

Agenda Including Addeds

Planning and Environment Committee

The 1st Meeting of the Planning and Environment Committee

December 2, 2019, 4:00 PM

Council Chambers

Members

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

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

Pages

1. Call to Order

1.1 Disclosures of Pecuniary Interest

1.2 Election of Vice Chair for the term ending November 30, 2020

2. Consent

2.1	3rd Report of the Agricultural Advisory Committee	3
2.2	12th Report of the Environmental and Ecological Planning Advisory Committee	5
2.3	White Oak-Dingman Secondary Plan Update (O-8844)	10
2.4	Delegated Authority for Consent	16
	<i>a. (ADDED) Revised Pg 21</i>	27
2.5	Claybar Subdivision Phase 3 - Disposition of School Site - 2830, 2846 and 2870 Tokala Trail 39T-04503	28
2.6	Application - 3425 Emily Carr Lane (H-9139)	32
2.7	Application - 600 and 800 Sunningdale Road West - Removal of Holding Provision (H-9135)	42
2.8	Application - 1567 and 1571 Hyde Park Road - Removal of Holding Provision h-17 (H-9137)	50
2.9	Extension to Exemption of Part Lot Control - 1013, 1133, 1170 and 1250 Meadowlark Ridge (P-8727)	59
2.10	Exemption from Part-Lot Control - 915 and 965 Upperpoint Avenue, Pts of Blocks 134/135, 33M-754 (P-9077)	66
2.11	Exemption of Part-Lot Control -1031 and 1095 Upperpoint Avenue, Pts of Blocks 132/133, 33M-754 (P-9078)	74

2.12	Commissioners Road East Corridor Review	82
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3. Scheduled Items

3.1	Item not to be heard before 4:00 PM - Public Participation Meeting - Application - 448 Oxford Street East (Z-9104)	104
3.2	Item not to be heard before 4:00 PM - Public Participation Meeting - Urban Design Peer Review Panel Terms of Reference Update	123
3.3	Item not to be heard before 4:30 PM - Public Participation Meeting - 21 Norlan Avenue (Z-9111)	145
3.4	Item not to be heard before 4:30 PM - Public Participation Meeting - 943 Fanshawe Park West and 1800 Aldersbrook Gate (Z-9108)	164
	a. R. Webb, 1788 Aldersbrook Road	192
3.5	Item not to be heard before 5:00 PM - Public Participation Meeting - Application -1395 Riverbend Road - Zoning By-law Amendment (Z-9098)	196
3.6	Item not to be heard before 5:00 PM - Public Participation Meeting - Application - 1018 and 1028 Gainsborough Road (Z-9079)	231

4. Items for Direction

5. Deferred Matters/Additional Business

5.1	Deferred Matters List	285
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6. Confidential

6.1 Solicitor-Client Privilege/Litigation or Potential Litigation

This report can be considered in a meeting closed to the public as the subject matter being considered pertains to advice that is subject to solicitor-client privilege, including communications necessary for that purpose from the solicitor and officers and employees of the Corporation ; the subject matter pertains to litigation or potential litigation with respect to an appeal at the Local Planning Appeal Tribunal (“LPAT”), and for the purpose of providing instructions and directions to officers and employees of the Corporation.

7. Adjournment

Agricultural Advisory Committee

Report

The 3rd Meeting of the Agricultural Advisory Committee
November 20, 2019
Committee Room #3

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

ABSENT: S. Twynstra

ALSO PRESENT: C. Parker

The meeting was called to order at 7:00 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 Accessibility for Ontarians with Disabilities Act Training

That the Accessibility for Ontarians with Disabilities Act Training BE DEFERRED to the January 2020 meeting of the Agricultural Advisory Committee.

3. Consent

3.1 2nd Report of the Agricultural Advisory Committee

That it BE NOTED that the 2nd Report of the Agricultural Advisory Committee, from the meeting held on September 18, 2019, was received.

3.2 Revised Notice of Planning Application - Official Plan and Zoning By-law Amendment - 2555-2591 Bradley Avenue

That A. Riley, Senior Planner, BE ADVISED that the Agricultural Advisory Committee supports the Revised Application for an Official Plan and Zoning By-law Amendment for the properties located at 2555-2591 Bradley Avenue, as presented, as it supports the agricultural industry in the surrounding area; it being noted that the Notice of Planning Application, dated October 2, 2019, from A. Riley, Senior Planner, with respect to this matter, was received.

3.3 Notice of Planning Application - Zoning By-law Amendment - 6682 Fisher Lane

That it BE NOTED that the Notice of Planning Application, dated November 13, 2019, from M. Wu, Planner I, with respect to a Zoning By-law Amendment related to the property located at 6682 Fisher Lane, was received.

3.4 (ADDED) Public Meeting Notice - City Wide Amendment - Urban Design Peer Review Panel Terms of Reference Update

That it BE NOTED that the Public Meeting Notice, dated November 13, 2019, from J. Smolarek, Urban Designer, with respect to a city wide amendment related to the Urban Design Peer Review Panel Terms of Reference Update, was received.

3.5 (ADDED) Public Meeting Notice - Zoning By-law Amendment - 21 Norlan Avenue

That C. Parker, Senior Planner, BE ADVISED that the Agricultural Advisory Committee supports the proposed Zoning By-law Amendment with respect to the property located at 21 Norlan Avenue, as presented in the Public Meeting Notice dated November 13, 2019, from C. Parker, Senior Planner.

4. Sub-Committees and Working Groups

None.

5. Items for Discussion

5.1 Reducing Agricultural Produce Waste

That it BE NOTED that the communication, as appended to the agenda, from J. Kogelheide, with respect to reducing agricultural produce waste, was received.

5.2 Allowing "Farm Gate Sales" on Lands Within the Urban Growth Boundary - Update

That it BE NOTED that the staff report dated November 18, 2019, from the Managing Director, Planning and City Planner, and the communication dated November 18, 2019, from E. Rath, with respect to Allowing Farm Gate Sales on lands within the Urban Growth Boundary, were received.

5.3 Urban Agriculture Steering Committee Update

That it BE NOTED that a verbal update from C. Parker, Senior Planner, with respect to the Urban Agriculture Steering Committee, was received.

5.4 2020 Agricultural Advisory Committee Work Plan

That it BE NOTED that the Agricultural Advisory Committee (AAC) held a general discussion with respect to the 2020 AAC Work Plan.

6. Adjournment

The meeting adjourned at 8:19 PM.

Environmental and Ecological Planning Advisory Committee

Report

The 12th Meeting of the Environmental and Ecological Planning Advisory Committee
November 21, 2019
Committee Rooms #1 and #2

Attendance PRESENT: S. Levin (Chair), L. Banks, A. Bilson Darko, C. Dyck, P. Ferguson, L. Grieves, S. Hall, S. Heuchan, B. Krichker, K. Moser, B. Samuels, R. Trudeau and I. Whiteside and H. Lysynski (Clerk)

ALSO PRESENT: G. Barrett, C. Creighton, M. Fabro, S. Hudson, J. MacKay and L. McDougall

ABSENT: I. Arturo, A. Boyer, A. Cleaver, R. Doyle, S. Esan, J. Khan, I. Mohamed, S. Sivakumar and M. Wallace

The meeting was called to order at 5:03 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 Gregg Barrett, Manager, Long Range Planning and Sustainability re City Owned and Privately Owned Environmentally Significant Areas

That it BE NOTED that the Environmental and Ecological Planning Advisory Committee heard the attached presentation from G. Barrett, Manager, Long Range Planning and Sustainability, with respect to the differences between city-owned and privately owned Environmentally Significant Areas.

3. Consent

3.1 11th Report of the Environmental and Ecological Advisory Committee

That it BE NOTED that the 11th Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on October 17, 2019, was received.

3.2 Municipal Council Resolution - 10th Report of the Environmental and Ecological Planning Advisory Committee

That it BE NOTED that the Environmental and Ecological Planning Advisory Committee reviewed and received a Municipal Council resolution adopted at its meeting held on October 15, 2019, with respect to the 10th Report of the Environmental and Ecological Planning Advisory Committee.

3.3 Municipal Council Resolution - 8th Report of the Animal Welfare Advisory Committee

That it BE NOTED that the Environmental and Ecological Planning Advisory Committee reviewed and received a Municipal Council resolution adopted at its meeting held on October 15, 2019, with respect to the 8th Report of the Animal Welfare Advisory Committee, from its meeting held on September 5, 2019.

3.4 Municipal Council Resolution - 11th Report of the Environmental and Ecological Planning Advisory Committee

That it BE NOTED that the Environmental and Ecological Planning Advisory Committee reviewed and received a Municipal Council resolution adopted at its meeting held on November 12, 2019, with respect to the 11th Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on October 17, 2019.

3.5 Municipal Council Resolution - Environmental Considerations Relating to Studies and Reports

That a Working Group BE ESTABLISHED consisting of S. Levin and S. Hall with respect to environmental considerations relating to studies and reports; it being noted that the Environmental and Ecological Planning Advisory Committee reviewed and received a Municipal Council resolution adopted at its meeting held on November 12, 2019, with respect to these matters.

3.6 White Oak Dingman Secondary Plan - Response to EEPAC's Comments

That it BE NOTED that the Environmental and Ecological Planning Advisory Committee reviewed and received the Civic Administration's comments relating to the Environmental and Ecological Planning Advisory Committee's comments on the White Oak Dingman Secondary Plan.

4. Sub-Committees and Working Groups

4.1 Byron Gravel Pit Subject Land Status Report

That, the following actions be taken with respect to the Byron Gravel Pit Subject Land Status Report:

- a) the Working Group comments relating to the Byron Gravel Pit Subject Land Status Report BE FORWARDED to the Civic Administration for consideration; and,
- b) the Civic Administration BE REQUESTED to consider opportunities for retention of part or all unique landscapes, in particular, bank swallow habitat during the development of the Secondary Plan.

4.2 Environmental Management Guidelines

That the Working Group comments with respect to the Environmental Management Guidelines BE FORWARDED to the Civic Administration for consideration.

5. Items for Discussion

5.1 (ADDED) Bird Friendly Development Working Group

That B. Samuels and L. Grieves BE APPOINTED to the Bird Friendly Guidelines Working Group as the representative and alternate, respectively.

5.2 (ADDED) Subject Lands Status Report for Kilally South, East Basin Stormwater Servicing

That a Working Group BE ESTABLISHED consisting of I. Whiteside (lead), C. Dyck, P. Ferguson and B. Krichker, with respect to the Subject Lands Status Report for the Kilally South, East Basin Stormwater Servicing and to report back at the January 16, 2020 Environmental and Ecological Planning Advisory Committee meeting.

5.3 (ADDED) Wetland Conservation Strategy

That it BE NOTED that "A Wetland Conservation Strategy for London: A Discussion Paper on Best Practices" has been forwarded to the Civic Administration for their consideration.

6. Adjournment

The meeting adjourned at 6:21 PM.

Environmentally Significant Areas on Map 5 London Plan – Public and Private Ownership



21 November 2019
EEPAC



What is an Environmentally Significant Area?

1347_ Environmentally significant areas (ESAs) are **large areas** that contain natural features and perform ecological functions that warrant their retention in a natural state. Environmentally significant areas are large features of the Natural Heritage System, often represented by a complex of wetlands, woodlands, significant wildlife habitat or valleylands.



What is an Environmentally Significant Area?

1. The area contains **unusual landforms and/or rare to uncommon natural communities** within the country, province or London Subwatershed region.
2. The area contains **high-quality natural landform-vegetation communities** that are representative of **typical pre-settlement conditions** of the dominant physiographic units within the London sub-watershed region, and/or that have been classified as distinctive in the Province of Ontario.
3. The area, due to its **large size, generally more than 40 hectares, provides habitat** for species intolerant of disturbance or for species that require extensive blocks of suitable habitat.
4. The area, due to its **hydrologic characteristics**, contributes significantly to the healthy maintenance (quality or quantity) of a natural system beyond its boundaries.
5. The area has a **high biodiversity** of biological communities and/or associated plant and animal species within the context of the London sub-watershed region.
6. The area serves an **important wildlife habitat or linkage** function.
7. The area provides **significant habitat for rare, threatened or endangered indigenous species** of plants or animals that are rare within the country, province or county.



ESAs on London Plan Map 5 Natural Heritage



THE LONDON PLAN

EXCITING. EXCEPTIONAL. CONNECTED.

- Council Adopted and Minister Approved in 2016
- Subject to LPAT Appeal PL170100 - May 23, 2019
- Consolidated May 23, 2019
- **1,870 hectares of ESA lands on Map 5 Natural Heritage**



City of London Publicly Owned ESAs

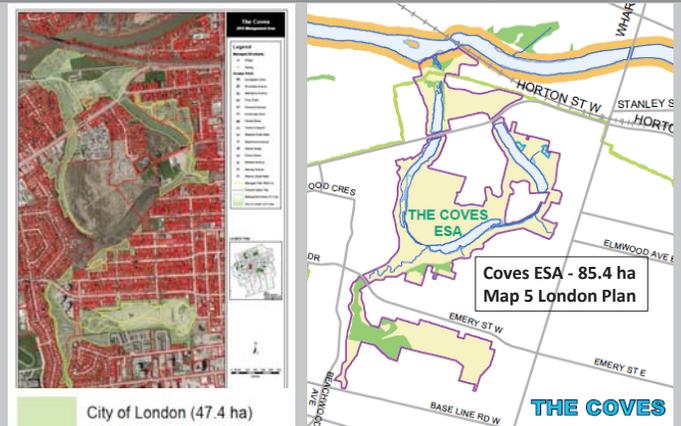
Publicly Owned ESAs in London:

- Westminster Ponds
- Sifton Bog
- Warbler Woods
- Kains Woods
- Kilally Meadows
- Meadowlily Woods
- Medway VHF
- Coves
- Lower Dingman
- Pottersburg Valley
- Kelly Stanton



- ESA Team manages 11 publicly owned ESAs (735.5 ha) under City funded contract
- About 50% of the ESA lands on Map 5 of the London plan are publicly owned, including Komoka Provincial Park.

Example of public/private ownership of an ESA



Coves ESA ecological boundary includes 85.4 hectares of public and private land on Map 5 London Plan. 47.4 hectares are publicly owned and 38 hectares are private.



ESAs in London Plan

1367_ Environmentally significant areas (ESAs) are large areas that contain natural features and perform ecological functions that warrant their retention in a natural state... While environmentally significant areas are protected by their inclusion in the Green Space Place Type, additional measures to provide for their protection, management and utilization are considered necessary, and may include the preparation of conservation master plans...

1409_ Some lands within environmentally significant areas are privately-owned, and this categorization of the lands is not to be interpreted as permitting access or use by the general public. Permission for public access to privately-owned lands in environmentally significant areas shall be at the discretion of the property owner.



Stewardship of Privately Owned ESAs

STEWARDSHIP 1408_

Where natural heritage areas are privately-owned, the City will encourage individual property owners to provide for their protection and conservation. In this regard, the City may use all of the following techniques:



Stewardship of Privately Owned ESAs

1. Stewardship agreements.
2. Conservation easements.
3. Programs to inform property owners of stewardship options available to protect or rehabilitate natural features and ecological functions.
4. Encourage the establishment of land trusts and the utilization of existing land trusts, as well as other mechanisms to purchase land and to rehabilitate, create or conserve natural heritage areas.
5. Encourage property owners to make use of programs and services provided by the Ministry of Natural Resources and Forestry and the conservation authorities for the management of forests and woodlots.
6. Modification of property tax assessment and/or facilitation of the Provincial Conservation Land Tax Incentive Program or the Managed Forest Tax Incentive Program .
7. Where privately-owned lands abut public lands, the City will provide signage or property demarcation to indicate the limits of publicly-owned lands.
8. Any other suitable techniques.



ESAs in London Questions?



Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: John M. Fleming
Managing Director, Planning and City Planner
Subject: White Oak-Dingman Secondary Plan Update
Meeting on: December 2, 2019

Recommendation

That, on the recommendation of the Managing Director, City Planning and City Planner, the following report regarding the White Oak-Dingman Secondary Plan **BE RECEIVED**.

Executive Summary

In March 2019 a report was brought to Council identifying that the White Oak-Dingman Secondary Plan be deferred until sufficient information regarding flood plain limits is available through the Upper Thames River Conservation Authority's review and update of its Dingman Creek flood plain map modelling. At that time, the Subject Land Status Report (SLSR) for the White Oak-Dingman Secondary Plan was in progress and the consultants had completed the natural heritage inventories of the subject site.

This report provides an update on the Subject Lands Status Report.

Analysis

1.0 White Oak-Dingman Secondary Plan Background

In 2014 the City of London initiated an Official Plan Amendment to conduct a review of the land uses within the White Oak-Dingman Area. The review was initiated as a result of a landowner request that the City review the Industrial designation and to have them considered for alternative land uses. The review was conducted as a background study to the preparation of *The London Plan*.

The review evaluated the Industrial lands within the study area, including the landowners' requests, to determine if it was appropriate for the lands to continue to be identified for industrial purposes or whether the lands should be re-designated to non-industrial uses (e.g. residential, commercial, institutional and/or open space).

The findings of the evaluation indicated the lands are poorly located for future industrial development, existing infrastructure investments are not being used efficiently, and a lack of market interest are precluding the lands from being developed for industrial purposes. As a result of the review, in March 2015 Council approved a change in Official Plan land use designation for a portion of the White Oak/Dingman area from "Industrial" designation to "Urban Reserve-Community Growth" designation. Changes to the Southwest Area Plan (SWAP) also reflect these changes.

Council's decision to re-designate a portion of the lands from Industrial to non-Industrial land uses was appealed to the Ontario Municipal Board (OMB). Council's decision to re-designate the lands for non-industrial uses was upheld by the Board through its August 2016 decision.

On December 12, 2017, Council directed a Secondary Plan be undertaken for lands south of Exeter Road, north of Dingman Drive, east of White Oak Road and west of the Marr Drain (See Figure 1, below), so that a vision for future growth and an urban designation can be applied to the "Urban Reserve-Community Growth" lands (termed "Future Community Growth" in *The London Plan*).



Figure 1: White Oak-Dingman Secondary Plan Area

The lands are owned by private landowners, with a portion owned by the City of London and Hydro One. The subject lands encompass an area of approximately 225 hectares.

The Secondary Plan process represents an opportunity to determine the appropriate land uses to provide for future community growth. A number of background studies are required to inform the preparation of the Secondary Plan. Amongst the background studies required are an Archaeological Assessment for cultural heritage artifacts, Subject Lands Status Report (SLSR) for natural heritage features, transportation study, and a servicing study.

2.0 Subject Lands Status Report

In accordance with policy 1428_ of *The London Plan*, an SLSR is generally required in order to:

- Confirm and map boundaries of natural heritage features and areas;
- Evaluate the significance of lands in the Environmental Review Place Type on Map 1;
- Identify and evaluate the significance of other natural heritage features and areas which are not included in the Green Space or Environmental Review Place Types on Map 1 including those natural heritage features and areas shown on Map 5 and vegetation patches greater than 0.5 hectares in size.

A draft SLSR was prepared by Parsons Inc. on behalf of the City of London. Permission to Enter (PTE) was requested from landowners within the study area prior to the start of field investigations. PTEs were secured for approximately half of the study area. For properties where PTE was not secured, investigations and observations were conducted from adjacent properties wherever possible and some assumptions were made regarding portions of certain features on properties which could not be directly accessed (e.g., air photo interpretation, adjacent photographs). This approach is supported by provincial protocols in the Province's Natural Heritage Reference Manual, the Ontario Wetland Evaluation System manual and, the City's Environmental Management Guidelines as the best practice in these instances.

The draft SLSR includes a three (3) season ecological inventory, following the City's Data Collection Standards for Ecological Inventory and other provincially and federally accepted protocols. Following specific timing protocols, the area was studied in 2018 for Amphibians, Birds, Plants, Reptiles, Mammals, Species at Risk and Significant Wildlife Habitat, and the Existing Uses and Disturbances were documented. Based on the findings of the SLSR, the identified natural heritage features will be added to the Secondary Plan and London Plan mapping. Natural Hazards, e.g., regulatory flood lines as identified by the UTRCA, will also be included in the Secondary Plan.

The draft SLSR has identified the natural heritage features and areas on the lands, and recommended changes to the natural areas mapping (Map 5, Natural Heritage) as part of the Secondary Plan. The SLSR has also identified that as specific development proposals come in, those proposed to be located adjacent to natural heritage features including those identified in the Secondary Plan will be subject to all of the Environmental Policies of the City's Official Plan (*The London Plan*) and the Provincial Policy Statement (PPS) 2014, consistent with policy 1432_ environmental impact studies. The SLSR thus supports a secondary plan's direction and role in protecting and sustaining natural heritage features, in accordance with *The London Plan* policy 1561_3.

Consultation and Feedback are On-going

The draft Subject Lands Status report was circulated to the applicant landowners in August 2019 and Staff met with the landowners on September 4, 2019 to discuss their comments on the draft.

The draft SLSR was made available on the City's website for public review and circulated to the Upper Thames River Conservation Authority (UTRCA).

Additionally, the draft SLSR was presented and circulated to the City's Environmental and Ecological Planning Advisory Committee (EEPAC) at their September 19, 2019 meeting. In response, EEPAC formed a working group and provided a committee response to the draft SLSR at the October 17, 2019, EEPAC meeting. This committee response was presented by delegation to the Planning and Environment Committee on November 4, 2019. The landowners also submitted letters to that November 4, 2019, Planning and Environment Committee.

Staff are reviewing the comments received from EEPAC and the landowners. Updates to the SLSR will result in a final SLSR and the information from which will be included into the final White Oak-Dingman Secondary Plan. The White Oak-Dingman Secondary Plan is anticipated to be prepared coincident with the Second Phase of the Dingman Creek Environmental Assessment. The completion of the Secondary Plan is subject to the completion of the UTRCA's Dingman Creek Subwatershed Screening Area Mapping (flood plain review), which will establish flood plain regulation and hazard limits, and the completion of the remaining background studies that are contingent on this hazard limit information.

Staff note that a number of comments from EEPAC and the landowners relate to the need for further review of the environmental features, including determining development setbacks from environmental features. The concern was also raised that the SLSR has evaluated certain features partly through interpretation of aerial photography where "permission to enter" releases were not granted by landowners. As noted above, this SLSR approach is supported by provincial protocols in the Province's Natural Heritage Reference Manual, the Ontario Wetland Evaluation System manual, the policies of the Official Plan, and the City's Environmental Management Guidelines as the best practice in these instances.

Staff identified at the outset of the SLSR process that additional study will be required. The SLSR is part of a two-step evaluation, which includes an SLSR at the time of the Secondary Plan, which confirm the boundaries of the natural features and areas, followed by an EIS at the time of specific development applications to ensure that the

impacts of any development adjacent to these features and areas is mitigated. The SLSR is undertaken as part of the Secondary Plan when the policy framework is being established for the land uses, intensities, and forms of the area. Once the Place Type and policies are determined, the landowners may make applications for specific developments consistent with the Secondary Plan's policy framework. This may include applications for Subdivision, Zoning By-law Amendment and Site Plan.

In accordance with London Plan policy 1431_, the future EIS(s) will be required prior to development in order to:

- Determine whether, or the extent to which, development may be permitted in areas within, or adjacent to, specific components of the Natural Heritage System.
- Confirm or refine the boundaries of the components of the Natural Heritage System.
- Include conditions to ensure development does not negatively impact natural features or ecological functions.

3.0 Dingman Creek Flood Plain Review

During summer 2018, it was identified to the City that an update to Dingman Creek flood plain map modelling was completed by the Upper Thames River Conservation Authority (UTRCA).

The updated flood plain map modelling is undergoing a peer review, and may result in changes to the Conservation Authority Regulation Area in the watershed. In the interim, the updated mapping is being used as a "screening area", requiring UTRCA review of planning and development applications. The City is concurrently conducting a Dingman Creek Environmental Assessment (EA). As part of the EA, a review of engineering works that may mitigate flood potential will also be assessed.

The flood plain "screening area", as identified in November 2018, has a significant impact on the White Oak-Dingman Secondary Plan area. Staff will continue to work with the UTRCA to review this "screening area", assist with the peer review, and coordinate land use planning processes with the concurrent Dingman Creek EA.

In November 2018, Council received a report identifying that the White Oak-Dingman Secondary Plan area will be located in the second phase of the Dingman Creek Environmental Assessment. In that report, Phase 2 was identified as a continuation of the Master Plan EA process but which will include a new or expanded problem statement to analyze potential engineering infrastructure for Dingman Creek (and tributaries not included in Phase 1) to mitigate flooding on impacted lands (as well as to improve access), all in consideration of the updated hazard information. During this time, the UTRCA will continue to confirm the extents of the natural hazards that are components of the UTRCA's Regulation Limits. Phase 2 of the Dingman Creek EA is targeted for completion in 2021.

In order to address land use and flood plain issues concurrently, and have the benefit of the EA evaluating the potential for flood mitigation measures, the completion of the outstanding background studies and the Secondary Plan will coincide with the second phase of the EA.

An update from the UTRCA is anticipated by end of 2019. Following that update, a separate report is anticipated to be brought to Council in the first quarter of 2020.

4.0 Conclusion

The draft SLSR for the White Oak-Dingman Secondary Plan has been prepared on behalf of the City by Parsons Inc. This evaluation includes recommendation for features to be identified on Map 5 (Natural Heritage) of *The London Plan* and lands to be added as "Green Space" Place Type to Map 1 (Place Types) of *The London Plan*. As specific

development proposals are made, those located adjacent to natural heritage features, including those identified in the Secondary Plan will be subject to the Environmental policies of The London Plan and the PPS.

Feedback on the draft SLSR has been received from the area landowners and EEPAC. Staff are reviewing and addressing this feedback. The final SLSR will be incorporated into the White Oak-Dingman Secondary Plan, which will be brought forward to Council for approval.

The Secondary Plan is targeted for 2021, in order to coordinate it with the UTRCA's review of the Dingman Creek flood plain mapping update and the Second Phase of the Dingman Creek Environmental Assessment.

A separate report regarding the Dingman Creek Flood Plain and Environmental Assessment is anticipated to be brought to Council in the first quarter of 2020.

Prepared by:	Travis Macbeth, MCIP, RPP Planner II, Planning Policy
Submitted by:	Gregg Barrett, AICP Manager, Long Range Planning and Sustainability
Recommended by:	John M. Fleming, MCIP, RPP Managing Director, City Planning and City Planner
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Planning Services	

November 14, 2019
TM/tm

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PEC\WODA Subject Lands Status Report_SLSR - Report to PEC - Dec 2, 2019 (v2).docx

Appendix B – Additional Reports

Additional Reports Pertinent to this Matter

- | | |
|-------------------|--|
| December 4, 2017 | Planning and Environment Committee, “White Oak/Dingman Secondary Plan – Terms of Reference for Project Initiation”. |
| November 12, 2018 | Planning and Environment Committee, “Upper Thames River Conservation Authority Dingman Creek Subwatershed Screening Area Mapping.” |
| March 18, 2019 | Planning and Environment Committee, “White Oak-Dingman Secondary Plan – Update Report.” |

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: George Kotsifas P. Eng.,
Managing Director, Development & Compliance Services and
Chief Building Official
Subject: Delegated Authority for Consent
Meeting on: December 2, 2019

Recommendation

That, on the recommendation of the Director, Development Services the proposed by-law attached hereto as Appendix "A" being "A by-law to provide for the Committee of Adjustment and Consent Authority and to repeal By-law CP-7, as amended" **BE INTRODUCED** at the Municipal Council meeting to be held on December 10, 2019.

Executive Summary

Purpose and the Effect of Recommended Action

To change the appointment of Municipal Council's consent-granting authority in By-law No. C.P.-7 entitled "Committee of Adjustment & London Consent Authority By-law". The purpose and effect of the recommend action is to change the appointment of Municipal Council's consent-granting authority from one appointed officer (the City Planner) to the Committee of Adjustment ("CoA") and another appointed officer (the Director, Development Services).

As per the proposed by-law, the CoA would act as the consent-granting authority for all instances except for technical matters, for which, the Director, Development Service would act as the consent-granting authority. Technical matters would include lot additions/adjustments, mortgages, leases, rights-of-way (easements), power of sales and/or validation of title that are not in conjunction with lot creation or variances to the City of London Zoning By-law No. Z.-1 (the "Zoning By-law").

Rationale of Recommended Action

The recommended change to the appointment of Municipal Council's consent-granting authority is consistent with the authority to grant consents set out in the Planning Act R.S.O. 1990, c. P. 13 (the "Planning Act"). The recommended change will improve community engagement, participation, and transparency in the decision-making process; allow decisions on related Consent and Minor Variance applications to be made concurrently by a single decision-making body in a coordinated and consistent manner; and better align the delivery of service by service areas.

Analysis

1.0 Consent-Granting Authority

1.1 What is a Consent

The Planning Act requires that consent (i.e. permission) be granted before land can be divided into smaller parts – commonly referred to as a "severance". Consent is typically required for lot creation, adjustment of property lines, registration of easements for rights-of-way, or for mortgages or charges over part of a property. The consent approval process described in Section 53 of the Planning Act is an alternative for land division proposals that are relatively less complex and where a plan of subdivision is not required.

1.2 Who grants Consent

The authority to grant consent to divide land originates in the Planning Act. Section 50(1) of the Planning Act assigns single-tier municipalities the consent-granting authority. Municipal councils may in turn delegate, by by-law, their consent-granting authority, or any part of their authority, to a committee of Council, to the CoA, or to an appointed officer in accordance with Section 54(5) of the Planning Act (See Figure 1). The “London Consent Authority” is the title of the committee or officer to which Municipal Council has delegated their authority.

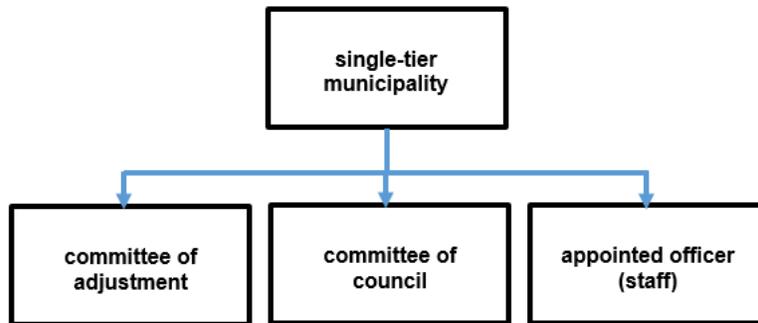


Figure 1: Alternatives for Delegation of Consent-Granting Authority for Single-tier Municipality

Since 1988, the London Consent Authority has been delegated to an appointed official; however, there have been periodic changes to which officer the consent-granting authority has been delegated. At present, the City Planner is appointed the London Consent Authority. As noted above, the alternative to the delegation of the consent-granting authority to an appointed official is to have Council delegate this authority to a committee of Council or to the CoA. In the Province of Ontario, it is not a common practice to utilize an appointed officer as the consent authority.

1.3 Overview of the Consent application process

Applications for consent are subject to prescribed notification and consultation requirements, issuance of decisions, processing of appeals to the Local Planning Appeals Tribunal (“LPAT”), clearance of conditions and issuance of certificates of consent, as set out in the Planning Act and its regulations. An overview of the consent application process is described below and illustrated in Figure 2.

A landowner or their agent may apply for a consent and the consent-granting authority may grant a consent if satisfied that a plan of subdivision is not necessary for the proper and orderly development of land. The information requirements for consent applications are set out in the Planning Act regulations and are reflected in the Corporation of the City of London (the “City”) Consent Application form.

The requirement for giving notice of a consent application is satisfied by the City by providing notice by publication in a newspaper, *The Londoner*, and by mailing notice to landowners within 60 metres of the subject lands. There is also a prescribed list of City departments and external agencies that receive notice of consent applications. The notice includes an explanation of the purpose and effect of the consent application, a description or map of the lands subject to the application, and indicates where and when additional information about the application can be obtained, and how to provide comment. The notice also includes direction regarding requests to receive a notice of decision, and the requirements to establish rights-of-appeal.

A public hearing has not been part of the City’s consent application process since the delegation of the consent-granting authority to an appointed official. However, the recommended change to the delegation of the consent-granting authority as set out in this report would introduce public hearings for consent applications considered by the CoA.

Applications may be refused, or approved, or approved with conditions, and notice of decision is given to the applicant and any person or body that had requested to receive a notice of decision. The appeal period commences with the issuance of the notice of decision; and the decision, or any conditions attached to the decision, may be appealed to the LPAT. If no appeals are filed within the appeal period then the decision of the consent-granting authority is final.

The applicant has a period of 1-year from the notice of decision to complete any conditions, failing which the consent lapses. These conditions may include, but are not limited to, matters of land dedication (i.e. road widening dedication, parkland dedication); the provision of easements; submission of subsequent studies and/or plans; requirement for Site Plan Approval etc. In some instances, the clearance of conditions requires that a Consent Agreement be entered into between the applicant and the City.

A certificate of consent is issued to the applicant by the consent-granting authority upon the clearance of conditions. If the division of land enabled by the consent has not been registered within 2-years of the issuance of the certificate of consent, the consent also lapses.

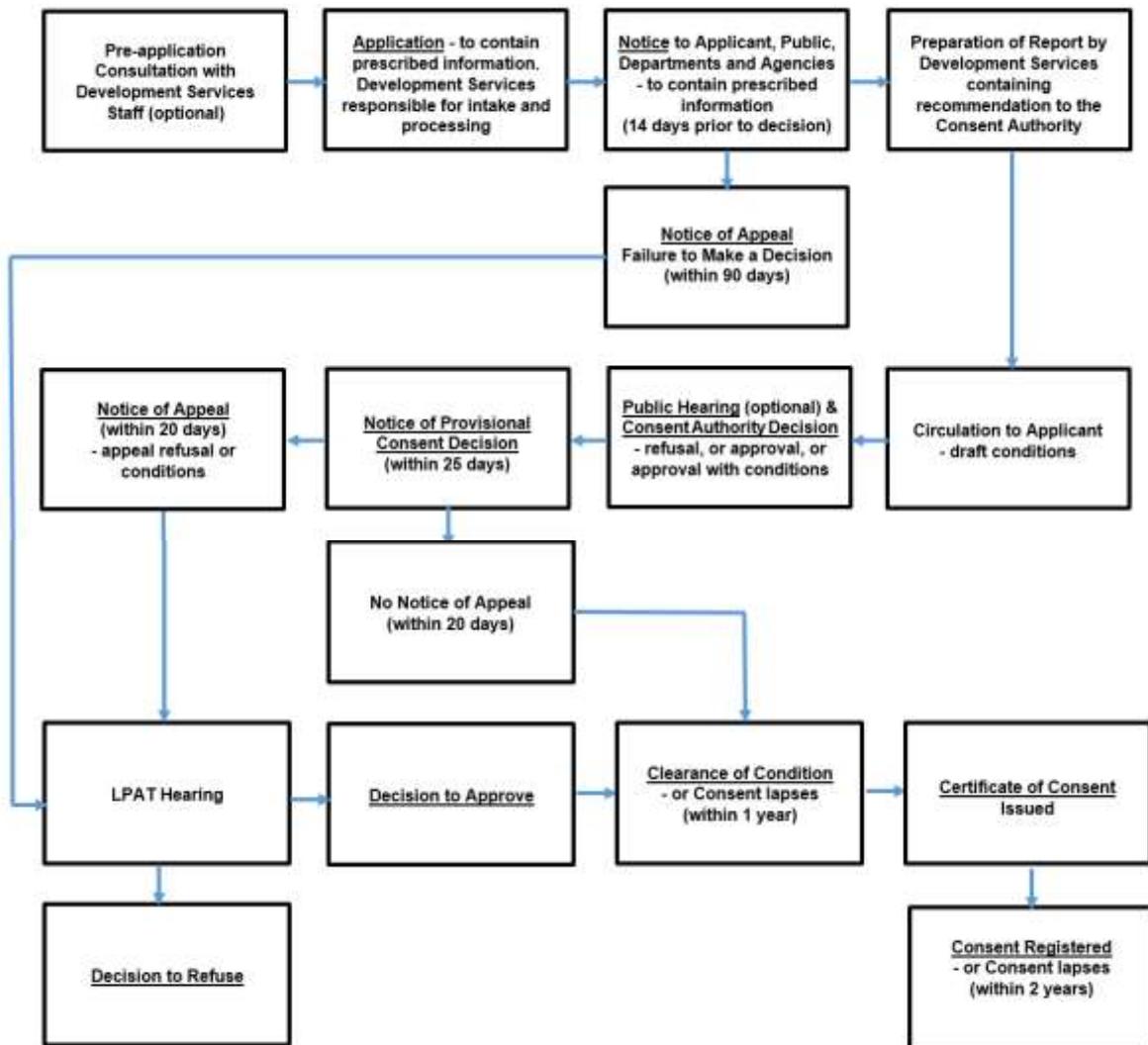


Figure 2: Overview of Consent application Process

1.4 Considerations for Consent

The review of consent applications is subject to the criteria and requirements of the Planning Act, the Provincial Policy Statements, and the Official Plan; and these criteria and requirements are similar to the matters which are to be regarded when considering a plan of subdivision, such as whether:

- the application is in the public interest or is premature;
- the application impacts Provincial interests;
- the applications conforms to the Official Plan and any adjacent plans of subdivision;

- the lands suit the proposal;
- the size and shape of the lots and the overall plan are suitable;
- the layout addresses energy conservation of natural resources and flood control;
- utilities, road systems, municipal services and schools are adequate; and
- the area of land being dedicated for public purposes is suitable.

To assist with the decision-making process, Development Services is responsible for the intake, processing and review all consent applications and prepares a recommendation report to the London Consent Authority.

2.0 Committee of Adjustment

2.1 Current role and responsibilities of members of the CoA

At present, five Council-appointed members of the public comprise the CoA and have been delegated the decision-making authority for Minor Variance applications. These same appointed members of the public also comprise the Property Standards Appeal Committee and hear appeals against orders to comply with the Property Standards By-law. Due to the increasing number of appeals against orders to comply made in connection with Residential Rental Licencing, it is increasingly less sustainable that the same five appointed-members of the public comprise both the CoA and the Property Standards Appeal Committee.

Over a 4-year reporting period (2016-2019), the number of property standards appeals have increased exponentially in connection with Residential Rental Unit Licensing, and most likely as a result of the change from self-reporting compliance as part of the Residential Rental Unit Licensing process, to inspections by the City. In 2016, there were 5 property standards appeals, that number increased to 21 property standards appeals in 2017. In 2018 there were 78 property standards appeals and as of the date of this report there were 95 property standards appeals in 2019.

With the number of property standards appeals now warranting separate hearings officers, Development Services has identified an opportunity, and several advantages (see Section 2.2) to changing the delegation of the consent-granting authority to the CoA. With regards to workload capacity and the ability of the CoA to deal with Consent applications once property standards appeals are moved to separate hearings officers, it should be noted that in comparison to the number of property standards appeals over the same 4-year reporting period noted above, the number of Consent applications each year has been consistently around 50 applications (See Figure 3).

Year	Number of Property Standards Appeals	Number of Consent Applications
2016	5	49
2017	21	54
2018	78	56
2019*	95	53

*year to date

Figure 3: 4-year reporting period (2016-2019)

2.2 Considerations for Changing the Delegated Authority for Consent

Development Services has identified several advantages to changing the delegation of the consent-granting authority from the City Planner to the CoA and the Director, Development Services. They are as follows:

1. Streamlined decision-making for related Consent and Minor Variance applications

Consent applications for lot creation frequently result in the need for a related Minor Variance application where the resulting lot(s) do not fully comply with the regulations of

the Zoning By-law that regulate the use and development of land. A Minor Variance is a small change or relief from the regulations of the Zoning By-law. In 2018, nearly a quarter (23%) of the Consent applications resulted in a corresponding Minor Variance application; and as the date of this report in 2019, 17% of the Consent applications resulted in a corresponding Minor Variance application. At present, it is the practice of the City that Consent applications be considered first and consent decisions granted by the London Consent Authority prior to the submission and consideration of Minor Variance applications by the CoA. This practice is potentially problematic in that two different approval bodies are involved and that they may come to different decisions on related matters. By delegating the consent-granting authority to the CoA for all but the technical consents described below, Consent applications and related Minor Variance applications can be considered concurrently by the CoA in a coordinated and consistent manner.

2. Improved community engagement & transparency in decision-making

At present, notices for Consent applications are published in the *Londoner* and mailed to property owners within 60 metres of the subject properties. The notices request that comments be made in writing to the London Consent Authority, but there is no public hearing, and there can be concerns about transparency in the wholly administrative-environment in which decisions are made. The recommended change to the delegation of the consent-granting authority would provide for a more open, transparent and participatory decision-making process for most Consent applications, whereby a public hearing would be held before the CoA and decisions would be made in an environment where the public could witness the decision of the consent-granting authority as opposed to the predominately closed and administrative process that exists today.

3. Appointed officer for technical matters

It is recommended that an appointed official, or their designate, continue as the delegated consent-granting authority for the purposes of lot additions/adjustments, mortgages, leases, rights-of-way (easements), power of sales and/or validation of title that are not in conjunction with lot creation or variances to the Zoning By-law. These are all technical matters that typically result in minimal public engagement and would not benefit from a public hearing before the CoA, nor would they be in conjunction with a variance requiring a coordinated or consistent decision-making process with the CoA. Delegation of the consent-granting authority to the Director, Development Service, or designate, is recommended to decrease the timelines associated with the approval process for technical matters (by not requiring a public hearing) and thereby provide for more expeditious and efficient delivery of service.

It is also recommended that an appointed officer continue to execute consent agreements to secure any conditions imposed through the decision-making process and execute certificates of consent regardless of whether the consent-granting authority is an appointed officer or the CoA. The execution or signing of consent agreements is an administrative function, not a decision-making function, and to bring matters back to CoA for this purpose would not be a wise or efficient use of the CoA's time.

Changing the delegation of the consent-granting authority from the City Planner to the Director, Development Services, or their designate, specifically for all technical matters that are not in conjunction with lot creation or variances to the Zoning By-law, and for the purpose of executing consent agreements and certificates of consent, would better align the delivery of service with the service area that intakes and processes Consent applications. It is important to note that the Director, Development Services is already securing consent conditions and executing agreements under the Execution of Certain Documents By-law (A-1).

3.0 Next Steps

As noted above, the proposed change to the delegation of the consent-granting authority cannot occur until such time as separate hearings officers are appointed for the purposes of the Property Standards Appeal Committee and the appointed members that currently act as the CoA and the Property Standards Appeal Committee are provided the capacity to act as both the decision-making authority for Minor Variance and Consent applications in their role as the CoA.

In the interim, a series of next steps have been identified for the first quarter of 2020. The next steps include training for the members of the CoA that would provide an overview of the Consent application process in the Province of Ontario and the legislative requirements and criteria for rendering decisions on consent applications (i.e. the planning considerations). Training would be facilitated by Development Services staff. Development Services would also engage key stakeholders to advise them of the proposed change to the delegation of the consent-granting authority and the change in process that would include a public hearing for those consent applications to be considered by the CoA. The City's Application for Consent would also require revisions to the described steps in the process to include the potential for a public hearing.

It is anticipated that the proposed by-law to change the delegation of the consent-granting authority would be brought back before Council for enactment by the end of the first quarter of 2020, and following enactment of the proposed by-law, the CoA and Director, Development Services would begin to act as the London Consent Authority

4.0 Conclusion

The recommended change to the appointment of Municipal Council's consent-granting authority from one appointed officer (the City Planner) to the CoA and another appointed officer (the Director, Development Services) will improve community engagement, participation, and transparency in the decision-making process; allow decisions on related Consent and Minor Variance applications to be made concurrently by a single decision-making body; and better align delivery of service by service areas. However, workload constraints placed on members of the CoA that also act as the Property Standards Appeals Committee do not allow for the recommended change to take place until such time as separate hearings officers are appointed for the Property Standards Appeal Committee. It is anticipated that the proposed by-law to change the delegation of the consent-granting authority will be brought back before Council for enactment at the end of the first quarter of 2020.

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.	

November 25, 2019

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

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Appendix A

Bill No.
2019

By-law No. CP-

A by-law to provide for the Committee of Adjustment and Consent Authority and to repeal By-law CP-7, as amended.

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*, 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 section 44 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, provides for a municipality to constitute and appoint a committee of adjustment;

AND WHEREAS section 45 of the *Planning Act*, as amended, sets out the powers of a committee of adjustment with respect to minor variance applications;

AND WHEREAS section 5 of the *Planning Act*, as amended, permits municipal council by by-law to delegate the authority of the Council under section 53 of the *Planning Act* to a committee of council or to an appointed officer identified in the by-law by name or position occupied;

AND WHEREAS subsection 54(5) of the *Planning Act*, as amended, provides that Municipal Council may by by-law delegate the authority of the council under section 53 of the Act or any part of that authority to an appointed officer identified in the by-law by name or position occupied or to the committee of adjustment;

AND WHEREAS it is deemed expedient to pass this by-law;

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

Part 1 - Committee of Adjustment

1.1 Established

The Committee of Adjustment for The Corporation of the City of London is established and constituted pursuant to section 44 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended.

1.2 Composition

The Committee of Adjustment for The Corporation of the City of London shall be composed of 5 individual appointed by Municipal Council.

1.3 Powers – authority – set out – Planning Act

The Committee of Adjustment for The Corporation of the City of London is empowered pursuant to section 45 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, and the regulations thereunder to grant minor variances and to change, to extend and/or to enlarge non-conforming uses with respect to the provisions of any zoning by-law of the municipality that implements the Official Plan for the City of London Planning Area.

Part 2 – Consent Authority

2.1 Established – Committee of Adjustment

The Committee of Adjustment for The Corporation of the City of London, established under section 1.1 of this by-law is hereby delegated the authority with respect to the granting of consents provided for under section 53 of the *Planning Act*, as amended, and the Committee of Adjustment shall act as the “London Consent Authority”.

2.2 Exception, London Consent Authority

Notwithstanding the delegation described in 2.1 of this by-law, The Corporation of the City of London hereby delegates the following specific consent powers, when not in conjunction with lot creation or variances to zoning regulations, to the Director, Development Services, acting as the “London Consent Authority”:

- (a) Lot additions/adjustments
- (b) Mortgages (over a part of a property)
- (c) Leases (over a part of a property when the term totals 21 years or more)
- (d) Rights-of-ways (easements)
- (e) Power of Sale
- (f) Validation of Title

2.3 Director, Development Services – Further Delegation

For the purpose of granting consents in accordance with section 2.2 of this by-law or entering into agreements in accordance with section 2.5, in the absence or vacancy of Director, Development Services, The Corporation of the City of London hereby delegates the authority under section 2.2 to the Manager, Current Planning.

2.4 Authority to Execute Certificates

The Secretary-Treasurer of the Committee of Adjustment shall be delegated the authority to give a certificate to the applicant stating that the consent has been given pursuant to sections 53(42) and 53(44) of the *Planning Act*, as amended.

2.5 Authority to Execute Agreements

The Director, Development Services, shall be delegated the authority to execute any agreements prepared in accordance with a condition imposed by the London Consent Authority.

Part 3 – Repeal – Enactment

3.1 By-law – previous

By-law CP-7 and all of its amendments are hereby repealed.

3.2 Effective date

This by-law comes into force and effect on May 1, 2020.

PASSED in Open Council on _____.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First reading –
Second reading –
Third reading –

Additional Reports

November 4, 2019, Report to the Planning and Environment Committee; *“Minor Variance Applications Considered by the Committee of Adjustment 2018 – Information Report”*.

March 22, 2010, Report to Planning Committee; *“Delegation of Consent Authority”*.

May 29, 2006, Report to Planning Committee; *“Changes in the London Consent Authority and Administrative Changes in the Consent Approval Process”*.

3.0 Next Steps

As noted above, the proposed change to the delegation of the consent-granting authority cannot occur until such time as separate hearings officers are appointed for the purposes of the Property Standards Appeal Committee and the appointed members that currently act as the CoA and the Property Standards Appeal Committee are provided the capacity to act as both the decision-making authority for Minor Variance and Consent applications in their role as the CoA.

In the interim, a series of next steps have been identified for the first quarter of 2020. The next steps include training for the members of the CoA that would provide an overview of the Consent application process in the Province of Ontario and the legislative requirements and criteria for rendering decisions on consent applications (i.e. the planning considerations). Training would be facilitated by Development Services staff. Development Services would also engage key stakeholders to advise them of the proposed change to the delegation of the consent-granting authority and the change in process that would include a public hearing for those consent applications to be considered by the CoA. The City's Application for Consent would also require revisions to the described steps in the process to include the potential for a public hearing.

The proposed by-law to change the delegation of the consent-granting authority has an effective date of May 1, 2020 to allow time to transition property standards appeals to separate hearings officers. Following the effective date of May 1, 2020, the CoA and the Director, Development Services would begin to act as the London Consent Authority.

4.0 Conclusion

The recommended change to the appointment of Municipal Council's consent-granting authority from one appointed officer (the City Planner) to the CoA and another appointed officer (the Director, Development Services) will improve community engagement, participation, and transparency in the decision-making process; allow decisions on related Consent and Minor Variance applications to be made concurrently by a single decision-making body; and better align delivery of service by service areas. However, workload constraints placed on members of the CoA that also act as the Property Standards Appeals Committee do not allow for the recommended change to take place until such time as separate hearings officers are appointed for the Property Standards Appeal Committee. The proposed by-law to change the delegation of the consent-granting authority has an effective date of May 1, 2020 to allow time to transition property standards appeals to separate hearings officers.

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: 39T-04503 - Claybar Subdivision Phase 3
Disposition of School Site
2830, 2846 and 2870 Tokala Trail

Meeting on: December 2, 2019

Recommendation

That, on the recommendation of the Director, Development Services, based on the applications of Claybar Developments Inc., Calloway Reit (Fox Hollow) and Foxwood Developments (London) Inc., owners of the potential school site located on the north side of Tokala Trail, west of Sedgefield Row, known municipally as 2830, 2846 and 2870 Tokala Trail and legally described as Block 204 on Plan 33M-676, Part 20 on 33R-17347 and Block 99 on Plan 33M-685 **BE ADVISED** that the City has no interest in acquiring the said property for municipal purposes.

Analysis

1.0 Site at a Glance

1.1 Property Description

When the Claybar Subdivision was adopted by Council in October of 2009, a school site was identified for the purpose of an elementary school. This site resides within different plans of subdivisions, those being 33M-676 and 33M-685, as well a block outside of a plan of subdivision.

This potential school site is located on the north side of Tokala Trail, at the north limits of Dalmagarry Road, and is known municipally as 2830, 2846 and 2870 Tokala Trail and legally described as Block 204 on Plan 33M-676, Part 20 on 33R-17347 and Block 99 on Plan 33M-685.

In accordance with the Subdivision Agreement, School Boards have three (3) years to purchase the site, from the date on which seventy percent (70%) of the dwelling units within the subdivision have had building permits issued or when the servicing of the subject site is completed to the satisfaction of the City Engineer, whichever is the later. If School Boards do not require the site, then the City has two (2) years from the same date on which the right to purchase by School Boards has expired or was waived, as the case may be, to give notice of intent to purchase the site for municipal purposes.

As of October 2, 2019, none of the four (4) school boards had expressed any interest in acquiring the site for the purpose of a new school.

Council Policy 19(34A), sets out the procedure for the City of London to consider acquisition of a potential school site, once School Boards have waived their right to acquire the potential school site. Firstly, Civic Departments are to be liaised to determine whether or not it is appropriate for the City to acquire the property for municipal purposes. Secondly, Development Services shall bring forth a report to the Planning and Environment Committee, who in turn shall make a recommendation to City Council, whether or not to purchase the site. Should Council determine that the subject property not be purchased, Development Services shall immediately notify the Owner, in writing, that the City has waived its right to purchase.

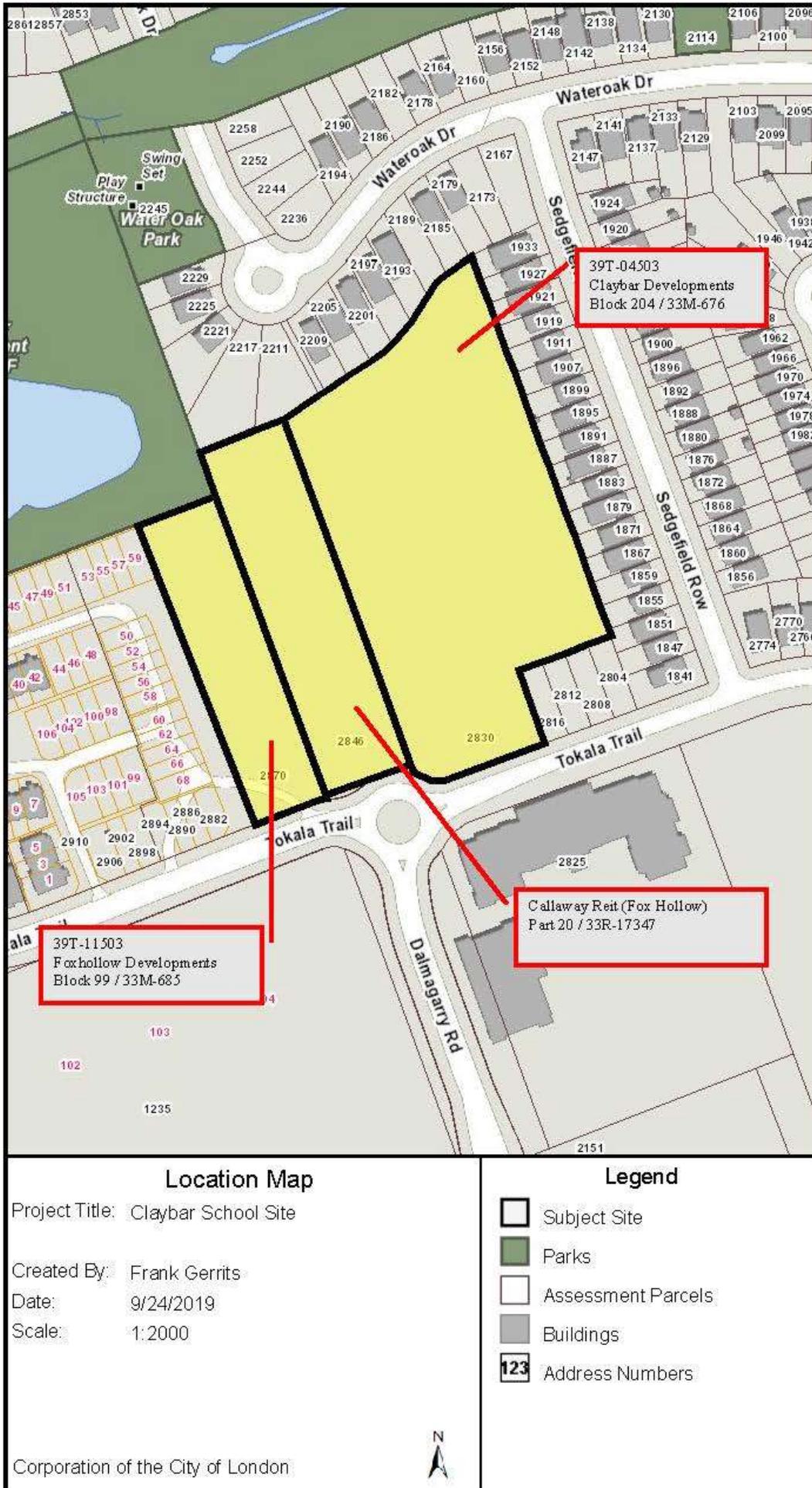
By letter dated November 3, 2016, the Thames Valley District School Board, the London District Catholic School Board, the Conseil Scolaire de District du Centre Sud Ouest and the Scholastic Council of Catholic Schools Southwestern Region were notified that building permits were issued to seventy percent (70%) of the units on or about October 2, 2016, thus commencing the School Boards option period and that they have until October 2, 2019 to exercise their right to purchase.

On September 24, 2019, a letter was sent to the Manager of Realty Services, indicating that the School Boards option is set to expire on October 2, 2019 and that without any expression of interest being received from either of the four (4) School Boards by October 2, 2019 that the City's option to purchase the site shall commence for a period of two (2) years.

Subsequently, on October 10, 2019, the Realty Service Division had liaised with internal Departments and external agencies to determine if there was any interest in acquiring all or a portion of the lands. On, November 8, 2019, Realty Services had indicated that there was no interest expressed by any of the parties.

As no Civic Departments have indicated an interest to acquire the property and the City has considered acquisition of this Block in accordance with Council Policy 19(34A), it is recommended the that Owner be advised that the City waives it right to purchase the land.

1.2 Location Map Proposed School Site



Prepared by:	Frank Gerrits Development Documentation Coordinator 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.	

November 25, 2019
/fg

CC: Matt Feldberg Manager, Development Services (Subdivisions)
Lou Pompilii, Manager, Development Planning
Ted Koza, Manager, Development Engineering

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 ('h' and 'h-100')
Application By: 2557727 Ontario Inc.
3425 Emilycarr Lane

Meeting on: December 2, 2019

Recommendation

That, on the recommendation of the Director, Development Services, based on the application by 2557727 Ontario Inc. relating to the property located at 3425 Emilycarr Lane (north portion), the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on December 10, 2019 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands **FROM** a Holding Residential R1 Special Provision (h*h-100*R1-3(7)) Zone and Holding Residential R1 Special Provision (h*h-94*h-100*R1-3(7)) Zone **TO** a Residential R1 Special Provision (R1-3(7)) Zone and Holding Residential R1 Special Provision (h-94*R1-3(7)) Zone to remove the "h" and "h-100" holding provisions.

Executive Summary

Purpose and the Effect of Recommended Action

The purpose and effect of this zoning change is to remove the "h" and "h-100" holding symbols from the zone map to permit the development of 48 single detached lots.

Rationale of Recommended Action

The conditions for removing the holding provisions have been met, as the required security has been submitted and the subdivision and development agreement has been signed, water looping has been installed and a secondary access is provided. All issues have been resolved and the holding provisions are no longer required.

1.0 Site at a Glance

1.1 Property Description

The site is addressed as 3245 Emilycarr Lane (north portion), and is located south of the existing commercial uses along Wharncliffe Road South, roughly halfway between the Bradley Ave and Southdale Road E intersection. There are existing residential uses to the east and future residential uses to the south, and west, while the lands to the north are used for commercial purposes.

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

- The London Plan Place Type – Neighbourhoods
- (1989) Official Plan Designation – Multi-Family, Medium Density Residential
- Existing Zoning – h*h-100*R1-3(7) and h*h-94*h-100*R1-3(7))

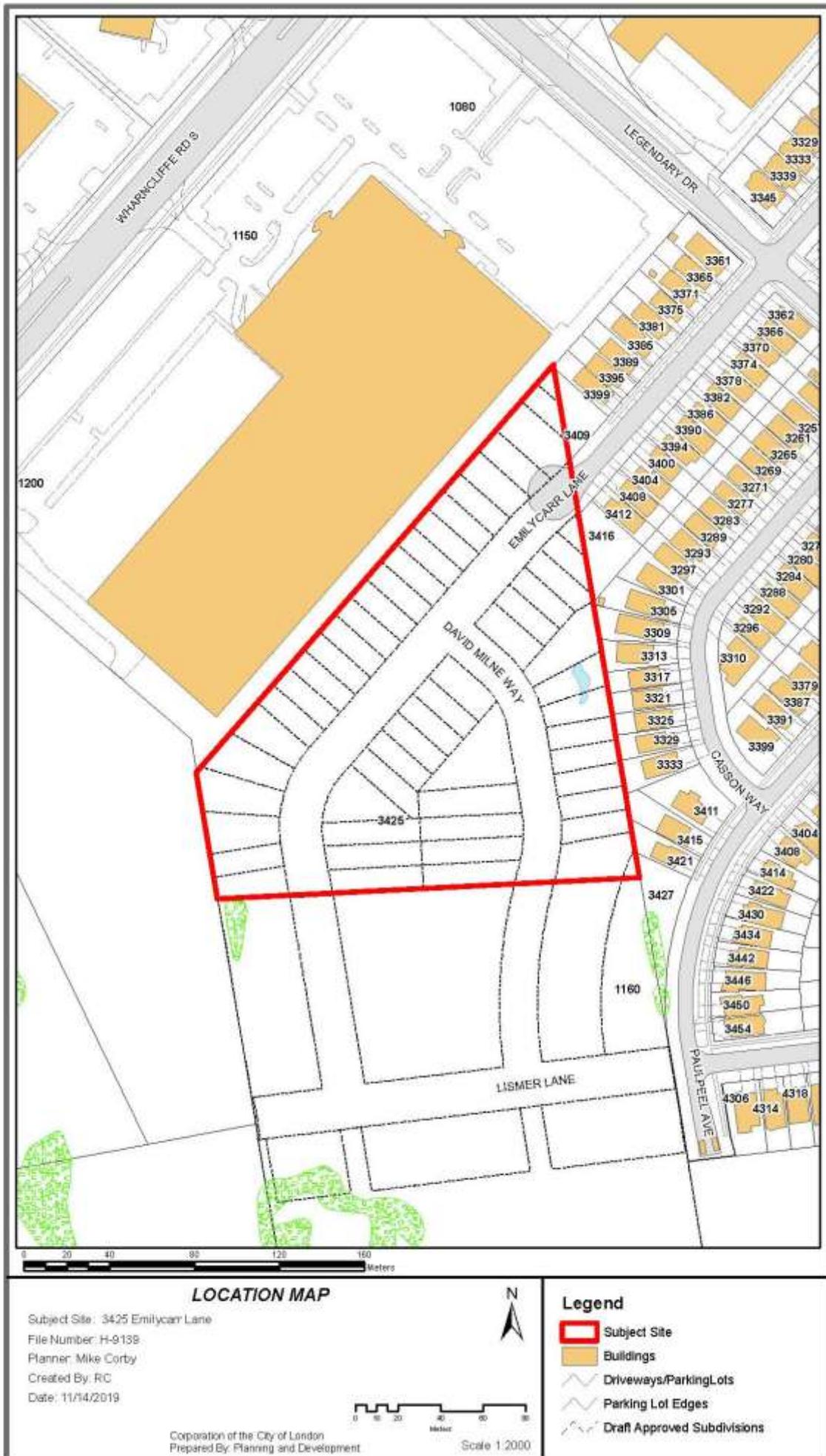
1.3 Site Characteristics

- Current Land Use – vacant
- Frontage – 25 m (82 feet)
- Depth – varies
- Area – approx. 3.0 ha (7.41 acres)
- Shape – irregular

1.4 Surrounding Land Uses

- North – commercial
- East – residential
- South – vacant - future residential
- West – future residential/commercial

1.5 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The requested amendment will permit the development of 42 residential (single-detached) building lots.

3.0 Relevant Background

3.1 Planning History

The zoning on the lands was approved on April 24, 2019 with the Draft Approval of the Emily Carr Lane (north portion) Subdivision (39T-18506).

3.2 Requested Amendment

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

3.3 Community Engagement (see more detail in Appendix B)

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

3.4 Policy Context

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

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

4.0 Key Issues and Considerations

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

The “h” holding provision states:

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

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

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

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

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

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

Permitted Interim Uses: A maximum of 80 residential units.

Through the subdivision process it has been determined that adequate water servicing can be provided to the subject site and future dwelling units. Also, the proposed 43 dwelling units is well below the 80 unit threshold for water looping and emergency access therefore, conditions for removing the holding “h-100” provision in this instance have been met.

The h-94 is being retained on portions of the property as a consistent lotting pattern has yet to be established through consolidation with adjacent lands.

5.0 Conclusion

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

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

November 14, 2019

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
Lou Pompilli, Manager, Development Planning
Ted Koza, Manager, Development Engineering

MC/mc

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Appendix A

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

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 3425 Emily Carr Lane.

WHEREAS 2557727 Ontario Inc. has applied to remove the holding provisions from the zoning for the lands located at 3425 Emily Carr Lane, as shown on the map attached to this by-law, as set out below;

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

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 3425 Emily Carr Lane, as shown on the attached map, to remove the h and h-100 holding provisions so that the zoning of the lands as a Residential R1 Special Provision (R1-3(7)) and Holding Residential R1 Special Provision (h-94*R1-3(7)) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

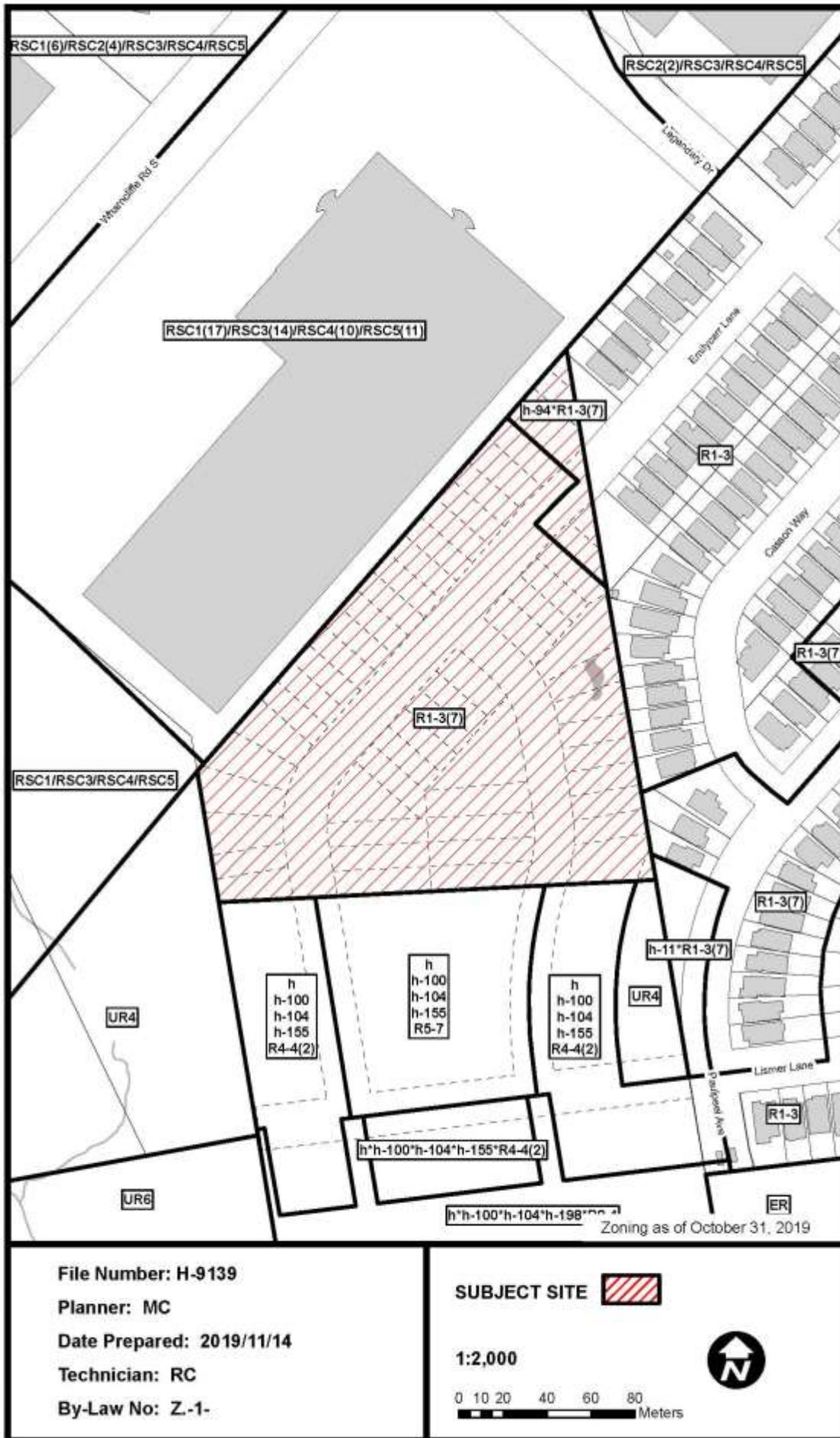
PASSED in Open Council on December 10, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

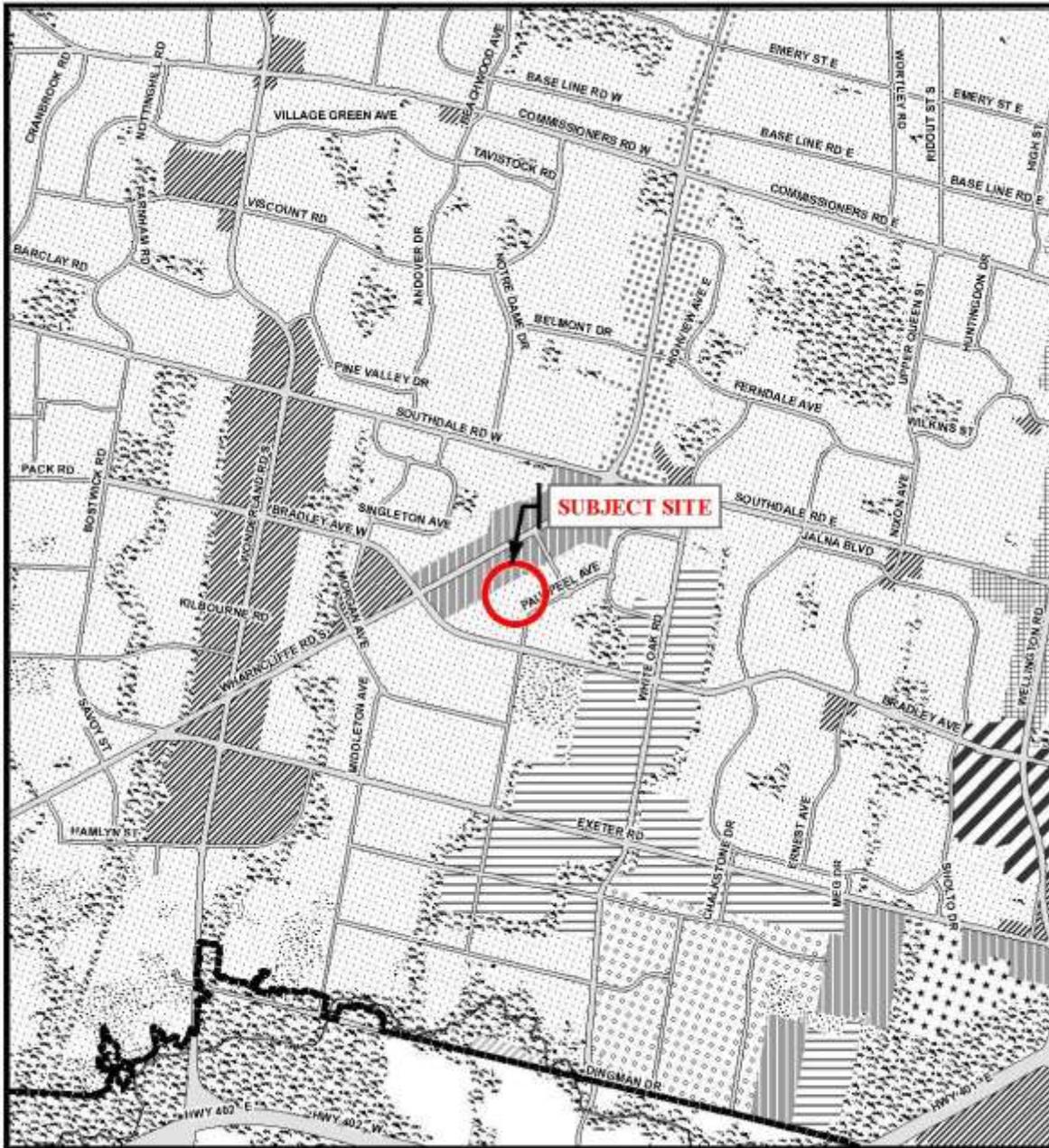
First Reading – December 10, 2019
Second Reading – December 10, 2019
Third Reading – December 10, 2019

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



Appendix B – Relevant Background

London Plan Excerpt



Legend

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

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

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

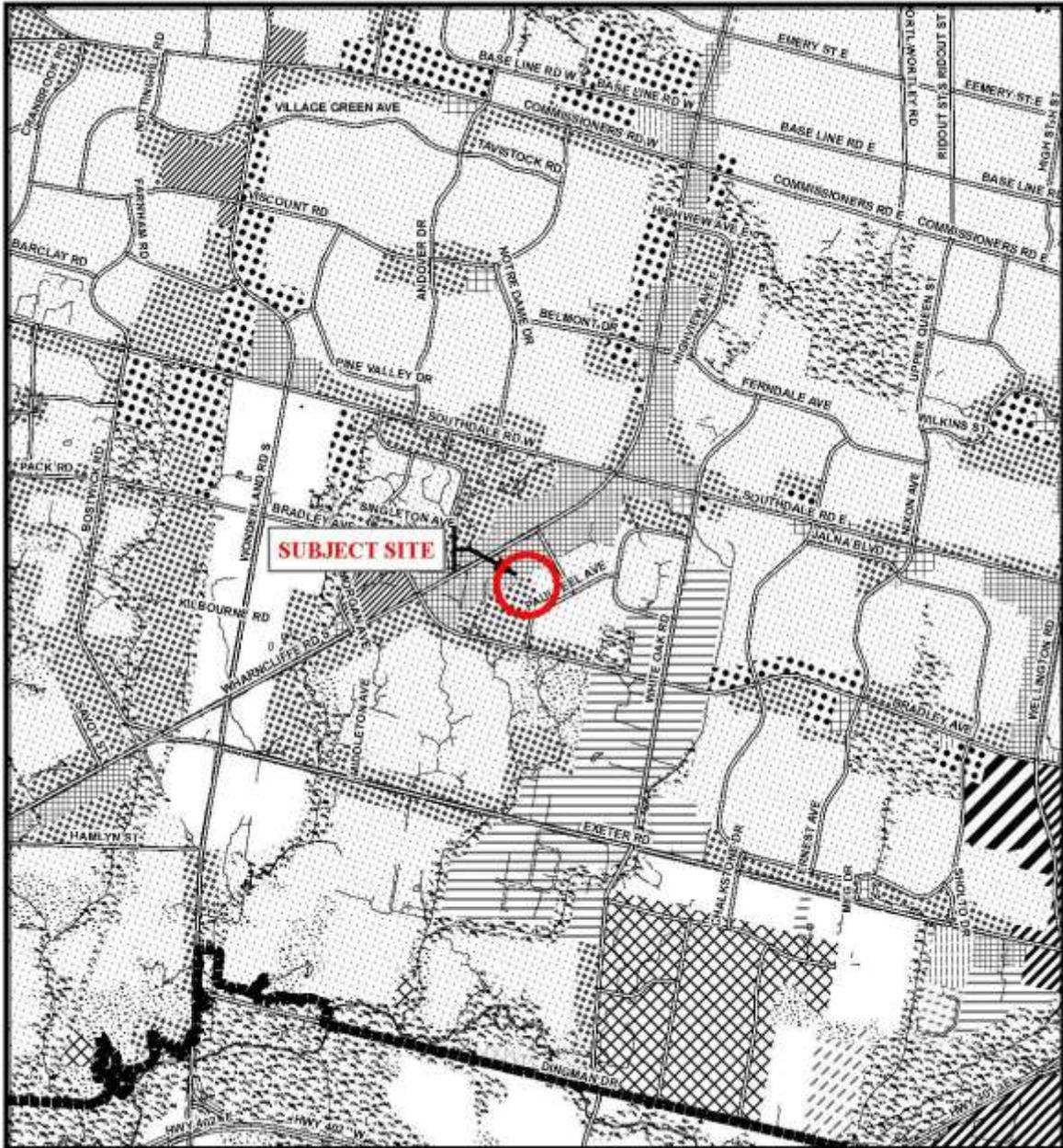
CITY OF LONDON
 Planning Services /
 Development Services
LONDON PLAN MAP 1
- PLACE TYPES -
 PREPARED BY: Planning Services



File Number: H-9139
Planner: MC
Technician: RC
Date: November 14, 2019

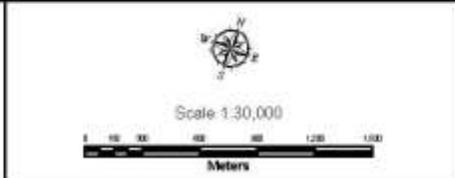
Project Location: E:\Planning\Projects\p_officialplan\work\consolid00\excerpts_LondonPlan\mxd\H-9139-Map 1-PlaceTypes.mxd

1989 Official Plan Excerpt



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

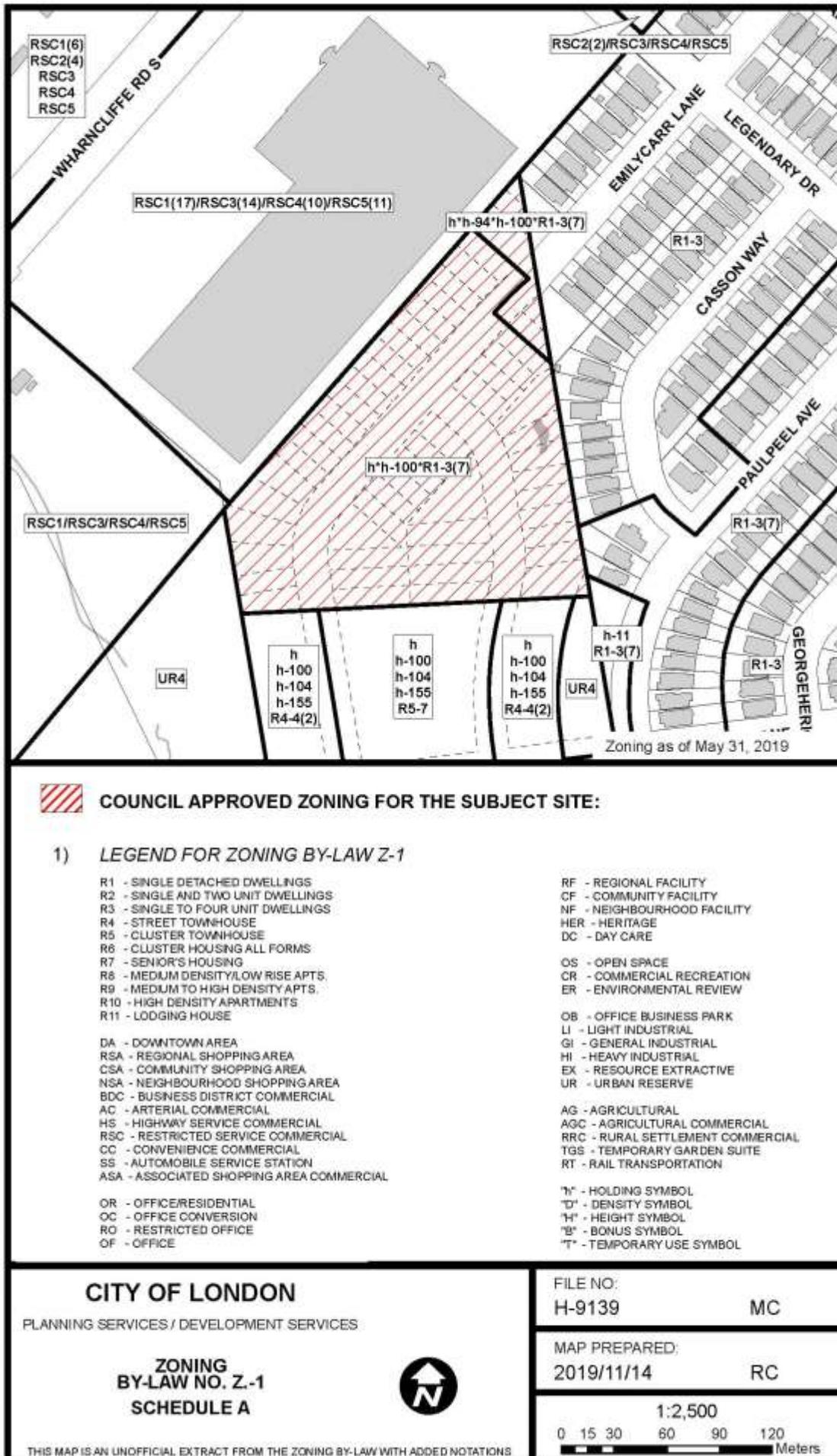
CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 -LANDUSE-
 PREPARED BY: Graphics and Information Services



FILE NUMBER: H-9139
 PLANNER: MC
 TECHNICIAN: RC
 DATE: 2019/11/14

PROJECT LOCATION: e:\planning\projects\officialplan\work\consolidated\excerpts\mxd_templates\scheduleA_NEW_b&w_8x14.mxd

Zoning Excerpt



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: Sunningdale Golf & Country Club Ltd.
600 and 800 Sunningdale Road West
Removal of Holding Provision

Meeting on: December 2, 2019

Recommendation

That, on the recommendation of the Director, Development Services, based on the application of Sunningdale Golf & Country Club Ltd. relating to the properties located at 600 and 800 Sunningdale Road West, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on December 10, 2019 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning **FROM** a Holding Residential R1 (h*R1-9) Zone **TO** Residential R1 (R1-9) Zone to remove the h holding provision.

Executive Summary

Purpose and the Effect of Recommended Action

The purpose and effect of this zoning change is to remove the h holding symbol to permit the development of single detached dwellings.

Rationale of Recommended Action

1. The removal of the holding provision will allow for development in conformity with the Zoning By-law.
2. Through the subdivision approval process the required security has been submitted and the subdivision agreement has been signed by both the applicant and the City of London. Therefore, the h. holding provision is no longer required.

Analysis

1.1 Location Map



Description of Proposal

To remove the h holding provision from the lands this provision is applied to ensure that the security has been provided for the subdivision and that the subdivision agreement has been executed. The removal of the h holding provision at 600 and 800 Sunningdale Road West will allow for the construction of 43 single detached dwellings.

3.0 Relevant Background

3.1 Planning History

On April 28, 2005 the City accepted an application for Draft Plan of Subdivision approval, and a Zoning By-law Amendment, including all required reports/studies identified during pre-consultation.

A public meeting was held at Planning Committee on June 4, 2006. On July 21, 2006 this draft plan was approved by the Approval Authority. The first phase of this subdivision was registered on June 27, 2008 (33M-593).

Three (3) year extensions for this subdivision have been granted on July 14, 2009, and June 14, 2012. An emergency 6 month draft approval extension was granted in July of 2015 to allow sufficient time for the Owner and Planning staff to consider the request for draft plan extension.

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

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

At its' meeting on December 18, 2018 City Council requested that the Approval Authority approve the request for a three year extension of the draft plan of subdivision subject to the revised conditions of draft approval contained in the attached Appendix "39T-05508". The new draft approval expiry date is January 21, 2022.

This application is to remove the holding provision from the remaining lots of this subdivison. On August 27, 2019 Council endorsed the special provisions and recommended that a subdivision agreement be entered into with the City of London. The Owner and the City have signed the subdivision agreement and securites have been posted. Final registration for the subdivison is iminent.

3.2 Requested Amendment

The applicant is requesting the removal of the "h" holding provision from the lands to permit development.

3.3 Community Engagement (see more detail in Appendix B)

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

3.4 Policy Context (see more detail in Appendix C)

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

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

4.0 Key Issues and Considerations

Why is it Appropriate to remove this Holding Provision?

The h. holding provision states that:

“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 applicant has submitted the required security to the City of London and the subdivision agreement has been executed by both the applicant and the City of London. This satisfies the requirement for removal of the “h” holding provision.

5.0 Conclusion

It is appropriate to remove the h holding provision from the subject lands at this time as full municipal services are available, the required security has been submitted, and the subdivision agreement has been executed by both the applicant and the City of London. Final registration for the subdivision is imminent.

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

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
Lou Pompili, Manager, Development Planning
Ted Koza, Manager, Development Engineering

November 25, 2019

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 600 and 800 Sunningdale Road West.

WHEREAS Sunningdale Golf & Country Club Ltd. have applied to remove the holding provision from the zoning for the lands located at 600 and 800 Sunningdale Road West, as shown on the map attached to this by-law, as set out below;

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

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 600 and 800 Sunningdale Road West, as shown on the attached map, to remove the holding provision so that the zoning of the lands as a Residential R1 (R1-9) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on December 10, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading - December 10, 2019.
Second Reading – December 10, 2019.
Third Reading - December 10, 2019.

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



Appendix B – Public Engagement

Community Engagement

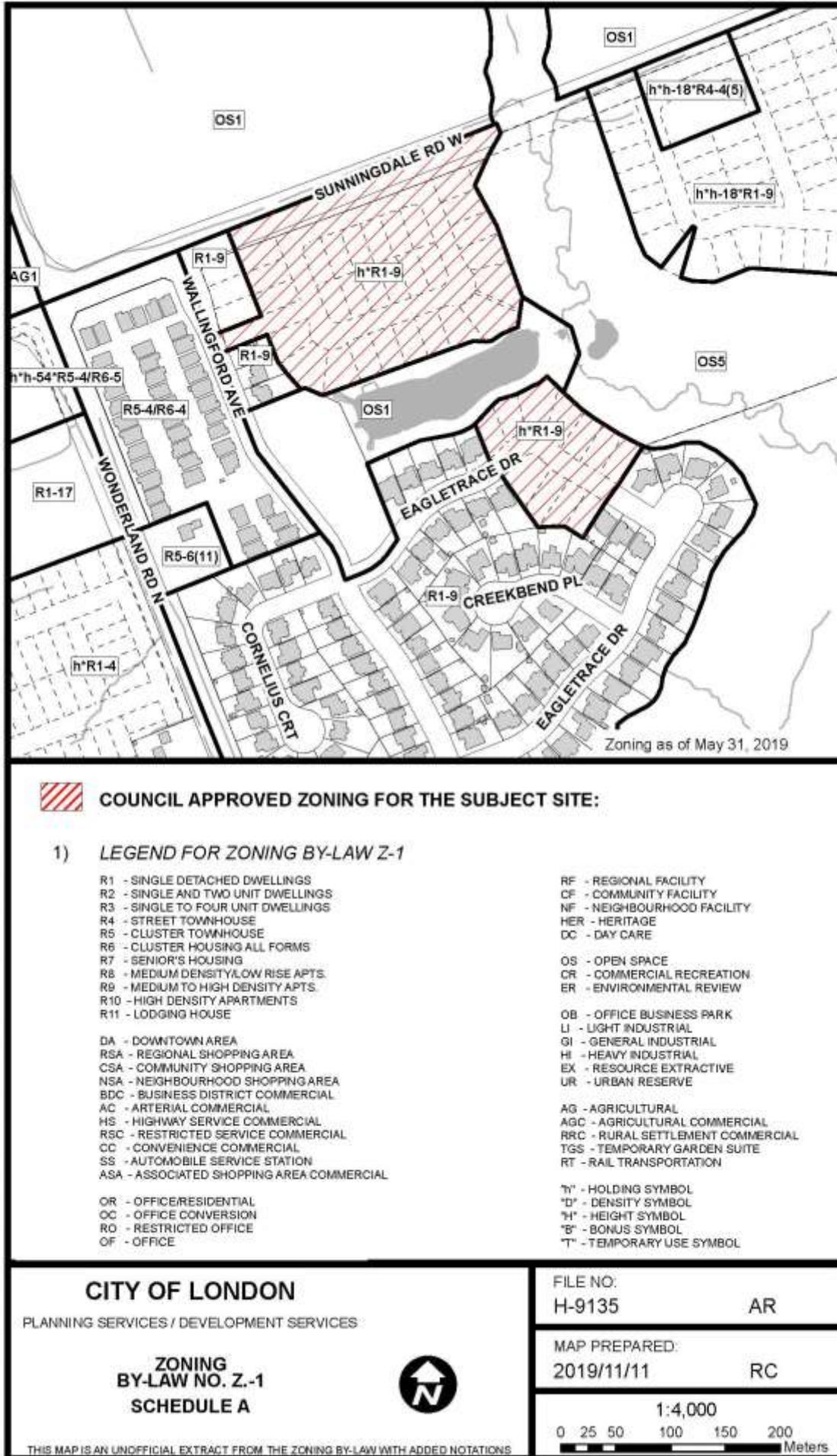
Public liaison: Notice of the application was published in the Londoner on November 21, 2019

0 replies were received

Nature of Liaison: City Council intends to consider removing the “h” holding provision from the subject site. The purpose of the “h” provision is to ensure the orderly development of lands and the adequate provision of municipal services. The “h” symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of 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. Council will consider removing the holding provision as it applies to these lands no earlier than December 10, 2019.

Appendix C – Relevant Background

Existing Zoning 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: Application By: S.E.M Construction
1567 and 1571 Hyde Park Road
Removal of Holding Provision h-17

Meeting on: December 2, 2019

Recommendation

That, on the recommendation of the Director, Development Services, based on the application of S.E.M Construction relating to the properties located at 1567 and 1571 Hyde Park Road West, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on December 10, 2019 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning of 1567 and 1571 Hyde Park Road **FROM** a Holding Business District Commercial (h-17*BDC) Zone **TO** a Business District Commercial (BDC) Zone to remove the h-17 holding provision.

Executive Summary

Purpose and the Effect of Recommended Action

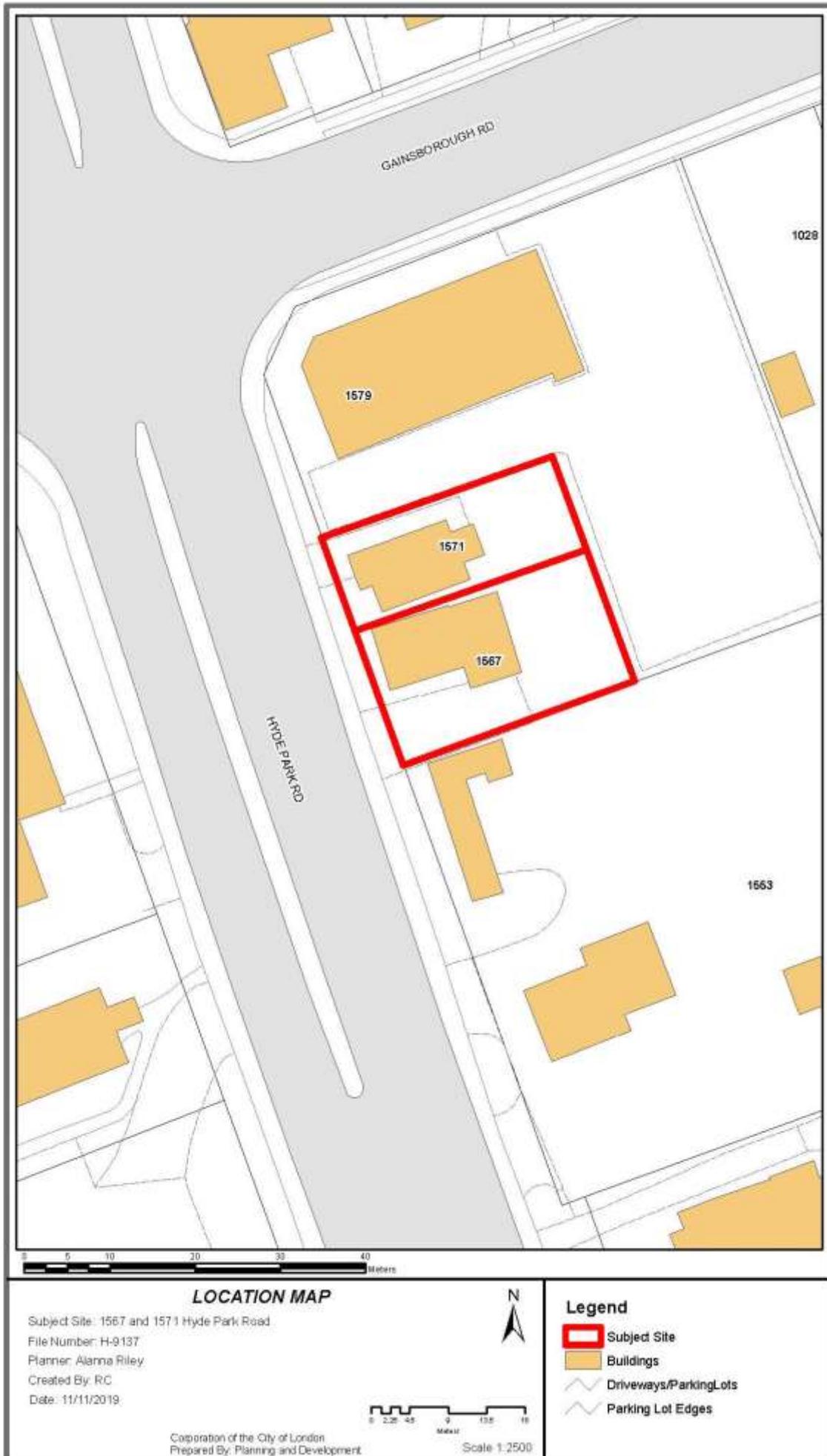
The purpose and effect of this zoning change is to remove the h-17 holding provision applied to this site to permit the development of an animal hospital.

Rationale of Recommended Action

1. The removal of the holding provision will allow for development in conformity with the Zoning By-law.
2. Development Services Engineering has confirmed services are available for this site. Also through the Site Plan Approval process, the accepted plans and Development Agreement for this site will include provisions to ensure that a connection to the existing water and sanitary systems in the immediate area is required. Therefore, the h-17 holding provision is no longer required.

Analysis

1.1 Location Map



2.0 Description of Proposal

The purpose of this amendment application is to remove the h-17 holding provision from these lands. This provision requires that full municipal sanitary sewer and water services are available to service the site. The removal of the h-17 holding provision at 1567 and 1571 Hyde Park Road will allow for the construction of animal hospital.

3.0 Relevant Background

3.1 Planning History

The lands were designated Business District Commercial through the Hyde Park Community Plan process. Council adopted the Hyde Park Community Plan on April 17, 2000. OPA 193 was adopted by Council in 2001, implementing the land use designation as adopted through the Community Plan process.

An application for site plan for phase one of this site was submitted on August 29, 2019. Approval is still pending.

3.2 Requested Amendment

The applicant is requesting the removal of the “h-17” holding provision from the lands to permit development.

3.3 Community Engagement (see more detail in Appendix B)

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

3.4 Policy Context (see more detail in Appendix C)

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

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

4.0 Key Issues and Considerations

Why is it Appropriate to remove this Holding Provision?

h-17 Holding Provision

The h-17 holding provision states that:

“h-17 Purpose: To ensure the orderly development of lands and the adequate provision of municipal services, the “h-17” symbol shall not be deleted until full municipal sanitary sewer and water services are available to service the site.

The h-17 holding provision requires that full municipal sanitary sewer and water service systems are available for these lands. Services were update along Hyde Park Road in 2018 and a municipal sanitary sewer and watermain are located in the Hyde Park Road right-of-way. Development Services Engineering has confirmed services are available for this site. Also, through the Site Plan Approval process, the accepted plans and Development Agreement for this site will include provisions to ensure that a connection to the existing water and sanitary systems in the immediate area is required. This satisfies the requirement for removal of the “h-17” holding provision.

More information and detail about public feedback and zoning is available in Appendix B.

5.0 Conclusion

It is appropriate to remove the h-17 holding provision from the subject lands at this time as full municipal sanitary and water services are available. Also, the development agreement will include provisions to ensure that a connection to services is required.

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

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
Lou Pompili, Manager, Development Planning
Ted Koza, Manager, Development Engineering

November 25, 2019

AR/

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2019\H-9137 - 1567 and 1571 Hyde Park Road (AR)\1567 and 1571 Hyde Park Road H-9137 (AR).docx

Appendix A

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

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to remove holding provision from the zoning for lands located at 1567 and 1571 Hyde Park Road.

WHEREAS S.E.M. Construction have applied to remove the holding provision from the zoning for the lands located at 1567 and 1571 Hyde Park 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 land;

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 1567 and 1571 Hyde Park Road, as shown on the attached map, to remove the h-17 holding provision so that the zoning of the lands as a Business District Commercial Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on December 10, 2019

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading - December 10, 2019
Second Reading – December 10, 2019
Third Reading - December 10, 2019

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



Appendix B – Public Engagement

Community Engagement

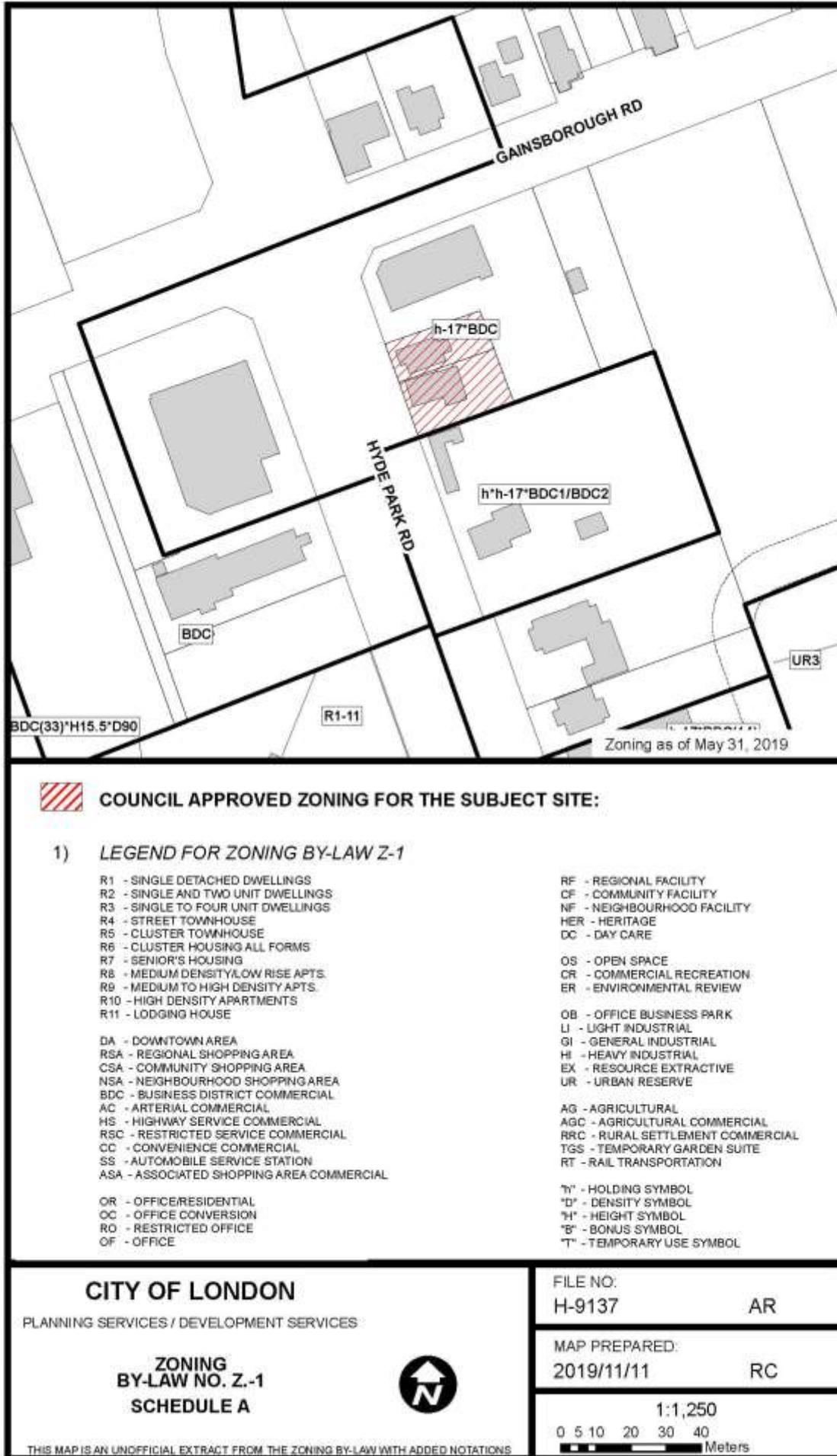
Public liaison: Notice of the application was published in the Londoner on November 24, 2019

0 replies were received

Nature of Liaison: City Council intends to consider removing h-17 holding provision from the lands which requires full municipal sanitary sewer and water services are available to service the site to the satisfaction of the City. Council will consider removing the holding provision as it applies to these lands no earlier than December 10, 2019.

Appendix C – Relevant Background

Existing Zoning 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: Extension to Exemption of Part Lot Control
Rembrandt Meadowlilly Inc.
1013, 1133, 1170 and 1250 Meadowlark Ridge

Meeting on: December 2, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Rembrandt Meadowlilly Inc. to extend the exemption of the following lands from Part Lot Control:

- (a) Pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, the attached by-law **BE INTRODUCED** at the Municipal Council on December 10, 2019, to extend the exemption of 1013, 1133, 1170 and 1250 Meadowlark Ridge, legally described as Parts of Blocks 1, 3, 4, and 13 in Registered Plan 33M-603, more particularly described as Parts 1-35 in Plan 33R-20017 in the City of London and County of Middlesex from the Part Lot Control provisions of subsection 50(5) of the said *Act*, for a period not to exceed three (3) years;
- (b) The applicant **BE ADVISED** that the cost of registration of this by-law is to be borne by the applicant in accordance with City policy.

Executive Summary

Purpose and the Effect of Recommended Action

The purpose and effect is for the extension from exemption of the Part Lot Control provisions of the *Planning Act* for a three (3) year period years in order to address the engineering conditions and to facilitate the building and sale of the single detached building lots.

Rationale of Recommended Action

1. The requested three (3) year extension of exemption for Part Lot Control is reasonable, and should allow the applicant sufficient time to address all engineering concerns, and facilitate the building and sale of the residential building lots.

Analysis

1.0 Background

1.1 Planning History

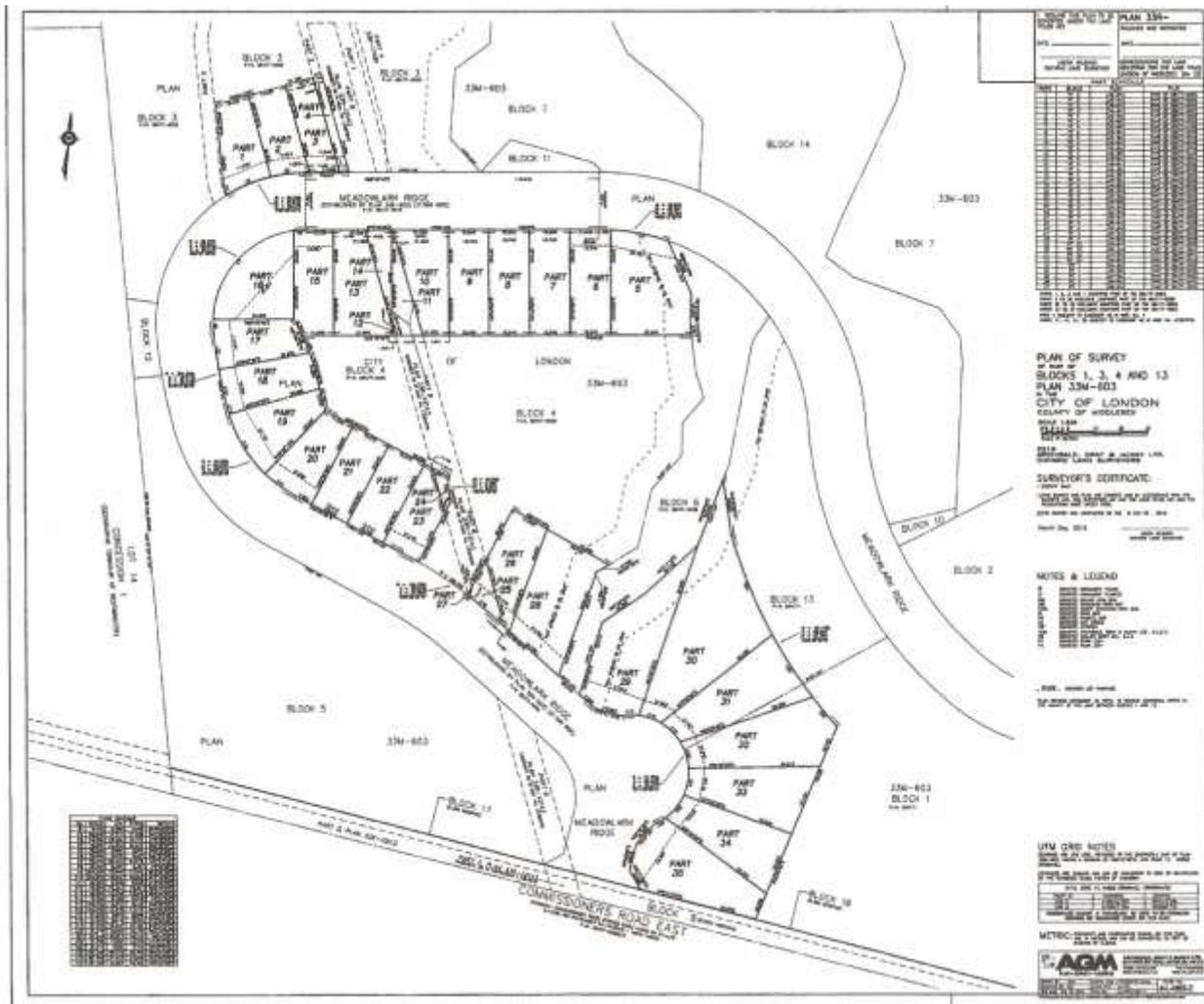
On May 21, 2004 the City of London Approval Authority granted draft plan approval for this subdivision, consisting of five (5) multi-family medium density and low density residential cluster blocks, two (2) open space blocks, three (3) access blocks and one (1) road widening block, all served by one internal road. Final approval was granted December 8, 2008 and the plan was registered as 33M-603.

On January 18, 2017, applications for a zoning by-law amendment and for an exemption to Part Lot Control for twenty-eight (28) single detached dwelling lots was accepted by the City. The request was considered by Planning and Environment Committee on April 3, 2018, with a number of conditions to be met, prior to the passing of the by-law. The by-law was passed by Council on April 10, 2018 for a two year period expiring April 10, 2020.

2.0 Site at a Glance

2.1 Property Description

The subject sites are located at 1013, 1133, 1170 and 1250 Meadowlark Ridge, part of Registered Plan 33M-603. These lands are located northeast of Highbury Ave and Commissioners Road East.



2.2 Current Planning Information

- The London Plan Place Type – Neighbourhoods
- (1989) Official Plan Designation – Multi-Family, Medium Density Residential
- Existing Zoning – Residential R1 (R1-4(31))

2.3 Site Characteristics

- Current Land Use – Vacant
- Frontage – N/A
- Depth – N/A
- Area – N/A
- Shape – Irregular

2.4 Surrounding Land Uses

- North – Proposed Residential, Meadowlilly Woods ESA, Thames River
- South – Residential, Institutional
- East – Vacant
- West – City Wide Sports Park

2.5 Location Map



<p>LOCATION MAP</p> <p>Subject Site: 1013 Meadowlark Ridge Applicant: Rembrandt Meadowlark Inc. File Number: Z-8726 Planner: Alanna Riley Created By: Allister MacLean Date: 2017-03-15 Scale: 1:5000</p>	<p>LEGEND</p> <ul style="list-style-type: none">Subject SiteParksAssessment ParcelsBuildingsAddress Numbers
--	--

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

3.0 Description of Proposal

3.1 Request

The future development of this site consists of twenty-eight (28), single detached dwellings. The applicant has applied for a three (3) year extension in order to have more time to address additional engineering conditions and to allow for sufficient time for full build out and sales of the lots.

3.2 Policy Context

Chapter 19(24) of the Policy Manual for the Corporation of the City of London relates to Part-Lot Control Exemption by-laws. The policies are 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;*
- (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;*
- (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;*
- (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;*
- (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*
- (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 subject lands are located within a “Neighbourhood” Place Type and Meadowlark Ridge, which provides access to the blocks in the subdivision, is identified as a “Neighbourhood Street” in The London Plan. Single detached, semi-detached, duplex and townhouse dwellings (between one and 2.5 storeys in height) are primary permitted uses in this location.

The subject lands are designated Multi-Family Medium Density Residential in the Official Plan which permit single detached dwellings. The subject lands are zoned a Residential R1 Special Provision (R1-4(31)) Zone which permit single detached dwellings.

4.0 Key Issues and Considerations

4.1 Is it appropriate to approve an extension for the Part Lot Control Exemption on these lands?

In an effort to facilitate the creation of the free hold single detached residential lots, Rembrandt Meadowlilly Inc. has requested the extension of exemption of Part Lot Control. The consideration of the exemption of Part Lot Control was assessed in accordance with Council Policy 19(24) adopted in December of 1983. On April 10, 2018, Municipal Council passed the by-law for exemption of Part Lot Control for these lands.

Since that time, there have been some on-site issues during the alteration of the site grading that has impacted some of these lots. A slope remediation and stabilization needs to occur at the north end of the site with the addition of retaining walls to stabilize the remaining portion and protect the adjacent properties with sufficient erosion and sedimentation control. Also, the applicant has indicated that there is a delay in the full build out, given that the market demand in the area is not as strong as originally anticipated.

Upon review of the request against the Official Plan and Council policy, it is determined that the request for an extension for exemption from Part Lot Control for a period of three (3) years provides a reasonable timeframe to address all engineering conditions to allow the transfer the lots into separate ownership before the Part Lot Control Restriction is re-instated, and ensures the transfer of land occurs in a timely manner and in accordance with the approved proposal.

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

5.0 Conclusion

The applicant is requesting an extension for exemption of the Part Lot Control provisions of the *Planning Act* to allow for sufficient time to address all engineering conditions and facilitate the building and sales of the remaining lots. No changes are proposed for the existing lot fabric, and allowing for an extension is appropriate and represents 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	

November 25, 2019

cc: Matt Feldberg, Manager, Development Services (Subdivisions)
cc: Lou Pompili, MPA, RPP, Manager, Development Planning
cc: Ted Koza, Manager Development Engineering
Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2017\P-8727 - 1013 Meadowlark Ridge (AR)\Extension Report P-8727 Meadowlark Ridge (AR).docx

Appendix A

Bill No. (number to be 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 1013, 1133, 1170 and 1250 Meadowlark Ridge, legally described as Parts of Blocks 1, 3, 4, and 13 in Registered Plan 33M-603.

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 Rembrandt Meadowlilly Inc., it is expedient to exempt lands located at 1013, 1133, 1170 and 1250 Meadowlark Ridge, legally described as Parts of Blocks 1, 3, 4, and 13 in Registered Plan 33M-603, from Part Lot Control;

AND WHEREAS it is deemed expedient to amend the By-law;

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

1. 1013, 1133, 1170 and 1250 Meadowlark Ridge, legally described as Parts of Blocks 1, 3, 4, and 13 in Registered Plan 33M-603, more particularly described as Parts 1-35 in Plan 33R-20017 in the City of London and County of Middlesex, are hereby exempted from Part Lot Control, pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c.P.13*, as amended, for a period not to exceed three (3) years; it being pointed out that these lands are zoned to permit single detached dwellings in conformity with the Residential R1 Special Provision (R1-4(31)Zone of the City of London Zoning By-law No. Z-1, covering the subject area.
3. This by-law comes into force when it is registered at the Land Registry Office.

PASSED in Open Council December 10, 2019

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 10, 2019
Second Reading – December 10, 2019
Third Reading – December 10, 2019

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Exemption from Part-Lot Control
Sifton Properties Ltd.
915 and 965 Upperpoint Ave, Pts of Blocks 134/135, 33M-754

Meeting on: December 2, 2019

Recommendation

That, on the recommendation of the Director, Development Services, with respect to the application by Sifton Properties Ltd., the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on December 10, 2019 to exempt Parts of Blocks 134/135, Plan 33M-754 from the Part-Lot Control provisions of Subsection 50(5) of the *Planning Act*, for a period not exceeding three (3) years.

Executive Summary

Summary of Request

Request for approval to exempt Parts of Blocks 134/135, 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 conditions for passing the Part-Lot Control By-law have been substantially addressed and it is appropriate to allow the exemption from Part-Lot Control. The cost of registration of the by-law is to be borne by the applicant, all in accordance with the previous Council Resolution.

1.0 Analysis

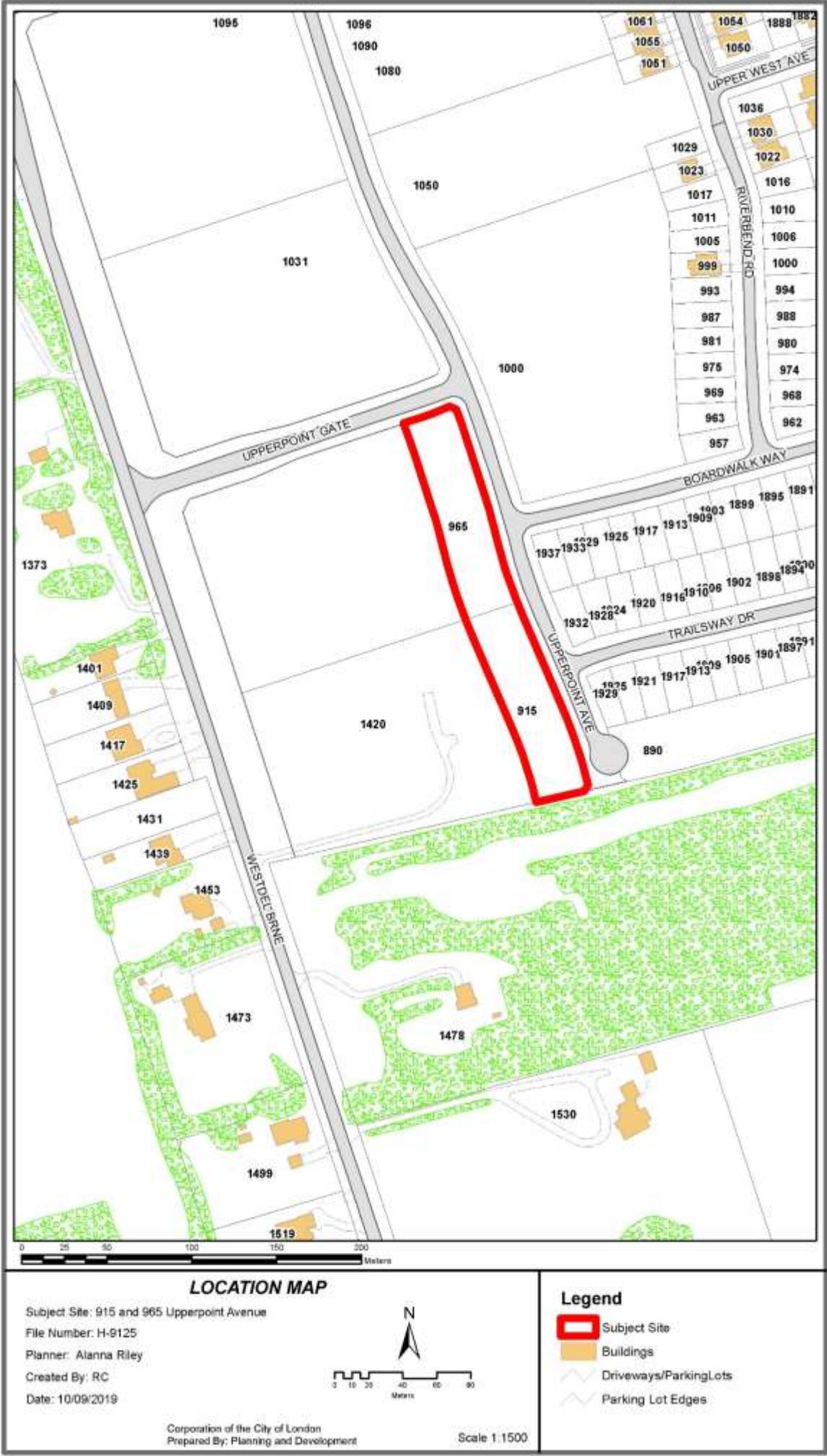
At its meeting held on November 12, 2019, Municipal Council resolved:

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.*

LOCATION MAP



The exemption from Part-Lot Control will allow for lot lines for individual units (lots) to be established on the registered block in a registered plan of subdivision. The conditions noted above have been satisfied as follows:

- 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;*

Acknowledged by the applicant on November 12, 2019.

- ii. *The applicant submit a draft reference plan to the Development Services for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the land registry office;*

Development Services staff have confirmed through email November 20, 2019 the draft reference plan complies with the Zoning.

- iii. *The applicant submits to the Development Services a digital copy together with a hard copy of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;*

Satisfied by submission to Development Services received on November 12, 2019.

- 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;*

Satisfied by approval from London Hydro received on November 8, 2019.

- 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;*

Satisfied through the acceptance of Lot Grading and Servicing Plans that will implement the approved Site Plan and registered Development Agreement (SPA19-096) for this development.

- vi. *The applicant shall enter into any amending subdivision agreement with the City, if necessary;*

Satisfied, as the subdivision agreement was registered and no further amendment are required.

- 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;*

The construction of all services, including private drain connections and water services, in accordance with the approved final design of the lots will be completed through the permit, construction and compliance process required to complete the works to implement the approved Site Plan and registered Development Agreement (SPA19-096) for this development.

- viii. *The applicant shall obtain confirmation from the Development Services that the assignment of municipal numbering has been completed in accordance with the reference plan(s) to be deposited, should there be further division of property contemplated as a result of the approval of the reference plan prior to the reference plan being deposited in the land registry office;*

Satisfied by municipal numbering assigned through the site plan process.

- ix. *The applicant shall obtain approval from the Development Services of each reference plan to be registered prior to the reference plan being registered in the land registry office;*

The Applicant has submitted the attached draft reference plan to Development Services and has agreed by way of an undertaking that only this approved reference plan will be registered in the land registry.

- x. *The applicant shall submit to the City, confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;*

The applicant has agreed by way of an Undertaking that only the submitted and approved draft reference plan by Development Services for final lot development will be deposited to the Land Registry and that confirmation of the registration of that plan will be provided to development services prior to the issuance of any building permits.

- xi. *The applicant shall obtain clearance from the City Engineer that requirements iv), v) and vi) inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Building Controls Division for lots being developed in any future reference plan;*

The applicant has acknowledged and agreed that this condition will be fulfilled prior to the issue of building permits.

- xii. *The applicant shall provide a draft transfer of the easements to be registered on and,*

The applicant has submitted an undertaking for a required rear yard access easement (1.5 metres).

- 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.”*

Acknowledged by applicant on November 12, 2019.

Conclusion

In accordance with the Council Resolution, the conditions required to be completed prior to the passage of a Part-Lot Control By-law have been substantially satisfied through the acceptance of submitted lot development plans, servicing plans, an approval the Site Plan and executed Development Agreement, and the applicant has acknowledged that the registration of the by-law is to be at their cost.

Prepared by:	A.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

November 25, 2019
AR/

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
Lou Pompilli, Manager, Development Planning
Ted Koza, Manager, Development Engineering

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2019\P-9077 - 915 and 965 Upperpoint Avenue (AR)\PEC Report to pass by-law.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, a portion of lands located at 915 and 955 Upperpoint Avenue legally described as Parts of Blocks 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 a portion of the lands located at 915 and 955 Upperpoint Avenue legally described as Parts of Blocks 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. Parts of Blocks 134/135 in Registered Plan 33M-754 designated as Parts 1 to 60, inclusive on the draft reference attached, located at 915 and 955 Upperpoint Avenue, is 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.
3. This by-law comes into force when it is registered at the Land Registry Office.

PASSED in Open Council on December 10, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 10, 2019
Second Reading – December 10, 2019
Third Reading – December 10, 2019

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Exemption from Part-Lot Control
Sifton Properties Ltd.
1031 & 1095 Upperpoint Ave, Pts of Blocks 132/133, 33M-754

Meeting on: December 2, 2019

Recommendation

That, on the recommendation of the Director, Development Services, with respect to the application by Sifton Properties Ltd., the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on December 10, 2019 to exempt Parts of Blocks 132/133, Plan 33M-754 from the Part-Lot Control provisions of Subsection 50(5) of the *Planning Act*, for a period not exceeding three (3) years.

Executive Summary

Summary of Request

Request for approval to exempt Parts of Blocks 132/133, 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 conditions for passing the Part-Lot Control By-law have been substantially addressed and it is appropriate to allow the exemption from Part-Lot Control. The cost of registration of the by-law is to be borne by the applicant, all in accordance with the previous Council Resolution.

1.0 Analysis

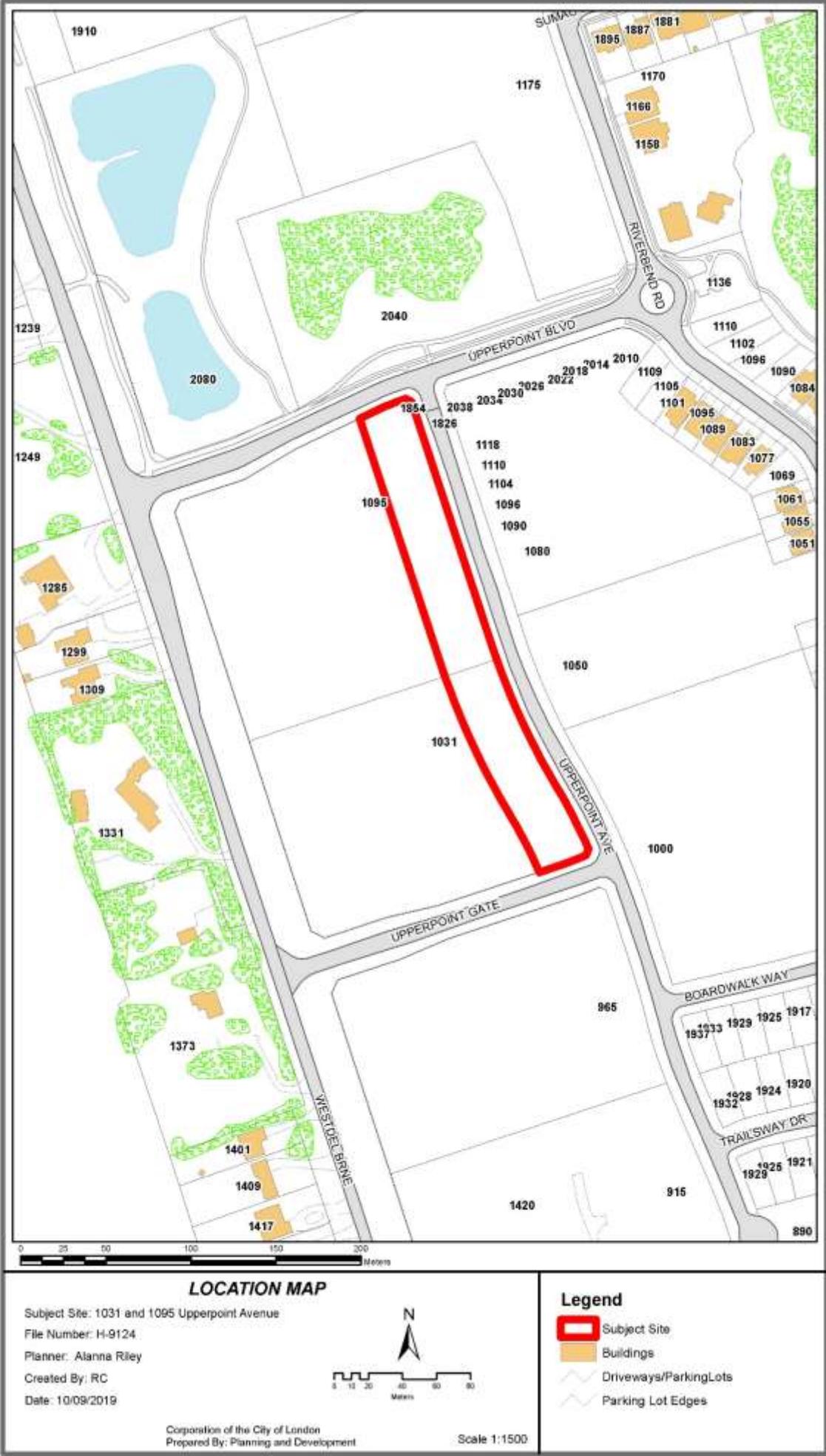
At its meeting held on November 12, 2019, Municipal Council resolved:

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:

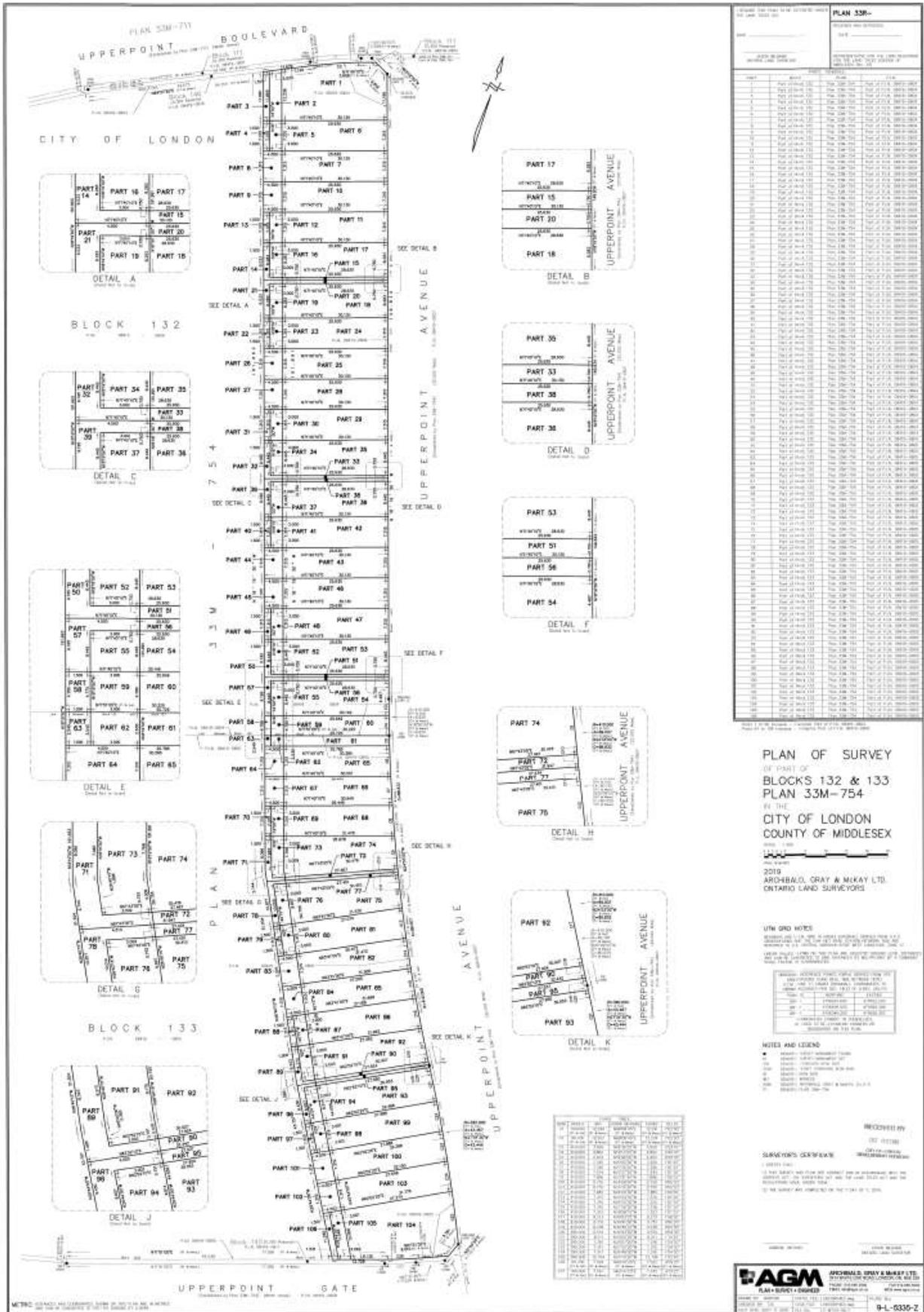
- (a) Pursuant to subsection 50(7) of the *Planning Act*, R.S.O. 1990, c. P.13, the attached proposed by-law **BE INTRODUCED** at a future Council meeting, to exempt Block 132/133, Plan 33M-754 from the Part-Lot Control provisions of subsection 50(5) of the said Act, **IT BEING NOTED** that these lands 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)/R8-3(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 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.*

LOCATION MAP



ACCEPTED DRAFT REFERENCE TO BE DEPOSITED



The exemption from Part-Lot Control will allow for lot lines for individual units (lots) to be established on the registered block in a registered plan of subdivision. The conditions noted above have been satisfied as follows:

- 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;*

Acknowledged by the applicant on November 12, 2019.

- ii. *The applicant submit a draft reference plan to the Development Services for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the land registry office;*

Development Services staff have confirmed through email November 20, 2019 the draft reference plan complies with the Zoning.

- iii. *The applicant submits to the Development Services a digital copy together with a hard copy of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;*

Satisfied by submission to Development Services received on November 12, 2019.

- 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;*

Satisfied by approval from London Hydro received on November 8, 2019.

- 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;*

Satisfied through the acceptance of Lot Grading and Servicing Plans that will implement the approved Site Plan and registered Development Agreement (SPA19-096) for this development.

- vi. *The applicant shall enter into any amending subdivision agreement with the City, if necessary;*

Satisfied, as the subdivision agreement was registered and no further amendment are required.

- 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;*

The construction of all services, including private drain connections and water services, in accordance with the approved final design of the lots will be completed through the permit, construction and compliance process required to complete the works to implement the approved Site Plan and registered

Development Agreement (SPA19-096) for this development.

- viii. *The applicant shall obtain confirmation from the Development Services that the assignment of municipal numbering has been completed in accordance with the reference plan(s) to be deposited, should there be further division of property contemplated as a result of the approval of the reference plan prior to the reference plan being deposited in the land registry office;*

Satisfied by municipal numbering assigned through the site plan process.

- ix. *The applicant shall obtain approval from the Development Services of each reference plan to be registered prior to the reference plan being registered in the land registry office;*

The Applicant has submitted the attached draft reference to Development Services and has agreed by way of an undertaking that only this approved reference plan will be registered in the land registry.

- x. *The applicant shall submit to the City, confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;*

The applicant has agreed by way of an Undertaking that only the submitted and approved draft reference plan by Development Services for final lot development will be deposited to the Land Registry and that confirmation of the registration of that plan will be provided to development services prior to the issuance of any building permits.

- xi. *The applicant shall obtain clearance from the City Engineer that requirements iv), v) and vi) inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Building Controls Division for lots being developed in any future reference plan;*

The applicant has acknowledged and agreed that this condition will be fulfilled prior to the issue of building permits.

- xii. *The applicant shall provide a draft transfer of the easements to be registered on and,*

The applicant has submitted an undertaking for a required rear yard access easement (1.5 metres).

- 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.”*

Acknowledged by applicant on November 12, 2019.

Conclusion

In accordance with the Council Resolution, the conditions required to be completed prior to the passage of a Part-Lot Control By-law have been substantially satisfied through the acceptance of submitted lot development plans, servicing plans, an approval the Site Plan and executed Development Agreement, and the applicant has acknowledged that the registration of the by-law is to be at their cost.

Prepared by:	A.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

November 25, 2019
AR/

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
Lou Pompilli, Manager, Development Planning
Ted Koza, Manager, Development Engineering

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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, a portion of the lands located at 1031 and 1095 Upperpoint Avenue, legally described as Parts of Blocks 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 portions of the lands located at 1031 and 1095 Upperpoint Avenue legally described as Parts of Blocks 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. Parts of Blocks 132/133 in Registered Plan 33M-754 designated as Parts 1 to 60, inclusive on the draft reference attached, located at 1031 and 1095 Upperpoint Avenue, is 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.
3. This by-law comes into force when it is registered at the Land Registry Office.

PASSED in Open Council on December 10, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 10, 2019
Second Reading – December 10, 2019
Third Reading – December 10, 2019

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: John M. Fleming
Managing Director, Planning and City Planner

Subject: Commissioners Road East Corridor Review
(between Adelaide Street South and Meadowgate Boulevard)
City of London

Meeting on: Monday, December 2, 2019

Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, that **NO ACTION** be taken with respect to a further City of London review of the Commissioners Road East Corridor Review (between Adelaide Street South and Meadowgate Boulevard) to initiate London Plan and/or zoning by-law amendments.

Executive Summary

Summary of Request

This item was on the Deferred Matters List of the Planning and Environment Committee (PEC). The Committee requested that planning staff review the corridor to see if any changes could be made to address existing vacancies and recent land use changes.

Purpose and the Effect of Recommended Action

Remove the item from the Deferred Matters List and no further action be taken.

Rationale of Recommended Action

The current policy framework of the London Plan, which identifies lands within the corridor in the Shopping Area, Commercial Industrial and Neighbourhood Place Types provide for a broader range of uses than contemplated in the 1989 Official Plan Community Commercial Node, Neighbourhood Commercial Node, Auto-Orientated Commercial Corridor, Multi-Family High Density Residential, Multi-Family Medium Density Residential and Low Density Residential land use designations. The London Plan Place Type policies provide opportunities for redevelopment along the corridor so no change would be required. In addition, there have been no recent landowner requests for official plan and/or zoning by-law amendments to change the Official Plan policies that apply to these lands or the range of permitted uses.

Analysis

1.0 Rationale for Review

The request for a review of the area initially came from the Ward Councillor in March 2019 and was subsequently reviewed by Planning and Environment Committee (PEC) on March 18, 2019 and added to the Deferred Matters List.

The Councillor indicated that the area was *experiencing vacancy and turnover issues* and the Pond Mills Plaza, specifically, was *transitioning to non-retail uses* and, as a result, requested a review of the corridor. The Councillor, and subsequently the Committee requested that planning staff;

1. *Determine possible planning initiatives to address revitalization and redevelopment opportunities;*
2. *Review the current land uses along the corridor, and to determine if revised policies and/or other planning tools could be developed to foster redevelopment along the corridor; and,*
3. *Examine the streetscape and identify opportunities for future improvements along the Commissioners Road Corridor.*

The Councillor requested that the corridor between Adelaide Street and Highbury Avenue be reviewed; however, Planning staff have suggested adding the remaining commercial lands east of Highbury Avenue over to Meadowgate Boulevard to foster a complete review of commercial lands east of Adelaide Street to the City boundary.

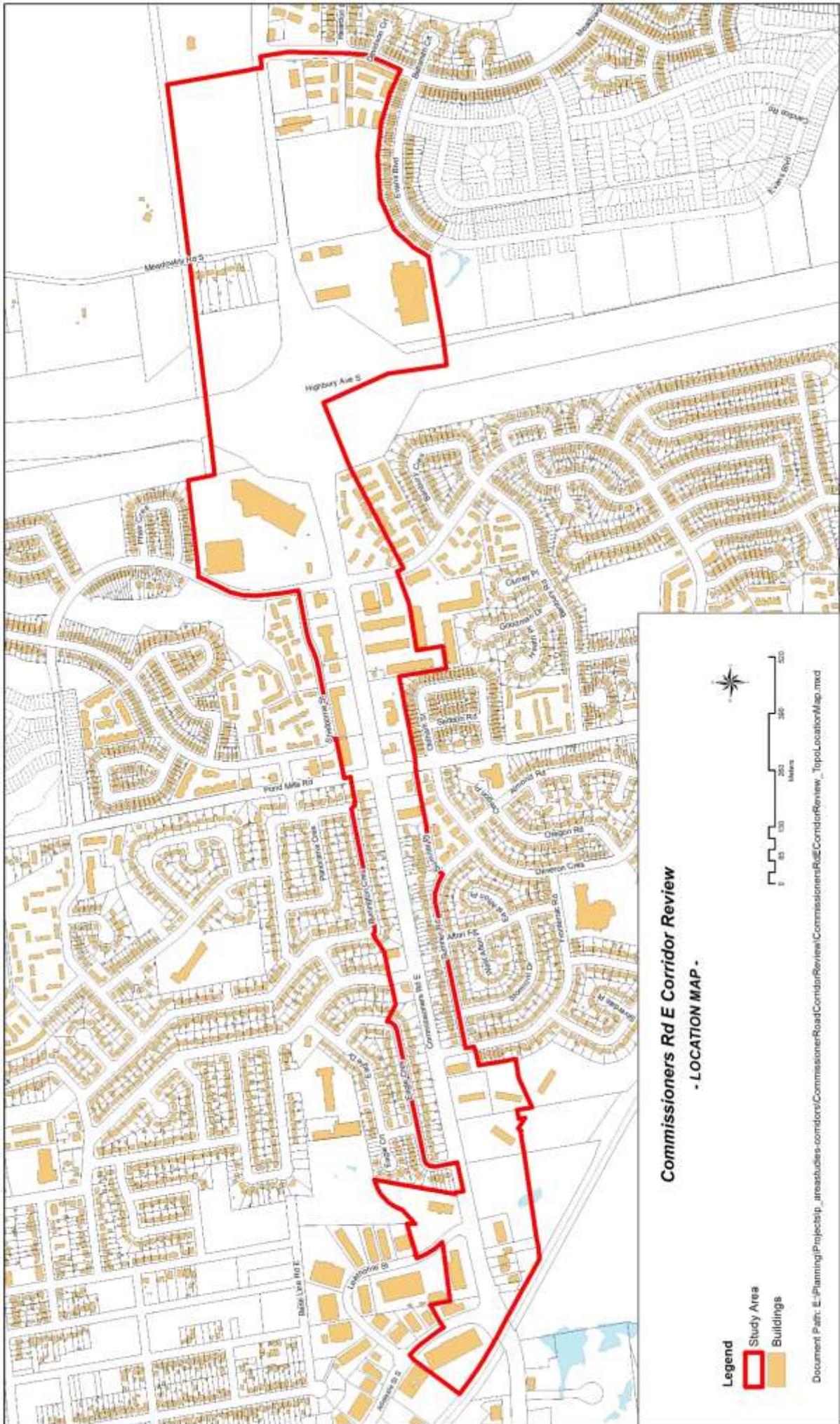
2.0 Corridor Location and Policy Framework

2.1 Nature of Corridor

This portion of the Commissioners Road corridor is a five lane auto-orientated road corridor carrying between 30,000-34,000 vehicles per day. All commercial development along the corridor is auto-orientated, characterized by setbacks from the roadway and front yard parking. In its current form it is not walkable. The commercial corridor is not continuous on both sides of the road. Some commercial sites are nodal at street intersections.

There is no residential development fronting Commissioners along this portion of the corridor; any adjacent residential uses are typically back lotted and screened by noise walls. Currently, this is not a pedestrian – orientated corridor and does not encourage walking and bicycling between the neighbourhood and commercial/community uses.

Appendix 1 provides a summary of the London Plan Place Types and existing zoning along the corridor as well as land and building statistics and existing land uses. The majority of uses include neighbourhood serving uses (eg. Service offices, restaurants, banks etc.), retail (eg. Food stores and convenience stores), neighbourhood facilities (library and fire station) and some commercial/industrial uses near the intersection with Adelaide Street.



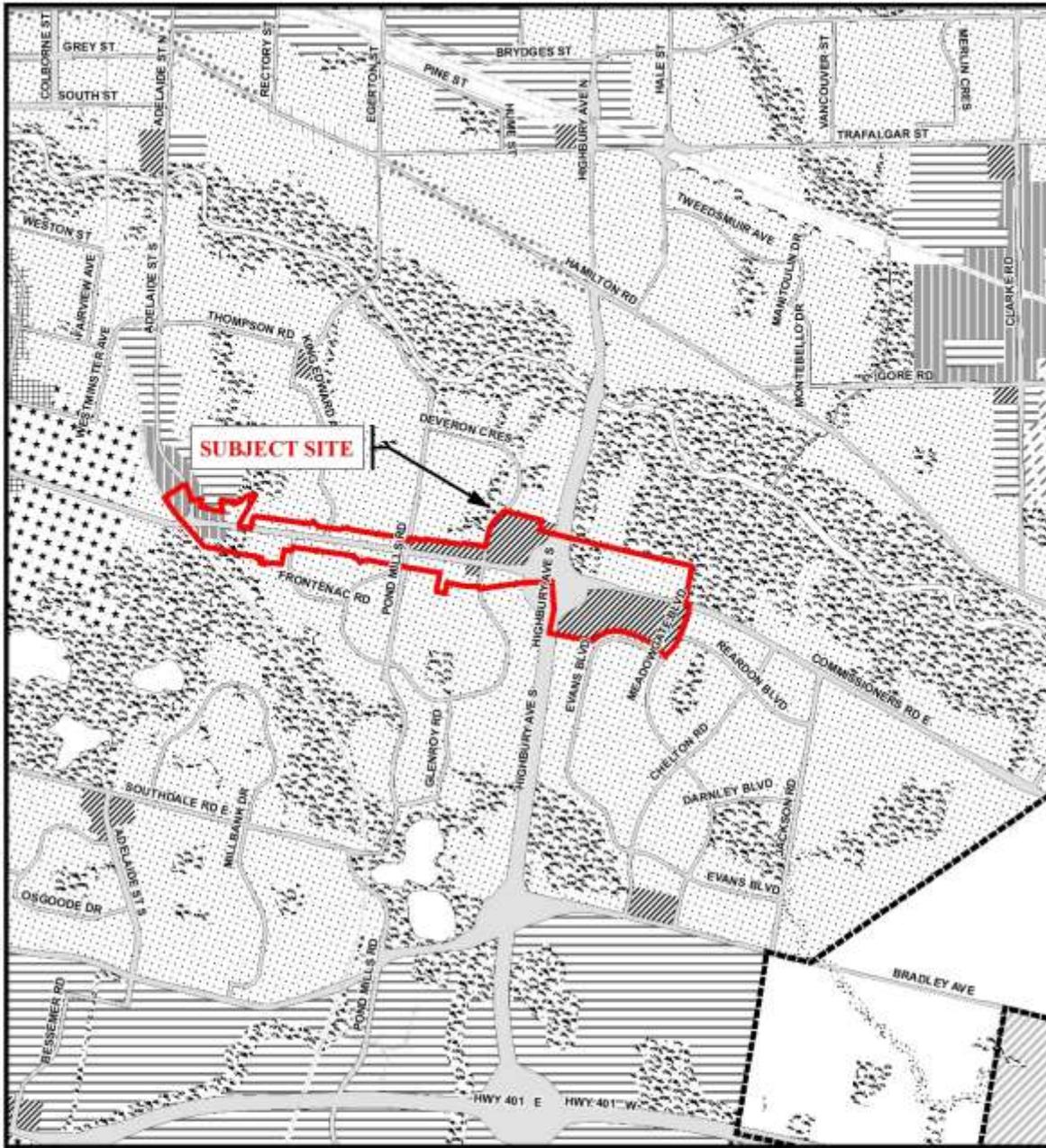
2.2 Existing Policy Framework

The existing Policy framework for the corridor is summarized in Table 1 below.

TABLE 1 – EXISTING POLICY FRAMEWORK

London Plan Place Type (see Map 4 and 6)	Uses, Form and Height Permitted	Zoning By-law Z-1 (see Maps 1-4)	Uses, Form and Height Permitted
Shopping Area	These centres act as hubs for neighbourhoods and include a broad range of retail, office and residential uses at a moderate intensity. Over time, many of these centres will reformat to become mixed use centres which are less auto-orientated. Storeys- 1 minimum and 4-6 maximum. Special policy to allow 4923m ² of office space at 1200 Commissioners.	CSA5 and CSA5 (2)	A broad range of retail, office and service uses up to a maximum size of 30,000m ² . The regulations are for a form which is typically auto-orientated, setback from the street with large parking areas. Height is 12m which could accommodate 2-3 storeys.
		Various ASA Zones	A broad range of retail, office and service uses normally in a strip plaza format up to a maximum size of 6000m ² . Maximum height is 12m or 2-3 storeys.
		NF	Permits churches and schools and other neighbourhood serving uses.
		SS	Permits small gas bars and other auto uses.
Neighbourhood	Residential uses with neighbourhood-orientated commercial and public facility uses. Intensity varies by road classification. Commissioners Road is an Urban Thoroughfare, the highest classification of road, and permits the broadest range of uses and greatest intensity. Minimum height 2 storeys, max. 6 stys	Various NSA Zones	A limited range of retail, office and services uses at a maximum size of 2000m ² in a shopping centre or the same range of uses at a maximum size of 500m ² in a stand-alone building. Height is 8 metres or 1-2 storeys.
		ASA	A broad range of retail, office and service uses in a free standing format up to a maximum size of 6000m ² . Maximum height is 12m or 2-3 storeys.
		CC	Permits small convenience uses a maximum size of 1000m ² and height of 8 metres.
		SS	Permits small gas bars and other auto uses

London Plan Place Type (see Map 4 and 6)	Uses, Form and Height Permitted	Zoning By-law Z-1 (see Maps 1-4)	Uses, Form and Height Permitted
Commercial/Industrial	Includes commercial and industrial uses which have planning impacts which need to be separated from residential neighbourhoods and pedestrian areas. Storeys – 1 minimum and 2 maximum.	RSC	A broad range of commercial uses with large buildings and/or open storage associated with the use to a maximum size of 6000m ² and height of 12 metres.
		HS	Auto-orientated uses with high traffic volumes at a maximum height of 8 metres.
		RO	Permits small scale office buildings at a maximum size of 2000m ² and height of 12 metres or 3 storeys.



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.

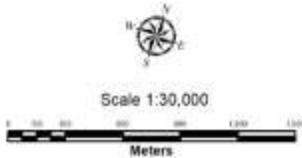
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

Planning Services /
Development Services

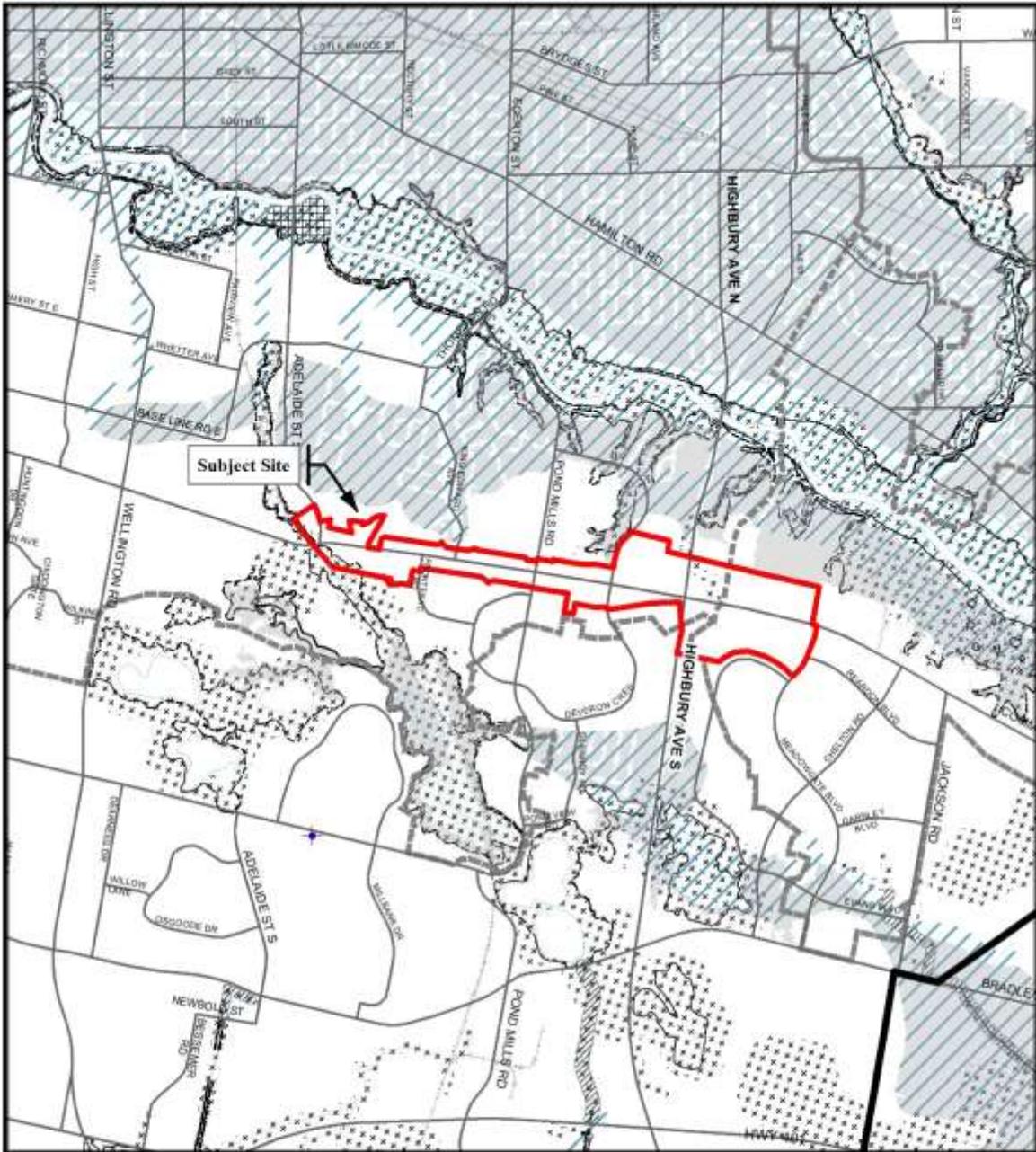
**LONDON PLAN MAP 1
- PLACE TYPES -**

PREPARED BY: Planning Services



Planner: CP
Technician: MB
Date: September 23, 2019

Project Location: E:\Planning\Projects\p_areastudies-corridors\CommissionerRoadCorridorReview\LondonPlanMap1Excerpt.mxd



HAZARDS

- Regulatory Flood Line
NOTE 1: Flood Lines shown on this map are approximate. The precise delineation of flood plain mapping is available from the Conservation Authority having jurisdiction.
NOTE 2: Flood Fringe mapping for certain areas of the City is available from the Upper Thames Conservation Authority.
- Special Policy Areas
- Potential Special Policy Areas
- Riverine Erosion Hazard Limit for Confined Systems
NOTE: Steep Slopes Outside the Riverine Erosion Hazard Limit on the map are approximate. Precise delineation is available from the Conservation Authority having jurisdiction.
- /// Riverine Erosion Hazard Limit for Unconfined Systems
- Maximum Hazard Line

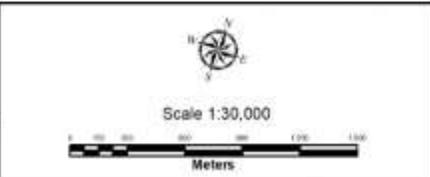
- Conservation Authority Regulation Limit
- Abandoned Oil/Gas Wells
- NATURAL RESOURCES**
- Aggregate Resource Areas
- Extractive Industrial Areas
- Wellhead Protection Area
- Emergency Municipal Water Wells
- Significant Groundwater Recharge Areas
- Highly Vulnerable Aquifers

BASE MAP FEATURES

- Streets (see Map 3)
- Railways
- Urban Growth Boundary
- Water Courses/Ponds
- Conservation Authority Boundary
- Subwatershed Boundary

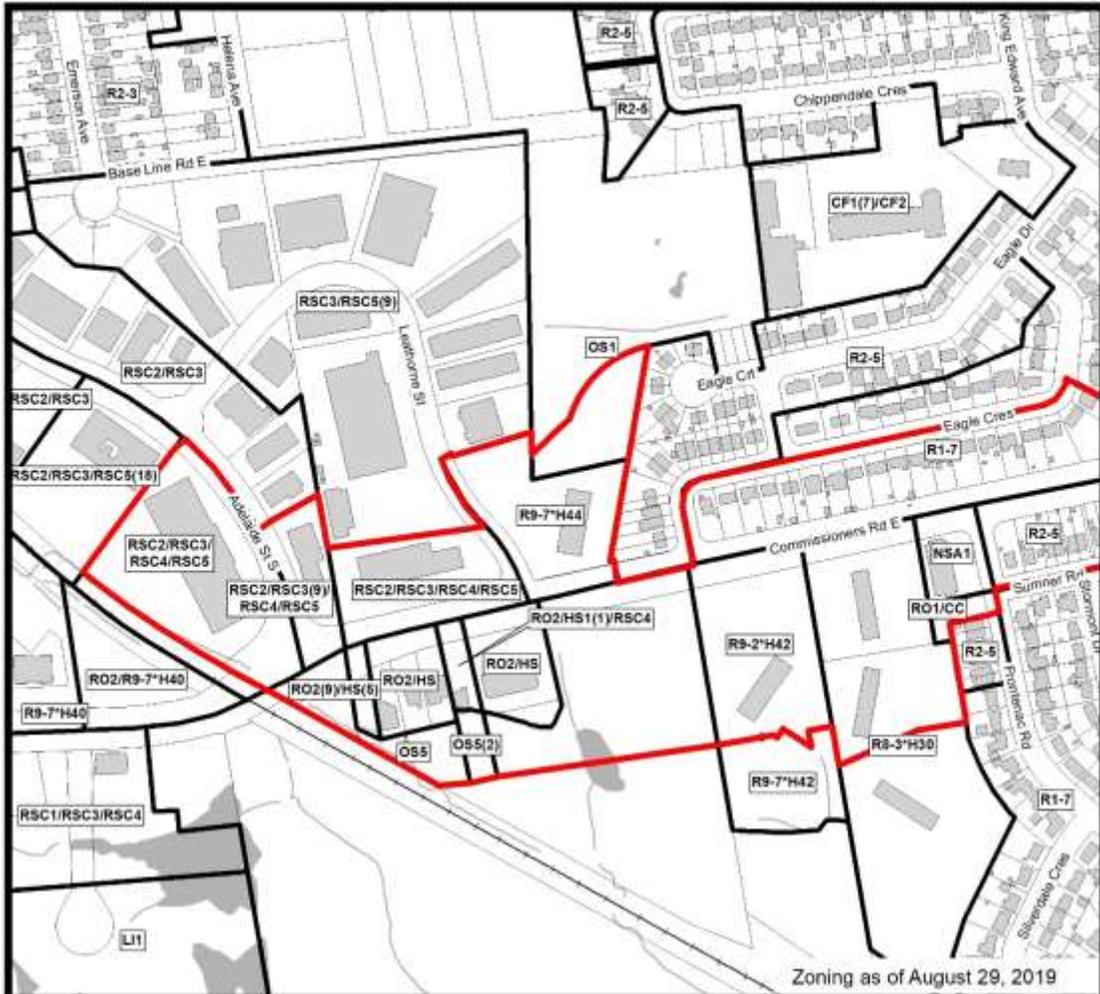
This is an excerpt from the Planning Division's working consolidation of Map 6 - Hazards and Natural Resources of the London Plan, with added notations.

CITY OF LONDON
 Planning Services /
 Development Services
LONDON PLAN MAP 6
- NATURAL HAZARDS AND NATURAL RESOURCES -
 PREPARED BY: Planning Services



PLANNER: CP
TECHNICIAN: MB
DATE: 9/23/2019

Document Path: E:\Planning\Projects\ip_areas\uses-corridors\CommissionerRoadCorridorReview\LondonPlanMap6Excerpt.mxd



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

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. | |
| R10 - HIGH DENSITY APARTMENTS | OB - OFFICE BUSINESS PARK |
| R11 - LODGING HOUSE | LI - LIGHT INDUSTRIAL |
| DA - DOWNTOWN AREA | GI - GENERAL INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | HI - HEAVY INDUSTRIAL |
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| 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 |
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| OR - OFFICE/RESIDENTIAL | "N" - HOLDING SYMBOL |
| OC - OFFICE CONVERSION | "D" - DENSITY SYMBOL |
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CITY OF LONDON

MAP 1

PLANNING SERVICES / DEVELOPMENT SERVICES

Commissioners Rd E Corridor Review

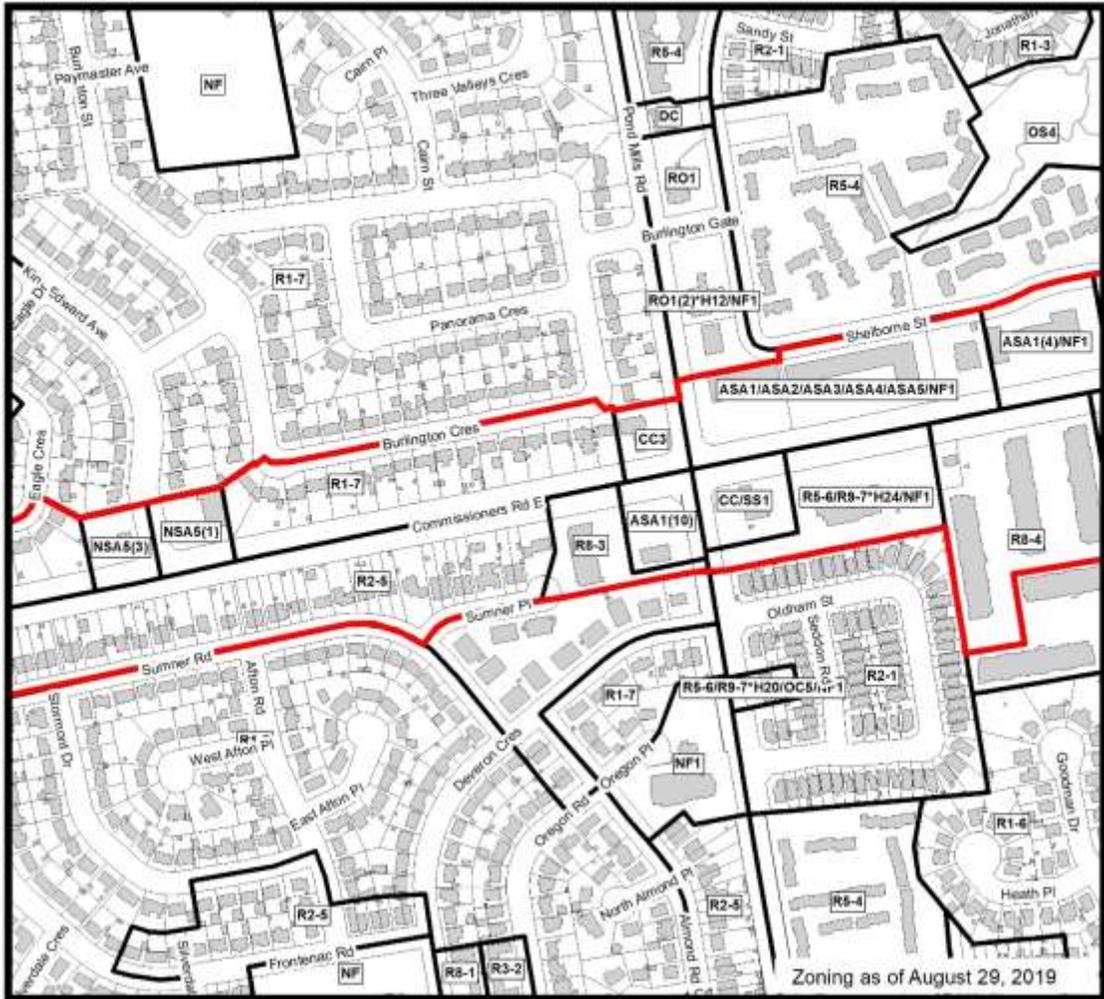
ZONING BY-LAW NO. Z.-1 SCHEDULE A



MAP PREPARED:
2019/09/23

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



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

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CITY OF LONDON

MAP 2

PLANNING SERVICES / DEVELOPMENT SERVICES

Commissioners Rd E Corridor Review

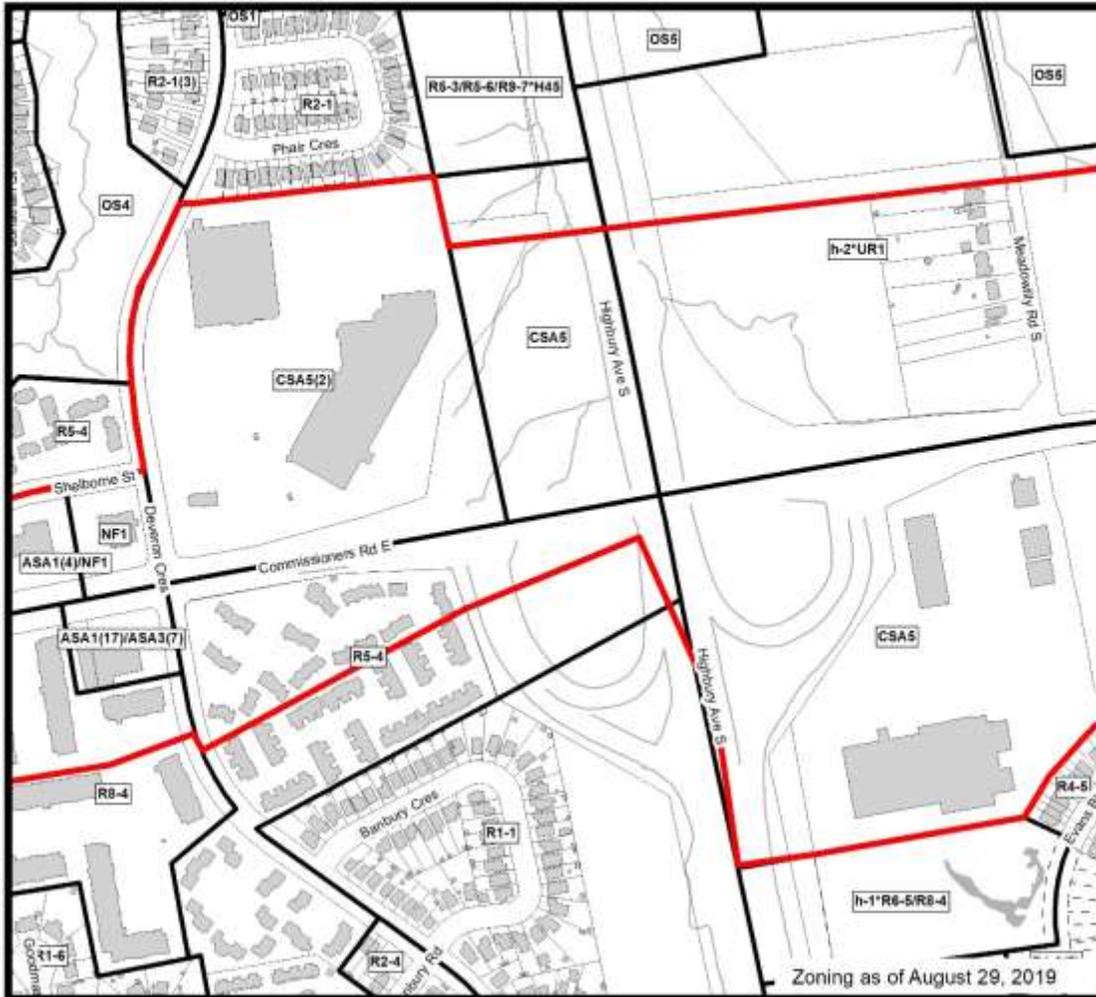
ZONING BY-LAW NO. Z-1 SCHEDULE A



MAP PREPARED:
2019/09/23



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



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CITY OF LONDON

MAP 3

PLANNING SERVICES / DEVELOPMENT SERVICES

Commissioners Rd E Corridor Review

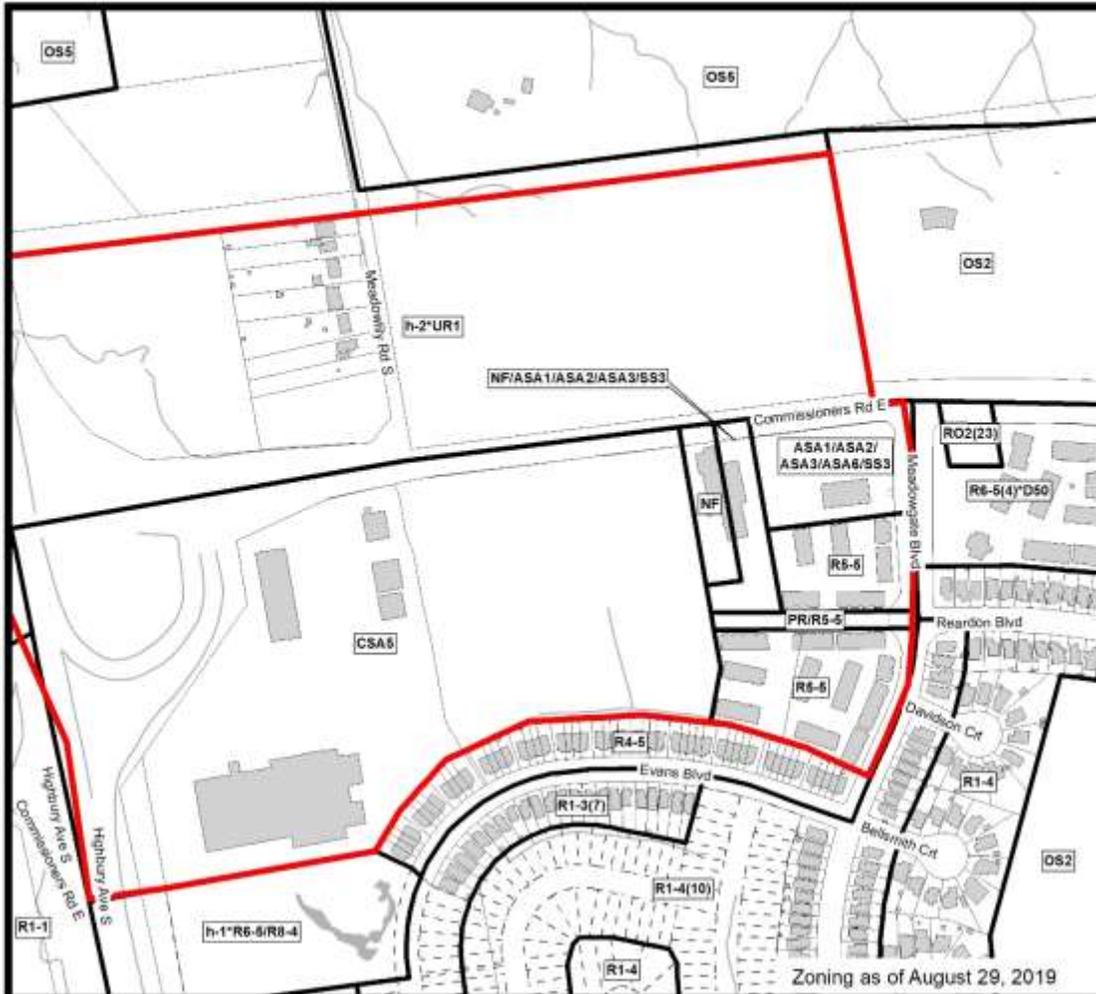
**ZONING
BY-LAW NO. Z.-1
SCHEDULE A**



MAP PREPARED:
2019/09/23

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

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



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

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CITY OF LONDON

MAP 4

PLANNING SERVICES / DEVELOPMENT SERVICES

Commissioners Rd E Corridor Review

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



MAP PREPARED:
2019/09/23

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

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

Table 1 indicates that the London Plan policies and existing Zoning By-law Z-1 regulations already provide for a broad range of retail, office, residential and service commercial uses along the entire corridor. Most of the zones that can be applied are applied to the various properties along Commissioners Road East.

Following site visits and aerial photograph review it appears there is an oversupply of commercial land in this corridor to serve the needs of the neighbourhood and community residents, as evidenced by the number of vacancies and the amount of vacant commercial land still not developed. There are some vacant lands which may be more suitable for residential uses, especially those bordering the Commissioners Road East and Highbury Avenue South highway interchange

Even though the Shopping Area and Neighbourhood Place Types in the London Plan permit residential uses, the current zoning does not. There is an option of pre-zoning the entire corridor, or certain properties, for residential uses; however, it is difficult at this point to predetermine which properties should be prezoned without some interest and a design concept in advance.

The Rethink Zoning By-law process will be undertaken over the next few years which will implement the policies of the London Plan by replacing the existing Zoning By-law Z-1. In the interim it is possible that any non-permitted uses and/or changes to regulations could be applied through a zoning by-law amendment application.

Both the Neighbourhood and Shopping Area Place Types in The London Plan provides opportunities for transition and the development of more residential units, as well as commercial uses, as components of these commercial areas.

5.0 Conclusion

The current policy framework included in the London Plan provides opportunities for the redevelopment of the area. As noted in the report, there is currently some inconsistency between the policies and the current zoning. Through the Rethink Zoning By-law Project, the zoning along this corridor will be reviewed to better align with the policies of the London Plan so it would not be appropriate to rezone these lands now in advance of that process.

In the interim, zoning by-law amendment applications to provide for uses contemplated by the London Plan could be considered by Municipal Council.

Prepared by:	W.J. Charles Parker, MA Senior Planner – City Planning (Planning Policy)
Submitted by:	Gregg Barrett, AICP Manager – Long Range Planning and Sustainability
Recommended by:	John M. Fleming, MCIP, RPP Managing Director, City Planning and City Planner
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Planning Services	

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November 20, 2019

**COMMISSIONERS ROAD EAST LAND USE SURVEY
(OCTOBER 2019)**

APPENDIX 1 - COMMISSIONERS ROAD EAST LAND USE SURVEY (west to east)

October 2019

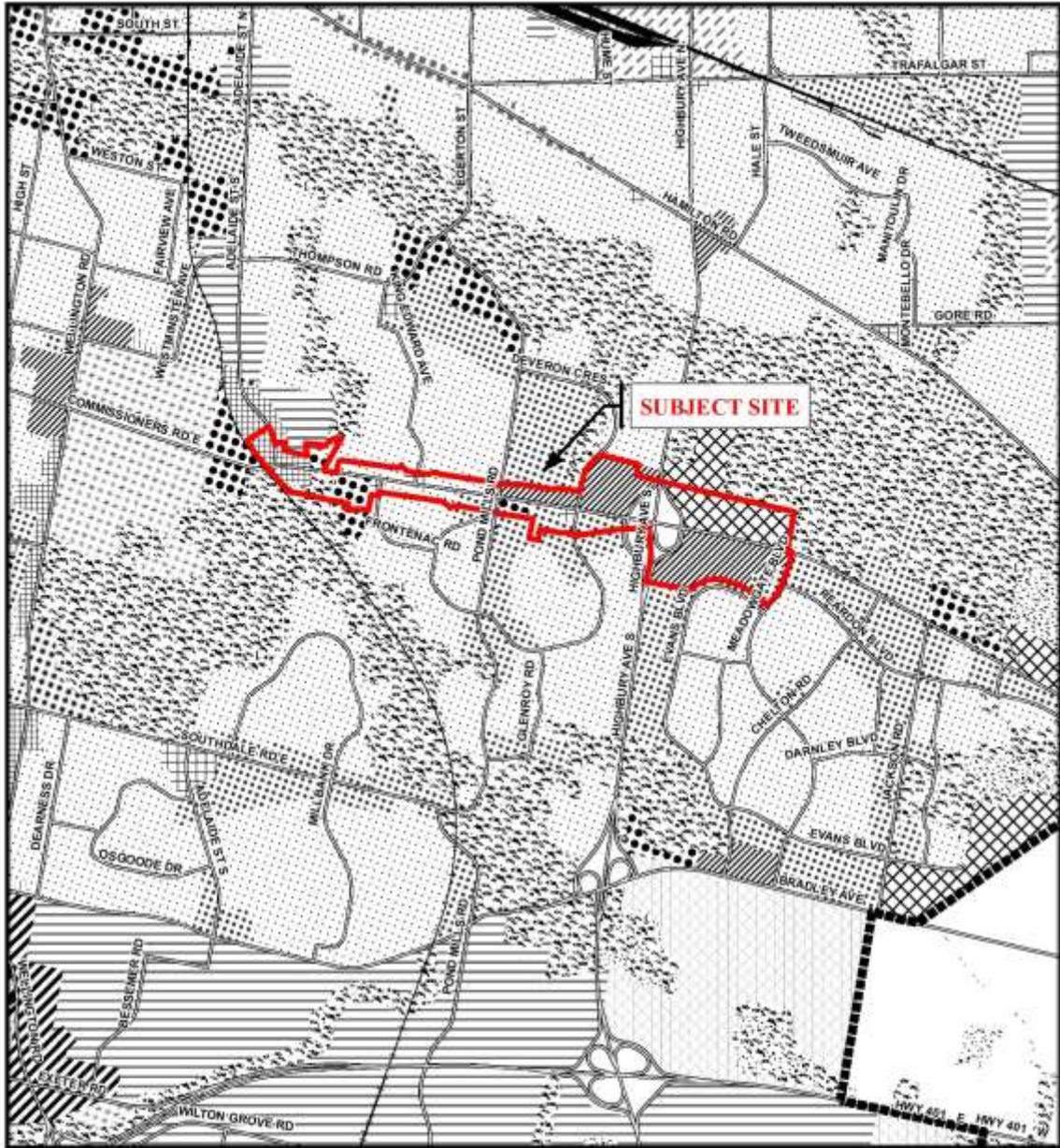
Address	Land Area (m ²)	Frontage (m)	Depth (m)	Building Area (m ²)	Vacant Area (m ²)	Land Uses	London Plan	Zoning	Previous Applications
317 Adelaide St. S	16552	210			1. Unit 104-166 2. Unit 101B – 204 3. 547 T- 917	Vital Aire – home oxygen 110-London Training – employment services Unit 101- vacant London Bath and Flooring Depot 102-Max & Oskars Childrens Hair Studio 102a-Global Inks and PC – computer Repair 121a- Condos Plus Property Management Inc. Steda Tropical Foods Ltd – groceries Salon Trend Hair and Beauty Salon Gigolaj's Bakery and Grill Habitat Restore Comairco Compressed Air 112-Signature Graphics	Commercial Industrial	RSC2/RSC3/RSC4/RSC5	Z-6186 – Aaron Showalter, TM 2001 Z-6509 – City –LP-2003 A.067/01 – 423400 Ont Ltd - 2001
320 Adelaide St. S	3723	145			372	Occu Medical South London Dental Care Centre	Commercial Industrial	RSC2/RSC3(9)/RSC4/RSC5	Z-6509 Z-6174 – Southside Group – TM - 2001
920 Commissioners Rd. E	8498	145.6				Top Notch Immigration Solutions Inc. Big Al's Aquarium Supercentre March of Dimes Canada Kokomos – retail, tanning Universal Kuts-hair salon Brick House Mortgage Group Lavish Nails & Spa GT Hair Boutique Service Ontario Edward Jones Investments Ontario Driving School Jimbo's – rest. & bar	Commercial Industrial	RSC2/RSC3/RSC4/RSC5	
907 Commissioners Rd. E	1497	18.8				Surface parking lot for adjacent business	Commercial Industrial	RO2(9)/HS(5)	Z-5721 Long Ngo – JL - 1999
911 Commissioners Rd. E	1330	19.4				Ketolibrnyum – food sales/products	Commercial Industrial	RO2/HS	

Address	Land Area (m ²)	Frontage (m)	Depth (m)	Building Area (m ²)	Vacant Area (m ²)	Land Uses	London Plan	Zoning	Previous Applications
915 Commissioners Rd. E.	1507	23.4		196		Tim Hortons with drive-through	Commercial Industrial	RO2/HS	B.007/11- Markou- LM-2011
919 Commissioners Rd. E.	1509	22.4	67.4	400 25 pkg spaces	112	Small plaza with Aim Convenience, Wireless Shield (repair & sell), Pancel's Pizza and Vacancy	Commercial Industrial	RO2/HS	
923 Commissioners Rd. E.	2883	22.8				Vacant	Commercial Industrial	RO2/HS1(1)/RSC4	
931 Commissioners Rd. E.	4775	68.5		1814 80 pkg. spaces	653	London Prosthetics Co. Ltd T. Harris Environmental Management Inc. Lucas Works Recruitment & Human Resource Specialist Partners Indemnity Insurance Cornerstone United	Commercial Industrial	RO2/HS	
971 Commissioners Rd. E.	2628	56.4		876		1- Frontenac Convenience 2- Desjardins Ins. 3- Wine Work 4- Partners in Health 5- Vacant 6- Vacant 7- Partners in Health - massage	Neighbourhood	NSA1	A.017/19- maintain existing parking of 30 spaces
275 King Edward Ave.	1983	43.8	46			Dental Office	Neighbourhood	NSA5(3)	Z-7066 – Amberlin Hldgs-CS-2005 SP05-127161
280 King Edward Ave.	2365	44.7	52.9			KE Health Centre & Pharmacy	Neighbourhood	NSA5(1)	Z-5951 – ICORR Prop.-LM-2000
1076 Commissioners Rd. E.	2003	43.8	45.7			7-11	Neighbourhood	CC3	
1075 Commissioners Rd. E.	3066	52.7				Burger King	Neighbourhood	ASA1(10)	
1085 Commissioners Rd. E.	3556	69.6	51.8			Husky gas station	Neighbourhood	CC/SS1	OZ-7514 Suncor-CS-2008 SP07-015006 SP10-001088

Address	Land Area (m ²)	Frontage (m)	Depth (m)	Building Area (m ²)	Vacant Area (m ²)	Land Uses	London Plan	Zoning	Previous Applications
1086 Commissioners Rd. E	4775	73.1				Canada Trust Centre -TD -Supercuts -Laundry -Subway -Slavyanka Deli -Joe Bros. Pizza -Pond Mills variety	Shopping Area	ASA1/ASA2/ASA3/ASA4/AS A5/NF1	
1100 Commissioners Rd. E	7932	129.2	62		346 525 Total - 871	Glen Cairn Woods Plaza Vacant Al Andalus-Med. Cuisine –rest Little Ceasars Hale Nails & Spa Fadi's Beauty & Tanning Salon Vacant Vacant Vacant	Shopping Area	ASA1/ASA2/ASA3/ASA4/AS A5/NF1	
1146 Commissioners Rd. E	3035	49.8	60.9			Petit Paris Production Facility – catering establishment	Shopping Area	ASA1/ASA2/ASA3/ASA4/AS A5/NF1	SP14-036962
1155 Commissioners Rd. E	4878	75.3				Shoppers Drug Mart – drug store/pharmacy	Shopping Area	ASA1(17)/ASA3(7)	OZ-7962 – Devcom Dev. Inc-LM-2011 SP12-040384
1166 Commissioners Rd. E	6798	102.7				Fireside Grill & Bar – rest. Pond Mills Medical Pharmacy Pond Mills Medical Clinic M & M Food Market – retail Pond Mills Animal Hospital Mai Nails & Spa Public Library Maggies Grooming – pet service City of London Fire Station	Shopping Area	ASA1(4)/NF1	
751 Deveron Cres	4330	51.8					Shopping Area	NF1	

Address	Land Area (m ²)	Frontage (m)	Depth (m)	Building Area (m ²)	Vacant Area (m ²)	Land Uses	London Plan	Zoning	Previous Applications
1200 Commissioners Rd. E				6055 20477 830 pkg spaces	139-2787	Food Basics - retail Dollarama - retail Teen Challenge Thrift Store - retail Employment and Training Division – Colleges & Universities – office Rear (Old Zellers) – Windley Ely Inc – offices – claims management	Shopping Area	CSA5(2)	Oz-7894-Pond Mills Square General Partner Ltd-MH-2011
1305-1319 Commissioners Rd. E	62,000			12688 100 pkg. spaces	119-2787	Summerside Shopping Centre 1305-Activity Plex (opening soon) 1315-BMO 1319-Summerside Family Dental First Choice Hair Cutters Asian Wok Pet Value Mr. Sub Vacant Vacant 1309-Vacant 1307-Vacant	Shopping Area	CSA5	O-5356 Jackson Summerside Land Corp-AM-1999 Z-5844 –AM-1999 39T-92020 SP05-132049 SP07-022656 SP08-002221
1335 Commissioners Rd. E	55,869						Shopping Area	CSA5	O-5356 39T-92020 D
1447 Commissioners Rd. E	3723						Shopping Area	NF	O-5356
1457 Commissioners Rd. E	5383						Shopping Area	NF/ASA1/ASA2/ASA3/SS3	O-5356 39T-92020 D
2010-2030 Meadowgate Blvd	9510					Summerside Dental Chefs Wok Veras Pizza Salon Diva Hair Design Jessicas Nail Spa Macs	Shopping Area	ASA1/ASA2/ASA3/ASA6/SS3	Z-6810- Comro Dev Group-ZGroup – NP. 2004

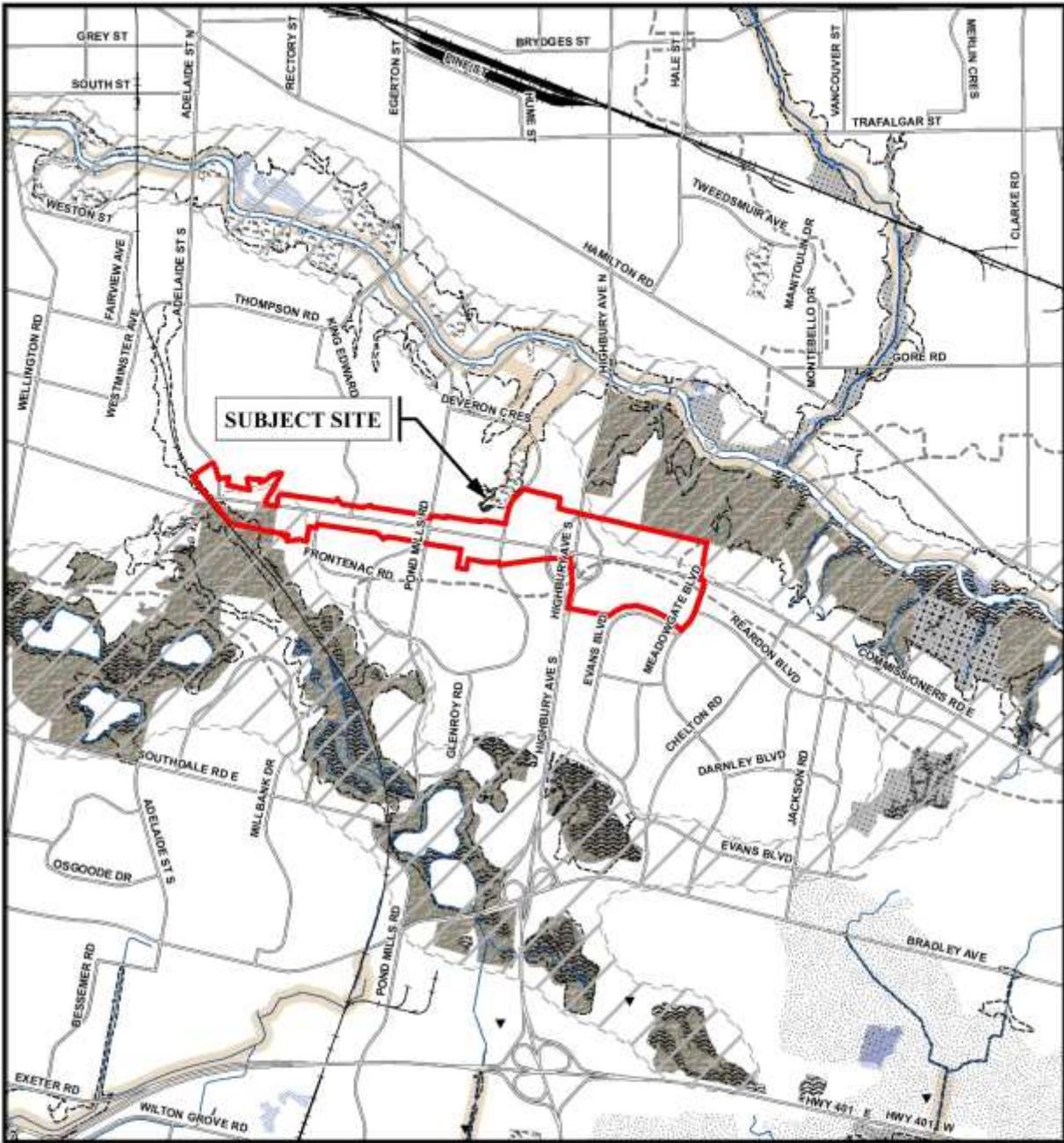
EXISTING 1989 OFFICIAL PLAN POLICIES



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</p> <p>Planning Services / Development Services</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>PLANNER: CP</p> <p>TECHNICIAN: MB</p> <p>DATE: 2019/09/23</p>
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NATURAL HERITAGE SYSTEM

- ESAs
- Potential ESAs
- Significant Woodlands
- Woodlands
- Unevaluated Vegetation Patches
- Significant River, Stream, and Ravine Corridors
- Unevaluated Stream and Ravine Corridors
- Provincially Significant Wetlands
- Locally Significant Wetlands
- Unevaluated Wetlands
- Potential Naturalization Areas
- Potential Upland Corridors
- Ground Water Recharge Areas

NATURAL HAZARDS

- Maximum Hazard Line
- NOTE 1: Hazard Lines shown on this map are approximate. The precise delineation of hazard line mapping available from the Conservation Authority having jurisdiction.
- NOTE 2: Flood Fringe mapping for certain areas of the city is available from the Upper Thames River Conservation Authority.

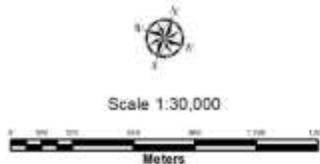
Base Map Features

- Railways
- Water Courses/Ponds
- Streets (refer to Schedule "C")
- Conservation Authority Boundary
- Subwatershed Boundary
- Big Picture Meta-Cores and Meta-Corridors

CITY OF LONDON
Planning Services /
Development Services

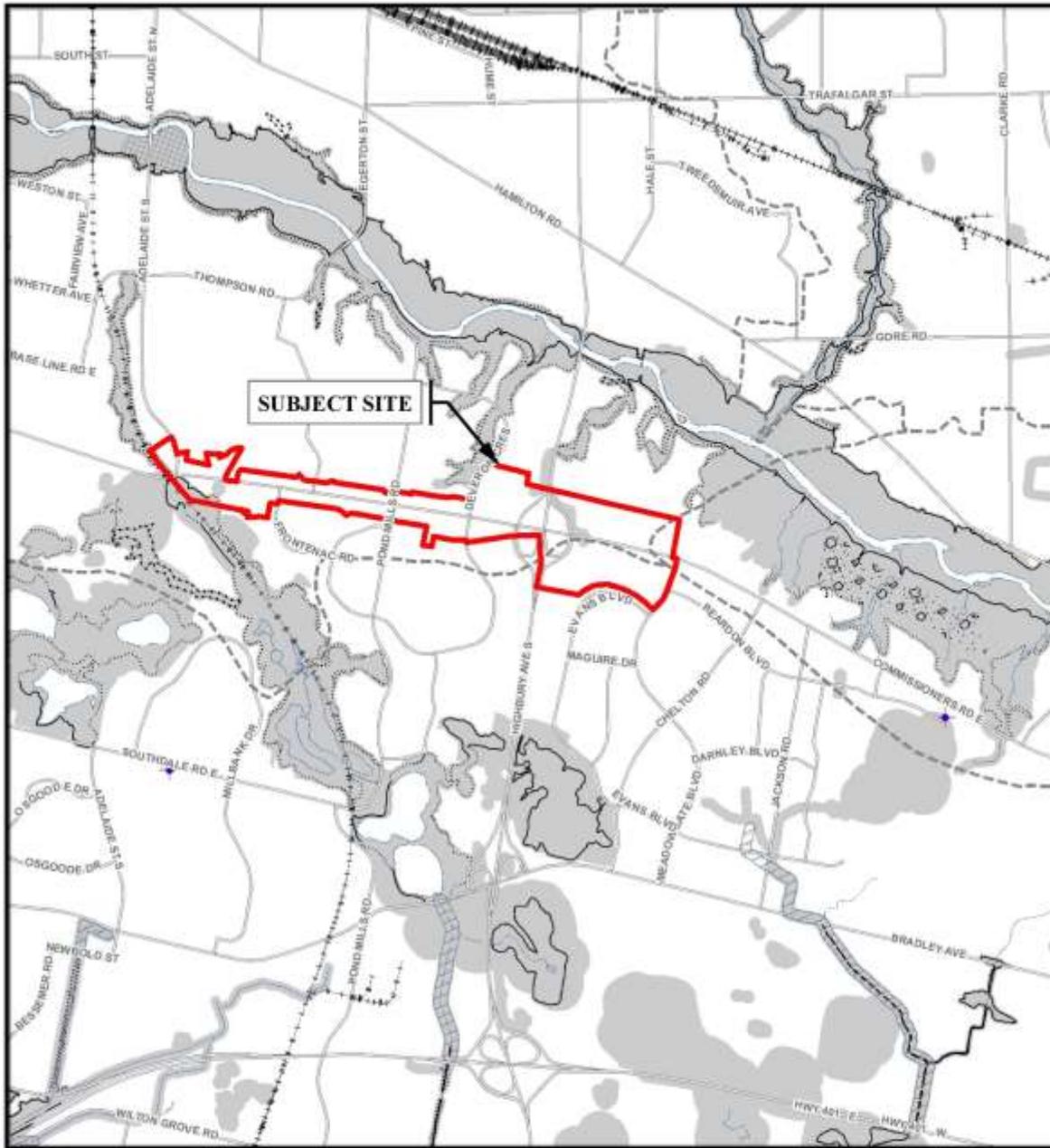
OFFICIAL PLAN SCHEDULE B1
- NATURAL HERITAGE FEATURES -

PREPARED BY: Graphics and Information Services



PLANNER: CP
TECHNICIAN: MB
DATE: 2019/09/23

Document Path: E:\Planning\Projects\p_area studies-corridors\CommissionerRoadCorridorReview\ScheduleB1Excerpt.mxd



NATURAL RESOURCES

- Aggregate Resource Areas
- Extractive Industrial
- Emergency Municipal Water Wells

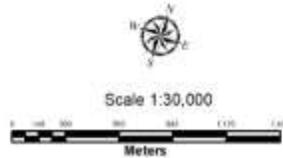
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CITY OF LONDON
Planning Services /
Development Services
OFFICIAL PLAN SCHEDULE B2
NATURAL RESOURCES
AND
NATURAL HAZARDS
 PREPARED BY: Geomatics and Information Services



PLANNER: CP
TECHNICIAN: MB
DATE: 2019/09/23

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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 & Compliance Services and
Chief Building Official

Subject: Dr. Riyadh Khamis
448 Oxford Street East

Public Participation Meeting on: December 2, 2019

Recommendation

That, on the recommendation of the Director, Development Services with respect to the application of Dr. Riyadh Khamis relating to the property located at 448 Oxford Street East, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting December 10, 2019 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Residential R3/Office Conversion (R3-1/OC4) Zone, **TO** a Residential R3/Office Conversion Special Provision (R3-1/OC5(_)) Zone.

Executive Summary

Summary of Request

The requested action is to rezone the subject property to add a medical/dental office use to the list of permitted uses within the existing building.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to permit a medical/dental office use in the existing building, together with at least one dwelling unit, a reduced parking rate of 12 spaces, whereas 13 are required and to recognize an existing exterior side yard depth of 2.8 metres.

Rationale of Recommended Action

1. The proposed amendment is consistent with the PPS, 2014;
2. The proposed amendment conforms to the in force policies of the 1989 Official Plan, including but not limited to the Multi-Family Medium Density Residential designation;
3. The proposed amendment conforms to the in-force policies of The London Plan, including but not limited to the Urban Corridor Place Type.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject property is located at the corner of Oxford Street East and Thornton Avenue. Located on site is an existing converted residential dwelling with parking located at the rear, off of Thornton Avenue. The site has historically been utilized as a converted residential building containing office uses on the main floor with a residential unit above.

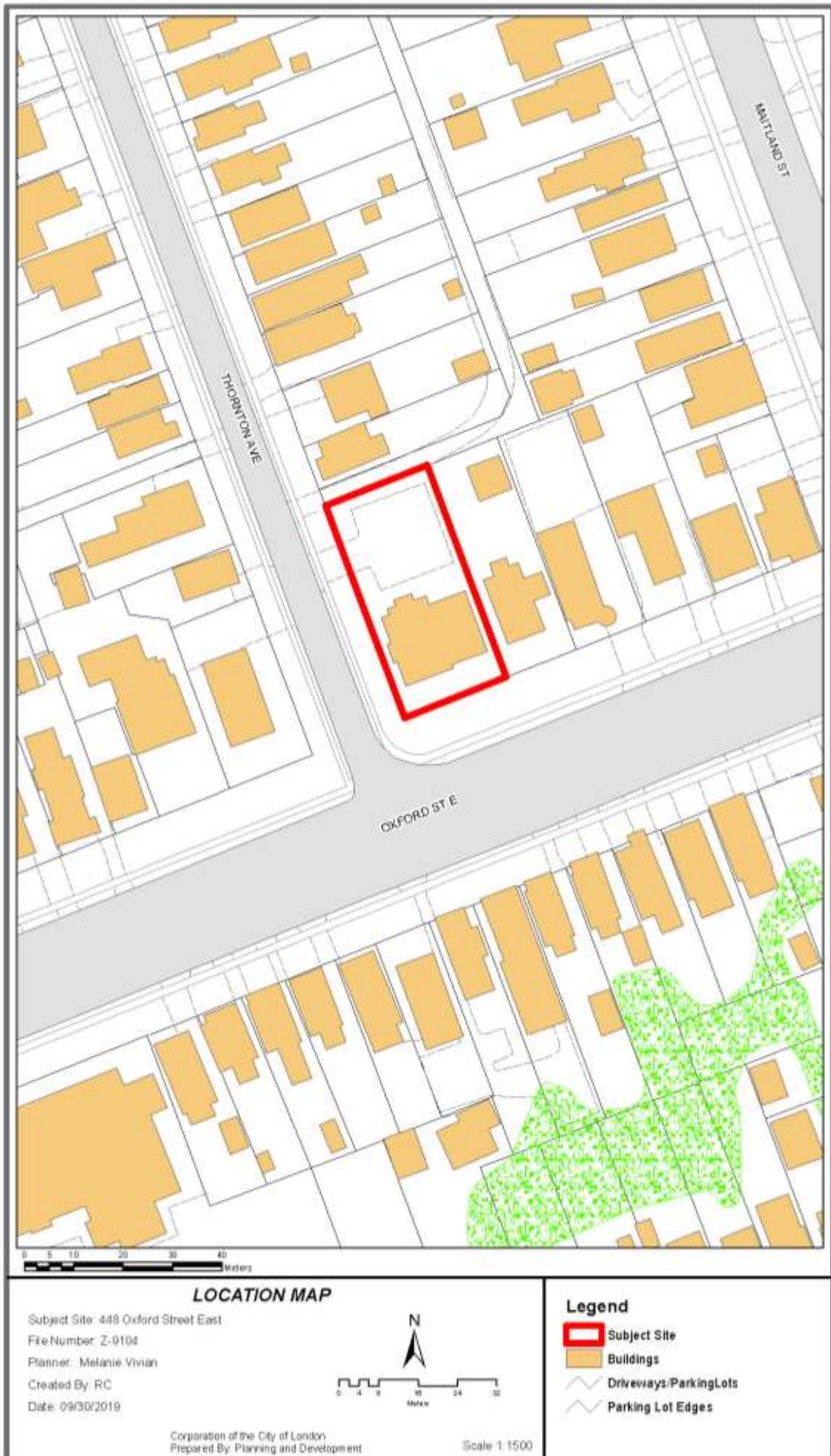


Figure 1: Subject Site (front view from Oxford Street East)



Figure 2: Subject Site (angled view off of Oxford Street East)

1.2



- 1.3 Current Planning Information (see more detail in Appendix D)**
- Official Plan Designation – Multi-Family Medium Density Residential
 - The London Plan Place Type – Urban Corridor Place Type
 - Existing Zoning – Residential R3/Office Conversion (R3-1/OC4) Zone
- 1.4 Site Characteristics**
- Current Land Use – Existing residential building converted to accommodate office uses with at least one residential unit
 - Frontage – 22.4 metres (73.49 feet)
 - Depth – 45.7 metres (149.93 feet)
 - Area – 1024.2 square meters (11024.39 square feet)
 - Shape – Rectangular
- 1.5 Surrounding Land Uses**
- North – Single detached dwellings
 - East – Single detached dwellings/converted dwellings
 - South – Single detached dwellings/converted dwellings
 - West – Single detached dwellings/fourplex dwellings/converted dwellings
- 1.6 Intensification (identify proposed number of units)**
- The subject property is located within the Primary Transit area where the continuation of one residential unit is prop

2.0 Description of Proposal

2.1 Development Proposal

The applicant is requesting to rezone the property at 448 Oxford Street East to accommodate a medical/dental office use within the existing building. As part of this application, the medical/dental office use will be together with at least one dwelling unit through a special provision to the zone. The applicant is also requesting a reduction in parking to 12 vehicle parking spaces, whereas 13 vehicle parking spaces are required and, to recognize an existing exterior side yard depth of 2.8 metres. All proposed renovations are within the interior of the existing building, no external changes are proposed.



Figure 3: Site concept plan, existing conditions

3.0 Relevant Background

3.1 Planning History

There have been no recent planning applications with respect to the subject property. The site has historically been utilized as a converted dwelling with an office on the main floor and residential above.

3.2 Requested Amendment

The applicant is requesting to rezone 448 Oxford Street East from a Residential R3/Office Conversion (R3-1/OC4) Zone to a Residential R3/Office Conversion Special Provision (R3-1/OC5(_)) Zone to add a medical/dental office use. Special provisions are requested to permit the medical/dental office use together with at least one dwelling unit, permit 12 parking spaces for all uses on site and to permit an exterior side yard depth of 2.8 metres, as existing.

3.3 Community Engagement (see more detail in Appendix B)

Staff received no written responses or phone calls from neighbouring property owners. Comments from external agencies and departmental correspondence expressed no objections to the application.

3.4 Policy Context (see more detail in Appendix C)

The Provincial Policy Statement, 2014

The Provincial Policy Statement (PPS) 2014, provides policy direction on matters of provincial interest relating to land use planning and development. All decisions affecting land use planning matters shall be “consistent with” the policies of the PPS.

Section 1.1 of the PPS, *Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns* encourages healthy, liveable and safe communities which are sustained by accommodating an appropriate range and mix of residential, employment and institutional uses to meet long-term needs (1.3.1.b)). It also directs planning authorities to promote economic development and competitiveness by encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities (1.3.1.c)).

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 property is located within the Urban Corridor Place Type of The London Plan, in accordance with *Map 1, located along an Urban Thoroughfare, in accordance with *Map 3. The vision for the Urban Corridor Place Type is to plan for a mix of residential and a range of other uses to establish demand for rapid transit services (*830_4). Generally, the Urban Corridor Place Type supports mid-rise and mixed-use development (*828_). The intensity policies for the Place Type regulate a minimum height of 2-storeys (or 8 metres) to a maximum height of 6-storeys (*Table 9). The building on site is an existing 2-storey, mixed-use building; meeting the intent of *The London Plan* form policies.

1989 Official Plan

The subject property is located within the Multi-Family, Medium Density Residential designation in the (1989) Official Plan, in accordance with Schedule A. The Multi-Family, Medium Density Residential designation serves as a suitable transition between the Low Density Residential areas and more intense forms of land use, while providing a greater variety and choice in housing (3.3.). Within the designation, permitted secondary uses include uses that are considered to be integral to, or compatible with, medium-density residential development including office conversions, which may be permitted according to the provisions of Section 3.6., General Provisions for All Residential Land Use Designations.

The subject property is also located within the Near-Campus Neighbourhood, a Special Policy Area within areas designated Multi-Family, Medium Density Residential. In the Near-Campus Neighbourhoods area, applications to allow for Residential Intensification or Residential Intensity shall be directed to areas located along arterial roads (3.5.19.9.). Minor revisions were made to these policies in 2016 following a review of the effectiveness of the former Near-Campus policies. There are no specific policies related to applications for office conversions.

4.0 Key Issues and Considerations

4.1 Issue and Consideration # 1: Proposed Medical/Dental Office Use

Provincial Policy Statement, 2014 (PPS)

The PPS identifies ways of managing and directing land uses to achieve efficient and resilient development and land use patterns through healthy, liveable and safe communities, which are sustained by accommodating an appropriate range and mix of residential, employment, institutional, recreation, park and open space, and other uses to meet long-term needs (1.1.1.b)). The PPS also directs planning authorities to promote densities and a mix of land uses which are appropriate for, and efficiently use, the *infrastructure* and *public service facilities* which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion (1.1.3.2.a)2.). Additionally, the PPS identifies that planning authorities shall consider the use of existing *infrastructure* and *public service facilities* should be optimized (1.6.3.a)). The applicant's proposal to add a medical/dental office as a permitted use, with a requested special provision to include at least one dwelling unit, continues the historical use as a mixed-use building with an office on the main floor and residential above. The additional use of a medical/dental office on the lands provides a beneficial use to the surrounding community by ensuring that long-term needs are met while utilizing the existing infrastructure.

The London Plan

The subject property is located within the Urban Corridor Place Type where mid-rise residential and mixed-use development is generally supported (*828_). The vision of the Urban Corridor Place Type is to plan for a mix of residential, and a range of other uses, along corridors to further establish the demand for rapid transit services (*830_4). Permitted uses within the Place Type include a range of residential, retail, service, office, cultural, recreational and institutional uses (*837_1). Within the Place Type, mixed-use buildings are encouraged with retail and service uses to front the street at grade (*837_2 and *837_4). The proposed medical/dental office use will be required to be together with at least one dwelling unit, through the requested special provision. The proposed use will be located within the existing building; continuing the mixed-use development on the subject property with the medical/dental office being located on the main floor with direct pedestrian access off of Oxford Street East. Furthermore, the Urban Corridor Place Type identifies that individual buildings will not contain more than 2,000 square metres of office space (*840_5). The proposed use will be conducted within the existing building, with a gross floor area of approximately 223 square metres, in keeping with the regulated maximum of 2,000 square metres.

1989 Official Plan

The subject property is designated Multi-Family, Medium Density Residential in the (1989) Official Plan. Primary permitted uses within the Multi-Family, Medium Density Residential designation include multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding houses; emergency care facilities; converted dwellings; and small-scale nursing homes, rest homes and homes for the age (3.3.1.). Notwithstanding the listed primary permitted uses above, the designation also contemplates for a range of secondary permitted uses which are considered to be integral to, or compatible with, medium density residential development, including office conversions (3.3.1.iv)). The (1989) Official Plan further defines office conversions as the total or partial conversion of a residential building for office use where the retention of the general form and character of buildings converted for office use is required (3.6.9.i)). Additionally, the Plan regulates where office conversions may be permitted within specifically identified areas including Oxford Street, on the north side, between the Thames River and Adelaide Street (3.6.9.ii)(1)). Historically, the building on the subject property has been utilized as mixed-use for the purpose of an office on the main floor and residential above while maintaining the existing building on the lands. As such, the existing and proposed use of the lands is a permitted use and located within an area identified as permitted office conversions with the residential designation.

4.2 Issue and Consideration # 2: Parking

Provincial Policy Statement, 2014 (PPS)

The PPS states that planning authorities shall promote land use patterns, densities and a mix of uses that minimize the length and number of vehicle trips and support current and future use of transit and active transportation (1.6.7.4.). The PPS also directs planning authorities to support active transportation along with the densities and a mix of land uses which are transit-supportive where transit is planned, exists or may be developed (1.1.3.2.a) 4. and .1.3.2.a) 5.). A reduction in parking from 13 required off-street parking spaces to the proposed 12 off-street parking spaces would promote the use of both active and public transit methods.

The London Plan

Within the Urban Corridor Place Type of *The London Plan*, policies in relation to the form of development direct buildings and the public realm to be designed to be pedestrian, cycling and transit-supportive through the orientation of buildings, location of entrances, clearly marked pedestrian pathways, widened sidewalks, cycling infrastructure and a general site layout which reinforces pedestrian safety and easy navigation (*841_5). As such, surface parking areas should be located in the rear and interior side yard (*841_12). In this instance, the existing building on the subject property has frontage onto Oxford Street East, an Urban Thoroughfare in accordance with *Map 3, with the main building entrance being located off of a pedestrian sidewalk; allowing for pedestrians to access the site off of Oxford Street East. Furthermore, the existing site layout contains parking at the rear of the property with access off of Thornton Avenue. Although access to development along the Urban Corridor Place Type may be provided from “side-streets”, this case being Thornton Avenue, traffic impacts will be directed away from the internal portions of the adjacent neighbourhood (*841_8). Being located at the intersection of Oxford Street East and Thornton Avenue, vehicle traffic to and from the site will be limited to the outer edges of the existing neighbourhood. As the proposed medical/dental office use requires parking for patients with scheduled appointments and its associated staff members, a reduction in parking of one (1) space will recognize opportunities for people traveling to the site to use alternative travel methods of either active or public transit.

The subject property is also located within the Primary Transit Area, the focus of residential intensification and transit investment within the City (*90_). Primary Transit Area policies direct intensification to the appropriate place types with locations developed to be sensitive to, and a good fit within, existing neighbourhoods (*90_). The policies also

direct the Primary Transit Area to have a heightened level of pedestrian and cycling infrastructure to service and support active mobility (*90_). Based on the above analysis, the reduction in parking of 1 on-site vehicle parking space is consistent with the objectives of the Primary Transit Area policies as the site is accessible through both active and public transportation.

1989 Official Plan

The subject property is located along an Arterial Road, containing sidewalks on one or both sides for pedestrians, within the Multi-Family, Medium Density Residential designation (Schedule C). The (1989) Official Plan provides direction relating to office conversions and their site functionality in terms of access. Access to the subject property is provided from the exterior side yard through the existing driveway along Thornton Avenue, a local street, where impacts to adjacent residential uses are not anticipated (3.6.9.iv)(c)). As parking on site is an existing situation, the proposed medical/dental office use and the special provision to permit the medical/dental office use together with at least one dwelling unit would not create a high demand for parking as the medical/dental office would be through scheduled appointments. Furthermore, as the subject lands are located within the Primary Transit Area, a reduction in parking, although by one (1) space, would promote the use of active and public transportation to the site.

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

5.0 Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2014 and conforms to the in-force policies of The London Plan and the (1989) Official Plan. The recommended amendment will not create negative impacts on surrounding land uses and further provides the opportunity for a specialized medical service to be introduced to the surrounding community as well as being located along a well-serviced transit corridor.

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

November 25, 2019

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

Appendix A

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

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

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 448
Oxford Street East.

WHEREAS Dr. Riyad Khamis has applied to rezone an area of land located
at 448 Oxford Street East 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 448 Oxford Street East, as shown on the attached map comprising
part of Key Map No. A102, from a Residential R3/Office Conversion (R3-1/OC4)
Zone to a Residential R3/Office Conversion Special Provision (R3-1/OC5(_)) Zone.
- 2) Section Number 17.3 of the Office Conversion (OC5) Zone is amended by adding
the following Special Provision:
 -) OC5(_) 448 Oxford Street East
 - a) Additional Permitted Uses
 - i) Office, medical/dental, together with at least one
dwelling unit
 - b) Regulation[s]
 - i) Parking (minimum) 12 spaces for all uses on site
 - ii) Exterior Side Yard 2.8 metres
Depth (minimum)

The inclusion in this By-law of imperial measure along with metric measure is for the
purpose of convenience only and the metric measure governs in case of any discrepancy
between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with
Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage
of this by-law or as otherwise provided by the said section.

PASSED in Open Council on December 10, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 10, 2019
Second Reading – December 10, 2019
Third Reading – December 10, 2019

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



Appendix B – Public Engagement

Community Engagement

Public liaison: On August 28, 2019 Notice of Application was sent to 184 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on August 29, 2019 A “Planning Application” sign was also posted on the site.

No replies were received from the public.

Nature of Liaison: Zoning Amendment to allow a medical/dental office in the existing building, a reduced parking rate of 12 spaces, whereas 13 spaces are required, an exterior side yard depth of 2.8 metres and a special provision for a medical/dental office use together with at least one dwelling unit.

Responses: A summary of the various comments received include the following:

Agency/Departmental Comments

August 29, 2019 – Upper Thames River Conservation Authority

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

September 6, 2019 – London Hydro Engineering

The site is presently served by London Hydro. Contact the Engineering Dept. if a service upgrade is required to facilitate these changes. Any new and/or relocation of existing infrastructure will be at the applicant’s expense. Above-grade transformation is required. London Hydro has no object to this proposal or possible official plan and/or zoning amendment. Any new or relocation of existing service will be at the expense of the owner.

September 20, 2019 – Engineering – Development and Compliance Services

Comments provided at pre-application are still applicable.

The following items are to be considered during a future site plan stage:

Transportation:

- 6.0m x 6.0m daylight triangle required at Oxford and Thornton Avenue.

Wastewater:

- The municipal sanitary sewer for the subject lands is the 300mm sanitary sewer on Oxford Street East
- The sanitary p.d.c. is 150mm in diameter. See City Plan #14984
- As the use of Mun. No. 448 Oxford Street East is changing to a Medical/Dental office, a sanitary inspection manhole is required and is to be located wholly on private lands but as close to streetline as possible, all to City Standards and to the satisfaction of the City Engineer.

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 Healthy, liveable and safe communities are sustained by:

- c) Accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs

1.3.1.c) Planning authorities shall promote economic development and competitiveness by encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities.

1.1.3.2.a) 2. Land use patterns within the *settlement areas* shall be based on: densities and a mix of land uses which are appropriate for, and efficiently use, the *infrastructure* and *public service facilities* which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion.

1.1.3.2 a) 4. Land use patterns within *settlement areas* shall be based on densities and a mix of land uses which support *active transportation*

1.1.3.2 a) 5. Land use patterns within *settlement areas* shall be based on densities and a mix of land uses which are *transit-supportive*, where transit is planned, exists or may be developed.

1.6.3 Before consideration is given to developing new *infrastructure* and *public service facilities*:

- a) the use of existing *infrastructure* and *public service facilities* should be optimized; and

1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and *active transportation*

The London Plan

Primary Transit Area

*90_ The Primary Transit Area will be the focus of residential intensification and transit investment within London. It includes the Transit Villages and the Rapid Transit Corridors. Intensification will be directed to appropriate place types and locations within the Primary Transit Area and will be developed to be sensitive to, and a good fit within, existing neighbourhoods. The Primary Transit Area will also have heightened level of pedestrian and cycling infrastructure to service and support active mobility and strong connections within these urban neighbourhoods

Our Vision for the Rapid Transit and Urban Corridor Place Types

*828_ Our Urban Corridors will support a form of development that is very similar to our Rapid Transit Corridors, but at a slightly lower intensity. They will be places that encourage intensification over the life of this Plan so that they can mature to support higher-order transit at some point in the future beyond 2035. These corridors will generally support mid-rise residential and mixed-use development. Like the Rapid Transit Corridors, different segments of these Urban Corridors may vary in use, character and intensity

How Will We Realize Our Vision?

*830_4 We will realize our vision for our corridors by implementing the following in all the planning we do and the public works we undertake: plan for a mix of residential and a range of other uses along corridors to establish demand for rapid transit services

Permitted Uses

*837_1 The following uses may be permitted within the Rapid Transit Corridor and Urban Corridor Place Types, unless otherwise specified by the Specific-Segment policies in this chapter: a range of residential, retail, service, office, cultural, recreational, and institutional uses may be permitted within the Corridor Place Type

*837_2 The following uses may be permitted within the Rapid Transit Corridor and Urban Corridor Place Types, unless otherwise specified by the Specific-Segment policies in this chapter: mixed-use buildings will be encouraged

*837_4 The following uses may be permitted within the Rapid Transit Corridor and Urban Corridor Place Types, unless otherwise specified by the Specific-Segment policies in this chapter: where there is a mix of uses within an individual building, retail and service uses will be encouraged to front the street at grade

Intensity

*840_5 The following intensity policies apply within the Rapid Transit and Urban Corridor Place Types unless otherwise identified: individual buildings will not contain more than 2,000m² of office space, except within 100 metres of rapid transit stations where buildings may contain up to 5,000m² of office space. An aggregate total of no more than 5,000m² will be allowed within 100 metres of a rapid transit station

*Table 9 – Maximum Height in the Rapid Transit and Urban Corridor Place Types

Form

*841_5 The following form policies apply within the Rapid Transit and Urban Corridor Place Types: buildings and the public realm will be designed to be pedestrian, cycling and transit-supportive through building orientation, location of entrances, clearly marked pedestrian pathways, widened sidewalks, cycling infrastructure and general site layout that reinforces pedestrian safety and easy navigation

*841_8 The following form policies apply within the Rapid Transit and Urban Corridor Place Types: while access to development along Corridors may be provided from “side-streets”, traffic impacts associated with such development will be directed away from the internal portions of adjacent neighbourhoods

*841_12 The following form policies apply within the Rapid Transit and Urban Corridor Place Types: surface parking areas should be located in the rear and interior side yard. Underground parking and structured parking integrated within the building design is encouraged

Intensity

*851_1 The intensity policies of the Corridor Place Type will not apply. In their place, the following policies will apply: The Near-Campus Neighbourhood policies will prevail where there is a conflict with the following policies.

*851_2 The intensity policies of the Corridor Place Type will not apply. In their place, the following policies will apply: The retention of existing buildings will be encouraged to maintain the character of the streetscape. Heritage designated properties will be protected and conserved.

Near-Campus Neighbourhood

*962_ The following policies apply to lands within the Near-Campus Neighbourhoods as identified on Map 7 – Specific Policy Areas. These neighbourhoods are located within proximity to Western University and Fanshawe College. These policies will augment the applicable place type policies and the Our Tools part of this plan.

*964_ Near-Campus Neighbourhoods will be planned to enhance their livability, diversity, vibrancy, culture, sense of place, and quality of housing options for all residents

*965_6 The following planning goals will be pursued in Near Campus Neighbourhoods in an effort to support the Vision for Near-Campus Neighbourhoods. Encourage a balanced mix of residential structure types at the appropriate locations while preserving stable residential areas

*965_8 The following planning goals will be pursued in Near Campus Neighbourhoods in an effort to support the Vision for Near-Campus Neighbourhoods. All planning and development applications will be reviewed to evaluate the degree to which they meet these goals: direct residential intensification to significant transportation nodes and corridors and away from the interior of neighbourhoods

*968_ Residential intensification or an increase in residential intensity, as defined in these policies, may be permitted in the Neighbourhoods Place Type within Near-Campus Neighbourhoods only where it has been demonstrated that all of the criteria listed below have been met.

*969_ For lands in the Neighbourhoods Place Type that are located within the Near-Campus Neighbourhoods, the following forms of intensification and increased residential intensity will not be permitted

1989 Official Plan

Multi-Family, Medium Density Residential

3.3. The Multi-Family, Medium Density Residential designation permits multiple-unit residential developments having a low-rise profile, and densities that exceed those found in Low Density Residential areas but do not approach the densities intended for the Multi-Family, High Density Residential designation. Residential uses that typically comprise medium density development include row houses, cluster houses, low-rise apartment buildings, and certain specialized residential facilities such as small-scale nursing homes, homes for the aged and rest homes. The Multi-Family, Medium Density Residential designation may serve as a suitable transition between Low Density Residential areas and more intense forms of land use. It will also provide for greater variety and choice in housing at locations that have desirable attributes but may not be appropriate for higher density, high-rise forms of housing.

Permitted Uses

3.3.1. 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. These areas may also be developed for single-detached, semi-detached and duplex dwellings. Zoning on individual sites would not normally allow for the full range of permitted uses

3.3.1.iv) Uses that are considered to be integral to, or compatible with, medium density residential development, including group homes, home occupations, community facilities, funeral homes, commercial recreation facilities, small-scale office developments, and office conversions, may be permitted according to the provisions of Section 3.6

Policies for Near-Campus Neighbourhoods

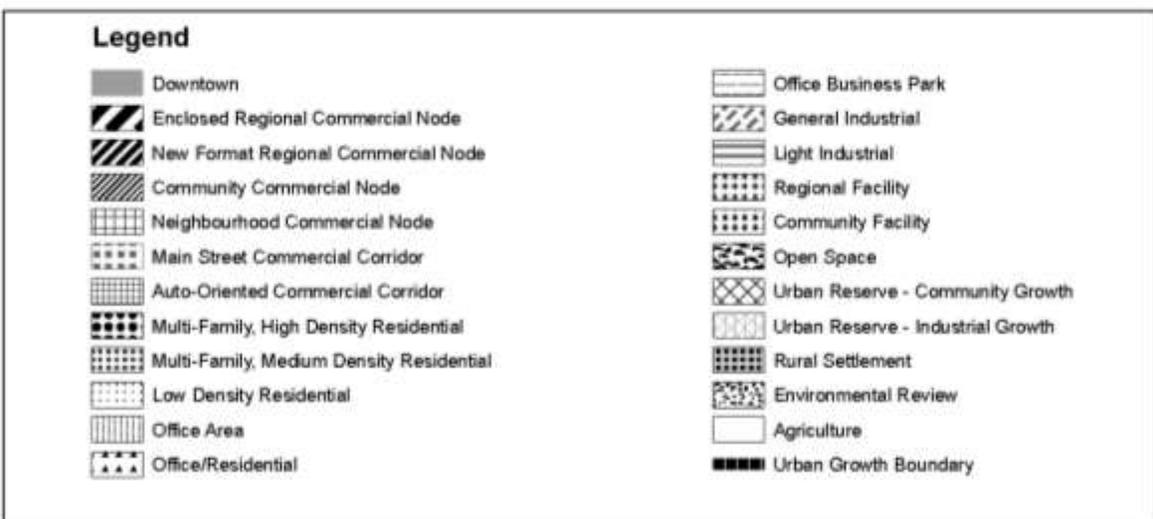
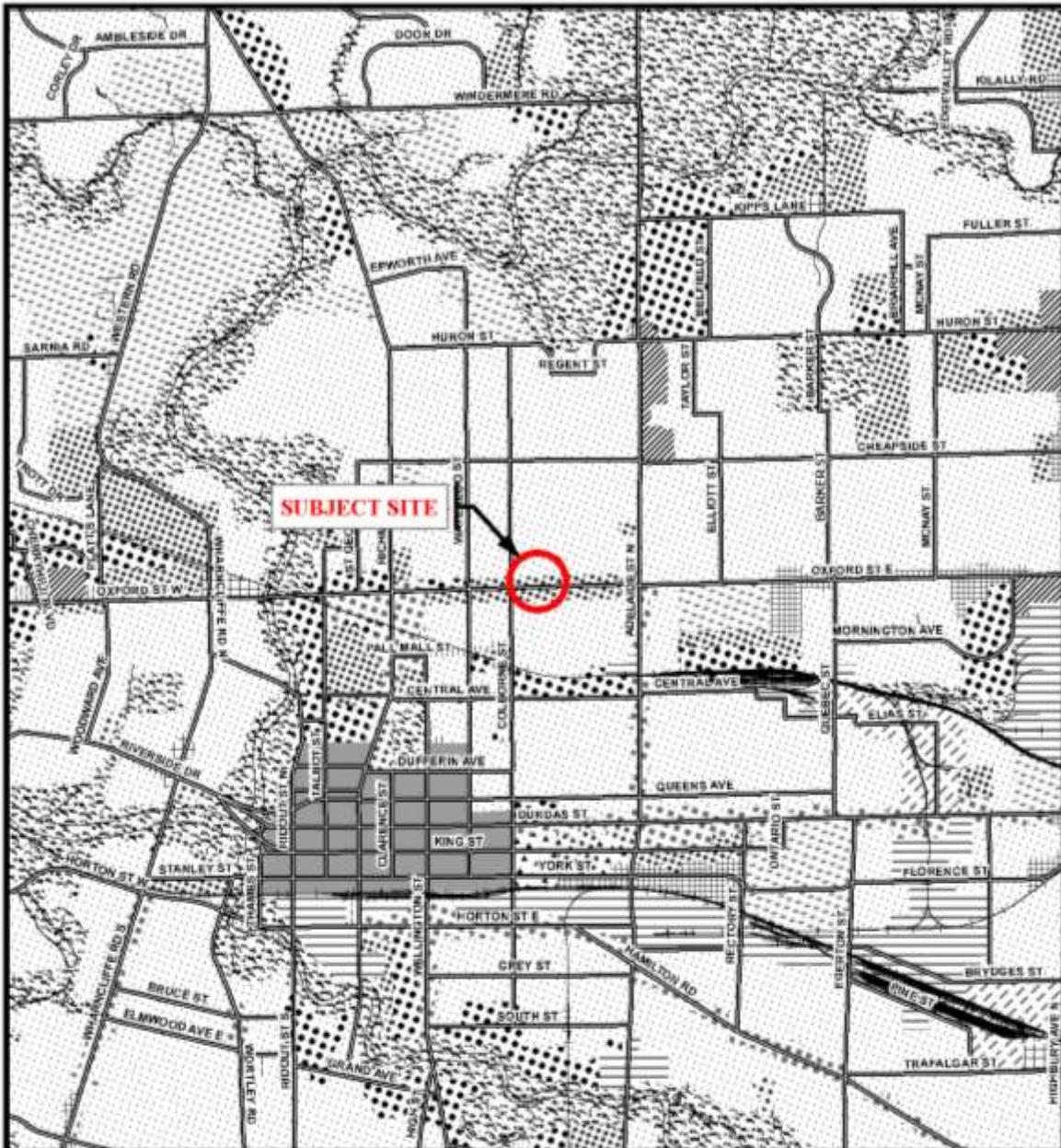
3.5.19.9. Within the Near-Campus Neighbourhoods area in areas designated Multi-Family, Medium Density Residential and Multi-Family, High Density Residential, planning applications to allow for Residential Intensification or Residential Intensity shall be directed to those areas located along arterial roads which are designated accordingly.

Office Conversions

3.6.9.i) For the purposed of the Plan, office conversion shall be defined as the total or partial conversion of a residential building for office use. Office conversions may involve minor additions to the existing building where these facilitate the use of the building for offices. Retention of the general form and character of buildings converted for office use will be required

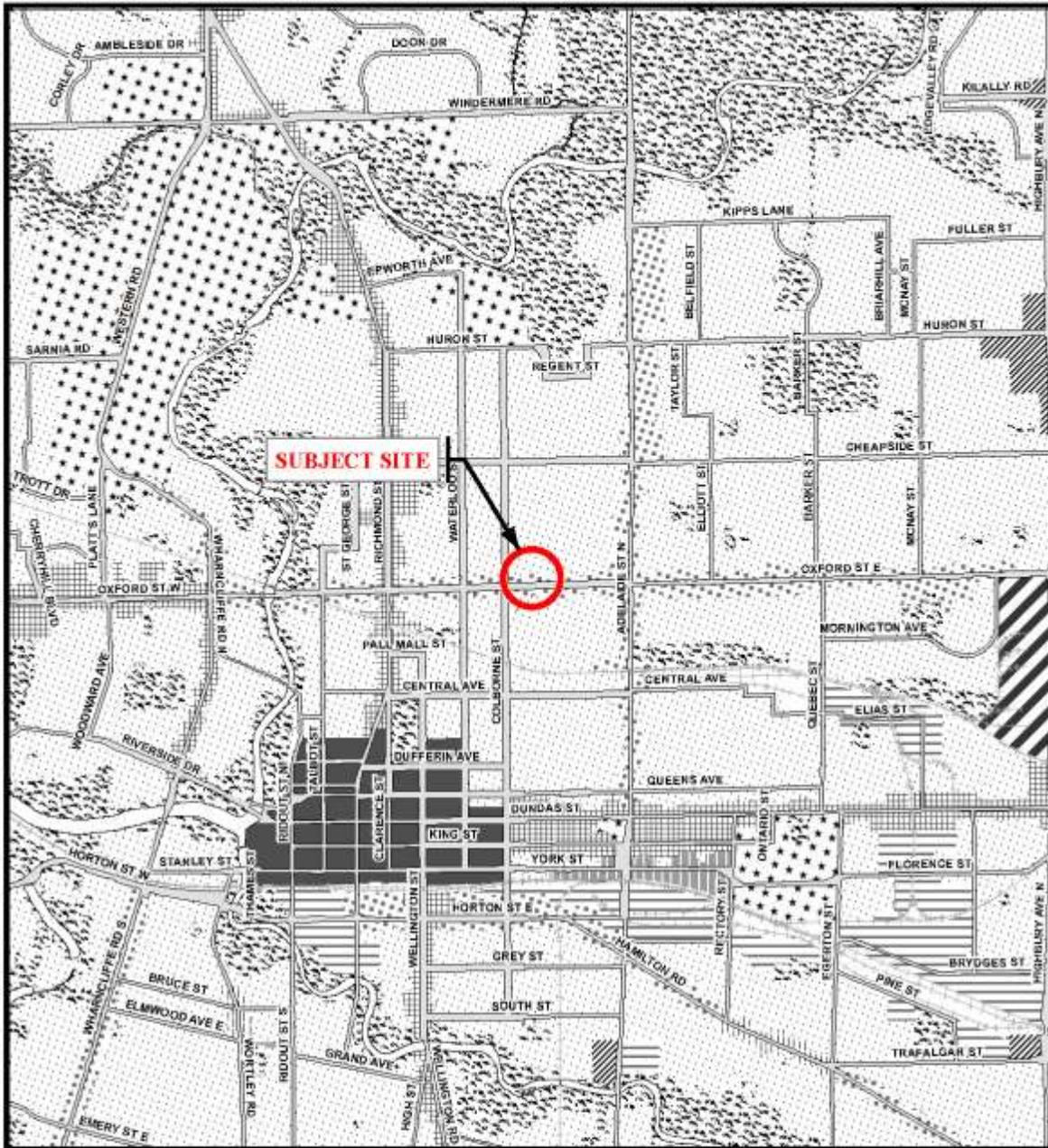
3.6.93ii) Office conversions may be permitted in the following locations within the Residential designations: (1) Oxford Street – north side between the Thames River and Adelaide Street; south side between Foster Avenue and Woodward Avenue; south side between Wharncliffe Road and the Thames River and south side between the Thames River and Adelaide Street

Appendix D – Relevant Background
Additional Maps



<p>CITY OF LONDON Department of Planning and Development</p> <p>OFFICIAL PLAN SCHEDULE A LANDUSE</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: Z-9104 PLANNER: MV TECHNICIAN: RC DATE: 2019/09/30</p>
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Legend

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|------------------------|--------------------------|---|
| 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 consultation 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.

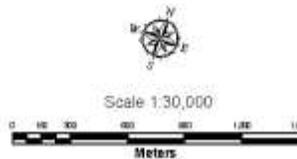
CITY OF LONDON

Planning Services /
 Development Services

LONDON PLAN MAP 1

- PLACE TYPES -

PREPARED BY: Planning Services



File Number: Z-9104
Planner: MV
Technician: RC
Date: September 30, 2019

Project Location: E:\Planning\Projects\lp_official\plan\work\consolid\00\excerpts_LondonPlan\mxd\Z-9104-Map1_PlaceTypes.mxd



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

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| <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 |
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CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



FILE NO:

Z-9104

MV

MAP PREPARED:

2019/09/30

RC

1:1,250

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

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: George Kotsifas, P. Eng.
Managing Director, Development and Compliance Services &
Chief Building Official
Subject: Urban Design Peer Review Panel Terms of Reference Update
Meeting on: December 2, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the Terms of Reference for the Urban and Design Peer Review Panel (UDPRP):

- a) the following report **BE RECEIVED** for information; and
- b) The Urban Design Peer Review Panel Terms of Reference – December, 2019 (Appendix 'A') **BE ADOPTED**; and
- c) The Urban Design Peer Review Panel Terms of Reference – April, 2008 (Appendix 'B') **BE REPEALED**.

Executive Summary

Summary of Request

This report is seeking endorsement from Council for the updated version of the Urban Design Peer Review Panel (UDPRP) Terms of Reference (Appendix A) to replace the 2008 version of the Terms of Reference (Appendix B).

Purpose and the Effect of Recommended Action

The purpose and effect of the revised UDPRP Terms of Reference is to allow for greater clarity, certainty and consistency with respect to the operation and functioning of the Panel.

Rationale of Recommended Action

As part of informal discussions with current and past members of the UDPRP, development and community stakeholders, Civic Administration recommended and initiated a review of the Terms of Reference. Following extensive stakeholder engagement, revised UDPRP Terms of Reference have been prepared to ensure that past issues are resolved and proposed improvements to the process are implemented.

Analysis

1.0 Relevant Background

The Urban Design Peer Review Panel (UDPRP) was established by Municipal Council in April 2008 in order to provide expert opinion, input, and peer review on planning and development applications, as well as municipal projects. The existing Terms of Reference were established at that time (see Appendix 'B') to provide direction for how the Panel was to function and operate.

In June 2019, Staff was directed by Municipal Council to initiate a review of the Terms of Reference with the input from key stakeholders and past/current Panel members.

2.0 Key Issues and Considerations

2.1 Purpose of Review

In recent years, Staff has maintained a list of issues and areas for potential improvement to the Terms of Reference as a result of suggestions provided from past and current Panel members, and the development industry. As part of the review process, Staff engaged all relevant stakeholders to ensure a comprehensive review.

2.2 Stakeholder Engagement

Over the past several months staff have been working closely with stakeholders that interact with the UDPRP on a regular basis. The identified groups include: current and past Panel members; the development Industry; planners, architects, landscape architects, and other related professionals; and The Urban League.

The following provides further details regarding stakeholder engagement meetings:

Kick-off Stakeholder Engagement Meeting (July 31st, 2019)

This meeting included multiple representatives from each stakeholder group. This meeting successfully provided staff with a high-level list of issues and opportunities along with methods to solve or implement the identified issues and opportunities. At the conclusion of the meeting a Working Group was set up with one or two representatives from each of the groups. The working group included the following members:

- Ben McCauley (Zelinka Priamo for London Area Planning Consultants)
- Bill Veitch (MTE Engineering for The London Consulting Engineers Ontario)
- Carrie O'Brien (Drewlo Holdings for London Development Institute)
- John Nicholson (Nicholson Sheffield for London Society of Architects and past member of UDPRP)
- Julian Novick (Wastell Developments for London Home Builders' Association)
- Kim Wood (Housing Development Corporation)
- Laverne Kirkness (Kirkness Consulting for London Area Planning Consultants)
- Mike Wallace (London Development Institute)
- Tom Tillman (Architects Tillman Ruth Robinson for London Society of Architects and past member of UDPRP)
- Tim O'Brian (Current Member of the UDPRP)
- Kerri Killen (Senior Planner, City Planning, City of London)

Working Group Meeting #1 (August 13th, 2019)

At the first meeting of the Working Group, staff brought forward the findings from the Kick-off Meeting which included a list of "Quick Wins", and a list of the top ideas (discerned from the previously identified issues and opportunities) to be further developed. The list of "Quick Wins" provided the group with a list of easily implementable items that could be incorporated into the Terms of Reference without the need for further discussion. By the end of the meeting staff had worked through the list of top ideas, and had a good understanding of the proposed changes that the group was seeking as part of the revised document.

Working Group Meeting #2 (September 17th, 2019);
Working Group Meeting #3 (October 22nd, 2019)

Between the first and second Working Group meetings staff composed a draft of the revised Terms of Reference and distributed the document to the group for review and comment. The second and third meetings of the Working Group involved a detailed review of each section of the document to identify any potential changes, clarifications and additions.

Monthly Meetings with the current UDPRP

Beginning in July 2019 to present, staff met monthly with the current UDPRP to discuss the on-going matters raised during the review, including high-level issues and section by section review of each version of the draft.

This approach of working closely with the identified stakeholders through each step of the process was integral to producing a quality document that has been endorsed by all who were involved. This consensus approach provided much value and allowed for a very effective engagement process.

2.3 Summary of Key Changes

The following is a short summary of the key changes that will help ensure the UDPRP Terms of Reference is up-to-date, in-line with The London Plan, providing for a more efficient process, and incenting good design.

Redefining the Purpose of the Panel

The purpose of the Panel has been completely re-written and broken into two sections (Purpose and Responsibility). The changes within this section allow for clarity to the Panel, future panelists, the development industry, and the general public as to the role of the Panel and the purpose for the creation of the Panel.

Refining the Scope of Work

The scope of work section was brought up-to-date with language to further align it with The London Plan.

Listing the Criteria for Types of Applications to be Reviewed by the Panel

The current terms of reference does not include a clearly identified criteria for which applications are to be reviewed by the UDPRP. One of the major issues raised by the stakeholder groups over that last decade is the lack of clarity, consistency, and certainty relating to this specific issue.

The updated Terms of Reference includes a clear set of criteria in order to ensure that development proponents know prior to submission of an application if their proposal will need to appear at the UDPRP. The new criteria has a strong relationship with The London Plan, specifically to certain Place Types. Establishing criteria will ensure that only the most urban-type Place Types, sensitive infill, mid- and high-rise buildings, development at identified gateways, and identified special character areas will be subject to review. This will limit the amount of applications coming forward to the Panel, and will allow the Panel to focus on the areas where enhanced review is beneficial and areas with higher design sensitivity.

Defining Quorum and Alternate Means of Review

In order to assure that there are no delays in the application review process, a section regarding quorum was established that also allows for alternate means of

review in case quorum cannot be met. This will eliminate the possibility for the cancelation of Panel meetings thus ensuring that applications can be reviewed within legislated timeframes.

“Green-lighting” Applications that are Implementing Good Urban Design

As a means to reward proposals that reflect good urban design, a mechanism has been incorporated to allow development proponents to bypass the required meeting, provided they satisfy the design criteria outlined in the revised Terms of Reference (Appendix A). Every month, once the Panel has been circulated with the agenda and related materials for each proposal, the Panel will have the opportunity to inform staff that they have no comments, or very minor comments related to an application. In these instances, the proposal can be “green-lit” through the process, thus skipping the meeting and proceeding immediately to the next step in the application process.

Next Steps

Should Council endorse the changes to the UDPRP Terms of Reference, the new framework will be fully implemented in January, 2020. Over the course of the first half of 2020, staff will undertake several administrative tasks associated with the changes, including external communications related to the Panel changes, working closely with the current Panel to implement the changes, and establishing a continuous improvement and monitoring framework.

In the future, Staff will return to Council with reports on the UDPRP Terms of Reference if any major issues are identified through monitoring that would necessitate revisions.

3.0 Conclusion

Following Council’s endorsement, the revised UDPRP Terms of Reference will be implemented to ensure that the process is efficient and consistent approach in reviewing proposals. The revised Terms of Reference is to provide for certainty and clarity to current and future Panel members, development proponents, City staff, and the public.

Prepared by:	Jerzy Smolarek MAUD Urban Designer, 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
The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

November 25, 2019

JS/js

CC: Heather McNeely, Manager, Development Services (Site Plan)
Michael Pease, Manager, Development Planning
Michael Tomazincic, Manager, Current Planning
Britt O'Hagan, Manager, City Building and Design

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Terms of Reference Update JS 1of1.docx

Appendix A

URBAN DESIGN PEER REVIEW PANEL
TERMS OF REFERENCE

December, 2019

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 - 1.2 Responsibilities
- 2.0 SCOPE OF WORK**
- 3.0 APPLICATIONS REVIEWED BY THE UDPRP**
- 4.0 MEMBER SELECTION, TERM AND REMUNERATION**
 - 4.1 Composition
 - 4.2 Selection
 - 4.3 Term
 - 4.4 Election and Role of Chair
 - 4.5 Remuneration
- 5.0 URBAN DESIGN BRIEF**
- 6.0 MEETINGS**
 - 6.1 UDPRP Meeting Structure
 - 6.2 Quorum
- 7.0 ADMINISTRATION OF PANEL**
- 8.0 CONFLICT OF INTEREST**
- 9.0 CONFIDENTIALITY**

1.0 PURPOSE AND RESPONSIBILITIES OF THE URBAN DESIGN PEER REVIEW PANEL (UDPRP)

1.1 Purpose

The Urban Design Peer Review Panel serves as an independent urban design advisory panel to the City of London. The Panel is strictly an advisory body and does not have the authority to approve or refuse projects or make policy decisions.

1.2 Responsibilities

To provide timely, consistent and effective urban design advice within the planning and development approvals processes by:

- (a) Reviewing development proposals to ensure the intent of the Official Plan, other relevant City policies, and urban design guidelines are met;
- (b) Providing City staff, and through them to development proponents, advice that encourages and supports high-quality design that fits well within the applicable context, aids in contributing to the success of projects, and enhances the quality of life for London's citizens; and,
- (c) Acting as a resource for City staff in the development of urban design policy, goals, guidelines and implementation processes within the approved urban design context of the City of London.

2.0 SCOPE OF WORK

The UDPRP operates as part of the established development review process and supplements the development review process.

The UDPRP provides advice to City staff on applicable planning applications, including Official Plan Amendments, Zoning By-law Amendments, Subdivision Applications and Site Plan Applications pertaining to urban design, as well as advice on urban designed-focused policy amendments and other initiatives. The advice of the UDPRP will be included in the applicable staff reports to the appropriate Committee of Council and/or to the applicable Approval Authority.

The UDPRP will evaluate applications related to their potential role in fostering:

- - A well-designed built form;
 - Development that is compatible and a good fit within its context;
 - A high-quality, distinctive and memorable city image;
 - Development that supports a positive pedestrian environment;
 - All types of active mobility and universal accessibility;
 - High-quality public spaces that are safe, accessible, attractive and vibrant;
 - A mix of housing types;
 - Sustainability; and,
 - A sense of place and character through healthy, diverse and vibrant neighbourhoods.

City staff will consult with the UDPRP members and the development industry, on an as needed basis to review and update the Terms of Reference - Scope of Work of the UDPRP in order to ensure effective outcomes.

3.0 APPLICATIONS REVIEWED BY THE UDPRP

Applications that are to be reviewed by the UDPRP will be selected by the Director, Development Services (or designate). Applications may be selected based on meeting one or more of the following criteria:

- Planning and Development Applications:
 - All public projects of significant scale. Small-scale projects such as pump stations, field houses, and minor park improvements may be exempt;
 - All developments within the Downtown, Transit Village, Mainstreet, Urban Corridor, and Rapid Transit Corridor Place Types (as identified on the map in Appendix 1);
 - All residential, commercial, and mixed-use developments 5-storeys in height and greater;
 - Infill developments (as defined by development of vacant or under-utilized parcels within existing urban areas that are already largely developed), where the proposed intensity is greater than the surrounding neighbourhood **AND** the form proposed is different than existing forms adjacent to the site (i.e. proposed townhouses or apartment with higher density than existing single family dwelling surrounding neighbourhood);
 - Development located at or visible from gateways (identified in *The London Plan*) along entrance streets into the city, including Veterans Memorial Parkway and Highways 401 and 402 (as identified on the map in Appendix 1);
 - Development in special character areas, such as those for which urban design guidelines have been adopted or those in the City's list of established Heritage Conservation Districts (as identified on the map in Appendix 1);

- City Initiated:
 - Urban designed-focused policy amendments and other initiatives lead by the City (such as: guideline documents, secondary plans, etc.)

All qualifying planning applications will be required to submit an Urban Design Brief prior to appearing at the UDPRP. The Panel members will have the opportunity to “green light” any application that is deemed by the Panel to meet all relevant urban design policies, guidelines and overall good urban design principles, thus eliminating the need to go to the panel meeting.

The Director, Development Services (or designate) has the discretionary authority to exempt a development application from additional UDPRP review if it has already received UDPRP review and no further urban design issues are identified.

4.0 MEMBER SELECTION, TERM AND REMUNERATION

4.1 Composition

The Urban Design Peer Review Panel (UDPRP) shall be comprised of not less than six (6) members, with at least three (3) architects and three (3) other professionals that influence the design of the built environment and are qualified in their field; these fields include, landscape architecture, urban design, planning or other professional fields that influence the design of the built environment.

4.2 Selection

Panel members shall be selected from a qualified pool of candidates and approved by Council upon the recommendation of the Director, Development Services. A minimum of one member of the Panel must be practicing or have practiced in their field within London. No member shall be appointed to the UDPRP if they are employees of The Corporation of the City of London or if they are a Member of Council.

4.3 Term

Panel members shall serve a two (2) year term from the date of their appointment and shall not sit for two (2) consecutive terms. There will be staggered terms based upon the following schedule to provide for a degree of continuity on the UDPRP:

Two (2) architects and one (1) individual from a profession that influences the design of the built environment, appointed on years ending in even numbers (i.e. 2020).

One (1) architect and two (2) individuals from professions that influence the design of the built environment, appointed on years ending in odd numbers (i.e. 2021).

4.4 Election and Role of Chair

Members of UDPRP will elect a Chair at the first UDPRP meeting of the year with a term of (1) one calendar year. The Chair should have a minimum of one (1) year experience on the UDPRP to be eligible.

The role of Chair, or their designate, will be to preside over the discussions for each agenda item to ensure it receives a fair and thorough consideration from all members.

The Chair, or their designate, will provide a verbal summary of UDPRP advice and commentary at the end of each agenda item.

Within 10 business days of the relevant UDPRP meeting, a formal memo signed by the UDPRP Chair, or their designate, will be issued to relevant City Staff and the applicant.

4.5 Remuneration

There shall be no remuneration for UDPRP members.

Panel members travelling from locations outside of London may be compensated for their travel expenses within reason and at the discretion of the Director, Development Services (or designate).

5.0 URBAN DESIGN BRIEF

Proponents of developments selected to be reviewed by the UDPRP will be required to submit an Urban Design Brief for their proposal. Submission materials are required to provide sufficient and appropriate detail to be understood by the UDPRP members (including visuals), with explanatory written material, when necessary.

The requirements of the Urban Design Brief are outlined in the *Urban Design Brief - Terms of Reference*. Depending on the nature of the application, staff may work with the applicant to scope the Urban Design Brief and exempt certain aspects, as required.

Applicants should meet with the City's Urban Design Staff at the pre-consultation stage of development and planning applications, and receive project feedback prior to appearing before the UDPRP.

Urban designed-focused policy amendments and other policy initiatives lead by the City may not require an Urban Design Brief. However, all background information as well as the proposed policy changes or new policy initiatives should be provided to the Panel in line with the deadlines for submitting Urban Design Briefs.

6.0 MEETINGS

UDPRP meetings shall be held monthly, during the third week of the month. Exceptions may be made on the advice of the Director, Development Services or on the availability of members of the UDPRP, as required.

UDPRP meetings shall be attended by the Urban Designer assigned to the file with support from other applicable staff involved in the review of the proposal, to address specific matters.

UDPRP meetings shall be open to the public, but there shall be no written or verbal submissions by any individuals other than City staff, the applicant and/or their design consultant, and members of the UDPRP. The public will have an opportunity to make written or verbal submissions on applications through applicable public participation opportunities.

6.1 UDPRP Meeting Structure

Pre-meeting (UDPRP members and City staff only):

The pre-meeting will allow the UDPRP members to discuss administrative items and give City staff the opportunity to provide clarification regarding any of the items on the agenda as necessary.

Meeting (open to the public):

At the start of the meeting, the UDPRP members will have the opportunity to formally declare conflicts.

Individual items:

Time allotted for each individual item will be determined depending on the complexity of the applications. In the case of City Initiated Zoning By-law and Official Plan Amendments that are primarily design-based related to broad policy, secondary plans, guidelines, and other design related initiatives, City staff leading the project would be considered as the applicant.

Approximately 5 minutes

The applicant and their design consultant, present their project's context, design objectives and how it responds to relevant policies of the City's Official Plan and associated guidelines. **Emphasis should be placed on demonstrating the merits of the development through a series of images, diagrams, models and other visuals.**

Approximately 20 minutes

The UDPRP will deliberate and offer their comments and recommendations to the proponent. The UDPRP's comments will be based on Council-approved Official Plan policy and associated policies of the City. UDPRP comments may range from an acknowledgement of the positive design qualities of a proposal, to suggestions that encourage a design which better complies with Official Plan policy and relevant guidelines.

Relevant City staff involved in the review of the application will be present to respond to any questions or requests for clarification.

Within 10 business days following the UDPRP meeting, a formal memo signed by the UDPRP Chair, or his/her designate, will be issued to relevant City staff and the applicant. The memo will summarize the UDPRP's comments with respect to the proposed development or design-based initiative in relation to the Official Plan and applicable City policies.

6.2 Quorum

Quorum is achieved when 50% or greater of UDPRP members are present.

Prior to a scheduled meeting:

- If quorum cannot be achieved prior to the scheduled meeting the UDPRP members who are unable to attend the meeting, will digitally review all applications and provide their individual comments to the UDPRP Chair, who will include the comments as part of the deliberations at the meeting.

Day of the scheduled meeting:

- If quorum is not attained at the start of the meeting, or if quorum cannot be met due to a conflict of interest, the UDPRP members may decide collectively if they will continue with the scheduled meeting without quorum with the focus of providing information exchange only. Alternatively, the UDPRP members could choose to adjourn the meeting and review all of the applications digitally and provide their comments to the UDPRP Chair, or their designate, who will compile the comments into a formal memo.

In either case no application will be postponed and each application will receive either a formal memo or a memo providing advice following their scheduled appearance at the UDPRP.

7.0 ADMINISTRATION OF PANEL

The following monthly submission sequence of Urban Design Briefs will apply to all applications appearing before the UDPRP:

- 1st week of the month **Wednesday;**
submission deadline for Briefs submitted to
City staff.
Friday; Deadline for City staff to review Briefs
for completeness and inform applicants of
deficiencies.
- 2nd week of the month **Wednesday;** Deadline for applicant to
resubmit materials and complete Urban
Design Briefs are forwarded to the UDPRP.
- 3rd week of the month **Monday;** Deadline for UDPRP Chair to provide
staff with a list of “green lit” projects, if
applicable.
Wednesday; Meeting of the UDPRP.

The agenda for each UDPRP meeting will be provided to UDPRP members along with the applicant submitted Urban Design Brief(s) a minimum of one (1) week prior to each UDPRP meeting. At that time the Panel will have the opportunity to “green light” any application that is deemed by the Panel to meet all relevant urban design policies, guidelines and overall good urban design principles. Upon receipt of written communication from the UDPRP Chair, by end of day on the third Monday of the month, these applications would be removed from the agenda and allowed to proceed immediately to the next step in the application process.

The minutes of all UDPRP meetings will be recorded by staff. Individual UDPRP members will not be identified in the meeting minutes. All comments will be recorded without attribution.

Within five (5) business days following the UDPRP meeting, staff will distribute the minutes the Chair of UDPRP and applicable City staff.

Within eleven (11) business days following the UDPRP meeting, staff will distribute the formal memo signed by the UDPRP Chair, or his/her designate, and the meeting minutes to relevant City staff and the applicant. Along with the formal memo and minutes, a UDPRP Comment Response Table will also be sent to the applicant that will need to be filled out and returned to the City as part of the application review process.

All relevant UDPRP materials including: UDPRP meeting agenda, submitted Urban Design Briefs, UDPRP meeting minutes, and the formal memo issued by the UDPRP Chair shall be published to the UDPRP web page on the City of London website.

Following the review of the application by the UDPRP, should it be determined that the changes made to the development proposal are significant, the applicant may request or be asked by way of a written communication from the Director, Development Services (or designate) to reappear before the UDPRP.

8.0 CONFLICT OF INTEREST

In this section:

“Relative” means a person’s spouse, common-law spouse, same-sex partner, child, parents, siblings or a spouse of any of the foregoing.

“Spouse”, “Child”, “parent” shall have the meanings ascribed to them in the Municipal Conflict of Interest Act, R.S.O. 1990, c M.50.

In the performance of his or her duties, a UDPRP member shall not:

- place him or herself in a position where a member is under obligation to any person who might benefit from special consideration or favour or who might seek preferential treatment in any way;
- accord preferential treatment to relatives or to organizations in which the member, his or her child, parent or spouse, have an interest, financial or otherwise;
- deal with an application to the City for a grant, award, contract, permit or other benefit involving the member or his or her immediate relative;
- place his or herself in a position where the member could derive any direct benefit or interest from any matter about which he/she can influence decisions; and
- benefit from the use of information acquired during the course of his or her official duties which is not generally available to the public.

Where a UDPRP Member believes he or she has a conflict of interest in a particular matter, he or she shall:

- prior to any consideration of the matter, disclose his or her interest and the general nature thereof;
- remove themselves from the table for the duration of time that the matter is being considered;

- not take part in the discussion or recommendation in respect of the matter; and
- not attempt in any way whether before, during or after the meeting to influence the voting on any such question or recommendation.

A request for an investigation of a complaint that a UDPRP member has contravened the above shall be:

- made in writing, setting out reasonable and probable grounds for the allegation that a member has contravened the above Conflict of Interest Policies and signed by an identifiable individual (which includes the authorized signing officer of an organization);
- filed with the Director, Development Services (or designate), who, in the case of a complaint shall investigate the matter and present the findings to Council in a closed meeting of Council.

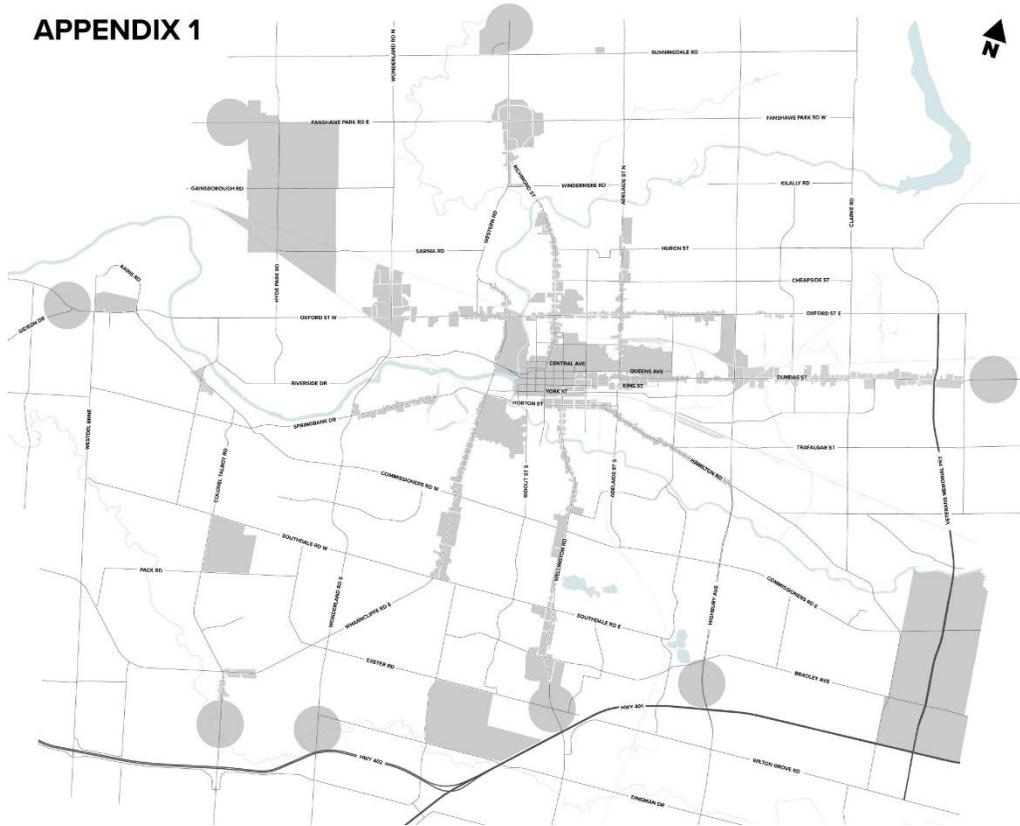
Council, may determine:

- that there has been no contravention of the Conduct Policy;
- that a contravention occurred although the member took all reasonable measures to prevent it;
- that a contravention occurred that was trivial or committed through inadvertence or an error of judgment made in good faith; or
- that the member has contravened the Conduct Policy and take any corrective actions, including removal from the Advisory Committee.

9.0 CONFIDENTIALITY

UDPRP Members may be required to sign a confidentiality agreement pertaining to any material of a proprietary nature which is forwarded to them in carrying out the UDPRP's mandate.

APPENDIX 1



MAP OF AREAS
WHERE UDPRP
REVIEW MAY BE
REQUIRED

*This map is for illustrative purposes only and is intended to provide for a visual to the locations criteria set out in Section 3 of this document.

AREAS WHERE UDPRP
REVIEW MAY BE REQUIRED

Last Updated: December, 2019

Appendix B

URBAN DESIGN PEER REVIEW PANEL
TERMS OF REFERENCE

April 7, 2008

1.0 PROTOCOL

1.1 PURPOSE

To provide timely, consistent and effective urban design advice within the development approvals process by:

- (d) clarifying urban design policy goals to development proponents that will aid them in delivering projects which contribute good quality design to the public realm;
- (e) reviewing development proposals to ensure the goals of the Official Plan and other City policies are met within in the context of urban design;
- (f) ensuring that new buildings and public spaces demonstrate a high level of design, that fit well within their context, to contribute to London's economic success, competitive advantage and the quality of life for its citizens;
- (g) supporting creative design responses in new development;
- (h) fostering an effective working relationship with the development industry; and
- (i) broadening public discussion about design in London and strengthening public input within the development approvals process.

1.2 COMPOSITION, SELECTION, TERM AND REMUNERATION

Composition:

The Urban Design Peer Review Panel (UDPRP) shall be comprised of not less than six (6) members, with at least three (3) architects, one (1) landscape architect, one (1) LEED Accredited professional; and, one (1) urban planner/designer.

Selection:

Panel members shall be selected from a qualified pool of candidates and approved by Council upon the recommendation of the General Manager of Planning and Development, in consultation with the City's Urban Designer. No member shall be appointed to the UDPRP if they are employees of The Corporation of the City of London or if they are a Member of Council.

Term:

Panel members shall serve a two (2) year term from the date of their appointment and shall not sit for two consecutive terms, noting that there will be staggered terms for the inaugural members, based upon the following schedule, in order to provide for a degree of continuity on the UDPRP:

Two (2) architects; and, one (1) landscape architect for a term ending twelve (12) months from the first meeting of the UDPRP.

One (1) architect; one (1) LEED Accredited professional; and, one (1) urban planner/designer for a term ending twenty-four (24) months from the first meeting of the UDPRP.

Upon completion of the first term of the Panel's existence all new members will then operate on a two year term basis in staggered fashion as mentioned above.

Remuneration:

There shall be no remuneration for UDPRP members.

1.3 OPERATION

- The UDPRP shall provide advice to Planning staff on Planning applications with respect to Official Plan amendments, rezonings and subdivision and site plan applications in the context of urban design.
- The UDPRP shall provide advice to Planning staff on urban design policy, guidelines and other initiatives.
- Applications that are to be reviewed by the UDPRP will be selected by the General Manager of Planning and Development based on the identification of substantive design issues. At the pre-consultation stage characteristics of the project, which will be considered in identifying substantive design issues may include, size, location, prominence, visibility, design sensitivity and surrounding context.

Meetings:

- Submission materials for projects to be reviewed shall be compiled by Planning staff and sent to UDPRP members to review not less than three weeks in advance of the UDPRP's meeting to ensure the Members' familiarity with the project(s).

- Submission materials should provide enough detail to be understood by the UDPRP members and should include the following:
 1. key plan;
 2. coloured copies of the site plan, building elevation plans and landscape plans;
 3. photographs of the surrounding streetscape and adjacent lands;
 4. coloured renderings, digital perspectives or a physical massing model showing the proposed development and its relationship to the adjacent lands;
 5. floor plans for all ground related floors and as required to explain the scheme;
 6. building elevations and materials;
 7. a sun/shadow study;
 8. a brief project description;
 9. a letter from the design consultants addressing the merits of the proposed design recognizing: the design policies contained in the Official Plan and any applicable planning policies and urban design guideline documents and the surrounding building context;

it being noted that:

- (a) all presentation material should be mounted on panels of no more than 0.9m x 1.2 m (3' x 4') in size;
 - (b) the preferred method for submissions to the UDPRP will be electronically; and,
 - (c) the applicant may choose to prepare a PowerPoint presentation with the above information to further explain the proposed application at the UDPRP Panel Meeting.
- UDPRP meetings shall be attended by City planning staff and, where needed, Development Services and Transportation Planning and Design staff.
 - UDPRP meetings shall be open to the public, but there shall be no written or verbal submissions by any individuals other than staff, except by the proponent and their design consultant who shall have an opportunity to make a brief presentation to explain the project's objectives and how it responds to the City's Official Plan and associated policies. Others will have an opportunity to make written or verbal submissions on an application at the appropriate time during the Planning Committee's review process.
 - The UDPRP will commence its review of a project with a brief presentation by Planning and other relevant staff to provide the UDPRP with an understanding of the planning and technical analysis and community context, including comments from any public information meetings held in relation to the project. The presentation by Planning and other relevant staff will then be followed by a brief presentation by the proponent and their design consultant who shall explain the

project's objectives and how it responds to the City's Official Plan and associated policies.

- Following staff and proponent presentations, the UDPRP will have the opportunity to ask questions for clarification before beginning their deliberations and developing its advice with respect to the project(s).
- The UDPRP's comments will be based on Council-approved Official Plan policy and associated policies of the City. UDPRP comments will range from an acknowledgement of the positive design qualities of a proposal, to suggestions that encourage a design which better complies with Official Plan Policy and relevant guidelines.
- Within 10 business days of the relevant UDPRP meeting, a communication signed by the UDPRP Chair, or his/her designate, will be issued to the coordinating development review planner and/or site plan approvals officer and the applicant. The communication will summarize the UDPRP's comments with respect to the proposed development in relation to the Official Plan and applicable City policies.
- If the Planning Committee holds a public participation meeting after a meeting of the UDPRP, which relates to a matter under review by the UDPRP, the comments of the UDPRP will be presented at the public participation meeting by City staff.

Note: Details of all required documentation noted above is outlined in the document Staff Protocol for the Urban Design Peer Review Panel.

1.4 CONFLICT OF INTEREST

The *Municipal Conflict of Interest Act* shall apply to the UDPRP Members in carrying out their duties as a Member of the UDPRP. Accordingly, each member of the UDPRP will be expected to disclose any conflict of interest with respect to matters before the UDPRP and shall not participate in deliberations pertaining to any matter for which they have declared a conflict.

1.5 CONFIDENTIALITY

UDPRP Members may be required to sign a confidentiality agreement pertaining to any material of a proprietary nature which is forwarded to them in carrying out the UDPRP's mandate.

2.0 INTEGRATION WITH THE DEVELOPMENT APPROVALS PROCESS

2.1 COORDINATION OF DESIGN REVIEW

- The assigned planner or site plan approvals officer processing an application that is subject to design review shall coordinate the design review process for those development applications.

2.2 DEVELOPMENT APPROVALS PROCESS

- The UDPRP will operate as part of the established development review process for the City of London.
- The UDPRP will be given the opportunity to comment to Planning staff on proposed applications prior to the commencement of a statutory public meeting relating to the applicable planning application.
- Upon consideration of the application by the UDPRP, should it be determined that the requested changes are significant, the applicant may request or be asked by way of a written communication from the General Manager of Planning and Development or his/her designate, to reappear before the UDPRP to advise the UDPRP as to how the applicant has addressed the requested changes.
- The advice of the UDPRP will be included in the applicable planning application staff reports to the Planning Committee.

Note: Proponents should meet with the City and planning staff (Urban Designer) as early as possible in the planning process. Accordingly, the applicant's appearance before the UDPRP will not present the first discussion regarding urban design that applicant has been engaged in through the process.

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: John M. Fleming
Managing Director, City Planning and City Planner

Subject: 21 Norlan Avenue
City of London

Public Participation Meeting on: December 2, 2019

Recommendation

That, on the recommendation of the Managing Director, City Planning and City Planner, the following actions be taken with respect to the application of the City of London, on behalf of Urban Roots London, relating to the property located at 21 Norlan Avenue:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on December 10, 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 Open Space (OS1) Zone, **TO** an Open Space Special Provision (OS1 (_)) Zone to permit retail sales of food grown on the property.

Executive Summary

Summary of Request

To allow retail sales of fresh produce grown on the property to be sold on site of an existing urban farm.

Rationale of Recommended Action

1. The recommended amendment to Zoning By-law Z-1 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 the policies of the Open Space land use designation and to The London Plan, including the policies of the Green Space Place Type and the policies of the Food Systems chapter and provides for appropriate uses on this site.
3. The recommended amendment to Zoning By-law Z-1 will allow sales of agricultural products from small farms located within the Urban Growth Boundary.
4. The zoning by-law amendment helps implement one of the goals of the Urban Agriculture Strategy to make fresh produce more available to the general public.

Analysis

1.0 Site at a Glance

1.1 Property Description

This 1.24 hectare (3.1 acre) parcel is located south of Hamilton Road, east of Highbury Avenue and close to the south branch of the Thames River. In terms of elevation the property is located at the bottom of a hill on Norlan Avenue at the south end.



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

- Official Plan Designation – Schedule A- Low Density Residential/Open Space , Schedule B.1- Subwatershed Boundary/Big Picture Meta Cores and Meta Corridors
- The London Plan Place Type – Neighbourhood/Green Space
- Existing Zoning – Open Space (OS1) Zone

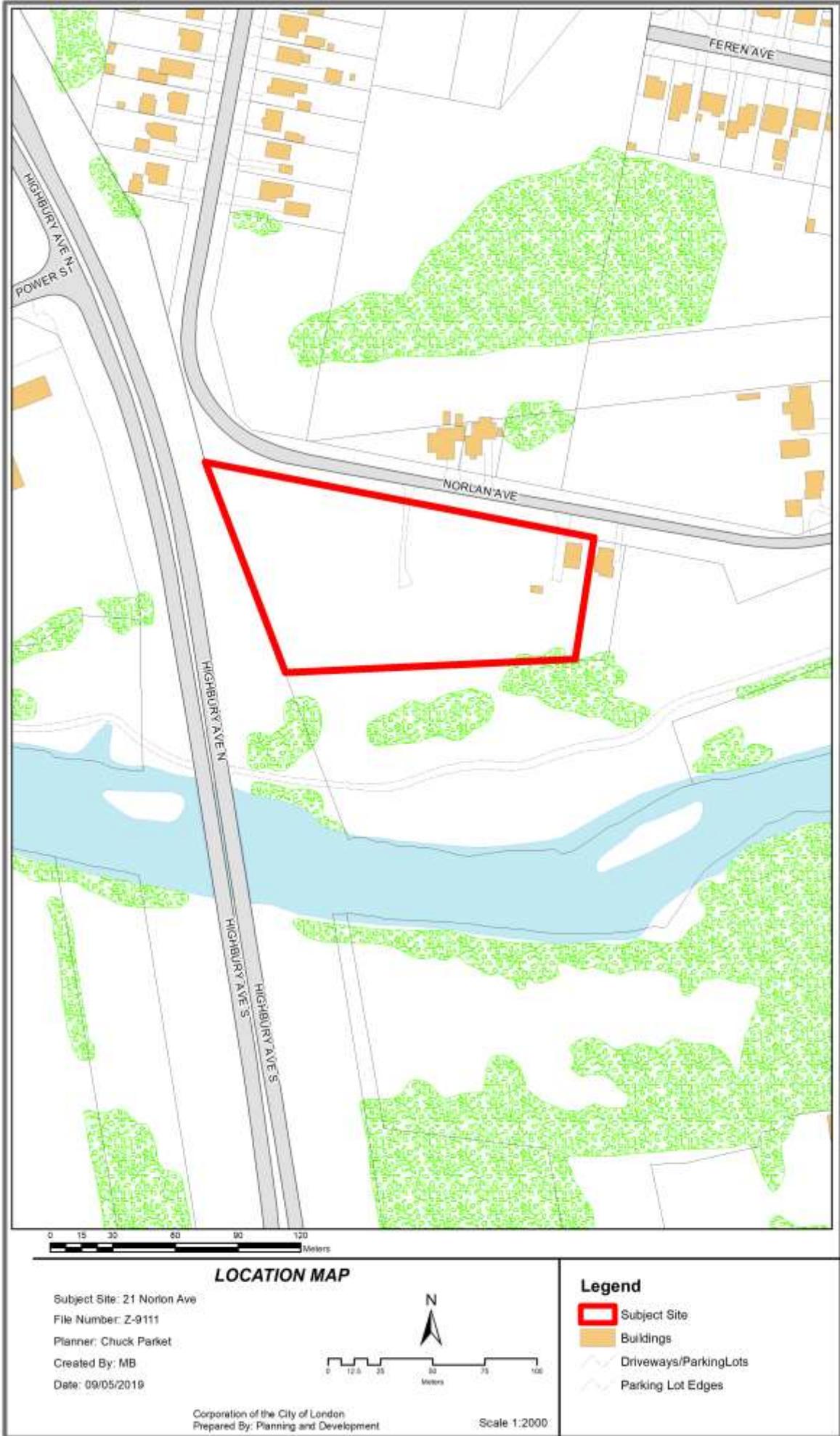
1.3 Site Characteristics

- Current Land Use – urban farm with a single detached dwelling
- Frontage – 189.8 metres (622.7 ft.)
- Area – 1.24 hectare (3.1 acre)
- Shape – Irregular

1.4 Surrounding Land Uses

- North – Single family dwelling, hydro corridor, single family neighbourhood
- East – Single family dwellings, Meadowlily Bridge
- South – Thames Valley corridor, Meadowlily Woods natural area
- West – Highbury Avenue and Thames River Valley corridor

Location Map



2.0 Relevant Background

2.1 Current Situation

Urban Roots have been operating an urban farm at 21 Norlan Avenue since 2017. The landowner has currently donated the land to the group for their operation.

Urban Roots is a non –profit organization that revitalizes underused land in the City of London for agriculture by;

1. *Producing high quality, organic vegetables and herbs*
2. *Distributing produce locally, directly to consumers and to private and social enterprises*
3. *Developing agricultural opportunities for the neighbourhood, social enterprises and community organizations within the City of London*
4. *Growing a self-sustaining, urban agricultural model to germinate to new sites*

In 2017 Urban Roots sold approximately 60% of the produce grown at markets and donated the remaining 40% to groups such as the Men’s Mission, My Sister Place, Hamilton Road Crouch Resource Centre and Y.O.U. In 2018 their goal was to sell 33% of the produce at full cost (to cover operating costs) to restaurants and farm markets, another third at an affordable cost and remainder would be donated. So far in 2019 the group has donated and sold over 5400 pounds of produce.



2.2 Requested Amendment

Urban Roots has been operating an urban farm on the property since 2017 and has requested permission to sell fresh produce on the property. The current zoning allows the urban farm but does not allow the retail sale of goods from the property.

2.3 Community Engagement (see more detail in Appendix B)

On September 18, 2019 a Notice of Application was sent to surrounding landowners, agencies and other City Departments and on September 19, 2019 a notice of application was placed in the Londoner. A sign was also posted on the property.

In response we received one comment of support. The landowner responded by telephone and asked a series of questions which staff answered.

3.4 Policy Context

In the Farmland Place Type (The London Plan) and Agriculture designation (1989 Official Plan) , which are applied outside the Urban Growth Boundary, retail sales of produce grown on the farm is allowed as an accessory use and normally takes the form of a roadside stand at the entrance to the farm.

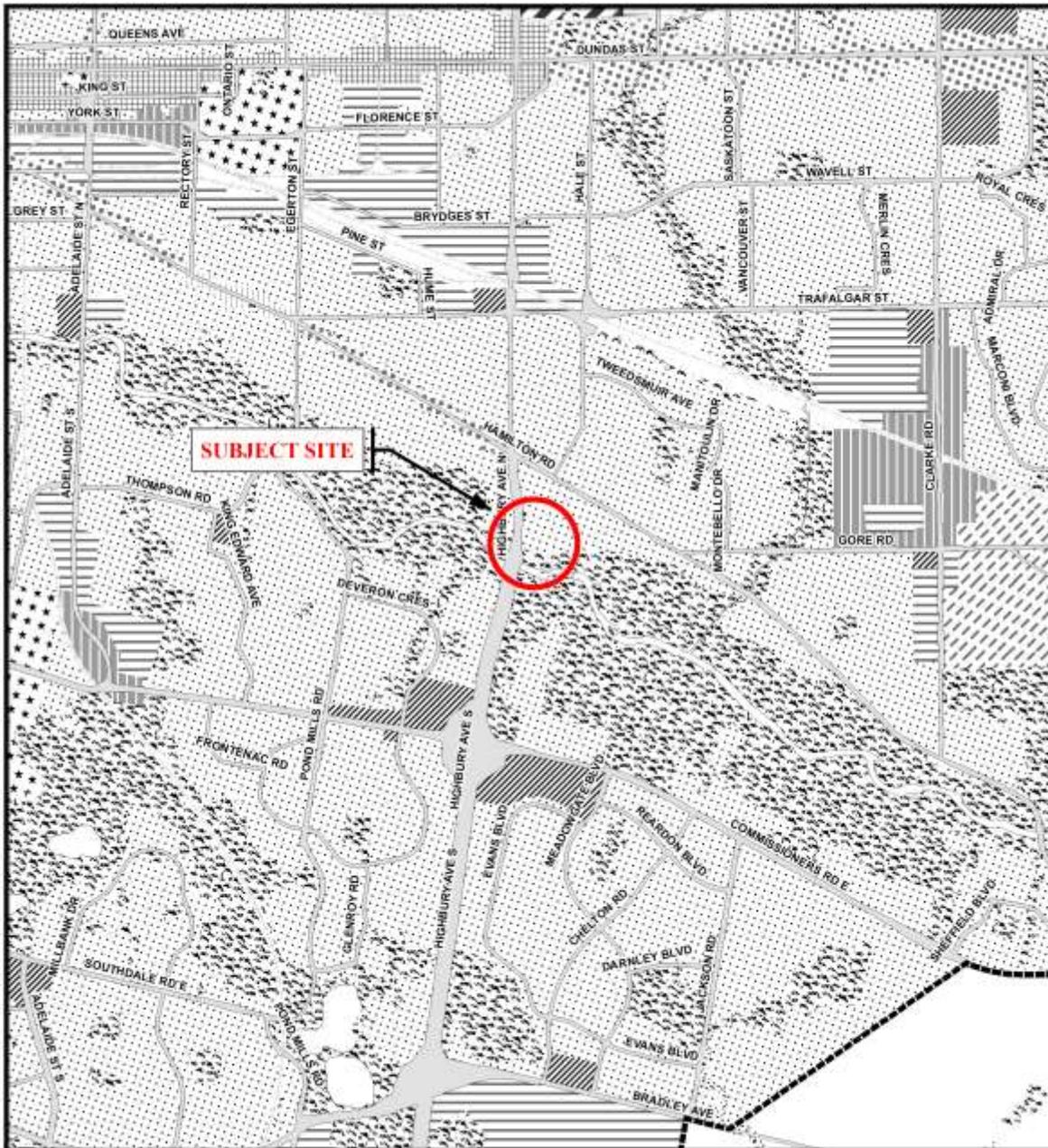
Within the Urban Growth Boundary, where Urban Agriculture is intended to occur, the situation is different. There are no Farmland Place Types or Agriculture designations within the Urban Growth Boundary. The Green Space Place Type in the London Plan and the Open Space designation in the 1989 Official Plan permit a wide range of open space uses, either passive or active, but also allow some open space lands to be cultivated for agriculture/horticulture provided there are no significant natural heritage features present. Permitted uses include agriculture, horticulture and urban gardens.

The existing Open Space (OS1) Zone, which implements the Green Space Place Type and Open Space designation, allows the “*cultivation of land for agricultural/horticultural purposes*” as a permitted use but does not allow the retail sales of produce grown on those lands.

The recommended zoning by-law amendment would allow this additional use. It is expected that this retail stand will be small, selling only produce grown on the property and not generate a lot of traffic to the site. It is expected there will be little if any impact on the surrounding neighbourhood. This proposed zoning by-law amendment applies only to this property. Any other applications for other sites would be reviewed on a site-specific basis.

As a result of a recent zoning by-law amendment (File Z-9060/City of London-Farm Gate Sales), Farm Gate Sales have been defined and added to Zoning By-law Z-1. These uses have also been added as a permitted use in the Urban Reserve (UR1) Zone.

London Plan Map 1 – Place Types



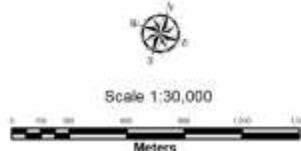
Legend

- | | | |
|------------------------|--------------------------|---|
| 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.

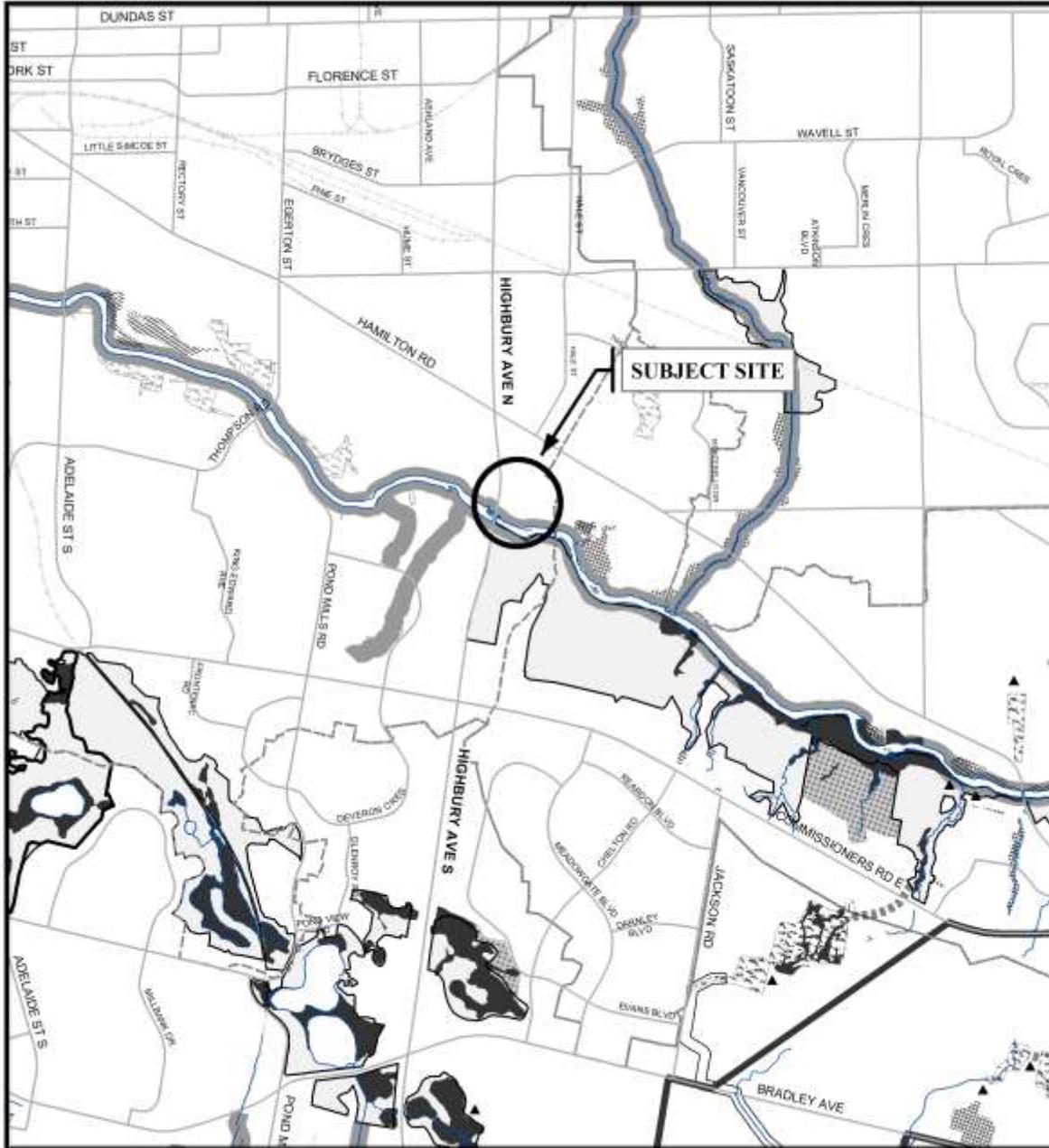
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON
 Planning Services /
 Development Services
LONDON PLAN MAP 1
- PLACE TYPES -
 PREPARED BY: Planning Services



File Number: Z-9111
Planner: CP
Technician: MB
Date: September 5, 2019

London Plan Map 5 – Natural Heritage



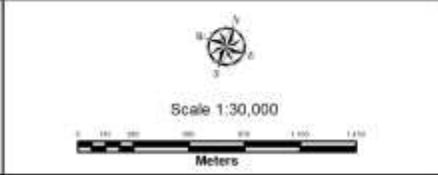
NATURAL HERITAGE SYSTEM		Base Map Features
Provincially Significant Wetlands	Areas of Natural and Scientific Interest	Railways
Wetlands	Environmentally Significant Areas (ESA)	Water Courses/Ponds
Unevaluated Wetlands	Potential ESAs	Streets (see Map 3)
Significant Woodlands	Upland Corridors	Conservation Authority Boundary
Woodlands	Potential Naturalization Areas	Subwatershed Boundary
Significant Valley Lands	Unevaluated Vegetation Patches	
Valley Lands		

This is an excerpt from the Planning Division's working consolidation of Map 5 - NaturalHeritage of the London Plan, with added notations.

CITY OF LONDON
 Planning Services /
 Development Services

**LONDON PLAN MAP 5
 - NATURAL HERITAGE -**

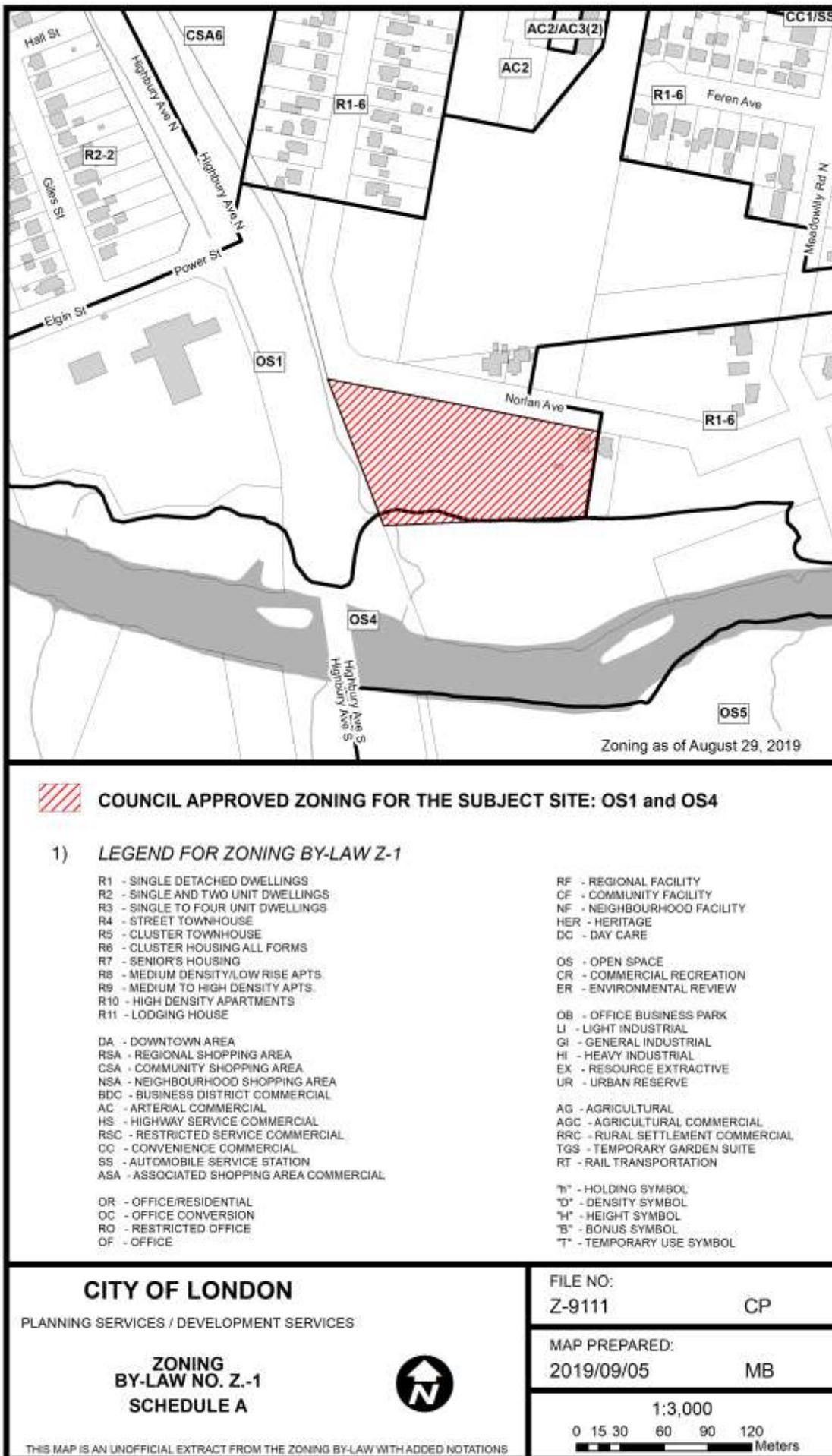
PREPARED BY: Planning Services



File Number: Z-9111
Planner: CP
Technician: MB
Date: 9/5/2019

Project Location: E:\Planning\Projects\p_officialplan\workconsolid00\excerpts_LondonPlan\EXCERPT_Map5_NaturalHeritage_b&w_8x14.mxd

Schedule A



5.0 Conclusion

The zoning by-law amendment is consistent with the Provincial Policy Statement, conforms to the policies of the London Plan and implements one of the goals of the Urban Agriculture Strategy to make fresh produce more accessible to the general public within the City.

Prepared by:	 W.J. Charles Parker, MA Senior Planner – City Planning (Planning Policy)
Submitted by:	 Gregg Barrett, AICP Manager – Long Range Planning and Sustainability
Recommended by:	 John M. Fleming, MCIP, RPP Managing Director, City Planning and City Planner
<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 Planning Services</p>	

November 25, 2019

Appendix A

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

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

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 21
Norlan Avenue.

WHEREAS the City of London has applied to rezone an area of land located
at 21 Norlan 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 21 Norlan Avenue, as shown on the attached map comprising part
of Key Map No. A108, from an Open Space (OS1) Zone to an Open Space Special
Provision (OS1(_)) Zone.
- 2) Section 36.4 (Special Provisions) of the Open Space (OS1) Zone is amended by
adding the following Special Provision:
 -) OS1 (_) 21 Norlan Avenue
 - a) Additional Permitted Use
 - i) Farm Gate Sales

The inclusion in this By-law of imperial measure along with metric measure is for the
purpose of convenience only and the metric measure governs in case of any discrepancy
between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with
Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage
of this by-law or as otherwise provided by the said section.

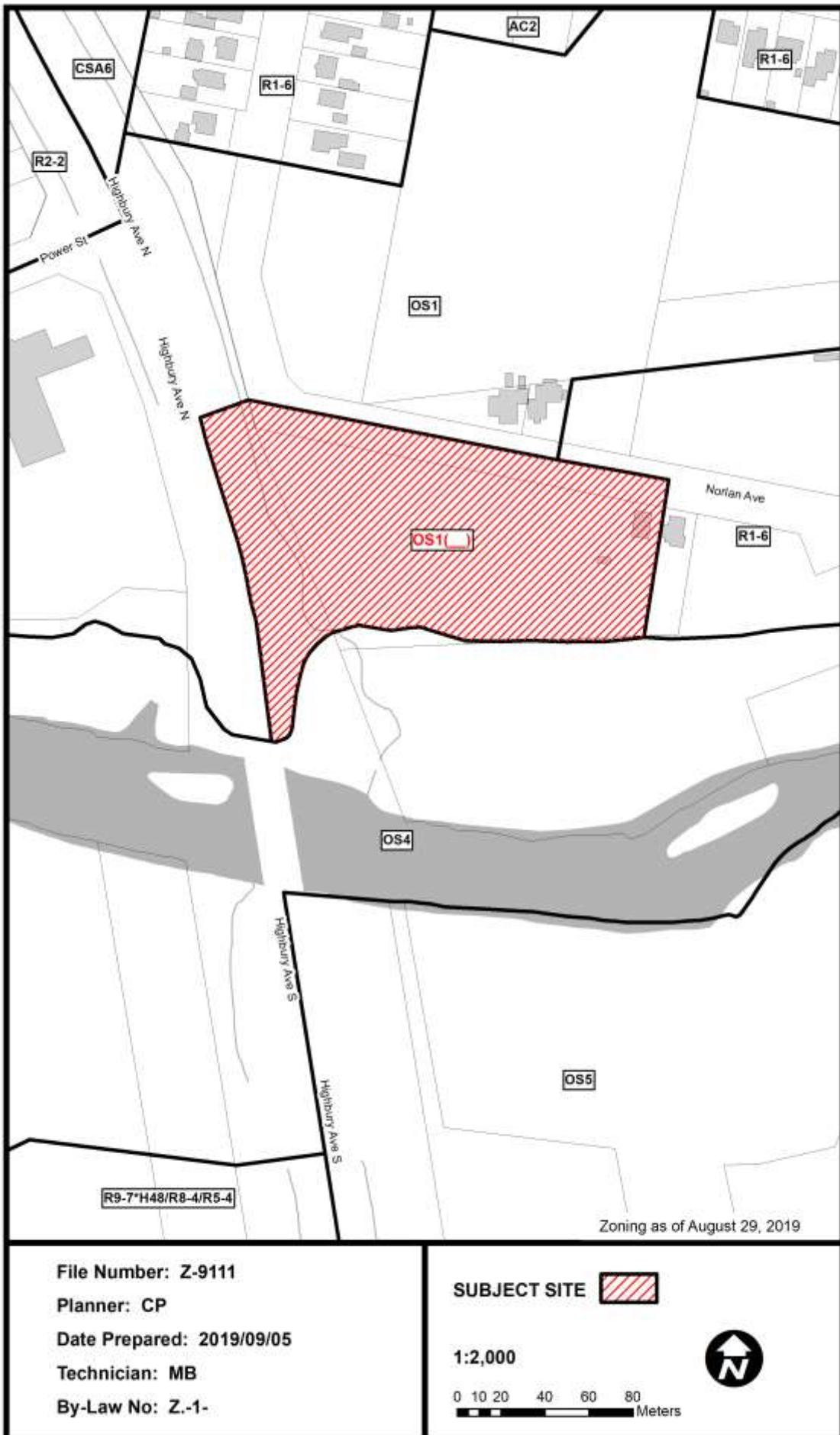
PASSED in Open Council on December 10, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 10, 2019
Second Reading – December 10, 2019
Third Reading – December 10, 2019

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



09/23/2019

Appendix B – Public Engagement

Community Engagement

Public liaison: On September 18, 2019 a Notice of Application was sent to 13 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 19, 2019. A “Planning Application” sign was also posted on the site.

Five replies were received.

Nature of Liaison: The purpose and effect of this zoning change is to add “Farm Gate Sales” to the list of permitted uses on a site specific basis through a special provision. A definition of “Farm Gate Sales” was added to Zoning By-law Z-1 recently as part of the implementation of the Urban Agriculture Strategy adopted by Council in November 2017. Possible change to Zoning By-law Z.-1 **FROM** an Open Space (OS1) **TO** an Open Space Special Provision (OS1(____)) Zone to also allow “Farm Gate Sales”.

Responses: A summary of the various comments received include the following:

The landowner of 21 Norlan Avenue called and asked questions about the nature of the request and how this may impact their future development plans for the property. The questions were answered and no further comments were provided.

Ward 2 councillor Shawn Lewis commented;

I am writing as the Ward 2 councillor with regard to the Z-9111 zoning amendment application to add “Farm Gate Sales” in support of the work at Urban Roots and the City of London’s Urban Agriculture Strategy.

I have had the pleasure of being involved with the Urban Roots initiative at 21 Norlan Ave and have seen the extremely positive benefit to the community from this project. Amending the zoning will only help make progress toward the shared goals of the City of London and the Urban Roots initiative.

I have copied Urban Roots organizers and the Middlesex London Food Policy Council on my email so that they are aware I have expressed my FULL SUPPORT for this change.

Agency/Departmental Comments

Transportation (City) comments are;

- *1ft reserve required along Highbury Avenue*
- *Road widening dedication of 50.m from centre line required along Highbury Avenue*
- *Only one access will be permitted to Norlan Ave*
- *Detailed comments regarding access design and location will be made through the site plan process*

The Upper Thames River Conservation Authority (UTRCA) comments are attached.

The London Hydro comments are attached.



"Inspiring a Healthy Environment"



October 15, 2019

City of London – Planning Services
P.O. Box 5035
London, Ontario N6A 4L9

Attention: Chuck Parker (sent via e-mail)

Dear Mr. Parker:

Re: File No. Z-9111 - Application to Amend the Zoning By-law
Applicant: City of London
21 Norlan Avenue, London, Ontario

The Upper Thames River Conservation Authority (UTRCA) has reviewed this application with regard for the policies in the *Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006)*. These policies include regulations made pursuant to Section 28 of the *Conservation Authorities Act*, and are consistent with the natural hazard and natural heritage policies contained in the *Provincial Policy Statement (2014)*. The *Upper Thames River Source Protection Area Assessment Report* has also been reviewed in order to confirm whether the subject lands are located in a vulnerable area. The Drinking Water Source Protection information is being disclosed to the Municipality to assist them in fulfilling their decision making responsibilities under the *Planning Act*.

PROPOSAL

The applicant is proposed to re-zone these lands to allow for "Farm Gates Sales" as a permitted use within the Open Space (OS1) zone.

CONSERVATION AUTHORITIES ACT

As shown on the enclosed mapping, the subject lands **are** regulated by the UTRCA in accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the *Conservation Authorities Act*. The Regulation Limit is comprised of a riverine flooding hazard. The UTRCA has jurisdiction over lands within the regulated area and requires that landowners obtain written approval from the Authority prior to undertaking any site alteration or development within this area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland.

UTRCA ENVIRONMENTAL PLANNING POLICY MANUAL

The UTRCA's Environmental Planning Policy Manual is available online at:
<http://thamesriver.on.ca/planning-permits-maps/utrca-environmental-policy-manual/>
The policy which is applicable to the subject lands includes:

UTRCA Comments
File No. Z-9111

2.2.4 Natural Hazard Features

An allowance of 15 metres has been added to the Riverine Hazard Limit for the purpose of maintaining sufficient access for emergencies, maintenance and construction activities. The allowance provides for an extra factor of safety providing protection against unforeseen conditions that may affect the land located adjacent to a natural hazard area.

3.2.3 Riverine Flooding Hazard Policies

These policies address matters such as the provision of detailed floodplain mapping, floodplain planning approach, and uses that may be allowed in the floodplain subject to satisfying UTRCA permit requirements.

The UTRCA is currently preparing revised floodline mapping along this reach of the Thames River. The extent of the flood plain on these lands falls beyond what is shown on the attached regulation limit mapping. Please contact the UTRCA to obtain information relating to the extent of the flood plain on these lands.

DRINKING WATER SOURCE PROTECTION

Clean Water Act

The subject lands have been reviewed to determine whether or not they fall within a vulnerable area (Wellhead Protection Area, Highly Vulnerable Aquifer, and Significant Groundwater Recharge Areas). Upon review, we can advise that the subject lands **are** within a vulnerable area. For policies, mapping and further information pertaining to drinking water source protection, please refer to the approved Source Protection Plan at:

<https://www.sourcewaterprotection.on.ca/approved-source-protection-plan/>

RECOMMENDATION

As indicated, the subject lands are regulated by the UTRCA. Should any development or site alteration be proposed within the flood plain, the owner will be required to obtain the necessary Section 28 permit from the UTRCA.

The UTRCA has no objections to this application.

Thank you for the opportunity to comment. If you have any questions, please contact the undersigned at extension 430.

Yours truly,

UPPER THAMES RIVER CONSERVATION AUTHORITY



Stefanie Pratt
Land Use Planner

Enclosure: UTRCA Regulation Limit Mapping (please print on legal paper for accurate scales)

cc: Brent Verscheure, UTRCA Land Use Regulations Officer



**Reply Sheet for City of London Applications
to be Reviewed by
London Hydro Engineering**

Date: November 13, 2019
To: City of London Planning Division – Room 609
Attn: Chuck Parker

RE: **Address:** 21 Norlan Ave
Applicant: City of London
File/Ref #: Z-9111

London Hydro Response:

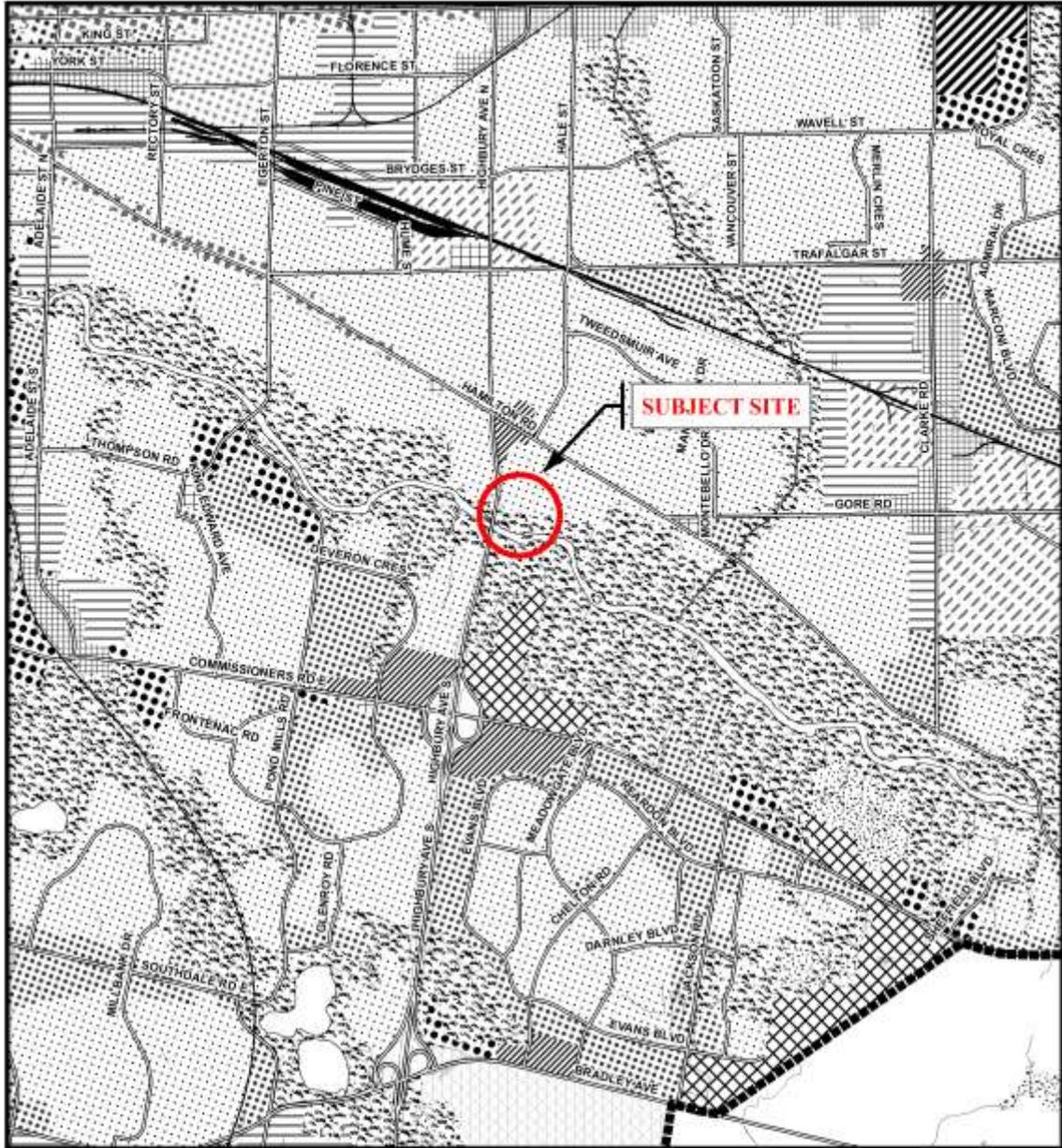
<p>Servicing the above proposal should present no foreseeable problems. Above-grade transformation is required. Note: Transformation lead times are minimum 16 weeks. Contact Engineering Dept. to confirm requirements & availability.</p>	<input type="checkbox"/>
<p>This site is presently serviced by London Hydro. Contact the Engineering Dept. if a new service or service upgrade is required to facilitate these changes. 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.</p>	<input checked="" type="checkbox"/>
<p>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. A blanket easement may be required. Note: Transformation lead times are minimum 16 weeks. Contact Engineering Dept. to confirm requirements & availability.</p>	<input type="checkbox"/>
<p>London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.</p>	<input checked="" type="checkbox"/>
<p>London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. However, London Hydro will require a blanket easement.</p>	<input type="checkbox"/>

Signed: 
Kirby Deller, C. Tech
Dispatch and Operations Technical Supervisor
519-661-5800 ext. 5883

Committee of Adjustment Notice of Application Site Plan Consultation Site Plan Application

X:\Engineering\Site Plan Approval – Revised Feb. 2018

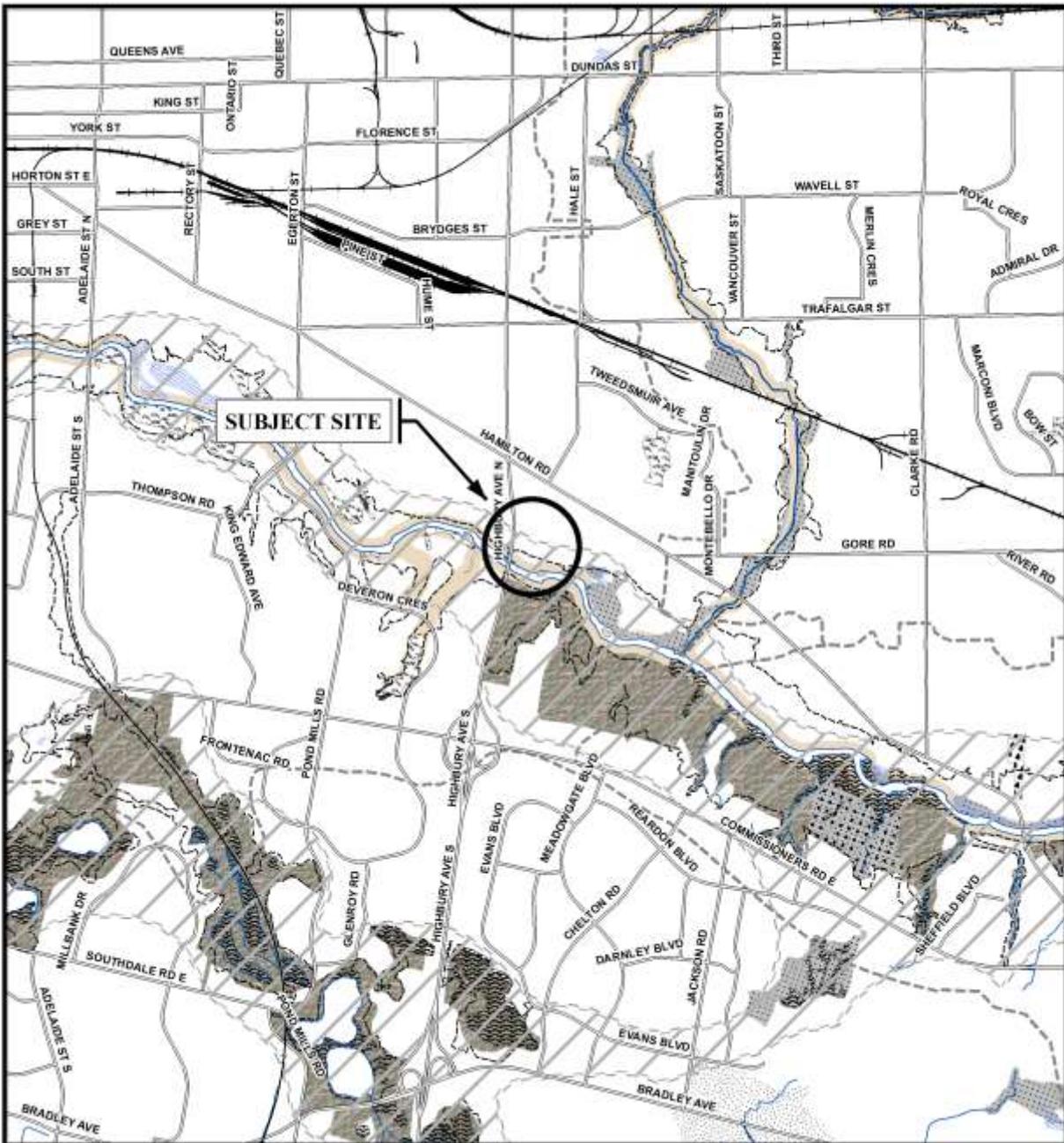
Appendix C – Relevant Background



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

<p>CITY OF LONDON Planning Services / Development Services OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	 Scale 1:30,000 Meters	<p>FILE NUMBER: Z-9111</p> <p>PLANNER: CP</p> <p>TECHNICIAN: MB</p> <p>DATE: 2019/05/05</p>
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PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consolid00\excerpt\mxd_template\scheduleA_b&w_8x14_with_SWAP.mxd



<p>NATURAL HERITAGE SYSTEM</p> <ul style="list-style-type: none"> ESAs Potential ESAs Significant Woodlands Woodlands Unevaluated Vegetation Patches Significant River, Stream, and Ravine Corridors Unevaluated Stream and Ravine Corridors Provincially Significant Wetlands Locally Significant Wetlands Unevaluated Wetlands Potential Naturalization Areas Potential Upland Corridors Ground Water Recharge Areas 	<p>NATURAL HAZARDS</p> <ul style="list-style-type: none"> Maximum Hazard Line <p><small>NOTE 1: Hazard Lines shown on this map are approximate. The precise delineation of hazard line mapping available from the Conservation Authority having jurisdiction.</small></p> <p><small>NOTE 2: Flood Fringe mapping for certain areas of the city is available from the Upper Thames River Conservator Authority.</small></p>	
<p>Base Map Features</p> <ul style="list-style-type: none"> Railways Water Courses/Ponds Streets (refer to Schedule "C") Conservation Authority Boundary Subwatershed Boundary Big Picture Meta-Cores and Meta-Corridors 		<p>FILE NUMBER: Z-9111</p> <p>PLANNER: CP</p> <p>TECHNICIAN: MB</p> <p>DATE: 2019/09/05</p>
<p>CITY OF LONDON Planning Services / Development Services</p> <p>OFFICIAL PLAN SCHEDULE B1 - NATURAL HERITAGE FEATURES -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>		<p style="text-align: center;"> Scale 1:30,000 Meters </p>

PROJECT LOCATION: e:\planning\projects\officialplan\work\consolid00\excerpts\mxds\templates\schedule_b1\scheduleB1 b&w 8x14 with SWAP.mxd

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: Loco Holdings Ltd.
943 Fanshawe Park Road West and 1800 Aldersbrook Gate

Public Participation Meeting on: December 2, 2019

Recommendation

That, on the recommendation of the Director, Development Services, with respect to the application of Loco Holdings Ltd. relating to a portion of the property located at 943 Fanshawe Park Road West and 1800 Aldersbrook Gate, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on December 10, 2019 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Holding Residential R5 Special Provision/Residential R6 Special Provision/Residential R7 (h*h-71*h-95*h-100*h-108*R5-3(16)/R6-5(28)/R7*H15*D75) Zone, Holding Convenience Commercial (h*h-108*CC5) Zone, Convenience Commercial (CC5) Zone, and Urban Reserve (UR3) Zone **TO** a Residential R5 Special Provision/Residential R6 Special Provision/Residential R7 (R5-3(__)/R6-5(__)/R7*H15*D75), Residential R5 Special Provision/Residential R6 Special Provision/Residential R7/Convenience Commercial (R5-3(__)/R6-5(__)/R7*H15*D75/CC5) Zone, and a Convenience Commercial (CC5) Zone;

IT BEING NOTED THAT the Site Plan matters raised during the public participation process relate to building orientation and enhanced landscaping along the public street.

Executive Summary

Summary of Request

The requested amendment will facilitate the development of a 2.5-storey, 27-unit townhouse development with a front yard setback of 2.8 metres and a density of 40 units per hectare and also seeks to remove holding provisions.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended amendment is to permit a 2.5-storey, 27-unit townhouse development with a reduced minimum front yard setback of 2.8 metres, whereas a minimum of 6 metres is required, and a maximum density of 40 units per hectare, whereas a minimum of 45 units per hectare is required. The recommended amendment will also remove existing holding provisions.

Rationale of Recommended Action

1. The recommended amendment is consistent with the PPS, 2014, which encourages a mix of housing types to provide choice and diversity in housing options;
2. The recommended amendment is in conformity with the in-force policies of the 1989 Official Plan, including but not limited to the Multi-Family, Medium Density Residential designation;
3. The recommended amendment is in conformity with the in-force policies of The London Plan, including but not limited to the Key Directions, and Neighbourhoods Place Type policies;
4. The recommended amendment will facilitate the development of a vacant, underutilized parcel of land with a use and density that is appropriate for the site.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject lands are located in the Fox Hollow Planning District on the east side of Aldersbrook Gate, north of Fanshawe Park Road West. The site consists of an irregularly shaped parcel of land municipally addressed as 1800 Aldersbrook Gate and the northerly 0.62 hectare portion of 943 Fanshawe Park Road West. The remainder of 943 Fanshawe Park Road West currently contains an existing personal service establishment (Zana Day Spa). Surrounding land uses include a low density residential in the form of townhouses to the north and east, the existing personal service establishment to the south, and undeveloped residential land and low density residential development in the form of single detached dwellings to the west. The subject site is currently undeveloped.



Figure 1: Subject lands (view from intersection of Aldersbrook Gate and Tokala Trail)

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

- Official Plan Designation – Multi-Family, Medium Density Residential
- The London Plan Place Type – Neighbourhoods Place Type
- Existing Zoning – Holding Residential R5 Special Provision/Residential R6 Special Provision/Residential R7 (h*h-71*h-95*h-100*h-108*R5-3(16)/R6-5(28)/R7*H15*D75) Zone, Holding Convenience Commercial (h*h-108*CC5) Zone, Convenience Commercial (CC5) Zone, and Urban Reserve (UR3) Zone

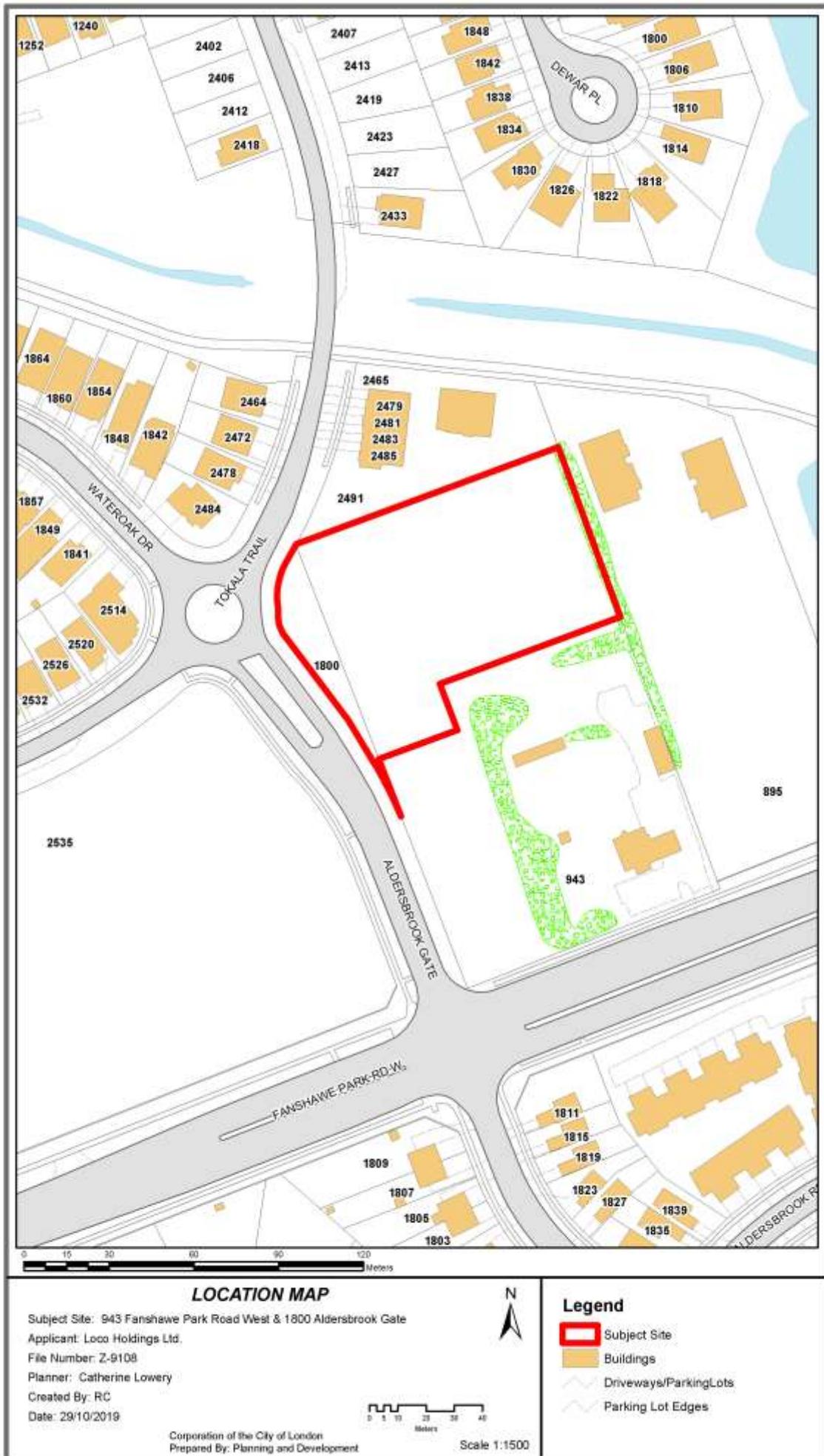
1.3 Site Characteristics

- Current Land Use – Undeveloped
- Frontage – 102.3 metres (335.6 feet)
- Depth – 98.9 metres (324.4 feet)
- Area – 6,915.18 square metres (74,434.37 square feet)
- Shape – Irregular

1.4 Surrounding Land Uses

- North – Low Density Residential
- East – Low Density Residential
- South – Personal Service Establishment
- West – Undeveloped Land and Low Density Residential

1.5 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The owner is proposing to develop the subject lands with a 2.5-storey, 27-unit townhouse development with associated driveways, amenity space, and visitor parking, as depicted on the site concept plan and rendering in Figures 2 and 3. Through a future consent application, the owner intends to sever the northerly portion of 943 Fanshawe Park Road West to be merged with 1800 Aldersbrook Gate, and to convey the southerly portion of 1800 Aldersbrook Gate to the southerly portion of 943 Fanshawe Park Road West. An access easement over the southerly portions of 1800 Aldersbrook Gate and 943 Fanshawe Park Road would provide mutual access to the subject site and the lands to the south.

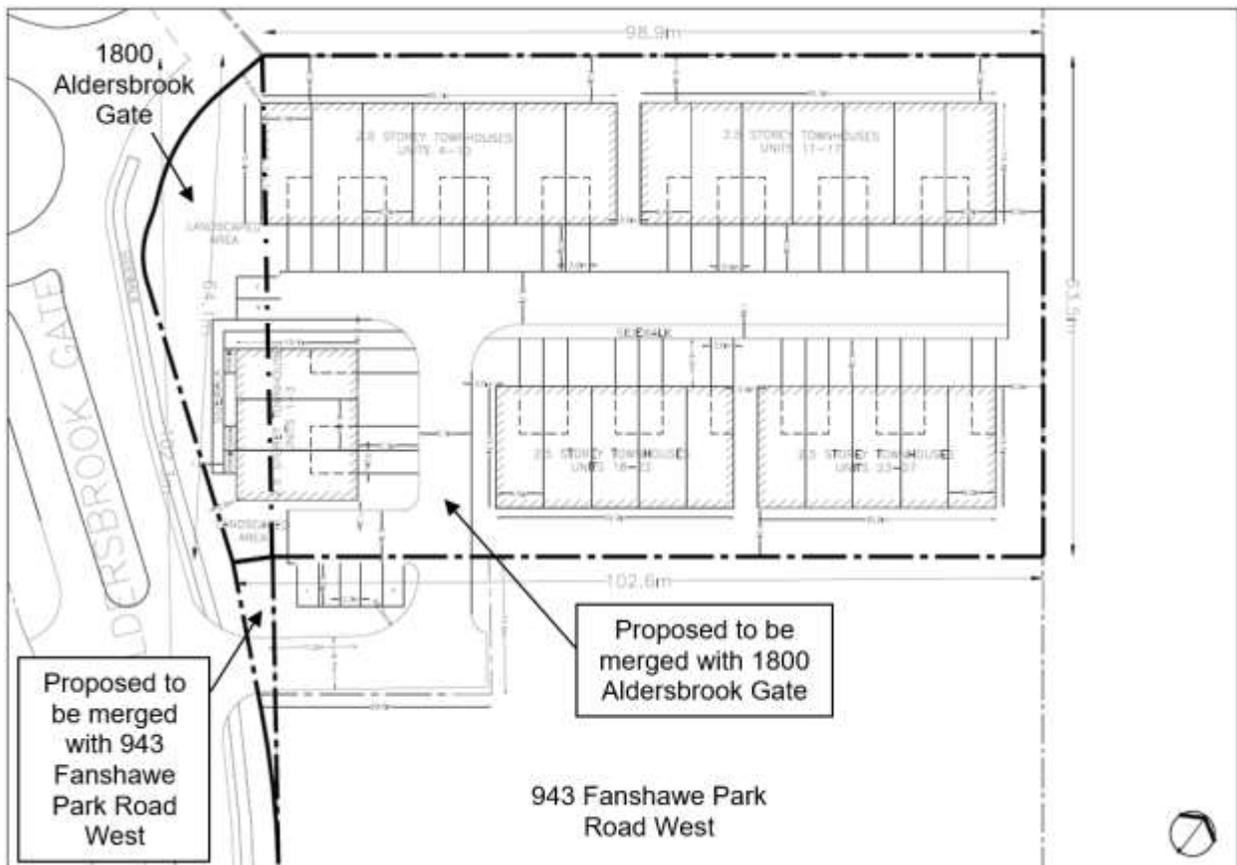


Figure 2: Site Concept Plan



Figure 3: Conceptual Rendering (view from Aldersbrook Gate northeast towards Tokala Trail)

3.0 Relevant Background

3.1 Planning History

The subject lands are located within the Fox Hollow Community Planning Area. This Community Planning Area is generally bounded by Sunningdale Road West, Wonderland Road North, Fanshawe Park Road West and Hyde Park Road. The community plan and associated amendments to the Official Plan were adopted by City Council in March 1999.

In 2000, 943 Fanshawe Park Road West was created through consent and rezoned to its current Convenience Commercial (CC5) and Urban Reserve (UR3) zoning. At that time, it was determined that the convenience commercial zone should only apply to the front one hectare portion of this parcel to ensure that the future scale of development was for convenience commercial uses, with the rear portion being zoned to UR3.

In 2004, the subject lands were re-designated from Low Density Residential to Multi-Family, Medium Density Residential in the 1989 Official Plan in accordance with the Fox Hollow Community Plan. 1800 Aldersbrook Gate was rezoned to its current zoning in 2009 through the subdivision planning process (39T-05512/Z-6979). At that time, the City was in the process of preparing the Development Charges By-law, which used certain assumptions on residential densities to project possible revenues from future residential development. Due to this uncertainty, *minimum* densities were applied to ensure multi-residential blocks were developed at a sufficient density, as anticipated by the proposed Development Charges By-law. As such, it was recommended that a minimum/maximum density of 45 units per hectare be applied to the R5/R6 Zone variations, which would also provide for a strong street presence at the intersection of the two proposed collector roads (now Aldersbrook Gate and Tokala Trail).

Lastly, it was recommended through the subdivision planning process that only the southern portion of 1800 Aldersbrook Gate be zoned a Convenience Commercial (CC5) Zone and that a holding provision be applied to this portion of the site to ensure that it be developed in conjunction with the abutting lands, being the southern portion of 943 Fanshawe Park Road West. The northerly portion of 1800 Aldersbrook Gate was zoned a Residential R5 Special Provision/Residential R6 Special Provision/Residential R7 (R5-3(16)/R6-5(28)/R7*D50*H12) Zone with holding provisions.

3.2 Requested Amendment

The applicant is requesting to rezone the subject lands to a Residential R5 Special Provision/Residential R6 Special Provision/Residential R7 (R5-3(__)/R6-5(__)/R7*H15*D75), Residential R5 Special Provision/Residential R6 Special Provision/Residential R7/Convenience Commercial (R5-3(__)/R6-5(__)/R7*H15*D75/CC5) Zone, and Convenience Commercial (CC5) Zone to facilitate the proposed townhouse development. Special provisions would permit a reduced minimum front yard setback of 2.8 metres, whereas a minimum of 6 metres is required, and a maximum density of 40 units per hectare, whereas a minimum of 45 units per hectare is required.

3.3 Community Engagement (see more detail in Appendix B)

Staff received six (6) written responses from neighbouring property owners, which will be addressed later in this report. The primary concerns were related to pre-existing traffic issues on Aldersbrook Gate south of Fanshawe Park Road West, accident rates at the intersection, and the proposed reduced front yard setback and density.

3.4 Policy Context (see more detail in Appendix C)

Provincial Policy Statement, 2014

The Provincial Policy Statement (PPS) 2014, provides policy direction on matters of provincial interest related to land use planning and development. All decisions affecting land use planning matters shall be “consistent with” the policies of the PPS.

Section 1.1 of the PPS encourages healthy, livable and safe communities which are sustained by accommodating an appropriate range and mix of residential, employment and institutional uses to meet long-term needs. It directs cities to make sufficient land available to accommodate this range and mix of land uses to meet projected needs for a time horizon of up to 20 years. Planning authorities are also directed to provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents (1.4).

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 site is located in the Neighbourhoods Place Type on a Neighbourhood Connector, as identified on *Map 1 – Place Types and *Map 3 – Street Classifications. Permitted uses within this Place Type include a range of low rise residential uses, such as townhouses (*Table 10 – Range of Permitted Uses in Neighbourhoods Place Type). The maximum permitted height is 2.5-storeys (*Table 11 – Range of Permitted Heights in Neighbourhoods Place Type).

1989 Official Plan

The subject site is designated Multi-Family, Medium Density Residential in the 1989 Official Plan. The primary permitted uses in this designation include multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding houses; emergency care facilities; converted dwellings; and small-scale nursing homes, rest homes and homes for the aged (3.3.1). Height and density limitations in the Multi-Family, Medium Density Residential designation are normally 4-storeys and 75 units per hectare (3.3.3.i) and 3.3.3.ii).

4.0 Key Issues and Considerations

4.1 Issue and Consideration # 1: Use, Intensity, and Form

4.1.1 Use and Intensity

Provincial Policy Statement, 2014 (PPS)

Section 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns of the PPS encourages healthy, livable and safe communities which are sustained by accommodating an appropriate range and mix of residential (including, affordable housing and housing for older persons), employment and institutional uses to meet long-term needs. It promotes cost-effective development patterns and standards to minimize land consumption and servicing costs. The PPS encourages settlement areas to be the main focus of growth and their vitality and regeneration shall be promoted (1.1.3). Appropriate land use patterns within settlement areas are established by providing appropriate densities and mix of land uses that efficiently use land and resources along with surrounding infrastructure, public service facilities and are also transit-supportive (1.1.3.2).

The PPS also promotes an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents (1.4). It directs planning authorities to establish and implement minimum targets for the provision of housing which is affordable to low and moderate income households. It also encourages planning authorities to permit and facilitate all forms of housing required to meet the social, health and wellbeing requirements of current and future residents, and direct the development of new housing towards locations where appropriate levels of

infrastructure and public service facilities are or will be available to support current and projected needs. It encourages densities for new housing which efficiently use land, resources, and the surrounding infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed.

The recommended amendment is consistent with the policies of the PPS as it will facilitate the development of an underutilized site within an established settlement area. The proposed 27-unit, 2.5-storey townhouse development contributes to a mix of housing types and provides choice and diversity in housing options. No new roads or infrastructure are required to service the site, therefore the development makes efficient use of existing services. As such, the recommended amendment is consistent with the policies of the PPS.

The London Plan

The London Plan provides Key Directions that must be considered to help the City effectively achieve its vision (54_). These directions give focus and a clear path that will lead to the transformation of London that has been collectively envisioned for 2035. Under each key direction, a list of planning strategies is presented. These strategies serve as a foundation to the policies the Plan and will guide planning and development over the next 20 years. Relevant Key Directions are outlined below:

59_ Direction #5 Build a mixed-use compact city

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

61_ Direction #7 Build strong, healthy and attractive neighbourhoods for everyone

2. Design complete neighbourhoods by meeting the needs of people of all ages, incomes and abilities, allowing for aging in place and accessibility to amenities, facilities and services.

10. Integrate affordable forms of housing in all neighbourhoods and explore creative opportunities for rehabilitating our public housing resources.

The Key Directions promote affordable forms of housing and intensification proposals, which can be used to achieve the long-term goals of The London Plan while taking advantage of existing services and facilities, and encouraging a mix of housing types within neighbourhoods. Policy *916_3 of the Neighbourhoods Place Type identifies key elements for achieving the vision for neighbourhoods, which includes 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. Furthermore, policy *918_2 states that neighbourhoods will be planned for diversity and mix and should avoid the broad segregation of different housing types, intensities, and forms. The development of the proposed 2.5-storey townhouse units would contribute to a mix of housing types, providing more intrinsically affordable housing options.

The subject site is located in the Neighbourhoods Place Type of The London Plan fronting on a Neighbourhood Connector. *Table 10 - Range of Permitted Uses in Neighbourhoods Place Type, shows the range of primary and secondary permitted uses that may be allowed within the Neighbourhoods Place Type, by street classification (*921_). *Table 11 - Range of Permitted Heights in the Neighbourhoods Place Type, provides the range of permitted heights based on street classification (*935_1).

At this location, *Table 10 would permit a range of low-rise residential uses including: single detached dwellings, semi-detached dwellings, duplex dwellings, converted dwellings, townhouses, and triplexes. In accordance with *Table 11, the maximum permitted height for sites in the Neighbourhoods Place Type on a Neighbourhood Connector is 2.5-storeys. The proposed use and intensity are both contemplated by *Tables 10 and *11 and the proposed development aligns with the Key Directions. As such, the recommended amendment is in conformity with The London Plan.

1989 Official Plan

The site is designated Multi-Family, Medium Density Residential in the 1989 Official Plan. This designation contemplates 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 (3.3). Permitted uses include a range of medium density residential uses, including multiple attached dwellings such as rowhouses (3.3.1). Development in the Multi-Family, Medium Density Residential designation is intended to have a maximum height of 4-storeys and a maximum density of 75 units per hectare (3.3.3 i) and ii).

The proposed 2.5-storey townhouse development would yield an approximate density of 40 units per hectare, which is well within the maximum density of 75 units per hectare permitted by the Multi-Family, Medium Density Residential designation. Given the above, Staff is satisfied the recommended amendment is in conformity with the 1989 Official Plan.

4.1.2 Form

The site is currently subject to the following form-related holding provisions:

h-71: To encourage street orientation development, the Owner shall prepare a building orientation plan which demonstrates how the front façade of the dwelling units can be oriented to all abutting streets (except where a noise barrier has been approved), acceptable to the General Manager of Planning and Development. The recommended building orientation will be incorporated into the approved site plan and executed development agreement prior to the removal of the "h-71" symbol. (Z.-1- 061521)

h-95: To ensure that the urban design concepts established through the Official Plan and/or Zoning amendment review process are implemented, a development agreement will be entered into which, to the satisfaction of the General Manager of Planning and Development, incorporates these concepts and addresses identified Urban design issues. Permitted Interim Uses: Existing Uses (Z.-1-081711)

The applicant is proposing to remove these holding provisions through the requested amendment. As part of the complete application, the applicant prepared a site concept plan (Figure 2) showing the buildings oriented towards the street. Through the requested amendment, the applicant is also seeking a special provision for a reduced front yard setback of 2.8 metres, whereas 6 metres is required. This would enable the buildings to be sited closer to the street, establishing a built edge along the Aldersbrook Gate frontage. Enhanced landscaping along the Aldersbrook Gate frontage may also be considered to create a more pedestrian-friendly street edge. Refinement of the building design, including approval of elevation drawings, would occur at a future site plan stage as well as execution of the development agreement to implement these urban design concepts, as had been intended by the h-95 holding provision. As such, staff has no concerns with the removal of these holding provisions.

4.2 Issue and Consideration # 2: Traffic

Through the circulation of the application, several traffic concerns were raised by nearby residents. These concerns were raised by residents of Aldersbrook Gate (south of Fanshawe Park Road West) and relate to a pre-existing traffic issue caused by vehicles using the short stretch of Aldersbrook Gate south of Fanshawe Park Road West for cut-through traffic. The number of accidents at the intersection of Aldersbrook Gate and Fanshawe Park Road West was also raised as a concern.

Transportation staff have reviewed the application and provided the following comments in response to neighborhood concerns. With the opening of Dalmagarry Road in 2016, there has been some redistribution of traffic within the neighbourhood. Daily traffic volume on Aldersbrook Gate south of Fanshawe Park Road decreased after the

opening of Dalmagarry Road from 7,000 vehicles per day in 2016 to 5,000 vehicles per day in 2017. The north leg of Aldersbrook Gate currently has daily traffic volume of 2,500 suggesting there is sufficient road capacity to accommodate the small increase in traffic that the proposed 27 units at 943 Fanshawe Road West is projected to generate.

4.3 Issue and Consideration # 3: Removal of Holding Provisions

In addition to the form-related holding provisions noted above, the site is currently subject to the following holding provisions which the applicant has requested be removed:

h: To ensure the orderly development of lands and the adequate provision of municipal services, the "h" symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of the approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development. Permitted Interim Uses: Model homes are permitted in accordance with Section 4.5(2) of the Bylaw; (Z.-1-122078) (Z.-1-142245)

h-100: To ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available to the satisfaction of the City Engineer, prior to the removal of the h-100 symbol. Permitted Interim Uses: A maximum of 80 residential units (Z.-1-081786) (Z.-1-122078)

h-108: To ensure that this parcel is developed in conjunction with abutting lands, to the satisfaction City of London, prior to removal of the "h-108" symbol. (Z.-1-091882)

The matters outlined in holding provisions h and h-100 will occur at the site plan stage as part of standard practice and review. Furthermore, as the proposed development has fewer than 80 residential units, the proposed density would not trigger the need for a looped watermain and second public access. To satisfy h-108, the development proposed through the requested amendment would inherently result in a comprehensive development of the northerly portions of 1800 Aldersbrook Gate and 943 Fanshawe Park Road West. A future consent application is proposed to sever and convey the southerly portion of 1800 Aldersbrook Gate to the southerly portion of 943 Fanshawe Park Road West in order to allow for the balance of the site to develop comprehensively for commercial uses. As such, staff has no concerns with the removal of these holding provisions.

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

5.0 Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2014, is in conformity with the in-force and effect policies of the 1989 Official Plan, and is in conformity with the in-force and effect policies of The London Plan, including but not limited to the Key Directions, and Neighbourhoods Place Type policies of The London Plan. The recommended amendment will facilitate the development of a vacant, underutilized parcel of land with a use and density that is appropriate for the site and contributes to a mix of housing types.

Prepared by:	Catherine Lowery, MCIP, RPP Planner II, Development Services
Recommended by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief building Official
<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>	

November 25, 2019

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

Y:\Shared\ADMIN\1- PEC Reports\2019 PEC Reports\19- December 2

between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

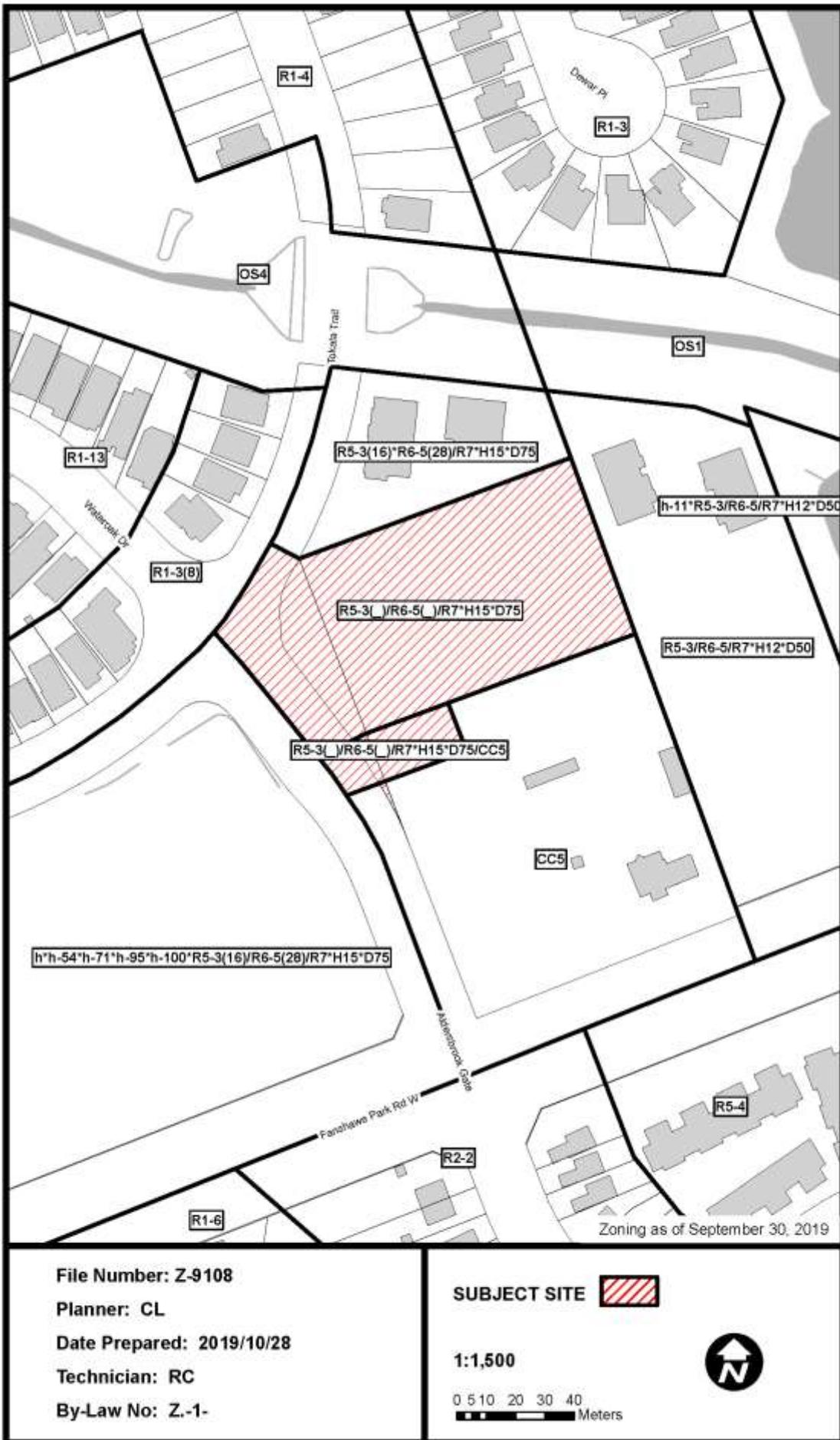
PASSED in Open Council on December 10, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 10, 2019
Second Reading – December 10, 2019
Third Reading – December 10, 2019

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



Appendix B – Public Engagement

Community Engagement

Public liaison: On September 4, 2019, Notice of Application was sent to 134 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.

Six (6) replies were received

Nature of Liaison: The purpose and effect of this zoning change is to permit the development of 27 cluster townhouse dwelling units. Possible change to Zoning By-law Z.-1 **FROM** a Holding Residential R5 Special Provision/Residential R6 Special Provision/Residential R7 (h*h-71*h-95*h-100*h-108*R5-3(16)/R6-5(28)/R7*H15*D75) Zone, Holding Convenience Commercial (h*h-108*CC5) Zone, Convenience Commercial (CC5) Zone, and Urban Reserve (UR3) Zone **TO** a Residential R5 Special Provision/Residential R6 Special Provision/Residential R7 (R5-3(__)/R6-5(__)/R7*H15*D75) and Residential R5 Special Provision/Residential R6 Special Provision/Residential R7/Convenience Commercial (R5-3(__)/R6-5(__)/R7*H15*D75/CC5) Zone. Special provisions would permit a reduced minimum front yard setback of 2.8 metres, whereas a minimum of 6 metres is required, and a maximum density of 40 units per hectare, whereas a minimum of 45 units per hectare is required. The existing range of permitted uses would continue to apply to the site.

Responses: A summary of the various comments received include the following:

Concern for:

Lack of Traffic Calming Measures on Aldersbrook Gate (South of Fanshawe Park Road West):

Concerns that Aldersbrook Gate (south of Fanshawe Park Road West) has a pre-existing traffic issue caused by vehicles cutting through to Fanshawe Park Road West. Concerns that there are no traffic calming measures to mitigate this issue, which will be exacerbated by the proposed 27-unit townhouse development.

Accident Rates at the Intersection of Fanshawe Park Road West and Adersbrook Gate:

Concerns related to the number of collisions that already occur at this intersection and that the construction of 27 townhouse units will result in more traffic accidents.

Reduced Front Yard Setback and Density:

Concerns related to infill development of this vacant block and the requested reductions in front yard setback and density.

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

Telephone	Written
	Pam Campbell 1819 Aldersbrook Gate London, ON N6G 3M4
	Alex Mercer 1819 Aldersbrook Gate London, ON N6G 3M4
	Rob Webb 1788 Alderbrook Road London, ON N6G 3E4

Telephone	Written
	Viorica Rusu 1864 Watroak Drive London, ON N6G 0M5
	Jennifer Neilans 49 Winding Way Crescent London, ON N6G 3E9
	Alison Tucker 1807 Aldersbrook Gate London, ON N6G 3M4

From: Pam Campbell
Sent: Friday, September 6, 2019 5:13 PM
To: Lowery, Catherine <clowery@london.ca>
Cc: Morgan, Josh <joshmorgan@london.ca>; Alison Tucker; Leon Broniewicz; Kevin King; Zina Alimorad
Subject: [EXTERNAL] Notice of Planning Application - 943 Fanshawe Park Road West & 1800 Aldersbrook Gate

Dear Ms. Lowery

Whoa Hold on a minute here.

Residents on Aldersbrook Gate have been fighting for years to have something done with the traffic on the corner of Aldersbrook Gate and Fanshawe Park Road. We were assured by Josh Morgan that once Dalmagarry Road was opened, it would eliminate the traffic on Aldersbrook Gate. We knew it would not, however, to please Mr. Morgan and give him the benefit of the doubt, we remained quiet until it was done. The accidents continue to occur at the intersection of Fanshaw Park Rd and Aldersbrook Gate. There has been no reduction in the traffic or the accidents, **in fact the opposite is true**. Traffic continues to increase and accidents continue to soar.

Will it take a fatality to get this situation resolved????

We have been asking for some relief or for any viable solution for many years, to no avail.

Aldersbrook Gate is about 900 feet in length and it is being used as a cut through street.

Traffic also use residents' driveways as a turn around to try to beat the traffic lights causing more unsafe conditions. Residents have proposed several solutions to ease the situation, however, nothing has been done and the city has not proposed any reasonable solutions to the unsafe traffic that exists in this short street. Ignoring the problem simply will not make it go away! What is needed is someone in authority to conduct a thorough review of the issues and look to find reasonable solutions to the unsafe conditions that currently exist.

Now we get a Notice of Planning Application for townhouse dwelling units directly across the street – a continuation now of Aldersbrook Gate. So rather than try to help the existing residents on Aldersbrook Gate, the City of London is now planning to increase traffic by allowing more residential dwellings.

When we met with John Morgan two years ago, he was very excited about what he has done and is doing for all the new subdivisions, but simply ignored trying to do anything

for the existing residents on Aldersbrook Gate. The only thing he gave the residents was empty promises, and any assistance from city hall was to say the least "lip service".

It is very obvious that London has a two tier system and unless you live in a very expensive home or area, nothing gets done for them.

I would hope that before this Notice of Planning Application gets passed that someone will consider where the traffic will be directed to. In the alternative I hope this application does not get passed as it would worsen the situation that currently exists. Simply put, the traffic situation on this short street is unsafe and solutions need to be found before any additional action is taken on this proposed planning application for townhouses across the street.

Thank you for your attention in this matter.

Pam Campbell
1819 Aldersbrook Gate
London, ON N6G 3M4

From: ALEX MERCER
To: clowery@london.c <clowery@london.c>; mayor@london.cao <mayor@london.cao>; Josh Morgan <joshmorgan@london.ca>
Cc: Alison Tucker; Leon Broniewicz; Kevin King; Zina Alimorad; Pam Campbell
Sent: Wednesday, September 11, 2019, 09:23:19 a.m. EDT
Subject: Aldersbrook Gate/Planning Application

Dear Ms Lowery, attached please find my objection to the Notice of Planning Application regarding the townhouses about to be constructed at 943 Fanshawe Park Rd and 1800 Aldersbrook Gate here in London.

I trust it is self explanatory.

I have taken the liberty of copying the Mayor and our local Councilor.

My reason for doing this is the residents of Aldersbrook Gate have for several years been trying to obtain some relief regarding the traffic issues on this short street, The accident rate at the intersection of Aldersbrook Gate and Fanshawe Park Rd is quite astounding, and luckily to date there have been no fatalities.

The cut through traffic to date is simply unacceptable and adding more traffic to this short street would be a disaster causing more unsafe conditions.

I am hoping that by copying the Mayor and our local councilor they will take the residents issues very seriously and put pressure on the appropriate city departments do something about the resident's issues.

We have suggested several options previously in an effort to rectify the situation. However, to date nothing has been done.

I believe it is time for sustainable solutions to be seriously looked at in order that some concrete steps can be taken to finally bring to an end the traffic situation here at Aldersbrook Gate.

Thank you for your attention to this matter.
Best regards

Alex Mercer

September 11 2019

Catherine Lowery
Development Services
City of London.

Sent via e mail

Re: Notice of Planning Application (943 Fanshawe Park Rd/1800 Aldersbrook Gate)

This is in response to the Notice of Planning Application regarding 943 Fanshawe Park Rd and 1800 Aldersbrook Gate in London. First it must be noted that this notice is supposed to allow residents to provide input to this application. It also must be noted, that construction has already begun at this site. It begs the question "what is the point of resident input when construction has already commenced?" It would appear this project is a "fait accompli" and regardless of what residents have to say it would also appear to be meaningless.

Aldersbrook Gate was constructed around the mid 1980's when Fanshawe Park Rd was a two-lane thoroughfare. Since that time there have been many new residential and business premises constructed. The farmland that used to exist is now mostly residential.

While it is good for the City of London to grow and keep the tax base reasonable, not to mention increasing the "coffers" to the City, it appears that in the planning process little or no planning or thought was given on the impact to the surrounding neighborhoods. Aldersbrook Gate is approximately 900 feet in length and with the passage of time and new surrounding construction, traffic has increased significantly. The intersection at Aldersbrook Gate and Fanshawe Park Rd has been the scene of a large amount of accidents, some quite serious. Residents have written many letters indicating the problems in the area with little success. Our ward councilor and City staffers have been of little assistance in looking for reasonable alternative solutions.

I have reviewed your posting on the web site regarding "traffic calming" which I reference below. I will highlight (bolded and underlined) some of the basic principles contained in your own document, which I suggest have not been met.

The City of London is responsible for ensuring roadways serve the needs of all users such as cars, transit, pedestrians including those with accessibility needs, cyclists, emergency vehicles and snow removal equipment. **When the rules of the road are not followed, residents may no longer feel safe walking or riding their bikes on the street, in these cases traffic calming measures may be needed to restore the street to its intended function in the neighborhood.**

Background

Every year the City receives numerous complaints or concerns from residents regarding **speeding, traffic volumes and/or cut through traffic in residential areas.** To manage the number of requests and ensure community support, constituents are requested to obtain a minimum of 10 signatures and addresses on the street, see attached petition for more information. **The Transportation Planning & Design Division responds by investigating the need for neighborhood traffic calming measures to potentially mitigate these unfavourable driving conditions.**

Studies across North America have shown that using the wrong tool to address a traffic issue not only doesn't solve the problem, but may result in creating additional safety issues in the area. Our Traffic Calming Practices and Procedures defines what is traffic calming and clarifies what is not traffic calming. **The goal of introducing traffic calming is to create safe and attractive streets, promote pedestrian, bicycle and transit use, and improve the quality of life in residential neighbourhoods**

Traffic calming is a contentious subject and should be dealt with in a clear, concise and transparent process that will meet the needs and expectations of the community. The Traffic Calming Practices and Procedures outlines how investigations into traffic calming measures should be initiated and implemented based on the experience gained by the City of London and other Ontario municipalities over the last decade.

The community and residents of Aldersbrook Gate have been complaining for many years to have sustainable and reasonable solutions found to make this street safe and improve the quality of life on this short street. This street is being used as a cut through and access to the school across on Fanshawe Park Rd. Vehicles continually use residents' driveways as a turn around to beat the traffic lights. As many as 15-30 vehicles turn into driveways each day posing an increased safety risk. It has got to the point that some residents had posted signs asking vehicles to "respect the limit" others have placed signs indicating "private driveway no turning". There are other signs posted around the neighborhood informing people that "this is not a cut through to the high school". It is sad that residents have to resort to self- help measures while the city officials and ward councilor do not seem interested in attempting to solve this serious problem.

This short street was never intended to accommodate the increased traffic volume that currently exists. It appears that while planning increased growth, the city officials paid little attention on the impact new construction would mean to the neighborhood and safety of the residents. There have been several suggestions provided to the city from the residents to alleviate the issues, but they appear to have fallen on deaf ears.

There was a previous traffic count taken which occurred when the school was out and at a time in the early afternoon when traffic was somewhat lighter.

It would be more meaningful to have a pneumatic road tube installed for at least a week to get a more accurate reading of traffic volumes. I am sure it will indicate that the traffic on this street does require some action to limit the volume of traffic which as I said, is too much for this short street.

Some other suggestions are the following:

- 1) Make Aldersbrook Gate a one way street.
- 2) Restrict any turning onto Aldersbrook Gate during peak hours (7.00am -9.00am then from 4.00pm to 6.30pm)
- 3) Have advanced turning signals installed
- 4) Put speed bumps in place.
- 5) Install or use existing cameras to monitor traffic and other related issues.
- 6) Reduce the speed limit to 30 km/h.

While these suggestions are not exhaustive, they at least provide some ideas which the residents feel will have a traffic calming effect. In addition, such measures (or any other measures taken) will improve the quality of life for the residents, meet the needs and expectations of the community (this street) and finally, restore the street to its intended function in the neighborhood. These, after all, are the objectives of your traffic calming policy referenced above.

In conclusion, we do not feel enough has been done to have the residents' complaints dealt with in a transparent manner. Some reasonable long lasting solutions have to be found to restore this street to be safe and secure for all residents.

This planning application if approved, will do nothing to decrease the traffic on Aldersbrook Gate, but will significantly increase the volume of traffic exacerbating an already intolerable situation.

Alex Mercer
1819 Aldersbrook Gate

From: Rob Webb
Sent: Wednesday, September 11, 2019 9:21 PM
To: Lowery, Catherine <clowery@london.ca>
Subject: [EXTERNAL] File Z-9108

Applicant Loco holdings

Please be advised I object to a zoning amendment that reduces the front yard setback and high density

This plot of vacant land is built up all around it and has been fallow for decades , so Loco to want to infill and be close to road is not acceptable

Please send it back to the designer and developer Loco to refit onto the land meeting the rules and density in place without squeezing more in and being closer to the busy street scape in Whitehills North / Hyde pk .

That may mean fewer units but that is not The neighbourhood problem . Work within the guide lines not within the amendments that are possible . Forever stretching the rules is not needed in this vacant parcel .

After all this is not a older city infill project like a vacant lot in the old south or old north , there is plenty of useable space at this site : Build within it Within the existing space rules .

Thank you

Robert Webb
1788 Aldersbrook
rd

From: Viorica Rusu
Sent: Friday, September 13, 2019 8:03 AM
To: Lowery, Catherine <clowery@london.ca>
Subject: [EXTERNAL] File Z-9108 comments

Dear Catherine,

I reside at 1864 Watroak Dr and I received the Notice of Planning Application letter. I would like to express my interest to attend the Public Participation Meeting regarding this file and I would like to ask you to send me the date and time of the meeting when it is available.

Thank you,

Kind regards,

--

Viorica Rusu

From: Jennifer Neilans
Sent: Friday, September 13, 2019 9:13 AM
To: Lowery, Catherine <clowery@london.ca>
Subject: [EXTERNAL] Information regarding file #Z-9108

Hi Catherine, as a resident close to this proposed development and having both kids at Saint André Bessette High School I am concerned with the plan.

I'd like my email address to be added to any updates on this proposed development.

From: Alison Tucker
Sent: Tuesday, September 17, 2019 10:33 PM
To: Lowery, Catherine <clowery@london.ca>
Cc: City of London, Mayor <mayor@london.ca>; Morgan, Josh <joshmorgan@london.ca>
Subject: [EXTERNAL] Notice of planning application

Catherine Lowery
Development Services
City of London.

Re: Notice of Planning Application (943 Fanshawe Park Rd/1800 Aldersbrook Gate)

Please. Before continuing with any more building - of any kind in the area of Aldersbrook gate and Fanshawe Park Road please consider the impact that this will have on the residents of Aldersbrook Gate. We have been battling the city with regards to reducing traffic volume / speed for years. Adding any additional traffic will only negativity impact the citizens of this neighbourhood. Help us to have traffic calming measures implemented on our street and then move forward to increasing the population of the neighbourhood.

Alison & Jeff Tucker
Aldersbrook Gate

From: Pam Campbell
Sent: Tuesday, October 15, 2019 3:52 PM
To: Lowery, Catherine <clowery@london.ca>
Subject: [EXTERNAL] Re: Notice of Planning Application - 943 Fanshawe Park Road West & 1800 Aldersbrook Gate

Thank you for your delayed response sent October 15, 2019 regarding traffic on Aldersbrook Gate.

According to your response, I assume the transportation staff have conducted traffic volume counts on Aldresbrook Gate and Dalmagarry Road. That being the case can you provide the following information?

- 1) When was the traffic count done on Aldersbrook Gate? What day, time of day, month and year was it conducted?
- 2) When was the traffic count done on Dalmagarry Road? What time, time of day, month and year was that conducted?
- 3) What is the process in deciding how many accidents at any intersection is acceptable?

Can that information also be provided? I believe the accident count provided in not accurate.

In the event I am wrong, it still does not account for the accidents not reported? The accidents we have witnessed from my memory amount to more than ten per year. However, that aside, for any City Official to suggest that ten accidents per year is acceptable is simply ludicrous.

What does that say about the safety of London streets and the pedestrians and children who use these streets?

In terms of volume I do not agree with the response given to you by the transportation staff,

Aldersbrook Gate is about 300 feet in length and was never designed to accommodate the traffic it now experiences. This issue has been going on for many years, with many residents complaining continually and the only response given is the usual bureaucratic side-step designed to never answer or deal with the problem at hand rather than finding some way to find a resolution. This only serves to infuriate and further frustrate the residents of Aldersbrook Gate.

I can assure you and the transportation staff, this will never go away until something concrete is done.

In terms of traffic volume on Aldersbrook Gate and Dalmagarry Road, installing a pneumatic road tube on both streets for a minimum of two weeks might provide a more accurate count on traffic volumes, and I suspect may prove the information being provided by transportation staff is seriously flawed.

In any event, the residents will continue to pursue this issue in as many forums as possible to ensure a satisfactory resolution is found.

I look forward to the information I requested.

Thank you.

Pam Campbell
1819 Aldersbrook Gate, London, ON

Agency/Departmental Comments

September 9, 2019: Hydro One

We are in receipt of your Site Plan Application, Z-9108 dated September 4, 2019. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only. For proposals affecting 'Low Voltage Distribution Facilities' please consult your local area Distribution Supplier.

September 26, 2019: Urban Design

The applicant is commended for providing a building and site design concept that incorporates the following design features; a built form that establishes the built edge along the Aldersbrook Gate frontage, is generally street oriented and for requesting a reduced setback for buildings located along the Aldersbrook Gate frontage in order to ensure that they are street oriented and provide enclosure to the street.

The following comments are related to site and building design that would be further refined through the Site Plan process:

- Explore opportunities to rotate the two rows of townhouses closest to the street to be oriented lengthwise along the street frontage. Due to the size and location of the lot, these two rows of towns would likely require rear lane garages. Alternatively, if this cannot be achieved, the end units located next to the street should include a similar level of architectural detail on the street flanking facades as is proposed on the front and the principle unit entrance should be oriented to the street.
- Ensure all visitor parking is located internal to the site away from the street frontage.

October 4, 2019: Transportation

It is expected the subject lands will undergo a consent, through the consent Transportation will be seeking a joint access located approximately mid-block to Aldersbrook gate to avoid conflicts with the roundabouts splitter island.

October 9, 2019: Parks and Recreation Services

- CIL at time of site plan
- Tree preservation study to protect as many trees as possible

October 18, 2019: London Hydro

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. A blanket easement will be required. Note: Transformation lead times are minimum 16 weeks. Contact Engineering Dept. to confirm requirements & availability.

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. However, London Hydro will require a blanket easement.

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 Healthy, liveable and safe communities are sustained by:

- a. promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b. accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

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

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

1.1.3.2 Land use patterns within *settlement areas* shall be based on:

- a. densities and a mix of land uses which:
 1. efficiently use land and resources;
 2. are appropriate for, and efficiently use, the *infrastructure* and *public service facilities* which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;

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

- a. establishing and implementing minimum targets for the provision of housing which is *affordable* to *low and moderate income households*. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;
- b. permitting and facilitating:

1. all forms of housing required to meet the social, health and well-being requirements of current and future residents, including *special needs* requirements; and
2. all forms of *residential intensification*, including second units, and *redevelopment* in accordance with policy 1.1.3.3;
- c. directing the development of new housing towards locations where appropriate levels of *infrastructure* and *public service facilities* are or will be available to support current and projected needs;
- d. promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities*, and support the use of *active transportation* and transit in areas where it exists or is to be developed;

The London Plan

(Policies subject to Local Planning Appeals Tribunal, Appeal PL170100, indicated with asterisk.)

54_ To effectively achieve this vision, we will collectively need to blend our past planning successes with a new approach. What follows are the key directions that define this new approach. These directions give focus and a clear path that will lead us to the London that we have collectively envisioned for 2035. Under each key direction, a list of planning strategies is presented. These strategies serve as a foundation to the policies of this Plan and will guide our planning and development over the next 20 years.

59_ Direction #5 Build a mixed-use compact city

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

61_ Direction #7 Build strong, healthy and attractive neighbourhoods for everyone

2. Design complete neighbourhoods by meeting the needs of people of all ages, incomes and abilities, allowing for aging in place and accessibility to amenities, facilities and services.

10. Integrate affordable forms of housing in all neighbourhoods and explore creative opportunities for rehabilitating our public housing resources.

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

*916_ In 2035 our neighbourhoods will be vibrant, exciting places to live, that help us to connect with one another and give us a sense of community well-being and quality of life. Some of the key elements of our vision for neighbourhoods include:

3. 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.

*918_ We will realize our vision for the Neighbourhoods Place Type by implementing the following in all the planning we do and the public works we undertake:

2. Neighbourhoods will be planned for diversity and mix and should avoid the broad segregation of different housing types, intensities, and forms.

*920_ Tables 10 to 12 give important guidance to the permitted uses, intensity, and form of development that may be permitted on lands within the Neighbourhoods Place Type. The following policies provide direction for the interpretation of these tables:

2. Tables 10 to 12 specify the broadest range of uses and greatest intensity that

may be permitted within the Neighbourhoods Place Type. It must be clear that zoning on individual sites may not allow for the full range of uses or intensity shown in these tables. Zoning by-law amendment applications will be evaluated based on the Planning and Development Application policies in the Our Tools part of this Plan to ensure that the permitted range of uses and intensity of development is appropriate within the context of the neighbourhood.*921_ Table 10 - Range of Permitted Uses in Neighbourhoods Place Type, shows the range of primary and secondary permitted uses that may be allowed within the Neighbourhoods Place Type, by street classification.

*Table 10: Range of Permitted Uses in Neighbourhood Place Type

*935_ The following intensity policies will apply within the Neighbourhoods Place Type:

1. Table 11 - Range of Permitted Heights in Neighbourhoods Place Type, provides the range of permitted heights in the Neighbourhoods Place Type, based on street classification.

*Table 11: Range of Permitted Heights in Neighbourhoods Place Type

1989 Official Plan

3.3 Multi-Family, Medium Density Residential

The Multi-Family, Medium Density Residential designation permits multiple-unit residential developments having a low-rise profile, and densities that exceed those found in Low Density Residential areas but do not approach the densities intended for the Multi-Family, High Density Residential designation. Residential uses that typically comprise medium density development include row houses, cluster houses, low-rise apartment buildings, and certain specialized residential facilities such as small-scale nursing homes, homes for the aged and rest homes.

The Multi-Family, Medium Density Residential designation may serve as a suitable transition between Low Density Residential areas and more intense forms of land use. It will also provide for greater variety and choice in housing at locations that have desirable attributes but may not be appropriate for higher density, high-rise forms of housing.

3.3.1 Permitted Uses

The primary permitted uses in the Multi-Family, Medium Density Residential designation shall include multiple-attached dwellings, such as row houses or cluster houses.

3.3.3 Scale of Development

Development 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 commercial, industrial, or high density residential development.

i) Height

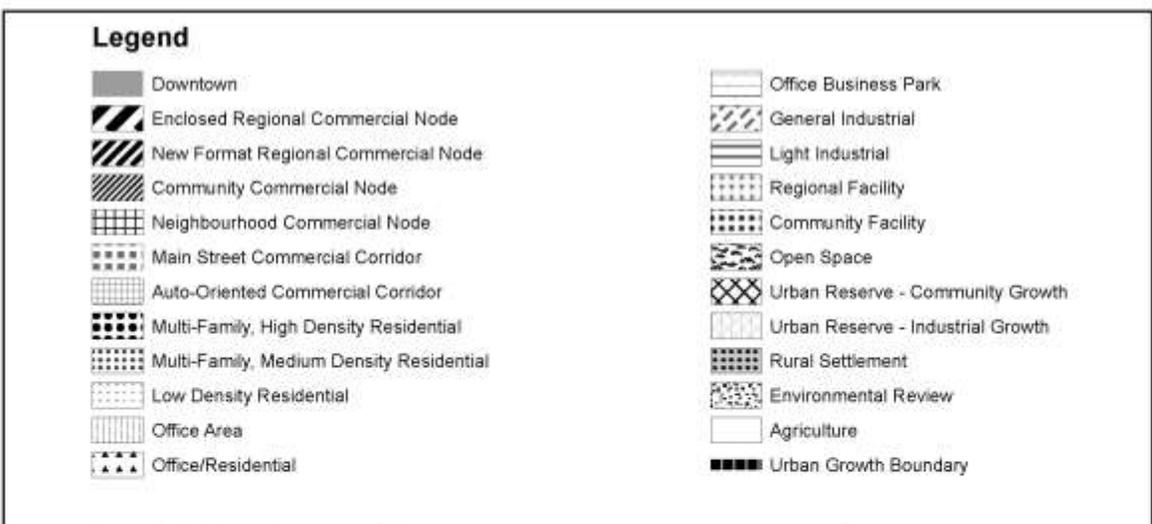
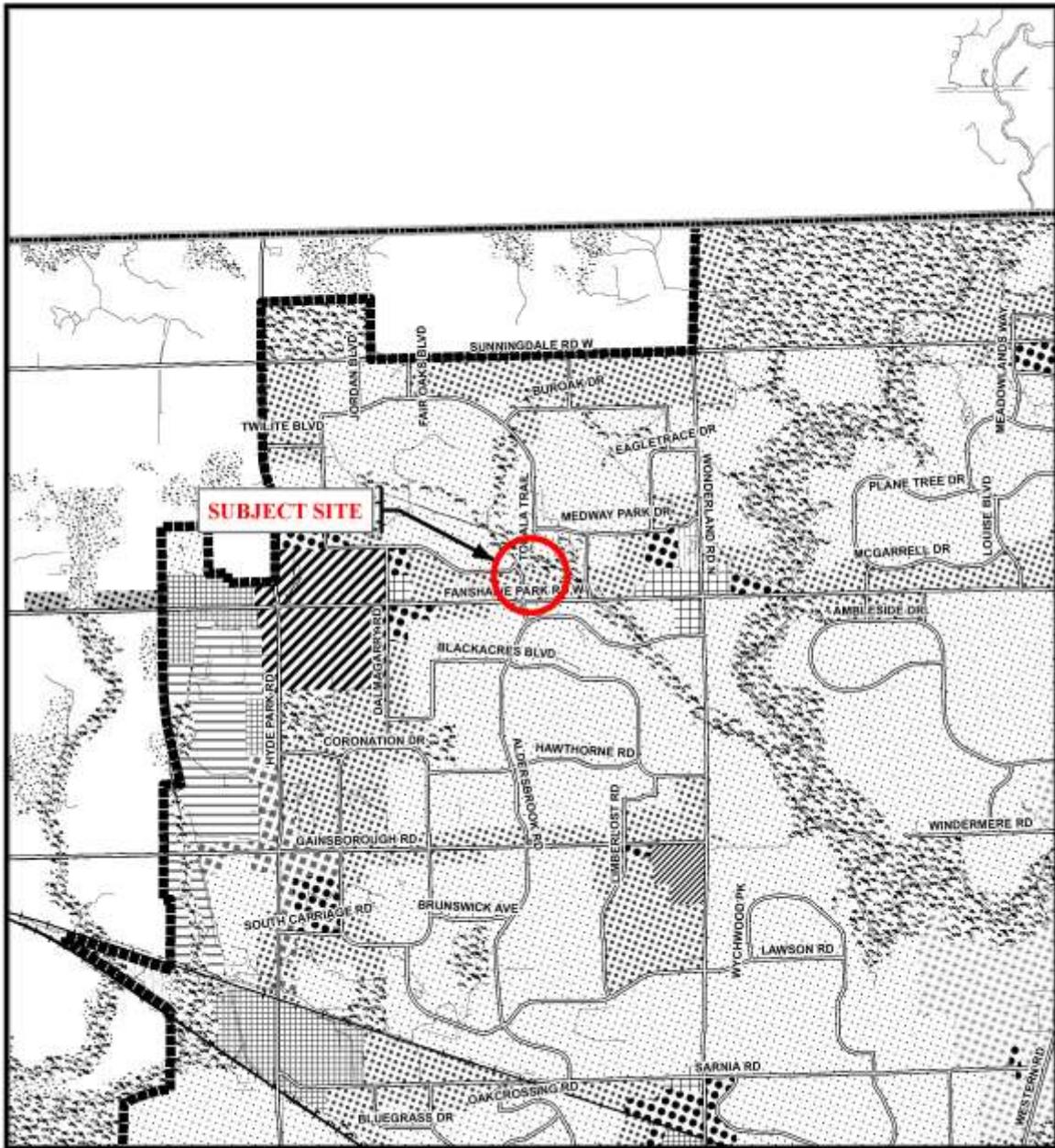
Normally height limitations will not exceed four storeys.

ii) Density

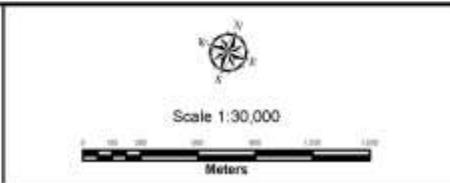
Medium density development will not exceed an approximate net density of 75 units per hectare (30 units per acre).

Appendix D – Relevant Background

Additional Maps

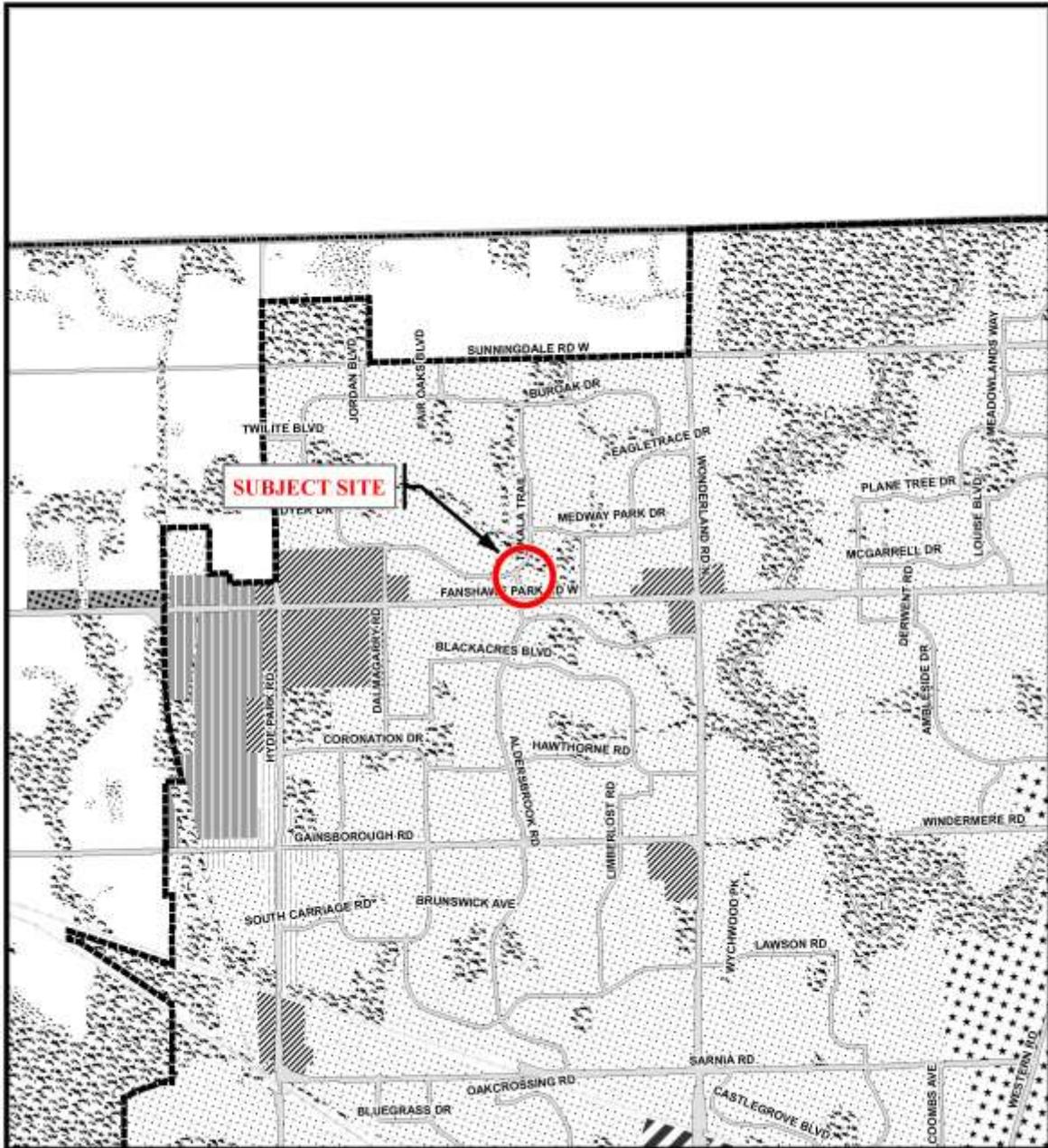


CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LAND USE -
 PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-9108
PLANNER: CL
TECHNICIAN: RC
DATE: 2019/10/29

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consolid\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.

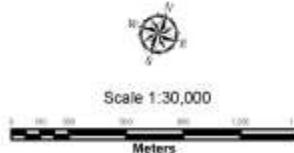
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

Planning Services /
 Development Services

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

PREPARED BY: Planning Services

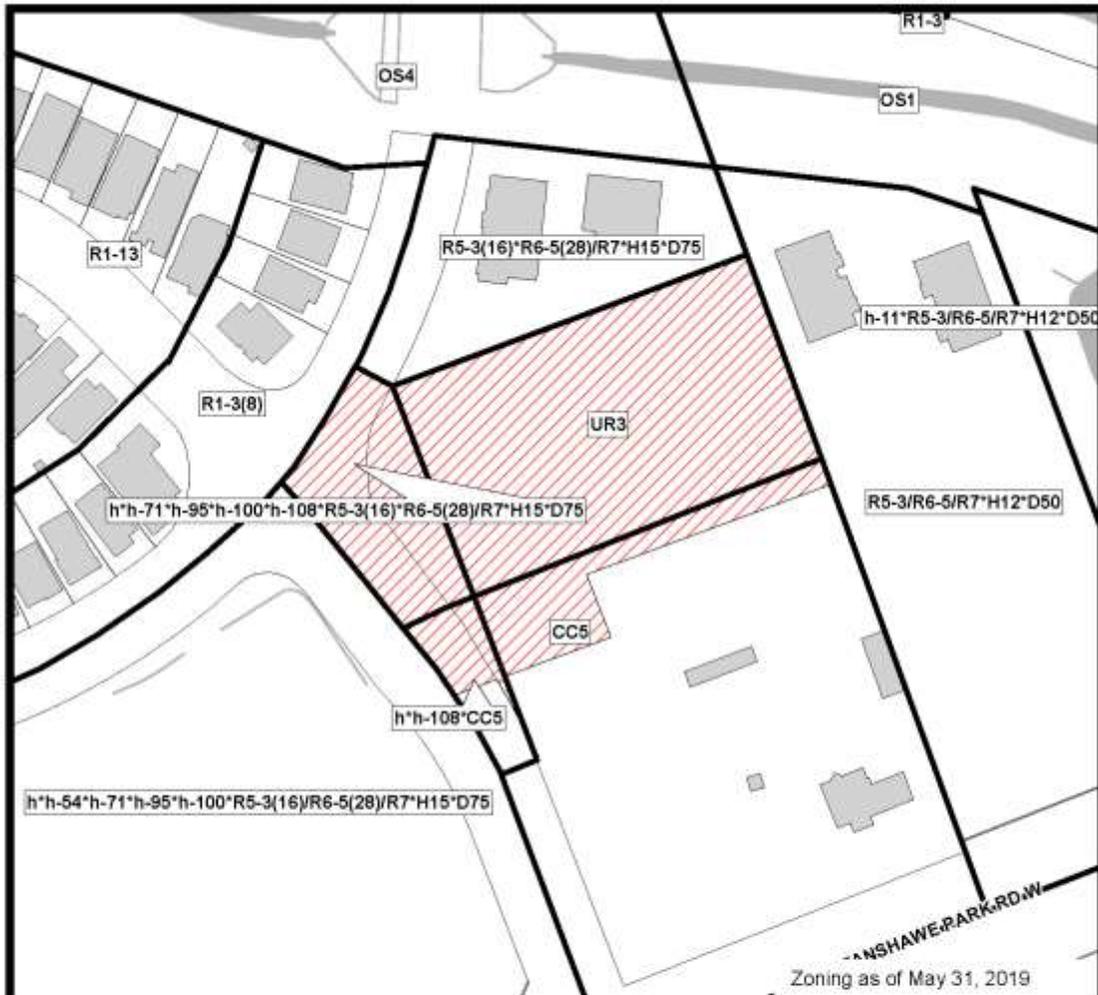


File Number: 2-9108

Planner: CL

Technician: RC

Date: October 29, 2019



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

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

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

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

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

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

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

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



FILE NO:

Z-9108

CL

MAP PREPARED:

2019/10/29

RC

1:1,500

0 5 10 20 30 40
 Meters

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

Additional Reports

Z-5970: October 30, 2000 – Report to Planning Committee: request for a Zoning By-law Amendment for 9473 Fanshawe Park Road West

O-6241/O-6661: May 10, 2004 – Report to Planning Committee: request for an Official Plan Amendment and City-Initiated Review

H-6826: April 11, 2005 – Report to Planning Committee: request for Holding Provision Removal for 943 Fanshawe Park Road West

39T-05512/Z-6979: July 20, 2009 – Report to Planning Committee: request for Plan of Subdivision and Zoning By-law Amendment at 995 Fanshawe Park Road West

Nov 16, 2019

attention Josh Morgan @ ward 007



re : FILE INFORMATION RECEIVED # Z-9108

JOSH : A FEW CONCERNS AS FOLLOWS :

>THE POPULATION DENSITY THAT MAY RESULT IS A RED HERRING , AFTER THE CONDOS ARE BUILT , WE WILL NEVER KNOW THE REAL DENSITY THAT RESULTS

>THE BUILDER SHOULD KNOW WHEN HE BOUGHT THE LOT THE SIZE AND SHOULD WORK WITH IN IT, I KNOW THEY HAVE RIGHTS TO MANIPULATE THE SYSTEM TO GET VARIANCES, THATS WHY WE ARE IN THIS DISCUSSION NOW

>I CANNOT ATTEND THE DEC 2 MEETING I WILL AWAY.

>I ENCLOSED THE SITE PLAN COPY I RECIEVED AND MADE NOTES OF CHANGES , THAT BUILDING OF 3 UNITS SHOULD BE ELIMINATED OR TURNED INWARD OR EVEN ATTACHED TO THE OTHER LONG FANCY ROW

>PERHAPS THAT SPACE COULD BE A PLAY GROUND OR MORE PARKING OR A PARKETTE . BUT BEING CLOSER THAN ALLOWED now by rules in place IS NOT A GOOD OPTION

>LAST BUT NOT LEAST A SPEED BUMP CLOSE TO THE INTERSECTION AS

**ANOTHER experiment WOULD BE FUN SINCE THEY ARE NOT ALLOWED
SOUTH OF FANSHAWE RD ON STREETS COMMENCING WITH 'A'**

**THANKS FOR YOUR ADVOCATING FOR RESONED DEVELOPMENT IN THIS
N/W QUADRANT OF LONDON**

SINCERELY

A handwritten signature in black ink, appearing to read "Robert Webb", with a long, sweeping horizontal stroke extending to the right.

ROBERT WEBB @ 1788 ALDERSBROOK RD

enclosed 1 page

emergency care facilities; converted dwellings; and small-scale nursing homes, rest homes and homes for the aged as the main uses.

The subject lands are in the Neighbourhoods Place Type in *The London Plan*, permitting a range of low-rise residential uses, including townhouses.

How Can You Participate in the Planning Process?

You have received this Notice because someone has applied to change the zoning of land located within 120 metres of a property you own, or your landlord has posted the public meeting notice in your building. The City reviews and makes decisions on such planning applications in accordance with the requirements of the *Planning Act*. If you previously provided written or verbal comments about this application, we have considered your comments as part of our review of the application and in the preparation of the planning report and recommendation to the Planning and Environment Committee. The additional ways you can participate in the City's planning review and decision making process are summarized below. For more detailed information about the public process, go to the [Participating in the Planning Process](#) page at [london.ca](#).

See More Information

You can review additional information and material about this application by:

- visiting Development Services at 300 Dufferin Ave, 6th floor, Monday to Friday between 8:30am and 4:30pm;
- contacting the City's Planner listed on the first page of this Notice; or
- viewing the application-specific page at [london.ca/planapps](#).

Attend This Public Participation Meeting

The Planning and Environment Committee will consider the requested zoning changes at this meeting, which is required by the *Planning Act*. You will be invited to provide your comments at this public participation meeting. A neighbourhood or community association may exist in your area. If it reflects your views on this application, you may wish to select a representative of the association to speak on your behalf at the public participation meeting. The Planning and Environment Committee will make a recommendation to Council, which will make its decision at a future Council meeting.

What Are Your Legal Rights?

Notification of Council Decision

If you wish to be notified of the decision of the City of London on the proposed zoning by-law amendment, you must make a written request to the City Clerk, 300 Dufferin Ave., P.O. Box 5035, London, ON, N6A 4L9, or at docservices@london.ca. You will also be notified if you speak to the Planning and Environment Committee at the public meeting about this application and leave your name and address with the Secretary of the Committee.

Right to Appeal to the Local Planning Appeal Tribunal

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of London to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

For more information go to <http://elto.gov.on.ca/tribunals/lpat/about-lpat/>.

Notice of Collection of Personal Information

Personal information collected and recorded at the Public Participation Meeting, or through written submissions on this subject, is collected under the authority of the *Municipal Act*, 2001, as amended, and the *Planning Act*, 1990 R.S.O. 1990, c.P.13 and will be used by Members of Council and City of London staff in their consideration of this matter. The written submissions, including names and contact information and the associated reports arising from the public participation process, will be made available to the public, including publishing on the City's website. Video recordings of the Public Participation Meeting may also be posted to the City of London's website. Questions about this collection should be referred to Cathy Saunders, City Clerk, 519-661-CITY(2489) ext. 4937.

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: EVE Park London GP Inc.
1395 Riverbend Road
Zoning By-law Amendment

Public Participation Meeting on: December 2, 2019

Recommendation

That, on the recommendation of the Director, Development Services based on the application of EVE Park London GP Inc. relating to the lands located at 1395 Riverbend Road, described as part of Block 1, Plan 33M-743:

- (a) the proposed by-law attached hereto as Appendix 'A' **BE INTRODUCED** at the Municipal Council meeting to be held on December 10, 2019 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands **FROM** a Holding Residential R5/R6 Special Provision (h•h-206•R5-3(18)/R6-5(42)) Zone, a Holding Residential R5/R6 Special Provision/Community Facility Special Provision (h•h-206•R5-3(18)/R6-5(42)/CF1(19) Zone, and an Open Space (OS1) Zone **TO** a Residential R6 Special Provision (R6-5()) Zone.

IT BEING NOTED THAT the following Site Plan matters pertaining to 1395 Riverbend Road, described as part of Block 1, Plan 33M-743, have been raised during the public consultation process: building orientation to public streets, walkway connections to public sidewalks, light pollution, bird friendly development, retaining walls, and fencing along street frontages.

Executive Summary

Summary of Request

The application request is to change the zoning from a Holding Residential R5/R6 Special Provision (h•h-206•R5-3(18)/R6-5(42)) Zone, a Holding Residential R5/R6 Special Provision/Community Facility Special Provision (h•h-206•R5-3(18)/R6-5(42)/CF1(19)) Zone, and an Open Space OS1 Zone to a Residential R6 Special Provision (R6-5()) Zone to permit cluster housing in the form of single detached, semi-detached, duplex, triplex, fourplex, townhouses, stacked townhouses, and apartment buildings; together with a special provision to permit a density (maximum) of 45 units per hectare; height (maximum) of 18.0 metres; front and rear yard setbacks (minimum) of 3.0 metres; internal and external side yard depths (minimum) of 3.0 metres; vehicular parking (minimum) of 1.0 space per unit; parking may be provided by a mechanical stacked parking system and may be located on-site or within buildings; notwithstanding Section 4.19 of Zoning By-law No. Z.-1, parking provided by a mechanical stacked parking system shall be exempt from the size requirements of Section 4.19.2 - Dimensions of Parking Spaces, and no access aisles are required as per Sections 4.19.2.1 - Access Aisles and 4.19.6 (j) - Access Aisles for Parking Spaces for Persons with Disabilities; visitor parking shall be provided on an abutting private lane; and sustainable development features including green roof/wall treatments, electric vehicle charging stations, electric vehicle car sharing and carpooling, and rooftop solar collectors shall be permitted.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to allow for a development of cluster townhouses and stacked townhouses having a total of 80 dwelling units within four spiral-shaped buildings varying in height from ground level to five storeys; together with special provisions for increased building height, reduced building setbacks, reduced vehicle parking, and allowances for mechanical parking systems and sustainable building technologies.

Rationale of Recommended Action

1. The recommended zoning amendment is consistent with the *Provincial Policy Statement (PPS), 2014*, as it promotes efficient development and land use patterns; accommodates an appropriate range and mix of land uses, housing types, and densities to meet projected needs of current and future residents; and minimizes land consumption and servicing costs.
2. The recommended zoning amendment conforms to the in-force policies of The London Plan, including but not limited to the Neighbourhoods Place Type, Our Strategy, City Building and Design, Our Tools, and all other applicable London Plan policies.
3. The recommended zoning amendment conforms to the in-force policies of the (1989) Official Plan, including but not limited to the Multi-Family, Medium Density Residential designation and the West Five Specific Area Policies.
4. The proposed uses, form, and intensity are considered appropriate and compatible with existing and planned development in the surrounding neighbourhood.
5. The recommended zoning amendment provides for development that incorporates many sustainable building technologies and systems, and demonstrates advanced innovations in green development.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject site consist of lands within a registered plan of subdivision (part of Block 1 Registered Plan 33M-743). The topography is gently sloping across the site from a low spot near the corner of Shore Road and Westdel Bourne and increasing in elevation by 1 to 2 metres to the east and southeast. The site is completely devoid of trees and vegetation.

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

- The London Plan Place Type – Neighbourhoods
- (1989) Official Plan Designation – Multi-family, Medium Density Residential
- Zoning:
 - Holding Residential R5/R6 Special Provision (h•h-206•R5-3(18)/R6-5(42))
 - Holding Residential R5/R6 Special Provision/Community Facility Special Provision (h•h-206•R5-3(18)/R6-5(42)/CF1(19))
 - Open Space OS1

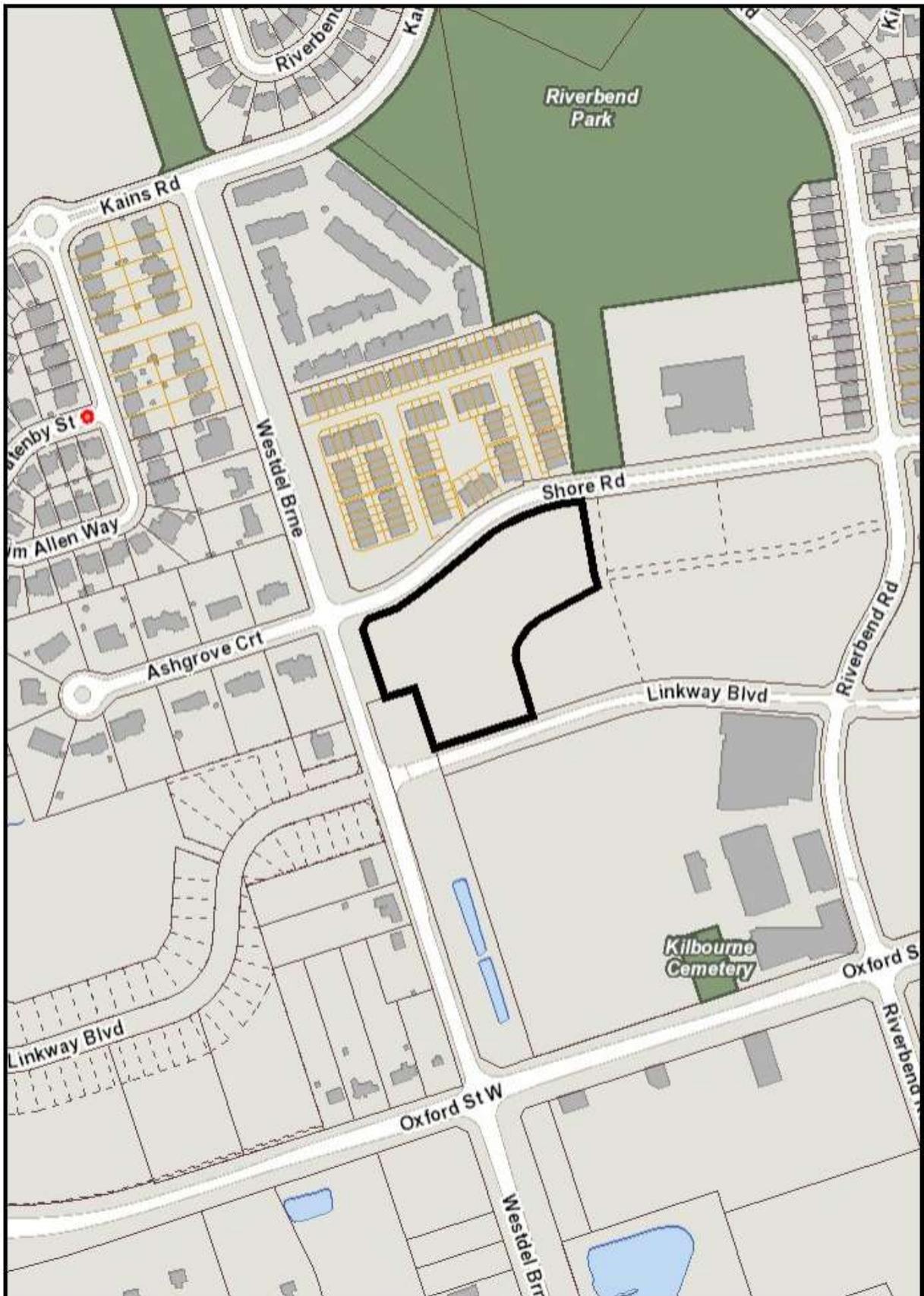
1.3 Site Characteristics

Current Land Use	Frontage (approx.)	Depth (approx.)	Area	Shape
Vacant	58 metres	200 metres	1.89 hectares	Irregular

1.4 Surrounding Land Uses

- North – residential townhouse condominium and public parkland
- East – vacant development lands for future residential and community facilities
- South – vacant development lands for commercial uses
- West – existing single detached homes and storm water conveyance/infiltration channel

1.5 Location Map



Location Map

Subject Property: 1395 Riverbend Road
 Applicant: Eve Park London GP
 File Number: Z-9098
 Created By: Larry Mottram
 Date: 10/30/2019
 Scale: 1:4000

Legend

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

Corporation of the City of London



2.3 Conceptual Building Renderings



3.0 Revelant Background

3.1 Planning History

On January 8, 2016, the Approval Authority for the City of London approved a Draft Plan of Subdivision for Sifton Properties Limited proposed as the “West Five” development lands encompassing an area of approximately 30 hectares bounded by Oxford Street West, Westdel Bourne, Shore Road, and Kains Road. The Draft Plan is made up of large development blocks consisting of 1 medium density residential block, 3 medium density residential / mixed use blocks, 1 mixed use block, and 1 high density residential / mixed use block, served by 1 primary collector and 2 local streets (File No. 39T-14503/OZ-8410)

The vision for the area is based on a planned, sustainable, mixed-use community consisting of a range of office, retail, residential and public uses. West Five is being promoted as a model of “smart” community design incorporating significant renewable energy technologies and initiatives. In conjunction with the Draft Plan of Subdivision, Municipal Council adopted Official Plan and Zoning By-law amendments for the proposed West Five lands, including a specific-area policy to guide development of the

community vision, mix of land uses, building form, scale and density. Urban design guidelines were also prepared and approved by Council through the adoption of a holding provision in the Zoning By-law.

The first phase of West Five was registered as a single townhouse development block in October of 2016 as Plan 33M-706. The lands which are the subject of this application are located within the second phase which was registered as Plan 33M-743 on April 19, 2018. This phase primarily comprises the westerly half of the West Five lands and includes the southerly extension of Riverbend Road from Shore Road to Oxford Street West, as well as the east-west extension of Linkway Boulevard between Riverbend Road and Westdel Bourne.

As part of the West Five draft plan of subdivision, an Open Space OS1 Zone was applied to a strip of land on the east side of Westdel Bourne for a future stormwater management facility. It was later confirmed at the functional design stage for the SWM Facility that not all of this strip of land extending to Shore Road was required, leaving the most northerly portion of the strip as remnant open space.

3.2 Requested Amendment

Amendment to Zoning By-law Z.-1 to change the zoning from a Holding Residential R5/R6 Special Provision (h•h-206•R5-3(18)/R6-5(42)) Zone, a Holding Residential R5/R6 Special Provision/Community Facility Special Provision (h•h-206•R5-3(18)/R6-5(42)/CF1(19)) Zone, and an Open Space OS1 Zone to a Residential R6 Special Provision (R6-5()) Zone to permit cluster housing in the form of single detached, semi-detached, duplex, triplex, fourplex, townhouses, stacked townhouses, and apartment buildings; together with a special provision to permit a density (maximum) of 45 units per hectare; height (maximum) of 18.0 metres; front and rear yard setback (minimum) 3.0 metres; internal and external side yard depth (minimum) 3.0 metres; vehicular parking (minimum) 1.0 space per unit; parking may be provided by a mechanical stacked parking system and may be located on-site or within buildings; notwithstanding Section 4.19 of Zoning By-law No. Z.-1, parking provided by a mechanical stacked parking system shall be exempt from the size requirements of Section 4.19.2 - Dimensions of Parking Spaces, and no access aisles are required as per Sections 4.19.2.1 - Access Aisles and 4.19.6 (j) - Access Aisles for Parking Spaces for Persons with Disabilities; visitor parking shall be provided on an abutting private lane; and sustainable development features including green roof/wall treatments, electric vehicle charging stations, electric vehicle car sharing and carpooling, and rooftop solar collectors shall be permitted.

3.3 Community Engagement (see more detail in Appendix B)

Comments/concerns received from the community are summarized as follows:

- Proposed building height and orientation with the tallest portion of at least one of the four cluster buildings directly across and facing a low-rise condominium complex.
- A five storey building will give occupants ability to look into backyards resulting in loss of privacy and security concerns, and impact on property values.
- Can anything be done to reduce light pollution?
- Bird strikes on tall buildings with so much glass is decimating bird populations.
- Increased density adding to already high traffic volumes and congestion on Oxford Street West.

3.4 Policy Context (see more detail in Appendix C)

Provincial Policy Statement, 2014

The proposal must be consistent with the Provincial Policy Statement (PPS) policies and objectives aimed at:

1. Building Strong Healthy Communities;
2. Wise Use and Management of Resources; and,

3. Protecting Public Health and Safety.

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

The policies for Public Spaces, Recreation, Parks, Trails and Open Space promote healthy and active communities by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity (Section 1.5.1). Planning Authorities shall also support energy conservation and efficiency through land use and development patterns which, among other matters, promotes design and orientation which maximizes opportunities for renewable energy systems (Section 1.8.1).

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 as shown on Map 1 – Place Types* in The London Plan, and are situated at the intersection of two Neighbourhood Connector streets. The range of primary permitted uses include single detached, semi-detached, duplex, triplex, townhouses, and small-scale community facilities. Secondary permitted uses include stacked townhouses, fourplexes, low-rise apartments, and mixed-use buildings. The lands are also located within the Riverbend West Five Lands Specific Area Policies which were carried over from the 1989 Official Plan, and are considered in more detail in Appendix 'C'. The application has also been reviewed with the applicable policies of the Our Strategy, City Building and Design, Neighbourhoods Place Type, and Our Tools sections. An excerpt from The London Plan Map 1 – Place Types* is found at Appendix 'D'.

(1989) Official Plan

These lands are designated as Multi-family, Medium Density Residential under Section 3.3 in the Official Plan, which permits multiple attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding houses; emergency care facilities; and small-scale nursing homes, rest homes, and homes for the aged, as the main uses. The lands are also within the West Five Specific Area Policies in Section 10.1.3. An excerpt from Land Use Schedule 'A' is found at Appendix D.

4.0 Key Issues and Considerations

4.1 Use

The range of permitted uses does not change significantly from what the current zoning permits. The recommended zoning will continue to permit cluster housing in the form of single detached, semi-detached, duplex, triplex, fourplex, townhouses, stacked townhouses, and apartment buildings. Such residential uses are appropriate and compatible with existing and planned development in the surrounding area, are consistent

with the Provincial Policy Statement, and conforms with the in-force policies of The London Plan and the (1989) Official Plan.

4.2 Intensity

The recommended density of 45 units per hectare is found to be appropriate to permit a total of 80 units within four (4) buildings (20 units per building). Actual density works out to be 42.3 units per hectare based on 1.89 hectare site area. This density is appropriate for the site, recognizing that the building site coverage (26.5%) and landscaped open space (59%) will be well below standard maximum lot coverage and above the standard minimum landscape open space (L.O.S.) requirements in the Zoning By-law. The recommended height (maximum) of 18.0 metres is considered appropriate in order to accommodate the proposed spiral-shaped, stacked townhouses buildings and the enclosed rotary carousel parking structure attached to the end of each building. The intensity of development has been reviewed and is consistent with the Provincial Policy Statement, and conforms with the in-force policies of The London Plan and the (1989) Official Plan.

4.3 Form

The proposed buildings represents a compact form of residential development consisting of attached townhouses and stacked townhouses with individual entrances at grade, and heights for the actual residential portion of the buildings varying from 1 to 4 storeys. A fifth level above the rotary carousel parking garage will provide an indoor common amenity area. The height varies with building orientation and positioning which has been designed to optimize exposure to solar capture. This development proposal provides a transition of building height and mass from the more intensive mid-rise, mixed-use buildings planned in the central portion of the West Five lands, centred around Riverbend Road and Linkway Boulevard, to existing medium density residential uses to the north, and low density single detached homes to the west.

The buildings are not oriented in a perpendicular fashion to the street due to their circular design. Instead, orientation to the street is achieved by 360 degree views of the surrounding streets and landscaped amenity space. The landscaped open space surrounding the buildings will provide for a network of walkways connecting buildings to common amenity areas and public sidewalks supporting a vibrant pedestrian-oriented atmosphere. Pedestrian connectivity to the surrounding area includes the planned north-south trail, Riverbend Park, future community centre, future commercial and retail services and facilities to the south, and London Transit bus routes on Riverbend Road.

The applicant's intent is to construct purpose-designed circular shape buildings around a central court yard where residents will access their unit. There will be individual accesses to ground floor units around the outside leading to patios and private outdoor living space. To ensure that the units next to public streets are oriented to the street, and avoid rear yard situations adjacent to the public streets, staff recommend either including individual walkways from units adjacent to the street to the City sidewalk or formalizing the mowed circular path around each pod with two or more walkways leading from this path to the City sidewalks of the adjacent streets.

Development Services Urban Design staff have worked closely with the applicant through the zoning application process to address the majority of the design matters that have been raised by City staff. The applicant is commended for incorporating the following into the design: providing for buildings that incorporate an appropriate scale/ rhythm/ materials/ fenestration; incorporating all of the on-site parking internal to the site, away from the public street frontages; and locating an abundant amount of on-site amenity area for residents. Staff will work with the proponent to further refine site design and building orientation, and other matters to be considered during the site plan application review process as outlined in the recommendation. Therefore, the form of development is found to be consistent with the Provincial Policy Statement, and conforms with the in-force policies of The London Plan and the (1989) Official Plan.

4.4 Public Comments

- Proposed building height and orientation with the tallest portion of at least one of the four cluster buildings directly across and facing a low-rise condominium complex.

Concerns were raised by residents of the condominium complex on the north side of Shore Road, directly opposite the subject site, regarding building height and privacy impacts. It's important to note that building height varies from zero at one end of the ring building to five storeys at the other end. Floors one to four consist of one, two, and three level dwelling units, with two level stacked units. The fifth floor consists of a common amenity room above the carousel parking garage. Elevation plans accompanying the application indicates that the total height from the ground to top of the fourth floor is 13.2 metres, plus 3.9 metres for the proposed fifth floor clubroom for a total of 17.1 metres at the highest end.

The height varies with building orientation and positioning which has been designed to optimize exposure to solar capture. Of the three buildings adjacent to Shore Road, two (Blocks A and D) are oriented with the tallest portion internal to the site. The middle ring (Block C) would have the most exposure with the tallest portion adjacent to Shore Road. This building is shown on the site plan to be setback 7.1 metres from the edge of the road allowance. Staff estimate there will be approximately 35 metres separation distance from this building across Shore Road to the closest end wall of the townhouses to the north. Visual impacts are addressed to the extent that neighbours will be facing curved building facades interspersed with substantial landscaped open space, and not a straight 4-5 storeys high, sheer wall. As noted below, there will be no vehicular access points onto Shore Road, only pedestrian paths to connect with the public sidewalks.

- A five storey building will give occupants ability to look into backyards resulting in loss of privacy and security concerns, and impact on property values.

There is a residential condominium development to the north separated from the subject site by Shore Road. Potential impacts related to concerns for building height and views on residential privacy to the north are minimized by the fact that the height of each building varies, with the highest residential units at four storeys, the equivalent of a low-rise apartment building. There will be a mix of 1-level, 2-level, 3-level townhouse, and 2-level stacked units. Neighbouring property owners to the north will be facing curvilinear buildings interspersed with substantial landscaped open space, rather than a straight vertical mass. The enhanced landscaped open space will help lessen the impact on privacy as well as provide visual screening.

- Can anything be done to reduce light pollution?

On-site exterior lighting can be managed and mitigated so as not to overcast on adjacent properties. Photometric analysis to aid in managing lighting impacts on adjacent properties is often undertaken, if required, as part of the site plan review process. High intensity lighting for the purpose of illuminating surface parking lots will not be required for the subject site. The private access road and access points into the mechanical parking garage will be illuminated and can be controlled, as well as exterior lighting for walkways and building entrances. Light pollution emanating from interior living spaces through the glass façade on the building exterior may be of concern; however, this can also be controlled by the dwelling occupants.

- Bird strikes on tall buildings with so much glass is decimating bird populations.

Amendments to the City's Site Plan Control By-law with respect to bird friendly development are underway which will include new regulations for bird friendly lighting that is full cut-off and zero up light. The objective is that all lighting should be limited to, and directed towards, the area requiring illumination so as to reduce skyglow and light

pollution, and thereby promote bird-friendly development. Possible use of visual markers on glass treated high-rise buildings is also being considered. A staff report concerning the issue of bird friendly development was tabled with the Planning and Environment Committee on November 18, 2019.

- Increased density adding to already high traffic volumes and congestion on Oxford Street West.

Shore Road and Westdel Bourne are classified as Neighbourhood Connectors carrying on average 2,000 and 2,500 vehicle trips per day (AADT), respectively. A Traffic Impact Assessment was not required and the proposed development is not expected to contribute significantly to traffic volumes as there will be no direct points of access to either of these roads. Oxford Street West is expected to be widened to a five lane cross section in the future in order improve capacity. The City's Transportation Planning and Design Division were circulated on the application and did not indicate specific concerns related to density of the proposed development and increased traffic volumes.

5.0 Conclusion

The recommended zoning amendments are appropriate and consistent with the Provincial Policy Statement, conform to The London Plan and the (1989) Official Plan. The proposed uses, intensity and form are considered appropriate and compatible with existing and planned development in the surrounding neighbourhood.

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

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
 Lou Pompilli, Manager, Development Planning
 Ted Koza, Manager, Development Engineering

November 25, 2019
 GK/PY/LM/lm

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Appendix A

Appendix "A"

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

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

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 1395
Riverbend Road, described as part of
Block 1 Plan 33M-743.

WHEREAS EVE Park London GP Inc. has applied to rezone an area of land
located at 1395 Riverbend Road, described as part of Block 1 Plan 33M-743, 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 1395 Riverbend Road, described as part of Block 1 Plan 33M-743,
as shown on the attached map, FROM a Holding Residential R5/R6 Special
Provision (h•h-206•R5-3(18)/R6-5(42)) Zone, a Holding Residential R5/R6 Special
Provision/Community Facility Special Provision (h•h-206•R5-3(18)/R6-
5(42)/CF1(19) Zone, and an Open Space OS1 Zone TO a Residential R6 Special
Provision (R6-5()) Zone.
- 2) Section Number 10.4 of the Residential R6 Zone is amended by adding the following
special provisions:

R6-5()

a) Regulations:

- | | | |
|------|--|----------------------|
| i) | Front and Exterior
Side Yard Depth
(Minimum) | 3.0 metres |
| ii) | Interior Side and Rear
Yard Depth
(Minimum) | 3.0 metres |
| iii) | Height
(Maximum) | 18.0 metres |
| iv) | Density
(Maximum) | 45 units per hectare |
| v) | Parking
(Minimum) | 1 space per unit |
| vi) | Parking may be provided by a mechanical
stacked parking system; notwithstanding
Section 4.19, parking provided by a mechanical
stacked parking system shall be exempt from
the size requirements of Section 4.19.2 - | |

File: Z-9098

Planner: L. Mottram

Dimensions of Parking Spaces, and no access aisles are required as per Sections 4.19.2.1 - Access Aisles and 4.19.6 (j) - Access Aisles for Parking Spaces for Persons with Disabilities.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on December 10, 2019

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 10, 2019
Second Reading – December 10, 2019
Third Reading – December 10, 2019

Appendix B – Public Engagement

Community Engagement

Public liaison: On August 20, 2019, Notice of Application was sent to 104 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on August 22, 2019. A “Planning Application” sign was posted on site, and Notice of Application was posted on the City of London’s website.

Responses: 5 replies received.

Nature of Liaison: Possible amendment to Zoning By-law Z.-1 to change the zoning from a Holding Residential R5/R6 Special Provision (h•h-206•R5-3(18)/R6-5(42)) Zone, a Holding Residential R5/R6 Special Provision/Community Facility Special Provision (h•h-206•R5-3(18)/R6-5(42)/CF1(19)) Zone, and an Open Space OS1 Zone to a Residential R6 Special Provision (R6-5()) Zone to permit cluster housing in the form of single detached, semi-detached, duplex, triplex, fourplex, townhouses, stacked townhouses, and apartment buildings; together with a special provision to permit a density (maximum) of 45 units per hectare; height (maximum) of 18.0 metres; front and rear yard setback (minimum) 3.0 metres; internal and external side yard depth (minimum) 3.0 metres; vehicular parking (minimum) 1.0 space per unit; parking may be provided by a mechanical stacked parking system and may be located on-site or within buildings; notwithstanding Section 4.19 of Zoning By-law No. Z.-1, parking provided by a mechanical stacked parking system shall be exempt from the size requirements of Section 4.19.2 - Dimensions of Parking Spaces, and no access aisles are required as per Sections 4.19.2.1 - Access Aisles and 4.19.6 (j) - Access Aisles for Parking Spaces for Persons with Disabilities; visitor parking shall be provided on an abutting private lane; and sustainable development features including green roof/wall treatments, electric vehicle charging stations, electric vehicle car sharing and carpooling, and rooftop solar collectors shall be permitted.

Responses: A summary of the comments received include the following:

- Proposed building height and orientation with the tallest portion of at least one of the four cluster buildings directly across and facing a low-rise condominium complex.
- A five storey building will give occupants ability to look into backyards resulting in loss of privacy and security concerns, and impact on property values.
- Can anything be done to reduce light pollution?
- Bird strikes on tall buildings with so much glass is decimating bird populations.
- Increased density adding to already high traffic volumes and congestion on Oxford Street West.

Response to Notice of Application and Publication in “The Londoner”

Telephone	Written
Rita Turpie – 1465 Shore Road	Andrew Bruins – #45–2040 Shore Road
	James & Kim Aitken – #93-2040 Shore Road
	Mark McConnell – 989 Westdel Bourne
	Peter Alport – #6-2040 Shore Road

Hello, this is just to more succinctly clarify my email from yesterday, August 27th regarding File Z-9098 (EVE Park project in Riverbend) as I know you’re collecting feedback and will review when time allows.

I just noticed, now, that the ‘*Planning Justification Report*’ dated July 15, 2019 had attached to it, an earlier ‘*Record of Pre-Application Consultation*’ dated April 18, 2019.

The April 18 document, in turn, had a section entitled “Major issues identified”, the fourth bullet of which states:

- Explore opportunities to rotate the “rings” so that the lower portions of the “rings” are located to the north with the taller portions to the south in order to provide for a transition in height between the existing two storey town homes to the north of the site and be more in keeping with the planned taller forms along Linkway Boulevard.

As indicated in my prior email, the subsequently-prepared ‘*Planning Justification Report*’ mentions several times throughout that the ringed buildings will indeed be oriented so as to face the buildings’ lower levels towards Shore Road. It appears, on this basis, to therefore address the bulleted item above, and my fellow neighbours’ concerns.

But as I’d previously mentioned, this nonetheless appears to conflict with the conceptual drawing entitled ‘Site Plan’ as available on the City of London website (and as reflected as an addendum to the ‘*Planning Justification Report*’ itself). At present, it continues to show at least one of the ringed buildings (“Block C”, a.k.a. Building 3, with units 41 through 60) as being oriented with its higher portion facing north to Shore Road. To a somewhat lesser degree, the same applies to “Block A” (a.k.a. Building 2, with units no. 1 to 20).

From conceptual (Site Plan)
Illustrating concerns of 2040 Shore Road residents re height of planned development.



While this therefore concerns residents at 2040 Shore Road, I suspect that the ‘Site Plan’ to which I refer, is an older iteration, which was always ‘subject to change’.

To sum up, I imagine (and hope) that a revised ‘Site Plan’ has subsequently been prepared, albeit not yet been published on the City of London website; one which now reflects a re-orientation of the proposed buildings so as to negate the concerns over height facing Shore Road.

Could you please confirm whether this is indeed the case, in which case I will no longer have any concerns about the project?

Thank you so much.

Andrew Bruins

45-2040 Shore Road

London, ON N6K 0G3

Att’n Mr. Larry Mottram
Development Services,
City of London,
300 Dufferin Avenue, 6th Floor,
London ON PO BOX 5035 N6A 4L9

Dear Mr. Mottram,

This is in reference to File Z-9098, the EVE Park project proposed for the West5 lands at Westdel Bourne and Shore Road,

I am a unit holder at 2040 Shore Road, immediately across from the subject site.

I am very keen on this project, and look forward to it coming to fruition.

Still, I would like to convey a concern held by at least a couple of fellow unit holders at 2040 Shore Road: I.e. The height of at least one of the four cluster buildings where it faces our condo community, and the impact of that height on privacy.

It is our understanding that the building referenced in some drawings as "Block C" (and in another, as Building no. 3", tentatively having units no. 41 through 60) will be at its highest levels as it faces our condo community. Specifically, the concern is that at 18 meters, or 59 feet, its maximum 4 stories will not be compatible with the 2-story homes of our development, which it will face.

The possibility that this building will be at its max height when facing our development (based on site plans) would seem to contradict the Planning Justification Report for this project, wherein it states:

(At page 6): "The building height gradually steps back from the outer perimeter of the site, controlling shadow impact on Shore Road and Westdel Bourne."

- (At page 8): "The building height has been carefully oriented, so the highest portions of each building is located away from the streetscape..."
- (At page 20): "Building heights have also been oriented to shift taller portions of buildings toward the centre of the site to protect surrounding sensitive land uses."
- (At page 22): "The proposed development...varies in height, between one and four storeys in height. The higher portions of the stacked townhousing buildings are oriented toward the centre of the site, thereby transitioning to lower building heights near the property boundary and abutting properties north of Shore Road."
- (At page 24): "...the...buildings have been oriented to increase building height towards the centre of the site, minimizing sun shadows on adjacent streets/sidewalks and to reduce privacy issues from overlooking balconies onto neighbouring properties."

I am curious as to why the above excerpts from the Planning Justification Report would seem to contradict the proposed site plan, which seems to show higher portions of the buildings (one in particular) as they face our development at 2040 Shore Road.

As I am otherwise a proponent of this development (indeed, I'm accused of having 'drunk the Kool Aide'), I'd be thankful for some information to convey to my neighbours, to allay their concerns about building height, and potential resulting loss of privacy.

Thank you,

Andrew Bruins
45-2040 Shore Road,
London, Ontario. N6K 0G3

Hello Larry,

We are writing in response to the Zoning By-Law Amendment we received in the mail last week in regard to 1395 Riverbend Road (File: Z-9098), EVE Park London.

As current owners and residents in 2040 Shore Rd we are highly concerned about the effect this new development and amendments will cast on our property (Unit 93).

- 1.) The change in height will completely expel the privacy to our property. As seen in the site plan it appears that we will have Block C across the street from us with the full 5 stories looking directly onto our property.

- 2.) The amendment to the added quantity of units allows for more residents to look into our property which is a concern for security for us and again any privacy.
- 3.) The additional concern is how this development will affect the value of our property in the future should there be a 5-story building across the street and looking into our property.

Look forward to your feedback on this concern.

Kind Regards,

James & Kim Aitken

Good afternoon,

I am concerned about the zoning by-law amendment for this property. I am a resident of the Riverbend Area, and I believe the amendment would allow a structure that is too tall for the immediate area.

I am concerned about the view from the tallest of the units being closest to the road. From the drawings attached to the notice (dated August 20, 2019) the orientation of the tallest portions of the buildings is very worrisome. The units view on porches and out of windows would be into the back yards of many of the existing houses on Westdel Bourne and Shore Road. I do not think the current orientation inspires good feelings from their neighbors about the new structure, despite its many efforts to reduce its footprint on the environment.

In addition, the size of the building is worrisome for birds (especially migratory ones) who utilize the trailing ponds and the Thames River. 60 feet of straight glass may be one of the reasons why bird populations have been decimated over the past 2 decades. Is there anything in place to reduce the potential casualties for our bird population?

Lastly, will anything be done to reduce the light pollution that is emanating from this new development?

Thank you,
Mark McConnell
989 Westdel Bourne
London, ON

Hello Anna & Larry

I am a home owner at 2040 Shore Road and recently received in the mail the notice of planning application for 1395 Riverbend Road (Part of Block 1 Plan 33M-743). I am very disappointed to read at the proposal of 80 dwelling units within 4 spiral-shaped buildings varying in height from 1 to 5 storeys. Regarding the images as per the applicant's proposal it is hideous and not befitting of a normal residential area. I paid good money for my home with a private backyard and now the thought of having a five storey building across the street with people having the ability to look into my backyard is very disturbing and uncalled for.

I am certainly in favor of single storey homes across the street and there are more than enough high rise buildings under construction on the Sifton site. I think this is not rationale thinking and rather just an issue of "greed" for the developer. I doubt that I will be even dignified with a response however wanted to voice my opinion.

Thank you,
Peter Alport

Agency/Departmental Comments:

1. Accessibility Advisory Committee – August 22, 2019

a) the following actions be taken with respect to the Notice of Planning Application, dated August 20, 2019, from L. Mottram, Senior Planner, with respect to a Zoning By-law Amendment for the property located at 1395 Riverbend Road:

- i) the above-noted Notice BE RECEIVED; and,
- ii) the Civic Administration BE REQUESTED to attend a future meeting of the Accessibility Advisory Committee to explain mechanical parking systems and possible repercussions for accessibility, as it relates to the above-noted Notice;

Note: City staff, the applicant and consultant attended the AAC meeting held on October 24, 2019 to present the proposal, answer questions, and receive feedback.

2. Development Services, Urban Design – October 30, 2019

Urban design staff have worked closely with the applicant through the rezoning process to address the majority of the design concerns that have been raised by City staff. The applicant is commended for incorporating the following into the design; providing for building of an appropriate scale/ rhythm/ materials/ fenestration; incorporating all of the on-site parking internal to the site, away from the public street frontages; and locating an abundant amount of on-site amenity area for residents.

The following comments are related to site and building design that would be further refined through the Site Plan process:

- Ensure that the units next to public street are oriented to the street, avoiding rear yard situations adjacent to the public streets, this can be achieved by either: including individual walkways from units adjacent to the street to the City sidewalk or by formalizing the mowed circular path around each pod with two or more walkways leading from this path to the City sidewalks of the adjacent streets.
- Ensure any proposed retaining walls adjacent to any City ROW is minimized so that they do not require any railings. If taller walls are required explore opportunities to step the wall to avoid the requirement of railings.
- Ensure that the possibility of including fencing along any street frontage is avoided.

Appendix C – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this proposal. The most relevant policies, by-laws, and legislation are identified as follows:

Provincial Policy Statement, 2014

The proposal must be consistent with Provincial Policy Statement (PPS) policies and objectives aimed at:

1. Building Strong Healthy Communities;
2. Wise Use and Management of Resources; and,
3. Protecting Public Health and Safety.

The PPS contains policies regarding the importance of promoting efficient development and land use patterns, as well as accommodating an appropriate range and mix of land uses, housing types, and densities to meet projected needs of current and future residents (Sections 1.1 and 1.4). The proposed development will promote efficient land use by providing medium density residential uses through building forms that combine both townhouses and stacked townhouse dwellings, adding to the range of housing choices for the intended market. It also promotes development that considers the impact of climate change through energy efficient building design, and discourages the use, ownership and dependency on fossil-fueled vehicles. The site is in close proximity to public parks and open space, as well as a range of future mixed-use/commercial facilities and services. It promotes an efficient and cost effective development and land use pattern, and will not cause environmental or public health and safety concerns.

The policies for Settlement Areas require that new development should occur adjacent to existing built up areas and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities (Section 1.1.3.6). The subject lands are located within the City's Urban Growth Boundary, and are part of a planned mixed-use community development known as West Five. The site is immediately adjacent existing built-up areas to the north, lands currently under development to the east and west, and designated and zoned future development lands to the south. The proposed development will utilize full municipal services which are currently available at the property boundary.

Policies encourage Planning Authorities to promote green infrastructure to complement conventional servicing infrastructure (Section 1.6.2). Transportation policies promote a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support current and future use of transit and active transportation (Section 1.6.7.4). The proposed development provides for roof-top solar energy infrastructure and all resident parking on-site will be stored within mechanical rotary carousel parking towers that reduce the need for expensive underground parking and impermeable surfaces. The proposed development is in close proximity to future mixed use/commercial development to minimize the length and number of vehicle trips, is within walking distance to public transit routes (Route 17: Argyle Mall - Byron/Riverbend), and has access to planned multi-use trails.

Planning Authorities shall also support energy conservation and efficiency through land use and development patterns which, among other matters, promotes design and orientation which maximizes opportunities for the use of renewable and alternative energy systems (Section 1.8.1). Investment in energy conservation and the use of renewable and alternative energy systems, in particular solar-powered electricity technology to be integrated into the building design, is being promoted as a central objective of this development. The unique building configuration has been intentionally designed to maximize solar capture, reduce wind effects on the public realm, and improve the quality of surface drainage by maximizing permeability. Common landscaped open space areas will maximize vegetation and planting of drought tolerant species that reduce the level of irrigation and maintenance.

There are no identified concerns for protection of natural heritage features or functions, agricultural, mineral aggregates, or cultural heritage and archaeological resources. The proposed development is outside of any natural hazards and there are no known human-made hazards. Therefore, Development Services staff are satisfied that the recommended Zoning By-law Amendment is found to be consistent with the Provincial Policy Statement.

The London Plan

The Our Strategy, City Building and Design, Place Types, and Our Tools policies in the London Plan have been reviewed and consideration given to how the proposed zoning

by-law amendment contributes to achieving those policy objectives, including the following specific policies:

Our Strategy

Key Direction #4 – Become one of the greenest cities in Canada

- 1. Develop, implement, and lead plans to take action on climate change mitigation and adaptation.*
- 6. Reduce our human impact on the environment – reduce our carbon footprint as a city.*
- 7. Practice and promote sustainable forms of development.*
- 8. Promote green development standards such as LEED Neighbourhood Development and LEED Building Design and Construction standards.*
- 13. Conserve water and energy and deliver these resources in a sustainable and affordable fashion.*

Key Direction #5 – Build a mixed-use compact city

- 5. Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place.*
- 6. Mix stores, restaurants, clean industry, live-work arrangements and services in ways that respect the character of neighbourhoods, while enhancing walkability and generating pedestrian activity.*

Key Direction #7 – Build strong, healthy and attractive neighbourhoods for everyone

- 1. Plan for healthy neighbourhoods that promote active living, provide healthy housing options, offer social connectedness, afford safe environments, and supply well distributed health services.*
- 2. Design complete neighbourhoods by meeting the needs of people of all ages, incomes and abilities, allowing for aging in place and accessibility to amenities, facilities and services.*
- 3. Implement “placemaking” by promoting neighbourhood design that creates safe, diverse, walkable, healthy, and connected communities, creating a sense of place and character.*

These strategic directions are generally reflected in the Riverbend West Five Specific Area Policies that were adopted by Municipal Council in 2015 as an amendment to the 1989 Official Plan, and carried over into Place Type Policies of The London Plan in Section 884.

City Building and Design Policies

198_ All proposals for new neighbourhoods will be required to establish a vision to guide planning for their character and sense of place.

The future planned vision for this area is articulated in the Riverbend West Five Lands Specific Area Policies. These policies were adopted in the 1989 Official Plan and have been carried over into The London Plan. The vision for the West Five Community is as follows:

886_ The West Five community will consist of a mixture of uses - office, retail, residential and public spaces. It is to be a model of “smart” community design incorporating significant energy saving and renewable initiatives, to promote a healthy and sustainable lifestyle. Its success will be achieved by establishing unique architecture, aesthetically pleasing public spaces and vistas, and identifiable landmarks and focal points.

A Planning Justification Report accompanying the application has been reviewed. Staff generally agree with the findings that the proposed at-grade oriented townhouse development contributes to the overall mix of uses contemplated by the West Five Specific Area Policies. It incorporates significant sustainability features, with a strong focus placed on unique architecture, and functional site and attractive outdoor spaces for residents and visitors.

252_ The site layout of new development should be designed to respond to its context and the existing and planned character of the surrounding area.

The immediate context includes a residential condominium complex consisting of 2 storey attached townhomes to the north; Riverbend Park and St. Nicholas Catholic Elementary School to the northeast; a future north-south, multi-use trail planned to the east with medium density residential development lands further to the east; a site for future community centre adjacent to the southeast; future commercial development lands to the south, south of Linkway Boulevard; a recently completed stormwater conveyance channel to the west, and existing single detached homes west of Westdel Bourne.

This site has been planned for a range of medium density residential uses, including cluster housing in the form of townhouses, stacked townhouses, and low-rise apartment buildings. As such, this development proposal maintains the planned intent and is in general keeping with the context and character of the surrounding area.

253_ Site layout should be designed to minimize and mitigate impacts on adjacent properties.

Concerns were raised by residents of the condominium complex on the north side of Shore Road, directly opposite the subject site, regarding building height and privacy impacts. It's important to note that building height varies from zero at one end of the ring building to five storeys at the other end. Floors one to four consist of one, two, and three level dwelling units, with two level stacked units. The fifth floor consists of a common amenity room above the carousel parking garage. Elevation plans accompanying the application indicates that the total height from the ground to top of the fourth floor is 13.2 metres, plus 3.9 metres for the proposed fifth floor clubroom for a total of 17.1 metres at the highest end.

The height varies with building orientation and positioning which has been designed to optimize exposure to solar capture. Of the three buildings adjacent to Shore Road, two (Blocks A and D) are oriented with the tallest portion internal to the site. The middle ring (Block C) would have the most exposure with the tallest portion adjacent Shore Road. This building is shown on the site plan to be setback 7.1 metres from the edge of the road allowance. Staff estimate there will be approximately 35 metres separation distance from this building across Shore Road to the closest end wall of the townhouses to the north. Visual impacts are addressed to the extent that neighbours will be facing curved building facades interspersed with substantial landscaped open space, and not a straight 4-5 storeys high, sheer wall. As noted below, there will be no vehicular access points onto Shore Road, only pedestrian paths to connect with the public sidewalks.

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

The request for minimum front and exterior side yard depth to the main building of 3.0 metres is consistent with the zone setbacks regulations that are currently in place. When the original zoning was approved for West Five by Council, consideration was given to reduced front and exterior yards based on the West Five Urban Design Guidelines, and City of London Placemaking Guidelines which suggest a minimum of 3.0 metres and maximum of 4.5 metres building setback.

The goal was to ensure streets are well framed by buildings that front the street encouraging a stronger relationship between the public and private realm. In this case, the applicant's intent is to construct purpose-designed circular shape buildings around a central court yard where residents will access their unit. There will be individual accesses to ground floor units around the outside leading to patios and private outdoor living space. To ensure that the units next to public streets are oriented to the street, and avoid rear yard situations adjacent to the public streets, staff recommend either including individual walkways from units adjacent to the street to the City sidewalk or formalizing the mowed circular path around each pod with two or more walkways leading from this path to the City sidewalks of the adjacent streets. Staff also recommend avoiding installation of fencing along any street frontage. The Planning Justification Report notes as well that fencing will not be constructed along the periphery of the site boundary. These matters will be considered in more detail as part of the Site Plan Approval process.

268_ Sites shall be designed to provide a direct, comfortable and safe connection from the principle building entrance to the public sidewalk.

As noted above, staff will be working with the proponents through the site plan review process to ensure a direct, comfortable and safe system of pedestrian walkway connections to the public sidewalks.

269_ Buildings should be sited to minimize the visual exposure of parking areas to the street.

Parking for residents will be inside mechanical rotary carousel parking towers located on the ends of each building. There will not be any at-grade surface parking visible from the street, except for visitor parking spaces. Access is to be provided by an internal private access driveway connecting Linkway Boulevard to Riverbend Road. No access driveways are proposed from Shore Road or Westdel Bourne.

*294_ In conformity with the Green and Healthy City policies of this Plan, buildings should incorporate green building design and associated sustainable development technologies and techniques.**

The proposal is being designed to meet West Five's sustainable design principles for achieving a net zero smart community, and making all dwelling units powered by 100% renewable energy using Net Metering with the Grid. The Planning Justification Report identifies numerous sustainability features being incorporated into the buildings, including:

- Advanced windows and doors, and increased insulation for air tightness;
- Cold-climate air source heat pumps as the primary heating system;
- Smart duct ventilation systems;
- Heat recovery ventilators and drain water heat recovery;
- LED lighting;
- Aggressive water efficiency (water recycling system);
- Deep integration of solar energy;
- Deep integration of electric vehicle charging;
- Rotary carousel parking towers;
- Infrastructure for a shared fleet of electric vehicles that are autonomously deployed to transport residents locally, including drop off and pick up;
- Low maintenance and drought tolerant native vegetative plantings;
- Increased permeability due to greater amount of landscaped open space; and,
- Modular building design and construction;

*301_ A diversity of materials should be used in the design of buildings to visually break up massing, reduce visual bulk and add interest to the building design.**

Modular building construction typically involves assembly of pre-fabricated components and material consisting reinforced concrete, steel and wood. The exterior façades of these buildings will incorporate extensive glazing eliminating blank walls, and opening the modular dwelling units to the outside. The high volume of glazing, 360 degree architecture, entrances at grade, and roof-top solar arrays all contribute to visual variety. The sculpted shape and sloping spiral roof-line breaks up the appearance of massing, reduces bulk, and adds interest to the building design.

725_ The City will explore opportunities for collaborative efforts with the development community to achieve excellence in green development.

729_ Wherever possible, new developments will be planned to be “future ready” to accommodate the future use of solar energy, electric vehicles, and (where applicable) district energy systems. Standards may be developed to require that neighbourhoods or individual buildings are developed to meet specific sustainability measures or standards.

The proposal represents an excellent example of a green development demonstration project that will incorporate many sustainable building technologies and systems making all living units powered by 100% renewable energy, including solar energy generation and utilization of electric vehicles.

Place Type Policies

The subject site is within the Neighbourhoods Place Type in *The London Plan*, as well as identified on Map 7 within with the Riverbend West Five Lands Specific Policy Area.

“Riverbend West Five Lands” Specific Policies

885_ In the Shopping Area and Neighbourhoods Place Types and the High Density Residential Overlay (from 1989 Official Plan), the following policies apply to the “West Five” lands bounded by Oxford Street West, Westdel Bourne, Shore Road, and Kains Road.

Vision

886_ The West Five community will consist of a mixture of uses - office, retail, residential and public spaces. It is to be a model of “smart” community design incorporating significant energy saving and renewable initiatives, to promote a healthy and sustainable lifestyle. Its success will be achieved by establishing unique architecture, aesthetically pleasing public spaces and vistas, and identifiable landmarks and focal points.

Staff agree that overall this proposed development contributes to the stated community vision for the West Five area.

Built Form

887_ West Five will be compact in form, and contain a mix of low-, mid- and high-rise development. There will be transition of building height and mass with the tallest buildings located at the intersection of Oxford Street and Kains Road, and centred on Riverbend Road and The Linkway, gradually transitioning to lower heights to the north. The vision for West Five contemplates a variety of building typologies, including townhouses, apartments, several commercial formats, office buildings and multi-storey mixed use buildings. The scale and orientation of these built form typologies around a modified grid road network reflects a logical and traditional neighbourhood design pattern. Buildings will generally be oriented to the street to create a vibrant pedestrian-oriented atmosphere that supports transit services. Minimum and maximum setbacks, building heights and other regulations may be implemented in the Zoning By-law to achieve the desired built form.

The proposed building represents a compact form of residential development consisting of attached townhouses and stacked townhouses with individual entrances at grade, and heights for the actual residential portion of the buildings varying from 1 to 4 storeys.

It provides a transition of building height and mass from the more intensive mid-rise, mixed-use buildings planned in the central portion of the West Five lands, centred around Riverbend Road and Linkway Boulevard, to existing medium density residential uses to the north, and low density single detached homes to the west.

The buildings are not oriented in a perpendicular fashion to the street due to their circular design. Instead, orientation to the street is achieved by 360 degree views of the surrounding streets and landscaped amenity space. The landscaped open space surrounding the buildings will provide for a network of walkways connecting buildings to common amenity areas and public sidewalks supporting a vibrant pedestrian-oriented atmosphere. Pedestrian connectivity to the surrounding area includes the planned north-south trail, Riverbend Park, future community centre, future commercial and retail services and facilities to the south, and London Transit bus routes on Riverbend Road.

Density

888_ The overall residential density of the entire West Five area will not exceed an approximate density of 65 units per hectare, or a total of 2,000 residential units maximum. The appropriate density of individual developments within the area may be further defined in the Zoning By-law.

A breakdown of the number of units was provided with the Planning Justification Report indicating that the overall residential density of West Five to date, based on approved site plans, combined with the requested density of the proposed stacked townhouse buildings is approximately 53 units per hectare (total of 494 units over an area of 9.28 hectares), and is well within the anticipated overall density of West Five.

Scale and Form of Commercial Uses

889_ The total retail gross floor area permitted in the West Five Special Policy Area will be 30,000 square metres. Gross floor area permitted for retail uses does not include office uses, commercial recreation establishments, institutions or day care centres. In addition, a maximum of 9,500 square metres of office space will be permitted. Office uses will be encouraged to locate on the upper storeys of buildings or in purpose built office buildings, while retail and service-oriented uses will be encouraged on the ground floor of multi-storey buildings or in livework forms and oriented to the street to create a pedestrian-oriented environment in a "main street" format.

890_ Larger retail formats will have a campus-oriented form to accommodate required parking; however, these larger stores will be designed to integrate with the "main street" areas and minimize visual impact of large open parking areas and will offer strong pedestrian connections.

This component addresses the office and retail commercial uses and is not applicable to the subject application.

Sustainability

891_ West Five is intended to be a showcase of sustainable design and development. The goal is to achieve net zero annual energy usage to the extent feasible through various design considerations. West Five may be developed with alternative/renewable energy solutions such as solar energy, district energy/heating, energy storage systems and other technologies that are or may become available over the span of its development through public and private sector partnerships. Ecologically efficient transportation systems will be integrated where feasible, including electric vehicles and charging facilities. Other sustainability initiatives, including low impact development alternatives for stormwater management such as rainwater capture and reuse for irrigation, bioswales, permeable pavement, etc. may also be encouraged and supported. The City will encourage and facilitate opportunities for partnerships, incentives and funding opportunities that assist in implementing sustainability initiatives, and may consider alternative development standards for streets, utilities and infrastructure.

The proposed building will incorporate a number of alternative energy and sustainability features, such as solar panel arrays mounted on the roof top. A list of other features previously mentioned are expected to be incorporated into the building and site design towards the goal of net zero energy consumption.

Urban Design

892_ West Five will be developed with a high standard of urban design and architectural design. Creativity and individual architectural expression will be encouraged. The City of London Placemaking Guidelines and the Urban Design Guidelines for the River Bend West Five Lands, prepared in accordance with the City Design policies of this Plan, will be used to provide guidance regarding building design, orientation, massing, height, public streets, public spaces, sustainable design, landscaping, and other related design matters.

893_ An emphasis will be placed on achieving an attractive and functional public realm that supports a diverse and vibrant community. The streets, sidewalks and buildings will be designed to collectively create comfortable, cohesive and vibrant public spaces. Private streets within the development will also adhere to the design principles with respect to creating pedestrian friendly, cohesive, comfortable and vibrant spaces. Continuity of the public and private space network within the West Five area and to the broader community will be a priority.

The proposed development is anticipated to have a high standard of design, in general accordance with the Urban Design Guidelines for West Five. The Master Plan Concept for West Five anticipated 2-3 storey townhouses to be developed on the site. This application proposed stacked townhouse dwelling units having a height of 4 storeys, within four spiral shaped buildings. A fifth level above the rotary carousel parking garage will provide an indoor common amenity area. The proposed development adheres to the design principles through its high quality, 360 degree architectural design; cutting edge sustainable technology; and continuity of public and private space by providing pedestrian-friendly, comfortable and vibrant spaces.

The City's Urban Design section has worked closely with the applicant through the zoning application process to address the majority of the design concerns that have been raised by City staff. The applicant is commended for incorporating the following into the design; providing for building of an appropriate scale/ rhythm/ materials/ fenestration; incorporating all of the on-site parking internal to the site, away from the public street frontages; and locating an abundant amount of on-site amenity area for residents. Staff will work with the proponent to further refine site design and building orientation, and other matters to be considered during the site plan application review process as outlined in the recommendation.

Street Network

894_ Riverbend Road and The Linkway will serve as "main streets" and have a strong street-related built edge, wide sidewalks and other design features to support its role. Street design shall maximize on-street parking opportunities. Off street parking requirements in the Zoning By-law may be reduced if supported by a parking study to recognize the pedestrian oriented, mixed use nature of the development and the shared parking strategy along with the on street parking supply. Alternative street design standards which minimize right-of-way widths will be considered.

Vehicular access will be provided by a shared private access road connecting Linkway Boulevard and Riverbend Road. Parking for residents will be inside a mechanical lift parking garage attached to each building the result of which is parking that is hidden from view, reduced amount of paved surface, and a greater amount of landscaped area. Visitor parking is proposed to be located in a lay-by along one side of the private access road. The zoning amendment includes a request to amend the standard minimum parking rate for stacked townhouses from 1.5 to 1 space per unit. A Parking Study for

the EVE Park Townhouse Development prepared by Paradigm Transportation Solutions (June 2019) in support of the request accompanied the application, and is discussed under the Recommended Zoning section below.

Mixed Use

895_ The central portion of West Five bounded by Logans Run, Oxford Street West, a line drawn approximately 100 metres south of Shore Road, and a line drawn approximately 200 metres east of Westdel Bourne, represents the "Mixed Use" area. This area provides for a mix of housing and compatible commercial and office uses that support a vibrant, compact, walkable and mixed use neighbourhood. Housing is permitted in live-work form, as well as in mid to high rise apartment form. Buildings may be built as single purpose (e.g. residential apartments or office buildings). Mixed use buildings are encouraged; with commercial uses along the ground floor with residential units or office space located in upper floors. A variety of community-scale, neighbourhood based and convenience-based commercial and personal service uses are permitted. They are intended to accommodate the needs of the surrounding residential neighbourhoods located within convenient walking and/or driving distance. High quality urban design is an important consideration for the successful integration of different uses and is implemented through the urban design policies of the Official Plan, the Site Plan Control By-law, the City of London Placemaking Guidelines, and the West Five Urban Design Guidelines.

896_ The primary permitted uses shall include low, mid- and high-rise apartment buildings and a broad range of retail, service, office, institutional and community facilities, recreation, entertainment and related activities. Both mixed use and single use buildings shall be permitted. Buildings may be purpose built or designed for future adaptability of use to respond to changing market conditions.

897_ Net density within the Mixed Use area will not exceed 100 units per hectare, on an overall basis for the Mixed Use area. Building heights will typically range from two to twelve storeys. Buildings exceeding twelve storeys may be permitted through bonusing at key locations such as gateways and focal points so long as they meet the intent of these policies and associated Urban Design Guidelines.

This site is outside the centrally designated Mixed Use area.

Our Tools

Evaluation Criteria for Planning and Development Applications

1578_ 6. Potential impacts on adjacent and nearby properties in the area and the degree to which such impacts can be managed and mitigated. Depending upon the type of application under review, and its context, an analysis of potential impacts on nearby properties may include such things as:*

- a. Traffic and access management.*
 - b. Noise.*
 - c. Parking on streets or adjacent properties.*
 - d. Emissions generated by the use such as odour, dust, or other airborne emissions.*
 - e. Lighting.*
 - f. Garbage generated by the use.*
 - g. Loss of privacy.*
 - h. Shadowing.*
 - i. Visual impact.*
 - j. Loss of views.*
 - k. Loss of trees and canopy cover.*
 - l. Impact on cultural heritage resources.*
 - m. Impact on natural heritage features and areas.*
 - n. Impact on natural resources.*
- The above list is not exhaustive.*

- Shore Road and Westdel Bourne are classified as Neighbourhood Connectors carrying on average 2000 and 2500 vehicle trips per day, respectively. The proposed development is not expected to contribute significantly to traffic volumes on either road. Vehicular access is directed to Linkway Boulevard and Riverbend Road. The site plan approval process will ensure safe vehicular access is achieved.
- All required parking will be provided on-site, including resident parking within enclosed mechanical lift parking structures.
- The proposed development is not expected to generate excessive noise and emissions.
- On-site exterior lighting can be managed and mitigated so as not to overcast on adjacent properties.
- Garbage/recycling storage and collection facilities will be accessed off the internal driveway entrance to each building.
- There is a residential condominium development to the north separated from the subject site by Shore Road. Potential impacts related to concerns for building height and views on residential privacy to the north are minimized by the fact that the height of each building varies, with the highest residential units at four storeys, the equivalent of a low-rise apartment building. There will be a mix of 1-level, 2-level, 3-level townhouse, and 2-level stacked units. Neighbouring property owners to the north will be facing curvilinear buildings interspersed with substantial landscaped open space, rather than a straight vertical mass. The enhanced landscaped open space will help lessen the impact on privacy as well as provide visual screening.
- Shadowing is not expected to impact nearby properties.
- There are no significant natural view corridors or vistas.
- There are no trees or natural heritage features on site, and no concerns for cultural heritage or natural resources.

1578_7. The degree to which the proposal fits within its context. It must be clear that this not intended to mean that a proposed use must be the same as development in the surrounding context. Rather, it will need to be shown that the proposal is sensitive to, and compatible with, its context. It should be recognized that the context consists of existing development as well as the planning policy goals for the site and surrounding area. Depending upon the type of application under review, and its context, an analysis of fit may include such things as:*

- a. Policy goals and objectives for the place type.*
- b. Policy goals and objectives expressed in the City Design chapter of this Plan.*
- c. Neighbourhood character.*
- d. Streetscape character.*
- e. Street wall.*
- f. Height.*
- g. Density.*
- h. Massing.*
- i. Placement of building.*
- j. Setback and step-back.*
- k. Proposed architectural attributes such as windows, doors, and rooflines.*
- l. Relationship to cultural heritage resources on the site and adjacent to it.*
- m. Landscaping and trees.*
- n. Coordination of access points and connections.*

Many of the items listed above such as street wall, height, massing, placement of building, architectural design, and setbacks have been covered in the previous sections. Therefore, based on Staff's review of The London Plan policies, this proposal is found to be in keeping and conformity with the Key Directions, City Building and Design, and Place Type policies, and the Riverbend West Five Specific Area Policies.

(1989) Official Plan

These lands are designated as Multi-family, Medium Density Residential under Section 3.3 in the Official Plan, which permits multiple attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding houses; emergency care facilities; and small-scale nursing homes, rest homes, and homes for the aged, as the main uses. The Official Plan was amended in December 2015 to incorporate the West Five Specific Area Policies found under Section 10.1.3. These policies and the West Five Urban Design Guidelines are the current and relevant documents to guiding future development within the West Five lands, and have been reviewed in the previous section.

Recommended Zoning

The current zoning for this site is summarized as follows:

- Holding Residential R5/R6 Special Provision (h h-206 R5-3(18)/R6-5(42)) which permits cluster housing in the form of single detached, semi-detached, duplex, triplex, fourplex, townhouses, stacked townhouses, and low-rise apartment buildings up to a maximum density of 35 units per hectare and maximum height of 12.0 metres, with special provisions for front & exterior side yard depth to main building (minimum) 3.0 metres and lot coverage (maximum) 50%.
- Holding Residential R5/R6 Special Provision/Community Facility Special Provision (h h-206 R5-3(18)/R6-5(42)/CF1(19)) which permits cluster housing in the form of single detached, semi-detached, duplex, triplex, fourplex, townhouses, stacked townhouses, and low-rise apartment buildings; and places of worship, community centres, and libraries; up to a maximum density of 35 units per hectare and maximum height of 12.0 metres, with special provisions for front & exterior side yard depth to main building (minimum) 3.0 metres, lot coverage (maximum) 50%.
- Open Space OS1 permitting such uses as conservation lands, conservation works, golf courses, public and private parks. (Note: this zone applies to a small area of remnant land on the west side of Westdel Bourne that was not required by the City for the SWM Facility conveyance and infiltration channel)

The application request is to change the zoning to a Residential R6 Special Provision (R6-5()) Zone to permit cluster housing in the form of single detached, semi-detached, duplex, triplex, fourplex, townhouses, stacked townhouses, and apartment buildings; together with special provisions for the following:

- Density (maximum) - 45 units per hectare;
- Height (maximum) - 18.0 metres;
- Front and rear yard setback (minimum) - 3.0 metres;
- Internal and external side yard depth (minimum) - 3.0 metres;
- Vehicular parking (minimum) - 1.0 space per unit;
- Special provisions for parking:

Parking may be provided by a mechanical stacked parking system and may be located on-site or within buildings;

Notwithstanding Section 4.19 of Zoning By-law No. Z.-1, parking provided by a mechanical stacked parking system shall be exempt from the size requirements of Section 4.19.2 - Dimensions of Parking Spaces, and no access aisles are required as per Sections 4.19.2.1 - Access Aisles and 4.19.6 (j) - Access Aisles for Parking Spaces for Persons with Disabilities;

Visitor parking shall be provided on an abutting private lane; and,

Sustainable development features including green roof/wall treatments, electric vehicle charging stations, electric vehicle car sharing and carpooling, and rooftop solar collectors shall be permitted.

Density

The recommended density of 45 units per hectare is found to be appropriate to permit a total of 80 units within four buildings (20 units per building). Actual density works out to 42.3 units per hectare based on 1.89 hectare site area. This density is appropriate for the site recognizing that the building site coverage (26.5%) and landscaped open space (59%) will be well below standard maximum lot coverage and above the standard minimum L.O.S. requirements in the Zoning By-law.

Height

The recommended height (maximum) of 18.0 metres is considered appropriate in order to accommodate the proposed spiral-shaped, stacked townhouses buildings and the enclosed rotary carousel parking structure attached to the end of each building.

Setbacks

The requested 3.0 metre minimum front yard and exterior side yard setbacks are consistent with the zone setback regulations that are currently in place. A similar 3.0 metre minimum setback for the internal and rear yard depths for the proposed development is considered appropriate.

Parking

Parking for residents will be provided by a mechanical stacked system accommodating 18 vehicles in one of the buildings, and 22 vehicles in each of the remaining three buildings, for a total of 84 spaces. In addition, 17 visitor parking spaces at grade will be provided for a total of 101 spaces. The request to reduce the standard minimum parking rate from 1.5 to 1 space per unit is supported by a Parking Study prepared by Paradigm Transportation Solutions (June 2019). The study considered parking data according to surveys for peak parking demand as published in the Institute of Transportation Engineers (ITE) Parking Generation manual. The applicable ITE parking rate for similar multi-family, mid-rise residential development ranges between 1.2 and 1.3 spaces per unit. A comparison with other Ontario municipalities was also undertaken (Kitchener, Waterloo, Ottawa and Brantford) which indicated that on average a rate of 1 space per unit is consistent with other municipalities. The study also reviewed parking demand reduction including auto ownership characteristics amongst different types of household dwellings (single detached vs. apartment), survey data for alternative modes of travel, and transportation demand management (TDM) measures on reducing parking demand and supply. Policies in City's Official Plan, Transportation Master Plan, and the West Five Design Guidelines were also considered.

The intent for the EVE Park development is to provide for a carshare/carpooling program, through which residents will be able to share electric vehicles for short round-trip commutes ultimately reducing vehicle ownership and the number of SOV trips. Residents will have the option of reserving the electric vehicles using an application on their personal devices. The vehicles will be parked in the mechanical parking system and will charge while parked. The study conclusion was that requested parking rate for the proposed development is adequate to accommodate the parking demand that will be generated given the site's community context, and opportunities for encouraging the use of alternative travel modes.

The development is designed to encourage active transportation and reduce vehicle use. In addition, the proposed mechanical parking system provides the dual benefits of eliminating the extensive use of land and drainage requirements for surface parking and encouraging the use of carshare and other TDM measures. Based on the study findings, staff are satisfied that the requested parking rate 1 space per unit minimum for this development proposal is appropriate, and in keeping with the West Five Specific Area Policies which contemplate that off-street parking requirements in the Zoning By-law may be reduced if supported by a parking study to recognize the pedestrian-

oriented, mixed-use nature of the development, and consideration of strategies that provide for shared parking along with on street parking supply.

Accessible Parking

The intent is to provide all required parking, including the minimum required accessible parking spaces (5 spaces), within the mechanical parking storage system. Therefore, a provision is required to exempt this parking system from the normal size requirements for accessible parking spaces and access aisles. A similar exemption was previously approved by the City through a zoning amendment to allow for a mechanical parking system in a proposed mixed-use building located at 89 York Street. It should be noted that representatives for the EVE Park development, their consultant, and City staff appeared as a delegation recently before the City's Accessibility Advisory Committee to present the proposal and respond to questions with respect to mechanical parking systems and possible repercussions for accessibility. The AAC received the presentation and had no further comments.

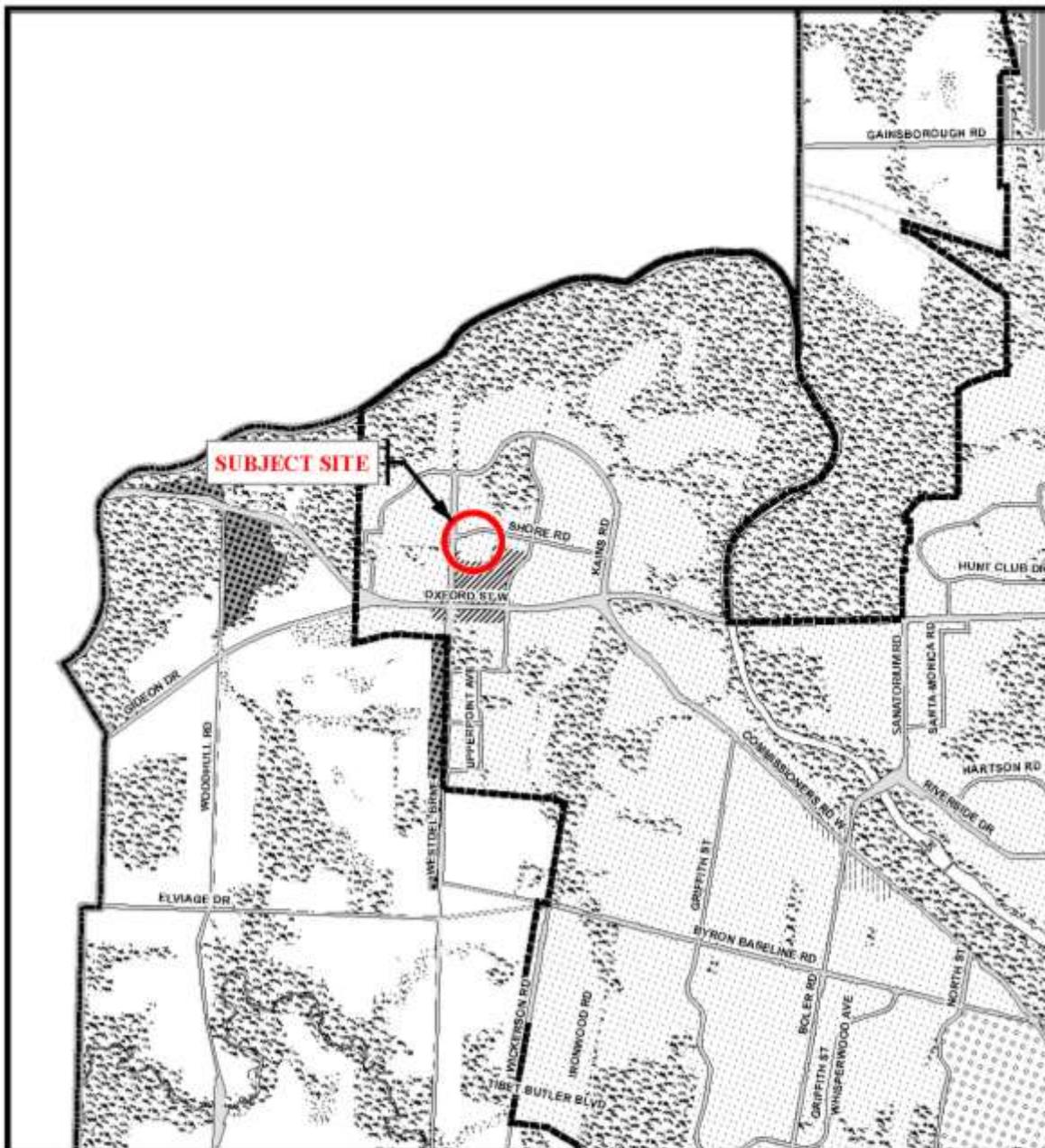
Visitor Parking and Sustainable Development Features

A special provision for visitor parking and to recognize the specific sustainability features as permitted uses is not necessary. Visitor parking requirements are governed under the Site Plan Control By-law. Green roof/wall treatments, electric vehicle charging stations, electric vehicle car sharing and carpooling, and rooftop solar collectors would be permitted in conjunction with the main permitted uses in the Zoning By-law.

Based on our review, Development Services staff support the requested zoning amendment to a Residential R6 Special Provision (R6-5()) Zone. The permitted uses are consistent with current zoning that is already in place, and the recommended special provisions including increased density and height, and reduced parking rates are considered appropriate.

Appendix D – Relevant Background

London Plan Map Excerpt



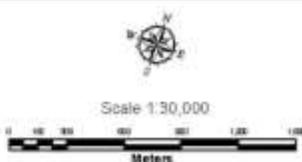
Legend

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

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

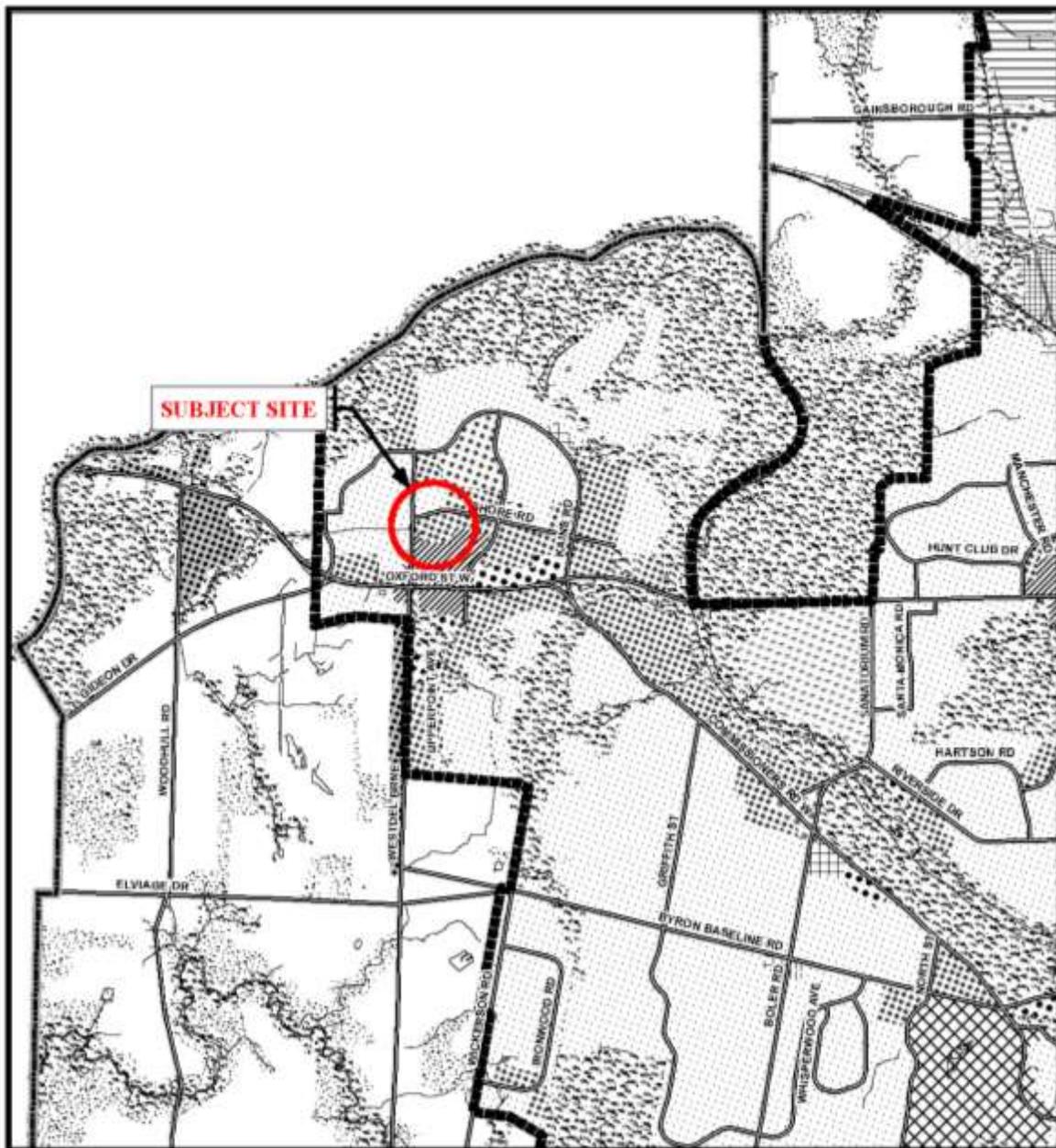
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON
 Planning Services /
 Development Services
LONDON PLAN MAP 1
- PLACE TYPES -
 PREPARED BY: Planning Services



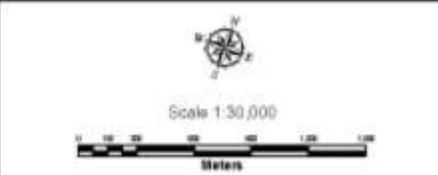
File Number: Z-9098
Planner: LM
Technician: RC
Date: October 15, 2019

Official Plan Map Excerpt



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

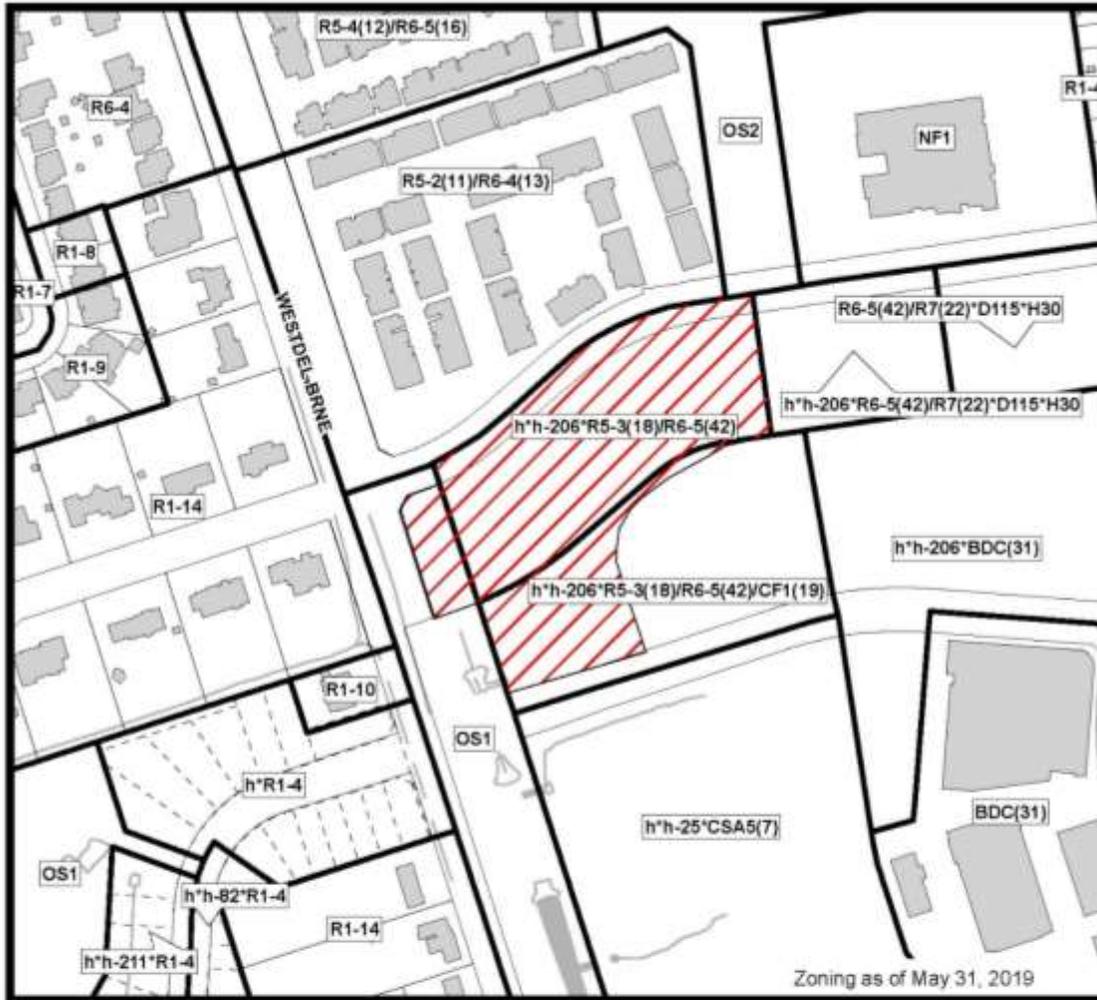
CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -
 PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-9098
 PLANNER: LM
 TECHNICIAN: RC
 DATE: 2019/10/15

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\cas\00\excerpts\mxd_templates\scheduleA_NEW_b&w_bx14.mxd

Zoning By-law Map Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



FILE NO:
Z-9098 LM

MAP PREPARED:
 2019/10/15 RC

1:3,000

0 15 30 60 90 120
 Meters

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

Additional Reports

November 30, 2015 – Planning and Environment Committee – Application by Sifton Properties Limited for approval of Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments for the lands located at 1080 Westdel Bourne and bounded by Oxford Street West, Westdel Bourne, Shore Road and Kains Road (Agenda Item #7).

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: Copia Developments
1018 and 1028 Gainsborough Road

Public Participation Meeting on: December 2, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Copia Developments relating to the lands located at 1018 and 1028 Gainsborough Road:

- (a) the proposed by-law attached hereto as Appendix 'A' **BE INTRODUCED** at the Municipal Council meeting on December 10, 2019 to amend The London Plan by adding a Specific Policy for the Neighbourhoods Place Type and to add the subject lands to Map 7 – Specific Policy Areas, of The London Plan; and,
- (b) the proposed by-law attached hereto as Appendix 'B' **BE INTRODUCED** at the Municipal Council meeting to be held on December 10, 2019 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands **FROM** a Holding Business District Commercial (h-17•BDC) Zone **TO** a Business District Commercial Special Provision (BDC()) Zone; and **FROM** an Urban Reserve (UR3) Zone **TO** a Residential R9 Special Provision Bonus (R9-7()•H44•B-) Zone.

The Bonus Zone shall be enabled through one or more agreements to facilitate the development of a residential apartment building, with a maximum height of 12 storeys, 182 dwelling units and a maximum density of 392 units per hectare, which generally implements in principle the site concept and elevation plans attached as Schedule "1" to the amending by-law, with further refinements to occur to the orientation of the apartment building and parking area through the site plan approval process, in return for the following facilities, services and matters:

- i) Provision of Affordable Housing

The development shall provide for the following:

- i. A total of 18 affordable rental apartment units consisting of 16, one bedroom units and 2, two bedroom units to be provided and located within Building "B"
- ii. A minimum of 3, one-bedroom and 1, two-bedroom accessible units are to be provided and located within Building "B";
- iii. Four, 1-bedroom units and two, 2-bedroom units shall not exceed 90% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by CMHC at the time of building occupancy; and duration of affordability shall be set at 10 years from the point of initial occupancy; and,

- iv. 12, one bedroom units shall not exceed 75% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by CMHC at the time of building occupancy; and duration of affordability shall be set at 20 years from the point of initial occupancy.
- (c) **IT BEING NOTED THAT** the following Site Plan matters pertaining to 1018 and 1028 Gainsborough Road have been raised during the public consultation process: pedestrian connections to Gainsborough Road, parking space and drive aisle configuration, privacy screening of outdoor common amenity areas, buffering along the south property boundary, provisions for a public access laneway, and building orientation.

Executive Summary

Summary of Request

The application request is to change the zoning on the front portion of the subject lands from a Holding Business District Commercial (h-17•BDC) Zone to a Business District Commercial Special Provision (BDC()) Zone, together with special provisions to permit a maximum density of 97 units per hectare and building height of 25 metres. The BDC zone permits a broad range of uses, including apartment buildings, with any or all of the other uses permitted on the first floor such as: clinics; commercial recreation establishments; day care centres; financial institutions; medical/dental offices; offices; private clubs; restaurants; retail stores; service and repair establishments; convenience stores; and food stores.

The request also involves rezoning the rear portion of the subject lands from an Urban Reserve (UR3) Zone to a Residential R9 Special Provision Bonus (R9-7()•B-) Zone which would permit such uses as apartment buildings; senior citizens apartment buildings; handicapped persons apartment buildings; and continuum-of-care facilities; together with special provisions to permit an east interior side yard setback of 11.2 metres; a west interior side yard setback of 2.2 metres; and building height of 43.5 metres; as well as a bonus provision for a maximum residential density of 392 units per hectare. A bonus zone is requested in return for provision of affordable housing, underground parking facilities, common open space and passive recreational amenity areas.

The application has been processed concurrently with a City-initiated amendment to The London Plan to add a Specific Policy for the Neighbourhoods Place Type to permit an apartment building with a maximum height of 12 storeys and a maximum density of 392 units per hectare, and to add the subject lands to Map 7 – Specific Policy Areas.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to amend the Zoning By-law to allow a six (6) storey mixed-use building with ground floor commercial, second floor office, and third to sixth floor residential uses located at the front of the property fronting Gainsborough Road; and a twelve (12) storey residential apartment building consisting of 182 units located on the rear portion of the site.

Rationale of Recommended Action

1. The recommended zoning amendment is consistent with the *Provincial Policy Statement (PPS), 2014*, as it promotes efficient development and land use patterns; accommodates an appropriate range and mix of land uses, housing types, and densities to meet projected needs of current and future residents; and minimizes land consumption and servicing costs.

2. The recommended zoning amendment conforms to the in-force policies of The London Plan, including but not limited to the Main Street and Neighbourhoods Place Types, Our Strategy, City Building and Design, Our Tools, and all other applicable London Plan policies; subject to approval of an amendment to add a specific policy to permit an apartment building with a maximum height of 12 storeys and a maximum density of 392 units per hectare.
3. The recommended zoning amendment conforms to the in-force policies of the (1989) Official Plan, including but not limited to the Main Street Commercial Corridor and Multi-Family, High Density Residential designations.
4. The recommended zoning amendment will allow for an increased density through a Bonus Zone which requires that provision be made for affordable rental housing. The recommended Bonus Zone provides for an increased density in return for bonusable facilities, services, and matters that benefit the public in accordance with Section 19.4.4 of the (1989) Official Plan.
5. The recommended zoning amendment allows development that is consistent with the Hyde Park Community Plan and Urban Design Guidelines which encourages pedestrian and street-oriented forms of development at this location.
6. The recommended zoning amendment provides appropriate regulations to control the building height and intensity and ensure that a well-designed development with appropriate mitigation measures is implemented.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject lands consist of two contiguous parcels fronting the south side of Gainsborough Road, approximately 55 metres east of Hyde Park Road. These properties were previously occupied by a 1.5 storey, single detached dwelling at 1028 Gainsborough Road, and two former single detached dwellings converted to commercial use on the front portion of 1018 Gainsborough Road, with a storage building located to the rear. All of these buildings have since been demolished and what remains is a small area of surface parking, landscaping and several mature trees dispersed throughout the site.

Both properties shared a driveway access with full right and left turn maneuverability on to Gainsborough Road. Pedestrian sidewalks are located on both sides of Gainsborough Road providing connecting links to neighbouring retail, restaurant, and office uses.

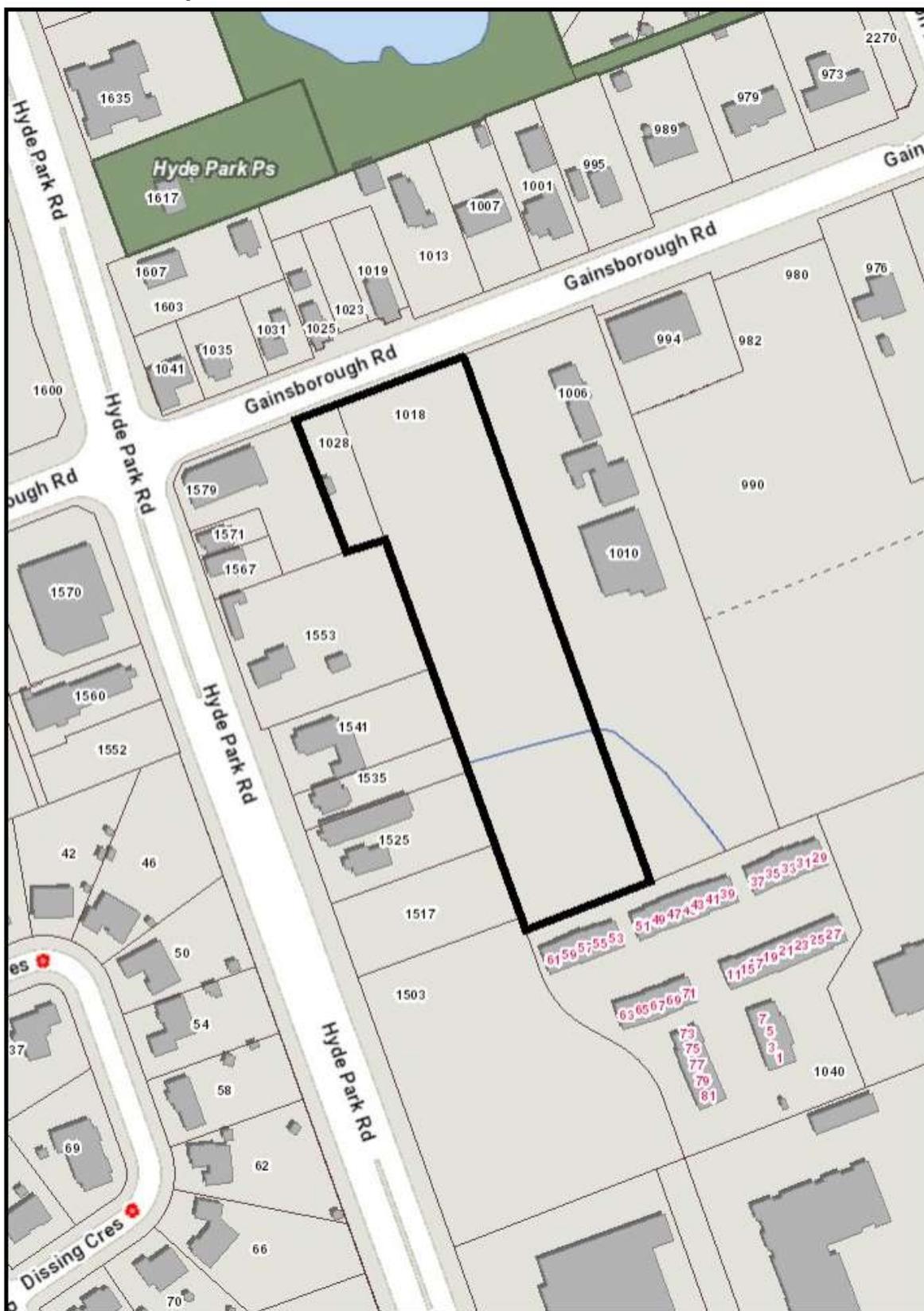
1.2 Current Planning Information (see more detail in Appendix E)

- The London Plan Place Type – Main Street and Neighbourhoods
- 1989 Official Plan Designation – Main Street Commercial Corridor and Multi-family, High Density Residential
- Zoning:
 - Holding Business District Commercial (h-17• BDC)
 - Urban Reserve (UR3)

1.3 Site Characteristics

- Current Land Use – vacant
- Frontage – approx. 70 metres
- Depth – approx. 218 metres
- Area – approx. 1.26 hectares
- Shape – irregular

1.4 Location Map



Location Map		Legend	
Subject Property:	1018 and 1028 Gainsborough Road		Subject Property
Applicant:	COPIA DEVELOPMENTS		Parks
File Number:	Z-9079		Assessment Parcels
Created By:	Larry Mottram		Buildings
Date:	10/4/2019		Address Numbers
Scale:	1:2000		

Corporation of the City of London

1.5 Views of the site fronting Gainsborough Road



1.6 Surrounding Land Uses

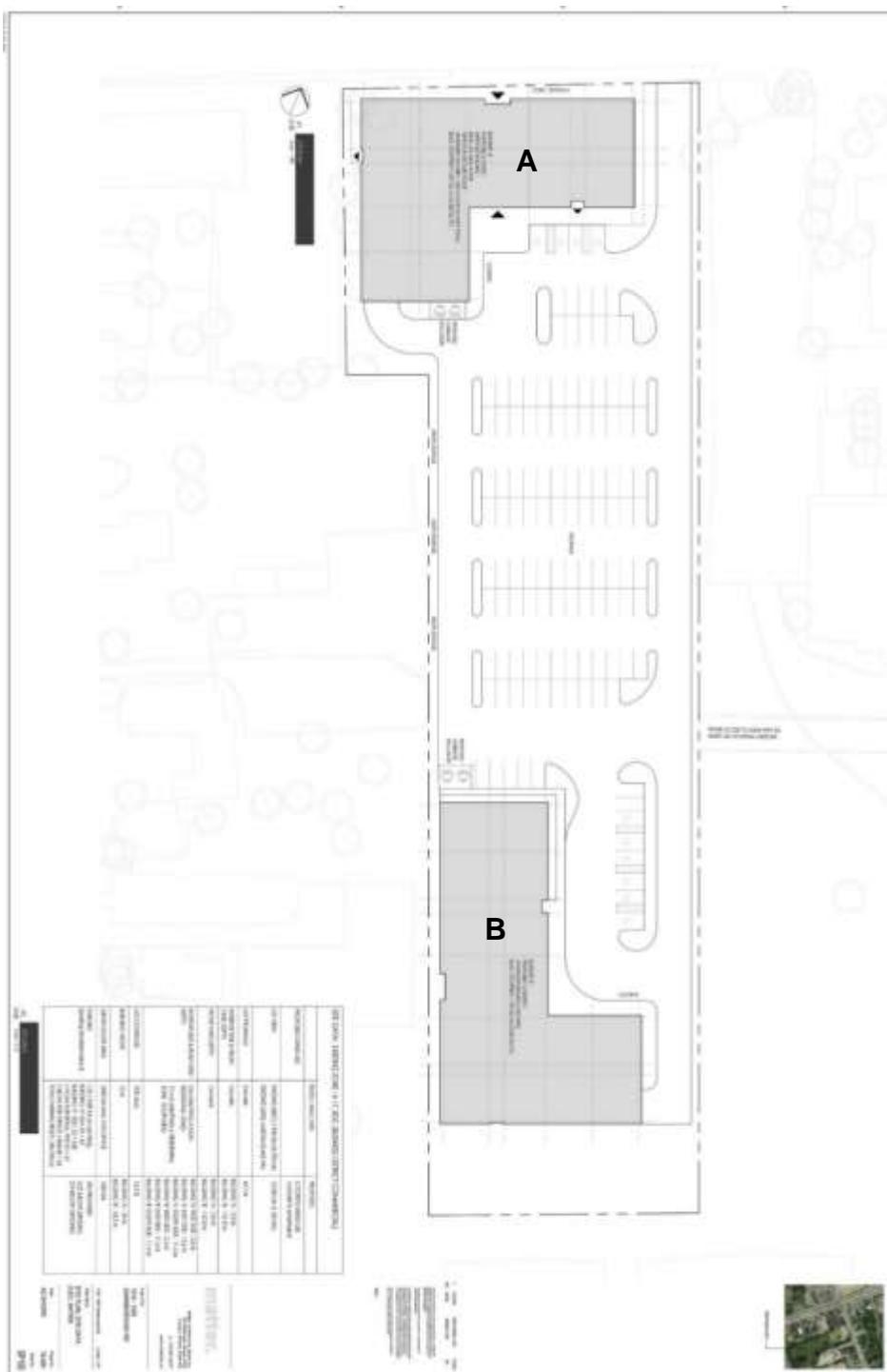
- North – mix of single detached homes and existing dwellings converted for commercial use
- East – commercial/retail market and residential dwelling
- South – residential townhouses and apartment buildings
- West – existing single detached dwellings and church converted to commercial uses

2.0 Description of Proposal

2.1 Development Proposal

The proposal is for development of a six (6) storey mixed-use building (Building 'A') at the front of the property with approximately 992 m² of retail on the ground floor, approximately 1,434m² of office space on the second floor, and 52 residential units above; and, a twelve (12) storey residential apartment building (Building 'B') located on the rear portion of the site consisting of 182 units. A total of 396 parking spaces will be provided with 122 spaces at grade and 274 underground.

2.2 Site Concept Plan



2.3 Conceptual Building Rendering -
View from Gainsborough Road looking southwest



3.0 Relevant Background

3.1 Planning History

In July 2019, Municipal Council approved a zoning amendment at 1076 Gainsborough Road, south side, just west of Hyde Park Road, to permit development of a proposed 4-storey (15.5 metre) mixed-use apartment building with 32 residential units (90uph), a total of 311m² of commercial space at grade fronting Gainsborough Road, and 55 parking spaces at the rear of the property.

In May 2018, the Committee of Adjustment granted minor variances to permit reduced parking for proposed commercial/office uses located at 982 Gainsborough Road, south side, further east of the subject lands. The development proposal consists of a 2-storey office building and a 2-storey medical clinic on the northerly portion of the site zoned for Business District Commercial uses. Special provisions in the Development Agreement included provisions for a public access easement for the east/west laneway adjacent the south limit of the site. The owner/developer is also responsible for liability and maintenance of the public access easement. A future development phase further to the south (978 Gainsborough Road) is currently vacant and the zoning for these lands would permit a residential apartment building up to 50 metres in height.

In March 2014, Municipal Council amended the zoning on lands located at 1040 Coronation Drive, immediately south of the subject site, from a Holding Residential R9 (h-89*h-90*R9-7*H45) Zone to a Holding Residential (R5) Special Provision (h-89*h-90*h-91*h-166*R5-4(15)) Zone. Council subsequently approved removal of the holding provisions from the zoning to permit a 3-storey townhouse condominium development consisting of 39 residential units.

3.2 Requested Amendment

An amendment to Zoning By-law Z.-1 has been requested to change the zoning from a Holding Business District Commercial (h-17*BDC) Zone to a Business District Commercial Special Provision (BDC()) Zone to permit the uses currently permitted. This includes apartment buildings with any or all of the following uses permitted on the first floor: clinics; commercial recreation establishments; day care centres; financial institutions; medical/dental offices; offices; private clubs; restaurants; retail stores; service and repair establishments; convenience stores; artisan workshop; brewing on premises establishment; and food stores; together with special provisions to permit a maximum density of 97 units per hectare and building height of 25 metres; and, from an Urban Reserve (UR3) Zone to a Residential R9 Special Provision Bonus (R9-7()•B-) Zone to permit such uses as apartment buildings; lodging house class 2; senior citizens apartment buildings; handicapped persons apartment buildings; and continuum-of-care facilities; together with special provisions to permit an east interior side yard setback of 11.2 metres; a west interior side yard setback of 2.2 metres; and building height of 43.5 metres; as well as a bonus provision for a maximum residential density of 392 units per hectare.

3.3 Community Engagement (see more detail in Appendix C)

Comments/concerns received from the community are summarized as follows:

- Increased residential density will result in increased traffic volumes on Hyde Park Road and Gainsborough Road, and congestion at an already clogged intersection.
- Transit facilities such as Park-and-Ride hubs for bus commuters do not exist and Rapid Transit is not planned for this part of the City.
- The proposed 12-storey building will block the view currently enjoyed by residents on the north and west sides of the building at 1030 Coronation Drive.

3.4 Policy Context (see more detail in Appendix D)

Provincial Policy Statement, 2014

The proposal must be consistent with the Provincial Policy Statement (PPS) policies and objectives aimed at:

1. Building Strong Healthy Communities;
2. Wise Use and Management of Resources; and,
3. Protecting Public Health and Safety.

The PPS contains polices regarding the importance of promoting efficient development and land use patterns which sustain the long term financial well-being of the Province and municipalities; accommodate an appropriate range and mix of residential (including affordable housing and housing for older persons), employment (including industrial and commercial), parks and open space uses to meet long term needs; and promote cost-effective development patterns and standards to minimize land consumption and servicing costs (Sections 1.1.1). The policies for Settlement Areas require that land use patterns be based on densities and mix of uses that efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available; minimize negative impacts on the environment; promote energy efficiency; support active transportation; and are transit supportive where transit is planned, exists or may be developed (Section 1.1.3.2).

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated. Under this policy, Planning Authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs. New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses, and densities that allow for efficient use of land, infrastructure, and public service facilities (Section 1.1.3.6).

The polices for Public Spaces, Recreation, Parks, Trails and Open Space promote healthy and active communities by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity (Section 1.5.1). Transportation policies promote a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support current and future use of transit (Section 1.6.7.4).

The London Plan

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

These lands are located within the Main Street and Neighbourhoods Place Types in The London Plan. This section of Gainsborough Road is also classified on Map 3 – Street Classifications* as Main Street. The Main Street Place Type permits a range of residential, retail, service and office uses. Mixed-use buildings are encouraged, with retail and service uses at grade, and residential and non-service offices uses directed to the rear of buildings and to upper floors. The Neighbourhoods Place Type permits a range of residential uses including stacked townhouses, fourplexes, and low-rise apartments. An excerpt from The London Plan Map 1 – Place Types* is found at Appendix E.

(1989) Official Plan

These lands are designated Main Street Commercial Corridor and Multi-family, High Density Residential on Schedule 'A' of the (1989) Official Plan. The Main Street Commercial Corridor designation permits a range of small-scale retail uses,

convenience commercial uses, financial institutions, small-scale offices, and residential units created through the conversion of existing buildings, or through the development of mixed-use buildings. The Multi-family, High Density Residential designation permits such uses as low-rise and high-rise apartment buildings, multiple attached dwellings, and small-scale nursing homes, rest homes, and homes for the aged, as the main uses. An excerpt from Land Use Schedule 'A' is found at Appendix E.

Hyde Park Community Plan

The site is also located within the Hyde Park Community Planning Area which provides Community and Urban Design Guidelines to guide the overall design of the community, as well as development of individual sites. The Hyde Park Community Plan designated the subject lands as "Business District" and "High Density Residential".

4.0 Key Issues and Considerations

4.1 Use

Provincial Policy Statement, 2014

The PPS polices emphasize the importance of promoting efficient development and land use patterns; accommodating an appropriate range and mix of residential (including affordable housing and housing for older persons), employment (including industrial and commercial), parks and open space uses to meet long term needs (Sections 1.1.1 (a) and (b)); and identifying appropriate locations and opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, existing or planned infrastructure and public services to meet projected needs (Section 1.1.3.3). The PPS policies also support the goal of long term economic prosperity including maintaining and, where possible, enhancing the vitality and viability of downtowns and main streets (Section 1.7.1(c)).

The London Plan

The front portion of the subject lands are located within the Main Street Place Type for Hyde Park, and the rear portion is within the Neighbourhoods Place Type. The Main Street Place Type permits a range of residential, retail, service and office uses. Mixed-use buildings are encouraged, with retail and service uses at grade, and residential and non-service offices uses directed to the rear of buildings and to upper floors.

The range of uses permitted within the Neighbourhoods Place Type is directly related to the classification of street onto which a property has frontage (Table 10- Range of Permitted Uses in Neighbourhoods Place Type*). The Neighbourhoods Place Type at this location would permit a range of residential uses including stacked townhouses, fourplexes, and low-rise apartments.

One of the key elements envisioned by the Neighbourhoods Place Type is a diversity of housing choices allowing for affordability and giving people choices and opportunities to remain in their neighbourhoods as they age. It also envisions well-connected neighbourhoods, from place to place within the neighbourhood, and to other locations in the city.

1989 Official Plan

These lands are designated Main Street Commercial Corridor and Multi-family, High Density Residential on Schedule 'A' of the (1989) Official Plan. Under Section 3.4.1, the Multi-family, High Density Residential designation permits such uses as low-rise and high-rise apartment buildings, multiple attached dwellings, and small-scale nursing homes, rest homes, and homes for the aged, as the main uses. Under Section 4.4.1.4, the Main Street Commercial Corridor designation permits a broad range of uses, such as small-scale retail uses, convenience commercial uses, financial institutions, small-scale offices, and residential units created through the conversion of existing buildings, or through the development of mixed-use buildings.

Analysis

Consistent with the PPS, and conforming to the 1989 Official Plan and The London Plan, subject to approval of the recommended amendment to add a Specific Policy for the Neighbourhoods Place Type, this proposal will result in an efficient and appropriate form of development that accommodates a range and mix uses, including a residential apartment building which is planned to incorporate an affordable rental housing component.

The proposed mixed-use building fronting Gainsborough Road includes first and second floor commercial and office space supporting employment opportunities, as well as promoting “live work” opportunities with residential units on the floors above. The site will be well connected to the surrounding neighbourhood including the public street and sidewalk on Gainsborough Road to promote a pedestrian environment, and eventually by a planned rear lane providing ingress and egress for public access through lands to the east and west.

4.2 Intensity

Provincial Policy Statement, 2014

The PPS policies promote cost-effective development patterns and standards to minimize land consumption and servicing costs (Section 1.1.1 (e)). Policies also require that land use patterns be based on densities and mix of uses that efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available; minimize negative impacts on the environment; promote energy efficiency; support active transportation; and are transit supportive where transit is planned, exists or may be developed (Section 1.1.3.2). New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses, and densities that allow for efficient use of land, infrastructure, and public service facilities (Section 1.1.3.6).

The London Plan

Buildings in Main Street Place Types will be designed to fit in with the scale and character with the surrounding streetscape, while allowing for appropriate infill and redevelopment. Appropriate and sensitive forms of infill development and intensification are envisioned to support the long-term sustainability of the Main Street. Buildings will be a minimum of either two storeys or eight metres in height and will not exceed four storeys in height. Type 2 Bonus Zoning beyond this limit, up to six storeys, may be permitted in conformity with the Our Tools policies of the Plan.

The London Plan uses height as a measure of intensity in the Neighbourhoods Place Type. A minimum height of 2-storeys and a maximum height 4-storeys, with bonusing up to 6-storeys, is contemplated within the Neighbourhoods Place Type at this location.

1989 Official Plan

Redevelopment or infilling of commercial uses within a Main Street Commercial Corridor designation shall form a continuous, pedestrian-oriented shopping area and shall maintain a setback and storefront orientation that is consistent with adjacent uses. Residential densities within mixed-use buildings in a Main Street Commercial Corridor designation should be consistent with densities allowed in the Multi-Family, High Density and Medium Density Residential designations according to the provisions of Section 3.4.3. Scale of Development. Under these provisions net residential densities will normally be less than 150 units per hectare outside of Central London.

Council may consider proposals to allow higher densities than would normally be permitted through density bonusing. Under Section 3.4.3.(iv) and Section 19.4.4.,

Council may allow an increase in the density above the limit otherwise permitted by the Zoning By-law in return for the provision of certain public facilities, amenities or design features. The maximum cumulative bonus that may be permitted without a zoning by-law amendment (as-of-right) on any site shall not exceed 25% of the density otherwise permitted by the Zoning Bylaw. Bonusing on individual sites may exceed 25% of the density otherwise permitted, where Council approves site specific bonus regulations in the Zoning By-law. In these instances, the owner of the subject land shall enter into an agreement with the City, to be registered against the title to the land. The recommended density bonus is addressed below under Section 4.4 Bonusing.

Analysis

The subject lands are an appropriate site and location for the intensity that is proposed as they are located adjacent to a range of commercial land uses to the east and west, as well as medium and high density residential land uses to the south; they are located on an arterial road with access to public transit along Hyde Park Road; and they are sufficiently sized to accommodate the proposed number of dwelling units with parking facilities, amenity area, and appropriate building setbacks.

The proposed density of Building 'A' is 94 units per hectare, and Building 'B' is 392 units per hectare, with an overall combined density of 205 units per hectare for the entire site. The densities and building heights (Building 'A' - 6-storeys and Building 'B' 12-storeys) are in keeping with newer developments in the immediate surrounding area, recognizing the existing building stock along Hyde Park and Gainsborough Roads consists of many older dwellings converted to businesses and building heights in the range of 1-2 storeys. This proposal represents a form of intensification and infilling of a site that fronts along a "Main Street" with opportunities for higher intensity development in the rear. The proposed development is of a density and compactness that will make full use of municipal services, minimizing consumption of land and servicing costs.

The rear portion of the subject lands were identified as Multi-family, High Density Residential in the 1989 Official Plan. However, these lands were not included in the High Density Residential Overlay in The London Plan. Both Map 1 – Place Types* and Map 2 - High Density Residential Overlay* (from the 1989 Official Plan) are currently subject to LPAT appeal PL170100. This development proposal is proceeding in conformity with the in-force 1989 Official Plan which designates the rear portion of the subject lands as Multi-family, High Density Residential. The proposal satisfies the above criteria in the 1989 Official Plan for allowing higher densities as follows:

The applicant has demonstrated that the proposed intensity and height can be implemented in a sensitive and compatible manner in relation to adjacent uses. The Planning Justification Report indicates there will be a significant separation distance of approximately 41 metres between the proposed building (Building 'A') footprint and existing Unger's Farm Market to the east, and approximately 22 metres to the commercial buildings to the west. The adjacent property side and rear yards are occupied by parking and landscaped open space, with existing vegetation and mature trees along the property boundary to screen the proposed development. Building 'B' will provide for a 17.4 metres rear yard setback which meets the minimum zoning required under the proposed R9-7 Zone. There will be an approximately 25 metre separation distance between the proposed building and the townhouse dwellings to the south to help minimize privacy concerns for residents of both the townhouses and proposed apartment building. Overall, the level of intensity as proposed is considered appropriate for the site, size, and location; contributes to efficient use of public infrastructure, services, and facilities; encourages compact, cost-effective development; and supports active transportation and public transit.

Recognizing that the subject lands have not been included within the High Density Residential Overlay of The London Plan, staff are recommending that an amendment to The London Plan be approved to add a Specific Policy for the Neighbourhoods Place Type to permit, in addition to the uses permitted in the Neighbourhoods Place Type, an apartment building with a maximum height of 12 storeys and a maximum density of 392

units per hectare, and to add the subject lands to Map 7 – Specific Policy Areas. An amendment to the Neighbourhoods Place Type, rather than the application of a High Density Residential Overlay, is required given that The London Plan does not permit new or expanded High Density Residential Overlay areas.

4.3 Form

Provincial Policy Statement, 2014

The PPS promotes development standards which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety (Section 1.1.3.4). The PPS also supports the goal of achieving long term economic prosperity through land use planning and development by, among other matters, encouraging a sense of place by promoting a well-designed built form (Section 1.7.1(d)).

The London Plan

The form policies in the Main Street Place Type require buildings to be located at or along the front property line in order to create a street wall that sets the context for a comfortable pedestrian environment, with enhanced street tree planting and signage integrated with the architecture of the buildings, fixed to buildings, and appropriate for the character of the area. Surface parking will be located to the rear or interior side yard of a building. Parking facilities will not be located between the building and the street.

The London Plan does not include Form policies in the Neighbourhoods Place Type for the proposed 12-storey apartment building given that the policies do not contemplate such a use. As previously mentioned, an amendment to The London Plan is recommended to facilitate the proposed development.

1989 Official Plan

Main Street Commercial Corridors are pedestrian-oriented and the Zoning By-law may allow new structures to be developed with zero front and side yards to promote a pedestrian streetscape. Building design should provide appropriate building massing and height provisions to ensure main streets define the public spaces in front of and between buildings. One of the key design objectives is to enhance the street edge by providing for high quality façade design, accessible and walkable sidewalks, street furniture and proper lighting.

Residential uses combined with commercial uses or free-standing residential uses will be encouraged in the Main Street Commercial Corridors to promote active street life and movement in those areas beyond the work-day hours. Residential development above existing commercial development should provide maximum privacy between private living spaces as well as adequate separation from commercial activity.

The Hyde Park Community Plan Urban Design Guidelines provide direction with respect to streetscape design and built form within the hamlet of Hyde Park. Buildings should be sited in close proximity to the street with walkways extending to the adjacent sidewalk, and parking located at the side or rear of the buildings. Buildings should define the public street space with building walls maximized along the street to enclose and animate the street and create a consistent street edge. Buildings should be arranged in varied, clustered masses, relating closely to the street. Variety, irregularity, and uniqueness in building location and design is encouraged.

The Multi-Family, High Density Residential designation is intended to accommodate large-scale, multiple-unit forms of residential development. A transition in scale shall be encouraged, where appropriate, to avoid extremes in building height and bulk. High-rise structures shall be oriented, where possible, closest to activity nodes (shopping and employment centres) and points of high accessibility (arterial roads, transit service) with

densities and building heights decreasing as the distance from an activity node increases. Massive, at-grade or above-grade parking areas shall not dominate the site. Pedestrian circulation and access to transit services should be facilitated through site design and building orientation.

Analysis

Building 'A' has been sited with minimal setbacks from the Gainsborough Road right-of-way to create a street edge, establish a sense of enclosure, and develop a comfortable pedestrian environment. The front entrance is directly connected to the public sidewalk and to an internal pathway system that leads to secondary entrances on the side and rear of the building, and to surface parking and garbage enclosures. The location and orientation of the building accommodates ample space between existing uses to the east and west along Gainsborough Road, and the extensive use of glass, combination of materials, and positioning of the building close to the street and sidewalks maintains the intent of the Main Street Place Type. The applicant's Planning Justification Report notes: "that the proposed development will define the character of this portion of Gainsborough Road, creating a unique identity and strong sense of place for the area. The proposed development adds to a diversity of patterns, sizes, and residential housing choices, which may accommodate a variety of demographics." Main streets can be planned to create a strong neighbourhood character and distinct sense of place, and the proposed mix of uses and building orientation to the street contributes to this planned vision.

Comments received from the Urban Design Peer Review Panel were generally supportive of the proposed mix of uses, density, and inclusion of affordable housing; and that the development proposal is well-suited to the site and appropriately addresses the street (see Appendix C). The panel did encourage the applicant to consider mirroring/flipping Building 'B' to the east side of the site to a) provide a better visual link to Building 'B' from the street, b) improve pedestrian access/circulation to Building 'B' and c) provide greater setback from the west property line (shared with properties which are planned for future intensification). Urban Design staff suggested rotating building 'B' so that the narrow portion of the "L" shaped building is located adjacent to the south property line in order to avoid a large sheer wall mass next to the 3-storey townhomes to the south. Rotating the parking spaces and driveway aisles was also suggested in order to enable a direct pedestrian walkway from the building to Gainsborough Road. The applicant indicated that they are open to reviewing these options with City staff and confirming final positioning of the building footprint and parking/drive aisle configuration through the site plan approval process.

The Panel also offered suggestions to visually tie together both buildings in terms of their composition of building materials, balancing vegetative plantings and hardscape elements along the streetscape, and treatment of the open space area at rear of the site. This includes consideration of an indoor common amenity room on the rear side of the Building 'B' that provides a visual connection to the exterior common amenity area; and appropriate privacy screening between exterior common amenity space and grade-related residential units. Staff further recommend that there be a substantial tree and vegetation planting strip along the rear property boundary to buffer adjacent residential uses to the south. The suggestions have been provided to the applicant for their consideration, and have also been incorporated into the recommendation as matters to be considered in greater detail through the site plan review process.

4.4 Bonusing

The requested amendment is for a Site Specific Bonus Zone to allow for an increase in building density. The consideration for Bonus Zoning is through Chapter 19 of the (1989) Official Plan and policies 1638* through 1655* of The London Plan which sets out the various facilities, services and matters that can be provided as a public benefit for the increase.

The Applicant has requested a Bonus Zone in return for affordable housing, provision of

underground parking, and provision of common open space that is functional for passive recreational use. While all the aforementioned public benefits meet the criteria for bonus zoning, the most impactful public benefit from this application is derived from the provision of affordable rental apartment units. This is recognized as a permitted facility and service meeting eligibility for bonusing under both The London Plan and the (1989) Official Plan.

Development Services staff and the applicant have consulted with Housing Development Corporation, London (HDC), to determine what the suitable amount of affordable housing would be for the proposed development, taking into consideration the proposed bonusing, scale of the increased density, the location and context, and the 'lift' from the existing zone to the proposed Bonus Zone.

The recommended Bonus Zone is to provide for a total of eighteen (18) affordable rental housing units consisting of sixteen (16) one-bedroom units and two (2) two-bedroom units, which shall include at least three (3) one-bedroom and one (1) two-bedroom barrier-free accessible units. The breakdown of affordable rental units and the rental periods are as follows:

- 4, one bedroom units and 2, two bedroom units shall not exceed 90% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by CMHC at the time of building occupancy; and duration of affordability shall be set at 10 years from the point of initial occupancy.
- 12, one bedroom units shall not exceed 75% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by CMHC at the time of building occupancy; and duration of affordability shall be set at 20 years from the point of initial occupancy.

The recommendation is based on HDC's in-house knowledge of local affordable housing needs and demands, local industry measures including CMHC rental market and housing analysis, City neighbourhood profiles, and labour market data, as well as a review of the bonusing policies and practices of other major urban centres. The recommended Bonus Zone considers the difference between the number of units permitted under the existing height and density permissions and the height and density being sought through the Bonus Zone. The conditions and requirements to enter into an encumbrance agreement to be registered on title are outlined in the attached correspondence received from Housing Development Corporation, London found at Appendix C of this report.

Overall, the proposed density bonus for the 12 storey apartment building is considered appropriate given the size of the area to be rezoned from an Urban Reserve UR3 Zone to a Residential R9 (R9-7()•H44•B-) Zone to permit the proposed apartment building is much smaller (0.465 ha.) relative to the total site area (1.26 ha.). When considering the proposed density on the entire site, the total density (including both buildings) equates to 205 units per hectare.

4.5 Laneway

A system of rear lanes for lands fronting Gainsborough Road and Hyde Park Road was identified in the Hyde Park Community Plan. This private laneway system is intended to allow access to lands to the rear as a form of mid-block connection from future collector roads instead of allowing individual access for businesses on to the arterial roads. The laneway reduces the need for on-street parking by providing a shared access to rear yard parking areas. Reducing the number of vehicular accesses along Hyde Park Road and Gainsborough Road allows for building frontages to contribute to a quality, pedestrian-oriented streetscape.

The applicant's site concept plan identifies the approximate location for the laneway connection aligned with the north leg of Sophia Crescent to the east. Comments

received from the City's Transportation Planning and Design Division confirm that as part of the Hyde Park Community Plan the applicant is required to build a rear lane (approx. 12 metres wide) consistent with the alignment identified in the community plan and register an easement for public access. Easements have been taken on a number of adjacent properties "fixing" the location of the lane, the applicant is to ensure that the lane lines up opposite these existing easements. Details regarding the rear lane, access location and design will be reviewed through the site plan process.

4.6 Public Concerns

- *Increased traffic volumes on Hyde Park Road and Gainsborough Road.*
A Traffic Impact Assessment (TIA), prepared by Paradigm Transportation Solutions Limited dated April 2019, accompanied the Zoning By-Law Amendment application. The study indicated that under existing conditions, the intersection operates under acceptable levels of service during the weekday AM and PM peak hours. The proposed development is estimated to generate approximately 64 AM peak hour trips and 53 PM peak hour trips for Phase 1 (Building 'A'), and approximately 116 AM peak hour trips and 117 PM peak hour trips for Phase 2 (Building 'B').

Based on 2022 and 2027 background traffic conditions, the intersection of Hyde Park Road and Gainsborough Road is forecast to operate at acceptable levels of service during the weekday AM and PM peak hours, with the exception of the northbound left-turning and southbound left-turning movements which register high v/c ratios and poor levels of services during the PM peak hour. The available storage capacity for the southbound left-turning movement will also be exceeded during the PM peak hour. The TIA remedial measures recommend that the north-bound left turn queuing problem could be addressed through signal timing optimization measures, with attendant level-of-service improvements. For the south-bound left turn movement, the storage length should be extended from 70 metres to 90 metres.

The comments from Transportation Planning and Design staff noted that the TIA needed some further updating to the trip generation calculations and also needed to take into consideration recently installed traffic signals at the intersection of Hyde Park Road and South Carriage Road. They also indicated that access to Gainsborough Road is to be located to the easterly limits of the site, and that care will be needed with the access design so as to not adversely impact the existing access for 1006 Gainsborough Road (Unger's Market). A future shared access should be identified on the plan so that at such time as that property redevelops a consolidated shared access can be used for both properties, consistent with the City's Access Management Guidelines for access along arterial roads.

- *Lack of public transit facilities*
The proposed development is pedestrian-oriented and supportive of active transportation and public transit. London Transit operates regularly scheduled bus routes (Route #19) along Hyde Park Road to the west.
- *Loss of views*
The proposed 12-storey apartment building is located further to the west and would not be directly in line with the north-facing views of the apartment building at 1030 Coronation Drive. Apartment buildings of similar heights are currently being developed in the immediate area to the south and southwest. Furthermore, the current Zoning on the rear portion of lands to the east at 978 Gainsborough Road permits residential apartment buildings up to a maximum 50 metres in height (approximately 15 storeys).

5.0 Conclusion

The recommended zoning amendments are appropriate and consistent with the Provincial Policy Statement, conform to the Main Street Commercial Corridor and Multi-family, High Density Residential designations in the (1989) Official Plan, and the policies and guidelines of the Hyde Park Community Plan. The recommended amendment to add a specific policy in The London Plan is also considered appropriate to facilitate the recommended bonus zoning for increased density in return for provision of affordable rental housing as a component of this development proposal. Recognizing that the relevant London Plan policies are still under appeal and are not the in-force policies that apply to this application, the recommended 12-storey apartment building contributes to the overall form of the development in the area which is considered appropriate within this transitional period between Official Plans.

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

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
Michael Tomazincic, Manager, Current Planning
Michael Pease, Manager, Development Planning

November 25, 2019
GK/PY/LM/lm

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Appendix A – The 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 1018 and 1028 Gainsborough Road.

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

1. Amendment No. (to be inserted by Clerk's Office) to The 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 December 10, 2019

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 10, 2019
Second Reading – December 10, 2019
Third Reading – December 10, 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 Specific Policy for the Neighbourhoods Place Type to permit, in addition to the uses permitted in the Neighbourhoods Place Type, an apartment building with a maximum height of 12 storeys and a maximum density of 392 units per hectare, and to add the subject lands to Map 7 – Specific Policy Areas, of The London Plan.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 1018 and 1028 Gainsborough Road in the City of London.

C. BASIS OF THE AMENDMENT

The recommended amendment is consistent with the Provincial Policy Statement, 2014, the in-force policies of The London Plan, and the 1989 Official Plan. The amendment provides for the development of an underutilized site by way of a site-specific policy in return for the provision of affordable housing.

D. THE AMENDMENT

The London Plan is hereby amended as follows:

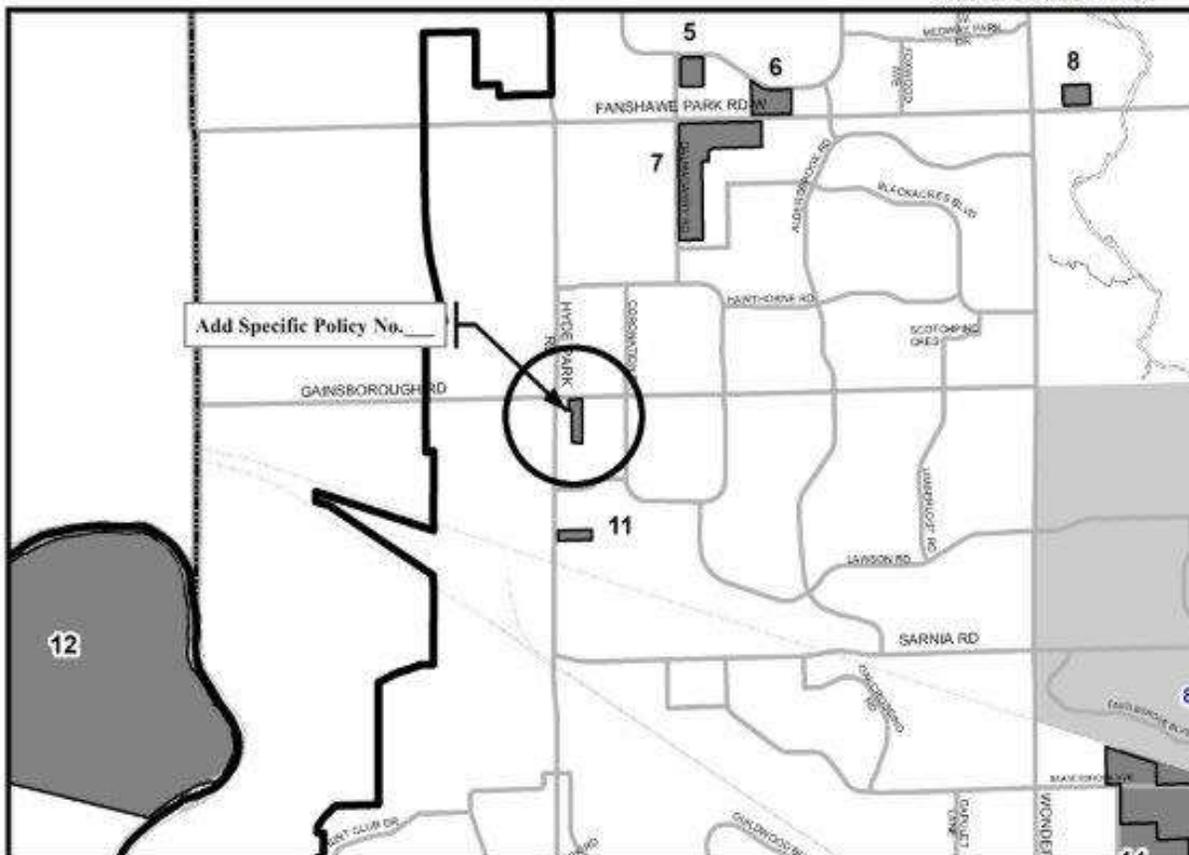
1. Specific Policies for the Neighbourhoods Place Type of the London Plan for the City of London is amended by adding the following:

1018 and 1028 Gainsborough Road

()_ In the Neighbourhoods Place Type applied to the lands located at 1018 and 1028 Gainsborough Road, an apartment building with a maximum height of 12 storeys and maximum density of 392 units per hectare may be permitted.

2. Map 7 - Specific Policy Areas, to The London Plan for the City of London Planning Area is amended by adding a specific policy area for the lands located at 1018 and 1028 Gainsborough Road in the City of London, as indicated on “Schedule 1” attached hereto.

AMENDMENT NO: _____



LEGEND

-  Specific Policies
-  Rapid Transit and Urban Corridor Specific-Segment Policies
-  Near Campus Neighbourhood
-  Secondary Plans

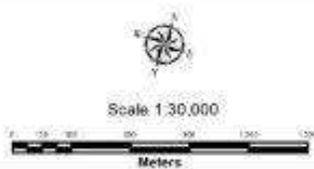
BASE MAP FEATURES

-  Streets (See Map 3)
-  Railways
-  Urban Growth Boundary
-  Water Courses/Ponds

This is an excerpt from the Planning Division's working consolidation of Map 7 - Special Policy Areas of the London Plan, with added notations.

**SCHEDULE #
 TO
 THE LONDON PLAN**
 AMENDMENT NO. _____

PREPARED BY: Planning Services



FILE NUMBER: Z-9079
 PLANNER: LM
 TECHNICIAN: DM
 DATE: 10/7/2019

Appendix B – 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 1018
and 1028 Gainsborough Road.

WHEREAS Copia Developments has applied to rezone an area of land located at 1018 and 1028 Gainsborough Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 1018 and 1028 Gainsborough Road, as shown on the attached map, from a Holding Business District Commercial (h-17•BDC) Zone to a Business District Commercial Special Provision (BDC()) Zone; and from an Urban Reserve (UR3) Zone to a Residential R9 Special Provision Bonus (R9-7()•H44•B-) Zone.
- 2) Section Number 4.3 of the General Provisions is amended by adding the following Site Specific Bonus Provision:

B-__ 1018 and 1028 Gainsborough Road

The Bonus Zone shall be enabled through one or more agreements to facilitate development of a residential apartment building, with a maximum height of 12 storeys, 182 dwelling units and a maximum density of 392 units per hectare, which generally implements in principle the site concept and elevation plans attached as Schedule "1" to the amending by-law, with further refinements to occur to the orientation of the apartment building and parking area through the site plan approval process, in return for the following facilities, services and matters:

- A total of 18 affordable rental apartment units consisting of 16, one bedroom units and 2, two bedroom units to be provided and located within Building "B";
- A minimum of 3, one-bedroom and 1, two-bedroom accessible units are to be provided and located within Building "B";
- 4, one bedroom units and 2, two bedroom units shall not exceed 90% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by CMHC at the time of building occupancy; and duration of affordability shall be set at 10 years from the point of initial occupancy; and,
- 12, one bedroom units shall not exceed 75% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by CMHC at the time of building occupancy; and duration of affordability shall be set at 20 years from the point of initial occupancy.

- 3) Section Number 25.4 of the Business District Commercial BDC Zone is amended by adding the following special provisions:

BDC()

a) Regulations:

- | | | |
|------|--|-------------------------|
| i) | Density
(Maximum) | 97 units per
hectare |
| ii) | Height
(Maximum) | 25 metres |
| iii) | Offices and medical/dental offices may be permitted on the first and second floors of apartment buildings. | |

- 4) Section Number 13.4 of the Residential R9 Zone is amended by adding the following special provisions:

R9-7()

a) Regulations:

- | | | |
|------|--|----------------------------------|
| i) | East Interior Side Yard
Depth (Minimum) | 11.2 metres |
| ii) | West Interior Side Yard
Depth (Minimum) | 2.2 metres |
| iii) | Height
(Maximum) | Twelve (12) storeys
44 metres |

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

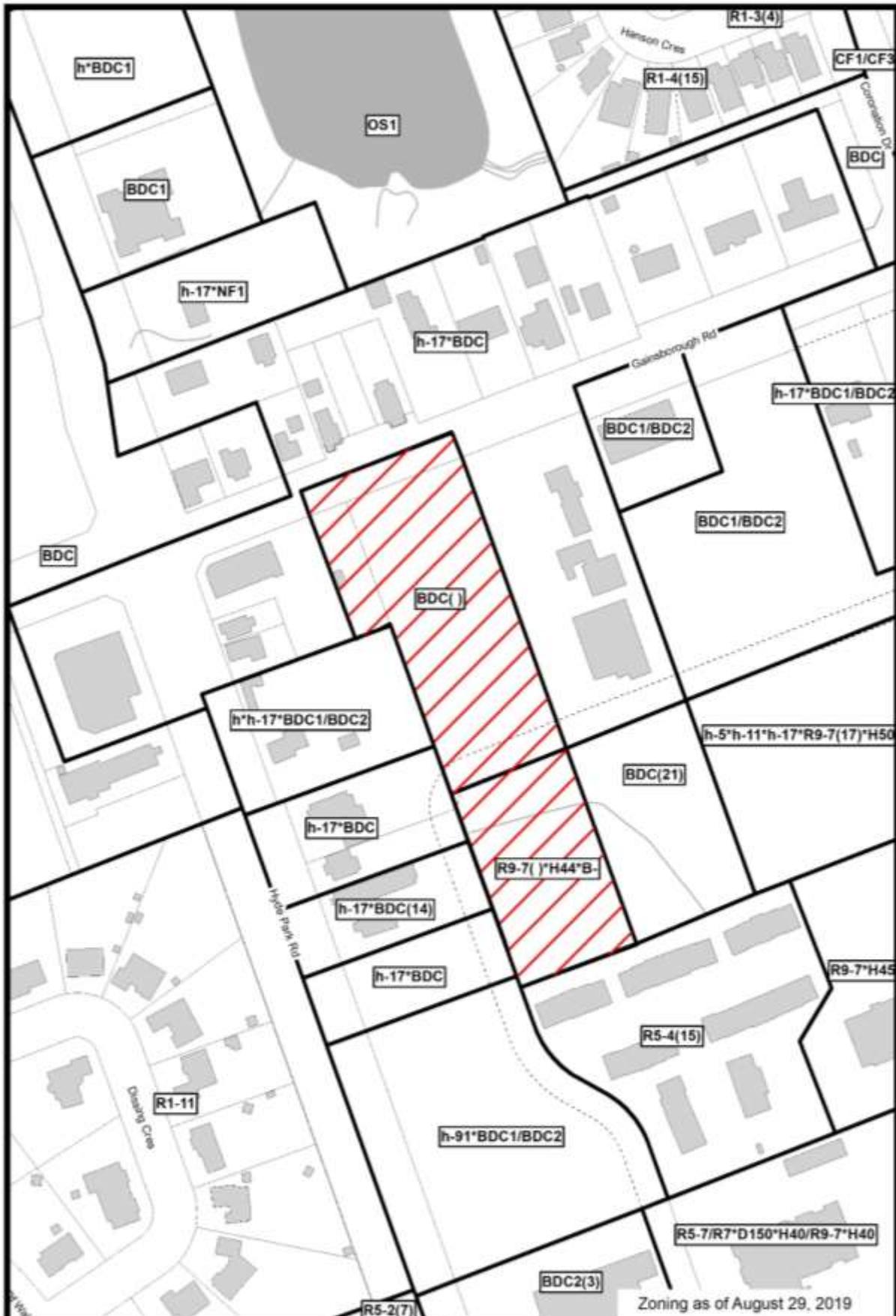
PASSED in Open Council on December 10, 2019

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 10, 2019
Second Reading – December 10, 2019
Third Reading – December 10, 2019

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



File Number: Z-9079
 Planner: LM
 Date Prepared: 2019/09/26
 Technician: DM
 By-Law No: Z-1-

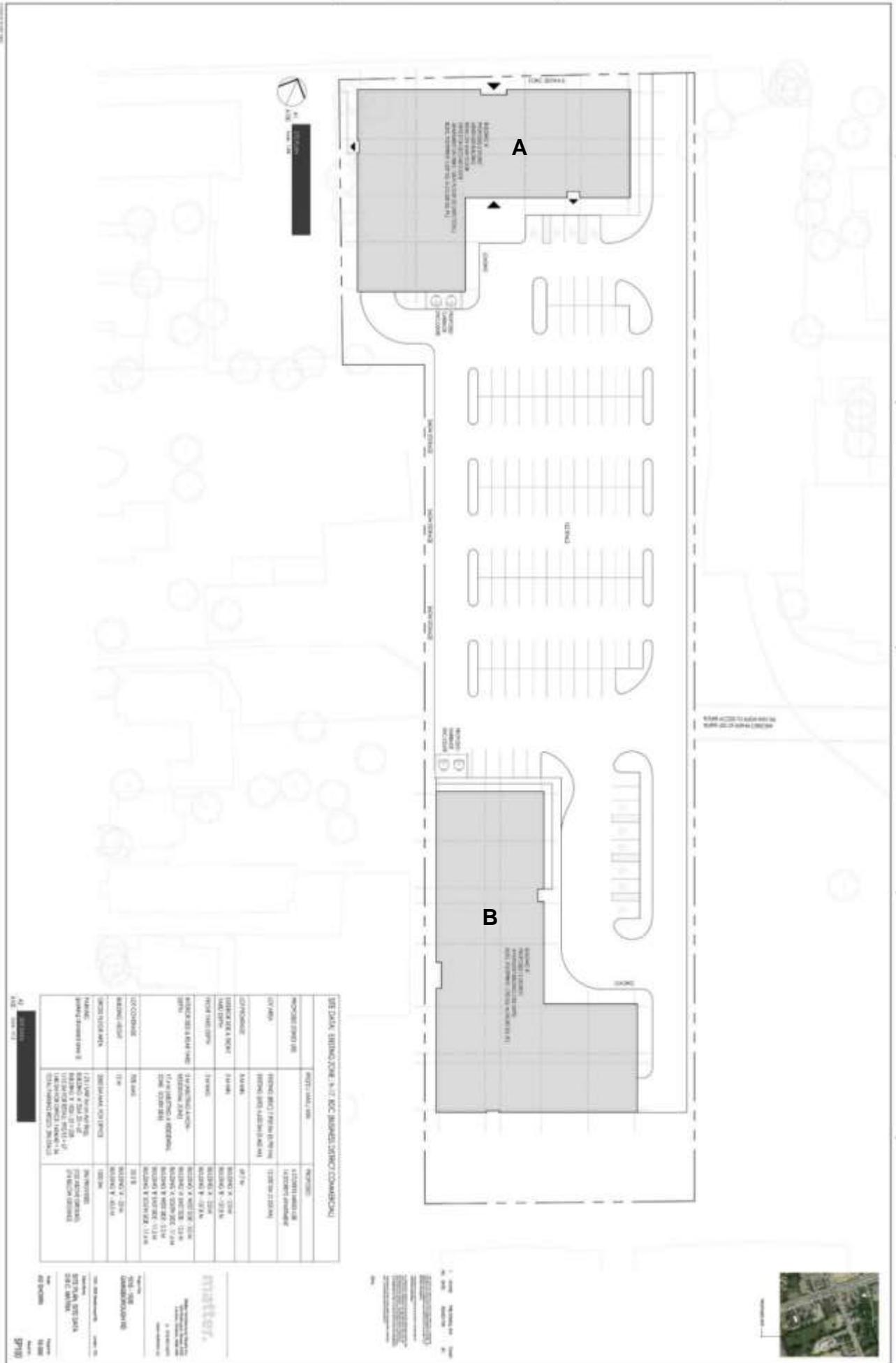
SUBJECT SITE 

1:2,000

0 10 20 40 60 80 Meters



Schedule "1"



Appendix C – Public Engagement

Community Engagement

Public liaison: On June 19, 2019, Notice of Application was sent to 262 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 27, 2019. A Planning Application sign was erected on the site and notice was posted on the City of London’s website.

Responses: 3 replies received.

Nature of Liaison: Possible Amendment to Zoning By-law Z.-1 to change the zoning from a Holding Business District Commercial (h-17•BDC) Zone to a Business District Commercial Special Provision (BDC()) Zone to permit such uses as animal hospitals; apartment buildings with any or all of the other uses permitted on the first floor; clinics; commercial recreation establishments; day care centres; financial institutions; medical/dental offices; offices; private clubs; restaurants; retail stores; service and repair establishments; convenience stores; artisan workshop; brewing on premises establishment; and food stores; together with special provisions to permit a maximum density of 97 units per hectare and building height of 25 metres; and, from an Urban Reserve UR3 Zone to a Residential R9 Special Provision Bonus (R9-7()•B-) Zone to permit such uses as apartment buildings; lodging house class 2; senior citizens apartment buildings; handicapped persons apartment buildings; and continuum-of-care facilities; together with special provisions to permit an east interior side yard setback of 11.2 metres; a west interior side yard setback of 2.2 metres; and building height of 43.5 metres; as well as a bonus provision for a maximum residential density of 392 units per hectare.

Responses: A summary of the various comments received include the following:

- Increased residential density will result in increased traffic volumes on Hyde Park Road and Gainsborough Road, and congestion at an already clogged intersection.
- Transit facilities such as Park-and-Ride hubs for bus commuters to not exist and Rapid Transit is not planned for this part of the City.
- The proposed 12-storey building will block the view currently enjoyed by residents on the north and west sides of the building at 1030 Coronation Drive.

Responses to Notice of Application and Publication in “The Londoner”

Telephone	Written
	Bob McFarlane, Family Law Group (2444712 Ontario Inc.) – 1579 Hyde Park Road
	Mary Dowds – #1303 – 1030 Coronation Drive
	Michelle Doornbosch – Brock Development Group Inc.

Significant Agency/Departmental Comments:

1. Housing Development Corporation, London – November 21, 2019
2. Urban Design Peer Review Panel (UDPRP) - August 21, 2019
3. Environmental and Engineering Services (EESD) – September 26, 2019
4. Urban Design (DS) – November 15, 2019

Mary Dowds
1030 Coronation Drive - #1303
London, ON N6G 0G5



July 19, 2019

Larry Mottram
Development Services
City of London
300 Dufferin Avenue – 6th Floor
London, ON PO Box 5035
N6A 4L9

Dear Mr. Mottram:

Re: File Z-9079 (Copia Developments)

I am writing to express my concerns and strong opposition to the proposed zoning amendment (File Z-9079) at 1018-1028 Gainsborough Rd. Urgent family matters took me out of town for a month, and I have just returned and received notice of this proposed zoning amendment.

I am a resident at 1030 Coronation Drive, located just southeast of the aforementioned property. In 2017, my husband and I purchased our condo, taking into account the zoning of adjacent properties, so that we would not find ourselves in a situation where a developer could construct a building of a height and size which would impede our view, diminish the enjoyment of our home and community, and bring an inappropriate and negative impact to the neighbourhood and its traffic corridors through over-densification.

Since moving to our current residence, we have watched the volume of traffic on Hyde Park Road steadily and rapidly increase. We have watched motor vehicle accidents and near-misses occur on a regular basis at the intersection of South Carriage Rd. and Hyde Park Rd. as residents try to enter and exit their quiet residential neighbourhoods by way of this uncontrolled intersection. Only now is the City of London installing long-awaited traffic lights at this intersection, in response to a dangerous situation occasioned by overdevelopment and seemingly unplanned urban sprawl in the Hyde Park area.

New growth and development in the Hyde Park area, especially of a type requiring a zoning amendment, ought only be accommodated *if it aligns with and meets the needs of our entire community*. The perilous intersection which I have just described (South Carriage Rd. at Hyde Park Rd.) is a mere block from 1018-1028 Gainsborough Rd., the property whose owner, Copia Developments, is applying for a zoning by-law amendment. This property is right near the congested intersection of Gainsborough Rd. and Hyde Park Rd. Transit facilities such as “park-and-ride” hubs for bus commuters do not exist in this part of the city. In fact, London’s Rapid Transit plan does not contemplate reaching anywhere near the neighbourhoods of northwest London. It seems shortsighted and illogical to allow a zoning amendment such this, whereby increased residential density, and accompanying traffic, is crammed onto an already clogged and narrow traffic corridor such as Gainsborough Road, especially in the absence efficient and attractive public transit options.

The current zoning at the front of the property at 1018-1028 Gainsborough Rd. allows for development of structures 12 metres in height *of a type that would enhance our community*,

File: Z-9079
Planner: L. Mottram

such as daycare centres, medical/dental offices, private clubs, artisan workshops, food or retail stores, service and repair establishments. The rear of the property is zoned for structures up to 15 metres in height and permitted uses include dwellings, conservation lands, passive recreation uses, private recreation clubs and riding stables; again, *uses of a type that would greatly enhance our community*. This requested zoning by-law amendment seeks to change the current zoning to allow for greatly increased density and building height. This change would allow the developer to build a proposed 12-storey residential structure, adding increased traffic at an already choked and busy intersection (Hyde Park Rd. at Gainsborough Rd.), and eclipsing the view currently enjoyed by residents on the north and west sides of the building at 1030 Coronation Drive (a view for which residents have paid a premium price). If the by-law change occurs, the only party benefiting from the amendment will be the developer. *In no way will the daily lives of residents in the adjacent neighbourhoods be enhanced*; the reality will be, in fact, quite the opposite.

I urge you to reject this Zoning By-law Amendment.

Sincerely,
Mary Dowds

Dear Larry Mottram and Josh Morgan,

Re: Planning Application, File: Z-9079, 1018 - 1028 Gainsborough Road

The Family Law Group (FLG) 2444712 Ontario Inc. located at 1579 Hyde Park Road, which is the adjoining property to the proposed development located at 1018 - 1028 Gainsborough Road.

Family Law Group (FLG) 2444712 Ontario Inc is supporting the Planning Application, File: Z-9079 for the following reasons.

- FLG supports the Six (6) storey mixed-use building with ground floor commercial.
- FLG supports the roughly 200 units per hectare density across the entire site.
- FLG supports the Second floor offices.
- FLG supports third to sixth floor residential uses located at the front of the property.
- FLG supports the twelve (12) storey residential apartment buildings.
- FLG supports the height and density: 6 and 12 storey buildings.
- FLG supports this project because there is no undue, adverse impacts to surrounding land uses.
- FLG supports this project because it is compatible with the surrounding area and other proposed developments in the neighbourhood.

Should you need any further information, please do not hesitate to contact Brenda Barr or Bob McFarlane.

Regards,
Bob McFarlane

Operations Manager
Family Law Group | 1 – 1579 Hyde Park Rd. London Ontario, Canada N6H 5L4

November 21, 2019

City of London, Development Services
c/o Larry Mottram, Senior Planner
300 Dufferin Avenue
P.O. Box 5035
London ON N6A 4L9

Re: Bonusing for Affordable Housing at 1018-1020 Gainsborough Road
City of London File: Z-9079
HDC File: 1018-1020 Gainsborough Road

Dear Larry,

Housing Development Corporation, London (HDC) was engaged as a third party to support information, facilitate negotiation, and assist in the provision of a fair recommendation to Development Services in response to an action under Sections 34 and 37 of the *Planning Act* that included a request for an increase in height and density above and beyond what would otherwise be permitted in the Zoning By-law in return for eligible facilities, services and matters, including the provision of affordable housing.

Requested Zoning By-law Amendment:

The purpose and effect of the Zoning By-law amendment requested by Copia Developments (the proponent) is to provide for the development of:

- A six-storey mixed-use apartment building containing retail and office uses on the first and second floor and 52 residential units on floors three to six on the frontage of lands known municipally as 1018-1020 Gainsborough Road; and,
- A twelve-storey residential tower containing 182 residential units at the rear of lands known municipally as 1018-1020 Gainsborough Road (shown as Building "B", Attachment 1).

The details of the requested Zoning By-law Amendment, including consideration of facilities, services, and matters of public benefit, were identified in the proponent's May 2019 Planning Justification Report submitted to the City of London in support of their requested action. To provide for the increased height and density sought through bonusing for Building "B", Copia Developments engaged in discussions with HDC to facilitate the provision of affordable rental housing. This letter reflects the recommendation of HDC to City of London Development Services as fair consideration of bonusing for affordable rental housing.



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P: 519-930-3512 www.hdcilondon.ca

Recommendation:

HDC acknowledges the progressive philosophy and approach demonstrated by Copia Developments in the negotiation of the elements to the bonus zone detailed below. The recommended bonus provides for a mix of bedroom types, accessibility, deep levels of housing affordability, varying affordability periods, and the alignment of the bonus with populations in need of housing with support.

Based on comments received from City of London Development Services and a review of the proponent's proposed plans for 1018-1020 Gainsborough Road, it is the recommendation of HDC that the Director, Development Services advance the following requirements within the affordable housing bonus zone, assuming a total uplift of 112 units for Building "B":

1. **Sixteen (16) one-bedroom units and two (2) two-bedroom units be considered for dedication to affordable rental housing in exchange for the granting of increased height and density;**
2. **A minimum of three (3) of the one-bedroom units are to be accessible and a minimum of one (1) of the two-bedroom units is to be accessible and that all units be scattered throughout Building "B", noting that the units may be constructed to a more modest level but within the size range outlined in the Affordable Housing Planning and Development Guide (as shown in Attachment 2);**
3. **"Affordable Rent" for four (4) of the one-bedroom units and the two (2) two-bedroom units shall be defined as rents not exceeding 90% of the Canada Mortgage and Housing Corporation (CMHC) Average Market Rent (AMR) for the London Census Metropolitan Area for one and two-bedroom rates at the time of occupancy;**
4. **"Affordable Rent" for twelve (12) of the one-bedroom units shall be defined as rents not exceeding 75% of the Canada Mortgage and Housing Corporation (CMHC) Average Market Rent (AMR) for the London Census Metropolitan Area at the time of occupancy;**
5. **The affordability period for four (4) of the one-bedroom units and the two (2) two-bedroom units be set at ten (10) years from the point of initial occupancy of all 18 designated affordable rental housing units; and,**
6. **The affordability period for twelve (12) of the one-bedroom units be set at twenty (20) years from the point of initial occupancy of all 18 designated affordable rental units.**

These, and any other amended conditions to be confirmed by Municipal Council, will be secured through an encumbrance registered on title to ensure the value of the affordable rental housing bonus zone (at a rate established by HDC to otherwise create similar such affordable rental housing) is retained over the affordability periods as well as ongoing compliance. The encumbrance would address other conditions including tenant selection, other terms defined by



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the City Solicitor, and related compliance reviews and remedies – similar to other affordable housing development agreements of the City of London and HDC.

In addition to the items within the encumbrance identified above, HDC would recommend that Copia Developments be required to enter a Memorandum of Understanding (MOU) with the City of London to align the bonus units with an identified population in need of housing with supports. Under the MOU, the proponent would retain final tenant selection, noting compliance of any eligibility requirements that may be related to the subject units.

Rationale for Affordable Housing Bonus:

The London Plan recognizes that average market rent is out of reach for many Londoners and that housing affordability is one of the City's principle planning challenges. Accordingly, the Homeless Prevention and Housing policies of the Plan identify affordability targets stating that planning activities will serve to provide for both a mixture of dwelling types and integrated mixtures of housing affordability. In pursuit of this goal, the policies of the Plan identify bonusing as a planning tool in support of the provision of affordable housing in planning and development proposals.

The subject lands are located on the south side of Gainsborough Road, east of Hyde Park Road. A mix of low, medium and high-density residential uses abut the site to the east, south and west. Commercial and open space uses abut the site to north and northwest. As noted in the Planning Justification Report, the proposed development is located within an "...existing built-up residential area..." and enjoys proximity to "...a range of commercial uses..." and "...public service facilities..." (including schools and parks, etc.).

The Planning Justification Report further notes the site's proximity to public transit (Route 19) as well as commercial and employment centres. The locational attributes of the site directly align with the guidelines and considerations used by HDC to advance affordable housing. HDC would further note that a review of housing analytics from the Canada Mortgage and Housing Corporation (CMHC) indicate average apartment vacancy rates and rents in the defined CMHC area demonstrating housing affordability challenges.

The recommended bonus zone is specific to the residential tower identified as Building "B" in Attachment 1 and does not apply to any other development or development phase by any perceived similarity in lift or built form.

Conclusion:

Section 37 of the *Planning Act* provides municipalities the ability to advance public services in exchange for additional height and density above existing zoning permissions. The ability to utilize this important tool as a mechanism to advance affordable rental housing aligns with a critical need in London, noting that London is currently ranked 5th in Canada for the highest percentages of households in "Core Housing Need" in major urban centres. (CMHC, July 2018).



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This recommendation recognizes Council's expressed interest to seek "...options for implementing and coordinating [planning] tools to be most effective..." to "...promote the development of affordable housing in London". (4.4/12/PEC, July 25, 2018). HDC will be available to the Planning and Environment Committee and to Civic Administration to further inform this recommendation or respond to any associated questions.

Sincerely,



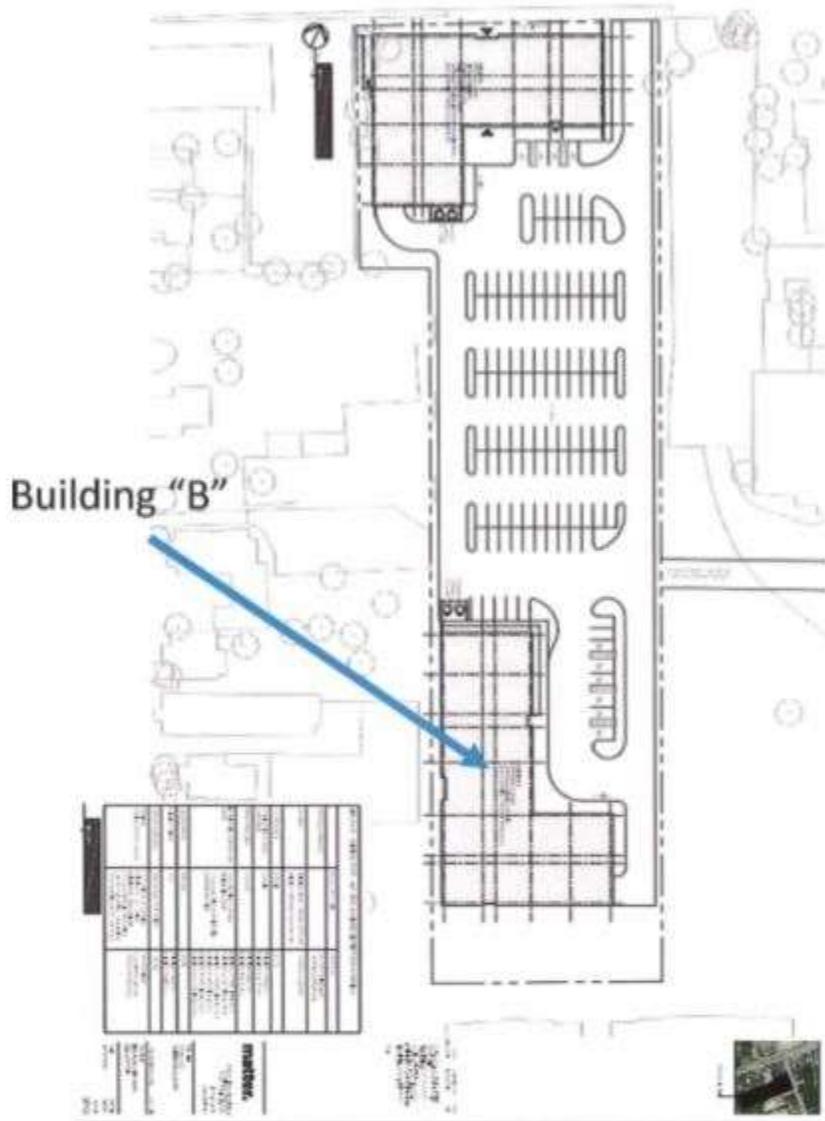
Stephen Giustizia, CEO, HDC

- c. Brian Turcotte, Development Manager, HDC
Isabel da Rocha, Business and Program Manager, HDC
City of London Development Services for public reporting purposes and for distribution to:
Zelinka Priamo, Attention: Ben McCauley and Harry Froussios'



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Attachment 1 – Building “B” – 1018-1020 Gainsborough Road



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Attachment 2 – Affordable Housing Planning and Development Guide
Unit Size Range

Unit Type	Description	Size Range
1BR-S	One Bedroom - Standard (where provided)	47m ² - 51m ² (506ft ² - 550ft ²)
1BR-A	One Bedroom - Accessible	48.8m ² - 55.7m ² (525ft ² - 600ft ²)
2BR-S	Two Bedroom - Standard (where provided)	57m ² - 62.7m ² (614ft ² - 675ft ²)
2BR-A	Two Bedroom - Accessible	57m ² - 67.4m ² (614ft ² - 725ft ²)
2BR/2BA-A	Two Bedroom / Two Bath - Accessible	57m ² - 76.6m ² (614ft ² - 825ft ²)
+BR	Where more than two bedrooms are provided, add 10m ² (108ft ²) for each additional bedroom	
-BR	Where Bachelor or Studio units (no bedrooms) are provided, dwelling units shall be no less than 37m ² (399ft ²)	
CTR SDU SRHU	Where an existing non-residential building or space, or previously unfinished or uninhabitable space within an existing residential building or space, is being converted into a dwelling unit(s), the minimum gross floor area of the converted dwelling unit is permitted to be reduced to 25m ² (269ft ²). *See DEFINITIONS for <i>Convert to Rent Units</i> and <i>Secondary Dwelling Units</i> , and <i>Supportive Rental Housing Units</i> .	



Memo

To: Proponents

- Steven Cooper, Architect, Matter Architectural Studio Inc.
- Ben McCauley, Planner, Zelinka Priamo Ltd.
- Alex Hois, Project Manager, Copia Developments

From: Urban Design Peer Review Panel (UDPRP)

- Heather Price, Urban Designer
- Ryan Ollson, Architect
- Tim O'Brien, Landscape Architect

Regrets:

- McMichael Ruth, Architect

Conflicts:

- Steven Cooper, Architect

**RE: Pre-submission Concept: 1018-1028 Gainsborough Road
Presentation & Review, August 21, 2019**

The Panel provides the following comments the submission:

- The development is well-suited to the site and appropriately addresses the street.
- The Panel supports the mixing of uses within Building A and the provision of parking located screened from view from the street and located underground.
- The Panel supports the inclusion of affordable housing as a community benefit.
- The Panel supports maintaining a 25 metres separation to the adjacent building to the south.
- The Panel recommends that pedestrian circulation be given further consideration, particularly along the east side of the site to Building B.
- The Panel recommends that there be careful consideration in the design of the rear yard common amenity space. To this end, the Panel suggests the applicant incorporate an indoor common amenity room on the rear side of the building that provides visual connection to the exterior common amenity. The Panel also recommends that there be appropriate privacy screening between exterior common amenity spaces and the grade-related residential units.
- The Panel flagged that there may be an issue with the proposed access to the underground parking structure as it is also shown as an access to loading/garbage rooms located at grade.

- Building A is of an appropriate scale and massing in relation to the human scale. The Panel supports the horizontal articulation and changes of materials between the lower floor non-residential uses and residential floors above.
- With respect to the material palette of Building A, the Panel acknowledges that there is a gesture to tie together the materials of both buildings, however the brick pillars at the base of Building A do not tie in well to the character of that building. The Panel recommends a different material for the base of Building A that is more in keeping with the materials of that building.
- In the ground floor base of Building A the Panel recommends that the detailing be further developed to integrate opportunities for signage and canopies over each retail unit.
- The Panel questions the viability of retail spaces on the south side of Building A (facing the interior parking area) and suggests that ground floor amenity in this location may also be appropriate.
- The Panel supports the rendering that shows a good balance of vegetation of hardscaping along the streetscape and encourages this to be further developed at the Site Plan stage.
- The Panel encouraged the applicant to consider mirroring/flipping Building B to the east side of the site to a) provide a better visual link to Building B from the street, b) improve pedestrian access/circulation to Building B and c) provide greater setback from the west property line (shared with properties which are planned for future intensification).
- The Panel identified that there may be a need for more space for snow storage.
- The Panel recommends that both buildings incorporate secure indoor bike parking for building occupants as well as convenience bike parking at grade.

Concluding comments:

The Panel generally supports the mix of uses and overall density of the proposed development and is supportive of the inclusion of affordable housing as a community benefit. The Panel supports the scale and siting of Building A and the preliminary architectural detailing and streetscape design intent. Some suggestions have been provided with respect to refinement of the ground floor façade of Building A. The Panel recommends some refinement to the layout toward the rear of the site, including consideration of flipping Building B toward the east of the site. The Panel provided some suggestions for the common amenity spaces located toward the rear of the Site. The Panel is supportive of integration of underground parking and identified that some refinement to the access may be required and recommended that the structure incorporate opportunities for secure indoor bike parking.

Sincerely on behalf of the UDPRP,



Heather Price, UDPRP Chair



Development Services
8th Floor, City Hall
300 Dufferin Avenue
London, ON
N6A 4L9

To: S. Cooper, Matter Architectural Studio Inc.
B. McCauley, Zelinka Priamo Ltd.
A. Hois, Copia Developments

Date: 08/26/2019

Re: Urban Design Peer Review Panel Comments – Applicant Response

Address of Development Site: 1018-1028 Gainsborough Road

Date of Panel Meeting: 08/21/2019

As per the Memo provided in conjunction with this letter, the Urban Design Peer Review Panel has the following comments regarding the above-referenced application. In the **Applicant Response** section of the text box, please provide a detailed response that explains how the Panel comments have been addressed.

Comment:
The development is well-suited to the site and appropriately addresses the street.
Applicant Response:
Acknowledged. Thank you for your comment.

Comment:
The Panel supports the mixing of uses within Building A and the provision of parking located screened from view from the street and located underground.
Applicant Response:
Acknowledged. Thank you for your comment.

Comment:
The Panel supports the inclusion of affordable housing as a community benefit.
Applicant Response:
Acknowledged. Thank you for your comment.

Comment:
The Panel supports maintaining a 25 metres separation to the adjacent building to the south.
Applicant Response:
Acknowledged. Thank you for your comment.

Comment:
The Panel recommends that pedestrian circulation be given further consideration, particularly along the east side of the site to Building B.
Applicant Response:
Noted. Improvements to the pedestrian circulation on the subject lands will be included in revisions to the Site Plan moving forward throughout the process, including further consideration along the east side of site to Building B. An emphasis will be placed on providing clear, safe pedestrian connections between the buildings. The extent of these improved connections will be reviewed and confirmed through the Site Plan Approval process.

Comment:
The Panel recommends that there be careful consideration in the design of the rear yard common amenity space. To this end, the Panel suggests the applicant incorporate an indoor common amenity room on the rear side of the building that provides visual connection to the exterior common amenity. The Panel also recommends that there be appropriate privacy screening between exterior common amenity spaces and the grade-related residential units.
Applicant Response:
Noted. We will accommodate an indoor common amenity space at the rear of the building that will provide an improved connection to exterior, rear yard amenity space. This will be reviewed and confirmed in the Site Plan Approval process.

Comment:
The Panel flagged that there may be an issue with the proposed access to the underground parking structure as it is also shown as an access to loading/garbage rooms located at grade.
Applicant Response:
Noted. The proposed garbage enclosure area can be relocated away from the entrance to underground parking area below Building 'A' through future revisions of the Site Plan.

Comment:
Building A is of an appropriate scale and massing in relation to the human scale. The Panel supports the horizontal articulation and changes of materials between the lower floor non-residential uses and residential floors above.
Applicant Response:
Acknowledged. Thank you for your comment.

Comment:
With respect to the material palette of Building A, the Panel acknowledges that there is a gesture to tie together the materials of both buildings, however the brick pillars at the base of Building A do not tie in well to the character of that building. The Panel recommends a different material for the base of Building A that is more in keeping with the materials of that building.
Applicant Response:
Noted. We will review material options for the columns, and select a material that is more in keeping with the materials of the building. This will be reviewed and confirmed through the Site Plan Approval process.

Comment:
In the ground floor base of Building A the Panel recommends that the detailing be further developed to integrate opportunities for signage and canopies over each retail unit.
Applicant Response:
Noted. We recognize the value in providing a variety of clear signage for the commercial uses at-grade, as well as canopies to protect pedestrians from the elements. Opportunities for signage and canopies will be reviewed and confirmed throughout the Site Plan Approval process.

Comment:
The Panel questions the viability of retail spaces on the south side of Building A (facing the interior parking area) and suggests that ground floor amenity in this location may also be appropriate.
Applicant Response:
We appreciate your comment. Our client would like to proceed with the existing proposal with retail space on the north and south side of Building 'A' on the ground floor. These uses will likely require less visibility along the street, or will be directly targeted towards the residents of the development.

Comment:
The Panel supports the rendering that shows a good balance of vegetation of hardscaping along the streetscape and encourages this to be further developed at the Site Plan stage.
Applicant Response:
Acknowledged. Thank you for your comment.

Comment:
The Panel encouraged the applicant to consider mirroring/flipping Building B to the east side of the site to a) provide a better visual link to Building B from the street, b) improve pedestrian access/circulation to Building B and c) provide greater setback from the west property line (shared with properties which are planned for future intensification).
Applicant Response:
Noted. We are open to mirroring/flipping Building B, with opportunities to review where the wider massing of the "L" shaped building is located. We will review and confirm this through Site Plan Approval.

Comment:
The Panel identified that there may be a need for more space for snow storage.
Applicant Response:
Noted. We will review the area dedicated to snow storage through revisions to the Site Plan moving forward throughout the process.

Comment:
The Panel recommends that both buildings incorporate secure indoor bike parking for building occupants as well as convenience bike parking at grade.
Applicant Response:
Noted. We will provide secure, indoor bike parking at grade and convenience bike parking at grade. We will review and confirm this through Site Plan Approval.

If you have any questions, please contact Wyatt Rotteau by email at wroteau@london.ca or by phone at 519-661-CITY (2489), extension 7545.

Sincerely,



Wyatt Rotteau
Urban Design Technician

cc: J. Smolarek, Urban Designer
L. Mottram, Senior Planner



MEMO

DATE: September 26, 2019 **FILE:** Z-9079

TO: Larry Mottram
Planning & Development

FROM: Mustafa Almusawi
Development Services

RE: **1018-1028 Gainsborough Road**

The City of London's Environmental and Engineering Services Department offers the following comments with respect to the aforementioned zoning application:

- The TIA will need to be updated, to address the below comments:
 - Trip generation is to use the fitted curve equation for all land uses not just the general office use
 - Traffic signals are currently under construction at Hyde Park Road and South Carriage Road

The following items are to be considered during the development application approval stage:

Transportation:

- Road widening dedication of 18.0m from centre line required on Gainsborough Road
- As part of the Hyde Park Community Plan the applicant is required to build a rear lane consistent with the alignment identified in the community plan and register an easement for public access. Easements have been taken on a number of adjacent properties "fixing" the location of the lane, the applicant is to ensure the lane lines up opposite these existing easements
- Access to Gainsborough is to be located to the easterly limits of the site, care will need to be taken with the access design as to not adversely impact the existing access for 1006 Gainsborough Road,
- A future shared access should be identified on the plan to provide for a future access through these lands to 1006
- Detailed comments regarding the rear lane, and access location and design will be made through the site plan process

Water:

- At the time of development application, should the concept for multiple buildings including commercial usage still be proposed; one of the conditions of Water Engineering that each of the 2 building be serviced independently from each other to the municipal main.

Wastewater:

- The municipal sanitary sewer available for 1028 and a portion of 1018 Gainsborough Road is the 450mm sanitary sewer on Gainsborough Rd with the rear portion of 1018 Gainsborough Road being tributary to a future extension of a sanitary sewer on Coronation Drive.
- Based on accepted sanitary area plan (City Plan #20907R1 recognizes the location of the 150mm san. p.d.c) only 1028 Gainsborough and a front portion of 1018 Gainsborough were identified at a commercial rate of 100ppHa as being tributary to the 450mm diameter sanitary sewer on Gainsborough. The area at the rear portion of 1018 Gainsborough that is being zoned as a higher density is tributary to the future extension of the sanitary sewer on future extension of Coronation Road.
- Sewer Engineering has no concern with the requested zoning amendments. The fronting portion 1018 and 1028 Gainsborough as shown by the Applicant' consultation engineer can be accommodated in the 450mm diameter sanitary sewer.
- As part of a future Site Plan Application the Applicants Engineer is to include the increase in population being requested and shown as an external area to the existing Whitney "As-built" area plan and design sheet. Only the new area and equivalent population can be included at 230 l/cap/day without having to revise the entire design sheet.
- The sanitary sewer outlet for the future high density residential apartment building 1018 Gainsborough Road is not built nor is the future road to the existing sanitary sewer on Coronation Drive. SE has no objection to adding a holding provision until the subject lands has an outlet accessible.

Stormwater:

SWED have no objection to the above noted zoning by-law amendment. SWED staff have the following SWM comments in addition to those provided during the pre-application consultation

- The proposed development is medium/high density residential and therefore shall comply with the approved City Standard Design Requirements for Permanent Private Stormwater System (PPS), including LIDs.
- Since the front area will be the main entrance to the site, there will be an increased level of traffic on this portion resulting in higher sediment and contaminant loads. Although there are only 29 surface level parking spaces indicated in the application, the owner shall be required to have a consulting Professional Engineer addressing water quality to the standards of the Ministry of the Environment, Conservation and Parks (MECP) with a minimum of 80% TSS removal to the satisfaction of the City Engineer. Applicable options could include, but not be limited to the use of oil/grit separators, LID filtration or infiltration solutions, etc.
- To comply with stormwater runoff quantity and quality requirements, the applicant's consulting engineer may consider implementing infiltration devices in the parking area in the form of "Green Parking" zones as part of the landscaping design. This would include directing a portion of stormwater runoff from parking areas(s) to landscaped areas before reaching the designated outlet (e.g. a catchbasin).
- A connection to the local storm sewer system on Coronation Drive may present the need for a private easement.
- Additional SWM related comments will be provided upon future review of this site.

Urban Design (DS) Comments – November 15, 2019

Urban design staff have worked closely with the applicant through the rezoning process to address the majority of the design concerns that have been raised by the community, the Urban Design Peer Review Panel, and City staff. The applicant is commended for incorporating the following into the design; Providing for a continuous active street wall along the Gainsborough Road frontage, with ground floor commercial uses oriented to the street and residential units above; Providing for appropriate scale/ rhythm/ materials/ fenestration; and incorporating all of the on-site parking internal to the site, away from the street frontages.

The following comments are related to site and building design that will need to be further refined through the Site Plan process, as such the bonus should ensure wording that does not lock in the specific design of the site:

- Ensure that a safe, direct, and convenient pedestrian walkway is included through the parking lot linking the entrance of building 'B' to the City sidewalk along Gainsborough Road. This could be ideally achieved by rotating the parking area to provide for north south drive isles with a walkway along the west side of the main north south driveway through the site. This change would reduce amount of vehicle and pedestrian conflict points along a proposed walkway through the parking lot.
- Ensure the Public Access Laneway, located directly north of building 'B', which bisects the site is defined as a lane to the same dimensions of the lane on other approved properties and includes limited parking spots accessed direct from the lane. This could be achieved in coordination with the above comment as it would allow for the northern limit of the lane to be lined with the landscape islands of the parking rows to the north.
- Rotate building 'B' so that the narrow portion of the "L" shaped building is located adjacent to the south property line in order to avoid a large sheer wall mass next to the 3-storey townhomes on the site directly to the south.

Appendix D – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this proposal. The most relevant policies, by-laws, and legislation are identified as follows:

Provincial Policy Statement, 2014

The proposal must be consistent with Provincial Policy Statement (PPS) policies and objectives aimed at:

1. Building Strong Healthy Communities;
2. Wise Use and Management of Resources; and,
3. Protecting Public Health and Safety.

The PPS contains policies regarding the importance of promoting efficient development and land use patterns which sustain the long term financial well-being of the Province and municipalities; accommodate an appropriate range and mix of residential (including affordable housing and housing for older persons), employment (including industrial and commercial), parks and open space uses to meet long term needs; and promote cost-effective development patterns and standards to minimize land consumption and servicing costs (Sections 1.1.1). This application would result in an efficient and appropriate form of development that accommodates a range and mix uses, including a residential apartment building which will incorporate an affordable rental housing component. The proposed mixed-use building includes first and second floor commercial and office space supporting employment opportunities, as well as promoting “live work” opportunities with residential units on the floors above. The proposed development is of a density and compactness that will make full use of municipal services, minimizing consumption of land and servicing costs.

The policies for Settlement Areas require that land use patterns be based on densities and mix of uses that efficiently use land and resources; are appropriate for, and efficiently use, infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion (Section 1.1.3). The subject lands are located within Hyde Park, formerly a rural hamlet and now within the City’s Urban Growth Boundary, and are part of an area of the City that has been planned through a community planning process as a focus for community growth. The subject lands are immediately adjacent existing and developing built-up areas.

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated. Under this policy, Planning Authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

The proposed development is considered a form of intensification as it proposes the redevelopment of a vacant/underutilized lot within an existing built-up area. The subject lands are an appropriate location for intensification as they are located adjacent to a range of commercial land uses to the east and west, as well as medium and high density residential land uses to the south; they are located on an arterial road with access to public transit along Hyde Park Road; and they are sufficiently sized to accommodate the proposed number of dwelling units with parking facilities and appropriate building setbacks. The proposed development will make use of existing municipal services along Gainsborough Road. The site is also in close proximity to public parks and open spaces, schools, and community facilities.

New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses, and densities that allow for efficient use of land, infrastructure, and public service facilities (Section 1.1.3.6). The subject lands are immediately adjacent existing and developing built-up areas. As has been noted, this proposal represents a compact form of development that allows for efficient use of land, infrastructure, and public service facilities. The proposed density of Building 'A' is 94 units per hectare, and Building 'B' is 392 units per hectare, with an overall combined density of 205 units per hectare adds to the mix of uses and densities in this predominantly commercial area.

Transportation policies promote a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support current and future use of transit and active transportation (Section 1.6.7.4). The proposed development has been designed to be pedestrian-oriented, offering an appropriate range of residential, commercial and office uses that interfaces well with Gainsborough Road, and supports the use of active transportation and public transit (Route #19) along Hyde Park Road to the west.

With respect to cultural heritage and archaeological resources (Section 2.6), a Stage 1-2 Archaeological Assessment has been completed and did not result in the identification of any archaeological resources. A Heritage Impact Statement has also been completed as the subject lands are adjacent to listed non-designated heritage properties. The study concluded that the proposed development would not have a negative impact on any potential heritage attributes. The subject lands are not affected by any natural heritage features and functions or natural hazards, and there are no known human-made hazards. Therefore, Development Services staff are satisfied that the recommended zoning by-law amendment is consistent with the Provincial Policy Statement.

The London Plan

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

Our Strategy

Key Direction #1 – Plan strategically for a prosperous city

- 11. *Plan for cost-efficient growth patterns that use our financial resources wisely.*
- 13. *Invest in, and promote, affordable housing to revitalize neighbourhoods and ensure housing for all Londoners.*

Key Direction #5 – Build a mixed-use compact city

- 2. *Plan to achieve a compact, contiguous pattern of growth – looking “inward and upward”.*
- 4. *Plan for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward.*
- 5. *Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place.*
- 6. *Mix stores, restaurants, clean industry, live-work arrangements and services in ways that respect the character of neighbourhoods, while enhancing walkability and generating pedestrian activity.*

Key Direction #6 – Place a new emphasis on creating attractive mobility choices

1. Create active mobility choices such as walking, cycling, and transit to support safe, affordable, and healthy communities.

6. Dependent upon context, require, promote, and encourage transit-oriented development forms.

Key Direction #7 – Build strong, healthy and attractive neighbourhoods for everyone

4. Create social gathering places where neighbours can come together, such as urban parks and public spaces, community centres, family centres, community gardens, cafés, restaurants, and other small commercial services integrated within neighbourhoods.

10. Integrate affordable forms of housing in all neighbourhoods and explore creative opportunities for rehabilitating our public housing resources.

City Building and Design Policies

197_ *The built form will be designed to have a sense of place and character consistent with the planned vision of the place type, by using such things as topography, street patterns, lotting patterns, streetscapes, public spaces, landscapes, site layout, buildings, materials and cultural heritage.**

215_ *Rear laneways may be permitted in new neighbourhood design to allow for building frontages that contribute to quality pedestrian-oriented streetscapes. In addition, such laneways should be employed to avoid garage-dominated streetscapes where lot frontages are small.**

The mixed use building located at the front of the site (Building 'A') is positioned close to the street, establishing a street wall with retail uses on the ground floor that is easily accessible by pedestrians. The applicant's Planning Justification Report notes: "that the proposed development will define the character of this portion of Gainsborough Road, creating a unique identity and strong sense of place for the area. The proposed development adds to a diversity of patterns, sizes, and residential housing choices, which may accommodate a variety of demographics." Main streets can be planned to create a strong neighbourhood character and distinct sense of place, and the proposed built form contributes to this planned vision.

A system of rear lanes for lands fronting Gainsborough Road and Hyde Park Road was identified in the Hyde Park Community Plan. This private laneway system is intended to allow access to rear lands from future collector roads instead of allowing individual access for businesses on to the arterial roads. The laneway reduces the need for on-street parking by a shared access to rear yard parking areas. Reducing the number of vehicular accesses along Hyde Park Road and Gainsborough Road allows for building frontages to contribute to a quality, pedestrian-oriented streetscape.

The applicant's site concept plan identifies the approximate location for the laneway connection aligned with the north leg of Sophia Crescent to the east. Comments received from the City's Transportation Planning and Design Division confirm that as part of the Hyde Park Community Plan the applicant is required to build a rear lane (approx. 12 metres wide) consistent with the alignment identified in the community plan and register an easement for public access. Easements have been taken on a number of adjacent properties "fixing" the location of the lane, the applicant is to ensure the lane lines up opposite these existing easements. Details regarding the rear lane, access location and design will be made through the site plan review process.

253_ *Site layout should be designed to minimize and mitigate impacts on adjacent properties.*

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

268_ Sites shall be designed to provide a direct, comfortable and safe connection from the principle building entrance to the public sidewalk.

The Planning Justification Report accompanying the application addresses the site layout within the context of the surrounding area. The adjacent properties consist of a mix of existing commercial and office uses to the east and west, and medium and high density residential uses to the south. The proposed 6-storey, mixed use building at the front of the site (Building 'A') is positioned to provide appropriate separation distance to minimize impacts on adjacent uses. Other factors to take into consideration are the existing building setbacks, mature trees, and landscaping that provide buffering and screening from the proposed development. The proposed 12-storey apartment building (Building 'B') abuts deep rear yards that have substantial amounts of open space to the east, and vacant rear yards used for parking or outside storage to the west. The building will be setback appropriately from residential uses to the south and maintain a 17.4 metre rear yard setback. The PJR noted that the actual separation distance to the back of the adjacent 3-storey townhouses will be approximately 26 metres, and that this is greater than the existing apartment building to the east of the townhouse complex at 1030 Coronation Drive which is approximately 15 metres. The rear yard is proposed to be maintained as common open space that is appropriately sized to buffer and maintain privacy levels of the townhouse residents, as well as provide for enhanced screening opportunities, including landscaping, tree plantings and/or fencing. The screening and landscaping plan details will be reviewed in greater detail as part of the Site Plan Approval process.

Building 'A' has been sited with minimal setbacks from the Gainsborough Road right-of-way to create a street edge, establish a sense of enclosure, and develop a comfortable pedestrian environment. The front entrance is directly connected to the public sidewalk and an internal pathway system that leads to secondary entrances on the side and the rear of the building, surface parking, and garbage enclosures. Comments received from the Urban Design Peer Review Panel were generally supportive of the proposed mix of uses, density, and inclusion of affordable housing (see Appendix C).

269_ Buildings should be sited to minimize the visual exposure of parking areas to the street.

*272_ The impact of parking facilities on the public realm will be minimized by strategically locating and screening these parking areas. Surface parking should be located in the rear yard or interior side yard.**

*275_ Parking should be located underground for large buildings, such as high-rise residential buildings, office buildings, and mixed-use buildings.**

The site concept plan indicates all surface parking will be located to the rear of Building 'A' thereby minimizing visual exposure to Gainsborough Road. The area between Building 'A' and Building 'B' will be primarily occupied by surface parking, driveway and access aisles; including buffer strips enabling visual screening through fencing and landscaping along the east and west sides. The majority of parking spaces for residents of the apartment building will be underground.

284_ All planning and development proposals will be required to demonstrate how the proposed building is designed to support the planned vision of the place type and establishes character and a sense of place for the surrounding area. This will include matters such as scale, massing, materials, relationship to adjacent buildings, heritage impact and other such form-related considerations. The Our Tools chapter and the Residential Intensification policies in the

*Neighbourhoods Place Type chapter of this Plan provide further guidance for such proposals.**

The applicant's Planning Justification Report included an analysis of potential impacts on nearby properties as part of evaluating the appropriateness and compatibility of the proposed development, and its conformity with The London Plan in accordance with Policy 1578 of the Our Tools Chapter*. The following provides a summary of the analysis:

Traffic and Access - A Traffic Impact Assessment (TIA) accompanied Zoning By-Law Amendment application. All recommendations within the assessment to address traffic concerns are to be fully implemented through the application process. The response from Transportation Planning and Design staff indicated that access to Gainsborough Road is to be located to the easterly limits of the site. Care will be needed with the access design so as to not adversely impact the existing access for 1006 Gainsborough Road. A future shared access should be identified on the plan so that at such time as that property redevelops a consolidated shared access can be used for both properties, consistent with the City's Access Management Guidelines for access along arterial roads.

Noise - A Noise Study is not required for the proposed Zoning By-Law Amendment. No significant noise levels are anticipated from the proposed development that would negatively impact adjacent lands.

Parking - Adequate parking is provided for the proposed development. It is not anticipated that any overflow parking will be required on streets or adjacent properties. On-street parking is not permitted on the south side of this portion of Gainsborough Road.

Lighting - The location and type of exterior lighting will be confirmed in the Site Plan Approval process. A photometric plan may be required to illustrate the effects of the proposed lighting fixtures.

Garbage – The applicants have indicated that garbage and recycling will be provided internal to each building, with garbage enclosures for pick-up within the surface parking area, buffered from the property lines by the underground parking ramps and landscape strips.

Privacy, Visual Impact, Loss of Views - The rear yards of adjacent properties fronting on Hyde Park Road and Gainsborough Road are occupied by surface parking and open space providing significant spatial separation between the existing built form and the proposed development. Staff agree with the observations given that these lands are zoned BDC to permit compact development with minimal setbacks, and adequate privacy levels are maintained to the east and west. Gainsborough Road provides a sufficient buffer between Building 'A' and the uses across the street to the north. A 17.4m rear setback providing for landscaped amenity space between Building 'B' and the townhouse dwellings to the south, maintain appropriate privacy levels.

Shadowing - A shadow study was not required for the proposed Zoning By-Law Amendment, although the Heritage Impact Assessment does provide some shadow study illustrations. Shadowing of the proposed buildings are anticipated to be similar to the shadow pattern of the existing apartment buildings to the south.

Loss of Trees, Impact on Natural Heritage Features, Impact on Natural Resources - A Tree Preservation Plan and/or Study was not required. There is limited vegetation on the subject site and there will no significant loss of trees, natural heritage features, or natural resources.

Impact on Cultural Heritage Resources - The City of London determined that an Archaeological Assessment and a Heritage Impact Assessment (HIA) is required for the

Zoning By-Law Amendment application. No further archaeological assessment is recommended, and any recommendations/mitigation measures to protect heritage resources from the assessment are to be fully incorporated throughout the approvals process.

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

In exchange for bonus zoning to allow for an increase in residential density, the proposed apartment building will be required to provide a total of eighteen (18) affordable rental housing units consisting of sixteen (16) one-bedroom units and two (2) two-bedroom units, which shall include at least three (3) one-bedroom and one (1) two-bedroom accessible units.

Main Street Place Type

The Main Street Place Type permits a range of residential, retail, service and office uses. Mixed-use buildings are encouraged, with retail and service uses at grade, and residential and non-service offices uses directed to the rear of buildings and to upper floors. Appropriate and sensitive infill and intensification is envisioned within the Main Street Place Type. The proposed development is appropriate for the subject lands and sensitive to abutting uses. The location and orientation of the building accommodates ample space between existing uses to the east and west along Gainsborough Road, and the extensive use of glass, combination of materials, and positioning of the building close to the street and sidewalks maintains the intent of the Main Street Place Type.

Neighbourhoods Place Type

The Neighbourhoods Place Type permits a range of residential uses including stacked townhouses, fourplexes, and low-rise apartments. The maximum permitted height is 4 storeys, and up to 6 storeys with Type 2 Bonusing.

Both Map 1 – Place Types and Map 2 - High Density Residential Overlay (from the 1989 Official Plan) are currently subject to LPAT appeal PL170100. This development proposal is proceeding in conformity with the in-force 1989 Official Plan which designates the rear portion of the subject lands as Multi-family, High Density Residential. The High Density Residential Overlay policies under Section 958* state that outside the Primary Transit Area residential development may be permitted up to 12 storeys in height and at a density of up to 150 units per hectare on lands within the High Density Residential Overlay (from 1989 Official Plan). However, the proposed apartment building development will be permitted to exceed this upper limit when density bonusing is applied. Therefore, staff are recommending an amendment to The London Plan to add a Specific Policy for the Neighbourhoods Place Type to permit, in addition to the uses permitted in the Neighbourhoods Place Type, an apartment building with a maximum height of 12 storeys and a maximum density of 392 units per hectare, and to add the subject lands to Map 7 – Specific Policy Areas.

(1989) Official Plan

These lands are designated Main Street Commercial Corridor and Multi-family, High Density Residential on Schedule 'A' of the (1989) Official Plan. Under Section 3.4.1, the Multi-family, High Density Residential designation permits such uses as low-rise and high-rise apartment buildings, multiple attached dwellings, and small-scale nursing homes, rest homes, and homes for the aged, as the main uses. Under Section 4.4.1.4, the Main Street Commercial Corridor designation permits a broad range of uses, such as small-scale retail uses, convenience commercial uses, financial institutions, small-scale offices, and residential units created through the conversion of existing buildings, or through the development of mixed-use buildings. The proposed use, form, and intensity of development have been reviewed in conjunction with the Official Plan, and

are generally in keeping with the policies and implementing guidelines, including the following specific policies:

4.4.1.8. Mixed Use Development

Residential uses combined with commercial uses or free-standing residential uses will be encouraged in the Main Street Commercial Corridors to promote active street life and movement in those areas beyond the work-day hours. Residential development above existing commercial development should provide maximum privacy between private living spaces as well as adequate separation from commercial activity.

4.4.1.13.4 Hyde Park (Specific Main Street Commercial Corridors)

The Main Street Commercial Corridor extending along Gainsborough Road and Hyde Park Road in the Hamlet of Hyde Park is currently comprised of a mixture of pedestrian and auto-oriented commercial uses. It is the long term intent of the Official Plan policies to foster and encourage the development of a pedestrian/street-oriented commercial area for Hyde Park similar to Richmond Row. This development will be guided by the Official Plan policies, by urban design guidelines included in the Hyde Park Community Plan and other guidelines/standards prepared by the City and/or Business Association. When Hyde Park Road and Gainsborough Road are widened some on-street parking in off-peak periods may be permitted, however, over time as traffic volumes increase, on-street parking may be restricted or removed and the businesses should plan for individual and/or grouped parking facilities.

Hyde Park Community Plan

The site is also located within the Hyde Park Community Planning Area which provides Community and Urban Design Guidelines to guide the overall design of the community, as well as development of individual sites. The Hyde Park Community Plan designated the subject lands as “Business District” and “High Density Residential”.

Section 3.5.12 - Hyde Park Community Planning Area

In the area bounded by Fanshawe Park Road West on the North, CN Rail line to the south, the former City Boundary (pre-1993) to the east and the former CN railway spur line to the west, design guidelines have been developed through the Community Plan process which encourage street-oriented development and discourage noise attenuation walls along arterial roads. New development should be designed and approved consistent with the design guidelines in the Hyde Park Community Plan.

The proposal is consistent with the Hyde Park Community Plan and Design Guidelines. The proposed development concept is generally in keeping with the urban form, street network, streetscape design, and building design principles as outlined in design guidelines. Specifically, it implements the direction for a proposed rear laneway system and provides vehicular access to the surface parking area to the rear of the building, as well as to other uses along Hyde Park Road and Gainsborough, allowing for an increased pedestrian focus along Gainsborough Road.

Zoning By-law

The recommending zoning by-law amendment involves amending the zoning over both the front and rear portions of the subject lands. The zoning amendments are broken down as follows (reference should be made to the amending by-law and schedule found in Appendix 'B')

Front Portion – Amend the zoning from a Holding Business District Commercial (h-17•BDC) Zone to a Business District Commercial Special Provision (BDC()) Zone, which will allow the same range of uses currently permitted; together with special provisions for a maximum density of 97 units per hectare, and maximum height of 25

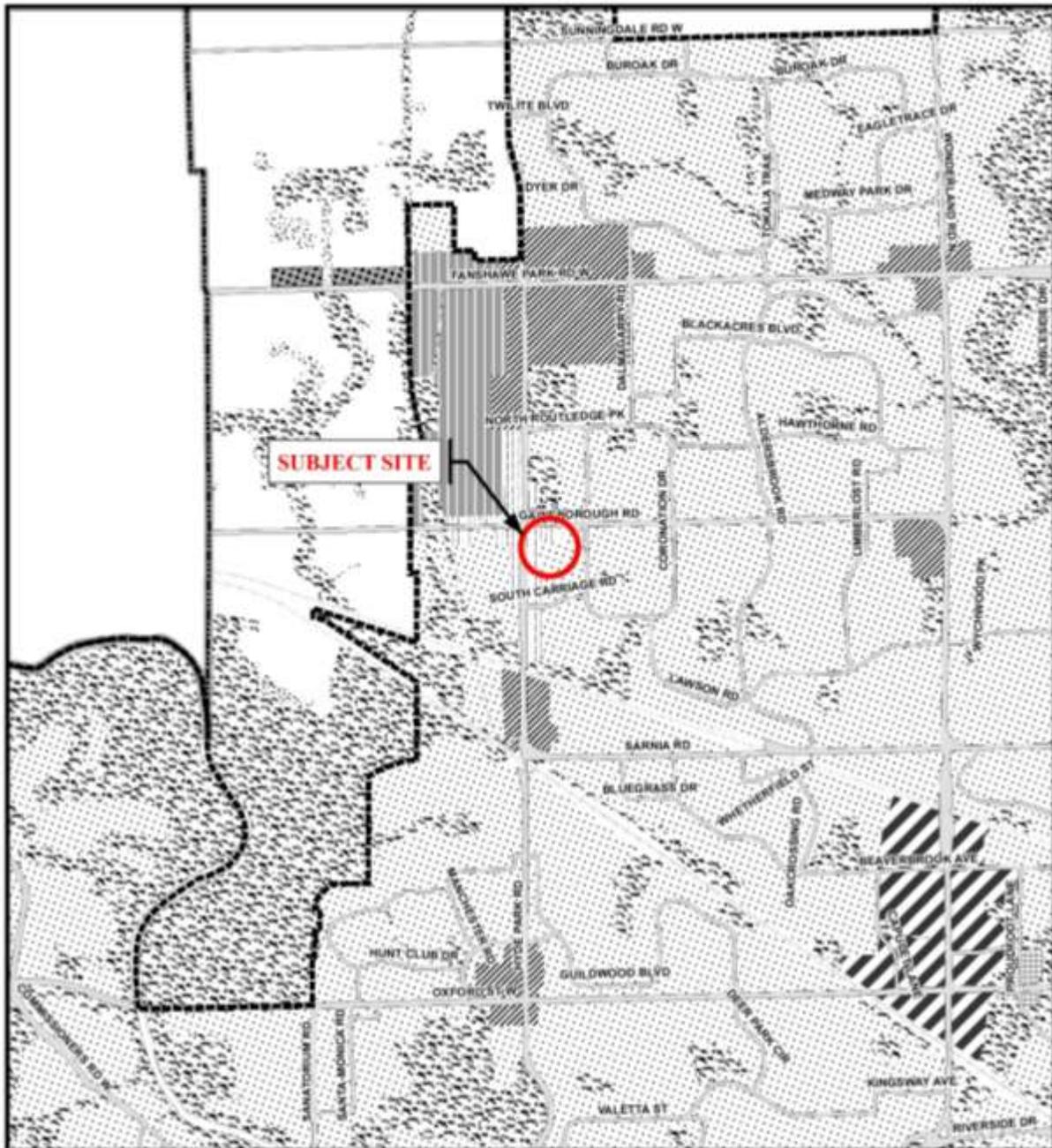
metres. The maximum density and height provisions are appropriate and will accommodate the commercial, office and residential components of the proposed mixed-use building at a height of six (6) storeys. The mixed-use density calculation is based on 52 residential units and 2,184 m² of retail and office floor area, and represents the equivalent of 94 units over the front portion of the site which is 0.79 hectares in area. The recommended special provision also ensures that offices and medical/dental offices will be permitted on the second floor of the proposed mixed-use/residential apartment building.

Rear Portion – Amend the zoning from an Urban Reserve UR3 Zone to a Residential R9 Special Provision Bonus (R9-7()•H44•B-) Zone to permit such uses as apartment buildings and senior citizen’s apartment buildings up to maximum density of 150 units per hectare, and maximum height of 44 metres (12 storeys); together with special provisions to permit an east interior side yard depth of 11.2 metres minimum and a west interior side yard depth of 2.2 metres minimum. The requested reduced side yard setbacks are considered appropriate and are not expected to result in significant impacts on adjacent properties to the east and west. The vacant rear yard of Unger’s Farm Market to the east is zoned for an accessory parking lot under the Business District Commercial (BDC(21)) Zone. Four adjacent properties to the west fronting along Hyde Park Road are also zoned Business District Commercial (BDC and BDC(14)) with zoning and building setbacks consistent with the front portion of the subject property.

The bonus (B-) portion allows an apartment building with 182 dwelling units at a density of 392 units per hectare. Affordable housing is to be provided including the provision of eighteen (18) affordable rental housing units consisting of sixteen (16) one-bedroom units and two (2) two-bedroom units, which shall include at least three (3) one-bedroom and one (1) two-bedroom accessible units. An agreement shall be entered into with the Corporation of the City of London to secure the said affordable housing units, rent rates and affordability periods.

Appendix E – Relevant Background

London Plan Map Excerpt



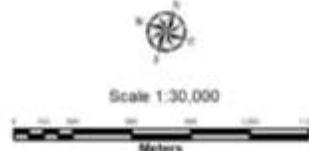
Legend

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

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

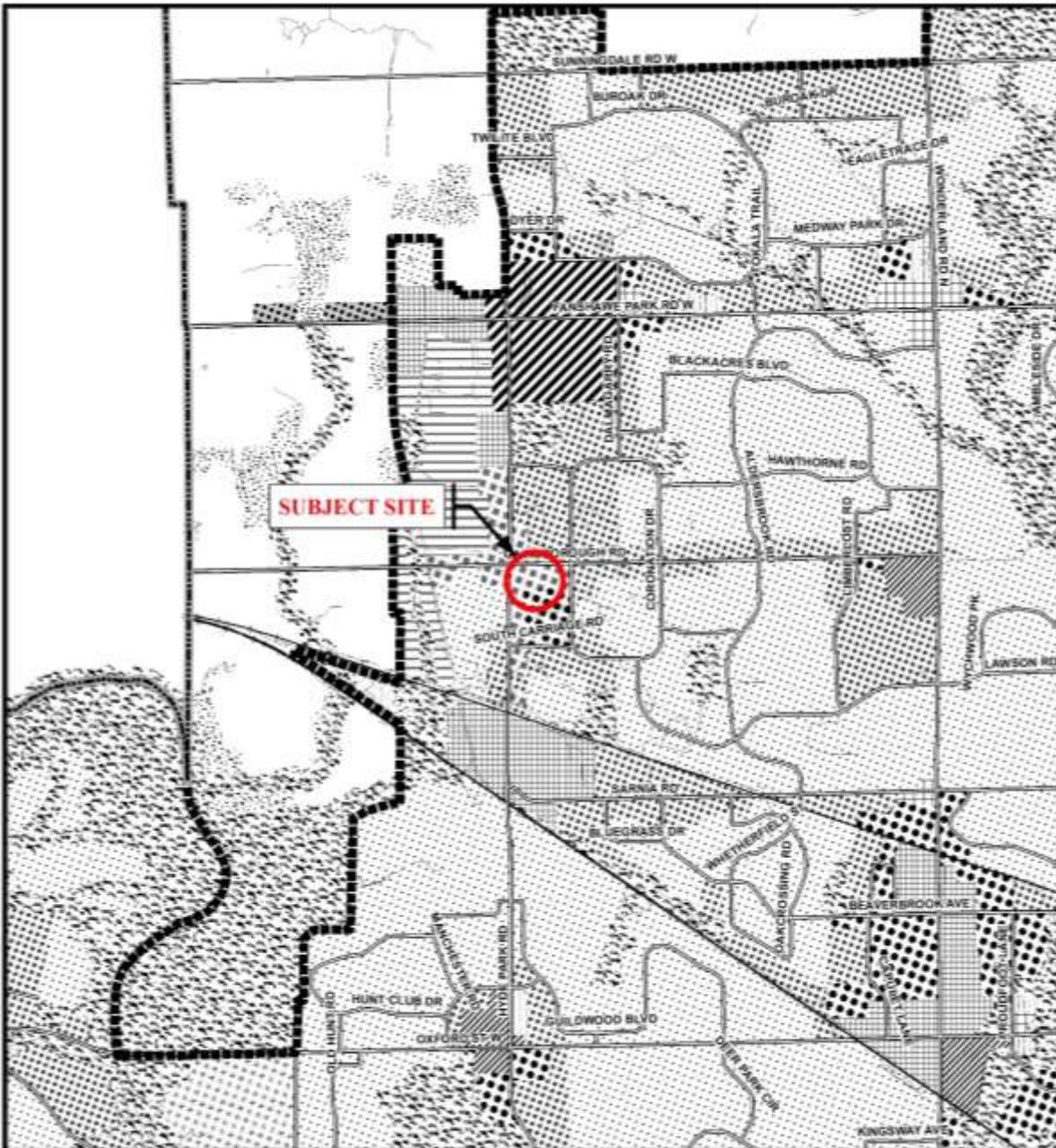
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON
 Planning Services /
 Development Services
LONDON PLAN MAP 1
- PLACE TYPES -
 PREPARED BY: Planning Services



File Number: Z-9079
Planner: DM
Technician: DM
Date: September 26, 2019

Official Plan Map Excerpt

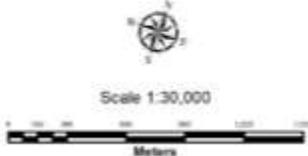


Legend

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

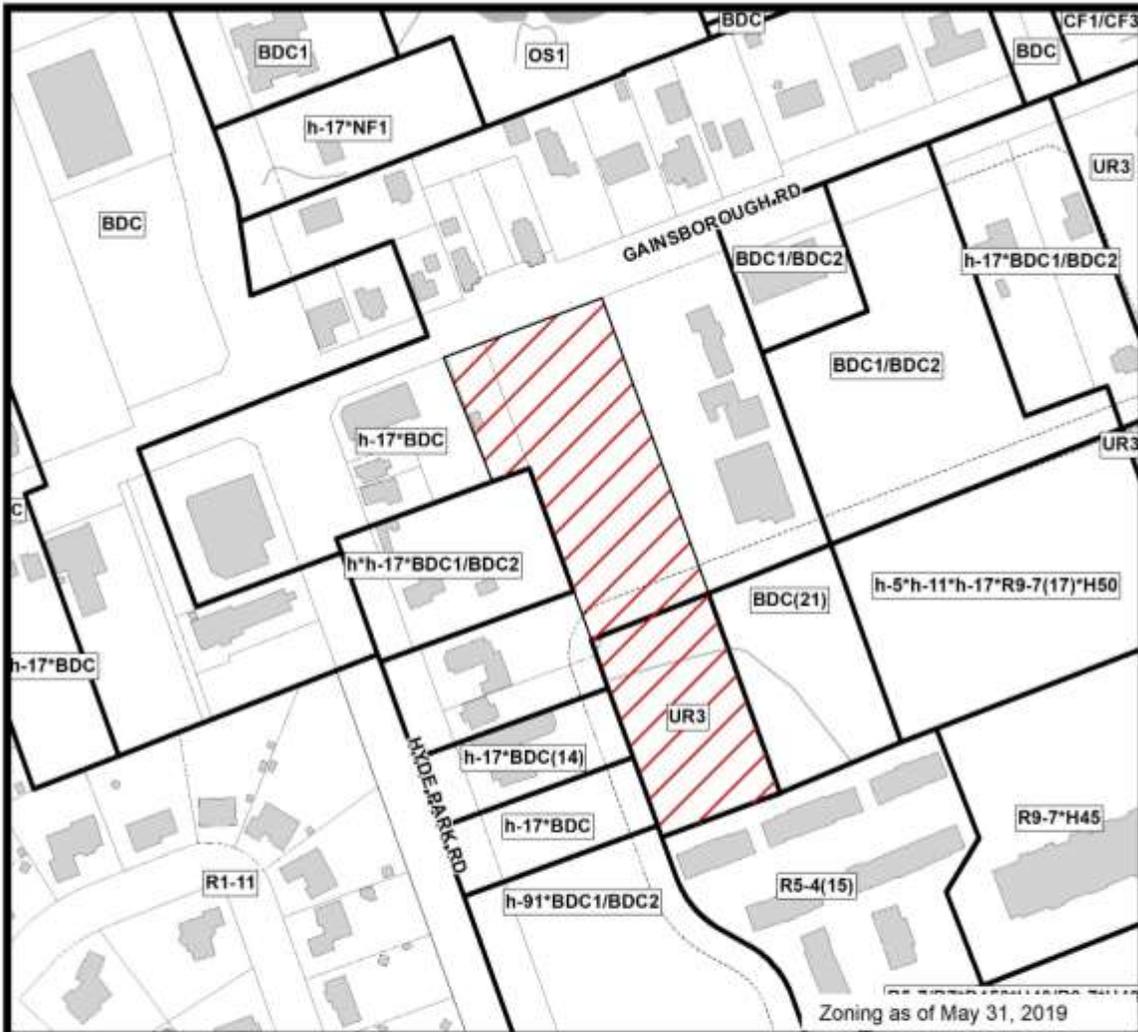
CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -

PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-9079
 PLANNER: LM
 TECHNICIAN: DM
 DATE: 2019/09/26

Zoning By-law Map Excerpt



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

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



FILE NO:
 Z-9079 LM

MAP PREPARED:
 2019/09/26 DM

1:2,500
 0 15 30 60 90 120 Meters

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

DEFERRED MATTERS

**PLANNING AND ENVIRONMENT COMMITTEE
(AS OF NOVEMBER 25, 2019)**

File No.	Subject	Request Date	Requested/ Expected Reply Date	Person Responsible	Status
1	Review of commercial corridor along Commissioners Road East	March 2/15 13/6/PEC	Q4 2019	Fleming/Barrett	To be incorporated in the review of City Planning work program Q2 2019. PEC Dec 2/19
2	EEPAC Terms of Reference – Civic Admin to report allowing EEPAC to work with staff during the collaboration of reports, electronic distribution of files and to provide advice directly to PEC	May 12/15 (7/11/PEC)	Q4 2015	Saunders	Preparing initial report to PEC to seek Council direction.
3	Dundas Place Management and Dundas Place Field House – City Planner to report back on results of monitoring all aspects of Dundas Place Management by mid-2019 in order to inform the development of the 2020-2023 Multi-Year Budget.	November 28/17 (17/22/PEC)	Mid-2019	Stafford/Yanchula	Dundas Place Manager is now in place. This function now resides in Parks and Recreation who will respond to this item.
4	Medway Valley Heritage Forest ESA – Refer back to Staff to report back after deleting the proposed Bridge A and Bridge D; further public consultation with respect to those portions of the CMP that effect changes to the eastern boundary of the ESA, including the use of public streets; further consultation with the ACCAC, the EEPAC,	April 24/18 (3.2/7/PEC)	2019/2020	Fleming/Barrett	Next steps currently under review. Staff continuing work with Advisory Group to address concerns and move forward ADVISORY GROUP MEETINGS HAVE TAKEN PLACE, SITE VISIT TO Thursday Nov 14

File No.	Subject	Request Date	Requested/ Expected Reply Date	Person Responsible	Status
	<p>UTRCA and neighbouring First Nations governments and organizations with respect to improved trail access and conditions; actions be taken to discourage crossings of the creek at sites A, B, C, D and E, as identified in the CMP; hardscaped surfaces on the level 2 trails be limited to the greatest extent possible; ways to improve public consultation process for any ESA and CMP; and, amending the Trails Systems Guidelines to incorporate consultation with neighbouring First Nations, Governments and Organizations at the beginning of the process.</p>				
5	<p>Inclusionary Zoning for the delivery of affordable housing - the Civic Administration BE DIRECTED to report back to the Planning and Environment Committee outlining options and approaches to implement Inclusionary Zoning in London, following consultation with the London Home Builders Association and the London Development Institute.</p>	August 28/18 (2.1/13/PEC)	Q1 2020	Fleming/Barrett	<p>Consultation with London Home Builders Association and London Development Institute underway</p> <p>Inclusionary Zoning will be considered as part of the Affordable Housing Toolkit. Inclusionary Zoning project to conclude in 2020.</p>
6	<p>The City of London Tree Protection By-law C.P.-1515-228 – refer to TFAC for review and comment; and, the proposed by-law be referred to a public participation meeting to be held by the Planning and Environment Committee on September 24, 2018 for the purpose of seeking public input and comments on amendments to</p>	June 18/18 (4.1/11/PEC)	2019	Scherr	<p>Proposed new by-law referred to TFAC at their June 2018 meeting and comments provided at Aug meeting. Some comments have been received from Industry. Report with the DRAFT By-law language along with notice of PPM is scheduled for May 14, 2019 meeting. <u>The report and PPM for the approval of the City's new</u></p>

[Type here]

File No.	Subject	Request Date	Requested/ Expected Reply Date	Person Responsible	Status
	<p>The public input provided at the September 23, 2019 Planning and Environment Committee meeting with respect to the proposed new Tree Protection By-law appended to the staff report dated September 23, 2019 BE REFERRED to the Civic Administration for consideration in the preparation of a revised Tree Protection By-law; and, the Civic Administration BE DIRECTED to provide a proposed by-law to repeal and replace the existing Tree Protection By-law C.P.-1515-228 at a future Planning and Environment Committee meeting including replacing the term “City Planner” with “City Engineer”.</p>	<p>Sept 23/19 (3.3/16/PEC)</p>	<p>April 2020</p>		<p><u>Tree Protection By-law is scheduled for September 23, 2019.</u></p>
7	<p>Limited lit period of high-rise buildings during an identified migratory bird season including any possible mechanism(s) for enforcement</p>	<p>January 29/19 (2.2/3/PEC)</p>	<p>Q3 2019</p>	<p>Kotsifas/Yeoman</p>	<p>Draft by-law amendments are out for circulation with community and industry stakeholders as well as Advisory Committees. Staff are continuing to explore options related to the limited lighting period.</p> <p>PPM at the November 18, 2019 PEC meeting. Please Remove.</p>

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File No.	Subject	Request Date	Requested/ Expected Reply Date	Person Responsible	Status
8	Argyle Business Improvement Area – R. Sidhu, Executive Director, to have delegation status at a future meeting with respect to the Argyle Business Improvement Area and surrounding areas.	May 7, 2019 (3.1/8/PEC)		Saunders	Delegation at the November 4, 2019 PEC meeting. Please remove.
9	Section 45 (1.4) of the <i>Planning Act</i> – Civic Administration to report back with potential process options in response to applications for minor variances	Aug 27, 2019 (5.1/14/PEC)		Kotsifas/Yeoman	Report to be provided within Q1 of 2020.
10	Draft City-Wide Urban Design Guidelines – Civic Admin to report back at a future PPM of the PEC	Oct 29/19 (2.1/18/PEC)	Q1/2020	Fleming/O'Hagan	
11	Environmental considerations relating to studies and reports - Civic Administration to review and report back on best practices and legal limitations for performing Subject Land Status reports and Environmental Impact Studies on lands that are under private ownership and that are owned by multiple parties and, in particular, where one or more of the property owners refuse staff entry onto their lands; and, to review the plan for Meadowlark habitat on a comprehensive ecological systems basis, so that Secondary Plans and Planning Applications can address habitat	Nov 12/19 (3.1.19/PEC)	Q2/2020	Fleming/Fabro	

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	requirements in accordance with this larger context				
12	Comprehensive Community Regeneration Study of the Argyle Business Improvement Area and surrounding areas – Civic Administration to report back	Nov 12/19 (3.2/19/PEC)	Q4 2020	Fleming/O'Hagan	

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