

Agenda

Planning and Environment Committee

The 19th Meeting of the Planning and Environment Committee

November 4, 2019, 4:00 PM

Council Chambers

Members

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

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

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2. Consent	
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3. Scheduled Items

- 3.1 Not to be heard before 4:00 PM - Delegation - S. Levin, Chair, Environmental and Ecological Planning Advisory Committee - 12th Report of the Environmental and Ecological Planning Advisory Committee 157
- 3.2 Not to be heard before 4:00 PM - Delegation - R. Sidhu, Executive Director, Argyle Business Improvement Area (BIA) - Comprehensive Community Regeneration Study Request - Argyle BIA and Surrounding Area 177
- 3.3 Not to be heard before 4:00 PM - Public Participation Meeting - Application - 1875 Wharncliffe Road South (OZ-9073) 178
- 3.4 Not to be heard before 4:00 PM - Public Participation Meeting - Application - 2497-2591 Bradley Avenue (OZ-8679) 205
- 3.5 Not to be heard before 4:00 PM - Public Participation Meeting - 3427 Paulpeel Avenue (Z-9094) 227
- 3.6 Not to be heard before 4:00 PM - Public Participation Meeting - Application - 3260 Singleton Avenue 39CD-19513 242

4. Items for Direction

5. Deferred Matters/Additional Business

6. Adjournment

Trees and Forests Advisory Committee

Report

The 10th Meeting of the Trees and Forests Advisory Committee
October 23, 2019
Committee Room #4

Attendance PRESENT: M. Demand, A. Hames, J. Kogelheide, A. Valastro;
and D. Turner (Clerk)

REGRETS: A. Cantell, R. Mannella, A. Morrison and A.
Thompson

ALSO PRESENT: S. Rowland and R. Walker

The meeting stood adjourned at 12:45 PM, due to lack of
quorum.

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Holding Provision Removal
Sifton Properties Limited
1031 and 1095 Upperpoint Avenue

Meeting on: November 4, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following action be taken with respect to the application of Sifton Properties Limited relating to portions of the properties located at 1031 and 1095 Upperpoint Avenue, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on November 4, 2019 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the lands **FROM** a Holding Residential R4/R5/R6/R8 Special Provision (h*h-54*h-209*R4-6(11)R5-7(9)/R6-5(61)/R8-4(35)), and Holding Residential R4/R5/R6/R9 Special Provision (h*h-54*h-209*R4-6(11)R5-7(9)/R6-5(65)/R9-7(26)*H40) Zone **TO** Residential R4/R5/R6/R8 Special Provision (R4-6(11)R5-7(9)/R6-5(61)/R8-4(35)) and Residential R4/R5/R6/R9 Special Provision (R4-6(11)R5-7(9)/R6-5(61)/R9-7(26)*H40) Zone to remove the holding provisions for portions of these lands.

Executive Summary

Summary of Request

The applicant has requested the removal of the "h*h-54-h-209" holding provisions from portions of 955 and 955 Upperpoint Avenue, which are in place to ensure: *the orderly development of lands and the adequate provision of municipal services, that there are no land use conflicts between arterial roads the proposed residential use, and to encourage building orientation towards public streets and public spaces.*

Purpose and the Effect of Recommended Action

The purpose and effect is to remove the "h", "h-54" and "h-209" holding symbols to facilitate the development of street townhouse dwellings.

Rationale of Recommended Action

The requirements for removing the holding provisions have been met, and the Approval Authority has confirmed that no further work is required. It is appropriate to remove the holding provisions as they are no longer required for the portions of these Blocks that are to be developed as Street Townhouses. The h., h-54 and h-209 holding provisions will be retained for the balance of the site.

Analysis

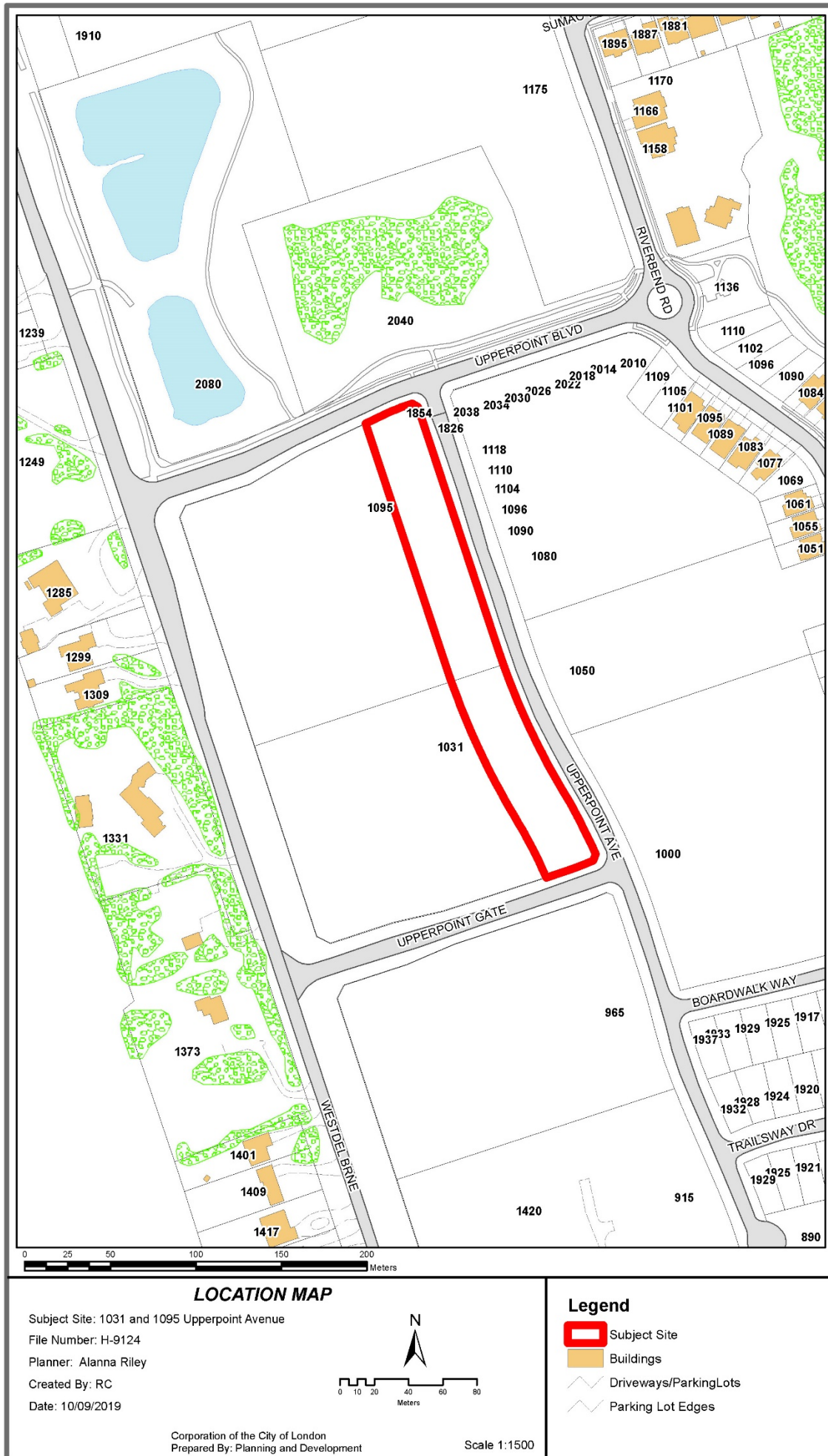
1.0 Site at a Glance

1.1 Property Description

The subject site is located off of Upperpoint Avenue, which is generally located southeast of Oxford Street West and Westdel Bourne. The site has a mix of high and medium density residential located to the north, existing estate residential to the west, low density residential to the east, and future residential to the south. The site has

proximity to Hickory Woods Park, the Warbler Woods ESA, Bryon Woods Montessori Private School and Byron Northview Public School.

1.2 Location Map



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

- The London Plan Place Type – Neighbourhoods Place Type
- (1989) Official Plan Designation – Multi-Family, Medium Density Residential
- Existing Zoning – Holding Residential R4/R5/R6/R8 Special Provision (h*h-54*h-209*R4-6(11)R5-7(9)/R6-5(61)/R8-4(35)) and Holding Residential R4/R5/R6/R9 Special Provision (h*h-54*h-209*R4-6(11)R5-7(9)/R6-5(61)/R9-7(26)*H40) which permits street townhouse dwellings.

1.4 Site Characteristics

- Current Land Use – vacant
- Frontage – N/A
- Area – N/A
- Shape – irregular

1.5 Surrounding Land Uses

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

2.0 Description of Proposal

2.1 Development Proposal

The development for consideration is thirty-six (36) street townhouse units, two storeys in height with access off of Upperpoint Avenue.

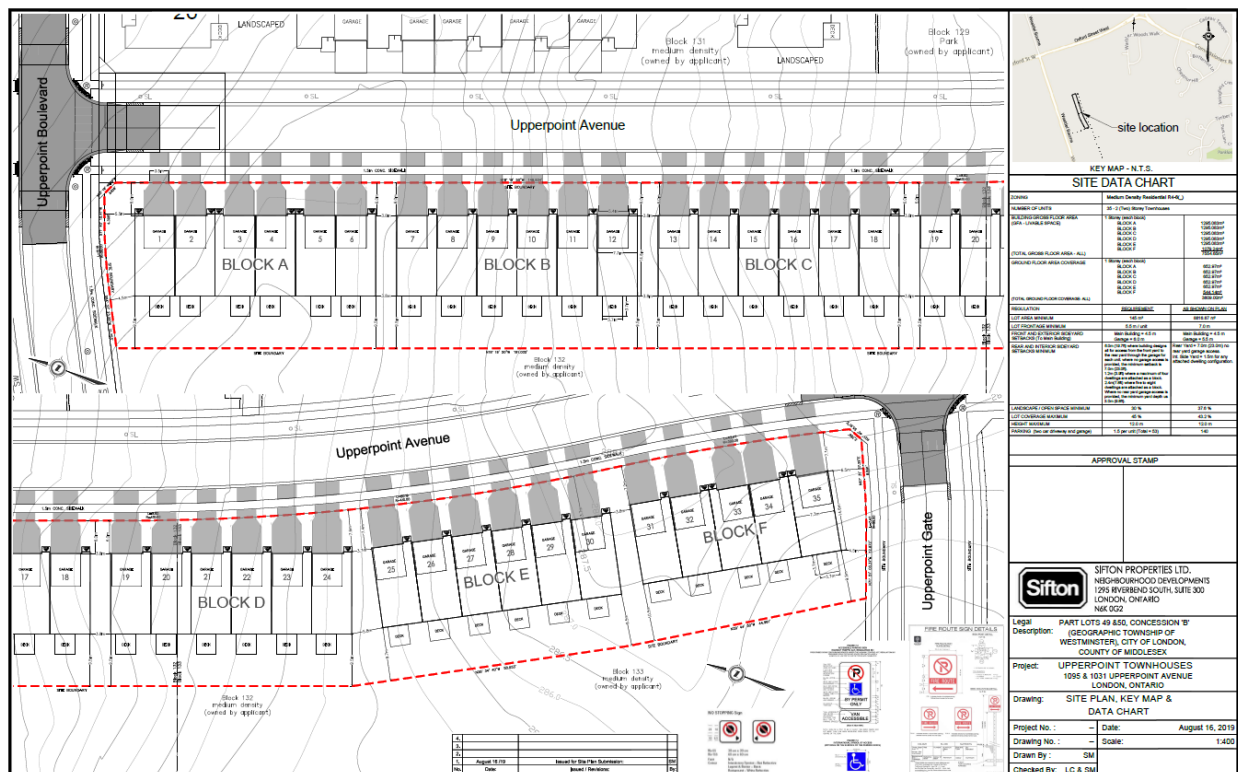


Figure 1: Conceptual Site Plan

An application for Site Plan Approval (SP19-094) has been made. The site plan submission, including servicing, grading, landscaping, and building elevation plans, are approaching acceptance by the City.

3.0 Relevant Background

3.1 Planning History

On October 24, 2018, the City of London Approval Authority granted final approval and the subdivision was registered as Plan 33M-754 on November 2, 2018. The final plan consisted of 128 single detached residential lots, four (4) medium density residential blocks, one (1) high density residential block, one (1) school block, three (3) park blocks, one (1) open space block, one (1) walkway block, two (2) secondary collector roads, and seven (7) local streets.

On September 17, 2019 Municipal Council passed a Zoning By-law amendment to add a Residential R4 Special Provision (R4-6(11)) Zone to permit street townhouse dwellings along with special provisions for lot frontage, front yard setbacks for the main dwellings and garages, and building height.

3.2 Requested Amendment

The applicant is requesting the removal of the “h”, “h-54” and “h-209” holding provisions from the site to allow for the development of thirty-six (36) street townhomes.

3.3 Community Engagement

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

3.4 Policy Context

The Planning Act permits the use of holding provisions to restrict future uses until conditions for removing the holding provision are met. To use this tool, a municipality must have approved Official Plan policies related to its use, a municipal council must pass a zoning by-law with holding provisions, an application must be made to council for an amendment to the by-law to remove the holding symbol, and council must make a decision on the application within 150 days to remove the holding provision(s). The London Plan and the 1989 Official Plan contain policies with respect to holding provisions including the process, and notification and removal procedures.

4.0 Key Issues and Considerations

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

h - 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 execution of the development agreement combined with the submission of the required security, adequately satisfies the requirements of this holding provision. It is appropriate to remove this holding provision at this time for the portions of these Blocks that are to be developed as Street Townhouses. The h. holding provision will be retained for the balance of the site.

h-54 Purpose: To ensure there are no land use conflicts between arterial roads and the proposed residential uses, the h-54 shall not be deleted until the owner agrees to implement all noise attenuation measures, recommended in noise assessment reports acceptable to the City of London.

Development Services staff have confirmed a Noise Impact Study is not required as the location of the proposed site plan is not directly adjacent to an arterial road. On this basis, the provision has been satisfied for the portions of these Blocks that are to be developed as Street Townhouses. The h-54 holding provisions will be retained for the balance of the site.

h-209 Purpose: To encourage building orientation towards public streets and public spaces, a site plan shall be approved and a development agreement shall be entered into which ensures that future development of the lands complies with the urban design policies identified in the Riverbend South Secondary Plan, to the satisfaction of the City of London prior to the removal of the h-209 symbol.

In an effort to meet the design objectives of the Riverbend South Community Plan, attention was given to ensure that all buildings adjacent to the street are designed and oriented to the street. The accepted plans provide architectural features that includes porches, entrances, windows, rooflines and enhanced landscaping around the porches that achieve an appearance of front orientation to the street, consistent with the intent of the Riverbend South Community Plan.

An acceptable level of building design and orientation to the street in accordance with the h- 209 provision has been provided with the accepted Site Plan and executed Development Agreement. As a result Development Services is satisfied and can recommend the lifting of the h-209 holding provision for the portions of these Blocks that are to be developed as Street Townhouses. The h-209 holding provisions will be retained for the balance of the site.

5.0 Conclusion

In the opinion of Staff, the holding zone requirements have been satisfied and it is appropriate to remove the holding provisions to allow the zoning to come into force for the portions of these Blocks that are to be developed as Street Townhouses. The h., h-54 and h-209 holding provisions will be retained for the balance of the site.

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	

October 28, 2019

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

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Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2019\H-9124 - 1031 and 1095 Upperpoint Avenue (AR)\1031 and 1095 Upperpoint H-9124 (AR).docx

Appendix A

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

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

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for portions of the lands located at 1031 and 1095 Upperpoint Avenue.

WHEREAS Sifton Properties Limited has applied to remove the holding provisions from the zoning for portions of the lands located at 1031 and 1095 Upperpoint Avenue, as shown on the map attached to this by-law, as set out below;

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

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to portions of the lands located at 1031 and 1095 Upperpoint Avenue, as shown on the attached map, to remove the holding provisions so that the zoning of the lands as a Residential R4/R5/R6/R8 Special Provision (R4-6(11)R5-7(9)/R6-5(61)/R8-4(35)) and Residential R4/R5/R6/R9 Special Provision (R4-6(11)R5-7(9)/R6-5(61)/R9-7(26)*H40) Zone comes into effect.

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

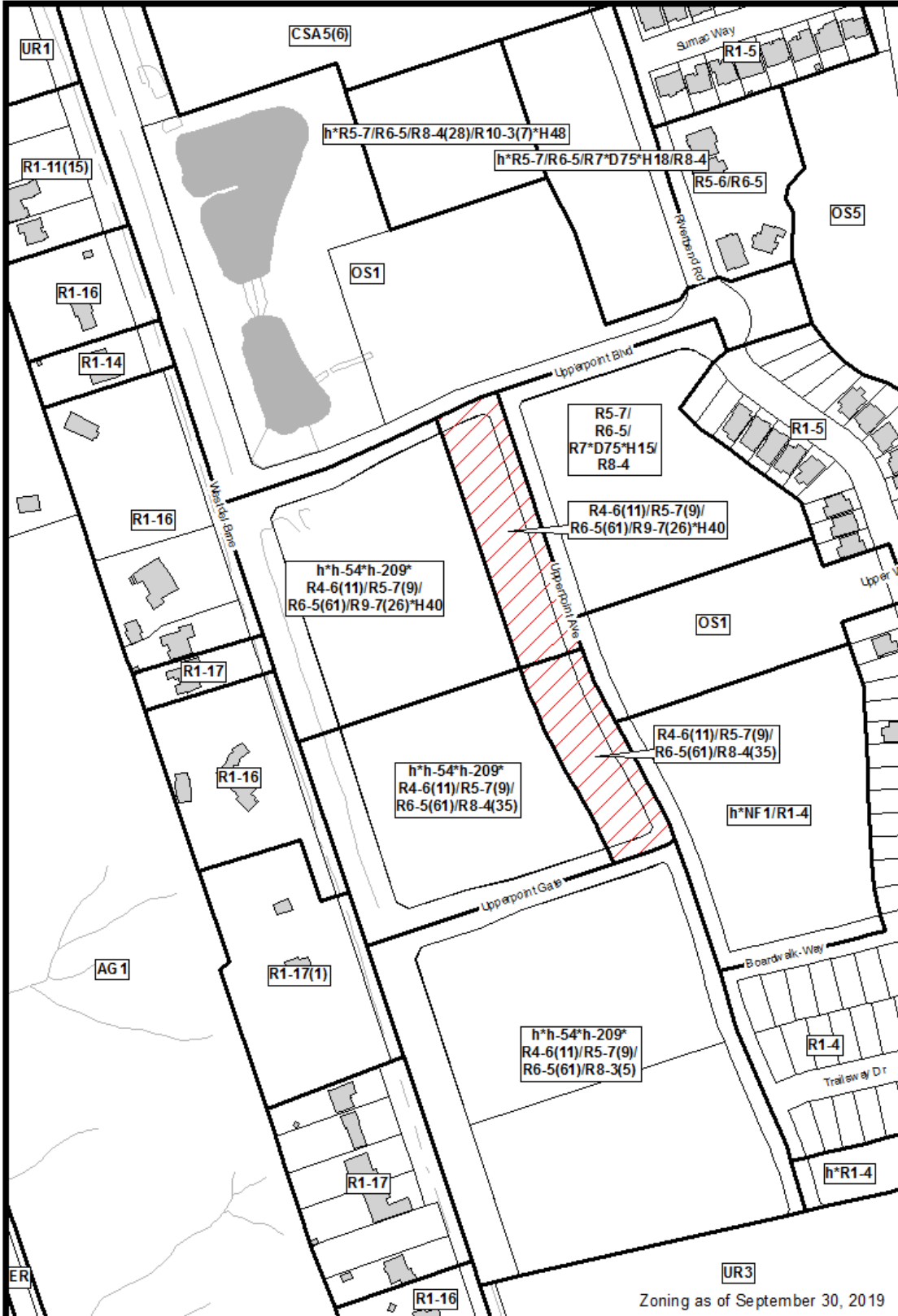
PASSED in Open Council on November 12, 2019.

Ed Holder
Mayor


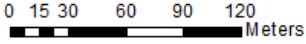

Catharine Saunders
City Clerk

First Reading – November 12, 2019
Second Reading – November 12, 2019
Third Reading – November 12, 2019

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



Zoning as of September 30, 2019

<p>File Number: H-9124 Planner: AR Date Prepared: 2019/10/25 Technician: RC By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:3,000</p> <p></p> <p></p>
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Geocubes

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Exemption from Part-Lot Control
Application By: Sifton Properties Ltd.
Address: 1031 and 1095 Upperpoint Avenue

Meeting on: November 4, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Sifton Properties Limited to exempt Blocks 132/133, Plan 33M-754 from Part-Lot Control:

- (a) Pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, the attached proposed by-law **BE INTRODUCED** at a future Council meeting, to exempt Block 132/133, Plan 33M-754 from the Part-Lot Control provisions of subsection 50(5) of the said *Act*, **IT BEING NOTED** that these lands are subject to a registered subdivision agreement and are zoned Holding Residential R4/R5/R6/R8 Special Provision (h*h-54*h-209*R4-6(11)R5-7(9)/R6-5(65)/R8-4(35)) and Holding Residential R4/R5/R6/R9 Special Provision (h*h-54*h-209*R4-6(11)R5-7(9)/R6-5(65)/R9-7(26)*H40) which permits street townhouse dwellings;
- (b) The following conditions of approval **BE REQUIRED** to be completed prior to the passage of a Part-Lot Control By-law for Blocks 132/133, Plan 33M-754 as noted in clause (a) above:
 - i. The applicant be advised that the costs of registration of the said by-laws are to be borne by the applicant in accordance with City Policy;
 - ii. The applicant submit a draft reference plan to Development Services for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the land registry office;
 - iii. The applicant submits to Development Services a digital copy together with a hard copy of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;
 - iv. The applicant submit each draft reference plan to London Hydro showing driveway locations and obtain approval for hydro servicing locations and above ground hydro equipment locations prior to the reference plan being deposited in the land registry office;
 - v. The applicant submit to the City Engineer for review and approval prior to the reference plan being deposited in the land registry office any revised lot grading and servicing plans in accordance with the final lot layout to divide the blocks should there be further division of property contemplated as a result of the approval of the reference plan;
 - vi. The applicant shall enter into any amending subdivision agreement with the City, if necessary;
 - vii. The applicant shall agree to construct all services, including private drain

connections and water services, in accordance with the approved final design of the lots;

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

Executive Summary

Summary of Request

This report is for review and endorsement by Municipal Council to exempt Blocks 132/133 in Registered Plan 33M-754 from the Part-Lot Control provisions of the *Planning Act*.

Purpose and Effect of Recommended Action

Exemption from Part-Lot Control will facilitate the creation of thirty-six (36) street townhouse units, with access provided via Upperpoint Avenue.

Rationale for Recommended Action

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

Analysis

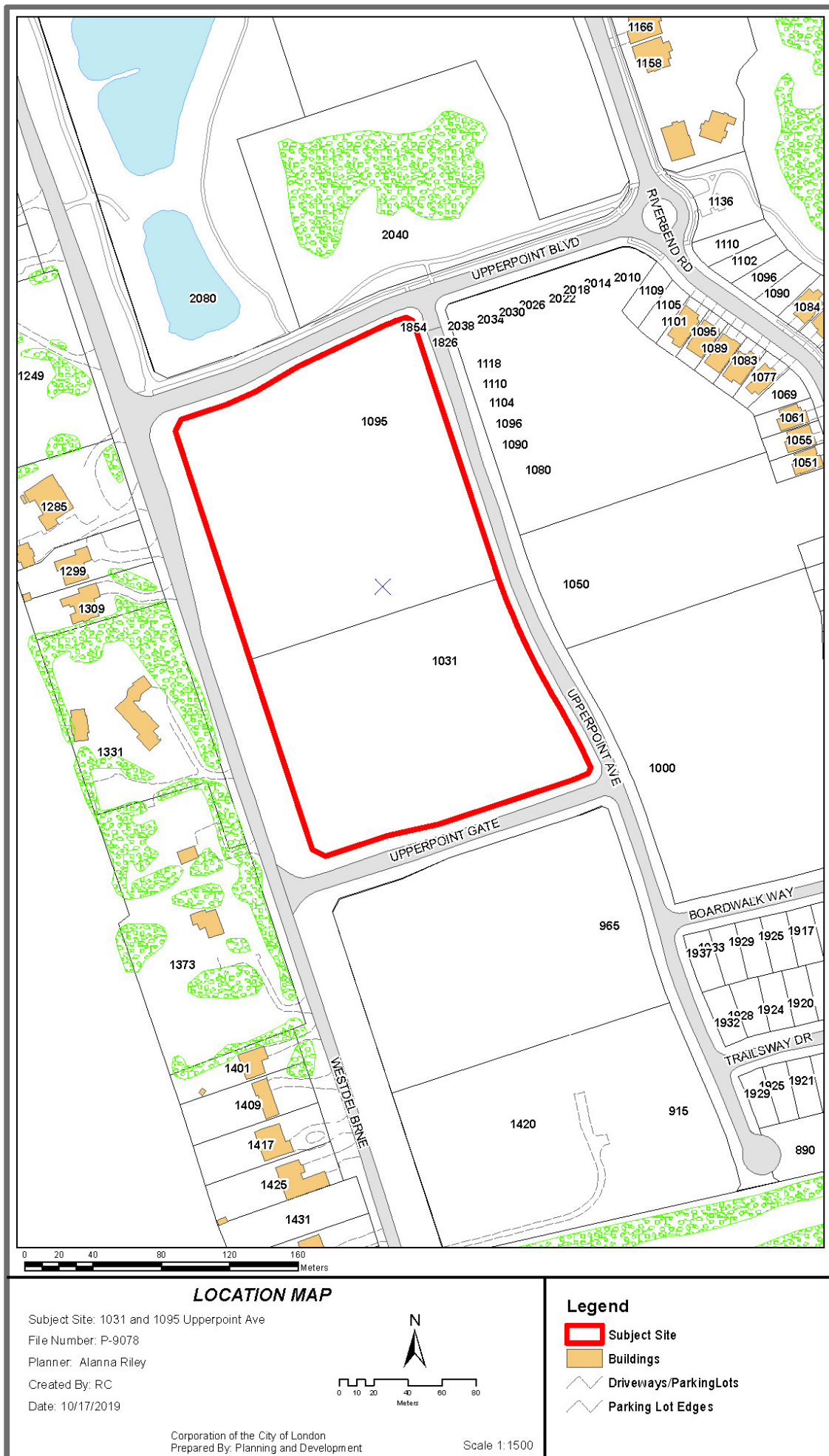
1.0 Property Description

The subject site is located off of Upperpoint Avenue, which is generally located southeast of Oxford Street West and Westdel Bourne. The site has a mix of high and medium density residential located to the north, existing estate residential to the west, low density residential to the east, and future residential to the south. The site has proximity to Hickory Woods Park, the Warbler Woods ESA, Bryon Woods Montessori Private School and Byron Northview Public School.

1.1 Current Planning Information

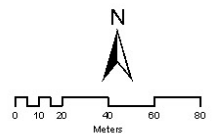
- The London Plan Place Type – Neighbourhoods Place Type
- (1989) Official Plan Designation – Multi-Family, Medium Density Residential
- Existing Zoning – Holding Residential R4/R5/R6/R8 Special Provision (h*h-54*h-209*R4-6(11)R5-7(9)/R6-5(65)/R8-4(35)) and Holding Residential R4/R5/R6/R9 Special Provision (h*h-54*h-209*R4-6(11)R5-7(9)/R6-5(65)/R9-7(26)*H40) which permits street townhouse dwellings.

1.2 Location Map



LOCATION MAP

Subject Site: 1031 and 1095 Upperpoint Ave
 File Number: P-9078
 Planner: Alanna Riley
 Created By: RC
 Date: 10/17/2019



Legend

- Subject Site
- Buildings
- Driveways/ParkingLots
- Parking Lot Edges

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

Scale 1:1500

1.4 Site Characteristics

- Current Land Use – vacant
- Frontage – N/A
- Area – N/A
- Shape – irregular

1.5 Surrounding Land Uses

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

2.0 Description of Proposal

2.1 Development Proposal

The Applicant, Sifton Properties Ltd., has requested exemption from part-lot control to create a total of thirty-six (36) street townhouse units. The plan of subdivision was registered in November of 2018 as a multi-family, medium density residential block. The dwellings will be street townhouse units, two storeys in height with access off of Upperpoint Avenue.

3.0 Relevant Background

3.1 Planning History

On October 24, 2018, the City of London Approval Authority granted final approval and the subdivision was registered as Plan 33M-754 on November 2, 2018. The final plan consisted of 128 single detached residential lots, four (4) medium density residential blocks, one (1) high density residential block, one (1) school block, three (3) park blocks, one (1) open space block, one (1) walkway block, two (2) secondary collector roads, and seven (7) local streets.

On September 17, 2019 Municipal Council passed a Zoning By-law amendment to add a Residential R4 Special Provision (R4-6(11)) Zone to permit street townhouse dwellings along with special provisions for lot frontage, front yard setbacks for the main dwellings and garages, and building height.

3.2 Community Engagement

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

3.3 Policy Context

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

Exemption from part-lot control is used to create street townhouse units. Part-Lot Control may be exempted to allow a property owner to legally divide a block within their registered plan of subdivision.

4.0 Key Issues and Considerations

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

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

The lands are zoned to permit street townhouse dwellings with a minimum lot frontage of 7.0 metres, a minimum front and exterior yard of 3.0 metres, a minimum side yard depth of 1.5 metres, a maximum height of 13 metres, garages that shall not project beyond the façade of the main dwelling or façade of any porch and a minimum dwelling setback from a high pressure pipeline of 20 metres. The applicant will be required to submit a draft reference plan to Development Services for review and approval to ensure the proposed lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the Land Registry Office.

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

The subject block was registered and intended to be developed for street townhouse units at the time of the subdivision approval. The division of individual units are appropriate through part-lot control.

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

This request is consistent with the intended use of the block as established through the plan of subdivision and recent zoning zoning by-law amendment (Z-9057). The development of the site units is consistent with the development in the area.

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

The exemption of part lot control creates thirty-six (36) street townhouse units requiring separate and individual land divisions to create the interests in land.

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

The subject lands are within the Neighbourhoods Place Type in The London Plan and designated Multi-Family, Medium Density Residential in the (1989) Official Plan, which permits street townhouse dwellings. The proposal will facilitate the development of the parcel in accordance with the form of development established at the time of subdivision approval. The proposed lots will not result in any traffic problems and will have access to municipal services and utilities. Access will be provided off of Upperpoint Avenue.

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

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

The applicant has requested exemption from Part-Lot Control as an alternative to submitting an application through the Consent Authority. The applicant requested exemption from the Part-Lot Control provisions of the *Planning Act* to facilitate the creation of thirty-six (36) street townhouse units. The proposed plan has been reviewed with regards to the City's Policy on Exemption from Part-Lot Control, the 1989 Official Plan, The London Plan and the applicable zoning, and has been determined to meet existing policies and the City's Zoning By-law.

4.1 Conditions

It is recommended that the following conditions be applied and that the By-law for Blocks 132/133 in Plan 33M-754 be passed at a future meeting of Municipal Council only when the following conditions have been complied with:

- i. The applicant be advised that the costs of registration of the said by-laws are to be borne by the applicant in accordance with City Policy;
- ii. The applicant submit a draft reference plan to Development Services for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the land registry office;
- iii. The applicant submits to Development Services a digital copy together with a hard copy of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;
- iv. The applicant submit each draft reference plan to London Hydro showing driveway locations and obtain approval for hydro servicing locations and above ground hydro equipment locations prior to the reference plan being deposited in the land registry office;
- v. The applicant submit to the City Engineer for review and approval prior to the reference plan being deposited in the land registry office any revised lot grading and servicing plans in accordance with the final lot layout to divide the blocks should there be further division of property contemplated as a result of the approval of the reference plan;
- vi. The applicant shall enter into any amending subdivision agreement with the City, if necessary;
- vii. The applicant shall agree to construct all services, including private drain connections and water services, in accordance with the approved final design of the lots;
- viii. The applicant shall obtain confirmation from Development Services that the assignment of municipal numbering has been completed in accordance with the reference plan(s) to be deposited, should there be further division of property contemplated as a result of the approval of the reference plan prior to the reference plan being deposited in the land registry office;
- ix. The applicant shall obtain approval from Development Services of each reference plan to be registered prior to the reference plan being registered in the land registry office;
- x. The applicant shall submit to Development Services confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;
- xi. The applicant shall obtain clearance from the City Engineer that requirements iv), v) and vi) inclusive, outlined above, are satisfactorily completed, prior to any

issuance of building permits by the Chief Building Official for lots being developed in any future reference plan;

- xii. The applicant shall provide a draft transfer of the easements to be registered on title; and
- xiii. That on notice from the applicant that a reference plan has been registered on a Block, and that Part Lot Control be re-established by the repeal of the bylaw affecting the Lots/Block in question.

5.0 Conclusion

In accordance with the provisions of the *Planning Act*, Municipal Council may pass by-laws to exempt all, or parts of registered plans of subdivision from part-lot control. The applicant has requested exemption from the Part-Lot Control provisions of the *Planning Act* to facilitate the creation of thirty-six (36) street townhouse units, with access off Upperpoint Avenue, which is appropriate to allow for the sale of these units to future homeowners. The recommended exemption is considered appropriate and in keeping with the registered phases of the subdivision, subject to the completion of the proposed conditions.

Prepared by:	Alanna Riley, MCIP, RPP Senior Planner, Development Services
Recommended by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

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

October 15, 2019

AR/ar

Y:\Shared\ADMIN\1- PEC Reports\2019 PEC Reports\17- November 4\1031 and 1095 Upperpoint Ave P-9078 (AR).docx

Appendix A

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

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

A by-law to exempt from Part-Lot Control, lands located at 1031 and 1095 Upperpoint Avenue legally described as Block 132/133 in Registered Plan 33M-754.

WHEREAS pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P. 13*, as amended, and pursuant to the request from Sifton Properties Ltd. it is expedient to exempt lands located at 1031 and 1095 Upperpoint Avenue, legally described as Block 132/133 in Registered Plan 33M-754, from Part Lot Control;

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

1. Blocks 132/133 in Registered Plan 33M-754, located at 1031 and 1095 Upperpoint Avenue, are hereby exempted from Part-Lot Control, pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c.P. 13*, as amended, for a period not to exceed three (3) years; it being noted that these lands are zoned to permit street townhouse units in conformity with the Holding Residential R4/R5/R6/R8 Special Provision (h*h-54*h-209*R4-6(11)R5-7(9)/R6-5(65)/R8-4(35)) and Holding Residential R4/R5/R6/R9 Special Provision (h*h-54*h-209*R4-6(11)R5-7(9)/R6-5(65)/R9-7(26)*H40) Zone which permits street townhouse dwellings of the City of London Zoning By-law No. Z-1.
2. This by-law comes into force when it is registered at the Land Registry Office.

PASSED in Open Council on

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading –
Second Reading –
Third Reading –

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Holding Provision Removal
Sifton Properties Limited
915 and 955 Upperpoint Avenue

Meeting on: November 4, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following action be taken with respect to the application of Sifton Properties Limited relating to a portion the properties located at 915 and 955 Upperpoint Avenue, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on November 4, 2019 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the lands **FROM** a Holding Residential R4/R5/R6/R8 Special Provision (h*h-54*h-209*R4-6(11)R5-7(9)/R6-5(61)/R8-3(5)) Zone **TO** a Residential R4/R5/R6/R8 Special Provision (R4-6(11)R5-7(9)/R6-5(61)/R8-3(5))Zone to remove the holding provisions for portions of these lands to be developed as Street Townhouse Dwellings.

Executive Summary

Summary of Request

The applicant has requested the removal of the "h*h-54-h-209" holding provisions from portions of 955 and 955 Upperpoint Avenue, which are in place to ensure: *the orderly development of lands and the adequate provision of municipal services, that there are no land use conflicts between arterial roads the proposed residential use, and to encourage building orientation towards public streets and public spaces.*

Purpose and the Effect of Recommended Action

The purpose and effect is to remove the "h", "h-54" and "h-209" holding symbols to facilitate the development of street townhouse dwellings.

Rationale of Recommended Action

The requirements for removing the holding provisions have been met, and the Approval Authority has confirmed that no further work is required. It is appropriate to remove the holding provisions as they are no longer required for the portions of these Blocks that are to be developed as Street Townhouses.

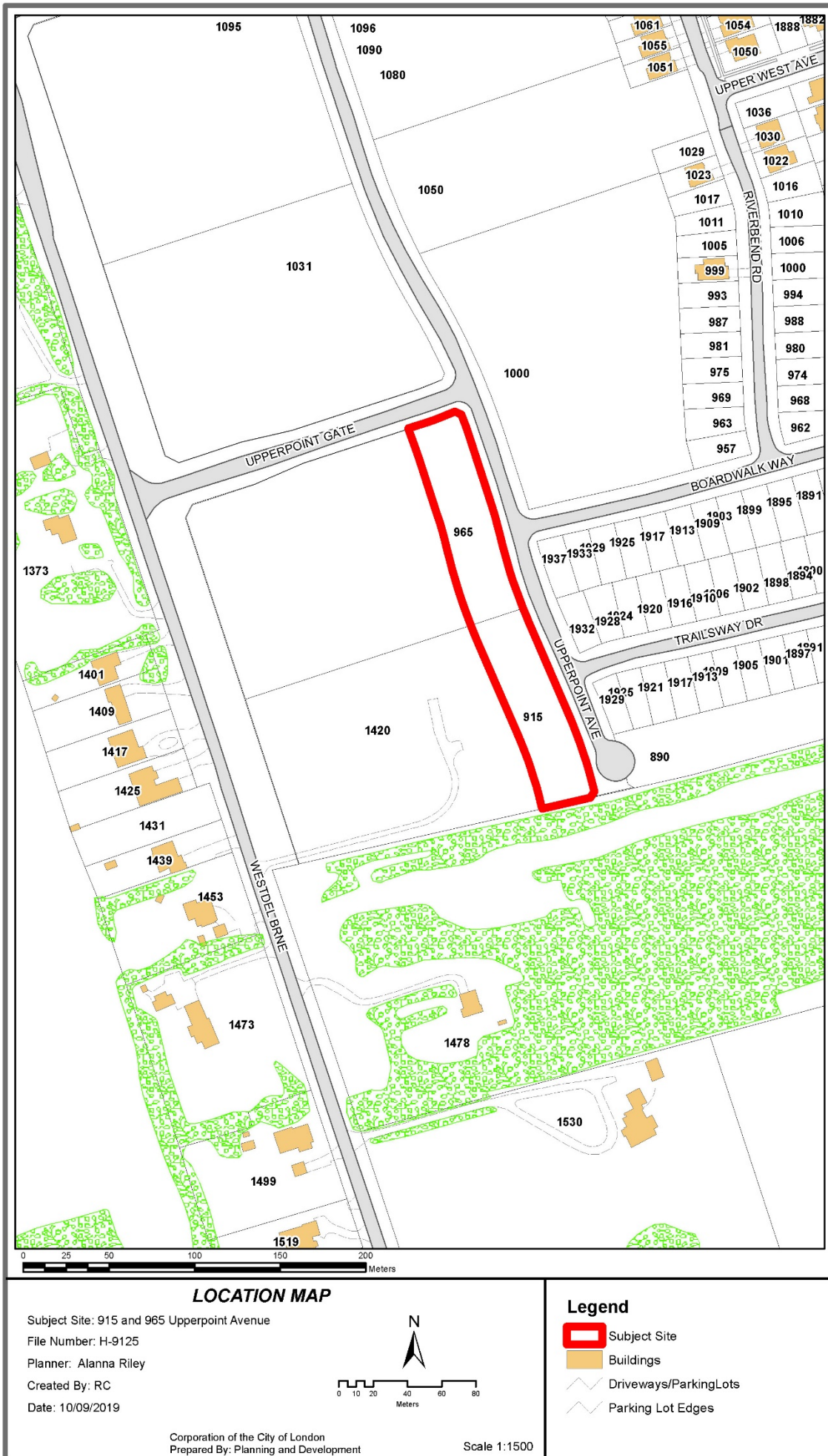
Analysis

1.0 Site at a Glance

1.1 Property Description

The subject site is located off of Upperpoint Avenue, which is generally located southeast of Oxford Street West and Westdel Bourne. The site has a mix of high and medium density residential located to the north, existing estate residential to the west, low density residential to the east, and future residential to the south. The site has proximity to Hickory Woods Park, the Warbler Wods ESA, Bryon Woods Montessori Private School and Byron Northview Public School.

1.2 Location Map



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

- The London Plan Place Type – Neighbourhoods Place Type
- (1989) Official Plan Designation – Multi-Family, Medium Density Residential
- Existing Zoning – Holding Residential R4/R5/R6/R8 Special Provision (h*h-54*h-209*R4-6(11)R5-7(9)/R6-5(61)/R8-3(5)).

1.4 Site Characteristics

- Current Land Use – vacant
- Frontage – N/A
- Area – N/A
- Shape – irregular

1.5 Surrounding Land Uses

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

2.0 Description of Proposal

2.1 Development Proposal

The development for consideration is thirty (30) street townhouse units, two storeys in height with access off of Upperpoint Avenue.

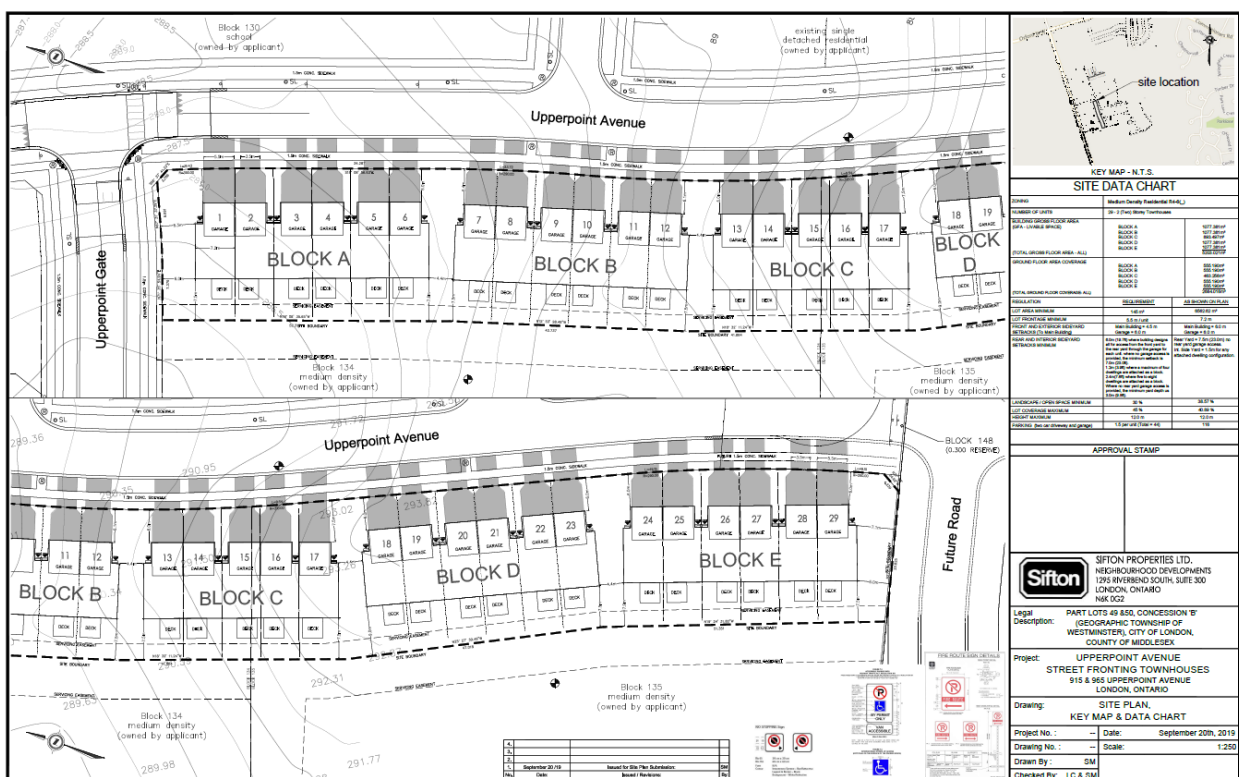


Figure 1: Conceptual Site Plan

An application for Site Plan Approval (SP19-095) has been made. The site plan submission, including servicing, grading, landscaping, and building elevation plans, are approaching acceptance by the City.

3.0 Relevant Background

3.1 Planning History

On October 24, 2018, the City of London Approval Authority granted final approval and the subdivision was registered as Plan 33M-754 on November 2, 2018. The final plan consisted of 128 single detached residential lots, four (4) medium density residential blocks, one (1) high density residential block, one (1) school block, three (3) park blocks, one (1) open space block, one (1) walkway block, two (2) secondary collector roads, and seven (7) local streets.

On September 17, 2019 Municipal Council passed a Zoning By-law amendment to add a Residential R4 Special Provision (R4-6(11)) Zone to permit street townhouse dwellings along with special provisions for lot frontage, front yard setbacks for the main dwellings and garages, and building height.

3.2 Requested Amendment

The applicant is requesting the removal of the “h”, “h-54” and “h-209” holding provisions from the site to allow for the development of thirty (30) street townhomes.

3.3 Community Engagement

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

3.4 Policy Context

The Planning Act permits the use of holding provisions to restrict future uses until conditions for removing the holding provision are met. To use this tool, a municipality must have approved Official Plan policies related to its use, a municipal council must pass a zoning by-law with holding provisions, an application must be made to council for an amendment to the by-law to remove the holding symbol, and council must make a decision on the application within 150 days to remove the holding provision(s). The London Plan and the 1989 Official Plan contain policies with respect to holding provisions including the process, and notification and removal procedures.

4.0 Key Issues and Considerations

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

h - 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 execution of the development agreement combined with the submission of the required security, adequately satisfies the requirements of this holding provision. It is appropriate to remove this holding provision at this time for the portions of these Blocks that are to be developed as Street Townhouses. The h. holding provision will be retained for the balance of the site.

h-54 Purpose: To ensure there are no land use conflicts between arterial roads and the proposed residential uses, the h-54 shall not be deleted until the owner agrees to implement all noise attenuation measures, recommended in noise assessment reports acceptable to the City of London.

Development Services has confirmed that a Noise Impact Study is not required as the location of the proposed site plan is not directly adjacent to an arterial road. On this basis, the provision has been satisfied for the portions of these Blocks that are to be developed as Street Townhouses. The h-5 holding provision will be retained for the balance of the site.

h-209 Purpose: To encourage building orientation towards public streets and public spaces, a site plan shall be approved and a development agreement shall be entered into which ensures that future development of the lands complies with the urban design policies identified in the Riverbend South Secondary Plan, to the satisfaction of the City of London prior to the removal of the h-209 symbol.

In an effort to meet the design objectives of the Riverbend South Community Plan, attention was given to ensure that all buildings adjacent to the street are designed and oriented to the street. The accepted plans provide architectural features that includes porches, entrances, windows, rooflines and enhanced landscaping around the porches that achieve an appearance of front orientation to the street, consistent with the intent of the Riverbend South Community Plan.

An acceptable level of building design and orientation to the street in accordance with the h- 209 provision has been provided with the accepted Site Plan and executed Development Agreement. As a result, Staff is satisfied that the lifting of the 209 holding provision can be recommended to Council for the portions of these Blocks that are to be developed as Street Townhouses. The h-209 holding provision will be retained for the balance of the site.

5.0 Conclusion

In the opinion of Staff, the holding zone requirements have been satisfied and it is appropriate to remove the holding provisions to allow the zoning to come into force for the portions of these Blocks that are to be developed as Street Townhouses. The h., h-54 and h-209 holding provisions will be retained for the balance of the site.

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	

October 28, 2019

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

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Appendix A

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

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

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for portions of the lands located at 915 and 955 Upperpoint Avenue.

WHEREAS Sifton Properties Limited has applied to remove the holding provisions from the zoning for portions of the lands located at 915 and 955 Upperpoint Avenue, as shown on the map attached to this by-law, as set out below;

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

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to portions of the lands located at 915 and 955 Upperpoint Avenue, as shown on the attached map, to remove the holding provisions so that the zoning of the lands as a Residential R4/R5/R6/R8 Special Provision (R4-6(11)/R5-7(9)/R6-5(61)/R8-3(5))Zone comes into effect.
2. This by-law shall come into force and effect on the day it is passed.

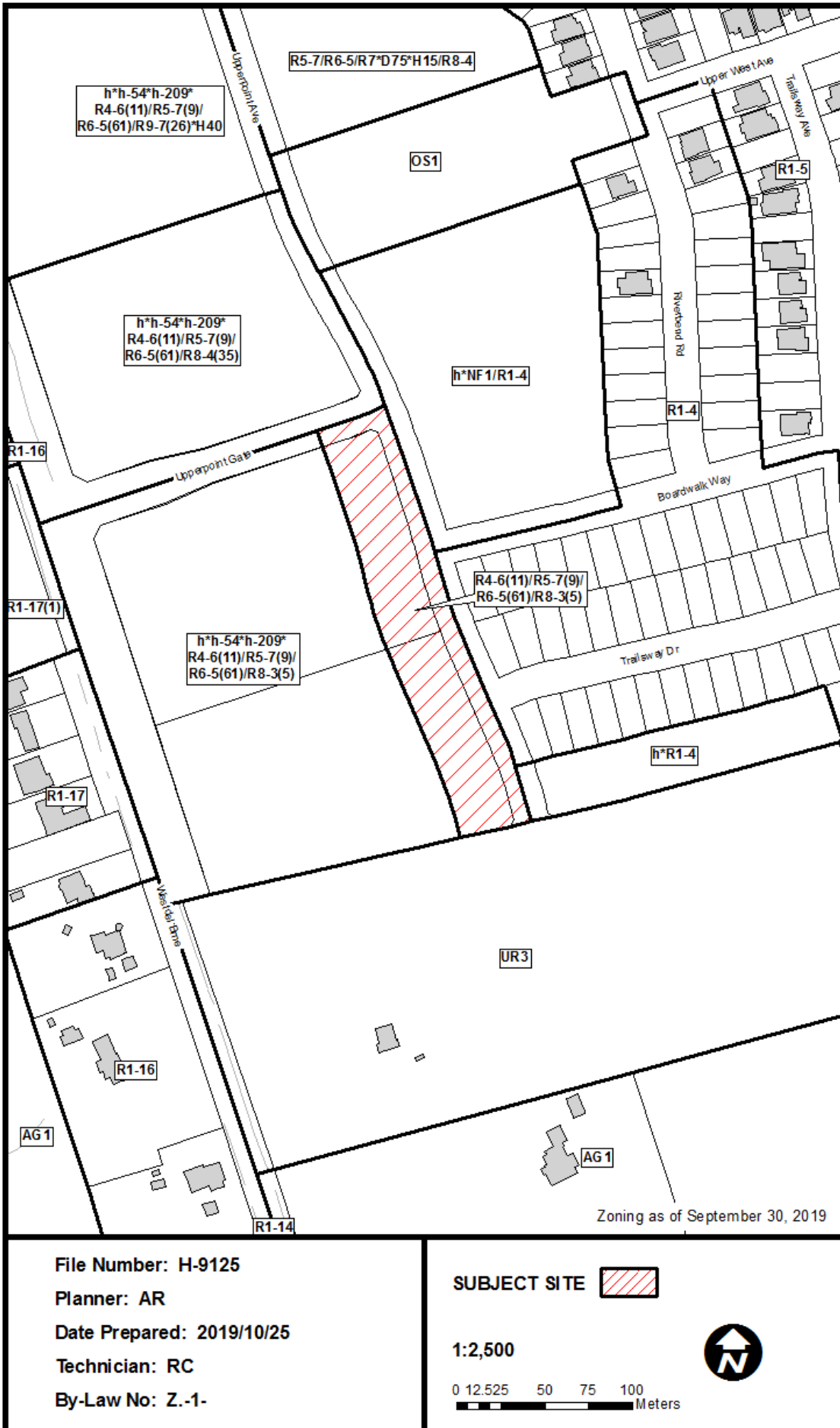
PASSED in Open Council on November 12, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – November 12, 2019
Second Reading – November 12, 2019
Third Reading – November 12, 2019

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



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Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Exemption from Part-Lot Control
Application By: Sifton Properties Ltd.
Address: 915 and 965 Upperpoint Avenue

Meeting on: November 4, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Sifton Properties Limited to exempt Blocks 134/135, Plan 33M-754 from Part-Lot Control:

- (a) Pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, the attached proposed by-law **BE INTRODUCED** at a future Council meeting, to exempt Block 134/135, Plan 33M-754 from the Part-Lot Control provisions of subsection 50(5) of the said *Act*, **IT BEING NOTED** that these lands are subject to a registered subdivision agreement and are zoned Holding Residential R4/R5/R6/R8 Special Provision (h*h-54*h-209*R4-6(11)R5-7(9)/R6-5(65)/R8-3(5)) which permits street townhouse dwellings;
- (b) The following conditions of approval **BE REQUIRED** to be completed prior to the passage of a Part-Lot Control By-law for Blocks 134/135, Plan 33M-754 as noted in clause (a) above:
 - i. The applicant be advised that the costs of registration of the said by-laws are to be borne by the applicant in accordance with City Policy;
 - ii. The applicant submit a draft reference plan to Development Services for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the land registry office;
 - iii. The applicant submits to Development Services a digital copy together with a hard copy of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;
 - iv. The applicant submit each draft reference plan to London Hydro showing driveway locations and obtain approval for hydro servicing locations and above ground hydro equipment locations prior to the reference plan being deposited in the land registry office;
 - v. The applicant submit to the City Engineer for review and approval prior to the reference plan being deposited in the land registry office any revised lot grading and servicing plans in accordance with the final lot layout to divide the blocks should there be further division of property contemplated as a result of the approval of the reference plan;
 - vi. The applicant shall enter into any amending subdivision agreement with the City, if necessary;
 - vii. The applicant shall agree to construct all services, including private drain connections and water services, in accordance with the approved final design of

the lots;

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

Executive Summary

Summary of Request

This report is for review and endorsement by Municipal Council to exempt Blocks 134/135 in Registered Plan 33M-754 from the Part-Lot Control provisions of the *Planning Act*.

Purpose and Effect of Recommended Action

Exemption from Part-Lot Control will facilitate the creation of thirty (30) street townhouse units, with access provided via Upperpoint Avenue.

Rationale for Recommended Action

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

Analysis

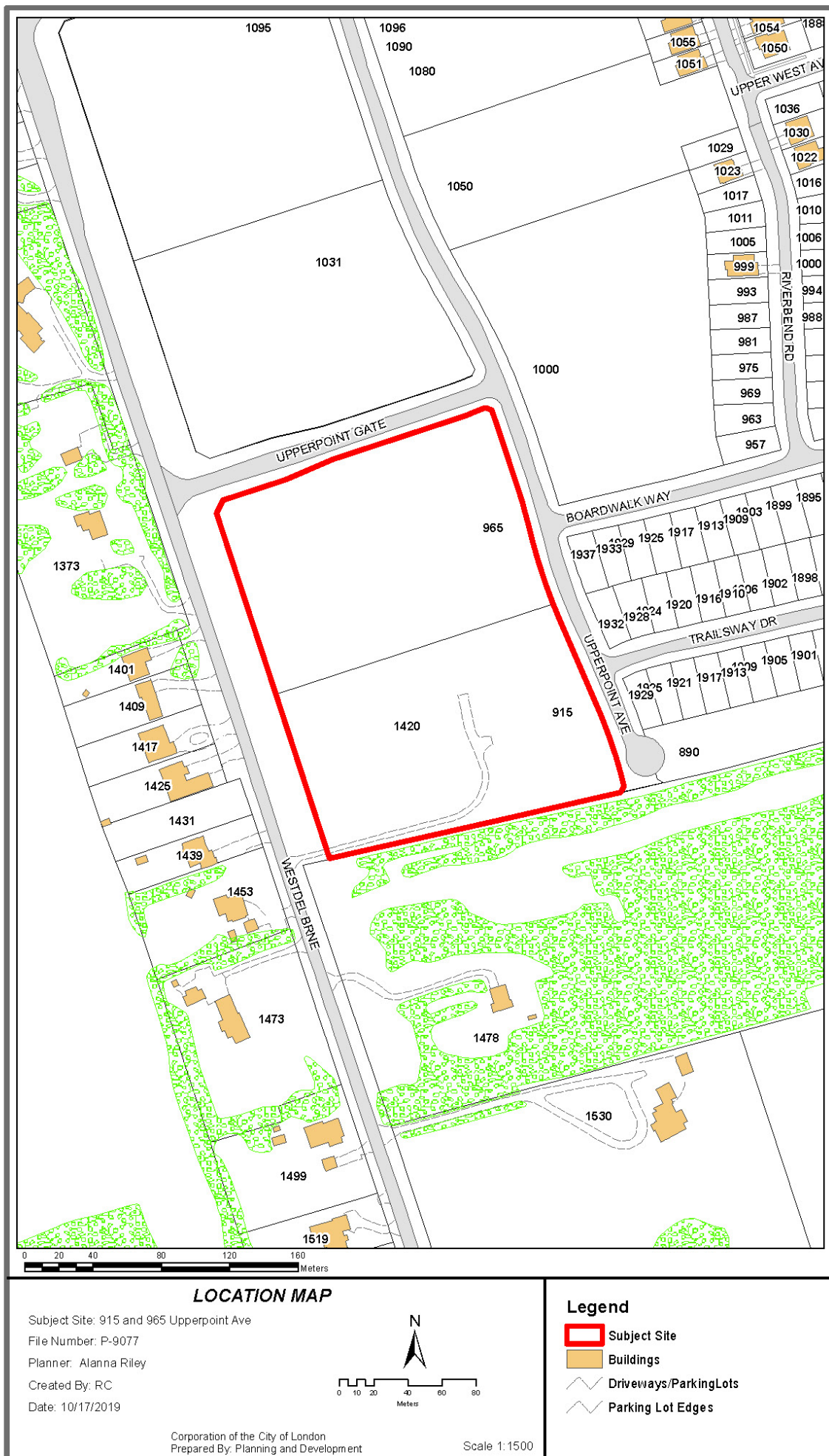
1.0 Property Description

The subject site is located off of Upperpoint Avenue, which is generally located southeast of Oxford Street West and Westdel Bourne. The site has a mix of high and medium density residential located to the north, existing estate residential to the west, low density residential to the east, and future residential to the south. The site has proximity to Hickory Woods Park, the Warbler Woods ESA, Bryon Woods Montessori Private School and Byron Northview Public School.

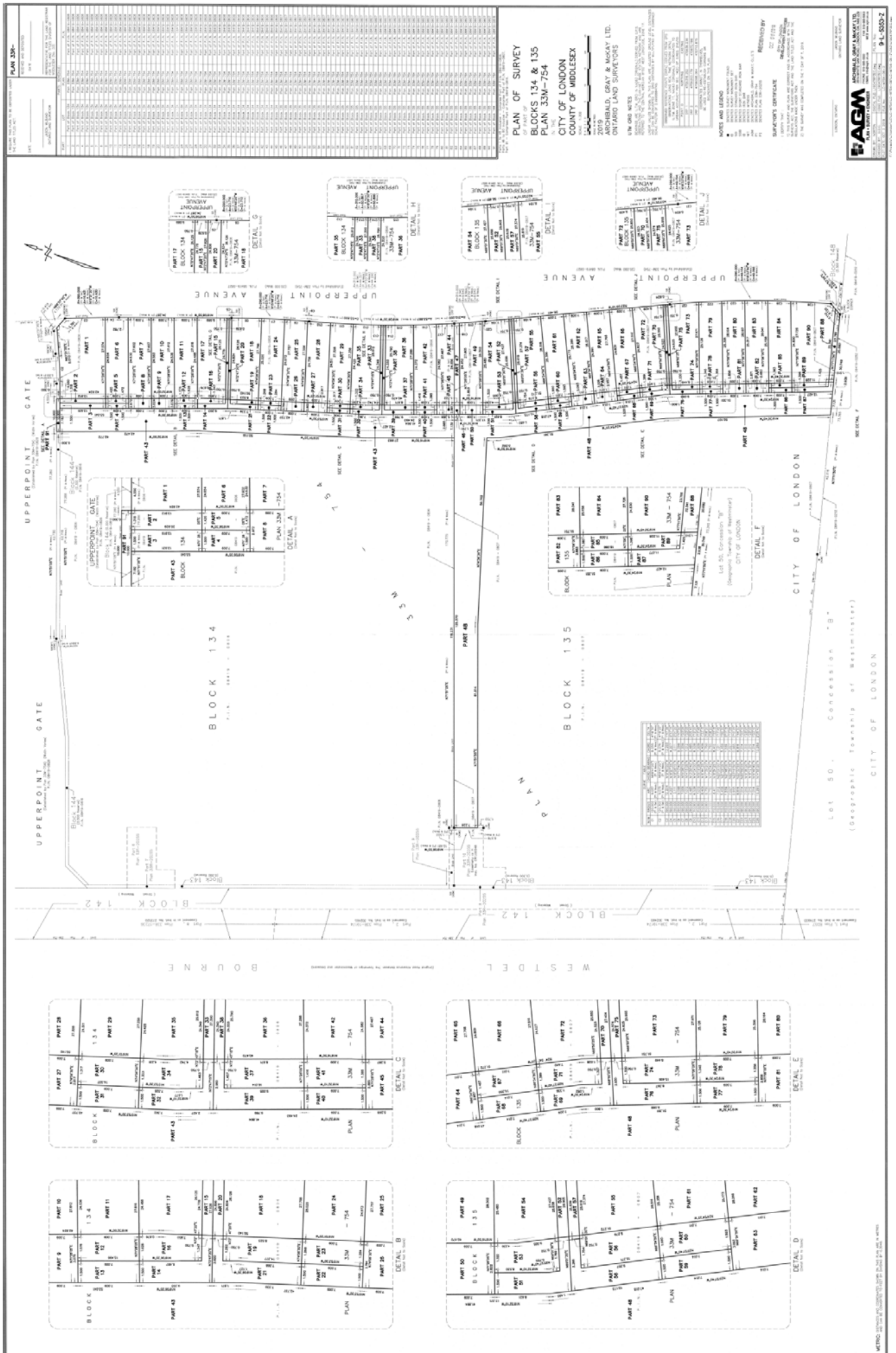
1.1 Current Planning Information

- The London Plan Place Type – Neighbourhoods Place Type
- (1989) Official Plan Designation – Multi-Family, Medium Density Residential
- Existing Zoning – Holding Residential R4/R5/R6/R8 Special Provision (h*h-54*h-209*R4-6(11)R5-7(9)/R6-5(65)/R8-3(5)) which permits street townhouse dwellings.

1.2 Location Map



1.3 Draft Reference Plan



1.4 Site Characteristics

- Current Land Use – vacant
- Frontage – N/A
- Area – N/A
- Shape – irregular

1.5 Surrounding Land Uses

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

2.0 Description of Proposal

2.1 Development Proposal

The Applicant, Sifton Properties Ltd., has requested exemption from part-lot control to create a total of thirty (30) street townhouse units. The plan of subdivision was registered in November of 2018 as a multi-family medium density residential block. The dwellings will be street townhouse units, two storeys in height with access off of Upperpoint Avenue.

3.0 Relevant Background

3.1 Planning History

On October 24, 2018, the City of London Approval Authority granted final approval and the subdivision was registered as Plan 33M-754 on November 2, 2018. The final plan consisted of 128 single detached residential lots, four (4) medium density residential blocks, one (1) high density residential block, one (1) school block, three (3) park blocks, one (1) open space block, one (1) walkway block, two (2) secondary collector roads, and seven (7) local streets.

On September 17, 2019 Municipal Council passed a Zoning By-law amendment to add a Residential R4 Special Provision (R4-6(11)) Zone to permit street townhouse dwellings along with special provisions for lot frontage, front yard setbacks for the main dwelling and garage, and building height.

3.2 Community Engagement

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

3.3 Policy Context

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

nature or character of the subdivision.

Exemption from part-lot control is used to create street townhouse units. Part-Lot Control may be exempted to allow a property owner to legally divide a block within their registered plan of subdivision.

4.0 Key Issues and Considerations

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

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

The lands are zoned to permit street townhouse dwellings with a minimum lot frontage of 7.0 metres, a minimum front and exterior yard of 3.0 metres, a minimum side yard depth of 1.5 metres, a maximum height of 13 metres, garages that shall not project beyond the façade of the main dwelling or façade of any porch and a minimum dwelling setback from a high pressure pipeline of 20 metres. The applicant will be required to submit a draft reference plan to Development Services for review and approval to ensure the proposed lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the Land Registry Office.

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

The subject block was registered and intended to be developed for street townhouse units at the time of the subdivision approval. The division of individual units are appropriate through part-lot control.

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

This request is consistent with the intended use of the block as established through the plan of subdivision and recent zoning by-law amendment (Z-9057). The development of the site units is consistent with the development in the area.

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

The exemption of part lot control creates thirty (30) street townhouse units requiring separate and individual land divisions to create the interests in land.

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

The subject lands are within the Neighbourhoods Place Type in The London Plan and designated Multi-Family, Medium Density Residential in the (1989) Official Plan, which permits street townhouse dwellings. The proposal will facilitate the development of the parcel in accordance with the form of development established at the time of subdivision approval. The proposed lots will not result in any traffic problems and will have access to municipal services and utilities. Access will be provided off of Upperpoint Avenue.

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

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

Control.

The applicant has requested exemption from Part-Lot Control as an alternative to submitting an application through the Consent Authority. The applicant requested exemption from the Part-Lot Control provisions of the *Planning Act* to facilitate the creation of thirty (30) street townhouse units. The proposed plan has been reviewed with regards to the City's Policy on Exemption from Part-Lot Control, the 1989 Official Plan, The London Plan and the applicable zoning, and has been determined to meet existing policies and the City's Zoning By-law.

4.1 Conditions

It is recommended that the following conditions be applied and that the By-law for Blocks 134/135 in Plan 33M-754 be passed at a future meeting of Municipal Council only when the following conditions have been complied with:

- i. The applicant be advised that the costs of registration of the said by-laws are to be borne by the applicant in accordance with City Policy;
- ii. The applicant submit a draft reference plan to Development Services for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the land registry office;
- iii. The applicant submits to Development Services a digital copy together with a hard copy of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;
- iv. The applicant submit each draft reference plan to London Hydro showing driveway locations and obtain approval for hydro servicing locations and above ground hydro equipment locations prior to the reference plan being deposited in the land registry office;
- v. The applicant submit to the City Engineer for review and approval prior to the reference plan being deposited in the land registry office any revised lot grading and servicing plans in accordance with the final lot layout to divide the blocks should there be further division of property contemplated as a result of the approval of the reference plan;
- vi. The applicant shall enter into any amending subdivision agreement with the City, if necessary;
- vii. The applicant shall agree to construct all services, including private drain connections and water services, in accordance with the approved final design of the lots;
- viii. The applicant shall obtain confirmation from Development Services that the assignment of municipal numbering has been completed in accordance with the reference plan(s) to be deposited, should there be further division of property contemplated as a result of the approval of the reference plan prior to the reference plan being deposited in the land registry office;
- ix. The applicant shall obtain approval from Development Services of each reference plan to be registered prior to the reference plan being registered in the land registry office;
- x. The applicant shall submit to Development Services confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;
- xi. The applicant shall obtain clearance from the City Engineer that requirements iv),

- v) and vi) inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Chief Building Official for lots being developed in any future reference plan;
- xii. The applicant shall provide a draft transfer of the easements to be registered on title; and
 - xiii. That on notice from the applicant that a reference plan has been registered on a Block, and that Part Lot Control be re-established by the repeal of the bylaw affecting the Lots/Block in question.

5.0 Conclusion

In accordance with the provisions of the *Planning Act*, Municipal Council may pass by-laws to exempt all, or parts of registered plans of subdivision from part-lot control. The applicant has requested exemption from the Part-Lot Control provisions of the *Planning Act* to facilitate the creation of thirty (30) street townhouse units, with access off Upperpoint Avenue, which is appropriate to allow for the sale of these units to future homeowners. The recommended exemption is considered appropriate and in keeping with the registered phases of the subdivision, subject to the completion of the proposed conditions.

Prepared by:	Alanna Riley, MCIP, RPP Senior Planner, Development Services
Recommended by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

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

October 15, 2019
 AR/ar

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Appendix A

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

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

A by-law to exempt from Part-Lot Control, lands located at 915 and 955 Upperpoint Avenue legally described as Block 134/135 in Registered Plan 33M-754.

WHEREAS pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P. 13*, as amended, and pursuant to the request from Sifton Properties Ltd. it is expedient to exempt lands located at 915 and 955 Upperpoint Avenue, legally described as Block 134/135 in Registered Plan 33M-754, from Part Lot Control;

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

1. Blocks 134/135 in Registered Plan 33M-754, located at 915 and 955 Upperpoint Avenue, are hereby exempted from Part-Lot Control, pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c.P. 13*, as amended, for a period not to exceed three (3) years; it being noted that these lands are zoned to permit street townhouse units in conformity with the Holding Residential R4/R5/R6/R8 Special Provision (h*h-54*h-209*R4-6(11)R5-7(9)/R6-5(65)/R8-3(5)) Zone which permits street townhouse dwellings of the City of London Zoning By-law No. Z-1.
2. This by-law comes into force when it is registered at the Land Registry Office.

PASSED in Open Council on

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading –
Second Reading –
Third Reading –

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Exemption from Part-Lot Control
Application By: Kenmore Homes (London) Inc.
Address: 1830 Finley Crescent

Meeting on: November 4, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Kenmore Homes (London) Inc. to exempt Block 98, Plan 33M-733 from Part-Lot Control:

- (a) Pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, the attached proposed by-law **BE INTRODUCED** at a future Council meeting, to exempt Block 98, Plan 33M-733 from the Part-Lot Control provisions of subsection 50(5) of the said *Act*, **IT BEING NOTED** that these lands are subject to a registered subdivision agreement and are zoned Residential R4 Special Provision (R4-4(4)) which permits street townhouse dwellings;
- (b) The following conditions of approval **BE REQUIRED** to be completed prior to the passage of a Part-Lot Control By-law for Block 98, Plan 33M-733 as noted in clause (a) above:
 - i. The applicant be advised that the costs of registration of the said by-laws are to be borne by the applicant in accordance with City Policy;
 - ii. The applicant submit a draft reference plan to Development Services for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the land registry office;
 - iii. The applicant submits to Development Services a digital copy together with a hard copy of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;
 - iv. The applicant submit each draft reference plan to London Hydro showing driveway locations and obtain approval for hydro servicing locations and above ground hydro equipment locations prior to the reference plan being deposited in the land registry office;
 - v. The applicant submit to the City Engineer for review and approval prior to the reference plan being deposited in the land registry office any revised lot grading and servicing plans in accordance with the final lot layout to divide the blocks should there be further division of property contemplated as a result of the approval of the reference plan;
 - vi. The applicant shall enter into any amending subdivision agreement with the City, if necessary;
 - vii. The applicant shall agree to construct all services, including private drain connections and water services, in accordance with the approved final design of the lots;

- viii. The applicant shall obtain confirmation from Development Services that the assignment of municipal numbering has been completed in accordance with the reference plan(s) to be deposited, should there be further division of property contemplated as a result of the approval of the reference plan prior to the reference plan being deposited in the land registry office;
- ix. The applicant shall obtain approval from Development Services of each reference plan to be registered prior to the reference plan being registered in the land registry office;
- x. The applicant shall submit to Development Services confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;
- xi. The applicant shall obtain clearance from the City Engineer that requirements iv), v) and vi) inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Chief Building Official for lots being developed in any future reference plan;
- xii. The applicant shall provide a draft transfer of the easements to be registered on title;
- xiii. That on notice from the applicant that a reference plan has been registered on a Block, and that Part Lot Control be re-established by the repeal of the bylaw affecting the Lots/Block in question; and
- xiv. In accordance with condition v), the applicant provide servicing drawings of municipal servicing to each of the blocks created within 1830 Finley Crescent to indicate that all municipal servicing can be provide to each property/block created without conflict.

Executive Summary

Summary of Request

This report is for review and endorsement by Municipal Council to exempt Block 98 in Registered Plan 33M-733 from the Part-Lot Control provisions of the *Planning Act*.

Purpose and Effect of Recommended Action

Exemption from Part-Lot Control will facilitate the creation of six (6) street townhouse units, with access provided via Finley Crescent.

Rationale for Recommended Action

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

Analysis

1.0 Property Description

The subject site is located off of Finley Crescent, which is generally located southeast of Gainsborough Road and Hyde Park Road. The site has a mix of high and medium density residential located to the north, commercial to the west, low density residential to the east, and a mix of medium and low density residential to the south. The site has proximity to Maple Wood Park, and St. John French Immersion Catholic Elementary School.

1.1 Current Planning Information

- The London Plan Place Type – Neighbourhoods Place Type
- (1989) Official Plan Designation – Multi-Family, Medium Density Residential
- Existing Zoning – Residential R4 Special Provision (R4-4(4))

1.5 Site Characteristics

- Current Land Use – vacant
- Frontage – N/A
- Area – 0.17 hectares
- Shape – irregular

1.6 Surrounding Land Uses

- North – residential
- East – residential
- South – residential
- West – commercial

2.0 Description of Proposal

2.1 Development Proposal

The Applicant, Kenmore Homes (London) Inc., has requested exemption from part-lot control to create a total of six (6) street townhouse units. The plan of subdivision was registered in February of 2018 as a multi-family, medium density residential block. The dwellings will consist of street townhouse units, one or two storeys in height with access off of Finley Crescent.

3.0 Relevant Background

3.1 Planning History

On December 20, 2017, the City of London Approval Authority granted final approval to the phase 2 of draft plan 39T-08502. This phase contained ninety seven (97) single detached residential lots, eight (8) multi-family residential blocks, served by four (4) new local streets. The subject lands were part of this phase being one of the multi-family residential blocks.

The draft plan of subdivision (39T-08502) was registered in February of 2018 as plan 33M-733.

3.2 Community Engagement

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

3.3 Policy Context

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

Exemption from part-lot control is used to create street townhouse units. Part-Lot Control may be exempted to allow a property owner to legally divide a block within their

registered plan of subdivision.

4.0 Key Issues and Considerations

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

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

The lands are zoned Residential R4 Special Provision (R4-4(4)) in Zoning By-law No. Z.-1, which permits street townhouse dwellings with a minimum lot frontage of 5.5m, a minimum side yard depth of 1.2m, and maximum lot coverage of 45%. The applicant will be required to submit a draft reference plan to Development Services for review and approval to ensure the proposed lots and development plans comply with the regulations of the Zoning By-law as well as accepted development standards, prior to the reference plan being deposited in the Land Registry Office.

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

The subject block was registered and intended to be developed for street townhouse units at the time of the subdivision approval. The division of individual units are appropriate through part-lot control.

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

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

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

The exemption of part lot control creates six (6) street townhouse units requiring separate and individual land divisions to create the interests in land.

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

The subject lands are within the Neighbourhoods Place Type in The London Plan and designated Multi-Family, Medium Density Residential in the (1989) Official Plan, which permits street townhouse dwellings. The proposal will facilitate the development of the parcel in accordance with the form of development established at the time of subdivision approval. The proposed lots will not result in any traffic problems and will have access to municipal services and utilities. Access will be provided off of Finley Crescent.

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

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

The applicant has requested exemption from Part-Lot Control as an alternative to submitting an application through the Consent Authority. The applicant requested exemption from the Part-Lot Control provisions of the *Planning Act* to facilitate the

creation of six (6) street townhouse units. The proposed plan has been reviewed with regards to the City's Policy on Exemption from Part-Lot Control, the 1989 Official Plan, The London Plan and the applicable zoning, and has been determined to meet existing policies and the City's Zoning By-law.

4.1 Conditions

It is recommended that the following conditions be applied and that the By-law for Block 98 in Plan 33M-733 be passed at a future meeting of Municipal Council only when the following conditions have been complied with:

- i. The applicant be advised that the costs of registration of the said by-laws are to be borne by the applicant in accordance with City Policy;
- ii. The applicant submit a draft reference plan to Development Services for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the land registry office;
- iii. The applicant submits to Development Services a digital copy together with a hard copy of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;
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- v. The applicant submit to the City Engineer for review and approval prior to the reference plan being deposited in the land registry office any revised lot grading and servicing plans in accordance with the final lot layout to divide the blocks should there be further division of property contemplated as a result of the approval of the reference plan;
- vi. The applicant shall enter into any amending subdivision agreement with the City, if necessary;
- vii. The applicant shall agree to construct all services, including private drain connections and water services, in accordance with the approved final design of the lots;
- viii. The applicant shall obtain confirmation from Development Services that the assignment of municipal numbering has been completed in accordance with the reference plan(s) to be deposited, should there be further division of property contemplated as a result of the approval of the reference plan prior to the reference plan being deposited in the land registry office;
- ix. The applicant shall obtain approval from Development Services of each reference plan to be registered prior to the reference plan being registered in the land registry office;
- x. The applicant shall submit to Development Services confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;
- xi. The applicant shall obtain clearance from the City Engineer that requirements iv), v) and vi) inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Chief Building Official for lots being developed in any future reference plan;
- xii. The applicant shall provide a draft transfer of the easements to be registered on

title;

- xiii. That on notice from the applicant that a reference plan has been registered on a Block, and that Part Lot Control be re-established by the repeal of the bylaw affecting the Lots/Block in question; and
- xiv. In accordance with condition v), the applicant provide servicing drawings of municipal servicing to each of the blocks created within 1830 Finley Crescent to indicate that all municipal servicing can be provide to each property/block created without conflict.

5.0 Conclusion

In accordance with the provisions of the *Planning Act*, Municipal Council may pass by-laws to exempt all, or parts of registered plans of subdivision from part-lot control. The applicant has requested exemption from the Part-Lot Control provisions of the *Planning Act* to facilitate the creation of six (6) street townhouse units, with access off Finley Crescent, which is appropriate to allow for the sale of these units to future homeowners. The recommended exemption is considered appropriate and in keeping with the registered phases of the subdivision, subject to the completion of the proposed conditions.

Prepared by:	Alanna Riley, MCIP, RPP Senior Planner, Development Services
Recommended by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

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

October 15, 2019

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Appendix A

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

Office

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

A by-law to exempt from Part-Lot Control, lands located at 1830 Finley Crescent, legally described as Block 98 in Registered Plan 33M-733.

WHEREAS pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, as amended, and pursuant to the request from Kenmore Homes (London) Inc., it is expedient to exempt lands located at 1830 Finley Crescent, legally described as Block 98 in Registered Plan 33M-733, from Part Lot Control;

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

1. Block 98 in Registered Plan 33M-733, located at 1830 Finley Crescent, are hereby exempted from Part-Lot Control, pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c.P.13*, as amended, for a period not to exceed three (3) years; it being noted that these lands are zoned to permit street townhouse units in conformity with the Residential R4 Special Provision (R4-4(4)) Zone of the City of London Zoning By-law No. Z-1.
2. This by-law comes into force when it is registered at the Land Registry Office.

PASSED in Open Council on

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading –
Second Reading –
Third Reading –

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Exemption from Part-Lot Control
Application By: Kenmore Homes (London) Inc.
Address: 1860 Finley Crescent

Meeting on: November 4, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Kenmore Homes (London) Inc. to exempt Block 97, Plan 33M-733 from Part-Lot Control:

- (a) Pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, the attached proposed by-law **BE INTRODUCED** at a future Council meeting, to exempt Block 97, Plan 33M-733 from the Part-Lot Control provisions of subsection 50(5) of the said *Act*, **IT BEING NOTED** that these lands are subject to a registered subdivision agreement and are zoned Residential R4 Special Provision (R4-4(4)) which permits street townhouse dwellings;
- (b) The following conditions of approval **BE REQUIRED** to be completed prior to the passage of a Part-Lot Control By-law for Block 97, Plan 33M-733 as noted in clause (a) above:
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Executive Summary

Summary of Request

This report is for review and endorsement by Municipal Council to exempt Block 97 in Registered Plan 33M-733 from the Part-Lot Control provisions of the *Planning Act*.

Purpose and Effect of Recommended Action

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Rationale for Recommended Action

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

Analysis

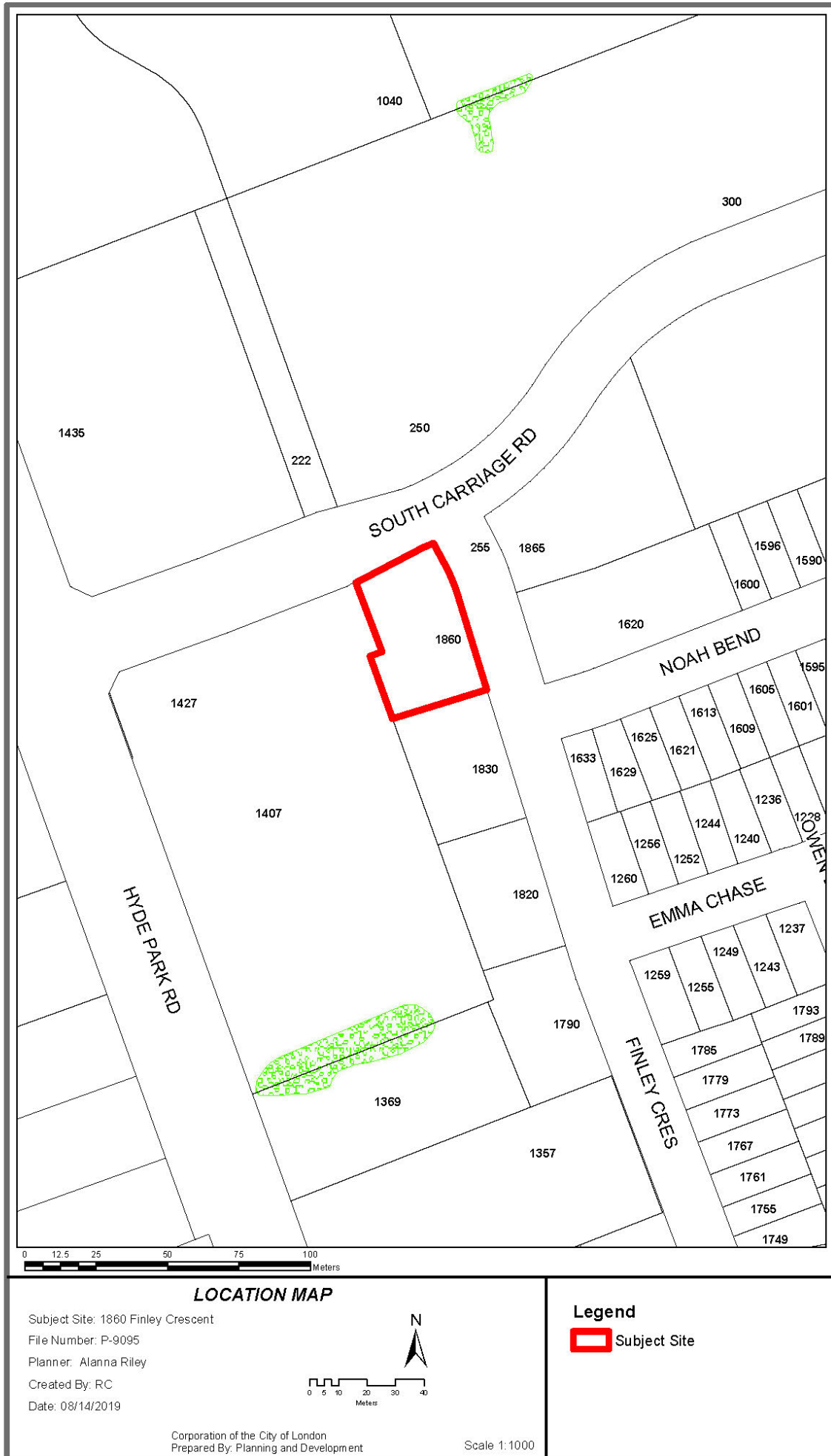
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1.2 Location Map



1.5 Site Characteristics

- Current Land Use – vacant
- Frontage – N/A
- Area – 0.17 hectares
- Shape – irregular

1.6 Surrounding Land Uses

- North – residential
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2.0 Description of Proposal

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The subject block was registered and intended to be developed for street townhouse units at the time of the subdivision approval. The division of individual units are appropriate through part-lot control.

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

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

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

The exemption of part lot control creates six (6) street townhouse units requiring separate and individual land divisions to create the interests in land.

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

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It is recommended that the following conditions be applied and that the By-law for Block 97 in Plan 33M-733 be passed at a future meeting of Municipal Council only when the following conditions have been complied with:

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5.0 Conclusion

In accordance with the provisions of the *Planning Act*, Municipal Council may pass by-laws to exempt all, or parts of registered plans of subdivision from part-lot control. The applicant has requested exemption from the Part-Lot Control provisions of the *Planning Act* to facilitate the creation of six (6) street townhouse units, with access off Finley Crescent, which is appropriate to allow for the sale of these units to future homeowners. The recommended exemption is considered appropriate and in keeping with the registered phases of the subdivision, subject to the completion of the proposed conditions.

Prepared by:	Alanna Riley, MCIP, RPP Senior Planner, Development Services
Recommended by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

cc: Matt Feldberg, Manager, Development Services (Subdivisions)
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October 15, 2019

AR/ar

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Appendix A

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

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

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

1. Block 97 in Registered Plan 33M-733, located at 1860 Finley Crescent, are hereby exempted from Part-Lot Control, pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c.P.13*, as amended, for a period not to exceed three (3) years; it being noted that these lands are zoned to permit street townhouse units in conformity with the Residential R4 Special Provision (R4-4(4)) Zone of the City of London Zoning By-law No. Z-1.
2. This by-law comes into force when it is registered at the Land Registry Office.

PASSED in Open Council on

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading –
Second Reading –
Third Reading –

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Holding Provision Removal
2682207 Ontario Limited
200 Callaway Road

Meeting on: November 4, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following action be taken with respect to the application of 2682207 Ontario Limited relating to the property located at 200 Callaway Road, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on November 4, 2019 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the lands **FROM** a holding Residential R6 Special Provision/Residential R7 Special Provision (h-5*h-99*h-100*R6-5(23)/R7(11) Zone **TO** Residential R6 Special Provision/Residential R7 Special Provision (R6-5(23)/R7(11) Zone to remove the holding provisions.

Executive Summary

Summary of Request

The applicant has requested the removal of the "h-5, "h-99" and h-100" holding provisions from 200 Callaway Road, which are in place to ensure: a public site plan meeting; that the development design is consistent with the Upper Richmond Village – Urban Design Guidelines, and that adequate water looping and access is provided.

Purpose and the Effect of Recommended Action

The purpose and effect is to remove the "h-5, "h-99" and h-100" holding symbols to facilitate the development of a 4 storey, 60 unit apartment building with access from Callaway Road.

Rationale of Recommended Action

The requirements for removing the holding provisions have been met. It is appropriate to remove the holding provisions as they are no longer required.

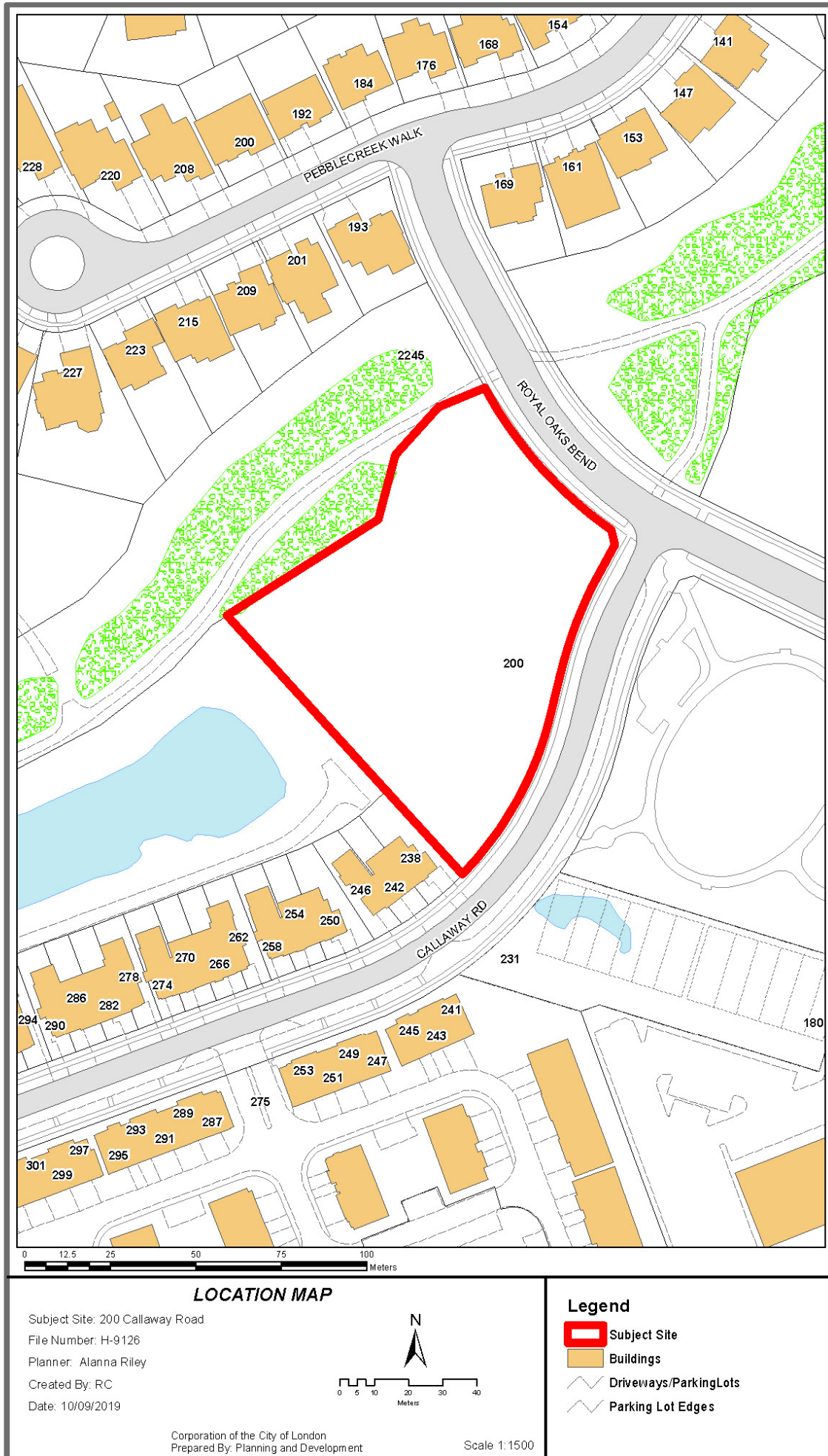
Analysis

1.0 Site at a Glance

1.1 Property Description

The property is located north of Callaway Road and west of Royal Oaks Bend. The proposal consists of one multi-family, medium density residential block within a registered plan of subdivision. The site fronts on both Callaway Road and Royal Oaks Bend. The site has full access to municipal services and is located in an area which is planned for future growth. Access to transit, pathways, and green spaces are available to the site.

1.2 Location Map



3.0 Relevant Background

3.1 Planning History

The subject lands are located in the City of London within the Sunningdale North Area Plan. Amendments to the Official Plan were approved in April of 2005 to designate the area with various forms of Low Density Residential, Multi-Family, Medium Density Residential, Multi-Family, High Density Residential, Business District Commercial and Open Space. The Sunningdale North Area Plan also provided community planning and design principles to support the development of a distinctive, attractive and self-sustaining community. Design principles and policies for the subject lands are also contained in the 2006 Council approved Upper Richmond Village Urban Design Guidelines.

Zoning of the subject lands was passed by City Council on June 23, 2008 and the subdivision was draft approved on July 4, 2008. A revision to the draft plan was requested by the land owner subsequent to initial approval and was granted on June 13, 2011.

Zoning to change the densities of the subject lands was passed by City Council March 5, 2013.

In August of 2019, a Site Plan Control Application (file SPA19-086) for a four (4) storey, 60 unit apartment building, was received by the City of London. Conditional approval was issued on September 16, 2019.

3.2 Requested Amendment

The applicant is requesting the removal of the “h-5, “h-99” and h-100” holding provisions from the site to allow for the development of a four (4) storey, 60 unit apartment building.

3.3 Community Engagement

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

3.4 Policy Context

The Planning Act permits the use of holding provisions to restrict future uses until conditions for removing the holding provision are met. To use this tool, a municipality must have approved Official Plan policies related to its use, a municipal council must pass a zoning by-law with holding provisions, an application must be made to council for an amendment to the by-law to remove the holding symbol, and council must make a decision on the application within 150 days to remove the holding provision(s). The London Plan and the 1989 Official Plan contain policies with respect to holding provisions including the process, and notification and removal procedures.

4.0 Key Issues and Considerations

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

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

Permitted Interim Uses: Existing uses

A public participation meeting occurred on October 21, 2019 to satisfy the requirement for the public site plan meeting. The public participation meeting provided the public with an opportunity to provide input and comments into the site plan approval process. No members of the public attended the meeting. The Manager of Development

Planning (Site Plan) confirmed a development agreement has been executed and securities received on October 23, 2019.

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

Urban Design staff confirmed on October 3, 2019 that they are satisfied the development form implements the various requirements of the Upper Richmond Village – Urban Design Guidelines through the elevations, building orientation and pedestrian access through the site. The urban design and guidelines have been implemented as part of the Site Plan review process.

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

Permitted Interim Uses: A maximum of 80 residential units

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

5.0 Conclusion

The requirements for removing the holding provisions have been met. A public site plan meeting was held on October 21, 2019, the accepted site plan implements the urban design principles set out in the Upper Richmond Village – Urban Design Guidelines, and the accepted development plans provide adequate water-looping and access. It is appropriate to remove the holding provisions to allow the zoning to come into force.

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	

October 28, 2019

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

ar/

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2019\H-9126 - 200 Callaway Road (AR)\200 Callaway Road H-9126 AR.docx

Appendix A

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

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

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 200 Callaway Road.

WHEREAS 2682207 Ontario Limited has applied to remove the holding provisions from the zoning for the lands located at 200 Callaway Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding 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 200 Callaway Road, as shown on the attached map, to remove the holding provisions so that the zoning of the lands as a Residential R6 Special Provision/Residential R7 Special Provision (R6-5(23)/R7(11) Zone comes into effect.
2. This by-law shall come into force and effect on the day it is passed.

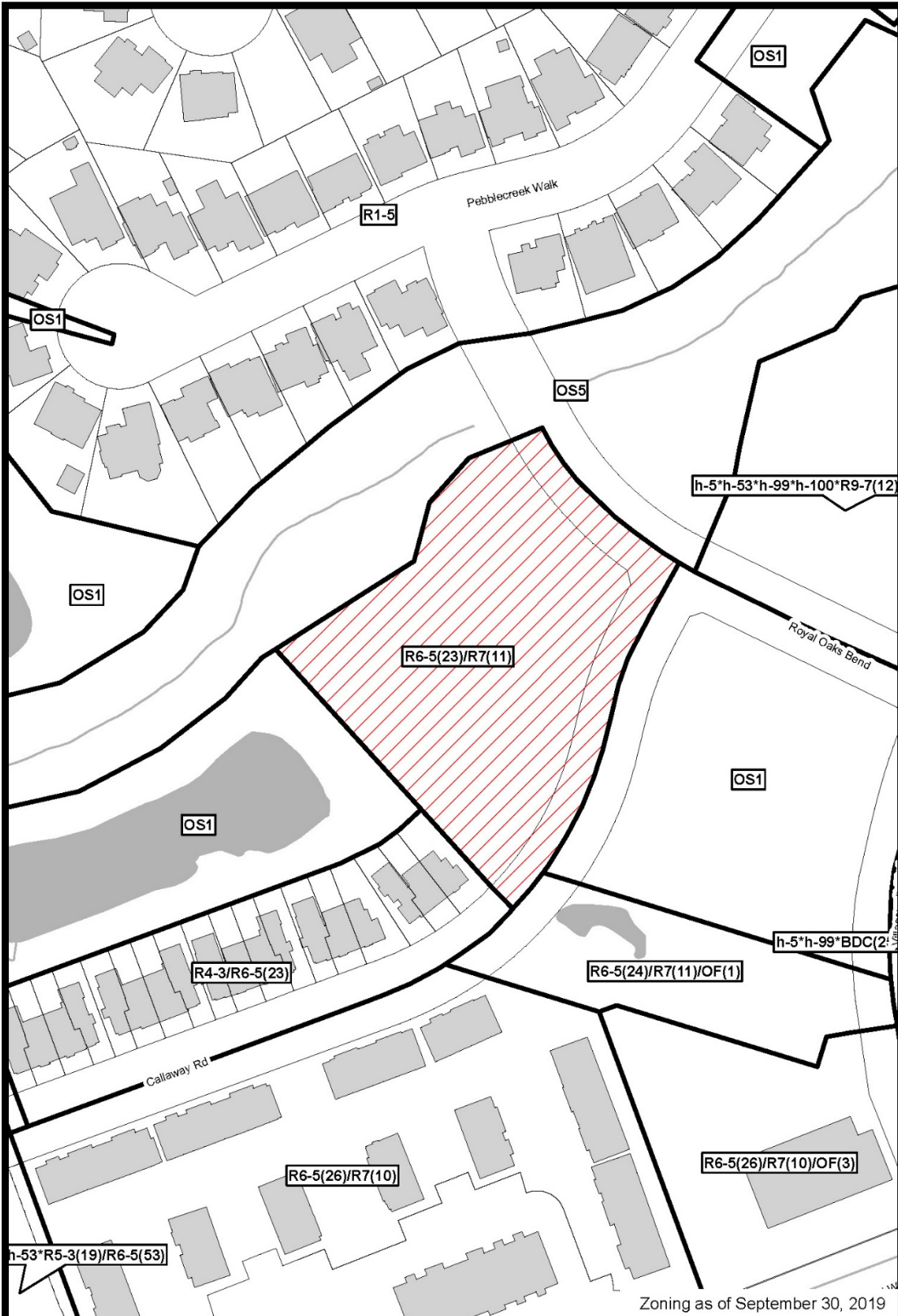
PASSED in Open Council on November 12, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – November 12, 2019
Second Reading – November 12, 2019
Third Reading – November 12, 2019

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



File Number: H-9126
Planner: AR
Date Prepared: 2019/10/09
Technician: RC
By-Law No: Z.-1-

SUBJECT SITE 

1:1,500
 0 5 10 20 30 40
 Meters



Geodatabase

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Removal of Holding Provision
Tricar Properties Limited
420, 440, 460, and 480 Callaway Road

Meeting on: November 4, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following action be taken with respect to the application of Tricar Properties Limited relating to the properties located at 420, 440, 460, and 480 Callaway Road, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on November 12, 2019 to amend Zoning By-law Z.-1, in conformity with the Official Plan, to change the zoning of the lands **FROM** a holding Residential R9 Special Provision (h-53*R9-7(27)) **TO** a Residential R9 Special Provision R9-7(27)) Zone to remove the holding provision.

Executive Summary

Summary of Request

The applicant has requested the removal of the "h-53" holding provision from 420, 440, 460, and 480 Callaway Road, which is in place to ensure street oriented design which discourages noise walls.

Purpose and the Effect of Recommended Action

The purpose and effect is to remove the "h-53" holding symbol to facilitate the development of four (4), 10-storey apartment buildings.

Rationale of Recommended Action

The requirements for removing the holding provision has been met. It is appropriate to remove the holding provision as it is no longer required.

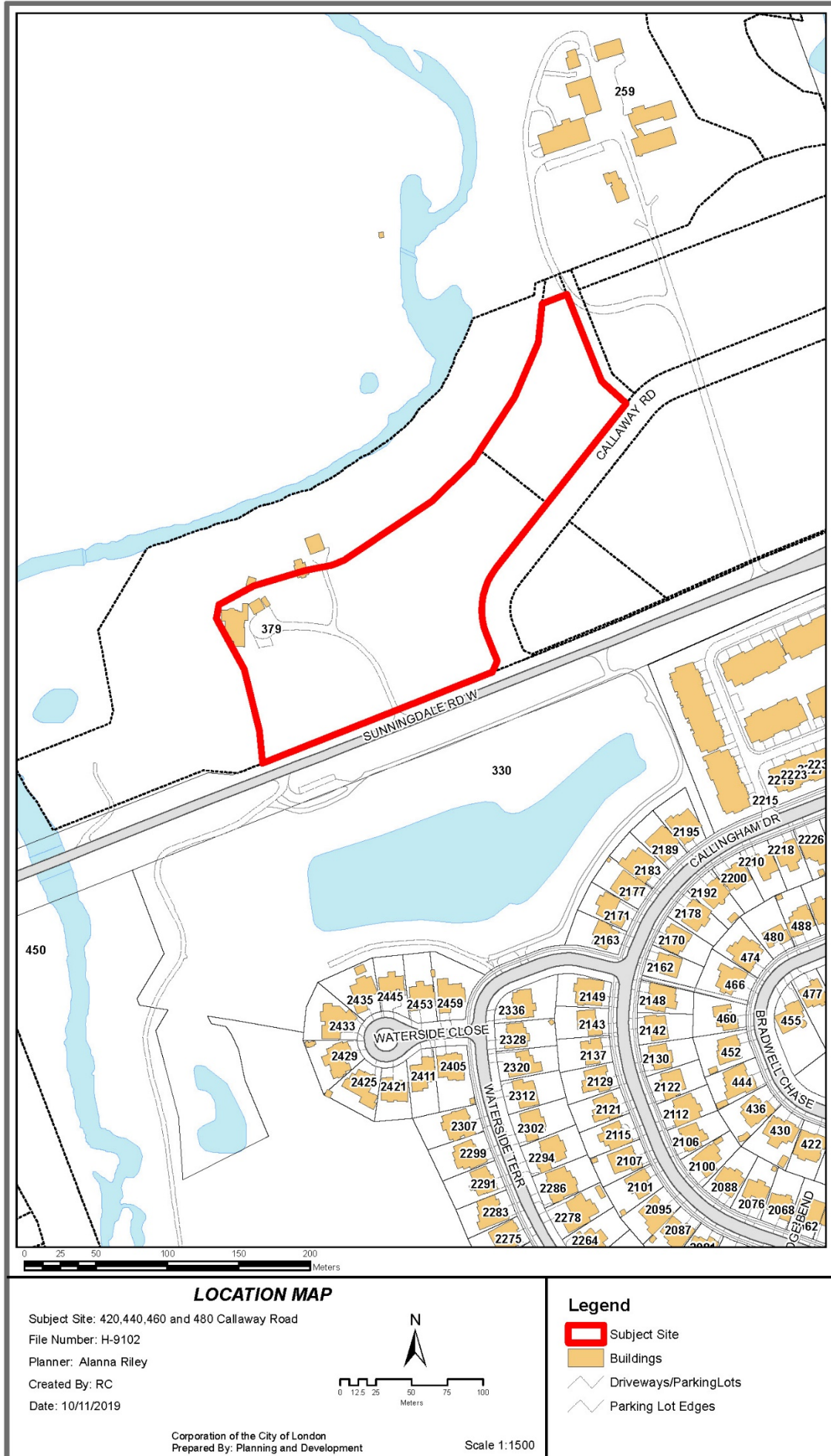
Analysis

1.0 Site at a Glance

1.1 Property Description

The subject site is located in the northwest area of the City with frontage on Sunningdale Road West and Callaway Road. Sunningdale Golf Course is located to the north and west, a mix of low and medium density residential uses are located to the east, cluster residential uses and a storm water management facility are located to the south. The site is approximately 0.30 ha in size and is currently undeveloped and vacant.

1.2 Location Map





SUNNINGDALE ROAD WEST VIEW - RES1
420, 440, 460, 480 CALLAWAY ROAD
LONDON, ON

A-901
2019-09-26
PROJECT 201143



SUNNINGDALE ROAD WEST VIEW - RES2
420, 440, 460, 480 CALLAWAY ROAD
LONDON, ON

A-902
2019-09-26
PROJECT 201143



AERIAL VIEW - RES2
420, 440, 460, 480 CALLAWAY ROAD
LONDON, ON

A-903
2019-09-26
PROJECT 201143



AERIAL VIEW - OVERALL
420, 440, 460, 480 CALLAWAY ROAD
LONDON, ON

A-905
2019-09-26
PROJECT 201143



Figures 2-5: Renderings

3.0 Relevant Background

3.1 Planning History

39T-16504/ OZ-8639

On June 3, 2016 the applicant submitted an application for Draft Plan of Subdivision approval, an Official Plan Amendment and a Zoning By-law Amendment including all required reports/studies identified during pre-consultation. Staff reviewed and accepted the applications as complete on June 6, 2016.

On May 24, 2017, the City Clerk's Office received appeals to the Ontario Municipal Board (OMB), from the Applicant on the basis of a non-decision by the City of London Approval Authority within 180 days relating to a draft plan of subdivision application; and a non-decision by Municipal Council within 120 days relating to a Zoning By-law and Official Plan Amendment applications concerning lands located at 379 Sunningdale Road.

A Settlement Hearing of the OMB was held on November 8, 2017 with members of the City, the applicant and area residents. On November 15, 2017 the OMB issued its decision to approve the Official Plan, Zoning, and Subdivision Draft Plan Approval that established development and block limits and the Zoning that provides the regulatory environment for up to 10-storey apartment buildings, 6-storey apartment buildings, cluster residential forms of housing , offices and park uses subject to the completion of conditions as directed by the Board.

3.2 Previous Reports and Applications Relevant to this Application

October 23, 2017, Planning Committee; Planning Report on Ontario Municipal Board Appeal Application by Corlon Properties on behalf of Sunningdale Golf and Country Ltd, 379 Sunningdale Road West, 39T-16504/ OZ-8639"

3.3 Requested Amendment

The applicant is requesting the removal of the "h-53" holding provision from the site to allow for the development of 4, 10 storey apartment buildings.

3.4 Community Engagement

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

3.5 Policy Context

The Planning Act permits the use of holding provisions to restrict future uses until conditions for removing the holding provision are met. To use this tool, a municipality must have approved Official Plan policies related to its use, a municipal council must pass a zoning by-law with holding provisions, an application must be made to council for an amendment to the by-law to remove the holding symbol, and council must make a decision on the application within 150 days to remove the holding provision(s). The London Plan and the 1989 Official Plan contain policies with respect to holding provisions including the process, and notification and removal procedures.

4.0 Key Issues and Considerations

4.1 What is the purpose of the holding provision and is it appropriate to consider the removal request?

The h-53 holding provision is as follows:

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

A development agreement has been executed for the site and security has been posted. The development is oriented towards Sunningdale Road West and Callaway Road to establish a strong street edges and built form along the public realm Activation is provided by units with direct pedestrian connections to Callaway and Sunningdale Roads. Adequate setbacks and landscaping have been incorporated into the accepted plans, avoiding the need for noise walls.

5.0 Conclusion

The requirements for removing the holding provision has been met. It is appropriate to remove the holding provision as it is no longer required. The accepted development is street-oriented, mitigates noise from the arterial road, and incorporates appropriate urban design principles that are included in the development agreement and accepted Site Plan. It is appropriate to remove the holding provision to allow the zoning to come into force at this time.

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	

October 29, 2019

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

cc: Lou Pompilii, MPA, RPP, Manager, Development Planning

cc: Ismail Abushehada, Manager Development Engineering

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Appendix A

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

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

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at located at 420, 440, 460, and 480 Callaway Road

WHEREAS Tricar Properties Limited has applied to remove the holding provision from the zoning for the lands located at 420, 440, 460, and 480 Callaway Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding 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 420, 440, 460, and 480 Callaway Road, as shown on the attached map, to remove the holding provision so that the zoning of the lands as a Residential R9 Special Provision R9-7(27)) Zone comes into effect.
2. This by-law shall come into force and effect on the day it is passed.

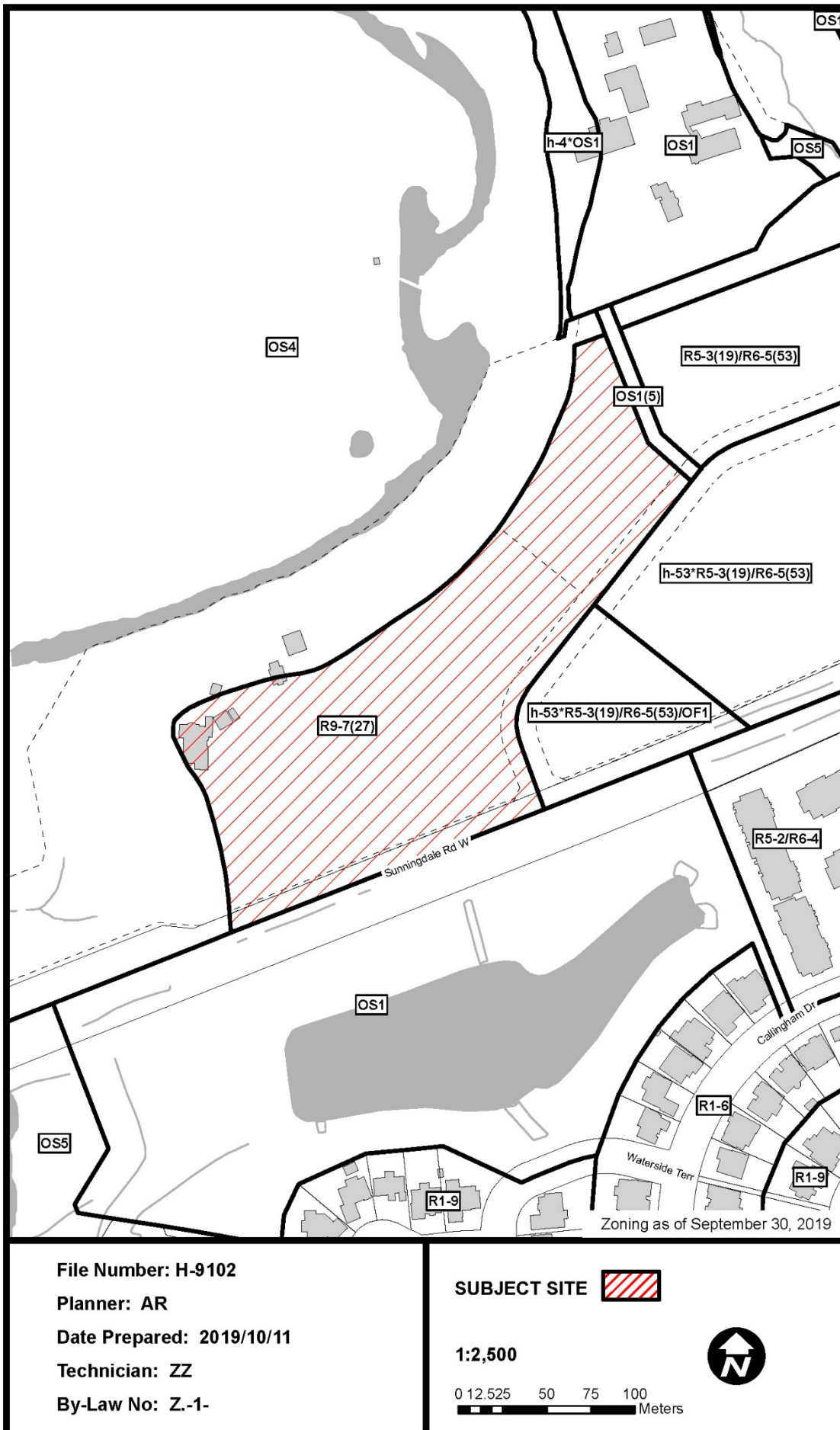
PASSED in Open Council on November 12, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – November 12, 2019
Second Reading – November 12, 2019
Third Reading – November 12, 2019

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



Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Removal of Holding Provision
Peter and Louise McConnell
2890 and 2898 Woodhull Road

Meeting on: November 4, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Peter and Louise McConnell relating to lands located at 2890 and 2898 Woodhull Road:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting to be held on November 12, 2019 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands located at 2898 Woodhull Road **FROM** a Holding Agricultural (h-4•AG2) Zone **TO** an Agricultural (AG2) Zone to remove the h-4 holding provision; and,
- (b) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject lands located at 2890 Woodhull Road **FROM** a Holding Agricultural (h-4•AG2) Zone **TO** an Agricultural (AG2) Zone to remove the h-4 holding provision, **BE REFUSED** for the following reason:
 - i. the condition for removing the holding provision has not been satisfied as a slope stability or geotechnical assessment has not been provided for the parcel at 2890 Woodhull Road, as required in accordance with the provisions of *The London Plan*, the City of London, and Upper Thames River Conservation Authority.

Executive Summary

Purpose and Effect of Recommended Action

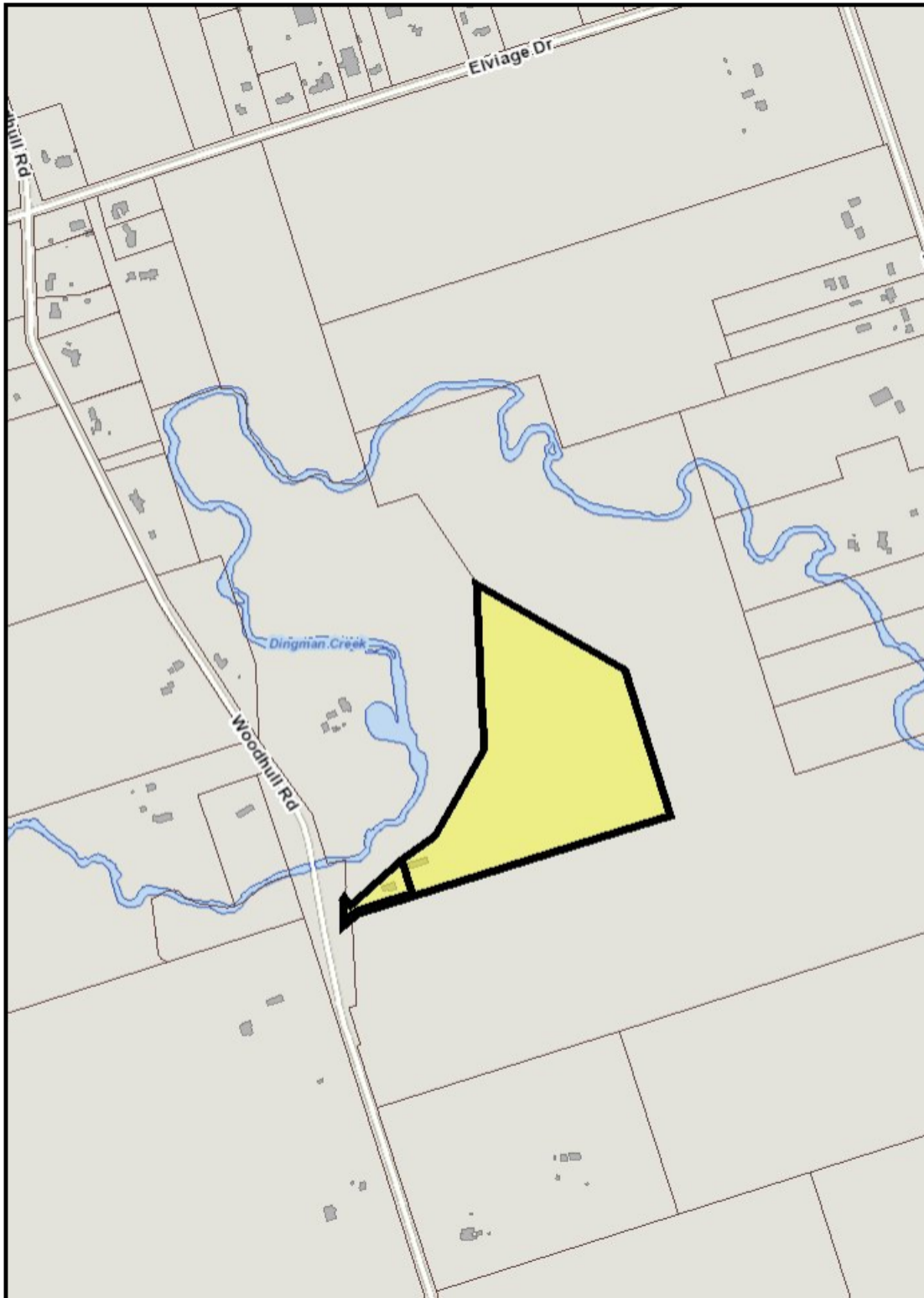
The purpose and effect is to remove the holding h-4 provision from the zoning to allow development of a residential dwelling on the property at 2898 Woodhull Road, subject to an accepted geotechnical study to determine slope stability and erosion hazards associated with the steep slopes adjacent the Dingman Creek.

Rationale of Recommended Action

1. The condition for removing the holding (h-4) provision has been met and the recommended amendment will allow development of a proposed residential dwelling in compliance with the Zoning By-law.
2. A slope assessment report which addresses constraints and establishes the erosion hazard limits on the property at 2898 Woodhull Road has been prepared to the satisfaction of the City and UTRCA.
3. A slope stability or geotechnical assessment has not been prepared for the adjacent property at 2890 Woodhull Road; therefore, it is recommended that the h-4 holding provision not be removed from the AG2 zoning of this parcel, as outlined in (b) above.

Analysis

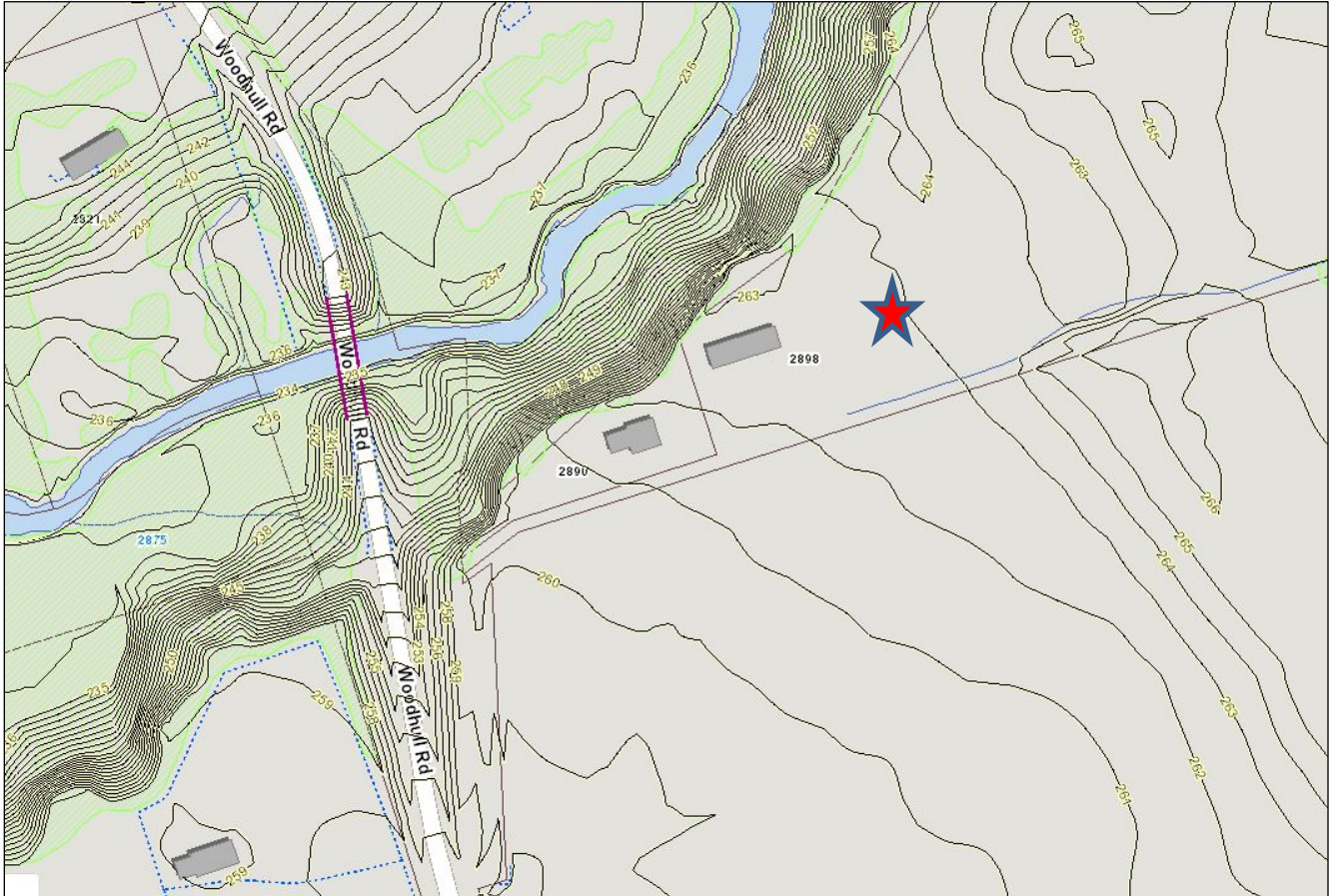
1.1 Location Map




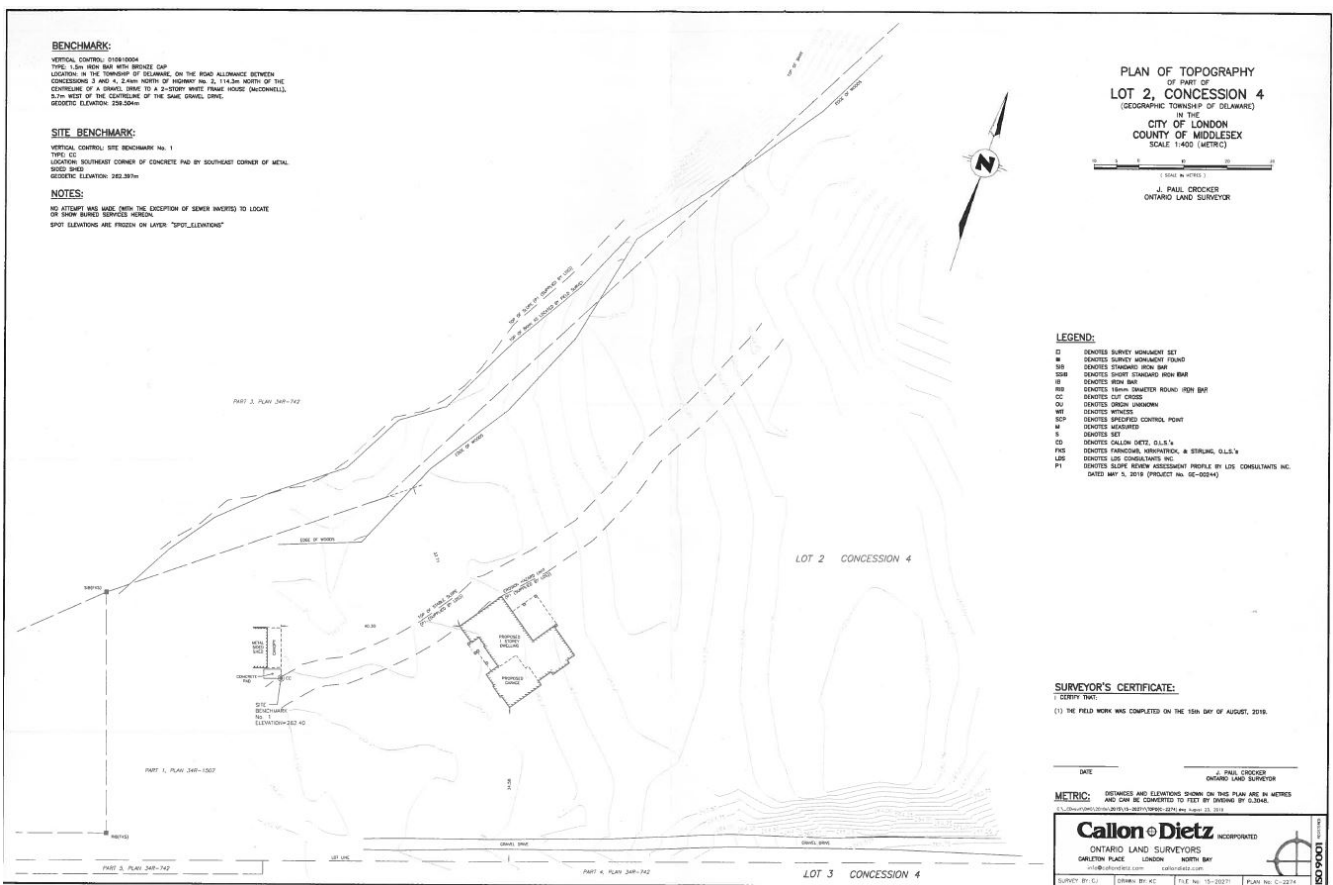
Location Map		Legend	
Subject Property:	2890 Woodhull Road		Subject Property
Applicant:	Peter McConnell		Parks
File Number:	H-9116		Assessment Parcels
Created By:	Larry Mottram		Buildings
Date:	9/13/2019		Address Numbers
Scale:	1:8000		

Corporation of the City of London

1.2 Site Location and Topographic Plan

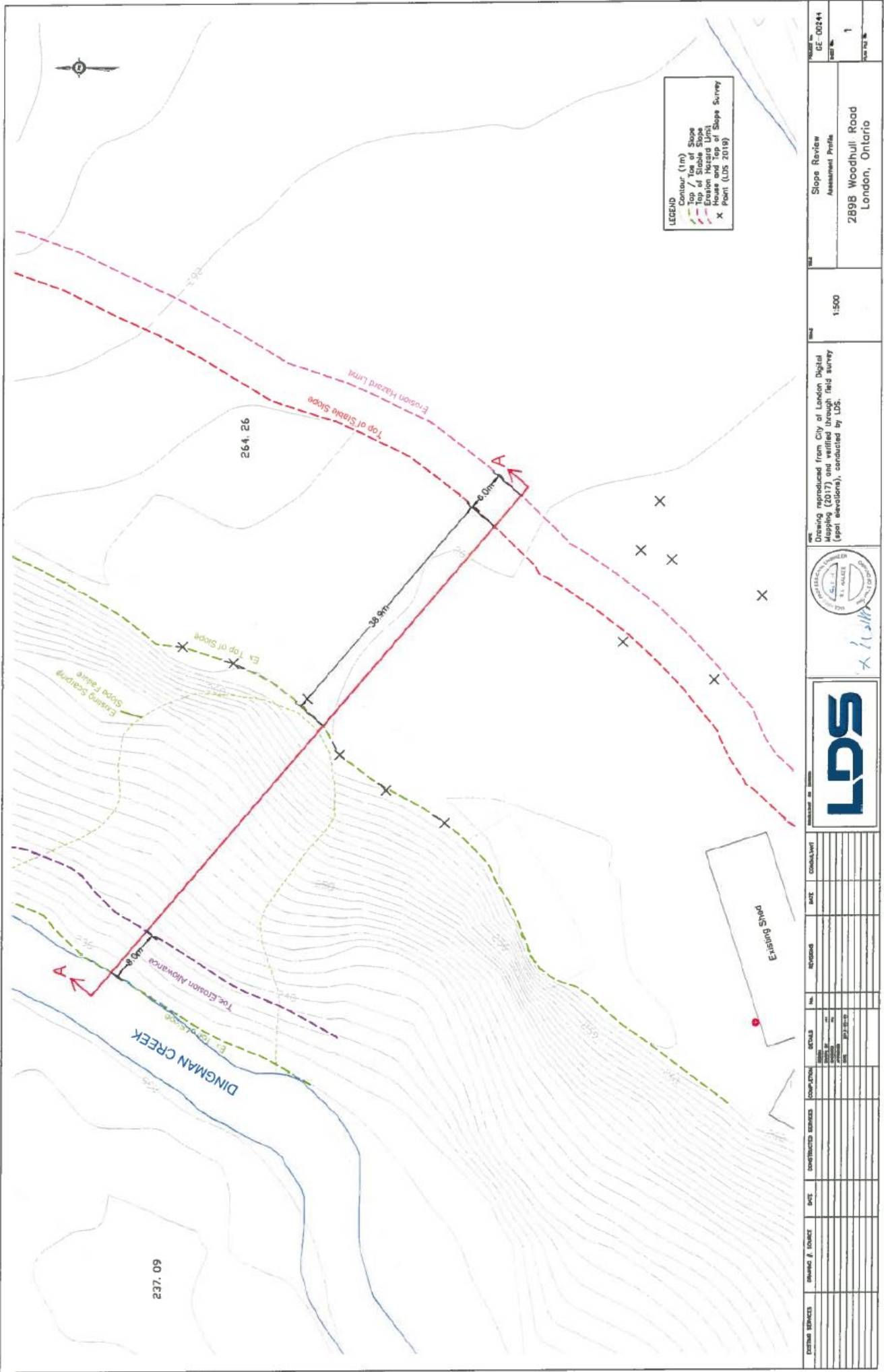


 Approximate location of proposed residential dwelling on 2898 Woodhull Road.



Site plan showing proposed 1-storey dwelling, top of stable slope, and erosion hazard limit.

1.3 Slope Assessment Profile



Excerpt from Slope Stability Assessment, Site Review and Desktop Study – 2898 Woodhull Road, London – LDS Consultants, May 6, 2019

2.0 Description of Proposal

The proposal is for construction of a 1 storey residential dwelling on the property at 2898 Woodhull Road. The proposed dwelling site is located within an open area of agricultural tableland above the Dingman Creek valley lands lying immediately to the north.

3.0 Relevant Background

3.1 Planning History

The response received from the Upper Thames River Conservation Authority indicated that the applicant began consultation with the UTRCA in early 2019 regarding construction of a proposed single detached dwelling at 2898 Woodhull Road. Based on this consultation, the applicant provided a Slope Stability Assessment prepared by LDS Consultants, dated May 6, 2019. Generally, the UTRCA accepts the findings of this assessment and has been working with the applicant through the Section 28 permit process. This assessment was prepared only for 2898 Woodhull Road; therefore, an additional/supplementary assessment would be required to establish the erosion hazard limit at 2890 Woodhull Road prior to removing the holding provision on this parcel.

4.0 Key Issues and Considerations

4.1 Has the condition for removal of the holding (h-4) provision been met?

The purpose of the holding (“h-4”) provision in the zoning by-law is as follows:

“Purpose: To refine the One Hundred Year Erosion Limit (identified on Schedule “B” of the Official Plan), assess the potential impacts of development and identify measures to avoid or address potential erosion/slope instability hazards, an agreement shall be entered into specifying appropriate development conditions and boundaries, based on a geotechnical study that has been prepared in accordance with the provisions of the Official Plan and to the satisfaction of the City of London, prior to removal of the “h-4” symbol” (Z.-1-051390)

Permitted Interim Uses: Existing uses

This application request involves two contiguous parcels of land located at 2890 and 2898 Woodhull Road. The parcel at 2890 Woodhull Road is approximately 0.4 hectares (1.0 ac.) in area and consists of an existing residential dwelling which is currently occupied. The property at 2898 Woodhull Road is approximately 10 hectares (25 ac.) and consists of an existing shed/workshop structure and cultivated fields. Both properties share an existing access driveway from Woodhull Road. Both parcels are also situated on tablelands adjacent a 28 metre (91.8 ft.) high, wooded embankment above the Dingman Creek to the north.

The proposed 1 storey dwelling on the parcel at 2898 Woodhull Road, as shown on the site plan, will be located to the east of the existing shed and within an area consisting of open field. A Slope Stability Assessment report has been prepared by Land Development Solutions (“LDS”) Consultants dated May 6, 2019, and certified by a professional geotechnical engineer. The assessment report has been submitted and reviewed by the UTRCA as the subject lands are within a Conservation Authority regulated area. Property owners are required to obtain permission from the UTRCA before beginning any development, site alteration, construction or placement of fill within the regulated area. A site plan and development agreement is not required for a farm residential dwelling within the AG2 Zone. However, detailed drawings will be required for review and approval by the UTRCA, and the owner will be bound by terms and conditions for development of the proposed dwelling through the Section 28 Permit.

The assessment report was prepared to determine the top of stable slope and erosion hazard limit. The slope assessment has identified the three main components of the erosion hazard limit, which are summarized as follows: a Toe Erosion Allowance (8.0

metres from edge of watercourse), a Stable Slope Setback (top of stable slope measured at 38.9 metres back from the top of the existing slope, based on the stable slope geometry of 2.8H:1.0V), and an Emergency Access Allowance (measured at 6.0 metres from top of stable slope). The erosion hazard limit defines the limit of development, and based on the geotechnical analysis that line is established at 44.8 metres back from the top of the existing slope, as shown on the drawing excerpt taken from the slope assessment report. The new residence and its on-site septic system are to be located outside of the erosion hazard limit.

The assessment report also recommended the following mitigation measures to maintain overall slope stability which will be implemented through conditions attached to the Section 28 Permit and the issuance of a building permit for the new dwelling:

- Excavated soils should not be placed over the table land near the crest of slope, unless the soil is placed as engineered structural fill. In addition, any fill placement or changes to existing grades in proximity to the site slopes may be subject to review and approval by UTRCA.
- Where possible, uncontrolled surface water flows over the face of the slope should be minimized, to reduce the risk of surface erosion. In the event that future construction activities occur at the top of the slope or over the face of the slope erosion control measures may be required during construction, to reduce the risk of surface water flows from washing out disturbed surfaces.
- Site grading around the new residence should be designed to direct surface water run-off away from the slope, to limit the amount of uncontrolled surface water flow over the face of the slope, which can contribute to surficial erosion damage to the slope surface.
- Water from downspouts and perimeter weeping tile etc. should be collected in a controlled manner and re-directed away from the slope.
- Vegetation on the slope and along the slope crest should be maintained. A program of plantation where appropriate, including deciduous trees and deep-tooted vegetation is recommended.
- Final design drawings including the final building location, services etc. should be reviewed by this office to ensure that the comments and recommendations provided in this report have been properly interpreted.

Based on staff's review, the h-4 holding provision in conjunction with the AG2 Zoned area on the property at 2898 Woodhull Road can be removed as a geotechnical study, which addresses the constraints and establishes the erosion hazard limits for the subject lands in relation to the location of the proposed dwelling, has been prepared to the satisfaction of the City and UTRCA. The owner will be required to obtain the necessary Section 28 permit and ensure that the work is completed in accordance with its terms and conditions. As a slope stability or geotechnical assessment has not been undertaken for the adjacent property at 2890 Woodhull Road, staff do not recommend removing the h-4 holding provision as it applies to this property at this time.

5.0 Conclusion

In the opinion of Staff, the holding zone requirement has been satisfied and it is appropriate to proceed to lift the holding (“h-4”) symbol from the zoning as it applies only to the property at 2898 Woodhull Road as a geotechnical study has been prepared to the satisfaction of the City and UTRCA.

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

October 28, 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 provision from the zoning for lands located at 2898 Woodhull Road.

WHEREAS Peter and Louise McConnell have applied to remove the holding provision from the zoning over lands located at 2898 Woodhull Road, as shown on the map attached to this by-law, as set out below;

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

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 2898 Woodhull Road, as shown on the attached map, to remove the h-4 holding provision so that the zoning of the lands as an Agricultural AG2 Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

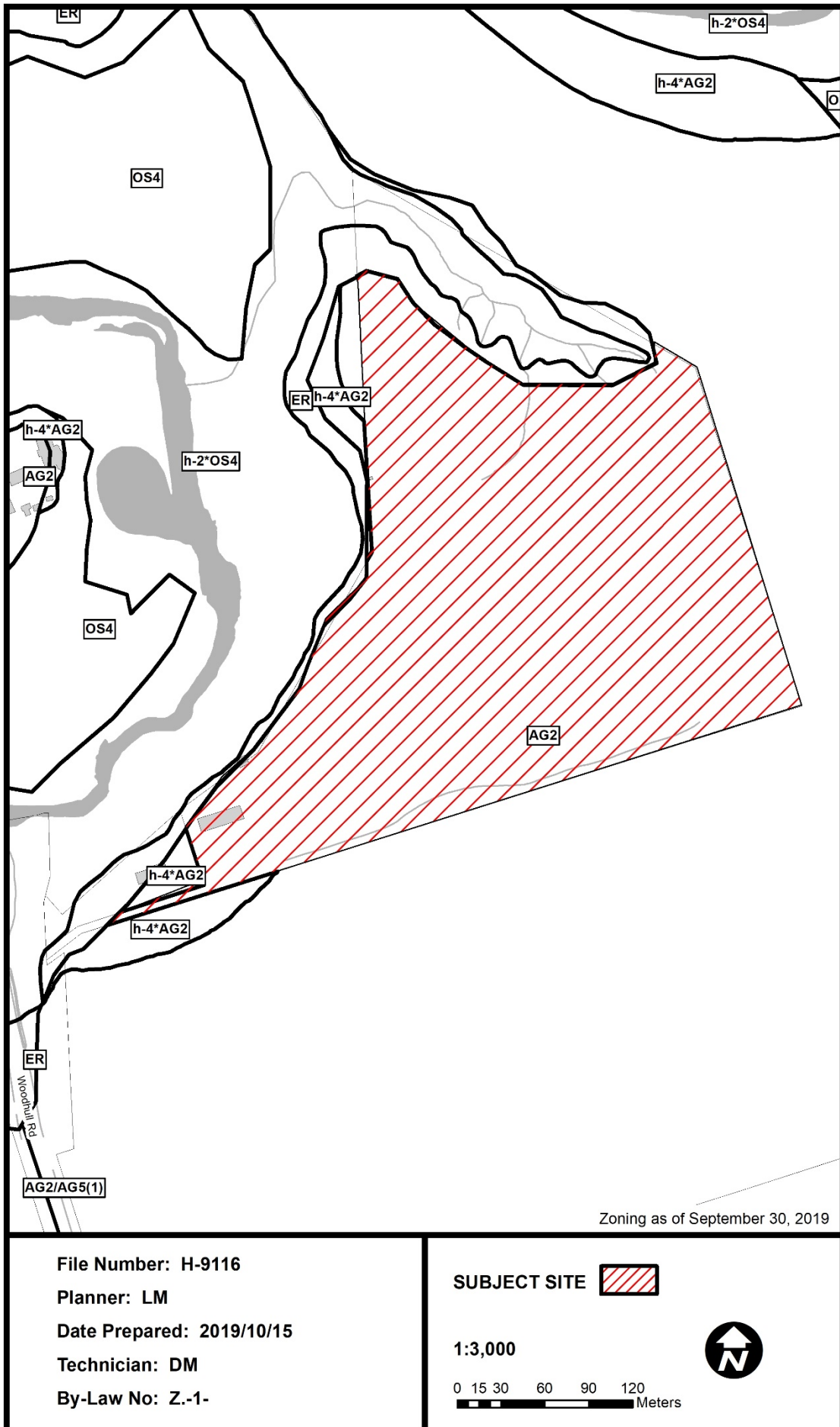
PASSED in Open Council on November 12, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – November 12, 2019
Second Reading – November 12, 2019
Third Reading – November 12, 2019

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



Appendix B – Public Engagement

Community Engagement

Public liaison: Notice of the application was published in the *Public Notices and Bidding Opportunities* section of The Londoner on September 26, 2019.

0 replies were received

Nature of Liaison: 2890 and 2898 Woodhull Road; located on the east side of Woodhull Road, south of the Dingman Creek – City Council intends to consider removing the Holding (“h-4”) Provision from the Agriculture AG2 zoning of the subject lands. This would allow development of a residential dwelling on the property at 2898 Woodhull Road, subject to an accepted geotechnical study to determine slope stability and erosion hazards associated with the steep slopes adjacent the Dingman Creek. The purpose of the “h-4” provision is to refine the One Hundred Year Erosion Limit (identified on Schedule “B” of the Official Plan), assess the potential impacts of development and identify measures to avoid or address potential erosion/slope instability hazards, an agreement shall be entered into specifying appropriate development conditions and boundaries, based on a geotechnical study that has been prepared in accordance with the provisions of the Official Plan and to the satisfaction of the City of London, prior to removal of the “h-4” symbol. Council will consider removing the holding provision as it applies to these lands no earlier than November 12, 2019.

Agency/Departmental Comments:

Upper Thames River Conservation Authority (UTRCA) – October 11, 2019

The UTRCA has the following recommendations and requirements:

1. 2890 Woodhull Road: The entirety of this parcel is located within the UTRCA regulated area, and is zoned “*Environmental Review*” and “*Agricultural AG2 h-4*”. The Slope Stability Assessment prepared by LDS Consultants, dated May 6, 2019, does not address the constraints and erosion hazard limits for these lands. Based on the absence of this assessment, the UTRCA recommends this application be **denied**, or **deferred** until such a time that an acceptable slope stability or geotechnical assessment has been completed.

2. 2898 Woodhull Road: This parcel is regulated by the UTRCA and is zoned “*Agricultural AG2*”, “*Agricultural AG2 h-4*”, “*Environmental Review*” and “*Open Space OS4 h-2*”. The Slope Stability Assessment prepared by LDS Consultants, dated May 6, 2019, addresses the constraints and establishes the erosion hazard limits for these lands in relation to the location of the proposed dwelling. The UTRCA has **no objections** to this application, however we remind the applicant that a Section 28 permit application is still required.

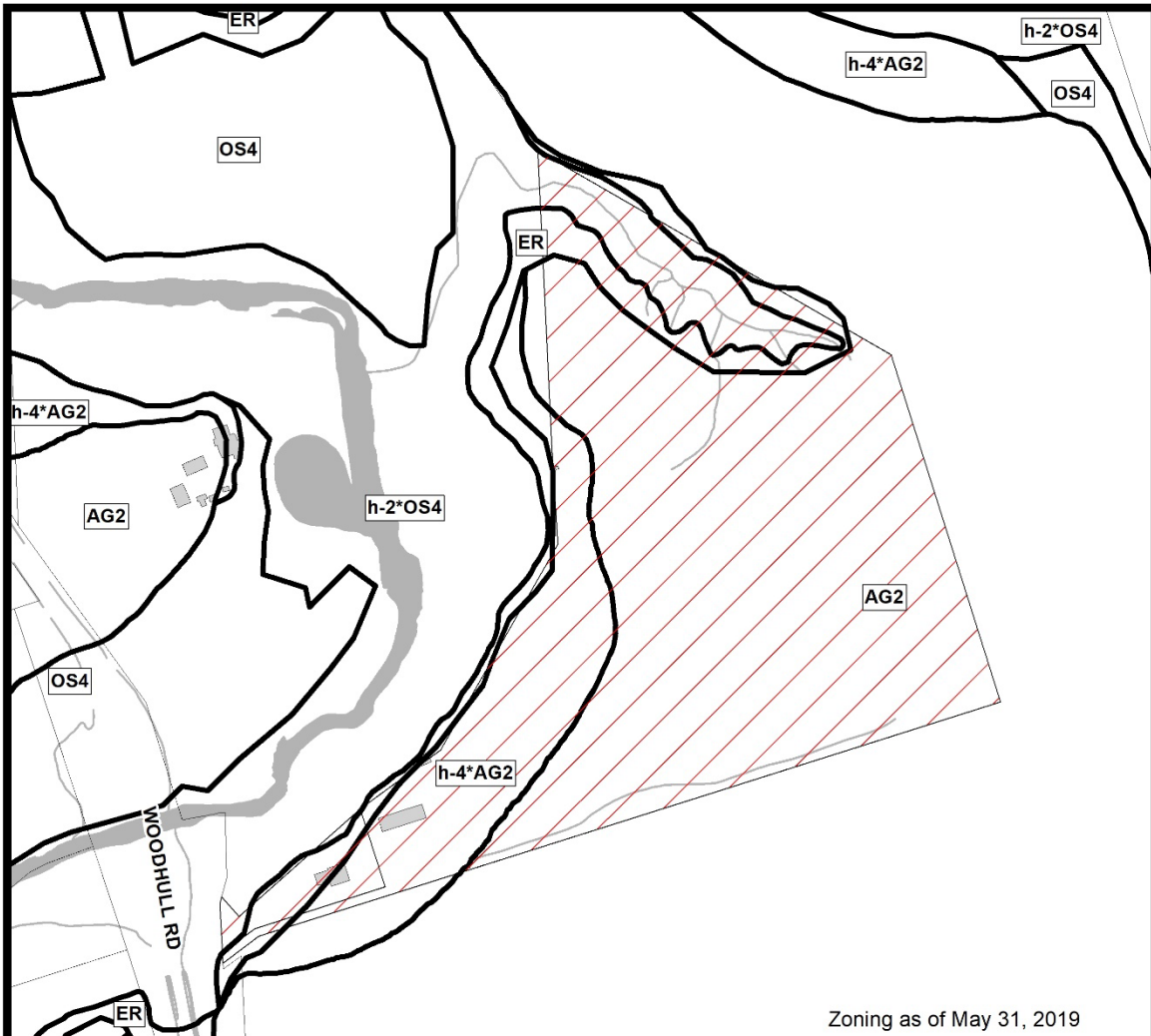
The Section 28 permit application shall include, but is not limited to:

- Detailed site plan drawing identifying hazard limits and proposed works, including the location of the proposed septic system; and,
- Sediment and Erosion Control plans, following the extent of the hazard including the 6 metre erosion access allowance.

Furthermore, it should be noted that no construction activities may occur within the 6 metre erosion access allowance. Please ensure consideration is given for construction works in and around the proposed dwelling in relation to the access allowance.

Appendix C – Relevant Background

Existing Zoning Map



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- | | |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS | RF - REGIONAL FACILITY |
| R2 - SINGLE AND TWO UNIT DWELLINGS | CF - COMMUNITY FACILITY |
| R3 - SINGLE TO FOUR UNIT DWELLINGS | NF - NEIGHBOURHOOD FACILITY |
| R4 - STREET TOWNHOUSE | HER - HERITAGE |
| R5 - CLUSTER TOWNHOUSE | DC - DAY CARE |
| R6 - CLUSTER HOUSING ALL FORMS | OS - OPEN SPACE |
| R7 - SENIOR'S HOUSING | CR - COMMERCIAL RECREATION |
| R8 - MEDIUM DENSITY/LOW RISE APTS. | ER - ENVIRONMENTAL REVIEW |
| R9 - MEDIUM TO HIGH DENSITY APTS. | OB - OFFICE BUSINESS PARK |
| R10 - HIGH DENSITY APARTMENTS | LI - LIGHT INDUSTRIAL |
| R11 - LODGING HOUSE | GI - GENERAL INDUSTRIAL |
| DA - DOWNTOWN AREA | HI - HEAVY INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | EX - RESOURCE EXTRACTIVE |
| CSA - COMMUNITY SHOPPING AREA | UR - URBAN RESERVE |
| NSA - NEIGHBOURHOOD SHOPPING AREA | AG - AGRICULTURAL |
| BDC - BUSINESS DISTRICT COMMERCIAL | AGC - AGRICULTURAL COMMERCIAL |
| AC - ARTERIAL COMMERCIAL | RRC - RURAL SETTLEMENT COMMERCIAL |
| HS - HIGHWAY SERVICE COMMERCIAL | TGS - TEMPORARY GARDEN SUITE |
| RSC - RESTRICTED SERVICE COMMERCIAL | RT - RAIL TRANSPORTATION |
| CC - CONVENIENCE COMMERCIAL | |
| SS - AUTOMOBILE SERVICE STATION | "h" - HOLDING SYMBOL |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | "D" - DENSITY SYMBOL |
| OR - OFFICE/RESIDENTIAL | "H" - HEIGHT SYMBOL |
| OC - OFFICE CONVERSION | "B" - BONUS SYMBOL |
| RO - RESTRICTED OFFICE | "T" - TEMPORARY USE SYMBOL |
| OF - OFFICE | |

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

H-9116

LM

MAP PREPARED:

2019/10/15

DM

1:4,000

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Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Draft Plan Of Subdivision Approval – 3-Year Extension
Vista Woods Estates Ltd.
751 Fanshawe Park Road

Meeting on: November 4, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Vista Woods Estates Inc. relating to the property located on the west side of Wonderland Road North and south of Sunningdale Road West (751 Fanshawe Park Road W North Routledge Park):

- (a) the Approval Authority **BE ADVISED** that Council supports the request for a three (3) year extension of the draft plan of subdivision approval for the draft plan submitted by Vista Woods Estates Ltd. (File No. 39T-03505), prepared by MTE (Drawing No.41794-134, dated June 2019) as redline amended, which shows 113 single detached residential lots, two medium density residential blocks, one (1) park block, and road widening and reserve blocks, served by five new streets and the extension of Eagletrace Drive and Buroak Drive **SUBJECT TO** the conditions contained in the attached Schedule "A".

1.0 Relevant Background

1.1 Previous Reports

39T-03505- Draft Approval report to Planning Committee - November 2004

39T-03505 Draft Approval extension report to Planning Committee - June, 2009

39T-03505 Draft Approval extension report to Planning Committee - March 2014

39T-03505 Draft Approval extension report to Planning Committee - December 2016

1.2 Planning History

This application for Draft Plan of Subdivision Approval was accepted on April 2, 2003 and revised on May 19, 2004. It was circulated to the required agencies and municipal departments on June 11, 2004. The application was advertised in the London Free Press Civic Corner on June 12, 2004 and June 26, 2004. A notice of Public Meeting was advertised in the London Free Press on November 13, 2004 and November 27, 2004, and a notice of Public Meeting was sent out on November 12, 2004. The Public Meeting was held on November 29, 2004. Draft Approval was issued on December 23, 2004.

At its' meeting on June 9, 2008 City Council requested that the Approval Authority approve the request for a three year extension of the draft plan of subdivision approval for this subdivision subject to the revised street pattern and conditions of draft approval. Draft approval was extended to December 23, 2010.

The owner requested a 3 year extension of draft approval in 2010. At its' meeting on November 1, 2010, City Council requested that the Approval Authority approve a three year extension subject to revised conditions of draft approval. Draft approval was extended to December 23, 2013.

The owner requested a 3 year extension and revision of draft approval in 2013. At its' meeting on April 1, 2014, City Council requested that the Approval Authority approve a three year extension subject to a revised street pattern and conditions of draft approval. Draft approval was extended to December 23, 2016.

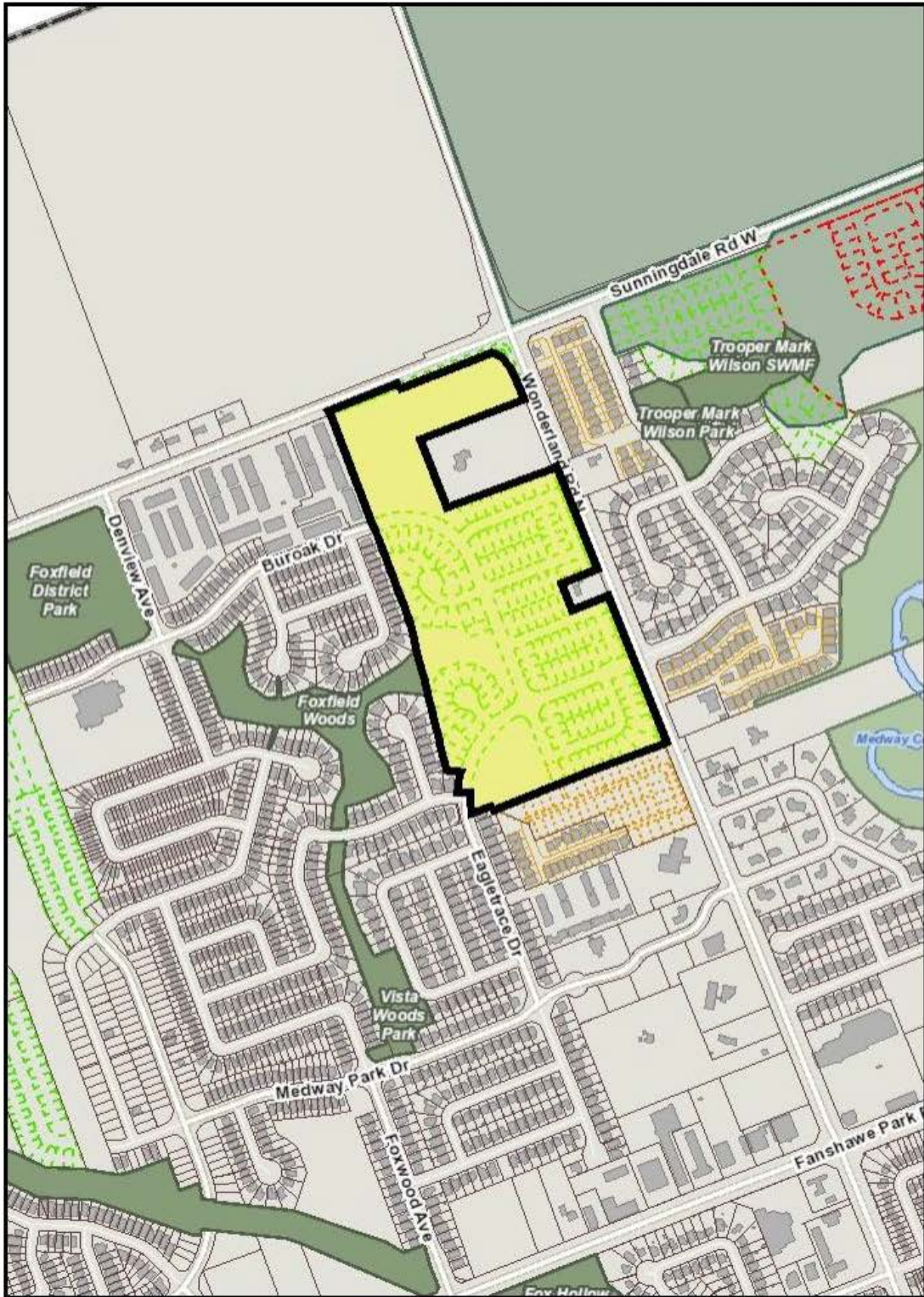
The owner requested a 3 year extension of draft approval in 2016. At its' meeting on December 19, 2016, City Council requested that the Approval Authority approve the three year extension. The present draft approval expiry date is December 23, 2019 (three years after the last extension of draft approval).






The draft approved plan received redline revisions and approvals on August 26, 2019 which increased some of the lot sizes and reduced the total lots from 127 to 113 single detached residential lots while the remaining, two medium density residential blocks, one (1) park block, and road widening and reserve blocks, served by five new streets and the extension of Eagletrace Drive and Buroak Drive remained the same. No changes are proposed to the approved zoning, or road alignments with this draft approved plan.

The attached amendments to the conditions of draft approval are required to ensure that current development standards are updated and implemented. The changes to conditions of draft approval are to address primarily engineering issues. The amendments to the conditions of draft approval are shown as strikeouts (deletions) and bold italic lettering (additions) on the attached Schedule "A". If granted, the new draft approval lapse date would be December of 2022.


As a result of these minor changes to the conditions of draft approval, an extension may be granted and there is no requirement for public notice of the changes in accordance with Section 50 (33) & (47) of the *Planning Act*.

2.0 Location Map

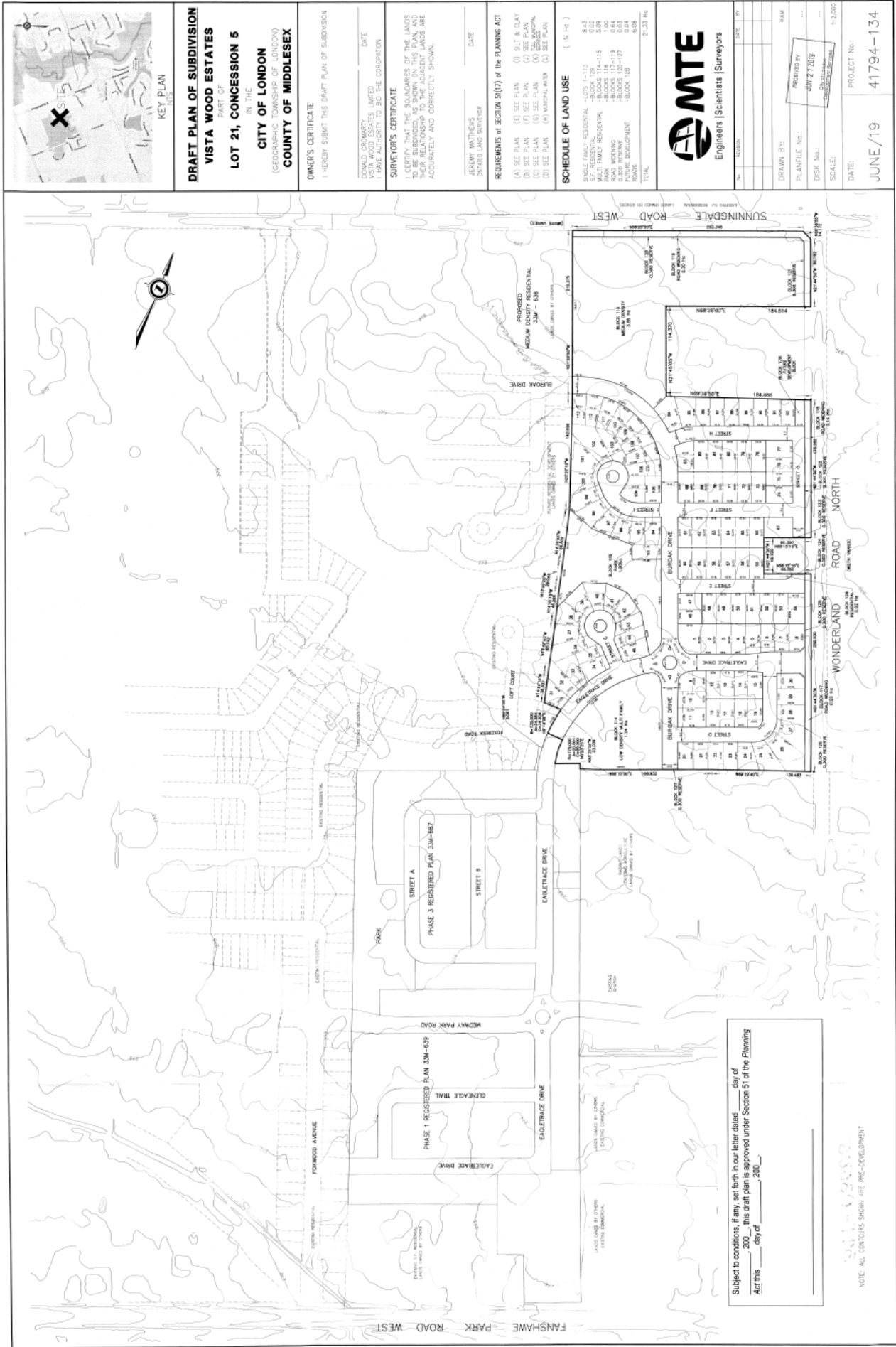


Location Map		Legend	
Project Title:	39T-03505		Subject Site
Description:			Parks
Created By:	Mike Corby		Assessment Parcels
Date:	8/14/2019		Buildings
Scale:	1:8000		Address Numbers

Corporation of the City of London



Draft Plan with Redline Revisions 2019



5.0 Conclusion

The revised conditions of draft approval are appropriate to ensure that this subdivision is developed under today's standards.

Prepared by:	Mike Corby, RPP, MCIP Senior Planner, Development Services
Recommended by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services	

October 28, 2019
MC/FG\mc

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

\\FILE1\users-x\pdda\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\1996 & earlier\T78066 Doman Developments\2019 DA Extension\Report's\PEC-Report-DraftExtension - Sept 9, 2019.docx

Appendix A

THE CORPORATION OF THE CITY OF LONDON'S CONDITIONS AND AMENDMENTS TO FINAL APPROVAL FOR THE REGISTRATION OF THIS SUBDIVISION, FILE NUMBER 39T-03505, ARE AS FOLLOWS

No.	Condition
1.	That this approval applies to the draft plan Vista Woods Estates Limited. (File No. 39T-03505), prepared by Whitney Engineering Inc. (dated May 2013) as redline amended, which shows 113 single detached residential lots, two medium density residential blocks, one (1) park block, and road widening and reserve blocks, served by five new streets and the extension of Eagletrace Drive and Buroak Drive. (Planning)
2.	This approval of the draft plan applies until December 23, 2019, and if final approval is not given by that date, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority. (Planning)
3.	The road allowances included in this draft plan shall be shown on the face of the plan and dedicated as public highways.
4.	The Owner shall request that the streets be named to the satisfaction of the City.
5.	The Owner shall request that the municipal address shall be assigned to the satisfaction of the City.
6.	Prior to final approval, the Owner shall submit to the Approval Authority a digital file of the plan to be registered in a format compiled to the satisfaction of the City of London and referenced to NAD83UTM horizon control network for the City of London mapping program.
7.	Prior to final approval, appropriate zoning shall be in effect for this proposed subdivision.
8.	The Owner shall satisfy all the requirements, financial and otherwise, of the City of London in order to implement the conditions of this draft approval.
9.	In conjunction with registration of the Plan, the Owner shall provide to the appropriate authorities such easements and/or land dedications (eg. 0.3 metre reserve blocks) as may be required for all municipal works and services associated with the development of the subject lands, such as road, utility, drainage or stormwater management (SWM) purposes, to the satisfaction of the City Engineer, at no cost to the City.
10.	Phasing of this subdivision (if any) shall be to the satisfaction of the City.
11.	Prior to any work on the site, the Owner shall enter into an agreement with the City and shall construct temporary measures to control silt fencing entering the storm drainage system to the specifications outlined in the Guidelines on Erosion and Sediment Control for Urban Construction Sites (May 1987) prepared by the Ministry of Natural Resources. These measures are to be approved by the City Engineer and installed prior to commencing any construction on this subdivision, and are to remain in place until construction as required under this agreement has been completed to the specifications of the City Engineer. The Owner shall have its professional engineer monitor the erosion and sediment control measures in accordance with the above-noted Guidelines and submit to the City Engineer monitoring reports with a log of dates when the facilities were inspected, the condition of the facilities at that time, and what remedial action, if any, was needed and taken. The monitoring reports are to be submitted to the City Engineer by April

1, July 1, and November 1 of each year until all works and services in this Plan are assumed by the City.

12. In conjunction with the Focused Design Studies, the Owner shall have a report prepared by a qualified consultant, and if necessary, a detailed hydro geological investigation carried out by a qualified consultant, to determine, including but not limited to, the following:

- i) Assess the impact on water balance in the plan, as applicable.**
- ii) Assess any fill required in the plan.**
- iii) Provide recommendations for foundation design should high groundwater be encountered.**
- iv) To meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407, include an analysis to establish the water table level of lands within the subdivision with respect to the depth of the sanitary sewers and recommend additional measures, if any, which need to be undertaken**
- v) Determine the effects of the construction associated with this subdivision on the existing groundwater elevations and domestic or farm wells in the area and identify any abandoned wells in this plan, assess the impact on water balance and any fill required in the plan, as well provide recommendations for foundation design should high groundwater be encountered, to the satisfaction of the City. The hydrogeological investigation should identify all required mitigation measures including Low Impact Development (LIDs) solutions and associated details, as necessary, to the satisfaction of the City Engineer. Details related to proposed LID solutions, if applicable, should include information related to the long term operations of the LID systems as it relates to seasonal fluctuations of the groundwater table. If necessary, the report is to also address any contamination impacts that may be anticipated or experienced as a result of the said construction as well as provide recommendations regarding soil conditions and fill needs in the location of any existing watercourses or bodies of water on the site. The hydrogeological investigation should also include the development of appropriate short-term and long-term monitoring plans (if applicable), and appropriate contingency plans (if applicable), in the event of groundwater interference related to construction.**
- vi) Determine water taking requirements to facilitate construction (i.e., PTTW or EASR be required to facilitate construction), including sediment and erosion control measures and dewatering discharge locations.**
- vii) address any contamination impacts that may be anticipated or experienced as a result of the said construction**
- viii) provide recommendations regarding soil conditions and fill needs in the location of any existing watercourses or bodies of water on the site.**

all to the satisfaction of the City.

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

~~In conjunction with the Design Studies submission, the Owner shall have a report prepared by a qualified consultant, and if necessary, a detailed hydro geological investigation carried out by a qualified consultant, to determine, including but not limited to, the following:~~

- ~~i) the effects of the construction associated with this subdivision on the existing ground water elevations and domestic or farm wells in the area~~

- ~~ii) identify any abandoned wells in this plan~~
- ~~iii) assess the impact on water balance in the plan~~
- ~~iv) any fill required in the plan~~
- ~~v) provide recommendations for foundation design should high groundwater be encountered~~
- ~~vi) identify all required mitigation measures including Low Impact Development (LIDs) solutions~~
- ~~vii) address any contamination impacts that may be anticipated or experienced as a result of the said construction~~
- ~~ix) provide recommendations regarding soil conditions and fill needs in the location of any existing watercourses or bodies of water on the site.~~

~~all to the satisfaction of the City.~~

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

13. Prior to any work on the site, the Owner shall decommission and permanently cap any abandoned wells located in this Plan, in accordance with current provincial legislation, regulations and standards. In the event that an existing well in this Plan is to be kept in service, the Owner shall protect the well and the underlying aquifer from any development activity.
14. The Owner's professional engineer shall provide inspection services during construction for all work to be assumed by the City, and shall supply the City with a Certification of Completion of Works upon completion, in accordance with the plans accepted by the City Engineer.
15. The Owner shall comply with all City of London standards, guidelines and requirements in the design of this draft plan and all required engineering drawings, to the satisfaction of the City. Any deviations from the City's standards, guidelines or requirements shall be satisfactory to the City
16. Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with the Approval Authority a complete submission consisting of all required clearances, fees, and final plans, and to advise the Approval Authority in writing how each of the conditions of draft approval has been, or will be, satisfied. The Owner acknowledges that, in the event that the final approval package does not include the complete information required by the Approval Authority, such submission will be returned to the Owner without detailed review by the City.
17. For the purpose of satisfying any of the conditions of draft approval herein contained, the Owner shall file, with the City, complete submissions consisting of all required studies, reports, data, information or detailed engineering drawings, all to the satisfaction of the General Manager of Planning and Development and the City Engineer. The Owner acknowledges that, in the event that a submission does not include the complete information required by the General Manager of Planning and Development and the City Engineer, such submission will be returned to the Owner without detailed review by the City.
18. The subdivision agreement between the Owner and the City shall be registered against the lands to which it applies. Prior to final approval the Owner shall pay in full all municipal financial obligations/encumbrances on the said lands, including property taxes and local improvement charges.
19. The Owner shall carry out an archaeological survey and rescue excavation of any significant archaeological remains found on the site to the satisfaction of the Southwestern Regional Archaeologist of the Ministry of Culture. No final approval

shall be given, and no grading or other soil disturbance shall take place on the subject property prior to the letter of release from the Ministry of Culture.

20. No construction or installations of any kind (eg. Clearing or servicing of land) involved with this plan shall be undertaken prior to the Owner entering into a site alteration agreement or subdivision agreement and obtaining all necessary permits, approvals and/or certificates that need to be issued in conjunction with the development of the subdivision, unless otherwise approved by the City in writing; (eg. MOE Certificates, City/Ministry/Agency permits: Approved Works, water connection, water-taking, navigable waterways, approvals, UTRCA, MNR, MOE, City, etc.)
21. The Owner shall oversize the internal sewers and water mains in the subdivision (or any resulting phase) to accommodate flows from the upstream lands and water servicing external to the subdivision, all in accordance with requirements and details as outlined in the Fox Hollow Community Plan, and to the specifications of the City Engineer. (EESD)
22. The Owner shall make arrangements with the affected property owner(s) for the construction of any portions of services or grading situated on private lands outside this plan, and shall provide satisfactory easements over these works, as necessary, all to the specifications and satisfaction of the City, at no cost to the City.
23. In conjunction with the **Focused** Design Studies submission, the Owner shall have its professional engineer provide an opinion for the need for an Environmental Assessment under the Class EA requirements for the provision of any services related to this plan. All class EA's must be completed prior to the submission of engineering drawings.
24. The Owner shall submit a copy of the final plan for this subdivision to the Development Services Division (Development Engineering) showing any amendments or revisions made to this plan as a result of any requirements and/or conditions covering the plan, or otherwise (ie. Owner initiated) to the satisfaction of the City Engineer, prior to final approval being issued.
25. Should this plan be developed in stages, 0.3 m reserves will be required at the end of all dead-end road allowances, across future road connections and along any open sides of road allowances.
26. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.

Sanitary

27. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of sanitary services for this draft plan of subdivision:
 - i) Construct sanitary sewers to serve this southerly portion of this Plan and connect them to the existing municipal sewer system, namely, the 250 mm diameter sewer located on Eagletrace Drive and to serve the northerly portion of this Plan and connect them to the existing municipal sewer system, namely, the 200 mm sanitary stub on Sunningdale Road West;
 - ii) Construct a maintenance access road and provide a standard municipal easement for any section of the sewer not located within the road allowance, to the satisfaction of the City Engineer;
 - iii) Make provisions for the extension of sanitary servicing for MN 2039 and MN 2121 Wonderland Road N. which are contiguous to this Plan excluding pdc's;

- iv) Make provisions for oversizing of the internal sanitary sewers in this draft plan to accommodate flows from the upstream lands external to this plan, all to the specifications of the City Engineer. This sewer must be extended to the limits of this plan and/or property line to service the upstream external lands; and
 - v) Where trunk sewers are greater than 8 metres in depth and are located within the municipal roadway, the Owner shall construct a local sanitary sewer to provide servicing outlets for private drain connections, to the satisfaction of the City Engineer. The local sanitary sewer will be at the sole cost of the Owner. Any exception will require the approval of the City Engineer.
28. In conjunction with ***the first submission of engineering drawings*** ~~Design Studies submission~~, the Owner shall have his consulting engineer prepare and submit the following sanitary servicing design information:
- i) a sanitary drainage area plan, including the sanitary sewer routing and the external areas to be serviced to the satisfaction of the City Engineer;
 - ii) a suitable routing for the trunk sanitary sewer to be constructed through this plan. Further to this, the consulting engineer shall be required to provide an opinion for the need for an Environmental Assessment under the Class EA requirement for this sanitary trunk sewer; and
 - iii) a hydrogeological report which includes an analysis of the water table level of the lands within the subdivision with respect to the depth of the local sanitary sewers and an evaluation of additional measures, if any, which need to be undertaken in order to meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407.
29. In order to prevent any inflow and infiltration from being introduced to the sanitary sewer system, the Owner shall, throughout the duration of construction within this plan, undertake measures within this draft plan to control and prevent any inflow and infiltration and silt from being introduced to the sanitary sewer system during and after construction, satisfactory to the City, at no cost to the City, including but not limited to the following:
- i) Not allowing any weeping tile connections into the sanitary sewers within this Plan;
 - ii) Permitting the City to undertake smoke testing or other testing of connections to the sanitary sewer to ensure that there are no connections which would permit inflow and infiltration into the sanitary sewer.
 - iii) Installing Parson Manhole Inserts (or approved alternative satisfactory to the City Engineer) in all sanitary sewer maintenance holes at the time the maintenance hole(s) are installed within the proposed draft plan of subdivision. The Owner shall not remove the inserts until sodding of the boulevard and the top lift of asphalt is complete, all to the satisfaction of the City Engineer.
 - iv) Having his consulting engineer confirm that the sanitary sewers meet allowable inflow and infiltration levels as per OPSS 410 and OPSS 407; and
 - v) Implementing any additional measures recommended through the Design Studies stage.
30. Prior to registration of this Plan, the Owner shall obtain consent from the City Engineer to reserve capacity at the Adelaide/Greenway Pollution Control Plant for this subdivision. This treatment capacity shall be reserved by the City Engineer subject to capacity being available, on the condition that registration of the subdivision agreement and the plan of subdivision occur within one (1) year of the date specified in the subdivision agreement.

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

31. The Owner shall advise the City in writing at least two weeks prior to connecting, either directly or indirectly, into any unassumed services constructed by a third party, and to save the City harmless from any damages that may be caused as a result of the connection of the services from this subdivision into any unassumed services.

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

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

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

32. The Owner shall pay a proportional share of the operational, maintenance and/or monitoring costs of any affected unassumed sewers or SWM facilities (if applicable) to third parties that have constructed the services and/or facilities, to which the subdivider is connecting. The above-noted proportional share of the cost shall be based on contributing flows for sewers or on storage volume in the case of a SWM facility. The subdivider's payments to third parties, shall:
- a. commence upon completion of the subdivider's service work connections to the existing unassumed services; and
 - b. continue until the time of assumption of the affected services by the City.

33. With respect to any services and/or facilities constructed in conjunction with this Plan, the Owner shall permit the connection into and use of services and/or facilities by outside owners whose lands are served by the said services and/or facilities, prior to the said services and/or facilities being assumed by the City. The connection into and use of the subject services by an outside owner will be conditional upon the outside owner satisfying any requirements set out by the City, and agreement by the outside owner to pay a proportional share of the operational maintenance and/or monitoring costs of any affected unassumed services and/or facilities.

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

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

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

Stormwater Management

36. Prior to final approval, the Owner shall enter into an agreement with benefiting land owners for the costs associated with the monitoring and operation of the Permanent Regional SWM Facilities. Cost sharing will be in accordance with flow contribution from all relevant landowners to the proposed SWM Facilities.
37. The Owner shall have its consulting professional engineer design and construct the proposed storm/drainage and SWM servicing works for the subject lands, all to the satisfaction of the City Engineer, and according to the requirements of the following:
- a. The SWM criteria and environmental targets for the Medway Creek Subwatershed Study.
 - b. The accepted Municipal Class Environmental Assessment (EA) Addendum Study for Storm Drainage and Stormwater Management Servicing Works for the Fox Hollow development area.
 - c. The accepted Municipal Class EA Study for Storm Drainage and Stormwater Management Servicing Works for the Sunningdale Undeveloped land.
 - d. The approved Functional Stormwater Management Plan for Regional Fox Hollow SWM Facility 4 and Sunningdale SWM Facility 6B.
 - e. The City's Design Requirements for Permanent Private Stormwater Systems approved by City Council and effective as of January 1, 2012. The stormwater requirements for PPS for all medium/high density residential, institutional, commercial and industrial development sites are contained in this document, which may include but not be limited to quantity/quality control, erosion, stream morphology, etc.;
 - f. The accepted storm/drainage Servicing Letting/Report of Confirmation prepared in accordance with the File Manager Process and requirements for the subject development.
 - g. The City's Waste Discharge and Drainage By-laws, lot grading standards, policies, requirements and practices.
 - h. The Ministry of the Environment SWM Practices Planning and Design Manual (2003), and
 - i. Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies.
38. Prior to the acceptance of engineering drawings, the Owner's consulting engineer shall certify the subdivision has been designed such that increased and accelerated stormwater runoff from this subdivision will not cause damage to downstream lands, properties or structures beyond the limits of this subdivision. Notwithstanding any requirements of or any approvals given by the City Engineer, the Owner shall indemnify the City against any damage or claim for damages arising out of or alleged to have arisen out of such increased or accelerated stormwater runoff from this subdivision.

Water

39. ***In conjunction with the first submission of engineering drawings, the Owner shall have their consulting engineer prepare and submit a water servicing report including the following design information, all to the satisfaction of the City Engineer:***
- i) ***Water distribution system analysis & modeling and hydraulic calculations for the Plan of Subdivision confirming system design requirements are being met;***

- ii) Identify domestic and fire flows for the potential ICI/medium/high density Blocks from the low-level (high-level) water distribution system;**
- iii) Address water quality and identify measures to maintain water quality from zero build-out through full build-out of the subdivision;**
- iv) Identify fire flows available from each proposed hydrant to be constructed and determine the appropriate colour hydrant markers (identifying hydrant rated capacity);**
- v) Include a phasing report as applicable which addresses the requirement to maintain interim water quality;**
- vi) Develop a looping strategy when development is proposed to proceed beyond 80 units;**
- vii) Provide a servicing concept for the proposed street townhouse (or narrow frontage) lots which demonstrates separation requirements for all services in being achieved;**
- viii) Identify any water servicing requirements necessary to provide water servicing to external lands, incorporating existing area plans as applicable;**
- ix) Identify any need for the construction of or improvement to external works necessary to provide water servicing to this Plan of Subdivision;**
- x) Identify any required watermain oversizing, if necessary, and any cost sharing agreements;**
- xi) Identify the effect of development on existing water infrastructure – identify potential conflicts;**
- xii) Include full-sized water distribution and area plan(s);**
- xiii) Identify on the water distribution plan the location of valves, hydrants, and the type and location of water quality measures to be implemented (including automatic flushing devices);**

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

- ~~In conjunction with the Design Studies submission, the Owner shall have his consulting engineer prepare and submit the following water servicing design information, all to the satisfaction of the City Engineer:~~
 - i) ~~A water servicing report which addresses the following:~~
 - ~~Identify external water servicing requirements;~~
 - ~~Identify fireflows available from each hydrant proposed to be constructed and identify appropriate hydrant colour code markers;~~
 - ~~Confirm capacity requirements are met;~~
 - ~~Identify need to the construction of external works;~~
 - ~~Identify the effect of development on existing water infrastructure—identify potential conflicts;~~
 - ~~Water system area plan(s)~~
 - ~~Water network analysis/hydraulic calculations for subdivision report;~~
 - ~~Phasing report and identify how water quality will be maintained until full built-out;~~
 - ~~Oversizing of watermain, if necessary and any cost sharing agreements.~~
 - ~~Water quality~~

- Identify location of valves and hydrants
- Identify location of automatic flushing devices as necessary
- Looping strategy

~~Prior to the issuance of any Certificate of Conditional Approval, the Owner shall implement the accepted recommendations to address the water quality requirements for the watermain system, to the satisfaction of the City Engineer, at no cost to the City. The requirements or measure which are necessary to meet water quality requirements shall also be shown clearly on the engineering drawings.~~

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

Streets, Transportation & Surveys

41. The Owner shall construct Buroak Drive at the western boundary of the subject property such that it's centreline aligns with the existing secondary collector road to the west in Plan 33M-635, to the satisfaction of the City.
42. The Owner shall construct the street stub on Buroak Drive as fully serviced road at no cost to the City.
43. The Owner shall construct a gateway island on Eagletrace Drive from Wonderland Road North westerly with a right of way width of 28.0 metres for a minimum length of 45.0 metres (150') tapered back over a distance of 30 metres to the standard secondary collector road right of way width of 21.5 metres, to the satisfaction of the City. The widened road on Eagletrace Drive is to be equally aligned from the centerline of the road and tapered back to the 9.5 metres (31.2') of road pavement width (excluding gutters) and 21.5 metres (70') of road allowance for this street with 30 metre (100') tapers on both street lines.
44. The Owner shall advise lot purchasers that access to lots opposite gateway treatments will be restricted to right-in and right-out only.
45. The Owner shall construct a 1.5 metre (5') sidewalk on both sides of the following streets:
- a. Eagletrace Drive – from Wonderland Road North to the north limit of plan 33M-687
 - b. Buroak Drive – from Eagletrace Drive to the west limit of this draft plan of subdivision
46. The Owner shall construct a 1.5 metre (5') sidewalk on one side of the following streets:
- a. Street 'E' - south boulevard
 - b. Street 'H' - north boulevard
 - c. Buroak Drive – south of Eagletrace Drive - east boulevard
 - d. Along the Wonderland Road North frontage, including lands external to this draft plan of subdivision, from Sunningdale Road West southward to the southerly limit of Lot **26 /408** (across frontage of lands external to the plan, the sidewalk will be built to temporary/interim standards)
47. The Owner shall provide sidewalk links from Street 'E' and Street 'H' to the proposed sidewalk on Wonderland Road North.

48. ~~The Owner shall construct sidewalks throughout the subdivision to the satisfaction of the City Engineer. (EESD)~~
49. ~~The Owner shall dedicate sufficient land to widen Wonderland Road North and Sunningdale Road West to 18.0 metres (59.1') from the centerline of the original road allowance.~~
50. ***In conjunction with the first submission of engineering drawings***, the following traffic calming measures are to be approved and constructed **ion**, to the satisfaction of the City:
- a. Roundabout at the intersection of Eagletrace Drive and Buroak Drive;
 - b. Curb extensions along the west and south side of Buroak Drive from Eagletrace Drive to the western boundary of the plan of subdivision with the parking bay removed for utilities (fire hydrants) and for transit stop locations as defined by the London Transit Commission.
 - c. Curb extensions along the east and south side of Eagletrace Drive between Wonderland Road North and Medway Park Road with the parking bay removed for utilities (fire hydrants) and for transit stop locations as defined by the London Transit Commission.
 - d. Reduced curb radii (**6.0** metre) on the inbound approach to all local roads intersecting the secondary collector road network.
51. The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Eagletrace Drive via Wonderland Road North or other routes designated by the City.
52. The Owner shall make the necessary arrangements with adjacent property owners, or make modifications to the draft plan of subdivision, to provide an emergency access to this subdivision should the plan be registered in phases all to the satisfaction of the City Planner and the City Engineer.
53. The Owner shall provide a 0.3 m (1') reserve Block along the window street termination abutting the north and south limits of 2039 Wonderland Rd N.
54. The Owner shall construct a temporary turning facility for vehicles at the following locations:
- a. east limit of Street 'E'
- all to the specifications of the City.
- Temporary turning circles shall be provided to the City as required by the City, complete with any associated easements. When the temporary turning circle is no longer needed, the City will quit claim the easements which are no longer required, at no cost to the City.
55. The Owner shall have the common property line of the north and the east limit of this draft plan of subdivision with Sunningdale Road West and with Wonderland Road North graded in accordance with the City of London Standard "Subdivision Grading along Arterial Roads", at no cost to the City.

Further, the grades to be taken as the centreline grades on Sunningdale Road West and Wonderland Road North are the future ultimate centreline of road grades as determined by the Owner's professional engineer, satisfactory to the City, should an ultimate centreline profile not be available to the satisfaction of the City Engineer. From these, the Owner's professional engineer is to determine the ultimate elevations along the common property line which will blend with the ultimate reconstructed road, all to the satisfaction of the City.

56. The Owner shall revise the north limit of Street 'G' to be a Future Development Block on the north side of Street 'H' (at the location of the proposed window street extension) abutting 2121 Wonderland Road North and make any necessary lot reconfigurations and the Owner shall transfer the Future Development Block, **Block 128**, as-needed, at no cost to the City. Should the adjacent lands develop for residential use and Future Development Block is required for access purposes, the Future Development Block shall be sold at market value, as determined by the City acting reasonably to the owners of the adjacent lands for access purposes, and the City shall pay the net proceeds of that sale (minus any City costs) to the Owner of this plan (39T-03505) within 30 days of such sale. Should the City determine that the Future Development Block is not needed for access purposes, then the City would transfer the lot back to the Owner of this plan for a nominal fee.
57. The Owner shall be required to construct the following works on Wonderland Road North:
- a. sidewalk along the west boulevard across the frontage of the plan
 - b. channelization on Wonderland Road at the intersection of Eagletrace Drive (which may include left and right turn lanes and tapers)
58. ~~The Owner shall convey easements necessary for temporary turning facilities for vehicles as required and to the satisfaction of the City Engineer. (EESD)~~
59. Any dead ends and open sides of road allowances created by this draft plan, or by phasing of this plan, shall be terminated in 0.3 metre reserves to be conveyed to, and held in trust, by the City of London. (EESD)
60. The Owner shall make minor boulevard improvements on Wonderland Road North and Sunningdale Road West adjacent to this plan to the specifications of the City and at no cost to the City, consisting of clean-up, grading and sodding as necessary.
61. The Owner shall establish and maintain a Traffic Management Plan (TMP), when directed by the City, in conformance with City guidelines and to the satisfaction of the City Engineer for any construction activity that will occur on existing public roadways needed to provide services for this plan of subdivision. The TMP is a construction scheduling tool intended to harmonize a construction project's physical requirements with the operational requirements of the City of London, the transportation needs of road users and access concerns of area property owners. The Owner's contractor(s) shall undertake the work within the prescribed operational constraints of the TMP. The TMP will be submitted and become a requirement of the subdivision servicing drawings for this plan of subdivision.
62. ***The Owner shall ensure that no vehicular access will be permitted to Lots and/or Blocks from Wonderland Road or Sunningdale Road West. All vehicular access is to be via the internal subdivision streets.***
63. ***The Owner shall provide a road widening dedication on Wonderland Road North measured 24.0 metres from the centerline from Sunningdale Road West to a point 150.0 metres south of Sunningdale Road West, to the satisfaction of the City Engineer.***
64. ***The Owner shall provide a road widening dedication on Sunningdale Road West measured 24.0 metres from the centerline from Wonderland Road North to a point 150.0 metres west of Wonderland Road North, to the satisfaction of the City Engineer.***
65. ***The Owner shall provide a road widening dedication on Wonderland Road North measured 18.0 metres from the centerline from a point 150.0 metres south of Sunningdale Road West to the southerly limits of this plan, to the satisfaction of the City Engineer.***

66. ***The Owner shall provide a road widening dedication on Sunningdale Road West measured 18.0 metres from the centerline from a point 150.0 metres west of Wonderland Road North to the westerly limits of this plan, to the satisfaction of the City Engineer.***
67. ***The Owner shall provide a revised 6.0 m x 6.0 m daylight triangle at the corner of Sunningdale Road West and Wonderland Road North, to the satisfaction of the City Engineer.***

Planning

68. Prior to Design Studies for the applicable phase, the Owner shall have a qualified acoustical consultant prepare a noise study concerning the impact of traffic noise from Wonderland Road North on this development. The Noise Study is to be reviewed and accepted by the City Planner. The final accepted recommendations shall be constructed or provisions made for installation by the Owner in the subdivision agreement with the City of London. (Planning)
69. Should the accepted Noise Study recommend a noise attenuation barrier, the Owner shall, concurrently with the registration of this plan, register a common element condominium over the befitting lots to address the long term maintenance of the noise wall or provide some other means of addressing the ownership and long term maintenance of the barrier as per Official Plan Policy 19.9.6.5 b) ii) all to the satisfaction of the City.
70. The Owner shall design the window street abutting Wonderland Road N. to the satisfaction of the City Planner and the City Engineer.
71. As part of the submission for Site Plan Approval, the Owner shall have a qualified acoustical consultant prepare a noise study(ies) concerning the impact of traffic noise from Wonderland Road North and Sunningdale Road West, on future residential uses on Blocks 218, which includes site design and/or alternative noise abatement measures, which preclude the need for noise attenuation walls, that are to be applied in accordance with the requirements of the M.O.E. and to be reviewed and accepted by the City Planner. The final accepted recommendations shall be incorporated into the development agreement with the City of London. (Planning)
72. The Owner shall dedicate Block 220 to the City of London at no cost, for park purposes to satisfy the 5 percent parkland dedication requirements. (Planning)
73. The Owner shall prepare, and deliver to the all homeowners adjacent to Block 220, an education package which explains the stewardship of natural area, the value of existing tree cover, and the protection and utilization of the grading and drainage pattern on these lots. The educational package shall be prepared to the satisfaction of the City Planner. (Planning)
74. Within one year of registration, the Owner shall construct a 1.5m high chain link fencing without gates in accordance with current city park standards (SPO 4.8) or approved alternate, along the property limit interface of all private lots and blocks adjacent to existing and/or future Park and Open Space Blocks including but not limited to Lots 93 to 100 and Lots 191 to 197, to the satisfaction of the City Planner at no cost to the City. (Planning)
75. As part of the Design Studies submission, the Owner shall prepare a tree assessment plan and tree retention plan for Lots 191-200, 86-100, 11-25, and 1-10 shall be prepared by a Registered Professional Forester and accepted by the City Planner. (Planning)

76. Prior to the submission of engineering drawings, the Owner's professional engineer shall consult with the City Planner to determine the extent of tree preservation. (Planning)

As part of the Design submission, the Owner shall prepare a tree hazard plan with specific attention to hazard trees and hazard tree removals within 15 meters of all property lines prepared by a Registered Professional Forester to the satisfaction of the City Planner. (Planning)

77. Within one year of registration of this plan, the owner shall remove any tree hazards within 15 meters of the drip line of the park block boundary along the rear and side yard of the rear yards of lots 93 to 100 and the rear yards of Lots 191 to 197 to the satisfaction of the City Planner, at no cost to the City.
78. Within one year of registration for the applicable phase, the Owner shall prepare a conceptual pathway alignment to City standards through park Block 220 connecting with the pathway system in the adjacent plan of subdivision to the west, at the owner's expense, to the satisfaction of the City Planner. (Planning)
79. The Owner shall not grade into any public Park or Open Space lands. In instances where this is not practical or desirable, any grading into the public Park or Open Space lands shall be to the satisfaction of the City Planner. (Planning)
80. Prior to final approval of this plan and subject to the satisfaction of the London District Catholic School Board, the Owner shall include in the subdivision agreement to include a suitable warning clause advising future purchasers of residential units that students may be accommodated in temporary facilities and/or bused outside the neighbourhood for their education. (Planning)
81. The Owner to register on title and include in all Purchase and Sale Agreements the requirement that the homes to be designed and constructed on all corner lots in this Plan, are to have design features, such as but not limited to porches, windows or other architectural elements that provide for a street oriented design and limited chain link or decorative fencing along no more than 50% of the exterior sideyard abutting the exterior side yard road frontage. Further, the owner shall obtain approval of their proposed design from the Manager of Urban Design prior to any submission of an application for a building permit for corner lots with an exterior sideyard in this Plan
82. Prior to the issuance of any Certificates of Conditional Approval for any lot in this plan, the Owner shall complete the following:
- i) For lots and blocks in this plan or as otherwise approved by the City Engineer, all storm/drainage and SWM related works to serve this plan must be constructed and operational in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City;
 - ii) Construct and have operational the major and minor storm flow routes for the subject lands, to the satisfaction of the City;
 - iii) Implement all geotechnical recommendations made by the geotechnical report accepted by the City;
83. Prior to the issuance of any Certificate of Conditional Approval and in accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of water services for this draft plan of subdivision:
- i) Construct watermains to serve this Plan and connect them to the existing municipal system, namely, the 200 mm diameter watermain on Buroak Drive and the existing 200 mm diameter watermain on Eagletrace Drive. The Owner shall service Block **115/218** from the proposed watermain on Buroak Drive;

- ii) Deliver confirmation that the watermain system has been looped to the satisfaction of the City Engineer when development is proposed to proceed beyond 80 units; and
 - iii) The available fireflow and appropriate hydrant colour code (in accordance with the City of London Design Criteria) are to be shown on engineering drawings;
The fire hydrant colour code markers will be installed by the City of London at the time of Conditional Approval
77. The Owner shall extend the watermain on Buroak Drive to the west limit of the subdivision to provide looping for the northerly part of the subdivision.
78. The Owner shall construct and connect the watermains in this plan of subdivision to be served by the Hyde Park High Pressure Zone.
79. The Owner shall ensure a minimum of 5.5 metres (18') will be required along the curb line between the projected property lines of irregular shaped lots around the bends on streets in this plan of subdivision.
80. The Owner shall ensure any emergency access required is satisfactory to the City Engineer with respect to all technical aspects, including adequacy of site lines, provision of channelization, adequacy of road geometries and structural design etc.
81. Prior to the issuance of a Certificate of Conditional Approval for each construction stage of this subdivision, all servicing works for the stage and downstream works must be completed and operational, in accordance with the approved design criteria and accepted drawings, all to the specification and satisfaction of the City.
- 82. *Once construction of any private services, ie: water storm or sanitary, to service the lots and blocks in this plan is completed and any proposed relotting of the plan is undertaken, the Owner shall reconstruct all previously installed services in standard location, in accordance with the approved final lotting and approved revised servicing drawings all to the specification of the City Engineer and at no cost to the City.***
- ~~In the event that relotting of the plan is undertaken, the Owner shall relocate and construct services to standard location, all to the specifications and satisfaction of the City Engineer.~~
83. The Owner shall connect to all existing services and extend all services to the limits of the draft plan of subdivision, at no cost to the City, all to the specifications and satisfaction of the City Engineer.
84. The Owner shall construct all municipal services, including boulevard tree planting, for the subject lands at the sole expense of the Owner. The details of the services required will be established by the City Engineer after particulars of engineering design are provided by the Owner, in accordance with the policies and standards of the City prevailing at the time the Subdivision Agreement is approved by City Council. The provision of all general by-laws, policies and guidelines, as amended from time to time, including those pertaining to development charges and other levies shall continue to apply to the subject lands and shall not be affected by an subdivision requirements respecting services.
85. The Owner shall remove any temporary works when no longer required and restore the area, at no cost to the City, to the specifications and satisfaction of the City Engineer.
86. In conjunction with ***the first submission of engineering drawings*** ~~Design Studies submission~~, in the event the Owner wishes to phase this plan of subdivision, the Owner shall submit a phasing plan identifying all required

temporary measures, and identify land and/or easements required for the routing of services which are necessary to service upstream lands outside this draft plan to the limit of the plan with a blanket easement for the purpose of servicing prior to the registration of any phase, all to the specifications and satisfaction of the City Engineer.

87. The Owner shall decommission any abandoned infrastructure, at no cost to the City, including cutting the water service and capping it at the watermain, all to the specifications of the City Engineer.
88. The Owner shall remove all existing accesses and restore all affected areas, all to the satisfaction of the City Engineer, at no cost to the City.
89. In conjunction with ***the first submission of engineering drawings*** ~~Design Studies submission~~, the Owner shall have his consulting engineer prepare and submit a Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation to address the following, and to the satisfaction of the City:
 - a. Identifying the storm/drainage and SWM servicing works for the subject and external lands and how the interim drainage from external lands will be handled, all to the satisfaction of the City;
 - b. Identifying major and minor storm flow routes for the subject and external lands, to the satisfaction of the City.
 - c. ***Developing a sediment and erosion control plan(s) that will identify all required sediment and erosion control measures for the subject lands in accordance with City of London and Ministry of the Environment, Conservation and Parks standards and requirements, all to the satisfaction of the City. The sediment and erosion control plan(s) shall identify all interim and long term measures that would be required for both registration and construction phasing/staging of the development and any major revisions to these plans after the initial acceptance shall be reviewed/accepted by the City of London for conformance to our standards and Ministry of the Environment, Conservation and Parks requirement.***
~~Developing an erosion/sediment control plan that will identify all erosion and sediment control measures for the subject lands in accordance with City of London and Ministry of the Environment standards and requirements, all to the satisfaction of the City. This plan is to include measures to be used during all phases on construction; and~~
 - d. Implementing SWM soft measure Best Management Practices (BMP's) within the Plan, where possible, to the satisfaction of the City. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this Plan and the approval of the City Engineer.
90. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of stormwater management (SWM) and stormwater services for this draft plan of subdivision:
 - a. Construct storm sewers to serve this plan, located within the Medway Creek Subwatershed, and connect them to the existing municipal storm sewer system, namely, the 600 mm diameter storm sewer located on Sunningdale Road and the existing 1200 mm diameter storm sewer located on Eagletrace Boulevard
 - b. Make provisions to oversize and deepen the internal storm sewers in this plan to accommodate flows from upstream lands external to this plan;
 - c. Construct and implement erosion and sediment control measures as accepted in the Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation for these lands and the Owner shall correct any deficiencies of the erosion and sediment control measures forthwith; and

- d. Address forthwith any deficiencies of the stormwater works and/or monitoring program.
91. The cul-de-sacs on Street 'C' and Street 'I' shall be constructed in accordance with the City of London Standard DWG. SR-5.0. The Owner shall provide a raised circular centre island (~~R=8.0 m~~) within the cul-de-sac or as otherwise directed by the City Engineer.
 92. The Owner shall dedicate a 6m x 6m sight triangle on the north side of the intersection of Wonderland Road North and Eagletrace Drive.
 93. In conjunction with the **first submission of engineering drawings** ~~Design Studies submission~~, the Owner shall have its professional consulting engineer confirm that all streets in the subdivision have centreline radii which conforms to the City of London Standard "Minimum Centreline Radii of Curvature of Roads in Subdivisions", to the satisfaction of the City. Streets that do not meet the City standards may need to be revised.
 94. In conjunction with the **first submission of engineering drawings** ~~Design Studies submission~~, the Owner shall provide a **detailed** ~~conceptual~~ layout of the roads and rights-of-way of the plan to the City for review and acceptance with respect to road geometries, including but not limited to, right-of-way widths, tapers, bends, intersection layout, daylighting triangles, etc., and include any associated adjustments to the abutting lots.
 95. In conjunction with the **first submission of engineering drawings** ~~Design Studies submission~~, the Owner shall have its professional engineer provide a **detailed** ~~conceptual~~ layout of the intersection of Street 'D' and Eagletrace Drive, including the gateway island, for review and acceptance by the City.
 96. All through intersection and connections with existing streets and internal to this subdivision shall align with the opposing streets based on the centrelines of the street aligning through their intersections thereby having these streets centred with each other, unless otherwise approved by the City Engineer.
 97. The Owner shall have its professional engineer design the roadworks in accordance with the following road widths:
 - a. Eagletrace Drive and Buroak Drive (north of Eagletrace Drive) have a minimum road pavement with (excluding gutters) of 9.5 metres (31.2') with a minimum road allowance of 21.5 metres (70').
 - b. Buroak Drive (south of Eagletrace Drive) has a minimum road pavement width (excluding gutters) of 8.0 metres (26.2') with a minimum road allowance of 20 metres (66').
 - c. Street 'C', Street 'D', Street 'E', Street 'F', Street 'H' and Street 'I' have a minimum road pavement width (excluding gutters) of 6.0 metres (19.7') with a minimum road allowance of 18 metres (60').
 - d. Street 'G' has a minimum road pavement width (excluding gutters) of 7.0 metres (23') with a minimum road allowance of 14.5 metres.
 98. Within one year of registration of the plan, the Owner shall install street lighting on all streets and walkways in this plan to the satisfaction of the City, at no cost to the City. Where an Owner is required to install street lights in accordance with this draft plan of subdivision and where a street from an abutting developed or developing area is being extended, the Owner shall install street light poles and luminaires, along the street being extended, which match the style of street light already existing or approved along the developed portion of the street, to the satisfaction of the London Hydro for the City of London.
 99. In conjunction with the **first submission of engineering drawings** ~~Design Studies submission~~, the Owner shall have its professional engineer provide a

detailed conceptual design of the proposed traffic calming measures, including parking bays, curb extensions and other measures, to the satisfaction of the City.

100. **Blocks 129 /214 and 215** in this plan shall be combined with 2039 Wonderland Road North when it develops, external to this plan, to create developable blocks, to the satisfaction of the City.
101. If any temporary measures are required to support the interim conditions in conjunction with the phasing, the Owner shall construct temporary measures and provide all necessary land and/or easements, to the specifications and satisfaction of the City Engineer, at no cost to the City.
102. Should any contamination or anything suspected as such, be encountered during construction, the Owner shall report the matter to the City Engineer and the Owner shall hire a geotechnical engineer to provide, in accordance with the Ministry of the Environment “Guidelines for Use at Contaminated Sites in Ontario”, “Schedule A – Record of Site Condition”, as amended, including “Affidavit of Consultant” which summarizes the site assessment and restoration activities carried out at a contaminated site, in accordance with the requirements of latest Ministry of Environment and Climate Change “Guidelines for Use at Contaminated Sites in Ontario” and file appropriate documents to the Ministry in this regard with copies provided to the City. The City may require a copy of the report should there be City property adjacent to the contamination.

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

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

103. In conjunction with the **Focused** Design Studies submission, the Owner shall provide, to the City for review and acceptance, a geotechnical report or update the existing geotechnical report recommendations to address all geotechnical issues with respect to the development of this plan, including, but not limited to, the following:
- i) servicing, grading and drainage of this subdivision
 - ii) road pavement structure
 - iii) dewatering
 - iv) foundation design
 - v) removal of existing fill (including but not limited to organic and deleterious materials)
 - vi) the placement of new engineering fill
 - vii) any necessary setbacks related to slope stability for lands within this plan
 - viii) identifying all required mitigation measures including Low Impact Development (LIDs) solutions,

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

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

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

105. The Owner shall ensure that all existing upstream external flows traversing this plan of subdivision are accommodated within the overall minor and major storm conveyance servicing system(s) design, all to the specifications and satisfaction of the City Engineer.
106. ***The Owner shall ensure implemented water quality measures shall remain in place until there is sufficient occupancy demand to maintain water quality within the Plan of Subdivision without their use. The Owner is responsible for the following:***
- i) to meter and pay the billed costs associated with any automatic flushing devices including water discharged from any device at the time of their installation until removal;***
 - ii) any incidental and/or ongoing maintenance of the automatic flushing devices;***
 - iii) payment for maintenance costs for these devices incurred by the City on an ongoing basis until removal;***
 - iv) all works and the costs of removing the devices when no longer required; and***
 - v) ensure the automatic flushing devices are connected to an approved outlet.***
- ~~Prior to the issuance of a Certificate of Conditional Approval, the Owner shall install and commission temporary automatic flushing devices and meters at all dead ends and/or other locations as deemed necessary by the hydraulic modelling results to ensure that water quality is maintained during build out of the subdivision. These devices are to remain in place until there is sufficient occupancy use to maintain water quality without their use. The location of the temporary automatic flushing devices as well as their flow settings are to be shown on engineering drawings. The Owner is responsible to meter and pay billed cost of the discharged water from the time of their installation until their assumption. Any incidental and/or ongoing maintenance of the automatic flushing devices is/are the responsibility of the Owner.~~
107. With respect to the proposed blocks, the Owner shall include in all agreements of purchase and sale, and/or lease of Blocks in this plan, a warning clause advising the purchaser/transferee that should these develop as a Vacant Land Condominium or in a form that may create a regulated drinking water system under O.Reg. 170/03, the Owner shall be responsible for meeting the requirements of the legislation.
- If deemed a regulated system, there is potential the City of London could be ordered to operate this system in the future. As such, the system would be required to be constructed to City standards and requirements
108. The Owner shall obtain all necessary approvals from the City Engineer for individual servicing of blocks in this subdivision, prior to the installation of any water services for the blocks.
109. The Owner shall construct Eagletrace Drive at the east boundary of the subject property such that it's centreline aligns with the existing road to the east in Plan 33M-593, to the satisfaction of the City.
110. In conjunction with the submission of detailed design drawings, the Owner shall have his consulting engineer provide a proposed layout of the tapers for streets in this plan that change right-of-way widths with minimum 30 metre tapers (eg. from 20.0 metre to 19.0 metre road width), all to the satisfaction of the City Engineer. The roads shall be tapered equally aligned based on the alignment of the road centrelines. It should be noted tapers are not to be within an intersection.

111. At 'tee' intersection, the projected road centreline of the intersecting street shall intersect the through street at 90 degrees with a minimum 6 metre tangent being required along the street lines of the intersecting road to the satisfaction of the City.
112. In conjunction with **the first submission of engineering drawings** ~~Design Studies submission~~, the Owner shall have its professional engineer prepare a detailed ~~conceptual~~ design for the window street for Street 'E'; and Street 'G' to consider such issues as grading the common boulevard between Wonderland Road North and the window street, overland flow routes, sidewalk connections, servicing, etc. to the satisfaction of the City Engineer.
113. The Owner shall construct the window street portion of Street 'E' and Street 'G' abutting Wonderland Road North in accordance with the City's window street standard or as otherwise specified by the City Engineer, to the satisfaction of the City Engineer and at no cost to the City.
114. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall install temporary street lighting at the intersection of Eagletrace Drive and Wonderland Road North, to the specifications of the City, at no cost to the City.
115. In conjunction with **the first submission of engineering drawings** ~~Design Studies submission~~, the Owner shall have its professional consulting engineer submit design criteria for the left turn and right turn lanes, including pavement marking plan, on Wonderland Road North at Eagletrace Drive for review and acceptance by the City.
116. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct left and right turn lanes on Wonderland Road North, to the satisfaction of the City Engineer, at no cost to the City.
117. ***In conjunction with engineering drawings submission, the Owner shall submit a Development Charge work plan outlining the costs associated with the design and construction of the DC eligible works. The work plan must be approved by the City Engineer and City Treasurer (as outlined in the most current DC By-law) prior to advancing a report to Planning and Environment Committee recommending approval of the special provisions for the subdivision agreement.***

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: Emily Carr South Subdivision - Special Provisions
Application By: Goldfield Ltd.
3245 Emily Carr Lane

Meeting on: November 4, 2019

Recommendation

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

- (a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Goldfield Ltd. for the Emily Carr South Subdivision, (39T-16508) attached as Appendix "A", **BE APPROVED**;
- (b) the Applicant **BE ADVISED** that Development Finance has summarized the claims and revenues attached as Appendix "B";
- (c) the Mayor and the City Clerk **BE AUTHORIZED** to execute this Agreement, any amending agreements and all documents required to fulfill its conditions.

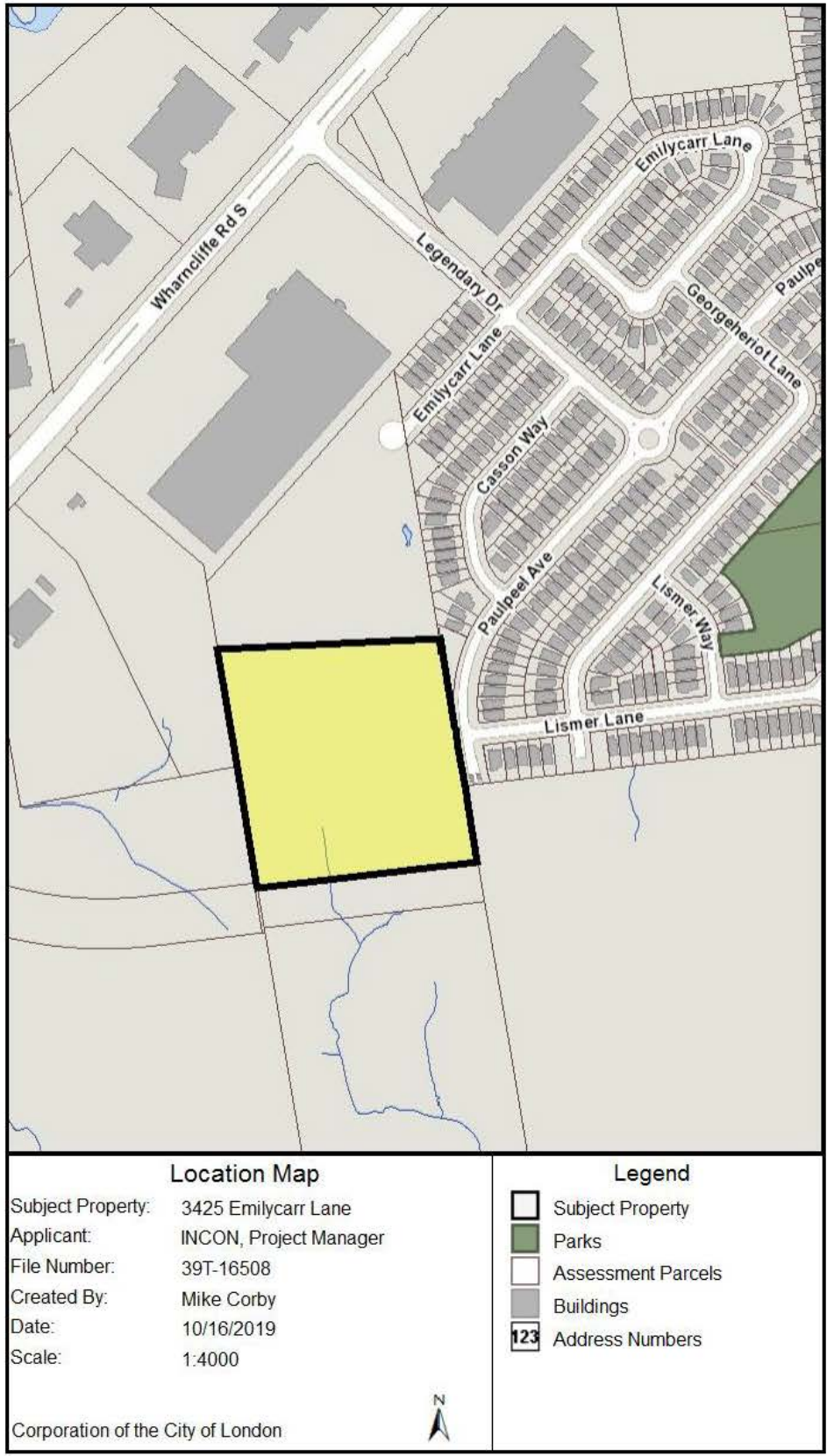
Analysis

1.0 Site at a Glance

1.1 Property Description

This application for Draft Plan of Subdivision Approval was accepted on October 16, 2016 and a revised application was accepted on May 30, 2017 and again on April 15, 2018. . On June 21, 2018 a Revised Notice of Application was sent to all property owners within 120m of the subject property and on June 28, 2018, the Revised Notice of Application was published in *The Londoner*. A notice of Public Meeting was advertised in *The Londoner* on September 6, 2018 and a notice of Public Meeting was sent out on September 6, 2018. The Public Meeting was held on September 24, 2018. Draft approval was granted on October 23, 2018.

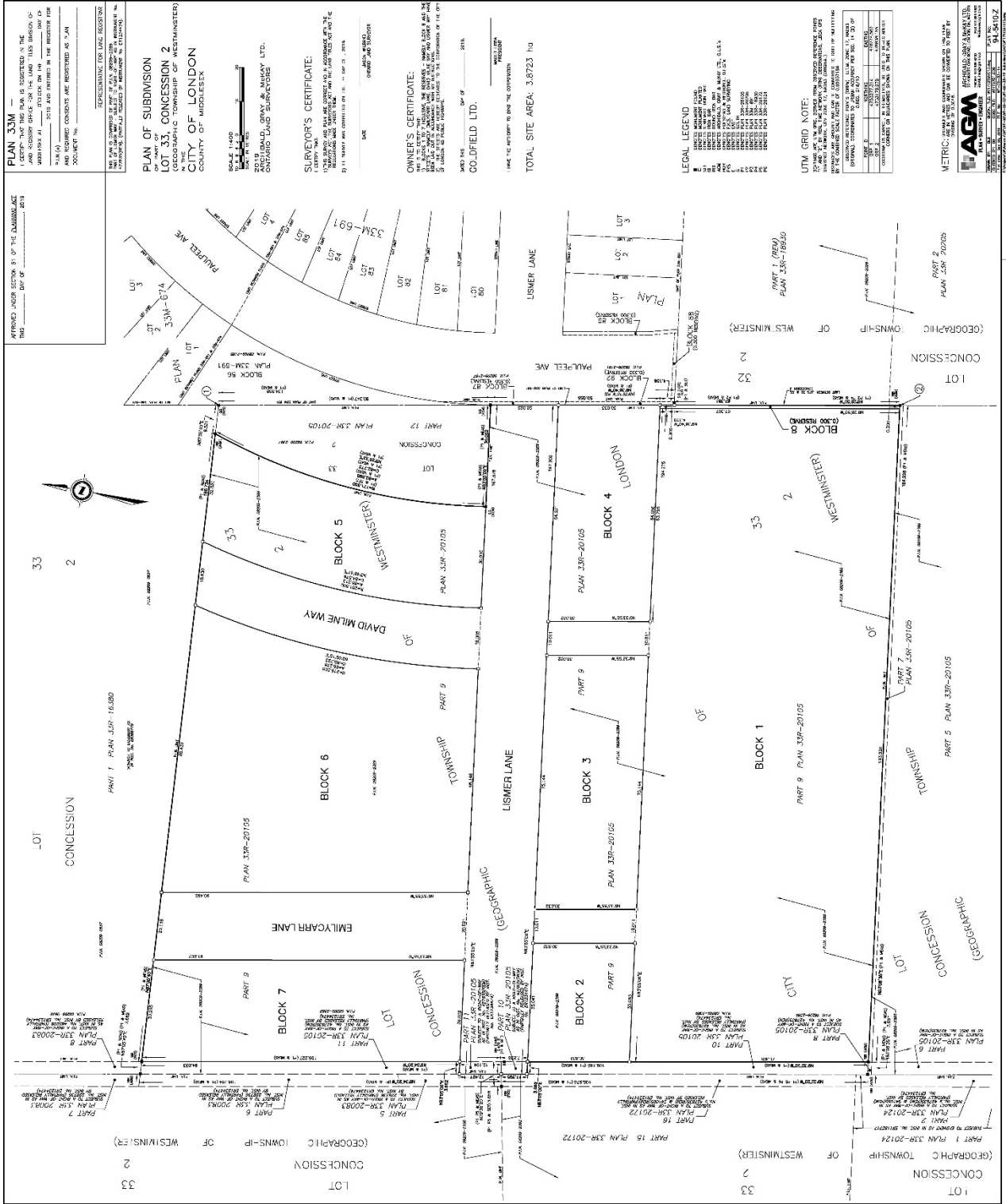
1.2 Location Map Emily Carr South Subdivision



MC/mc

C: \\FILE1\users-xpdda\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2018\39T-16506 - 3425 Emily Carr Lane (CS)\Subdivision Agreement\Memo on Special Provisions - Emily Carr North.docx

1.3 Emily Carr South Subdivision Plan



2.0 Description of Proposal

2.1 Development Proposal

The Applicant is registering this plan of subdivision, in one (1) phase, which consists of six (6) medium density residential blocks and one (1) high density residential block, all located off of the extensions of Emily Carr Lane and Lismer Lane and one (1) new local street, David Milne Way.

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

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

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

October 28, 2019

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

MC/FG

Y:\Shared\ADMIN\1- PEC Reports\2019 PEC Reports\17- November 4\DRAFT -- 39T-16508 - 3425 Emily Carr Lane (South Portion) - PEC Report - Special Provisions.docx

Appendix A – Special Provisions

6. SOILS CERTIFICATE/GEOTECHNICAL

Add the following new Special Provision:

- #1 Prior to the issuance of any Certificate of Conditional Approval, the Owner's Professional Engineer shall certify that any remedial or other works as recommended in the accepted geotechnical report are implemented by the Owner, to the satisfaction of the City, at no cost to the City Engineer.

10. COMPLETION, MAINTENANCE, ASSUMPTION AND GUARANTEE

Remove Subsection 10.3 and replace with the following:

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

15. PROPOSED SCHOOL SITES

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

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

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

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

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

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

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

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

24.1 STANDARD REQUIREMENTS

Add the following new Special Provisions:

- #2 Prior to the issuance of any Certificate of Conditional Approval, should lands to the north not be developed, the Owner shall construct any necessary temporary measures, including but not limited to, temporary turning circles, automatic flushing devices, etc., provide any necessary easements and provide revised engineering drawings to be accepted by the City, all to the satisfaction of the City. Additional security may be required for these works, (eg. \$5,000 per automatic flushing device, \$5,000 for each external temporary turning circle, \$20,000 for each internal temporary turning circle), to the satisfaction of the City.
- #3 Should lands to the north not develop, prior to assumption of this subdivision in whole or in part by the City, and as a condition of such assumption, the Owner shall pay to the City Treasurer the following amounts as set out or as calculated by the City, or portions thereof as the City may from time to time determine:
- (i) For the removal of any temporary turning circles required in conjunction with this Plan, an amount of \$5,000 for each external temporary turning circle or \$20,000 for each internal temporary turning circle; and
 - (ii) For the removal of the automatic flushing devices in the future required in conjunction with this Plan as per the accepted engineering drawings, an amount of \$5,000 for each automatic flushing device for a total amount of \$10,000.
- #4 Prior to the issuance of any Certificate of Conditional Approval, the Owner shall make all necessary arrangements with the owner of Plan 33M-691 and Draft Approved Plan 39T-18506 to construct new services and make adjustments to the existing works and services on Paul Peel Avenue in Plan 33M-691 and Emily Carr Lane and David Milne Way in Plan 39T-18506 adjacent to this Plan to accommodate the proposed works and services on these streets to accommodate the Blocks in this Plan on these streets (eg. private services, street light poles, etc.) in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City Engineer and at no cost to the City. Such arrangements shall include, but not be limited to, providing sufficient notice, co-ordination and clarification with adjacent land owners as to what each parties consulting engineer will be required to be certified for the City for the purposes of assumption, all to the satisfaction of the City.

24.2 CLAIMS

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

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

24.6 EROSION AND SEDIMENT CONTROL

Add the following new Special Provisions:

- #5 Prior to any work on the site, the Owner shall implement all interim and long term erosion and sediment control measures identified as a component of the Functional Storm/Drainage Servicing Report and shall have these measures established as per the accepted engineering drawings and approved all to the satisfaction of the City Engineer. The erosion and sediment control measures shall be maintained and operated as intended during all phases of construction.

In the event that the staging of this Plan differs to that as set out in the accepted engineering drawings, the Owner's Professional Engineer shall prepare and submit updated drawings depicting revisions to the erosion and sediment control measures in

conformance with City and Ministry of the Environment, Conservation and Parks standards and requirements for acceptance by the City, all to the satisfaction of the City.

24.7 GRADING REQUIREMENTS

Add the following new Special Provisions:

- #6 The Owner shall grade the portions of Block 1 of this Plan, which has a common property line with Bradley Avenue, to blend with the ultimate profile of Bradley Avenue, in accordance with the City Standard "Subdivision Grading Along Arterial Roads" and at no cost to the City.
- #7 Prior to the issuance of any Certificate of Conditional Approval, in order to develop this site, the Owner shall make arrangements with the adjacent property owner to the north and east to regrade a portion of the property abutting this Plan, in conjunction with grading and servicing of this subdivision, to the specifications of the City, at no cost to the City.

24.9 SANITARY AND STORM SEWERS

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

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

Add the following new Special Provisions:

- #8 The Owner shall connect all existing field tiles into the proposed storm sewer system, if necessary, to the satisfaction of the City.
- #9 Where street townhouses are planned for any Blocks in this Subdivision, the Owner shall make provisions for the installation of separate sanitary private drain connections connecting to municipal sanitary sewers and water services connecting to municipal watermains for each individual street townhouse unit, and for adequate storm private drain connections connecting to municipal storm sewers for the townhouse site, all in accordance with applicable City standards or to the satisfaction of the City Engineer.
- #10 Prior to the issuance of any Certificate of Conditional Approval, the Owner shall implement the approved servicing for the street townhouse units on Emily Carr Lane, David Milne Way and Lismer Lane, to the satisfaction of the City Engineer.
- #11 In the event that servicing is constructed on streets in this Plan fronting the proposed street townhouse blocks prior to site plan approval, the Owner shall relocate any services as necessary, all to the specifications and satisfaction of the City, at no cost to the City.

24.10 WATER SERVICING

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

- (e) Prior to the issuance of any Certificates of Conditional Approval, and in accordance with City standards, or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of water service to this draft Plan of Subdivision:
 - i) construct watermains to serve this Plan and connect them to the existing low-level/high-level municipal system, namely, the existing 200 mm diameter watermain on Emily Carr Lane to the north and the 200 mm diameter watermain stub at the intersection of Paulpeel Avenue and Lismer Way to the east;
 - ii) if the subject Plan develops in advance of the subdivision to the north of this Plan, the Owner shall make arrangements with the affected property owner(s) for the construction of any portions of watermain situated on private lands outside this Plan and shall provide satisfactory easements, as necessary, all to the specifications of the City;

- iii) deliver confirmation that the watermain system has been looped to the satisfaction of the City Engineer when development is proposed to proceed beyond 80 units; and
- iv) have their consulting engineer confirm to the City that the watermain system has been constructed, is operational, and is looped from the watermain on Emily Carr Lane and Lismer Way.

Add the following new Special Provisions:

- #12 Future development of these Blocks in this Plan, shall be in keeping with the established fire flows within this Plan of Subdivision, as established through the subdivision water servicing design study and in accordance with the accepted engineering drawings, in order to ensure adequate fire protection is available.
- #13 If the Owner requests the City to assume Lismer Lane and Emily Carr Lane, with the automatic flushing device still in operation, all as shown on the accepted engineering drawings for this Plan of Subdivision, prior to its extension of Lismer Lane and Emily Carr Lane, the Owner shall pay to the City at the time of the assumption of this subdivision by the City the amount estimated by the City at the time, to be the cost of removing the automatic flushing device and properly abandoning the discharge pipe from the automatic flushing device to the storm/sanitary sewer system at the north limit of Emily Carr Lane and west limit of Lismer Lane and restoring adjacent lands, all to the specifications of the City. The estimated cost for doing the above-noted work on these streets is \$5,000 per automatic flushing device for a total amount of \$10,000 for which amount sufficient security is to be provided in accordance with Condition 24.1 (___). The Owner shall provide the cash to the City at the request of the City prior to assumption of the subdivision if needed by the City.
- #14 The Owner shall pay a proportional share of the operation, maintenance, monitoring and/or billing costs of any automatic flushing device(s) to third parties that have constructed the services and/or facilities to which the Owner is connecting. The above-noted proportional share of the cost shall be based on water meter billing, to the satisfaction of the Parties. The Owner's payments to third parties, shall:
 - (i) commence upon completion of the Owner's service work connections to the existing watermains; and
 - (ii) continue until the time at which the minimum water quality criteria is achieved, subject to City approval.
- #15 With respect to any automatic flushing device(s) constructed in conjunction with this Plan, the Owner shall permit the connection into and use of the subject automatic flushing devices by outside owners whose lands are serviced by the said watermain servicing and automatic flushing device(s).

The connection into and use of the subject services by an outside owner will be conditional upon the outside owner satisfying any requirements set out by the City, which may include the granting of any servicing easements that are required by other outside owners whose lands are to be connected to the subject services, and agreement by the outside owner to pay a proportional share of the operation, maintenance, monitoring and/or billing costs of any automatic flushing devices.
- #16 If at any time, the parties cannot complete Conditions (__) and (___) above, each Owner shall install its own automatic flushing device(s) to flush water from its own watermains, to the satisfaction of the City.

24.11 ROADWORKS

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

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

- ~~(i) The Owner shall erect advisory signs at all street entrances to this Plan for the purpose of informing the public of the traffic calming measures implemented within~~

~~this Plan prior to the issuance of any Certificate of Conditional Approval in this Plan.~~

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

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

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

Add the following new Special Provisions:

- #17 The Owner shall make arrangements with the owner of lands to the north and east to allow construction access related to the installation of services to access the lands and for the completion of Emilycarr Lane as a fully serviced road in Plan of Subdivision 39T-18506 and Plan 33M-691 and provide restoration of Emilycarr Lane until Emilycarr Lane in Plan of Subdivision 39T-18506 and Paulpeel Avenue and Lismer Lane in Plan 33M-691 is assumed by the City, at no cost to the City and all to the satisfaction of the City.
- #18 The Owner shall install sufficient signage to direct construction traffic to the designated access routes, all to the satisfaction of the City.
- #19 The Owner shall ensure that no vehicular access from Block 1 shall be permitted to Bradley Avenue, to the satisfaction of the City. Access to Block 1 shall be via Lismer Lane.
- #20 The Owner shall be required to make minor boulevard improvements on Paul Peel Avenue and Bradley Avenue adjacent to this Plan, to the specifications of the City and at no cost to the City, consisting of clean-up, grading and sodding as necessary.
- #21 The Owner shall make all necessary arrangements to have the existing right-of-way easement over Block 8, Instrument No. 427835 (REM), quit claimed to the satisfaction of the City and at no cost to the City. The Owner shall protect any existing private services, if necessary, in the said easement(s) until such time as they are removed and replaced with appropriate municipal and/or private services, at no cost to the City.

SCHEDULE "C"

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

SPECIAL WORKS AND SERVICES

Roadways

- Lismer Lane and Emilycarr Lane shall have a minimum road pavement width (excluding gutters) of 8.0 metres (26.2') with a minimum road allowance of 20.0 metres (66').
- David Milne Way shall have a minimum road pavement width (excluding gutters) of 6.0 metres (19.7') with a minimum road allowance of 18 metres (60')

Sidewalks

A 1.5 metre sidewalk shall be constructed on both sides of Lismer Lane, Emilycarr Lane and David Milne Way in accordance with the City's Southwest Area Plan, as per the accepted engineering drawings.

Pedestrian Walkways

There are no pedestrian walkways in this Plan of Subdivision.

SCHEDULE "D"

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

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

LANDS TO BE CONVEYED TO THE CITY OF LONDON:

0.3 metre (one foot) reserves:	Block 8
Road Widening (Dedicated on face of plan):	NIL
Walkways:	NIL
5% Parkland Dedication:	Cash payment in lieu of the 5% parkland dedication pursuant to City of London By-law C.P.-9.
Dedication of land for Parks in excess of 5%:	NIL
Stormwater Management:	NIL

LANDS TO BE SET ASIDE FOR SCHOOL SITE:

School Site:	NIL
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LANDS TO BE HELD IN TRUST BY THE CITY:

Temporary access:	NIL
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SCHEDULE "E"

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

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

CASH PORTION:	\$ 223,429
BALANCE PORTION:	<u>\$1,266,098</u>
TOTAL SECURITY REQUIRED	\$1,364,986

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

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

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

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

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

SCHEDULE "F"

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

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

Multi-Purpose Easements:

There are no multi-purpose easements required in this Plan of Subdivision.

Appendix B – Related Estimated Costs and Revenues

Emily Carr South Subdivision - Goldfield Ltd.
 Subdivision Agreement
 39T-16508

Estimated Costs and Revenues

Estimated DC Funded Servicing Costs	Estimated Cost (excludes HST)
Claims for Owner led construction from CSRF - None identified	\$0
Claims for City led construction from CSRF - None identified.	\$0
Total	\$0
Estimated Total DC Revenues (August 4, 2019 to December 31, 2019 Rates)	Estimated Revenue
CSRF TOTAL	\$1,407,151

- 1 Estimated Costs are based on approximations provided by the applicant and include engineering, construction and contingency costs without HST. Final claims will be determined based on actual costs incurred in conjunction with the terms of the final subdivision agreement and the applicable By-law.
- 2 Estimated Revenues are calculated using 2019 DC rates and may take many years to recover. The revenue estimates includes DC cost recovery for "soft services" (fire, police, parks and recreation facilities, library, growth studies). There is no comparative cost allocation in the Estimated Cost section of the report, so the reader should use caution in comparing the Cost with the Revenue section.
- 3 The revenues and costs in the table above are not directly comparable. The City employs a "citywide" approach to recovery of costs of growth – any conclusions based on the summary of Estimated Costs and Revenues (above table) should be used cautiously.

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: John M. Fleming
Managing Director, Planning and City Planner
Subject: City Planning Two-Year Work Program
Meeting on: November 4, 2019

Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, this information report and the City Planning Two-Year Work Program attached as Appendix "A" **BE RECEIVED.**

Executive Summary

City Planning has been submitting work program reports since 2011 to provide Council a high-level overview of the ongoing and upcoming work. The attached work program identifies projects and key programs that City Planning will be working on over the next 24-month period.

Previous Related Reports

- June 6, 2017 – Planning Services 18-24 Month Work Program
- October 5, 2015 – Planning Services 2 Year Work Program
- July 18, 2011 – Planning Services 12-18 Month Work Program
- November 26, 2012 – Planning Services 18 Month Work Program

Purpose of this Report

City Planning has been submitting work program reports since 2011. The intent of these reports is to:

- Provide Council with a high-level overview of in-progress and upcoming City Planning projects;
- Ensure that the work program is consistent with Council's Strategic Plan priorities;
- Allow Council the opportunity to make adjustments to the work program priorities and timelines if they so wish; and,
- Assist in managing community expectations and requests relating to City Planning projects.

This report includes the following information:

- Overview of the new City Planning organizational structure;
- Day-to-day services delivered by City Planning staff;
- Projects that have been completed since the last work program was presented to Council in 2017;
- The two-year work program covering the period between Q4 2019 to Q4 2021; and,
- Reference to projects that have been identified as milestones in the 2020-2023 Council Strategic Plan.

It should be recognized that the two-year work program is a "living document" and may change over time as new issues emerge that take priority over those included here in.

City Planning Service Area Overview

Recent Reorganization

In November 2018, Planning Services was reorganized. The planning application review function in Planning Services (Zoning By-Law amendment applications) was moved to Development and Compliance Services; the urban forestry function was moved into Forestry Operations; and the parks planning and design function was moved to Parks & Recreation.

Planning Services was renamed to City Planning to acknowledge the city-wide planning focus of the service area. Existing divisions and staff were re-organized to better align with new areas of focus within this newly constituted City Planning service area. These new divisions include Planning Policy, Sustainability and Resiliency, City Building and Design, Urban Regeneration, and a Smart City Office. In August 2019, the Economic Partnerships division of the City Manager's Office was also moved to City Planning. This move acknowledged synergies between the Economic Partnerships portfolio and local economic development activities already taking place in City Planning, including liaising with Business Improvement Areas (BIAs) and administering Community Improvement Plan (CIP) financial incentives.

City Planning Mission and Values

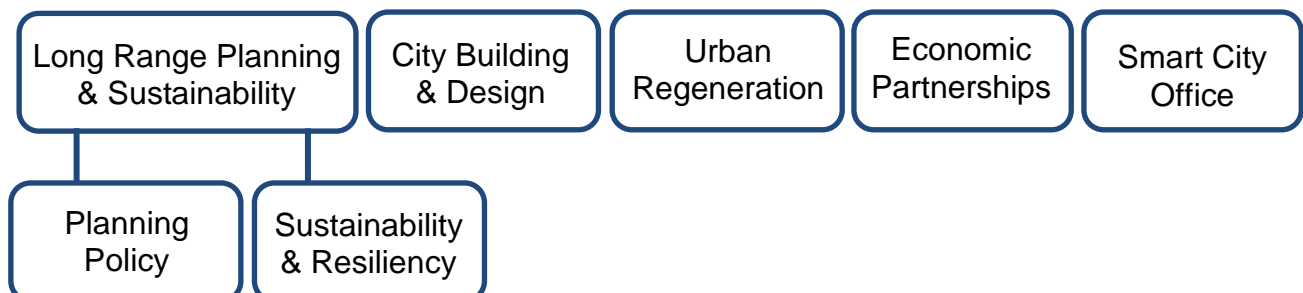
In developing the new City Planning work program, staff were able to reaffirm our key mission and values as a service area and in relation to Council's new 2020-2023 Strategic Plan. In City Planning, our mission is to be visionary leaders in shaping a city that is exciting, exceptional and connected.

We aim to achieve this by planning and designing to:

- Project and prepare for the future
- Protect our environment
- Conserve and make wise use of our natural resources and farmlands
- Conserve our cultural heritage
- Create healthy, safe and complete neighbourhoods
- Regenerate our Downtown, urban neighbourhoods and main streets
- Create quality transportation options
- Make great places and spaces that enhance our city's identity
- Create a city that is culturally rich and diverse
- Build a city to attract business, talent and investment

Division Profiles

The graphic below shows the organizational structure of City Planning, followed by the division descriptions.



Planning Policy

- Development, maintenance and monitoring of the Official Plan and the city-wide Zoning By-law.
- Long term planning policy
- Review and incorporation of Provincial policy and regulatory changes

- Development of special policies and strategies
- Planning research and growth forecasts
- Coordinating regional planning matters with area municipalities

Sustainability and Resiliency

- Economic, social and environmental sustainability
- Research and development of climate change mitigation and adaptation policy
- Implementation of sustainability policies and programs
- Addresses the Council-declared Climate Emergency
- Natural heritage and ecological planning
- Managing the maintenance of Environmentally Significant Areas (ESAs)
- Development of conservation master plans and restoration plans
- Creation and implementation of a Green City Strategy and a Resiliency Strategy

City Building and Design

- Leading special development projects on City-owned land including visioning, engagement, concept design, procurement, and project management
- Collaborate on the design of the public realm
- Develop special urban design strategies, policies, and guidelines
- Creation of transit-oriented development plans and policies
- 3D modelling, graphic design, document production and other visual and technical functions

Urban Regeneration

- Creation, implementation and monitoring of Community Improvement Plans
- Management of financial incentive programs
- Development of core area Secondary Plans, strategies and policy
- development and implementation of Heritage Conservation District Plans, Archeological Management Plan and the Municipally-owned Heritage Building Conservation Master Plan
- Processing and reviewing heritage and archeological permits, reports and assessments

Economic Partnerships

- Collaborate with external community economic agencies such as the London Economic Development Corporation, TechAlliance, and the Small Business Centre
- Promote economic development opportunities, projects and programs
- Coordinate various corporate projects with educational institutions, community organizations, and not-for-profits
- Participate on economic development and city building projects with other municipalities regionally, provincially, and nationally

Smart City Office

- Development and implementation of the Smart City Strategy
- Drive smart city culture and thinking throughout the corporation and the larger community
- Coordinate and collaborate with other service areas on smart city infrastructure
- Support private and public collaboration on smart city initiatives
- Research and development of smart city policy that improve the effectiveness and efficiency of the City's work through technology, innovation and data
- Collection and analysis of GIS and other data

Day-to-Day Services Delivered through City Planning

While a large amount of the work completed in City Planning is project-based, there are a number of day-to-day services that are delivered to the public, other service areas and external agencies and partners. The table below outlines some of the services and programs that City Planning is responsible for on an on-going basis. Some of these initiatives are frequent and regular, while some are less frequent or on-demand only.

	Strengthening our Community	Building a Sustainable City	Growing our Economy	Leading in Public Service
Day-to-Day Services Delivered by Division				
Policy Planning				
Official Plan stewardship - monitoring, updating, maintaining	•	•		•
Growth forecasting and land budgeting	•	•	•	
Research and statistics assembly and dissemination	•	•	•	
Review & approvals for industrial land development strategy			•	•
Implement the Closed School Strategy	•			•
Implement the Telecommunications Facilities Location and Public Consultation Policy			•	
Local Planning Appeals Tribunal Hearings	•	•		•
Support Advisory Committees: TAC, AAC, T&GC, LHAC				•
Sustainability and Resiliency				
Review of environmental impact studies (non-development)		•		
Natural heritage review of environmental assessments		•		
Implementation of Conservation Master Plans	•	•		
Environmentally Significant Area management		•		
Review of public projects for ecology and natural heritage		•		
Monitor UTRCA contract for managing ESA's		•		•
Support Advisory Committees: EEPAC, ACE, TFAC, AWAC				•
City Building and Design				
Urban design review of environmental assessments	•	•	•	
Urban design review of public facilities and parks	•	•	•	
Urban design review of infrastructure projects	•	•	•	
Maintenance of GIS data & GIS support for other service areas		•	•	
3-D modelling, graphic design and document production		•	•	
Special engagement and education events	•	•	•	•
Planning and delivery of the Urban Design Awards		•	•	
Monitoring and reviewing property reports for potential land acquisition	•	•		
Urban Regeneration				
Core Area Steering Committee lead	•	•	•	•
Core Area Coordinating Team lead	•	•	•	•
Processing CIP Incentive applications for 7 CIP Programs	•	•	•	•
Support and coordinate with BIAs across City	•	•	•	
Outreach & support to urban neighbourhoods	•	•	•	
Community Improvement Plans implementation and monitoring	•	•	•	
Downtown Plan implementation	•	•	•	
Monitor health and progress of Downtown	•	•	•	
Urban Regeneration - Heritage				
Heritage alteration permit applications (non-development)		•	•	
Heritage demolition permit applications (non-development)		•	•	
Heritage designations		•	•	
Heritage Conservation District Plan implementation		•	•	

Archaeological Master Plan implementation		•	•	
Municipally-owned heritage building life-cycle maintenance		•	•	
Support Advisory Committee: LACH				•
Economic Partnerships				
Support and coordinate with LEDC			•	•
Coordinate economic development programs, projects and initiatives			•	•
Local economic analysis and research			•	
Collaborate with Finance and Corporate Services on financial and strategic analysis			•	
Smart City Office				
Implementation of the Smart City Strategy			•	•
Facilitate smart city culture throughout corporation				•
Coordinate smart city infrastructure in collaboration with other service areas		•	•	
Promote London as a Smart City			•	•
Lead and support private/public collaboration on smart city initiatives			•	•
Smart city research and education		•	•	•
Analytical mapping, data maintenance and GIS development		•		•

Projects Completed since 2017 Work Program Report

The following table includes projects that have been completed since the last Planning Work Program report in June 2017. This list does not include those projects that were part of the portfolio of services that have since been moved to other service areas.

Projects Completed since 2017 Work Program Report	Strengthening our Community	Building a Sustainable City	Growing our Economy	Leading in Public Service
Policy Planning				
Review Local Planning Appeal Tribunal changes and transition Provincial Policy Statement, 2019 review and comment				•
Bill 66 "Restoring Ontario's Competitiveness Act, 2018"	•	•		
Review of Increasing Housing Supply in Ontario			•	
Bill 108 More Homes, More Choices Act, 2019		•		
Closed School Strategy	•	•		
Supervised Consumption Facilities and Temporary Overdose Prevention Sites	•			
Cannabis Retail Stores			•	
Secondary Dwelling Units	•	•		
Southwest Area Plan Commercial GFA Review			•	
Urban Agriculture Strategy	•	•		
Arva Sanitary Servicing Agreement Update		•		
Brydges Street Area review		•	•	
Telecommunications Towers Policy Review		•		
Urban Agriculture Steering Committee Creation	•	•		•
Sustainability and Resiliency				
UTRCA Contract Renewal for ESA maintenance		•		
London Invasive Plant Management Strategy		•		
Byron Valley Trail Planning Process		•		
UTRCA Dingman Creek Regulatory Area Update		•		
Inclusion of Green Roof in Landscaped Open Space		•		

City Building and Design				
2017 Urban Design Awards	•			•
Old Victoria Hospital Phase 1 - RFP	•	•		•
Old East Village Dundas Street Corridor Secondary Plan	•	•		•
Lorne Ave Public School Site Rezoning	•	•		•
Sidewalk Patio Manual	•		•	•
Section 37 Reserve Funds	•			•
Low-rise Residential Infill Zoning – Technical Update	•	•		
Urban Regeneration				
Core Area Action Plan	•		•	•
Music Entertainment and Culture Districts Implementation Plan			•	
Old East Village Dundas Street Corridor Secondary Plan	•	•		•
Hamilton Road Community Improvement Plan			•	
Lambeth Area Community Improvement Plan			•	
Downtown Community Improvement Plan Expansion			•	
Old East Village BIA Expansion			•	
Hamilton Road BIA Creation			•	
Hyde Park Community Regeneration Investigation	•	•		•
McCormick Area Secondary Plan Amendments	•	•		
2015 State of the Downtown Report	•		•	•
2017 State of the Downtown Report	•		•	•
Dundas Place Management Office Business Case	•			•
Dundas Place Manager Purchase of Services Agreement	•			•
Updated Program Guidelines for CIP Incentives Programs			•	•
CIP Financial Incentive Manual			•	•
Old Victoria Hospital Phase 1 - Brownfield Incentives			•	
Downtown Up-lighting Grant Program			•	
Downtown Temporary Surface Commercial Parking Lots		•	•	
Creation of the Core Area Steering Committee	•	•	•	•
Urban Regeneration - Heritage				
Heritage Places 2.0 – A plan for evaluating future Heritage Conservation Districts in London	•	•		
Archaeological Management Plan		•		
Update Register of Cultural Heritage Resources	•	•		
Remove Priority Levels on the Heritage Register				•
Archaeological Assessment Holding Provision Revision				•
Heritage Alteration Permit - Delegated Authority Review				•
Economic Partnerships				
TechAlliance Multi-Year Operating Agreement			•	•
Small Business Centre Multi-Year Operations Agreement			•	•
LEDC Amending Agreement			•	•
LEDC Annual Update to City Council			•	•
LEDC Purchase of Service Agreement 2019-2023			•	•
2015-2019 London Economic Road Map	•		•	
2018 City of London Councillor Orientation Program				•
Smart City Office				
Draft Smart Cities Strategy			•	•
Open Data Policy				•
Virtual Realty Engagement Program	•			•

2020 – 2023 Corporate Strategic Plan

The City Planning work program was developed during the creation of the City of London's Strategic Plan. This has allowed staff to identify specific project milestones and targets in the 2020-2023 Strategic Plan. In the development of these milestones, an additional buffer has been built in to provide flexibility over the course of the four-year

Plan. Strategic Plan milestone dates are provided for information in the City Planning work program, attached as Appendix “A”.

New Requests

As noted in previous work program reports, new items come from various sources and can have a major impact on staff’s ability to complete work program items within the identified timeframes. City Planning staff worked on a number of projects that were not included in the 2017 work program, but have been added for a variety of reasons including:

- Emergent issues/requirements (ie. Core Area Action Plan)
- Outcomes from projects that were included on the work program (ie. Zoning Bylaw amendments coming from action items in the Urban Agriculture Strategy)
- Specific requests from Council (ie. Hyde Park Regeneration Study)

Given the significant amount of work to be undertaken in the next two years, it will be important to recognize that additional work could impact timelines shown in the work program. Deferrals back to staff can also create delays on other project timelines. Some “slack” has been included and there is an expectation of some flexibility to allow for additional items to be accommodated.

Two-Year City Planning Work Program

Appendix “A” shows the proposed City Planning Two-Year Work Program organized by City Planning division. It is worth noting that much of the work being done in City Planning is a collaborative effort with other Service Areas and outside partners, such as the London Economic Development Corporation and local Business Improvement Areas.

An additional column has been included in the Work Program to identify projects that will extend outside of the two-year timeframe, but for which a considerable amount of work will be completed between now and Q4 2021.

With this proposed work program in hand, staff are seeking confirmation of the work program, or requested edits, such that they can remain focused, manage community expectations and deliver projects and services efficiently and with a high quality.

<p>Prepared and Submitted by:</p> <p>Britt O’Hagan, MCIP, RPP Manager, City Building and Design</p>	<p>Concurred by:</p> <p>Chris Green, MBA, MSc. Manager, Economic Partnerships</p>
<p>Concurred by:</p> <p>Justin Adema, MCIP, RPP Manager, Planning Policy</p>	<p>Concurred by:</p> <p>Mike Fabro M.E.B, P.Eng Manager, Sustainability and Resiliency</p>
<p>Concurred by:</p> <p>Gregg Barrett, AICP Manager, Long Range Planning and Sustainability</p>	<p>Recommended by:</p> <p>John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner</p>

October 28, 2019
BO

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City Planning Two-Year Work Program

Projects	Target	2019	2020				2021				Beyond	Strat Plan Milestone	Strat Plan Area of Focus*					
		Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	2021		SOC	BSC	GOE	LPS		
Planning Policy																		
London Plan Appeals process	Q2 2021							•					Q4 2022		X			
Develop London Plan Monitoring Program	Q4 2020					•							Q4 2020		X			X
Annual London Plan monitoring	Q4 2023							•				•	Q4 2023		X			X
ReThink Zoning - Phase 1 review	Q4 2020					•							Q4 2020		X			
ReThink Zoning - Phase 2 development	Q4 2023											•	Q4 2023		X			
Remove Zoning By-Law references to the 1989 Official Plan	Q4 2019	•											-			X		X
Affordable Housing Development Toolkit	Q1 2020		•										Q4 2020	X	X	X		
Affordable Housing Community Improvement Plan	Q3 2020				•								Q4 2021	X	X	X		
Inclusionary Zoning Bylaw	Q2 2021							•					Q3 2021	X	X			
Bonus Zoning policy review	Q1 2021							•					-	X	X			
Accessory Dwelling Unit policy review	Q2 2021							•					-	X	X			
Designated Transit Station Area policy review	Q3 2021			•									-	X	X			
Byron Pits Secondary Plan	Q2 2020			•									Q2 2022	X	X			
Update the Industrial Land Development Strategy	Q4 2020					•							Q4 2020				X	
White Oak Dingman Secondary Plan	Q2 2021							•					Q4 2023		X			
Report on and recommend actions for emergent planning issues	Q4 2023											•	Q4 2023					X
Report on and respond to legislative changes	Q4 2023											•	Q4 2023					X
Implement the Closed School Strategy	Q4 2023											•	Q4 2023	X	X			
Implement the Urban Agriculture Strategy	Q4 2023											•	Q4 2023	X	X			
Sustainability and Resiliency																		
Report on the Climate Emergency	Q4 2019	•														X		
Collaborate on the Climate Emergency Action Plan	Q4 2020					•							-	X	X			X
Development of a Climate Change Lens	Q4 2020					•							-		X			X
Implement the Climate Emergency Action Plan	Q4 2023											•	-	X	X	X		X
Green City Strategy	Q4 2020					•							Q4 2020	X	X			
Implement the Green City Strategy	Q4 2023											•	Q4 2023	X	X			
Resiliency Strategy	Q4 2021											•	Q1 2022		X			
Update Environmental Management Guidelines	Q3 2020				•								Q4 2020		X			X
Killaly Ecological Restoration Plan	Q4 2020					•							Q4 2020	X	X			
Complete Meadowlily Conservation Master Plan - Phase 1	Q4 2020					•							Q4 2020	X	X			
Complete Meadowlily Conservation Master Plan - Phase 2	Q4 2021											•	Q4 2021	X	X			
Complete Byron Valley Trail	Q4 2021											•	Q4 2021	X	X			
Complete Medway Valley Conservation Master Plan	Q1 2021							•					Q4 2022	X	X			

City Planning Two-Year Work Program

Projects	Target	2019	2020				2021				Beyond	Strat Plan Milestone	Strat Plan Area of Focus*					
		Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	2021		SOC	BSC	GOE	LPS		
City Building and Design																		
Old East Village Dundas Corridor Secondary Plan	Q4 2019	•											Q3 2019	x	x			
Victoria Park Secondary Plan	Q2 2020			•									Q4 2020	x	x			
Masonville Transit Village Secondary Plan	Q2 2020			•									Q4 2021	x	x			
Oxford and Wonderland Transit Village Secondary Plan	Q4 2021												Q4 2023	x	x			
Lorne Avenue Redevelopment Awarded	Q1 2020		•										-	x	x			
Queens Ave Parking Lot Redevelopment Awarded	Q2 2020			•									-		x	x		
Old Victoria Hospital Lands Phase 2 Awarded	Q4 2020					•							Q4 2023	x	x	x		
Rezone LMCH Sites for Intensification and Redevelopment	Q2 2021												-					
City-wide Urban Design Guidelines	Q1 2020		•										Q2 2020		x			
Infill and Intensification Urban Design Guidelines	Q1 2021												Q4 2021		x			
Tall Building Urban Design Guidelines	Q4 2021												Q4 2023		x			
Update the Sidewalk Patio Manual for Dundas Place	Q1 2020		•										Q4 2020	x			x	
Civic Spaces Strategy	Q4 2021												-	x	x			
Dundas Place Phase 2 construction completed	Q4 2019	•											-	x	x			
Dundas to Kensington Bridge detailed design	Q4 2020												-	x	x			
Forks of the Thames - detailed design and construction	Q4 2021												Q4 2021	x	x	x		
SoHo Back to the River - Environmental Assessment	Q3 2022												Q3 2022	x	x			
Implement Our Move Forward: London's Downtown Plan	Q4 2023												Q4 2023				x	
Urban Regeneration																		
Rezone the Hamilton Road Corridor	Q1 2020		•										Q4 2019	x	x	x		
City Planning Outreach and Education Strategy	Q2 2020			•									Q4 2021	x			x	
Core Area Community Improvement Plan	Q2 2020			•									-	x	x	x	x	
Report on the State of the Downtown bi-annually	Q2 2020			•									Q4 2023	x		x	x	
Update Incentive Marketing Materials	Q2 2020			•									Q4 2020			x	x	
Argyle Area Regeneration Study	Q4 2020												-	x	x	x		
Midtown District Regeneration Study	Q2 2021												-					
Develop Metrics and Targets to monitor the performance of CIPs	Q4 2020												Q4 2020			x	x	
Prepare BIA creation and expansion manual	Q2 2021												Q4 2021			x	x	
Rezone the Lambeth Main Street Corridor	Q4 2021												Q4 2021		x	x		
Implement Community Improvement Plans	Q4 2023												Q4 2023	x		x	x	
Implement the Core Area Action Plan	Q4 2023												-	x	x	x	x	
Implement the Music Entertainment Culture Districts Strategy	Q4 2023												Q4 2023	x		x	x	

City Planning Two-Year Work Program

Projects	Target	2019	2020				2021				Beyond	Strat Plan Milestone	Strat Plan Area of Focus*				
		Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	2021		SOC	BSC	GOE	LPS	
Urban Regeneration - Heritage																	
Archeological Mapping Update	Q3 2020				•								Q4 2023		x		
Municipally owned heritage buildings conservation master plan	Q4 2020					•							Q4 2020		x		
Heritage Alteration Permit Process Review	Q1 2020		•										Q4 2020			x	
Great Talbot Heritage Conservation District Plan	Q4 2020					•							Q2 2021		x		
Gibbons Park Heritage Conservation District Plan	Q4 2021									•			Q4 2022		x		
Economic Partnerships																	
Municipal Innovation Exchange – Procurement Process	Q4 2020					•							-				x
Establish a Data Governance Lab	Q2 2020			•									-				x
Film and Multi-Media Economy Implementation Strategy	Q2 2021						•						-			x	
City Studio Pilot Program	Q3 2021							•					Q4 2023	x		x	x
Regional Economic Development Strategy	Q4 2023											•	-			x	x
Economic Reporting Strategy	Q4 2023											•	-			x	x
Community Economic Development Strategy	Q4 2023											•	-	x		x	x
Smart City Office																	
Smart City Strategy	Q4 2020					•							Q4 2020			x	x
Establish a Smart City Steering Committee	Q4 2020					•							Q4 2020			x	x
Smart City Implementation Plan	Q2 2021							•					Q4 2021			x	x
Implement the Smart City Strategy	Q4 2023											•	Q4 2023			x	x
Collaborate on a 5G Pilot Project	Q4 2023											•	-			x	x

Strategic Plan Areas of Focus

SOC: Stengthening our Community

BSC: Building a Sustainable City

GOE: Growing our Economy

LPS: Leading in Public Services

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Minor Variance Applications Considered by the
Committee of Adjustment 2018 – Information Report

Meeting on: November 4, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following report relating to an overview of the nature of the Minor Variance applications considered in 2018 by the Committee of Adjustment **BE RECEIVED**.

Executive Summary

Summary of Request

Council has directed staff to report annually on the nature of the Minor Variance applications considered by the Committee of Adjustment.

Purpose and the Effect of Recommended Action

The purpose and effect of this Information Report is to provide an overview of the nature of the Minor Variance applications considered in 2018 by the Committee of Adjustment (“CoA”). This report also provides a breakdown of the variances considered by the CoA by various categories and provides an overview of trends over a three (3)-year period.

Rationale of Recommended Action

Council has directed staff to report annually on the nature of the Minor Variance applications considered by the Committee of Adjustment.

Analysis

1.0 Minor Variances

1.1 What is a Minor Variance

A Minor Variance is a small change or relief from the regulations of the Zoning By-law that would allow a property owner to obtain a building permit when various conditions of their property do not comply precisely with the regulations of the Zoning By-law.

1.2 Who makes a Decision to Grant a Minor Variance

The CoA is provided with authority to approve, with or without conditions, refuse or defer requests for variances.

The CoA serves as a quasi-judicial body that has independent authority, as delegated by Council, to consider applications for Minor Variances under the Planning Act R.S.O 1990, c. P.13 (“Planning Act”).

Council may by by-law, constitute and appoint a CoA comprised of no less than three individuals. London’s CoA currently consists of five (5) members, who are not Members of Council and are appointed for the term of office of the Council that appoints them.

1.3 Basis for Decisions of Minor Variance Applications

CoA members must base their decisions on the planning merits of the application after having considered the recommendations of staff and receiving input from the applicant and members of the public.

The Planning Act (Section 45(1) and 45(2)) provides the basis for decisions of the CoA.

The CoA may authorize a Minor Variance from the regulations of the Zoning By-law, if the CoA is satisfied that the application meets the four tests within Section 45(1) of the Planning Act, as follows:

- i. Is the variance minor in nature;
- ii. Is the variance desirable for the appropriate development or use of the land, building or structure;
- iii. Does the variance meet the general intent and purpose of the by-law; and
- iv. Does the variance meet the general intent and purpose of the Official Plan?

The CoA may also consider applications that request extensions, enlargements or changes to legal non-conforming uses under the Zoning By-law. For changes to legal non-conforming uses the CoA may authorize these types of requests if the CoA is satisfied that the request is similar to the purpose for which land, building or structure was used on the day the by-law was passed or is more compatible with the uses permitted by the by-law than the purpose for which it was used on the day the by-law was passed.

1.4 Categories of Minor Variance Applications

Typical examples of relief from the requirements of the Zoning By-law by way of a Minor Variance application include:

- main structures locational yard setbacks (i.e. side (interior/exterior), front and rear yards);
- parking deficiencies, front yard parking, parking setbacks and coverage;
- legal non-conforming uses and uses not specifically mentioned in the Zoning By-law;
- accessory structures (i.e. decks, sheds, detached garages and car ports) locational yard setbacks, lot coverage and height; and
- lot area, frontage and coverage, gross floor area (“GFA”), landscaped open space and height.

For the purposes of this report, Minor Variance applications were broken down into five (5) separate categories consistent with the typical examples provided above. More fulsome definitions/descriptions of these categories are provided in APPENDIX ‘A’ to this report.

2.0 Nature of Minor Variance Applications

2.1 Nature of Minor Variances 2018 and Three (3)-Year Comparison

The following table provides a breakdown of the nature of Minor Variance Applications in 2018 by each of the five (5) categories as an absolute number and as a percentage of the total number of Minor Variance applications that year. The table also provides an overview of trends through a 3-year comparison of Minor Variance applications.

Table 2.1 Nature of Minor Variance Applications

Nature of Variances	2016	2017	2018
Totals (176) **	176	204	148
Main Structures Locational Yard Setbacks (48) (27%) **	58 (33%)*	58 (28%)*	29 (20%)*
Parking Deficiencies, Front Yard Parking, Parking Coverage & Setbacks (23) (13%)**	31 (18%)*	24 (12%)*	14 (9%)*
Legal Non-Conforming (17) (10%) **	22 (12%)*	8 (4%)*	19 (13%)* (4)
Accessory Structures Locational Yard Setback, Lot Coverage, Height (30) (17%) **	26 (15%)*	32 (16%)*	32 (22%)*
Lot Area, Frontage, & Coverage, GFA, Landscape Open Space & Height (58) (33%)**	39 (22%)*	82 (40%)*	54 (36%)*

*Percentage of yearly total

**Average over the three (3) year period

In the three (3)-year period from 2016-2018, the lowest number of Minor Variance applications were considered by the CoA in 2018 – a total of 148 Minor Variance applications. In the three (3)-year period from 2016-2018 the average number of Minor Variance applications was 176 applications. There is a reduction in the three (3)-year average number of Minor Variance applications from the previous three (3)-year period (2015-2017) when the average number of Minor Variance applications was 187 applications.

Possibly the most impactful regulatory change to effect the number of Minor Variance applications over the past three (3)-year period, and which may have contributed to the reduced number of Minor Variance applications in 2018, has been Bill 73 – Smart Growth for our Communities, 2015 (“Bill 73”). Bill 73 came into force and effect on July 1, 2016 and introduced new provisions in the Planning Act that included a two (2) year moratorium on Minor Variance applications subsequent to the passing of a Zoning By-law amendment, unless Municipal Council were to waive the moratorium through a separate decision of Council. As more Zoning By-law Amendments occur post Bill 73, the 2-year moratorium on Minor Variances becomes increasingly more relevant.

The intent of the changes to the Planning Act were to give greater control to municipalities to consider alterations of zoning regulations that Council determined to be important through Zoning By-law Amendment processes (i.e., would Council retain “carriage” of the zoning matters, or accept consideration by a delegated body). It was also recognized that there may be instances where adjustments to development proposals would be necessary and that minor relief from regulations would be required to permit the development. To address this, provisions were further included in the Planning Act to allow, by Council resolution, the opportunity to submit an application for a Minor Variance. A future report to the Planning and Environment Committee (“PEC”) will provide options for certain types of Minor Variance applications to proceed within the two (2)-year moratorium for Council to consider.

Since Bill 73 and the 2-year moratorium period came into force and effect, there have been seven (7) requests to Council to allow a Minor Variance application within the moratorium period. One (1) request to Council was made in 2017 and the remaining six (6) requests to Council were made in 2019. To date, Council has refused only one (1) requests to allow a Minor Variance application within the moratorium period.

The information reports to PEC that accompany these requests provide an overview of the previous reports pertinent to the Zoning by-law Amendments, and an overview of the pertinent matters from the Council resolution granting the Zoning By-law Amendments. The requested relief from the Zoning By-law is also identified in the information report to PEC, but an analysis of the planning merits of the requested relief is reserved for the report to the CoA. The increasing number of requests to Council in 2019 to allow a Minor Variance application within the moratorium period could suggest that applicants are increasingly more willing to undertake this process.

The nature of the moratorium Minor Variance applications most commonly included variances from the minimum interior side yard setbacks and from the maximum height of main buildings and variances from the minimum number of parking spaces. Variances have also been requested from the minimum lot area and from the maximum density.

2.2 Trends in Minor Variances 2018 and Three (3)-Year Comparison

In regards to the nature of the Minor Variance applications in 2018 and a three (3)-year comparison from 2016 to 2018, staff note the following with regards to each of the five (5) categories:

Main Structures Locational Yard Setbacks

The number of Minor Variance applications related to yard setback regulations for main structures is not as prevalent as in years past. In 2018, this category made up approximately 20% of the total number of Minor Variance applications whereas previously this category was near, or exceeded, 30% of the total number of Minor Variance applications. Notable regulatory changes that may have affected this category include the Regulations for Low-rise Residential Development in the Primary Transit Area in the Zoning By-law introduced in 2017 and updated in 2018.

In 2018, requested relief from minimum front yard and/or interior side yard setbacks were most common within this variance category. Variances within this category are often the result of pressures to intensify and maximize building footprints relative to other site functions.

Parking Deficiencies, Front Yard Parking, Parking setbacks and coverage

In 2018, the number of Minor Variance applications related to parking regulations made up less than 10 % of the total number of Minor Variances applications; and over the past three (3)-years this category on average made up 13% of the total number of Minor Variance applications. The 2018 percentage of Minor Variance applications related to parking regulations is fairly consistent with the three (3)-year average related to parking regulations.

Changes in land uses, expansions to building footprints or gross floor area over time often contribute to parking related variances; and although Council has introduced regulations to relax minimum parking regulations within strategic areas (i.e. the Downtown and Mainstreets), some parking difficulties continue to arise for changes to land uses or expansions to building footprints or gross floor area.

Changes to Legal Non-Conforming Uses

In 2018, applications to consider extensions, enlargements or changes to legal non-conforming uses made up 13% of the total number of applications to the CoA; and over

the past three (3)-years this category on average made up 10% of the total number of applications to the CoA, a slightly smaller proportion of the total number of applications.

The most common form of relief sought within this category are extensions, enlargements to legal non-conforming uses. The Planning Act provides strong regulatory tools and rights to continue a use that is no longer permitted under the current zoning provided it was once lawfully established and the use continues to present day. The Planning Act further provides rights to such uses, buildings and lands to be enlarged, extended and to change from one non-conforming use to another. An application to the CoA is the manner in which these rights are exercised. The City of London, like many other municipalities, has buildings and/or structures in many older and established areas that are under pressure to expand or be repurposed.

Accessory Structures Locational Yard Setback, Lot Coverage, Height

In 2018, the number of Minor Variance applications related to accessory structures made up 22 % of the total number of Minor Variances applications, an increase from 15% in 2015 and 16% in 2017. Over the past three (3)-years this category on average made up 17% of the total number of Minor Variance applications

Section 4.1 in the Zoning By-law regulates yard locations, yard setbacks, lot coverage, and height for accessory buildings or structures. The most common form of relief sought within this category is interior side yard or rear yard setbacks or lot coverage for an accessory buildings or structures. Relief sought from maximum permitted encroachments into required yards for open or covered, but unenclosed, porches or decks were also common. Section 4.27 in the Zoning By-law regulates permitted encroachments into required yards for porches, decks and other structures.

Lot Area, Frontage, & Coverage, GFA, Landscape Open Space & Height

In 2018, the number of Minor Variance applications related to lot area, frontage, coverage, gross floor area, landscape open space and height made up 36% of the total number of Minor Variances applications and is fairly consist with the three (3)-year average of 33% of the total number of Minor Variances applications. This category is inclusive of many property matters and variances within this category often trigger variances in other categories. For example, decreasing the minimum lot area or minimum lot frontage or increasing the maximum lot coverage or maximum gross floor area often cause the subsequent need for reduced minimum yard setbacks or a reduced number of parking spaces. For the purposes of Table 2.1 (above) and year-after-year comparisons, variances in this category causing variances in other categories were counted only once under this category.

Consent applications for lot creation or redevelopment proposals that seek to maximize the development limits often prompt Minor Variance applications within this category. In 2018, 23% of the total number of Consent decisions resulted in a corresponding Minor Variance application in 2018/2019. A future report to PEC will investigate opportunities under the Planning Act to delegate the Consent Approval Authority to the CoA, so that related Consent applications and Minor Variance applications can be considered concurrently by the CoA.

3.0 Appeals to the Decisions of the Committee of Adjustment

Decisions of the CoA can be appealed to the LPAT by an applicant, a resident, a public body or other interested party. Over the past three (3)-years, there have been seven (7) appeals to LPAT of this Committee's decisions. There were three (3) appeals in 2018,

two (2) appeals in 2017, and two (2) appeals in 2016. City-initiated appeals of the decisions of the CoA are rare, and by in large, Development Services only seeks direction from Council regarding a City-initiated appeal where the CoA's decision would set an undesirable precedent with respect to the interpretation of the Official Plan and would call into question or undermine the intended interpretation of the Official Plan.

4.0 Conclusion

The purpose and effect of this Information Report is to provide an overview of the nature of Minor Variance applications considered in 2018 by the CoA, and to provide an overview of trends through a three (3)-year comparison of Minor Variance applications and various categories. On a go-forward basis, Development Services will provide an annual update to Council on the breakdown by various categories of Minor Variance applications considered by the CoA.

Prepared by:	Melissa Campbell, MCIP, RPP Manager, Development Planning, 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.	

October 28, 2019

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

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Appendix A

Minor Variance Category Description

Main Structures Locational Yard Setbacks

This category of variances consist of requests for relief from the locational requirements of main buildings in terms of front, side (interior/exterior) and rear yard setbacks. The most common form of relief from yard setbacks relate to front yard and/or interior side yard requirements. Requests for relief from front yard setbacks are often required to facilitate urban design objectives for the siting of medium-to-high density residential buildings and some commercial buildings. Requests for relief from interior yard setbacks often allow for larger building footprints on an existing parcel of land.

Parking Deficiencies, Front Yard Parking, Parking Setbacks and Coverage

This category of variances consist of requests for relief from the parking requirements (i.e. number of parking spaces), location of parking area setbacks, and parking coverage.

Changes to Legal Non-Conforming Uses

A legal non-conforming use is a use of land, building or structure which was legally established according to the applicable zoning regulations and building code laws at the time it was established, but which does not meet the zoning regulations currently in place. When legal non-conformance is confirmed, an application to the CoA may be considered to allow extensions, enlargement, and/or a changes to legal non-conforming uses to occur.

Accessory Structures Locational Yard Setback, Lot Coverage and Height

This category of variance exists specific to accessory structures. These structures are incidental, subordinate and exclusively devoted to the main use on the lot, consisting primarily of decks, sheds and detached garages or carports. This category of variances generally consists of requests for relief from the locational, height or coverage requiremntns of the Zoning By-law related to accessory structures (Section 4.1)

Lot Area, Frontage and Coverage, GFA, Landscape Open Space and Height

This category of variaces consists of relief from most other regulations related to property development, specifically lot area, frontage, coverage, gross floor area ("GFA"), landscpae open space and building height. This category often has implications for the intensity of development permitted on a lot.

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE MEETING NOVEMBER 4, 2019
FROM:	CATHY SAUNDERS CITY CLERK
SUBJECT:	BY-LAW AMENDMENT REQUEST DOWNTOWN LONDON BUSINESS ASSOCIATION IMPROVEMENT AREA

RECOMMENDATION

That, on the recommendation of the City Clerk, the proposed by-law attached as Appendix "A" to the staff report dated November 4, 2019, being a by-law to amend By-law CP-2, as amended, being "A by-law to provide for the Improvement Area to be known as the London Downtown Business Association Improvement Area and to establish a Board of Management therefor" by amending the Board Composition and clarifying quorum at a meeting BE INTRODUCED at the Municipal Council meeting to be held on November 12, 2019.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
--

None.

BACKGROUND

That following resolution was adopted at the Municipal Council Meeting held on October 15, 2019:

"That the City Clerk BE DIRECTED to bring forward to a future meeting of the 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 Board of Management as outlined in the communication from G. Gallacher, Chair of the Board (LDBA)".

The LDBA is seeking approval of the following amendments to By-law CP-2 "A by-law to provide for the Improvement Area to be known as The London Downtown Business Association Improvement Area and to establish a Board of Management therefor":

- **Amend the Board Composition from nine (9) Directors to not less than nine (9) and not more than thirteen (13) Directors.**

In support of the request the LDBA indicates that given the LDBA is a large BIA, there is a requirement for a higher number of Directors to ensure that all districts and neighbourhoods are represented on the BIA. They are seeking flexibility in the composition.

Staff Response

It is recommended for clarity that the composition of the Board be placed at a fixed number and therefore the Civic Administration is recommended that the number of Directors be increased from nine (9) to thirteen (13).

- **Amend the quorum requirements for meeting from a majority of the Members to the Members present at the meeting.**

In support of this request, the LDBA indicates that based on the current requirements, more than half of the membership would need to be in attendance at a meeting to achieve quorum, which is very difficult to achieve. The LDBA is seeking a change to the quorum requirement to those members in attendance at the meeting.

Staff Response

Although the Civic Administration can appreciate the difficulty in achieving attendance of more than 50 percent of the membership at a meeting, the Civic Administration does not support what is being proposed as there should be a greater threshold achieved in order to carry out the business of the LDBA.

The Civic Administration is recommending that similar quorum requirements to that established for other BIAs be required for the LDBA, which is a minimum of twenty (20) Members, including a quorum of the Board of Management.

CONCLUSION

In response to the request of the LDBA, the Civic Administration is recommending that the proposed by-law attached as Appendix “A” to the staff report dated November 4, 2019, being a by-law to amend By-law CP-2, as amended, being “A by-law to provide for the Improvement Area to be known as the London Downtown Business Association Improvement Area and to establish a Board of Management therefor” by amending the Board Composition and clarifying quorum at a meeting BE INTRODUCED at the Municipal Council meeting to be held on November 12, 2019.

PREPARED AND RECOMMENDED BY:
CATHY SAUNDERS CITY CLERK

APPENDIX “A”

Bill No.
2019

By-law No. CP-2

A by-law to amend By-law CP-2, as amended, being “A by-law to provide for the Improvement Area to be known as the London Downtown Business Association Improvement Area and to establish a Board of Management therefor” by amending the Board Composition and clarifying quorum at a meeting.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS subsection 10(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended provides that a municipality may provide any services or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended provides that a municipality may pass by-laws respecting: in paragraph 1, Governance structure of the municipality and its local boards; paragraph 2, Accountability and transparency of the municipality and its operations and of its local boards and their operations; paragraph 3, Financial Management of the municipality and its local boards; in paragraph 7, Services and things that the municipality is authorized to provide under subsection (1);

AND WHEREAS subsection 204(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended provides a local municipality may designate an area as an improvement area and may establish a board of management:

- (a) to oversee the improvement, beautification and maintenance of municipally-owned land, buildings and structures in the area beyond that provided at the expense of the municipality generally; and
- (b) to promote the area as a business or shopping area;

AND WHEREAS the Municipal Council enacted the “London Downtown Business Improvement Association Board of Management By-law” on November 15, 1993 to establish the board of management of the London Downtown Business Association Improvement Area;

AND WHEREAS the Municipal Council deems it appropriate to further amend the “London Downtown Business Improvement Association Board of Management By-law” to provide further clarification with respect to quorum requirements for meetings and to amend the Board Composition;

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

1. Section 4.1 is hereby amended by deleting the word and number “nine (9)” and by replacing it with the word and the number “thirteen (13)”.

2. Section 8.6 is hereby amended by deleting the section in its entirety and by replacing it with the following new section 8.6:

“8.6 A minimum of twenty (20) Members, including a quorum of the Board of Management, shall constitute quorum at any meeting of the Members.”

3. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on November 12, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – November 12, 2019
Second Reading – November 12, 2019
Third Reading – November 12, 2019



London
CANADA

Development and Compliance Services Building Division

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

From: P. Kokkoros, P. Eng.
Deputy Chief Building Official

Date: October 7, 2019

RE: Monthly Report for September 2019

Attached are the Building Division's monthly report for September 2019 and copies of the Summary of the Inspectors' Workload reports.

Permit Issuance

By the end of September, 3,563 permits had been issued with a construction value of \$1.05 billion, representing 1,963 new dwelling units. Compared to last year, this represents a 1.3% increase in the number of permits, a 32.8% increase in the construction value and a 5.6% increase in the number of dwelling units.

To the end of September, the number of single and semi-detached dwellings issued were 514, which was a 3.6% decrease over last year.

At the end of September, there were 766 applications in process, representing approximately \$567 million in construction value and an additional 882 dwelling units, compared with 694 applications having a construction value of \$481 million and an additional 865 dwelling units for the same period last year.

The rate of incoming applications for the month of September averaged out to 15.6 applications a day for a total of 312 in 20 working days. There were 52 permit applications to build 52 new single detached dwellings, 7 townhouse applications to build 21 units, of which 4 were cluster single dwelling units.

There were 388 permits issued in September totalling \$83.2 million including 173 new dwelling units.

Inspections

BUILDING

Building Inspectors received 2,314 inspection requests and conducted 3,005 building related inspections. An additional 10 inspections were completed relating to complaints, business licenses, orders and miscellaneous inspections. Based on a staff compliment of 11 inspectors, an average of 264 inspections were conducted this month per inspector.

Based on the 2,314 requested inspections for the month, 99% were achieved within the provincially mandated 48 hour time allowance.

CODE COMPLIANCE

Building Inspectors received 515 inspection requests and conducted 769 building related inspections. An additional 159 inspections were completed relating to complaints, business licenses, orders and miscellaneous inspections. Based on a staff compliment of 5 inspectors, an average of 150 inspections were conducted this month per inspector.

Based on the 515 requested inspections for the month, 97% were achieved within the provincially mandated 48 hour time allowance.

PLUMBING

Plumbing Inspectors received 831 inspection requests and conducted 1,181 plumbing related inspections. An additional 2 inspections were completed relating to complaints, business licenses, orders and miscellaneous inspections. Based on a staff compliment of 6 inspectors, an average of 197 inspections were conducted this month per inspector.

Based on the 831 requested inspections for the month, 99% were achieved within the provincially mandated 48 hour time allowance.

NOTE:

In some cases, several inspections will be conducted on a project where one call for a specific individual inspection has been made. One call could result in multiple inspections being conducted and reported. Also, in other instances, inspections were prematurely booked, artificially increasing the number of deferred inspections.

AD:cm
Attach.

c.c.: A. DiCicco, T. Groeneweg, C. DeForest, O. Katolyk, D. Macar, M. Henderson, S. McHugh

CITY OF LONDON

SUMMARY LISTING OF BUILDING CONSTRUCTION ACTIVITY FOR THE MONTH OF SEPTEMBER

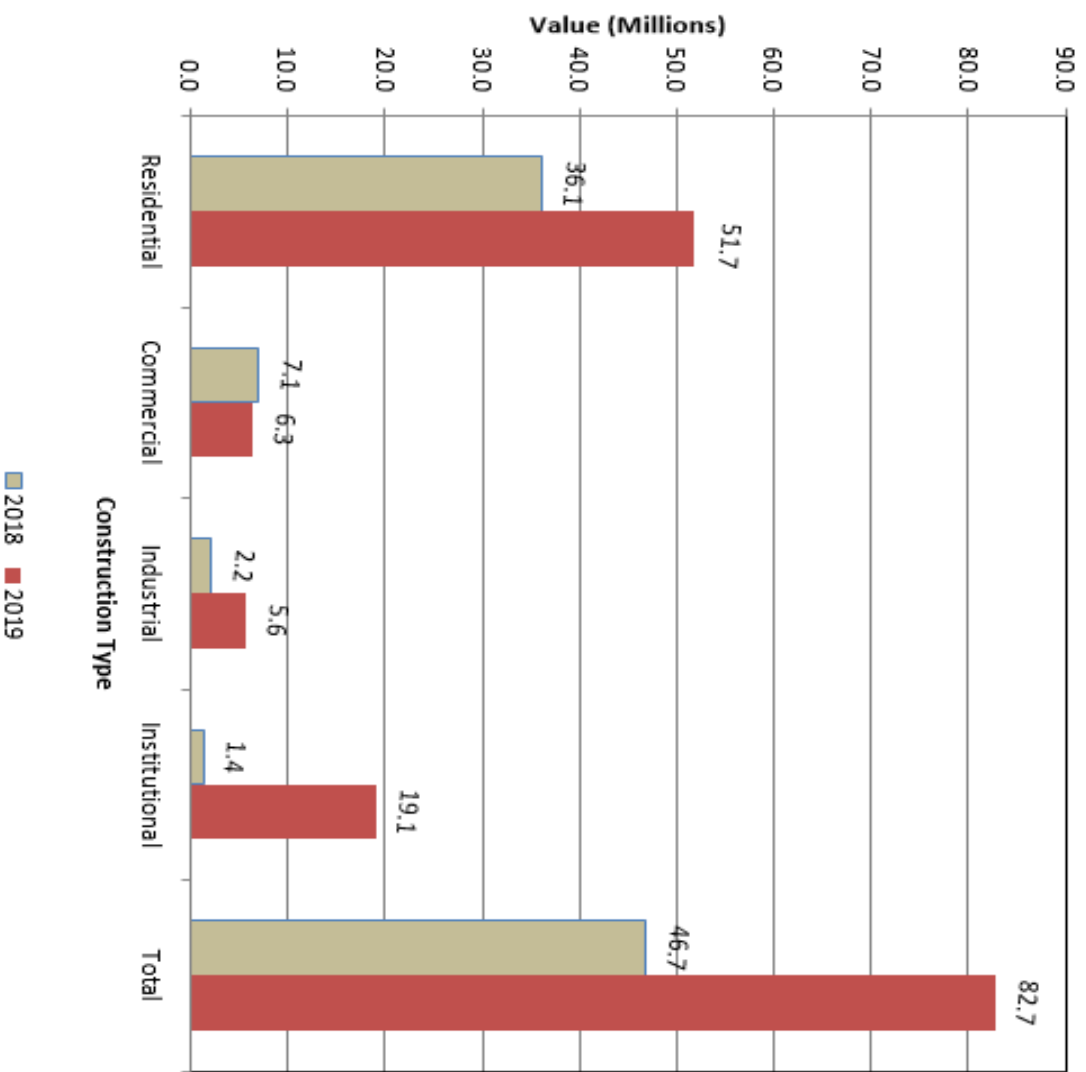
CLASSIFICATION	September 2019				to the end of September 2019				September 2018				to the end of September 2018			
	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	
SINGLE DETACHED DWELLINGS	62	24,838,835	62	508	215,644,431	508	44	19,413,669	44	533	224,219,845	533				
SEMI DETACHED DWELLINGS	3	884,400	6	3	884,400	6	0	0	0	0	0	0				
TOWNHOUSES	20	20,297,380	98	125	112,411,610	516	12	11,865,000	58	176	134,344,869	548				
DUPLEX,TRIPLEX,QUAD,APT BLDG	1	639,000	4	18	192,486,852	875	0	0	0	7	164,602,920	713				
RES-ALTER & ADDITIONS	146	5,036,160	3	1,425	44,287,817	56	176	4,786,404	9	1,436	48,768,937	62				
COMMERCIAL - ERECT	3	2,264,330	0	14	20,662,080	0	3	2,231,200	0	27	55,447,103	0				
COMMERCIAL - ADDITION	3	927,000	0	15	9,554,000	0	0	0	0	12	9,650,718	0				
COMMERCIAL - OTHER	33	3,111,000	0	397	51,560,410	2	49	4,837,650	0	357	50,920,639	0				
INDUSTRIAL - ERECT	3	3,986,000	0	11	312,766,000	0	0	0	0	3	9,450,000	0				
INDUSTRIAL - ADDITION	3	1,064,100	0	8	6,313,100	0	1	32,000	0	6	7,310,000	0				
INDUSTRIAL - OTHER	5	578,800	0	61	7,047,320	0	3	2,173,000	0	45	19,415,804	0				
INSTITUTIONAL - ERECT	1	17,640,000	0	2	27,456,800	0	0	0	0	0	0	0				
INSTITUTIONAL - ADDITION	1	180,000	0	7	5,333,800	0	0	0	0	5	14,049,600	0				
INSTITUTIONAL - OTHER	7	1,245,000	0	151	23,988,960	0	12	1,382,282	0	201	37,526,692	0				
AGRICULTURAL	1	60,000	0	6	15,700,000	0	0	0	0	3	210,000	0				
SWIMMING POOL FENCES	22	454,600	0	193	4,139,267	0	21	400,452	0	196	4,157,972	0				
ADMINISTRATIVE	12	13,000	0	124	320,000	0	30	30,250	0	155	434,350	0				
DEMOLITION	10	0	4	71	0	39	9	0	8	71	0	34				
SIGNS/CANOPY - CITY PROPERTY	1	0	0	27	0	0	1	0	0	11	0	0				
SIGNS/CANOPY - PRIVATE PROPERTY	51	0	0	397	0	0	3	0	0	271	0	0				
TOTALS	388	83,219,605	173	3,563	1,050,556,847	1,963	364	47,151,907	111	3,515	780,509,449	1,856				

Note: 1) Administrative permits include Tents, Change of Use and Transfer of Ownership, Partial Occupancy.

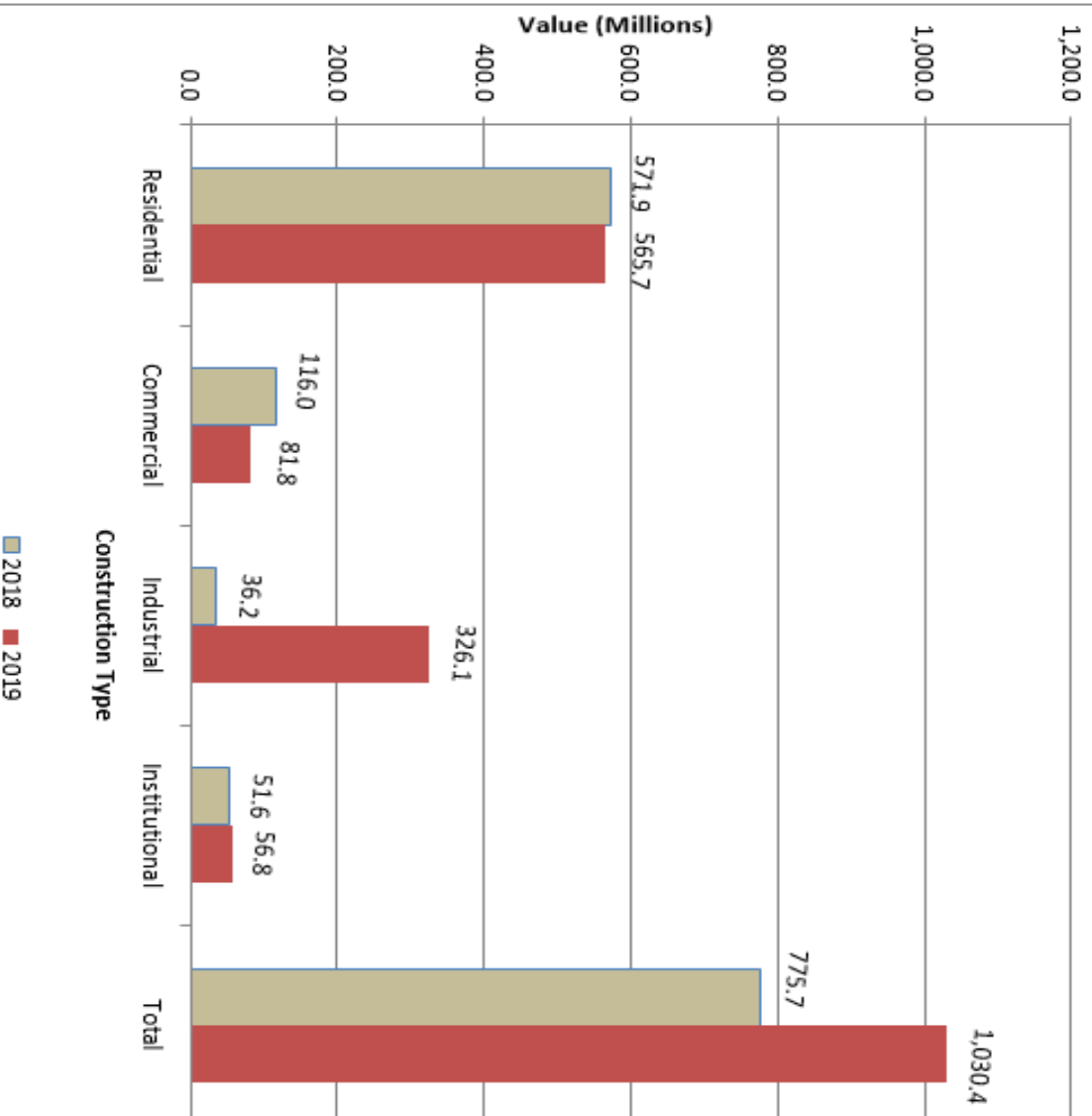
2) Mobile Signs are no longer reported.

3) Construction Values have been rounded up.

Construction Value of Building Permits September



Construction Value of Building Permits January to September



City of London - Building Division
Principal Permits Issued from September 1, 2019 to September 30, 2019

Owner	Project Location	Proposed Work	No. of Units	Construction Value
SKYLINE RETAIL REAL ESTATE HOLDINGS INC	1030 Adelaide St N	Alter Retail Store COMMERCIAL - ALTER PORTION OF METRO STORE FOR FUTURE DOLLARAMA FRR/FPO, PARTIAL PERMIT ISSUED SEPT. 19. SPRINKLER SHOP DRAWINGS TO BE SUBMITTED.	0	150,000
SIFTON LIMITED SIFTON PROPERTIES LIMITED	1080 Upperpoint Ave D	Erect-Townhouse - Condo ERRECT NEW TOWNHOUSE , 1 STOREY, 3 BEDROOMS, 2CAR GARAGE, UNFINISHED BASEMENT, w A/C, DECK INCLUDED ,DPN#37, 39,41,43,45	5	890,400
The Board of of Western Ontario The Board Of Governors The University Of Western Ontario	1151 Richmond St	Alter University ALTER 7TH FLOOR OF SOCIAL SCIENCES BUILDING, FRR/FPO	0	1,000,000
REMBRANDT HOMES REMBRANDT HOMES	1175 Blackwell Blvd A	Erect-Townhouse - Condo ERRECT - 5 UNIT TOWNHOUSE BUILDING A - UNITS 27, 28, 29, 30, 31 - 2 AND 1 STOREY, 3 BEDROOM, SINGLE CAR GARAGE, PARTIALLY FINISHED AND UNFINISHED BASEMENT, WITH DECK, WITH A/C, SB12 ENERGY STAR (BOP)	5	984,000
REMBRANDT HOMES REMBRANDT HOMES	1175 Blackwell Blvd B	Erect-Townhouse - Condo ERRECT - 7 UNIT TOWNHOUSE BUILDING B - UNITS 20, 21, 22, 23, 24, 25, 26 - 2 AND 1 STOREY, 3 BEDROOM, SINGLE CAR GARAGE, PARTIALLY FINISHED AND UNFINISHED BASEMENT, WITH DECK, WITH A/C, SB12 ENERGY STAR (BOP)	7	1,341,000
TONY MARSMAN CONSTRUCTION LIMITED TONY MARSMAN CONSTRUCTION LIMITED	1175 Blackwell Blvd C	Erect-Townhouse - Condo ERRECT - 7 UNIT TOWNHOUSE BUILDING C - UNITS 13, 14, 15, 16, 17, 18, 19 - 2 STOREY, 3 BEDROOM, SINGLE CAR GARAGE, PARTIALLY FINISHED BASEMENT, WITH DECK, WITH A/C, SB12 ENERGY STAR (BOP)	7	1,408,500
TONY MARSMAN CONSTRUCTION LIMITED TONY MARSMAN CONSTRUCTION LIMITED	1175 Blackwell Blvd D	Erect-Townhouse - Condo ERRECT - 6 UNIT TOWNHOUSE BUILDING B - UNITS 7, 8, 9, 10, 11, 12 - 2 AND 1 STOREY, 3 BEDROOM, SINGLE CAR GARAGE, PARTIALLY FINISHED AND UNFINISHED BASEMENT, WITH DECK, WITH A/C, SB12 ENERGY STAR (BOP)	6	1,146,000
REMBRANDT HOMES REMBRANDT HOMES	1175 Blackwell Blvd E	Erect-Townhouse - Condo ERRECT - 6 UNIT TOWNHOUSE BUILDING E - UNITS 1, 2, 3, 4, 5, 6 - 2 AND 1 STOREY, 3 BEDROOM, SINGLE CAR GARAGE, PARTIALLY FINISHED AND UNFINISHED BASEMENT, WITH DECK, WITH A/C, SB12 ENERGY STAR (BOP)	6	1,146,000
LYZON CORPORATION Lyzon Enterprises Corporation Attn: Zongming Li	1270 Webster St	Alter Apartment Building APT - ALT. FOR BALCONY RAILING REPAIRS	0	111,375
ZONGMING LI LYZON ENTERPRISES CORP	1280 Webster St	Alter Apartment Building APT. - ALTER FOR BALCONY RAILING REPAIRS	0	111,375

City of London - Building Division

Principal Permits Issued from September 1, 2019 to September 30, 2019

Owner	Project Location	Proposed Work	No. of Units	Construction Value
1016747 ONTARIO LIMITED	1450 North Wenige Dr 25	Erect-Townhouse - Cluster SDD ERECT NEW SDD, 2 STOREY, 2 CAR GARAGE, 3 BEDROOMS, UNFINISHED BASEMENT, NO DECK, WITH A/C - SB12-A1, DPN 25	1	300,000
LIMITED		SOIL REPORT REQUIRED		
OLD OAK PROPERTIES INC.	150 Dufferin Ave	Alter Offices CM - ALTER - RENOVATE EXISTING OFFICE ON 6TH FLOOR	0	150,000
UKRAINIAN ORTHODOX CHURCH OF CANADA	151 King Edward Ave	Add Churches ALTER AND EXTEND ENTRY TO INSTALL ELEVATOR	0	180,000
UKRAINIAN ORTHODOX CHURCH OF CANADA				
LUX HOMES INC.	1570 Coronation Dr A	Erect-Townhouse - Rental ERECT 5 UNIT TOWNHOUSE, BLOCK A	5	870,000
LUX HOMES INC. LUX HOMES DESIGN & BUILD INC.	1570 Coronation Dr B	Erect-Townhouse - Rental ERECT 5 UNIT TOWNHOUSE, BLOCK B	5	870,000
HOMESTEAD LAND HOLDINGS LTD.	1580 Adelaide St N	Alter Apartment Building ALTER FOR WING WALL FACADE REPAIR TO RENTAL APARTMENTS	0	398,850
LAND HOLDINGS LTD.		FRR		
CF REALTY HLDG INC, FAIRVIEW CORP CF REALTY HLDG INC, C/O CADILLAC FAIRVIEW CORP	1680 Richmond St	Alter Retail Store ALTER INTERIOR FOR SHOPPER'S DRUGMART, FRR/FPO. PARTIAL PERMIT ISSUED SEPT. 19, 2019. SPRINKLER SHOP DRAWINGS REQUIRED TO BE SUBMITTED.	0	500,000
THE RIDGE AT BYRON INC.	1710 Ironwood Rd 6	Erect-Townhouse - Cluster SDD ERECT, NEW CLUSTER SDD, 1 STOREY, 2 CAR GARAGE, 2 BEDROOMS, UNFINISHED BASEMENT, WITH DECK, WITH A/C, SB12-A5, MUNICIPAL NO. 1710 IRONWOOD RD DPN 6. HRV & DWHR REQUIRED.	1	390,000
2496517 Ontario Inc	1712 Hyde Park Rd	Add Gymnasia COMM - ADD FOR GYMNASIUM SPACE, RETAIL SHELL SPACE, AND TWO APARTMENT UNITS Provide sealed Misc. Metals for the guards and stairs shop drawings to the Building Division for review prior to work in these areas	0	790,000
IRONSTONE COMPANY INC.	177 Edgevalley Rd J	Erect-Townhouse - Condo RT - ERECT 8 UNIT BLOCK - UNITS 7,9, 11, 13, 14, 16, 18, 20 - 3 STOREY, 2 CAR GARAGE, FINISHED BASEMENT	8	1,617,600
IRONSTONE COMPANY INC.	177 Edgevalley Rd L	Erect-Townhouse - Condo RT - ERECT 8 UNIT BLOCK - UNITS 21,23,25,27,28,32,36,40 - 3 STOREY, 2 CAR GARAGE, FINISHED BASEMENT	8	1,616,800
IRONSTONE COMPANY INC.	177 Edgevalley Rd M	Erect-Townhouse - Condo RT - ERECT 6 UNIT BLOCK - UNITS 15, 17, 19, 44, 48, 52 - 3 STOREY, 2 CAR GARAGE, FINISHED BASEMENT	6	1,394,400

**City of London - Building Division
Principal Permits Issued from September 1, 2019 to September 30, 2019**

Owner	Project Location	Proposed Work	No. of Units	Construction Value
Crich Holdings and Buildings Limited (Steve Stapleton)	1810 Adelaide St N 4	Erect-Retail Plaza COMM - ERECT STRIP PLAZA SHELL BUILDING FRR/FPO - Separate permit required for installation of site services. Shop drawings required for metal studs and their connections to the building, and for roof access ladder.	0	1,080,000
2560533 Ontario Inc	1830 Adelaide St N	Erect-Retail Plaza COMM - ERECT STRIP PLAZA SHELL BUILDING. PARTIAL PERMIT ISSUED SEPT. 11, 2019. Shop drawings required for awnings, metal studs and their connections to the building, and for roof access ladder. FRR	0	895,130
2560533 Ontario Inc., Stoney Creek Commercial Inc.	1840 Adelaide St N 2	Alter Restaurant ALTER TO FINISH FOR MARY BROWN'S RESTAURANT, OCCUPANT LOAD 40 PERSONS FRR/FPO	0	180,000
2560533 Ontario Inc	1840 Adelaide St N 2	Erect-Retail Plaza COMM - ERECT STRIP PLAZA SHELL BUILDING, PARTIAL PERMIT ISSUED SEPT. 3, 2019. STEEL STUD, ACCESS LADDER & ROOF GUARD SHOP DWGS. REQUIRED INCL. CONNECTION TO STRUCTURE. GEOTECH. CONFIRMATION REQUIRED NOTE: Separate permit required for installation of site services.	0	289,200
Oxford West Gateway Inc. c/o York Developments	1906 Oxford St W 11	Alter Carwash INTERIOR FIT-UP FOR CARWASH	0	300,000
2430402 Ontario Limited	2 Bathurst St	Alter Offices New Office Space Alterations. SHELL PERMIT ONLY - SUBMIT MISCELLANEOUS METALS SHOP DRAWINGS FOR REVIEW.	0	300,000
FOREST PARK (SHERWOOD GLEN) FOREST PARK (SHERWOOD GLEN)	203 Wychwood Pk			165,000
DANCOR HURON ROBIN'S HILL INC. DANCOR HURON ROBIN'S HILL INC.	2240 Huron St			425,000
DANCOR HURON ROBIN'S HILL INC. DANCOR HURON ROBIN'S HILL INC.	2240 Huron St	Erect-Warehousing ID - ERECT BUILDING J BASE BUILDING	0	1,953,000
DANCOR HURON ROBIN'S HILL INC. DANCOR HURON ROBIN'S HILL INC.	2240 Huron St	Erect-Warehousing ID - ERECT BUILDING I BASE BUILDING	0	1,953,000
Sunningdale Developments Inc	231 Callaway Rd			150,000
LONDON & MIDDLESEX COMMUNITY HOUSING INC. LONDON & MIDDLESEX COMMUNITY HOUSING INC.	241 Simcoe St	Alter Apartment Building ALTER TO REPLACE ROOFTOP MAKEUP AIR UNIT, WITH FPO	0	136,500
SIFTON LIMITED SIFTON PROPERTIES LIMITED	2435 Moe Norman Way	Erect-Townhouse - Cluster SDD ERECT NEW CLUSTER SDD, 1 STOREY, 2 BEDROOMS, 2CAR GARAGE, UNFINISHED BASEMENT, W A/C, W/ DECK - ENERGY STAR, 33M-429, PART 14	1	356,000

**City of London - Building Division
Principal Permits Issued from September 1, 2019 to September 30, 2019**

Owner	Project Location	Proposed Work	No. of Units	Construction Value
AUBURN INC. AUBURN DEVELOPMENTS INC.	2491 Tokala Trail E	Erect-Townhouse - Condo ERECT NEW 6 UNIT TOWNHOUSE, BLOCK 3: 2 STOREY, 1 CAR GARAGE, 3 BEDROOMS, FINISHED LOOKOUT BASEMENT, REAR DECK, WITH A/C, SB-12 PERFORMANCE PACKAGE, UNITS 18 - 23, DPNs 22, 24, 26, 28, 30, 32	6	450,000
FOXHOLLOW DEVELOPMENTS INC.	2491 Tokala Trail F	Erect-Townhouse - Condo TH- ERECT FIVE-UNIT TOWNHOUSE BLOCK F, DPN 34, 36, 38, 40, 42	5	856,680
GREENGATE LTD. GREENGATE VILLAGE LTD.	3313 Strawberry Walk	Erect-Townhouse - Condo RT - ERECT 7 UNIT TOWNHOUSE BLOCK 51	7	1,300,000
2589439 ONTARIO INC. 2589439 ONTARIO INC.	3400 Morgan Ave	Erect-Care Facility IS - ERECT LONG TERM CARE HOME, ISSUED TO SHELL SEPT. 2, 2019. TRUSS SHOP DRAWINGS, GUARD SHOP DRAWINGS, SPRINKLER SHOP DRAWINGS REQUIRED. SEPARATE PERMITS FOR RETAINING WALLS REQUIRED. FRR/FP0	0	17,640,000
Willow Bridge Construction	3560 Singleton Ave 33	Erect-Townhouse - Cluster SDD ERECT NEW CLUSTER SDD,2 STOREY, 4 BEDROOMS, 2CAR GARAGE, UNFINISHED BASEMENT, W A/C, NO DECK - SB12-A1, 33R-17943, DPN 33	1	350,000
Willow Bridge Construction Inc	3560 Singleton Ave 38	Erect-Townhouse - Cluster SDD ERECT NEW CLUSTER SDD,2 STOREY, 4 BEDROOMS, 2CAR GARAGE, UNFINISHED BASEMENT, W A/C, NO DECK - SB12-A1, 33R-17943, DPN 38	1	315,000
G Belisle Holdings (London) Limited	4231 Blakie Rd	Add Warehousing ADD TO WAREHOUSE	0	950,000
Trujay Holdings Limited	429 Wharmcliffe Rd S	Alter Automobile Repair Garage ALTER INTERIOR FOR AUTO GLASS REPAIR SHOP	0	150,000
2436069 Ontario Ltd.	504 English St	Erect-Four-Plex ERECT FOURPLEX. ***NOTE*** FIRESTOPPING SYSTEM FOR PLUMBING PENETRATIONS TO BE SUBMITTED PRIOR TO INSTALLATION.	4	639,000
Amica London Inc C/O Amica Mature Lifestyles	517 Fanshawe Park Rd W	Alter Apartment Building APT - ALT TO INSTALL DOOR CLOSERS TIED IN TO FIRE ALARM SYSTEM FRR/FP0	0	300,000
LONDON & MIDDLESEX COMMUNITY HOUSING INC. LONDON & MIDDLESEX COMMUNITY HOUSING INC.	580 Dundas St	Alter Apartment Building ALTER TO INSTALL STUCCO ON FACADE AND INSTALL SOLAR WALL SHELL ONLY -SEALED HEAT- RECOVERY CLADDING SHOP DRAWINGS REQUIRED PRIOR TO WORK IN THESE AREAS	0	200,000
MARYVIN INVESTMENTS LIMITED C/O M & V LUCCISANO Maryvin Investments Limited C/O M & V Luccisano	647 Wellington Rd	Alter Restaurant ALTERATION TO EXISTING RESTAURANT	0	130,000

City of London - Building Division
Principal Permits Issued from September 1, 2019 to September 30, 2019

Owner	Project Location	Proposed Work	No. of Units	Construction Value
MANAGEMENT SECRETARIAT MANAGEMENT BOARD SECRETARIAT	661 Exeter Rd	Alter Offices CM - ALTERATION TO EXISTING ROOF - A PORTION OF THE EXISTING ROOF WILL BE REMOVED TO ACCESS THE AC UNIT	0	170,000
MANAGEMENT SECRETARIAT MANAGEMENT BOARD SECRETARIAT	711 Exeter Rd	Alter Prisons IS - INT ALTERATION OF STAFF ROOM	0	200,000
BELL CANADA	725 Colborne St	Alter Telephone Exchange Building COMM - ALTER TO UPGRADE FIRE ALARM SYSTEM	0	146,000
Applewood Acres Inc.	819 Kleinburg Dr C	Erect-Townhouse - Condo Erect Block C,DPN's 16,18,20,22,24,26,28 w/ one car garage, part. finished basement. SB-12 A-1. Soils report required.	7	2,695,000
WESTERN FAIR ASSOCIATION	900 King St	Alter Amusement Games Establishment INTERIOR RENOVATION OF CASINO AND RACEWAY BUILDING. FRR FPO	0	135,000
Total Permits 52			Units 102	Value 52,175,810

* 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
2430402 Ontario Limited
STONE CREEK COMMERCIAL (2560533 OL)
2560533 Ontario Inc
2496517 Ontario Inc
2560533 Ontario Inc., Stoney Creek Commercial Inc.

Commercial Permits regardless of construction value

Environmental and Ecological Planning Advisory Committee

Report

The 11th Meeting of the Environmental and Ecological Planning Advisory Committee
October 17, 2019
Committee Rooms #1 and #2

Attendance PRESENT: S. Levin (Chair), E. Arellano, I. Arturo, L. Banks, A. Bilson Darko, A. Boyer, R. Doyle, S. Esan, P. Ferguson, L. Grieves, S. Hall, S. Heuchan, B. Krichker, I. Mohamed, K. Moser, B. Samuels, S. Sivakumar, R. Trudeau, M. Wallace and I. Whiteside and H. Lysynski (Secretary)

ABSENT: A. Cleaver, C. Dyck and J. Khan

ALSO PRESENT: G. Barrett, C. Creighton, M. Fabro, H. McNeely, S. Hudson, T. Macbeth, J. MacKay, L. Maitland and B. Page

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 Bruce Page, Senior Planner - Byron Gravel Pit Secondary Plan

That a Working Group BE ESTABLISHED consisting of R. Trudeau (lead), I. Arturo, A. Bilson Darko and S. Hall with respect to the Bryon Gravel Pit Secondary Plan; it being noted that the Environmental and Ecological Planning Advisory Committee heard the attached presentation from B. Page, Senior Planner, with respect to this matter.

2.2 Tricia Lystar, Chair, Animal Welfare Advisory Committee - Proposed Changes to the "You, Your Dog and ESAs" Brochure

That, the following actions be taken with respect to the proposed "You, Your Dog and ESAs" brochure:

a) the attached "You, Your Dog and ESAs" brochure BE APPROVED for printing and circulation; it being noted that two of the photographs will be replaced prior to printing; and,

b) it BE NOTED that the Environmental and Ecological Planning Advisory Committee heard a verbal presentation from T. Lystar, Chair, Animal Welfare Advisory Committee, with respect to the proposed changes to the above-noted brochure.

2.3 6:00 PM Leif Maitland, Planner I, James MacKay, Ecologist and Heather McNeely, Manager, Development Services - Bird Friendly Guidelines

That it BE NOTED that the Environmental and Ecological Planning Advisory Committee heard the attached presentation from L. Maitland, Planner I, J. MacKay, Ecologist Planner and H. McNeely, Manager, Development Services, with respect to Bird Friendly Guidelines.

3. Consent

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

That it BE NOTED that the 10th Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on September 19, 2019, was received.

4. Sub-Committees and Working Groups

4.1 White Oak-Dingman Subject Land Status Report

That the following actions be taken with respect to the White-Oak Dingman Secondary Plan Draft Lands Status Report and the White Oak-Dingman Environmental Assessment:

a) the White-Oak Dingman Secondary Plan Draft Lands Status Report Working Group comments BE FORWARDED to the Civic Administration for consideration; and,

b) it BE NOTED that a Notice of Public Information Centre #2 relating to the Dingman Drive East of Wellington Road to Highway 401 and Area Intersections Municipal Class Environmental Assessment, was received;

it being noted that the Environmental and Ecological Planning Advisory Committee received the attached maps from S. Levin.

5. Items for Discussion

5.1 Notice of Planning Application - Zoning By-law Amendment - 21 Norlan Avenue

That it BE NOTED that a Notice of Planning Application dated September 18, 2019, from C. Parker, Senior Planner, with respect to the application by The Corporation of the City of London, relating to the property located at 21 Norlan Avenue, was received.

5.2 Environmental Management Guidelines Response

That it BE NOTED that the Environmental and Ecological Planning Advisory Committee held a general discussion with respect to the Environmental Management Guidelines Working Group report.

5.3 Notice of Public Information Centre - Veterans Memorial Parkway Extension - Huron Street to Clarke Road - Detailed Design and Construction

That it BE NOTED that a Notice of Public Information Centre for the Veteran's Memorial Parkway extension from Huron Street to Clarke Road, Detailed Design Construction, was received.

5.4 Notice of Public Meeting - Kially South, East Basin, Municipal Class Environmental Assessment

That it BE NOTED that a Notice of Public Meeting for the Kially South, East Basin, Municipal Class Environmental Assessment, was received.

6. Adjournment

The meeting adjourned at 6:57 PM.



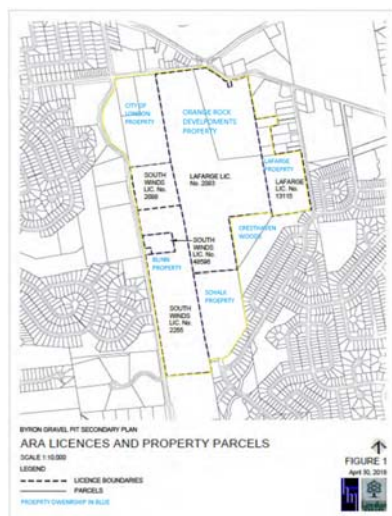
Byron Gravel Pit Secondary Plan

Making outstanding communities

london.ca



Byron Gravel Pit



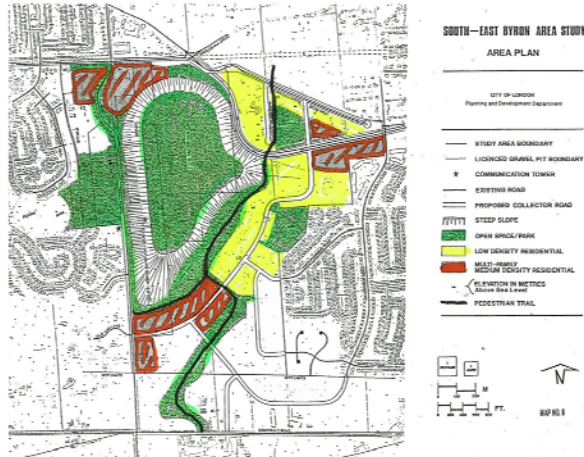
- Southwest portion of the City
- 71 ha
- Comprised of 14 properties, 6 landowners and 2 operators

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Byron Gravel Pit Why now?

- Pit extraction nearing completion
- Apply land use designations
- Determine recreational / open space use
- Commissioners Rd EA



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Byron Gravel Pit What will it Accomplish



Provide a **secondary plan** for the area that will delineate appropriate land uses,

Provide a **recreational/Open Space plan** for the large central portion of the site.

Provide a **comprehensive rehabilitation plan** to be used by the pit operators to make amendments to the approved plans filed with MNR.

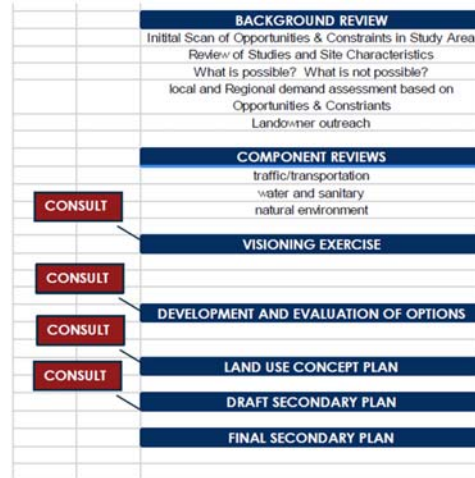
Provide for the Commissioners Road **Environmental Assessment**.

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Byron Gravel Pit Process

- Vision Session
- Component Studies
- 4 Public Meetings
- Commissioners Rd EA



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Where we are



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Component Studies

- Subject Land Status Report completed by AWS Environmental Consultants
- Report has been reviewed by staff
- Unique SLSR based on rehabilitation of the gravel pit
- Opportunity for EPPAC to review



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Findings

- Small wetland features starting to develop in portions of the pond area.
- Portions of the site outside of the active gravel pit contain woodlands and significant woodlands
- Steep face slopes have provided habitat for bank swallows
- Possible monarch butterfly habitat
- Limit natural heritage resulting from aggregate extraction



Figure No. 7. SLSR, Recommended Significant Woodlands
SCALE 1:5000

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Recommendations

- Bank Swallows have been confirmed – consult with MNRF
- Significant woodlands
 - designate portions of the wooded area
 - evaluate other vegetated lands with development applications
 - plant lands within the gravel pit
- Significant Wildlife Habitat – restoration planting for monarch butterfly
- Candidate Bat Maternity – consider a portion of the site as a bat colony
- EIS – As per OP/London Plan policy require EIS for all developments within the trigger distances of identified or candidate features.



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Your dog must be on a leash (max. 1.8m/6ft) at all times.

Parks and Recreation Area By-law PR-2, and the Dog Licensing and Control By-law PH-4



You, Your Dog, and Nature in London



A guide to help you and your dog enjoy and protect nature in London

Wild Animals

- A wide variety of mammals, birds, reptiles, and amphibians call our urban neighbourhoods and ESA's home. Almost all conflict situations between wildlife and dogs occur when dogs are off-leash.
- Coyotes and other wildlife are highly protective of family members and perceive dogs as a threat, especially near their nesting/den sites or established territory.
- Coyotes may 'escort' or 'shadow' a dog walker out of an area when coyote pups or a den are nearby.
- Birds of prey may perceive small dogs as a potential food source.
- Off leash dogs may injure, orphan or separate wildlife offspring from their family.
- The mere presence of your dog can disrupt the feeding, foraging, mating, denning, and nesting of rare and endangered birds and animals.
- Wildlife expend vital energy reserved for survival when chased by dogs.

Natural areas, including Environmentally Significant Areas (ESAs), need to be protected by minimizing human and pet disturbance.

For the safety of wildlife, visitors and your pet:

- Keep your dog on a leash at all times.
- Stay on marked trails.
- Dispose of all pet waste in garbage bins or carry it out.
- Be aware of dangers such as vehicles, other animals, ill-willed individuals, traps and snares, toxic products, algae blooms, poisons, sick animals, parasites, rabies, distemper and other diseases.

Plants

- Dogs may run, roll, or dig through natural areas. Your dog may damage or destroy rare and endangered plant species. Many plants can also seriously harm or kill your dog. Some include:
Poison Oak Poison Ivy
Poison Sumac Giant Hogweed

Ticks and Lyme Disease

There is a possibility of encountering infected ticks in almost all wooded or brushy areas in Ontario, including London.



Safety Tips

- Always obey by-laws or ordinances that apply to the wild spaces you visit.
- Be aware of the wildlife in areas where you walk your family pets.
- Keep a respectful distance from wildlife.
- Never feed wildlife; this includes indirect feeding, such as leaving food waste in wild spaces. Feeding wildlife disrupts natural foraging behaviors and encourages an unnatural proximity tolerance to people.
- If a coyote is nearby, small dogs can be lifted and carried for safety. Never run; leave the area slowly, keeping your dog close to you.



Contact Ecologist to obtain the new signage

There are 5 off-leash dog parks in London:

- Campbell Memorial Park
- Pottersburg Park
- Stoney Creek Park
- Greenway Park
- Caesar Park

Need More Information?

City of London
519-661-2489
www.london.ca

- City Planning
- Feeding of Wildlife Regulations Public Nuisance By-law PH-18
- Coyotes In The City of London

Middlesex London Health Unit
(519) 663-5317
<https://www.healthunit.com/lyme-disease>

Upper Thames River Conservation Authority
519-451-2800 ext. 281
www.thamesriver.on.ca

London Animal Care Centre
(PH-4 By-law Enforcement)
519-685-1330
www.accpets.ca

London Dog Owners' Association
www.ldoa.ca

London Humane Society
519-451-0630





Bird Friendly Regulations (and Communications)

EEPAC – October 17, 2019

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Origin

- EEPAC – ACE – AWAC

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Identified Measures

- Lighting design
- Glass façade design
- Lighting hours
- Migratory season focus

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Lighting Design

- Set as an objective
- Full cut-off – Zero up-light as standard

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Glass Façade Design

- Acceptable approaches
 - UV Glass
 - Patterned or ‘fritted’ glass
 - Film Products and Decals
 - Decorative Grilles and Louvres
 - Fenestration Patterns

london.ca



Scenario	Circulatory Action under new Guidelines
Any building which is 6 storeys or above, that does not meet the Bird-Friendly Criteria	Circulated to both the relevant advisory committees and the City of London’s Ecologist for review
Any non-residential building which is below 6 storeys, that does not meet the Bird Friendly Criteria	Circulated to the City of London’s Ecologist for review
Any building which is within 120m of a Natural Heritage Area	Circulated to the City of London’s Ecologist for comment as part of their normal ecological review of proposals that potentially impact Natural Heritage areas, and expand responsibility to review Bird Friendly criteria as well

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Lighting Hours/Migratory Season

- No legal enforcement measure
- Use for communication push
- Ties-in with other environmental messaging
- Able to target existing buildings

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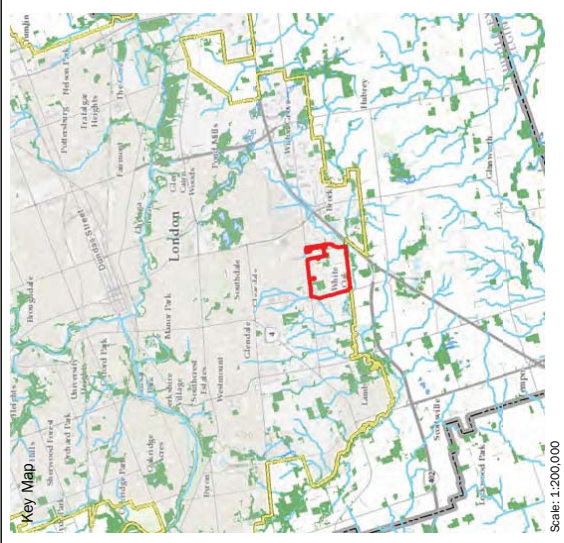


Next Steps

- Site Plan By-law Changes
- Communications approach

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Figure 1
White Oak-Dingman Secondary Plan SLSR
Study Area Overview - Natural Heritage



LEGEND

- Utility Line
- Road
- Watercourse
- Subject Lands
- 'Big Picture' Meta-Corridors (City of London)
- UTRCA Regulation Limit
- UTRCA Screening Area

Schedule B1 - Natural Heritage Features (1989 Official Plan)

Map 5 - Natural Heritage (The London Plan)

- Potential Naturalization Areas
- Upland Corridor
- Unevaluated Vegetation Patch
- Unevaluated Wetland
- Potential ESAs
- Significant Woodland
- Significant Valleylands
- Valleylands

Scale: 1:10,000

Parsons Job No: _____
Date: 7/4/2019
Prepared By: M.E.

Data Sources: Parsons; City of London; Geospatial Data from Official Plan; Ontario Ministry of Natural Resources and Forestry; Ontario Ministry of Transportation; Fisheries and Oceans Canada; Bing Imagery

PARSONS

1069 Wellington Rd S Suite 214
London, Ontario N6E 2H6
519-286-5509

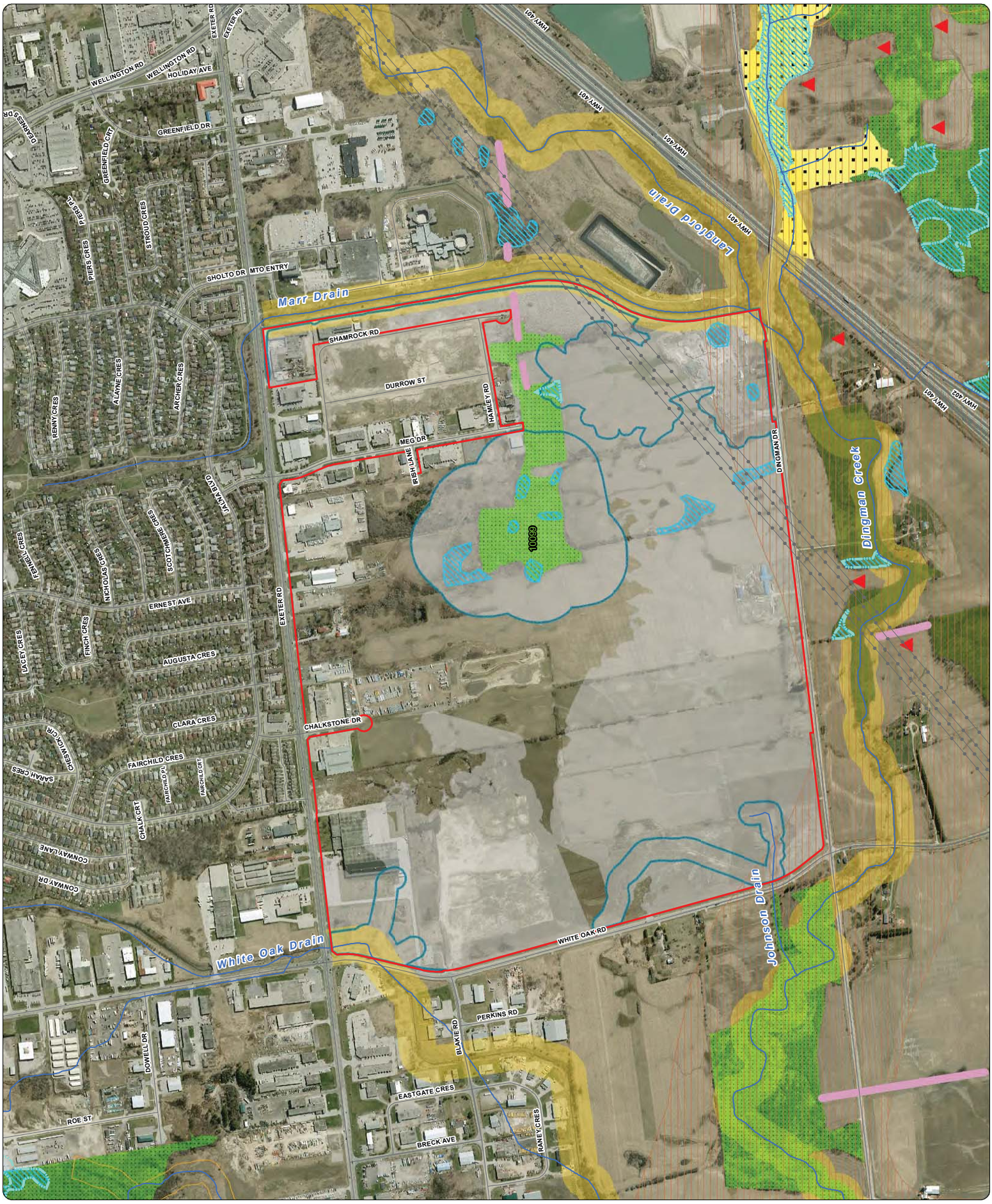


Figure 2
White Oak-Dingman Secondary Plan SLSR
Place Types



LEGEND

- Road
- Utility Line
- Watercourse
- Subject Lands

Map 1 - Place Types (The London Plan)

- Urban Growth Boundary
- Commercial Industrial
- Environmental Review
- Farmland
- Future Community Growth
- Future Industrial Growth
- Institutional
- Light Industrial
- Neighbourhood
- Open Space
- Shopping Area
- Water

Scale:

1:10,000



Parsons Job No:

Date:

6/25/2019

Drawn By:

M.E.

Data Sources: Parsons; City of London Geospatial Data from Official Plan, Ontario Ministry of Natural Resources and Forestry; Ontario Ministry of Transportation; Fisheries and Oceans Canada; Bing Imagery



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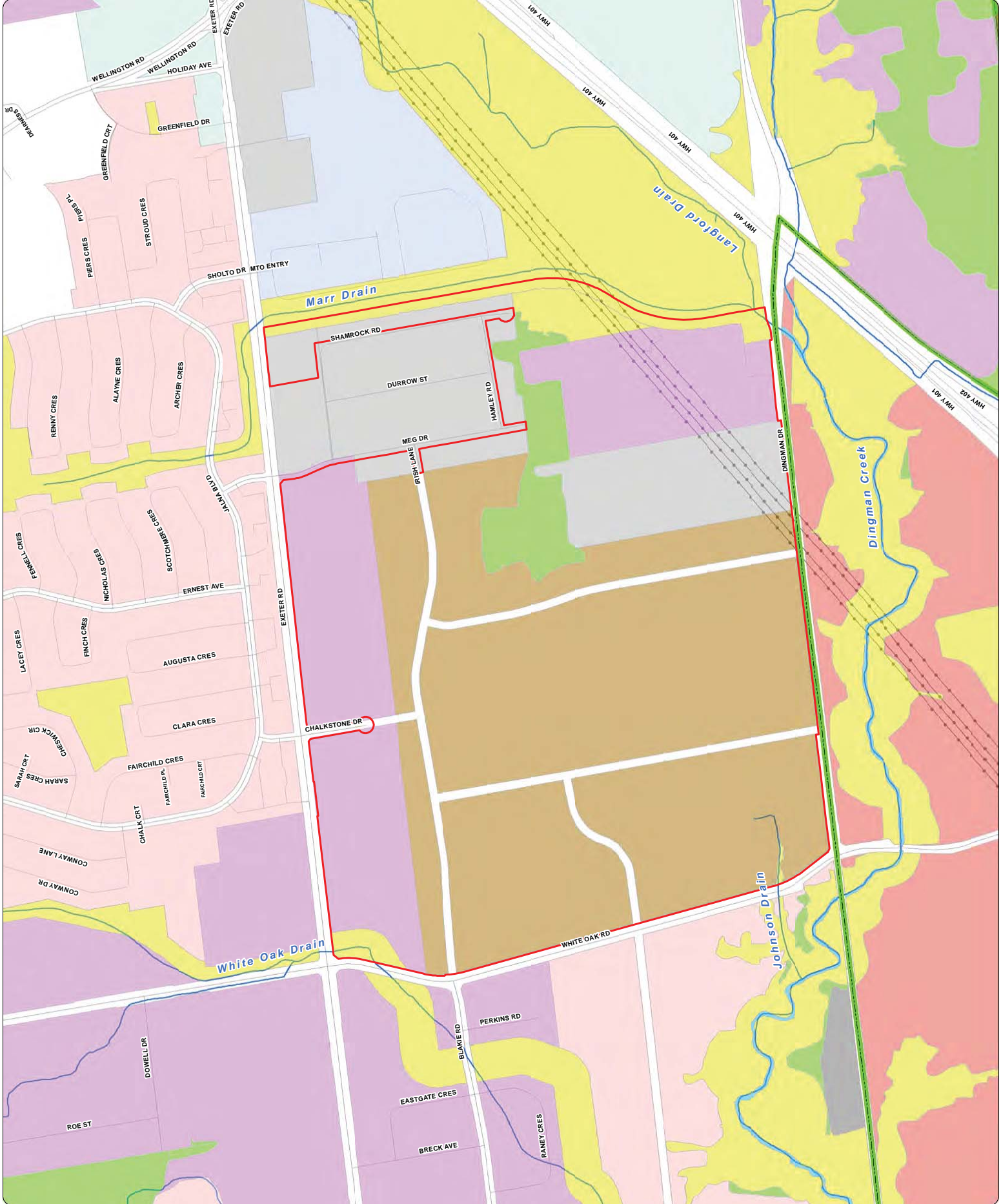
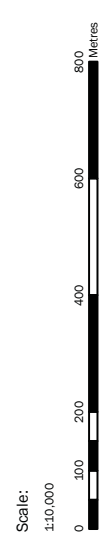
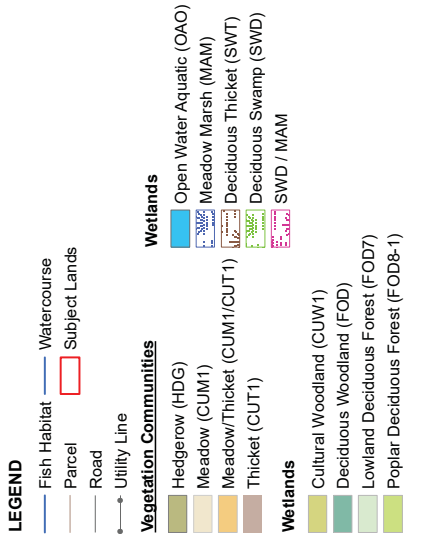


Figure 5
White Oak-Dingman Secondary Plan SLSR
Vegetation Communities



Parsons Job No:	Date:	7/4/2019	Prepared By:	M.E.
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Data Sources: Parsons; Ontario Ministry of Natural Resources and Forestry; Ontario Ministry of Transportation; Fisheries and Oceans Canada; Bing Imagery

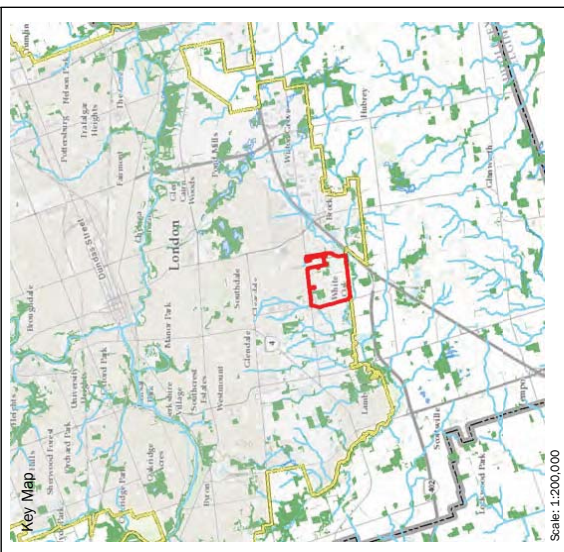
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Wetland	Woodland
MAM2	CUW1
MAM2-10	FOD
SWD	FOD8-1
SWD1-2	Meadow
SWD2-2	CUW1
OAO	CUT1
	HDG

Figure 7
White Oak-Dingman Secondary Plan SLSR
Significant Woodland Boundary Delineation

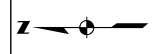


LEGEND

- Fish Habitat - Intermittent / Ephemeral
- Fish Habitat - Permanent
- Road
- Utility Line
- Significant Woodland Boundary (Proposed)
- Subject Lands
- Evaluated Wetland - Not Significant

Scale:

1:10,000



Parsons Job No:
 Date: 7/4/2019
 Prepared By: M.E.

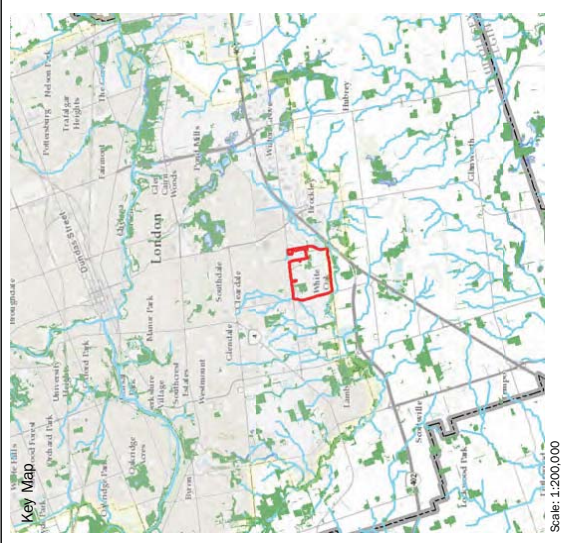
Data Sources: Parsons; City of London; Geospatial Data from Official Plan, Ontario Ministry of Natural Resources and Forestry; Ontario Ministry of Transportation; Fisheries and Oceans Canada; Bing Imagery



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Figure 8
White Oak-Dingman Secondary Plan SLR
Wetlands



LEGEND

- Fish Habitat - Intermittent / Ephemeral
 - Fish Habitat - Permanent
 - Road
 - Utility
 - Evaluated Vegetation Patch# 10099 / Significant Woodland
 - Subject Lands
 - Unevaluated Wetland - Field Verified
 - Unevaluated Wetland (Map 5 The London Plan) - Not Field Verified
 - Unevaluated Wetland (1989 Official Plan) - Not Field Verified
 - UTRCA Regulation Limit
- Wetland Evaluation Results**
- Evaluated Wetland - Not Significant

Scale:

1:10,000



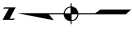
Parsons Job No:

Date:

7/4/2019

Drawn By:

ME



Data Sources: Parsons; Ontario Ministry of Natural Resources and Forestry; Ontario Ministry of Transportation; Fisheries and Oceans Canada; Bing Imagery



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London, Ontario N6E 2H6
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Figure 10
White Oak-Dingman Secondary Plan SLSR
Species at Risk



- LEGEND**
- Fish Habitat
 - Road
 - Utility Line
 - Subject Lands
 - Significant Woodland
 - Habitat for Eastern Meadowlark (Threatened)

Scale:
1:10,000



Parsons Job No:

Date:
7/4/2019

Prepared By:
M.E.

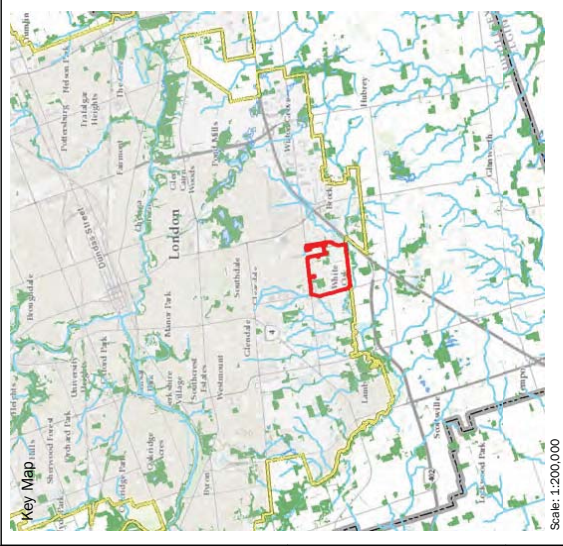
Data Sources: Parsons; City of London; Geospatial Data from Official Plan, Ontario Ministry of Natural Resources and Forestry; Ontario Ministry of Transportation; Fisheries and Oceans Canada; Bing Imagery



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London, Ontario N6E 2H6
519-286-5509



Figure 11
White Oak-Dingman Secondary Plan SLSR
Natural Heritage Opportunities



LEGEND

- Fish Habitat
 - Road
 - Utility Line
 - Subject Lands
 - Significant Woodland
 - Wetland
- Habitat Creation**
- Potential Wetland Creation/Restoration Area
- Linkages and Corridors**
- Potential Drain/Swale/Realignment/Restoration
 - Upland Corridor (Map 5 - The London Plan)
 - 'Big Picture' Meta-Corridors (City of London)
 - Significant Valleylands (Map 5 - The London Plan)

Scale:

1:10,000



Parsons Job No:

Date:

7/4/2019

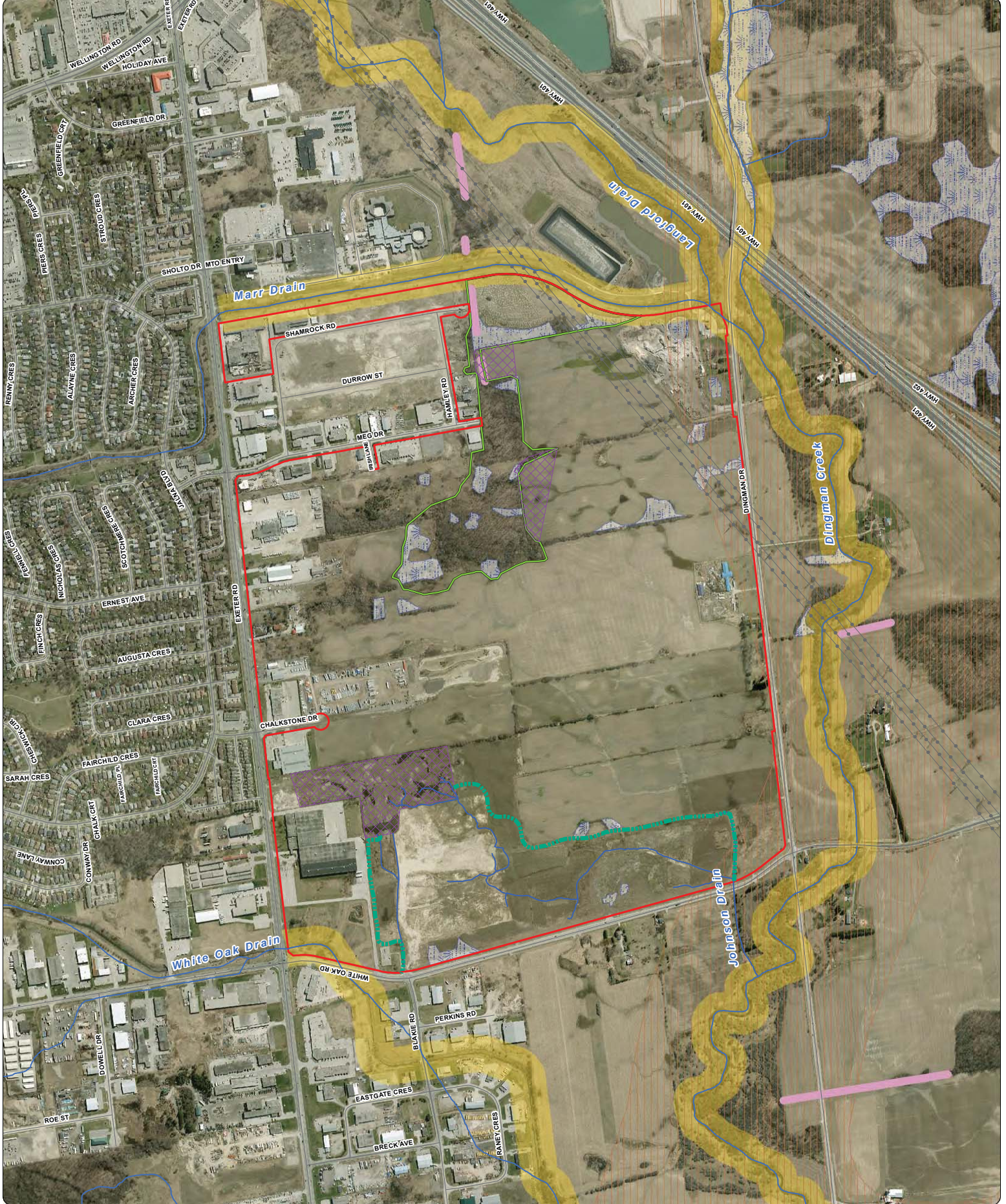
Prepared By:

M.E.

Data Sources: Parsons; City of London; Geospatial Data from Official Plan, Ontario Ministry of Natural Resources and Forestry; Ontario Ministry of Transportation; Fisheries and Oceans Canada; Bing Imagery



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London, Ontario N6E 2H6
519-286-5509





City of London
300 Dufferin Ave.
London, ON
N6B 1Z2

October 25, 2019

ATTN: Planning and Environment Committee

C/o: Heather Lysynski, Committee Secretary
Britt O'Hagan, Manager, City Building & Design - City of London

RE: Comprehensive Community Regeneration Study Request - Argyle BIA and Surrounding Area

To the Members of the Planning and Environment Committee (PEC),

The Argyle area has a well-established and integral commercial stretch on Dundas, between Highbury and Wavell - which make up the boundaries of the Argyle Business Improvement Area (Argyle BIA). With the East Lions Community Centre almost completed, we at the Argyle BIA feel that in order to continue building on the positives within the broader community, that the next step is to explore other planning tools available which could benefit the Argyle area at large. We kindly request that the PEC approve that City Planning staff undertake a "Comprehensive Community Regeneration Study" of the Argyle BIA and surrounding area, to investigate and identify certain planning tools available that could be utilized to further build on the encouraging changes occurring in East London.

To elaborate further, the Argyle BIA believes that this study would determine planning tools that exist, and which could be implemented in order to further elevate the area and take the "next step" forward of additional improvement within Argyle. The study would also consist of consultation directly with the community on what they would like to see in the area, along with analysis of development activity and the demographic profile of the community to assure root issues are being addressed.

We have been in discussions with City Planning and they are in support of doing a study for the area. We hope that the PEC will approve of the study and agree that the request from the Argyle BIA is valid and necessary to continue the long-term improvement realization of the Argyle area.

Sincerely,

A handwritten signature in black ink, appearing to be "Randy Sidhu".

Randy Sidhu
Executive Director
Argyle Business Improvement Area

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: Wharncliffe Enterprise Centre Inc.
1875 Wharncliffe Road South

Public Participation Meeting on: November 4, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Wharncliffe Enterprise Centre Inc. relating to the property located at 1875 Wharncliffe Road South:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting to be held on November 12, 2019 to amend the (1989) Official Plan to:
 - i) add a policy to Section 10.1.3 – “Policies for Specific Areas” to permit existing industrial uses in existing buildings;
 - ii) add a policy in Section 20.5.9 - “Bostwick Residential Neighbourhood” to the Southwest Area Secondary Plan to permit existing industrial uses in existing buildings;
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on November 12, 2019 to amend The London Plan by adding a policy in Section 20.5.9 - “Bostwick Residential Neighbourhood” to the Southwest Area Secondary Plan to permit existing industrial uses in existing buildings; and
- (c) the proposed by-law attached hereto as Appendix "C" **BE INTRODUCED** at the Municipal Council meeting on November 12, 2019 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) and (b) above, to change the zoning of the subject property **FROM** an Urban Reserve (UR4) Zone and Temporary (T-52) Zone **TO** a Holding Light Industrial Special Provision (h-17*LI8()) Zone.

Executive Summary

Summary of Request

The requested amendments would permit the existing industrial uses in the existing buildings to continue, limit the maximum gross floor area of industrial uses to their existing size, and recognize existing site conditions and outdoor storage.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended amendments would permit the continued operation of an industrial mall on site within existing buildings, and recognize existing outdoor storage and site conditions and allow these uses to continue.

Rationale of Recommended Action

1. The recommended amendments are consistent with the 2014 Provincial Policy Statement (“PPS”) which directs municipalities to maintain suitable sites for employment uses and consider the needs of existing and future businesses.
2. The recommended amendment conforms to the in-force policies of the (1989) Official Plan including but not limited to the policies of Chapter 10 which list the necessary condition(s) for approval of Policies for Specific Areas to allow the continued use of the site for existing industrial uses until the subject lands can redevelop for residential uses in accordance with the Multi-Family, Medium Density Residential designation.
3. The recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Southwest Area Secondary Plan which permits special policies for specific areas, and the proposed special policy would allow the continued use of existing industrial uses until the subject lands can redevelop for residential uses in accordance with the Neighbourhoods Place Type.
4. The recommended amendment to Zoning By-law Z.-1 will conform to the (1989) Official Plan and The London Plan as recommended to be amended. The recommended amendment to the Zoning By-law will permit the existing industrial uses in the existing buildings with existing outdoor storage, and limit any expansions or new industrial uses to locate on site. The zoning will ensure the uses continue to maintain an acceptable level of compatibility with the surrounding area. The recommended amendment to the Zoning By-law will regularize and permit existing site conditions which can accommodate the existing uses to continue without serious adverse impacts for surrounding residential land uses.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject site is located on the north side of Wharncliffe Road South, near the intersection of Bostwick Road and Exeter Road. The site currently contains an industrial mall, with multiple uses within multiple buildings, outdoor storage, and a large parking lot. A portion of the west side of the site is within the Open Space designation (1989 Official Plan)/Green Space Place Type (London Plan), is zoned Environmental Review (ER), and contains a fill line, erosion line and flood line on Schedule B1 of the 1989 Official Plan, and significant valley lands on Map 5 of the London Plan. The site is relatively flat and slopes downwards from north to south. Wharncliffe Road South is a Civic Boulevard in the London Plan and arterial road in the 1989 Official Plan.

There are three existing buildings on the site, for a total of 7413 m² (261,787.6 sq.ft). There is also significant outdoor storage, totalling approximately 5.0 ha on site (12.3 ac). There is also a small wooded area located to the south of the outdoor storage, although this area is not designated as Open Space nor is it identified as a significant natural heritage feature. There are no storm or sanitary sewers near the site, however the site is serviced by municipal water.

A graphic indicating where each of the uses are located is found in Figure 1. The property is currently occupied by 12 industrial businesses which are described as follows:

1. Blue Rose Trucking - a truck service truck maintenance and truck storage facility has operated on the property since 1992. The facility is located in Building B

within two units, with a floor area of 320 m² (3445 sq. ft) and an outdoor open storage area of about 0.405 ha (1.0 acres).

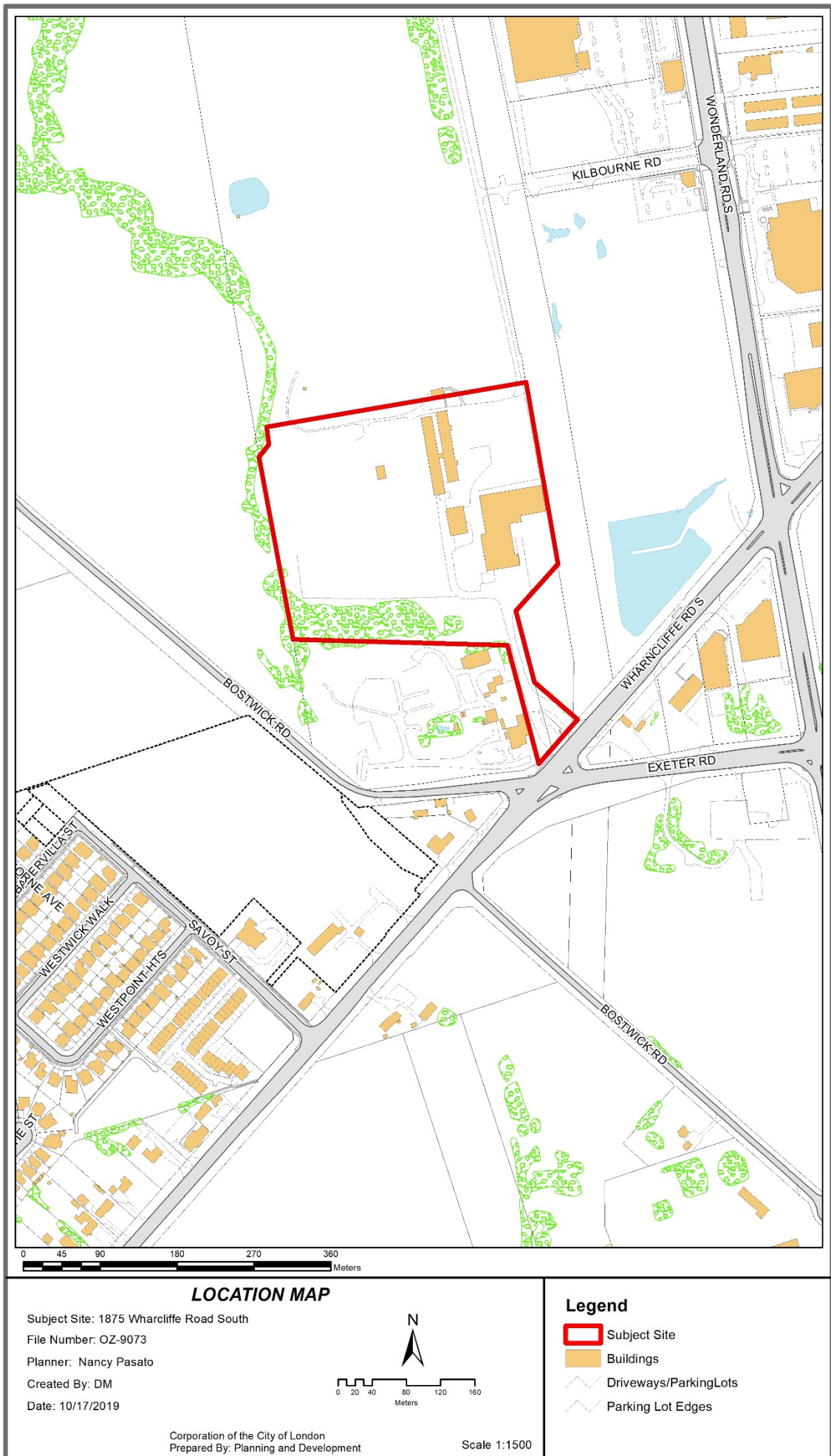
2. Car Mix Auto- is an automotive and truck service/maintenance facility and has operated on the property since 2004. The facility is located in Building A with a floor area of 50 m² (541 sq. ft) and an outdoor open storage area of about 0.405 ha (1.0 acres).
3. Ford - is an automotive storage depot and has operated on the property since January 2015. The facility is an outdoor open storage area of about 0.81 ha (2 acres).
4. Canadian Premier Automotive Ltd. (operating as Toyota Town) - is an automotive storage depot/detailing facility and has operated on the property since September 2014. The facility is located in Building A within two units, with a floor area of 1167 m² (11,558 sq. ft.) and an outdoor open storage area of about 0.81 ha (2.0 acres).
5. Edwards & Sons Complete Landscape Contractors - is a landscaping company that has operated on the property since 2004. The facility is located in Building B with a floor area of 586 m² (6308 sq. ft.) and an outdoor open storage area of about 0.405 ha (1.0 acres).
6. Service Master London - is a service repair establishment/repair and rental establishment and has operated on the property since 2013. The facility is located in Building A with a floor area of 964 m² (10,375 sq. ft.).
7. Can-Lift Equipment Ltd. - is a repair and rental establishment and includes service, leasing, and sales of lift equipment. It has operated on site since November 2014. The facility is located in Building B with a floor area of 558 m² (6005 sq. ft.) and an outdoor open storage area of about 0.405 ha (1.0 acres).
8. Just Cozy Warehousing – is a warehousing establishment, and it's unknown how long the facility has been on site. The space is located in Building A within 5 units, with a floor area of 3340 m² (35,948 sq. ft.).
9. Moduloc – is a supplier and installer of construction fencing and boarding (building or contracting establishment). The business is located in Building C within two units, with a floor area of 354 m² (3813 sq. ft.).
10. Dixie Exteriors – is a building maintenance company (building or contracting establishment), and it's unknown how long the facility has been on site. The business is located in Building C within two units, with a floor area of 148 m² (1592 sq. ft.).
11. Kent Industries – is a building maintenance company (building or contracting establishment), and it's unknown how long the facility has been on site. The business is located in Building C within two units, with a floor area of 137 m² (1472 sq. ft.).
12. General Storage and Warehousing - is a warehousing establishment, and it's unknown how long the facility has been on site. The space is located in Building B within 1 unit, with a floor area of 753 m² (8107 sq. ft.).



Figure 1 - Site Layout with Buildings, 1875 Wharncliffe Road South

Adjacent to the site is a golf driving range to the north (Bob Martins Golf), an industrial landscaping/pool business (Hollandia Gardens) to the south, a hydro corridor to the east, and farm lands and a watercourse with vegetation to the west.

1.2 Location Map



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

- London Plan – Neighbourhoods, Green Space
- (1989) Official Plan – Multi-Family, Medium Density Residential, Open Space
- Southwest Area Secondary Plan - Medium Density Residential, Open Space
- Zoning – Urban Reserve (UR4) Zone, Environmental Review (ER) Zone

1.4 Site Characteristics

- Current Land Use – industrial mall (multiple industrial and commercial/industrial uses as units in a building)
- Frontage – 20m (65.6 feet)
- Depth – approx. 430 m (1410.8 feet)
- Area – 8.4 ha (20.7 acres)
- Shape – irregular

1.5 Surrounding Land Uses

- North – golf driving range (future residential)
- East – Hydro corridor, vacant lands (future commercial)
- South – industrial, vacant lands (future residential)
- West – open space, vacant lands (future residential)

2.0 Description of Proposal

2.1 Development Proposal

The requested amendments are intended to recognize and permit existing industrial uses in the existing buildings with existing site conditions. The recommended amendments will not permit expansions or alterations to the existing buildings or changes in the existing site conditions, nor will it permit new industrial uses to operate on site. Site Plan Approval is not required.

3.0 Relevant Background

3.1 Planning History

The site is located within the former Township of Westminster, and was zoned to permit industrial and agricultural uses (TWP 2000 M1-H and A2-2). Through the 1989 Official Plan/OPA 88 process, these lands were designated Urban Reserve Community Growth, while the lands along Wharnccliffe Road (such as Hollandia Gardens) were designated Restricted Service Commercial to recognize existing industrial/commercial uses. Through the Annexed Area Zoning By-law, the lands were rezoned to Urban Reserve (UR4).

In January, 2004, Municipal Council approved a Zoning By-law amendment (TZ-6585) for the northern portion of the site to permit a temporary golf driving range and accessory uses to the driving range. In 2004/2005 the applicant received Municipal approvals for the development and constructed the facility. In July 2005, a complaint was filed against the property claiming that the accessory pro shop use was not in conformity with the zoning by-law. The applicant applied for an extension of the temporary use zone (TZ-7114) to include 140 m² golf pro shop and a 93 m² golf training facility within an existing building. Council granted the temporary zone for a period of three years, expiring June 1, 2009. The applicant further applied for an extension of the temporary use zone (TZ-7658) in 2009. Council granted the temporary zone for a period of three years, expiring June 29, 2012. Another extension for the golf facility (TZ-8045) was granted in June, 2012, and has since expired. No further extension have been granted for the golf facility.

The Southwest Area Secondary Plan (SWAP) was initiated in 2009 and was presented to the Planning and Environment Committee on April 26, 2010. The Secondary Plan was intended to provide a comprehensive land use plan, servicing requirements and a phasing strategy for future development within the Urban Growth Area south of Southdale Road, east of Dingman Creek and north of the Highway 401/402 corridor. On November 20, 2012, Municipal Council passed By-Law No. C.P.-1284-(st)-331 to

approve Official Plan Amendment 541 (relating to the Secondary Plan). The Secondary Plan was appealed by numerous parties on the basis that it was incomplete and incapable of providing direction expected of a secondary plan and for various site specific land use issues. The outcome of the appeal resulted in changes to the plan. The plan (with amendments) was approved by the Ontario Municipal Board on April 29, 2014. The subject lands are located within the Bostwick Residential Neighbourhood and were redesignated Multi-Family, Medium Density Residential and Open Space.

A consent and minor variance application (B.035/16 and A.014/16) was initiated in 2016 for the site, to sever the golf facility lands from the larger parcel and retain the subject site. Variances were also obtained for the subject site, including interior and rear yard setbacks, lot area, and parking. Currently, parking for the adjacent golf facility is provided on the subject site.

3.2 Requested Amendment (by Applicant)

The applicant has requested an Official Plan amendment (OPA) to the (1989) Official Plan to add a policy to Chapter 10 (Policies for Specific Areas), to permit the existing industrial uses at a total gross floor area of 8400 m².

The applicant also requested a Zoning By-law amendment to change the zoning from an Urban Reserve (UR4) Zone to an Urban Reserve Special Provision (UR4()) Zone. Permitted uses would include truck sales and service establishment, warehouse establishment, building or contracting establishment, serve and repair establishment, repair and rental establishment, automobile repair garage, open storage, and storage depot. Special provisions have also been requested to permit existing uses, buildings, and open storage as on the date of passing of the by-law.

It should be noted that the lands to the north and west are also owned by the Applicant. The Applicant has indicated the existing industrial uses on site are temporary, as they fully expect to develop residential on these and adjacent lands when servicing and infrastructure becomes available.

3.3 Proposed Amendment (Staff)

Staff are also recommending an amendment to the Southwest Area Secondary Plan (Chapter 20.5), Bostwick Residential Neighbourhood (20.5.9), to add a special policy for the lands at 1875 Wharncliffe Road South to permit existing industrial uses.

Staff are also recommending applying a Light Industrial (LI8) Zone, which permits existing industrial uses on the date of passing of the by-law only. Special provisions have also been requested to permit existing uses, buildings, and open storage as on the date of passing of the by-law.

3.4 Community Engagement (see more detail in Appendix D)

No comments were received as part of the circulation process.

Stakeholder comments provided included a road widening dedication of 24.0m from centre line required along Wharncliffe Road South, and the addition of a holding provision for the dedication and construction of the future Kilbourne Road.

The requirement for road dedication cannot be secured through the zoning by-law amendment process, and will need to be deferred to a future site plan or subdivision application. The lands to the north that were created through a consent application (and were previously part of this parcel) are land locked and will require the construction/extension of Kilbourne Road to develop. Therefore, no holding provision is recommended for the construction of Kilbourne Road on these lands.

3.4 Policy Context (see more detail in Appendix E)

Provincial Policy Statement, 2014 (PPS)

Employment lands may be converted to non-employment lands through a comprehensive review 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 (1.3.2.2).

The London Plan

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

The subject lands are located within the “Neighbourhoods” Place Type with frontage on a Civic Boulevard (Wharncliffe Road) and future frontage on a Neighbourhood Connector (extension of Kilbourne Road). A range of residential uses is permitted on this site, including single-detached, semi-detached, duplex and converted dwellings, townhouses, secondary suites, group homes and home occupations, triplexes, and small-scale community facilities; with a minimum height of 1 storey and a maximum height of 2.5-storeys. (*Table 10, *Table 11). The existing industrial uses are not contemplated within the Neighbourhoods Place Type.

(1989) Official Plan

The subject site is designated Multi-Family, Medium Density Residential (MFMDR), which permits multiple-unit residential developments having a low-rise profile, and densities that exceed those found in Low Density Residential areas but do not approach the densities intended for the Multi-Family, High Density Residential designation. Residential uses that typically comprise medium density development include row houses, cluster houses, and low-rise apartment buildings. The scale of development shall be subject to height limitations in the Zoning By-law which are sensitive to the scale of development in the surrounding neighbourhood.

A limited range of non-residential uses are contemplated in the MFMDR designation including secondary uses that are considered to be integral to, or compatible with, residential neighbourhoods and/or convenience commercial uses. The existing industrial uses are not contemplated in the designation.

Southwest Area Secondary Plan (SWAP)

The purpose of the Southwest Area Secondary Plan (SWAP) is to establish a vision, principles and policies for the development of the Southwest Planning Area as a vibrant community in the city which incorporates a significant gateway into the city, elements of mixed-use development, an increased range and density of residential built form, sustainability, preservation of significant cultural heritage resources, walkability and high quality urban design (Policy 20.5.1.2). It is intended that the Low, Medium and High Density Residential designations will support an urban housing stock, with residential intensity generally decreasing with greater distance from the Wonderland Road South corridor. Residential areas are to accommodate a diversity of dwelling types, building forms and heights, and densities in order to use land efficiently, provide for a variety of housing prices, and to allow for members of the community to “age-in-place”. The maintenance and enhancement of existing residential areas, and the development of new residential areas at higher than current densities, will provide a population base to help to support neighbourhood community facilities, the stores and services offered in the Village Core and Wonderland Road South Commercial Area, and the provision of transit routes along the higher order roads serving the area.

The Bostwick Residential Neighbourhood (20.5.9) will provide for residential development with the highest intensity of all of the Residential Neighbourhood Areas in the Southwest Planning Area, to support activities in the Wonderland Boulevard Neighbourhood. The lands are designated for Multi-Family, Medium Density Residential development, which permits multiple housing forms, including single detached, semi-detached, townhomes, and low rise apartments.

Non-residential uses are contemplated in the MFMDR designation, including a limited range of convenience and personal service commercial uses, live-work uses, and institutional uses. Within the South Longwoods Residential Neighbourhood, a special designation known as Transitional Industrial permits a limited range of industrial/existing uses and properties in this area to develop and evolve for Light Industrial uses over the shorter term. These lands are not considered to be employment lands under the Provincial Policy Statement. However, the subject site is not a candidate for this designation, as encouraging further industrial uses on the site is not contemplated. Overall, the existing industrial uses are not contemplated in SWAP.

4.0 Key Issues and Considerations

4.1 Specific Area Policies - 1989 OP and SWAP

Provincial Policy Statement (PPS)

The PPS provides policies related to the protection of employment lands. Policy 1.3.1. encourages planning authorities to provide for an appropriate range of employment lands and provide 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. Consistent with the PPS, permitting the existing uses would allow the subject lands to continue to be used for employment purposes in the short term, which in turn contributes to the economic activity and employment options within the neighbourhood.

The London Plan

The London Plan generally directs industrial uses to the range of industrial place types located throughout the City. However, given the long standing nature of the uses and legal non-conforming conditions, it is recognized that there will be a transition period where the industrial uses will continue in the short term, as services and infrastructure for future residential development become available.

For all planning and development applications, potential impacts on adjacent properties will be considered along with the degree to which impacts can be managed and/or mitigated. (*1578_ 5.). The existing industrial uses have been located in a rural area for over 30 years. There are limited municipal services (water) therefore redevelopment for residential uses at this time is not possible. Potential impacts on adjacent properties are limited, as there are very few adjacent properties with incompatible uses (i.e. no existing residential nearby), and the existing types of industrial uses do not generate impacts related to noise, dust, odour, garbage or lighting. No industrial related impacts have been noted throughout this time. Although there is a significant amount of outdoor storage and parking associated with the existing industrial uses, generally the uses have achieved an acceptable level of compatibility among the surrounding properties.

(1989) Official Plan

Within the Multi-Family Medium Density Residential designation, certain non-residential uses are contemplated, such as convenience commercial uses that are compatible within the neighbourhood (Policy 3.3., 3.3.1.). As mentioned previously, the existing industrial uses are generally not contemplated in residential areas.

Chapter 10 – “Policies for Specific Areas” in the (1989) OP allows Council to consider policies for specific areas when it is in the interest of Council to maintain the existing land use designation while allowing for a site-specific change in land use (Policy 10.1.1 ii)). In the near-term, the recommended amendment would permit the continued use of the existing industrial uses and outdoor storage on the subject lands, while not affecting the long-term ability of the subject lands to redevelop in accordance with the MFMDR designation once market conditions and servicing availability warrant redevelopment for residential uses.

The adoption of policies for Specific Areas may be considered where one or more of the following conditions apply:

- i. The change in land use is site specific, is appropriate given the mix of uses in the area, and cannot be accommodated within other land use designations without having a negative impact on the surrounding area.
- ii. The change in land use is site specific and is located in an area where Council wishes to maintain existing land use designations, while allowing for a site specific use.
- iii. The existing mix of uses in the area does not lend itself to a specific land use designation for directing future development and a site specific policy is required.
- iv. The policy is required to restrict the range of permitted uses, or to restrict the scale and density of development normally allowed in a particular designation, in order to protect other uses in an area from negative impacts associated with excessive noise, traffic, loss of privacy or servicing constraints.

Criteria ii) is the most applicable and is the basis being put forth to establish a separate policy. The rationale for this is:

- The change in land use is site specific;
- The existing uses are located in an area that has recently been redesignated through the SWAP and the London Plan; and
- Council would likely wish to maintain the land use designations of Multi-Family Medium Density Residential long term.

The subject site is surrounded to the north, west and south with Medium Density Residential land use designations, and Wonderland Road Community Enterprise Corridor on the east side. In addition, along the east and west sides are Open Space designations following a hydro corridor of 50 m in width along the east side, and a creek/valley lands along the west side of the subject lands. Furthermore, the existing uses surrounding the site are agricultural crop fields to the north and west, and commercial/industrial uses to the south. There are no sensitive land uses, such as residential, that would potentially be impacted by the existing industrial uses.

To assist in evaluating the appropriateness of policies for specific areas relative to surrounding land uses, a Planning Impact Analysis will be undertaken (Policy 10.1.2.):

- a) *Compatibility* - Compatibility is measured by the impact on human health and safety, nuisance of noise, odours, unsightliness, and invasion of privacy. There are no sensitive land uses existing in the immediate area that would be impacted by the existing industrial uses. As new residential development is contemplated on adjacent lands, impacts from the existing uses will need to be considered. It should be noted that adjacent properties are also owned by the Applicant, so future residential uses may be limited until such time as this industrial uses cease to exist;
- b) *Ability of site to accommodate use* - The size and shape of the parcel is adequate to accommodate the uses and outdoor storage, with the ability to provide setbacks from adjacent properties;
- c) *Supply of vacant land in the area* - There is little industrially designated and zoned land in the specific area as the intention is to accommodate these uses in industrial parks or industrial malls along Exeter Road;
- d) *Proximity to facilities* - At this time, the lands are adjacent to an Open Space area, however, are not near other facilities and services that support residential development, such as transit, community facilities or schools;
- e) *Affordable housing* - Not applicable at this time;
- f) *Height and setbacks* - Buildings are well set back from edge of property and are generally one storey in height;
- g) *Retention of vegetation/natural features* - Existing vegetation is proposed to be retained since no further site development is proposed as part of these amendments;
- h) *Vehicular access points* - Adverse impacts on traffic have been improved with a recently improved access to Wharnccliffe Road. No further traffic impacts are anticipated. It should be noted that the future Kilbourne Road is to be located along the northern boundary of the subject site, as identified in the (1989) OP and London Plan. It is expected this corridor will be developed in the future as lands develop for residential purposes;
- i) *Exterior design* - The existing uses operate out of three older purpose-designed

industrial buildings. They are equal in design to existing surrounding buildings. The recommended amendments are intended to limit uses to existing building. No new buildings are proposed;

j) *Impact on surrounding natural heritage* - As no expansion is recommended as part of the policies and zone, there will be no impact on surrounding natural features. A full impact assessment will be required for any future development;

k) Environmental constraints - Not applicable;

l) Compliance with by-laws - The site is considered legal non-conforming, but is still subject to any applicable by-laws, including the Sign by-law. Implementation of the Site Plan Control By-law is not applicable to this application;

m) Mitigation - No impacts are anticipated at this time so no mitigation is proposed;

n) *Impacts on transportation and transit* - No changes are proposed so no impacts are anticipated.

SWAP

The SWAP does not contain criteria for evaluation of specific policies, such as those of the (1989) Official Plan. As per the SWAP Implementation policies, the fundamental principles of the Plan will not change with the proposed addition of a special policy with the Bostwick Residential Neighbourhood. The addition of a special policy will allow industrial uses to continue, while preserving the ultimate intent of the lands to develop for residential uses in the future.

4.2 Zoning

The previous zoning from the Township of Westminster (M1-H) permitted a wide range of industrial uses, such as automobile body shop, warehouse, laboratory, workshop and some commercial type uses. Other uses, such as commercial garden centre, industrial uses related to the food industry, manufacturing, and truck terminal were also permitted as part of the A2-2 Township Zone.

The Applicant's original request was to amend the UR4 Zone to allow for defined industrial uses that are existing on the site, including truck sales and service establishment, warehouse establishment, building or contracting establishment, service and repair establishment, repair and rental establishment, automobile repair garage, open storage, and storage depot. Staff are not recommending the UR4 () Zone, as adding defined uses in the by-law may allow for the perpetuation of similar, new industrial uses to locate on the site. This is contrary to the intent of the special policies, which is to permit the existing industrial uses to run their course, while preserving future residential opportunities for the lands.

Staff have considered the request to allow for specific defined uses in the by-law and recommend instead the application of the Light Industrial (LI8) Zone instead. The LI8 Zone permits "existing industrial uses" on the date of passing of the by-law. This allows for the continuation of the existing industrial uses, with existing site area, open storage, parking, etc. as catalogued through this planning report.

Given the low number of community responses received through the circulation process, it would appear the existing industrial uses on the subject lands have achieved an acceptable level of compatibility with the surrounding area.

A special provision has been added to the LI8 Zone to recognize existing uses and regulations on the date of passing of this by-law.

A holding provision (h-17) is also recommended for the site. There are currently no sanitary services for the site, and the h-17 will remain until such as time as full municipal services area available.

The current Temporary (T-52) Zone no longer applies to a portion of the lands as it expired in 2015. As part of the recommendation clause and in the proposed by-law, the T-52 will be removed from the subject site.

5.0 Conclusion

The recommended amendments to permit the continued use of the existing industrial uses is consistent with the PPS which directs municipalities to maintain suitable sites for employment uses and consider the needs of existing businesses. The continued use of the existing industrial uses within a designated residential area necessitates the need for amendments to the (1989) Official Plan and the SWAP Secondary Plan to add site specific area policies. The recommended amendments meet the conditions in the (1989) Official Plan and the SWAP Secondary Plan for specific area policies. The proposed policies will recognize existing industrial uses on the site, and discourage expanding or intensifying further on the subject lands. It is not expected that the specific area policies will affect the ability of the subject lands to redevelop for residential uses in the future.

The recommended amendment to the Zoning By-law will permit the existing industrial uses, as per the date of passing of the by-law, and will not permit new industrial uses to locate on site. The existing range of business activities on site have achieved an acceptable level of compatibility with the surrounding area, and will therefore be permitted to continue short term, until such time as residential uses are viable in the area.

Prepared by:	Nancy Pasato, MCIP, RPP Senior Planner, Development Services
Recommended by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

October 28, 2019
NP/np

Appendix A - (1989) Official Plan Amendment

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 1875 Wharncliffe Road South.

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. The Amendment shall come into effect in accordance with subsection 17(27) of the *Planning Act, R.S.O. 1990, c. P.13*.

PASSED in Open Council on November 12, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – November 12, 2019
Second Reading – November 12, 2019
Third Reading – November 12, 2019

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

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. Add a policy in Section 10.1.3 – “Policies for Specific Areas” to the Official Plan for the City of London to permit existing industrial uses in existing buildings at 1875 Wharncliffe Road South.
2. Add a policy in Section 20.5.9 - “Bostwick Residential Neighbourhood” to the Southwest Area Secondary Plan to permit existing industrial uses in existing buildings at 1875 Wharncliffe Road South.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 1875 Wharncliffe Road South in the City of London.

C. BASIS OF THE AMENDMENT

Chapter 10 – “Policies for Specific Areas” of the Official Plan allows Council to consider policies for specific areas where one of four criteria apply. One of these criteria is “the change in land use is site-specific and is located in an area where Council wishes to maintain the existing land use designation, while allowing for a site specific use” (Section 10.1.1 II).

The recommended amendment will recognize and permit the existing industrial land uses in the existing buildings until such time as the subject lands can be redeveloped for residential land uses as intended in the Multi-Family, Medium Density Residential designation.

D. THE AMENDMENT

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

1. Section 10.1.3 – “Policies for Specific Areas” of the Official Plan for the City of London is amended by adding the following:

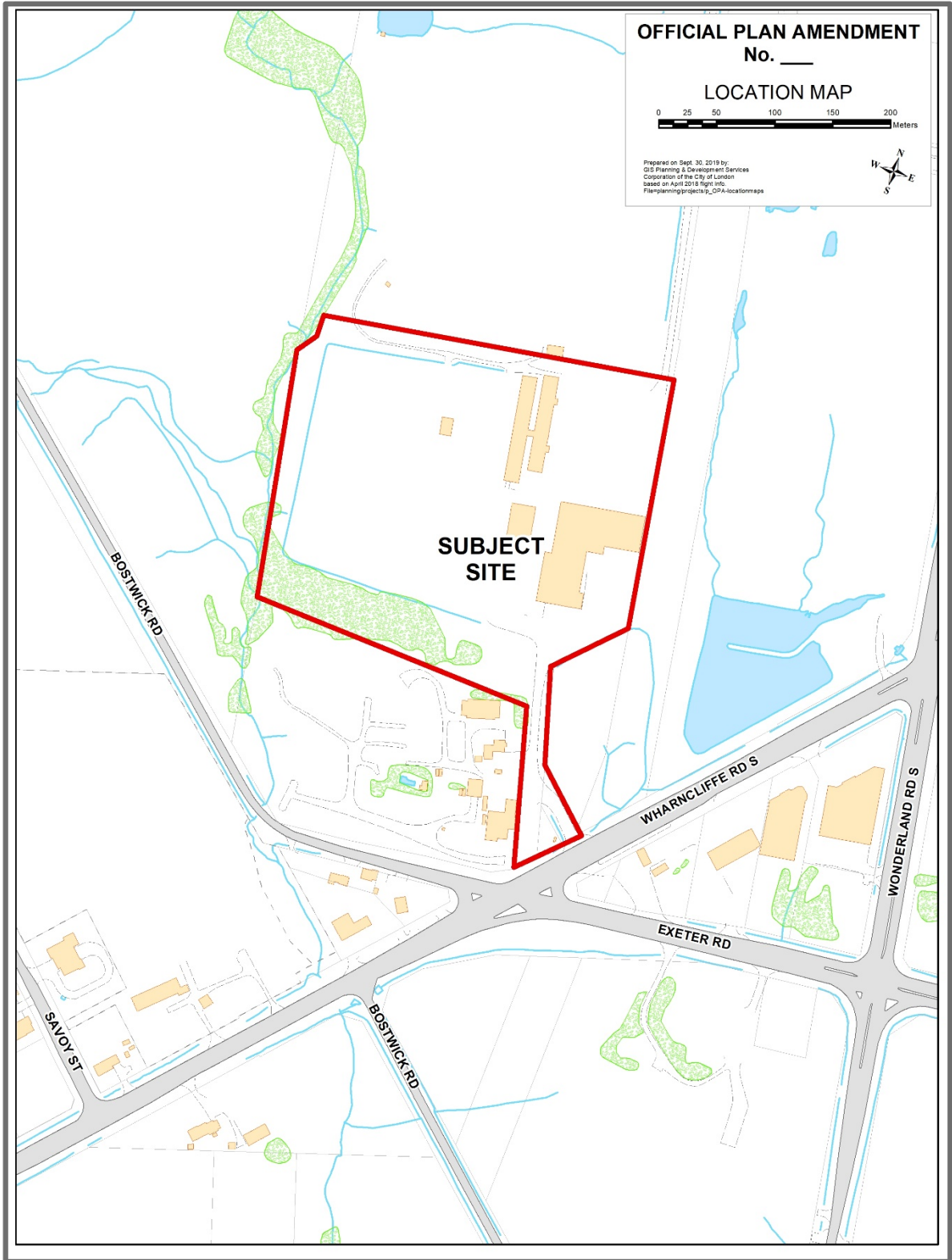
1875 Wharncliffe Road South

In addition to the uses permitted in the Multi-Family, Medium Density Residential Designation, existing industrial uses may be permitted.

2. Section 20.5.9 – “Bostwick Residential Neighbourhood” to the Southwest Area Secondary Plan of the Official Plan for the City of London is amended by adding the following:

20.5.9.3 1875 Wharncliffe Road South

In addition to the uses permitted in the Medium Density Residential Designation, existing industrial uses may be permitted.



Appendix “B” – London Plan Amendment

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

By-law No. C.P.-1512()____

A by-law to amend The London Plan for
the City of London, 2016 relating to 1875
Wharncliffe Road South.

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

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

PASSED in Open Council on November 12, 2019

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – November 12, 2019
Second Reading – November 12, 2019
Third Reading – November 12, 2019

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

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to add a policy in Section 20.5.9 - "Bostwick Residential Neighbourhood" to the Southwest Area Secondary Plan to permit existing industrial uses in existing buildings at 1875 Wharnccliffe Road South.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 1875 Wharnccliffe Road South in the City of London.

C. BASIS OF THE AMENDMENT

The recommended amendment will recognize and permit the existing industrial land uses in the existing buildings until such time as the subject lands can be redeveloped for residential land uses as intended in the Medium Density Residential designation of the Southwest Area Secondary Plan.

D. THE AMENDMENT

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

1. Section 20.5.9 – "Bostwick Residential Neighbourhood" to the Southwest Area Secondary Plan to the London Plan for the City of London Planning Area is amended by adding the following:

20.5.9.3 1875 Wharnccliffe Road South

In addition to the uses permitted in the Medium Density Residential Designation, existing industrial uses may be permitted.

Appendix “C” – Zoning By-law Amendment

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 1875 Wharnccliffe Road South.

WHEREAS Wharnccliffe Enterprise Centre Inc. has applied to rezone an area of land located at 1875 Wharnccliffe Road South, 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 1875 Wharnccliffe Road South, as shown on the attached map comprising part of Key Map No.A111, from an Urban Reserve (UR4) Zone and Temporary (T-52) Zone to a Holding Light Industrial Special Provision (h-17*LI8()) Zone.

2) Section Number 40.4 of the Light Industrial (LI8) Zone is amended by adding the following Special Provision:

LI8() 1875 Wharnccliffe Road South

a) Permitted Uses

i) As existing on the date of the passing of the By-law.

b) Regulations

i) Notwithstanding the provisions of Table 40.3, all other zoning provisions are as existing on the date of the passing of the By-law.

3) 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.

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

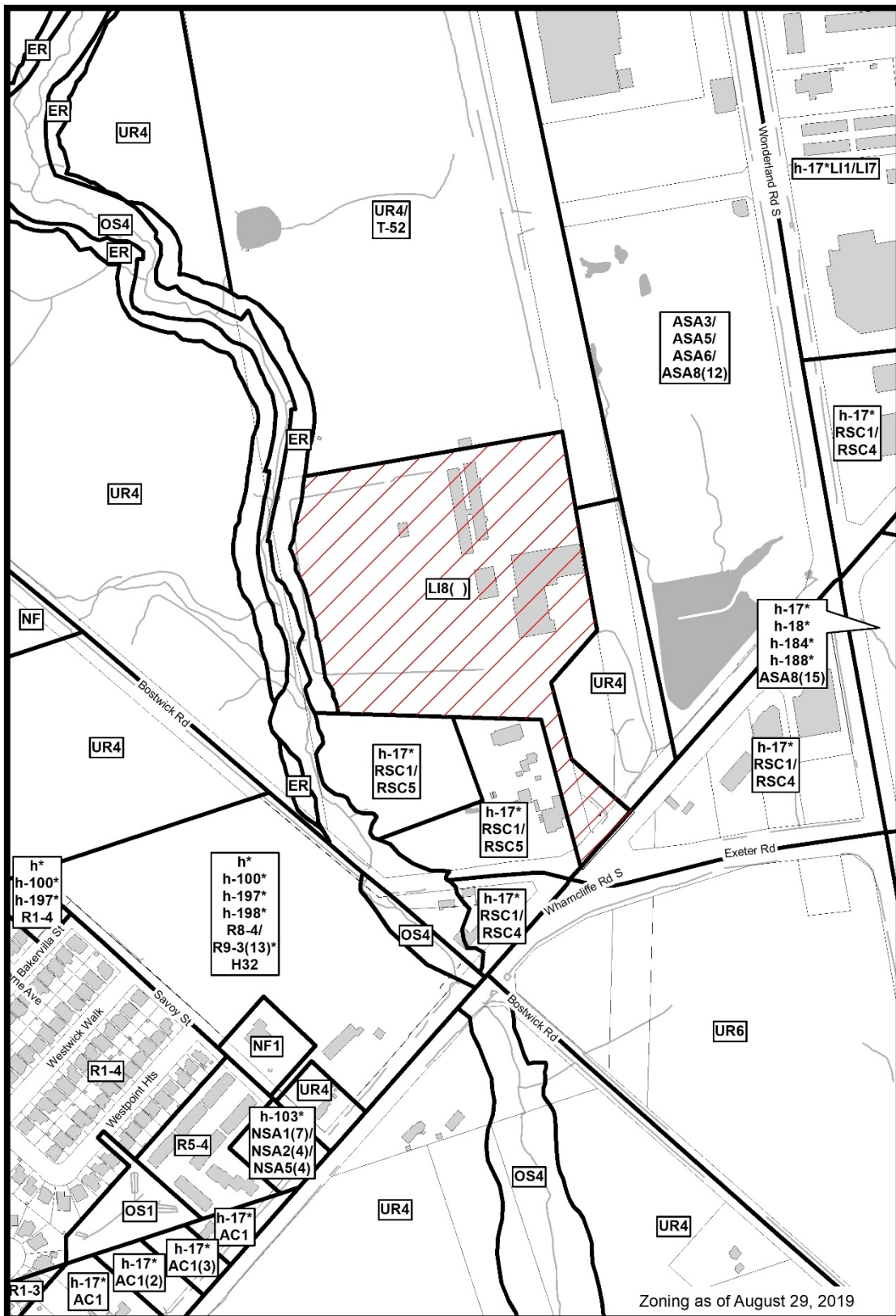
PASSED in Open Council on November 12, 2019.


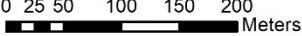

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – November 12, 2019
Second Reading – November 12, 2019
Third Reading – November 12, 2019

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



<p>File Number: OZ-9073 Planner: NP Date Prepared: 2019/10/17 Technician: DM By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:5,000</p> <p>0 25 50 100 150 200 Meters </p> <p></p>
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Geodatabase

Appendix D – Public Engagement

Community Engagement

Public liaison: On June 11, 2019, Notice of Application was sent to 15 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 13, 2019. A “Planning Application” sign was also posted on the site.

0 replies were received

Nature of Liaison: The purpose and effect of this Official Plan, London Plan and zoning change is to permit existing industrial and commercial uses in the existing building and permit existing open storage and site conditions on a permanent basis. Possible amendment to the 1989 Official Plan to add a Specific Area Policy to Chapter 10 to permit the existing industrial uses at a total gross floor area of 8400 m², and to amend Section 20.5 of the Official Plan (Southwest Area Secondary Plan), to add a special policy to permit existing industrial uses at a total gross floor area of 8400 m². Possible amendment to The London Plan (New Official Plan) to amend specific policy 987-993 (Bostwick East) to add a new subsection to permit the existing industrial uses at a total gross floor area of 8400 m², and to amend to amend the Southwest Area Secondary Plan, to add a special policy to permit existing industrial uses at a total gross floor area of 8400 m². Possible change to Zoning By-law Z.-1 FROM an Urban Reserve (UR4) Zone TO an Urban Reserve Special Provision (UR4()) Zone to permit existing uses such as truck sales and serve establishment, warehouse establishment, building or contracting establishment, serve and repair establishment, repair and rental establishment, automobile repair garage, open storage, and storage depot, at a total gross floor area of 8,4000 m².

Responses: No responses received from the public.

Agency/Departmental Comments

Development Engineering - email July 26, 2019

- Road widening dedication of 24.0m from centre line required along Wharncliffe Road South
- Transportation will be seeking a holding provision for the dedication and construction of the future Kilbourne Road
- There is currently no sanitary sewer fronting the subject lands. The sanitary outlet for subject site is potentially the future extension of a 450mm dia sanitary west on Exeter Road tributary to the 675mm dia trunk on Wonderland to the Wonderland PS.
- City has no concern with what is being proposed to carry on with existing dry use zone as existing industrial and commercial uses in the existing building and permit existing open storage and site conditions on a permanent basis.

London Hydro - email July 26, 2019

Servicing the above proposal should present no foreseeable problems. Above-grade transformation is required.

Appendix E – 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:

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this requested land use change. The most relevant policies, by-laws, and legislation are identified as follows:

Provincial Policy Statement

1.1.3.4 – *Settlement Areas*

1.3.1 b) and c) – *Employment*

1989 Official Plan

3.1.1. vii) – *General Objectives for all Residential Designations*

3.3. – *Multi-Family Medium Density Residential*

3.3.1. – *Multi-Family Medium Density Residential, Permitted Uses*

3.6.11. - *Residential Uses Adjacent to Industrial Areas*

3.7. - *Planning Impact Analysis*

10.1.1 ii) – *Policies for Specific Areas, Criteria*

10.1.2. – *Policies for Specific Areas, Planning Impact Analysis*

18.2.12 – *Transportation Planning, Parking Policies*

19.9.5. - *Noise, Vibration and Safety*

The London Plan

193_ – *City Building Policies, City Design, What are we trying to achieve*

271_ – *City Building Policies, City Design,*

463_ – *City Building Policies, Civic Infrastructure, Policies for all Infrastructure*

Table 10 – *Range of Permitted Uses in Neighbourhoods Place Type*

Table 11 – *Range of Permitted Heights in Neighbourhoods Place Type*

936_4. – *Place Type Policies, Urban Place Types, Neighbourhoods, Form*

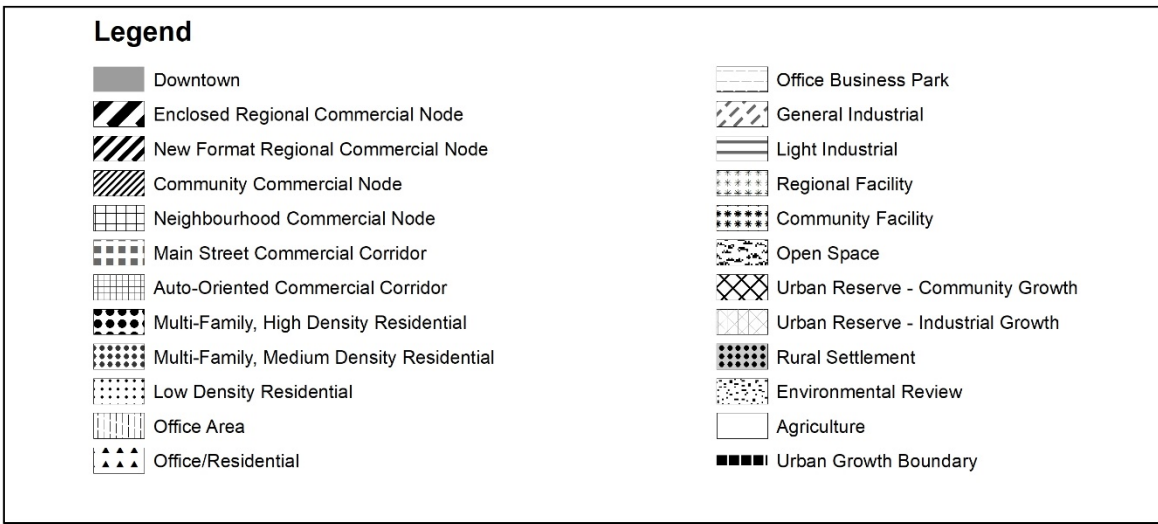
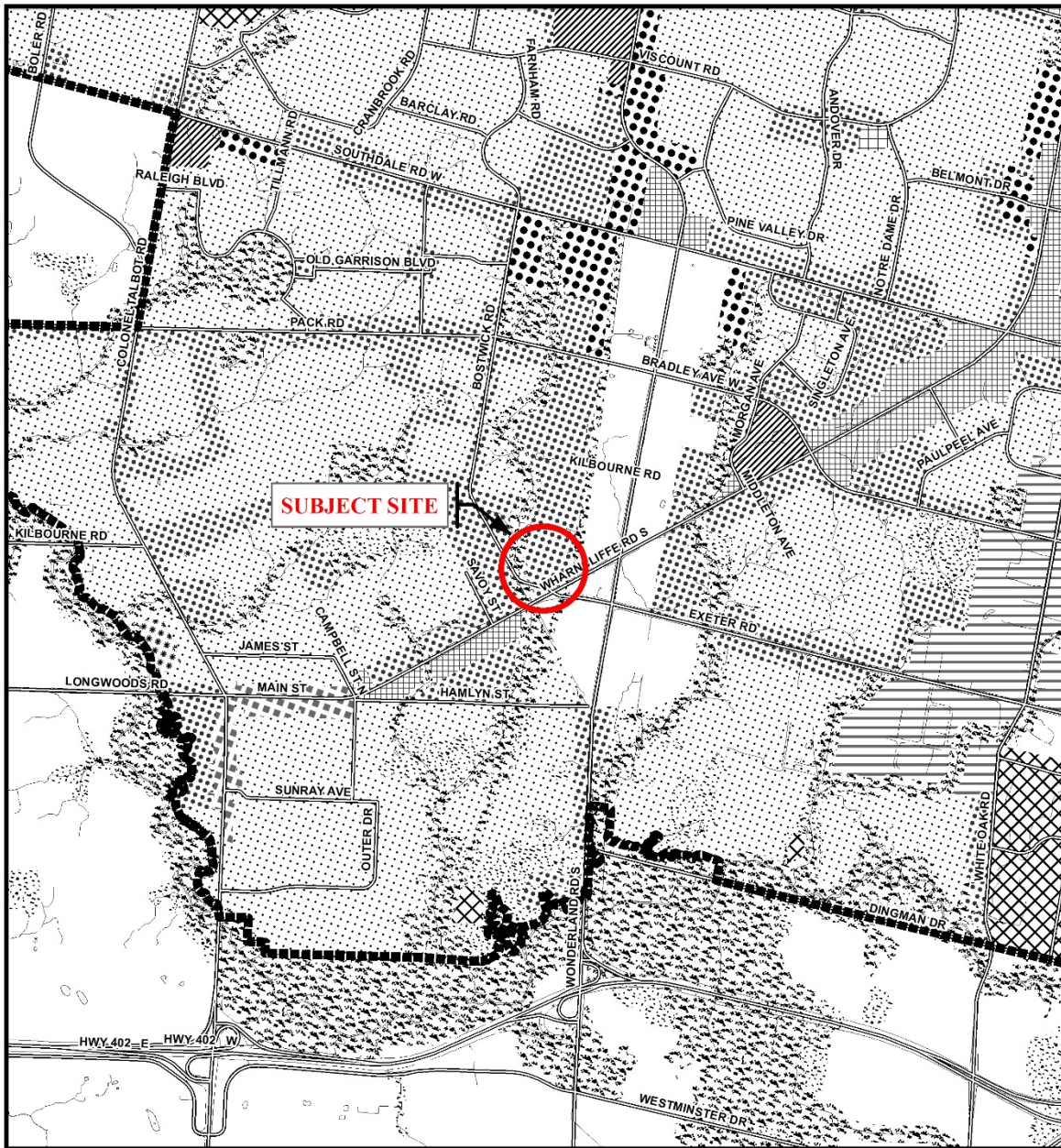
1578_ – *Our Tools, Evaluation Criteria for Planning and Development Applications*

1729_ – *Our Tools, Specific Area Policies*

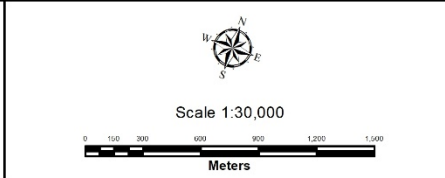
1730_ 1.-5. – *Our Tools, Specific Area Policies*

Appendix F – Relevant Background

Additional Maps

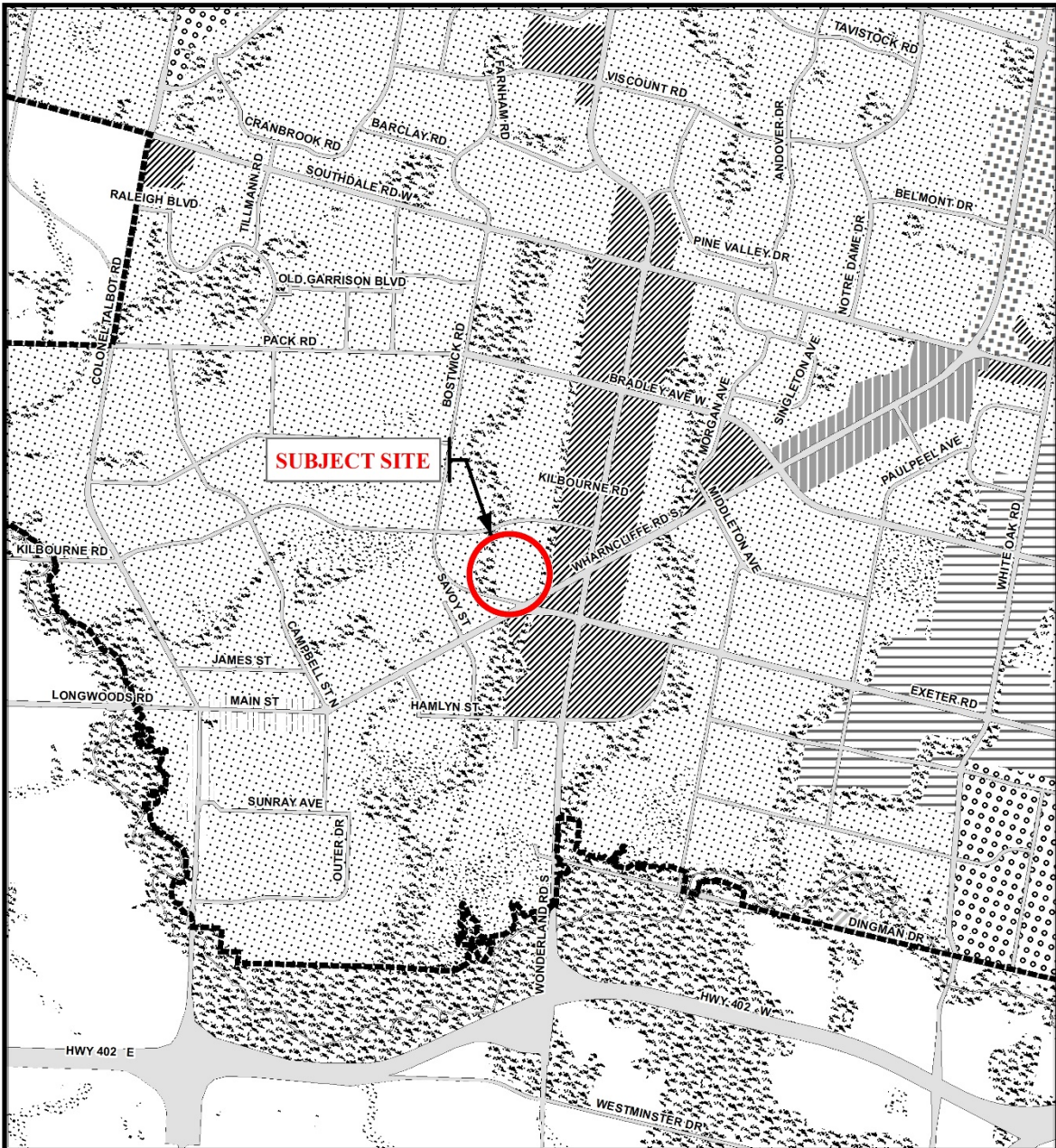


CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -
 PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-9073
 PLANNER: NP
 TECHNICIAN: DM
 DATE: 2019/09/30

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consol00\excerpts\mxd_templates\scheduleA_NEW_b&w_8x14.mxd



Legend

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

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

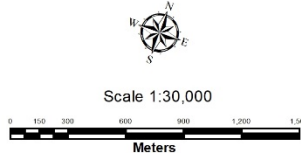
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

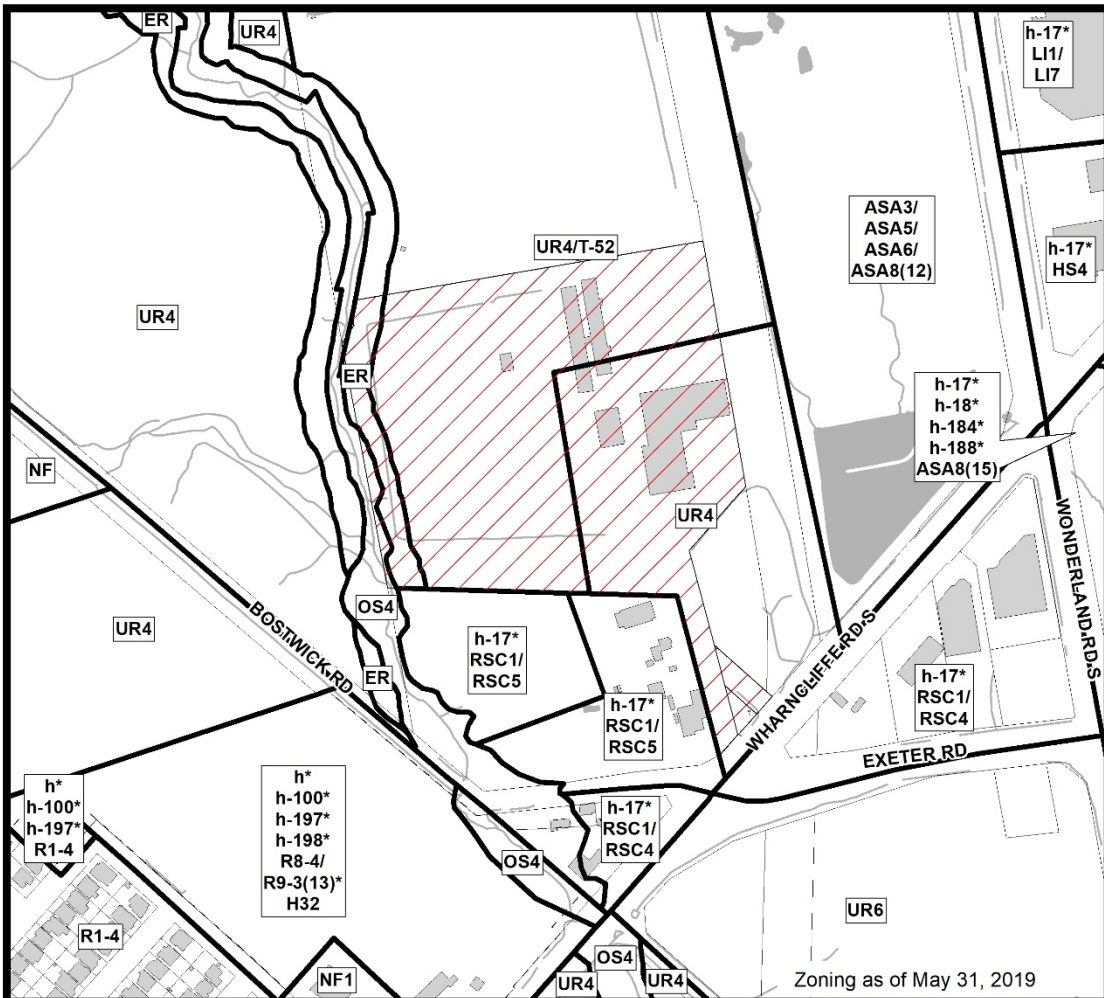
Planning Services /
 Development Services

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

PREPARED BY: Planning Services



File Number: Z-9073
Planner: NP
Technician: DM
Date: September 30, 2019



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

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

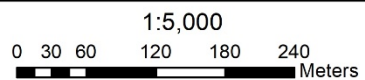
**ZONING
 BY-LAW NO. Z.-1
 SCHEDULE A**



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

FILE NO:
 OZ-9073 NP

MAP PREPARED:
 2019/10/17 DM



Additional Reports

January, 2004 (TZ-6585) - Municipal Council approved a Zoning By-law amendment for the northern portion of the site to permit a temporary golf driving range and accessory uses to the driving range.

June, 2006 (TZ-7114) - Municipal Council approved an extension of the temporary use zone to include 140 m² golf pro shop and a 93 m² golf training facility within an existing building.

June, 2009 (TZ-7658) - Municipal Council approved an extension of the temporary use zone.

November 20, 2012- Municipal Council approved the Southwest Area Secondary Plan (SWAP).

June, 2012 (TZ-8045) - Municipal Council approved an extension of the temporary use zone.

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: The Corporation of the City of London
2497 – 2591 Bradley Avenue

Public Participation Meeting on: November 4, 2019

Recommendation

That, on the recommendation of the Director, Development Services with respect to the application of the The Corporation of the City of London relating to the properties located at 2497-2591 Bradley Avenue:

- (a) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on November 12, 2019 to amend the Official Plan by adding a "Special Policy" to Chapter 10 – Policies for Specific Areas – of the Official Plan to permit commercial grain handling facilities, processing and growing of plants and vegetables, processing of meat and poultry products, and research and development uses associated with any material processed at the facility; and
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on November 12, 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 properties **FROM** an Urban Reserve (UR6) Zone and a Holding Light Industrial Special Provision (h-17*LI6(6)) **TO** a Light Industrial Special Provision (LI1/LI2/LI6(_)) Zone, a holding Light Industrial Special Provision (h-18*LI1/LI2/LI6(_)) Zone and an Open Space (OS1) Zone.

Executive Summary

Summary of Request

The Corporation of the City of London is requesting an amendment to add a Specific policy to the Official Plan and an amendment to Zoning By-law Z.-1 to change the zoning from an Urban Reserve (UR6) Zone and a Holding Light Industrial Special Provision (h-17*LI6(6)) to a Light Industrial Special Provision (LI1/LI2/LI6(_)) Zone and an Open Space (OS1) Zone.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended amendments is to permit a range of Light Industrial uses. A Special Policy and Special Provisions are being requested to permit commercial grain handling facilities, processing and growing of plants and vegetables, processing of meat and poultry products, and research and development uses associated with any material processed at the facility. No development is proposed at this time.

Rationale of Recommended Action

1. The recommended amendments are consistent with the policies of the *Provincial Policy Statement, 2014*, which promote healthy, liveable and safe communities by encouraging efficient development and land use patterns and by accommodating an appropriate range and mix of land uses to meet current and projected needs of the Municipality.

2. The recommended amendment is consistent with the City of London 1989 Official Plan policies and the in-force policies of The London Plan including, but not limited to, the Light Industrial Place Type policies. The recommended amendments will allow for light industrial uses. Overall, the proposed uses will serve the intended function of the existing Light Industrial designation as outlined in the London Plan and the 1989 Official Plan while providing for additional economic opportunities in a manner which respects the intended form and character of the area through conformity with the Airport Road South Business Park Urban Design Guidelines.
3. The proposed Zoning By-law Z.-1 amendment conforms to the City of London 1989 Official Plan policies and the in force policies of The London Plan including but not limited to the policies of the Light Industrial Place Type, conforms to the Airport Road South Area Plan, and provides for uses that are appropriate to develop on this site.
4. A holding provision has been recommended on a portion of the subject lands to ensure all archaeological reports are cleared by the Ministry of Tourism, Culture and Sport.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject site is located in the southeast area of London within the Innovation Industrial area, and is bounded by Veterans Memorial Parkway to the east, Bradley Ave to the north, Highway 401 to the south and the City Boundary to the west. The total land area constitutes seven (7) properties and is approximately 85 hectares. There is an existing woodlot on the southwest corner of the subject site approximately 1 hectare in size along with existing dwellings and farm structures, including a heritage structure. Currently, the lands are being used for agricultural purposes. It is important to note the lands are bisected by a Hydro corridor.

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

- Official Plan Designation – Light Industrial
- The London Plan Place Type – Light Industrial Place Type
- Existing Zoning – Urban Reserve (UR6) Zone and a Holding Light Industrial Special Provision (h-17*LI6(6))

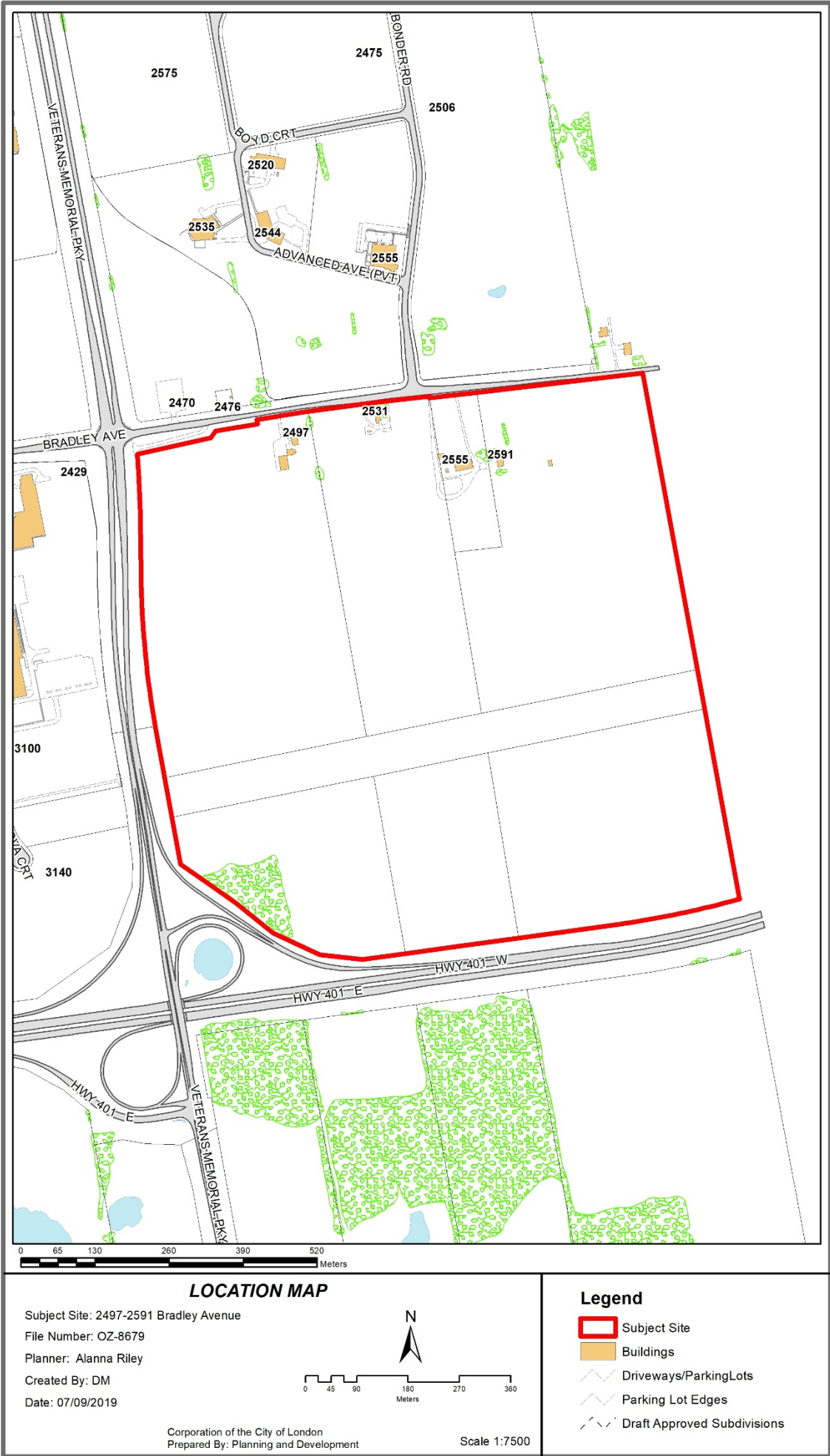
1.3 Site Characteristics

- Current Land Uses – agricultural
- Frontage – N/A
- Area – approximately 85 hectares
- Shape – irregular

1.4 Surrounding Land Uses

- North – Innovation Park Phase 4 Industrial Subdivision, University of Western Research Centre
- East – City Boundary, agricultural uses
- South – Highway 401
- West – Innovation Park Phase 3 Industrial Subdivision, Dr. Oetker, other existing industrial uses.

1.6 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The subject lands have recently been acquired by the City of London to be incorporated into the Innovation Park Industrial Area as Phase 5 to expand the serviced, municipal land inventory, as per the approved Industrial Land Purchase Strategy. In addition to the light industrial uses permitted on a portion of the lands, the City of London wants to expand the range of economic opportunities for these lands.

In order to facilitate this request, the application proposes to amend the Official Plan by adding a “Special Policy” to Chapter 10 – Policies for Specific Areas to allow for commercial grain handling facilities, processing and growing of plants and vegetables, processing of meat and poultry products, and research and development uses associated with any material processed at the facility, and to change the zoning of the subject lands from an Urban Reserve (UR6) Zone and a Light Industrial Special Provision (LI6(6)) to a Light Industrial Special Provision (LI1/LI2/LI6(_)) Zone, a holding Light Industrial Special Provision (h-18*LI1/LI2/LI6(_)) Zone and an Open Space (OS1) Zone.

3.0 Relevant Background

3.1 Planning History

The subject lands form part of the Airport Road South Area Plan lands adopted by Municipal Council August 3, 2004. In addition to this, Municipal Council also adopted the Airport Road South Urban Design Guidelines.

3.2 Requested Amendments

Official Plan

Currently, the subject lands are designated Light Industrial in the 1989 Official Plan.

The City of London is requesting an amendment to the 1989 Official Plan to add a “Special Policy” to Chapter 10 – Policies for Specific Areas to allow for commercial grain handling facilities, processing and growing of plant and vegetables, processing of meat and poultry products, and research and development uses associated with any material processed at the facility. It should be noted that no amendments to the London Plan are required as these uses are in conformity to those identified in the Light Industrial Place Type policies and the Airport Road South Innovation Park policies.

Zoning By-law

Currently the subject lands are zoned Urban Reserve (UR6) Zone and a Holding Light Industrial Special Provision (h-17*LI6(6)). The Holding Light Industrial Special Provision (h-17*LI6(6)) Zone provides for and regulates a range of industrial and associated secondary uses. This zone permits all the uses permitted in the LI1 Zone variation, as well as an expanded range of industrial and complementary uses listed in the LI2 Zone. The Urban Reserve (UR6) Zone provides for and regulates existing uses on lands which are primarily undeveloped for urban uses. This zone permits all the uses permitted in the UR1 Zone variation, as well as an expanded range of urban reserve and complementary uses listed in the UR3 Zone variation.

The request is to rezone from an Urban Reserve (UR6) Zone and a Holding Light Industrial Special Provision (h-17*LI6(6)) to a Light Industrial Special Provision (LI1/LI2/LI6(_)) Zone and an Open Space (OS1) Zone.

The Zoning By-law amendment application under consideration is to facilitate the provision of the following:

- i) Commercial grain handling facilities;

- ii) Processing and growing of plants and vegetables;
- iii) Processing of meat and poultry products; and
- iv) Research and development uses associated with any material processed at the facility.

3.3 Community Engagement (see more detail in Appendix B)

There have been no public comments to date.

3.4 Policy Context (see more detail in Appendix C)

Provincial Policy Statement, (PPS), 2014

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. The Provincial Policy Statement encourages healthy, liveable and safe communities that are sustained by accommodating an appropriate range and mix of employment uses, including industrial and commercial to meet long-term needs (1.1.3).

The London Plan

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

The subject lands are within the Light Industrial Place Type where industries generating minimal planning impacts are permitted (1110). The Light Industrial Place Type is where industrial uses with more minimal impact uses will be directed to. Permitted uses will have a tolerance for planning impacts created by a broad range of light industrial uses that are unlikely to impose significant impacts on surrounding areas. Also, industrial uses with large amounts of outdoor storage may not be permitted, dependent upon the character of the surrounding area.(1115_).

More specifically, the subject lands are within the Airport Road South Innovation Park. It is expected that these lands will develop as a high-quality, well-designed prestige innovation park, including an appropriate mix of light industrial, research and development, and high-tech uses (1142_).

Official Plan (1989)

The City's Official Plan contains Council's objectives and policies to guide the short-term and long-term physical development of the municipality. The policies promote orderly urban growth and compatibility among land uses. While objectives and policies in the Official Plan primarily relate to the physical development of the municipality, they also have regard for relevant social, economic and environmental matters.

The subject lands are designated Light Industrial in the 1989 Official Plan.

The Light Industrial designation is intended for industries which have a limited impact on the surrounding environment and which are small in scale. Such industries can normally be located in closer proximity to other land uses without significant conflicts if appropriate site planning techniques are utilized. Uses permitted in the Light Industrial designation will be required to meet higher development and operating standards when located near residential areas and major entryways to the City. Certain non-industrial uses may also be permitted, provided that they are complementary to, and supportive of, the surrounding industrial area. Main permitted uses include a broad range of industrial uses including assembling, fabricating, manufacturing, processing and/or

repair activities.

The subject lands are also part of the Airport Road South Industrial Area Plan Specific Policies in the Official Plan. These policies are intended for high standard light industrial development and will be promoted and designed to attract office or technology oriented business.

Airport Road South Area Plan

The subject lands are within the Airport Road South Area Plan as adopted by Municipal Council August 3, 2004. This plan provides a land use framework to guide development in this area and assists in creating a distinct and strong sense of place within the City.

Airport Road South Urban Design Guidelines

All new development is required to comply with these guidelines which outline the City's design preferences and expectations for public works and site developments.

4.0 Key Issues and Considerations

4.1 Use

Section 1.3 of the PPS contains the Employment policies, which promote economic development and competitiveness by providing an appropriate mix and range of employment uses (1.3.1a). The PPS encourages employment areas where it can be accommodated.

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 retails and ancillary facilities.

The subject site is located within an existing Light Industrial designated area and Light Industrial Place Type which forms part of the City's economy and employment sector. Adding the additional uses through a site specific policy and zoning amendment will allow for a broader employment use within this industrial area, and will accommodate an appropriate range and mix of land uses to meet current and projected needs of the Municipality.

Land use within employment areas shall provide 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 (1.3.1.1). The proposed additional uses, in addition to the permitted light industrial uses, maintains the industrial nature of the area and moderately diversifies the permitted uses which enhances the viability of the industrial area overall and will provide for a modest expansion to the existing range and mix of employment uses without compromising the industrial nature of the primary uses or the broader area. Further, the subject site is close to Highway 401, a major transportation corridor, in accordance with the PPS (1.3.2.3).

Within the Light Industrial Place Type of The London Plan, a broad range of industrial uses that are unlikely to impose significant impacts on surrounding light industrial land uses due to their emissions such as noise, odour, particulates and vibration may be permitted (1115_). Furthermore, the policies within the Airport Road South Innovation Park include an appropriate mix of light industrial, research and development, and high-tech uses. (1142_) Also, the lands are adjacent to Highway 401 and Veterans Memorial Parkway with convenient access as well as a high degree of visibility from the major entryways to the City. The policy indicates these areas are intended for a high standard of light industrial development. (1143_). The proposed additional uses meet the intent of these policies which will not impose on the industrial and agricultural operations of the surrounding lands.

The subject lands are designated Light Industrial in the 1989 Official Plan. The main permitted uses in the Light Industrial designation include a broad range of industrial

uses including assembling, fabricating, manufacturing, processing and/or repair activities.

The subject lands are within the Airport Road South Area Plan adopted by Council August 3, 2004. Through this study these lands were designated Light Industrial. A site-specific Official Plan policy is required to permit the additional requested uses. The purpose of the Chapter 10 amendment is to permit specific uses that would otherwise not be permitted by the more general land use policies of the Official Plan.

Through the 1989 Official Plan, Council has the ability to apply Specific Area policies like the one mentioned above. The adoption of Policies for Specific Areas may be considered where the change in land use is site specific and is located in an area where Council wishes to maintain existing land use designations, while allowing for a site specific use.

The subject lands are part of the City of London's Industrial Innovation Park. The recommended amendment seeks to build upon this premise by allowing four (4) additional uses to broaden its scope of activity. This amendment to apply a Specific Area Policy on the subject lands is appropriate as it would be site-specific and recognize the proposed permitted uses would accurately reflect the intent of Council with respect to the future use of the land. Adding commercial grain handling facilities, processing and growing of plant and vegetables, processing of meat and poultry products, and research and development uses associated with any material processed at the facility in association with the permitted light industrial uses, would be permitted in the future policy context outlined in the London Plan and the recommended Specific Area Policy is appropriate to facilitate these uses until future policies are in-force and effect.

4.2 Compatibility

The PPS provides direction to avoid development and land use patterns which may cause environmental or public health and safety concerns (PPS 1.1.1 c)). The subject lands are within the Urban Growth Boundary with access to municipal services. Adjacent to the subject lands to the south is a provincially significant transportation system, Highway 401. Other surrounding land uses include agriculture to the south, Innovation Park Phase 4 Industrial Subdivision, and the University of Western Research Centre to the North, the city boundary and agricultural uses to the east, and innovation Park Phase 3 Industrial Subdivision, Dr. Oetker and other existing industrial uses to the west. The proposed additional uses are complementary to the existing industrial uses in the area.

The request to add commercial grain handling facilities, processing and growing of plant and vegetables, processing of meat and poultry products, and research and development uses associated with any material processed at the facility, can be considered to be similar to other proposed uses in the Light Industrial designation and Zone. This should not have any significant impacts on surrounding properties and conforms to the Light Industrial designation in the Official Plan, and Light Industrial Place Type in the London Plan.

The subject lands are surrounded by a mix of Light Industrial and agricultural uses which are not anticipated to be negatively impacted by the additional uses. There are no sensitive land uses located close to the subject lands. Visual compatibility including mitigation measures will be implemented through the recommended zoning and the Airport Road South Urban Design Guidelines.

4.3 Form

The subject lands are within the Airport Road South Innovation Park Policies in The London Plan which permit an appropriate mix of light industrial, research and development, and high-tech uses. These policies clearly indicate these lands are intended for a high standard of light industrial development within the Industrial Innovation Park, and clearly direct planning and development applications to have regard for the *Airport Road South Business Park Urban Design Guidelines*. (1142_)

Furthermore, development within these lands will be sensitive to the natural environment, and provide for additional economic opportunities in a manner which respects the intended form and character of the area through high standards of building and site design.

Additionally, these policies direct a high standard development of the subject lands on areas adjacent to Highway 401 and Veterans Memorial Parkway through gateway treatments to attract industry and define the character as a prestige Business Park.

The Airport Road South Business Park Urban Design Guidelines, adopted by Municipal Council in encourage high quality building and site design, and ensure development is safe, accessible, functional and aesthetically pleasing. Design elements that are addressed in the guidelines include streetscapes, gateway treatments, trails, transit routes, stormwater management facilities, site circulation, landscape design, lighting, building design, signage and planting species.

These Guidelines will ensure that the ultimate form of development in the future contributes to the creation of Innovation Park Industrial Area as Phase 5 realm and provides a positive interface with the surrounding uses including Highway 401. Proposed zoning special provisions are included to ensure enhanced landscaping, screening, loading and outdoor storage are properly addressed through development.

4.4 Zoning By-law

The Zoning By-law is a comprehensive document used to implement the policies of the Official Plan by regulating the use of land, the intensity of the permitted use, and the built form. This is achieved by applying various zones to all lands within the City of London which identify a list of permitted uses and regulations that frame the context within which development can occur. Collectively, the permitted uses and regulations assess the ability of a site to accommodate a development proposal. It is important to note that all three criteria of use, intensity, and form must be considered and deemed to be appropriate prior to the approval of any development proposal.

Section 40.1 – General Purpose of the LI Zone – describes the rationale behind the Light Industrial zone variations. This Zone provides for and regulates a range of industrial and associated secondary uses. In addition to the uses permitted in the LI6 Zone variation, an expanded range of industrial and complementary uses may be permitted, at appropriate locations, through other zone variations.

Although the requested commercial grain handling facilities, processing and growing of plant and vegetables, processing of meat and poultry products, and research and development uses associated with any material processed at the facility uses are not identified as a primary permitted use in the LI zones, a site specific Zoning By-law amendment can add these uses if deemed appropriate.

The recommended zoning will also ensure the ultimate built form is consistent with the Airport Road South Urban Design Guidelines. Unique site design and landscaping features will provide an attractive interface with future industrial uses and Veterans Memorial Parkway and Highway 401. To ensure the recommended amendments will provide greater assurances that the ultimate form of development is a good fit with the character of the area, special provisions are recommended through the Zoning By-law provisions to permit the requested uses, to prohibit certain uses, setback, landscaping and screening requirements as follows:

- LI6() 2497 – 2591 Bradley Avenue
- a) Additional Permitted Uses
 - i) Commercial Grain Handling Facilities
 - ii) Processing and Growing of Plants and Vegetables
 - iii) Processing of Meat and Poultry Products
 - iv) Research and Development Uses Associated with any Material Processed at the Facility

- b) Prohibited Uses:
 - i) Notwithstanding the definition of a warehouse establishments as contained in Section 2 (355) of Zoning By-law No. Z-1, a Self Storage Establishment is not permitted.
 - ii) Notwithstanding the definition of a manufacturing and assembly industry as contained in Section 2 (217) of Zoning by-law No. Z-1, a waste recycling depot is not permitted.

- c) Regulations for those properties adjacent to Veterans Memorial Parkway:
 - i) No loading and open storage is permitted in the required rear yard. Where a loading space and/or open storage area is located in a yard adjacent to Veterans Memorial Parkway, lateral screening is required. Lateral screening shall be the full length of the loading space and open storage area and at least 3 metres in height above the finished grade to effectively conceal the view of these areas from Veterans Memorial Parkway. The lateral screening shall be compatible with the colour and materials of the main buildings.

 - ii) Landscaped Open Space - a minimum 5 metre wide landscape strip shall be located on the portions of any yard adjacent to the Veterans Memorial Parkway corridor.

The following holding provision has been recommended that requires sufficient archaeological assessment be undertaken prior to development.

h-18 The proponent shall retain an archaeologist, licensed by the Ministry of Tourism, Culture and Sport under the provisions of the Ontario Heritage Act (R.S.O. 1990 as amended) to carry out a Stage 1 (or Stage 1-2) archaeological assessment of the entire property and follow through on recommendations to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found (Stages 3-4). The archaeological assessment must be completed in accordance with the most current Standards and Guidelines for Consulting Archaeologists, Ministry of Tourism, Culture and Sport.

All archaeological assessment reports, in both hard copy format and as a PDF, will be submitted to the City of London once the Ministry of Tourism, Culture and Sport has accepted them into the Public Registry.

Significant archaeological resources will be incorporated into the proposed development through either in situ preservation or interpretation where feasible, or may be commemorated and interpreted through exhibition development on site including, but not limited to, commemorative plaquing.

No demolition, construction, or grading or other soil disturbance shall take place on the subject property prior to the City's Planning Services receiving the Ministry of Tourism, Culture and Sport compliance letter indicating that all archaeological licensing and technical review requirements have been satisfied.

The recommended zoning will allow industrial development in conformity with the Airport Road South Innovation Park policies of The London Plan.

Zoning to allow a broad range of light industrial uses should not adversely impact the surrounding area and is consistent with the PPS, the Official Plan and The London Plan.

4.5 Natural Heritage, Natural Hazards and Natural Resources

There was an approximate 2.5 hectare woodlot at the southwest corner of the subject lands. The woodlot consisted of a variety of forest habitats and was the subject of an environmental assessment. A portion of this woodlot was removed for the expansion of the Highway 401/VMP interchange. Approximately 1 hectare of woodlot remains which will be zoned Open Space (OS5).

There are no Upper Thames River Conservation regulated lands on the subject lands.

4.6 Transportation

As noted previously, the subject lands are bounded by Bradley Ave, Veterans Memorial Parkway and Highway 401. An Environmental Assessment was completed for the expansion of the VMP/Highway 401 resulting in road widening taken through the expansion of the interchange and extension of VMP. Through this process a traffic impact analysis was conducted and accepted by the City's Transportation Division 2014 and the Ministry of Transportation 2016. A revised version was conducted in 2016 and accepted by the City.

4.7 Archaeological

Archaeological potential has been identified on the subject lands. Clearance by the Ministry has been given for a portion of the lands. A holding provision has been applied to the remainder of these lands to ensure further studies are completed and cleared by the Ministry.

4.8 Heritage

2591 Bradley Ave, contains a significant built heritage resource identified through the Airport Road South Area Plan and a Heritage Impact Statement (Stantec, November 2, 2016). The City of London Realty Services is maintaining the house while preparing the lands for sale for light industrial. The purchase of these lands as part of the Innovation Industrial Park Phase 5 was approved by Council through the Industrial Land Development Strategy.

The Heritage Impact Statement was reviewed by the City of London's Heritage Planner and together with Stantec recommended mitigation measures be put in place to ensure any adverse impacts identified were mitigated.

Should it be required, a demolition permit to decommission this heritage structure be presented to PEC at a future date.

5.0 Conclusion

The recommended Official Plan and Zoning By-law amendments have been supported by the foregoing planning analysis. The recommended amendments have been evaluated in the context of the applicable land use policy and are consistent with the policies of the *Provincial Policy Statement, 2014*, which promote healthy, liveable and safe communities by accommodating an appropriate range and mix of land uses within the municipality. The recommended amendments will provide for additional economic opportunities to diversify the local economic base in Innovation Industrial Park Phase 5 while striking an appropriate balance with The London Plan, the Airport Road South Area Plan and other Official Plan objectives related to land use compatibility. The Airport Road South Business Park Urban Design Guidelines provide an opportunity to accommodate light industrial development on the subject lands in a manner which creates a distinct and strong sense of place within the City and minimizes potential impacts on the adjacent road network and surrounding properties. Given the foregoing, the recommended amendments represent sound land use planning.

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.	

August 14, 2019
AR/ar

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
2497-2591 Bradley Avenue

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 Amendment shall come into effect in accordance with subsection 17(27) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on November 12, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – November 12, 2019
Second Reading – November 12, 2019
Third Reading – November 12, 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 10 – Policies for Specific Areas – of the Official Plan for the City of London to permit commercial grain handling facilities, processing and growing plants and vegetables, processing of meat and poultry products, and research and development uses associated with any material processed at the facility.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 2497-2591 Bradley Avenue in the City of London.

C. BASIS OF THE AMENDMENT

The recommended amendment is consistent with the Provincial Policy Statement, 2014 and is in conformity with the 1989 Official Plan. The recommended amendment will allow for light industrial uses. Overall, the proposed uses will serve the intended function of the existing Light Industrial designation as outlined in the Official Plan while providing for additional economic opportunities

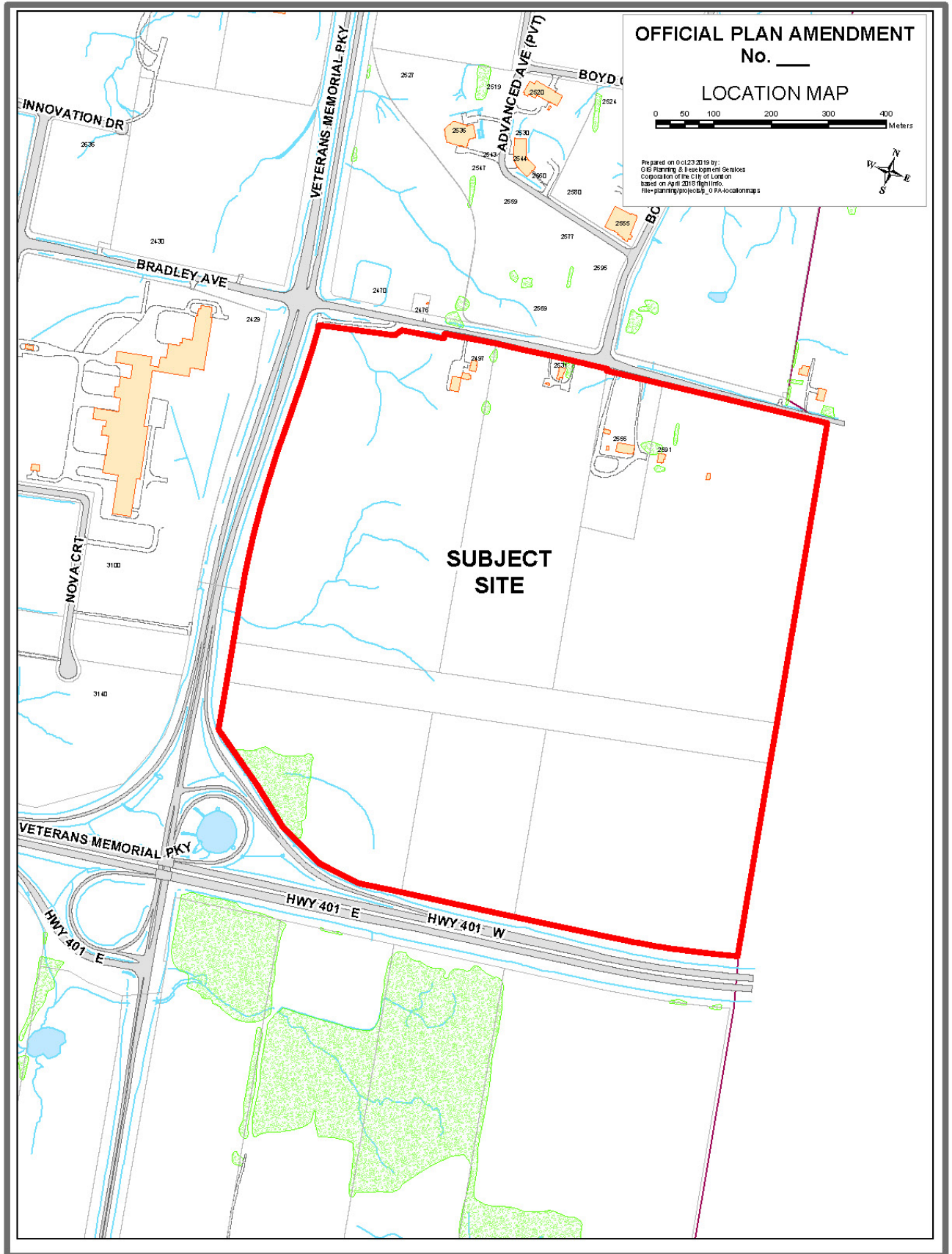
D. THE AMENDMENT

Section 10 – Policies for Specific Areas – of the Official Plan for the City of London is hereby amended by adding the following:

10.1.3 Specific Areas:

2497 – 2591 Bradley Avenue

- _) In Innovation Industrial Park Phase 5 at 2497 – 2591 Bradley Avenue, in addition to the uses permitted in the Light Industrial designation, commercial grain handling facilities, processing and growing of plants and vegetables, processing of meat and poultry products, and research and development uses associated with any material processed at the facility may also be permitted.



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 lands located at 2497 – 2591
Bradley Avenue.

WHEREAS the Corporation of the City of London has applied to rezone
2497 – 2591 Bradley Avenue 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 2497 – 2591 Bradley Avenue, as shown on the attached map, from
an Urban Reserve (UR6) Zone and a Light Industrial Special Provision (h-17*LI6(6))
Zone to a Light Industrial Special Provision (LI1/LI2/LI6(_)) Zone, a Light Industrial
Special Provision (h-18*LI1/LI2/LI6(_)) Zone and an Open Space (OS1) Zone.
- 2) Section Number (40.3) of the Light Industrial (LI6) Zone is amended by adding the
following Special Provision:

- | | |
|--------|---|
| LI6() | 2497 – 2591 Bradley Avenue |
| a) | Additional Permitted Uses |
| i) | Commercial Grain Handling Facilities |
| ii) | Processing and Growing of Plants and Vegetables; |
| iii) | Processing of Meat and Poultry Products |
| iv) | Research and Development Uses Associated with any
Material Processed at the Facility |
| b) | Prohibited Uses: |
| i) | Notwithstanding the definition of a warehouse
establishments as contained in Section 2 (355) of
Zoning By-law No. Z-1, a Self Storage Establishment
is not permitted. |
| ii) | Notwithstanding the definition of a manufacturing and
assembly industry as contained in Section 2 (217) of
Zoning by-law No. Z-1, a waste recycling depot is not
permitted. |
| c) | Regulations for those properties adjacent to Veterans
Memorial Parkway: |
| i) | No loading and open storage is permitted in the
required rear yard. Where a loading space and/or
open storage area is located in a yard adjacent to
Veterans Memorial Parkway, lateral screening is
required. Lateral screening shall be the full length of
the loading space and open storage area and at least |

3 metres in height above the finished grade to effectively conceal the view of these areas from Veterans Memorial Parkway. The lateral screening shall be compatible with the colour and materials of the main buildings.

- ii) Landscaped Open Space - a minimum 5 metre wide landscape strip shall be located on the portions of any yard adjacent to the Veterans Memorial Parkway corridor.

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

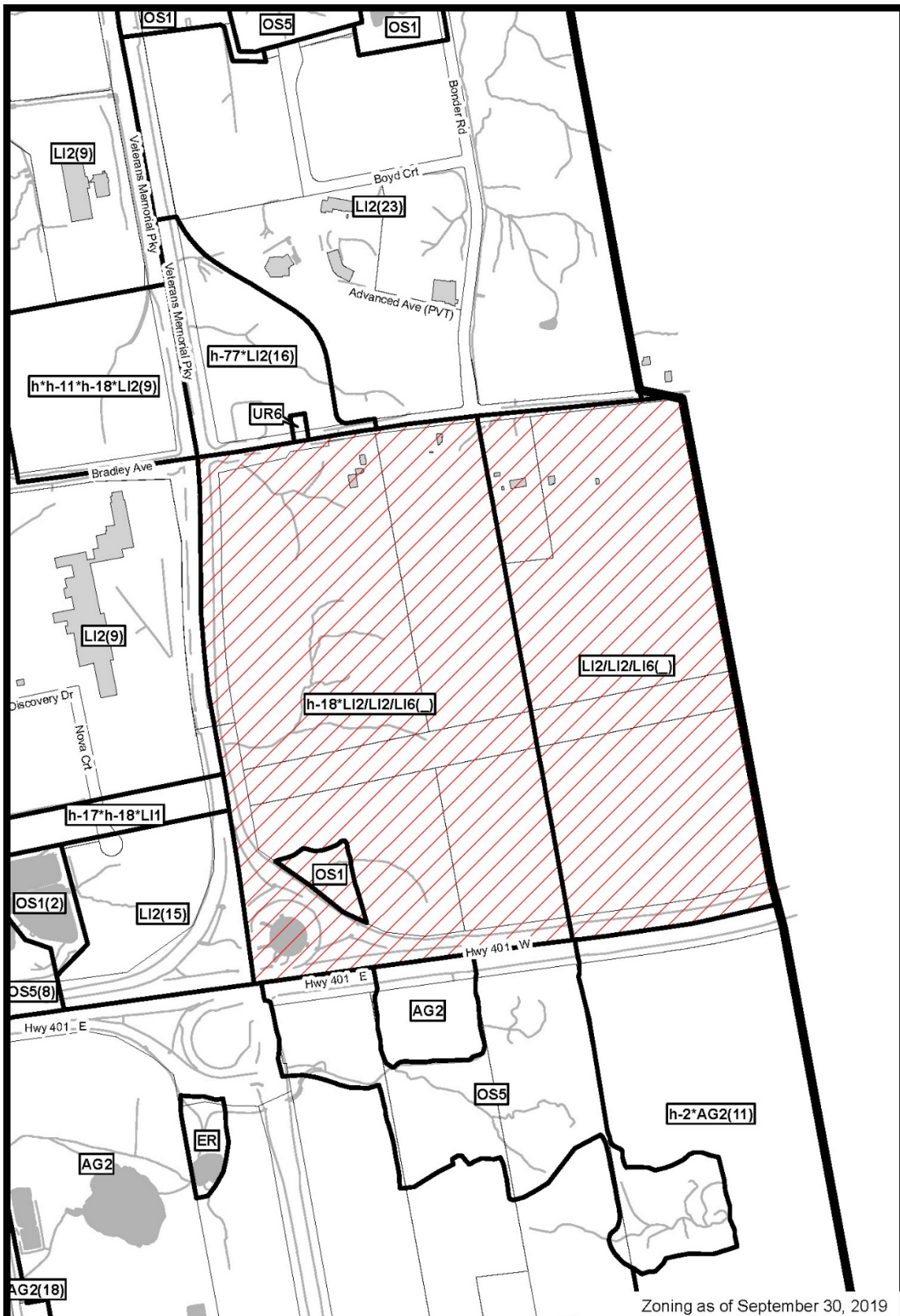
PASSED in Open Council on November 12, 2019.

Ed Holder
Mayor



Catharine Saunders
City Clerk

First Reading – November 12, 2019
Second Reading – November 12, 2019
Third Reading – November 12, 2019

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



Zoning as of September 30, 2019

<p>File Number: OZ-8679 Planner: AR Date Prepared: 2019/10/23 Technician: RC By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:9,000</p> <p>0 45 90 180 270 360 Meters</p> 
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Geodatabase

Appendix C – Public Engagement

Community Engagement

Public liaison: On October 2, 2019, Notice of Application was sent to property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on October 3, 2019. A “Planning Application” sign was also posted on the site.

No replies were received

Nature of Liaison:

Request to add a site-specific policy under Chapter 10 - Policies for Specific Areas to permit an expanded range of uses including commercial grain handling facilities, processing and growing of agricultural and cannabis products, processing of meat and poultry products, and research and development uses associated with any material processed at the facility. Request to change the zoning from an Urban Reserve (UR6) Zone and a Light Industrial special provision (LI6(6)) Zone to a Light Industrial special provision (LI1/LI2/LI6(_)) Zone and an Open Space (OS1) Zone. The Light Industrial zones permit a range of light industrial uses. Special provisions are being requested to permit commercial grain handling facilities, processing and growing of agricultural and cannabis products, processing of meat and poultry products, and research and development uses associated with any material processed at the facility.

Agency/Departmental Comments

Parks Planning

Parks Planning and Design do not have concerns with the proposed application.

Heritage

Please be aware that there is Archaeological Potential identified on this property,

A heritage property has been identified on a portion of these lands.

Development Services – Engineering

No comments for the re-zoning application.

London Hydro

This site is presently serviced by London Hydro. Contact the Engineering Dept. a service upgrade is required to facilitate the new building /addition 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.

Appendix C – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this requested land use change. The most relevant policies, by-laws, and legislation are identified as follows:

Provincial Policy Statement, 2014

- 1.1.1 c – avoid land use conflicts
- 1.1.3.1 – settlement areas
- 1.1.3.2 – efficient use of land
- 1.1.3a – mix and range of employment uses
- 1.3.1 b – diversified economic base

1989 Official Plan

Chapter 7: Light Industrial Designation

The London Plan

- 1107 – Transitioning industrial areas
- 1110 – Light Industrial Place Type
- 1115* – Permitted Uses
- 1138 – D-6 Guidelines
- 1142 and 1143 – Airport Road South Innovation Park

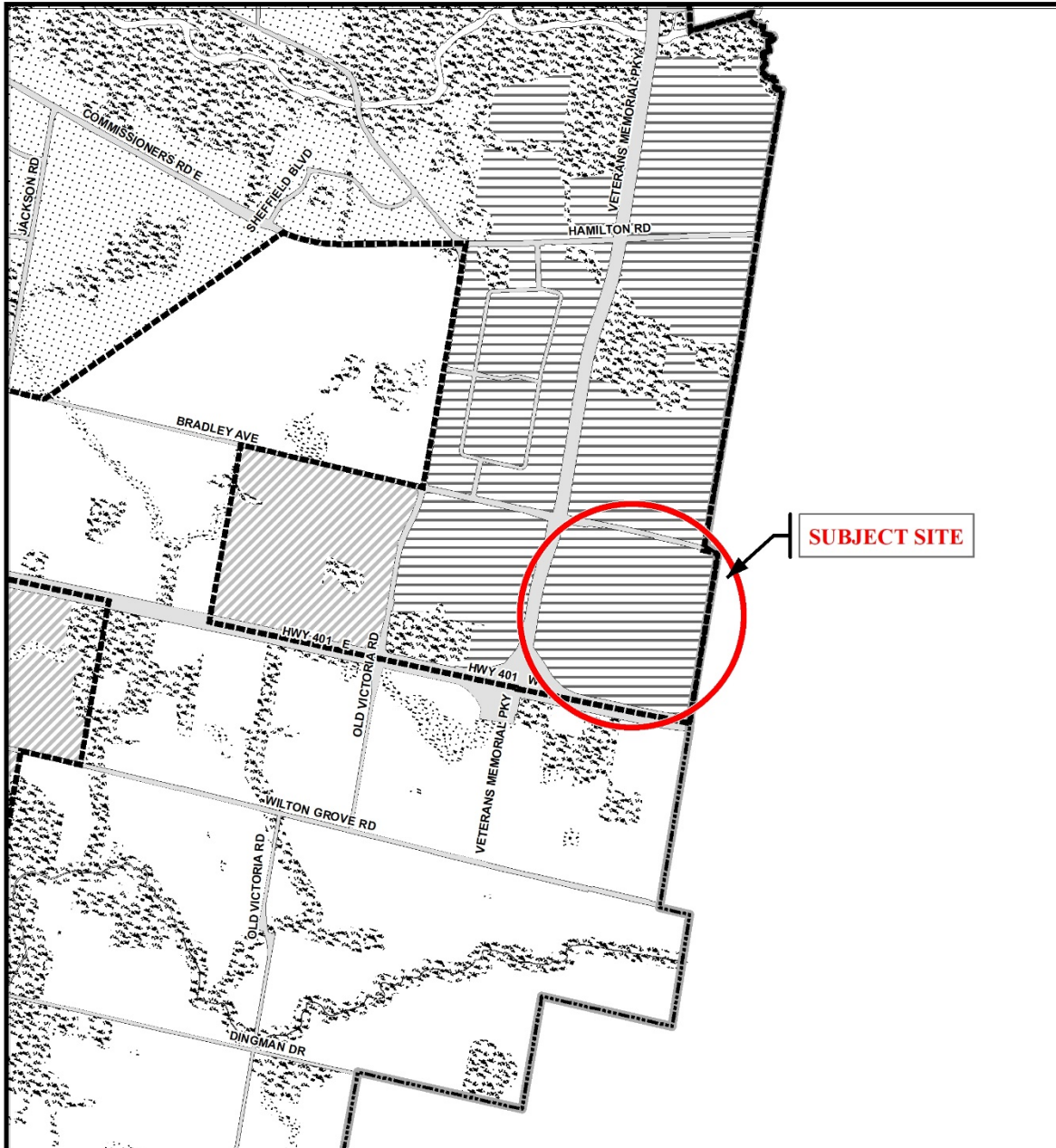
Airport Road South Area Plan

Airport Road South Business Park Urban Design Guidelines

Appendix D – Relevant Background

Additional Maps

The London Plan Map 1 – Land Use



Legend

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

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

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

CITY OF LONDON

Planning Services /
 Development Services

LONDON PLAN MAP 1 - PLACE TYPES -

PREPARED BY: Planning Services



Scale 1:30,000



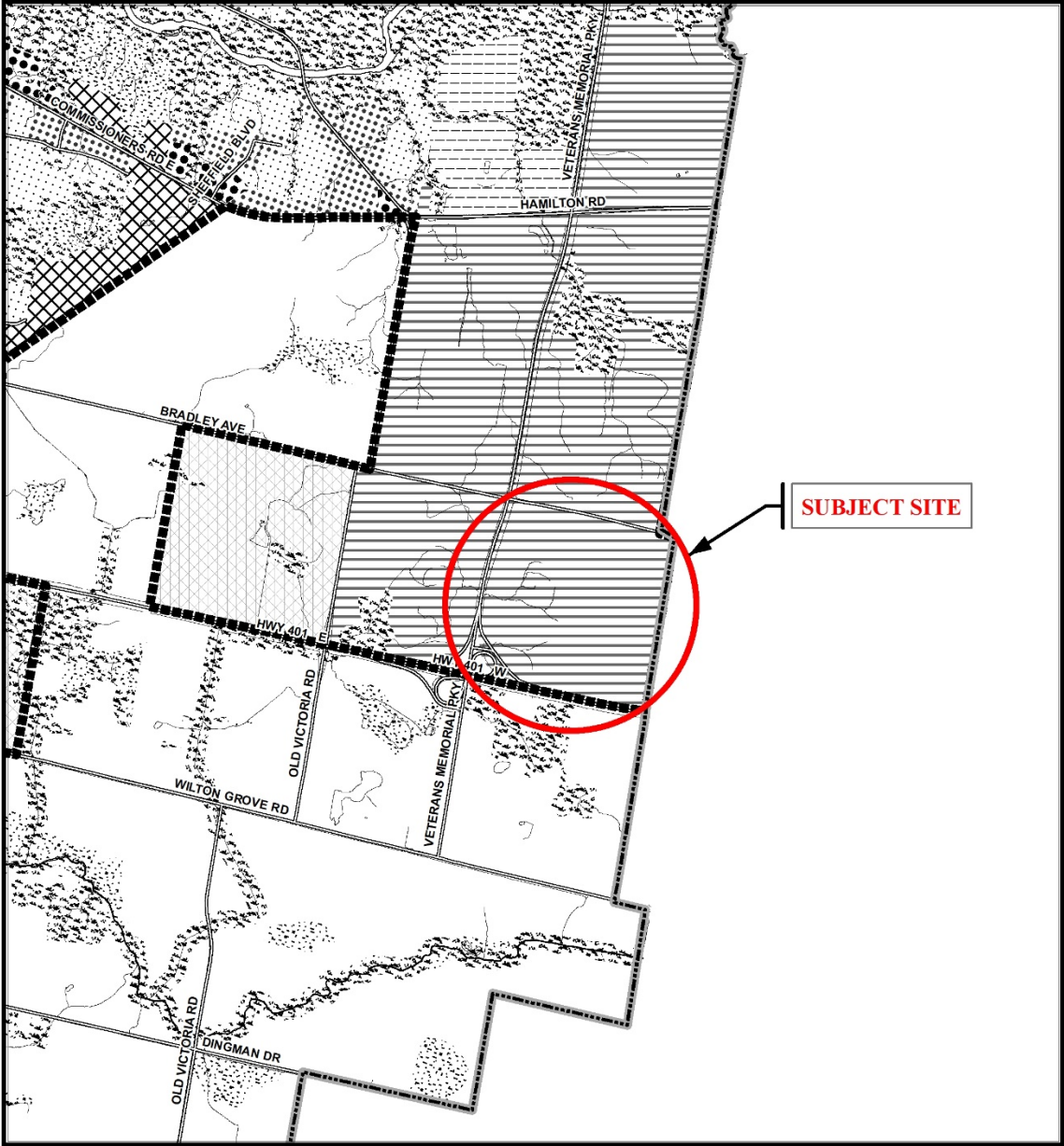
File Number: Z-8679

Planner: AR

Technician: DM

Date: July 9, 2019

1989 Official Plan Schedule A – Land Use

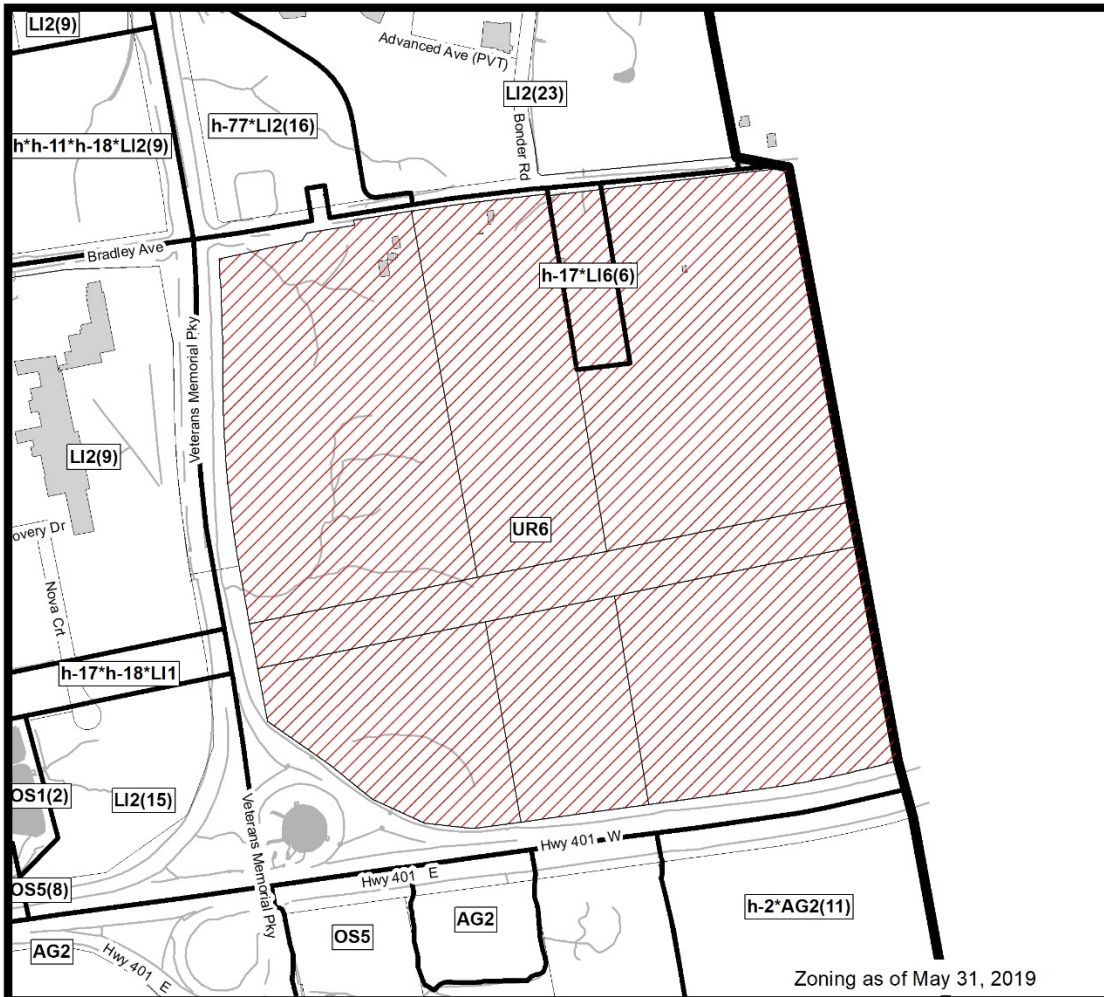


Legend		
Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial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

<p>CITY OF LONDON Planning Services / Development Services OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>0 100 200 300 400 500 600 700 800 900 1,000 Meters</p>	<p>FILE NUMBER: OZ-8679 PLANNER: AR TECHNICIAN: DM DATE: 2019/07/09</p>
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PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consol\00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd

Zoning By-law Z.-1 Map



Zoning as of May 31, 2019



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- | | |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS | RF - REGIONAL FACILITY |
| R2 - SINGLE AND TWO UNIT DWELLINGS | CF - COMMUNITY FACILITY |
| R3 - SINGLE TO FOUR UNIT DWELLINGS | NF - NEIGHBOURHOOD FACILITY |
| R4 - STREET TOWNHOUSE | HER - HERITAGE |
| R5 - CLUSTER TOWNHOUSE | DC - DAY CARE |
| R6 - CLUSTER HOUSING ALL FORMS | |
| R7 - SENIOR'S HOUSING | OS - OPEN SPACE |
| R8 - MEDIUM DENSITY/LOW RISE APTS. | CR - COMMERCIAL RECREATION |
| R9 - MEDIUM TO HIGH DENSITY APTS. | ER - ENVIRONMENTAL REVIEW |
| R10 - HIGH DENSITY APARTMENTS | |
| R11 - LODGING HOUSE | OB - OFFICE BUSINESS PARK |
| | LI - LIGHT INDUSTRIAL |
| DA - DOWNTOWN AREA | GI - GENERAL INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | HI - HEAVY INDUSTRIAL |
| CSA - COMMUNITY SHOPPING AREA | EX - RESOURCE EXTRACTIVE |
| NSA - NEIGHBOURHOOD SHOPPING AREA | UR - URBAN RESERVE |
| BDC - BUSINESS DISTRICT COMMERCIAL | |
| AC - ARTERIAL COMMERCIAL | AG - AGRICULTURAL |
| HS - HIGHWAY SERVICE COMMERCIAL | AGC - AGRICULTURAL COMMERCIAL |
| RSC - RESTRICTED SERVICE COMMERCIAL | RRC - RURAL SETTLEMENT COMMERCIAL |
| CC - CONVENIENCE COMMERCIAL | TGS - TEMPORARY GARDEN SUITE |
| SS - AUTOMOBILE SERVICE STATION | RT - RAIL TRANSPORTATION |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | |
| OR - OFFICE/RESIDENTIAL | "h" - HOLDING SYMBOL |
| OC - OFFICE CONVERSION | "D" - DENSITY SYMBOL |
| RO - RESTRICTED OFFICE | "H" - HEIGHT SYMBOL |
| OF - OFFICE | "B" - BONUS SYMBOL |
| | "T" - TEMPORARY USE SYMBOL |

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:
 OZ-8675 AR

MAP PREPARED:
 2019/07/09 DM

1:9,000
 0 45 90 180 270 360
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Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Zoning By-law Amendment
Banman Developments Inc.
3427 Paulpeel Avenue

Public Participation Meeting on: November 4, 2019

Recommendation

That, on the recommendation of the Director, Development Services with respect to the application of Banman Developments Inc. relating to the property located at 3427 Paulpeel Avenue the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on November 12, 2019 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** an Urban Reserve (UR4) Zone **TO** a Residential R1 Special Provision (R1-3(7)) Zone.

Executive Summary

Summary of Request

The applicant has requested an amendment to Zoning By-law No.Z.-1 to change the zoning from an Urban Reserve (UR4) Zone to a Residential R1 (R1-3(7)) Zone to allow single detached dwellings with reduced side yards and a reduced lot frontages. The rezoning will fulfil a condition of Consent (B.37/17) that consolidated the subject lands with adjacent lands and created the seven (7) single detached building lots with frontage on Paulpeel Avenue.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended zoning will ensure that the seven (7) single detached dwelling lots are all contained with a similar Zone permitting single detached dwellings with a reduced side yard setback of 1.2m(3.9ft.) and a reduced lot frontage of 11m (36 feet).

Rationale of Recommended Action

1. The recommended Zoning By-law amendment is consistent with the Provincial Policy Statement, 2014.
2. The recommended amendment to Zoning By-law Z.-1 conforms to the 1989 Official Plan including but not limited to the policies of the Multi-Family, Medium Density Residential designation, and The London Plan including but not limited to the policies of the Neighbourhood Place Type, and provides for an appropriate development of the site.
3. The recommended amendment will ensure that the seven (7) single detached dwelling lots are all contained with a similar Zone permitting single detached dwellings.
4. The recommended amendment represents good land use planning.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject site is located within a residential subdivision consisting primarily of single detached and street townhouse dwellings. The site measures approximately 0.18 hectares in size and is located on the west side of Paulpeel Avenue. The subject site is vacant and has been combined with lands to the east and north to create residential lots.

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

- The London Plan Place Type – Neighbourhood Place Type
- (1989) Official Plan Designation – Multi Family, Medium Density Residential
- Existing Zoning – Urban Reserve (UR4) Zone

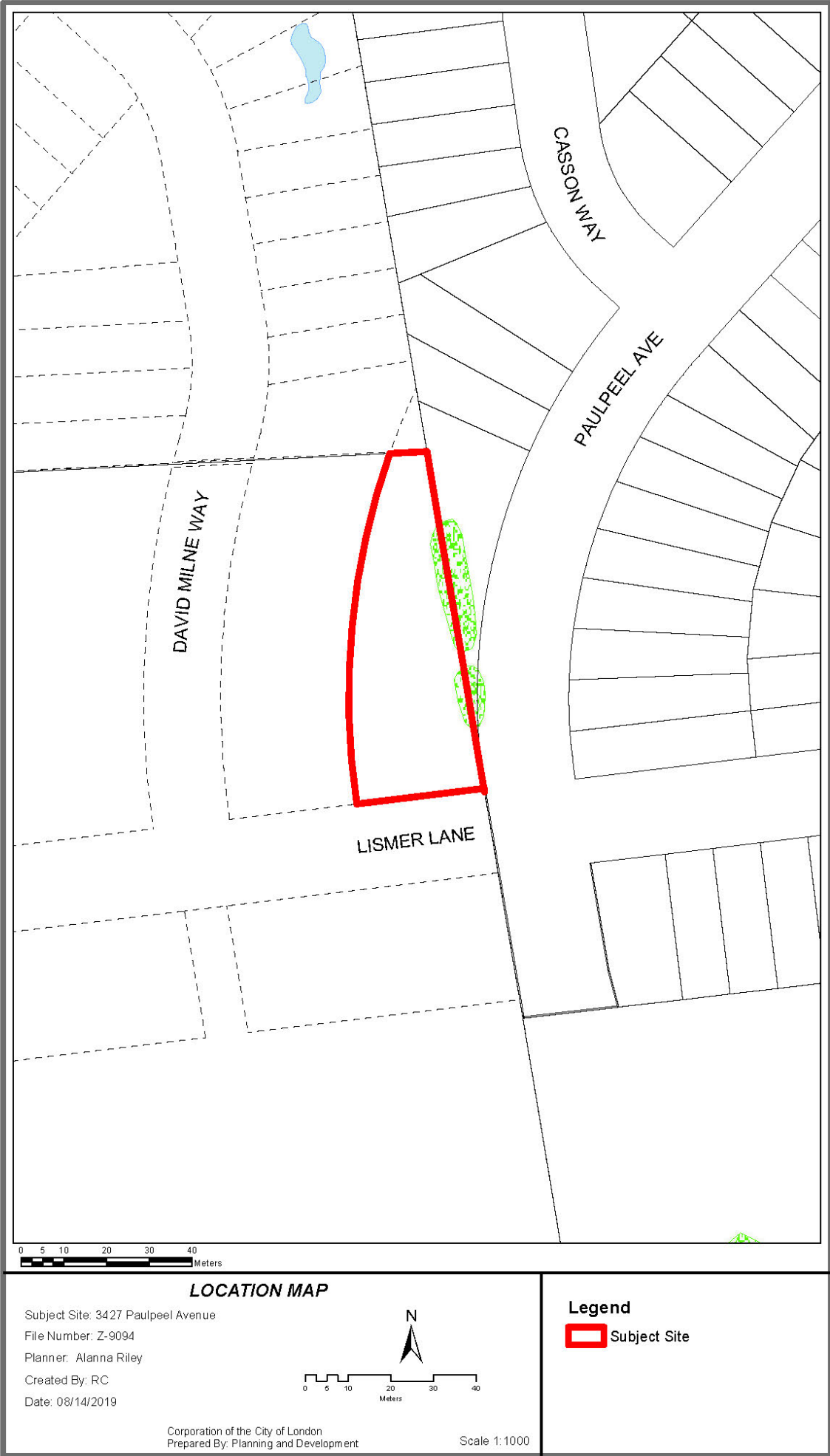
1.3 Site Characteristics

- Current Land Use – vacant
- Frontage – N/A
- Area – N/A
- Shape – irregular

1.4 Surrounding Land Uses

- North – vacant residential
- East – vacant residential, low density residential
- South – vacant residential
- West – vacant residential

1.6 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The subject lands were not included in the plan of subdivision to the west (39T-16508). The subject site was conveyed to the abutting lands (Block 86, Plan 33M-691) to the east, and a small portion of land to the north, and then subdivided by Consent (B.37/17) into seven (7) single detached dwellings lots.

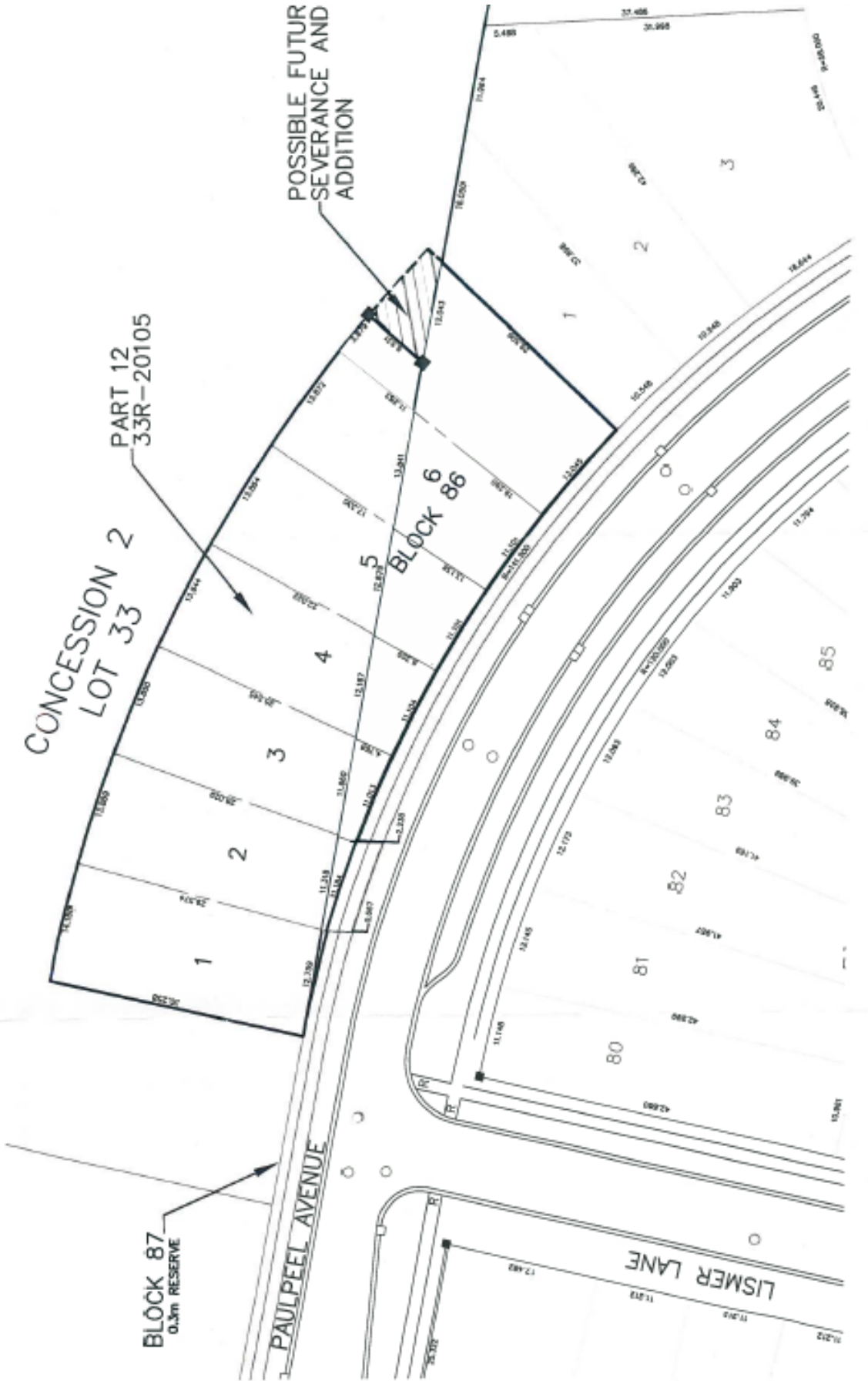


Figure 1 – Development Plan

3.0 Relevant Background

3.1 Planning History

On October 17, 2016 an application for draft subdivision approval (38T-16508) and zoning by-law amendment was accepted as complete for 3425 Emily Carr which includes the lands directly adjacent to the west of the subject site. This subject block was not included in this plan of subdivision in order to facilitate a future Consent to merge with the lands to the east and north to create single detached dwelling lots.

In September of 2017 Consent was granted to merge the subject lands with the lands to the east and sever the combined lands into seven (7) single detached building lots with frontage on Paulpeel Avenue.

3.2 Requested Amendment

Zoning By-law

The subject property is currently zoned Urban Reserve (UR4). This Zone provides for and regulates existing uses on lands which are primarily undeveloped for urban uses. Generally these uses have limited structures.

The requested amended fulfills a condition of Consent (B.37/17) that established the seven (7) residential lots. The proposed rezoning from an Urban Reserve (UR4) Zone to a Residential R1 Special Provision (R1-3(7)) Zone will ensure that the residential building lots are within the same Zone.

The Zoning By-law amendment application under consideration permits single detached dwellings with the following special provision:

- i) An interior side yard of 1.2m(3.9ft)
- ii) A lot Frontage of 11m (36 feet)

3.3 Community Engagement (see more detail in Appendix B)

There have been no public comments to date.

3.4 Policy Context (see more detail in Appendix C)

The London Plan and the (1989) Official Plan contains Council's objectives and policies to guide the short-term and long-term physical development of the municipality. The policies promote orderly urban growth and compatibility among land uses. While the objectives and policies in The London Plan and (1989) Official Plan primarily relate to the physical development of the municipality, they also have regard for social, economic and environmental matters.

4.0 Key Issues and Considerations

4.1 Provincial Policy Statement, (PPS), 2014

This application has been reviewed for consistency with the 2014 Provincial Policy Statement. The recommended amendment will provide for a healthy, livable and safe community. The proposed development plan provides for seven (7) single detached dwelling lots.

The proposed use achieve objectives for efficient development and land use patterns, represents a form of intensification of a vacant parcel of land which is located within the City's urban growth area, utilizes existing public services and infrastructure, supports the use of public transit, and maintains appropriate levels of public health and safety.

The recommended Zoning Amendment is consistent with the PPS 2014

4.2 The London Plan

The subject site is within the “Neighbourhood” Place Type of the London Plan. The vision for the Neighbourhoods place type includes a strong neighbourhood character, sense of place and identity, attractive streetscapes, buildings, and public spaces, a diversity of housing choices allowing for affordability and giving people the opportunity to remain in their neighbourhoods as they age if they choose to do so, well-connected neighbourhoods, from place to place within the neighbourhood and to other locations in the city such as the downtown, lots of safe, comfortable, convenient, and attractive alternatives for mobility, easy access to daily goods and services within walking distance, employment opportunities close to where we live, and parks, pathways, and recreational opportunities that strengthen community identity and serve as connectors and gathering places.

The proposed development conforms with the Our City, Our Strategy, City Building, and Place Type policies of the London Plan. The proposal for single detached dwellings at this location meets the policies for the Neighbourhood Place types and street classifications. Municipal services are available, in conformity with the Civic Infrastructure chapter of the Plan and the Growth Management/Growth Financing.

4.3 (1989) Official Plan

The subject lands are designated Multi-Family, Medium Density Residential” on Schedule “A” of the (1989) Official Plan.

The Multi-Family, Medium Density Residential designation supports single detached residential uses at locations which enhance the character and amenity of a residential area, and where there is safe and convenient access to public transit, shopping, public open space, recreation facilities and other urban amenities.

This proposal is compatible with surrounding residential development and building placement. The development of seven (7) single detached dwelling lots will utilize design techniques in order to mitigate impacts on the future and existing residential development in the area. The residential development is in a location that provides access to on-site amenities, public transit and nearby shopping, cultural and recreational facilities.

4.4 Zoning By-law

The Zoning By-law is a comprehensive document used to implement the policies of both The London Plan and the (1989) Official Plan by regulating the use of land, the intensity of the permitted use, and the built form. This is achieved by applying various zones to all lands within the City of London which identify a list of permitted uses and regulations that frame the context within which development can occur. Collectively, the permitted uses and regulations assess the ability of a site to accommodate a development proposal. It is important to note that all three criteria of use, intensity, and form must be considered and deemed to be appropriate prior to the approval of any development proposal.

The subject lands are currently zoned Urban Reserve UR4.

The recommended amendment to Zoning By-law Z.-1 is for a Residential R1 Special Provision (R1-3(7)) Zone to permit single detached dwellings.

4.5 Planning Impact Analysis

Planning Impact Analysis under Section 1578 of The London Plan and Section 3.7 in the (1989) Official Plan is used to evaluate applications for an Official Plan and/or Zoning Amendment, to determine the appropriateness of a proposed change in land use, and to identify ways of reducing any adverse impacts on surrounding uses.

Compatibility

The requested zoning permits single detached dwellings. The requested zoning would permit seven (7) single detached dwelling lots fronting onto Paulpeel Avenue.

The surrounding land uses consist of single detached homes to the east, and future residential uses to the north, south and west. The Applicant has indicated that the proposed development is likely to be two storeys in height. The proposed development is of a height and form which is compatible with the area.

Ability of Site to Accommodate Development

The subject land is 0.18 hectares in size. The size and the shape of the parcel merged with Block 86 of the subdivision to the west, and a small portion of land to the north is sufficient to create suitable single detached dwelling lots.

Building Siting

The recommended rezoning will fulfil a condition of Consent (B.37/17) that consolidated the subject lands with adjacent lands to the east and created the seven (7) single detached building lots with frontage on Paulpeel Avenue.

The purpose and effect of the recommended zoning will ensure that the seven (7) single detached dwelling lots are all contained within a similar Zone permitting single detached dwellings with a reduced side yard setback of 1.2m (3.9ft.) and a reduced lot frontage of 11m (36 feet).

Vacant Land in the Area

The subject site is located within an area which is currently being built out. There are vacant parcels of land within the immediate vicinity of the subject lands which are designated or zoned for residential development.

Vegetation and Natural Features

The site does not contain any natural heritage features.

Site Access

The proposed single detached dwellings will front onto Paulpeel Avenue which is proposed to extend south to connect with Lismer Lane.

Surrounding Natural Features and Heritage Resources

The surrounding area is developed and there are no significant natural features.

Environmental Constraints

Based on a review of the site and its surroundings, there are no known environmental constraints, such as soil contamination or noise and vibration sources, which could adversely affect residents.

Compliance with London Plan, (1989) Official Plan, Zoning By-law, and Site Plan Control By-law

The application is being evaluated against the policies of The London Plan, (1989) Official Plan, and Zoning By-law to ensure compliance prior to approval by the City.

5.0 Conclusion

The proposed rezoning is consistent with the Provincial Policy Statement, 2014, and conforms to the relevant policies of The London Plan and the (1989) Official Plan. The recommended zoning fulfills a condition of consent and ensures that the existing seven (7) single detached building lots are all within the Zone, representing good land use planning.

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.	

August 14, 2019
AR/ar

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

Y:\Shared\ADMIN\1- PEC Reports\2019 PEC Reports\17- November 4\3427 Paulpeel Ave Z-9094 (AR).docx

Appendix A

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

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

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 3427
Paulpeel Avenue.

WHEREAS Banman Developments Inc. has applied to rezone 3427
Paulpeel Avenue as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to
lands located at 3427 Paulpeel Avenue, as shown on the attached map, from an
Urban Reserve (UR4) Zone to a Residential R1 Special Provision (R1-3(7)) Zone.

The inclusion in this By-law of imperial measure along with metric measure is for the
purpose of convenience only and the metric measure governs in case of any discrepancy
between the two measures.

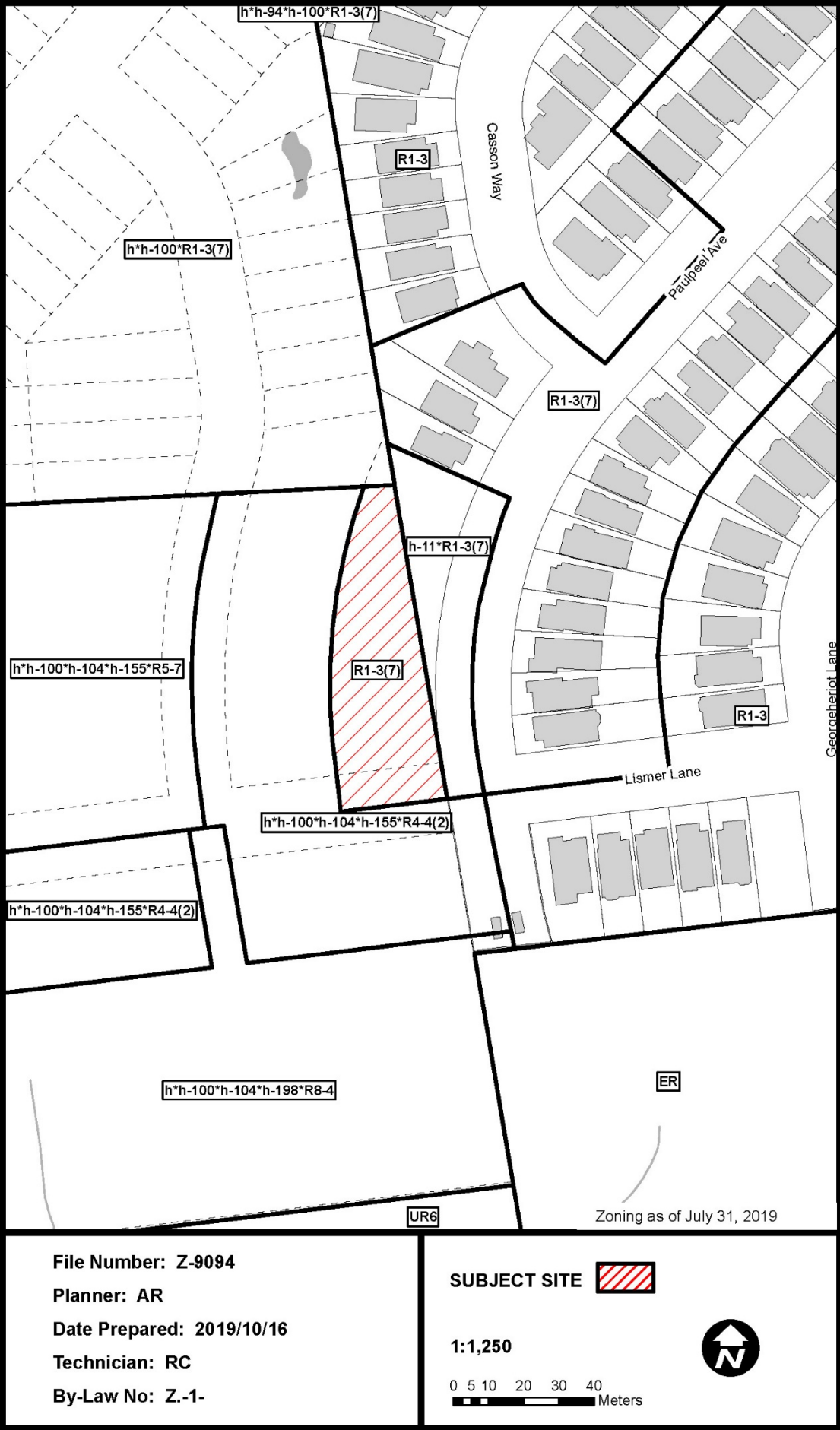
This By-law shall come into force and be deemed to come into force in accordance with
Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage
of this by-law or as otherwise provided by the said section.

PASSED in Open Council on November 12, 2019.


Ed Holder
Mayor
Catharine Saunders
City Clerk

First Reading – November 12, 2019
Second Reading – November 12, 2019
Third Reading – November 12, 2019

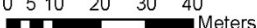
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)




File Number: Z-9094
Planner: AR
Date Prepared: 2019/10/16
Technician: RC
By-Law No: Z.-1-

SUBJECT SITE 

1:1,250

0 5 10 20 30 40 Meters 



Geodatabase

Appendix B – Public Engagement

Community Engagement

Public liaison: On September 4, 2019, Notice of Application was sent to property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on September 5, 2019. A “Planning Application” sign was also posted on the site.

No replies were received

Nature of Liaison:

Request to allow single detached dwellings with a minimum interior side yard setback of 1.2m(3.9 feet) and a minimum lot frontage of 11m (36 feet).

Agency/Departmental Comments

Parks Planning

Parks Planning and Design do not have concerns with the proposed application.

Heritage

There are currently no heritage planning or archaeological issues related to this property and associated file.

Development Services – Engineering

No comments for the re-zoning application.

London Hydro

This site is presently serviced by London Hydro. Contact the Engineering Dept. a service upgrade is required to facilitate the new building /addition 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.

Appendix C – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this requested land use change. The most relevant policies, by-laws, and legislation are identified as follows:

Provincial Policy Statement, 2014

1.1.1 c – avoid land use conflicts

1.1.3.1 – settlement areas

1.1.3.2 – efficient use of land

1989 Official Plan

Chapter 3: Multi-Family Medium Density Residential

The London Plan

916 – Neighbourhood Place Type

921 – Permitted Uses

Appendix D – Relevant Background

Additional Maps

The London Plan Map 1 – Land Use



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	

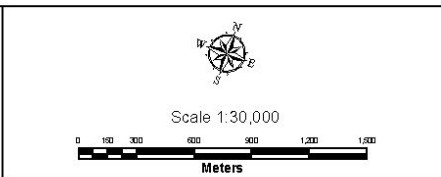
This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

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 -

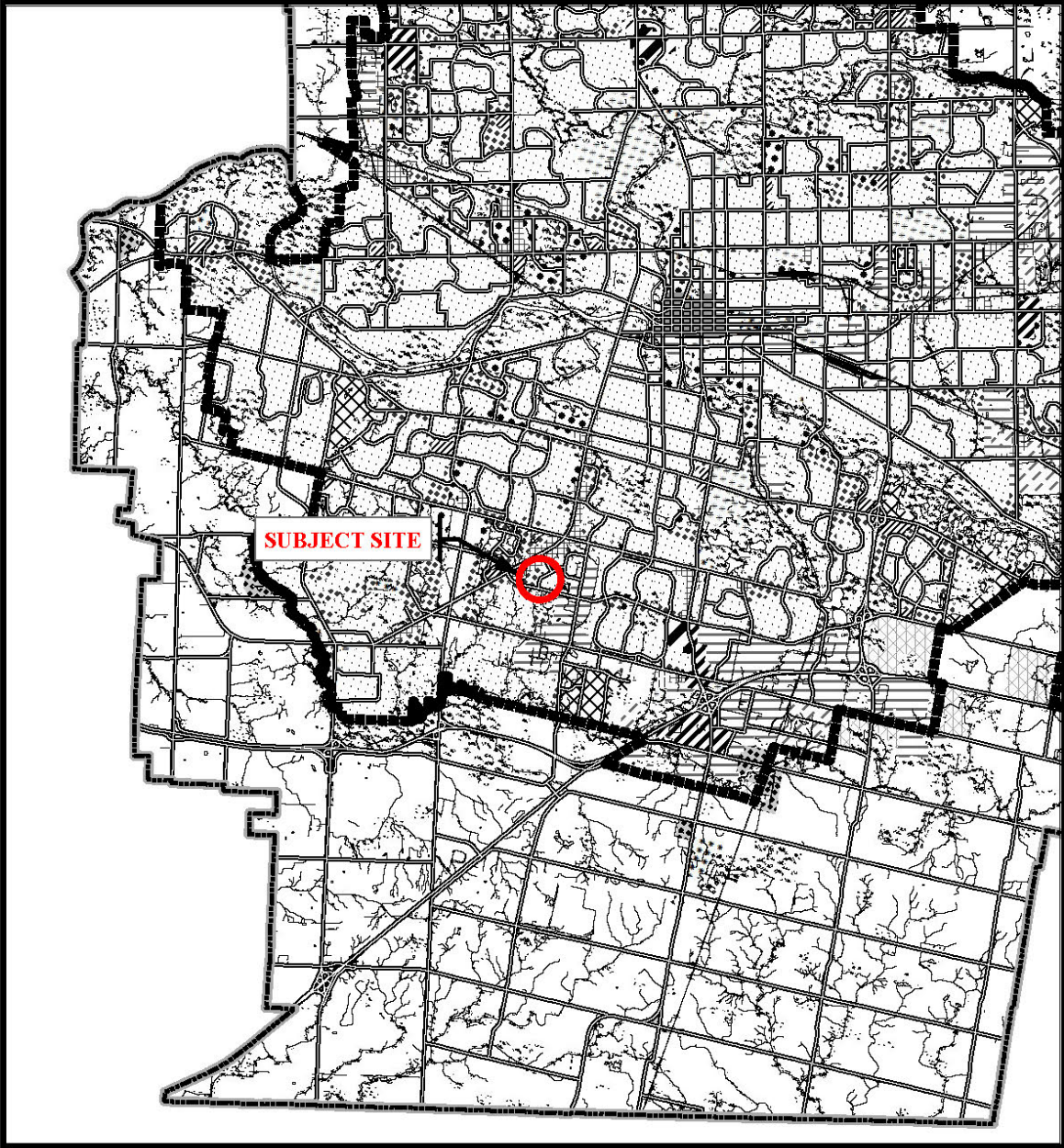
PREPARED BY: Planning Services



File Number: Z-9094
Planner: AR
Technician: RC
Date: August 14, 2019

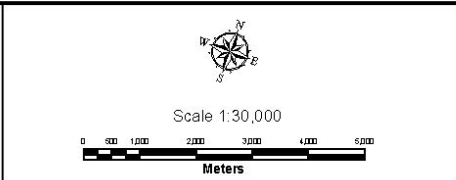
Project Location: E:\Planning\Projectsp_officialplan\workconsol00\excerpts_LondonPlan\mxd\Z-9094-Map1_PlaceTypes_b&w_8x14.mxd

1989 Official Plan Schedule A – Land Use



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

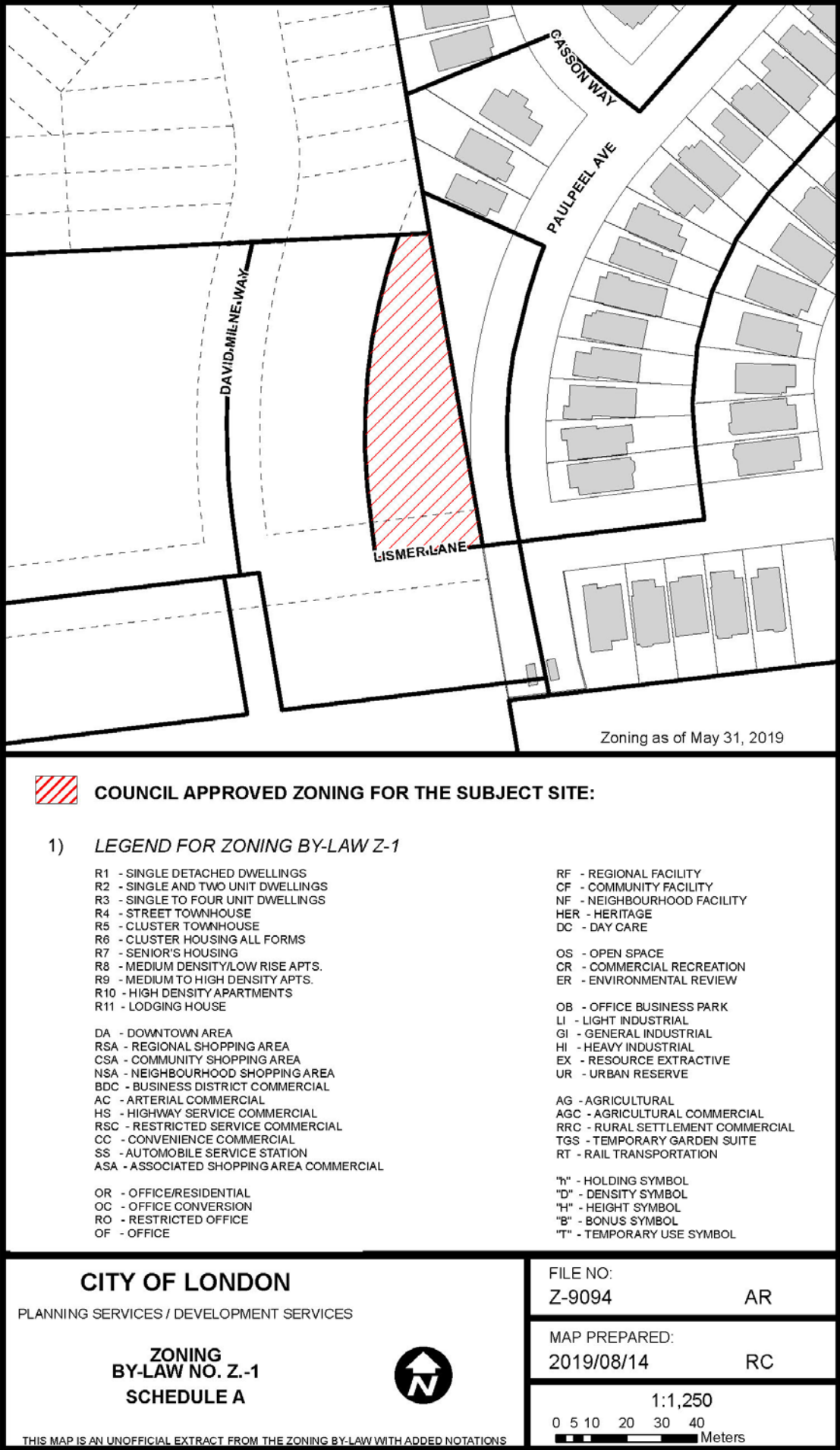
CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -
 PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-9094
 PLANNER: AR
 TECHNICIAN: RC
 DATE: 2019/08/14

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

Zoning By-law Z.-1 Map



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: Draft Plan of Vacant Land Condominium By Sifton Properties
Ltd.
3260 Singleton Ave

Public Participation Meeting on: November 4, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Sifton Properties Ltd. relating to the property located at 3260 Singleton Ave:

- (a) the Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to the property located on a portion of 3260 Singleton Ave; and,
- (b) the Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the Site Plan Approval application relating to the property located on a portion of 3260 Singleton Ave.

Executive Summary

Summary of Request

This is a request by Sifton Properties Ltd. to consider a proposed Draft Plan of Vacant Land Condominium. The proposed Plan of Condominium is being reviewed concurrently with an application for Site Plan Approval. The plan consists of 62 dwelling units, within multiple townhouses providing access from Springmeadow Road. The applicant's intent is to register the development as one Condominium Corporation.

Purpose and the Effect of Recommended Action

The purpose and effect is to report to the Approval Authority any issues or concerns raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject lands are located on the south side of Southdale Road West, just east of Springmeadow Road. The site is generally flat and is located adjacent to the Holy Trinity Greek Orthodox Church to the east, and low density development and medium density residential development to the south and west.

The proposal consists of one multi-family medium density residential block within a draft plan of subdivision (Plan 33M-636). The site is currently vacant and approximately 1.53 ha in size. The site has full access to municipal services and is located in an area which is planned for future growth.

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

- The London Plan Place Type – Neighbourhoods

- (1989) Official Plan Designation – Multi-Family, Medium Density Residential
- Existing Zoning – h-54*h-71*h-100*h-105*h-136*R5-7(8)*R6-5(48)*R7(20)D75H13*R8-4(32)

1.4 Site Characteristics

- Current Land Use – Vacant
- Frontage – 72.95 metres
- Depth – Varies
- Area – 1.53 hectares
- Shape – Irregular

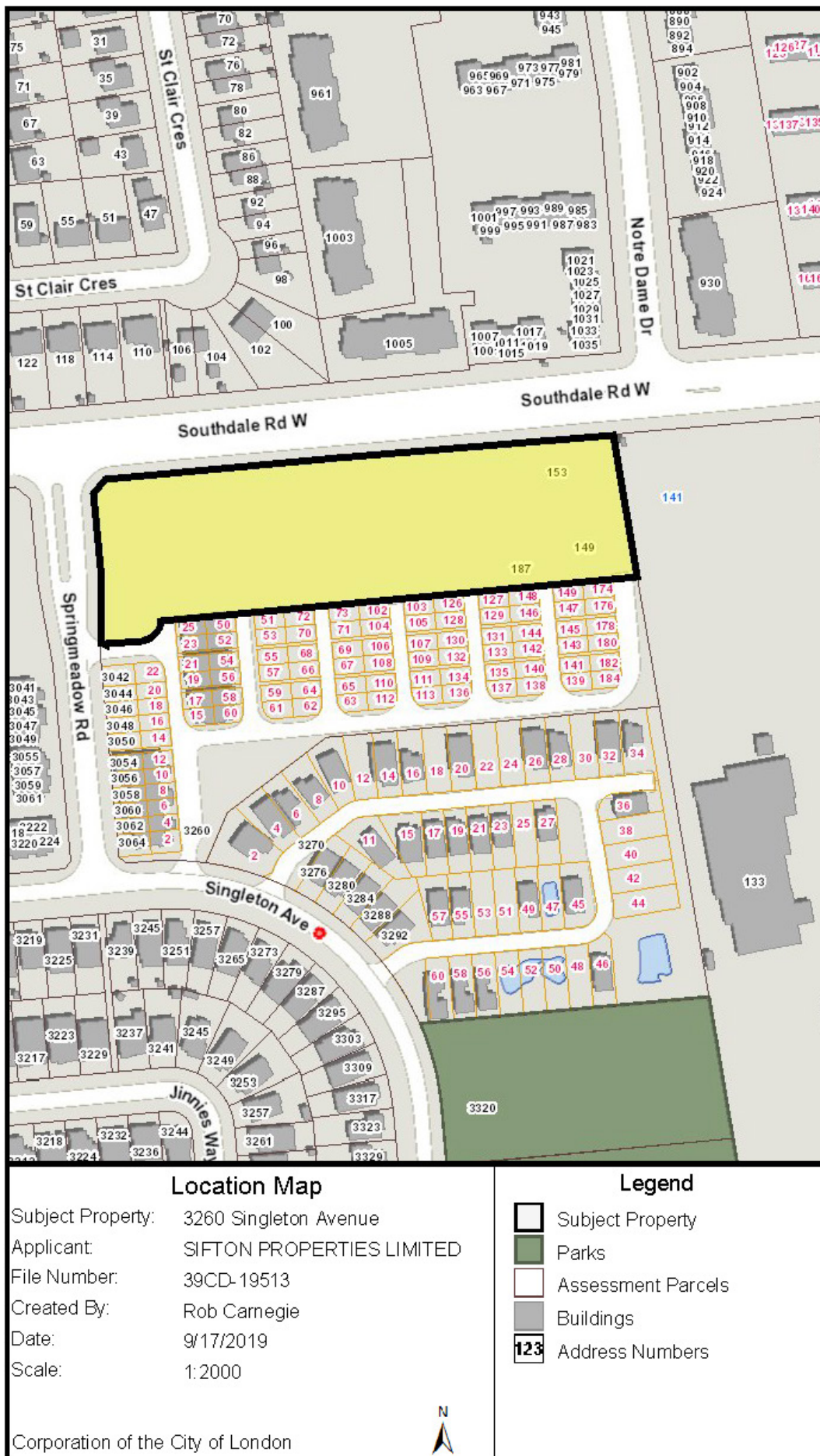
1.5 Surrounding Land Uses

- North – Southdale Road West/Residential
- East – Private Community Centre
- South – Residential
- West – Residential

1.5 Intensification (62 units)

- The 62 unit, cluster townhome development located outside of the Built-Area Boundary and Primary Transit Area

1.6 LOCATION MAP



Location Map

Subject Property: 3260 Singleton Avenue
 Applicant: SIFTON PROPERTIES LIMITED
 File Number: 39CD-19513
 Created By: Rob Carnegie
 Date: 9/17/2019
 Scale: 1:2000

Legend

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

Corporation of the City of London



2.0 Description of Proposal

2.1 Development Proposal

The effect of the application request is to create 62 Vacant Land Condominium units to be developed in the form of cluster townhouse dwellings. Landscaped areas, internal driveways, services, and visitor parking spaces will be located within a common element to be maintained and managed by one Condominium Corporation.

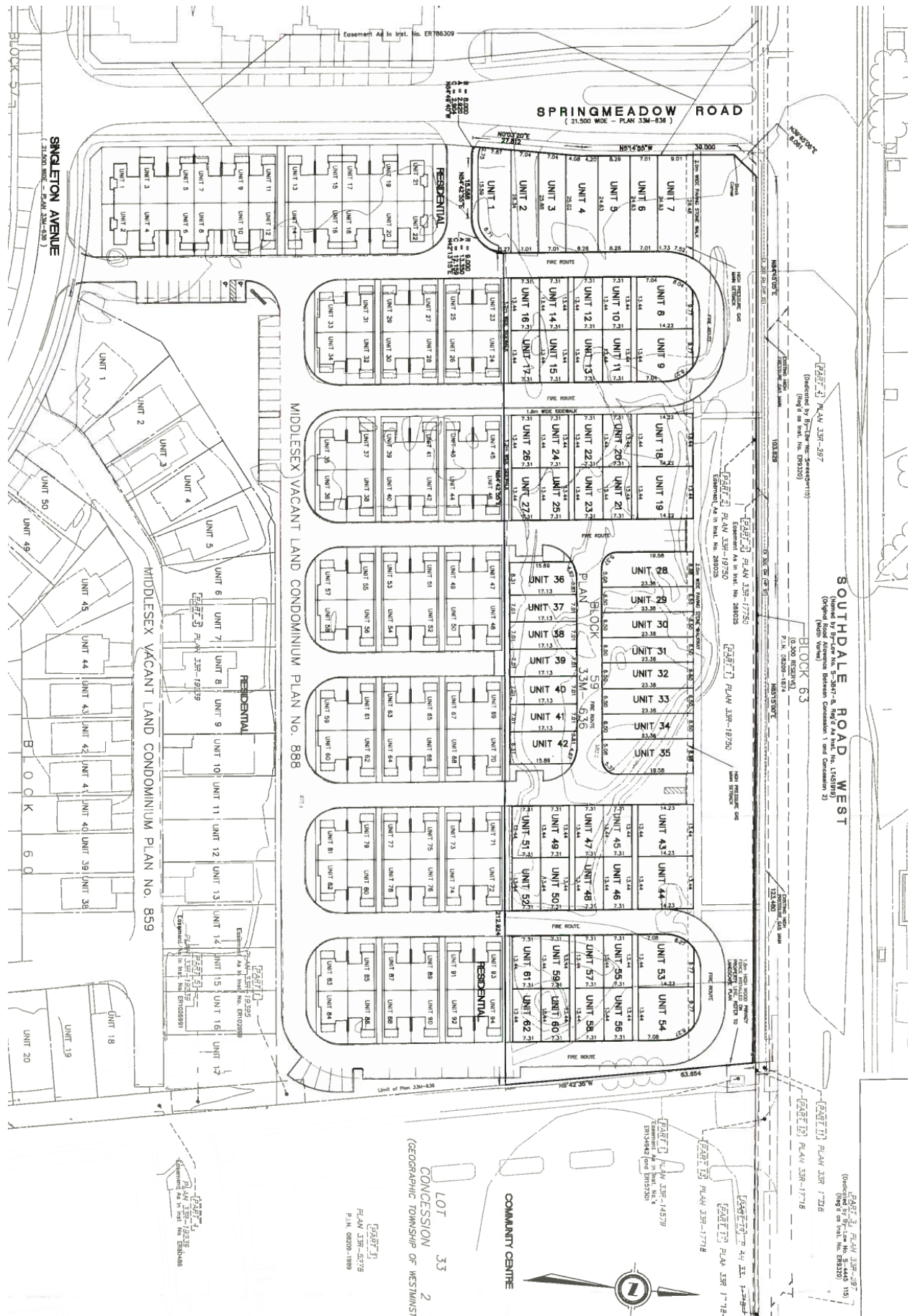


Figure 1: Proposed Vacant Land Condominium

An application for Site Plan Approval (SPA19-074) has also been made in conjunction with the application for Draft Plan of Vacant Land Condominium. The site plan submission, including servicing, grading, landscaping, and building elevation plans, are under review and will be informed by any comments received through the Vacant Land Condominium Public Participation Meeting.



Figure 2: Proposed Conceptual Elevations

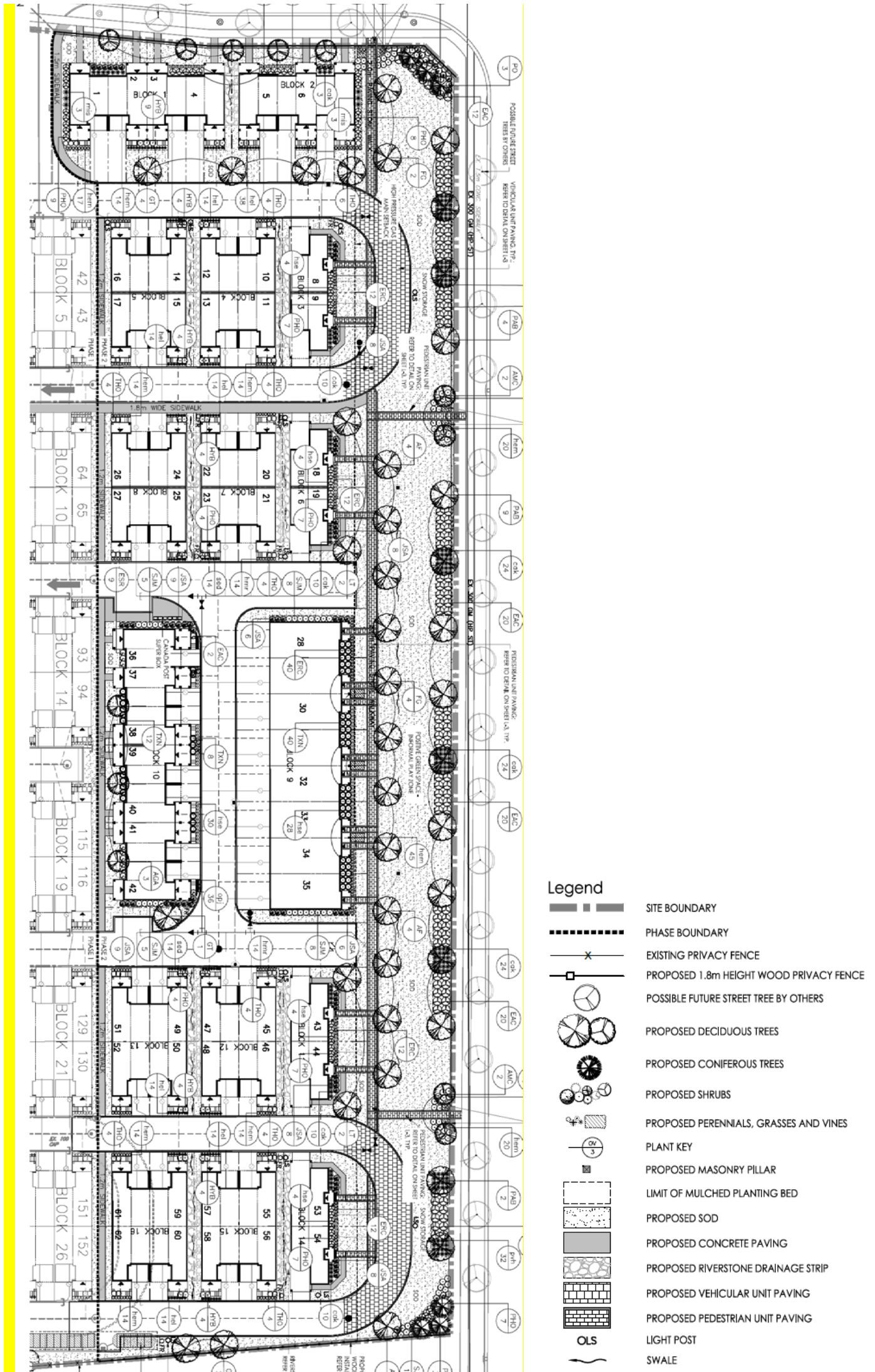


Figure 3: Amenity Space and Landscaping

3.0 Relevant Background

3.1 Planning History

The subject lands form part of the approved Bostwick East Area Plan and associated Official Plan amendments, which were adopted by Municipal Council in June of 2005. The subject lands were designated Multi-Family, Medium Density Residential through this process.

Further, the lands are part of the Southwest Area Plan, amended and approved by the OMB on April 29, 2014. The subject lands are within the North Longwoods Residential Area of this plan.

The subject lands are within the Bierens Subdivision (39T-08508/Z-7621), which was draft approved by the Approval Authority in October of 2009. Through this process, the site was rezoned to permit cluster housing with multiple holding provisions being applied. The parcel at 3260 Singleton Avenue was created through the registration of the subdivision (33M-636) on November 25, 2011.

Vacant Land Condominium development cannot be phased (under the Condominium Act) which is why the applicant brought forward the south portion of this development block first for approval. Site plan approval, along with a minor variance application were submitted in 2019 to accommodate the proposed cluster townhouse development. The requested variances are pending and the site plan application is running in parallel with this Vacant Land Condominium application.

The applicant has also applied to lift the h-54; h-71; h-100; h-105; and h-136 holding provisions from the site (H-9119). The applicant must address issues such as dwelling orientation, servicing, and transportation impacts prior to lifting these holding provisions.

3.2 Community Engagement (see more detail in Appendix A)

The requested amendment was circulated to the public on September 26, 2019 and advertised in the London on September 26, 2019. Through the public circulation process some community concerns were raised, particularly in regards to traffic. A traffic study was completed and accepted by the City. No concerns have been raised from the Transportation Division. Respondents felt the area cannot accommodate any increase in traffic. Members of the public also are concerned about landscaping, access, construction and school capacity.

In total 3 responses were received during the community consultation period. The comments received by Staff are attached to Appendix "C". The report below addresses these concerns in detail.

3.3 Policy Context

Provincial Policy Statement (PPS), 2014

This application has been reviewed for consistency with the 2014 Provincial Policy Statement. Land uses within settlement areas shall be based on densities which efficiently use land and resources, and will also capitalize on the existing infrastructure and public service facilities that are planned or available while supporting active transportation (1.1.3.2.a) & 1.4.3.d). The proposal will develop a vacant site that has full access to municipal services within a planned neighbourhood. Development of the lands by way of a vacant land plan of condominium minimizes the amount of land needed for road purposes and promotes a compact form of development. The subject lands are also located close to amenities and public open spaces. Based on the review of the Provincial Policy Statement, approval of the proposed plan with associated conditions would be consistent with the 2014 Provincial Policy Statement.

The London Plan

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

These lands are within the “Neighbourhoods” Place Types with frontage along a civic boulevard and a neighbourhood connector, which permits a wide range of multi-family medium density residential uses.

The City Building and Our Tools policies have also been applied in the review of this application. City Design policies regarding the site layout are supportive of the proposed development as the units provide access to the sidewalk along Southdale Road, as well as integrate with the townhomes to the south. The proposed development promotes connectivity and safe pedestrian movement within the development and to the surrounding neighbourhood (255*).

In the Our Tools section of The London Plan, Vacant Land Condominiums are considered based on the following (1709):

1. *The same considerations and requirements for the evaluation of draft plans of subdivision shall apply to draft plans of vacant land condominium;*

The proposed draft plan of vacant land condominium has been evaluated with regards to the review criteria for plans of subdivision. The proposed cluster townhouse dwelling units conform to the policies of the Official Plan’s multi-family medium density residential designation, the Southwest Area Plan and policies of The London Plan, and have access to municipal services.

Water is located and available along Singleton Avenue to service this development. Sanitary servicing is also located along Singleton Avenue to service this site. Storm-water will discharge to an existing drainage easement located along the eastern boundary of the subdivision.

From a transportation perspective, the collector road system was established through the subdivision process, and it was anticipated that blocks would access the collector road (Singleton Avenue and Springmeadow Road). The subject site will be serviced by the creation of two (2) driveways off Singleton Avenue and Springmeadow Road. As well, 7 units will have direct access/separate driveways onto Springmeadow Road. Provisions for a pedestrian linkage to the south and west will meet the London Plan objective of strong pedestrian connectivity and will allow easy access to the road system and transit connections.

The residential uses proposed are appropriate for the site, and there are no natural features or hazards associated with the site. The proposed development is located within proximity of a neighbourhood park (Westbury Park) and a future school block (located to the south of the park). Based on the size of the proposed lots and potential building footprints (as determined by the lot coverage in the zoning by-law) it is anticipated that the design of these homes will not have a negative impact on the character of this neighbourhood. Building elevation plans have been reviewed as part of the site plan submission. The size and style of townhouse dwellings are anticipated to contribute to housing choice and meet the community demand for housing type, tenure and affordability.

2. *The applicant may be required to provide site development concepts and meet design requirement consistent with the Site Plan Control By-law as part of the consideration of a draft plan of vacant land condominium;*

The draft plan of Vacant Land Condominium is being concurrently considered with an active Site Plan Application. The various requirements of the Site Plan Control By-law will be considered and implemented through a Development Agreement for the lands.

3. *Proposals for vacant land condominiums which will result in units above or below any other unit will not be supported;*

The proposed townhouse units do not result in unit boundaries below or above other units.

4. *Only one dwelling will be permitted per unit;*

There is only one townhouse dwelling proposed per unit.

5. *At the time of registration, structures cannot cross unit boundaries;*

A signed Development Agreement will be required prior to the final approval of the Vacant Land Condominium that will confirm both the location of structures and unit boundaries.

6. *The registration of a proposed development as more than one vacant land condominium corporation may be permitted if the proposal is supportive of comprehensive development and planning goals. The minimum number of units to be included in each condominium corporation will be adequate to allow for the reasonable independent operation of the condominium corporation.*

The proposed cluster townhouse development is to be developed as one condominium corporation.

(1989) Official Plan

The 1989 Official Plan designation for these lands is Multi-Family, Medium Density Residential (MFMDR). The primary permitted uses in the Multi-Family, Medium Density Residential designation shall 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 (3.3.1. Permitted Uses). The proposed vacant land condominium is in keeping with the range of permitted uses.

Developments within areas designated Multi-Family, Medium Density Residential 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. The takes on a similar scale of development to what exists in the surrounding area allowing for this transition from single detached dwellings to the west and commercial uses to the south and east. The development also provides a density of 40.5 uph which is less the 75 uph permitted in the MFMDR designation (3.3.3. Scale of Development).

The current application conforms to the (1989) Official Plan

Southwest Area Secondary Plan

The subject lands are within the Southwest Area Secondary Plan (SWAP) and are subject to the development vision and detailed policies of the SWAP. SWAP is a document intended to provide a comprehensive land use plan, servicing requirements and a phasing strategy for future development within the Urban Growth Area south of Southdale Road, east of Dingman Creek and north of the Highway 401/402 corridor. Additionally, the subject lands form part of the 'North Longwoods Residential Neighbourhood' within the greater area plan.

New development in North Longwoods will reflect the existing character of the neighbourhood and will provide a walkable environment with a pedestrian scale. The

built form will be primarily street oriented on all public rights-of-ways. The Low and Medium Density Residential designations apply to most of the existing and planned neighbourhoods of North Longwoods, reflecting land uses established through previous Area Plans and site specific applications.

The primary permitted uses and densities in the Multi-Family, Medium Density Residential (MFMDR) designation of SWAP defer to the permitted uses of the MFMDR designation in the 1989 Official Plan. The proposed cluster townhouse development is considered a permitted land use. The proposed vacant land condominium is considered appropriate for the site and meets the intent of providing a mix of housing forms and choice in the neighbourhood.

Vacant Land Condominium Application

The City of London Condominium Guidelines have been considered for the proposed Vacant Land Condominium which is comprised of various units and common elements. The City may require applicants to satisfy reasonable conditions prior to Final Approval and registration of the plan of condominium, as authorized under the provisions of subsection 51(25) of the *Planning Act*. In order to ensure that this Vacant Land Condominium development functions properly, the following may be required as conditions of draft approval:

- That site plan approval has been given and a Development Agreement has been entered into;
- Completion of site works in the common elements and the posting of security in addition to that held under the Development Agreement (if applicable), in the event these works are not completed prior to registration of the plan of condominium;
- Installation of fire route signs prior to registration;
- Confirmation of addressing information and door point numbers;
- Payment of outstanding taxes or local improvement charges, if any;
- Provision of servicing easements for utility providers (such as London Hydro, Union Gas, Bell, etc.);
- The maintenance of any stormwater servicing works including on-site works;
- Appropriate fencing;
- Arrangements be made dealing with rights of access to and use of joint facilities, and responsibility for and distribution of costs for maintenance of joint facilities; and,
- Ensuring that the Condominium Declaration to be registered on title adequately addresses the distribution of responsibilities between the unit owners and the condominium corporation for the maintenance of services, the internal driveway, amenity areas, and any other structures in the common elements.

Z.-1 Zoning By-law

The existing zoning is a Holding Residential (R5/R6 h-54*h-71*h-100*h-105*h-136*R5-7(8)*R6-5(48)*R7(20)D75H13*R8-4(32)) Zone which permits a range of dwelling types at a maximum density of 60 units per hectare, including the cluster townhouse dwellings proposed. This zoning would permit up to 102 units on the site. The current proposal of 62 units achieves 40.5 units per hectare. A minor variance is pending to permit the 40.5 units per hectare from 35 units per hectare permitted under the zoning to permit townhouse dwellings. It should be noted, the additional R7 Zone on the lands permits various forms of cluster housing such as townhouses, stacked townhouses, and single detached, semi-detached and apartment dwellings at a maximum density of 75 units per hectare. The zoning on the lands is consistent with The London Plan, 1989 Official Plan and Southwest Area Plan.

There are a series of holding provisions as well as follows:

- ensure that all noise attenuation measures, recommended in noise assessment reports acceptable to the City, are implemented (h-54);
- demonstrate how the front façade of the dwelling units can be oriented to all abutting streets (h-71);
- ensure adequate water service and appropriate access (h-100);

- ensure that a comprehensive storm drainage and stormwater management report is completed to address the stormwater management strategy for all lands within the subject plan and external lands where a private permanent on-site storm drainage facility is proposed for any block or blocks not serviced by a constructed regional stormwater management facility (h-105); and
- to ensure that development does not exceed a maximum interim threshold of 263 residential units, the temporary Bostwick sanitary sewage pumping station and forcemain are to be decommissioned, and a Traffic Impact Study is prepared, which demonstrates that the transportation infrastructure in Bostwick East is adequate to accommodate forecasted traffic volumes. It should be noted that this development does not exceed the interim threshold of 263 residential units, therefore, no Traffic Impact Study was required as part of the complete application (h-136).

The proposed development is consistent with the existing zoning and issues identified through the holding provisions will be addressed prior to approval of the Site Plan through the submission and acceptance of required studies and through the approved Site Plan and development agreement. The development is in conformity with the policies of The London Plan, 1989 Official Plan and Southwest Area Plan.

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

5.0 Conclusion

Based on all of the above analysis, the proposed Vacant Land Condominium represents an efficient use of land and encourages compact urban form. The proposed Vacant Land Condominium is consistent with the Provincial Policy Statement, and in conformity with The London Plan, the (1989) Official Plan, and the Southwest Area Plan. The applicant's proposal to allow for cluster townhouse dwellings in this area is appropriate and allows for a development which is of comparable size and scale as existing dwellings in this area. Overall, this application represents good land use planning and is appropriate. An Application for Site Plan Approval has also been submitted and reviewed in conjunction with the application for Vacant Land Condominium.

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.	

October 28, 2019

Y:\Shared\ADMIN\1- PEC Reports\2019 PEC Reports\17- November 4\3260 Singleton Ave 39CD-19513 (AR).docx

cc: Lou Pompili, Manager, Development Planning
cc: Matt Feldberg, Manager, Development Services (Subdivisions)
cc: Ismail Abusheheda, Manager, Development Engineering
cc: Heather McNeely, Manager, Development Services (Site Plans)

Appendix A – Community Engagement

Public liaison: On September 26, 2019, Notice of Application was sent to property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on September 26, 2019. A “Planning Application” sign was also posted on the site.

3 replies were received

Nature of Liaison: The purpose and effect of this zoning change is to approve a Draft Plan of Vacant Land Condominium consisting of 62 residential units. Consideration of a proposed draft plan consisting of 62 townhouse dwelling units and a common element for private access driveway and services to be registered as one Condominium Corporation. Application has also been made for approval for Site Plan Approval, file SPA19-031.

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

From: Derek Speller
Sent: Monday, September 30, 2019 1:17 PM
To: Riley, Alanna <ariley@London.ca>
Subject: [EXTERNAL] FILE:39CD-19513

Good afternoon Alanna.....further to my telephone call this morning and the notification I received per the subject file, I am summarizing my comments as follows:

1) Have Sifton comply with their original plan for this plot of land as specified at a Westmount Library Community meeting June 6/16.

Sifton Representatives, David Tennant, Councillor Hopkins. (representing Ward 9 at that time) & residents from north of Southdale Rd. and Singleton Ave. attended.

Context: Sifton presented a visual showing groupings of townhouses facing north/south with the frontage, immediately adjacent to Southdale Road, landscaped with trees, shrubs etc. and a roadway between the landscaped frontage and the townhouses. Subsequently, Sifton made requests to amend the original plan that included having the townhouses face east/west in order to add more townhouses to the complex.

2) “Access from Springmeadow Rd. and Private Drive” as outlined by the subject file has been, and is currently utilized by construction/tenant vehicles and has been since site inception. Sifton/City need to accommodate increasing traffic volumes onto and exiting Springmeadow Rd. at this location.

Context: Exiting Southdale Rd. to go south on Springmeadow is one lane with a centre island running north/south almost to the “access road”. Exiting Springmeadow onto Southdale includes a left turn lane. This T-junction has become an accident waiting to happen particularly turning left onto Southdale to go west.

By adding additional townhouses as proposed, traffic volume turning left off Southdale Rd. provides the potential of backing up the one lane going south on Springmeadow. Additionally, the the townhouse complex to the west of Springmeadow built by East Forest Homes has an access road immediately opposite the subject “access road”. This has caused the odd bottleneck due to construction vehicles resident vehicles (legally or illegally parked) school buses (of which are numerous in this neighbourhood) service provider vehicles etc. This entire traffic volume issue will get worse with the addition of additional living spaces, WITHOUT a thorough review of this T-junction and resident safety prior to approval of this planning application

3) Singleton Ave. home owner building fatigue has been ever present since 2013 with Sifton being one of many contributors. Conforming to their original plan will minimize greatly the construction fatigue going forward.

Context: Since 2013 Singleton Ave. has been directly/indirectly impacted by projects as follows: East Forest Homes; Tri-Car Development; Projects 33M661/39T005509; Bradley Extension; Gateway Casino relocation; Sifton Project 3260 Singleton Ave; and now subject file. While we were not naive when building our home that a new neighbourhood would experience growth, the constant use of Singleton by heavy/medium/light construction vehicles Mon-Sat; nail gun rapid fire; the steady beat of reversing equipment (beep beep beep); pile driving; manoeuvring around vehicles to get out of the neighbourhood; constant dust in the summer and mud after rain or melting snow.....asks the question "have the residents of Singleton Ave. had enough'?

I attended meetings on June 6th/16; July 18th/16 (city hall) Oct.24th/16 (city hall) and Oct.31st/16 (city hall) all connected with the original 3260 Singleton project. We were Ward 9 at inception; moved into Ward 10 at the last Municipal Election. Thank you for the opportunity to provide input and welcome any questions you may have. Regards Derek Speller 3225 Singleton Ave.

From: Derek Speller
Sent: Thursday, October 10, 2019 10:55 AM
To: Riley, Alanna <ariley@London.ca>
Subject: [EXTERNAL] FILE:39CD-19513

Good morning Alanna.....further to my e-mail of Sept.30th regarding the subject file, I would like to add a brief addendum predicated by my receipt of a notice of public hearing dated Oct.4th and related to 3260 Singleton Avenue. (Registered Plan # 33M-636)

I am fully aware that this Oct.4th notification relates to a 'variance' of an existing plan and is not part of the "application" as outlined in the subject file.

ADDENDUM: Subsequent to my e-mail of Sept.30/19 I received a public hearing notice of a meeting for Oct.28/19 for a variance to the 3260 Singleton Ave Block 59 that will increase maximum density from 35 units per hectare (maximum density permitted) to 41 units per hectare. This variance, if granted, adds to the points I have made in my correspondence of Sept.30th; particularly where traffic volumes are concerned and the perceived disregard Sifton has toward existing residents by constantly amending/deleting from initial plans to maximize profits.

While a "variance" & "application" are two different things in Municipal parlance, in this case the common denominators happens to be 3260 Singleton Ave; and the current residents that will have to deal with the real/potential consequences if one or both are approved.

Thank you once again for the opportunity.....Derek Speller 3225 Singleton Ave.

From: Pamela, K, Cochrane_McInnes
Sent: Wednesday, October 9, 2019 2:35 PM
To: Riley, Alanna ariley@London.ca, Paul Van Meerbergen pvanmeerbergen@london.ca
Subject: [EXTERNAL] File 39D-19510

Hi there,

In response to the recent notice, I do have questions regarding the type of townhouse complex that is planned to be built on Southdale Rd. W. – access from Springmeadow Road.

Question – what type of townhomes are to be built? Two Storey with no garage; three storey with garage; Quad Townhome similar to those built in current area? Would the townhomes have regular foot ceilings or higher? What exactly are they going to look like? Will there be any landscaping surrounding the townhomes?

Concern – the landscape of this area will change significantly depending on height (and density) of these buildings.

Concern – more population in this area will increase the traffic on Southdale. Currently, there is an issue with high velocity of traffic where some drivers are violating many laws (noise ordinance, speeding, drag racing, etc.) on Southdale (I will be dealing with this on a separate matter with London Police).

If you would kindly review my questions / concerns, and provide a response, it would be greatly appreciated.

p.s. in the past for any future development, there would be a meeting with the surrounding community residents. Has this changed? As well, are our concerns really take into consideration?

From: Jiang Mable

Sent: Wednesday, October 2, 2019 10:20 PM

To: Riley, Alanna <ariley@London.ca>

Subject: [EXTERNAL] Draft Plan of Vacant Land Condominium (3400 Singleton Avenue)

Please be advised that I object the draft vacant land condominium at 3260 Singleton ave File 39CD-19513.

I am concerned that this will increase the already heavy traffic in our neighborhood. Secondly our school system can not handle such an increase in housing.

Sincerely,

Baozhu Jiang

Agency/Departmental Comments

Bell Canada – September 27, 2019

“The Owner shall indicate in the Agreement, in words satisfactory to Bell Canada, that it will grant to Bell Canada any easements that may be required, which may include a blanket easement, for communication/telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements”.

Hydro One – September 26, 2019

No Objections

London Hydro – September 18, 2019

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment.

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 the Engineering Dept. to confirm requirements & availability.**

Stormwater Engineering – October 3, 2019

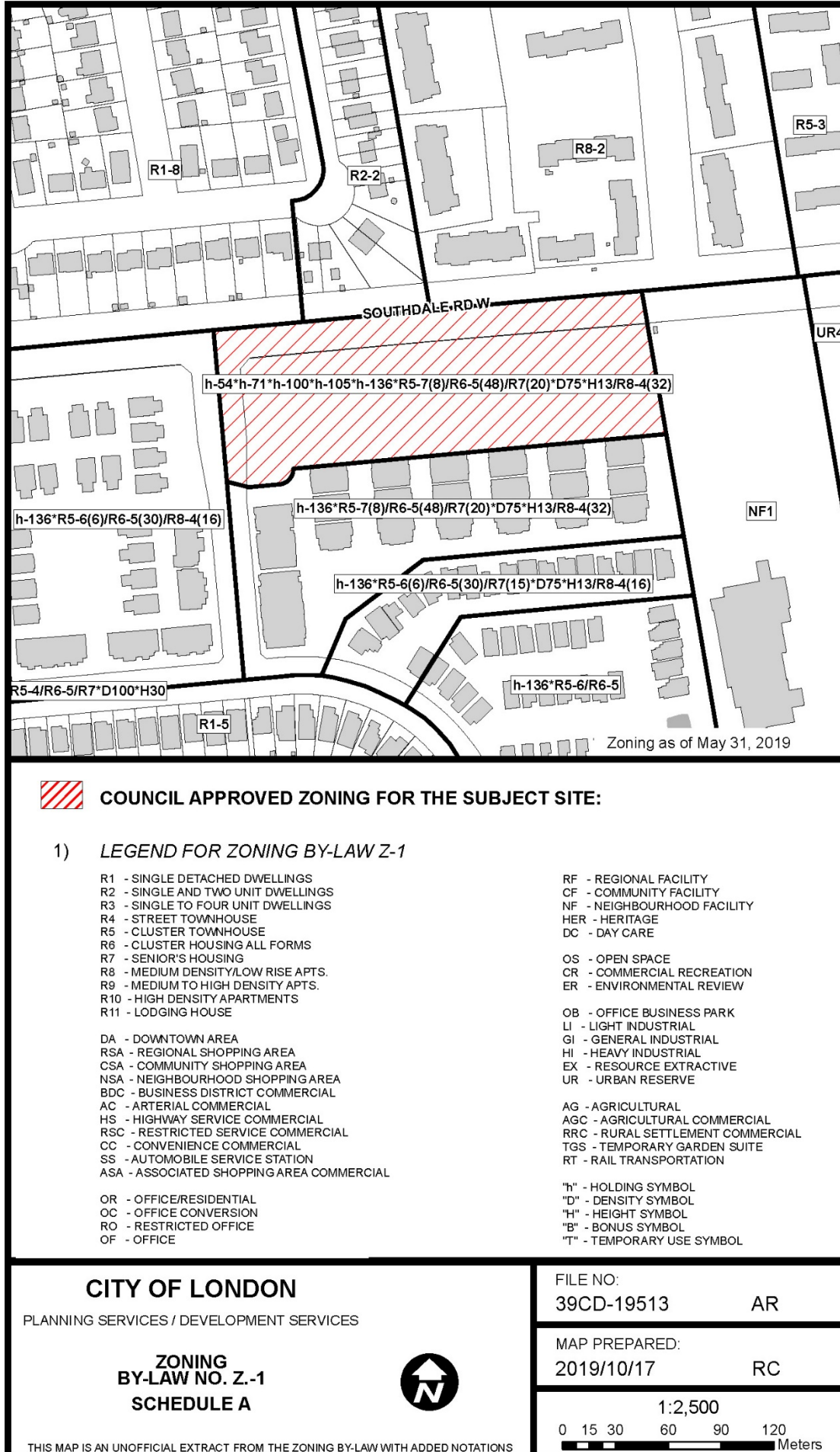
Please include the following conditions from SWED for the above noted application.

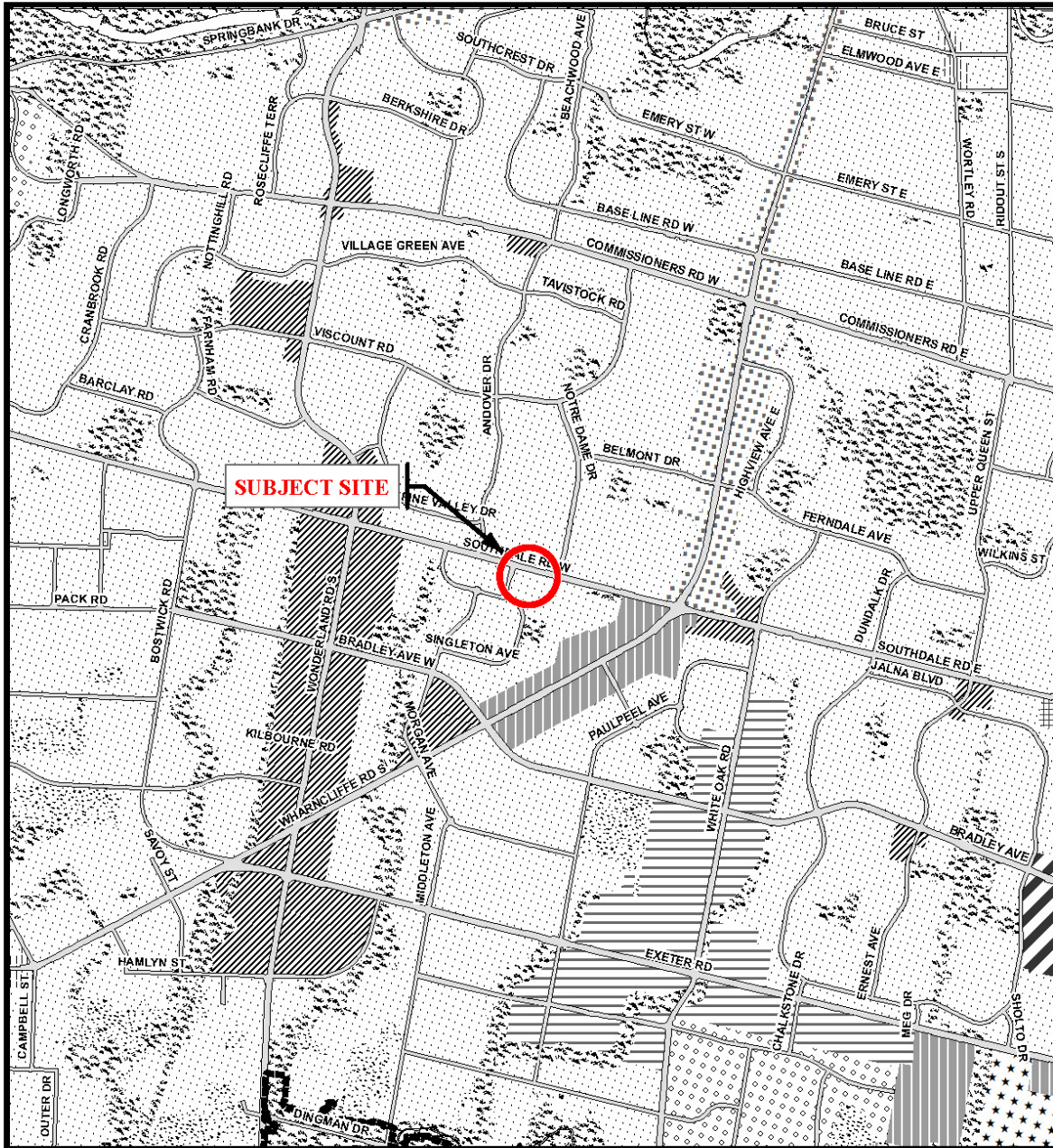
“The Owner acknowledges that the subject lands are part of a Site Plan application which is being reviewed or has been accepted under the Site Plan Approvals Process (File # SPA19-074) and that the Owner agrees that the development of this site under Approval of Draft Plan of Vacant Land Condominium shall comply with all final approved Site Plan conditions and approved engineering drawings for the current development application. Therefore, any conditions identified in the Development Agreement registered on title and any Private Permanent System(s) (PPS) that includes storm/drainage, Low Impact Development (LID) and SWM servicing works must be maintained and operated by the Owner in accordance with current applicable law.”

UTRCA – September 26, 2019

- No Objection

Appendix B – Additional Maps





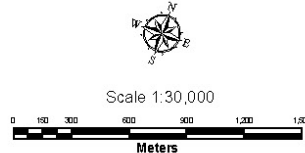
Legend

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

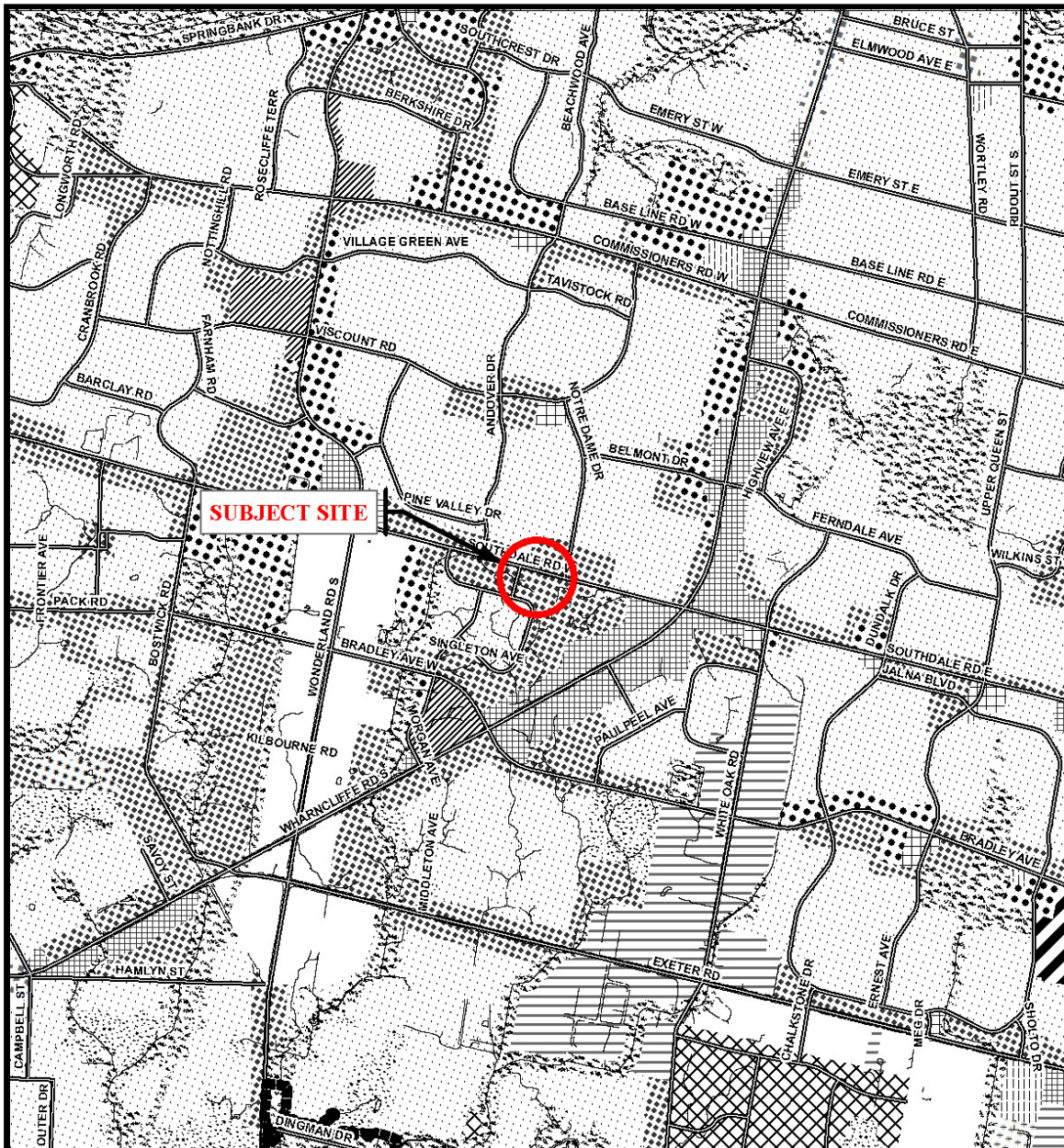
This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

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

CITY OF LONDON
Planning Services /
Development Services
LONDON PLAN MAP 1
- PLACE TYPES -
PREPARED BY: Planning Services

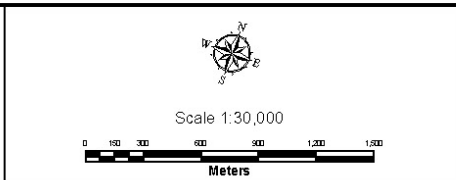


File Number: 39CD-19513
Planner: AR
Technician: RC
Date: October 17, 2019



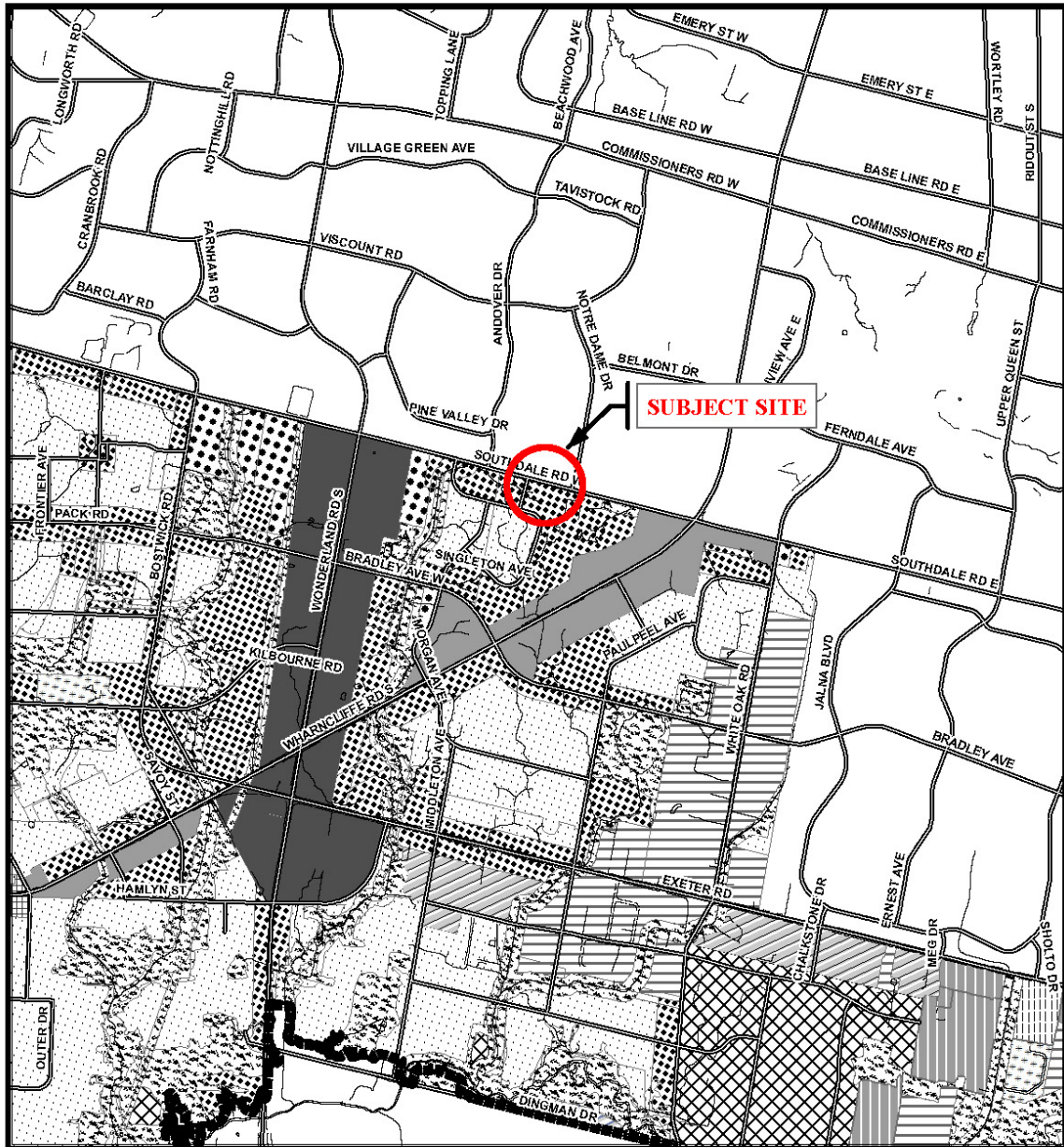
Legend	
	Downtown
	Enclosed Regional Commercial Node
	New Format Regional Commercial Node
	Community Commercial Node
	Neighbourhood Commercial Node
	Main Street Commercial Corridor
	Auto-Oriented Commercial Corridor
	Multi-Family, High Density Residential
	Multi-Family, Medium Density Residential
	Low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

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



FILE NUMBER: 39CD-19513
 PLANNER: AR
 TECHNICIAN: RC
 DATE: 2019/10/17

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



Legend	
	High Density Residential
	Medium Density Residential
	Low Density Residential
	Commercial
	Office
	Wonderland Road Community Enterprise Corridor
	Main Street Lambeth North
	Main Street Lambeth South
	Open Space
	Institutional
	Industrial
	Commercial Industrial
	Transitional Industrial
	Urban Reserve Community Growth
	Urban Reserve Industrial Growth
	Rural Settlement
	Urban Growth Boundary

<p>CITY OF LONDON Planning Services / Development Services SOUTHWEST AREA STUDY SECONDARY PLAN - LANDUSE - PREPARED BY: Graphics and Information Services</p>	 Scale 1:30,000 0 100 200 300 400 500 600 700 800 900 1,000 Meters	<p>FILE NUMBER: 39CD-19513 PLANNER: AR TECHNICIAN: RC DATE: 2019/10/17</p>
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