

Planning and Environment Committee

Report

The 17th Meeting of the Planning and Environment Committee
October 7, 2019

PRESENT: Councillors A. Hopkins (Chair), J. Helmer, M. Cassidy, P. Squire, S. Turner

ABSENT: Mayor E. Holder

ALSO PRESENT: Councillor A. Kayabaga; I. Abushehada, J. Adema, G. Barrett, B. Debbert, M. Elmadhoon, M. Feldberg, J.M. Fleming, M. Knieriem, G. Kotsifas, J. Lee, H. Lysynski, H. McNeely, B. Morin, L. Mottram, B. O'Hagan, L. Pompilli, M. Ribera, C. Saunders, M. Tomazincic, D. Turner and P. Yeoman

The meeting was called to order at 4:01 PM

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

Moved by: M. Cassidy
Seconded by: S. Turner

That Items 2.1, 2.2, 2.4, 2.5 and 2.7, BE APPROVED.

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

2.1 2nd Report of the Agricultural Advisory Committee

Moved by: M. Cassidy
Seconded by: S. Turner

That the 2nd Report of the Agricultural Advisory Committee, from its meeting held on September 18, 2019, BE RECEIVED for information.

Motion Passed

2.2 Provincial Policy Statement (PPS) 2019 Review

Moved by: M. Cassidy
Seconded by: S. Turner

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the proposed policies under the Provincial Policy Statement:

- a) the staff report dated October 7, 2019 entitled “Provincial Policy Statement (PPS) 2019 Review” BE RECEIVED for information;
- b) the Province BE ADVISED that several of the proposed changes are contrary to Municipal Council’s Climate Emergency Declaration; and,
- c) the above-noted staff report BE FORWARDED to the Ministry of Municipal Affairs and Housing for consideration in response to the Environmental Registry of Ontario (ERO) posting of the proposed policies by the commenting deadline of October 21, 2019. (2019-S11)

Motion Passed

- 2.4 Application - Eagle Ridge Subdivision - Phase 2 - 810 Westdel Bourne - Removal of Holding Provisions (H-9112)

Moved by: M. Cassidy
 Seconded by: S. Turner

That, on the recommendation of the Director, Development Services, based on the application by West Kains Land Corp. and Liahn Farms Ltd., relating to lands located at 810 Westdel Bourne, known as Eagle Ridge Subdivision – Phase 2, the proposed by-law appended to the staff report dated October 7, 2019 BE INTRODUCED at the Municipal Council meeting to be held on October 15, 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 (h•R1-4) Zone, a Holding Residential R1 (h•h-211•R1-4) Zone, a Holding Residential R1 (h•R1-8) Zone, and a Holding Residential R6 (h•h-54•h-71•R6-5) Zone TO a Residential R1 (R1-4) Zone, a Holding Residential R1 (h-211•R1-4) Zone, a Residential R1 (R1-8) Zone, and a Holding Residential R6 (h-54•h-71•R6-5) Zone to remove the h holding provisions. (2019-D09)

Motion Passed

- 2.5 Application - 56 High Street - Removal of Holding Provision

Moved by: M. Cassidy
 Seconded by: S. Turner

That, on the recommendation of the Director, Development Services, based on the application by 56 High Street Inc., relating to the property located at 56 High Street, the proposed by-law appended to the staff report dated October 7, 2019 BE INTRODUCED at the Municipal Council meeting to be held on October 15, 2019 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Holding Restricted Office/Arterial Commercial/Convenience Commercial Special Provision (h•RO2/AC5/CC1(7)) Zone TO Restricted Office/Arterial Commercial/Convenience Commercial Special Provision (RO2/AC5/CC1(7)) Zone to remove the h holding provision. (2019-D09)

Motion Passed

- 2.7 Building Division Monthly Report for August 2019

Moved by: M. Cassidy
Seconded by: S. Turner

That the Building Division Monthly Report for the month of August, 2019 BE RECEIVED for information. (2019-A23)

Motion Passed

2.3 Application - 185 Queens Avenue Parking Lot Redevelopment (19 DOWr1)

Moved by: M. Cassidy
Seconded by: S. Turner

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the property located at 185 Queens Avenue:

- a) the staff report dated October 7, 2019 entitled "185 Queens Avenue Parking Lot Redevelopment" BE RECEIVED for information; and,
- b) the Civic Administration BE DIRECTED to undertake a procurement process to find a potential partner to redevelop the parking lot at 185 Queens Avenue for the purposes of a mixed-use development including a municipal parking garage. (2019-T02)

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

2.6 Masonville Transit Village Secondary Plan - Update (O-8991)

Moved by: M. Cassidy
Seconded by: J. Helmer

That, on the recommendation of the Managing Director, Planning and City Planner, the staff report dated October 7, 2019 entitled "The Corporation of the City of London Masonville Transit Village Secondary Plan - Update" BE RECEIVED for information. (2019-T03)

Yeas: (4): A. Hopkins, J. Helmer, M. Cassidy, and S. Turner

Absent: (2): P. Squire, and E. Holder

Motion Passed (4 to 0)

3. Scheduled Items

3.1 10th Report of the Environmental and Ecological Planning Advisory Committee

Moved by: M. Cassidy
Seconded by: S. Turner

That, the following actions be taken with respect to the 10th Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on September 19, 2019:

a) a Working Group BE ESTABLISHED consisting of S. Heuchan, I. Mohamed, R. Doyle, S. Esan, L. Banks, S. Levin and B. Samuels, to review the draft Subject Lands Status Report for the White Oak-Dingman Secondary Plan; it being noted that the Environmental and Ecological Planning Advisory Committee reviewed and received the presentation appended to the 10th Report of the Environmental and Ecological Planning Advisory Committee from L. McDougall, Ecologist and T. Macbeth, Planner II, with respect to these matters;

b) G. Barrett, Manager, Land Use Planning and Sustainability, BE INVITED to the next meeting of the Environmental and Ecological Planning Advisory Committee (EEPAC) to discuss the differences between City-owned and privately owned Environmentally Significant Areas; it being noted that at the EEPAC reviewed and received the Environmentally Significant Areas Meeting Minutes from its meetings held on April 30, 2019 and August 20, 2019;

c) the following actions be taken with respect to the review of the Environmental Management Guidelines:

i) the Working Group comments appended to the 10th Report of the Environmental and Ecological Planning Advisory Committee with respect to the review of the Environmental Management Guidelines BE FORWARDED to the Civic Administration for consideration; and,

ii) a special Environmental and Ecological Planning Advisory Committee BE HELD on November 7, 2019 at 5:00 PM to provide further Working Group comments on these matters; and,

d) clauses 1.1, 2.1, 3.1, 3.2 and 5.1 BE RECEIVED for information.

Yeas: (4): A. Hopkins, J. Helmer, M. Cassidy, and S. Turner

Absent: (2): P. Squire, and E. Holder

Motion Passed (4 to 0)

3.2 Delegation - A. Morrison, Member-at-Large, Trees and Forests Advisory Committee - 9th Report of the Trees and Forests Advisory Committee

Moved by: S. Turner

Seconded by: M. Cassidy

That, the following actions be taken with respect to the 9th Report of the Trees and Forests Advisory Committee, from its meeting held on September 25, 2019:

a) clause 5.3 BE AMENDED as follows:

i) part a) BE REFERRED to the Budget review for consideration; it being noted that part a) of clause 5.3 reads as follows:

“a) the Municipal Council BE REQUESTED to continue to cover the operating budgets, at the current level or higher, for the Conservation Authorities operating within London; and”;

ii) part b) BE RECEIVED for information; it being noted that part b) of clause 5.3 reads as follows:

“b) a representative from ReForest London BE INVITED to attend a future meeting of the Trees and Forests Advisory Committee to present their business plan for the next two years and to indicate how the Provincial funding cuts are affecting their budget;

it being noted that this funding will be necessary in keeping the City of London on track with the Urban Forest Strategy;

it being further noted that the communication from J. Kogelheide, as appended to the agenda, with respect to this matter, was received.”; and,

b) clauses 1.1, 3.1, 3.2, 5.1, 5.2 and 5.4 BE RECEIVED for information.

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

3.3 Public Participation Meeting - Application - 800, 805 and 810 Chelton Road - Application for Zoning By-law Amendment (Z-9089)

Moved by: S. Turner

Seconded by: J. Helmer

That, on the recommendation of the Director, Development Services, based on the application by The Ironstone Building Company Inc., relating to the lands located at 800, 805 and 810 Chelton Road, the proposed by-law appended to the staff report dated October 7, 2019 BE INTRODUCED at the Municipal Council meeting to be held on October 15, 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 Community Shopping Area CSA3 Zone, Associated Shopping Area Commercial (ASA1/ASA2/ASA3) Zone, and a Holding Residential R6/R9 (h-54•R6-5/R9-3•H20) Zone TO a Residential R5 (R5-7) Zone, a Residential R5 Special Provision R5-7() Zone, a Residential R9 Special Provision Bonus (R9-7()•H16•B-) Zone, and an Open Space OS5 Zone;

it being noted that the proposed Bonus Zone will be implemented through the required development agreement(s) to facilitate the development of low to mid-rise apartment buildings up to a maximum of five (5) storeys and six (6) storeys which substantially implements the vision and principles of the Chelton Road Master Plan for 800, 805 and 810 Chelton Road, and site concept plans as outlined in the amending by-law appended to the staff report dated October 7, 2019, in exchange for the following facilities, services and matters:

- i) enhanced building and site design features including an active street edge along Bradley Avenue, Chelton Road, and Meadowgate Boulevard;
- ii) dedication of public open space (OS5) lands;
- iii) measures to enhance the Natural Heritage System including substantial buffer planting with native vegetation to protect adjacent natural features;
- iv) large quantities of secure bicycle parking and cycling infrastructure including indoor and outdoor storage facilities, and a multi-use pathway internal to the site providing connections to surrounding public sidewalks and pedestrian trails; and,
- v) substantial tree planting of large caliper trees to be planted along the street frontage and outdoor amenity areas;

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;

it being further noted that the Municipal Council approves this application for the following reasons:

- the recommended zoning amendment is consistent with the Provincial Policy Statement (PPS), 2014, as it promotes efficient development and land use patterns; accommodates 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;
- the recommended zoning amendment conforms to the in-force policies of The London Plan, including but not limited to the Neighbourhoods Place Type, Our Strategy, City Building and Design, Our Tools, and all other applicable London Plan policies.
- the recommended zoning amendment permits a use, form and intensity of residential development that conforms to the in-force policies of the (1989) Official Plan, including but not limited to the Community Commercial Node and Multi-Family, High Density Residential designations;
- the recommended zoning amendment will allow for an increase in building height through a Bonus Zone which requires that developments implement the vision and principles of the Chelton Road Master Plan, and site concept plans attached to the amending by-law. The recommended Bonus Zone provides for an increased height in return for a series of bonusable features, matters and contributions that benefit the public;
- the subject development blocks are of a size and shape suitable to accommodate the proposal. The recommended zoning amendment provides appropriate regulations to control the use and intensity of the building and ensure a well-designed development with appropriate mitigation measures; and,
- the proposed uses, form, and intensity are considered appropriate and compatible with existing residential development in the surrounding neighbourhood. (2019-D09)

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

Additional Votes:

Moved by: S. Turner

Seconded by: M. Cassidy

Motion to open the public participation meeting.

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

Moved by: M. Cassidy

Seconded by: P. Squire

Motion to close the public participation meeting.

Yeas: (4): A. Hopkins, M. Cassidy, P. Squire, and S. Turner

Absent: (2): J. Helmer, and E. Holder

Motion Passed (4 to 0)

3.4 Public Participation Meeting - Application - 1339-1347 Commissioners Road West (Z-9081/O-9082)

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Milan Starcevic, relating to the properties located at 1339 – 1347 Commissioners Road West:

a) the proposed by-law appended to the staff report dated October 7, 2019 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on October 15, 2019 to amend the Official Plan for the City of London Planning Area – 1989 by ADDING a policy to Section 3.5. – Policies for Specific Residential Areas to recognize the permitted uses of the Neighbourhoods Place Type in The London Plan at this location;

b) the attached proposed revised by-law BE INTRODUCED at the Municipal Council meeting to be held on October 15, 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 Residential R1/Residential R5 (R1-9/R5-3) Zone TO a Residential R8 Bonus (R8-4*B-_) Zone and Holding (h-5) Zone to ensure that development takes a form compatible with the adjacent land uses, agreement shall be entered into following 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;

c) the Approval Authority BE ADVISED that the following Site Plan matters have been raised through the application review process for consideration by the Site Plan Approval Authority with regard to the mitigation of potential impacts on the townhouse development at 1337 Commissioners Road West:

i) photometric analysis to manage lighting impacts on adjacent

developments;

- ii) a noise study to evaluate and mitigate noise impacts related to the parking ramp and underground parking garage on the adjacent development at 1337 Commissioners Road West;
- iii) enhanced provision of boundary landscaping along the east and north property boundaries that not only exceed the standards of the Site Plan Control By-law but also has screening/privacy qualities;
- iv) the protection and preservation of trees along the northerly boundary (both shared and within the boundary vegetation) of the subject property, with the exception of invasive species or hazard trees; and,
- v) privacy trees be used for replacement trees;

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;

it being further noted that the Municipal Council approves this application for the following reasons:

- the recommended amendments to the Official Plan and Zoning By-law Z.-1 are consistent with the 2014 Provincial Policy Statement (PPS) which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents present and future;
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan including, but not limited to the Policies for Specific Residential Areas which allow Council to address development opportunities through specific policies that provide additional guidance to the general Multi-family, Medium Density Residential policies;
- the recommended amendment conforms to the in-force policies of The London Plan including, but not limited to the policies of the Neighbourhoods Place Type which contemplate low-rise apartment buildings with a maximum height of 4 storeys with the potential for up to 6 storeys with Type 2 bonus where the property has frontage on a Civic Boulevard;
- the subject lands represent an appropriate location for residential intensification, along a higher-order street within an existing neighbourhood, and the recommended amendment would permit development at an intensity that is appropriate for the site and the surrounding neighbourhood;
- the recommended amendment would help to achieve the vision of The Neighbourhoods Place Type by providing a range of housing choice and mix of uses to accommodate a diverse population of various ages and abilities; and,
- the recommended increases in height and density are commensurate with the value conferred by the recommended bonus provision for design and affordable housing. (2019-D09)

Additional Votes:

Moved by: A. Hopkins

Seconded by: J. Helmer

Motion to approve parts a) and b), which read as follows:

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Milan Starcevic, relating to the properties located at 1339 – 1347 Commissioners Road West:

a) the proposed by-law appended to the staff report dated October 7, 2019 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on October 15, 2019 to amend the Official Plan for the City of London Planning Area – 1989 by ADDING a policy to Section 3.5. – Policies for Specific Residential Areas to recognize the permitted uses of the Neighbourhoods Place Type in The London Plan at this location;

b) the attached proposed revised by-law BE INTRODUCED at the Municipal Council meeting to be held on October 15, 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 Residential R1/Residential R5 (R1-9/R5-3) Zone TO a Residential R8 Bonus (R8-4*B-_) Zone and Holding (h-5) Zone to ensure that development takes a form compatible with the adjacent land uses, agreement shall be entered into following 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;

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;

it being further noted that the Municipal Council approves this application for the following reasons:

- the recommended amendments to the Official Plan and Zoning By-law Z.-1 are consistent with the 2014 Provincial Policy Statement (PPS) which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents present and future;
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan including, but not limited to the Policies for Specific Residential Areas which allow Council to address development opportunities through specific policies that provide additional guidance to the general Multi-family, Medium Density Residential policies;
- the recommended amendment conforms to the in-force policies of The London Plan including, but not limited to the policies of the Neighbourhoods Place Type which contemplate low-rise apartment buildings with a maximum height of 4 storeys with the potential for up to 6 storeys with Type 2 bonusing where the property has frontage on a Civic Boulevard;
- the subject lands represent an appropriate location for residential intensification, along a higher-order street within an existing neighbourhood, and the recommended amendment would permit

development at an intensity that is appropriate for the site and the surrounding neighbourhood;

- the recommended amendment would help to achieve the vision of The Neighbourhoods Place Type by providing a range of housing choice and mix of uses to accommodate a diverse population of various ages and abilities; and,
- the recommended increases in height and density are commensurate with the value conferred by the recommended bonus provision for design and affordable housing. (2019-D09)

Yeas: (4): A. Hopkins, J. Helmer, P. Squire, and S. Turner

Nays: (1): M. Cassidy

Absent: (1): E. Holder

Motion Passed (4 to 1)

Moved by: A. Hopkins

Seconded by: J. Helmer

Motion to approve part c) i) to iii), inclusive, which reads as follows:

c) IT BEING NOTED the following Site Plan matters have been raised through the application review process for consideration by the Site Plan Approval Authority with regard to the mitigation of potential impacts on the townhouse development at 1337 Commissioners Road West:

- i) photometric analysis to manage lighting impacts on adjacent developments;
- ii) a noise study to evaluate and mitigate noise impacts related to the parking ramp and underground parking garage on the adjacent development at 1337 Commissioners Road West;
- iii) enhanced provision of boundary landscaping along the east and north property boundaries that not only exceed the standards of the Site Plan Control By-law but also has screening/privacy qualities;

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

Moved by: A. Hopkins

Seconded by: J. Helmer

Motion to approve part c), iv) and v) to include the following matters during site plan:

- iv) the protection and preservation of trees along the northerly boundary (both shared and within the boundary vegetation) of the subject property, with the exception of invasive species or hazard trees; and,
- v) privacy trees be used for replacement trees;

Yeas: (4): A. Hopkins, J. Helmer, M. Cassidy, and P. Squire

Nays: (1): S. Turner

Absent: (1): E. Holder

Motion Passed (4 to 1)

Moved by: S. Turner
Seconded by: J. Helmer

Motion to open the public participation meeting.

Yeas: (4): A. Hopkins, J. Helmer, M. Cassidy, and S. Turner

Absent: (2): P. Squire, and E. Holder

Motion Passed (4 to 0)

Moved by: S. Turner
Seconded by: A. Hopkins

Motion to close the public participation meeting.

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

4. Items for Direction

- 4.1 G. Gallacher, Chair of the Board, London Downtown Business Association
- Request to Amend City By-law CP-2

Moved by: J. Helmer
Seconded by: M. Cassidy

That the City Clerk BE DIRECTED to bring forward to a future meeting of Municipal Council a by-law to incorporate the proposed amendments to the London Downtown Business Association (LDBA) and MainStreet London By-law CP-2 as requested by the LDBA and MainStreet London Board of Management as outlined in the communication dated from G. Gallacher, Chair of the Board (LDBA). (2019-C12)

Yeas: (5): A. Hopkins, J. Helmer, M. Cassidy, P. Squire, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

5. Deferred Matters/Additional Business

None.

6. Adjournment

The meeting adjourned at 7:05 PM.

Absent: (1): E. Holder

Agricultural Advisory Committee

Report

2nd Meeting of the Agricultural Advisory Committee
September 18, 2019
Committee Room #2

Attendance PRESENT: L. McKenna (Chair), J. Kogelheide, L.F. McGill, E. Rath and S. Twynstra and J. Bunn (Secretary)

ABSENT: P. Conlin

ALSO PRESENT: L. Mottram, C. Parker and M. Schulthess

The meeting was called to order at 7:06 PM.

1. Call to Order

1.1 Orientation

That it BE NOTED that the Agricultural Advisory Committee heard a verbal presentation from M. Schulthess, Deputy City Clerk, with respect to an Advisory Committee orientation.

1.2 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

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

That it BE NOTED that the Agricultural Advisory Committee elected L. McKenna and S. Twynstra as Chair and Vice Chair, respectively, for the term ending November 30, 2019.

2. Scheduled Items

None.

3. Consent

3.1 1st Report of the Agricultural Advisory Committee

That it BE NOTED that the 1st Report of the Agricultural Advisory Committee, from the meeting held on January 16, 2019, was received.

3.2 Public Meeting Notice - Zoning By-law Amendment - Farm Gate Sales

That it BE NOTED that the Public Meeting Notice, dated September 3, 2019, from C. Parker, Senior Planner, with respect to a Zoning By-law Amendment related to Farm Gate Sales on lands not zoned agriculture, was received.

3.3 Notice of Study Completion - Municipality of Thames Centre Water and Wastewater Master Plan Update

That it BE NOTED that the Notice of Study Completion, from C. Reyes, Municipality of Thames Centre and J. Bell, GM BluePlan Engineering Limited, with respect to a Municipality of Thames Centre Water and Wastewater Master Plan Update, was received.

3.4 (ADDED) Public Meeting Notice - Zoning By-law Amendment - H-18 Holding Provision

That it BE NOTED that the Public Meeting Notice, dated August 19, 2019, from C. Parker, Senior Planner, with respect to a Zoning By-law Amendment related to an intent to revise the wording for the existing H-18 Holding Provision for Archaeological Assessment, was received.

4. Sub-Committees and Working Groups

None.

5. Items for Discussion

None.

6. Adjournment

The meeting adjourned at 8:22 PM.

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: John M. Fleming
Managing Director, Planning and City Planner
Subject: Provincial Policy Statement (PPS) 2019 Review
Meeting on: October 7, 2019

Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the proposed policies under the Provincial Policy Statement:

- (a) The attached report **BE RECEIVED** for information;
- (b) The Province **BE ADVISED** that several of the proposed changes are contrary to Municipal Council's Climate Emergency Declaration; and,
- (c) This report **BE FORWARDED** to the Ministry of Municipal Affairs and Housing for consideration in response to the Environmental Registry of Ontario (ERO) posting of the proposed policies by the commenting deadline of October 21, 2019.

Executive Summary

As part of *More Homes, More Choice: Ontario's Housing Supply Action Plan*, a draft update to the Provincial Policy Statement (PPS) has been introduced. This report provides an overview of proposed changes to the PPS, including municipal comments and concerns to be submitted to the Ministry of Municipal Affairs and Housing. This report also contains municipal responses to the five questions posted by the Ministry on the Environmental Registry of Ontario (ERO) related to the proposed policy changes.

Highlights of the 2019 PPS that are of particular interest to the City of London include:

- Extended time horizon for land use planning and protection for employment areas from 20 to 25 years
- New references to "market-based needs" and "market demand" for housing and growth
- Additional flexibility for settlement area boundary expansion
- Greater emphasis on transit-supportive development and intensification with "air rights development"
- More consideration on adaptation to climate change than mitigation
- Weakened directions on sewage, water, and stormwater servicing
- Introduction of the term "agricultural system" as a system of two components (i.e. agricultural land base and agri-food network) to re-identify the agricultural sector as a significant economic driver
- Stronger emphasis on engagement with Indigenous communities
- Increased focus on human health and safety

- No changes to policies with respect to natural and human-made hazards at this time, however, there is an indication of possible future changes
- Stronger directions on streamlining of development approvals
- Weaker policy directions on implementation and interpretation, including removal of the provision allowing municipalities to exceed the standard in the PPS
- Greater control over employment area conversions

Also attached to this report is a strike-out and underline version of the proposed changes to the Provincial Policy Statement, showing added, deleted and amended policies.

In this report, the potential impact on climate change (positive, neutral or negative) is identified for each of the proposed changes highlighted in this report.

The deadline for submitting comments to the Province is October 21, 2019. The City's comments with the following recommendations on the proposed changes will be provided to the Province.

Summary of Recommendations

- Many of the proposed changes to the Provincial Policy Statement could have negative impacts on climate change. Consideration of the "impacts of a changing climate" directs municipalities to plan/respond to climate change, rather than directing municipalities to take actions to minimize their impact on climate and the causes of climate change.
- The current 20-year planning horizon for growth should be retained, rather than expanded 25-year horizon.
- If the proposed amended policies 1.1.1, 1.4.3 and 1.7.1 are maintained, the Province should provide clarification on the meaning of "market-based needs" and "market demand". The reference to single-detached housing should be removed and clarity should be provided on the definition of tiny homes.
- Further clarification on settlement area expansions to ensure that the conditions to permit a settlement area expansion are limited and very specific, that the expansion would continue to support compact growth and intensification, and that sprawl and land use conflicts will be avoided.
- Additional information on air rights development should be provided to ensure that it represents good planning.
- The term "regional economic development corporation" is newly introduced, however, further clarity on the definition for the corporation and its relationship with a municipality should be provided.
- New policies for climate change mitigation in addition to the proposed policies with respect to adaptation should be added. Existing provisions for renewable energy and alternative energy should be retained.
- The existing policy that servicing is carried out in a sustainable and cost-efficient manner is proposed to be repealed. This policy should be retained.
- Additional consideration for the impacts of climate change on natural and human-made hazards should be included.
- The deletion of the existing provision that the linkages between waste management and land use patterns should be considered is proposed. This provision should be maintained.

- Proposed amendments throughout Section 4 of the PPS: Implementation and Interpretation will cause more complex planning. The amendments to existing policies 4.7, 4.8 and 4.9 should be removed.
- New references to provincial guidelines, standards and procedures without any definitions or references are included. Further clarification on them should be provided.
- New guidance or framework for engagement with Indigenous communities should be provided.
- Proposed provisions with respect to minimum distance separation formulae requirements are not clear to implement in non-prime agricultural areas. Further clarification on the requirements should be added.
- New conditions for economic investment are newly referenced without any clear guidance or information. The Province should provide guidance and clarification on the conditions.
- Amended policies with respect to land conversion increases opportunities to designate and convert local employment areas outside of a comprehensive review. The Province should provide further clarification on limitations to convert these areas.
- Proposed policy directions become weakened through language change from “shall” to “should”. The previous wording should be retained.

Analysis

1.0 Provincial Policy Statement Review

1.1 Background

On July 22, 2019, the Ontario Government released a draft Provincial Policy Statement (PPS) in order to support the implementation of More Homes, More Choice: Ontario’s Housing Supply Action Plan. A number of draft policy changes to the PPS are proposed to align with the *Planning Act* through Bill 108, and changes to “A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019”. Some of the changes to the *Planning Act* came into effect on September 3, 2019, while the rest, specifically community benefits charges and parkland provisions, are not yet proclaimed.

The draft PPS focuses on the development of an increased housing mix and supply, while protecting the environment and public safety. The PPS draws additional attention to rural, northern and Indigenous communities, as well as economic growth and job creation. Further, the changes are intended to provide additional predictability for the development approvals process with reduced barriers and costs.

The Ministry of Municipal Affairs and Housing has posted the following questions for municipal perspectives on proposed policies to the PPS:

- Do the proposed policies effectively support goals related to increasing housing supply, creating and maintaining jobs, and red tape reduction while continuing to protect the environment, farmland, and public health and safety?
- Do the proposed policies strike the right balance? Why or why not?
- How do these policies take into consideration the views of Ontario communities?
- Are there any other policy changes that are needed to support key priorities for housing, job creation, and streamlining of development approvals?
- Are there other tools that are needed to help implement the proposed policies?

This report includes municipal responses to these questions, along with concerns and recommendations on the proposed changes. Several key changes that are of greatest significance to the City of London are highlighted in Section 2.0: Concerns and Recommendations. Further, some key areas are provided where more clarity and direction from the Province would be needed. A full description of each area can be found in the same Section.

1.2 Summary of Key Themes/Focuses

The proposed changes to the PPS focus on key themes identified by the Province. The City has outlined the changes, focusing on changes of significance to the City of London.

Increasing Housing Supply and Mix

- Extended time horizons and minimum time periods for land supply requirements
- Addition of “market-based” range and mix of housing types throughout the PPS and reference to single-detached and multi-unit housing
- Added flexibility related to settlement area boundary identification and expansions
- Greater emphasis on transit-supportive development and intensification, including potential air rights development
- Introduction of a regional economic development corporation as a partner in determining regionally significant employment areas

Protecting the Environment and Public Safety

- Enhanced direction to prepare for impacts of “a changing climate”
- Weakened sewage and water services policies to protect human health and safety
- Policies related to natural and human-made hazards such as flooding are retained
- On-site local reuse of excess soil is promoted
- Weakened direction on the relationship between waste management land use patterns

Reducing Barriers and Costs

- Flexibility for mineral aggregate operations outside the Greenbelt Area
- Stronger direction on streamlining of applications with respect to housing and job-related growth
- Increased flexibility to interpret and implement PPS policies

Supporting Rural, Northern and Indigenous Communities

- Stronger policy directions on municipal engagement with Indigenous communities
- New reference to agricultural systems
- Changes to minimum distance separation formulae requirements

Supporting Certainty and Economic Growth

- Additional opportunities for municipalities to designate and conserve local employment areas
- Addition of new conditions for economic investment
- New directions on employment areas for industrial and manufacturing uses

Other General Changes

- Language changed from “Shall” to “Should”
- Addition of “growth management”
- Unclear meaning of “manage” with regards to wetlands

For reference, a strikeout and underline version of the proposed changes to the PPS is attached as Appendix A.

Comments

2.0 Concerns and Recommendations

2.1 Increasing Housing Supply and Mix

2.1.1 Extended time horizons and minimum time periods for land supply requirements

While the current PPS allows municipalities to designate a supply of available land to accommodate anticipated development for a time period of up to 20 years, the draft PPS proposes to extend the time horizon to 25 years (Policy 1.1.2). Further, long-term planning for employment areas will be subject to the extended time horizon in accordance with Policy 1.1.2 (Policy 1.3.2.7).

The changes also include minimum time periods for residential land supply and servicing. Currently, municipalities are required to maintain a minimum supply of land adequate to accommodate 10 years of residential growth (Policy 1.4.1 (a)). The draft PPS proposes to expand the minimum requirement to 12 years.

Additionally, municipalities must currently have a three-year minimum supply of serviced residential land in areas suitable for intensification (Policy 1.4.1 (b)). The policy changes propose to also allow for a higher minimum; a five-year supply of serviced residential land, for upper- and single-tier municipalities.

Extended minimum requirements related to residential land supply, as well as the proposed 25-year planning horizon could discourage compact growth by increasing the need for urban growth boundary expansions and providing more opportunity for development in exurban areas without transit accessibility or other soft services to support the growth. This is contrary to the goals of compact growth and intensification that can reduce the production of Green House Gases (GHGs) and climate change impacts.

In addition to the proposed planning horizon, an extended time period for residential land supply would rely on less certain residential demand. Given this uncertainty, the City questions how municipalities would ensure adequate municipal funds to service lands in advance of development. Further, housing needs should reflect location and municipal requirements based on local demographic and economic factors, rather than specifically identifying forms and housing to be provided. The proposed changes could contribute to higher costs and ineffective provision of infrastructure accommodating the housing needs. The City recommends that the appropriate time horizon for land use planning is up to 20 years to ensure that an appropriate range and mix of residential and other land uses are available to meet projected needs.

These proposed changes could have a **negative impact** on climate change.

2.1.2 Addition of “market-based” range and mix of housing types throughout the PPS and reference to single-detached and multi-unit housing

The Province sets out housing options in the Definitions section of the draft PPS to increase a range and mix of housing supply. The Province also introduces the term “market-based”, which relates to a range and mix of residential types throughout the PPS (Policies 1.1.1 (b), 1.4.3 and 1.7.1 (b)). Municipalities will be required to accommodate single-detached, additional residential units, multi-unit housing and affordable housing as part of market-based residential types.

The definitions of “market-based” and “market demand”, however, are not clearly provided. The City is concerned by a new reference to single-detached houses in Policy 1.1.1 (b) as some may interpret this reference as requiring an increased supply of single-detached houses. An ample supply of single-detached houses could be beneficial in some rural and northern communities with less demand for housing given their lower population growth and lower levels of economic activity that make it difficult to achieve intensification (e.g. brownfield redevelopment) with increased construction costs. In large urban centres like London, however, this may encourage municipalities to use “dynamic market-based needs” as a rationale for the provision of single-detached houses alongside Policy 1.7.1 (b). This could redirect housing development away from intensification and facilitate sprawl, resulting in greater production of GHGs and negative impacts on climate change.

In addition, the proposed lengthened timelines for “market-based” opportunities create greater risk for inaccuracy, given that it becomes more difficult to predict market needs further into the future. There would be increased need for a greater supply of land within a settlement area boundary to accommodate these housing types. The City is concerned that settlement area boundary expansion would be required to make more land available for single-detached houses, while discouraging intensification and redevelopment.

An emphasis on single-detached dwellings could also limit the supply of alternative housing types such as row houses and apartments, and could therefore limit housing options that take into account a variety of needs and incomes. This will challenge housing affordability and limit housing choices. The City supports the draft PPS’s intention to facilitate all housing options, however, is concerned that the reference to single-detached and multi-unit housing could result in multiple potential interpretations and implementation challenges. The City recommends that the reference should be removed to balance intensification and settlement area expansion, while facilitating appropriate housing options. If these policies will be maintained in order to support housing supply, there should be clarification on the meaning of “market-based needs” and “market demand”.

The new definition for housing options also includes a reference to tiny homes. While the City supports the provision of housing options and has an existing framework for encouraging secondary dwelling units, further clarity should be provided to define tiny homes. Definitions for tiny homes in other jurisdictions have included trailers and dwellings without municipal servicing connections, and while the City of London has seen interest in the development of tiny homes in the past, some of the proposed designs have not met Ontario Building Code standards.

These proposed changes could have a **neutral to negative impact** on climate change.

2.1.3 Added flexibility to process for settlement area boundary identification and expansions

The Province has added criteria for settlement area boundary expansions as part of a comprehensive review. The criteria provides that the expansions will be permitted only where it is demonstrated that the existing settlement areas cannot satisfy market demand through intensification and that impacts of the expansions on agricultural lands

are avoided or minimized in accordance with provincial guidelines (Policy 1.1.3.8). As mentioned above, the City is concerned that this policy could encourage municipalities to expand their boundary to allow for more single-detached dwellings based solely on market demand. This would discourage compact forms of development. The City does support the additional requirement regarding the impacts on adjacent agricultural lands, however, suggests that this requirement should allow for further mitigation opportunities to reduce the impacts. Further clarity should be provided to ensure that an expansion would prevent the creation of competing and incompatible land uses by avoiding the expansion onto agricultural lands, including prime agricultural lands.

The inclusion of “market demand” as a criterion to justify a settlement area expansion without reference to the potential impacts on compact development and intensification, or the GHG impacts of sprawl will result in forms of development that is not transit supportive, and has a reliance on automobile travel.

Proposed policy 1.1.3.8 emphasizes that an assessment should be proportionate to the size or scale of a development proposal or boundary expansion by re-referencing the current definition of comprehensive review. The policy would allow for flexibility to reduce the scope for less complex and smaller scale proposals to meet market-based demand and accommodate growth. Further, it would encourage rural settlement areas that have smaller or less complex proposals for settlement area boundary expansions compared to urban settlement areas.

The new policy 1.1.3.9 provides for adjustments of settlement area boundaries in the absence of a comprehensive review. Municipalities would be encouraged to demonstrate the need for the adjustment as follows: 1) there would be no net increase in land within the settlement areas; 2) such adjustment would support their intensification and redevelopment targets; 3) prime agricultural areas are addressed in accordance with policy 1.1.3.8 (c), (d), and (e); and 4) the settlement area with new lands would be appropriately serviced and has sufficient reserve infrastructure capacity for the lands. This policy would allow municipalities to plan their settlement area boundaries for future developments. The City questions how the proposed changes could support settlement area boundary expansion, given the practical and political challenges of removing land from the settlement area that is designed for urban development to ensure that there is no net increase in land within the settlement boundary.

To ensure that any settlement area expansion in the absence of a comprehensive review will not result in a negative impact on climate change, the “test” should mirror the requirements of policy 1.1.3.8, ie, “only where it can be demonstrated that:”.

These proposed changes could have a **negative impact** on climate change.

2.1.4 Greater emphasis on transit-supportive development and intensification, including potential air rights development

Increased reference to and consideration of “transit-supportive development” are found throughout the draft PPS. The consideration is consistent with the new focuses of the PPS, particularly housing and employment growth and climate change.

The Province proposes to require transit-supportive development and prioritize intensification to promote both residential and employment developments in more compact efficient forms, while accommodating projected residential needs. The draft PPS newly references “air rights development”, which is presumably to be incorporated into transit-supportive development and intensification (Policy 1.4.3). However, neither a clear definition nor a framework for air rights development is provided. Further, as air rights development does not yet exist in the *Planning Act*, municipalities cannot ensure that air rights development would follow good planning practice without a framework. Further clarity on the concept of air rights development to promote transit-supportive development and intensification is required.

The emphasis on transit-supportive development is also linked to the consideration of climate change and its impacts. A full description of climate change focus is provided in Section 2.2: Protecting the Environment and Public Safety.

The Province also adds “optimization of transit investment” to promote optimized investment in transit infrastructure (Policy 1.1.1 (e) and Definitions). The City supports this addition, however, is concerned by the lack of clarity as to what the requirements or interpretations of this will be when implemented by municipalities.

The draft PPS includes the new term “station” in policies related to transit-supportive development (Policies 1.2.4 (d) and 1.4.3 (e)). Currently, municipalities must achieve density targets around transit corridors prior to settlement area expansion, which often results in a long-term planning exercise and is dependent on existing higher density residential and employment development. If an expansion is not permitted until a minimum density target is met in these corridors, it may create a shortage of lands for residential and employment development. The inclusion of the “station”, however, would encourage municipalities to better meet density targets and facilitate settlement area boundary expansions. The City recommends that greater densities should be concentrated around transit stations and corridors.

These proposed changes could have a **positive impact** on climate change.

2.1.5 Introduction of a regional economic development corporation as a partner in determining regionally significant employment areas

The draft PPS introduces the term regional economic development corporation as a partner that upper- and single-tier municipalities are to work with in determining regionally-significant employment areas. However, the corporation is not defined and the significance of cooperation with the corporation is unclear. A definition of the term should be provided and the PPS should clarify the relationship between a municipality and regional economic development corporation.

These proposed changes could have a **neutral to positive impact** on climate change.

2.1.6 Recommendations for Increasing Housing Supply and Mix

1. Maintain the 20 year planning horizon and maintain the 10 year planning horizon for lands designated and available for residential development.
2. Clarify why or under what conditions a single or upper-tier municipality could consider a 5 year rather than 3 year supply of lands suitably zoned to facilitate residential development.
3. Clarify how “market-based needs” and “market demand” are to be interpreted and ensure they remain subordinate to other PPS policies. Remove the reference to single-detached housing and provide clarity on the definition of tiny homes.
4. Provide clarity to avoid settlement area expansions that promote sprawl or land use conflicts. The City is concerned that settlement area boundary expansion would be required to make more land available for single-detached houses, while discouraging intensification and redevelopment.
5. Promote transit-oriented development and provide clarity on policy and air rights development to ensure that it is used for good planning practices. The transfer of air rights to locations in proximity to transit will have a **positive impact** on climate change.
6. Provide further clarity on the definition for regional economic development corporation and its relationship with a municipality.

Except as noted above, these proposed changes could have a **neutral to negative impact** on climate change.

2.2 Protecting the Environment and Public Safety

The draft PPS focuses on the environment and public health and safety through the proposed changes to related policies.

2.2.1 Enhanced direction to prepare for impacts of “a changing climate”

The proposed policies replace “climate change” with “a changing climate” and proceed to include numerous policies to prepare for impacts of climate change throughout the draft PPS.

The PPS’s attention to “a changing climate” requires municipalities to be proactive in their emergency preparedness. A change to policy 1.1.1 draws more attention to the need to consider climate change at the municipal and provincial levels. The PPS, however, focuses on adaptation to climate change, rather than mitigation of climate change, and lacks details about actions to prepare for changes that will happen or are likely to happen in the future. The City questions how specifically municipalities can consider the potential impacts of climate change that may increase the risk associated with natural and human-made hazards.

As mentioned above, the draft PPS proposes to promote transit-supportive development to reduce greenhouse gas emissions, however, it removes the existing provisions with respect to the use of renewable energy and alternative energy systems (Policy 1.8.1). Given the removed provisions, municipalities will no longer be encouraged to maximize the use of these systems, and will instead only focus on transit-supportive development as a mitigation action to climate change. The existing provisions for renewable energy and alternative energy should be retained to further help to mitigate potential impacts of climate change.

The City also encourages the Province to require further consideration for actions to adapt to the impacts of climate change. There should be policies that further promote green infrastructure. Parkland is a component of green infrastructure and fundamental to help municipalities mitigate effects of extreme weather caused by climate change such as flooding. Bill 108, *More Homes, More Choices Act, 2019*, however, limits municipalities’ ability to intentionally design and secure parkland as climate-resilient infrastructure. The City is concerned that Bill 108 allows for less parkland than necessary, especially for high-density developments.

The City recommends that these changes be more explicit to direct municipalities to take actions to minimize their impact on climate change and the causes of climate change. Consideration of the “impacts of a changing climate” directs municipalities to plan/respond to climate change, rather than directing municipalities to take actions to minimize their impact on climate and the causes of climate change.

These proposed changes could have a **neutral to positive impact** on climate change.

2.2.2 Weakened sewage and water services policies to protect human health and safety

The proposed changes provide further clarity on specified conditions for alternate servicing options, including private communal services, individual on-site services and partial services, where municipal sewage and water services are not available, planned or feasible (Policies 1.6.6.1, 1.6.6.3, 1.6.6.4 and 1.6.6.5).

For example, private communal services will be permitted for multiunit or lot development to minimize potential risks to human health and safety and to protect the environment.

Further, the changes enhance policy directions to assess the long-term impacts of individual on-site services on the environmental health and the character of rural settlement areas at the time of an official review or update. Upper-tier municipalities will be encouraged to work with lower-tier municipalities when planning for these services.

Currently, partial services are only permitted to address failed individual on-site services in existing development or for infilling and minor rounding out of existing development on the services (Policy 1.6.6.5).

In accordance with the existing partial services policy (Policy 1.6.6.5), municipalities will only permit an extension of partial services into rural areas to address failed individual on-site services. Further, infilling on existing lots in rural areas will be permitted where this would represent a logical and financially viable connection to an existing partial service.

The Province also permits private communal servicing in areas where municipal servicing is not available, planned or feasible. The term “available” is concerning as it significantly weakens policy language and could encourage private servicing for development and undermine comprehensive infrastructure planning.

The City is concerned about the proposed changes throughout policy 1.6.6: Sewage, Water, and Stormwater. The London Plan prohibits new development in the Urban Growth Boundary that cannot be connected to adequate municipal sanitary sewage infrastructure, and also directs that the City not extend servicing beyond the limits of identified for urban growth, except in certain specified circumstances. The proposed policy changes would undermine the City of London’s goals, which are set out to ensure that servicing is carried out in a sustainable and cost-efficient manner, and that growth is supported by a comprehensive infrastructure system.

These proposed changes could have a **neutral to negative impact** on climate change.

2.2.3 Maintained policies related to natural and human-made hazards such as flooding

The current policies with respect to natural and human-made hazards such as flooding are under review. Although further changes are expected as a result of the review, the City is still concerned that Bill 108 limits the ability of municipalities and Conservation Authorities to mitigate any potential adverse environment effects from developments and such hazards. Conservation Authorities’ involvement in environmental protection (e.g. integrated watershed management) should be broadened to support the intended aims of the new PPS. The City also suggests that the PPS includes further consideration for the impacts of climate change on natural and human-made hazards to better improve municipalities’ preparedness and emergency management.

Any changes to these policies should be within the context of ensuring that municipalities are able to ensure that future growth and development is sustainable, promotes resiliency, and minimizes impacts on climate change.

2.2.4 Promoted on-site local reuse of excess soil

The draft PPS newly provides that municipalities are encouraged to support on-site and local re-use of excess soil with more attention to human health and the environment (Policy 3.2.3). This provision would prevent mismanagement of excess soil, which can contribute to various environmental issues such as poorer ground or surface water quality. The City is supportive of the provision with its greater focus on the protection of human health and the environment.

These proposed changes could have a **positive impact** on climate change.

2.2.5 Weakened direction on the relationship between waste management and land use patterns

The PPS proposes to repeal the existing provision that directs municipalities to consider the implications of development and land use patterns on waste generation, management and diversion (Policy 1.6.10). This repeal indicates that the linkages between land use patterns and waste management will no longer be considered. This could direct municipalities’ attention away from consideration of measures to minimize potential impacts to climate change and address environmental, public health and

safety impacts. Further, the absence of the consideration would limit the ability of municipalities to accommodate for present and future waste management requirements and facilitate waste diversion, while providing a better level of coordination of land use patterns. The City recommends that this policy should be retained.

These proposed changes could have a **negative impact** on climate change

2.2.6 Recommendations for Protecting the Environment and Public Safety

1. Provide policies to promote climate change mitigation in addition to adaptation, and retain existing provisions for renewable energy and alternative energy
2. Retain existing policies to ensure that servicing is carried out in a sustainable and cost-efficient manner
3. Include further consideration for the impacts of climate change on natural and human-made hazards to better improve emergency management
4. Remain the existing provisions with respect to waste management

2.3 Reducing Barriers and Costs

The changes are proposed to streamline the development approvals process to facilitate increased and faster housing supply and job creation. Some of these changes, however, are of significant concern.

2.3.1 Flexibility for mineral aggregate operations outside the Greenbelt Area

The Province provides that extraction will be permitted in natural heritage features outside the Greenbelt Area where a rehabilitation plan demonstrates that the extraction will have no negative impacts on these features (Policy 2.5.2.2). This will challenge the ability of municipalities outside the Greenbelt Area to protect their natural heritage features, while giving a greater preference for aggregate extraction over public health. The City questions how municipalities can demonstrate that such extraction will result in no negative impacts on the natural features or ecological functions in areas outside the Greenbelt Area. Further, the protection of natural features outside the Area appears to be less prescriptive and necessary. The City is also concerned by the new provision that lacks consideration of mitigation measures. The City recommends that this provision should be removed in order to protect the natural features and functions outside the Greenbelt Area.

These proposed changes could have a **negative impact** on climate change.

2.3.2 Stronger direction on streamlining of applications with respect to housing and job-related growth

The Province proposes changes to policy 4.7 to offer a more streamlined development process in order to increase housing supply and support job-related growth. This policy will require municipalities to streamline applications given the newly reduced timelines introduced through Bill 108. However, it is not clear as to who will define “priority applications” in policy 4.7 (a) and what criteria would be established to select such applications. The unclear definition could make it difficult to determine and prioritize applications when the direction includes both housing and job-related growth, which could be broadly interpreted. Further, streamlining could result in poor built form outcomes and an increased number of appeals. This would present planning challenges, for example the compatibility of a proposed development with surrounding buildings or land uses. Therefore, this provision would not support the stated intention of the Province. The City recommends that this proposed policy be removed.

These proposed changes could have a **neutral to negative impact** on climate change.

2.3.3 Increased flexibility to interpret and implement PPS policies

The Province proposes a number of changes to Section 4: Implementation and Interpretation. Many of the current policies in Section 4 are simply moved to Part I: Preamble and Part II: Legislative Authority of the PPS.

While the draft PPS retains the emphasis on official plans as the most important vehicle for implementation (Policy 4.6), further provisions with respect to official plans are re-introduced in Part 1 of the draft PPS.

Further, the current PPS identifies zoning by-laws, along with official plans, as important vehicles for implementation and as required to be kept up-to-date (Policy 4.8). It is not clear why this policy is being moved to the same Part above, rather than being retained as a policy.

Municipalities are currently encouraged to build upon minimum standards established in specific policies to address matters that are important to their community when developing official plan policies and when making decisions on planning matters, unless doing so would conflict with any other policy of the current PPS (Policy 4.9). This provision is repealed as a policy, however, an unchanged similar paragraph is maintained in Part III: How to Read the Provincial Policy Statement.

In Part III: How to Read the Provincial Policy Statement and Section 4, the current PPS states that provincial plans, including the Greenbelt Act and the Niagara Escarpment Plan, built on the PPS must be read in conjunction with the PPS. The latter reference is removed through the draft changes and the purpose of the deletion is unclear. The removal may challenge policy implementation as the proposed changes are significantly linked to applicable provincial plans, and the Growth Plan, 2019 that has not been included in the current PPS.

Further, provincial guidelines, standards and procedures are newly referenced throughout the draft PPS (Policies 1.1.2, 1.2.4, 1.2.6.1, 1.2.6.2, 2.3.2 and 2.3.6.2). However, it is unclear what these guidelines and standards are. There should be a policy clarifying the purpose of these guidelines and standards to support further direction on implementation of the PPS.

The Province proposes that municipalities should monitor the implementation of policies in their official plans in accordance with reporting requirements and standards developed by the Minister, rather than through standards of their own (Current Policy 4.15 or New Policy 4.9). The City is concerned given that it is unclear what kinds of standards the Minister would impose and whether it is relevant to the context of a municipality outside the Greater Toronto Area (GTA). Performance standards individually developed by municipalities are unique and critical to policy implementation, and so it would likely be necessary for the Province to provide standards on a municipality-by-municipality basis. Further, the framework for provincial reporting requirements are unclear. The City seeks further clarity on the standards and requirements.

Staff is significantly concerned regarding proposed changes and repeals throughout Section 4: Implementation and Interpretation. The City recommends these repealed policies should be retained as policies rather than as narrative that is intended to provide context for the PPS. It is important that municipalities be provided with the power of the policies of the PPS, rather than narrative, to ensure that municipal decisions are consistent with the PPS. This decrease in certainty regarding policies and narrative could decrease a municipality's ability to ensure that all decisions were consistent with the PPS.

These proposed changes could have a **neutral to negative impact** on climate change.

2.3.4 Recommendations for Reducing Barriers and Costs

1. Remove the amendments throughout Section 4 of the PPS: Implementation and Interpretation, especially proposed amendments to existing policies 4.7, 4.8 and 4.9
2. Provide additional information on provincial guidelines, standards and procedures

2.4 Supporting Rural, Northern and Indigenous Communities

The Province proposes new provisions for a new agricultural system approach, while focusing on engagement with Indigenous communities on land use planning matters.

2.4.1 Stronger policy directions on municipal engagement with Indigenous communities

While the current PPS directs consideration to Indigenous interests in land use planning matters including cultural heritage and archaeological resources, the draft PPS requires municipalities to engage with communities for these matters (Policies 1.1.2 and 2.6.5).

The City supports the stronger policy directions with respect to Indigenous communities. However, it is challenging to ensure opportunities for the communities to meaningfully participate in the planning process, especially cultural heritage matters, given the reduced timelines through Bill 108, which limits the ability of municipalities to conduct such engagement. Further, a framework for engagement would be necessary to ensure that municipalities best consider the interests and involvement of Indigenous communities in land use planning.

These proposed changes could have a **neutral impact** on climate change.

2.4.2 New reference to agricultural system

The PPS proposes to support the agricultural sector as a significant economic driver, through new provisions (Policy 2.3.2 and Definitions) with respect to the agricultural system, introduced through the Growth Plan, 2019. Municipalities within the Greater Golden Horseshoe (GGH) will be encouraged to protect their prime agricultural areas, as a high priority for long-term agricultural uses. The provisions could contribute to the creation of related jobs and stronger growth and prosperity of agricultural sector in the GGH. While the agricultural system is being implemented in the GGH, the Province will allow municipalities outside the GGH, including the City of London, to use an agricultural system approach as a best practice. The City supports the provisions as prime agricultural areas outside the GGH and local food production will be maintained and protected. Municipalities outside the GGH also would be encouraged to support their local and regional agri-food sector, including farm markets and on-farm buildings.

These proposed changes could have a **positive impact** on climate change.

2.4.3 Changes to minimum distance separation formulae requirements

New land uses in rural lands, including lot creation and new or expanding livestock facilities, must currently comply with the minimum distance separation formulae (Current Policy 1.1.5.9 or New Policy 1.1.5.8). Although this policy remains unchanged, the draft PPS proposes to require that such land uses in prime agricultural areas comply with the minimum distance separation formulae. The minimum distance separation formulae requirement, however, will no longer be used as criteria for non-residential uses permitted in prime agricultural areas (Policy 2.3.6.1).

It is unclear whether the minimum distance separation formulae do not apply in non-prime agricultural areas. Further, the removal of the formulae for limited non-residential uses in prime agricultural areas could pose implementation problems in terms of land use compatibility. The City recommends that clarity be provided on the provisions to address the implementation challenges.

These proposed changes could have a **neutral to negative impact** on climate change.

2.4.4 Recommendations for Supporting Rural, Northern and Indigenous Communities

1. Provide a new framework for engagement with Indigenous communities
2. Provide clarity on minimum distance separation formulae requirements in non-prime agricultural areas

2.5 Supporting Certainty and Economic Growth

As noted in Section 2.1 of this report, municipalities will be encouraged to plan beyond 25 years for the long-term planning for and protection of employment areas. The draft PPS proposes several changes to support planning for these areas.

2.5.1 Additional opportunities for municipalities to designate and conserve local employment areas

The Province proposes to encourage municipalities to identify and assess local employment areas in their official plans at the time of official plan review or update (Policies 1.3.2.2).

The Province also proposes to increase flexibility on conversion of employment areas through a new policy. While the current PPS states that a comprehensive review is the only opportunity to convert employment lands for non-employment uses, new policy 1.3.2.5 adds further provisions for cases of lands not identified as provincially significant for employment purposes through provincial plans. When a proposed use would not adversely affect the overall viability of an employment area and has existing and planned infrastructure and public service facilities available, the conversion of the land for the proposed use will be permitted. The City supports increased flexibility introduced through this policy, however, is concerned that it is not clear if there is a limitation on land conversion outside of a comprehensive review. Further clarification on such limitations to conversion outside of the review is required.

These proposed changes could have a **neutral to positive impact** on climate change.

2.5.2 Addition of new conditions for economic investment

The Province proposes to encourage municipalities to facilitate the conditions for economic investment (Policy 1.3.1 (c)). Municipalities will be encouraged to identify strategic sites for the investment, monitor the availability and suitability of employment sites, and address potential barriers to the investment. The intent of this provision appears to promote investments in new jobs and employment opportunities. This provision, however, lacks further guidance and clarity in the planning framework. It is unclear what the conditions should be and how the conditions should be implemented. The City recommends that the Province provides guidance and clarification on the conditions.

These proposed changes could have a **neutral to positive impact** on climate change.

2.5.3 New directions on employment areas for industrial and manufacturing uses

In keeping with the emphasis on land use compatibility, the draft PPS strengthens the provisions for municipalities to ensure that major facilities and sensitive land uses will be appropriately planned to avoid adverse impacts, minimize risks to public health and safety, and ensure their long-term operational and economic viability (Policies 1.2.6.1 and 1.3.2.2).

Further, a new provision (Policy 1.2.6.2) is proposed for planning of sensitive land uses adjacent to industrial and manufacturing uses that are particularly vulnerable to encroachment. Municipalities will be required to permit proposed uses only if the uses have no reasonable alternative locations and their potential impacts are minimized and

mitigated in accordance with provincial guidelines, standards, and procedures. This intends to protect adjacent industrial and manufacturing uses through buffering uses from the proposed sensitive land uses.

Under the new policy 1.3.2.3, no residential and institutional uses will be permitted, except those that are ancillary to primary employment uses, within employment areas planned for industrial and manufacturing uses. Further, these areas should include an appropriate transition to non-employment areas.

The City supports the proposed policies, which align with the City of London's Industrial Land Development Strategy (ILDS).

These proposed changes could have a **neutral to positive impact** on climate change.

2.5.4 Recommendations for Supporting Certainty and Economic Growth

1. Provide guidance and clarification on new conditions for economic investment
2. Provide further clarification on limitations of land conversion for non-employment uses

2.6 Other General Changes

2.6.1 Language changed from “Shall” to “Should”

The proposed changes include some language changes from “shall” to “should”, which could pose implementation problems. The City is supportive of “shall” replacing the suggestive phrase “should” in certain policies (e.g. policies 1.2.6.1 and 2.6.5). The language, however, is changed from “shall” to “should” in other proposed policies (e.g. policies 1.1.3.6, 1.1.3.7 and 1.6.7.2), thereby making them less prescriptive and creating challenges for municipalities to implement. For example, policy 1.1.3.6 will no longer require municipalities to facilitate more compact forms of development. Municipalities could allow for a greater preference towards single-detached residential developments over other housing forms. Similarly, this could cause policy variation between municipalities, resulting in ‘leapfrogging’ and unplanned growth.

Under proposed policy 1.1.3.7, phasing policies will be no longer required to ensure that intensification and growth targets are met. Phasing policies can play a key role in staging development accordingly and ensuring the timely provision of infrastructure and public service facilities. However, municipalities will be encouraged to remove these policies. The City questions how municipalities can deal with achieving intensification targets and the timing of service delivery without these policies. Further, the City is concerned that a municipality's expansion and development without these policies could adversely affect their neighbouring municipalities. The City suggests that the prescriptive language of “shall” be retained to require phasing policies.

Policy 1.6.7.2 should retain the directive language “shall” as this policy is strongly related to and supports transit-supportive development.

These proposed changes could have a **neutral to negative impact** on climate change.

2.6.2 Addition of “growth management”

Another minor change is the inclusion of “growth management”, being integrated with infrastructure planning (Policies 1.2.1 (a) and 1.6.1). This would allow better opportunities to maximize infrastructure based on consideration of growth.

These proposed changes could have a **neutral to positive impact** on climate change.

2.6.3 Unclear meaning of “manage” with regards to wetlands

The new policy 2.1.10 provides that municipalities will be encouraged to “manage” non-significant wetlands, however, it is unclear what “manage” means given the lack of

further detail. The City recommends there should be additional information on the policy.

These proposed changes could have a **neutral to negative impact** on climate change.

2.6.3 Recommendations for Other General Changes

1. Retain the prescriptive language of “shall” rather than supportive language, “should”
2. Provide clarification on the meaning of “manage” in a new policy with respect to wetlands

3.0 Questions and Answers

3.1 Do the proposed policies effectively support goals related to increasing housing supply, creating and maintaining jobs, and red tape reduction while continuing to protect the environment, farmland, and public health and safety?

The City of London is aligned with the goals of the draft Provincial Policy Statement. Housing affordability, environmental degradation, and loss of farmland present us with challenges as we work to make our city more sustainable and resilient. The City is also supportive of changes that support sustainability and resiliency, and will have a positive impact on mitigating climate change.

Increasing housing supply is an important goal and one that is a component to improving housing affordability. The City of London appreciates the increased promotion of transit-supportive development, which is necessary to align growth with infrastructure investment and ensure the success of our rapid transit system. At the same time, the City is concerned that increased references to a mix of residential types, which explicitly include single-detached homes, will require a greater supply of land within a settlement area boundary and discourage intensification. This is coupled with increased flexibility for settlement area expansions, and weakening of policy language that encourages compact growth (Policy 1.1.3.6). This threatens our own compact growth policies that are needed to ensure the sustainability of our city, and creates opportunity for misalignment between neighbouring municipalities, which could cause servicing ‘leapfrogging’. Criteria to ensure that settlement area expansions do not support land use patterns that increase the emissions of GHGs and are not transit-supportive must be the primary considerations of settlement area expansion.

While market demand is an important consideration to ensure that our housing supply matches consumer demand, it is equally important to ensure that we create communities that are sustainable in the long-term that we continue to provide rental units and housing choices such as row houses and apartment buildings that support a variety of income levels. The City notes that market demand considerations are generally for much shorter periods than a 20 or 25 year planning horizon.

While the City of London appreciates the desire to reduce barriers to ensure that housing supply is more readily available, some of the changes, such as the required direction on streamlining applications, may have the opposite effect. No framework is provided, and streamlining applications beyond the already expedited timelines resulting from *Bill 108, More Homes, More Choice Act, 2019*, will create greater pressure on industry to provide more complete materials in a shorter timeframe, on the City to consult with more expediency, and could result in a greater number of appeals and longer delays for housing to be brought to market.

The City of London appreciates many of the proposals to protect the environment, farmland, and public health and safety. Examples of positive proposals include the promotion of on-site local reuse of excess soil and the increased focus on climate change adaptation. The City, however, is concerned that there is a lack of focus on mitigation of climate change and that some of the policies related to renewable energy have been removed. Similarly, Conservation Authorities’ involvement in environmental

protection (e.g. integrated watershed management) should be broadened to support the intended aims of the new PPS. The City appreciates the inclusion of agricultural systems approach, to align with best practices. Further clarity, however, is needed.

More broadly, the proposed PPS policies demonstrate a shift towards deregulation and a contradiction in interpretation. Examples of language changing from “shall” to “should”, and other key policies, such as 4.12, being removed and retained solely in the Preamble are concerning given that the PPS is the vehicle for protecting provincial planning interests and that official plans must align with the PPS. This increased flexibility could have implications for the defensibility of municipal decision-making processes, and could ultimately weaken the successful implementation of compact growth policies and other policies meant to protect farmland and public health. The PPS should clearly establish the provincial interest in addressing climate change, and provide strong policy direction to ensure that future development is sustainable, resilient and minimizes our impact on climate change.

3.2 Do the proposed policies strike the right balance? Why or why not?

The proposed PPS policies attempt to balance the need for intensification, which is necessary for protecting the environment and prime agricultural land, and settlement area expansion, which is sometimes needed to grow the economy and provide more housing options. Some of the proposed policies, such as the new reference to single-detached houses, reduce the balance between intensification and settlement area expansion. In some communities with less demand for housing, expanding the supply of single-detached houses could be an appropriate option, however, many of the areas where the majority of Ontarians live need ‘missing middle’ housing and strengthened policy to create complete communities. The proposed policies could encourage communities to use “market-based needs” as a rationale to allow for more single-detached houses that could contribute to fewer housing choices. Further, intensification and redevelopment would be discouraged given a preference towards single-detached residential developments over other housing forms. This could result in regions that grow in a disjointed manner if municipalities address growth in different ways.

Ontario’s municipalities have different demographic circumstances and factors that affect housing demand, however, compact and planned growth have become issues for nearly all regions of Southern Ontario. While it is difficult to draft policies that are equally applicable to areas experiencing housing crises and those experiencing economic decline, it is clear that there is a need for planning to be carried out regionally with a retention of the principle that “growth pays for growth”. The PPS should ensure that planning is carried out with regional cohesion in mind, so that compact growth and settlement area expansion can be better balanced and carried out more sustainably.

3.3 How do these policies take into consideration the views of Ontario communities?

Ontario’s communities host a variety of strengths and face challenges based on geographical location and size. The proposed changes attempt to balance the needs of Ontario’s rural communities with urbanized regions like London and the Greater Golden Horseshoe (GGH). As noted above, the City appreciates the emphasis on transit-supportive development given our planned growth corridors centred upon rapid transit. At the same time, the City is concerned about proposed changes that will potentially erode natural heritage features specifically outside of GGH. This will challenge the ability of municipalities outside the Greenbelt Area to protect their natural heritage features, while giving a greater preference for aggregate extraction over public health. The City questions how municipalities can demonstrate that such extraction will result in no negative impacts on the natural features or ecological functions in areas outside the Greenbelt Area, and it is unclear why this policy is only being applied to specific areas of the province. While policy should take local context into account, the province should be planned in a cohesive manner and key language from the Growth Plan (2019), such as complete communities, should apply to other urban areas across the province through the PPS.

3.4 Are there any other policy changes that are needed to support key priorities for housing, job creation, and streamlining of development approvals?

Communities like London are facing challenges to housing affordability and availability, for both the ownership and rental markets. While increasing supply may ease upward pressure on prices and lower vacancies in the long-term, there are immediate needs to house London's vulnerable populations and provide safe, affordable housing and support to our growing population. Increased policy to provide inclusionary zoning and purpose-built rental housing, especially along transit corridors and in station areas, is needed.

3.5 Are there other tools that are needed to help implement the proposed policies?

A few proposed policies require further clarity for municipal implementation. Examples include the following:

- Settlement area expansion policies lack details with respect to expansion to agricultural lands, including prime agricultural lands to prevent potential incompatible land uses.
- A definition and a framework for "air rights development" would be necessary to promote transit-supportive development and intensification.
- The "optimization of transit investment" to promote optimized investment in transit infrastructure (Policy 1.1.1 e and definition) lacks requirements and interpretations for implementation.
- The removal of the minimum distance separation formulae for limited non-residential uses in prime agricultural areas, which would pose implementation problems in terms of land use compatibility without further clarity.
- The draft PPS newly references provincial guidelines, standards and procedures, which are not specifically defined. A new policy defining these guidelines and standards would be needed to support interpretation and implementation.
- The proposal to allow municipalities to facilitate the conditions for economic investment (Policy 1.3.1 (c)). It is unclear what the conditions for economic investment should be and how the conditions should be implemented.
- Greater direction to engage with Indigenous communities, which is supported by the City of London and integral to reconciliation. A framework for engagement would be necessary to ensure that municipalities best consider the interests and involvement of Indigenous communities in land use planning.
- Official Plan monitoring through standards set by the province. The City is concerned given that it is unclear what kinds of standards the Minister would impose and whether they would be relevant to the context of a municipality outside the Greater Toronto Area (GTA). Performance standards individually developed by municipalities are important measures for implementation and unique to each municipality's policy context. The City seeks further clarity on the standards and requirements.

As mentioned in Question 1, the proposed policies should provide for mitigation measures or actions to prevent potential adverse impacts to climate change. There should be policies that maximize the use of alternative energy and renewable energy, or incorporate alternative or renewable energy provisions into infrastructure planning. Policies with respect to green infrastructure are also recommended. Parklands provision is a good example, however, Bill 108, *More Homes, More Choice Act, 2019* limits the ability of municipalities to secure parklands as climate-resilient infrastructure. The City of London also anticipates further clarity and regulations and some of the changes on Bill 108, *More Homes, More Choice Act, 2019*, which should align and provide greater context for the proposed policies in the PPS.

Further details and individual comments on proposed policy can be found in Section 2.0: Concerns and Recommendations.

4.0 Conclusion

This report has provided an overview of the draft 2019 PPS focusing on significant changes. Key issues and areas where the new PPS supports policy direction and implementation have been identified and specified. While several concerns have been noted, the City has outlined recommendations for further clarity and direction.

This report will be forwarded to the Province to provide both the City's recommendations on the draft PPS and to address the five questions posed in the Province's consultation on the draft PPS.

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Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Planning Services	

September 30, 2019
BM/JL/gb

Appendix A – Proposed Changes to the Provincial Policy Statement

~~Green~~ ~~strikeout~~ indicates deleted text, but simply moved and remained in the revised PPS, while the moved text is shown in green.

~~Red~~ ~~strikeout~~ denotes deleted text and blue underline represents added text.

Part I: Preamble

The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Policy Statement sets the policy foundation for regulating the development and use of land. It also supports the provincial goal to enhance the quality of life for all Ontarians.

The Provincial Policy Statement provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. The Provincial Policy Statement supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

The policies of the Provincial Policy Statement may be complemented by provincial plans or by locally-generated policies regarding matters of municipal interest. Provincial plans and municipal official plans provide a framework for comprehensive, integrated, place-based and long-term planning that supports and integrates the principles of strong communities, a clean and healthy environment and economic growth, for the long term.

Municipal official plans are the most important vehicle for implementation of this Provincial Policy Statement and for achieving comprehensive, integrated and long-term planning. Official plans shall identify provincial interests and set out appropriate land use designations and policies.

Official plans should also coordinate cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial solutions. Official plans shall provide clear, reasonable and attainable policies to protect provincial interests and direct development to suitable areas. In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with this Provincial Policy Statement.

Zoning and development permit by-laws are also important for implementation of this Provincial Policy Statement. Planning authorities shall keep their zoning and development permit by-laws up-to-date with their official plans and this Provincial Policy Statement.

Land use planning is only one of the tools for implementing provincial interests. A wide range of legislation, regulations, policies and programs may ~~also~~ apply to decisions with respect to *Planning Act* applications and affect planning matters, and assist in implementing these interests.

In some cases, a *Planning Act* proposal may also require approval under other legislation or regulation, and policies and plans issued under other legislation may also apply. In addition to land use approvals under the *Planning Act*, infrastructure may also require approval under other legislation and regulations. An environmental assessment process may be applied to new infrastructure and modifications to existing infrastructure under applicable legislation.

There may be circumstances where land use approvals under the *Planning Act* may be integrated with approvals under other legislation, for example, integrating the planning processes and approvals under the *Environmental Assessment Act* and the *Planning Act*, provided the intent and requirements of both Acts are met.

Within the Great Lakes – St. Lawrence River Basin, there may be circumstances where planning authorities should consider agreements related to the protection or restoration of the Great Lakes – St. Lawrence River Basin. Examples of these agreements include Great Lakes agreements between Ontario and Canada, between Ontario [and](#) Quebec and the Great Lakes States of the United States of America, and between Canada and the United States of America.

Part II: Legislative authority

The Provincial Policy Statement is issued under the authority of section 3 of the *Planning Act* and came into effect on ~~April 30, 2014~~ [<DATE>](#).

In respect of the exercise of any authority that affects a planning matter, section 3 of the *Planning Act* requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the Act.

Comments, submissions or advice that affect a planning matter that are provided by the council of a municipality, a local board, a planning board, a minister or ministry, board, commission or agency of the government “shall be consistent with” this Provincial Policy Statement.

Part III: How to read the Provincial Policy Statement

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The Provincial Policy Statement supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

Read the entire Provincial Policy Statement

The Provincial Policy Statement is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation. When more than one policy is relevant, a decision-maker should consider all of the relevant policies to understand how they work together. The language of each policy, including the Implementation and Interpretation policies, will assist decision-makers in understanding how the policies are to be implemented.

While specific policies sometimes refer to other policies for ease of use, these cross-references do not take away from the need to read the Provincial Policy Statement as a whole.

There is no implied priority in the order in which the policies appear.

Consider specific policy language

When applying the Provincial Policy Statement it is important to consider the specific language of the policies. Each policy provides direction on how it is to be implemented, how it is situated within the broader Provincial Policy Statement, and how it relates to other policies.

Some policies set out positive directives, such as “settlement areas shall be the focus of growth and development.” Other policies set out limitations and prohibitions, such as “development and site alteration shall not be permitted.” Other policies use enabling or supportive language, such as “should,” “promote” and “encourage.”

The choice of language is intended to distinguish between the types of policies and the nature of implementation. There is some discretion when applying a policy with enabling or supportive language in contrast to a policy with a directive, limitation or prohibition.

Geographic scale of policies

The Provincial Policy Statement recognizes the diversity of Ontario and that local context is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld.

While the Provincial Policy Statement is to be read as a whole, not all policies will be applicable to every site, feature or area. The Provincial Policy Statement applies at a range of geographic scales.

Some of the policies refer to specific areas or features and can only be applied where these features or areas exist. Other policies refer to planning objectives that need to be considered in the context of the municipality or planning area as a whole, and are not necessarily applicable to a specific site or development proposal.

Policies represent minimum standards

The policies of the Provincial Policy Statement represent minimum standards.

Within the framework of the provincial policy-led planning system, planning authorities and decision-makers may go beyond these minimum standards to address matters of importance to a specific community, unless doing so would conflict with any policy of the Provincial Policy Statement.

Defined terms and meanings

Except for references to legislation which are italicized, other italicized terms in the Provincial Policy Statement are defined in the Definitions section. For non-italicized terms, the normal meaning of the word applies. Terms may be italicized only in specific policies; for these terms, the defined meaning applies where they are italicized and the normal meaning applies where they are not italicized. Defined terms in the Definitions section are intended to capture both singular and plural forms of these terms in the policies.

Guidance material

Guidance material and technical criteria may be issued from time to time to assist planning authorities and decision-makers with implementing the policies of the Provincial Policy Statement. Information, technical criteria and approaches outlined in guidance material are meant to support but not add to or detract from the policies of the Provincial Policy Statement.

Relationship with provincial plans

[The Provincial Policy Statement provides overall policy directions on matters of provincial interest related to land use planning and development in Ontario, and applies province-wide, except where this policy statement or another provincial plan provides otherwise.](#)

Provincial plans, such as the Greenbelt Plan, ~~the~~ [A Place to Grow](#): Growth Plan for the Greater Golden Horseshoe and the Growth Plan for Northern Ontario, build upon the policy foundation provided by the Provincial Policy Statement. They provide [additional](#) land use planning policies to address issues facing specific geographic areas in Ontario.

Provincial plans are to be read in conjunction with the Provincial Policy Statement. They take precedence over the policies of the Provincial Policy Statement to the extent of any conflict, except where the relevant legislation provides otherwise.

[Where the policies of provincial plans address the same, similar, related, or overlapping matters as the policies of the Provincial Policy Statement, applying the more specific policies of the provincial plan satisfies the more general requirements of the Provincial](#)

Policy Statement. In contrast, where matters addressed in the Provincial Policy Statement do not overlap with policies in provincial plans, the policies in the Provincial Policy Statement must be independently satisfied.

Land use planning decisions made by municipalities, planning boards, the Province, or a commission or agency of the government must be consistent with the Provincial Policy Statement. Where provincial plans are in effect, planning decisions must conform or not conflict with them, as the case may be.

Part IV: Vision for Ontario's land use planning system

The long-term prosperity and social well-being of Ontario depends upon planning for strong, sustainable and resilient communities for people of all ages, a clean and healthy environment, and a strong and competitive economy.

Ontario is a vast province with diverse urban, rural and northern communities which may face different challenges related to diversity in population, economic activity, pace of growth and physical and natural conditions. Some areas face challenges related to maintaining population and diversifying their economy, while other areas face challenges related to accommodating and managing the development and population growth which is occurring, while protecting important resources and the quality of the natural environment.

Ontario's [The Province's](#) rich cultural diversity is one of its distinctive and defining features. ~~The Provincial Policy Statement reflects Ontario's diversity, which includes the histories and cultures of Aboriginal peoples, and is based on good land use planning principles that apply in communities across Ontario.~~ [Indigenous communities have a unique relationship with the land and its resources, which continues to shape the history and economy of the Province today. Ontario recognizes the unique role Indigenous communities have in land use planning and development, and the contribution of Indigenous communities' perspectives and traditional knowledge to land use planning decisions.](#) The Province recognizes the importance of consulting with Aboriginal communities on planning matters that may affect their ~~rights and interests~~ [section 35 Aboriginal or treaty rights. Planning authorities are encouraged to build constructive, cooperative relationships through meaningful engagement with Indigenous communities to facilitate knowledge-sharing in land use planning processes and inform decision-making.](#)

The Provincial Policy Statement focuses growth and development within urban and rural settlement areas while supporting the viability of rural areas. It recognizes that the wise management of land use change may involve directing, promoting or sustaining development. Land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns and avoiding significant or sensitive resources and areas which may pose a risk to public health and safety. [Planning authorities are encouraged to permit and facilitate a range of housing options, including new development as well as residential intensification, to respond to current and future needs.](#)

Efficient development patterns optimize the use of land, resources and public investment in infrastructure and public service facilities. These land use patterns promote a mix of housing, including affordable housing, employment, recreation, parks and open spaces, and transportation choices that increase the use of active transportation and transit before other modes of travel. They **also** support the financial well-being of the Province and municipalities over the long term, and minimize the undesirable effects of development, including impacts on air, water and other resources. [They also permit better adaptation and response to the impacts of a changing climate, which will vary from region to region.](#) Strong, liveable and healthy communities promote and enhance human health and social well-being, are economically and environmentally sound, and are resilient to climate change.

The Province's natural heritage resources, water resources, including the Great Lakes, agricultural resources, mineral resources, and cultural heritage and archaeological resources provide important environmental, economic and social benefits. The wise use and management of these resources over the long term is a key provincial interest. The Province must ensure that its resources are managed in a sustainable way to conserve biodiversity, protect essential ecological processes and public health and safety, provide for the production of food and fibre, minimize environmental and social impacts, [provide for recreational opportunities \(e.g. fishing, hunting and hiking\)](#) and meet its long-term needs.

It is equally important to protect the overall health and safety of the population. The Provincial Policy Statement directs development away from areas of natural and human-made hazards. This preventative approach supports provincial and municipal financial well-being over the long term, protects public health and safety, and minimizes cost, risk and social disruption.

Taking action to conserve land and resources avoids the need for costly remedial measures to correct problems and supports economic and environmental principles.

Strong communities, a clean and healthy environment and a strong economy are inextricably linked. Long-term prosperity, human and environmental health and social well-being should take precedence over short-term considerations.

The fundamental principles set out in the Provincial Policy Statement apply throughout Ontario. To support our collective well-being, now and in the future, all land use must be well managed.

Part V: Policies

1.0 Building strong healthy communities

Ontario is a vast province with urban, rural, and northern communities with diversity in population, economic activities, pace of growth, service levels and physical and natural conditions. Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

Accordingly:

1.1 Managing and directing land use to achieve efficient and resilient development and land use patterns

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 [market-based](#) range and mix of residential [types](#) (including [single-detached](#), ~~second~~ [additional residential](#) units, [multi-unit housing](#), [affordable housing](#) and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- d) avoiding development and land use patterns that would prevent the efficient expansion of *settlement areas* in those areas which are adjacent or close to *settlement areas*;

- e) promoting [the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments,](#) and standards to minimize land consumption and servicing costs;
- f) improving accessibility for persons with disabilities and older persons by ~~identifying, preventing and removing~~ [addressing](#) land use barriers which restrict their full participation in society;
- 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; and
- h) promoting development and land use patterns that conserve biodiversity; and ~~consider the~~
- i) [preparing for the regional and local](#) *impacts of a changing climate.*

1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to ~~20-25~~ years, [informed by provincial guidelines](#). However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a *provincial plan*, that time frame may be used for municipalities within the area.

Within *Settlement areas*, sufficient land shall be made available through *intensification* and *redevelopment* and, if necessary, *designated growth areas*.

Nothing in policy 1.1.2 limits the planning for *infrastructure* and *public service facilities and employment areas* beyond a ~~20-25~~-year time horizon.

1.1.3 Settlement areas

Settlement areas are urban areas and rural settlement areas, and include cities, towns, villages and hamlets. Ontario's settlement areas vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available.

The vitality [and regeneration](#) of settlement areas is critical to the long-term economic prosperity of our communities. Development pressures and land use change will vary across Ontario. It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures.

1.1.3.1 *Settlement areas* shall be the focus of growth and development, ~~and their vitality and regeneration shall be promoted.~~

1.1.3.2 Land use patterns within *settlement areas* shall be based on ~~a)~~ densities and a mix of land uses which:

1. ~~a)~~ [efficiently use land and resources;](#)
2. ~~b)~~ [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. ~~c)~~ [minimize negative impacts to air quality and climate change, and promote energy efficiency;](#)
 - [d\) prepare for the *impacts of a changing climate*;](#)
4. ~~e)~~ [support *active transportation*;](#)
5. ~~f)~~ [are *transit-supportive*, where transit is planned, exists or may be developed;](#) and
6. ~~g)~~ [are *freight-supportive*; and](#)

- b) Land use patterns within settlement areas shall also be based on 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.

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through *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.

~~*Intensification and redevelopment shall be directed in accordance with the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.*~~

1.1.3.4 Appropriate development standards should be promoted which facilitate *intensification*, *redevelopment* and compact form, while avoiding or mitigating risks to public health and safety.

1.1.3.5 Planning authorities shall establish and implement minimum targets for *intensification* and *redevelopment* within built-up areas, based on local conditions. However, where provincial targets are established through *provincial plans*, the provincial target shall represent the minimum target for affected areas.

1.1.3.6 New development taking place in *designated growth areas* should occur adjacent to the existing built-up area and ~~shall~~should have a compact form, mix of uses and densities that allow for the efficient use of land, *infrastructure* and *public service facilities*.

1.1.3.7 Planning authorities ~~shall~~should establish and implement phasing policies to ensure:

- a) that specified targets for *intensification* and *redevelopment* are achieved prior to, or concurrent with, new development within *designated growth areas*; and
- b) the orderly progression of development within *designated growth areas* and the timely provision of the *infrastructure* and *public service facilities* required to meet current and projected needs.

1.1.3.8 A planning authority may identify a *settlement area* or allow the expansion of a *settlement area* boundary only at the time of a *comprehensive review* and only where it has been demonstrated that:

- a) sufficient opportunities ~~for~~to accommodate growth and to satisfy market demand are not available through *intensification*, *redevelopment* and *designated growth areas* to accommodate the projected needs over the identified planning horizon;
- b) the *infrastructure* and *public service facilities* which are planned or available are suitable for the development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment;
- c) in *prime agricultural areas*:
 1. the lands do not comprise *specialty crop areas*;
 2. alternative locations have been evaluated, and
 - i. there are no reasonable alternatives which avoid *prime agricultural areas*; and
 - ii. there are no reasonable alternatives on lower priority agricultural lands in *prime agricultural areas*;
- d) the new or expanding *settlement area* is in compliance with the *minimum distance separation formulae*; and
- e) impacts from new or expanding *settlement areas* on agricultural operations which are adjacent or close to the *settlement area* are avoided, and where avoidance is

not possible, impacts are minimized and mitigated to the extent feasible in accordance with provincial guidelines.

~~In determining the most appropriate direction for expansions to the boundaries of settlement areas or the identification of a settlement area by a planning authority, a planning authority shall apply the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.~~

In undertaking a *comprehensive review* the level of detail of the assessment should correspond with the complexity and scale of the settlement boundary expansion or development proposal.

1.1.3.9 Notwithstanding policy 1.1.3.8, municipalities may permit adjustments of settlement area boundaries outside a comprehensive review provided:

- a) there would be no net increase in land within the settlement areas;
- b) the adjustment would support the municipality's ability to meet intensification and redevelopment targets established by the municipality;
- c) prime agricultural areas are addressed in accordance with 1.1.3.8 (c), (d) and (e);
- d) the settlement area to which lands would be added is appropriately serviced and there is sufficient reserve infrastructure capacity to service the lands.

1.1.4 Rural areas in municipalities

Rural areas are important to the economic success of the Province and our quality of life. Rural areas are a system of lands that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and other resource areas. Rural areas and urban areas are interdependent in terms of markets, resources and amenities. It is important to leverage rural assets and amenities and protect the environment as a foundation for a sustainable economy.

Ontario's rural areas have diverse population levels, natural resources, geographies and physical characteristics, and economies. Across rural Ontario, local circumstances vary by region. For example, northern Ontario's natural environment and vast geography offer different opportunities than the predominately agricultural areas of southern regions of the Province.

1.1.4.1 Healthy, integrated and viable *rural areas* should be supported by:

- a) building upon rural character, and leveraging rural amenities and assets;
- b) promoting regeneration, including the redevelopment of *brownfield sites*;
- c) accommodating and appropriate range and mix of housing in rural *settlement areas*;
- d) encouraging the conservation and redevelopment of existing rural housing stock on *rural lands*;
- e) using rural *infrastructure* and *public service facilities* efficiently;
- f) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management of resources;
- g) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;
- h) conserving biodiversity and considering the ecological benefits provided by nature; and
- i) providing opportunities for economic activities in *prime agricultural areas*, in accordance with policy 2.3.

1.1.4.2 In *rural areas*, rural *settlement areas* shall be the focus of growth and development and their vitality and regeneration shall be promoted.

1.1.4.3 When directing development in rural *settlement areas* in accordance with policy 1.1.3, planning authorities shall give consideration to rural characteristics, the scale of development and the provision of appropriate service levels.

1.1.4.4 Growth and development may be directed to *rural lands* in accordance with policy 1.1.5, including where a municipality does not have a *settlement area*.

1.1.5 Rural lands in municipalities

1.1.5.1 When directing development on *rural lands*, a planning authority shall apply the relevant policies of Section 1: Building Strong Healthy Communities, as well as the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.

1.1.5.2 On *rural lands* located in municipalities, permitted uses are:

- a) the management or use of resources;
- b) resource-based recreational uses (including recreational dwellings);
- c) limited residential development;
- d) home occupations and home industries;
- e) cemeteries; and
- f) other rural land uses.

Agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices should be promoted and protected in accordance with provincial standards.

1.1.5.3 Recreational, tourism and other economic opportunities should be promoted.

1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.

1.1.5.5 Development shall be appropriate to the *infrastructure* which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this *infrastructure*.

1.1.5.6 Opportunities should be retained to locate new or expanding land uses that require separation from other uses.

1.1.5.7 Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.

~~1.1.5.8 *Agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices should be promoted and protected in accordance with provincial standards.*~~

1.1.5.98 New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the *minimum distance separation formulae*.

1.1.6 Territory without municipal organization

1.1.6.1 On *rural lands* located in territory without municipal organization, the focus of development activity shall be related to the sustainable management or use of resources and resource-based recreational uses (including recreational dwellings).

1.1.6.2 Development shall be appropriate to the *infrastructure* which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this *infrastructure*.

1.1.6.3 The establishment of new permanent townsites shall not be permitted.

1.1.6.4 In areas adjacent to and surrounding municipalities, only development that is related to the sustainable management or use of resources and resource-based recreational uses (including recreational dwellings) shall be permitted. Other uses may only be permitted if:

- a) the area forms part of a planning area;
- b) the necessary *infrastructure* and *public service facilities* are planned or available to support the development and are financially viable over their life cycle; and
- c) it has been determined, as part of a *comprehensive review*, that the impacts of development will not place an undue strain on the *public service facilities* and *infrastructure* provided by adjacent municipalities, regions and/or the Province.

1.2 Coordination

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;
- 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](#).

1.2.2 Planning authorities ~~are encouraged to~~ [shall engage with Indigenous communities and](#) coordinate [on land use](#) planning matters ~~with Aboriginal communities~~.

1.2.3 Planning authorities should coordinate emergency management and other economic, environmental and social planning considerations to support efficient and resilient communities.

1.2.4 Where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with lower-tier municipalities shall:

- a) identify, ~~coordinate~~ and allocate population, housing and employment projections for lower-tier municipalities. Allocations and projections by upper-tier municipalities shall be based on and reflect *provincial plans* where these exist [and informed by provincial guidelines](#);
- b) identify areas where growth or development will be directed, including the identification of nodes and the corridors linking these nodes;
- c) identify targets for *intensification* and *redevelopment* within all or any of the lower-tier municipalities, including minimum targets that should be met before expansion of the boundaries of *settlement areas* is permitted in accordance with policy 1.1.3.8;
- d) where [major](#) transit corridors exist or are to be developed, identify density targets for areas adjacent or in proximity to these corridors [and stations](#), including minimum targets that should be met before expansion of the boundaries of *settlement areas* is permitted in accordance with policy 1.1.3.8; and

- e) ~~identify and~~ provide policy direction for the lower-tier municipalities on matters that cross municipal boundaries.

1.2.5 Where there is no upper-tier municipality, planning authorities shall ensure that policy 1.2.4 is addressed as part of the planning process, and should coordinate these matters with adjacent planning authorities.

1.2.6 Land use compatibility

1.2.6.1 *Major facilities and sensitive land uses* ~~should shall~~ be planned ~~to ensure they are appropriately designed, buffered and/or separated from each other and developed~~ to ~~prevent avoid~~ or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of *major facilities* in accordance with provincial guidelines, standards and procedures.

1.2.6.2 Where avoidance is not possible in accordance with policy 1.2.6.1, planning authorities shall ensure that the planning and development of sensitive land uses adjacent to existing or planned industrial, manufacturing, or other uses that are particularly vulnerable to encroachment are only permitted if:

- a) alternative locations for the proposed sensitive land uses have been evaluated and there are no reasonable alternative locations; and
- b) potential impacts of these uses are minimized and mitigated in accordance with provincial guidelines, standards and procedures.

1.3 Employment

1.3.1 Planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment ~~and~~, institutional uses, and mixed uses to meet long-term needs;
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
- c) facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;
- e) ~~d)~~ encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4; and
- e) ~~e)~~ ensuring the necessary infrastructure is provided to support current and projected needs.

1.3.2 Employment areas

1.3.2.1 Planning authorities shall plan for, protect and preserve *employment areas* for current and future uses and ensure that the necessary *infrastructure* is provided to support current and projected needs.

1.3.2.2 At the time of the official plan review or update, planning authorities should assess employment areas identified in local official plans to ensure that this designation is appropriate to the planned function of the employment area.

Employment areas planned for industrial and manufacturing uses shall provide for separation or mitigation from sensitive land uses to maintain the long-term operational and economic viability of the planned uses and function of these areas.

1.3.2.3 Within *employment areas* planned for industrial and manufacturing uses, planning authorities shall prohibit residential and institutional uses that are not ancillary to the primary employment uses in order to maintain land use compatibility.

Employment areas planned for industrial and manufacturing uses, should include an appropriate transition to adjacent non-employment areas.

1.3.2.24 Planning authorities may permit conversion of lands within *employment areas* to non-employment uses through a *comprehensive review*, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.

1.3.2.5 Notwithstanding policy 1.3.2.4, and until the official plan review or update in policy 1.3.2.4 is undertaken and completed, lands within existing *employment areas* may be converted to a designation that permits non-employment uses provided the area has not been identified as provincially significant through a provincial plan exercise or as regionally-significant by a regional economic development corporation working together with affected upper- and single-tier municipalities and subject to the following:

- a) there is an identified need for the conversion and the land is not required for employment purposes over the long term;
- b) the proposed uses would not adversely affect the overall viability of the *employment area*; and
- c) existing or planned *infrastructure* and *public service facilities* are available to accommodate the proposed uses.

1.3.2.36 Planning authorities shall protect *employment areas* in proximity to *major goods movement facilities and corridors* for employment uses that require those locations.

1.3.2.47 Planning authorities may plan beyond ~~20~~-25 years for the long-term protection of employment areas provided lands are not designated beyond the planning horizon identified in policy 1.1.2.

1.4 Housing

1.4.1 To provide for an appropriate range and mix of *housing ~~types~~ options* and densities required to meet projected requirements of current and future residents of the *regional market area*, planning authorities shall:

- a) maintain at all times the ability to accommodate residential growth for a minimum of ~~10~~-12 years through *residential intensification* and *redevelopment* and, if necessary, lands which are *designated and available* for residential development; and
- b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate *residential intensification* and *redevelopment*, and land in draft approved and registered plans.

Upper-tier and single-tier municipalities may choose to maintain land with servicing capacity sufficient to provide at least a five-year supply of residential units available through lands suitably zoned to facilitate *residential intensification* and *redevelopment*, and land in draft approved and registered plans.

1.4.2 Where planning is conducted by an upper-tier municipality:

- a) the land and unit supply maintained by the lower-tier municipality identified in policy 1.4.1 shall be based on and reflect the allocation of population and units by the upper-tier municipality; and

- b) the allocation of population and units by the upper-tier municipality shall be based on and reflect *provincial plans* where these exist.

1.4.3 Planning authorities shall provide for an appropriate range and mix of *housing types-options* and densities to meet projected ~~requirements-~~market-based needs of current and future residents of the *regional market area* by:

- a) establishing and implementing minimum targets for the provision of housing which is *affordable to low and moderate income households-* and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;
- b) permitting and facilitating:
 - 1. all ~~forms-of~~ *housing options* required to meet the social, health, economic and well-being requirements of current and future residents, including *special needs* requirements and needs arising from demographic changes and employment opportunities; and
 - 2. all ~~forms-types~~ of *residential intensification*, including ~~second-~~additional residential units, and *redevelopment* in accordance with policy 1.1.3.3;
- c) directing the development of new housing towards locations where appropriate levels of *infrastructure* and *public service facilities* are or will be available to support current and projected needs;
- d) promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities*, and support the use of *active transportation* and transit in areas where it exists or is to be developed; and
- e) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and
- e) f) establishing development standards for *residential intensification, redevelopment* and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

1.5 Public spaces, recreation, parks, trails and open space

1.5.1 Healthy, active communities should be promoted by:

- a) planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate *active transportation* and community connectivity;
- b) planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for *recreation*, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;
- c) providing opportunities for public access to shorelines; and
- d) recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.

1.6 Infrastructure and public service facilities

1.6.1 *Infrastructure, electricity-generation facilities and transmission and distribution systems-* and *public service facilities* shall be provided in ~~a-coordinated,-an~~ efficient and cost-effective manner that ~~considers-~~prepares for the impacts ~~from-~~of a changing climate change while accommodating projected needs.

Planning for *infrastructure, electricity-generation facilities and transmission and distribution systems-* and *public service facilities* shall be coordinated and integrated with land use planning and growth management so that they are:

- a) financially viable over their life cycle, which may be demonstrated through asset management planning; and
- b) available to meet current and projected needs.

1.6.2 Planning authorities should promote *green infrastructure* to complement *infrastructure*.

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.

1.6.4 *Infrastructure* and *public service facilities* should be strategically located to support the effective and efficient delivery of emergency management services.

1.6.5 *Public service facilities* should be co-located in community hubs, where appropriate, to promote cost-effectiveness and facilitate service integration, access to transit and *active transportation*.

1.6.6 Sewage, water and stormwater

1.6.6.1 Planning for *sewage and water services* shall:

- a) ~~direct and~~ accommodate ~~expected~~ ~~forecasted~~ growth ~~or development~~ in a manner that promotes the efficient use and optimization of existing:
 1. *municipal sewage services* and *municipal water services*; and
 2. *private communal sewage services* and *private communal water services*, where *municipal sewage services* and *municipal water services* are not available or feasible;
- b) ensure that these systems are provided in a manner that:
 1. can be sustained by the water resources upon which such services rely;
 2. prepares for the impacts of a changing climate;
 - ~~2.~~ ~~3.~~ is feasible; and financially viable ~~and complies with all regulatory requirements over their lifecycle~~; and
 - ~~3.~~ 4. protects human health and safety, and the natural environment;
- c) promote water conservation and water use efficiency;
- d) integrate servicing and land use considerations at all stages of the planning process; and
- e) be in accordance with the servicing hierarchy outlined through policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5. For clarity, where *municipal sewage services* and *municipal water services* are not available, planned or feasible, planning authorities have the ability to consider the use of the servicing options set out through policies 1.6.6.3, 1.6.6.4, and 1.6.6.5 provided that the specified conditions are met.

1.6.6.2 *Municipal sewage services* and *municipal water services* are the preferred form of servicing for *settlement areas* to support protection of the environment and minimize potential risks to human health and safety. ~~Intensification and redevelopment w~~Within *settlement areas* ~~on~~ with existing *municipal sewage services* and *municipal water services* ~~should~~, intensification and redevelopment shall be promoted; wherever feasible to optimize the use of the services.

1.6.6.3 Where *municipal sewage services* and *municipal water services* are not ~~provided available~~, ~~municipalities may allow the use of~~ planned or feasible *private communal sewage services* and *private communal water services* are the preferred form of services for multi-unit/lot development to support protection of the environment and minimize potential risks to human health and safety.

1.6.6.4 Where *municipal sewage services* and *municipal water services* or *private communal sewage services* and *private communal water services* are not **provided available, planned or feasible**, *individual on-site sewage services* and *individual on-site water services* may be used provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*. In *settlement areas*, **these** *individual on-site sewage services* and *individual on-site water services* may **only** be used for infilling and minor rounding out of existing development.

At the time of the official plan review or update, planning authorities should assess the long-term impacts of *individual on-site sewage services* and *individual on-site water services* on the environmental health and the character of rural *settlement areas*. Where planning is conducted by an upper-tier municipality, the upper-tier municipality should work with lower-tier municipalities at the time of the official plan review or update to assess the long-term impacts of *individual on-site sewage services* and *individual on-site water services* on the environmental health and the desired character of rural *settlement areas* and the feasibility of other forms of servicing set out in policies 1.6.6.2 and 1.6.6.3

1.6.6.5 *Partial services* shall only be permitted in the following circumstances:

- a) where they are necessary to address failed *individual on-site sewage services* and *individual on-site water services* in existing development; or
- b) within *settlement areas*, to allow for infilling and minor rounding out of existing development on *partial services* provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*.

Where *partial services* have been provided to address failed services in accordance with subsection (a), infilling on existing lots of record in rural areas in municipalities may be permitted where this would represent a logical and financially viable connection to the existing *partial service* and provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*. In accordance with subsection (a), the extension of *partial services* into rural areas is only permitted to address failed *individual on-site sewage* and *individual on-site water services* for existing development.

1.6.6.6 Subject to the hierarchy of services provided in policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5, planning authorities may allow lot creation only if there is confirmation of sufficient *reserve sewage system capacity* and *reserve water system capacity* within *municipal sewage services* and *municipal water services* or *private communal sewage services* and *private communal water services*. The determination of sufficient *reserve sewage system capacity* shall include treatment capacity for hauled sewage from *private communal sewage services* and *individual on-site sewage services*.

1.6.6.7 Planning for stormwater management shall:

- a) be integrated with planning for *sewage and water services* and ensure that systems are optimized, feasible and financially viable over the long term;
- a) ~~b)~~ minimize, or, where possible, prevent increases in contaminant loads;
- b) ~~c)~~ minimize erosion and changes in water balance, and ~~erosion-~~prepare for the impacts of a changing climate through the effective management of stormwater;
- c) ~~d) not increase-~~mitigate risks to human health, ~~and~~-safety, ~~and~~ property ~~damage~~ and the environment;
- d) ~~e)~~ maximize the extent and function of vegetative and pervious surfaces; and
- e) ~~f)~~ promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.

1.6.7 Transportation systems

1.6.7.1 *Transportation systems* should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.

1.6.7.2 Efficient use ~~shall~~ should be made of existing and planned *infrastructure*, including through the use of *transportation demand management* strategies, where feasible.

1.6.7.3 As part of a *multimodal transportation system*, connectivity within and among *transportation systems* and modes should be maintained and, where possible, improved including connections which cross jurisdictional boundaries.

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*.

~~1.6.7.5 Transportation and land use considerations shall be integrated at all stages of the planning process.~~

1.6.8 Transportation and infrastructure corridors

1.6.8.1 Planning authorities shall plan for and protect corridors and rights-of-way for *infrastructure*, including transportation, transit and electricity generation facilities and transmission systems to meet current and projected needs.

1.6.8.2 *Major goods movement facilities and corridors* shall be protected for the long term.

1.6.8.3 Planning authorities shall not permit *development* in *planned corridors* that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.

New *development* proposed on *adjacent lands* to existing or *planned corridors* and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, mitigate or minimize negative impacts on and from the corridor and transportation facilities.

1.6.8.4 The preservation and reuse of abandoned corridors for purposes that maintain the corridor's integrity and continuous linear characteristics should be encouraged, wherever feasible.

1.6.8.5 The co-location of linear *infrastructure* should be promoted, where appropriate.

1.6.8.56 When planning for corridors and rights-of-way for significant transportation, electricity transmission, and *infrastructure* facilities, consideration will be given to the significant resources in Section 2: Wise Use and Management of Resources.

1.6.9 Airports, rail and marine facilities

1.6.9.1 Planning for land uses in the vicinity of *airports*, *rail facilities* and *marine facilities* shall be undertaken so that:

- a) their long-term operation and economic role is protected; and
- b) *airports*, *rail facilities* and *marine facilities* and *sensitive land uses* are appropriately designed, buffered and/or separated from each other, in accordance with policy 1.2.6.

1.6.9.2 *Airports* shall be protected from incompatible land uses and development by:

- a) prohibiting new residential *development* and other sensitive land uses in areas near *airports* above 30 NEF/NEP;
- b) considering redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses in areas above 30 NEF/NEP only if it has been demonstrated that there will be no negative impacts on the long-term function of the *airport*; and
- c) discouraging land uses which may cause a potential aviation safety hazard.

1.6.10 Waste management

1.6.10.1 *Waste management systems* need to be provided that are of an appropriate size and type to accommodate present and future requirements, and facilitate, encourage and promote reduction, reuse and recycling objectives. ~~Planning authorities should consider the implications of development and land use patterns on waste generation, management and diversion.~~

Waste management systems shall be located and designed in accordance with provincial legislation and standards.

1.6.11 Energy supply

1.6.11.1 Planning authorities should provide opportunities for the development of energy supply including electricity generation facilities and transmission and distribution systems, district energy, and renewable energy systems and alternative energy systems, to accommodate current and projected needs.

~~1.6.11.2 Planning authorities should promote renewable energy systems and alternative energy systems, where feasible, in accordance with provincial and federal requirements.~~

1.7 Long-term economic prosperity

1.7.1 Long-term economic prosperity should be supported by:

- a) promoting opportunities for economic development and community investment-readiness;
- b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;
- ~~b) c) optimizing the long-term availability and use of land, resources, infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities;~~
- ~~c) d) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;~~
- ~~d) e) 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) f) promoting the redevelopment of brownfield sites;~~
- ~~f) g) 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) h) providing opportunities for sustainable tourism development;~~
- ~~h) i) providing opportunities to support local food, and promoting the sustainability of agri-food and agri-product businesses by sustaining and enhancing the viability of the agricultural system through protecting agricultural resources, and minimizing land use conflicts, providing opportunities to support local food, and maintaining and improving the agri-food network;~~
- ~~i) j) promoting energy conservation and providing opportunities for development of renewable energy systems and alternative energy systems, including district increased energy supply;~~

- ⌘ k) minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature; and
- ⌘ l) encouraging efficient and coordinated communications and telecommunications infrastructure.

1.8 Energy conservation, air quality and climate change

1.8.1 Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and [preparing for impacts of a changing climate](#) ~~change adaptation~~ through land use and development patterns which:

- a) promote compact form and a structure of nodes and corridors;
- b) promote the use of *active transportation* and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;
- c) focus major employment, commercial and other travel-intensive land uses on sites which are well served by transit where this exists or is to be developed, or designing these to facilitate the establishment of transit in the future;
- d) focus freight-intensive land uses to areas well served by major highways, *airports, rail facilities and marine facilities*;
- e) [encourage transit-supportive development and intensification to](#) improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion;
- f) promote design and orientation which:
 - 1. maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation; and
 - 2. ~~maximizes opportunities for the use of renewable energy systems and alternative energy systems; and~~
- g) maximize vegetation within *settlement areas*, where feasible.

2.0 Wise use and management of resources

Ontario's long-term prosperity, environmental health, and social well-being depend on conserving biodiversity, protecting the health of the Great Lakes, and protecting natural heritage, water, agricultural, mineral and cultural heritage and archaeological resources for their economic, environmental and social benefits.

Accordingly:

2.1 Natural heritage

2.1.1 Natural features and areas shall be protected for the long term.

2.1.2 The diversity and connectivity of natural features in an area, and the long-term *ecological function* and biodiversity of *natural heritage systems*, should be maintained, restored or, where possible, improved, recognizing linkages between and among *natural heritage features and areas, surface water features and ground water features*.

2.1.3 *Natural heritage systems* shall be identified in Ecoregions 6E & 7E^a, recognizing that *natural heritage systems* will vary in size and form in *settlement areas, rural areas, and prime agricultural areas*.

2.1.4 *Development and site alteration* shall not be permitted in:

- a) *significant wetlands* in Ecoregions 5E, 6E and 7E¹; and
- b) *significant coastal wetlands*.

^a Ecoregions 5E, 6E, and 7E are shown on Figure 1. (Figure 1 is located in Section 5.0 of the draft PPS that is not included in this appendix)

2.1.5 *Development and site alteration* shall not be permitted in:

- a) *significant wetlands* in the Canadian Shield north of Ecoregions 5E, 6E and 7E¹;
- b) *significant woodlands* in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)¹;
- c) *significant valleylands* in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)¹;
- d) *significant wildlife habitat*;
- e) *significant areas of natural and scientific interest*; and
- f) *coastal wetlands* in Ecoregions 5E, 6E and 7E¹ that are not subject to policy 2.1.4(b)

unless it has been demonstrated that there will be no *negative impacts* on the natural features or their *ecological functions*.

2.1.6 *Development and site alteration* shall not be permitted in *fish habitat* except in accordance with *provincial and federal requirements*.

2.1.7 *Development and site alteration* shall not be permitted in *habitat of endangered species and threatened species*, except in accordance with *provincial and federal requirements*.

2.1.8 *Development and site alteration* shall not be permitted on *adjacent lands* to the *natural heritage features and areas* identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the *ecological function* of the *adjacent lands* has been evaluated and it has been demonstrated that there will be no *negative impacts* on the natural features or on their *ecological functions*.

2.1.9 Nothing in policy 2.1 is intended to limit the ability of *agricultural uses* to continue.

[2.1.10 Municipalities may choose to manage *wetlands* not subject to policy 2.1.4 and 2.1.5, in accordance with guidelines developed by the Province.](#)

2.2 Water

2.2.1 Planning authorities shall protect, improve or restore the *quality and quantity of water* by:

- a) using the *watershed* as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development;
- b) minimizing potential *negative impacts*, including cross-jurisdictional and cross-*watershed* impacts;
- c) [evaluating and preparing for the *impacts of a changing climate to water resource systems at the watershed level*](#);
- e) [d\) identifying water resource systems consisting of *ground water features, hydrologic functions, natural heritage features and areas, and surface water features* including shoreline areas, which are necessary for the ecological and hydrological integrity of the *watershed*](#);
- e) [e\) maintaining linkages and related functions among *ground water features, hydrologic functions, natural heritage features and areas, and surface water features* including shoreline areas](#);
- e) [f\) implementing necessary restrictions on *development and site alteration* to:](#)
 1. protect all municipal drinking water supplies and *designated vulnerable areas*; and
 2. protect, improve or restore *vulnerable surface and ground water, sensitive surface water features and sensitive ground water features, and their hydrologic functions*;
- f) [g\) planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality](#);
- g) [h\) ensuring consideration of environmental lake capacity, where applicable; and](#)

- h) i) ensuring stormwater management practices minimize stormwater volumes and contaminant loads, and maintain or increase the extent of vegetative and pervious surfaces.

2.2.2 *Development and site alteration* shall be restricted in or near *sensitive surface water features* and *sensitive ground water features* such that these features and their related *hydrologic functions* will be protected, improved or restored.

Mitigative measures and/or alternative development approaches may be required in order to protect, improve or restore *sensitive surface water features*, *sensitive ground water features*, and their *hydrologic functions*.

2.3 Agriculture

2.3.1 *Prime agricultural areas* shall be protected for long-term use for agriculture.

Prime agricultural areas are areas where *prime agricultural lands* predominate. *Specialty crop areas* shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through 7 lands within the *prime agricultural area*, in this order of priority.

2.3.2 Planning authorities shall designate *prime agricultural areas* and *specialty crop areas* in accordance with guidelines developed by the Province, as amended from time to time.

[Planning authorities are encouraged to use an *agricultural system approach* to maintain and enhance the geographic continuity of the agricultural land base and the functional and economic connections to the *agri-food network*.](#)

2.3.3 Permitted uses

2.3.3.1 In *prime agricultural areas*, permitted uses and activities are: *agricultural uses*, *agriculture-related uses* and *on-farm diversified uses*.

Proposed *agriculture-related uses* and *on-farm diversified uses* shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on guidelines developed by the Province or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.

2.3.3.2 In *prime agricultural areas*, all types, sizes and intensities of *agricultural uses* and *normal farm practices* shall be promoted and protected in accordance with provincial standards.

2.3.3.3 New land uses, [in *prime agricultural areas*](#), including the creation of lots, and new or expanding livestock facilities shall comply with the *minimum distance separation formulae*.

2.3.4 Lot creation and lot adjustments

2.3.4.1 Lot creation in *prime agricultural areas* is discouraged and may only be permitted for:

- a) *agricultural uses*, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;
- b) *agriculture-related uses*, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate *sewage and water services*;
- c) a *residence surplus to a farming operation* as a result of farm consolidation, provided that:

1. the new lot will be limited to a minimum size needed to accommodate the use and appropriate *sewage and water services*; and
 2. the planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective; and
- d) *infrastructure*, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.

2.3.4.2 Lot adjustments in *prime agricultural areas* may be permitted for *legal or technical reasons*.

2.3.4.3 The creation of new residential lots in *prime agricultural areas* shall not be permitted, except in accordance with policy 2.3.4.1(c).

2.3.5 Removal of land from prime agricultural areas

2.3.5.1 Planning authorities may only exclude land from *prime agricultural areas* for expansions of or identification of *settlement areas* in accordance with policy 1.1.3.8.

2.3.6 Non-agricultural uses in prime agricultural areas

2.3.6.1 Planning authorities may only permit non-agricultural uses in *prime agricultural areas* for:

- a) extraction of *minerals, petroleum resources and mineral aggregate resources*, ~~in accordance with policies 2.4 and 2.5~~; or
- b) limited non-residential uses, provided that all of the following are demonstrated:
 1. the land does not comprise a *specialty crop area*;
 - ~~2. the proposed use complies with the minimum distance separation formulae;~~
 - ~~3.~~ 2. there is an identified need within the planning horizon provided for in policy 1.1.2 for additional land ~~to be designated~~ to accommodate the proposed use; and
 - ~~4.~~ 3. alternative locations have been evaluated, and
 - i. there are no reasonable alternative locations which avoid *prime agricultural areas*; and
 - ii. there are no reasonable alternative locations in *prime agricultural areas* with lower priority agricultural lands.

2.3.6.2 Impacts from any new or expanding non-agricultural uses on surrounding agricultural operations and lands are to be avoided, and where avoidance is not possible, minimized and mitigated to the extent feasible and informed by provincial guidelines.

2.4 Minerals and Petroleum

2.4.1 *Minerals and petroleum resources* shall be protected for long-term use.

2.4.2 Protection of long-term resource supply

2.4.2.1 *Mineral mining operations and petroleum resource operations* shall be identified and protected from *development* and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact.

2.4.2.2 Known *mineral deposits*, known *petroleum resources* and *significant areas of mineral potential* shall be identified and *development* and activities in these resources or

on *adjacent lands* which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:

- a) resource use would not be feasible; or
- b) the proposed land use or development serves a greater long-term public interest; and
- c) issues of public health, public safety and environmental impact are addressed.

2.4.3 Rehabilitation

2.4.3.1 Rehabilitation to accommodate subsequent land uses shall be required after extraction and other related activities have ceased. Progressive rehabilitation should be undertaken wherever feasible.

2.4.4 Extraction in prime agricultural areas

2.4.4.1 Extraction of *minerals* and *petroleum resources* is permitted in *prime agricultural areas* provided that the site will be rehabilitated.

2.5 Mineral aggregate resources

2.5.1 *Mineral aggregate resources* shall be protected for long-term use and, where provincial information is available, *deposits of mineral aggregate resources* shall be identified.

2.5.2 Protection of long-term resource supply

2.5.2.1 As much of the *mineral aggregate resources* as is realistically possible shall be made available as close to markets as possible.

Demonstration of need for *mineral aggregate resources*, including any type of supply/demand analysis, shall not be required, notwithstanding the availability, designation or licensing for extraction of *mineral aggregate resources* locally or elsewhere.

2.5.2.2 Extraction shall be undertaken in a manner which minimizes social, economic and environmental impacts.

Outside of the Greenbelt Area, extraction may be considered in the natural heritage features listed in section 2.1.5, 2.1.6 and 2.1.7, provided that the long-term rehabilitation can demonstrate no negative impacts on the natural features or their ecological functions.

2.5.2.3 *Mineral aggregate resource conservation* shall be undertaken, including through the use of accessory aggregate recycling facilities within operations, wherever feasible.

2.5.2.4 *Mineral aggregate operations* shall be protected from *development* and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Existing *mineral aggregate operations* shall be permitted to continue without the need for official plan amendment, rezoning or development permit under the *Planning Act*. Where the *Aggregate Resources Act* applies, processes under the *Aggregate Resources Act* shall address the depth of extraction of new or existing *mineral aggregate operations* or their expansions. When a license for extraction or operation ceases to exist, policy 2.5.2.5 continues to apply.

2.5.2.5 In known *deposits of mineral aggregate resources* and on *adjacent lands*, *development* and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:

- a) resource use would not be feasible; or

- b) the proposed land use or development serves a greater long-term public interest; and
- c) issues of public health, public safety and environmental impact are addressed.

2.5.3 Rehabilitation

2.5.3.1 Progressive and final rehabilitation shall be required to accommodate subsequent land uses, to promote land use compatibility, to recognize the interim nature of extraction, and to mitigate negative impacts to the extent possible. Final rehabilitation shall take surrounding land use and approved land use designations into consideration.

2.5.3.2 *Comprehensive rehabilitation* planning is encouraged where there is a concentration of mineral aggregate operations.

2.5.3.3 In parts of the Province not designated under the *Aggregate Resources Act*, rehabilitation standards that are compatible with those under the Act should be adopted for extraction operations on private lands.

2.5.4 Extraction in prime agricultural areas

2.5.4.1 In *prime agricultural areas*, on *prime agricultural land*, extraction of *mineral aggregate resources* is permitted as an interim use provided that the site will be rehabilitated back to an *agricultural condition*.

Complete rehabilitation to an *agricultural condition* is not required if:

- a) outside of a *specialty crop area*, there is a substantial quantity of *mineral aggregate resources* below the water table warranting extraction, or the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible;
- b) in a *specialty crop area*, there is a substantial quantity of *high quality mineral aggregate resources* below the water table warranting extraction, and the depth of planned extraction makes restoration of pre-extraction agricultural capability unfeasible;
- c) other alternatives have been considered by the applicant and found unsuitable. The consideration of other alternatives shall include resources in areas of Canada Land Inventory Class 4 through 7 lands, resources on lands identified as *designated growth areas*, and resources on *prime agricultural lands* where rehabilitation is feasible. Where no other alternatives are found, *prime agricultural lands* shall be protected in this order of priority: *specialty crop areas*, Canada Land Inventory Class 1, 2 and 3 lands; and
- d) agricultural rehabilitation in remaining areas is maximized.

2.5.5 Wayside pits and quarries, portable asphalt plants and portable concrete plants

2.5.5.1 *Wayside pits and quarries, portable asphalt plants and portable concrete plants* used on public authority contracts shall be permitted, without the need for an official plan amendment, rezoning, or development permit under the *Planning Act* in all areas, except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.

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 [engage with Indigenous communities and](#) consider ~~the~~ [their](#) interests ~~of Aboriginal communities in conserving~~ [when identifying, protecting and managing](#) cultural heritage and archaeological resources.

3.0 Protecting public health and safety

[\(Note: policies in this section related to natural hazards are subject to ongoing review by the Province's Special Advisor on flooding. Further changes may be considered as a result of this review\)](#)

Ontario's long-term prosperity, environmental health and social well-being depend on reducing the potential for public cost or risk to Ontario's residents from natural or human-made hazards.

Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.

Accordingly:

3.1 Natural hazards

3.1.1 Development shall generally be directed to areas outside of:

- a) *hazardous lands* adjacent to the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes* which are impacted by *flooding hazards, erosion hazards* and/or *dynamic beach hazards*;
- b) *hazardous lands* adjacent to *river, stream and small inland lake systems* which are impacted by *flooding hazards* and/or *erosion hazards*; and
- c) *hazardous sites*.

3.1.2 *Development* and *site alteration* shall not be permitted within:

- a) the *dynamic beach hazard*;
- b) *defined portions of the flooding hazard along connecting channels* (the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers);
- c) areas that would be rendered inaccessible to people and vehicles during times of *flooding hazards, erosion hazards* and/or *dynamic beach hazards*, unless it has been demonstrated that the site has safe access appropriate for the nature of the *development* and the natural hazard; and
- d) a *floodway* regardless of whether the area of inundation contains high points of land not subject to flooding.

3.1.3 Planning authorities shall ~~consider~~ [prepare for](#) the ~~potential~~ *impacts* of [a changing climate](#) ~~change~~ that may increase the risk associated with natural hazards.

3.1.4 Despite policy 3.1.2, *development* and *site alteration* may be permitted in certain areas associated with the *flooding hazard* along *river, stream and small inland lake systems*:

- a) in those exceptional situations where a *Special Policy Area* has been approved. The designation of a *Special Policy Area*, and any change or modification to the official plan policies, land use designations or boundaries

applying to *Special Policy Area* lands, must be approved by the Ministers of Municipal Affairs and Housing and Natural Resources prior to the approval authority approving such changes or modifications; or

- b) where the *development* is limited to uses which by their nature must locate within the *floodway*, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows.

3.1.5 *Development* shall not be permitted to locate in *hazardous lands* and *hazardous sites* where the use is:

- a) an *institutional use* including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools;
- b) an *essential emergency service* such as that provided by fire, police and ambulance stations and electrical substations; or
- c) uses associated with the disposal, manufacture, treatment or storage of *hazardous substances*.

3.1.6 Where the *two zone concept for flood plains* is applied, *development* and *site alteration* may be permitted in the *flood fringe*, subject to appropriate floodproofing to the *flooding hazard* elevation or another *flooding hazard* standard approved by the Minister of Natural Resources.

3.1.7 Further to policy 3.1.6, and except as prohibited in policies 3.1.2 and 3.1.5, *development* and *site alteration* may be permitted in those portions of *hazardous lands* and *hazardous sites* where the effects and risk to public safety are minor, could be mitigated in accordance with provincial standards, and where all of the following are demonstrated and achieved:

- a) *development* and *site alteration* is carried out in accordance with *floodproofing standards*, *protection works standards*, and *access standards*;
- b) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
- c) new hazards are not created and existing hazards are not aggravated; and
- d) no adverse environmental impacts will result.

3.1.8 *Development* shall generally be directed to areas outside of lands that are unsafe for *development* due to the presence of *hazardous forest types for wildland fire*.

Development may however be permitted in lands with *hazardous forest types for wildland fire* where the risk is mitigated in accordance with *wildland fire assessment and mitigation standards*.

3.2 Human-made hazards

3.2.1 Development on, abutting or adjacent to lands affected by *mine hazards*; *oil, gas and salt hazards*; or former *mineral mining operations*, *mineral aggregate operations* or *petroleum resource operations* may be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed.

3.2.2 Sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no *adverse effects*.

[3.2.3 Planning authorities should support, where feasible, on-site and local re-use of excess soil through planning and development approvals while protecting human health and the environment.](#)

4.0 Implementation and interpretation

4.1 This Provincial Policy Statement applies to all decisions in respect of the exercise of any authority that affects a planning matter made on or after ~~April 30, 2014~~ <DATE>.

~~4.2 In accordance with section 3 of the *Planning Act*, a decision of the council of a municipality, a local board, a planning board, a minister of the Crown and a ministry, board, commission or agency of the government, including the Municipal Board, in respect of the exercise of any authority that affects a planning matter, “shall be consistent with” this Provincial Policy Statement. This Provincial Policy Statement shall be read in its entirety and all relevant policies are to be applied to each situation.~~

~~Comments, submissions or advice that affect a planning matter that are provided by the council of a municipality, a local board, a planning board, a minister or ministry, board, commission or agency of the government “shall be consistent with” this Provincial Policy Statement.~~

4.3 This Provincial Policy Statement shall be implemented in a manner that is consistent with the recognition and affirmation of existing Aboriginal and treaty rights in section 35 of the *Constitution Act, 1982*.

~~4.4 This Provincial Policy Statement shall be read in its entirety and all relevant policies are to be applied to each situation. This Provincial Policy Statement shall be implemented in a manner that is consistent with the Ontario *Human Rights Code* and the *Canadian Charter of Rights and Freedoms*.~~

4.5 In implementing the Provincial Policy Statement, the Minister of Municipal Affairs and Housing may take into account other considerations when making decisions to support strong communities, a clean and healthy environment and the economic vitality of the Province.

~~4.6 This Provincial Policy Statement shall be implemented in a manner that is consistent with the Ontario *Human Rights Code* and the *Canadian Charter of Rights and Freedoms*.~~

4.76 The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans.

Official plans shall identify provincial interests and set out appropriate land use designations and policies. To determine the significance of some natural heritage features and other resources, evaluation may be required.

~~Official plans should also coordinate cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial solutions. Official plans shall provide clear, reasonable and attainable policies to protect provincial interests and direct development to suitable areas.~~

In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with this Provincial Policy Statement. The policies of this Provincial Policy Statement continue to apply after adoption and approval of an official plan.

~~4.8 Zoning and development permit by-laws are important for implementation of this Provincial Policy Statement. Planning authorities shall keep their zoning and development permit by-laws up-to-date with their official plans and this Provincial Policy Statement.~~

~~4.9 The policies of this Provincial Policy Statement represent minimum standards. This Provincial Policy Statement does not prevent planning authorities and decision-makers from going beyond the minimum standards established in specific policies, unless doing so would conflict with any policy of this Provincial Policy Statement.~~

~~4.10 A wide range of legislation, regulations, policies, and plans may apply to decisions with respect to *Planning Act* applications. In some cases, a *Planning Act* proposal may also require approval under other legislation or regulation, and policies and plans issued under other legislation may also apply.~~

~~4.11 In addition to land use approvals under the *Planning Act*, infrastructure may also require approval under other legislation and regulations. An environmental assessment process may be applied to new infrastructure and modifications to existing infrastructure under applicable legislation.~~

~~There may be circumstances where land use approvals under the *Planning Act* may be integrated with approvals under other legislation, for example, integrating the planning processes and approvals under the *Environmental Assessment Act* and the *Planning Act*, provided the intent and requirements of both Acts are met.~~

~~4.12 Provincial plans shall be read in conjunction with this Provincial Policy Statement and take precedence over policies in this Provincial Policy Statement to the extent of any conflict, except where legislation establishing provincial plans provides otherwise. Examples of these are plans created under the *Niagara Escarpment Planning and Development Act*, the *Ontario Planning and Development Act, 1994*, the *Oak Ridges Moraine Conservation Act, 2001*, the *Greenbelt Act, 2005* and the *Places to Grow Act, 2005*.~~

~~4.13 Within the Great Lakes – St. Lawrence River Basin, there may be circumstances where planning authorities should consider agreements related to the protection or restoration of the Great Lakes – St. Lawrence River Basin. Examples of these agreements include Great Lakes agreements between Ontario and Canada, between Ontario, Quebec and the Great Lakes States of the United States of America, and between Canada and the United States of America.~~

4.7 Planning authorities shall take action to support increased housing supply and facilitate a timely and streamlined process for local development by:

- a) identifying and fast-tracking priority applications which support housing and job-related growth and development; and
- b) reducing the time needed to process residential and priority applications to the extent practical.

4.148 The Province, in consultation with municipalities, other public bodies and stakeholders shall identify performance indicators for measuring the effectiveness of some or all of the policies. The Province shall monitor their implementation, including reviewing performance indicators concurrent with any review of this Provincial Policy Statement.

4.159 Municipalities are encouraged to ~~establish performance indicators to monitor~~ and report on the implementation of the policies in their official plans in accordance with any reporting requirements, data standards and any other guidelines that may be issued by the Minister.

6.0 Definitions

Access standards: means methods or procedures to ensure safe vehicular and pedestrian movement, and access for the maintenance and repair of protection works, during times of *flooding hazards, erosion hazards* and/or *other water-related hazards*.

Active Transportation: means human-powered travel, including but not limited

to, walking, cycling, inline skating and travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices moving at a comparable speed.

Adjacent lands: means

- a) for the purposes of policy 1.6.8.3, those lands contiguous to existing or

- planned corridors and transportation facilities where *development* would have a negative impact on the corridor or facility. The extent of the *adjacent lands* may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives;
- b) for the purposes of policy 2.1.8, those lands contiguous to a specific *natural heritage feature* or area where it is likely that *development* or *site alteration* would have a *negative impact* on the feature or area. The extent of the *adjacent lands* may be recommended by the Province or based on municipal approaches which achieve the same objectives;
- c) for the purposes of policies 2.4.2.2 and 2.5.2.5, those lands contiguous to lands on the surface of known *petroleum resources, mineral deposits, or deposits of mineral aggregate resources* where it is likely that *development* would constrain future access to the resources. The extent of the *adjacent lands* may be recommended by the Province; and
- d) for the purposes of policy 2.6.3, those lands contiguous to a *protected heritage property* or otherwise defined in the municipal official plan.

Adverse effects: as defined in the *Environmental Protection Act*, means one or more of:

- a) impairment of the quality of the natural environment for any use that can be made of it;
- b) injury or damage to property or plant or animal life;
- c) harm or material discomfort to any person;
- d) an adverse effect on the health of any person;
- e) impairment of the safety of any person;
- f) rendering any property or plant or animal life unfit for human use;
- g) loss of enjoyment of normal use of property; and
- h) interference with normal conduct of business.

Affordable: means

a) in the case of ownership housing, the least expensive of:

1. housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for *low and moderate income households*; or
2. housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the *regional market area*;

b) in the case of rental housing, the least expensive of:

1. a unit for which the rent does not exceed 30 percent of gross annual household income for *low and moderate income households*; or
2. a unit for which the rent is at or below the average market rent of a unit in the *regional market area*.

Agricultural condition: means

- a) in regard to *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture are restored, the same range and productivity of specialty crops common in the area can be achieved, and, where applicable, the microclimate on which the site and surrounding area may be dependent for specialty crop production will be maintained or restored; and
- b) in regard to *prime agricultural land* outside of *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture are restored.

Agricultural System: A system comprised of a group of inter-connected elements that collectively create a viable, thriving agricultural sector. It has two components:

- a) an agricultural land base comprised of prime agricultural areas, including specialty crop areas, and rural lands that together create a continuous productive land base for agriculture; and

b) [an agri-food network which includes infrastructure, services, and assets important to the viability of the agri-food sector](#)

Agricultural uses: means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

[Agri-food network: Within the Agricultural System, a network that includes elements important to the viability of the agri-food sector such as regional infrastructure and transportation networks; on-farm buildings and infrastructure; agricultural services, farm markets, distributors, and primary processing; and vibrant, agriculture-supportive communities.](#)

Agri-tourism uses: means those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.

Agriculture-related uses: means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

Airports: means all Ontario airports, including designated lands for future airports, with Noise Exposure Forecast (NEF)/Noise Exposure Projection (NEP) mapping.

Alternative energy system: means a system that uses sources of energy or energy conversion processes to produce power, heat and/or cooling that significantly reduces the amount of harmful emissions to the environment

(air, earth and water) when compared to conventional energy systems.

Archaeological resources:

includes artifacts, archaeological sites, marine archaeological sites, as defined under the *Ontario Heritage Act*. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act*.

Areas of archaeological potential:

means areas with the likelihood to contain *archaeological resources*.

~~Methods-Criteria~~ to identify archaeological potential are established by the Province, ~~but municipal approaches which achieve the same objectives may also be used.~~

The *Ontario Heritage Act* requires archaeological potential to be confirmed [by a licensed archaeologist](#) through archaeological [assessment and/or](#) fieldwork.

Areas of mineral potential: means areas favourable to the discovery of *mineral deposits* due to geology, the presence of known *mineral deposits* or other technical evidence.

Areas of natural and scientific

interest (ANSI): means areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

Brownfield sites: means undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

Built heritage resource: means a building, structure, monument, installation or any manufactured [or constructed part or](#) remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an [Aboriginal Indigenous](#) community. [Most B](#)built heritage resources are [generally](#) located on property that has been designated under Parts IV or V of the *Ontario Heritage Act*, or [has been](#) included on

local, provincial, [federal](#) and/or ~~federal~~ [international](#) registers.

Coastal wetland: means

- a) any *wetland* that is located on one of the Great Lakes or their connecting channels (Lake St. Clair, St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers); or
- b) any other *wetland* that is on a tributary to any of the above-specified water bodies and lies, either wholly or in part, downstream of a line located 2 kilometres upstream of the 1:100 year floodline (plus wave run-up) of the large water body to which the tributary is connected.

Comprehensive rehabilitation:

means rehabilitation of land from which *mineral aggregate resources* have been extracted that is coordinated and complementary, to the extent possible, with the rehabilitation of other sites in an area where there is a high concentration of *mineral aggregate operations*.

Comprehensive review: means

- a) for the purposes of policies 1.1.3.8, [1.1.3.9](#) and 1.3.2.2, an official plan review which is initiated by a planning authority, or an official plan amendment which is initiated or adopted by a planning authority, which:
 1. is based on a review of population and employment projections and which reflect projections and allocations by upper-tier municipalities and *provincial plans*, where applicable; considers alternative directions for growth or development; and determines how best to accommodate the development while protecting provincial interests;
 2. utilizes opportunities to accommodate projected growth or development through *intensification* and *redevelopment*; and considers physical constraints to accommodating the proposed development within existing *settlement area* boundaries;
 3. is integrated with planning for *infrastructure* and *public*

service facilities, and considers financial viability over the life cycle of these assets, which may be demonstrated through asset management planning;

4. confirms sufficient water quality, quantity and assimilative capacity of receiving water are available to accommodate the proposed development;
5. confirms that sewage and water services can be provided in accordance with policy 1.6.6; and
6. considers cross-jurisdictional issues.

b) for the purposes of policy 1.1.6, means a review undertaken by a planning authority or comparable body which:

1. addresses long-term population projections, *infrastructure* requirements and related matters;
2. confirms that the lands to be developed do not comprise *specialty crop areas* in accordance with policy 2.3.2; and
3. considers cross-jurisdictional issues.

In undertaking a *comprehensive review* the level of detail of the assessment should correspond with the complexity and scale of the settlement boundary or development proposal.

Conserved: means the identification, protection, management and use of *built heritage resources*, *cultural heritage landscapes* and *archaeological resources* in a manner that ensures their cultural heritage value or interest is retained ~~under the Ontario Heritage Act~~. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment [that has been approved or adopted by the planning authority or decision-maker](#). Mitigative measures and/or alternative development approaches can be included in these plans and assessments.

Cultural heritage landscape: means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a

community, including an [Aboriginal Indigenous](#) community. The area may ~~involve~~ [include](#) features such as [buildings](#), structures, spaces, [views](#), archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. ~~Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act; villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways, viewsheds, natural areas and industrial complexes of heritage significance; and areas recognized by federal or international designation authorities (e.g. a National Historic Site or District designation, or a UNESCO World Heritage Site).~~ [Cultural heritage landscapes may be properties that have been determined to have cultural heritage value or interest under the Ontario Heritage Act, or have been included on federal and/or international registers, or protected through official plan, zoning by-law, or other land use planning mechanisms.](#)

Defined portions of the one hundred year flood level along connecting channels: means those areas which are critical to the conveyance of the flows associated with the *one hundred year flood level* along the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers, where *development* or *site alteration* will create *flooding hazards*, cause updrift and/or downdrift impacts and/or cause adverse environmental impacts.

Deposits of mineral aggregate resources: means an area of identified *mineral aggregate resources*, as delineated in Aggregate Resource Inventory Papers or comprehensive studies prepared using evaluation procedures established by the Province for surficial and bedrock resources, as amended from time to time, that has a sufficient quantity and quality to warrant present or future extraction.

Designated and available: means lands designated in the official plan for urban residential use. For municipalities where more detailed official plan policies (e.g. secondary plans) are required before development applications can be considered for approval, only lands that

have commenced the more detailed planning process are considered to be *designated and available* for the purposes of this definition.

Designated growth areas: means lands within *settlement areas* designated in an official plan for growth over the long-term planning horizon provided in policy 1.1.2, but which have not yet been fully developed. *Designated growth areas* include lands which are *designated and available* for residential growth in accordance with policy 1.4.1(a), as well as lands required for employment and other uses.

Designated vulnerable area: means areas defined as vulnerable, in accordance with provincial standards, by virtue of their importance as a drinking water source.

Development: means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the *Planning Act*, but does not include:

- a) activities that create or maintain *infrastructure* authorized under an environmental assessment process;
- b) works subject to the *Drainage Act*; or
- c) for the purposes of policy 2.1.4(a), underground or surface mining of *minerals* or advanced exploration on mining lands in *significant areas of mineral potential* in Ecoregion 5E, where advanced exploration has the same meaning as under the *Mining Act*. Instead, those matters shall be subject to policy 2.1.5(a).

Dynamic beach hazard: means areas of inherently unstable accumulations of shoreline sediments along the *Great Lakes - St. Lawrence River System* and *large inland lakes*, as identified by provincial standards, as amended from time to time. The *dynamic beach hazard* limit consists of the *flooding hazard* limit plus a dynamic beach allowance.

Ecological function: means the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes.

These may include biological, physical and socio-economic interactions.

Employment area: means those areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.

Endangered species: means a species that is ~~listed or categorized~~ classified as an “Endangered Species” on the Ontario Ministry of Natural Resources’ official Species at Risk in Ontario List, as updated and amended from time to time.

Erosion hazard: means the loss of land, due to human or natural processes, that poses a threat to life and property. The *erosion hazard* limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over an one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

Essential emergency service: means services which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion.

Fish: means fish, which as defined in the *Fisheries Act*, includes fish, shellfish, crustaceans, and marine animals, at all stages of their life cycles.

Fish habitat: as defined in the *Fisheries Act*, means spawning grounds and any other areas, including nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes.

Flood fringe: for *river, stream and small inland lake systems*, means the outer portion of the *flood plain* between the *floodway* and the *flooding hazard* limit. Depths and velocities of flooding are generally less severe in the flood fringe than those experienced in the *floodway*.

Flood plain: for *river, stream and small inland lake systems*, means the area,

usually low lands adjoining a watercourse, which has been or may be subject to *flooding hazards*.

Flooding hazard: means the inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:

- a) along the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes*, the *flooding hazard* limit is based on the *one hundred year flood level* plus an allowance for *wave uprush* and *other water-related hazards*;
- b) along *river, stream and small inland lake systems*, the *flooding hazard* limit is the greater of:
 1. the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
 2. the *one hundred year flood*; and
 3. a flood which is greater than 1. or 2. which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources;

except where the use of the *one hundred year flood* or the actually experienced event has been approved by the Minister of Natural Resources as the standard for a specific watershed (where the past history of flooding supports the lowering of the standard).

Floodproofing standard: means the combination of measures incorporated into the basic design and/or construction of buildings, structures, or properties to reduce or eliminate *flooding hazards*, *wave uprush* and *other water-related hazards* along the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes*, and

flooding hazards along river, stream and small inland lake systems.

Floodway: for *river, stream and small inland lake systems*, means the portion of the *flood plain* where *development and site alteration* would cause a danger to public health and safety or property damage.

Where the one zone concept is applied, the *floodway* is the entire contiguous *flood plain*.

Where the *two zone concept* is applied, the *floodway* is the contiguous inner portion of the *flood plain*, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the two zone concept applies, the outer portion of the *flood plain* is called the *flood fringe*.

Freight-supportive: in regard to land use patterns, means transportation systems and facilities that facilitate the movement of goods. This includes policies or programs intended to support efficient freight movement through the planning, design and operation of land use and transportation systems. Approaches may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives.

Great Lakes - St. Lawrence River

System: means the major water system consisting of Lakes Superior, Huron, St. Clair, Erie and Ontario and their connecting channels, and the St. Lawrence River within the boundaries of the Province of Ontario.

Greenbelt Area: [means the area identified in Ontario Regulation 59/05, as amended from time to time.](#)

Green infrastructure: means natural and human-made elements that provide ecological and hydrological functions and processes. *Green infrastructure* can include components such as natural heritage features and systems, parklands, stormwater management systems, street trees, urban forests,

natural channels, permeable surfaces, and green roofs

Ground water feature: refers to water-related features in the earth's subsurface, including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations.

Habitat of endangered species and threatened species: means [habitat within the meaning of Section 2 of the Endangered Species Act, 2007.](#)

~~a) with respect to a species listed on the Species at Risk in Ontario List as an endangered or threatened species for which a regulation made under clause 55(1)(a) of the Endangered Species Act, 2007 is in force, the area prescribed by that regulation as the habitat of the species;~~

~~b) with respect to any other species listed on the Species at Risk in Ontario List as an endangered or threatened species, an area on which the species depends, directly or indirectly, to carry on its life processes, including life processes such as reproduction, rearing, hibernation, migration or feeding, as approved by the Ontario Ministry of Natural Resources; and~~

~~places in the areas described in clause (a) or (b), whichever is applicable, that are used by members of the species as dens, nests, hibernacula or other residences.~~

Hazardous forest types for wildland fire: means forest types assessed as being associated with the risk of high to extreme wildland fire using risk assessment tools established by the Ontario Ministry of Natural Resources, as amended from time to time.

Hazardous lands: means property or lands that could be unsafe for development due to naturally occurring processes. Along the shorelines of the *Great Lakes - St. Lawrence River System*, this means the land, including that covered by water, between the international boundary, where applicable, and the furthest landward

limit of the *flooding hazard, erosion hazard* or *dynamic beach hazard* limits. Along the shorelines of *large inland lakes*, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the *flooding hazard, erosion hazard* or *dynamic beach hazard* limits. Along *river, stream and small inland lake systems*, this means the land, including that covered by water, to the furthest landward limit of the *flooding hazard* or *erosion hazard* limits.

Hazardous sites: means property or lands that could be unsafe for *development* and *site alteration* due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography).

Hazardous substances: means substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

Heritage attributes: means the principal features or elements that contribute to a *protected heritage property's* cultural heritage value or interest, and [that must be retained](#). [Attributes](#) may include the property's built, [constructed](#), or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (~~including e.g.~~ significant views or vistas to or from a *protected heritage property*).

High quality: means primary and secondary sand and gravel resources and bedrock resources as defined in the Aggregate Resource Inventory Papers (ARIP).

Housing options: [means a range of housing types such as, but not limited to single-detached, semi-detached, rowhouses, townhouses, stacked townhouses, multiplexes, additional residential units, tiny homes, multiresidential buildings and uses such as, but not limited to life lease housing,](#)

[coownership housing, co-operative housing, community land trusts, affordable housing, housing for people with special needs, and housing related to employment, institutional or educational uses.](#)

Hydrologic function: means the functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things.

Impacts of a changing climate: [means the potential for present and future consequences and opportunities from changes in weather patterns at local and regional levels including extreme weather events and increased climate variability.](#)

Individual on-site sewage services: means sewage systems, as defined in O. Reg. 332/12 under the *Building Code Act, 1992* that are owned, operated and managed by the owner of the property upon which the system is located.

Individual on-site water services: means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

Infrastructure: means physical structures (facilities and corridors) that form the foundation for development. *Infrastructure* includes: sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, electricity generation facilities, electricity transmission and distribution systems, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

Institutional use: for the purposes of policy 3.1.5, means land uses where there is a threat to the safe evacuation of vulnerable populations such as older persons, persons with disabilities, and those who are sick or young, during an emergency as a result of flooding,

failure of floodproofing measures or protection works, or erosion.

Intensification: means the development of a property, site or area at a higher density than currently exists through:

- a) *redevelopment*, including the reuse of *brownfield sites*;
- b) the development of vacant and/or underutilized lots within previously developed areas;
- c) infill development; and
- d) the expansion or conversion of existing buildings.

Large inland lakes: means those waterbodies having a surface area of equal to or greater than 100 square kilometres where there is not a measurable or predictable response to a single runoff event.

Legal or technical reasons: means severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.

Low and moderate income households: means

- a) in the case of ownership housing, households with incomes in the lowest 60 percent of the income distribution for the *regional market area*; or
- b) in the case of rental housing, households with incomes in the lowest 60 percent of the income distribution for renter households for the *regional market area*.

Major facilities: means facilities which may require separation from *sensitive land uses*, including but not limited to airports, [manufacturing uses](#), transportation infrastructure and corridors, *rail facilities*, *marine facilities*, sewage treatment facilities, *waste management systems*, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities.

Major goods movement facilities and corridors: means transportation facilities and corridors associated with the inter- and intra-provincial movement

of goods. Examples include: inter-modal facilities, ports, *airports*, *rail facilities*, truck terminals, freight corridors, freight facilities, and haul routes and primary transportation corridors used for the movement of goods. Approaches that are freight-supportive may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives.

Marine facilities: means ferries, harbours, ports, ferry terminals, canals and associated uses, including designated lands for future *marine facilities*.

Mine hazard: means any feature of a mine as defined under the *Mining Act*, or any related disturbance of the ground that has not been rehabilitated.

Minerals: means metallic minerals and non-metallic minerals as herein defined, but does not include *mineral aggregate resources* or *petroleum resources*.

Metallic minerals means those minerals from which metals (e.g. copper, nickel, gold) are derived.

Non-metallic minerals means those minerals that are of value for intrinsic properties of the minerals themselves and not as a source of metal. They are generally synonymous with industrial minerals (e.g. asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, and wollastonite).

Mineral aggregate operation: means

- a) lands under license or permit, other than for *wayside pits and quarries*, issued in accordance with the *Aggregate Resources Act*;
- b) for lands not designated under the *Aggregate Resources Act*, established pits and quarries that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and
- c) associated facilities used in extraction, transport, beneficiation, processing or recycling of *mineral aggregate resources* and derived products such as asphalt and

concrete, or the production of secondary related products.

Mineral aggregate resources: means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the *Aggregate Resources Act* suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the *Mining Act*.

Mineral aggregate resource conservation: means

- a) the recovery and recycling of manufactured materials derived from mineral aggregates (e.g. glass, porcelain, brick, concrete, asphalt, slag, etc.), for re-use in construction, manufacturing, industrial or maintenance projects as a substitute for new mineral aggregates; and
- b) the wise use of mineral aggregates including utilization or extraction of on-site *mineral aggregate resources* prior to development occurring.

Mineral deposits: means areas of identified *minerals* that have sufficient quantity and quality based on specific geological evidence to warrant present or future extraction.

Mineral mining operation: means mining operations and associated facilities, or, past producing mines with remaining mineral development potential that have not been permanently rehabilitated to another use.

Minimum distance separation formulae: means formulae and guidelines developed by the Province, as amended from time to time, to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

Multimodal transportation system: means a transportation system which may include several forms of transportation such as automobiles, walking, trucks, cycling, buses, rapid

transit, rail (such as commuter and freight), air and marine.

Municipal sewage services: means a sewage works within the meaning of Section 1 of the *Ontario Water Resources Act* that is owned or operated by a municipality, [including centralized and decentralized systems](#).

Municipal water services: means a municipal drinking-water system within the meaning of Section 2 of the *Safe Drinking Water Act, 2002*, [including centralized and decentralized systems](#).

Natural heritage features and areas: means features and areas, including *significant wetlands, significant coastal wetlands*, other *coastal wetlands* in Ecoregions 5E, 6E and 7E, *fish habitat, significant woodlands* and *significant valleylands* in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River), *habitat of endangered species and threatened species, significant wildlife habitat*, and *significant areas of natural and scientific interest*, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

Natural heritage system: means a system made up of *natural heritage features and areas*, and linkages intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems. These systems can include *natural heritage features and areas*, federal and provincial parks and conservation reserves, other natural heritage features, lands that have been restored or have the potential to be restored to a natural state, areas that support hydrologic functions, and working landscapes that enable ecological functions to continue. The Province has a recommended approach for identifying *natural heritage systems*, but municipal approaches that achieve or exceed the same objective may also be used.

Negative impacts: means

- a) in regard to policy 1.6.6.4 and 1.6.6.5, [potential risks to human health and safety and](#) degradation to the *quality and quantity of water, sensitive surface water features and sensitive ground water features*, and their related *hydrologic functions*, due to single, multiple or successive *development*. *Negative impacts* should be assessed through environmental studies including hydrogeological or water quality impact assessments, in accordance with provincial standards;
- b) in regard to policy 2.2, degradation to the *quality and quantity of water, sensitive surface water features and sensitive ground water features*, and their related *hydrologic functions*, due to single, multiple or successive *development or site alteration* activities;
- c) in regard to *fish habitat*, any permanent alteration to, or destruction of *fish habitat*, except where, in conjunction with the appropriate authorities, it has been authorized under the *Fisheries Act*; and
- d) in regard to other *natural heritage features and areas*, degradation that threatens the health and integrity of the natural features or *ecological functions* for which an area is identified due to single, multiple or successive *development or site alteration* activities.

Normal farm practices: means a practice, as defined in the *Farming and Food Production Protection Act, 1998*, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes use of innovative technology in a manner consistent with proper advanced farm management practices. Normal farm practices shall be consistent with the *Nutrient Management Act, 2002* and regulations made under that Act.

Oil, gas and salt hazards: means any feature of a well or work as defined under the *Oil, Gas and Salt Resources Act*, or any related disturbance of the ground that has not been rehabilitated.

On-farm diversified uses: means uses that are secondary to the principal

agricultural use of the property, and are limited in area. *On-farm diversified uses* include, but are not limited to, home occupations, home industries, *agri-tourism uses*, and uses that produce value-added agricultural products. [Ground-mounted solar facilities are permitted in prime agricultural areas and specialty crop areas only as on-farm diversified uses.](#)

One hundred year flood: for river, stream and small inland lake systems, means that flood, based on an analysis of precipitation, snow melt, or a combination thereof, having a return period of 100 years on average, or having a 1% chance of occurring or being exceeded in any given year.

One hundred year flood level: means

- a) for the shorelines of the Great Lakes, the peak instantaneous stillwater level, resulting from combinations of mean monthly lake levels and wind setups, which has a 1% chance of being equalled or exceeded in any given year;
- b) in the connecting channels (St. Mary's, St. Clair, Detroit, Niagara and St. Lawrence Rivers), the peak instantaneous stillwater level which has a 1% chance of being equalled or exceeded in any given year; and
- c) for large inland lakes, lake levels and wind setups that have a 1% chance of being equalled or exceeded in any given year, except that, where sufficient water level records do not exist, the one hundred year flood level is based on the highest known water level and wind setups.

Other water-related hazards: means water-associated phenomena other than *flooding hazards* and *wave uprush* which act on shorelines. This includes, but is not limited to ship-generated waves, ice piling and ice jamming.

Partial services: means

- a) *municipal sewage services* or *private communal sewage services* ~~and~~ [combined with individual on-site water services](#); or
- b) *municipal water services* or *private communal water*

services ~~and~~ combined with individual on-site sewage services.

Petroleum resource operations: means oil, gas and salt wells and associated facilities and other drilling operations, oil field fluid disposal wells and associated facilities, and wells and facilities for the underground storage of natural gas and other hydrocarbons.

Petroleum resources: means oil, gas, and salt (extracted by solution mining method) and formation water resources which have been identified through exploration and verified by preliminary drilling or other forms of investigation. This may include sites of former operations where resources are still present or former sites that may be converted to underground storage for natural gas or other hydrocarbons.

Planned corridors: means corridors or future corridors which are required to meet projected needs, and are identified through *provincial plans*, preferred alignment(s) determined through the *Environmental Assessment Act* process, or identified through planning studies where the Ontario Ministry of Transportation, [Metrolinx](#), [Ontario Ministry of Energy, Northern Development and Mines or Independent Electricity System Operator \(IESO\)](#) or [any successor to those ministries or entities](#) is actively pursuing the identification of a corridor. Approaches for the protection of *planned corridors* may be recommended in guidelines developed by the Province.

Portable asphalt plant: means a facility

- a) with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and
- b) which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

Portable concrete plant: means a building or structure

- a) with equipment designed to mix cementing materials, aggregate, water and admixtures to produce

concrete, and includes stockpiling and storage of bulk materials used in the process; and

- b) which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

Prime agricultural area: means areas where *prime agricultural lands* predominate. This includes areas of *prime agricultural lands* and associated Canada Land Inventory Class 4 through 7 lands, and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. *Prime agricultural areas* may be identified by the Ontario Ministry of Agriculture and Food using guidelines developed by the Province as amended from time to time. A *prime agricultural area* may also be identified through an alternative agricultural land evaluation system approved by the Province.

Prime agricultural land: means *specialty crop areas* and/or Canada Land Inventory Class 1, 2, and 3 lands, as amended from time to time, in this order of priority for protection.

Private communal sewage services: means a sewage works within the meaning of Section 1 of the *Ontario Water Resources Act* that serves six or more lots or private residences and is not owned by a municipality.

Private communal water services: means a non-municipal drinking-water system within the meaning of Section 2 of the *Safe Drinking Water Act, 2002* that serves six or more lots or private residences.

Protected heritage property: means property designated under Parts IV, V or VI of the *Ontario Heritage Act*, property subject to a heritage conservation easement under Parts II or IV of the *Ontario Heritage Act*, property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Sites.

Protection works standards: means the combination of non-structural or structural works and allowances for slope stability and flooding/erosion to reduce the damage caused by *flooding hazards, erosion hazards and other water-related hazards*, and to allow access for their maintenance and repair.

Provincial and federal requirements: means

- ~~a) in regard to policy 1.6.11.2, legislation, regulations, policies and standards administered by the federal or provincial governments for the purpose of protecting the environment from potential impacts associated with energy systems and ensuring that the necessary approvals are obtained;~~
- b) a) in regard to policy 2.1.6, legislation and policies administered by the federal or provincial governments for the purpose of fisheries protection (including *fish and fish habitat*), and related, scientifically established standards such as water quality criteria for protecting lake trout populations; and
- e) b) in regard to policy 2.1.7, legislation and policies administered by the provincial government or federal government, where applicable, for the purpose of protecting species at risk and their habitat.

Provincial plan: means a provincial plan within the meaning of section 1 of the *Planning Act*.

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, [long-term care services](#), and cultural services. *Public service facilities* do not include *infrastructure*.

Quality and quantity of water: is measured by indicators associated with hydrologic function such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended solids, temperature, bacteria, nutrients and hazardous contaminants, and hydrologic regime.

Rail facilities: means rail corridors, rail sidings, train stations, inter-modal facilities, rail yards and associated uses, including designated lands for future *rail facilities*.

Recreation: means leisure time activity undertaken in built or natural settings for purposes of physical activity, health benefits, sport participation and skill development, personal enjoyment, positive social interaction and the achievement of human potential.

Redevelopment: means the creation of new units, uses or lots on previously developed land in existing communities, including *brownfield sites*.

Regional market area: refers to an area that has a high degree of social and economic interaction. The upper or single-tier municipality, or planning area, will normally serve as the *regional market area*. However, where a *regional market area* extends significantly beyond these boundaries, then the *regional market area* may be based on the larger market area. Where *regional market areas* are very large and sparsely populated, a smaller area, if defined in an official plan, may be utilized.

Renewable energy source: means an energy source that is renewed by natural processes and includes wind, water, biomass, biogas, biofuel, solar energy, geothermal energy and tidal forces.

Renewable energy system: means a system that generates electricity, heat and/or cooling from a *renewable energy source*.

Reserve sewage system capacity: means design or planned capacity in a centralized waste water treatment facility which is not yet committed to existing or approved development. For the purposes of policy 1.6.6.6, reserve capacity for *private communal sewage services* and *individual on-site sewage services* is considered sufficient if the hauled sewage from the development can be treated and land-applied on agricultural land under the *Nutrient Management Act*, or disposed of at sites approved under the *Environmental Protection Act* or the *Ontario Water*

Resources Act, but not by land-applying untreated, hauled sewage.

Reserve water system capacity: means design or planned capacity in a centralized water treatment facility which is not yet committed to existing or approved development.

Residence surplus to a farming operation: means an existing habitable farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).

Residential intensification: means intensification of a property, site or area which results in a net increase in residential units or accommodation and includes:

- a) redevelopment, including the redevelopment of *brownfield sites*;
- b) the development of vacant or underutilized lots within previously developed areas;
- c) infill development;
- d) [development and introduction of new housing options within previously developed areas](#);
- e) the conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and
- f) the conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments, ~~secondary~~ [additional residential](#) units, ~~and~~ rooming houses, [and other housing options](#).

River, stream and small inland lake systems: means all watercourses, rivers, streams, and small inland lakes or waterbodies that have a measurable or predictable response to a single runoff event.

Rural areas: means a system of lands within municipalities that may include *rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas*, and resource areas.

Rural lands: means lands which are located outside *settlement areas* and which are outside *prime agricultural areas*.

Sensitive: in regard to *surface water features* and *ground water features*, means areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

Sensitive land uses: means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more *adverse effects* from contaminant discharges generated by a nearby *major facility*. *Sensitive land uses* may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

Settlement areas: means urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets) that are:

- a) built up areas where development is concentrated and which have a mix of land uses; and
- b) lands which have been designated in an official plan for development over the long term planning horizon provided for in policy 1.1.2. In cases where land in *designated growth areas* is not available, the *settlement area* may be no larger than the area where development is concentrated.

Sewage and water services: includes *municipal sewage services* and *municipal water services*, *private communal sewage services* and *private communal water services*, *individual on-site sewage services* and *individual on-site water services*, and *partial services*.

Significant: means

- a) in regard to *wetlands, coastal wetlands* and *areas of natural and scientific interest*, an area identified as provincially significant by the Ontario Ministry of Natural Resources using evaluation procedures established by the Province, as amended from time to time;
- b) in regard to *woodlands*, an area which is ecologically important in terms of features such as species

composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history. These are to be identified using criteria established by the Ontario Ministry of Natural Resources;

- c) in regard to other features and areas in policy 2.1, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or *natural heritage system*;
- d) in regard to *mineral* potential, an area identified as provincially significant through evaluation procedures developed by the Province, as amended from time to time, such as the Provincially Significant Mineral Potential Index; and
- e) in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. ~~for the important contribution they make to our understanding of the history of a place, an event, or a people.~~ Processes for determining cultural heritage value or interest are established by the Province under the authority of the *Ontario Heritage Act*. National and international criteria are established by the certifying bodies.

Criteria for determining significance for the resources identified in sections (c)-~~(e)~~-(d) are recommended by the Province, but municipal approaches that achieve or exceed the same objective may also be used.

While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.

Site alteration: means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

For the purposes of policy 2.1.4(a), *site alteration* does not include underground or surface mining of *minerals* or advanced exploration on mining lands in *significant areas of mineral potential* in Ecoregion 5E, where advanced exploration has the same meaning as in the *Mining Act*. Instead, those matters shall be subject to policy 2.1.5(a).

Special needs: means any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of *special needs* housing may include, but are not limited to, [long-term care homes, adaptable and accessible housing, and](#) housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for older persons.

Special policy area: means an area within a community that has historically existed in the *flood plain* and where site-specific policies, approved by both the Ministers of Natural Resources and Municipal Affairs and Housing, are intended to provide for the continued viability of existing uses (which are generally on a small scale) and address the significant social and economic hardships to the community that would result from strict adherence to provincial policies concerning *development*. The criteria and procedures for approval are established by the Province.

A *Special Policy Area* is not intended to allow for new or intensified *development* and site alteration, if a community has feasible opportunities for *development* outside the *flood plain*.

Specialty crop area: means areas designated using guidelines developed by the Province, as amended from time to time. In these areas, specialty crops are predominantly grown such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil, usually resulting from:

- a) soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both;
- b) farmers skilled in the production of specialty crops; and
- c) a long-term investment of capital in areas such as crops, drainage, infrastructure and related facilities and services to produce, store, or process specialty crops.

Surface water feature: means water-related features on the earth's surface, including headwaters, rivers, stream channels, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.

Threatened species: means a species that is ~~listed or categorized~~ classified as a "Threatened Species" on the Ontario Ministry of Natural Resources' official sSpecies at rRisk in Ontario lList, as updated and amended from time to time.

Transit-supportive: in regard to land use patterns, means development that makes transit viable, optimizes investments in transit infrastructure, and improves the quality of the experience of using transit. It often refers to compact, mixed-use development that has a high level of employment and residential densities, including air rights development, in proximity to transit stations, corridors and associated elements within the transportation system. Approaches may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives.

Transportation demand management: means a set of strategies that result in more efficient use of the *transportation system* by influencing travel behaviour by mode, time of day, frequency, trip length, regulation, route, or cost.

Transportation system: means a system consisting of facilities, corridors and rights-of-way for the movement of people and goods, and associated transportation facilities including transit stops and stations, sidewalks, cycle

lanes, bus lanes, high occupancy vehicle lanes, *rail facilities*, parking facilities, park'n'ride lots, service centres, rest stops, vehicle inspection stations, inter-modal facilities, harbours, *airports, marine facilities*, ferries, canals and associated facilities such as storage and maintenance.

Two zone concept: means an approach to *flood plain* management where the *flood plain* is differentiated in two parts: the *floodway* and the *flood fringe*.

Valleylands: means a natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year.

Vulnerable: means surface and/or groundwater that can be easily changed or impacted.

Waste management system: means sites and facilities to accommodate solid waste from one or more municipalities and includes recycling facilities, transfer stations, processing sites and disposal sites.

Watershed: means an area that is drained by a river and its tributaries.

Wave uprush: means the rush of water up onto a shoreline or structure following the breaking of a wave; the limit of wave uprush is the point of furthest landward rush of water onto the shoreline.

Wayside pits and quarries: means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

Wetlands: means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens.

Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

Wildlife fire assessment and mitigation standards: means the combination of risk assessment tools and environmentally appropriate mitigation measures identified by the Ontario Ministry of Natural Resources to be incorporated into the design, construction and/or modification of buildings, structures, properties and/or communities to reduce the risk to public safety, infrastructure and property from wildland fire.

Wildlife habitat: means areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species.

Woodlands: means treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. *Woodlands* include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels. *Woodlands* may be delineated according to the Forestry Act definition or the Province's Ecological Land Classification system definition for "forest."

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: John M. Fleming
Managing Director, Planning and City Planner
Subject: 185 Queens Avenue Parking Lot Redevelopment
Meeting on: October 7, 2019

Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken:

- (a) The report entitled “185 Queens Avenue Parking Lot Redevelopment” **BE RECEIVED**; and
- (b) The Civic Administration **BE DIRECTED** to undertake a procurement process to find a potential partner to redevelop the parking lot at 185 Queens Avenue for the purposes of a mixed-use development including a municipal parking garage.

Executive Summary

Summary of Request

The purpose of this report is to seek direction to undertake a procurement process to find a potential partner to redevelop the municipal surface parking lot at 185 Queens Avenue into a mixed-use development that includes a municipal parking garage as a component of the development.

Purpose and the Effect of Recommended Action

The redevelopment of 185 Queens Avenue is intended to expand the provision of public parking in the central downtown to meet demand, and helps to implement the policy direction of The London Plan and Our Move Forward: London’s Downtown Plan by making a higher and better use of a surface parking lot.

Rationale of Recommended Action

The Downtown Parking Strategy identifies a need to add an additional 200 to 300 parking spaces in the central and southwest downtown to meet demand over the short, medium, and long term. The existing municipal surface parking lot at 185 Queens Avenue presents an opportunity to help meet this demand through the provision of additional public parking spaces. The parking currently provides 74 public parking spaces. Redeveloping the site in partnership with a developer into a mixed-use building including a multi-level municipal parking garage could allow more parking to be provided on the site than currently exists and could also contribute to downtown intensification, helping to implement the policy direction of The London Plan and Our Move Forward: London’s Downtown Plan.

Analysis

1.0 Opportunity for Additional Public Parking Provision

1.1 Need to expand public parking in the Downtown

The Parking Strategy Report and Action Plan for Downtown London (“Downtown Parking Strategy”) was adopted by Municipal Council in December 2017 and sets the basis for future actions with respect to parking in the Downtown. The Downtown Parking Strategy identifies a need to increase the provision of parking in the central downtown,

recommending adding an additional 200 to 300 public parking spaces in the central and southwest downtown to meet short, medium and long-term demands. The Downtown Parking Strategy also recommends that this additional public parking be integrated into new developments through joint venture projects with participating developers. This is consistent with the policy direction in The London Plan which encourages the construction of mixed-use buildings in the downtown and discourages surface parking lots.

1.2 Opportunity at 185 Queens Avenue

The City of London owns a surface parking lot at 185 Queens Avenue which has 74 public parking spaces. This site, located in the central downtown, presents a potential opportunity for the City to partner with a developer to construct a mixed-use building that incorporates a multi-level municipal parking garage that provides a greater number of public parking spaces than currently exist on the site. This could help to meet the future parking demands for the central downtown. It would also make a higher and better use of a downtown site in a way that is consistent with the policy direction in The London Plan and Our Move Forward: London's Downtown Plan by promoting downtown intensification. As the site at 185 Queens Avenue is in the Downtown Heritage Conservations District, this mixed-use building would need to be compatible with the Downtown Heritage Conservation District.

2.0 Site at a Glance – 185 Queens Avenue

2.1 Property Description

The subject site at 185 Queens Avenue is located on the south side of Queens Avenue, west of Clarence Street. The site is currently used for a 74 space municipal surface parking lot, which is accessed from Queens Avenue.

The site is subject to several access easements in favour of neighbouring properties.



Figure 1: 185 Queens Avenue

2.2 Current Planning Information

- The London Plan Place Type – Downtown Place Type
- 1989 Official Plan Designation – Downtown
- Zoning – Holding Downtown Area Special Provision (h-3 DA2 D350) Zone
- Heritage Status – Part V Designated, part of the Downtown Heritage Conservation District

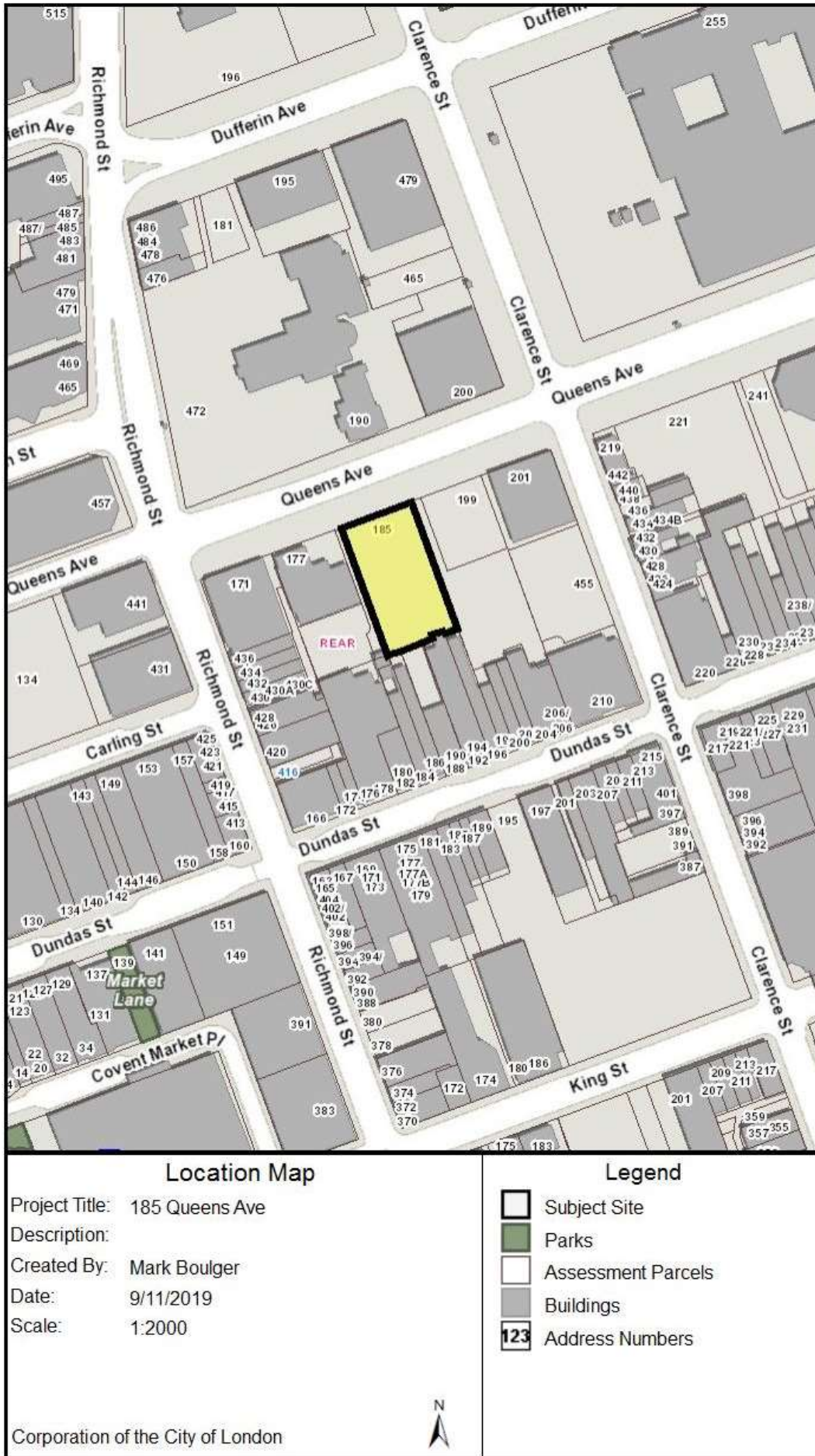
2.3 Site Characteristics

- Current Land Use – Municipal surface parking lot
- Frontage – 36.3 metres (119 feet)
- Depth – 60.4 metres (198 feet)
- Area – 0.21 hectares (0.53 acres)
- Shape – Rectangular

2.4 Surrounding Land Uses

- North – Place of worship (St. Paul's Cathedral)
- East – Surface parking lot
- South – Retail, restaurants, entertainment venue (London Music Hall)
- West – Private club (The London Club), surface parking lot

2.5 Location Map



3.0 Relevant Background

3.1 Policy and Guideline Documents related to Downtown Parking

The redevelopment of a municipal surface parking lot into a mixed-use building that includes a municipal parking garage is consistent with the direction of a number of Council-adopted documents including the Downtown Parking Strategy, the Strategic Plan for the City of London 2019-2023, The London Plan, the 1989 Official Plan, and Our Move Forward: London's Downtown Plan.

A detailed overview of how the direction in each of these documents is supportive of redeveloping 185 Queens Avenue into a mixed-use building that includes a municipal parking garage can be found in Appendix A.

4.0 Next Steps

4.1 Procurement Process

This report recommends that Staff be directed to undertake a procurement process to find a developer to partner with the City to redevelop the municipal surface parking lot at 185 Queens Avenue into a mixed-use building that incorporates a municipal parking garage.

This procurement process would be a two-stage process including a Request for Qualifications (RFQUAL) followed by a Request for Proposals (RFP) process. The RFQUAL process would seek to find qualified proponents who would then be invited to submit for the subsequent RFP.

The RFQUAL would look to find qualified proponents by requiring proponents to demonstrate their ability to undertake the redevelopment of 185 Queens Avenue as demonstrated through their previous experience, including their experience with the successful completion of past projects of a similar scale. Proponents would also be required to provide a letter of credit to demonstrate their financial capacity to undertake the project. Proponents would be required to submit only conceptual site plans for the RFQUAL, with more detailed plans being required at the RFP stage.

Qualified proponents identified through the RFQUAL process would be invited to submit proposals for a subsequent RFP. The RFP would require applicants to provide a detailed proposal, including the detailed design of their proposed development with information on the number of public parking spaces that would be provided. This public parking garage would also be required to include space for bicycle parking, space for carpool vehicles, space for electric vehicle charge, and space for carshare vehicles. The design of the mixed use building would need to implement the city design policies in The London Plan. Proponents will also be required to demonstrate compatibility of their proposed development with the Downtown Heritage Conservation District. Proponents would be required to undertake their own due diligence associated with the property, including determining how the existing easements would be addressed through redevelopment.

The London Music Hall is adjacent to 185 Queens Avenue. It is a major entertainment venue for the Downtown and for London as a whole. Over the course of a year, the Music Hall attracts tens of thousands of patrons. Any proposed development will need to show how the Music Hall's operations could be addressed in the spirit of community economic development and collaboration.

The evaluation for declaring the property surplus to municipal needs would occur concurrently with the procurement process.

4.2 Implementation

Following selection of a successful proponent through the procurement process, Staff would undertake a City-initiated Zoning By-law Amendment to rezone the property to permit the selected proposal. The successful proponent would be responsible for preparing the submission materials for the Zoning By-law Amendment, but the Amendment would be initiated by the City and would be considered by City Council through the standard public process for Zoning By-law Amendment applications.

Following the rezoning of the property, the successful proponent would have a set period of time to obtain the other necessary approvals (site plan, heritage alteration permit, building permit etc.) and construct the mixed-use building including the municipal parking garage. The agreement of purchase and sale would include clauses such that if the development is not constructed in a set period of time, penalties would apply and ownership would revert back to the City of London.

4.3 Timeline

It is anticipated that the RFQUAL would be released in Q4, 2019, followed by the RFP in Q1, 2020. Should this procurement process be successful, it is anticipated that a successful proponent would be selected by Municipal Council in Q2, 2020.

Financial Impact

Civic Administration will establish a funding source to support the Downtown Parking strategy as part of the Multi Year Budget process. The procurement process will be supported with existing internal resources.

Prepared by:	Michelle Knieriem, MCIP, RPP Planner, Urban Regeneration, City Planning
Submitted by:	Britt O'Hagan, MCIP, RPP Manager, City Building and Design, City Planning
Recommended by:	John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Planning Services	

September 30, 2019
MT/mt

Appendix A

The following provides an overview of Council-adopted documents that provide direction that is supportive of the potential redevelopment of 185 Queens Avenue into a mixed-use building that incorporates a municipal parking garage.

Downtown Parking Strategy

At its meeting of December 4, 2017, Municipal Council accepted the Parking Strategy Report and Action Plan for Downtown London (“Downtown Parking Strategy”) as the basis for future actions with respect to parking in the Downtown. The Downtown Parking Strategy includes a review of existing parking and conditions and future development potential based on the relevant aspects of the London 2030 Transportation Management Plan, the Rapid Transit EA and Business Case Analysis, the Cycling Master Plan, the 2014 Development Charges By-law and Background Study, and Our Move Forward: London’s Downtown Plan.

It identifies that the key to future development in the downtown will be the replacement of existing surface parking lots with new developments. The study notes that 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. The Downtown Parking Strategy provides recommendations regarding:

- The City’s future role in the provision of shared public parking resources
- The integration of Transportation Demand Management considerations into the parking strategy, focused on increasing mobility options and reducing parking demand over time
- Parking supply requirements in the Zoning By-law
- Discontinuation of temporary zoning for surface commercial parking lots
- The payment in lieu of parking by-law
- A funding plan
- A parking system management structure
- A Vision, Mission, Key Goals and Objectives for the strategy

The study identifies that there are a total of 15,436 parking spaces in the downtown including on-street municipal (public), off-street (owned by the City), commercial (public), and private off-street parking (not available for public parking), of which 9,897 spaces are available for public use. During peak periods 77% of this parking is occupied, however this is not evenly distributed throughout the downtown with certain areas having higher parking utilization rates. The central and southwest downtown have been identified as areas potentially facing parking deficits in the future. To address these deficits, the Downtown Parking Strategy recommends providing 200 to 300 new public parking spaces in the central and southwest downtown over the next 20 years through investing in joint venture projects by participating with developers to integrate public parking in new developments in the central and southwest downtown, in order to facilitate meeting City growth targets and urban design objectives (recognizing that surface parking lots are not the highest and best use of downtown sites).

It is also recommended that these new public parking facilities be strategically located to facilitate economic development, maximize utilization, minimize development cost, may incorporate mixed-use development and grade level commercial spaces, and must be designed to reflect The London Plan policies. Leveraging the municipal ownership of existing surface lots to facilitate the provision of public parking in garages that are integrated with new development projects.

Based on the recommendations in the Downtown Parking Strategy, Municipal Council also directed staff to look for opportunities to invest in joint venture projects by participating with developers to integrate public parking in new developments within the next 20 years in the central and southwest downtown.

Redeveloping the municipal surface parking lot at 185 Queens Avenue helps implement the direction of the Downtown Parking Strategy, by expanding the provision of public parking in the central downtown.

Strategic Plan for the City of London 2019-2023

The Strategic Plan for the City of London 2019-2023 ("Strategic Plan") was adopted by Municipal Council in 2019. Under the strategic direction of Building a Sustainable City, the Strategic Plan identifies the need to direct growth and intensification to strategic locations. One of the strategies identified in the strategic plan to accomplish this is to replace surface parking with efficient, convenience, and cost-effective public parking resources to support business, personal, and social activity in the downtown. The redevelopment of the 185 Queens Avenue surface parking lot into a mixed-use building that provides public parking supports of this Strategic Plan direction and action.

The London Plan

The London Plan is the new Official Plan for the City of London and has been adopted by City Council in 2016 and approved by the Ministry with modifications. The majority of The London Plan is in-force and effect, while a portion of the Plan continues to be under appeal at the Local Planning Appeals Tribunal.

The subject site at 185 Queens Avenue is in the Downtown Place Type in The London Plan. The Downtown Place Type is the highest-order mixed-use centre, allowing the tallest buildings and highest densities in the City. The Downtown Place Type permits a range of residential, retail, service, office, cultural, institutional, hospitality, entertainment, recreational and other related uses; and encourages that these uses occur within mixed-use buildings. Commercial-oriented streetscapes, retail and service uses are encouraged at grade, with residential and non-service office uses that do not serve a walk-in clientele directed to the rear of buildings and to upper floors. New surface commercial parking lots are not permitted, and the extension of temporary zoning on existing surface commercial parking lots is discouraged.

The redevelopment of the subject site from surface parking to a new mixed-use development incorporating public parking conforms to the policy direction of The London Plan and would help to make the highest and best use of a surface parking lot.

The London Plan also identifies the need to prepare a parking strategy for the downtown to coordinate municipal parking supply and provide for public parking at strategically advantageous locations. The redevelopment of the site at 185 Queens Avenue helps to implement this parking strategy.

1989 Official Plan

The 1989 Official Plan remains in-force and effect as an Official Plan for the City of London, as portions of The London Plan are currently under appeal to the Local Planning Appeals Tribunal.

The subject site at 185 Queens Avenue is in the Downtown Area designation in the 1989 Official Plan. The 1989 Official Plan promotes the continued development of the downtown as the primary business, administrative, institutional, entertainment and cultural centre of the City of London, and also encourages the growth of the residential population in the downtown through new development and the renovation and conversion of existing buildings. Commercial parking structures are identified as a permitted use in the downtown, and the creation of new surface parking lots is discouraged. The development of mixed-use buildings is encouraged.

The 1989 Official Plan also identifies that the City, on its own or in co-operation with private landowner, may participate in the acquisition and development of land within the Downtown for the purposes of public off-street parking.

The redevelopment of 185 Queens Avenue into a mixed-use building that incorporates a municipal parking garage is consistent with the policy direction in the 1989 Official Plan as it would redevelop a surface parking lot in the Downtown into a mixed-use building and help to expand the provision of off-street public parking in the Downtown.

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: West Kains Land Corp. and Liahn Farms Ltd.
Eagle Ridge Subdivision - Phase 2
810 Westdel Bourne
Removal of Holding Provisions

Meeting on: October 7, 2019

Recommendation

That, on the recommendation of the Director, Development Services, based on the application by West Kains Land Corp. and Liahn Farms Ltd., relating to lands located at 810 Westdel Bourne, known as Eagle Ridge Subdivision – Phase 2, the proposed by-law attached hereto as Appendix “A” **BE INTRODUCED** at the Municipal Council meeting to be held on October 15, 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 (h•R1-4) Zone, a Holding Residential R1 (h•h-211•R1-4) Zone, a Holding Residential R1 (h•R1-8) Zone, and a Holding Residential R6 (h•h-54•h-71•R6-5) Zone **TO** a Residential R1 (R1-4) Zone, a Holding Residential R1 (h-211•R1-4) Zone, a Residential R1 (R1-8) Zone, and a Holding Residential R6 (h-54•h-71•R6-5) Zone to remove the h holding provisions.

Executive Summary

Purpose and the Effect of Recommended Action

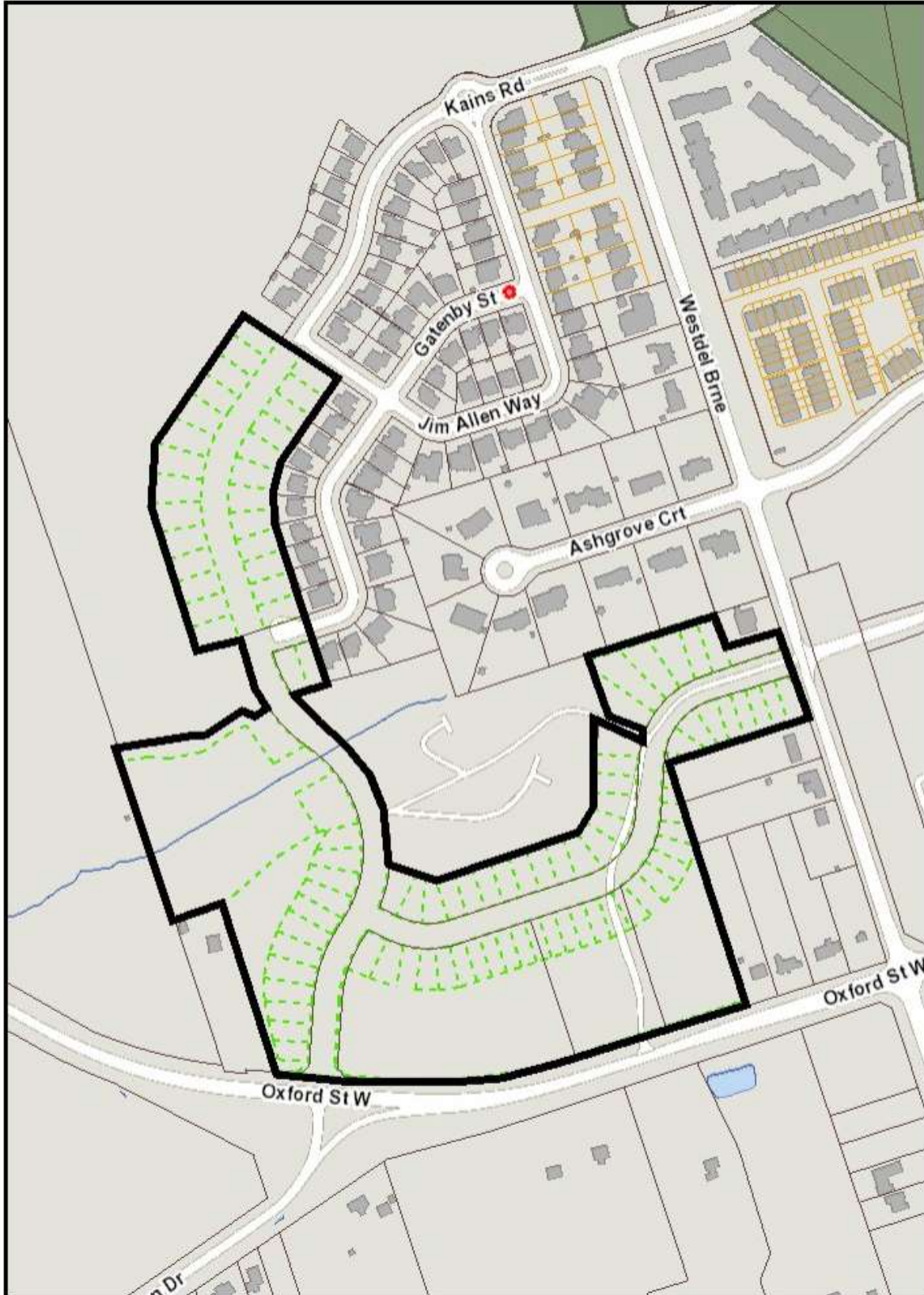
The purpose and effect of this zoning change is to remove the holding “h” symbol to allow development of a residential plan of subdivision for uses permitted under the Residential R1 (R1-4 and R1-8) Zones.

Rationale of Recommended Action

1. The condition for removing the holding (h) provision has been met and the recommended amendment will allow development of residential uses in compliance with the Zoning By-law.
2. A Subdivision Agreement has been entered into and securities have been posted as required by City Policy and the Subdivision Agreement.

Analysis


1.0 Location Map



Location Map

Subject Property: 810 Westdel Bourne
Applicant: WEST KAINS LAND CORP
File Number: H-9112
Created By: Larry Mottram
Date: 9/4/2019
Scale: 1:4000

Legend

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



2.0 Description of Proposal

The Eagle Ridge Subdivision - Phase 2 development incorporates the southerly extension of Kains Road through to Oxford Street West at Gideon Drive, and Linkway Boulevard west of Westdel Bourne. The development is adjacent the City's Tributary 'C' stormwater management facilities which were recently completed. Subdivision servicing for Phase 2 is also nearing completion. Removal of the holding provisions will allow development of single detached dwelling lots permitted under the Residential R1 (R1-4 and R1-8) Zones.

3.0 Revelant Background

3.1 Planning History

On September 6, 2017, the Approval Authority for the City of London issued draft-approval for the Eagle Ridge – Phase 2 draft plan of subdivision comprising an area of approximately 13 hectares located north of Oxford Street West, and west of Westdel Bourne. The draft-approved plan consists of 89 single detached dwelling lots, 1 medium density residential block, 2 open space blocks, 3 park blocks, and 7 part blocks for future development. On July 25, 2017, Municipal Council passed an amendment to the Zoning By-law to apply zoning to the various lots and blocks within the subdivision plan.

The purpose and effect of this application is to remove the general 'h' holding provision to allow development of single detached dwellings as permitted under the Residential R1 (R1-4 and R1-8) Zones. On some lots and blocks within the subdivision the zoning contains more than one holding provision in addition to the standard "h". These holding provisions will continue to remain in place for now until such time as the conditions specified in the Zoning By-law have been met to remove the holding symbols from the zone map.

4.0 Key Issues and Considerations

4.1 Have the conditions for removal of the holding (h) provision been met?

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

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

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

The Subdivision Agreement between West Kains Land Corp. and Liahn Farms Limited and the City of London was entered into on April 5, 2019 and is expected to be registered shortly. West Kains Land Corp. and Liahn Farms Limited have also posted security as required by City Policy and the Subdivision Agreement. Therefore, the condition has been met for removal of the "h" provision.

As noted above, holding provisions serving specific purposes will continue to remain in place on some single family lots as well as the medium density, multi-family block. The holding (h-54 and h-71) provisions which apply to the multi-family block adjacent Oxford Street West requires that a noise assessment be prepared and implementation of noise mitigation measures for residential development adjacent an arterial road, as well as an approved building orientation plan to ensure street-oriented development. These requirements will be satisfied as part of a future Application for Site Plan Approval and Development Agreement for that block.

The holding (h-211) provision was applied to the zoning on 17 single detached lots along the north side of Linkway Boulevard adjacent the SWM Facility which are to be held out of development until a temporary stormwater retention pond that currently occupies this area has been decommissioned to the satisfaction of the City. Staff also recommend that the holding (h and h-82) provisions on the south side of Linkway Boulevard be maintained in conjunction with zoning on seven (7) part blocks to ensure that they are consolidated with adjacent lands in order to create a consistent lotting pattern.

More information and detail is available in Appendix B and C of this report.

5.0 Conclusion

In the opinion of Staff, the holding zone requirements have been satisfied and it is appropriate to proceed to lift the holding (“h”) symbol from the zoning map.

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 Services - Planning
Ismail Abushehada, Manager, Development Services - Engineering

September 30, 2019
GK/PY/LM/lm

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 within Eagle Ridge Subdivision – Phase 2 located at 810 Westdel Bourne.

WHEREAS West Kains Land Corp. and Liahn Farms Ltd. have applied to remove the holding provisions from the zoning on lands located at 810 Westdel Bourne, known as Eagle Ridge Subdivision – Phase 2, 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 810 Westdel Bourne, known as Eagle Ridge Subdivision – Phase 2, as shown on the attached map, to remove the h holding provision so that the zoning of the lands as a Residential R1 (R1-4) Zone, a Holding Residential R1 (h-211•R1-4) Zone, a Residential R1 (R1-8) Zone, and a Holding Residential R6 (h-54•h-71•R6-5) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on October 15, 2019.


Ed Holder
Mayor

Catharine Saunders
City Clerk

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




File Number: H-9112
Planner: LM
Date Prepared: 2019/09/05
Technician: DM
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: Notice of the application was published in the *Public Notices and Bidding Opportunities* section of The Londoner on September 12, 2019.

0 replies were received

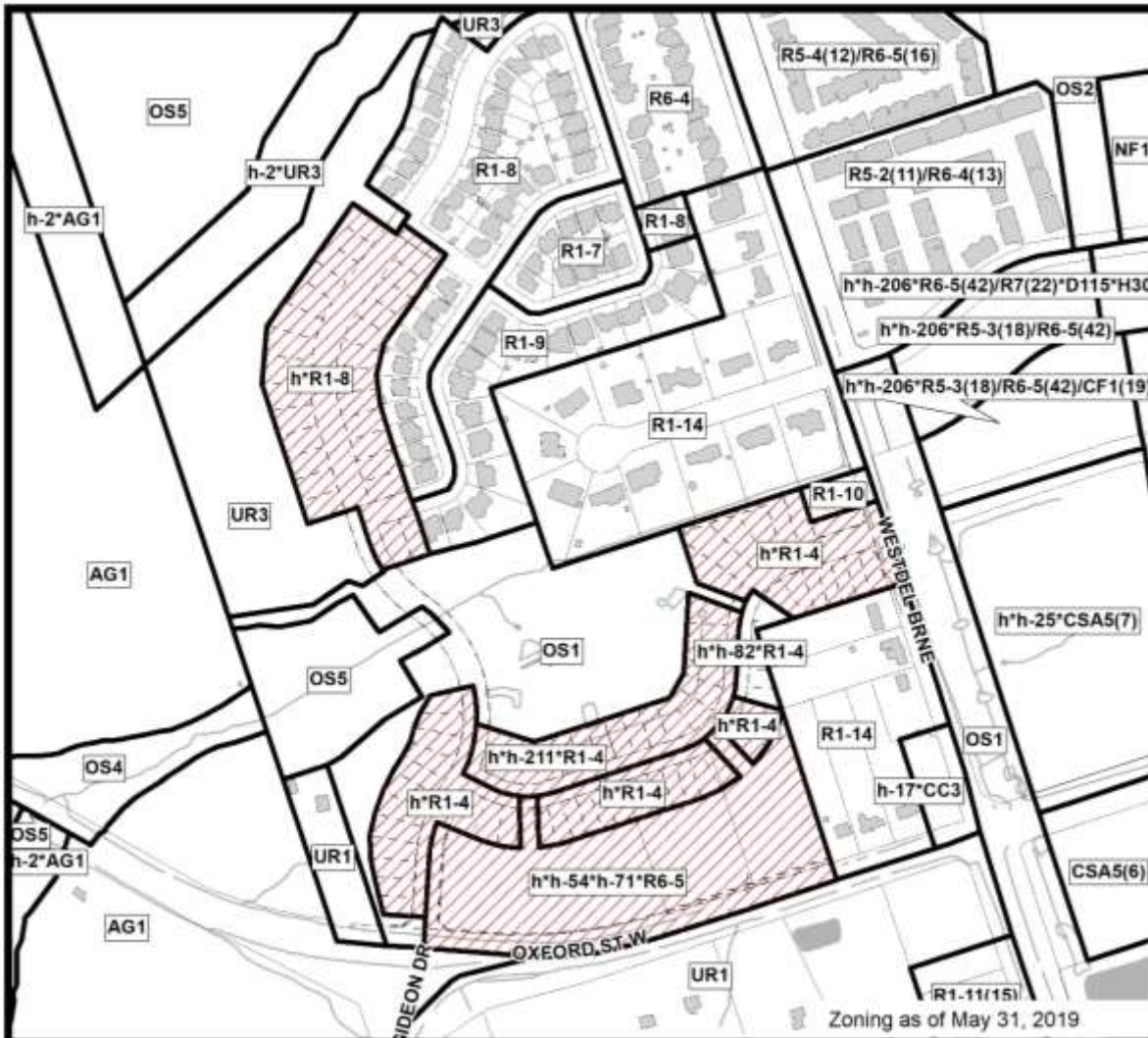
Nature of Liaison: 810 Westdel Bourne; located north of Oxford Street West and west of Westdel Bourne – identified as Lots 1-43, 44-49, 55-66, 67-94 and Block 1 on the draft-approved plan of subdivision File No. 39T-17501 – City Council intends to consider removing the Holding (“h”) Provision from the zoning of the subject lands to allow development of a residential plan of subdivision. The purpose and effect is to allow development of the lands for uses permitted under the Residential R1 (R1-4 and R1-8) and Residential R6 (R6-5) Zones. The purpose of the “h” provision is to ensure the orderly development of lands and the adequate provision of municipal services. The “h” symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development. Council will consider removing the holding provision as it applies to these lands no earlier than October 15, 2019.

Agency/Departmental Comments:

None

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 "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:
H-9112 LM

MAP PREPARED:
2019/09/05 DM

1:5,000
0 30 60 120 180 240 Meters

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

Additional Reports

File No. 39T-17501 / Z-8725 – Developro Land Services Inc. on behalf of West Kains Land Corp. and Liahn Farms Ltd. - 810 Westdel Bourne, portion of 1055 Westdel Bourne, 1079 Westdel Bourne, 1959 and 1997 Oxford Street West - Public Participation Meeting on July 17, 2017 – Application for Approval of Draft Plan of Subdivision and Zoning By-law Amendments (Planning and Environment Committee Agenda Item No. 17).

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: 56 High Street Inc.
56 High Street
Removal of Holding Provision

Meeting on: October 7, 2019

Recommendation

That, on the recommendation of the Director, Development Services, based on the application of 56 High Street Inc. relating to the property located at 56 High Street, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on October 15, 2019 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning of 56 High Street **FROM** a Holding Restricted Office/Arterial Commercial/Convenience Commercial Special Provision (h*RO2/AC5/CC1(7)) Zone **TO** Restricted Office/Arterial Commercial/Convenience Commercial Special Provision (RO2/AC5/CC1(7)) Zone to remove the h holding provision.

Executive Summary

Purpose and the Effect of Recommended Action

The purpose and effect of this zoning change is to remove the h holding symbol to permit the development of a 2 storey office building.

Rationale of Recommended Action

1. The removal of the holding provision will allow for development in conformity with the Zoning By-law.
2. Through the site plan approval process the required security has been submitted to the City of London, the execution of the development agreement is imminent and the full municipal services are available to service the site. Therefore, the h holding provision is no longer required.

Analysis

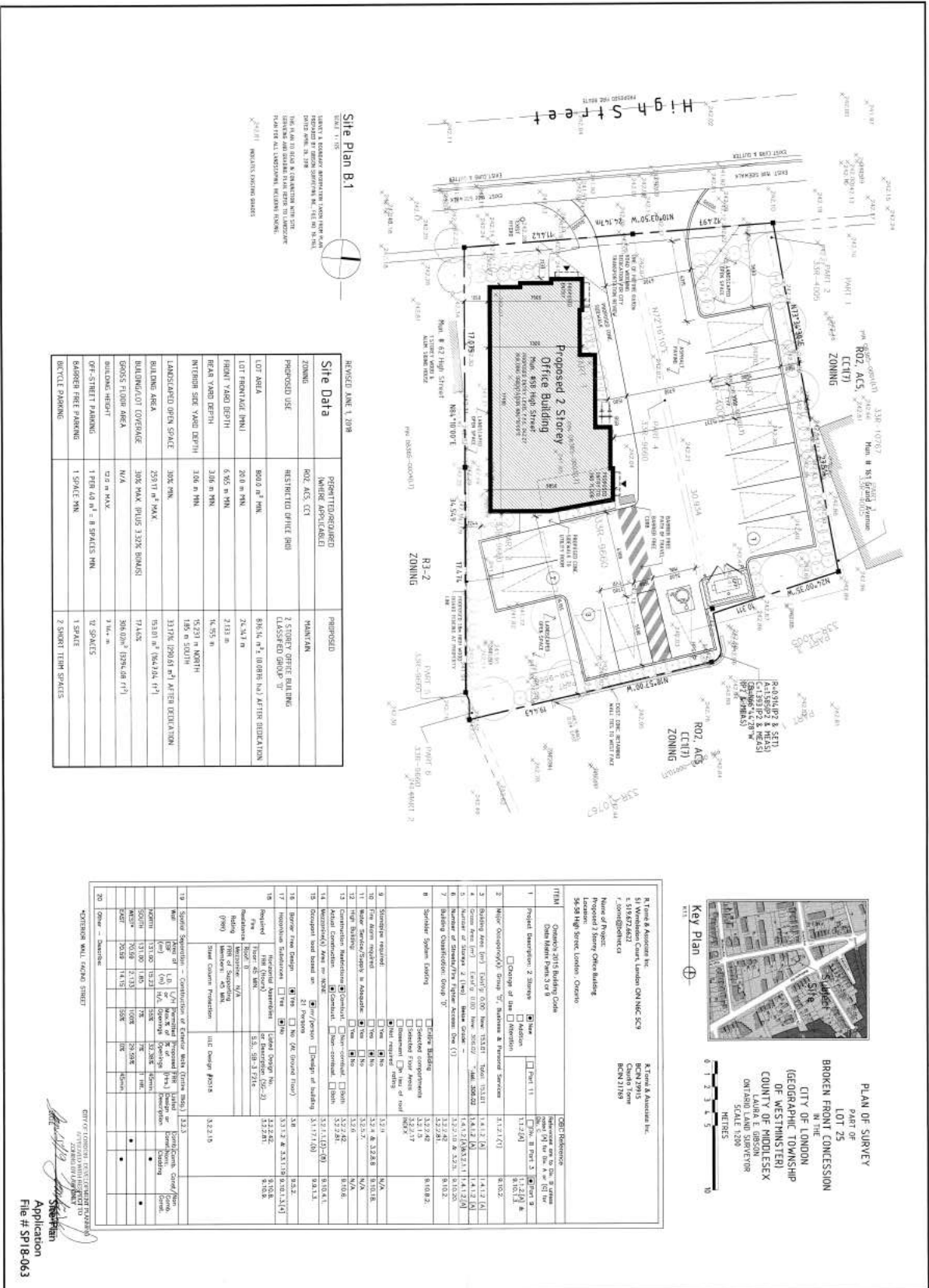
1.1 Location Map



Location Map		Legend	
Subject Property:	56 High Street		Subject Property
Applicant:	56 High Street Inc.		Parks
File Number:	H-9118		Assessment Parcels
Created By:	Rob Carnegie		Buildings
Date:	9/17/2019		Address Numbers
Scale:	1:1000		

Corporation of the City of London

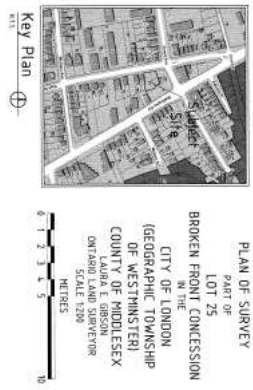
1.2 Site Plan- 56 High Street



Site Plan B1
REVISED JUNE 1, 2018

Site Data

ZONING	PERMITTED/RECORDED (WHERE APPLICABLE)	PROPOSED
PROPOSED USE	PROZ. ACS C21	MAINFAN 2 STOREY OFFICE BUILDING CLASSIFIED GROUP 'B'
LOT AREA	800.0 m ² MIN.	896.6 m ² (10,099.5 sq. ft.) AFTER DEDUCTION
LOT FRONTAGE (MIN)	20.0 m MIN.	25.30 m
FRONT YARD DEPTH	6.35 m MIN.	2.13 m
REAR YARD DEPTH	3.06 m MIN.	16.95 m
INTERIOR SIDE YARD DEPTH	3.06 m MIN.	13.21 m NORTH
LANDSCAPED OPEN SPACE	20% MIN.	31.1% (298.61 m ²) AFTER DEDUCTION
BUILDING AREA	2557 m ² MAX.	1916 m ² (20,745.4 sq. ft.)
BUILDING/LOT FORESHADE	30% MAX. (PLUS 3.33% BONUS)	17.45%
GROSS FLOOR AREA	N/A	306.0 m ² (3294.0 sq. ft.)
BUILDING HEIGHT	5.2 m MAX.	7.0 m
OFF-STREET PARKING	1 PER 40 m ² SPACES MIN.	7 SPACES
BARBER SHEET PARKING	1 SPACE MIN.	1 SPACE
BIKE PARKING		2 SHORT TERM SPACES



1	Project Description: 2 Storey	Part 11	Part 11
2	Major Construction Group: 'B', Mainfan & Revised Services	<input type="checkbox"/> Group of Use	<input type="checkbox"/> Mainfan
3	Shedding zone (m ²): 500.0/0.0/0.0	None	13.2/1.0/1.0
4	Number of Storeys: 2 (Total)	None	14.1/2.1/0
5	Number of Storeys: 2 (Total)	None	14.1/2.1/0
6	Number of Storeys: 2 (Total)	None	14.1/2.1/0
7	Building Classification: Group 'B'	<input type="checkbox"/> Other Building	13.2/2.4/2.1
8	Standard System: Endless	<input type="checkbox"/> Detached Components	13.2/2.4/2.1
9	Structure required:	<input type="checkbox"/> No	13.2/2.4/2.1
10	Fire Alarm required:	<input type="checkbox"/> No	13.2/2.4/2.1
11	Fire Alarm system in Assembly:	<input type="checkbox"/> No	13.2/2.4/2.1
12	High Building:	<input type="checkbox"/> No	13.2/2.4/2.1
13	Construction Method:	<input type="checkbox"/> Concrete	13.2/2.4/2.1
14	Material Construction:	<input type="checkbox"/> Non-structural	13.2/2.4/2.1
15	Proposed total height in 21 Positions	<input type="checkbox"/> Overlap of building	13.2/2.4/2.1
16	Historical Information:	<input type="checkbox"/> Yes	13.2/2.4/2.1
17	Historical Information:	<input type="checkbox"/> No	13.2/2.4/2.1
18	Proposed:	<input type="checkbox"/> Yes	13.2/2.4/2.1
19	Historical Information:	<input type="checkbox"/> No	13.2/2.4/2.1
20	Other - Damaged:	<input type="checkbox"/> Yes	13.2/2.4/2.1
20	Other - Damaged:	<input type="checkbox"/> No	13.2/2.4/2.1

RTOM & Associates
31 Wellington Court, London ON N6C 5C9
C. 519.672.6232
c.rom@rtom.ca

PYM COOPER
Professional Engineer
2 Storey Office Building - Shell

LABRA E. ROBSON
Ontario Professional Surveyor
Scale 1:250

AI

2.0 Description of Proposal

To remove the h holding provision from the lands this provision is applied to requires that the security has been provided for the development agreement, and Council is satisfied that the conditions of the approval of the plans, and drawings for the site plan will ensure a development agreement is executed by the applicant and the City prior to development. The removal of the h holding provision at 56 High Street will allow for the construction of a 2 storey office building.

3.0 Relevant Background

3.1 Planning History

Site Plan Application – SPA18-063 – Application accepted June 19, 2018.
Site Plan Approval – SPA18-063 – Approved January 15, 2019

4.0 Key Issues and Considerations

Why is it Appropriate to remove this Holding Provision?

h- Holding Provision

The h holding provision states that:

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

The h holding provision requires that security has been provided for the development agreement, and Council is satisfied that the conditions of the approval of the plans, and drawings for the site plan will ensure a development agreement is executed by the applicant and the City prior to development. Through the site plan approval process the required security has been submitted to the City of London, the execution of the development agreement is imminent and the full municipal services are available to service the site. Therefore, the h holding provision is no longer required

More information and detail about public feedback and zoning is available in Appendix B.

5.0 Conclusion

It is appropriate to remove the h holding provision from the subject lands at this time as full municipal services are available, the required security has been submitted to the City of London, and registration of the Development Agreement is imminent.

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 Pompili, Manager, Development Planning
Ismail Abushehada, Manager, Development Engineering

September 30, 2019
AR/ar

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 56 High Street.

WHEREAS 56 High Street Inc. have applied to remove the holding provision from the zoning for the lands located at 56 High Street, as shown on the map attached to this by-law, as set out below;

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

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 56 High Street, as shown on the attached map, to remove the holding provision so that the zoning of the lands as a Restricted Office/Arterial Commercial/Convenience Commercial Special Provision (RO2/AC5/CC1(7)) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on October 15, 2019.

Ed Holder
Mayor


Catharine Saunders
City Clerk

First Reading - October 15, 2019.
Second Reading - October 15, 2019.
Third Reading - October 15, 2019.

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



File Number: H-9118
Planner: AR
Date Prepared: 2019/09/17
Technician: RC
By-Law No: Z.-1-

SUBJECT SITE 

1:800

0 4 8 16 24 32
Meters



Appendix B – Public Engagement

Community Engagement

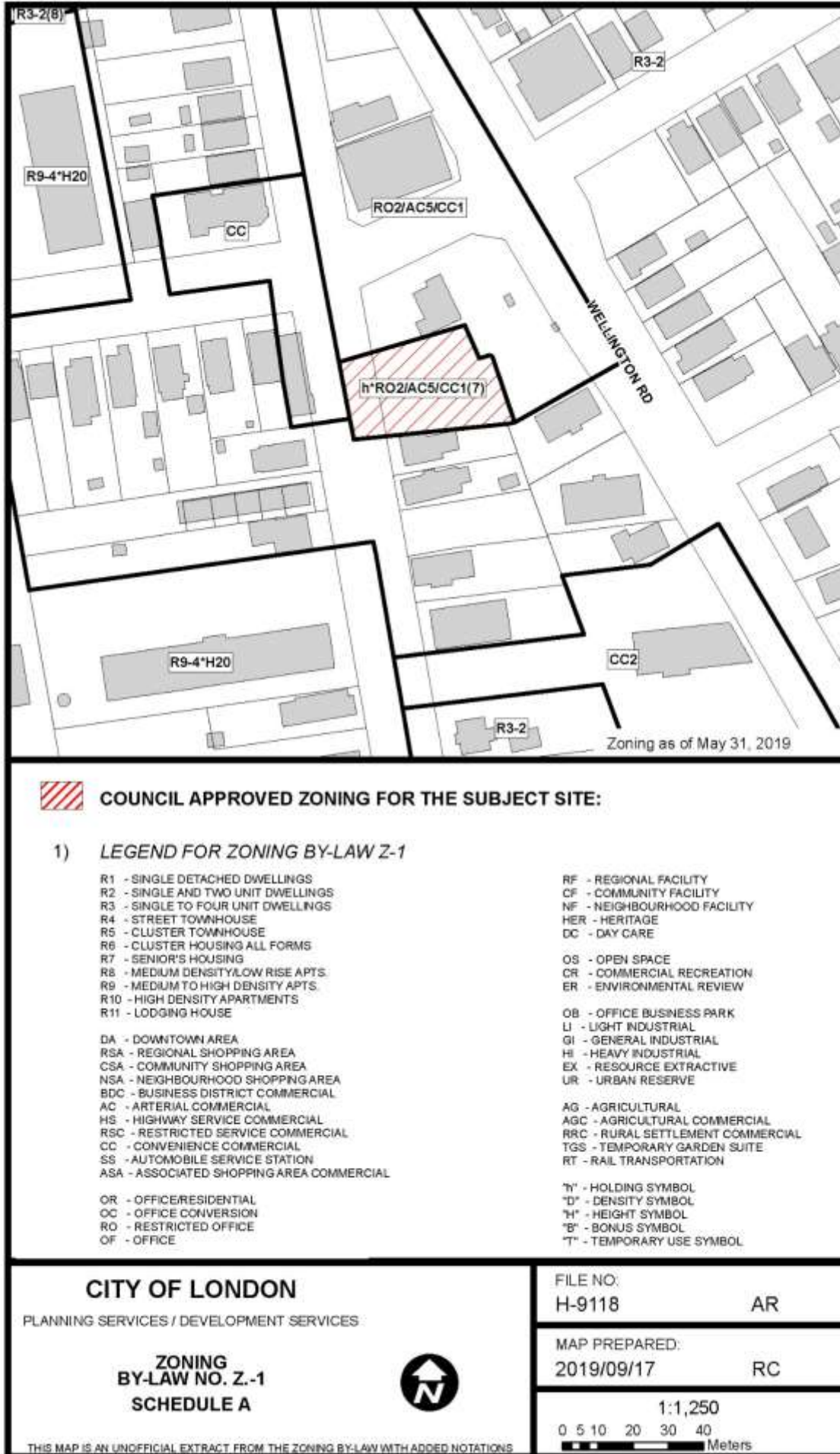
Public liaison: Notice of the application was published in the Londoner on July 4, 2018

0 replies were received

Nature of Liaison: The removal of the holding provision is contingent on: that 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.

Appendix C – Relevant Background

Existing Zoning Map



Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: John M. Fleming
Managing Director, Planning and City Planner
Subject: The Corporation of the City of London
Masonville Transit Village Secondary Plan - Update
Meeting on: October 7, 2019

Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner the following report **BE RECIEVED** for information.

Executive Summary

Staff are in the process of undertaking the Masonville Transit Village Secondary Plan study, to develop a Secondary Plan for the lands near the intersection of Fanshawe Park Road that are designated in the Transit Village Place Type in The London Plan.

Analysis

1.0 Background

1.1 Purpose of a the Masonville Transit Village Secondary Plan

The London Plan identifies four Transit Villages, which are intended to be exceptionally designed, high density, mixed-use urban neighbourhoods connected by rapid transit to the Downtown and to each other. These Transit Villages are intended to support intense forms of mixed-use development. While these Transit Villages are located in existing built-up areas, these locations have opportunities for significant infill, redevelopment, and overall more efficient use of land to support transit. The terminal transit station that is to be located in each of these Transit Villages is to be the focal point of the Transit Village.

The lands around the intersection of Richmond Street and Fanshawe Park Road, including lands fronting on portions of North Centre Road and Sunnyside Drive, in the Masonville neighbourhood are identified as one of the Transit Villages in The London Plan, referred to as the "Masonville Transit Village". The Transit Village Place Type permits a broad range of residential, retail, service, office, cultural, institutional, hospitality, entertainment, recreational and other related uses, with a range of permitted heights between two to 15 storeys, up to 22 storeys with Type 2 Bonus Zoning. Mixed-use buildings are also encouraged.

Currently, the area within the Masonville Transit Village is primarily occupied by low-rise retail, attached residential uses and large expanses of surface parking. It is anticipated that the area will undergo redevelopment through infill and intensification over time to realize the vision of the Transit Village Place Type. The development of a Secondary Plan is intended to provide a greater level of detail and more specific guidance for the Masonville Transit Village than the general Transit Village Place Type policies, to create a plan for the future development of a Transit Village that is unique to the Masonville community. The Secondary Plan will also address issues of compatibility and transition to existing uses within the Transit Village and the surrounding neighbourhood.

It is anticipated that a Secondary Plan will be developed for all four Transit Villages to provide greater detail to guide their future development as complete communities that are compatible with surrounding neighbourhoods. The Masonville Transit Village, given the recent development pressure in that area, will be the first of these four Transit Villages to undergo the development of a Secondary Plan.

At its meeting of January 15, 2019, Municipal Council approved the Terms of Reference for the Masonville Transit Village Secondary Plan study, thereby directing Staff to undertake the development of a new Secondary Plan to guide future development in the Masonville area

1.2 Study Area

The study area, the area that will be subject to the policies in the Masonville Transit Village Secondary Plan, encompasses all lands within the Transit Village Place Type in The London Plan that are located near the intersection of Fanshawe Park Road and Richmond Street. A map detailing the study area can be found in Figure 1 below.

Select properties have been subject to recent Official Plan and/or Zoning By-law Amendments that have involved significant public consultation. These properties are identified in Figure 1. The intention of the existing policy framework and zoning permissions that apply to these sites will not be reconsidered through the Secondary Plan study, but will be incorporated into the Secondary Plan.

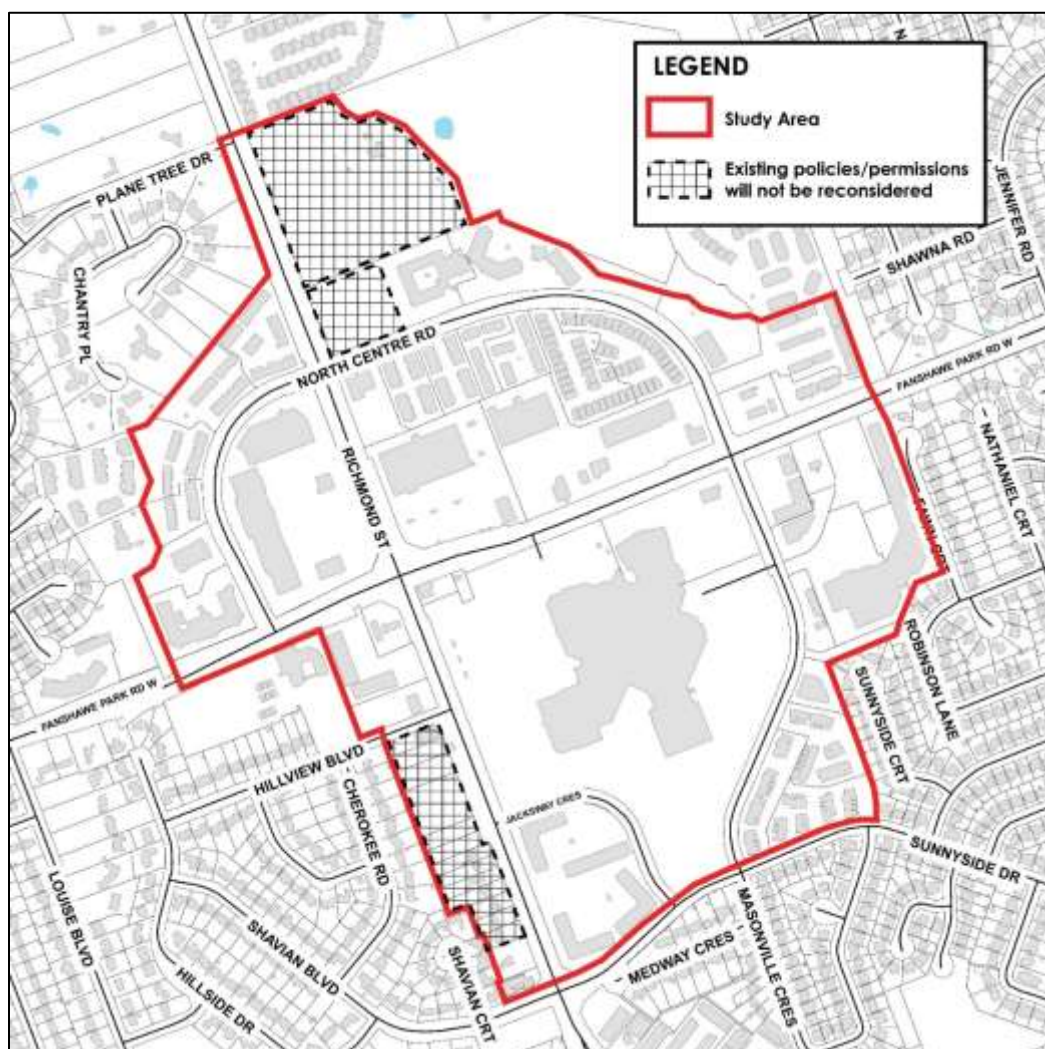


Figure 1 - Map of Study Area

1.3 Overview of the Study Process

Following Municipal Council's adoption of the Terms of Reference, Staff began the Masonville Transit Village Secondary Plan study.

AECOM has been retained to undertake a sanitary capacity analysis for the study area, and will be reviewing the potential build out that could result from the policies in the Secondary Plan (once developed) to ensure that sufficient sanitary capacity is accounted for through the planning process.

DTAH has been retained to undertake modelling and provide urban design support for the study. DTAH has been involved in the development of other transit-supportive planning exercises, including the City of Mississauga's Reimagining the Mall study that

is looking at how existing shopping centres can be redeveloped to be more transit-supportive.

Staff will be hiring a consultant to undertake a parking study to ensure that any proposed changes to the required parking provision are appropriate.

Staff from City Planning, Development Services, Parks and Recreation Services, Rapid Transit Implementation, Environmental and Engineering Services, Neighbourhood, Children, and Fire Services, and the Housing Development Corporation have been involved in the study to date and will continue to be involved in the study as it evolves.

Staff have undertaken stakeholder meetings and a variety of community consultation exercises to engage community members and other stakeholders in the development of the Masonville Transit Village Secondary Plan. This engagement is detailed in Section 2.0 of this report.

From this, Staff have developed Draft Principles that, when finalized, will form the basis of policies in the Draft Secondary Plan.

2.0 Community Engagement

2.1 Engagement Overview and Summary of Feedback

To date, the Masonville Transit Village Secondary Plan study has involved a robust community engagement process. This community engagement will continue for the duration of the study, as Staff will continue to seek opportunities to engage with the community and other stakeholders to get their feedback on how they would like to see the area develop in the future. To date, approximately 80 interested parties have provided their contact information to stay updated about the study. In addition to the interested parties, 150 other Londoners have informally engaged with Staff about the study through Planner “Office Hours”. The following describes the study outreach to date.

The feedback received from the public has helped inform the development of Draft Principles that will form the basis of the policy framework in the Secondary Plan. The feedback that has been received and will continue to be received through various engagement activities will also help to inform the specific policies that will be included in the Secondary Plan.

2.2 Community Information Meeting #1

On Wednesday, March 27, 2019, City Planning staff hosted a Community Information Meeting at The Church of St. Jude, All Saints Hall (1537 Adelaide Street North) from 6:30 p.m. to 8:30 p.m. The purpose of the meeting was to introduce the Masonville Transit Village Planning Study to the community, provide information on timelines and process, existing conditions in the area, and the topics that would be considered in the study. The meeting consisted of a presentation by Staff followed by a question and answer period. After the question and answer period, meeting attendees could participate in breakout tables led by City Staff or review panels seeing input on the study in an open house format.

This was the first Community Information Meeting of the Study. The meeting was attended by approximately 40 people.

The following provides a summary of the feedback received at the meeting:

- Concern about how future development would transition to existing low-rise residential development both adjacent to and within the Study Area:
- Desire for information about population targets
- Desire for enhanced connections to surrounding area
- Concern about traffic volumes
- Desire to see examples of how the area could build out to better provide comments

The feedback received at the first Community Information Meeting aided in the development of the Draft Principles and will be considered in the development of policies in the Draft Secondary Plan.

2.3 Walk and Imagine My Neighbourhood Tour

On Thursday, May 23, 2019, City Planning staff hosted a Walk and Imagine My Neighbourhood Tour from 6:30 p.m. to 8:00 p.m. The purpose of walking tour was for Staff to walk around the project's study area with residents and discuss their ideas about the current conditions and vision for the future.

Approximately 18 people participated in the walking tour. A "virtual walking tour" was also posted on the Get Involved study website, to allow those who were unable to participate in the walking tour the opportunity to comment.

The following provides a summary of the feedback received at the meeting:

- Pedestrian environment needs improvement
- Desire for additional greening
- Need for community gathering spaces (ie. civic squares, parks etc.)
- Opportunities for intensification in certain location, but need to transition to low-rise development
- Desire for buildings to front onto sidewalks to be more accessible for pedestrians
- Concerns about traffic volumes in the study area
- Need to consider opportunities for bike lanes
- Pedestrian connections to the Masonville bus terminal need improvement

The feedback received at the Walk and Imagine My Neighbourhood Tour aided in the development of the Draft Principles and will help to inform the development of policies in the Draft Secondary Plan.

2.4 Community Information Meeting #2

A second Community Information Meeting was held on Wednesday September 18, 2019 at The Church of St. Jude All Saints Hall (1537 Adelaide Street North) from 6:30 p.m. to 8:30 p.m.. This meeting was attended by approximately 50 people.

The purpose of the meeting was to provide an update on the study and relay the comments that have been heard to date, to see if there is anything that has been missed. The Draft Principles that will form the basis for the policies in the Secondary Plan were presented for feedback. The meeting included a presentation by Staff, followed by a question and answer period, and breakout tables. At the breakout tables, three built out scenarios were provided that members of the public were able to comment on. The purpose of these scenarios was not to have members of the public "pick their favourite", rather it was intended to allow participants an opportunity to identify what elements of each of the scenarios they liked or disliked (i.e. where connections are best located, what building heights would be appropriate in a given location, where are the best locations for open space). This was in response to comments that were heard in the first Community Information Meeting, where participants requested having "something to respond to" to better comment on appropriate built form, connections, and open space locations.

The following provides a summary of the feedback received at the meeting:

- Desire to see more members of the community engaged in the study process
- Concern about traffic and congestion in the study area as a result of increased development
- Concern about current and future parking provision for retail establishments
- Questions about the Official Plan and Zoning By-law Amendment application at 1680 Richmond Street (south portion of CF Masonville Place) and how it relates to the Secondary Plan Study process
- Preference for pedestrian-only connections to the surrounding neighbourhoods, rather than vehicular connections
- Scenarios were beneficial to help provide comments on built form, connections, and open space

This feedback received at the second Community Information Meeting will be considered in the finalizing of the Secondary Plan Principles, and will help to inform the policies in the Draft Secondary Plan.

2.5 Get Involved Website

The Get Involved website provides an opportunity for individuals to learn about the Masonville Transit Village Secondary Plan and provide feedback on the study. The materials presented at the second Community Information Meeting on September 18, 2019 have also been added to the website, allowing individuals the opportunity to comment on these materials.

2.6 Planner “Office Hours”

Planning Staff held “Office Hours” for individuals to find out more about the Masonville Transit Village Secondary Plan. These “Office Hours” provide an informal opportunity for community members to learn about the study and provide feedback. Staff held “Office Hours” at the following venues to discuss the study with the community:

- London Public Library, Masonville Branch – April 2, April 9, April 11, April 16, April 25
- Masonville Farmers’ Market – May 17, June 21, August 16
- Outdoor Movie Night at Hastings Park – June 21
- CF Masonville Place – August 16
- Masonville Bus Terminal – August 16
- Richmond Woods – April 10

Over 150 people engaged with Staff through these “Office Hours” activities to learn more about the Masonville Transit Village Secondary Plan study and provide feedback. Staff will continue to conduct “Office Hours” in various locations as the study continues.

3.0 Draft Principles

3.1 Draft Principles

Staff are currently consulting on the following Draft Principles that were presented at the September 18, 2019 Community Information Meeting. When finalized, the principles will form the basis for the policies developed for the Secondary Plan.

The following are the Draft Principles under consideration:

1. Building a connected community

Much of the Masonville Transit Village is comprised of large blocks of surface parking, with few connections between these blocks and their surroundings. This makes it challenging for people to walk between destinations in the Masonville Transit Village. The Secondary Plan would include policies that provide a framework to break up these large blocks in the future as sites redevelop, with the goal of enhanced connectivity through the area.

2. Greening the Transit Village

The Masonville Transit Village is primarily comprised of large surface parking lots, with very limited soft landscaping or other forms of greening. The Secondary Plan would include policies such that as these surface parking lots redevelop, soft landscaping and other forms of greening are incorporated. Opportunities to add parks and other privately-owned, publically-accessible open spaces would also be explored. Reducing the amount of hard surfaces would aid in stormwater management in the area. This additional greening would also help to beautify the area and improve the pedestrian environment.

3. Creating community gathering spaces

Many individuals have identified a lack of community gathering spaces within the Masonville Transit Village. While the London Public Library – Masonville Branch provides an important community gathering space, there are no outdoor community

gathering spaces that exist in the community beyond a small reading garden associated with the library. The need for community gathering spaces will only intensify as more residents move into the area. The Secondary Plan would include policies to encourage the development of community gathering spaces, such as parks, civic squares, or privately-owned, publically-accessible open spaces as part of the future redevelopment of sites within the Masonville Transit Village. The Secondary Plan would also include policies to ensure that these spaces are high-quality and provide a comfortable environment for users. The Parks and Recreation Master Plan identifies the need for additional community centres in the north portion of the city, as such the possible inclusion of a neighbourhood community centre in the Masonville Transit Village would be explored should opportunities arise.

4. Encouraging transit use and active transportation

The Secondary Plan would include policy direction to encourage transit use and active transportation, including walking and cycling. This would include policies to make these options comfortable and attractive for users. Transit-oriented development forms would be encouraged. The Secondary Plan would also include policies to facilitate the enhanced provision of infrastructure for active transportation, including implementing the City of London Cycling Master Plan. Opportunities for reduced parking requirements would also be explored.

5. Developing a comfortable pedestrian environment with active uses at the ground floor

The existing conditions in the Masonville Transit Village are challenging for pedestrians, as in most instances pedestrians must travel across surface parking lots to access retail or other services. These current conditions encourage auto-dependence within the Masonville Transit Village, rather than encouraging people to walk between uses. The provision of active uses at grade, such as cafes, restaurants, grocery stores, shops, and other services would provide a better environment for pedestrians and encourage walking throughout the area.

While parking has been identified as important to service many of the uses in the Transit Village, the Secondary Plan would include policies to ensure that the provision of parking does not detract from the pedestrian environment and minimizes opportunities for pedestrian and vehicular conflicts.

6. Promoting exceptional design

As the Masonville Transit Village intensifies, it would develop into an attractive, exceptionally designed community. Design excellence would be promoted. The Secondary Plan would include policies to ensure that new development is of a high level of design.

7. Identifying opportunities for intensification

Transit Villages are intended to support transit, by providing a higher density of people living, working and shopping in close proximity to transit. The Masonville Transit Village, much of which is currently occupied by large surface parking lots, provides many opportunities to accommodate intensification. While the goal is to intensify the Transit Village, there are certain areas within the Transit Village that are able to accommodate greater levels of intensity than other areas. The Secondary Plan will provide more detailed guidance on heights, with consideration for the provision of appropriate transitions to low-rise development both within and adjacent to the Masonville Transit Village.

8. Encouraging a mixed-use community

While the Masonville Transit Village currently contains a mixture of primarily retail and residential uses, these uses are generally segregated and not well-integrated with each other. The range of permitted uses in the Secondary Plan would encourage a greater diversity of uses including residential, retail, service, office, cultural, institutional, hospitality, entertainment, recreation and other related uses. The Secondary Plan would include policies to facilitate a better integration of a mixture of uses, including policies to encourage mixed-use buildings.

9. Supporting the provision of a choice of dwelling types.

While there are currently a mixture of dwelling types in the Masonville Transit Village, the broader Masonville neighbourhood is primarily comprised of single-detached residential dwelling types. The Masonville Transit Village Secondary Plan would continue to encourage the provision of multi-unit residential dwelling types in the Masonville Transit Village, supporting the provision of a choice of dwelling types within the broader Masonville community.

5.0 Next Steps

Staff will continue to hear feedback from the community and other stakeholders on the Draft Principles for the Secondary Plan. When finalized, these principles will form the basis for the policies in the Secondary Plan. The feedback that has been heard so far has helped to inform the principles and will also help to inform the development of the Secondary Plan policies.

Staff will develop a Draft Secondary Plan for further public consultation and review. This Draft Secondary Plan will be presented to Municipal Council in Q4, 2019. Staff will continue public consultation throughout the Secondary Plan study process, and will continue to seek creative opportunities to gather public feedback. The Final Secondary Plan is targeted for Q1, 2020.

Prepared by:	Michelle Knieriem, MCIP, RPP Planner II, City Planning
Submitted by:	Britt O'Hagan, MCIP, RPP Manager, City Building and Design, City Planning
Recommended by:	John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Planning Services	

September 30, 2019
MT/mt

Appendix A



Masonville Transit Village Secondary Plan Community Information Meeting #2





What is the Purpose of Tonight?

- Learn about the study
- Provide an update on the process to date and next steps
- Confirm what we have heard
- Present the draft principles for the study
- Gather more feedback to inform the Draft Secondary Plan





Schedule for tonight

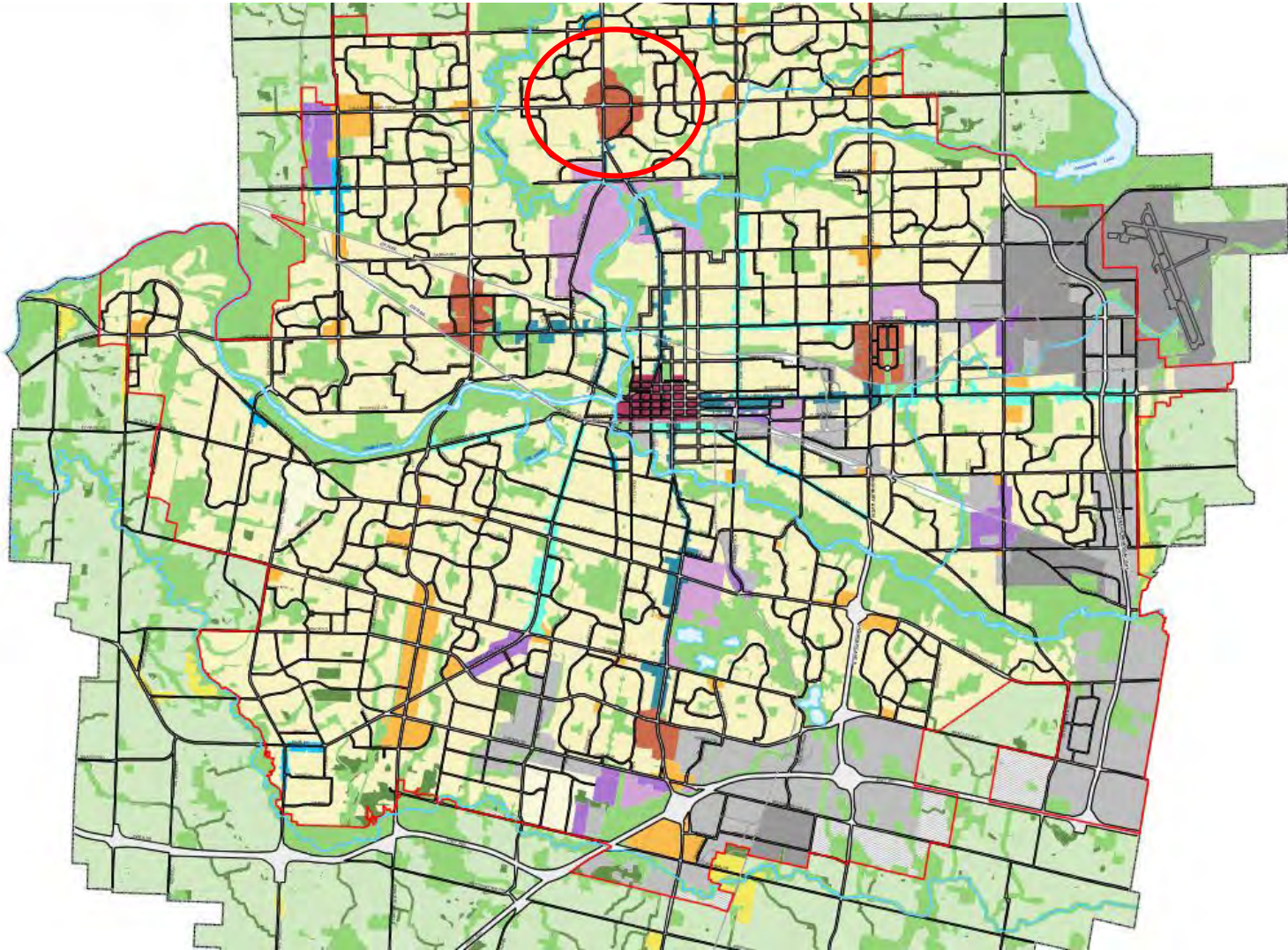
6:30pm – 7:00pm Presentation from Planning Staff

7:00pm – 7:30pm Question and Answer Period

7:30pm – 8:30pm Open House/Breakout Tables



The London Plan – Transit Village



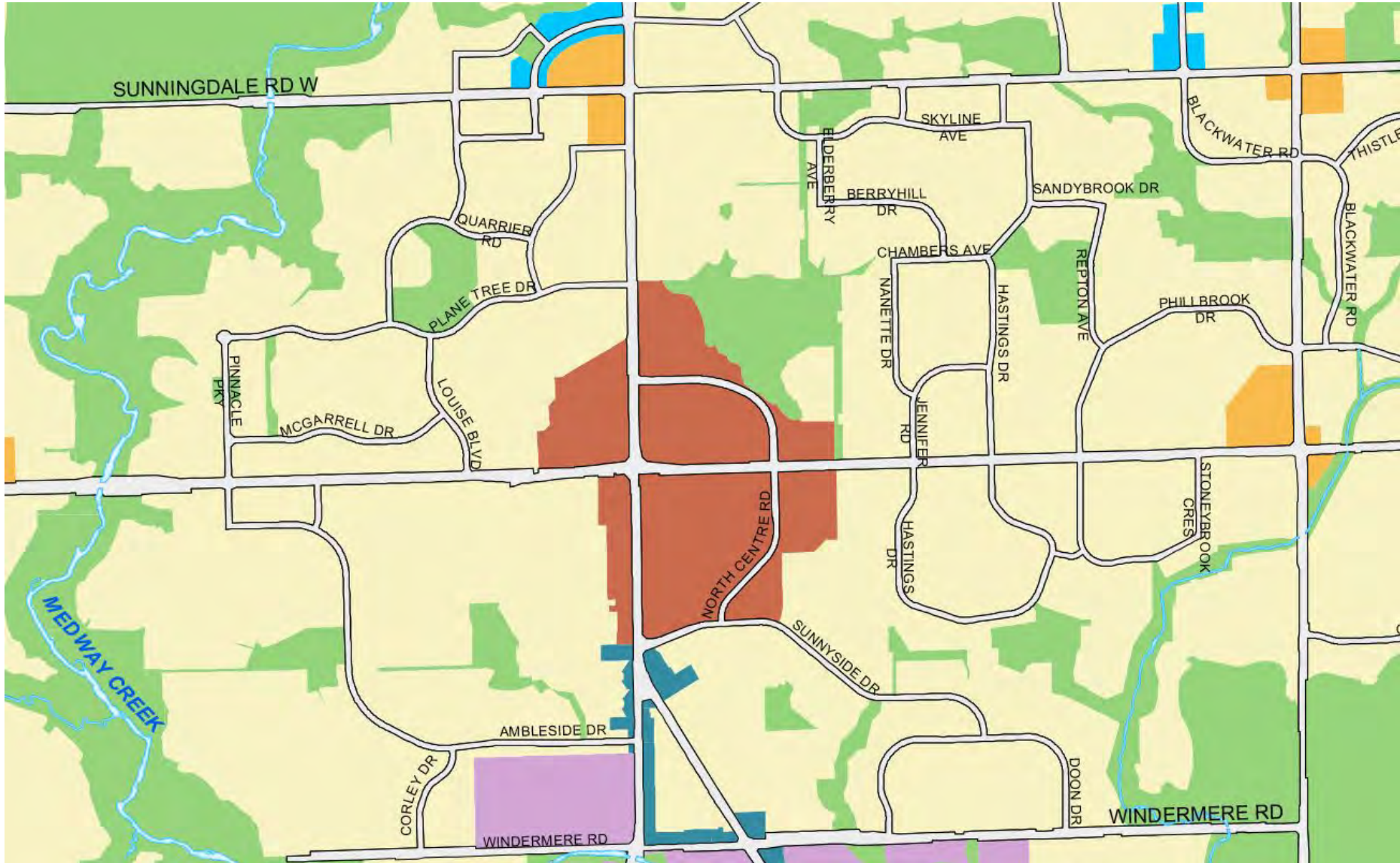


The London Plan – Transit Village





Masonville – Transit Village





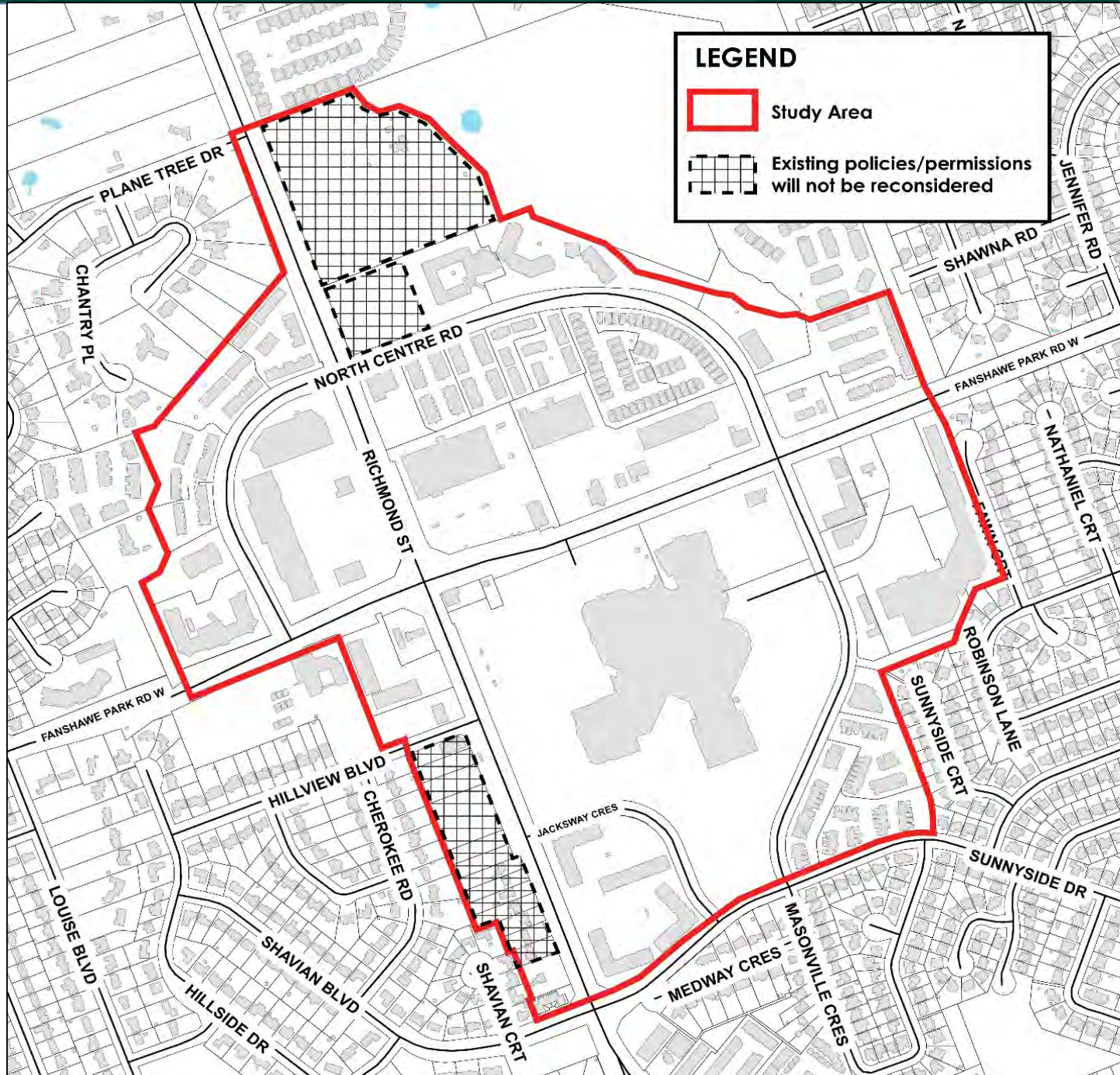
Masonville – Transit Village





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CANADA

Masonville Transit Village Study Area





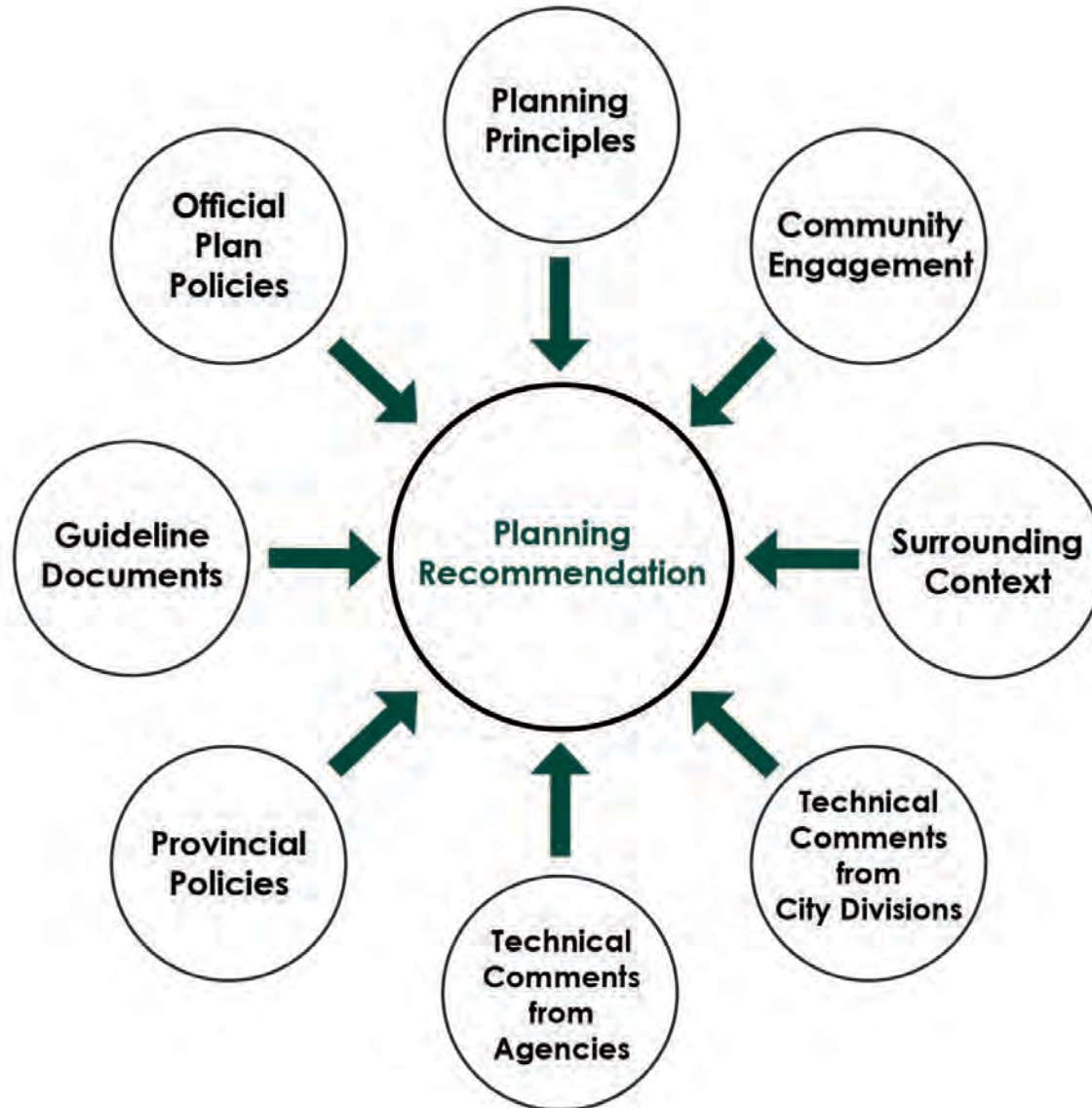
Existing, Approved, and Proposed Developments



- Existing Buildings
- Submitted Under Review
- Approved Buildings



How Planning Recommendations are Formed





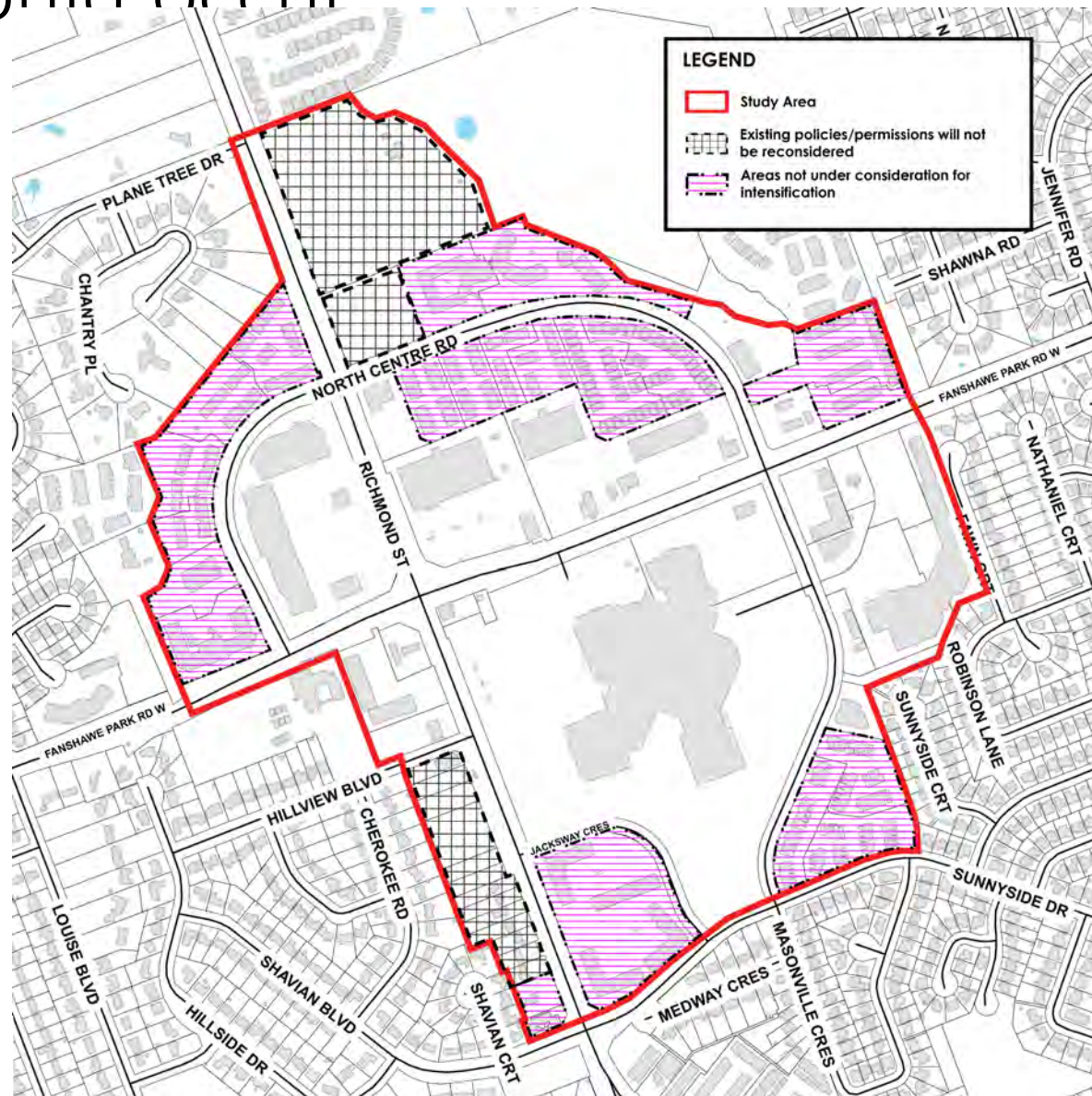
London
CANADA

History

- | | |
|------------------------------------|--|
| 2016 | The London Plan is adopted |
| January 2019 | Municipal Council directs Staff to undertake the Masonville Transit Village Secondary Plan study |
| March 2018 | Community Information Meeting #1 for the Masonville Transit Village Secondary Plan |
| June 2019 | Walk and Imagine my Neighbourhood Tour |
| April 2019-
August 2019 | Outreach booths at Masonville Public Library, Masonville Farmer's Market, Hastings Park Movie Night, and CF Masonville Place |



Identifying where redevelopment could occur





What we have heard so far

- Pedestrian environment needs improvement
- Need more greening
- Lack of community gathering space
- Opportunity for intensification in certain locations, but there needs to be transition to existing low-rise development
- Concern about increased traffic
- Buildings should have front doors opening onto sidewalks
- Expand bike lanes
- Create more pedestrian-friendly connections
- Establish more connections to the surrounding area



Draft Principles

- 1. Building a connected community
- 2. Greening the Transit Village
- 3. Creating community gathering spaces
- 4. Encouraging transit use and active transportation
- 5. Developing a comfortable pedestrian environment with active uses at the ground floor
- 6. Promote exceptional design
- 7. Identifying opportunities for intensification
- 8. Encouraging a mixed-use community
- 9. Supporting the provision of a choice of dwelling types



Principle 1: Building a Connected Community





Principle 2: Greening the Transit Village





Principle 3: Creating community gathering spaces





Principle 4: Encouraging transit use and active transportation



Principle 5: Developing a comfortable pedestrian environment with active uses at grade





Principle 6: Promoting exceptional design





Principle 7: Identifying opportunities for intensification





Principle 8: Encouraging a mixed-use community





Principle 9: Supporting the provision of a choice of dwelling types





How Draft Principles will be used

Secondary Plan Principles



Policies



Next Steps

Opportunity for Public Comment

Q1

• Council adopts Terms of Reference for Secondary Plan

Q1

• Community Information Meeting #1: Visioning and Priorities Workshop

Q1-4

• Stakeholder meetings and engagement

Q3

• Community Information Meeting #2: Update and Confirming Priorities

Q4

• Public Participation Meeting - Report to the Planning and Environment Committee with the Draft Secondary Plan

Q4

• Community Information Meeting #3: Draft Secondary Plan

Q4

• Public Participation Meeting - Report to the Planning and Environment Committee with the Final Secondary Plan



Scenario 1



WHAT ELEMENTS OF THE ABOVE DO YOU LIKE/DISLIKE?



Scenario 2



WHAT ELEMENTS OF THE ABOVE DO YOU LIKE/DISLIKE?

Scenario 3



WHAT ELEMENTS OF THE ABOVE DO YOU LIKE/DISLIKE?



How to Stay Involved

- Provide your contact information by signing in at the meeting tonight
- Masonville Transit Village Secondary Plan webpage – www.getinvolved.london.ca/masonville
- Contact the Planner or the Ward Councillors

Planner

Michelle Knieriem

Planner II

mknieriem@london.ca

519-661-2489 x4549

Ward 5 Councillor

Maureen Cassidy

Ward Councillor

mcassidy@london.ca

519-661-2489 x4005

Ward 7 Councillor

Josh Morgan

Ward Councillor

joshmorgan@london.ca

519-661-2489x4007



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CANADA

Development and Compliance Services Building Division

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

From: P. Kokkoros, P. Eng.
Deputy Chief Building Official

Date: September 13, 2019

RE: Monthly Report for August 2019

Attached are the Building Division's monthly report for August 2019 and copies of the Summary of the Inspectors' Workload reports.

Permit Issuance

By the end of August, 3,175 permits had been issued with a construction value of \$967.3 million, representing 1,790 new dwelling units. Compared to last year, this represents a 0.7% increase in the number of permits, a 31.8% increase in the construction value and a 2.5% increase in the number of dwelling units.

To the end of August, the number of single and semi-detached dwellings issued were 446, which was a 9.0% decrease over last year.

At the end of August, there were 750 applications in process, representing approximately \$519 million in construction value and an additional 713 dwelling units, compared with 693 applications having a construction value of \$462 million and an additional 832 dwelling units for the same period last year.

The rate of incoming applications for the month of August averaged out to 19.6 applications a day for a total of 413 in 21 working days. There were 55 permit applications to build 55 new single detached dwellings, 39 townhouse applications to build 207 units, of which 10 were cluster single dwelling units.

There were 397 permits issued in August totalling \$136.9 million including 406 new dwelling units.

Inspections

BUILDING

Building Inspectors received 2,572 inspection requests and conducted 3,197 building related inspections. An additional 6 inspections were completed relating to complaints, business licenses, orders and miscellaneous inspections. Based on a staff compliment of 11 inspectors, an average of 276 inspections were conducted this month per inspector.

Based on the 2,572 requested inspections for the month, 97% were achieved within the provincially mandated 48 hour time allowance.

CODE COMPLIANCE

Building Inspectors received 599 inspection requests and conducted 836 building related inspections. An additional 128 inspections were completed relating to complaints, business licenses, orders and miscellaneous inspections. Based on a staff compliment of 5 inspectors, an average of 163 inspections were conducted this month per inspector.

Based on the 599 requested inspections for the month, 98% were achieved within the provincially mandated 48 hour time allowance.

PLUMBING

Plumbing Inspectors received 946 inspection requests and conducted 1,092 plumbing related inspections. An additional 3 inspections were completed relating to complaints, business licenses, orders and miscellaneous inspections. Based on a staff compliment of 6 inspectors, an average of 182 inspections were conducted this month per inspector.

Based on the 946 requested inspections for the month, 97% were achieved within the provincially mandated 48 hour time allowance.

NOTE:

In some cases, several inspections will be conducted on a project where one call for a specific individual inspection has been made. One call could result in multiple inspections being conducted and reported. Also, in other instances, inspections were prematurely booked, artificially increasing the number of deferred inspections.

AD:cm
Attach.

c.c.: A. DiCicco, T. Groeneweg, C. DeForest, O. Katolyk, D. Macar, M. Henderson, S. McHugh

CITY OF LONDON

SUMMARY LISTING OF BUILDING CONSTRUCTION ACTIVITY FOR THE MONTH OF August 2019

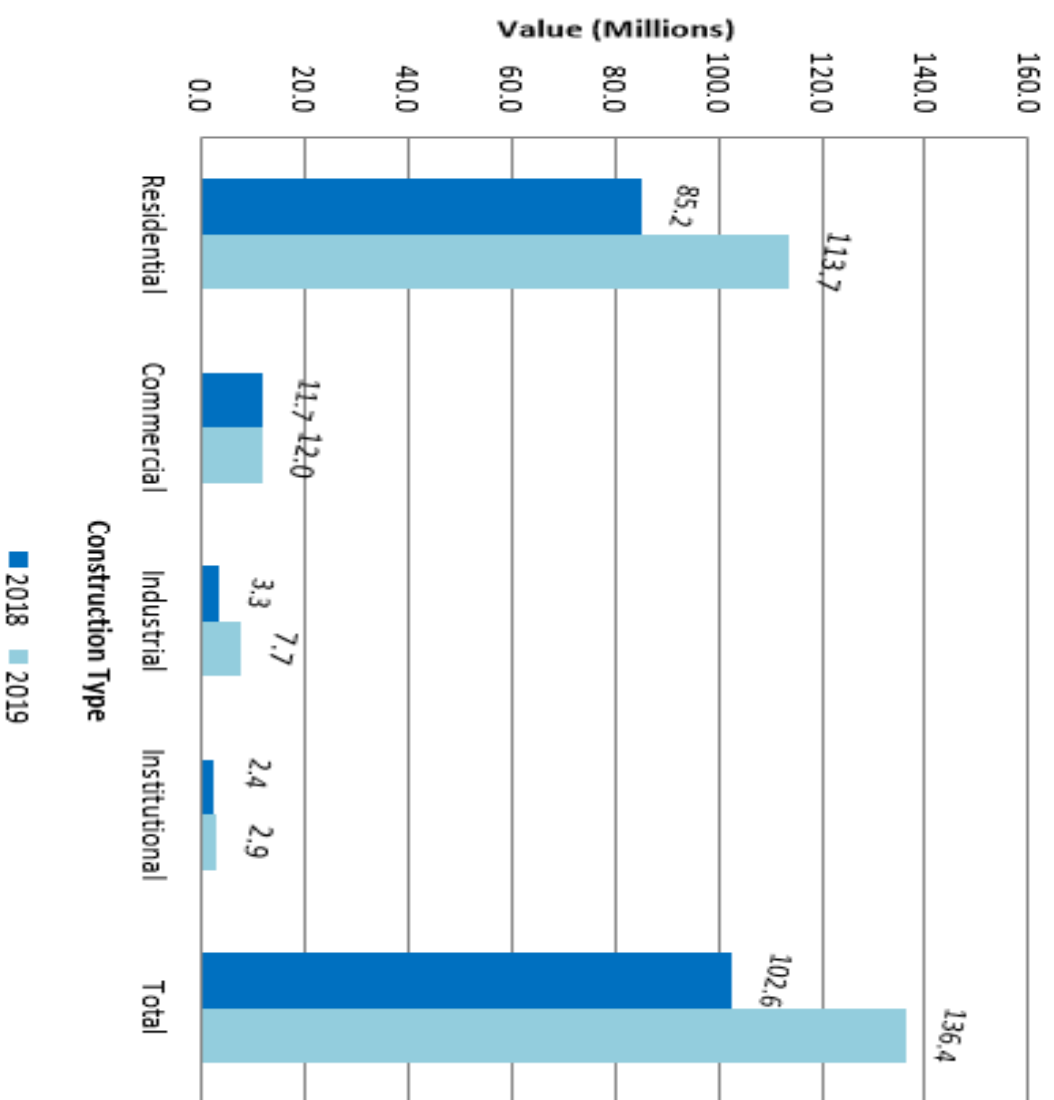
CLASSIFICATION	August 2019				to the end of August 2019				August 2018				to the end of August 2018			
	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	
SINGLE DETACHED DWELLINGS	61	28,676,520	61	446	190,805,596	446	60	27,262,992	60	490	205,006,176	490	0	0	0	
SEMI DETACHED DWELLINGS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
TOWNHOUSES	14	14,780,360	54	105	92,114,230	418	19	14,219,480	61	164	122,479,869	490	0	0	0	
DUPLEX, TRIPLEX, QUAD, APT BLDG.	2	64,758,000	283	17	191,847,852	871	1	39,299,400	175	7	164,602,920	713	0	0	0	
RES-ALTER & ADDITIONS	163	5,526,295	6	1,279	39,251,657	53	168	4,372,054	3	1,260	43,982,533	53	0	0	0	
COMMERCIAL-ERECT	1	3,100,000	0	11	18,397,750	0	3	1,515,300	0	24	53,215,903	0	0	0	0	
COMMERCIAL-ADDITION	1	8,000	0	12	8,627,000	0	0	0	0	12	9,650,718	0	0	0	0	
COMMERCIAL-OTHER	46	8,889,330	2	364	48,449,410	2	45	10,186,252	0	308	46,082,989	0	0	0	0	
INDUSTRIAL-ERECT	2	6,400,000	0	8	308,780,000	0	0	0	0	3	9,450,000	0	0	0	0	
INDUSTRIAL-ADDITION	0	0	0	5	5,249,000	0	0	0	0	5	7,278,000	0	0	0	0	
INDUSTRIAL-OTHER	8	1,329,200	0	56	6,468,520	0	5	3,346,736	0	42	17,242,804	0	0	0	0	
INSTITUTIONAL-ERECT	0	0	0	1	9,816,800	0	0	0	0	0	0	0	0	0	0	
INSTITUTIONAL-ADDITION	2	252,000	0	6	5,153,800	0	0	0	0	5	14,049,600	0	0	0	0	
INSTITUTIONAL-OTHER	20	2,641,000	0	144	22,743,960	0	30	2,396,000	0	189	36,144,410	0	0	0	0	
AGRICULTURAL	0	0	0	5	15,640,000	0	2	160,000	0	3	210,000	0	0	0	0	
SWIMMING POOL FENCES	24	512,050	0	171	3,684,667	0	31	663,590	0	175	3,757,520	0	0	0	0	
ADMINISTRATIVE	19	52,000	0	112	307,000	0	21	33,750	0	125	404,100	0	0	0	0	
DEMOLITION	9	0	7	61	0	35	4	0	1	62	0	26	0	0	0	
SIGNS/CANOPY-CITY PROPERTY	2	0	0	26	0	0	0	0	0	10	0	0	0	0	0	
SIGNS/CANOPY-PRIVATE PROPERTY	23	0	0	346	0	0	2	0	0	268	0	0	0	0	0	
TOTALS	397	136,924,755	406	3,175	967,337,242	1,790	391	103,455,554	299	3,152	733,557,542	1,746				

y:\shared\building\buildingmonthlyreports\monthlyreports\2019BCASummary\BCA-AUG2019

- Note: 1) Administrative permits include Tents, Change of Use and Transfer of Ownership, Partial Occupancy.
 2) Mobile Signs are no longer reported.
 3) Construction Values have been rounded up

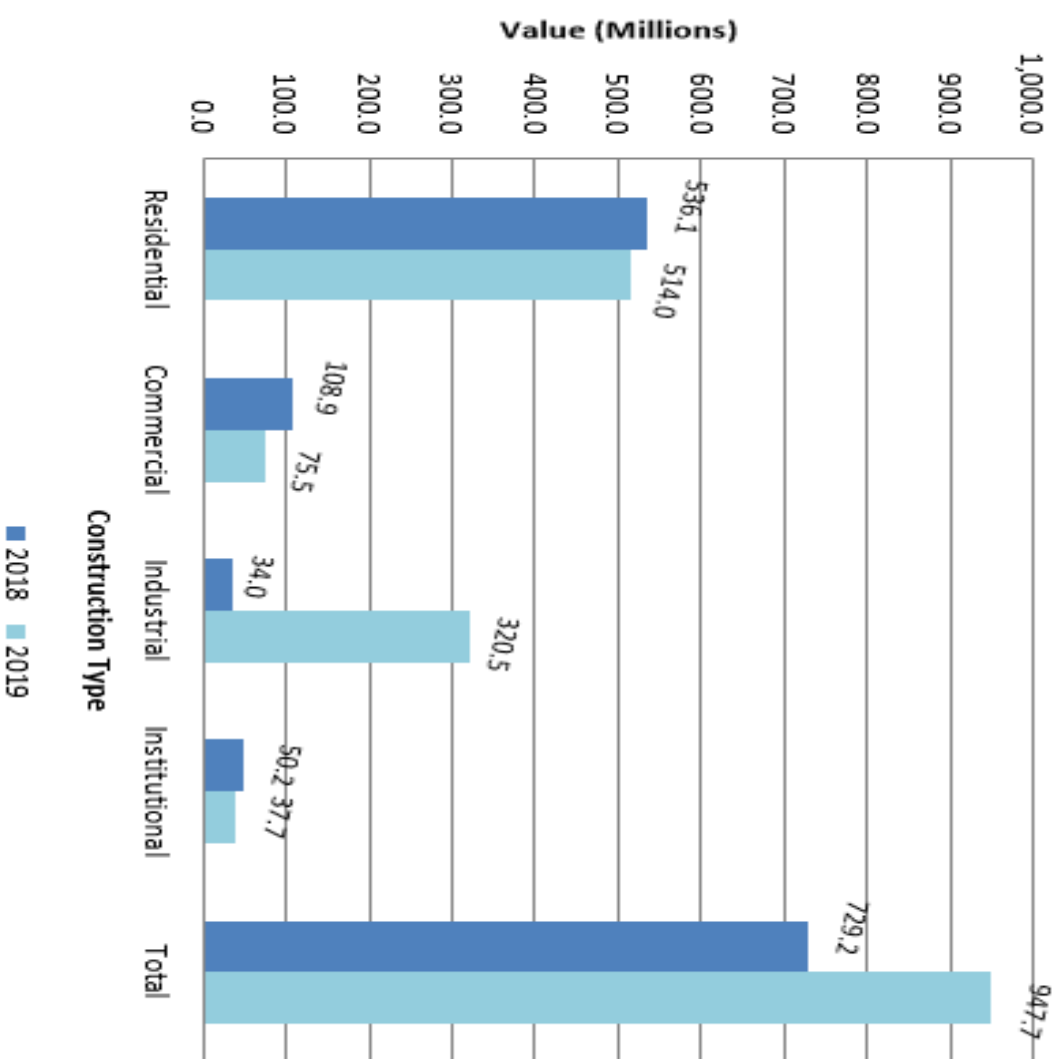
Construction Value of Building Permits

August



Construction Value of Building Permits

January to August



City of London - Building Division

Principal Permits Issued from August 1, 2019 to August 31, 2019

Owner	Project Location	Proposed Work	No. of Units	Construction Value
1803299 ONTARIO INC. 1803299 ONTARIO INC.	100 Kellogg Lane	Alter Licensed Beverage Establishments INTERIOR ALTER TO CREATE EVENT SPACE FOR PARADIGM SPIRITS CO. AND DISTILLERY.	0	750,000
FANSHAWE COLLEGE OF APPLIED ARTS & TECHNOLOGY FANSHAWE COLLEGE OF APPLIED ARTS & TECHNOLOGY	1001 Fanshawe College Blvd	Alter Community College REPLACE EXISTING KITCHEN HOODS AND ECOLOGY UNIT IN STUDENT CENTRE CAFE-OASIS KITCHEN	0	444,000
FANSHAWE COLLEGE OF APPLIED ARTS & TECHNOLOGY FANSHAWE COLLEGE OF APPLIED ARTS & TECHNOLOGY	1001 Fanshawe College Blvd	Alter Community College REPLACE EXISTING KITCHEN HOODS AND ECOLOGY UNIT IN STUDENT CENTRE CAFE-OASIS KITCHEN	0	444,000
FANSHAWE COLLEGE OF APPLIED ARTS & TECHNOLOGY FANSHAWE COLLEGE OF APPLIED ARTS & TECHNOLOGY	1001 Fanshawe College Blvd	Alter Community College INST - ALTER FOR MASSAGE THERAPIST CLASSROOMS ON MAIN FLOOR OF "A" BLOCK	0	622,800
2472602 Ontario Inc	1095 Wilton Grove Rd	Alter Warehousing ID - ALTERATION TO EXISTING OFFICE AREA ONLY INCLUDING TWO NEW VESTIBULES. NO OTHER AREAS INCLUDED. Separate Building Permit required for proposed changes to other areas. SHELL PERMIT ONLY - SHOP DRAWINGS FOR STAIRS AND GUARDS REQ'D.	0	290,000
White Oaks Mall Holdings Ltd C/O Bentall Kennedy (Canada)	1105 Wellington Rd	Alter Retail Store CM - INTERIOR ALTER TO UNIT #235	0	250,000
White Oaks Mall Holdings Ltd C/O Bentall Kennedy (Canada)	1105 Wellington Rd	Alter Retail Store INTERIO ALTERATION OF AMERICAN EAGLE, UNIT 123	0	252,000
White Oaks Mall Holdings Ltd C/O Bentall Kennedy (Canada)	1105 Wellington Rd	Alter Retail Store INTERIOR ALTERATION TO UNIT 141 - La Vie En Rose	0	275,000
London City C/O London Hydro Inc	111 Horton St E	Alter Offices CM- INTERIOR ALTER TO RENOVATE EXISTING OFFICE ON SECOND FLOOR, FRR/FPo	0	250,000
Coptic Orthodox Patriarchate Church Of Saint Paul The Anchi.	1151 Royal York Rd	Add Churches ADD TO CHURCH FOR ELEVATOR LOBBY AREA. FRR/FPo	0	250,000
REVERE DEVELOPMENTS (RIVERSIDE) INC. REVERE DEVELOPMENTS (RIVERSIDE) INC.	1195 Riverside Dr 12	Erect-Townhouse - Cluster SDD ERCT TOWNHOUSE CLUSTER SDD, 2 STOREYS, 2 CAR GARAGE, 4 BEDROOMS, UNFINISHED BASEMENT, NO DECK, A/C INCLUDED, SB-12 A1, DPN 12, UNIT 6, MVLCP NO. 914	1	495,180

City of London - Building Division

Principal Permits Issued from August 1, 2019 to August 31, 2019

Owner	Project Location	Proposed Work	No. of Units	Construction Value
DAVID TENNANT REVERE DEVELOPMENTS	1195 Riverside Dr 14	Erect-Townhouse - Cluster SDD ERECT TOWNHOUSE CLUSTER SDD, 2 STOREYS, 2 CAR GARAGE, 4 BEDROOMS, UNFINISHED BASEMENT, DECK INCLUDED, A/C INCLUDED, SB-12 A1, DPN 14, MWLCP NO. 914	1	489,600
DAVID TENNANT REVERE DEVELOPMENTS	1195 Riverside Dr 16	Erect-Townhouse - Cluster SDD ERECT TOWNHOUSE CLUSTER SDD, 2 STOREYS, 2 CAR GARAGE, 4 BEDROOMS, UNFINISHED BASEMENT, DECK INCLUDED, A/C INCLUDED, SB-12 A1, DPN 16, MWLCP NO. 914	1	495,180
	120 Dundas St	Alter Restaurant CM - ALTER - TO ADD NEW PLUMBING FIXTURES IN RENOVATED RESTAURANT DRINK STATION. NEW FACADE, HERITAGE REQUIRED, NO STRUCTURAL	0	150,000
2670040 Ontario Inc.	1229 Wharnccliffe Rd S	Erect-Automobile Sales & Service CM- ERECT VOLVO CARS DEALERSHIP. Foundation permit with site services	0	3,100,000
Rjkm Holdings Limited C/o John Lean	1295 Oxford St E	Alter Restaurant ALTER INTERIOR OF PART OF MAIN FLOOR OF BURGER KING. KITCHEN AREA TO REMAIN UNTOUCHED. FRR *NOTE*- WORK ON NEW CANOPIES TO BE DONE UNDER A SEPARATE PERMIT OR REVISIONS TO THIS PERMIT. NOT APPROVED UNDER THIS 3-DAY PERMIT.	0	400,000
1016747 ONTARIO LIMITED	1450 North Wenige Dr 19	Erect-Townhouse - Cluster SDD ERECT NEW TOWNHOUSE CLUSTER SDD. 1 STOREY, 2 CAR GARAGE, PARTIAL FINISH BASEMENT, NO DECK, A/C INCLUDED, SB-12 A1, UNIT 9 M.V.L.C.P. No 834. SOILS REPORT REQUIRED. HRV & DWHR REQUIRED.	1	235,000
Ggre Inc	1500 Dundas St	Alter Automobile Sales & Service ALTER CAR DEALERSHIP FOR VEHICLE REPAIR AREA	0	736,800
OLD OAK PROPERTIES INC. OLD OAK PROPERTIES INC.	1525 Dyer Dr	Erect-Apartment Building ERECT - NEW APARTMENT BUILDING - 16 STOREYS, 200 UNITS SHELL ONLY -SEALED COMSLAB AND MISC. METALS SHOP DRAWING REQUIRED PRIOR TO WORK IN THESE AREAS Alternative Solution for the hose cabinets is accepted by the Building Division	200	49,810,000
LUX HOMES INC. LUX HOMES DESIGN & BUILD INC.	1570 Coronation Dr			250,000
Z- Group	1820 Canvas Way 14	Erect-Townhouse - Cluster SDD ERECT - TOWNHOUSE/CLUSTER SDD, 2 STOREY, 3 BEDROOM, 2 CAR GARAGE, UNFINISHED BASEMENT, NO DECK, A/C INCLUDED, ST-12-A1, LOT 57, 33M-643 (192 m2).	1	384,000

City of London - Building Division

Principal Permits Issued from August 1, 2019 to August 31, 2019

Owner	Project Location	Proposed Work	No. of Units	Construction Value
GERRY VANDERHOEK GREATER LONDON INTERNATIONAL AIRPORT AUTHORITY	1980 Otter Pl		0	700,000
Southside Construction Management Limited	2454 Main St	Alter Dental Offices CM - INTERIOR ALTER FOR DENTAL OFFICE	0	425,000
Escalade Property Corp	25 Centre St	Erect-Apartment Building ERECT 11 STOREY 83 UNIT APT BUILDING. METHANE PROPERTY. SUBMIT GUARDRAIL/HANDRAIL SHOP DRAWINGS FOR REVIEW/APPROVAL. SUBMIT FIRESTOPPING DETAIL PACKAGE FOR REVIEW/APPROVAL. SUBMIT SPRINKLER DRAWINGS FOR REVIEW/APPROVAL. REVISED ELEVATIONS TO COMPLY WITH APPROVED SITE PLAN PRIOR TO SHELL.	83	14,948,000
LONDON LIFE INSURANCE COMPANY LONDON LIFE INSURANCE COMPANY	255 Dufferin Ave	Alter Offices CM - ALTER - RENO FIRE PROTECTION AND MECH ON FIRST FLOOR OF EXISTING OFFICE, FRR/FPO SHELL (PARTIAL PERMIT) ISSUED AUG. 15, 2019. SPRINKLER SHOP DRAWINGS REQUIRED TO BE SUBMITTED.	0	500,000
FARHI HOLDINGS CORP.	270 Dundas St	Alter Offices CM - ALTER - INTERIOR ALTERATION TO EXISTING OFFICE ON SECOND FLOOR. FRR/FPO	0	400,000
joel macrobert Bank of montreal	270 Dundas St	Alter Offices RENOVATION OF MAIN FLOOR AND BASEMENT OF EXISTING BANK; FRR/FPO	0	1,500,000
1875025 ONTARIO INC. 1875425 ONTARIO INC.	275 Piccadilly St	Alter Apartment - Condo RA - APARTMENT - ALTER FOR INTERIOR STRUCTURE CHANGES TO 4 RESIDENTIAL SUITES, TO ADD 4 BATHROOMS, PLUMBING, HVAC, REPLACE FRON 2 LEVEL DECK, REPLACE REAR 2 LEVEL STAIR	0	150,000
1221022 ONTARIO INC. 1221022 ONTARIO INC.	300 Sovereign Rd	Alter Plant for Manufacturing INDUST - ALTERATION INTERIOR FOR CANNING ROOM	0	124,000
Southside Construction Management Limited	3270 Raleigh Cres			300,000
Speyside East Corporation	3270 Raleigh Cres A	Erect-Townhouse - Condo ERECT 4 UNIT TOWNHOUSE - DPNS 3256,3260,3264,3268 - 2 STOREY, 4 BEDROOM, SINGLE CAR GARAGE, FINISHED BASEMENT, WITH DECK, WITH A/C, SB-12 AS. Soils report required.	4	982,000
Speyside East Corporation	3270 Raleigh Cres B	Erect-Townhouse - Condo ERECT 3 UNIT TOWNHOUSE, DPNS 3272, 3276, 3280; 2 STOREY, 4 BEDROOMS, SINGLE CAR GARAGE, FINISHED BASEMENT, WITH DECK, WITH A/C, SB12 AS. Soils report required.	3	731,000
Speyside East Corporation	3270 Raleigh Cres C	Erect-Townhouse - Condo ERECT 3 UNIT TOWNHOUSE, DPNS 9, 11, 13; 2 STOREY, 4 BEDROOMS, SINGLE CAR GARAGE, FINISHED BASEMENT, WITH DECK, WITH A/C, SB12 AS. Soils report required.	3	731,000

City of London - Building Division

Principal Permits Issued from August 1, 2019 to August 31, 2019

Owner	Project Location	Proposed Work	No. of Units	Construction Value
Speyside East Corporation	3270 Raleigh Cres D	Erect-Townhouse - Condo ERECT 4 UNIT TOWNHOUSE, DPNS 1, 3, 5, 7; 2 STOREY, 4 BEDROOMS, SINGLE CAR GARAGE, FINISHED BASEMENT, WITH DECK, WITH A/C, SB12 AS. Soils report required.	4	982,000
GREENGATE LTD. GREENGATE VILLAGE LTD.	3316 Strawberry Walk	Erect-Street Townhouse - Condo RT - ERECT BLOCK 52, UNITS 3304 -3326. NO DECKS, NO FINISHED BASEMENTS	7	1,300,000
Youth Opportunities Unlimited	340 Richmond St	Alter Offices ALTER FLOORS 1, 2, 3 OF YOUTH OPPORTUNITIES UNLIMITED	2	858,400
1967172 ONTARIO INC. 1967172 ONTARIO INC.	3400 Singleton Ave			650,000
Nuage Homes Inc	3560 Singleton Ave 35	Erect-Townhouse - Cluster SDD ERECT RT-CLUSTER SDD 2 STOREY, 1 CAR GARAGE, 4 BEDROOM, UNFINISHED BASEMENT, A/C INCLUDED, SB-12 A-1, MVLCP No. 842 UNIT 53	1	314,300
Nuage Homes Inc	3560 Singleton Ave 42	Erect-Townhouse - Cluster SDD ERECT RT-CLUSTER SDD 2 STOREY, 1 CAR GARAGE, 4 BEDROOM, UNFINISHED BASEMENT, A/C INCLUDED, SB-12 A-1, MVLCP No. 842 UNIT 44	1	349,000
CORPORATION OF LONDON CORPORATION OF THE CITY OF LONDON	3690 Colonel Talbot Rd	Erect-Non-Residential Accessory Building ERECT VALVE CHAMBER BUILDING Foundation Permit Only	0	2,000,000
CORPORATION OF LONDON CORPORATION OF THE CITY OF LONDON	3690 Colonel Talbot Rd	Erect-Non-Residential Accessory Building ERECT NEW PUMPING STATION Partial foundation only for the mud-slab	0	4,400,000
1077724 ONTARIO LTD	4530 Colonel Talbot Rd	Alter Restaurant <= 30 People CM - INTERIOR AND EXTERIOR ALTERATIONS TO TIM HORTONS Separate permit required for exterior canopy.	0	235,000
772866 Ontario Limited C/O Larlyn Property Mgmt	530 Oxford St W	Alter Retail Store COMM-ALT. INT. FOR LANDORD'S SCOPE OF WORK IN DOLLARAMA SPACE Shell Permit Only -Provide sealed Misc. Metals for the retaining wall guards and aluminum vestibule assembly shop drawings to the Building Division for review prior to work in these areas. Sprinkler shop drawings required.	0	525,280
ESAM CONSTRUCTION LTD. ESAM CONSTRUCTION LTD.	551 Oxford St W	Alter Offices CM-ALTER- 2ND FLOOR TENANT FIT UP FOR OFFICE, MECH, FRR/FPO NOTE: PARTIAL PERMIT ISSUED AUG. 22, 2019. SPRINKLER SHOP DRAWINGS ARE TO BE SUBMITTED FOR FULL PERMIT.	0	200,000
Skyline Retail Real Estate Holdings Inc	760 Hyde Park Rd A	Alter Restaurant <= 30 People ALTER INTERIOR FOR PIZZA PIZZA	0	167,000

City of London - Building Division

Principal Permits Issued from August 1, 2019 to August 31, 2019

Owner	Project Location	Proposed Work	No. of Units	Construction Value
Applewood Acres Inc.	819 Kleinburg Dr D	Erect-Townhouse - Condo RT ERECT BUILD BLDG D-13 UNITS, PART FINISHED BASEMENT , EEDS PACKAGE A1. SOILS REPORT BY EXP ENG REQUIRED. NOTE: PARKLAND DEDICATION FOR ALL 54 UNITS ON THE SITE PAID FOR UNDER THIS PERMIT.	13	2,417,100
Applewood Acres Inc.	819 Kleinburg Dr D	Erect-Townhouse - Condo Erect Block D, 13 units, DPN's 5,7,9,11,13,15,17,49,51,53,55,57,59. Partially finished basement, deck. Soils report required.	13	4,875,000
847 HIGHBURY INC.	847 Highbury Ave N	Alter Warehousing INDUSTRIAL - ALTER WAREHOUSE SPACE FOR OFFICES, WASHROOMS AND LUNCHROOM, AND RECONSTRUCT MEZZANINE. FRR/FP0, Shell Permit Only –Provide sealed Misc. Metals for the guards, stair and sealed floor/ceiling/wall shop drawings to the Building Division for review prior to work in these areas. Sprinkler shop drawings required.	0	150,000
BATE REAL ESTATE CORP.	879 Wellington Rd	Alter Offices ALTER INTERIOR UNIT #2 PAY2DAY	0	130,000
THAMES VALLEY DISTRICT SCHOOL BOARD THAMES VALLEY DISTRICT SCHOOL BOARD	THAMES 950 Lawson Rd VALLEY DISTRICT SCHOOL BOARD			750,000
		Total Permits 50	Units 339	Value 102,167,640

** Includes all permits over \$100,000, except for single and semi-detached dwellings.*

Commercial building permits issued - subject to Development Charges under By-law C.P. -1535-144

OWNER
1803299 ONTARIO INC.
1803299 ONTARIO INC.
2670040 Ontario Inc.

Commercial Permits regardless of construction value

Environmental and Ecological Planning Advisory Committee

Report

The 10th Meeting of the Environmental and Ecological Planning Advisory Committee
September 19, 2019
Committee Rooms #1 and #2

Attendance PRESENT: S. Levin (Chair), I. Arturo, L. Banks, A. Bilson Darko, A. Boyer, R. Doyle, C. Dyck, S. Esan, P. Ferguson, L. Grieves, S. Hall, S. Heuchan, J. Khan, B. Krichker, I. Mohamed, K. Moser, B. Samuels, S. Sivakumar, R. Trudeau, M. Wallace and I. Whiteside and H. Lysynski (Secretary)

ABSENT: E. Arellano and A. Cleaver

ALSO PRESENT: G. Barrett, C. Creighton, T. Macbeth, J. MacKay, L. McDougall, A. Sones 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 no pecuniary interests were disclosed.

2. Scheduled Items

2.1 Kilally South, East Basin Environmental Assessment

That it BE NOTED that the attached presentation from A. Sones, Environmental Services Engineer and C. Moon, EcoSystem Recovery Inc., with respect to the Kilally South, East Basin Environmental Assessment, was received.

2.2 Draft Subject Lands Status Report - White Oak-Dingman Secondary Plan, Parsons Inc. 2019

That a Working Group BE ESTABLISHED consisting of S. Heuchan, I. Mohamed, R. Doyle, S. Esan, L. Banks, S. Levin and B. Samuels, to review the draft Subject Lands Status Report for the White Oak-Dingman Secondary Plan; it being noted that the Environmental and Ecological Planning Advisory Committee reviewed and received the attached presentation from L. McDougall, Ecologist and T. Macbeth, Planner II, with respect to these matters.

3. Consent

3.1 9th Report of the Environmental and Ecological Planning Advisory Committee

That it BE NOTED that the 9th Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on August 15, 2019, was received.

3.2 Municipal Council Resolution - 8th Report of the Environmental and Ecological Planning Advisory Committee

That it BE NOTED that the Environmental and Ecological Planning Advisory Committee held a general discussion with respect to the Municipal Council resolution adopted at its meeting held on August 27, 2019 with respect to the 8th Report of the Environmental and Ecological Planning Advisory Committee; it being further noted that S. Hall and S. Pierce attended an Animal Welfare Advisory Committee meeting in 2017 to discuss the draft "Is Your Cat Safe Outdoors?" brochure.

3.3 Environmentally Significant Areas Meeting Minutes - April and August, 2019

That G. Barrett, Manager, Land Use Planning and Sustainability, BE INVITED to the next meeting of the Environmental and Ecological Planning Advisory Committee (EEPAC) to discuss the differences between City-owned and privately owned Environmentally Significant Areas; it being noted that at the EEPAC reviewed and received the Environmentally Significant Areas Meeting Minutes from its meetings held on April 30, 2019 and August 20, 2019.

4. Sub-Committees and Working Groups

4.1 Environmental Management Working Group Comments

That, the following actions be taken with respect to the review of the Environmental Management Guidelines:

- a) the attached Working Group comments with respect to the review of the Environmental Management Guidelines BE FORWARDED to the Civic Administration for consideration; and,
- b) a special Environmental and Ecological Planning Advisory Committee BE HELD on November 7, 2019 at 5:00 PM to provide further Working Group comments on these matters.

5. Items for Discussion

5.1 Restriction on Detonation of Fireworks in Environmentally Significant Areas

That it BE NOTED that the Environmental and Ecological Planning Advisory Committee held a general discussion with respect to the restriction on the detonation of fireworks in Environmentally Significant Areas.

6. Adjournment

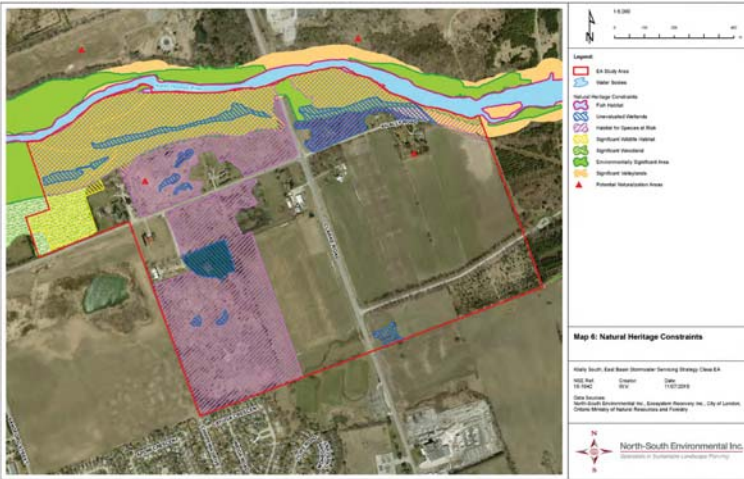
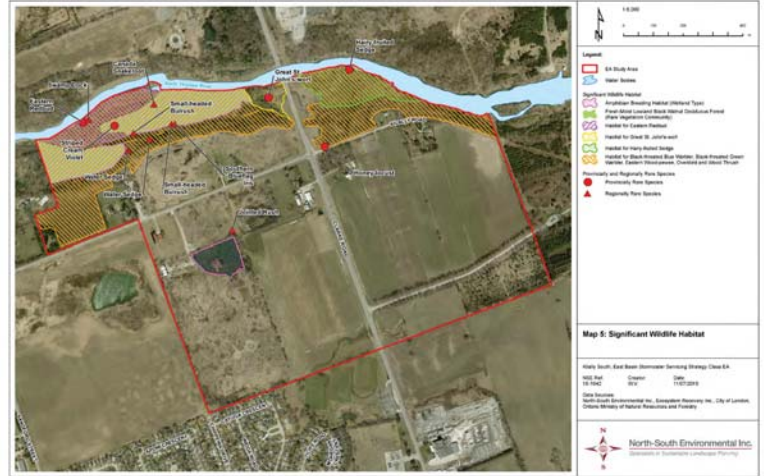
The meeting adjourned at 6:57 PM

Field Program

- Three season vegetation survey;
- Migratory waterfowl and breeding bird surveys;
- Amphibian call surveys;
- Incidental wildlife observations; and
- Incorporation of data from adjacent ongoing studies and previous investigations.

Deliverables

- Subject Land Status Report (informs evaluation of alternatives); and
- Environmental Impact Study (informs preferred alternative development, mitigation, compensation and future monitoring program).



Field Program

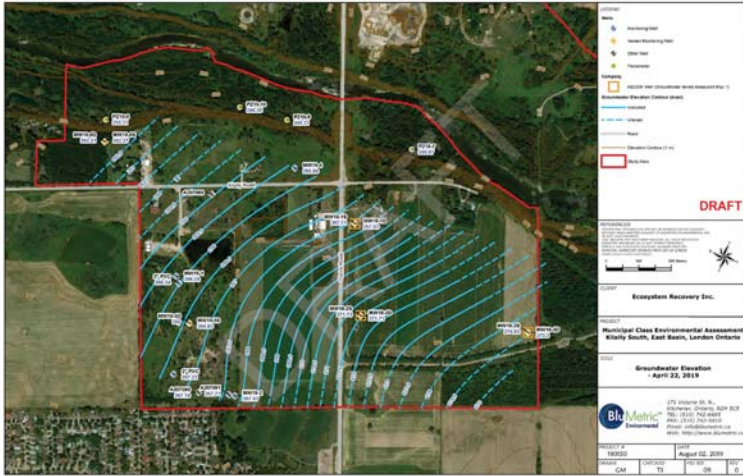
- Four monitoring wells;
- Two nested monitoring well pairs - deep and shallow wells;
- Four piezometers;
- Groundwater level monitoring;
- Groundwater quality monitoring;
- Monitoring Period January 16th 2019 to June 19th 2019; and
- Incorporation of data from ongoing adjacent work and previous investigations as appropriate.

Deliverables

- Hydrogeology Assessment Report (informs evaluation of alternatives, preferred alternative development, mitigation, and future monitoring program).



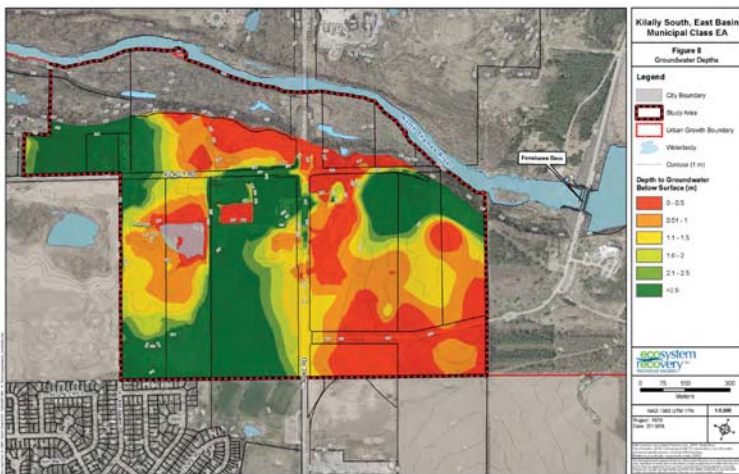
Kilally Class EA – EEPAC Presentation Hydrogeology – Groundwater Elevation



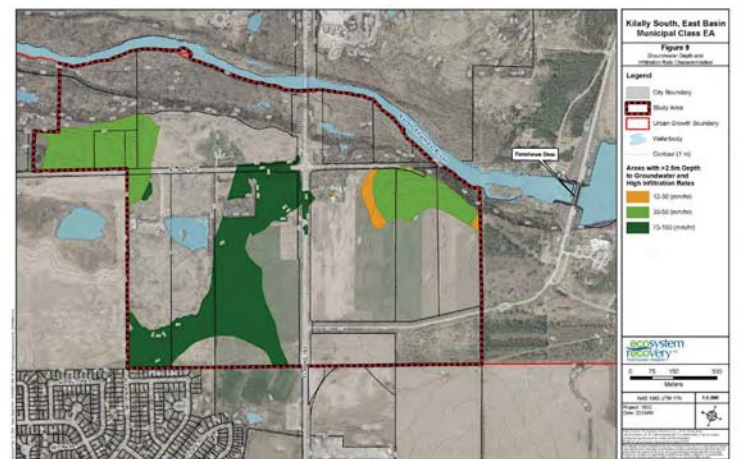
Kilally Class EA – EEPAC Presentation Hydrogeology – Interpreted Infiltration Rates



Kilally Class EA – EEPAC Presentation LID Screening – Groundwater Depths



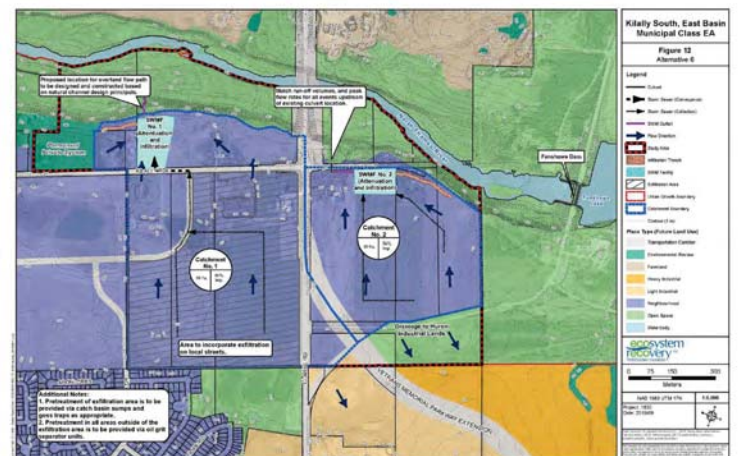
Kilally Class EA – EEPAC Presentation LID Screening – Groundwater Depth and Infiltration Rate



Kilally Class EA – EEPAC Presentation Long List of Alternatives

Proposed Alternate	Description	Evaluation Result
Alternate 1:	Do Nothing	<ul style="list-style-type: none"> ✓ Carried forward • Does not address the problem/opportunity statement.
Alternate 2:	2003 Recommended (single wet pond facility)	<ul style="list-style-type: none"> X Screened out • Does not provide water balance benefits or LID implementation.
Alternate 3:	Catchment wide LID (LID only)	<ul style="list-style-type: none"> X Screened out • Areas of the study area are not favourable for LID due to high groundwater table and low permeability soils.
Alternate 4:	Single wet pond SWM facility (2003 Enhanced) (with LID where feasible)	<ul style="list-style-type: none"> X Screened out • Can only provide partial water balance benefits.
Alternate 5:	Single infiltration and attenuation facility (with LID where feasible)	<ul style="list-style-type: none"> ✓ Carried forward • Can only provide partial water balance benefits.
Alternate 6:	Two infiltration and attenuation facilities (with LID where feasible)	<ul style="list-style-type: none"> ✓ Carried forward – Preferred • Water balance benefits can be achieved through catchment LIDs supplemented by end-of-pipe infiltration facilities.

Kilally Class EA – EEPAC Presentation Preferred Alternative



1. PIC – October 10th 6:00 to 8:00 pm;
2. Prepare Project File Report – Fall 2019;
3. File Project File Report – Fall 2019;
4. Detailed Design – 2020; and
5. Construction – 2022.





White Oak-Dingman Secondary Plan: Draft SLSR



Environmental and Ecological Planning Advisory Committee
September 19, 2019



White Oak-Dingman Secondary Plan Area

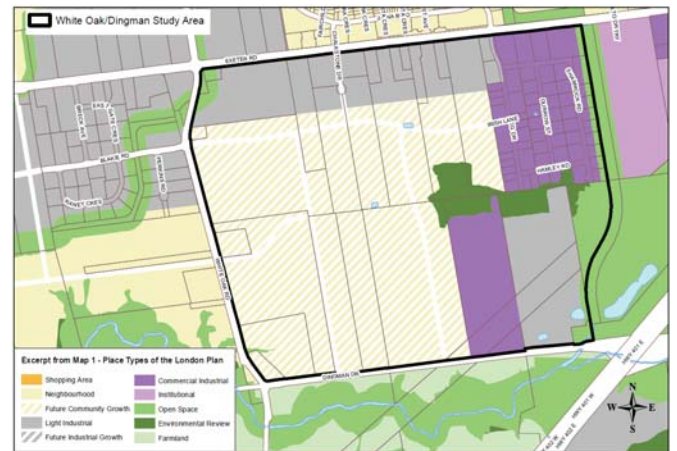


WOD Area: Background

- Large portion of White Oak/Dingman area added to City as part of annexation in 1993 (Industrial land).
- London Plan - Land Needs Review undertaken in 2014 as background to new Plan.
 - Evaluated industrial lands to determine if lands should continue as future industrial lands or be re-designated to non-industrial uses.
 - Result: a portion of the lands to be re-designated.



The London Plan – Map 1



Secondary Plan

- “Future Community Growth” in London Plan.
- When is a Secondary Plan required?
- Examples from London Plan policy 1557_ :
 - Areas added to the Urban Growth Boundary.
 - Areas in the “Future Community Growth” Place Type.
 - Areas requiring coordinated subdivision development.
 - Areas that are subject to substantial change as the result of a proposed major development.



White Oak-Dingman Area





Background Studies to Secondary Plan - SLSR

Subject Lands Status Report (policies 1425-1430)

- Confirms and maps boundaries of NHS features/areas.
 - (Green Space – Map 5 of The London Plan)
- Evaluates significance of lands in the Environmental Review Place Type.
- Identifies and evaluates the significance of other natural heritage features and areas which are not included in the Green Space or Environmental Review Place Types
 - including NHS features and vegetation patches greater than 0.5 hectares in size.
- Identifies natural heritage features that act as triggers for subsequent E.I.S. study (per PPS 2014 and The London Plan Table 13).
 - EIS undertaken at time of specific development application.
 - EIS determines whether, or the extent to which, development may be permitted in areas within, or adjacent to, specific components of the NHS (i.e. within the "trigger distance" study area).



Subject Lands Status Report

- Parsons conducted 3-season study on behalf of City.
- Draft available for Public and EEPAC comment.
- Aiming for end of 2019 to report to Planning and Environment Committee.



Parsons Field Investigations – 3 Season Ecological Inventory

- ✓ **Vegetation Characterization**
 - Botanical Inventory
 - Ecological Land Classification (ELC)
 - Wetlands
 - Invasive Species
- ✓ **Wildlife**
 - Breeding Bird Survey
 - Amphibian Call Survey
 - Bat Acoustic Survey
 - Snake Visual Encounter Survey
 - Species at Risk Survey
- ✓ **Significant Wildlife Habitat**
- ✓ **Species at Risk**
- ✓ **Fish Habitat**

SURVEY TYPE	DATE OF SURVEY	WEATHER CONDITIONS	TARGET SPECIES/DATA	FIELD INVESTIGATORS	
	26 April, 2018	Clear, 11°C	Amphibian survey visit #1 & Acoustic Bat Survey	Will Van Hemessen, Julie Scott	
Anuran Call Survey & Acoustic Bat Survey	16 May, 2018	Clear, 24°C	Amphibian survey visit #2a & Acoustic Bat Survey		
	17 May, 2018	Clear, 21°C	Amphibian survey visit #2b & Acoustic Bat Survey		
	13 June, 2018	Clear, 21°C	Amphibian survey visit #3 & Acoustic Bat Survey		
Vegetation Survey & Snake Visual Encounter Survey (VES)	29 May, 2018	Sunny, 28°C	ELC and botanical inventory (spring) & snake VES		
	29 June, 2018	Sunny, 31°C	ELC and botanical inventory (summer) & snake VES		
	11 October, 2018	Sunny, 21°C	ELC and botanical inventory (fall) & snake VES		
Breeding Bird Survey	14 June, 2018	Sunny, 12°C	Breeding birds visit #1		
	29 June, 2018	Sunny, 31°C	Breeding birds visit #2		
Fish Habitat	19 July, 2018	Sunny, 25°C	Fish habitat assessment		Mitch Dender



Subject Lands Status Report – Key Findings



- Natural Heritage Features**
- ✓ Significant Woodland
 - ✓ Wetlands
 - ✓ Significant Wildlife Habitat
 - ✓ Species at Risk
 - ✓ Fish Habitat
- Significant Wildlife Habitat (Confirmed)**
- Amphibian Breeding Habitat (Woodland)
 - Monarch Habitat
 - Open Country Bird Breeding Habitat / Grasshopper Sparrow Habitat
 - Terrestrial Crayfish Habitat
- Species at Risk (Confirmed)**
- Habitat for Eastern Meadowlark (Threatened)



Map 5 – London Plan

MAP 5 – NATURAL HERITAGE
MAP SUBJECT TO LPAT APPEAL FL170100



Subject Lands Status Report – Proposed Updates to Map 5

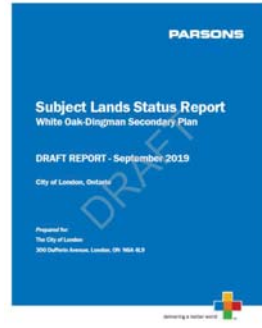


- Proposed London Plan Map 5 Updates**
- ✓ Significant Woodland
 - ✓ Wetlands
- LEGEND**
- Road
 - Utility Line
 - Watercourse
 - Subject Lands
 - Proposed Map 5 Update – Natural Heritage System Component
 - Significant Woodland
 - Wetland
 - Potential Naturalization Areas
 - Woodland Corridor
 - Unassessed Vegetation Patch
 - Unassessed Wetland
 - Potential ESAs
 - Significant Woodland
 - Significant Valleylands
 - Valleylands



Subject Lands Status Report

- Draft available on City's Secondary Plan webpage for Public and EEPAC comment.
- Aiming for end of 2019 to report to Planning and Environment Committee.



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

1.0 Introduction – Goals and Objectives

Goal The City of London (herein after referred to as the City) is seeking qualified consultants to design and complete an update to the current version of Environmental Management Guidelines (EMGs). The goal of the update is to clarify the existing guidelines and standards, propose new guidelines and standards where appropriate, and to align the guideline with the updated Provincial Policy Statement (2014) and with London’s new Official Plan, the London Plan (2016). Consideration should also be given to the draft 2019 Provincial Policy Statement, currently not in force.

“identify performance indicators for measuring the effectiveness of some or all of the policies. The Province shall monitor their implementation, including reviewing performance indicators concurrent with any review of this Provincial Policy Statement. Municipalities are encouraged to establish performance indicators to monitor the implementation of the policies in their official plans.”

The London Plan states in policy 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. They also assess the potential impacts of development and site alteration on the Natural Heritage System and on their adjacent lands, and are required prior to the approval of development to prevent negative impacts on the Natural Heritage System, and to demonstrate that there will be no negative impacts on the natural heritage features and areas or their ecological functions.”*

Additionally, London Plan policy 1424_ states *“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.”*

The EMGs provide direction regarding the standards, 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 or Environmental

Impact Studies.

Updating the EMGs will ensure that there is a consistent approach in the preparation of environmental studies that may be required to establish boundaries of natural heritage features, assess the potential impacts of development and site alteration on the Natural Heritage System, and identify protection, mitigation, and compensation measures that may be needed to protect Natural Heritage Features and functions.

1

Objective The objective of the study is to undertake a document review and update 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 provincial policies and legislation.

2.0 Background - Current Environmental Management Guidelines

Improving the usability and effectiveness of the City's EMGs will ensure the City's Natural Heritage System is identified, the impacts of development are assessed, and the identified natural heritage features and functions are protected over the long-term as required by the Provincial Policy Statement and the City's Official Plan. The EMGs are tools to implement existing policy and do not replace or supersede these policies. Revision of these approved policies will not be considered as part of this update.

The current version of the EMGs was approved by Council in 2007 and is available on the City's website in this link. The EMGs update process will consider the recommendations of the EIS Performance Monitoring Study that included engagement with the London Development Institute (LDI) and Environmental and Ecological Planning Advisory Committee (EEPAC). A link to the Planning and Environment Committee staff report (August 26, 2014), and study can be found here.

3.0 Scope of Work

3.1 Review Background Documents to Identify Data Gaps and Updated Policy Documents

The consultant will assemble a background review, taking into consideration all relevant and up to date **where possible**, background and government reference documents (and comments received on the current version of the EMGs) including but not limited to: **THIS SHOULD INCLUDE REFERENCE TO PEER-REVIEWED SCIENTIFIC STUDIES, PARTICULARLY SW**

ONTARIO

- Provincial Policy Statement (2014) - Draft Provincial Policy Statement (2019) - The London Plan (2016) – the City of London’s new Official Plan has been Council adopted and approved by the Minister of Municipal Affairs and Housing. More than 80% of the plan is in force and effect. Portions of The London Plan are currently under appeal before the Local Planning Appeal Tribunal (formerly the Ontario Municipal Board), and until those appeals are resolved the previous Official Plan (1989) also remains in effect. - The City of London Official Plan (1989) – portions of the 1989 Official Plan remain in effect until the appeals process is resolved. - The City of London (2017). *London Invasive Plant Management Strategy*. - Ontario Ministry of Natural Resources and Forestry (2010). *Natural Heritage Reference Manual 2nd edition (March 2010)*. - Environment Canada (2013). *How Much Habitat is Enough? Third Edition*. Environment Canada, Toronto, Ontario. - Ontario Ministry of Natural Resources and Forestry (2015). *Significant Wildlife Habitat Ecoregional Criteria Schedules: Ecoregion 7E*. - Ontario Ministry of Natural Resources and Forestry (2014). *Significant Wildlife Habitat Mitigation Support Tool*. - *Categorizing and Protecting Habitat under the Endangered Species Act, Feb 2012, Ontario* - *Forest Edge Management Plan Guidelines, Toronto and Region Conservation Authority, 2004* - *Conservation Halton Ecological Monitoring Protocols, version 1.0, February 2017*
- Ontario Ministry of Natural Resources and Forestry (2014). *Significant Wildlife Habitat Mitigation Support Tool Version 2014*. Southern Region Resources Section, Peterborough, Ontario. - Oldham, M. J., Carolinian Canada and Ontario Ministry of Natural Resources and Forestry (2017). *List of the Vascular Plants of Ontario’s Carolinian Zone (Ecoregion 7E)*. - Beacon Environmental Ltd. (2014). *Environmental Impact Study (EIS) Performance Evaluation for the City of London*. - Environmental and Ecological Planning Advisory Committee (EEPAC) (2019). *A Wetland Conservation Strategy for London: A Discussion Paper on Best Practices*. EEPAC, London, Ontario.
- *Ecological Buffer Guideline Review, Beacon Environmental for the Credit River Conservation Authority, Dec 2012*
- *Other Secondary Source literature – should be used to support a robust mitigation and restoration and monitoring (both compliance and effectiveness monitoring) strategy.*
It may be appropriate for a separate guideline for monitoring be developed (and include before/post monitoring, the output of monitoring, etc). This is not ToR, EMG (later). MOVE TO SEC 3.3

of ToR

- Existing references used in the Current EMG (2007) document
- Examples of similar guidelines from other Ontario municipalities and Conservation Authorities

Additional references as may be provided by stakeholders throughout the process.

3.2

Consultation

Consultation with external resource groups (stakeholder and community groups) and First Nations will be completed throughout the update process.

As the EMGs are tools to implement existing City policies and do not replace or supersede these policies, the specifics of the EMGs that are included in such policies will not be part of this consultation process. For example, the CITY OF LONDON ESA EVALUATION CRITERIA APPLICATION GUIDELINES as they are part of the current Official Plan and the London Plan..

External Resources

External resource groups that will be included as part of the consultation for this project include:

- Environmental and Ecological Planning Advisory Committee
- Advisory Committee on the Environment
- Upper Thames River Conservation Authority
- Lower Thames Valley Conservation Authority
- Kettle Creek Conservation Authority
- The Urban League of London
- The London Development Institute
- London Home Builders Association
- Nature London

First Nations Consultation

First Nation communities will be invited to engage in all stages of the EMGs update; Pre-consultation, Phase 1 and Phase 2. Pre-consultation will guide the project engagement process and establish the desired on-going consultation with First Nations communities. Community engagement requirements will be included in the revised EMGs at the direction and desire of

the communities.

To foster consistent inclusion of communities related to environmental planning and approval initiatives the City of London proposes to develop engagement standards with the communities to include in the EMGs update. These standards could consist of consultation during the initial EIS project stages for development projects that have not involved prior consultation, as typically completed during the EA process. Inclusion throughout the study process and during

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post construction monitoring as appropriate will also be explored during the EMGs revision in collaboration with the communities.

The Provincial Policy Statement (2014) in policy 1.2.2; *'Planning authorities are encouraged to coordinate planning matters with Aboriginal communities.'*

First Nations that must be included as part of the consultation for this project include:

- Chippewas of the Thames First Nation
 - Munsee-Delaware Nation
 - Oneida Nation of the Thames
- And other First Nations groups as applicable.

Pre-consultation: The City of London

Initial project initiation with external resources and First Nations will be undertaken by the City of London to establish a clear engagement process.

A presentation at EEPAC will be completed by City staff during this stage to introduce the project and consultation process. All external resources and First Nations will be invited to attend this project initiation presentation and engage in the process from the outset.

The City of London will circulate the ToR to the external resource groups and First Nations for comment. Comments from this initial consultation stage will be considered in the revision of the ToR prior to retaining a consultant and will guide the consultation process throughout.

The paragraph below should be moved to Phase 1 (changing the timeline) because between now and the initial meeting is when comments on the 2007 documents will be received, not cutting off all stakeholders including EEPAC and First Nations at September 19th.

Comments on the existing EMGs document and how this policy tool can be improved or revised will be invited and gathered during this initial stage. Given the potential for a high volume of responses, an excel spreadsheet matrix will be circulated to organize comments. Responses will be completed in subsequent project phases. These initial comments will be considered in the revision of the Terms of Reference and circulated to the retained consultant during Phase 1 of the project.

Phase 1: Project Initiation, Background Review and Draft Preparation

Phase 1 will begin with a project kickoff meeting between the consultant and the City of London. The consultant will be responsible for circulating meeting minutes.

The City of London will circulate the comments gathered during the Pre-consultation Phase to the retained consultant as part of the background review. Comments will be addressed within the spreadsheet and circulated to the external resource groups and First Nations. Consolidated comments will be circulated to all engaged external resource groups and First Nations.

The consultant will be responsible for up to two meetings per external resource group or First Nation band during Phase 1 of the consultation process. The consultant will be responsible for meeting minutes and for ensuring stakeholders are reminded of deadlines for submissions.

In Section 3.1. Include conclusions and recommendations of past subwatershed studies by the City of London.

Based on the review of the background materials identified in Section 3.1 and in consultation with the City of London's Ecologist Planners, the consultant will complete the first revision of the EMGs, considering the initial comments provided by external resource groups and First Nations on suggested EMGs revisions.

4

A presentation at EEPAC will be completed by the consultant during this stage (mid April 2020) to present the initial draft of the revised EMGs. All external resource groups and First Nations will be invited to attend this presentation and engage in the process. The revised EMGs document will be circulated to all external resource groups and First Nations in coordination with this presentation for review and comment.

Phase 2: Draft Review, Comment Resolution

The consultant will be responsible for up to two meetings per external resource group and First

Nation band during Phase 2 of the consultation process. These meetings will work to review and resolve comments provided by the external resource groups and First Nations and explain comment responses. The retained consultant will be responsible for circulating meeting minutes to the City of London and the involved external resource groups and First Nations for the meetings. The consultant will accept **one round of comments** from all external resource groups and First Nations within the EMGs comment spreadsheet in response to the draft EMGs.

A second draft shall be prepared for external resource and First Nations review. All external resource groups and First Nations shall be invited to discuss areas of disagreement and attempt to resolve differences in a consultative manner.

Based on comment resolution completed within the EMGs comment spreadsheet and during the external resource groups and First Nations meetings, the consultant **will revise the EMGs draft**. The City of London and consultant will attempt to resolve any outstanding comments and finalize the EMGs document for presentation at EEPAC and Planning and Environment Committee (PEC). The consultant will be responsible for presenting to EEPAC and PEC.

All external resource group and First Nation feedback will be considered throughout the process, however, all comments may not be incorporated in the final draft recommended to Council.

Comments on existing 2007 EMG → draft 1 → comments on draft 1 → final draft → review & presentation to EEPAC. This timeline should be made clear in a sequential chart.

3.3 Revise the Environmental Management Guidelines

Section specific updates will be completed to align with the aforementioned background documents and policies. This update will confirm and update the existing EMGs sections, assessing if those sections are necessary and if any additional sections or deletions are warranted. **The consultant should update only those sections of the Guidelines that need to be updated.** However, a recommendation may be that some or all of the Guidelines not be revised. **The consultant shall recommend how to update references in those Guidelines that require no changes, without opening said Guideline(s) to appeal to the LPAT.** During the update for the 2020 EMGs, the current 2007 EMGs remain in full force and effect.

- 1. Guidelines for the Preparation and Review of Environmental Impact Statements (EIS)**
 - 2. Data Collection Standards for Ecological Inventory**
 - 3. Guideline Documents for Environmentally Significant Areas Identification, Evaluation and Boundary Delineation**
 - 4. Guideline Document for the Evaluation of Ecologically Significant Woodlands**
 - 5. Guidelines for Determining Setbacks and Ecological Buffers**
 - 6. Guide to Plant Selection for Natural Heritage Areas and Buffers.**
- New separate guideline for monitoring should be considered,**

reflecting pre- and post- construction period.

4.0 Summary of Deliverables

The process to update the EMGs for the City of London will include:

1. Development of updated draft EMGs and a “final” EMGs in consultation with the Ecologist Planners, external resource groups and First Nations based on municipal, provincial and federal policies. Use of secondary sources where appropriate to develop

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robust policies and procedures that foster the identification, protection, restoration and enhancement of the Natural Heritage System in the City of London. 2. Recommend a review and revision cycle for the updated Guidelines 3. Responses to written comments. 4. Minutes of all meetings. 5. Attend, present (prepare slideshow) and answer questions on the updated EMGs at an EEPAC meeting 6. Attend, present (prepare slideshow) and answer questions on the updated EMGs to London City Council at a future Planning and Environment Committee Meeting.

5.0 Timeline

Pre-consultation (*August 1 – November 1, 2019*):

August 1, 2019 – Circulate Terms of Reference, EMGs initial comment matrix and EEPAC presentation invitation to external resource groups and First Nations **August 15, 2019** – City of London project initiation presentation at EEPAC **September 19, 2019** – External resource groups and First Nations response deadline for ToR and comments on the 2007 version of the EMGs **September 27, 2019** – City of London to revise the ToR for bid circulation **October 4, 2019** – ToR circulated and invitation to bid sent out **October 18, 2019** – Deadline for Bid Submission **November 1, 2019** – Project Award to Successful Bidder

Phase 1 – Background Review and Draft Development (*November 15, 2019 – May 21, 2020*):

November 15, 2019 – Kick-off Meeting between successful bidder and the City of London **November 22, 2019** – Begin engaging external resource groups and First Nations (via email with up to two meetings per group) **December 20, 2019** –

Background review and address initial EMGs comments. Circulate consolidated comments to engaged external resource groups and First Nations **April 16, 2020 – EEPAC presentation and circulation of the updated Draft EMGs for comment May 21, 2020** – Deadline to receive comments on the Draft EMGs from external resource groups and First Nations

Phase 2 – Draft Revision and Planning and Environment Committee Presentation (*June 1 – July 27, 2020*):

June 1, 2020 – Begin external resource group consultation on the Draft EMGs (minimum two sessions per group) **July 10, 2020** – Final Version of Revised EMGs circulated **July 27, 2020** – Consultant Presentation of Final EMGs at Planning and Environment Committee

Trees and Forests Advisory Committee

Report

9th Meeting of the Trees and Forests Advisory Committee
September 25, 2019
Committee Room #4

Attendance PRESENT: A. Cantell (Acting Chair), M. Demand, A. Hames, J. Kogelheide, A. Morrison, A. Valastro; and J. Bunn (Acting Secretary)

REGRETS: R. Mannella and A. Thompson

ALSO PRESENT: A. Beaton, J. Parsons and D. Turner

The meeting was called to order at 12:21 PM.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

A. Cantell discloses a pecuniary interest in Item 5.3 of the 9th Report of the Trees and Forests Advisory Committee, having to do with Provincial Funding Changes and the Impacts on Tree Planting in London, by indicating that her employer is affected by the funding cuts.

2. Scheduled Items

None.

3. Consent

3.1 8th Report of the Trees and Forests Advisory Committee

That it BE NOTED that the 8th Report of the Trees and Forests Advisory Committee, from its meeting held on August 28, 2019, was received.

3.2 Municipal Council Resolution - 7th Report of the Trees and Forests Advisory Committee

That it BE NOTED that the Municipal Council resolution, from its meeting held on August 27, 2019, with respect to the 7th Report of the Trees and Forests Advisory Committee, was received.

4. Sub-Committees and Working Groups

None.

5. Items for Discussion

5.1 Urban Forestry Strategy Update

That the Civic Administration BE REQUESTED to attend a future meeting of the Trees and Forests Advisory Committee to speak to canopy requirements on new development sites; it being noted that the attached presentation from J. Parsons, Division Manager, Transportation and Roadside Operations, with respect to an Urban Forestry Strategy update, was received.

5.2 London and Area Tree Data

That it BE NOTED that the communication from J. Kogelheide, as appended to the agenda, with respect to London and Area Tree Data, was received.

5.3 Provincial Funding Changes and Impacts on Tree Planting in London

That the following actions be taken with respect to Provincial Funding Changes and the Impacts on Tree Planting in London:

a) the Municipal Council BE REQUESTED to continue to cover the operating budgets, at the current level or higher, for the Conservation Authorities operating within London; and,

b) a representative from ReForest London BE INVITED to attend a future meeting of the Trees and Forests Advisory Committee to present their business plan for the next two years and to indicate how the Provincial funding cuts are affecting their budget;

it being noted that this funding will be necessary in keeping the City of London on track with the Urban Forest Strategy;

it being further noted that the communication from J. Kogelheide, as appended to the agenda, with respect to this matter, was received.

5.4 2018 and 2019 TFAC Work Plans

That the 2018 and 2019 Trees and Forests Advisory Committee (TFAC) Work Plans BE DEFERRED to the next meeting of the TFAC.

6. Adjournment

The meeting adjourned at 2:08 PM.



Urban Forest Strategy: Implementation Plan Update 2019



Trees and Forests Advisory Committee
September 25, 2019

Presented by John Parsons, Division Manager, Road Operations & Forestry



We Are "The Forest City"

The Urban Forest Strategy is a plan that engages citizens and outlines the necessary steps the City of London must take to protect, enhance, and monitor the urban forest that defines London as the "Forest City."



The Urban Forest refers to all trees within the municipal boundary, regardless of land use type or ownership.



We Are "The Forest City"

The City of London's urban forest is a \$1.5 billion dollar asset, providing social, environmental, and economic benefits to Londoners.

The Implementation Plan is illustrated by timeframe and priority in order to fully implement the Urban Forest Strategy over a 20 year period.

The pillars of the plan are defined as *Plant More*, *Protect More*, *Maintain Better* and *Engage the Community*



Implementation Plan Update

Action	Item	Progress
Prepare a planting strategy for the City and increase tree planting in both private and public lands	1.3,2.8,2.7,10.5	Tree Planting Strategy completed Dec 2017. Funding has been provided to increase tree planting in all sectors. Mortality estimates were included in Tree Planting Strategy, based on available literature
Update tree inventory along boulevards, parks and city facilities	3.8,2.1,10.1	Tree inventory update started in spring 2019, plantable spaces are being collected along boulevards in addition to the planting locations identified by parks staff



Implementation Plan Update

Action	Item	Progress
Update tree species list	3.9,3.10	Urban Forestry updated and approved tree species list in 2017/18
Provide more tree care enforcement and tree health care staff resources	5.1, 5.3,6.2,5.6	New UF staff hired to administer Property Standards, Boulevard Tree Protection and Tree Protection By-laws. Heritage Trees (Ontario Heritage Act) included in proposed new by-law (2019). Forestry Inspector hired this fall
Review and revise the current Boulevard Tree Protection By-law	5.7	Revised Boulevard Tree Protection By-law CP-22 was approved by Council on March 5 2019
Undertake inter-departmental staff workshops to promote trees and tree-friendly design concepts.	7.1	Consultation and outreach by Forestry staff is ongoing
Raise public awareness for tree planting programs	9.1,15.1,9.3	TreeMe program is promoted widely across City. Community Partners also provide awareness. National Tree Day 9/25/2019



Implementation Plan Update

Action	Item	Progress
Monitor canopy cover	11.2	Tree canopy cover fly-over 2015. LIDAR completed 2016 data being analyzed
Expand the testing and use of innovative methods of accommodating trees in our landscape	12.1,2.5	SilvaCells, stratacells and expanded tree pits have been incorporated in road projects
Initiate discussion forums with stakeholders to promote the benefits of mature tree retention. Including educational outreach.	13.1,17.3,17.5,13.2,18.1,12.2,17.2	Forestry staff provide design and tree protection advice on construction projects. Staff also connect with multiple stakeholders on an Ad-hoc bases.
Prioritize the enhancement of plantable space in areas that are "hot spots" where tree planting could mitigate the urban heat island effect.	2.6	This concept is promoted in the Dundas St flex street and East London parking lot upgrades
Update website	17.1, 17.4, 17.5	UF pages on website overhauled 2018 including service London portal link. Also includes, Educational links and notices regarding tree conditions





Implementation Plan Update

Action	Item	Progress
Increase the annual maintenance budget proportionally to new boulevard tree plantings.	9.5	Requests for growth funding submitted for each budget cycle.
Encourage community gardens to consider the use of food producing tree species	3.4	Included Urban Agriculture Strategy (2019)
Establish a scheduled life cycle and area based tree maintenance cycle	8.2	Trim cycle is being reduced with additional funding sources



Implementation Plan Update

Action	Item	Progress
Develop and implement an integrated pest management plan.	6.4	Invasive Plant Management Strategy adopted.
Reduce the area of turf grass in the City through tree planting	9.4	Naturalization program underway in many open spaces.
Improve tree health along transportation corridors, consider alternate designs that will protect trees.	6.3	Complete Streets Design Manual (2019)



Next Steps

- Continue to work through the plan with our partners and stakeholders
- Promote and provide educational awareness
- Include business case in multi-year budget 2020 2023



Questions?



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: 800, 805 & 810 Chelton Road
Application for Zoning By-law Amendment

Public Participation Meeting on: October 7, 2019

Recommendation

That, on the recommendation of the Director, Development Services based on the application of The Ironstone Building Company Inc. relating to the lands located at 800, 805 and 810 Chelton Road, the proposed by-law attached hereto as Appendix 'A' **BE INTRODUCED** at the Municipal Council meeting to be held on October 15, 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 Community Shopping Area CSA3 Zone, Associated Shopping Area Commercial (ASA1/ASA2/ASA3) Zone, and a Holding Residential R6/R9 (h-54•R6-5/R9-3•H20) Zone **TO** a Residential R5 (R5-7) Zone, a Residential R5 Special Provision R5-7() Zone, a Residential R9 Special Provision Bonus (R9-7()•H16•B-_) Zone, and an Open Space OS5 Zone.

IT BEING NOTED THAT the proposed Bonus Zone will be implemented through the required development agreement(s) to facilitate the development of low to mid-rise apartment buildings up to a maximum of five (5) storeys and six (6) storeys which substantially implements the vision and principles of the Chelton Road Master Plan for 800, 805 and 810 Chelton Road, and site concept plans attached to the amending by-law in exchange for the following facilities, services and matters:

- i. Enhanced building and site design features including an active street edge along Bradley Avenue, Chelton Road, and Meadowgate Boulevard;
- ii. Dedication of public open space (OS5) lands;
- iii. Measures to enhance the Natural Heritage System including substantial buffer planting with native vegetation to protect adjacent natural features;
- iv. Large quantities of secure bicycle parking and cycling infrastructure including indoor and outdoor storage facilities, and a multi-use pathway internal to the site providing connections to surrounding public sidewalks and pedestrian trails; and,
- v. Substantial tree planting of large caliper trees to be planted along the street frontage and outdoor amenity areas.

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 allow residential dwellings including townhouses and back-to-back townhouse units up to three storeys in height; and apartment buildings ranging in height from four (4) to six (6) storeys.

Rationale of Recommended Action

1. The recommended zoning amendment is consistent with the *Provincial Policy Statement (PPS), 2014*, as it promotes efficient development and land use patterns; accommodates 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.
2. The recommended zoning amendment conforms to the in-force policies of The London Plan, including but not limited to the Neighbourhoods Place Type, Our Strategy, City Building and Design, Our Tools, and all other applicable London Plan policies.
3. The recommended zoning amendment permits a use, form and intensity of residential development that conforms to the in-force policies of the (1989) Official Plan, including but not limited to the Community Commercial Node and Multi-Family, High Density Residential designations.
4. The recommended zoning amendment will allow for an increase in building height through a Bonus Zone which requires that developments implement the vision and principles of the Chelton Road Master Plan, and site concept plans attached to the amending by-law. The recommended Bonus Zone provides for an increased height in return for a series of bonusable features, matters and contributions that benefit the public.
5. The subject development blocks are of a size and shape suitable to accommodate the proposal. The recommended zoning amendment provides appropriate regulations to control the use and intensity of the building and ensure a well-designed development with appropriate mitigation measures.
6. The proposed uses, form, and intensity are considered appropriate and compatible with existing residential development in the surrounding neighbourhood.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject lands are comprised of vacant blocks within a registered plan of subdivision (Block 150, 151 and 152 Registered Plan 33M-756). The site topography is relatively flat and devoid of vegetation, with the exception of trees inside the northerly limit of Blocks 151 and 152 proposed to be retained and zoned as Open Space.

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

- The London Plan Place Types – Shopping Area, Neighbourhoods and Green Space
- (1989) Official Plan Designations – Community Commercial Node, Multi-family, High Density Residential and Open Space
- Zoning:
 - Community Shopping Area CSA3
 - Associated Shopping Area Commercial (ASA1/ASA2/ASA3)
 - Holding Residential R6/R9 (h-54•R6-5/R9-3•H20)

1.3 Site Characteristics

	Current Land Use	Frontage (approx.)	Depth (approx.)	Area	Shape
Block 150	Vacant	160 metres	250 metres	4.15 hectares	Regular
Block 151	Vacant	108 metres	176 metres	1.97 hectares	Irregular
Block 152	Vacant	209 metres	92 metres	1.34 hectares	Irregular

1.4 Surrounding Land Uses

- North – townhouses, future medium density residential, and open space lands (Provincially Significant Wetland)
- East – future residential (single detached and street townhouse dwellings)
- South – farm and cultivated fields
- West – cultivated fields and open space lands

Site Location Map

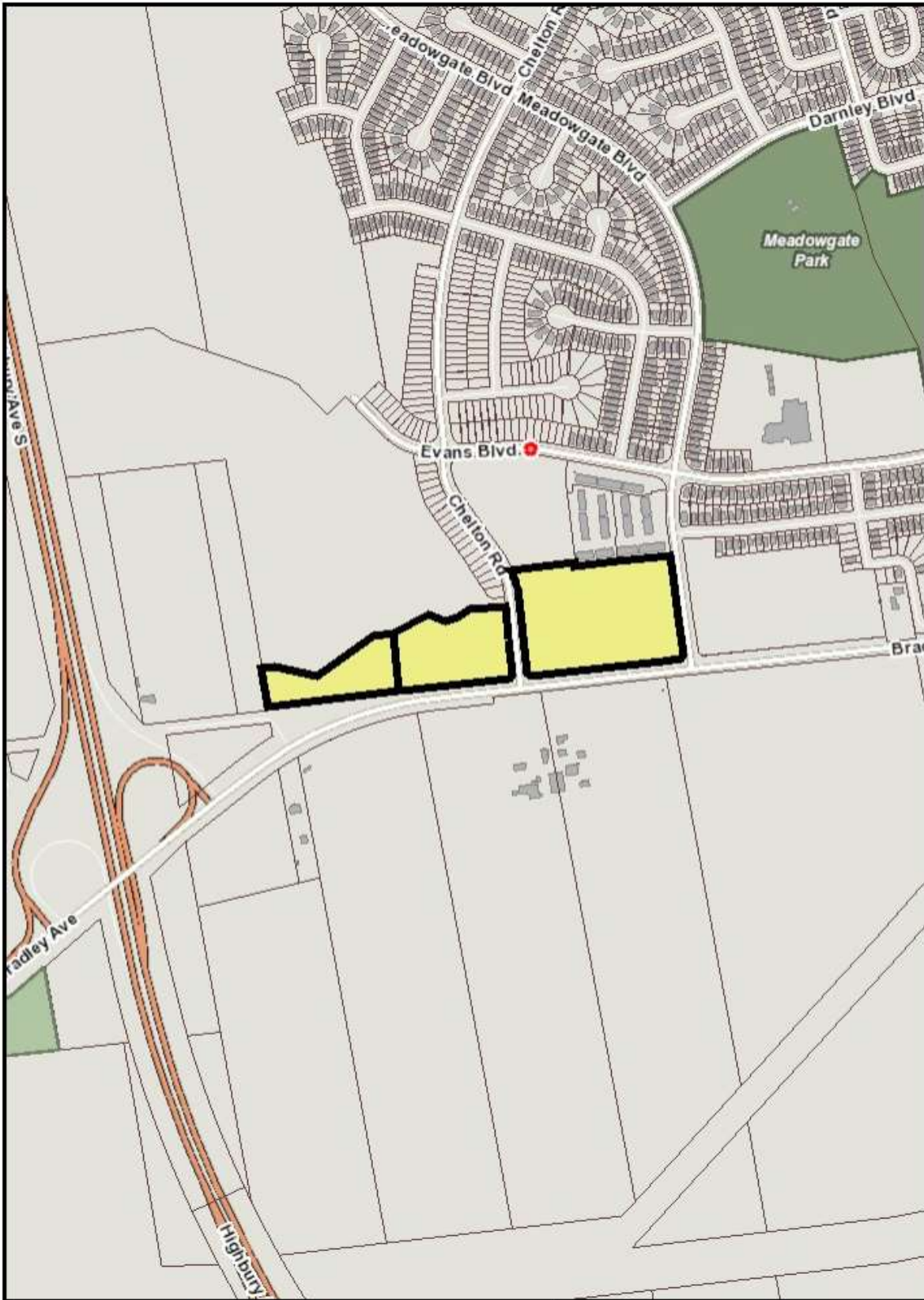


**810 Chelton Road
(Block 152)**

**800 Chelton Road
(Block 151)**

**805 Chelton Road
(Block 150)**

1.5 Location Map



Location Map

Subject Property: 800 Chelton Road
Applicant: **The Ironstone Building Co. Inc.**
File Number: Z-9089
Created By: Larry Mottram
Date: 7/2/2019
Scale: 1:8000

Legend

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



2.0 Description of Proposal

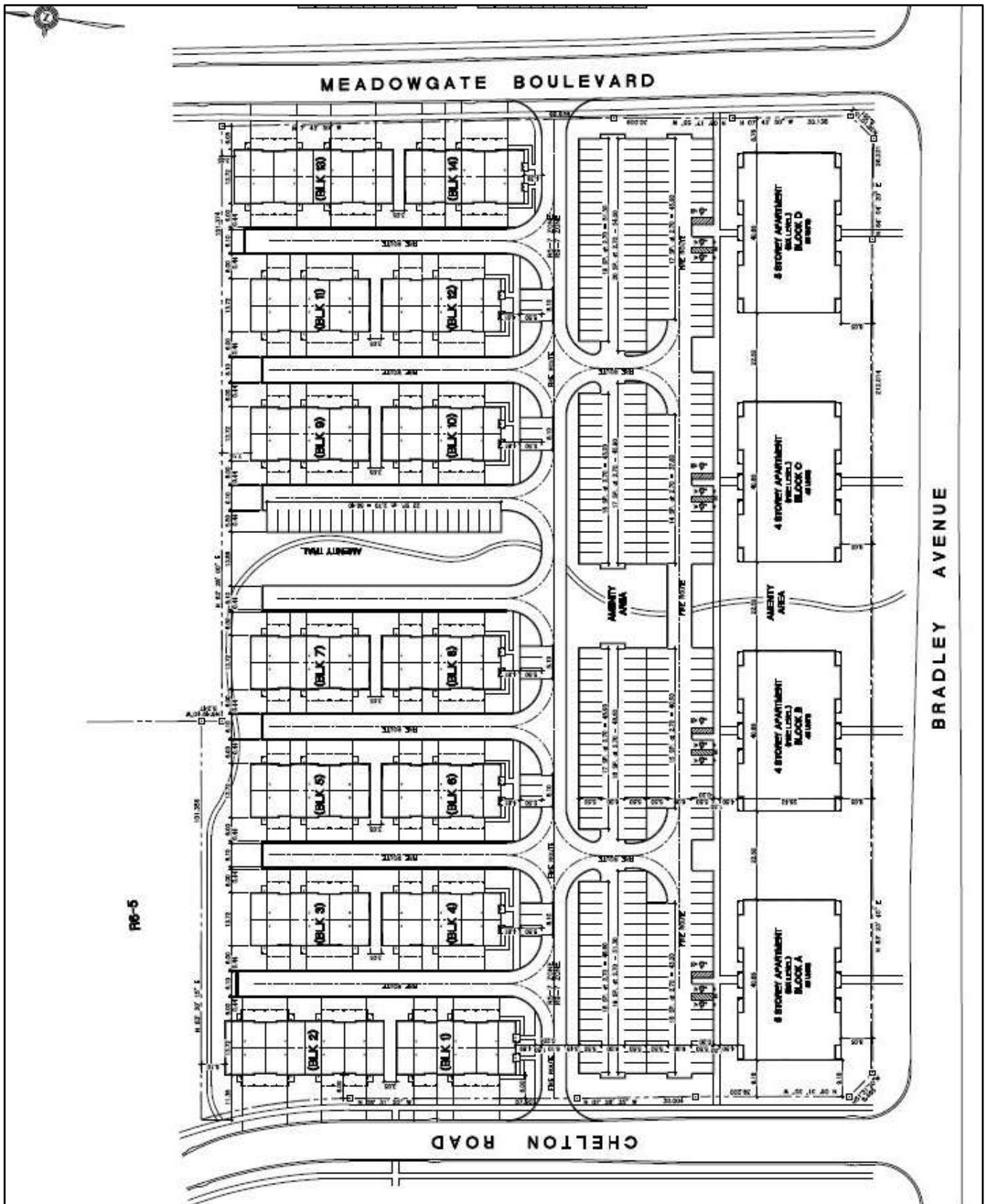
2.1 Development Proposal

805 Chelton Road – Four apartment buildings (two 4-storey and two 5-storey buildings) oriented to Bradley Avenue on the southerly portion of the site (200 units total); and 3-storey, back-to-back cluster townhouses on the northerly portion of the site (88 units total).

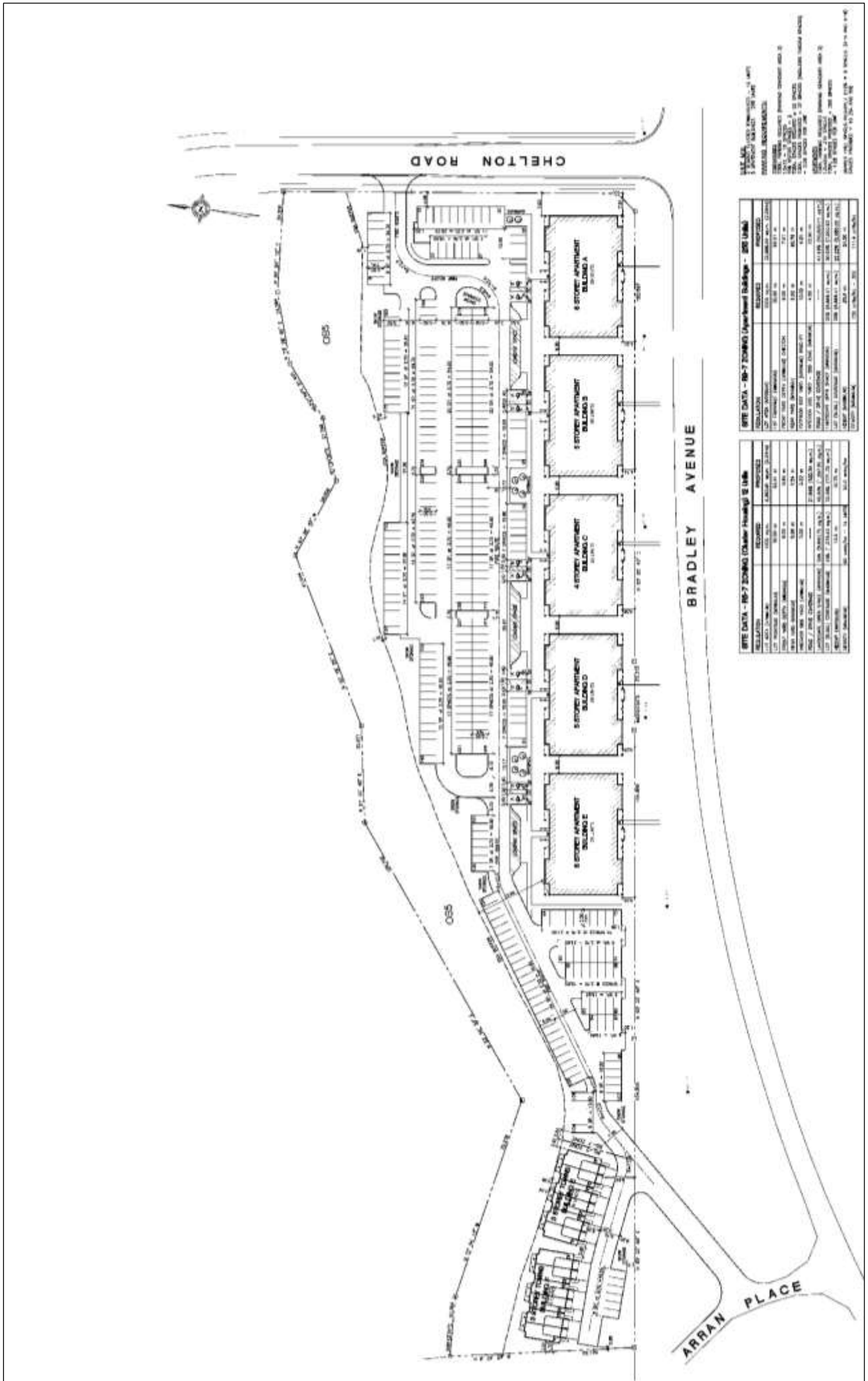
800 - 810 Chelton Road – Five apartment buildings (one 4-storey, two 5-storey and two 6-storey buildings) oriented to Bradley Avenue on the southerly portion of the site (255 units total); and cluster townhouses on the westerly portion of the site (12 units total).

2.2 Site Concept Plans

805 Chelton Road



800 - 810 Chelton Road



SCALE:
 1" = 100'-0" (VERTICAL)
 1" = 100'-0" (HORIZONTAL)

SITE DATA - (R-7 ZONING) Apartment Building - 200 Units

REGULATION	REQUIREMENTS	PROPOSED
1.1.1.1.1.1	MINIMUM UNIT SIZE	500 S.F.
1.1.1.1.2	MINIMUM UNIT PRICE	\$100,000
1.1.1.1.3	MINIMUM UNIT RENT	\$1,000
1.1.1.1.4	MINIMUM UNIT AREA	500 S.F.
1.1.1.1.5	MINIMUM UNIT PRICE	\$100,000
1.1.1.1.6	MINIMUM UNIT RENT	\$1,000
1.1.1.1.7	MINIMUM UNIT AREA	500 S.F.
1.1.1.1.8	MINIMUM UNIT PRICE	\$100,000
1.1.1.1.9	MINIMUM UNIT RENT	\$1,000
1.1.1.1.10	MINIMUM UNIT AREA	500 S.F.
1.1.1.1.11	MINIMUM UNIT PRICE	\$100,000
1.1.1.1.12	MINIMUM UNIT RENT	\$1,000
1.1.1.1.13	MINIMUM UNIT AREA	500 S.F.
1.1.1.1.14	MINIMUM UNIT PRICE	\$100,000
1.1.1.1.15	MINIMUM UNIT RENT	\$1,000
1.1.1.1.16	MINIMUM UNIT AREA	500 S.F.
1.1.1.1.17	MINIMUM UNIT PRICE	\$100,000
1.1.1.1.18	MINIMUM UNIT RENT	\$1,000
1.1.1.1.19	MINIMUM UNIT AREA	500 S.F.
1.1.1.1.20	MINIMUM UNIT PRICE	\$100,000
1.1.1.1.21	MINIMUM UNIT RENT	\$1,000
1.1.1.1.22	MINIMUM UNIT AREA	500 S.F.
1.1.1.1.23	MINIMUM UNIT PRICE	\$100,000
1.1.1.1.24	MINIMUM UNIT RENT	\$1,000
1.1.1.1.25	MINIMUM UNIT AREA	500 S.F.
1.1.1.1.26	MINIMUM UNIT PRICE	\$100,000
1.1.1.1.27	MINIMUM UNIT RENT	\$1,000
1.1.1.1.28	MINIMUM UNIT AREA	500 S.F.
1.1.1.1.29	MINIMUM UNIT PRICE	\$100,000
1.1.1.1.30	MINIMUM UNIT RENT	\$1,000
1.1.1.1.31	MINIMUM UNIT AREA	500 S.F.
1.1.1.1.32	MINIMUM UNIT PRICE	\$100,000
1.1.1.1.33	MINIMUM UNIT RENT	\$1,000
1.1.1.1.34	MINIMUM UNIT AREA	500 S.F.
1.1.1.1.35	MINIMUM UNIT PRICE	\$100,000
1.1.1.1.36	MINIMUM UNIT RENT	\$1,000
1.1.1.1.37	MINIMUM UNIT AREA	500 S.F.
1.1.1.1.38	MINIMUM UNIT PRICE	\$100,000
1.1.1.1.39	MINIMUM UNIT RENT	\$1,000
1.1.1.1.40	MINIMUM UNIT AREA	500 S.F.
1.1.1.1.41	MINIMUM UNIT PRICE	\$100,000
1.1.1.1.42	MINIMUM UNIT RENT	\$1,000
1.1.1.1.43	MINIMUM UNIT AREA	500 S.F.
1.1.1.1.44	MINIMUM UNIT PRICE	\$100,000
1.1.1.1.45	MINIMUM UNIT RENT	\$1,000
1.1.1.1.46	MINIMUM UNIT AREA	500 S.F.
1.1.1.1.47	MINIMUM UNIT PRICE	\$100,000
1.1.1.1.48	MINIMUM UNIT RENT	\$1,000
1.1.1.1.49	MINIMUM UNIT AREA	500 S.F.
1.1.1.1.50	MINIMUM UNIT PRICE	\$100,000

SITE DATA - (R-7 ZONING) (Single Housing) 2 Units

REGULATION	REQUIREMENTS	PROPOSED
1.1.1.1.1	MINIMUM UNIT SIZE	500 S.F.
1.1.1.1.2	MINIMUM UNIT PRICE	\$100,000
1.1.1.1.3	MINIMUM UNIT RENT	\$1,000
1.1.1.1.4	MINIMUM UNIT AREA	500 S.F.
1.1.1.1.5	MINIMUM UNIT PRICE	\$100,000
1.1.1.1.6	MINIMUM UNIT RENT	\$1,000
1.1.1.1.7	MINIMUM UNIT AREA	500 S.F.
1.1.1.1.8	MINIMUM UNIT PRICE	\$100,000
1.1.1.1.9	MINIMUM UNIT RENT	\$1,000
1.1.1.1.10	MINIMUM UNIT AREA	500 S.F.
1.1.1.1.11	MINIMUM UNIT PRICE	\$100,000
1.1.1.1.12	MINIMUM UNIT RENT	\$1,000
1.1.1.1.13	MINIMUM UNIT AREA	500 S.F.
1.1.1.1.14	MINIMUM UNIT PRICE	\$100,000
1.1.1.1.15	MINIMUM UNIT RENT	\$1,000
1.1.1.1.16	MINIMUM UNIT AREA	500 S.F.
1.1.1.1.17	MINIMUM UNIT PRICE	\$100,000
1.1.1.1.18	MINIMUM UNIT RENT	\$1,000
1.1.1.1.19	MINIMUM UNIT AREA	500 S.F.
1.1.1.1.20	MINIMUM UNIT PRICE	\$100,000
1.1.1.1.21	MINIMUM UNIT RENT	\$1,000
1.1.1.1.22	MINIMUM UNIT AREA	500 S.F.
1.1.1.1.23	MINIMUM UNIT PRICE	\$100,000
1.1.1.1.24	MINIMUM UNIT RENT	\$1,000
1.1.1.1.25	MINIMUM UNIT AREA	500 S.F.
1.1.1.1.26	MINIMUM UNIT PRICE	\$100,000
1.1.1.1.27	MINIMUM UNIT RENT	\$1,000
1.1.1.1.28	MINIMUM UNIT AREA	500 S.F.
1.1.1.1.29	MINIMUM UNIT PRICE	\$100,000
1.1.1.1.30	MINIMUM UNIT RENT	\$1,000
1.1.1.1.31	MINIMUM UNIT AREA	500 S.F.
1.1.1.1.32	MINIMUM UNIT PRICE	\$100,000
1.1.1.1.33	MINIMUM UNIT RENT	\$1,000
1.1.1.1.34	MINIMUM UNIT AREA	500 S.F.
1.1.1.1.35	MINIMUM UNIT PRICE	\$100,000
1.1.1.1.36	MINIMUM UNIT RENT	\$1,000
1.1.1.1.37	MINIMUM UNIT AREA	500 S.F.
1.1.1.1.38	MINIMUM UNIT PRICE	\$100,000
1.1.1.1.39	MINIMUM UNIT RENT	\$1,000
1.1.1.1.40	MINIMUM UNIT AREA	500 S.F.
1.1.1.1.41	MINIMUM UNIT PRICE	\$100,000
1.1.1.1.42	MINIMUM UNIT RENT	\$1,000
1.1.1.1.43	MINIMUM UNIT AREA	500 S.F.
1.1.1.1.44	MINIMUM UNIT PRICE	\$100,000
1.1.1.1.45	MINIMUM UNIT RENT	\$1,000
1.1.1.1.46	MINIMUM UNIT AREA	500 S.F.
1.1.1.1.47	MINIMUM UNIT PRICE	\$100,000
1.1.1.1.48	MINIMUM UNIT RENT	\$1,000
1.1.1.1.49	MINIMUM UNIT AREA	500 S.F.
1.1.1.1.50	MINIMUM UNIT PRICE	\$100,000

2.2 Conceptual Building Renderings



3 storey townhouse units



3 storey, back-to-back townhouse units



5 storey apartment building



6 storey apartment building

3.0 Relevant Background

3.1 Planning History

On January 9, 2017 the City of London Approval Authority granted draft-approval to a revised draft plan of subdivision representing Phase 13 of the Summerside subdivision located on the north side of Bradley Avenue, east of Highbury Avenue South. The draft plan phase included 196 single detached lots, one (1) residential block, one (1) hydro easement block, two (2) medium density residential blocks, one (1) multi-family residential block, two (2) commercial blocks, one (1) open space block, one (1) walkway block, and several 0.3 m reserve blocks; all served by Bradley Avenue, the extensions of Evans Boulevard, Chelton Road, and Meadowgate Boulevard, and two (2) new streets shown as Irish Moss Road and Chelton Court.

The lands which are the subject of this application were identified as Community Shopping Area, Associated Shopping Area, and Medium Density Residential blocks in the original draft plan approved in July of 2006. This draft plan was granted several extensions to the lapse date over a period of time. In August of 2015, Drewlo Holdings Inc. acquired the remaining undeveloped lands within the Summerside subdivision previously owned by Jackson Land Corp. and Jackson Summerside Land Corp. They subsequently came forward with a request for red-line revisions to the portions of the Summerside draft plan representing Phase 13. Final approval for part of the Phase 13 draft plan, including the two commercial blocks (Blocks 150 and 151) and the multi-family block (Block 152) was given in November 20, 2018, and the plan was registered on December 5, 2018 as Registered Plan No. 33M-756.

3.2 Requested Amendment

Amendment to Zoning By-law No. Z.-1 to change the zoning from a Community Shopping Area (CSA3) Zone, an Associated Shopping Area Commercial (ASA1/ASA2/ASA3) Zone, and a holding Residential R6/R9 (h-54 R6-5/R9-3 H20) Zone to a Residential R5 (R5-7) Zone to permit cluster townhouses and cluster stacked townhouses up to 60 units per hectare and maximum height of 12 metres (north half Block 150); a Residential R5 Special Provision (R5-7()) Zone with special provisions to permit an interior side yard depth of 2.0 metres minimum, and 0.0 metre yard setback adjacent to an OS5 Zone (west portion of Block 152); a Residential R9 Special Provision (R9-7()) Zone to permit apartment buildings, senior citizens apartment buildings, and continuum-of-care facilities up to 150 units per hectare and maximum height of 25.0 metres, together with special provisions to permit a front yard depth of 6.0 metres minimum, exterior side yard depth of 3.0 metres

minimum, and 0.0 metre yard setback adjacent an OS5 Zone (south half Block 150, Block 151, and portion of Block 152); and to an Open Space (OS5) Zone to permit conservation lands, conservation works, passive recreation uses which include hiking trails and multi-use pathways, and managed woodlots (northerly perimeter Blocks 151 & 152). Bonus zoning for additional building height exceeding four (4) storeys up to six (6) storeys is also requested.

3.3 Community Engagement (see more detail in Appendix B)

Comments/concerns received from the community are summarized as follows:

- There are no shopping or restaurant establishments in the immediate area so the current zoning seems the most appropriate.
- High density residential will result in greater traffic volumes at peak times on an already congested, two-lane Bradley Avenue.

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). 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). Natural features and areas shall be protected for the long term (Section 2.1.1).

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 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.

Map 1 – Place Types* shows Block 150 as being within a Shopping Area Place Type and Blocks 151 and 152 within the Neighbourhoods, and partially within the Green Space Place Types. The Shopping Area Place Type permits a broad range of retail, service, office, entertainment, recreational, educational, institutional, and residential uses. The Neighbourhoods Place Type permits a range of residential uses including single detached and semi-detached dwellings, triplexes, fourplexes, townhouses, stacked townhouses, low-rise apartments, mixed use buildings, and small-scale community facilities. The

Green Space Place Type allows a range of open space uses including natural heritage features and natural resources, public parks, cemeteries, golf courses, recreational and community facilities. Bradley Avenue is classified on Map 3 – Street Classifications* as Urban Thoroughfare, and Meadowgate Boulevard and Chelton Road are classified as Neighbourhood Connectors. An excerpt from The London Plan Map 1 – Place Types* is found at Appendix D. It should be noted that the High Density Residential Overlay (from 1989 Official Plan)* applies to Block 152. The HDR overlay allows residential development to a maximum height of 12 storeys and density up to 150 units per hectare.

(1989) Official Plan

Blocks 150 and 151 are predominately designated Community Commercial Node, and Block 152 is predominantly designated Multi-family, High Density Residential on Schedule A – Land Use Map. In addition, the Open Space designation applies to a portion of land in the northwest corner of Block 152 and along the northern perimeter of Block 151. The Community Commercial Node permits a range of commercial and retail uses including food stores, pharmacies, convenience commercial uses, personal services, restaurants, financial institutions, limited automotive services, and various office uses. Multi-family, high density residential uses and community facilities may also be permitted in this designation through a zoning by-law amendment application, site plan application and consideration of design features which provide for the proper integration of the two uses.

The Multi-family, High Density Residential designation permits low-rise and high-rise apartment buildings, apartment hotels, multiple-attached dwellings, emergency care facilities, nursing home, and rest homes as the main uses. The Open Space designation permits such uses as public and private parks, cemeteries, golf courses, hazard lands, flood plain lands and components of the Natural Heritage System. An excerpt from Land Use Schedule 'A' is found at Appendix D.

4.0 Key Issues and Considerations

4.1 Issue and Consideration # 1 – Is the recommended zoning appropriate from the perspective of use, intensity and form?

Use

The recommended zoning results in more low to medium density residential housing types (3-storey townhouses and back-to-back townhouses, and low to mid-rise apartment buildings) within a predominantly low density residential community composed of single detached homes, stacked townhouses and street townhouses. The proposed zoning change maintains an appropriate range and mix of land uses that are compatible with the surrounding neighbourhood. The mix of uses in the area is characterized by a transition from suburban development north of Bradley Avenue to active agricultural uses to the south. The lands to the south are zoned Urban Reserve (UR6) and are intended over the long term for light industrial uses. Future planning must take into consideration compatibility concerns and potential nuisance impacts on existing residential uses and developments which are approved or underway.

Intensity

The site concept plans (attached) proposes a row of two 4-storey and two 5-storey apartment buildings on the southerly half of Block 150 fronting on to Bradley Avenue, consisting of a total of 200 apartment units. Rows of back-to-back townhouse dwellings are shown on the north half having a total of 88 units. The overall density (apartment and townhouse units combined) is approximately 70 units per hectare. The 5-storey buildings are shown at each end of the block oriented to the intersections of Bradley Avenue with Chelton Road and Meadowgate Boulevard, with the two 4-storey buildings in the middle. The arrangement of all building forms on the site addresses the principles of compatibility and building height in the Chelton Road Master Plan (also attached). The concept site plan demonstrates a transition in height and density with taller and denser buildings located towards Bradley Avenue, and shorter, less dense townhouses on the north half

of the block, in proximity to the lower density and low-rise profile of existing and planned single detached and townhouse dwellings to the north and east.

Similarly, the site concept plan for Blocks 151 and 152 proposes a row of one 4-storey, two 5-storey, and two 6-storey buildings oriented to Bradley Avenue, with a total of 255 apartment units. A cluster of 12 townhouse units are shown at the westerly end of the development block. The overall density (apartment and townhouse units combined) is approximately 105 units per hectare. The building arrangement for this block shown in the Chelton Road Master Plan has been revised following consultation meetings with City staff, and the apartment buildings have now been shifted closer to Bradley Avenue, as well as a parking structure has been removed from the site concept plan. The apartment buildings have been aligned in a row with 6-storey buildings at each end, decreasing to 5-storeys and a 4-storeys in the middle. This provides variation to the building profile along the streetscape while also concentrating building height and mass towards the intersection of Chelton Road and Bradley Avenue.

This zoning application included a request for height increases through bonusing. Building heights may be permitted to exceed four storeys in order to facilitate the development of apartment buildings up to a maximum of five (5) storeys and six (6) storeys through Type 2 Bonus zoning. The Bonus (B-) Zone will be implemented through the site plan(s) and development agreement(s); and substantial implementation of the vision and principles of the Chelton Road Master Plan, and site concept plans attached to the amending by-law. Benefits for bonusing include enhanced building and site design features adhering to the Chelton Road Master Plan; dedication of additional open space lands within the proposed OS5 zone; substantial buffer planting with native vegetation to protect adjacent natural features (various types of buffer enhancements will be explored through the detailed site planning process); bicycle parking and cycling infrastructure, and a multi-use pathway internal to the site providing connections to surrounding public sidewalks and multi-use trails; and the planting of large caliper trees along the street frontage and outdoor amenity areas.

The Type 2 Bonus Zoning criteria were reviewed and the planning merits and enhanced design elements outlined in the Chelton Road Master Plan, Urban Design Brief and Planning Justification Report have been considered. The applicant has demonstrated that the resulting intensity and form of development is appropriate for the development context, commensurate with the public benefit derived from the project enhancements, and represents good planning.

Form

The proposed development includes mid-rise apartments and low-rise townhouses. Apartment buildings will be positioned to frame the street intersections, and include pedestrian entrances from the public sidewalks. Townhouses will also be front-facing to the surrounding public streets. Various architectural techniques are proposed to break up the massing of the apartment blocks, including building recesses, changes in building materials/colours, and incorporation of varying window sizes. Building massing should be designed to create a comfortable pedestrian environment which will be further enhanced through the provision of private amenity space including a connected walkway/trail system. The Chelton Road Master Plan document which accompanied the application submission establishes the key design principles and provides specific direction to guide future built form.

4.2 Issue and Consideration # 2 – Issues raised from the community engagement.

- *There are no shopping or restaurant establishments in the immediate area so the current zoning seems the most appropriate.*

There is a significant amount of leasable commercial/retail space and vacant commercially zoned lands in close proximity to this location, primarily along Commissioners Road East, which is available to serve the needs of current and future residents. The southeast quadrant of Commissioners Road East and Highbury Avenue is

zoned Community Shopping Area (CSA5) with large amounts of vacant retail floor space. Commercial services such as food stores, drug stores, banks, restaurants, and a public library exist further to the west along Commissioners Road East, west of Highbury Ave. This area of the City is seeing more residential development activity which will help to build up the population base, generate demand and attract more local stores and services to the area. Staff have had discussions with the owners of the subject lands who have advised that there is little interest at this location for community shopping or commercial development. Opportunities for commercial uses are being maintained through the O.P. designation and Shopping Area Place Type should demand shift in the future.

- High density residential will result in greater traffic volumes at peak times on an already congested, two-lane Bradley Avenue.

Bradley Avenue is an Arterial Road and carries approximately 6500 vehicles per day (AADT). The City's Transportation Planning and Design Division were circulated on the application and did not indicate any concerns regarding the traffic carrying capacity of Bradley Avenue. Transportation staff did report that construction of a left turn lane on Bradley Avenue will be required to provide access from Arran Place. The alignment of the proposed access to Arran Place needs to be revised to comply with the City's Access Management Guidelines. Detailed comments regarding access location, design, and external road works will be made through the site plan process. Construction of left turn and right turn lanes on Bradley Avenue at Chelton Road and at Meadowgate Boulevard were previously required to satisfy conditions of approval for this subdivision phase.

5.0 Conclusion

The recommended zoning amendments are appropriate and consistent with the Provincial Policy Statement, conform to The London Plan and the (1989) Official Plan. The proposed uses and recommended zoning are considered appropriate and compatible with existing residential development in the surrounding neighbourhood.

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 Pompili, Manager, Development Planning
 Ismail Abushehada, Manager, Development Engineering

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 800,
805 and 810 Chelton Road.

WHEREAS The Ironstone Building Company Inc. has applied to rezone an area of land located at 800, 805 and 810 Chelton Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 800, 805 and 810 Chelton Road, as shown on the attached map, from a Community Shopping Area CSA3 Zone, an Associated Shopping Area Commercial (ASA1/ASA2/ASA3) Zone, and a Holding Residential R6/R9 (h-54•R6-5/R9-3•H20) Zone **TO** a Residential R5 (R5-7) Zone, a Residential R5 Special Provision (R5-7()) Zone, a Residential R9 Special Provision Bonus (R9-7()•H16•B-) Zone, and an Open Space OS5 Zone.
- 2) Section Number 4.3 of the General Provisions is amended by adding the following Site Specific Bonus Provision:

B-__ 800, 805 and 810 Chelton Road

The Bonus Zone shall be implemented through the required development agreement(s) to facilitate the development of low to mid-rise apartment buildings up to a maximum of five (5) storeys and six (6) storeys which substantially implements the vision and principles of the Chelton Road Master Plan for 800, 805 and 810 Chelton Road attached as Schedule "1", and site concept plans attached as Schedule "2" to the amending by-law; and,

- i. Enhanced building and site design features including an active street edge along Bradley Avenue, Chelton Road, and Meadowgate Boulevard;
- ii. Dedication of public open space (OS5) lands;
- iii. Measures to enhance the Natural Heritage System including substantial buffer planting with native vegetation to protect adjacent natural features;
- iv. Large quantities of secure bicycle parking and cycling infrastructure including indoor and outdoor storage facilities, and a multi-use pathway internal to the site providing connections to surrounding public sidewalks and pedestrian trails; and,
- v. Substantial tree planting of large caliper trees to be planted along the street frontage and outdoor amenity areas.

The following special regulations apply within the bonus zone upon the execution and registration of the required development agreement(s):

a) Regulations:

805 Chelton Road

- | | | |
|----|---------------------------------------|-------------------------------|
| i) | Height of Buildings A and D (Maximum) | Five (5) storeys
18 metres |
|----|---------------------------------------|-------------------------------|

800 – 810 Chelton Road

- | | | |
|-----|---------------------------------------|-------------------------------|
| i) | Height of Buildings A and E (Maximum) | Six (6) storeys
22 metres |
| ii) | Height of Buildings B and D (Maximum) | Five (5) storeys
18 metres |

3) Section Number 9.4 of the Residential R5 Zone is amended by adding the following special provisions:

R5-7()

a) Regulations:

- | | | |
|-----|---|------------|
| i) | Interior Side Yard Yard Setback (Minimum) | 2.0 metres |
| ii) | Setback from an Open Space (OS5) Zone (Minimum) | 3.0 metres |

4) Section Number 13.4 of the Residential R9 Zone is amended by adding the following special provisions:

R9-7()

a) Regulations:

- | | | |
|------|---|-------------------------------|
| i) | Front Yard Setback (Minimum)
(Maximum) | 3.0 metres
6.0 metres |
| ii) | Exterior Side Yard Setback (Minimum)
(Maximum) | 3.0 metres
6.0 metres |
| iii) | Height (Maximum) | Four (4) storeys
16 metres |

File: Z-9089
Planner: L. Mottram

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.

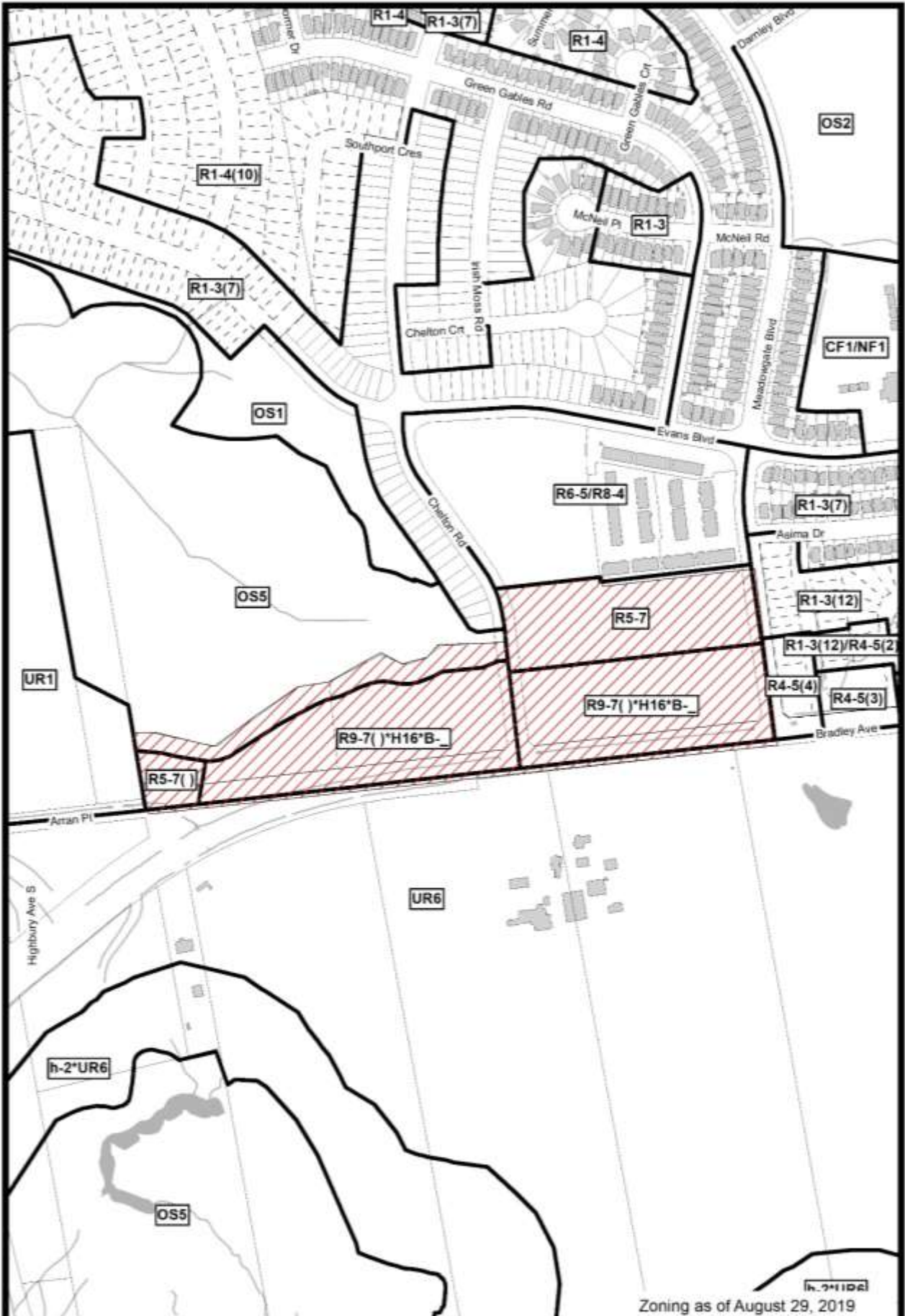
PASSED in Open Council on October 15, 2019

Ed Holder
Mayor


Catharine Saunders
City Clerk

First Reading – October 15, 2019
Second Reading – October 15, 2019
Third Reading – October 15, 2019

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




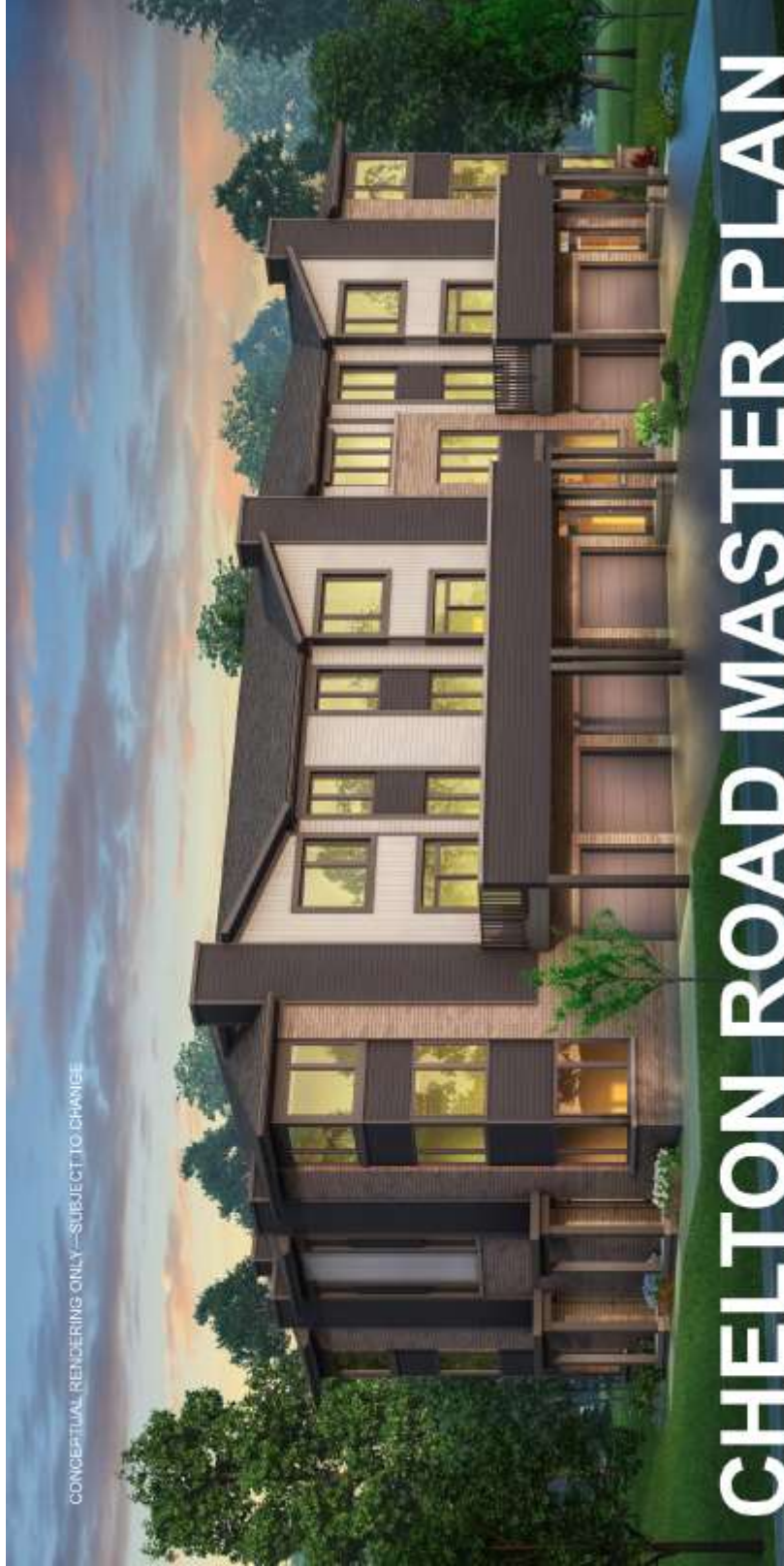
File Number: Z-9089
Planner: LM
Date Prepared: 2019/09/23
Technician: DM
By-Law No: Z.-1-

SUBJECT SITE 

1:5,000

0 25 50 100 150 200 Meters





CONCEPTUAL RENDERING ONLY—SUBJECT TO CHANGE

800, 805, & 810 CHELTON ROAD, LONDON
(39T-92020-E, BLOCKS 150, 151 & 152)

THE IRONSTONE BUILDING COMPANY INC.
FEBRUARY 2019 | FILE NO. 1861A





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1 INTRODUCTION

MacNaughton Hermesen Britton Clarkson Planning Limited (MHBC Planning) has been retained by the Ironstone Building Company Inc. to seek approvals for an Official Plan Amendment and a Zoning By-law Amendment to permit the development of lands municipally known as 800, 805 and 810 Chelton Road, London. The properties (referred to herein as the 'subject lands') are located in southeast London, just east of the Bradley Avenue and Highbury Avenue North interchange. The subject lands will have access to the future extension of Chelton Road, with Chelton Road dividing the east parcel from the west parcel.

The purpose of this Master Plan is to establish key design principles and outline more specific design direction to guide the future development of the site plan. Among other matters, this Master Plan provides guidance as it relates to: site design; building placement; built form and compatibility.

THE POLICY FRAMEWORK AND CITY VISION

The development of the subject lands is subject to policies in both the City of London Official Plan and the in-effect policies of the London Plan. The London Plan establishes a general vision for the City as a whole to create an **exciting, exceptional and connected London by 2035**. This vision, along with general City Design and Urban Design Policies have been considered in the preparation of this Master Plan.

OUR APPROACH

In response to the City's vision, MHBC, on behalf of the Ironstone Building Company Inc. have prepared this Master Plan to illustrate how the proposed development should develop, while having regard for the design policy framework set out in the City's Official Plan and the London Plan.

Design staff at MHBC have prepared an Urban Design Dictionary to help visually explain 32 of the most common Urban Design terms. Illustrations from this Dictionary are found throughout this document to illustrate key concepts that are being addressed in the various sections of this Master Plan. A copy of the complete design dictionary is included at the end of this document.

We look forward to discussing this Master Plan with you in further detail.

Yours truly,

MHBC



Andrea Sinclair, MUDS, BES, MCIP, RPP
Associate and Urban Designer

LOCATION MAP



2

DESIGN PRINCIPLES

This Master Plan establishes a number of design principles to guide future development within the Chelton Road area. These principles will be used to guide the future site plan application. For the purpose of this document the design principles have been grouped into four main themes:



WALKABILITY



AMENITY AREAS
& OPEN SPACE



CULTURAL &
NATURAL
HERITAGE



VARIETY &
PLACEMAKING

Develop a community that is walkable and supportive of future transit.

High and medium density uses are appropriate along collector roads and potential future transit routes to encourage greater transit use.

Develop a well-connected network and hierarchy of streets, paths and trails that enhance connectivity and safely accommodate various modes of active transportation.

Carefully design amenity spaces to enhance the identity of the area and create gathering points and spaces to promote pedestrian interaction.

Establish an open space network of integrated and connected private/public spaces, including parks, trails and sidewalks.

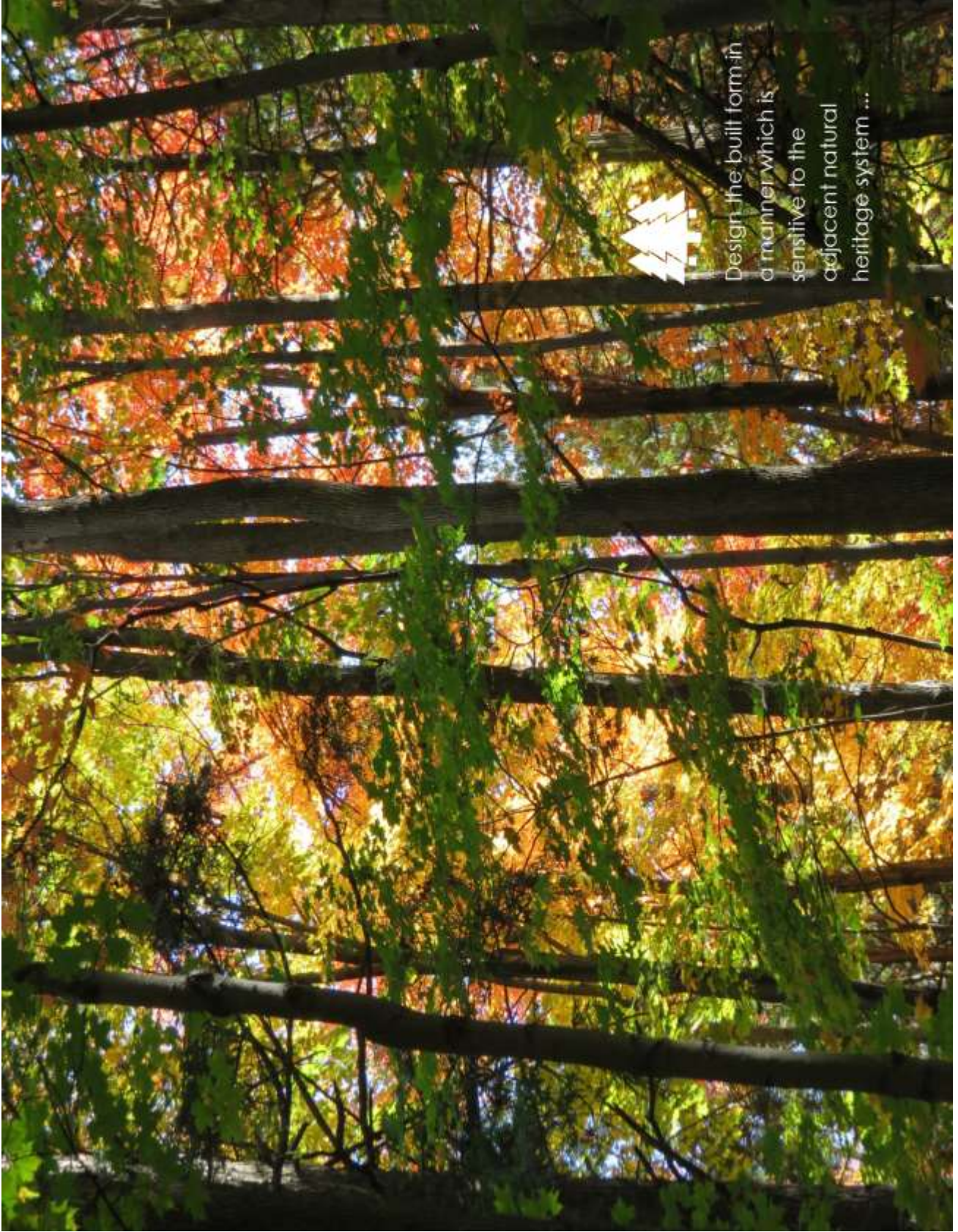
Establish a range of active and passive amenity and recreation spaces that will serve all age groups and physical abilities.

Design the built form in a manner which is sensitive to the adjacent natural heritage system and mitigates impacts on natural features, functions, and linkages through buffers, development setbacks and other established practices.

Promote development which respects and reflects the physical and cultural identity and the heritage attributes of the area.

Provide a diverse mix of land uses and unit types to support a vibrant diverse neighbourhood. Ensure that the proposed development includes a range of housing types which will enhance the overall variety of the area.

Plan for context appropriate height and massing with highest density buildings along Bradley Avenue.



Design the built form in
a manner which is
sensitive to the
adjacent natural
heritage system ...

3 CONCEPTUAL MASTERPLAN

- Several buildings ranging from 3-6 storeys in height.
- Townhouse development directed to areas adjacent planned or existing lower rise residential (i.e. the north of the east parcel).
- Low and mid-rise apartments proposed to provide a strong street edge along Bradley Avenue.
- Parking areas located internal to the sites where possible. Consideration of a parking deck on the west parcel to reduce surface parking area.
- Private amenity areas proposed and connected by trails / walkways and the internal sidewalk system.
- Apartment buildings oriented to achieve passive solar benefits.
- Intersection of Bradley and Chelton well defined by building mass.
- Transition of heights with highest building heights generally located furthest from low-rise residential to the north.
- Protection of the natural heritage feature and incorporation of buffers.





CONCEPTUAL MASTER PLAN

4

SITE DESIGN

The following provides general direction related to key site design elements.

Locate buildings to frame intersections, in particular the intersection of Bradley Avenue and Chelton Road.

Design a **pedestrian oriented** community by designing outdoor common amenity spaces that are well connected via walkways, trails and/or sidewalks.

Use signage and landscape elements to delineate site entrances and to improve pedestrian **wayfinding** throughout the site.

Maintain and protect the adjacent natural feature and incorporate an appropriate buffer into the site design.

Locate any future parking decks on the west parcel, away from the public street.

Screen any parking areas visible from surrounding public street with landscaping, or where appropriate, fencing.

Support **sustainability** by orienting buildings for passive solar benefits where possible.

Locate lower density buildings, such as townhomes where adjacent to existing or proposed low-rise building forms.

Provide multiple pedestrian access points to the surrounding public road and public sidewalk system.

Incorporate landscape islands into large surface parking areas to visually soften these areas.

Where possible screen loading, garbage facilities and other service functions from the street and public view.

Explore opportunities for the City owned residual land along Bradley Avenue. A Community Garden would support City policy that promotes opportunities for community gardens on surplus lands where it is safe and suitable.



PEDESTRIAN-ORIENTED

An environment designed to ensure pedestrian safety and comfort for all ages and abilities



WAYFINDING

Design elements that help people to navigate through an area (e.g. signs, spatial markers)



SUSTAINABILITY

Developing with the goal of maintaining natural resources and reducing human impact on ecosystems



PEDESTRIAN CONNECTIVITY

5

BUILDING SITING

The following direction related to building siting shall be considered in the development of future site plan concepts for the subject lands.

BRADLEY AVENUE :

Locate buildings along Bradley Avenue to frame the street edge and to encourage an active pedestrian environment.

Orient buildings so the long edge of the building runs parallel to Bradley Avenue in order to create a **street wall**.

Provide multiple pedestrian connections to connect the proposed buildings to future sidewalks along Bradley Avenue.

Where possible locate buildings in a manner which maximizes passive solar orientation.



STREETWALL

The consistent edge formed by buildings fronting on a street

CHELTON & MEADOWGATE:

Provide multiple building entrances along Chelton Road and Meadowgate Boulevard to activate these streetscapes.

Orient buildings to ensure a defined street edge along both Chelton Road and Meadowgate Boulevard.

Provide multiple pedestrian connections from the surrounding public sidewalk to the proposed development.

Allow for a **transition of building height**, with greater heights directed to the south.



HEIGHT TRANSITION

The gradual change in height between buildings within a community

INTERNAL SITING:

For the east parcel, locate buildings around a central amenity area. Design buildings in accordance with the 'eyes on the park' concept.

For the west parcel consider the integration of a parking deck to minimize surface parking.

Step building heights down towards the natural heritage feature to maximize views of the feature.

Locate buildings to encourage pedestrian **circulation** between built form elements.



CIRCULATION

The movement patterns of people and vehicles through a site or community

6

COMPATIBILITY AND BUILDING HEIGHTS

The following direction related to compatibility and building heights shall be considered in the development of future site plan concepts for the subject lands.

A range of building heights are encouraged across the Master Plan area to ensure variety and to create visual interest.

The proposed concept generally transitions height and density with taller denser buildings located towards Bradley Avenue, and shorter, less dense buildings at the north end, in proximity to planned single detached and townhouse dwellings on surrounding lands.

Overall building heights should range from 2-6 storeys. Along Bradley the height should transition downward from the Bradley/Chelton intersection (with highest heights at the intersection).

Buildings with the greatest height (6 storeys) should be located on the west parcel to take advantage of views to the natural feature. The natural feature also helps to visually buffer taller buildings from low rise buildings located further north.

In laying out future site plans for the development, care should be taken to avoid creating front to back relationships

between planned residential to the north and the Master Plan Area. To support a reasonable level of privacy and compatibility, the front doors of new units/buildings should avoid facing onto the rear yards of existing homes.

Where possible parking areas should be located internal to the site and directed away from planned development to the north.

Larger buildings should incorporate a number of massing techniques to reduce the appearance of bulk.

The intensity of the proposed development shall be appropriate for the size of the lot such that it can accommodate such things as driveways, adequate parking in appropriate locations, landscaped open space, outdoor residential amenity area, adequate buffering and setbacks, and garbage storage areas.

The diagram on the following page illustrates potential building heights.





POTENTIAL BUILDING HEIGHTS

7

BUILT FORM

The following direction related to **built form** shall be considered in the development of a future site plan and building elevations.

The mass of proposed buildings, in particular low and mid-rise apartments should be broken up using a number of **massing** techniques including: projections and recessions; changes in building materials/ colours; and the incorporation of varying window sizes.

The massing of all proposed buildings should be designed to create a comfortable pedestrian environment, which will be further enhanced through the provision of private amenity space, including a connected walkway/trail system.

Building designs and architectural elements that add variety to rooflines are encouraged. All building façades should be **articulated**, with particular attention to building elevations visible from the surrounding **public realm**.

Articulation of larger buildings should be designed with elements that create a **rhythm** along the streetscape.

High quality materials including a large amount of glass will be incorporated into the building facades, resulting in an attractive modern design. Repetition of lines and windows through both vertical and horizontal articulations and setbacks will be used to further break up building mass.

Outdoor living spaces of individual units should be provided in the form of patios, porches or balconies.

Building corners that are highly visible from the public realm (such as the intersection of Chelton and Bradley) should have a high degree of architectural detail.

Design the northern townhouses (east parcel) to be compatible in massing and architectural style with the planned townhouses on the abutting property to the north.



BUILT FORM
The physical shape of developments including buildings and structures



MASSING
The effect of modifying the height and bulk of the form of a building or group of buildings



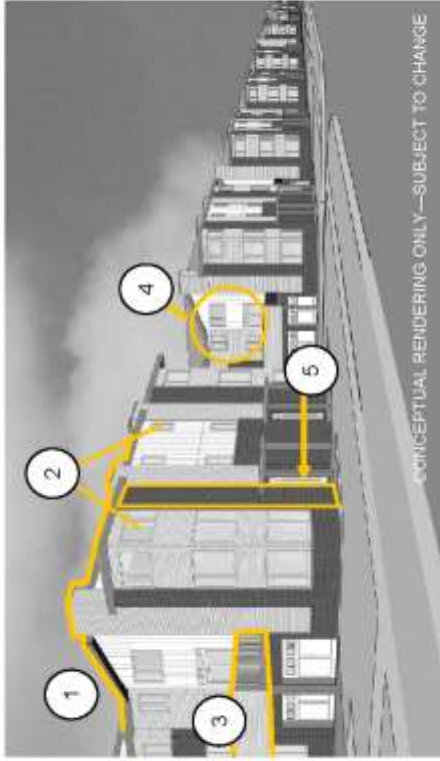
ARTICULATION
The layout or pattern of building elements (e.g. windows, porches) that defines space and affects the facade



PUBLIC REALM
Public spaces between buildings including boulevards and parks where pedestrian activities occur

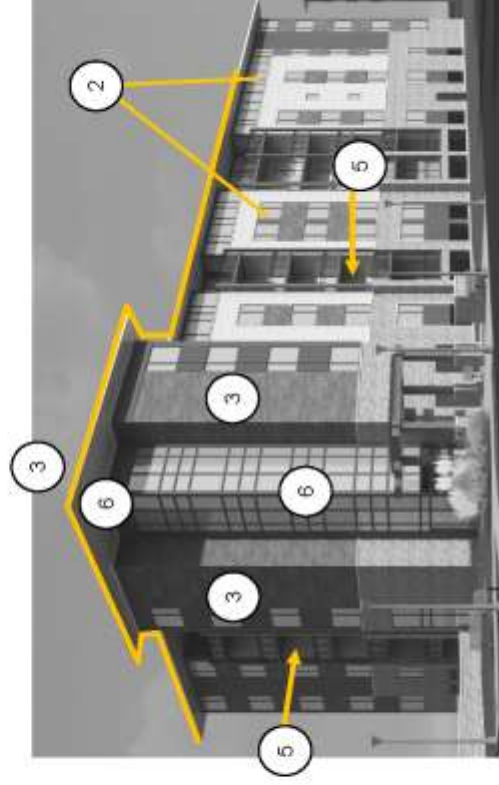


RHYTHM AND PATTERN
The repetition of elements such as materials, details, styles and shapes that provide visual interest



MASSING TECHNIQUES

1. VARIATION IN ROOFLINE.
2. VARYING WINDOW SIZES.
3. PROJECTION.
4. CHANGES IN BUILDING MATERIALS/COLOURS
5. RECESSION
6. CORNER ARTICULATION



8

LANDSCAPE CONSIDERATIONS

Detailed landscape plans will be required as part of a future site plan application. The following provides general guidance for landscape priority areas:

Provide high quality landscape materials that, when combined with the built form, contributes positively to the community **character**.

Create defined street edges through a combination of building mass and landscaping.

Any parking areas abutting public streets should be visually screened with landscape materials.

Provide multiple pedestrian connections from the subject lands to the surrounding public sidewalk system. Consider **desire lines** when determining final locations for pedestrian walkways/trails.

Provide private amenity spaces connected by trails/walkways.

Provide visual interest along Bradley Avenue through landscape features designed to provide a visually attractive sightline into the subject lands.

Explore the potential for community gardens in the City owned parcel south of the Master Plan area. Provide pedestrian connections from the western parcel to the potential community garden site.

Future landscape plans will consider the use of drought and salt tolerant species and trees will be planted to provide shade opportunities. This will contribute to the overall **sustainability** of the project.

Future landscape plans should also consider Crime Prevention Through Environmental Design principles, including using landscaping to clearly demarcate private from public space; ensuring that areas are well lit; avoiding landscape materials that decrease visibility; and by designing sites and landscaping in a manner which avoids entrapment areas.



CHARACTER

The look and feel of an area, including activities that occur there



DESIRE LINE

Shortest or most easily navigated route marked by the erosion of the ground caused by human traffic



SUSTAINABILITY

Developing with the goal of maintaining natural resources and reducing human impact on ecosystems



LANDSCAPE PRIORITIES



8

HERITAGE CONSIDERATIONS

The subject lands are not designated under the Ontario Heritage Act, nor are there any designated properties adjacent to the subject lands. Notwithstanding, a Heritage Impact Statement has been completed given the adjacency of the subject lands to 1629 & 1635 Bradley, which are listed on the municipal register (City of London's Inventory of Heritage) as non-designated properties.

The HIA concluded that the proposed development is consistent with Provincial Policy and Section 13.2.3.1 of the City of London Official Plan. There are no lands that are contiguous, or that are directly opposite (separated only by a laneway or municipal road) that are protected under Parts IV, V or VI of the Ontario Heritage Act. 1629 & 1635 Bradley Avenue are not protected under the Ontario Heritage Act, therefore are not considered protected heritage properties as per the PPS. Notwithstanding, removal of these properties is not contemplated as a result of the proposed development. There are no design restraints to the subject lands as a result of heritage considerations. Further no specific design direction is recommended as a result of the Heritage analysis.

10

CONCLUSION

The proposed Master Plan for the subject lands is appropriate and represents good planning and urban design for the following reasons:

- The proposed development is consistent with the Provincial Policy Statement and supports intensification and a range and mix of housing types.
- The proposal conforms to the relevant policies of The London Plan and the City of London Official Plan.
- The proposal has been designed around design principles that were established to ensure a high quality built environment.
- The proposed development appropriately integrates open space, and assists in the completion of a neighbourhood trail.
- The proposed development results in a mix of housing types.
- The proposed development will result in increased densities and will help to support future transit routes.
- The Maser Plan provides sufficient design direction for future site plans, while allowing some flexibility in site layout, building footprints and building orientation.

THE BELOW IMAGES ARE INTENDED TO PROVIDE A GENERAL IDEA OF THE PROPOSED BUILT FORM FOR THE SITE. BUILDING ELEVATIONS AND EXTERIOR DESIGN WILL BE FORMALIZED THROUGH A FUTURE SITE PLAN PROCESS. GENERAL DIRECTION RELATED TO BUILT FORM CONTAINED IN THIS MASTER PLAN WILL INFORM FINAL BUILDING ELEVATIONS.

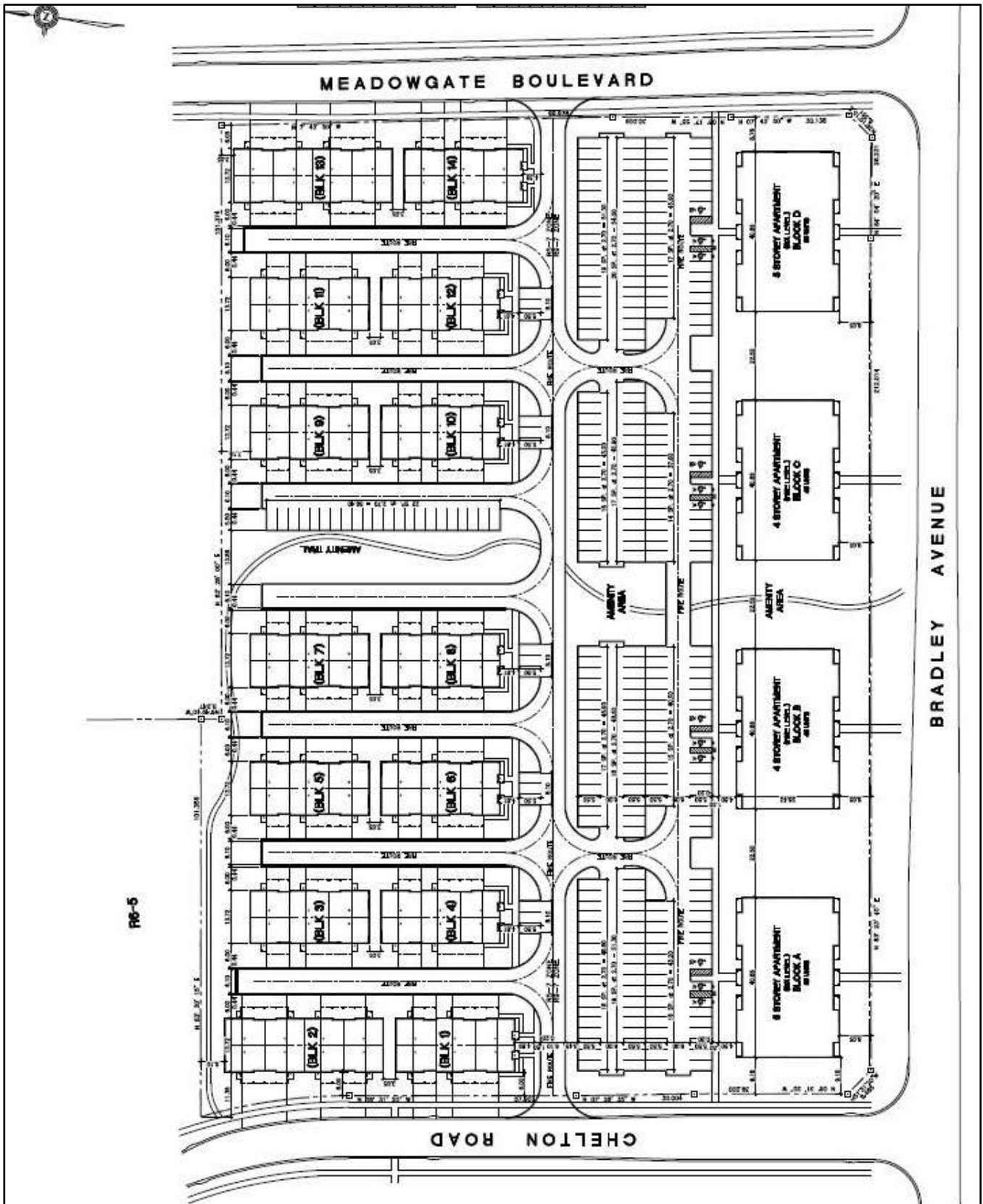


CHELTON ROAD | MASTER PLAN

Implementation of this Master Plan will ensure a high quality, well designed development featuring a range of building types and unit sizes; high quality landscape and amenity areas; and a well connected pedestrian network.



Schedule 2



Appendix B – Public Engagement

Community Engagement

Public liaison: On July 16, 2019, Notice of Application was sent to 120 property owners in the surrounding area. Four (4) Planning Application signs were erected on the site, and notice was also posted on the City of London’s website. Notice of Public Meeting was published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on September 19, 2019.

Responses: 2 replies received.

Nature of Liaison: Possible amendment to Zoning By-law Z.-1 to change the zoning from a Community Shopping Area CSA3 Zone, an Associated Shopping Area Commercial (ASA1/ASA2/ASA3) Zone, and a holding Residential R6/R9 (h-54 R6-5/R9-3 H20) Zone to a Residential R5 (R5-7) Zone to permit cluster townhouses and cluster stacked townhouses up to 60 units per hectare and maximum height of 12 metres; a Residential R5 Special Provision (R5-7()) Zone to permit cluster townhouses and cluster stacked townhouses up to 60 units per hectare and maximum height of 12 metres, together with special provisions to permit an interior side yard depth of 2.0 metres minimum, and 0.0 metre yard setback adjacent an OS5 Zone; a Residential R9 Special Provision (R9-7()) Zone to permit apartment buildings, lodging house class 2, senior citizens apartment buildings, handicapped persons apartment buildings, and continuum-of-care facilities up to 150 units per hectare and maximum height of 25.0 metres, together with special provisions to permit a front yard depth 6.0 metres minimum, exterior side yard depth 3.0 metres minimum, and 0.0 metre yard setback adjacent an OS5 Zone; and to an Open Space OS5 Zone to permit conservation lands, conservation works, passive recreation uses which include hiking trails and multi-use pathways, and managed woodlots.

Responses: A summary of the comments received include the following:

- No shopping or restaurants in the area so current zoning should be maintained.
- Higher traffic volumes on already congested 2-lane Bradley Avenue.

Response to Notice of Application and Publication in “The Londoner”

Telephone	Written
Michelle – Inquiry for further information. Caller didn’t leave a last name or address.	Ron Johnston – #234 - 3320 Meadowgate Boulevard

Hello...

I would like to **object** to the rezoning applications for 805 Chelton Road and 800 Chelton Road.

The current zoning for Commercial Shopping area and Associated Shopping area Commercial seems to be the most appropriate use for these properties since there are currently no shopping and/ or restaurant establishments in the immediate area.

To change the zoning to allow even more high density residential would be a big mistake in my opinion, since the two lane Bradley avenue is barely able to handle high traffic volume at peak times as it is. Adding hundreds or thousand more vehicles to the area would only compound the existing peak time congestion.

Thank you.

Ron Johnston

234 - 3320 Meadowgate Blvd

London N6M 0A7

Agency/Departmental Comments:

1. Upper Thames River Conservation Authority – August 22, 2019

The subject lands are regulated by the UTRCA and a Section 28 permit application will be required. The UTRCA has no objections to this application as the proposed zone boundaries appear to align with the development setback limits identified in the technical reports; however it should be noted that the UTRCA does not permit any development within the established buffer zones, including trails/pathways. The UTRCA will require further information through the City of London Site Plan Application and UTRCA Section 28 permit application processes. Please ensure these applications include the following:

- Detailed Site Plan drawing(s) identifying the extent of the proposed development in relation to development limit and buffers determined by the technical reports;
- Re-location of proposed trails/pathways entirely outside of the buffers established by the technical reports;
- Identification of snow storage areas that do not result in encroachment into the buffers established by the technical reports;
- Stormwater Management plan/report including identification and description of LID features should any be proposed;
- Grading Plan; and,
- Sediment and Erosion Control Plan, ensuring protection of the both the buffer areas established by the technical reports.

2. London Hydro – July 23, 2019

Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant's expense. Above-grade transformation is required. Note: A blanket easement will be required. 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. However, London Hydro will require a blanket easement.

3. Ministry of Transportation – August 9, 2019

The proposed Master Plan specifies the building of several apartment/townhouse condos on the north side of Bradley Ave. Could you please provide a timeline as to when these dwellings are scheduled to be built. I understand the proposed plan is only in the preliminary stages, but any information would be greatly appreciated.

4. City of London - Environmental and Engineering Services – August 23, 2019

The applicant is required to submit a sanitary capacity analysis for the increased densities being sought. The limits of the capacity report should extend to the 600mm trunk sanitary on Cudmore Crescent, and should include a new design sheet showing these three blocks only at 230l/cap/day

The following items are to be considered during the site plan approval stage:

Transportation:

- Construction of a left turn lane on Bradley Avenue will be required to provide for access from Arran Place.
- Alignment of proposed access to Arran Place will need to be revised to comply with the City's Access Management Guidelines.

- Detailed comments regarding access location, design, and external works will be made through the site plan processes.

Water:

- The proposed westerly development parcel would require a looped water service connection due to the number of units.
- The looped servicing triggers the requirement for DCVAs. It is suggested that the applicant's engineer investigate alternative water servicing options to avoid the requirement of the DCVA.
- Ownership of the apartments and townhomes is unclear, but all independently owned parcels will require independent servicing in order to avoid the creation of a non-municipal regulated drinking water system. This includes future parcels created by the formation of a condo corp.
- Water is available via the 300mm PVC watermain on Chelton Road. It is noted that the parcel has frontage along Bradley Ave where a 400mm PVC watermain exists.

Stormwater:

- SWM servicing design of this site should be in accordance with Summerside Subdivision Phase 9 (Plan 33M-528) and associated Functional SWM Report. Changes in catchment area size or C value shown on as-con 20930 will trigger the need for on-site SWM controls. The design of on-site SWM controls shall include but not be limited to, required storage volume calculations, flow restrictor sizing, etc.
- The site is within the UTRCA regulated area and therefore approval/permit will be required.
- For the proposed 1102 parking spaces, the owner shall be required to have a consulting Professional Engineer addressing water quality to the standards of the MECP and to the satisfaction of the City Engineer. Applicable options could include, but not be limited to the use of oil/grit separators, catchbasin hoods, bioswales, etc. along with the required inspection/sampling maintenance hole.
- Any proposed LID implementation 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.
- Additional SWM related comments will be provided upon future review of this site.

5. City of London – Ecologist Planner – September 19, 2019

- 1) The updated site plan on the airphoto has placed parking spaces inside of a native landscaped/naturalization area that was required to be implemented as per previous discussion (see Figure 6 and Recommendation #1). This is unacceptable and this parking is to be completely removed from the 10m additional setback area as per previous requirements and acceptance by the proponent.
- 2) The EIS is to clearly identify the need for a detailed native restoration plan for all buffer/naturalization areas (Recommendation #2 & #13)
- 3) Please change all references in the EIS from 'walkway' to pathway.
- 4) There is zero mention of the Snow Storage Areas located all along the buffer to the development. Given the large amount of parking backing onto the entire length of the features, addition details are needed for how this should be managed to protect the features and its functions. These areas should all be designed in a similar fashion to the area identified in Recommendation #1 that are in this case species tolerant of the conditions. There should not simply be manicured lawn. There should be a naturalization component to these areas and designed in a way so that the heavy salt laden flows from these areas will sheet back to the parking areas and not the PSW/ ESA. A discussions regarding these areas and additional recommendations in the EIS are needed to address this.
- 5) Identify that the pathway to be located as close to the development limits as possible to minimize infringement on the buffer.
- 6) Recommendation #7 is to identify that the erosion control measures are to be designed/installed to the City's satisfaction as well.
- 7) Given the expectation of a large amount of lighting that will be placed within the parking areas, a recommendation to require the be designed to not impact the adjacent natural communities (i.e directed downwards and away from the ESA/ PSW, no spillage into adjacent areas, bird friendly designs etc.).
- 8) Recommendation for a detailed monitoring plan is required.

I note that none of these should hold up the process, but they need to be fully addressed in the Final EIS.

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 polices regarding the importance of promoting efficient development and land use patterns, as well as accommodating an appropriate range and mix of land uses, housing types, and densities to meet projected needs of current and future residents; and minimizes land consumption and servicing costs (Sections 1.1 and 1.4). The application would result in more medium density residential housing types (townhouses and apartments) within a predominantly low density residential community composed of single detached homes, stacked townhouses and street townhouses. There is a significant amount of leasable commercial/retail space and vacant commercially zoned lands along Commissioners Road East available to serve the needs of current and future residents. Therefore, it is felt the proposed zoning change meets the policies by

maintaining an appropriate range and mix of land uses. This mix of land uses in the area is characterized by a transition from suburban development north of Bradley Avenue to active agricultural uses to the south. The long term intended use for these lands is light industrial, and future planning must take into consideration compatibility concerns and potential nuisance impacts on existing residential uses and development lands currently being built-out.

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 developing built-up areas to the north and east. Development will efficiently utilize services and infrastructure that was intended for future development of these lands, including wastewater and stormwater management facilities. The site is in close proximity to public parks, open spaces, schools, and community facilities. The proposed site layout integrates well with the surrounding neighbourhood streets and sidewalks to promote active transportation. The Summerside subdivision is also served by London Transit bus routes with transit stops located within walking distance just north of the subject lands along Meadowgate Boulevard and Darnly Boulevard.

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 close proximity to elementary schools and neighbourhood parks will help to encourage active transportation modes such as walking and cycling. The site concept plan will incorporate an internal pathway system that provides pedestrian connections to Chelton Road and the surrounding neighbourhood. Promoting energy efficiency through site planning and building design is achieved by the strong north-south orientation of the proposed townhouse and apartment blocks optimizing their exposure to passive solar energy capture.

Natural heritage features and functions shall be protected for the long term (Section 2.1.1). The adjacent wetland and woodland to the north of Block 151 and 152 will be protected by an open space buffer (within the proposed OS5 Zone) as recommended in the scoped Environmental Impact Study undertaken in conjunction with the subject application. Further revisions to the site plan will be required including removal of a row of parking spaces that are shown within a portion of the 10 metre buffer. Information on the locations for snow storage areas, and a detailed re-naturalization plan will also be required as part of the Site Plan Approval process. The proposed development is outside of any natural hazards and there are no known human-made hazards. The proposed development is not impacted by a flooding hazard; however, the subject lands are identified within an area of interference surrounding a wetland and within the regulation limits of the UTRCA who have indicated that a Section 28 Permit will be required. Cultural heritage and archaeological resources have previously been dealt with through the subdivision approval process. 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, Place Types, 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

- 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.*
- 6. Dependent upon context, require, promote, and encourage transit-oriented development forms.*

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.*

Key Direction #8 – Making wise planning decisions

- 9. Ensure new development is a good fit within the context of an existing neighbourhood.*

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 Chelton Road Master Plan document which accompanied the application submission establishes the key design principles and provides specific direction to guide future built form. Considerations of the built form include applying techniques such as projections and recessions, a variety of building materials/colours, and incorporation of varying window sizes to break up the massing of low and mid-rise apartment blocks. Building massing should be designed to create a comfortable pedestrian environment which will be further enhanced through the provision of private amenity space including a connected walkway/trail system. Architectural elements that add variety to rooflines are encouraged. Building corners that are highly visible from the public realm (such as the intersections of Chelton Road, Meadowgate Boulevard, and Bradley Avenue) should have a high degree of architectural detail. Townhouse designs on the northerly half of Block 150 are to be compatible in massing and architectural style with the planned townhouses on the abutting lands to the north.

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.**

*217_ Neighbourhood street networks and block sizes will be designed to ensure connectivity and support active mobility including cycling, walking, blading, boarding and transit. Infrastructure and amenities to support these modes of mobility will be incorporated.**

The streets, blocks, site layout, and building placement all work together to create a strong north-south orientation optimizing exposure to passive solar energy capture. An internal pedestrian and cycling connection to the surrounding street network encouraging active mobility choices is to be provided, as illustrated on the site concept plans.

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.**

The Chelton Road Master Plan and the proposed site concept plans show apartment buildings oriented so that the long edge of the building runs parallel with Bradley Avenue in order to create a street wall. The recommended zoning includes minimum and maximum building setback regulations to reinforce this street wall/edge spatial relationship to the public right-of-way, and establishes a sense of enclosure with the public realm.

268_ Sites shall be designed to provide a direct, comfortable and safe connection from the principle building entrance to the public sidewalk.

The objective for townhouses is to provide multiple building entrances along Chelton Road and Meadowgate Boulevard to activate these streetscapes, orient buildings to ensure a defined building edge along both Chelton Road and Meadowgate Boulevard, provide multiple pedestrian connections from the public sidewalk, and allow for a transition of building height as you proceed south towards Bradley Avenue.

*272_ The impact of parking facilities on the public realm will be minimized by strategically locating and screening these parking areas. Surface parking should be located in the rear yard or interior side yard.**

During the site planning consultation City staff recommended reducing the exterior yard setbacks in order to locate the apartment buildings closer to Chelton Road and Meadowgate Boulevard in line with or ahead of the proposed parking areas adjacent to these street frontages. Other suggestions included providing a combination of low masonry walls (max.0.75 metres) and landscaping along Chelton Road and Meadowgate Boulevard where parking is visible to the street in order to screen this function from the street.

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.

Multiple-unit residential forms of development as proposed contributes to affordable housing options by bringing more diversity and choice, and by building up the inventory of townhouse and apartment units in this area of the City.

Place Type Policies

Map 1 – Place Types* shows Block 150 as being within a Shopping Area Place Type and Blocks 151 and 152 within the Neighbourhoods, and partially within the Green Space Place Types.

877(1) A broad range of retail, service, office, entertainment recreational, educational, institutional, and residential uses may be permitted within the Shopping Area Place Type.

878(1) It is the intent of this Plan to allow for the more intense and efficient use of Shopping Area sites through redevelopment, expansion, and the introduction of residential development.

Residential uses may be permitted in accordance with the Place Type policies as they apply to Block 150. The requested zoning amendment to facilitate future residential development of the subject lands as proposed is consistent with the intent of The London Plan.

878(2) Buildings within the Shopping Area Place Type will not exceed four storeys in height. Type 2 Bonus Zoning beyond this limit, up to six storeys, may be permitted in conformity with the Our Tools policies of this Plan.

878(4) Development within the Shopping Area Place Type will be sensitive to adjacent land uses and employ such methods as transitioning building heights and providing sufficient buffers to ensure compatibility.

The proponents are requesting an increase in height through Type 2 Bonus Zoning over Block 150 of up to five (5) storeys. The site concept plans attached propose a row of two 4-storey and two 5-storey apartment buildings oriented to Bradley Avenue. The five (5) storey buildings are shown at each end of the block oriented to the intersections of Bradley Avenue with Chelton Road and Meadowgate Boulevard. This addresses the principles of compatibility and building height in the Chelton Road Master Plan. The concept site plan demonstrates a transition in height and density with taller and denser buildings located towards Bradley Avenue, and shorter, less dense buildings at the north end, in proximity to the lower density and low-rise profile of existing and planned single detached and townhouses dwellings on surrounding lands.

The Neighbourhoods Place Type - Table 10* as it applies to Blocks 151 and 152 permits a range of residential uses including single detached and semi-detached dwellings, triplexes, fourplexes, townhouses, stacked townhouses, low-rise apartments, mixed use buildings, and small-scale community facilities.

*935(3) Zoning will be applied to ensure an intensity of development that is appropriate to the neighbourhood context, utilizing regulations for such things as height, density, gross floor area, coverage, frontage, minimum parking, setback, and landscaped open space.**

*936(2) New neighbourhoods, or parts thereof, should be designed to avoid rear lotting and to avoid noise walls that are required to protect amenity areas as defined by provincial guidelines. The Our Tools part of this Plan includes noise wall policies that provide greater detail.**

The recommended special provision zoning provides for a range of permitted uses that are consistent with the policies. The zoning will utilize density, height, setback and other site development standards, including minimum parking and landscaped open space requirements, appropriate to the neighbourhood context. A Noise Assessment was also prepared and submitted with the application in order to assess potential noise impacts and recommend mitigation measures from vehicular traffic generated on Bradley Avenue.

The assessment report recommends mitigation measures for noise reduction through exterior wall construction, window glazing, installation of central air conditioning, and noise warning clauses for specific residential units. Noise walls will not be required in order to meet Provincial environmental noise guidelines.

The High Density Residential Overlay (from 1989 Official Plan)* applies to Block 152. The HDR overlay allows residential development to a maximum height of 12 storeys and density up to 150 units per hectare. The proposed development is consistent with HDR overlay policy.

The Green Space Place Type allows a range of open space uses including natural heritage features and natural resources, public parks, cemeteries, golf courses, recreational and community facilities. The permitted uses of the Green Space Place Type will be implemented by the recommended OS5 Zoning to be applied along the northerly perimeter of Blocks 151 and 152, and providing a buffer to the adjacent natural feature.

1433_ Development or site alteration on lands adjacent to features of the Natural Heritage System shall not be permitted unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions. Adjacent lands shall be identified and delineated by the trigger distances shown in Table 13 for requiring environmental evaluations.

A scoped Environmental Impact Study (EIS) was undertaken in conjunction with the rezoning application for Blocks 151 and 152 (BioLogic - February 5, 2019). The EIS evaluation concluded that there are no significant natural heritage features and functions present within Blocks 151 and 152. Mitigation measures have been recommended to protect the ecological function of the adjacent wetland/woodland feature, including an open space buffer zone, chain link fencing, sediment and erosion control measures, and provisions for temporary stormwater drainage. Based on comments received from UTRCA and City staff, further revisions to the parking layout will be required, and there are some outstanding concerns, including the proposed snow storage areas, exterior lighting, and on-site stormwater management, that will need to be addressed as part of the Site Plan Approval process prior to finalizing the EIS.

Our Tools Policies

*1650_ Type 2 Bonus Zoning may permit greater height or density in favour of a range of facilities, services, or matters that provide significant public benefit in pursuit of the City Building goals of this Plan. However, an applicant must demonstrate that this greater height or density represents good planning.**

*1652_ Under Type 2 Bonus Zoning, additional height or density may be permitted in favour of facilities, services, or matters such as:**

- 1. Exceptional site and building design.*
- 3. Dedication of public open space.*
- 10. Large quantities of secure bicycle parking, and cycling infrastructure such as lockers and change rooms accessible to the general public.*
- 15. Extraordinary tree planting, which may include large caliper tree stock, a greater number of trees planted than required, or the planting of rare tree species as appropriate.*

16. *Measures that enhance the Natural Heritage System, such as renaturalization, buffers from natural heritage features that are substantively greater than required, or restoration of natural heritage features and functions.*

As this zoning application includes a request for Type 2 Bonusing to permit heights exceeding four storeys on Blocks 150 and 151 (five and six storeys, respectively) the following summarizes a number of the bonusable items that were considered in the design of the development concept proposed for the subject lands:

- Exceptional site and building design - Enhanced building and site design features including an active street edge along Bradley Avenue, Chelton Road, and Meadowgate Boulevard; as well as incorporating other principles articulated in the Chelton Road Master Plan;
- Dedication of public open space – The open space (OS5) lands are to be dedicated to the City as publically owned lands;
- Measures that enhance the Natural Heritage System – This includes substantial buffer planting with native vegetation to protect adjacent natural features;
- Large quantities of secure bicycle parking and cycling infrastructure including indoor and outdoor storage facilities, and a multi-use pathway internal to the site providing connections to surrounding public sidewalks and pedestrian trails; and,
- Extraordinary tree planting of large caliper trees to be planted along the street frontage and outdoor amenity areas.

*1653_ Type 2 Bonus Zoning will only be permitted where it is demonstrated that the resulting intensity and form of the proposed development represents good planning within its context.**

*1654_ Greater height or density offered through Type 2 Bonus Zoning will be commensurate with the public value of the facility, service or matter that is provided.**

The Type 2 Bonus Zoning criteria were reviewed and the planning merits and enhanced design elements outlined in the Chelton Road Master Plan, Urban Design Brief and Planning Justification Report have been considered. The applicant has demonstrated that the resulting intensity and form of development is appropriate for the development context, commensurate with the public benefit derived from the project enhancements, and represents good planning.

(1989) Official Plan

Block 150 is designated Community Commercial Node, and Block 151 is predominately designated Community Commercial Node with a portion along the northerly perimeter of the block designated as Open Space. Block 152 is predominantly designated Multi-family, High Density Residential on Schedule A – Land Use Map, and also shows lands inside the northerly perimeter of the block designated as Open Space. The Community Commercial Node permits a range of commercial and retail uses including food stores, pharmacies, convenience commercial uses, personal services, restaurants, financial institutions, limited automotive services, and various office uses. Multi-family, high density residential uses and community facilities may also be permitted in this designation through a zoning by-law amendment application, site plan application and consideration of design features which provide for the proper integration of the two uses, in accordance with Section 4.3.7.3.

The site plan has gone through the pre-application consultation process and a formal Application for Site Plan Approval will be made shortly. Consideration to various design

features presented in the Chelton Road Master Plan, Urban Design Brief, and Planning Justification Report are highlighted as follows:

Building Form, Massing and Articulation

- Proposed development includes mid-rise apartments and low-rise townhouses.
- Apartment buildings will be positioned to frame the street intersections, and include pedestrian entrances from the public sidewalks.
- Townhouses will also be front-facing to the surrounding public streets.
- Various architectural techniques will be employed to break up the massing of the apartment blocks, including projections and recessions, changes in building materials/colours, and incorporation of varying window sizes.

Architectural Treatment

- High quality materials including a large amount of glass are proposed to be incorporated into the building facades resulting in an attractive modern design.
- Repetition of vertical and horizontal lines, windows, projections, recesses, and setbacks will be applied to articulate the facades of larger buildings further breaking up the building mass and creating a rhythm along the streetscape.

Character and Image

- It is recognized that the north side of Bradley Avenue is undergoing a transition to a more urban character and form.
- Buildings will be designed to address the surrounding public streets to help establish, and support, a strong urban street edge along the developing road corridors.
- The proposed design is intended to set a positive example that will encourage an attractive a vibrant streetscape over the long term.

Public Realm / Pedestrian Environment

- Intent is to integrate the built form into the existing streetscape and reinforce the public realm at the pedestrian level.
- Back-to-back townhouses including street-facing units oriented to create an active street frontage.
- Landscaping to define the private / public realms along the street edges
- Walkways providing direct pedestrian connections from each building to the public street.
- An internal pedestrian/cycling pathway system with connections to the surrounding neighbourhood.
- Landscaped screening of surface parking areas adjacent all public streets

Through site planning and evaluation of design considerations as outlined above, the proposed development concept is generally supportive of, and in keeping with, the policies of the Official Plan. The proposed residential uses and zoning are considered appropriate and conform with the permitted use policies, as well as being consistent with the existing Multi-family, High Density Residential designation on the westerly portion of the subject lands, and the Open Space designation along the northerly limit of the subject blocks.

Recommended Zoning

Residential R5 (R5-7) - This zoning would be applied to the north half of the Block 150 to permit the 3-storey, back-to-back townhouses up to a maximum density of 60 units per hectare and maximum height of 12 metres. The area is 2.16 hectares and a total of 88 townhouse units are proposed yielding a density of approximately 41 units per hectare.

Residential R5 Special Provision R5-7() - This zoning would be applied to a small area (0.24 hectares) on the westerly portion of Block 152 to permit townhouses up to a maximum density of 60 units per hectare and maximum height of 12 metres. The site concept plan shows two rows of 12 townhouse units. Special zone provisions are

recommended to allow for a minimum interior side yard setback of 2.0 metres, and minimum setback from the OS5 Zone of 3.0 metres. The west side yard is adjacent undeveloped fields that are currently zoned Urban Reserve (UR1) and the east building setback is adjacent to parking and common amenity areas internal to the development site. The application request was for a 0.0 metre rear yard setback adjacent the proposed Open Space (OS5) zoning. A zero building setback is not possible as the zone line must be fenced to demarcate the open space lands to be dedicated to the City. Recognizing that this part of the development site forms a pinch point, and that further adjustments to shift the individual townhouse units and driveways as shown on the site concept plan will be required, staff are prepared to recommend a reduced minimum setback from the Open Space zone of 3.0 metres.

Residential R9 Special Provision Bonus (R9-7()•H16•B-) - This zone would be applied to the south half of the Block 150 to permit the proposed apartment buildings up to a maximum density of 150 units per hectare. The area is 2.02 hectares and a total of 200 units are proposed yielding a density of approximately 99 units per hectare. This zoning would also be applied to portions within Blocks 151 and 152 and the developable area here is 2.29 hectares. A total of 255 units are proposed yielding a density of approximately 111 units per hectare.

Special zone provisions are recommended to permit a front yard building setback of 3.0 metres (minimum) and 6.0 metres (maximum), as well as an exterior side yard setback of 3.0 metres (minimum) and 6.0 metres (maximum) in order to ensure buildings are located and oriented to the abutting public streets consistent with goals of placemaking. The requested zoning here also included a 0.0 metre minimum setback from the OS5 Zone. However, this is no longer required as subsequent revisions were made to the site concept plans to relocate buildings away from the open space zone line and eliminate a proposed parking structure. The recommended special provision includes a maximum building height of four storeys (16 metres) which will be applied as the standard regulation.

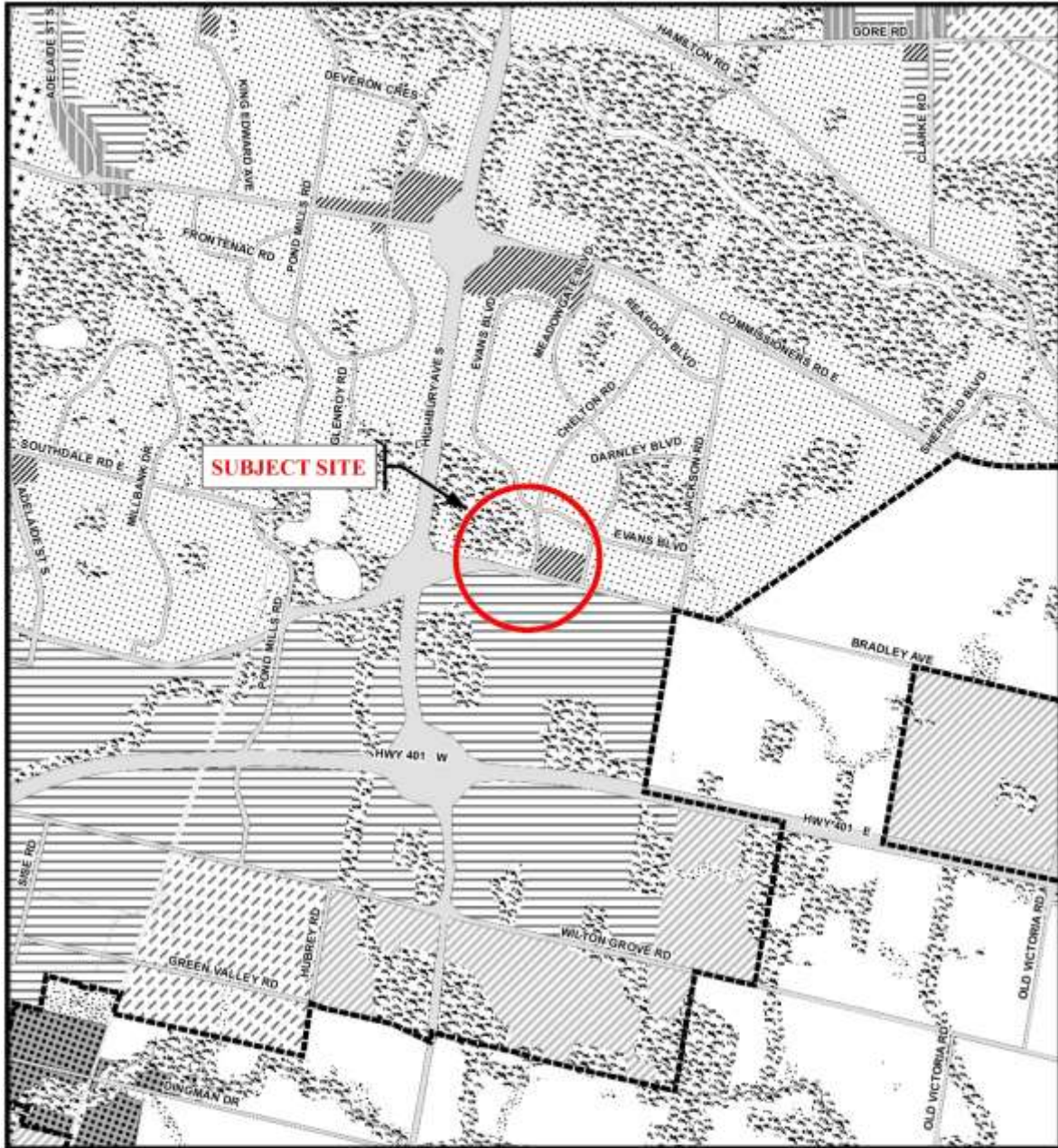
Building heights may be permitted to exceed four storeys in order to facilitate the development of apartment buildings up to a maximum of five (5) storeys and six (6) storeys through bonus zoning. The Bonus (B-) Zone will be implemented through the site plan(s) and development agreement(s). The final development plans for the proposed apartment buildings must adhere to the vision and principles of the Chelton Road Master Plan for 800, 805 and 810 Chelton Road, and site concept plans attached to the amending by-law. The bonus for increase in height will be permitted in exchange for the following matters:

- Exceptional site and building design - Enhanced building and site design features including an active street edge along Bradley Avenue, Chelton Road, and Meadowgate Boulevard.
- Dedication of public open space – The open space (OS5) lands are to be dedicated to the City as publically owned lands.
- Measures that enhance the Natural Heritage System – This includes substantial buffer planting with native vegetation to protect adjacent natural features.
- Large quantities of secure bicycle parking and cycling infrastructure including indoor and outdoor storage facilities, and a multi-use pathway internal to the site providing connections to surrounding public sidewalks and pedestrian trails; and,
- Extraordinary tree planting of large caliper trees to be planted along the street frontage and outdoor amenity areas.

Open Space OS5 – This zoning will be applied to the open space buffer on Blocks 151 and 152 and is consistent with the zoning of the large open space lands to the north.

Appendix D – Relevant Background

London Plan Map Excerpt



Legend

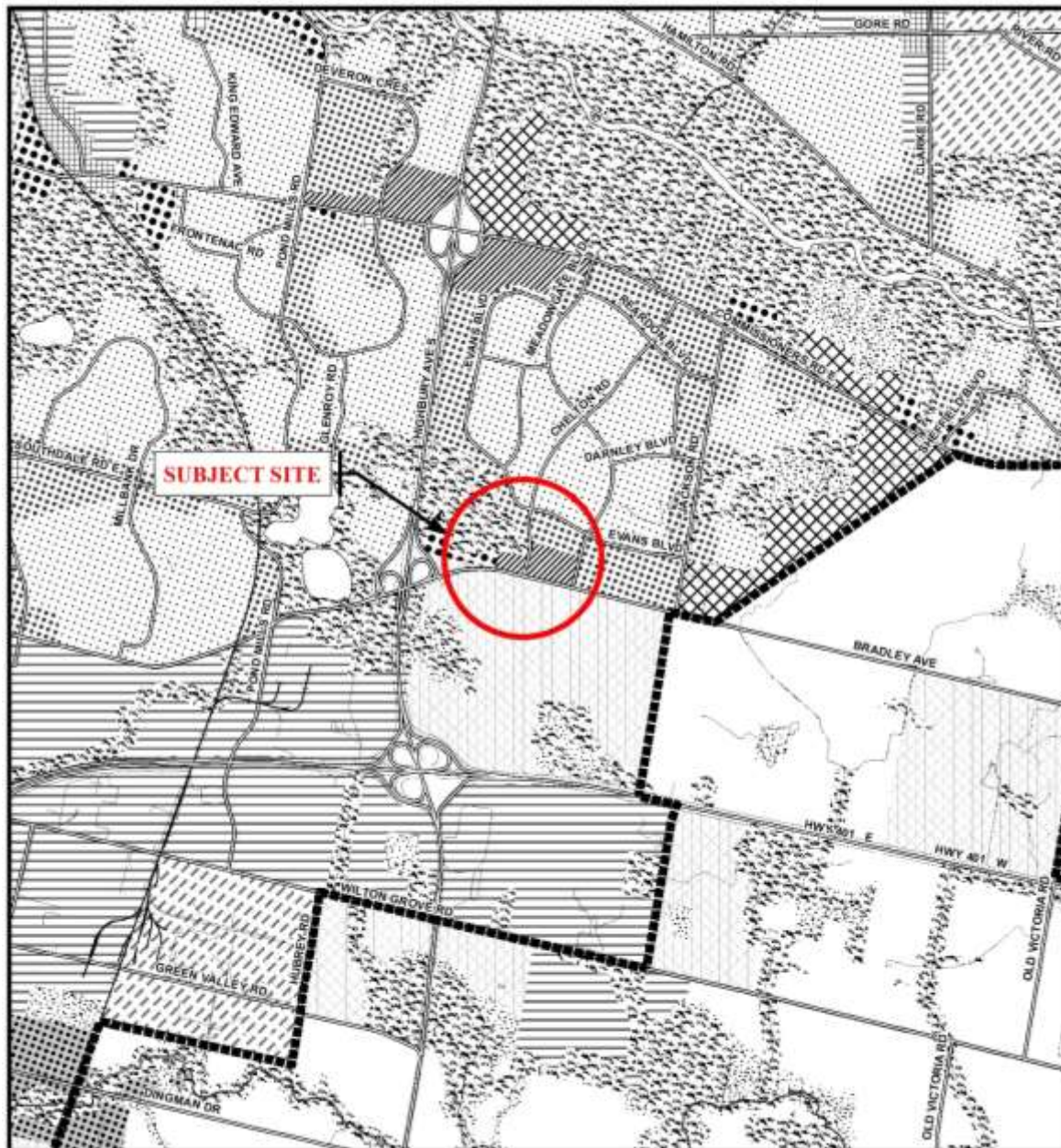
Downtown	Future Community Growth	Environmental Review
Transit Village	Heavy Industrial	Farmland
Shopping Area	Light Industrial	Rural Neighbourhood
Rapid Transit Corridor	Future Industrial Growth	Waste Management Resource Recovery Area
Urban Corridor	Commercial Industrial	Urban Growth Boundary
Main Street	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 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: Z-9089</p> <p>Planner: LM</p> <p>Technician: DM</p> <p>Date: September 12, 2019</p>
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Official Plan Map Excerpt

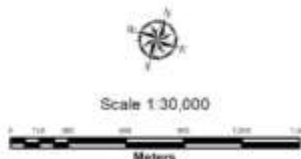


Legend

- | | |
|--|-----------------------------------|
| 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 |

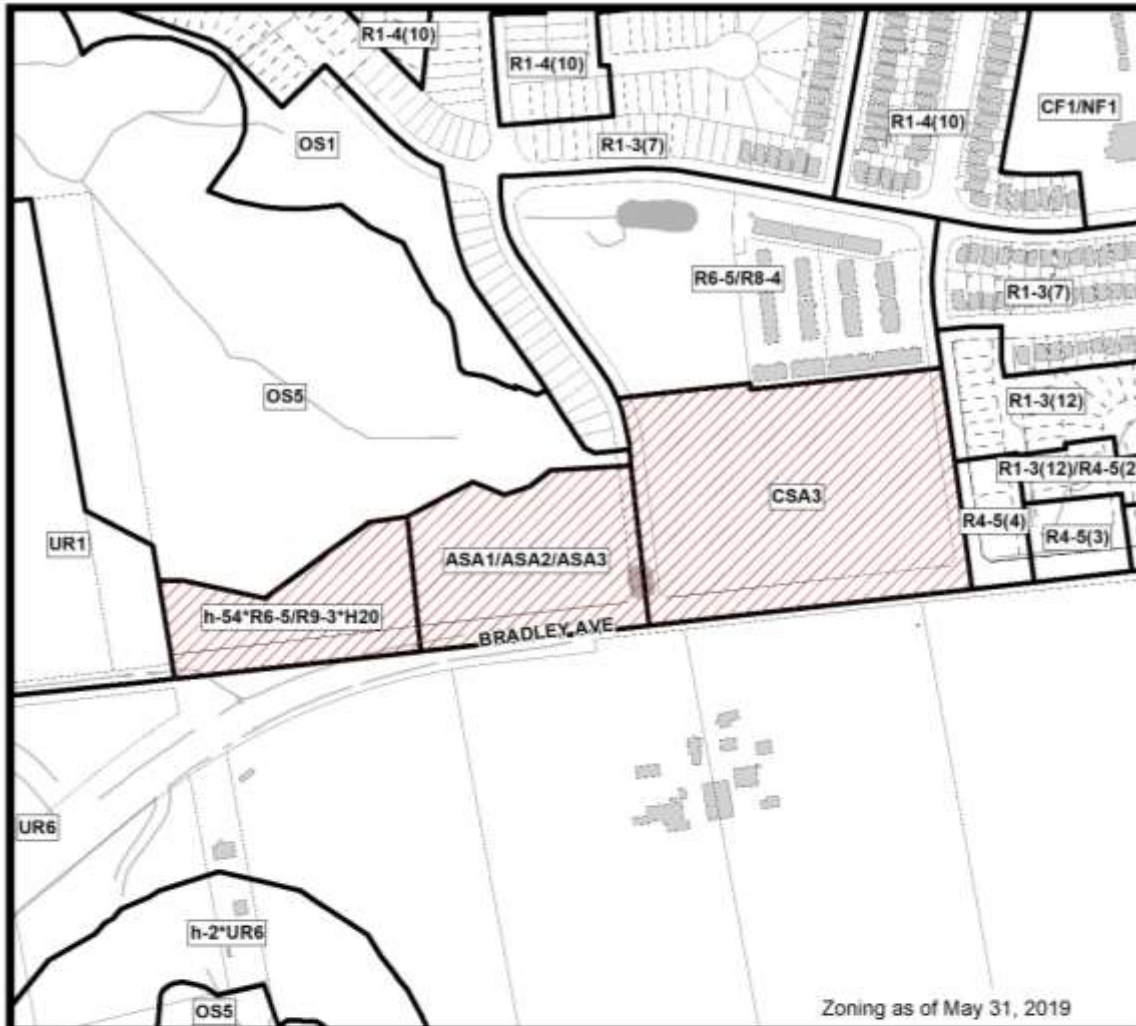
CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -

PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-9089
 PLANNER: LM
 TECHNICIAN: DM
 DATE: 2019/09/12

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 - LOOGING 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-9089

LM

MAP PREPARED:

2019/09/12

DM

1:5,000

0 30 60 120 180 240

Meters

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

Additional Reports

December 12, 2016 – Planning and Environment Committee Public Participation Meeting– Application by Drewlo Holdings Inc. – Application for Red-Line Revisions and Extension of Draft Plan Approval re: lands located on the north side of Bradley Avenue, east of Highbury Avenue - File No. 39T-92020 / 39T-92020-E (Agenda Item #10).

PUBLIC PARTICIPATION MEETING COMMENTS

3.3 PUBLIC PARTICIPATION MEETING – Application – 800, 805 and 810 Chelton Road (Z-9089)

- *(Councillor Stephen Turner reading through the report gives a good picture of this, the part that it does not really expand on much is the natural heritage feature that it is adjacent to; if he reads through the recommendation it seems to recommend that that buffer that is incorporated as OS5 is as a result of the bonusing so it was not anticipated in the original zone, it was added to that; there is a comment from the Upper Thames River Conservation Authority and there is a comment from Ecologist that talk about the use of the pathway through there, the Ecologist says that we have got to try to get that as close as possible out of the pathway, the Upper Thames River Conservation Authority says that it cannot be in the buffer, but he would imagine that is something that gets reconciled a little bit further to the stage; would staff be able to say what the width of the buffer is.);* Mr. L. Mottram, Senior Planner responding that he thinks that the width is around twenty metres, twenty-five metres approximately.
- *(Councillor Anna Hopkins following up on the Provincially Significant Wetland to the north and in particular staff had on the slide 800 and 810, Mr. L. Mottram, Senior Planner, said that there was a number of changes to that plan, the shifting of those buildings now are closer to Bradley Avenue but the parking is behind and then we have got the buffering and then the wetland and wondering if there are any concerns around the snow removal, the salt and any concerns of that going into that natural heritage feature.);* Mr. L. Mottram, Senior Planner, responding that that plan does show nine parking spaces that encroach in the buffer, they have to come out of the buffer and that they will be a revision that will be looking at as part of the site plan that comes in; the other thing is that what they want to be concerned about here is the salt and snow melt, that concept plan does show snow storage all the way along the outer rim of the parking area but adjacent to the buffer and before the Scoped Environmental Impact Statement is finalized, that those concerns are addressed, that there is a proper way of managing snow melt and that it is all drained internally to the site and not to the Provincially Significant Wetland.)
- *(Councillor Jesse Helmer asking the question now he is not necessarily expecting staff to have the answer right away but he thinks it is going to come up is questions around traffic, for these two large parcels, 800 and 805 that are currently zoned for shopping uses, do you have a sense of what the trip generation rates would be for those now because he would expect it to be pretty high compared to the residential expected trips would be with the proposed zoning.);* Mr. M. Elmadhoon, Traffic Planning Engineer, if it was a commercial site it would have been higher; he does not have the number right now but this site, the way it is now, as per the rezoning will generate around two hundred and fifty to three hundred trips during the peak hour and normally the commercial would be one and a half or two times as much based on the footage.
- Carrie O'Brien, Drewlo Holdings Inc., on behalf of the applicant – thanking staff for their work on this report; expressing support for the report.

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: Milan Starcevic
1339 – 1347 Commissioners Road West

Public Participation Meeting on: October 7, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the applications of and Milan Starcevic relating to the property located at 1339 – 1347 Commissioners Road West:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on October 15, 2019 to amend the Official Plan for the City of London Planning Area – 1989 by **ADDING** a policy to Section 3.5. – Policies for Specific Residential Areas to recognize the permitted uses of the Neighbourhoods Place Type in The London Plan at this location;
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on October 15, 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 Residential R1/Residential R5 (R1-9/R5-3) Zone, **TO** a Residential R8 Bonus (R8-4*B-_) Zone.

The Bonus Zone shall be enabled through one or more agreements to facilitate the development of a high quality residential apartment building, with a maximum height of 5 storeys, 34 dwelling units and a maximum density of 132 units per hectare, which substantively implements the Site Plan, Landscape Plan and Elevations attached as Schedule "1" to the amending by-law in return for the following facilities, services and matters:

i) Exceptional Building Design

The building design shown in the various illustrations contained in Schedule "1" to the amending by-law is being bonused for features which serve to support the City's objective of promoting a high standard of design including:

- i. a building located along the street frontage with a reduced front yard setback;
- ii. A building providing for a continuous street wall along the Commissioners Road West frontage;
- iii. Providing for appropriate scale/rhythm/materials/fenestration;
- iv. Incorporating the majority of parking underground, away from the street frontage;
- v. Providing active ground floor uses with transparent glazing and principle entrances facing the street creating an active street edge.
- vi. Providing enhanced landscaped open space and an east side yard depth in excess of the minimum required by the Zoning By-law;

vii. Providing landscape buffering in excess of the normal requirements of the Site Plan By-law.

ii) Provision of Affordable Housing

The development shall provide for the following:

- i. A total of 3, two-bedroom affordable rental units (two of which, at minimum, are to be accessible and located on the ground floor);
- ii. Rents not exceeding 85% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy; and,
- iii. The duration of affordability shall be set at 15 years from the point of initial occupancy of all 3 two-bedroom units.

c) IT BEING NOTED the following Site Plan matters have been raised through the application review process for consideration by the Site Plan Approval Authority with regard to the mitigation of potential impacts on the townhouse development at 1337 Commissioners Road West:

- i) Photometric analysis to manage lighting impacts on adjacent developments;
- ii) A noise study to evaluate and mitigate noise impacts related to the parking ramp and underground parking garage on the adjacent development at 1337 Commissioners Road West;
- iii) Enhanced provision of boundary landscaping along the east and north property boundaries that not only exceed the standards of the Site Plan Control By-law but also has screening/privacy qualities.

Executive Summary

Summary of Request

The applicant requested an amendment to Zoning By-law Z.-1 to change the zoning of the subject lands from a Residential R1/Residential R5 (R1-9/R5-3) Zone to a Residential R8 Special Provision Bonus (R8-4()*B-) Zone. The requested change would permit the use of the subject lands for a range of apartment building types, stacked townhouses, lodging house class 2, emergency care establishments and continuum-of-care facilities. Relief from certain zoning requirements was requested, including a maximum density of 148 units per hectare in place of 75 units per hectare, maximum building height of 16.5 metres in place of 13.0 metres, a minimum front yard depth of 2.0 metres in place of 8.0 metres, and minimum interior side yard depths of 4.5 metres in place of 5.4 metres. The applicant proposed to provide bonusing for additional height and density in the form of affordable housing, underground parking and enhanced landscaped open space.

The amended application requests the same zone change, with modified requests for relief, including a maximum building height of 17.5 metres in place of 13.0 metres, a minimum front yard depth of 2.0 metres in place of 8.0 metres, and a minimum interior west side yard depth of 2.2 metres in place of 6.6 metres. The amended notices also reflect a requested density of 132 units per hectare as a result of a correction to the calculation of density.

The City also initiated an Official Plan amendment to add a Specific Policy Area to permit an apartment building with a maximum permitted density of 148 units per hectare within the Multi-family, Medium Density Residential designation, with the intent of aligning the 1989 Official Plan with the policies of The London Plan. With the amended application and density correction, a density of 132 units per hectare is being considered.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended Official Plan and Zoning By-law amendments is to permit the development of the subject lands for a 5-storey, 34 unit apartment building at a density of 132 units per hectare.

The bonus zone shall be implemented through a development agreement to facilitate the development of the requested apartment building in return for the provision of affordable housing, underground parking and enhanced landscaped open space, and the construction of the high-quality form of development illustrated in Schedule "1" to the amending by-law. At the site plan stage, consideration should be given to landscape material choices that provide visual screening and buffering along the north and east property boundaries, and noise and lighting impacts.

Rationale of Recommended Action

1. The recommended amendments to the Official Plan and Zoning By-law Z.-1 are consistent with the 2014 Provincial Policy Statement (PPS) which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents present and future.
2. The recommended amendment conforms to the in-force policies of the 1989 Official Plan including, but not limited to the Policies for Specific Residential Areas which allow Council to address development opportunities through specific policies that provide additional guidance to the general Multi-family, Medium Density Residential policies.
3. The recommended amendment conforms to the in-force policies of The London Plan including, but not limited to the policies of the Neighbourhoods Place Type which contemplate low-rise apartment buildings with a maximum height of 4 storeys with the potential for up to 6 storeys with Type 2 bonusing where the property has frontage on a Civic Boulevard.
4. The subject lands represent an appropriate location for residential intensification, along a higher-order street within an existing neighbourhood, and the recommended amendment would permit development at an intensity that is appropriate for the site and the surrounding neighbourhood.
5. The recommended amendment would help to achieve the vision of The Neighbourhoods Place Type by providing a range of housing choice and mix of uses to accommodate a diverse population of various ages and abilities.
6. The recommended increases in height and density are commensurate with the value conferred by the recommended bonus provision for design and affordable housing.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject lands are located on the north side of Commissioners Road West between Stephen Street and Halls Mills Road. They are comprised of three lots, each occupied by a single detached dwelling. The lands are generally flat and populated with mature trees not ecologically related to the natural heritage features associated with the Byron River Valley located on nearby lands to the north.

Commissioners Road West is classified as an Arterial Road and is intended to move medium to high volumes of traffic at moderate speeds.



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 – Residential R1/Residential R5 (R1-9/R5-3) Zone

1.3 Site Characteristics

- Current Land Use – 3 single detached dwellings
- Frontage – 45.9 metres (150.6 feet)
- Depth – variable – approx. 50 metres (164 feet)
- Area – 0.26 ha (2580 square metres (0.64 acres)
- Shape – rectangular with irregular front lot line

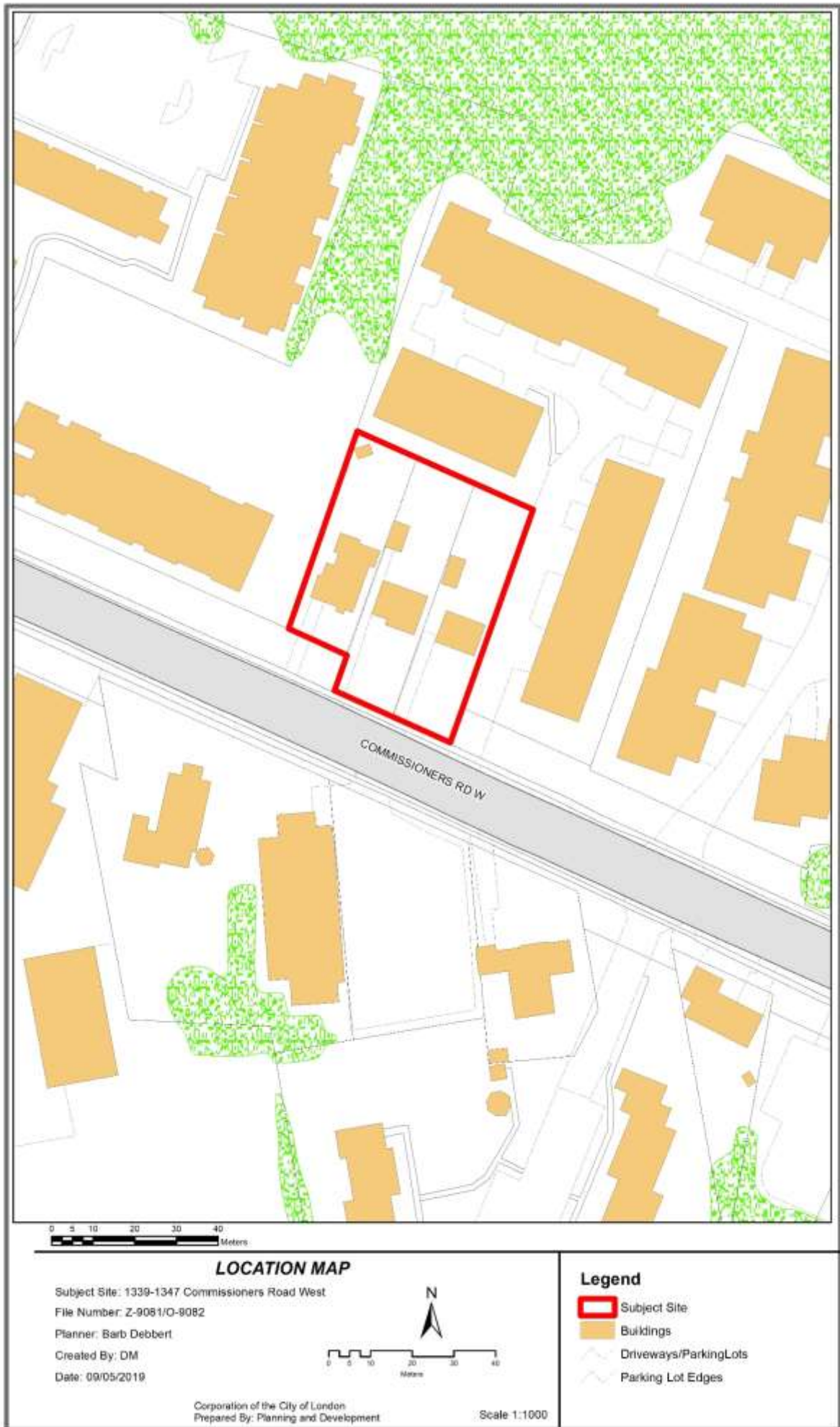
1.4 Surrounding Land Uses

- North – Single-storey townhouse condominium (Byron Woods), Byron River Valley
- East – Single-storey townhouse condominiums (Byron Woods and River Ridge), Halls Mills Park
- South – St. Anne's Anglican Church, Byron Northview Public School, Single detached and townhouse dwellings
- West – New 5-storey apartment building, townhouse and apartment non-profit housing (P.A.M. Gardens)

1.5 Intensification

- This development represents intensification inside the Built-Area Boundary and within the Primary Transit Area through the addition of 34 new residential apartment units.

1.6 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The requested amendment is intended to permit and facilitate the development of a 34 unit apartment building on the site at a density of 132 units per hectare.

Original Concept Plan

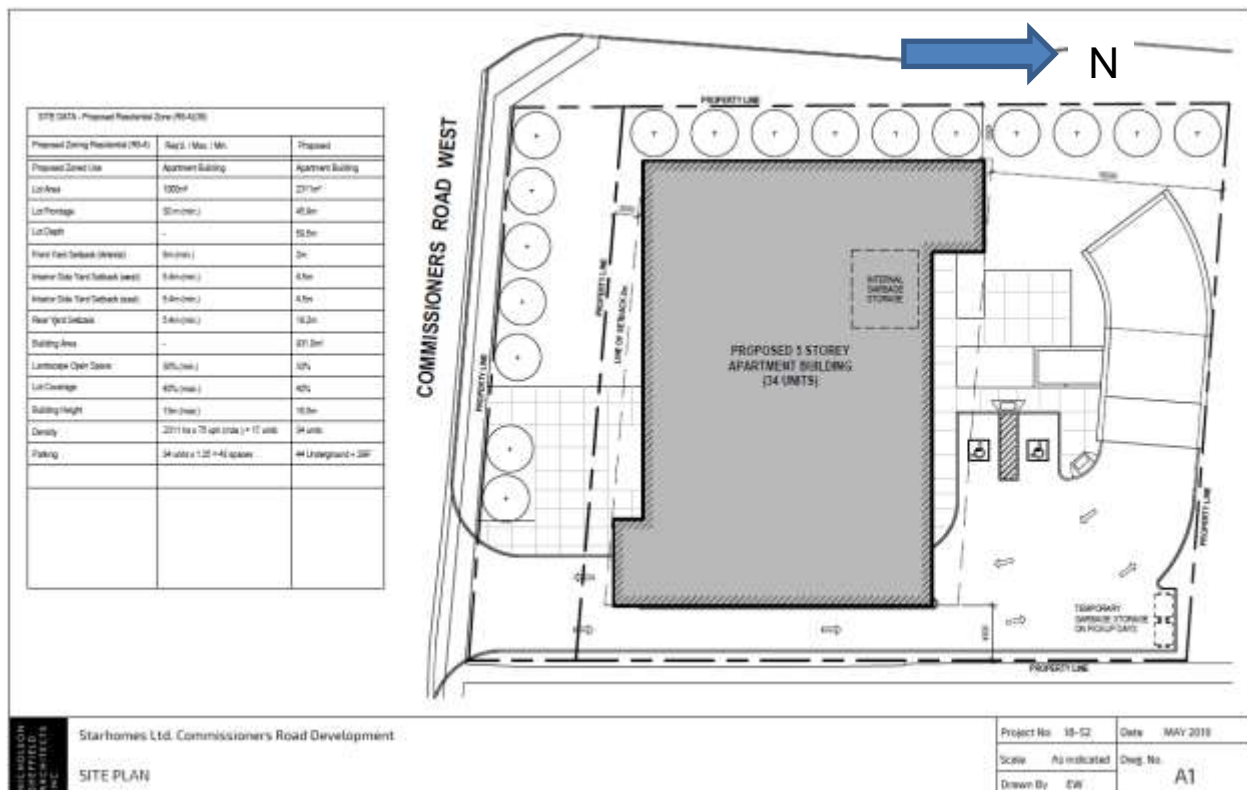
The conceptual site plan submitted in support of the requested amendment shows a 5-storey (16.5 metre), 34 unit apartment building oriented to and located close to the street, with the majority of the parking accommodated in an underground parking facility. The driveway lies close to the east property line, adjacent to the driveway for the neighbouring townhouse condominium development located at 1337 Commissioners Road West. The entrance to the underground parking facility is situated directly adjacent to the north property line. The space below the building cantilever along the east end of the building includes the exit driveway and a lay-by for a service/drop-off area. Two at-grade accessible parking spaces are proposed.

Balconies are proposed on the front and rear faces of the proposed building. Balcony exposure on the east and west ends of the building is limited to the ends of the balconies serving the end units.

The building is centred east-west on the property, providing for reduced setbacks of 4.5 metres on each side, where 5.4 metres is required. The rear yard depth is 19.2 metres, in excess of the required depth of 5.34 metres. Landscaping is proposed in the front yard and City boulevard and along the west property line adjacent to the new 5 storey apartment building to the west.

Landscaped open space is provided to the rear of the proposed building at the north-west corner of the site.

Figure 1 - Original Site Concept (submitted June 2019)



Revised Site Concept (submitted September 2019)

In response to concerns raised by City staff and members of the public regarding the potential impacts of the development on the less intense townhouse development at 1337 Commissioners Road West, the applicant submitted a revised concept with the following changes:

- The building was shifted 2.3 metres to the west, creating an east interior side yard depth of 6.8 metres to accommodate both the entrance lane and

landscape buffering. This shift results in a reduced west interior side yard depth of 2.2 metres but eliminates the need for a special provision for a reduced east interior side yard depth.

- The width of the ramp to the underground parking facility was reduced to accommodate landscape buffering in the rear yard.
- The building height was increased by 1 metre to 17.5 metres to ensure there is sufficient vertical clearance under the cantilever to accommodate service vehicles and moving trucks.
- A third surface parking space was added.

The other components of the plan remain the same.

Figure 2 – Revised Site Concept (submitted September 5, 2019)

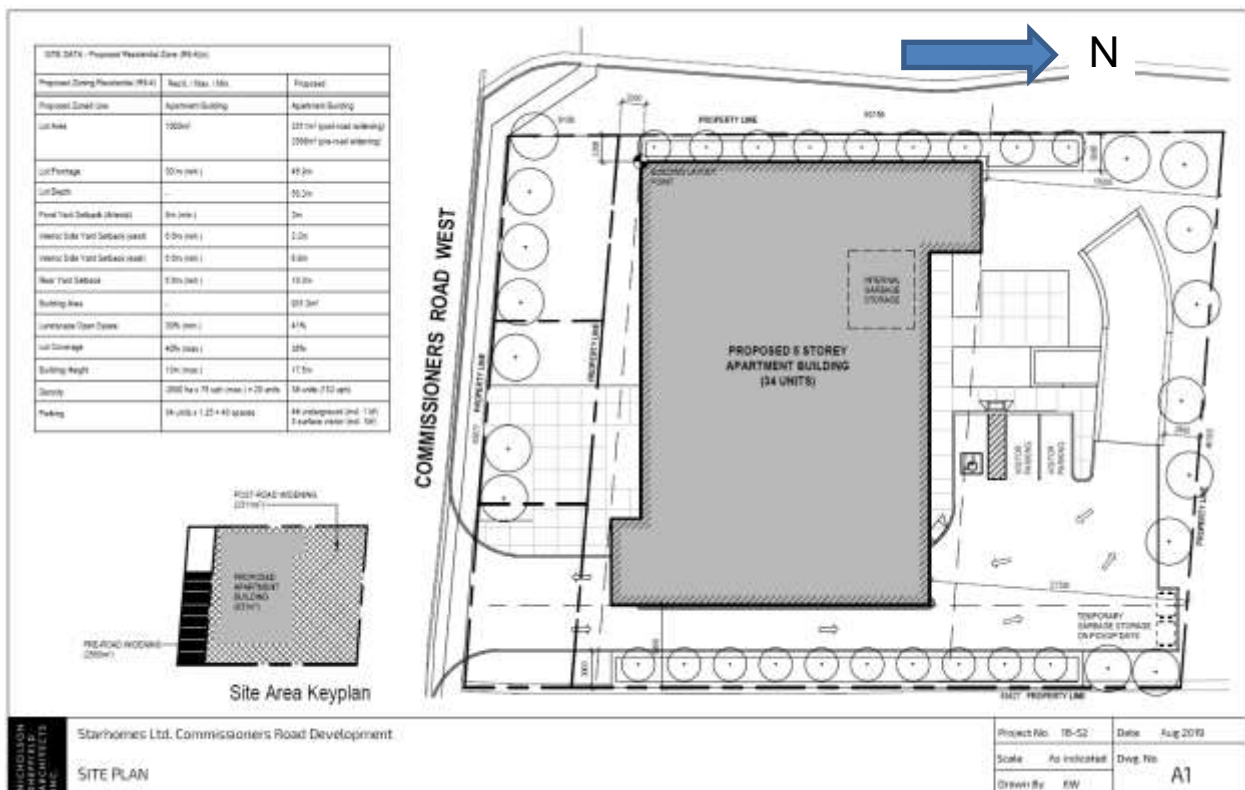
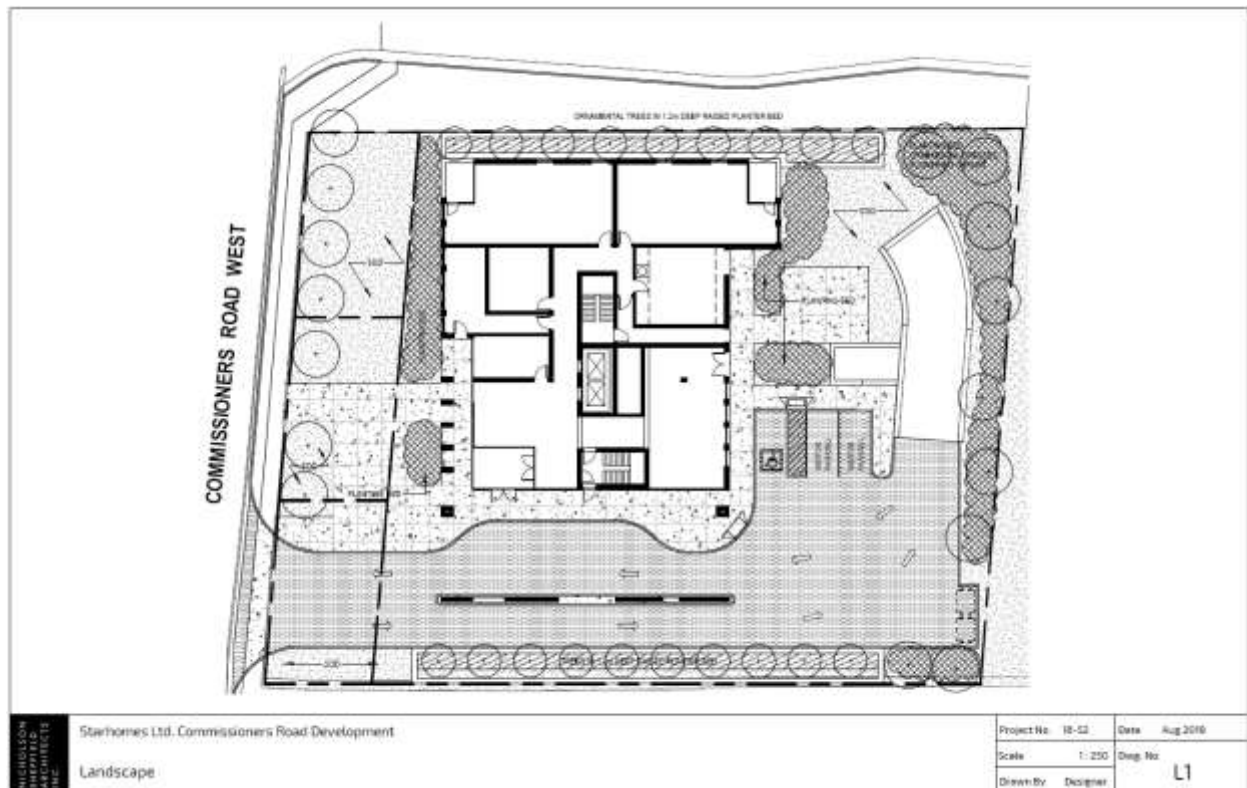


Figure 3 - Building Rendering (submitted June 2019)



Figure 4 - Landscape Plan (submitted September 2019)



3.0 Relevant Background

3.1 Planning History

In 2016, City Council approved a zoning by-law amendment in conformity with the Multi-family, Medium Density Residential designation of the 1989 Official Plan at the neighbouring property to the west known as 1335 Commissioners Road West, from a Residential R5/Residential R8 Special Provision (R5-4(1)/R8-4(2)) Zone to a Residential R8 Special Provision (R8-4(36)) Zone and an Open Space Special Provision (OS1(4)) Zone to permit the 5 storey apartment building and a hiking trail access between Commissioners Road West and the Byron River Valley along the east property line.

3.2 Requested Amendment

The applicant requested an amendment to Zoning By-law Z.-1 to change the zoning of the subject lands from a Residential R1/Residential R5 (R1-9/R5-3) Zone to a Residential R8 Special Provision Bonus (R8-4()*B-) Zone. The requested change would permit the use of the subject lands for a range of apartment building types, stacked townhouses, lodging house class 2, emergency care establishments and continuum-of-care facilities. Relief from certain zoning requirements was requested, including a maximum density of 148 units per hectare in place of 75 units per hectare, maximum building height of 16.5 metres in place of 13.0 metres, a minimum front yard depth of 2.0 metres in place of 8.0 metres, and minimum interior side yard depths of 4.5 metres in place of 5.4 metres. The applicant proposed to provide bonusing for additional height and density in the form of affordable housing, underground parking and enhanced landscaped open space.

The amended application requests the same zone change, with modified requests for relief, including a maximum building height of 17.5 metres in place of 13.0 metres, a minimum front yard depth of 2.0 metres in place of 8.0 metres, and a minimum interior west side yard depth of 2.2 metres in place of 6.6 metres. The amended notices also reflect a requested density of 132 units per hectare as a result of a correction to the calculation of density.

The City also initiated an Official Plan amendment to add a Specific Policy Area to permit an apartment building with a maximum permitted density of 148 units per hectare within the Multi-family, Medium Density Residential designation, with the intent of aligning the 1989 Official Plan with the policies of The London Plan. With the amended application and density correction, a density of 132 units per hectare is being considered.

3.3 Community Engagement (see more detail in Appendix C)

Opportunities were provided to the public to provide comments/input on this application in response to the original notice of application given on June 19, 2019, the open house hosted by the applicant on June 26, 2019, and the revised notice of application given on September 12, 2019. Written replies to City staff were received from 7 individuals representing 4 households, as well as from a subcommittee representing the Board of Directors and residents of the Byron Woods Condominium at 1337 Commissioners Road West.

The public's concerns generally included:

- Traffic safety
- Parking and Service Vehicles
- Scale and Height
- Yard Depth and Setbacks
- Privacy/Overlook
- Light/Noise
- Tree Protection/Buffering
- Proposed bonus for design, affordable housing, enhanced landscaped open space and underground parking not commensurate with the proposed increase in height and density

3.4 Policy Context (see more detail in Appendix D)

Provincial Policy Statement (PPS), 2014

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. The PPS encourages healthy, livable and safe communities which are sustained by accommodating an appropriate range and mix of residential (including affordable housing and housing for older persons), employment and institutional uses to meet long-term needs (Policy 1.1.1b.). It also promotes cost-effective development patterns and standards to minimize land consumption and servicing costs. The PPS encourages settlement areas (Policy 1.1.3 Settlement Areas) to be the main focus of growth and their vitality and regeneration shall be promoted. Appropriate land use patterns within settlement areas are established by providing appropriate densities and mix of land uses that efficiently use land and resources along with surrounding infrastructure, public service facilities and are also transit supportive. (Policy 1.1.3.2).

The policies of the PPS also direct planning authorities to identify appropriate locations and promote opportunities for residential intensification (Policy 1.1.3.3) while promoting appropriate development standards which facilitate intensification, redevelopment and compact form (Policy 1.1.3.4) and promote active transportation limiting the need for a vehicle to carry out daily activities (Policy 1.6.7.4). In accordance with Section 3 of the Planning Act, all planning decisions "shall be consistent with" the PPS.

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 London Plan provides Key Directions (54_) that must be considered to help the City effectively achieve its vision. These directions give focus and a clear path that will lead to the transformation of London that has been collectively envisioned for 2035. Under each key direction, a list of planning strategies is presented. These strategies serve as

a foundation to the policies of the plan and will guide planning and development over the next 20 years. Relevant Key Directions are outlined below.

The London Plan provides direction to plan strategically for a prosperous city by:

- Investing in, and promoting affordable housing to revitalize neighbourhoods and ensure housing for all Londoners. (Key Direction #1, Direction 13).

The London Plan provides direction to build a mixed-use compact city by:

- Implementing a city structure plan that focuses high-intensity, mixed-use development at strategic locations – along rapid transit corridors and within Primary Transit Area;
- Planning to achieve a compact, contiguous pattern of growth – looking “inward and upward”;
- Planning for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward; and,
- Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place. (Key Direction #5, Directions 1, 2, 4 and 5).

The London Plan also provides direction to build strong, healthy and attractive neighbourhoods for everyone by:

- Integrating affordable forms of housing in all neighbourhoods (Key Direction #7, Direction 10).

The subject site is located in the Neighbourhoods Place Type on *Map 1 – Place Types in The London Plan, with frontage on a Civic Boulevard (Commissioners Road West). *Table 10 - Range of Permitted Uses in Neighbourhoods Place Type, contemplates a broad range of residential land uses for the subject lands including, but not limited to, single-detached, semi-detached, duplex and converted dwellings, triplexes, fourplexes, townhouses, stacked townhouses and low-rise apartments. The London Plan uses height as a measure of intensity in the Neighbourhoods Place Type. *Table 11 – Range of Permitted Heights in Neighbourhoods Place Type, requires a minimum height of 2-storeys and contemplates a maximum height of 4-storeys, and up to 6-storeys through Bonus Zoning. The London Plan provides opportunities for residential intensification and redevelopment within the Neighbourhoods Place Type where it is appropriately located and a good fit with the surrounding neighbourhood.

1989 Official Plan

The 1989 Official Plan contains policies that guide the use and development of land within the City of London and is consistent with the policy direction set out in the PPS.

The subject lands are designated Multi-family, Medium Density Residential in the 1989 Official Plan. This designation is intended for multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding houses; emergency care facilities; converted dwellings; and small-scale nursing homes; rest homes and homes for the aged (Section 3.3.1). The 1989 Official Plan uses density and height as measures of intensity for residential uses. Height limitations are to be sensitive to the scale of development in the surrounding neighbourhood and will normally not exceed 4 storeys but may exceed this limit if determined to be appropriate to a site-specific zoning by-law amendment and/or bonus zone. Medium density development will not exceed an approximate net density of 75 units per hectare (Section 3.3.3).

4.0 Key Issues and Considerations

Through an analysis of the use, intensity and form, Staff have considered the compatibility and appropriateness of the requested amendment and proposed development, as shown in the revised concept plan, with the subject lands and within the surrounding neighbourhood.

4.1. Use

Provincial Policy Statement, 2014 (PPS)

The Provincial Policy Statement directs growth and development to settlement areas and encourages their regeneration (Policy 1.1.3.1). Land use patterns within settlement areas are to provide for a range of uses and opportunities for intensification and redevelopment (Policy 1.1.3.2 b)). The PPS directs that planning authorities consider the housing needs of all residents (Policy 1.4.3 a) and b)).

The London Plan

The subject lands are located within the Neighbourhoods Place Type with frontage on a Civic Boulevard in The London Plan. The range of uses permitted within the Neighbourhoods Place Type is directly related to the classification of street onto which a property has frontage (*Table 10- Range of Permitted Uses in Neighbourhoods Place Type). Low-rise apartment buildings are a permitted use on Civic Boulevards within the Neighbourhoods Place Type throughout the City.

1989 Official Plan

The 1989 Official Plan supports the provision of a choice of dwelling types so that a broad range of housing requirements are satisfied (Section 3.1.1 ii)). The subject lands are designated Multi-family, Medium Density Residential in the 1989 Official Plan. The Multi-family, Medium Density Residential designation 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 (Preamble Section 3.3 – Multi-family, Medium Density Residential). The primary permitted uses for the Multi-family, Medium Density Residential designation include multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding houses; emergency care facilities; converted dwellings; and small-scale nursing homes, rest homes and homes for the aged. (Section 3.3.1). The requested apartment building is contemplated in the Multi-family, Medium Density Residential designation in the 1989 Official Plan as a permitted use.

Analysis:

Consistent with the PPS, and conforming to the 1989 Official Plan and The London Plan, the recommended apartment building will contribute to the existing range and mix of housing types within the community which already sustains a mix of housing types ranging from single detached dwellings to low-rise apartment buildings. The recommended apartment building has the potential to assist in providing a diverse range of housing needs within the community consistent with the PPS, and conforming to the 1989 Official Plan and The London Plan. The recommended low-rise apartment use is contemplated in the Multi-family, Medium Density Residential designation in the 1989 Official Plan as a permitted form of residential intensification, and is included in the range of primary permitted uses within the Neighbourhoods Place Type on Civic Boulevards. Although the proposed apartment building has a different intensity, height and built form than the single-storey townhouse condominium to the immediate east, the analysis of intensity and form below demonstrates that the apartment building can be developed on the subject lands in a way that is appropriate for the site and the surrounding neighbourhood.

4.2 Intensity

Provincial Policy Statement, 2014 (PPS)

The PPS directs growth to settlement areas and encourages their regeneration (Policy 1.1.3.1). The PPS states that land use patterns within settlement areas are to provide for a range of uses and opportunities for intensification and redevelopment (Policy 1.1.3.2). Planning authorities are to identify appropriate locations and promote opportunities for intensification and redevelopment where it can be accommodated considering matters such as existing building stock, brownfield sites, and suitable existing or planned infrastructure and public service facilities. (Policy 1.1.3.3). The PPS is supportive of development standards which facilitate intensification, redevelopment and compact form (Policy 1.1.3.4).

The London Plan

The London Plan contemplates intensification where appropriately located and provided in a way that is sensitive to and a good fit with existing neighbourhoods (*Policy 83_, *Policy 937_, *Policy 939_ 2. and 5., and *Policy 953_ 1.). The London Plan directs that intensification may occur in all place types that allow for residential uses (Policy 84_).

The London Plan uses height as a measure of intensity in the Neighbourhoods Place Type. A minimum height of 2-storeys and a maximum height 4-storeys, with bonusing up to 6-storeys, is contemplated within the Neighbourhoods Place Type where a property has frontage on a Civic Boulevard (*Table 11 – Range of Permitted Heights in the Neighbourhoods Place Type). The intensity of development must be appropriate for the size of the lot (*Policy 953_3.).

1989 Official Plan

The scale of development in the Multi-family, Medium Density Residential designation shall have a low-rise form and a site coverage and density that could serve as a transition between low density residential areas and more intensive forms of development. 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. In some instances, height may be permitted to exceed this limit, if determined through a compatibility report to be appropriate subject to a site specific zoning by-law amendment and/or bonus zone. Medium density development will not exceed an approximate net density of 75 units per hectare. (Section 3.3.3). Residential intensification in the Multi-family, Medium Density Residential designation is subject to a Planning Impact Analysis on the basis of criteria relevant to the proposed change (Section 3.7.2). See Appendix C of this report for a complete PIA addressing matters of both intensity and form.

Analysis:

The subject lands have frontage on a Civic Boulevard (Commissioners Road West) which is a higher-order street. The subject lands also have access to full municipal services, and are located near the periphery of the Byron Village commercial area and across the street from a church and elementary school. The property lies within an area characterized by the mix of various housing forms ranging from single detached dwellings to low-rise apartment buildings. When consolidated, the subject lands are of a size to accommodate more intensive redevelopment, and in terms of the policy framework in The London Plan, are underutilized by the existing single detached dwellings. Consistent with the PPS, the subject lands are located where the City's Official Plans direct and support residential intensification and redevelopment.

The proposed development of 34 new apartment units equates to 132 units per hectare and does not conform to the maximum density of 75 uph, with possible bonusing up to 100 units per hectare contemplated in the Multi-family, Medium Density Residential designation of the 1989 Official Plan. It is for this reason that a City-initiated Official Plan amendment has been recommended.

It has become a matter of practice for City staff to recommend Policies for Specific Areas in the 1989 Official Plan where a proposed development advances Council's direction as stated in The London Plan, and therefore a specific policy is recommended to allow for additional height and density where specific bonus requirements are met. Additional measures addressing the impacts of the proposed intensity on surrounding lands have been reviewed. The requested intensity of development contemplated is recommended on the subject lands, subject to both the recommended bonus provisions and certain considerations at the site plan stage.

The requested zoning amendment includes a base Residential R8 (R8-4) Zone to permit the apartment use subject to standard zoning regulations. The standard R8 zone is limited to a maximum density of 75 units per hectare and height of 13 metres. As such the applicant has also applied to increase the permitted density to 132 units per hectare and a height of 5 storeys (17.5 metres) through the bonusing provisions outlined in Section 19.4.4 of the 1989 Official Plan. The policies of the 1989 Official Plan permit bonus zoning as a means of achieving enhanced development features which result in a public benefit that cannot be obtained through the normal development process in

return for permitting increased heights and densities. The proposed building form and design and provision of affordable housing units, along with modest considerations for underground parking and enhanced landscaped open space, allow the proposed development to qualify for bonus zoning in conformity to the policies of the 1989 Official Plan. The bonusable features are outlined in the Staff recommendation.

In order to implement the identified items for bonus zoning, section 19.4.4 iv) of the Official Plan states that:

“As a condition to the application of bonus zoning provisions to a proposed development, the owner of the subject land will be required to enter into an agreement with the City, to be registered against the title to the land. The agreement will deal with the facilities, services, or matters that are to be provided, the timing of their provision, and the height or density bonus to be given.”

Bonus zoning is implemented through one or more agreements with the City that are registered on title to the lands. The agreements are intended to “lock in” the design features that will be incorporated into the form of development to merit the additional density. Through the Site Plan Approval process, the proposed development will be reviewed to ensure that all facilities, services, and matters that have warranted bonus zoning have been incorporated into the agreements. The relevant design features are highlighted in the recommendation and the amending by-law including the illustrations attached as Schedule “1”.

With regard to whether the recommended amendment would result in an intensity of development that is compatible and a good fit with the surrounding neighbourhood, concerns regarding traffic safety, the adequacy of surface parking for visitors, delivery vehicles and moving trucks, and the sufficiency of open space are analysed below:

Traffic Safety

Neighbourhood concerns have been raised about the traffic safety impacts of the proposed development on existing traffic volumes, flow and turning movements on Commissioners Road West, citing the existing cumulative impacts of the Tim Horton’s on the south side east of the subject lands, and school and church related activity on a road with a single travel lane in each direction and a shared turning lane in the centre. Particular concern was raised about the proximity of the proposed driveway to the existing driveway for 1337 Commissioners Road West.

The Planning Impact Analysis criteria of the 1989 Official Plan for official plan and zoning by-law amendments (Section 3.7) require the evaluation of the likely impact of traffic generated by the proposal on city streets, on pedestrian and vehicular safety, and on surrounding properties.

The Transportation Division has advised that this development will generate 7 vehicle trips in the PM peak hour and 2 vehicle trips in the AM peak hour, that the existing Annual Average Daily Traffic on Commissioners Road West at this location is 16,500 vehicles, and that there is capacity on the roadway to support additional traffic generated by the proposed development. The area is well served by public transit, cycling facilities and pedestrian facilities, including a new crosswalk providing safe access from the more intense residential developments on the north side of Commissioners Road West, to the school and church on the south side.

A review of the collision history to gauge the safety performance of Commissioners Road West in this general location revealed 10 collisions in the past 5 years, indicating the Commissioners Road is performing as expected to slightly better than expected in comparison to similar roadways within the City. The small increase in traffic at peak hours is not expected to negatively impact the safety performance of the roadway.

In the revised concept plan, the building has been shifted an additional 2.3 metres to the west, providing an enhanced opportunity for landscaping along with the ability to provide a greater separation distance between the existing driveway at 1337 Commissioners Road West and the proposed driveway for the new development. Transportation Division was consulted on the possibility of moving the new driveway to the west side of the property but the proposed location was preferred. The final access arrangement will

be determined at the site plan approval stage, and will be required to comply with the City's Access Management Guidelines for design.

Parking for Visitors, Delivery Vehicles and Moving Trucks

Neighbourhood concerns have been raised about the current practice of delivery vehicles parking at 1337 Commissioners Road West for the provision of service to other nearby properties, and an expectation that more residential units will result in an escalation of this practice.

The original site concept provided for 2 surface parking spaces along with a layby under the building cantilever to accommodate temporary parking and larger vehicles such as resident drop-off, moving trucks and delivery vehicles. The revised concept plan has been modified to accommodate three surface parking spaces. The maximum height of the building has also been increased by 1 metre in order to ensure there is sufficient vertical clearance for large delivery or moving vehicles under the building cantilever on the subject lands.

Municipal site plan standards indicate that 3 - 4 visitor parking spaces, which would be provided by the surface parking, are required to service a 34 unit development. The proposed site design should be sufficient to accommodate on-site parking requirements and provides an improvement with regard to the ability to accommodate temporary parking requirements and delivery and moving trucks.

On-site Open Space

Neighbourhood concerns have been expressed that the proposed landscaped open space is insufficient as a bonusing measure to allow for increased height and density.

The minimum open space requirement under the Zoning By-law within the Residential R8 (R8-4) Zone is 30%. The proposed underground parking garage allows for increased development intensity, while providing open space areas in excess of the zoning requirement, at 41% percent. The open space areas are comprised of a combination of hardscaping and green landscaping both at grade and within raised planters. In combination with more intensive and sensitive plantings than required by the standard provisions of the Site Plan Control By-law (discussed under Tree Protection/Buffering in Section 4.3 – Form), the enhanced landscaped open space is worthy of some consideration for the bonus provision. It is noted, however, that the justification for bonusing lies primarily with the building design and the provision of affordable housing.

4.3 Form

Provincial Policy Statement, 2014 (PPS)

The PPS is supportive of development standards which facilitate intensification, redevelopment and compact form (Policy 1.1.3.4). The PPS also identifies that long term economic prosperity should be supported by encouraging a sense of place by promoting a well-designed built form (Policy 1.7.1(d)).

The London Plan

The London Plan encourages compact forms of development as a means of planning and managing for growth (Policy 7_, Policy 66_). The London Plan encourages growing “inward and upward” to achieve compact forms of development (Policy 59_ 2., Policy 79_). The London Plan accommodates opportunities for infill and intensification of various types and forms (Policy 59_ 4.). To manage outward growth, The London Plan encourages supporting infill and intensification in meaningful ways (Policy 59_ 8.).

Within the Neighbourhoods Place Type, and according to the urban design considerations for residential intensification, compatibility and fit will be evaluated from a form-based perspective through consideration of the following: site layout in the context of the surrounding neighbourhood; building and main entrance orientation; building line and setback from the street; height transitions with adjacent development; and massing appropriate to the scale of the surrounding neighbourhood (*Policy 953_ 2. a. –f.).

Similar to the Planning Impact Analysis criteria within the 1989 Official Plan, the Our Tools section of The London Plan contains various considerations for the evaluation of all planning and development applications (*Policy 1578_).

1989 Official Plan

The scale of development in the Multi-family, Medium Density Residential designation shall have a low-rise form and a site coverage and density that could serve as a transition between low density residential areas and more intensive forms of development (Section 3.3.3). The 1989 Official Plan recognizes residential intensification as a means of providing for the efficient use of land and achieving a compact urban form (Section 3.2.3). The Planning Impact Analysis criteria in the 1989 Official Plan, are to be used to evaluate the appropriateness of a proposed change in land use and identify ways to reduce any adverse impacts on surrounding land uses (Section 3.7). See Appendix C of this report for a complete PIA.

Analysis:

Consistent with the PPS, and conforming to the 1989 Official Plan and The London Plan, the recommended intensification of the subject lands would optimize the use of land and public investment in infrastructure in the area. Located within a developed area of the City, the redevelopment and intensification of the subject lands would contribute to achieving more compact forms of growth. The proposed apartment building represents a more compact form of development than the three single-detached dwellings that currently exist on the subject lands.

With regard to whether the recommended amendment would result in a form of development that is compatible and a good fit with the surrounding neighbourhood, concerns regarding scale and height; yard depths/setbacks; privacy and overlook; light and noise; and tree protection/buffering are analyzed below:

Scale and Height

The scale or height of the proposed apartment building at 5 storeys, would conform to the height requirements contemplated within the Neighbourhoods Place Type where the property has frontage on a Civic Boulevard. These policies require a minimum height of 2-storeys and maximum height of 4-storeys, with a provision for up to 6 storeys with Type 2 bonusing. It would also conform to the low-rise form of development, generally not exceeding four storeys contemplated in the Multi-family, Medium Density Residential designation and would be compatible with the scale of the immediately adjacent land uses which include a new 5 storey apartment building and a single storey townhouse condominium complex.

Specific concerns were raised by the owners of units at 1337 Commissioners Road West about the difference in height between the proposed and existing development. 1337 Commissioners Road West is an L-shaped property with units most directly affected by the proposed development along the east and north sides of the subject site. To the east, the front walls of four townhouse units directly face the proposed development and are separated from it by their front amenity areas and individual driveways and by the private access driveway that serves the townhouse development. To the north, four townhouse units back onto the rear property line of the proposed development.

The increased east side yard depth, generous rear yard depth and proposed plantings help to mitigate the impact of the height of the building.

Yard Depth/Setbacks

The original site concept and zoning request included reduced interior side yards of 4.5 metres in place of the required 5.4 metres. In response to concerns raised by the owners at 1337 Commissioners Road West, the entire building was shifted an additional 2.3 metres to the west, resulting in a smaller west interior side yard depth of 2.2 metres adjacent to the new apartment building at 1355 Commissioners Road West where the buildings are separated by a dedicated green space and private driveway, and where there is less concern about privacy impacts. The proposed yard depth adjacent to 1337 Commissioners Road West now exceeds the minimum interior side yard requirement

(6.6 metres based on the revised 17.5 metre building height) by 0.2 metres and a reduction is not required in the by-law.

There is support in *The London Plan* for the requested reduction in the minimum front yard depth to maintain and reinforce the prevailing street wall or street line (Policy 256_) and position buildings with minimal setbacks from public rights-of-way to create a street wall/edge that provides a sense of enclosure within the public realm (*Policy 259_). The requested 2.0 metre front yard setback is measured from the ultimate road allowance following the required road widening dedication that will be taken at the site plan approval stage.

Privacy/Overlook

Consideration of the potential loss of privacy and overlook is important to achieving residential intensification that is sensitive to, and compatible with the surrounding neighbourhood. It is recognized that the yard depths required to achieve absolute visual privacy and prevent overlook are much greater than those that can be feasibly provided in the built-up area of the City while providing for meaningful intensification.

To the east, overlook impacts are mitigated, firstly, by the front yard relationship of the existing dwellings, and the intervening condominium driveway between the existing buildings and the proposed new development. The existing units are a reasonable distance from the proposed buildings and have rear yard space that will be completely private from the new development. Secondly, the increased east yard depth helps to decrease the angle of vision from the proposed building to the existing buildings. Thirdly, the proposed apartment building has been designed with small windows on the east exterior wall, and restricts views from balconies to those provided for the end units on each floor. Finally, over time, enhanced landscaping features as required by the bonusing provisions can also provide screening between the developments.

To the north, the proposed building has larger windows and a full balcony for each north-facing unit is provided. It is noted, however, that the proposed building has been situated close to the front lot line and the rear wall of the building is separated from the rear property line by a minimum of 19 metres. Over time, landscaping features can also provide screening between the developments.

Light/Noise

Concern was raised regarding noise impacts from vehicles on the underground parking ramp, and from the operation of any security door granting access to the underground parking garage. As part of the site plan approval process, a noise study will be required that addresses both the impact of noise from Commissioners Road West on the new development, and the impact of noise from the subject site on 1337 Commissioners Road West. The applicants will be required to implement the recommendations of the accepted noise study in order to meet Ministry of the Environment requirements.

A general concern was raised regarding lighting impacts on the adjacent development. Through the site plan stage a photometric plan will be required to ensure spillover lighting impacts on adjacent properties are minimized.

Tree Protection/Buffering

The subject lands contain several mature trees that provide an established landscape screen between the subject lands and adjacent properties. The owners of some units at 1337 Commissioners Road West expressed concerns about damage to trees on adjacent properties during the construction process. A tree preservation report will be required at the site plan approval stage. The consultant will be required to identify all trees on-site, as well as within 3.0 metres of the neighbouring property boundary. This ensures all trees are inventoried both on and off the site and appropriate protection measures are taken if required. As such it is implicit through the site plan approval process that neighbouring trees shall not be harmed.

The recommended Zoning By-law amendment including the site concept as part of the bonus zone provides yard depths that are of a sufficient size to provide for the planting of new trees and landscape screening along the shared boundary with adjacent lower-intensity residential properties. The conceptual landscape plan submitted with the

application illustrates the provision of several new trees in raised planters along the north and east property boundaries as well as in front of the building on private lands and within the road allowance. Tree planting efforts will be considered at the site plan stage in accordance with applicable policies, by-laws and regulations that are in force at that time. During that review, the applicant should be encouraged to choose tree species that have screening/privacy qualities.

Issues to be considered through the SPA process include the following:

- Photometric analysis to manage lighting impacts on adjacent developments;
- A noise study to evaluate and mitigate noise impacts related to the parking ramp and underground parking garage on the adjacent development at 1337 Commissioners Road West;
- Enhanced provision of boundary landscaping along the east and north property boundaries that not only exceed the standards of the Site Plan Control By-law but also has screening/privacy qualities.

More information and detail is available in Appendix B, C, D and E of this report.

5.0 Conclusion

The requested amendment to permit a 34 unit apartment building is consistent with the 2014 Provincial Policy Statement that encourages a range and mix of land uses to support intensification and achieve compact forms of growth and directs municipalities to identify appropriate locations for intensification and plan for all forms of housing required to meet the needs of current and future residents.

The recommended amendment to the 1989 Official Plan implements the intent of Council as reflected in The London Plan.

The recommended amendment to Zoning By-law Z.-1 conforms to the in-force 1989 Official Plan as amended and to the in-force policies of The London Plan, and the Neighbourhoods Place Type which contemplates low-rise apartment buildings with a maximum height of 4 storeys with the potential for up to 6 storeys with Type 2 bonusing where the property has frontage on a Civic Boulevard. The subject lands represent an appropriate location for residential intensification, along a higher-order street within an existing neighbourhood, and the recommended amendment would permit development at an intensity that is appropriate for the site and the surrounding neighbourhood. The recommended amendment would help to achieve the vision of neighbourhoods providing a range of housing choice and mix of uses to accommodate a diverse population of various ages and abilities.

The recommended increases in height and density are commensurate with the value conferred by the recommended bonus provision for design and affordable housing.

Prepared by:	Barb Debbert, 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.	

September 27, 2019

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

Y:\Shared\DEVELOPMENT SERVICES\11 - Current Planning\DEVELOPMENT APPS\2019 Applications 9002 to\9081Z - 1339-1347 Commissioners Rd W (BD)\PEC\Draft 1339 - 1347 Commissioners Road West O-9082 Z-9081 Report BD.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 1339
– 1347 Commissioners Road West.

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 October 15, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – October 15, 2019
Second Reading – October 15, 2019
Third Reading – October 15, 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 policy in Section 3.5. of the Official Plan for the City of London Planning Area – 1989 to adopt height and density bonusing policies consistent with the Neighbourhoods Place Type to allow for height and density bonusing subject to the provision of design elements that mitigate the impacts of the additional height and density in return for the provision of facilities, services or matters that provide significant public benefit, including, but not limited to affordable housing, enhanced landscaped open space and underground parking.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 1339 – 1347 Commissioners Road West in the City of London.

C. BASIS OF THE AMENDMENT

The recommended amendment is consistent with the PPS and the in force policies of the 1989 Official Plan and The London Plan. The recommendation provides the opportunity for residential intensification in the form of a low-rise apartment building, located along a higher-order street within an existing neighbourhood. The recommended amendment would permit development at an intensity that is appropriate for the site and the surrounding neighbourhood. The recommended amendment would help to achieve the vision of the Neighbourhoods Place Type, providing a range of housing choice and mix of uses to accommodate a diverse population of various ages and abilities.

D. THE AMENDMENT

The Official Plan for the City of London Planning Area - 1989 is hereby amended as follows:

1. Section 3.5. – Policies for Specific Residential Areas of the Official Plan for the City of London – 1989 is amended by adding the following:

1339 – 1347 Commissioners Road West

- () At 1339 – 1347 Commissioners Road West, residential development for the permitted uses of the Multi-family, Medium Density Residential designation may be permitted at a minimum height of 2 storeys and a maximum height of 4 storeys, with possible bonusing of height up to 5 storeys. Density bonusing may be permitted above 75 units per hectare up to 132 units per hectare. Bonusing may be permitted provided the magnitude of the height and/or density bonus is commensurate with the provision of facilities, services or matters that provide significant public benefit. Bonusing may only be permitted where the site and building design mitigates the impacts of the additional height and/or density. The additional facilities, services or matters that are provided may include, but are not limited to, affordable housing, enhanced landscaped open space, and underground parking.



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 1339
– 1347 Commissioners Road West.

WHEREAS Milan Starcevic has applied to rezone an area of land located at 1339 – 1347 Commissioners Road West, 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 1339 – 1347 Commissioners Road West, as shown on the attached map comprising part of Key Map No. A106, from a Residential R1/Residential R5 (R1-9/R5-3) Zone to a Residential R8 Bonus (R8-4*B-_) Zone.
- 2) Section Number 4.3 of the General Provisions in By-law No. Z.-1 is amended by adding the following new Bonus Zone:

4.3) B-__ 1339 – 1347 Commissioners Road West

The Bonus Zone shall be implemented through one or more agreements to facilitate the development of a high quality residential apartment building, with a maximum height of 5 storeys, 34 dwelling units and a maximum density of 132 units per hectare, which substantively implements the Site Plan, Landscape Plan and Elevations attached as Schedule "1" to the amending by-law, provides for affordable housing in the form of 34 dwelling units (132 units per hectare), enhanced landscaped open space and underground parking. The affordable housing component shall consist of:

- a total of 3, two-bedroom affordable rental units (two of which, at minimum, are to be accessible and located on the ground floor);
- rents not exceeding 85% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy; and,
- the duration of affordability shall be set at 15 years from the point of initial occupancy of all 3 two-bedroom units.

The following special regulations apply within the bonus zone upon the execution and registration of the required development agreement(s):

- | | | | |
|----|-------------|---|-------------------------|
| a) | Regulations | | |
| | i) | Front Yard Depth
(min) | 2.0 metres (6.56 ft.) |
| | ii) | Interior Side Yard Depth
(west)(min) | 2.2 metres (7.2 ft.) |
| | iii) | Height
(max) | 17.5 metres (57.41 ft.) |

iv) Density
(max)

132 units per hectare

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.

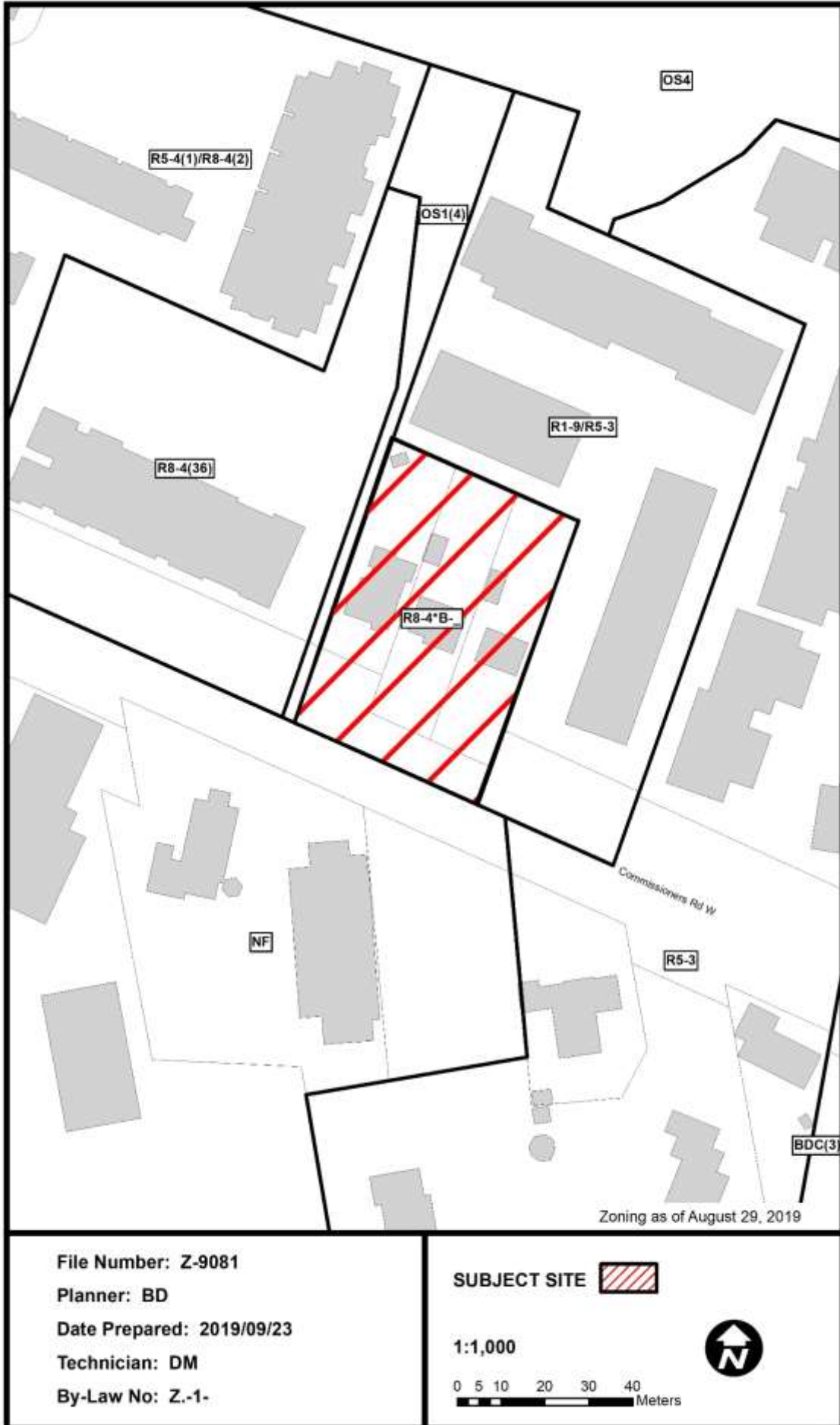
PASSED in Open Council on October 15, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

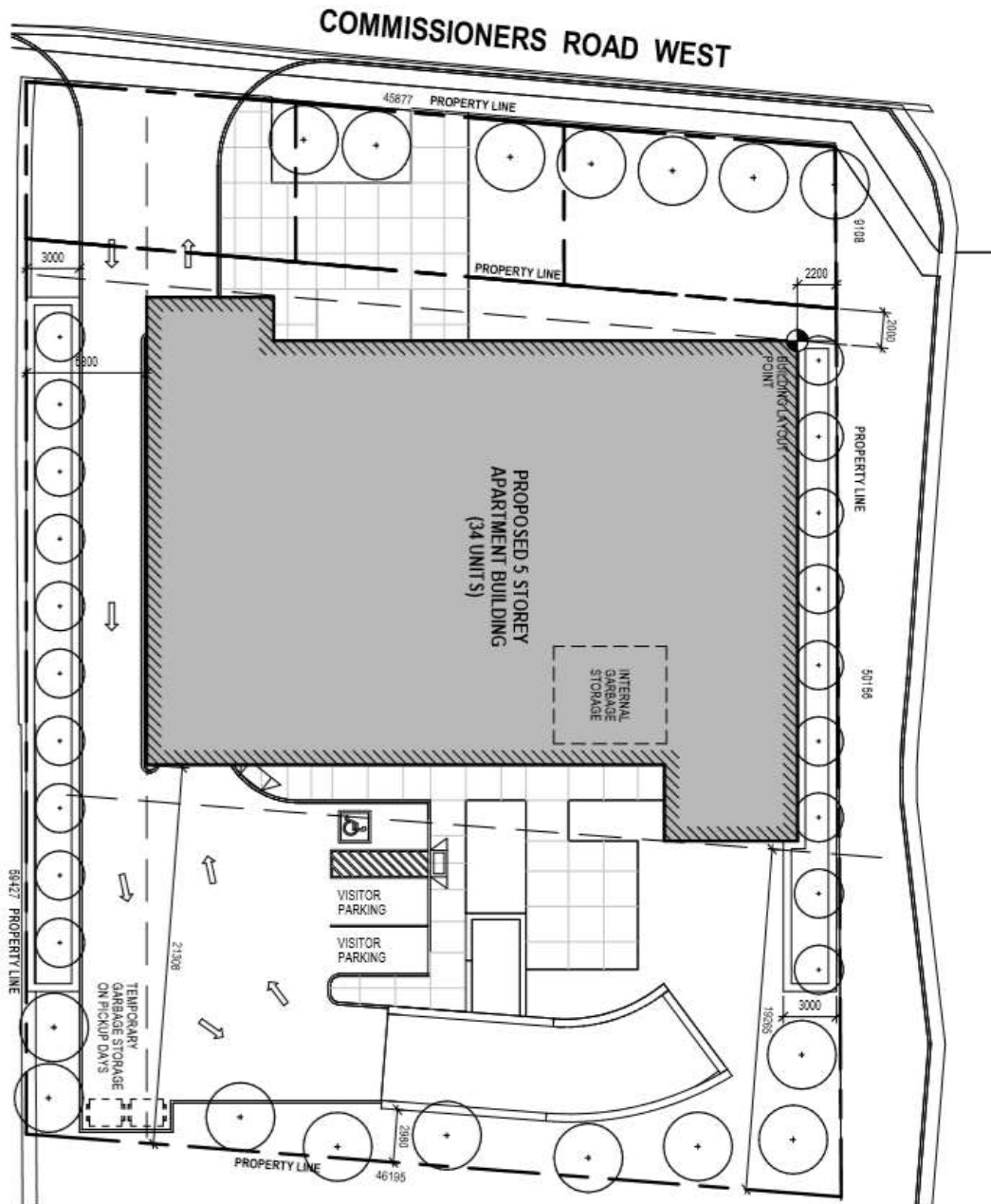
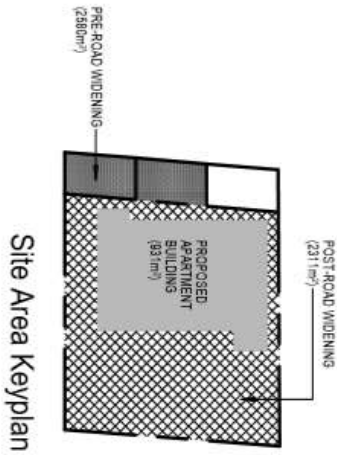
First Reading – October 15, 2019
Second Reading – October 15, 2019
Third Reading – October 15, 2019

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



Schedule "1"

SITE DATA - Proposed Residential Zone (R8-1)(1)		
Proposed Zoning Residential (R8-1)	Req'd / Max / Min.	Proposed
Proposed Zoned Use	Apartment Building	Apartment Building
Lot Area	1000m ²	2311m ² (post-road widening) 2580m ² (pre-road widening)
Lot Frontage	30 m (min.)	45.8m
Lot Depth	-	50.2m
Front Yard Setback (Mineral)	8m (min.)	2m
Interior Side Yard Setback (west)	0.6m (min.)	2.2m
Interior Side Yard Setback (east)	0.6m (min.)	0.6m
Rear Yard Setback	0.6m (min.)	19.3m
Building Area	-	921.0m ²
Landscape Open Space	30% (min.)	41%
Lot Coverage	40% (max.)	38%
Building Height	3m (max.)	17.5m
Density	2580/ha x 75 uph (max.) = 20 units	34 units (132 uph)
Parking	34 units x 1.25 = 43 spaces	44 underground (incl. 1 lot) 3 surface visitor (incl. 1st)



NICHOLSON
 SHEFFIELD
 ARCHITECTS
 INC.

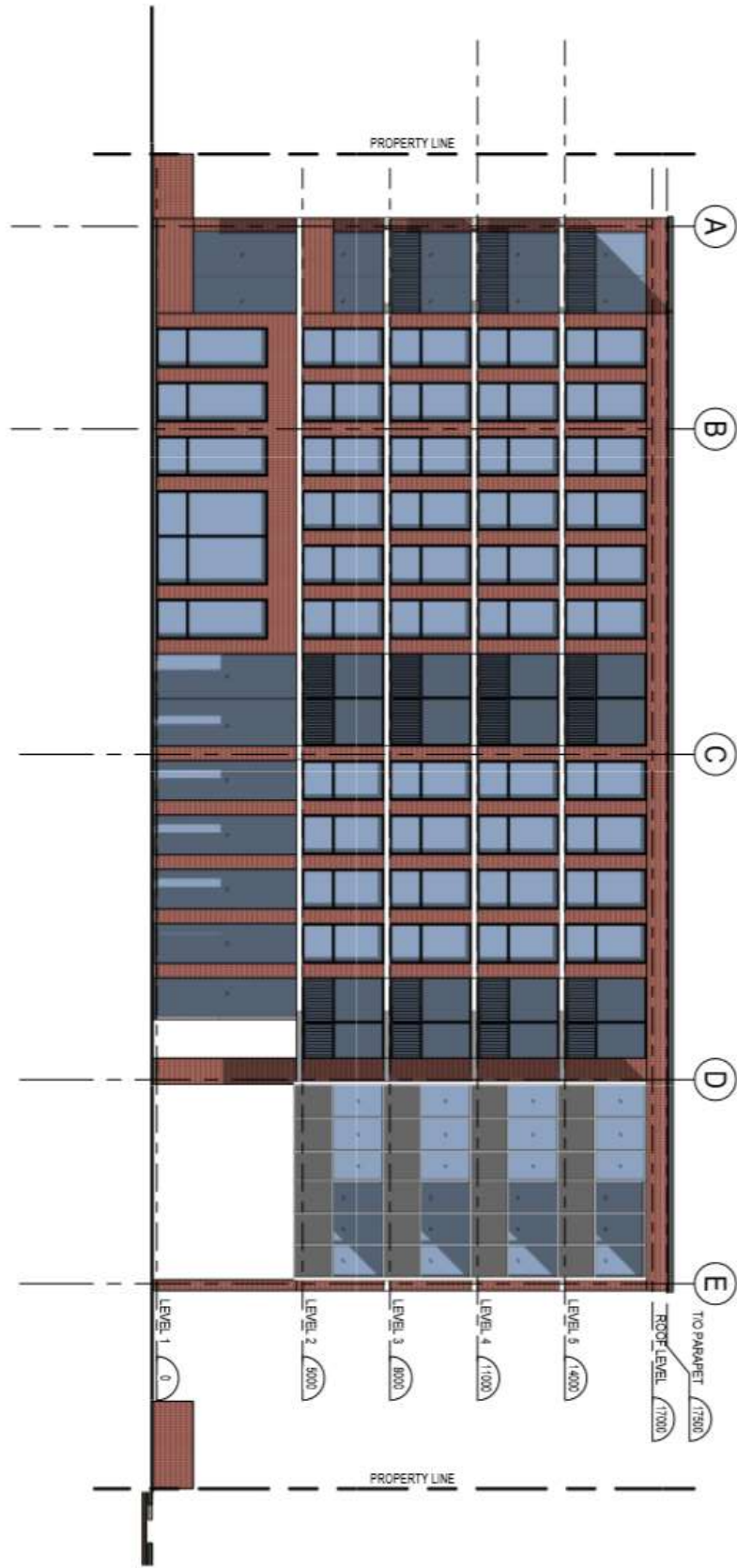
Starhomes Ltd. Commissioners Road Development
 SITE PLAN

Project No. 18-52 Date Aug 2019
 Scale As indicated Dwg. No. A1
 Drawn By EW

NICHOLSON
SHEFFIELD
ARCHITECTS
INC.

Starhomes Ltd. Commissioners Road Development

SOUTH ELEVATION

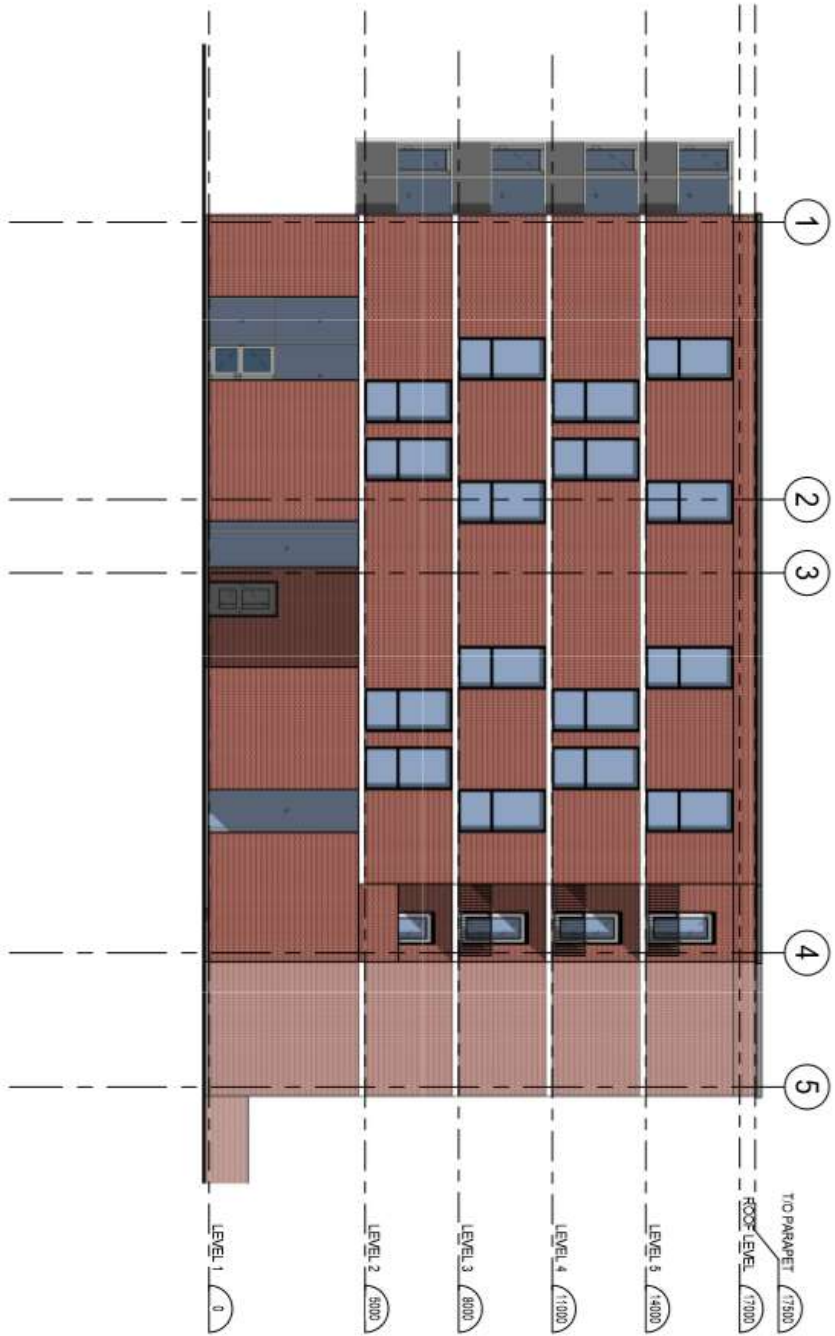


Project No.	18-52	Date	AUG 2019
Scale	1:150	Dwg. No.	A6
Drawn By	EW		

NICHOLSON
SHEFFIELD
ARCHITECTS
INC.

Starhomes Ltd. Commissioners' Road Development

EAST ELEVATION

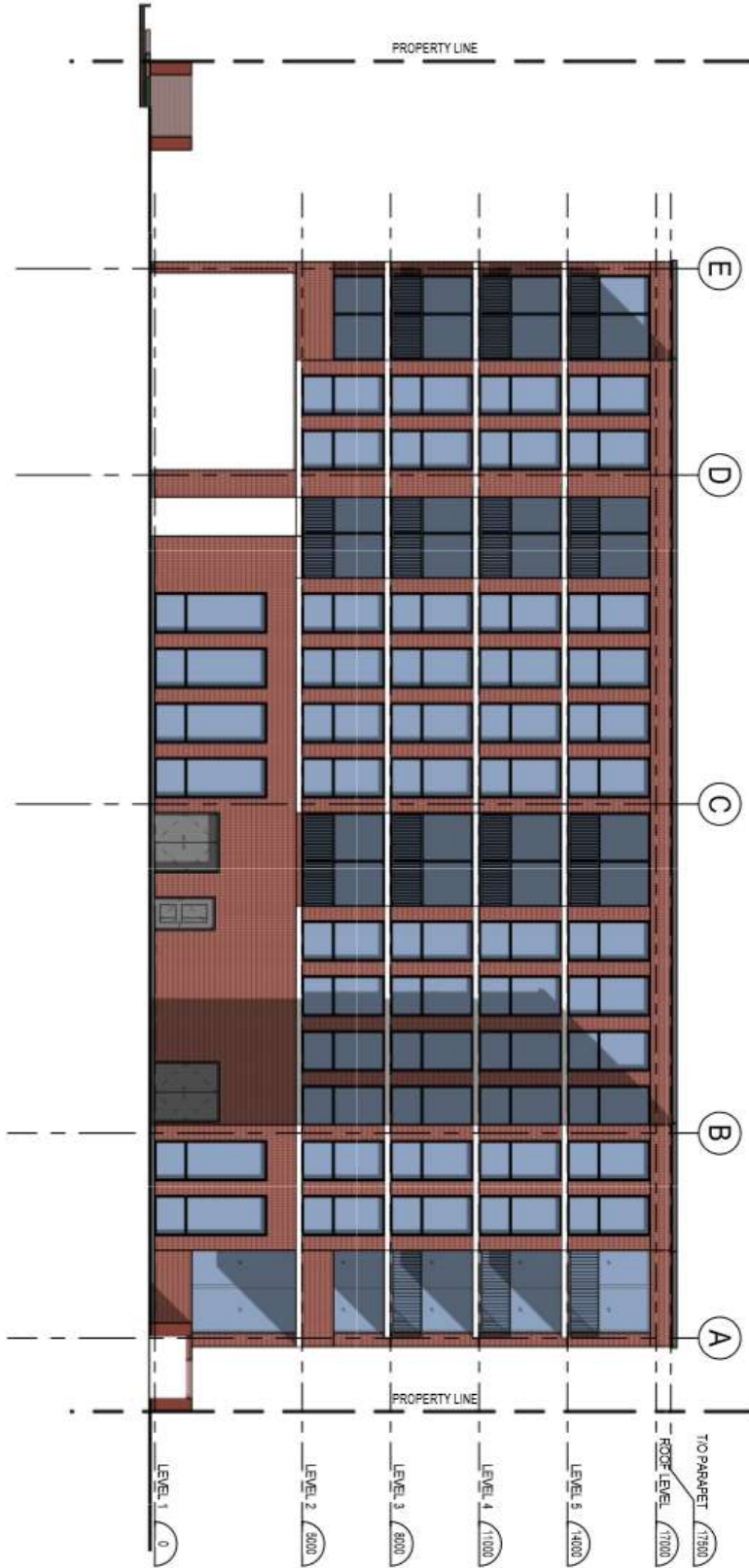


Project No.	18-52	Date	Aug 2019
Scale	1:150	Dwg. No.	A7
Drawn By	EW		

NICHOLSON
SHEFFIELD
ARCHITECTS
INC.

Starhomes Ltd. Commissioners Road Development

NORTH ELEVATION

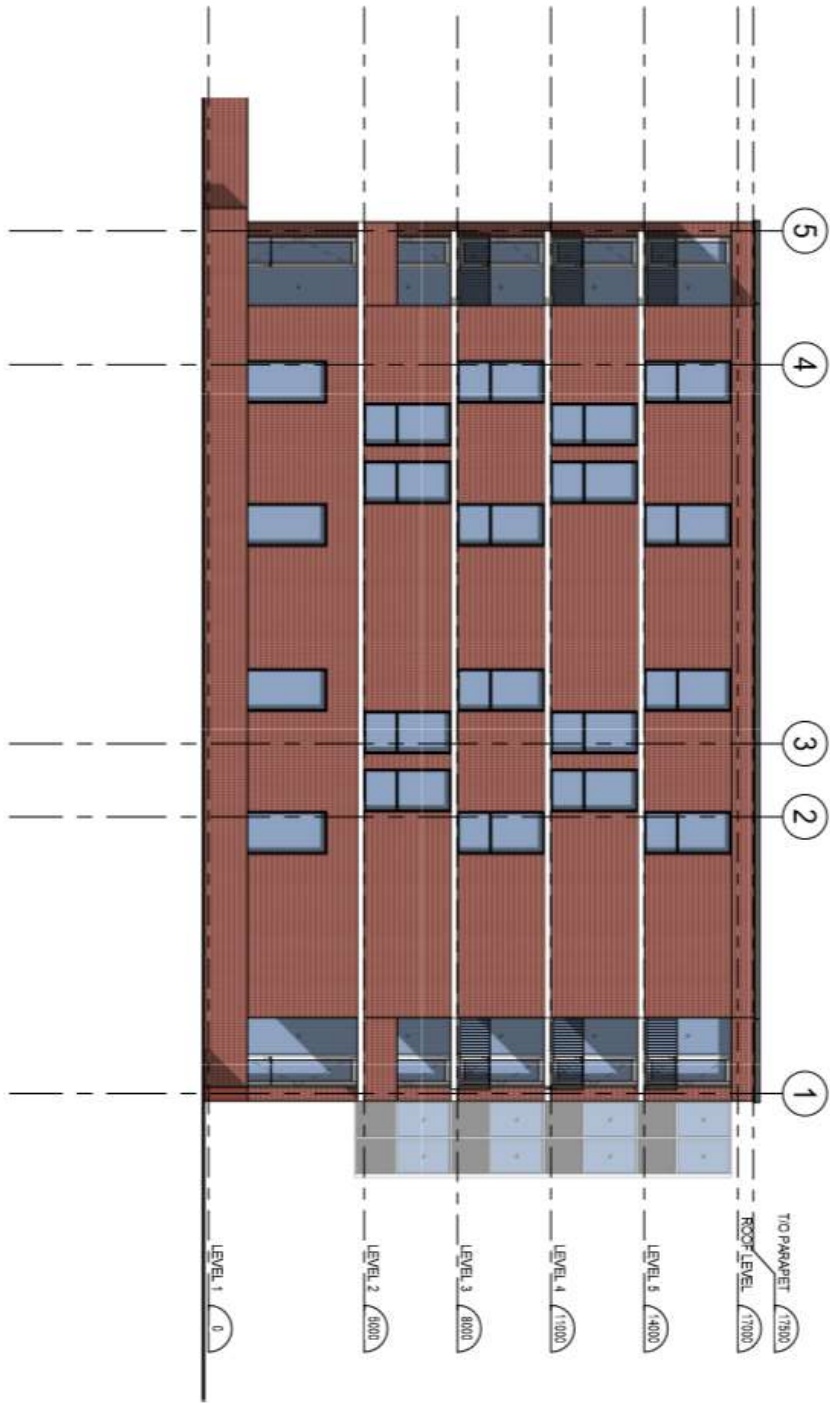


Project No.	18-52	Date	Aug 2019
Scale	1 : 150	Dwg. No.	A8
Drawn By	EW		

NICHOLSON
SHEFFIELD
ARCHITECTS
INC.

Starhomes Ltd. Commissioner's Road Development

WEST ELEVATION



Project No.	18-52	Date	Aug 2019
Scale	1 : 150	DWG. No.	A9
Drawn By	EW		

Appendix C – Public Engagement

Community Engagement

Public liaison: On June 19, 2019, Notice of Application was sent to 156 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 20, 2019. A “Planning Application” sign was also posted on the site. Following a review of comments from surrounding property owners and staff discussions with the applicant, the applicant revised the application to eliminate the requested east side yard depth reduction, and slightly increase the height of the building to ensure moving trucks and service vehicles have sufficient vertical clearance.

Original June 20, 2019 Notice of Application

3 replies were received

Nature of Liaison:

The purpose and effect of this Official Plan and zoning change is to permit a 5-storey, 34 unit apartment building. The proposal includes 44 underground parking spaces and 2 barrier free surface parking spaces.

The notice advised of a possible amendment to the 1989 Official Plan to add a Specific Area Policy to permit an apartment building with a maximum permitted density of 148 units per hectare within the Multi-family, Medium Density Residential designation.

The notice also advised of a possible change to Zoning By-law Z.-1 **FROM** a Residential R1/Residential R5 (R1-9/R5-3) Zone **TO** a Residential R8 Special Provision Bonus (R8-4()*B-) Zone to permit apartment buildings with a maximum density of 148 units per hectare (34 units) where a maximum density of up to 100 units per hectare (23 units) with bonusing is permitted. Special provisions were also requested for a maximum height of 16.5 metres where a maximum height of 13.0 metres is permitted, a minimum front yard depth of 2.0 metres where 8.0 metres is required, and a minimum east and west interior side yard depth of 4.5 metres where 5.4 metres is required. The facilities, services or matters proposed in exchange for additional density and height include the provision of affordable housing, the provision of underground parking, and enhanced provision of landscaped open space. The City may also consider the use of a holding provision to address archaeological potential on the site.

Responses: A summary of the various comments received include the following:

Concern for:

- Intensification should occur on the major arteries (4 – 6 lane arterial roads), not on Commissioners Road West
- Ruined view
- Loss of Privacy
 - Overlooking balconies
 - Smaller building with larger setbacks would help, along with screen of trees along north and east side
 - While privacy is somewhat addressed on the east side by reduced number of windows and balconies, there will be no maximizing of privacy for the units on the north side facing five stories of balconies
- Noise from entrance to underground parking garage
 - No sound barrier or landscaping between parking and condo property
 - Potential impacts on units 15 through 18
- Traffic flow and safety issues
 - Traffic generated by the existing nearby multi-family complexes, Byron Northview Public School, St. Anne’s Anglican Church and Tim Horton’s

- create high traffic flow making it difficult to merge from driveways onto the street.
- Significant impact on traffic safety – 2 lane road with two-directional centre turning lane and bike lanes on both sides
- Potential conflict between two closely adjacent driveways on the development lands and at 1337 Commissioners Road West.
- Requesting a traffic study
- Lack of parking for visitors and deliveries
 - People will park at the church where people are often picking up kids, or at the condo complex
 - Already the Byron Woods driveway is used for deliveries to the three existing houses
- Lighting impacts
- Being shoehorned in front of a lower density complex, unlike the building next door
- Impact on nature
 - Removal of mature trees and insufficient tree replacement to buffer noise and add privacy to the townhouse complex to the north and east.
 - It will be too late after approval of the zoning to discover that a site plan process cannot accommodate attractive, natural screening and significant buffering features such as large trees
- On-site amenity space is inadequate for a bonus provision – small passive patch of green lawn
- Construction impacts
 - Where will heavy equipment be stored during construction? Lots of seniors and children in the area
- 64 surface parking spaces plus tall trees at 1355 Commissioners Road West provides sufficient spatial separation to adjacent land uses; the proposed underground parking garage with no vegetation does not.
- Using 1355 Commissioners Road West as a precedent simply indicates that once this type of project has been allowed, it should be possible for City Council to reject or amend any future similar project
- Decreased quality of life – be mindful of all groups including seniors
- Decreased property value

Open House

The applicant also held an Open House on June 26, 2019 which was attended by representatives of 10 households. The major issues raised are summarized as follows:

- Loss of views, privacy and property value
- Building height
- Proximity of underground parking ramp and possible noise impact adjacent to neighbouring townhouses
- Existing traffic volume, speed and safety issues compounded by additional development – request a traffic study
- Insufficient visitor parking
- Lighting impacts
- Tree removal and impact on the adjacent townhouse complex
- This development is different than the new apartment building at 1355 Commissioners Road West as there is more space between the building and the adjacent development to the rear
- Tenancy, condo or rental?

Revised September 12, 2019 Notice of Application

4 replies were received, one from the Board of Directors for the Byron Woods Condominium Board of Directors at 1337 Commissioners Road West, one from a previous respondent, and two from individuals who had not previously provided replies.

Nature of Liaison:

As a result of City staff and neighbourhood concerns, the applicant submitted a revised proposal on September 5, 2019. The amended application requests the same zone change, with modified requests for relief, including a maximum building height of 17.5 metres in place of 13.0 metres, a minimum front yard depth of 2.0 metres in place of 8.0 metres, and a minimum interior west side yard depth of 2.2 metres in place of 6.6 metres. The amended notice also reflects a requested density of 132 units per hectare as a result of a correction to the calculation of density.

A parallel change to the City initiated Official Plan amendment reflected a requested density of 132 units per hectare in the Multi-family, Medium Density Residential designation as a result of the correction to the density calculation.

Concern for:

- Traffic congestion and safety
 - Cumulative impact of development in the area
 - Location of driveway close to existing driveway for 1337 Commissioners Road West
- Inadequacy of on-site parking
- Is the reduced width of the entrance/exit to the underground parking sufficient?
- Inadequacy of buffering to address noise, lighting issues, lack of privacy and security
- Adverse impact of additional intensity on 1337 Commissioners Road West
- Tree removal on site and potential damage to trees at 1337 Commissioners Road West
- Inadequacy of bonus to compensate for the impact on current residents
- Property values, loss of view
- Impacts during construction

Requests:

- Smaller, lower building within current policies of the 1989 Official Plan
- Do not recognize the proposed bonusing as commensurate with the increase in density and height
- Reposition driveway to the west side of the property, including garbage disposal
- Higher fencing, sound barrier type
- Fast growing evergreen trees as landscape buffer rather than purely ornamental plantings
- Reduce outdoor lighting
- Add security cameras
- Add outdoor parking for short-term parking needs
- Provide space for delivery trucks
- Resolve traffic safety issues on Commissioner Road West

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

Telephone	Written
	Pat and Ken Craig 8 – 1331 Commissioners Road West London ON N6K 1E2
	Stan Squires 18 – 1337 Commissioners Road West London ON N6K 4V2
	Edith Hopkins 18 – 1337 Commissioners Road West London ON N6K 4V2
	Glen and Maxine Emmerton 7 – 1337 Commissioners Road West London ON N6K 4V2
	Virgil Gingrich 17 – 1337 Commissioners Road West London ON N6K 4V2

From: Pat Craig
Sent: Sunday, June 23, 2019 8:56 PM
To: Debbert, Barb <bdebbert@London.ca>
Subject: [EXTERNAL] 1339 to 1347 Commissioners Rd. W.

Regarding file, O-9082 and Z-9081

My husband and I have moved into complex 1331 Commissioners Rd. W. not yet two years ago. Since moving here and apartment building went up next door to this proposed building and has ruined our view and our privacy, now a new proposed building beside it. This new proposal is going to be devastating to all the condominium owners around it. It is bringing the value of our properties down ruining our privacy and our view. My husband and I are totally against this new proposal.

Pat and Ken Craig
8-1331 Commissioners Rd. W.

.....
(from Pat Craig via Councillor Hopkins – June 23, 2019)

File 0–9082 and Z-9081

Hi Anna, I am a resident the condominium complex at 1331 Commissioners Rd. West. My husband and I have barely been here two years and already one apartment building has gone up on Commissioners Rd. right beside the proposed apartment. It has ruined our view and our privacy and now a new one to go up which will be devastating to owners in my complex. I can't imagine how terrible this is going to be for the condominium complex surrounding this new proposed building. We want to be counted as being against this proposed building. Is there anyway this building could be shorter if people push, such as four stories instead of five?

Thanks,
.....

(from Stan Squires via email, July 14, 2019)

TO: Councillor Anna Hopkins
COPIED TO: Barb Debbert, City Planner
RE: Official Plan and Zoning By-Law Amendments, 1339-1347 Commissioners Rd W,
London

This submission is in response to the proposed Official Plan and Zoning By-Law Amendments to allow a 5-storey, 34- unit apartment building with 44 underground parking spaces and 2 barrier-free surface parking spaces at 1339-1347 Commissioners Road West in Byron.

It is my understanding, from the Notice of Planning Application, dated June 19, 2019, from the Zelinka Priamo's Community Information Presentation, dated June 26, 2019, and from the Zelinka Priamo's Planning and Design Report, dated May 2019, that this area is currently zoned Residential R1/R5 permitting single detached dwellings, cluster townhouses and cluster stacked townhouses. The requested zoning is for Residential R8 Bonus Zoning, to permit apartment buildings, handicapped persons' apartment buildings, lodging houses class 2, stacked townhouses, senior citizens' apartment buildings, emergency care establishments, continuum-of-care facilities, with bonus zoning in exchange for the provision of 10% affordable housing, for the provision of underground parking, and for the enhanced provision of landscaped open space. Changes to the minimum setbacks for the front yard, east interior side yard and west interior side yard are also sought by the developers.

The 1989 Official Plan designated these lands as multi-family, medium density residential zoning. The London Plan permits low-rise apartments with a maximum height of 4 storeys with the potential for up to 6 storeys with Type 2 bonusing. All planning applications including Zoning By-Law Amendment applications, are required to be consistent in accordance with the 2014 Provincial Policy Statement on land use" to achieve livable and resilient communities", and to be consistent with the 2014 Provincial Policy Statement. Section 1. 1. 3.4. ..." while avoiding or mitigating risks to public health and safety".

While a city such as London needs to plan strategically for growth, with appropriate residential infill and intensification, it also needs to protect the environment, preserve green space and maintain its reputation as "Forest City", a challenging balancing act- to address concerns of current residents as well as integrate new residents.

I am a resident of the Byron Woods condominium complex at 1337 Commissioners Road West. Our single-storey Unit, #18, abuts this proposed development, one of four on the north side, facing the planned underground parking entrance, the temporary outdoor garbage site, and balconies on storeys 2-5 of the building.

I wish to express concerns about this proposal, as follows:

1. Natural Features/ Trees: "Any trees on the subject lands will be preserved, where feasible".

Currently there are many mature trees on this property. All of these will be removed by this development. New ones are proposed for the front of the building and for the west side. Nothing is proposed for the north side as the underground parking garage comes right up to the property line. Nothing is proposed for the east side along the new driveways. There does not appear to be enough land to provide large trees to buffer the noise and to add substantial privacy for our existing townhouse complex.

2. Open Views: "The proposed development does not obstruct views to natural features or landmarks".

Rather than facing many mature trees and three low-rise houses, our "open view" will be a five-storey, 34-unit building with balconies overlooking our complex on the north side.

3. **Architectural Continuity:** “The orientation and setback of the proposed building is consistent with the newly constructed apartment building at 1355 Commissioners Road West.”

This is correct. However, this building, at 1355 Commissioners Road West, has a large outdoor parking lot of 64 spaces separating it from the building to its north plus a buffer of tall trees. There is no substantial spatial separation or privacy buffering from the townhouse complex at 1337 Commissioners Road West. The underground garage goes right up to the property line. The driveway on the east side abuts directly the property line, with no indication of adequate buffering.

4. **Streetscape:** ...” establishes a new street edge enhancing the streetscape with high quality building, landscaping and pedestrian connections”.

Removing low-rise buildings set back from the street, and removing surrounding mature trees is not an enhancement to this area. Citing the newly built apartment building at 1355 Commissioners Road West as a precedent indicates that once this type of project has been allowed, it should be impossible for the City Council to reject or to amend any future similar project.

5. **Building Positioning:** ...” the setback is similar to the existing agreement building located at 1355 Commissioners Road West”.

The proposed setback for this project means that there is no allowance for any green space, large privacy trees between the existing complex to the north side of this project or to the east side.

6. **Privacy:** “The building is located close to the street, away from abutting townhouse dwelling to the north and east. [i.e. Byron Woods, 1337 Commissioners Rd West].

Landscaping features will further screen and buffer the proposed building from surrounding uses. These features will be determined throughout the Site Plan approval process.”

Preliminary drawings do not indicate any landscaping features on the north side as the underground garage goes directly to the property line, nor do they indicate any landscaping features on the east side. It will be too late after approval to discover that a Site Plan process cannot accommodate attractive, natural screening and significant buffering features. such as large trees.

“To maximize privacy levels for the units with walls along the east and west elevations, no additional balconies are proposed and the number of windows are reduced, as compared to the north and south elevations.”

However, it is clear that there will be no maximizing of privacy can be planned for the units on the north side facing five storeys of balconies.

7. **Outdoor Space:** Amenity in real estate is defined as “something to benefit a property and thereby increasing its value”. A small passive outdoor green space, (plus two affordable rental units, and an underground parking garage) is part of a very imbalanced exchange with significant impact on an existing townhouse complex, and the already congested arterial Commissioners Road West. A small passive patch of green lawn should not be considered a persuasive bonus for an amendment to zoning space. Neither should this small outdoor amenity space be considered as a sufficient buffer between the proposed building and the townhouse dwellings to the north.

8. **Noise Attenuation:** “The proposed development is not anticipated to increase existing noise levels in the immediate area”.

As we remove three low-rise residences, and build a five-story, 34- unit building, with balconies, an underground garage for 44 spaces, the noise will be amplified, not reduced.

9. **Gateways:** “ The proposed development will contribute to the enhancement of the Commissioners Road West Corridor for pedestrians, cyclists, transit-users, and motorist when travelling eastbound toward Byron Village’:

A large five-storey building with the removal of mature trees, the addition of driveways onto an already-congested road, and the inadequate protection of the privacy and

environment for the existing townhouse complex contributes only to the on-going deterioration of an attractive area of Byron; it is not an enhancement.

10. Traffic safety. " The proposed driveway will be of similar width as the abutting driveways to the east [Byron Woods townhouses, 1337 Commissioners Road W], with two-way, full turn driveways " .

There is little buffer between the proposed two-way driveway and the existing two-way driveways of the townhouse dwellings. There is one shared turning lane on Commissioners Rd, allowing turning in two directions simultaneously, already creating a hazardous condition as parents turn into St. Anne's Church parking lot on the south side of Commissioners Rd to drop off/ pick up children from Byron Northview elementary school, as others use the turning lane to pass the congestion created by Tim Hortons customers, and as residents attempt to turn into their townhouse complexes/buildings. There are cycling lanes on both sides of Commissioners' Rd. Traffic lights exist only at the Boler Rd intersection and farther west at the Chestnut Hill/Cadeau Terrace intersection.

The growing commuter traffic, few traffic lights and new exits/entrances to townhouse complexes escalate what is an already unsafe traffic situation.

The Byron Woods Townhouse complex consists of seventeen units, with the residents primarily elderly, many with health issues. It is not possible to mount a large, placarded, full-scale opposition to this amendment application. However, I hope that our residential voices will be heard over those of persuasive, experienced developers. I hope that the response of the Council is not that expressed by the developers at the June 26 community meeting: a shrugged-off: "we have heard it all before".

I ask why it is necessary to approve this amendment and not go forth with a gentler intensification.

I am not against intensification. I understand that this is a preferred alternative to gobbling up all the green space around the city.

In 2000, the City Council responded to residents' concerns about building a Tim Hortons' with a drive-through onto Commissioners Road West. It had made the right decision and turned down the proposal, supporting residents' concerns about safety and congestion. Its decision, albeit appealed, has been proven to be correct, with Commissioners Road backed up with traffic, while drivers enter and exit the Tim Hortons facility, making use of the drive-through both from the west and from the east- a congestion and safety issue, particularly at commuting times.

Please continue to make the correct decision again.

I ask that you consider the following recommendations for residents:

1. Please do not allow token bonusing consisting of two-three affordable housing units, a small passive outdoor green space, and an underground parking garage, to override the City's Official Plan of height restrictions and set-backs.

The bonusable features are not "commensurate with the increase in density and height sought for the subject lands"

2. Please do not be persuaded by the argument of the precedent of the building at 1355 Commissioners Road West.

3. Please turn down this planning application. Do not approve a five-storey, 34-unit building abutting immediately and impacting significantly the Byron Woods townhouses, with minimal buffering.

4. Ensure that any project meets the Official Plan of height restrictions and setbacks, and meets the needs of current residents for privacy, buffering and driving safety.

5. Require developers to work with the current residents of 1337 Commissioners Road West and negotiate on their needs for privacy, noise buffering and traffic safety before any building project/amendment

Then it will be a win-win-win: developers walking away with their profit, the council fulfilling its intensification goals, and current residents maintaining some privacy, green space and road safety.

Thank you for your consideration of this submission.

Sincerely,
Stan Squires
18-1337 Commissioners Rd. West
London, ON N6K 4V2

.....
(from Edith Hopkins via email, July 17, 2019)

Dear Councillor Anna Hopkins

*RE; Proposed Official Plan and Zoning Amendments for 1339-1347 Commissioners Road West.
File # 0-9082 and Z-9081*

I am submitting this response to you as a resident of the Byron Woods condominium complex at 1337 Commissioners Rd. W. I attended the Community Presentation on June 26 2019, hosted by the developers Zelinka Priamo. There I learned that the developers are seeking an Official Plan and Zoning Bylaw Amendment in order to build a 5-storey, 34-unit apartment building directly in front of, and beside our 17-unit, low-rise condominium complex, Byron Woods.

For me, a rational discourse is my personal preference to reacting noisily and angrily with placards. I have seen that the latter can be effective, and worthy of media sound bites, in Council Chambers, but I hope to rely on Council members to make their decisions based on what is best for the City of London and for the community of Byron.

Strategic planning is of critical importance to any city. This is why London develops such plans as its Official Plan, the London Plan and its Smart Moves 2030 Transportation Plan. While infill is a necessary development for a growing city, I believe that London's Official Plan **supports infill in more effective areas on the major arteries of London and specifically close to downtown**. This is emphasized in its transportation plan and long-term upgrades of the major arteries such as the Oxford, Wharncliffe, and Wonderland roads. I do not see any plans for upgrades to the existing two-lane Commissioners Road W. in Byron with its centre turning lane and bike lanes.

The proposed development at #1339-1347 Commissioners Rd. W, runs counter to several of the City of London's plans and its directions established by the Mayor and Council, that is why amendments are being sought by the developers. To quote from the City's Official Plan ...

“to encourage infill residential development in residential areas where existing land uses are not adversely affected...”;

“the site or area is of suitable shape and size to accommodate medium density housing and to provide for adequate buffering measures to protect any adjacent low-density residential uses;

“traffic to and from the location should not have a significant impact on stable, low density residential areas.”

My specific comments, are around the issues of traffic safety, parking, the environment, quality of life and privacy. They are based on my understanding of the directions of three key plans for the City of London:

- *2030 London Transportation Master Plan: Smart Moves*
- *The City of London Official Plan and*
- *The London Plan including ReThink London*

1. Intensification and Traffic Safety

Intensification for the City of London is NOT my issue and is NOT disputed; my concern is the specific location and size of the proposed building, which increases density from 3 low-rise, family homes to a 5-storey, 34-unit building in the same location and its significant impact on traffic safety. Commissioners Rd W is NOT Wonderland, Oxford, Wharncliffe or any other 4-6 lane arterial roads. It is two-lane road with a two-directional centre-turning lane, and bike lanes on each side of the road.

Already, within a distance of 300 metres, (between the elementary school and Tim Horton's) there are approximately seven multi-unit residential complexes, plus the Byron Northview Public School and St. Anne's Anglican church, providing traffic entering and exiting Commissioners Rd. W., compounded by traffic in both directions using the Tim Hortons facility and drive-through. It is already a heavily-used road, particularly at commuting times. Parking on both sides of the street in the Byron business area complicates the traffic problem.

As the traffic increases on Commissioners Rd. W., residents are taking unnecessary risks entering Commissioners Road to travel east and west. Every day drivers can be seen attempting to merge into a gap opportunity in the traffic flow. Currently, vehicles accelerate from the traffic lights at the Hall Mills Road intersection, moving west along Commissioners with higher speeds reached in the subject areas.

There is a large component of seniors living in this area. Reaction times are slower with older drivers – a challenge as drivers attempt to merge into the flow and to cross the flow to go in opposite direction.

This traffic issue is further compounded by the traffic into Tim Hortons and the constant spillover and backup onto Commissioners. In the year 2000 residents (and Council) were correct in forecasting the traffic problems with the construction of this Tim Hortons business. This section of Commissioners Rd. W is not even listed in the lists of the Master Transportation Plan expansions. (*Smart Moves: A new mobility transportation plan for London.*) The planners obviously determined that it is NOT possible/necessary to improve or expand the road in this area.

Current traffic turning into the Church parking lot for the Byron Northview Public School drop off and pickup, as well as throughout the day with users of the various church programs, clash with cars turning into the complexes at #1337 and #1331. If yet another complex with multiple cars turning is added, this is an accident waiting to happen. The new building at #1355 has already added to the density and traffic turning in and out of the driveways. To add yet another multiple user driveway, directly adjacent to #1337 will exacerbate the situation.

Please consider the growing traffic issue on this two-lane road with any intensification plan. Infill is an admirable goal but there are some arterial roads more suited than others for some intensification projects.

2. Parking

The proposal includes an underground parking garage with space for 44 vehicles, plus two aboveground accessibility spaces. Where are the above-ground spaces for quick deliveries/ short-term needs? Already the Byron Woods driveway is used for deliveries to the three existing houses.

A building of this size will require a construction force. Where will the workers park? Where will the construction equipment and materials be housed? The nearest large location is St. Anne's Anglican church on the south side of Commissioners Rd opposite the proposed site. However, the church parking lot is already used heavily early in the

morning and mid-afternoon by parents dropping off/picking up children for Byron Northview Public School.

Heavy construction equipment and young children is not a healthy mix. During the day the St. Anne's church has activities, many of which are with seniors. Where will the users of the church park?

3. Trees and the Environment

"The decisions we make are environmentally responsible for today and sustainable for tomorrow. We are a community that is growing but understands it must take a careful and balanced approach to preserving and protecting our natural environment..."

"A cohesive landscape design should demonstrate how existing trees are protected and proposed landscape design integrates this project into its context with the community and adjacent "natural" environment essential to our prosperity, sustainability and quality of life". – London City Council's Strategic Policy

The Thames Valley Corridor Plan recommends that more emphasis is needed on protecting our natural heritage rather than allowing things like infrastructure, residential encroachment, lack of stewardship, and fragmentation to occur.

In the current location of the 3 houses, many mature trees, some 40 plus feet high exist. In the new development proposal, there is no designated plan to replace these mature trees. New plantings are shown on the west and south side of the building but none on the north or the east side or on the interior property. Not only does this run counter to the Mayor and Council's own strategy of planting NEW trees, worse it destroys well-developed mature trees and the advantages given by such cover with natural sound absorption, the cover for bird life, shade, the production of oxygen, and the protection of privacy. This natural buffer would muffle noise from the parking garage adjacent to the homes at #1337 Commissioners Rd W, specifically for units # 18-17-16, 15 which are mere metres away from the entrance to the underground garage.

You will see from the photograph below taken on the west side of 1337 Commissioners Rd W., the importance of mature trees, separating the apartment building at #1369 Commissioners Rd. W. from the townhouse complex. I believe that the lack of planned mature tree replacement on the north and west side of the project is counter not only to City goals, but is also poor environmental management for an established area of the City.

With any future project I would suggest that a natural high barrier be planted to achieve all three objectives of privacy, noise absorption and environmental friendliness, supportive of the Mayor's goal of one million trees.

The key points are to plant more, protect more and maintain better.

Figure 1
1337 Commissioners Rd. facing west toward the 4-storey building at #1369
Commissioners Rd W.



4. Quality of life

The term '*quality of life*' is inherently ambiguous, as it can refer both to the experience an individual has of his or her own life, and to the living conditions in which individuals find themselves. Encyclopedia Britannica.

Quality of life is a very subjective concept, and one in which certainly the profit interest of a developer will clash with seniors living out their retirement in their dream home. No one denies a businessman the right for profit making, but there has to be a balance with the quality of life for those most affected. London has prided itself on developing a community compassionate city mindful of all groups including the seniors.

5. Privacy

The introduction of a five-story, 34-unit building within close proximity impacts the privacy of the existing condominiums at 1337 Commissioners Rd West. Privacy, as with quality of life, may not be high in the priorities of a developer, but they are qualities that distinguish a caring community from one that is building maximum density living accommodation to fit the equation of maximum profit.

Beyond choosing an alternative, and in my opinion, a much more suitable location, I submit that there are options to mitigate the disruption. The screen of tall trees on the north and south side would help. A smaller building with better setbacks would help. Such a natural tree buffer, with reduced heights and setbacks, would be aesthetically pleasing and an additional attractive feature of the development for prospective tenants.

CONCLUSION

This over-sized infill project imprinting into a small physical space is analogous to forcing a large square cork into a small, round bottle, or shoe-horning Cinderella's stepsisters' large feet into her small glass slipper. It is just a bad fit.

This is by no means a Not-in-my-back-yard (NIMBY) response. I recognize and welcome newcomers from around the world to experience the same freedom and opportunities that are available to others here, and, in particular, to the most fundamental right of housing.

However, I do believe that intensification decisions have to be made wisely as the London Plan states: ***“This is not to say that infill and intensification is appropriate everywhere”***.

Please reconsider this proposal, approve a building within the current guidelines of the City’s plan, with appropriate heights, adequate setbacks, and larger natural barriers. Protect the privacy and minimize the potential noise impact for those living in the townhouses on the north and east side of this proposed building.

Consider the future implications for the escalating congestion on Commissioners’ Road W., Byron

Thank you for your consideration of my concerns.

Sincerely,
Edith Hopkins
18-1337 Commissioners Rd, West
COPIED TO: Barb Debbert, City Planner

.....
From: EDITH HOPKINS [mailto:]
Sent: Sunday, September 15, 2019 4:38 PM
To: Hopkins, Anna <ahopkins@london.ca>
Cc: Debbert, Barb <bdebbert@London.ca>
Subject: [EXTERNAL] 1339-1347 Commissioners Rd. West, File #0-9082 and Z-9081

Dear Councillor Hopkins

I am in receipt of the Notice Of Planning Application: Official Plan and Revised Zoning By-law Amendments for 1339-1347 Commissioners Road West.

In this notice there are revisions to the proposed site concept that include "shifting the building to the west to accommodate landscaping along the east property line and increasing the building height by approximately 1 metre.

IF this project goes ahead, it is important to have buffering on the north and east sides of the proposed building to shield the existing condominium complex at 1337 Commissioners Road West.

This necessary buffering should be adequate to deal with noise issues, lighting spillover, security and the protection of privacy.

I am unclear from the landscape plan dated September 5, 2019 what type of landscaping is being planned. It appears to be primarily ornamental trees and shrubs, which only provide decorative value.

Could you clarify the following for me:

Is there a consideration for high, fast growing coniferous trees on the north and east side of the project?

Will the plan also include high, sound-limiting fencing on the north and east side?

Could high, coniferous trees, and high fencing be installed ahead of construction, thereby shielding current residents immediately from the noise and dust?

If the project is approved, will these concerns and suggestions only be dealt with at the Site Planning stage?

If so, will current residents significantly impacted by this building, have an opportunity to request appropriate shielding?

Many thanks for your consideration of these questions.

We look forward to seeing you on Thursday, September 19 at 9.30 a.m. at 18-1337 Commissioners Rd. West for a site tour.

Sincerely,
Edith Hopkins
Unit #18, 1337 Commissioners Road West.

.....
(from Byron Woods Condo Board co-ordinating subcommittee – summary of residents concerns, via email from Edith Hopkins September 15, 2019)

September 18, 2019
To: Councillor Anna Hopkins
Copied to: Barb Debbert, City Planning
Re: Proposed Apartment Building
1339-1347 Commissioners Rd West

Dear Councillor Hopkins:

As one of the coordinators of our condominium members' concerns about the construction of a 5-storey building to the west and south of Byron Woods, 1337 Commissioners Road West, I have summarized concerns and suggestions (if this project goes forward). Here is a summary of their concerns and suggestions:

CONCERNS:

1. Traffic congestion and safety

- Two land road, bike lanes, Tim Hortons drive-through, two-directional centre turning lane, church uses, elementary school, drop-offs/pickups of children, seven multi-residential complexes all within 300 metres of proposed building, two exit/entry driveways side-by-side

2. Parking

- No allowance for above-ground short-term needs (beyond loading and two visitors' spots), private Byron Woods complex will be used for these needs.

3. Buffering

- Design has not included any buffering on north and east side of project. Existing fencing is not adequate to deal with noise, lighting issues, lack of privacy, security.

4. Architectural Continuity:

- Comparisons to the newly building 5-storey building at 1355 Commissioners' Rd. W do not recognize that there did exist an apartment building behind the site. There is little recognition that the single-story condos to the north and east of this site are significantly and adversely affected.

5. Environment

- All mature trees on this site will be removed with no indication of a plan to replace; may be considered at Site Plan stage which will be too late to recognize a problem, potential damage to condo trees

6. Bonussing

- 10% of the bonusable units, and a small outdoor amenity area do not compensate for the impact on the current area residents.

7. Quality of Life

- Too much building in too little space, effect on property values, trespassing, security, poorer view

SUGGESTIONS (IF PROJECT MOVES FORWARD)

- Smaller, lower building
- Reposition building for driveway/entrance on west side, including garbage disposal
- Higher fencing, sound barrier type

- High evergreen trees
- Reduce outdoor lighting
- Add security cameras
- Add outdoor parking spaces for short-term parking needs

Edie Hopkins
Unit #18

.....
(from Glen and Maxine Emmerton via email from Edith Hopkins, September 16, 2019)

September 2019
RE: Proposed Apartment Building, 1339-1347 Commissioners Road West
File# 0-9082 and Z-9081

CONCERNS

- Extra traffic - we already experience very heavy traffic on Commissioners with commuters, school, church and Tim Hortons, this will add to it
- Driveway - apartment driveway right beside ours will make it more difficult to get out
- Mature trees - loss of the mature trees providing cover for units 15-18
- Noise - traffic getting to underground parking
- Privacy - balconies facing north looking down on units 15-18
- Deliveries - trucks using our driveway to make deliveries to apartment building
- Visitors - with little apparent visitor parking they might use ours

CRITICAL CHANGES / INCLUSIONS IF PROJECT MOVES FORWARD

- new higher fence along our driveway and back of 15-18
- tall tree cover along fence 15-18
- driveway changed to west side of building (there would be a green buffer between the two apartment driveways)
- provide spaces for visitor parking and delivery trucks

Glen and Maxine Emmerton
Unit # 7-1337 Commissioners Rd. West

.....
(from Virgil Gingrich via email from Edith Hopkins, September 16, 2019)

September 2019

RE: Proposed Apartment Building, 1339-1347 Commissioners Road West
File# 0-9082 and Z-9081

I am a preacher/professor, not a negotiator! For quite a few years in Ottawa, I preached to Sunday morning audiences of 750, but now it is difficult for me to express myself fluently, so will leave the presentation to others who are more eloquent.

We moved here over 12 years ago, because it seemed to be a quiet, peaceful, lovely place in which live our senior years. But now there is to be built a big, 5-storey monstrosity not far from our rear decks. All that peace and quietness will be gone when the construction takes place over the period of a year or so. And all that noise and dust! It will really be bad for our 4 units that are adjacent to the property line! It is outrageous, unfair and unacceptable!

With their exit/entrances right next to ours, it will be difficult and dangerous, especially with all of the Tim Horton's traffic.

When I spoke to the gentleman who lead the meeting in June he said dismissively that “those condos should never have been built there, in the first place!” Well, they were built and we bought them- planning to live and die here. I am now 89 years old and my wife is in long-term care.

There is no doubt that if this building is erected, it will have a negative effect on our property values.

There seems to be no sympathy or compassion for our potential loss in all this!

(If this project moves forward) Changes I would like to see:

When the 5-storey building was constructed to the southwest of us there were no 1-storey condos immediately behind it. There was rather a 4-storey apartment building. I think they should reduce the height of the building to 3 or 4 storey building.

On their site plans there seems to be trees planted in the ‘5 circles’ and ‘10 circles to the south and west. Couldn’t they do the same with the north side?

And the ‘temporary garbage disposal’ right next to the property line is unfortunate. Could some other place be found for it, not so close to us? And what is the danger of rodents?

(Signed) Virgil Gingrich
Unit #17
1337 Commissioners Rd. West

.....
(from Edith Hopkins and Stan Squires via email September 24, 2019)

Subject: Proposed Official Plan and Revised Zoning Amendments for 1339-1347 Commissioners Rd; File: # O-9082 and # Z-9081

Dear Ms. Debbert:

Further to our formal submissions of July 15th and July 17th, we would like to respond to the Official Plan and Revised Zoning By-law Amendments, received on September 13, 2019. As representatives of the Byron Woods Condominium Board, we are summarizing our continuing concerns and those of the condominium members surveyed in early September.

Firstly, we appreciate the revisions that reflect the addition of two visitors’ outdoor parking spaces, and the shifting of the building west to accommodate landscaping along the north and east property line as denoted in the Landscape Plan of September 5,2019.

What continues to be of primary concern with this landscaping plan is that it does not plan for high **perimeter buffering to protect against noise/light spillover and invasion of privacy**- only ornamental shrubs/ grasses, small trees, and raised flower beds are described. We would like to see high coniferous trees and the continuation or replacement of the current high fences to protect the already-established, neighbouring, 20 -year old, one-storey condominiums.

The proposed revised landscaping to the north side of the proposed building reduces the width of the entrance/exits to the underground parking garage. Is this change adequate for vehicles, and is enough width provided for the turnaround of large vehicles?

We are aware that the issues of landscaping, lighting, fencing will be dealt with in the Site Planning process, but what is/is not feasible may affect overall amendment decisions and should be considered before a final decision is made.

In addition to landscaping and other privacy buffering needs, we wish to re-emphasize our continuing concerns about **traffic safety**. While we recognize that the installation of crosswalk traffic signals for the Byron Northview School will assist with the safety issue related to the school, the proposed new driveways abutting the driveways to the east [Byron Woods townhouses, 1337 Commissioners Road W], with two-way, full-turn driveways will introduce additional traffic safety hazards.

There is one shared turning lane on Commissioners Rd, allowing turning in two directions simultaneously, already creating a hazardous condition as parents turn into St. Anne's Church parking lot on the south side of Commissioners Rd to drop off/ pick up children from Byron Northview elementary school, as others use the turning lane to pass the congestion created by Tim Hortons customers, and as residents attempt to turn into their townhouses/apartments. There are cycling lanes on both sides of Commissioners' Rd. The addition of this 5-storey, 34-unit building adjacent to the 1337 Commissioners Rd West complex with two entrance/exit driveways, side-by-side, with minimal separation, onto a busy road with an immediate two- directional turning lane, bike lanes, and Tim Horton's congestion escalate an already unsafe traffic situation.

Lastly, The Thames Valley Corridor plan recommends that more emphasis is needed on the protection of our **natural heritage** rather than allowing things like infrastructure, residential encroachment... to occur. In the current location of the three houses, many mature trees, some 40+ feet high exist. All of these will be lost, replaced by ornamental shrubs/trees/grasses/raised flower beds.

Intensification and affordable housing needs in this growing city and the guidelines of the Official/London Plans are understood but we ask why it is necessary to approve this amendment and not go forth within the current guidelines and seek gentler intensification.

In summary, to quote from the values in the 1989 Plan, London Plan and Rethink London:

- *"While it is recognized that there may be redevelopment, infill, and intensification in some established residential neighbourhoods, higher intensity land uses will be directed to locations where the character of the residential area is enhanced and existing land uses are not adversely affected."*
- *"Think sustainable – Financial, social, and environmental sustainability will be an underlying consideration in all of the planning that we do."*
- *"A sustainable or resilient London – one where environment, economy and community are considered equal. This is referred to as the "triple bottom line". ...Combined, these efforts will result in a more resilient City, able to respond to changing environmental pressures, to changing economic pressures and to the strengthening of neighbourhoods in London."*

We ask that you consider the following suggestions:

1. Approve a building within the current practices, with appropriate heights, adequate setbacks, and larger, natural barriers.
"Normally height limitations will not exceed four storeys and density will generally not exceed 75 units per hectare, with provision for up to 100 units per hectare with bonusing."
2. Do not allow bonussing consisting of three affordable units, and a small passive outdoor green space override the City's current plans and zoning bylaws. (Underground parking is a necessity, not a bonus as the site is too small to allow for substantial above-ground parking.) The bonusable features are not commensurate with the increase in density and height sought for the subject lands. The newly-constructed building at 1355 Commissioners Rd. West should

not be seen as a precedent as it has been built in front of an existing 4-storey apartment building and two-storey townhouses.

3. Protect the privacy and minimize the potential noise and lighting spillover impact for those living in the townhouses on the north and east side of any proposed building.
4. Resolve the traffic safety issues on Commissioners Rd. West.

If these recommendations are implemented, it will be a win-win-win: developers will realize their profit, the council will fulfill its intensification and affordable housing goals, and current residents will maintain some privacy, green space, and road safety.

Thank you for your consideration of these concerns and suggestion.

Sincerely,
Edith Hopkins/ Stan Squires, #18-1337 Commissioners Rd. West

Agency/Departmental Comments

Urban Design (September 9, 2019)

- Urban Design staff commend the applicant for incorporating the following into the design: Providing a five storey residential apartment building that is in keeping with the vision of the current Official Plan as well as the London Plan; Locating along the street frontage with a reduced front yard setback; Providing for a continuous street wall along the Commissioners Road frontage; Providing for appropriate scale/ rhythm/ materials/ fenestration; Incorporating the majority of parking underground, away from the street frontage; and Providing active ground floor uses with transparent glazing and principles entrances facing the street creating an active edge.
- Urban design staff have been working closely with the applicant through the rezoning process to address many of the design concerns that have been raised by the community, the Urban Design Peer Review Panel (UDPRP), and City staff. There are several items that have been identified by staff, the UDPRP and the community to be further reviewed through the site plan process including; garbage location, increased east side yard setback of the building, and increase in landscape buffering along the north and east property lines.

Urban Design Peer Review Panel (June 19, 2019) – see Appendix E for UDPRP comments and the applicant's reply

Site Plan (August 29, 2019)

- Based on the tree spacing requirements of the site plan control bylaw, I would suggest that enhanced landscaping would be elements incorporated into the site beyond the standard 1 tree per 12 m of frontage and 1 tree per 15 m of interior and side yard length. It appears that the tree placement in this case would exceed the minimum requirements. Although I would suggest that the plan south side (interior side yard) should be a minimum 3.0 m.

Parks Planning (August 15, 2019)

- Parkland dedication in the form of Cash-in-lieu of parkland will be taken at the time of site plan approval.
- A tree preservation report will be required as part of the site plan approval process.

Engineering:

Transportation (August 21, 2019)

For consideration of the Zoning By-law Amendment Application

- The Institute of Transportation Engineers (ITE) Trip Generation Manual indicates that a midrise apartment building (between 3-10 stories) with 34 dwelling units will generate 7 vehicle trips in the PM peak hour and 2 vehicle trips in the AM peak hour. The existing Annual Average Daily Traffic (AADT) on Commissioners Road West at this location is 16,500 vehicles, indicating there is capacity on the roadway to support additional traffic generated from the proposed development.
- The area is well served by transit, cycling facilities and walking.
- Additionally staff reviewed the collision history to review the safety performance of Commissioners Road in this general location, staff noted 10 collisions in the past 5 years (8 property & 2 injury) based on the road classification, and volume of traffic, Commissioners road is performing as expected to slightly better than expected in comparison to similar roadways within the City. The small increase in traffic is not expected to negatively impact the safety performance of the roadway.
- The existing two way left turn lane provides for appropriate access to this development.
- The access arrangement will need to comply with the City's Access Management Guidelines as it relates to design.
- Transportation will look for opportunities through the site plan process to provide for greater separation between the existing driveway located to the east of the site and the proposed driveway.

For consideration at the site plan approval stage:

Transportation has reviewed the application and provides the following comments:

- Road widening dedication of 18.0m from centre line required along Commissioners Road West
- The easterly access will need to shift to the west so as not to encroach into the existing easterly neighbour's driveway
- Detailed comments regarding access design and location will be made through the site plan process
- Relocate sidewalk to standard location

Sanitary Engineering comments (September 4, 2019)

For consideration at the site plan approval stage:

The municipal sanitary sewer available for the subject lands is the 525mm dia trunk sanitary sewer on Commissioners Road West.

- The Applicants Engineer is to size a sanitary p.d.c. to City Standards, and all to the satisfaction of the City Engineer.

Stormwater Engineering Comments (August 30, 2019)

For consideration at the site plan approval stage:

- According to as-con 26451, the site does not appear to have a PDC connection to the 600mm on Commissioners Road West, and as such the applicant is to submit hydraulic calculations (storm sewer capacity analysis) to demonstrate that capacity of the sewer system to service the site is not exceeded and that on-site SWM controls will be designed to the satisfaction of the City Engineer. On-site SWM controls design should include, but not be limited to required storage volume calculations, flow restrictor sizing, etc.

Stormwater Engineering Comments from formal Pre-consultation (March 4, 2019)

The Stormwater Engineering Division staff have no objection to this pre-application.

For the benefit of the project, please ensure the applicant is informed about the following SWM issues/requirements to be considered by the applicant's consultant engineer when preparing the stormwater servicing strategy for this land during the development application stage:

Specific comments for this site

- There is an existing 600mm municipal storm sewer to service this site on Commissioners Road West.
- As per attached as-constructed 26444, the site at C=0.50 is tributary to the existing 1200mm storm sewer traversing Halls Mills Park. Any changes in the C value of 0.5 required to accommodate the proposed development will trigger the need for hydraulic calculations (storm sewer capacity analysis) to demonstrate that capacity of the sewer system to service the site is not exceeded and that on-site SWM controls will be designed to the satisfaction of the City Engineer. On-site SWM controls design should include, but not be limited to required storage volume calculations, flow restrictor sizing, etc.
- 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 and rationale 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.
- Additional SWM related comments will be provided upon future review of this site.

General comments for sites within Downstream Thames Subwatershed

- The subject lands are located in the downstream Thames Subwatershed. The Developer shall be required to provide a Storm/drainage Servicing Report demonstrating compliance with the SWM criteria and environmental targets identified in the Downstream Thames Subwatershed Study that may include but not be limited to, quantity/quality control, erosion, water balance, stream morphology, etc.
- 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.
- 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.

- The Owner shall allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands.
- Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands.
- 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 (formerly MOECC) 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.

Housing Development Corporation (September 16, 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 City of London Development Services in response to Official Plan and Zoning By-law amendment applications for the subject lands that include a request for increased height and density (“bonusing”) in return for the provision of affordable housing.

Requested Official Plan and Zoning By-law Amendments:

The purpose and effect of the amendments requested by Milan Starcevic (the proponent) is to provide for the development of a 5 storey, 34-unit residential apartment building on lands known municipally as 1339 - 1347 Commissioners Road West. The development concept further anticipates 44 underground parking spaces and 2 (barrier-free) surface parking spaces.

The details of the requested Official Plan and Zoning By-law amendments, including the identification of facilities, services and matters of public benefit, are identified in the proponent’s June 2019 Planning and Design Report (prepared by Zelinka Priamo Ltd.).

To provide for the increased height and density sought, Zelinka Priamo Ltd. 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.

RECOMMENDATION:

HDC would acknowledge the efforts and creativity displayed by the proponent in the negotiation of the elements to the Bonus Zone detailed below. The recommended bonus provides for multi-bedroom units, deeper levels of housing affordability, and the alignment of the bonus with populations in need of housing with supports.

Based on the review of the proponent’s proposed plans for 1339-1347 Commissioners Road West, it is the recommendation of HDC that the Director, Development Services advance the following requirements within the affordable housing bonus zone:

- 1. A total of three 2-bedroom units be considered for dedication to affordable rental housing in exchange for the granting of increased height and density. At minimum, two of these units are to be accessible and are to be located on the ground floor.**
- 2. “Affordability” for the purpose of any associated encumbrance agreement (see below) be defined as rents not exceeding 85% of the CMHC 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 2-bedroom AMR rate for the London Census Metropolitan Area by CMHC at the time of building occupancy;**
 - ii. the identified units may be constructed to a more modest level but within the Affordable Housing Size and Attribute Guidelines of HDC (see Attachment 2); and,**

- iii. **the rents of the defined affordable units will only be incremented to the allowable maximum once per 12-month period in accordance to the *Residential Tenancy Act* or any successor legislation.**
3. **The duration of the affordability period be set at 15 years from the point of initial occupancy of all 3 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 the end of their tenancy. These rights would not be allowed to be assigned or sublet.**

These, and any other amended conditions to be confirmed by Municipal Council, need to be secured through an encumbrance agreement ensuring compliance and to retain the value of the affordable rental housing bonus Zone (at an estimated rate of approx. 50% of the construction cost of the affordable units) over the 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 the proponent be required to enter a Memorandum of Understanding with the City of London to align the bonus units with an identified population in need of housing with supports. Under the Memorandum of Understanding, the property owner/manager would retain final tenant selection noting compliance of any eligibility requirements that may be related to the subject units.

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.

The subject lands (which include three single detached dwellings on individual lots of record) are located on the north side of Commissioners Road West, approximately 400 metres west of the Boler Road/Commissioners Road West intersection in Byron. The lands are embedded in an area characterized by a mixture of residential built forms including single detached dwellings, cluster townhouses and low-rise apartment buildings. The Planning Justification Report notes the proximity of a range of commercial, office, retail, institutional and open space uses to the subject lands. The lands are further served by public transit (Routes 5 and 17) and transit supportive infrastructure (sidewalks, street lighting, transit stops and bus shelters). Delineated on-road bicycle lanes along Commissioners Road West (affording direct connections to the City's multi-use Thames Valley Parkway system including the Downtown) also serve the site.

The locational attributes of the site 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 southwest area of London demonstrating housing affordability challenges.

The recommended bonus zone is specific to the mid-rise apartment building identified in Attachment 1 and does not apply to any other development by any perceived similarity in lift or built form.

Conclusion:

The *Planning Act* provides municipalities the ability to advance public facilities, services or matters in exchange for additional height and density above existing zoning

permissions. The ability to utilize this important tool as a mechanism to advance affordable rental housing aligns with a critical need in London, noting that London is currently ranked 5th in Canada for the highest percentages of households in “Core Housing Need” in major urban centres. (CMHC, July 2018).

This recommendation recognizes Council’s expressed interest to seek “...options for implementing and coordinating [planning] tools to be most effective...” to “...promote the development of affordable housing in London”. (4.4/12/PEC, July 25, 2018)

HDC will be available to the Planning and Environment Committee and to Civic Administration to further inform this recommendation or respond to any associated questions.

Archaeology (August 19, 2019)

Archaeological Potential at the above properties is identified on the City’s 2018 Archaeological Mapping and includes both historic and indigenous potential encompassing the entirety of the properties.

We have no records in Heritage Planning of these properties being cleared of their archaeological potential.

- All archaeological assessment reports, in both hard copy format and as a PDF, will to be submitted to the City of London once the Ministry of Tourism, Culture and Sport has accepted them into the Public Registry.
- No soil disturbance arising from demolition, construction, or any other activity shall take place on the subject properties prior to Development Services receiving the Ministry of Tourism, Culture and Sport compliance letter indicating that all archaeological licensing and technical review requirements have been satisfied.

Archaeology (Updated September 20, 2019)

- I have reviewed the following and find the report’s analysis, conclusions and recommendations to be sufficient to fulfill the archaeological assessment conditions for the OP/ZBA and site plan applications (Z-9081, O-9082, SPC19-130):
 - *Stage 1-2 Archaeological Assessment of 1339-1347 Commissioners Road West, London, Ontario (P344-0344-2019), September 2019.*
- An Ontario Ministry of Tourism, Culture and Sport (MTCS) archaeological assessment compliance letter has also been submitted, dated September 20, 2019 (MTCS File # 0011443).
- Archaeological conditions can be considered satisfied for this application.

London Hydro

- These sites are presently serviced by London Hydro. Contact the Engineering Dept. for the new service that is required to facilitate the new buildings. 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 (PPS)

Section 1.1 – Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 b)

1.1.3

1.1.3.1

1.1.3.2

1.1.3.3

1.1.3.4

1.4 - Housing

1.4.3

Section 1.6 – Infrastructure and Public Service Facilities

1.6.7.4

Section 1.7 – Long Term Economic Prosperity

Section 2.6 Wise Use and Management of Resources, Cultural Heritage and Archaeology

2.6.2

1989 Official Plan

General Objectives for All Residential Designations

3.1.1 ii)

3.2.3.2 – Residential Intensification, Density and Form

3.2.3.4 – Compatibility of Proposed Residential Intensification Development

Multi-family, Medium Density Residential Designation

3.3 - Preamble

3.3.1 - Permitted Uses

3.3.2 - Scale of Development

3.3.3 - Residential Intensification

3.7 - Planning Impact Analysis,

3.7.2 – Scope of Planning Impact Analysis

3.7.3 - Required Information

Heritage Resource Policies

13.2.3 – Alteration, Removal or Demolition

Implementation

19.4.4 – Bonus Zoning

The London Plan

(Policies subject to Local Planning Appeals Tribunal, Appeal PL170100, indicated with asterisk.)

Policy 7_ Our Challenge, Planning of Change and Our Challenges Ahead, Managing the Cost of Growth

Policy 55_13. Our Strategy, Key Directions, Direction #1 Plan Strategically for a Prosperous City

Policy 59_1, 2., 4., 5. and 8. Our Strategy, Key Directions, Direction #5 Build a Mixed-use Compact City

Policy 61_10. Our Strategy, Key Directions, Direction # 7 Build Strong, Healthy and Attractive Neighbourhoods for Everyone

Policy 66_ Our City, Planning for Growth and Change

Policy 79_ Our City, City Structure Plan, The Growth Framework, Intensification

*Policy 83_ Our City, City Structure Plan, The Growth Framework, Intensification

Policy 84_ Our City, City Structure Plan, The Growth Framework, Intensification

Policy 256_City Building Policies, City Design, How Are We Going to Achieve This, Site Layout

*Policy 259_ City Building Policies, City Design, How Are We Going to Achieve This, Site Layout

Policy 554_2. City Building Policies, Cultural Heritage, What Are We Trying To Achieve

Policy 608_ – 611_. City Building Policies, Cultural Heritage, Archaeological Resources

*Table 10 Range of Permitted Uses in Neighbourhoods Place Type

*Table 11 Range of Permitted Heights in Neighbourhood Place Type

*Policy 919_ Place Type Policies, Urban Place Types, Neighbourhoods, Approach for Planning Neighbourhoods – Use, Intensity and Form

*Policy 937_ Place Type Policies, Urban Place Types, Neighbourhoods, Residential Intensification in Neighbourhoods

*Policy 939_ Place Type Policies, Urban Place Types, Neighbourhoods, Forms of Residential Intensification

*Policy 953_ Place Type Policies, Urban Place Types, Neighbourhoods, Residential Intensification in Neighbourhoods, Additional Urban Design Considerations for Residential Intensification

*Policy 1578_ Our Tools Planning and Development Applications, Evaluation Criteria for Planning and Development Applications

*Policies 1638_ to 1654_. Our Tools, Planning and Development Controls, Bonus Zoning

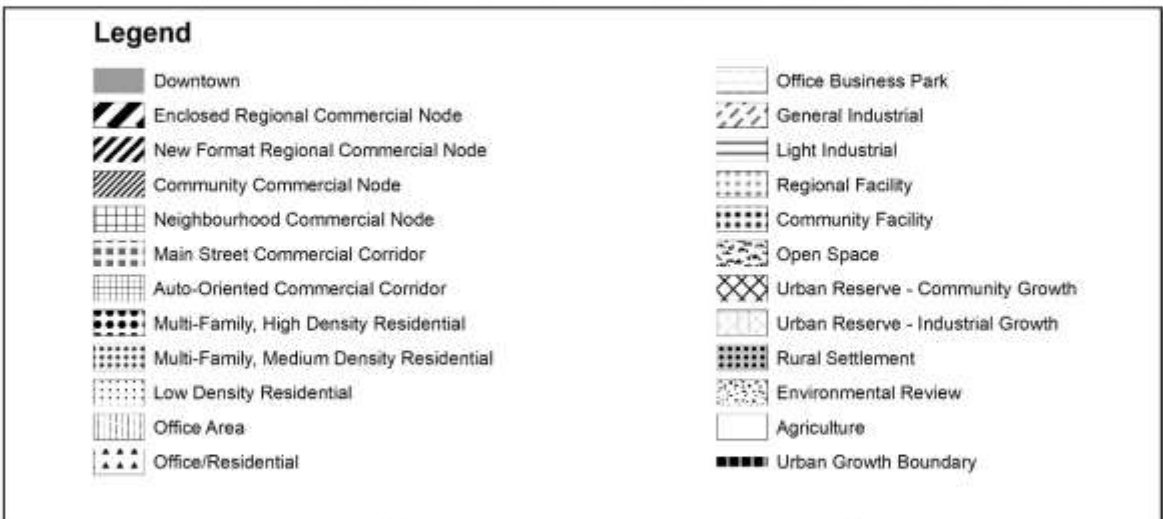
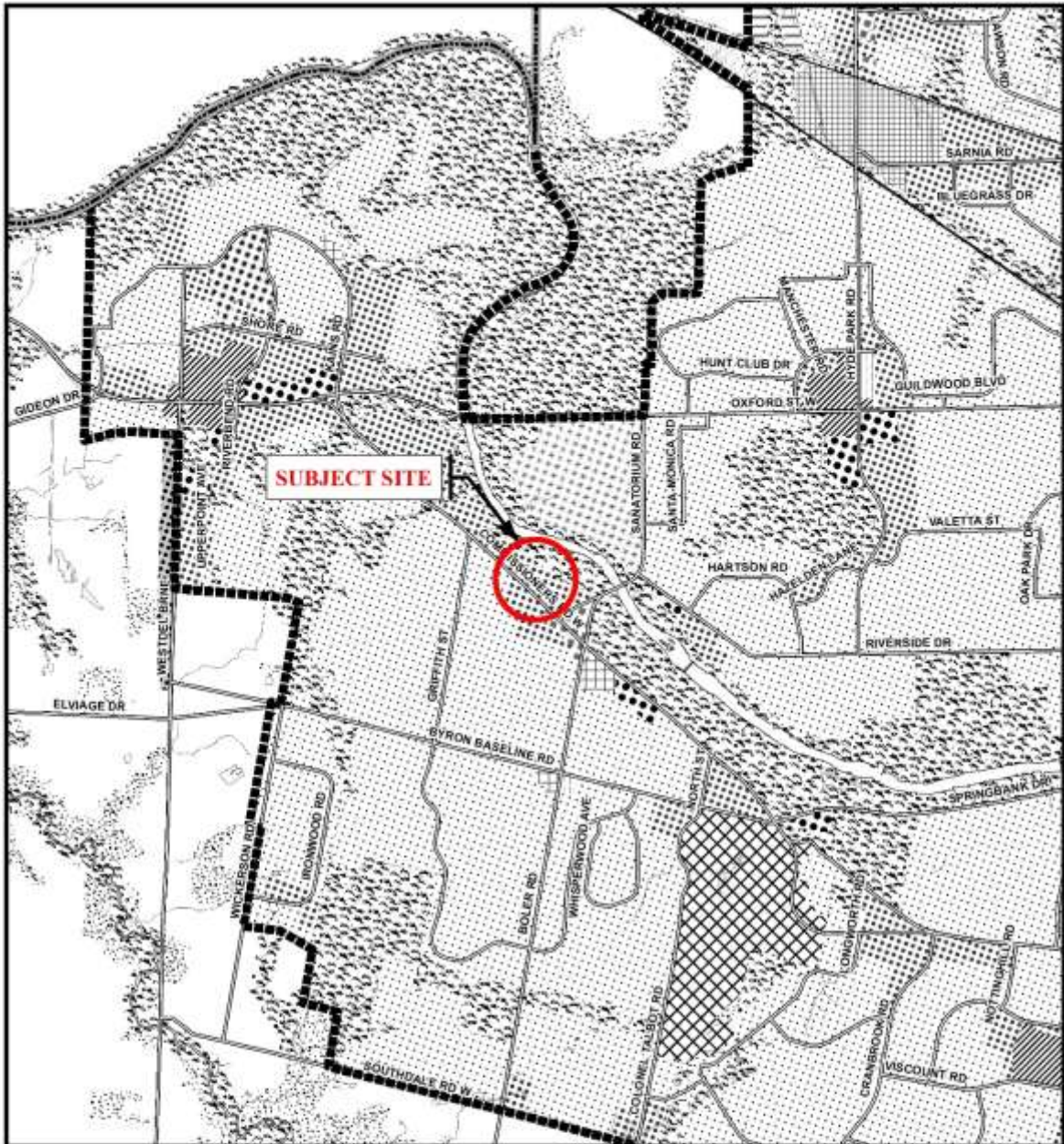
3.7 Planning Impact Analysis	
Criteria	Response
Compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area.	The proposed land use is an accepted use in the Official Plan, similar to other uses in the area, and contributes to a variety of housing forms within the neighbourhood.
The size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed use;	Due to the provision of underground parking the revised site concept achieves an intensity that allows for other on-site functions such as guest parking, emergency services and open space.
The supply of vacant land in the area which is already designated and/or zoned for the proposed use;	There is no vacant land in the area already designated and/or zoned for the proposed use.
The proximity of any proposal for medium or high density residential development to public open space and recreational facilities, community facilities, and transit services, and the adequacy of these facilities and services.	The subject site is located just west of the Byron Village commercial area, is located directly across from an elementary school and a church, and is located in close proximity to the Byron River Valley Corridor as well as Halls Mills Park. Commissioners Road West is a major transit throughfare.
The need for affordable housing in the area, and in the City as a whole, as determined by the policies of Chapter 12 - Housing.	The proposed development is in an area in need of affordable housing units and provides for three affordable units at 85% of the Average Market Rent for a period of 15 years.
The height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;	The scale or height of the proposed apartment building on the adjacent single storey townhouse development to the north and east is mitigated by the proposed yard depths and building situation on the lot. Impacts on adjacent properties such as overlook, noise and light penetration would be mitigated through a combination of yard depth and appropriate space for landscape screening and photometric and noise analysis and mitigation at the site plan approval stage.
The extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;	The proposed development does not provide for the retention of existing vegetation that contributes to the visual character of the surrounding area. Tree replacement measures are proposed around the periphery and internal to the site. Site concept revisions provide additional green spaces in which tree planting can occur.

<p>The location of vehicular access points and their compliance with the City's road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties</p>	<p>Transportation Planning and Design was circulated on the planning application and development proposal and is satisfied that driveway location and design can be addressed at the site plan approval stage. Commissioners Road West is a high-order street and is intended to move medium to high volumes of vehicular traffic at moderate speeds. The recommended amendment and total number of dwelling units (34) it could add along Commissioners Road West is not expected to affect capacity of Commissioners Road West in a significant way.</p>
<p>The exterior design in terms of the bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area;</p>	<p>The applicant is commended for designing a 5-storey residential apartment building that is in keeping with the vision of the current Official Plan as well as the London Plan; Locating along the street frontage with a reduced front yard setback; Providing for a continuous street wall along the Commissioners Road frontage; Providing for appropriate scale/ rhythm/ materials/ fenestration; Incorporating the majority of parking underground, away from the street frontage; and Providing active ground floor uses with transparent glazing and principles entrances facing the street creating an active edge.</p>
<p>The potential impact of the development on surrounding natural features and heritage resources;</p>	<p>No natural heritage features are present that will be affected by the proposed development.</p>
<p>Constraints posed by the environment, including but not limited to locations where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration and rail safety may limit development;</p>	<p>n/a</p>
<p>Compliance of the proposed development with the provisions of the City's Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law; and</p>	<p>The proposed form of development will be required to conform to the in force Official Plan policies and comply with the City's regulatory documents prior to approval of the ultimate form of development through the Site Plan Approval process.</p>
<p>Measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis;</p>	<p>As discussed above, tree planting and building massing treatments are expected to mitigate minor adverse impacts on the surrounding land uses.</p>
<p>Impacts of the proposed change on the transportation system, including transit</p>	<p>The residential intensification of the subject lands will have a negligible impact on the transportation system.</p>

Appendix D – Relevant Background

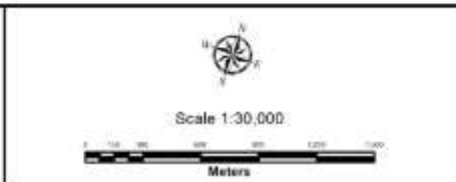
Additional Maps

1989 Official Plan



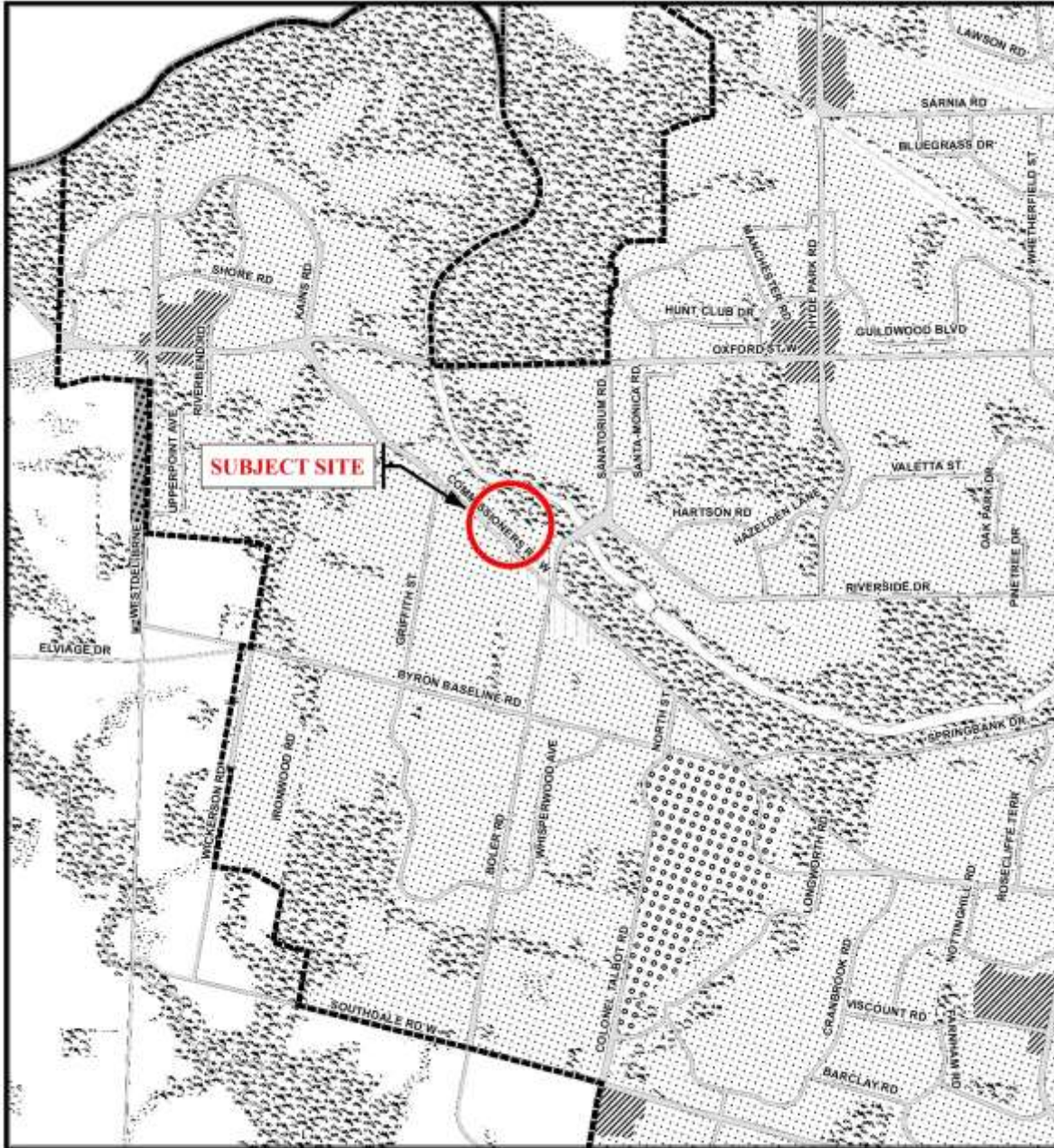
CITY OF LONDON
 Department of
 Planning and Development
OFFICIAL PLAN SCHEDULE A
 - LANDUSE -

PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-9081/O-9082
PLANNER: BD
TECHNICIAN: DM
DATE: 2019/09/05

The London Plan



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.

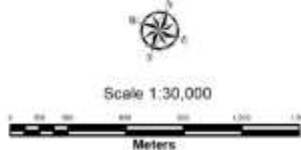
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

Planning Services /
 Development Services

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

PREPARED BY: Planning Services



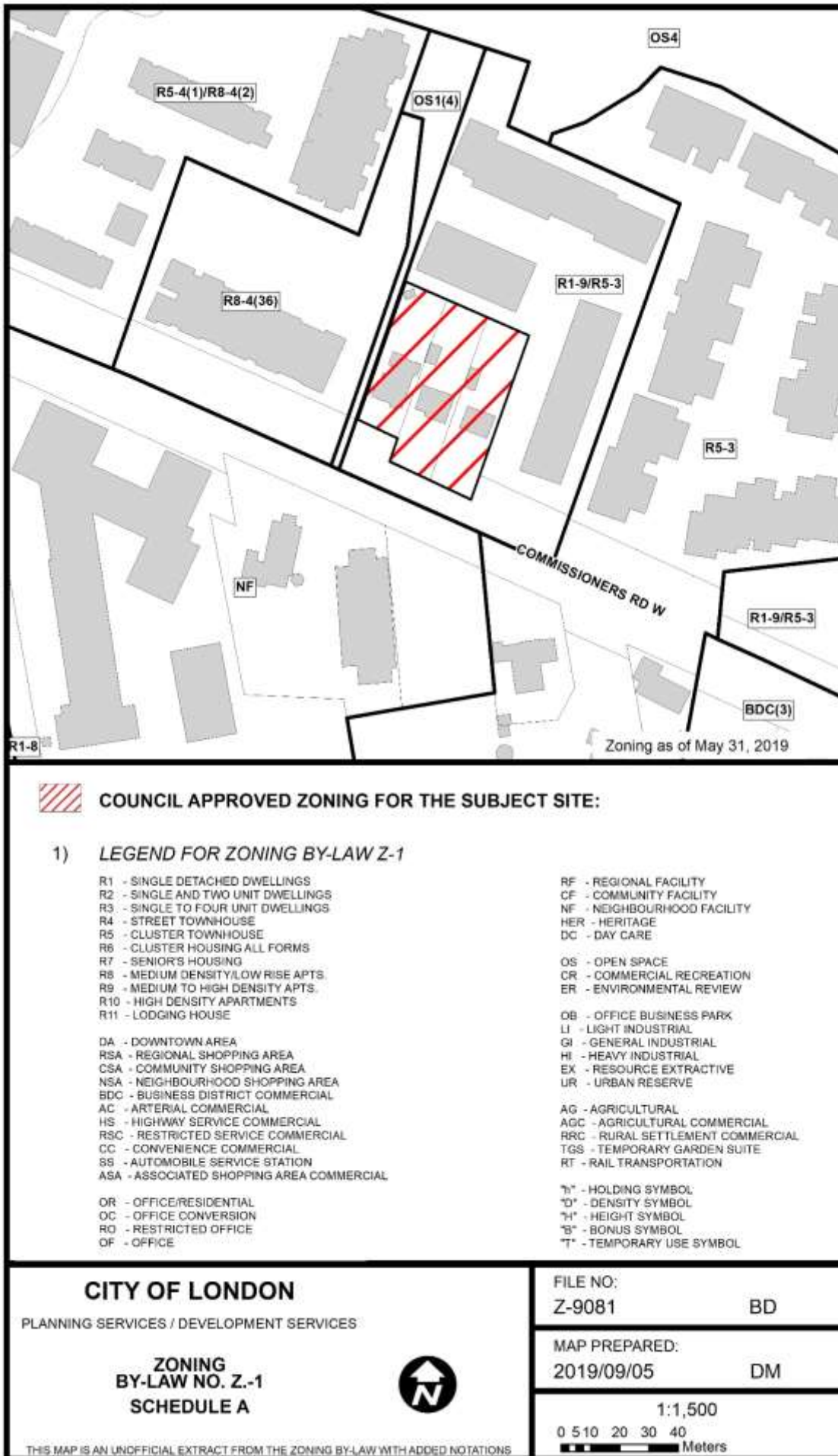
File Number: Z-9081/O-9082

Planner: BD

Technician DM

Date: September 5, 2019

Zoning By-law



Appendix E –Urban Design Peer Review Panel Comments/Response

Urban Design Peer Review Panel Response (June 19, 2019)

Considering that the application a zoning by-law amendment, the comments provided herein are meant to inform the decision-making with respect to the zoning by-law amendment application, though detailed comments to inform the future Site Plan application(s) have also been provided for consideration. The applicant is encouraged to return to the Panel again through the site plan approval process when more details about the design are available for review.

The Panel provides the following feedback on the zoning by-law amendment application:

- The Panel commends the applicant for the placement and scale (similar to that of the new development to the west) of the building on the subject lands.
- The Panel commends the applicant for screening the parking area from view of the public realm (parking in rear and below grade).
- The east/west and north/south elevations have a very dissimilar look. The applicant should consider reviewing the glazing strategy to create a more cohesive look for the entire development.
- The current design calls for new trees to be planted on top of the underground parking level. The Panel suggests the applicant review the tree species and required soil depths necessary to allow the trees to survive.
- The Panel is supportive of the street trees and forecourt used on the ground level which will assist with the public experience as those on foot enter the development.

Concluding comments:

The Panel is supportive of the proposed development in terms of its proposed size, density and position within the subject lands. The Panel has offered feedback to ensure the applicants consider the holistic appearance of the exterior of the building. The Panel suggests that the applicant work closely with their Landscape Architect to select plantings, trees, and soil conditions that will support growth on top of the underground parking.

Starcevic Response to UDPDP Comments

Comment:
The east/west and north/south elevations have a very dissimilar look. The applicant should consider reviewing the glazing strategy to create a more cohesive look for the entire development.
Applicant Response:
This aspect of the design was considered during the design process and reconsidered after receiving comments. The intent of both elevation types is for the brick components to be read as piers; the narrow face oriented north south, thereby most open to the street and the interior private space of the property, with privacy from oblique views managed by the frequency and depth of the piers. The flanking east and west faces of the same piers are intended to be read as varying in depth depending on their location, providing more wall at the property lines, and to the almost direct views from traffic along Commissioners. The intent is that they are the same architectural and structural feature applied consistently in two orientations to achieve appropriate responses to the different aspects of the site. No change is proposed.

Comment:

The current design calls for new trees to be planted on top of the underground parking level. The Panel suggests the applicant review the tree species and required soil depths necessary to allow the trees to survive.

Applicant Response:

We have proposed to include, as an extension of the garden wall which encloses the grade level private terraces of the 2 grade level units, a raised planter. Please see revised site and landscape plan for locations. The planter would be insulated, and frost protected. The trees would be appropriately scaled for this application and pending further consultation with a landscape architect could include species such as; Japanese White Pine, Hornbeam or hedge Beech, flowering Dogwood and various ornamental fruit trees. The proposed trees are expected to reach a height of between 5 and 10 metres and provide an attractive privacy boundary for the property.

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 1339 – 1347 Commissioners Road West.

WHEREAS Milan Starcevic has applied to rezone an area of land located at 1339 – 1347 Commissioners Road West, 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 1339 – 1347 Commissioners Road West, as shown on the attached map comprising part of Key Map No. A106, from a Residential R1/Residential R5 (R1-9/R5-3) Zone to a Holding Residential R8 Bonus (h-5*R8-4*B-_) Zone.
- 2) Section Number 4.3 of the General Provisions in By-law No. Z.-1 is amended by adding the following new Bonus Zone:

4.3) B-__ 1339 – 1347 Commissioners Road West

The Bonus Zone shall be implemented through one or more agreements to facilitate the development of a high quality residential apartment building, with a maximum height of 5 storeys, 34 dwelling units and a maximum density of 132 units per hectare, which substantively implements the Site Plan, Landscape Plan and Elevations attached as Schedule "1" to the amending by-law, provides for affordable housing in the form of 34 dwelling units (132 units per hectare), enhanced landscaped open space and underground parking. The affordable housing component shall consist of:

- a total of 3, two-bedroom affordable rental units (two of which, at minimum, are to be accessible and located on the ground floor);
- rents not exceeding 85% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy; and,
- the duration of affordability shall be set at 15 years from the point of initial occupancy of all 3 two-bedroom units.

The following special regulations apply within the bonus zone upon the execution and registration of the required development agreement(s):

- a) Regulations
 - i) Front Yard Depth (min) 2.0 metres (6.56 ft.)
 - ii) Interior Side Yard Depth (west)(min) 2.2 metres (7.2 ft.)
 - iii) Height (max) 17.5 metres (57.41 ft.)

iv) Density
(max)

132 units per hectare

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.

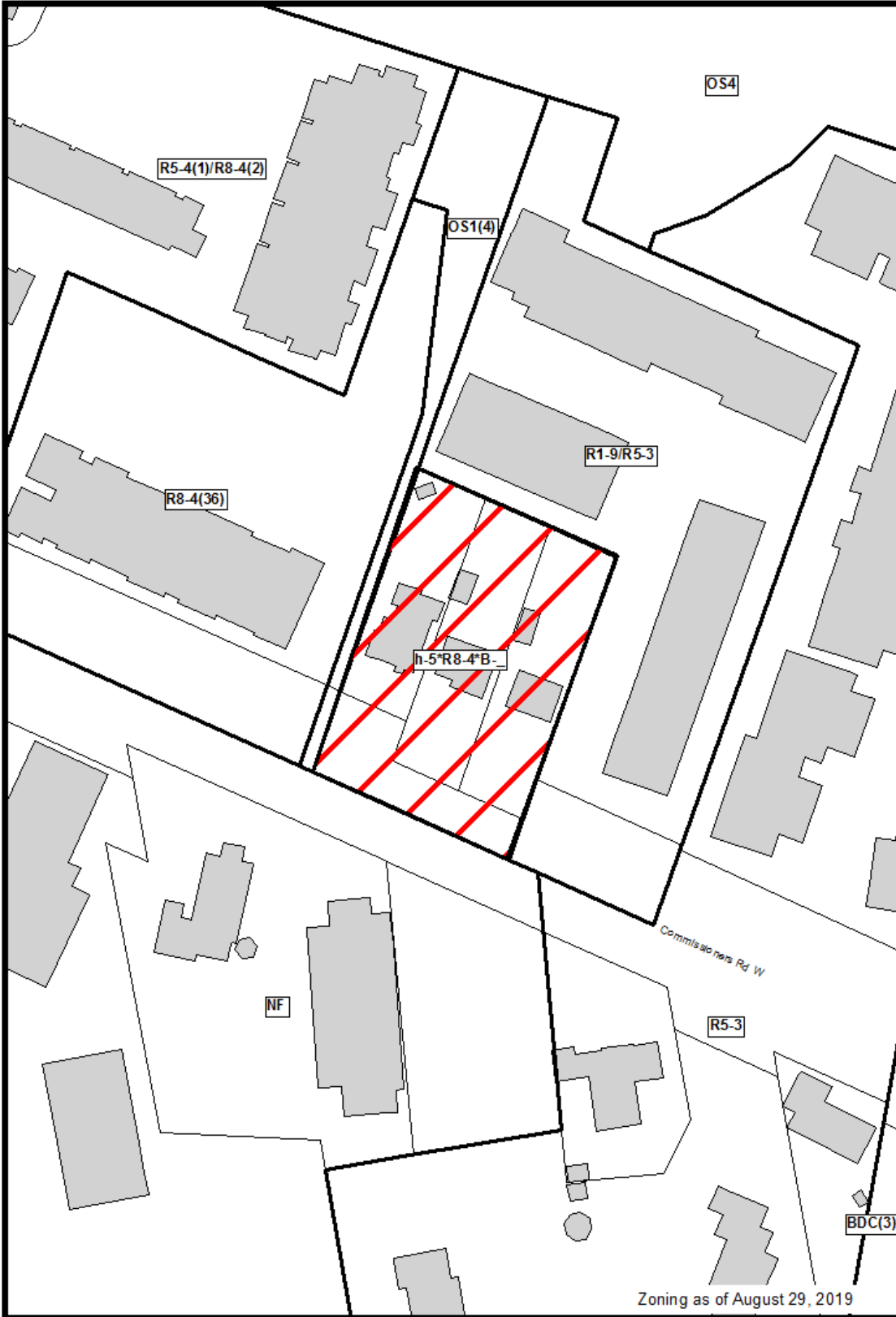
PASSED in Open Council on October 15, 2019.

Ed Holder
Mayor


Catharine Saunders
City Clerk

First Reading – October 15, 2019
Second Reading – October 15, 2019
Third Reading – October 15, 2019

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



File Number: Z-9081
Planner: BD
Date Prepared: 2019/10/09
Technician: DT
By-Law No: Z.-1-

SUBJECT SITE 

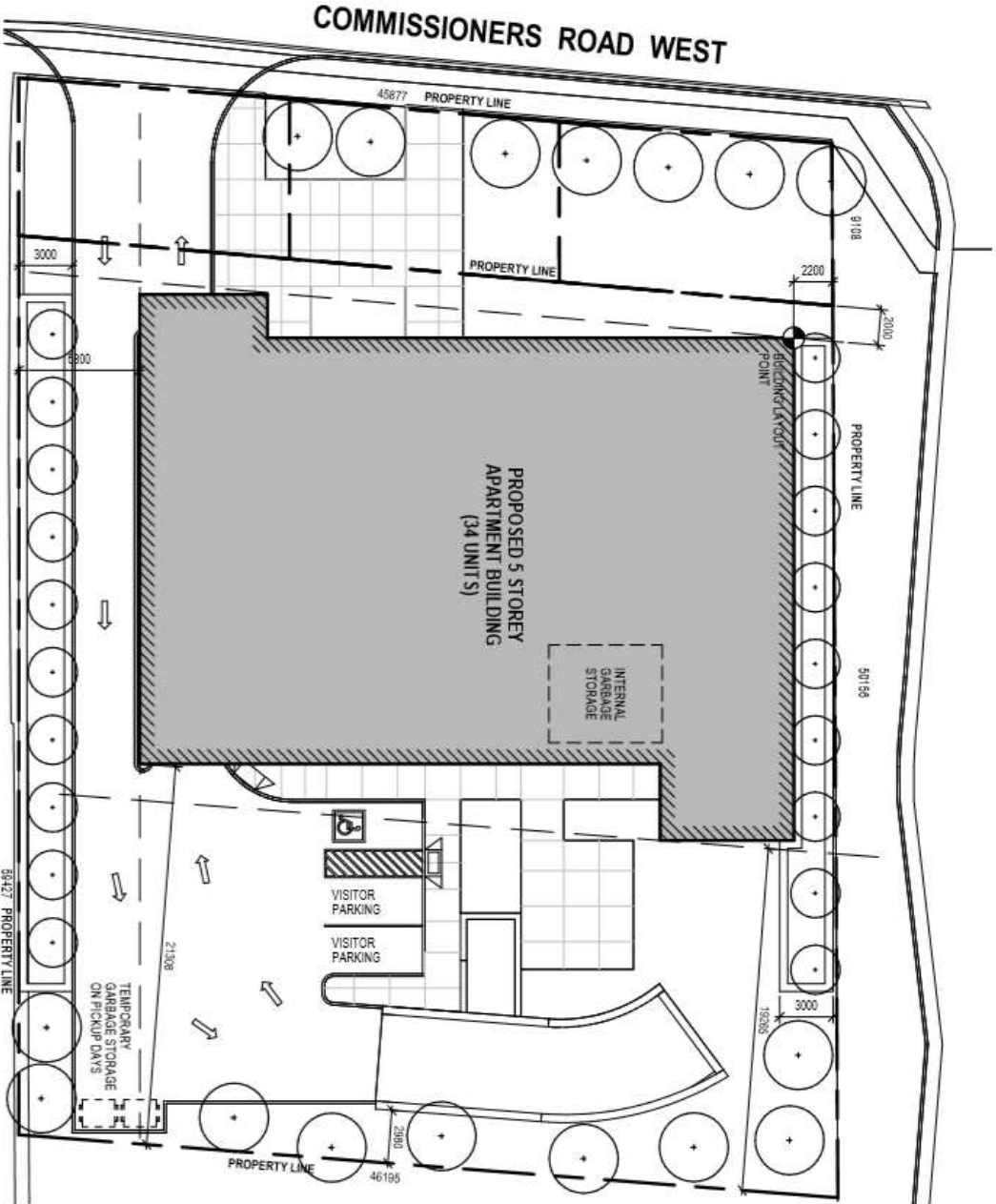
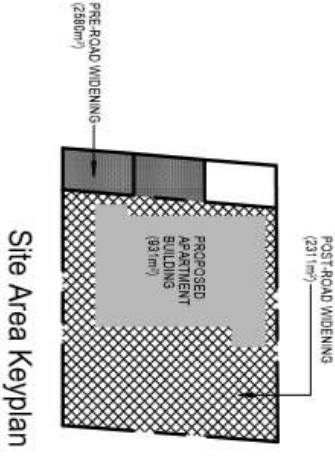
1:1,000

0 5 10 20 30 40 Meters



Schedule "1"

SITE DATA - Proposed Residential Zone (R8-1)(X)		
Proposed Zoning Residential (R8-1)	Req'd / Max / Min.	Proposed
Proposed Zoned Use	Apartment Building	Apartment Building
Lot Area	1000m ²	2311m ² (post-road widening) 2880m ² (pre-road widening)
Lot Frontage	30 m (min.)	45.8m
Lot Depth	-	50.2m
Front Yard Setback (Actual)	8m (min.)	2m
Interior Side Yard Setback (west)	0.6m (min.)	2.2m
Interior Side Yard Setback (east)	0.6m (min.)	8.8m
Rear Yard Setback	0.6m (min.)	19.3m
Building Area	-	931.0m ²
Landscape Open Space	30% (min.)	4%
Lot Coverage	40% (max.)	38%
Building Height	13m (max.)	17.5m
Density	2580 ha x 75 uph (max.) = 20 units	34 units (132 uph)
Parking	34 units x 1.25 = 43 spaces	44 underground (incl. 1 lift) 3 surface visitor (incl. 1dr)

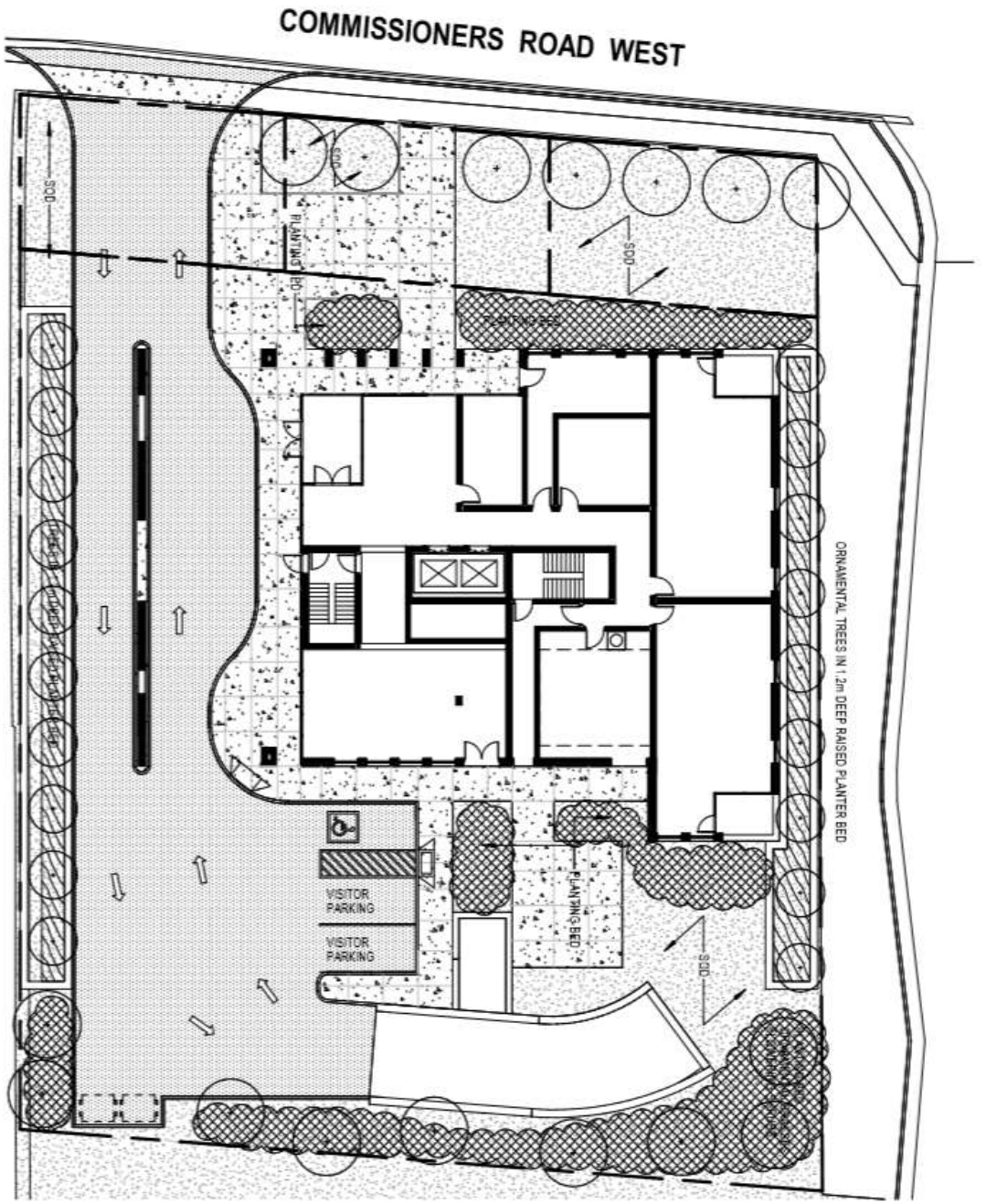


NICHOLSON SHEFFIELD ARCHITECTS INC.

Starhomes Ltd. Commissioners Road Development
SITE PLAN

Project No.	18-52	Date	Aug 2019
Scale	As indicated	Dwg. No.	A1
Drawn By	EW		

Starhomes Ltd. Commissioners Road Development
Landscape

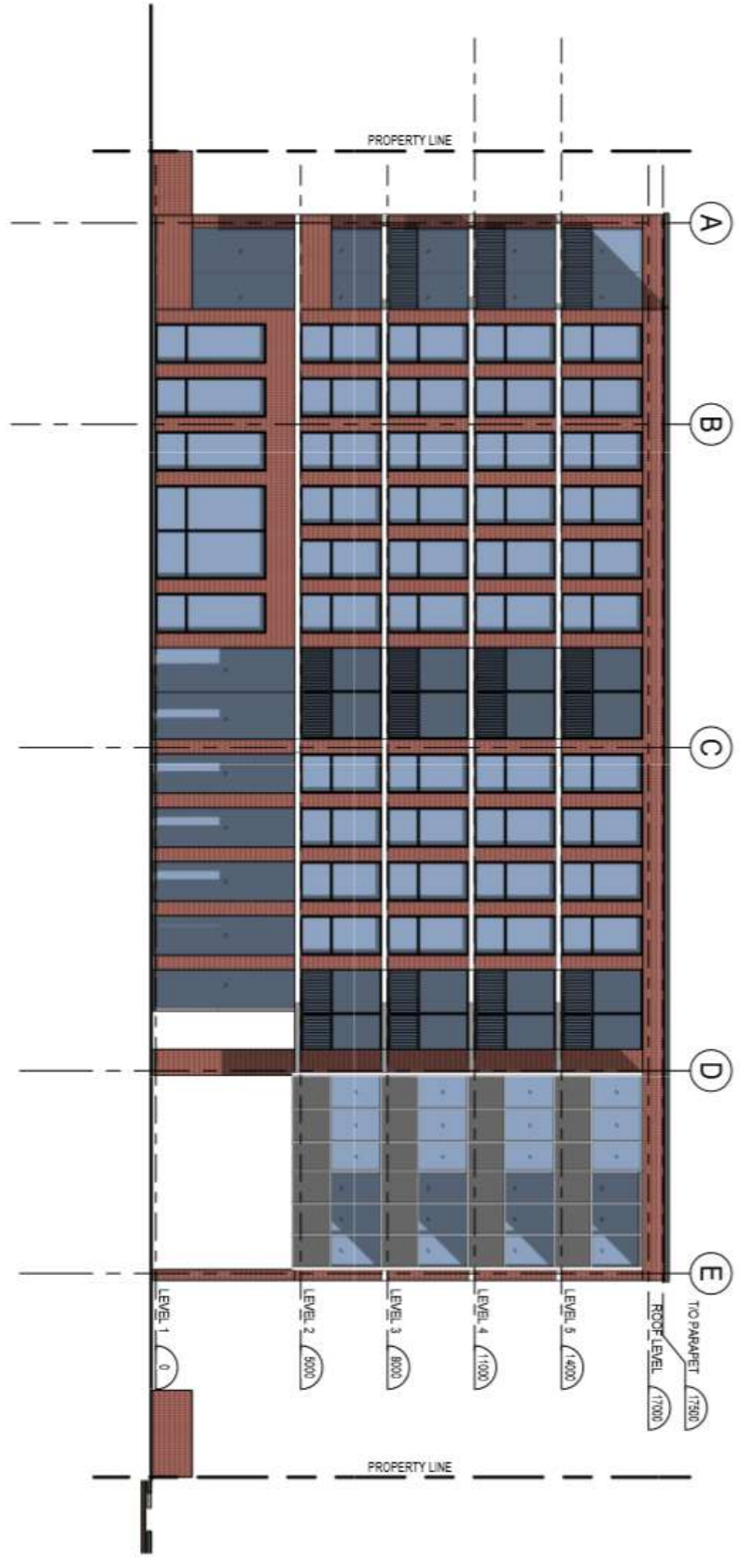


Project No. 18-52
Scale 1 : 250
Drawn By Designer

Date Aug 2019
Dwg. No. L1

Starhomes Ltd. Commissioners Road Development

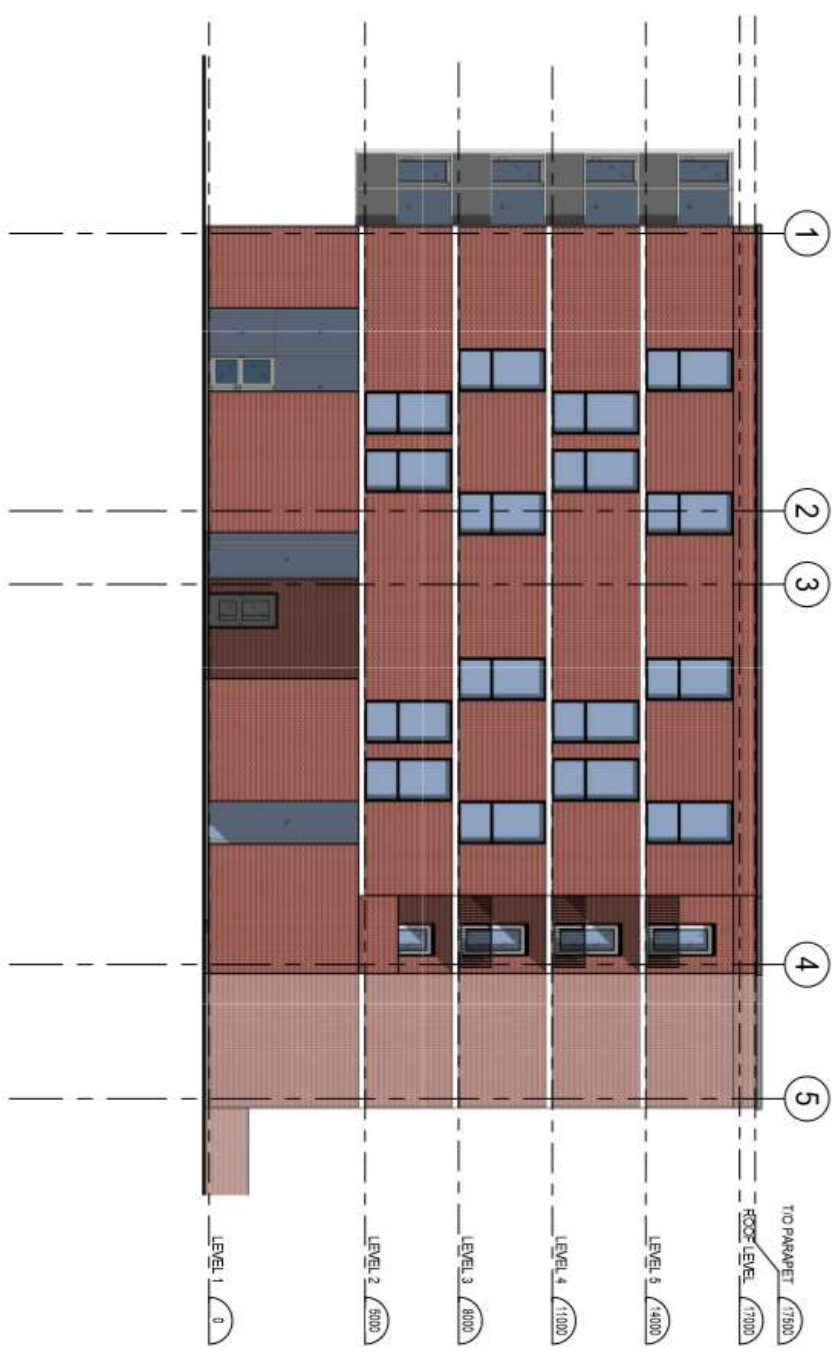
SOUTH ELEVATION



Project No.	18-52	Date	Aug 2019
Scale	1 : 150	Dwg. No.	A6
Drawn By	EW		

Starhomes Ltd. Commissioners Road Development

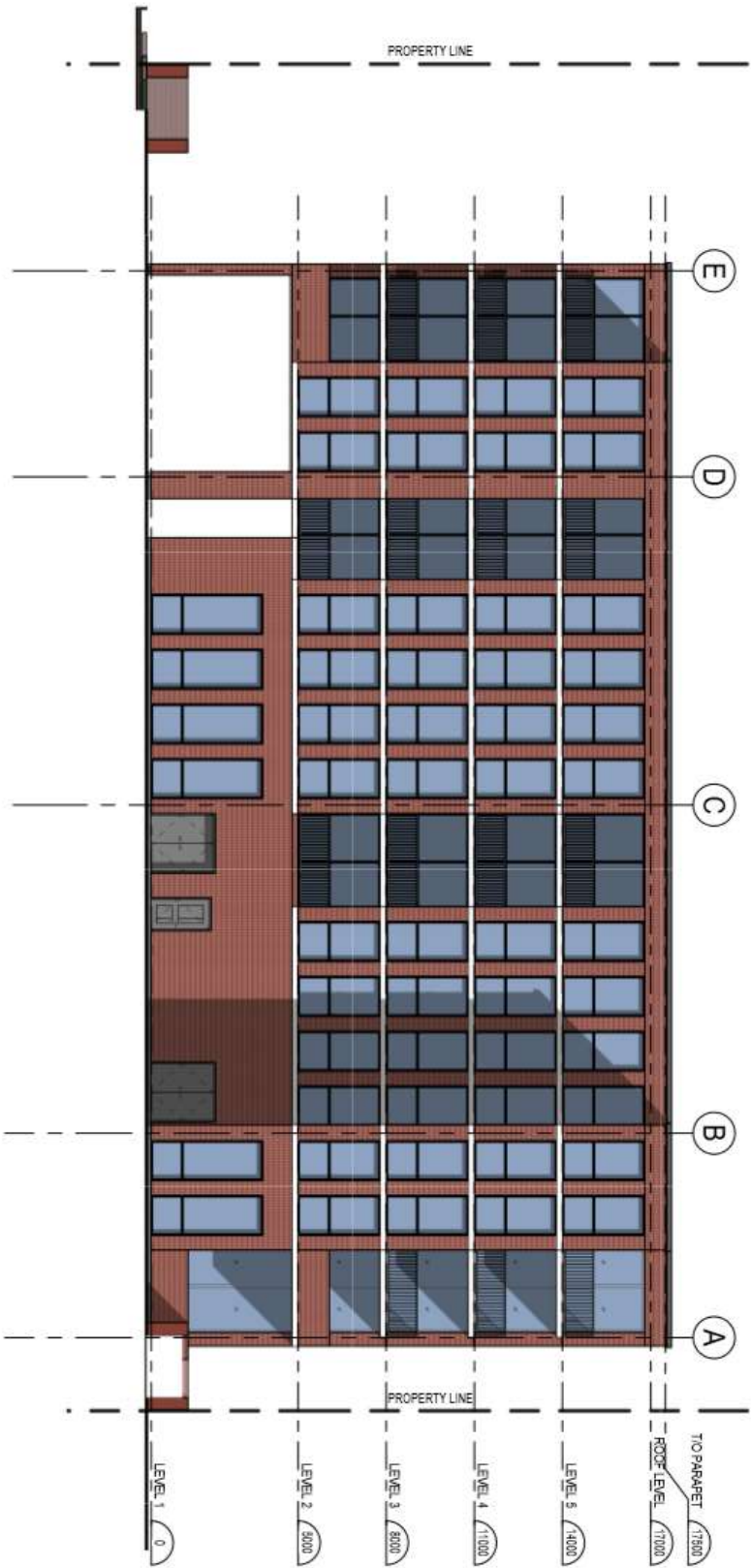
EAST ELEVATION



Project No.	18-52	Date	AUG 2019
Scale	1 : 150	Dwg. No.	A7
Drawn By	EW		

Starhomes Ltd. Commissioners Road Development

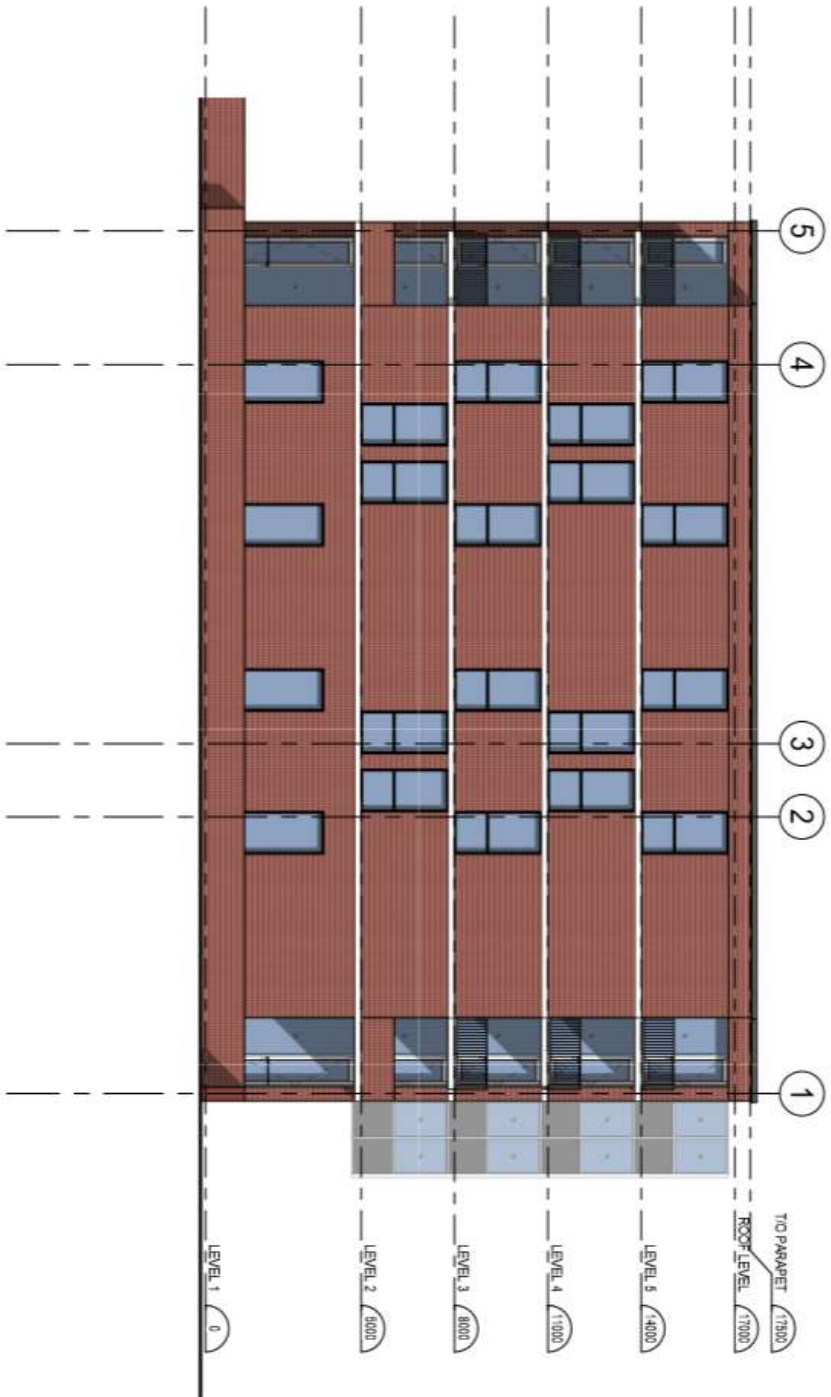
NORTH ELEVATION



Project No. 18-52	Date Aug 2019
Scale 1:150	Dwg. No. A8
Drawn By EIW	

Starhomes Ltd. Commissioners Road Development

WEST ELEVATION



Project No.	18-52	Date	Aug 2019
Scale	1 : 150	DWG No.	A9
Drawn By	EW		

PUBLIC PARTICIPATION MEETING COMMENTS

3.4 PUBLIC PARTICIPATION MEETING – Application – 1339-1347 Commissioners Road West (Z-9081/O-9082)

- Harry Froussios, Zelinka Priamo Limited, on behalf of the applicant – discussing tonight's application, he will not have much to say; reiterating much of what was said by staff; thanking staff for their efforts in working with their client to bring this recommendation forward this evening; thanking the neighbours who came to the public open house on June 26, 2019 and provided their comments; approval of this application will facilitate the construction of a five storey building containing thirty-four units within an area that is surrounded by both low and medium-density residential as well as institutional and commercial uses; subsequent to the open house where they heard some comments they did make some revisions which Ms. B. Debbert, Senior Planner, went through, they moved the building closer to the existing five storey building to the west to open up that east and north side of the property to allow for more opportunities for landscaping and buffering which they believe will address the comments principally that were provided by the neighbouring residents; the proposed development will be bonused for affordable housing as well as exceptional design; adding that the additional request from the Housing Development Corporation was to provide two two-bedroom units and one one-bedroom unit and their client agreed to an extra bedroom to provide the three two-bedroom units and that gesture does warrant some acknowledgement in his opinion; expressing support for the staff recommendation before the Planning and Environment Committee this evening.
- Brian Nuttall, 8-1337 Commissioners Road West – See attached presentation.

London City Planning Committee - Date: October 7, 2019

RE: Proposed Official Plan and Zoning Amendments for 1339-1347 Commissioners Rd, in the treed community known affectionately as Byron.

My name is Brian Nuttall, I am a native Londoner, 'Byronite' and Media Professor at Fanshawe College in London. It is my privilege to address the committee on behalf of the Byron Woods Community at 1337 Commissioners Rd W (Byron), adjacent to the proposed development at 1339-1347 Commissioners Rd W. We wish to express at the outset, that we are not opposed to development on this property. We appreciate the opportunity to identify (4) areas of concern, prepared with our understanding of the 1989 Official Plan, the London Plan and Zoning By-laws. **The scale of the proposed development - a 5 -storey structure, traffic safety, tree preservation and the environment, and privacy** will be addressed.

I'll begin with the building's size and quote from the application details on the Public Meeting Notice. It reads "normally, height limitations will not exceed **4- storeys** and density will generally not exceed 75 units per hectare with provision for up to 100 units per hectare with bonusing." After careful review of the design plan, we agree with the Official Plan that the proposed building is **too large for this small parcel of land**.

Point 2. Traffic safety. The proposed apartment building's entry/exit point is immediately adjacent to or parallel to the entry point to the Byron Woods community with minimal separation. A left turn lane on Commissioners Rd is already in place for Byron Wood's residents. The position of the proposed building's entrance and exit parallel to and dangerously close to the Byron Woods driveway will create a **traffic hazard**. It could become a dangerous game of 'who goes first'. The position of the building's entrance also extends to issues surrounding the turning radius for larger vehicles due to the reduction in width of the underground parking lanes on the site. I do want to acknowledge that the residents of Byron, particularly along Commissioners Rd W, and those with children attending Byron Northview – appreciate your approval of the **newly installed signal crossing**, near Stephen Street. Thank you.

.....2 RE: Proposed Official Plan and Zoning Amendments for the 1339-1347 Commissioners Rd, the treed community known affectionately as Byron.

The City of London Official Plan includes the following....'to encourage infill residential development in residential areas where existing land uses are not adversely affected', again 'where existing land uses are not adversely affected'.

This speaks to our 3rd area of concern. **Trees and the Environment.** London City Council's Strategic Policy states and I quote...'a cohesive landscape design should demonstrate how existing trees are protected and proposed landscape design integrates this project into its context with the community and adjacent 'natural' environment essential for our prosperity, sustainability and quality of life..' At this location, there are many mature trees, some I call 'big old London trees' that stand 40' feet and higher. Given the plans for the underground parking, these trees will be eliminated. The proposed design does not include plans to replace these mature trees, and in all likelihood, it wouldn't be possible.

We all understand the many benefits of trees, for their beauty, natural sound absorption, sanctuaries for birds and other natural wildlife, shade, air quality and privacy which I will expand on shortly. The current design plan for this apartment building is not only contrary to our city's initiatives vis a vis retaining our natural gems but verbiage in the **Thames Valley Corridor Plan** with recommendations that **more emphasis is needed to protect our natural heritage rather than allowing infrastructure, residential encroachment,** lack of stewardship and fragmentation to occur.

This morphs nicely into the 4th area of concern. **Privacy**. The development of a 5-storey apartment building will overlook 17 units of one-storey condominium townhomes. The condominium resident's 'open view', will be a very large building. The current screen of tall trees discussed earlier will be gone. Only a wooden fence will then separate the two properties. There really is **an essential need for natural, tall buffering**, to minimize noise and lighting spillover due to the proposed underground entry point on the other side of the fence and to maximize privacy for those in the condominiums directly to the north and east of this proposed building.

There has to be a fair balance with the quality of life for those most affected by a wholesale change to their homes' outlook and surroundings, and your mandate to create infill residences, residential or otherwise and affordable housing. We salute the city planners who have taken like comments under advisement.

To recap, our 4 areas of concern include the scale of the proposed building, traffic safety, trees and the environment and privacy.

We appreciate your time on this matter and thank you for considering these areas of concern.

Brian Nuttall, 1337 Commissioners Rd W – Unit 8



Chair and Members of the Planning and Environment Committee,

As you are aware, Downtown London, consisting of the London Downtown Business Association (LDBA) and MainStreet have completed a governance review, and the following changes were voted on and accepted by the board. We would like you to consider the following amendments to CP-2 and would request the changes made in a timely manner.

Thank you for your consideration.

Item 1:

Current Wording:

4.1 The Board of Management shall consist of nine (9) directors as follows:

- (a) at least one director appointed by Council; and
- (b) the remaining directors selected by a vote of the Members and then appointed by Council.

Suggested Wording:

4.1 The Board of Management shall consist of not less than nine (9) and not more than thirteen (13) directors as follows:

- (a) at least one director appointed by Council; and
- (b) the remaining directors selected by a vote of the Members and then appointed by Council.

Rationale:

In creating a by-law for all BIA's in the City of London, it is important that we give them the flexibility to adjust board size as needed. Larger BIA's, such as the LDBA require a higher number to ensure the districts and neighbourhoods within the boundary are fully represented.

Item 2:

Current Wording:

8.0 Meetings of Members

8.6 A majority of the Members constitutes a quorum at any meeting of the Members.

Suggested Wording:

8.0 Meetings of Members

8.6 The Members present shall constitute a quorum at any meeting of the Members.



Rationale:

The current by-law is open to interpretation. It could be assumed that a meeting of the membership requires half of the total membership in order to carry out the business of the organization, which is difficult and unattainable. It is important that meetings allow the LDBA to carry out the business of the association with the members who are present at that time.

Thank you for the opportunity of addressing these concerns. On behalf of the board of the LDBA, we appreciate your time and consideration.

Regards

A handwritten signature in purple ink, appearing to read "Gerald Gallacher", is written over a faint, light purple watermark of the same signature.

Gerald Gallacher
Chair of the Board LDBA