

Agenda Including Addeds

Planning and Environment Committee

The 1st Meeting of the Planning and Environment Committee

December 14, 2020, 4:00 PM

Virtual Meeting - during the COVID-19 Emergency

City Hall is open to the public, with reduced capacity and physical distancing requirements.

Meetings can be viewed via live-streaming on YouTube and the City website.

Members

Councillors P. Squire (Chair), S. Lewis, S. Lehman, A. Hopkins, S. Hillier, Mayor E. Holder

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Pages

1. Call to Order

1.1. Disclosures of Pecuniary Interest

1.2. Election of Vice Chair for the term ending November 30, 2021

2. Consent

2.1. 4th Report of the Environmental and Ecological Planning Advisory Committee 3

2.2. Argyle Regeneration Study Recommendations 8

2.3. Application - 3087 White Oak Road - Removal of Holding Provisions (h, h-100, h-161 and h-227) (H-9235) 20

2.4. Application - Removal of Holding Provision - 1093 Westdel Bourne (H-9185) 33

2.5. Subsections 45 (1.3) and (1.4) of the Planning Act Regarding the Two-Year Freeze on Minor Variances Following a Privately Initiated Zoning Amendment 40

2.6. Building Division Monthly Report for October 2020 48

3. Scheduled Items

3.1. Public Participation Meeting - Not to be heard before 4:00 PM - Application - Draft Plan of Vacant Land Condominium - 3542 Emily Carr Lane 39CD-19516 57

3.2. Public Participation Meeting - Not to be heard before 4:00 PM - Application - 260 Sarnia Road (Z-9246) 74

3.3. Public Participation Meeting - Not to be heard before 4:30 PM - Application - Applewood Subdivision - 660 Sunningdale Road East - Application for Zoning By-law Amendment - Request for Revisions to Draft Plan Subdivision 39T-09501 (Z-9243) 104

4.	Items for Direction	
5.	Deferred Matters/Additional Business	
5.1.	Deferred Matters List	147
5.2.	<i>(ADDED) 1st Report of the London Advisory Committee on Heritage</i>	151
6.	Adjournment	

Environmental and Ecological Planning Advisory Committee

Report

The 4th Meeting of the Environmental and Ecological Planning Advisory Committee

November 26, 2020

Advisory Committee Virtual Meeting - during the COVID-19 Emergency

City Hall is open to the public, with reduced capacity and physical distancing requirements.

Attendance PRESENT: J. Bunn and H. Lysynski (Committee Clerk)

The meeting was called to order at 5:02 PM; it being noted that the following Members were in remote attendance: S. Levin (Chair), L. Banks, A. Bilson Darko, S. Esan, P. Ferguson, L. Grieves, S. Hall, J. Khan, K. Moser, B. Samuels, S. Sivakumar, R. Trudeau, M. Wallace and I. Whiteside

it being further noted that the following staff Member was in remote attendance: K. Murray

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Scheduled Items

None.

3. Consent

None.

4. Sub-Committees and Working Groups

None.

5. Items for Discussion

5.1 City of London 2021 Budget Update

That Sandy Levin, Chair, Environmental and Ecological Advisory Committee (EEPAC) BE GRANTED authority to draft a summary of comments from EEPAC members with respect to the City of London 2021 Budget Update for submission to the Strategic Priorities and Policy Committee. (See attached presentation.)

6. Adjournment

The meeting adjourned at 5:48 PM.



2021 Budget Overview Environmental & Ecological Planning Advisory Committee November 26, 2020



Budget Documents



Accessible online: www.London.ca/Budget

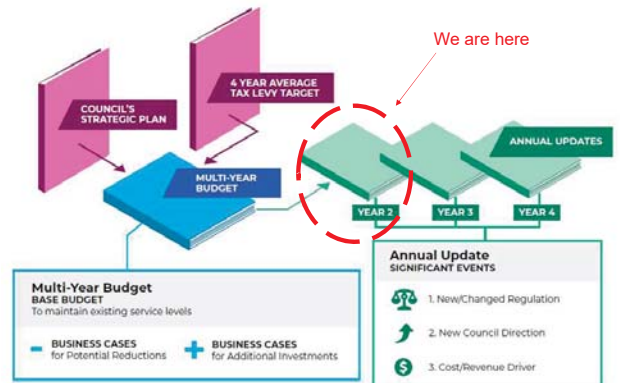


Agenda

- Refresher: Multi-Year Budget Process & Types of Budget Amendments
- Recap: Approved 2020-2023 Property Tax Supported Multi-Year Budget
- Applying the Equity & Inclusion and Gender Equity Lenses
- Overview of Proposed 2021 Budget Amendments
- Summary of Tabled 2021 Property Tax Supported Budget Update
- Other "Added" Budget Amendments
- Process for Further Budget Reductions
- Overview of Water and Wastewater & Treatment Budgets
- Impacts of COVID-19 on the 2021 Budget
- Key Dates in the Budget Process
- Public Engagement Overview



The Multi-Year Budget Cycle at the City of London



Categories of Budget Amendments

1. New or Changed Regulation

A new or changed legislation or regulation with a financial impact to the municipality

2. New Council Direction

A new Council direction that has transpired after the approval of the Multi-Year Budget

3. Cost or Revenue Driver

A corporate or service area budget adjustment as a result of changes in economic conditions



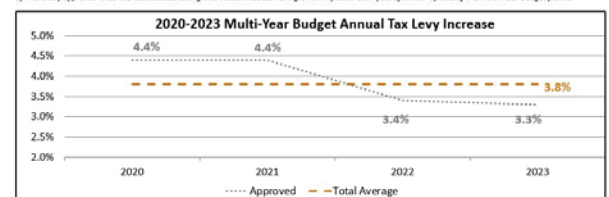
Recap: Approved 2020-2023 Property Tax Supported Multi-Year Budget

2020-2023 Multi-Year Budget					Average Annual %	Avg. Annual Property Owner Impact ¹
	2020	2021	2022	2023		
Approved % Increase from Rates ²	4.4%	4.4%	3.4%	3.3%	3.8%	116
Approved Net Budget (Tax Levy)	642,901	671,095	693,747	716,331		

Subject to rounding

¹ Average residential property with an assessed value of \$241,000 in 2019 (excludes Education tax portion, not withstanding impacts of tax policy).

² Previously approved rates are recalculated taking into account assessment growth impact in each year of annual update of the Multi-Year Budget period.



Applying the Equity & Inclusion and Gender Equity Lens

- At the September 22, 2020 meeting of the Strategic Priorities and Policy Committee, Civic Administration recommended the development of a new Anti-Racism and Anti-Oppression Lens.
- As an interim step, while the new Anti-Racism and Anti-Oppression Lens is being built, the 2021 budget amendments were reviewed by the Anti-Racism and Anti-Oppression Internal Working Group using the existing Equity and Inclusion Handbook and Gender Equity Lens. Comments from the Working Group are included in each amendment:

Middlesex-London Health (Thousands)	2020	2021	2022	2023	2024 to 2025	2024 to 2025
Levy	\$6,703	\$6,703	\$6,703	\$6,703	\$6,703	\$6,703
Provincial Funding	\$1,100	\$1,100	\$1,100	\$1,100	\$1,100	\$1,100
Additional Funding	\$1,100	\$1,100	\$1,100	\$1,100	\$1,100	\$1,100
Subtotal to funding	\$8,903	\$8,903	\$8,903	\$8,903	\$8,903	\$8,903

Additional Details

The provincial government announced support for public health units as they continue to respond to COVID-19 by investing in one-time mitigation funding for both the 2020 and 2021 calendar years. This funding will ensure that municipalities do not experience any financial impacts as a result of the change to the 75% provincial and 25% municipal cost-sharing formula that was to be effective January 1, 2022. In the current context there is significant uncertainty beyond 2021 and there is a possibility that the City may incur a further increase over budgeted amounts in 2022 and 2023.

Applying the Equity & Inclusion Handbook and Gender Equity Lens – Comments from the Anti-Racism and Anti-Oppression Working Group

- The increased funding for the Ministry of Health in 2021 will have a positive impact for Londoners by reducing the tax levy.
- A key priority of the Middlesex-London Health Unit is prevention. This is increasingly important, especially in the context of the pandemic where many equity-seeking groups have been disproportionately impacted by COVID-19. The Middlesex-London Health Unit budget does not increase over the period of this budget. The negative impacts of not funding increases should be considered. For example, limited access to services and poor health outcomes.

Applying the Equity & Inclusion and Gender Equity Lens

- The Anti-Racism and Anti-Oppression Working Group also made a series of general observations and recommendations for future improvements in the application of the Anti-Racism and Anti-Oppression Lens (page 15)
- 2021 Budget Update represents the first steps in this process. Future enhancements to the process will include:
 - Utilizing enhanced screening tools (e.g. the new Anti-Racism and Anti-Oppression Lens) as they are developed
 - Expanding the application of new Anti-Racism and Anti-Oppression Lens to other aspects of the budget – e.g. base budgets, additional investment business cases, business plans, etc.
 - Applying other lenses as they are developed (e.g. Climate Emergency Screening Tool)

Proposed 2021 Operating Budget Amendments (\$000's) (Appendix G)

#	Description	2021 Tax Levy Impact	2022 Tax Levy Impact	2023 Tax Levy Impact	Total 2021-23 Levy Impact
1	RBC Place London – Promissory Note Forgiveness	-	-	-	-
	RBC Place London has been facing extraordinary financial challenges as a result of COVID-19 and will therefore not have the ability to pay future annual instalments for this promissory note and is seeking the City of London's forgiveness of the loan. This amendment would not have a tax levy impact, however, it would reduce the expected future inflows into the EEE Reserve.				
4	Children's Services – Expansion Funding Deferral	(\$1,630)	-	-	(\$1,630)
	During 2020-2023 Multi-Year Budget development it was anticipated that additional child care centres would be built and necessitate additional funding to support the ongoing fee subsidy costs as a result of additional spaces. With the onset of the COVID-19 pandemic the expected new child care centres have been delayed and therefore the required funding will not be necessary in 2021.				

Proposed 2021 Operating Budget Amendments (\$000's) – cont'd

#	Description	2021 Tax Levy Impact	2022 Tax Levy Impact	2023 Tax Levy Impact	Total 2021-23 Levy Impact
5	Middlesex-London Health Unit – Increased Ministry of Health Funding	(\$610)	-	-	(\$610)
	The Minister of Health recently announced that additional mitigation funding is available to fully offset increased costs to municipalities to support the municipal share of public health funding introduced in 2020. These increases allow municipal funding to be capped at 0% providing full mitigation funding in 2020 and 2021.				
6	Ontario Works – Reduction in Investment in 2021 due to COVID-19 Impacts	(\$425)	-	-	(\$425)
	In the 2020-2023 Multi-Year Budget, Council approved additional funding for the Ontario Works program in light of Provincial funding changes. A contributing factor was related to the cost of employment related expenses to cover a rate increase in bus passes essential for participation in employment activities and to address existing demand in services. With the onset of COVID-19 pandemic and associated recovery benefits from the Government of Canada, the Ontario Works program has experienced a decrease in employment related expenses, and anticipates this reduction to continue in 2021.				

Proposed 2021 Operating Budget Amendments (\$000's) – cont'd

#	Description	2021 Tax Levy Impact	2022 Tax Levy Impact	2023 Tax Levy Impact	Total 2021-23 Levy Impact
7	Corporate Services – Administrative Recoveries from Water, Wastewater, Joint Water Boards	(\$403)	(\$578)	(\$601)	(\$1,582)
	Internal service review determined the full costs associated with supporting these services was not being recovered. Increased costs were reflected in the 2020-2023 Multi-Year Budget for Water, Wastewater & Joint Water Boards, but due to timing constraints were not reflected in the Property Tax Supported 2020-2023 Multi-Year Budget.				
8	Financial Management – Reduction to Corporate Contingency Budget	(\$500)	(\$700)	(\$700)	(\$1,900)
	Civic Administration reviewed the corporate contingency budget and identified savings based on currently known and anticipated funding needs.				

Proposed 2021 Capital Budget Amendments (\$000's) (Appendix G)

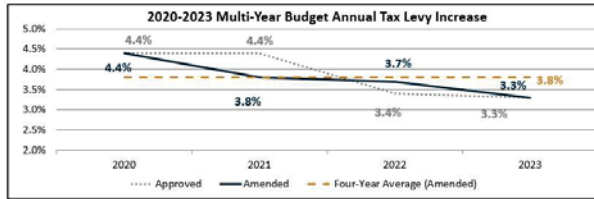
#	Description	2021 Capital Plan Impact	2022 Capital Plan Impact	2023 Capital Plan Impact	Total 2021-23 Capital Impact
2	RBC Place London – Revised Capital Plan	(\$85)	\$251	-	\$166
	Funding source – RBC Place London Renewal Reserve Fund. These changes are based on recommendations of the 2020 building assessment report.				
3	Recycling & Composting – Repair of Material Recovery Facility Fire Suppression System	\$800	-	-	\$800
	Funding source – MRF Renewal Reserve Fund. The proposed amendment is advancing funds from 2024-2029 to 2021.				

NOTE: These capital budget amendments do not have a tax levy impact.

Summary of the Proposed 2021 Property Tax Supported Budget Update – As Tabled

2020-2023 Multi-Year Budget					Average Annual %	Avg. Annual Property Owner Impact ¹
	2020	2021	2022	2023		
Approved % Increase from Rates ²	4.4%	4.4%	3.4%	3.3%	3.8%	116
Approved Net Budget (Tax Levy)	642,901	671,095	693,747	716,331		
Budget Amendments (Total Net Request)		(3,567)	(1,278)	(1,301)		
Amended Net Budget (Tax Levy)	642,901	667,528	692,469	715,030		
Incremental Net Increase / (Decrease)		(3,567)	2,289	(23)		
Amended % Increase From Rates	4.4%	3.8%	3.7%	3.3%	3.8%	114

Subject to rounding.
¹ Average residential property with an assessed value of \$241,000 in 2020 (excludes Education tax portion, not withstanding impacts of tax policy).
² Previously approved rates are recalculated taking into account assessment growth impact in each year of annual update of the Multi-Year Budget period.



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Other Anticipated "Added" Budget Amendments

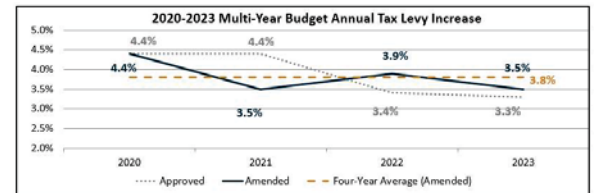
- In addition to the eight budget amendments included in the proposed 2021 Budget Update, emerging matters will result in additional budget amendments for consideration during budget deliberations:
 - At the Council meeting on November 10th, Council endorsed the preparation of a budget amendment to support implementation of the Film and Multi-Media Strategy as per the report to the Community & Protective Services Committee on November 3rd;
 - At the Council meeting on November 24th, Council approved an update report on the 60% Waste Diversion Action Plan, including an updated implementation schedule, funding requirements and proposed budget amendment to be forwarded to budget deliberations.

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Summary of the Proposed 2021 Budget Update – with 60% Waste Diversion Action Plan Amendment

2020-2023 Multi-Year Budget					Average Annual %	Avg. Annual Property Owner Impact ¹
	2020	2021	2022	2023		
Approved % Increase from Rates ²	4.4%	4.4%	3.4%	3.3%	3.8%	116
Approved Net Budget (Tax Levy)	642,901	671,095	693,747	716,331		
Budget Amendments (Total Net Request)		(5,867)	(2,728)	(1,301)		
Amended Net Budget (Tax Levy)	642,901	665,228	691,019	715,030		
Incremental Net Increase / (Decrease)		(5,867)	3,139	1,427		
Amended % Increase From Rates	4.4%	3.5%	3.9%	3.5%	3.8%	114

Subject to rounding.
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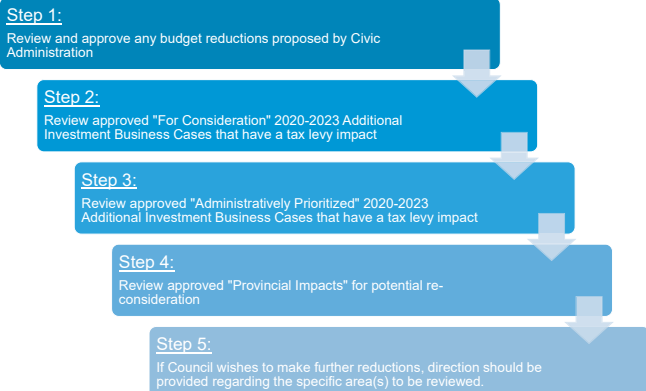
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Other Emerging Budget Matters

- Civic Administration is also monitoring a report to the Middlesex-London Health Unit's Nov. 5th Finance & Facilities Committee meeting outlining anticipated 2021 cost pressures totaling approx. \$700,000.
 - It is not yet clear whether these cost pressures will be the responsibility of MLHU's municipal partners;
 - Further information is anticipated to be available subsequent to MLHU's Board of Health meeting on Nov. 26th
- Civic Administration is also awaiting confirmation of the 2021 Land Ambulance budget from the County of Middlesex – anticipated in late November.

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Process for Further Reductions in 2021 Budget Update (Appendix H)



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Overview of Proposed 2021 Water Budget

- There are no proposed budget amendments in the 2021 Water Budget Update
- 2021-2023 rates were approved by Council on October 27, 2020

Water	2020 Approved Budget	2021 Amended Budget	2022 Amended Budget	2023 Amended Budget	2020 to 2023 Average Annual % Increase/Decrease
Water Rate Increase (Approved)	2.5%	2.5%	2.5%	2.5%	2.5%
Total Water Budget (Approved)	84,739	87,488	90,530	93,695	
Increase over Prior Year Budget	4,843	2,750	3,041	3,166	
Increase over Prior Year Budget (%)	6.1%	3.2%	3.5%	3.5%	4.1%

Subject to rounding.

Water Capital Budget	2020	2021	2022	2023	2020 to 2023 Total	2024 to 2029 Forecast	2020 to 2029 Ten Year Plan
Total Approved Budget	42,448	38,127	48,319	70,843	199,738	278,507	478,245
Total Amended Budget	42,448	38,127	48,319	70,843	199,738	278,507	478,245
Total Amended Budget Increase/Decrease	0	0	0	0	0	0	0

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Overview of Proposed 2021 Wastewater & Treatment Budget

- There are no proposed amendments in the 2021 Wastewater & Treatment Budget Update
- 2021-2023 rates were approved by Council on October 27, 2020

Wastewater and Treatment	2020 Approved Budget	2021 Amended Budget	2022 Amended Budget	2023 Amended Budget	2020 to 2023 Average Annual % Increase/Decrease
Wastewater and Treatment Rate Increase (Approved)	6.0%	2.5%	2.5%	2.5%	3.4%
Wastewater and Treatment Rate Increase (Amended ¹)	2.5%	5.2%	2.5%	2.5%	3.2%
Total Wastewater and Treatment Budget	106,500	109,937	113,668	117,544	
Increase over Prior Year Budget	8,318	3,437	3,731	3,876	
Increase over Prior Year Budget (%)	8.5%	3.2%	3.4%	3.4%	4.6%

Subject to rounding.
Note 1. Timing of rate implementation was deferred from 2020 to 2021 as a result of the COVID-19 pandemic as previously noted.

Wastewater and Treatment Capital Budget	2020	2021	2022	2023	2020 to 2023 Total	2024 to 2029 Forecast	2020 to 2029 Ten Year Plan
Total Approved Budget	86,961	86,821	100,179	93,300	367,260	599,818	967,078
Total Amended Budget	86,961	86,821	100,179	93,300	367,260	599,818	967,078
Total Amended Budget Increase/Decrease	0	0	0	0	0	0	0

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COVID-19 Impacts on the 2021 Budget

- Many services will continue to experience persistent COVID-19 financial impacts into 2021; total corporate impact currently anticipated to be \$20M+

Area/Impact	Potential Financial Impact (\$M)
London Transit Commission – lower than normal ridership	\$11.3
Ontario Lottery & Gaming Revenues – uncertain re-opening of gaming activities	\$4.6
Investment Income – lower than anticipated interest rates	\$2.5
RBC Place & Centennial Hall – uncertain timing of resumption of large events (noting that a financial sustainability review of RBC Place is currently ongoing which will provide insight into potential future financial support required)	\$1.7
Neighbourhood and Recreation Services: User Fee Revenues – uncertain participation rates in recreation programs & facilities	TBD
Development-related Revenues – potential impacts on residential & non-residential building activity	TBD

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COVID-19 Impacts on the 2021 Budget – cont'd

- In most cases it is too early to determine which financial challenges will be permanent; 2021 Budget Update avoids premature budget changes pending further experience to assess longer term impacts.
- Civic Administration intends to utilize a variety of strategies as necessary to mitigate COVID-19 financial impacts in 2021, including :
 - Temporary adjustments to service levels;
 - Deferral of capital projects and/or adjustments to capital project sources of financing;
 - Strategic one-time draws from reserves and reserve funds to mitigate temporary, one-time impacts;
 - Continued advocacy for federal and provincial government support for COVID-19 related financial pressures.
- Civic Administration will actively monitor the Corporation's 2021 financial position and will report to Council with recommended strategies to address budgetary pressures.

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Key Dates in the Budget Process

What / Where	Date
Tabling of the 2021 Annual Budget Update SPPC at 4:00pm	November 17
Public Participation Meeting SPPC at 4:00pm	December 7
2021 Annual Budget Update Review SPPC at 9:30am	December 10 December 11
Final Approval of the 2021 Annual Budget Update Council at 4:00pm	January 12

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Planned 2021 Budget Update Public Engagement Activities

Description	Date
Social Media, Digital Advertising & Digital Newsletters*	Ongoing through January
Radio Advertising	November / December
Print Advertising – local & multi-cultural publications*	November / December
GetInvolved.London.ca Website – education & guidance on how to get more information or submit feedback	Ongoing through January
E-mail Updates via Newsletter – sign up on GetInvolved.London.ca	Ongoing through January
Public Participation Meeting	December 7 SPPC at 4:00pm
Support for Councillors' Engagement Activities	As Requested
Virtual Meetings with Community Groups	As Requested
Phone Calls (519-661-4638), E-mails (budget@london.ca)	As Requested

* New public engagement channels this year to reach different demographics/groups.

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2020-2023
MULTI-YEAR BUDGET
City of London

- LondonCanada
- #Cityoflondonont
- @CityofLdnOnt #LdnBudget
- budget@london.ca
- getinvolved.london.ca

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Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: Gregg Barrett
Managing Director, Planning and City Planner
Subject: City of London
Argyle Regeneration Study Recommendations
Date: December 14, 2020

Recommendation

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

- (a) This report, with regards to the Argyle Area Regeneration Study, **BE RECEIVED** for information; and
- (b) Civic Administration **BE DIRECTED** to undertake the development of a Community Improvement Plan for the Argyle area.

IT BEING NOTED that any potential funding requirements associated with the Argyle CIP will be identified for Council's consideration as part of a comprehensive review and recommendation on funding levels for all CIP programs, prior to the 2024-2027 Multi Year Budget process.

Executive Summary

On November 12, 2019, Civic Administration was directed to undertake a comprehensive regeneration study of the Argyle Business Improvement Area (BIA) and surrounding areas. City Planning staff have completed the study including research, data collection and analysis, and consultation with stakeholders, other service areas and the public.

Based on the research and consultation findings, Staff recommends adding an Argyle Community Improvement Plan (CIP) study to the City Planning work plan. The study will act as a good mechanism to organize an action plan for the community and identify specific projects that may be undertaken by the City, other stakeholders or the community to achieve community improvement.

Linkage to the Corporate Strategic Plan

The Argyle Community Regeneration Study addresses three strategic areas of focus, as presented in Council's Strategic Plan 2019-2023. These are:

- Strengthening our Community
- Building a Sustainable City
- Growing our Economy

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

June 2012 Designation of an Improvement Area under Section 204 the Municipal Act, 2001 – Argyle BIA

August 10, 2020 Argyle Regeneration Study Update

1.2 Introduction

On November 12, 2019, Civic Administration was directed to undertake a comprehensive community regeneration study of the Argyle BIA and surrounding areas to determine whether a CIP, or other municipal tools were warranted to help improve the area.

Staff undertook research, data collection, analysis, and consultation with stakeholders and internal service areas throughout 2020.

An update report was presented to Planning and Environment Committee on August 10, 2020. This report including a detailed Community Profile of the Argyle area, a review of public and private investment over time and a comparison between investment activities and demographics in the Argyle area compared to the city as a whole.

Additional consultation and analysis has been completed since August 2020.

This report will outline the following:

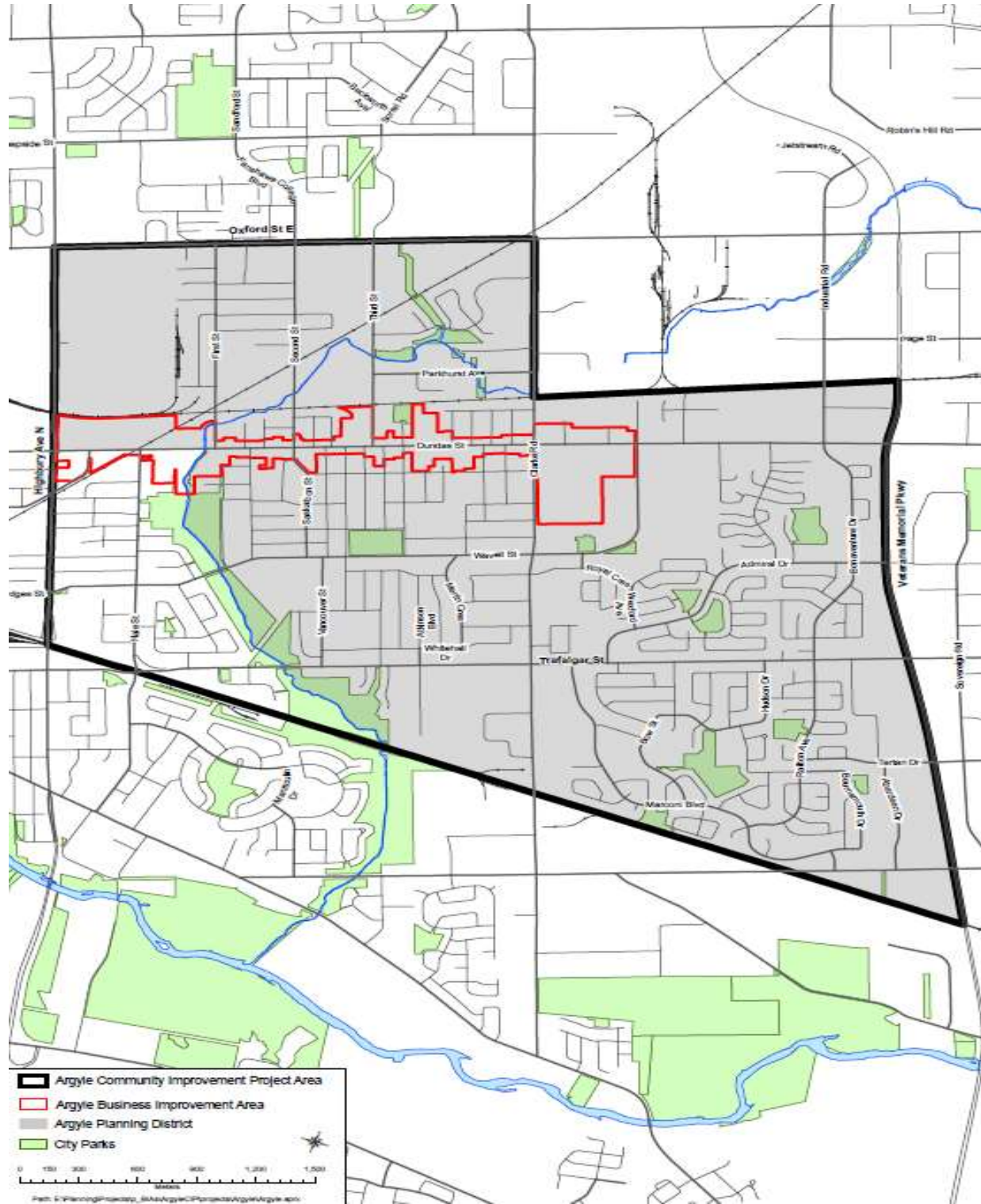
- The general study area, and character sub-areas;
- A summary of consultation activities and findings;
- New information that has been gathered since the August 2020 Community Profile was presented;
- An overview of the legislative framework for community improvement; and,
- A recommendation and rationale to continue with an Argyle CIP study.

1.3 General Study Area

The Argyle regeneration study applies to lands in the east end of London, generally bounded by Highbury Avenue, Oxford Street East, Clarke Road, Veterans Memorial Parkway, Canadian Pacific Railway and the Canadian National Railway. Comprising approximately 1,362 hectares of land, the Argyle Planning District is the second largest

district within the Urban Growth Boundary, after the Westminster district. The study area is shown below in Map 1.

Map 1: Argyle Study Area & Argyle Planning District



Within the Argyle study area, four unique sub-areas have been identified, with each having a unique character. These sub-areas will be explored further as part of the recommended CIP study.

- The Dundas Street corridor is the spine that runs through the Argyle community. Dundas Street is a main gateway to Downtown and provides access to the Veterans Memorial Parkway and from there to Highway 401. The large volumes of traffic that pass through have contributed to a decline in the quality of the urban corridor environment. Dundas Street and its many stores, restaurants and other businesses are conveniently located and provide residents with most of their day-to-day shopping needs.
- North and south of Dundas Street are primarily residential neighbourhoods. Although the majority of those neighbourhoods are made up of single detached dwellings, other forms of housing such as apartments, townhouses and semi-detached dwellings can also be found. Industrial and commercial land-uses are located on the eastern and southern edge of the neighbourhood, and adjacent to the railway tracks.
- The Argyle study area has a variety of parks and outdoor public spaces that serve as strong assets for the community. These parks and public spaces include the Kiwanis Park, East Lions Park, Nelson Park, Admiral Park, Mildred Barons Park, Bonaventure Meadows Park, and the recently enhanced Vimy Ridge Park.
- The former London Psychiatric Hospital (LPH) lands is a unique 160-acre heritage-property, and one of the largest available development sites within London. The LPH lands are designated as a Transit Village in The London Plan, meaning an exceptionally designed, high density, mixed-use urban neighbourhood connected by rapid transit to the Downtown and other Transit Villages.

2.0 Stakeholder Consultation

2.1 Consultation Activities

Community consultation has been a significant part of this project, and many people were involved in a number of ways. The section below provides a summary of the communication and consultation conducted for this project.

- Get Involved London- Argyle Community Regeneration Study: Staff established a presence on the Get Involved Website to provide the project background, study area, regular updates, opportunities for feedback, the timeline and project contact information. The website can be found at:
<https://getinvolved.london.ca/Argyle>

- Project Updates: City Planning Staff created a contact list and emailed project updates which included information about upcoming Community Meetings, Meetings Summaries, Committee Reports, and a link to the Project webpage.
- Office hours with Planners (February 20 and 27, 2020): Planning Staff hosted an opportunity to find out more about the study and provide input during 'office hours' in the East London Library.
- Argyle Community Association Meeting (March 9, 2020): Staff provided a presentation on the progress of the Argyle Area Regeneration Study and answered questions. Of particular interest were the upcoming infrastructure projects and community events.
- Argyle BIA Meeting (March 12, 2020): Staff provided an overview of the study, work done so far and received feedback from the BIA members and Councillor Shawn Lewis. There was a discussion about street calming measures, transit routes, and the necessity for a pedestrian crossover on Dale Street and Doulton Street.
- Virtual Community Information Meeting (November 5, 2020). Staff provided an update of the Argyle Regeneration Study so far, receive feedback from participants and presented next steps to members of the public through the online platform, Zoom.

2.2 Consultation Summary

Through the Argyle Community Regeneration Study Staff identified perceived strengths, weaknesses, opportunities and threats for the Argyle area, a short summary is provided here:

Stakeholders feel that Argyle's greatest strengths are the variety of businesses, sense of community and the mature and established nature of the neighbourhood. The range of independently owned and operated businesses and the fact that many people are able to meet their shopping needs locally are also seen as strengths.

Although Argyle is seen as a unique and strong community, Argyle does exhibit some characteristics of economic, social or physical issues. Educational attainment and household income are lower in Argyle than city-wide and the average age of housing is higher. Stakeholders identified concerns with substance abuse, mental health issues, drug paraphernalia, crime and people sleeping rough as key issues. Others commented that there is a need for more affordable housing, better police enforcement, improved transit connections and a better quality public realm.

In terms of opportunities, the potential for infill development and redevelopment was highlighted. The population in Argyle has been largely stable in the last decades. In light of the aging population and low vacancy rates, there is a clear need for more housing development, especially units below average market rent or aimed at seniors. In addition, the building stock requires some improvements, as some landlords and business owners have difficulty keeping their properties in fair condition as the properties are getting older. Other opportunities identified by stakeholders include the desire to establish a clear identity, maintain cultural heritage, and develop the Dundas Corridor as a traditional pedestrian focused Main Street environment and a focal point for the community and events.

General development pressures and the development of the former Psychiatric Hospital Lands are seen as threats to businesses and to the existing character of Argyle. Stakeholders commented that without support for small businesses and entrepreneurs, and improved accessibility, Argyle will struggle to maintain the current level of businesses. The lack of a coordinated approach to business support and attraction, and the goal to foster a broader range of uses in the Argyle Area were highlighted as issues requiring action.

3.0 New Information since the Update Report

The [Argyle Regeneration Study Update](#) report, presented to Planning and Environment Committee on August 10, 2020, contained a comprehensive Community Profile of the Argyle area, as well as outlining public and private investment in the area. The following sections **present new information that has been gathered since the August report.**

3.1 Update on Development and Building Permits in Argyle

During the Planning & Environment Committee meeting, it was pointed out that the city-wide building permit data includes greenfield areas, which tend to see more development than the built up areas of the city. As development in the Argyle area would be considered infill, the building permit data, provided below, now compares development activity in Argyle with the Built Area Boundary, as opposed to city-wide.

Table 1: Building Permits – Argyle vs. Built Area Boundary (2015 -2020)

	Built Area Boundary	Argyle Area	Argyle BIA
# Permits	22,400	536	68
Permit Density	1.26 permits / ha	0.43 permits / ha	0.79 permits / ha

Between January 1, 2015 and October 31, 2020, a total of 536 building permits were issued in Argyle, and 68 of these permits occurred in the Argyle BIA. In the same

timeframe, 22,400 permits were issued in the Built Area Boundary city-wide. This results in 1.26 permits per hectare in the Built Area Boundary, compared to 0.43 permits per hectare for the Argyle Area and 0.79 permits per hectare for the Argyle BIA. Overall, there was less building activity in Argyle, compared to the rest of the Built Area Boundary. It can also be concluded that within Argyle relatively more building activity concentrated along the Dundas Corridor than in the rest of Argyle.

3.2 Infrastructure Projects

Additional infrastructure renewal projects in Argyle that were not identified in the August report have progressed in various stages of design and implementation during the summer and fall of 2020, including:

- Churchill Avenue, Winnipeg Boulevard and Wavell Street Reconstruction;
- Jena Crescent Infrastructure Renewal Project;
- Saskatoon Street;
- Seaforth Court;
- Spruce Street and Haig Street.
- Park projects in Kiwanis Park, East Lions Park, Vimy Ridge and Mildred Barons.

3.3 Impact of COVID-19 on Argyle Businesses

A new reality that emerged during the Argyle Regeneration Study process is the ongoing pandemic of Coronavirus 2019 (COVID-19). Due to the Provincial state of emergency, closures of non-essential businesses, social distancing, and other health precautions, the Dundas Street corridor saw significantly less traffic and clientele during the spring and early summer of 2020. According to the Argyle BIA, the traffic volumes have rebounded since the months of July and August, and visiting patterns are now somewhat similar to pre-COVID levels. This is partly explained by the dependence on vehicular traffic in Argyle, compared to more foot traffic in other BIA's in London.

Interestingly, it seems that in Argyle some large, chain businesses have closed, while smaller independent retailers remain open. The Pennington's, Moore's and Hallmark stores have shut down, resulting in some vacant storefronts in the Argyle Mall. On the other hand, eight new businesses in a variety of sectors have opened in Argyle during the COVID-19 pandemic. The relatively large amount of businesses deemed essential (such as food services, professional services and car repair/dealerships) in Argyle and more affordable commercial rents have contributed to the resilience of Argyle businesses. However, business owners note a significant increase in petty crimes, disruptive behavior, vandalism (graffiti tagging), homelessness and garbage accumulation along Dundas Street. These secondary effects of COVID-19 are challenging for businesses and local residents and are an indication that a CIP in Argyle is warranted.

4.0 What is a Community Improvement Plan?

4.1 Planning Act

Community improvement plans are intended to provide City Council with the necessary tools to stimulate reinvestment and redevelopment, inspire appropriate infill and intensification, coordinate planning efforts, improve physical infrastructure, support community economic development, preserve neighbourhood and cultural heritage value, and lead to the establishment of an improved neighbourhood. In accordance with the provisions of Section 28 of the *Planning Act*, a by-law may be passed to designate a geographic area of a municipality as a community improvement project area.

A community improvement project area is “an area within a municipality, the community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environment, social or community economic development reason.”

4.2 London Plan

The London Plan provides further criteria with which to evaluate the need for a CIP. To identify an area for community improvement, City Council shall consider the following criteria:

1. Deficiencies in physical infrastructure including but not limited to the sanitary sewer system, storm sewer system, and/or watermain system, streets, sidewalks, curbs, streetscapes and/or street lighting, and municipal parking facilities.
2. Deficiencies in recreational, social or community facilities including public open space, municipal parks, neighbourhood parks, indoor/outdoor recreational facilities, and public social facilities.
3. Commercial, residential, industrial and mixed-use areas with poor physical condition and/or poor visual quality of the built environment, including but not limited to building facades, building condition, streetscapes, public amenity areas and urban design.
4. Vacant lots and/or underutilized properties and buildings which have potential for infill, redevelopment, expansion or development to better utilize the land base.
5. Non-conforming, conflicting or incompatible land uses or activities that disrupt the predominant land use, function and/or viability of an area.
6. A demonstrated interest in community improvement by the private firms within an area.
7. Presence of potential or recognized cultural heritage resources.
8. Known or suspected areas of environmental contamination.
9. Lack or deficient affordable housing or mix of housing opportunities.
10. Improvement to energy efficiency and/or renewable energy efficiency.
11. Traffic and/or parking problems or deficiencies.
12. Other significant barriers to the repair, rehabilitation, redevelopment or development of underutilized land and/or buildings.

13. Other significant environmental, social or community economic development reasons for community improvement.

4.3 CIP Tools

A CIP is an implementing mechanism that gives Council the authority to make targeted investment of municipal resources to an area designated for community improvement. A CIP could be considered a toolkit and some of the tools may include, financial incentives programs; the acquisition and disposal of land; and the prioritization of municipal activities such as plans, programs and projects within a community improvement project area. Council has the ability to turn on and off various programs through the allocation of Multi-Year Budget funding.

5.0 Rationale for Community Improvement

Based on analysis of stakeholder feedback, provincial legislation, existing planning framework, available tools and programs, current and planned projects, and the types, rates and levels of private-sector investment, Staff are satisfied that a Community Improvement Plan study for the Argyle Study area is warranted, including for the following reasons:

- The Dundas Street corridor and surrounding area can be described as an area in relatively poor condition; with an older building stock that was predominantly built before 1980, lack of landscaping and street trees in the streetscape, and significant issues around upkeep, security, littering and vandalism (graffiti). In addition, business-owners and residents have identified Dundas Street as an unpleasant public realm, especially for pedestrians and public transit users. There are few places to sit, limited pedestrian crossings, garbage bins and/or transit amenities, and the large amount of hydro poles and numerous private driveway entrances further detract from the public realm.
- Although within Argyle relatively more building activity is concentrated along the Dundas Corridor, it can be concluded that there is less building activity density in Argyle and the Argyle BIA-area compared to the rest of the urban area of the city. There is a clear opportunity to redevelop and expand commercial, residential and employment options in Argyle and provide appropriate infill along Dundas Street, Clarke Road and on the London Psychiatric Hospital Lands. Financial and planning tools should be considered to incentivize quicker redevelopment.
- Argyle is a unique mixed-use area with significant amounts of commercial and industrial land uses. Especially along Clarke Road, First Street and Second Street, industrial and commercial industrial activities could threaten the surrounding residential character and amenity. A detailed analysis of the existing zoning and land use context could help to increase the viability and sustainability of these residential neighbourhoods by preventing adverse impacts from noise, odor and congestion and identifying opportunities for sensitive intensification.

- There is a strong need for more and better quality affordable housing in the Argyle area. The neighbourhood used to be known as more affordable and an area where young families could enter the housing market. This is rapidly changing, resulting in increasing average sold prices, low housing inventory and vacancy rates, and unfortunately also an increasing population of people experiencing homelessness. The lack of rent-geared-to-income housing and opportunities to age-in-place for senior residents are another indication of a need for more stable, and affordable housing options in Argyle.
- The older building stock in the area, with 70% built before 1980, indicates an opportunity to improve the energy efficiency of residential, institutional, commercial and industrial properties. This is further highlighted by the average residential electricity use & gas usage (measured in 2014), with Argyle predominantly in the red zones, meaning the highest 20% use (far above City average).
- The new East Lions Community Center is nearing completion and will provide a range of programs and services to the local neighbourhood and serve as a regional destination for indoor aquatics. However, during this study, Staff received a number of concerns and questions from residents about the availability, accessibility and affordability of future recreational programs, especially for teenagers and seniors.
- The Argyle study area is experiencing deficiencies in the physical infrastructure. The pavement quality index on some streets is in poor to very poor condition, some streets are missing sidewalks and/or streetlights, and upgrades to sanitary services are necessary and on-going. Existing City programs do deal with infrastructure upgrade and renewal and the CIP study will provide an opportunity for the public to outline their preferences and priorities in the Argyle area.
- Argyle has significant areas with known environmental contamination, and some have undergone remediation measures, such as the large removal contaminated soil, sediment and debris from the former General Electric facility. More recently, the UTRCA released a Watershed Report Card for the Pottersburg Creek. Both the surface water quality and forest conditions were graded with a D (poor), which shows the necessity for more conservation efforts on private and public lands.
- Due to the high traffic volumes on major corridors such as Dundas Street, Highbury Avenue, Oxford Street, Clarke Road, Trafalgar Street and Veterans Memorial Parkway, automobile traffic patterns and congestion are an issue in Argyle. Many stakeholders raised concerns with the adverse impacts of congestion, such as time delays, increases in different forms of pollution, and frustrating driving conditions. The planned East Link of the Bus Rapid Transit system, additional sidewalks and bike lanes will alleviate some of the traffic issues in Argyle and shift to more sustainable and clean transportation options as an alternative to car-use. However, active transportation can only be a real

alternative if the public realm is more attractive, pleasant and safe for all residents.

Recommendations and Next Steps

6.0 Recommendations

This report recommends that a Community Improvement Plan for the Argyle area be undertaken, and that any funding requirements to support future Community Improvement initiatives be considered as part of a comprehensive review of funding levels for all CIP programs, prior to the 2024-2027 Multi Year Budget process.

7.0 Next Steps

The development of the Argyle CIP will be added to the City Planning work plan to be initiated in 2021. The following outlines the next steps and deliverables going forward:

7.1 Continue Engagement

Building on the existing research and consultation to date, Staff will continue to work with the Argyle BIA, other community partners and stakeholders. A communication and engagement plan will be developed for future consultation opportunities. The community will be involved in identifying a vision for Argyle, community improvement goals and specific improvement initiatives through future engagement activities.

Given the current COVID-19 pandemic, creative engagement strategies and techniques will need to be considered to reach everyone in the community.

7.2 Community Improvement Plan

Through previous community improvement plan studies, Staff have found the process to be a great opportunity to prompt community interest and organization, educate the public on existing and upcoming projects and programs and develop community revitalization initiatives. However, many of the ideas and initiatives that often come out of these discussions do not actually require a CIP for implementation.

For this reason, Staff will endeavour to work with the community to identify and organize those initiatives that do not require a CIP to be brought forward as a Community Action Plan. This will bring together the community's vision and goals, provide information on existing City programs, and organize a list of initiatives that can be implemented outside of a CIP, by community partners, the BIA and as opportunities arise through public and private projects.

The CIP study will be developed to designate an area for community improvement, and develop the Community Improvement Plan for that area in order to access municipal funding for any proposed programs or initiatives that do require a CIP. Staff will ensure the Argyle CIP includes baseline data, measures of success for any CIP programs, as

well as metrics and targets to monitor municipal investment in any proposed programs.

7.3 Review and Recommendation of CIP Funding

In 2016 and 2017, a comprehensive review of existing CIP incentive programs was conducted and Council directed updates and revisions to many of the existing programs and funding levels. Included within that Council resolution, it is noted that funding for the existing programs will expire no later than December 31, 2023, pending a Municipal Council review of the program results to be provided prior to the adoption of the 2024-2027 Multi-Year Budget.

Therefore, Staff is recommending that funding for any potential incentive programs or other financial requirements in the Argyle CIP be considered through the comprehensive review of funding levels for all CIPs prior to the next (2024-2027) Multi-Year Budget.

Conclusion

Based on the Argyle Area Regeneration Study consultation and research, it is recommended that a Community Improvement Plan for the Argyle area be undertaken. The Argyle area does exhibit some characteristics of economic, social or physical decline. The Dundas Street corridor has opportunities for appropriate infill and intensification which could assist in the revitalization of the area. A CIP can provide the necessary tools to improve some of the key concerns identified by residents including the quality of the public realm, incentivizing intensification and redevelopment and improving connectivity between neighbourhoods and commercial areas. As part of the community consultation, a Community Action Plan to describe initiatives that can be implemented without the need of a CIP may also be developed.

Prepared by: Isaac de Ceuster,
Planner I, Urban Regeneration
Submitted by: Britt O'Hagan, MCIP, RPP
Manager, City Building and Design
Recommended by: Gregg Barrett, AICP
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

December 7, 2020

IdC

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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: Application By: Whiterock Village Inc.
3087 White Oak Road
Removal of Holding Provisions (h, h-100, h-161 & h-227)

Meeting on: December 14, 2020

Recommendation

That, on the recommendation of the Director, Development Services, based on the application of Whiterock Village Inc. relating to the property located at 3087 White Oak Road the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on January 12, 2021 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning of 3087 White Oak Road **FROM** a Holding Residential R1 Special Provision (h-h-100-h-161-R1-3 (21)) Zone, a Holding Residential R1 Special Provision h-h-100-h-161-R1-3 (22) Zone **TO** a Residential R1 Special Provision R1-3 (21) Zone, and a Residential R1 Special Provision (R1-3 (22)) Zone to remove the h, h-100, h-161 and h-227 holding provisions.

Executive Summary

Summary of Request

The applicant has requested the removal of the h, h-100, h-161 and h-227 holding provisions from 3087 White Oak Road, which are in place to ensure the subdivision is developed in accordance with a development agreement and adequate provisions of municipal services for the 72 single detached lots.

Purpose and the Effect of Recommended Action

The purpose and effect of this zoning change is to remove the h, h-100, h-161 and h-227 holding symbols to permit the development of 72 single detached dwelling lots.

Rationale of Recommended Action

1. The conditions for removing the holding (h, h-100, h-161 and h-227) provisions have been met and the recommended amendment will allow development of 72 single detached dwelling lots in compliance with the Zoning By-law.
2. Through the subdivision approval process the required security has been submitted to the City of London, the execution of the subdivision agreement is imminent, servicing and access arrangement are in place and the h, h-100, h-161 and h-227 holding provisions are no longer required.

Analysis

1.0 Background Information

In June of 2003, the North Longwoods Area Plan (NLAP) was prepared for 106 hectares (262 acres) of land bounded by Wharncliffe Road S, Southdale Road E, White Oaks Road and the future Bradley Avenue extension. The NLAP was created to respond to development demands in the area, and re-designated the lands from “Urban Reserve – Community Growth”.

The NLAP was a coordinated approach to the future development in the area, and was based on a comprehensive review of various background studies such as: Land Needs Requirement Study; Community Facilities Report; Archaeological Resources and Built Heritage; Natural Heritage Review; Municipal Services Study and Traffic and Transportation Report. The area plan resulted in direction for a mix of residential, commercial and industrial uses, as well as community infrastructure such as streets, a stormwater management facility and park uses.

The Southwest London Area Plan (SWAP) was initiated in 2009 and presented to Planning Committee on April 26, 2010. The Area Plan was intended to provide a comprehensive land use plan, servicing requirements and a phasing strategy for future development within the Urban Growth Area south of Southdale Road, east of Dingman Creek and north of the Highway 401/402 corridor. On November 20, 2012, Municipal Council passed By-Law No. C.P.-1284-(st)-331 to approve Official Plan Amendment 541 (relating to the Secondary Plan). The plan (with amendments) was approved by the Ontario Municipal Board on April 29, 2014. The subject site appears to have been re-designated through SWAP. The lands are currently designated Low Density Residential.

The subject site is vacant and represents some of the last undeveloped land within the study area. The adopted land use concept for the subject site allows low density and medium density residential uses, and Restricted Service Commercial uses on Southdale Road East.

On June 4, 2019 the Zoning By-law Amendments, and the proposed plan of subdivision went before the Planning and Environment Committee and were later passed by Municipal Council on June 11, 2019. Notice of Decision for Approval of Draft Plan of Subdivision was issued on July 22, 2019. The registration of the Plan of Subdivision and Subdivision Agreement is imminent.

1.1 Previous Reports Related to this Matter

May 12, 2003 – Planning Committee – Application by City of London – North Longwoods Area Plan – relating to lands bounded by Southdale Road E, Wharncliffe Road S, White Oak Road and Bradley Avenue extension (O-6424).

April 26, 2010 - Planning and Environment Committee –The Southwest London Area Plan (SWAP) - to provide a comprehensive land use plan, servicing requirements and a phasing strategy for future development within the Urban Growth Area south of Southdale Road (O-7609).

June 4, 2019 - Planning and Environment Committee – Whiterock Village Inc re property located at 3087 White Oak Road – Application for Approval of Draft Plan of Subdivision, Zoning By-law Amendments (39T-18505/Z-8980)).

1.2 Property Description

The site is addressed as 3087 White Oak Road and is located on the south of Southdale Road West. The subject site is comprised of 72 single detached dwelling lots, and two (2) medium density residential blocks (block 100 and 101), in one phase. There are existing residential uses to the west, east and south, and commercial uses to the north. The development for consideration is for the 72 single detached dwelling lots. The site is to be developed with municipal services and vehicular access from Southdale Road West and White Oak Road.

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

- The London Plan Place Type – Neighbourhoods and Shopping Area
- Official Plan Designation – Low Density Residential (LDR), Multi-Family, Medium Density Residential (MFMDR), and Auto-Oriented Commercial Corridor (AOCC)
- Existing Zoning – Holding Residential R1 Special Provision (h*h-100*h-161*h-227*R1-3 (21)) Zone, a Holding Residential R1 Special Provision h*h-100*h-161*R1-3 (22) Zone

1.4 Site Characteristics

- Current Land Use – vacant
- Frontage – 33m frontage along White Oak Road and 20m frontage along Southdale Road East
- Depth – varies
- Area – 6.41ha
- Shape – Irregular

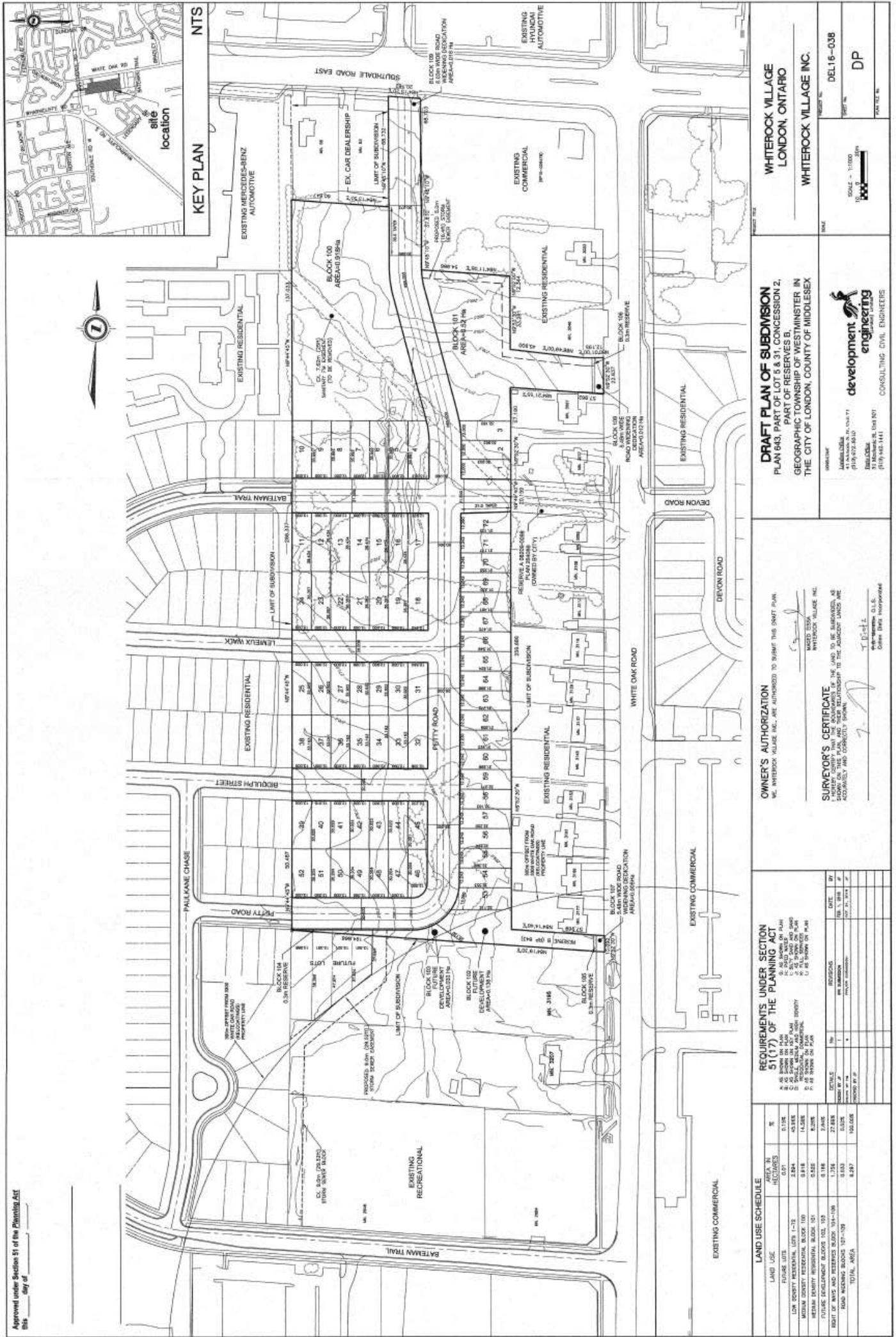
1.5 Surrounding Land Uses

- North – Commercial
- East – Residential
- South – Residential, Commercial and Industrial
- West – Residential

1.6 Location Map



1.7 Draft Plan of Subdivision



2.0 Discussion and Considerations

The proposed application is to remove the h, h-100, h-161 and h-227 holding provisions from the lands that ensures for the orderly development of land and for the provision of municipal services for water, sanitary and storm along with appropriate access and a development agreement shall be entered into to the satisfaction of the City. The removal of the h, h-100, h-161 and h-227 holding provisions will allow for the construction of 72 single detached homes.

3.0 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 special provisions have been endorsed by Council and the owner has provided the necessary security and executed the subdivision agreement. This satisfies the requirement for removal of the “h” holding provision.

h-100 Holding Provision

The (h-100) holding provision states that:

“To ensure there is adequate water services and appropriate access, no more than 80 units may be developed until a looped watermain system is constructed and there is a second public access available to the satisfaction of the City Engineer, prior to the removal of the h-100 symbol.”

The subdivision servicing drawings were previously reviewed and accepted by the City. Whiterock Village Inc. has constructed the looped water system and has received clearance from Environmental and Engineering Services. A second public access through Southdale Road West to Petty Road is also available. This satisfies the requirement for removal of the “h-100” holding provision.

h-161 Holding Provision

The (h-161) holding provision states that:

“To ensure the proposed stormwater management system servicing serving this subdivision is constructed and operational, the holding provision shall not be deleted until these works have been completed to the satisfaction of the City.”

The conditional clearance of the Plan of Subdivision and Subdivision Agreement is forthcoming. The services have been constructed per the approved plans, inspected and videoed to the City’s satisfaction. Engineering drawings have been submitted and accepted by the City demonstrating how stormwater management system servicing serving this subdivision will be accommodated on the site. All the requirements for the removal of the “h-161” holding provision has been accepted to the satisfaction of the City.

h-227 Holding Provision

The (h-227) holding provision states that:

“Ensures the orderly development of land and the adequate provision of municipal services, the “h-__” symbol shall not be deleted until the sanitary forcemain has been relocated to the future municipal right-of-ways, all to the satisfaction of the City Engineer.”

The new municipal sanitary forcemain has been constructed in accordance with the approved plans. . The requirements for the removal of the “h-227” holding provision has been accepted to the satisfaction of the City Engineer.

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

Conclusion

It is appropriate to remove the “h, h-100, h-161 and h-227” holding provisions from the subject lands at this time as a second public road access and water looping has been provided and the required security has been submitted to the City of London. The sanitary forcemain has been relocated to the future municipal right-of-way. The requirements of the holding provisions has been satisfied and the removal of the holding provisions is appropriate and recommended to Council for approval.

Prepared by:

**Sean Meksula, MCIP RPP
Senior Planner, Development Services**

Submitted by:

**Paul Yeoman, RPP PLE
Director, Development Services**

Recommended by:

**George Kotsifas, P.ENG
Managing Director, Development and Compliance
Services and Chief Building Official**

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

SM/sm

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Appendix A

Bill No. (Number to be inserted by Clerk's Office)
2020

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 3087 White Oak Road.

WHEREAS Whiterock Village Inc. have applied to remove the holding provisions from the zoning for the lands located at 3087 White Oak Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provisions from the zoning of the said 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 3087 White Oak Road, as shown on the attached map comprising part of Key Map No. 111, to remove the h. and h-100 holding provisions so that the zoning of the lands as a Residential R1 Special Provision R1-3 (21) Zone, and a Residential R1 Special Provision (R1-3 (22)) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

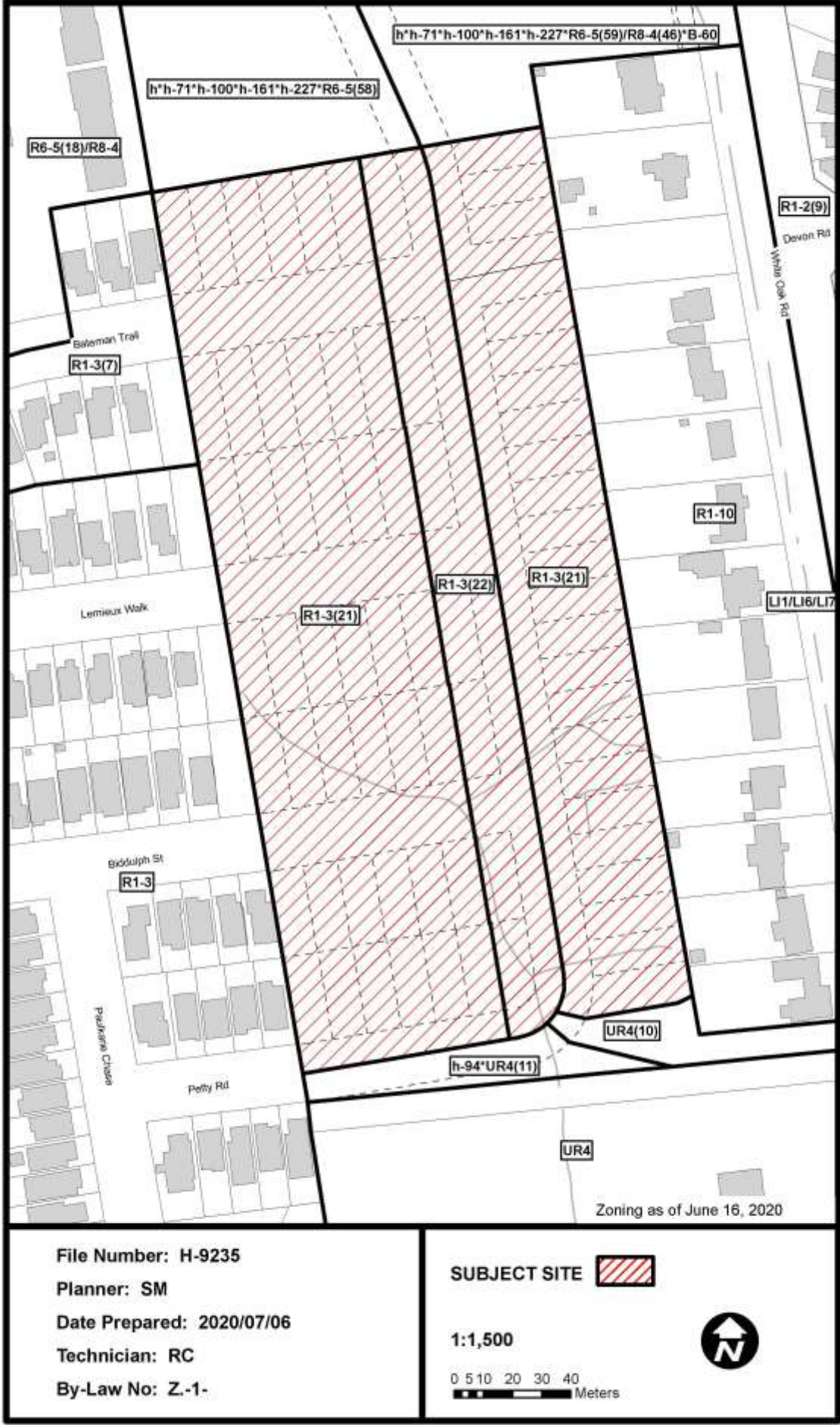
PASSED in Open Council on January 12, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading - January 12, 2021
Second Reading – January 12, 2021
Third Reading - January 12, 2021

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



Appendix B – Public Engagement

Community Engagement

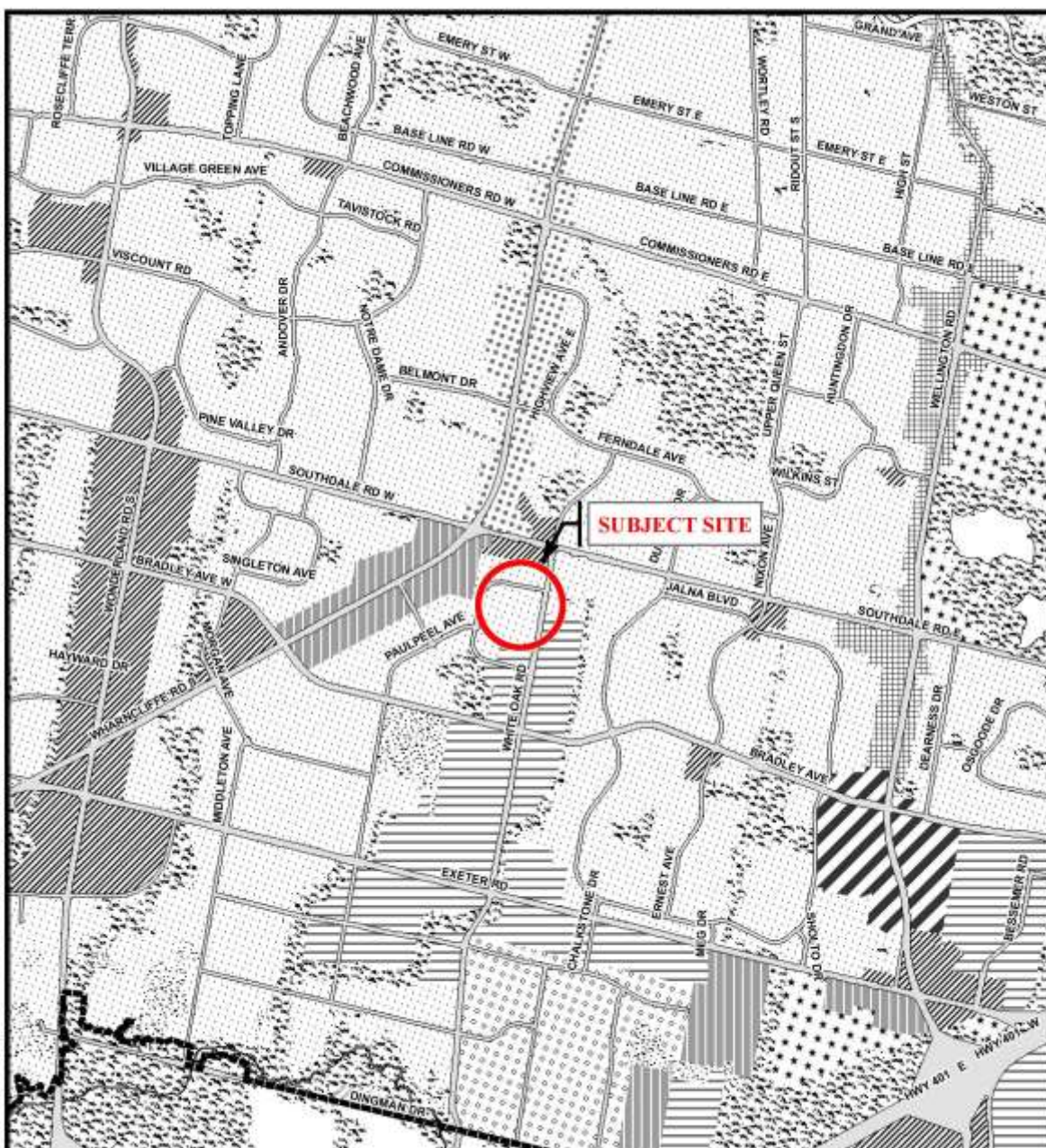
Public liaison: Notice of the application was published in the Londoner on July 15, 2020

0 replies were received

Nature of Liaison: City Council intends to consider removing the “h”, “h-100”, “h-161” & “h-227”, Holding Provision’s from the zoning of the subject lands. The purpose and effect of this zoning change is to remove the holding symbols to permit the future residential development of the subject lands. The removal of the holding provision(s) is contingent on: 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 purpose of the “h-100” provision is 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. The purpose of the “h-161” provision ensures the proposed stormwater management system servicing serving this subdivision is constructed and operational, the holding provision shall not be deleted until these works have been completed to the satisfaction of the City. The “h-227” symbol ensures the orderly development of land and the adequate provision of municipal services, the “h-__” symbol shall not be deleted until the sanitary forcemain has been relocated to the future municipal right-of-ways, all to the satisfaction of the City Engineer. Council will consider removing the holding provisions as it applies to these lands no earlier than August 10, 2020.

Appendix C – 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 consolidation of Map 1 - Place Types of the London Plan, with added notations.

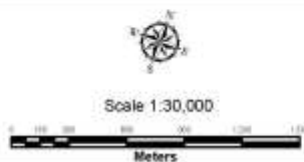
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

Planning Services /
Development Services

LONDON PLAN MAP 1 - PLACE TYPES -

PREPARED BY: Planning Services



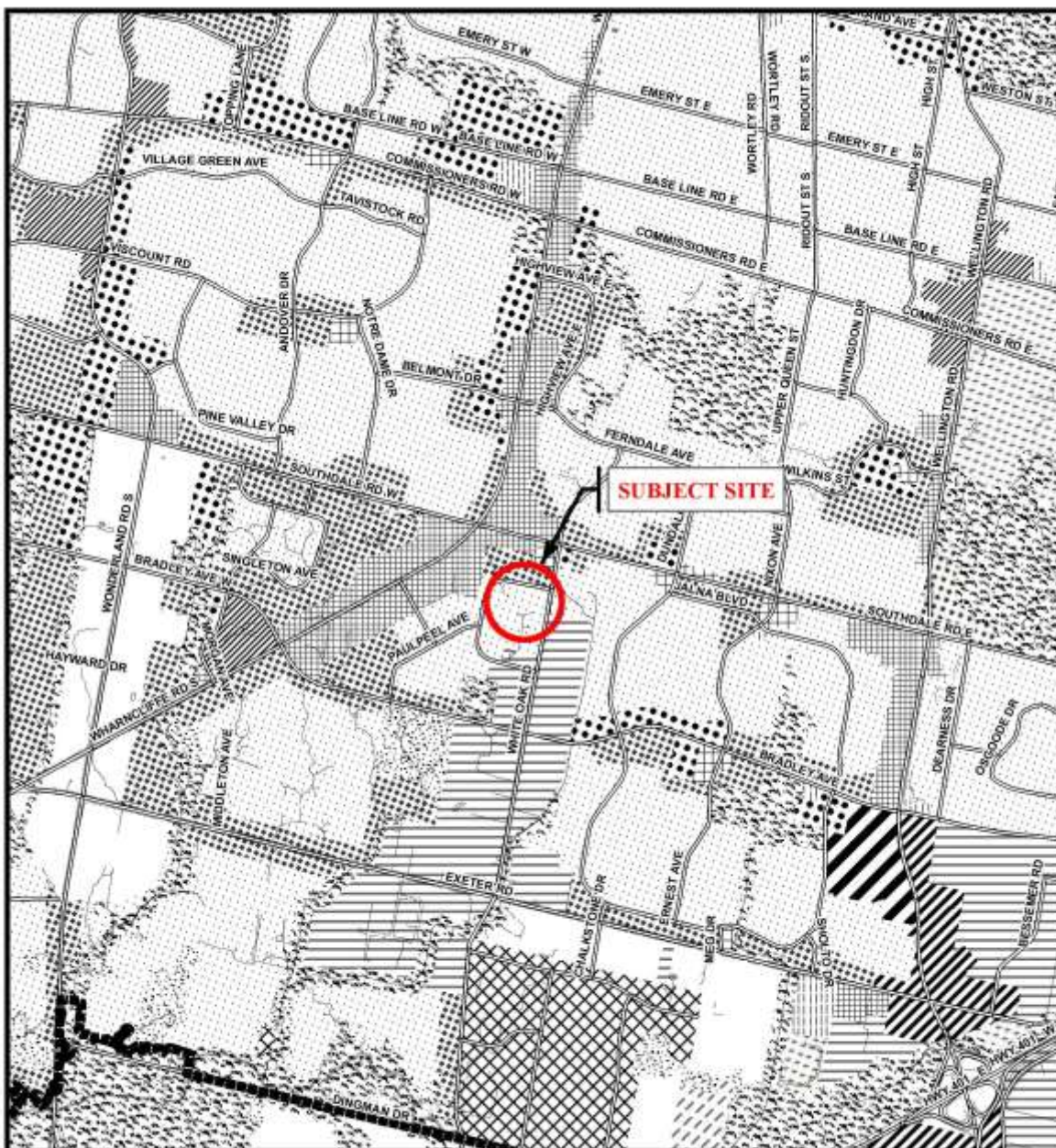
File Number: H-9235

Planner: SM

Technician: RC

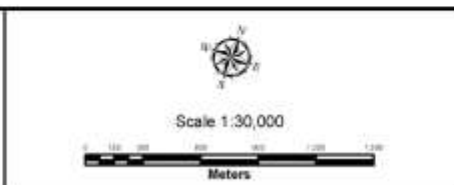
Date: July 6, 2020

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

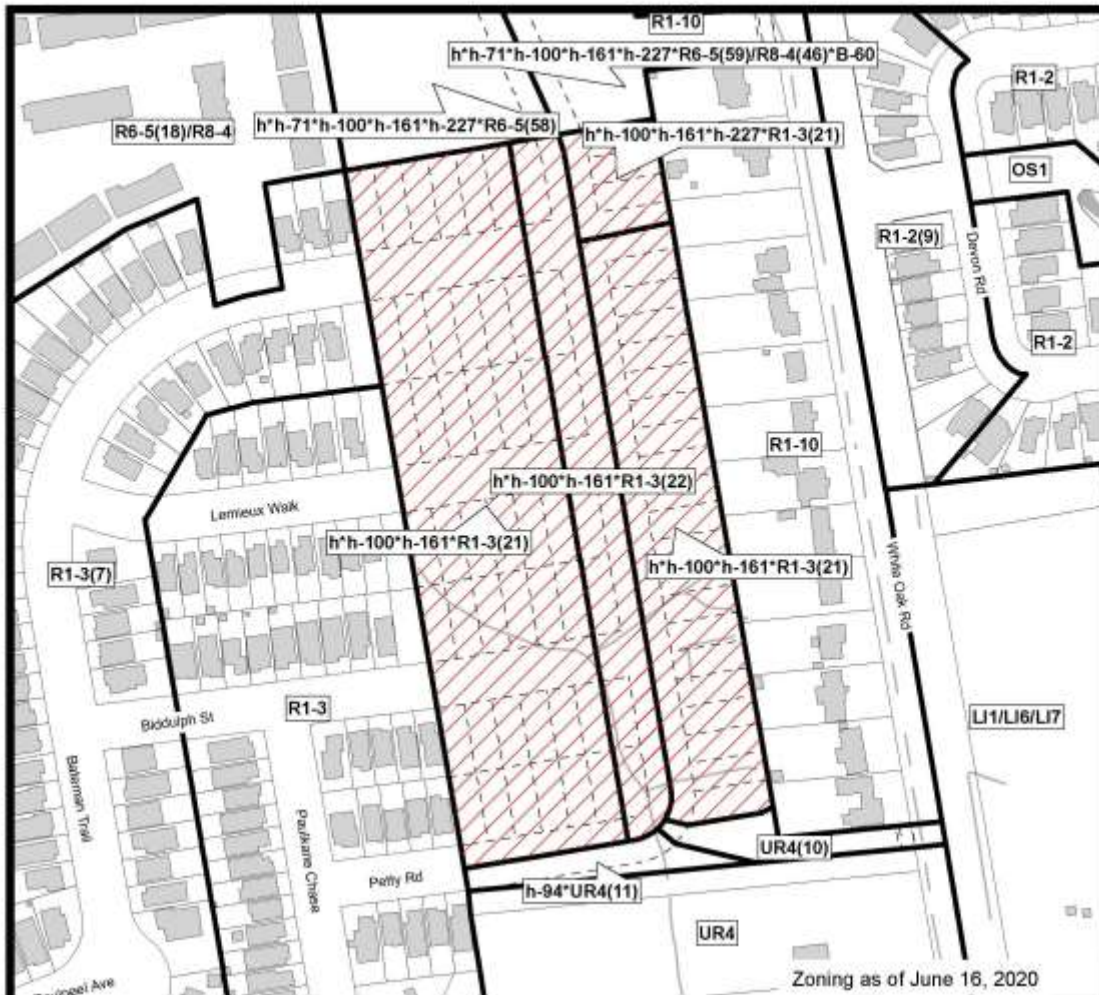
CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -
 PREPARED BY: Graphics and Information Services



FILE NUMBER: H-9235
 PLANNER: SM
 TECHNICIAN: RC
 DATE: 2020/07/06

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\conso\00\excerpts\mxd_templates\scheduleA_NEW_b&w_8x14.mxd

Existing Zoning Map



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- R1 - SINGLE DETACHED DWELLINGS
- R2 - SINGLE AND TWO UNIT DWELLINGS
- R3 - SINGLE TO FOUR UNIT DWELLINGS
- R4 - STREET TOWNHOUSE
- R5 - CLUSTER TOWNHOUSE
- R6 - CLUSTER HOUSING ALL FORMS
- R7 - SENIOR'S HOUSING
- R8 - MEDIUM DENSITY/LOW RISE APTS.
- R9 - MEDIUM TO HIGH DENSITY APTS.
- R10 - HIGH DENSITY APARTMENTS
- R11 - LODGING HOUSE

- DA - DOWNTOWN AREA
- RSA - REGIONAL SHOPPING AREA
- CSA - COMMUNITY SHOPPING AREA
- NSA - NEIGHBOURHOOD SHOPPING AREA
- BOC - BUSINESS DISTRICT COMMERCIAL
- AC - ARTERIAL COMMERCIAL
- HS - HIGHWAY SERVICE COMMERCIAL
- RSC - RESTRICTED SERVICE COMMERCIAL
- CC - CONVENIENCE COMMERCIAL
- SS - AUTOMOBILE SERVICE STATION
- ASA - ASSOCIATED SHOPPING AREA COMMERCIAL

- OR - OFFICE/RESIDENTIAL
- OC - OFFICE CONVERSION
- RO - RESTRICTED OFFICE
- OF - OFFICE

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

- OS - OPEN SPACE
- CR - COMMERCIAL RECREATION
- ER - ENVIRONMENTAL REVIEW

- OB - OFFICE BUSINESS PARK
- LI - LIGHT INDUSTRIAL
- GI - GENERAL INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- EX - RESOURCE EXTRACTIVE
- UR - URBAN RESERVE

- AG - AGRICULTURAL
- AGC - AGRICULTURAL COMMERCIAL
- RRC - RURAL SETTLEMENT COMMERCIAL
- TGS - TEMPORARY GARDEN SUITE
- RT - RAIL TRANSPORTATION

- "H" - HOLDING SYMBOL
- "D" - DENSITY SYMBOL
- "H" - HEIGHT SYMBOL
- "B" - BONUS SYMBOL
- "T" - TEMPORARY USE SYMBOL

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

H-9235

SM

MAP PREPARED:

2020/07/06

RC

1:2,500

0 12.525 50 75 100
Meters

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Removal of Holding Provision
Norquay Developments
1093 Westdel Bourne

Date: December 14, 2020

Recommendation

That, on the recommendation of the Director, Development Services, the following action be taken with respect to the application of Norquay Developments relating to a portion of the lands located at 1093 Westdel Bourne, the proposed by-law attached hereto as Appendix “A” **BE INTRODUCED** at the Municipal Council meeting on January 12, 2021 to amend Zoning By-law Z.-1, in conformity with the Official Plan, to change the zoning of the lands **FROM** a holding Residential R1 (h.h-82*R1-4) **TO** a Residential R1 (R1-4) Zone to remove the holding provisions.

Executive Summary

Summary of Request

The applicant has requested the removal of the “h” and “h-82” holding provisions from 1093 Westdel Bourne which is in place to ensure orderly development, and that there is a consistent lotting pattern in the area.

Purpose and the Effect of Recommended Action

The purpose and effect is to remove the “h” and “h-82” holding symbols to facilitate the development single detached dwelling lots within the Eagle Ridge approved plan of subdivision (33M-768).

Rationale of Recommended Action

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

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject lands are located on the west side of Westdel Bourne, north of Oxford Street West, south of Linkway Boulevard. The subject lands are located within the Riverbend Planning District, and within the Riverbend Area Plan prepared by the Planning and Development Department in April of 1998, and updated in June of 2001. As part of that Area Plan these lands were identified for future residential development and designated “Low Density Residential”.

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

- The London Plan Place Type – Neighbourhoods Place Type
- (1989) Official Plan Designation – Low Density Residential
- Existing Zoning – Holding Residential R1 (h.h-82.R1-4) Zone

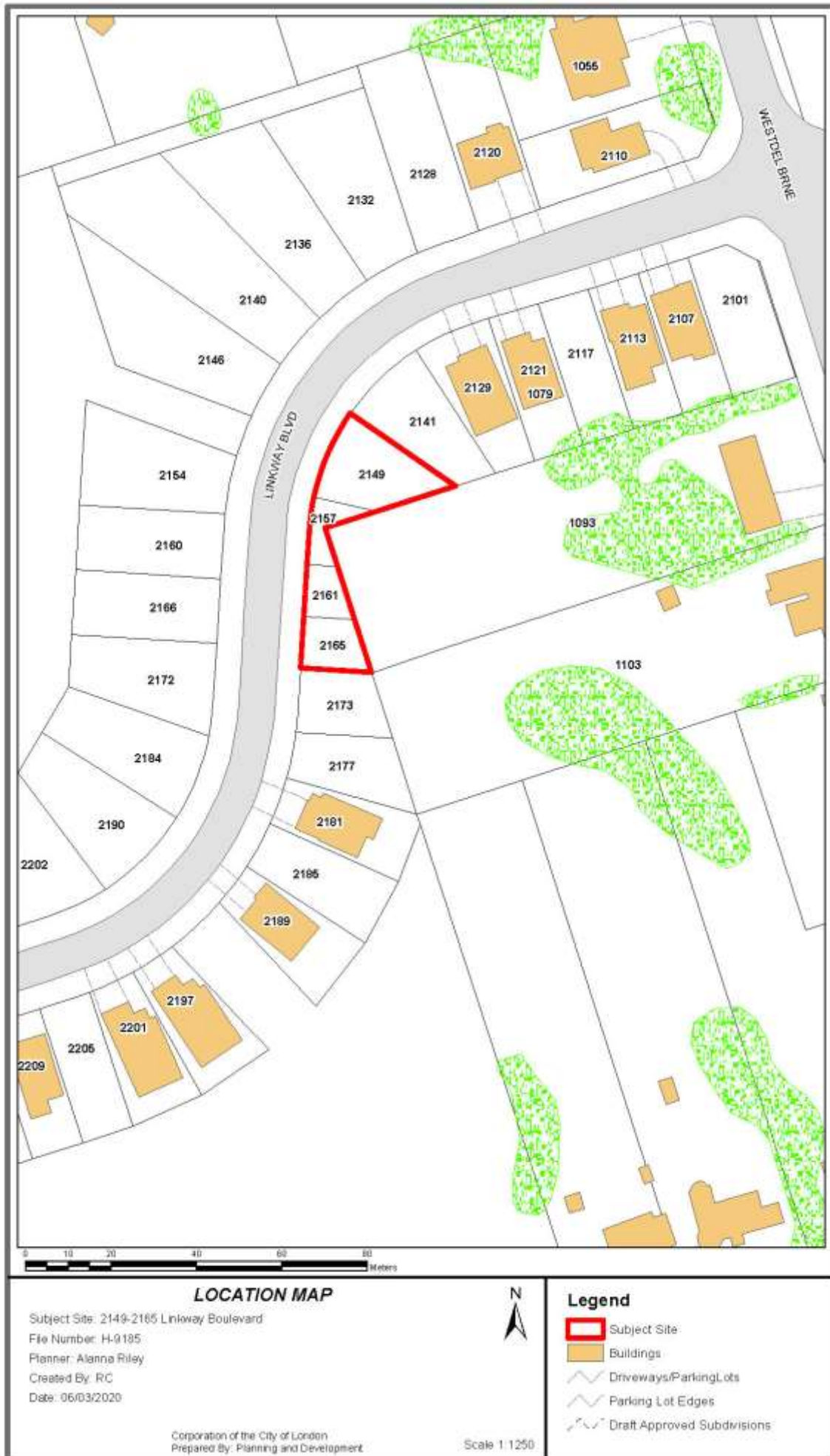
1.3 Site Characteristics

- Current Land Use – single detached dwelling on a large estate lot
- Frontage – N/A
- Depth – N/A
- Area – N/A
- Shape – irregular

1.4 Surrounding Land Uses

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

1.5 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The future development of this site consists of single detached dwellings in an existing plan of subdivision, with vehicular access from Linkway Boulevard.

Figure 1: Area holding provisions are proposed to be removed



3.0 Relevant Background

3.1 Planning History

The subject property is comprised of 5 blocks within the Eagle Ridge Subdivision, which was registered as Plan 33M-758. In 2018, these lands were rezoned and included the “h” and “h-82” holding provisions to ensure orderly development and to facilitate consolidation with adjacent lands in the form of single detached residential lots. The “h-82” provision requires that the part lots be consolidated with the adjacent lands to create full-sized, developable lots.

On December 13, 2019, The City of London Consent Authority, granted a consent (B.40/19) to sever 12.246m², 96.402m², 327.703m², 287.113m² and 169.412m² from 1093 Westdel Bourne and convey to 2141, 2149, 2157, 2161 and 2165 Linkway Boulevard for the purpose of consolidating with the blocks in the approved plan of subdivision to form single detached dwelling lots as discussed above.

3.2 Requested Amendment

The applicant is requesting the removal of the “h” and “h-82” holding provisions from the site to allow for the development of single detached dwellings.

3.3 Community Engagement

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

3.4 Policy Context

The Planning Act permits the use of holding provisions to restrict future uses until conditions for removing the holding provision are met. To use this tool, a municipality

must have approved Official Plan policies related to its use, a municipal council must pass a zoning by-law with holding provisions, an application must be made to council for an amendment to the by-law to remove the holding symbol, and council must make a decision on the application within 150 days to remove the holding provision(s). The London Plan and the 1989 Official Plan contain policies with respect to holding provisions including the process, and notification and removal procedures.

4.0 Key Issues and Considerations

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

The “h” holding provision is as follows:

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

Through the subdivision approval process the required security was submitted to the City of London, the subdivision agreement executed, and servicing and access arrangements are in place. Therefore the “h” holding provision can be removed from these lands.

The “h-82” holding provision is as follows:

Purpose: To ensure that there is a consistent lotting pattern in this area, the “h-82” symbol shall not be deleted until the part block has been consolidated with adjacent lands.

The applicant has provided the City with records of the completion and registration of the application for the remainder of the blocks to consolidate parcels to create developable lots. Therefore the “h-82” holding provision can be removed from these remaining blocks on Linkway Boulevard at this time.

Conclusion

The requirements for removing the holding provisions have been met. Given that security was provided, the subdivision agreement has been executed and the remaining blocks have been consolidated with adjacent lands, it is appropriate to consider removal of the “h” and “h-82” holding provisions from these blocks at this time.

Prepared by:	Alanna Riley, MCIP RPP, Senior Planner, Development Services
Submitted by:	Paul Yeoman, RPP, PLE Director, Developments
Recommended by:	George Kotsifas, P. ENG Managing Director, Development and Compliance Services and Chief Building Official

Appendix A

Bill No. (number to be inserted by Clerk's Office)
2021

By-law No. Z.-1-2021 _____

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for a portion of the lands located at 1093 Westdel Bourne.

WHEREAS Norquay Developments has applied to remove the holding provisions from the zoning for a portion of the the lands located at 1093 Westdel Bourne, 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 a portion of the lands located at 1093 Westdel Bourne, as shown on the attached map, to remove the holding provisions so that the zoning of a portion of the lands as a Residential R1 (R1-4) Zone comes into effect.
2. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on January 12, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – January 12, 2021
Second Reading – January 12, 2021
Third Reading – January 12, 2021

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



Geobase

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee

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

Subject: Subsections 45 (1.3) and (1.4) of the Planning Act regarding
the two-year freeze on Minor Variances following a privately
initiated Zoning Amendment.

Date: December 14, 2020

Recommendation

That, on the recommendation of the Director, Development Services the following actions be taken with respect to Minor Variances as per subsections 45 (1.3) and (1.4) of the Planning Act:

- (a) this report **BE RECEIVED**;
- (b) Council resolve that subsection 45 (1.3) of the Planning Act shall not apply, pursuant to subsection 45 (1.4) of the Planning Act.
- (c) Pursuant to subsection 45 (1.4) of the *Planning Act*, all Minor Variances shall be exempted from the two-year moratorium contemplated in subsection 45 (1.3) of the *Planning Act* except for the following classes of applications:
 - i) Applications for Minor Variance to any zone that is in conjunction with an h-5 holding provision requiring a public site plan review;
 - ii) Applications for Minor Variance to any Bonus Zones passed under S.37 of the *Planning Act*;
 - iii) Applications for Minor Variance to modify a regulation permitted by Special Provision;
 - iv) Applications for Minor Variance to a General Provision (Section 4) within the Z.-1 Zoning By-law;
 - v) Applications for Minor Variance to change a Definition (Section 2) within the Z.-1 Zoning By-law.

Summary

Purpose and the Effect of Recommended Action

The *Planning Act* (“the Act”) has mandated a two-year freeze on the ability to apply for a Minor Variance subsequent to a privately initiated zoning by-law amendment. However, the Act also permits municipalities the ability to exempt, by way of resolution, a specific application, a class of applications or a general exemption.

The purpose and effect of the recommended action is to give greater flexibility for the approval of development applications where, through the review of more detailed designs, additional zoning deficiencies were identified while still attempting to ensure that changes to the regulations which are commonly the most contentious matters at public participation meetings will continue to require the approval of Municipal Council.

Staff recommend that a hybrid approach be taken by allowing all variance applications to be submitted notwithstanding subsection 45 (1.3) of the Act unless they fall within five specific classes.

Rationale of Recommended Action

1. The recommended action will allow Staff to process minor variance applications to recently approved privately-initiated zoning by-law amendments that are not anticipated to undermine the intent of the zone.
2. The recommended action will also maintain a level of certainty with respect to specific types of zoning by-law amendment, by maintaining the two-year post amendment moratorium for specific types of zoning amendment decisions.
3. The recommended action will help streamline the development review/approval process by creating some flexibility with regard to minor changes to a development proposal or the identification of additional minor variances as a result of more detailed review.

Linkage to the Corporate Strategic Plan

The actions recommended herein support the strategic plan in two key areas: *Leading in Public Service*, and *Growing Our Economy*. It supports the goal of growing our economy through reducing project timelines where a variance is necessary, and where it meets the exemption from the two-year moratorium criteria, an applicant will no longer be required to seek separate Council approval in order to proceed with a variance.

The recommended actions support *Leading in Public Service* through maintaining trust and accountability to the public, in those instances where the '2-year freeze' is necessary to preserve the expectations set through the planning process.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

On August 27, 2019, Civic Administration was directed to report back with potential process options in response to applications for minor variances submitted under section 45, (1.4) of the *Planning Act*. (5.1/14/PEC).

2.0 Discussion and Considerations

2.1 Planning Act

On July 1, 2016, amendments to *The Planning Act* pursuant to the *Smart Growth for Our Communities Act, 2015* (Bill 73) came into effect. These amendments included Sub-sections 45 (1.3) and 45 (1.4), which read:

When subs. (1.3) applies

(1.2) Subsection (1.3) applies when a by-law is amended in response to an application by the owner of any land, building or structure affected by the by-law, or in response to an application by a person authorized in writing by the owner. 2015, c. 26, s. 29 (2).

Two-year period, no application for minor variance

(1.3) Subject to subsection (1.4), no person shall apply for a minor variance from the provisions of the bylaw in respect of the land, building or structure before the second anniversary of the day on which the bylaw was amended. 2015, c. 26, s. 29 (2).

Exception

(1.4) Subsection (1.3) does not apply in respect of an application if the council has

declared by resolution that such an application is permitted, which resolution may be made in respect of a specific application, a class of applications or in respect of such applications generally. 2015, c. 26, s. 29 (2).

As stated, subsection 45 (1.3) of *The Planning Act* (“the Act”) freezes minor variance applications for two years following a privately initiated zoning by-law amendment (ZBA). For example, if an applicant re-zoned their property to permit a particular type of development, and that by-law was passed in 2019, the property owner could not submit a minor variance application until after the anniversary date of the by-law’s passing in 2021. However, subsection 45 (1.4) gives Council the ability to scope or remove that ‘freeze’ by resolution.

The Provincial Government implemented these changes under Bill 73 with the intent to give greater control to municipalities, by preventing Council-approved, publicly-considered zoning provisions from being eroded through the minor variance process for 2 years.

2.2 Other Ontario Municipalities

Staff reached out to over thirty (30) Ontario municipalities to get a sense of whether, and how, they had addressed the moratorium and the opportunity to pass a resolution to further permit exceptions to the moratorium. Twenty-six (26) municipalities responded and of those that responded there was a range of methods employed to satisfy the Act and the imposed variance freeze, including:

- Ten (10) municipalities deal with it on a case-by-case basis, seeking resolution if/when necessary to permit variances.
- Four (4) resolved to allow for all minor variances, notwithstanding the Act.
- Two (2) delegated the authority to exempt entirely to staff to determine if and when a variance would be permitted.
- Two (2) include ‘notwithstanding’ clauses as part of their recommendations as part of their standard reports in association with amendments for a development proposal and/or containing complex amendments.
- Three (3) had adopted a ‘mixed’ practice; some delegated authority and some permissions & restrictions.
- Five (5) respondents indicated there had not been a need to consider resolution, and simply abide by the subsections of the Act.

2.3 The London Experience

Since the two-year moratorium provision came into force and effect, there have been 12 requests for a council resolution seeking to apply for a variance. One request was submitted in 2017, six were submitted in 2019, and to date five were submitted in 2020. Council has allowed 10 requests and refused 1 request to allow a Minor Variance application within the moratorium period. One further request was received but no resolution was issued. The similar number of requests made in 2019 and in 2020 suggest that applicants are increasingly more willing to undertake this request process. (See section 2.4 below for more detail)

3.0 Financial Impact/Considerations

There are no substantive financial impacts, nor considerations, based on the recommendations herein. Generally speaking, the class-based approach is likely to result in improved staff capacity as it is anticipated that fewer applications will seek special permission through Council.

4.0 Key Issues and Considerations

4.1. Public Interest and Flexibility

It can be argued that it is generally not in the public interest to permit minor variances immediately following a site specific ZBA, as doing so could be thought to undermine public input and Council's decision. That amendments to zoning should not be divided between applications under Sections 34 (Zoning By-laws) and 45 (Minor Variances) of the Act, but rather comprehensively considered under Section 34 for effective decision making and transparency.

However, placing a restriction on minor variance applications, as the Planning Act does, is not always practical. Development proposals evolve over time as they move through the zoning amendment, plan of subdivision, and/or site plan processes, and it is often not possible to anticipate all potential special provisions that a development may require at the zoning stage. Some of these provisions are the direct result of staff working with a developer to produce a better product or outcome.

As a result of these changes, or when issues are identified at later stages of development, a minor variance is often necessary to relieve issues and move toward final approval and/or building permits.

Furthermore, the Act sets out four tests against which a minor variance must be considered. One of these requires that a variance maintain the purpose and intent of the underlying zoning by-law. As such, a minor variance should not ever be approved where it undermines the intent of the previously approved zoning; whether it is within two years of an amendment or not.

Therefore, while there is obvious merit to subsection 45 (1.3) of the Act, it can also be considered too rigid in certain situations. The opportunity provided by subsection 45 (1.4) of the Act is intended to recognize local autonomy and flexibility in the development process.

4.2. Permitting Variances

Based on the analysis in section 4.1, Staff are of the opinion that permitting minor variances following a ZBA does not circumvent the planning process, as applications are still subject to a public review process (circulating notice to neighbours within 60 metres), review by professional staff and applicable agencies, consideration by the Committee of Adjustment, and are appealable to the Local Planning Appeal Tribunal (formerly known as the OMB).

4.3. Classes of Applications Not Exempted

That being said, Staff have identified five specific classes of application where Minor Variances should not be automatically exempted within the two-year moratorium period, in keeping with Section 45 (1.3) of the Act. These are:

- In Zones where an 'h-5' holding provision (for public site plan meetings) has been added through the zoning by-law amendment process;
- Where a change to the regulations of a "bonus zone" is requested;
- In order to modify or seek relief from a regulation applied by special provision;
- A variance seeking to modify a regulation to a General Provision (Section 4) of the Zoning By-law, and;
- Modifications to Definitions listed in Section 2 of the Zoning By-law.

'h-5' Holding Provisions

The 'h-5' holding provision, as per Section 3.8 of the Z.-1 Zoning By-law, is used, "...to ensure that development takes a form compatible with adjacent land uses, agreements shall be entered into following public site plan review specifying the issues allowed for

under Section 41 of the Planning Act, R.S.O. 1990, c. P.13, prior to the removal of the "h-5" symbol."

This holding provision is added where it is believed that a development proposal requires an additional opportunity for public input during the subsequent site plan approval process, when details of the specific development proposal were not available during Zoning By-law amendment process. For that reason, and to ensure that the additional public input sought is not diluted by after-the-fact changes, Staff recommend maintaining the two-year moratorium on Minor Variances following a zoning amendment which adds the 'h-5' holding provision.

Bonus Zones

The bonus zone is described in policies 1638 through 1655 of the London Plan. A "bonus zone" is a site-specific by-law, passed by Council, which can "...authorize increases in the height and density of development beyond what is otherwise permitted by the Zoning By-Law, in return for the provision of such facilities, services, or matters as are set out in the bonus zone." (The London Plan, Section 1638).

Bonus zones are typically approved to ensure that a specific development proposal, which has been publicly vetted and approved by Council, is constructed in accordance with the images presented to the public and inscribed in the Zoning By-law as assurance. Often this assurance appeases members of the public and prevents appeals of the Zoning By-law. Also, Bonus zones to increase height and/or density are often approved in return for a commensurate package of public benefits. Given the public expectations that are created through the approval of Bonus zones, Staff recommend that exceptions for minor variance applications not be permitted to these negotiated, Council-approved Bonus zones as the benefits obtained and enacted through the by-law should be reviewed by Council to determine whether the requested variance should be considered by the Committee of Adjustment within the 2-year period.

Special Provisions

Special provisions, with regard to zoning, are often site-specific amendments to the by-law enacted to produce, enable, or restrict a very specific element of a development. They are recognizable by the bracketed code within a zone name, [i.e. R3-2()]. It usually addresses an aspect of the development that is an exception to the general regulations of the Zone. The special provision provides extra direction for the developer.

Because of the specific and intentional nature of the special provision, Staff recommend that applications to allow a Minor Variance to modify a regulation permitted by special provision not be permitted within two years of a privately-initiated ZBA. Since special provisions are commonly applied on a site-specific basis as an exception to the general regulations, and often as a means of reducing the typical zoning standards, Council should determine whether an application for a Minor Variance be allowed within the 2-year moratorium period.

However, it should be noted that the above is not intended to apply to requests for relief from a general regulation of a special provision zone when the regulations that are the subject of the special provision are not proposed to change. For example, the R1-3(3) zone includes a special provision to permit a minimum interior side yard depth of 1.2m (3.94ft) to the property line. Although the R1-3(3) regarded as a "special provision zone", an application for Minor Variance for relief from a general regulation, other than the interior side yard depth, would be exempted and would not require Council approval within the 2-year moratorium period.

Amendments to General Provisions (Chapter 4)

The General Provisions listed in Chapter 4 of the Zoning By-law include regulations applying to various classes of zones or all zones across the City. They include matters

that are often not specific to a development proposal and, as a result, may not have been publicly vetted yet they may result in local impacts that were not considered as part of the rezoning. The General Provisions regulate such matters as road widening dedications; scale of home occupations; character of development within the Primary Transit Area; various parking requirements; open storage requirements; among other matters. Given the potential for cumulative impacts that were not addressed during the rezoning stages, it is recommended that requests for relief from the requirements of the General Provisions be vetted by Municipal Council within the 2-year moratorium period.

Amendments to Definitions

Minor Variances to definitions shall not be permitted within two years of the adoption of the by-law without Council approval. This will ensure that expectation created through the Zoning By-law amendment of the use of the land will be maintained, or face a 2-year delay before a subsequent public process is initiated through Minor Variance.

Staff are of the opinion that notwithstanding the benefits regarding the flexibility offered by a Council resolution to permit Minor Variances within two-years of a ZBA, the aforementioned specific instances should be considered by Council prior to the submission of a Minor Variance application.

4.4. Applying the Exemptions to the London Experience

As previously mentioned, there have been 12 instances where requests have been made for an exception to allow an application for a Minor Variance within 2-years after a site-specific zoning amendment was approved. Had the exemptions to the Act proposed herein applied to those proposed variances, three would have been exempted (6188 Colonel Talbot Road, 1738 Hamilton Road, and 3425 Emily Carr Lane) and the remaining nine would still have required Council resolution to allow for the submission of a Minor Variance application. These 12 instances are summarized below:

1. 1355 Commissioners Road W – In July 2017, Council granted permission to allow an application for a Minor Variance to a special provision zone to permit a building height of 17.5m to accommodate a parapet whereas the special zone regulation permitted a maximum height of 16.5m (and whereas the standard R8 zone permits a max height of 13m).
2. 6188 Colonel Talbot Rd – In January 2019, a request was received to grant permission to allow an application for a Minor Variance to grant relief from a general regulation of a special provision zone to permit a reduced lot area for an agricultural parcel to facilitate a severance application. No action was taken by Council in response to the request. Although the applicable zone included a special zoning provision, the required 40ha minimum lot area is a standard zoning regulation and not part of the special provision and therefore would not have required Council approval under the recommended exemption criteria. This type of application for variance would be exempt and able to proceed without Council permission, should the resolution proposed herein be adopted.
3. 131 King Street – In January 2019, a Council granted permission to allow an application for a Minor Variance to grant relief from a Bonus zone to permit: a 31 storey apartment building (whereas a max of 30-storeys is permitted); an east interior side yard of 1.0m (3.3') (whereas a min of 1.2m (3.3') is permitted); a building height of 105.5m (346.1') (whereas a max of 102m (334.6') is permitted); and, to allow the public parking access to be from King Street (whereas public street access is required to be from York Street).
4. 894 Adelaide Street North – In January 2019, Council granted permission to allow an application for a Minor Variance to grant relief from a special provision zone and a General Provision of the Zoning By-law (Section 4) to permit: an interior side yard setback of 3.0m (9.8'), whereas 5.0m (16.4') is the minimum; a south interior side yard setback of 3.2m (10.5'), whereas 5.0m (16.4') is the minimum; to permit 15 off

street parking spaces whereas 16 is the minimum required; and, to permit 0 long-term bicycle parking spaces whereas 7 spaces are required.

5. 3080 Bostwick Road – In May 2019, Council granted permission to allow an application for a Minor Variance to grant relief from a Bonus zone to permit: an interior side yard setback of 0.6m (2ft) (whereas a min of 3m (9.8ft) is required); a building height of 14m (45.9ft) (whereas a max of 13.5m (44.3ft) is permitted; to permit a density of 209.55 units per hectare (whereas a max of 209 units per hectare is permitted); to permit 363 off-street parking spaces for all uses (whereas 472 off-street parking spaces are required).
6. 660 Sunningdale Road E – In July 2019, Council granted permission to allow an application for a Minor Variance to grant relief from a special provision zone applied to a block within a registered plan of subdivision to reduce the required number of parking spaces, increase building height, and reduce the interior side yard setback for the commercial block.
7. 1738 Hamilton Road – In August 2019, Council granted permission to allow an application for a Minor Variance to grant relief from a general regulation of a special provision zone for one lot within a draft plan of subdivision to permit a reduced exterior side yard of 2.5 metres, whereas 8.0 metres is required by the Zoning By-law. Although the applicable zone included a special zoning provision, the required 8m side yard depth is a standard zoning regulation and not part of the special provision. This type of application for variance would be exempt and able to proceed without Council permission, should the resolution proposed herein be adopted.
8. 3425 Emily Carr Lane (1160 Wharnccliffe Road South) – In January 2020, Council granted permission to allow an application for a Minor Variance within a draft plan of subdivision to permit a front yard depth of 4.39m (whereas a min of 6m is required); an exterior side yard depth of 4.44m (whereas a min of 6m is required); and a rear yard depth of 4.51m (whereas a min of 6m is required). The 6m depth regulations are all standard zoning regulations: This type of application for variance would be exempt and able to proceed without Council permission, should the resolution proposed herein be adopted.
9. 1331 Hyde Park Road - In June 2020, Council granted permission to allow an application for Minor Variance to a General Provision of the Zoning By-law (Section 4) to permit an outdoor patio (whereas no outdoor patios are permitted where any lot line adjoins lands which are in a residential zone class and not in combination with another zone) and to permit 89 parking spaces (whereas a min of 99 parking spaces are required).
10. 809 Dundas Street – In April 2020, Council granted permission to allow an application for a Minor Variance from a Bonus zone to permit an increased lot coverage of 74% maximum (whereas a max of 70% is permitted). This request was the result of an omission in the Zoning By-law when Council had initially considered the zone. Notwithstanding, since the request is to seek a Minor Variance to a Bonus zone, Council approval would have been required under the recommended exemption criteria.
11. 307 Fanshawe Park Road W – In July 2020, Council granted permission to allow an application for a Minor Variance for a change to the Definition (Section 2) of Stacked Townhouse such that a portion of the development may contain townhouses that area 3-units high, rather than the 2-units high as defined by the Zoning By-law.
12. 745-747 Waterloo Street – In August 2020, Council refused a request for permission to allow an application for a Minor Variance to grant relief from a regulation applied by a special provision zone to permit medical offices on the second floor of the building known as 745 Waterloo Street, resulting in an additional floor area of 890 square feet (83 sq. m.) for medical uses, whereas medical offices were restricted to the main floor.

Conclusion

The recommended hybrid approach to Subsections 1.3 and 1.4 of the Act strikes a balance between protecting the public interest and facilitating development by creating greater flexibility during the application and approval processes while maintaining an elevated level of certainty for projects, or circumstances, identified as being special, controversial, or uniquely important. This will help to provide clarity and direction to the development process in specific circumstances.

Prepared by:

**Michael Tomazincic, RPP, MCIP Manager, Current Planning
and
Ethan Ling, MSC., Development Policy Coordinator**

Submitted by:

**Paul Yeoman, RPP, PLE
Director, Development Services**

Recommended by:

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



Development and Compliance Services Building Division

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

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

Date: November 18, 2020

RE: Monthly Report for October 2020

Attached are the Building Division's monthly report for October 2020 and copies of the Summary of the Inspectors' Workload reports.

Permit Issuance

By the end of October, 3,370 permits had been issued with a construction value of \$1.17 billion, representing 2,773 new dwelling units. Compared to last year, this represents a 14.3% decrease in the number of permits, a 1.4% decrease in the construction value and a 31.4% increase in the number of dwelling units.

To the end of October, the number of single and semi-detached dwelling units issued were 760, which was a 33.3% increase over last year.

At the end of October, there were 972 applications in process, representing approximately \$624 million in construction value and an additional 1,256 dwelling units, compared with 637 applications having a construction value of \$472 million and an additional 982 dwelling units for the same period last year.

The rate of incoming applications for the month of October averaged out to 20.6 applications a day for a total of 433 in 21 working days. There were 116 permit applications to build 116 new single detached dwellings, 12 townhouse applications to build 29 units, of which 5 were cluster single dwelling units.

There were 393 permits issued in October totalling \$112.6 million including 316 new dwelling units.

Inspections

BUILDING

Building Inspectors received 2,494 inspection requests and conducted 3,221 building related inspections. An additional 21 inspections were completed relating to complaints, business licenses, orders and miscellaneous inspections.

Based on the 2,494 requested inspections for the month, 100% were achieved within the provincially mandated 48 hour time allowance.

CODE COMPLIANCE

Building Inspectors received 684 inspection requests and conducted 687 building related inspections. An additional 171 inspections were completed relating to complaints, business licenses, orders and miscellaneous inspections.

Based on the 684 requested inspections for the month, 100% were achieved within the provincially mandated 48 hour time allowance.

PLUMBING

Plumbing Inspectors received 1,341 inspection requests and conducted 1,625 plumbing related inspections. An additional 13 inspections were completed relating to complaints, business licenses, orders and miscellaneous inspections.

Based on the 1,341 requested inspections for the month, 100% were achieved within the provincially mandated 48 hour time allowance.

NOTE:

Conducted inspections can be higher than the requested inspections. In some cases, one interior Final inspection on a Single Detached Dwelling or any final inspection may require several open processes to be closed prior to completing the interior or building final inspection. One booked Inspection could result in multiple inspections (4-8) being conducted and reported.

AD:cm
Attach.

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

CITY OF LONDON

SUMMARY LISTING OF BUILDING CONSTRUCTION ACTIVITY FOR THE MONTH OF October 2020

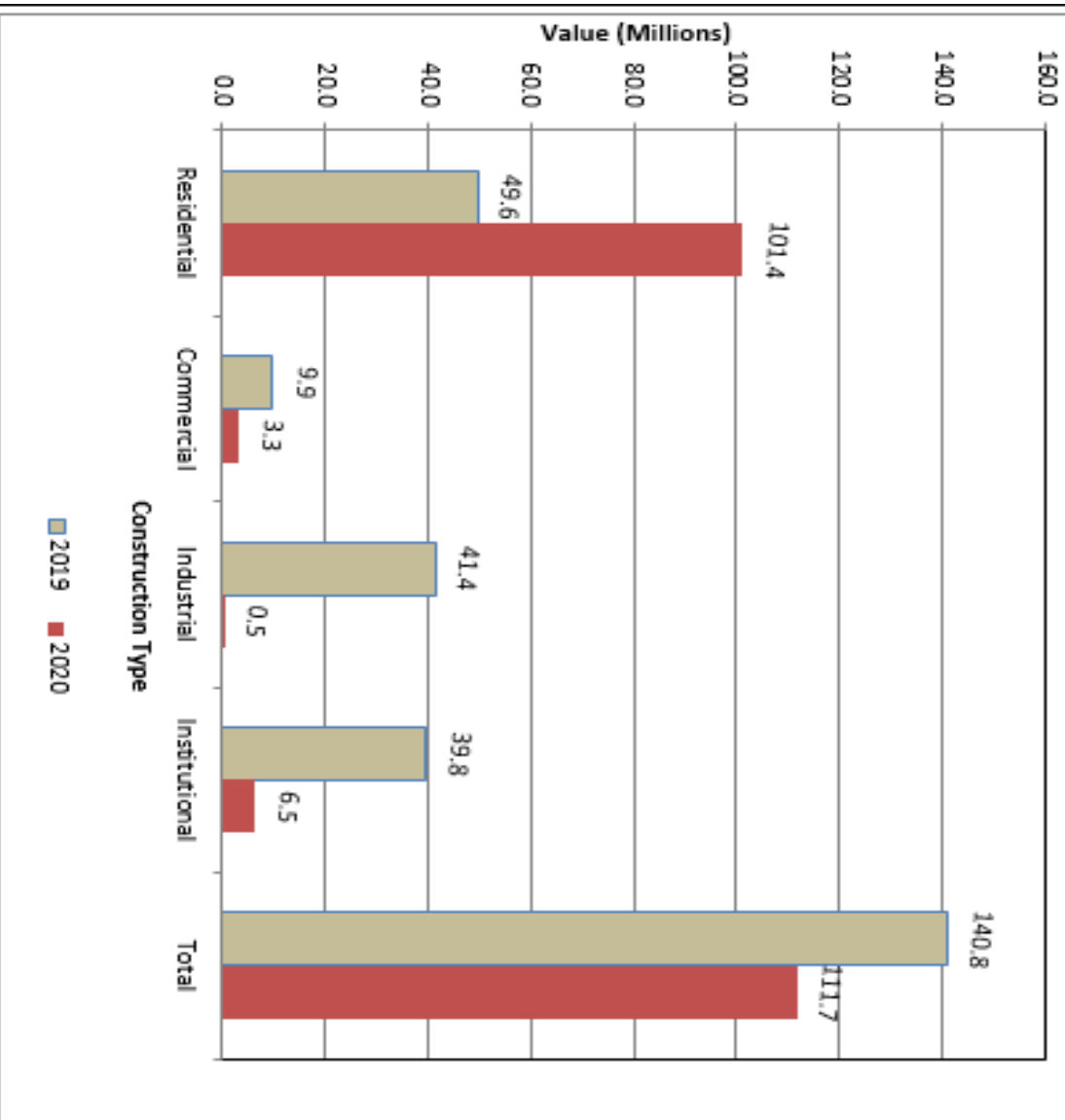
CLASSIFICATION	October 2020				to the end of October 2020				October 2019				to the end of October 2019			
	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	
SINGLE DETACHED DWELLINGS	98	42,392,100	98	756	321,280,454	756	55	22,933,225	55	564	238,577,565	564	0	884,400	6	
SEMI DETACHED DWELLINGS	0	0	0	2	1,023,000	4	0	0	0	3	884,400	3	0	0	0	
TOWNHOUSES	22	22,359,800	97	119	115,879,985	438	21	21,781,520	90	146	134,193,130	606	0	0	0	
DUPLEX, TRIPLEX, QUAD,APT BLDG	1	29,586,000	116	13	460,464,800	1,530	0	0	0	18	192,486,852	875	0	0	0	
RES-ALTER & ADDITIONS	156	7,028,754	5	1,243	48,442,763	45	161	4,916,980	2	1,586	49,204,797	58	0	0	0	
COMMERCIAL - ERECT	0	0	0	9	7,160,300	0	1	320,000	0	15	20,982,080	0	0	0	0	
COMMERCIAL ADDITION	1	1,386,000	0	4	2,182,800	0	0	0	0	15	9,554,000	0	0	0	0	
COMMERCIAL - OTHER	24	1,953,842	0	303	83,893,169	0	42	9,609,793	0	439	61,170,203	2	0	0	0	
INDUSTRIAL - ERECT	1	366,700	0	6	8,653,400	0	1	6,000,000	0	12	318,766,000	0	0	0	0	
INDUSTRIAL - ADDITION	1	12,500	0	5	7,931,300	0	2	35,390,000	0	10	41,703,100	0	0	0	0	
INDUSTRIAL - OTHER	3	101,000	0	35	5,915,407	0	3	43,000	0	64	7,090,320	0	0	0	0	
INSTITUTIONAL - ERECT	1	30,000	0	4	32,855,000	0	0	0	0	2	27,456,800	0	0	0	0	
INSTITUTIONAL - ADDITION	0	0	0	8	15,178,000	0	2	33,900,000	0	9	39,233,800	0	0	0	0	
INSTITUTIONAL - OTHER	13	6,458,000	0	145	54,997,001	0	16	5,902,000	0	167	29,890,960	0	0	0	0	
AGRICULTURAL	1	162,000	0	2	262,000	0	0	0	0	6	15,700,000	0	0	0	0	
SWIMMING POOL FENCES	23	788,400	0	340	8,555,291	0	12	263,000	0	205	4,402,267	0	0	0	0	
ADMINISTRATIVE	4	3,000	0	45	109,000	0	13	29,000	0	137	349,000	0	0	0	0	
DEMOLITION	8	0	1	65	0	44	7	0	7	78	0	46	0	0	0	
SIGNS/CANOPY - CITY PROPERTY	3	0	0	5	0	0	1	0	0	28	0	0	0	0	0	
SIGNS/CANOPY - PRIVATE PROPERTY	33	0	0	261	0	0	31	0	0	428	0	0	0	0	0	
TOTALS	393	112,628,096	316	3,370	1,174,783,670	2,773	368	141,088,518	147	3,932	1,191,645,274	2,111				

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

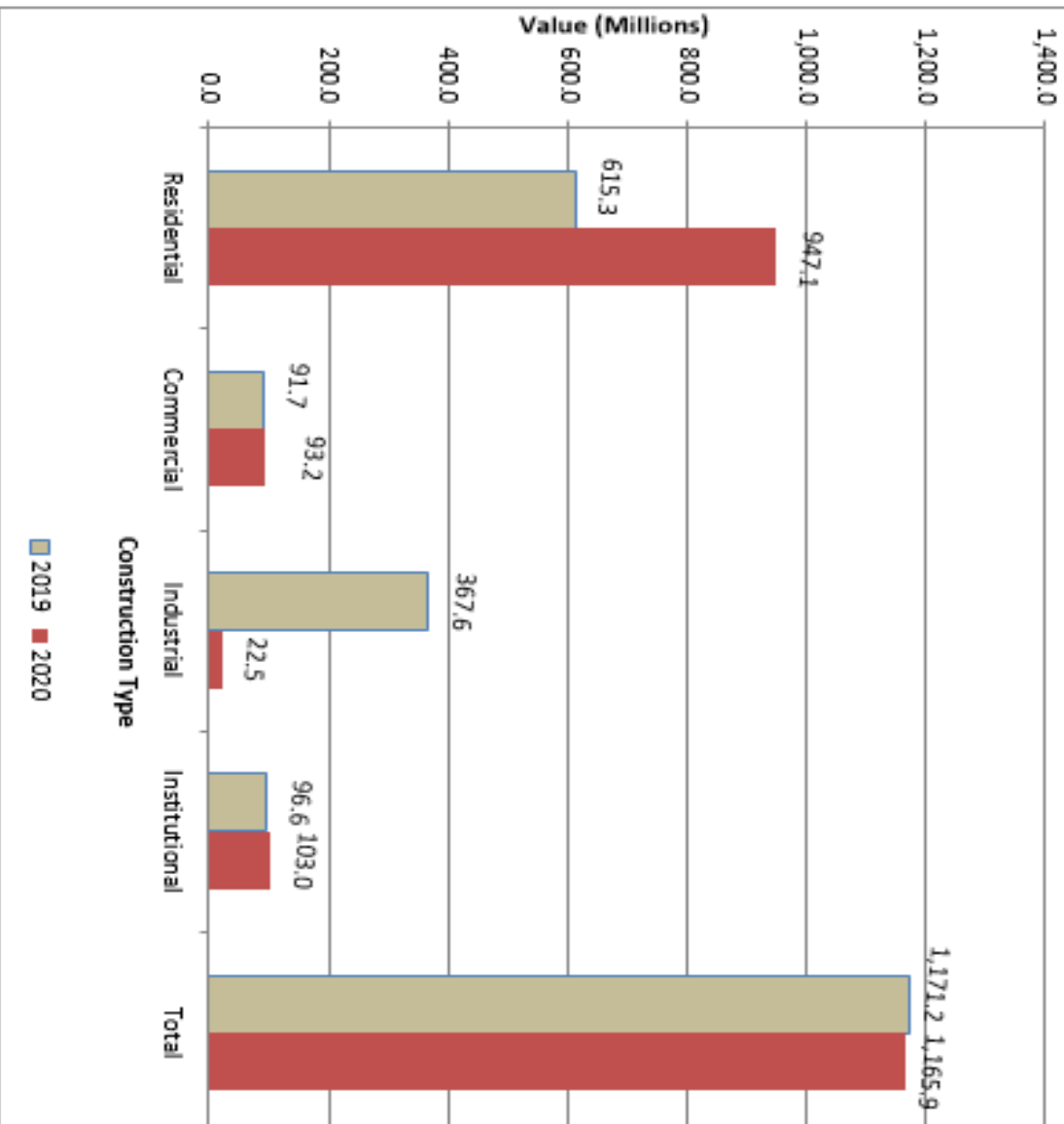
2) Mobile Signs are no longer reported.

3) Construction Values have been rounded up.

Construction Value of Building Permits October



Construction Value of Building Permits January to October



*** excludes Agricultural, Administrative and Sign Permits

City of London - Building Division

Principal Permits Issued from October 1, 2020 to October 31, 2020

Owner	Project Location	Proposed Work	No. of Units	Construction Value
REMBRANDT HOMES	1061 Eagletrace Dr 15	Erect-Townhouse - Cluster SDD ERECT NEW TOWNHOUSE CLUSTER SDD, 2 STOREY, 2 CAR GARAGE, 3 BEDROOMS, FINISHED BASEMENT, NO A/C, COVERED REAR DECK, SB-12 ENERGY STAR, SOILS REPORT REQUIRED.	1	418,000
REMBRANDT HOMES	1061 Eagletrace Dr 17	Erect-Townhouse - Condo ERECT RT CLUSTER SDD, 1 STOREY, 2 CAR GARAGE, 3 BEDROOMS, PARTIALLY FINISHED BASEMENT, A/C INCLUDED, UNCOVERED REAR DECK, SB-12 ENERGY STAR. SOILS REPORT REQUIRED	1	335,500
959250 Ontario Ltd	109 Wharmcliffe Rd S	Install-Restaurant Commercial Building - Plumbing Installation - Restaurant <ul style="list-style-type: none"> • New XS rational ovens at existing hood/drain location. • New core water filtration system • Rough-in for future egg station 	0	180,000
Graystone Custom Homes Limited	1170 Riverbend Rd 3	Erect-Townhouse - Cluster SDD ERECT SDD, 1 STOREY, 2 CAR GARAGE, 2 BEDROOMS, PARTIALLY FINISHED BASEMENT, COVERED DECK, A/C INCLUDED, SB12-A5, LOT 5, DWHR &HRV REQUIRED	1	496,500
Kilcorp Holdings Inc	1199 Wharmcliffe Rd S	Add Retail Store Adding a warehouse to existing retail and renovating existing building. Latest copy of storm drains indicate that a PLUMBING PLAN must be submitted.	0	1,386,000
LONDON SUMMERSIDE CORP. LONDON SUMMERSIDE CORP.	1305 Commissioners Rd E	Alter Recreation Centre CM - Interior Alteration for Play Centre for Kids.	0	200,000
MAPLE LEAF FOODS INC. MAPLE LEAF FOODS INC.	1577 Wilton Grove Rd	Erect-Food Processing Plant ERECT MAINTENANCE BUILDING FOR MAPLE LEAF FOODS INC	0	366,700
FOXXWOOD (LONDON) INC. FOXXWOOD DEVELOPMENTS (LONDON) INC.	1781 Henrica Ave	Install-Townhouse - Condo INSTALL SITE SERVICES		700,000
PATRICK HAZZARD CUSTOM HOMES PATRICK HAZZARD CUSTOM HOMES (2584857 Ont Inc)	1820 Canvas Way 28	Erect-Street Townhouse - Condo ERECT SDD, 2 STOREY, 2 CAR GARAGE, 3 BEDROOM, UNFINISHED BASEMENT, NO DECK, A/C INCLUDED, SB12-A1, LOT 50, DWHR &HRV REQUIRED	1	300,000
KENMORE HOMES INC. KENMORE HOMES INC.	1820 Finley Cres	Erect-Street Townhouse - Condo ERECT NEW BUILD, 2 STOREY, 1 CAR GARAGE, 3 BEDROOMS, UNFINISHED BASEMENT, DECK INCLUDED, A/C INCLUDED, SB12-A1, UNIT 1810, 1814, 1818, 1822, 1826, 1830 - BLOCK 99	6	750,000
ALL SOUFAN YORK PROPERTY MANAGEMENT	1959 Wharmcliffe Rd S	Install-Site Services INSTALL SITE SERVICES		200,000

City of London - Building Division

Principal Permits Issued from October 1, 2020 to October 31, 2020

Owner	Project Location	Proposed Work	No. of Units	Construction Value
SIFTON LIMITED	2610 Kettering Pl E	Erect-Street Townhouse - Condo ERECT NEW TOWNHOUSE BLOCK - BLDG E, UNITS 39, 41, 43, 45, 3 STOREY, 1 CAR GARAGE, 3 BEDROOMS, NO BASEMENT, NO A/C, UNCOVERED REAR DECK, SB-12 A1, HRV & DWHR REQUIRED	4	900,000
2290874 Ontario Inc	3260 Singleton Ave CC	Erect-Townhouse - Condo ERECT 8 UNITS, TOWNHOUSE BLOCK CC, 3 STOREY, 1 CAR GARAGE, 3 BEDROOMS, UNFINISHED BASEMENT, NO DECK, A/C INCLUDED, SB12-A5, HRV & DWHR REQUIRED, DPN 84,86,88,90,92,94,96,98	8	1,996,400
2290874 Ontario Inc	3260 Singleton Ave EE	Erect-Townhouse - Condo Townhouse Building - Erect new townhouse - Townhouse - Condo BLDG EE Townhouse building DPN 117,158 Lots 43,44 respectively. Soils report required.	2	474,600
2290874 Ontario Inc	3260 Singleton Ave FF	Erect-Townhouse - Condo Erect new townhouse Condo BLDG FF, DPN 119,121,156,154 Lots 45,47,46,48 respectively, 3 storey, no basement. Soils report required.	4	933,800
2290874 Ontario Inc	3260 Singleton Ave GG	Erect-Townhouse - Condo Erect new townhouse condo BLDG GG, DPN 123,125,152,150 Lots 49,51,50,52 respectively. No basement. 3 storey. Soils report required.	4	947,800
1967172 Ontario Inc.	3380 Singleton Ave M	Erect-Townhouse - Condo ERECT 5 UNITS, TOWNHOUSE BLOCK M, 2 STOREY, 1 CAR GARAGE, 3 BEDROOMS, NO BASEMENT, NO DECK, A/C INCLUDED, SB12-A3, HRV & DWHR REQUIRED, DPN 103,105,107,109,111 . SOILS REPORT REQUIRED.	5	1,000,000
1967172 Ontario Inc.	3380 Singleton Ave N	Erect-Townhouse - Condo ERECT 2 STOREY, 6 UNIT TOWNHOUSE BLOCK N. HOT 2000 DESIGN.	6	1,670,000
1967172 Ontario Inc.	3380 Singleton Ave O	Erect-Townhouse - Condo ERECT 2 STOREY, 6 UNIT TOWNHOUSE BLOCK	6	1,670,000
BOARDWALK REIT PROPERTIES BOARDWALK REIT PROPERTIES	380 Southdale Rd E	Alter Apartment Building REPLACE GENERATOR	0	225,125
BOARDWALK REIT PROPERTIES BOARDWALK REIT PROPERTIES	390 Southdale Rd E	Alter Apartment Building REPLACE GENERATOR	0	225,125

City of London - Building Division
Principal Permits Issued from October 1, 2020 to October 31, 2020

Owner	Project Location	Proposed Work	No. of Units	Construction Value
DORAL HOLDINGS LIMITED	390 Springbank Dr	Install-Restaurant Commercial Building - Plumbing Installation - Restaurant <ul style="list-style-type: none"> New rational ovens at existing hood/drain location. New core water filtration system Rough-in for future egg station 	0	260,000
EDGAR PERL ED PERL HOLDINGS LIMITED	430 King St	Alter Townhouse - Cluster SDD Parking garage concrete repair	0	725,000
Corlon Properties Inc.	435 Callaway Rd K	Erect-Street Townhouse - Condo ERECT NEW TOWNHOUSE BLOCK - BLDG K, 5 UNITS, UNITS 54, 55, 56, 57, 58, 3 STOREY, 2 CAR GARAGE, 3 BEDROOMS, NO BASEMENT, NO A/C, SB-12 A5, HRV & DWHR REQUIRED.	5	1,375,400
Corlon Properties Inc.	435 Callaway Rd R	Erect-Townhouse - Condo ERECT NEW TOWNHOUSE BLOCK, BLDG R, 4 UNITS, UNITS 86, 87, 88, 89, 3 STOREY, 2 CAR GARAGE, 3 BEDROOMS, NO BASEMENT, DECK, NO A/C, SB-12 A-5, HRV & DWHR REQUIRED.	4	1,125,400
THAMES VALLEY DISTRICT SCHOOL BOARD THAMES VALLEY DISTRICT SCHOOL BOARD	450 Millbank Dr	Alter Schools Secondary, High, Jr. High INTERIOR ALTER FOR SECONDARY SCHOOL - SHELL PERMIT	0	700,000
Frams Inc	4651 Murray Rd	Erect-Storage Depot ERECT NEW AGRICULTURAL STORAGE BUILDING		162,000
THAMES VALLEY DISTRICT SCHOOL BOARD THAMES VALLEY DISTRICT SCHOOL BOARD	509 Waterloo St	Alter Schools Secondary, High, Jr. High REPLACE CEILING, INSTALL NEW EMERGENCY LIGHTS AND EXIT SIGNS.	0	544,000
772866 Ontario Limited C/O Larlyn Property Mgmt	528 Oxford St W	Alter Restaurant INTERIOR ALTER UNIT 2 FOR RESTAURANT. Submit Fire Suppression shop drawings for review by City.	0	123,322
CHRIS TSIROPOULOS 2492222 ONTARIO INC.	544 Windermere Rd	Erect-Townhouse - Rental Erect new townhouse Bldg A, 6 units, finished basement. DPN 1, 2, 3, 4, 5, 6, SB12 - A1	6	1,300,000
CHRIS TSIROPOULOS 2492222 ONTARIO INC.	544 Windermere Rd	Erect-Townhouse - Rental Erect new townhouse, Building B, 6 units. Finished basement. SB12- A1. DPN 7, 8, 9, 10, 11, 12	6	1,335,600
MANAGEMENT SECRETARIAT MANAGEMENT BOARD SECRETARIAT	661 Exeter Rd	Alter Offices CM - INTERIOR ALTERATION TO EXISTING OFFICE SPACE FOR NEW TENANT AND STORAGE	0	400,000
The Ironstone Building Company Inc	745 Chelton Rd A	Erect-Townhouse - Condo ERECT NEW TOWNHOUSE BLOCK - BLDG A, 6 UNITS, DPN 52, 54, 56, 58, 60, 62, 2 STOREY, 1 CAR GARAGE, 3 BEDROOMS, FINISHED BASEMENT, A/C INCLUDED, UNCOVERED DECK, SB-12 A1, HRV & DWHR REQUIRED.	6	1,300,000

**City of London - Building Division
Principal Permits Issued from October 1, 2020 to October 31, 2020**

Owner	Project Location	Proposed Work	No. of Units	Construction Value
The Ironstone Building Company Inc	745 Chelton Rd I	Erect-Townhouse - Condo ERECT NEW TOWNHOUSE BLOCK - BLDG 1 5 UNITS, DPN 25, 27, 29, 31, 33, 2 STOREY, 1 CAR GARAGE, 3 BEDROOMS, FINISHED BASEMENT, A/C INCLUDED, UNCOVERED DECK, SB-12 A1, HRV & DWHR REQUIRED	5	1,100,000
The Ironstone Building Company Inc	745 Chelton Rd J	Erect-Townhouse - Condo ERECT NEW TOWNHOUSE BLOCK - BLDG J, DPN 35, 37, 39, 41, 1 STOREY, 1 CAR GARAGE, 3 BEDROOMS, FINISHED BASEMENT, A/C INCLUDED, UNCOVERED DECK, SB-12 A1, HRV & DWHR REQUIRED.	4	700,000
The Ironstone Building Company Inc	745 Chelton Rd K	Erect-Townhouse - Condo ERECT NEW TOWNHOUSE BLOCK - BLDG K, DPN 43,45, 47, 49, 51, 53, 1 STOREY, 1 CAR GARAGE, 3 BEDROOMS, FINISHED BASEMENT, A/C INCLUDED, UNCOVERED DECK, SB-12 A1, HRV & DWHR REQUIRED.	6	1,050,000
MANAGEMENT SECRETARIAT MANAGEMENT BOARD SECRETARIAT	80 Dundas St	Alter Provincial Buildings ALTER - COURTHOUSE - ALTER FOR REVISED ENTRANCE VESTIBULE, INTERIOR ALTERATION AND SECURITY UPGRADES.	0	4,800,000
Peter Sergautis Extra Realty Limited	865 Kleinburg Dr	Erect-Apartment Building RA - ERECT TWO 5 STOREY APARTMENT BUILDINGS FOUNDATION PERMIT FOR NORTH AND SOUTH TOWERS	116	29,586,000
SIFTON LIMITED	915 Upperpoint Ave E	Erect-Street Townhouse - Condo ERECT - ERECT NEW TOWNHOUSE BLDG E, 6 UNIT BUILDING 899, 901, 903, 905, 907, 909, 2 STOREY, 2 CAR GARAGE, 3 BEDROOMS, UNFINISHED BASEMENT, A/C INCLUDED, SB-12 A1, SOILS REPORT REQUIRED.	6	1,180,800
THAMES VALLEY DISTRICT SCHOOL BOARD THAMES VALLEY DISTRICT SCHOOL BOARD	941 Viscount Rd	Alter Schools Secondary, High, Jr. High Alter interior to replace corridor ceiling and lighting.	0	180,000
SIFTON LIMITED	965 Upperpoint Ave	Install-Townhouse - Condo Install site services		900,000

Total Permits 41 Units 213 Value 64,223,072

** Includes all permits over \$100,000, except for single and semi-detached dwellings.*

Commercial building permits issued - subject to Development Charges under By-law C.P. -1535-144



City of London - Building Division
Principal Permits Issued from October 1, 2020 to October 31, 2020

OWNER

Kilcorp Holdings Inc

Commercial Permits regardless of construction value

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Draft Plan of Vacant Land Condominium On The Submission
By Goldfield Ltd. for 3542 Emilycarr Lane

Public Participation Meeting on: December 14, 2020

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Goldfield Ltd., relating to the property located at 3542 Emilycarr Lane:

- (a) the Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to the property located at 3542 Emilycarr Lane; and,
- (b) the Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the Site Plan Approval application relating to the property located at 3542 Emilycarr Lane.

Executive Summary

Summary of Request

This is a request by Goldfield Ltd. to consider a proposed Draft Plan of Vacant Land Condominium. The proposed Plan of Condominium is being reviewed concurrently with an application for Site Plan Approval (SPA19-106). The plan consists of 41 dwelling units within multiple townhouses and a new private road providing access from Lismer Lane. The applicant's intent is to register the development as one Condominium Corporation.

Purpose and the Effect of Recommended Action

The purpose and effect is to report to the Approval Authority any issues or concerns raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium or the Site Plan Approval application.

Rationale of Recommended Action

- i) The proposed Vacant Land Condominium is consistent with the Provincial Policy Statement, which directs new development to designated growth areas and areas adjacent to existing development;
- ii) The proposed Vacant Land Condominium conforms to the in-force policies of The London Plan including but not limited to Our Tools, Key Directions, and the Neighbourhoods Place Type policies;
- iii) The proposed Vacant Land Condominium conforms to the policies of the Southwest Area Secondary Plan and will implement an appropriate housing form for the North Longwoods Neighbourhood; and
- iv) The proposed Vacant Land Condominium conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Multi-Family, Medium Density

Residential Designation and will implement an appropriate form of residential development for the site.

Analysis

1.0 Site at a Glance

1.1 Property Description

The property is located on the north side of Limser Lane between Emily Carr Lane and David Milne Way. North of the site is a new subdivision currently under development and to the east is an existing residential neighbourhood. West of the site is mainly undeveloped lands with a few existing commercial uses and south of the site is undeveloped and targeted for future residential uses. The proposal consists of one medium density residential block within a draft plan of subdivision (Block 6, Plan 33M-786). The site has full access to municipal services and is located in an area which is planned for future growth.

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

- The London Plan Place Type – Neighbourhoods
- Official Plan Designation – Multi-Family, Medium Density Residential
- SWAP – Medium Density Residential
- Existing Zoning – h*h*100*h-104*h-155*R5-7

1.4 Site Characteristics

- Current Land Use – Vacant
- Frontage – 66 metres (Lismer Lane)
- Depth – Varies
- Area – 0.64ha (1.58ac)
- Shape – Irregular

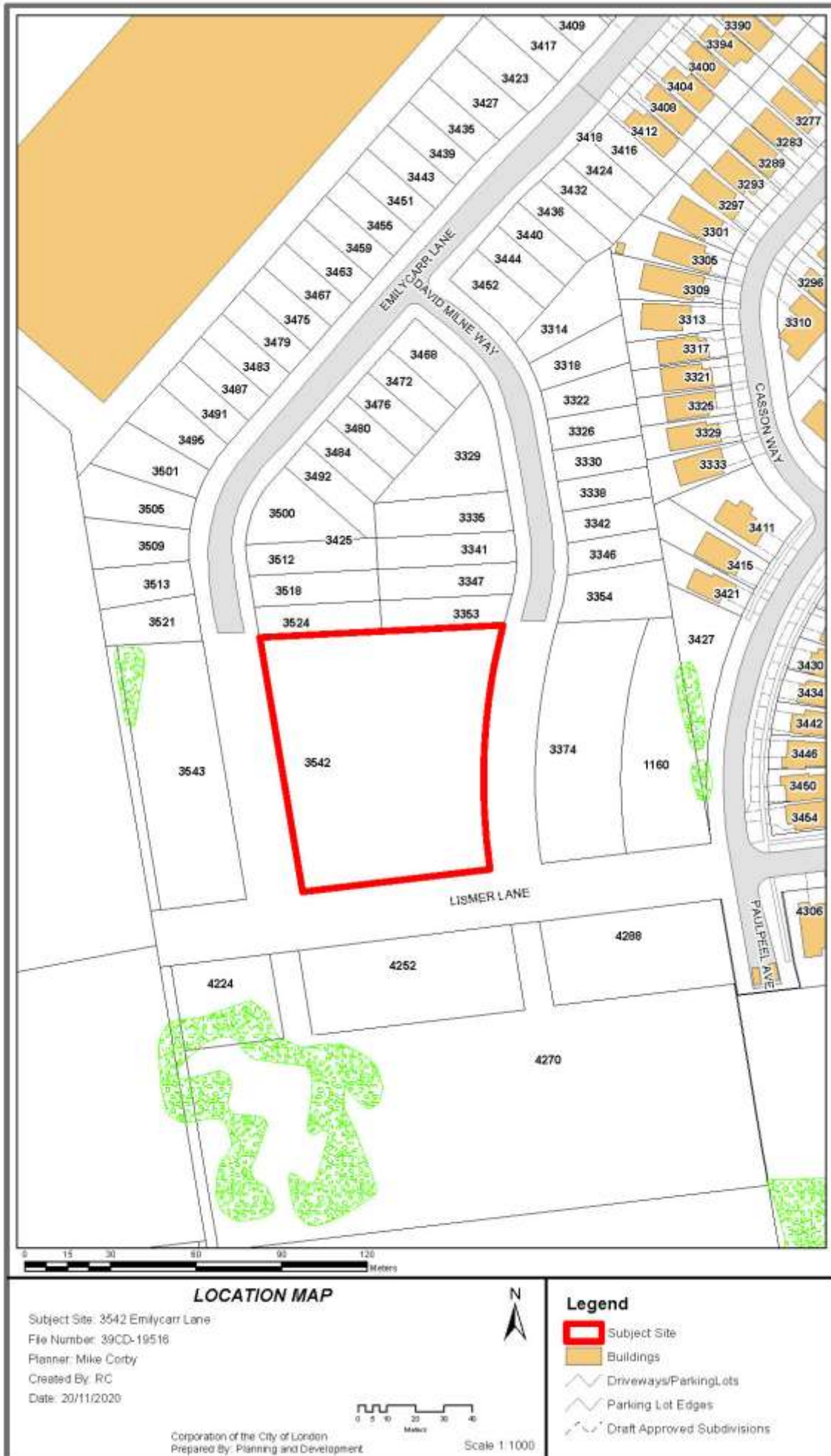
1.5 Surrounding Land Uses

- North – Residential
- East – Residential
- South – Future Residential
- West – Future Residential

1.5 Intensification (41 units)

- The 41 unit, cluster townhome development located outside of the Built-Area Boundary and Primary Transit Area

1.6 LOCATION MAP



2.0 Description of Proposal

2.1 Development Proposal

The proposed development is a 41 unit, cluster townhouse development that will be registered as a Vacant Land Condominium resulting in individual ownership for each unit. Landscaped areas, internal driveways, services, and visitor parking spaces will be located within a common element to be maintained and managed by one Condominium Corporation.



Figure 1: Proposed Vacant Land Condominium

An application for Site Plan Approval (SPA19-106) has also been made in conjunction with the application for Draft Plan of Vacant Land Condominium. The site plan submission, including servicing, grading, landscaping, and building elevation plans, are under review and will be informed by any comments received through the Vacant Land Condominium Public Participation Meeting. A subsequent application for the removal of holding provisions (h-9281) is also under review and will describe how the holding provisions have been satisfied prior to their removal.



Figure 2: Conceptual Elevations

3.0 Relevant Background

3.1 Planning History

The subject site is part of the Emilycarr South, Plan of Subdivision. On October 2, 2018 zoning was approved by Council as part of the subdivision process to permit cluster forms of residential development along with multiple holding provisions being applied. The subdivision was approved on June 22, 2020 and registered on June 29, 2020 as 33M-786.

Site plan approval was submitted along with the proposed Vacant Land Condominium in November, 2019. The VLC application was considered premature as the Plan of Subdivision had not received final approval and Block 6 was not created. During that time frame a minor variance application was submitted to accommodate the proposed cluster townhouse development. The Minor Variance application (A.021/20) permits a density of 63 units/ha, and reduced front, rear, and exterior side yard setbacks. This application was approved by the London Committee of Adjustment on July 16, 2020. Upon completion of the subdivision process and the plan being registered the required public circulation process was completed.

3.2 Community Engagement (see more detail in Appendix A)

The requested amendment was circulated to the public on October 5, 2020 and advertised in the *Londoner* on October 8, 2020. Through the public circulation process no comments from the public were received.

3.3 Policy Context

Provincial Policy Statement (PPS), 2020

The proposed development achieves objectives for efficient development and land use patterns. It represents new development taking place within the City's urban growth area, and within an area of the City that is currently building out. It also achieves objectives for compact form, mix of uses, and densities that allow for the efficient use of land, infrastructure and public service facilities, and maintains appropriate levels of public health and safety. The subject lands are within a registered plan of subdivision and are designated and intended over the long term for medium density residential uses. There are no natural heritage features present, and Provincial concerns for archaeological resource assessment and cultural heritage have been addressed through the subdivision approval process. The proposed Draft Plan of Vacant Land Condominium is found to be consistent with the Provincial Policy Statement.

The London Plan

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

These lands are within the "Neighbourhoods" Place Types along a neighbourhood street which permits a range of low density residential uses at a maximum height of 2.5-storeys. The proposed development is at 3-storeys in height which is above the permissions of The London Plan. However, the approved zoning in 2018 which permits 3-storeys was approved under the 1989 Official Plan which provided permissions for up to 4-storeys in the Multi-Family, Medium Density Residential designation.

The City Building and Our Tools policies have also been applied in the review of this application. The proposed development is in keeping with the City Design policies regarding the site layout as it is designed in a manner that will respond to future

developing in area. Front facades of the dwelling units face the public road and the townhomes are located in a manner which create a strong street-orientation along Emily Carr Lane and David Milne Way. This orientation will create an appropriate response to the future street townhouses to be developed on the opposite side of the street (252, 256). The site also promotes connectivity and safe pedestrian movement within the development through multiple internal sidewalks in front of the proposed units along with sidewalks on all three sides of the development connecting it to the surrounding neighbourhood (255*). As part of the site plan review process, the plans and building elevations were also reviewed for compliance with the City's Placemaking Guidelines and have been accepted as part of the Site Plan Approval process.

In the Our Tools section of The London Plan, Vacant Land Condominiums are considered based on the following (1709):

1. *The same considerations and requirements for the evaluation of draft plans of subdivision shall apply to draft plans of vacant land condominium;*

The proposed draft plan of vacant land condominium has been evaluated with regards to the review criteria for plans of subdivision. The proposed cluster townhouse dwelling units conform to the Official Plan and The London Plan policies, and have access to municipal services. The access and residential uses proposed are appropriate for the site, and there are no natural features or hazards associated with the site. There is sufficient park space within the neighborhood to the east, and existing commercial uses in close proximity to the surrounding neighbourhood. Building elevation plans have been reviewed as part of the site plan submission. The size and style of townhouse dwellings are anticipated to contribute to housing choice and meet the community demand for housing type, tenure and affordability. Any outstanding grading and drainage issues that were not addressed to the plan of subdivision process will be addressed by the applicant's consulting engineer to the satisfaction of the City through the accepted engineering and servicing drawings, future Development Agreement and Site Plan Approval process.

2. *The applicant may be required to provide site development concepts and meet design requirement consistent with the Site Plan Control By-law as part of the consideration of a draft plan of vacant land condominium;*

The draft plan of Vacant Land Condominium is being concurrently considered with an active Site Plan Application. The various requirements of the Site Plan Control By-law will be considered and implemented through a Development Agreement for the lands.

3. *Proposals for vacant land condominiums which will result in units above or below any other unit will not be supported;*

The proposed townhouse units do not result in unit boundaries below or above other units.

4. *Only one dwelling will be permitted per unit;*

There is only one townhouse dwelling proposed per unit.

5. *At the time of registration, structures cannot cross unit boundaries;*

A signed Development Agreement will be required prior to the final approval of the Vacant Land Condominium that will confirm both the location of structures and unit boundaries.

6. *The registration of a proposed development as more than one vacant land condominium corporation may be permitted if the proposal is supportive of comprehensive development and planning goals. The minimum number of units*

to be included in each condominium corporation will be adequate to allow for the reasonable independent operation of the condominium corporation.

The proposed cluster townhouse development is to be developed as one condominium corporation.

Southwest Area Secondary Plan

The site forms part of the Southwest Area Secondary Plan (SWAP) and is subject to the development vision and detailed policies of the SWAP. The site is located in the 'North Longwoods Residential Neighbourhood' within the greater area plan.

New development in North Longwoods will reflect the existing character of the neighbourhood and provide a walkable environment with a pedestrian scale. The built form will be primarily street oriented on all public rights-of-ways. The Low and Medium Density Residential designations apply to most of the existing and planned neighbourhoods of North Longwoods, reflecting land uses established through previous Area Plans and site specific applications. The proposed development is in a developing area with limited character established to date. The development creates a walkable environment and will establish a pedestrian scale through the site layout and proposed built form along the public rights-of way. The development will help define and establish the character of the neighbourhood.

The primary permitted uses and densities in the Multi-Family, Medium Density Residential (MFMDR) designation of SWAP defer to the permitted uses of the MFMDR designation in the 1989 Official Plan. The proposed cluster townhouse development is considered a permitted landuse and the proposed density of 63uph is in keeping with the density permissions of the plan. The proposed vacant land condominium is considered appropriate for the site and meets the intent of providing a mix of housing forms and choice in the neighbourhood.

1989 Official Plan

The 1989 Official Plan designation for these lands is Multi-Family, Medium Density Residential (MFMDR). The primary permitted uses in the Multi-Family, Medium Density Residential designation shall include multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding houses; emergency care facilities; converted dwellings; and small-scale nursing homes, rest homes and homes for the aged (3.3.1. Permitted Uses). The proposed vacant land condominium is in keeping with the range of permitted uses.

Developments within areas designated Multi-Family, Medium Density Residential shall have a low-rise form and a site coverage and density that could serve as a transition between low density residential areas and more intensive forms of development. The proposed townhouses take on a similar scale of development to what exists and is planned for in the area providing for a compatible form of development helping transition between the low density residential land uses to the north and future Medium density Land uses to the south. The development also provides a density of 63 uph which is less the 75 uph permitted in the MFMDR designation (3.3.3. Scale of Development).

Vacant Land Condominium Application

The City of London Condominium Guidelines have been considered for the proposed Vacant Land Condominium which is comprised of various units and common elements. The City may require applicants to satisfy reasonable conditions prior to Final Approval and registration of the plan of condominium, as authorized under the provisions of subsection 51(25) of the *Planning Act*. In order to ensure that this Vacant Land Condominium development functions properly, the following may be required as conditions of draft approval:

- That site plan approval has been given and a Development Agreement has been

entered into;

- Completion of site works in the common elements and the posting of security in addition to that held under the Development Agreement (if applicable), in the event these works are not completed prior to registration of the plan of condominium;
- Confirmation of addressing information and door point numbers;
- Payment of outstanding taxes or local improvement charges, if any;
- Provision of servicing easements for utility providers (such as London Hydro, Union Gas, Bell, etc.);
- The maintenance of any stormwater servicing works including on-site works;
- Arrangements be made dealing with rights of access to and use of joint facilities, and responsibility for and distribution of costs for maintenance of joint facilities; and,
- Ensuring that the Condominium Declaration to be registered on title adequately addresses the distribution of responsibilities between the unit owners and the condominium corporation for the maintenance of services, the internal driveway, amenity areas, and any other structures in the common elements.

Z.-1 Zoning By-law

The existing zoning is a Holding Residential R5 (h*h-100*h*104*h-155*R5-7) Zone which permits a range of dwelling types, including the cluster townhouse dwellings proposed. As previously noted the subject site received minor variances for density and multiple setback requirements which the proposed development conforms to. These variances included a front yard setback of 4.4m (14.4ft), whereas 6.0m (19.7ft) is the required minimum; an exterior side yard setback of 4.4m (14.4ft), whereas 6.0m (19.7ft) is the required minimum; a rear yard of 4.5m (14.8ft), whereas 6.0m (19.7ft) is the required minimum.

The holding provisions that currently form part of the zone are for the orderly development of the lands through an approved Development Agreement, water-looping and access is available, ensure that a comprehensive storm drainage and stormwater management (SWM) report is prepared and that the Owner has entered into a development agreement with the City of London, to ensure that the development is consistent with and conforms to the guidelines and vision of OPA 541, Southwest Area Secondary Plan. A report addressing each of these items will be brought forward under application H-9281. The proposed vacant land condominium and proposed site plan are consistent with the Zoning By-law and approved variances.

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

5.0 Conclusion

The proposed Vacant Land Condominium is consistent with the Provincial Policy Statement, and in conformity with The London Plan, the 1989 Official Plan, and the Southwest Area Secondary Plan. The proposed cluster townhouse dwelling units are appropriate for the site and permitted under the existing zoning. An Application for Site Plan Approval has also been submitted and reviewed in conjunction with the application for Vacant Land Condominium.

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.	

December 7, 2020

\\FILE1\users-x\pdda\Shared\DEVELOPMENT SERVICES\3 - Condominiums\2019\39CD-19516 - 3542 Emilycarr Lane (MC)\Draft Approval\PEC Report\39CD-19516 3542 Emilycarr Lane.docx

cc: Michael Pease, Manager, Development Planning
cc: Matt Feldberg, Manager, Development Services (Subdivisions)
cc: Heather McNeely, Manager, Development Services (Site Plans)

Appendix A – Community Engagement

Public liaison: On October 5, 2020, Notice of Application was sent to 181 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on October 8, 2020. A “Planning Application” sign was also posted on the site.

No relies were received.

Nature of Liaison: The purpose and effect of this application is to approve a Draft Plan of Vacant Land Condominium consisting of 41 townhouse dwelling units at a density of 65 uph. Consideration of a proposed draft plan consisting of 41 townhouse dwelling units and a common element for private access driveway and services to be registered as one Condominium Corporation. Application has also been made for approval for Site Plan Approval.

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

Agency/Departmental Comments

Canada Post – December 6, 2019

This development will receive mail service to centralized mail facilities provided through our Community Mailbox program.

I will specify the conditions which I request to be added for Canada Post Corporation's purposes.

The owner shall complete to the satisfaction of the Director of Engineering of the City of London and Canada Post:

- a) include on all offers of purchase and sale, a statement that advises the prospective purchaser:
 - i) that the home/business mail delivery will be from a designated Centralized Mail Box.
 - ii) that the developers/owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.
- b) the owner further agrees to:
 - i) work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision.
 - ii) install a concrete pad in accordance with the requirements of and in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes
 - iii) identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision.
 - iv) determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans. Maps are also to be

prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.

- c) Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (front loading lockbox assembly or rear-loading mailroom [mandatory for 100 units or more]), at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.

Should the description of the project change, please update our office so that we may determine any impact on mail service.

Canada Post appreciates the opportunity to comment on the above noted application and looks forward to working with you in the future.

Stormwater Engineering Division – December 18, 2019

Please include the following condition from SWED for the above noted application.

“The Owner acknowledges that the subject lands are part of a Site Plan application which is being reviewed or has been accepted under the Site Plan Approvals Process (File # SPA19-106) and that the Owner agrees that the development of this site under Approval of Draft Plan of Vacant Land Condominium shall comply with all final approved Site Plan conditions and approved engineering drawings for the current development application. Therefore, any conditions identified in the Development Agreement registered on title and any Private Permanent System(s) (PPS) that includes storm/drainage, Low Impact Development (LID) and SWM servicing works must be maintained and operated by the Owner in accordance with current applicable law.”

Bell Canada - October 22, 2020

Dear Sir/Madam,

We have reviewed the circulation regarding the above noted application. The following paragraphs are to be included as a condition of approval:

“The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.

The Owner agrees that should any conflict arise with existing Bell Canada facilities or easements within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.”

The Owner is advised to contact Bell Canada at planninganddevelopment@bell.ca during the detailed utility design stage to confirm the provision of communication/telecommunication infrastructure needed to service the development.

It shall be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada's existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure.

If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.

To ensure that we are able to continue to actively participate in the planning process and provide detailed provisioning comments, we note that we would be pleased to receive circulations on all applications received by the Municipality and/or recirculations.

We note that WSP operates Bell Canada's development tracking system, which includes the intake and processing of municipal circulations. However, **all responses to circulations and requests for information, such as requests for clearance, will come directly from Bell Canada, and not from WSP.** WSP is not responsible for the provision of comments or other responses.

UTRCA – October 23, 2020

The UTRCA has no objections to this application and a Section 28 permit will not be required. Thank you for the opportunity to comment.

London Hydro – October 5, 2020

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. However, London Hydro will require a blanket easement.

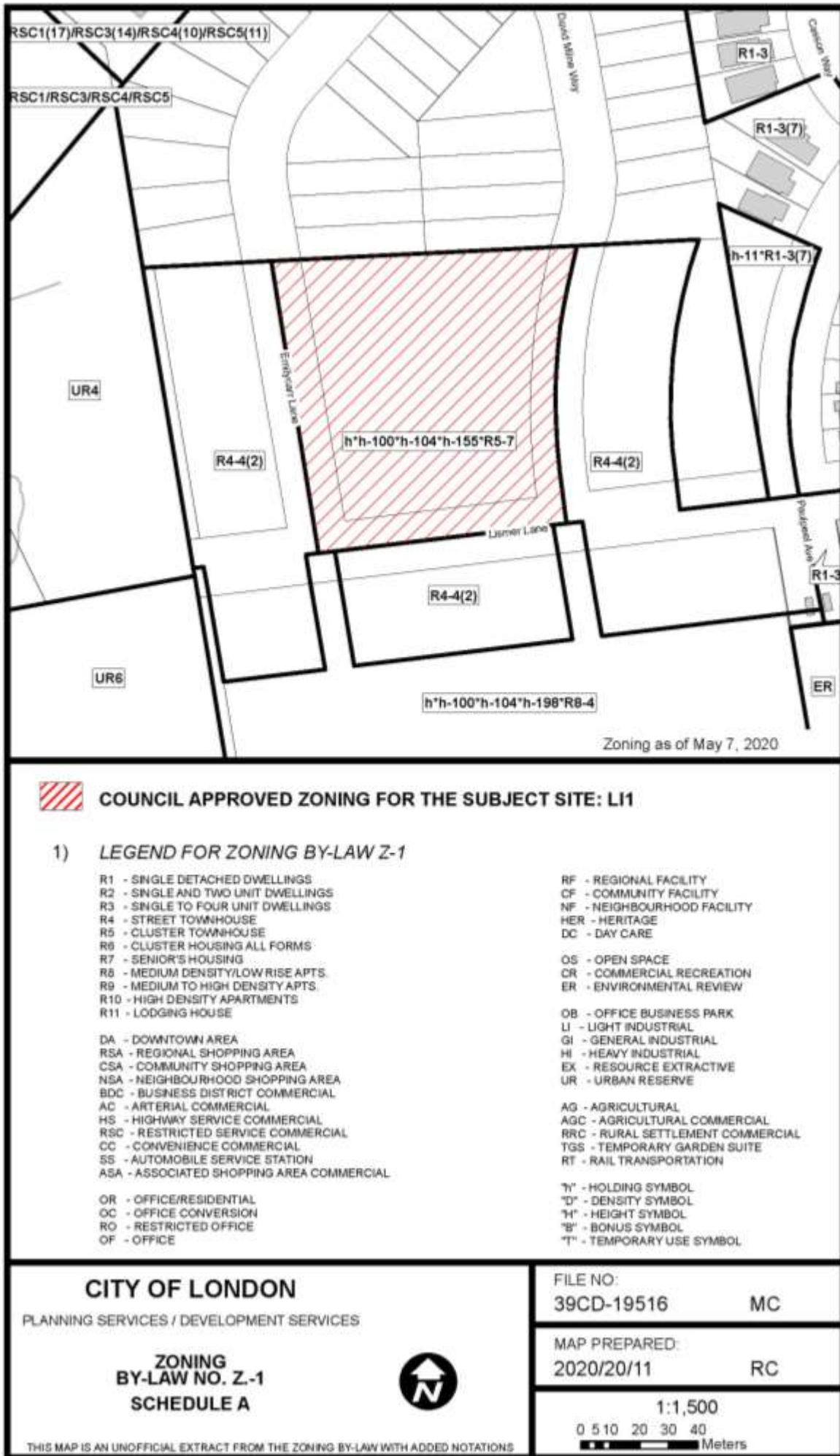
Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant's expense. Above-grade transformation is required. **Note: A blanket easement will be required. Transformation lead times are minimum 16 weeks. Contact the Engineering Dept. to confirm requirements & availability.**

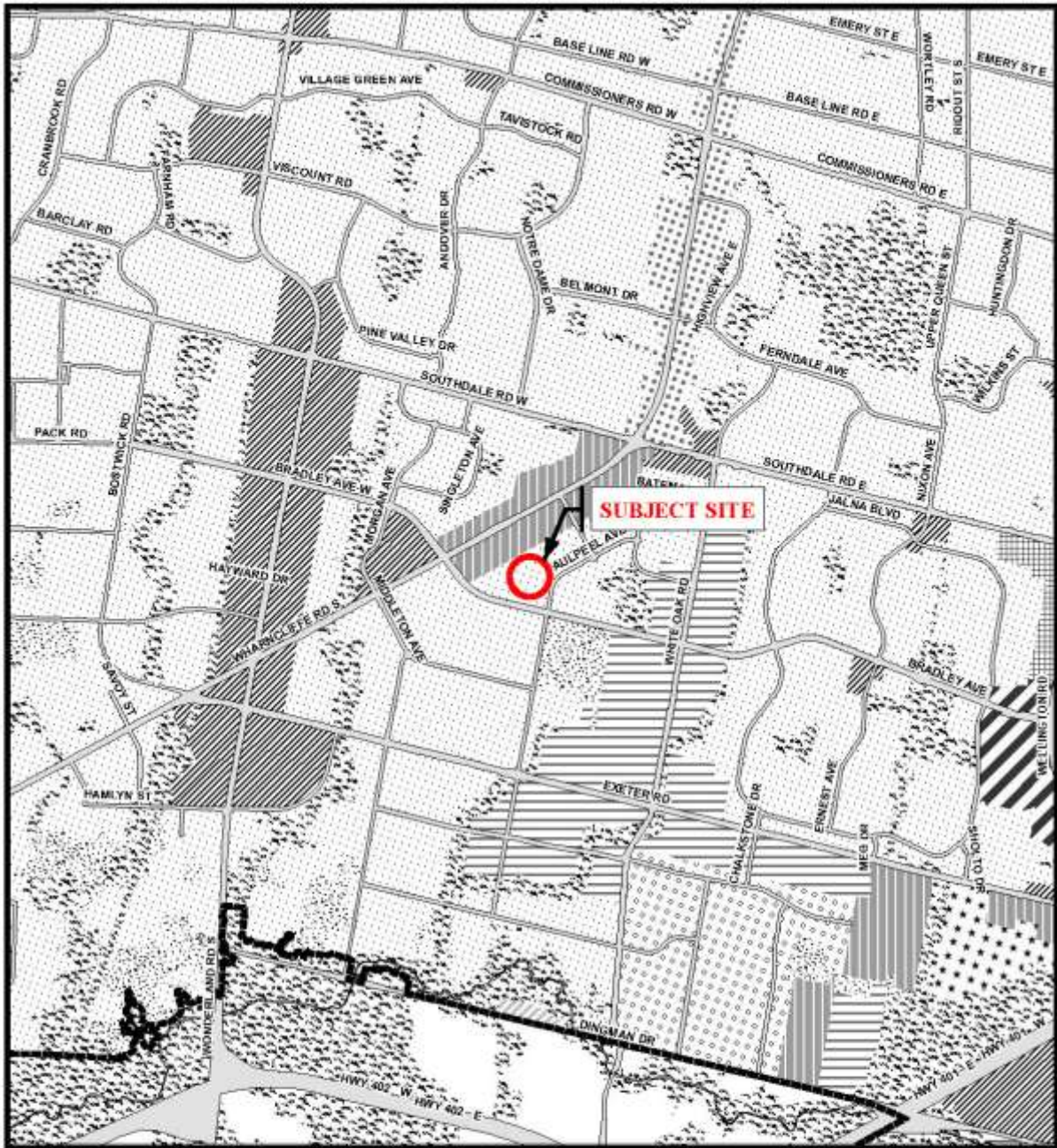
Stormwater Engineering – August 6, 2019

Please include the following conditions from SWED for the above noted application.

"The Owner acknowledges that the subject lands are part of an accepted Site Plan which was reviewed and processed under the Site Plan Approvals Process (File # SPA18-136) and that the Owner agrees that the development of this site under Draft Plan of Vacant Land Condominium shall comply with all final approved Site Plan conditions and approved engineering drawings for the current development application. Therefore, any conditions identified in the Development Agreement registered on title and any Private Permanent System(s) (PPS) that includes storm/drainage, Low Impact Development (LID) and SWM servicing works must be maintained and operated by the Owner in accordance with current applicable law."

Appendix B – Additional Maps





Legend

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

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

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

CITY OF LONDON

Planning Services /
Development Services

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

PREPARED BY: Planning Services



Scale 1:30,000

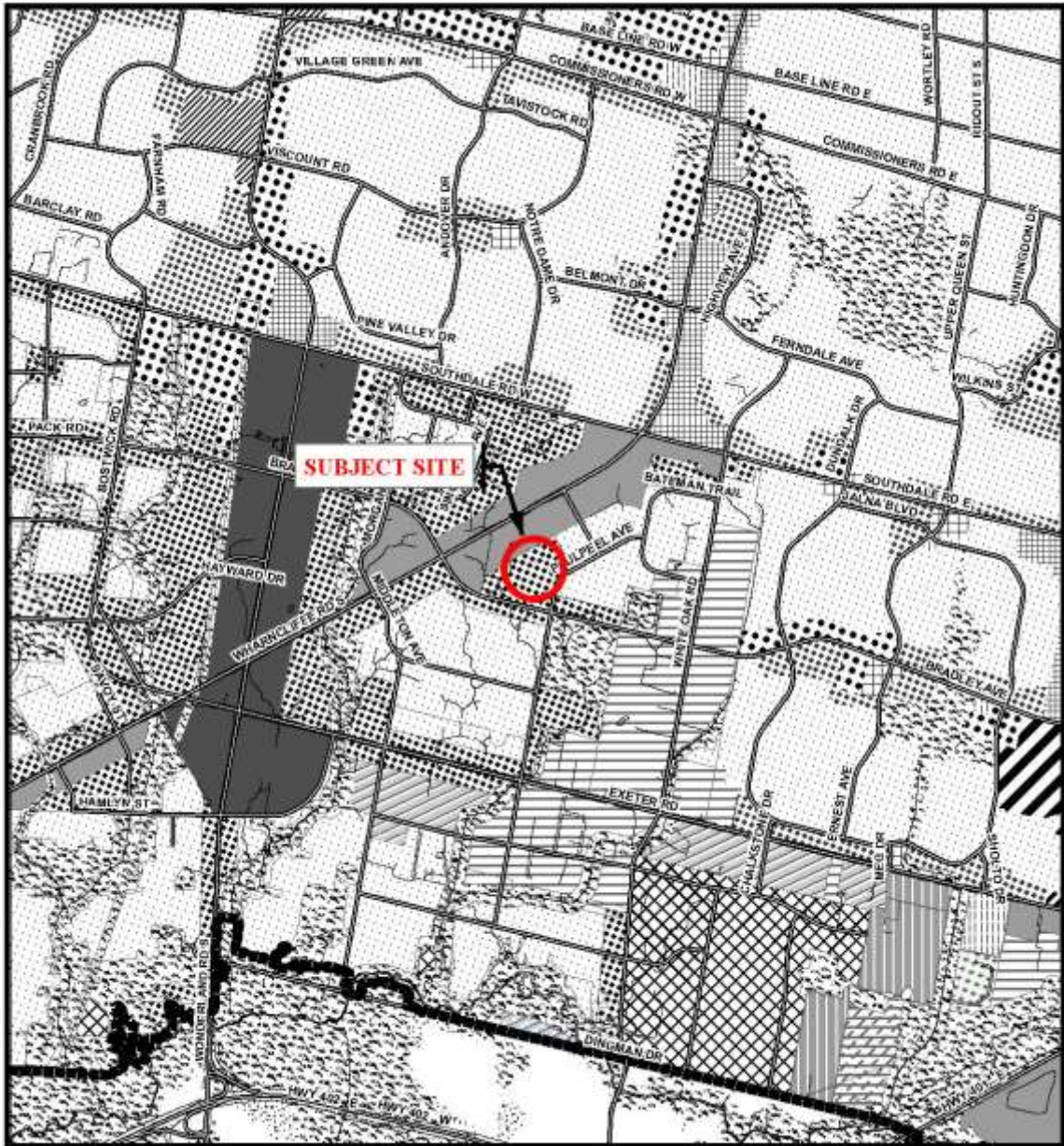


File Number: 39CD-19516

Planner: MC

Technician: RC

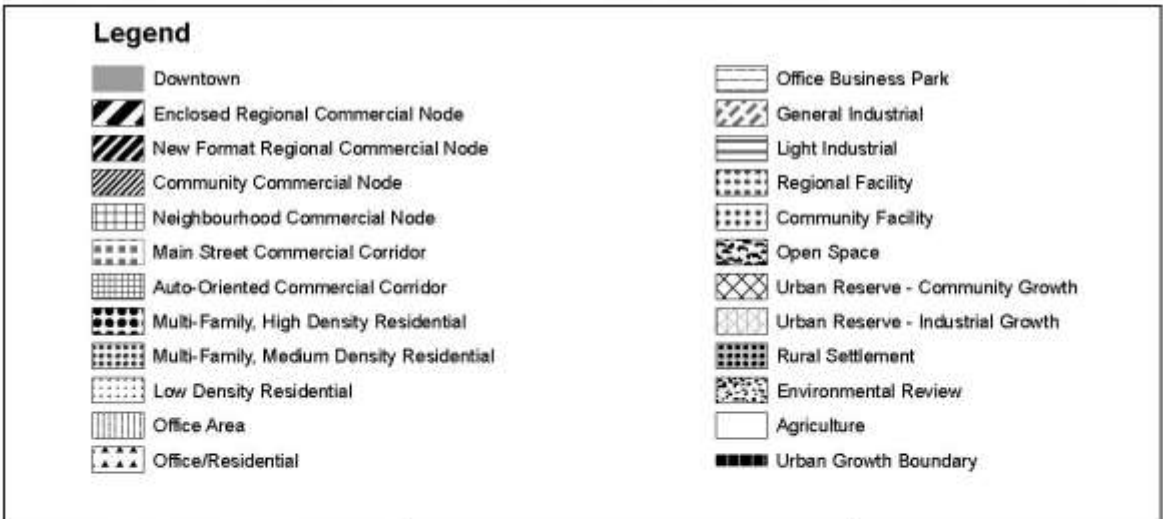
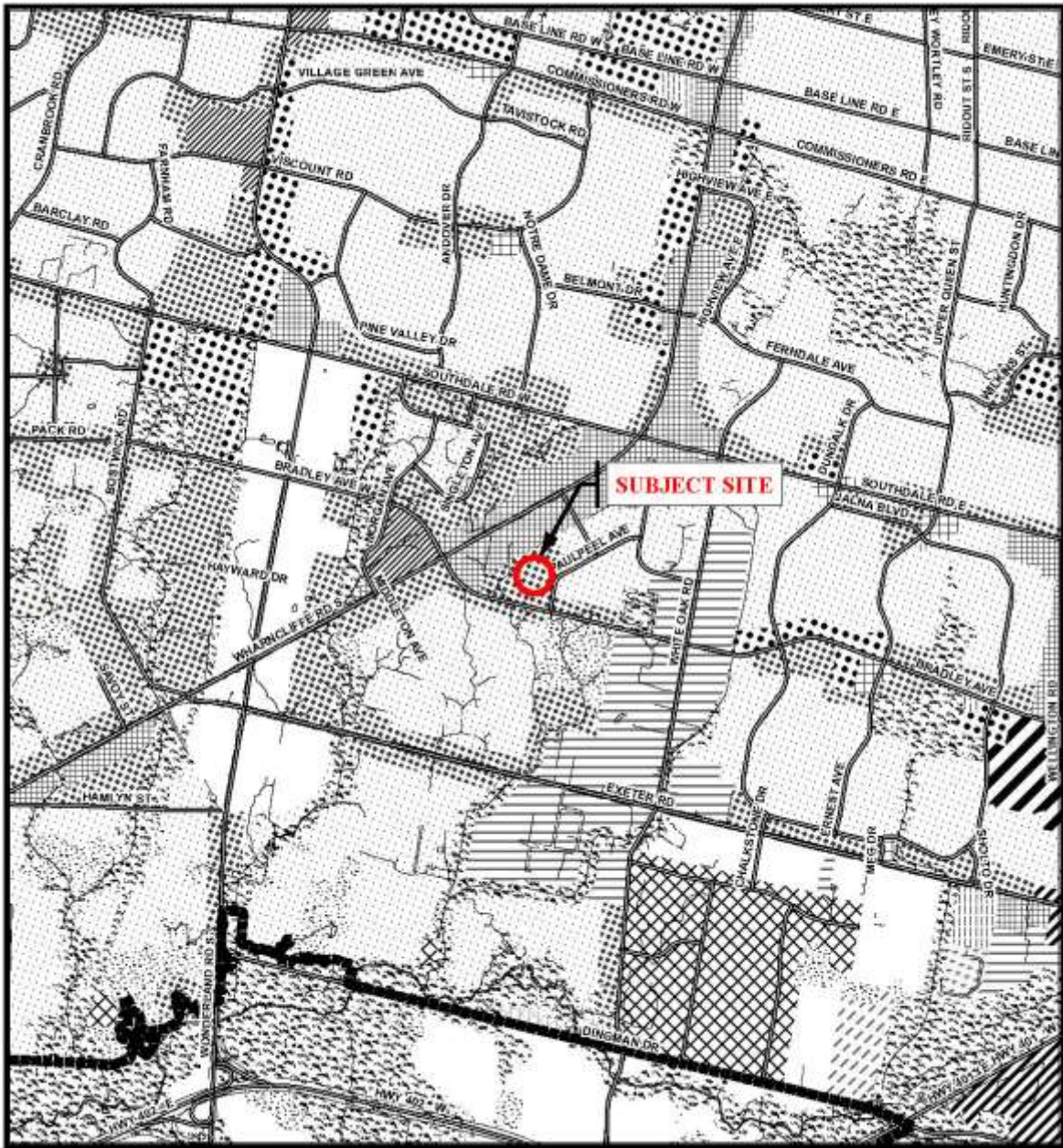
Date: November 20, 2020



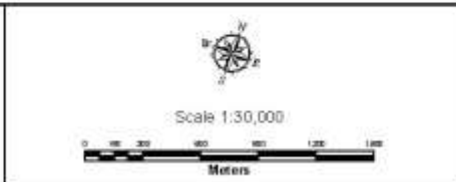
Legend	
	High Density Residential
	Medium Density Residential
	Low Density Residential
	Commercial
	Office
	Wonderland Road Community Enterprise Corridor
	Main Street Lambeth North
	Main Street Lambeth South
	Open Space
	Institutional
	Industrial
	Commercial Industrial
	Transitional Industrial
	Urban Reserve Community Growth
	Urban Reserve Industrial Growth
	Rural Settlement
	Urban Growth Boundary

<p>CITY OF LONDON Planning Services / Development Services</p> <p>SOUTHWEST AREA STUDY SECONDARY PLAN - LANDUSE -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: 39CD-19516</p> <p>PLANNER: MC</p> <p>TECHNICIAN: RC</p> <p>DATE: November 20, 2020</p>
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CITY OF LONDON
Department of
Planning and Development
OFFICIAL PLAN SCHEDULE A
- LANDUSE -
PREPARED BY: Graphics and Information Services



FILE NUMBER: 39CD-19516
PLANNER: MC
TECHNICIAN: RC
DATE: 2020/20/11

PROJECT LOCATION: e:\planning\projects\officialplan\work\cars\DD\extracts\mxd_templates\scheduleA_NEW_b6w_8x14.mxd

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Shana'a Holdings Inc.
260 Sarnia Road

Date: December 14, 2020

Recommendation

That, on the recommendation of the Director, Development Services, with respect to the application of Shana'a Holdings Inc. relating to the property located at 260 Sarnia Road, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on January 12, 2021 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 R1 (R1-9) Zone, **TO** a Residential R8 Special Provision (R8-4 (_)) Zone.

Executive Summary

Summary of Request

The applicant is requesting an amendment to Zoning By-law Z.-1 to rezone the lands known municipally as 260 Sarnia Road (the "subject lands") from a Residential R1 (R1-9) Zone, which permits single detached dwellings, to a Residential R8 Special Provision (R8-4 (_)) Zone to permit 8, 2- and 3-storey stacked back-to-back townhouse units at a density of 55 units per hectare. Additional Special Provisions are requested to permit 9 parking spaces, whereas 12 parking spaces are required, and a 0.0 m front yard setback, whereas a minimum front yard setback of 7.0 m is required.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended Zoning By-law amendment is to permit a 2- and 3-storey stacked back-to-back townhouse development with a total of 8 units at a density of 55 units per hectare. The recommended change will permit 1 parking space per unit for a minimum of 8 parking spaces and a minimum front yard setback of 1.0 m.

Rationale of Recommended Action

1. The requested amendment is consistent with the policies of the Provincial Policy Statement, 2020 that encourage efficient development and land use patterns that support the use of transit and active transportation where it exists.
2. The recommended amendment conforms to the in-force policies of The London Plan including but limited to the Key Directions, City Design policies, and Neighbourhoods Place Type policies that contemplate townhouses as a primary permitted use where the property has frontage on a Civic Boulevard.
3. The requested amendment conforms to the Residential Intensification policies of The London Plan and the 1989 Official Plan which direct intensification to ensure that character and compatibility with the surrounding neighbourhood is maintained. The subject lands represent an appropriate location for Residential Intensification, within the Built-Area Boundary and Primary Transit Area, along a higher-order street at the periphery of an existing neighbourhood. The recommended amendment would permit development at an intensity that is appropriate for the site and the surrounding neighbourhood.

4. The requested amendment is consistent with the policies for Near Campus Neighbourhoods in The London Plan and the 1989 Official Plan, insofar as the site is unique within its context and has special attributes that warrant a site-specific amendment to permit the proposed form and intensity of development. As well, the site can reasonably accommodate the use, intensity and form of the proposed use.

Analysis

1.0 Background Information

1.1. Property Description

The subject lands are located on the south side of Sarnia Road, between Coombs Avenue to the west and Western Road to the east. Surrounding uses include low density residential uses immediately to the south and west of the subject lands, and a 5-storey student residence building and parking area immediately to the east. The site is situated within walking distance of the Western University (UWO) main campus, located northeast of Sarnia Road and Western Road.

The site is currently occupied by a 1.5-storey converted dwelling operating with 2 Residential Rental Units (RRU) for a total of 7 bedrooms, a detached accessory structure (garage), and a U-shaped driveway that extends across the front yard. The existing structures are proposed to be demolished in order to facilitate the proposed development.

Front view of the subject lands (facing south on Sarnia Road)



Figure 1. Front view of the subject lands (facing south on Sarnia Road)

The subject lands slope generally from north to south (rear), with a number of trees and vegetation planted along the east and south (rear) property line.



Figure 2. Rear view of the subject lands (facing southeast, towards UWO student residence)



Figure 3. Rear view of the subject lands (facing southwest)

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

- Official Plan Designation – Low Density Residential (Near-Campus Neighbourhoods Area)
- The London Plan Place Type – Neighbourhoods (Near-Campus Neighbourhoods Area)
- Existing Zoning – Residential R1 (R1-9)

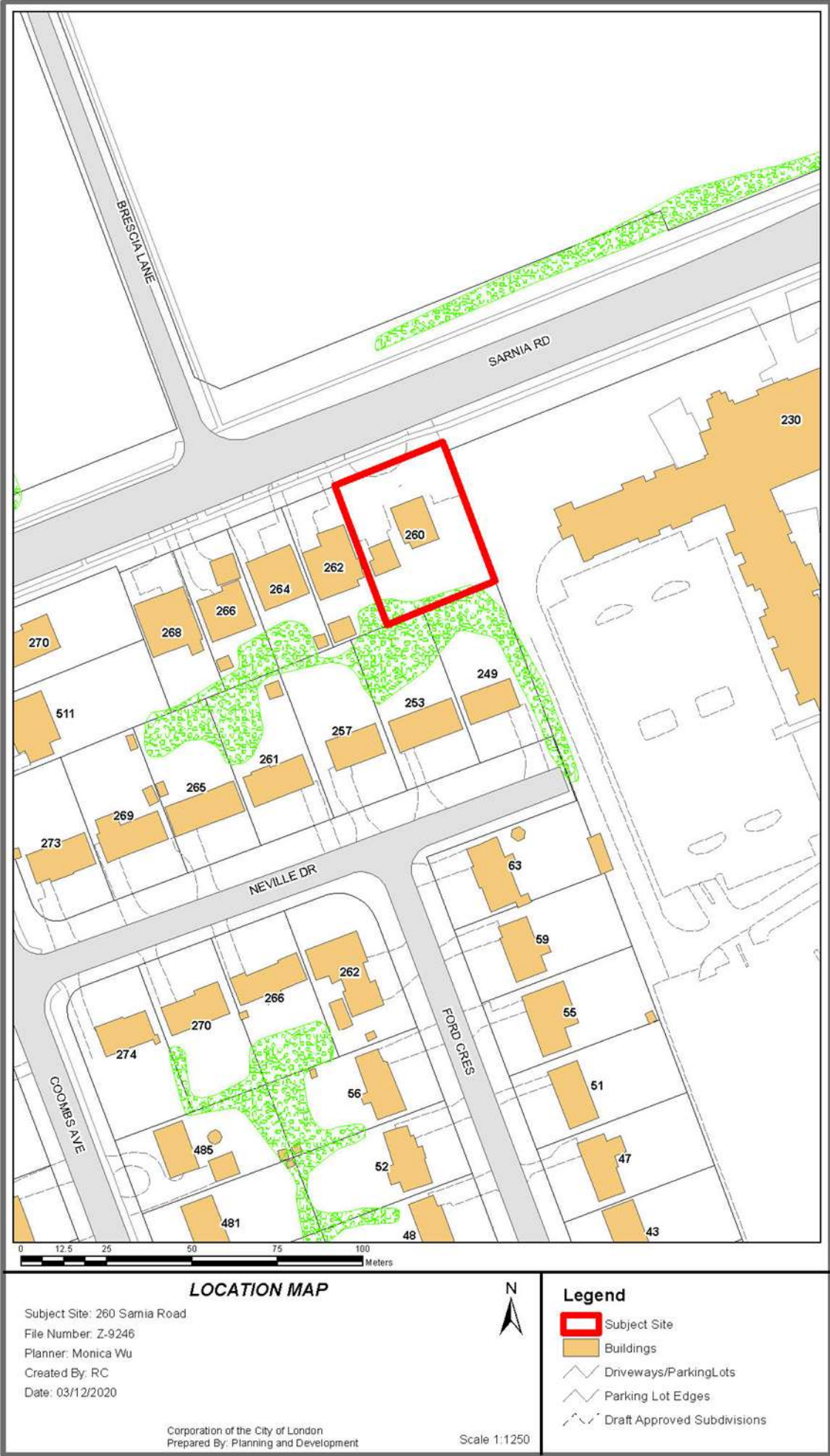
1.3. Site Characteristics

- Current Land Use – Single detached dwelling
- Frontage – 34.1 metres
- Depth – 43.5 metres
- Area – 1,483.6 square metres
- Shape – Rectangular

1.4. Surrounding Land Uses

- North – Vacant Land Designated RF and Zoned Residential R1, Brescia University College Campus parking lot (OZ-7955) and future residence building
- West – Single-detached dwellings
- East – 5-storey UWO student residence building
- South – Single-detached dwellings

1.5 Location Map



1.6 Intensification

The proposed residential development represents intensification within the Built-Area Boundary and is located within the Primary Transit Area.

2.0 Description of Proposal

2.1 Development Proposal

Original Site Concept Plan (June 9, 2020)

The site concept plan, preliminary building concept, and elevations submitted in support of the requested amendment shows a 2-storey, 8-unit stacked back-to-back townhouse development oriented towards Sarnia Road (Figures 4 & 5). Each unit has a total gross floor area (GFA) of approximately 1050 square feet, and can accommodate a maximum of 3 bedrooms per unit, for a total of 24 bedrooms. The proposed building is setback 1.0 m from the right-of-way, taking into account a 5.2 m road widening dedication. Driveway access is provided off of Sarnia Road by a 6.7 m wide driveway flanking the west lot line, and a 4.5 m wide pedestrian walkway is located along the easterly lot line, which connects to Sarnia Road. 8 parking spaces are provided at the rear of the subject lands, including 1 barrier-free parking space located at the southwest corner of the site, and 9 bicycle parking spaces. Both private and common amenity areas are proposed, including an outdoor amenity area with a gazebo and patio located at the southeast corner of the site, and private balconies facing the streetscape and towards the rear. The proposed development will result in the removal of the rear yard vegetation located on-site. Boundary trees on adjacent properties are to be retained and protected during the construction period, and new trees are to be planted as part of the development.

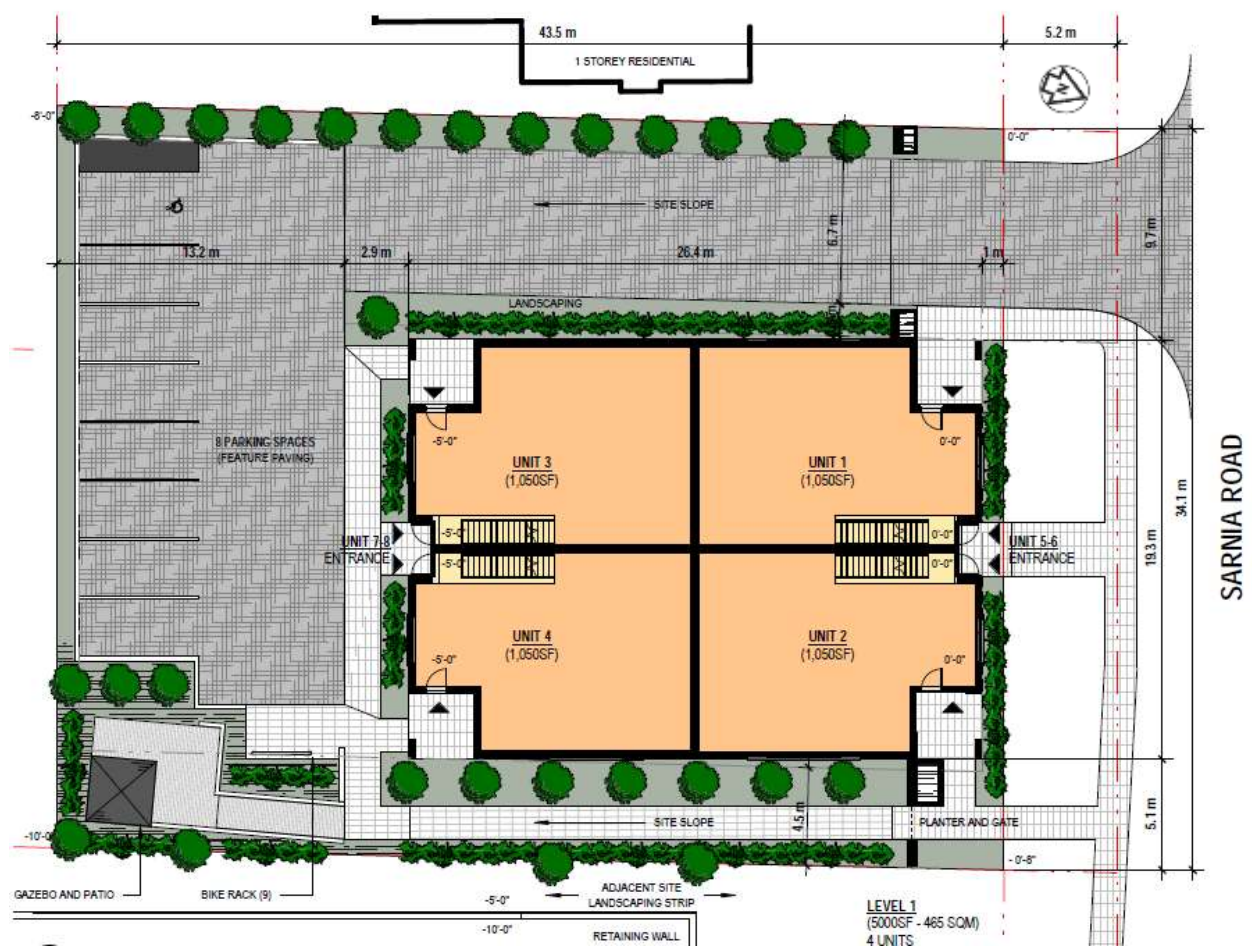


Figure 4. Original Site Concept Plan (June 9, 2020)



Figure 5. South and East Elevations

1st Revision - Site Concept Plan (October 21, 2020)

Following feedback received from City staff, who requested clarification regarding the front yard setback and expressed concerns relating to the proposed number of parking spaces, the applicants submitted a revised concept, which was presented to the Urban Design Peer Review Panel on October 21, 2020 with the following changes (Figures 6 & 7):

- Addition of 2 parking spaces for a total of 10 parking spaces, including 1 barrier-free parking space which has been moved closer to the rear units at the southeast corner of the site;
- To account for the required 19.5 meter road widening dedication along Sarnia Road, the proposed townhouse cluster will need to be setback an additional 4.2 meters from the front lot line. The recommended front yard setback of 1.0 m will be maintained.
- As a result of the road widening dedication, the applicants have proposed to shift the building back and reduce the building footprint of the rear units while adding an additional storey at the rear. The additional storey will be restricted to the rear portion of the building, with the front portion of the building maintaining a height of 2-storeys. The ground floor units at the rear (units 3 and 4) will have a GFA of approximately 640 square feet; units 7 and 8, which are also located at the rear, will be located on the 2nd and 3rd storeys, for a total GFA of 1420 square feet. No major changes are proposed to the units fronting onto Sarnia Road.
- The reduction in gross floor area for units 3 and 4 will result in a corresponding reduction in the proposed number of bedrooms, with 1 bedroom proposed for each unit. In total, 18 bedrooms are proposed, representing a reduction of 6 bedrooms from the initial proposal.



Figure 6. South and East Elevations



Figure 7. Proposed Site Concept Plan (October 21, 2020)

2nd Revision – Current Site Concept Plan (November 1, 2020)

Following feedback received from Urban Design Peer Review Panel (UDPRP) on October 21, 2020, the applicants submitted a second revised concept with the following changes (Figures 8 & 9):

- Reduction of 1 parking spaces for a total of 9 parking spaces, including 1 barrier-free parking space;
- Reduction of the driveway width from 6.7 m to 4.5 m, with additional landscaping and a retaining wall proposed along the west lot line.



Figure 8. Current Renderings (Sarnia Road Perspective & Rear Parking Lot Perspective)



Figure 9. Current Site Concept Plan (November 1, 2020)

3.0 Relevant Background

3.1 Planning History

- 2012: The applicant submitted an application for Zoning By-Law amendment (Z-8075) to rezone the lands to a Residential R3 Zone (R3-3) to permit the construction of a fourplex dwelling, and to demolish the existing dwelling and detached garage. The request for amendment was refused by Municipal Council and subsequently appealed to the OMB, where the decision of Council was upheld (PL121328).
- 1991: An application for an Official Plan and Zoning By-law Amendment was received (OZ-4400) to change the designation of the lands from Low Density Residential to a Multi-Family Medium Density Residential Designation and rezone the lands to Residential R5-4/CF1 to permit six townhouses or alternatively a group home Type 2 at 260 Sarnia Road (different applicant). The application was refused and was subsequently appealed to the OMB. The appeal was eventually withdrawn.

3.2 Requested Amendment

The applicant is requesting an amendment to Zoning By-law Z.-1 to change the zoning of the subject lands from a Residential R1 (R1-9) Zone, which permits the use of the subject lands for one single-detached dwelling, to a Residential R8 Special Provision (R8-4 ()) Zone to permit 8, 2- and 3-storey stacked back-to-back townhouse units for a total density of 55 units per hectares. Special provisions are requested to permit site-specific exceptions to the standard R8 (R8-4) Zone regulations. The applicant is requesting a reduced front yard setback and a reduced number of parking spaces.

3.3 Community Engagement (see more detail in Appendix A)

Staff received (5) comments during the public consultation period, which will be addressed under Section 4 of this report. The comments can be summarized as follows:

- 8 parking spaces are insufficient for 24 bedrooms;
- Traffic impacts on Wonderland Road North;
- Concerns about water run-off towards the neighbouring property at the rear;
- Potential light pollution impact from the parking lot towards the neighbouring property at the rear;
- The proposed density is too intense for the area;
- There is inadequate infrastructure in the northwest part of the City to support the development;
- The front yard setback is inconsistent with setbacks of buildings in the surrounding area and will limit the future widening of Sarnia Road;
- Clarification regarding the proposed number of bedrooms;
- Support of the application from a neighbouring property owner based on the proximity to UWO, frontage along Sarnia Road, and location next to the student residence

3.4 Policy Context (see more detail in Appendix B)

Provincial Policy Statement, 2020

The *Provincial Policy Statement, 2020* (PPS) provides policy direction on matters of provincial interest related to land use planning and development. In accordance with Section III of the PPS, the PPS is intended to be “read in its entirety and the relevant policies are to be applied to each situation”.

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 (Section 1.1.1 b)). The PPS also directs planning authorities to identify appropriate locations and promote opportunities for transit-supportive development and accommodating a range of housing options through residential intensification (Section 1.1.3.3).

The London Plan

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority of which is in force and effect). The London Plan policies and maps under appeal to the Local Planning Appeals Tribunal (Appeal PL170100) are not in force and effect and 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 on *Map 1 – Place Types of The London Plan, with frontage on a Civic Boulevard (Sarnia Road) as identified on Map 3 – Street Classifications. The Neighbourhoods Place Type contemplates a broad range of residential uses for the subject lands in accordance with Table 10 – Range of Permitted Uses including, but not limited to single-detached, semi-detached, duplex and converted dwellings, triplexes, fourplexes, townhouses, stacked townhouses and low-rise apartments. *Table 11 – Range of Permitted Heights requires a minimum height of 2-storeys and contemplates a maximum height of 4-storeys for the subject lands (or up to 6-storeys through Bonusing).

Consideration has also been given to the general policies of the Our Strategy, Our City, City Building and Design, Neighbourhoods Place Type, and Our Tools sections.

Near-Campus Neighbourhood Policies

The subject lands are located within a Near-Campus Neighbourhood (NCN) in proximity to Western University as identified on *Map 7 – Specific Policy Areas of The London Plan, and Figure 3-1 “Near-Campus Neighbourhoods Area” of the 1989 Official Plan,

and are therefore subject to the NCN policies in both plans. The vision for NCNs is to plan these areas in a manner that enhances their livability, diversity, vibrancy, culture, sense of place, and quality of housing options for all residents (Policy 964_; Section 3.5.19.2.). The planning goals for NCN direct Residential Intensification to occur in a proactive, coordinated, and comprehensive fashion within low density residential neighbourhoods near Western University and Fanshawe College (Policy 965_1; Section 3.5.19.4. ix)). The NCN policies may permit Residential Intensification within low density residential neighbourhoods subject to criteria listed under Policy 968_ in The London Plan and Section 3.5.19.10 in the 1989 Official Plan.

Official Plan (1989)

The subject lands are designated Low Density Residential in accordance with Schedule 'A' of the 1989 Official Plan. The Low Density Residential designation is applied to lands that are primarily developed or planned for low-rise, low density forms of housing, including detached, semi-detached, and duplex dwellings (Section 3.2). Multiple-attached dwellings may also be permitted subject to the policies of the 1989 Official Plan (Section 3.2.1.).

The proposed development of the subject lands meets the definition of redevelopment, as described in Section 3.2.3.1. of the 1989 Official Plan, and is therefore subject to the Residential Intensification policies therein. Residential Intensification may be permitted in the Low Density Residential designation through an amendment to the Zoning By-law, subject to Official Plan policies and the Planning Impact Analysis policies (Section 3.2.3.), up to a density of 75 units per hectare (Section 3.2.3.2.).

4.0 Key Issues and Considerations

4.1 – Issue and Consideration # 1: Use & Intensity

4.1.1 Use and Intensity

Provincial Policy Statement, 2020 (PPS)

Section 1.1 of the PPS encourages healthy, livable and safe communities which accommodate an appropriate range and mix of uses to meet long-term needs (Section 1.1.1 b)), and are sustained by promoting efficient, cost-effective development patterns and standards to minimize land consumption and servicing costs (Section 1.1.1 e)). The PPS encourages settlement areas to be the main focus of intensification and redevelopment (Section 1.1.2). Appropriate land use patterns within settlement areas are established by providing appropriate densities and mix of land uses that efficiently use land and 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 (Section 1.1.3.2).

The policies of the PPS direct planning authorities to identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated, taking into account existing building stock or areas, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs (Section 1.1.3.3). Planning authorities are further directed to permit and facilitate all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes (Section 1.4.3 b) 1.). The PPS encourages all types of residential intensification, including additional residential units and redevelopment (Section 1.4.3 b) 2.).

Analysis

The recommended amendment is consistent with the policies of the PPS as it will facilitate efficient, cost-effective development patterns within an established settlement area. The proposed development represents a form of intensification through

redevelopment and the creation of additional residential units. The proposed 2- and 3-storey, 8-unit townhouse development supports the Province's goal to achieve a more compact, higher density form of development, and will contribute to providing choice and diversity in housing options required to meet the health, economic and well-being requirements of current and future residents, including the surrounding student population. No new roads or infrastructure are required to service the site; therefore the development makes efficient use of existing services. The proposed development supports the use of active transportation and transit as the site is conveniently located in an area that is directly serviced by existing transit, and is located within a 10-minute walking distance to the UWO main campus.

The London Plan

The London Plan encourages intensification where appropriately located and provided in a way that is sensitive to and a good fit within existing neighbourhoods (Policy 83_, 937_, and 953_1). The intensity of development must be appropriate to the neighbourhood context as it relates to height, massing, setbacks etc. (Policy 953_2), as well as appropriate for the size of the lot, and accommodate such things as adequate parking in appropriate locations, landscaped open space, outdoor residential amenity area etc. (Policy 953_3). As well, the subject lands are located in the Primary Transit Area (PTA), which is intended to be the focus of residential intensification and transit investment within London (Policy 90_). Development within the PTA should be designed to be transit-oriented, and the supply of public parking within the PTA will be managed to support the transit and active mobility networks (Policy 92_8, 92_9)

The Neighbourhoods Place Type contemplates a broad range of residential uses for the subject lands in accordance with Table 10 – Range of Permitted Uses, including stacked townhouses. 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 (up to 6-storeys with bonusing) is contemplated in the Neighbourhoods Place Type where a property has frontage on a Civic Boulevard (*Table 11 – Range of Permitted Heights in the Neighbourhoods Place Type).

Near-Campus Neighbourhoods Policies

The planning and urban design goals set out in the NCN policies in The London Place (Policy 365_) and the 1989 Official Plan (Section 3.5.19.4.) are intended to serve as an additional evaluative framework for all planning applications within NCN. They include:

- Planning for residential intensification in a proactive, coordinated, and comprehensive fashion;
- Identifying strategic locations where residential intensification is appropriate within NCNs and which use strong transit connections to link these opportunities to campuses;
- Avoiding incremental changes in use, density, and intensity that cumulatively lead to undesirable changes in the character and amenity of streetscapes and neighbourhoods;
- Encouraging a balanced mix of residential structure types at appropriate locations while preserving stable residential areas;
- Encouraging residential intensification in mid-rise and high-rise forms of development;
- Directing residential intensification to significant transportation nodes and corridors and away from interior neighbourhoods;
- Utilizing zoning to allow for residential intensification which is appropriate in form, size, scale, mass, density, and intensity;
- Ensuring that residential intensification projects incorporate urban design qualities that enhance streetscapes and contribute to the character of the neighbourhood while respecting the residential amenity of nearby properties.

Within the NCN, Residential Intensification may be permitted within low density residential neighbourhoods subject to the criteria listed under Policy 968_ in The London Plan and Section 3.5.19.10 in the 1989 Official Plan, including that:

- the development provides for adequate amenity area;
- mitigation measures are incorporated which ensure surrounding residential land uses are not negatively impacted;
- the proposal does not represent a site-specific amendment for a lot that is not unique within its context and does not have any special attributes;
- the proposal is appropriate in size and scale and does not represent over-intensification of the site; and
- the proposal establishes a positive and appropriate example for similar locations in the NCN areas.

Policy 969_ further discourages forms of intensification within NCNs that:

- are inconsistent with uses and intensity shown in Tables 10 to 12 of The London Plan;
- are within neighbourhoods that have already absorbed significant amounts of residential intensification and/or residential intensity;
- are located on inadequately sized lots that do not reasonably accommodate the use, intensity or form of the proposed use;
- contain built forms that are not consistent in scale and character with the neighbourhood;
- continue an ad-hoc and incremental trend towards residential intensification within a given street, block or neighbourhood.

Official Plan (1989)

The Low Density Residential designation is applied to lands that are primarily developed or planned for low-rise, low density housing forms (Section 3.2.). Where appropriate, the designation permits some multiple-attached dwellings, such as row houses or cluster houses, subject to the policies of the 1989 Official Plan (Section 3.2.1.). Residential Intensification may be permitted in the Low Density Residential designation through an amendment to the Zoning By-law, subject to the Residential Intensification policies and the Planning Impact Analysis policies (Section 3.2.3.), and will be considered in a range up to 75 units per hectare (Section 3.2.3.2.). Infill housing may be in the form of single detached dwellings, semi-detached dwellings, attached dwellings, cluster housing and low rise apartments (Section 3.2.3.2.).

Analysis

The recommended amendment would facilitate the development of a 2- and 3- storey stacked back-to-back townhouse development with density of 55 units per hectare. The proposed use of the subject lands is permitted under Table 10 – Range of Permitted Uses of The London Plan and conforms to the permitted height range contemplated at this location (*Table 11 – Range of Permitted Heights), as well as the maximum density contemplated in the 1989 Official Plan (Section 3.2.3.2.). As such, the requested intensity of development is contemplated on the subject lands, subject to certain considerations at the Site Plan Approval stage.

With regards to issues relating to compatibility and good fit with the surrounding neighbourhood, the following subsections will address concerns regarding on-site parking, light pollution, potential stormwater impacts on the lands to the south, and inadequate infrastructure, below:

On-Site Parking/Light Pollution

Comments were received during circulation concerning the proposed reduction in parking spaces and potential light pollution impacts on the neighbouring property to the south.

Section 4.19 (10) (b) of Zoning By-law Z.-1 provides standard parking rates for specific residential uses based on the number of proposed dwelling units. The applicant is proposing to provide 9 parking spaces, including 1 accessible parking space, whereas 12 parking spaces are required based on a total of 8 residential units (1.5 parking spaces per unit). Transportation objectives in the 1989 Official Plan direct that parking facilities be provided that are appropriately located, adequate for the uses that they support, and compatible with adjacent land uses (1989 Official Plan, Section 18.1 ix)).

In this instance, the proposed parking area is appropriately located at the rear of the subject lands and will be buffered/screened from view of the neighbouring residential properties to the south and west by existing fencing and mature trees on the neighbouring property at the rear. A 1.5 m landscaping strip with additional trees and vegetation is proposed along the southerly and westerly lot lines, further mitigating potential noise or lighting impacts of the parking area on the neighbouring properties.

The subject lands are located within walking and cycling distance to the UWO main campus, and are on a direct bus route (on Sarnia Road), which may reduce demand for parking on-site at this particular location. It is anticipated that the proposed building will be marketed toward students of Western University and is therefore not unreasonable to consider the use of the building by tenants who do not require access to a motorized vehicle. Furthermore, City Transportation staff supports the reduction in required parking at a rate of 1 parking space per unit, and have no concerns with respect to traffic.

As such, the proposed parking reduction is consistent with the PTA policies in The London Plan and is adequate for the uses they support. The proposed parking area is

appropriately located, and given the proposed mitigation measures, is not anticipated to have any negative impacts on neighbouring lands. Further mitigation measures, such as the location of trees proposed along the rear lot line and parking area lighting, will be considered at the Site Plan Approval stage.

Wastewater and Stormwater Impacts

As part of a complete application, the applicant was required to provide a Sanitary Servicing Report to assess sufficient sanitary capacity and a Stormwater Management Report with lot grading plan indicating how the site is proposed to be serviced.

Sanitary servicing is to be provided via the existing sanitary connection to the 200mm sanitary sewer on Sarnia Road. Following their review of the MTE Sanitary Servicing Brief completed on April 21, 2020, City Engineering Staff provided comments requesting revisions to the design sheets that provide a more conservative estimate that includes the population coming from University Residential and connected to the Ford Crescent sanitary sewer as well as the Brescia lands. Based on the density being proposed, City Engineering staff do not anticipate any issues with the marginal increase in sanitary flows once the above changes are made. A detailed design capacity analysis will be undertaken and the sanitary area plan and design sheets will be updated to the satisfaction of Wastewater Drainage Engineering and the City Engineer at the time of Site Plan Approval. Approval will not be granted for development if it will be inadequately serviced by the design solution.

In addition, City design standards for stormwater management do not support designs that will increase pre-to-post-development runoff and overland flow onto adjacent properties. Following their review of the MTE Stormwater Management Report completed on April 21, 2020, City Engineering staff provided comments requesting revisions to the strategy to address the site's topography, and additional detail of the proposed outlet. Staff will be seeking on-site design solutions at the Site Plan Approval stage that maintain or reduce post-development overland flow and where possible, improve flow patterns.

Near-Campus Neighbourhoods Policies

The surrounding neighbourhood can be characterized by low-rise, low density residential uses in the form of single detached dwellings, which are located on relatively large lots with significant depth and mature vegetation. Several properties within the surrounding neighbourhood are licensed as residential rental units, including the two properties situated immediately west of the subject lands, which contain 7 to 8 bedrooms each. There has been a moderate increase in Residential Intensification and Intensity in the surrounding area over time, as well as within the University Heights neighbourhood to the south.

The subject lands have a lot area of approximately 1,660.0 m², with a lot frontage and a lot depth of approximately 34.0 m and 44.0 m, respectively. The lot depth is consistent with that of surrounding properties; in contrast, the lot frontage is approximately twice that of nearby residential lots along the south side of Sarnia Road, which average 17.0 m. The abutting uses to the south (rear) and west of the subject lands contain a single detached dwelling and a converted dwelling, respectively. Immediately to the east of the subject lands is a 5-storey UWO student resident building and associated parking area. Directly north of Sarnia Road are lands owned by Brescia College, which are currently undeveloped. The subject lands are uniquely situated next to a 5-storey student residence with a wider lot frontage than the average observed lot frontage in the surrounding neighbourhood. Furthermore, the subject lands are located along a transit corridor, away from the interior of the neighbourhood. Based on these unique attributes, it is not unreasonable to consider a site-specific amendment for Residential Intensification at this location.

The proposed development is strategically located on a major transit route along Sarnia Road (routes 9, 10, 29, and 31), which connects directly to UWO main campus and to

commercial areas located along Wonderland Road North. Bus stops are located approximately 150.0 m to the east of the subject lands, and 100.0 m to the west. As indicated above, the UWO main campus is approximately a 10-minute walking distance from the subject lands. While there are no dedicated cycling lanes along Sarnia Road, the main campus is easily accessible by bike via Sarnia Road and Philip Aziz Avenue.

Adequate amenity space is provided in the form of shared outdoor amenity space, located at the southeast corner at the site, which includes a pergola and paved patio area, and private amenity space for each unit. The outdoor amenity space is adequately buffered/screened from the properties to the south and east by existing fencing and a 1.5 m landscaped strip and vegetation, thereby mitigating potential noise and visual impacts on the neighbouring properties. Further site layout and design issues will be considered at the Site Plan Approval stage.

The applicant is providing a sufficient amount of landscaped open space (36% whereas a minimum of 30% is required), a rear yard amenity space, and with the exception of the minimum on-site parking and front yard setback requirements, complies with all other regulations in the Zoning By-law. The lot is adequately sized as the intensity of development is balanced with other site functions and surrounding properties should not be adversely impacted. As such, the proposed 8-unit stacked back-to-back townhouse development is appropriate in size and scale and does not represent over-intensification of the site.

4.2 – Issue and Consideration #2: Form

Provincial Policy Statement, 2020

The PPS is supportive of development standards which facilitate intensification, redevelopment and compact form (Policy 1.1.3.4). The PPS also identifies that long term economic prosperity should be supported by encouraging a sense of place by promoting a well-designed built form, and by conserving features that help define character (Policy 1.7.1 e)).

The London Plan

The London Plan encourages compact forms of development as a means of planning and managing for growth (Policy 7_, Policy 66_), and encourages growing “inward and upward” to achieve compact forms of development (Policy 59_ 2, 79_). The London Plan accommodates opportunities for infill and intensification of various types and forms that take advantage of existing services and facilities (Policy 59_ 4.). Where appropriate, transit-oriented development forms are encouraged (Policy 60_6).

Within the Neighbourhoods Place Type, and according to the urban design considerations for Residential Intensification, compatibility and fit will be evaluated from a form-based perspective through consideration of the following: site layout in the context of the surrounding neighbourhood; building and main entrance orientation; building line and setback from the street; height transitions with adjacent development; and massing appropriate to the scale of the surrounding neighbourhood (*Policy 953_ 2. a.-f.). Similar to the Planning Impact Analysis criteria within the 1989 Official Plan, the Our Tools section of The London Plan contains various considerations for the evaluation of all planning and development applications (*Policy 1578_).

Official Plan (1989)

Regarding the scale of development in areas designated Low Density Residential, development shall have a low-rise, low coverage form that minimizes problems of shadowing, view obstruction and loss of privacy (Section 3.2.2.). The 1989 Official Plan recognizes Residential Intensification as a means of providing for the efficient use of land and achieving a compact urban form (Section 3.2.3). In accordance with Section 3.2.3.2 of the 1989 Official Plan, Zoning By-law provisions are to ensure that infill housing projects recognize the scale of adjacent land uses and reflect the character of

the area. The Planning Impact Analysis criteria in the 1989 Official Plan, are to be used to evaluate the appropriateness of a proposed change in land use and identify ways to reduce any adverse impacts on surrounding land uses (Section 3.7).

Furthermore, Residential Intensification projects shall use innovative and creative urban design techniques to ensure that character and compatibility with the surrounding neighbourhood is maintained (Section 3.2.3). In addition to the NCN policies provided under section 4.1 of this report, section 3.5.19.13. of the 1989 Official Plan provides additional urban design criteria for new development in the NCN used to evaluate consistency with existing neighbourhood built form patterns, such as height, roof slope and shapes, scale, massing, building orientation, amongst others.

Analysis

Low-rise, low density residential uses in the form of single detached dwellings built in the 1950s and 60s are the dominant forms of development in the surrounding neighbourhood. The existing lot fabric in the surrounding area can be characterized as relatively large lots with significant lot depths. The existing dwellings in the area are setback substantially from the right-of-way, with a significant portion of the front yards dedicated to front yard parking on extended paved areas. In some instances, attached garages have been renovated to be part of the residential living space.

The Our Tools policies of The London Plan direct decision makers to evaluate a development proposal against the existing context as well as the future context envisioned by policy to allow for flexibility in managing change within an established neighbourhood. (*Policy 1578_7). As previously indicated, the proposed 2- and 3-storey, 8-unit stacked back-to-back townhouse development conforms to The London Plan policies as it relates to use (Table 10 – Range of Permitted Uses) and height (*Table 11 – Range of Permitted Heights), as well as the maximum density contemplated in the 1989 Official Plan (Section 3.2.3.2.). And while it introduces a new form of development within the existing context, it represents the future form of development envisioned by the policies for lands along the Sarnia Road frontage.

The proposed location of the parking area at the rear of the property is an improvement over existing site conditions, where the parking area currently fronts onto Sarnia Road. The parking area will be appropriately screened from the street, which will positively contribute to the visual aesthetic of the streetscape and surrounding neighbourhood. The proposed building design is oriented towards Sarnia Road, with units 1, 2, 5, and 6 facing the street. Given the proposed front yard setback of 1.0 m, the ground floor of the proposed townhouse development would be at a similar grading along Sarnia Road, which would improve the existing grade relationship. In contrast, the existing dwelling appears to be “depressed” into the ground, due to the topography of the site and the existing 10.0 m setback from the right-of-way.

Additional contemporary architectural elements are incorporated in the design to create visual interest along the streetscape. The roof line will be sloped to reflect the dominant sloped roof features of the surrounding bungalows, but with a distinctive “split peaked roof” and columns at the periphery, which provides a more “free and floating” impression.

Front Yard Setback

Concerns were raised through the circulation of the application that the proposed front yard setback was not appropriate for the context of the neighbourhood. The requested amendment includes a reduced minimum front yard setback of 0.0 m, whereas 7.0 m is required in the Residential R8 (R8-4) Zone. A reduction in the front yard setback is required as a result of the ultimate road allowance requirement of 19.5 m measured from the centreline of Sarnia Road. Relief from the required minimum front yard setback of 7.0 m is required in order to provide reasonable townhouse unit sizes while ensuring that adequate parking and outdoor amenity space can be provided at the rear of the subject lands.

The proposed front yard setback reduction reflects current urban design standards in *The London Plan*. Buildings are encouraged to be positioned with minimal setbacks from public rights-of-way to create a street wall/edge that provides a sense of enclosure within the public realm (*Policy 259_), and to encourage transit-oriented development (Policy 90_). Comments received from the Urban Design Peer Review Panel (UDPRP) were supportive of the building orientation towards Sarnia Road, including the principle unit entrances to units 1, 2, 5, & 6, creating an active street edge. Furthermore, the proposed building setback maintains a similar front yard setback as the existing dwelling located 5 properties west of the subject lands, on the corner lot at the intersection of Sarnia Road and Coombs Avenue.

Based on the submitted and revised site concept plans, a front yard setback of 1.0 m is shown, with landscaping proposed within the 1.0 m setback. The applicant should be encouraged at the Site Plan Approval stage to provide additional plantings within the available space to soften the appearance of the new building from the streetscape. As such, the requested Special Provision for a reduced parking area setback of 0.0 m is not necessary to facilitate the proposed development. It is recommended that the requested Special Provision be revised to 1.0 m, as shown on the site concept plan.

Height and Scale

As a result of the required 19.5 m road widening dedication along Sarnia Road, the applicants have proposed a further reduction in the GFA of the rear-facing units, resulting in an additional storey being added to the rear units. In total, 4 units are provided at the rear: units 3 and 4 located on the ground floor with a gross floor area of 640 sq. ft. each, and units 7 and 8 located on the 2nd and 3rd storeys with a combined gross floor area of 1420 sq. ft. each.

Due to the proposed location of the parking area and driveway, adequate rear yard and west side yard depths are provided from the abutting properties to the south (rear) and west of the subject lands, which alleviates concerns with respect to overlook/privacy and shadowing resulting from the proposed increase in height. Additionally, the subject lands are sloped as the site move towards the rear; as a result of the grading difference, only a portion of the 3rd storey peaked roof can be viewed from the streetscape.

In regards to the surrounding context, the abutting property to the east of the subject lands contain a 5-storey student residence; in contrast, the abutting properties to the south and west of the subject lands contain a single-story residential dwelling. The proposed 2- and 3-storey stacked townhouse development provides an appropriate transition in height and scale from the medium-high density development to the east, to the low-density residential neighbourhood to the south and west.

Based on the above analysis, the proposed 2- and 3-storey stacked back-to-back townhouses represent a more compact form of development than the existing converted dwelling on the subject lands, and improves on the visual characteristics of the surrounding neighbourhood, particularly as it relates to the streetscape. The proposed development provides an appropriate transition from the medium-high density development to the east and the low-density residential neighbourhoods to the west and south. Development Services staff are of the opinion that the proposed development serves as a positive and appropriate example for similar locations in the NCN areas.

Conclusion

The recommended amendment to permit 8, 2- and 3-storey stacked back-to-back townhouse units is consistent with the policies of the Provincial Policy Statement, 2020 and conforms to the in-force policies of The London Plan, including the use, intensity, and form polices within the Neighbourhoods Place Type, as well as the 1989 Official Plan.

The recommended amendment is consistent with the Near-Campus Neighbourhoods

policies in The London Plan and the 1989 Official Plan, which encourage intensification in medium and high density forms, and discourage continued intensification in low density forms of housing. The proposed development is located on an appropriately-sized lot that can reasonably accommodate the use, intensity, and form of the proposed use. The site is uniquely situated next to a 5-storey student residence with a wider lot frontage than the average observed lot frontage in the surrounding neighbourhood, and is situated along a transit corridor, away from the interior of the neighbourhood, where higher density can be accommodated. Based on these unique attributes, a site-specific amendment for Residential Intensification at this location is reasonable, and serves as a positive and appropriate example for similar locations in the NCN areas.

Prepared by: M. Wu, Planner I, Development Services
Submitted by: Paul Yeoman, RPP PLE, Director, Development Services
Recommended by: George Kotsifas, P.ENG, Managing Director,
Development and Compliance Services and Chief
Building Official

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

December 7, 2020
CS/

CC: Michael Tomazincic, Manager, Development Planning

Appendix A

Bill No. (number to be inserted by Clerk's Office)
2021

By-law No. Z.-1-21 _____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 260
Sarnia Road.

WHEREAS Kirkness Consulting has applied to rezone an area of land located at 260 Sarnia 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 260 Sarnia Road, as shown on the attached map comprising part of Key Map No. A102, from a Residential R1 (R1-9) Zone to a Residential R8 Special Provision (R8-4(_)) Zone.
- 2) Section Number 9.4 of the Residential R8 (R8-4) Zone is amended by adding the following Special Provision:

R8-4(_)	260 Sarnia Road	
a)	Regulations	
i)	Front Yard Depth (minimum)	1.0 metres (3.2 feet)
ii)	Parking (Minimum)	1 space per unit

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 January 12, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – January 12, 2021
Second Reading – January 12, 2021
Third Reading – January 12, 2021

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



Appendix B – Public Engagement

Community Engagement

Public liaison: On August 5, 2020, Notice of Application was sent to all property owners within 120 m of the property. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on August 6, 2020. A “Planning Application” sign was also posted on the site.

Nature of Liaison: The purpose and effect of this zoning change is to permit a 8, 2-storey stacked back-to-back townhouse dwellings. Possible change to Zoning By-law Z.-1 **FROM** a Residential R1 (R1-9) Zone **TO** a Residential R8 Special Provision (R8-4 (L)) Zone with a 0.0 minimum front yard setback and 8 parking spaces whereas 12 parking spaces are required.

Public liaison: On November 25, 2020, Notice of Public Meeting was sent to all property owners within 120 m of the property. Notice of Public Meeting was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on November 26, 2020.

Responses: Five (5) comments were received (see below).

The cluster townhomes already along sarnia are an eyesore, the density is way too high and they increase the wonderland road traffic which is already to heavy. Why on earth would the city of london even consider allowing another development of cluster homes. The zoning should not be changed to allow this development. The infrastructure in the northwest cannot support it.

J. Blackport

I have concerns with the proposed Zoning amendment for the property at 260 Sarnia Rd.

My concerns are as follows:

- The Notice of Planning Application sent out by the City of London did not specify/guarantee the number of bedrooms proposed in this 8 plex, why was this? how are we to make a decision on this proposal without all the details.

- I am also concerned about the proposal to greatly reduce the reduced front yard setback. This can be shortsighted and thus limiting of potential Sarnia Road expansion in future years.

- This 8 plex will probably host a minimum of 24 tenants likely Western Students, as that is who is currently living on the site. (unknown maximum # due to details of # of bedrooms withheld) realistically 8 parking spaces are not sufficient for 24 students. Parking should be increased to a minimum of 16 spaces for this proposal.

- For years the City of London has dragged out their old excuses of why we should limit infill in residential neighbourhoods, you even make By-Laws and City Zoning to try and stop this, now you are retracting all these concerns for this property, why?

I would like to be notified of any meeting for the proposed Zoning By Law Amendment.

Dan Schaefer

Hello

Shana'a Holdings Inc made an application for zoning amendment which was denied by Council and the Appeal was heard by the Ontario Municipal Board on May 13, 2013. OMB Case No: PL121328, OMB File No: PL121328. At that time the request was for a 4-plex to be built on the property, and the amendment was not approved. Instead it was recommended to build two duplexes. I had thought the matter closed and was surprised to see another application.

Having reviewed the notice of planning application, this new amendment proposes a cluster townhouse development consisting of 8, 2-storey stacked back to back townhouse units with parking spaces and a reduced front yard setback.

I live in my home on 249 Neville Drive, where I have resided for 25 years. My back yard is immediately south of 260 Sarnia Rd and contains the spruce trees which are viewed from that property as it looks south.

My home is a side split in a neighbourhood comprised of mainly bungalows and one other side split home like mine.

The current building at 260 Sarnia Road is set back from the main road and is a 2-storey building. By moving the proposed new building forward and closer to Sarnia Road, the 2-storeys will be at a higher elevation and will appear much higher from my home which is already at a lower level of gradation as the land slopes significantly downwards from that property to mine. With this in mind, I am very concerned about water runoff from this new elevation and fencing should this amendment go forward. There exists the potential of a parking lot full of headlights assaulting my home with light pollution as cars enter the driveway and park, I would suggest that a concrete fence (minimum 8 ft) be required at the rear of that property to prevent this and not reliance on the heavy vegetation of the spruce trees in my yard. This type of fence will also prevent litter from the garbage area being scattered and contain the patio area. It will provide a clear boundary between our yards. Additionally, any lighting for the parking area should point from the back of the parking lot and to the north, east or west to prevent light pollution into my home.

Please advise me of future public participation meetings should this move forward.

Please send notification on the decision of the City of London on the proposed zoning by-law amendment.

Thank you,

Mary Hryb
249 Neville Drive
London ON

Hi Ms. Wu

Can you tell me how many bedrooms will be in each townhouse at the proposed development at 260 Sarnia Rd?

According to the City Notice, there would be 8 townhouses and I am assuming there is a restriction of 3 bedrooms per townhouse.

Is this correct?

Thank you

Glenn Matthews
Housing Mediation Officer
Western University

Room 3C62
Ontario Hall
519-661-3787

Monica,

As owner of 279 Sarnia road, I am 100% in agreement and have no objections with this proposal for above stated property.

It does makes sense as this area in close proximity to UWO and fronting onto Sarnia road to develop sites likes these for cluster housing.

Especially directly next door to a hi rise that Western built a few years ago.

I also agree with the owner of the property to ask for SPECIAL REVISIONS to permit this building on site.

Regards,
Marco Palumbo.
President, Palumbo Properties Ltd.
Owner of 279 Sarnia road.

> Dear Phil,
>
> I received the information about the proposed plans to build 8, 2 Storey Stacked Back to Back townhouses on the site of 260 Sarnia Rd. in London.
>
> I am intrigued to know more details of this development.
> For as you must know, Back to Back houses were built in the UK during the Industrial Revolution to provide accommodations for the rapid rise in population in the manufacturing cities, such as the inner cities of Leeds, Liverpool, Birmingham etc.
> They were terraced houses - built on the cheap - and shared a back wall and common courtyard.
> This led to unsanitary, unhealthy slum like conditions.
> Thankfully most of them were demolished in the latter 19th century and a bit later.
> A few have been preserved in Birmingham - operated as a historical museum.
>
> I hope it is correct to assume that the plans for housing at 260 Sarnia Rd. will not resemble, in any way, those built during the Industrial Revolution.
> But, you must admit that the term Back to Back Houses does conjure up images of the horrendous housing conditions for some of the population in a bygone era.
>
> I look forward to your comments.
> Thank you.
>
> Sincerely,
>
> Lorna Brooke

Agency/Departmental Comments

Site Plan

- 8 parking spaces are provided, whereas 12 are required. This is problematic, in that 1 of the provided spaces (as required) is shown as barrier-free. If none of the future residents have an accessible parking permit, then the space isn't allowed

to be used for tenant parking and one of the tenants will be without a parking space.

- I also note that the accessible parking space must be located as close to the building as possible, and comply with the design standards of the Site Plan Control By-law, including a painted walkway and barrier-free path of travel to the building entrances.
- The required front yard is 7m. The plans submitted show a setback of 1m, and the PJR states it to be 0m.
- The building height should be confirmed as the average of all 4 corners of the building given the grade change from front to rear.
- Details are required for the accessory structure (gazebo) in the rear yard, including the height (to the peak of the roof), setback to the property lines, and lot coverage.
- The rear yard parking area setback should be shown as a minimum of 1.5m.
- Additional comments may be forthcoming depending on the information requested above.

Engineering

Transportation

- Road dedication is 19.5m from the centerline along Sarnia Road as per the Z1;
- Detailed comments regarding the access will be provided at time of Site Plan

Water

- No comments.

Stormwater

- SWM's team stresses the need to comply with comments provided as part of pre-application comments for above site.
- In order to properly review a swm strategy that addresses the sites topography, lack of storm sewer and detail of the proposed outlet, a comprehensive submission is required. Designer shall ensure to utilize Figure 5.3 for the post development time of concentration ensuring a more conservative design is put forward.

Sewer

- The sanitary sewershed is Greenway.
- The consultant engineer indicate that the footprint of the site is 0.15ha; however, In the design sheet it is indicated as 0.25ha, revise accordingly.
- The Applicant's engineer is to revise the design sheet and use 230l/cap/day for only the proposed site .The rest of the Blocks/Lots has to be as per old design sheet (cap/day). Alternatively, the whole design sheet be calculated a bit more conservatively, perhaps 250l/cap/day.
- The Applicant's engineer shall ensure to account for the population coming from University Residential and connected to the Ford Cresnet sanitary sewer. Revise report and design sheet accordingly.
- Although Brescia is not connected or contributing any flows at the present time, Applicant's engineer shall account for their lands similar to previous design sheets.
- SED expectation that the some sections will have some limited capacity and may be under surcharge condition; however, based on the minor density being proposed, SED is not overly concern about the capacity once the above changes are made.
- The applicant's engineer is to re-submit the revised sanitary capacity analysis for review as well as address all SED comments.
- Transportation comments provided as part of the pre-application stage still apply to the site at the time of SPA.

UTRCA

- As indicated, the subject lands are not regulated by the UTRCA and a Section 28 permit application will not be required. The UTRCA has no objections to this application.

UDPRP

- The Panel commends the applicant for a well considered approach to the site considering the restrictions created by the road widening allowance.
- The Panel questioned the percentage asphalt relative to the remainder of the site and recommended auditing the drive aisle widths and number parking spaces to maximize the amount of landscaped and amenity space.
- The Panel recommended the plant selection be chosen with the student occupants in mind to ensure ease of maintenance and long term aesthetics along Sarnia Road.

Appendix B – 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, 2020

Section 1.1 – Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 b)

1.1.3.1

1.1.3.2

1.1.3.3

1.1.3.4

1.4.3

Section 1.7 – Long Term Economic Prosperity

The London Plan

(Policies subject to Local Planning Appeals Tribunal, Appeal PL170100, indicated with asterisk.)

Policy 7_ Our Challenge, Planning of Change and Our Challenges Ahead, Managing the Cost of Growth

Policy 59_2., 4., and 5. Our Strategy, Key Directions, Direction #5 Build a Mixed-use Compact City

Policy 61_5. Our Strategy, Key Directions, Direction # 7 Build Strong, Healthy and Attractive Neighbourhoods for Everyone

Policy 66_ Our City, Planning for Growth and Change

Policy 79_ Our City, City Structure Plan, The Growth Framework, Intensification

*Policy 83_ Our City, City Structure Plan, The Growth Framework, Intensification

Policy 84_ Our City, City Structure Plan, The Growth Framework, Intensification

Policy 256_City Building Policies, City Design, How Are We Going to Achieve This, Site Layout

*Policy 259_ City Building Policies, City Design, How Are We Going to Achieve This, Site Layout

Table 10 Range of Permitted Uses in Neighbourhoods Place Type

*Table 11 Range of Permitted Heights in Neighbourhood Place Type

*Policy 919_ Place Type Policies, Urban Place Types, Neighbourhoods, Approach for Planning Neighbourhoods – Use, Intensity and Form

*Policy 937_ Place Type Policies, Urban Place Types, Neighbourhoods, Residential Intensification in Neighbourhoods

*Policy 939_ Place Type Policies, Urban Place Types, Neighbourhoods, Forms of Residential Intensification

*Policy 953_ Place Type Policies, Urban Place Types, Neighbourhoods, Residential Intensification in Neighbourhoods, Additional Urban Design Considerations for Residential Intensification

Official Plan (1989)

General Objectives for All Residential Designations

3.1.1 ii)

3.2.3.2 – Residential Intensification, Density and Form

3.2.3.4 – Compatibility of Proposed Residential Intensification Development

Low Density Residential Designation

3.3 - Preamble

3.3.1 - Permitted Uses

3.3.2 - Scale of Development

3.3.3 - Residential Intensification

3.7 - Planning Impact Analysis

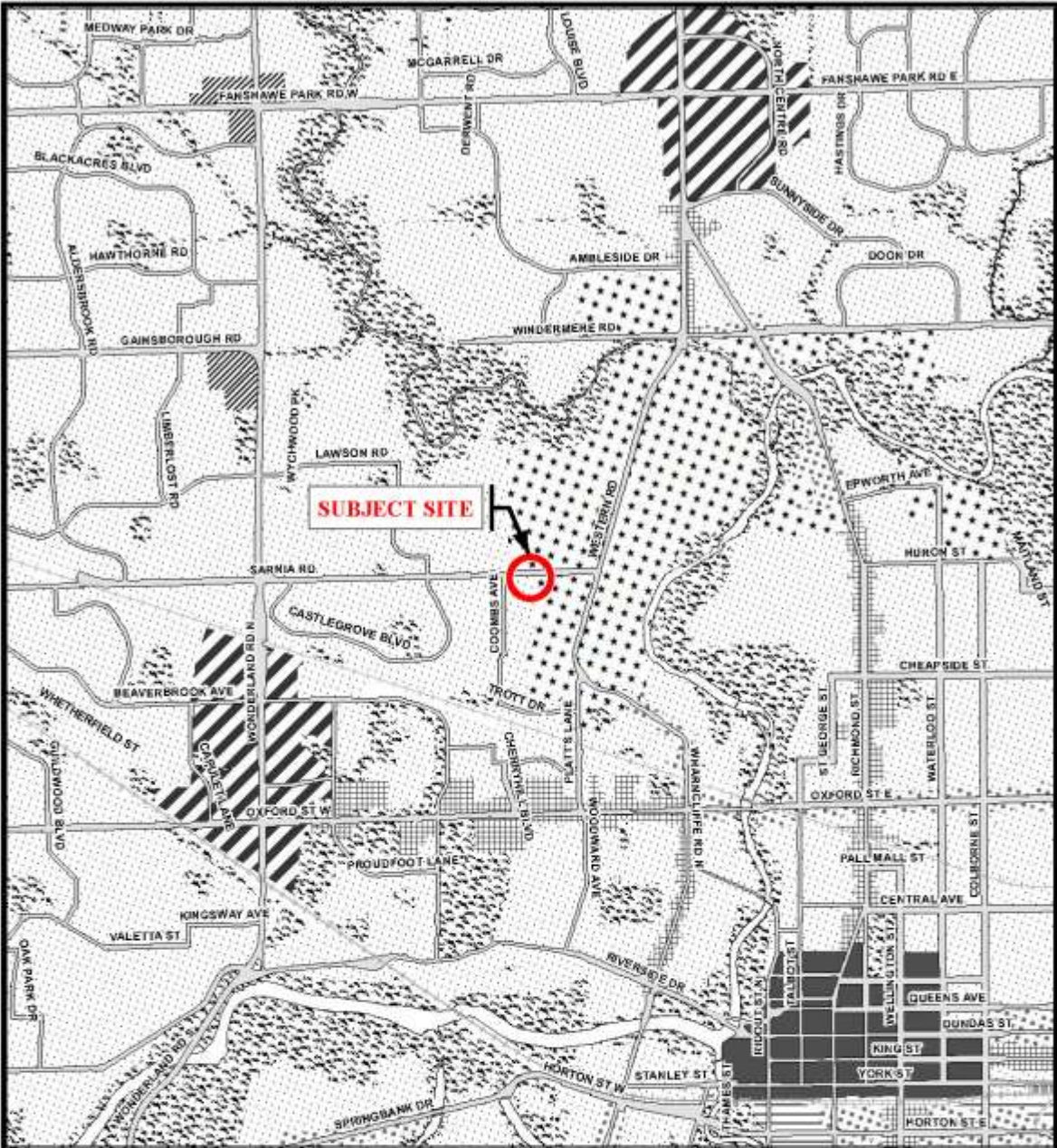
3.7.2 – Scope of Planning Impact Analysis

3.7.3 - Required Information

Appendix C – Relevant Background

Additional Maps

London Plan Designation



Legend

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

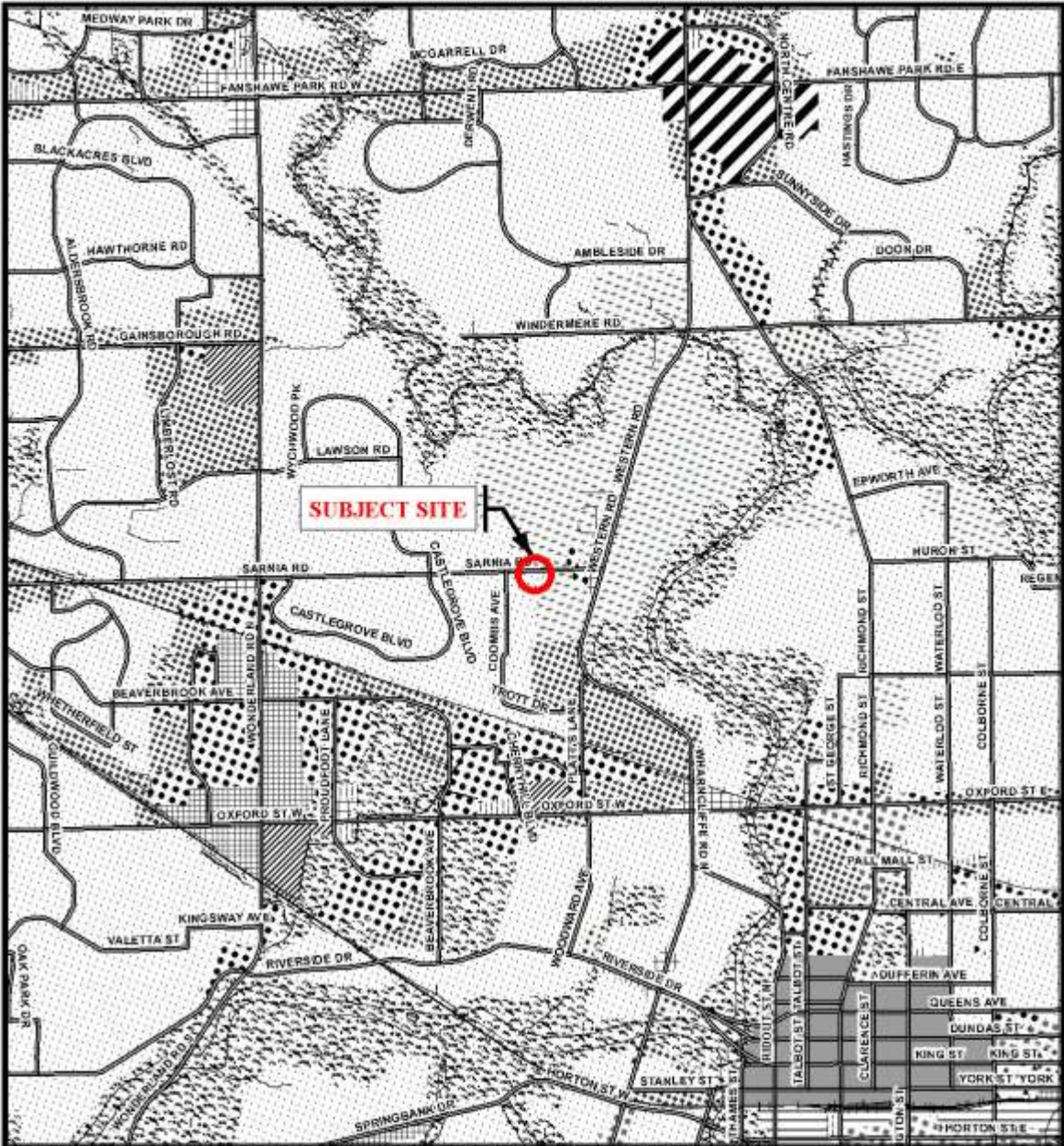
This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

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

<p>CITY OF LONDON Planning Services / Development Services</p> <p>LONDON PLAN MAP 1 - PLACE TYPES -</p> <p>PREPARED BY: Planning Services</p>	 Scale 1:30,000 Meters	<p>File Number: Z-9246</p> <p>Planner: MW</p> <p>Technician: RC</p> <p>Date: December 3, 2020</p>
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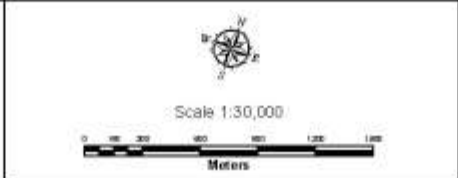
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Official Plan Designation



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

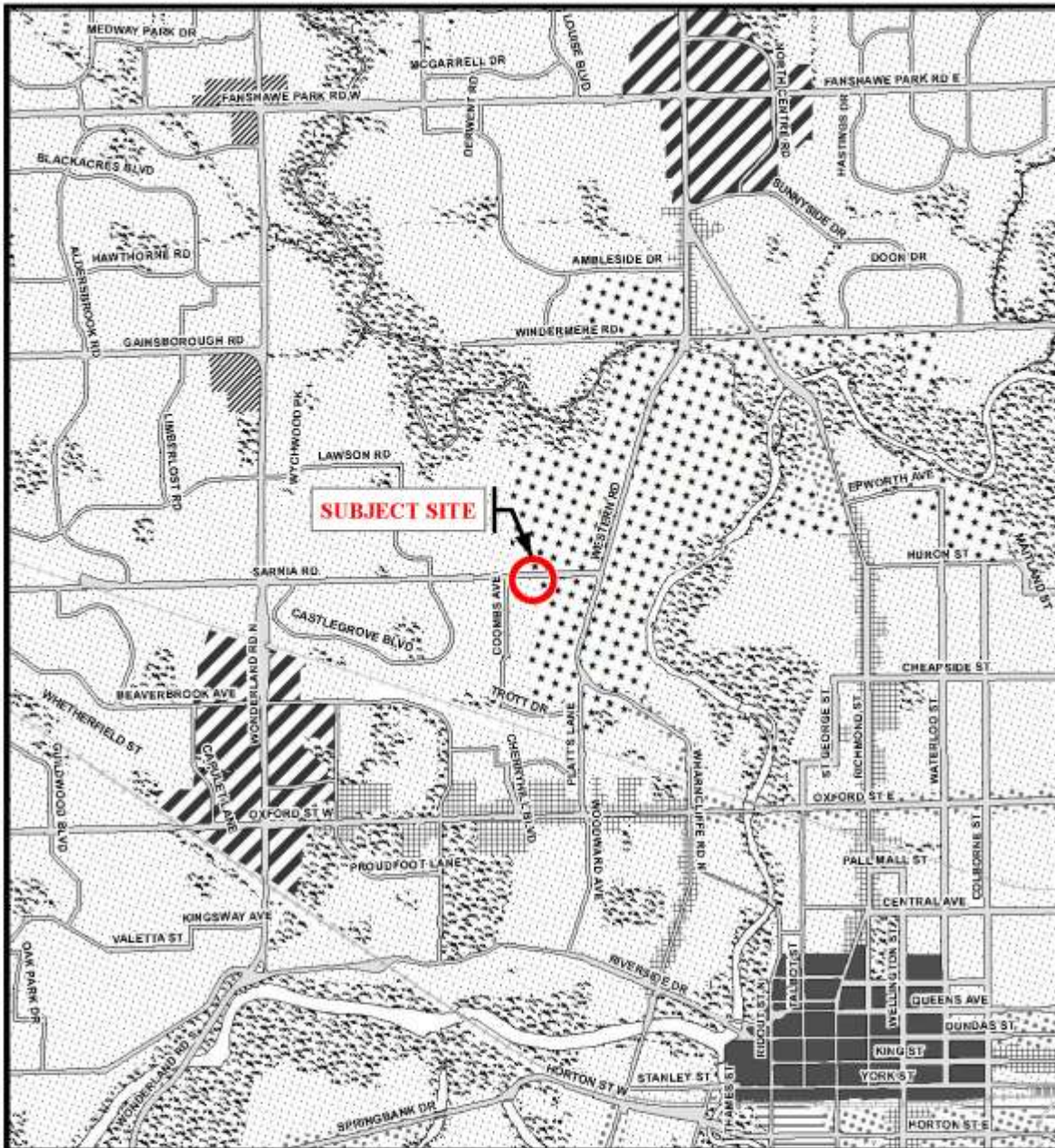
CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -
 PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-9246
 PLANNER: MW
 TECHNICIAN: RC
 DATE: 2020/12/03

PROJECT LOCATION: e:\planning\projects\officialplan\work\icons\dd\extracts\mxd_templates\scheduleA_NEW_b6w_8r14.mxd

Existing Zoning



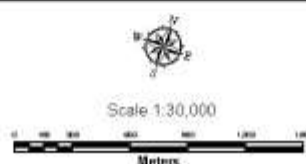
Legend

- | | | |
|------------------------|--------------------------|---|
| 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 | |

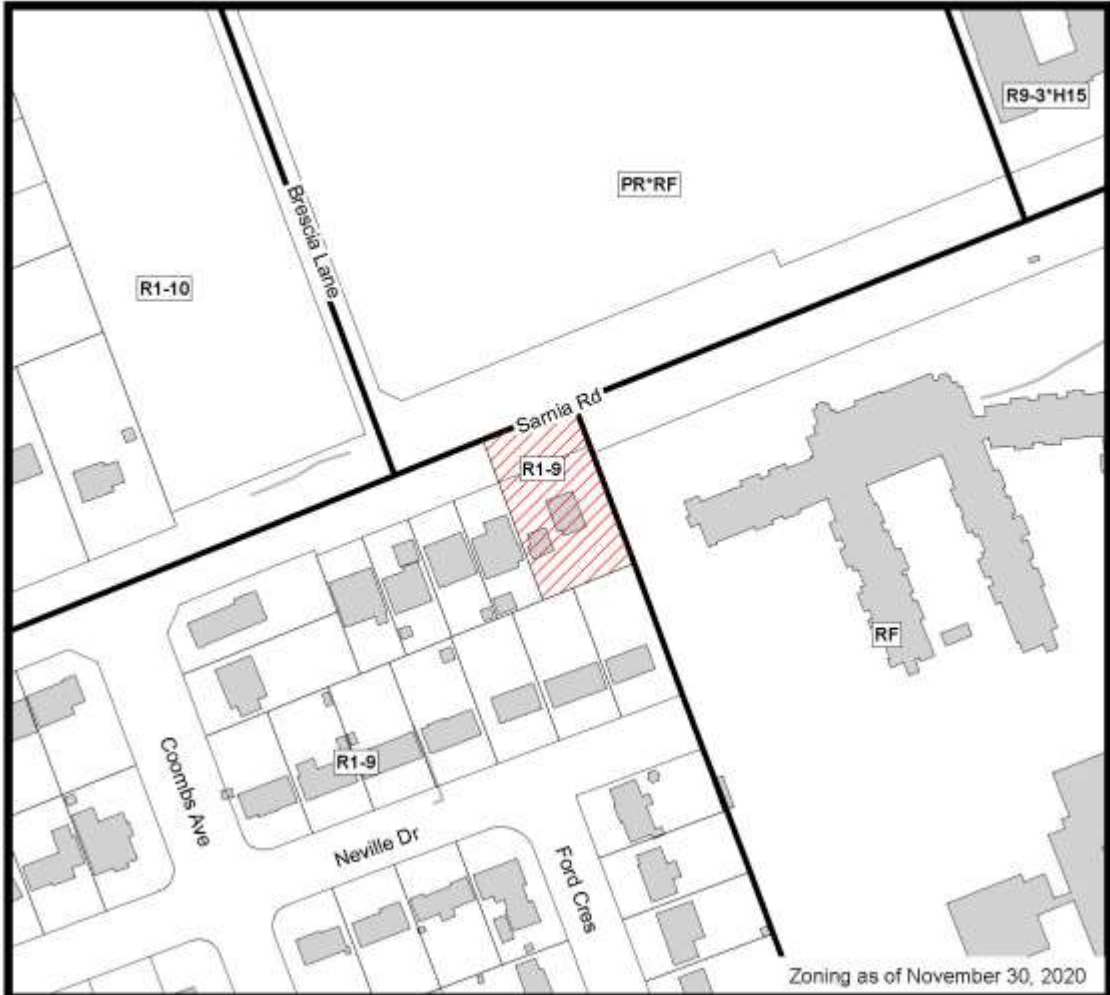
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At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process 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-9246
Planner: MW
Technician: RC
Date: December 3, 2020



 **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
 "Y" - HOLDING SYMBOL "D" - DENSITY SYMBOL "H" - HEIGHT SYMBOL "B" - BONUS SYMBOL "T" - TEMPORARY USE SYMBOL |
|--|---|

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:
 Z-9246 MW

MAP PREPARED:
 2020/12/3 RC



Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Applewood Subdivision
660 Sunningdale Road East
Application for Zoning By-law Amendment
Request for Revisions to Draft Plan of Subdivision

Public Participation Meeting on: December 14, 2020

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Auburn Developments Ltd. to portions of the lands located at 660 Sunningdale Road East:

- (a) the proposed by-law attached hereto as Appendix 'A' **BE INTRODUCED** at the Municipal Council meeting to be held on January 12, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands **FROM** a Holding Residential R1 Special Provision (h*h-100*h-173*R1-4(27) Zone **TO** a Holding Residential R4 Special Provision (h*h-100*h-173*R4-6()) Zone, **FROM** a Holding Residential R1/R4 Special Provision (h*h-100*h-173*R1-3)/R1-4(27) Zone **TO** a Holding Residential R5/R6 Special Provision (h*h-100*h-173*R5-6(__)/R6-5(__)) Zone; Special provisions for the proposed R5-6(__)/R6-5(__) zone would include rear yard decks to encroach in the yard setback as per section 4.27 (5) but may be closer than the stipulated maximum of 1.2m (3.9 feet) permitted.
- (b) Municipal Council **SUPPORTS** the proposed red-line revisions to the draft-approved plan of subdivision as submitted by Clawson Group Inc., prepared by Archibald, Gray & McKay Engineering Ltd. (Drawing No. DP 1, Office File: 1442-1 dated June 4, 2020), which shows the amalgamation of Blocks 21-24, Blocks 27-29, Block 26, Block 30 and Streets "H", "J", Moon Street and Luna Crescent **SUBJECT TO** the conditions contained in the attached Appendix 'A-2'; and,
- (c) the Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the proposed red-line revisions to the draft plan of subdivision for Applewood Subdivision, as submitted by Clawson Group Inc.

Executive Summary

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended actions is to consider a request for two zoning by-law amendments and red-line revisions to portions of the draft-approved plan of subdivision 39T-9501 and Blocks 21-24, Blocks 27-29 and Blocks 26 and 30 respectively. The redline revisions will result in the removal of proposed Streets H and J. Additional redline amendments will widen Block J along the pathway lines of the redline plan. The zoning amendments will provide additional residential uses on portions of the site in the form of, street townhouse and cluster townhouse dwellings.

Rationale of Recommended Action

1. The recommended zoning amendments and revisions to draft plan of subdivision are considered appropriate and consistent with the Provincial Policy Statement.
2. The proposed and recommended amendments conform to the in-force policies of The London Plan, including but not limited to Our Strategy, Our City and the Key Directions, as well as conforming to the policies of the Neighbourhoods Place Type.
3. The proposed and recommended amendments conform to the policies of the (1989) Official Plan, specifically Low Density Residential and Multi-Family, Medium Density Residential.
4. The zoning and red-line revisions as proposed are compatible and in keeping with the character of the existing neighbourhood.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject lands are located in the northeast quadrant of the City and are included in the Uplands North Area Plan. The proposed amendments apply to multiple portions of the draft approved subdivision, 39T-09501 Blocks 21-24, Blocks 27-29 and Blocks 26 and 30 respectively which run north of Kleinburg Drive, south of Superior Drive and East of Blackwater Road. These locations have been highlighted in the location map in Section 2.1 below.

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

- The London Plan Place Type – “Neighbourhoods”
- Official Plan Designation – “Multi-Family, Medium Density Residential”
- Existing Zoning – Holding Residential R1 Special Provision (h*h-100*h-173*R1-3) Zone and a Holding Residential R4 Special Provision (h*h-100*h-173*R1-4(27) Zone

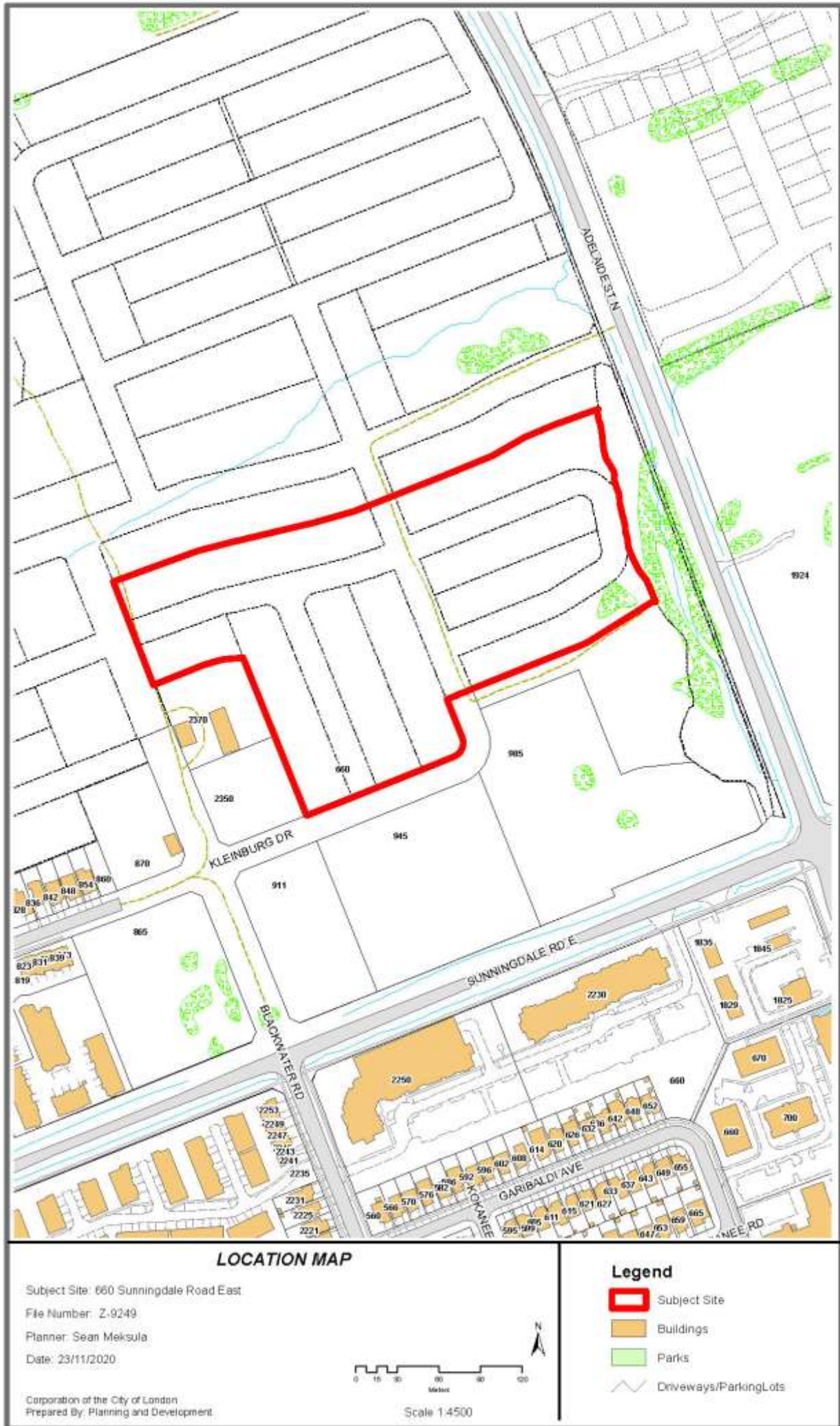
1.3 Site Characteristics

- Current Land Use – vacant/undeveloped
- Frontage – n/a
- Depth – n/a
- Area – n/a
- Shape – n/a

1.4 Surrounding Land Uses

- North – Agricultural
- East – Agricultural
- South – Residential
- West – Residential

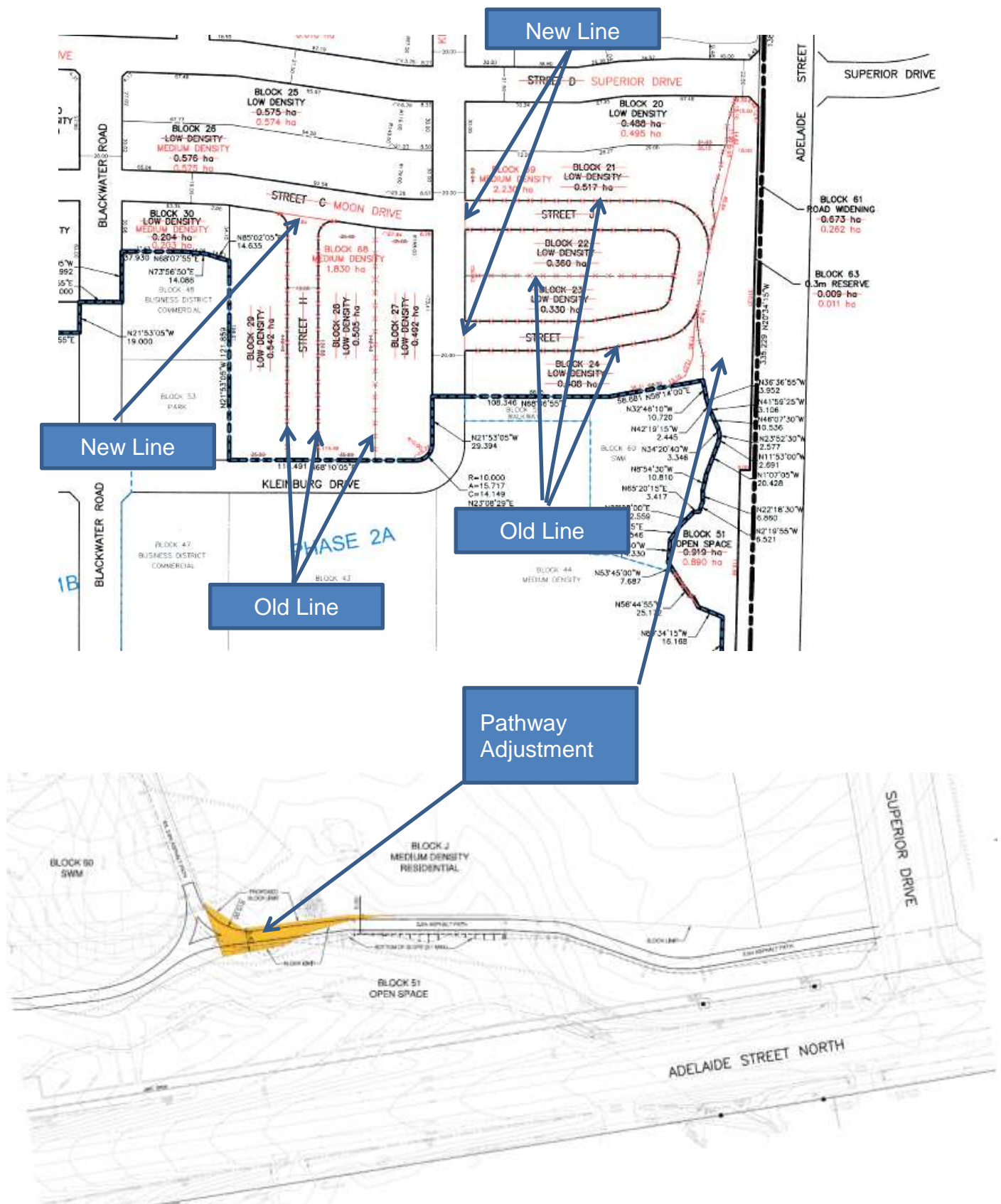
1.5 Location Map



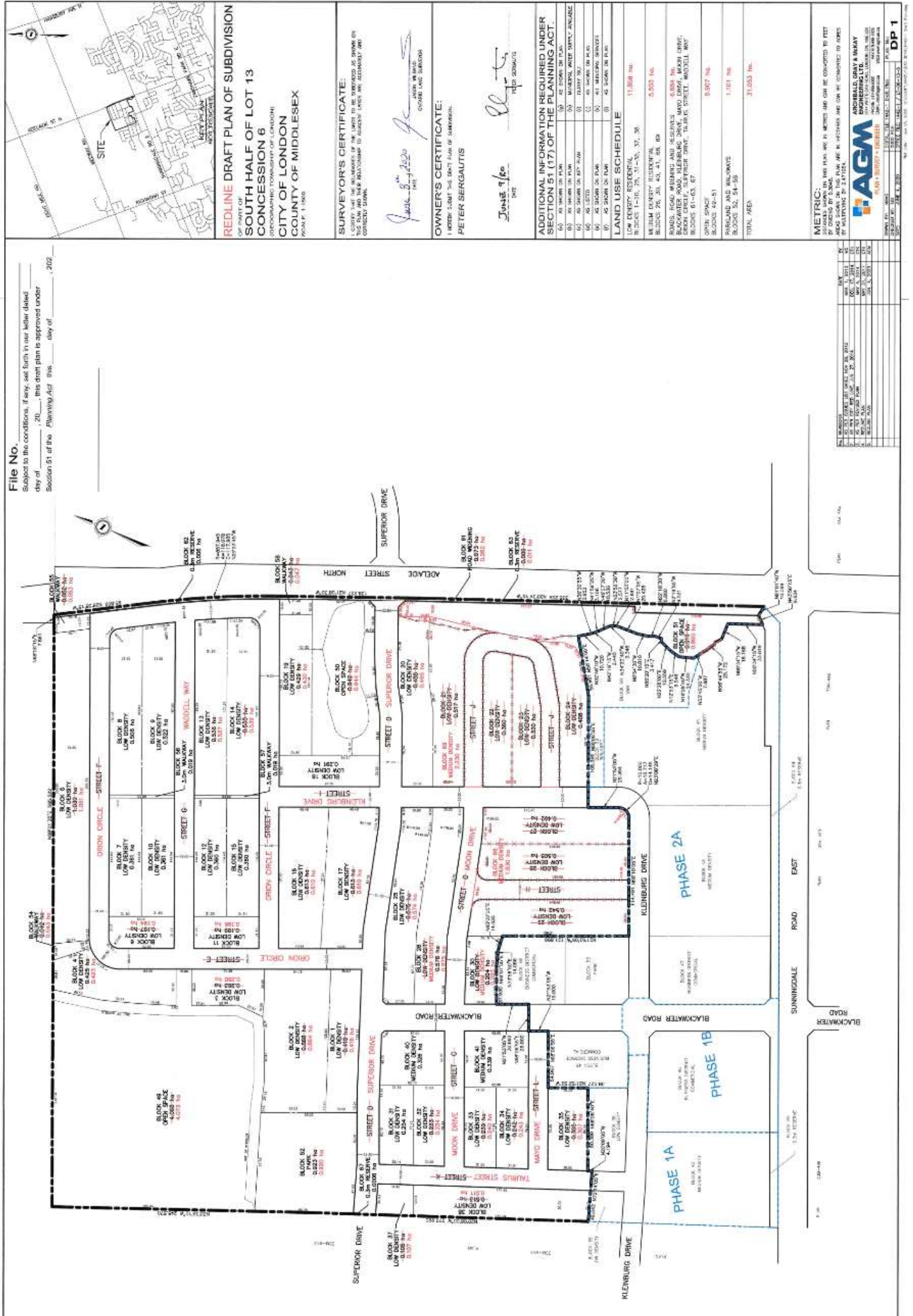
2.0 Description of Proposal

2.1 Development Proposal

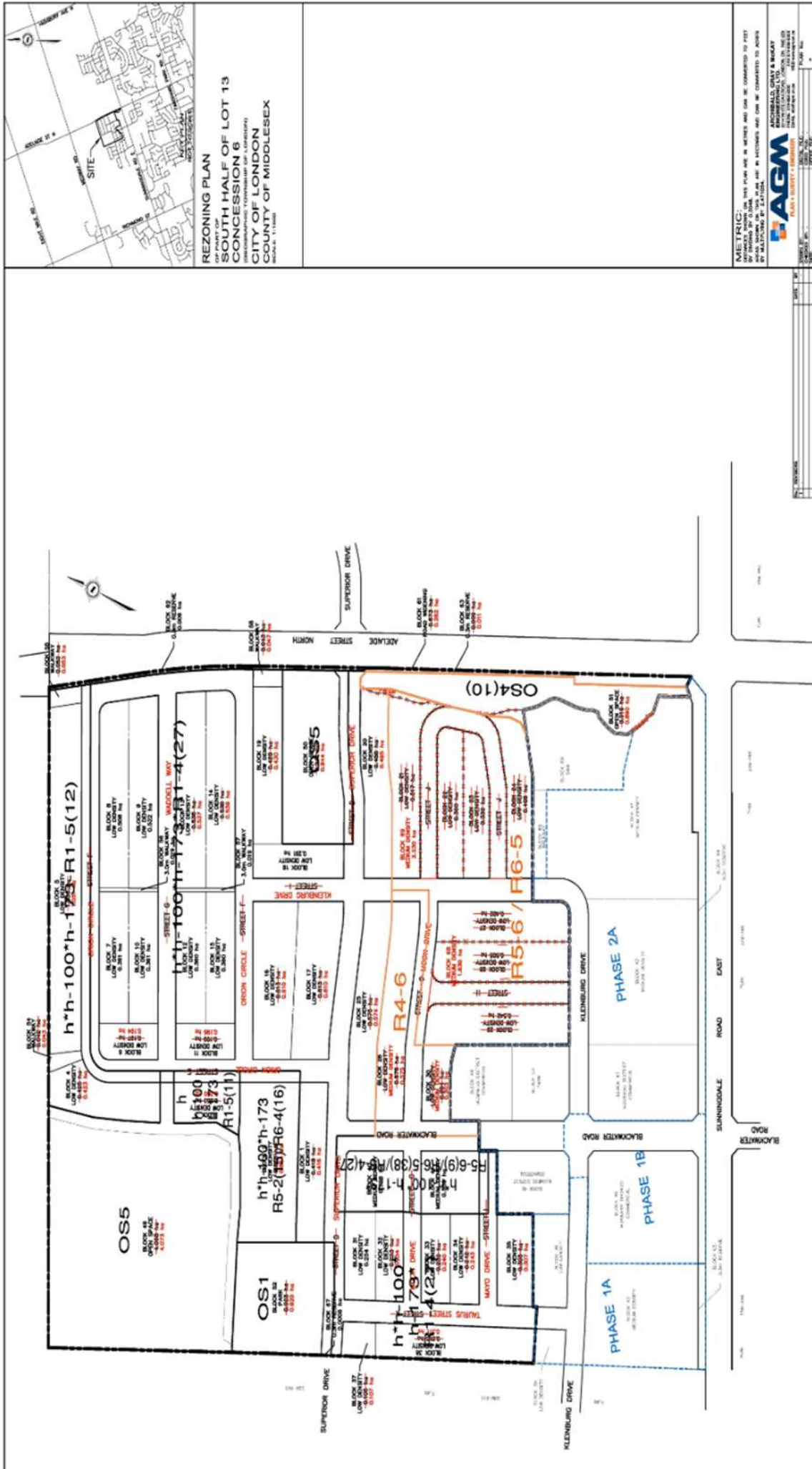
The applicant is proposing to make minor adjustments to the existing lot lines between Blocks 21-24, Blocks 27-29 and Blocks 26 and 30 of the redlined draft plan as well as the minor adjustment of Block 24 and Block 51 on the park pathway as a result of the lands being resurveyed. The elimination of Street H and Luna Crescent will create two slightly larger blocks (Block 68 & 69) allowing for the creation of additional street townhouse through a future planning process. The redline revisions and rezoning of the application will provide for additional in demand medium residential uses that could be implemented through the future development of the subdivision.



2.2 Proposed Red-Line Revisions to Draft-Approved Plan



2.3 Proposed Zoning Amendments



2.3 Proposed Townhouse Blocks



3.0 Revelant Background

3.1 Planning History

The proposed redline-revisions apply to the Applewood Subdivision which was originally accepted on January 27, 2009. After the submission and review of a number of modified versions of the Plan, the Approval Authority granted draft approval on September 9, 2014. The owner requested a three (3) year extension of draft approval in April of 2017. Draft approval was extended to February 21, 2021.

On January 30, 2018 City Council requested that the Approval Authority approve the request for revision and a three year extension of the draft plan of subdivision approval for this subdivision subject to the revised conditions of draft approval. On February 21, 2021 this draft plan was approved by the Approval Authority.

Phase 1A was registered on August 17, 2018 as 33M-749. It consisted of which eight (8) single detached lots, one (1) multi-family residential block, and one 0.3 m reserve, all served by the extension of Kleinburg Drive. Phase 1B consists of one (1) commercial/mixed use block, served by the extension of Blackwater Road.

Phase 1B was registered on June 20, 2019 as 33M-764. It consisted of one (1) commercial/mixed use block, served by the extension of Blackwater Road.

Phase 2A was registered on September 14, 2020 as 33M-787. It consisted of one (1) commercial block, two (2) commercial mixed use residential blocks, two (2) multi-family residential blocks, one (1) open space block, four 0.3 m reserves served by the extensions of Blackwater Road and Kleinburg Drive.

Phase 2B will be registered in the near future.

3.2 Applicant's Requested Amendment

Zoning By-law Amendment -

- i) Amend the Zoning By-law as it applies to proposed Blocks 26 and 30 from a Holding Residential R1 Special Provision (h*h-100*h-173*R1-3) Zone to a new Holding Residential R4 Special Provision (h*h-100*h-173*R1-4(27)) Zone to permit street townhouses.
- ii) Amend the Zoning By-law as it applies to proposed Blocks 68 and 69 from a a Holding Residential R1/R4 Special Provision (h*h-100*h-173*R1-3)/R1-4(27)) Zone to a new Residential R5/R6 Special Provision Special provisions for the proposed R5-6()/R6-5() Zone to permit cluster and stacked townhouse dwellings together with special provisions that would include rear yard decks to encroach in the yard setback as per section 4.27 (5) but may be closer than the stipulated maximum of 1.2m (3.9 feet) permitted.

Red-line Revisions to Draft Plan – Peter Sergautis and the Clawson Group Inc., are proposing to maintain the street pattern established through the previous draft approval, with the exception of a minor shift in the road allowance on Turner Crescent. The applicant would also like to make minor changes park pathway. The proposed revisions to the plan will create a two (2) blocks which would permit the development of cluster townhouse dwellings, (Blocks 68 and 69). Two streets (Streets “H” and “J” aka Stormy Street and Luna Crescent) will also be eliminated. Although preliminary in nature, if the draft plan of subdivision red line revision is granted and the requested zoning is approved, an 85-unit cluster townhouse development could be constructed on Block 68 and a 95-unit cluster townhouse development constructed on Block 69. Blocks 26 and 30 will be subject to a pending rezoning amendment to permit the development of street townhouses. The applicant also wishes to realign Block 51 OS4(10) zone line to accurately reflect the setback limits of the natural features associated with the block, and to include the

additional road widening as requested by the City in July 2018. The draft plan currently provides for single detached lots and 9 low density blocks.

3.3 Community Engagement (see more detail in Appendix B)

One e-mail inquiry was received requesting if the rezoning was going to change or impact Open Space (OS5) lands on Block 49. There were no other comments/concerns received from the community.

3.4 Policy Context (see more detail in Appendix C)

Provincial Policy Statement, 2014

The proposal must be consistent with the Provincial Policy Statement (PPS) policies and objectives aimed at:

1. Building Strong Healthy Communities;
2. Wise Use and Management of Resources; and,
3. Protecting Public Health and Safety.

The PPS contains strong 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 policies for Settlement Areas require that new development should occur adjacent to existing built up areas and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities (Section 1.1.3.6). Policies for Transportation promote a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support current and future use of transit and active transportation (Section 1.6.7.4). Planning Authorities shall also support energy conservation and efficiency through land use and development patterns which, among other matters, promotes design and orientation which maximizes opportunities for the use of renewable and alternative energy systems (Section 1.8.1).

The London Plan

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

The subject lands are located within the Neighbourhoods Place Type in The London Plan. The Neighbourhoods Place Type (Table 10)* permits a range of uses, such as single detached, semi-detached, duplex, triplex, and fourplex dwellings; townhouses; low-rise apartments; small-scale community facilities; and emergency care establishments. An excerpt from The London Plan Map 1 – Place Types* is found at Appendix D.

1989 Official Plan

These lands are designated “Multi-family, Medium Density Residential” on Schedule ‘A’ of the 1989 Official Plan. This designation permits multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; and small-scale nursing homes, rest homes, and homes for the aged. These areas may also be developed for single detached, semi-detached and duplex dwellings. An excerpt from Land Use Schedule ‘A’ is found at Appendix D.

4.0 Key Issues and Considerations

4.1 Issue and Consideration # 1 – What is the purpose of the recommended zoning amendments and red-line revisions to the draft plan of subdivision?

The purpose is to maintain the street pattern established through the previous draft approval and make minor adjustments to incorporate additional townhouse blocks. The red-line revisions to the draft approved plan will result in four (4) street townhouse blocks replacing nine (9) single family blocks. The four (4) street townhouse blocks to be developed will yield a total of 212 units. While the overall unit yield is slightly higher, the proposed revisions will continue to maintain an appropriate mix of housing options in the area in conformity with the Official Plan designation. An amendment to the zoning by-law is required to recognize the proposed red-line revisions and to apply specific zone regulations to accommodate site development plans for the street townhouses. The proposed zoning will permit street townhouses which are compatible with adjacent residential development, in keeping with the character of the neighbourhood, and consistent with the original planned vision for the area. The proposed street townhouse blocks will maintain a consistent lot pattern and continuity of the streetscape along the future extensions of Mood Drive and Kleinburg Drive. There will be very little change to the road pattern except for a minor shifting of the road allowance.

A holding provision will be added to the R4-6 zone (street townhouse) to ensure the City Engineer is satisfied with the servicing arrangements and conflicts are avoided with servicing. In addition to this holding provision a sanitary servicing report is required to ensure downstream capacity exists. With the proposed Zoning amendment, the Owner may be required to construct upgrades to accommodate the requested zone amendments.

4.2 Amendments to the Zoning By-law

Any applications for amendments to the City of London Zoning By-law shall be subject to the applicable policies of the City of London Official Plan. Consideration of other land uses through a Zoning By-law amendment shall be subject to a Planning Impact Analysis as described in the applicable designation of the Official Plan. Further to this, The London Plan requires amendments to consider the Use, Intensity and Form for any new development.

The use of the h, h-100 and h-173 holding provisions will be applied to every zone variation on the site to ensure adequate servicing is available as the blocks come in for development in the future. As part of the proposed zoning amendment the applicant is requesting a Residential R4 Special Provision (R4-6(*)) Zone for Blocks 26 and 30. The requested special provision is for a minimum lot frontage of 7.0m. Staff is recommending approval of this special provision as is minor in nature and in some cases similar to or greater than the existing permissions on the subject sites and will not result in any land use conflicts in the area.

Staff is also recommending that an addition holding provision h-213 is required to ensure a sanitary servicing capacity report has been prepared and confirmation that a municipal sanitary sewer outlet is available to service the site to the satisfaction of the City Engineer. This requirement is based on the narrow lot servicing requirements of SW-7.0. The special provision ensures appropriate services can be provided to the townhouse units in the future and will also help control the level of intensity for the proposed use.

The proposed zoning amendments are as follows:

- 1) Holding Residential Special Provision (h*h-100*h-173*h-213* R4-6(8)) Zone.

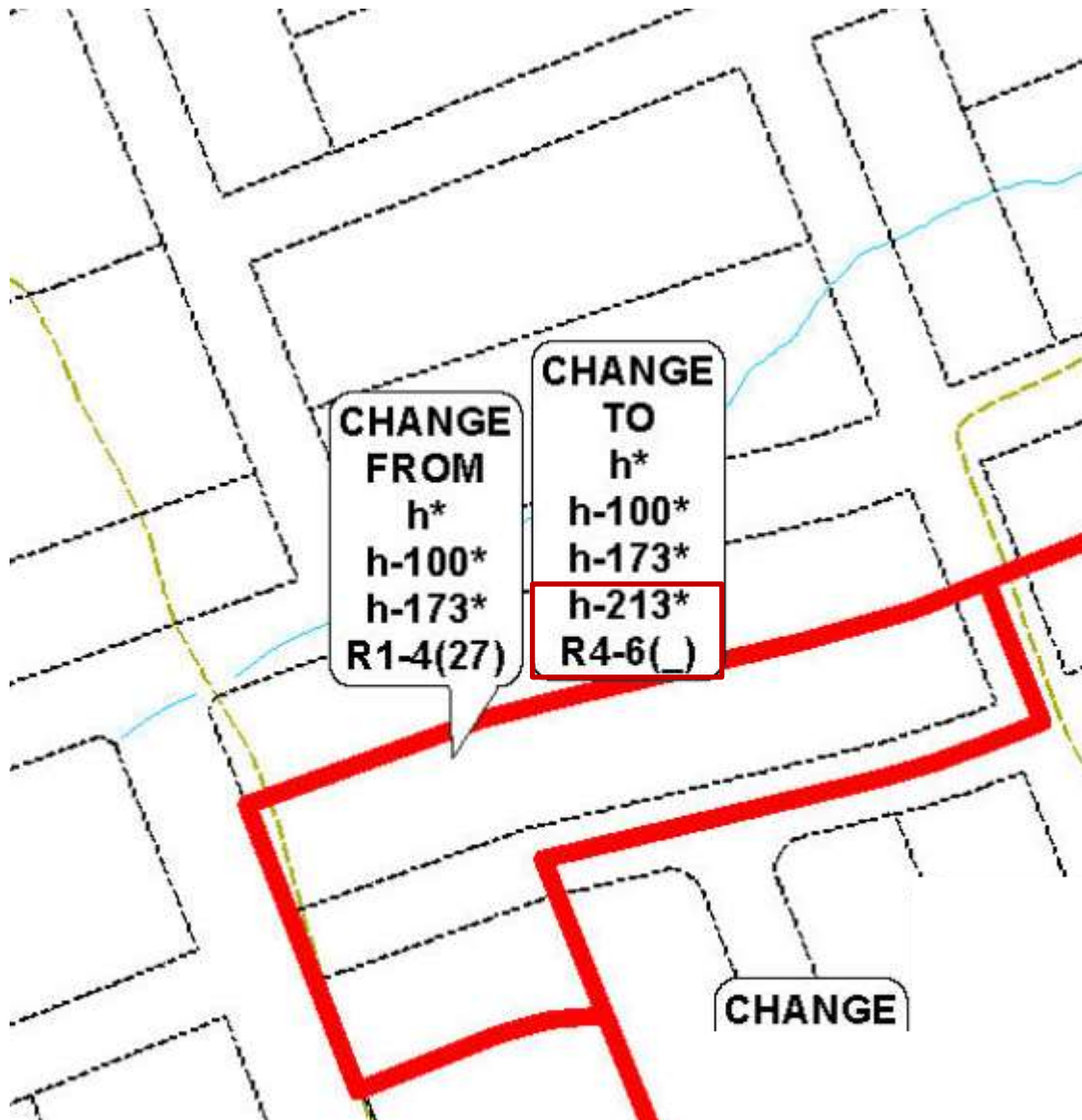


Figure 1

- Use:
 - The proposed R4-6(*) zone permits street townhouse dwellings which would be permitted within the existing Low Density Residential designation and Neighbourhood Place type.
 - The addition of R4-6 zone provides the site with additional flexibility in terms of the residential uses and intensity, where the previous R1-4 zone only permitted single detached dwellings.
 - The proposed use is in keeping with the permitted uses on the site and would have no new impacts on the abutting lands.
- Intensity:
 - The current zoning permits a maximum density of 75 uph which is in keeping with the maximum densities permitted within the Multi-Family Medium Density Residential designation.
 - The proposed street townhouse uses are not specifically regulated by density within the proposed zones. The zoning regulations associated with them ensure future development of these uses are at an intensity appropriate to the policies of the Multi-Family Medium Density Residential designation.
 - The London Plan does not restrict uses by any specific density. Instead, it encourages compatibility within the neighbourhood by limiting building heights and applying specific zoning regulations appropriate to the

neighbourhood context. The proposed zones maintain similar regulations to the existing zones and uses in the area and the potential level of intensity will remain compatible with the surrounding area.

- Form:
 - The proposed form of and street townhouses are in keeping with the existing and future developments in the area and will have no adverse impacts on the surrounding area.
 - The proposed forms of development are in keeping with the Low Density Residential Policies and Neighbourhood Place Type policies.
- Planning Impact Analysis:
 - Overall, the proposed zones will be compatible with future lands uses. The proposed block and Zone boundary are of a sufficient size and shape to accommodate the proposed uses.
 - Therefore Staff is recommending approval of the proposed zoning amendment.

2) Holding Residential Special Provision ((h*h-100*h-173*R5-6(__)/R6-5(__)) Zone.

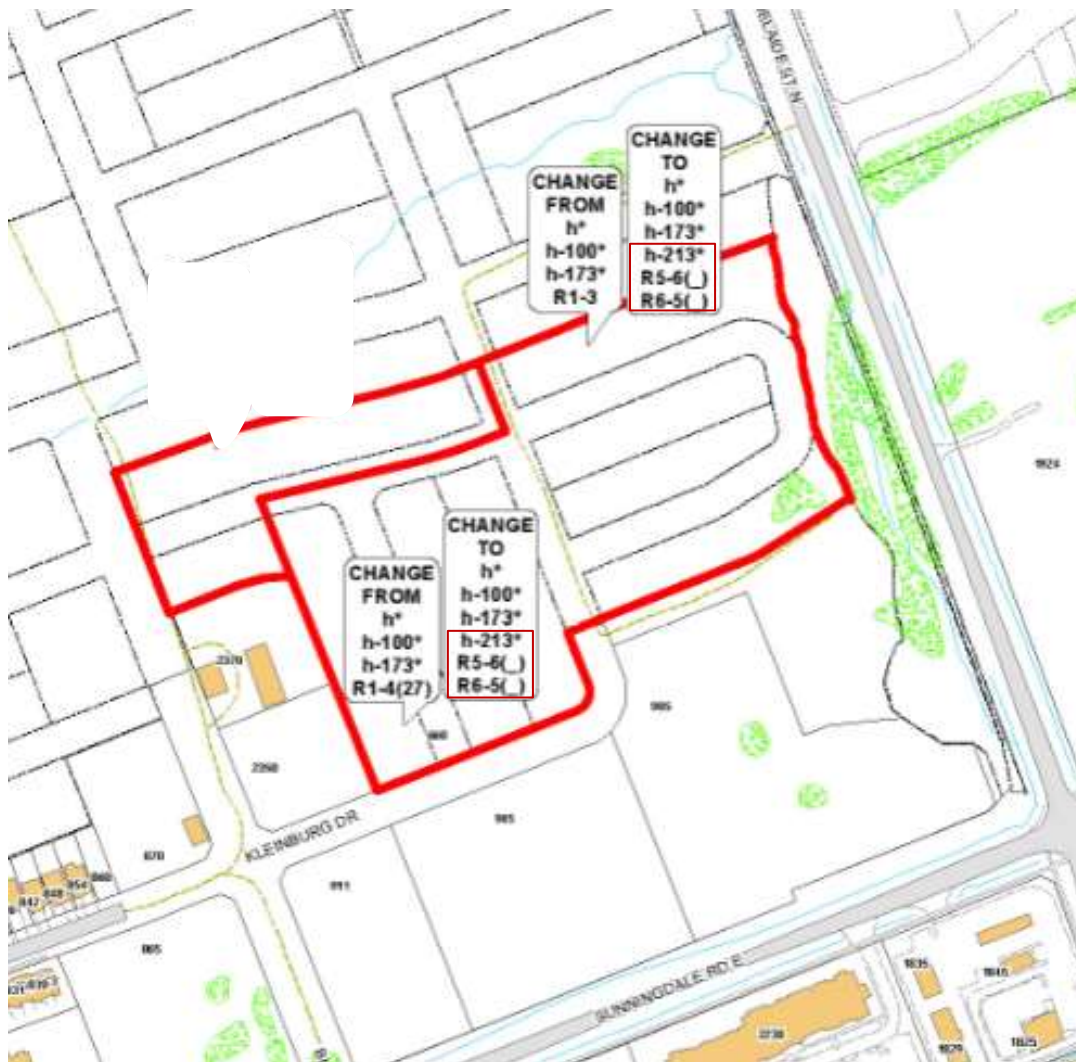


Figure 2

- Use:
 - The proposed R5-6 zone cluster townhouse and stacked townhouse dwellings and is the same as the zone on the abutting lands to the south the site.
 - The proposed R6-5 zone permits single detached, semi-detached, duplex, triplex, townhouse, stacked townhouse, apartment building and fourplex dwellings, and is the same as the zone on the abutting lands to the south the site.

- Both the Neighbourhood Place Type and Multi-Family Medium Density Residential designation permit the proposed cluster townhouse dwellings however, stacked townhouse dwellings are not contemplated within the Neighbourhood Place Type.
 - The stacked townhouse use will be removed as a permitted use on this block to ensure the future land uses are in keeping with The London Plan policies.
 - The additional uses would result in no new impacts on the abutting lands.
- **Intensity:**
 - The R5-6 permits a density of up to 50uph. Although this type of density is higher than the current permissions on site the R5-6 zone has been developed on the lands to the south and the subject site is an ideal location for higher densities as it is essentially at the intersection of two Civic Boulevards with easy access to both Sunningdale Road East and Adelaide Street North.
 - The proposed R6-5 zone provides a low density form of development that would have no new additional impacts in the area and is in keeping with the current intensity of the abutting lands.
 - The Neighbourhood Place Type encourages these type of intensities at locations such as this and based on the surrounding land uses and existing services in the area, would have no additional impacts.
 - The area identified was proposed to have single detached lots on these blocks. Based on the existing zoning the proposed cluster and stacked townhouse units could be developed. This difference will not have any additional impacts on the planned level of traffic and servicing for the area.
 - **Form:**
 - The London Plan permits heights of 2 and 2.5 storeys when a Neighbourhood Place type fronts a Neighbourhood Connector.
 - The R5-6 zone has a height limit of 12m in order to facilitate the development of Stacked Townhouses.
 - The proposed R6-5 has a height limit of 12 metres and would have no additional impacts on the abutting lands.
 - Given the proposed zoning for the lands is the same as the lands to the south and west this type of development may occur on these blocks. The proposed 2 and 2.5 storey townhouses will ensure compatibility with abutting land uses.
 - **Planning Impact Analysis:**
 - Overall, the proposed zones will be compatible with future lands uses. The proposed blocks and Zone boundary are of a sufficient size and shape to accommodate the proposed uses.

Open Space Zone (Block 24 & 51)

As previously noted Staff have identified that Block 24 & 51 required a minor adjustment of the park pathway to reduce the area to 0.890 ha. This is result of two surveys that were done on the lands. In the summer of 2018, two reference plans were completed for the barns (33R-20149) and the stormwater management block (33R-20150) and at this time there was a recalculation of the site and updated line work. Following the reconfiguration of these two plans, Block 51 was reduced to 0.892ha in size. The minor change was not updated to reflect the 2017 draft plan and is still showing 0.919ha. As part of this re-zoning application the minor adjustment from 0.892ha to 0.890ha is being made to compensate for the changes.

5.0 Conclusion

The recommended zoning amendments and red-line revisions to the draft plan of subdivision are considered appropriate, consistent with the Provincial Policy Statement, and conform to The London Plan and the 1989 Official Plan. The zoning changes and red-line revisions as proposed are compatible and are in keeping with the character of the existing neighbourhood.

Prepared by:	Sean Meksula, 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)
GK/PY/sm

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Appendix A

Appendix "A-1"

Bill No.(number to be inserted by Clerk's Office)
2020

By-law No. Z.-1-20_____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 660
Sunningdale Road East.

WHEREAS Clawson Group Inc. has applied to rezone an area of land located at 660 Sunningdale Road 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 portions of the lands located at 660 Sunningdale Road East, as shown on the attached map comprising part of Key Map No. A.102, from a Holding Residential R1 Special Provision (h*h-100*h-173*R1-4(27)) Zone to a Holding Residential R4 Special Provision (h*h-100*h-173*h-213*R4-6(*)) Zone, from a Holding Residential R1 Special Provision (h*h-100*h-173*R1-3/ R1-4(27)) Zone to a Holding Residential R5/R6 Special Provision (h*h-100*h-173*h-213*R5-6(*)/R6-5(*)) Zone;
- 2) Section Number 8.4 of the Residential R4 Zone is amended by adding the following special provisions:
 -) R4-6(8) Blocks 26 and 30 (39T-09501)
 - a) Regulations:
 - i) Lot Frontage 7.0 metres
(Minimum) (23.0 feet)
- 3) Section Number 9.4 of the Residential R5 Zone is amended by adding the following Special Provision:
 -) R5-6(*)
 - a) Regulations:
 - i) Front Yard Setback, 3 metres
Main Dwellings (Minimum): (9.8 feet)
 - ii) Front Yard Depth 5.5 metres
for Garages (18.0 feet)
(Minimum)
 - ii) Notwithstanding the regulations of Section 4.27 of this by-law to the contrary, on lands zoned R5-6(*) open or covered but unenclosed decks not exceeding one storey in height may project no closer than 0.6 metres (1.97 feet) where the lot line abuts an OS4 Zone.

3) Section Number 10.4 of the Residential R5 Zone is amended by adding the following Special Provision:

) R6-5(*)

a) Regulations:

- ii) Front Yard Setback, Main Dwellings (Minimum): 3 metres (9.8 feet)
- ii) Front Yard Depth for Garages (Minimum): 5.5 metres (18.0 feet)
- ii) Notwithstanding the regulations of Section 4.27 of this by-law to the contrary, on lands zoned R6-5(*) open or covered but unenclosed decks not exceeding one storey in height may project no closer than 0.6 metres (1.97 feet) where the lot line abuts an OS4 Zone.

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

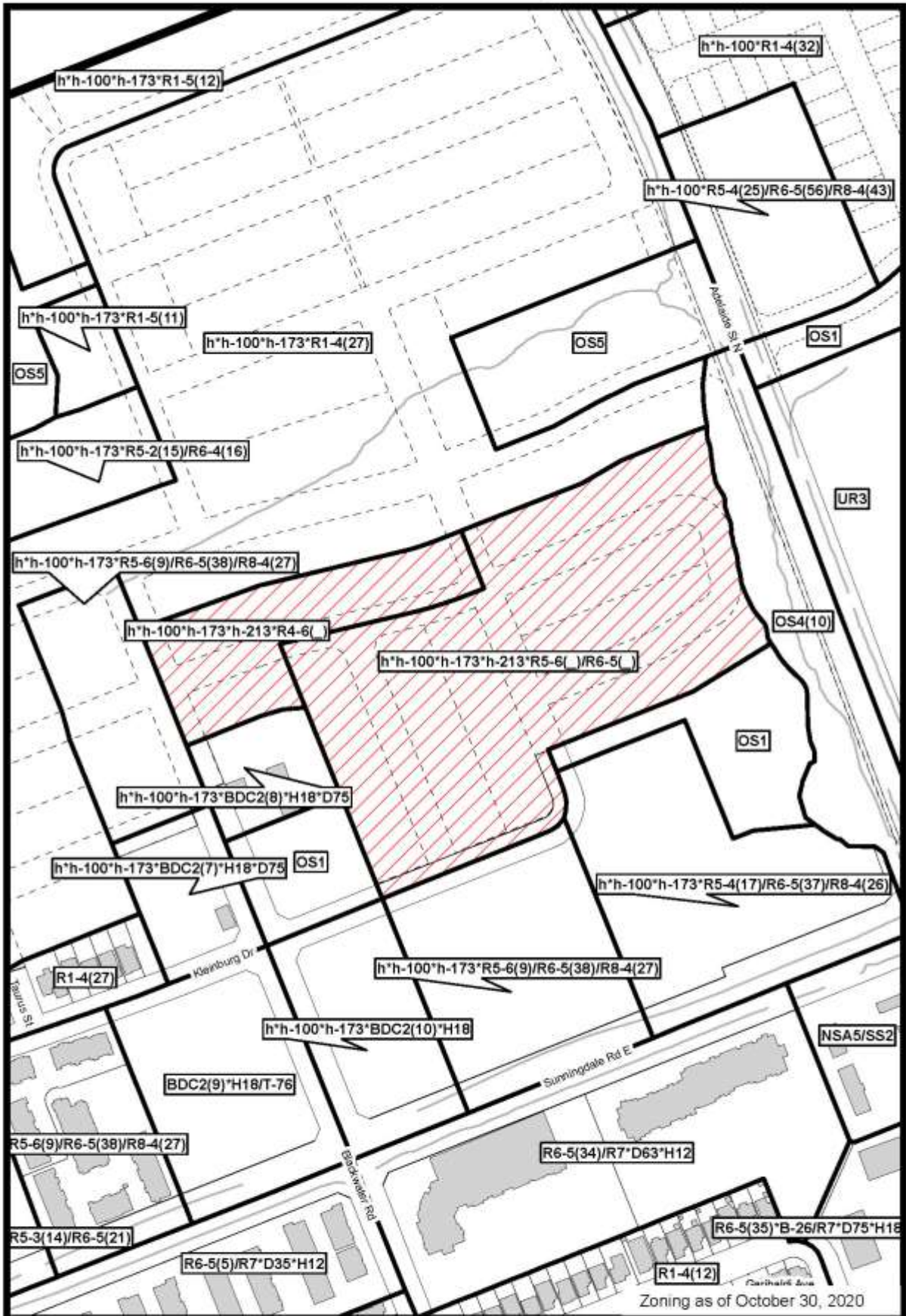
PASSED in Open Council on January 12, 2021

Ed Holder
Mayor

Catharine Saunders
City Clerk


First Reading – January 12, 2021
Second Reading – January 12, 2021
Third Reading – January 12, 2021

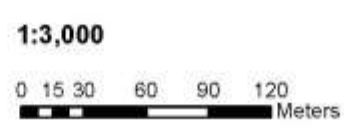
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



Zoning as of October 30, 2020

File Number: Z-9249
 Planner: SM
 Date Prepared: 2020/11/23
 Technician: rc
 By-Law No: Z.-1-

SUBJECT SITE 



©2020/2021

Appendix "A-2"
Conditions of Draft Approval

THE CORPORATION OF THE CITY OF LONDON'S CONDITIONS AND AMENDMENTS TO FINAL APPROVAL FOR THE REGISTRATION OF THIS SUBDIVISION, FILE NUMBER 39T-07508, ARE AS FOLLOWS:

NO.	CONDITIONS
1.	This draft approval applies to the draft plan as submitted by Extra Realty Limited (File No. 39T-09501), prepared by Zelinka Priamo Limited and certified by L.E. Gibson, (Project No. SRG/LON/11-01, dated November, 2011 and revised May 31, 2017), <u>as red-lined</u> , which shows 39 low density blocks, four (4) medium density residential blocks, two (2) commercial blocks, two (2) commercial/mixed use residential blocks, three (3) open space blocks, eight (8) parkland and walkway blocks, one (1) stormwater management block, one (1) road widening block, six (6) 0.3 m reserve blocks, all served by one (1) primary collector road (Blackwater Road), two (2) secondary collector roads (Kleinburg Drive and Street "D"), and nine (9) new local streets.
2.	This approval applies for three years, and if final approval is not given by that date, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority.
3.	The road allowances included in this draft plan shall be shown on the face of the plan and dedicated as public highways.
4.	The Owner shall request that street(s) shall be named to the satisfaction of the City.
5.	The Owner shall request that the municipal address shall be assigned to the satisfaction of the City.
6.	Prior to final approval, the Owner shall submit to the City a digital file of the plan to be registered in a format compiled to the satisfaction of the City of London and referenced to NAD83UTM horizon control network for the City of London mapping program.
7.	The subdivision agreement between the Owner and the City shall be registered against the lands to which it applies. Prior to final approval the Owner shall pay in full all municipal financial obligations/encumbrances on the said lands, including property taxes and local improvement charges.
8.	In conjunction with registration of the plan, the Owner shall provide to the appropriate authorities such easements as may be required for all municipal works and services associated with the development of the subject lands, such as road, utility, drainage or stormwater management (SWM) purposes, to the satisfaction of the City, at no cost to the City.
9.	Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with City a complete submission consisting of all required clearances, fees, and final plans, and to advise the City in writing how each of the conditions of draft approval has been, or will be, satisfied. The Owner acknowledges that, in the event that the final approval package does not include the complete information required by the City, such submission will be returned to the Owner without detailed review by the City.
10.	Prior to final approval for the purpose of satisfying any of the conditions of draft approval herein contained, the Owner shall file, with the City, complete submissions consisting of all required studies, reports, data, information or detailed engineering drawings, all to the satisfaction of the City. The Owner acknowledges that, in the event that a submission does not include the complete information required by the City, such submission will be returned to the Owner without detailed review by the City.

Planning

11. In conjunction with the first submission of engineering drawings, the Owner shall submit for approval an on-street parking plan to the satisfaction of the City. An approved parking plan is required for each registered phase of development and will form part of the subdivision agreement for the registered plan.
12. In conjunction with the Focused Design Studies submission, the Owner shall prepare an updated detailed urban design guideline for this subdivision. The urban design guidelines shall include the following: vision for the subdivision, urban design principles for each multi-family block (Blocks 40-44) and commercial/mixed use block (Blocks 45-48), conceptual designs for each block, and road cross sections (with utility locations and tree placements). The approved Architectural Control guidelines (July, 2016 with updates to reflect the revised plan of subdivision) will be incorporated into the urban design guidelines. These guidelines will be used for the future review of any site plan, and will be appended to the subdivision agreement, to the satisfaction of the City.
13. All building permit applications for a single detached dwelling units must include clearance from an urban designer or architect pre-approved by the City that the building plans are designed in accordance with the approved urban design guidelines
14. Within one year of registration of this plan, the Owner shall construct a 1.5m high chain link fencing without gates in accordance with current City park standards (SPO 4.8) or approved within Block 138 parallel to the rear property line of Block 4 and Block 5 (Lots to be determined) adjacent to the City's proposed pathway and the Sun Canadian High Pressure Pipeline, to the satisfaction of the City.
15. The Owner shall include the following clause to be registered on title within the Subdivision Agreement:

"Purchasers are advised that Blocks 4 and 5 (Lots to be determined) are adjacent to the registered Easement Lands of Sun Canadian which contains within a high-pressure petroleum products transmission pipeline. Unauthorized use of the easement by others will not be permitted. A 1.5m high chain link fence has been installed between the subject property and the City's pathway and registered easement for the Sun Canadian pipeline. The fence will be located on the City's property and will be under the ownership, control and maintenance of the City of London.

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

Purchasers of Blocks 4 and 5 (Lots to be determined) are advised that the adjacent easement lands will contain a granular, or asphalt surface walkway in passive parkland.

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

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

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

16. The two heritage designated barns will be incorporated into any future commercial development on Block 48. Any changes to or adaptive reuse of the barns will require a heritage alteration permit, to the satisfaction of the City. This approval is without prejudice to any position that the City takes with respect to the heritage attributes and Statement of Cultural Heritage Value or Interest at the ongoing Conservation Review Board Hearing, File No. CRB 1721 and the resulting bylaw.

UTRCA

17. In accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the Conservation Authorities Act, the Owner shall obtain the necessary permits/approvals from the UTRCA prior to undertaking any site alteration or development within this area including filling, grading, construction, site alteration to watercourse and/or interference with a wetland.
18. In conjunction with the Focused Design Studies submission, a Final Environmental Impact Study shall be prepared that compiles all of the addendums and also addresses the UTRCA's outstanding concerns.
19. In conjunction with the Focused Design Studies submission, a Hydrogeological Study and Water Balance Analysis shall be prepared to the satisfaction of the UTRCA to address the concerns identified through the review of the EIS and the SWM report.
20. In conjunction with the Focused Design Studies submission, a detailed Stormwater Management Report shall be prepared to the satisfaction of the City of London and which also addresses the Upper Thames River Conservation Authority's interests.

Environmental and Parks Planning

21. In conjunction with the Focused Design Studies submission, the Owner shall detail how each of the recommendations of the EIS (prepared by BioLogic, dated January, 2009), the EIS update report (dated April, 2010) and the EIS addendum letter (dated May, 2012) will be incorporated into the plan, and implemented, all to the satisfaction of the City.
22. Parkland dedication has been calculated at a rate of 2% of the commercial land area and 1 hectare per 300 residential units. The Owner shall dedicate Blocks 50, 52, 53, 54, 55, 58, 59 and the redlined walkway blocks 51, 55, and 58 to satisfy a portion of the required parkland dedication. The remaining parkland dedication for the Low Density Residential Blocks (Blocks 1-31 and BDC Blocks (Blocks 45-48) will be taken as cash-in-lieu as per By-law CP-9. The Owner shall provide 2% of the value of each BDC Block at the time of building permit. As a condition of site plan control the Owner will submit an appraisal undertaken by an Accredited Appraiser (AACI) indicating the value of the land on the day before the issuance of the building permit.
23. Prior to final approval, the Owner shall dedicate lands owned by the applicant located immediately north of the plan of subdivision within the Municipality of Middlesex Center, to permit the City of London to construct and maintain an east-west rural/urban multi-use pathway. If the noted lands are not dedicated prior to final approval, the applicant will be required to revise the plan of subdivision to include and dedicate a 15 meter wide pathway corridor within this plan of subdivision, all to the satisfaction of the City.
24. In conjunction with the first submission of engineering drawings, the Owner is to provide park concept plans for Blocks 52 and 53, to the satisfaction of the City.
25. In conjunction with the first submission of engineering drawings, the Owner shall provide initial pathway concepts for Blocks 49, 51, 54, 55, 56, 57, 58 and 59, including the incorporated pathway into the window street design for Street F, to the satisfaction of the City. The Owner shall consult with the Ecologist Planner and the document "Planning and Design Standards for Trails in ESAs (2012)" in order to establish what is needed at detailed design for the construction of trails within the ESA (Block 49). If the proposed pathway cannot be sited within Block 51 due to hazard constraints/regulations, a redline to the plan will be initiated by the City to incorporate a separate multi-use pathway block(s) outside of Block 51, up to 15m in width, to accommodate the pathway.
26. Within one year of registration of this plan, the Owner shall grade, service and seed all areas dedicated for parkland within the phase being registered, in accordance with the approved plan, to the satisfaction of the City.
27. Within one year of registration of this plan, the Owner shall construct all park improvements within blocks 52 and 53, as shown on the approved engineering plans, to the satisfaction of the City.

28. The Owner shall not grade into any open space areas (Blocks 49, 50 and 51). Where lots or blocks abut an open space area, all grading of the developing lots or blocks at the interface with the open space areas are to match grades to maintain existing slopes, topography and vegetation. In instances where this is not practical or desirable, any grading into the open space shall be to the satisfaction of the City.
29. Prior to construction, site alteration or installation of services, robust silt fencing/erosion control measures must be installed and certified with site inspection reports submitted to the Environmental and Parks Planning Division monthly during development activity along the edge of the Block 48, 50 and Block 51.
34. In conjunction with the first submission of engineering drawings, the Owner shall prepare for delivery to all homeowners an education package which explains the stewardship of natural area, the value of existing tree cover and the protection and utilization of the grading and drainage pattern on these lots. The educational package shall be prepared to the satisfaction of the City. The approved package shall be delivered to homeowners upon occupancy.
35. Within one year of registration of this plan, the Owner shall construct a 1.5m high chain link fencing without gates in accordance with current City park standards (SPO 4.8) or approved alternate, along the property limit interface of all private lots and blocks adjacent to existing and/or future Park and Open Space Blocks, to the satisfaction of the City.
36. Blocks 51 and 60 shall incorporate the extension of the internal pathway linkage from Kleinburg Drive to the intersection of Adelaide and Sunningdale Roads. Parkland dedication may be applicable to this corridor for expanded access width.
37. Restoration and planting shall occur around the wetland feature in accordance with the EIS. Conceptual planting shall be reviewed at the first submission of engineering drawings. Planting plans shall be submitted at the Engineering Drawing stage.
38. In conjunction with the first submission of engineering drawings, the Owner shall have a qualified arborist prepare a tree preservation report and plan for lands within the proposed draft plan of subdivision. The tree preservation report and plan shall be focused on the preservation of quality specimen trees within lots and blocks. The tree preservation report and plan shall be completed in accordance with current approved City of London guidelines for the preparation of tree preservation reports and tree preservation plans, to the satisfaction of the Manager of Environmental and Parks Planning as part of the design studies submission. Tree preservation shall be established first and grading/servicing design shall be developed to accommodate maximum tree preservation. The report will also identify the locations for tree preservation fencing to protect existing trees, including those in Block 49 and the PSW in Block 50.
39. In conjunction with the first submission of engineering drawings, the Owner shall undertake, by a Registered Professional Forester, a Hazard Tree Assessment Study for the portion of Block 49 that abuts park and open space. The study will undertake a tree risk assessment to identify hazard trees or hazardous parts of any trees within falling distance of the park lot lines (this being the hazard tree management zone) and trails (as approved by the city), this also taking into account wind-firmness of adjacent trees affected by any recommended hazard tree removals, and ensure that those hazard trees, or parts thereof, are abated or removed in a timely manner by competent, certified arborists prior to any other persons (workers) entering the hazard tree management zone, or within one year of registration, whichever is the sooner.

Sanitary

40. In conjunction with the first submission of engineering drawings, the Owner shall have his consulting engineer prepare and submit the following sanitary servicing design information:
 - i) Provide a sanitary drainage area plan, including the preliminary sanitary sewer routing and the external areas to be serviced, to the satisfaction of the City; and
 - ii) Implementing all inflow and infiltration mitigation measures to meet allowable inflow and infiltration level as identified by OPSS 407 and OPSS 410 as well as any additional measures recommended in the hydrogeological report.

41. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of sanitary services for this draft plan of subdivision:
- i) Construct sanitary sewers to serve this Plan and connect them to the existing municipal sewer system, namely, **the existing 250 mm diameter sanitary sewer on Kleinburg Drive 300 mm (12") sewer on Sunningdale Road East approximately 145 metres east of Adelaide Street North, at no cost to the City;**
 - ii) Construct a maintenance access road and provide a standard municipal easement for any section of the sewer not located within the road allowance, to the satisfaction of the City;
 - iii) Make provisions for oversizing of the internal sanitary sewers in this draft plan to accommodate flows from the upstream lands external to this plan, all to the satisfaction of the City. This sewer must be extended to the limits of this plan and/or property line to service the upstream external lands; and
 - iv) Where sewers are greater than 8 metres in depth and are located within the municipal roadway, the Owner shall construct a local sanitary sewer to provide servicing outlets for private drain connections, to the satisfaction of the City. The local sanitary sewer will be at the sole cost of the Owner. Any exception will require the approval of the City Engineer.
42. In order to prevent any inflow and infiltration from being introduced to the sanitary sewer system, the Owner shall, throughout the duration of construction within this plan, undertake measures within this draft plan to control and prevent any inflow and infiltration and silt from being introduced to the sanitary sewer system during and after construction, satisfactory to the City, at no cost to the City, including but not limited to the following:
- i) Not allowing any weeping tile connections into the sanitary sewers within this Plan;
 - ii) Permitting the City to undertake smoke testing or other testing of connections to the sanitary sewer to ensure that there are no connections which would permit inflow and infiltration into the sanitary sewer;
 - iii) Installing Parson Manhole Inserts (or approved alternative satisfactory to the City Engineer) in all sanitary sewer maintenance holes at the time the maintenance hole(s) are installed within the proposed draft plan of subdivision. The Owner shall not remove the inserts until sodding of the boulevard and the top lift of asphalt is complete, all to the satisfaction of the City Engineer;
 - iv) Having his consulting engineer confirm that the sanitary sewers meet allowable inflow and infiltration levels as per OPSS 410 and OPSS 407; and
 - v) Implementing any additional measures recommended through the Design Studies stage.
43. Prior to registration of this Plan, the Owner shall obtain consent from the City Engineer to reserve capacity at the Adelaide Wastewater Control Plant for this subdivision. This treatment capacity shall be reserved by the City Engineer subject to capacity being available, on the condition that registration of the subdivision agreement and the plan of subdivision occur within one (1) year of the date specified in the subdivision agreement.

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

Storm and Stormwater Management (SWM)

44. **In order to finalize the Focused Design studies,** the Owner shall have his consulting engineer prepare and submit a SWM Servicing Letter/Report of Confirmation to address the following:
- i) Identify the storm/drainage and SWM servicing works for the subject and external lands and how the interim drainage from external lands will be handled, all to the satisfaction of the City;
 - ii) Identify major and minor storm flow routes for the subject and external lands, to the satisfaction of the City;
 - iii) Develop **sediment and erosion control plan(s)** that will identify all **required sediment and erosion** and ~~sediment~~ control measures for the subject lands, the required protection of the Provincially Significant Wetland (PSW), the Northdale Tributary and the DFO's Northdale channel and this **sediment and erosion control plan** ESCP will be developed in accordance with City of London and Ministry of the Environment,

- Conservation and Parks standards and requirements, all to the satisfaction of the City. The sediment and erosion control plan(s) shall identify all interim and long term measures that would be required for both registration and construction phasing/staging of the development and any major revisions to these plans after the initial acceptance shall be reviewed/accepted by the City of London for conformance to our standards and Ministry of the Environment, Conservation and Parks requirements. This plan is to include measures to be used during all phases on construction;
- iv) Implement SWM soft measure Best Management Practices (BMP's) within the Plan, where possible, to the satisfaction of the City. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this Plan and the approval of the City Engineer;
 - v) Confirm Northdale Tributary and associated culverts have sufficient capacity for this plan. Prior to the issuance of any Certificate of Conditional Approval, the Owner's professional engineer shall provide recommendations for any works required to be implemented by the Owner, to the satisfaction of the City, at no cost to the City; and
 - vi) Incorporate an engineering assessment regarding the available remaining capacity within the Stoney Creek SWM Facility 1N and in the minor conveyance system discharging to this SWM Facility, in accordance with the City's file manager process and all to the specifications and satisfaction of the City Engineer.
45. In order to finalize the Focused Design studies, the Owner shall have it's professional consulting engineer undertake a water balance evaluation report for the pre and post-development conditions for the subject lands that include, but not limited to, the following assessment/evaluations of the following:
- i) Water quality and quantity impacts on Potentially Significant Wetland (PSW's), the reconstructed Northdale tributary and the existing DFO's Northdale channel under the exiting and post-development conditions in order to minimize any adverse impacts from the proposed land development;
 - ii) Potentially directing the post-development stormwater discharges from residential backyards to the PSW by a third pipe system and the overland flows directed to the PSW may only be routed through backyards and open space;
 - iii) The required buffers for the PSW shall be consistent with the City's Official Plan and approved Environmental Impact Study (EIS); and
 - iv) The pre-development discharges from the PSW must be maintained under the post-development conditions and these discharges shall be accommodated in the proposed storm/drainage and SWM servicing works for the subject lands in accordance with the existing drainage pattern.
46. The above-noted Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation, prepared by the Owner's consulting professional engineer, shall be in accordance with the recommendations and requirements of the following:
- i) The SWM criteria and environmental targets for the Stoney Creek Subwatershed Study and any addendums/amendments;
 - ii) The approved Storm/Drainage and SWM Servicing Functional Report for the subject lands, in accordance with the file manager process;
 - iii) The accepted Municipal Class EA for Storm Drainage and Stormwater Management Servicing Works for the Stoney Creek Undeveloped Lands (2008) and the Minor revisions/amendments to the Municipal Class EA for Storm Drainage and Stormwater Management Servicing Works for the Stoney Creek Undeveloped Lands (May 2011) and any amendments and/or addendums;
 - iv) The approved Functional Stormwater Management Plan for the Stoney Creek Regional SWM Facility 1N (September 2008);
 - v) The approved Functional SWM Servicing Report and the detailed design of the Uplands North (Powell) SWMF 2B by AECOM – May 2011;
 - vi) The City of London Environmental and Engineering Services Department Design Specifications and Requirements, as revised;
 - vii) The City's Waste Discharge and Drainage By-laws, lot grading standards, Policies, requirements and practices;
 - viii) ix) The Ministry of the Environment SWM Practices Planning and Design Manual, as revised;
 - ix) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies; and
 - x) The City's Design Requirements for Permanent Private Stormwater Systems approved by City Council and effective as of January 1, 2012. The stormwater

requirements for PPS for all medium/high density residential, institutional, commercial and industrial development sites are contained in this document, which may include but not be limited to quantity/quality control, erosion, stream morphology, etc.

47. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of stormwater management (SWM) and stormwater services for this draft plan of subdivision, all to the satisfaction of the City Engineer:
- i) Construct storm sewers, located within the Stoney Creek Subwatershed, and outlet the majority of this plan's minor storm flows (approx. 27 ha) to the Regional Stoney Creek SWM Facility 1N via the proposed external sewers which may be located on Adelaide Street North and Sunningdale Road. The remaining portions (drainage areas) of this plan's minor storm flows are designed to outlet to the Regional Uplands North (Powell) Storm Water Management (SWM) Facility B2 located within the Uplands North Community Area Plan via the internal proposed storm sewer system;
 - ii) Should the Owner consider outletting the remaining proposed minor storm flows to the Stoney Creek SWM Facility 1N instead of as described above, then the Owner shall have a consulting professional engineer undertake a review of the available remaining capacity within the Stoney Creek SWM Facility 1N and in the minor conveyance system discharging to this SWM Facility;
 - iii) Direct major storm flows for this plan to the proposed flood control facility (Stoney Creek SWM Facility 2) located on Block 60 within this plan of subdivision. The Owner shall direct the post development storm flows discharge from Block 60 to the realigned west branch of the Northdale Tributary east of Adelaide Street North, south of Sunningdale Road and the Department Fishery Ocean (DFO's) approved Northdale Tributary channel to meet the Ministry of the Environment's (MOE's) requirements for maintaining the estimated base flow conditions for this reconstructed Northdale system;
 - iv) Grade and drain the boundaries of Blocks abutting the SWM Facility to blend in with the abutting SWM Facility on Block 60, at no cost to the City;
 - v) Make provisions to oversize and deepen the internal storm sewers in this plan, if necessary, to accommodate flows from upstream lands external to this plan;
 - vi) Construct and implement erosion and sediment control measures as accepted in the Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation for these lands, including the correction of any deficiencies of the erosion and sediment control measures forthwith;
 - vii) Construct any measures as recommended in the proposed water balance evaluation report; and
 - viii) Provide SWM on-site controls for lands (Blocks) located within this plan of subdivision that are zoned for Commercial, Institutional and Multi-Family. The on-site controls shall comply with the accepted Design Requirements for Permanent Private Stormwater Systems.
48. Prior to the issuance of any Certificates of Conditional Approval for any lot in this plan, the Owner shall complete the following:
- i) For lots and blocks in this plan or as otherwise approved by the City Engineer, all storm/drainage and SWM related works to serve this plan must be constructed and operational in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City;
 - ii) For lots and blocks in this plan that are contributory to the proposed erosion control/flood storage dry Stoney Creek SWM Facility 2 (to be constructed by the City), located on Block 60, the erosion/sediment control works to protect the existing PSW located on Block 50 and all related storm/drainage servicing must be constructed and operational in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City;
 - iii) Construct and have operational the major and minor storm flow routes for the subject lands, to the satisfaction of the City; and
 - iv) Implement all geotechnical/slope stability/setback recommendations made by the geotechnical report accepted by the City.
49. Prior to the issuance of any Certificate of Conditional Approval the Stoney Creek SWM Facility 2, to be built by the City, to serve this plan must be constructed and operational.
50. Prior to the acceptance of engineering drawings, the Owner's professional engineer shall certify the subdivision has been designed such that increased and accelerated stormwater runoff from this subdivision will not cause damage to downstream lands, properties or

structures beyond the limits of this subdivision. Notwithstanding any requirements of, or any approval given by the City, the Owner shall indemnify the City against any damage or claim for damages arising out of or alleged to have arisen out of such increased or accelerated stormwater runoff from this subdivision.

51. In conjunction with the first submission of engineering drawings, the Owner shall have a report prepared by a qualified consultant, and if necessary, a detailed hydro geological investigation carried out by a qualified consultant, to determine, including but not limited to, the following:
 - i) The effects of the construction associated with this subdivision on the existing ground water elevations and domestic or farm wells in the area;
 - ii) Identify any abandoned wells in this plan;
 - iii) An analysis to establish the water table level of lands within the subdivision with respect to the depth of the sanitary sewers and recommend additional measures, if any, which need to be undertaken to meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407;
 - iv) Any fill required in the plan;
 - v) Provide recommendations for foundation design should high groundwater be encountered;
 - vi) Identify all required mitigation measures including the design and implementation of Low Impact Development (LIDs) solutions;
 - vii) Address any contamination impacts that may be anticipated or experienced as a result of the said construction on any existing watercourse or body of water on the site; and
 - viii) Provide recommendations regarding soil conditions and fill needs in the location of any existing watercourses or bodies of water on the site.
52. Prior to the issuance of any Certificate of Conditional Approval, the Owner's professional engineer shall certify that any remedial or other works as recommended in the accepted hydro geological report are implemented by the Owner, to the satisfaction of the City, at no cost to the City.
53. The Owner shall ensure the post-development discharge flow from the subject site must not exceed capacity of the stormwater conveyance system. In an event where the condition cannot be met, the Owner shall provide SWM on-site controls that comply to the accepted Design Requirements for permanent Private Stormwater Systems.
54. The Owner acknowledges that the timing for construction of the Regional Stoney Creek SWM Facility # 2 shall be in accordance with the Design and Construction of Stormwater Management Facilities, Policies and processes identified in Appendix 'B-1' and 'B-2' Stormwater Management Facility "Just in Time" Design and Construction Process adopted by Council on July 30, 2013 as part of the Development Charges Policy Review: Major Policies Covering Report.
55. The Owner shall ensure that all existing upstream external flows traversing this plan of subdivision are accommodated within the overall minor and major storm conveyance servicing system(s) design, all to the specifications and satisfaction of the City Engineer.
56. The Owner shall dedicate sufficient lands to the City to enable the completion of the proposed SWM Facility and all related servicing in accordance with the Design and Construction of Storm Water Management Facilities policies and processes identified in Appendix 'B-1' and 'B-2' Stormwater Management Facility "Just in Time" Design and Construction Process.

Water

57. In conjunction with the first submission of engineering drawings, the Owner shall have their consulting engineer prepare and submit a water servicing report including the following design information, all to the satisfaction of the City Engineer:
 - i) Water distribution system analysis & modeling and hydraulic calculations for the Plan of Subdivision confirming system design requirements are being met;
 - ii) Identify domestic and fire flows for the potential ICI/medium density Blocks from the low-level (high-level) water distribution system;
 - iii) Address water quality and identify measures to maintain water quality from zero build-out through full build-out of the subdivision;
 - iv) Include modeling for two fire flow scenarios as follows:**

- i) Max Day + Fire confirming velocities and pressures within the system at the design fire flows, and
- ii) Max Day + Fire confirming the available fire flows at fire hydrants at 20 PSI residual. Identify fire flows available from each proposed hydrant to be constructed and determine the appropriate colour hydrant markers (identifying hydrant rated capacity);

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

- v) Include a staging report as applicable which addresses the requirement to maintain interim water quality;
- vi) Develop a looping strategy when development is proposed to proceed beyond 80 units;
- vii) Identify any water servicing requirements necessary to provide water servicing to external lands, incorporating existing area plans as applicable;
- viii) Identify any need for the construction of or improvement to external works necessary to provide water servicing to this Plan of Subdivision;
- ix) Identify any required watermain oversizing, if necessary, and any cost sharing agreements;
- x) Identify the effect of development on existing water infrastructure – identify potential conflicts;
- xi) Include full-sized water distribution and area plan(s) which includes identifying the location of valves & hydrants, the type and location of water quality measures to be implemented (including automatic flushing device settings and outlet), the fire hydrant rated capacity & marker colour, and the design domestic and fire flow applied to development Blocks.

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

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

In conjunction with the submission of engineering drawings, the Owner shall update the hydraulic model to reflect the higher density blocks as a result of the Zoning By-law amendment and/or confirm no adverse changes to the water servicing report will occur as a result of the proposed Zoning amendment, all to the specifications and satisfaction of the City.

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

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

- i) to meter and pay the billed costs associated with any automatic flushing devices including water discharged from any device at the time of their installation until removal;
- ii) any incidental and/or ongoing maintenance of the automatic flushing devices;
- iii) payment for maintenance costs for these devices incurred by the City on an ongoing basis until removal;
- iv) all works and the costs of removing the devices when no longer required;
- and
- v) ensure the automatic flushing devices are connected to an approved outlet.

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

60. The Owner shall ensure the limits of any request for Conditional Approval shall conform to the staging or phasing plan as set out in the accepted water servicing design study and shall include the implementation of the interim water quality measures. In the event the requested Conditional Approval limits differ from the staging or phasing as set out in the accepted design study, the Owner would be required to submit revised plans and hydraulic modeling as necessary to address water quality.
61. Prior to the issuance of any Certificates of Conditional Approval, and in accordance with City standards, or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of water service to this draft Plan of Subdivision:
- i) Construct watermains to serve this Plan and connect them to the existing municipal system, namely, **the existing 300 mm diameter watermain on Blackwater Boulevard and the existing 200 mm diameter watermain on Kleinburg Drive Uplands high-pressure watermain stub at Sunningdale Road;**
 - ii) The available fire flow and appropriate hydrant colour code marker (in accordance with the City of London Design Criteria) are to be shown on the engineering drawings; the coloured fire hydrant markers will be installed by the City of London at the time of Conditional Approval;
 - iii) Deliver confirmation that the watermain system has been looped to the satisfaction of the City Engineer when development is proposed to proceed beyond 80 units; and
 - iv) Provide for future “looping” of the watermain system constructed for this subdivision to the east and west of this site, all to the specifications of the City Engineer.
62. The Owner shall obtain all necessary approvals from the City Engineer for the servicing of any Blocks in this Plan of Subdivision prior to the installation of any water services to or within these Blocks.
63. With respect to the proposed blocks, the Owner shall include in all agreements of purchase and sale, and/or lease of Blocks in this plan, a warning clause advising the purchaser/transferee that should these develop as a Vacant Land Condominium or in a form that may create a regulated drinking water system under O.Reg. 170/03, the Owner shall be responsible for meeting the requirements of the legislation.

If deemed a regulated system, there is potential the City of London could be ordered to operate this system in the future. As such, the system would be required to be constructed to City standards and requirements.

Transportation

Roadworks

64. All through intersections and connections with existing streets and internal to this subdivision shall align with the opposing streets based on the centrelines of the street aligning through their intersections thereby having these streets centred with each other, unless otherwise approved by the City Engineer.
65. In conjunction with the first submission of engineering drawings, the Owner shall have its consulting engineer provide the following, all to the specifications and satisfaction of the City Engineer:
- i) Provide a proposed layout plan of the internal road network including taper details for streets in this plan that change right-of-way widths with minimum 30 metre tapers for review and acceptance with respect to road geometries, including but not limited to, right-of-way widths, tapers, bends, intersection layout, daylighting triangles, etc., and include any associated adjustments to the abutting lots. The roads shall be equally tapered and aligned based on the road centrelines and it should be noted tapers are not to be within intersections; and
 - ii) Confirm that all streets in the subdivision have centreline radii which conforms to the City of London Standard “Minimum Centreline Radii of Curvature of Roads in Subdivisions”.
 - iii) **prepare a conceptual design for the window street for Orion Circle to consider such issues as grading the common boulevard between Adelaide Street North and the window street, overland flow routes, sidewalk connections, servicing, to the satisfaction of the City Engineer.**

66. At 'tee' intersection, the projected road centreline of the intersecting street shall intersect the through street at 90 degrees with a minimum 6 metre tangent being required along the street lines of the intersecting road, to the satisfaction of the City.
67. The Owner shall construct Superior Drive Street 'D' at the western boundary of the plan of subdivision in alignment with the proposed Superior Drive to the west as shown in draft plan of subdivision, 39T-05510, to the satisfaction of the City.
- ~~68. The Owner shall construct Kleinburg Drive at the western boundary of the plan of subdivision in alignment with Kleinburg Drive to the west as shown in draft plan of subdivision, 39T-05510, to the satisfaction of the City.~~
- ~~69. The Owner shall construct Blackwater Road at Sunningdale Road at the southern boundary of the plan of subdivision in alignment with Blackwater Road to the south.~~
- 70. The Owner shall construct Blackwater Road between Superior Drive Street 'D' and Sunningdale Road to neighbourhood connector** primary collector road standards.
71. The Owner shall designate Blackwater Road between Superior Drive Street 'D' and Sunningdale Road as a neighbourhood connector primary collector road with a 26 metre right-of-way.
72. The Owner shall construct Superior Drive Street 'D' to neighbourhood connector secondary collector road standards.
73. The Owner shall provide a minimum of 5.5 metres (18') along the curb line between the projected property lines of irregular shaped lots around the bends on streets in this Plan of subdivision.
74. The Owner shall have it's professional engineer design and construct the roadworks in accordance with the following road widths:
- i) Blackwater Road has a minimum road pavement width (excluding gutters) of 11.0 metres with a minimum road allowance of 26.0 metres;
 - ii) Superior Drive Street 'D' has a minimum road pavement with (excluding gutters) of 9.5 metres with a minimum road allowance of 21.5 metres;
 - iii) Kleinburg Drive, Orion Circle Street 'E' and Kleinburg Drive Street 'I' have a minimum road pavement width (excluding gutters) of 8.0 metres with a minimum road allowance of 20 metres;
 - iv) Moon Drive Street 'C', Orion Circle Street 'F' (north and south legs), Waddell Way Street 'G', Street 'H', Taurus Street Street 'K' and Mayo Drive Street 'L' have a minimum road pavement width (excluding gutters) of 7.0 metres with a minimum road allowance of 19 metres;
 - v) ~~Street 'J' has a minimum road pavement width (excluding gutters) of 6.0 metres (19.7') with a minimum road allowance of 18 metres;~~
 - vi) Orion Circle Street 'F' (window street portion) have a minimum road pavement width (excluding gutters) of 7.0 metres with a minimum road allowance of 18.0 metres; and
 - vii) Superior Drive Street 'D' from Adelaide Street North to 45 metres west has a minimum road pavement width (excluding gutters) of 11.0 metres with a minimum road allowance of 22.5 metres. The widened road on Superior Drive Street 'D' shall be equally aligned from the centreline of the road and tapered back to the 9.5 metres of road pavement width (excluding gutters) and 21.5 metres of road allowance width for this street with 30 metre long tapers on both street lines.
75. The Owner shall construct the window street portion of Orion Circle Street 'F' abutting Adelaide Street North in accordance with the City's window Street standard or as otherwise specified by the City Engineer, to the satisfaction of the City Engineer, at no cost to the City.
76. The Owner agrees that, if a parking plan is required for this subdivision, and increased pavement width is proposed to accommodate the parking plan, the road allowance width will be increased a corresponding amount in order to maintain the standard 6.0 metre wide boulevards on either side of the road. Further, the Owner agrees that any proposed widening of the pavement and the road allowance will be to the satisfaction of the City Engineer.

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

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

Sidewalks

78. The Owner shall construct a 1.5 metre sidewalk on both sides of ~~the following streets:~~

- i) Blackwater Road;
- ii) Superior Drive Street 'D'; and
- iii) Kleinburg Drive between Blackwater Road and Superior Drive Street 'D'.

79. The Owner shall construct a 1.5 metre sidewalk on one side of the following streets:

- i) Kleinburg Drive – west of Blackwater Road – north boulevard;
- ii) Orion Circle Street 'E' – west boulevard;
- iii) Orion Circle Street 'F' (north leg) – north boulevard;
- iv) Orion Circle Street 'F' (south leg) – south boulevard;
- v) Kleinburg Drive Street 'I' – east boulevard;
- vi) Taurus Street Street 'K' – west boulevard; and
- vii) Moon Drive Street 'C' – north boulevard;
- viii) Street 'J' – outside boulevard.

80. In conjunction with the first submission of engineering drawings, the Owner shall provide a plan and appropriate sections showing details of the proposed parks pathway on Block 55, 58 and window street portion of Orion Circle Street 'F', to the satisfaction of the City. The plan is also to incorporate how the proposed sidewalk linkages from Orion Circle Street 'F' to Adelaide Street North will be accommodated to City standards. The pathway is to be located within the right of way on Orion Circle Street 'F' between the window street berm and the easterly edge of curb for Orion Circle Street 'F'.

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

Street Lights

82. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall install street lighting at the intersection of Adelaide Street North and Superior Drive Street 'D', to the specifications of the City, at no cost to the City.

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

Boundary Road Works

84. The Owner acknowledges that the City, in accordance with the City's current Growth Management Implementation Strategy (GMIS) may be reconstructing Sunningdale Road in 2025. The Owner shall co-operate with the City, as necessary, to complete the project, including providing access to their lands and easements as necessary.

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

86. In conjunction with the first submission of engineering drawings, the Owner shall have it's professional consulting engineer submit design criteria for the left turn and right turn lanes on Sunningdale Road East at Blackwater Road and Adelaide Street North at Superior Drive Street 'D' for review and acceptance by the City.

87. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct turn lanes on the following:
- i) A left turn lane on Adelaide Street North at **Superior Drive Street 'D'**;
 - ii) A right turn taper on Adelaide Street North at **Superior Drive Street 'D'**;
 - ~~iii) A left turn lane on Sunningdale Road East at Blackwater Road; and~~
 - ~~iv) A right turn lane on Sunningdale Road East at Blackwater Road.~~

Road Widening

89. The Owner shall be required to dedicate sufficient land to widen Adelaide Street North ~~and Sunningdale Road West~~ to 18.0 metres from the centreline of the original road allowance.
90. The Owner shall provide a road widening dedication at the intersection of Sunningdale Road North and Adelaide Street East as indicated in the Sunningdale Road Environmental Assessment to accommodate a future roundabout, to the satisfaction of the City.
91. The Owner shall be required to dedicate 6.0 m x 6.0 m "daylighting triangles" at the intersection of Blackwater Road and Sunningdale Road East and at Adelaide Street North and **Superior Drive Street 'D'** in accordance with the Z-1 Zoning By-law, Section 4.24.
92. The Owner shall be required to dedicate 3.0 m x 3.0 m "daylighting triangles" at the intersection of **neighbourhood 'collector' road** streets in the Plan (ie. Where Blackwater Road meets **Superior Drive Street 'D'**) to satisfy requirements necessary for servicing bus transit routes, as specified by the City Engineer.

Vehicular Access

93. The Owner shall restrict access to Sunningdale Road East and Adelaide Street North by establishing blocks for 0.3 metre reserves along the entire frontages, to the satisfaction of the City.

Traffic Calming

94. In conjunction with the first submission of engineering drawings, the Owner shall have it's professional engineer provide a conceptual design of the proposed traffic calming measures along the **neighbourhood connectors** ~~primary and secondary collector roads~~, including parking bays, curb extensions, speed cushions and other measures, to the satisfaction of the City, to discourage through traffic and excessive vehicle speeds.
95. The Owner shall construct curb extensions on both sides of Blackwater Road to provide on-street parking for the commercial and business district commercial blocks. The parking bay should be removed for utilities (fire hydrants) and for transit stop locations as defined by the London Transit Commission, to the satisfaction of the City Engineer.
96. The Owner shall construct raised intersections along Blackwater Road, at the intersections with Kleinburg Drive and with **Superior Drive Street 'D'** and at the intersection of **Superior Drive Street 'D'** and Kleinburg Drive in accordance with City standards, to the satisfaction of the City Engineer. Should it be determined the raised intersections will affect the major overland flow route, the Owner shall construct alternative traffic calming measures in consultation with the City, to the satisfaction of the City Engineer.
97. The Owner shall construct curb extensions along the south side of **Superior Drive Street 'D'** with the parking bay removed for utilities (fire hydrants) and for transit stop locations as defined by the London Transit Commission, to the satisfaction of the City Engineer.
98. The Owner shall construct ~~one two~~ speed cushions on Kleinburg Drive in locations satisfactory to the City Engineer and in accordance with the Design Specifications and Requirements Manual.

Construction Access/Temporary/Second Access Roads

99. The Owner shall utilize construction access routes designated by the City.

100. Prior to commencing any construction on this site, the Owner shall notify the City of London Police Services of the start of construction of this plan of subdivision.
101. In the event any work is undertaken on an existing street, the Owner shall establish and maintain a Traffic Management Plan (TMP) in conformance with City guidelines and to the satisfaction of the City for any construction activity that will occur on existing public roadways. The Owner shall have its contractor(s) undertake the work within the prescribed operational constraints of the TMP. The TMP will be submitted in conjunction with the subdivision servicing drawings for this plan of subdivision.
102. Should any temporary turning circle exist on the abutting street at the time this plan is registered, the Owner shall remove any existing temporary turning circles at the west limit of this plan and restore the road including sidewalks to the satisfaction of the City, at no cost to the City.

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

In conjunction with the first submission of engineering drawings, should an emergency access be required to accommodate development, the Owner shall locate, construct, maintain and close the access to the satisfaction of the City Engineer. The Owner shall ensure any emergency access required is satisfactory to the City Engineer with respect to all technical aspects, including adequacy of site lines, provisions of channelization, adequacy of road geometries and structural design, etc. The Owner shall ensure it will be restricted to emergency vehicle use only, if necessary, all to the specifications and satisfaction of the City.

General Engineering

103. The Owner shall comply with all City of London standards, guidelines and requirements in the design of this draft plan and all required engineering drawings, to the satisfaction of the City. Any deviations from the City's standards, guidelines or requirements shall be satisfactory to the City.
104. Prior to the issuance of a Certificate of Conditional Approval for each construction stage of this subdivision, all servicing works for the stage and downstream works must be completed and operational, in accordance with the approved design criteria and accepted drawings, all to the specification and satisfaction of the City.
105. Prior to final approval, the Owner shall make arrangements with the affected property owner(s) for the construction of any portions of services or grading situated on private lands outside this plan, and shall provide satisfactory easements over these works, as necessary, all to the specifications and satisfaction of the City, at no cost to the City.
106. In conjunction with the first submission of engineering drawings, the Owner shall provide, to the City for review and acceptance, a geotechnical report or update the existing geotechnical report recommendations to address all geotechnical issues with respect to the development of this plan, including, but not limited to, the following:
 - i) Servicing, grading and drainage of this subdivision;
 - ii) Road pavement structure;
 - iii) Dewatering;
 - iv) Foundation design;
 - v) Removal of existing fill (including but not limited to organic and deleterious materials);
 - vi) The placement of new engineering fill;
 - vii) Any necessary setbacks related to slope stability for lands within this plan;
 - viii) Identifying all required mitigation measures including the design and implementation of Low Impact Development (LIDs) solutions;
 - ix) Addressing all issues with respect to construction and any necessary setbacks related to erosion, maintenance and structural setbacks related to slope stability for lands within this plan, if necessary, to the satisfaction and specifications of the City. The Owner shall provide written acceptance from the Upper Thames River Conservation Authority for the final setback;

x) cutting/filling, erosion, maintenance and structural setbacks related to slope stability associated with the existing wetlands, all to the satisfaction of the City and the Upper Thames River Conservation Authority;

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

107. The Owner shall implement all geotechnical recommendations to the satisfaction of the City.
108. Once construction of any private services, ie: water storm or sanitary, to service the lots and blocks in this plan is completed and any proposed relotting of the plan is undertaken, the Owner shall reconstruct all previously installed services in standard location, in accordance with the approved final lotting and approved revised servicing drawings all to the specification of the City Engineer and at no cost to the City.
109. The Owner shall connect to all existing services and extend all services to the limits of the draft plan of subdivision, at no cost to the City, all to the specifications and satisfaction of the City Engineer.
110. The Owner shall have the common property line of ~~Sunningdale Road East and Adelaide Street North~~ graded in accordance **with the accepted engineering drawings and City of London standards** ~~the City of London Standard "Subdivision Grading along Arterial Roads"~~, at no cost to the City.

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

111. The Owner shall advise the City in writing at least two weeks prior to connecting, either directly or indirectly, into any unassumed services constructed by a third party, and to save the City harmless from any damages that may be caused as a result of the connection of the services from this subdivision into any unassumed services.
112. Prior to connection being made to an unassumed service, the following will apply:
 - i) In the event discharge is to unassumed services, the unassumed services must be completed and conditionally accepted by the City; and
 - ii) The Owner must provide a video inspection on all affected unassumed sewers.

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

113. The Owner shall pay a proportional share of the operational, maintenance and/or monitoring costs of any affected unassumed sewers or SWM facilities (if applicable) to third parties that have constructed the services and/or facilities to which the Owner is connecting. The above-noted proportional share of the cost shall be based on design flows, to the satisfaction of the City, for sewers or on storage volume in the case of a SWM facility. The Owner's payments to third parties shall:
 - i) Commence upon completion of the Owner's service work, connections to the existing unassumed services; and
 - ii) Continue until the time of assumption of the affected services by the City.
114. With respect to any services and/or facilities constructed in conjunction with this Plan, the Owner shall permit the connection into and use of the subject services and/or facilities by outside owners whose lands are served by the said services and/or facilities, prior to the said services and/or facilities being assumed by the City.

The connection into and use of the subject services by an outside Owner will be conditional upon the outside Owner satisfying any requirements set out by the City, and agreement by the outside Owner to pay a proportional share of the operational maintenance and/or monitoring costs of any affected unassumed services and/or facilities.

115. If, during the building or constructing of all buildings or works and services within this subdivision, any deposits of organic materials or refuse are encountered, the Owner shall report these deposits to the City Engineer and Chief Building Official immediately, and if

required by the City Engineer and Chief Building Official, the Owner shall, at his own expense, retain a professional engineer competent in the field of methane gas to investigate these deposits and submit a full report on them to the City Engineer and Chief Building Official. Should the report indicate the presence of methane gas then all of the recommendations of the engineer contained in any such report submitted to the City Engineer and Chief Building Official shall be implemented and carried out under the supervision of the professional engineer, to the satisfaction of the City Engineer and Chief Building Official and at the expense of the Owner, before any construction progresses in such an instance. The report shall include provision for an ongoing methane gas monitoring program, if required, subject to the approval of the City engineer and review for the duration of the approval program.

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

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

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

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

117. The Owner's professional engineer shall provide inspection services during construction for all work to be assumed by the City, and shall supply the City with a Certification of Completion of Works upon completion, in accordance with the plans accepted by the City Engineer.
118. In conjunction with the engineering drawings submission, the Owner shall have it's professional engineer provide an opinion for the need for an Environmental Assessment under the Class EA requirements for the provision of any services related to this Plan. All class EA's must be completed prior to the submission of engineering drawings.
119. The Owner shall have it's professional engineer notify existing property owners in writing, regarding the sewer and/or road works proposed to be constructed on existing City streets in conjunction with this subdivision, all in accordance with Council policy for "Guidelines for Notification to Public for Major Construction Projects".
120. The Owner shall not commence construction or installations of any services (eg. clearing or servicing of land) involved with this Plan prior to obtaining all necessary permits, approvals and/or certificates that need to be issued in conjunction with the development of the subdivision, unless otherwise approved by the City in writing (eg. Ministry of the Environment Certificates, City/Ministry/Government permits: Approved Works, water connection, water-taking, crown land, navigable waterways, approvals: Upper Thames River Conservation Authority, Ministry of Natural Resources, Ministry of the Environment, City, etc.),
121. Prior to any work on the site, the Owner shall decommission and permanently cap any abandoned wells located in this Plan, in accordance with current provincial legislation,

regulations and standards. In the event that an existing well in this Plan is to be kept in service, the Owner shall protect the well and the underlying aquifer from any development activity.

122. In conjunction with the first submission of engineering drawings, in the event the Owner wishes to phase this plan of subdivision, the Owner shall submit a phasing plan identifying all required temporary measures, and identify land and/or easements required for the routing of services which are necessary to service upstream lands outside this draft plan to the limit of the plan to be provided at the time of registration of each phase, all to the specifications and satisfaction of the City.
123. If any temporary measures are required to support the interim conditions in conjunction with the phasing, the Owner shall construct temporary measures and provide all necessary land and/or easements, to the specifications and satisfaction of the City Engineer, at no cost to the City.
124. The Owner shall remove any temporary works when no longer required and restore the land, at no cost to the City, to the specifications and satisfaction of the City.
125. The Owner shall decommission any abandoned infrastructure, at no cost to the City, including cutting the water service and capping it at the watermain, all to the specifications and satisfaction of the City.
126. The Owner shall remove all existing accesses and restore all affected areas, all to the satisfaction of the City, at no cost to the City.
127. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.
128. In conjunction with the engineering drawings submission, the proposed block lotting plan shall be reviewed and accepted with respect to City services, road geometries, easements requirements, etc., to the satisfaction of the City.
129. The Owner shall make all necessary arrangements with any required owner(s) to have any existing easement(s) in this plan quit claimed to the satisfaction of the City and at no cost to the City. The Owner shall protect any existing private services in the said easement(s) until such time as they are removed and replaced with appropriate municipal and/or private services at no cost to the City.
130. Following the removal of any existing private services from the said easement and the appropriate municipal services and/or private services are installed and operational, the Owner shall make all necessary arrangement to have any section(s) of easement(s) in this plan quit claimed to the satisfaction of the City, at no cost to the City.
131. In conjunction with engineering drawings submission, the Owner shall submit a Development Charge work plan outlining the costs associated with the design and construction of the DC eligible works. The work plan must be approved by the City Engineer and City Treasurer (as outlined in the most current DC By-law) prior to advancing a report to Planning and Environment Committee recommending approval of the special provisions for the subdivision agreement.
132. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct new services and make adjustments to the existing works and services on Adelaide Street North and Sunningdale Road East, adjacent to this plan to accommodate the proposed works and services on this street to accommodate the lots in this plan fronting this street (eg. private services, street light poles, traffic calming, etc.) in accordance with the approved design criteria and accepted drawings, al to the satisfaction of the City Engineer, at no cost to the City.
- ~~133. The Owner shall either register against the title of Blocks 45, 46, 47 and 48, inclusive, in this Plan, or shall include in the agreement of purchase and sale for the transfer of each of the Blocks, a covenant by the purchaser or transferee stating that the purchaser or transferee of the Blocks may be required to construct sewage sampling manholes, built to City standards in accordance with the City's Waste Discharge By-law No. WM-2, as amended, regulating the discharge of sewage into public sewage systems. If required, the sewage sampling manholes shall be installed on both storm and sanitary private drain~~

~~connections, and shall be located wholly on private property, as close as possible to the street line, or as approved otherwise by the City Engineer.~~

In conjunction with the first submission of engineering drawings, the Owner shall identify locations of all existing infrastructure, ie. Water, septic, storm, hydro, driveways, etc. and their decommissioning or relocation, to the satisfaction of the City Engineer.

In conjunction with the first submission of engineering drawings, the Owner shall provide a minimum lot frontage of 6.7 metres as per SW-7.0 to accommodate street townhouses within this draft plan of subdivision, all the specifications and satisfaction of the City.

Appendix B – Public Engagement

Community Engagement

Public liaison: On August 26, 2020, Notice of Application was sent to 209 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 27, 2020.

Responses: 1 written reply received.

Nature of Liaison: Possible change to Zoning By-law Z.-1 **FROM** a Holding Residential R1 (h*h-100*h-173*R1-3) Zone **TO** a Holding Residential R5/R6 Special Provision (h*h-100*h-173*R5-6(__)/R6-5(__)) Zone; **FROM** a Holding Residential R1 Special Provision (h*h-100*h-173*R1-3) Zone **TO** a Holding Residential R4 (h*h-100*h-173*R4-3(27)) Zone. Special provisions for the proposed R5-6(__)/R6-5(__) zone would include rear yard decks to encroach in the yard setback as per section 4.27 (5) but may be closer than the stipulated maximum of 1.2m (3.9 feet) permitted..

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

- The neighbour wanted to make sure that the large forested area Block 49 Zoned Open Space (OS5) was not going to be rezoned or removed as part of this application. I explanted in an email that these lands were not part of this application and would not be impacted by this rezoning application and the neighbour was satisfied with my response.

Responses to Notice of Application and Publication in “The Londoner”

Telephone	Written
	Kate Zheng 857 Zaifman Circle

Agency/Departmental Comments:

London Hydro – August 26, 2020

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. However, London Hydro will require a blanket easement.

Upper Thames River Conservation Authority – September 14, 2020

The subject lands are regulated by the UTRCA. Given that the 15 metre setback for the Worrall Drain will be maintained and that the zone line for Open Space (OS4) Block 51 is being realigned to accurately reflect the setback limits of the natural features associated with the block, the Conservation Authority has no objections to this application. We remind the applicant and the City of London (future road widening) that the necessary Section 28 approvals must be obtained prior to any work being undertaken in the regulated area.

Development Engineering – September 20, 2020

Please find attached the recommended revised conditions (in red) for the red-lined draft plan of subdivision with regards to Z-9249 application, as well as revised conditions as it relates to the extension of draft approval and engineering matters for the above-noted subdivision application. These conditions represent the consolidated comments of Development Services, the Transportation and Planning Division, the Sewer Engineering Division, the Water Engineering Division and the Stormwater Engineering Division.

Zoning By-law Amendment

Development Services and the above-noted engineering divisions **supports** the proposed Zoning By-law Amendment for the proposed red-lined draft plan of subdivision subject to the following:

1. Holding provision is implemented on R4-6 zone (street townhouse) until the City Engineer is satisfied with the servicing arrangements to provide adequate separation between services and avoid conflicts with City services.

A minimum lot frontage of 6.7 metres as per SW-7.0 will be required to accommodate street townhouses within this draft plan of subdivision.

2. Holding provision is implemented to provide a capacity report and revised design sheets prior to the submission of engineering drawings. Should the sanitary capacity report be provided and accepted prior to the Zoning By-law amendment moving forward to Committee, a holding provision may not be required.

According to the relatively new Applegate existing area plan and design sheet there was only (3l/s) remaining capacity in the 250mm at .6% in an easement through Medium Density Block 43/44 out to Sunningdale Road.

With the proposed Zoning amendment, approximately 4.8 ha of former Single Family zoning changing to Medium Density zoning could essentially double the population for those areas/blocks. The Owner may be required to construct upgrades to accommodate the request zone amendments.

The Sewer Engineering Division supports this rezoning. The Owner shall provide more design details; maximum populations, peak flows etc.

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, 2020

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.
- Section 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns
 - 1.1.3 Settlement Areas
 - 1.1.3.2
 - 1.1.3.6
 - 1.4 Housing
 - 2.0, 2.1.1, 2.1.8, 2.1.4, 2.1.5, 2.1.6
 - 3.0

In accordance with section 3 of the Planning Act, all planning decisions ‘shall be consistent with’ the PPS

Z.-1 Zoning By-law

Site Plan Control Area By-law

The London Plan

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

59_, 61_, 62_, 172_, *921_, *935_, *936_, *937_, *1688

Our Strategy

Key Direction #5 – Build a mixed-use compact city

2. *Plan to achieve a compact, contiguous pattern of growth – looking “inward and upward”.*
4. *Plan for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward.*
5. *Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place.*

Key Direction #6 – Place a new emphasis on creating attractive mobility choices

1. *Create active mobility choices such as walking, cycling, and transit to support safe, affordable, and healthy communities.*
7. *Utilize a grid, or modified grid, system of streets in neighbourhoods to maximize connectivity and ease of mobility.*

Key Direction #7 – Build strong, healthy and attractive neighbourhoods for everyone

1. Plan for healthy neighbourhoods that promote active living, provide healthy housing options, offer social connectedness, afford safe environments, and supply well distributed health services.

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

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

City Building and Design Policies

*197_ The built form will be designed to have a sense of place and character consistent with the planned vision of the place type, by using such things as topography, street patterns, lotting patterns, streetscapes, public spaces, landscapes, site layout, buildings, materials and cultural heritage.**

The proposed zoning will continue to permit a both single detached residential dwellings and street townhouses which are compatible with adjacent residential development, in keeping with the character of the neighbourhood, and consistent with the planned vision of the Neighbourhood Place Type. The proposed residential blocks will maintain a consistent lot pattern and continuity of the streetscape along Moon Street and Kleinburg Drive.

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

The street configuration represents a grid pattern that includes a street facing townhouses along Moon Street and Kleingburg Drive, with multiple direct connections to the existing neighbourhood to the west and south as well as the future developemtn to the north..

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

The street network in this subdivision plan does a reasonably effective job at maintaining a north-south orientation and exposure to passive solar energy for the majority of lots and street townhouse blocks which front along Moon Street and Kleingburg Drive. The street network will be required to incorporate sidewalks and sidewalk links, which helps to promote active mobility in the neighbourhood.

Neighbourhoods Place Type

The subject lands are located within the Neighbourhoods Place Type in The London Plan, and are situated at the intersection of a Neighbourhood Connector. The range of primary permitted uses include single detached, semi-detached, duplex, triplex, townhouses, stacked townhouses, low-rise apartments, secondary suites, home occupations, group homes, and small-scale community facilities. Secondary permitted uses include mixed-use buildings. The proposed development of street townhouses and cluster townhouses are, anticipated to be a minimum 2 and 2.5 storeys in height conforms with the use, intensity and form policies of the Neighbourhoods Place Type.

1989 Official Plan

These lands are designated as Multi-family, Medium Density Residential under Section 3.3 which permits primarily multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding and houses; emergency care

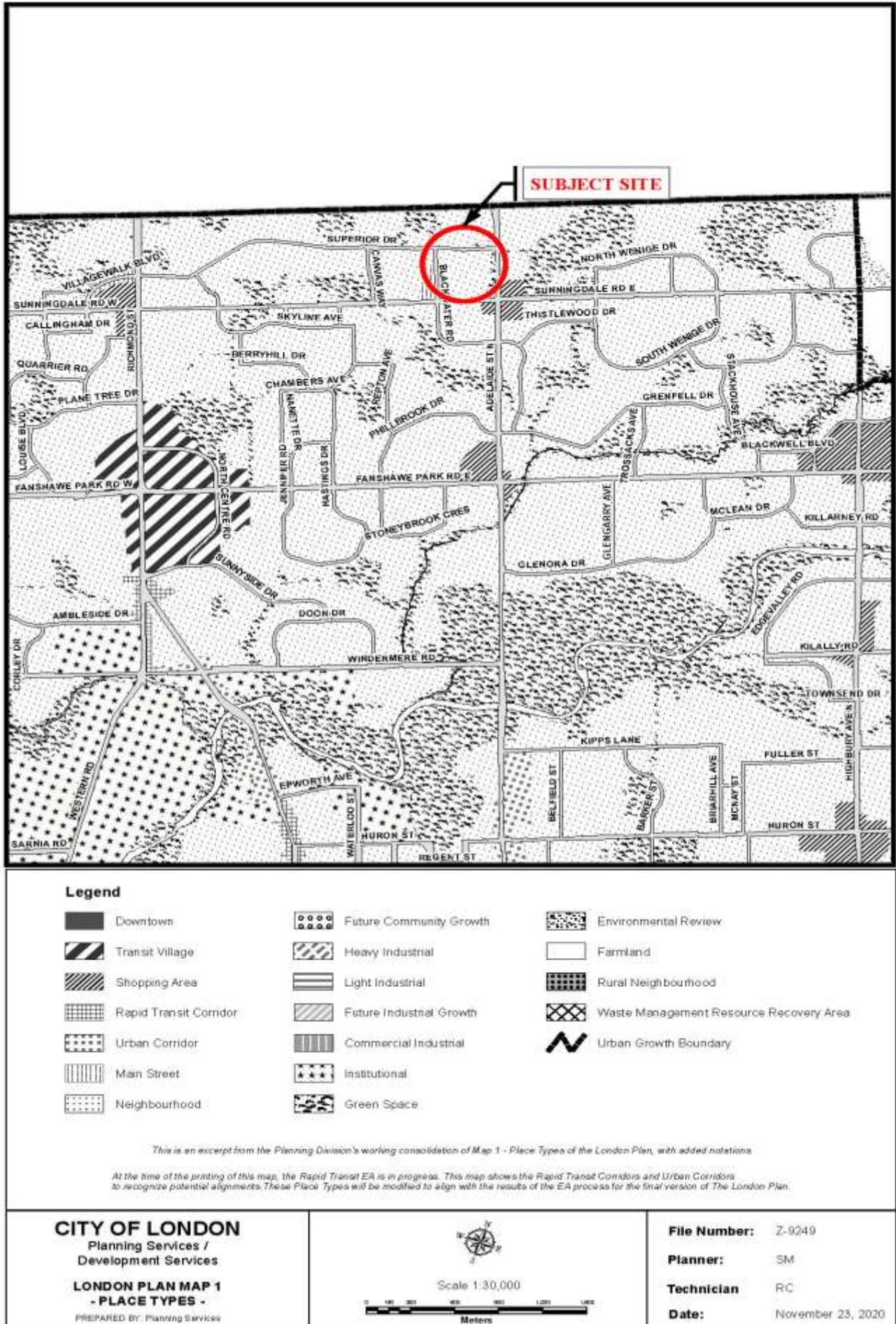
File: 39T-09501 / Z-9243

Planner: S. Meksula

facilities; and small-scale nursing homes, rest homes, and homes for the aged, as the main uses. These areas may also be developed for single detached, semi-detached, and duplex dwellings. The recommended zone variations are consistent with the Official Plan designation and range of permitted uses.

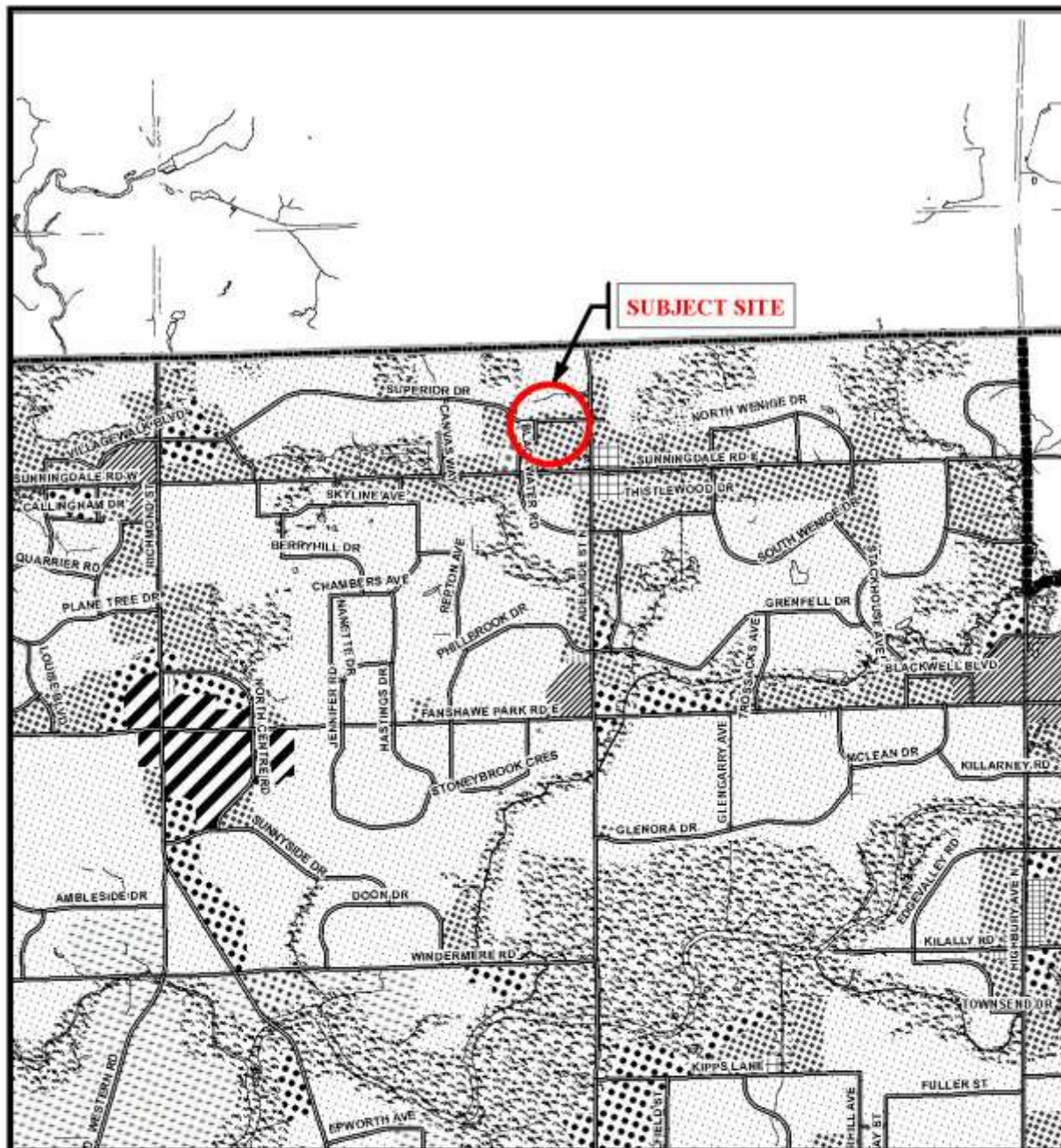
Appendix D – Relevant Background

London Plan Map Excerpt



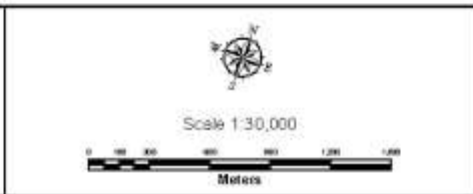
Project Location: E:\Planning\Projects\p_officialplan\work\consolid00\excerpts_LondonPlan\mxd\Z-9249-Map 1-PlaceTypes.mxd

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

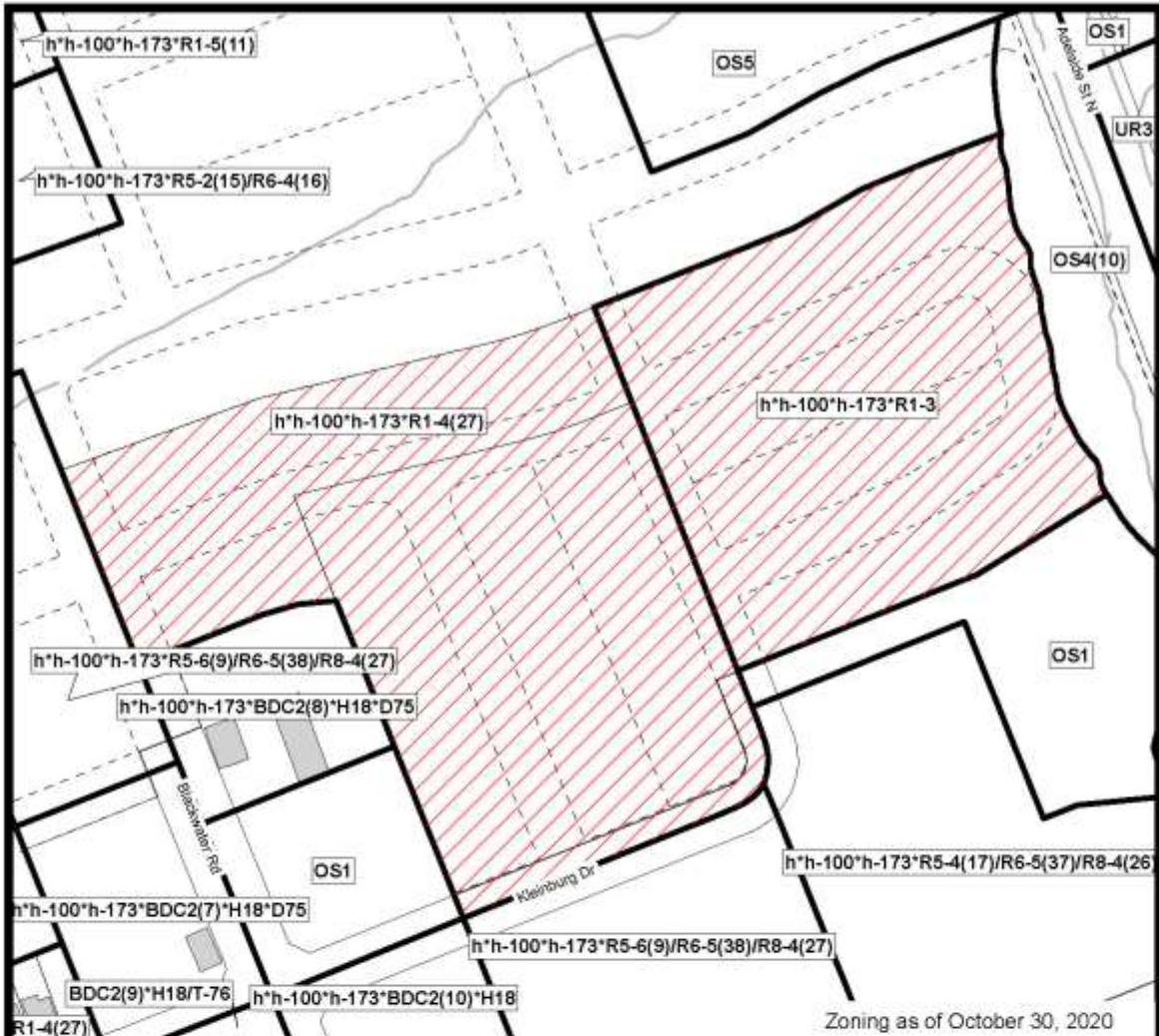
CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -
 PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-9249
 PLANNER: SM
 TECHNICIAN: RC
 DATE: 2020/11/23

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consolid\00\extracts\mxd_templates\scheduleA_NEW_b&w_8x14.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 - 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
 "T" - HOLDING SYMBOL "D" - DENSITY SYMBOL "H" - HEIGHT SYMBOL "B" - BONUS SYMBOL "T" - TEMPORARY USE SYMBOL |
|--|---|

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

Z-9249

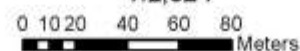
SM

MAP PREPARED:

2020/11/23

rc

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DEFERRED MATTERS

**PLANNING AND ENVIRONMENT COMMITTEE
(AS OF NOVEMBER 30, 2020)**

File No.	Subject	Request Date	Requested/ Expected Reply Date	Person Responsible	Status
1	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 2020	Saunders	Preparing initial report to PEC to seek Council direction.
2	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)	Q1 2021	Stafford/Yanchula	Dundas Place Manager is now in place.
3	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	April 24/18 (3.2/7/PEC)	Q4 2021	Barrett	Staff developing a modified consultation plan to include Medway Advisory Group, EEAPC and First Nations review in the field to review trails alternatives. Anticipate CMP completion Q4 2021

File No.	Subject	Request Date	Requested/ Expected Reply Date	Person Responsible	Status
	the ACCAC, the EEPAC, UTRCA and neighbouring First Nations governments and organizations with respect to improved trail access and conditions; actions be taken to discourage crossings of the creek at sites 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.				
4	Inclusionary Zoning for the delivery of affordable housing - the Civic Administration BE DIRECTED to report back to the Planning and Environment Committee outlining options and approaches to implement Inclusionary Zoning in London, following consultation with the London Home Builders Association and the London Development Institute.	August 28/18 (2.1/13/PEC)	Q4 2021	Barrett/Adema	Updates related to Inclusionary Zoning have been provided to PEC through the Affordable Housing Toolkit report (July 13, 2020) and in the Protected Major Transit Station Areas information report (August 10, 2020). The City Planning Workplan and Council's Strategic Plan identify that a review of Inclusionary Zoning will be completed in 2021.

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File No.	Subject	Request Date	Requested/ Expected Reply Date	Person Responsible	Status
5	<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> <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>June 18/18 (4.1/11/PEC)</p> <p>Sept 23/19 (3.3/16/PEC)</p>	<p>2019</p> <p>Q4/2020</p>	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. The report and PPM for the approval of the City’s new Tree Protection By-law is scheduled for September 23, 2019.</p> <p>COMPLETE – PLEASE REMOVE</p>

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File No.	Subject	Request Date	Requested/ Expected Reply Date	Person Responsible	Status
6	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)	Q4 2020	Kotsifas/Yeoman	Report to be provided within Q4 of 2020. DECEMBER 14, 2020 PEC MEETING. PLEASE REMOVE
7	Draft City-Wide Urban Design Guidelines – Civic Admin to report back at a future PPM of the PEC Civic Admin to review and report back on implications related to the <i>Municipal Conflict of Interest Act</i>	Oct 29/19 (2.1/18/PEC) Dec 10/19 (3.1/1/PEC)	Q2 2021	Barrett/O’Hagan	The Draft Urban Design Guidelines were presented in June 2019. Staff are working through edits with the development industry and other stakeholders. Expected for final approval in Q1 2021.
8	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	Barrett/O’Hagan	Study Currently underway. Update report presented to PEC August 2020. Final recommendation expected to go to PEC Q4 2020. FINAL RECOMMENDATION GOING TO DECEMBER 14, 2020 PEC. PLEASE REMOVE
9	183 and 197 Ann Street, clause 4.1 c) and d) of the 7 th Report of the LACH - Civic Administration to review the submission of an altered building design by the applicant	Nov 24/20 (/PEC)	Q1 2021	Yeoman/Tomazincic	Report to be provided Q1 of 2021

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London Advisory Committee on Heritage

Report

The 1st Meeting of the London Advisory Committee on Heritage
December 9, 2020
Advisory Committee Virtual Meeting - during the COVID-19 Emergency
City Hall is open to the public, with reduced capacity and physical distancing requirements.

Attendance PRESENT: D. Dudek (Chair), S. Bergman, M. Bloxam, J. Dent, S. Jory, J. Manness, E. Rath, M. Rice, K. Waud and M. Whalley and H. Lysynski (Acting Committee Clerk)

ALSO PRESENT: J. Bunn, L. Dent, K. Gonyou, M. Greguol and M. Schulthess

The meeting was called to order at 5:30 PM; it being noted that the following Members were in remote attendance: S. Bergman, M. Bloxam, J. Dent, S. Jory, J. Manness, E. Rath, K. Waud and M. Whalley

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

1.2 Election of Chair and Vice Chair for the term ending November 30, 2021

That it BE NOTED that the London Advisory Committee on Heritage elected D. Dudek and M. Whalley as the Chair and Vice Chair, respectively, for the term ending November 30, 2021.

2. Scheduled Items

None.

3. Consent

3.1 8th Report of the London Advisory Committee on Heritage

That it BE NOTED that the 8th Report of the London Advisory Committee on Heritage, from its meeting held on November 11, 2020, was received.

3.2 Municipal Council Resolution - 8th Report of the London Advisory Committee on Heritage

That it BE NOTED that the Municipal Council resolution, from its meeting held on November 24, 2020, with respect to the 8th Report of the London Advisory Committee on Heritage, was received.

3.3 Bill 108 and Regulations, Amendments to the Ontario Heritage Act - Process Implications

That it BE NOTED that the staff report dated November 30, 2020, entitled "Bill 108 and Regulations, Amendments to the Ontario Heritage Act - Process Implications", was received.

4. Sub-Committees and Working Groups

None.

5. Items for Discussion

5.1 Amendment to Heritage Designating By-law for 660 Sunningdale Road East (2370 Blackwater Road)

That, on the recommendation of the Director, City Planning and City Planner, with the advice of the Heritage Planner, with respect to the heritage designated property at 660 Sunningdale Road East (2370 Blackwater Road), the following actions be taken:

a) Notice BE GIVEN under the provisions of Section 30.1(4) of the Ontario Heritage Act, R. S. O. 1990, c. O. 18, of Municipal Council's intention to pass a by-law to amend the legal description of the property designated to be of cultural heritage value or interest by By-law No. L.S.P.-3476-474, as amended, as defined in the staff report dated December 9, 2020 as Appendix B; and,

b) should no appeals be received to Municipal Council's notice of intention to pass a by-law to amend the legal description of the property, a by-law BE INTRODUCED at a future meeting of Municipal Council immediately following the end of the appeal period;

it being noted that should an appeal to Municipal Council's notice of intent to pass a by-law to amend the legal description of the property be received, the City Clerk will refer the appeal to the Conservation Review Board.

5.2 Heritage Alteration Permit Application for Heritage Designated Property at 660 Sunningdale Road East (2370 Blackwater Road) by Clawson Group Inc.

That, on the recommendation of the Director, City Planning and City Planner, with the advice of the Heritage Planner, the application under Section 33 of the Ontario Heritage Act for consent to alter the heritage designated property at 660 Sunningdale Road East (2370 Blackwater Road) BE GIVEN subject to the following terms and conditions:

- the mortar used in the adaptive reuse colour match the existing mortar;
- a corrugated sheet metal roof material, as shown in Appendix D6, be used for the roof of the barns and their gable ends;
- the replica concrete piers faithfully replicate the details of the original concrete piers, including the colour and casting details/lines;
- within amendment(s) to this Heritage Alteration Permit, the following details be provided:
 - specifications on the proposed outer windows;
 - specification on the proposed new doors/doorways;
 - specifications on the proposed interior walls of the barns, demonstrating their reversibility, the protection of the interior clay tiles, as well as the cladding/finish of the interior walls;
 - mechanical and electrical requirements required to facilitate the adaptive reuse of the barns;
- approval authority for subsequent amendment to this Heritage Alteration Permit required to implement the adaptive reuse of the red barns be delegated to the City Planner;
- the Civic Administration be directed to pursue a Heritage Easement Agreement with the property owner to define the scope and extent of the interior clay tile required for preservation;

- where possible, the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed; and,
- the property owner commemorate and interpret the cultural heritage value of the barns, the adaptive reuse of the barns, and the three original barns through signage;

it being noted that a verbal delegation from R. Redshaw, MHBC, with respect to this matter, was received.

5.3 Amended Heritage Alteration Permit Application by S. MacLeod at 59 Wortley Road, Wortley Village-Old South Heritage Conservation District

That, on the recommendation of the Director, City Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the Ontario Heritage Act seeking approval for alterations to property at 59 Wortley Road, within the Wortley Village-Old South Heritage Conservation District, BE PERMITTED with the following terms and conditions:

- the replacement railing on the steps be constructed of iron (metal) with a painted or powder coated finish as depicted in the staff report dated December 9, 2020 as Appendix C; and,
- the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed.

5.4 Heritage Alteration Permit Application by J. Pease at 61 Wilson Avenue, Blackfriars/Petersville Heritage Conservation District

That, on the recommendation of the Director, City Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the Ontario Heritage Act seeking retroactive approval for the alterations to the heritage designated property at 61 Wilson Avenue, within the Blackfriars/Petersville Heritage Conservation District, BE PERMITTED as submitted in the drawings appended to the staff report dated December 9, 2020 as Appendix C with terms and conditions that all exposed wood be painted within one year of Municipal Council's decision.

5.5 Heritage Alteration Permit Application by The Corporation of the City of London for the English Street Infrastructure Renewal Project, in the Old East Heritage Conservation District

That, on the recommendation of the Director, City Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the Ontario Heritage Act seeking approval for alterations on English Street, within the Old East Heritage Conservation District, BE PERMITTED.

5.6 2021 Community Heritage Ontario Newsletter Renewal

That the London Advisory Committee on Heritage 2021 membership with the Community Heritage Ontario BE APPROVED; it being noted that the CHOnews newsletter for Autumn 2020, was received.

6. Adjournment

The meeting adjourned at 6:40 PM.