

Planning and Environment Committee

Report

The 3rd Meeting of the Planning and Environment Committee
February 8, 2021

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

ALSO PRESENT: H. Lysynski, C. Saunders and J.W. Taylor
Councillors A. Kayabaga, E. Peloza and M. van Holst; A. Anderson, G. Barrett, M. Corby, S. Corman, A. Dunbar, K. Edwards, C. Green, P. Kokkoros, G. Kotsifas, D. MacRae, L. Marshall, S. Meksula, L. Mottram, B. O'Hagan, B. Page, J. Parsons, J. Raycroft, K. Scherr, M. Schulthess, E. Skalski, J.-A. Spence, B. Somers, A. Thompson, M. Tomazincic, B. Westlake-Power and P. Yeoman

The meeting is called to order at 4:01 PM, with Councillor P. Squire in the Chair, Councillor S. Lewis present and all other Members participating by remote attendance.

1. Disclosures of Pecuniary Interest

That Councillor S. Lehman disclosed a pecuniary interest in clause 2.8 of this Report, having to do with the London Recovery Network - Ideas for Action by Municipal Council, as it relates to increase grant funding/building code for façade upgrades, by indicating that he is a tenant in the downtown area under construction.

2. Consent

Moved by: S. Lewis

Seconded by: A. Hopkins

That Items 2.2 to 2.7, inclusive, and Item 2.9 BE APPROVED.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

2.2 Application - 146 and 184 Exeter Road - Middleton Subdivision Phase 3 - Special Provisions

Moved by: S. Lewis

Seconded by: A. Hopkins

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London and Sifton Properties Limited for the subdivision of land over Part of Lots 34, Concession 2, (former Township of Westminster) situated on the north side of Exeter Road, east of Wonderland Road South, municipally known as 146 and 184 Exeter Road:

- a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Sifton Properties Limited for the Middleton Subdivision - Phase 3 (39T-15501) appended to the staff report dated February 8, 2021 as Appendix "A", BE APPROVED;

b) the Applicant BE ADVISED that Development Finance has summarized the claims and revenues appended to the staff report dated February 8, 2021 as Appendix “B”; and,

c) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfill its conditions. (2021-D12)

Motion Passed

2.3 Application - 335 Kennington Way, 3959 and 3964 Mia Avenue - Removal of Holding Provision (Plan 33M-765) (H-9272)

Moved by: S. Lewis

Seconded by: A. Hopkins

That, on the recommendation of the Director, Development Services, based on the application by 11031250 Ontario Inc., relating to lands located at 335 Kennington Way, 3959 and 3964 Mia Avenue, legally described as Part of Block 1, Plan 33M-765, Designated as Part 2 and 3 Plan 33R-20777 and Block 2, 33M-765, the proposed by-law appended to the staff report dated February 8, 2021 BE INTRODUCED at the Municipal Council meeting to be held on February 23, 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 R4 Special Provision/R5 Special Provision/R6 Special Provision (h*h-100*h-198* R4-6(10)/R5-4(23)/R6-5(51) Zone TO a Residential R4 Special Provision/R5 Special Provision/R6 Special Provision R4-6(10)/R5-4(23)/R6-5(51) Zone to remove the h, h-100 and h-198 holding provisions. (2021-D09)

Motion Passed

2.4 Application - 2725 Asima Drive (33M-699, Block 53) (P-9220)

Moved by: S. Lewis

Seconded by: A. Hopkins

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Rockwood Homes to exempt Block 53, Plan 33M-699 from Part-Lot Control:

a) pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, the proposed by-law appended to the staff report dated February 8, 2021 BE INTRODUCED at a future Council meeting, to exempt Block 53, Plan 33M-699 from the Part-Lot Control provisions of subsection 50(5) of the said *Act*, it being noted that these lands are subject to registered subdivision agreements and are zoned Residential R4 Special Provision (R4-5(2)) in Zoning By-law No. Z.-1, which permits street townhouse dwellings; and,

b) the following conditions of approval BE REQUIRED to be completed prior to the passage of a Part-Lot Control By-law for Block 53, Plan 33M-699 as noted in clause a) above:

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

Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;

- iv) the applicant submit each draft reference plan to London Hydro showing driveway locations and obtain approval for hydro servicing locations and above ground hydro equipment locations prior to the reference plan being deposited in the land registry office;
- v) the applicant submit to the City Engineer for review and approval prior to the reference plan being deposited in the land registry office; any revised lot grading and servicing plans in accordance with the final lot layout to divide the blocks should there be further division of property contemplated as a result of the approval of the reference plan;
- vi) the applicant shall enter into any amending subdivision agreement with the City, if necessary;
- vii) the applicant shall agree to construct all services, including private drain connections and water services, in accordance with the approved final design of the lots;
- viii) the applicant shall obtain confirmation from the Development Services that the assignment of municipal numbering has been completed in accordance with the reference plan(s) to be deposited, should there be further division of property contemplated as a result of the approval of the reference plan prior to the reference plan being deposited in the land registry office;
- ix) the applicant shall obtain approval from the Development Services of each reference plan to be registered prior to the reference plan being registered in the land registry office;
- x) the applicant shall submit to the City, confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;
- xi) the applicant shall obtain clearance from the City Engineer that requirements iv), v) and vi) inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Building Controls Division for lots being developed in any future reference plan;
- xii) the applicant shall provide a draft transfer of the easements to be registered on title for the reciprocal use of parts 2, 4, 6, 8, 10, 12, 14 and 16 by parts 1, 3, 5, 7, 9, 11, 13 and 15; and,
- xiii) that on notice from the applicant that a reference plan has been registered on a Block, and that Part-Lot Control be re-established by the repeal of the by-law affecting the Lots/Block in question. (2021-D25)

Motion Passed

2.5 Application - 3542 Emily Carr Lane (H-9281)

Moved by: S. Lewis

Seconded by: A. Hopkins

That, on the recommendation of the Director, Development Services, based on the application by Goldfield Ltd., relating to the property located at 3542 Emily Carr Lane, the proposed by-law appended to the staff report dated February 8, 2021 BE INTRODUCED at the Municipal Council meeting to be held on February 23, 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 R5 (h-h-100-h-104-h-155-R5-7) Zone TO a Residential R5 (R5-7) Zone to remove the "h, h-100, h-104 and h-155" holding provisions. (2021-D08)

Motion Passed

2.6 Application - 1160 Wharnccliffe Road South (P-9238)

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

That, on the recommendation of the Director, Development Services, with respect to the application by Goldfield Ltd., the proposed by-law appended to the staff report dated February 8, 2021 BE INTRODUCED at the Municipal Council meeting to be held on February 23, 2021 to exempt Block 2, 3, 4, 5 and 7, Plan 33M-786 from the Part-Lot Control provisions of Subsection 50(5) of the *Planning Act*, for a period not exceeding three (3) years. (2021-D25)

Motion Passed

2.7 2020 Annual Development Report

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

That, on the recommendation of the Director, Planning and City Planner, the staff report dated February 8, 2021 entitled "2020 Annual Development Report" BE RECEIVED for information. (2021-A23)

Motion Passed

2.9 Building Division Monthly Reports - November 2020 and December 2020

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

That the Building Division Monthly Report for November and December 2020 BE RECEIVED for information. (2021-A23)

Motion Passed

2.1 2021 European Gypsy Moth (EGM) Proposed Management Plan

Moved by: A. Hopkins
Seconded by: E. Holder

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the staff report dated February 8, 2021 entitled "2021 European Gypsy Moth (EGM) Proposed Management Plan" BE RECEIVED for information. (2021-D05)

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

2.8 London Community Recovery Network - Ideas for Action by Municipal Council

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

That, on the recommendation of the Managing Director, Development & Compliance Services and Chief Building Official, the following actions be taken with respect to the London Community Recovery Network:

a) the implementation plans for the following ideas for action submitted from the London Community Recovery Network and received by Municipal Council BE APPROVED:

- 2.5 Increase grant funding/building code for façade upgrades;
- 2.6 Appoint a downtown lead at City Hall;
- 2.7 Create a business concierge service;
- 2.8 Create a core area champion at senior level; and,
- 2.9 Create an integrated economic development blueprint;

b) the Civic Administration BE DIRECTED to execute the implementation plans for ideas for action in support of London's community recovery from COVID-19 approved in a) above;

c) that \$250,000 BE APPROVED to implement the ideas approved in a) above and as set out in the business cases included in Appendix A to the staff report, noting that Municipal Council previously authorized \$5 million to be contributed to the Economic Development Reserve Fund to support social and economic recovery measures;

d) the Civic Administration BE DIRECTED to waive the requirement of having all City property taxes paid in full for property owners eligible to receive grants in 2021 under the City's Upgrade to Building Code Loan, Façade Improvement Loan and Rehabilitation and Redevelopment Tax Grant Community Improvement Plan programs, provided that all other requirements have been met; it being noted that any grant funding will first be applied against outstanding property taxes owing; and,

e) the staff report dated February 8, 2021 entitled "London Community Recovery Network - Ideas for Action by Municipal Council" BE RECEIVED for information;

it being noted that the Planning and Environment Committee reviewed and received the following communications with respect to this matter:

- a communication dated February 1, 2021 from D. Szpakowski, CEO and General Manager, Hyde Park Business Improvement Association; and,
- the attached presentation. (2021-S08/S12)

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Additional Votes:

Moved by: S. Hillier

Seconded by: E. Holder

Motion to approve clause a) 1.3, which reads as follows:

"a) the implementation plans for the following ideas for action submitted from the London Community Recovery Network and received by Municipal Council BE APPROVED:

- 1.3 A Break in the Clouds;"

Yeas: (2): A. Hopkins, and E. Holder

Nays: (4): P. Squire, S. Lewis, S. Lehman, and S. Hillier

Motion Failed (2 to 4)

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

Motion to approve clause a) section 2.5 which reads as follows:

"a) the implementation plans for the following ideas for action submitted from the London Community Recovery Network and received by Municipal Council BE APPROVED:

- 2.5 Increase grant funding/building code for façade upgrades;"

Yeas: (5): P. Squire, S. Lewis, A. Hopkins, S. Hillier, and E. Holder

Recuse: (1): S. Lehman

Motion Passed (5 to 0)

Moved by: A. Hopkins
Seconded by: E. Holder

Motion to approve clause a) 3.5, which reads as follows:

"a) the implementation plans for the following ideas for action submitted from the London Community Recovery Network and received by Municipal Council BE APPROVED:

- 3.5 Provide better market data to attract new businesses;"

Yeas: (2): A. Hopkins, and E. Holder

Nays: (4): P. Squire, S. Lewis, S. Lehman, and S. Hillier

Motion Failed (2 to 4)

3. Scheduled Items

3.1 Application - 3195 White Oak Road (Z-9204)

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

That, on the recommendation of the Director, Development Services with respect to the application by 2748714 Ontario Inc., relating to the property located at 3195 White Oak Road, the proposed by-law appended to the staff report dated February 8, 2021 BE INTRODUCED at the Municipal Council meeting to be held on February 23, 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 Holding Urban Reserve Special Provision (h-94*UR4(11)) and an Urban Reserve (UR4) Zone TO a Residential R1 Special Provision (R1-3(21)) Zone;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters;

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

- the recommended amendment is consistent with, and will serve to implement the policies of the Provincial Policy Statement, 2020 which encourage infill and intensification and the provision of a range of housing types, and efficient use of existing infrastructure;
- the proposed residential uses and scale of development are

consistent with the policies of the London Plan, the 1989 Official Plan, the Southwest Area Secondary Plan and the North Longwoods Area Plan policies; and,

- the subject lands are of a suitable size and shape to accommodate the development proposed. (2021-D08)

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Additional Votes:

Moved by: S. Hillier

Seconded by: E. Holder

Motion to open the public participation meeting.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Moved by: S. Lewis

Seconded by: S. Hillier

Motion to close the public participation meeting.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

3.2 Draft Plan of Vacant Land Condominium - 3087 White Oak Road 39CD-20511

Moved by: S. Lewis

Seconded by: E. Holder

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Whiterock Village Inc., relating to the property located at 3087 White Oak Road:

a) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to the property located at 3087 White Oak Road; and,

b) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the Site Plan Approval application relating to the property located at 3087 White Oak Road;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters. (2021-D07)

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Additional Votes:

Moved by: S. Lewis

Seconded by: S. Lehman

Motion to open the public participation meeting.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Moved by: S. Lehman

Seconded by: E. Holder

Motion to close the public participation meeting.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

3.3 Application - 185 Horton Street East

Moved by: E. Holder

Seconded by: S. Lewis

That, on the recommendation of the Director, Development Services, with respect to the application by 1524400 Ontario Inc., relating to the property located at 185 Horton Street East, the proposed revised, attached, by-law BE INTRODUCED at the Municipal Council meeting to be held on February 23, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM an Arterial Commercial Special Provision (AC4(11)) Zone TO an Arterial Commercial Special Provision Bonus Zone (AC4(__)/B__) Zone;

the Bonus Zone shall be implemented through one or more agreements to facilitate the development of a high quality mixed-use commercial/residential apartment building with a maximum density of 389 units per hectare and a maximum height of 51 metres (16-storeys) which substantially implements the Site Plan and Elevations appended to the staff report as Schedule "1" to the amending by-law in return for the following facilities, services and matters:

i) a high quality development which substantially implements the site plan and elevations as appended to the staff report as Schedule "1" to the amending by-law:

Building Design

A) high quality architectural design (building/landscaping) including a common design theme for residential and commercial elements; and provision of structured parking facilities and screening for surface parking areas;

Underground Parking

A) underground parking structure parking provided to reduce surface parking areas (a minimum of 27 subsurface spaces provided);

Outdoor Amenity and Landscaping

- A) common outdoor amenity area to be provided in the northeast quadrant of the site; and rooftop terraces above the 7th, 12th and 16th floors;
- B) landscape enhancements beyond City design standards, including theme lighting; and,
- C) landscape plans for common outdoor amenity areas to incorporate hard landscape elements and drought resistant landscaping to reduce water consumption;

Sustainability

- A) provides a pedestrian-oriented environment along Horton Street East, which facilitates passive surveillance of the streetscape and, ultimately, safer streets;
- B) fosters social interaction and facilitates active transportation and community connectivity with Downtown; and,
- C) the subject lands are close to public open space and parkland in the area, particularly Thames Park, Charles Hunt Park, and the Thames River Pathway system, which provides recreational opportunities for residents (passive and active);

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters;

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

- the recommended amendment to Zoning By-law Z.-1 is consistent with the 2020 Provincial Policy Statement (PPS) which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents present and future;
- the recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions, Homelessness Prevention and Housing policies, and City Design policies. The subject lands represent an appropriate location for residential intensification, along a higher-order street at the fringe of the downtown area, and the recommended amendment would permit development at a magnitude that is suitable for the site adding a connection between the downtown and abutting neighbourhood;
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan including, but not limited to the Policies for the Main Street Commercial Corridor designation. The recommended amendment would permit development at an intensity that is at the upper range of the maximum density for residential intensification within the Main Street Commercial Corridor designation but still ensures the nature of development is suitable for the site and the immediate neighbourhood. The recommended amendment would help to reach the objective of supplying additional institutional housing choices and options for students attending educational institutions in the downtown;
- the recommended Zoning By-law amendment is consistent with the SoHo (South of Horton Street) Community Improvement Plan with the redevelopment of the Mixed Use Mainstreet District along Horton Street by facilitating development that complements the Mainstreet District on Horton Street E one block east of the subject site; and,
- the subject lands represent an appropriate location for institutional and residential intensification, along Horton Street and the recommended

amendment would permit an apartment/dormitory development at an intensity that is appropriate for the site and the surrounding neighbourhood. (2021-D08)

Yeas: (5): P. Squire, S. Lewis, S. Lehman, A. Hopkins, and E. Holder

Absent: (1): S. Hillier

Motion Passed (5 to 0)

Additional Votes:

Moved by: A. Hopkins

Seconded by: S. Lehman

Motion to open the public participation meeting.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Moved by: S. Lewis

Seconded by: S. Lehman

Motion to close the public participation meeting.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

4. Items for Direction

None.

5. Deferred Matters/Additional Business

None.

6. Confidential

6.1 Solicitor-Client Privilege / Litigation or Potential Litigation

Moved by: A. Hopkins

Seconded by: S. Lehman

That the Planning and Environment Committee convene, In Closed Session, for the purpose of considering the following item:

6.1. Solicitor-Client Privilege

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

Yeas: (5): P. Squire, S. Lewis, S. Lehman, A. Hopkins, and E. Holder

Absent: (1): S. Hillier

Motion Passed (5 to 0)

The Planning and Environment Committee convenes, In Closed Session,
from 6:01 PM to 6:12 PM.

7. Adjournment

The meeting adjourned at 6:13 PM.

Report to Planning & Environment Committee

To: Chair and Members
Planning & Environment Committee

From: Kelly Scherr, P. Eng., MBA, FEC
Managing Director, Environmental & Engineering Services
and City Engineer

Subject: 2021 European Gypsy Moth (EGM) Proposed
Management Plan

Date: February 8, 2021

Recommendation

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the 2021 European Gypsy Moth (EGM) Proposed Management Plan **BE RECEIVED** for information.

Executive Summary

The European Gypsy Moth (EGM) (*Lymantria dispar dispar*) is a non-native, invasive forest pest that was introduced to North America from Europe in 1869. It was first detected in Ontario in 1969 and has quickly spread across southern Ontario during the 1980's. The Canadian Food Inspection Agency (CFIA) is responsible for preventing the introduction and spread of invasive pest species. EGM is unfortunately considered a well-established regional pest in southern Ontario.

Severe tree defoliation was observed at several locations in 2020 and survey data collected in the fall of 2020 indicated that the EGM population is at a high level of infestation. Projections for 2021 identify severe defoliation in several parks and surrounding streets and a significant threat to our urban forest.

The City of London Urban Forest Strategy (2014) notes the effective management of invasive species of pests that will be harmful to trees under the main goal to "Maintain Better". This report includes a proposed 2021 EGM Management Plan (the Plan) to mitigate the impact to forest health. Primary components of the Plan are comprehensive public communications and egg mass scraping. Due to the degree of the infestation, Civic Administration is also proposing to apply *Bacillus thuringiensis* subspecies *kurstaki* (Btk) at select locations on public land via a single aerial application. Civic Administration previously carried out an aerial application of Btk in 2009 to manage EGM at that time.

The provincial government regulates the sale, use, transportation, storage, and disposal of pesticides in Ontario. Ontario's Pesticides Act and Ontario Regulation 63/09 provide the province's framework to regulate pesticides to protect human health and the natural environment. Civic Administration must acquire the appropriate permits and approvals from both federal and provincial regulatory authorities such as Transport Canada and the Ministry of the Environment, Conservation and Parks for the use of Btk. Information that is submitted as part of the approvals process will include a review of the proposed locations (site and size), road and park closure plans and a Btk aerial application public notification plan. These approvals, as well as interactions with the Middlesex London Health Unit, will inform the public communications plan associated with the strategy.

Linkage to the Corporate Strategic Plan

Municipal Council's 2019-2023 Strategic Plan identifies "Building a Sustainable City" and "Leading in Public Service" as strategic areas of focus. The management of invasive species contributes to a Sustainable City by protecting our urban forest and helps respond to recent public concern regarding the current infestation of EGM.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

- Planning & Environment Committee (July 14, 2008) Gypsy Moth Infestation

2.0 Discussion and Considerations

2.1 EGM Impacts on Forest Health

EGM is a problematic pest as the caterpillar (larva) stage feeds aggressively on a wide range of trees. EGM affects many types of trees, but it prefers oaks, maples, basswood, white birch, and willow. Many of these types of trees are in parks, along streets and in woodlands. However, oak trees are particularly important. They are a component of the Carolinian forest and are a valuable source of food for wildlife as their acorns are nutrient rich. Oaks can support hundreds of other species over a lifetime, as well as providing useful shade, amenity and other ecosystem and cultural benefits.

Each EGM caterpillar can eat up to one square meter of leaf area. During major infestations there can be hundreds to thousands of caterpillars feeding on a single tree causing major defoliation (loss of tree leaves and canopy). Healthy, mature trees can tolerate a few seasons of defoliation. However, it can make them more susceptible to other impacts such as pests, disease, and drought. Conifer trees (evergreen e.g., pine, spruce) can die after one major defoliation event. Trees rarely die due to one factor but normally a combination of events. Keeping the urban forest healthy and resilient will make it better prepared to respond.

The EGM caterpillar can have negative impacts to the enjoyment and use of forested areas such as parks, woodlands and even tree lined streets and sidewalks. Concerns from residents were also received last year regarding impacts to their health in the form of rashes attributed to EGM. The hairs of the EGM caterpillar can result in mild to moderate cases of contact dermatitis.

Although very disruptive, the caterpillar stage lasts four to six weeks with major infestations collapsing two to four years after peaking due to natural factors. The EGM peak infestation cycle occurs approximately every eight to ten years. The last major outbreak of EGM in London was in 2008/2009.

2.2 EGM Population Density and Movement Trends

Forecasting pest populations is very challenging. There are many influencing unpredictable factors such as weather. EGM is particularly challenging to manage as it responds to a combination of natural factors such as the presence of fungus, virus, and predators in the environment. Over the past two years, there has been a noticeable increase in the EGM pest population and associated negative impacts such as tree defoliation. This trend is not unique to London as it has been documented across the entire southern region of Ontario. In London it has been observed that the pest is also moving from known established areas to new ones.

2.3 Summary of Consultant Data Collection & Surveys

In 2019 Civic Administration contracted BioForest Technologies Inc. to assist with implementing an EGM monitoring program. The consultant adapted two standard forest

methodologies to measure EGM populations in an urban environment to establish fixed-area plots. Across the City, 1,158 fixed-area plots have been established collecting data from thousands of trees. A key consideration in the location of the plots was the presence of oak trees. In 2020, 22 new streets and 12 new parks were added to the monitoring program and associated data plots added due to increasing and more widespread populations. These were guided by EGM complaints, areas of known concentrated oak stands, and strategic locations that would help determine if EGM is moving into new locations. The data collected from these plots will create a benchmark for EGM egg mass densities moving forward.

In 2020, BioForest Technologies Inc. completed one defoliation study in mid July and two egg mass surveys in October and November. The most significant defoliation was found in Crestwood Woods, Fairmont Park, Grand View Park, and Griffith Street Park. Some locations had no sightings of EGM such as Hyde Park Woods and Jorgenson Park.

The average size of all new egg masses was 31.3 mm which indicates a healthy, stable population of the pest. The average egg mass size was classified as “large” (25mm or greater) in both 2019 and 2020. Natural controls such as the fungus and NPV virus were observed in caterpillars exhibiting typical symptoms such as hanging from the trunk of trees in an inverted “V” fashion (NPV).

The defoliation study indicated that egg mass scraping may have mitigated some defoliation on street trees. However, 55% of the data plots along streets are forecasted to experience moderate to severe defoliation in 2021.

The first egg mass scraping work that occurred in Crestwood Woods and Griffith Street Park appears to have not been successful in mitigating defoliation in densely forested park trees. 41% of the data plots in parks are forecasted to experience moderate to severe defoliation in 2021.

Moving forward, the yearly EGM monitoring program will continue. This will help to forecast EGM trends when the pest population is building up in the environment and to apply early intervention techniques.

2.4 Summary of Engagement

There has been a great deal of public interest in EGM and requests for Civic Administration to be more proactive with pest management. Building upon previous website communications, a “Get Involved” webpage was created in December 2020. This is an improved communication tool to assist in the sharing of EGM information and management techniques with residents. An instructional video on “How to Remove Egg Masses” is on the webpage informing residents that now is the perfect time to remove egg masses. The “Get Involved” webpage will also provide a centralized location for comments and concerns related to EGM so that Civic Administration can provide timely feedback and response.

A feedback form was created with the goal to improve Civic Administration’s understanding what residents know about EGM (knowledge, scale/scope, management impacts) and to guide an EGM Communications Plan and this report.

The feedback form consisted of twelve questions and was available to residents to complete from December 17, 2020 until January 18, 2021. Over 1,400 webpage “impressions” and 393 feedback forms completed. Some summary findings are the following:

- 82% rated their understanding on EGM as not knowledgeable or beginner
- 65% felt that EGM is a community level concern; 25% thought it impacted the entire City
- 55% had seen EGM on their own or neighbour's private land
- 29% had seen EGM on public lands (ESA, Park, Along streets in City trees)
- 80% responded that Civic Administration should spray on private land with 73% believing that those costs should be paid by all residents through taxes

- 55% rated that their main concern about the impacts of EGM was the decrease in the environment benefits trees provide and potential long term tree decline/death
- 88% of respondents are dissatisfied with Civic Administration's response to EGM while a very small 5% think a good job is being done

Many residents left comments regarding their frustration with Civic Administration and its management of EGM. There were also many ideas and suggestions brought forward for community activities to help with egg mass removal, creation of an EGM "toolbox" and educational webinars.

The Trees & Forests and Animal Welfare Advisory Committees will be consulted on this plan.

2.5 Proposed EGM 2021 Management Plan

Civic Administration is taking an Integrated Pest Management (IPM) approach to managing EGM on public lands. This means using different management techniques, sometimes at the same time, to address the pest population starting with the lowest risk to the environment. IPM focuses on techniques where the earlier and more often the pest's life cycle can be interrupted, the more successful efforts will be in managing it. The goal of the EGM Management program is not to try to eliminate the pest but to get its population back to tolerable levels where forest health can recover.

The following strategies will be implemented in the EGM Management Plan:

1. A Comprehensive Communications Plan

Communication and education is the most power tool in any pest management program. Residents must be able to correctly identify the pest and then apply appropriate management techniques. For example, Civic Administration routinely gets calls about EGM caterpillars early in the spring and late in the fall when EGM is not present. Early in the spring caterpillars are more than likely to be Forest Tent Caterpillars and in the fall, Fall Webworm. The lifecycles of these caterpillars differ greatly than EGM and so do their management techniques. Applying EGM techniques would not be successful. Also, residents doing these EGM management techniques as a community create a significant impact on EGM populations.

This plan will educate residents on EGM and how to best manage the pest on their own land. As noted above 81.5% of residents rated their EGM knowledge as "not knowledgeable or beginner". Information can be shared on the City website and promoted through social media. Also based on feedback, Civic Administration should look at opportunities to include people that do not rely on social media and create and distribute brochures in the EGM impacted areas.

Civic Administration will continue to promote the following management techniques coinciding with the specific EGM life-cycle stages:

- Manually removing egg masses and cocoons from trees;
- Wrapping burlap around trees trunks to trap caterpillars;
- Consulting with a licensed professional to apply biopesticides or tree injections and providing contact information of companies that perform this type of work; and,
- Other best practices such as keeping trees healthy and not moving firewood.

Civic Administration will not be recommending applying "sticky tape" as a method to manage EGM due to risk to birds, mammals and reptiles. As caterpillars move up and down the tree they become trapped in the tape. In particular, the trapped insects become an attraction for birds and they too can become trapped or subject to harm.

Civic Administration will investigate the ideas and suggestions submitted as part of the “Get Engaged” feedback. These ideas will target opportunities to provide support to residents managing EGM on their properties.

2. Manual Removal & Scraping of Egg Masses from City Trees

This year Civic Administration will target 37 streets forecasted to be severely defoliated in 2021 in the following areas:

- Somerset/Byron (revisit)
- Oakridge/Sanatorium Road (new location for 2021)
- Hamilton Rd/Fairmont Park (new location for 2021)

Scraping egg masses can be an effective tool in managing EGM especially combined with other techniques. Each egg mass that is removed can have between 100 and 1,000 eggs. Work has started for 2021. Crews and contractors will manually remove egg masses by scraping them from the ground and for larger trees with an aerial bucket truck. Arborist climbers may also be used if needed in challenging locations that are not accessible by a vehicle. The evaluation of the winter 2020 street tree egg mass scraping work was noted as having some positive impact on defoliation.

3. A Single Aerial Application of *Bacillus thuringiensis kurstaki* (Btk) in Select City Parks

The above management tools are being improved upon and carried forward from last year. They have been observed to be partially effective, but 2020 severe tree defoliation combined with egg mass counts indicate dramatically increasing EGM populations pose a significant threat to parts of the urban forest. Therefore, Civic Administration is proposing to use *Bacillus thuringiensis kurstaki* (Btk) in combination with the other management techniques. Btk is the primary pest control product recommended for EGM control. Health Canada identifies that Btk is a bacterium found naturally in soils. It is a selective biopesticide that works only against a group of insects called lepidopterans, which includes EGM. Btk only becomes toxic in the alkaline gut of specific lepidopteran insects in the larval (caterpillar) stage of their life cycles. Because of this, it does not affect adult moths and butterflies, other insects, honeybees, fish, birds or mammals.

Civic Administration is proposing to undertake a single aerial spray application to help trees survive the current infestation and associated defoliation where the infestation is the most intense and other management techniques have had minimal effectiveness. Aerial spraying of Btk is a proven management tool that can reduce EGM populations more effectively on large trees with continuous and intercepting canopies. Other benefits include accurate and consistent coverage of the leaves improving contact with EGM caterpillars when eating.

The initial list of locations to be considered for aerial application approvals were identified based on infestation levels and forecasted defoliation and are identified below in the chart.

Chart 1. List of Proposed Btk Aerial Spray Locations

#	Location	2020 Actual Defoliation	2020 Egg Masses/Ha	2021 Defoliation Forecast
1	Fairmont Park	Severe	272,033	Severe
2	Grand View Park	Severe	18,425	Severe
3	Griffith Street Park	Severe	47,633	Severe
4	Crestwood Woods	Severe	29,600	Severe
5	Somerset Woods	Severe	15,100	Severe

Btk is a naturally occurring, widely distributed organism in the natural environment. However, because of the policy context associated with Environmentally Significant Areas (ESAs), ESA forests will be avoided in this current program.

The industry standard is to spray two times in the season to achieve up to 90% effectiveness. However, the first aerial application of Btk has the most impact on the pest population with up to 80% effectiveness. The first application is the earliest in the season and when the EGM caterpillar is at its smallest stage. The second spray occurs later in the season when caterpillars are larger and more Btk product is needed. Also, some EGM caterpillars may get sick, but survive the application. Civic Administration is proposing to eliminate the second aerial application to reduce the risk of over lapping with the life cycles of other Lepidoptera (moths & butterflies) and in particular the Monarch butterfly that occur later in the season.

4. Backpack Spraying of Btk in Select City Parks

Backpack spraying is another application tool for Btk that can be an effective component of an integrated plan. The initial list of locations to be considered for backpack spraying were identified based on infestation levels and forecasted defoliation. They are identified below in the chart.

Chart 2. List of Proposed Btk Backpack Spray Locations

#	Location	2020 Actual Defoliation	Egg Masses/Ha	2021 Defoliation Forecast
1	Springbank Park	Severe	21,300	Severe
2	Thames Valley Golf Course	Severe	2,917	Moderate
3	Clara Brenton Woods	Severe	10,533	Severe

Some advantages to using a backpack sprayer to apply Btk is that smaller isolated plots that are infested can be targeted. For example, one fixed-area plot located at the Thames Valley Golf Course has 90,000 egg masses/Ha surrounded by plots that have much lower populations.

Applying Btk by backpack sprayer must still comply with the Ontario's Pesticide Act, including notifications and signage, however there is a significantly fewer coordination and approvals required.

2.6 Municipal Scan

The spread of the EGM has been tracked by Provincial and Federal agencies. Municipalities and Conservation Authorities have developed EGM Management Plans like what Civic Administration is proposing. Ontario municipalities which have implemented Btk aerial spray programs against EGM include Toronto (2013, 2017, 2019, 2020), Oakville (2018), Mississauga (2018) and Hamilton (2019). The City of London performed an aerial application in 2009.

2.7 Data Collection and Monitoring

The strategy also includes ongoing data collection with services offered through consultants and industry experts to determine effectiveness of the various components of the plan. Much of the upfront work has been completed such as establishing fixed-area survey plots. Egg mass and defoliation data collection will continue to help guide EGM management plans. A post efficiency spray survey will take place to evaluate the effectiveness of the Btk applications.

2.8 EGM Populations Will Eventually Collapse Due to Natural Factors

Natural factors will ultimately cause EGM to collapse which normally follows two to four years after the peak pest populations. Some of the natural factors include the following:

- Virus NPR (Nucleopolyhedrosis) which establishes when EGM population is at high density. This virus has been observed throughout London over the past two years and has the largest impact on collapsing the EGM population.
- Fungus (Entomophage maimaiga) requires a cool wet spring but kills EGM caterpillars at any density.
- Winters with cold temperatures less than -20° C for an extended period and with a lack of snow will kill egg masses.

3.0 Financial Impact/Considerations

There are no direct financial or resource implications associated with the 2021 EGM Management Plan. The plan described herein and can be supported within existing budget.

4.0 Key Issues and Considerations

4.1 Btk Information

Health Canada's Pest Management Regulatory Agency (PMRA) is responsible for ensuring the human health and environmental safety of all pest control products prior to their approval for use in Canada. Pesticide manufacturers must provide a full analysis of the product formulation, as well as extensive health and environmental data, so that a risk assessment can be carried out by Pest Management Regulatory Agency scientists. Only products that are scientifically reviewed and found to be effective and safe for use with minimal risk to human health and the environment are registered by the PMRA. In Canada, the PMRA has classified all Btk products registered for use in forests, woodlands, and residential areas as "restricted". Restricted class products require special permits or licensing from the provincial regulatory authority.

The federal government Health Canada [website factsheet](#) states that Btk poses little threat to human health either through handling products directly or through indirect exposure such as during a spray program. Health Canada identifies that Bt strains have been used by both organic and non-organic farmers throughout the world for many years and is one of the few pesticides acceptable to organic growers, as it is a naturally occurring biological organism, rather than a synthetic chemical. Btk is a bacterium found naturally in soils. Btk only becomes toxic in the alkaline gut of specific lepidopteran insects in the larval (caterpillar) stage of their life cycles.

Civic Administration reached out to the Middlesex-London Health Unit to seek their opinion on the aerial application of Btk. They in turn contacted Public Health Ontario whose role is "to provide scientific evidence and expert guidance that shapes policies and practices for a healthier Ontario". This also includes pesticide use. The letter has been included as an attachment.

4.2 Btk Aerial Application Notification Plan

The aerial application of Btk must have a robust Notification Plan in place. This plan will be submitted to the Ministry of the Environment, Conservation & Parks for their approval. In prior years, public notification through a posting in the local newspaper was appropriate. Now notification is expected to be through social media and web based. All adjacent properties will be directly mailed notification letters and signage will be posted. A comprehensive communications plan will be created to inform Londoners and comply with all notification and logistical processes as required for the safe application of Btk.

Conclusion

The current EGM infestation is healthy, growing, and stable and has resulted in unprecedented levels of tree defoliation. The level of infestation suggests severe defoliation again this year and is a threat to the health of the urban forest.

Civic Administration has reviewed consultant data and verified findings in the affected areas. The recommended 2021 EGM Management Plan, based on IPM principles, will include a communication plan, egg mass scraping, and aerial and backpack applications of Btk at selected sites to reduce the spread of EGM in the London. Liaison with the Middlesex London Health Unit and provincial and federal approval agencies are included in this program.

Prepared by: Jill-Anne Spence, Manager, Urban Forestry
Submitted by: John Parsons, CET
Division Manager, Roads Operations & Forestry
Concurred by: Doug MacRae, P.Eng., MPA
Director Roads & Transportation
Recommended by: Kelly Scherr, P. Eng., MBA, FEC
Managing Director, Environmental & Engineering
Services and City Engineer

Attachment

Middlesex-London Health Unit letter dated January 25, 2021

C.C.: Trees & Forests Advisory Committee
Animal Welfare Advisory Committee

January 25, 2021

Jill-Anne Spence
City of London
663 Bathurst St,
London ON, N5Z 1P8

Dear Ms. Spence,

MLHU provides the following information pertaining to the public safety of *Bacillus thuringiensis* subspecies *kurstaki* (Btk), by aerial application to treat gypsy moth infestations.

Gypsy moth larvae feed on the leaves of deciduous trees and on some conifers, and are quite destructive to trees (Health Canada, 2013). Trees are important for public health as they provide a canopy cover (shade) to mitigate the harmful effects of extreme heat temperatures as well as many additional human health benefits in our communities.

Btk is a naturally occurring bacterium that is readily found in soil and has been used in commercial application to control the infestation of insect pests (Health Canada, 2009). Several municipalities throughout Ontario have used Btk by aerial application and education strategies to control gypsy moth infestations. These applications must be conducted by a certified and licensed exterminator or operator. The application rates and usage must adhere to the permit conditions as instructed by the Ministry of the Environment, Conservation and Parks (MECP), and Health Canada's Pest Management Regulatory Agency (PMRA).

Btk poses little threat to human health either through handling products directly or through indirect exposure such as during a spray program (Health Canada, 2009). Given the ubiquitous nature of the bacterium, it is probable that regular human exposure to the bacterium exists within the community.

Health Canada does not recommend any special precautions during a spray application however residents who have concerns can take certain precautions to further reduce any potential risks to their health. Such measures include, staying indoors if you are within proximity to the treatment area, closing all windows and doors during the spraying and washing down any articles in the yard with running water after the spraying application.

Health Canada. Website Review at <https://www.canada.ca/en/health-canada/services/pest-control-tips/gypsy-moths.html> Gypsy Moths

Health Canada. Website Review at <https://www.canada.ca/en/health-canada/services/consumer-product-safety/reports-publications/pesticides-pest-management/fact-sheets-other-resources/bacillus-thuringiensis-subspecies-kurstaki.html>
Bacillus thuringiensis subspecies *kurstaki* - Btk

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: Sifton Properties Limited
146 & 184 Exeter Road
Middleton Subdivision Phase 3 - Special Provisions

Date: February 8, 2021

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London and Sifton Properties Limited for the subdivision of land over Part of Lots 34, Concession 2, (former Township of Westminster) situated on the north side of Exeter Road, east of Wonderland Road South, municipally known as 146 & 184 Exeter Road;

- (a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Sifton Properties Limited for the Middleton Subdivision - Phase 3 (39T-15501) attached as Appendix "A", **BE APPROVED**;
- (b) the Applicant **BE ADVISED** that Development Finance has summarized the claims and revenues attached as Appendix "B"; and,
- (c) the Mayor and the City Clerk **BE AUTHORIZED** to execute this Agreement, any amending agreements and all documents required to fulfill its conditions.

Executive Summary

This report recommends special provisions to be contained in a Subdivision Agreement for Phase 3 of the Middleton Subdivision (formerly known as Richardson Subdivision). Phase 3 will consist of 138 single detached lots, one future access block, one school block, one walkway block, five 0.3 metre reserve blocks, the extension of Knott Drive, and four new local streets.

Linkage to the Corporate Strategic Plan

Building a Sustainable City – London's growth and development is well planned and sustainable over the long term.

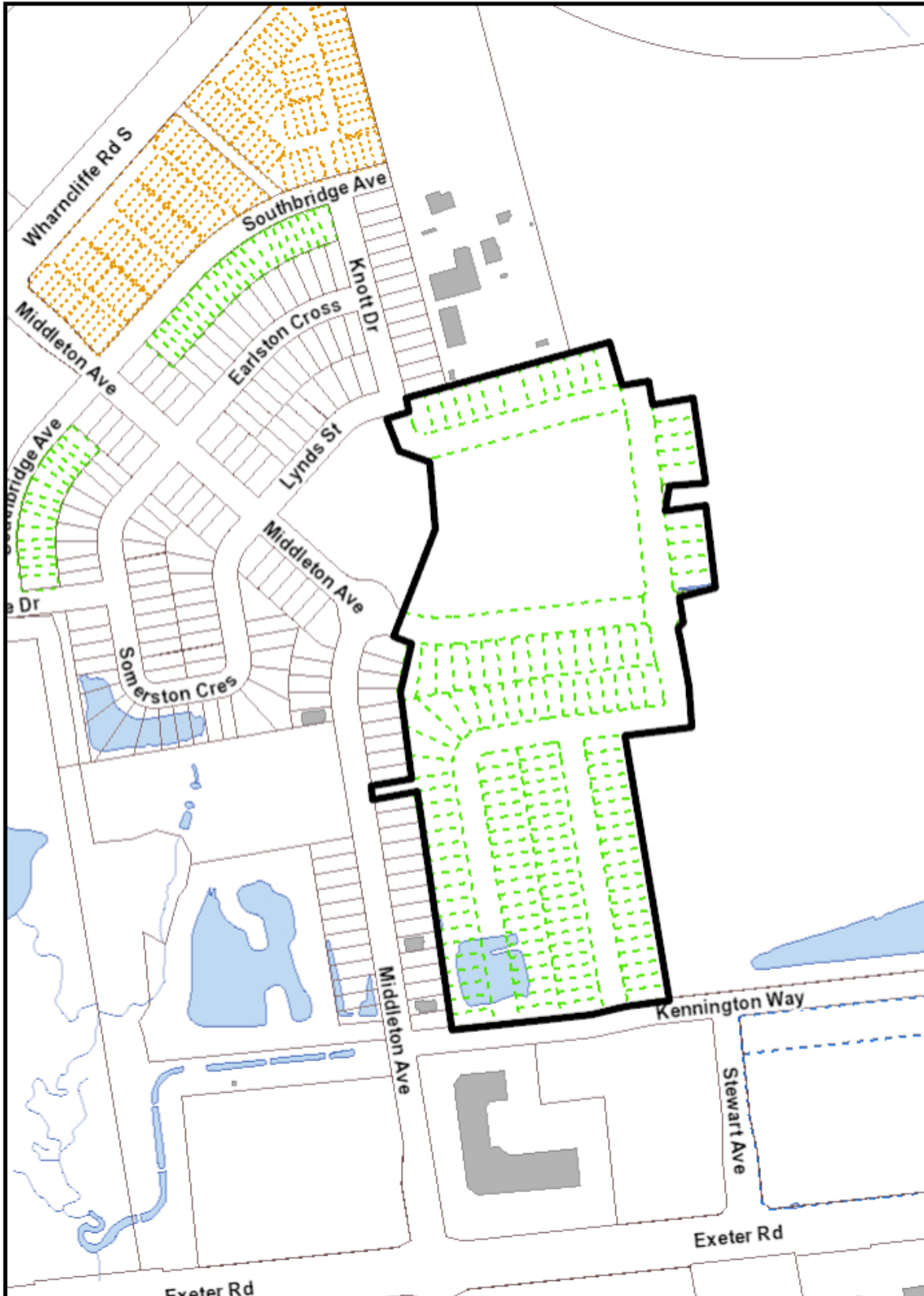
Analysis

1.0 Background Information

1.1 Property Description

The subject site consists of an approximately 10 hectare (24.7 acre) parcel of land located on the north side of Exeter Road. It is situated midpoint between Wonderland Road South and White Oaks Road, in the former Township of Westminster. Portions of this property include the former site of the Southwest Optimist Baseball Complex, which at one time contained up to 16 baseball diamonds. The subject site is located just south of an existing residential dwelling with rental studio/meeting space and other retail/commercial uses fronting along Wharnccliffe Road South, vacant lands for future development to the east, existing industrial uses along Exeter Road to the south, and a wetland/natural heritage feature to the southwest (known as the Pincombe Drain). The site consists of relatively flat, open field with no vegetation.






1.2 Location Map



Location Map

Subject Property: 184 Exeter Rd
 Applicant: Z GROUP HOMES INC
 File Number: 39T-15501
 Created By: Larry Mottram
 Date: 12/4/2020
 Scale: 1:4000

Legend

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



1.3 Middleton Subdivision – Phase 3

39T-15501

NOTES:

BEARINGS ARE UTM, 2005 DERIVED FROM SPECIFIED CONTROL POINTS 02894403 AND 02894405, UTM ZONE 17, NAD83 (ORIGINAL).

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999964604.

POINT ID	NORTHING	EASTING
SCP 02894403	4753135.851	478336.243
SCP 02894405	4753178.586	478108.287

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN

LEGEND:

- DENOTES SURVEY MONUMENT SET
- DENOTES SURVEY MONUMENT FOUND
- SB DENOTES STANDARD IRON BAR
- SSB DENOTES SHORT STANDARD IRON BAR
- IB DENOTES IRON BAR
- RIB DENOTES 16mm DIAMETER ROUND IRON BAR
- OC DENOTES ORIGIN UNKNOWN
- CU DENOTES CURVED CONTROL POINT
- WT DENOTES WITNESS
- M DENOTES MEASURED
- S DENOTES SET
- CD DENOTES CALLON DIETZ, O.L.S.'s
- AGM DENOTES ARCHIBALD, GRAY & McRAY, O.L.S.'s
- HR DENOTES HOLLISTED & ROMANO, O.L.S.'s
- MF DENOTES MURRAY FRASER, O.L.S.
- FKS DENOTES FARRISHER, KIRKPATRICK, & STIRLING, O.L.S.'s
- P1 DENOTES PLAN 33M-785
- P2 DENOTES PLAN 33M-789
- P3 DENOTES PLAN 33M-20172

METRIC: DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

MONUMENT NOTES:

ALL SET MONUMENTS SHOWN HEREON ARE IRON BARS (8x) UNLESS OTHERWISE NOTED.

OWNER'S CERTIFICATE:

THIS IS TO CERTIFY THAT:

- LOTS 1 TO 136, BOTH INCLUSIVE, BLOCKS 136, 140 & 141, THE STREETS, NAMELY KNOTT DRIVE, STEWART AVENUE, BYERS STREET, AUCKLAND AVENUE, AND ROY McDONALD DRIVE, THE RESERVES, NAMELY BLOCKS 142 TO 146 (BOTH INCLUSIVE) HAVE BEEN LAD OUT IN ACCORDANCE WITH MY INSTRUCTIONS.
- THE STREETS ARE DEDICATED TO THE CORPORATION OF THE CITY OF LONDON AS PUBLIC HIGHWAYS.

DATE: Dec 10/2020

DATE: Nov 8/2020

PHILLIP MASCOLEEN – VICE PRESIDENT
I HAVE THE AUTHORITY TO BIND THE CORPORATION

RICHARD O'CONNOR – PRESIDENT & C.E.O.
I HAVE THE AUTHORITY TO BIND THE CORPORATION

SURVEYOR'S CERTIFICATE:

- I CERTIFY THAT:
- THE SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
 - THE SURVEY WAS COMPLETED ON THE _____

PRELIMINARY – NOT MONUMENTED

DATE: _____

MICHAEL J. MASCOITRA
ONTARIO LAND SURVEYOR

APPROVED UNDER SECTION 51 OF THE PLANNING ACT THIS _____ DAY OF _____, 20____.

PLAN 33M-

I CERTIFY THAT THIS PLAN IS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND TITLES DIVISION OF MIDDLESEX AT _____ O'CLOCK ON THE _____ DAY OF _____ FOR PLAN _____, 20____ AND ENTERED IN THE PARCEL REGISTER CONSENTS ARE REGISTERED AS PLAN DOCUMENT No. _____ AND THE REQUIRED

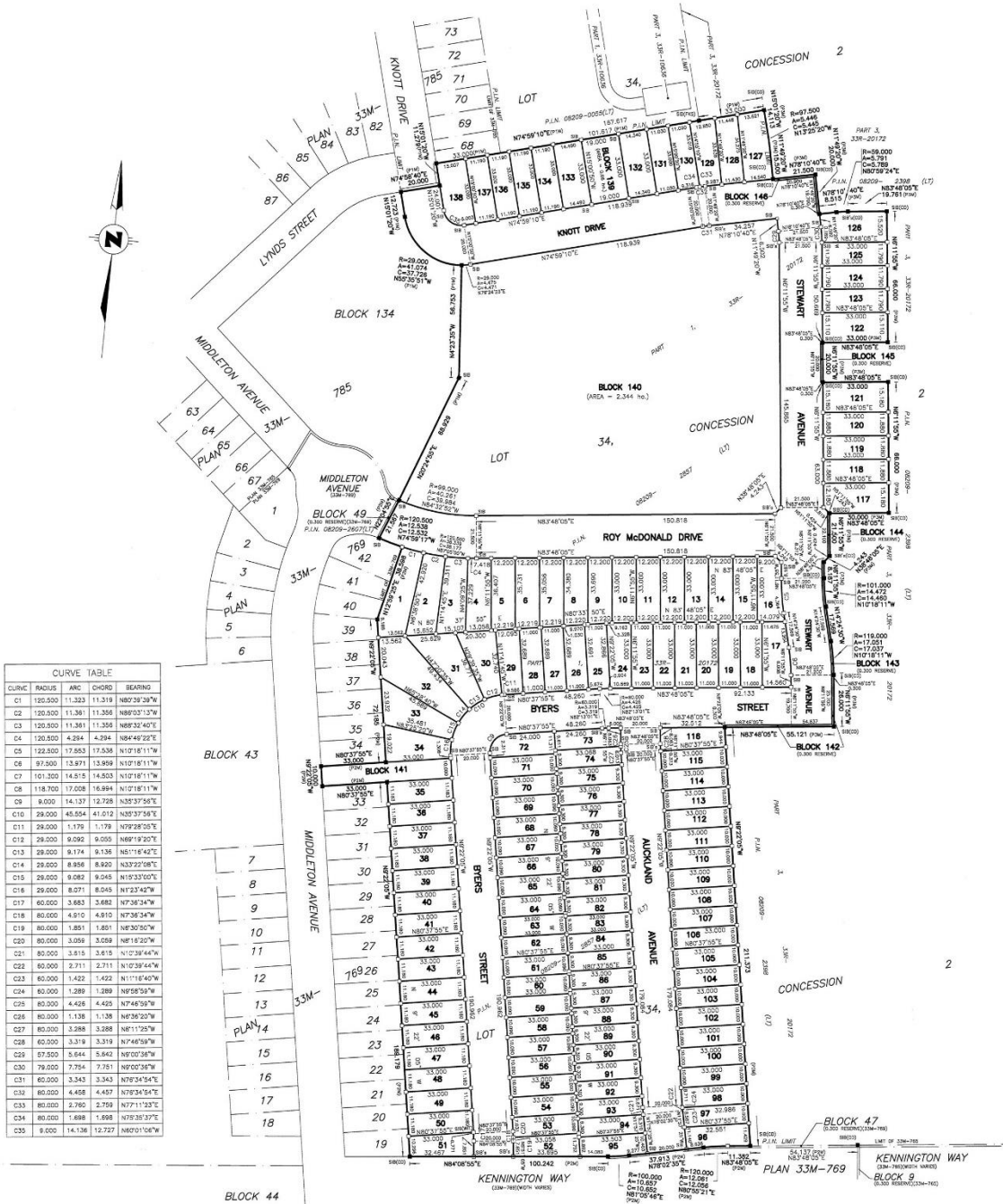
REPRESENTATIVE FOR LAND REGISTRY FOR THE LAND TITLES DIVISION OF MIDDLESEX (No. 33)

THIS PLAN IS COMPRISED OF ALL OF PLAN 08209-2807(1)

PLAN OF SUBDIVISION
OF PART OF
LOT 34
CONCESSION 2
(GEOGRAPHIC TOWNSHIP OF WESTMINSTER)
IN THE
CITY OF LONDON
COUNTY OF MIDDLESEX
SCALE 1:1000 (Metric)

(SCALE IN METRES)

MICHAEL J. MASCOITRA
ONTARIO LAND SURVEYOR



CURVE	RADIUS	ARC	CHORD	BEARING
C1	120.000	11.323	11.319	N80°30'39"W
C2	120.000	11.361	11.356	N80°03'13"W
C3	120.000	11.361	11.356	N88°32'40"E
C4	120.000	4.294	4.294	N84°49'22"E
C5	122.500	17.653	17.336	N101°18'11"W
C6	97.500	13.871	13.859	N101°18'11"W
C7	101.300	14.215	14.203	N101°18'11"W
C8	118.700	17.008	16.894	N101°18'11"W
C9	8.000	14.131	12.728	S35°37'54"E
C10	28.000	45.654	41.012	S35°37'54"E
C11	29.000	1.179	1.179	N79°28'05"E
C12	29.000	9.292	9.055	N69°19'20"E
C13	29.000	9.174	9.136	N51°16'42"E
C14	29.000	8.958	8.920	N43°22'08"E
C15	29.000	9.082	9.045	N19°33'00"E
C16	29.000	8.071	8.045	N1°33'43"W
C17	60.000	3.653	3.602	N7°34'34"W
C18	80.000	4.910	4.810	N7°34'34"W
C19	80.000	1.851	1.801	N8°30'50"W
C20	80.000	3.058	3.059	N8°18'20"W
C21	80.000	3.815	3.815	N10°38'44"W
C22	60.000	2.711	2.711	N10°38'44"W
C23	60.000	1.422	1.422	N11°16'40"W
C24	60.000	1.289	1.289	N9°58'59"W
C25	60.000	4.456	4.425	N7°45'59"W
C26	80.000	1.138	1.138	N8°38'20"W
C27	80.000	3.288	3.288	N8°11'25"W
C28	60.000	3.319	3.319	N7°48'49"W
C29	57.500	5.844	5.842	N9°00'38"W
C30	78.000	7.784	7.751	N9°00'38"W
C31	60.000	3.343	3.343	N7°34'34"E
C32	80.000	4.458	4.457	N7°34'34"E
C33	80.000	2.790	2.759	N7°11'33"E
C34	80.000	1.698	1.698	N7°35'37"E
C35	8.000	14.136	12.727	N60°01'58"W

Callon Dietz INCORPORATED
ONTARIO LAND SURVEYORS
CALLON PLACE LONDON MIDDLESEX
info@callondietz.com callondietz.com

SURVEY BY: _____ DRAWN BY: H.D. FILE NO: 15-15911-V PLAN NO: X-2593

C:\2020\39T-15501\39T-15501-15-15911-V\SubPhase30-2593.dwg December 7, 2020

1.4 Background & History

The Middleton Subdivision (formerly known as the Richardson Subdivision) was draft approved by the City of London Approval Authority on January 27, 2017. The draft plan consists of 25 low density blocks, 18 medium density blocks, 2 park blocks, 4 multi-use pathway blocks, 1 stormwater management block, 1 future stormwater management or residential block, 1 light industrial block, 2 open space blocks, 1 school block, 1 future road block, as well as several 0.3 m reserves and road widenings, all served by 4 new secondary collector roads, and 11 new local streets.

Phase 1 was registered in two parts. Phase 1A consisting of two medium density blocks, one future street townhouse block, and six 0.3 metre reserve blocks, served by two new local streets, Mia Avenue and Kennington Way, was registered on July 12, 2019 as Plan 33M-765. Phase 1B consisting of forty-two single family lots, one medium density blocks, two open space blocks, four 0.3 metre reserves, all served by two new streets, namely Middleton Avenue and Kennington Way was registered on October 9, 2019 as Plan 33M-769.

Phase 2 consisting of 123 single detached lots, two street townhouse blocks, four medium density blocks, one park block, one open space block, three multi-use pathway blocks, one servicing/multi-use pathway block, and several road widening and 0.3 metre reserves, all served by the extension of Middleton Avenue and five local streets, was registered on June 8, 2020 as Plan 33M-785.

2.0 Discussion and Considerations

2.1 Development Proposal

Phase 3 will consist of 138 single detached lots (Lots 1 to 138), one future access block (Block 139), one school block (Block 140), one walkway block (Block 141), five 0.3 metre reserve blocks (Blocks 142 to 146), the extension of Knott Drive, and four new local streets (Stewart Avenue, Roy McDonald Drive, Byers Street, and Auckland Avenue).

The recommended special provisions for the proposed Phase 3 Subdivision Agreement are found at Appendix A of this report. The Development Services Division has reviewed these special provisions with the Owner who is in agreement with them.

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

3.0 Financial Impact/Considerations

3.1 Financial Securities

Through the completion of the works associated with this application fees, development charges and taxes will be collected. Outside of the DC eligible items, if any, outlined in the attached Claims and Revenues (Appendix B), there are no direct financial expenditures associated with this application. A Source of Financing is not required, as there are no claims identified.

4.0 Key Issues and Considerations

The key issues and considerations have been reviewed and addressed through the existing draft plan process and subdivision agreement conditions.

Conclusion

Development Services Division staff are satisfied with the proposed special provisions for the Middleton Subdivision – Phase 3, and recommend that they be approved; and, that the Mayor and the City Clerk be authorized to execute the Subdivision Agreement, any amending agreements and all documents required to fulfil its conditions.

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

Recommended by: **Paul Yeoman, RPP, PLE**
Director, Development Services

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

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

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
Bruce Page, Manager, Development Planning
Peter Kavcic, Manager, Development Engineer

January 29, 2021
GK/PY/LM/lm

Y:\Shared\ADMIN\1- PEC Reports\2021 PEC Reports\2 - Feb 8\39T-15501-3 Middleton Phase 3 PEC Report - (LM).docx

Appendix A – Special Provisions

5. STANDARD OF WORK

Add the following new Special Provision:

1. The Owner shall provide minimum side yard setbacks as specified by the City for buildings which are adjacent to rear yard catch basin leads which are not covered by an easement on Lots in this Plan.

The Owner shall register against the title of Lots which incorporate rear yard catchbasins, which includes Lots 20, 21, 24, 25, 27, 28, 29, 30, 31, 32, 52, 53, 55, 56, 59, 60, 63, 64, 67, 68, 70, 71, 96, 97, 99, 100, 102, 103, 105, 106, 108, 109, 111, 112, 114, 115, 117, 118, 122, 123, 127, 128 and 138 in this Plan and all other affected Lots shown on the accepted plans and drawings, and shall include this information in the Agreement of Purchase and Sale or Lease for the transfer of each of the affected Lots, a covenant by the purchaser or transferee to observe and comply with the minimum building setbacks and associated underside of footing (U.S.F.) elevations, by not constructing any structure within the setback areas, and not disturbing the catchbasin and catchbasin lead located in the setback areas. This protects these catchbasins and catchbasin leads from damage or adverse effects during and after construction. The minimum building setbacks from these works and associated underside of footing (U.S.F.) elevations have been established as indicated on the Subdivision Lot Grading Plan, attached hereto as **Schedule "I"** and on the servicing drawings accepted by the City Engineer.

15. PROPOSED SCHOOL SITES

Remove Subsection 15.3 and **replace** with the following:

2.

- 15.3 The Owner shall set aside an area or areas (being Block 140) as a site or sites for school purposes to be held subject to the rights and requirements of any School Board having jurisdiction in the area.

24.1 STANDARD REQUIREMENTS

Add the following Special Provisions:

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

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

4. Prior to assumption of this subdivision in whole or in part by the City, and as a condition of such assumption, the Owner shall pay to the City Treasurer the following amounts as set out or as calculated by the City, or portions thereof as the City may from time to time determine:
 - (i) Removal of automatic flushing devices/blowoffs in future, an amount of \$5,000 each flusher for a total amount of \$15,000
5. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall make all necessary arrangements with the owner of Plan 33M-765, Plan 33M-769 and Plan 33M-785 to make adjustments to the existing works and services on Kennington Way in Plan 33M-765, Middleton Avenue in Plan 33M-769 and Knott Drive in Plan 33M-765 and 33M-785 adjacent to this Plan to accommodate the proposed works and services on these streets to accommodate the Lots in this Plan fronting this street (eg. private services, street light poles, etc.) in

accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City Engineer and at no cost to the City.

6. The Owner shall decommission any abandoned infrastructure (eg. Water irrigation, communication tower, lights, etc.) at no cost to the City, including cutting the water services and capping it at the watermain, if necessary, all to the specifications and satisfaction of the City.
7. Should any roads, boulevards, curbs and sidewalks be disturbed during the installation of any services in this Plan, the Owner shall restore these services to match existing conditions, to the satisfaction of the City, at no cost to the City.

24.2 CLAIMS

Please **remove** Section 24.2 in its entirety as there are no eligible claims within this Plan.

8.

~~(a) Where the proposed development calls for the construction of works, and where the Owner is of the opinion that such works are eligible to be funded in whole or in part from Development Charges as defined in the Development Charges By-law, and further, where such works are not oversized pipe works (sanitary, storm or water) the reimbursement of which is provided for in subsidy appendices in the Development Charges By-law, then the Owner shall submit through their Professional Engineer, a Work Plan for the proposed works to be approved by the City Engineer (or designate) and City Treasurer (or designate). The Owner acknowledges that:~~

- ~~i) no work subject to a Work Plan shall be reimbursable until both the City Engineer (or designate) and City Treasurer (or designate) have reviewed and approved the proposed Work Plan; and~~
- ~~ii) in light of the funding source and the City's responsibility to administer Development Charge funds collected, the City retains the right to request proposals for the work from an alternative consulting engineer.~~

~~(b) Where the Owner undertakes construction of works as a capital cost incurred on behalf of the City in accordance with this Agreement, and which are eligible for a claim made against a Development Charge Reserve Fund or the Capital Works Budget, the Owner must conform with the Development Charges By-law and policies in effect at the time the claim is made including but not limited to, requirements for a Work Plan, tendering of construction works and completeness of claims.~~

~~(c) The Owner may, upon approval of this Agreement and completion of the works, make application to Development Finance for payment of the sum alleged to be owing, and as confirmed by the City Engineer (or designate) and the City Treasurer (or designate). Payment will be made pursuant to any policy established by Council to govern the administration of the said Development Charge Reserve Fund.~~

~~The anticipated reimbursements from the Development Charge Reserve Funds are:~~

- ~~(i) for the construction of _____, the estimated cost of which is \$_____;~~
- ~~(ii) for the construction of oversized sanitary sewers in conjunction with this Plan, subsidized at an estimated cost of which is \$_____;~~
- ~~(iii) for the construction of oversized storm sewers in conjunction with this Plan, subsidized at an estimated cost of which is \$_____;~~
- ~~(iv) for the construction of oversized watermains in conjunction with this Plan, subsidized at an estimated cost of which is \$_____;~~
- ~~(v) for the construction of left turn channelization on _____ at _____, the estimated cost of which is \$_____, as per the approved Work Plan;~~

- ~~(vi) for the engineering costs related to the construction of _____ the estimated cost of which is \$ _____, as per the approved Work Plan;~~
- ~~(vii) for the installation of street lights on _____, from _____ to _____, the estimated cost of which is \$ _____, as per the approved Work Plan;~~
- ~~(viii) for the installation of traffic signals at the intersection of _____ and _____, when deemed warranted by the City Engineer (or designate), the estimated cost of which is \$ _____, as per the approved Work Plan;~~
- ~~(ix) for the construction of pavement widening on _____ at _____ consistent with the City's standard practice of paying claims where a Neighbourhood Connector is widened, the estimated cost of which is \$ _____. The claim will be based on a pavement widening of _____ metres for a distance of _____ metres with a _____ metre taper. The costs of the gateway treatment over and above the claimable portion shall be at the Owner's expense, as per the approved Work Plan;~~
- ~~(x) for the construction of an eligible parks pathway in connection with this Plan, at an estimated cost of which is \$ _____ as per the approved Work Plan;~~

The anticipated reimbursements from the Capital Works Budget are:

- ~~(i) for the construction of _____, the estimated cost of which is \$ _____;~~
- ~~(ii) for the engineering costs related to the construction of _____, the estimated cost of which is \$ _____.~~

~~Any funds spent by the Owner that exceed the approved Work Plan estimates shall be at the sole risk of the Owner pending sufficient capital funding included in the City Budget.~~

- ~~(d) The Owner shall review and seek approval from the City for any proposed use of construction contingency that relate to claimable works outlined in the Work Plan prior to authorizing work.~~
- ~~(e) The Owner shall ensure that the City is formally invited to all construction site/progress meetings related to the claimable works associated with this Plan, including but not limited to providing a minimum of two-week notice of meetings and copies of all agenda and minutes as appropriate, all to the satisfaction of the City.~~
- ~~(f) The Owner shall provide full-time supervision by its Professional Engineer for all claimable works to be constructed in accordance with current City policies. Upon completion of these claimable works, a Certificate of Completion of Works is to be supplied to the City, pursuant to the General Provisions and **Schedule 'G'** of this Agreement.~~
- ~~(g) Upon approval of an application for a claim to a Development Charge Reserve Fund, the City shall pay the approved claim in full to the Owner subject to the limits noted above and in accordance with the Council approved "Source of Financing" and the Development Charges By-law and policies in effect at the time the claim is made.~~

24.6 EROSION AND SEDIMENT CONTROL

Add the following new Special Provisions:

9. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct and have operational temporary sediment and erosion control works as per the accepted engineering drawings, to the satisfaction of the City, at no cost to the City.
10. All temporary erosion and sediment control measures, including sediment basins, installed in conjunction with this Plan shall be decommissioned and/or removed

when warranted or upon placement of Granular 'B' as per accepted engineering drawings, all to the satisfaction of the City Engineer and at no cost to the City.

24.7 GRADING REQUIREMENTS

Add the following new Special Provisions:

11. The Owner shall register against the title of Lots 21-32, 52-70, 96-114, 117, 122, 127 and 138 in this Plan, and shall include in the Agreement of Purchase and Sale for the transfer of each of the said Lots, as an overland flow route is located on the said Lots/Blocks, a covenant by the purchaser or transferee to observe and comply with the following:
 - i) The purchaser or transferee shall not alter or adversely affect the said overland flow route on the said Lots as shown on the accepted lot grading and servicing drawings for this subdivision.

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

12. The Owner shall maintain the existing overland flow route on Lots 21-32, 52-70, 96-114, 117, 122, 127 and 138 as per the accepted engineering drawings, to the satisfaction of the City Engineer.
13. Prior to the issuance of a Certificate of Conditional Approval, the Owner shall remove and relocate any existing earth stockpile located in this Plan, all to the satisfaction of the City and at no cost to the City.
14. Prior to the issuance of any Certificates of Conditional Approval, the Owner shall construct temporary berms at the east limit of Byers Street, south and east limit of Stewart Avenue and east limit of Roy McDonald Drive to contain the overland flows within this site as per the accepted engineering drawings, all to the specifications and satisfaction of the City.
15. Prior to the issuance of any Certificate of Conditional Approval, in order to develop this site, the Owner shall make arrangements with the adjacent property owners to regrade a portion of the property abutting this Plan, if necessary, in conjunction with grading and servicing of this subdivision, to the specifications of the City, at no cost to the City.

24.8 STORM WATER MANAGEMENT

Add the following new Special Provisions:

16. All temporary storm works and servicing installed within the proposed Plan of Subdivision shall be decommissioned and/or removed when warranted, all to the satisfaction of the City, at no cost to the City.
17. Prior to assumption, the Owner shall operate, monitor and maintain the stormwater works associated with this Plan.
18. The Owner shall implement SWM Best Management Practices (BMP's) within this 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.
19. The Owner shall decommission all unnecessary existing temporary site alteration stormwater works constructed within Middleton/Richardson Subdivision limits (all phases), prior to the permanent work being constructed. The Owner is responsible for all costs related to the decommissioning and any redirection of sewers and overland flow routes.
20. The Owner shall repair or replace any existing field tiles that are disturbed or destroyed during construction to ensure the existing drainage is maintained unless otherwise specified, to the satisfaction of the City and at no cost to the City.
21. The Owner shall pay a proportional share of the operational, maintenance and/or monitoring costs of any City owned SWM facilities, to which the Owner is connecting. The above-noted proportional share of the cost shall be based on volume of sediment accumulated within the SWM facility, to the satisfaction of the City. A sediment survey of the SWM facility will be required prior to and

following site works to determine the proportional cost. A rate of \$120/m³ of sediment will be applied. The Owner's payments, 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.

~~For any temporary stormwater works and until said works are decommissioned, the Owner shall complete the following to the satisfaction of the City Engineer, and at no cost to the City:~~

- ~~i) Operate, monitor and maintain the temporary works;~~
- ~~ii) In the event that the works include a stormwater facility, have their professional engineer submit semi-annual monitoring reports to the City Engineer demonstrating that the works perform in accordance with the approved design criteria. The reports are to provide test results on the volume and nature of the sediment accumulating in the works. The timing and content of the monitoring reports is to be in accordance with the City's "Monitoring and Operational Procedure for Stormwater Management Facilities" guidelines. The Owner shall ensure that the monitoring program commences when building permits have been issued on fifty percent (50%) of the lots in this Plan and shall continue until the temporary works are decommissioned;~~
- ~~iii) Remove and dispose of any sediment to an approved site;~~
- ~~iv) Address forthwith any deficiencies of the temporary works and/or monitoring program;~~
- ~~v) Decommission the temporary works within six months of the permanent works being constructed and operational.~~

~~The Owner is responsible for all costs related to the temporary works including decommissioning and any redirection of sewers and overland flow routes.~~

24.9 SANITARY AND STORM SEWERS

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

22.

- (b) The Owner shall construct the storm sewers to service the Lots and Blocks in this Plan, which is located in the Dingman Creek Subwatershed, and connect them to the City's existing storm sewer system being the 750 mm diameter storm sewer on Roy McDonald Drive/Middleton Avenue, the 600 mm diameter storm sewer on Knott Drive, the 375 mm diameter storm sewer on Byers Street and the 450 diameter storm sewer on Auckland Avenue.

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

23.

- (j) The Owner shall construct the sanitary sewers to service the Lots and Blocks in this Plan and connect them to the City's existing sanitary sewage system being the 200 mm diameter sanitary sewer on Roy McDonald Drive/Middleton Avenue, the 200 mm diameter sanitary sewer on Knott Drive, the 200mm diameter sanitary sewer on Byers Street and the 200mm diameter sanitary sewer on Auckland Avenue.,

Add the following new Special Provisions:

24. Prior to the Certificate of Conditional Approval, the Owner shall construct the storm sewer and associated works through Block 141, all to the specifications and satisfaction of the City.
25. The Owner shall either register against the title of Block 140 in this Plan, or shall include in the agreement of purchase and sale for the transfer of Block 140, a covenant by the purchaser or transferee stating that the purchaser or transferee of the Block 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.

26. The Owner shall remove any temporary DICBS, etc. and any existing easements no longer required may be quit claimed, all to the satisfaction and specifications of the City Engineer and at no cost to the City.
27. At the time this Plan is registered, the Owner shall register all appropriate easements for all existing and proposed private and municipal storm and sanitary works required in this Plan, to service external lands, all to the satisfaction of the City Engineer, at no cost to the City.

24.10 WATER SERVICING

Add the following new Special Provisions:

28. Prior to the issuance of any Certificates of Conditional Approval, and in accordance with City standards, or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of water service to this draft Plan of Subdivision:
 - i) Construct watermains to serve this Plan and connect them to the existing low-level municipal system, namely the existing 250 mm diameter watermain on Roy McDonald Drive, the 200mm diameter watermain on Byers Street, the 200mm diameter watermain on Auckland Avenue and the 200mm diameter watermain on Knott Drive;
 - ii) If the subject Plan develops in advance of the subdivision to the South and West of this Plan, the Owner shall make arrangements with the affected property owner(s) for the construction of any portions of watermain situated on private lands outside this Plan and shall provide satisfactory easements, as necessary, all to the specifications of the City;
 - iii) Deliver confirmation that the watermain system has been looped to the satisfaction of the City Engineer when development is proposed to proceed beyond 80 units; and
 - iv) Have their consulting engineer prepare a Certificate of Completion of Works to confirm to the City that the watermain connection(s) to the 250 mm diameter watermain on Roy McDonald Drive, the 200mm diameter watermain on Byers Street, the 200mm diameter watermain on Auckland Avenue and the 200mm diameter watermain on Knott Drive has been constructed, is operational, and is complete.
29. The available fire flows for development Blocks within this Plan of Subdivision have been established through the subdivision water servicing design study as follows:
 - Block 140 @ 150 l/secFuture development of these Blocks shall be in keeping with the established fire flows in order to ensure adequate fire protection is available.
30. All development Blocks shall be serviced off the water distribution system internal to this Plan of Subdivision.
31. If the Owner requests the City to assume Knott Drive with the automatic flushing device still in operation, as shown on the accepted engineering drawings, prior to its extension, the Owner shall pay to the City at the time of the assumption of this subdivision by the City the amount estimated by the City at the time, to be the cost of removing the automatic flushing device and properly abandoning the discharge pipe from the automatic flushing device to the storm/sanitary sewer system at the east limit of Knott Drive and restoring adjacent lands, all to the specifications of the City. The estimated cost for doing the above-noted work on this street is \$5,000 per automatic flushing device for which amount sufficient security is to be provided in accordance with Condition 24.1 (4). The Owner shall provide the cash to the City at the request of the City prior to assumption of the subdivision if needed by the City.
32. If the Owner requests the City to assume Roy McDonald Drive with the automatic flushing device still in operation, as shown on the accepted engineering drawings, prior to its extension to the east, the Owner shall pay to the City at the

time of the assumption of this subdivision by the City the amount estimated by the City at the time, to be the cost of removing the automatic flushing device and properly abandoning the discharge pipe from the automatic flushing device to the storm/sanitary sewer system at the east limit of Roy McDonald Drive and restoring adjacent lands, all to the specifications of the City. The estimated cost for doing the above-noted work on this street is \$5,000 per automatic flushing device for which amount sufficient security is to be provided in accordance with Condition 24.1 (4). The Owner shall provide the cash to the City at the request of the City prior to assumption of the subdivision if needed by the City.

33. If the Owner requests the City to assume Byers Street with the automatic flushing device still in operation, as shown on the accepted engineering drawings, prior to its extension to the east, the Owner shall pay to the City at the time of the assumption of this subdivision by the City the amount estimated by the City at the time, to be the cost of removing the automatic flushing device and properly abandoning the discharge pipe from the automatic flushing device to the storm/sanitary sewer system at the east limit of Byers Street and restoring adjacent lands, all to the specifications of the City. The estimated cost for doing the above-noted work on this street is \$5,000 per automatic flushing device for which amount sufficient security is to be provided in accordance with Condition 24.1 (4). The Owner shall provide the cash to the City at the request of the City prior to assumption of the subdivision if needed by the City.

24.11 ROADWORKS

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

34.

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

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

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

35.

- (q) The Owner shall direct all construction traffic including all trades related traffic associated with installation of services and construction of dwelling units in this Plan to access the site from Exeter Road or other routes as designated by the City.

Add the following new Special Provisions:

36. Barricades are to be maintained at the limits of all streets in this Plan until lands develop east of this Plan or as otherwise directed by the City. When lands

develop to the east of this Plan or as otherwise directed by the City, the Owner shall remove the barricades and any temporary turning circles, restore the boulevards and complete the construction of the roadworks within the limits of both temporary turning circles, to the specifications of the City, all at no cost to the City.

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

37. Prior to the issuance of any Certificate of Conditional Approval, temporary signs shall be installed and maintained on Byers Street, Auckland Avenue and Stewart Avenue adjacent to the speed cushion locations that indicate Future Speed Cushion Location, as identified on the accepted engineering drawings, to the satisfaction of the City Engineer.
38. Prior to assumption or when required by the City Engineer, the Owner shall install one speed cushion on Byers Street, Auckland Avenue and Stewart Avenue, including permanent signage and pavement marking as identified on the accepted engineering drawings, to the satisfaction of the City Engineer.
39. Prior to the issuance of any Certificate of Conditional Approval, temporary signs shall be installed and maintained on Roy McDonald Drive and Stewart Avenue adjacent to the raised intersection that indicate Future Raised Intersection Location, as identified on the accepted engineering drawings, to the satisfaction of the City Engineer.
40. Prior to assumption or when required by the City Engineer, the Owner shall install the raised intersection at Roy McDonald Drive and Stewart Avenue, including permanent signage and pavement marking as identified on the accepted engineering drawings, to the satisfaction of the City Engineer.
41. The Owner shall construct parking lay-bys on Roy McDonald Drive and Stewart Avenue, as per the accepted engineering drawings, to the satisfaction of the City.
42. The Owner shall remove any existing infrastructure, including but not limited to, hydro poles, lighting, CICBs (curb inlet catchbasins), DICBs (ditch inlet catchbasins), curbs, etc. within this Plan and relocate/restore/construct associated works as per the accepted engineering drawings, to the specifications and satisfaction of the City.
43. The Owner shall convey Future Development Block 139 to the City for future access use as needed, at no cost to the City. Should the adjacent lands develop for residential use and Future Development Block 139 is required for a private access, Block 139 shall be sold at market value, as determined by the City acting reasonable to the owners of the adjacent lands for access purposes, and the City shall pay the net proceeds of that sale (minus any City costs) to the Owner of this Plan (39T-15501) within 30 days of such sale. If this Block is not needed upon development of the lands to the north, the City agrees that the Block will be returned to the Owner for a nominal fee, for use as building lots.
44. The Owner shall include in the Agreements of Purchase and Sale for Lots 132 and 133 and register on the title of these Lots adjacent to Block 139 in this Plan a warning clause advising the purchaser/transferee that Block 139 may become a future right-of-way should lands to the north develop.
45. The Owner shall provide pavement markings for bikes lanes on Roy McDonald Drive/Middleton Avenue as per the accepted engineering drawings, to the satisfaction of the City Engineer.

24.14 PARKS

Add the following new Special Provisions:

46. Within one (1) year of registration of this Plan, the Owner shall construct a pathway within Block 141 and associated servicing and works as per the accepted engineering drawings, all to the specifications and satisfaction of the City, at no cost to the City.

47. Within one (1) year of registration of this Plan, the Owner shall grade, service and seed Block 141 in accordance with the approved engineering plans, to the satisfaction of the City.
48. Within one (1) year of registration of this Plan, the Owner shall construct 1.5m high chain link fencing without gates in accordance with current City park standards (SPO 4.8) or approved alternate, along the property limit interface of all existing and proposed private lots and block adjacent to parkland and/or open space lands, to the satisfaction of the City.
49. Where lots or blocks abut parkland, all grading of the developing Lots or Blocks at the interface with the parkland 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 Manager of Parks Planning & Design and City Engineer.

24.15 PLANNING

50. The Owner shall provide the purchasers of all lots in the subdivision with a zoning information package pertaining to residential driveway locations and widths. The Owner shall obtain and provide to the City written acknowledgement from the purchaser of each lot in this Plan that their driveway will be installed and maintained in accordance with the requirements of the Zoning By-law. The information package and written acknowledgement shall be in a form satisfactory to the City.
51. The Owner shall include a statement in all offers of purchase and sale within 150 metres of the industrial property at 150 Exeter Road (Lots 40 to 64 and Lots 82 to 106) and include a suitable warning clause within the subdivision agreement advising future purchasers that there are active industrial operations on going in the area and that nuisances can be expected.
52. The Owner shall register on title through the subdivision agreement and include in all Purchase and Sale Agreements for Lots 16, 17, 34, 35, 51, 52, 72, 73, 95, 96, 116, 117, 121, 122, 126, 127, 132, 133 and 138 the requirement that the homes to be designed and constructed on all corner lots in this Plan (including lots with side frontages to parks and/or open spaces), are to have design features, such as but not limited to porches, windows or other architectural elements that provide for a street oriented design and limited chain link or decorative fencing along no more than 50% of the exterior sideyard abutting the exterior sideyard road/park/open space frontage.
53. Within one (1) year of registration, the Owner shall construct a 1.5m high chain link fencing without gates in accordance with current City park standards (SPO 4.8) or approved alternate, along the property limit interface of all existing and proposed private lots adjacent to existing and/or future Park and Open Space Blocks (Block 141), to the satisfaction of the City.
54. The Owner shall not grade into any public Park or Open Space lands. In instances where this is not practical or desirable, any grading into the public Park or Open Space lands shall be to the satisfaction of the City.
55. Within one (1) year of registration, the Owner shall grade, service and seed all parkland, to the satisfaction of the City.

SCHEDULE "C"

This is Schedule "C" to the Subdivision Agreement dated this _____ day of _____, 2020, between The Corporation of the City of London and Sifton Properties Ltd. to which it is attached and forms a part.

SPECIAL WORKS AND SERVICES

Roadways

- Roy McDonald Drive and Stewart Avenue shall have a minimum road pavement width (excluding gutters) of 9.5 metres with a minimum road allowance of 21.5 metres.
- Knott Drive, Byers Street and Auckland Avenue shall have a minimum road pavement width (excluding gutters) of 8.0 metres with a minimum road allowance of 20.0 metres.

Sidewalks

A 1.5 metre sidewalk shall be constructed on both sides of all streets in this Plan in accordance with the Southwest Area Plan.

A 2.4 metre sidewalk shall be constructed fronting Block 140 on Roy McDonald Drive, Knott Drive and Stewart Avenue in accordance with City standards and the City's Access Management Guidelines, to the satisfaction of the City.

Pedestrian Pathway/Walkways

City of London standard 3.0m wide pedestrian pathway/walkway shall be constructed on Block 141 of this Plan as per the accepted engineering drawings, to the satisfaction of the City.

SCHEDULE "D"

This is Schedule "D" to the Subdivision Agreement dated this _____ day of _____, 2020, between The Corporation of the City of London and Sifton Properties Ltd. to which it is attached and forms a part.

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

LANDS TO BE CONVEYED TO THE CITY OF LONDON:

0.3 metre (one foot) reserves:	Blocks 142, 143, 144, 145, 146 inclusive
Road Widening (Dedicated on face of Plan):	NIL
Walkways:	NIL
5% Parkland Dedication:	Block 141
Dedication of land for Parks in excess of 5%:	NIL
Stormwater Management:	NIL

LANDS TO BE SET ASIDE FOR SCHOOL SITE:

School Site:	Block 140
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LANDS TO BE HELD IN TRUST BY THE CITY:

Future Development Block for access:	Block 139
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SCHEDULE "E"

This is Schedule "E" to the Subdivision Agreement dated this _____ day of _____, 2020, between The Corporation of the City of London and Sifton Properties Ltd. to which it is attached and forms a part.

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

CASH PORTION:	\$ 563,633
BALANCE PORTION:	<u>\$3,193,919</u>
TOTAL SECURITY REQUIRED	\$3,757,552

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

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

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

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

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

SCHEDULE "F"

This is Schedule "F" to the Subdivision Agreement dated this _____ day of _____, 2020, between The Corporation of the City of London and Sifton Properties Ltd. to which it is attached and forms a part.

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

Multi-Purpose Easements:

- (a) Multi-purpose easements shall be deeded to the City in conjunction with this Plan, over lands external to this Plan, on an alignment and of sufficient width acceptable to the City Engineer as follows:
- - (i) For sanitary sewer stub at north limit of Stewart Avenue
 - (ii) For storm sewer stub at east limit of Stewart Avenue between Lots 121 and 122
 - (iii) For storm sewer stub at east limit of Roy McDonald Drive/Middleton
 - (iv) For storm sewer stub at east limit of Byers Street

Appendix B – Claims and Revenues

Estimated DC Costs in this Agreement (Claims for Owner led construction from CSRF)

Eligible DC Items	Estimated DC Claims Costs
Storm Sewer (oversizing subsidy)	Nil
Watermain (oversizing subsidy)	Nil
Sanitary Sewer (oversizing subsidy)	Nil
Roadworks (channelization at Street A)	Nil
Roadworks (internal widening)	Nil
Stormwater Management	Nil
Parks (trail, paths, parks)	Nil
Other	Nil
Total Costs (This Agreement)	Nil

Estimated DC Revenue in this Agreement

Item	Estimated DC Revenues
CSRF Total (This Agreement)	\$6,805,707

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: 11031250 Ontario Inc. c/o Dara Honeywood
335 Kennington Way, 3959 and 3964 Mia Avenue
Removal of Holding Provision

Meeting on: February 8, 2021

Recommendation

That, on the recommendation of the Director, Development Services, based on the application by 11031250 Ontario Inc., relating to lands located at 335 Kennington Way, 3959 and 3964 Mia Avenue, legally described as Part of Block 1, Plan 33M-765, Designated as Part 2 and 3 Plan 33R-20777 and Block 2, 33M-765, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting to be held on February 23, 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 R4 Special Provision/R5 Special Provision/R6 Special Provision (h*h-100*h-198* R4-6(10)/R5-4(23)/R6-5(51) Zone **TO** a Residential R4 Special Provision/R5 Special Provision/R6 Special Provision R4-6(10)/R5-4(23)/R6-5(51) Zone to remove the h, h-100 and h-198 holding provisions.

Executive Summary

Purpose and the Effect of Recommended Action

The purpose and effect of this zoning change is to remove the holding (h, h-100 and h-198) symbols to allow the development of 56 cluster townhouse dwellings permitted under the Residential R4 Special Provision (R4-6(51)) Zone.

Rationale of Recommended Action

The conditions for removing the holding provisions have been satisfied as required by Zoning By-law Z.-1.

1. A Subdivision Agreement has been entered into and securities have been posted as required by City Policy and the Subdivision Agreement.
2. A Development Agreement has been entered into and securities have been posted as required by the Development Agreement.
3. As part of the Site Plan and Development Agreement adequate water servicing and appropriate access has been provided.
4. The proposed 56-unit townhouse development provides a street-oriented development which has been reviewed by urban design staff and implemented within the Development Agreement.

Linkage to the Corporate Strategic Plan

Building a Sustainable City - London's growth and development is well planned and sustainable over the long term.

Analysis

1.0 Background Information

Draft Plan approval for the subdivision was granted on January 27, 2017. This first phase of the subdivision was registered on July 12, 2019 as 33M-765. This phase consisted of two (2) medium density multi-family blocks, one (1) future street block, and six (6) 0.3 m reserve blocks, all served by two (2) new local streets, Mia Avenue and Kennington Way. Two separate site plan applications were submitted for the medium density residential blocks, 335 Kennington Way and 3964 Mia Avenue.

On August 10th, 2020 the Approval Authority granted Final Approval for consent 335 Kennington Way (B.012/20) into two (2) parcels 335 Kennington Way and 3959 Mia Avenue (Part 1 and Part 2 on reference plan 33R-20777). 11031250 Ontario Inc., applied for site plan approval over these lands to construct a 37, unit 2-storey cluster townhouse development (File No. SPA20-048).

A second site plan application was filed by 11031250 Ontario Inc., for a 19 unit, 2-storey cluster townhouse development (File No. SPA20-049) on 3964 Mia Avenue.

1.1 Previous Reports Related to this Matter

December 12, 2016 - Report to Planning and Environment Committee to recommend approval of the draft plan of subdivision and associated zoning by-law amendments. (39T-15501/Z-8470)

April 15, 2019 - Report to Planning and Environment Committee on Special Provisions for the Subdivision Agreement Phase 1 and Phase 1A. (39T-15501)

August 10, 2020 - Report to the Approval Authority for the City of London which granted Final Approval for Part 1 and Part 2 on Reference Plan 33R-20777 (B.012-20).

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

- The London Plan Place Type – Neighbourhoods
- (1989) Official Plan Designation – Low Density Residential
- Existing Zoning – Holding Residential R4 Special Provision (h*h-100*R4-6(8)) Zone

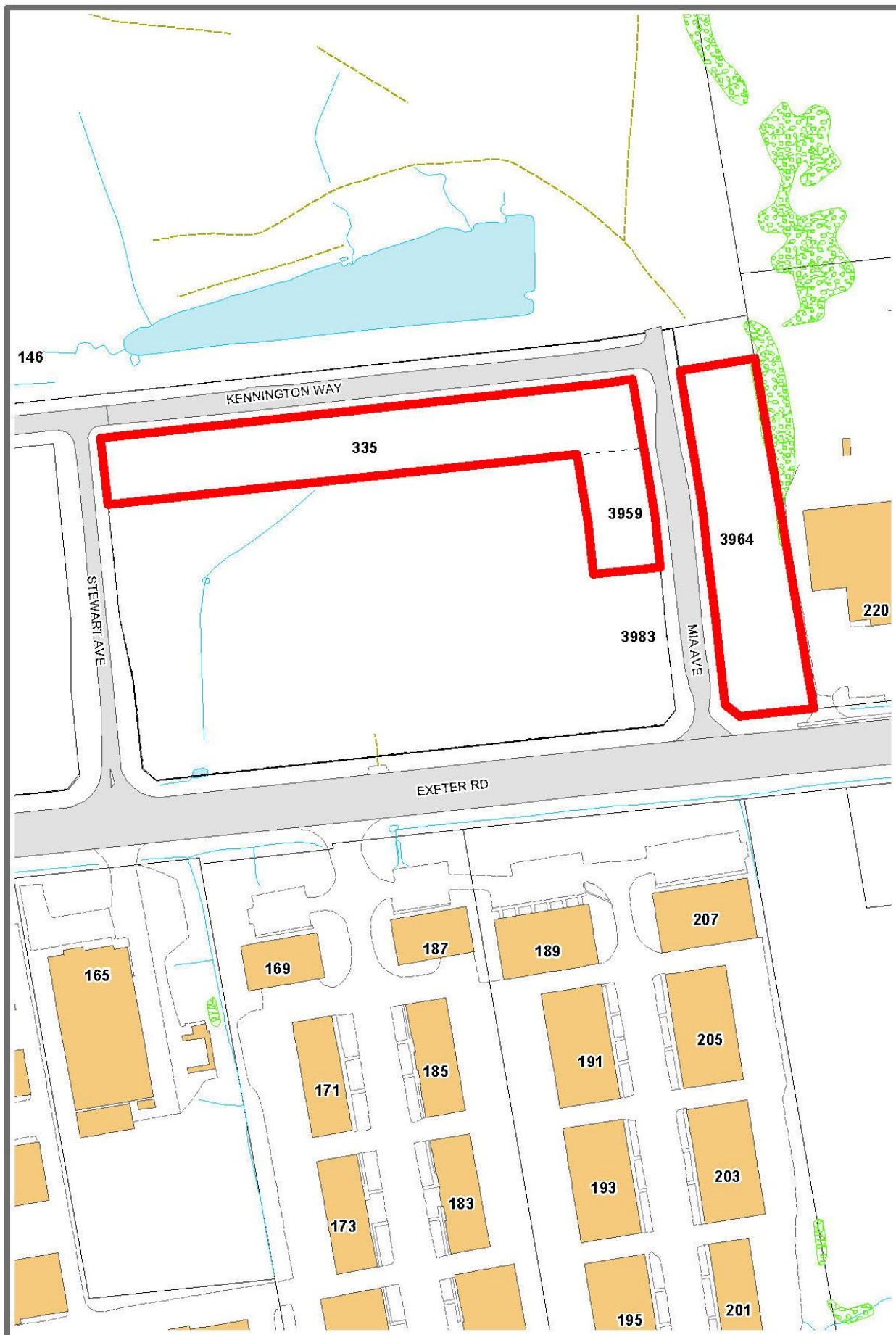
1.1 Site Characteristics

- Current Land Use – vacant
- Frontage – 143 m (469 ft.) along Southbridge Avenue
- Area – 3984m² (42,883 sq. ft.)
- Depth – 30m (98.43 ft.)
- Shape – irregular

1.2 Surrounding Land Uses

- North – future medium density residential
- East – future low density residential
- South – urban reserve/low density residential
- West – future medium density residential

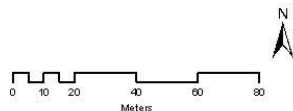
1.3 Location Map



LOCATION MAP

Subject Site: 335 Kennington Way and 3964 Mia Avenue
 File Number: H-9272
 Planner: Sean Meksula
 Date: 23/10/2020

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



Scale 1:1250

Legend

- Subject Site
- Buildings
- Driveways/Parking Lots
- Parks

3.0 Financial Impact/Considerations

Through the completion of the works associated with this application fees, development charges and taxes will be collected. There are no direct financial expenditures associated with this application.

4.0 Key Issues and Considerations

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

The Planning Act allows municipalities to place holding provisions on properties to ensure that certain requirements have been addressed to the satisfaction of Council, prior to development. Through the Zoning By-law amendment and Draft Plan of Subdivision application process, three holding provisions were added to the subject site to address a development agreement with the collection of the required securities, adequate design of water servicing and the integration of the urban review. The holding provisions, and confirmation as to how each requirement has been satisfied, are noted below:

h Holding Provision

The h holding provision states that:

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

The applications for Site Plan Approval has been submitted by 11031250 Ontario Inc. (SPA20-048 & SPA20-049). The proposed developments consist of a 19 and 37 unit, 2-storey cluster side-by-side townhouse development. The applicant has entered into a development agreement and posted the required securities.

The Subdivision Agreement between Zedcor Inc. and the City of London for Phase 1 of the Richardson Subdivision was entered into on April 24, 2019 and registered on June 29, 2019. Zedcor Inc., has posted security as required by City Policy and the Subdivision Agreement.

The condition has been satisfied for removal of the “h” provision.

h-100 Holding Provision

The (h-100) holding provision states that:

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

The h-100 holding provision requires that a looped water main system be constructed and a second public access is available for these lands. A 250 mm looped watermain has been constructed from Exeter Road along Mia Avenue, Kennington Way, Stewart Avenue and back to Exeter Road. Access to the subdivision will be from Mia Avenue to Exeter Road and Stewart Avenue. The extension of Kennington Way provides full public access to the subdivision.

This satisfies the requirement for removal of the “h-100” holding provision.

h-198 Holding Provision

The (h-198) holding provision states that:

Purpose: To encourage street-oriented development and discourage noise attenuation walls along arterial roads, a development agreement shall be entered into to ensure that new development is designed and approved consistent with the Southwest Area Secondary Plan.

The proposed townhouses provide a street-oriented development which has been reviewed by Urban Design Staff through the site plan approval process. A development agreement will be entered into to ensure that the new development is designed and approved consistent with the Southwest Area Secondary Plan.

This satisfies the requirement for removal of the “h-198” holding provision.

Conclusion

The applicant has addressed the various requirements of the “h, h-100 and h-198” holding provisions for the orderly development of land; water looping and access for the development of the lands and street-oriented development. The requirements of the holding provisions have 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**

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**

H-9272
S. Meksula

SM/sm

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2020\H-9272 - 335 Kennington Way and 3964 Mia Avenue (SM)\PEC\DRAFT_PEC_335
Kennington Way - H-9272 SM.docx

cc: Matt Feldberg, Manager, Development Services (Subdivisions)
cc: Bruce Page, Manager, Development Services (Subdivisions)
cc: Peter Kavcic, Manager, Development Services (Subdivisions)
cc: Michael Pease, Manager, Development Services (Site Plan)

Appendix A

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

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 335 Kennington Way, 3959 and 3964 Avenue; legally described as Part of Block 1, Plan 33M765, Designated as Part 2 and 3 Plan 33R-20777 and Block 2, 33M 765.

WHEREAS Sifton Properties Limited has applied to remove the holding provisions from the zoning on lands located at 335 Kennington Way, 3959 and 3964 Avenue, legally described as Part of Block 1, Plan 33M765, Designated as Part 2 and 3 Plan 33R-20777 and Block 2, 33M 765, as shown on the map attached to this by-law, as set out below;

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

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 335 Kennington Way, 3959 and 3964 Mia Avenue, legally described as Part of Block 1, Plan 33M765, Designated as Part 2 and 3 Plan 33R-20777 and Block 2, 33M 765, as shown on the attached map comprising part of Key Map No. 111, to remove the h, h-100 and h-198 holding provisions so that the zoning of the lands as a Residential R4 Special Provision/R5 Special Provision/R6 Special Provision R4-6(10)/R5-4(23)/R6-5(51) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

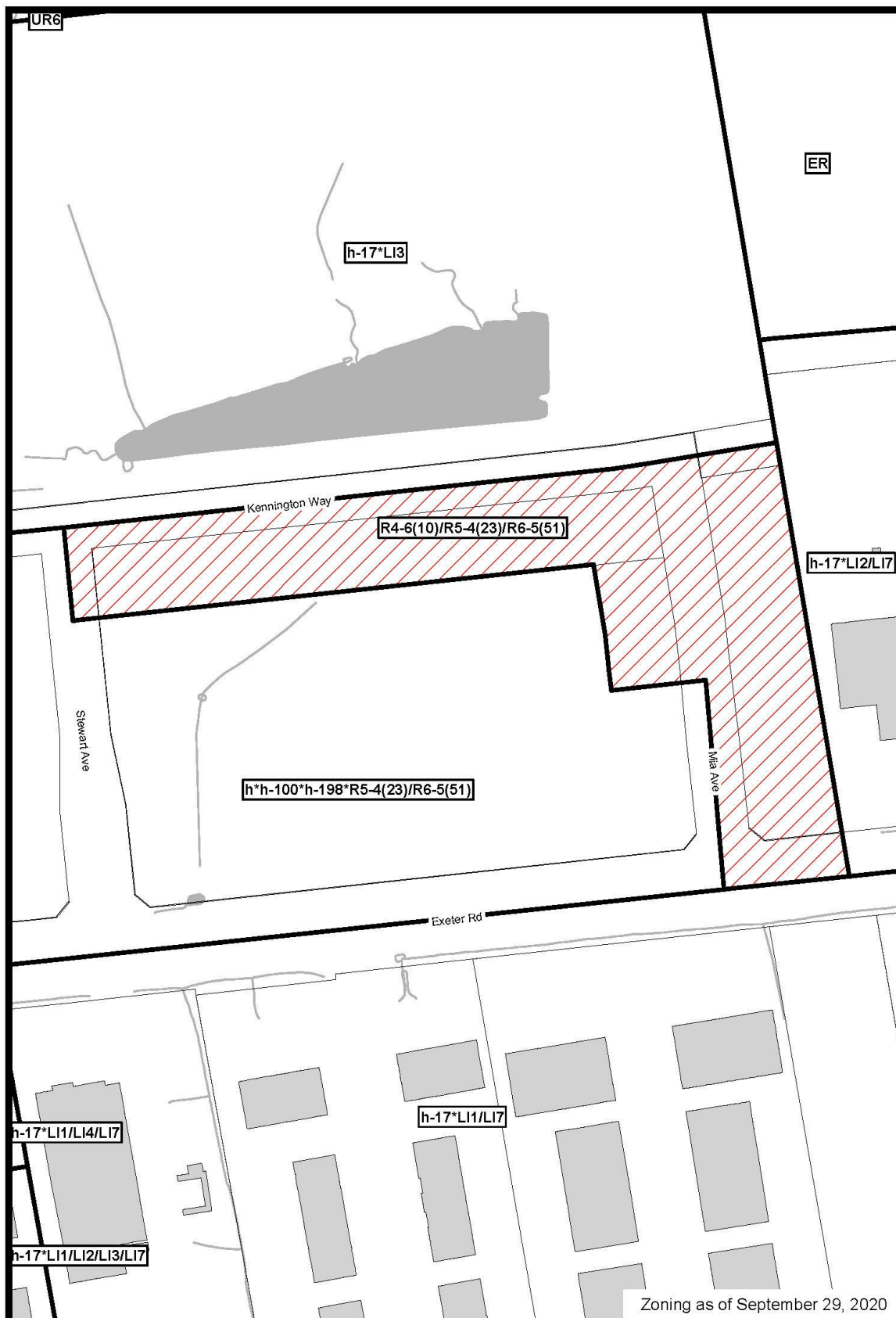
PASSED in Open Council on February 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – February 23, 2021
Second Reading – February 23, 2021
Third Reading – February 23, 2021

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



File Number: H-9272
Planner: SM
Date Prepared: 2020/10/23
Technician: RC
By-Law No: Z.-1-

SUBJECT SITE 

1:2,000

0 10 20 40 60 80
Meters



Appendix B – Public Engagement

Community Engagement

Public liaison: Notice of the application was published in the *Public Notices and Bidding Opportunities* section of The Londoner on November 5, 2020.

0 replies were received

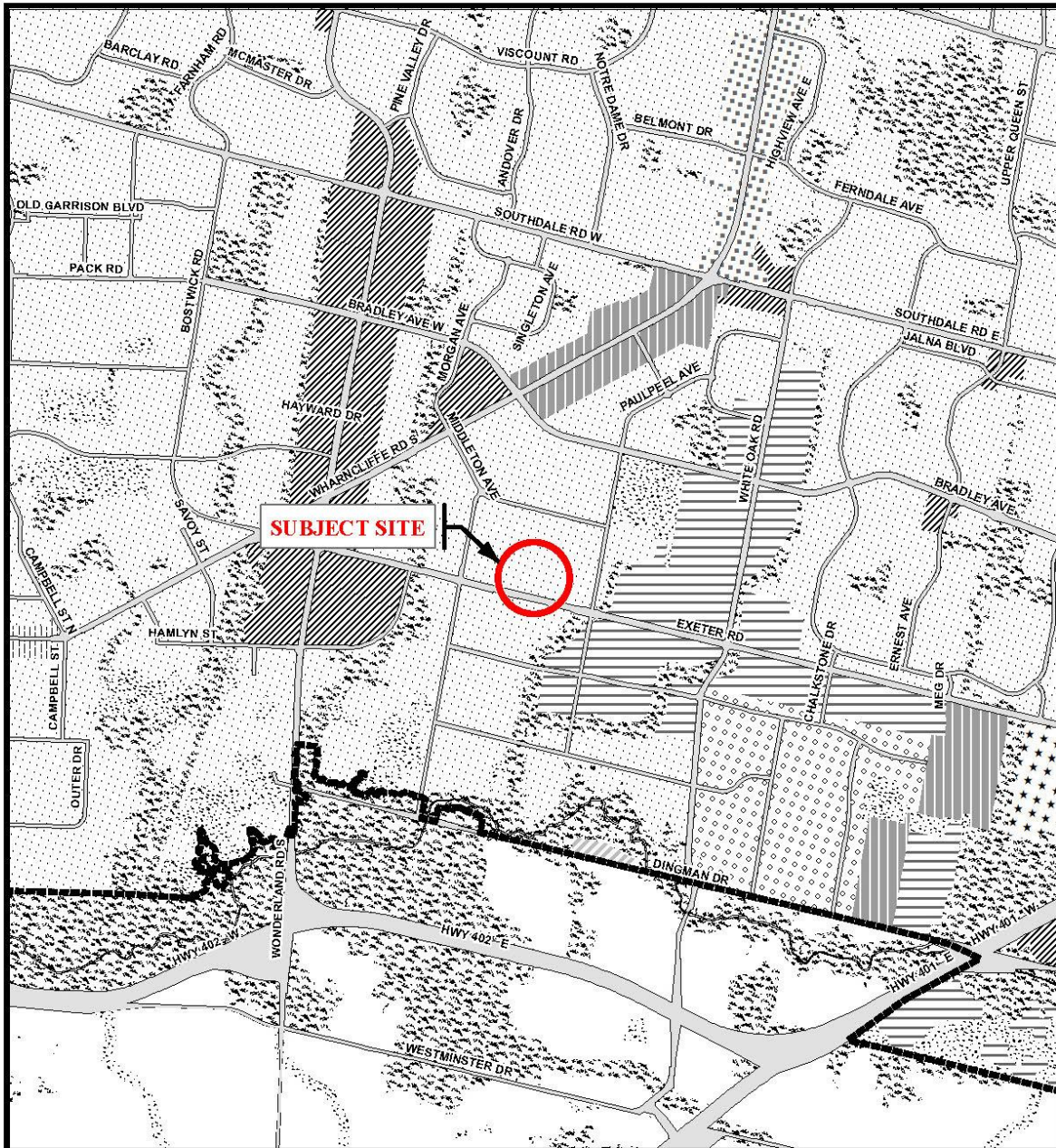
Nature of Liaison: 335 Kennington Way 335 Kennington Way, 3959 and 3964 Avenue Mia Avenue (Registered Plan 33M-765 – Blocks 1 & 2) – City Council intends to consider removing the Holding (h, h-100 and h-198) Provision(s) from the zoning of the subject lands to allow development of 56 townhouse dwelling units permitted under the Residential R4 Special Provision/Residential R5 Special Provision/Residential R6 Special Provision (R4-6(51)/R5-6(10)/R6-5(23) Zone. The purpose of the “h” provision is to ensure the orderly development of lands and adequate provision of municipal services. The “h” symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development. The h-100 symbol is intended 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. Interim uses may be permitted up to 80 units maximum. The h-198 symbol is intended to encourage street-oriented development and discourage noise attenuation walls along arterial roads. A development agreement shall be entered into to ensure that new development is designed and approved consistent with the Southwest Area Secondary Plan. Council will consider removing the holding provisions as it applies to these lands no earlier than November 30, 2020.

Agency/Departmental Comments:

None

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



Scale 1:30,000



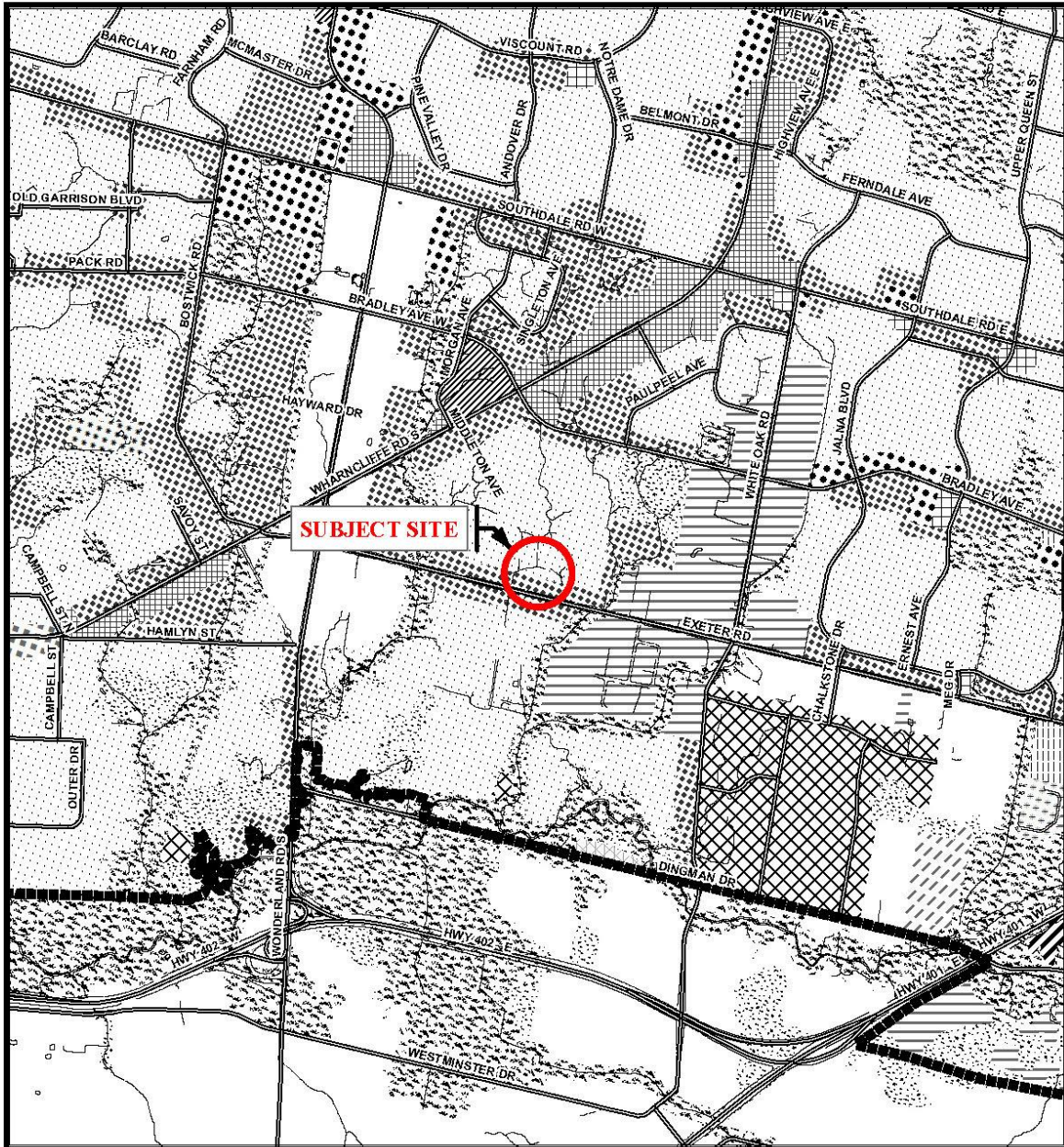
File Number: H-9272

Planner: SM

Technician: RC

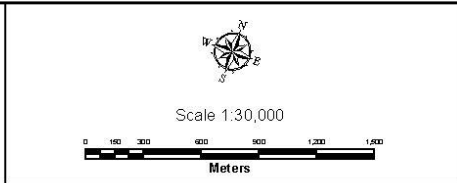
Date: October 23, 2020

1989 Official Plan Excerpt



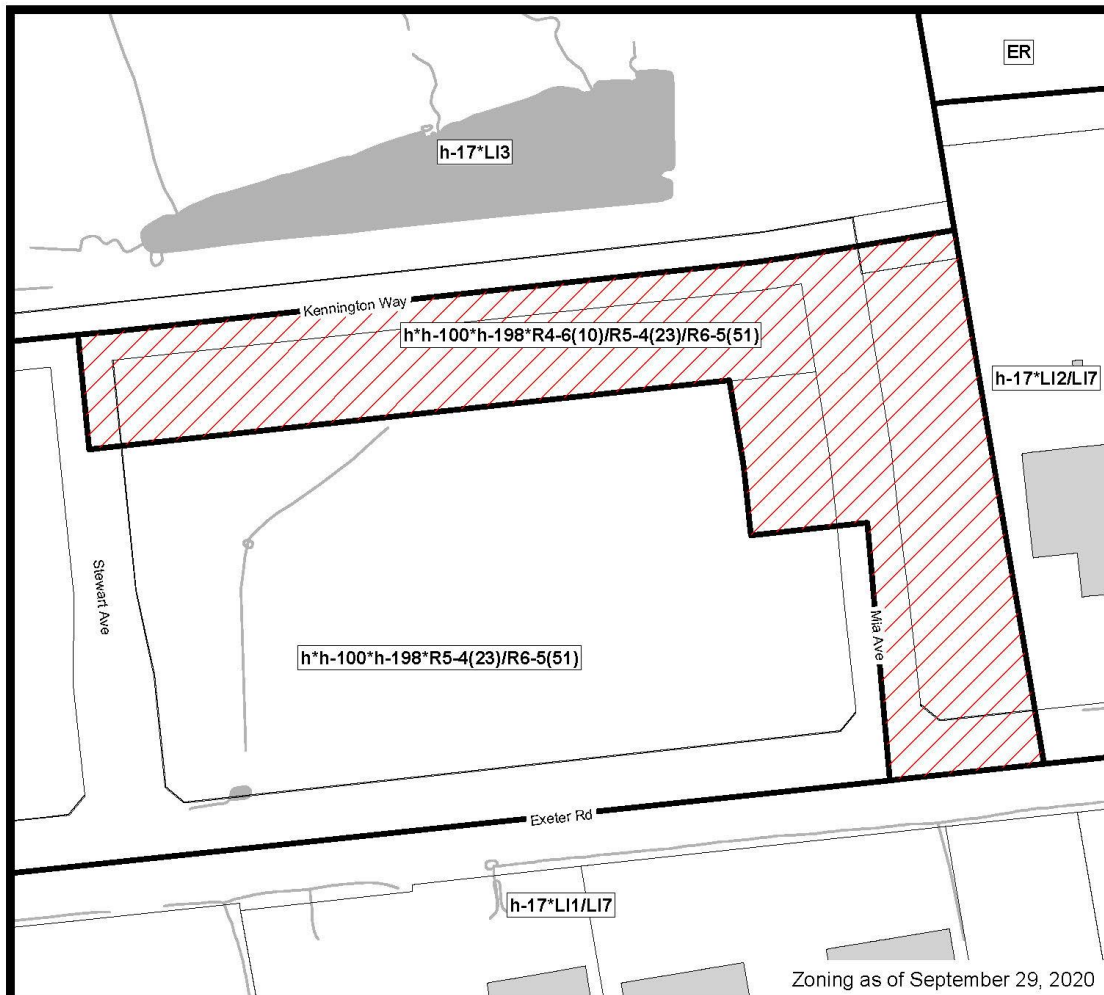
Legend	
	Downtown
	Enclosed Regional Commercial Node
	New Format Regional Commercial Node
	Community Commercial Node
	Neighbourhood Commercial Node
	Main Street Commercial Corridor
	Auto-Oriented Commercial Corridor
	Multi-Family, High Density Residential
	Multi-Family, Medium Density Residential
	Low 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-9272
 PLANNER: SM
 TECHNICIAN: RC
 DATE: 2020/10/23

Existing Zoning Map



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

H-9272

SM

MAP PREPARED:

2020/10/23

RC

1:2,000

0 10 20 40 60 80
Meters

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Exemption from Part-Lot Control
Application By: Rockwood Homes c/o Al Allendorf
Address: 2725 Asima Drive

Meeting on: February 8, 2021

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Rockwood Homes to exempt Block 53, Plan 33M-699 from Part-Lot Control:

- (a) Pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, the attached proposed by-law **BE INTRODUCED** at a future Council meeting, to exempt Block 53, Plan 33M-699 from the Part-Lot Control provisions of subsection 50(5) of the said *Act*, **IT BEING NOTED** that these lands are subject to registered subdivision agreements and are zoned Residential R4 Special Provision (R4-5(2)) in Zoning By-law No. Z.-1, which permits street townhouse dwellings;
- (b) The following conditions of approval **BE REQUIRED** to be completed prior to the passage of a Part-Lot Control By-law for Block 53, Plan 33M-699 as noted in clause (a) above:
 - i. The applicant be advised that the costs of registration of the said by-laws are to be borne by the applicant in accordance with City Policy;
 - ii. The applicant submit a draft reference plan to the Development Services for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the land registry office;
 - iii. The applicant submits to the Development Services a digital copy together with a hard copy of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;
 - iv. The applicant submit each draft reference plan to London Hydro showing driveway locations and obtain approval for hydro servicing locations and above ground hydro equipment locations prior to the reference plan being deposited in the land registry office;
 - v. The applicant submit to the City Engineer for review and approval prior to the reference plan being deposited in the land registry office; any revised lot grading and servicing plans in accordance with the final lot layout to divide the blocks should there be further division of property contemplated as a result of the approval of the reference plan;
 - vi. The applicant shall enter into any amending subdivision agreement with the City, if necessary;
 - vii. The applicant shall agree to construct all services, including private drain connections and water services, in accordance with the approved final design of the lots;

- viii. The applicant shall obtain confirmation from the Development Services that the assignment of municipal numbering has been completed in accordance with the reference plan(s) to be deposited, should there be further division of property contemplated as a result of the approval of the reference plan prior to the reference plan being deposited in the land registry office;
- ix. The applicant shall obtain approval from the Development Services of each reference plan to be registered prior to the reference plan being registered in the land registry office;
- x. The applicant shall submit to the City, confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;
- xi. The applicant shall obtain clearance from the City Engineer that requirements iv), v) and vi) inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Building Controls Division for lots being developed in any future reference plan;
- xii. The applicant shall provide a draft transfer of the easements to be registered on title for the reciprocal use of parts 2, 4, 6, 8, 10, 12, 14 and 16 by parts 1, 3, 5, 7, 9, 11, 13 and 15; and,
- xiii. That on notice from the applicant that a reference plan has been registered on a Block, and that Part-Lot Control be re-established by the repeal of the bylaw affecting the Lots/Block in question.

Executive Summary

Summary of Request

This report is for review and endorsement by Municipal Council to exempt Block 53 in Registered Plan 33M-699 from the Part-Lot Control provisions of the *Planning Act*.

Purpose and Effect of Recommended Action

Exemption from Part-Lot Control will facilitate the creation of eight (8) street townhouse units, with access provided by means of Asima Drive.

Rationale for Recommended Action

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

Analysis

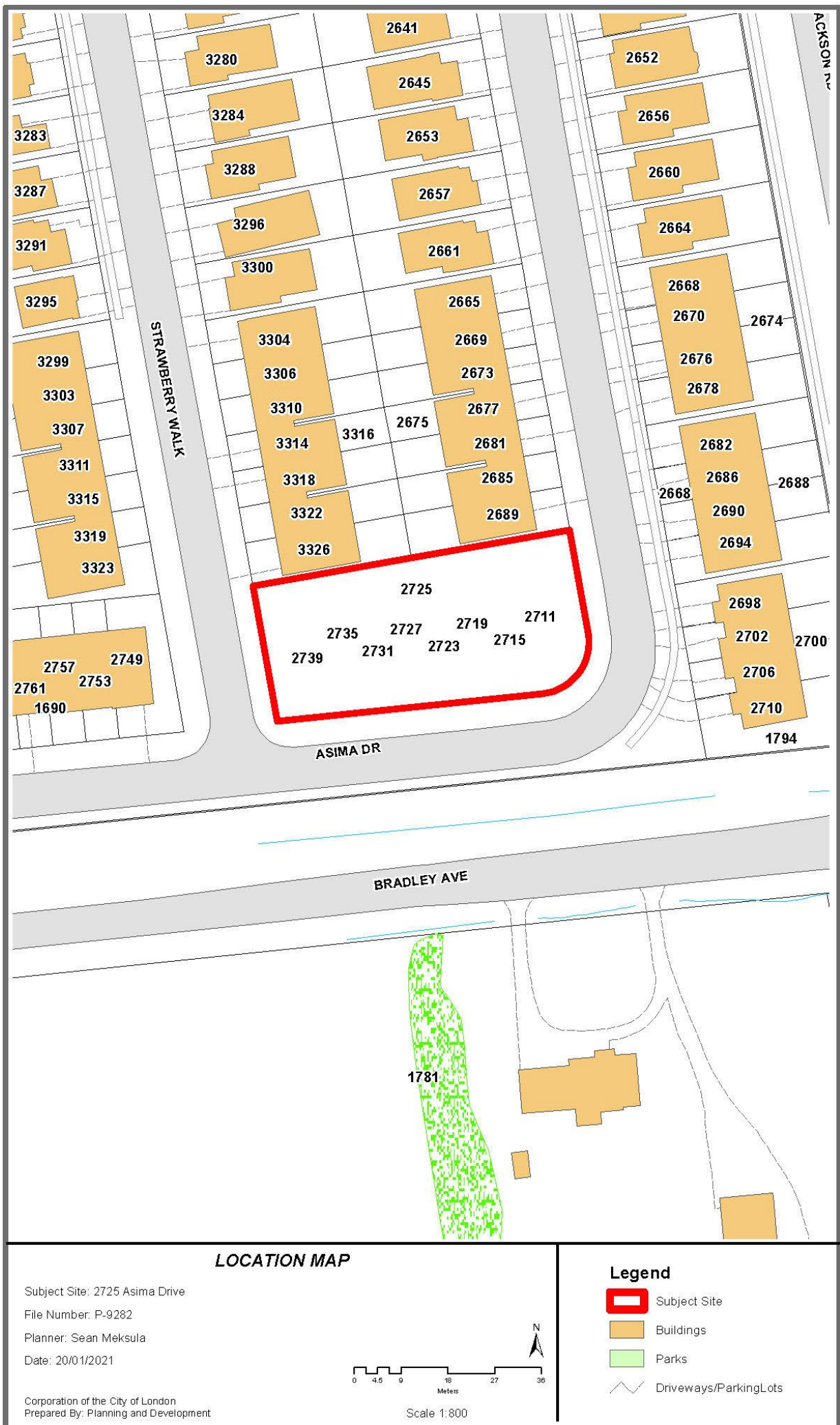
1.0 Property Description

The subject site is located on Asima Drive, which is generally located south of Evans Boulevard, west of Jackson Road, and north of Bradley Avenue. The site is vacant with street townhouse dwellings located to the north and west, townhouse blocks located to the south, and future townhouse blocks to the east. The site has proximity to Meadowgate Park and École Secondaire Gabriel-Dumont - French First Language Secondary School.

1.1 Current Planning Information

- The London Plan Place Type – Neighbourhoods Place Type
- (1989) Official Plan Designation – Multi Family, Medium Density Residential
- Existing Zoning – Residential R4 Special Provision (R4-5(2)) Zone

1.2 Location Map



1.6 Site Characteristics

- Current Land Use – townhouse dwellings under construction
- Frontage – 60.1m (197.2 ft.) along Asima Drive
- Area – 1,750m² (18,836 sq. ft.)
- Shape – rectangular

1.7 Surrounding Land Uses

- North – existing residential
- East – existing residential
- South – existing agricultural
- West – existing residential

2.0 Description of Proposal

2.1 Development Proposal

The Applicant, Rockwood Homes, has requested exemption from part-lot control to create a total of eight (8) freehold street townhouse dwelling units on a local street (Asima Drive). The plan of subdivision was registered on July 14, 2016, consisting of 48 single detached dwelling lots and nine (9) multi-family medium density residential blocks, all served by three (3) new local streets (Turner Crescent, Strawberry Walk and Asima Drive). The dwellings will be freehold street townhouse units, approximately two storeys in height, and accessed from Asima Drive.

3.0 Relevant Background

3.1 Planning History

The subject lands were originally included in a 1992 subdivision application submitted by Jackson Land Corp. for lands bounded by Commissioners Road East, Jackson Road, Bradley Avenue, and Highbury Ave South (also referred to as Summerside Subdivision). The Ministry of Municipal Affairs granted draft approval in September of 1993.

In October of 2003, Jackson Land Corp requested revisions to 14.2 ha (35 acres) of lands within the draft approved Summerside subdivision, specifically the lands bounded by Evans Boulevard, Jackson Road, Bradley Avenue and Meadowgate Boulevard. The changes from the 1993 draft plan were of such significance that a new draft plan application was required (File No. 39T-03513). Municipal Council adopted the Official Plan and Zoning By-law Amendments in May of 2004 and at the same time recommended the City of London Approval Authority grant draft plan of subdivision approval to a revised plan subject to conditions.

On October 21, 2005, the City of London Approval Authority granted final approval to the first phase of draft plan 39T-03513. This phase contained 114 single detached dwelling blocks served by the extension of Meadowgate Boulevard and two new local streets being Turner Crescent and Asima Drive. This phase, commonly referred to as Phase 12A, was registered on October 27, 2005 as Plan 33M-533.

In September of 2007, Jackson Land Corp. submitted a new plan consisting of 96 single detached lots and 21 multi-family blocks containing approximately 115 street townhouse dwellings all served by 3 local streets, including portions that would be developed as “window streets” (file 39T-07508).

In 2012, the London Consent Authority granted a consent to Jackson Land Corp. (file B.019/12) to sever the lands within this draft plan from the remaining Summerside Subdivision to create two new parcels (divided east and west of the future southerly extension of Turner Crescent).

The draft plan of subdivision 39T-07508 was approved by the Approval Authority as one (1) phase, consisting of 48 single family detached lots, and nine (9) multi-family medium

density blocks, was registered on July 4, 2016 as plan 33M-699.

3.3 Community Engagement

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

3.4 Policy Context

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

Exemption from part-lot control is used to create street townhouse lots to ensure that the eventual lot lines match the foundation for the building, and are constructed exactly on the property boundaries. Part-Lot Control may be exempted to allow a property owner to legally divide a block within their registered plan of subdivision.

4.0 Key Issues and Considerations

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

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

The subject lands are zoned Residential R4 (R4-5(2)) which permits street townhouse units. The applicant will be required to submit a draft reference plan to Development Services for review and approval to ensure the proposed lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the Land Registry Office.

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

The subject block was registered and intended to be developed for street townhouse units at the time of the subdivision approval. The division of individual lots at the time of the subdivision was not practical, and is appropriate through part-lot control and successfully attaining site plan approval.

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

This request is consistent with the intended use of the block as established through the plan of subdivision and zoning. The development of the site for eight (8) street townhouse

units is consistent with the development in the area and specifically to the lands located directly to the east and south.

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

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

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

The subject lands are within the Neighbourhoods Place Type in The London Plan and designated Multi-Family, Medium Density Residential in the (1989) Official Plan, which permits street townhouses. The proposal will facilitate the development of the parcel in accordance with the form of development established at the time of subdivision approval. The proposed lots will not result in any traffic problems and will have access to municipal services and utilities. Access will be provided by Asima Drive and no private roads are proposed.

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

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

The applicant has applied for and received site plan approval (SPA18-062) to construct eight (8) street townhouse units on a local street which was registered on title as a Development Agreement. Securities have also been taken through the site plan process.

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

4.1 Conditions

It is recommended that the following conditions be applied and that the By-law for Block 53 in Plan 33M-699 be passed at a future meeting of Municipal Council only when the following conditions have been complied with:

- i. The applicant be advised that the costs of registration of the said by-laws are to be borne by the applicant in accordance with City Policy;
- ii. The applicant submit a draft reference plan to the Development Services for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the land registry office;
- iii. The applicant submits to the Development Services a digital copy together with a hard copy of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;
- iv. The applicant submit each draft reference plan to London Hydro showing

- driveway locations and obtain approval for hydro servicing locations and above ground hydro equipment locations prior to the reference plan being deposited in the land registry office;
- v. The applicant submit to the City Engineer for review and approval prior to the reference plan being deposited in the land registry office; any revised lot grading and servicing plans in accordance with the final lot layout to divide the blocks should there be further division of property contemplated as a result of the approval of the reference plan;
 - vi. The applicant shall enter into any amending subdivision agreement with the City, if necessary;
 - vii. The applicant shall agree to construct all services, including private drain connections and water services, in accordance with the approved final design of the lots;
 - viii. The applicant shall obtain confirmation from the Development Services that the assignment of municipal numbering has been completed in accordance with the reference plan(s) to be deposited, should there be further division of property contemplated as a result of the approval of the reference plan prior to the reference plan being deposited in the land registry office;
 - ix. The applicant shall obtain approval from the Development Services of each reference plan to be registered prior to the reference plan being registered in the land registry office;
 - x. The applicant shall submit to the City, confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;
 - xi. The applicant shall obtain clearance from the City Engineer that requirements iv), v) and vi) inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Building Controls Division for lots being developed in any future reference plan;
 - xii. The applicant shall provide a draft transfer of the easements to be registered on title for the reciprocal use of parts 2, 4, 6, 8, 10, 12, 14 and 16 by parts 1, 3, 5, 7, 9, 11, 13 and 15; and;
 - xiii. That on notice from the applicant that a reference plan has been registered on a Block, and that Part Lot Control be re-established by the repeal of the bylaw affecting the Lots/Block in question.

5.0 Conclusion

In accordance with the provisions of the *Planning Act*, Municipal Council may pass by-laws to exempt all, or parts of registered plans of subdivision from part-lot control. The applicant has requested exemption from the Part-Lot Control provisions of the *Planning Act* to establish lot lines for the individual townhouse units, which is appropriate to allow for the sale of these units to future homeowners. The recommended exemption is considered appropriate and in keeping with the registered phases of the Summerside subdivision, subject to the completion of the proposed conditions.

Prepared by:

**Sean Meksula, 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**

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

/sm

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Appendix A

Bill No. ***Number inserted by Clerk's Office***
2021

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

A by-law to exempt from Part-Lot Control, lands located at 2725 Asima Drive, legally described as Block 53 in Registered Plan 33M-699.

WHEREAS pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, as amended, and pursuant to the request from Rockwood Homes, it is expedient to exempt lands located at 2725 Asima Drive, legally described as Block 53 in Registered Plan 33M-699, from Part Lot Control;

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

1. Block 53 in Registered Plan 33M-699, located at 2725 Asima Drive, west of Jackson Road, are hereby exempted from Part-Lot Control, pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c.P.13*, as amended, for a period not to exceed three (3) years; it being noted that these lands are zoned to permit street townhouse dwellings in conformity with the Residential R4 Special Provision (R4-5(2)) Zone of the City of London Zoning By-law No. Z-1.
3. This by-law comes into force when it is registered at the Land Registry Office.

PASSED in Open Council on

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading –
Second Reading –
Third Reading –

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Application By: Goldfield Ltd.
3542 Emilycarr Lane

Meeting on: February 8, 2021

Recommendation

That, on the recommendation of the Director, Development Services, based on the application by Goldfield Ltd. relating to the property located at 3542 Emilycarr Lane, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on February 23, 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 R5 (h*h-100*h-104*h-155*R5-7) Zone **TO** a Residential R5 (R5-7) Zone to remove the "h, h-100, h-104 and h-155" holding provisions.

Executive Summary

Purpose and the Effect of Recommended Action

The purpose and effect of this zoning change is to remove the "h, h-100, h-104 and h-155" holding symbols from the zone map to permit the development of a cluster townhouse.

Rationale of Recommended Action

The conditions for removing the holding provisions have been satisfied, as required by Zoning By-law Z.-1. Specifically, security has been submitted; a development agreement has been signed; adequate water servicing and appropriate access has been provided; and a comprehensive storm drainage and stormwater management report has been accepted to address the stormwater management strategy for all lands within the subject plan and external lands.

The development agreement also ensures that development is consistent with and conforms to the guidelines and vision of OPA 541, Southwest Area Secondary Plan (SWAP). All issues have been resolved and the holding provisions are no longer required.

Analysis

1.0 Background Information

On October 2, 2018 Council approved zoning for the plan of subdivision which included cluster forms of residential development for the site, subject to four holding provisions being satisfied. These holding provisions are listed below.

A site plan approval application was submitted along with the proposed Vacant Land Condominium in November, 2019. Site plan approval has been granted, Security has been provided and a development agreement entered into for the above mentioned applications.

To facilitate the proposed development, a Minor Variance application (A.021/20) to permit a density of 63 units/ha, and reduced front, rear, and exterior side yard setbacks was approved by the London Committee of Adjustment on July 16, 2020.

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 is intended 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 D)

- The London Plan Place Type – Neighbourhoods
- (1989) Official Plan Designation – Multi-Family, High Density Residential
- Existing Zoning – Holding Residential R5 (h-h-100*h-104*h-155*R5-7) Zone

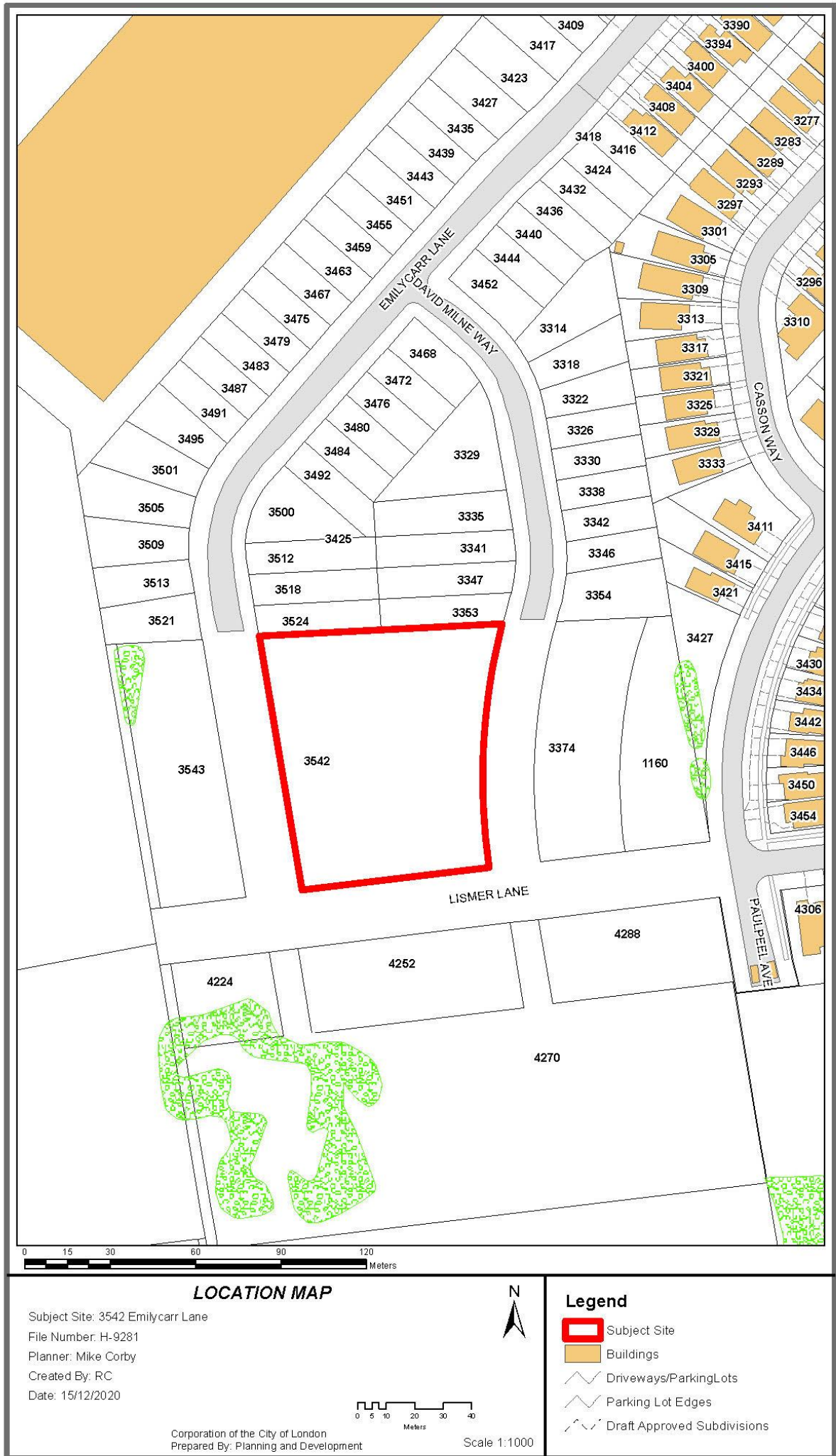
1.3 Site Characteristics

- Current Land Use – undeveloped
- Frontage – 66 metres (Lismer Lane)
- Depth – irregular
- Area – 0.64 ha (1.58 acres)
- Shape – irregular

1.4 Surrounding Land Uses

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

1.5 Location Map



2.0 Discussion and Considerations

The applicant is requesting the removal of the “h, h-100, h-104 and h-155” holding provisions from the Zone on the subject lands. The “h” holding provision requires that the securities be received, and a development agreement to be executed by the owner. The “h-100” requires 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. The h-104 requires that a comprehensive storm drainage and stormwater management report is completed to address the stormwater management strategy for all lands within the subject plan and external lands. The h-155 requires the development to consistent with and conform to the guidelines and vision of OPA 541, Southwest Area Secondary Plan.

The requested amendment will facilitate the development of 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 a single condominium corporation.

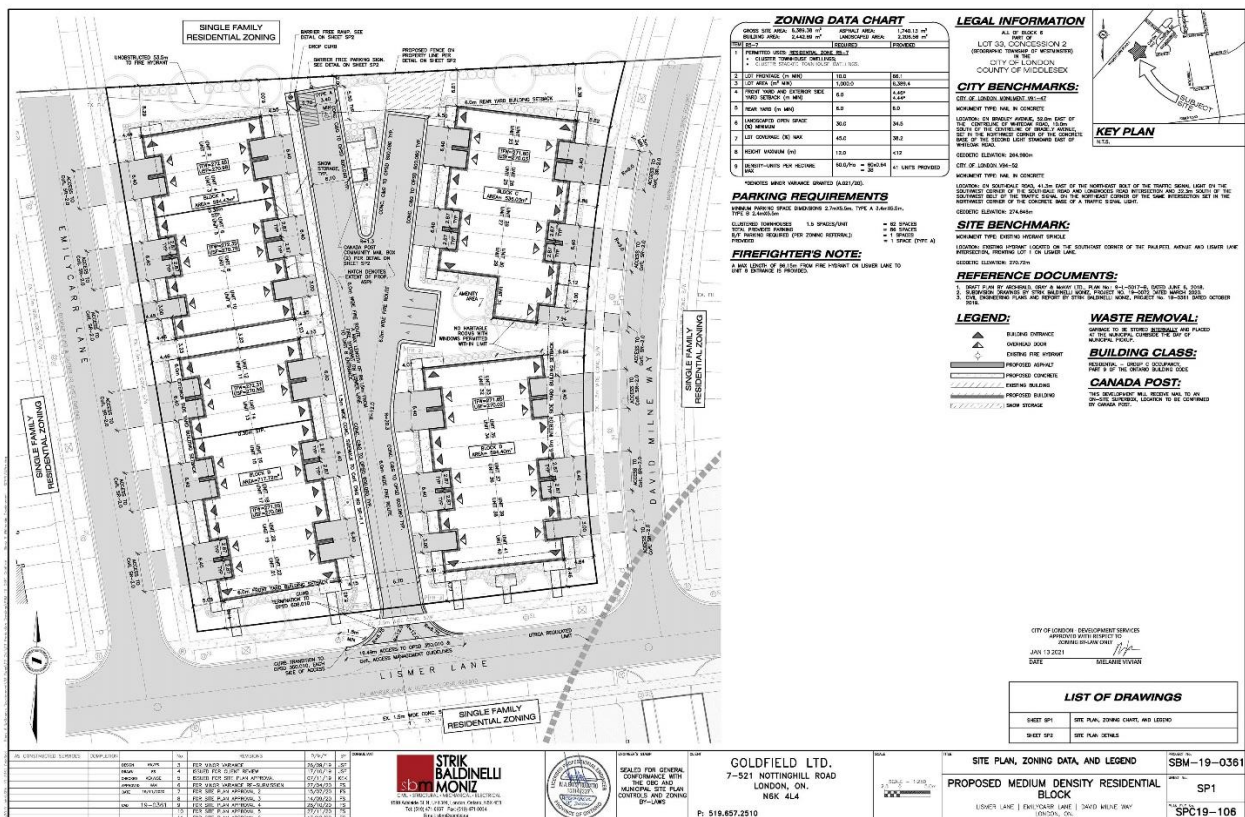


Figure 1 - Proposed Site Plan

3.0 Key Issues and Considerations

Why is it Appropriate to remove this Holding Provision?

The “h” holding provision states:

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

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

h-100 Holding Provision

The “h-100” holding provision states:

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

Permitted Interim Uses: A maximum of 80 residential units

Through the site plan approval process, Development Engineering staff have confirmed that adequate water servicing can be provided to the subject site through a looped watermain system and that at least two public access points are available. The proposed developments do not exceed 80 residential units and therefore the h-100 (for water servicing) can be removed specific to blocks 6.

This satisfies the requirement for the removal of the “h-100” holding provision.

h-104 Holding Provision

The “h-104” holding provision states:

To ensure that a comprehensive storm drainage and stormwater management report prepared by a consulting engineer is completed to address the stormwater management strategy for all lands within the subject plan and external lands where a private permanent on-site storm drainage facility is proposed for any block or blocks not serviced by a constructed regional stormwater management facility. The "h-104" symbol shall not be deleted until the report has been accepted to the satisfaction of the General Manager of Planning and Development and City Engineer.

Through the subdivision approval process, Development Engineering staff confirmed that a comprehensive storm drainage and stormwater management report was completed and accepted for the proposed street town blocks.

This satisfies the requirement for removal of the “h-104” holding provision.

h-155 Holding Provision

The “h-155” holding provision states:

The removal of the h-155 symbol shall not occur until such time as 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.

The owner has entered into a Development Agreement with the City and through the site plan approvals process staff have ensured the development conforms to the guidelines and vision of OPA 541, Southwest Area Secondary Plan.

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

Conclusion

The Applicant has provided the necessary securities and has entered into a development agreement with the City. The development agreement also ensures the proposed development is designed and approved consistent with the guidelines and vision of OPA 541, Southwest Area Secondary Plan. The applicant has also demonstrated that there is adequate water service and appropriate access through a looped watermain system and a comprehensive storm drainage and stormwater management report have been accepted by the City. Therefore, the required conditions have been met to remove the “h, h-100, h-104 and h-155” holding provisions. The removal of the holding provisions is recommended to Council for approval.

Prepared by:

Mike Corby, MCIP RPP
Senior Planner, Development Services

Recommended by:

Paul Yeoman, RPP PLE
Director, Development Services

Submitted by:

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

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
Bruce Page, Manager, Development Planning
Mike Pease, Manager, Development Planning

MC/mc

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(MC)\PEC\DRAFT - 3542 Emily Carr Lane - H-9281 MC.docx

Appendix A

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

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 3542 Emily Carr Lane.

WHEREAS Goldfield Ltd. has applied to remove the holding provisions from the zoning for the lands located at 3542 Emily Carr Lane, as shown on the map attached to this by-law, as set out below;

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

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 3542 Emily Carr Lane, as shown on the attached map, to remove the h, h-100, h-104 and h-155 holding provisions so that the zoning of the lands as a Residential R5 (R5-7) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

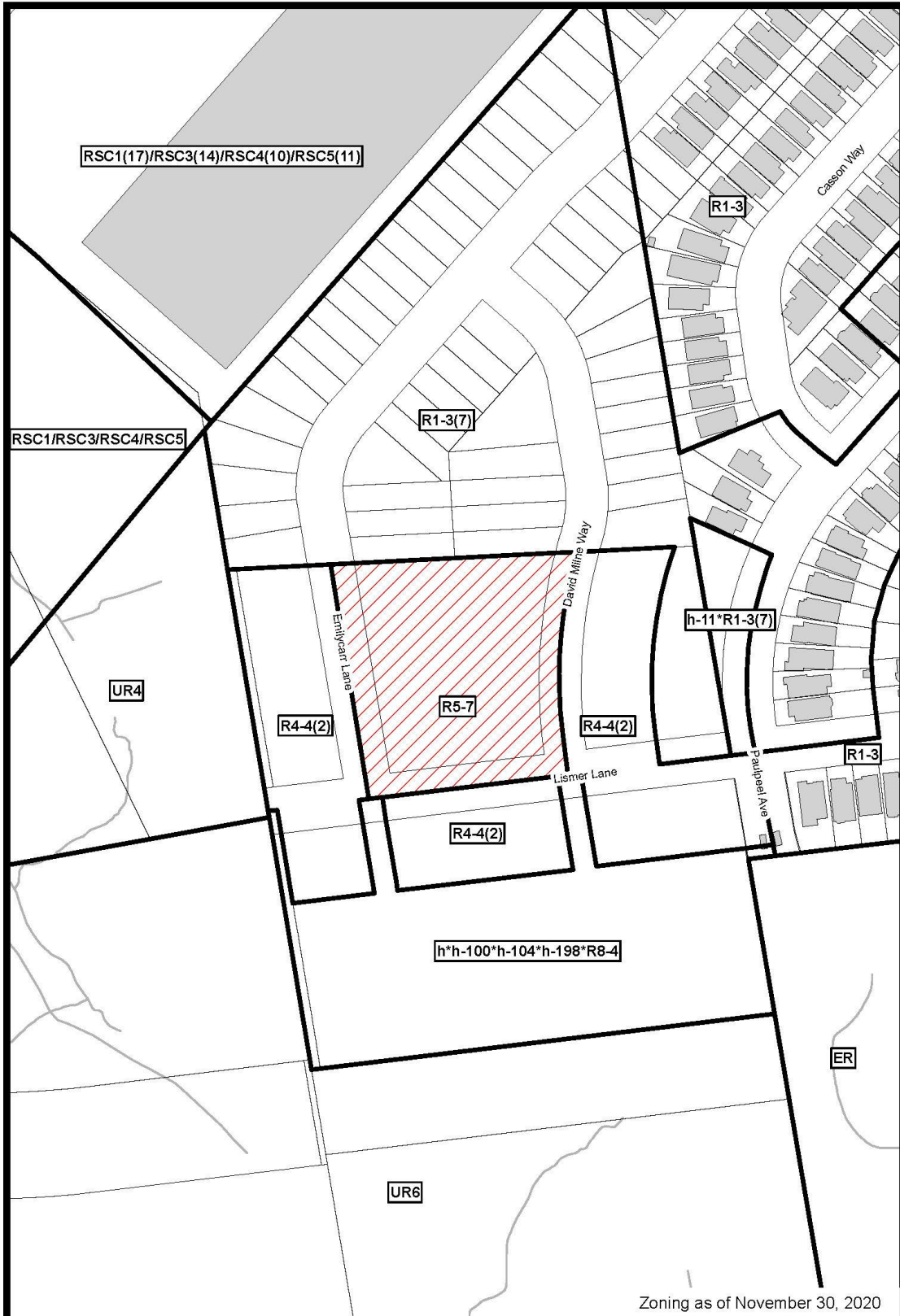
PASSED in Open Council on February 23, 2021.

Ed Holder
Mayor


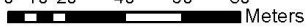

Catharine Saunders
City Clerk

First Reading – February 23, 2021
Second Reading – February 23, 2021
Third Reading – February 23, 2021

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



Zoning as of November 30, 2020

<p>File Number: H-9281 Planner: MC Date Prepared: 2020/12/15 Technician: rc By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:2,000</p> <p>0 10 20 40 60 80 Meters </p> <p></p>
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Appendix B – Public Engagement

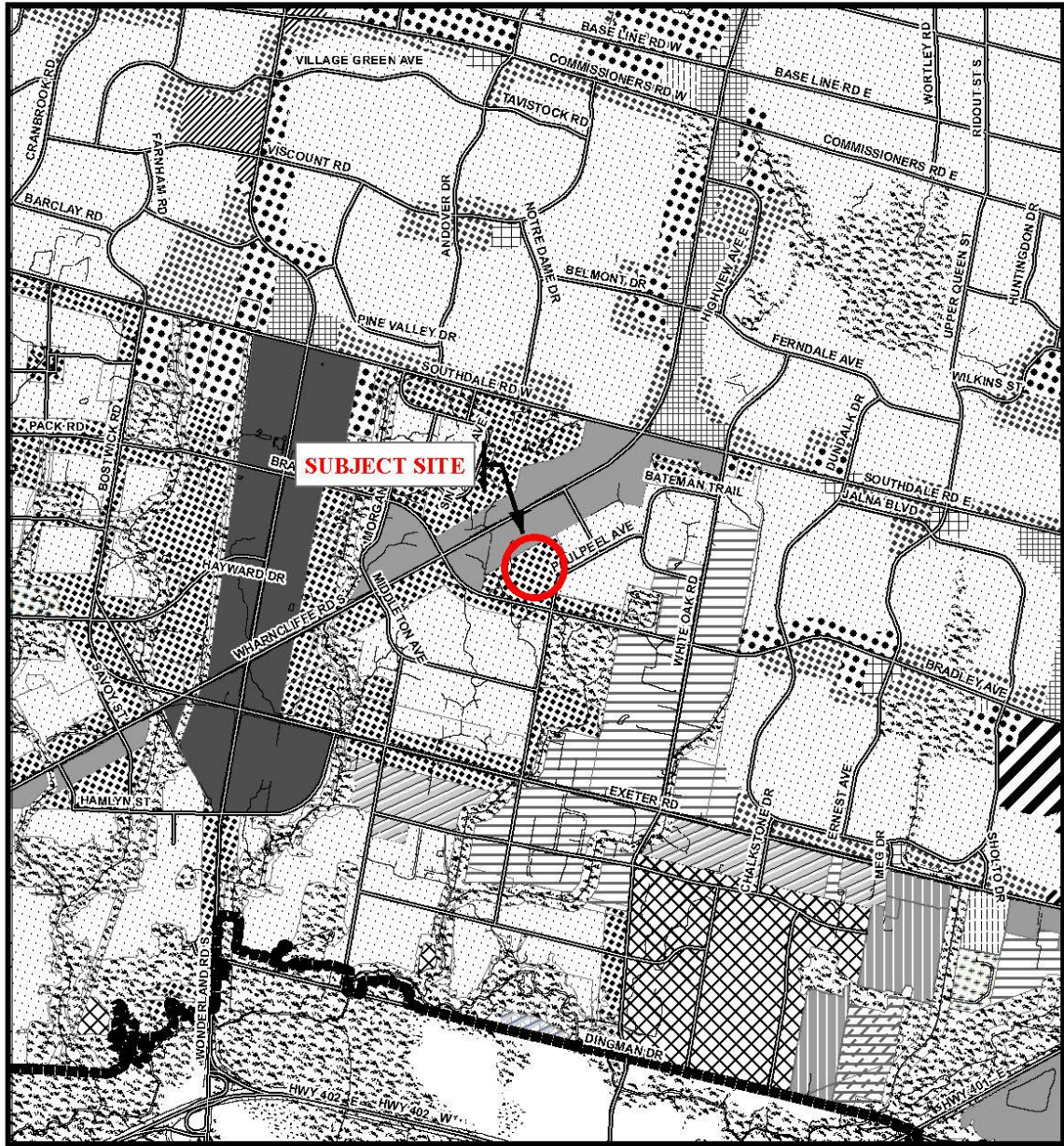
Community Engagement

Public liaison: Notice of the application was published in the Londoner on December 3, 2020

0 replies were received

Nature of Liaison: City Council intends to consider removing the “h”, “h-100”, “h-104”, and “h-155” Holding Provision’s from the zoning of the subject lands. The purpose and effect of this zoning change is to remove the holding symbol’s permitting 41 dwelling units, within multiple townhouses and a new private road providing access from Lismer Lane. The purpose of the “h” provision is to ensure the orderly development of lands and the adequate provision of municipal services. The “h” symbol shall not be deleted until the required security has been provided and/or a development agreement has been entered into for the subject lands. 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-104” provision is to ensure that a comprehensive storm drainage and stormwater management (SWM) report prepared by a consulting engineer is completed to address the SWM strategy for all lands within the subject plan and external lands where a private permanent on-site storm drainage facility is proposed for any block or blocks not serviced by a constructed regional SWM facility. The "h-104" symbol shall not be deleted until the report has been accepted to the satisfaction of the General Manager of Planning and Development and City Engineer. The removal of the “h-155” symbol shall not occur until such time as 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. Council will consider removing the holding provisions as it applies to these lands no earlier than January 18, 2021.

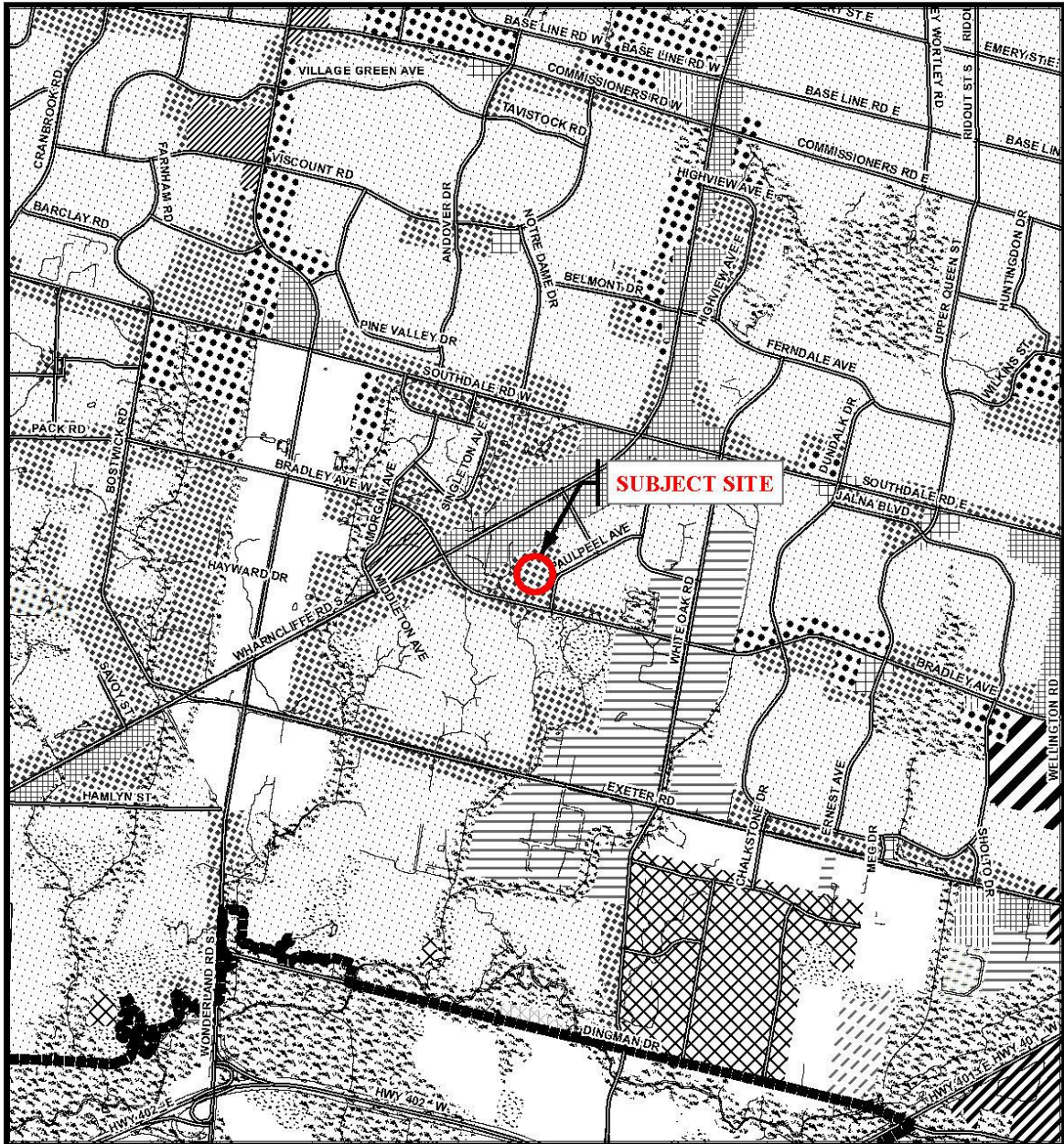
Southwest Area Plan Excerpt



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

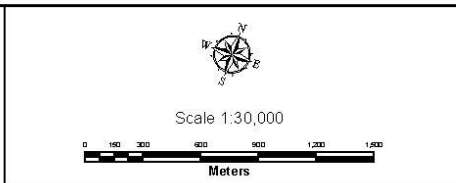
<p>CITY OF LONDON Planning Services / Development Services SOUTHWEST AREA STUDY SECONDARY PLAN - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	 Scale 1:30,000 0 100 200 300 400 500 600 700 800 900 1,000 1,200 1,400 Meters	<p>FILE NUMBER: H-9281</p>
		<p>PLANNER: MC</p> <p>TECHNICIAN: RC</p> <p>DATE: December 15, 2020</p>

1989 Official Plan Excerpt



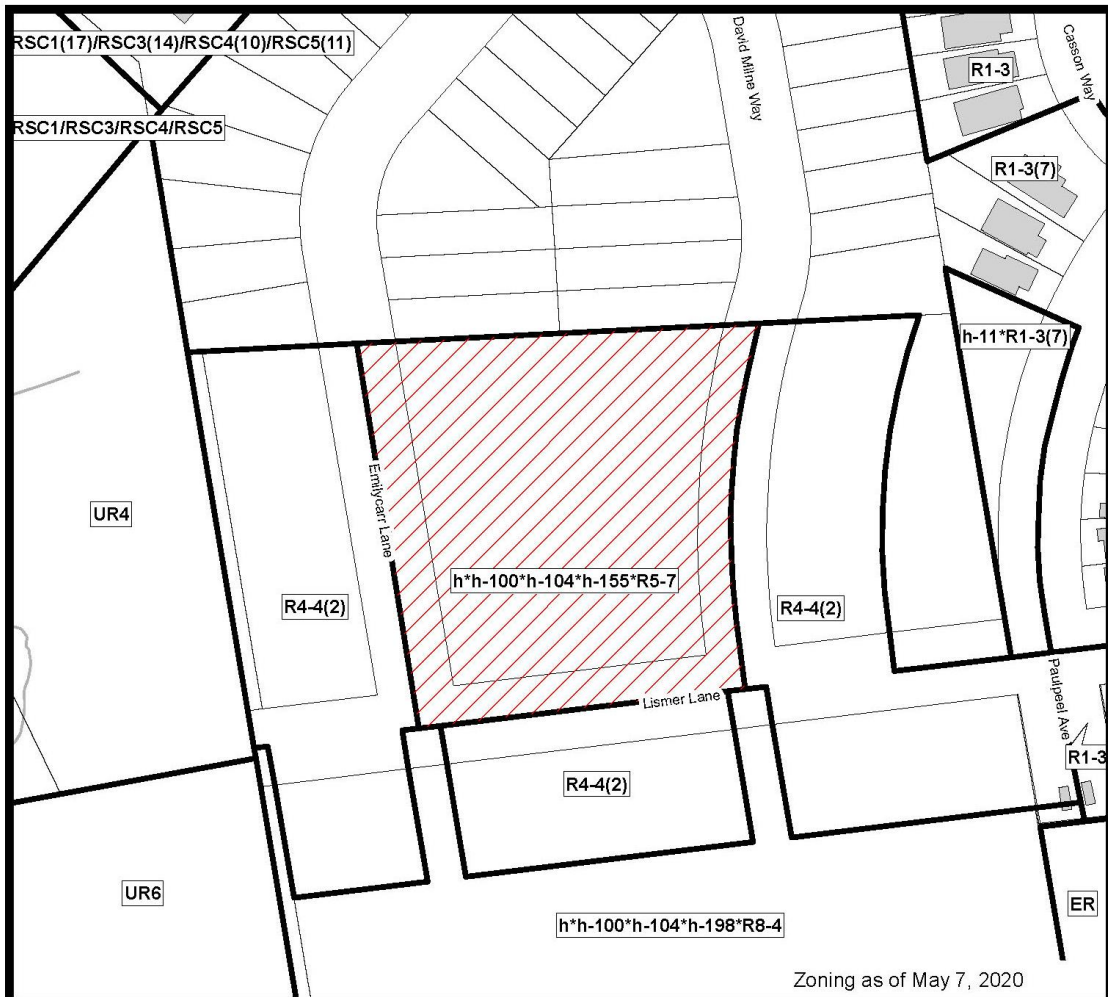
Legend	
	Downtown
	Enclosed Regional Commercial Node
	New Format Regional Commercial Node
	Community Commercial Node
	Neighbourhood Commercial Node
	Main Street Commercial Corridor
	Auto-Oriented Commercial Corridor
	Multi-Family, High Density Residential
	Multi-Family, Medium Density Residential
	Low 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-9281
 PLANNER: MC
 TECHNICIAN: RC
 DATE: 2020/12/15

Zoning Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: LI1

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:
 H-9281 MC

MAP PREPARED:
 2020/12/15 RC

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

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Application By: Goldfield Ltd.
1160 Wharncliffe Road South

Meeting on: February 8, 2021

Recommendation

That, on the recommendation of the Director, Development Services, with respect to the application by Goldfield Ltd., the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on February 23, 2021 to exempt Block 2, 3, 4, 5 and 7, Plan 33M-786 from the Part-Lot Control provisions of Subsection 50(5) of the *Planning Act*, for a period not exceeding three (3) years.

Executive Summary

Summary of Request

This report is a request for approval to exempt Blocks 2, 3, 4, 5 and 7 in Registered Plan 33M-786 from the Part-Lot Control provisions of the *Planning Act*.

Purpose and Effect of Recommended Action

Exemption from Part-Lot Control will facilitate the creation of forty-four (44) street townhouse units, with access provided via Lismer Lane, Emily Carr Lane and David Milne Way.

Rationale for Recommended Action

The conditions for passing the Part-Lot Control By-law have been satisfied and it is appropriate to allow the exemption from Part-Lot Control. The applicant has acknowledged that they are responsible for the cost of registration of the by-law.

Linkage to the Corporate Strategic Plan

Building a Sustainable City - London's growth and development is well planned and sustainable over the long term.

Analysis

1.0 Planning History

The subject lands were part of a subdivision application submitted on September 18, 2006. Revised draft plan submissions were submitted by the Applicant on February 25, 2007, and on September 5, 2007. These applications were later appealed to the OMB on April 17, 2008 by the applicant. Subsequent to this, the appeals were withdrawn and the files closed.

On October 17, 2016, a "new" application for draft plan of subdivision approval and zoning by-law amendment was accepted as complete for this property. The proposed plan of subdivision consisted of seven (7) medium density residential blocks, two (2) local public streets and the extension of Lismer Way to the west. The application received draft approval on October 23, 2018 and final approval on June 29, 2020.

Blocks 2-5 and 7 were subject to Site Plan Approval applications (SPA20-30, SPA20-31, SPA20-32). Security has been provided and a development agreement entered into on July 31, 2020 for the above mentioned applications.

The application for exemption from Part-Lot Control was considered by the Planning and Environment Committee on September 8, 2020, and Municipal Council on September 15, 2020. The attached recommended by-law implements Council's September 15, 2020 resolution and allows for the conveyance of individual lots within Block 2, 3, 4, 5 and 7, Plan 33M-786.

1.2 Background Information

At its meeting held on September 8, 2020, Municipal Council resolved:

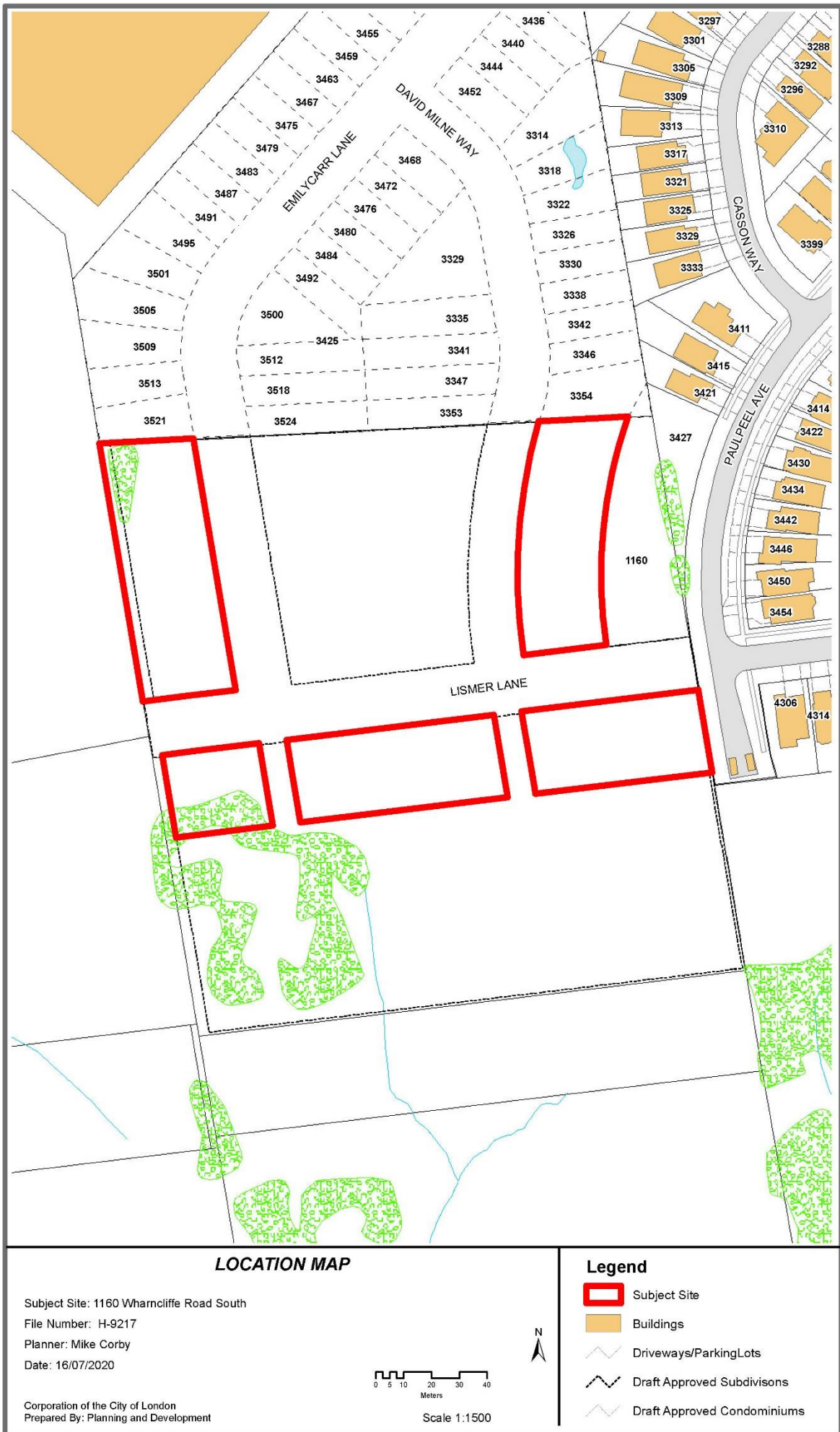
"That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application by Goldfield Ltd. to exempt Block 2, 3, 4, 5 and 7, Plan 33M-786 from Part-Lot Control:"

- (a) *Pursuant to subsection 50(7) of the Planning Act, R.S.O. 1990, c. P.13, the attached proposed by-law **BE INTRODUCED** at a future Council meeting, to exempt Block 2, 3, 4, 5 and 7, Plan 33M-786 from the Part-Lot Control provisions of subsection 50(5) of the said Act, **IT BEING NOTED** that these lands are subject to registered subdivision agreements and are zoned Residential R4 Special Provision (R4-4(2)) in Zoning By-law No. Z.-1, which permits street townhouse dwellings with a minimum lot frontage of 6.7m, a minimum exterior and interior side yard depth of 1.2m and maximum lot coverage of 45%;*
- (b) *The following conditions of approval **BE REQUIRED** to be completed prior to the passage of a Part-Lot Control By-law for Block 2, 3, 4, 5 and 7, Plan 33M-786 as noted in clause (a) above:*
 - i. *The applicant be advised that the costs of registration of the said by-laws are to be borne by the applicant in accordance with City Policy;*
 - ii. *The applicant submit a draft reference plan to the Development Services for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the land registry office;*
 - iii. *The applicant submits to the Development Services a digital copy together with a hard copy of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;*
 - iv. *The applicant submit each draft reference plan to London Hydro showing driveway locations and obtain approval for hydro servicing locations and above ground hydro equipment locations prior to the reference plan being deposited in the land registry office;*
 - v. *The applicant submit to the City Engineer for review and approval prior to the reference plan being deposited in the land registry office; any revised lot grading and servicing plans in accordance with the final lot layout to divide the blocks should there be further division of property contemplated as a result of the approval of the reference plan;*
 - vi. *The applicant shall enter into any amending subdivision agreement with the City, if necessary;*
 - vii. *The applicant shall agree to construct all services, including private drain connections and water services, in accordance with the approved final design of the lots;*
 - viii. *The applicant shall obtain confirmation from the Development Services that the*

assignment of municipal numbering has been completed in accordance with the reference plan(s) to be deposited, should there be further division of property contemplated as a result of the approval of the reference plan prior to the reference plan being deposited in the land registry office;

- ix. The applicant shall obtain approval from the Development Services of each reference plan to be registered prior to the reference plan being registered in the land registry office;*
- x. The applicant shall submit to the City, confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;*
- xi. The applicant shall obtain clearance from the City Engineer that requirements iv), v) and vi) inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Building Controls Division for lots being developed in any future reference plan;*
- xii. That on notice from the applicant that a reference plan has been registered on a Block, and that Part-Lot Control be re-established by the repeal of the bylaw affecting the Lots/Block in question.*

1.3 Location Map



2.0 Discussion and Considerations

The applicant, Goldfield Ltd., has requested exemption from part-lot control to create a total of forty-four (44) freehold townhouse dwelling units on multiple local streets (Lismer Lane, Emily Carr Lane and David Milne Way). The plan of subdivision was registered (33M-786) on June 29, 2020 as seven (7) multi-family medium density residential blocks, all served by the above mentioned local streets. The dwellings will be freehold street townhouse units, approximately three storeys in height.

3.0 Financial Impact/Considerations

Through the completion of the works associated with this application fees, development charges and taxes will be collected. There are no direct financial expenditures associated with this application.

4.0 Key Issues and Considerations

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

- i. *The applicant be advised that the costs of registration of the said by-laws are to be borne by the applicant in accordance with City Policy;*

Acknowledged by the applicant on January 20, 2021.

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

Satisfied by registration of reference plan 33R-20916.

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

Satisfied by submission on January 20, 2021 and City staff (GIS Data Technician) confirmed by email on January 26, 2021 that a digital file has been submitted in a format acceptable to the City of London.

- iv. *The applicant submit each draft reference plan to London Hydro showing driveway locations and obtain approval for hydro servicing locations and above ground hydro equipment locations prior to the reference plan being deposited in the land registry office;*

Hydro servicing locations and equipment have been installed (July 3, 2020) within the subject lands to service the units identified in the aforementioned reference plan. A servicing agreement (Joint Services Letter) has been executed between London Hydro Inc. and Goldfield Ltd., dated April 28, 2020, which is predicated on the lot layout set out in the reference plan.

- v. *The applicant submit to the City Engineer for review and approval prior to the reference plan being deposited in the land registry office; any revised lot grading and servicing plans in accordance with the final lot layout to divide the blocks should there be further division of property contemplated as a result of the approval of the reference plan;*

Satisfied by the acceptance of Lot Grading and Servicing Plans submitted as per Site Plan Application SPA20-30, SPA20-31, SPA20-32.

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

Satisfied as the subdivision agreement was registered by instrument ER1315885 and no further amendment was required.

- vii. *The applicant shall agree to construct all services, including private drain connections and water services, in accordance with the approved final design of the lots;*

All the services have been constructed and conditional clearance was provided on October 13, 2020.

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

Satisfied by municipal numbering assigned on January 28, 2021.

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

Satisfied by reference plan 33R-20916.

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

Satisfied by reference plan 33R-20916.

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

Satisfied as per issuance of certificate of conditional approval on October 13, 2020 noting to the Chief Building Official that Development Services does not object to the issuance of FULL building permits.

- xii. *That on notice from the applicant that a reference plan has been registered on a Block, and that Part-Lot Control be re-established by the repeal of the bylaw affecting the Lots/Block in question.”*

Acknowledged by applicant on January 20, 2021.

Conclusion

The recommended exemption from Part-Lot Control is considered appropriate and in keeping with the planned intent of the Emilyarr South Subdivision. The conditions have been satisfied and the exemption from Part-Lot Control is recommended to allow for the creation of individual units.

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**

cc: Bruce Page, Manager, Development Services (Subdivisions)
cc: Matt Feldberg, Manager, Development Services (Subdivisions)
cc: Mike Pease, Manager, Development Planning (Site Plan)

MC/mc

Appendix A

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

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

A by-law to exempt from Part-Lot Control, lands located at 1160 Wharncliffe Road South, legally described as Block 2, 3, 4, 5 and 7 in Registered Plan 33M-786.

WHEREAS pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, as amended, and pursuant to the request from Rockwood Homes, it is expedient to exempt lands located at 1160 Wharncliffe Road South, legally described as 2, 3, 4, 5 and 7 in Registered Plan 33M-786, from Part-Lot Control;

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

1. Block 2, 3, 4, 5 and 7 in Registered Plan 33M-786, located at 1160 Wharncliffe Road South, are hereby exempted from Part-Lot Control, pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c.P.13*, as amended, for a period not to exceed three (3) years.
3. This by-law comes into force when it is registered at the Land Registry Office.

PASSED in Open Council on February 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – February 23, 2021
Second Reading – February 23, 2021
Third Reading – February 23, 2021

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: 2020 Annual Development Report
Date: February 8, 2021

Recommendation

That, on the recommendation of the Managing Director, Development & Compliance Services & Chief Building Official, the 2020 Annual Development Report **BE RECEIVED** for information.

Executive Summary

The attached 2020 Annual Development Report provides a summary of historic and forecasted near-term growth, 2018-2020 development application activity managed by Development Services, an update on the Permit Ready Lot Working Group activities, and process-based continuous improvement initiatives that were undertaken in 2020.

Linkage to the Corporate Strategic Plan

This report supports the 2019-2023 Strategic Plan for the City of London through the Building a Sustainable City strategic area of focus by advancing the growth and development policies of the London Plan through enhanced implementation tools and infrastructure. The creation and implementation of a framework for an Annual Development Report is a specific action of the strategic plan.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

On June 17, 2019, the Planning and Environment Committee (PEC) received a staff report on the definition of Permit Ready Lots. As part of this report, Staff recommended that a regular reporting tool to communicate development statistics and progress on continuous improvement initiatives be developed and published within the first quarter of 2020. The recommendations were approved by PEC and Council.

The first (2019) Annual Development Report was received by PEC on February 3, 2020. At this meeting, it was resolved:

That the Civic Administration BE DIRECTED to include in future Annual Development Reports the percentage of residential units located within the Built Area Boundary, as defined in the London Plan, to aid in tracking progress towards the 45% intensification target.

The attached 2020 edition of the Annual Development Report includes the percentage of new residential units located within the Built-Area Boundary.

2.0 Discussion and Considerations

2.1 Key Findings

In 2020, total new dwelling permits were up 49.7% in the City in 2020 over 2019 which is largely due to a substantial increase in the number of apartment dwelling units. Of new dwelling units in 2020, 26.6% were single/semi-detached dwellings, 12.3% were rowhouses and townhouses and 61.1% of new dwelling units were apartments. The 2020 intensification rate (meaning new units created within the 2016 Built-Area Boundary as identified in The London Plan) was 38.7%.

For non-residential development, new commercial (retail and office) growth was down 64.9% in 2020, less than 30% of forecasted levels, and Institutional growth increased 243.6% in response to several long-term care, post-secondary, and elementary school projects. New industrial growth in 2020 was down 72.6% from 2019 as it returned to historic levels after an exceptional 2019 that was boosted by a permit being issued for a large food processing facility in the southeast.

Over the past few years, the number and share of apartment dwellings has greatly exceeded levels anticipated by the 2019 Watson growth forecast. Conversely, commercial development is trending well below forecasted levels. These variations have been noted and will be reviewed comprehensively through updated growth forecasts that are to be prepared following the release of 2021 census data.

Development application activity levels in 2020 were generally lower than those experienced in 2018 and 2019. Overall, application processing times are improving. While Official Plan and Zoning Amendments were processed within similar timeframes to previous years, reduced *Planning Act* timeframes for these application types that came into force in 2019 challenged their ability to meet statutory periods in 2020.

The Permit Ready Lot Working Group has established definitions and a process to monitor current permit ready lot supply. Over 2021, the group will continue to be engaged in creating benchmarks and actionable performance measures.

In addition, several continuous improvement initiatives are underway to improve the quality of development application submissions and application processing times.

3.0 Financial Impact/Considerations

There are no direct financial expenditures associated with this report.

Conclusion

The attached 2020 Annual Development Report provides a summary of historic and forecasted near-term growth, 2018-2020 development application activity managed by Development Services, an update on the Permit Ready Lot Working Group activities, and process-based continuous improvement initiatives that were undertaken in 2020.

Staff anticipate that the Annual Development Report will be a helpful monitoring tool for Council as well as a reference for market analysis studies undertaken by members of the community. It will also provide an enhanced input into the Growth Management Implementation Strategy and recommendations for infrastructure planning.

Prepared by: Kevin Edwards, MCIP, RPP
Manager, Development Finance, 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



2020 Annual Development Report

Development Services



January 2021

Development & Compliance Services

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Development Services 2020 Annual Development Report

The Annual Development Report (ADR) provides updates and commentary on development activity in the City of London. The ADR monitors:

- residential, commercial, institutional and industrial development;
- development application statistics;
- the 'permit ready' lot status of subdivision applications; and
- Development Services process-based continuous improvement initiatives.

For each section, the report contains tables and brief commentary.

HIGHLIGHTS

Residential Development:

- Total new dwelling permits were up 49.7% in the City of London in 2020
- 26.6% of London new dwelling permits were single- and semi-detached dwellings
- 12.3% of London new dwelling permits were rowhouses and townhouses
- 61.1% of London new dwelling permits were apartments
- The intensification rate (new units within the Built-Area Boundary) was 38.7%

Non-Residential Development:

- Commercial growth was down 64.9% in 2020, less than 30% of the forecasted level
- Institutional growth was up 243.6% over 2019 due to new long-term care, post-secondary and school projects
- New industrial development was down 72.6% from 2019 returning to historic levels after an exceptional 2019 that was boosted by a permit being issued for a large food processing facility in the southeast

Development Application Activity:

- Development application levels in 2020 were lower than in 2019. Overall, application processing days were similar to 2019 despite new Provincial reductions to *Planning Act* statutory periods for several application types and pandemic related impacts to processing times.

Permit Ready Lots:

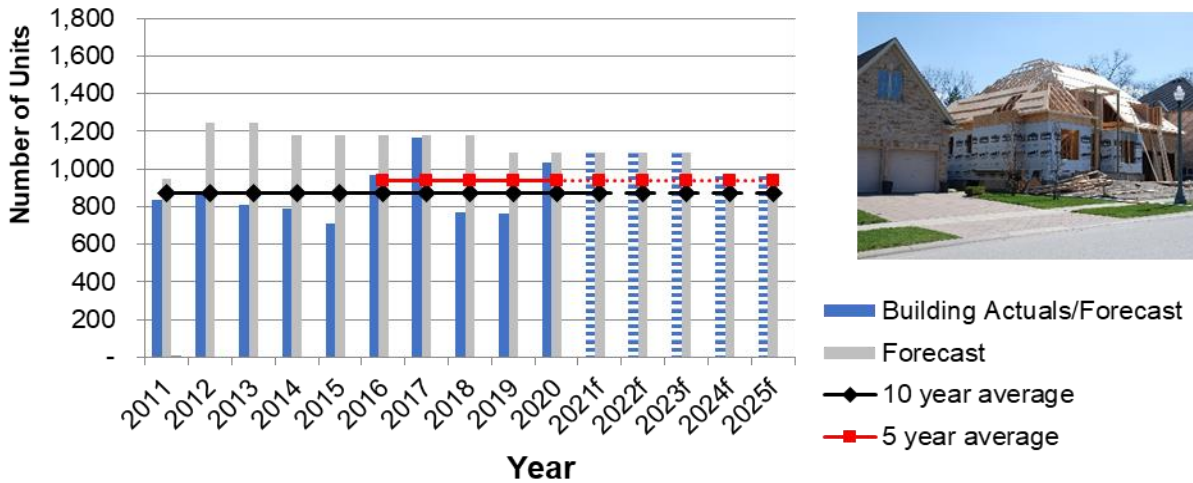
- The working group has established definitions and a process to monitor current permit ready lot supply. Over 2021, the group will finalize benchmarks and actionable metrics.

Continuous Improvement Initiatives:

- Several continuous improvement initiatives were completed or are underway to advance the quality of development application submissions and reduce application processing times.

Building Permit Activity Low Density Residential Development (LDR)

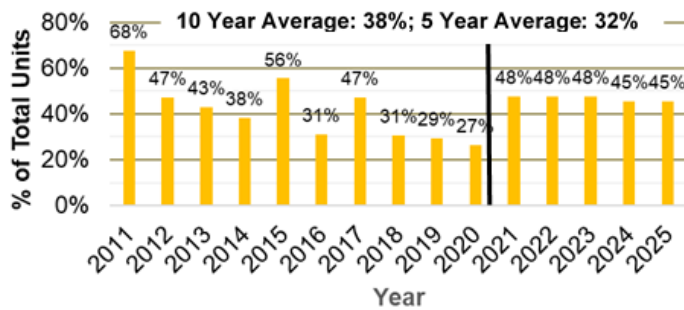
LDR Projected and Actual Growth: 2011 - 2025



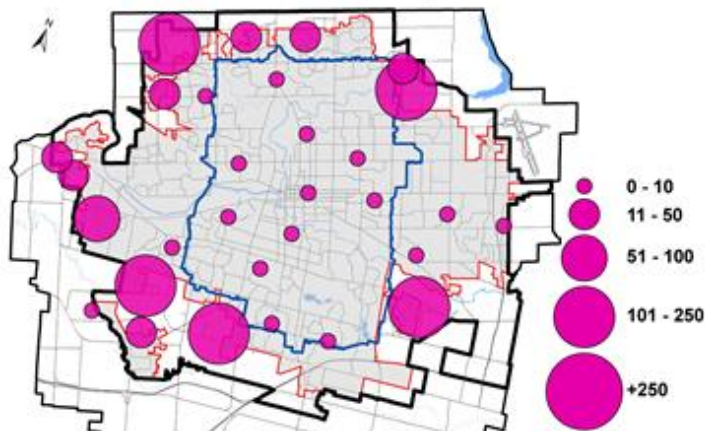
	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021f	2022f	2023f	2024f	2025f
Altus/Watson Forecast	948	1,244	1,244	1,176	1,176	1,176	1,176	1,176	1,088	1,088	1,088	1,088	1,088	961	961
Actual/Forecast	838	880	809	788	711	970	1,168	768	761	1,036	1,088	1,088	1,088	961	961
10 Year Average	873														
5 Year Average	941														

Note: Totals include single detached cluster units in Vacant Land Condominiums; Building Division Report counts these as MDR Townhouse/Rowhouses.

LDR Share of Total Residential Permits



2020 LDR Permits by Location

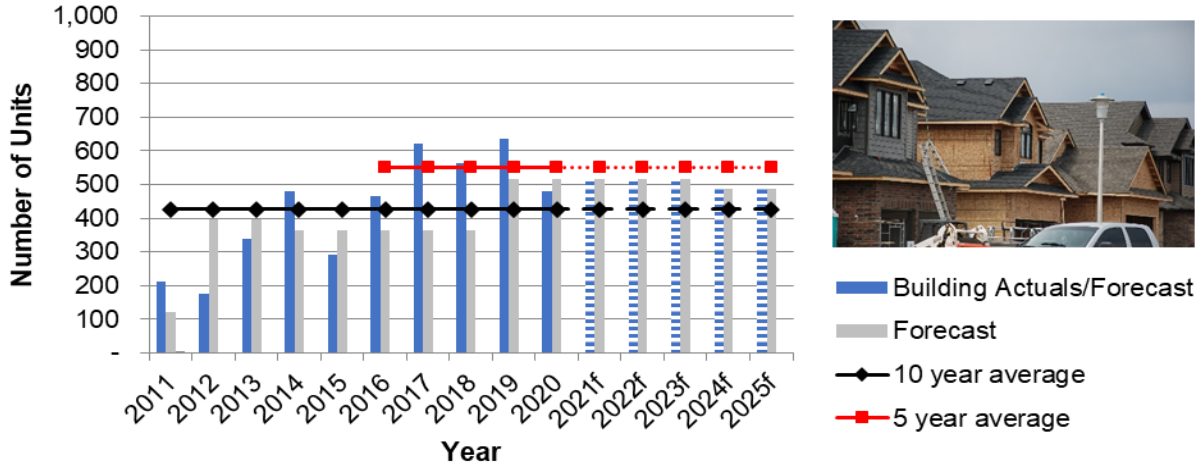


Observations:

- LDR permits increased in 2020 from 2018 and 2019.
- The number of LDR permits is forecast to be similar to 2020 levels over the near to medium term based on the anticipated pace of development and increasingly available greenfield land supply.
- While the number of LDR permits increased over 2019, its proportional share was reduced. This is attributable to a significant increase in HDR permits in 2020.
- Similar to previous years, 96% of LDR permits were located in the greenfield area outside the Built-Area Boundary in 2020.

Building Permit Activity Medium Density Residential Development (MDR)

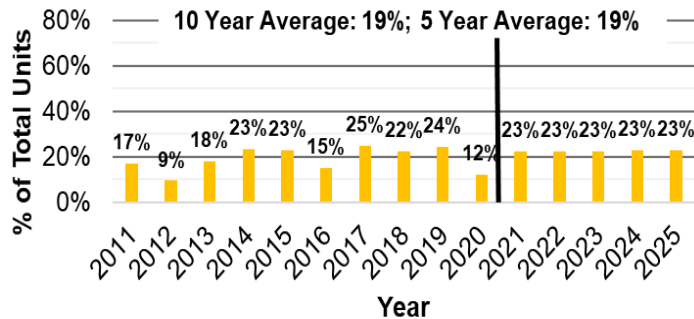
MDR Projected and Actual Growth: 2011 - 2025



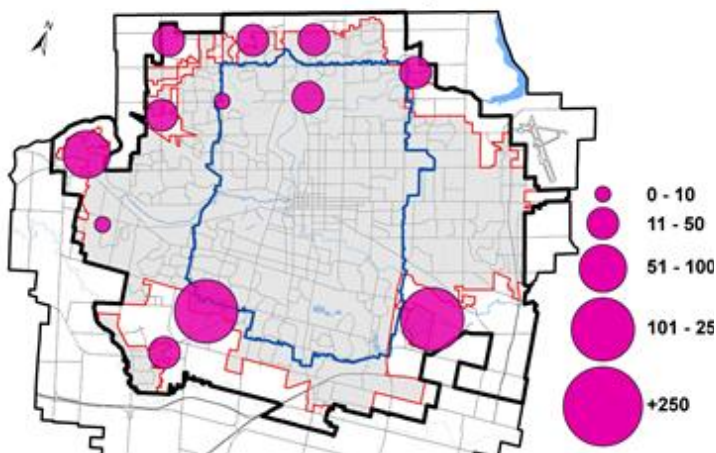
	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021f	2022f	2023f	2024f	2025f
Altus/Watson Forecast	340	340	340	364	364	364	364	364	364	517	517	517	517	486	486
Actual/Forecast	210	177	340	480	291	464	620	562	636	479	517	517	517	486	486
10 Year Average	426														
5 Year Average	552														

Note: Totals excludes single detached cluster units in Vacant Land Condominiums; Building Division Report counts these as MDR Townhouse/Rowhouses.

MDR Share of Total Residential Permits



2020 MDR Permits by Location

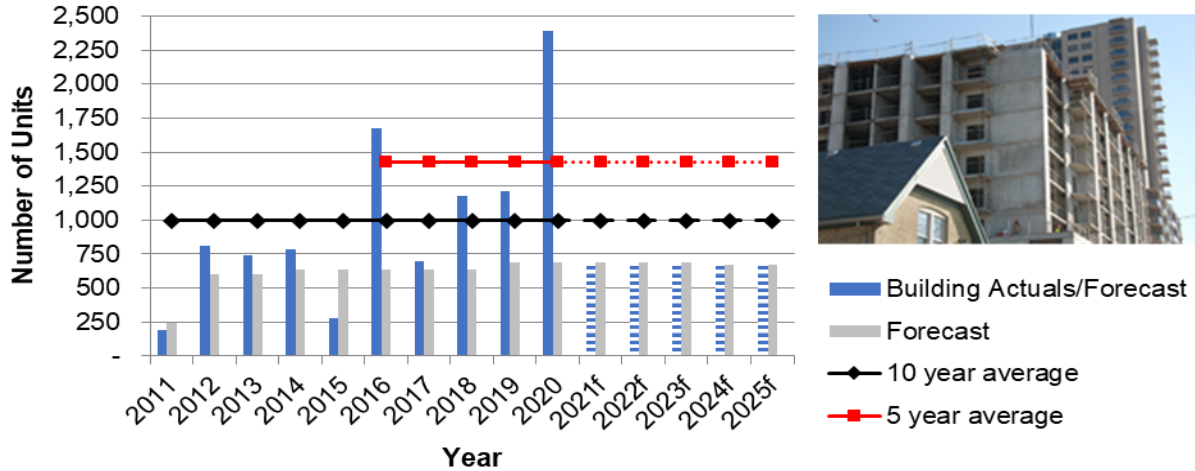


Observations:

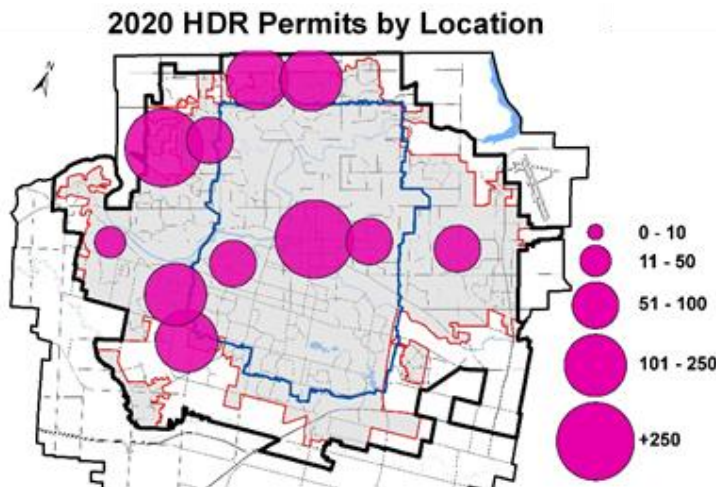
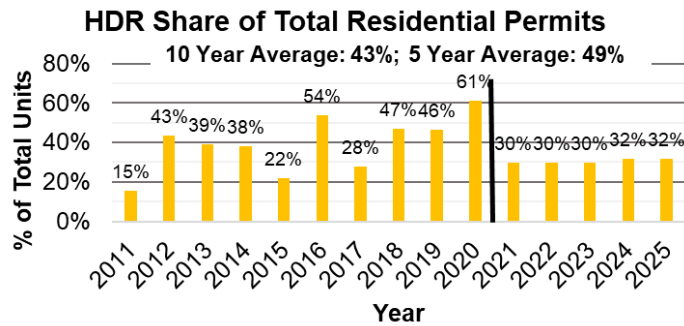
- MDR permits decreased in 2020 from previous years and were slightly below the Watson forecast.
- The number of MDR permits are forecast to remain similar to 2020 levels over the near to medium term.
- In 2020, the proportional share of MDR permits was reduced by half. This is attributable to a significant increase in the number of HDR permits in 2020.
- MDR permits in 2020 were predominantly located in greenfield areas. 6% of MDR growth occurred within the Built-Area Boundary.

Building Permit Activity High Density Residential Development (HDR)

HDR Projected and Actual Growth: 2011 - 2025



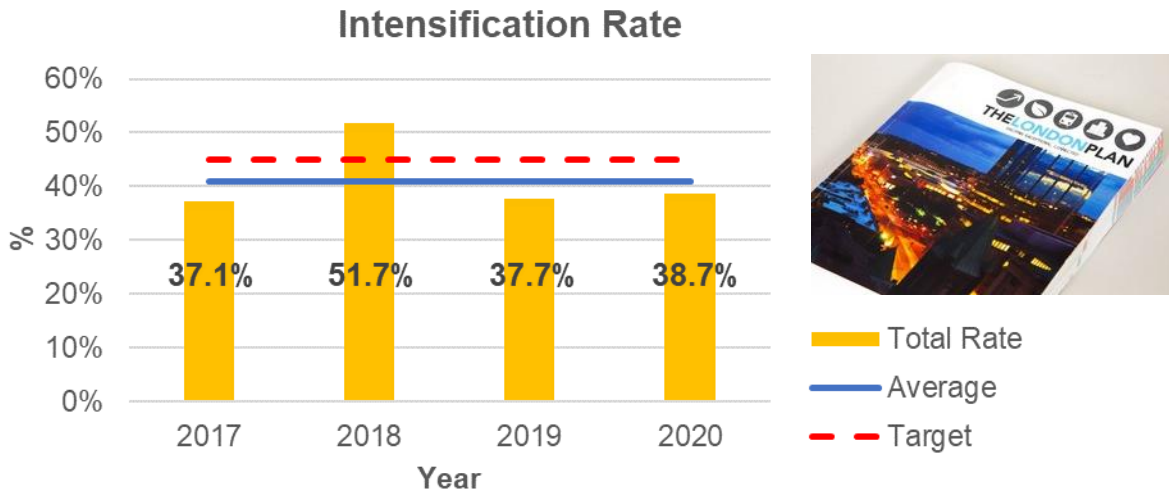
	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020f	2021f	2022f	2023f	2024f	2025f
Altus/Watson Forecast	716	716	716	636	636	636	636	636	684	684	684	684	684	670	670
Actual/Forecast	190	808	738	783	278	1,671	694	1,177	1,209	2,387	684	684	684	670	670
10 Year Average	994														
5 Year Average	1,428														



Observations:

- HDR permits experience large fluctuations on a year over year basis. In 2020, the highest number of new HDR units over the past 10 years was recorded. Permits were issued for 17 apartment buildings ranging in size from 32 units to 652 units.
- HDR permits are forecast to decline from 2020 levels over the near to mid term as the focus shifts to constructing buildings with permits issued in 2020. Given recent HDR development application activity, the forecasts are being monitored.
- In 2020, 60% of HDR permits were within the Built-Area Boundary. However, with recent HDR greenfield approvals, this level of HDR intensification may decrease in future years.

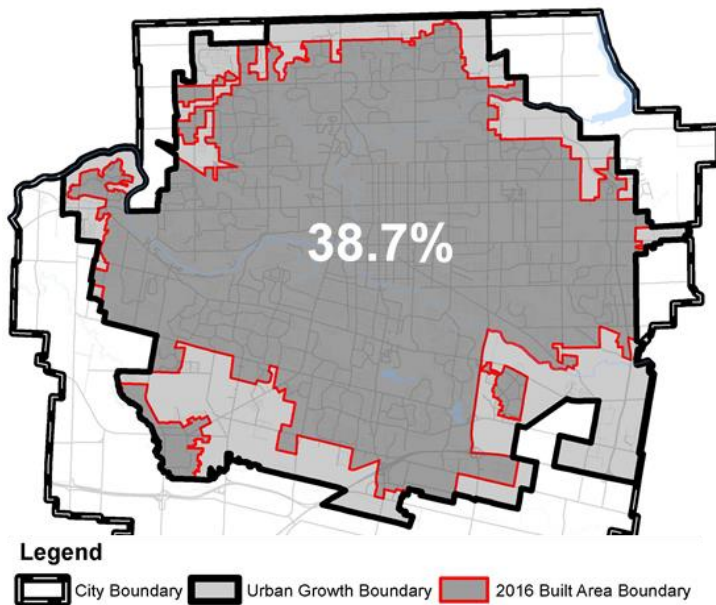
Residential Intensification Rate



Built-Area Boundary

A Built-Area Boundary is a fixed line that acts as an important land use planning tool to measure intensification and redevelopment. The London Plan provides a non-regulatory target for a minimum of 45% of all new residential units to be constructed within the 2016 Built-Area Boundary of the city, meaning the lands that were substantially built out as of 2016.

The 2016 Built-Area Boundary identified in the London Plan is shown in dark grey below:

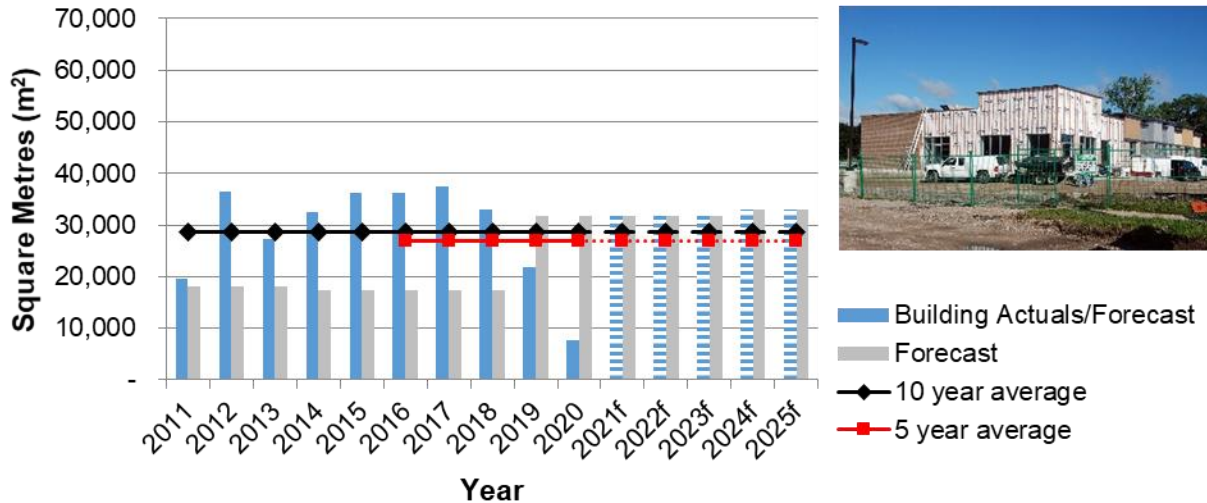


Observations:

- The intensification rate in 2020 was 38.7%. The average intensification rate since 2016 is 41.0%.
- In 2020, an increased number of new HDR permits within the Built-Area Boundary more than off-set increased LDR permits in the greenfield area. As a result, the overall intensification rate in 2020 increased from 2019.

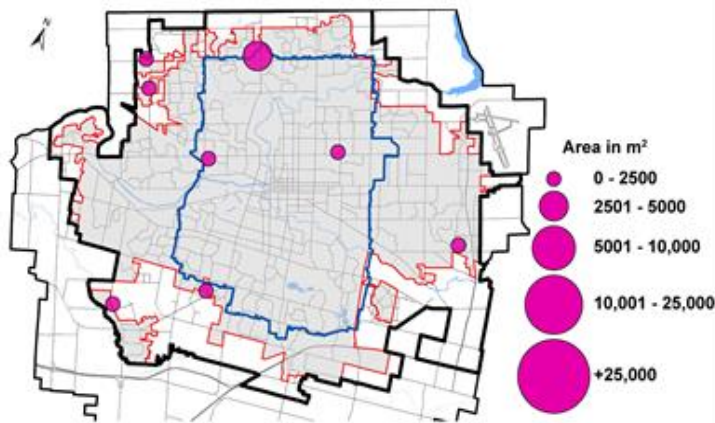
Building Permit Activity Commercial Development

Commercial Projected and Actual Growth: 2011 - 2025



(m ²)	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021f	2022f	2023f	2024f	2025f
Altus/Watson Forecast	18,208	18,208	18,208	17,242	17,242	17,242	17,242	17,242	31,829	31,829	31,829	31,829	31,829	33,051	33,051
Actual/Forecast	19,566	36,353	27,253	32,612	36,104	36,125	37,430	33,059	21,846	7,672	31,829	31,829	31,829	33,051	33,051
10 Year Average	28,620														
5 Year Average	26,863														

2020 Commercial Permits by Location

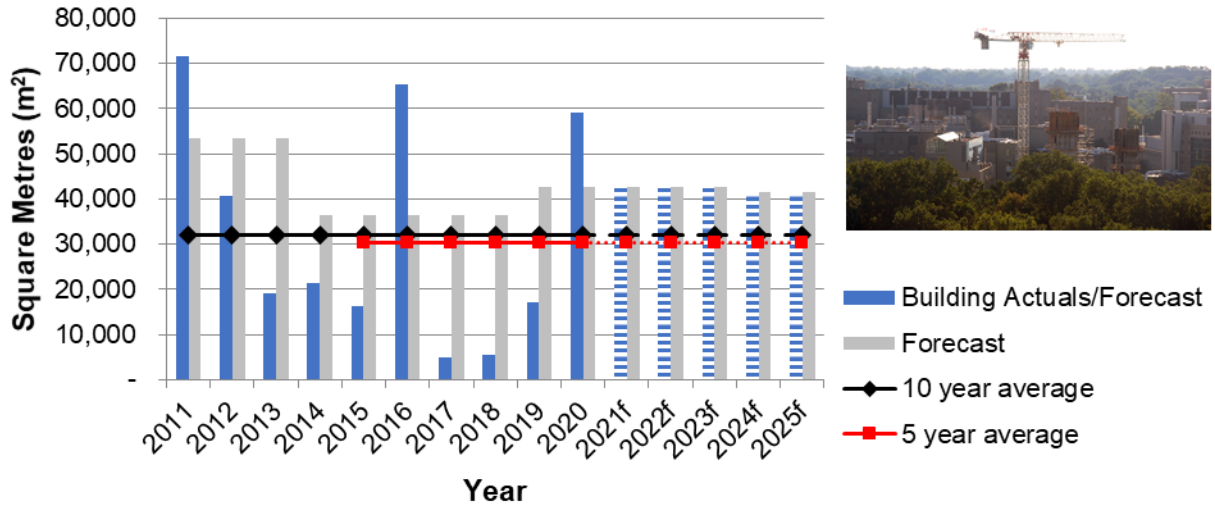


Observations:

- In 2020, new commercial development (retail and office) declined 65% from 2019, less than 30% of the historic average.
- Near to medium commercial demand forecasted by Watson is anticipated to return to 5- and 10-year historical averages.
- It is anticipated that the commercial sector will be challenged over the near to medium term in relation to pandemic economic recovery.

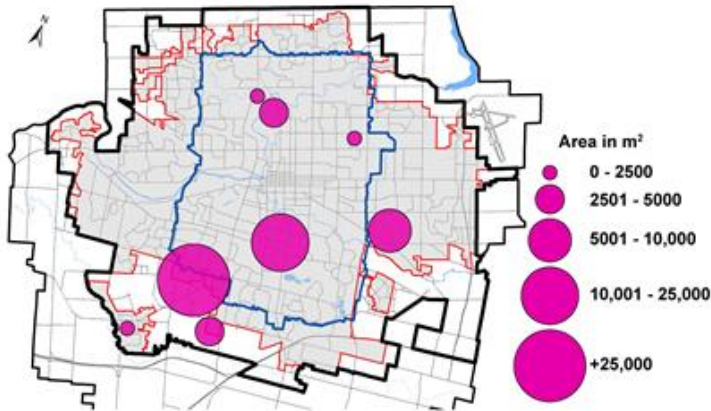
Building Permit Activity Institutional Development

Institutional Projected and Actual Growth: 2011 - 2025



(m ²)	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021f	2022f	2023f	2024f	2025f
Altus/Watson Forecast	53,325	53,325	53,325	36,491	36,491	36,491	36,491	36,491	42,512	42,512	42,512	42,512	42,512	41,565	41,565
Actual/Forecast	71,707	40,587	19,121	21,374	16,232	65,245	4,871	5,514	17,232	59,204	42,512	42,512	42,512	41,565	41,565
10 Year Average	32,005														
5 Year Average	30,205														

2020 Institutional Permits by Location

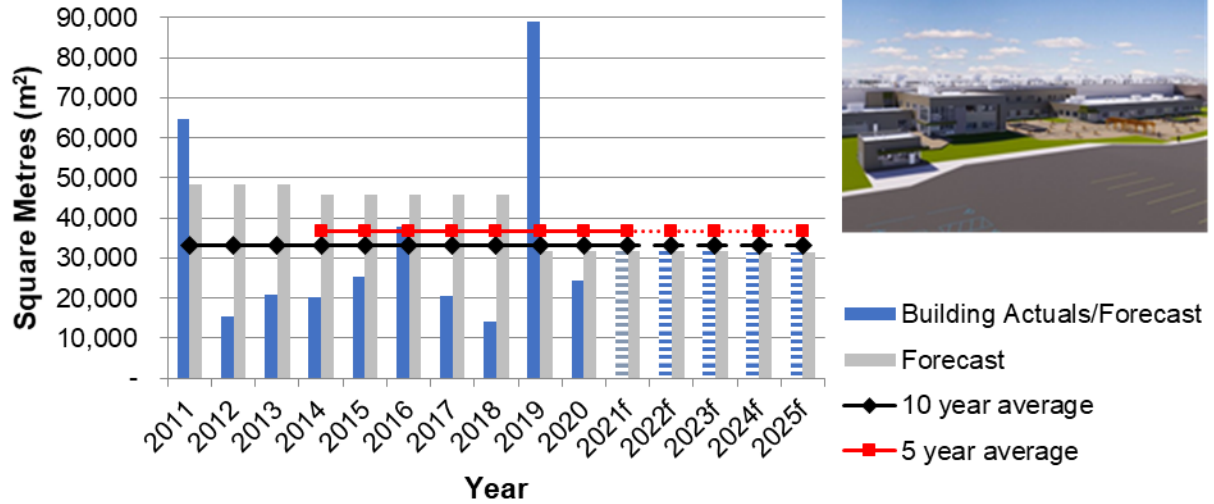


Observations:

- Institutional growth has a cyclical pattern related to funding from higher orders of government.
- There are a limited number of institutions and types of development that contribute to Institutional growth in the City.
- After three years of lower institutional construction, 2020 experienced a significant increase due to permits for new long-term care facilities, an addition to a post-secondary building and elementary school additions.
- Demand for Institutional uses is forecast to remain elevated over the near to medium term. This is dependent on investments by higher orders of government.

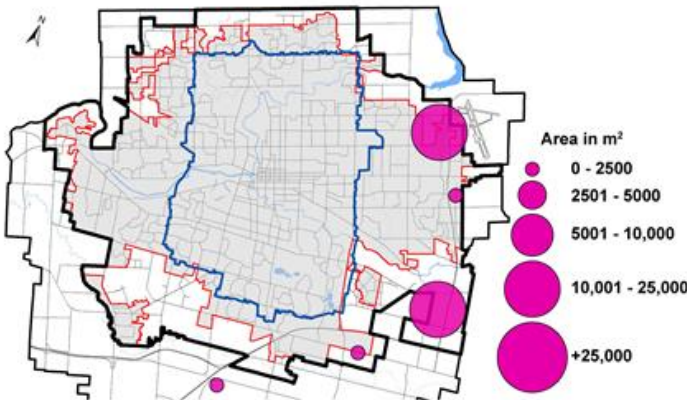
Building Permit Activity Industrial Development

Industrial Projected and Actual Growth: 2011 - 2025



(m ²)	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021f	2022f	2023f	2024f	2025f
Altus/Watson Forecast	48,308	48,308	48,308	45,855	45,855	45,855	45,855	45,855	31,894	31,894	31,894	31,894	31,894	31,448	31,448
Actual/Forecast	64,600	15,482	20,806	20,171	25,270	37,780	20,433	14,216	89,142	24,393	31,894	31,894	31,894	31,448	31,448
10 Year Average	33,048														
5 Year Average	36,830														

2020 Industrial Permits by Location



Observations:

- In 2020, Industrial development returned to historic levels after an increase in 2019 due to a permit for a large food processing facility.
- The magnitude of new industrial growth in 2019 has distorted the 5 and 10-year averages. Over the near to medium term, demand is forecasted by Watson to be similar to levels experienced prior to 2019.
- This forecast is supported by a recent increase in industrial land sales and development application activity.

Development Services

2020 Development Application Activity

2018-2020 Applications Received and Processed within Planning Act Timeframes

Application Type	2018			2019			2020		
	Applications Received	Statutory Period (Days)	%*	Applications Received	Statutory Period (Days)**	%*	Applications Received	Statutory Period (Days)	%* ***
OPA and ZBA	13	210	92%	19	210/120	89%	16	120	56%
Zoning By-law Amendment (ZBA)	31	150	74%	41	150/90	88%	27	90	56%
Temporary Use	2	150	100%	3	150/90	100%	2	90	100%
Removal of Holding Provision	36	150	72%	36	150/90	94%	31	90	58%
Draft Plan of Subdivision	6	180	83%	2	180/120	0%	3	120	33%
Draft Plan of Condominium	16	180	81%	17	180/120	88%	14	120	93%
Condominium Conversion Plans	0	180	n/a	2	180/120	100%	0	120	0%
Part Lot Control Exemption	1	n/a	n/a	7	n/a	n/a	5	n/a	n/a
Consent	56	90	36%	58	90	53%	38	90	61%
Minor Variance	158	30	30%	143	30	5%	142	30	24%
Site Plan	142	30	66%	117	30	71%	113	30	86%
TOTAL APPLICATIONS	461	-	-	445	-	-	391	-	-
Pre-Application Consultations	96	n/a	n/a	124	n/a	n/a	118	n/a	n/a
Site Plan Consultations	216	n/a	n/a	192	n/a	n/a	162	n/a	n/a
GRAND TOTAL	773	-	-	761	-	-	671	-	-

* % of applications considered by Planning and Environment Committee within Planning Act Timeframe

* % Includes applications put on hold at the request of the applicant

** Revised Bill 108 Statutory Periods came into force on September 3rd 2019

*** Planning Act timelines suspended from March 17, 2020 to June 22, 2020. As such, this period is omitted from the above timeframes

Recent and Anticipated Trends

- The total number of Official Plan (OPA) and Zoning By-law (ZBA) amendments were slightly lower than in previous years. While processing days were similar to prior years, shorter *Planning Act* statutory periods introduced in 2019 challenged the ability of these application types to meet the new statutory periods in 2020.
- Site Plan processing times have improved. From 2018 to 2020, the number of applications where conditions were released within 30 days increased from 66% to 86%.
- Subdivision applications were similar in 2020 to 2019. A total of 10 subdivision pre-application consultations were held in 2020 which indicates that there may be an increased number of subdivision applications in 2021 and beyond.
- Development Services was short staffed over 2020, however these vacancies are now being filled. Also, while there was a decrease in the number of new applications which may be the result of more flexible policies in The London Plan, more intensive proposals and increased regulatory requirements are adding complexity and additional time to address issues.
- Overall, total application activity declined in 2020 but has remained relatively stable over the past 3 years.
- *Planning Act* timeframes are measured in calendar days, but the City is limited to operating during business days. This has an impact mainly on application types with short timeframes like Site Plan and Minor Variances.
- In 2020, 48% of Minor Variance applications were heard within 40 calendar days and 66% within 50 days.
- The pandemic has caused delays as Committee of Adjustment hearings were suspended in the early part of the year, and virtual hearings pose limitations on the number of Consent and Minor Variance applications that can be considered at each meeting.

Permit Ready Lot Working Group

Since 2018, a working group, including City staff and members of the local development industry, have been engaged in defining and developing metrics related to permit-ready lot supply. Thus far the group has established consistent definitions and a process to monitor current supply. Since late 2019, the working group has been engaged in creating benchmarks and actionable measures of development progression. These are to be finalized over the upcoming year. A report was presented to PEC on June 17, 2019 that explains in detail the group's process.

Working Group Objectives:

- use current lot supply by category to anticipate near-term (1-3 year) future lot supply;
- assess Developer, Home Builder and City effectiveness in moving applications through the process, and monitor broader land supply policy/system implications;
- provide data for DS to make level of service and resource allocation decisions; and
- provide information for the development industry to make business decisions.

Working Group Categories, Timing and Definitions

Category	Subdivision Approval Process	Time in Years ¹	Definition
Unknown	No Application	4	Developable Land
Future Opportunity (FO)	Under Review	3	under review and draft approved subdivisions; site plan consultation
	Draft Approved	2.5	
On the Market (MO)	Subdivision Agreement	1	subdivision agreement and final approval without clearance; site plan application
	Final Approval Clearance not Granted	1.0 - 0.1	
Permit Ready (PRL)	Final Approval Clearance Granted	Today	Final approval granted; site plan agreement in place

Historic Permit Statistics

To understand historic trends and provide a means to assess and establish future performance measures, existing unit counts for each category have been compiled. Only *Future Opportunity*, *On the Market* and *Permit Ready* counts are provided as these categories reflect units advancing as active planning applications. The *Unknown* category is excluded as these lands have no existing planning application.

LDR Lots (Single/Detached) by Category

	2016	2017	2018	2019	2020
Future Opportunity	6,643	5,062	5,116	4,647	4,631
On The Market	630	950	965	1,013	243
Permit Ready Lot	823	1,046	803	1,043	1,364

As of January 1 for each year.

MDR Lots (Rowhouse/Townhouse) by Category

	2016	2017	2018	2019	2020
Future Opportunity	6,643	5,062	5,116	4,647	9,048
On The Market	630	950	965	1,013	1,264
Permit Ready Lot	823	1,046	803	1,043	838

As of January 1 for each year.

Permit Ready Supply Measures

Low Density Residential (LDR)

Future Opportunity - On the Market Ratio

2020 FO	4,631	Measure: 19.1
2020 MO	243	

Market Opportunity - Permit Ready Ratio

2020 MO	243	Measure: 0.2
2020 PRL	1,364	

Medium Density Residential (MDR)

Future Opportunity - On the Market Ratio

2020 FO	9,048	Measure: 7.2
2020 MO	1,264	

Market Opportunity - Permit Ready Ratio

2020 MO	1,264	Measure: 1.5
2020 PRL	838	

Process-Based Continuous Improvement Initiatives

A key principle of Council's strategic plan is to increase the efficiency and effectiveness of service delivery by promoting and strengthening continuous improvement practices. Throughout 2020, and notwithstanding challenges brought on by the COVID-19 Pandemic, Development Services was able to move forward on several continuous improvement initiatives to improve the quality of submissions and application processing times. The following are some on-going projects that are being undertaken.

Working from Home – Due to the pandemic, the majority of Development Services staff have been required to work from home. Over 2020, coordinating this change has been the primary continuous improvement initiative. Several positive outcomes include improved internal and external meeting efficiency and the acceleration of the planned transition to digital submissions. Once Development Services staff return to an office environment, it is intended that these digital process improvements be maintained.

Site Plan Continuous Improvement Initiative – Over 2020, virtual facilitation tools were implemented to improve collaboration and service delivery, and resubmission numbers and turnaround times were analyzed. Over 2021, the Site Plan process will continue to be evaluated for improvement, including a customer survey on digital submissions. The Site Plan Control By-law will also be reviewed to update current processes and standards and align requirements with The London Plan.

Consents and the Committee of Adjustment – In late 2019, a new By-law was adopted to delegate land severance (Consent) decision-making from Civic Administration to the Committee of Adjustment. This transition was completed over 2020. Benefits include improved decision transparency and the ability to consolidate the hearing of Consent applications with related Minor Variance applications as they are now heard by a single decision-making body. Throughout 2021, Staff will provide administrative support and comprehensive recommendations on applications to the Committee of Adjustment in their new function, while looking for efficiencies in processing activities and timelines.

Subdivisions Continuous Improvement Initiative – Various improvements to process and procedures were implemented including role definition between EES and DS and a transition to digital submissions for pre-consultation and applications. In addition, a formal review of the securities and compliance process was undertaken by Deloitte with recommendations to be implemented over 2021. A deep dive into process mapping across DS is also underway to prepare for a new software system identified in the Multi-Year Budget.

Rapid Housing Team – A Rapid Housing (RH) team was created in late 2020 to facilitate the rapid review of planning applications for key affordable housing sites associated with Federal funding delivery in 2021. The team has also been tasked with finding process efficiencies through concurrent Site Plan and OPA/ZBA review - and concurrent reporting to Council - and working with proponents to establish accelerated timelines. Much of the RH framework was established through the Site Plan Continuous Improvement Review.

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: 2020 Annual Development Report
Date: February 8, 2021

Recommendation

That, on the recommendation of the Managing Director, Development & Compliance Services & Chief Building Official, the 2020 Annual Development Report **BE RECEIVED** for information.

Executive Summary

The attached 2020 Annual Development Report provides a summary of historic and forecasted near-term growth, 2018-2020 development application activity managed by Development Services, an update on the Permit Ready Lot Working Group activities, and process-based continuous improvement initiatives that were undertaken in 2020.

Linkage to the Corporate Strategic Plan

This report supports the 2019-2023 Strategic Plan for the City of London through the Building a Sustainable City strategic area of focus by advancing the growth and development policies of the London Plan through enhanced implementation tools and infrastructure. The creation and implementation of a framework for an Annual Development Report is a specific action of the strategic plan.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

On June 17, 2019, the Planning and Environment Committee (PEC) received a staff report on the definition of Permit Ready Lots. As part of this report, Staff recommended that a regular reporting tool to communicate development statistics and progress on continuous improvement initiatives be developed and published within the first quarter of 2020. The recommendations were approved by PEC and Council.

The first (2019) Annual Development Report was received by PEC on February 3, 2020. At this meeting, it was resolved:

That the Civic Administration BE DIRECTED to include in future Annual Development Reports the percentage of residential units located within the Built Area Boundary, as defined in the London Plan, to aid in tracking progress towards the 45% intensification target.

The attached 2020 edition of the Annual Development Report includes the percentage of new residential units located within the Built-Area Boundary.

2.0 Discussion and Considerations

2.1 Key Findings

In 2020, total new dwelling permits were up 42.5% in the City in 2020 over 2019 which is largely due to a substantial increase in the number of apartment dwelling units. Of new dwelling units in 2020, 27.9% were single/semi-detached dwellings, 12.6% were rowhouses and townhouses and 59.5% of new dwelling units were apartments. The 2020 intensification rate (meaning new units created within the 2016 Built-Area Boundary as identified in The London Plan) was 38.2%.

For non-residential development, new commercial (retail and office) growth was down 64.9% in 2020, less than 30% of forecasted levels, and Institutional growth increased 243.6% in response to several long-term care, post-secondary, and elementary school projects. New industrial growth in 2020 was down 72.6% from 2019 as it returned to historic levels after an exceptional 2019 that was boosted by a permit being issued for a large food processing facility in the southeast.

Over the past few years, the number and share of apartment dwellings has greatly exceeded levels anticipated by the 2019 Watson growth forecast. Conversely, commercial development is trending well below forecasted levels. These variations have been noted and will be reviewed comprehensively through updated growth forecasts that are to be prepared following the release of 2021 census data.

Development application activity levels in 2020 were generally lower than those experienced in 2018 and 2019. Overall, application processing times are improving. While Official Plan and Zoning Amendments were processed within similar timeframes to previous years, reduced *Planning Act* timeframes for these application types that came into force in 2019 challenged their ability to meet statutory periods in 2020.

The Permit Ready Lot Working Group has established definitions and a process to monitor current permit ready lot supply. Over 2021, the group will continue to be engaged in creating benchmarks and actionable performance measures.

In addition, several continuous improvement initiatives are underway to improve the quality of development application submissions and application processing times.

3.0 Financial Impact/Considerations

There are no direct financial expenditures associated with this report.

Conclusion

The attached 2020 Annual Development Report provides a summary of historic and forecasted near-term growth, 2018-2020 development application activity managed by Development Services, an update on the Permit Ready Lot Working Group activities, and process-based continuous improvement initiatives that were undertaken in 2020.

Staff anticipate that the Annual Development Report will be a helpful monitoring tool for Council as well as a reference for market analysis studies undertaken by members of the community. It will also provide an enhanced input into the Growth Management Implementation Strategy and recommendations for infrastructure planning.

Prepared by: Kevin Edwards, MCIP, RPP
Manager, Development Finance, 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



2020 Annual Development Report

Development Services



January 2021
Development & Compliance Services

Revised February 2021

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Development Services

2020 Annual Development Report

The Annual Development Report (ADR) provides updates and commentary on development activity in the City of London. The ADR monitors:

- residential, commercial, institutional and industrial development;
- development application statistics;
- the 'permit ready' lot status of subdivision applications; and
- Development Services process-based continuous improvement initiatives.

For each section, the report contains tables and brief commentary.

HIGHLIGHTS

Residential Development:

- Total new dwelling permits were up 42.5% in the City of London in 2020
- 27.9% of London new dwelling permits were single- and semi-detached dwellings
- 12.6% of London new dwelling permits were rowhouses and townhouses
- 59.5% of London new dwelling permits were apartments
- The intensification rate (new units within the Built-Area Boundary) was 38.2%

Non-Residential Development:

- Commercial growth was down 64.9% in 2020, less than 30% of the forecasted level
- Institutional growth was up 243.6% over 2019 due to new long-term care, post-secondary and school projects
- New industrial development was down 72.6% from 2019 returning to historic levels after an exceptional 2019 that was boosted by a permit being issued for a large food processing facility in the southeast

Development Application Activity:

- Development application levels in 2020 were lower than in 2019. Overall, application processing days were similar to 2019 despite new Provincial reductions to *Planning Act* statutory periods for several application types and pandemic related impacts to processing times.

Permit Ready Lots:

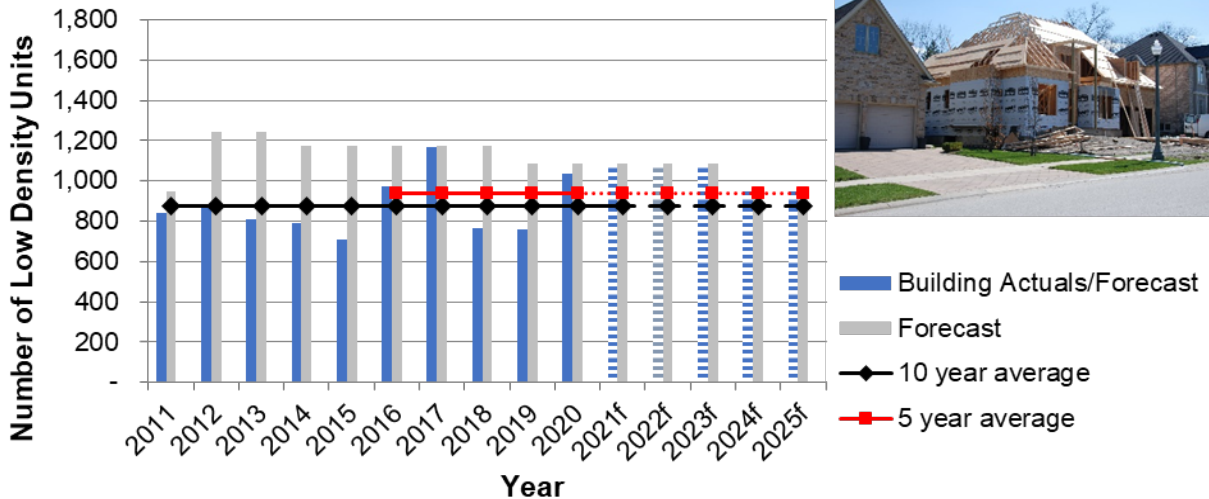
- The working group has established definitions and a process to monitor current permit ready lot supply. Over 2021, the group will finalize benchmarks and actionable metrics.

Continuous Improvement Initiatives:

- Several continuous improvement initiatives were completed or are underway to advance the quality of development application submissions and reduce application processing times.

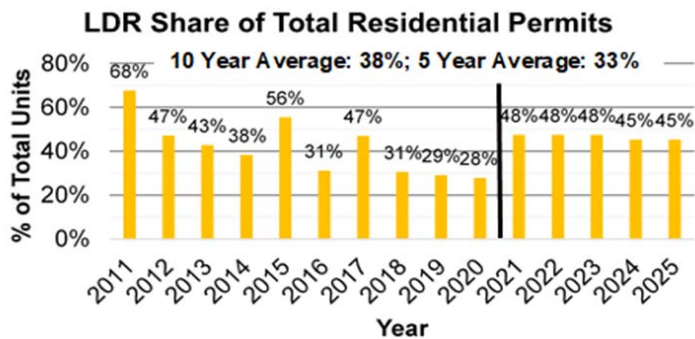
Building Permit Activity Low Density Residential Development (LDR)

LDR Projected and Actual Growth: 2011 - 2025

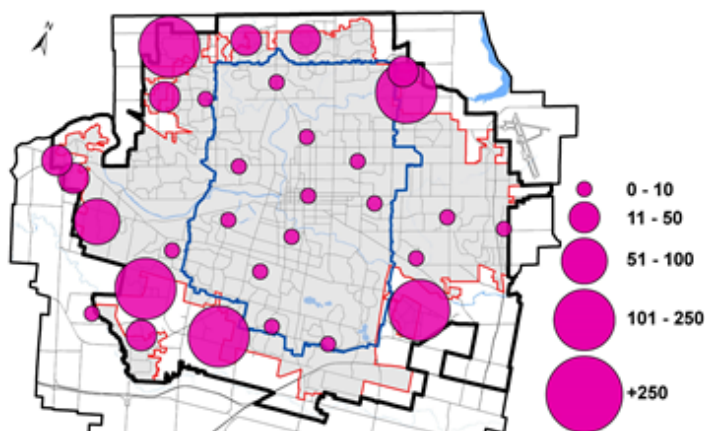


	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021f	2022f	2023f	2024f	2025f
Altus/Watson Forecast	948	1,244	1,244	1,176	1,176	1,176	1,176	1,176	1,088	1,088	1,088	1,088	1,088	961	961
Actual/Forecast	838	880	809	788	711	970	1,168	768	761	1,034	1,088	1,088	1,088	961	961
10 Year Average	873														
5 Year Average	940														

Note: Totals include single detached cluster units in Vacant Land Condominiums; Building Division Report counts these as MDR Townhouse/Rowhouses.



2020 LDR Permits by Location

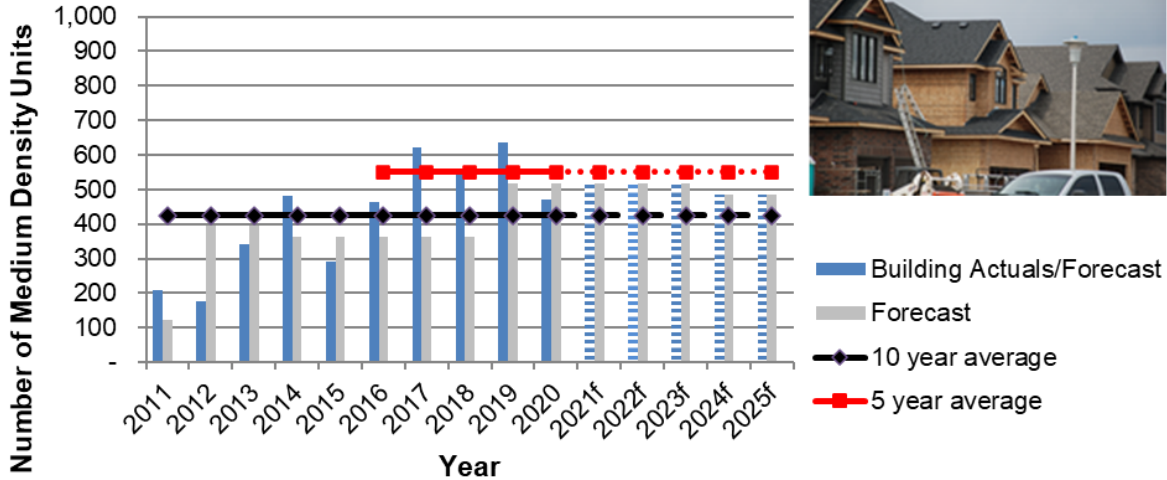


Observations:

- LDR permits increased in 2020 from 2018 and 2019.
- The number of LDR permits is forecast to be similar to 2020 levels over the near to medium term based on the anticipated pace of development and increasingly available greenfield land supply.
- While the number of LDR permits increased over 2019, its proportional share was reduced. This is attributable to a significant increase in HDR permits in 2020.
- Similar to previous years, 96% of LDR permits were located in the greenfield area outside the Built-Area Boundary in 2020.

Building Permit Activity Medium Density Residential Development (MDR)

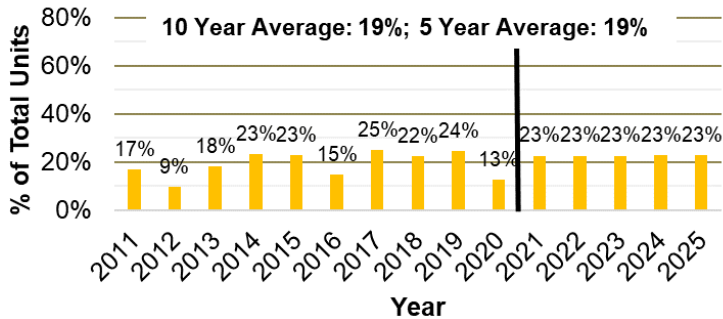
MDR Projected Growth and Actual Growth: 2011 - 2025



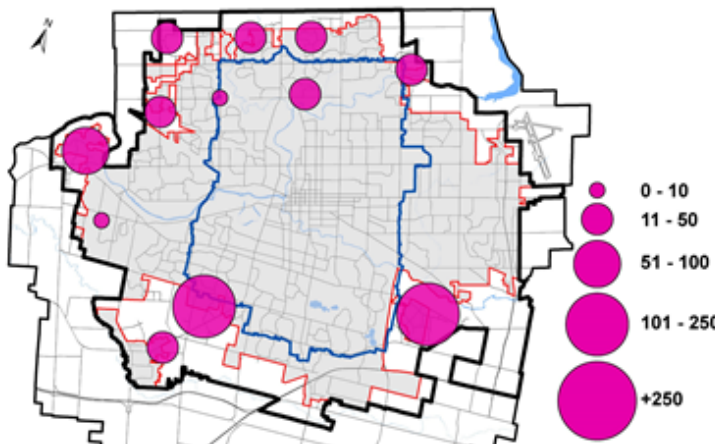
	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021f	2022f	2023f	2024f	2025f
Altus/Watson Forecast	340	340	340	364	364	364	364	364	517	517	517	517	517	486	486
Actual/Forecast	210	177	340	480	291	464	620	562	636	469	517	517	517	486	486
10 Year Average	425														
5 Year Average	550														

Note: Totals excludes single detached cluster units in Vacant Land Condominiums; Building Division Report counts these as MDR Townhouse/Rowhouses.

MDR Share of Total Residential Permits



2020 MDR Permits by Location

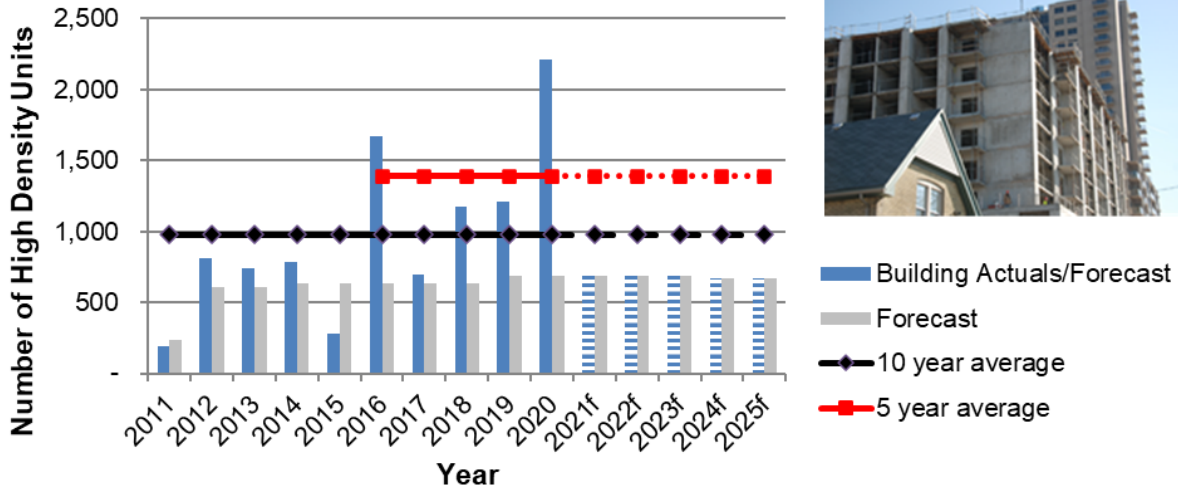


Observations:

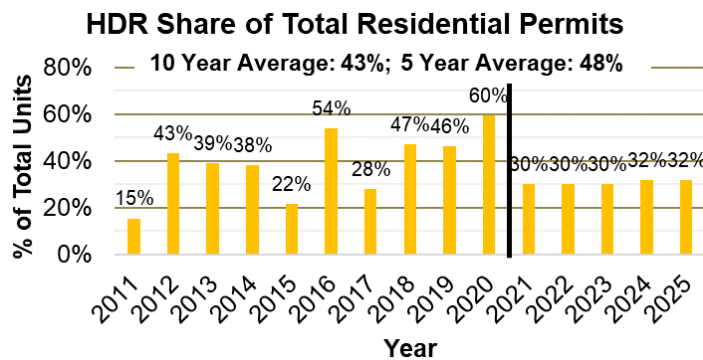
- MDR permits decreased in 2020 from previous years and were slightly below the Watson forecast.
- The number of MDR permits are forecast to remain similar to 2020 levels over the near to medium term.
- In 2020, the proportional share of MDR permits was reduced nearly by half. This is attributable to a significant increase in the number of HDR permits in 2020.
- MDR permits in 2020 were predominantly located in greenfield areas. 6% of MDR growth occurred within the Built-Area Boundary.

Building Permit Activity High Density Residential Development (HDR)

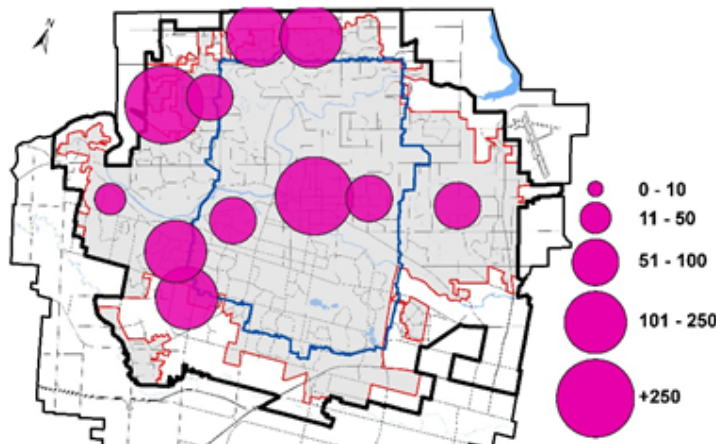
HDR Projected and Actual Growth: 2011 - 2025



	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021f	2022f	2023f	2024f	2025f
Altus/Watson Forecast	716	716	716	636	636	636	636	636	684	684	684	684	684	670	670
Actual/Forecast	190	808	738	783	278	1,671	694	1,177	1,209	2,210	684	684	684	670	670
10 Year Average	976														
5 Year Average	1,392														



2020 HDR Permits by Location

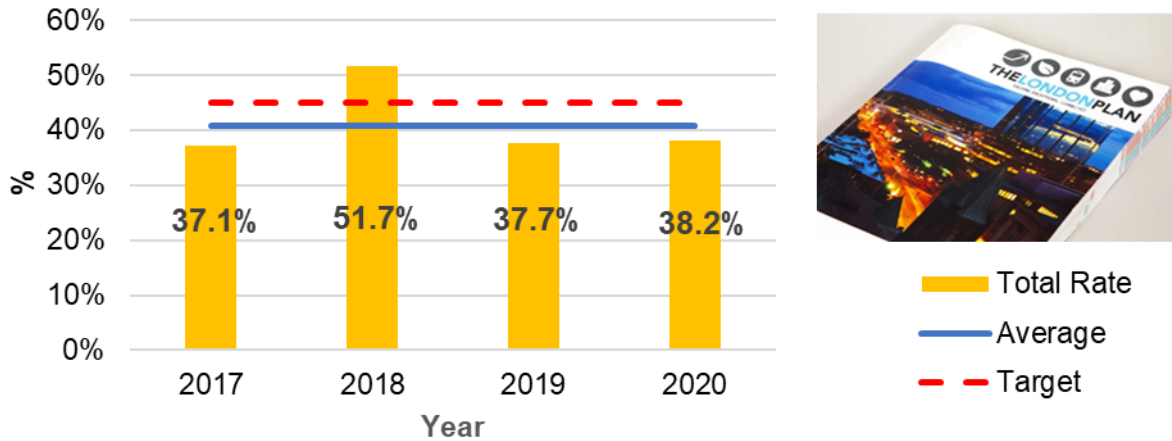


Observations:

- HDR permits experience large fluctuations on a year over year basis. In 2020, the highest number of new HDR units over the past 10 years was recorded. Permits were issued for 16 apartment buildings ranging in size from 32 units to 652 units.
- HDR permits are forecast to decline from 2020 levels over the near to mid term as the focus shifts to constructing buildings with permits issued in 2020. Given recent HDR development application activity, the forecasts are being monitored.
- In 2020, over 60% of HDR permits were within the Built-Area Boundary. However, with recent HDR greenfield approvals, this level of HDR intensification may decrease in future years.

Residential Intensification Rate

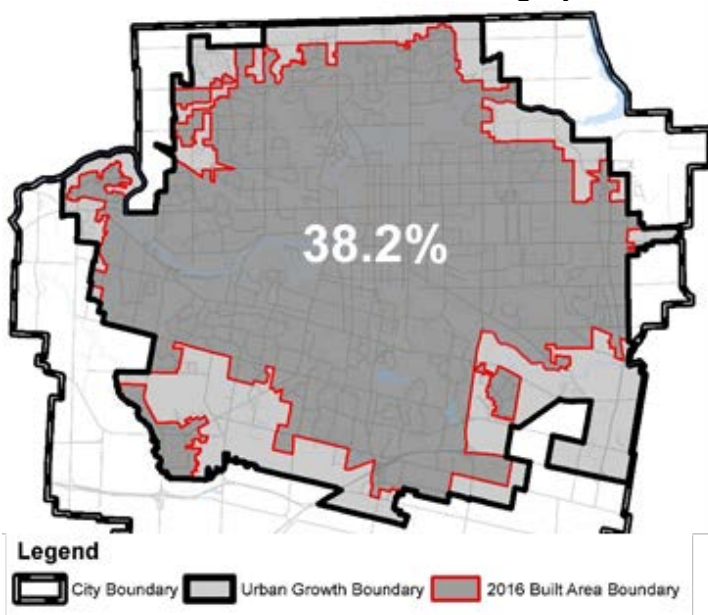
Intensification Rate



Built-Area Boundary

A Built-Area Boundary is a fixed line that acts as an important land use planning tool to measure intensification and redevelopment. The London Plan provides a non-regulatory target for a minimum of 45% of all new residential units to be constructed within the 2016 Built-Area Boundary of the city, meaning the lands that were substantially built out as of 2016.

The 2016 Built-Area Boundary identified in the London Plan is shown in dark grey below:

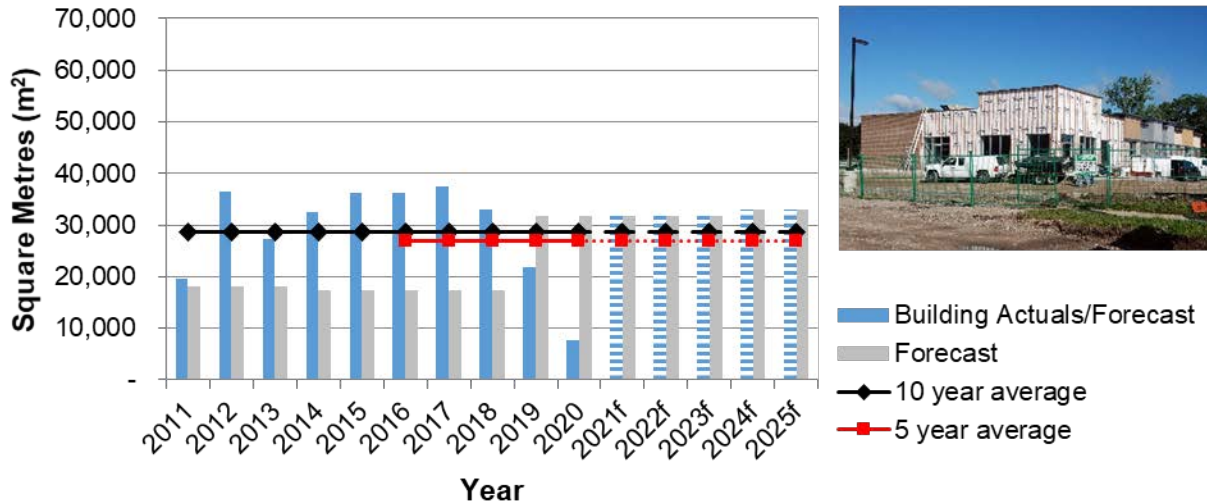


Observations:

- The intensification rate in 2020 was 38.2%. The average intensification rate since 2016 is 40.8%.
- In 2020, an increased number of new HDR permits within the Built-Area Boundary more than off-set increased LDR permits in the greenfield area. As a result, the overall intensification rate in 2020 increased from 2019.

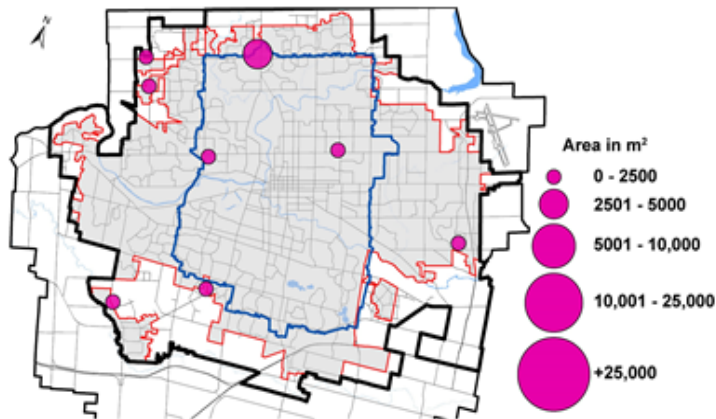
Building Permit Activity Commercial Development

Commercial Projected and Actual Growth: 2011 - 2025



(m ²)	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021f	2022f	2023f	2024f	2025f
Altus/Watson Forecast	18,208	18,208	18,208	17,242	17,242	17,242	17,242	17,242	31,829	31,829	31,829	31,829	31,829	33,051	33,051
Actual/Forecast	19,566	36,353	27,253	32,612	36,104	36,125	37,430	33,059	21,846	7,672	31,829	31,829	31,829	33,051	33,051
10 Year Average	28,620														
5 Year Average	26,863														

2020 Commercial Permits by Location

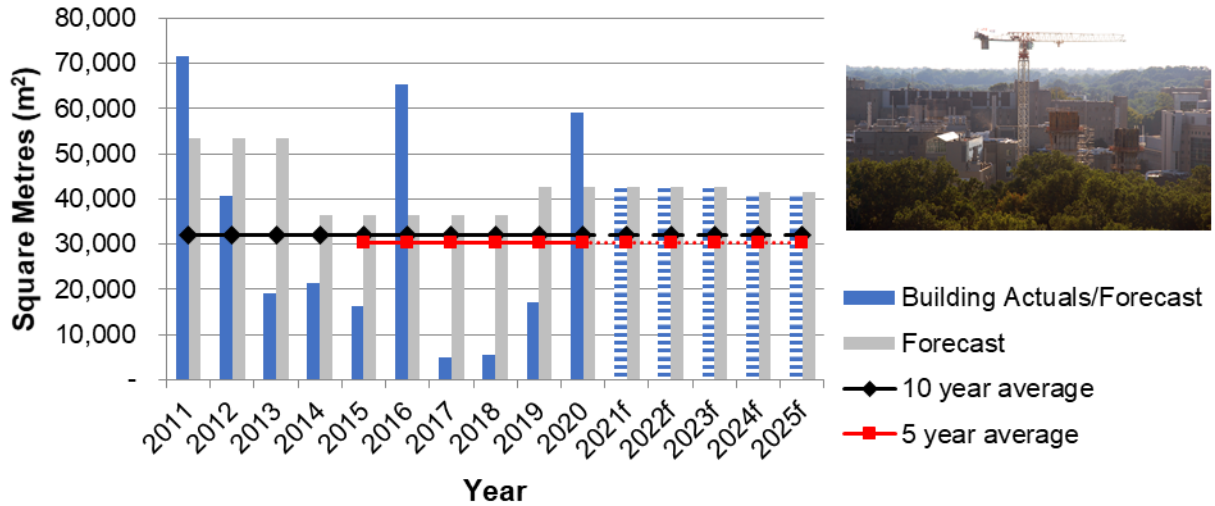


Observations:

- In 2020, new commercial development (retail and office) declined 65% from 2019, less than 30% of the historic average.
- Near to medium commercial demand forecasted by Watson is anticipated to return to 5- and 10-year historical averages.
- It is anticipated that the commercial sector will be challenged over the near to medium term in relation to pandemic economic recovery.

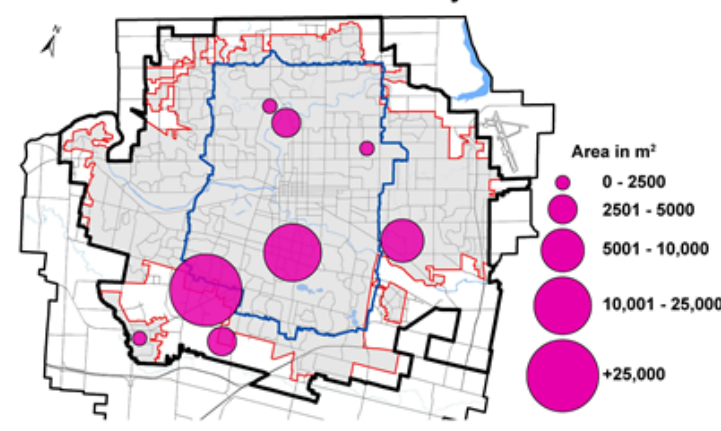
Building Permit Activity Institutional Development

Institutional Projected and Actual Growth: 2011 - 2025



(m ²)	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021f	2022f	2023f	2024f	2025f
Altus/Watson Forecast	53,325	53,325	53,325	36,491	36,491	36,491	36,491	36,491	42,512	42,512	42,512	42,512	42,512	41,565	41,565
Actual/Forecast	71,707	40,587	19,121	21,374	16,232	65,245	4,871	5,514	17,232	59,204	42,512	42,512	42,512	41,565	41,565
10 Year Average	32,005														
5 Year Average	30,205														

2020 Institutional Permits by Location

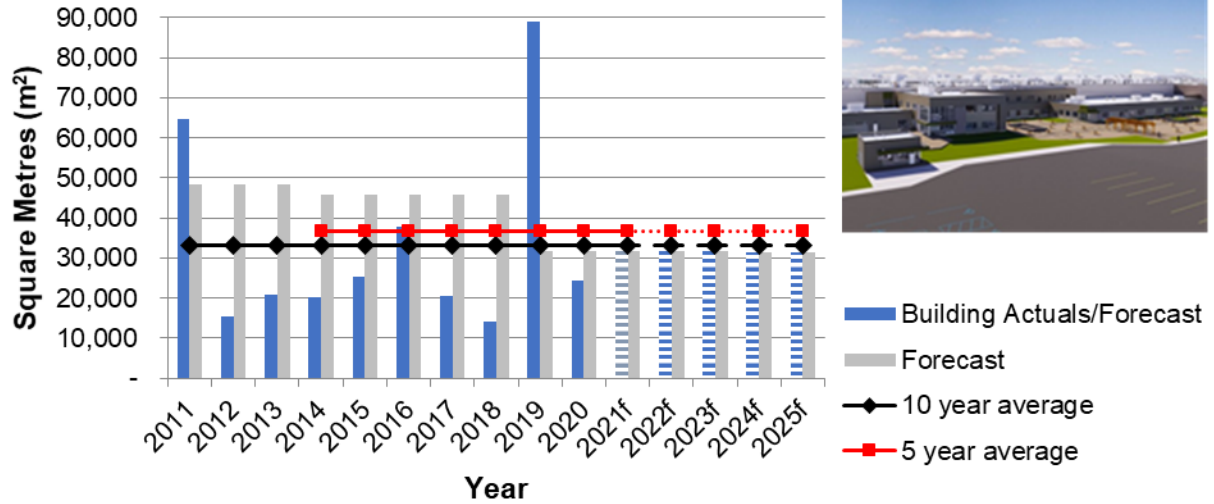


Observations:

- Institutional growth has a cyclical pattern related to funding from higher orders of government.
- There are a limited number of institutions and types of development that contribute to Institutional growth in the City.
- After three years of lower institutional construction, 2020 experienced a significant increase due to permits for new long-term care facilities, an addition to a post-secondary building and elementary school additions.
- Demand for Institutional uses is forecast to remain elevated over the near to medium term. This is dependent on investments by higher orders of government.

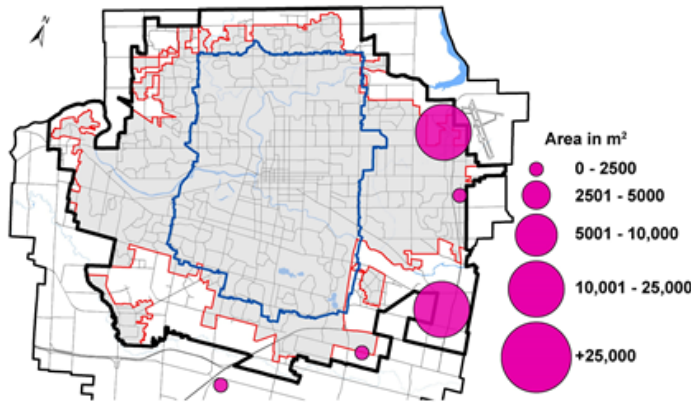
Building Permit Activity Industrial Development

Industrial Projected and Actual Growth: 2011 - 2025



(m ²)	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021f	2022f	2023f	2024f	2025f
Altus/Watson Forecast	48,308	48,308	48,308	45,855	45,855	45,855	45,855	45,855	31,894	31,894	31,894	31,894	31,894	31,448	31,448
Actual/Forecast	64,600	15,482	20,806	20,171	25,270	37,780	20,433	14,216	89,142	24,393	31,894	31,894	31,894	31,448	31,448
10 Year Average	33,048														
5 Year Average	36,830														

2020 Industrial Permits by Location



Observations:

- In 2020, Industrial development returned to historic levels after an increase in 2019 due to a permit for a large food processing facility.
- The magnitude of new industrial growth in 2019 has distorted the 5 and 10-year averages. Over the near to medium term, demand is forecasted by Watson to be similar to levels experienced prior to 2019.
- This forecast is supported by a recent increase in industrial land sales and development application activity.

Development Services

2020 Development Application Activity

2018-2020 Applications Received and Processed within Planning Act Timeframes

Application Type	2018			2019			2020		
	Applications Received	Statutory Period (Days)	%*	Applications Received	Statutory Period (Days)**	%*	Applications Received	Statutory Period (Days)	%* ***
OPA and ZBA	13	210	92%	19	210/120	89%	16	120	56%
Zoning By-law Amendment (ZBA)	31	150	74%	41	150/90	88%	27	90	56%
Temporary Use	2	150	100%	3	150/90	100%	2	90	100%
Removal of Holding Provision	36	150	72%	36	150/90	94%	31	90	58%
Draft Plan of Subdivision	6	180	83%	2	180/120	0%	3	120	33%
Draft Plan of Condominium	16	180	81%	17	180/120	88%	14	120	93%
Condominium Conversion Plans	0	180	n/a	2	180/120	100%	0	120	0%
Part Lot Control Exemption	1	n/a	n/a	7	n/a	n/a	5	n/a	n/a
Consent	56	90	36%	58	90	53%	38	90	61%
Minor Variance	158	30	30%	143	30	5%	142	30	24%
Site Plan	142	30	66%	117	30	71%	113	30	86%
TOTAL APPLICATIONS	461	-	-	445	-	-	391	-	-
Pre-Application Consultations	96	n/a	n/a	124	n/a	n/a	118	n/a	n/a
Site Plan Consultations	216	n/a	n/a	192	n/a	n/a	162	n/a	n/a
GRAND TOTAL	773	-	-	761	-	-	671	-	-

* % of applications considered by Planning and Environment Committee within Planning Act Timeframe

* % Includes applications put on hold at the request of the applicant

** Revised Bill 108 Statutory Periods came into force on September 3rd 2019

*** Planning Act timelines suspended from March 17, 2020 to June 22, 2020. As such, this period is omitted from the above timeframes

Recent and Anticipated Trends

- The total number of Official Plan (OPA) and Zoning By-law (ZBA) amendments were slightly lower than in previous years. While processing days were similar to prior years, shorter *Planning Act* statutory periods introduced in 2019 challenged the ability of these application types to meet the new statutory periods in 2020.
- Site Plan processing times have improved. From 2018 to 2020, the number of applications where conditions were released within 30 days increased from 66% to 86%.
- Subdivision applications were similar in 2020 to 2019. A total of 10 subdivision pre-application consultations were held in 2020 which indicates that there may be an increased number of subdivision applications in 2021 and beyond.
- Development Services was short staffed over 2020, however these vacancies are now being filled. Also, while there was a decrease in the number of new applications which may be the result of more flexible policies in The London Plan, more intensive proposals and increased regulatory requirements are adding complexity and additional time to address issues.
- Overall, total application activity declined in 2020 but has remained relatively stable over the past 3 years.
- *Planning Act* timeframes are measured in calendar days, but the City is limited to operating during business days. This has an impact mainly on application types with short timeframes like Site Plan and Minor Variances.
- In 2020, 48% of Minor Variance applications were heard within 40 calendar days and 66% within 50 days.
- The pandemic has caused delays as Committee of Adjustment hearings were suspended in the early part of the year, and virtual hearings pose limitations on the number of Consent and Minor Variance applications that can be considered at each meeting.

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	2016	2017	2018	2019	2020
Future Opportunity	6,643	5,062	5,116	4,647	9,048
On The Market	630	950	965	1,013	1,264
Permit Ready Lot	823	1,046	803	1,043	838

As of January 1 for each year.

Permit Ready Supply Measures

Low Density Residential (LDR)

Future Opportunity - On the Market Ratio

2020 FO	4,631	Measure: 19.1
2020 MO	243	

Market Opportunity - Permit Ready Ratio

2020 MO	243	Measure: 0.2
2020 PRL	1,364	

Medium Density Residential (MDR)

Future Opportunity - On the Market Ratio

2020 FO	9,048	Measure: 7.2
2020 MO	1,264	

Market Opportunity - Permit Ready Ratio

2020 MO	1,264	Measure: 1.5
2020 PRL	838	

Process-Based Continuous Improvement Initiatives

A key principle of Council's strategic plan is to increase the efficiency and effectiveness of service delivery by promoting and strengthening continuous improvement practices. Throughout 2020, and notwithstanding challenges brought on by the COVID-19 Pandemic, Development Services was able to move forward on several continuous improvement initiatives to improve the quality of submissions and application processing times. The following are some on-going projects that are being undertaken.

Working from Home – Due to the pandemic, the majority of Development Services staff have been required to work from home. Over 2020, coordinating this change has been the primary continuous improvement initiative. Several positive outcomes include improved internal and external meeting efficiency and the acceleration of the planned transition to digital submissions. Once Development Services staff return to an office environment, it is intended that these digital process improvements be maintained.

Site Plan Continuous Improvement Initiative – Over 2020, virtual facilitation tools were implemented to improve collaboration and service delivery, and resubmission numbers and turnaround times were analyzed. Over 2021, the Site Plan process will continue to be evaluated for improvement, including a customer survey on digital submissions. The Site Plan Control By-law will also be reviewed to update current processes and standards and align requirements with The London Plan.

Consents and the Committee of Adjustment – In late 2019, a new By-law was adopted to delegate land severance (Consent) decision-making from Civic Administration to the Committee of Adjustment. This transition was completed over 2020. Benefits include improved decision transparency and the ability to consolidate the hearing of Consent applications with related Minor Variance applications as they are now heard by a single decision-making body. Throughout 2021, Staff will provide administrative support and comprehensive recommendations on applications to the Committee of Adjustment in their new function, while looking for efficiencies in processing activities and timelines.

Subdivisions Continuous Improvement Initiative – Various improvements to process and procedures were implemented including role definition between EES and DS and a transition to digital submissions for pre-consultation and applications. In addition, a formal review of the securities and compliance process was undertaken by Deloitte with recommendations to be implemented over 2021. A deep dive into process mapping across DS is also underway to prepare for a new software system identified in the Multi-Year Budget.

Rapid Housing Team – A Rapid Housing (RH) team was created in late 2020 to facilitate the rapid review of planning applications for key affordable housing sites associated with Federal funding delivery in 2021. The team has also been tasked with finding process efficiencies through concurrent Site Plan and OPA/ZBA review - and concurrent reporting to Council - and working with proponents to establish accelerated timelines. Much of the RH framework was established through the Site Plan Continuous Improvement Review.

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: London Community Recovery Network – Ideas for Action by
Municipal Council

Date: February 8th, 2021

Recommendation

That, on the recommendation of the Managing Director, Development & Compliance Services and Chief Building Official the following actions be taken with respect to the London Community Recovery Network:

- a) The implementation plans for the following ideas for action submitted from the London Community Recovery Network and received by Municipal Council **BE APPROVED:**
 - 1.3 A Break in the Clouds
 - 2.5 Increase grant funding/building code for façade upgrades
 - 2.6 Appoint a downtown lead at City Hall
 - 2.7 Create a business concierge service
 - 2.8 Create a core area champion at senior level
 - 2.9 Create an integrated economic development blueprint
 - 3.5 Provide better market data to attract new businesses
- b) Civic Administration **BE DIRECTED** to execute the implementation plans for ideas for action in support of London’s community recovery from COVID-19;
- c) That \$440,000 **BE APPROVED** to implement the ideas in this report as set out in the business cases included in Appendix A, noting that Municipal Council previously authorized \$5 million to be contributed to the Economic Development Reserve Fund to support social and economic recovery measures;
- d) Civic Administration **BE DIRECTED** to waive the requirement of having all City property taxes paid in full for property owners eligible to receive grants in 2021 under the City’s Upgrade to Building Code Loan, Façade Improvement Loan and Rehabilitation and Redevelopment Tax Grant Community Improvement Plan programs, provided all other requirements have been met; it being noted that any grant funding will first be applied against outstanding property taxes owing.
- e) This report **BE RECEIVED**.

Executive Summary

1.0 Executive Summary

Over the past few months, the COVID-19 pandemic has radically altered how Londoners work, learn and participate in the community. COVID-19 has challenged the community in an unprecedented way, with long-lasting economic and social impacts likely to continue. In response, London City Council quickly established the London Community Recovery Network in partnership with leaders from London’s business, industry, non-profit, academia sectors as well as communities that have experienced disproportionate impacts from COVID-19.

Network members acknowledge that collective efforts toward London’s community recovery will require a long term commitment by the community. However, in the first phase of its work, Network members identified 70 ideas for action that included 37

immediate recovery ideas for the City of London to lead in the short term. Twelve (12) of these short term ideas are already underway by Civic Administration. The remaining 25 ideas have been received by Municipal Council with Civic Administration being directed to determine implementation plans for consideration by the appropriate standing committee.

On January 12, 2021, Council resolved that:

“b) The recommended short term ideas for action to support London’s COVID-19 community recovery, as submitted by the London Community Recovery Network (the Network) **BE RECEIVED**;

c) Civic Administration **BE DIRECTED** to determine implementation plans for ideas in Table 2, excluding those included in Table 1, and return to the appropriate standing committee for approval in early 2021, noting that with the report to SPPC on September 20, 2020 (2020 Mid-Year Operating Budget Monitoring Report & COVID-19 Financial Impacts) Council authorized \$5 million to be contributed to the Economic Development Reserve Fund to support social and economic recovery measures”

For transparency and ease of reporting, Civic Administration has developed a single report that includes ideas for action for each of the appropriate Standing Committees. This report to the Planning and Environment Committee includes the following Network ideas for action for discussion and direction from the 25 ideas received for implementation by the City of London:

Idea Ref. #	Idea for Action
1.3	A Break in the Clouds
2.5	Increase grant funding/Building Code for façade upgrades
2.6	Appoint a downtown lead at City Hall
2.7	Create a business concierge service
2.8	Create a core area champion at senior level
2.9	Create an integrated economic development blueprint
3.5	Provide better market data to attract new businesses

Standing committees of Council will consider reports regarding ideas for action that overlap with the mandates of each particular committee. For a full list of the 25 ideas moving forward for the consideration of Municipal Council, please refer to the [December 16, 2020 SPPC report](#).

Linkage to the Corporate Strategic Plan

The community-driven work of the London Community Recovery Network touches on numerous key areas of focus under the City of London Strategic Plan:

Strengthening our Community:

- Londoners have access to the supports they need to be successful
- Londoners have access to the services and supports that promote well-being, health, and safety in their neighbourhoods and across the city

Building a Sustainable City

- London has a strong and healthy environment
- Londoners can move around the city safely and easily in a manner that meets their needs

Growing our Economy:

- London will develop a top quality workforce
- London is a leader in Ontario for attracting new jobs and investments
- London creates a supportive environment where entrepreneurs, businesses and talent can thrive

Creating a Safe City for Women and Girls

- London has enhanced the potential for women and girls to live safe lives

Leading in Public Service

- The City of London is trusted, open, and accountable in service of our community
- Londoners experience exceptional and valued customer service

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

- London Community Recovery Network – Immediate Ideas for Action to Support London’s COVID-19 Community Recovery – December 16, 2020, SPPC
- 2020 Mid-Year Operating Budget Monitoring Report & COVID-19 Financial Impacts - September 20, 2020 - SPPC
- First Report of the London Community Recovery Network – July 14, 2020, SPPC
- COVID-19 Financial Impacts – Update – June 23, 2020, SPPC
- Second Report from the Mayor’s Economic and Social Impact and Recovery Task Forces – May 8, 2020
- COVID-19 Financial Impacts and Additional Measures for Community Relief – April 28, 2020, SPPC
- Homeless Prevention COVID-19 Response and Funding Overview, Community and Protective Services Committee, April 28, 2020, Consent Item # 2.3
- Property Tax Deferral Options – April 14, 2020, CSC
- First Report from the Mayor’s Economic and Social Impact and Recovery Task Forces – April 9, 2020

2.0 Discussion and Considerations

Idea for Action #1.3 – A Break in the Clouds

Idea for Action – Community Request to the City of London

This Idea for Action suggests the City work with businesses and BIAs to create an action plan to support patios in the city. This includes investigating the use of public property, providing financial support, and amending by-laws and regulations to be more permissive of patios in general.

Action taken since receipt:

Several programs and initiatives are already in place and underway to support patios, both in the municipal right-of-way and on private property. The following outlines existing initiatives being undertaken:

- In 2018, Council approved making the Sidewalk Patio program permanent and city-wide after a 3-year pilot project. This allows business owners who have limited outdoor space to be able to rent a portion of the public right-of-way adjacent to their business to provide a patio, through a license agreement. In 2020 and up to April 2021 (as of the date of this report), patios fees for applications and license agreements have been waived city-wide to support businesses during the pandemic.
- In 2019, the Core Area Action Plan was received by Council and budget was approved in March 2020 to eliminate patio fees within the Core Area. Staff are currently developing the Core Area Community Improvement Plan (CIP) to implement this grant program. A report back to approve the CIP is expected in March 2021 to introduce this program.
- As part of the Back2Business (B2B) task force in 2020, Civic Administration implemented a temporary process to allow businesses to expand or create new patio space on their private property, often in parking lots. This initiative has been well received by businesses and staff are undergoing a city-initiated Zoning By-

law amendment (Z-9300) to develop a more permanent solution and process for patio expansions. The amendment is anticipated to be before Council for decision in March or April 2021.

- When the Sidewalk Patio program was made permanent in 2018, a design guideline and process manual was developed. At the time, winter patios were not anticipated. The B2B task force has been gathering more information around winterized patios and have allowed patios to stay open this winter. Based on learnings throughout the pandemic, Civic Administration will be reviewing and updating the Sidewalk Patio Manual in 2021 to reflect a more flexible and 4-season approach to sidewalk patios. Consideration for patios in public parking lots and parks will be part of this review and update. A report back is anticipated in Q2/Q3 of 2021.

Next Steps to Implement Idea for Action:

One consideration from the Idea for Action that has not yet been explored fully is providing financial support for the actual purchase and construction of sidewalk patio enclosure materials, furniture, and fixtures. This has been identified as a significant barrier for small businesses to expand capacity, particularly in core neighbourhoods with smaller interior dining spaces.

Civic Administration is recommending funding be allocated to the Downtown and Old East Village BIAs to create and administer a Patio Materials program. The City will work collaboratively with the BIAs to establish the program; however, it would be best administered by the BIAs for efficiency and flexibility. Financial support would be capped at a maximum amount per business to an upset limit for the entire program. The program would cover new patios, upgrades to existing patios, as well as furnishings (tables, chairs, lounge furniture, umbrellas, patio lighting), fencing/boundary materials, decorative planters and planting, and heaters. Ongoing maintenance would be the responsibility of the businesses and/or the BIAs.

Financial Implications of Action:

The LCRN Business Case for Idea #1.3 included in Appendix A recommends a \$100,000 one-time expenditure in 2021. If approved, this initiative could be implemented within 1-3 months.

Idea for Action #2.5 – Increase grant funding/Building Code for façade upgrades

Idea for Action – Community Request to the City of London:

This Idea for Action suggests the City increase the forgivable (grant) portion of the Upgrade to Building Code and Façade Improvement loan programs. As the programs currently stand, businesses receive a grant back of 12.5% and 25% of the loan amount for Upgrade and Façade programs, respectively, if they maintain a targeted use tenant on the ground floor.

Action taken since receipt:

By way of Council resolution on March 3, 2020, Civic Administration has allowed for businesses to defer their incentive loan payments during road construction projects. Similarly, Council has permitted all loan-holders, including outside of construction zones, to defer much of their 2020 and 2021 loan payments as a business support measure during the COVID-19 pandemic. This has been a significant help to some businesses; however, the grant amount is determined by the loan payments from the previous year. Businesses who defer their loans, are not eligible for grants and therefore increasing the grant amount will not provide a great benefit. Grants are also only available for targeted uses, and sometimes within targeted areas of Community Improvement Plans (CIPs), which limits the number of eligible businesses and potential impact. The idea for action submitted also suggests the grants be provided within the Downtown and Old East Village CIPs, however the Hamilton Road, SoHo, and Lambeth CIPs also have access to the Upgrade and Façade programs.

In addition to the above, in 2021 staff have noticed that a larger than normal proportion of businesses who are typically eligible for grants have not met the incentive program

requirement to have all City of London property taxes paid in full, even though all other requirements have been met. This inconsistency could be a result of the Covid-19 pandemic and financial impacts on businesses.

Next Steps to Implement Idea for Action:

Due to the above restrictions, and in the spirit of this Idea for Action, Civic Administration is recommending a new grant program be established with a cap on total funding available. A new Recovery grant can be established through a minor amendment to the incentive program guidelines. The Recovery grant would provide up to \$5,000 to businesses to help with pandemic-related property improvements, including interior modifications to address public health concerns such as social distancing, and exterior improvements such as repairs to address vandalism or beautification. This grant is being recommended for all CIP areas with access to the Upgrade and Façade programs. The grant will be available to both property owners as well as tenants.

Civic Administration is also recommending that staff be directed to waive the requirement of having all City property taxes paid in full for property owners eligible to receive grants in 2021 under the following incentive programs:

- Upgrade to Building Code Loan
- Façade Improvement Loan
- Rehabilitation and Redevelopment Tax Grant Program

Property owners would still be required to fulfill all other requirements to be eligible for a grant, and those who do have outstanding property taxes will have the grant funding first applied against any property taxes owing. This initiative is represented in recommendation d) above and can be implemented immediately upon Council approval. This relief from the full requirements will only be applied for grants being issued in 2021.

Financial Implications of Action:

The LCRN Business Case for Idea #2.5 included in Appendix A recommends a \$250,000 one-time expenditure in 2021. If approved, this initiative could be implemented within 1-3 months through a report back to Council to approve the amended program guidelines.

There are no additional financial implications for waiving the requirement to have fully paid property taxes to receive 2021 grants under the City's financial incentive programs, as these grants are already included in the City's budget projections.

Idea for Action #2.6 – Appoint a downtown lead at City Hall

Idea for Action – Community Request to the City of London

This would be a position similar to the Business Liaison role, but downtown specific – this person would also coordinate with the London Police Services on downtown safety issues.

Action taken since receipt:

Newly established and led by a member of the Senior Leadership Team, the City's Core Area Steering Committee oversees three teams that coordinate the major areas of work in the Core:

- The People Team delivers programs, projects and services aimed at achieving housing stability and other social supports for individuals and works to address safety and the perception of safety in the Core.
- The Places Team delivers projects and services aimed at creating a cleaner, more welcoming physical environment in the Core with infrastructure to support all residents, businesses and visitors.
- The Economy Team delivers projects, services and events aimed at supporting businesses and increasing activity and awareness of all the Core has to offer.

Next Steps to Implement Idea for Action:

Each team will work together to coordinate and deliver the appropriate elements of the Core Area Action Plan, the Downtown Plan, actions from the London Community Recovery Network, the Back 2 Business Team, Coordinated Informed Response and other projects, programs, services and events. The team chairs will report to the CASC. Monthly stakeholder meetings ensure regular engagement between the CASC members and leaders in the business, institutional and not-for-profit sectors in the Core.

This action will also be combined with Idea for Action #2.8.

Financial Implications of Action:

This work will be completed within existing budgets.

Idea for Action #2.7 – Create a business concierge service

Idea for Action – Community Request to the City of London

Create a Business Concierge service at City Hall to help facilitate business (both new businesses and existing) that includes a dedicated role to the Downtown and Core area.

Action taken since receipt:

The Business Hub, housed within Development & Compliance Services is the ideal starting point to address this particular idea. The Business Hub currently has two Business and Zoning Coordinators who help businesses navigate through City processes and applications while feeling supported and aware of any requirements. This role regularly makes presentations to groups such as Fanshawe College and the Small Business Centre to educate owners on how to open a business in London. There is a desire to have this role expanded to include the promotion of City programs and strengthen the communication and relationship between municipal staff and BIAs.

Next Steps to Implement Idea for Action:

Future reports will capture how business concerns can be facilitated and expedited through existing channels and how the Business Hub can improve support to the Core.

Financial Implications of Action:

This action will be completed within existing budgets.

Idea for Action #2.8 – Create a core area champion at senior level

Idea for Action – Community Request to the City of London

Create a Downtown and Core Area Senior Level Champion at City Hall focused on helping to create the vision and strategy of the downtown and core areas

Action taken since receipt:

This action will be combined with Idea for Action #2.6. Please see Idea for Action #2.6 above for additional information.

Next Steps to Implement Idea for Action:

This action will be combined with Idea for Action #2.6. Please see Idea for Action #2.6 above for additional information.

Financial Implications of Action:

This action will be completed within existing budgets.

Idea for Action #2.9 – Create an integrated economic development blueprint

Idea for Action – Community Request to the City of London

Create an economic development blueprint that integrates downtown and core area into the strategy. As part of the next Economic Development Strategy ensure it includes an overall Vision and Strategy for the downtown and core area

Action taken since receipt:

Newly established, the City's Core Area Steering Committee oversees three teams that coordinate the major areas of work, one of which will be The Economy Team, which delivers projects, services and events aimed at supporting businesses and increasing activity and awareness of all the core has to offer. This team will work to ensure that strategies for the downtown and core area are coordinated across the City as well as community.

Next Steps to Implement Idea for Action:

The Economy Team under the City's Core Area Steering Committee will work to expand upon this idea for action as it delivers on its mandate. The Core Area Steering Committee will continue its work to coordinate and deliver appropriate elements of key civic plans and strategies relating to the core area.

In addition, the London Community Recovery Network will be exploring long-term strategies that could contribute to economic opportunities in the core and across the City. As part of the London Community Recovery Network's next phase, Civic Administration will be engaging in strategic conversations, developing a common understanding of recovery across the community, and establishing strategies that support long-term community and economic recovery.

Financial Implications of Action:

This action will be completed within existing budgets.

Idea for Action #3.5 – Provide better market data to attract new businesses

Idea for Action – Community Request to the City of London

Provide better market data collection and assessment to support local decision making and attraction of new businesses

Action taken since receipt:

Civic Administration has completed a review of current market data that is collected internally, as well as subscriptions and external partner collections such as the London Economic Development Corporation, the Conference Board of Canada, Statistics Canada Community Data Consortium and Environics Analytics. Many of these such resources are publicly available on request and often for a fee, and enhancements will be made for the community to be able to make use of civic data, such as adding to the Open Data Portal when possible.

Next Steps to Implement Idea for Action:

Recently, the City of London has partnered with Environics Analytics Canada for demographics information. Environics Analytics Canada can also provide the level of detail market data that was requested as part of Idea for Action #3.5 through Mobilescapes software, primarily:

- Pedestrian, cyclists, cars and transit data in the downtown (and citywide)
- Seasonal data for the above variables
- Residential population demographics in the downtown (and citywide)
- Office population and demographics in the downtown (and citywide)
- Vacancy of commercial (office and retail) space in the downtown (and citywide)
- Market analysis for the downtown trade are (and citywide)

The recommendation would be to invest in the additional data that can be provided by Environics Analytics Canada.

Financial Implications of Action:

The LCRN Business Case for Idea #3.5 included in Appendix A recommends a \$30,000 annual investment in 2021, 2022, and 2023 for a total of \$90,000. If approved, this initiative could be implemented within 1-3 months.

Given the need for further consultation with Environics Analytics to ensure they will meet all deliverables, there is the possibility that Mobilescapes software is not appropriate to address Idea for Action #3.5. If it is determined that the Environics Analytics solution is not the appropriate investment, the \$90,000 will not be required.

3.0 Financial Impact/Considerations

On September 20, 2020, the 2020 Mid-Year Operating Budget Monitoring Report & COVID-19 Financial Impacts report was presented to SPPC. Civic Administration reported that after applying the Safe Restart Agreement funding and prior to the recommendations in the report, the Property Tax Supported Budget projected surplus would be \$15.3 million. One recommendation was, notwithstanding the Council approved Surplus/Deficit Policy, that Civic Administration be authorized to allocate \$5 million of the surplus to the Economic Development Reserve Fund to support social and economic recovery measures.

As the implementation plans for short term ideas for action from the Network that require municipal implementation are developed, Civic Administration will track the estimated financial impacts. If the total amount exceeds the \$5 million allocation, options for addressing the shortfall will be presented. As the individual implementation plans return to the appropriate standing committee for approval, recommendations to access funding to support the plans will be included.

Conclusion

This report was prepared as part of the City of London's response to the ideas for action identified by the London Community Recovery Network focused on accelerating community recovery from COVID-19 in the short term. If directed, Civic Administration will begin the implementation of the plans listed herein to execute on these ideas for action.

The Network's idea generation and prioritization process has drawn on the insight and expertise of a wide variety of individuals and has led to valuable discussions related to recovery within our community. The prioritized list of community recovery ideas would not have been possible without the efforts and contributions made by a large number of business and community partners, Members of the London City Council, and all Service Areas across the City of London. The City of London would also like to thank local Members of Parliament and Members of Provincial Parliament for providing valuable insights to members throughout the course of this phase of the work.

Prepared and Submitted by: **Chris Green, Manager, Economic Partnerships**

Recommended by: **George Kotsifas, Managing Director, Development & Compliance Services and Chief Building Official**

cc. Members of the London Community Recovery Network
 City of London Senior Leadership Team
 Community Recovery Working Group

Appendix A

London Community Recovery Network Ideas for Action – Business Case

Idea #: 1.3

Idea Title: A Break in the Clouds

Business Case Deliverables & Impact

In collaboration with the Downtown and Old East Village BIAs, a Patio Materials grant program would be established and then administered by the BIAs for efficiency and flexibility. Financial support would be capped at a maximum amount per business to an upset limit for the entire program. The program would cover new patios, upgrades to existing patios, as well as furnishings (tables, chairs, lounge furniture, umbrellas, patio lighting), fencing/boundary materials, decorative planters and planting, and heaters. Ongoing maintenance would be the responsibility of the businesses and/or the BIAs. This initiative would impact the Core Area business community by removing financial barriers to building and furnishing a sidewalk patio, as well as increasing capacity in core neighbourhoods with smaller interior dining spaces. Additional benefits for the community are an increase in street-level activation, passive surveillance with more eyes on the street, and spin-off economic benefits for surrounding businesses. An additional benefit is the ability to coordinate materials and furnishing to create a sense of place and better aesthetic appeal in the Core Area.

Business Case Financial Impacts

Capital Budget Impacts (\$000's)	2021	2022	2023	2021- 2023 Total
Total Expenditure	\$100	\$0	\$0	\$100
Existing Sources of Financing:	\$(0)	\$(0)	\$(0)	\$(0)
Net Request	\$100	\$0	\$0	\$100

Business Case Metrics

Metric Description	Current	2021	2022	2023
# Sidewalk Patios (Core Area)	36	40	42	44
# Grants Provided (cumulative)	N/A	15	25	30
Public:Private ROI for Sidewalk Patios	N/A	1:1	1:1.3	1:1.5

What are the risks of not proceeding?

Core Area businesses will continue to have limited capacity and not be able to provide alternative outdoor seating. Businesses will continue to bore the financial cost of patios enclosure materials and furnishings.

**London Community Recovery Network
Ideas for Action – Business Case**

Idea #: 2.5

Idea Title: Increase grant funding/Building Code for façade upgrades

Business Case Deliverables & Impact

This initiative would establish a new Recovery grant program through a minor amendment to the incentive program guidelines for the Upgrade to Building Code and the Façade Improvement Loan Programs. The Recovery grant would provide \$5,000 to businesses to help with pandemic-related property improvements, including interior modifications to address public health concerns such as social distancing, and exterior improvements such as repairs to address vandalism. Funding would be available on a first-come-first-serve basis to the upset amount of \$250,000 for the program.

This initiative would impact the Core Area business community by removing financial barriers to adapting and repairing their physical spaces post-pandemic. This benefits the general community by providing for attractive and safe buildings, and investing in the longevity of the City’s heritage assets and historic building stock. Additional benefits for the community are the repair of unwelcoming or dangerous storefronts and an enhanced perception of safety and vibrancy in our mainstreet commercial districts.

Business Case Financial Impacts

Capital Budget Impacts (\$000’s)	2021	2022	2023	2021-2023 Total
Total Expenditure	\$250	\$0	\$0	\$250
Existing Sources of Financing:	\$(0)	\$(0)	\$(0)	\$(0)
Net Request	\$250	\$0	\$0	\$250

Business Case Metrics

Metric Description	Current	2021	2022	2023
# Recovery Grant Applications	N/A	25	45	50
Public:Private ROI for Façade Program	1: 2.5	1:2.6	1:2.6	1:2.7
Public:Private ROI for Upgrade Program	1: 2.7	1:2.8	1:2.8	1:2.9

What are the risks of not proceeding?

Businesses will continue to deal with financial barriers to adapting and/or repairing their buildings. Some businesses will be required to remain closed or may close permanently. Less people will be inclined to patronize local businesses.

London Community Recovery Network Ideas for Action – Business Case

Idea #: 3.5

Idea Title: Provide better market data to attract new businesses

Business Case Deliverables & Impact

EnviroNics Analytics offers a software solution called MobileScapes. MobileScapes is an anonymized, permission-based data service, which combines data collected from location-enabled mobile devices. Users can identify devices observed within a defined area, such as a store, public square or on a roadway for a given date and time range. The main sources of data are opt-in location-enabled applications on mobile devices and ad exchange platforms. At present, there are approximately 100,000 mobile applications that contribute data to MobileScapes.

MobileScapes can also provide the level of detail market data that was requested as part of Idea for Action #3.5, primarily:

- Pedestrian, cyclists, cars and transit data in the downtown (and citywide)
- Seasonal data for the above variables
- Residential population demographics in the downtown (and citywide)
- Office population and demographics in the downtown (and citywide)
- Vacancy of commercial (office and retail) space in the downtown (and citywide)
- Market analysis for the downtown trade are (and citywide)

Additionally, the investment in MobileScapes can be used by multiple service areas to assist in data collection and reporting. There is potential for the MobileScapes data to cease the need of other current forms of data collection, such as traffic counts. In such a scenario this could result in enterprise level savings.

Business Case Financial Impacts

Operating Budget Impacts (\$000's)	2021	2022	2023	2021-2023 Total
Total Expenditure	\$30	\$30	\$30	\$90
Existing Sources of Financing:	\$(0)	\$(0)	\$(0)	\$(0)
Net Request	\$30	\$30	\$30	\$90

Business Case Metrics

Metric Description	Current	2021	2022	2023
<i>Investment in annual subscription</i>	0	1	1	1

What are the risks of not proceeding?

Given the need for further consultation with EnviroNics Analytics to ensure they will meet all deliverables, there is the possibility that through discussion and negotiation that it may be determined the MobileScapes software is not appropriate to address Idea for Action #3.5. If it is determined that the EnviroNics Analytics solution is not the appropriate investment, the \$90,000 will not be required.



London Community Recovery Network



Overview for PEC LCRN Ideas for Action



- On December 16th 2020, Strategic Priorities and Policy Committee (SPPC) 37 short term Ideas for Action were presented for consideration for implementation by the City of London
 - 12 were underway at the time of the SPPC committee, and continue
 - 25 come forward during the week of February 8th, 2021 to various Council Standing Committees
 - Planning and Environment Committee (February 8th) has 7 Ideas for Action included

Overview for PEC LCRN Ideas for Action



- There are 7 Ideas for Action as part of the Planning and Environment Committee report:
 - 1.3 A Break in the Clouds
 - 2.5 Increase grant funding/building code for façade upgrades
 - 2.6 Appoint a downtown lead at City Hall
 - 2.7 Create a business concierge service
 - 2.8 Create a core area champion at senior level
 - 2.9 Create an integrated economic development blueprint
 - 3.5 Provide better market data to attract new businesses
- 4 of the ideas are underway or in progress and will be delivered within existing budgets
- 3 Ideas for Action have attached business cases to support new investment
 - 1.3, 2.5, 3.5



Idea #1.3 – A Break in the Clouds

- \$100,000 one-time funding to the Downtown and OEV BIAs.
- Creation of a grant program to assist business owners with purchasing patio enclosures, furnishings and other materials for sidewalk patios.
- Operated through BIAs to allow for flexibility, coordination and responsiveness.



Idea #2.5 – Increase Grant Funding

- \$250,000 one-time funding.
- Creation of a grant program to assist business owners with façade and interior upgrades that address public health concerns and beautification.
- Provided through the existing Façade Improvement and Upgrade to Building Code incentive programs
- Available within eligible CIP areas where these programs are available.
- Grant may cover 100% of improvement cost up to a maximum of \$5,000 per business.

Idea #3.5 - Provide better market data to attract new businesses



- \$30k per year for 2021, 2022, 2023 for total of \$90k
- The City of London has been subscribing to Environics Analytics for several years to obtain data for planning and reporting – primarily demographic based data.
- Enterprise License to add additional Service Area users to subscription
- MobileScapes is an additional application offered by Environics Analytics that the City of London does not currently subscribe to – this provides movement pattern-based data using privacy compliant mobile data



Hyde Park Business Improvement Association

1124 Gainsborough Rd., London, ON N6H 5N1

<https://www.hydeparkbia.ca>

"Businesses Working Together to Foster a Vibrant Community"

February 1, 2021

RE: Report to the Planning and Environment Committee (PEC) Meeting dated February 8, 2021. Item# 3.5: Provide Better Market Data to Attract New Businesses

To Whom it May Concern,

Please accept this letter in support of item#3.5; Provide Better Market Data to Attract New Businesses being considered by the PEC committee.

While in support of all the recommendations being made as a result of the London Community Recovery Network's Ideas for Action; As a BIA, the ability to be able to implement tools that can provide more cohesive and concentrated market data could have many positive impacts across the London economic landscape.

Invaluable data collected could provide meaningful insights into consumer insights and behaviour that could impact decisions for investments and change within our business communities and our neighbourhoods. This tool could be extremely impactful especially during post COVID times as we all work to rebuild our communities and our economic footprints.

If approved, we are looking forward to working with City Staff to identify the useful data we are able to collect for analysis and how to apply this data in a meaningful manner that could help us develop programs that foster relationships while helping us to steer tangible business outcomes for the betterment of both our businesses and our communities.

Thankyou very much for your consideration,

Warm Regards,

Donna Szpakowski; CEO & General Manager

Report to Planning & Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Building Division Monthly Report
November 2020 and December 2020

Date: February 8, 2021

Recommendation

That the report dated February 8, 2021 entitled “Building Division Monthly Report November 2020 and December 2020”, **BE RECEIVED** for information.

Executive Summary

The Building Division is responsible for the administration and enforcement of the *Ontario Building Code Act* and the *Ontario Building Code*. Related activities undertaken by the Building Division include the processing of building permit applications and inspections of associated construction work. The Building Division also issues sign and pool fence permits. The purpose of this report is to provide Municipal Council with information related to permit issuance and inspection activities for the months of November 2020 and December 2020.

Linkage to the Corporate Strategic Plan

Growing our Economy

- London is a leader in Ontario for attracting new jobs and investments.

Leading in Public Service

- The City of London is trusted, open, and accountable in service of our community.
 - Improve public accountability and transparency in decision making.

Analysis

1.0 Background Information

This report provides information on permit and associated inspection activities for the months of November 2020 and December 2020. Attached as Appendix “A” to this report is a “Summary Listing of Building Construction Activity for the Months of November 2020 and December 2020”, as well as respective “Principle Permits Reports”.

2.0 Discussion and Considerations

2.1 Building permit data and associated inspection activities – November 2020

Permits Issued to the end of the month

As of November 2020, a total of 3,780 permits were issued, with a construction value of \$1.52 billion, representing 3,438 new dwelling units. Compared to the same period in 2019, this represents a 11.7% decrease in the number of building permits, with a 18.8%

increase in construction value and a 54.5% increase in the number of dwelling units constructed.

Total permits to construct New Single and Semi-Dwelling Units

As of the end of November 2020, the number of building permits issued for the construction of single and semi-detached dwellings is 867, representing a 33.8% increase over the same period in 2019.

Number of Applications in Process

As of the end of November 2020, 953 applications are in process, representing approximately \$643 million in construction value and an additional 1,527 dwelling units compared with 656 applications, with a construction value of \$508 million and an additional 922 dwelling units in the same period in 2019.

Rate of Application Submission

Applications received in November 2020 averaged to 19.2 applications per business day, for a total of 404 applications. Of the applications submitted 118 were for the construction of single detached dwellings and 13 townhouse units.

Permits issued for the month

In November 2020, 407 permits were issued for 665 new dwelling units, totalling a construction value of \$343.5 million.

Inspections – Building

A total of 2,690 inspection requests were received with 3,378 inspections being conducted.

In addition, 18 inspections were completed related to complaints, business licenses, orders and miscellaneous inspections.

Of the 2,690 inspections requested, 100% were conducted within the provincially mandated 48 hour period.

Inspections - Code Compliance

A total of 564 inspection requests were received, with 720 inspections being conducted.

An additional 126 inspections were completed relating to complaints, business licences, orders and miscellaneous inspections.

Of the 564 inspections requested, 100% were conducted within the provincially mandated 48 hour period.

Inspections - Plumbing

A total of 1,332 inspection requests were received with 1,712 inspections being conducted related to building permit activity.

In addition, 6 inspections were completed related to complaints, business licenses, orders and miscellaneous inspections.

Of the 1,332 inspections requested, 100% were conducted within the provincially mandated 48 hour period.

2.2 Permit data and associated inspection activities – December 2020

Permits Issued to the end of the month

As of December 2020, a total of 4,091 permits were issued, with a construction value of \$1.61 billion, representing 3,781 new dwelling units. Compared to the same period in 2019, this represents a 9.7% decrease in the number of building permits, with a 18.0% increase in construction value; and a 40.4% increase in the number of dwelling units constructed.

Total permits to construct New Single and Semi-Dwelling Units

As of the end of December 2020, the number of building permits issued for the construction of single and semi-detached dwellings is 965, representing a 40.6% increase over the same period in 2019.

Number of Applications in Process

As of the end of December 2020, 1,009 applications are in process, representing approximately \$752 million in construction value and an additional 1,646 dwelling units compared with 734 applications, with a construction value of \$610 million and an additional 1,329 dwelling units in the same period in 2019.

Rate of Application Submission

Applications received in December 2020 averaged 21.3 applications per business day, for a total of 372 applications. Of the applications submitted 140 were for the construction of single detached dwellings and 30 townhouse units.

Permits issued for the month

In December 2020, 311 permits were issued for 343 new dwelling units, totalling a construction value of \$102.1 million.

Inspections – Building

A total of 2,308 inspection requests were received with 2,681 inspections being conducted.

In addition, 14 inspections were completed related to complaints, business licenses, orders and miscellaneous inspections.

Of the 2,308 inspections requested, 100% were conducted within the provincially mandated 48 hour period.

Inspections - Code Compliance

A total of 543 inspection requests were received, with 669 inspections being conducted.

An additional 108 inspections were completed relating to complaints, business licences, orders and miscellaneous inspections.

Of the 543 inspections requested, 100% were conducted within the provincially mandated 48 hour period.

Inspections - Plumbing

A total of 1,100 inspection requests were received with 1,333 inspections being conducted related to building permit activity.

In addition, 4 inspections were completed related to complaints, business licenses, orders and miscellaneous inspections.

Of the 1,100 inspections requested, 100% were conducted within the provincially mandated 48 hour period.

Conclusion

The purpose of this report is to provide Municipal Council with information regarding the building permit issuance and building & plumbing inspection activities for the months of November 2020 and December 2020. Attached as Appendix “A” to this report is a “Summary Listing of Building Construction Activity” for the months of November 2020 and December 2020 as well as “Principle Permits Reports”.

Prepared by: Peter Kokkoros, P.Eng.
Deputy Chief Building Official
Development & Compliance Services
Building Division

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

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

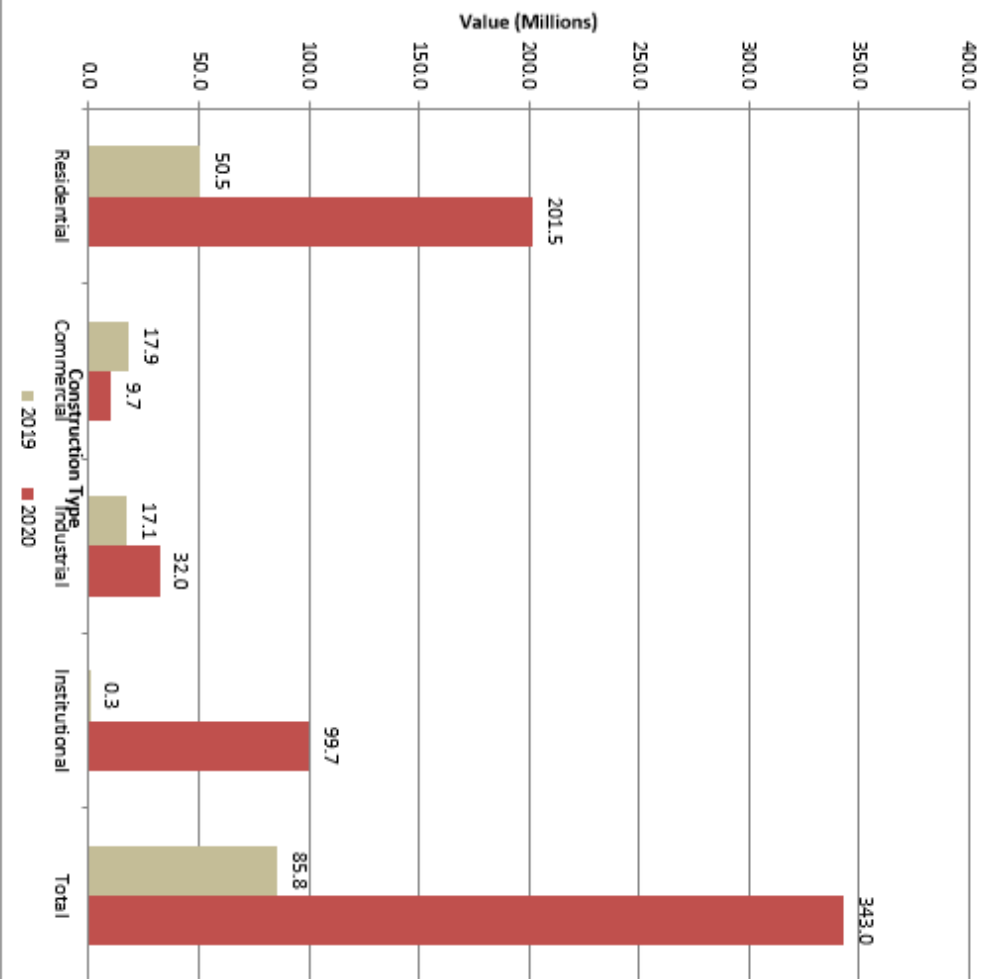
APPENDIX "A"

**CITY OF LONDON
SUMMARY LISTING OF BUILDING CONSTRUCTION ACTIVITY FOR THE MONTH OF November 2020**

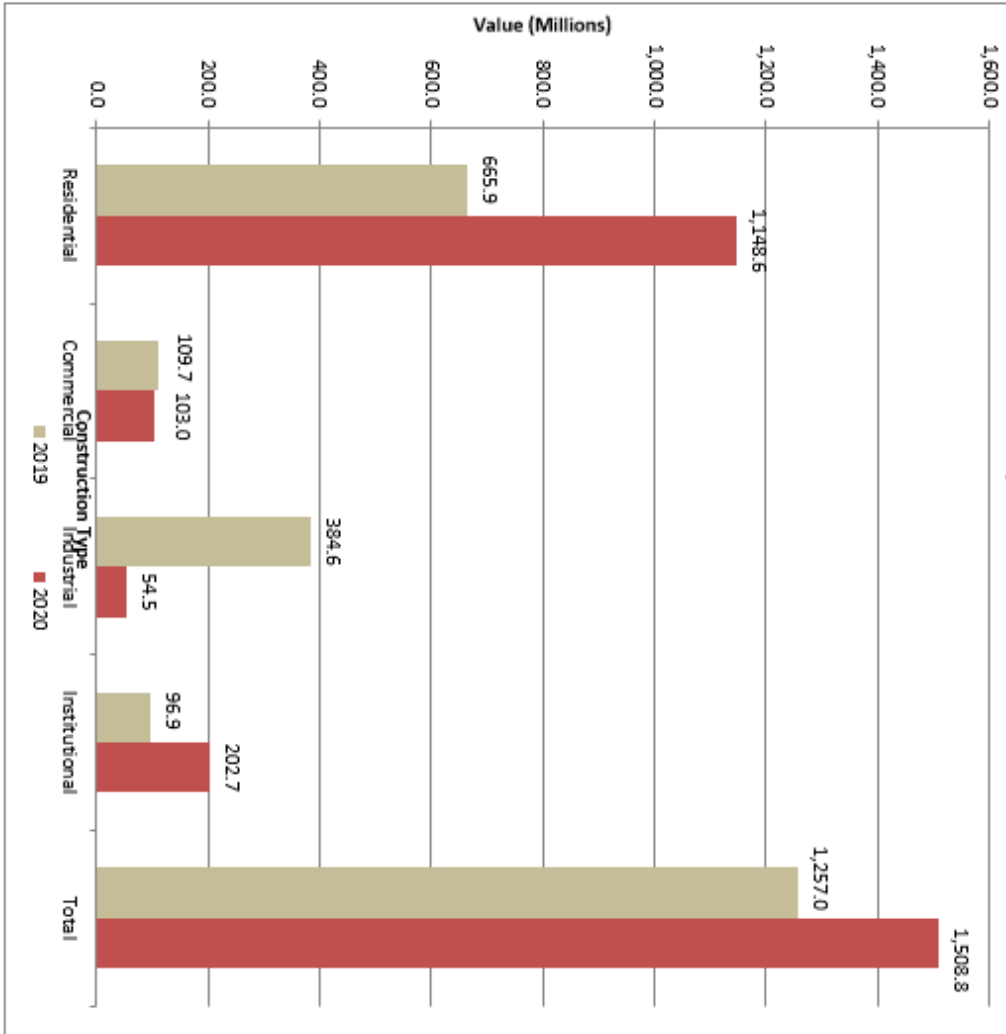
CLASSIFICATION	November 2020			to the end of November 2020			November 2019			to the end of November 2019		
	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS
SINGLE FAMILY DWELLINGS	107	47,277,800	107	863	368,558,254	863	78	37,522,330	78	642	276,099,986	642
SEMI DETACHED DWELLINGS	0	0	0	2	1,023,000	4	0	0	0	3	884,400	6
TOWNHOUSES	16	10,409,800	46	135	126,289,785	484	11	8,289,400	32	157	142,482,530	638
DUPLEX, TRIPLEX, QUAD, APT BLDG	4	136,437,600	504	17	596,902,400	2,034	0	0	0	18	192,486,852	875
RES-ALTER & ADDITIONS	156	7,409,724	8	1,400	55,852,487	53	137	4,709,125	4	1,722	53,913,822	62
COMMERCIAL - ERECT	2	1,300,000	0	11	8,460,300	0	4	10,624,300	0	19	31,606,380	0
COMMERCIAL ADDITION	1	20,000	0	5	2,202,800	0	1	290,000	0	16	9,844,000	0
COMMERCIAL - OTHER	42	8,394,500	0	345	92,287,669	0	42	7,035,400	0	481	68,205,603	2
INDUSTRIAL - ERECT	2	31,578,000	0	8	40,231,400	0	2	1,624,000	0	14	320,390,000	0
INDUSTRIAL - ADDITION	0	0	0	5	7,931,300	0	3	2,742,000	0	13	44,445,100	0
INDUSTRIAL - OTHER	5	458,600	0	40	6,374,007	0	11	12,709,700	0	75	19,800,020	0
INSTITUTIONAL - ERECT	3	96,588,300	0	7	129,443,300	0	0	0	0	2	27,456,800	0
INSTITUTIONAL - ADDITION	0	0	0	8	15,178,000	0	0	0	0	9	39,233,800	0
INSTITUTIONAL - OTHER	12	3,087,800	0	157	58,084,801	0	6	290,000	0	173	30,180,960	0
AGRICULTURAL	0	0	0	2	262,000	0	0	0	0	6	15,700,000	0
SWIMMING POOL FENCES	13	537,000	0	353	9,092,291	0	3	83,000	0	208	4,485,267	0
ADMINISTRATIVE	6	0	0	53	109,000	0	3	18,000	0	140	367,000	0
DEMOLITION	9	0	6	74	0	50	12	0	4	90	0	52
SIGNS/CANOPY - CITY PROPERTY	1	0	0	6	0	0	2	0	0	30	0	0
SIGNS/CANOPY - PRIVATE PROPERTY	28	0	0	289	0	0	37	0	0	465	0	0
TOTALS	407	343,499,124	665	3,780	1,518,282,793	3,438	352	85,937,255	114	4,283	1,277,582,520	2,225

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
November**



**Construction Value of Building Permits
January to November**



City of London - Building Division

Principal Permits Issued from November 1, 2020 to November 30, 2020

Owner	Project Location	Proposed Work	No. of Units	Construction Value
REMBRANDT HOMES	1061 Eagletrace Dr 30	Erect-Townhouse - Cluster SDD ERECT TOWNHOUSE CLUSTER SDD, 2 STOREY, 2 GARAGE, 4 BEDROOMS, FINISHED BASEMENT, COVERED REAR DECK, BOP ENERGY STAR, NO A/C, MWLCP 929 LEVEL, 1 UNIT 6, SOILS REQUIRED,	1	472,500
London District Catholic School Board	1063 Oxford St E	Alter Schools Elementary, Kindergarten INTERIOR ALT. TO WASHROOM FIXTURES AND STAIRS+ ADDING A NEW ELEVATOR ANF - Elementary School (Blessed Sacrament) Shell Permit Only—Provide sealed stair guards access shop drawings to the Building Division for review prior to work in these areas	0	500,000
Union Gas Limited	109 Commissioners Rd W	Alter Offices Alter interior for existing main floor offices.	0	830,000
959250 Ontario Ltd	109 Wharndcliffe Rd S	Alter Restaurant <= 30 People ALTER INTERIOR FOR EXISTING TIM HORTONS	0	180,000
SIFTON LIMITED	1095 Upperpoint Ave B	Erect-Street Townhouse - Condo ERECT TOWNHOUSE BLOCK, BLDG B, 6 UNITS, DPNS 1093, 1091, 1089, 1087, 1085, 1083, 2 STOREY, 1 CAR GARAGE, 3 BEDROOMS, UNFINISHED BASEMENT, NO A/C, NO DECK, SB-12 A1, HRV & DWHR REQUIRED. SOILS REPORT REQUIRED.	6	1,202,400
Graystone Custom Homes Limited	1170 Riverbend Rd 5	Erect-Townhouse - Cluster SDD ERECT CLUSTER SDD, 1 STOREY, 2 CAR GARAGE, FINISHED BASEMENT, 3 BEDROOMS, COVERED REAR PORCH, A/C INCLUDED, SB-12 A5, UNIT 4, DPN 5, MWLCP 897, HRV & DWHR REQUIRED, SOILS REQUIRED	1	552,500
Oxbury Centre	1299 Oxford St E	Alter Restaurant Alter Interior for Atby's Restaurant	0	146,000
LONDON SUMMERSIDE CORP. LONDON SUMMERSIDE CORP.	1305 Commissioners Rd E	Alter Recreation Centre CM - ALTERATION OF SUITE # 202	0	200,000
Milan Starcevic Kirk Holdings Inc	1339 Commissioners Rd W	Erect-Apartment Building Erect 5 storey apartment building with 1 level of underground parking. SHELL Permit Only. Includes Plumbing. Provide sealed stairs and guards shop drawings to the Building Division for review prior to work in these areas. Sprinkler Shop Drawings to be submitted. Firestopping Details to be submitted. No Mechanical Work. Demolition Credits applied from Permits: 20-018828, 20-018843, 20-018845	34	9,000,000
Khanna & Patel Holdings Inc	1567 Hyde Park Rd	Erect-Medical Offices ERECT - VETERINARY CLINIC Shell Permit Only—Provide sealed stair, guards, roof truss and canopy shop drawings to the Building Division for review prior to work in these areas	0	1,100,000

City of London - Building Division

Principal Permits Issued from November 1, 2020 to November 30, 2020

Owner	Project Location	Proposed Work	No. of Units	Construction Value
THE RIDGE AT BYRON INC. THE RIDGE AT BYRON INC.	1710 Ironwood Rd 61	Erect-Townhouse - Cluster SDD ERECT TOWNHOUSE CLUSTER SDD, 1 STOREY, 2 CAR GARAGE, 2 BEDROOMS, UNFINISHED BASEMENT, A/C INCLUDED, COVERED REAR DECK, SB-12 A5, MWLCP 903 LEVEL 1 UNIT 42, HRV & DWHR REQUIRED.	1	338,000
Tripathi Holdings Inc	1719 Dundas St	Alter Offices INTERIOR ALTERATION TO CONVERT FROM CHIROPRACTICE OFFICE TO DENTAL OFFICE	0	300,000
Mkh Cherryhill Residential Inc C/O Minto Group	180 Cherryhill Cir	Alter Apartment Building ALTERATIONS TO PARKING GARAGE	0	750,000
PATRICK HAZZARD CUSTOM HOMES PATRICK HAZZARD CUSTOM HOMES (2594857 Ont Inc)	1820 Canvas Way 15	Erect-Townhouse - Cluster SDD ERECT NEW TOWNHOUSE CLUSTER SDD, 2 STOREY, 2 CAR GARAGE, 3 BEDROOM, UNFINISHED BASEMENT, NO DECK W/ A/C, SB12 A1, MWLCP 927 UNIT 25, HRV AND DWHR REQUIRED	1	308,000
PATRICK HAZZARD CUSTOM HOMES PATRICK HAZZARD CUSTOM HOMES (2594857 Ont Inc)	1820 Canvas Way 24	Erect-Street Townhouse - Condo ERECT NEW SDD, 2 STOREY, 2 CAR GARAGE, 3 BEDROOMS, UNFINISHED BASEMENT, A/C INCLUDED, NO DECK, SB-12 A1, LOT 52, HRV & DWHR REQUIRED.	1	330,000
Z- Group	1820 Canvas Way 4	Erect-Townhouse - Cluster SDD ERECT NEW CLUSTER SDD, 2 STOREY, 2 CAR, 4 BED, UNFINISHED BASEMENT(ONLY BATH ROOM IS FINISHED), NO DECK, W/ A/C, SB12 A1, LOT 62, HRV AND DWHR REQUIRED	1	392,000
PARKLAND FUEL CORPORATION	1885 Huron St	Alter Restaurant INTERIOR ALTERATION OF THE TIM HORTONS KIOSK	0	127,000
Mkh Cherryhill Residential Inc C/O Minto Group	200 Westfield Dr	Alter Apartment Building ALTERATIONS TO PARKING GARAGE	0	750,000
Mkh Cherryhill Residential Inc C/O Minto Group	201 Westfield Dr	Alter Apartment Building ALTERATIONS TO PARKING GARAGE	0	604,500
MARQUIS DEVELOPMENTS LONDON INC. MARQUIS DEVELOPMENTS LONDON INC.	203 Wychwood Pk 2	Erect-Townhouse - Cluster SDD ERECT NEW TOWNHOUSE CLUSTER SDD, 1 STOREY, 2 CAR, 2 BED, UNFINISHED BASEMENT, NO DECK, W/ A/C, SB12 A5, MWLCP LOT 1, HRV AND DWHR REQUIRED	1	316,000
London International Airport	2340 Airforce Pl	Erect-Aircraft Hangers ERECT A 1418 M2 AIRCRAFT HANGER.	0	1,578,000
11850407 Canada Inc	2350 Concept Dr	Erect-Plant for Manufacturing ID - ERECT PRODUCTION FACILITY CONDITIONAL FOUNDATION INCLUDING SITE SERVICING	0	30,000,000
1616902 Ontario Limited	296 Horton St E	Alter Restaurant INTERIOR ALTER TO TIM HORTONS.	0	400,000
1616902 Ontario Limited	300 Marconi Gate E	Erect-Self-Service Storage (Mini Warehouse) Construct new pre-manufactured self service storage building without plumbing or mechanical servicing.	0	200,000

City of London - Building Division

Principal Permits Issued from November 1, 2020 to November 30, 2020

Owner	Project Location	Proposed Work	No. of Units	Construction Value
SCHLEGEL VILLAGES INC. SCHLEGEL VILLAGES INC.	3030 Singleton Ave	Erect-Care Facility ERRECT 8 STOREY CARE FACILITY WITH 1 STOREY OF UNDERGROUND PARKING Shell Permit - Provide Delta Beam shop drawings for each floor prior to construction for that floor. Provide sealed stair guards, stairs, balcony guards shop drawings to the Building Division for review prior to work in these areas.	0	62,000,000
731675 ONTARIO LIMITED 731675 ONTARIO LIMITED	3080 Bostwick Rd	Erect-Apartment Building RA - ERRECT 17 FLOOR APARTMENT BUILDING SHELL PERMIT - SUBMIT SEALED SHOP DRAWINGS FOR METAL GRATES IF THAT AREA IS ACCESSIBLE BY THE PUBLIC, BALCONY GUARDS , STAIR/LANDINGS AND STAIR GUARDS TO THE BUILDING DIVISION FOR REVIEW PRIOR TO WORK IN THESE AREAS. Submit sprinkler shop drawings and fire pump data to City for review.	208	44,337,600
2290874 Ontario Inc	3260 Singleton Ave HH	Erect-Townhouse - Condo Erect new townhouse Condo BLDG HH, DPN 159,164 Lots 53,54 respectively. No basement. 3 storey. Soils report required.	2	474,600
2290874 Ontario Inc	3260 Singleton Ave II	Erect-Townhouse - Condo Erect new townhouse Condo BLDG II, DPN 157,155,166,168 Lots 55,57,56,58 respectively. No Basement. Soils report required.	4	527,800
2290874 Ontario Inc	3260 Singleton Ave JJ	Erect-Townhouse - Condo Erect new townhouse Condo BLDG JJ, DPN 153,151,170,172 Lots 59,61,60,62 respectively. No basement, 3 storey. Soils report required.	4	1,200,000
1967172 Ontario Inc.	3380 Singleton Ave K	Erect-Townhouse - Condo ERRECT NEW TOWNHOUSE BLOCK, BLDG K, DPNS 3406, 3410, 3414, 3418, 3422, 3 STOREY, 2 CAR GARAGE, 3 BEDROOMS, UNFINISHED BASEMENT, NO A/C, UNCOVERED REAR DECK, SB-12 HOT2000.	5	1,250,000
1967172 Ontario Inc.	3380 Singleton Ave L	Erect-Townhouse - Condo ERRECT NEW TOWNHOUSE BLOCK, BLDG L, DPNS 3386, 3390, 3394, 3398, 3402, 3 STOREY, 2 CAR GARAGE, 3 BEDROOMS, UNFINISHED BASEMENT, NO A/C, UNCOVERED REAR DECK, SB-12 HOT2000.	5	125,000
LONDON HEALTH SCIENCES CENTRE LONDON	339 Windmere Rd	Alter Hospitals INTERIOR ALTERATIONS TO ROOMS A1-185, A1-187 AND A1-188 AT UNIVERSITY HOSPITAL	0	550,000
LONDON HEALTH SCIENCES CENTRE LONDON	339 Windmere Rd	Alter Hospitals INTERIOR ALTERATIONS TO MDR ROOM A1-322 AT UNIVERSITY HOSPITAL + Asbestos Abatement. Submit Sprinkler Shop Drawings and GRCC before demolition phase. ITC form has been requested.	0	800,000

City of London - Building Division
Principal Permits Issued from November 1, 2020 to November 30, 2020

Owner	Project Location	Proposed Work	No. of Units	Construction Value
SOUTHBRIIDGE HEALTHCARE GP INC.	3715 Southbridge Ave	Erect-Care Facility ERECT LONG TERM CARE FACILITY. Shell Permit - Provide DELATABEAM shop drawings for each floor prior to construction for that floor, provide sealed stair guards and balcony guards shop drawings to the Building Division for review prior to work in these areas. Submit sprinkler system shop drawings & calculations to City for review before FULL permit is granted. Submit sealed shop drawings for Fire Suppression and Kitchen Hoods.	0	4,000,000
DORAL HOLDINGS LIMITED	390 Springbank Dr	Alter Restaurant Alter interior for existing Tim Hortons	0	260,000
TRICAR LIMITED TRICAR PROPERTIES LIMITED	480 Callaway Rd	Erect-Apartment Building ERECT 10 STOREY APARTMENT BUILDING. Submit sprinkler shop drawing & calculations to City for review (digital). Submit the name of Integrated Testing Co-Ordinator for this building; info is required before permit can be issued 'Full'.	161	71,600,000
ST JOSEPH'S HEALTH	550 Wellington Rd	Alter Hospitals RF(8) - Hospital - Int. alt (exhaust fan) Replace Kitchen Exhaust system, Level 1, room B1101	0	900,000
1551733 Ontario Limited	608 Springbank Dr	Erect-Apartment Building ERECT 13 STOREY APARTMENT BUILDING, FRR/FPO March 19, 2018- Alternative Solution to remove fire hose cabinets is approved Shell Permit Only—Provide sealed Misc. Metals for the stair guards, balcony guards and roof access shop drawings to the Building Division for review prior to work in these areas	101	11,500,000
Seasons Retirement Communities (London Highland) GP Inc.	633 Base Line Rd E	Erect-Nursing Homes IS - ERECT 8 STOREY BLDG, 1 LEVEL U/G PARKING, 2nd (MAIN) FLOOR AMENITY SPACE, 3RD-9TH FLOOR RETIREMENT HOME. CONDITIONAL FOUNDATION PERMIT ONLY. NO WORK PERMITTED ABOVE GRADE. FULL SET ARCHITECTURAL ABOVE GRADE DRAWINGS REQUIRED FOR REVIEW/APPROVAL FOR PERMIT UPGRADE. SPRINKLER DRAWINGS, MISC. METALS, FIRE STOPPING PACKAGE REQUIRED. GRCC FOR FIRE PROTECTION AND MISC.METALS REQUIRED. Demo Credits applied from permits: 17-036201, 17-036202, 17-036205, 17-036207, 17-036203, 17-036206, 17-036208.	0	30,588,300
LM ACQUISITION INC C/O IINDUCTOTHERM INDUSTRIES	635 Newbold St	Alter Factories Interior alter for office area.	0	400,000

City of London - Building Division

Principal Permits Issued from November 1, 2020 to November 30, 2020

Owner	Project Location	Proposed Work	No. of Units	Construction Value
THAMES VALLEY DISTRICT SCHOOL BOARD THAMES VALLEY DISTRICT SCHOOL BOARD	660 Steeplechase Dr	Install-Schools Elementary, Kindergarten INSTALL FIRE ALARM, SECURITY SYSTEM, EXIT SIGNS AND PA SYSTEM.		255,000
ALL SOUFAN 2219008 ONTARIO LIMITED c/o YORK DEVELOPMENTS LONDON	6990 Clayton Walk	Install-Townhouse - Cluster SDD RT - Install site services.		1,398,744
The Ironstone Building Company Inc	745 Chelton Rd B	Erect-Townhouse - Condo ERECT NEW TOWNHOUSE BLOCK - BLDG B, 6 UNITS DPN 40, 42, 44, 46, 48, 50, 2 STOREY, 1 CAR GARAGE, 3 BEDROOMS, FINISHED BASEMENT, A/C INCLUDED, UNCOVERED DECK, SB-12 A1, HRV & DWHR REQUIRED.	6	1,285,000
The Ironstone Building Company Inc	745 Chelton Rd C	Erect-Townhouse - Condo ERECT NEW TOWNHOUSE BLOCK - BLDG C, 6 UNITS DPN 28, 30, 32, 34, 36, 38 2 STOREY, 1 CAR GARAGE, 3 BEDROOMS, FINISHED BASEMENT, A/C INCLUDED, UNCOVERED DECK, SB-12 A1, HRV & DWHR REQUIRED.	6	1,300,000
2719797 Ontario Inc	781 Richmond St	Alter Medical Offices INTERIOR ALTERATIONS TO MEDICAL OFFICE	0	300,000
785 Wonderland Road Inc C/O Mccor Management (East) In	785 Wonderland Rd S	Alter Offices ALTER INTERIOR, UNIT 220 FOR OFFICE SPACE, DAVIS MARTINDALE. Submit SPRINKLER system shop drawings for City review. SHELL PERMIT - Provide sealed Skylight shop drawings with the attachment detail to the Building Division for review prior to work in these areas	0	3,200,000
Choice Properties Ltd. C/O CP Reit Ontario Properties Limited	825 Oxford St E	Alter Super Market INTERIOR RENOVATION FOR SUPER STORE. FRR FPO	0	1,200,000

Total Permits 47 Units 549 Value 290,028,944

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

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

OWNER

1616902 Ontario Limited
 Khanna & Patel Holdings Inc

Commercial Permits regardless of construction value

CITY OF LONDON

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

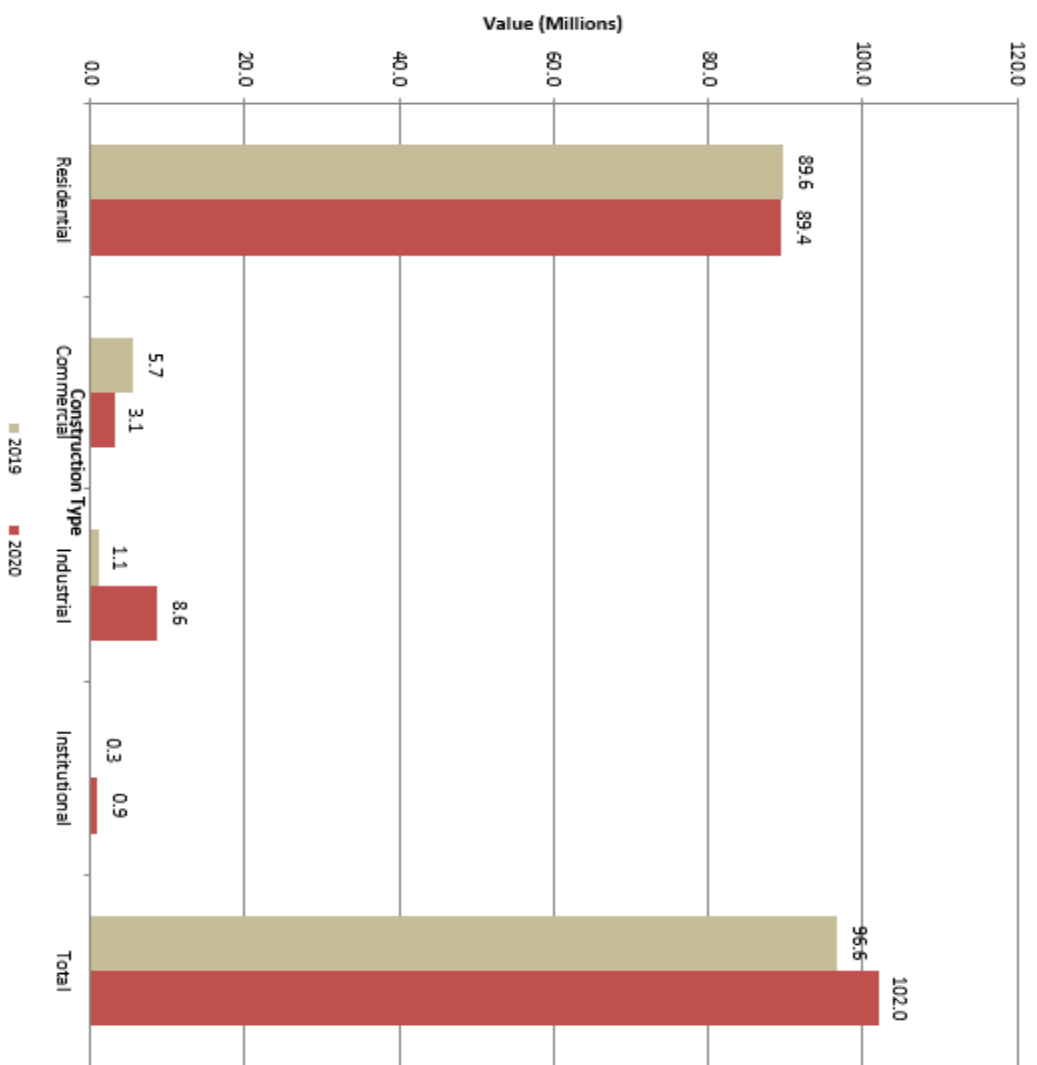
CLASSIFICATION	December 2020				to the end of December 2020				December 2019				to the end of December 2019			
	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	
SINGLE FAMILY DWELLINGS	100	45,612,700	100	963	414,170,954	963	43	19,821,640	43	688	296,806,026	688	0	0	688	
SEMI DETACHED DWELLINGS	0	0	0	2	1,023,000	4	0	0	0	0	0	0	0	0	0	
TOWNHOUSES	10	9,437,117	52	145	136,851,902	536	16	15,296,024	71	173	157,778,554	709	173	157,778,554	709	
DUPLEX, TRIPLEX, QUAD/APT BLDG	3	29,200,000	176	20	626,102,400	2,210	2	50,222,480	334	20	242,709,332	1,209	20	242,709,332	1,209	
RES-ALTER & ADDITIONS	109	5,116,900	15	1,509	60,969,387	68	76	4,286,344	20	1,798	58,200,166	82	1,798	58,200,166	82	
COMMERCIAL - ERECT	0	0	0	11	8,460,300	0	1	1,930,000	0	20	33,536,380	0	20	33,536,380	0	
COMMERCIAL ADDITION	1	894,300	0	6	3,097,100	0	1	300,000	3	17	10,144,000	3	17	10,144,000	3	
COMMERCIAL - OTHER	28	2,227,200	0	373	94,514,869	0	28	3,455,600	0	509	71,661,203	2	509	71,661,203	2	
INDUSTRIAL - ERECT	0	0	0	8	40,231,400	0	1	90,000	0	15	320,480,000	0	15	320,480,000	0	
INDUSTRIAL - ADDITION	0	0	0	5	7,931,300	0	0	0	0	13	44,445,100	0	13	44,445,100	0	
INDUSTRIAL - OTHER	11	8,584,000	0	51	14,958,007	0	9	982,300	0	84	20,782,320	0	84	20,782,320	0	
INSTITUTIONAL - ERECT	0	0	0	7	129,443,300	0	0	0	0	2	27,456,800	0	2	27,456,800	0	
INSTITUTIONAL - ADDITION	1	600,000	0	9	15,778,000	0	0	0	0	9	39,233,800	0	9	39,233,800	0	
INSTITUTIONAL - OTHER	5	314,700	0	162	58,399,501	0	7	255,100	0	180	30,436,060	0	180	30,436,060	0	
AGRICULTURAL	1	7,000	0	3	269,000	0	0	0	0	6	15,700,000	0	6	15,700,000	0	
SWIMMING POOL FENCES	5	142,728	0	358	9,235,019	0	2	50,000	0	210	4,535,267	0	210	4,535,267	0	
ADMINISTRATIVE	9	0	0	62	109,000	0	4	80,000	0	144	447,000	0	144	447,000	0	
DEMOLITION	4	0	3	78	0	53	5	0	3	95	0	53	95	0	53	
SIGNS/CANOPY - CITY PROPERTY	1	0	0	7	0	0	0	0	0	30	0	0	30	0	0	
SIGNS/CANOPY - PRIVATE PROPERTY	23	0	0	312	0	0	53	0	0	518	0	0	518	0	0	
TOTALS	311	102,136,645	343	4,091	1,621,544,439	3,781	248	96,769,488	471	4,531	1,374,352,008	2,693	4,531	1,374,352,008	2,693	

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

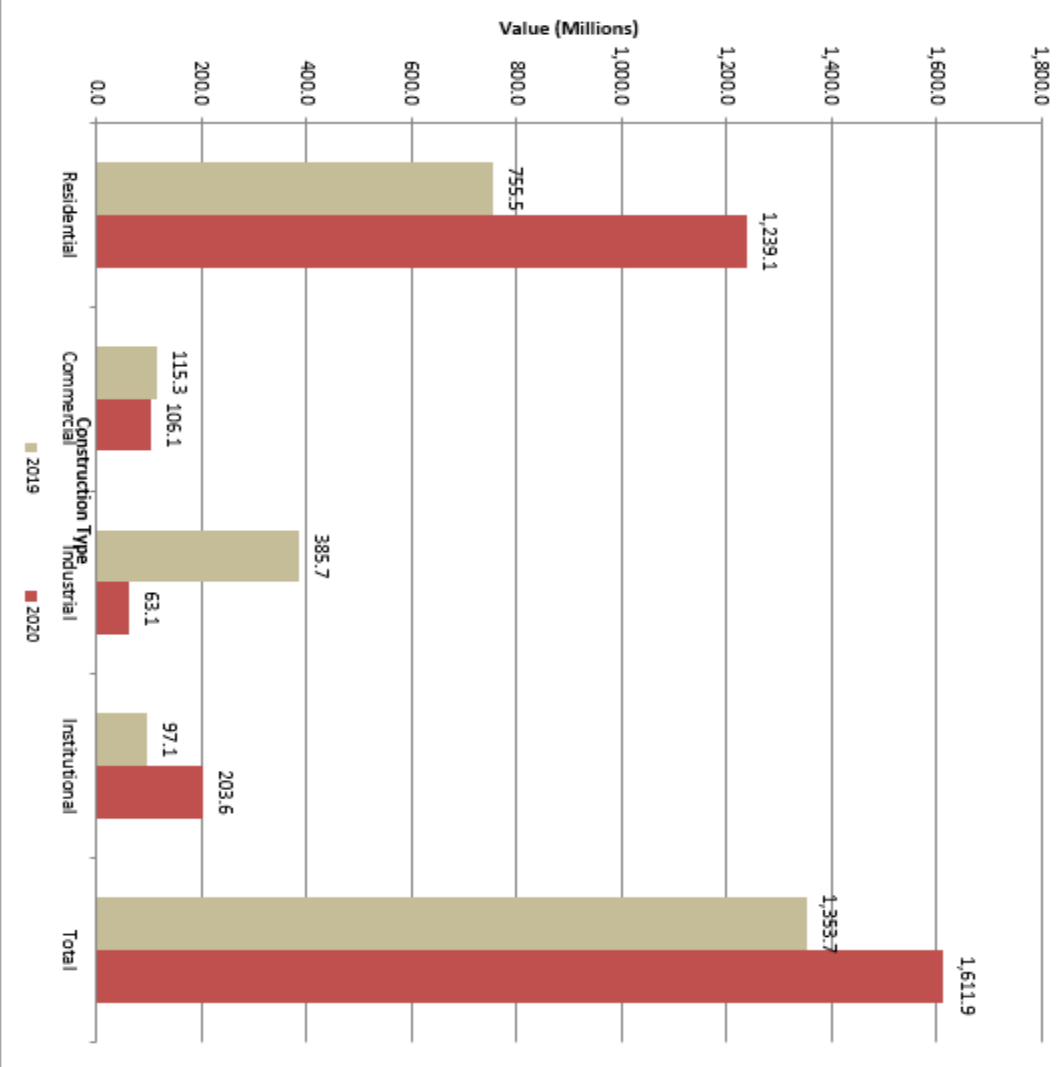
2) Mobile Signs are no longer reported.

3) Construction Value has been rounded up.

Construction Value of Building Permits
December



Construction Value of Building Permits
January to December



City of London - Building Division

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

Owner	Project Location	Proposed Work	Construction	
			No. of Units	Value
JENNUM WELLINGTON PROPERTIES INC. JENNUM WELLINGTON PROPERTIES INC.	1025 Wellington Rd	Alter Barber Shop CM - INTERIOR FIT UP FOR "TOMMY GUNS ORIGINAL BARBER SHOP" For fire protection: Fire Extinguishers to be installed at both exit locations. ASAI/4/8 - Personal Service Establishment Permitted - Business License Required	0	175,000
BOARDWALK REIT PROPERTIES BOARDWALK REIT PROPERTIES	106 Base Line Rd W	Alter Apartment Building Alter Interior of Main Floor/Lobby/Corridor.	0	120,000
REMBRANDT HOMES	1061 Eagletrace Dr 24	Erect-Townhouse - Cluster SDD ERECT NEW CLUSTER SDD, 1 SOTREY, 2 CAR, 3 BED, UNFINISHED BASEMENT, W/ DECK, W/ A/C, ENERGY STAR, UNIT 3, HRV AND DWHR REQUIRED. Soils required.	1	275,000
REMBRANDT HOMES	1061 Eagletrace Dr 28	Erect-Townhouse - Condo ERECT NEW SDD, 2 STOREY, 2 CAR GARAGE, 4 BEDROOMS, UNFINISHED BASEMENT, COVERED DECK, A/C, LOT 28 HRV AND DWHR REQUIRED. Soil report required.	1	496,000
KAREN CRICH Crich Holdings & Buildings Limited	110 Grand Ave	Alter Apartment Building Balcony repairs Shell Permit Only -Provide sealed Misc. Metals for the balcony guards to the Building Division for review prior to work in these areas	0	175,000
LONDON HOSPITALITY INC. C/O DAYS INN LONDON LONDON HOSPITALITY INC. C/O DAYS INN LONDON	1100 Wellington Rd	Install-Hotel INSTALL SOLAR PANELS ON ROOF		250,000
BOARDWALK REIT PROPERTIES BOARDWALK REIT PROPERTIES	112 Base Line Rd W	Alter Apartment Building Alter interior of Main Floor and Lobby area.	0	120,000
Cnk Investments Inc	127 Jasper Cres	Add Duplex ADDITION TO SECOND STOREY OFFHOME TO CREATE SECONDARY DWELLING UNIT, ALTER INTERIOR OF EXISTING HOUSE TO REMOVE LOAD BEARING WALL, ADD BATHROOM TO BASEMENT LEVEL, CREATE NEW LIVING ROOM, BATHROOM AND BEDROOM ON MAIN FLOOR, FULL SECONDARY SUITE ON SECOND FLOOR	1	195,000
Bsn London Corporation C/O Farhi Holdings	151 Dundas St	Alter Offices Structural and waterproofing repairs for elevated sidewalk.	0	200,000
TALU INC. TALU PROPERTIES INC.	1515 Agathos St	Install-Apartment Building INSTALL SITE SERVICES FOR BLOCK 140		848,000
The Ironstone Building Company Inc	1515 Agathos St	Install-Apartment Building INSTALL SITE SERVICES FOR BLOCK 140		848,000
CF REALTY HLDG INC., FAIRVIEW CORP CF REALTY HLDG INC., C/O CADILLAC FAIRVIEW CORP	1680 Richmond St	Alter Retail Store UNIT U019B - INTERIOR FIT UP FOR LA VIE EN ROSE	0	275,000

City of London - Building Division

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

Owner	Project Location	Proposed Work	No. of Units	Construction Value
THE RIDGE AT BYRON INC. INC.	THE RIDGE AT BYRON 1710 Ironwood Rd 27	Erect-Townhouse - Cluster SDD ERCT RT CLUSTER SDD, 1 STOREY, 2 CAR GARAGE, 2 BEDROOMS, PARTIALLY FINISHED BASEMENT, COVERED REAR DECK, A/C INCLUDED, SB-12 A5, M/LCP 904 LEVEL 1 UNIT 14, HRV & DWHR REQUIRED.	1	446,500
THE RIDGE AT BYRON INC. INC.	THE RIDGE AT BYRON 1710 Ironwood Rd 55	Erect-Townhouse - Cluster SDD ERCT RT CLUSTER SDD, 1 STOREY, 2 CAR GARAGE, 1 BEDROOM, UNFINISHED BASEMENT, COVERED REAR DECK, SB-12 A5, M/LCP 903 LEVEL 1 UNIT 39, SOILS REPORT REQUIRED, HRV & DWHR REQUIRED.	1	339,000
PATRICK HAZZARD CUSTOM HOMES PATRICK HAZZARD CUSTOM HOMES (2584857 Ont Inc)	1820 Canvas Way 13	Erect-Townhouse - Cluster SDD ERCT SDD, 2 STOREY, 2 CAR GARAGE, 3 BEDROOM, UNFINISHED BASEMENT, NO DECK, A/C INCLUDED, SB12-A1, LOT 24, DWHR &HRV REQUIRED	1	304,400
PATRICK HAZZARD CUSTOM HOMES PATRICK HAZZARD CUSTOM HOMES (2584857 Ont Inc)	1820 Canvas Way 19	Erect-Townhouse - Cluster SDD ERCT NEW TOWNHOUSE CLUSTER SDD, DPN 19, 2 STOREY, 2 CAR GARAGE, 3 BEDROOM, UNFINISHED BASEMENT, NO DECK, A/C, SB12 A1,UNIT 27, SOILS REQUIRED, HRV AND DWHR REQUIRED	1	302,000
SIFTON PROPERTIES LIMITED SIFTON PROPERTIES LIMITED	1847 Sandy Somerville Lane	Erect-Townhouse - Cluster SDD ERCT CLUSTER SDD, 1 STOREY, 2 CAR GARAGE + GOLF CART BAY , UNFINISHED BASEMENT, 2 BEDROOMS, REAR COVERED PORCH, NO DECK, A/C INCLUDED, SB12- PERFORMANCE, PART OF BLOCK 1 33M-758 (33R-20595) PART 1, HRV & DWHR REQUIRED,***SOILS REPORT REQUIRED***	1	410,000
SIFTON PROPERTIES LIMITED SIFTON PROPERTIES LIMITED	1878 Sandy Somerville Lane	Erect-Townhouse - Cluster SDD ERCT NEW CLUSTER SDD, 1 STOREY, 2 CAR, 2 BED, PARTIALLY FINISHED BASEMENT, NO DECK, W/ A/C, SB12 PERFORMANCE, 33M758 LOT 6 , HRV AND DWHR REQUIRED	1	362,000
ALI SOUFAN YORK PROPERTY MANAGEMENT	1959 Whaincliffe Rd S	Erect-Townhouse - Rental ERCT 40 UNIT STACKED TOWNHOMES - BLOCK 1	40	5,602,217
ST JOSEPH'S HEALTH CARE LONDON ST. JOSEPH'S HEALTH CARE LONDON	21 Grosvenor St	Install-Care Facility Plumbing Installation - Care Facility - Installing a stone infiltration system within the property boundaries	0	147,000
DANCOR HURON ROBINS HILL INC. DANCOR HURON ROBINS HILL INC.	2244 Huron St	Alter Warehousing INTERIOR FIT UP -BUILDING K	0	1,200,000
8999872 CANADA LTD	228 Dundas St	Alter Retail Store INTERIOR ALTERATION FOR RETAIL STORE AREA ONLY	0	125,000

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

Owner	Project Location	Proposed Work	No. of Units	Construction Value
THAMES VALLEY DISTRICT SCHOOL BOARD THAMES VALLEY DISTRICT SCHOOL BOARD	230 Base Line Rd W	Add Schools Secondary, High, Jr. High ADD TO SCHOOL FOR ELEVATOR AND MINOR INTERIOR ALTERATIONS FOR CORRIDORS, CFL.	0	600,000
CARDIFF PRODUCTS CORPORATION	2300 Discovery Dr	Submit shop drawings for Smoke Damper to City for Fire Protection review. Alter Plant for Manufacturing CM-INTERIOR ALTER FOR PACKAGING FACILITY	0	6,000,000
SIFTON LIMITED	2610 Kettering Pl D	Shell Permit Only –Provide sealed engineering insulated metal panels shop drawings to the Building Division for review prior to work in these areas Erect-Street Townhouse - Condo ERECT NEW TOWNHOUSE BLOCK - BLDG D, 4 UNITS, 31, 33, 35, 37, 3 STOREY, 1 CAR GARAGE, 3 BEDROOMS, NO BASEMENT, NO A/C, UNCOVERED DECK, SB-12 A1, HRV & SWHR REQUIRED.	4	900,000
DREWLO HOLDINGS INC	300 South Carriage Rd	Erect-Apartment Building RA - ERECT FOR 11 STOREY, 172 UNIT APARTMENT BUILDING, FRR/FPO Foundation with underground plumbing only. Site services under separate permit.	172	28,000,000
DREWLO HOLDINGS INC. DREWLO HOLDINGS INC.	300 South Carriage Rd	Install-Site Services RA - INSTALL SITE SERVICING		250,000
TROJAN TECHNOLOGIES INC. TROJAN TECHNOLOGIES INC.	3020 Gore Rd	Alter Warehousing REVISING USE OF THE EXISTING WAREHOUSE SPACE TO LABORATORY AND TESTING SPACE.	0	750,000
1904881 Ontario Inc. London City	585 Queens Ave 900 King St	Erect-Apartment Building Erect 3 storey, 4 unit apartment building. Install-Convention Centre/Exhibition Hall Install plumbing including new sewer and water branch piping.	4	1,200,000 146,000
Dr. Cecilia Aragon Aragon Holdings (London) Inc	906 Adelaide St N	Add Offices NEW DENTAL OFFICE Shell Permit - Provide sealed roof truss drawings reviewed by the principal engineer and sealed guards shop drawings to the Building Division for review prior to work in these areas	0	894,300
LIQUOR CONTROL BOARD OF ONTARIO CONTROL BOARD OF ONTARIO	955 Wilton Grove Rd	Install-Warehousing ID - Stair Replacement, Slab Repair, New Accessibility Ramp		225,000
LIQUOR CONTROL BOARD OF ONTARIO CONTROL BOARD OF ONTARIO	955 Wilton Grove Rd	Install-Warehousing ID - Stair Replacement, Slab Repair, New Accessibility Ramp		225,000
LIQUOR CONTROL BOARD OF ONTARIO CONTROL BOARD OF ONTARIO	955 Wilton Grove Rd	Install-Warehousing ID - Stair Replacement, Slab Repair, New Accessibility Ramp Shell Permit Only –Provide sealed Misc. Metals for the guards and handrails drawings to the Building Division for review prior to work in these areas	0	225,000



London
ON M9A 5G6

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

Owner	Project Location	Proposed Work	No. of Units	Construction Value
Mdm Canada Holdings Inc	978 Oxford St E	Alter Dental offices INTERIOR FIT UP FOR DENTAL OFFICE SHELL PERMIT ONLY- PROVIDED A SEALED LETTER/DRAWINGS FROM ONTARIO LICENSED PROFESSIONAL ENGINEER TO CONFIRM THAT THE EXISTING FRAMING IS ADEQUATE TO SUPPORT THE NEW MECHANICAL UNIT OR IF ANY REINFORCING IS REQUIRED TO THE BUILDING DIVISION FOR REVIEW PRIOR TO INSTALLATION OF RTU.	0	370,000

Total Permits 34 Units 229 Value 52,775,417

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

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

OWNER

Aragon Dr. Cecilia Aragon Holdings (London) 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: 2748714 Ontario Inc.
3195 White Oak Road

Meeting on: February 8, 2021

Recommendation

That, on the recommendation of the Director, Development Services with respect to the application of 2748714 Ontario Inc. relating to the property located at 3195 White Oak Road, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on February 23, 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 Holding Urban Reserve Special Provision (h-94*UR4(11)) and an Urban Reserve (UR4) Zone, **TO** a Residential R1 Special Provision (R1-3(21)) Zone.

Executive Summary

Summary of Request

The requested amendment will permit four (4) single detached residential lots, to be serviced from the extension of Petty Road.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to re-zone a portion of the lands at 3195 White Oak Road to permit four additional single detached residential lots, to be added to the Draft Plan of Subdivision 39T-18505 (White Rock Village). Additionally, these lots would be consolidated with a narrow portion of land (approximately 100.3 m²) that forms part of Block 103 of the Draft Plan. With inclusion of these adjacent lands, each of the proposed lots would have frontage on Petty Road, which is to be extended in conjunction with the development of Whiterock Village. Special provisions to ensure garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, and shall not occupy more than 50% of lot frontage, will also be added to the zone.

Rationale of Recommended Action

1. The recommended amendment is consistent with, and will serve to implement the policies of the Provincial Policy Statement, 2020 which encourage infill and intensification and the provision of a range of housing types, and efficient use of existing infrastructure;
2. The proposed residential uses and scale of development are consistent with the policies of the London Plan, the 1989 Official Plan, the Southwest Area Secondary Plan and the North Longwoods Area Plan policies;
3. The subject lands are of a suitable size and shape to accommodate the development proposed.

Linkage to the Corporate Strategic Plan

Building a Sustainable City - London's growth and development is well planned and sustainable over the long term.

Analysis

1.0 Background Information

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. regarding the property located at 3087 White Oak Road – Application for Approval of Draft Plan of Subdivision, Zoning By-law Amendments (39T-18505/Z-8980)).

July 22, 2020 - London Consent Authority - 2748714 Ontario Inc. (c/o Mohamed Abuhajar) Application for consent regarding the property located at 3195 White Oak Road. Notice of Provisional Consent Decision was granted on November 30, 2020 (B.021/20)

1.2 Planning History

In June of 2003, the North Longwoods Area Plan (NLAP) was prepared for 106 hectares (262 acres) of land bounded by Wharncliffe Road South, Southdale Road East, 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”. At the time, the subject site was designated as “Restricted Service Commercial”.

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 redesignated through the SWAP. The lands are currently designated Low Density Residential.

A draft plan of subdivision (file 39T-18505/1/Z-8980) was submitted for the lands located at 3087 White Oak Road (to the north of the subject site) on December 10, 2018. Municipal Council approved the plan and the associated zoning by-law amendment, and the Approval Authority granted draft approval on July 22, 2019. The approved draft plan consists of 72 single detached lots, 2 medium density blocks, 2 future development blocks, 3 road widening blocks, and 2 x 0.3m reserves, all serviced by the extension of four existing public streets (Petty Road, Bateman Trail, Lemieux Walk, and Biddulph Street).

The subject site encompasses a portion of Block 103 in the adjacent draft approved plan.

1.3 Property Description

The property at 3195 White Oak Road is situated on the west side of White Oak Road on lands generally described as Part of Lot 31, Concession 2, Geographic Township of Westminster. This property measures approximately 1.07 ha in area, and has approximately 54.9 m of street frontage and a maximum depth of approximately 195.9 m.

There is currently an outbuilding located on the eastern portion of these lands. The subject property is rectangular in shape. A 9.0 m wide storm sewer easement bisects the property in a diagonal orientation, and acts as the subject site limit. No buildings or structures will be permitted within this servicing corridor.

The subject site also includes a portion of the draft approved plan 39T-18505 (Block 103), which is currently vacant. In total, the consolidated site would measure approximately 2,243 m² in area and would have approximately 50.0 m of frontage on Petty Road.

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

- Official Plan Designation – Low Density Residential
- The London Plan Place Type – Neighbourhoods Place Type
- Existing Zoning – a Holding Urban Reserve Special Provision (h-94*UR4(11)) and an Urban Reserve (UR4) Zone

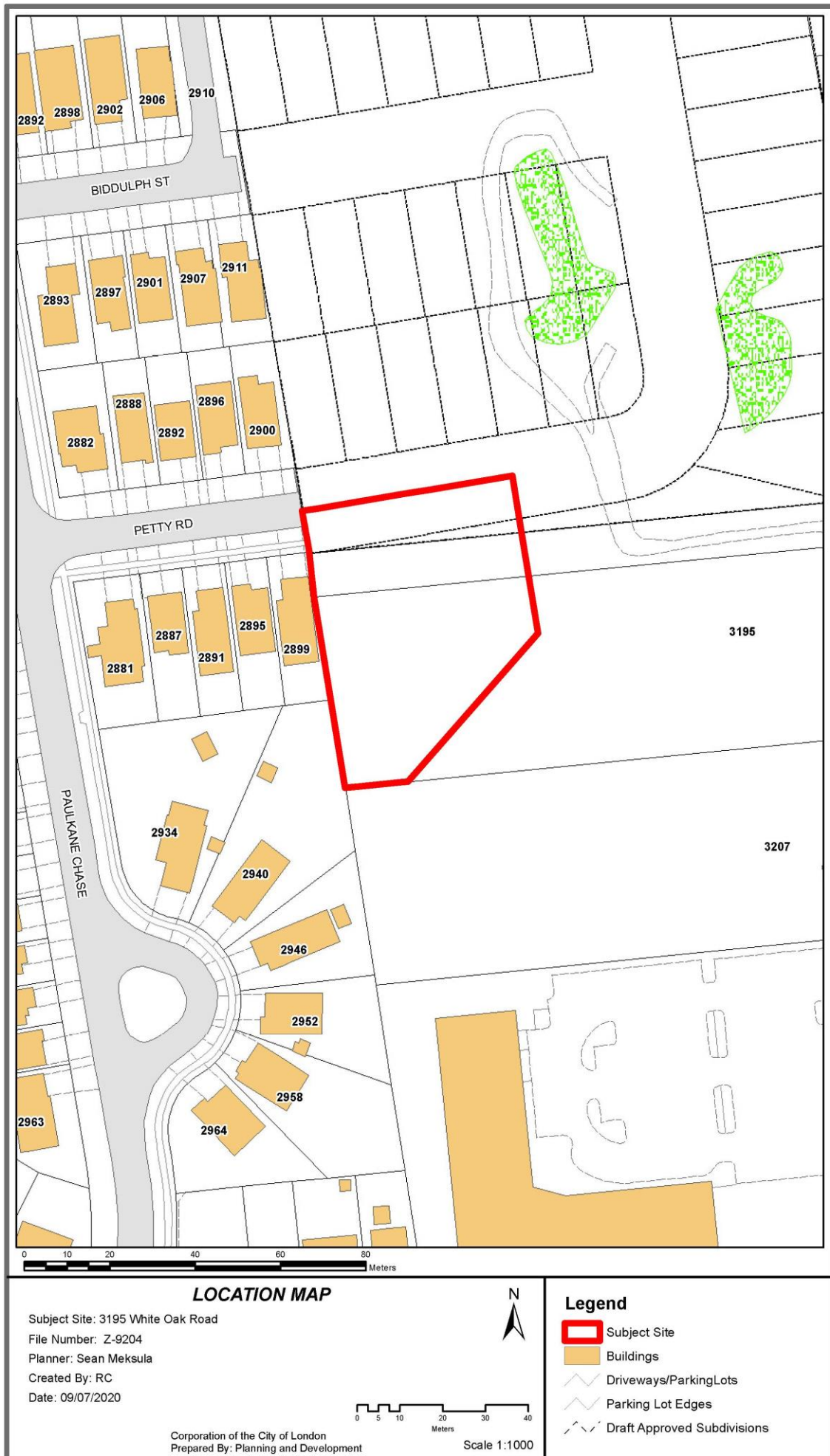
1.4 Site Characteristics

- Current Land Use – single detached dwelling/vacant
- Frontage – approx. 50 m (164 feet) along future Petty Road
- Depth – varies
- Area – 1.97 ha (4.86 ac)
- Shape – irregular

1.5 Surrounding Land Uses

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

1.6 LOCATION MAP



2.0 Discussion and Considerations

2.1 Development Proposal

The subject site includes a portion of Block 103 from draft plan 39T-18505 (see subject site below). In total, the consolidated site would measure approximately 2,243 m² in area and would have approximately 50.0 m of frontage on Petty Road. The four proposed lots would have lot areas ranging from approximately 420 m² to 733 m² and lot frontages ranging from approximately 12.3 m to 13.0 m. No development is proposed for the remnant portions of 3195 White Oak Road or Block 103.

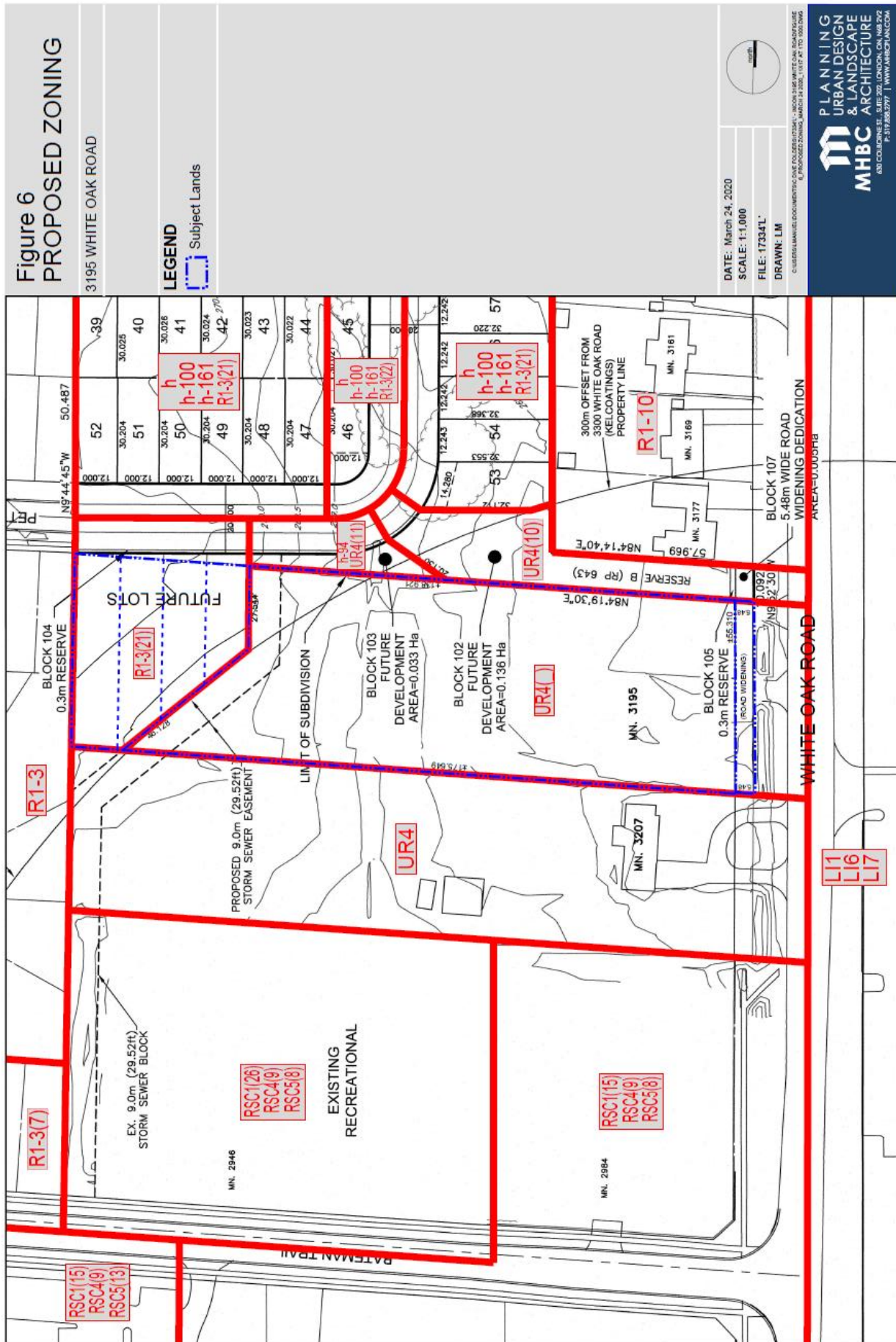


Figure 1 – Development Plan and Proposed Zoning

The Applicant has requested a zoning amendment for the consolidated subject site to permit single detached dwellings. The requested zone is the same zone that has been used within the Whiterock Village draft plan of subdivision (39T-18505). This zone includes a special provision to ensure garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, and shall not occupy more than 50% of lot frontage.

The Applicant has also submitted an application for consent, to sever the portion of lands from 3195 White Oak Road, which will then be added to the draft plan on subdivision. A redline to the subdivision and revised draft approval will be required.

3.0 Financial Impact/Consideration

Through the completion of the works associated with this application fees, development charges and taxes will be collected. There are no direct financial expenditures associated with this application.

4.0 Key Issues and Considerations

The proposed Zoning By-law Amendment was evaluated to determine whether it was compatible with the surrounding neighbourhood.

4.1 Requested Amendment

The Applicant has requested a zoning by-law amendment to rezone the lands to a Residential R1 Special Provision (R1-3(21)) Zone to the subject site. The Zone is the same zone that has been used for the single detached dwellings within the Whiterock Village subdivision (39T-18505). It will permit single detached dwellings with a minimum lot frontage 10m and a lot area of 300 m², with a special provision to ensure garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, and shall not occupy more than 50% of lot frontage.

4.2 Community Engagement (see more detail in Appendix B)

No public responses were received on this zoning application.

Parks Planning has indicated that 5% cash in lieu of parkland is required for the subject site. This will be addressed through the revised conditions of draft approval.

4.3 Policy Context (see more detail in Appendix C)

Provincial Policy Statement (PPS), 2020

The Provincial Policy Statement (PPS) 2020, provides policy direction on matters of provincial interest related to land use planning and development. The proposed development meets objectives of creating healthy, liveable, safe, and sustainable communities by promoting efficient and resilient development patterns, and accommodating an appropriate range and mix of low and medium density residential uses to meet long-term needs. These lands are adjacent to existing built-up areas to the north and west, and located within the City's Urban Growth Boundary. Development will efficiently utilize full municipal services which are currently available, under construction, or will be available through future extension.

The London Plan

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

The London Plan also provides direction to build strong, healthy and attractive neighbourhoods for everyone by designing 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. (61_2)

The subject lands are located within the *'Neighbourhoods' Place Type in the London Plan, and are located on a future Neighbourhood Street. The subject site's location on a *Neighbourhood Street permits a range of housing types, in a form that can include single detached dwellings up to *2.5 storeys.

**Use*

The recommended amendment to permit the development of single detached dwellings is consistent with the vision of the Neighbourhoods Place Type (*Table 10). Single detached dwellings are a permitted use along neighbourhood streets.

**Intensity*

*Policy 935_ 1. and *Table 11 provides the range of permitted heights in the Neighbourhoods Place Type based on street classification. A maximum height of 2.5 storeys is supported. The Applicant has indicated these homes will generally be two storeys in height. Overall, the proposed two storey height of this development meets the intensity requirements for the subject site.

**Form*

*Policy 936_ discourages rear lotting and noise walls to protect amenity areas. The proposed uses will not rear lot or side lot onto White Oak Road. The design of the lots will be in keeping with similar proposed single detached dwellings. A special provision to discourage garage dominated streetscapes will be implemented.

The London Plan policies are in addition to the Southwest Area Secondary Plan ("SWAP") policies that also provide guidance on form issues, such as building form, parking locations, landscaping, etc. When considering the two policy documents, the more detailed or alternative policy direction in SWAP would supersede the policies in the London Plan.

1989 Official Plan

The subject site is located within the Low Density Residential (LDR) designation in the 1989 Official Plan. The LDR permits a range of low to mid-rise residential uses. The site is also within the North Longwoods Community Specific Policy Area which addresses compatibility between sensitive and industrial uses. The subject site is outside of the 300m range affected by existing industrial uses.

The requested Zoning By-law Amendment is subject to the requirements of a Planning Impact Analysis ("PIA"). The proposed single detached dwellings provides a housing form that is compatible with the planned surrounding residential land uses. The subject site is of a sufficient size and configuration to accommodate the proposed development. The development meets or exceeds the minimums required in the R1-3 Zone. The proposed low-rise form is consistent with the height requirements of the Official Plan. The subject site is removed from any natural heritage features. The development proposal will serve to strengthen the future transit and transportation system.

Southwest Area Secondary Plan

Both The London Plan and the 1989 Official Plan recognize the need and role of a Secondary Plan to provide more detailed policy guidance for a specific area that goes beyond the general policies. The Southwest Area Secondary Plan (SWAP) forms part of The London Plan and the 1989 Official Plan, and its policies prevail over the more general Official Plan policies if there is a conflict (1556 & 1558*). The subject site is within the North Longwoods Residential Neighbourhood, and within the Low Density Residential (LDR) designation. The Secondary Plan serves as a basis for the review of planning applications, which will be used in conjunction with the other policies of the Official Plan.

From an urban design perspective, Policy 20.5.3.9. iii) d) requires special consideration for design of corner lots to take advantage of their visibility. This will be incorporated at site plan. Policy 20.5.3.9. iii) e) seeks to limit garages so that they are not the dominant feature in the streetscape. As part of the special provisions in the zoning, attached garages shall not project beyond the façade of the dwelling or the façade (front face) of any porch, or contain garage doors that occupy more than 50% of the frontage of a lot.

Zoning By-law No.Z.-1

The UR4 Zone is a holding type zone that permits existing dwellings, agricultural uses except for mushroom farms, commercial greenhouses, livestock facilities and manure storage facilities, conservation lands, managed woodlot, wayside pit, passive recreation use, kennels, private outdoor recreation clubs, and riding stables.

The proposed R1-3(21) Zone was applied to the new single detached dwellings to be located in the Whiterock subdivision, and to the north of the subject site. The Residential R1 (R1-3) Zone provides for and regulates low density residential development that requires a minimum lot frontage of 10m and a minimum lot area of 300m². A special provision is recommended that implements direction provided in SWAP to ensure that garages shall not project beyond the front façade or porch of the dwelling and not occupy more than 50% of the lot frontage. This would be consistent with the abutting lands within the Whiterock Subdivision.

The Applicant requested an Urban Reserve Special Provision (UR4 (11)) Zone to recognize the reduction in lot area for the balance of the site. Staff feel a zone change for the balance of the lands is unnecessary as any development on the site would require a zoning by-law amendment. The existing parcel as is prior to the consent does not meet the minimum lot areas and frontage as required through a UR4 Zone, so therefore any change to the site in terms of lot area and frontage will continue to be legal non-conforming. The existing holding provisions that were added to the Zone through the subdivision application will be retained for the subject site.

4.4 Planning Impact Analysis

As per Section 3.7 in the Official Plan, where a zone change application is being considered, a variety of criteria may be considered when evaluating the proposal with respect to the appropriateness of a change in land use, and in minimizing potential adverse impacts on abutting uses. The proposed Zoning By-law Amendment is consistent with Section 3.7 as:

- the proposed use of the lands, being single detached dwellings was contemplated through the subdivision process, and is compatible with surrounding uses.
- the lots created through the Plan of Subdivision are of sufficient size and shape to accommodate the proposed use.
- the intensity of the use is not being increased as part of this application. The form as proposed will not create impacts on surrounding land uses.
- the proposed low density residential development is located in close proximity to a future park and public open space opportunities, as well as the Primary Transit Area, and two transit stops.
- no potential impact is anticipated on surrounding natural features and heritage resources.

Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2020, the Official Plan, and is in keeping with the London Plan. The proposed addition of the Residential R1 Special Provision (R1-3(21)) Zone will implement an appropriate housing form in consistent with 1989 Official Plan, The London Plan and SWAP policies. The subject lands are of a suitable size and shape to accommodate the development proposed through a future consent application and redline revisions to the subdivision plan.

Prepared by:

Sean Meksula, 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

SM\sm

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2020\Z-9204 - 3195 White Oak Road (SM)\PEC\Draft report Z-9204_3195 White Oak Road (SM).docx

cc: Matt Feldberg, Manager, Development Services (Subdivisions)
cc: Bruce Page, Manager, Development Services (Subdivisions)
cc: Peter Kavcic, Manager, Development Services (Subdivisions)

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 3195 White Oak Road.

WHEREAS 2748714 Ontario Inc. has applied to rezone an area of land located at 3195 White Oak 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 3195 White Oak Road, as shown on the attached map comprising part of Key Map No. A-111, from a Holding Urban Reserve Special Provision (h-94*UR4(11)) and an Urban Reserve (UR4) Zone, to a Holding Residential R1 Special Provision (h-94*R1-3(21)) and an Urban Reserve (UR4) Zone.
- 3) The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.
- 4) This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P.13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

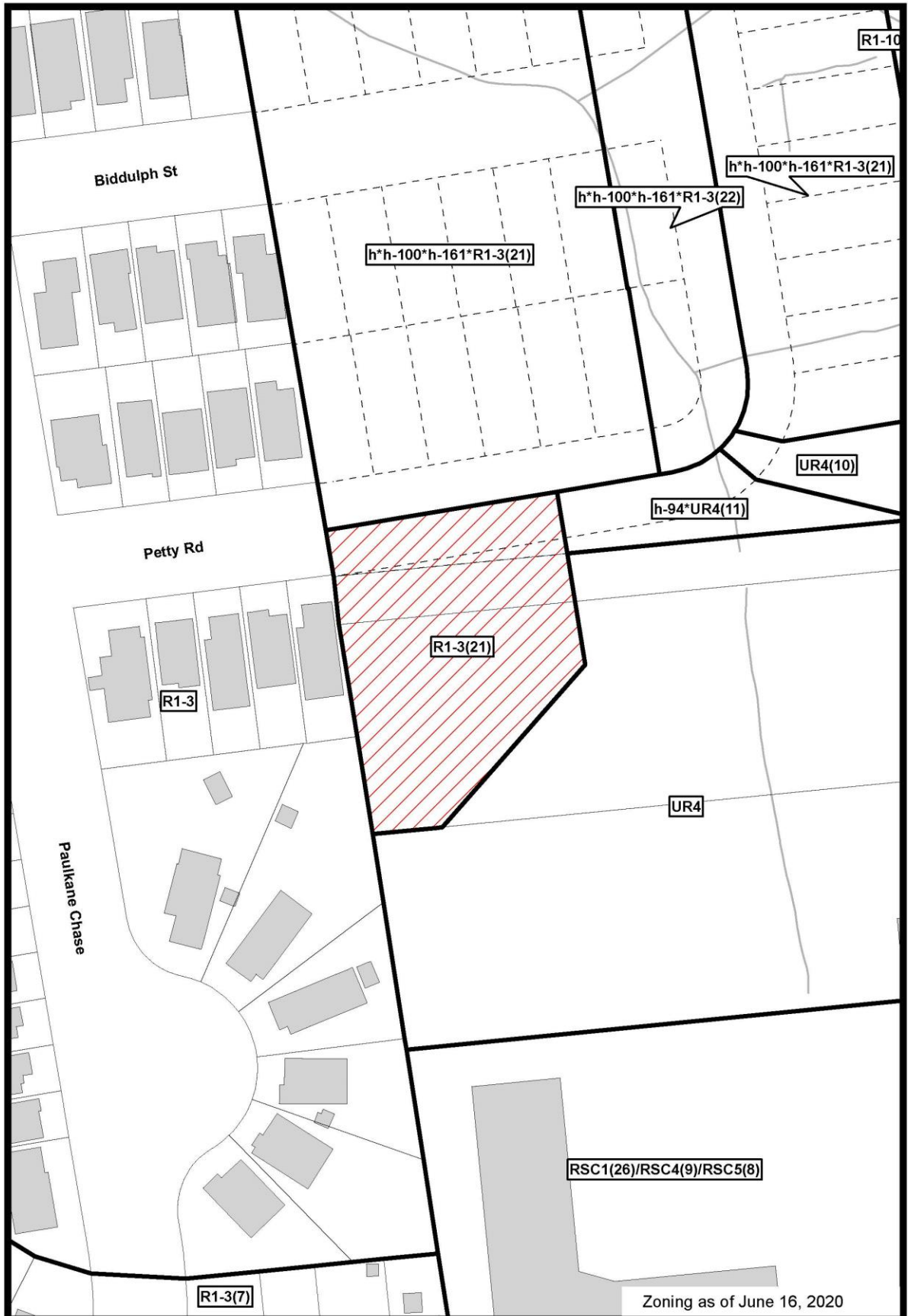
PASSED in Open Council on February 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – February 23, 2021
Second Reading – February 23, 2021
Third Reading – February 23, 2021

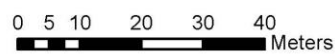
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: Z-9204
Planner: SM
Date Prepared: 2020/07/09
Technician: RC
By-Law No: Z.-1-

SUBJECT SITE 

1:1,000



Appendix B – Public Engagement

Community Engagement

Public liaison: On April 29, 2020, Notice of Application was sent to (80) property owners in the surrounding area. On May 13, 2020, A Revised Notice of Application was sent to (80) property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on April 30, 2020. Revised Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on May 14, 2020 A “Planning Application” sign was also posted on the site.

No replies were received

Nature of Liaison:

The purpose and effect of this zoning change is to permit single detached dwellings and to match the surrounding zoning in the area.

Agency/Departmental Comments

Parks Planning

Parkland dedication will be calculated at 5% of the total site area and will be taken at the time of building permit in the form of a cash-in-lieu payment pursuant to the values in By-law CP-9.

Development Services – Engineering

No comments for the re-zoning application.

London Hydro

Servicing the above proposal should present no foreseeable problems. Any new and/ or relocation of existing infrastructure will be at the applicant’s expense, maintaining save clearances from L.H. infrastructure is mandatory. **Note:** Transformation lead times are minimum 16 weeks. Contact the Engineering Dept. to confirm requirements & availability.

Appendix C – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this requested land use change. The most relevant policies, by-laws, and legislation are identified as follows:

Provincial Policy Statement, 2020

1.1.1 c – avoid land use conflicts

1.1.3.1 – settlement areas

1.1.3.2 – efficient use of land

1989 Official Plan

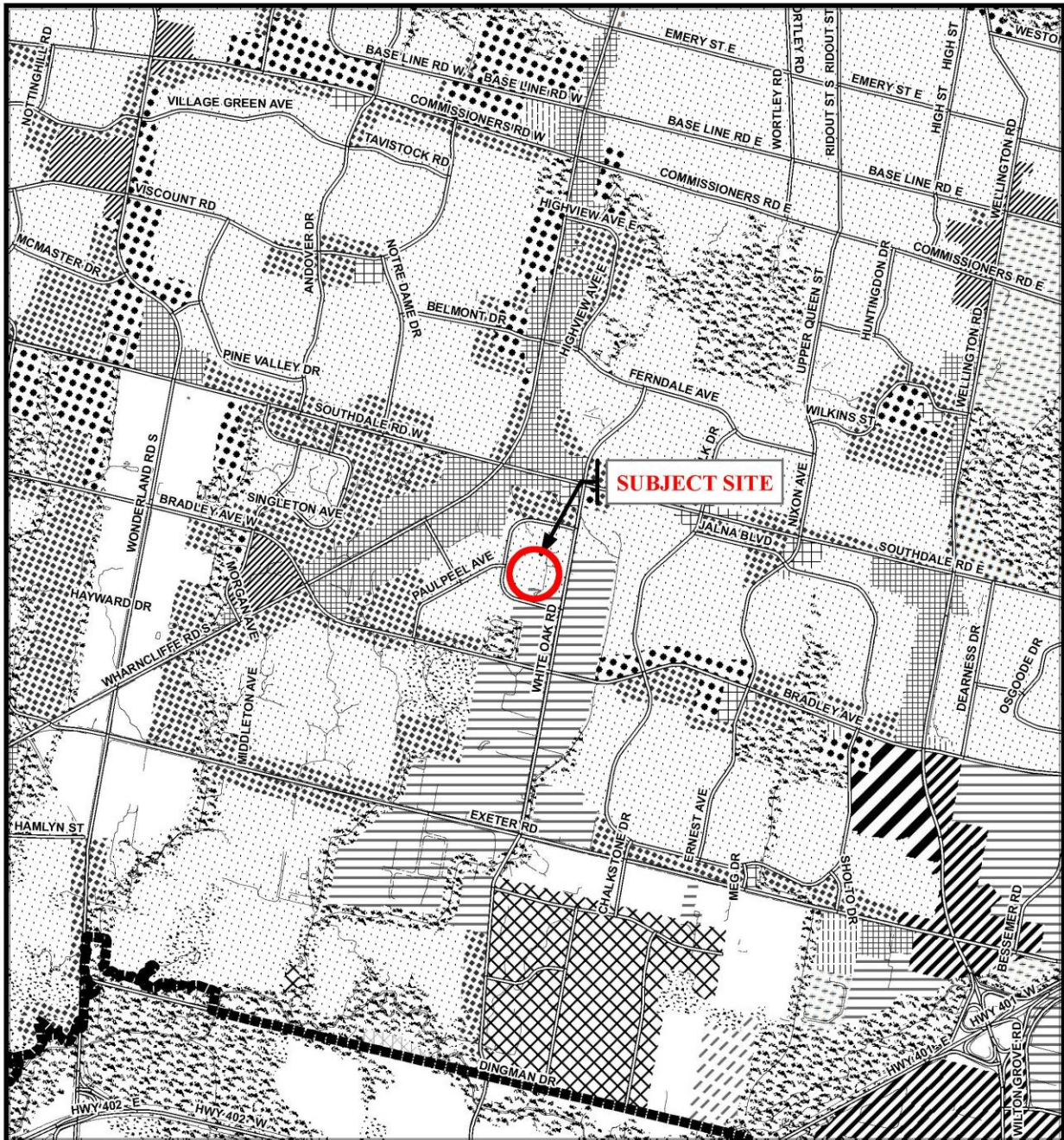
Chapter 3: Low Density Residential

The London Plan

916 – Neighbourhood Place Type

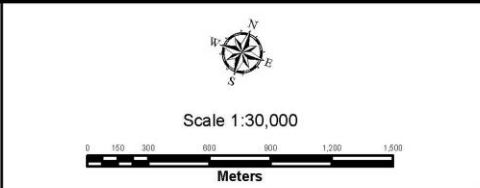
921 – Permitted Uses

Appendix D – Relevant Background



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
 - LAND USE -
 PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-9204
 PLANNER: SM
 TECHNICIAN: RC
 DATE: 2020/07/09



Legend

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

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

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

CITY OF LONDON

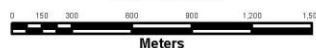
Planning Services /
Development Services

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

PREPARED BY: Planning Services



Scale 1:30,000

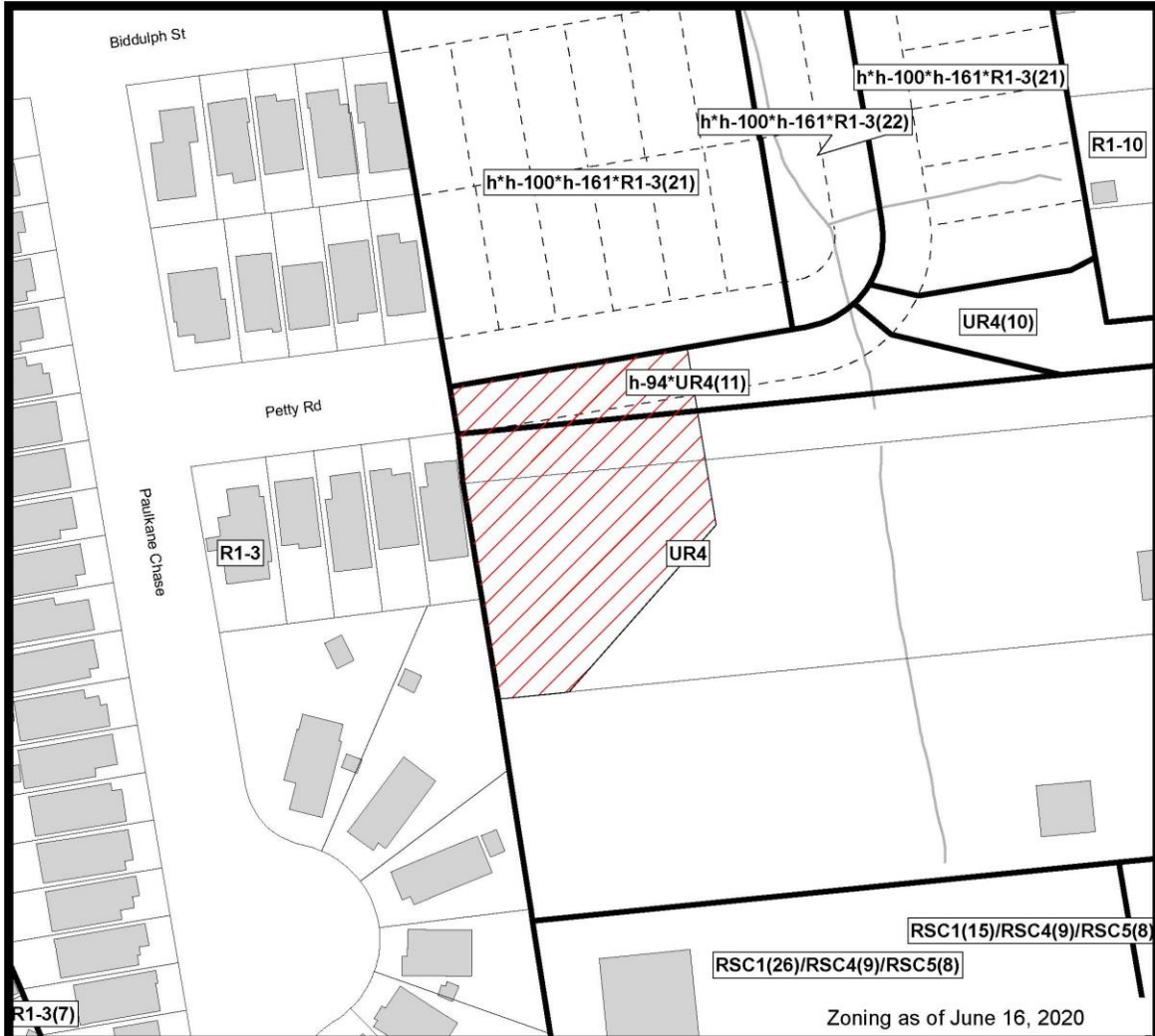


File Number: Z-9204

Planner: SM

Technician RC

Date: July 9, 2020



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

Z-9204

SM

MAP PREPARED:

2020/07/09

RC

1:1,250

0 5 10 20 30 40
Meters

PUBLIC PARTICIPATION MEETING COMMENTS

3.1 PUBLIC PARTICIPATION MEETING – Application – 3195 White Oak Road (Z-9204)

- Councillor Squire: I don't know if there is a public presentation on this matter Mr. Yeoman or Mr. Barrett. Is there a presentation?
- Paul Yeoman, Director, Development Services: Through you Mr. Chair, no we don't have one because it is a fairly straight-forward matter and welcome all the public comments.
- Councillor Squire: Thank you very much. Any technical questions at this point in time? Not seeing any. Are there any, is there any public participation?
- Catharine Saunders, City Clerk: Yes Mr. Chair. We're going to first call on Mr. Allen to speak on behalf of the applicant and he will be moved in as a participant shortly.
- Councillor Squire: Thank you. We're hoping this works a little better than last time. We have a new system that we're testing out tonight I think.
- Scott Allen, MHBC: Good afternoon Mr. Chair, Members of the Committee.
- Councillor Squire: Thank you very much for joining us. This is Phil Squire. I'm the Chair. I'm sure you've done this before and if you haven't you have five minutes and I'll start the clock and we'll be happy to hear from you and you can start now.
- Scott Allen, MHBC: Thank you Mr. Chair and yes I have carried out several of these in the past. I would just like to add that I was anticipating that the staff report would be presented in accordance with the typical approach that was done in the past and so I didn't provide any sort of specific summary of the application itself. I did want to indicate that I'm acting on behalf of the applicant and with me this afternoon is Mohamed Abuhajar and he's also representing the applicant. At this time I wanted to express our support for the findings and recommendations of the staff report that was prepared by Mr. Meksula and I wanted to thank him for his assistance with the application process. Just briefly, the application itself, the intent of it is to ultimately permit four residential lots to be established on the subject lands and that lot pattern would effectively finish the subdivision, White Rock Village, which is located to the north and I wanted to advise the Committee that, with approval of this rezoning and subsequent severance that's needed to finalize those four lots, it's anticipated that housing construction will begin on those lands later this year. I'd like to thank you and we'll gladly answer any questions relating to this application.
- Catharine Saunders, City Clerk: Mr. Chair I am not sure if Mr. Abuhajar is speaking or just here for, to answer questions?
- Councillor Squire: You're, you're just here to answer any questions and be supportive. Correct?
- Mohamed Abuhajar: Correct.
- Councillor Squire: Thank you. There is, I've been indicated, I've been told there's no other public participation so I will need a motion to close the public participation meeting.

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 Whiterock Village Inc. for 3087 White Oak Road

Public Participation Meeting on: February 8, 2021

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Whiterock Village Inc., relating to the property located at 3087 White Oak Road:

- (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 3087 White Oak Road; 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 3087 White Oak Road.

Executive Summary

Summary of Request

This is a request by Whiterock Village Inc., to consider a proposed Draft Plan of Vacant Land Condominium. The proposed Plan of Condominium is being reviewed concurrently with an application for Site Plan Approval. The plan consists of 47 dwelling units, within multiple townhouses with a new private road providing access from Petty Road. The applicant's intent is to register the development as one Condominium Corporation.

Purpose and the Effect of Recommended Action

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

Linkage to the Corporate Strategic Plan

Building a Sustainable City - London's growth and development is well planned and sustainable over the long term.

Analysis

1.0 Background Information

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. regarding the property located at 3087 White Oak Road – Application for Approval of Draft Plan of Subdivision, Zoning By-law Amendments (39T-18505/Z-8980).

1.1 Planning History

On December 20, 2020, the City of London Approval Authority granted final approval and was registered as Plan 33M-795 on December 23, 2020. The subdivision consists of 72 single detached lots and two (2) multi-family, medium density blocks, all located off of the extension of Bateman Trail, Petty Road, Biddulph Street and Lemieux Walk.

A site plan approval and associated removal of holding provision applications were submitted to the City in June and October of 2020 to accommodate the proposed cluster townhouse development. These two applications are running concurrently with the Vacant Land Condominium application (39CD-20511) submitted on September 21, 2020.

1.2 Property Description

The subject site is located off of Petty Road, south of Southdale Road and west of White Oak Road. The site is generally surrounded by various forms of residential uses including medium density residential to the north and west, future medium density residential to the east and future low density residential to the south. Commercial uses are located to the west and north.

The proposal consists of one medium density residential block within a draft plan of subdivision (Block 100, Plan 33M-795). The site is currently vacant and approximately 0.9 ha (2.2 ac) in size. The site has full access to municipal services and is located in an area which is planned for future growth.

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

- The London Plan Place Type – Neighbourhoods
- (1989) Official Plan Designation – Multi-Family, Medium Density Residential
- Existing Zoning – Holding Residential R6 Special Provision h*h-71*h-100*h-161*h-227*R6-5(58).

1.4 Site Characteristics

- Current Land Use – Vacant
- Frontage – 90.4 metres
- Depth – Varies
- Area – 0.918 hectares
- Shape – Rectangular

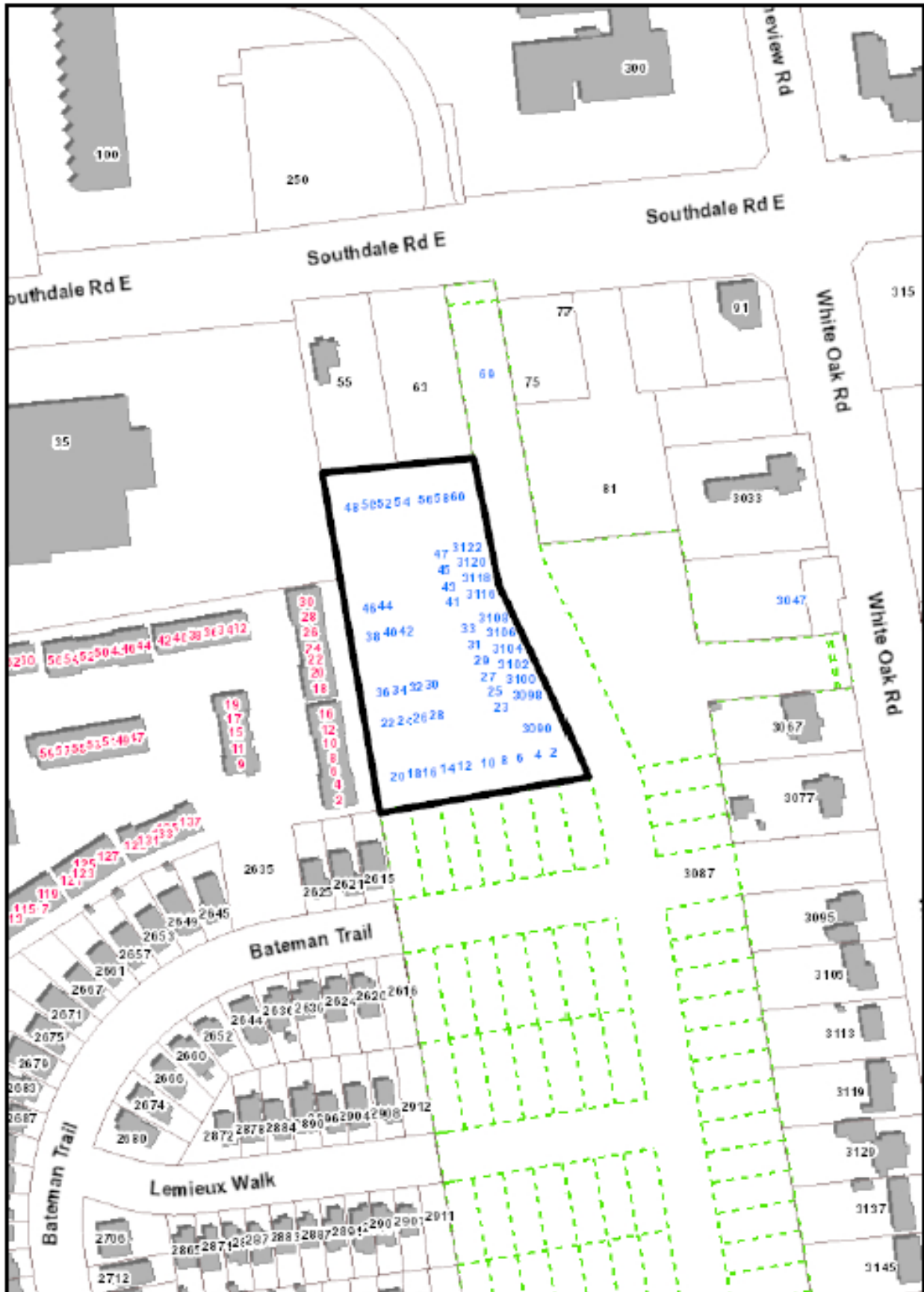
1.5 Surrounding Land Uses

- North – existing commercial (car dealership)
- East – future multiple-attached dwellings site
- South – future single detached dwellings
- West – existing multiple-attached dwellings and commercial (car dealership)

1.6 Intensification (66 units)

- The 47-unit cluster townhome development is located outside of the Built-Area Boundary and Primary Transit Area

1.7 LOCATION MAP








Location Map

Subject Property: 3087 White Oak Road
 Applicant: WHITEROCK VILLAGE INC
 File Number: 39CD-20511
 Created By: Sean Meksula
 Date: 10/6/2020
 Scale: 1:2000

Corporation of the City of London

Legend

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

2.0 Discussion and Considerations

2.1 Development Proposal

The effect of the application request is to create 47 Vacant Land Condominium units to be developed in the form of cluster townhouse dwellings. Landscaped areas, internal driveways, services, and visitor parking spaces will be located within a common element to be maintained and managed by one Condominium Corporation.

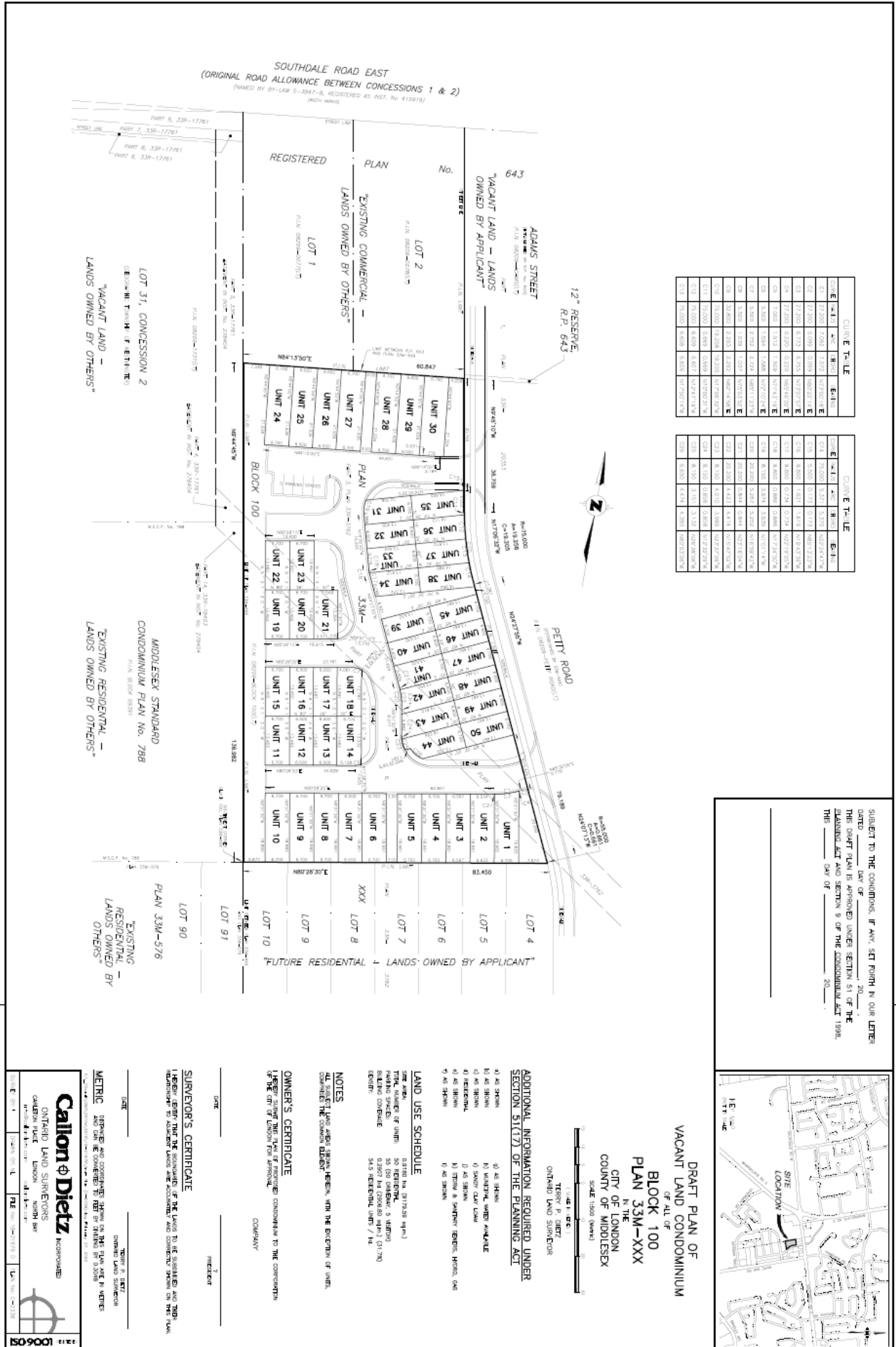
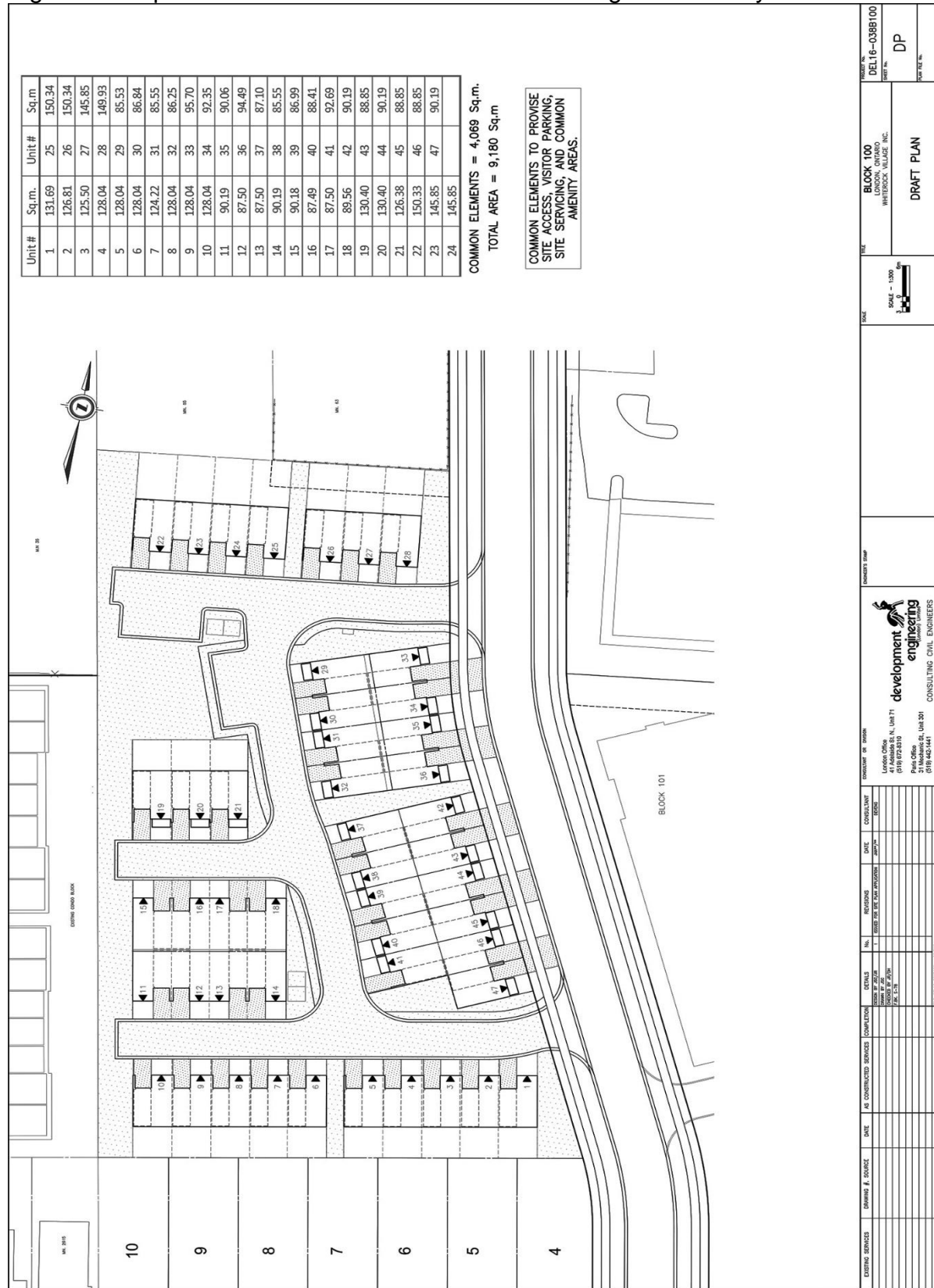


Figure 1: Proposed Vacant Land Condominium

An application for Site Plan Approval (SPA20-044) 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. An additional application for the removal of holding provisions pertaining to this site is under review and will be brought forward for consideration at a future meeting of the Planning and Environment Committee.

Figure 2: Proposed Vacant Land Condominium Parking and Amenity Areas



3.0 Financial Impact/Considerations

Through the completion of the works associated with this application fees, development charges and taxes will be collected. There are no direct financial expenditures associated with this application.

3.1 Community Engagement (see more detail in Appendix A)

The requested amendment was circulated to the public on October 14, 2020 and advertised in the Londoner on October 15, 2020. At the time of preparation of this report, two responses were received from the public in response to the Notice of Application and The Londoner Notice. Comments/concerns received from the community are generally summarized as follows:

- It will impact resident's privacy, quiet enjoyment of their property, and car headlights shining directly into our living/dining area. A privacy fence would be ineffective in blocking headlights given the height of existing condos.
- This property is now being developed when it was decided in the past that it would be parkland.

There were no significant comments in response to the Departmental/Agency circulation of the Notice of Application.

3.3 Policy Context (See more detail in Appendix B)

Provincial Policy Statement, 2020

The proposal must be consistent with the Provincial Policy Statement (PPS) and land use planning policies and must consider:

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

The London Plan

The site is located within the Neighbourhoods Place Type in The London Plan. The policies of this Place Type, as well as the Our Strategy, City Building and Design, and Our Tools policies, have been applied in the review of this application.

(1989) Official Plan

The site is designated Multi-family, Medium Density Residential on Land Use Schedule A of the Official Plan.

Southwest Area Secondary Plan

The Southwest Area Secondary Plan designates the site as Medium Density Residential within the Central Longwoods Residential Neighbourhood.

As further described in Appendix B – Policy Context, Staff are of the opinion that the condominium draft plan is generally consistent with the PPS, The London Plan, 1989 Official Plan, and the Southwest Area Secondary Plan

North Longwoods Area Plan

The site is within the North Longwoods Area Plan (NLAP) which designated the majority of the lands Low Density Residential and Medium Density Residential, with the northern extent of the lands where Petty Road will connect to Southdale Road designated for commercial uses. The NLAP envisioned that a mix of housing types and densities would meet community demand and needs in housing type, tenure and affordability. The NLAP reinforced the City's Official Plan policies and direction that promoted compact urban form and increased densities to maximize the use of land and investment in infrastructure and services.

Z.-1 Zoning By-law

The zoning of this block is Holding Residential R6 Special Provision h•h-71•h-100• h-161•h-227• R6-5(58) which permits various forms of cluster housing including single detached, semi-detached, duplex, triplex, townhouse, stacked townhouse, with the exception of apartment buildings, or cluster apartment buildings; with a special provision for a minimum front yard setback of 3.0m (9.8ft) and maximum density of 75 units per hectare.

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*. To ensure 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.

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

4.0 Key Issues and Considerations

4.1 Issue and Consideration # 1 – Site design and orientation in relation to the adjacent streets.

The proposed condominium development consists of 47, 2-storey cluster townhouse dwellings arranged in blocks of units attached side-by-side, with two access from Petty Road. The development block interfaces with Petty Road and features street fronting townhouse dwellings with landscaped planting strips. End dwelling units feature covered porches to enhance the relationship and orientation of dwelling units to Petty Road. Outdoor amenity spaces and landscaping elements at prominent locations, with privacy fencing planned along the southern and western property boundaries (interfacing with the planned low density residential development and existing condominium lands located at 2635 Bateman Trail). Strong building orientation is achieved with street-facing units having front door entrances oriented to Petty Road. Units along Petty Road also have individual driveway accesses contributing to an active frontage and connection to the public street.

Through the site plan review process, staff have been working with the proponent on improving the building orientation adjacent to Petty Road in recognition that this is a key entry point and gateway to the neighbourhood. The site plan does show covered porches and walkway connections from individual units to the public sidewalk. However, further

design modifications to the units along Petty Road should be considered in order to achieve true orientation to the public street and rear-lotting has been avoided by having back-to-back units along Petty Road. The plans and building elevations have been reviewed for compliance with the City's Placemaking Guidelines, and Southwest Area Secondary Plan.

4.2 Issue and Consideration # 2 – It will impact resident's privacy, quiet enjoyment of their property, and car headlights shining directly into our living/dining area.

Building front entrances, driveways, and garages are oriented internally to the site so that impact on privacy of adjacent properties is minimized. Perimeter fencing (1.8 metre high board-on-board fence) and landscape planting buffers will also be incorporated into the approved site plan and landscape plans to provide screening and privacy of adjacent rear yard amenity areas. The proposed 2-storey dwellings with pitched roof design are not expected to cast shadowing on adjacent properties, or result in any significant loss of sunlight or privacy.

4.3 Issue and Consideration # 3 – This property is now being developed when it was decided in the past that it would be parkland.

Through the community consultation period for the Draft Plan of Subdivision and Zoning By-law Amendments (39T-18505/Z-8980), no concerns were raised with the proposed development of Block 100. No departmental concerns were expressed. The neighbourhood park is located south of the site within an earlier phase of development.

The proposed cluster townhouse development is appropriate for this area as it provides the flexibility for a local mix of housing diversity and choice within the subdivision.

Provincial and municipal planning policies recognizing the importance for a mix of residential housing. The Condominium Act was amended to introduce Vacant Land Condominiums. Similar cluster townhouses have been developed in new subdivisions throughout the City in particular the abutting lands to the west. It is not expected to adversely affect the residential stability or property values in the area.

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

Conclusion

The application for Approval of Vacant Land Condominium is considered appropriate, consistent with the Provincial Policy Statement, and conforms to The London Plan, 1989 Official Plan, and the Southwest Area Secondary Plan. The proposed vacant land condominium in the form of cluster townhouses also complies with the City's Z.-1 Zoning By-law. An Application for Site Plan Approval has also been submitted and reviewed in conjunction with the application for Vacant Land Condominium. The proposed Site Plan and elevations will result in an appropriate development that is compatible with the area.

Prepared by:

Sean Meksula, 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

SM\sm

Y:\Shared\DEVELOPMENT SERVICES\3 - Condominiums\2020\39CD-20511 - 3087 White Oak Road (SM)\Draft Approval\39CD-20511_3087 White Oak Road -PEC_SM1.docx

cc: Matt Feldberg, Manager, Development Services (Subdivisions)
cc: Heather McNeely, Manager, Development Services (Site Plans)
cc: Bruce Page, Manager, Development Services (Subdivisions)
cc: Michael Pease, Manager, Development Services (Site Plans)
cc: Peter Kavcic, Manager, Development Services (Subdivisions)

Appendix A – Community Engagement

Public liaison: On October 14, 2020, Notice of Application was sent to 124 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 15, 2020. A “Planning Application” sign was also posted on the site.

Responses: 2 written replies were received.

Nature of Liaison: The purpose and effect of this application is to approve a Draft Plan of Vacant Land Condominium consisting of 47 residential units. Consideration of a proposed draft plan consisting of 47 multiple attached dwelling units and common elements to be registered as one Condominium Corporation. *For the lands under consideration, a separate application for Site Plan Approval – Application File No. SPA20-044 – has been submitted by Whiterock Village Inc.

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

- It will impact resident’s privacy, quiet enjoyment of their property, and car headlights shining directly into our living/dining area. A privacy fence would be ineffective in blocking headlights given the height of existing condos.
- This property is now being developed when it was decided in the past that it would be parkland.

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

Telephone or In Person	Written
	Kim Cairns 30-2635 Bateman Trail
	Chris Ellison 28-2635 Bateman Trail

Agency/Departmental Comments:

No significant comments were received.

Appendix B – 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 (PPS), 2020

The proposed development achieves objectives for efficient and resilient 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 promoting compact form, mix of uses, and densities that allow for the efficient use of land, infrastructure and public service facilities, supports the use of public transit, supports energy conservation and efficiency, and avoids land use and development patterns which may cause environmental or public health and safety concerns.

The subject lands are within a registered plan of subdivision and are designated and intended for medium density residential uses to accommodate an appropriate affordable, market-based range and mix of residential types to meet long term needs. There are no natural heritage features or natural hazards present, and Provincial concerns for archaeological resource assessment and cultural heritage have been addressed through the subdivision approval process. Based on our review, 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.

With respect to The London Plan, which has been adopted by Council but is not yet fully in force and effect pending appeals, the subject lands are within the "Neighbourhoods" Place Type permitting a range of uses such as single detached, semi-detached, duplex, triplex, fourplex, townhouse and stacked townhouse dwellings, and low-rise apartment buildings, as the main uses. The proposed Draft Plan of Vacant Land Condominium in the form of cluster townhouse dwellings conforms with the Place Type policies.

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 Draft Plan of Vacant Land Condominium contributes to achieving those policy objectives, including the following specific policies:

Our Strategy

Key Direction #5 - Build a Mixed-Use Compact City

- 5. Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place.*
- 7. Build quality public spaces and pedestrian environments that support walking.*

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.*

Key Direction #7 - Building strong, healthy and attractive neighbourhoods for everyone

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

This proposal vacant land condominium contributes to a mix of housing types and tenure. The development will promote a pedestrian-friendly environment that offers opportunities for active mobility choices including walking, cycling and public transit; contributes to a safe, healthy and connected community; and is designed to evoke a sense of neighbourhood character and sense of place.

City Building and Design Policies

*202_ * Buildings and public spaces at key entry points into neighbourhoods will be designed to help establish a neighbourhood’s character and identity.*

229_ Except in exceptional circumstances, rear-lotting will not be permitted onto public streets and side-lotting will be discouraged on Civic Boulevards and Urban Thoroughfares.

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

*291_ * Principal building entrances and transparent windows should be located to face the public right-of-way and public spaces, to reinforce the public realm, establish an active frontage and provide for convenient pedestrian access.*

** Policy subject to LPAT Appeal PL170100 – November 13, 2019*

The proposed condominium development consists of 47, 2.5-storey cluster townhouse dwellings arranged in blocks of units attached side-by-side, with access from Petty Road. The development block fronts Petty Road and features a heavily landscaped planting strip. Outdoor amenity spaces and landscaping elements at prominent locations, with privacy fencing planned along the southern and western property boundaries (interfacing with the planned low density residential development and existing condominium lands to the west. The plans and building elevations have been reviewed for compliance with the City’s Placemaking Guidelines and the Southwest Area Secondary Plan.

Neighbourhood Place Type

Vision for the Neighbourhoods Place Type

*916_ * In 2035 our neighbourhoods will be vibrant, exciting places to live, that help us to connect with one another and give us a sense of community well-being and quality of life. Some of the key elements of our vision for neighbourhoods include:*

- 1. A strong neighbourhood character, sense of place and identity.*
- 2. Attractive streetscapes, buildings, and public spaces.*
- 3. A diversity of housing choices allowing for affordability and giving people the opportunity to remain in their neighbourhoods as they age if they choose to do so.*
- 4. Well-connected neighbourhoods, from place to place within the neighbourhood and to other locations in the city such as the downtown.*
- 5. Lots of safe, comfortable, convenient, and attractive alternatives for mobility.*
- 6. Easy access to daily goods and services within walking distance.*
- 7. Employment opportunities close to where we live.*
- 8. Parks, pathways, and recreational opportunities that strengthen community identity and serve as connectors and gathering places.*

** Policy subject to LPAT Appeal PL170100 – November 13, 2019*

This proposal is generally in keeping with the Neighbourhood Place Type vision and its key elements, including a strong neighbourhood character and sense of identify,

neighbourhood connectedness, diversity of housing choices and affordability, safe and convenient alternatives for mobility, close to neighbourhood parks and multi-use pathways planned as part of the subdivision approval process, and also within easy access to goods, services and employment opportunities.

Our Tools

1709_ The following policies will apply to consideration of an application for a vacant land condominium:

- 1. The same considerations and requirements for the evaluation of draft plans of subdivision shall apply to draft plans of vacant land condominium.*
- 2. The applicant may be required to provide site development concepts and meet design requirements consistent with the Site Plan Control By-law as part of the consideration of a draft plan of vacant land condominium.*
- 3. Proposals for vacant land condominiums which will result in units above or below any other unit will not be supported.*
- 4. Only one dwelling will be permitted per unit.*
- 5. At the time of registration, structures cannot cross 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.*

This proposal vacant land condominium contributes to a mix of housing types and tenure. The development will promote a pedestrian-friendly environment that offers opportunities for active mobility choices including walking, cycling and future public transit; contributes to a safe, healthy and connected community; and evokes a sense of neighbourhood character and sense of place.

(1989) Official Plan

The subject lands are designated Multi-family, Medium Density Residential on Schedule A of the City's Official Plan. The primary permitted uses 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. The proposal to develop this parcel with 47 residential townhouse dwellings will result in an overall density of approximately 51 units per hectare which is within the density limits in the Multi-family, Medium Density Residential designation. The proposed vacant land condominium represents a cluster housing form of development in compliance with the policies for use, form and scale as contemplated by the Official Plan.

Southwest Area Secondary Plan

The Southwest Area Secondary Plan (SWAP) designates the site as Medium Density Residential within the Central Longwoods Residential Neighbourhood. The following provides excerpts from the secondary plan highlighting a number of relevant policies to the subject development proposal:

20.5.10 i) Function and Purpose

....The focus for new development is to be on a mix of low to mid-rise housing forms, ranging from single detached dwellings to low rise apartment buildings within individual subdivisions and throughout the neighbourhood.

20.5.10.1 ii) Permitted Uses

The primary permitted uses in the Multi-family, Medium Density Residential designation will be permitted in the Low and Medium Density Residential designations, including low

density forms such as single detached, semi-detached and duplex dwellings, triplexes and fourplexes....

20.5.10.1 iii) Built Form and Intensity

b) Within the Medium Density Residential Designation, residential development shall have a minimum density of 30 units per hectare and a maximum density of 75 units per hectare.

e) The Urban Design policies of Section 20.5.3.9 of this Plan shall apply.

20.5.3.9 ii) Public Realm

e) Rear lotting is not permitted along the arterial roads in the Southwest Area Plan. In instances where the City is satisfied that there is no other alternative due to topographic or other site constraints, a range of alternatives such as lanes, service roads, and “window” streets will be used to ensure a high quality of streetscape design. If there is no alternative to rear lotting, landscaping, as well as site and building design, will be used to mitigate the impact on the streetscape.

f) Properties subject to noise impacts shall be buffered through mechanisms such as restrictions on the type of use, building design and location, siting of outdoor living areas and through the provision of landscaping including street trees. Buffering such as noise walls or fences, berms and rear lotting, which restrict visual and physical access to the street, shall be prohibited.

The subject development block is within a new subdivision comprising part of the easterly half of the Central Longwoods Residential Neighbourhood that has been planned and zoned for a mix of low to mid-rise housing forms including single detached dwellings, street townhouses, and various forms of cluster housing (single detached, semi-detached, duplex, triplex, fourplex, townhouses, stacked townhouses, and low rise apartment buildings). The proposed density is within the range of minimum and maximum densities for the Medium Density Residential Designation. As previously mentioned above, townhouse units are street facing on Petty Road. The proposed development provides a mix of mid-rise housing forms within individual subdivisions and throughout the neighbourhood.

Urban Design Guidelines

Residential design guidelines were prepared as part of the Riverbend Subdivision application review. Site planning and design considerations for the desired built form along residential streetscapes include the following objectives and guidelines:

1.1 Residential Streetscapes

Design Objectives

a) To support an “eyes on the street” approach, such that the collective design shall provide an aesthetically pleasing and safe pedestrian environment;

b) To have individual and collective design of housing that encourage a connection between the dwelling unit and the street by using front porches and bay windows;

1.2 Building Placement and Orientation shall:

e) Buildings should be oriented such that the fronts of the buildings shall face the major street by the use of front doors and abundant vision glass to animate the street and provide a sense of security through public surveillance.

2.1 Building Massing shall:

a) Encourage built form to be located along public street edges to produce active frontages;

c) Have a natural recognizable front entrance contributing to “way-finding”;

2.2 *Façade Design shall:*

- e) *Give additional consideration to corner lot situations such that the front and exposed flank support the eye-on-the street approach mentioned above.*

The site plan and building elevations incorporate a similar level of architectural detail on the front and rear elevations flanking the public street and walkways. A strong building orientation is achieved with street-facing units having front door entrances oriented to both Petty Road. Units along Petty Road also have individual driveway accesses contributing to an active frontage and connection to the public street.

Vacant Land Condominium Application

The same considerations and requirements for the evaluation of Draft Plans of Subdivision also apply to Draft Plans of Vacant Land Condominiums, such as:

- This proposal is consistent with the objectives and policies of The London Plan, 1989 Official Plan, and Southwest Area Secondary Plan.
- Sewer and water services will be provided in accordance with the subdivision servicing drawings accepted by the City, and the approved Site Plan and Development Agreement in order to service this site.
- The proposed development is in close proximity to employment areas, community facilities, neighbourhood parks, and open space.
- A traffic noise impact assessment has been completed and mitigation measures will be incorporated through site design and warning clauses in the Development Agreement, and in the Condominium Declaration and Description.
- The Draft Plan of Vacant Land Condominium illustrates how these lands are to develop for cluster townhouses. Building elevation plans have been reviewed as part of the site plan submission. The size and style of dwellings are anticipated to meet the community demand for housing type, tenure and affordability.

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*. To ensure that this Vacant Land Condominium development functions properly, the following issues at a minimum will be addressed through 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 element and the posting of security in addition to that held under the Development Agreement (if applicable), in the event these works are not completed prior to registration of the plan of condominium;
- Installation of fire route signs prior to registration;
- Confirmation of addressing information;
- 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.);
- A warning clause provision in the Condominium Declaration if the water service for the site is determined to be a regulated drinking water system by the MOECC, the Owner or Condominium Corporation may be required to meet the regulations under the Safe Drinking Water Act and the associated regulation O.Reg. 170/03.
- The development of the site under Draft Plan of Vacant Land Condominium shall comply with all final approved site plan conditions and approved engineering drawings. 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.
- 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.
- 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 facilities and structures in the common elements.

Z.-1 Zoning By-law

The zoning of this block is Holding Residential R6 Special Provision (h•h-71•h-100• h-161•h-227• R6-5(58)) which permits various forms of cluster housing including single detached, semi-detached, duplex, triplex, townhouse, stacked townhouse, with the exception of apartment buildings, or cluster apartment buildings; with a special provision for a minimum front yard setback of 3.0m (9.8ft) and maximum density of 75 units per hectare. An application to remove the holding provisions from the zoning has been submitted and is currently in process (File No. H-9237). Subject to Municipal Council's passing of a by-law to remove the holding provisions coming into force and effect, the proposed vacant land condominium will comply with the Zoning By-law regulations.

PUBLIC PARTICIPATION MEETING COMMENTS

3.2 PUBLIC PARTICIPATION MEETING – Application – Draft Plan of Vacant Land Condominium - 3087 White Oak Road (39CD-20511)

- Councillor Squire: Thank you very much. Any technical questions for staff at this time? Okay. We'll move on to public participation. Are there any presentations?
- Catharine Saunders, City Clerk: Mr. Chair, Mr. Allen again is here to speak on behalf of the applicant.
- Councillor Squire: Mr. Allen.
- Scott Allen, MHBC: Thank you Mr. Chair.
- Councillor Squire: Good to see you again.
- Scott Allen, MHBC: That's right. I actually don't know if you can see me or not. I'm curious about that.
- Councillor Squire: No. Good to hear you again. How about that? Go ahead.
- Scott Allen, MHBC: I'd just like to say that, again, we'd like to express our support for the findings and recommendations of the planning report provided by Mr. Meksula and again, Mr. Abuhajar is available to answer any questions. We'd also like to advise the Committee that following approval of the draft plan of condominium, the removal of the holding provisions, Mr. Meksula spoke to that application, once those things are done this townhouse development is likely to proceed this year as well. Thank you. I'm glad to answer any questions.
- Councillor Squire: Thank you very much. I don't think there are any other presentations. I just need a motion, someone to close the public participation meeting.

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: 1524400 Ontario Inc.
185 Horton Street East

Public Participation Meeting on: February 8, 2021

Recommendation

That, on the recommendation of the Director, Development Services, with respect to the application of 1524400 Ontario Inc. relating to the property located at 185 Horton Street East, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting February 23, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** an Arterial Commercial Special Provision (AC4(11)) Zone, **TO** an Arterial Commercial Special Provision Bonus Zone (AC4(__)/B__) Zone;

The Bonus Zone shall be implemented through one or more agreements to facilitate the development of a high quality mixed-use commercial/residential apartment building with a maximum density of 389 units per hectare and a maximum height of 51 metres (16-storeys) which substantially implements the Site Plan and Elevations attached as Schedule "1" to the amending by-law in return for the following facilities, services and matters:

- i. A high quality development which substantially implements the site plan and elevations as attached in Schedule "1" to the amending by-law:

Building Design

- i) High quality architectural design (building/landscaping) including a common design theme for residential and commercial elements; and provision of structured parking facilities and screening for surface parking areas.

Underground Parking

- i) Underground Parking Structure parking provided to reduce surface parking areas (a minimum of 27 subsurface spaces provided).

Outdoor Amenity and Landscaping

- i) Common outdoor amenity area to be provided in the northeast quadrant of the site; and rooftop terraces above the 7th, 12th and 16th floors.
- ii) Landscape enhancements beyond City design standards, including theme lighting.
- iii) Landscape plans for common outdoor amenity areas to incorporate hard landscape elements and drought resistant landscaping to reduce water consumption.

Sustainability

- i) Provides a pedestrian-oriented environment along Horton Street East, which facilitates passive surveillance of the streetscape and, ultimately, safer streets.

- ii) Fosters social interaction and facilitates active transportation and community connectivity with Downtown.
- iii) The subject lands are close to public open space and parkland in the area, particularly Thames Park, Charles Hunt Park, and the Thames River Pathway system, which provides recreational opportunities for residents (passive and active).

Executive Summary

Summary of Request

The applicant requested an amendment to the Zoning By-law Z.-1 to change the zoning from one that permits apartment buildings to one that facilitates the development of a residential/dormitory use at 185 Horton Street. The intended outcome is to construct a 16 storey dormitory.

The applicant is also requesting a new definition for a “Dormitory” which means a building or structure where residents have exclusive use of a bedroom but common facilities such as washrooms, kitchens, and common areas, and where each resident individually compensates the owner for providing the accommodation. The dormitory definition is only intended to apply to the subject lands and to only be used by students attending the London International Academy.

Purpose and the Effect of Recommended Action

The recommended zoning will permit a stand-alone building with 209 dormitory rooms and 296 beds. The subject lands are currently occupied by a 3-storey low-rise apartment building (Ivey Hall) at the front of the site that is used by London International Academy to house a portion of their student population. A vacant 2-storey industrial type building is located to the rear of the subject lands. As part of this proposed development the existing low-rise apartment building is to be retained, and the vacant building to the rear will be demolished.

The recommended amendment modifies the applicant’s requested definition such that it is proposed to read as follows:

“Dormitory” - meaning a residential building in association with and ancillary to an educational institution where residents have exclusive use of a bedroom with a separate entrance from a common hall and share common facilities such as washrooms, kitchens, lounges, recreation rooms and study facilities.

Rationale of Recommended Action

1. The recommended amendment to Zoning By-law Z.-1 is consistent with the 2020 Provincial Policy Statement (PPS) which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents present and future.
2. The recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions, Homelessness Prevention and Housing policies, and City Design policies. The subject lands represent an appropriate location for residential intensification, along a higher-order street at the fringe of the downtown area, and the recommended amendment would permit development at a magnitude that is suitable for the site adding a connection between the downtown and abutting neighbourhood.
3. The recommended amendment conforms to the in-force policies of the 1989 Official Plan including, but not limited to the Policies for the Main Street Commercial Corridor designation. The recommended amendment would permit development at an intensity that is at the upper range of the maximum density for

residential intensification within the Main Street Commercial Corridor designation but still ensures the nature of development is suitable for the site and the immediate neighbourhood. The recommended amendment would help to reach the objective of supplying additional institutional housing choices and options for students attending educational institutions in the downtown.

4. The recommended Zoning By-law amendment is consistent with the SoHo (South of Horton Street) Community Improvement Plan with the redevelopment of the Mixed Use Mainstreet District along Horton Street by facilitating development that complements the Mainstreet District on Horton Street E one block east of the subject site.
5. The subject lands represent an appropriate location for institutional and residential intensification, along Horton Street and the recommended amendment would permit an apartment/dormitory development at an intensity that is appropriate for the site and the surrounding neighbourhood.

Linkage to the Corporate Strategic Plan

Building a Sustainable City - London's growth and development is well planned and sustainable over the long term.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

May 12, 2003 – Planning Committee (OZ-6971) – Application by 1625987 Ontario Inc. (Anthony F. Steele) regarding the property located at 185 Horton Street to Plan to add a specific area policy to amend the Zoning By-law Arterial Commercial Special Provision AC4(11) to permit a residential apartment building up to a maximum density of 160 units per hectare.

1.2 Planning History

The building at 185 Horton Street East was formerly owned and occupied by the Salvation Army Men's Mission. The Salvation Army operated a mission shelter and thrift store at this location for many years. They recently sold the property and have since moved to their new facility at the corner of Bathurst Street and Wellington Street. The proposed dormitory would allow the London International Academy to house their entire student population at one single location rather than dispersed throughout multiple buildings within the Downtown Area. The existing apartment building is located south of the CN railway line which is the border that separates the Downtown area from the South of Horton Street neighbourhood (SoHo). In June of 2011 Council adopted the SoHo Community Improvement Plan.

There has been application activity in the surrounding area in the past few years. An application was made by Responsible Community Living London Non-Profit Corporation (Planning Division file Z-6255) to amend the zoning on the property to the east at 191 Horton Street, as well as the rear portion of 202 Simcoe Street. In August 2002, Municipal Council approved an amendment to the Zoning By-law to change the zoning from an Arterial Commercial AC4 Zone and a Residential R3 (R3-1) Zone to a Residential R7/Residential R9/Arterial Commercial (R7•D100•H13/R9-3•H13/AC4) Zone to permit residential uses serving populations with special needs including senior citizen apartment buildings, nursing homes, continuum of care facilities, apartment buildings, and emergency care establishments at a maximum density of 100 units per hectare (40 unit/acre), and maximum height of 13 metres (42.6 ft.); in addition to the uses permitted under the AC4 Zone.

The zoning that was approved for 191 Horton Street and the rear portion of 202 Simcoe Street was the same zoning previously approved for the properties immediately to the

east at 205 Horton Street. In September 2001, Responsible Community Living London Non-Profit Corporation applied for a zoning by-law amendment (Planning Division file # Z-6160) for the lands at 195-205 Horton Street and 223-225 Clarence Street to permit a long term care facility and transitional housing for women. This amendment was subsequently passed by Council in January 2002.

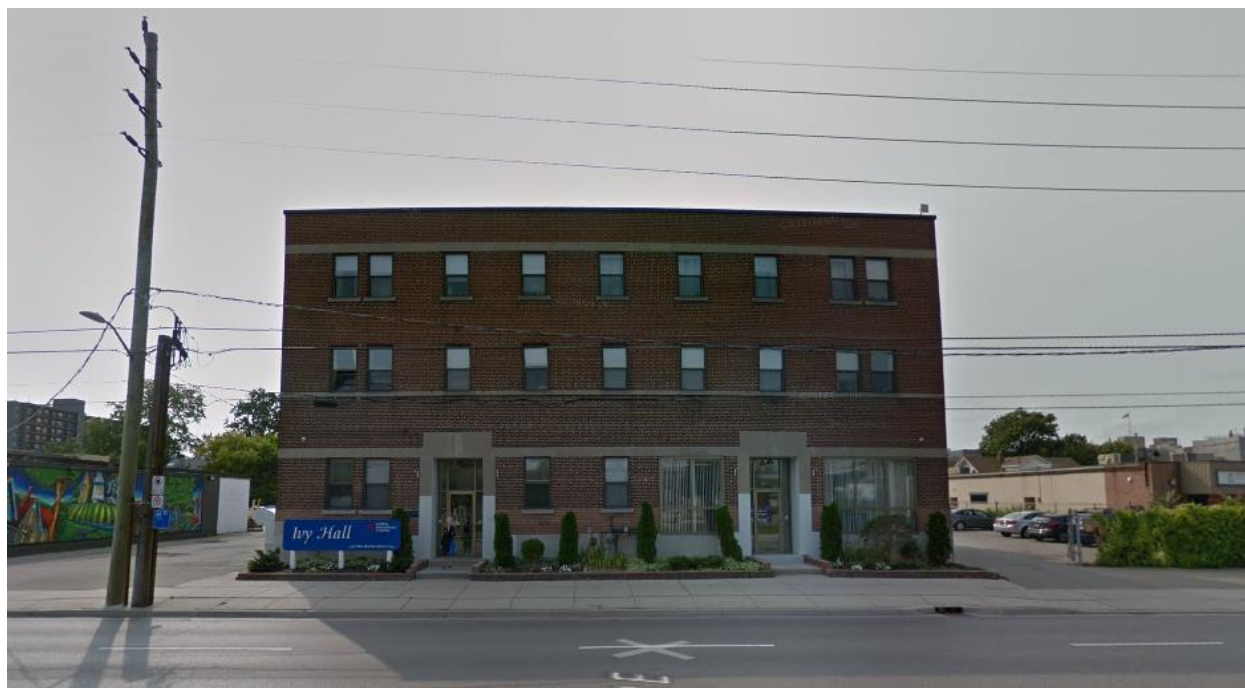
In November 2005, Municipal Council approved an amendment to the Official Plan (file OZ-6971), to add a specific area policy in Chapter 10 of the Official Plan for the City of London to permit a residential apartment building with a maximum density of 160 units per hectare (64 units per acre). An amendment to the Zoning By-law was also approved by Municipal Council to change the zoning from an Arterial Commercial AC4 Zone to an Arterial Commercial Special Provision AC4(11) Zone to permit the conversion of the existing building (former Salvation Army shelter) to an apartment building; including a new rear addition and demolition of the existing warehouse/storage buildings. On August 26, 2005, Minor Variance application (A.166/05) was also applied for concurrently to the Committee of Adjustment for minor variances with respect to the request to permit a lot coverage 41% whereas 40% is the maximum, permit 36 parking spaces whereas 40 parking spaces are required, a gross floor area maximum of 3,730.0m² (40,150.6 sq. ft.) whereas 800.0m² (8,611.4 sq. ft.) maximum is permitted and a building height of 10.5m whereas 10.0m maximum is permitted, to allow 0.0m (0.0') front yard setback from the ultimate road allowance of Horton Street East to the parking area whereas 3.0m (9.8') is required. These variances were subsequently passed by the Committee of Adjustment on November 14, 2005.

1.2 Property Description

The subject property is located on the south side of Horton Street East, west of Clarence Street and east of Richmond Street. The site is currently occupied by a 3-storey low-rise apartment building (Ivey Hall) that is used by the London International Academy (LIA) to provide residential accommodations to a portion of their student population. A vacant 2-storey industrial-type building is located to the rear of the subject lands. As part of this proposed development the existing low-rise apartment building is to be retained, and the vacant industrial type building will be demolished to accommodate the proposed dormitory use on the site.

A range of uses and built forms surround the subject site with varying building heights from 1-storey to 3-storeys. The most notable of these buildings consist of Memorial Boys and Girls Club, Pathways Skill Development, R.G. Huxley Jeweller's plaza, Labatt Brewery, York Development offices, in addition to a small group of single detached and multi-unit dwellings along Simcoe Street. Both Richmond Street and Clarence Street have a comparable street character, uses, and building forms as those along Horton Street East. The Richmond Street underpass leading to downtown London provides a pause in the street character along this section of street in the area.

View of 185 Horton Street looking south



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

- Official Plan Designation – Main Street Commercial Corridor
- The London Plan Place Type – Urban Corridor
- Existing Zoning – Arterial Commercial Special Provision (AC4(11)) Zone

1.2 Site Characteristics

- Current Land Use – 3-storey low-rise apartment building
- Frontage – approximately 42.3 metres (139 feet)
- Depth – approximately 60.23 metres (197.61 feet)
- Area – approximately 2,547.5 square metres (27,421.06 square feet)
- Shape – rectangular

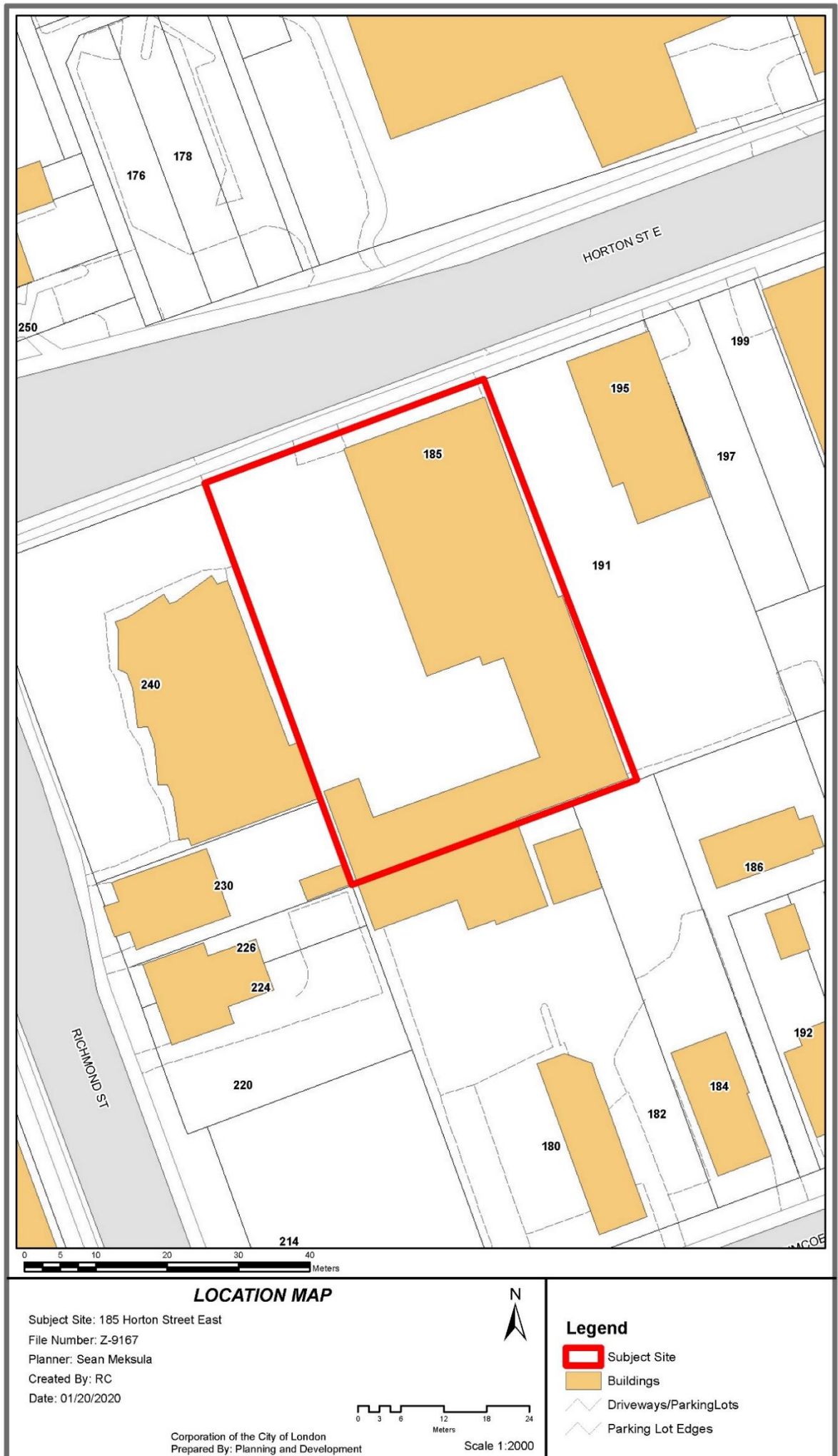
1.3 Surrounding Land Uses

- North – commercial recreation establishment
- East – office use with training facilities
- South – single detached dwellings, converted dwellings
- West – commercial plaza with small scale retail, office, personal services, single detached dwellings and converted dwellings

1.5 Intensification

- The recommended zoning will permit a stand-alone dormitory building which will have 156 dormitory units, with a total of 191 beds, in addition to the existing 3-storey apartment building which will remain and contain 53 dormitory units, with 105 beds.
- In total the subject lands will have 209 dormitory units, and 296 beds.
- As per the recommended zoning by-law amendment the density of the requested use will be based on a 3:1 ratio of 3 beds equals 1 dwelling unit. As a result, the proposed 296 beds converts to a density of 389 units per hectare.
- This development represents intensification inside the Built-Area Boundary and within the Primary Transit Area.

1.6 LOCATION MAP



2.0 Discussion and Considerations

2.1 Development Proposal

The applicant intends to develop the site in conjunction with the existing 3-storey low-rise apartment building (Ivey Hall) that is used by LIA to house a portion of their current student population. The existing building contains 53 dormitory units, with 105 beds. The Zoning By-law amendment application under consideration is to permit a dormitory use and the proposed 16 storey apartment building and underground parking structure. The proposed building will have 156 units with a total of 191 beds. In total the subject lands will have 209 units, and 296 beds and density of 389 units per hectare. The term 'Dormitory' will also be added to the definition section of the Zoning By-law, as this use is not currently defined but is proposed as follows:

“Dormitory” - meaning a residential building in association with and ancillary to an educational institution where residents have exclusive use of a bedroom with a separate entrance from a common hall and share common facilities such as washrooms, kitchens, lounges, recreation rooms and study facilities.

The vacant industrial-type building at the rear of the lot will be demolished to accommodate the proposed dormitory use on the site.

Revised elevations (submitted October 19, 2020)

On October 19, 2020 the applicant submitted revised elevations with changes to address concerns related to the amount of transparent openings versus spandrel panels on the west façade of the new building. Key changes to the proposal include:

- The applicant has agreed to implement a fire suppressant system that will permit additional transparency on the west elevation.
- On the west elevation the applicant was able to increase the amount of window openings from 13.5% to 23.5%, with the locations of most of the previous spandrel panels becoming transparent.
- The included night rendering reflects the amount of transparent openings versus spandrel panels on the west façade. This is a significant change from the original elevations, which are in line with the request of the City's Urban Design requirements.

Figure 1 – Site Concept

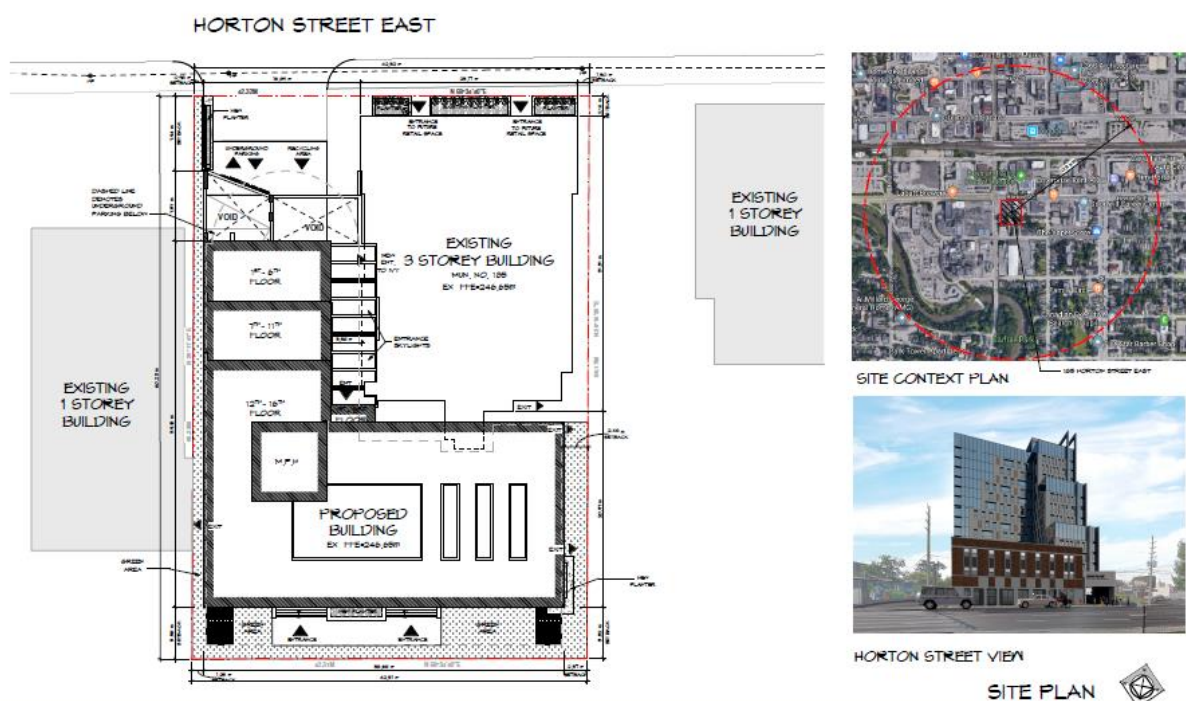


Figure 2 – Elevations - Street View



NORTHEAST PERSPECTIVE



NORTHWEST PERSPECTIVE

Figure 3 - Original Renderings (January 2020) – North and South Views



Figure 4 - Original Renderings (January 2020) – East and West Views

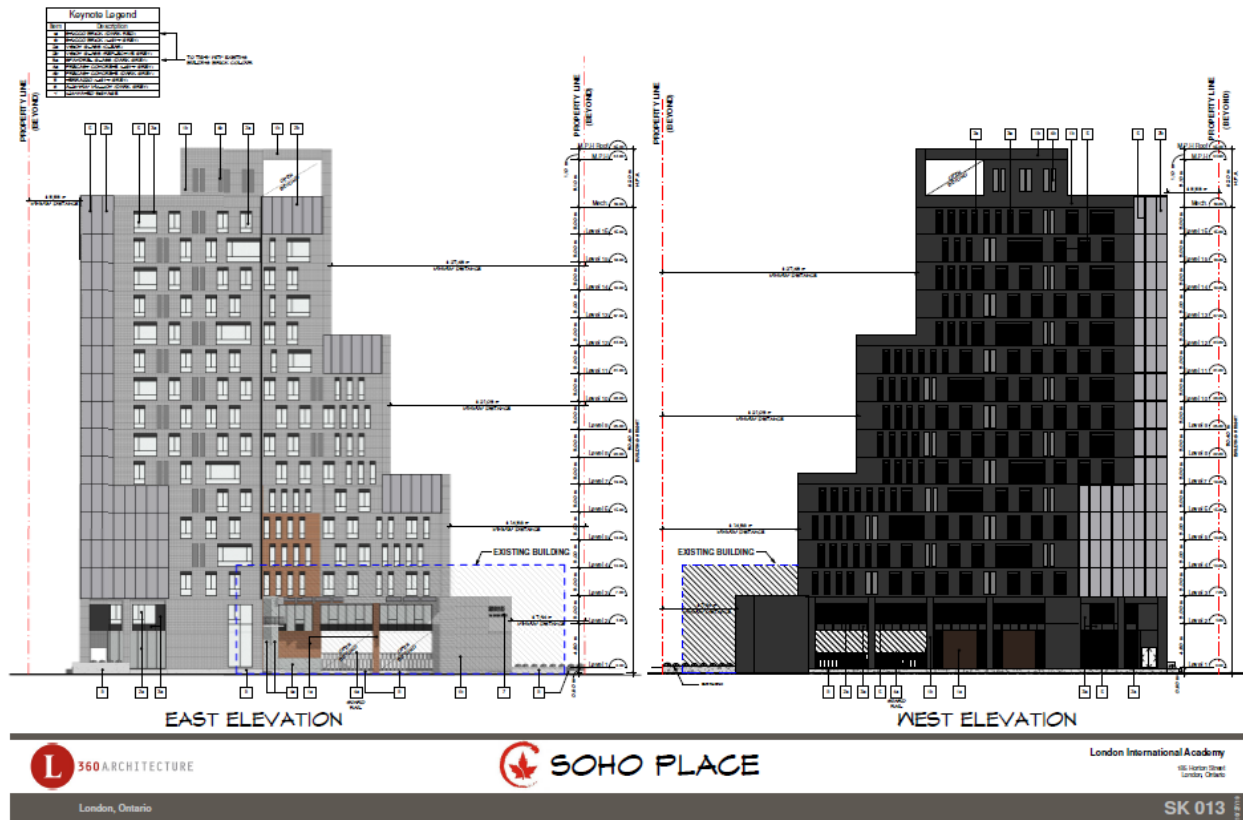


Figure 5 - Revised Renderings (November 2020) – North and South Views



Figure 6 - Revised Renderings (November 2020) – East and West Views

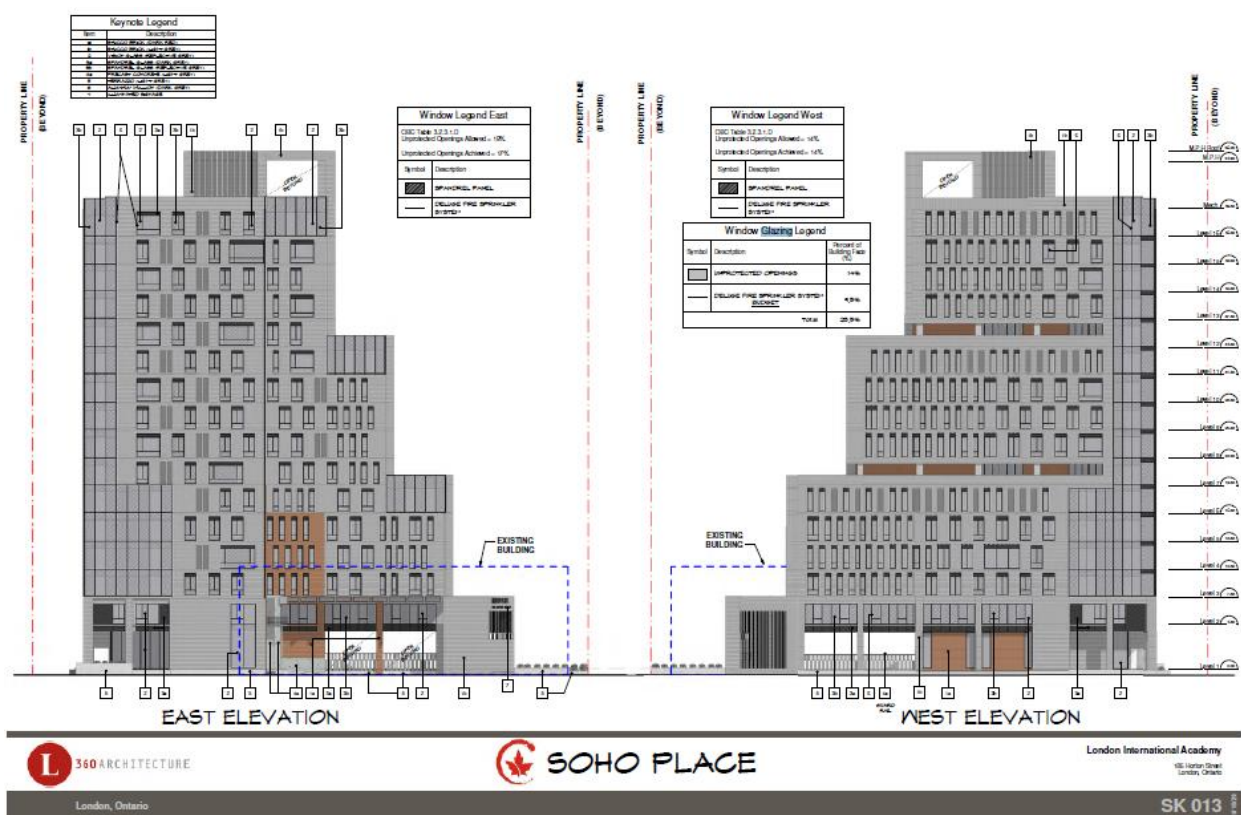


Figure 7 - Night Renderings (November 2020)



3.0 Financial Impact/Consideration

There are no direct municipal financial expenditures associated with this application.

4.0 Key Issues and Considerations

4.1 Requested Amendment

An amendment to Zoning By-law Z.-1 has been requested to change the zoning from an Arterial Commercial Special Provision (AC4(11)) Zone to an Arterial Commercial Special Provision Bonus Zone (AC4(__)/B__) Zone to permit a dormitory with 209 units and 296

beds with a density of 389 units per hectare. New definition of “Dormitory”, which was drafted by the applicant and requested to be added to the list of uses, means a building or structure where residents have exclusive use of a bedroom but common facilities such as washrooms, kitchens, and common areas, and where each resident individually compensates the owner for providing the accommodation. Special provisions are requested to establish a maximum building height to 50.4m, a minimum rear yard setback of 5.5m, minimum east interior side yard setback of 2.37m, minimum west interior side yard setback of 0.98m, a maximum lot coverage of 51% and a reduction of parking to 27 spaces.

The bonus zone would permit a residential density of 389 units per hectare (209 units) and maximum height of 50.4 metres in return for eligible facilities, services and matters outlined in Section 19.4.4 of the Official Plan. Other provisions such as interior/exterior side yard setbacks and lot coverage may also be considered through the re-zoning process as part of the bonus zone.

The City may also consider additional special provisions and a holding provision to address compatibility between abutting land uses.

4.2 Community Engagement (see more detail in Appendix B)

A Notice of Application was sent to property owners within a 120 metre radius of the subject site on February 13, 2020 and was published in *The Londoner* on February 14, 2020. One “Possible Land Use Change” sign was placed in the subject buildings front window, fronting onto Horton Street East. Written replies were received from four (4) individuals requesting information on the status of the application as well as support for the application.

The public’s comments generally included:

- support for mixed-use development,
- improvement of area generally and to pedestrian traffic which may lead to business development in plaza close by with high turnover of store-front businesses.
- increases in pedestrian activity level in the area, making it safer for everyone.
- set back from the property line on the east and west sides of their building; during and post construction;
- traffic will be an issue,
- risk of damage to surrounding properties during and after construction,
- safety of neighbourhood and people in the neighbourhood once this is built,
- concern about population density growth, noise issues
- this does not solve the problem of the homelessness,
- snow storage and garbage buildup along property boundary,
- access by animals and or homeless taking shelter,
- sufficient lighting from dusk until dawn in this narrow space,
- 16 stories is too high and will cast a lot of shade.

4.3 Policy Context (see more detail in Appendix C)

The Provincial Policy Statement (PPS), 2020 provides policy direction on matters of provincial interest related to land use planning and development. The PPS encourages healthy, livable and safe communities which are sustained by accommodating an appropriate affordable and market-based range and mix of residential types, employment and institutional uses to meet long-term needs (1.1.1b.). The PPS also directs 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, (1.1.3.3).

The policies of the PPS also direct planning authorities to identify appropriate locations and promote opportunities for residential intensification (Policy 1.1.3.3) while promoting appropriate development standards which facilitate intensification, redevelopment and

compact form (Policy 1.1.3.4) and promote active transportation limiting the need for a vehicle to carry out daily activities (Policy 1.6.7.4).

The PPS also promotes that long-term economic prosperity should be supported by optimizing the long-term availability and use of land, resources, infrastructure and public service facilities while maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets (Policy 1.6.7.4). In accordance with Section 3 of the Planning Act, all planning decisions “shall be consistent with” the PPS.

The London Plan

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

The London Plan implements a strategy through the implementation of Key Directions. Relevant to this is key Direction #5 to build a mixed-use compact city by:

- Planning to achieve a compact, contiguous pattern of growth – looking “inward and upward”;
- Sustain, enhance, and revitalize our downtown, main streets, and urban neighbourhoods;
- Planning for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward;
- Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place. (Key Direction #5, Directions 2, 4 and 5). The London Plan also provides direction to build strong, healthy and attractive neighbourhoods for everyone;
- Manage outward growth through the use of an Urban Growth Boundary and by supporting infill and intensification in meaningful ways:

The subject site is located in the Urban Corridor Place Type on *Map 1 – Place Types in The London Plan, with frontage on a Civic Boulevard (Horton Street East). Permitted Uses in a Civic Boulevard Place Type contemplate a broad of residential, retail, service, office, cultural, recreational, and institutional uses for the subject lands and mixed-use buildings are encouraged (*837_). The London Plan uses height as a measure of intensity in the Urban Corridor Place Type. In accordance with *Table 9 – Maximum Height in the Rapid Transit and Urban Corridor Place Types, a minimum height of 2-storeys is required and a maximum height of 12-storeys, and up to 16-storeys through Bonus Zoning is contemplated. The London Plan provides opportunities for residential intensification and redevelopment within the Urban Corridor Place Type where it is appropriately located and a good fit with the surrounding neighbourhood.

1989 Official Plan

The 1989 Official Plan contains policies that guide the use and development of land within the City of London and is consistent with the policy direction set out in the PPS.

The subject lands on the south side of Horton Street East, between Richmond Street and Wellington Street, are designated Main Street Commercial Corridor (MSCC) in the City of London 1989 Official Plan. This designation applies to the subject property at 185 Horton Street East.

The Main Street Commercial Corridor designation is normally applied to long established, pedestrian-oriented shopping areas in the older parts of the City. This designation may also be applied to new commercial areas provided that a mixed use, street oriented form of development is proposed. Proposals for the creation of new Main Street Commercial Corridors shall be supported by a comprehensive design concept and design guidelines. These areas typically consist of small, separately-owned and managed commercial properties that meet the frequent shopping and service the needs of nearby residents or provide specialty shopping for customers from a much larger area.

The 1989 Official Plan uses density and height as measures of intensity for residential uses. Residential densities within mixed-use buildings in a Main Street Commercial Corridor designation should be consistent with densities allowed in the Multi-Family, High Density and Medium Density Residential designations according to the provisions of Section 3.4.2 i). of the Official Plan. Development of the site or area for high density residential uses shall take into account surrounding land uses in terms of height, scale and setback and shall not adversely impact the amenities and character of the surrounding area. Net residential densities in the Multi-Family, High Density Residential designation will vary by location and will be directed by the policies in this Plan. Excluding provisions for bonusing, net residential densities will normally be less than 350 units per hectare (140 units per acre) in the Downtown Area, 250 units per hectare (100 units per acre) in Central London (the area bounded by Oxford Street on the north, the Thames River on the south and west and Adelaide Street on the east), and 150 units per hectare (60 units per acre) outside of Central London.

SoHo (South of Horton Street)

The SoHo Community Improvement Plan vision states: *“Our SoHo will be a vibrant and healthy urban neighbourhood that celebrates its rich sense of community and heritage. With its unique links to the Downtown and Thames River, SoHo will be a great place to live, work, shop and play!”*

The proposed amendment allows for an existing apartment building and proposed addition to continue to be used as a dormitory for the London International Academy students, and will help implement the SoHo Community Improvement Plan’s Vision Statement by providing for neighbourhood redevelopment with a continued link to the downtown.

4.4 Use

Provincial Policy Statement, (PPS), 2020

The Provincial Policy Statement (PPS), 2020 provides policy direction on matters of provincial interest related to land use planning and development. The PPS encourages healthy, livable and safe communities which are sustained by accommodating an appropriate range and mix of residential (including affordable housing and housing for older persons), employment and institutional uses to meet long-term needs (Policy 1.1.1b.). It also promotes cost-effective development patterns and standards to minimize land consumption and servicing costs. The PPS encourages intensification and redevelopment where it can be accommodated, which takes into account the existing building stock and the suitability of existing or planned infrastructure (1.1.3 PPS). The proposal will add 156 dormitory units with a total of 191 beds to a site that has already been zoned to permit the construction of an apartment building and has full access to municipal services within an existing residential neighbourhood. Land use within settlement areas shall be based on densities that efficiently use land and resources, and are appropriate for and efficiently use the infrastructure and public service facilities that are planned or available and support active transportation (1.1.3.2.a) & 1.4.3.d)). The additional 156 dormitory units will efficiently utilize public services within an existing residential neighbourhood. Further, the additional 156 dormitory units will assist in achieving an established intensification target for built up areas, in accordance with the PPS (1.1.3.5).

The London Plan

The subject lands are located within the Urban Corridor Place Type with frontage on a Civic Boulevard in The London Plan. The range of uses permitted within the Urban Corridor Place Type is directly related to the classification of street onto which a property has frontage Section (*837_ - Range of Permitted Uses in the Urban Corridor Place Type). While The London Plan contemplates a broader range of uses along higher-order streets within the Urban Corridor Place Type (*837_ 1 & 4), residential, retail, service, office, institutional and a mix of uses within an individual building will be encouraged to front the street at grade.

The recommended mixed-use dormitory building will provide for the development of an underutilized site with a similar land use that is currently permitted and compatible with the surrounding lands, at an intensity and height that is suitable for its location near the interface with the downtown area. This development at this location is considered appropriate as the mixed-use institutional/commercial building will take advantage of the surrounding resources, infrastructure and public service facilities, and will be pedestrian and transit-supportive. The recommended zoning will permit a stand-alone, mixed dormitory building with 209 dormitory units and 296 beds in association with institutional uses.

1989 Official Plan

The 1989 Official Plan supports the provision of a choice of dwelling types so that a broad range of housing requirements are satisfied (Section 3.1.1 ii)). Main Street Commercial Corridor (MSCC) areas are “normally applied to long established, pedestrian-oriented shopping areas in the older parts of the City”. Permitted uses within the MSCC include, small-scale retail uses, service and repair establishments, food stores, financial institutions, community facilities, correctional and supervised residences, and residential uses. The preferred location for MSCC include lands primarily along arterial corridors in older parts of the City that often consist of small, pedestrian-oriented commercial uses, but can include a mix of residential, light industrial uses, and community facilities. Zoning on the lands will not permit the full range of uses mentioned.

Residential development within the MSCC designation is to be consistent with the density permission of the medium and high density residential policies as mentioned in Section 3.4.3 of the OP. The subject lands are within Central London, and as such are permitted up to 250 units per hectare (“uph”) of density. Council may consider increasing density above 250 uph. In 2005, a site specific policy was added to Chapter 10 of the Official Plan that would permit an apartment building on the subject lands with a density of 160 units per hectare. This policy was added prior to the Main Street Commercial Corridor designation being applied which now contemplates additional density permission. As such, when the MSCC designation was introduced, the previous site specific policy which permits up to 160 uph resulted in a more restrictive policy framework than the general policy cap of 250 uph contemplated by the current Main Street Commercial Corridor designation.

The objectives of these corridors are intended to provide for the redevelopment of vacant, underutilized or dilapidated properties for one or more of a broad range of permitted uses at a scale which is compatible with adjacent development while maintaining a similar setback and character to the existing uses. The proposed development provides for the rehabilitation and renewal of the lands, with a distinctive functional use for the area. The redevelopment of the lands also provides for an enhanced pedestrian nature of the Main Street Commercial Corridor, which is accessible with walkable sidewalks and proper lighting, creating a strong identity of place, and supporting public transit. The proposed dormitory use is considered a type of commercial/institutional use which is permitted under the Main Street Commercial Corridor designation.

SoHo (South of Horton Street)

The proposed dormitory development implements the mixed use zoning and an expanded range of permitted uses for residential dwellings along the Hamilton Road East corridor

which allows for increased uses to assist with the redevelopment of this area of the SoHo neighbourhood. The enlargement of the existing building improves, enhances and revitalizes the existing streetscape of Horton Street East. That will promote a pedestrian-oriented environment along Horton Street East. The property was previously used for a specialized residential facility for many years and there is no history of land use compatibility problems or adverse impact on surrounding uses. The proposed dormitory conversion and addition is considered to be compatible with surrounding uses.

4.5 Intensity

Provincial Policy Statement, (PPS), 2020

The PPS directs growth to settlement areas and encourages their regeneration (Policy 1.1.3.1). Policies also require that land use patterns be based on densities and mix of uses that efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available; minimize negative impacts on the environment; promote energy efficiency; support active transportation; and are transit supportive where transit is planned, exists or may be developed (Section 1.1.3.2). Planning authorities are to identify appropriate locations and promote opportunities for intensification and redevelopment where it can be accommodated considering matters such as existing building stock, brownfield sites, and suitable existing or planned infrastructure and public service facilities. (Policy 1.1.3.3). The PPS is supportive of development standards which facilitate intensification, redevelopment and compact form (Policy 1.1.3.4). The proposed development provides for intensification in conformity with the PPS

The London Plan

The London Plan encourages growing “inward and upward” to achieve compact forms of development (Policy 59_ 2, Policy 79_). The London Plan accommodates opportunities for infill and intensification of various types and forms (Policy 59_ 4). To manage outward growth, The London Plan encourages supporting infill and intensification in meaningful ways (Policy 59_ 8). Table 9 shows the minimum height, maximum height, and maximum height with bonus zoning that may be permitted in the Rapid Transit and Urban Corridor Place Types (*Policy 839_).

Within the Urban Corridor Place Type, built form is intended between a minimum of 2 storeys or 8m, and a maximum standard height of 6 storeys, with the potential to bonus up to 8 storeys (*Table 9). Buildings in these three Main Street segments will be a maximum of 12 storeys in height. Type 2 Bonus Zoning beyond this limit, up to 16 storeys, may be permitted in conformity with the Our Tools part of this Plan (Policy 847_2). The London Plan uses height as a measure of intensity in the Urban Corridor Place Type. While The London Plan does not limit densities within the policy context it does include standards for the development of more intensive land uses. Buildings in Urban Corridor Place Types are to be sensitive to adjacent land uses and employ such methods as transitioning building heights or providing sufficient buffers to ensure compatibility.

The Urban Corridor Main Street segment policies apply to SoHo - Wellington Street from the CN tracks to the south branch of the Thames River and Horton Street from Colborne Street to lands just west of Richmond Street (Policy 844_ 3). The site is also located near the Main Street segment near Wellington Street that has been developed, historically, for pedestrian oriented shopping or commercial activity in the older neighbourhoods of the city. In an effort to provide local shopping and commercial options so that residents can walk to meet their daily needs The London Plan supports a linear configuration and street-oriented forms of development, meaning that buildings will be close to the street with parking generally located to the rear of the site, underground, or integrated into the mass of the building. A broad range of uses at a walkable neighbourhood scale will be permitted within these areas (Policy 845_).

The London Plan contemplates intensification where appropriately located and provided in a way that is sensitive to and a good fit with existing neighbourhoods (*Policy 83_, *Policy 86_, *Policy 839_, *Policy 840_, Policy 844_ 3, Policy 845_, *Policy 937_, *Policy

939_ 3, 5 and 5, and *Policy 953_ 1.). The London Plan directs that intensification may occur in all place types that allow for residential uses (Policy 84_).

The proposed 16-storey building has been designed in a manner which will fit within the existing and planned scale/character of the surrounding streetscape. The location of the site itself and the placement of the building close to the property lines are consistent with other developments in the area. While the proposed building is 16-storeys in height the proposed setbacks move the built form away from the property lines reducing potential impacts on the abutting lands. It is recognized that the development is one of the first mixed use re-developments within in this area and provides a different built form than what currently exists. The development, however, implements the planned vision of the Urban Corridor Place Type helping establish an appropriate form and scale of development while complementing the character of the area. This proposal is considered to represent an appropriate intensity of development. While the applicable policies of the Urban Corridor Place Type are under appeal, and the Place Types Map has not been approved by the Local Planning Appeal Tribunal.

1989 Official Plan

Redevelopment or infilling of commercial uses within a Main Street Commercial Corridor designation shall form a continuous, pedestrian-oriented shopping area and shall maintain a setback and storefront orientation that is consistent with adjacent uses. Residential densities within mixed-use buildings in a Main Street Commercial Corridor designation should be consistent with densities allowed in the Multi-Family, High Density and Medium Density Residential designations according to the provisions of Section 3.4.3. Scale of Development. Under these provisions net residential densities will normally be less than 150 units per hectare outside of Central London.

Policy 3.4.3. of the Multi-Family, High Density Residential policies of the Plan which governs net residential densities for high density residential development in various locations in the City, including the Downtown Area. While the policy permits a maximum density of 350 units per hectare. This density is less than the required density 389 units per hectare to accommodate the retention of the existing units on the subject property, and the proposed new dormitory building.

Policy 3.4.3. ii) refers to applications for proposals to allow higher densities than would normally be permitted. This policy requires a site to be located at the intersection of two arterial roads or an arterial road and a primary collector road, and well served by public transit; the development must contribute unique attributes that have a public benefit such as enhanced open space, recreational facilities, or innovative forms of housing and architectural design features; parking facilities designed to reduce visual impact; conformity with urban design principles in Section 11.1. Council may consider proposals to allow higher densities than would normally be permitted through density bonusing. Under Section 3.4.3.(iv) and Section 19.4.4. In such cases, Council may allow an increase in the density above the limit otherwise permitted by the Zoning By-law in return for the provision of certain public facilities, amenities or design features.

While the subject property is not located at the intersection of two major roads, it is one property removed from the intersection of two arterial roads (Richmond Street and Horton Street East) that are serviced by public transit. The existing building does contribute a unique attribute to the community having public benefit. At grade parking facilities are not being proposed for the subject proposal and as such visual impact does not apply. In view of these criteria, the subject property is considered to meet the general intent of this policy. As such, a bonus zoning of 389 units per hectare is recommended for the subject property.

SoHo (South of Horton Street)

Neighbourhood Places is a component of the SoHo Community Improvement Plan (CIP) that identifies key initiatives for creating better places to socialize. Improved opportunities for retail/commercial and greater connections to public transit are promoted. Vibrant neighbourhood places form the heart of every community. Through the design of these

places opportunities exist to improve mental, social and economic health of the community, which provides a better overall quality of life.

The proposed dormitory use helps to implement the SoHo CIP by enhancing economic activity, promoting mixed use development and reinvesting in the existing infrastructure along the Huron Street East corridor. The intensification and revitalization of these lands also provides greater exposure for retail/commercial uses Downtown and a greater connection to public transit for the future students.

Analysis

The subject lands are an appropriate site and location for the intensity that is proposed as they are located adjacent to a range of commercial land uses to the north, east and west, as well as low density residential land uses to the south. The lands are also located on an arterial road with access to public transit which is within walking distance to Downtown London, and approximately 7 transit routes (with (2) two located adjacent to the subject lands). The site is appropriately sized to accommodate the proposed number of dormitory units with parking facilities, amenity area, and appropriate building setbacks.

The requested density of the proposed dormitory use is 389 units per hectare for the entire site. The densities and building height of 16-storeys are in keeping with newer developments within downtown and the surrounding area. This proposal represents a form of intensification and infilling of a site that fronts along a Main Street with opportunities for a higher intensity development in the rear. The proposed development is of a density and compactness that will make full use of municipal services, minimizing consumption of land and servicing costs.

The applicant has indicated that the proposed intensity and height can be implemented in a sensitive and compatible manner in relation to adjacent uses. The Planning Justification Report indicates there are sufficient separations and buffers between the proposed building and the surrounding low profile residential uses. The adjacent properties to the east and south are occupied by parking and landscaped open space, with existing vegetation and mature trees along the property boundary to screen the proposed development. The west side of the building abuts the rear portion of an existing commercial building where there will be an approximately 1 metre of separation distance between the buildings. Since there are no windows on the rear of the commercial building this should minimize privacy concerns between the future residents and the existing residential dwellings and tenants of the commercial use to the west. Overall, the level of intensity as proposed is considered appropriate for the site, size, and location; contributes to efficient use of public infrastructure, services, and facilities; encourages compact, cost-effective development; and supports active transportation and public transit.

In regards to The London Plan, the Main Street segment of the Urban Corridor Place Type has additional height permissions for up to 12-storeys with the availability to bonus up to 16-storeys with Type 2 Bonusing. The recommended amendment and requested form of development is within the range of intensity envisioned in The London Plan.

4.6 Form

Provincial Policy Statement, (PPS), 2020

The PPS promotes development standards which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety (Policy 1.1.3.4). The PPS also supports the goal of achieving long term economic prosperity through land use planning and development by, maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets and among other matters, encouraging a sense of place by promoting a well-designed built form (Policy 1.7.1(d & e)).

The London Plan

The London Plan requires that all planning and development applications conform to the City Design policies and the Urban Corridor Place Type policies provide guidance on the appropriate forms of development. The London Plan encourages compact forms of development as a means of planning and managing for growth (Policy 7_, Policy 66_). A high standard of urban design will be applied in the review of municipal projects and planning and development applications to enhance and protect residential amenity in the Primary Transit Area. All planning and development applications will conform to the City Design policies of The London Plan (Policy *92_7).

The Urban Corridor Place Type requires that buildings be sited close to the front lot line, and be of sufficient height, to create a strong street wall along Corridors and to create separation distance between new development and properties that are adjacent to the rear lot line. Buildings and the public realm will be designed to be pedestrian, cycling and transit-supportive through building orientation, location of entrances, clearly marked pedestrian pathways, widened sidewalks, cycling infrastructure and general site layout that reinforces pedestrian safety and easy navigation.

Lots within the Urban Corridors will be of sufficient size and configuration to accommodate the proposed development and to help mitigate planning impacts on adjacent uses (*840.4). Even though no surface parking is provided for this addition, the site is able to provide 27 underground parking spaces which is in keeping with the Form Policies of the Urban Corridor Plan Type (Policy *841_). The site is large enough to accommodate the building while still providing adequate space to mitigate any impacts

1989 Official Plan

The Main Street Commercial Corridor (MSCC) designation is generally applied to established, pedestrian-oriented shopping areas in the older parts of the City. Main Street Commercial Corridors are pedestrian-oriented and the Zoning By-law may allow new structures to be developed with zero front and side yards to promote a pedestrian streetscape.

The intent of these corridors is to provide for the redevelopment of vacant, underused or derelict properties for one or more of a broad range of permitted uses at a scale which is compatible with adjacent development by maintaining a comparable scale, setback and character to the existing uses. (Policy 4.4.1.1). To make sure these objectives of character, compatibility and scale are attained the MSCC has specific Urban Design Objectives (4.4.1.2) to provide guidance in evolution of these corridors appropriately. These objectives encourage the rehabilitation and renewal of Main Street Commercial Corridors and the enhancement of any distinctive functional or visual characteristics. In order to provide for and enhance the pedestrian nature of the Main Street Commercial Corridor, the provision of high quality façade design, accessible and walkable sidewalks, street furniture and proper lighting, creating a strong identity of place, and supporting public transit is encouraged.

The Multi-Family, High Density Residential designation is intended to accommodate large-scale, multiple-unit forms of residential development. A transition in scale shall be encouraged, where appropriate, to avoid extremes in building height and bulk between the new development and the existing built fabric of adjacent properties. Specific heights and densities are not established by the Official Plan policies, but policies addressing large sites outside of the Downtown and Central London area provide some guidance by indicating high-rise structures shall be oriented, where possible, closest to activity nodes (shopping and employment centres) and points of high accessibility (arterial roads, transit service) with densities and building heights decreasing as the distance from an activity node increases. Massive, at-grade or above-grade parking areas shall not dominate the site. Pedestrian circulation and access to transit services should be facilitated through site design and building orientation (Section 3.4.3.)

Main Street Commercial Areas should ensure that urban design provides continuity of the

urban fabric; provides incentives and flexibility for redevelopment opportunities; and, provides appropriate building massing and height provisions to ensure main streets define the public spaces in front of and in between buildings (Section 4.4.1.9.) Residential uses combined with commercial uses or free-standing residential uses will be encouraged in the Main Street Commercial Corridors to promote active street life and movement in those areas beyond the work-day hours. Residential development above existing commercial development should provide maximum privacy between private living spaces as well as adequate separation from commercial activity. Underground parking will be located in the building limiting visual impacts of the parking lot on the main street.

The proposed development is able to integrate with the existing less intensive development on Horton Street, while setting a positive quality of development within SoHo as future development/redevelopment occurs. The proposed building is located adjacent to the front property line creating a strong street wall and setting the context for a comfortable pedestrian environment. The proposal conforms to the 1989 Official Plan and the recommended intensification of the subject lands will optimize the use of land and public investment in infrastructure in the area. The redevelopment of the underutilized subject lands provides an opportunity for a cost-effective and compact built form that is compatible with abutting uses, maintains privacy, and will contribute to achieving more compact form of growth for this neighbourhood.

Analysis

The building has been situated with minimal setbacks from the Horton Street right-of-way to maintain the established street edge and develop a comfortable pedestrian environment. The front entrance is directly connected to the public sidewalk and to an internal pathway system that leads to secondary entrances on the east side and rear of the building, and to underground parking, the recycling room and amenity area. The location and orientation of the building accommodates sufficient space between existing uses to the east and west along Horton Street, and extensive use of glass, glazing, combination of materials, and positioning of the building close to the street and sidewalk while providing step backs maintains the intent of the Main Street Segment of the Urban Corridor Place Type. The applicant's Planning Justification Report notes: "that the proposed development will redevelop an underutilized parcel of land that is proximate to a range of residential and commercial uses, which will provide an attractive, compatible, and complementary addition to the Horton Street East streetscape. The proposed development will contribute to the planned function of the area and provide a visually attractive building." Main streets can be planned to create a strong neighbourhood character and distinct sense of place, and the proposed apartment/dormitory use and building orientation to the street contributes to this planned vision.

As part of a complete application the applicant provided an Urban Design Brief, and attended the Urban Design Peer Review Panel to identify how the above-mentioned policies have been achieved through the building design and form. Both the Urban Design Peer Review Panel and Staff originally expressed concerns about the height and the constraints posed by the irregular site dimensions, the need to accommodate a significant student population and the desire to maintain the existing building. Further development of the west building elevation was recommended to ensure a positive contribution to the skyline by introducing additional fenestration to allow for light penetration and lighten the visual appearance of the building mass. The use of step-backs at various elevations was supported in order to provide interest and break up the massing of the building.

The revised plan will implement a fire suppressant system that will permit additional transparency on the west elevation. With this change the applicant was able to increase the amount of openings from 13.5% to 23.5%, allowing for most of the previous spandrel panels to become transparent. The development will provide an active and continuous street wall along Horton Street and will create an appropriate scale and rhythm through the use of step-backs, a variety of materials and fenestration. The proposal will create a form of development at an appropriate scale and remain compatible with the surrounding streetscape by incorporating underground parking and providing ground floor commercial

space with transparent glazing and principal entrances facing the street to create an active edge.

4.7 Dormitory Definition and Density

Dormitory uses are not a common term used outside of established post-secondary school institutions or within the current Zoning By-law No. Z.-1 Section 2- Definitions. Nevertheless the growing student population of downtown post-secondary institutions and the growing population of the London International Academy (LIA) has placed mounting pressure on their existing residence building and student rentals within the downtown. Student housing is a growing requirement for post-secondary institutions and private schools as educational admissions and enrolment from domestic and international students continue to increase from year to year within the City of London.

Currently students compete for housing with the general population which has removed residential units from the downtown market supply. The proposed dormitory would provide a safe and secure lodging solution for LIA and its students while freeing additional rental units for the general population in the downtown core.

The term 'Dormitory' will be added to the definition section of the Zoning By-law No. Z.-1 Section 2- Definitions, as this use is not currently defined. The proposed definition of Dormitory by the applicant is as follows:

“Dormitory” – Means a building or structure where residents have exclusive use of a bedroom but common facilities such as washrooms, kitchens, and common areas, and where each resident individually compensates the owner for providing the accommodation.

The recommended amendment slightly modifies the applicant's requested definition of dormitory such that it is proposed to read as follows:

“Dormitory” - Means a residential building in association with and ancillary to an educational institution where residents have exclusive use of a bedroom with a separate entrance from a common hall and share common facilities such as washrooms, kitchens, lounges, recreation rooms and study facilities.

The modifications to the definition of dormitory is intended to provide a more encompassing use where residents have limited shared cooking facilities within buildings that primarily provide sleeping and residential quarters for large numbers of people often attending boarding school, college or university. This inclusive community for the students provides a social environment, with safe and exclusive access to the building and resources in the building.

The proposed development requires less amenity space, parking, and is more suitable for the Central London area and neighbouring downtown as students are more likely to self-segregate within their own populations. In the future if the dormitory use was not used be required by the LIA and the building were to be sold, a Zoning By-law amendment would be required to permit an Apartment Building use on the lands. At that time, bonusing provisions such as affordable housing, transit contributions, and/or public art could be considered. The floors and units have been designed so that they can be easily converted to apartment units at some point in the future.

4.8 Bonusing

The proposed development seeks an increase in density and height, along with other special regulations through Bonus Zoning in exchange for public benefits. The 1989 Official Plan policies permit Bonus Zoning as a means to achieve public benefits that cannot be achieved through the normal development process in return for permitting increased building height and/or density. The Planning Act currently allows municipalities to permit the increase in height and density where a City has included bonusing provisions in their Official Plan. In return, the “facilities, services, and matters” offered as a public benefit are to be set out in the Zoning By-law.

The London Plan allows for the application of Type 2 Bonus Zoning in return for such matters as “Exceptional site and building design”. As it relates to the subject site, the applicant has included the use of an advanced fire suppression system to facilitate a significant amount of windows on the west side. Without the inclusion of this fire suppression system, the building code would have required a larger proportion of solid walls to be constructed to provide for fire separation from abutting properties. Additional design considerations include the provision within the development of rooftop terraces, underground parking, enhanced landscaping, innovative/sensitive design, sustainable development, walkable areas and transit-supportive design. A future site plan application will review whether the commensurate public benefits for the additional density meets the criteria for Bonus Zoning in the Official Plan. These features are outlined in detail in the Staff recommendation.

The application of a bonus zone requires that the potential impacts of intensification be considered through a planning impact analysis as described in Section 3.3.3 and 3.7.3 of the Official Plan. Through the preparation of this analysis, Staff have reviewed these criteria and believe that the proposed development demonstrates it is compatible in scale and intensity including building orientation, setbacks, transition of height variation from the street, a stepped style of development and pedestrian orientation to the streetscape.

In order to implement the identified items for bonus zoning, policy 19.4.4.iv) of the Official Plan states:

“As a condition to the application of bonus zoning provisions to a proposed development, the owner of the subject land will be required to enter into an agreement with the City, to be registered against the title to the land. The agreement will deal with the facilities, services, or matters that are to be provided, the timing of their provision, and the height or density bonus to be given.”

Bonus Zoning is implemented through one or more agreements with the City that are registered on title to the lands. The agreements secure public benefit and elements of the development that merit the additional density. Through the site plan approval process, the proposed development will be reviewed to ensure that all facilities, services, and matters that have warranted bonus zoning have been incorporated into the agreements. Building and site features are highlighted in the recommendation and the amending by-law attached as Schedule “1” to Appendix D of this report.

Conclusion

The requested zoning amendment, which includes bonusing for density, is considered consistent with Council's objectives to redevelop underutilized sites and to encourage new residential development in the SoHo neighbourhood. Developing new high density residential uses just outside the Downtown area, provides more opportunities for a larger resident population in close proximity to the commercial core of the Downtown. The recommended zoning amendment is consistent with that intent recognizing that the subject property is within walking distance to the commercial core of the Downtown.

The recommended amendments conform to the City of London Official Plan policies and Urban Corridor Place Type policies of The London Plan. The bonusing of the subject site ensures the building form and design will fit within the surrounding area while providing a high quality design standard. The revised development proposal for a dormitory is an appropriate land use, intensity, and form, which represents compatibility and fit within its context. For those reasons this proposal represents good planning.

Prepared by:

**Sean Meksula, 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**

Y:\Shared\DEVELOPMENT SERVICES\11 - Current Planning\DEVELOPMENT APPS\2020 Applications 9165 to\9167Z - 185 Horton Street East (SM)\PEC Report and Decision\Z9167 - 185 Horton Street East_PEC-Report-.docx

cc: Michael Tomazincic, Manager, Development Services (Current Planning)
cc: Michael Pease, Manager, Development Services (Site Plan)

Appendix A

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

By-law No. C.P.-1284-
A by-law to amend the Official Plan for
the City of London, 1989 relating to 185
Horton Street East.

WHEREAS 1524400 Ontario Inc. applied to rezone an area of land located at 185 Horton Street East, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 185 Horton Street East as shown on the attached map comprising part of Key Map No. A.107, from an Arterial Commercial Special Provision (AC4(11)) Zone, to an Arterial Commercial Special Provision Bonus Zone (AC4(__)/B__) Zone;

- 2) Section Number 25.4 of the Business District Commercial (BDC) zone is amended by adding the following Special Provision:

AC4(__) 185 Horton Street East

- a) Additional Permitted Use:
 - i) Dormitory building

- 3) Section 2.0, Definitions, to By-law No. Z.-1 is amended by adding the following definition:

"Dormitory" - Means a residential building in association with and ancillary to an educational institution where residents have exclusive use of a bedroom with a separate entrance from a common hall and share common facilities such as washrooms, kitchens, lounges, recreation rooms and study facilities.

- 4) Section Number 4.3 of the General Provision in Zoning By-law Z.-1 is amended by adding the following new Bonus Zone:

4.3) B(__) 185 Horton Street East

The Bonus Zone shall be implemented through one or more agreements to facilitate the development of a high quality mixed-use commercial/dormitory apartment building with a maximum density of 389 units per hectare and a maximum height of 51 metres (16-storeys) which substantially implements the Site Plan and Elevations attached as Schedule "1" to the amending by-law in return for the following facilities, services and matters:

- (a) A high quality development which substantially implements the site plan and elevations as attached in Schedule "1" to the amending by-law:

Building Design

- i) High quality architectural design (building/landscaping) including a common design theme for residential and commercial elements; and

provision of structure parking facilities and screening for surface parking areas.

Underground Parking

- i) Underground Parking Structure parking provided to reduce surface parking areas (a minimum of 27 subsurface spaces provided).

Outdoor Amenity and Landscaping

- i) Common outdoor amenity area to be provided in the northeast quadrant of the site; and rooftop terraces above the 7th, 12th and 16th floors.
- ii) Landscape enhancements beyond City design standards, including theme lighting.
- iii) Landscape plans for common outdoor amenity areas to incorporate hard landscape elements and drought resistant landscaping to reduce water consumption.

Sustainability

- i) Provides a pedestrian-oriented environment along Horton Street East, which facilitates passive surveillance of the streetscape and, ultimately, safer streets.
- ii) Fosters social interaction and facilitates active transportation and community connectivity with Downtown.
- iii) The subject lands are close to public open space and parkland in the area, particularly Thames Park, Charles Hunt Park, and the Thames River Pathway system, which provides recreational opportunities for residents (passive and active).

5) The following special regulations apply within the bonus zone upon the execution and registration of the required development agreement(s):

a) Regulations:

- | | | |
|------|--|--|
| i) | Density
(maximum) | 389 uph
3:1 ratio of 3 beds equals 1 dwelling unit, 296 beds converts to a density of 389 units per hectare |
| ii) | Height
(maximum) | 51 metres |
| iii) | Off Street Parking
(minimum) | 27 spaces |
| iv) | West Interior Side Yard Depth
(maximum) | 0.98m
(3.2 ft) |
| v) | East Interior Side Yard Depth
(maximum) | 1.3m
(4.3 ft) |
| vi) | Rear Yard Depth
(maximum) | 5.5m
(18.0 ft) |
| vii) | Lot Coverage
(maximum) | 51% |

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.

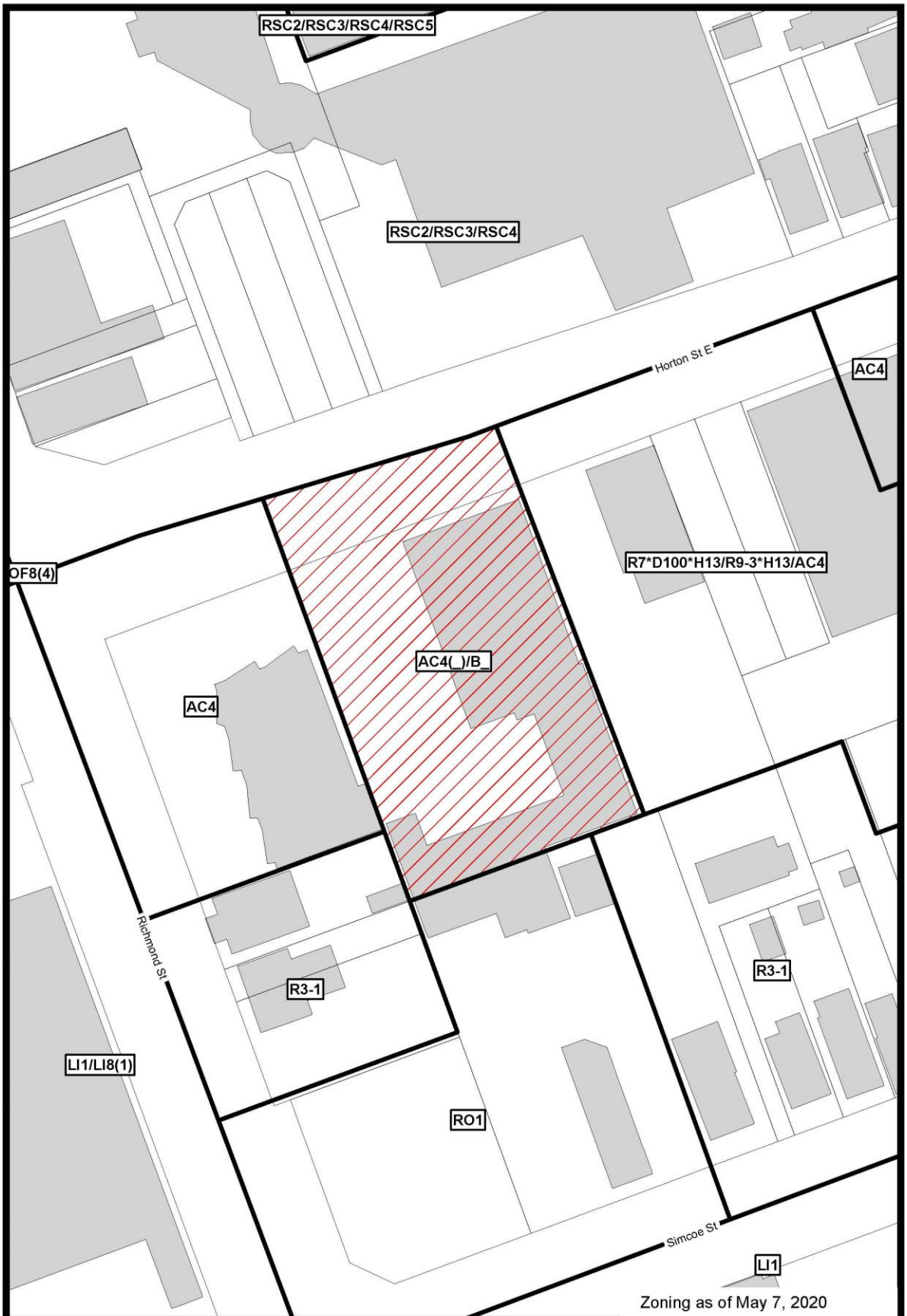
PASSED in Open Council on February 23, 2021

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – February 23, 2021
Second Reading – February 23, 2021
Third Reading – February 23, 2021

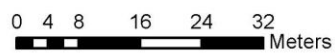
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: Z-9167
Planner: SM
Date Prepared: 2020/06/09
Technician: RC
By-Law No: Z.-1-

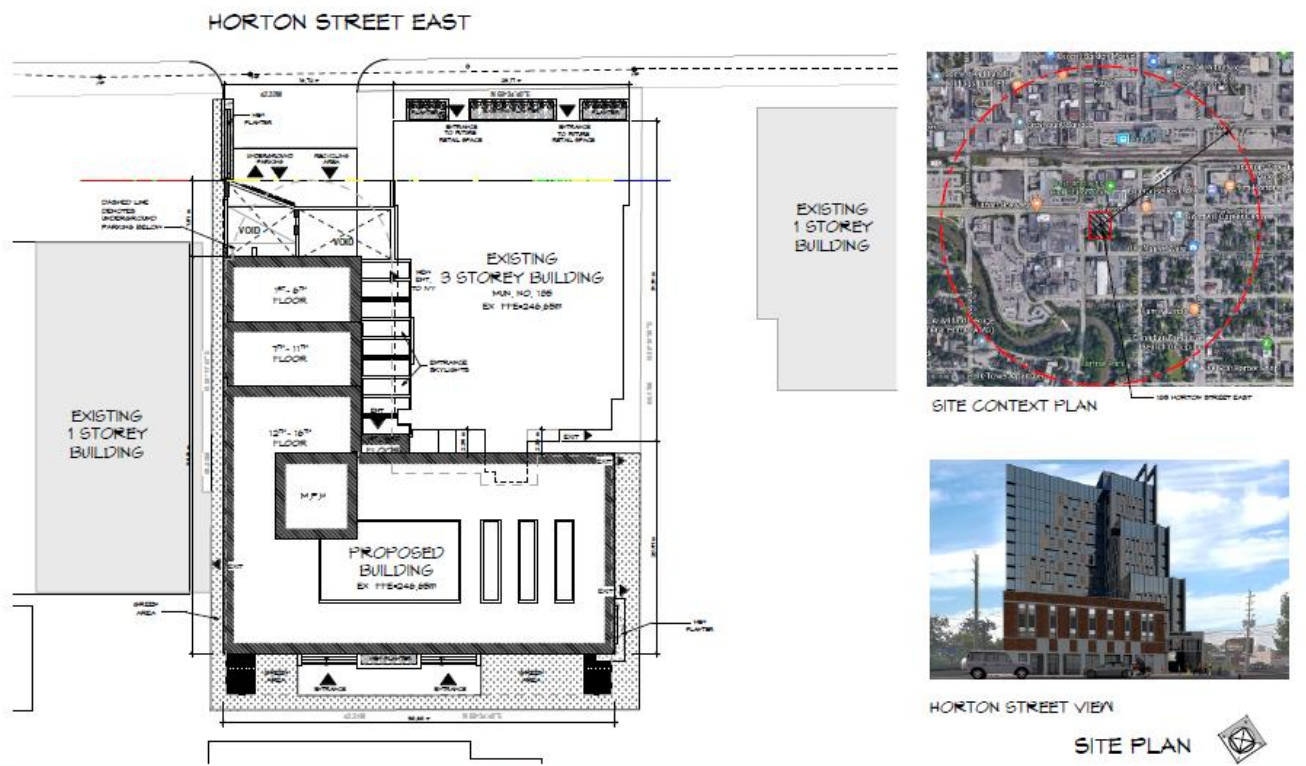
SUBJECT SITE 

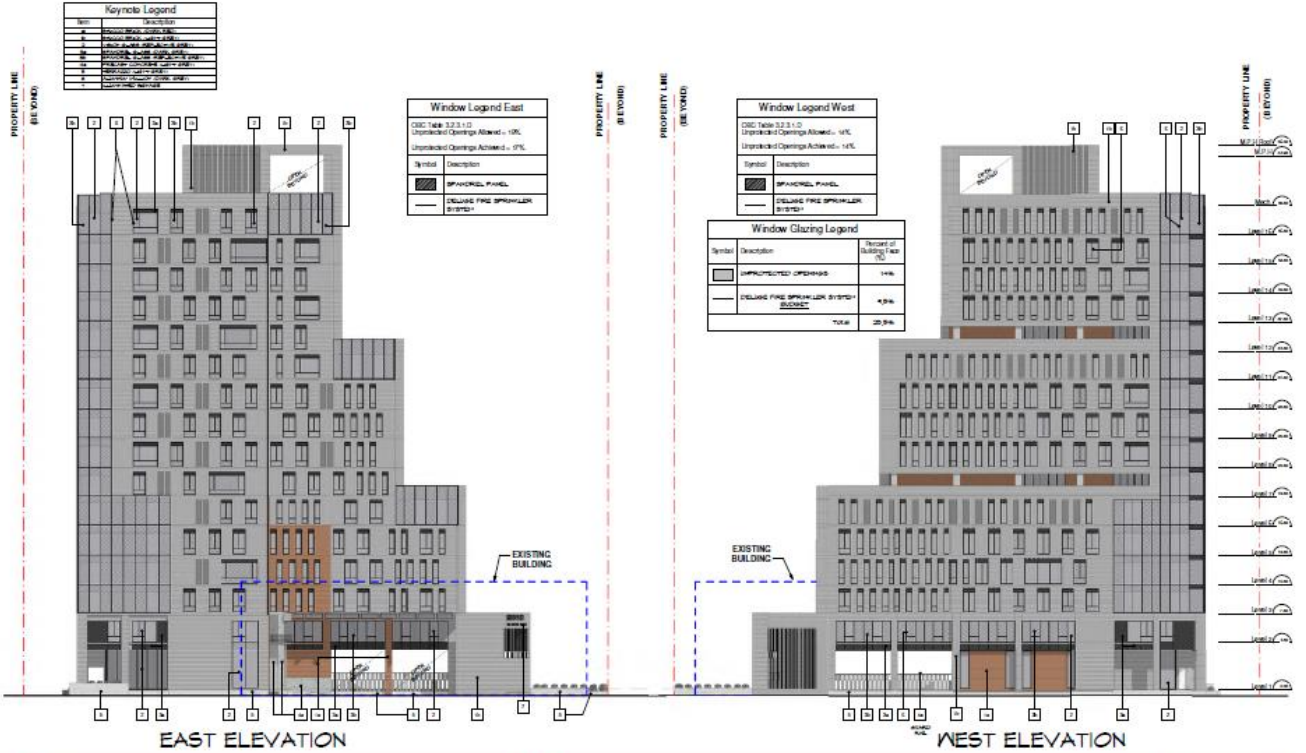
1:800

 Meters



Schedule "1"





VIEW FROM NORTHEAST



VIEW FROM NORTHWEST



VIEW FROM NORTHEAST



VIEW FROM NORTHWEST

Appendix B – Public Engagement

Community Engagement

On February 13, 2020, Notice of Application was sent to 28 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on February 14, 2020. One “Planning Application” sign was also posted on the site.

4 replies were received.

Nature of Liaison:

The notice advised of a possible change to Zoning By-law **FROM** an Arterial Commercial Special Provision (AC4(11)) Zone, **TO** an Arterial Commercial Special Provision Bonus Zone (AC4(__)/B__) Zone

Special Provision(s): New definition of “Dormitory” applying only to the subject property reading means a building or structure where residents have exclusive use of a bedroom but common facilities such as washrooms, kitchens, and common areas, and where each resident individually compensates the owner for providing the accommodation. Increase maximum building height to 50.4m, a minimum rear yard setback of 5.50m, minimum east interior side yard setback of 2.37m, minimum west interior side yard setback of 0.98m, a maximum lot coverage of 51% and a reduction of parking to 27 spaces.

Residential Density: 389 units per hectare

Height: 50.4m

Bonus Zone: The bonus zone would permit a residential density of 389 units per hectare (209 units) and maximum height of 50.4 metres in return for eligible facilities, services and matters outlined in Section 19.4.4 of the Official Plan. Other provisions such as interior/exterior side yard setbacks, lot coverage may also be considered through the re-zoning process as part of the bonus zone.

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

Concern for:

- support for mixed-use development,
- improvement of area generally and to pedestrian traffic which may lead to business development in plaza close by with high turnover of shop front businesses.
- increases pedestrian activity level in the area, making it safer for everyone.
- set back from the property line on the east and west sides of their building; during and post construction;
- traffic will be an issue,
- risk of damage to surrounding properties during and after construction,
- safety of neighbourhood and people in the neighborhood once this is built,
- concern about population density growth, noise issues
- this does not solve the problem of the homelessness,
- snow storage and garbage buildup along property boundary,
- access by animals and or homeless taking shelter,
- sufficient lighting from dusk until dawn in this narrow space,
- 16 stories is too high and will cast a lot of shade.

Telephone	Written
	Paul Hubert Pathways Skill Development 2015 Horton Street E. London, ON N6B 1K7
	Bonnie Moes 186 Simcoe St London, ON N6B 1H9
	Scott Turner President Performaxx Properties 6 Old Mill Crt London ON, N6K 4H6
	Patricia Taft Sough Street Soho

Received: Thu 2/13/2020 12:36 PM
From: Trish Taft
To: Meksula, Sean <smeksula@London.ca>
Subject: [EXTERNAL] Zoning Amendment - International Academy

Excellent use of this space along Horton Street. Adds to improvement of area generally and to pedestrian traffic which may lead to business development in plaza close by with high turnover of shopfront businesses. Would like to see storefront grocery go in there to support students and small Soho pocket of smaller houses behind GoodWill all the way to South and Wellington.

Adds to activity level in the area, making it safer for everyone.

Patricia Taft
Soho

.....

Received: Sun 2/23/2020 7:16 PM
From: b moes
To: Meksula, Sean <smeksula@London.ca>; Kayabaga, Arielle <akayabaga@london.ca>; Development Services <DevelopmentServices@london.ca>; Planning Planning@london.ca
Cc: City of London, Mayor <mayor@london.ca>
Subject: [EXTERNAL] 185 Horton Street - File # Z-9167 - APPLICANT 1524400 Ontario Inc.

I JUST RECEIVED THIS IN THE MAIL ON FRIDAY FEB 21, 2020. I would like to be inform of all plans in regards to this project. With my current job hrs I am unable to attend the public meetings to participate/voice my concerns in this matter. By looking at your website and the building this is not affordable housing. Please correct me if I am wrong. We have more than enough buildings currently for high income people and NEED TO WORK ON A PLAN FOR AFFORDABLE INCOME FOR LOW - MIDDLE CLASS INCOME.

This is my outlook on what is proposed for the above said property as a homeowner with this property in my back yard. As a hard-working single female. My house may not be a 400,000 dollar house but it is my home. I FEEL SAVE NOW IN MY NEIGHBORHOOD BUT.....

1. I do not like the idea of the single beds in this unit. This is just putting good monies into bad

2. This does not solve the problem of the homelessness. It is only a band-aid once again.
3. These people are humans just like yourself with a story WHY.
4. These people need to know they have a place they know they can call HOME!
5. People do not want to have to sleep with one eye open to protect themselves or what belongings they have.
6. The single bed units should stay currently where they are and no new ones added to the city and more headaches for the City of LONDON POLICE
7. You currently have over 600 units around the city that need to be fixed and filled according to the London News a few months ago. What is the status with these at the present.
8. YOU CURRENT CITY PROPERTIES FOR LOW INCOME THAT A SUB-CONTRACTED OUT NEED TO BE MAINTAINED. I CURRENTLY KNOW FIRST HAND THEY ARE NOT. MONIES ARE DEFINITELY BEING MISUSED. Ground rules are not being implemented nor is the city doing regular inspections on the properties they own to ensure this!
9. If you are going to build this unit it would be best for bachelor and one bedroom units ONLY.
10. What does the city plan on doing on assuring the safety of myself/and my home, as well as our neighborhood once this is built.
10. I do have quite a few suggestions that would definitely help and would look forward to discussing them further.

Regards,

Bonnie Moes

.....

Received: Fri 3/27/2020 4:00 PM
From: Peformaxx Properties
To: Meksula, Sean <smeksula@London.ca>
Subject: Planning Application Z-9167 - Comments and Concerns

Dear Sir/Madam,

I received the Notice of Planning Application on February 21st and note that the deadline for response was February 21st. I spoke to Mr. Sean Meksula on the phone and he indicated this was a typo and I should not be concerned about the timing of a submission.

I own the property at 240 Richmond Street, contiguous on the west side of the subject property. I have a number of concerns and questions regarding this application:

My concerns, and those of several of my tenants who have asked me to consolidate the issues into one email, center around the set back from the property line on the west side of their building; during and post construction.

If I read the Notice of Planning Application correctly, the building is to have a setback of .98m. It is also to be 50.4m tall. This is a significant structure extremely close to the property line. Unfortunately, my building appears to be built right on the property line in the south east corner. That means the total gap is only .98m along that corridor.

Given this tight access to the rear of my, and their building, I am concerned about the build up of garbage, access by animals and or the homeless taking shelter, and potentially snow build up in the winter. I am very concerned about increased snow load on my roof given the close proximity of the new structure.

I am concerned about easier access to my roof by unauthorized people and thieves. I have recently had the copper stolen from one of my roof top units destroying the unit costing \$6k to replace.

Given the narrow corridor, I suspect there will be poor access for fire protection, and less access for future construction or repairs of my building. My redevelopment opportunity is likely more restricted now.

During construction, I have the above concerns but also have the risk of damage to my property from careless contractors. We have some concerns about noise, but no one lives in our building. I am concerned about dust and debris in close proximity to my hvac units and the required inflow of clean air. I am also concerned about the excavation plan. What is their plan for cranes? What direction and management will they have regarding their contractors and coverage for liability in the event of damage?

After completion, will there be sufficient lighting from dusk until dawn in this narrow space? Are they planning to install cameras? What fence are they planning to install post construction? What is their plan for immediately south and east of my building? Will that be a thoroughfare?

Thank you for giving consideration to my concerns and those of my tenants.

Scott Turner
President
Performaxx Properties

.....

Received: Fri 2/28/2020 8:32 AM
From: Paul Hubert
To: Meksula, Sean <smeksula@London.ca>
Cc: Kayabaga, Arielle <akayabaga@london.ca>; Ali Soufan; Casey Kulchycki
Subject: [EXTERNAL] File Z-9167 185 Horton Street East



Sean Meksula
Development Services
City of London
London, ON

Re: File Z-9167 185 Horton Street East
Sean

Thank you for providing an opportunity for input on this file. I write in my Role as CEO for Pathways Skill Development. We are the anchor tenant at 205 Horton St and the Owner/ Operator of the London Community Woodshop, which is adjacent to the site at 195 Horton St.

The design and concept presented by London International Academy seems innovative and positive contribution to the community. On the whole we are supportive. However, there are a number of questions raised that we feel Council and Administration should turn their minds to.

1. The need for the definition of "Dormitory" requires increased detail and explanation and clarity as to how it would inform the official plan.
2. The report does not detail what the specific public good is that would be attributed to the public by bonusing. The intensity of use proposed should have a greater benefit than below ground parking. This would have to occur regardless as there is nowhere else for it to go.
3. The amount of exterior amenity space is not detailed and seems very limited.. Given the age of the target population, this is an important consideration. In the context of universities, where the dormitory use is prevalent, there is access to other amenities, including open space, recreation facilities and common areas.
4. The traffic study does not comment or contemplate the impact of nearly 300 students utilizing the Richmond/Horton intersection at peak hours. It depends on

the pedestrian nature of the residents to justify the lower parking demand but does not extend that to impacts on traffic flow.

5. Planning Policy Analysis indicates that the proposal contributes to the range of residential uses to meet housing demands. The concern might be of future use for the building should the LiA no longer require it. What are the potential second generation uses and would the zoning/site plan be adequate to accommodate them?
6. Side yard set back cites the existing condition on the eastern side. It seeks relief for setbacks due to the historical non-conforming nature. However, the existing building has a variety of lines for the site. While this is understood, we would request discussion at the site plan stage as to maintenance and the setback and fencing.
7. Given the location of the building, the makeup of the residents, Community Safety by Design standards should be undertaken in site plan and in consultation with neighbouring owners.

We would ask for a robust discussion with ILA as to siteplan and construction impacts as their plans progress. We were disappointed that the owners of LIA and their planners did not engage us in dialogue prior to us learning of it through the media. We are deeply vested in the development of the community and would like to assist in anyway possible to enhance wellbeing of the community.

Best regards

A handwritten signature in black ink, appearing to read 'Paul Hubert', written in a cursive style.

Paul Hubert
Chief Executive Officer
Pathways Skill Development

Cc Casey Kulchycki, Zelinka PRiamo
Arielle Kayabaga, Councillor Ward 13
Ali Soufan, York Developments

Appendix C – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this requested land use change. The most relevant policies, by-laws, and legislation are identified as follows:

2020 PPS

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

1.1.1 a, b, e

1.1.3 Settlement Areas

1.1.3.1, 1.1.3.2, 1.1.3.3, 1.1.3.4

1.4 Housing

1.4.1

1.6.7 Transportation Systems

1.6.7.4

1.7.1 Long-term Economic Prosperity

Official Plan

3.4. Multi-Family, High Density Residential

3.4.3. Scale of Development

3.5. Policies for Specific Residential Areas

4.4.1 Main Street Commercial Corridor

4.4.1.3. Function

4.4.1.1. Planning Objectives

4.4.1.2. Urban Design Objectives

4.4.1.4. Permitted Uses

4.4.1.7. Scale of Development

4.4.1.9. Urban Design

4.4.1.13.4. Hyde Park Specific Policy

London Plan

54_ Key Directions

55_ Direction #1 – Plan Strategically for a Prosperous City

59_ Direction #5 – Build a Mixed-use Compact City

Urban Corridor Place Type

Permitted Uses – 908

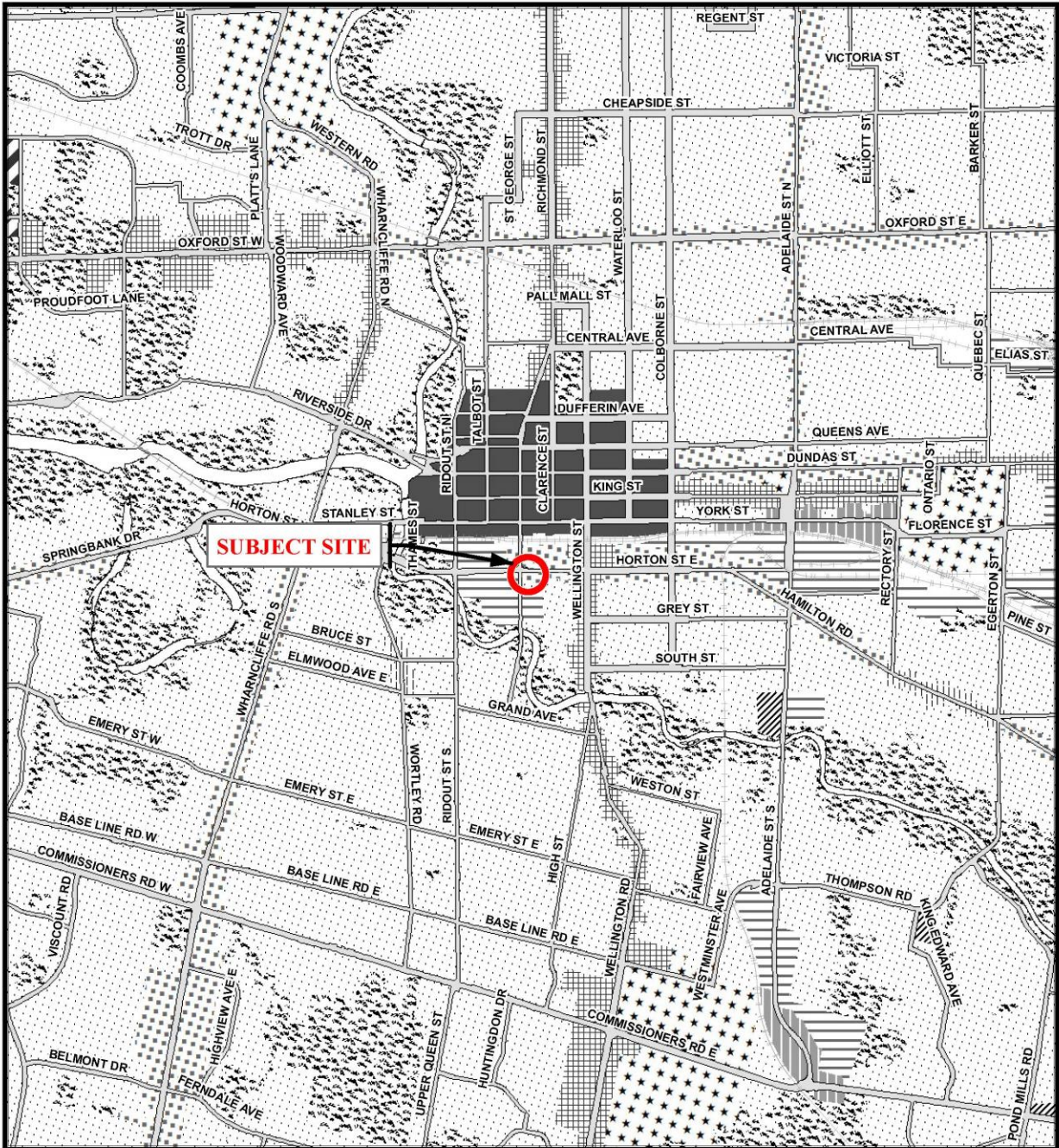
Intensity – 910

Form – 911

SoHo CIP

Appendix D – Relevant Background

The London Plan Map 1 – Place Types



Legend

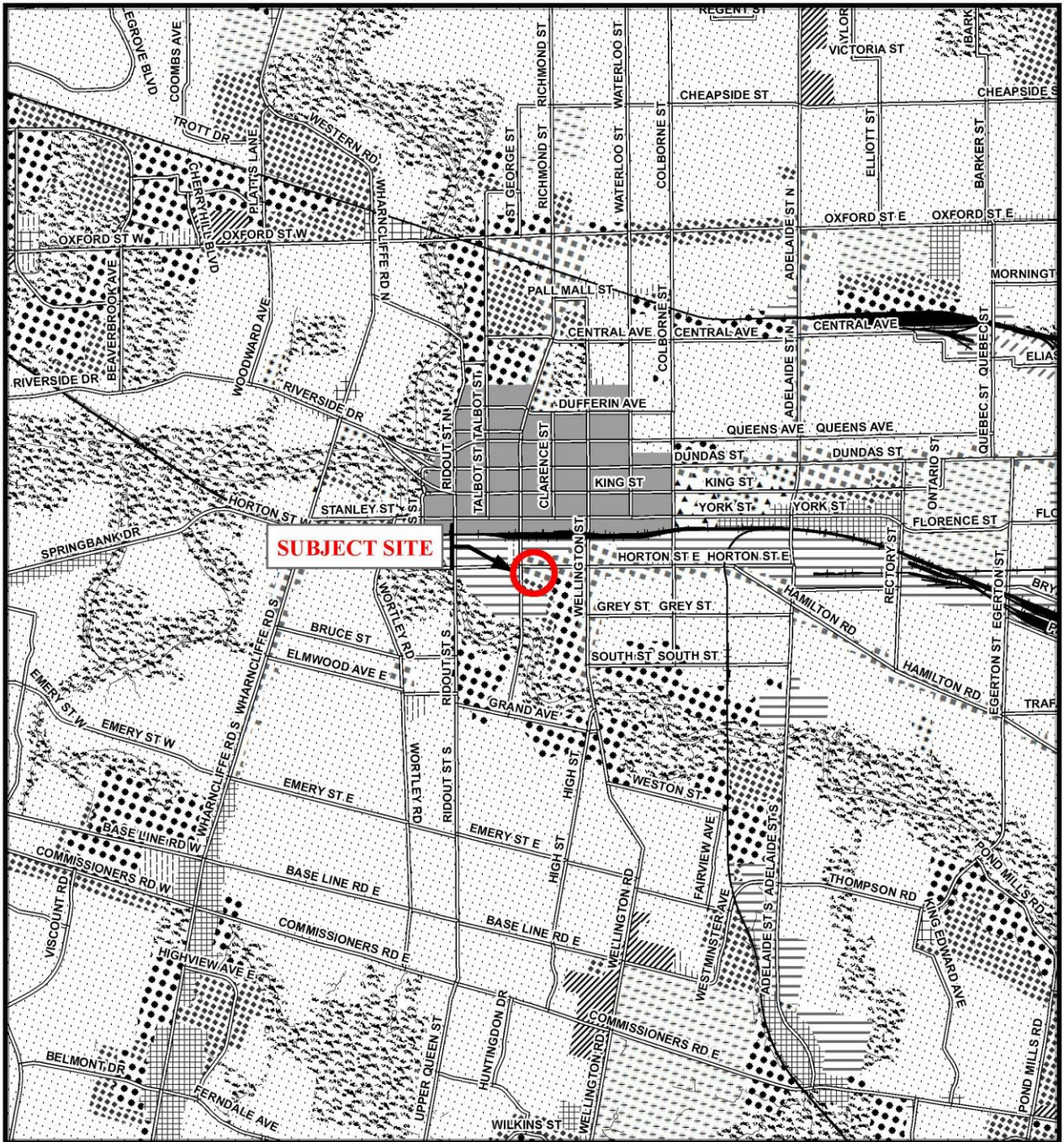
Downtown	Future Community Growth	Environmental Review
Transit Village	Heavy Industrial	Farmland
Shopping Area	Light Industrial	Rural Neighbourhood
Rapid Transit Corridor	Future Industrial Growth	Waste Management Resource Recovery Area
Urban Corridor	Commercial Industrial	Urban Growth Boundary
Main Street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

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

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

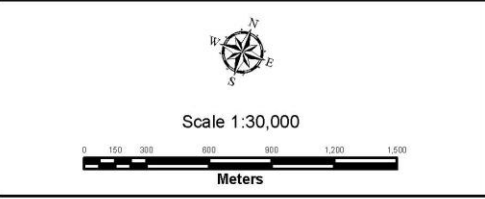
<p>CITY OF LONDON Planning Services / Development Services</p> <p>LONDON PLAN MAP 1 - PLACE TYPES -</p> <p>PREPARED BY: Planning Services</p>	<p>Scale 1:30,000</p> <p>0 150 300 600 900 1,200 1,500</p> <p>Meters</p>	<p>File Number: Z-9167</p> <p>Planner: SM</p> <p>Technician: RC</p> <p>Date: June 9, 2020</p>
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1989 Official Plan Schedule A – Land Use



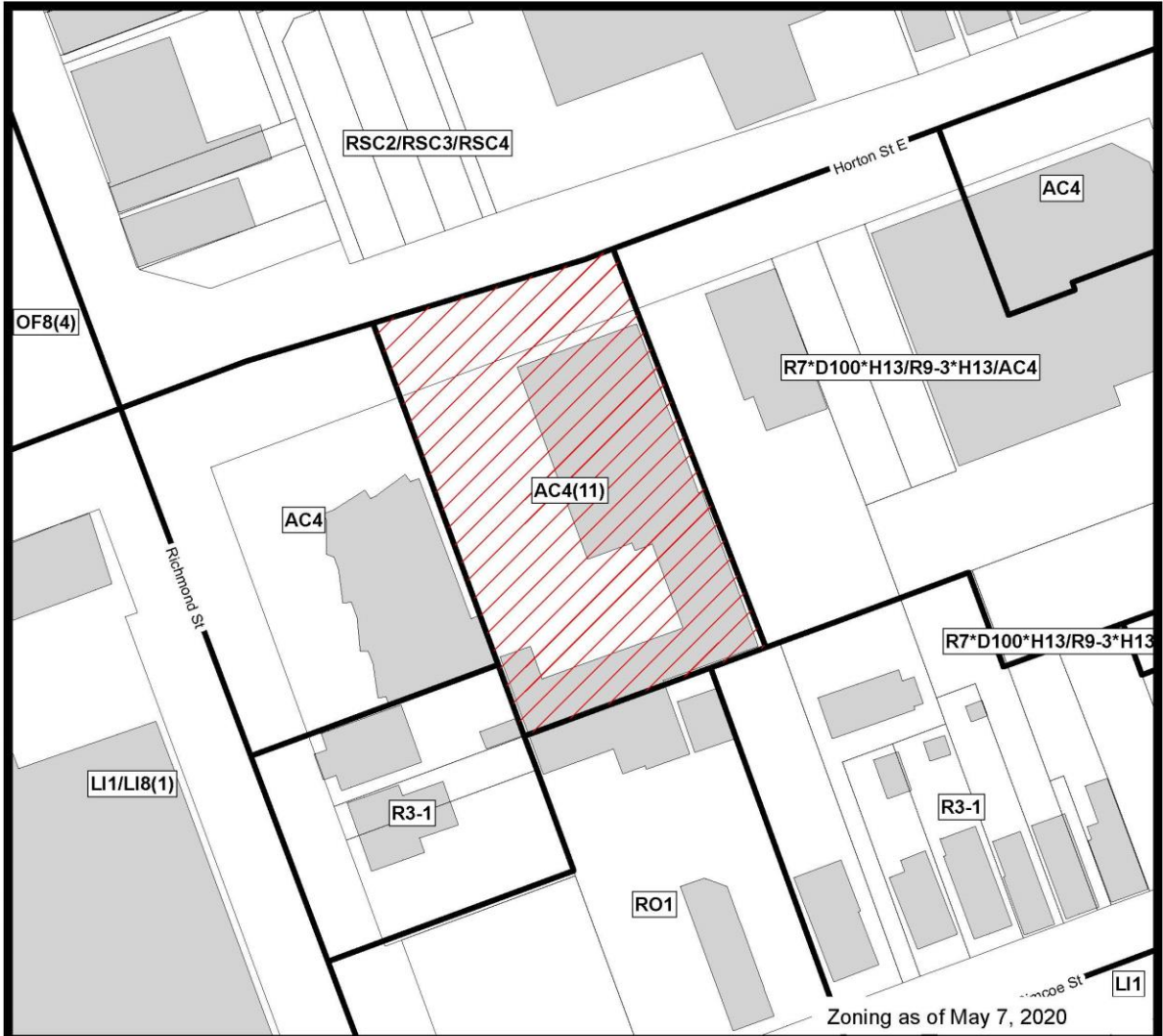
Legend			
	Downtown		Office Business Park
	Enclosed Regional Commercial Node		General Industrial
	New Format Regional Commercial Node		Light Industrial
	Community Commercial Node		Regional Facility
	Neighbourhood Commercial Node		Community Facility
	Main Street Commercial Corridor		Open Space
	Auto-Oriented 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-9167
 PLANNER: SM
 TECHNICIAN: RC
 DATE: 2020/06/09

Zoning By-law Z-1



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: LI1

1) LEGEND FOR ZONING BY-LAW Z-1

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

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

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

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

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

OB - OFFICE BUSINESS PARK
 LI - LIGHT INDUSTRIAL
 GI - GENERAL INDUSTRIAL
 HI - HEAVY INDUSTRIAL
 EX - RESOURCE EXTRACTIVE
 UR - URBAN RESERVE
 AG - AGRICULTURAL
 AGC - AGRICULTURAL COMMERCIAL
 RRC - RURAL SETTLEMENT COMMERCIAL
 TGS - TEMPORARY GARDEN SUITE
 RT - RAIL TRANSPORTATION

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



FILE NO:

Z-9167

SM

MAP PREPARED:

2020/06/09

RC

1:1,000

0 5 10 20 30 40
 Meters

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

Appendix E – Applicant’s Reply to UDPRP Comments

Comment:

The Panel recognizes the constraints posed by the irregular site dimensions, the need to accommodate a significant student population and the desire to maintain the existing building.

Applicant Response: July 8th 2020

It must be mentioned that the design of the facility has focused on the safety and well-being of the students first and foremost. Areas such as the roof top terraces will NOT be available to the students but are fully able to be used for future Owners as amenity spaces should the LIA choose to sell the building.

Comment:

The Horton Street frontage is dominated by the proposed vehicular access to the interior parking structure. Further development of the design treatment along the Horton Street frontage is needed to reduce the prevalence of the vehicle entrance/access and provide a more people-focused relationship with the street.

- Explore opportunities to relocate, reduce or eliminate the vehicular site access. Given the nature of the intended use, the elimination of vehicle parking altogether could help to provide a basis for such design changes.
- Consider further “softening” of the concrete entranceway/arch feature through changes in materiality and landscape treatment.
- Consider further development of the street level façade of the existing building. The overall site design could benefit from a greater understanding of how these two separate buildings could be designed comprehensively and work in a coordinated fashion to achieve the design goals for the Horton Street frontage.
- Consider further development of existing landscaping in front of the existing building. Landscape treatment that allows flexibility of ground floor programming to help animate the street and provide a more urban experience is encouraged

Applicant Response: July 8th 2020, Revised Sept. 13 2020

Future softening of the concrete entrance way has been softened to make it more pleasing from Horton Street however, the parking remains as designed to maintain student safety. Consideration to further develop existing landscaping in front of the existing building will be carried out through the use of shrubs in large pots however the ability to animate the street and provide a more urban experience sacrifices the safety of the students thus no public space will be created.

Comment:

Further development of the west building elevation is needed to ensure a positive contribution to the skyline.

- Introduce additional fenestration to allow for light penetration and lighten the visual appearance of the building mass.
- Introduce variations in the vertical plane of the façade to break down the massing similar to the stepped design treatment that’s been implemented on the horizontal plane (e.g. appear as 4-5 volumes vs one plane)
- Further optimize the rhythm of materiality on the west façade with a critical lens towards the effectiveness of the proposed spandrel panels.

Applicant Response: July 8th 2020, Revised Sept. 13 2020

All comments have been considered in the revised West Elevation that successfully removes the single plane aspect of the previous design. Two focused “voids” have been introduced by use of green space terraces and a shifting of the hallway on the floors to which they occur. These voids will provide the relief from the plane through manipulation of the sun and shadows cast on it during the day, while at night the upper floor levels and the “voided areas” will be illuminated to provide further support to this aesthetic.

Comment:

Introduce a more logical flow to the proposed site plan and landscape treatment whereby residents are more intuitively directed toward Horton Street

Applicant Response: July 8th 2020, Revised Sept. 13 2020

The layout dictates the site plan as well as does the organization of traffic flow with student flow. The landscape treatment will be achieved through large potted greenery that will not compromise the safety of the students nor hinder their access to and from Horton Street.

The residence in this matter must clearly be understood that they are children under the age of 17 and not "residence" of public apartment buildings where adults will reside. Safety is a Key focus here.

Comment:

The introduction of more usable on-site amenity space with appropriate access to sunlight and enough size to accommodate programming would be beneficial. Such amenity space should seek to foster a greater relationship with Horton Street.

Applicant Response: July 8th 2020, Revised Sept. 13 2020

Due to the safety of the students, it is the intent of the Owners to separate any possible interaction with their students and that of Horton Street. There is a two storey amenity space located on the south side of the site which provides the students a quiet but safe area to escape the daily rigors of studying, yet protects them from the public..

The roof top terraces are designed to be used for any future Owners should the building be sold. At this time the students will not have access to this area unless the Owners can guarantee safety to the students and to the public passing on the streets below.

PUBLIC PARTICIPATION MEETING COMMENTS

3.3 PUBLIC PARTICIPATION MEETING – Application – 185 Horton Street East

- Councillor Squire: Thank you very much. Any technical questions for staff? Councillor Hopkins and Mayor Holder after that.
- Councillor Hopkins: Yes and thank you for the presentation. It, a question around the fire suppression system. You said that we're getting, we're going to have more, could you explain a little bit more what a fire suppression system is?
- Councillor Squire: Go ahead.
- Sean Meksula, Senior Planner: Through the Chair, the fire suppression system, because there's more openings on the building and because it's closer to the existing building to the east they'd have to have more sprinkler systems within the building to accommodate for that so they've gone forward and spent the extra money to accommodate the windows and the fire suppression at their cost which has been very supported by the City.
- Councillor Councillor Squire: Thank you.
- Councillor Councillor Hopkins: Thank you and I have one other technical question.
- Councillor Squire: Go ahead Councillor.
- Councillor Hopkins: It relates to the definition of what a dormitory is and it says that it is, it's an, it's an auxiliary to an educational institution where residents have exclusive use of a bedroom with a separate interest, etc., etc. My question is does it just pertain to an educational use, a dormitory, in other words can it be used for another means of allowing, if changes are made and it doesn't come to fruition, what this building is going to be used for, can it be used for opportunities to house, you know, people that need housing?
- Councillor Squire: Go ahead.
- Sean Meksula, Senior Planner: Through the Chair, throughout this process we've taken that into consideration and in the event that the building were to change hands in the future, the dormitory use would only be in existence for this use and any conversion of this building would be required to go through our Zoning By-law Amendment to allow for any apartment type use to, because of the density in this area. That being said, if they were to, Council could, they also can come back in and change the definition of dormitory or put a different definition in there so be it by another applicant but right now it's just for this specific use.
- Councillor Hopkins: I understand with that answer that it would require a zoning application to change the definition of what a dormitory is.
- Sean Meksula, Senior Planner: That's correct.
- Councillor Hopkins: Thank you.
- Councillor Squire: Thank you Councillor. Mr. Mayor you had a technical question? I think you're still on mute Mr. Mayor. Thank you.

- Mayor Holder: Thanks Chair. Staff have answered the question on fire suppression. Thank you.
- Councillor Squire: Thank you very much. If there's no other technical questions we'll go to the public for any presentations.
- Catharine Saunders, City Clerk: Mr. Chair, the agent for the applicant, Mr. Kulchycki is ready to speak.
- Councillor Squire: Go ahead sir.
- Thank you. Good evening Chair and Members of the Committee. My name is Casey Kulchycki, I'm a Planner with Zelinka Priamo Ltd. representing the applicant on this project, The London International Academy. First, I just want to say thanks to Sean and the staff of Development Services for their work on this. We have been working diligently with staff over the last year to get to this positive staff report tonight. We've reviewed the staff report and we are in agreement with its recommendation. I am joined by Paul Loretto of L360 Architecture, the architect on this project as well as Alex Neil from the London International Academy in case Committee Members have any questions that they might be able to address but we are in agreement with the recommendation and dial we look forward to working with staff through the site plan process. Thank you.
- Councillor Squire: Thank you very much. Any other public presentations?
- Catharine Saunders, City Clerk: Through you Mr. Chair, Mr. Turner, Scott Turner, who owns the building next door, I believe he wishes to speak.
- Councillor Squire: Is he on?
- Scott Turner, Perfomaxx Properties: Yes.
- Councillor Squire: Mr. Turner it's your opportunity to present. You could, you can speak for up to five minutes and you're starting right now.
- Scott Turner, Perfomaxx Properties: Thank you very much. Yes, I am President of Performaxx Properties. I own the five-unit single story property that's contiguous on the west side. Generally, I support the project. I think it's great for the city, the owner, great for the students and the immediate community; however, I have a few concerns as it relates to my building. To be honest I'm not really sure of the form to address my concerns. I don't know if it's now or at the site planning meeting or directly with the owner or designer/developer.
- Councillor Squire: If you ask the questions, we will try to get you answers to whether this is you we can answer today or whether there's another form.
- Scott Turner, Performaxx Properties: Perfect. On that note I do want to thank Sean and Michael, they've been excellent and helpful over the last few weeks and, and ten months ago when I first broached the issue with them. I have two areas of concern; one is related to the close proximity of this new building relative to mine. At the narrowest it's less than a meter between our buildings, so that's quite a narrow corridor between our buildings and as you know corridors can create problems. I'm not sure how they're planning on controlling the access or is it a thoroughfare; I don't know what the fencing plan is, how will it work vis a vis my property; I don't know if they've got a lighting plan, it is very dark, it invites some bad characters. I don't know if they're planning on having cameras there; unfortunately, with the Labatt's beer store across the street it sometimes attracts some problems with the homeless. I've had three broken windows and two

break and enters in the last year. I'm also worried about unauthorized access to my roof. I've had the copper stolen from one of my HVAQ units in the last year causing me six thousand dollars of damage. Shifting gears a little bit, I don't know what the tie back plan is. I know they've got an underground garage planned and again it's less than a meter from my building. My biggest issue is probably related to snow load; right now I basically have no snow as it blows off my property, blows off of my building I should say. I'm certainly not an expert on wind or snow accumulation but I do know that the closer the building is to mine the more I will get wind drifts and heavy snow build up on my roof. I'm not sure if a study has been done; if not, I think one should be. That's my first area of concern related to the proximity of the building. My second area of concern is really during the construction process and again it's more related to the close proximity of the building to mine but there are some issues during the construction such as dust, etcetera. I have got five HVAC units on my roof and I'm a bit concerned about the dust, also debris and damage to my building being so close. I'm not sure what their crane plan is or what their swing requirements, I'm not sure how the management of the contractors is going to work and as we know sadly accidents do happen. I have no information on any of these issues, I've had no contact with the owner and I found out through the City's public disclosure process. Just to summarize I'm not sure how or what form I can get some of my issues resolved so that's my five minutes. Thank you very much.

- Councillor Squire: Thank you. I will try to get you answers to your questions if you, if you stay around and listen I'll, I'll make sure that staff or the owner addresses those. Any other presentations? There are no other presentations I understand. I need a motion to close the public participation meeting. Before we go on I wonder if, if either staff and the applicant wants to help to answer the questions we heard and just so I understood, the first concern was proximity of the buildings and the lane way that it creates between the two in terms of the laneway in between and also the idea of there being wind, wind on top that might create a snow load so I'll start with staff and then maybe the applicant can help.
- Sean Meksula, Senior Planner: Through the Chair I think Mr. Kokkoros might be able to help with the snow load question. Thank you.
- Councillor Squire: Alright.
- Peter Kokkoros, Deputy Chief Building Official: Thank you Mr. Chair. The question, if I understood it correctly arose with respect to concerns the adjacent owner has on potential additional snow loading on the, what would become the lower roof as a result of this development. The Building Code does acknowledge snow drift loads when roofs have differences in elevation or when there are particular obstructions on the roof but the Building Code is basically concerned with the confines of the property itself so in other words if a property had two buildings and there were different elevations we would consider snow drift on the lower roof. In this particular case the Building Code does not go outside the confines of the particular property and this, in our opinion, would become a civil matter between two adjacent owners. In fact many years ago we consulted with the City of Toronto and that's not an issue unknown to them when it comes to this type of development. Basically what we have agreed to do is provide some type of notification on the drawings that would let the developer know that there may and I stress may be additional snow drift loading on the adjacent roof and that the developer it might be a good idea for them to contact the adjacent owner and sort of sort things out but the Building Code is clear under Section Eight of the *Building Code Act*, the Chief Building Official shall issue the building permit unless any applicable law is contravened or the regulation itself is contravened and in this case that specific item will not be deemed as a contravention of the Building Code.

- Councillor Squire: Thank you and then the other issues which were the close proximity causing unauthorized persons between the buildings and some unauthorized access to the roof, can staff help with that at all?
- Sean Meksula, Senior Planner: Through the Chair, through this development it would probably help with the abutting use because I imagine in this building the applicant would provide more lighting for the property for people walking in because I know there's an entrance at the back of the building so there would probably be a better lighting for individuals walking through there and fencing between the buildings. That may or may not be an issue of letting people up on top of the roof. I'm not sure what the developer has for plans for this, if they have any mitigations themselves because they would be impacted by the same issues I would imagine.
- Councillor Squire: Alright.
- Sean Meksula, Senior Planner: I don't know if they could answer that question.
- Councillor Squire: Okay, if the applicant, if you have any comments on that concern?
- Casey Kulchycki, Zelinka Priamo Ltd.: Just yes, certainly just with regards to the, to the separation distance property line to our building given the narrowness of that space, typically what we see through the site plan is we would block that off with some sort of a blockade fencing or bollard or some sort of other blockade, just because of those items that the adjacent landowner brought up; it's, it's a space that just it attracts trouble and so we try to mitigate access. In addition to that, this is going to be used as a dormitory so we really want accesses to the building and the amenity spaces to the building to be really secure for the residents given that they are high school age students, so again, that's, you know, we pretty much just want to focus access through the main entrances off the roadway and not have any ability to kind of circumvent those access points to get to the rear of the property through these narrow side yards. Through the site plan process I would be anticipating that those narrow distances between the building and the property lines would be blocked off to prevent those activities from occurring as best we can and just to kind of expand on Mr. Meksula's comments, this proposed building will bring additional lighting just through new exterior lighting and then also just lighting that spills out through the windows on the elevation so it will add some additional lighting to help, to again help deter those activities kind of during the evening hours. We're hoping through the site plan process will be able to address a lot of these concerns that the adjacent landowner has brought up.
- Councillor Squire: Thank you and just briefly if staff could just talk about the construction concerns in terms of dust, damage and debris, very briefly for this gentleman.
- Sean Meksula, Senior Planner: Sure. Through the Chair, during the construction process there will be mitigations put in place to control dust and debris to make sure it doesn't impact the abutting buildings and uses; that being said if stuff does happen and the neighbouring properties find there are issues with the construction they can always contact the City in which we would have somebody go out and deal with those issues.
- Councillor Squire: Thank you. I'm sorry Committee I just thought I would get those questions answered.

Appendix A

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

By-law No. C.P.-1284-
A by-law to amend the Official Plan for
the City of London, 1989 relating to 185
Horton Street East.

WHEREAS 1524400 Ontario Inc. applied to rezone an area of land located at 185 Horton Street East, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 185 Horton Street East as shown on the attached map comprising part of Key Map No. A.107, from an Arterial Commercial Special Provision (AC4(11)) Zone, to an Arterial Commercial Special Provision Bonus Zone (AC4(__)/B__) Zone;

- 2) Section Number 26.4 of the Arterial Commercial (AC) zone is amended by adding the following Special Provision:

AC4(__) 185 Horton Street East

- a) Additional Permitted Use:
 - i) Dormitory building

- 3) Section 2.0, Definitions, to By-law No. Z.-1 is amended by adding the following definition:

"Dormitory" - Means a residential building in association with and ancillary to an educational institution where residents have exclusive use of a bedroom with a separate entrance from a common hall and share common facilities such as washrooms, kitchens, lounges, recreation rooms and study facilities.

- 4) Section Number 4.3 of the General Provision in Zoning By-law Z.-1 is amended by adding the following new Bonus Zone:

4.3) B(__) 185 Horton Street East

The Bonus Zone shall be implemented through one or more agreements to facilitate the development of a high quality mixed-use commercial/dormitory apartment building with a maximum density of 389 units per hectare and a maximum height of 51 metres (16-storeys) which substantially implements the Site Plan and Elevations attached as Schedule "1" to the amending by-law in return for the following facilities, services and matters:

- (a) A high quality development which substantially implements the site plan and elevations as attached in Schedule "1" to the amending by-law:

Building Design

- i) High quality architectural design (building/landscaping) including a common design theme for residential and commercial elements; and

provision of structure parking facilities and screening for surface parking areas.

Underground Parking

- i) Underground Parking Structure parking provided to reduce surface parking areas (a minimum of 27 subsurface spaces provided).

Outdoor Amenity and Landscaping

- i) Common outdoor amenity area to be provided in the northeast quadrant of the site; and rooftop terraces above the 7th, 12th and 16th floors.
- ii) Landscape enhancements beyond City design standards, including theme lighting.
- iii) Landscape plans for common outdoor amenity areas to incorporate hard landscape elements and drought resistant landscaping to reduce water consumption.

Sustainability

- i) Provides a pedestrian-oriented environment along Horton Street East, which facilitates passive surveillance of the streetscape and, ultimately, safer streets.
- ii) Fosters social interaction and facilitates active transportation and community connectivity with Downtown.
- iii) The subject lands are close to public open space and parkland in the area, particularly Thames Park, Charles Hunt Park, and the Thames River Pathway system, which provides recreational opportunities for residents (passive and active).

5) The following special regulations apply within the bonus zone upon the execution and registration of the required development agreement(s):

a) Regulations:

i)	Density (maximum)	389 uph 3:1 ratio of 3 beds equals 1 dwelling unit, 296 beds converts to a density of 389 units per hectare
ii)	Height (maximum)	51 metres
iii)	Off Street Parking (minimum)	27 spaces
iv)	West Interior Side Yard Depth (maximum)	0.98m (3.2 ft)
v)	East Interior Side Yard Depth (maximum)	1.3m (4.3 ft)
vi)	Rear Yard Depth (maximum)	5.5m (18.0 ft)
vii)	Lot Coverage (maximum)	51%

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.

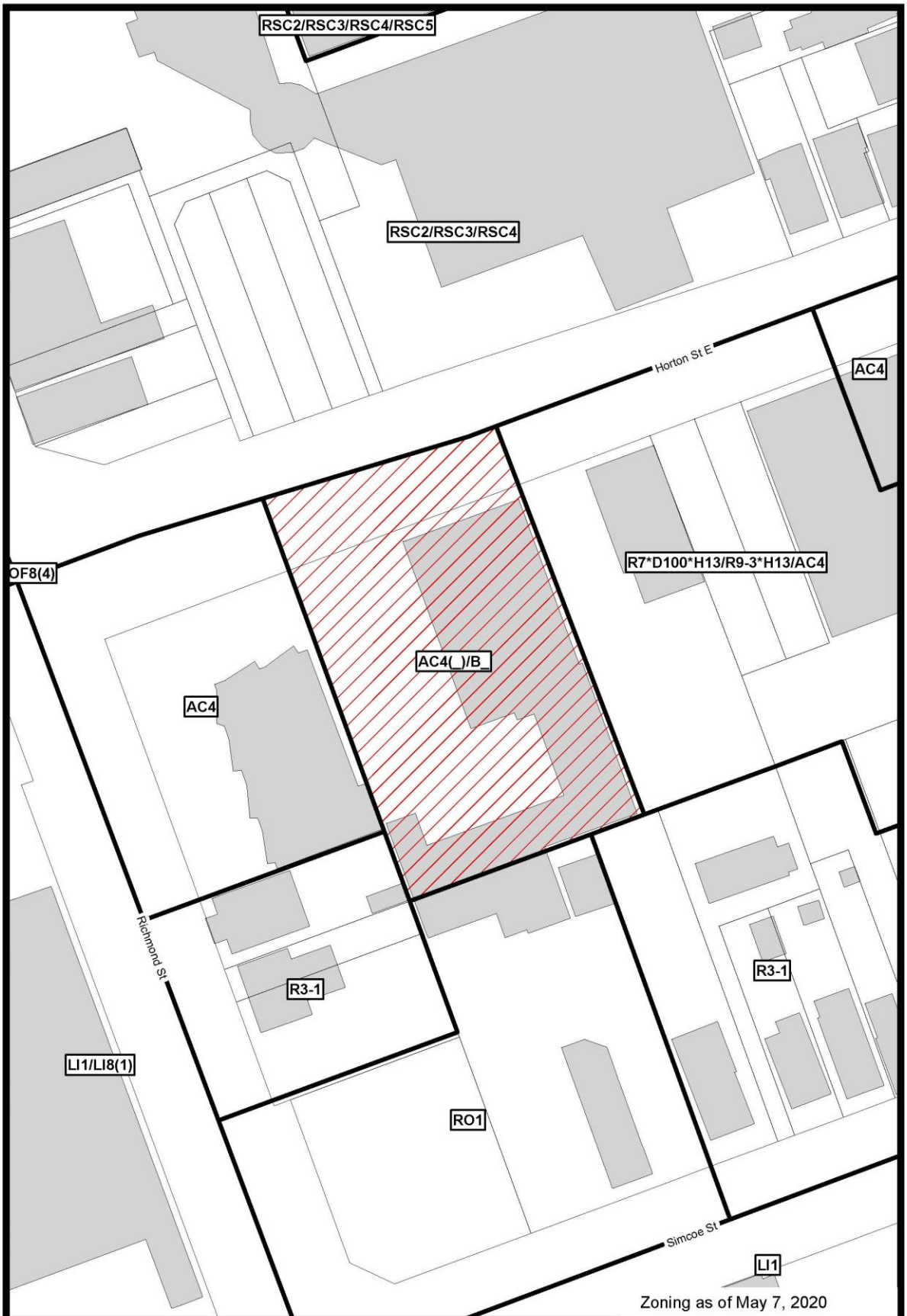
PASSED in Open Council on February 23, 2021

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – February 23, 2021
Second Reading – February 23, 2021
Third Reading – February 23, 2021

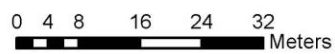
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: Z-9167
Planner: SM
Date Prepared: 2020/06/09
Technician: RC
By-Law No: Z.-1-

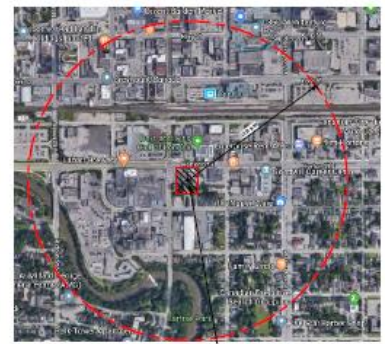
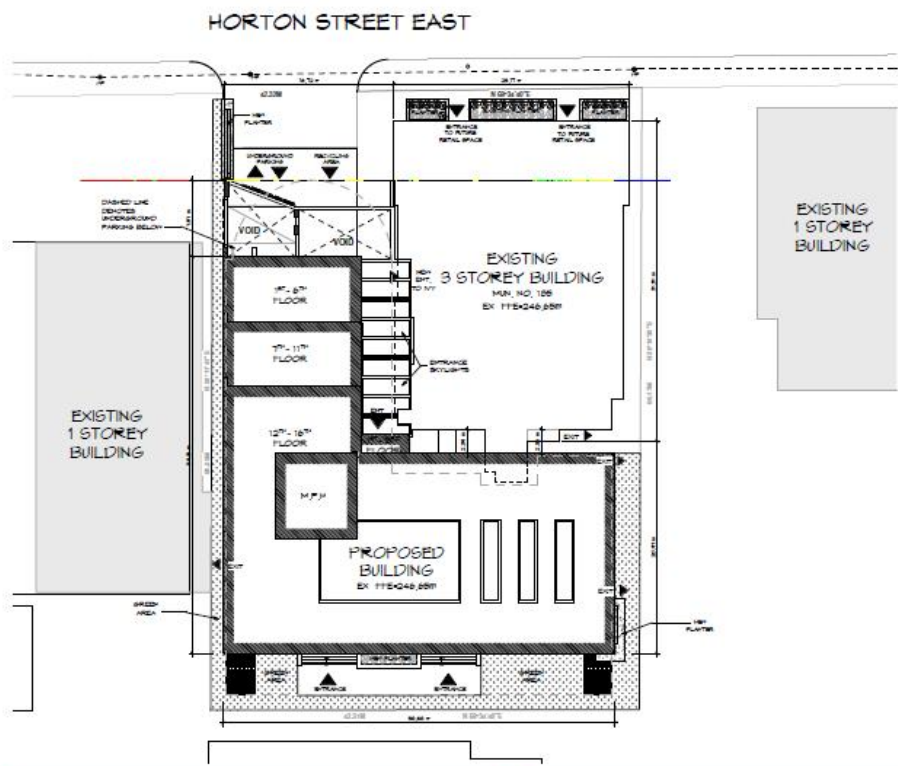
SUBJECT SITE 

1:800

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Schedule "1"



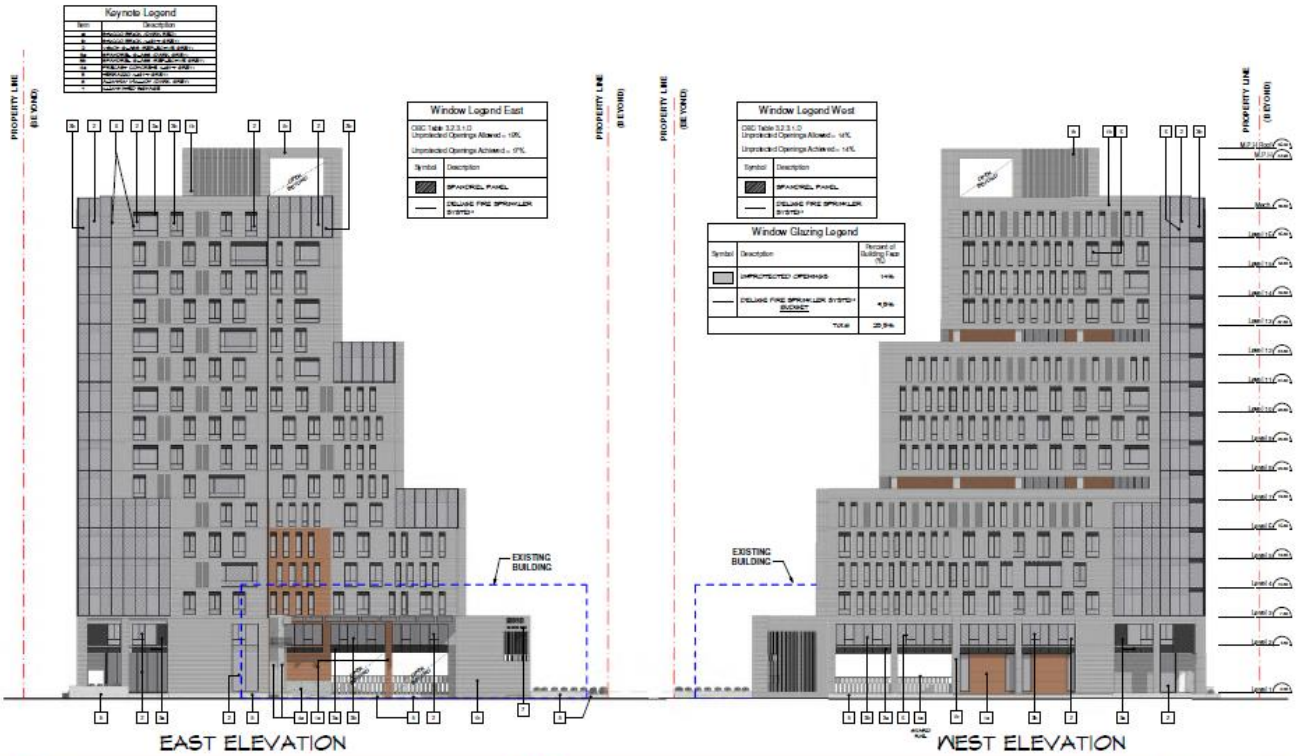
SITE CONTEXT PLAN



HORTON STREET VIEW

SITE PLAN





VIEW FROM NORTHEAST



VIEW FROM NORTHWEST



VIEW FROM NORTHEAST



VIEW FROM NORTHWEST