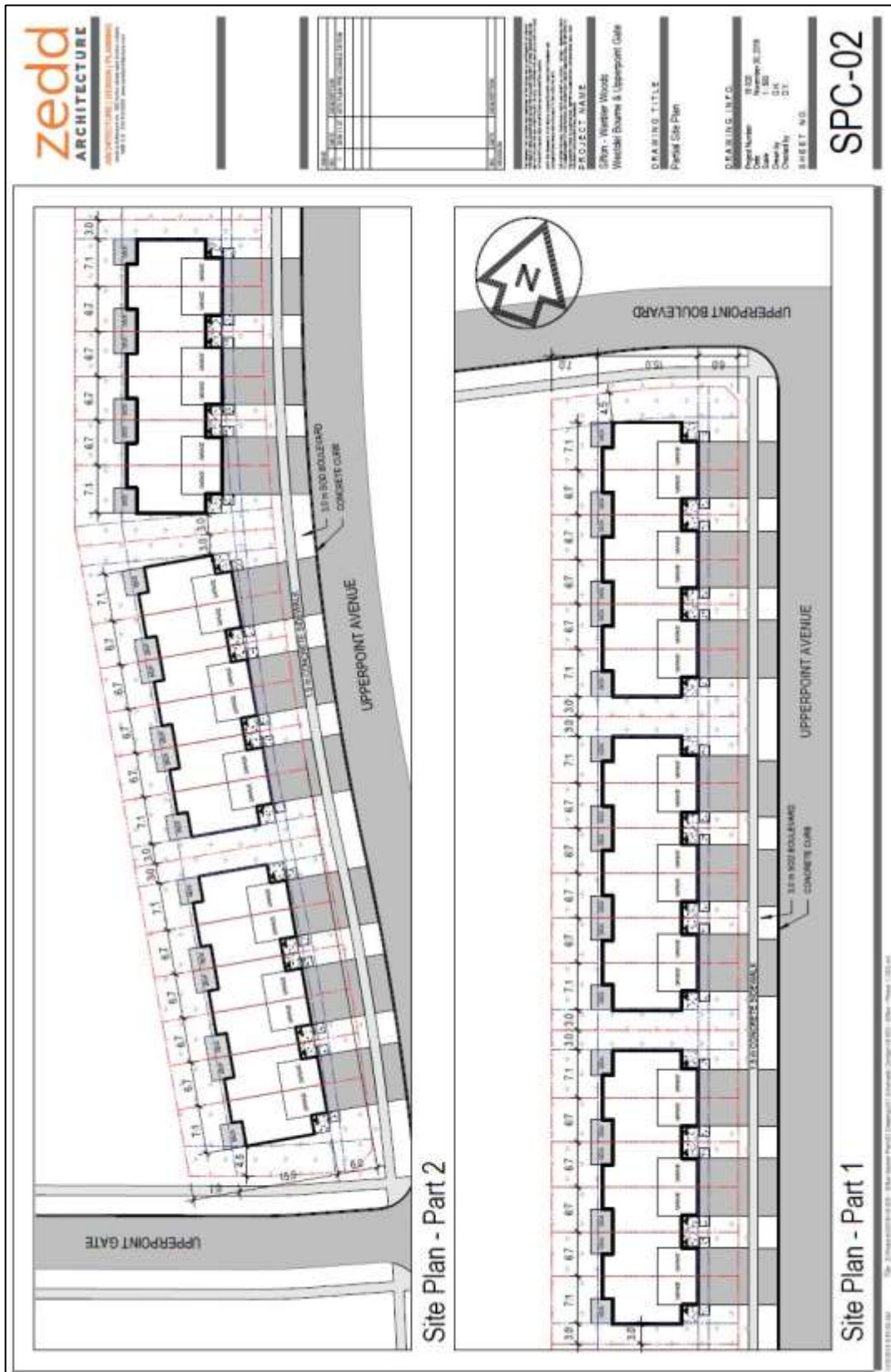
N

2.0 Description of Proposal

2.1 Development Proposal

The subject blocks are proposed to be developed for a mix of low, mid-rise and high-rise housing consisting of street townhouses, cluster townhouses, and apartment buildings. The requested Residential R4 (R4-6()) Zone would permit street townhouse dwellings fronting on Upperpoint Avenue, as well as limited portions of Upperpoint Boulevard and Upperpoint Gate. Applications for Exemption from Part Lot Control have also been received to partition the blocks in order to facilitate the creation of future freehold street townhouses. Draft reference plans indicate 36 street fronting units between Upperpoint Gate and Upperpoint Boulevard, and 30 units fronting Upperpoint Avenue, south of Upperpoint Gate.

2.2 Preliminary Concept Plan - Street Townhouses



2.2 Conceptual Building Renderings



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Winnipeg, MB R2S 2S8
Tel: 204.781.8100 Fax: 204.781.8101
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NO.	DATE	DESCRIPTION
1	07/11/17	SCHEMATIC DESIGN

NO.	DATE	DESCRIPTION

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PROJECT NAME
Sifton - Warbler Woods
Westdel Bourne & Upperpoint Gate

DRAWING TITLE
Sample Elevations

DRAWING INFO

Project Number: 18-020
Date: November 30, 2018
Scale: D=M
Created by: D.M.
D.V.
SHEET NO.



EXAMPLES OF 2 AND 3 STOREY TOWNHOUSE PROJECTS BY ZEDD

11/30/2018 8:55:59 AM File: Z:\Project\2018\18-020 - Sifton Warbler Woods\DWG\2018\18-020 - Sifton - Phase 1\0203.dwg

3.0 Relevant Background

3.1 Planning History

On March 31, 2015, Municipal Council adopted the Riverbend South Secondary Plan comprising an area of approximately 60 hectares generally bounded by Oxford Street West and the existing Warbler Woods Walk subdivision on the north, Westdel Bourne to the west, Warbler Woods ESA to the east, and the City's Urban Growth Boundary to the south.

On December 22, 2016, the City of London Approval Authority granted approval to a draft plan of subdivision submitted by Sifton Properties Limited representing the second phase of the Riverbend South development area. Previous to that on November 22, 2016, Municipal Council passed a resolution advising the Approval Authority that it supported issuing draft approval to the proposed plan of subdivision, and amended the Zoning By-law to apply specific zoning to the various blocks within the draft plan. Final approval was granted on October 24, 2018 and the subdivision was registered as Plan 33M-754 on November 2, 2018. The final plan consisted of 128 single detached residential lots, four (4) medium density residential blocks, one (1) high density residential block, one (1) school block, three (3) park blocks, one (1) open space block, one (1) walkway block, two (2) secondary collector roads, and seven (7) local streets.

The lands which are the subject of this application represent the high density block (Block 132) and medium density blocks (Blocks 133, 134 and 135) within the subdivision plan.

3.2 Requested Amendment

- i. Amend zoning as it applies to 915 and 965 Upperpoint Avenue (Blocks 134 and 135) from a Holding Residential R5/R6/R8 Special Provision (h * h-54 * h-209 * R5-7(9) / R6-5(21) / R8-3(5)) Zone to a Holding Residential R4/R5/R6/R8 Special Provision (h * h-54 * h-209 * R4-6() / R5-7(9) / R6-5(21) / R8-3(5)) Zone.
- ii. Amend zoning as it applies to 1031 Upperpoint Avenue (Block 133) from a Holding Residential R5/R6/R8 Special Provision (h * h-54 * h-209 * R5-7(9) / R6-5(21) / R8-4(35)) Zone to a Holding Residential R4/R5/R6/R8 Special Provision (h * h-54 * h-209 * R4-6() / R5-7(9) / R6-5(21) / R8-4(35)) Zone.
- iii. Amend zoning as it applies to 1095 Upperpoint Avenue (Block 132) from a Holding Residential R5/R6/R9 Special Provision (h * h-54 * h-209 * R5-7(9) / R6-5(21) / R9-7(26) * H40) Zone to a Holding Residential R4/R5/R6/R9 Special Provision (h * h-54 * h-209 * R4-6() / R5-7(9) / R6-5(21) / R9-7(26) * H40) Zone.

Requested Special Provisions:

R4-6() Zone: Lot frontage 6.0 metres (minimum); front yard depth to main dwelling 3.0 metres (minimum); front and exterior side yard depth to garage 5.5 metres (minimum); interior side yard 1.5 metres (minimum); and height 13 metres (maximum).

R5-7(9) Zone: Front yard depth to main dwelling 3.0 metres (minimum); front and exterior side yard depth to garage 5.5 metres (minimum); exterior side yard depth 4.5 metres (minimum); interior side yard 1.2 metres (minimum); and height 13 metres (maximum)

R6-5(21) Zone: Front yard depth to main dwelling 3.0 metres (minimum); front and exterior side yard depth to garage 5.5 metres (minimum); exterior side yard depth 4.5 metres (minimum); interior side yard 1.2 metres (minimum); and height 13 metres (maximum)

R8-3(5) Zone: Front yard depth 3.0 metres (minimum); and exterior side yard depth 3.0 metres (minimum)

R8-4(35) Zone: Front yard depth 3.0 metres (minimum); and exterior side yard depth 3.0 metres (minimum)

R9-7(26) Zone: Front yard depth 3.0 metres (minimum); and exterior side yard depth 3.0 metres (minimum)

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 the 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 policies regarding the importance of promoting efficient development and land use patterns, accommodating an appropriate range and mix of land uses, housing types, and densities to meet projected needs of current and future residents, and minimizing land consumption and servicing costs (Sections 1.1 and 1.4). The policies for Settlement Areas require that land use patterns be based on densities and mix of uses that efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available; minimize negative impacts on the environment; promote energy efficiency; support active transportation; and are transit supportive where transit is planned, exists or may be developed (Section 1.1.3.2).

The policies for Public Spaces, Recreation, Parks, Trails and Open Space promote healthy and active communities by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity (Section 1.5.1). Transportation policies 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 (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 renewable energy systems (Section 1.8.1).

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 the majority or which is in force and effect). The London Plan policies under appeal to the *Local Planning Appeals Tribunal* (Appeal PL170100) and not in force and effect are indicated with an asterisk throughout this report. The London Plan policies under appeal are included in this report for informative purposes indicating the intent of City Council, but are not determinative for the purposes of this planning application.

These lands are located within the Neighbourhoods Place Type in The London Plan. Upperpoint Avenue is classified on Map 3 – Street Classifications* as a Neighbourhood Connector. The range of permitted uses includes townhouses and stacked townhouses; low-rise apartments; and mixed use buildings. An excerpt from The London Plan Map 1 – Place Types* is found at Appendix D.

(1989) Official Plan

These lands are designated Multi-family, Medium Density Residential and Multi-family, High Density Residential on Schedule 'A' of the (1989) Official Plan. The Multi-family, Medium Density Residential designation permits multiple attached dwellings, such as row houses or cluster houses; low rise apartment buildings; and small-scale nursing homes, rest homes, and homes for the aged, as the main uses. The Multi-family, High Density Residential designation permits low-rise and high-rise apartment buildings, multiple

attached dwellings; and small-scale nursing homes, rest homes, and homes for the aged, as the main uses. An excerpt from Land Use Schedule 'A' is found at Appendix D.

Riverbend South Secondary Plan

The Secondary Plan was intended to provide the rationale for land use designations, and provide a vision, goals and policies to allow the area to develop into a vibrant, active, and healthy neighbourhood. It provides a more detailed framework, that in conjunction with the Official Plan, will be used to review and approve other development applications including subdivision plans, site plans, and zoning by-law amendments. These lands are designated Medium Density Residential and High Density Residential in the Riverbend South Secondary Plan. An excerpt from Schedule 2 - Preferred Land Use Plan is found at Appendix D.

4.0 Key Issues and Considerations

4.1 Issue and Consideration # 1 – Is the recommended zoning to permit street townhouses and special provisions appropriate?

Use

The addition of the Residential R4 (R4-6()) Special Provision Zone to permit street townhouses is appropriate to accommodate a full range of housing types permitted by the multi-family, medium density and high density residential designations. This zoning would be applied in conjunction with the existing compound zones to broaden the range of residential uses, and achieve the objectives of the Riverbend South Secondary Plan for providing a mix of housing types, tenure and choice. A range of dwelling types are already permitted, including low-rise and high-rise apartment buildings, townhouses, stacked townhouses, and cluster detached and attached dwellings.

Intensity

The intent of the Secondary Plan was that the higher intensity residential uses occur on the multi-family, high density residential block (Block 132), adjacent Westdel Bourne and Upperpoint Boulevard, as these lands are closer to commercial lands to the north and more accessible to future public transit routes. Residential densities range from 65 to 150 units per hectare and building heights up to 40 metres (approx. 10-12 storeys). The scale and intensity of development within the multi-family, medium density blocks (Blocks 133, 134, and 135) was intended to decrease as one proceeded south towards the southerly limits of the area plan. The densities across these blocks range from 35 to 60 units per hectare. The requested special provisions for building heights up to 13 metres (approx. 2-3 storeys) for street-oriented townhouses and conventional townhouses/cluster housing is considered appropriate and provides flexibility in design, while meeting the Secondary Plan principles of a transition of land use and intensity.

Form

Street-oriented townhouses can add to variety and visual interest along the street, and help create a transition from the lower density single detached dwellings to medium and higher density residential development. One of the concerns with street townhouses is that individual driveways and garages could potentially dominate the streetscape, as well as concerns for adequate space for on-street parking and street trees. Therefore, in order to discourage projecting garages dominating the streetscape, a special provision is being recommended that garages not project beyond the façade of the main dwelling or façade (front face) of any porch. This is intended to work in conjunction with the minimum front and exterior yard setback regulations of 3.0 metres for the main dwelling and 5.5 metres for the garage. Driveway widths are regulated by the general provisions in the Zoning By-law. As outlined in Section 4.19.6 (j) for freehold street townhouse dwellings, the maximum driveway width leading to a parking area shall be no greater than 50% of the lot frontage or a maximum of 6.0 metres, whichever is less and in no case shall it be less than 3.0 metres. Street townhouse developments are subject to Site Plan Approval, and the City will have the opportunity to review building plans and elevations in more detail, and have any specific concerns for garages and driveways addressed at that time.

The additional special provisions being applied to the existing zone variations for reduced building setbacks are also found to be appropriate and maintain the intent of the Neighbourhoods Place Type in The London Plan, the Multi-family, Medium Density and High Density Residential designations in the (1989) Official Plan, and the policies and guidelines of the Riverbend South Secondary Plan. The current holding (h, h-54 and h-209) provisions to ensure adequacy of municipal services, implementation of noise mitigation measures adjacent arterial roads, and compliance with the Riverbend South Secondary Plan design guidelines, will continue to apply to the recommended zoning and will be removed at such time in the future as Site Plan and Development Agreements have been entered into.

5.0 Conclusion

The recommended zoning amendments are appropriate and consistent with the Provincial Policy Statement, conform to the Neighbourhoods Place Type in The London Plan, the Multi-family, Medium Density Residential and High Density Residential designations in the (1989) Official Plan, and the policies and guidelines of the Riverbend South Secondary Plan.

Prepared by:	Larry Mottram, MCIP, RPP Senior Planner, Development 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
<p>Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.</p>	

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
 Lou Pompilli, Manager, Development Services - Planning
 Ismail Abushehada, Manager, Development Services - Engineering

August 30, 2019
 GK/PY/LM/lm

Appendix A

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 915,
965, 1031 and 1095 Upperpoint
Avenue.

WHEREAS Sifton Properties Limited has applied to rezone an area of land located at 915, 965, 1031 and 1095 Upperpoint Avenue, 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 915, 965, 1031 and 1095 Upperpoint Avenue, as shown on the attached map, from a Holding Residential R5/R6/R8 Special Provision (h•h-54•h-209•R5-7(9)/R6-5(21)/R8-3(5) Zone, a Holding Residential R5/R6/R8 Special Provision (h•h-54•h-209•R5-7(9)/R6-5(21)/R8-4(35) Zone, and a Holding Residential R5/R6/R9 Special Provision (h•h-54•h-209•R5-7(9)/R6-5(21)/R9-7(26)•H40 Zone to a Holding Residential R4/R5/R6/R8 Special Provision (h•h-54•h-209•R4-6()/R5-7(9)/R6-5()/R8-3(5) Zone, a Holding Residential R4/R5/R6/R8 Special Provision (h•h-54•h-209•R4-6()/R5-7(9)/R6-5()/R8-4(35) Zone, and a Holding Residential R4/R5/R6/R9 Special Provision (h•h-54•h-209•R4-6()/R5-7(9)/R6-5()/R9-7(26)•H40 Zone.
- 2) Section Number 8.4 of the Residential R4 Zone is amended by adding the following special provisions:

R4-6()

a) Regulations:

- | | | |
|------|---|------------|
| i) | Lot Frontage
(Minimum) | 7.0 metres |
| ii) | Front and Exterior Yard
Depth to Main Dwelling
(Minimum) | 3.0 metres |
| iii) | Front and Exterior Yard
Depth to Garage
(Minimum) | 5.5 metres |
| iv) | Garages shall not project beyond the façade of the main dwelling or façade (front face) of any porch. | |
| v) | Interior Side Yard
Depth (Minimum) | 1.5 metres |

- | | | |
|------|--|-----------|
| vi) | Height
(Maximum) | 13 metres |
| vii) | Dwelling Setback from a
High Pressure Pipeline
(Minimum) | 20 metres |

- 3) Section Number 9.4 of the Residential R5 Zone is amended by adding the following regulations to the R5-7(9) Zone:

R5-7(9)

a) Regulations:

- | | | |
|------|---|------------|
| ii) | Front Yard Depth to
Main Dwelling
(Minimum) | 3.0 metres |
| iii) | Front and Exterior
Yard Depth to Garage
(Minimum) | 5.5 metres |
| iv) | Exterior Side Yard
Depth (Minimum) | 4.5 metres |
| v) | Interior Side Yard
Depth (Minimum) | 1.2 metres |
| vi) | Height
(Maximum) | 13 metres |

- 4) Section Number 10.4 of the Residential R6 Zone is amended by adding the following special provisions:

R6-5()

a) Regulations:

- | | | |
|------|--|------------|
| i) | Front Yard Depth to
Main Dwelling
(Minimum) | 3.0 metres |
| ii) | Front and Exterior
Yard Depth to Garage
(Minimum) | 5.5 metres |
| iii) | Exterior Side Yard
Depth (Minimum) | 4.5 metres |
| iv) | Interior Side Yard
Depth (Minimum) | 1.2 metres |
| v) | Height
(Maximum) | 13 metres |
| vi) | Dwelling Setback from a
High Pressure Pipeline
(Minimum) | 20 metres |

- 5) Section Number 12.4 of the Residential R8 Zone is amended by adding the following regulations to the R8-3(5) Zone:

R8-3(5)

b) Regulations:

- ii) Front and Exterior Yard Depth (Minimum) 3.0 metres

- 6) Section Number 12.4 of the Residential R8 Zone is amended by adding the following regulations to the R8-4(35) Zone:

R8-4(35)

b) Regulations:

- ii) Front and Exterior Yard Depth (Minimum) 3.0 metres

- 7) Section Number 13.4 of the Residential R9 Zone is amended by adding the following regulations to the R9-7(26) Zone:

R9-7(26)

b) Regulations:

- ii) Front and Exterior Yard Depth (Minimum) 3.0 metres

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.

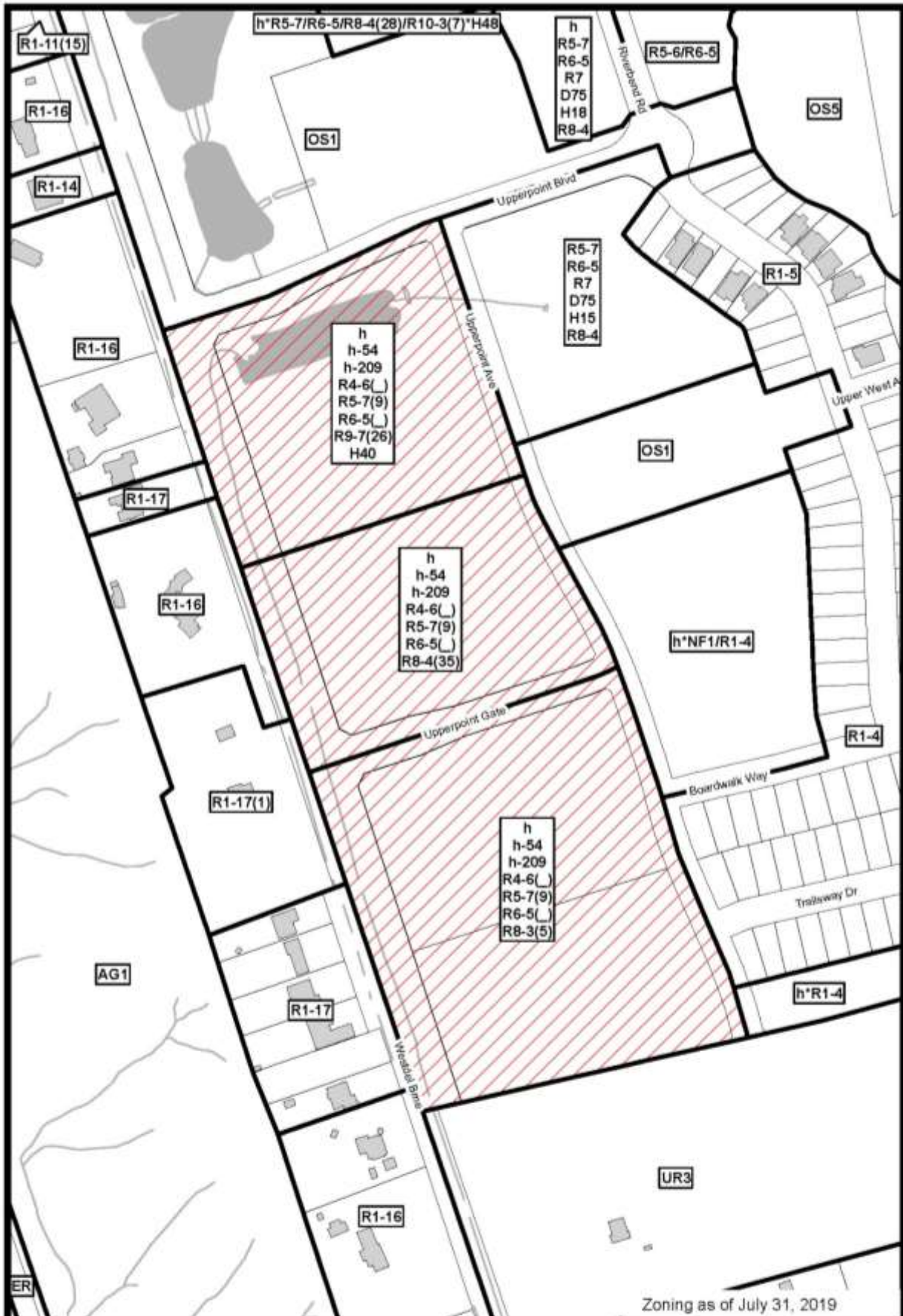
PASSED in Open Council on September 17, 2019

Ed Holder
Mayor


Catharine Saunders
City Clerk

First Reading – September 17, 2019
Second Reading – September 17, 2019
Third Reading – September 17, 2019


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




File Number: Z-9057
 Planner: LM
 Date Prepared: 2019/8/26
 Technician: RC
 By-Law No: Z.-1-

SUBJECT SITE 

1:3,000

0 15 30 60 90 120 Meters 



Appendix B – Public Engagement

Community Engagement

Public liaison: On May 10, 2019, Notice of Application was sent to 23 property owners in the surrounding area. A Planning Application sign was erected on the site and notice was posted on the City of London's website.

Responses: No replies received.

Nature of Liaison: To consider a request for zoning by-law amendment to allow street townhouse dwellings in addition to the current permitted uses, and to add special zone regulation for building setbacks and height. This will involve an amendment to the zoning by-law to add a Residential R4 Special Provision (R4-6()) Zone to the current zoning of the subject lands. The current zones are as follows: Holding Residential R5/R6/R8 Special Provision (h*h-54*h-209*R5-7(9)/R6-5(21)/R8-3(5)); Holding Residential R5/R6/R8 Special Provision (h*h-54*h-209*R5-7(9)/R6-5(21)/R8-4(35)); and Holding Residential R5/R6/R9 Special Provision (h*h-54*h-209*R5-7(9)/R6-5(21)/R9-7(26)*H40). Special zone provisions to be added to the current and requested zoning are as follows: R4-6()) Zone - lot frontage 6.0 metres (minimum); front yard depth to main dwelling 3.0 metres (minimum); front and exterior side yard depth to garage 5.5 metres (minimum); interior side yard 1.5 metres (minimum); and height 13 metres (maximum); R5-7(9) Zone - front yard depth to main dwelling 3.0 metres (minimum); front and exterior side yard depth to garage 5.5 metres (minimum); exterior side yard depth 4.5 metres (minimum); interior side yard 1.2 metres (minimum); and height 13 metres (maximum); R6-5(21) Zone - front yard depth to main dwelling 3.0 metres (minimum); front and exterior side yard depth to garage 5.5 metres (minimum); exterior side yard depth 4.5 metres (minimum); interior side yard 1.2 metres (minimum); and height 13 metres (maximum); R8-3(5) Zone - front yard depth 3.0 metres (minimum); and exterior side yard depth 3.0 metres (minimum); R8-4(35) Zone - front yard depth 3.0 metres (minimum); and exterior side yard depth 3.0 metres (minimum); R9-7(26) Zone - front yard depth 3.0 metres (minimum); and exterior side yard depth 3.0 metres (minimum).

Agency/Departmental Comments:

1. Upper Thames River Conservation Authority

The subject lands are not affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the *Conservation Authorities Act*. The UTRCA has no objections to this application.

Appendix C – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this proposal. 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 policies 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; and minimizes land consumption and servicing costs (Sections 1.1 and 1.4). The requested zoning to permit street townhouses will add to the mix of residential dwelling types which includes a variety of detached and attached forms of cluster housing, townhouses, stacked townhouses, low-rise and high-rise apartment buildings at densities ranging from 35 to 150 units per hectare. The subject site is located within the Riverbend South Secondary Plan which was approved by Municipal Council with the objective of promoting efficient and resilient development patterns, and accommodating an appropriate range and mix of low, medium, and high density residential, recreational, parks, and open space uses to meet long-term needs.

The policies for Settlement Areas require that land use patterns be based on densities and mix of uses that efficiently use land and resources; are appropriate for, and efficiently use, infrastructure and public service facilities which are planned or available; minimize negative impacts to air quality and climate change; promote energy efficiency; support active transportation; and are transit supportive where transit is planned, exists or may be developed (Section 1.1.3.2). These lands are immediately adjacent to existing and proposed built-up areas to the north and east. Development will efficiently utilize services and infrastructure, including recently completed stormwater management facilities. The site is in close proximity to public parks and open spaces, schools, and community facilities, and it is expected that the area will be serviced by future public transit. A key objective of the secondary plan is promoting energy efficiency through site planning and building design.

Policies for Public Spaces, Recreation, Parks, Trails and Open Space promote healthy and active communities by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity (Section 1.5.1). The secondary plan promotes cycling and pedestrian movement and connectivity by incorporating a network of multi-use paths and walking trails to enhance active transportation opportunities.

Transportation policies 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 renewable energy systems (Section 1.8.1). The proposed development is supportive of transit service and is located in close proximity to existing and planned walking and cycling pathways. The subdivision road network maintains a strong north-south orientation, and encompasses development blocks that optimize exposure to solar energy capture.

Protection of natural heritage features and functions, cultural heritage and archaeological resources have previously been dealt with through the secondary plan process. The proposed development is outside of any natural hazards and there are no known human-made hazards. Use restrictions and building setback regulations in proximity to the Union Gas high pressure pipeline along Wesdel Bourne have been applied through special provisions in the zoning by-law. Based on our review, Development Services staff are satisfied that the recommended zoning by-law amendment is consistent with the Provincial Policy Statement.

The London Plan

The Our Strategy, City Building and Design, Neighbourhoods Place Type, and Our Tools policies in the London Plan have been reviewed and consideration given to how the proposed zoning by-law amendment contributes to achieving those policy objectives, including the following specific policies:

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.*
- 5. Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place.*

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.*
- 3. Implement “placemaking” by promoting neighbourhood design that creates safe, diverse, walkable, healthy, and connected communities, creating a sense of place and character.*

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 recommended R4 zoning will permit street-oriented townhouse dwellings which are compatible with the range of uses currently permitted, and which will contribute to a sense of place and neighbourhood character consistent with the planned vision of the Neighbourhood Place Type. The building form facing the public street should be balanced and the streetscape should not be dominated by driveways and individual garages.

*212_ The configuration of streets planned for new neighbourhoods will be of a grid, or modified grid, pattern. Cul-de-sacs, deadends, and other street patterns which inhibit such street networks will be minimized. New neighbourhood street networks will be designed to have multiple direct connections to existing and future neighbourhoods.**

The street configuration represents a modified grid pattern, providing multiple direct connections to the developing neighbourhood to the north, east, and south, and direct connections to Westdel Bourne to the west.

*216_ Street networks, block orientation, lot sizes, and building orientation should be designed to take advantage of passive solar energy while ensuring that active mobility and other design criteria of this chapter are satisfied.**

The street network in this subdivision maintains a north-south orientation thereby increasing exposure to passive solar energy for street townhouses, or conventional townhouses and apartment building blocks. The network also ensures active mobility by providing pedestrian and cycling connections to the future multi-use pathway along Westdel Bourne, and path/trail connections through parks and open spaces within the subdivision. Streets will incorporate sidewalks as required by the subdivision agreement.

222A_ The proportion of building and street frontages used for garages and driveways should be minimized to allow for street trees, provide for on-street parking and support pedestrian and cycling-oriented streetscapes.

The application was accompanied by an on-street parking plan to demonstrate that individual driveways and garages can be appropriately spaced to accommodate on-street parking, street trees, and movement of pedestrians and cyclists.

256_ Buildings should be sited so that they maintain and reinforce the prevailing street wall or street line of existing buildings. Where a streetscape has not been built out, buildings should be sited with regard for the planned street wall or street line.

*259_ Buildings should be sited with minimal setbacks from public rights-of-way and public spaces to create a street wall/edge and establish a sense of enclosure and comfortable pedestrian environment.**

Building siting in relation to the street line will be reviewed in further detail as part of site plan approval process. The recommended zoning does include special provisions with reduced setbacks to encourage buildings to be closer to the street in order to maintain a consistent street wall/edge and sense of enclosure.

260_ Projecting garages will be discouraged.

In order to discourage projecting garages dominating the streetscape, a special provision is recommended that garages not project beyond the façade of the main dwelling or façade (front face) of any porch, in addition to the minimum front and exterior yard setback regulations for the main dwelling and garage.

495_ Providing accessible and affordable housing options for all Londoners is an important element of building a prosperous city. Quality housing is a necessary component of a city that people want to live and invest in. Housing choice is influenced by location, type, size, tenure, and accessibility. Affordability and housing options are provided by establishing variety in these factors.

518_ Secondary plans and larger residential development proposals should include a 25% affordable housing component through a mix of housing

types and sizes. In keeping with this intent, 40% of new housing units within a secondary plan, and lands exceeding five hectares in size outside of any secondary plan, should be in forms other than single detached dwellings.

The recommended zoning to permit street townhouses provides an additional form of tenure and choice of housing options, and contributes to diversifying the housing stock. The Riverbend South Secondary Plan housing and population breakdown had estimated that approximately 75 to 80 percent of the total dwelling units would be in medium and high density residential forms of housing, with 20 to 25 percent single family homes.

Neighbourhoods Place Type

These lands are located within the Neighbourhoods Place Type in The London Plan. Upperpoint Avenue is classified on Map 3 – Street Classifications* as a Neighbourhood Connector. The range of permitted uses includes townhouses and stacked townhouses; low-rise apartments; and mixed use buildings. The proposed development of street townhouses, anticipated to be a three (3) storeys in height is consistent with the use, intensity and form policies of the Neighbourhoods Place Type.

(1989) Official Plan

These lands are designated Multi-family, Medium Density Residential and Multi-family, High Density Residential on Schedule 'A' of the 1989 Official Plan. The Multi-family, Medium Density Residential designation permits multiple attached dwellings, such as row houses or cluster houses; low rise apartment buildings; and small-scale nursing homes, rest homes, and homes for the aged, as the main uses. The Multi-family, High Density Residential designation permits low-rise and high-rise apartment buildings, multiple attached dwellings; and small-scale nursing homes, rest homes, and homes for the aged, as the main uses. The recommended zoning and range of permitted uses is consistent with and conforms to the 1989 Official Plan.

Riverbend South Secondary Plan

The Riverbend South Secondary Plan incorporates planning objectives, principles and policies intended to guide the review of future development applications. The following is a brief overview of the applicable policies and guidelines.

20.6.1.4 Principles of the Secondary Plan

2) Principle: Provide a Range of Housing Choices

- i) Provide for a mix of housing types in the community to support a diverse range of ages, stages of life and incomes.*

The recommended zoning will provide for a greater mix of housing and choice to support a range of ages, incomes and stages of life.

20.6.3.1 Residential

- i) Low density, multi-family medium density and multi-family high density residential land use designations will accommodate a full range of single family, cluster, townhouse and apartment dwellings.*

- iii) Higher intensity residential land use designations shall be located along Westdel Bourne, Riverbend Road and newly created collector roads to offer transition between land uses and to provide access to commercial areas and future public transit routes.*

- v) Residential intensity within the Multi-family Medium Density Residential land use designation shall decrease as the blocks progress to the south to provide a transition towards the Urban*

Growth Boundary.

The recommended zoning is appropriate to accommodate a full range of housing types permitted by the multi-family, medium density and high density residential designations. The intent of the Secondary Plan was that the higher intensity residential uses occur on the multi-family, high density residential block (Block 132) adjacent Westdel Bourne and Upperpoint Boulevard, as these lands were closer to commercial lands further to the north, as well as being more accessible to future public transit routes. Residential intensity within the multi-family, medium density blocks (Blocks 133, 134, and 135) was intended to decrease as one proceeded south towards the southerly limits of the area plan coinciding with the Urban Growth Boundary. The Secondary Plan principles of transition of land use and intensity will continue to be maintained.

20.6.4.6 Edges and Interfaces

iii) Within the Multi-family High Density Residential designation at the southeast corner of Westdel Bourne and Street A, building design and placement shall provide a transition from Westdel Bourne eastwards. This may be accomplished through the use of podium buildings, townhouse 'bases' fronting apartment buildings, building height and massing, landscaping and other means at the site plan and architectural design stage.

The recommended zoning provides additional flexibility to incorporate street-oriented townhouses or conventional cluster townhouses into the building design and placement at the base of low-rise or high-rise apartment buildings. This maintains the principle of transition of built form from Westdel Bourne proceeding eastwards from the outer edge towards the interior of the community.

20.6.5 Urban Design

2) Residential Guidelines

ii) Buildings are encouraged to be located close to the street, with front doors oriented to the street, to provide a strong street edge and sense of enclosure.

iv) Reduced setbacks to the main building are encouraged to create a more intimate streetscape and reduce the prominence of garages.

v) Attached garages are encouraged to be set back from or flush with the main building façade to minimize their visual dominance from the street.

viii) A variety of roofline types and building facades should be utilized for individual homes and townhouses to create visual interest along a street and within development.

ix) Transition between low density residential areas and medium / high density development is encouraged through the use of appropriate massing, scale, materials, architectural detailing and articulation, landscape features and consideration of access to sunlight.

xi) Larger high-density multi-family blocks should incorporate a mix of lower scale, street-oriented buildings, appropriate landscaping and other site / design features with higher density buildings to provide suitable transition where they are located adjacent to low density residential development.

Through the recommended special zone provisions, the residential design guidelines are being addressed with reduced building setbacks that provide for a closer and more intimate streetscape, and garages that are flush with and do not project beyond the main building façade. Street-oriented townhouses can also add to variety and visual interest along the street, and help create a transition from the lower density single detached dwellings to medium and high density residential developments.

Zoning By-law

The zoning by-law amendment involves adding a Residential R4-6() Special Provision Zone to the existing zoning, together with special provisions for all the zone variations broken down as follows (reference should be made to the zoning by-law amendment and schedule found in Appendix 'A'):

Requested Special Provisions:

R4-6() Zone: Lot frontage 6.0 metres (minimum); front yard depth to main dwelling 3.0 metres (minimum); front and exterior side yard depth to garage 5.5 metres (minimum); interior side yard 1.5 metres (minimum); and height 13 metres (maximum).

The standard R4 Zone regulation for minimum lot frontage per unit is 5.5 metres. However, staff recommend increasing the lot frontage above both the standard 5.5 metres and the requested 6.0 metres to 7.0 metres per unit minimum in order to ensure there is adequate spatial separation to install and maintain underground utility, water and private drain connections between the unit and the services within the road allowance that it fronts on. Draft reference plans were subsequently submitted with the Applications for Exemption from Part Lot Control and indicate the street townhouse units will have minimum 7.0 metre frontages.

A minimum front and exterior yard depth of 3.0 metres to the main dwelling, and 5.5 metres to the garage, as well as a special provision that garages not project beyond the façade of the main dwelling or façade (front face) of any porch, is considered appropriate and implements the Riverbend South Secondary Plan residential design guidelines. An interior side yard depth of 1.5 metres minimum is appropriate to provide for a 3.0 metre wide separation between buildings for access to rear yards. A maximum height regulation of 13.0 metres above the standard 12.0 metres maximum height requirement is also appropriate to accommodate three (3) storey street townhouse dwellings as proposed. The 20 metre setback regulation from the Union Gas high pressure pipeline along Westdel Bourne has also been added to the special provisions consistent with the zoning already in place.

R5-7(9) and R6-5() Zones: Front yard depth to main dwelling 3.0 metres (minimum); front and exterior side yard depth to garage 5.5 metres (minimum); exterior side yard depth 4.5 metres (minimum); interior side yard 1.2 metres (minimum); and height 13 metres (maximum)

These zone variations permit various forms of cluster housing, including townhouses, stacked townhouses, and low-rise apartment buildings at densities ranging from 35 to 60 units per hectare. The minimum front and exterior yard depth of 3.0 metres to the main dwelling, and 5.5 metres to the garage are considered appropriate and also implement the secondary plan design guidelines which encourage buildings to be located and oriented close to the street. The requested 4.5 metre exterior side yard setback and 13 metre height requirement to provide flexibility to construct either two (2) storey or three (3) storey dwelling units, as well as the ability to create transition of built forms, scale and height, is considered appropriate and consistent with the residential guidelines. It should be noted that the existing R6-5(21) Zone is being replaced by a new R6-5() Special Provision Zone because it has been applied to other lands within the City, and the additional regulations would only be applicable to the subject lands.

File: Z-9057

Planner: L. Mottram

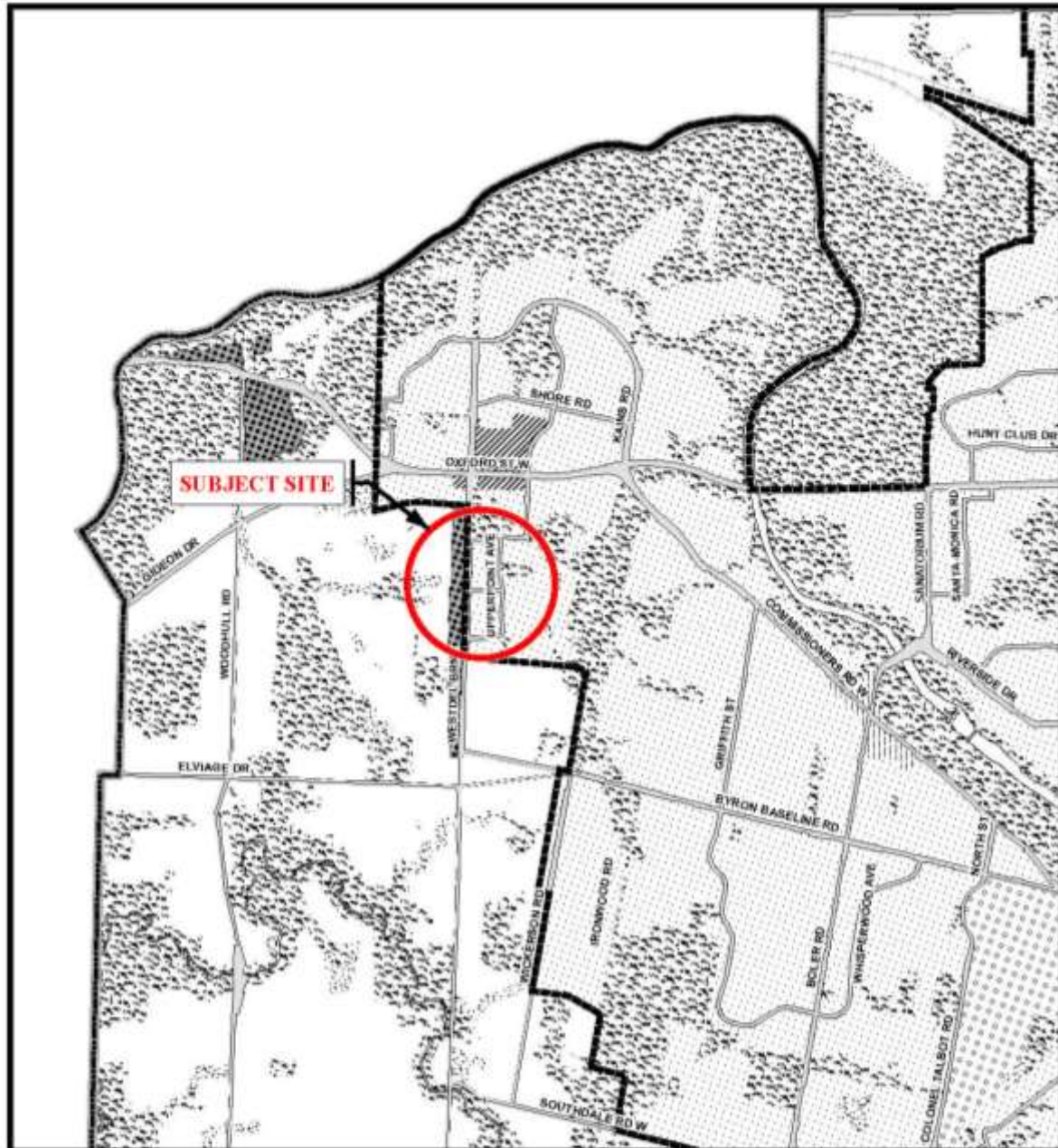
R8-3(5), R8-4(35), and R9-7(26) Zones: Front yard depth 3.0 metres (minimum); and exterior side yard depth 3.0 metres (minimum)

These zone variations permit various forms of medium and high density residential housing, including low-rise and high-rise apartment buildings at densities ranging from 65 to 150 units per hectare. The minimum front and exterior yard depth of 3.0 metres again is appropriate and implements the secondary plan design guidelines which encourage buildings as close as possible to the street to create a strong street wall.

The recommended Residential R4 Special Provision (R4-6()) Zone, and the additional special provisions to the existing zone variations, are found to be appropriate and maintain the intent of the Neighbourhoods Place Type in The London Plan, the Multi-family, Medium Density and High Density Residential designations in the (1989) Official Plan, and the policies and guidelines of the Riverbend South Secondary Plan. The current holding (h, h-54 and h-209) provisions to ensure adequacy of municipal services, implementation of noise mitigation measures adjacent arterial roads, and compliance with the Riverbend South Secondary Plan design guidelines, will continue to apply to the recommended zoning and will be removed at such time in the future as Site Plan and Development Agreements have been entered into.

Appendix D – Relevant Background

London Plan Map Excerpt



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 | |

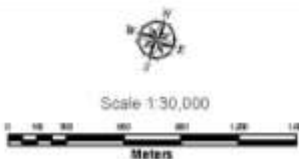
This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

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 recognise potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON
 Planning Services /
 Development Services

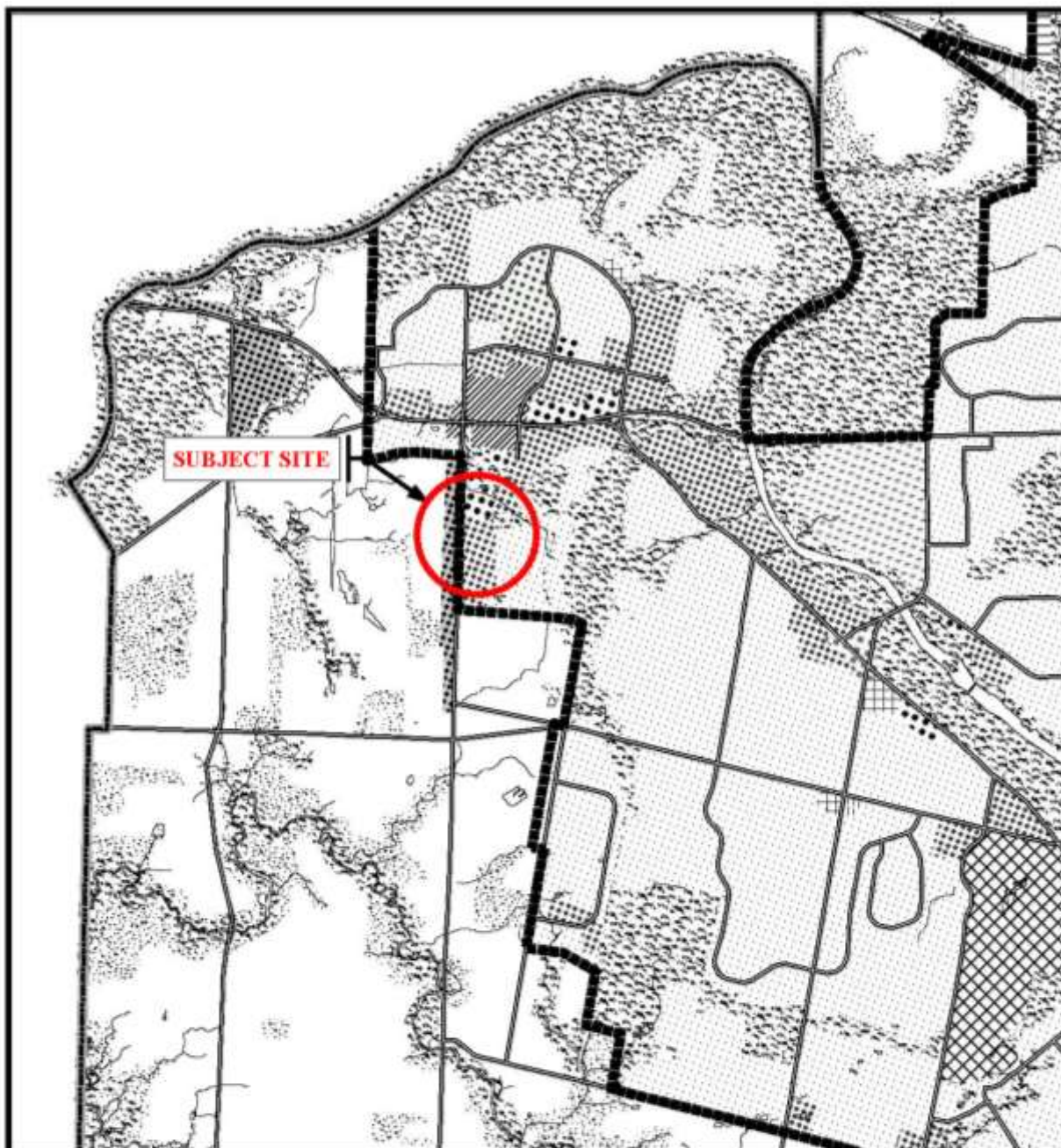
LONDON PLAN MAP 1
- PLACE TYPES -

PREPARED BY: Planning Services



File Number: Z-9057
Planner: LM
Technician: RC
Date: August 1, 2019

Official Plan Map Excerpt

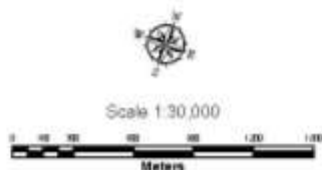


Legend

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

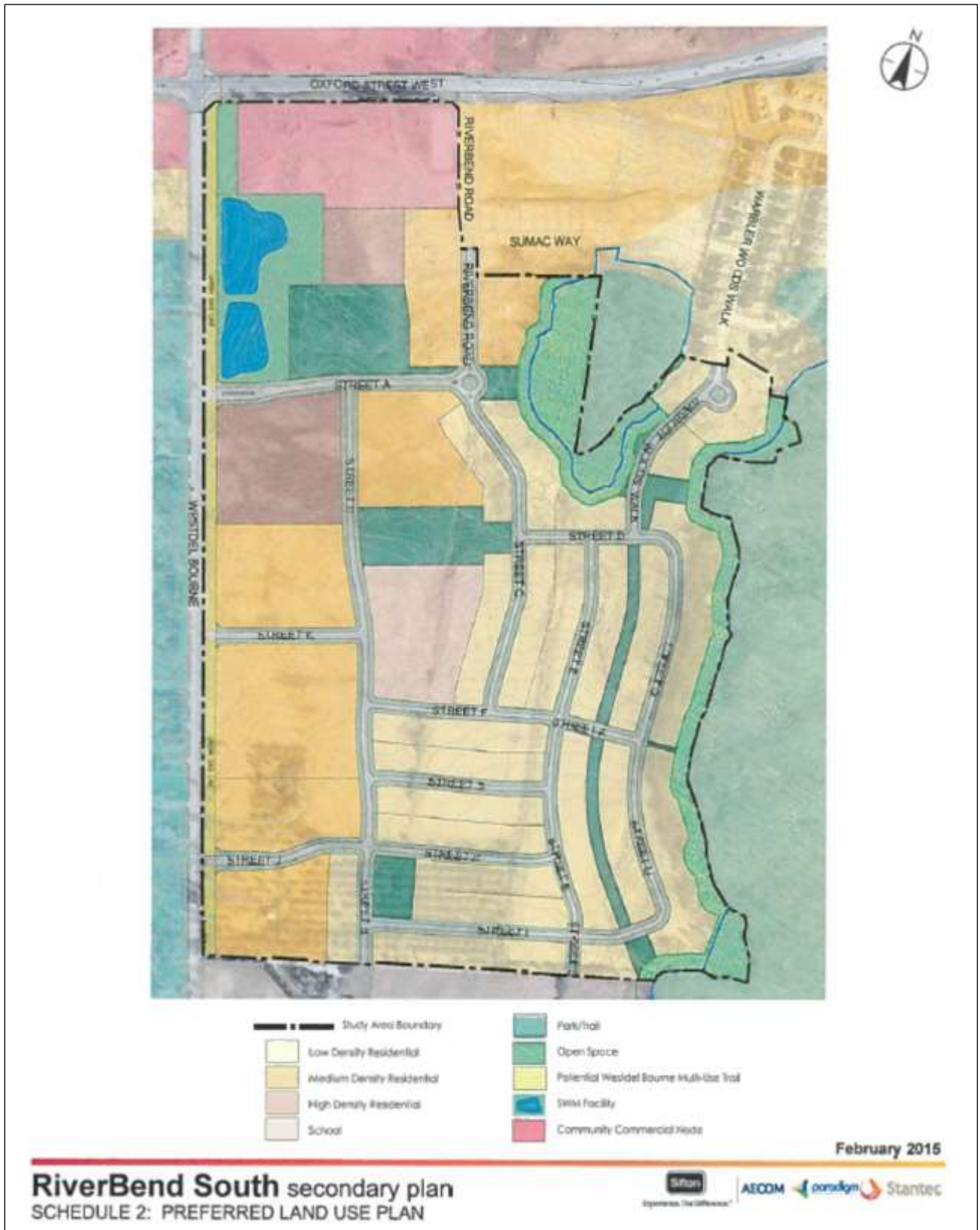
CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -

PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-9057
 PLANNER: LM
 TECHNICIAN: rc
 DATE: 2019/08/01

Riverbend South Secondary Plan



Zoning By-law Map Excerpt



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

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

- | | |
|--|---|
| <ul style="list-style-type: none"> R1 - SINGLE DETACHED DWELLINGS R2 - SINGLE AND TWO UNIT DWELLINGS R3 - SINGLE TO FOUR UNIT DWELLINGS R4 - STREET TOWNHOUSE R5 - CLUSTER TOWNHOUSE R6 - CLUSTER HOUSING ALL FORMS R7 - SENIOR'S HOUSING R8 - MEDIUM DENSITY/LOW RISE APTS. R9 - MEDIUM TO HIGH DENSITY APTS. R10 - HIGH DENSITY APARTMENTS R11 - LODGING HOUSE
 DA - DOWNTOWN AREA RSA - REGIONAL SHOPPING AREA CSA - COMMUNITY SHOPPING AREA NSA - NEIGHBOURHOOD SHOPPING AREA BDC - BUSINESS DISTRICT COMMERCIAL AC - ARTERIAL COMMERCIAL HS - HIGHWAY SERVICE COMMERCIAL RSC - RESTRICTED SERVICE COMMERCIAL CC - CONVENIENCE COMMERCIAL SS - AUTOMOBILE SERVICE STATION ASA - ASSOCIATED SHOPPING AREA COMMERCIAL
 OR - OFFICE/RESIDENTIAL OC - OFFICE CONVERSION RO - RESTRICTED OFFICE OF - OFFICE | <ul style="list-style-type: none"> RF - REGIONAL FACILITY CF - COMMUNITY FACILITY NF - NEIGHBOURHOOD FACILITY HER - HERITAGE DC - DAY CARE
 OS - OPEN SPACE CR - COMMERCIAL RECREATION ER - ENVIRONMENTAL REVIEW
 OB - OFFICE BUSINESS PARK LI - LIGHT INDUSTRIAL GI - GENERAL INDUSTRIAL HI - HEAVY INDUSTRIAL EX - RESOURCE EXTRACTIVE UR - URBAN RESERVE
 AG - AGRICULTURAL AGC - AGRICULTURAL COMMERCIAL RRC - RURAL SETTLEMENT COMMERCIAL TGS - TEMPORARY GARDEN SUITE RT - RAIL TRANSPORTATION
 "H" - HOLDING SYMBOL "D" - DENSITY SYMBOL "H" - HEIGHT SYMBOL "B" - BONUS SYMBOL "T" - TEMPORARY USE SYMBOL |
|--|---|

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



FILE NO:

Z-9057

LM

MAP PREPARED:

2019/08/01

rc

1:4,000

0 25 50 100 150 200

Meters

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

Additional Reports

November 14, 2016 – Planning and Environment Committee – Application by Sifton Properties Limited for approval of Draft Plan of Subdivision and Zoning By-law Amendments re: properties located at 1420 Westdel Bourne, 1826 and 1854 Oxford Street West - File No. 39T-16502 / Z-8621 (Agenda Item #10).

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: Glen Cairn Community Resource Centre and The Corporation
of the City of London
220 and 244 Adelaide Street South

Public Participation Meeting on: September 9, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the applications of the Glen Cairn Community Resource Centre and The Corporation of the City of London relating to the properties located at 220 and 244 Adelaide Street South:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on September 17, 2019 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of 244 Adelaide Street South **FROM** a Neighbourhood Facility Special Provision (NF1(11)) Zone, **TO** a Neighbourhood Facility Special Provision (NF1(__)) Zone;
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on September 17, 2019 to amend The London Plan to change the designation of 220 and 244 Adelaide Street South **FROM** the Light Industrial Place Type **TO** the Commercial Industrial Place Type;

IT BEING NOTED THAT The London Plan amendment will come into full force and effect concurrently with Map 1 of The London Plan;

IT BEING FURTHER NOTED THAT the following Site Plan Matters pertaining to 244 Adelaide Street South have been raised during the public participation process: the location of parking, garbage storage, tree planting, and landscaping buffering.

Executive Summary

Summary of Request

The Glen Cairn Community Resource Centre, owner of 244 Adelaide Street South, is requesting to rezone their property to permit a medical/dental clinic and medical/dental office in association with the existing community centre. The City of London is requesting to amend The London Plan by changing the designation of 220 and 244 Adelaide Street South from the Light Industrial Place Type to the Commercial Industrial Place Type.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to permit a medical/dental clinic in association with the existing community centre at 244 Adelaide Street South and to permit a reduced parking rate of 33 parking spaces, whereas 40 spaces are required. The recommended action will further re-designate 220 and 244 Adelaide Street South to the Commercial Industrial Place Type in The London Plan, in accordance with Council direction.

Rationale of Recommended Action

1. The proposed amendment is consistent with the Provincial Policy Statement, 2014;

2. The proposed amendment conforms to the policies of the 1989 Official Plan, including but not limited to the policies of the Community Facilities designation;
3. The proposed amendment conforms to the in-force policies of The London Plan, including but not limited to the policies of the Commercial Industrial Place Type.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject lands are located in the Glen Cairn Planning District on the east side of Adelaide Street South, north of Commissioners Road East. 220 Adelaide Street South is currently developed with a bakery and commercial recreation establishment, while 244 Adelaide Street South is developed with the Glen Cairn Community Resource Centre.



Figure 1: 220 Adelaide Street South



Figure 2: 244 Adelaide Street South

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

- Official Plan Designation – Light Industrial (220 Adelaide Street South) and Community Facility (244 Adelaide Street South)
- The London Plan Place Type – Light Industrial Place Type
- Existing Zoning – Light Industrial Special Provision (LI1(19)) Zone (220 Adelaide Street South) and Neighbourhood Facility Special Provision (NF1(11)) Zone (244 Adelaide Street South)

1.3 Site Characteristics

- Current Land Use – Bakery and commercial recreation establishment (220 Adelaide Street South) and community Centre (244 Adelaide Street South)
- Frontage – 220 Adelaide Street South: 35.51 metres (116.51 feet); 244 Adelaide Street South: 41.39 metres (135.81 feet)
- Depth – 220 Adelaide Street South: 97.9 metres (321.37 feet); 244 Adelaide Street South: 84.01 metres (276.04 feet)
- Area – 220 Adelaide Street South: 3,360.7 square metres (38,768.39 square feet); 244 Adelaide Street South: 3,642.17 square metres (39,204 square feet)
- Shape – Irregular

1.4 Surrounding Land Uses

- North – Furniture store
- East – Low rise residential
- South – YFC Youth Centre
- West – Automobile Sales Establishment and London Ukrainian Centre

1.5 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The Glen Cairn Community Resource Centre (GCCRC) has requested to rezone their property at 244 Adelaide Street South to facilitate the conversion of a portion of the existing building to a non-profit medical/dental clinic in association with the existing community centre. The GCCRC is also proposing to retrofit a portion of the building to a “certified commercial kitchen” to support community centre-related programming. No amendment is required for this retrofit as it is deemed to be a complementary use and ancillary to the existing community centre use. All proposed renovations are within the interior of the existing building.

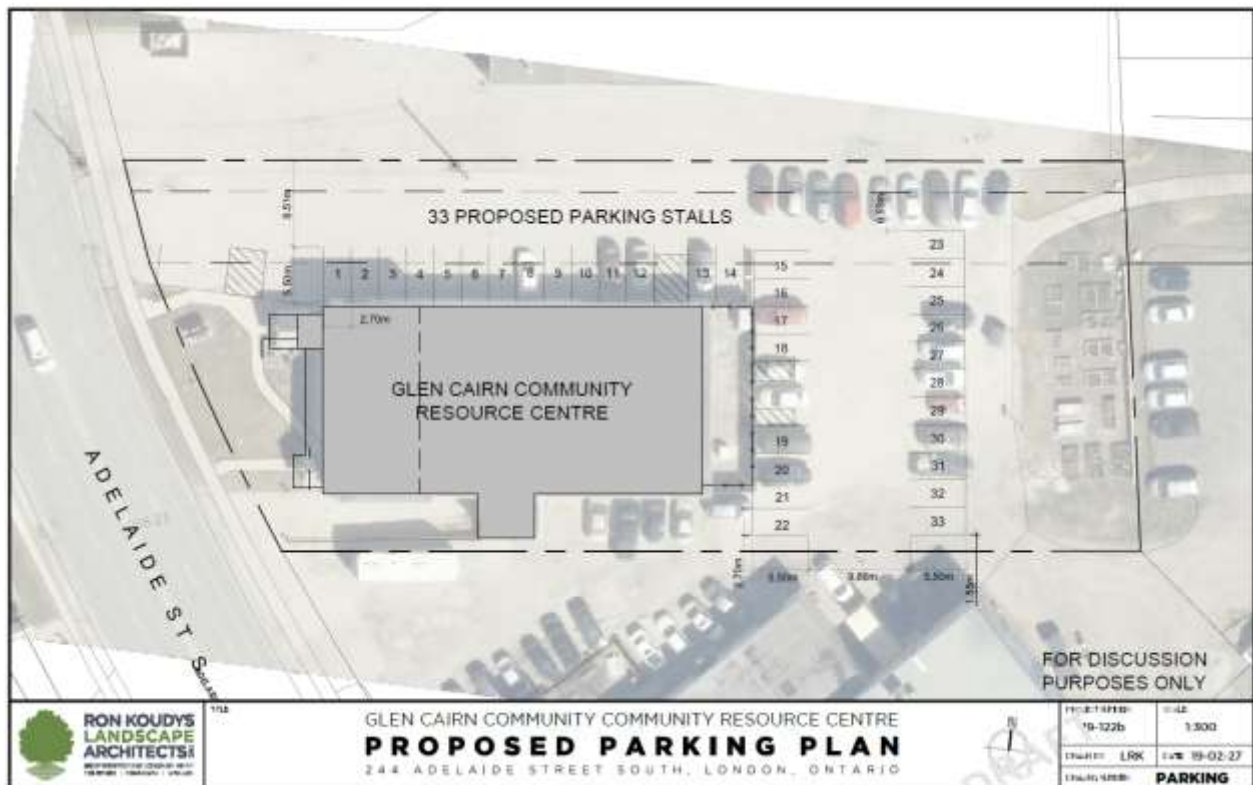


Figure 3: Conceptual site plan for 244 Adelaide Street South

3.0 Relevant Background

3.1 Planning History

On June 20, 2002, Municipal Council amended the zone applicable to 244 Adelaide Street South from a Light Industrial (LI1) to a Restricted Service Commercial (RSC5) to permit Gardiner’s Auction establishment. Due to the increase in similar requests to add more commercial service uses in the Light Industrial area along Adelaide Street South and in the Leathorne Street area, a study was undertaken by City Staff in 2004, and as a result, Municipal Council amended the zoning in the area to add more service commercial uses. At that time, the zoning on 244 Adelaide Street South was amended from a Restricted Service Commercial (RSC5) to a Restricted Service Commercial (RSC2/RSC3/RSC5).

In 2011, The GCCRC requested an Official Plan Amendment and a Zoning By-law Amendment for 244 Adelaide Street South to re-designate the site from Light Industrial to Community Facility and rezone from Restricted Service Commercial (RSC2/RSC3/RSC5) Zone to a Neighbourhood Facility Special Provision (NF1(11)) Zone. The purpose of the requested amendment was to facilitate the GCCRC’s relocation from their former location at 150 King Edward Avenue to the subject lands.

On March 6, 2018, the owner of 220 Adelaide Street South received approval of a Zoning By-law Amendment to rezone the property from a Light Industrial (LI1) Zone to a Light Industrial Special Provision (LI1(20)) Zone to expand the range of permitted uses to include “Commercial Recreation Establishment”. The proposed “Commercial Recreation Establishment” use does not conform to the Light Industrial Place Type of

The London Plan, however the requested amendment was permitted and evaluated under the in-force and effect policies of the 1989 Official Plan. Through the resolution, Council also directed Civic Administration to consider an amendment to The London Plan to re-designate both 220 and 244 Adelaide Street South from a Light Industrial Place Type to a Commercial Industrial Place Type. As such, upon submission of the requested Zoning By-law Amendment for 244 Adelaide Street South, Civic Administration has initiated the amendment to The London Plan.

3.2 Requested Amendment

The applicant is requesting to rezone 244 Adelaide Street South from a Neighbourhood Facility Special Provision (NF1(11)) Zone to a Neighbourhood Facility Special Provision (NF1(___)) Zone to permit the proposed medical/dental clinic use. An additional special provision to permit a minimum parking supply of 33 spaces is also requested in order to recognize the existing number of parking spaces on site. Existing special provisions permitting reduced front and interior side yard setbacks would continue to apply to the site.

The Corporation of the City of London is requesting to re-designate 220 and 244 Adelaide Street South from a Light Industrial Place Type to a Commercial Industrial Place Type in The London Plan, consistent with Council direction through the March 6, 2018 resolution.

3.3 Community Engagement (see more detail in Appendix C)

Staff have received no written responses from neighbouring property owners. One phone call was received requesting clarification on the application.

3.4 Policy Context (see more detail in Appendix D)

The Provincial Policy Statement, 2014

The Provincial Policy Statement (PPS) 2014, provides policy direction on matters of provincial interest related to land use planning and development. 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 encourages planning authorities to ensure necessary infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities are or will be available to meet current and projected needs.

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 the majority of which is in force and effect). *The London Plan* policies under appeal to the *Local Planning Appeals Tribunal* (Appeal PL170100) and not in force and effect are indicated with an asterisk throughout this report. *The London Plan* policies under appeal are included in this report for informative purposes indicating the intent of City Council, but are not determinative for the purposes of this planning application.

The subject sites are currently in the Light Industrial Place Type of The London Plan, in accordance with *Map 1, and are recommended to be re-designated to the Commercial Industrial Place Type.

1989 Official Plan

The subject sites are designated Light Industrial (220 Adelaide Street South) and Community Facility (244 Adelaide Street South) in the 1989 Official Plan in accordance with Schedule A. The Community Facility designation is intended to include institutional type uses which provide a city-wide or community service function. These uses include social and health services which are intended to meet both the day-to-day needs and

the long-term care requirements of City residents (6.2.1ii).

4.0 Key Issues and Considerations

4.1 Issue and Consideration # 1: Re-designation to Commercial Industrial Place Type at 220 and 244 Adelaide Street South

Provincial Policy Statement, 2014

The PPS states that planning authorities shall promote economic competitiveness by providing for an appropriate range and mix of employment and institutional uses to meet long-term needs and by providing opportunities for a diversified economic base, including maintaining a range of suitable sites for employment uses (1.3.1). The PPS also identifies that planning authorities shall plan for, protect, and preserve employment areas for current and future uses (1.3.2.1). The Commercial Industrial Place Type contemplates a range of employment uses, therefore protecting and preserving employment areas for current and future uses.

The London Plan

The Commercial Industrial Place Type is where commercial uses will be directed that do not fit well within the commercial and mixed-use place types, due to the planning impacts that they may generate. Permitted commercial uses will have a tolerance for planning impacts created by a limited range of light industrial uses which may also be located within this place type. The Commercial Industrial Place Type is located in automobile and truck dominated environments, away from neighbourhoods and pedestrian-oriented streetscapes (1112_). These commercial uses tend to have a quasi-industrial character, whereby they may be designed with large outdoor storage areas, impound areas with high fences, heavy equipment on-site, or large warehouse components that don't integrate well within streetscapes and neighbourhoods. They may also generate noise, vibration, emissions and other planning impacts beyond those that would be expected within a commercial or mixed-use context (1118_).

The Commercial Industrial Place Type contemplates a range of employment uses, as well as the commercial recreation and place of assembly uses that currently occupy the subject sites (1119_2). The area surrounding the subject lands has a quasi-industrial character and includes a range of commercial and industrial uses. Industrial uses are primarily concentrated to the north of the subject site, with commercial uses primarily to the south and immediately across the street to the west. While a portion of the subject lands abut residential uses to the east, it should be noted that the subject lands and other surrounding properties are in the Light Industrial Place Type, which may have a greater impact than the recommended place type. The recommended amendment introduces commercial options which may have less of an impact on neighbouring residential uses than the existing Light Industrial Place Type.

It should be noted that 244 Adelaide Street South directly abuts the boundary of the Commercial Industrial Place Type while 220 Adelaide Street South is located two properties north of the boundary, as shown on Figure 4. As such, the recommended amendment would result in a contiguous extension of the Commercial Industrial Place Type, "squaring off" the designation along this portion of the Adelaide Street South corridor where existing Commercial Industrial Place Type lands are currently situated. The existing commercial bakery and commercial recreation establishment uses at 220 Adelaide Street South are contemplated in the Commercial Industrial Place Type, as is the existing community centre use at 244 Adelaide Street South.



Figure 4: The London Plan Place Types

4.2 Issue and Consideration # 2: Proposed Medical/Dental Use at 244 Adelaide Street South

Provincial Policy Statement, 2014

The PPS defines *public services facilities* as “land, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, and cultural services. *Public service facilities* do not include *infrastructure*.” Accordingly, a community centre would be considered a *public service facility*.

Section 1.1 states that healthy, livable and safe communities are sustained by ensuring that necessary *infrastructure*, electricity generation facilities and transmission and distribution systems, and *public service facilities* are or will be available to meet current and projected needs. Planning authorities shall identify appropriate locations and promote opportunities for *intensification* and *redevelopment* where this can be accommodated taking into account existing building stock or areas, including *brownfield sites*, and the availability of suitable existing or planned *infrastructure* and *public service facilities* required to accommodate projected needs (1.1.3.3). Before consideration is given to developing new *infrastructure* and *public service facilities*, the use of existing *infrastructure* and *public service facilities* should be optimized and opportunities for adaptive re-use should be considered, wherever feasible (1.6.3 a. & 1.6.3b.).

As the requested amendment proposes to expand the range of services provided by the existing community centre, staff is satisfied the recommended amendment is consistent with the PPS.

The London Plan

The Commercial Industrial Place Type permits a range of quasi-industrial uses which may be designed with large outdoor storage areas, impound areas with high fences, heavy equipment on-site, or large warehouse components that don't integrate well within streetscapes and neighbourhoods (1118_). Permitted uses include commercial recreation, places of assembly, and places of worship (1119_2). The Glen Cairn Community Resource Centre has existed on the subject site since 2012 and has demonstrated a level of compatibility with the uses in the surrounding area. The recommended amendment serves to facilitate an expansion to the existing programming by permitting a non-profit medical/dental clinic, which would only be permitted in association with the existing community centre. The community centre use

is permitted in the Commercial Industrial Place Type as it is interpreted to be a “place of assembly”. Should Council approve the recommended amendment to re-designate the site to the Commercial Industrial Place Type, the recommended amendment is in conformity with The London Plan.

1989 Official Plan

The subject lands are designated Community Facility in the 1989 Official Plan. The purpose of the Regional and Community Facilities policies is to promote the orderly development and distribution of institutional type facilities and to minimize any impacts that these facilities may have on adjacent land uses (6.2.1).

The Community Facility designation is intended to include institutional type uses which provide a city-wide or community service function. These uses include social and health services which are intended to meet both the day-to-day needs and the long-term care requirements of City residents. Community Facilities generally occupy smaller sites than uses in the Regional Facilities designation. The intent of this designation is to identify appropriate locations for community facilities and to minimize any potential impacts on adjacent land uses (6.2.1ii). Permitted uses include health clinics, as well as community facilities permitted in residential designations such as community centres (6.2.2iii). The recommended amendment would facilitate an expansion to the services and programming of the existing community centre by providing non-profit dental services in association with the community centre. As both the community centre and health clinic uses are contemplated in the Community Facility designation, the recommended amendment is in conformity with the 1989 Official Plan.

4.3 Issue and Consideration # 3: Parking at 244 Adelaide Street South

The existing building has an approximate gross floor area (GFA) of 900 square metres. The community centre and medical/dental clinic uses require parking at a rate of 1 space per 25 square metres of GFA and 1 per 15 square metres of GFA respectively. Based on the proposed GFA for each use, a total of 40 parking spaces is required, whereas 33 exist on site. No changes are proposed to the site other than interior renovations to the existing building. The site is located in the primary transit area and is serviced by an existing London Transit bus route with stops across the street and approximately 40 metres away. As such, it is anticipated the reduction of seven spaces will not result in any impacts on the site or surrounding area. Further, refinement of the site’s access and parking will be considered and formalized through the review of a future site plan application.

More information and detail is available in the appendices of this report.

5.0 Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2014 and conforms to the in force policies of The London Plan and the 1989 Official Plan. The recommended amendment will re-designate the properties to a place type in The London Plan that is more appropriate for the subject lands. The recommended amendment will further facilitate the conversion of underutilized space within an existing building to an accessory use that is complimentary to the existing community centre and provides a service to the surrounding community.

Prepared by:	Catherine Lowery, MCIP, RPP Planner II, Development Services
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.	

August 30, 2019

cc: Michael Tomazincic, MCIP, RPP, Manager, Current Planning

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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 244
Adelaide Street South.

WHEREAS the Glen Cairn Community Resource Centre has applied to
rezone an area of land located at 244 Adelaide Street South, 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 244 Adelaide Street South, as shown on the attached map
comprising part of Key Map No. A108, from a Neighbourhood Facility Special
Provision (NF1(11)) Zone to a Neighbourhood Facility Special Provision (NF1(___))
Zone.
- 2) Section Number 33.4 of the Neighbourhood Facility (NF1) Zone is amended by
adding the following Special Provision:
 -) NF1() 244 Adelaide Street South
 - a) Additional Permitted Use:
 - i) Clinic, accessory to the existing Community Centre
 - ii) Office, medical/dental, accessory to the existing
Community Centre
 - b) Regulations:
 - i) South Interior Side Yard 1.2 metres (3.93 feet)
Setback (Minimum)
 - ii) Front Yard Setback 1.2 metres (3.93 feet)
(Minimum)
 - iii) Parking for Community 1 space per 30 square
Centre and any accessory metres of gross floor area
uses (Minimum)

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 September 17, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 17, 2019
Second Reading – September 17, 2019
Third Reading – September 17, 2019

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



Appendix "B"

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

By-law No. C.P.-XXXX-____

A by-law to amend The London Plan for the City of London, 2016 relating to 220 and 244 Adelaide Street South.

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

1. Amendment No. # to The London Plan for the City of London Planning Area – 2016, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. The Amendment shall come into effect in accordance with subsection 17(27) of the *Planning Act, R.S.O. 1990, c. P.13*.

PASSED in Open Council on September 17, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 17, 2019
Second Reading – September 17, 2019
Third Reading – September 17, 2019

**AMENDMENT NO.
to the
THE LONDON PLAN FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to change the Place Type of certain lands described herein from Light Industrial Place Type to Commercial Industrial Place Type on Schedule “A”, Map 1 – Place Type, to The London Plan for the City of London.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 220 and 244 Adelaide Street South in the City of London.

C. BASIS OF THE AMENDMENT

The amendment is consistent with the policies of the Provincial Policy Statement, 2014 and in conformity with the in-force policies of The London Plan.

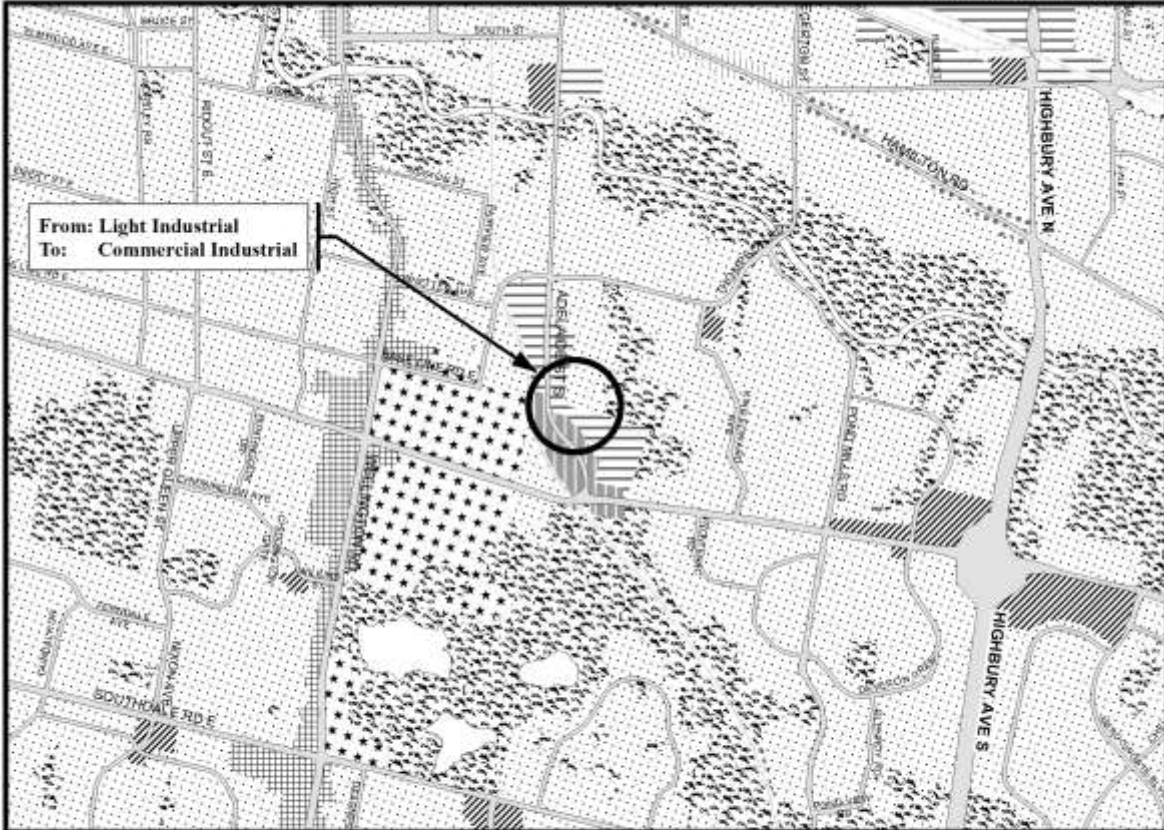
D. THE AMENDMENT

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

The London Plan is hereby amended as follows:

Map 1 – Place Types, to The London Plan for the City of London Planning Area is amended by changing the Place Type of those lands located at 220 and 244 Adelaide Street South in the City of London, as indicated on “Schedule 1” attached hereto from Light Industrial Place Type to Commercial Industrial Place Type

AMENDMENT NO:



Legend

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

This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations. At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

<p>SCHEDULE # TO THE LONDON PLAN AMENDMENT NO. _____ PREPARED BY: Development Services</p>	<p>Scale 1:30,000 Meters</p>	<p>FILE NUMBER: O-9066 PLANNER: CL TECHNICIAN: DM DATE: 08/06/2019</p>
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Appendix C – Public Engagement

Community Engagement

Public liaison: On May 29, 2019, Notice of Application was sent to 41 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on May 30, 2019. A “Planning Application” sign was also posted on the site.

One reply was received.

Nature of Liaison:

244 Adelaide Street South – The purpose and effect of this zoning change is to permit a medical/dental clinic and a certified commercial kitchen in association with the existing community centre. Possible change to Zoning By-law Z.-1 **FROM** a Neighbourhood Facility Special Provision (NF1(11)) Zone **TO** a Neighbourhood Facility Special Provision (NF1(__)) Zone to permit the proposed medical/dental clinic and commercial kitchen uses and a reduced parking rate of 33 spaces, whereas 40 spaces are required. The existing range of permitted uses would continue to apply to the site. The existing special provision permitting minimum 1.2 metre front and interior side yard setbacks would continue to apply to the site.

220 and 244 Adelaide Street South – Possible amendment to The London Plan to change the designation of the subject properties from a Light Industrial Place Type to a Commercial Industrial Place Type.

Responses:

One phone call was received from a planning consultant on behalf of a property owner across the street from the subject properties requesting clarification of the proposed amendments and expressing some concern for the proposed medical/dental office use.

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

Telephone	Written
Casey Kulchycki Zelinka Priamo Ltd. 318 Wellington Road London, ON N6C 4P4	

Agency/Departmental Comments

June 13, 2019: Upper Thames River Conservation Authority

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 subject lands have been reviewed to determine whether or not they fall within a vulnerable area (Wellhead Protection Area, Highly Vulnerable Aquifer, and Significant Groundwater Recharge Areas). Upon review, we can advise that the subject lands **are** within a vulnerable area. For policies, mapping and further information pertaining to drinking water source protection, please refer to the approved Source Protection Plan at:

<https://www.sourcewaterprotection.on.ca/approved-source-protection-plan/>

RECOMMENDATION

The UTRCA has no objections to this application. Thank you for the opportunity to comment.

June 19, 2019: Stormwater Engineering

The Stormwater Engineering Division staff have no objection to this application to amend the Zoning By-law.

Please let the applicant know about the following general and specific issues/requirements to be addressed/considered by the applicant's consulting engineer when and if a site plan application is initiated for this site. These issues/requirements are subject to change as needed, pending further review:

Specific comment for this site

1. There is a concurrent Official Plan amendment application for 220 and 244 Adelaide Street South.
2. The site is not included in any existing storm catchment area. Storm sewers along Adelaide Street South may not have surplus capacity to service the site and therefore the proposed SWM strategy to be included in the report mentioned in point 5 below, shall include hydraulic calculations (storm sewer capacity analysis) to demonstrate available capacity to service the site along with any require on-site SWM controls including LID solutions.
3. Any proposed LID solution should be supported by a Geotechnical Report and/or hydrogeological investigations prepared with focus on the type of soil, its infiltration rate, hydraulic conductivity (under field saturated conditions), and seasonal high ground water elevation. The report(s) should include geotechnical and hydrogeological recommendations of any preferred/suitable LID solution along with rationale and conclusions about the following points:
 - Description of relevant site features, including topography and surface water drainage, regional overburden geology, regional hydrogeology, and proximity to nearby natural heritage features (e.g., stream, ponds, wetlands, woodlots, etc.).
 - Advancement of boreholes at the site, including the installation of a minimum of one monitoring well.
 - Infiltration measurements from areas within the Site using standards infiltration/percolation testing methods (e.g., Guelph Permeameter Test, Double-ring infiltrometer test, etc.).
 - Description of the measured relevant site hydrogeological information, including aquifer properties (e.g., hydraulic conductivity) and static groundwater levels.
 - Establishing seasonal fluctuations in water levels, including capturing a representative seasonal high elevation. Note that the use of borehole and/or test pit observations to establish both static water levels and potential seasonal fluctuations is not standard practice.
4. If the number of parking spaces (proposed plus existing) exceed the threshold of 30 then the consultant shall be required to comply with the MECP water quality standards of minimum 70% TSS removal. Applicable options to address MECP

water quality requirements include, but are not limited to the use of oil/grit separators, LID filtration or infiltration solutions, etc.

General comments for sites within Central Thames Subwatershed

5. The subject lands are located in the Central Thames Subwatershed. The Developer shall be required to provide a Storm/drainage Servicing Report demonstrating that the proper SWM practices will be applied to ensure the maximum permissible storm run-off discharge from the subject site will not exceed the peak discharge of storm run-off under pre-development conditions.
6. The Owner agrees to promote the implementation of SWM Best Management Practices (BMP's) within the plan, including Low Impact Development (LID) where possible, to the satisfaction of the City Engineer. It shall include water balance.
7. The owner is required to provide a lot grading plan for stormwater flows and major overland flows on site and ensure that stormwater flows are self-contained on site, up to the 100 year event and safely conveys up to the 250 year storm event, all to be designed by a Professional Engineer for review.
8. The Owner shall allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands.
9. Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands.
10. An erosion/sediment control plan that will identify all erosion and sediment control measures for the subject site and that will be in accordance with City of London and MECP standards and requirements, all to the specification and satisfaction of the City Engineer. This plan is to include measures to be used during all phases of construction. These measures shall be identified in the Storm/Drainage Servicing Report.

July 18, 2019: 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.

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

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

Public service facilities: means land, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, and cultural services. *Public service facilities* do not include *infrastructure*.

1.1.1 Healthy, liveable and safe communities are sustained by:

- a. promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- 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;

- g. ensuring that necessary *infrastructure*, electricity generation facilities and transmission and distribution systems, and *public service facilities* are or will be available to meet current and projected needs

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for *intensification* and *redevelopment* where this can be accommodated taking into account existing building stock or areas, including *brownfield sites*, and the availability of suitable existing or planned *infrastructure* and *public service facilities* required to accommodate projected needs.

1.6.3 Before consideration is given to developing new *infrastructure* and *public service facilities*:

- a. the use of existing *infrastructure* and *public service facilities* should be optimized; and
- b. opportunities for adaptive re-use should be considered, wherever feasible.

The London Plan

(Policies subject to Local Planning Appeals Tribunal, Appeal PL170100, indicated with asterisk.)

1112_ The Commercial Industrial Place Type is where commercial uses will be directed that do not fit well within our commercial and mixed-use place types, due to the planning impacts that they may generate. Permitted commercial uses will have a tolerance for planning impacts created by a limited range of light industrial uses which may also be located within this place type. The Commercial Industrial Place Type will be located in automobile and truck dominated environments, away from neighbourhoods and pedestrian-oriented streetscapes.

1118_ The Commercial Industrial Place Type will accommodate commercial uses that do not fit well within the context of our commercial and mixed-use place types. These commercial uses tend to have a quasi-industrial character, whereby they may be designed with large outdoor storage areas, impound areas with high fences, heavy equipment on-site, or large warehouse components that don't integrate well within streetscapes and neighbourhoods. They may also generate noise, vibration, emissions and other planning impacts beyond those that would be expected within a commercial or mixed-use context.

1119_ The following uses may be permitted in the Commercial Industrial Place Type:

2. Commercial recreation, places of assembly and places of worship may be permitted where appropriate.

1989 Official Plan

6.2.1. Functional Categories of Regional and Community Facilities

The purpose of the Regional and Community Facilities policies is to promote the orderly development and distribution of institutional type facilities and to minimize any impacts that these facilities may have on adjacent land uses. Two categories of institutional type facilities are identified in this Plan. The "Regional Facilities" and "Community Facilities" designations are shown on Schedule "A" - the Land Use Map. Policies contained in this Section of the Plan describe the function, location, permitted uses and development criteria that are applicable to these designations.

Community Facilities

ii) The Community Facilities designation is intended to include institutional type uses which provide a city-wide or community service function. These uses include social and health services which are intended to meet both the day-to-day needs and the long-term care requirements of City residents. Community Facilities generally occupy smaller sites than uses in the Regional Facilities designation. The intent of this designation is to

identify appropriate locations for community facilities and to minimize any potential impacts on adjacent land uses.

6.2.2. Permitted Uses Regional and Community Facilities designations shall be developed for institutional type uses which may be supported by a range of permitted secondary uses. Specific ranges of permitted uses for the two designations will be determined on the basis of the following guidelines:

Community Facilities

iii) Permitted uses include residential care facilities such as nursing homes, rest homes, and homes for the aged; health clinics; chronic care facilities which provide continuous medical supervisions for patients with a chronic illness or disability; continuum-of-care developments which provide a range of accommodations, from independent residential units for seniors to chronic care facilities, in the same complex; correctional and supervised residences, subject to the provisions of policy 6.2.10.; and emergency care establishments which provide temporary, emergency accommodation and assistance for a short term period. Community facilities which are allowed in the Residential designations, such as community centres; day care centres; churches; elementary and secondary schools; branch libraries; fire stations; and police stations and similar public uses are also permitted in the Community Facilities designation. Zoning on individual sites may not allow for the full range of permitted uses.

Additional Reports

March 25, 2002: Report to Planning Committee – 244 Adelaide Street South (Z-6211)

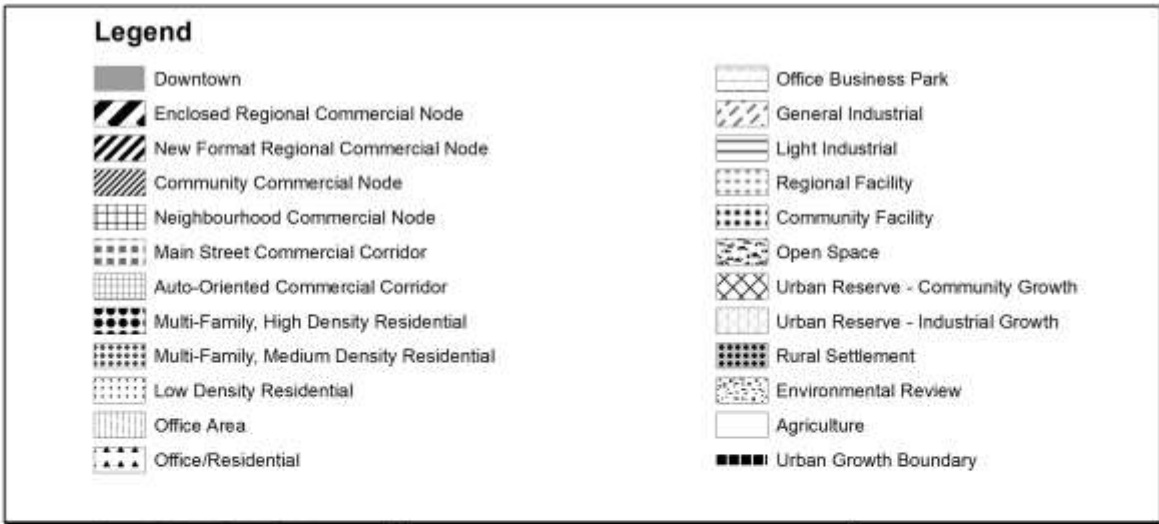
October 25, 2004: Report to Planning Committee – 225-317 & 244-320 Adelaide Street South (Z-6509)

June 8, 2011: Report to Built and Natural Environment Committee – 244 Adelaide Street South (OZ-7902)

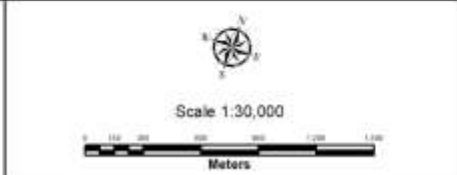
February 20, 2018: Report to Planning and Environment Committee – 220 Adelaide Street South (Z-8853)

Appendix E – Relevant Background

Additional Maps

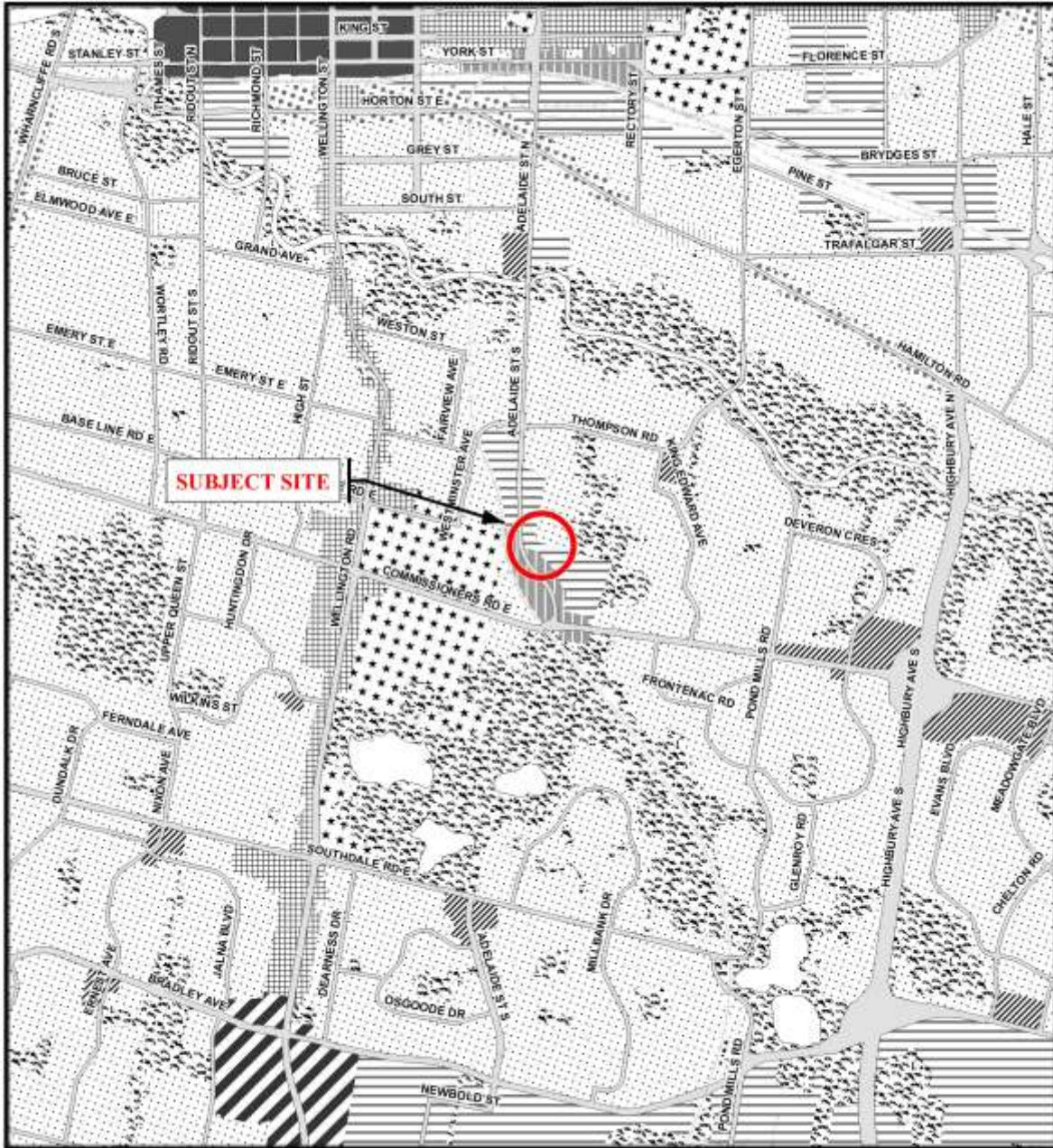


CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -
 PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-9061 & O-9066
 PLANNER: CL
 TECHNICIAN: DM
 DATE: 2019/08/06

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\conso\00\excerpts\mxd_templates\scheduleA_NEW_b&w_8x14.mxd



Legend

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

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

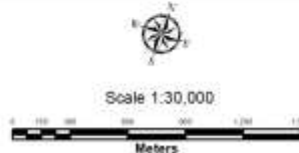
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

Planning Services /
 Development Services

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

PREPARED BY: Planning Services



File Number: Z-9061 & O-9066

Planner: CL

Technician: CM

Date: August 6, 2019



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- | | |
|--|---|
| <ul style="list-style-type: none"> R1 - SINGLE DETACHED DWELLINGS R2 - SINGLE AND TWO UNIT DWELLINGS R3 - SINGLE TO FOUR UNIT DWELLINGS R4 - STREET TOWNHOUSE R5 - CLUSTER TOWNHOUSE R6 - CLUSTER HOUSING ALL FORMS R7 - SENIOR'S HOUSING R8 - MEDIUM DENSITY/LOW RISE APTS. R9 - MEDIUM TO HIGH DENSITY APTS. R10 - HIGH DENSITY APARTMENTS R11 - LODGING HOUSE
 DA - DOWNTOWN AREA RSA - REGIONAL SHOPPING AREA CSA - COMMUNITY SHOPPING AREA NSA - NEIGHBOURHOOD SHOPPING AREA BOC - BUSINESS DISTRICT COMMERCIAL AC - ARTERIAL COMMERCIAL HS - HIGHWAY SERVICE COMMERCIAL RSC - RESTRICTED SERVICE COMMERCIAL CC - CONVENIENCE COMMERCIAL SS - AUTOMOBILE SERVICE STATION ASA - ASSOCIATED SHOPPING AREA COMMERCIAL
 OR - OFFICE/RESIDENTIAL OC - OFFICE CONVERSION RO - RESTRICTED OFFICE OF - OFFICE | <ul style="list-style-type: none"> RF - REGIONAL FACILITY CF - COMMUNITY FACILITY NF - NEIGHBOURHOOD FACILITY HER - HERITAGE DC - DAY CARE
 OS - OPEN SPACE CR - COMMERCIAL RECREATION ER - ENVIRONMENTAL REVIEW
 OB - OFFICE BUSINESS PARK LI - LIGHT INDUSTRIAL GI - GENERAL INDUSTRIAL HI - HEAVY INDUSTRIAL EX - RESOURCE EXTRACTIVE UR - URBAN RESERVE
 AG - AGRICULTURAL AGC - AGRICULTURAL COMMERCIAL RRC - RURAL SETTLEMENT COMMERCIAL TGS - TEMPORARY GARDEN SUITE RT - RAIL TRANSPORTATION
 "H" - HOLDING SYMBOL "D" - DENSITY SYMBOL "H" - HEIGHT SYMBOL "B" - BONUS SYMBOL "T" - TEMPORARY USE SYMBOL |
|--|---|

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



FILE NO:

Z-9061

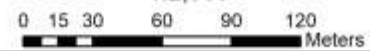
CL

MAP PREPARED:

2019/08/06

DM

1:2,500



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

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: Glen Cairn Community Resource Centre and The Corporation
of the City of London
220 and 244 Adelaide Street South

Public Participation Meeting on: September 9, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the applications of the Glen Cairn Community Resource Centre and The Corporation of the City of London relating to the properties located at 220 and 244 Adelaide Street South:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on September 17, 2019 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of 244 Adelaide Street South **BY AMENDING** the Neighbourhood Facility Special Provision (NF1(11)) Zone;
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on September 17, 2019 to amend The London Plan to change the designation of 220 and 244 Adelaide Street South **FROM** the Light Industrial Place Type **TO** the Commercial Industrial Place Type;

IT BEING NOTED THAT The London Plan amendment will come into full force and effect concurrently with Map 1 of The London Plan;

IT BEING FURTHER NOTED THAT the following Site Plan Matters pertaining to 244 Adelaide Street South have been raised during the public participation process: the location of parking, garbage storage, tree planting, and landscaping buffering.

Executive Summary

Summary of Request

The Glen Cairn Community Resource Centre, owner of 244 Adelaide Street South, is requesting to rezone their property to permit a medical/dental clinic and medical/dental office in association with the existing community centre. The City of London is requesting to amend The London Plan by changing the designation of 220 and 244 Adelaide Street South from the Light Industrial Place Type to the Commercial Industrial Place Type.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to permit a medical/dental clinic in association with the existing community centre at 244 Adelaide Street South and to permit a reduced parking rate of 33 parking spaces, whereas 40 spaces are required. The recommended action will further re-designate 220 and 244 Adelaide Street South to the Commercial Industrial Place Type in The London Plan, in accordance with Council direction.

Rationale of Recommended Action

1. The proposed amendment is consistent with the Provincial Policy Statement, 2014;

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 244
Adelaide Street South.

WHEREAS the Glen Cairn Community Resource Centre has applied to
rezone an area of land located at 244 Adelaide Street South, 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) Section Number 33.4 of the Neighbourhood Facility (NF1) Zone is amended by
replacing the existing provisions with the following:

- NF1(11) 244 Adelaide Street South
- a) Additional Permitted Use:
- i) Clinic, accessory to the existing Community Centre
- ii) Office, medical/dental, accessory to the existing
 Community Centre
- b) Regulations:
- i) South Interior Side Yard 1.2 metres (3.93 feet)
 Setback (Minimum)
- ii) Front Yard Setback 1.2 metres (3.93 feet)
 (Minimum)
- iii) Parking for Community 1 space per 30 square
 Centre and any accessory metres of gross floor area
 uses (Minimum)

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 September 17, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 17, 2019
Second Reading – September 17, 2019
Third Reading – September 17, 2019

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



Dr. Pennie Thornton

49 Carfrae Crescent

London, ON

N6C 4B2



September 5, 2019

Catherine Lowery, MCIP,

RPP Planner II, Development Services

City of London

Dear Ms. Lowery;

This letter is to express my sincere and committed support for the proposal to change the zoning at 244 Adelaide Street South in order that a dental clinic can be accommodated there. This clinic will serve the large population of Londoners who are unable to afford proper oral care. The work that shall be done at this clinic shall change lives for the better.

Thank you for presenting this proposal to the committee.

Sincerely,

Pennie Thornton BSc DDS

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: McKenzie Lake Lawyers LLP c/o Patrick Clancy
324 York Street

Public Participation Meeting on: September 9, 2019

Recommendation

That, on the recommendation of the Director, Development Services with respect to the application of McKenzie Lake Lawyers LLP c/o Patrick Clancy relating to the property located at 324 York Street the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property by extending the Temporary Use (T-71) for a period of three (3) years, **BE REFUSED** for the following reasons:

- i) The request is not consistent with the policies of the Provincial Policy Statement, 2014;
- ii) The request does not conform to the specific policies of the 1989 Official Plan or The London Plan regarding temporary commercial parking lots;
- iii) The request does not implement the goals of Our Move Forward: London's Downtown Plan; and,
- iv) The request does not implement the recommendations of the Downtown Parking Strategy.

Executive Summary

Summary of Request

The requested action is to extend the Temporary (T-71) Zone to allow the site to function as a surface commercial parking lot for a temporary period of three (3) years.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to refuse the request for a three (3) year extension of the surface commercial parking lot. A previous request to permit a 3-year extension was denied by Council, who alternatively granted a 6-month extension to allow users of the existing surface commercial parking lot to find alternative parking arrangements.

Rationale of Recommended Action

The request to extend the temporary zone for a period of three (3) years, representing the maximum extension permitted, does not encourage the long-term redevelopment of the site. A six (6) month extension has already been granted to allow existing users of the commercial parking lot to search for alternative parking arrangements. The refusal of a three (3) year extension would further encourage the long-term redevelopment of the site to a more intense, transit-supportive use that is consistent with the policies of the Provincial Policy Statement and is in conformity with the 1989 Official Plan and The London Plan.

Analysis

1.0 Site at a Glance

1.1 Property Description

The property is located towards the southeast area of the downtown, with frontage on both York Street and Waterloo Street. The lands are vacant and have been used as surface commercial parking since approximately 2002. There are a number of surface parking lots within the vicinity which surround the site to the north, west, and across York Street to the south. The London Convention Centre is located to the west, an automobile sales and service establishment is abutting to the southeast, the London-Middlesex EMS Headquarters is located across Waterloo Street to the east, and a number of hotel and conference centres are located further north.

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

- Official Plan Designation – Downtown Area
- The London Plan Place Type – Downtown
- Existing Zoning – h-3*DA1(1)*D350*H95*DA1(3)*D350*H95/T-71 Zone

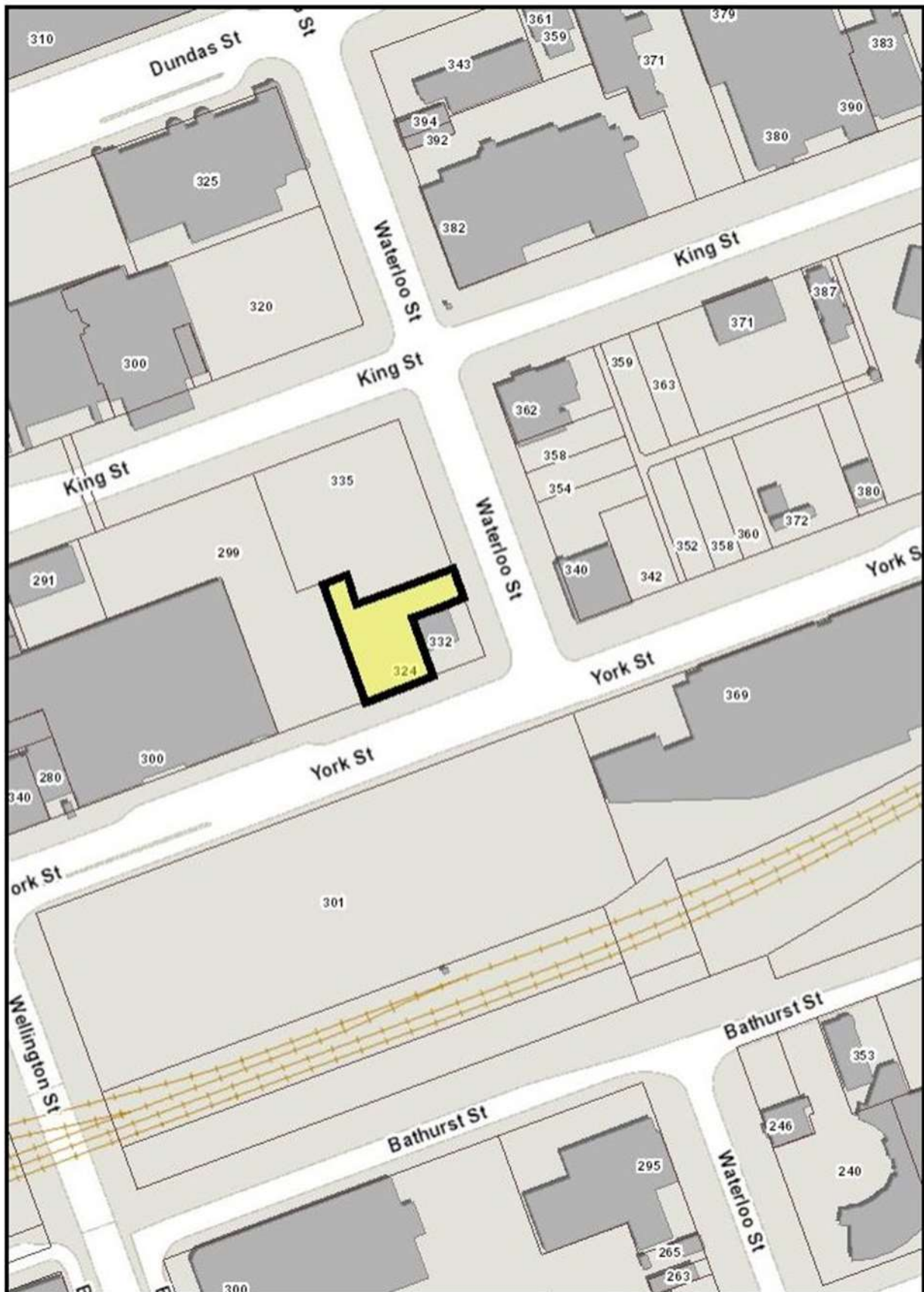
1.3 Site Characteristics






- Current Land Use – Commercial Parking Lot
- Frontage – 12.5 m (41.0 ft)
- Depth – 50.8m (166.6 ft)
- Area – 1,495m² (0.37 ac)
- Shape – Irregular

1.4 Surrounding Land Uses

- North – Commercial Parking Lot
- East – Automobile Sales and Service Establishment
- South – Commercial Parking Lot
- West – Commercial Parking Lot/London Convention Centre

1.6 LOCATION MAP



Location Map		Legend	
Subject Property:	324 York Street		Subject Property
Applicant:	MCKENZIE LAKE LAWYERS LLP		Parks
File Number:	TZ-9069		Assessment Parcels
Created By:	Melanie Vivian		Buildings
Date:	7/31/2019		Address Numbers
Scale:	1:2000		

Corporation of the City of London

N
↑

2.0 Description of Proposal

2.1 Development Proposal

The requested amendment is to extend a temporary zone on the subject lands, located at 324 York Street to permit a surface commercial parking lot. The site has been used as a surface commercial parking lot since 2002.



Figure 1: 324 York Street – view from York Street Frontage

3.0 Relevant Background

3.1 Planning History

The subject lands originally operated as an industrial property in the 1950's until the building was converted to a mix of office and commercial uses in 1986. Prior to its demolition and change of use to a commercial parking lot circa 2002, the building was vacant for a number of years.

On January 21, 2002, City Council passed a Zoning By-law Amendment to permit a commercial parking lot for a temporary period not exceeding three (3) years, which has been extended through periodic requests for temporary zones including the most recent in November 6, 2018 (TZ-8917). The intent of the short-term six (6) month extension permitted through TZ-8917 was to allow existing users of the surface commercial parking lot to make alternative parking arrangements in anticipation of no further extensions being granted to encourage long-term redevelopment of the site to a more intense, transit-supportive use.

On December 12, 2017, Council approved the Downtown Parking Strategy which provides guidance for requests to extend surface commercial parking lots, and its recommendations provide additional criteria to be considered. Subsequently on May 8, 2018, Council approved amendments to the 1989 Official Plan, The London Plan, and Our Move Forward: London's Downtown Plan to include specific evaluation criteria for requests to extend temporary zones for surface commercial parking lots. The policies, as well as the Downtown Parking Strategy, are now in force and effect.

3.2 Requested Amendment

The requested amendment is to extend the temporary use of the site for an additional period of three (3) years through an amendment to the T-71 temporary zone provision. The existing holding Downtown Area Special Provision (h-3*DA1(1)*D350*H95/DA1(3)*D350*H95) Zone would continue to apply to the site.

3.3 Community Engagement (see more detail in Appendix B)

Staff received comments from the Architectural Conservancy Ontario – London Region Branch regarding the application. The Architectural Conservancy – London Region Branch (ACO London) identified the site as an ideal location for new development such as a residential or office tower. ACO London stated that building on parking lots should prevent the loss of further heritage buildings.

Staff received no other comments from the public.

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. The PPS encourages densities and a mix of land uses that make efficient use of the land and infrastructure, as well as land uses that support active transportation and are transit-supportive.

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 the majority of which is in force and effect). *The London Plan* policies under appeal to the *Local Planning Appeals Tribunal* (Appeal PL170100) and not in force and effect are indicated with an asterisk throughout this report. *The London Plan* policies under appeal are included in this report for informative purposes indicating the intent of City Council, but are not determinative for the purposes of this planning application.

The subject lands are located within the Downtown Place Type of The London Plan; classified as the highest-order mixed use activity centre in the City. The Downtown Place Type permits a broad range of residential, retail, service, office, cultural, institutional, hospitality, entertainment, recreational and other related uses. New surface commercial parking lots are not permitted within the Downtown Place Type. Further extensions to temporary zones permitting surface commercial parking lots that have been in existence for an extended period of time are discouraged.

1989 Official Plan

The subject lands are located within the Downtown Area designation in the 1989 Official Plan. The Downtown serves as a multi-functional regional centre containing a broad range of retail; service; office; institutional; entertainment; cultural; high density residential; transportation; recreational and open space uses. The long term intent of the Plan is to improve the aesthetics of existing surface parking lots and to discourage new surface parking lots in the downtown.

Our Move Forward: London’s Downtown Plan

Our Move Forward: London’s Downtown Plan serves as a guideline document adopted under Chapter 19 of the 1989 Official Plan. The Downtown Plan identifies specific sites in the downtown that are opportunity sites for redevelopment and sites that are currently underutilized; many of which are currently used as surface commercial parking lots.

Downtown Parking Strategy

The Downtown Parking Strategy was approved by Council in December, 2017. The comprehensive study considers a number of factors including: existing downtown parking supply and usage; future development implications; the City’s role in the provision of shared public parking resources; financial implications; and recommendations on an approach to surface commercial parking lots.

4.0 Key Issues and Considerations

4.1 Issue and Consideration # 1: Use

The subject property’s use as a surface commercial parking lot has existed since 2002 when the initial temporary zone permissions were granted. Since then, the use on site has existed for approximately 17 years through periodic extensions to the temporary

zone, allowing the temporary use to evolve to a more permanent condition.

Provincial Policy Statement, 2014 (PPS)

Section 1.1.3.2 a) of the PPS promotes densities and land uses that support efficient use of land and resources, support active transportation, and are transit supportive where transit is planned, exists, or may be developed. The proposed surface commercial parking lot does not support these policies as its long-term continued use discourages the potential for future development to a more intense, transit-supportive land use. Furthermore, Section 1.6.7.4 of the PPS encourages land use patterns, densities and a mix of uses that reduces the length and number of vehicle trips and support current and future use of transit and active transportation. The long-term use of the subject property as a commercial parking lot encourages vehicle trips to the downtown, which is inconsistent with the aforementioned PPS policies.

Section 1.7.1 of the PPS encourages long-term prosperity to be supported by maintaining and enhancing the vitality and viability of downtowns and main streets. The continued use of a commercial parking lot on the subject property continues to delay future development opportunities that will enhance the vitality and viability of the downtown, and as such, is inconsistent with this policy.

1989 Official Plan & The London Plan

The subject property is located within the Downtown Place Type in The London Plan. The Downtown is the highest-order mixed use activity centre in the city and permits a broad range of residential, retail, service, office, cultural, institutional, hospitality, entertainment, recreational and other related uses (800_*). New surface commercial parking lots are not permitted and extensions of temporary zones permitting surface commercial parking lots that have been in existence for an extended period of time are discouraged where an adequate supply of parking exists in the vicinity of the subject lot (800_4* and 800_5*).

The subject property is designated Downtown Area in the 1989 Official Plan. The Downtown Area contemplates a broad range of uses such as retail; service; office; institutional; entertainment; cultural; high density residential; transportation; recreational; and open space uses (4.1.6). Major office uses, hotels, convention centres, government buildings, entertainment uses and cultural facilities which have a city-wide or larger service area will be encouraged to locate within the Downtown (4.1.5).

On May 8, 2018, City Council approved new policies in the 1989 Official Plan and The London Plan which provide evaluation criteria for applications to extend temporary zoning for surface commercial parking lots. Section 4.1.10 iv) of the 1989 Official Plan, and similarly the direction of Policy 1673_ in The London Plan, establishes the following criteria to evaluate requests for temporary extensions to existing surface commercial parking lots:

1. *The demonstrated need for surface parking in the area surrounding the subject site. Utilization rates for sub-areas of the Downtown may be used to evaluate this need.*

The Council-approved Downtown Parking Strategy provides direction on utilization rates of existing surface commercial parking lots operating in six sub-areas of the Downtown (Figure 2). The subject property is located within sub-area 5, which has a low utilization rate of 57%. As such, there is no demonstrated need for a surface commercial parking lot on this site based on the utilization rates of the area surrounding the subject site.



Figure 2: Parking Utilization Study Sub-Area (Downtown Parking Strategy)

- 2. The importance of any pedestrian streetscapes that are impacted by the surface commercial parking lot and the degree to which these streetscapes are impacted.*

Streetscapes along both the York Street and Waterloo Street frontages are already impacted by the existing surface commercial parking lot on site. Continued long-term extension of this temporary zone will further discourage redevelopment of the site and, notwithstanding the recent completion of site works, offers little improvement to the streetscape.

As the subject property has frontages on two streets, it provides an opportunity for development that begins to improve the pedestrian environment and close the gap between Waterloo Street and the London Convention Centre.

- 3. The size of the parking lot, recognizing a goal of avoiding the underutilization of Downtown lands.*

While irregular in shape, the subject property forms a sizeable lot with an area of 1,495 square metres (0.37 acres). The property to the north, municipally addressed as 335 King Street, shares the same owner as the subject property. As such, consolidation of these two properties would further increase the viability for redevelopment of the lands.

- 4. The length of time that the surface commercial parking lot has been in place, recognizing it is not intended that temporary uses will be permitted on a long-term basis.*

The surface commercial parking lot has been existing on site since 2002, approximately 17 years, through the periodic extension to the temporary zone. Additional long-term extensions begin to entrench a more permanent role of the site as a surface commercial parking lot to manifest.

- 5. Applicable guideline documents may be used to provide further, more detailed, guidance in applying these policies*

Our Move Forward: London's Downtown Plan and Downtown Parking Strategy were both used as guidance through the application of these policies. The site is identified as an underutilized site in Our Move Forward: London's Downtown Plan (Figure 3) and located within sub-area 5 in the Downtown Parking Strategy, with a low utilization rate of 57% (Figure 2).

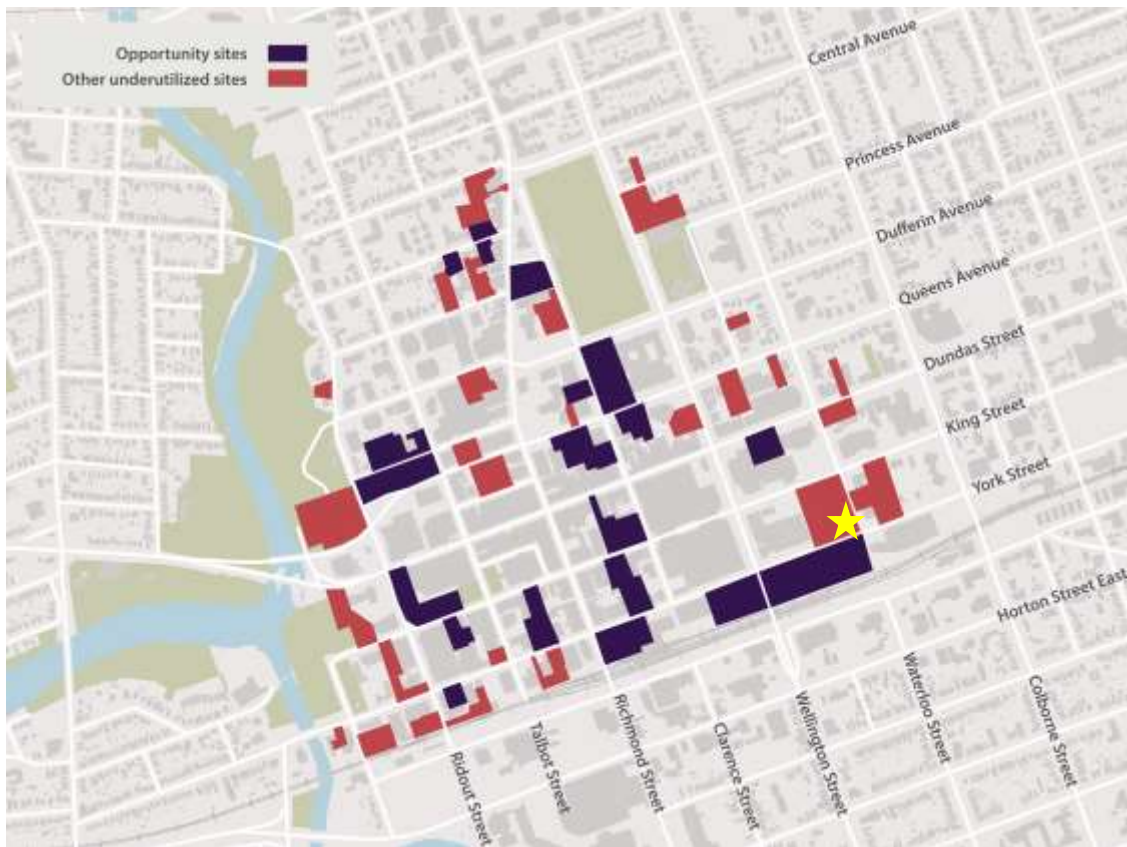


Figure 3: Map 5, Priority Sites for Redevelopment (Our Move Forward: London's Downtown Plan).

6. *Site plan approval will be required for all temporary surface commercial parking lots in the Downtown.*

Site plan approval was granted in 2004. The owner has recently completed all required site works to bring the site into compliance with the approved Development Agreement as part of the approved TZ-8815 application in December 2017.

7. *Where Council does not wish to extend the temporary zoning for a surface commercial parking lot a short-term extension of the temporary zone may be permitted for the purpose of allowing users of the lot to find alternative parking arrangements.*

An extension of the temporary zone for the purpose of allowing users to find alternative parking arrangements was granted in November 2018 as a gradual phased approach to discontinue the temporary use of the property as a surface commercial parking lot.

Chapter 19.4.5 of the 1989 Official Plan and Section 1672_ of The London Plan, respectively, also establish evaluation criteria for Temporary Use By-laws. These criteria are as follows:

1. *Compatibility of the proposed use with surrounding land uses;*

Land uses surrounding the subject property include an automotive sales and service establishment to the southeast, the London Convention Centre to the west, and surface parking lots directly to the north and west. In the short-term the use of an existing surface commercial parking lot does not conflict with the surrounding uses whereas the long-term operation precludes redevelopment of the site to a more compatible land use.

2. *Any requirement for temporary buildings or structures in association with the proposed use;*

In accordance with the approved site plan, automated parking pay and display machines, lighting, fencing and enhanced landscaping have been installed on site. No temporary buildings or structures in association with the use are proposed.

3. *The potential impact of the proposed use on transportation facilities and traffic in the immediate area;*

There are no impacts anticipated on transportation facilities or traffic in the immediate area from the request to extend permissions for a surface commercial parking lot nor from the recommended refusal of the extension of the temporary zone on the existing surface commercial parking lot.

4. *Access requirements for the proposed use;*

The subject property currently has one existing access point from York Street and another from Waterloo Street. As required by the approved Development Agreement, the accesses have been formalized through the use of curbing, sod and landscaping.

5. *The potential for long-term use of the temporary zone.*

The site has operated as a surface commercial parking lot since 2002 through temporary zoning. Further extensions of the temporary zone will allow the use to continue establishing a longer-term pattern of use. It is preferable that the site be redeveloped into a desired commercial, residential or mixed-use form in the future as intended by the long-term zoning applied to the site.

In addition to the criteria above, Section 1672_ of The London Plan provides two additional evaluation criteria:

1. *In the case of temporary commercial surface parking lots in the Downtown, the impact on the pedestrian environment in the Downtown.*

Temporary surface parking lots, such as the subject site, do not contribute to the pedestrian environment in a positive way as built form does through activity, animation, interest, or streetscape. Through the Development Agreement, the site has been updated with sod and landscaping to provide a buffer between the automobile parking and the pedestrian environment. However, redevelopment of the subject site with a compatible built form is most desirable for improvement to the pedestrian environment. The temporary surface parking lot existing on site prolongs opportunities for redevelopment to further enhance the pedestrian environment in the downtown.

2. *The degree to which the temporary use may be frustrating the viability of the intended long-term use of the lands*

The subject site has the ability to develop with a wide range of uses permitted by the existing zoning. Furthermore, the adjacent property to the north, municipally addressed as 335 King Street, is also owned by Bradel Properties Ltd. The consolidation of the two properties would allow for a comprehensive and viable development form.

Our Move Forward: London's Downtown Plan

The Downtown Plan encourages the redevelopment of vacant sites by discontinuing temporary zoning on underutilized and opportunity sites, with the intent to increase the resident and worker population downtown (5.2). The Downtown Plan recognizes surface parking lots as ideal conditions for redevelopment. As per Map 5 (Figure 3), the subject property is identified as an underutilized site. The Downtown Plan further recognizes that there is no net loss of parking through the redevelopment of these sites as parking can be regained through the incorporation of parking into the design of the new development.

Downtown Parking Strategy

The Downtown Parking Strategy provides a number of recommendations for how the City should manage surface commercial parking lots in the downtown. Of these recommendations is a gradual approach to discontinuing temporary zone permissions for

surface parking lots where utilization is low. As previously mentioned the subject property is in sub-area 5, which has a low utilization rate of 57% providing no demonstrated need for a surface commercial parking lot on this site.

More information and detail is available in Appendix B and C of this report.

5.0 Conclusion

The recommendation to refuse a 3-year extension to permit the continued use as a surface commercial parking lot is inconsistent with the Provincial Policy Statement (2014), the general intent of the 1989 Official Plan and The London Plan policies. The subject site is located in an area where parking utilization is low and therefore encouraged by policy to transition away from parking toward a long-term use permitted by the zoning.

Prepared by:	Melanie Vivian, Planner I, Development Services
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.	

August 30, 2019

cc: Michael Tomazincic, MCIP, RPP, Manager, Current Planning

Y:\Shared\implemen\DEVELOPMENT APPS\2019 Applications 9002 to\9069TZ – 324 York Street (BD)\PEC Report

Appendix B – Public Engagement

Community Engagement

Public liaison: On May 29, 2019, Notice of Application was sent to 17 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on May 30, 2019. A “Planning Application” sign was also posted on the site.

No replies were received.

Nature of Liaison: Zoning amendment to allow for the continued use of the existing surface commercial parking lot for an additional three (3) years through an extension of the temporary zone.

Responses: A summary of the various comments received include the following:

Agency/Departmental Comments

June 11, 2019: London Hydro

Servicing the above proposal should present no foreseeable problems. Above-grade transformation is required. London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

June 9, 2019: Architectural Conservancy Ontario – London Region Branch

Indicated the surface parking lot located at 324 York Street would be an ideal site for new development such as a residential or office tower. Building on parking lots would prevent the loss of further heritage buildings such as Camden Terrace on Talbot Street, recently demolished. Underground parking facilities such as those under the City Centre or Covent Garden could be built beneath the new development, so that there is no loss for parking for those wishing to attend an event at the convention centre or elsewhere.

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

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;
 3. minimize negative impacts to air quality and climate change, and promote energy efficiency;
 4. support active transportation;
 5. are transit-supportive, where transit is planned, exists or may be developed; and
 6. are freight-supportive; and
- b) a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.

1.7.1 Long-term economic prosperity should be supported by:

- a) promoting opportunities for economic development and community investment-readiness;
- b) optimizing the long-term availability and use of land, resources, infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities;
- c) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;
- d) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes;
- e) promoting the redevelopment of brownfield sites;
- f) providing for an efficient, cost-effective, reliable multimodal transportation system that is integrated with adjacent systems and those of other jurisdictions, and is appropriate to address projected needs to support the movement of goods and people;
- g) providing opportunities for sustainable tourism development;
- h) providing opportunities to support local food, and promoting the sustainability of agri-food and agri-product businesses by protecting agricultural resources, and minimizing land use conflicts;
- i) promoting energy conservation and providing opportunities for development or renewable energy systems and alternative energy systems, including district energy;
- j) minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature; and
- k) encouraging efficient and coordinated communications and telecommunications infrastructure.

1989 Official Plan

4.1. Downtown Designation

The Downtown is the primary multi-functional activity centre serving the City of London and the surrounding area, comprising much of southwestern Ontario. It contains regionally significant office, retail, service, government recreational, entertainment and

cultural facilities and is distinguished from other areas in the City by its concentration of employment and its intensive, multi-functional land use pattern. It is intended that the Downtown will continue to be the major office employment centre and commercial district in the City, and that its function as a location for new medium and high density residential environment will be strengthened overtime. Support will also be given to the continued development of the Downtown as a regional meeting place and as the primary location for hotel, convention, cultural entertainment and other service facilities that will promote local tourism.

4.1.5. Major Facilities

Major office uses, hotels, convention centres, government buildings entertainment uses and cultural facilities which have a city-wide or larger service area will be encouraged to locate in the Downtown.

4.1.6. Permitted Uses

Council shall support the continued development of the Downtown as a multi-functional regional centre containing a broad range of retail; service; office; institutional; entertainment; cultural; high density residential; transportation; recreational; and open space uses.

4.1.10 iv) Parking –Surface Parking Lots

The creation of new surface level commercial and/or accessory parking lots within the Downtown Shopping Area will be discouraged. Surface parking lots outside of the Downtown Shopping Area that require the demolition of significant heritage buildings will also be discouraged.

For lands within the Downtown Area designation, the following criteria will be used to evaluate both applications for temporary zoning to permit surface commercial parking lots and applications for extensions to temporary zoning to permit surface commercial parking lots:

1. The demonstrated need for surface parking in the area surrounding the subject site. Utilization rates for sub-areas of the Downtown may be used to evaluate this need.
2. The importance of any pedestrian streetscapes that are impacted by the surface commercial parking lot and the degree to which these streetscapes are impacted.
3. The size of the parking lot, recognizing a goal of avoiding the underutilization of Downtown lands.
4. The length of time that the surface commercial parking lot has been in place, recognizing it is not intended that temporary uses will be permitted on a long-term basis.
5. Applicable guideline documents may be used to provide further, more detailed, guidance in applying these policies.
6. Site plan approval will be required for all temporary surface commercial parking lots in the Downtown.
7. Where Council does not wish to extend the temporary zoning for a surface commercial parking lot a short-term extension of the temporary zone may be permitted for the purpose of allowing users of the lot to find alternative parking arrangements.

19.4.5. Temporary Use By-laws

Provided the general intent and purpose of the Official Plan are maintained, Council may pass by-laws to authorize the temporary use of land, buildings or structures for a purpose that is otherwise prohibited by this Plan, for renewable periods not exceeding three years, in accordance with the provisions of the Planning Act.

Enacting Provisions

In enacting a Temporary Use By-law, Council shall have regard for the following matters:

- (a) compatibility of the proposed use with surrounding land uses;
- (b) any requirement for temporary buildings or structures in association with the proposed use;

- (c) any requirement for temporary connection to municipal services and utilities;
- (d) the potential impact of the proposed use on transportation facilities and traffic in the immediate area;
- (e) access requirements for the proposed use;
- (f) parking required for the proposed use, and the ability to provide adequate parking on-site; and,
- (g) the potential long-term use of the temporary use.

The London Plan

800_* The Downtown is the highest-order mixed-use activity centre in the city. The following uses may be permitted within the Downtown:

800_4* New surface accessory parking lots should not be permitted in the Downtown. New surface commercial parking lots shall not be permitted

800_5* Where surface commercial parking lots have previously been established through temporary zoning and have been in place for an extended period of time, further extensions of such temporary uses should be discouraged where an adequate supply of parking exists in the vicinity of the subject lot.

1672_ In enacting a temporary use by-law, City Council will have regard for the following matters:

1. Compatibility of the proposed use with surrounding land uses.
2. Any requirement for temporary buildings or structures in association with the proposed use.
3. Any requirement for temporary connection to municipal services and utilities.
4. The potential impact of the proposed use on mobility facilities and traffic in the immediate area.
5. Access requirements for the proposed use.
6. Parking required for the proposed use, and the ability to provide adequate parking on-site.
7. The potential long-term use of the temporary use.
8. In the case of temporary commercial surface parking lots in the Downtown, the impact on the pedestrian environment in the Downtown.
9. The degree to which the temporary use may be frustrating the viability of the intended long-term use of the lands.

1673_ It is not intended that temporary uses will be permitted on a long-term basis and they will not be permitted where they may interfere with the long-term planning for a site. Permanent structures for temporary uses will not be permitted. Severances to support temporary uses may not be permitted where they may negatively impact long-term planning.

Our Move Forward: London's Downtown Plan

Redevelopment Opportunities (p. 21)

Within the downtown there are many underutilized sites and opportunities for redevelopment. Surface parking lots, in particular, present ideal conditions for redevelopment, as there is relatively little site work needed before new construction can begin. There is no net loss of the parking anticipated in the redevelopment of these parking lots, as parking can be regained by incorporating underground and structured parking into the design of the new development.

Of these underutilized sites, there are opportunity sites where new development could bridge streetwall gaps and/or link activity generators. These strategic locations are priority sites for redevelopment.

Planning Policies (p. 63)

5.2 (Build a Great Neighbourhood) Encourage the redevelopment of vacant sites to increase the resident and worker population downtown by discontinuing temporary-use zoning on these sites.

Downtown Parking Strategy

1.1 Study Purpose and Background

The key to future development in the downtown will be the replacement of existing surface parking lots with new developments. Determining how much parking is required, how it is provided, what role the City should play in meeting future parking demand, the financial implications associated with providing new parking and the most appropriate municipal service delivery model to employ in order to maximize the return on investment of public funds are critical considerations in the development of a parking management strategy for the downtown.

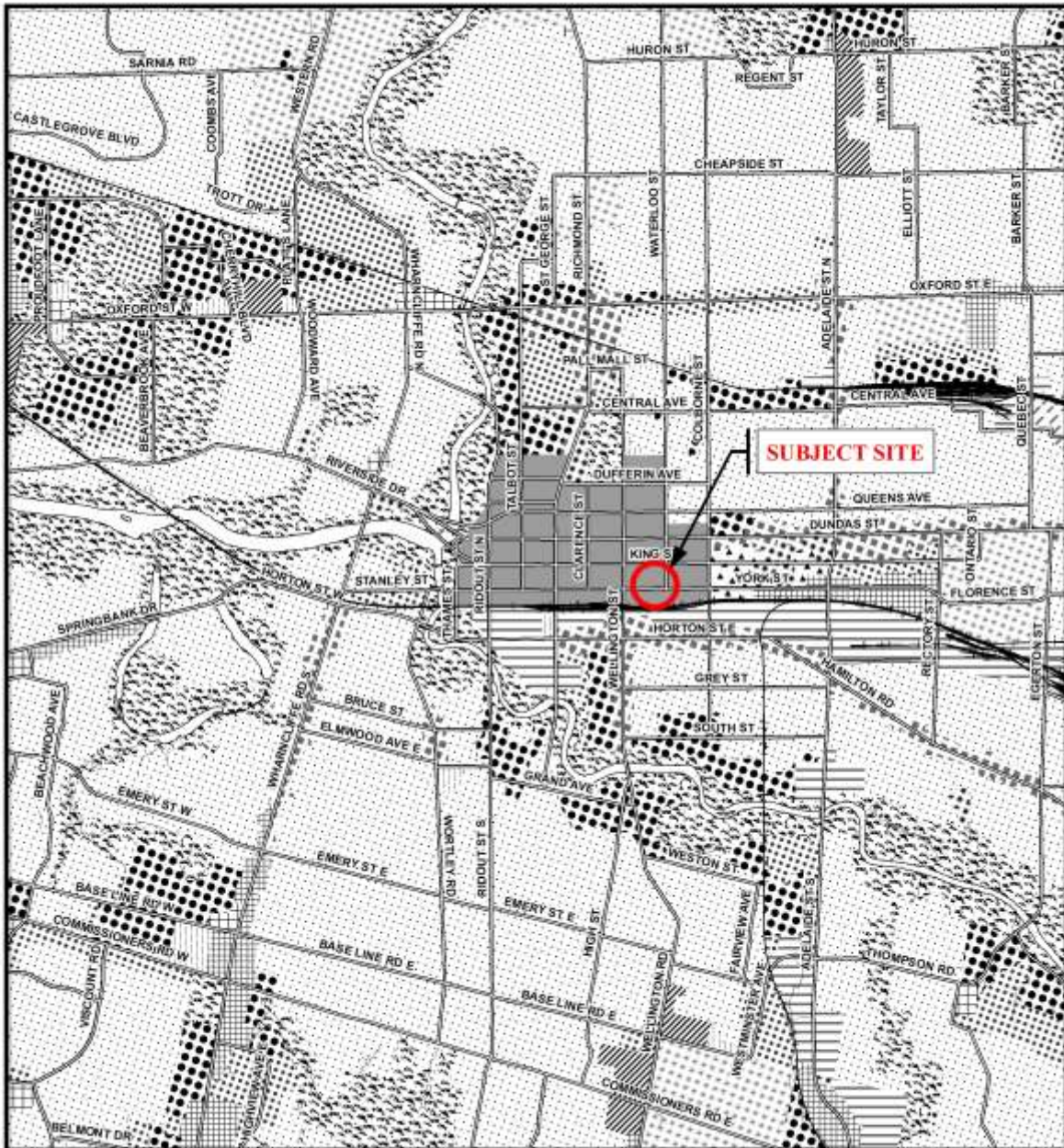
In April 2015, London City Council adopted a plan for the downtown entitled “Our Move Forward: London’s Downtown Plan”. This plan provided seven strategic directions and described ten transformational projects that would ensure the continued success of the downtown well into the future. The plan identified many underutilized sites that were primarily surface parking lots, where new development could bridge street wall gaps and/or link key activity generators and therefore should be viewed as strategic priority locations for redevelopment.

1.6.5 Take a gradual approach to the discontinuation of temporary zone permissions for temporary surface commercial parking lots in downtown where there is surplus public parking due to lower parking utilization and aligned with the timing of providing additional parking facilities in the future and the implementation of the new rapid transit system.

As a starting point, the City should develop an inventory of all existing non-complying downtown surface commercial lots and require each land owner to secure a temporary zone permission in order to maintain operations. Temporary zone permissions should no longer be issued for new surface parking lots in the downtown.

Appendix D – Relevant Background

Additional Maps

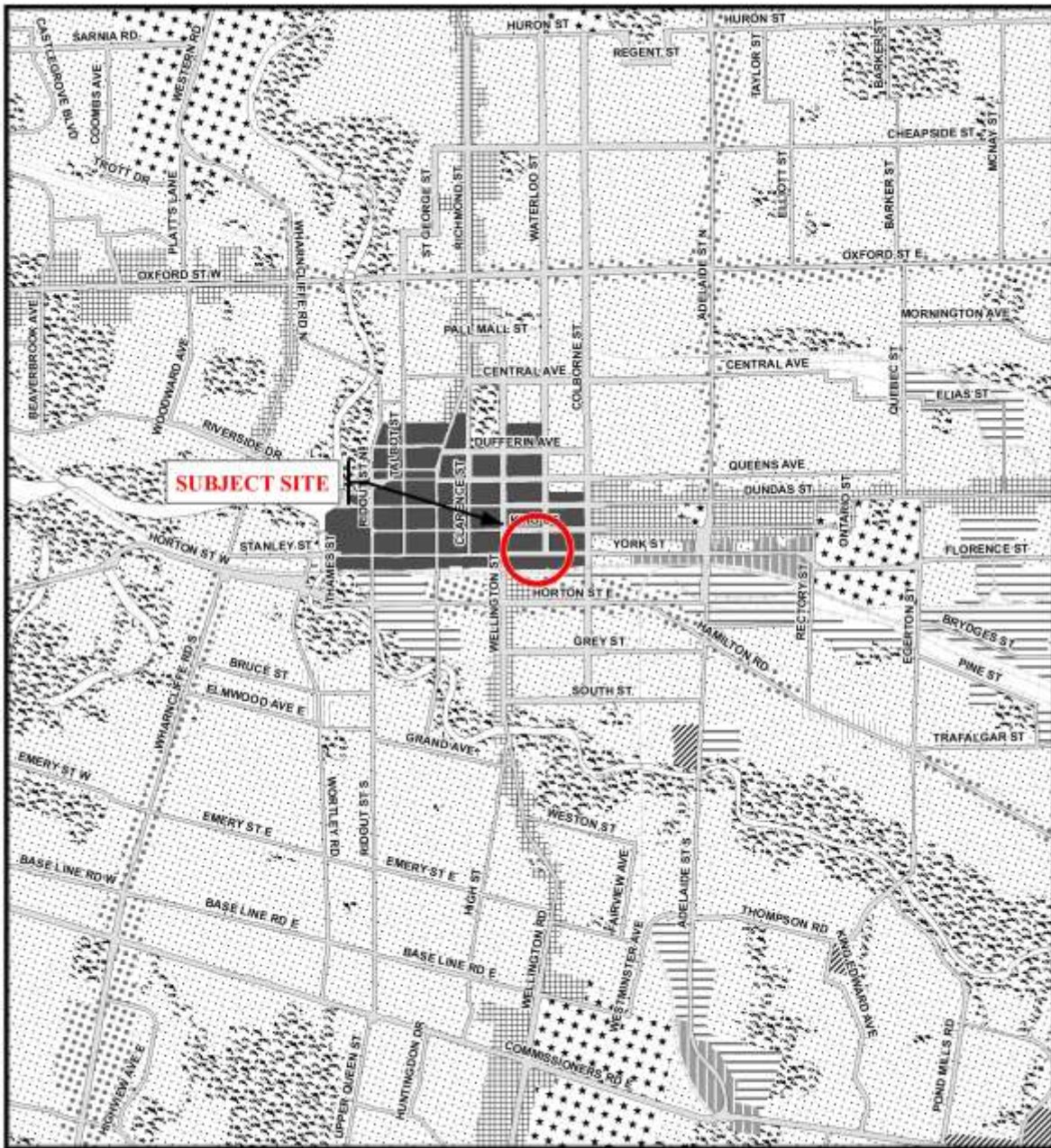


Legend

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

<p>CITY OF LONDON Department of Planning and Development OFFICIAL PLAN SCHEDULE A - LAND USE -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: TZ-9069 PLANNER: MV TECHNICIAN: DM DATE: 2019/08/09</p>
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Legend

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

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

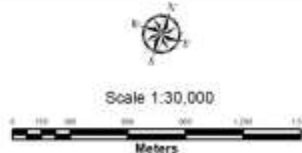
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

Planning Services /
 Development Services

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

PREPARED BY: Planning Services



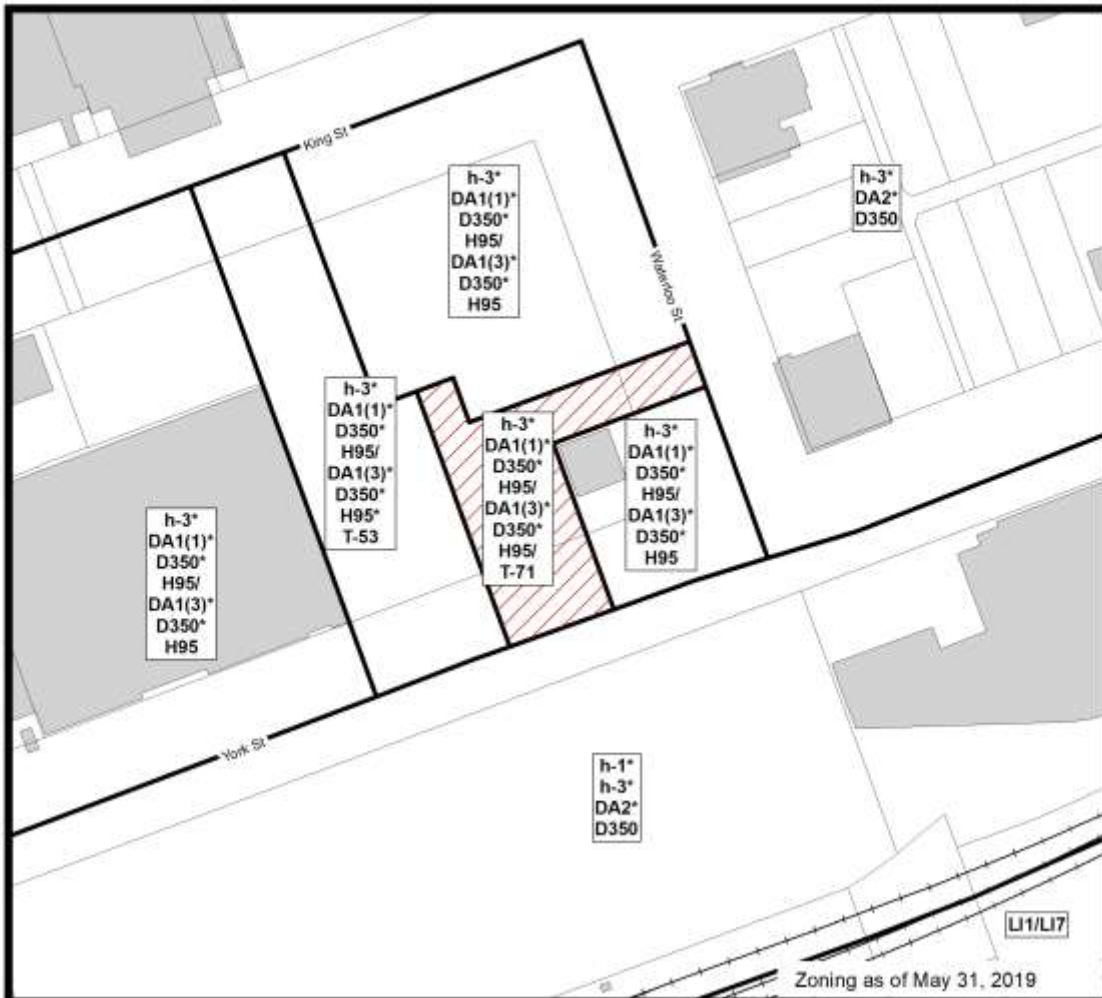
File Number: TZ-9069

Planner: MV

Technician: DM

Date: August 9, 2019

Project Location: E:\Planning\Projects\p_officialplan\work\consolid00\excerpts_LondonPlan\mxd\TZ-9069 -Map1_PlaceTypes_b&w_8x14.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
- NBA - NEIGHBOURHOOD SHOPPING AREA
- BOC - 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**



FILE NO:
 TZ-9069 MV

MAP PREPARED:
 2019/08/09 DM

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

Additional Reports

Z-6166: December 10, 2001 – Report to Planning Committee: request to extend the temporary zone for 3 years

Z-6838: January 21, 2005 – Report to Planning Committee: request to extend the temporary zone for 3 years

Z-8382: September 24, 2014 – Report to Planning and Environment Committee: request to extend the temporary zone for 3 years

15 DOW t: December 4, 2017 – Report to Planning and Environment Committee: Downtown Commercial parking Lots Information Report

TZ-8815: December 4, 2017 – Report to Planning and Environment Committee: request to extend the temporary zone for 3 years

OZ-8876: April 30, 2018 – Report to Planning and Environment Committee: Official Plan, The London Plan and Downtown Plan Criteria for Temporary Surface Commercial Parking Lots

TZ-8917: October 29, 2018 – Report to Planning and Environment Committee: request to extend the temporary zone for 3 years

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: Yasmina Balaska
551 Knights Hill Road

Public Participation Meeting on: September 9, 2019

Recommendation

That, on the recommendation of the Director, Development Services, with respect to the application of Yasmina Balaska relating to the property located at 551 Knights Hill Road, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting September 17, 2019 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, **BY AMENDING** the Convenience Commercial Special Provision (CC1(9)) Zone.

Executive Summary

Summary of Request

The requested amendment is to add two additional uses of pharmacy and professional office within the existing building, to allow for a reduction in the total number of parking spaces, and recognize the existing parking area setback.

Purpose and the Effect of Recommended Action

The purpose and effect of the amendment is to amend the site specific regulations of the existing Convenience Commercial Zone applied to the site to add pharmacy and professional office to the list of permitted uses.

Rationale of Recommended Action

1. The proposed amendment is consistent with the Provincial Policy Statement, 2014, as it promotes healthy, liveable and safe communities by accommodating an appropriate range and mix of uses;
2. The proposed amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to, Convenience Commercial policies in the Multi-Family, Medium Density Residential Designation;
3. The proposed amendment conforms to the in-force policies of The London Plan, including but not limited to, the Key Directions that support a mix of uses in Neighbourhoods; and
4. The recommended zone will facilitate additional uses that are appropriate and compatible with the surrounding area.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject site is located one property south of Commissioners Road West at the corner of Knights Hill Road and Rington Crescent. There is an existing 2.5 storey building which is currently used for medical/dental office and convenience commercial uses. To the north of the site is a similar building that has recently gone through renovations and functions as a dental office. Commissioners Road West is lined with

residential uses ranging from single detached dwellings and apartments with several office conversions as well. There are single detached dwellings with a commercial node located to the west at the entrance of the community at Andover Drive and Commissioners Road West. A mixed use commercial and residential building is located to the east, and there are low density residential uses mainly comprised of single detached dwellings to the south.

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

- Official Plan Designation – Multi-Family, Medium Density Residential
- The London Plan Place Type – Neighbourhoods
- Existing Zoning – Convenience Commercial Special Provision (CC1(9)) Zone

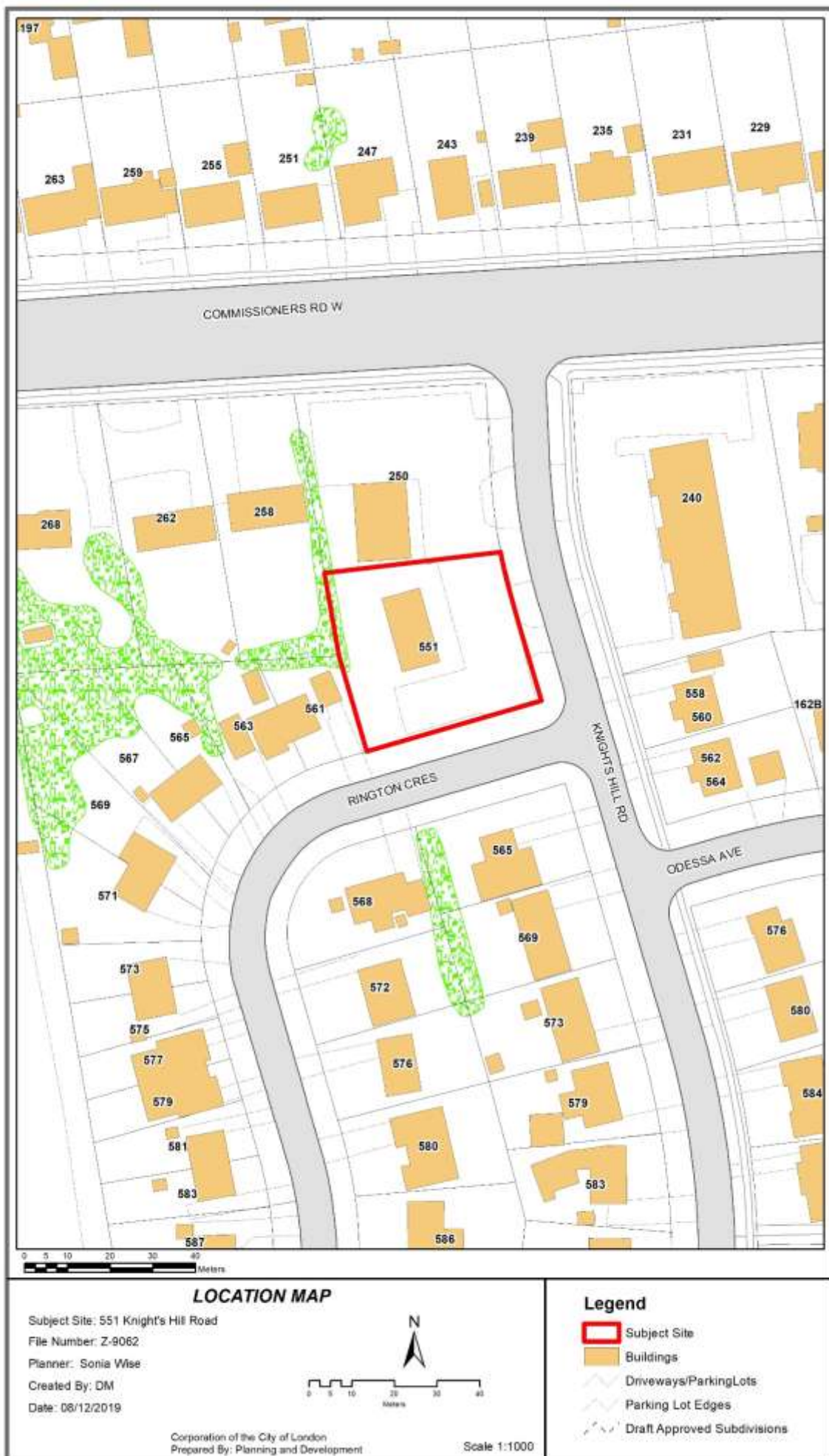
1.3 Site Characteristics

- Current Land Use – Commercial Building
- Frontage – 36m
- Depth – 42.5m (140ft)
- Area – 0.1671ha
- Shape – Rectangular

1.4 Surrounding Land Uses

- North – Commercial/Office uses
- East – Low and Medium Density Residential
- South – Low Density Residential
- West – Low Density Residential

1.5 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The proposal is for the adaptive reuse of the existing building at 551 Knights Hill Road to permit two additional uses of pharmacy and professional office. The subject site consists of a 2.5 storey commercial building currently used for medical/dental offices with a total gross floor area of 507m² (5,457 sq ft). The professional office is proposed to be located on the second floor with a total floor area of 169m², the pharmacy is proposed to be located in a portion of the basement with a total of 84m² and the remaining ground floor space is to be used as medical/dental office uses with 253m².



Figure 1: 551 Knights Hill Road

2.2 Requested Amendment

The requested amendment is to change the Convenience Commercial Special Provision (CC1(9)) Zone to add the uses of pharmacy and professional office within the existing building at 551 Knights Hill Road. Special provisions are requested to allow for a reduction in the number of parking spaces from 22 spaces required to 18 provided, and to allow for a reduced parking area setback of 0.8m.

3.0 Relevant Background

3.1 Planning History

In November of 2016 a Zoning By-law Amendment Application (Z-8675) was approved by Municipal Council to allow for the additional use of medical/dental office on site, and to allow the parking to be considered 'as existing'. The application recognized that the site was already zoned for convenience commercial uses and applied a different Convenience Commercial zone variation that would permit the additional uses along with dwelling units in conjunction with any other permitted use.

3.3 Community Engagement (see more detail in Appendix B)

One comment was received that expressed concern for the reduced parking proposed on site and early lawn care maintenance.

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. The Provincial Policy Statement encourages healthy, liveable and safe communities that are sustained by accommodating an appropriate range and mix of employment uses, including industrial and commercial to meet long-term needs (1.1.3).

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 the majority of which is in force and effect). The London Plan policies under appeal to the Local Planning Appeals Tribunal (Appeal PL170100) and not in force and effect are indicated with an asterisk throughout this report. The London Plan policies under appeal are included in this report for informative purposes indicating the intent of City Council, but are not determinative for the purposes of this planning application.

The site is within the Neighbourhoods Place Type which primarily permits a variety of residential uses with some secondary uses in strategic locations (table 10*).

Official Plan

The site is within the Multi-Family, Medium Density Residential designation, which permits a range of low and mid-rise residential uses. Some convenience commercial uses within the residential designations are permitted in specific locations, and when demonstrated as compatible uses (3.6.5).

Zoning

The existing zoning is a Convenience Commercial (CC1(9)) Zone which provides for and regulates a range of convenience commercial uses such as medical/dental uses, financial institutions and personal service establishments, though does not allow the requested pharmacy or professional office uses, thereby necessitating the need for an amendment.

4.0 Key Issues and Considerations

Provincial Policy Statement (PPS) 2014

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 (1.1.1.a). The proposed uses of pharmacy and professional office moderately broaden the local mix of uses and employment options provided on site.

The PPS encourages settlement areas to be the main focus of growth and development, and that their vitality and regeneration shall be promoted (1.1.3.1). The site is within an existing developed area and makes efficient use of the lands while requiring no additional land consumption or servicing costs. The proposal will effectively reuse the existing building which will help support a healthy and livable community with a variety of services within a walkable distance.

Section 1.3 of the PPS requires planning authorities to promote economic development and competitiveness by providing for an appropriate mix and range of employment uses, and providing opportunities for a diversified economic base (1.3.1.b). The additional uses recommended through the zoning amendment will allow the subject site to provide an appropriate mix and range of employment uses and strengthen the local economic contributions of the small businesses.

The London Plan

The London Plan includes criteria for evaluating Applications for Zoning By-law Amendment through policy 1578* that requires consideration of:

1. Our Strategy
2. Our City
3. City Building policies
4. The policies of the place type
5. Our Tools
6. Relevant Secondary Plans and Specific Policies

Our Strategy

The Our Strategy policies of The London Plan implement the vision of the plan through the use of overarching key directions (54).

Direction #1 – plan strategically for a prosperous city that “offers a wide range of economic opportunities” (55_1). The proposed adaptive reuse of the site contributes to its continued viability, and represents a component of the local economic and employment opportunities accessible by the surrounding neighbourhood.

Direction #5 – build a mixed-use compact city that provides a mix of “stores, restaurants, clean industry, live-work arrangements and services in ways that respect the character of neighbourhoods, while enhancing the character of neighbourhoods, while enhancing walkability and generating pedestrian activity” (59_6). The site is located at the periphery of an existing residential community and forms a small cluster of local commercial, office and service uses. The site is an existing converted commercial building that is well-suited to providing the proposed pharmacy, office and medical/dental offices and provides local services that are well integrated into the existing community.

Direction #7 – build strong, healthy and attractive neighbourhoods for everyone, plan for healthy neighbourhoods that “supply well-distributed health services” (61_1). The specific nature of the request proposes a small and local-scale range of health services such as access to prescription medications or flu shots from the proposed pharmacy and access to health professionals in the medical/dental office. The adaptive reuse allows the site to offer the health related services opportunities in a walkable location for the nearby and surrounding neighbourhood.

Our City

The City Structure Plan in the Our City section of The London Plan provides a framework for London’s growth and change in the future (69). The site is located within the Primary Transit Area which directs that development “should be designed to be transit-oriented and well serviced by cycling lanes, paths [and] sidewalks” (92_8*). The built form is existing and has convenient access to transit along Commissioners Road as well as being a walkable destination for the neighbourhood.

The City Structure Plan is comprised of the various framework policy areas of: growth, green, mobility, economic and community. Within the Community Framework, neighbourhoods are described as places where people often “shop, work, worship, go to school and recreate” (143). The proposed uses will continue to provide local services for the surrounding neighbourhood with the additional uses of pharmacy and office.

City Building

The policies of the City Building section provide the over-arching direction for how the City will grow over the next 20 years (184). The City Design is shaped by both its built form comprised of streets, streetscapes, and buildings, as well as the natural setting (189). The London Plan recognizes that “the built form will be designed to have a sense of place and character” (197*). The 2.5 storey building is existing and integrates well within the existing neighbourhood and reflects the character of the small

commercial/service node at the corner of Commissioners Road West and Knights Hill Road.

Street Network

To support connectivity, “blocks within a neighbourhood should be of a size and configuration that supports connections to transit” (218*). The subject site has a shared internal access with the lands to the north that subsequently provides access to and from Commissioners Road West and associated transit.

The proportion of “building and street frontages used for garages and driveway should be minimized to allow for street trees, provide for on-street parking and support pedestrian and cycling-oriented streetscapes (222A). Access into the subject site is provided along Knights Hill Road in two locations, as well as through an internal connection from the lands to the north. The southerly access from Knights Hill Road is intended to be closed and the driveway restored to boulevard sod which reduces the vehicular movements and provides more space for future tree planting or sidewalk installation.

Site Layout

Buildings should be sited with “minimal setbacks from public rights-of-way” to create a street wall/edge and establish a sense of enclosure to create a comfortable pedestrian environment (259*). The built form is an existing situation that has parking located between the building and sidewalk with the building setback. The recommended amendment allows for the adaptive reuse of the existing building, though any future major redevelopment of the site will be required to change the building location to better frame the street.

Parking

The location, configuration and size of parking areas will be designed to enhance the experience of pedestrians, transit-users, cyclists and drivers (270*). The site has an existing parking layout, and is proposing to close an entrance driveway to provide an additional parking space which will also restore the boulevard. A minor reduction in the total number of parking spaces is requested from 22 required spaces to 18 provided, which is sufficient to support the planned function of the site.

Place Type

Neighbourhoods are intended to be vibrant, exciting places to live which will be delivered through: easy access to daily goods and services within walking distance and employment opportunities close to where people live (916_6 & 7*). The subject site is within the Neighbourhoods Place Type within a walkable environment, though in a location that primarily allows for low and mid-rise residential uses.

The site has frontage on two neighbourhood streets: Knights Hill Road and Rington Crescent which permits single detached, semi-detached, duplex, converted dwellings (max 2 units), secondary suites, home occupations and group homes at a height ranging from 1 to 2.5 storeys (table 10*). In this instance the 2.5 storey form would be permitted, but the previous use as a low-rise apartment building, or as the current medical/dental office use would not be permitted.

The London Plan directs more intensive development such as stand-alone commercial uses to the intersection of major roads within the Neighbourhoods Place Type. The site has attained a high degree of compatibility as an existing commercial building within the neighbourhood, and the uses are appropriate for the site. Further, there is an access arrangement with the property to the north for mutual access between sites which provides an informal connection to the higher order road of Commissioners Road West for commercial exposure and access to transit.

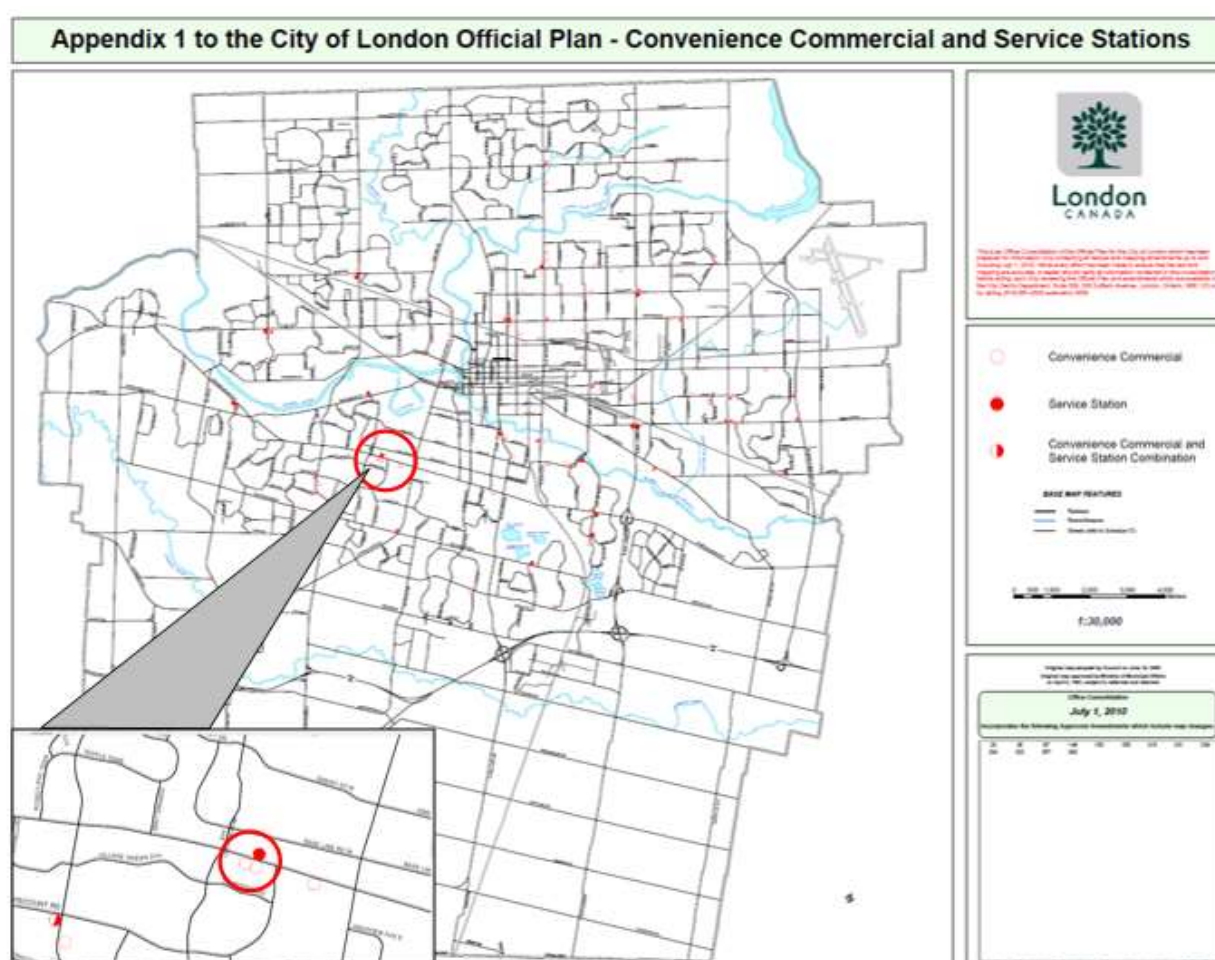
Lastly, the recommended amendment does not represent the introduction of

commercial uses where they currently do not exist. As previously stated, the existing zoning and use of the building is non-residential. The recommended amendment is simply intended to modify the range of existing permitted uses.

1989 Official Plan

Use

The site is within the Multi-Family, Medium Density Residential designation which primarily permits low and medium density residential forms, and also contemplates some secondary uses such as convenience commercial uses, where appropriate. The 1989 Plan recognizes existing convenience commercial and service station uses which meet the locational and land use compatibility criteria established in policy 3.6.5, as shown on Appendix 1, Convenience Commercial and Service Stations (3.6.5 ii.c). The subject site is one of those locations which has been recognized to permit Convenience Commercial uses in a residential designation.



The existing building and convenience commercial uses are designed to function at a neighbourhood scale, which provides services to the surrounding residential areas and the travelling public. The proposed uses would moderately broaden the range of convenience commercial uses on the site through the addition of the pharmacy and professional office uses which are compatible with the surrounding land uses and are not anticipated to have any adverse impact on the local area or traffic-carrying capacity of roads in the area.

Intensity

The Official Plan contemplates convenience commercial uses in the residential designations up to a maximum gross floor area of 1,000m², with a greater range of uses related to greater building size. Convenience commercial sites that are under 500m² in gross floor area are permitted a reduced range of uses while those in excess of 500m² are permitted the full range of uses permitted in the CC zone variations. The subject site is just over the 500m² minimum with 507m² of existing gross floor area, and is

eligible for consideration of the wider range of uses including offices and pharmacies recommended as part of the current zoning amendment (3.6.5.ii.a).

The existing medical/dental office use is permitted within the whole of the existing building which has a total gross floor area of 507m². The CC zone typically permits a maximum gross floor area of 300m² for individual uses, though a special provision allows for flexibility in the building use. A similar approach is recommended for the additional requested uses of pharmacy and professional office to allow for future tenant and internal changes.

The proposed uses of office, medical/dental office and pharmacy requires a total of 22 parking spaces, and 18 spaces are proposed (17 existing spaces plus one new space created by closing one access to Knights Hill Road) which is a shortage of 4 spaces. The most intensive parking rate is the medical/dental office rate of 1 space per 20m² and the additional uses of pharmacy (1/25m²) and professional office (1/40m²) both require fewer parking spaces. The current zoning permissions allow medical/dental office in the entire building based on the 17 existing parking spaces. The recommended amendment will allow for a reduced parking rate of 1/30m² for the medical/dental office and pharmacy uses to allow for the entire building to be converted for one or both of these uses. Recognizing a reduction for these uses also ensures that if there is a combination of other high parking rate uses such as personal service establishment, that the site will be required to meet the increased parking demand for such uses by balancing the gross floor area.

Form

The existing built form is a 2.5-storey building situated on the rear portion of the site in keeping with the abutting building to the north with a similar setback. The proposed recommendation will have no change on the existing built form and the applicant has recently undertaken exterior upgrades including recladding the building to enhance its appearance.

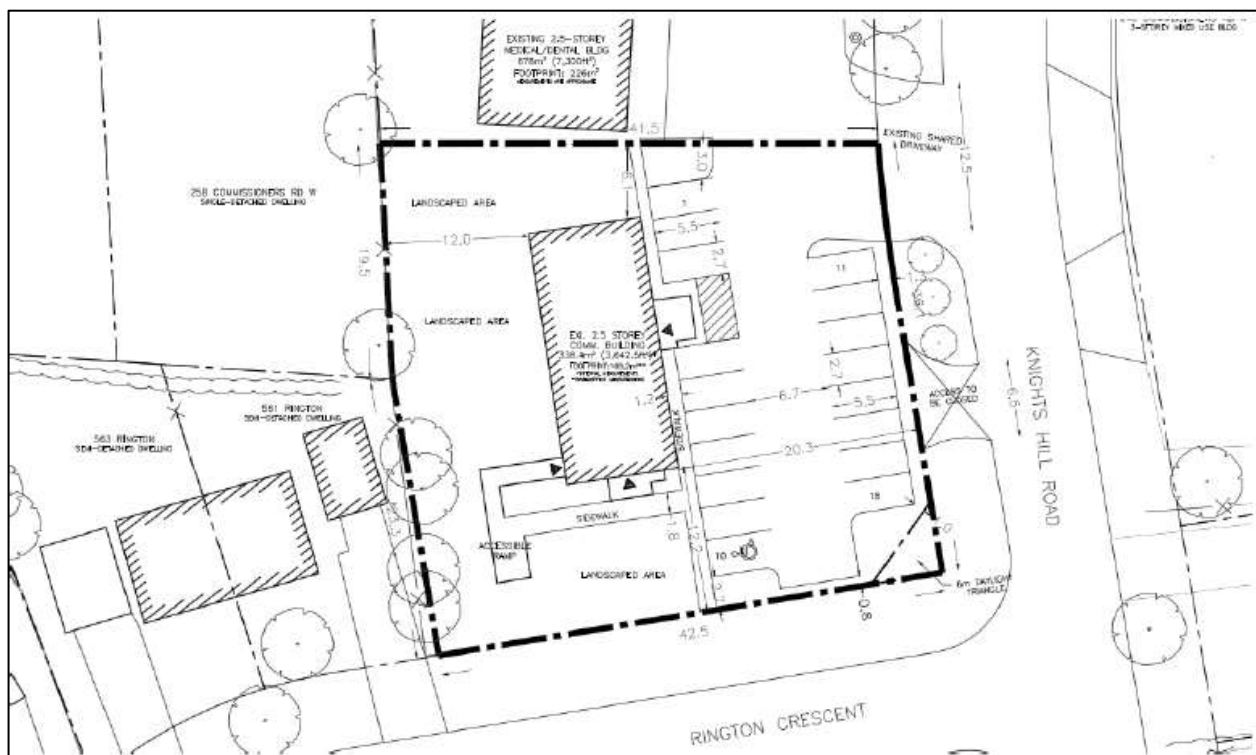


Figure 2: Conceptual Site Plan

The most southerly driveway is proposed to be closed and restored to boulevard to provide one additional parking space which increases the overall functionality and appearance of the site. The existing parking spaces are located 0.8m from the property edge to the east of the site which is proposed to be recognized as a special provision through the site specific zoning. The 0.8m is less than the 3m required to provide separation between pedestrians and parked vehicles and allow for landscaping and

buffering of parking areas, however there is ample grassed boulevard buffering the parking area and providing access for pedestrians as there is currently no sidewalk along the property edge.

The limited size of the building and parking area is appropriate and compatible with the area, and does not represent a large free standing commercial use that should be located in other commercial designations. The Official Plan contemplates convenience commercial uses at a scale of up to 1000m² and the subject site is achieving approximately half of that scale.

Zoning

The recommended zone will permit two additional uses on the site of pharmacy and professional offices, in addition to the existing permitted uses. Special provisions will allow for a reduced parking rate for the pharmacy and medical/dental uses to 1/30m² to allow for flexibility in the future occupancy of the building, and to recognize the existing reduced parking area setback of 0.8m from the property limit. The recommended by-law will allow the uses to be permitted within the existing structure without restriction on the amount of gross floor area that can be occupied by a certain use.

More information and detail is available in the appendices of this report.

5.0 Conclusion

The recommended amendment is consistent with the Provincial Policy Statement 2014, which promotes healthy, livable and safe communities by accommodating an appropriate range and mix of uses. The adaptive reuse of the site conforms to the key direction of The London Plan that supports a mix of uses in Neighbourhoods, and conforms to the 1989 Official Plan policies related to existing Convenience Commercial uses located in residential designations. The recommended zone facilitates increased usability of the subject site by accommodating additional uses that are appropriate and compatible with the surrounding area.

Prepared by:	Sonia Wise, MCIP, RPP Senior Planner, Development Services
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.	

August 30, 2019

cc: Michael Tomazincic, MCIP, RPP, Manager, Current Planning

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 551 Knights Hill Road.

WHEREAS Yasmina Balaska has applied to rezone an area of land located at 551 Knights Hill 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) Section Number 29.4 of the Convenience Commercial (CC1) Zone is amended by repealing and replacing the following subsections:

- | | | | |
|---|--------|---|---------------------------------|
|) | CC1(9) | 551 Knights Hill Road | |
| | a) | Additional Permitted Uses | |
| | | i) Medical/dental office | |
| | | ii) pharmacy | |
| | | iii) professional office | |
| | b) | Regulations | |
| | | i) All permitted uses | In Existing Building |
| | | ii) Gross floor area for additional permitted uses
Maximum | 507m ² (5,457 sq ft) |
| | | iii) Medical/Dental Office
Parking Rate | 1/30m ² |
| | | iv) Pharmacy
Parking Rate | 1/30m ² |
| | | v) Parking area setback
Minimum | 0.8m |

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 September 17, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 17, 2019
Second Reading – September 17, 2019
Third Reading – September 17, 2019

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



Geobase

Appendix B – Public Engagement

Community Engagement

Public liaison: On May 29, 2019, Notice of Application was sent to 76 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on May 30, 2019. A “Planning Application” sign was also posted on the site.

1 reply was received

Nature of Liaison: Possible change to permit a new pharmacy and office within the existing building. Possible change to Zoning By-law Z.-1 **FROM** a Convenience Commercial Special Provision (CC1(9)) **TO** a Convenience Commercial (CC1(__)) Zone to permit the additional uses of pharmacy and office within the existing building, with a reduction in total number of parking spaces, and a reduced parking area setback.

Responses: A summary of the various comments received include the following:

One comment was received that expressed concern for the reduced parking proposed on site and early lawn care maintenance.

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

Telephone	Written
	Greg Smith 568 Rington Crescent London ON N6J 1Y8

From: Greg Smith [mailto:██████████]
Sent: Monday, June 03, 2019 5:05 PM
To: Wise, Sonia <swise@london.ca>
Cc: Van Meerbergen, Paul <pvanmeerbergen@london.ca>; Marque Smith <██████████>
Subject: [EXTERNAL] Zoning Bylaw amendment File Z9062

To Whom May Concern I write in response to the notice of zoning bylaw amendment for 551 Knight’s Hill Road. My address is 568 Rington Crescent, a single family home that faces the applicant property. I first would like to say that the appearance of the buildings on this property has been much improved with the present use. The flow of traffic has not dramatically increased or caused any inconvenience.

My only concern with the present application is the proposal for a reduced number of parking places. Currently we experience overflow parking along Rington Cres during the day. Some vehicles - presumably belonging to employees - remain parked on Rington for the entire day. If parking places are reduced, it may be necessary to limit parking on Rington, perhaps posting signs with time limits during the day and on weekdays.

My partner and I also have concern with noisy lawnmower operation on the property as early as 7-7:30 A.M. on Sunday mornings. If the plan involves increased landscaping, there may need to be some consideration of when and how it is maintained in order to maintain the peace of the neighbourhood.

Thank you for the opportunity to respond with feedback.

Greg Smith
██████████

The Rev. Canon Gregory Smith, Director of Field Education
 Huron At Western
 1349 Western Rd.
 London, ON, Canada, N6G 1H3
 t. ██████████ (Office A218)
huronatwestern.ca

Agency/Departmental Comments

London Hydro – June 4, 2019 Memo Summary

This site is presently serviced by London Hydro. London Hydro has no objection to this proposal, however London Hydro will need to maintain the existing easement.

Development Services – Engineering – August 13, 2019 Email

No comments

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

- 1.1.1.a – appropriate range and mix of uses
- 1.1.3.1 – regenerate settlement areas
- 1.3.1.a – range and mix of employment uses
- 1.3.1.b – opportunities for a diversified economic base

The London Plan

- 54 – Our Strategy – Key Directions
- 55_1 – plan strategically for a prosperous city
- 59_6 – build a mixed use compact city
- 61_1 – build strong healthy attractive neighbourhoods
- 69 – City structure plan
- 92_8* – development should be transit-oriented and served by active transport
- 143 – neighbourhoods in the community framework
- 184 – City building and growth
- 189 – built form and City Design
- 197* – sense of place
- 218* – support connectivity through block size
- 222A – minimize amount of garage and driveways to support active transit
- 259* – buildings to have minimal setbacks to right of way
- 270* – enhance pedestrian, cyclists and drivers experience through parking area layout
- 916_6 & 7* – local shopping in neighbourhoods
- Table 10* – permitted uses in the Neighbourhoods Place Type
- 1578* – evaluation of Zoning Amendments

1989 Official Plan

- 3.3 – Multi-Family, Medium Density Residential
- 3.6.5 – Convenience Commercial and Service Station Uses

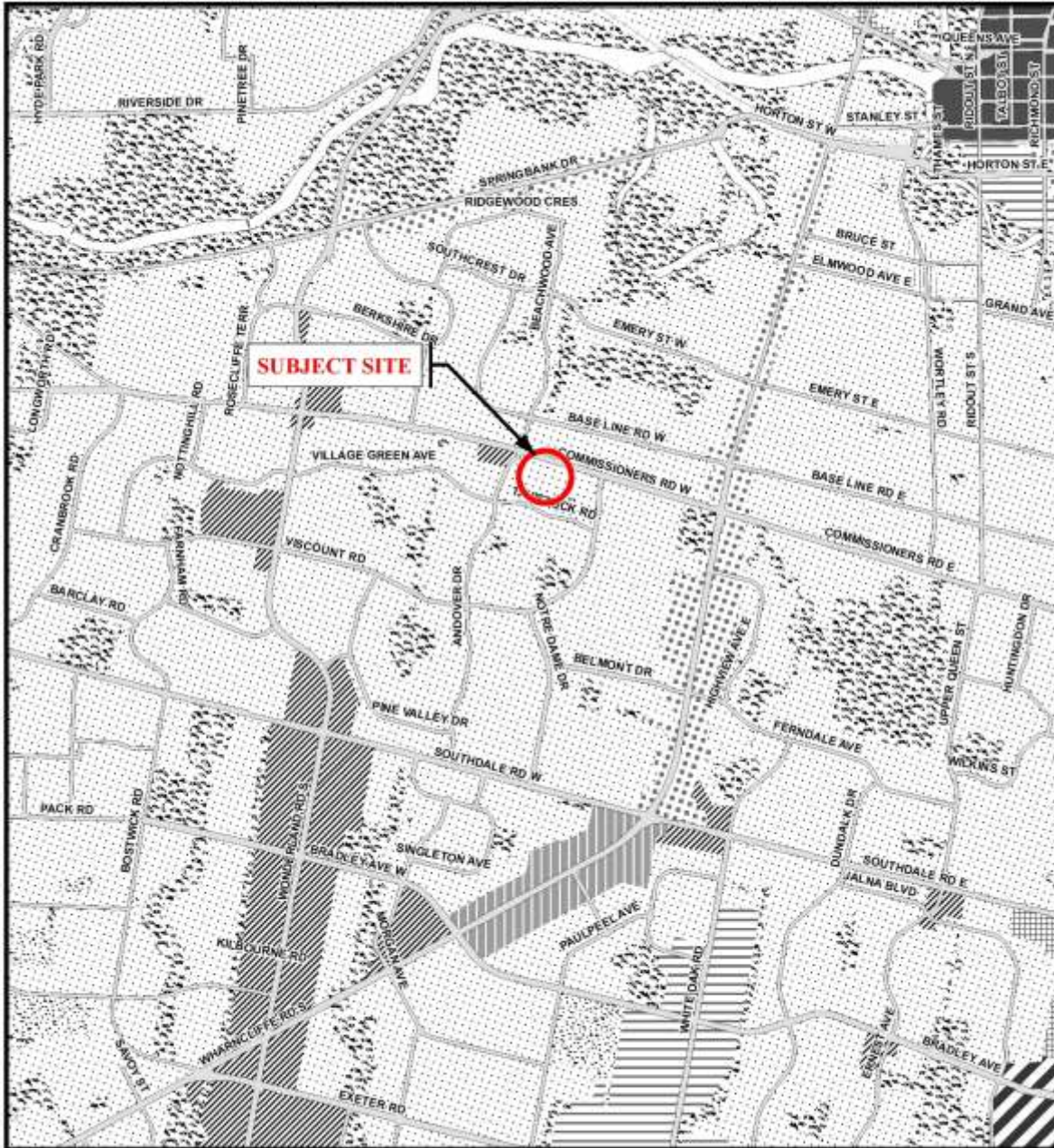
Z.-1 Zoning By-law

- Section 3 – Zones and Symbols
- Section 4 – General Provisions
- Section 29 – Convenience Commercial

Appendix D – Relevant Background

Additional Maps





Legend

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

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

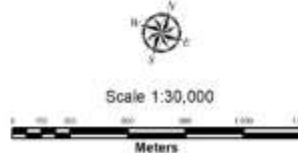
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

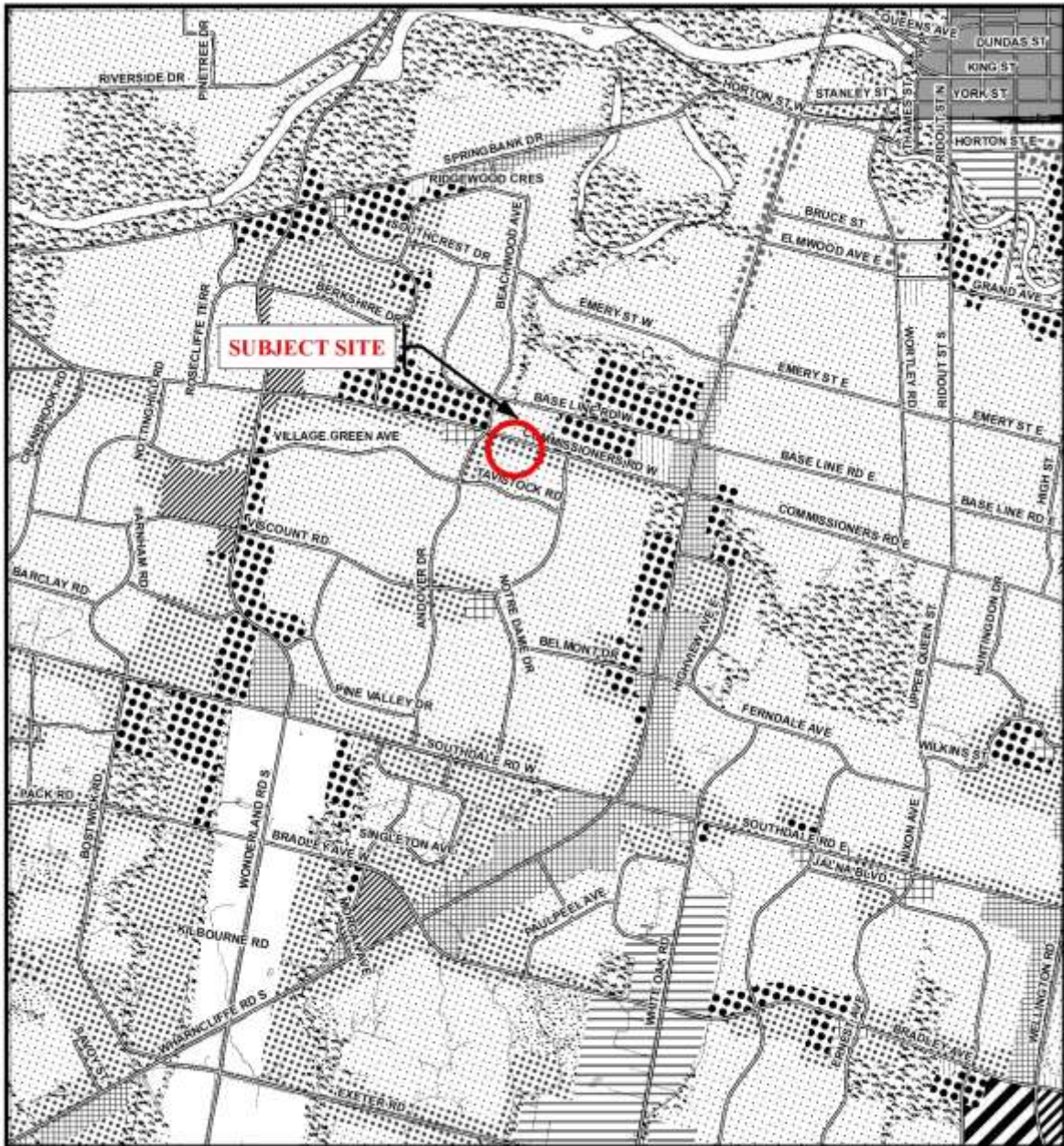
Planning Services /
Development Services

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

PREPARED BY: Planning Services

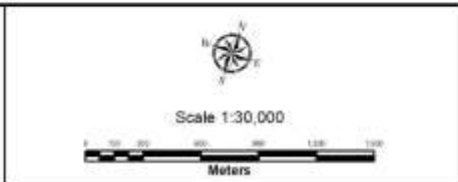


File Number: Z-9062
Planner: SW
Technician: DM
Date: August 12, 2019



Legend	
	Downtown
	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
	Office Business Park
	General Industrial
	Light Industrial
	Regional Facility
	Community Facility
	Open Space
	Urban Reserve - Community Growth
	Urban Reserve - Industrial Growth
	Rural Settlement
	Environmental Review
	Agriculture
	Urban Growth Boundary

CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -
 PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-9062
 PLANNER: SW
 TECHNICIAN: DM
 DATE: 2019/08/12

PROJECT LOCATION: c:\planning\projects\p_officialplan\work\consolid00\excopts\lrx\td_templates\scheduleA_NEW_b&w_8x14.mxd



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- | | |
|--|---|
| <ul style="list-style-type: none"> R1 - SINGLE DETACHED DWELLINGS R2 - SINGLE AND TWO UNIT DWELLINGS R3 - SINGLE TO FOUR UNIT DWELLINGS R4 - STREET TOWNHOUSE R5 - CLUSTER TOWNHOUSE R6 - CLUSTER HOUSING ALL FORMS R7 - SENIOR'S HOUSING R8 - MEDIUM DENSITY/LOW RISE APTS. R9 - MEDIUM TO HIGH DENSITY APTS. R10 - HIGH DENSITY APARTMENTS R11 - LODGING HOUSE
 DA - DOWNTOWN AREA RSA - REGIONAL SHOPPING AREA CSA - COMMUNITY SHOPPING AREA NSA - NEIGHBOURHOOD SHOPPING AREA BDC - BUSINESS DISTRICT COMMERCIAL AC - ARTERIAL COMMERCIAL HS - HIGHWAY SERVICE COMMERCIAL RSC - RESTRICTED SERVICE COMMERCIAL CC - CONVENIENCE COMMERCIAL SS - AUTOMOBILE SERVICE STATION ASA - ASSOCIATED SHOPPING AREA COMMERCIAL
 OR - OFFICE/RESIDENTIAL OC - OFFICE CONVERSION RO - RESTRICTED OFFICE OF - OFFICE | <ul style="list-style-type: none"> RF - REGIONAL FACILITY CF - COMMUNITY FACILITY NF - NEIGHBOURHOOD FACILITY HER - HERITAGE DC - DAY CARE
 OS - OPEN SPACE CR - COMMERCIAL RECREATION ER - ENVIRONMENTAL REVIEW
 OB - OFFICE BUSINESS PARK LI - LIGHT INDUSTRIAL GI - GENERAL INDUSTRIAL HI - HEAVY INDUSTRIAL EX - RESOURCE EXTRACTIVE UR - URBAN RESERVE
 AG - AGRICULTURAL AGC - AGRICULTURAL COMMERCIAL RRC - RURAL SETTLEMENT COMMERCIAL TGS - TEMPORARY GARDEN SUITE RT - RAIL TRANSPORTATION
 "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**



FILE NO:

Z-9068

SW

MAP PREPARED:

2019/08/12

DM

1:1,500

0 5 10 20 30 40

Meters

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

Additional Reports

Z-8675: November 28, 2016 – Zoning By-law Amendment to add additional use of medical/dental office and allow for existing parking

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: 2219008 Ontario Ltd (York Developments)
3493 Colonel Talbot Road**

Public Participation Meeting on: September 9, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of 2219008 Ontario Ltd relating to the property located at 3493 Colonel Talbot Road:

- (a) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on September 17, 2019 to amend section 3.6.5, vi), of the 1989 Official Plan, by **ADDING** the subject site to the list of Locations of Convenience Commercial and Service Station uses, to permit Service Station and Convenience Commercial Uses; and,
- (b) The proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on September 17, 2019 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, to change the zoning of the subject property **FROM** a holding Residential R6 Special Provision/Residential R8 Special Provision/Convenience Commercial (h*h-100*h-198*R6-5(46)/R8-4(30)/CC6) Zone, **TO** holding Residential R6 Special Provision/Residential R8 Special Provision/Convenience Commercial Special Provision/Service Station Special Provision (h*h-100*h-198*R6-5(46)/R8-4(30)/CC6(_)/SS2(_)) Zone.

Executive Summary

Summary of Request

The requested amendment would introduce service station uses to the site to be used for a car wash and gas bar and to expand the convenience commercial uses to allow for restaurants, take-out use.

Purpose and the Effect of Recommended Action

The recommended action would allow the site to develop as a gas station with a car wash, convenience store and drive-through, take-out restaurant uses.

Rationale of Recommended Action

- i) The recommended draft plan and zoning amendments are consistent with the *Provincial Policy Statement (PPS), 2014*, which encourages an appropriate range and mix of uses to meet projected requirements of current and future residents;
- ii) The recommended amendment conforms to the in-force policies of The London Plan, including but limited to, the Neighbourhoods Place Type, Our City, Our Strategy, and all other applicable London Plan policies;
- iii) The recommended amendment permits an appropriate range of secondary uses that conform to the in-force policies of the (1989) Official Plan and Southwest Area Secondary Plan, including but not limited to the Multi-Family, Medium Density

Residential designation, and the Convenience Commercial and Service Station polices; and,

- iv) The recommended Zoning By-law Amendment allows development that is compatible with the surrounding land uses and appropriately mitigates impacts.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject site is located at the Pack Road and Colonel Talbot Road intersection and forms a portion of lands within the Silverleaf Subdivision. Part of the plan has been registered as plan 33M-742 which is currently under construction, and part of the plan, including the subject lands, have been draft approved but not yet registered. The subdivision provides for a range of dwellings types and sizes with some convenience commercial uses planned. The property is within the City of London's Southwest Area Secondary Plan and forms part of the North Lambeth Residential Neighbourhood.

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

- The London Plan Place Type – Neighbourhoods
- Official Plan Designation – Low Density Residential and Multi-Family, Medium Density Residential
- Existing Zoning – holding Residential R6 Special Provision/Residential R8 Special Provision/Convenience Commercial (h*h-100*h-198*R6-5(46)/R8-4(30)/CC6) Zone

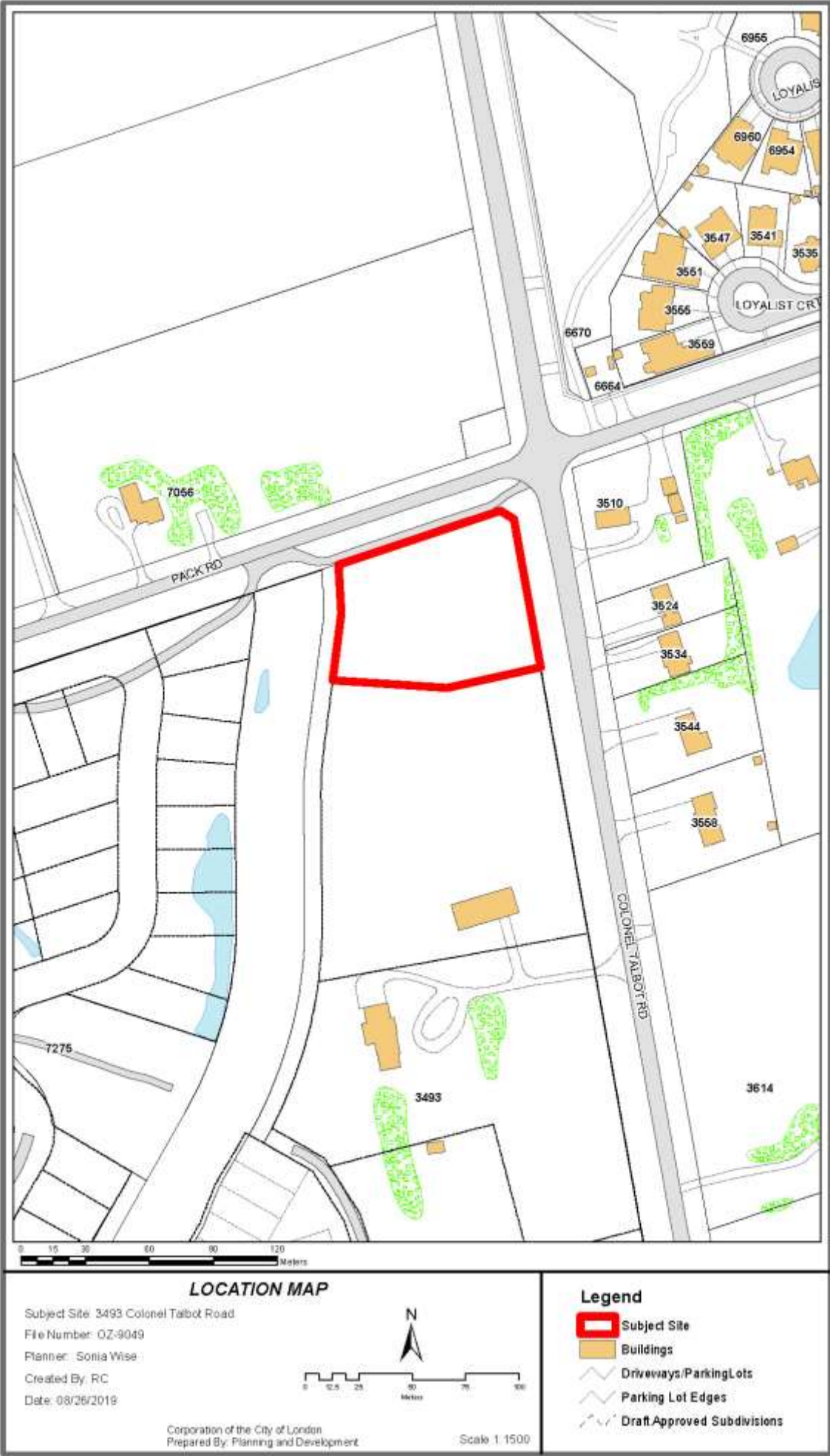
1.3 Site Characteristics

- Current Land Use – Vacant
- Frontage – 71m (Colonel Talbot Road)
- Depth – 84.6m
- Area – 6,527m²
- Shape – Irregular

1.4 Surrounding Land Uses

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

1.5 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The requested amendment will allow for a service station including gas bar and car wash as well as an expanded range of convenience commercial uses such as restaurants. The proposed layout included the primary building accommodating the restaurant and convenience store located at the corner of Pack Road and Colonel Talbot Road, with the gas bar in the middle of the site, and a secondary building for a car wash located towards the southwest corner of the site.

2.2 Requested Amendment

The requested amendment is to add the Service Station Special Provision (SS2(_)) Zone to the lands, and add a new special provision to the Convenience Commercial (CC6(_)) Zone to allow for the service station, car wash and restaurant uses. Special provisions were requested to allow for a reduced setback from the car wash to the residentially zoned lands.



Figure 1: Conceptual Site Plan

2.3 Recommended Amendment

The recommended amendment is to add the Service Station Special Provision (SS2(_)) Zone to the lands, and add a new special provision to the Convenience Commercial (CC6(_)) Zone to allow for the service station, car wash and restaurant uses. The recommended amendment will allow for the primary building location as proposed, but will include additional setbacks for the car wash building and any required noise walls to be located further away from the open space and residential zoned lands.

3.0 Relevant Background

3.1 Silverleaf Subdivision

The subject site is part of the Silverleaf Subdivision (39T-14504) which is situated in the southwest quadrant of the City, and at the southwest corner of Colonel Talbot Road and Pack Road. The total subdivision area is approximately 40.5 ha (100ac) in size and is situated entirely within the City's Urban Growth Boundary with frontage along Colonel Talbot Road and Pack Road (both identified as arterial roads).



Figure 2: Silverleaf Subdivision

The application for Draft Plan of Subdivision was received on September 15, 2014, and was granted draft approval on March 24, 2016. The draft approval included: 172 single detached dwellings lots, three (3) medium density residential blocks, one (1) mixed use block, five (5) walkway blocks, one (1) future development block, two (2) park blocks, two (2) open space blocks, and a stormwater management block; serviced by Pack Road, and six (6) local public streets (including the extension of Isaac Drive to the north).

Phase 1 of the subdivision has been registered as plan 33M-742, which consists of 108 single family detached lots, the Stormwater Management Facility Dingman Tributary B4, six (6) park blocks, one (1) medium density block and several road widening's and 0.3 m (one foot) reserve blocks. Future phase(s) will include the balance of the lands which are draft approved but have not yet received final approval.

3.2 Community Engagement (see more detail in Appendix C)

There were 4 replies received to the circulation of the application, which have been reviewed, incorporated or addressed through this report where possible. A summary of concerns expressed include the following:

- No need for a gas bar in this location (x2)
- Does not fit with residential character

- Currently difficult to turn left from Pack Road to Colonel Talbot Road (x2)
- Negative impacts on traffic flow, traffic volume, noise and collisions (x3)
- Negative impact on property values (x2)
- There are already 20 gas bars within 5km of the site
- Environmental impact of buried and leaky gas tanks (x3)
- Soil Contamination
- Less need for gas stations with more electric cars
- Concern for future reuse of site when/if gas station ceases operation
- Negative impact of commercial uses on pathway ambience
- Not in keeping with what was originally requested
- Lot coverage is too high
- Drive throughs are prohibited
- Should be located in a commercial area

3.3 Policy Context (see more detail in Appendix C)

Provincial Policy Statement

The Provincial Policy Statement (PPS) 2014, provides policy direction on matters of provincial interest related to land use planning and development. These lands are located within the City's Urban Growth Boundary and in an area of the City where growth is planned and appropriate.

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 the majority of which is in force and effect). *The London Plan* policies under appeal to the *Local Planning Appeals Tribunal* (Appeal PL170100) and not in force and effect are indicated with an asterisk (*) throughout this report. *The London Plan* policies under appeal are included in this report for informative purposes indicating the intent of City Council, but are not determinative for the purposes of this planning application. The subject lands are located within the Neighbourhoods Place Type in The London Plan, and front the Civic Boulevards of Pack Road and Colonel Talbot Road.

(1989) Official Plan

The subject site is located within the Low Density Residential (LDR), and Multi-Family, Medium Density Residential (MFMDR) designations in the (1989) Official Plan, which primarily permits a range of low to mid-rise residential uses. The policies contemplate service stations and convenience commercial uses in the residential designations where appropriate.

Southwest Area Secondary Plan

Both The London Plan and the (1989) Official Plan recognize the need and role of a Secondary Plan to provide more detailed policy guidance for a specific area that goes beyond the general policies. The Southwest Area Secondary Plan (SWAP) forms part of The London Plan and the (1989) Official Plan, and its policies prevail over the more general Official Plan policies if there is a conflict (1556 & 1558*). The subject site is within the North Lambeth Residential Neighbourhood, and within the Low Density Residential (LDR) and Medium Density Residential (MDR) designations. The Secondary Plan serves as a basis for the review of planning applications, which will be used in conjunction with the other policies of the Official Plan.

4.0 Key Issues and Considerations

Provincial Policy Statement, 2014

The subject site is located within the Urban Growth Boundary and within an area of designated residential growth, which is consistent with the PPS which identifies that

settlement areas “shall be the focus of growth and development” (1.1.3.1). New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form and mix of uses that allows for the efficient use of land (1.1.3.6). The proposed convenience commercial and service station uses efficiently utilize the existing infrastructure, public service facilities and are located at the exterior of the neighbourhood providing adequate separation from residential uses.

The PPS encourages healthy, livable and safe communities that are sustained by accommodating an appropriate range and mix of residential, employment and recreational uses to meet long-term needs (1.1.1.b). The site is within an existing settlement area and appropriately contributes to a local mix of commercial uses.

The PPS requires planning authorities to promote economic development and competitiveness by providing for an appropriate mix and range of employment uses, and providing opportunities for a diversified economic base (1.3.1.b). The site is suitable for small-scale commercial employment uses and will serve the local area and passing motorists. The additional uses being recommended will allow the subject site the ability to offer an appropriate mix and range of local employment uses and moderately diversify its economic base.

The London Plan

The London Plan includes criteria for evaluating Applications for Official Plan and Zoning By-law Amendments through policy 1577* that requires consideration of:

1. Our Strategy
2. Our City
3. City Building policies
4. The policies of the place type
5. Our Tools
6. Relevant Secondary Plans and Specific Policies

Our Strategy

The Our Strategy policies of The London Plan implements the vision of the plan through the use of overarching key directions (54).

Direction #5 - to build a mixed-use compact City that mixes “stores, restaurants, clean industry, live-work arrangements and services in ways that respect the character of neighbourhoods while enhancing walkability” (59_6). The proposed service station and convenience commercial uses provide a local service centre that will serve the travelling public as well as providing walkable services for the nearby existing and planned communities.

Direction #8 - to make wise planning decisions ensures that new development is a “good fit within the context of an existing neighbourhood” (62_9). The proposed uses are located at the intersection of two Civic Boulevards at the periphery of the subdivision which will maintain the residential integrity in the interior of the subdivision, while providing beneficial access to small-scale commercial services.

Our City

The City Structure Plan in the Our City section of The London Plan provides a framework for London’s growth and change in the future (69). The City Structure Plan is comprised of the following framework policy areas: growth, green, mobility, economic and community. The community framework establishes a high-level structure for defining neighbourhoods and planning districts. Neighbourhoods are described as often including places where people shop, work, worship, go to school and recreate (143). The proposed uses provide a modest amount of new local employment and shopping needs that serve the nearby neighbourhood.

Rural-Urban Interface

The site is located south of Pack Road, which forms the extent of the Urban Growth Boundary and lands on the north side of Pack Road are actively utilized for Agricultural uses. Development proposals at this interface are required to utilize design measures to mitigate conflicts between the urban and rural uses (99_1). The proposed service station and convenience commercial uses are not considered to be sensitive uses and do not represent a conflict from any impacts of agricultural practices such as noise, odours, dust or other nuisances. The provision of the gas bar, restaurant and convenience store will serve the nearby agricultural community much in the same way as the existing and future residential neighbourhoods within the Urban Growth Boundary and are considered to be complementary in function and layout.

City Building

The policies of the City Building section provide the over-arching direction for how the City will grow over the next 20 years (184).

Crime Prevention Through Environmental Design (CPTED)

Neighbourhood streets and all infrastructure will be planned and designed to enhance safety by implementing the principles of *Crime Prevention Through Environmental Design*, encouraging greater levels of passive surveillance (228). The proposed noise wall will interrupt clear views to the pathway from the site as well as from the site to the pathway. The wall will also reduce the sight lines interrupting visual connection to a predictable route, and can create an isolating effect and concealment of that portion of the pathway. The natural and passive surveillance would also be substantially reduced with the wall as opposed to a wrought iron fence that provides visibility into and out of the site. In order to address these negative impacts, setbacks are proposed to increase the distance from residential and open space zoned lands to reduce or eliminate the need and/or height required for noise attenuation barriers.

Site Layout

Site Layout should be designed to minimize and mitigate impacts on adjacent properties (253). The commercial building for the convenience store and restaurant are appropriately located along the street edge, as buildings should be sited so that they maintain and reinforce the prevailing street wall (256). The car wash facility as proposed has requested a reduced 5m setback to the adjacent residential zoned lands, which requires a 3.0 - 4.5m noise attenuation barrier to be erected which impacts residential amenity. Fencing and landscaping will further provide buffering and amenity for the site, though any fencing or noise walls would need to be as minor as possible to ensure they do not create an unnecessary obstruction.

Buildings should be sited with minimal setbacks from public rights of way to create a street wall and sense of enclosure (259*). The main commercial building on site is located and oriented towards the intersection of Colonel Talbot Road and Pack Road which will provide convenient access to future pedestrian facilities and establishes the commercial presence, and also minimizes the visual exposure of parking areas to the street (269). Further, buildings located on corner sites should address the corner through building massing, location of entrances, and architectural elements (290*). The building location at the corner of Pack Road and Colonel Talbot Road is oriented to, and addresses the intersection and provides the commercial presence on both streets providing direct pedestrian connections and patio space for activation.

The siting of buildings and layout of sites should create and preserve views of landmarks and natural features (257*). A pedestrian pathway is located to the west of the site along the Mathers Steam corridor which provides access to Pack Road and active transportation options to the site. The noise attenuation wall proposed for the residential interface along the southern property boundary is also proposed for a portion (35m) of the southwest corner of the site along the Mathers Stream corridor, which will obstruct views to and from the pathway and detract from the natural features and

setting. The interface with the pathway will require thoughtful integration to ensure there is adequate connection to the site and obvious sightlines are maintained.

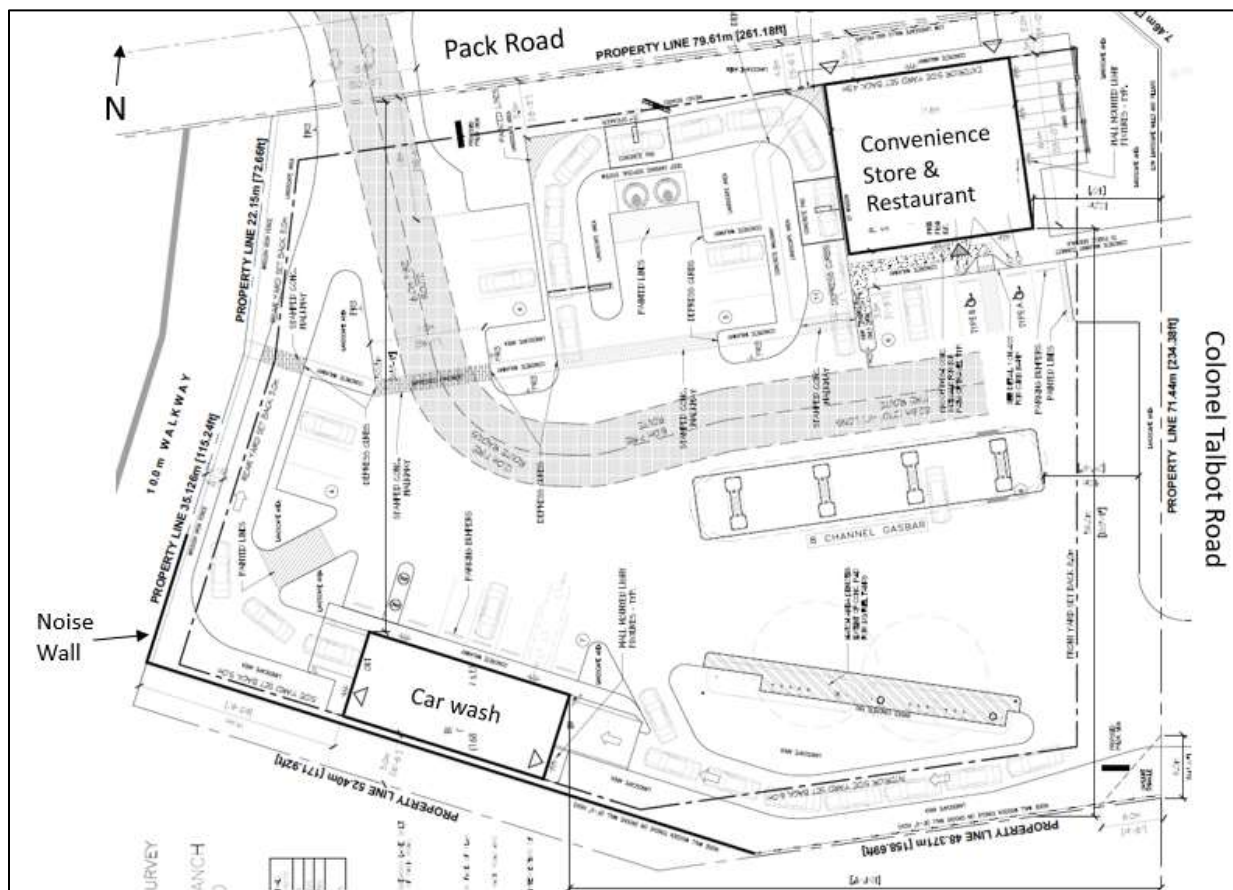


Figure 3: Conceptual Site Plan

The drive aisles for drive through facilities should not be located between the street and the face of the building in the front or exterior side yard, and these facilities should not interfere with direct pedestrian access to the building from the sidewalk (264). The drive through proposed is not located between the building and the street/sidewalks, and is located to the west of the building along the Pack Road frontage. Drive through facilities shall address matters such as pedestrian circulation, vehicular circulation, access and parking, built form, streetscape and landscaping (265). The drive through aisle is proposed to be setback from Pack Road to allow for tree planting and landscaping to buffer the visual impact of queuing vehicles. There are clear pedestrian connections to access the building that do not require crossing through vehicles in the drive through. Principle building entrances and transparent windows should be located to face the public right of way to reinforce the public realm and establish an active frontage (291*). Clear glazing is proposed along Pack Road, and there are entrances from Colonel Talbot Road and Pack Road to the building which provides for convenient future pedestrian access.

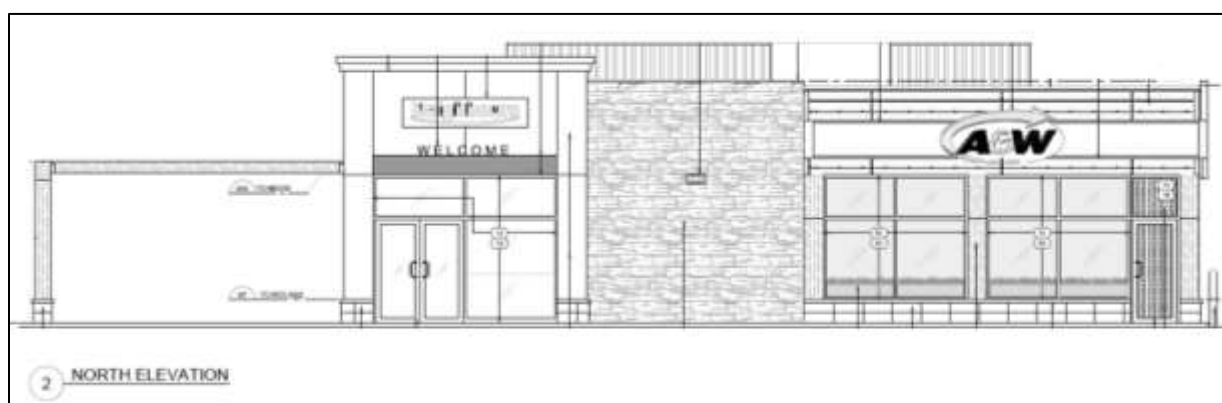


Figure 4: North Elevation – Main Building

Place Type

The subject site is within the Neighbourhoods Place Type which primarily allows for low

and mid-rise residential uses. Neighbourhoods are intended to be vibrant, exciting places to live which will be delivered through: easy access to daily goods and services within walking distance and employment opportunities close to where people live (916_6 & 7*). The requested amendment is proposed to provide additional secondary uses at the periphery of a future neighbourhood that will serve future residents for day to day needs.

Mixed-use, commercial and service uses will be permitted at appropriate locations within neighbourhoods to meet the daily needs of neighbourhood residents (918_5*). The site is currently zoned to permit convenience commercial uses and the addition of service station uses will provide additional services for the daily needs of local residents as well as catering to passing motorists.

In conformity with tables 10 – 12* if a property is located at the intersection of two major streets the range of permitted uses is broader and the intensity of development may increase (919_4). The site has frontage on two civic boulevards which allows for stand-alone retail, service and office uses in addition to the general permitted uses in the Neighbourhoods Place Type.

The form of development for a site at the intersection of two civic boulevards ranges from a minimum of 2 storeys with a maximum of up to 4 storeys, and potential to bonus up to 6 storeys (table 11*). The proposal is for a one storey building which is less than the minimum required height, but still achieves the objectives of framing the street and creating a strong built form edge.

New drive through facilities may be permitted in the Neighbourhoods Place Type only on properties located at the intersection of streets classified as either Civic Boulevards and/or Urban Thoroughfare; and where it can be clearly demonstrated that they will not detract from the vision and role of the Place Type and the quality and character of the pedestrian-oriented street environment (932). The site is located at the intersection of two Civic Boulevards and at the edge of the residential subdivision which preserves the residential nature of the Neighbourhoods Place Type. The main drive-through for the primary building is appropriately separated from Pack Road which allows adequate space for the screening and buffering through landscaping. The drive-through is not located between the building and the street which ensures pedestrians have clear and unobstructed access to the building from Pack Road without having to walk through queuing vehicles in the drive-through to access the building. The secondary drive-through associated with the car wash is at the rear or interior of the site which will serve vehicles only and will not have any conflicts with pedestrians accessing any of the on-site services.

Our Tools

The development of sensitive land uses on lands in close proximity to commercial, industrial or institutional uses will have regard for potential impacts from noise and vibration (1766). The Z.-1 Zoning By-law has minimum setback requirements from drive through facilities to residentially zoned lands which requires 30m as a minimum. Where a noise wall is proposed of 2.4m, the setback can be reduced to 15m minimum. The requested setback is at 5m from the property boundary to the south where the lands are zoned residential. Such a reduced setback can only mitigate the noise generated from the car wash with a 3.0m - 4.5m (9.8 ft - 14.7 ft) tall noise attenuation wall, which creates an unreasonably large, towering obstruction between the commercial and residential interface and the commercial pathway interface along the Mathers Stream. The noise mitigation for the car wash in the proposed location results in a negative impact for the future residential lands, as well as the Mathers Stream corridor which would have sight lines obstructed, creating concerns from a *Crime Prevention Through Environmental Design (CPTED)* perspective.

The evaluation criteria for planning and development applications in addition to consideration for use, intensity and form include potential impacts on adjacent lands and nearby properties, and the degree to which the impacts can be managed and mitigated (1578_6*). An analysis of potential impacts on nearby properties may include

such things as:

a. Traffic and Access Management

The site has access to two Civic Boulevards (arterial roads) which provides high carrying capacity of vehicles, with Colonel Talbot Road accommodating approximately 13,000 vehicles per day and Pack Road accommodating approximately 2,500 vehicles per day. The site is well located to serve passing motorists with access from both Pack Road and Colonel Talbot Road.

b. Noise

A noise study was undertaken to measure the noise generated from the proposed uses. The focus of the report was on the car wash building, vacuum systems, commercial retail units and their rooftop HVAC units for their potential noise impact on the neighbourhood. The points of reception for potential noise impacts included the future townhouse and apartment building to the south, an existing bungalow to the east, future single detached dwellings to the west, and existing single detached dwellings to the northwest of the site.

The study recommended an acoustic barrier (noise wall) for the car wash that would range from 3.0m – 4.5m in height forming an L-shape at the exit location of the car wash. The barrier height along the southern extent of the car wash would be 3.0m and then would wrap to the north along the western boundary where the Mathers Stream is located increasing to 4.5m in height for 35m. If there were to be habitable space in the townhouses to the south, the barrier height would need to increase to 4.5m in height along the southern boundary as well. The mitigation for noise impacts must be reasonable to address the source generator of noise, but also be an appropriate fit within the context of the abutting properties and surrounding neighbourhood.

c. Parking on streets or adjacent properties

The uses on site have adequate parking provided and are unlikely to generate any off-site parking demands.

d. Emissions generated by the use such as odour, dust or other airborne emissions

The Province's D-Series Guidelines contain measures for land use proposals to prevent or minimize adverse effects from the encroachment of incompatible land uses on one another. There are guidelines for Gas or Oil pipelines, but not for gas bars or fuel stations. The Official Plan allows for the consideration of these uses within the residential designations and there is a low probability of odour emission generation that may be encountered offsite.

e. Lighting

At the time of Site Plan, a photometric plan will be required to show the various lighting sources proposed on site. The Site Plan process will ensure that all lighting of the site will be oriented to the interior and have its intensity controlled to prevent glare on adjacent roadways and residential properties.

f. Garbage Generated by the Use

The garbage generated by the uses will be required to be contained in accordance with the Site Plan Control By-law which requires interior storage or exterior enclosure. Garbage storage that is not located within a building will be located, constructed, used and maintained to ensure that odour, noise from use, noise from collection, accessibility by animals, and containment of debris are controlled; and that view from adjoining streets and properties to the storage facility is screened.

g. Loss of Privacy

There is no anticipated loss of privacy associated with the proposed uses. The commercial uses are oriented towards the corner of Pack Road and Colonel Talbot Road away from the future residential dwellings to the south and west, and are buffered from the existing residential dwellings by the major roads of Pack Road and Colonel Talbot Road.

h. Shadowing

The convenience commercial building, gas pump islands, and car wash buildings are all approximately one (1) storey in height and are not anticipated to be the source of any major shadows. The noise wall in the proposed location will cast shadows on the Mathers Stream to the west, which is proposed to be managed through additional setbacks along the stream corridor.

i. Visual impact

The proposed noise wall along the south and west property boundaries will have a negative visual impact on the character and nature of the residential neighbourhood located to the south. Noise mitigation walls along arterial roads have been strongly discouraged in residential neighbourhoods due to the loss of residential amenity and reduced streetscape activity. Similar impacts are to be expected for a noise wall in this location as noise walls are not common features in residential neighbourhoods and are discouraged unless there are no other alternatives to design and mitigation.

j. Loss of views

There will be an associated loss of views from the Mathers Stream corridor to the site and similarly from the site to the Mathers Stream due to the proposed noise wall. Having easily visible view corridors assists with way-finding for pedestrians or cyclists and makes the connection to pathways obvious and convenient. Obstructing views to these public pathways results in difficulty navigating and also creates blind corners and edges that can affect the perception of safety and subsequently usability.

k. Loss of trees and Canopy Cover

There are no existing trees on the site that will be lost due to the development proposed, as the site is currently vacant.

l. Impact on Cultural Heritage Features and Areas

There are no cultural heritage features that will be lost due to the development of the site, and no nearby features that would be impacted.

m. Impact on natural resources

There are no natural resources on site, and no anticipated impacts to nearby natural resources. A portion of the site is located within the UTRCA's regulated area and Dingman Creek Screening Area. The development of the lands will require a Section 28 permit from the authority, and the UTRCA has expressed 'no objections' to the application.

Southwest Area Secondary Plan

The Southwest Area Secondary Plan contains general policies that are applicable for all designations within the plan area. Section 20.5.3.9 contains the plan's urban design policies which emphasize a strong reliance on a high quality public realm delivered by buildings and public spaces.

Public safety, views and accessibility, both physically and visually to the Open Space System, as well as to parks, school and other natural and civic features will be an

important consideration in community design (20.5.3.9.i.e). The noise wall extending along the west boundary unnecessarily and unreasonably obstructs the views to the Mathers Stream and will be addressed by an increased minimum setback requirement for the car wash and associated drive-through to eliminate the need for the noise wall obstructing the visual access to this feature.

Safe community design to promote safety, security and accessibility in public spaces is achieved through urban design including the design and siting of buildings and structures that: provides opportunities for “visual connections and ease of public access to adjacent streets, parks and other public areas” (20.5.3.9.i.i). The noise attenuation wall that would be required to support the location of the car wash in the location requested would be 4.5m or 14.7ft along a portion of the property boundary that is shared with the Mathers Stream and would impede visual connection to the corridor. The site is sufficiently large that the car wash and drive-through could be relocated further from the nearby sensitive uses that require the additional mitigation.

Buildings and Site Design

Commercial development is intended to be oriented to the street creating a pleasant, pedestrian shopping environment where the principal public entrance shall provide direct access onto the public sidewalk (20.5.3.9.iii.b). The main building with the restaurant and convenience store is located close to the intersection of Pack Road and Colonel Talbot Road. There is a door from the convenience store that leads to Pack Road which provides direct pedestrian access to the building without having to go through the parking or drive-through areas. There is also a patio space located along the Colonel Talbot Road frontage at the intersection which will positively activate the space along the road.

General Policies

Residential areas will develop as traditional suburban neighbourhoods reflecting compact development and walkable amenities to enhance the day to day living experience (20.5.4.1.ii). The site will be walkable to the future and existing residents to the south and east and will provide local services and convenience shopping.

North Lambeth Neighbourhood

The site is located within the North Lambeth Neighbourhood, primarily within the medium density residential designation with a small portion within the low density residential designation. The Southwest Area Secondary Plan allows the primary permitted uses within the Medium Density Residential Designations to be permitted in the Low and Medium Density Residential Designations, including a limited range of convenience and personal service commercial uses, small-scale eat-in restaurants, civic and institutional uses within the medium density residential designation (20.5.10.1.ii). The site has existing permission for convenience commercial uses, and is seeking to broaden the range of uses with the addition of a take-out restaurant and to add the service station use through an Official Plan Amendment. The requested uses are regulated by policy 3.6.5 in the 1989 Official Plan for convenience commercial and service station uses in the residential designations.

1989 Official Plan

3.6.5 Convenience Commercial and Service Stations

The preferred location for convenience commercial and service station uses is within the commercial designations, however it is recognized that on some sites in the residential designations these uses may be appropriate. New convenience commercial and service stations within the residential designations require an Official Plan and Zone change, based on the following criteria:

- i) *Convenience commercial uses should be designed to function at a neighbourhood scale while providing services to surrounding residential areas and the travelling public*

The site has existing convenience commercial zoning which permits a range of small-scale, local commercial and retail uses, and the additional uses of service station and take-out restaurant will further serve the local community while also providing services to passing motorists.

- ii) *Convenience commercial and service station uses permitted within the residential designations including the following:*
- a. *Variety stores, video rental outlets, film processing depots, financial institutions, medical/dental offices, small take-out restaurants and small food stores.*
 - b. *Service stations, gas bars, and service stations in combination with car washes.*

The total gross floor area for the site is under 500m² which provides a limited range of commercial and service uses. The proposed convenience store, take-out restaurant, gas bar and car wash are appropriate for the site and will serve the local area as well as the travelling public. The small-scale nature of the site ensures the proposed uses are not intended, or more appropriate for, a commercial designation instead.

- iii) *Convenience commercial uses and service stations will be located on arterial or primary collector roads where it can be demonstrated that such uses are compatible with surrounding land uses and will not have a serious adverse impact on the traffic-carrying capacity of roads in the area. The preferred locations for convenience commercial uses and service stations are at the intersections of major roads.*

The site has frontage on both Colonel Talbot Road and Pack Road which are arterials (civic boulevards) in this location. The site is located towards the edge of the Silverleaf Subdivision along the periphery of the community which retains the interior of the community as uninterrupted residential uses. The access to the arterial roads provides convenient access into and out of the site and will not have adverse impacts on the traffic-carry capacity of the roads.

- iv) *The size of individual convenience commercial uses and service stations will be specified in the Zoning By-law, and will be at a scale which is compatible with surrounding land uses.*
- a. *Convenience commercial centres or stand-alone uses should not exceed 1,000m of gross leasable area.*
 - b. *Service stations which are part of a convenience commercial centre shall be considered part of the gross leasable area of the centre.*

The total gross floor area of the proposed uses includes the service station area, and is under 500m², which is less than half of the contemplated maximum for convenience commercial centres within residential designations of up to 1,000m² on appropriate sites. The small-scale nature of the site is appropriate to serve both the local community and travelling public.

- v) *Convenience commercial uses and service stations will be permitted as stand-alone uses or as part of a convenience commercial centre. It is not the intent of convenience commercial policies to permit large free-standing uses that should be located in other commercial designations.*

The site is appropriately located to support small-scale, stand-alone convenience commercial and service station uses which will provide services to the surrounding community in a walkable distance to much of the Silverleaf

Subdivision. The limited gross floor area of less than 500m² combined with the moderate range of uses ensures the site maintains a local function, and does not compete with other commercial sites in commercial designations for destination commercial trips.

5.0 Key Issues and Considerations

5.1 Car Wash and Noise Wall

There is a car wash proposed towards the southerly property boundary of the site with a requested reduced interior side yard setback of 5m. The Z.-1 Zoning By-law governs the location of drive-through facilities in section 4.35, and requires a minimum setback of 30m from residential zoned lands from the edge of the drive-through lane or speaker location, whichever is closer. This setback may be reduced to 15m if a 2.4m high noise attenuation barrier is installed between the residential use and the drive-through lane.

Further reductions to the setback may be considered upon the City's review and acceptance of mitigation measures identified by a noise study prepared by a qualified noise consultant. The requested 5m setback was accompanied by a Noise Study that identified the need for a 3m to 4.5m acoustic noise barrier forming an L-shape along the southern property boundary and western boundary with the Mathers Stream to mitigate noise produced by the car wash on nearby sensitive residential uses. The height of the noise wall is considered to be excessive and unreasonable as a response to mitigating noise produced by the car wash and is not an acceptable solution. The car wash use itself is not a fundamental concern for the site, however the location and setback of the car wash is a significant concern given the intensive mitigation required to manage noise on nearby future and existing residential uses.

An alternative location for the car wash on site away from the residential zoned lands or green space associated with the Mathers Stream would better protect the residential and open space lands from noise impacts and avoid the need for the unreasonably sized noise mitigation wall. A second alternative is to increase the size of the property to provide additional setbacks from the requested 5m to 15m, as there are no set property boundaries at this time. The requested 5m setback is considered to be too great of a reduction based on the intensive mitigation response required.

The 3m-4.5m noise wall would also create a visual barrier along the Mathers Stream pathway and corridor and will detract from the natural setting and amenity along the corridor. The recommended response is to require a minimum setback of 15m from the residential zoned lands along the southerly boundary for the building and drive-through, and for a minimum setback of 30m for the building along the rear yard for the westerly boundary from the open space zoned Mathers Stream corridor. Any required noise walls would need to be less than 2.4m in height, and setback 15m from the open space zone. The car wash location, and associated noise mitigation would be further addressed and implemented through the Site Plan Application review.

5.2 Transportation and Traffic Impacts

There were concerns raised by the community about the impacts of the uses proposed on the area roads, as well as the existing transportation network surrounding the site. There is a 2 lane upgrade identified in the 2019 Development Charges Background Study for Colonel Talbot Road from James Street to Southdale Road in 2023, and on Pack Road from Colonel Talbot Road to Bostwick Road in 2032. There are currently north and southbound left turn lanes on Colonel Talbot Road and traffic signals are currently scheduled for construction in 2021 as part of a large road project. Transportation also identified the need for the construction of a left turn lane on Pack Road, as well as the extension of the left turn lane on Colonel Talbot Road to support safe and efficient access to the site while minimizing impact to the adjacent transportation network.

Gas stations and car washes are typically not destination trips and rely in the most part on pass by trips and diverted link trips, which means these uses typically do not

generate 'new' vehicle trips, but instead draw from existing adjacent street volumes and existing vehicles passing by the site. The proposed uses will cater to commuters, residents and motorists that are generally already in the area and are unlikely to draw patrons from further away. The site has access to the Mathers Stream pathway which provides connections to the future community to the south, for walkable and active transportation trips for the convenience service needs of residents utilizing the restaurant or convenience store.

5.3 Impact to Nearby Natural Area

Concern was expressed by the community regarding the proximity of the service station and the Mathers Stream corridor regarding possible contamination. The zoning of the lands to permit the service station use would still require the licencing of the facility through the Province which would regulate the operation and construction.

The Technical Standards and Safety Authority TSSA in accordance with the *Technical Standards and Safety Act, 2000* regulates the transportation, storage, handling and use of fuels in Ontario. The TSSA licences fuel facilities, registers contractors, and certifies tradespeople who install and service equipment, including the operation of fuel stations and liquid fuels through Ontario Regulation 217/01 – Liquid Fuels. The regulations are in place to ensure that the operator or licence holder ensures that every container, equipment and facility in the handling of gasoline is maintained in a safe operating condition. A licence is required under the authority for the operation of a facility which includes inspection and review of the details for the:

- location of all storage tanks;
- location of pump islands;
- details of the storage tanks, including their capacity and material of construction;
- location of property lines, buildings, kiosks, and wells located within 30m of the storage tanks and pumps;
- distance from storage tanks and dispensers to property lines, buildings and wells;
- location of vent pipes; and,
- location of the control equipment for self-serve stations.

The *Environmental Protection Act, R.S.O. 1990* (EPA) governs any fuel spillage through the Ontario Regulation 675/98, Classification and Exemption of Spills and Reporting of Discharges, under Class VIII – Petroleum Sector. A Class VIII spill is a spill of gasoline or an associated product at a location such as a bulk plant, marina, private outlet or retail outlet of not more than 25L in areas with public access, or of not more than 100L in areas restricted from public access.

Spills and notices of spills are defined and required under Part X section 91 (1) and 92 (1) of the *Environmental Protection Act R.S.O. 1990* to the Ministry, any municipality within the boundaries of the spill, the owner of the pollutant, and the person having control of the pollutant. A Class VIII spill is exempt from clauses 92 (1) if:

- a. the spill does not enter and is not likely to enter any waters, as defined in the *Ontario Water Resources Act*, directly or through drainage structures;
- b. the spill does not cause and is not likely to cause any adverse effects, other than those that are already remediated through cleanup and restoration of paved, gravelled or sodded surfaces; and,
- c. arrangements for the remediation referred to in clause b. are made and carried out immediately.

Further, a Spill Prevention and Spill Contingency Plan is required under section 91.1 of the EPA, which is required to be developed and implemented to:

- a. prevent or reduce the risk of spills of pollutants; and
- b. prevent, eliminate or ameliorate any adverse effects that result or may result from spills of pollutants, including,
 - i) plans to notify the Ministry, other public authorities and members of the public who may be affected by a spill, and
 - ii) plans to ensure that appropriate equipment, material and personnel are available to respond to a spill.

Fuel facilities and operations are comprehensively and appropriately regulated by the Provincial government with regards to their operation, as well as the prevention and response to fuel spillage. At the time of Site Plan Approval quality measures will be required such as an oil/grit separator, as well as an Environmental Compliance Approval (ECA) which will address on-site controls for stormwater management.

6.0 Zoning By-law Amendment

The recommended amendment is to add the Service Station Special Provision (SS2(_)) Zone to the lands, and to amend the existing Convenience Commercial zoning through a Convenience Commercial Special Provision (CC6(_)) Zone. The Service Station Special Provision (SS2(_)) Zone will allow for the gas bar and car wash uses, with increased setbacks from residential and open space zoned lands for the car wash and any noise walls that may be required. A special provision will also address the maximum height of any noise attenuation wall on site to be no more than 2.4m. The Convenience Commercial Special Provision (CC6(_)) Zone will allow for the take-out restaurant use and associated drive-through facility.

The residential zones are appropriate to remain on the lands in the event the service station use does not eventuate, to allow a residential or mixed residential and commercial form. If residential uses are proposed after service station uses operated and ceased on the site, the assessment and remediation of the site through a Record of Site Condition would be required.

More information and detail is available in the appendices of this report.

5.0 Conclusion

The recommended amendment for the service station and convenience commercial uses is consistent with the Provincial Policy Statement, and conforms to the policies of The London Plan, the Southwest Area Secondary Plan and the (1989) Official Plan. The recommended amendment implements an appropriate use for the site and a compatible development for the surrounding lands. The Zoning By-law regulations adequately address the car wash location and mitigate impacts from any associated noise walls.

Prepared by:	Sonia Wise, MCIP, RPP Senior Planner, Development Services
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.	

August 30, 2019

cc: Matt Feldberg, Manager, Development Services (Subdivisions)
Ismail Abushehada, Manager, Development Engineering
Lou Pompili, Manager, Development Planning

Y:\Shared\ADMIN\1- PEC Reports\2019 PEC Reports\13- September 9\3493 Colonel Talbot Road OZ-9049 SW 1 of 1.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 3493
Colonel Talbot 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 September 17, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 17, 2019
Second Reading – September 17, 2019
Third Reading – September 17, 2019

AMENDMENT NO.
to the
OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to add a new policy in Section 3.6.5 vi) of the Official Plan for the City of London to add a portion of 3493 Colonel Talbot Road to list of locations that permit convenience commercial and service station uses.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to the northeast portion of 3493 Colonel Talbot Road in the City of London.

C. BASIS OF THE AMENDMENT

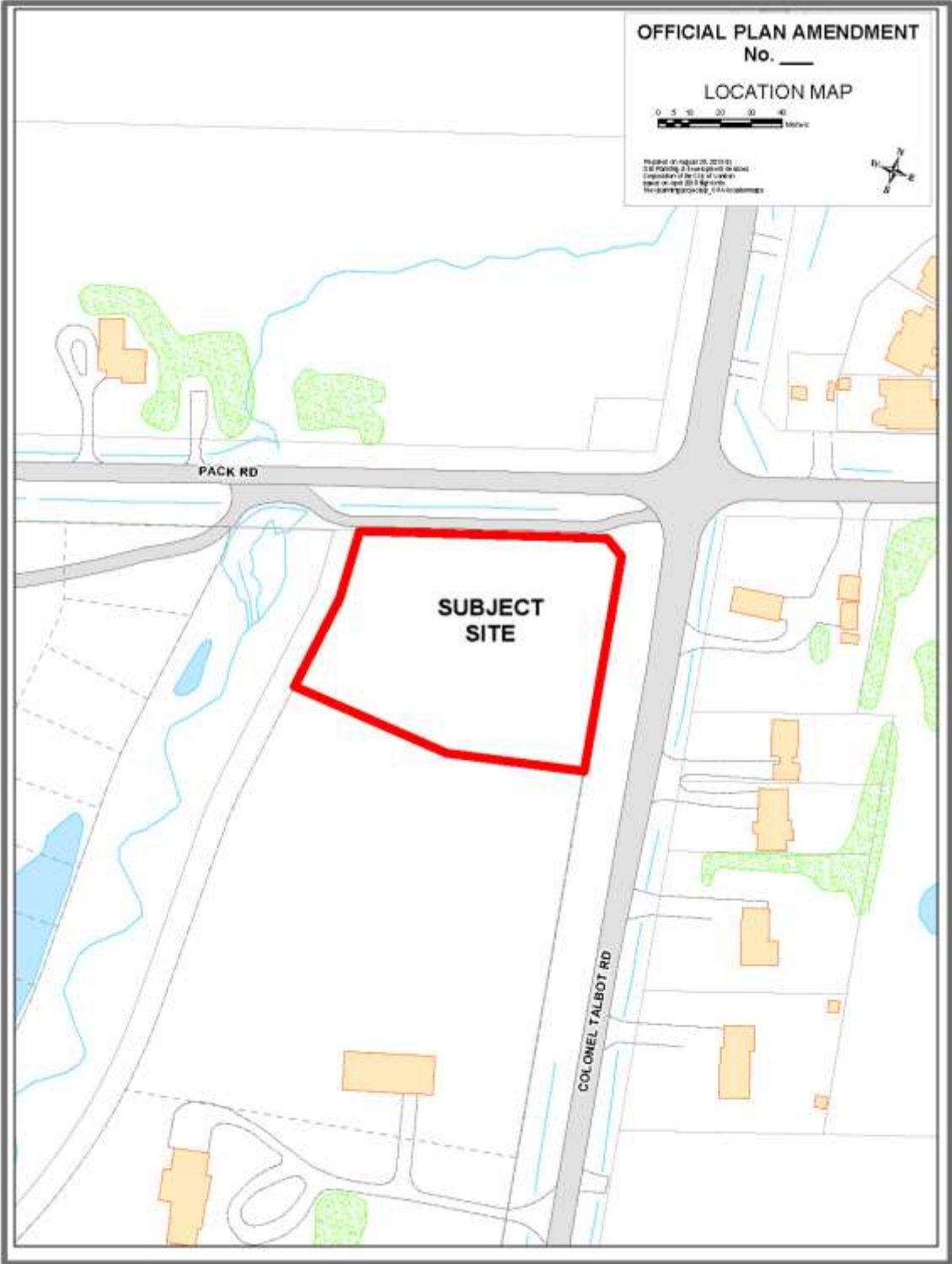
The recommended amendment will add a portion of 3493 Colonel Talbot Road to the list of locations that permit convenience commercial and service station uses to allow for a new gas bar and convenience service uses.

D. THE AMENDMENT

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

Section 3.6.5.vi) "Locations of Convenience Commercial and Service Stations" is amended by adding the following:

() 3493 Colonel Talbot Road: southwest corner of Colonel Talbot Road and Pack Road intersection – convenience commercial and service station uses



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 3493
Colonel Talbot Road.

WHEREAS 2219008 Ontario Ltd has applied to rezone an area of land located at 3493 Colonel Talbot Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 3493 Colonel Talbot Road, as shown on the attached map comprising part of Key Map No. A110, from a holding Residential R6 Special Provision/Residential R8 Special Provision/Convenience Commercial (h*h-100*h-198*R6-5(46)/R8-4(30)/CC6) Zone, to holding Residential R6 Special Provision/Residential R8 Special Provision/Convenience Commercial Special Provision/Service Station Special Provision (h*h-100*h-198*R6-5(46)/R8-4(30)/CC6(_)/SS2(_)) Zone.
- 2) Section Number 29.4 of the Convenience Commercial (CC6) Zone is amended by adding the following Special Provision:

)	CC6()	3493 Colonel Talbot Road	
	a)	Additional Permitted Use	
		i) Restaurant, take-out with or without a drive-through facility	
	b)	Regulations	
		i) Exterior side yard depth (Minimum)	4.5m (14.7 ft)
- 3) Section Number 30.4 of the Service Station (SS2) Zone is amended by adding the following Special Provision:

)	SS2()	3493 Colonel Talbot Road	
	a)	Regulations	
		i) Exterior side yard depth (Minimum)	4.5m (14.7 ft)
		ii) Rear and Interior Side Yard Depth abutting an Open Space Zone (Minimum)	30m (98ft)
		iii) Noise attenuation barriers prohibited within 15m (49ft) of an Open Space Zone	
		iv) Notwithstanding the provisions of	15m (49ft)

section 4.35.1) of the By-law Z.-1 to the contrary, the Rear and Interior Side Yard Depth for a drive-through Facility from the edge of the drive-through lane or speaker location abutting a Residential Zone (Minimum)

- | | | |
|----|--|---------------|
| v) | Notwithstanding the provisions of Section 4.35.1) of the By-law Z.-1 to the contrary, Noise attenuation barrier height (Maximum) | 2.4m (7.8 ft) |
|----|--|---------------|

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

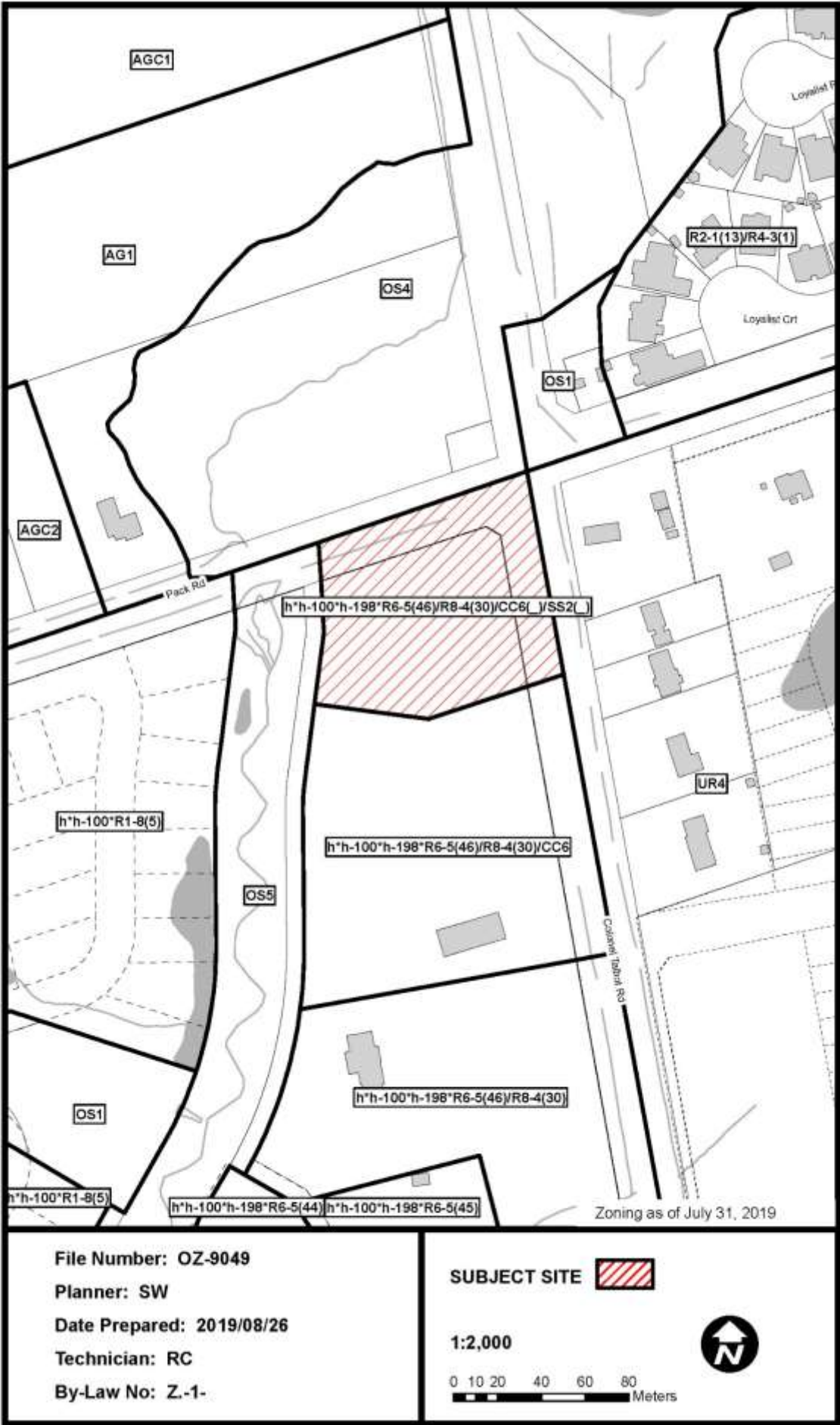
PASSED in Open Council on September 17, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 17, 2019
Second Reading – September 17, 2019
Third Reading – September 17, 2019

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



Appendix C – Public Engagement

Community Engagement

Public liaison: On May 8, 2019, Notice of Application was sent to 17 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on May 9, 2019. A “Planning Application” sign was also posted on the site.

4 replies were received

Nature of Liaison: Official Plan and Zoning change is to permit a new gas bar, car wash, convenience store and take-out restaurant. Possible amendment to the Official Plan to add the site to the Locations of Convenience Commercial and Service Station Uses in section 20.5.17.3 - 3.6.5.vi of the Southwest Area Secondary Plan to permit the additional use of service station (automotive uses - restricted). Possible change to Zoning By-law Z.-1 **FROM** a holding Residential R6 Special Provision/Residential R8 Special Provision/Convenience Commercial (h*h-100*h-198*R6-5(46)/R8-4(30)/CC6) Zone **TO** a holding Residential R6 Special Provision/Residential R8 Special Provision/Convenience Commercial Special Provision/Service Station Special Provision (h*h-100*h-198*R6-5(46)/R8-4(30)/CC6(_)/SS2(_)) Zone to permit the automotive uses restricted, in addition to the existing permitted uses. Special Provisions are requested to permit drive-thru facilities, a reduced interior side yard setback of 5m and a reduced exterior side yard setback of 4.5m.

Responses: A summary of the various comments received include the following:

Concern for:

- No need for a gas bar in this location (x2)
- Does not fit with residential character
- Currently difficult to turn left from Pack Road to Colonel Talbot Road (x2)
- Negative impacts on traffic flow, traffic volume, noise and collisions (x3)
- Negative impact on property values (x2)
- There are already 20 gas bars within 5km of the site
- Environmental impact of buried and leaking gas tanks (x3)
- Soil Contamination
- Less need for gas stations with more electric cars
- Concern for future reuse of site when/if gas station ceases operation
- Negative impact of commercial uses on pathway ambience
- Not in keeping with what was originally requested
- Lot coverage is too high
- Drive throughs are prohibited
- Should be located in a commercial area

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

Telephone	Written
	Berend Hovius 7191 Clayton Walk London ON N6P 1V3
	Glen Dietz 3559 Loyalist Court London ON N6P 0A5
	Ron and Sharon Wimperis 3785 Settlement Trail London ON N6P 0A6
	Harry Steiner 3555 Loyalist Court London ON N6P 0A5

From: Berend Hovius <[REDACTED]>
Sent: Saturday, May 18, 2019 9:27 PM
To: Hopkins, Anna
Subject: [EXTERNAL] Proposed Gas Station at Pack and Colonel Talbot Roads

Ms Hopkins:

We don't need gas station on this corner. Moreover, it hardly fits with the surrounding residential neighbourhoods that already exist and are being developed. It would also add to the congestion that already exists at this corner. Have you tried to turn left from Pack Rd onto Colonel Talbot between 4 and 6 PM? It is already almost impossible. This problem will get worse once traffic starts to head east on Pack Road and cross Colonel Talbot.

B. Hovius

Part 1

From: Glen Dietz [mailto:[REDACTED]]
Sent: Sunday, May 12, 2019 7:10 PM
To: Wise, Sonia <swise@london.ca>
Cc: Hopkins, Anna <ahopkins@london.ca>
Subject: [EXTERNAL] Objection to zoning bylaw amendment - 3493 Colonel Talbot Road - File: OZ-9049

Sonia Wise
Development Services
City of London
300 Dufferin Avenue, 6th Floor
London, Ontario – PO Box 5035 N6A 4L9

Sonia:

I was surprised and disappointed when I read the Notice of Planning Application for an amendment to the Official Plan and Zoning bylaw filed by 2219008 Ontario Ltd (York Development) – File: OZ-9049. The application for amendment would re-zone 3493 Colonel Talbot Road to allow a gas station and car wash to be built on the property.

My property (located at 3559 Loyalist Court) is diagonally across from the property in question, and I have major concerns about allowing this amendment to the zoning. I believe that allowing for a gas station, convenience store, and car wash to be built in this location will have negative effects on traffic volume, traffic flow, noise pollution, and increased numbers of motor vehicle collisions. I am also concerned that allowing a gas station to be built so close to residential properties will have a negative effect on property values and tax revenue for the city. Buried gas tanks are well known to be a potential source of soil contamination when they leak, so I am also concerned about the environmental impact. In addition, I have concerns about the economic impact the potential environmental hazards from buried gas tanks will have on property values in the community (Simons, Bowen, and Sementelli; 1997), (Page and Rabinowitz; 1993).

My concern about traffic volume is related to increased traffic from vehicles being driven to the gas station for refueling and for car washes. Colonel Talbot Road is already a busy street at peak traffic periods, and this will increase substantially as addition homes are built in newly developed sub-divisions, and as additional vacant land are developed in the future.

My concern about traffic flow is related to vehicles traveling north slowing or stopping before turning into the gas station when there is oncoming traffic. There have already been numerous motor vehicle collisions in this area and creating additional traffic hazards and increased traffic will certainly increase the number of collisions.

My concern about noise pollution stems from the increase in traffic that will occur, as well as the disruption of traffic flow, and vehicles accelerating again after they are stopped by vehicles turning into the gas station. My property backs onto Colonel Talbot Road, and the increased noise pollution will directly impact my quality of life.

It is well documented that gas stations and convenience stores have a negative impact on property values (Zhao, Liu and Chen; 2017). Property values for residences close to a gas station are often decreased by 4 to 8% (Boxall, Chan, and McMillan; 2005), and this will also have a similar impact on the tax revenue collected by the city. This is less of an issue when a gas station is built prior to residential development in close proximity since the negative impact of the gas station will be factored into the purchase price for the property. However, when there are established properties in the area, allowing a gas station to be built nearby will drive down the property value, affecting the land owner and eventually the city when the property value is re-assessed.

There is no need for a gas bar to be located in the proposed location. There are over 20 gas stations within a 5 Km radius with the majority located on major traffic arteries along routes motorists are likely to travel. None are located in predominately residential areas. There is even one located further down Colonel Talbot Road (close to the Highway 402 exchange). This gas station has low traffic in spite of having the additional traffic from Highway 401 and 402. An additional gas station was previously located on the corner of Colonel Talbot Road and Main Street, but it closed due to low demand.

Gas stations in residential areas often do poorly, and many close leaving derelict buildings that have a negative impact on the fabric of the community. With the increasing popularity of electric vehicles, there will be even less demand for gas stations in residential communities (electric and hybrid vehicles will be charged at home). I am concerned that when the proposed gas station fails and sits empty, this will adversely affect the aesthetics and safety of my community. It will also create further uncertainty about the type of business that might replace the gas station in the future.

I would like to be kept informed about any public meetings about this bylaw amendment. I plan to attend and to make my objections part of the public record. I will also be encouraging my neighbours who are equally affected by this proposed bylaw change to voice their opinions, both in writing and at the public meetings.

Glen Dietz
3559 Loyalist Court
London, Ontario N6P 0A5

Cc Anna Hopkins – ahopkins@london.ca

References:

Boxall, P.C., W.H. Chan and M.L. McMillan. (2005). The Impact of Oil and Natural Gas Facilities on Rural Residential Property Values: A Spatial Hedonic Analysis. *Resource and Energy Economics*: 27, 248–269.

Page, G.W. and H. Rabinowitz. (1993). Groundwater Contamination: Its Effects on Property Values and Cities. *Journal of the American Planning Association*: 59, 473–482.

Qinna Zhao, Mengling Liu, and Qi Chen. (2017). The Impacts of Gasoline Stations on Residential Property Values: A Case Study in Xuancheng, China. *JorseL*:9: 66-85.

Simons, R.A., W. Bowen, and A. Sementelli. (1997). The Effect of Underground Storage Tanks on Residential Property Values in Cuyahoga County, Ohio. *Journal of Real Estate Research*: 14:1/2, 29–42.

Glen Dietz
3559 Loyalist Court
London, Ontario N6P 0A5
[REDACTED] – home

— cell

Part 2

From: Glen Dietz [mailto:]
Sent: Saturday, August 24, 2019 7:33 PM
To: Wise, Sonia <swise@london.ca>
Cc: Hopkins, Anna <ahopkins@london.ca>
Subject: RE: [EXTERNAL] RE: Objection to bylaw change - File: OZ-9049

Sonia:

Thanks for sending the notice of the public meeting to discuss the File: OZ-9049 application to amend the bylaw. I have blocked my calendar and intend to attend the meeting.

During the meeting, I plan to ask to see the road plan for the area immediately surrounding the corner of Colonel Talbot Road and Pack Road. Specifically, I am interested in seeing if and when there is a plan to install a traffic light at the corner of Pack Road and Colonel Talbot Road. I am also interested in learning if there are plans to install a median to prevent traffic traveling north on Colonel Talbot Road to turn into the southbound lane to enter the proposed gas station, and to prevent cars leaving the proposed gas station from crossing over the southbound lane to turn into the northbound lane.

My concern is that if there are no plans to install a median or some form of barrier, traffic flow will be slowed and there will be increased frequency of accidents as cars turn into the proposed gas station, or exit from the proposed gas station. If there are plans to install a median, then I am interested in seeing what is planned for turning lanes, since this will potentially create a bottleneck in traffic as cars queue to turn onto Pack Road to enter the proposed gas station.

I also plan to ask for current traffic flow data for different times of day and any projections the city has prepared of traffic flow as the area surrounding Colonel Talbot Road and Pack Road continues to develop.

I believe this information will be important for the public attending the meeting to understand the scale and scope of traffic flow interruption that could occur at different times of day, and the risk of motor vehicle collision that might occur if traffic is allowed to cross multiple lanes of busy traffic.

I wanted to provide you with my intended list of questions prior to the public meeting so you have an opportunity to prepare the information in advance of the meeting (or to wait until the meeting to receive the request, then distribute the information following the public meeting).

I am looking forward to meeting you in person on September 9th at the public meeting.

Glen

Glen Dietz
3559 Loyalist Court
London, Ontario N6P 0A5

— home
— cell

Part 1

From: Ron & Sharon Wimperis [mailto:]
Sent: Wednesday, May 8, 2019 6:29 PM
To: Wise, Sonia <swise@london.ca>; Hopkins, Anna <ahopkins@london.ca>; Holder, Ed <edholder@london.ca>
Subject: [EXTERNAL] 3493 Colonel Talbot

I just saw the public notice on this property.

In the transportation section of the notice, there is reference to traffic control by adding left turn lanes. There is no reference to traffic lights in the description and the drawings of the intersection do not indicate lights.

Is this true? I tried to make a left turn there today at approx. 5pm and sat for 5 minutes before I could turn.

Anna, I again will say the foresight here is poor. What about the feeder roads? PACK ROAD CONTINUES TO BE A MESS and the planners keep putting additional strain on the area roads by adding infrastructure that has not been supported by adequate roads. I am not impressed to see the watering down of the residential plan for the area and the fragmenting of commercial property. I thought this was your stance on the Wonderland Rd development. Keep it in one area by expanding the available property for commercial. Are you flipping on your stance to this or just going with the flow?

Ed, I know your campaign talked about better infrastructure and transportation for the city. Here is a great example of the problems created by changing things over and over, without the thoughts of creating better surrounding road systems to support the work. I am told the city cannot improve the road capacity and conditions until the property is developed and the city collects their development fees. I feel this is backwards. The city needs to get ahead of the curve. Plan for it, budget for it and build out. The city has a great credit rating and it would only take a couple years to get ahead of the snowball that is becoming bigger and bigger. Alternatively use my taxes to support the ward versus those bike lanes downtown, that get very little usage. Please put the right people and strategic thinkers in place, to make this happen.

Concerned Londoners

Part 2

From: Ron & Sharon Wimperis [mailto:]
Sent: Monday, May 13, 2019 11:32 AM
To: Wise, Sonia <swise@london.ca>; Hopkins, Anna <ahopkins@london.ca>; Holder, Ed <edholder@london.ca>
Subject: RE: [EXTERNAL] 3493 Colonel Talbot

Yes this is the notice I am referring to.

I did think in this day of environmental concerns and our city's commitment to improve awareness, that putting a gas station immediately adjacent to a creek in an environmentally sensitive area is not a wise decision. We all know gas stations have will have spillage and it will flow into this creek. Records show that gas stations have continually contaminated soil. Why is this different?

I did notice the changes to the planned pathways. It was going to be a nice walk through a residential area to get to the nice bridge and into the Silverleaf subdivision. Now it will be a walk by a pylon sign and commercial property that bypasses the bridge and natural area. What a waste of time, money and the ambience of walking in a more natural setting.

What about intersection control at Pack Road and Colonel Talbot. Its needed and maybe the developer could pay part of this.

Also to the comments about Pack Road being identified as a 2032 project, THAT'S OVER 12 YEARS AWAY. The road is bad now. Go drive it today and see how many potholes you need to dodge.

I am all for growth and development, when its effectively planned and executed. Sorry to be cynical here, but I don't think anyone gets the concerns about the main roadways. Also now the changes to the SWAP are starting and the highly residential and non-commercial look will be starting to change and other developers will want their changes to the zoning as well.

Hope you are listening.

Part 3

From: Ron & Sharon Wimperis [mailto:██████████]

Sent: Monday, June 10, 2019 4:09 PM

To: Lewis, Shawn <slewis@london.ca>; van Holst, Michael <mvanholst@london.ca>; Salih, Mo Mohamed <msalih@london.ca>; Helmer, Jesse <jhelmer@london.ca>; Cassidy, Maureen <mcassidy@london.ca>; Squire, Phil <psquire@london.ca>; Morgan, Josh <joshmorgan@london.ca>; Lehman, Steve <slehman@london.ca>; Van Meerbergen, Paul <pvanmeerbergen@london.ca>; Turner, Stephen <sturner@london.ca>; Peloza, Elizabeth <epeloza@london.ca>; Kayabaga, Arielle <akayabaga@london.ca>; Hillier, Steven <shillier@london.ca>; City of London, Mayor <mayer@london.ca>

Cc: Wise, Sonia <swise@london.ca>; Hopkins, Anna <ahopkins@london.ca>

Subject: [EXTERNAL] 3493 Colonel Talbot Rd, File: OZ-9049

Sometime in the near future you will be asked to vote on amending the zoning bylaw regarding 3493 Colonel Talbot Rd, in order to allow a Service Station in a zoned CC6 zone.

The lay of the land, to this property, is sensitive to it's surrounding environmental assets. Dingman Creek is feed directly by Mather's Stream and the two meet less than 500 m away from this property. This stream and its spillway are most importantly, within 25 meters of this property. Conceptual Site Plans, seem to conveniently overlook this key piece of information. Imagine any overflow or spills of oil and/or gasoline entering this environmentally sensitive area. The impact downstream would be disastrous on the local environment and vast wildlife.

As a council that has stated a definitive stance to climate change and environmental concerns, I urge you to vote down this request and maintain the current zoning. The present residential zoning is best. Re-zoning for light commercial is ok, but commercial that includes a Service Station is unquestionably against what city council has said you stand for. Here's a chance to stand up for what you have said you believe in.

A concerned area resident and Londoner.

Ron Wimperis

May 13, 2019

May 29, 2019

City of London, Development Services

6th Floor - 300 Dufferin Avenue

PO Box 5035

London, Ontario.

N6A 4L9

Attention: Ms. Sonia Wise, Senior Planner

Re: File #OZ-9049

Dear Ms. Wise,

We received the notice of the requested change to zoning by York Developments of the Silver Leaf site.

My initial objections centered on the obvious ones of traffic congestion, air pollution (running engines for the car wash and drive through), noise pollution, visual pollution (signs), potential soil contamination, (on site as well as the surrounding area), not to mention the negative impact on nearby residential property values.

The inclusion of a small convenience store that is permitted in the present zoning and planning agreement is a far cry from what the developer is now asking for.

The proposed use of the site far exceeds the permitted lot coverage of 30% and the installation of a car wash and gas station (especially a 24 hour per day operation) as well as a drive through fast food restaurant are specifically prohibited so why are they now being considered.

The location at an already very busy intersection will only exasperate the dangerous situation that already exists, as evidenced by the frequent number of collisions that occur there.

In my opinion the proposed services would be much better suited to an area that is already primarily commercial, for instance at the corner of Colonel Talbot and Southdale, where the environmental impact would be better absorbed.

The land use review concluded that the proposed use posed no concern...to whom?

It is my understanding that a change of Zoning to this extent would only be considered if the property in question were located at the intersection of two Civic Blvds. Has Pack Road been reclassified from an neighborhood connector?

In closing I would appreciate being advised of any public meetings regarding this application so that I may voice my concerns in person.

Regards



Hardy M. Steiner

3555 Loyalist Court

London, Ontario. N6P 0A5

/HMS

Agency/Departmental Comments

London Hydro – May 14, 2019

No objection

Upper Thames River Conservation Authority Memo Excerpt – May 29, 2019

As indicated, the subject lands are regulated by the UTRCA and are located within the Dingman Screening Area. A Section 28 Permit will be required for development on these lands. As part of the detailed design stage through the Site Plan process with the City, the UTRCA will require cross sections for the associated channel works along Mathers Stream and for grading/elevation between the site and Mathers Stream these cross sections should include the location of the proposed pathway.

The UTRCA has no objections to this application.

Development Services – Heritage Email Excerpt: June 3, 2019

This e-mail is to confirm that I have reviewed the following Archaeological Assessments for the above property and application:

- Stage 1-2 Archaeological Assessment: Courtney Property Subdivision, 3493 Colonel Talbot Road, Jul 4, 2014, PIF# P389-0003-2013.
- Stage 3 Site Specific Assessments of the Silverleaf Subdivision Location 1 (**AfHh-415**) and Location 2 (**AfHh-416**), Nov 19, 2018, PIF# P344-0174-2017, P344-0175-2017.
- Stage 3 Archaeological Assessment: Location 8 (**AfHh-417**), Courtney Property Subdivision, 3493 Colonel Talbot Road, Oct 29, 2014, PIF# P256-0277-2014.
- Stage 4 Archaeological Mitigation of Development Impacts for the Silverleaf Subdivision Location 2 (**AfHh-416**), Feb 25, 2019, PIF# P344-0275-2019.
- Stage 4 Archaeological Mitigation: Location 8 (**AfHh-417**), Courtney Property Subdivision, 3493 Colonel Talbot Road, Nov 2, 2015, PIF# P256-0315-2014.
- Stage 3 Site Cemetery Assessment of the Mathers Family Cemetery – Part of Lot 75, Concession West of the North
 - Branch of Talbot Road, Geographic Township of Westminster, now City of London, Middlesex, November 18, 2018, PIF# P344-0196-2018.

I find the reports (analysis, conclusions and recommendations) to be sufficient to fulfill the requirements for the above OZ-9049 application.

Development Services – Engineering: August 23, 2019

Transportation

- Road widening dedication of 18.0m from centre line required on Pack Road & Colonel Talbot Road
- 6.0m x 6.0m daylight triangle required
- Construction of a left turn lane on Pack road is required as well as the extension of the left turn lane on Colonel Talbot Road
- Detailed comments regarding external works and access design and location will be made through the site plan process

Development Services – Urban Design: August 26, 2019

Urban design staff have reviewed the site plans, elevations, and the urban design brief that form part of the Zoning By-law Amendment application for the above noted address and provide the following urban design related comments consistent with the Official Plan, applicable by-laws and guidelines:

- Explore opportunities to include maximum front yard setbacks for the carwash function in order to avoid the requirement for noise walls located along the Open Space lands to the west of the site.
- Further design related issues that will be dealt with through the Site Plan Process include;
 - - The inclusion of a combination of low masonry walls (max. 0.7m in height) and landscaping in areas where asphalt areas are adjacent to the street in order to screen this function and provide a built edge;
 - Exploring opportunities to reduce the amount of asphalt proposed on the site, in particular any areas that are shown with asphalt and painted lines as well as areas not required for movement or parking of vehicles
 - Ensure all asphalt areas are setback 3m from any street frontage
 - Ensuring the parking area is designed to meet the Parking Lot design requirements of the Site Plan Control By-Law in particular as it relates to landscape islands;

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

- 1.1.3.1 – settlement areas
- 1.1.3.6 – compact form and mix of uses
- 1.1.1.b) – range and mix of uses
- 1.3.1.b) – economic development and competitiveness

Environment Protection Act, R.S.O. 1990

- 91 (1) Spills
- 91.1 Spill Prevention and Spill Contingency Plans
- 92 (1) Notice of Spill

O.Reg 675/98: Classification and Exemption of Spills and reporting of Discharges Class VIII – Petroleum Sector

O.Reg 217/01: Liquid Fuels

- 4 – Licences and Registration
- 6 – Authorization required for handling
- 20 – Licences

Technical Standards and Safety Act, 2000

The London Plan

- 54 – Our Strategy
- 59_6 – mixed-use compact city
- 62_9 – development as a good fit
- 69 – City Structure Plan
- 99_1 – Rural Urban Interface
- 143 – Community Framework – Neighbourhoods
- 184 – City Building
- 228 – Crime Prevention Through Environmental Design
- 253 – Site Layout
- 256 – buildings sited along street edge
- 259* - buildings should have minimal setbacks
- 290* - corner sites should address the corner
- 257* - buildings should preserve views of natural features
- 264 – drive aisles not located between building and street
- 265 – drive through facilities
- 291* - building entrances and windows
- 916_6 & _7* - Neighbourhoods Place Type
- 918_5* - commercial, service and mixed-uses
- Table 10-12* - permitted uses
- 919_4 – major road frontages
- 932 – drive-through facilities in Neighbourhoods
- 1556 – Secondary Plans Status
- 1577* – evaluation criteria for applications
- 1578_6* - potential impacts on adjacent lands
- 1766 – noise and vibration

Southwest Area Secondary Plan

- 20.5.3.9 – urban design policies
- 20.5.3.9.i.e – open space physical and visual access
- 20.5.3.9.i.l – visual connection and access to parks
- 20.5.3.9.iii.b – principle entrance location
- 20.5.4.1.ii – walkable amenities
- 20.5.10.1.ii – limited range of commercial uses

1989 Official Plan

Chapter 3 – residential designations

3.6.5 – convenience commercial and service station uses

Z.-1 Zoning By-law

Chapter 2 – definitions

Chapter 4 – general provisions

Chapter 10 – Residential R6 Zone

Chapter 12 – Residential R8 Zone




Chapter 29 – Convenience Commercial

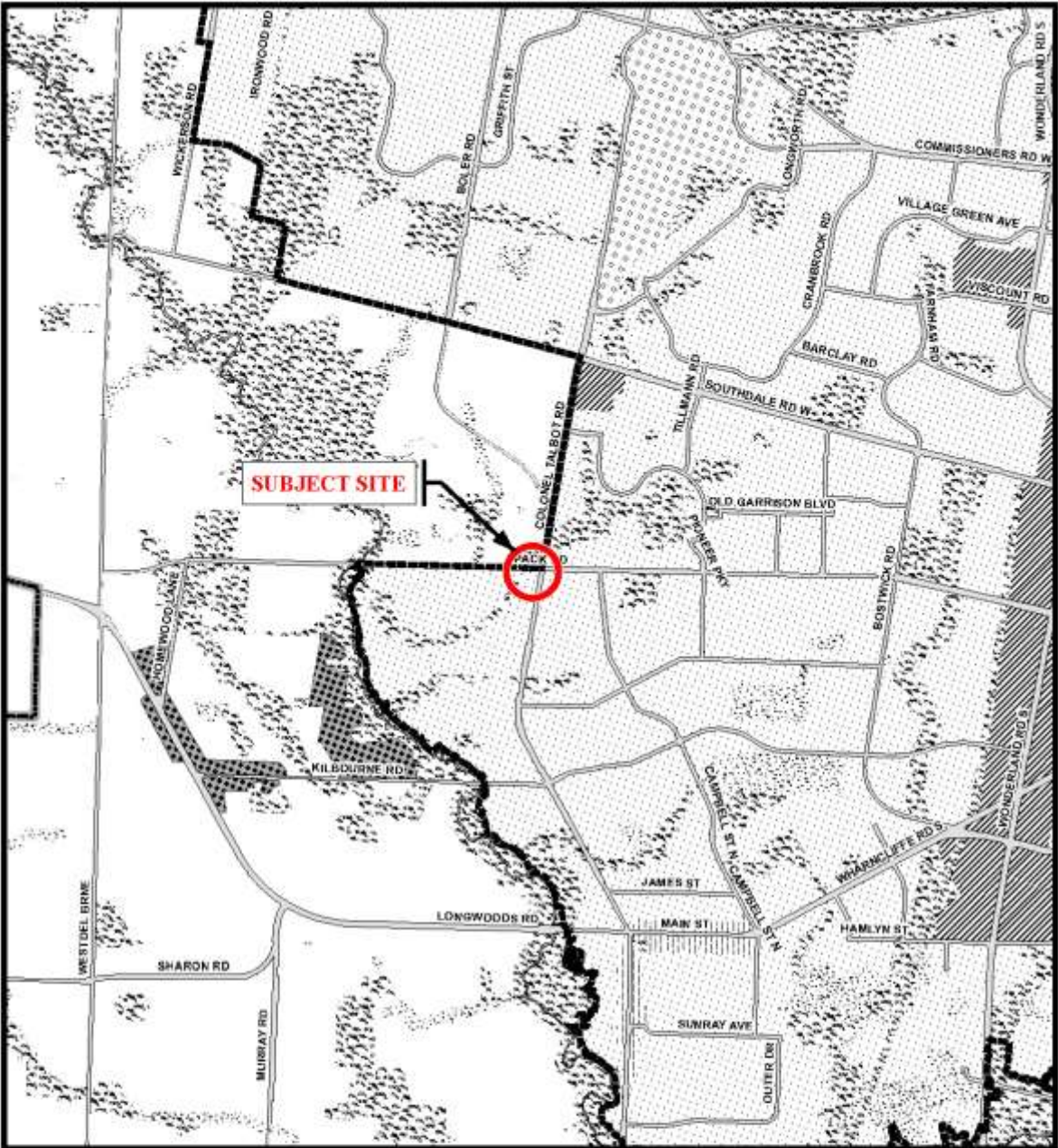
Chapter 30 – Automobile Service Station

Appendix D – Relevant Background

Additional Maps



LOCATION MAP	
Subject Site: 3493 Colonel Talbot Road	
File Number: OZ-9049	
Planner: Sonia Wise	
Created By: RC	
Date: 08/26/2019	
 	Legend  Subject Site
Corporation of the City of London Prepared By: Planning and Development	Scale 1:1500



Legend

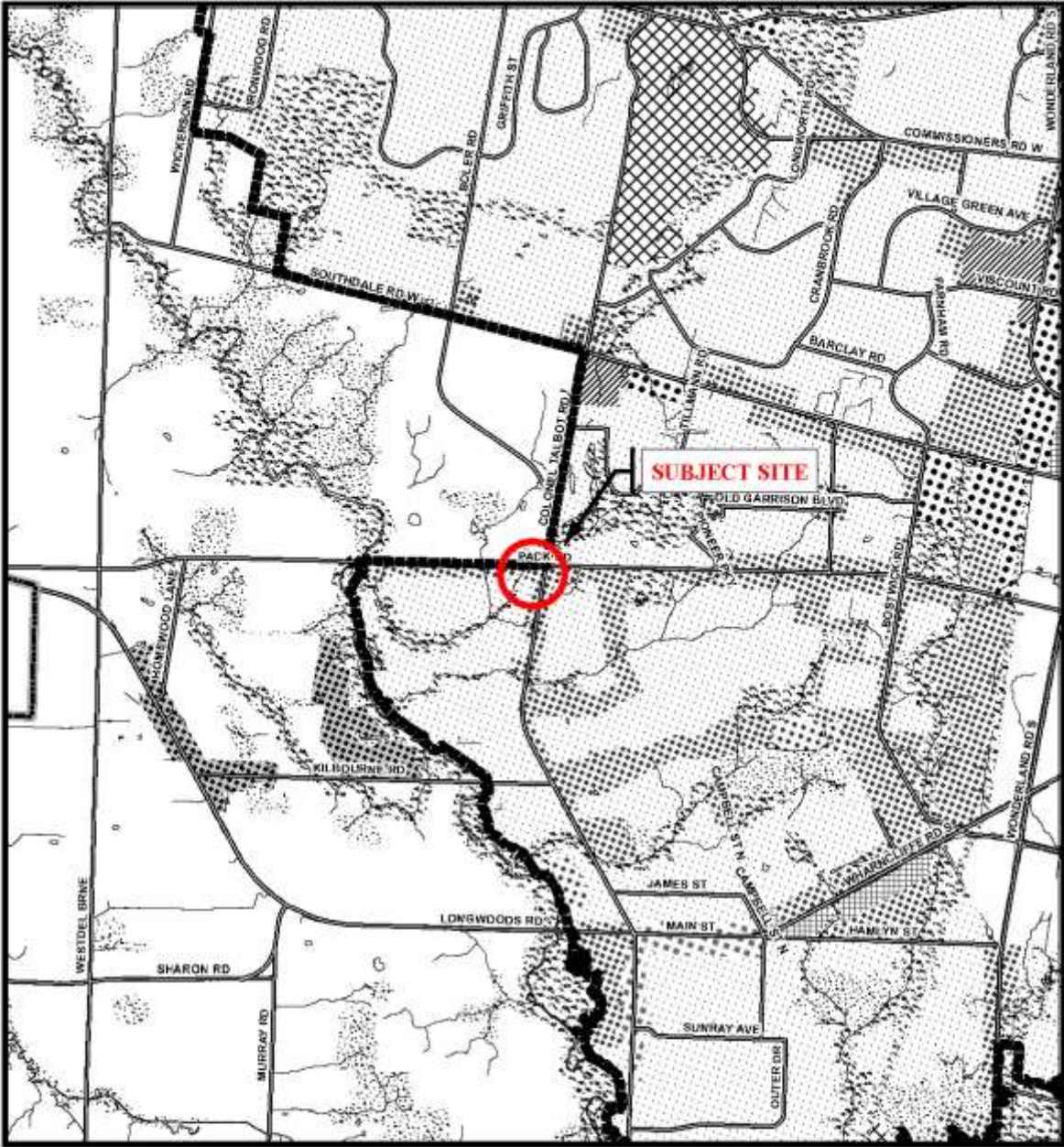
Downtown	Future Community Growth	Environmental Review
Transit Village	Heavy Industrial	Farmland
Shopping Area	Light Industrial	Rural Neighbourhood
Rapid Transit Corridor	Future Industrial Growth	Waste Management Resource Recovery Area
Urban Corridor	Commercial Industrial	Urban Growth Boundary
Main Street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

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

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

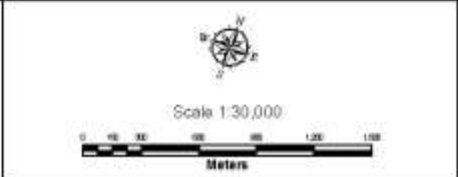
<p>CITY OF LONDON Planning Services / Development Services</p> <p>LONDON PLAN MAP 1 - PLACE TYPES -</p> <p>PREPARED BY: Planning Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>File Number: OZ-9049</p> <p>Planner: SW</p> <p>Technician: RC</p> <p>Date: August 26, 2019</p>
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Project Location: E:\Planning\Projects\lp_official\plan\work\consolid\00\excerpts_LondonPlan\mxd\OZ-9049-Map1_PlaceTypes_b&w_8x14.mxd



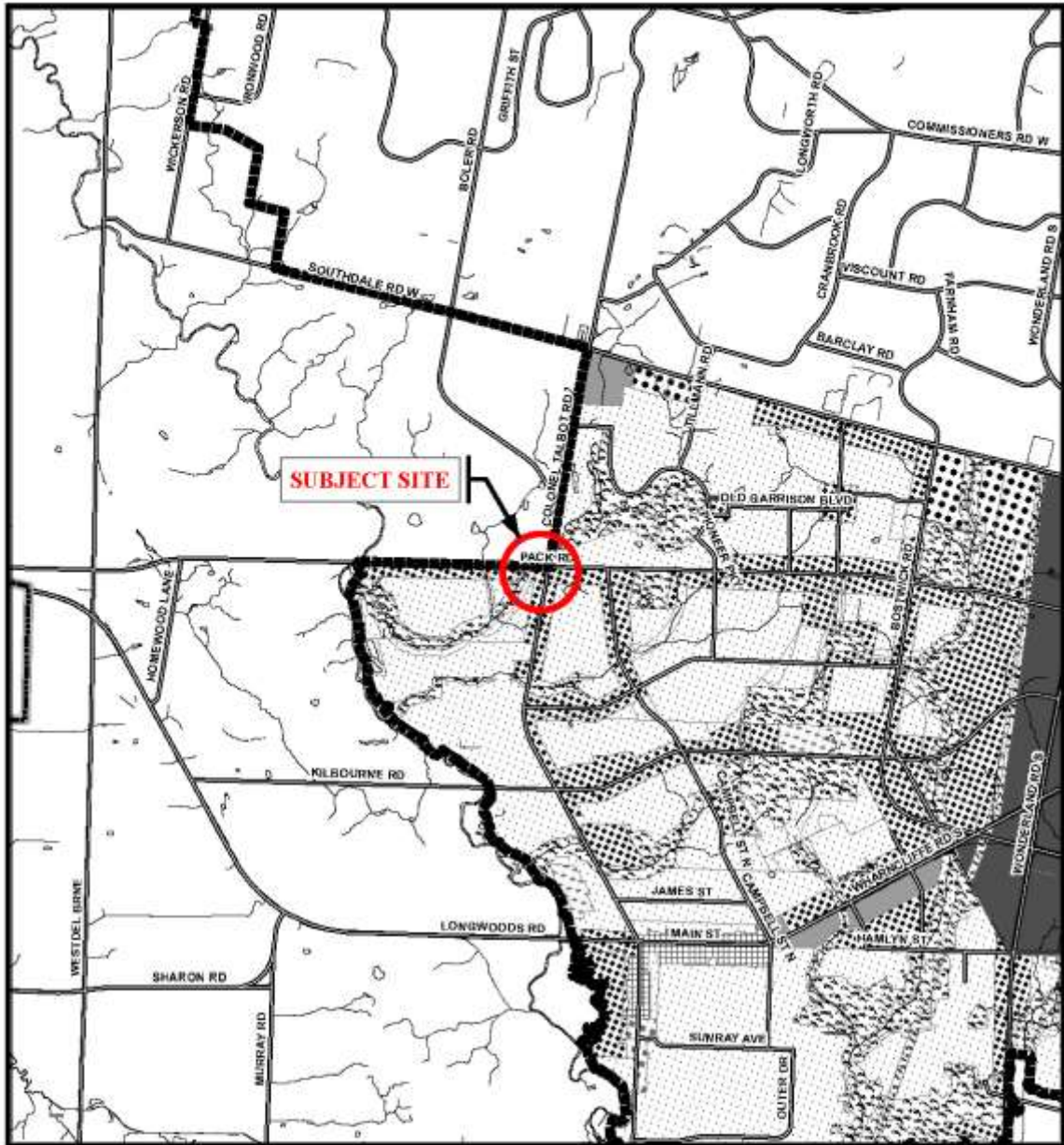
Legend			
	Downtown		Office Business Park
	Enclosed Regional Commercial Node		General Industrial
	New Format Regional Commercial Node		Light Industrial
	Community Commercial Node		Regional Facility
	Neighbourhood Commercial Node		Community Facility
	Main Street Commercial Corridor		Open Space
	Auto-Oriented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

CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -
 PREPARED BY: Graphics and Information Services



FILE NUMBER: OZ-9049
 PLANNER: SW
 TECHNICIAN: RC
 DATE: 2019/08/26

PROJECT LOCATION: e:\planning\projects\ip_officialplan\work\consolid00\excerpts\mxid_templates\scheduleA_NEW_b&w_8x14.mxd



Legend	
	High Density Residential
	Medium Density Residential
	Low Density Residential
	Commercial
	Office
	Wonderland Road Community Enterprise Corridor
	Main Street Lambeth North
	Main Street Lambeth South
	Open Space
	Institutional
	Industrial
	Commercial Industrial
	Transitional Industrial
	Urban Reserve Community Growth
	Urban Reserve Industrial Growth
	Rural Settlement
	Urban Growth Boundary

<p>CITY OF LONDON Planning Services / Development Services</p> <p>SOUTHWEST AREA STUDY SECONDARY PLAN - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: OZ-9049</p>
		<p>PLANNER: SW</p> <p>TECHNICIAN: RC</p> <p>DATE: 2019/08/26</p>

PROJECT LOCATION: e:\planning\projects\p_official\plan\work\cons\d00\excerpt\mxd_templates\scheduleA_b5w_bx14_with_SWAP.mxd



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- | | |
|--|---|
| <ul style="list-style-type: none"> R1 - SINGLE DETACHED DWELLINGS R2 - SINGLE AND TWO UNIT DWELLINGS R3 - SINGLE TO FOUR UNIT DWELLINGS R4 - STREET TOWNHOUSE R5 - CLUSTER TOWNHOUSE R6 - CLUSTER HOUSING ALL FORMS R7 - SENIOR'S HOUSING R8 - MEDIUM DENSITY/LOW RISE APTS. R9 - MEDIUM TO HIGH DENSITY APTS. R10 - HIGH DENSITY APARTMENTS R11 - LODGING HOUSE
 DA - DOWNTOWN AREA RSA - REGIONAL SHOPPING AREA CSA - COMMUNITY SHOPPING AREA NSA - NEIGHBOURHOOD SHOPPING AREA BDC - BUSINESS DISTRICT COMMERCIAL AC - ARTERIAL COMMERCIAL HS - HIGHWAY SERVICE COMMERCIAL RSC - RESTRICTED SERVICE COMMERCIAL CC - CONVENIENCE COMMERCIAL SS - AUTOMOBILE SERVICE STATION ASA - ASSOCIATED SHOPPING AREA COMMERCIAL
 OR - OFFICE/RESIDENTIAL OC - OFFICE CONVERSION RO - RESTRICTED OFFICE OF - OFFICE | <ul style="list-style-type: none"> RF - REGIONAL FACILITY CF - COMMUNITY FACILITY NF - NEIGHBOURHOOD FACILITY HER - HERITAGE DC - DAY CARE
 OS - OPEN SPACE CR - COMMERCIAL RECREATION ER - ENVIRONMENTAL REVIEW
 OB - OFFICE BUSINESS PARK LI - LIGHT INDUSTRIAL GI - GENERAL INDUSTRIAL HI - HEAVY INDUSTRIAL EX - RESOURCE EXTRACTIVE UR - URBAN RESERVE
 AG - AGRICULTURAL AGC - AGRICULTURAL COMMERCIAL RRC - RURAL SETTLEMENT COMMERCIAL TGS - TEMPORARY GARDEN SUITE RT - RAIL TRANSPORTATION
 "N" - HOLDING SYMBOL "D" - DENSITY SYMBOL "H" - HEIGHT SYMBOL "B" - BONUS SYMBOL "T" - TEMPORARY USE SYMBOL |
|--|---|

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



FILE NO:
OZ-9049 SW

MAP PREPARED:
2019/08/26 RC

1:2,000
0 12.5 25 50 75 100 Meters

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

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: John M. Fleming
Managing Director, City Planning and City Planner

Subject: Revise Wording of the Existing h-18 Holding Provision
(Archaeological Assessment)

City of London – City -wide

Public Participation Meeting on: September 9, 2019

Recommendation

That, on the recommendation of the Managing Director, City Planning and City Planner, the following actions be taken with respect to the application by the City of London relating to all lands within the City of London:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on September 17, 2019 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to delete the wording of the existing h-18 holding provision in Section 3.8 (2) and replace it with new wording.

Executive Summary

Purpose and the Effect of Recommended Action

To revise the language in the existing h-18 holding provision to clarify the activities on a site that may not proceed until the condition has been satisfied.

Analysis

The Archaeological Management Plan (AMP - 2017) was adopted by Council on July 25, 2017 and came into force and effect on May 8, 2018. The AMP replaced the previous Archaeological Master Plan, which was completed in 1996, and was used to evaluate archaeological resources between those years. The AMP and subsequent official plan and zoning by-law amendment (OZ-8771) made revisions to the h-18 holding provision for archaeological assessment contained in Zoning By-law Z-1, which was Council approved in 1993. The current definition as recommended in the Archaeological Master Plan reads as follows;

h-18 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. (Z.-1-182665)

Since this revised h-18 holding provision language has been used there have been difficulties interpreting the word “construction” in the fourth paragraph. The intent of the original term was to require archaeological assessment when there was new activity on a site that may be reasonably expected to cause soil disturbance; however, “construction” has been interpreted to include all construction, including interior renovations. This was never the intent. It is recommended that the language be changed to clearly identify that only exterior construction or activities that may be expected to cause soil disturbance would require archaeological assessment.

There are also recommended wording changes (eg. Consultant archaeologist vs. archaeologist) and updated references to further clarify the intent of the h-18 holding provision.

The revised wording of the h-18 holding provision is attached as Appendix A.

The revised wording has been reviewed by the LACH Archaeology Sub-Committee on June 1, 2019 and the full LACH Committee on July 10, 2019 and August 14, 2019.

Conclusion

The revised wording of the h-18 holding provision is recommended to improve clarity and make it easier to interpret and implement the requirements of the Archaeological Management Plan (2017)

Prepared by:	W. J. Charles Parker, MA Senior Planner, City Planning – Planning Policy
Submitted by:	Gregg Barrett, AICP Manager, Long Range Planning and Sustainability
Recommended by:	John M. Fleming, MCIP, RPP Managing Director, City 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 City Planning	

August 30, 2019

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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 revise the wording of the existing h-18 holding provision in Section 3.

WHEREAS the City of London has initiated an amendment to Zoning By-law Z-1 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) Section Number 3.8 2) of the Holding "h" Zone is amended by deleting the existing holding provision and replacing it with new wording as follows:

) h- 18 *Purpose:* The proponent shall retain a consultant archaeologist, licensed by the Ministry of Tourism, Culture and Sport (MTCS) 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. Development or property alteration shall only be permitted on the subject property containing archaeological resources or areas of archaeological potential if the archaeological resources have been conserved by removal and documentation, or by site preservation (Stages 3 and 4). The archaeological assessment must be completed in accordance with the most current Standards and Guidelines for Consulting Archaeologists. Engagement with the appropriate First Nations shall be completed consistent with the policies of the London Plan.

All archaeological assessment reports, in both hard copy format and digitally in Portable Document Format (PDF), will be submitted to the City of London once MTCS 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 on site.

No demolition, new exterior construction, grading, or any other activity where soil disturbance will occur or might be reasonably anticipated shall take place on the subject property prior to the City of London receiving the MTCS compliance letter indicating that all archaeological licensing and reporting requirements have been satisfied.

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 September 17, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 17, 2019
Second Reading – September 17, 2019
Third Reading – September 17, 2019

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: Drewlo Holdings Inc.
475 and 480 Edgevalley Road
Public Participation Meeting on: September 9, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting to be held on September 17, 2019 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan to:

- (a) change the zoning of the property known as 480 Edgevalley Road **FROM** a Holding Residential R5/R6 (h*h-54*R5-7/R6-5) Zone, **TO** a Residential R8 Special Provision (R8-4()*H15) Zone to permit apartment buildings, handicapped person's apartment buildings, lodging house class 2, stacked townhousing, senior citizen apartment buildings, emergency care establishments, and continuum-of-care facilities at a maximum height of 15 metres and a maximum density of 75 units per hectare, with a special provision for reduced front, exterior side yard and rear yard depths; and
- (b) change the zoning of the property known as 475 Edgevalley Road **FROM** a Holding Residential R5/R6 (h*h-54*R5-7/R6-5) Zone to a Residential R8 Special Provision Bonus (R8-4()*H16*B()) Zone to permit apartment buildings, handicapped person's apartment buildings, lodging house class 2, stacked townhousing, senior citizen apartment buildings, emergency care establishments, and continuum-of-care facilities at a maximum height of 16 metres and a maximum density of 75 units per hectare, with a special provision for reduced front, exterior side yard and rear yard depths;

IT BEING NOTED THAT the proposed Bonus Zone will be enabled through one or more agreements to facilitate the development of three (3) low-rise apartment buildings, with a maximum of four (4) storeys (Building A = 16m), five (5) storeys (Building B = 18m) and six (6) storeys (Building C = 22m), a total of 147 dwelling units (Building A = 39 dwelling units; Building B = 49 dwelling units; Building C = 59 dwelling units), and a density of 100 units per hectare, and,

IT BEING FURTHER NOTED THAT the proposed development will provide for four (4) affordable rental housing units, established by agreement at 85% of the CMHC average market rent for a period of 15 years with an agreement being entered into with The Corporation of the City of London, to secure the above-noted affordable housing units for the 15 year term; and,

IT BEING FURTHER NOTED THAT the following Site Plan Matters pertaining to 475 and 480 Edgevalley Road have been raised during the public participation process:

- i) additional landscaping and drive aisle on the west property line of 480 Edgevalley Road;
- ii) additional landscaping throughout the sites; and
- iii) robust fencing.

Executive Summary

Summary of Request

The requested amendment is to rezone the subject sites to allow for low rise apartment buildings through an R8-4 Zone with special provisions, and add a site-specific Bonus Zone to 475 Edgevalley Road to permit three apartment buildings, ranging from 4-6 storeys in height.

Purpose and the Effect of Recommended Action

The purpose and effect of recommended amendment is to allow two apartment buildings, each 4 storeys (15m) in height, for a total of 78 residential units at 480 Edgevalley Road, and three apartment buildings, ranging from 4-6 storeys in height (up to 22m), for a total of 147 residential units through a Bonus Zone at 475 Edgevalley Road.

Rationale of Recommended Action

1. The recommended amendment is consistent with the *Provincial Policy Statement (PPS), 2014*, as it promotes efficient development and land use patterns which sustain the financial well-being of the municipality; accommodate an appropriate range and mix of land uses; and promote cost-effective development standards to minimize land consumption and servicing costs.
2. The recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Neighbourhoods Place Type, Our City, Our Strategy, and all other applicable London Plan policies.
3. The recommended amendment permits a form and intensity of medium density residential development that conforms to the in-force policies of the (1989) Official Plan, including but not limited to the Multi-Family, Medium Density Residential designation, and the Bonus Zoning policies.
4. The recommended amendment will allow for an increase to height and density through a Bonus Zone which requires that the ultimate form of development be consistent with the site plan and elevations appended to the amending by-law. The recommended Bonus Zone provides for an increased density and height in return for a series of bonusable features, matters and contributions that benefit the public in accordance with Section 19.4.4 of the (1989) Official Plan.
5. The recommended Zoning By-law amendment allows development that is consistent with the land use concepts and guidelines in the Kilally North Area Plan, which encourage medium density housing forms that are designed without the need for noise attenuation walls in this location and recognizes transition with existing residential development;
6. The proposed use for the subject lands contributes to the range and mix of housing options in the area. The proposed use represents an efficient development and use of land.
7. The subject lands are of a size and shape suitable to accommodate the proposal. The recommended Zoning By-law amendment provides appropriate regulations to control the use and intensity of the building and ensure a well-designed development with appropriate mitigation measures.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject lands, municipally known as 475 and 480 Edgevalley Road, are located on the north side of Kilally Road, east and west of Edgevalley Road and south of Agathos Street. These sites are a part of a larger plan of subdivision, known as the Edgevalley

Subdivision, bounded by the Thames River to the north, Highbury Avenue to the west, and Kilally Road to the south. Kilally Road is an arterial road in the (1989) Official Plan, and is a *Civic Boulevard in The London Plan, while Edgevalley Road is a secondary collector in the (1989) Official Plan, and is a *Neighbourhood Connector in The London Plan. Both sites have frontage on three roads. The lands are vacant. The area is comprised of mostly single detached dwellings to the west and south, and future single detached dwellings to the north. They are characterized as being relatively flat with elevations sloping upwards toward the easterly limits of 475 Edgevalley Road. There are no structures on the site. No vegetation exists on the site, with the exception of a small number of remnant hedgerows and shrubs.

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 – Holding Residential R5/R6 (h*h-54*R5-7/R6-5) Zone

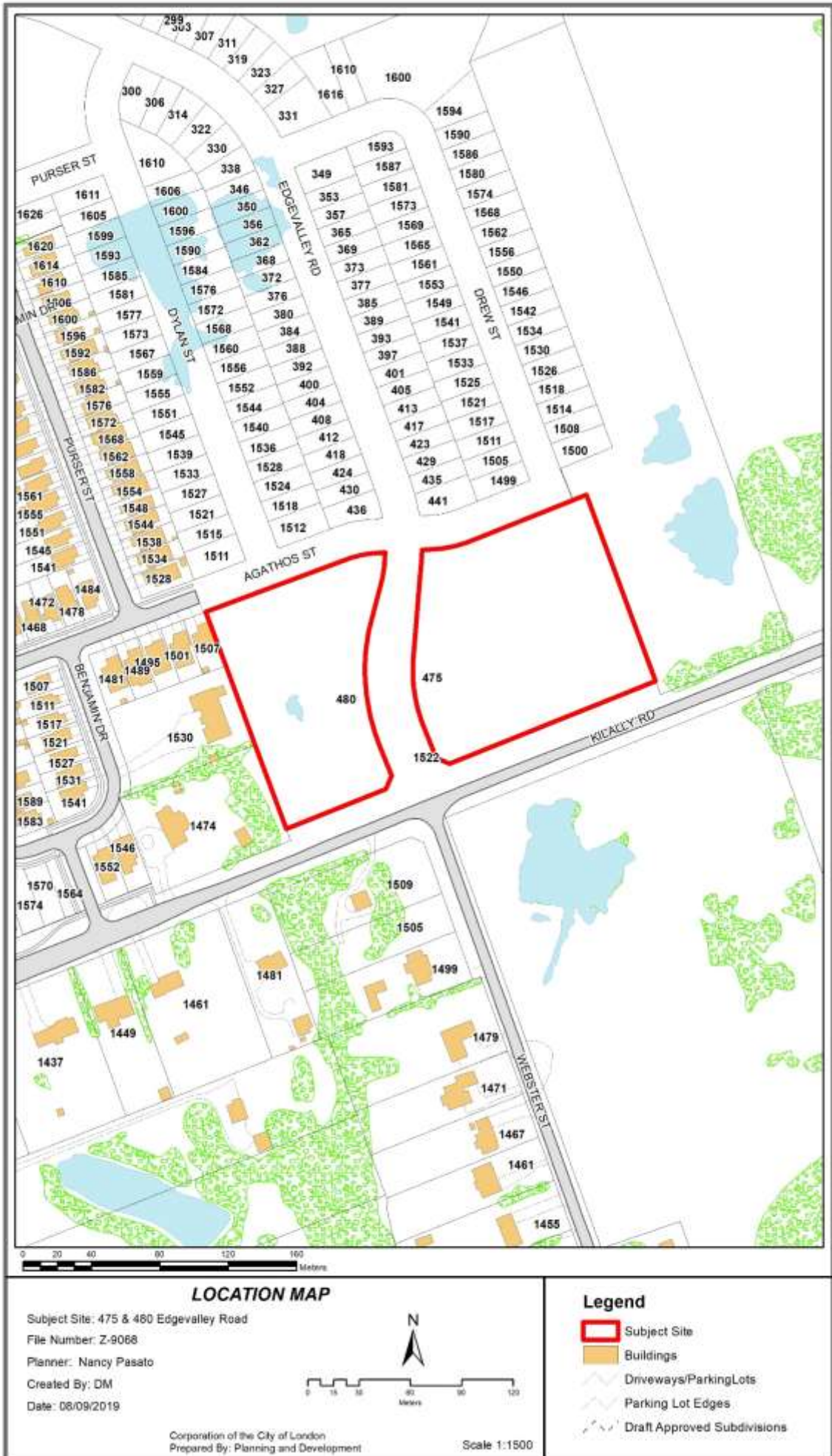
1.3 Site Characteristics

- Current Land Use – vacant
- Frontage on Kilally Road - 135.9m (445.9 feet)(475 Edgevalley Road); 52.73m (173.0 feet)(480 Edgevalley Road)
- Depth on Edgevalley Road – 135.98m (446.1 feet)(475 Edgevalley Road); 134.63m (441.7 feet)(480 Edgevalley Road)
- Area – 1.4 ha (3.5 ac)(475 Edgevalley Road); 1.1 ha (2.7 ac)(480 Edgevalley Road)
- Shape – irregular

1.4 Surrounding Land Uses

- North – vacant (proposed single detached residential)
- East – vacant
- South – vacant/single detached residential
- West – single detached residential

1.5 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The proposed concept for the subject lands illustrates five (5) low-rise apartment buildings in total across two sites, ranging in height from four (4) to six (6) storeys.

At 475 Edgevalley Road (east side of Edgevalley), the proposed site plan includes three (3) low-rise apartment buildings, ranging in height from four (4) to six (6) storeys, with a total of 147 units; and incorporates the following elements, by way of the proposed Bonus Zone:

- Building A is four (4) storeys in height, providing 39 units;
- Building B is five (5) storeys in height, providing 49 units;
- Building C is six (6) storeys in height, providing 59 units;
- A total of 207 parking spaces have been provided; and,
- Vehicular access to the site is from Agathos Street.

At 480 Edgevalley Road (west side of Edgevalley), the proposed site plan includes two (2) low-rise apartment buildings, four (4) storeys in height, with a total of 78 units; and incorporates the following elements:

- Building A is four (4) storeys in height, providing 39 units;
- Building B is four (4) storeys in height, providing 39 units;
- A total of 106 parking spaces have been provided; and
- Vehicular access to the site is from Agathos Street.

The site plan, building elevations and renderings, incorporate the following elements:

- Buildings that form a continuous, enclosing street wall; creating a strong foundation for establishing a recognizable image and sense of place;
- Parking areas located internal to the site;
- Defined intersection (Kilally Road and Edgevalley Road) creating a gateway feature to the neighbourhood;
- Built form that is sensitive to adjacent uses; with the tallest buildings being located to the east, away from existing residences to the west;
- Direct, comfortable and safe connections from the building entrance to the public realm;
- Scale relationships that are comfortable for pedestrians;
- A diversity of unit types allowing for affordability and giving people the opportunity to remain in their neighbourhood as they age; and,
- Outdoor amenity space provided in the form of balconies and patios at grade-level.

A proposed key map, site plan and renderings are shown in Figure 2, 3 and 4.

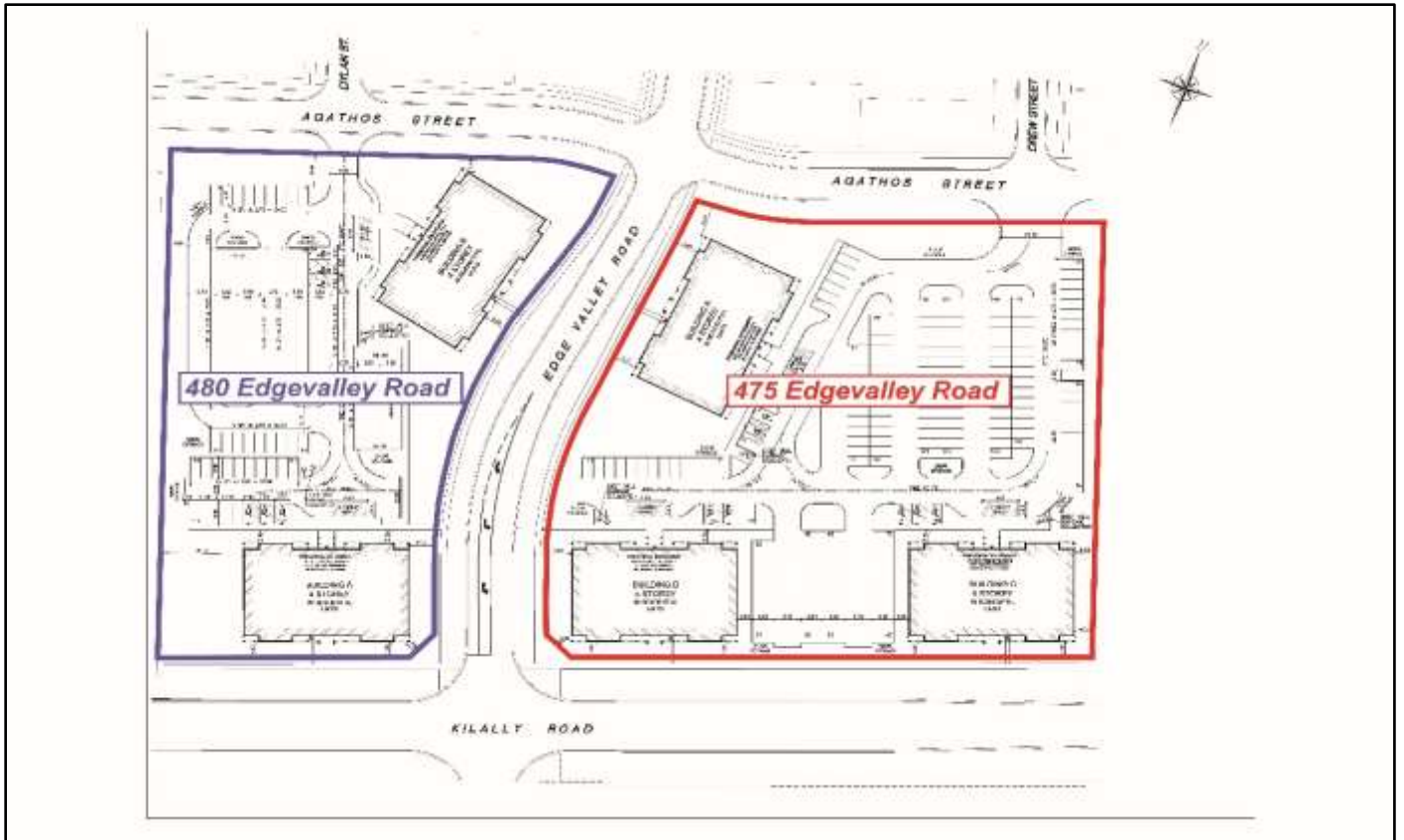


Figure 2 - Key Map 480 and 475 Edgevalley Road

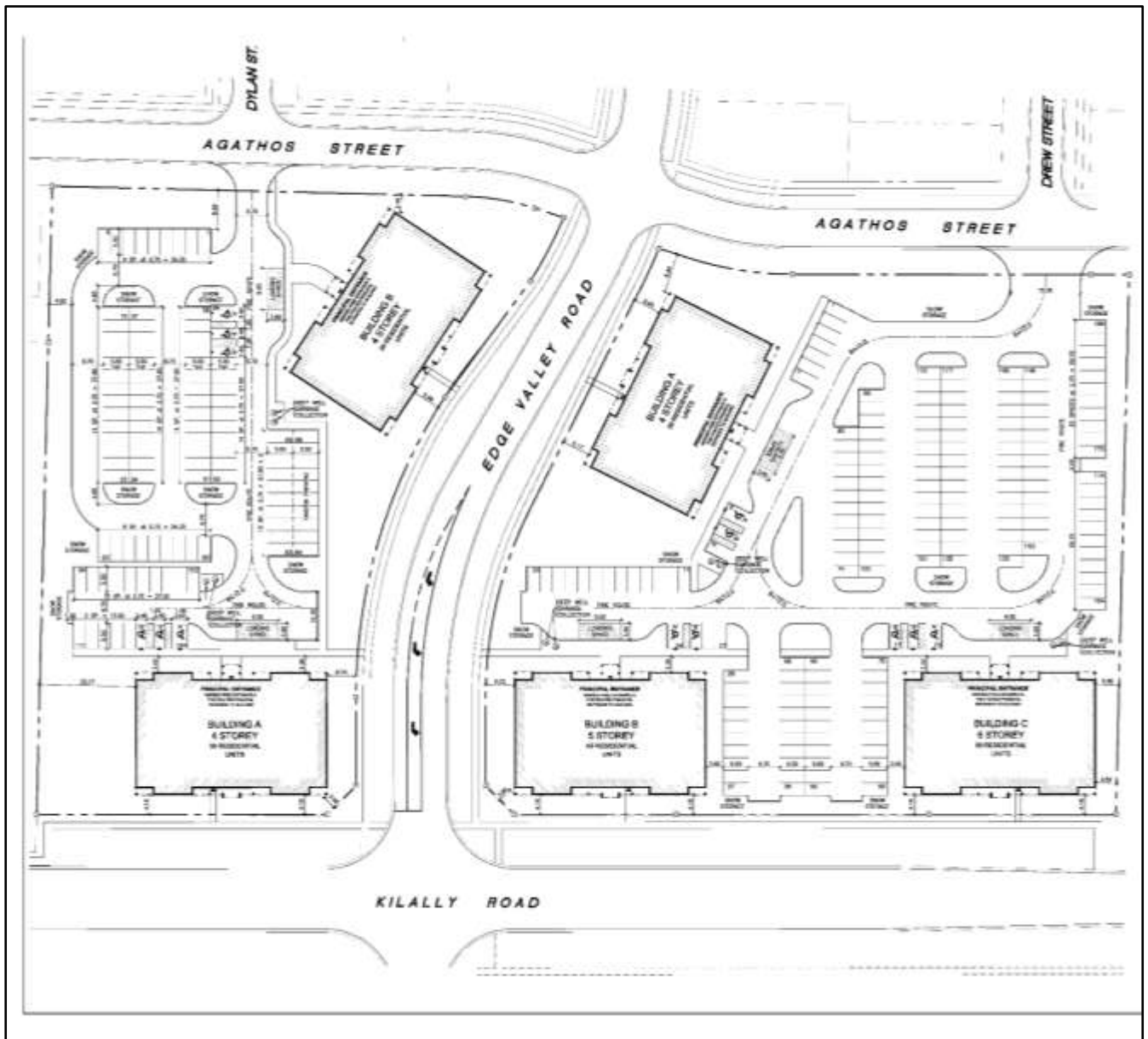


Figure 3 - Proposed Site Plan (revised as of August 16, 2019) for 475 and 480 Edgevalley Road



Figure 4 - Rendering of 4 storey building - 475 and 480 Edgevalley Road



Figure 5 - Rendering of 5 storey building at 475 Edgevalley Road



Figure 6 - Rendering of 6 storey building at 475 Edgevalley Road

2.2 Requested Amendment

The Applicant has requested a Zoning By-law amendment at 480 Edgevalley Road to apply a Residential R8 Special Provision (R8-4()*H15) Zone to permit apartment buildings, handicapped person's apartment buildings, lodging house class 2, stacked townhousing, senior citizen apartment buildings, emergency care establishments, and continuum-of-care facilities at a maximum height of 15 metres and a maximum density of 75 units, with a special provision for a reduced front and exterior side yard depth of 0 metres.

The Applicant has requested a Zoning By-law amendment at 475 Edgevalley Road to apply a Residential R8 Special Provision Bonus (R8-4()*H16*B()) Zone to permit apartment buildings, handicapped person's apartment buildings, lodging house class 2, stacked townhousing, senior citizen apartment buildings, emergency care establishments, and continuum-of-care facilities at a maximum height of 16 metres and a maximum density of 75 units, with a special provision for a reduced front and exterior side yard depth of 0 metres. The bonus zone (B-()) would permit a maximum height of 6 storeys (or 21 metres) and a maximum residential density of 100 units per hectare in return for eligible facilities, services and matters outlined in Section 19.4.4 of the Official Plan and policies 1638-1655 of The London Plan.

3.0 Relevant Background

3.1 Planning History

The subject site is within the Kilally South Area Plan. In November of 1990, the Kilally Road Area Study was completed for lands east and west of Highbury Avenue North, south of the Thames River. The recommended land use designations, which resulted from the study, were applied to the lands east of Highbury Avenue North and west of Webster Street and its future northerly extension. In 2003, the Kilally South Area Plan Update was completed. This study addressed the deferred portion of lands east of Webster Street and recommended land use designations and provided direction for future growth in this area.

Drewlo Holdings Inc. submitted an application for draft plan of subdivision and zoning by-law amendment on March 31, 2005. The public meeting was held on February 27, 2006. Council resolved that the draft plan and concurrent zoning by-law amendment be approved on March 6, 2006. Draft approval was granted on March 22, 2006. A three year extension to the draft approval was granted by the Approval Authority on March 22, 2009.

On May 4, 2011, the applicant submitted a revised draft plan of subdivision consisting of 129 single detached lots, 5 medium density blocks, 1 high density block, 2 park blocks, all served by the extension of Edgevalley Road, Agathos Street and Purser Street and 2 new local streets. The public meeting was held on December 12, 2011. A three (3) year extension and approval of the revised draft plan with conditions was granted by the Approval Authority on February 10, 2012.

Since this time, several draft approval extensions have been granted by the Approval Authority and Council (August of 2015, January of 2017, and most recently, an emergency extension in July of 2018). Final Approval was granted on December 19, 2018 and the plan has been registered as 33M-757.

Most recently, a removal of holding provision (H-8892) application was approved by Planning and Environment Committee and Municipal Council in January of 2019. The application to remove the holding provisions permitted the development of the single detached lots within the plan of subdivision. This application removed the "h-100" holding provision from the subject sites (secondary access and water looping constructed).

3.2 Community Engagement (see more detail in Appendix B)

There were 12 responses (both written and verbal) provided through the community consultation period. A summary of the comments include:

- Transition from low density to high density - too abrupt
- This development will not enhance the neighbourhood
- Property values will be affected
- Privacy concerns
- Traffic and impacts to safety, road capacity
- Crime as a result of new development
- Impact on adjacent homes from parking lot
- Possible student housing
- Issues related to affordable housing - crime, safety, privacy
- Noise
- Expectation of lower densities and housing form
- Increases in impermeable surface/SWM/flooding issues
- Lack of greenspace on plan/landscape buffer
- Parking should be underground
- Webster Street - improvements
- When will traffic lights be installed?
- Total population of development?
- Need overall road improvements i.e. reduce speeds on Highbury Avenue, left and right turn lanes of Kilally and Highbury and upgrades needed

A Community Information Meeting was held by the applicant on August 7, 2019, of which 45 people attended. A summary of comments include:

- Transition should be to three storeys on 480 Edgevalley, at existing density of 40 units per hectare
- Reduce parking/paved area on site
- Increase buffering and landscaping adjacent to existing homes/more greenspace on site
- Increase setbacks of buildings on the site/not adjacent to road
- Taller fencing with better materials adjacent to existing homes

- Existing homeowners have rights
- Impact on property values
- Privacy and safety concerns, especially related to low income development
- Traffic and impacts to safety, road capacity, noise
- Webster Street - concerns related to lack of sidewalks, lack of street lights, need traffic calming measures, and lack of municipal services
- When will traffic lights be installed?
- Speed limits should be reduced on Highbury Avenue

All public comments received through the public participation meeting, community meetings and other correspondence has been considered, addressed or incorporated where possible in the proposed development and detailed further through this report.

3.4 Policy Context (see more detail in Appendix C)

The Kilally South Area Plan, completed in 2003, was used as a guideline document for future development, including the subject sites. Generally, these lands were designated as Multi-Family, Medium Density Residential, which permitted multi-family uses, noting that cluster townhouses would be the likely use on site. As noted, the Area Plan was a guideline document only, and as part of The London Plan, previous Area Plans will be phased out, and any relevant considerations will be incorporated into policy.

Provincial Policy Statement, 2014

The Provincial Policy Statement (PPS) 2014, provides policy direction on matters of provincial interest related to land use planning and development. The policies support efficient and resilient development patterns through a range of uses, and appropriate infill and intensification in settlement areas.

The London Plan

The subject site is located within the *Neighbourhoods place type, along a *Civic Boulevard (Kilally Road), a *Neighbourhood Connector (Edgevalley Road) and a *Neighbourhood Street (Agathos Street). The *Neighbourhoods place type allows for a wide range of residential uses, including low rise apartments (up to four storeys), with the allowance for bonusing up to six storeys. The Neighbourhoods place type is intended to: create and enhance a strong neighbourhood character, sense of place and identity; provide a diversity and mix, and should avoid the broad segregation of different housing types, intensities, and forms; provide and integrate affordable housing into all neighbourhoods; support the development of residential facilities that meet the housing needs of persons requiring special care; provide for mixed-use and commercial uses at appropriate locations within neighbourhoods to meet the daily needs of neighbourhood residents; plan for live-work opportunities at appropriate locations; ensure street networks within neighbourhoods will be designed to be pedestrian, cycling and transit-oriented, giving first priority to these forms of mobility; provide for intensification will that respects existing community character and offers a level of certainty, while providing for strategic ways to accommodate development to improve our environment, support local businesses, enhance our physical and social health, and create dynamic, lively, and engaging places to live (*918_).

(1989) Official Plan

The subject site is designated Multi-Family, Medium Density Residential (MFMDR), which permits multiple-unit residential developments having a low-rise profile, and densities that exceed those found in Low Density Residential areas but do not approach the densities intended for the Multi-Family, High Density Residential designation. Residential uses that typically comprise medium density development include row houses, cluster houses, and low-rise apartment buildings. The scale of development shall be subject to height limitations in the Zoning By-law which are sensitive to the scale of development in the surrounding neighbourhood. Normally height limitations will not exceed four storeys, and density will not exceed an approximate net density of 75 units per hectare (30 units per acre), however, in some instances, height and density may be permitted to exceed these limits, such as through the bonusing provisions under

Section 19.4.4. of this Plan. All proposals shall be evaluated using the Planning Impact Analysis of the (1989) Official Plan.

4.0 Key Issues and Considerations

4.1 Use

Provincial Policy Statement (PPS)

The PPS promotes healthy, livable and safe communities by accommodating an appropriate range and mix of residential, employment, and other uses to meet long term needs (1.1.1 b) PPS). The proposal adds another housing form to the area which ensures a suitable mix of housing types. Densities and a mix of housing forms are also promoted where they are transit-supportive, where transit is planned, exists or may be developed (1.1.3.2.5). The current development proposal is located close to Highbury Avenue, which is serviced by existing transit, and is located on Kilally Road, which will likely become a future transit service.

The London Plan

The location of these sites, within the *Neighbourhoods place type, allows for a wide range of residential uses, including low rise apartments (up to four storeys), with the allowance for bonusing up to six storeys. Low rise apartments are a permitted use within the Neighbourhoods Place Type, subject to criteria. As noted above, and throughout, the development proposal is consistent with the policies of the PPS. The proposal is consistent with the policies of The London Plan, by ensuring a mix of housing types within our neighbourhoods so they are complete and support aging in place (59_5), building quality public spaces and pedestrian environments through linkages on street to the Thames Valley Parkway and transit (59_7), and designing complete neighbourhoods with a diversity of housing choices, providing more affordable housing options, and by meeting the needs of people of all ages, incomes and abilities (61_2). The City's strategy is to provide housing within the Urban Growth Boundary (*72_), located on important mobility corridors, such as Civic Boulevards (Kilally Road) and near existing and future transit corridor and important pathway connections (107_), and with access to full services (172_). City Building is achieved through this development application by providing for uses that contribute to a well-designed built form, is designed to be a good fit and compatible with adjacent development, provides for a mix of housing types to support ageing in place and affordability (*193_).

(1989) Official Plan

The Multi-Family, Medium Density Residential designation primarily permits multiple-attached dwellings, such as row houses or cluster houses, low-rise apartment buildings, rooming and boarding houses, emergency care facilities, converted dwellings, small-scale nursing homes, rest homes and homes for the aged (3.3.1). The Multi-Family, Medium Density Residential designation may serve as a suitable transition between Low Density Residential and other more intense forms of land use, and it may also provide for greater variety and choice in housing at locations that have desirable attributes but may not be appropriate for higher density, high-rise forms of housing (3.3).

The proposed low-rise apartment buildings are in keeping with the intended uses in both the Low Density Residential designation through the intensification policies, as well as the Multi-Family, Medium Density Residential designation. Additionally, the proposed low-rise apartment building provides an alternative dwelling type, and choice according to location, size, affordability, tenure, design and accessibility, which is supported by policy 3.1.1 ii). The apartment building provides a new form of development that is not existing in the immediate environment, which adds options for accessibility and subsequently affordability based on the form, size of dwelling unit and type of development. The apartment building also supports the ability to age in place where downsizing to a different type of dwelling unit would not require a departure from the neighbourhood.

4.2 Intensity

Provincial Policy Statement (PPS)

Healthy, liveable and safe communities are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term, accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment, institutional, recreation, park and open space, and other uses to meet long-term needs; and avoiding development and land use patterns which may cause environmental or public health and safety concerns (1.1.1.). This development provides an efficient housing form, accommodates a range of housing units, and does not cause public health or safety concerns. The PPS promotes cost-effective development patterns and standards to minimize land consumption and servicing costs, and encourages settlement areas to be the main focus of growth and development (1.1.3). This development is to be located on lands within a plan of subdivision, and does not require the expansion of a settlement area or extension of services.

The London Plan

The range of permitted heights in the Neighbourhoods Place Type is based on street classification (*935_). As per *Table 11, development can range from two to four storeys, with the allowance for bonusing up to six storeys. Zoning for the site will regulate the intensity of development that is appropriate to the neighbourhood context. Special provisions related to density and height will be added to all of the zones, as well as regulations related to front, exterior and interior setbacks. No special provisions are required for parking, coverage or landscaped open space.

As part of the discussions with the adjacent neighbours, the Applicant has indicated that they will be increasing the landscaping on the west interior side yard of 480 Edgevalley Road, and reconfiguring the parking to include a drive aisle adjacent to this property edge, in order to accommodate additional landscaping/trees adjacent to the homes on Benjamin Drive. This landscaped buffer, with a 1.8 m board on board fence, will provide more robust mitigation. The Applicant has also indicated that the fencing would be installed at the very early stages of construction, in order to mitigate any noise and dust associated with the construction process, and provide some added privacy and security. The Applicant has offered to provide an alternating double row of both deciduous and coniferous trees within that setback, with the final tree types to be selected with the help of adjacent neighbours. Additional trees will also be added to the landscaped plan wherever possible to mitigate sight lines between building balconies and adjacent properties.

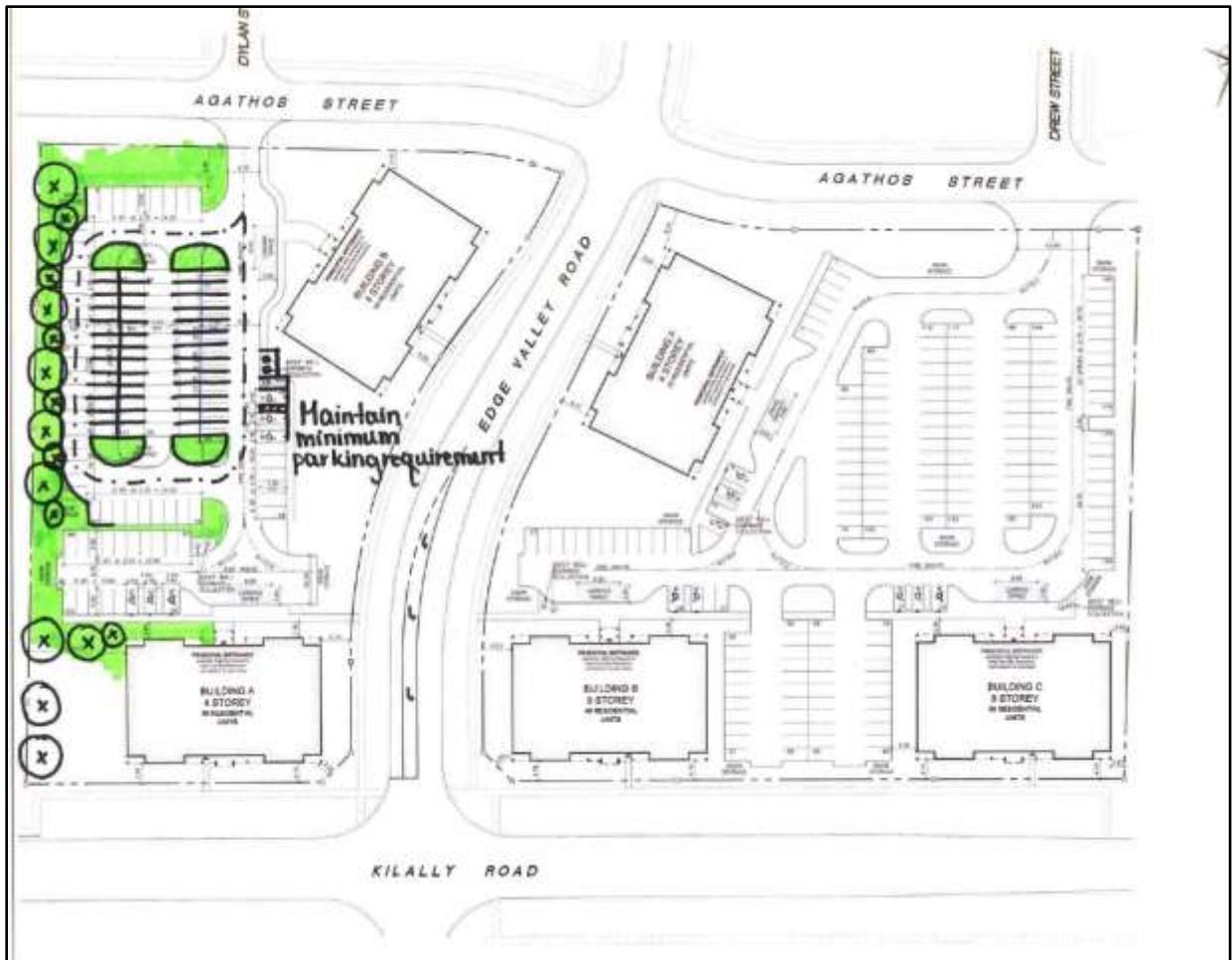


Figure 7 - Sketch from Applicant on proposed site plan changes, with additional landscaping and drive aisle, at 480 Edgevalley Road

(1989) Official Plan

Development within the Multi-Family, Medium Density Residential designation generally will generally not exceed four storeys and an approximate net density of 75 units per hectare. Some exceptions to the height and/or density limits may be considered through a site specific Zoning By-law amendment, including applications for bonusing under the provisions of 19.4.4 of the Official Plan (3.3.3. ii). Developments which are qualified to exceed the density of 75 units per hectare shall be limited to a maximum density of 100 units per hectare.

The subject site is proposing to develop based on the maximum allowable height and density as permitted through the MDR policies. The proposal is also for a site-specific Bonus Zone to allow for an increase in density up to the maximum of 100 units per hectare in return for such facilities, services and matters described in the Bonusing section of this report. The Official Plan allows consideration of the requested amendment through a site specific Bonus Zone in accordance with section 3.4.3 and 19.4.4, in return for the facilities, services and matters that provide public benefit which are detailed in the Bonus Section of this report.

From an intensity perspective, the developments will be focused at the street edge, primarily on Edgevalley Road and Kilally Road. The higher intensity (6 storey and 100 units per hectare) will be located on lands away from lower rise existing development, adjacent to vacant lands to the east (at 475 Edgevalley Road). The impacts of the higher intensity will therefore be minimized.

4.3 Form

Provincial Policy Statement (PPS)

Built design is emphasized in the PPS by “encouraging a sense of place by promoting well-designed built form” (1.7.1 d) PPS). The proposal represents an attractive and appropriate built form with buildings orientated to the street.

The London Plan

From a City Design perspective, all planning and development applications will conform to the City Design policies of this Plan (*936_1.). Generally, the proposed development provides a diverse range of housing types and built forms within the neighbourhood, by adding a new housing form (low rise apartment) that will contribute to the community and strengthen neighbourhood character in a primarily low density residential community (*197_). The proposal fits within the context of the neighbourhood's residential character through the addition of pedestrian connections that link to existing streets, trails and the Edgevalley subdivision (33M-757) to the north.

The proposed low-rise apartment buildings at 480 Edgevalley Road provide a transition in height from the existing low density residential development (west of the subject site) to the four, five and six storey buildings proposed at 475 Edgevalley Road. The proposed buildings on both sites are of a scale, height and massing consistent with the Street Classification of Kilally Road and Edgevalley Road. Exterior materials will be selected to enhance the contextual fit. Parking will be located interior of the sites as much as possible, and will be screened from the streetscape, where appropriate. The taller six (6) storey residential apartments will be sited at the easterly limit of 475 Edgevalley Road, adjacent to future residential development. Moving west along Kilally Road, buildings decrease in height to provide a transition to adjacent, existing one and two storey low density residential development. Reductions in height, in addition to landscaping and parking areas, ensures the proposed development is sensitive to future low density residential development to the north (*199_). Buildings have been sited at the corners of the Kilally Road/Edgevalley Road intersection in order to create a gateway feature into the community and provide a neighbourhood character and identity (*202_).

The proposed development will provide linkages to the street and is in close proximity to the Thames Valley Parkway (TVP) to the north. Infrastructure and amenities to support active modes including bicycle parking, pedestrian scaled lighting and amenity space have been proposed (*217_). Crime Prevention Through Environmental Design (CPTED) principles have been incorporated into the proposed site plan, by implementing natural surveillance principles through orientation of building entrances onto Kilally Road and Edgevalley Road. The siting of buildings with frontage onto the streetscape provides additional "eyes on the street". Parking lots will also be framed by a wall of windows and surveillance through their location in the interior of the development blocks. Internal sidewalks and amenity spaces on site will have adequate lighting levels in all seasons, weather and times of day to avoid blind spots. Access control will be provided through clearly identifiable point(s) of entry into all buildings defined by building materials, pathway texture changes and lighting. The proposed development will provide well-defined site entrances for vehicular access and egress which will be enhanced by site lighting (228_).

The development proposal will avoid noise walls as the buildings front the higher order roads (Kilally Road and Edgevalley Rad). No front yard parking is proposed as part of this proposal.

(1989) Official Plan

Low rise apartment dwellings up to four storeys are permitted within the Multi-Family, Medium Density Residential designation, subject to criteria related to impact and compatibility.

Pursuant to Section 3.3.3 of the (1989) Official Plan, the applicant has provided a detailed Urban Design Brief which demonstrates what effects this proposal may have on the neighbouring lands:

- Transition and compatibility between existing adjacent residential uses and proposed residential buildings and the associated parking area is achieved through the site design, which provides for robust landscaping and fencing between existing and proposed development (480 Edgevalley Road);
- Lighting throughout the development is to be provided by using non-glare lighting

- fixtures in parking areas and open spaces;
- Privacy fencing will be installed along the western property boundary of 480 Edgevalley Road. This is intended to be supplemented by landscaping, including large species plantings (trees) which would produce a compatible interface between the proposed buildings and the existing residences;
 - The proposed site design, particularly with the five and six storey buildings, are located away from existing low rise residential, and will be located along Kilally Road.

The site plan will implement the above noted features and ensure mitigation measures to limit impacts are utilized.

4.4 Bonusing

The requested amendment is for a Site Specific Bonus Zone to allow for the increase in building height and density. The consideration for Bonus Zoning is through Chapter 19 of the (1989) Official Plan and policies 1638 of The London Plan which sets out the various facilities, services and matters that can be provided as a public benefit for the increase.

The Applicant has requested a Bonus Zone in exchange for affordable housing, which is a permitted facility and service under both The London Plan and the (1989) Official Plan.

Planning staff have consulted with Housing Development Corporation (HDC), to determine what the suitable amount of affordable housing would be for the proposed development, taking into consideration the proposed bonusing, scale of the increased height and density, the location and context, and the 'lift' from the existing zone to the proposed Bonus Zone.

The recommended Bonus Zone is to provide for four (4) affordable, barrier-free housing units (three one bedroom and one two bedroom units) at a rate of 85% of CMHC average market rent for a duration of 15 years, which was established through HDC's in-house knowledge of local affordable housing needs and demands, local industry measures including CMHC rental market and housing analytics, City neighbourhood profiles, and labour market data, as well as a review of the bonusing policies and practices of other major urban centres. The recommended Bonus Zone considers the difference between the number of units permitted under the existing height and density permissions and the height and density being sought through the Bonus Zone.

Overall, the additional height and density will be located away from existing residential/single detached homes, thereby lessening any impact on adjacent development.

4.5 Community Concerns

Through the circulation process and at the Community Information meeting, comments were received from the public, which fall into three broad categories, being Building Design, Impacts on adjacent Development and Transportation:

Building Design:

Comments on the building design include the amount of paved surface and parking on site (impermeable surfaces), stormwater and grading issues, increased open space/landscaping on site adjacent to existing homes, underground parking, and increased buffering/setbacks adjacent to existing development.

Additional landscaping and fencing will be provided along the western property edge of 480 Edgevalley Road. This has been shown on the revised sketches provided by the Applicant and agreed to by neighbouring residents. The addition of more robust fencing, more tree plantings, and a slight reconfiguration of the parking area will help to lessen any possible impacts on adjacent neighbours. The development of the site will also ensure appropriate stormwater servicing is installed and will alleviate any runoff concerns. The amount of parking provided is required as per the zoning by-law, which

requires 1 space per 1.5 dwelling units. The proposed development at 480 Edgevalley Road is providing 119 spaces (for 78 units), which includes 6 accessible parking and 10 visitor parking. The development at 475 Edgevalley Road is providing 202 spaces (for 147 units), which includes 8 accessible parking and 19 visitor parking. Both sites exceed the minimum parking requirements.

Impact on Adjacent Development

Residents raised concerns related to possible impacts that include noise, lighting, privacy, safety, and security.

The Applicant has implemented a number of CPTED (Crime Prevention Through Environmental Design) principles with this development; including building orientation to provide for 'eyes on the street', appropriate lighting, and the placement of buildings have all been used to improve safety in the area. Lighting will be provided to illuminate the development but will be situated so as not to impact adjacent development. Fencing will be incorporated to help lessen any potential noise concerns.

Residents also raised compatibility issues, property value implications, lower transition from two storey single detached to multi-storey buildings, lower densities, impact of affordable housing, impact of student housing, the contribution of the development to the neighbourhood, and the overall expectation of lower densities and heights.

The subject lands have been designated as Multi-Family, Medium Density Residential since being incorporated into the City of London's Official Plan in 1998. Under the Multi-Family, Medium Density Residential designation the Official Plan permits multiple-unit residential developments having densities up to 75 units per hectare and heights up to four storeys. This housing form and density is contemplated in both the (1989) Official Plan and the London Plan.

Land Use Planning principles consider use, intensity and form in determining the suitability of proposed uses in accordance with the Provincial Policy Statement, Official Plans, Zoning By-laws and Community Area Plans. The matter of property values is not included as part of an evaluation undertaken by land use planners.

The City does not anticipate that existing long term residents of this neighbourhood will deal with issues of neighbourhood character relating to student housing, as this area is not within the Near Campus Neighbourhoods Area.

Transportation

Concerns were raised regarding high traffic volume in the area and the effect this development will have on the neighbourhood. No traffic study was required as part of this application, as the amount of units did not trigger the need for a further traffic assessment. The recent subdivision and the creation of Edgevalley Road, a secondary collector/neighbourhood connector, anticipated the traffic volumes that will be generated by this development. Through the approval of the adjacent subdivision, it was anticipated that Benjamin Drive, which is currently connected to Kilally Road, would be a temporary street, and will therefore be closed and all traffic will access this area via Edgevalley Road. Therefore cut through traffic into the surrounding streets should not occur. All accesses for both of these development will be located off of Agathos Street.

Many residents spoke of traffic concerns off site, such as Webster Street, speed limits on Highbury Avenue, and the need for more stop lights on Highbury Avenue. For the residents on Webster Street, additional information on sidewalk installations, traffic calming, street lights and municipal services was provided. This application will not trigger any adjacent road improvements, and the applicant will not be required to pay for any additional road work improvements. Transportation Division has indicated that the last traffic count at Highbury & Edgevalley was in 2009. This location is in the 2019 data collection schedule. It is noted that there is new development underway at this location east of Highbury Avenue, so traffic signals may be warranted within the next few years. A set of criteria is used for the reduction of speed limits on arterial roads such as Highbury Avenue. At this point, no reduction is anticipated for Highbury Avenue at this

location, but it is possible as development occurs that these speed limits may be reassessed.

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 (PPS), 2014*, as it promotes efficient development and land use patterns, and is consistent with the in-force policies of The London Plan, and the Neighbourhoods Place Type. The recommended amendment permits a form and intensity of medium density residential development that conforms to the (1989) Official Plan, and the Bonus Zoning policies. The recommended amendment will allow for an increase to height and density in return for a series of bonusable features, matters and contributions that benefit the public in accordance with Section 19.4.4 of the (1989) Official Plan. The recommended Zoning By-law amendment allows development that is consistent with the land use concepts and guidelines in the Kilally North Area Plan, which encourages medium density housing forms that are designed without the need for noise attenuation walls in this location and recognizes transition with existing residential development. The proposed use contributes to the range and mix of housing options in the area, and provides an efficient development and use of land. The subject lands are of a size and shape suitable to accommodate the proposal. The recommended Zoning By-law amendment provides appropriate regulations to control the use and intensity of the building and ensure a well-designed development with appropriate mitigation measures.

Prepared by:	Nancy Pasato, MCIP, RPP Senior Planner, Development Services
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	

August 30, 2019
NP/np

cc: Matt Feldberg, Manager, Development Services (Subdivisions)
Lou Pompilii, Manager, Development Planning
Ismail Abushehada, Manager, Development Engineering

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 475 and 480 Edgevalley Road.

WHEREAS Drewlo Holdings Inc. have applied to rezone an area of land located at 475 and 480 Edgevalley Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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 475 and 480 Edgevalley Road, as shown on the attached map comprising part of Key Map No. A103, from a Holding Residential R5/R6 (h*h-54*R5-7/R6-5) Zone to a Residential R8 Special Provision (R8-4(*)*H15) Zone and a Residential R8 Special Provision Bonus (R8-4(**)*H16*B()) Zone.

2. Section Number 4.3 of the General Provisions is amended by adding the following Site Specific Bonus Provision:

B() 475 Edgevalley Road

The Bonus Zone shall be enabled through one or more agreements to facilitate the development of three (3) low-rise apartment buildings, with a maximum of four (4) storeys (Building A = 16m), five (5) storeys (Building B= 18m) and six (6) storeys (Building C = 22m), a total of 147 dwelling units (Building A = 39 dwelling units; Building B = 49 dwelling units; Building C = 59 dwelling units), and a density of 100 units per hectare,

Provision of Affordable Housing

The provision of four (4) affordable rental housing units, established by agreement at 85% of the CMHC average market rent for a period of 15 years. An agreement shall be entered into with the Corporation of the City of London, to secure said affordable housing units for the 15 year term.

The following special regulations apply within the bonus zone:

a) Regulations:

- i) For the purpose of this by-law, the front lot line shall be deemed to be Kilally Road.
- ii) Density: 100 units per hectare
(Maximum)
- iii) Height of Building A Four (4) storeys
(Maximum): 16 metres (52.5 feet)
Height of Building B Five (5) storeys
(Maximum): 18 metres (59.1 feet)
Height of Building C Six (6) storeys

- (Maximum): 22 metres (72.2 feet)
- iv) Front Yard Setback
 - (Minimum): 2.0 metres (6.6 feet)
 - (Maximum): 6.0 metres (19.7 feet)
- v) Exterior Side Yard Depth - Edgevalley Road
 - (Minimum): 3.0 metres (9.8 feet)
 - (Maximum): 7.0 metres (23.0 feet)
- vi) Exterior Side Yard Depth - Agathos Street
 - (Minimum): 2.0 metres (6.6 feet)
- vii) Interior Side Yard Depth
 - (Minimum): 2.75 metres (9.1 feet)

3. Section Number 12.4 of the Residential R8 (R8-4) Zone is amended by adding the following Special Provision:

- R8-4(*) 480 Edgevalley Road
 - a) Regulations:
 - i) For the purpose of this by-law, the front lot line shall be deemed to be Kilally Road.
 - ii) Density (Maximum): 75 units per hectare
 - iii) Height (Maximum): Four (4) storeys
15 metres (49.2 feet)
 - iv) Front Yard Setback
 - (Minimum): 2.0 metres (6.6 feet)
 - (Maximum): 6.0 metres (19.7 feet)
 - v) Exterior Side Yard Depth - Edgevalley Road
 - (Minimum): 3.0 metres (9.8 feet)
 - (Maximum): 7.0 metres (23.0 feet)
 - vi) Exterior Side Yard Depth - Agathos Street
 - (Minimum): 2.0 metres (6.6 feet)

4. Section Number 12.4 of the Residential R8 (R8-4) Zone is amended by adding the following Special Provision:

- R8-4(**) 475 Edgevalley Road
 - a) Regulations:
 - i) For the purpose of this by-law, the front lot line shall be deemed to be Kilally Road.
 - ii) Density (Maximum): 75 units per hectare
 - iii) Height (Maximum): Four (4) storeys
16 metres (52.5 feet)
 - iv) Front Yard Setback
 - (Minimum): 2.0 metres (6.6 feet)
 - (Maximum): 6.0 metres (19.7 feet)

v) Exterior Side Yard Depth - Edgevalley Road
(Minimum): 3.0 metres (9.8 feet)
(Maximum): 7.0 metres (23.0 feet)

vi) Exterior Side Yard Depth - Agathos Street
(Minimum): 2.0 metres (6.6 feet)

5. The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

6. 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 September 17, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 17, 2019
Second Reading – September 17, 2019
Third Reading – September 17, 2019

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



Appendix B – Public Engagement

Community Engagement

Public liaison: On June 3, 2019, Notice of Application was sent to 58 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on June 6, 2019. A “Planning Application” sign was also posted on the site.

13 replies were received.

A Neighbourhood Community Meeting was held on August 7, 2019 by the Applicant at Siloam United Church. 45 people attended the meeting. Those comments have also been summarized below.

Nature of Liaison: The purpose and effect of this zoning change is to permit two apartment buildings, each 4 storeys (15m) in height, for a total of 78 residential units at 480 Edgevalley Road, and three apartment buildings, ranging from 4-6 storeys in height (up to 22m), for a total of 147 residential units at 475 Edgevalley Road. Possible change to Zoning By-law Z.-1 from a Holding Residential R5/R6 (h*H-54*R5-7/R6-5) Zone TO a Residential R8 Special Provision (R8-4()*H15) Zone to permit apartment buildings, handicapped person’s apartment buildings, lodging house class 2, stacked townhousing, senior citizen apartment buildings, emergency care establishments, and continuum-of-care facilities at a maximum height of 15 metres and a maximum density of 75 units, with a special provision for a reduced front and exterior side yard depth of 0 metres (480 Edgevalley Road), and to a Residential R8 Special Provision Bonus (R8-4()*H16*B()) Zone to permit apartment buildings, handicapped person’s apartment buildings, lodging house class 2, stacked townhousing, senior citizen apartment buildings, emergency care establishments, and continuum-of-care facilities at a maximum height of 16 metres and a maximum density of 75 units, with a special provision for a reduced front and exterior side yard depth of 0 metres. The bonus zone (B-()) would permit a maximum height of 6 storeys (or 22 metres) and a maximum residential density of 100 units per hectare in return for eligible facilities, services and matters outlined in Section 19.4.4 of the Official Plan and policies 1638-1655 of The London Plan. Other provisions such as setbacks, parking reductions, and holding provisions for servicing and design may also be considered through the re-zoning process as part of the bonus zone.

Responses: A summary of the various comments received include the following:

Concern for:

- Transition from low density to high density
- This development will not enhance the neighbourhood
- Property values will be affected
- Privacy concerns
- Traffic and impacts to safety, road capacity
- Crime as a result of new development
- Impact on adjacent homes from parking lot
- Possible student housing
- safety, privacy
- Noise
- Expectation of lower densities and housing form
- Increases in impermeable surface/SWM/flooding issues
- Lack of greenspace on plan/landscape buffer
- Parking should be underground
- Webster Street - improvements
- When will traffic lights be installed?
- Total population of development?
- Need overall road improvements i.e. reduce speeds on Highbury Avenue, left and right turn lanes of Kilally and Highbury and upgrades needed

- Transition should be to three storeys on 480 Edgevalley, at existing density of 40upha
- Reduce parking/paved area on site
- Increased buffering and landscaping adjacent to existing homes/more greenspace on site
- Increased setbacks of buildings on the site/not adjacent to road
- Taller fencing with better materials adjacent to existing homes
- Privacy and safety concerns, especially related to low income development
- Traffic and impacts to safety, road capacity, noise
- Webster Street - concerns related to lack of sidewalks, lack of street lights, need traffic calming measures, and lack of municipal services
- When will traffic lights be installed?
- Speed limits should be reduced on Highbury Avenue

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

Telephone	Written
Karin Williamson 1505 and 1509 Webster Street (also written)	Paul Dube 1478 Agathos Street
Andrew Stewart 1507 Agathos Street (also written)	Scott Harris 930 Blackmaple Court
Mary Overholt 1546 Benjamin Drive	Randy & Dianne Silverthorne 1501 Agathos St.
	Yvonne White President, MCC 725 27-44 Edgevalley Road
	Sarah Leeming-Strickland 1583 Benjamin Drive
	Mike & Lydia Hermant 1530 Benjamin Drive
	Andrew Stewart 1507 Agathos Street
	Karin Williamson 1505 and 1509 Webster Street and Ken Williamson Homes 15060 Nine Mile Road
	Stephanie Henshaw 1522 Benjamin Drive
	Ian and Cynthia Johnston 43-765 Killarney Road

Written:

Paul Dube
1478 Agathos Street

In regards to the subject zoning bylaw amendments, we request that the city deny the proposed changes requested by the developer.

After conversations with several of the existing neighbours, along Agathos St and Purser St, we feel that the construction of 5 and 6 storey buildings will not enhance the neighbourhood and will have grave consequences on the property values of our houses. We request the denial based on the following:

The London Plan (2016)

Policy 253: Site layout should be designed to minimize and mitigate impacts on adjacent properties.

- The construction of 5 and 6 storey buildings will not add to the property value of our existing homes.

Policy 298: An appropriate transition of building height, scale and massing should be provided between developments of significantly different intensities. This may be an important consideration at the interface of two different place types.

- The transition is far too quick, from our existing 2 storey houses to 4, 5 and 6 storey buildings. Also given that the land naturally rises, running east along Agathos St, the proposed buildings will look even taller.

City of London Official Plan (1989)

3.3.3 ii) Medium density development will not exceed an approximate net density of 75 units per hectare (30 units per acre).

- A six storey building will exceed this density.

11.1.1 xiv) To the extent feasible, the design and positioning of new buildings should minimize the loss of privacy for adjacent residential properties.

- The natural land rise, combined with the height of these apartments will take away privacy of our existing houses.

Please pass our request on to the planning committee, before the deadline.

Scott Harris

930 Blackmaple Court

It has come to my attention that Drewlo Holdings has submitted a request for a zoning bylaw change at the addresses shown in the subject line. I am a resident in the area and would like to voice my concern about any change that would increase the population density in this area. The vehicle traffic along Kilally Road is becoming increasingly heavy and will continue to do so as the planned developments proceed. A move to higher density housing will further exasperate this condition. Although the intersection to this development has been modified to handle higher density traffic the arterial roads feeding this intersection are not, in my opinion, of sufficient capacity to handle the increased traffic flow. I am also concerned about the impact this development could have on crime in the area. The surrounding neighbourhoods are already impacted by "affordable housing" areas where there is increased criminal activities by some of the occupants. Access to lower density properties is facilitated by the multi-use paths and walkways that are included in these developments. Inserting higher density affordable housing into the middle of such a development will further increase the opportunity for criminal activity. If this application proceeds I would expect that there would be some public consultation meetings required. I would like to be made aware of any such meetings when they are scheduled. I would appreciate any assistance you can provide with this.

Randy & Dianne Silverthorne

1501 Agathos St.

Asking about the above address, there is a zoning by-law amendment (file Z-9068) being presented to city hall. This being an amendment, I am curious about what was originally zoned for this area. When we purchased our home 3 years ago, we were told the zoning was for "for sale" condominiums. With this amendment, it appears that we will be "looking" at a parking lot in front of the 4 floor apartment building. Other than the parking lot, will the building's proximity to Fanshawe College bring an undesirable element to our little corner of the world? My wife and I moved from the Blackfriars area after being there for 42 years. We wouldn't like to have the same occurrence here.

Yvonne White
President, MCC 725
27-44 Edgevalley Road

I have read the promo for the low rental apartment buildings that are for 480 Kilally. My objections are as follows:

One: The city is thinking about allowing low rentals in a community where the houses are anywhere between 400,000 to ????. Can you guarantee us that our house worth will continue to grow with low rentals this close? Do our taxes get lowered??

We all know from experience that renters in low rentals, most but not all, do not look after their places of living. Take a look at Boulee Street and Kipps Lane. There are things hanging out of the balcony, bikes and toys everywhere. How are houses going to sell here and around the area? Cheaper so that our homes are not worth as much?

I am not a snob, however I bought here due to the price and the surrounding area.

Across the river there are very nice expensive homes, expensive condos at 99, 44 Edgevalley Road and on Highbury Ave. We have a gas station on Kilally that has never opened but is now an eye sore. Actually if that one ever opens, it will be 7 gas stations in a 3.3 km area.

Sarah Leeming-Strickland
1583 Benjamin Drive

I am writing today to express my strong opposition to the proposed re-zoning at Edgevalley and Killaly streets to allow multi-story residential buildings on this site. I live on Benjamin Dr, in the adjacent subdivision, and chose to move to this neighbourhood with my family as it was a quiet and peaceful area with single family homes. The introduction of multi-story buildings, with over 200 units will drastically change our neighbourhood. As our neighbourhood is located quite close to Fanshawe College, I have grave concerns that multi-story buildings in our area will be filled with students. While post-secondary students can of course be wonderful neighbours, when there is a concentration of short term (1 year) renters in an area, the culture of the neighbourhood changes. We currently have students who rent houses in our subdivision, and are wonderful neighbours, but they are scattered throughout the area, not concentrated in one very small corner. There are many children in our neighbourhood and there are at least 6 different school buses that pick up and drop off children every single day. I have serious safety concerns for our children who wait for the bus, if such a large increase in traffic were to be introduced to this area. It is already very dangerous to have our children ride their bikes or walk along the sidewalks on Killaly Rd. as people drive far too fast along this route between Clarke Rd. and Highbury Ave., and the added congestion that over 200 apartments will bring is scary. Many of us who have recently purchased our houses (within the last 5 years) have done so after reviewing the plans for the proposed development of the lots to the North and East of our homes. The plans were for single family homes, as well as condo style town-homes to be built. This is what we expected when we purchased the house, and I am extremely disappointed and upset at the proposed change. I would strongly encourage the City of London to deny the re-zoning request of Drewlo and not allow multi-story residential buildings to be built.

Mike & Lydia Hermant
1530 Benjamin Drive

We are homeowners that occupy a single-family residential property that abuts the largest existing portion of the proposed development site, and would like to be provided with additional supporting information regarding the proposed zoning amendment. When we purchased our property on Benjamin Drive in 2012, we were aware that future development was planned for the vacant land in question, but that it was not zoned for high-density residential apartments such as those included in the proposal. Consider this letter as our formal appeal application; if an appeal needs to be filed via other means, then provide additional details so we can ensure the appeal against this file is submitted appropriately & within the time limits provided.

When site preparation operations began on the development property in 2018, we had opportunity to meet with the site engineer for MTI Engineering (Randy Lucas) who reviewed the city-approved site plan with us, which clearly indicated that the area

directly adjoining our property was zoned for medium-density residential units, and he indicated that the only apartment-style multi-story building approved by the City of London was located at the corner of Highbury Ave & Edgevalley Road, at the north-west end of the new development. He also indicated that the zoning in place would permit the developer to commit to condominium-style townhomes, or something similar, which would not exceed 2 stories in height.

We have significant concerns with the zoning amendment proposal that we intend on bringing forth since our property & personal security is likely the most impacted by these proposed changes. Please provide details for the public meeting where we can voice our concerns & objections to this proposal. Our councillor (Mo Salih) is cc'd on this message, and we look forward to the opportunity to meet with him personally to review the many concerns we have with the zoning amendment proposal.

Andrew Stewart
1507 Agathos Street

I would like to lodge a formal complaint and objection to the proposed zoning changes for above referenced lands.

My wife and I own 1507 Agathos street and do not want to have apartment complexes and large parking lot beside my residence. I have emailed you before to add me to the distribution list and keep me informed regarding the development of this new subdivisions but have never received any emails regarding this. I am extremely upset that no one reached out to the neighboring properties for input on the proposed changes. I found out about this from a sign that was posted but wish that I was contacted directly. Drewlo Holdings seems to be able to set their own rules and not follow the current zoning that is in place. The planned subdivision has already nearly lapsed many times and I don't feel the zoning should be changed just because a large developer wants to increase the density and their profit margins.

Reasons for not wanting rezoning include:

- Do not want high density development in my back yard (fish bowl effect)
- Traffic is already bad enough and will be much worse once the subdivision and funeral home are completed.
- Do not want to increase the impermeable surface coverage (worried about surface runoff water).
- Do not want a large parking lot with no trees.
- Drewlo has already clear cut the forest that used to grow beside my house and now they want to pave the entire site which has environmental and hydrological impacts.

I look forward to hearing more about this proposal and hope that the city can work with the existing residence to avoid this unnecessary proposed zoning change.

Mary McKenzie
438 Briarhill Avenue

I am totally against allowing a zoning change for the area of Edgevalley & Kilally roads. We do not need apartment buildings in this lovely quiet single family homes neighbourhood. Please don't change the zoning for this area.

Karin Williamson
1505 and 1509 Webster Street
and Ken Williamson Homes
15060 Nine Mile Road

Further to our conversation last week I would like to reiterate and add to our concerns.

We are holders of 2 large residential lots at 1509 and 1505 Webster Street and are negatively affected by this proposal. The original draft plan by Drewlo Holdings included single family and townhouse developments along Kilally Road, serving as a buffer between single family and high density development. The proposed zero setbacks and apartment buildings are a drastic change and not welcome.

The huge proposed parking lots to service high rise dwellings are more conducive for a shopping mall. Would underground parking not be a better option? The anticipated population would nearly double and traffic would negatively affect Kilally Road to the east as well as Webster Street to the south, both being the equivalent to paved county roads. Webster Street has a deep culvert closer to Jensen Road that has a metal guard to the west and an old tree to the east, none of the locals pass each other at that location but take turns.

The Homes on the west side of Webster Street between Jensen and Kilally Roads were built on lots 100' wide more or less with setbacks of 100'. These homes are on septic tanks and wells. There are no sidewalks, curbs or gutters with the exception of curbs and gutters at 1499 to 1505 Webster Street at the reconstructed Street section. Homes constructed on the south side of Kilally between Highbury Ave and Webster Street were built to similar specifications but have curbs and gutters - but do not have sidewalks; on the north side of Kilally Road there are sidewalks from Highbury Ave to Edgevalley Roads as well as curbs and gutters. To align Webster Street and Edgevalley Roads Webster Street's grade was lowered by the City and a retaining wall was proposed of 2' in height at 1499 Webster Street gradually increasing to 9' at 1505 Webster Street. A three foot error occurred and we now have a retaining wall that starts at 6' and graduates to 10' along the three properties. The newly constructed wall makes it impossible to see oncoming traffic from the left at the stop sign on Webster Street, you have to advance two car lengths into the intersection to be able to do so. When will the proposed traffic lights be installed? The expected services on the three properties were not provided. Also street lights, traffic lights at the intersection, sidewalks, hydro poles moved to the east side of Webster only showed on the City plans displayed at Montcalm High school to the general public. Please note that the changes to the road on Webster Street started in May of last year, the work is not yet completed. We had been told that this work would be completed in 4 months. Trusting that the foregoing information is helpful.

Stephanie Henshaw
1522 Benjamin Drive

Just want to send an email to express my concerns about the zoning by law for apartment buildings on EdgeValley Road. I currently am raising my 4 young kids in a single detached home on Benjamin Drive. It is a nice quiet neighbourhood. Many houses are already being added along Edgevalley Road at Killaly just to the east of us. This will bring many more families to the area. Adding 5 apartment buildings is going to bring even more traffic and population to the quiet area than we are already getting with the new house a going in. I am really concerned about the safety of my kids as they wait alone at the bus stop before school in the mornings, and play outside all the time, with the influx of many more people brings greater risk to their safety. Please consider the families who live on our street who moved here because it was a small, quiet, safe neighbourhood.

Al Veltman
69-1430 Highbury Avenue

Just some comments and observations re above development. This is a huge development in a rural style setting that is going to present a traffic nightmare. Traffic flow has not been well thought out and if the development is allowed to be built as proposed, there will shortly be a demand to upgrade all roads and traffic lights costing \$millions for the tax payer for the benefit of the developer. Here is the problem. With the population density allowed, what will be the final total population of the new development? It looks like it could be in the thousands. Traffic flowing from the development onto either Highbury or Kilally will be a nightmare. Most of the traffic onto Kilally will turn west to Highbury. The turning lanes at Kilally are inadequate now and with the new development and the funeral home will be impossible. Similarly, turning onto Highbury from Edge Valley will be impossible. In addition, Kilally needs to be upgraded all the way from Webster to Clarke. As will Webster from Kilally to Jensen.

This development will shortly require an upgrade at Kilally and Highbury, Edge Valley and Highbury, Kilally and Clarke.

Possible these upgrades will require traffic lights at Edge Valley and Highbury and Clarke and Kilally.

Since all this is for the benefit of Drewlo Holdings, they need to be responsible for the cost of these upgrades including the upgrade to Kilally to Clarke and of Webster street. Please do not allow any zoning changes or a finalization of the plans until Drewlo has upgraded all those areas for a reasonable traffic flow.

If these concerns are not dealt with before building begins, the tax payer will pay dearly. Furthermore, the speed on Highbury will have to be reduced from 70 to 60 kph.

Ian and Cynthia Johnston
43-765 Killarney Road

1. Did City Hall's original plan have stipulations as to what would be acceptable in terms of population density and numbers and types of multi-family buildings allowed for this development/subdivision?
2. Did Drewlo's initial plan for development need to be amended to conform with the City's plans/intentions for this property?
3. Did Drewlo's original plan for subdivision include any 4, 5, or 6 storey low-rise apartment buildings and was there any discussion on such buildings at the time the original plan was approved?
4. How does "Bonusing" work so that height ranges of buildings can be increased from the maximum permitted by City by-laws?
5. Will traffic lights be added at Edgevalley and Highbury? With lights on Highbury already at Fanshawe, Killarney, Kilally, and Fuller, the addition at Edgevalley would mean 5 lights in a relatively short distance on what I thought was supposed to be one of the major north - south corridors. Also, I'm sure Drewlo has provided some sort of traffic study but the fact lanes of Highbury had to be closed off to regular traffic to allow construction vehicles in and out should be indicative of problems in the future and this occurred at times of low construction activity.
6. In past developments has Drewlo made an original plan of subdivision only to subsequently apply for amendments to increase density?
7. Does the City "earn" additional fees if an amendment to the original plan is accepted?

Agency/Departmental Comments

Housing Development Corporation - June 24, 2019

Background:

Housing Development Corporation, London (HDC) was engaged as a third party to support information, facilitate negotiation, and assist in the provision of a fair recommendation to Development Services in response to an action under Sections 34 and 37 of the Planning Act that included a request for an increase in height and density ("lift") above and beyond what would otherwise be permitted in the Zoning By-law in return for eligible facilities, services and matters, including the provision of affordable housing.

Requested Zoning By-law Amendment:

The purpose and effect of the Zoning By-law amendment requested by Drewlo Holdings Inc. (the proponent) is to provide for the development of:

- 3 apartment buildings, ranging from 4 to 6 storeys in height, totalling 147 residential units on lands known municipally as 475 Edgevalley Road (shown as Buildings "A", "B" and "C" on Block 139, Attachment 1a); and,
- 2 apartment buildings, 4 storeys in height, totalling 78 residential units on lands known municipally as 480 Edgevalley Road (shown as Buildings "A" and "B" on Block 140, Attachment 1a).

The details of the requested Zoning By-law Amendment, including consideration of facilities, services, and matters of public benefit, were identified in the proponent's April

30th, 2019 Planning Justification Report submitted to the Corporation of the City of London in support of their requested action. To provide for the increased height and density sought through bonusing for Buildings “B” and “C” on Block 139, Drewlo Holdings Inc. has engaged in discussions with HDC to facilitate the provision of affordable rental housing units. This letter reflects the recommendation of HDC to City of London Development Services as fair consideration of bonusing for affordable rental housing in Buildings “B” and “C” on Block 139.

RECOMMENDATION:

HDC would acknowledge the progressive philosophy and approach demonstrated by Drewlo Holdings Inc. in the negotiation of the elements to the bonus zone detailed below. The recommended bonus provides for a mix of bedroom types, deeper levels of housing affordability, and the alignment of the bonus with populations in need of housing with support.

Based on the review of the proponent’s proposed project plans for 475 Edgevalley Road (specifically Buildings “B” and “C” on Block 139) it is the recommendation of HDC that the Director, Development Services advance the following requirements within the affordable housing bonus zone:

1. Assuming a total uplift of 37 units (for Building B and Building C), a total of three 1 bedroom units and 1 two bedroom unit be considered for dedication to affordable rental housing in exchange for the granting of increased height and density. Two of these units should be located in Building “B” and two units should be located in Building “C”. All four of the identified affordable units in Building “B” and “C” are to be barrier-free;
2. “Affordability” for the purpose of any associated encumbrance agreement (see below) be defined as rents not exceeding 85% of the Average Market Rent, as defined at the time of occupancy, and where:
 - i. Average Market Rent (AMR) of the affordable units be defined as the single bedroom AMR rate and two-bedroom AMR rate for the London Census Metropolitan Area by CMHC at the time of building occupancy;
 - ii. The identified units will be scattered throughout Building “B” and Building “C” and may be constructed to a more modest level but within the affordable housing size and attribute guidelines of HOC (see Attachment 2), and,
 - iii. The rents of the defined affordable units will only be incremented in rents to the allowable maximum once per 12-month period in accordance to the Residential Tenancy Act or any successor legislation; and
3. The duration of the affordability period be set at 15 years from the point of initial occupancy of all 4 designated affordable rental units. Sitting tenants residing in designated affordable housing units at the conclusion of the agreement would retain their security of tenure and adjusted affordable rents until end of their tenancy. These rights would not be allowed to be assigned or sublet.

These, and any other amended conditions to be confirmed by Municipal Council, need to be secured through an encumbrance agreement ensuring compliance and retain the value of the affordable rental housing bonus Zone (at an estimated rate of approx. 50% of the construction cost of the affordable units) over the 15-year affordability period. An agreement would also address other conditions including tenant selection. Any such agreement to retain the affordable rental housing would be subject to terms defined by the City Solicitor and to compliance reviews and remedies similar to other affordable housing development agreements of the City and HDC.

In addition to the items to be secured through the encumbrance agreement identified above, HDC would recommend that Orewlo Holdings Inc. be required to enter a Memorandum of Understanding with HOC to align the bonus units with an identified population in need of housing with supports. The designated use of the bonus units and associated Memorandum of Understanding would be subject to mutual agreement and may be substituted or altered during the duration of the affordability bonus (15 years) by mutual agreement with the concurrence of the parties. The associated support service

agency would retain responsibility for tenant selection in consultation with Drewlo Holdings Inc.

Rationale for Affordable Housing Bonus:

The London Plan recognizes that average market rent is out of reach for many Londoners and that housing affordability is one of the City's principle planning challenges. Accordingly, the Housing policies of the Plan identify affordability targets stating that planning activities will serve to provide for both a mixture of dwelling types and integrated mixtures of housing affordability. In pursuit of this goal, the policies of the Plan identify bonusing as a planning tool in support of the provision of affordable housing in planning and development proposals.

Block 139 is located on the northeast corner of Killally Road and Edgevalley Road. Block 139 is part of a larger, comprehensively planned and recently registered plan of subdivision that provides for a range of housing options including low, medium and high-rise residential built forms (see Attachment 1b) Plan 33M-757). As noted in the Planning Justification Report, the proposed development will provide "... a diversity in affordability and unit types." The Planning Justification Report notes the site's proximity to commercial uses, open space and public transit infrastructure (including Route 25 with direct connections to the Huron/Highbury community shopping area node, Fanshawe College, and Masonville Place).

The locational attributes of the site and the inclusion of barrier-free units directly align with the guidelines and considerations used by HDC to advance affordable housing. HDC would further note that a review of housing analytics from the Canada Mortgage and Housing Corporation (CMHC) indicate average apartment vacancy rates and rents in the defined area demonstrating housing affordability challenges.

The recommended bonus zone is specific to the mid-rise apartment buildings identified as Buildings "B" and "C" on Block 139 on lands known municipally as 475 Edgevalley Road and does not apply to any other development or development phase by any perceived similarity in lift or built form.

Conclusion:

Section 37 of the Planning Act provides municipalities the ability to advance public services in exchange for additional height and density above existing zoning permissions. The ability to utilize this important tool as a mechanism to advance affordable rental housing aligns with a critical need in London, noting that London is currently ranked 5th in Canada for the highest percentages of households in "Core Housing Need" in major urban centres. (CMHC, July 2018).

This recommendation recognizes Council's expressed interest to seek "... options for implementing and coordinating [planning] tools to be most effective..." to "...promote the development of affordable housing in London" (4.4/12PEC, July 25, 2018)

HDC will be available to the Planning and Environment Committee and to Civic Administration to further inform this recommendation or respond to any associated questions.

Urban Design - June 28, 2019

Urban design staff have reviewed the site plans, elevations, and the urban design brief that form part of the Zoning By-law Amendment application for the above noted address and provide the following urban design related comments consistent with the Official Plan, applicable by-laws and guidelines:

- Site design comments regarding "Block 139" & "Block 140"
 - Create a consistent street wall along the Killally Road frontage by including a maximum setback of 4m for the proposed buildings.
 - Create a consistent street wall along the Edge Valley Road frontage by including a maximum setback of 5m
 - Ensure any parking located next to the street, between buildings, is located behind the face of the building(s). Include a min. 5m setback for

parking areas along Killaly Road and a min. 6m setback for parking areas along Edge Valley.

- Through the Site Plan Process include;
 - A combination of low masonry walls (max. 0.7m in height) and landscaping in areas where parking is adjacent to the street in order to screen this function and provide a built edge;
 - Ensure the parking area is designed to meet the Parking Lot design requirements of the Site Plan Control By-Law in particular as it relates to landscape islands;
 - Ensure an appropriately sized and located amenity space is located on site.
- Building Design
 - Ensure that all buildings are oriented to their respective street frontages with a well-defined entrance facing the street;
 - Ensure the design of the buildings "A" and "B" on both blocks have regard for their corner locations and ensure that the design of both street facing facades include a high level of architectural detail.
 - Provide for individual unit entrances for ground floor units, explore opportunities to include ground floor courtyards with direct access to the city sidewalk in order to create an active street edge.

Site Plan - July 11, 2019

General Comments:

1. Zoning referral form will be completed once finalized zoning has been established on the site.
2. The site contains an h, and h-54 holding provision to be removed prior to site plan application approval.
3. Isolate site plan for each site separately to avoid confusion in the future.
4. Noise study recommendations shall be implemented through a future development agreement.
5. Parkland dedication has been taken as part of the registered subdivision application. No additional concerns.
6. There are no heritage planning or archaeological issues related to this property and associated file.

Site Plan Comments:

1. Bicycle parking referenced on the site plan but not shown. Please provide relevant floor plan at next submission depicting long term bicycle storage location. Note stall size shall be in compliance with section 14 of the site plan control bylaw.
2. Identify internal garbage rooms on the site plan as well as pick-up staging area. Provide note on the plans regarding garbage and recycling strategy.
3. Identify snow storage areas on the site plans.
4. Provide barrier free stall and signage design detail on the plans.
5. Provide fire route signage and design detail of signage on the plans.
6. Identify visitor parking stalls on the site plan in compliance with the site plan control bylaw (1 per 10 dwelling units).
7. As per section 6.2 (b) of the SPCB, parking areas should be no closer than 3 metres to street line and 1.5 metres to a property line. Please clarify on the site plan.

Landscape Comments:

1. Three (3) metre wide double tree planted islands to be provided at the end of each parking area in accordance with Section 9 of the Site Plan Control By-law.
2. Landscape drawings are to be endorsed and signed by a qualified OALA or Arborist.

Building Design Comments:

As this proposal requires a Zoning By-law Amendment (ZBA), further discussions relating to the design of the site, the buildings in regards to their heights, massing, step-

backs, relationship to surround existing and planned development, may occur through that process.

Site design comments submitted to the applicant through the ZBA are as follows;

- Create a consistent street wall along both the Killally Road and Edge Valley Road frontage.
- Ensure any parking located next to the street, between buildings, is located behind the face of the building(s). Include a min. 5m setback for parking areas along Killally Road and a min. 6m setback for parking areas along Edge Valley.
- Provide a combination of low masonry walls (max. 0.7m in height) and landscaping in areas where parking is adjacent to the street in order to screen this function and provide a built edge;
- Ensure the parking area is designed to meet the Parking Lot design requirements of the Site Plan Control By-Law in particular as it relates to landscape islands;
- Ensure an appropriately sized and located amenity space is located on site.
- Building design comments submitted to the applicant through the ZBA are as follows;
- Ensure that all buildings are oriented to their respective street frontages with a well-defined entrance facing the street;
- Ensure the design of the buildings "A" and "B" on have regard for their corner locations and ensure that the design of both street facing facades include a high level of architectural detail.
- Provide for individual unit entrances for ground floor units, explore opportunities to include ground floor courtyards with direct access to the city sidewalk in order to create an active street edge

Engineering Comments:

Development Services - Engineering has completed its review of the first submission of engineering drawings prepared by Strik Baldinelli Moniz (SBM) and submitted as part of the above noted site plan application. Items to be addressed are outlined below and identified on the attached red-lined drawings.

Technical Comments for the Applicant 480 (Block 140) Edgevalley Rd

1. Dimension accesses (min 6.7 width, min curb radii 6.0m).
2. A section 28 permit will be required for 480 Edgevalley Road.
3. Although this area was included in the design of a downstream stormwater management facility, the proposed parking lot for high density residential buildings is required to address water quality to the standards of the MECP and the satisfaction of the City Engineer.
4. The ultimate outlet for this site will be the Kilally South West stormwater management facility. This pond is not yet built, the consultant is to discuss the site outlet prior to pond construction.
5. A conditional approval has not been granted. The outlet sewers are not approved.
6. Drawings C6 indicates that the OLFR is to over top the west edge of the parking lot before flowing north via a swale to Agathos Street. The report is to demonstrate capacity of the swale to safely convey flows and confirm that flows will not impact the westerly adjacent properties.
7. Provide and label the 100yr limits and elevations. Note the max ponding depth and ensure pipes are designed for the 2-yr event.
8. Provide an outline of the proposed works/ESC measures during different site conditions. Indicating the sequential order from perimeter protection, grading of diversion swales, site stripping, sewer construction, pre-grading, site stabilization and post servicing. Be sure to note if any material (topsoil, fill, etc) will be stored on site or hauled off site. The servicing report should support the proposed ESC measures.
9. There is an automatic flushing device located on Block 140, this device shall not be impacted by the development and shall remain accessible by the City. Easements may be required.

10. Retaining wall design and grading alternatives including building locations to be discussed.

When all comments as set-out above and on the red lined mark-up have been addressed in their entirety the drawings could be resubmitted for our review.

London Hydro - June 23, 2019

Servicing the above proposal should present no foreseeable problems. Above-grade transformation is required.

Note: Transformation lead times are minimum 16 weeks.

Contact Engineering Dept. to confirm requirements & availability.

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 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 a, b, c, e, f

1.1.3 Settlement Areas

1.1.3.1, 1.1.3.2, 1.1.3.3, 1.1.3.4, 1.1.3.6

1.4 Housing

1.4.1

1.6.7 Transportation Systems

1.6.7.4

London Plan

Our Strategy: 59_5.; 59_7.; 61_2.

Our City: *71_Figure 1; *72_; 107_; 108_; 124_; 142_; 143-145_; *146_; 170_; 172_

City Building: *193_;*197_; *199_; *202_; *211_; *213_; *217_; *218_; *219_; *220_; 221-228_; 229_; 230_; 235_; 236_; 237_; 238_; 249_; 252_; 253_; *255_; 256_; *259_; *261_; *266_; 268_; 269_; *270_; *271_; *272_; *277_; *278_; *279_; *280_; *281_; *282_; *284-300_; *301; *302_; *304_; *370-372_; *Table 6; .520_; 521_

Place Type Policies: *916-922; *Table 10; *935_; *936_; *Table 11; *960_;

Our Tools: 1576_; *1577-1578_; 1610_; *1638-1647_

Maps: *Map 1; *Map 3

1989 Official Plan

Chapter 2 Planning Framework: 2.3.1 ii); 2.3.1 vii);

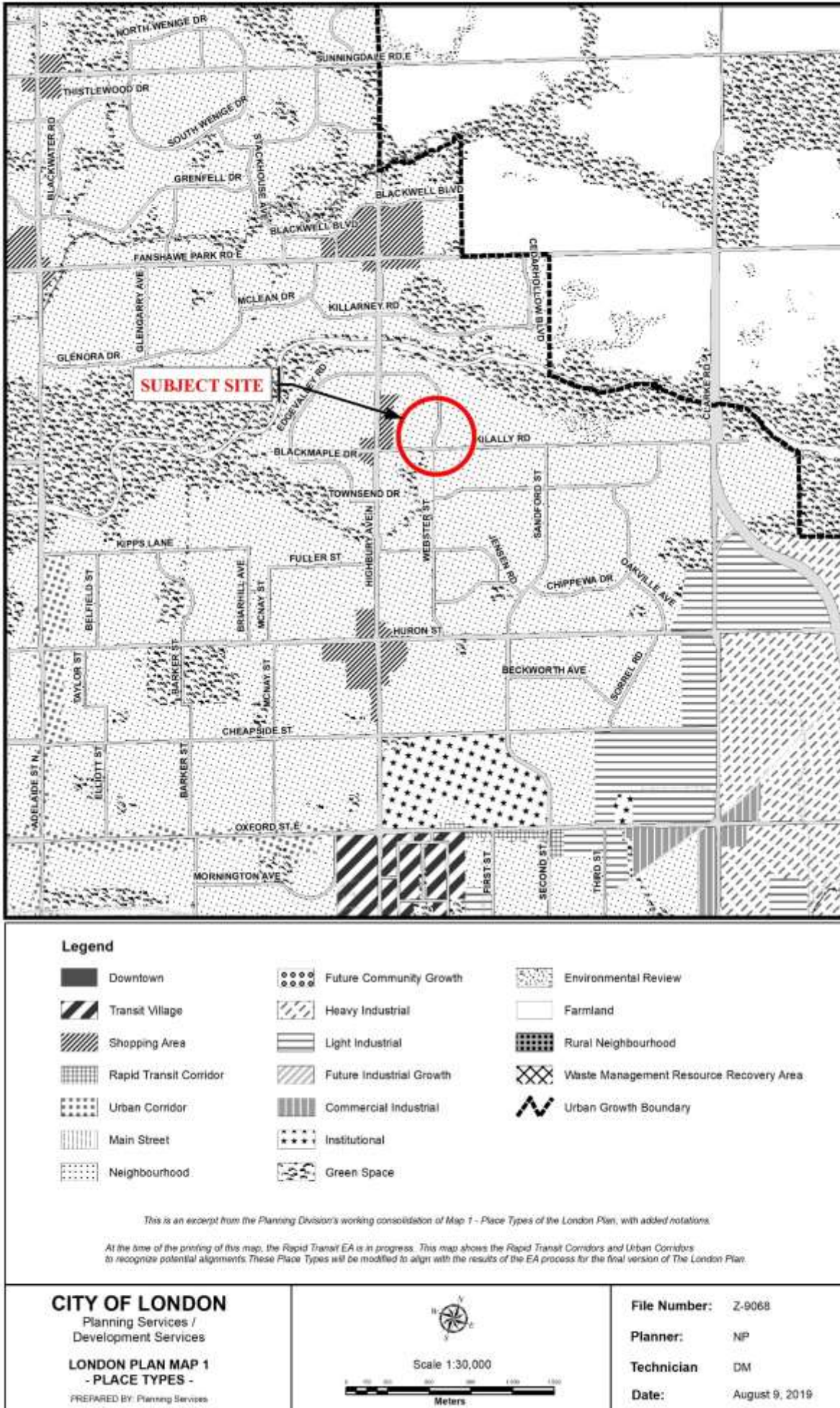
Chapter 3 Residential Land use Designations: 3.1.1 ii); 3.1.1 v); 3.3.1; 3.3.3 i); 3.3.3 ii);

Chapter 11 Urban Design Principles: 11.1.1 v); 11.1.1 viii); 11.1.1xiii); 11.1.1 xiv); 11.1.1 xvii); 11.1. xxi)

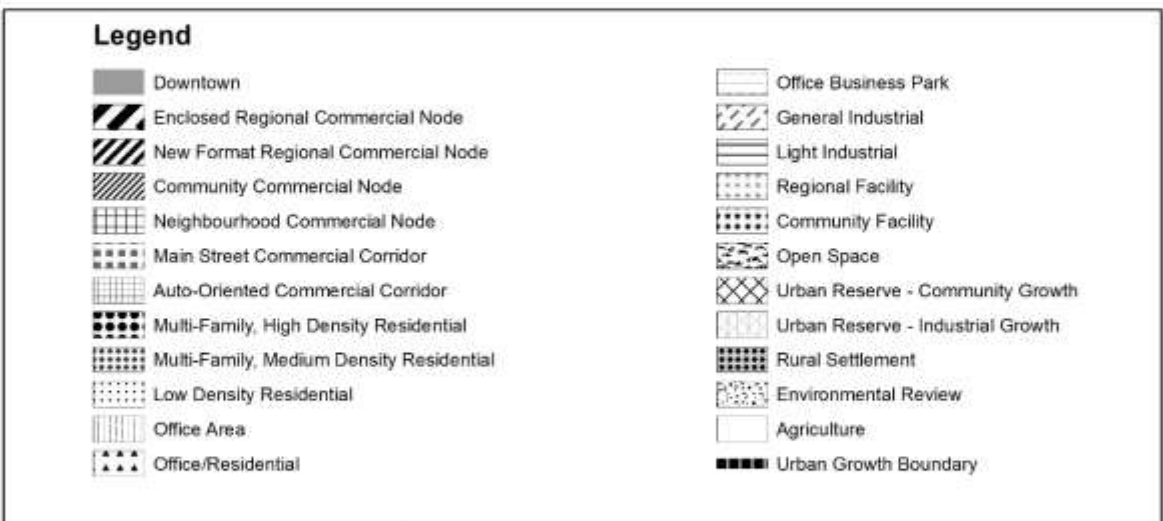
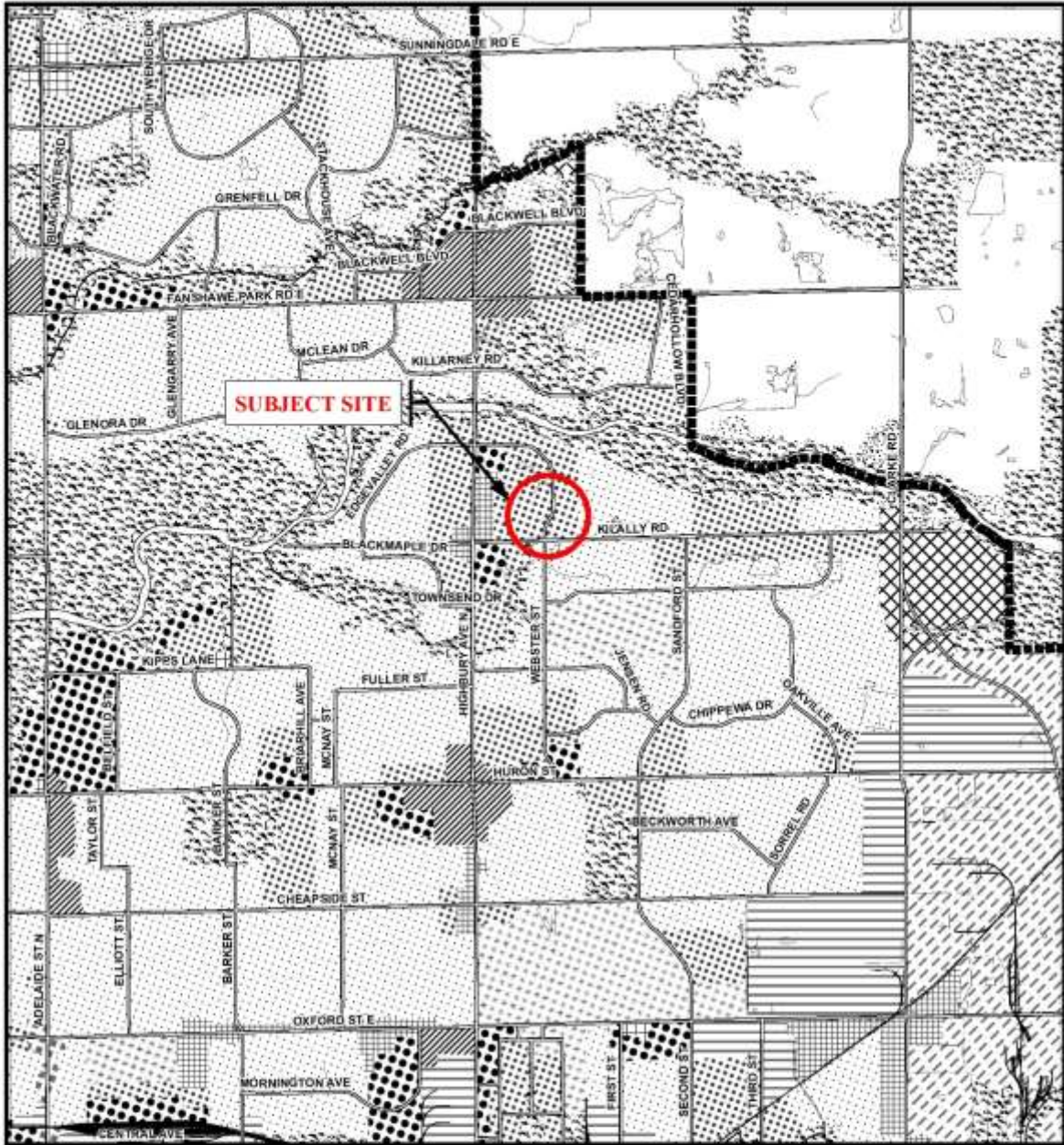
Chapter 19 Implementation: 19.2.2.; 19.4; 19.4.4.; 19.9.2

Appendix D – Relevant Background

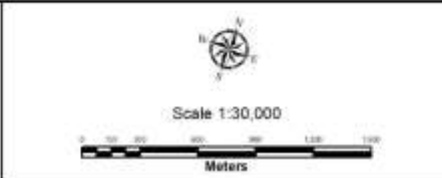
Additional Maps



Project Location: E:\Planning\Projects\p_officialplan\workconsolid00\excerpts_LondonPlan\mxd\Z-9068-Map1_PlaceTypes_b&w_8x14.mxd

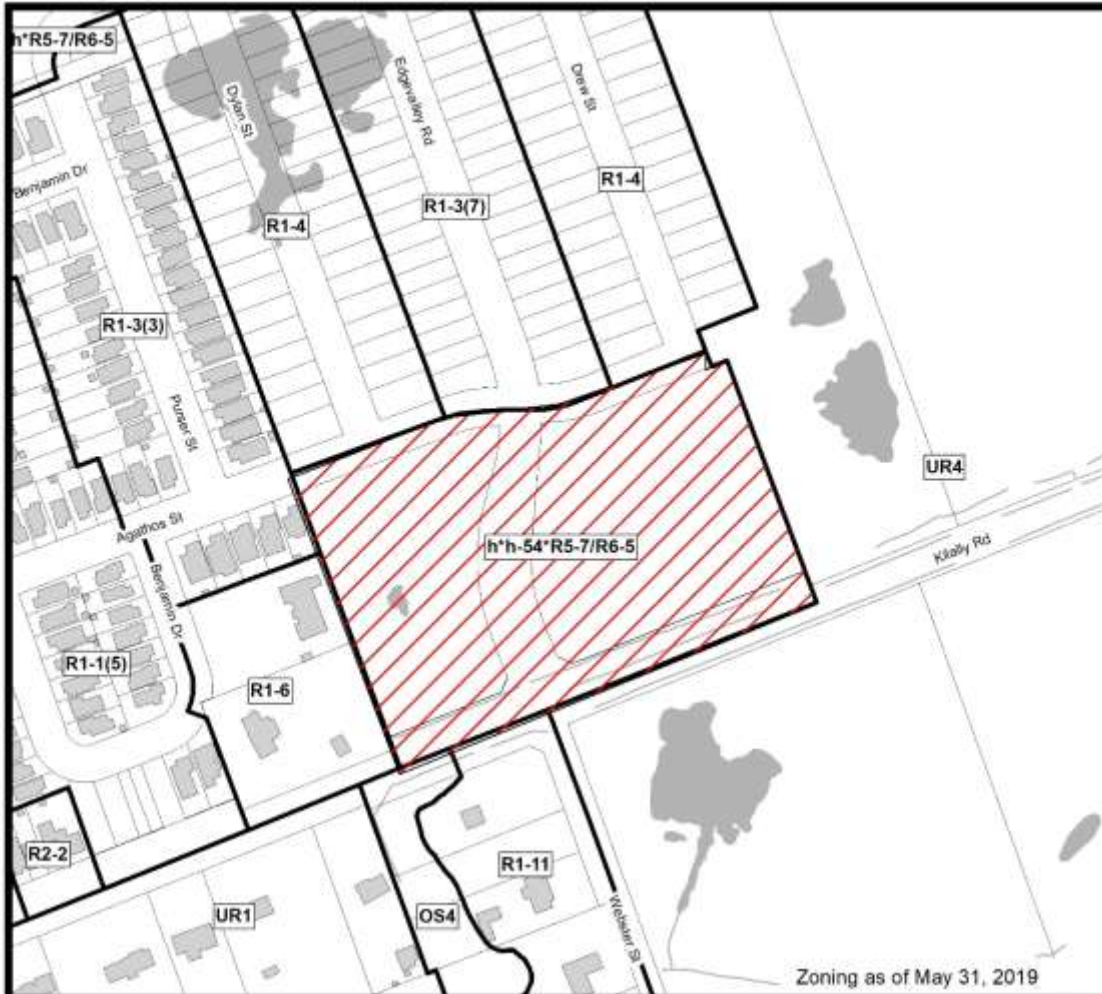


CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -
 PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-9068
 PLANNER: NP
 TECHNICIAN: DM
 DATE: 2019/08/09

PROJECT LOCATION: c:\planning\projects\p_officialplan\work\consolid00\excerpts\mxd_templates\scheduleA_NEW_b&w_8x14.mxd



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:
 Z-9068 NP

MAP PREPARED:
 2019/08/09 DM

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

Additional Reports

November, 1990 - Report to Planning Committee on Kilally Road Area Study and subsequent adoption of Official Plan amendments.

June, 2003 - – Report to Planning Committee to provide an update on the Kilally Road Area Study and amend the Official Plan.

July, 2005 - Report to Planning Committee to delete the aggregate resource designation from Schedule B of the Official Plan (O-6899)

February, 2006 - Report to Planning Committee to recommend approval of the draft plan of subdivision and associated zoning by-law amendments (39T-05505/Z-6897)

March, 2009 - Report to Planning Committee to recommend a three year extension to the draft approved plan of subdivision (39T-05505)

December, 2011 - Report to Built and Natural Environment Committee to recommend a revised draft plan of subdivision and associated zoning by-law amendments (39T-05505/Z-7942)

June 15, 2015 – Report to Planning Committee to recommend a one year extension to the draft approved plan of subdivision, with a two year extension to be done administratively (39T-05505)

September 6, 2016 – Report to Planning Committee to recommend a revised zone for the high density block within the draft plan (Z-8618)

January 8, 2018 - Report to Planning and Environment Committee on Special Provisions for the Subdivision Agreement (39T-05505)

January 21, 2019 - Report to Planning and Environment Committee on removal of holding provisions for the subdivision (H-8892)

Bibliography

Request for Approval:

City of London Zoning By-law Amendment Application Form, completed by Drelo Holdings Inc., May 3, 2019.

Reference Documents:

Ontario. Ministry of Municipal Affairs and Housing. *Planning Act, R.S.O. 1990, CHAPTER P.13*, as amended.

Ontario. Ministry of Municipal Affairs and Housing. *Provincial Policy Statement*, March 1, 2005.

City of London. *The London Plan*, December 28, 2016, as amended.

City of London. *Official Plan*, June 19, 1989, as amended.

City of London. *Zoning By-law No. Z.-1*, May 21, 1991, as amended.

Drewlo Holdings Inc., *475 & 480 Edgevalley Road Planning Justification Report, Site Plan and Renderings*, April 30, 2019

Drewlo Holdings Inc., *475 & 480 Edgevalley Road Urban Design Brief*, April 3, 2019.

Correspondence: (all located in City of London File No. Z-9068 unless otherwise stated)

Deller, K., London Hydro. Memo to N. Pasato. June 22, 2019

Giustizia, S., Housing Development Corporation, London – Letter on HDC Comments to M. Tomazincic and N. Pasato. June 24, 2019

Smolarek J., Development Services - Memo on Urban Design Comments to N. Pasato. June 28, 2019

FitzGerald, D., Development Services - Letter on Site Plan Control for 480 Edgevalley Road. London ON – File Number SPA19-060 to C. O'Brien, July 11, 2019

Other:

Site visit August 7, 2019

Public correspondence listed in Appendix B of report

From: Hermant
Sent: Thursday, September 05, 2019 1:18 PM
To: Pasato, Nancy <npasato@london.ca>
Cc: Carrie O'Brien; Lydia Hermant
Subject: Re: [EXTERNAL] (Z-9068: 475 & 480 Edgevalley Rd)

Hi Nancy - as per our discussion earlier today, as it turns out unfortunately I cannot attend the Sept. 09 planning meeting at City Hall.

In my absence, I would like to ensure that the information in this communication is tabled for consideration accordingly.

To date, we have been in discussions with Drewlo regarding a few accommodations to minimize the impact this development will have on existing single family properties, that abut a major portion along the western boundary of the proposed development at 480 Edgevalley Rd.

(1) Our major concern, besides the density increase, was in relation to the number & location of parking spaces that were in the original plan. Subsequent to our discussions on this subject, Drewlo has revised the parking plan (attached) to both reduce the number of spaces and relocate parking lot orientation so that no parking spots face our property along the west edge, and are located further within the new development. We are pleased that they made this accommodation, and are trusting that these amendments will be approved in the final plan.

(2) They have also submitted to us a revised landscape plan (attached) that is in line with what we discussed, and we are appreciative of their efforts to incorporate numbers & species of trees along the boundary to suit our request for maximum privacy & noise abatement. They have indicated that they will plant blue spruce trees, spaced as per the landscape plan. We are anticipating these trees will be of substantial height (ie: 8-10ft) to provide a suitable starting point for growth, provide a degree of immediate coverage/privacy as well as provide a much-needed home for the many species of birds that have been displaced by the removal of the existing forested area.

(3) The outstanding issue is in relation to a barrier fence separating our property from the adjacent public access parking lot for the new buildings. Drewlo has indicated they will install, prior to the commencement of any further development at the 480 Edgevalley site, a 1.8m solid wooden fence - but we have made several requests that consideration be made towards increasing the size of the posts to provide additional structural strength to the sections. To date, we have not received any confirmation that they will install a fence any more substantial than a 'standard' wooden fence incorporating 4x4 posts. We feel that additional consideration should be given to the fact that our property abuts a major portion of the new development, and will require more than twenty (20) 8ft sections of fencing - this is substantially larger than 'standard' residential fencing and should be treated as such. Increasing the posts size has a marginal impact on costs but does provide a significant improvement in the long-term viability & strength of the individual fence sections - this will also no doubt save Drewlo from unnecessary remediation costs in the future as the fence ages and becomes deteriorated. Additionally, the groundwater & drainage plan along this section have only recently been re-directed, but it's a safe bet that the larger posts will also provide a more effective base/frame for the fence sections, and will hopefully minimize any shifting as the ground continues to dry.

In summary, we are satisfied with Drewlo's willingness to accommodating our parking & landscape concerns, however along with this agreement are anticipating no further changes to these plans as they are submitted to the City for final approval. We are hopeful that item (3) above can reasonably be accommodated as well, as it would if nothing else, be an indication of 'good will' between the developer and the adjacent homeowners who will be impacted by this decision for years to come. It represents a marginal cost in respect of the scope of the project, and we believe it represents the best solution for everyone involved.

If anyone would like to discuss further or has any questions, please contact us anytime.

Thank you & we appreciate the efforts made by all to date.

Mike & Lydia Hermant

1530 Benjamin Drive

Advisory Committee on the Environment

Report

The 7th Meeting of the Advisory Committee on the Environment
August 7, 2019
Committee Room #4

Attendance PRESENT: M. Bloxam (Chair), J. Howell, M. Ross, M.D. Ross,
D. Szoller, A. Thompson and A. Tipping and J. Bunn (Committee
Secretary)

ABSENT: K. May, R. Sirois and K. Soliman

ALSO PRESENT: T. Arnos, G. Barrett and J. Stanford

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 Maple Leaf Foods Proposal

That it BE NOTED that a delegation by R. McNeil, with respect to the Maple Leaf Foods Proposal, was received; it being noted that a handout from R. McNeil, with respect to this matter, is on file in the City Clerk's Office.

2.2 Overview of Environmental and Engineering Services and Update on the ACE Work Plan Items

That the City Clerk BE DIRECTED to forward Advisory Committee reports from the Environmental and Ecological Planning Advisory Committee, the Trees and Forests Advisory Committee and the Transportation Advisory Committee to the Advisory Committee on the Environment (ACE) for inclusion on ACE agendas; it being noted that the attached presentation from J. Stanford, Director, Environment, Fleet and Solid Waste with respect to an overview of Environmental and Engineering Services and an update on Advisory Committee on the Environment Work Plan items, was received.

3. Consent

3.1 6th Report of the Advisory Committee on the Environment

That it BE NOTED that the 6th Report of the Advisory Committee on the Environment, from its meeting held on July 3, 2019, was received.

3.2 Notice of Planning Application - Official Plan and Zoning By-law Amendments - 1-3 Bathurst Street and 269-281 Thames Street

That it BE NOTED that the Notice of Planning Application, dated July 24, 2019, from C. Lowery, Planner II, with respect to Official Plan and Zoning By-law Amendments for the properties located at 1-3 Bathurst Street and 269-281 Thames Street, was received.

3.3 2020 Mayor's New Year's Honour List - Call for Nominations

That it BE NOTED that the communication dated July 2, 2019, from C. Saunders, City Clerk, with respect to the 2020 Mayor's New Year's Honour List Call for Nominations, was received.

4. Sub-Committees and Working Groups

None.

5. Items for Discussion

5.1 2019 ACE Work Plan

That it BE NOTED that the Advisory Committee on the Environment (ACE) held a general discussion with respect to the 2019 ACE Work Plan and ACE Sub-Committees.

6. Adjournment

The meeting adjourned at 1:53 PM.



ACE'S MANDATE

The Advisory Committee on the Environment is responsible for the following:

to serve as an advisory, resource and information support group to the Planning and Environment Committee, the Municipal Council, and its Committees as required, and to the citizenry to encourage and promote sustainable programs and functions such as the following:

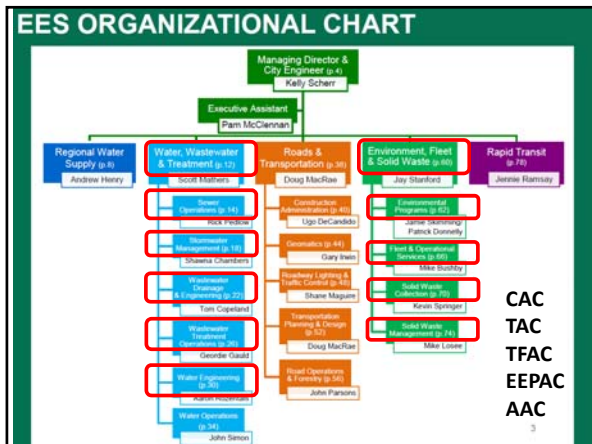
- ▶ remedial planning toward the clean-up of contaminated areas;
- ▶ waste reduction, reuse and recycling programs;
- ▶ water and energy conservation measures;
- ▶ climate change mitigation;
- ▶ to investigate such other aspects of environmental concerns as may be suggested by the Municipal Council, its other Committees, or the Civic Administration; and
- ▶ to initiate and/or receive submissions and/or delegations regarding any environmental concerns and to report with recommendations to the Planning and Environment Committee.

▶ EES led

▶ Shared responsibility

▶ Lead assigned

Environmental & Engineering Services



WATER AND WASTEWATER 2018

Lead Name: Scott Mathers, Director – Water and Wastewater
 Telephone: 519.661.2489 x4430 e-mail: smathers@london.ca

Who We Are


The Water and Wastewater area is the corporate lead for drinking water, wastewater, and rain water. It is our role to protect public health and the environment through the delivery of clean drinking water and protection of the Thames River.

The Water and Wastewater includes six divisions that deliver infrastructure renewal projects, maintain assets, and operate our infrastructure in a safe, efficient, and sustainable manner.

Our services are funded by user rates and it is our goal to provide the highest level of service and best value for the residents and businesses of London.

Water and Wastewater
 Environmental & Engineering Services

WATER AND WASTEWATER 2018



What We Do
Water and Wastewater provides services to the people of London through 6 divisions:

Stormwater Management Engineering is responsible for stormwater treatment and flood control infrastructure planning, engineering and design. This group also comments on development applications and provides corporate-wide low impact development and hydrogeological services.

Wastewater and Drainage Engineering is responsible for wastewater and stormwater collection infrastructure planning, engineering and design. This includes lifecycle and growth works as well as the review of development applications.


Wastewater Treatment Operations is responsible for the operation and improvements of the City's five wastewater treatment plants and 36 wastewater pumping stations.

Sewer Operations is responsible for the operation and maintenance of the City's stormwater and sanitary sewer collection networks, stormwater treatment facilities. This group also provides emergency spills response and flood coordination services.

Water Engineering is responsible for water infrastructure planning, engineering and design. This includes lifecycle and growth works as well as the review of development applications. Water Engineering also manages the billing system and promotes water conservation and education.

Water Operations operates and maintains the drinking water distribution system. These professionals ensure compliance with all regulatory requirements in the spirit of continuous improvement and deliver high quality, reliable water to the residents and businesses of London.

Water and Wastewater
Environmental & Engineering Services



SEWER OPERATIONS 2018


Lead Name: Rick Pedlow, Division Manager – Sewer Operations Division
Telephone: 519.661.2489 x4623 | e-mail: rpedlow@london.ca

Services Provided

- Preventative maintenance & repairs on the City's storm & sanitary sewer infrastructure
- Emergency response to address basement flooding and sewer backups
- Provision of services for the replacement of deficient private drain connections at the customer's request
- Emergency spills response to protect human health, property, and the environment
- Maintenance of the City's stormwater management facilities and open drain channels



Water, Wastewater & Treatment
Environmental & Engineering Services



STORMWATER MANAGEMENT 2018

Lead Name: Shawna Chambers, Division Manager – Stormwater Management
Telephone: 519.661.2500 x7318 | e-mail: smathers@london.ca

Services Provided

- Protection of the environment through the quality and quantity control of stormwater
- Water resources planning and the implementation of regional stormwater management facilities
- Manage the water resources component of climate change adaptation
- Maintain and manage the repair and reconstruction of the City's system of dykes with agency partners
- Support development through the review of stormwater servicing development studies
- Respond to and mitigate flooding complaints



Roads & Transportation
Environmental & Engineering Services




WASTEWATER & DRAINAGE ENGINEERING 2018


Lead Name: Tom Copeland, Division Manager – Wastewater & Drainage Engineering
Telephone: 519.661.2489 x4662 | e-mail: tcopelan@london.ca

Services Provided

- Rebuild sanitary and storm sewer servicing infrastructure that is at the end of its lifespan
- Plan and construct sanitary servicing to accommodate a growing economy
- Resolve system wide problems such as [basement flooding](#) and combined sewer overflows
- Bylaws / Policies / Design Standards updates and management
- Customer Liaison / Management of [Basement Flooding Grant Program](#)
- Liaise with internal and external groups and agencies on issues such as: growth, industrial land servicing, system optimization, emergency services and health of the Thames River



Water, Wastewater & Treatment
Environmental & Engineering Services



WASTEWATER TREATMENT OPERATIONS 2018

Lead Name: Geordie Gauld, Division Manager – Wastewater Treatment Operations
Telephone: 519.661.2437 e-mail: ggauld@london.ca

Services Provided

- Wastewater Treatment and Environmental Protection
- Operations, Maintenance and Capital works for the Wastewater Treatment Plants and Pumping Stations
- Maintenance, Electrical and SCADA support services for Water and Solid Waste






Water, Wastewater & Treatment
Environmental & Engineering Services

WATER ENGINEERING 2018

Lead Name: Aaron Rozentals, Division Manager – Water Engineering
Telephone: 519.661.2489 x2427 e-mail: arozent@london.ca

Services Provided

- Long range planning and design to address growth and renewal
- Infrastructure condition assessment using historical data and innovative technologies
- Conservation and education
- Billing system for water and wastewater
- Provide customer service on water accounts
- Maintain the City's water distribution model for hydraulic capacity and water quality analyses
- Backflow Prevention Program to ensure the safety of municipal drinking water
- Development application reviews
- Manage and deploy portable drinking water fountains and bottle fillers to public events to promote drinking water






Water, Wastewater & Treatment
Environmental & Engineering Services

ENVIRONMENT, FLEET & SOLID WASTE 2018

Lead Name: Jay Stanford, Director – Environment, Fleet & Solid Waste
Telephone: 519.661.2489 x5411 e-mail: jstanfor@london.ca

Who We Are

The area known as Environment, Fleet & Solid Waste contains a variety of internal and external services operating under two 'Calls to Action': First we live under a philosophy of **Continuous Improvement** and, second, we operate under an operational banner called **At Your Service**. The area contains excellent and dedicated staff with a number having more than 30 years experience in their respective fields.

We are also fortunate to work with or alongside some of the best private sector companies and their employees that the business has to offer. The skills and business smarts exhibited by our contractors is an asset to the businesses and residents of London.

The area is divided into 4 divisions, with each division delivering numerous programs and projects. Our top 3 collective goals are:

1. Meeting or exceeding customer expectations
2. Delivering valued services in a cost effective and safe manner
3. Protecting and improving the environment through service delivery and community engagement




Environment, Fleet & Solid Waste
Environmental & Engineering Services

ENVIRONMENT, FLEET & SOLID WASTE 2018

What We Do

We provide our services directly or indirectly to all London citizens, many businesses, students and visitors:

- **Environmental Programs** takes the lead with the built environment in areas of active transportation, cycling and transportation demand management (TDM); air quality and climate change/adaptation, community energy, corporate energy management, urban watershed programs, and community outreach & engagement.
- **Fleet & Operational Services** provides fleet administration and asset management, planning, capital acquisitions and disposal, maintenance, fuel management, operations dispatch centre, shared equipment resources and management of the two-way radio assets.
- **Solid Waste Collection** provides numerous pickup services including curbside, multi-residential, leaf & yard waste, downtown & litter bin/container, and special pickup services.
- **Solid Waste Management** provides waste diversion services (reduction, reuse, recycling, composting, household special waste, EnviroDepots), waste disposal, management of closed landfills, contract management, long term planning, and community outreach and engagement.




Environment, Fleet & Solid Waste
Environmental & Engineering Services

ENVIRONMENTAL PROGRAMS 2018

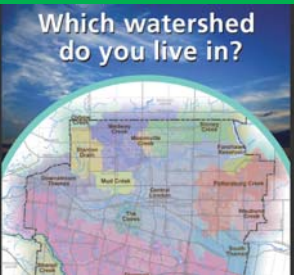
Lead Names: Jamie Skimming; Pat Donnelly – Environmental Programs
 telephone: 519.661.2489 x5204; x0418 e-mail: jskimmin@london.ca, pdonnel@london.ca

Services Provided


- Active transportation (walking and cycling) and Transportation Demand Management
- Air quality, climate change, energy conservation & community energy programs
- Corporate energy management
- Urban watershed programs
- Community outreach & engagement
- Support for corporate environmental actions

Key Performance Indicators

- Engaged 86 stakeholder groups, neighbourhoods and communities
- Participation in 25 community events
- Supported 17 community-led projects, including Green Economy London and the Go Wild Grow Wild Green Living Expo



Environment, Fleet & Solid Waste
 Environmental & Engineering Services



FLEET & OPERATIONAL SERVICES 2018

Lead Name: Mike Bushby, Division Manager – Fleet & Operational Services
 Telephone: 519.661.2489 x4961 e-mail: mbushby@london.ca



Services Provided

- Fleet Administration, Asset Management and Fleet Analytics
- Fleet Planning – Capital Vehicle and Equipment Replacements and Disposals
- Fleet Maintenance – Vehicle and Equipment Repairs, Inspections and Service
- Fuel Management –Manage Supply, Storage, Dispensing, Budget and recording of all fuel types
- Operations Dispatch Centre – 24/7/365 public works dispatch service

Environment, Fleet & Solid Waste
 Environmental & Engineering Services



SOLID WASTE COLLECTION 2018

Lead Name: Kevin Springer, Manager – Solid Waste Collection
 telephone: 519.661.2489 x5578 e-mail: ksprings@london.ca
 Environmental & Engineering Services Call Center: 519.661.4570

Services Provided

- Curbside Pickup
- Multi-residential Pickup
- Leaf & Yard Waste Pickup
- Downtown & Litter Bin/Container Pickup
- Special Pickups

General Statistics

- 28 rear packers; 3 side loaders; 6 top loaders
- 125,000 households collected curbside
- 55,000 multi-units collected
- 90,000 tonnes of garbage collected per year
- 10,000 tonnes of leaf and yard waste collected per year



Environment, Fleet & Solid Waste
 Environmental & Engineering Services



SOLID WASTE MANAGEMENT 2018

Lead Name: Mike Losee, Division Manager – Solid Waste Management
 Telephone: 519.661.2489 x7369 E-mail: mlosee@london.ca
 Environmental & Engineering Services Call Center: 519.661.2489

Services Provided

- Recycling
- Composting
- EnviroDepots & Household Special Waste Depot
- Community Outreach and Engagement
- Waste Disposal
- Management of Closed Landfills
- Contract Management
- Long Term Solid Waste Management Planning

Key Performance Indicators

- Waste Diversion Rate of 44% (72,000 tonnes annually)
- Captured and destroyed 158,500 tonnes of Greenhouse Gases equal to removing 40,000 cars from the road
- Total gross cost of \$122 per household per year
- Net operating cost of \$38 per household per year



Environment, Fleet & Solid Waste
 Environmental & Engineering Services

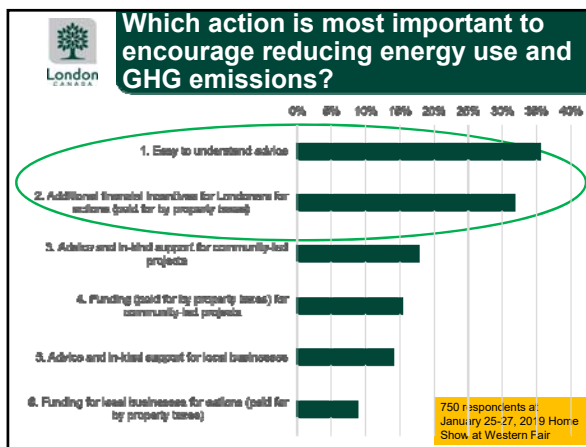
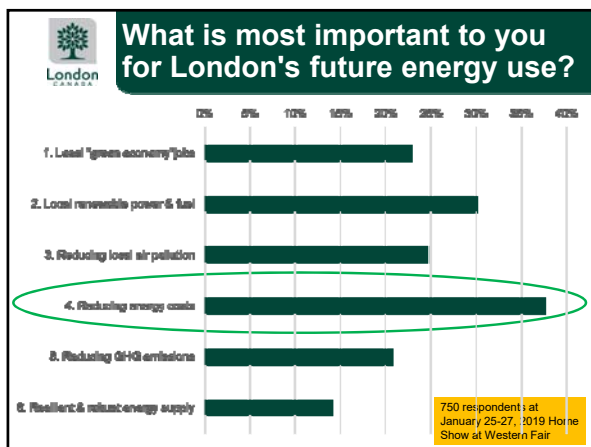
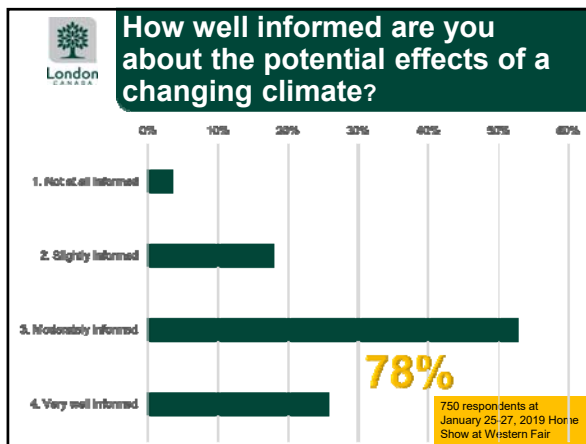


Listening to Londoners

- Get Involved Project Website
- Annual Satisfaction Survey
- CityGreen Outreach Displays and Interactions
- Project Open Houses
- Councillor Assistance
- Letter, Emails, Phone and Social Media
- Advisory/Special Purpose Committees
- Council Direction

Get Involved London

Greening London





2019-2023
Strategic Plan for the City of London



Strategic Areas of Focus

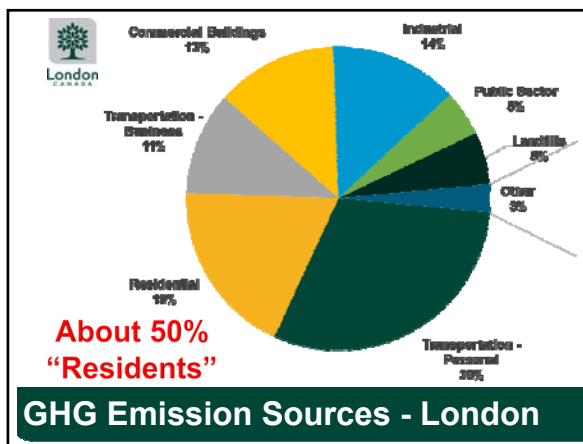
- Strengthening our Community
- Building a Sustainable City
- Growing our Economy
- Creating a Safe London for Women and Girls
- Leading in Public Service

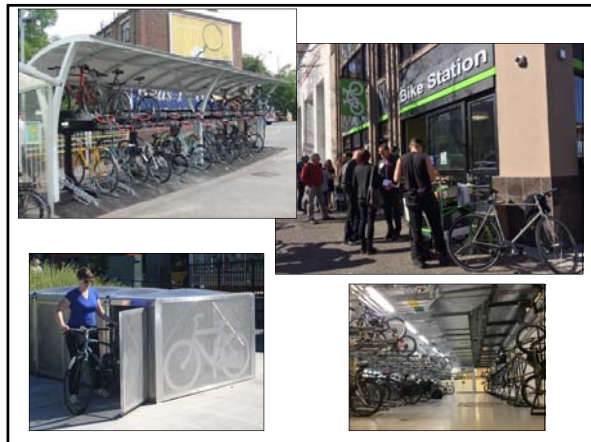
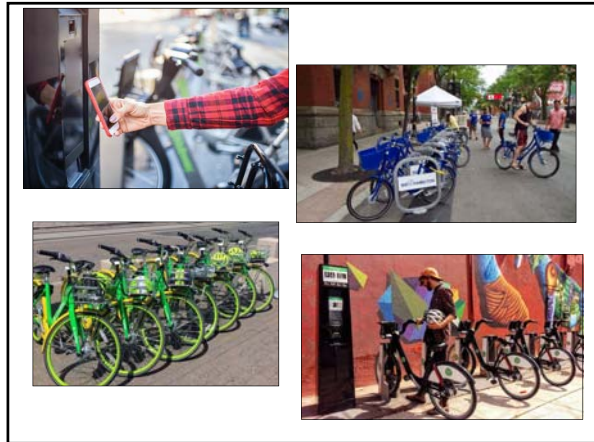
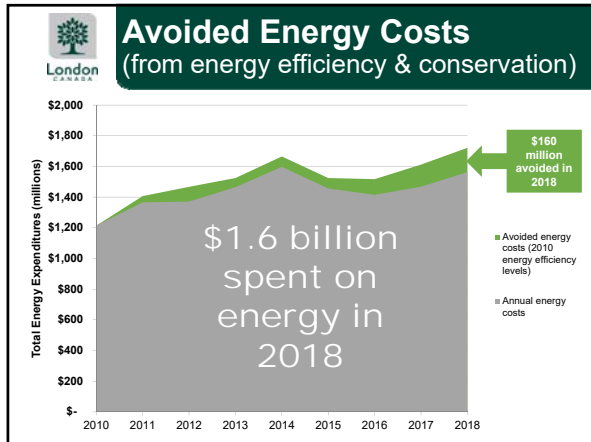
Built environment	Energy conservation
Care	Engagement
Climate change adaptation	Growth
Climate change mitigation	Natural environment
Collaboration	Partnerships
Conserve	Responsible
Economy	Resiliency
Efficiency	Safety
	Sustainability
	Waste reduction

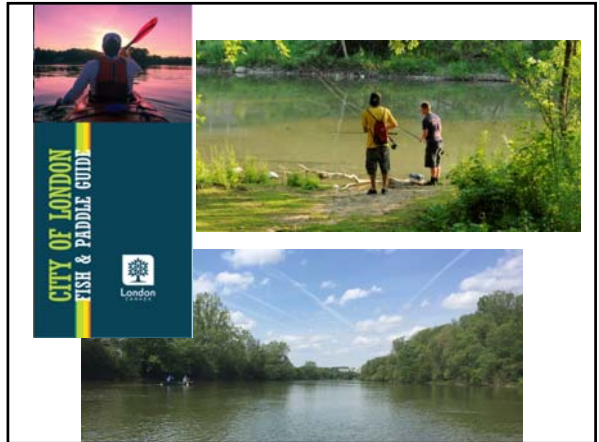
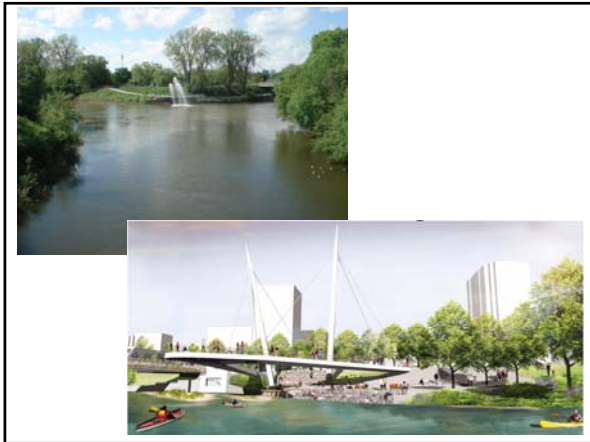


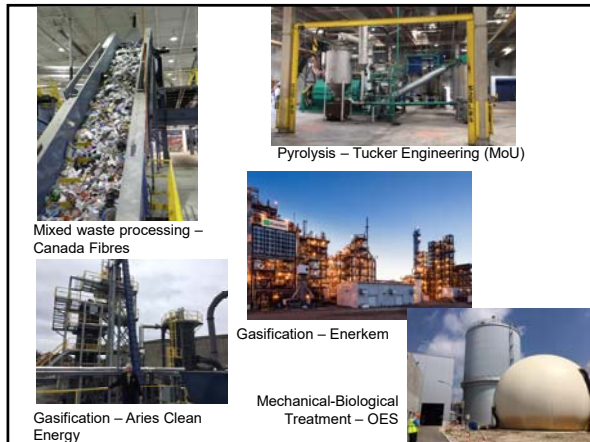
“Big” Environmental & Sustainability Strategies, Plans, Projects

Item	Lead
60%, Resource Recovery & Waste Disposal Strategies (EA)	EES
Climate Change/Severe Weather Adaptation Strategy (for built infrastructure)	EES
Sustainability and Resiliency Strategies	Planning
River Management Plan / One River EA	EES
(next) Corporate Energy Management Conservation & Demand Management (CDM) Plan	EES/ Corporate
(next) Community Energy Action Plan (CEAP)	EES
(implement) Rapid Transit System and related mobility projects	EES
London Plan Green Strategy (remaining actions - Green Jobs, Green Development, Green Infrastructure)	Planning









Project / Initiative & Background
<p>Waste</p> <p>Managing organic waste</p> <ol style="list-style-type: none"> Review & prioritize leading edge waste management systems that focus on waste as a resource technology (Biogas, Anaerobic Digester facility, landfill gas recovery i.e. Edmonton Waste Management Centre of Excellence) Follow the progress of City regarding development of a Resource Recovery Centre for London (invite staff members speak to ACE) Review the new Ontario Acts and legislation and how they will affect the City's direction and invite expert to speak on Provincial new policies. Continue research into organic waste diversion. Examine other cities' highly successful Green Bin programs (i.e. Toronto, Halton) invite a representative from successful Green Bin program to speak to ACE. <p>Resource Recovery</p> <ol style="list-style-type: none"> Monitor & review on-going resource recovery initiatives. <p>Landfill Expansion</p> <ol style="list-style-type: none"> Monitor & review on-going landfill expansion.

(1,2,3,4) 60% Waste Diversion Action Plan

- FWA
- Green Bin
- Plastics

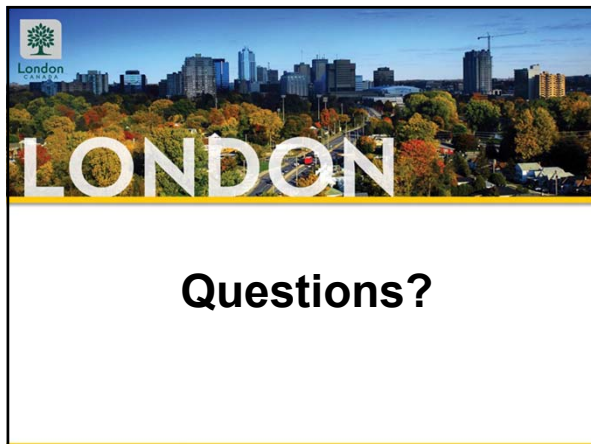
(5) Resource Recovery Strategy – London Waste to Resources Innovation Centre

(6) EA for the W12A Landfill expansion

Project / Initiative & Background	
<p>ACE Sub-Committee Communication Support / General</p> <p>7. From Joint Education & Outreach meetings with other advisory committee representatives in 2018 provide recommendations for Advisory Committee reception, and clarify common issues that were raised in the meetings.</p> <p>8. Continue to communicate and liaise with other advisory committees as appropriate.</p> <p>9. Investigate opportunities to recognize and involve indigenous communities in ACE activities.</p>	<p>(7,8,9) . . . EES advice</p> <p>(10, 11) Updates from Planning</p> <p>(12, 13) Updates from Planning; shared responsibility</p> <p>(14) Status needed of ACE involvement; project under way</p>
<p>Natural Environment</p> <p>10. Urban Agriculture – Monitor progress as per Urban Agriculture Strategic Plan</p> <p>11. Pollinator Sanctuary Status & Related Issues</p>	
<p>Sustainability Commitment</p> <p>12. Request updates from Greg Barnett regarding Resilient Strategic Plan status.</p> <p>13. Support further actions in regards to sustainability & resiliency.</p>	
<p>Community Education</p> <p>14. Support community events directly and indirectly, as possible to increase awareness of environmental issues.</p> <ul style="list-style-type: none"> Partner with London Public Library to organize a series of 3rd Green Talks. 	

Project / Initiative & Background	
<ul style="list-style-type: none"> Organizing partner for the River Summit 	<p>(14) No River Summit planned for 2019; work on One River project(s)</p> <p>(15,16,17) several City projects looking at renewable energy (electricity, RNG)</p> <p>(18) 2014-2018 complete; “next CEAP for fall 2019</p>
<p>Renewable Energy</p> <p>15. Explore possibilities for hydro-electric along Thames River</p> <p>16. Explore solar energy on municipally-owned buildings</p> <p>17. Ensure that co-generation/local electricity generation initiatives do not negatively impact the City of London carbon-dioxide emissions targets and carbon footprint or compromise local air quality</p>	
<p>Community Energy Action Plan</p> <p>18. Provide input on 2018 review.</p>	

Project / Initiative & Background	
<p>Built Environment</p> <p>19. Identify key items to review.</p> <p>20. Develop a draft green roof by-law</p>	<p>(19,20) Planning, Development & Compliance</p>
<p>Dark Sky Policy</p> <p>20. Review proposed policy developed by Dark Sky Working Group. (Working group includes members of Animal Welfare, Environmental and Ecological Planning and Environment Advisory Committees.)</p>	
<p>City Budget</p> <p>21. Review and provide feedback on budget.</p>	<p>(20a) Planning, Development & Compliance</p> <p>(21) Consultation for MYB under way</p>
<p>Committee Member Education & Development</p> <p>22. Request staff presentations on issues as appropriate.</p>	<p>(22) ACE</p>



London Advisory Committee on Heritage

Report

8th Meeting of the London Advisory Committee on Heritage
August 14, 2019
Committee Rooms #1 and #2

Attendance PRESENT: D. Dudek (Chair), S. Bergman, M. Bloxam, L. Fischer, S. Gibson, T. Jenkins, S. Jory, J. Monk, E. Rath, M. Rice and M. Whalley and J. Bunn (Secretary)

ABSENT: J. Dent, J. Manness and K. Waud

ALSO PRESENT: L. Dent, K. Gonyou, L. Jones, M. Knieriem and C. Parker

The meeting was called to order at 5:30 PM.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

S. Bergman discloses pecuniary interests in the following:

a) Item 2.4 of the 8th Report of the London Advisory Committee on Heritage, having to do with the Victoria Park Secondary Plan – Draft Secondary Plan, by indicating that her employer was involved in a past application with respect to this matter; and,

b) Item 3.3 of the 8th Report of the London Advisory Committee on Heritage, having to do with a Notice of Planning Application – Official Plan and Zoning By-law Amendments for the properties located at 1-3 Bathurst Street and 269-281 Thames Street, by indicating that her employer is involved in the Application.

L. Jones discloses pecuniary interests in the following:

a) Item 2.4 of the 8th Report of the London Advisory Committee on Heritage, having to do with the Victoria Park Secondary Plan – Draft Secondary Plan, by indicating that her employer was involved in a past application with respect to this matter; and,

b) Item 3.3 of the 8th Report of the London Advisory Committee on Heritage, having to do with a Notice of Planning Application – Official Plan and Zoning By-law Amendments for the properties located at 1-3 Bathurst Street and 269-281 Thames Street, by indicating that her employer is involved in the Application.

2. Scheduled Items

2.1 Heritage Alteration Permit Application by D. Russell - 529 Princess Avenue, By-law No. L.S.P.-3104-15

That, on the recommendation of the Managing Director, City Planning and City Planner, with the advice of the Heritage Planner, the application under Section 33 of the Ontario Heritage Act, retroactive consent for the existing porch on the heritage designated property located at 529 Princess Avenue BE GIVEN subject to the following terms and conditions:

- the Heritage Planner be circulated on the applicant's Building Permit application drawings to verify compliance with the Heritage Alteration Permit prior to issuance of the Building Permit;
- all exposed wood be painted; and,

- the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed;

it being noted that a verbal delegation from D. Russell and the attached presentation from K. Gonyou, Heritage Planner, with respect to this matter, were received.

2.2 Heritage Alteration Permit Application by T. Roppelt and C. Roes - 42 Albion Street, Blackfriars/Petersville Heritage Conservation District

That, on the recommendation of the Managing Director, City Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the Ontario Heritage Act to alter the front façade of the building, located at 42 Albion Street, within the Blackfriars/Petersville Heritage Conservation District, BE PERMITTED as submitted in the proposed alteration drawings, as appended to the staff report dated August 14, 2019, with the following terms and conditions:

- all exposed wood be painted; and,
- the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed;

it being noted that a verbal delegation from T. Roppelt and C. Roes and the attached presentation from K. Gonyou, Heritage Planner, with respect to this matter, were received.

2.3 Proposal to Bring the Ontario Heritage Conference to London in 2022

That the Municipal Council BE ADVISED of the following with respect to a potential bid to bring the Ontario Heritage Conference to the City of London:

- the London Advisory Committee on Heritage (LACH) supports a bid, to be led by W. Kinghorn, to bring the Ontario Heritage Conference to the City of London at a future date, to be determined;
- the LACH supports W. Kinghorn serving as the Chair of the Organizing Committee for this event; and,
- the LACH will provide support to the above-noted Organizing Committee in the form of committee members;

It being noted that a verbal delegation from W. Kinghorn, with respect to this matter, was received.

2.4 Victoria Park Secondary Plan - Draft Secondary Plan

That it BE NOTED that the attached presentation from M. Knieriem, Planner II, with respect to the Victoria Park Secondary Plan - Draft Secondary Plan, was received.

2.5 Revise Wording of the Existing h-18 Holding Provision (Archaeological Assessment)

That C. Parker, Senior Planner, BE ADVISED that the London Advisory Committee on Heritage recommends adding the words “,as per the London Plan” after the words “appropriate First Nations” within the by-law, as appended to the staff report dated August 14, 2019, with respect to revising the wording of the existing h-18 Holding Provision (Archaeological Assessment).

2.6 Heritage Planners' Orientation

That it BE NOTED that the attached presentation from K. Gonyou and L. Dent, Heritage Planners, with respect to a Heritage Planners' Orientation, was received.

3. Consent

3.1 7th Report of the London Advisory Committee on Heritage

That it BE NOTED that the 7th Report of the London Advisory Committee on Heritage, from its meeting held on July 10, 2019, was received.

3.2 Municipal Council Resolution - 7th Report of the London Advisory Committee on Heritage

That it BE NOTED that the Municipal Council resolution, from its meeting held on July 30, 2019, with respect to the 7th Report of the London Advisory Committee on Heritage, was received.

3.3 Notice of Planning Application - Official Plan and Zoning By-law Amendments - 1-3 Bathurst Street and 269-281 Thames Street

That the Notice of Planning Application, dated July 24, 2019, from C. Lowery, Planner II, with respect to Official Plan and Zoning By-law Amendments for the properties located at 1-3 Bathurst Street and 269-281 Thames Street, BE DEFERRED to the September 2019 meeting of the London Advisory Committee on Heritage.

3.4 Notice of Project Completion - Long Term Water Storage - Municipal Class Environmental Assessment

That it BE NOTED that the Notice of Project Completion, from P. Lupton, City of London and J. Haasen, AECOM Canada, with respect to a Long Term Water Storage Municipal Class Environmental Assessment, was received.

3.5 Ontario Heritage Conference 2019 - Summary Report

That it BE NOTED that a Summary Report of the 2019 Ontario Heritage Conference, submitted by M. Whalley, was received.

3.6 CHO Newsletter - Summer 2019

That it BE NOTED that the CHO Newsletter for Summer 2019, was received.

4. Sub-Committees and Working Groups

None.

5. Items for Discussion

5.1 Amendment to Heritage Designating By-law for 660 Sunningdale Road East

That, on the recommendation of the Managing Director, City Planning and City Planner, with the advice of the Heritage Planner, the following actions

be taken with respect to the heritage designated property at 660 Sunningdale Road East:

a) notice BE GIVEN under the provisions of Section 30.1(4) of the Ontario Heritage Act, R. S. O. 1990, c. O. 18, 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 as defined in Appendix B of the staff report dated August 14, 2019; and,

b) should no appeals be received to Municipal Council's notice of intention to pass a by-law to amend the legal description of the property, a by-law BE INTRODUCED at a future meeting of Municipal Council immediately following the end of the appeal period;

it being noted that should an appeal to Municipal Council's notice of intent to pass a by-law to amend the legal description of the property be received, the City Clerk will refer the appeal to the Conservation Review Board.

5.2 Heritage Planners' Report

That it BE NOTED that the attached submission from K. Gonyou and L. Dent, Heritage Planners, with respect to various updates and events, was received.

6. Adjournment

The meeting adjourned at 8:13 PM.

Heritage Alteration Permit 529 Princess Avenue

London Advisory Committee on Heritage
Wednesday August 14, 2019

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 **529 Princess Avenue**




- Built in 1880 for Dr. John Salter
- Later home of Fraser family
- Italianate, with Gothic and Queen Anne details
- Part IV designated in 1990


Undated, after 1990

 **Porch Alteration**

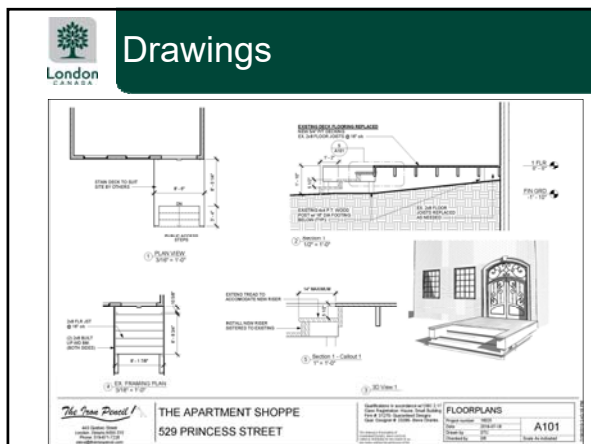


November 14, 2016

 **Porch Alteration**



OCT 14, 2015



Ontario Heritage Act

Section 33(4): Within 90 days after the notice of receipt is served on the applicant under subsection (3), the council, after consultation with its municipal heritage committee, if one established,

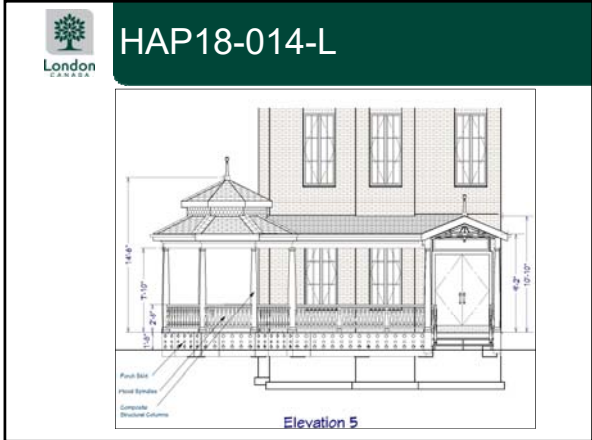
- a) Shall,
 - i. Consent to the application,
 - ii. Consent to the application on terms and conditions, or
 - iii. Refuse the application

Recommendation

That, on the recommendation of the Managing Director, City Planning and City Planner, with the advice of the Heritage Planner, the application under Section 33 of the *Ontario Heritage Act*, retroactive consent for the existing porch on the heritage designated property located at 529 Princess Avenue **BE GIVEN** subject to the following terms and conditions:

- a) The Heritage Planner be circulated on the applicant's Building Permit application drawings to verify compliance with the Heritage Alteration Permit prior to issuance of the Building Permit;
- b) All exposed wood be painted; and,
- c) The Heritage Alteration Permit be displayed in a location visible from the street under the work is completed.






Heritage Alteration Permit 42 Albion Street, Blackfriars/Petersville HCD


London Advisory Committee on Heritage
Wednesday August 14, 2019
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 **42 Albion Street**

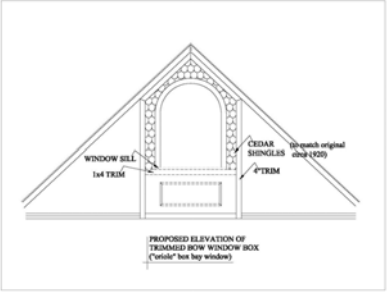


- One-and-a-half storey
- Queen Anne stylistic influences
- Built c.1900
- Contributing Resource, Blackfriars/Petersville HCD (2015)

 **Alteration**



 **Proposed Finishes**




WINDOW SILL
1/4" TRIM
CEDAR SHINGLES (to match original shingle 1200)
1" TRIM

PROPOSED ELEVATION OF
TRIMMED BOX WINDOW BOX
(Outside face bay window)

 **Other Oriel Windows**



 **Ontario Heritage Act**

Section 42(4): Within 90 days after the notice of receipt is served on the applicant under subsection (3) or within such longer period as is agreed upon by the applicant and the council, the council may give the applicant,

- the permit applied for;
- notice that the council is refusing the application for the permit; or
- the permit applied for, with terms and conditions attached. 2005, c. 6, s. 32 (3).

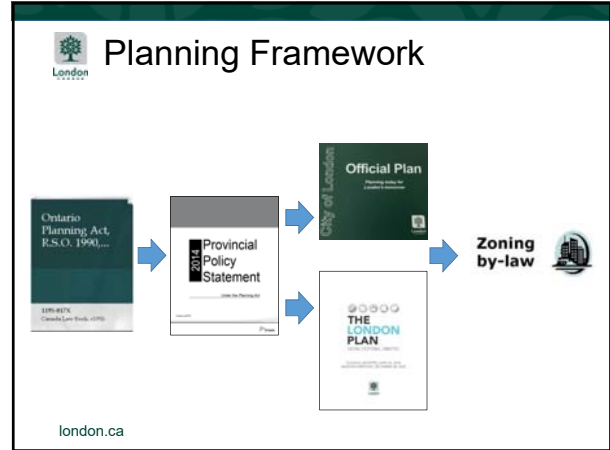
 **Recommendation**

That, on the recommendation of the Managing Director, City Planning & City Planner, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* to alter the front façade of the building located at 42 Albion Street, within the Blackfriars/Petersville Heritage Conservation District, **BE PERMITTED** as submitted in the proposed alteration drawings attached hereto as Appendix C with the following terms and conditions:

- All exposed wood be painted; and,
- Display the Heritage Alteration Permit in a location visible from the street until the work is completed.

 **42 Albion Street**





What is a Secondary Plan?

- Form part of the Official Plan and are used to elaborate on policies in the existing Official Plan and to allow for coordinated development of multiple properties
- Comprehensive study of a particular area, considering the other policies in the Official Plan
- Allow for a coordinated approach for the secondary plan area and the opportunity to provide more detailed policy guidance for an area that goes beyond the general policies in the Official Plan

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History

- 2015** Application submitted for 560-562 Wellington Street
- May 2017** Planning Staff recommend refusal of 560-562 Wellington Street application. Council refers the application back to Staff to work with the applicant to revise the proposal.
- May 2018** Planning Staff report back to Council with update on discussions on 560-562 Wellington Street. Staff are directed to consider a comprehensive plan for the properties surrounding Victoria Park.
- June 2018** Consultant retained to assist with the development of a Secondary Plan.
- October 2018** Community Information Meeting #1 for the Victoria Park Secondary Plan
- January 2019** Community Information Meeting #2 for the Victoria Park Secondary Plan
- May 7, 2019** Municipal Council endorses the Draft Principles
- June 17, 2019** Draft Plan received by Municipal Council for public input

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Existing Policy Framework

1989 Official Plan The London Plan

Zoning By-law

Engagement


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- Over 180 interested parties
- 2 Community Information Meetings
- Stakeholder meetings
- Get Involved Website
- Summer Festivals

Study Area

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Study Area

 **Secondary Plan Principles**

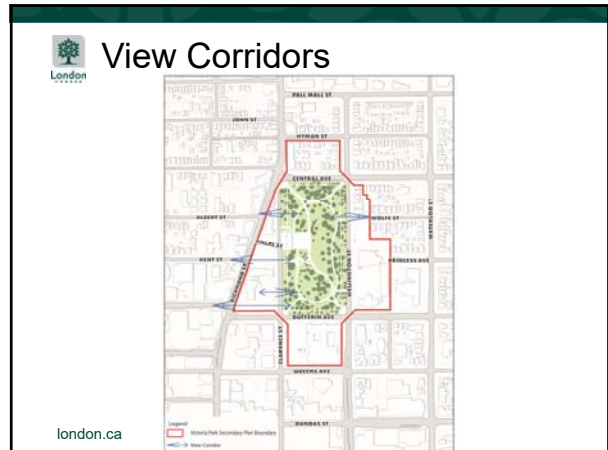
- Principle 1** Preserve and strengthen visual connections to Victoria Park and create new view corridors where possible
- Principle 2** Improve and create new connections to Victoria Park
- Principle 3** Enhance the landscaped edges around Victoria Park
- Principle 4** Respect and conserve cultural heritage resources within and surrounding Victoria Park
- Principle 5** Frame Victoria Park with an appropriately-scaled streetwall that creates a comfortable pedestrian environment

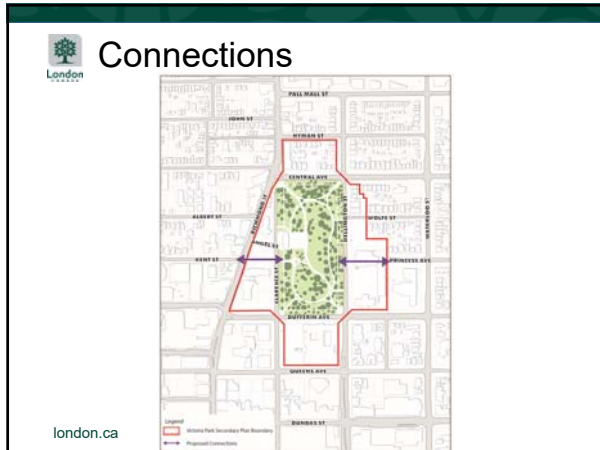
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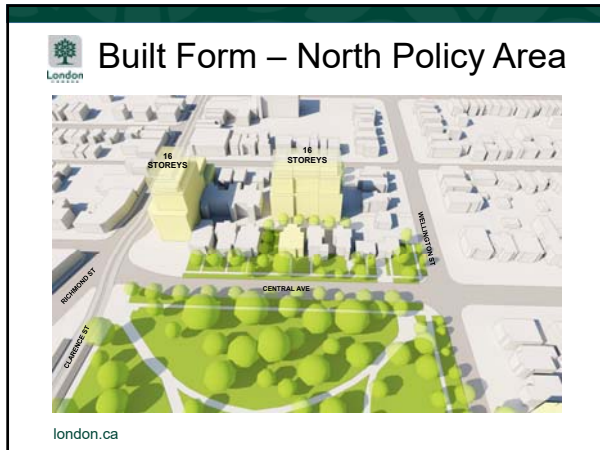
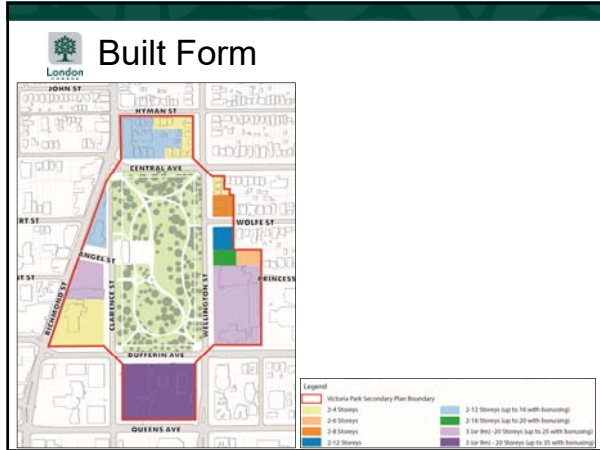
 **Secondary Plan Principles**

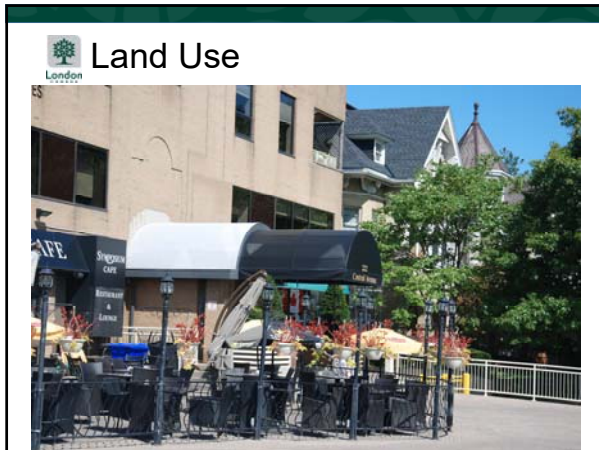
- Principle 6** Identify opportunities for compatible and sensitive intensification
- Principle 7** Protect the residential amenity of the Woodfield Neighbourhood by mitigating impacts of new development
- Principle 8** Support and animate Victoria Park with active uses on the ground floor
- Principle 9** Design buildings to celebrate the prominence of Victoria Park as a City-wide gem
- Principle 10** Continue to enhance the amenity of Victoria Park as a neighbourhood green space as well as a destination for all Londoners and space for festivals and events

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Next Steps

- Public consultation with community and stakeholders on Draft Secondary Plan
 - Next Community Information Meeting – September 4
- Staff will consider input received when preparing revisions to the Draft Secondary Plan
- Modifications will also be made based on Bill 108
- Revised Victoria Park Secondary Plan and implementing Official Plan Amendment to be considered by PEC and Municipal Council in Q4, 2019

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Heritage Planning Orientation

London Advisory Committee on Heritage

Laura Dent, Heritage Planner, Development Services
Kyle Gonyou, Heritage Planner, City Planning



Heritage planning works to manage change to ensure the conservation of significant cultural heritage resources that we value

Cultural Heritage Resource

A human work or a place that gives evidence of human activity or has spiritual or cultural meaning, and which has been determined to have cultural heritage value or interest. Cultural heritage resources can include both physical and intangible heritage resources, heritage properties, built heritage resources, cultural heritage landscapes, archaeological resources, paleontological resources, and both documentary and material heritage.

Why Conserve?

- Retaining what makes our community unique
- Recognition and acknowledgement of cultural heritage values
- Community building
- Promoting cultural tourism, sustainability
- Contributions to cultural identity and sense of place
- Adds to quality of life
- Cultural heritage resources are non-renewable

Heritage Planning Jargon

- **AMP:** Archaeological Management Plan
- **CHER:** Cultural Heritage Evaluation Report
- **CHL:** Cultural Heritage Landscape
- **CRB:** Conservation Review Board
- **HAP:** Heritage Alteration Permit
- **HCD:** Heritage Conservation District
- **HIA:** Heritage Impact Assessment
- **LACH:** London Advisory Committee on Heritage
- **Listed:** Listed on the Register of Cultural Heritage Resources
- **LPAT:** Local Planning Appeal Tribunal
- **MTCS:** Ministry of Tourism, Culture and Sport
- **OHA:** *Ontario Heritage Act*
- **Part IV:** Individually Designated Property (Section 29, *OHA*)
- **Part V:** Heritage Conservation District (HCD) (Section 41, *OHA*)
- **PEC:** Planning & Environment Committee
- **PPS:** *Provincial Policy Statement*

Heritage Planning in Practice

- *Provincial Policy Statement*
 - *Ontario Heritage Act*
 - Part IV, Part V, and Part VI
 - Ontario Regulation 9/06
-
- *Official Plan/The London Plan*
 - Register of Cultural Heritage Resources
 - AMP
 - HCD Plans
 - Secondary Plans
 - Cultural Heritage Guidelines
 - Heritage Designating By-laws

Cultural Heritage Conservation in Ontario

- Matter of “Public Interest” – *Planning Act*
- *Provincial Policy Statement (2014)*
 - Issued under Section 3 of the *Planning Act*
 - Sets priorities for Approval Authorities in Ontario (“shall be consistent”)
 - Must be read in its entirety
 - Section 2.6: Cultural Heritage
- *Ontario Heritage Act*

*Provincial Policy Statement (2014)**

2.6 Cultural Heritage and Archaeology

- 2.6.1 *Significant built heritage resources and significant cultural heritage landscapes shall be conserved.*
- 2.6.2 *Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.*
- 2.6.3 *Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.*
- 2.6.4 *Planning authorities should consider and promote archaeological management plans and cultural plans in conserving cultural heritage and archaeological resources.*
- 2.6.5 *Planning authorities shall consider the interests of Aboriginal communities in conserving cultural heritage and archaeological resources.*

*Provincial Policy Statement (2014)**

Key Terms:

- Significant
- Built Heritage Resource
- Cultural Heritage Landscape
- Protected Heritage Property
- Conserved

*Ontario Heritage Act**

- Part I: Administration
- Part II: Ontario Heritage Trust
- Part III: Conservation Review Board
 - Standards and Guidelines for Provincial Heritage Property (applicable to provincially-owned property)
- **Part IV: Conservation of Property of Cultural Heritage Value or Interest**
 - Section 27: Register
 - 60-day demolition delay
 - Section 28: Municipal Heritage Committee
 - Section 29: Individual Designations
 - Section 33: Alterations to individually-designated properties
 - Section 37: Easements
- **Part V: Heritage Conservation Districts**
 - Section 41: Heritage Conservation Districts Study & Plan
 - Section 42: Alterations to properties within a Heritage Conservation District
- **Part VI: Conservation of Resources of Archaeological Value**
 - Licensing of professional archaeologists, archaeological protocols
- Part VII: General
 - Fines, etc. for contravention of the *Ontario Heritage Act*

*Ontario Heritage Act**

- Values-based conservation
- **Real Property**
- Designation is registered on title
- Enabling policies to **municipalities** within provincial framework
 - Implemented by *The London Plan* policies


*Ontario Heritage Act**

- Implemented at the Municipal-level
 - Cannot designate Federal property
 - Cannot designate Provincial property
- Owner consent not required
- Appealable to Local Planning Appeal Tribunal or Conservation Review Board

The London Plan*

Guidelines Documents

- Register
- HCD Plans
- *Heritage Places**
- CHL Guidelines
- AMP



London Plan Policies

- **Policy 565_***: New development/redevelopment on and adjacent to heritage designated properties and properties listed on the Register will be designed to protect the heritage attributes and character of those resources, to minimize visual and physical impact on these resources
 - HIA required
- **Policy 566_**: Relocation of cultural heritage resources is discouraged
- **Policy 567_**: Archival documentation may be required in the event of demolition, salvage, dismantling, relocation or irrevocable damage to a cultural heritage resource
- **Policy 568_**: Retention of façades alone is discouraged; conservation of whole buildings is encouraged
- **Policy 569_**: In the event of building removal, the retention of architectural or landscape features and the use of other interpretive techniques will be encouraged where appropriate



REGISTER OF CULTURAL HERITAGE RESOURCES

Register of Cultural Heritage Resources

What properties are included on the Register?

- All individually designated properties (Part IV, *Ontario Heritage Act*)
- All properties within a Heritage Conservation District (Part V, *Ontario Heritage Act*)
- Properties Municipal Council believes to be of cultural heritage value or interest (Section 27, *Ontario Heritage Act*)

How can a property be included on the Register?

- Recommendation from LACH, Municipal Council resolution

What protection is conveyed to properties in the Register?

- 60-day notice of intention to demolish required

Listed vs. Designated

Listed

- Section 27, *Ontario Heritage Act*
- Included on Register
- Recommendation of LACH, added by Municipal Council
- No HAP required
- 60-day delay in issuance of demo permit

Designated

- Part IV or Part V, *Ontario Heritage Act*
- Designating By-law
- Registered on title
- Recommendation of LACH, Notice of Intention to Designate by Municipal Council
- HAP required for alterations
- 90-day review timeline

Individual Designations

- Designating by-laws
 - Registered on title
- Eligible for City of London “Blue Plaque”
- First: Eldon House (1977)
- Most Recent: 2442 Oxford Street West (notice of intent to designate)



How is *significance* determined?

- Part IV: Individual Property/Resource
 - **Ontario Regulation 9/06**
 - Ontario Regulation 10/06
- Part V: Heritage Conservation District
 - Policy 576_, *The London Plan*

Ontario Regulation 9/06

A property may be designated under Section 29 of the *Ontario Heritage Act* if it meets one or more of the following criteria for determining whether it is of cultural heritage value or interest:

1. The property has design value or physical value
2. The property has historical value or associative value, or
3. The property has contextual value

Cultural Heritage Evaluation Report (CHER)

- Evaluates property using criteria of O. Reg. 9/06
- Determines whether property is of significant cultural heritage value or not
- Often required for demolition request or planning or development application

What's the difference between a CHER and an HIA?

- CHER evaluates cultural heritage value
- HIA assesses impacts of proposed change

Heritage Conservation Districts

Policy 576, The London Plan: City Council will consider the following criteria in the evaluation of an area for designation as a heritage conservation district:

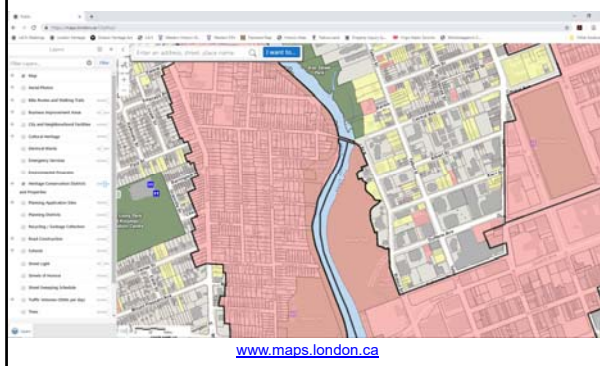
1. The association of the area with a particular historical event or era that is unique to the community.
2. The presence of properties which are considered significant to the community as a result of their location or setting.
3. The presence of properties representing a design or method of construction which is considered to be of cultural heritage value or interest to the community, region, province, or nation.
4. The presence of properties which collectively represent a certain aspect of the development of the city that is worthy of maintaining.
5. The presence of physical, environmental, or aesthetic elements which, individually, may not constitute sufficient grounds for designation as a heritage conservation district, but which collectively are significant to the community.

Heritage Conservation Districts



- East Woodfield HCD (1992)
- Bishop Hellmuth HCD (2001)
- Old East HCD (2006)
- West Woodfield HCD (2008)
- Downtown HCD (2012)
- Blackfriars/Petersville HCD (2015)
- Wortley Village-Old South HCD (2015)

CityMap



Heritage Impact Assessment (HIA)

- Impacts of development or site alteration on or adjacent to cultural heritage resources requires assessment
 - Policy 13.2.3.1, *OP* (1989) (13.2.3.1) and Policy 586, *The London Plan*
 - Demonstrate that the heritage attributes of the heritage designated properties or properties listed on the *Register* will be conserved
- Example of negative impacts can include:
 - **Destruction** of significant heritage attributes or features
 - **Alteration** that is not sympathetic/incompatible, with the historic fabric and appearance
 - **Shadowing**
 - **Isolation** of heritage attribute and **obstruction** of views/vistas
 - **Change** in land use and land disturbances
- Appropriate and compatible, sensitive design can mitigate negative impacts of development

LACH Comments on HIAs

- Is the LACH satisfied by the research, assessment, and conclusions of the HIA?
- Is the proposed development or change appropriate to conserve the cultural heritage value of the on site resource?
 - Will there be adverse impacts or positive impacts to the cultural heritage resource?
 - Are these impacts mitigated?
 - Are the heritage attributes conserved?
- Is the proposed development appropriate to conserve adjacent cultural heritage resources?
 - Will there be adverse impacts or positive impacts to the cultural heritage resources?
 - Are these impacts mitigated?
 - Are the heritage attributes conserved?

Alterations to Protected Heritage Properties

Part IV: Individual Property

- Consent in writing (*OHA*, s.33(1))
- “Likely to affect the property’s heritage attributes”

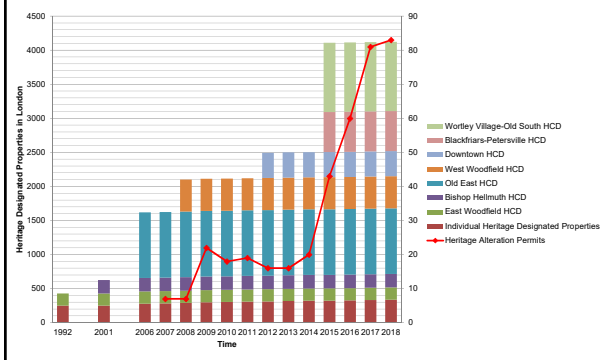
Part V: Heritage Conservation District

- Permit (*OHA*, s.42(1))
- “Classes of Alterations” defined within applicable HCD Plan

Heritage Alteration Permit

- Part IV – Section 33(4), *Ontario Heritage Act*
- Part V – Section 42(4), *Ontario Heritage Act*
 - Within 90 days after the receipt is served on the applicant under subsection (3) ..., the council may give the applicant,
 - a) The permit applied for;
 - b) Notice that the council is refusing the application for the permit; or,
 - c) The permit applied for, with terms and conditions attached.

Heritage Alteration Permits



Archaeology

- Sensitive resources
 - Confidentiality required to ensure conservation
- Municipality as Approval Authority
- AMP (2017)
 - Areas of Archaeological Potential



Municipally-Owned Heritage Properties

- Eldon House
- Elsie Perrin Williams Estate & Gate House
- Grosvenor Lodge & Coach House
- Flint Cottage
- Flint Shelter
- Park Farm
- Baty House, 700 Pond Mills Road
- 1 Dundas Street
- Springbank Pumphouse
- Labatt Park and Roy MacKay Clubhouse



London Advisory Committee on Heritage

“The purpose of LACH is to advise the Municipal Council on the conservation of cultural heritage resources in the community and to guide London in the conservation of its cultural heritage resources through planning, education, and stewardship” (LACH TOR)

LACH Sub-Committees

- Stewardship Sub-Committee
- Education Sub-Committee
- Planning & Policy Sub-Committee
- Archaeology Sub-Committee

What do Heritage Planners do?

Development Services

- Review and commenting on all planning applications regarding cultural heritage and archaeological issues – well as reports required as part of applications:
 - Plan of Subdivision
 - Official Plan Amendment
 - Zoning By-law Amendment
 - Site Plan
 - Consents
 - Minor Variances
 - Reports
 - Heritage Impact Assessments (HIA)
 - Archaeological Assessments
 - Cultural Heritage Evaluation Reports (CHER)

City Planning

- Heritage Alteration Permits
- Municipally-owned properties
- Register
- AMP
- Designations
 - Part IV
 - HCDs
- Demolition Requests
- Municipal projects
- Environmental Assessments and Detailed Design assignments
- London Endowment for Heritage

Resources

Ontario Heritage Toolkit

http://www.mtc.gov.on.ca/en/heritage/heritage_toolkit.shtml

- Your Community, Your Heritage, Your Committee
http://www.mtc.gov.on.ca/en/publications/Heritage_Tool_Kit_Your_community_Eng.pdf
- Heritage Property Evaluations
http://www.mtc.gov.on.ca/en/publications/Heritage_Tool_Kit_HPE_Eng.pdf
- Designating Heritage Properties
http://www.mtc.gov.on.ca/en/publications/Heritage_Tool_Kit_DHP_Eng.pdf
- Heritage Conservation Districts
http://www.mtc.gov.on.ca/en/publications/Heritage_Tool_Kit_HCD_English.pdf
- Heritage Resources in the Land Use Planning Process
http://www.mtc.gov.on.ca/en/publications/Heritage_Tool_Kit_Heritage_PPS_infoSheet.pdf
- Heritage Places of Worship
http://www.mtc.gov.on.ca/en/publications/Heritage_Tool_Kit_POW.pdf

Resources

MTCS – Info-sheets

- **Why Designate?**
http://www.mtc.gov.on.ca/en/publications/InfoSheet_Why_Designate.pdf
- **Insurance and Heritage Properties**
http://www.mtc.gov.on.ca/en/publications/Heritage_Insurance.pdf
- **Heritage Cemeteries**
<http://www.mtc.gov.on.ca/en/cemeteries/cemetery.shtml#designating>
- **Provincial Powers to Conserve Properties of Cultural Heritage Value or Interest of Provincial Significance**
http://www.mtc.gov.on.ca/en/publications/InfoSheet_Provincial_Powers.pdf
- **Listing Cultural Heritage Properties on the Municipal Register**
http://www.mtc.gov.on.ca/en/publications/InfoSheet_Listing_Final.pdf

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Eight Guiding Principles

in the Conservation of Built Heritage Properties

1. **Respect for documentary evidence:** do not restore based on conjecture.
2. **Respect for original location:** do not move buildings unless there is no other means to save them.
3. **Respect for historic material:** repair/conservé – rather than replace building materials and finishes, except where absolutely necessary.
4. **Respect for original fabric:** repair with like materials.
5. **Respect for the building's history:** do not restore to one period at the expense of another period.
6. **Reversibility:** alterations should be able to be returned to original conditions. This conserves earlier building design and techniques.
7. **Legibility:** new work should be distinguishable from old.
8. **Maintenance:** with continuous care, future restoration will not be necessary.

http://www.mtc.gov.on.ca/en/publications/InfoSheet_8%20Guiding_Principles.pdf

Heritage Conservation Principles for Land Use Planning

- **Timeliness**
- **Value/Significance**
- **Inclusiveness**
- **Respect for Context**
- **Retention**
- **Caution**
- **Public Benefit**

http://www.mtc.gov.on.ca/en/publications/InfoSheet_Principles_LandUse_Planning.pdf

Heritage Planners' Report to LACH: August 14, 2019

1. Heritage Alteration Permits processed under Delegated Authority By-law:
 - a) 34 Kensington Avenue (Blackfriars-Petersville HCD): remove addition
 - b) 551 Quebec Street (Old East HCD): 2-storey rear addition
 - c) 340 Richmond Street (Downtown HCD): façade alterations
 - d) 120 Dundas Street (Downtown HCD): façade alterations
 - e) 719 Princess Avenue (Old East HCD): porch restoration
 - f) 742 Elias Street (Old East HCD): alterations to proposed porch
 - g) 150 Elmwood Avenue East (Wortley Village-Old South HCD): recladding exterior
 - h) 8 Argyle Street (Blackfriars/Petersville HCD): railing replacement, sidewalk widening
 - i) 483 Princess Avenue (East Woodfield HCD): addition of trim details
 - j) 771 Hellmuth Avenue (Bishop Hellmuth HCD): porch alterations
 - k) 7 Teresa Street (Wortley Village-Old South HCD): chimney
 - l) 176 Dundas Street (Downtown HCD): sign
 - m) 280 St. James Street (Bishop Hellmuth HCD): roof replacement
 - n) 14 Cummings Avenue (Blackfriars/Petersville HCD): change in railing/guard style
2. Demolition Request for Heritage Designated Property at 123 Queens Avenue, Downtown Heritage Conservation District – PEC July 22, 2019 - Update

Upcoming Heritage Events

- Museum London History Walk: Cottages to Castles on Saturday August 17, 10:30am and 1:00pm. More information: www.museumlondon.ca/programs-events
- Midsummer Music at Elsie Perrin Williams Estate (101 Windermere Road) on Sunday August 18, 2019 at 2:30pm. More information: www.heritagelondonfoundation.ca/events/concert-on-the-lawn
- Summer tea at Eldon House, on now until August 25, 2019, 1:00-3:00pm. More information: www.eldonhouse.ca/events
- Celebrating Downtown Abbey! (481 Ridout Street North) on Saturday September 7, 2019, 2:00pm. More information: www.eldonhouse.ca/events
- Doors Open London on September 14 and 15, 2019. More information: www.londonheritage.ca/doorsopenlondon
- Milling About in Tillsonburg – ACO London Region and London & Middlesex Historical Society bus trip on Saturday September 21, 2019. More information: <https://www.eventbrite.ca/e/milling-about-aco-lmhs-joint-bus-tour-tickets-67370542105>